



REZ-17-03

Report Prepared by: Shawanna N. Qawiy, MPA, MSCM
Planning & Development Manager

Applicant: RBM Decatur, LLC

Location: 3449 Church Street, Clarkston, GA 30021
801 Glendale Road, Clarkston, GA 30021

Request: Rezoning from I--Light Industrial to NR-3 High Density Neighborhood Residential District

Parcel ID(s): 3349 Church Street- 18 065 060 31
801 Glendale Road- 10 065 060 32

Proposed Use

/Purpose:

Current Land Use: The property is currently vacant. The request is to market the property for townhomes.

Sign Posted: **July 24, 2017**

Planning & Zoning Meeting: **August 15, 2017**

City Council Meeting: **September 5, 2017**

Lot Size: 5.3+/- acres

Road Access: Frontage on Church Street and Glendale Road

Public Utilities:

Water and Wastewater Treatment –. Public water service connections are not currently available on these vacant lots. If additional public sewer service is warranted it will be made available via line extensions at the developer's/property owner's expense.

Zoning Overview: The current zoning of the subject properties is I-Light Industrial. The request to rezone the subject property to NR-3, is not consistent with the zoning classification of surrounding properties as outlined on the zoning map or future land use map for the City of Clarkston. The property owner's request to rezone the property is to potentially make the property more marketable for developers to build townhomes in the price range of \$250,000 - \$300,000. Currently the property owners have not submitted a conceptual site plan, which is a required document for a rezoning application. A review of zoning files indicates that there have been no previous zoning requests regarding the subject property. **Table 1.0** illustrates the zoning and current land uses for the adjacent properties:

Table 1.0

	Current Zoning	Current Land Use
North	NA (Church St)	NA (Church St)
East	I-Light Industrial	Industrial Office Park
South	I-Light Industrial	Decatur Paint and Body Inc Spectrasite Communications LLC (Cellular Tower)
West	I-Light Industrial	Business Plaza with Barbershop and Restaurant/ Corner of Church St / Glendale Rd. – Body Shop

Future Land Use: Industrial: According to the Clarkston 2040 Comprehensive Plan, this area is currently designated as Industrial: Non-nuisance light industrial uses.

Rezoning Review Criteria: Assessment of Application for Zoning Map Amendment
(Article III, Sec. 305):

When any request is made for a change in the zoning for any parcel of property, or when an amendment is requested to the zoning map, the following criteria points must be reviewed as follows;

Criteria Point 1: The effect upon the health, safety, morals or general welfare of the public compared to any hardship imposed upon the individual property owner seeking rezoning should rezoning be denied;

As proposed the property will have an impact on the general welfare of the public in that it will cause an increase in traffic generated on the access roads and that it does not follow the vision as described in the Clarkston 2040 Comprehensive Plan. The NR-3 zoning classification is a district intended for single-family and multi-family residences at a greater density on smaller lots in order to provide for a variety of housing types, including townhomes, cluster homes and condominiums. Even though the NR-3 zoning classification may also serve as a transitional zone between light commercial/office uses and districts the zoning classification it is also reserved as a buffer development for lower density single family uses.

The proposed rezoning request will not have an unhealthy effect or impact the safety and morals of the public since the light industrial zoning classification that surrounds the property only permits businesses suitable for distribution/service facilities, transportation terminals and manufacturing/assembly processes which do not emit noise, vibration, smoke, gas, fumes or odors from an enclosed building. Being influenced by the type of housing product proposed, the area could grow in character by building infrastructure that fosters economic development.

Criteria Points 2 and 3: Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property; whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property;

The current uses of land permitted under the I-Light Industrial zoning, is intended to provide suitable areas for business distribution/service facilities, transportation terminals and

manufacturing/assembly processes which do not emit noise, vibration, smoke, gas, fumes, or odors from an enclosed building. Light industrial districts have access to arterial roadways and utilities and discourage uses which are incompatible with light manufacturing. The zoning proposal will permit a use that is unsuitable in view of the uses and development of adjacent and nearby property uses in the City of Clarkston and based on the vision as outlined in the Clarkston 2040 Comprehensive Plan. The nearby land uses that are currently surrounding the properties include, single family housing (south of the properties) on Glendale Road, Scottdale, GA currently zoned R-75-Residential Medium Lot (DeKalb County). Across the CSX railroad tracks on E. Ponce de Leon Avenue are Single Family Residential housing unincorporated DeKalb County zoned R-75.

Criteria Point 4: Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned;

The property is currently zoned M- Light industrial. It is reasonable to determine that by the property continuing its current zoning its reasonable economic use will be determined when the property is developed under a permitted use as outlined in the Light industrial zoning district.

Criteria Point 5: Whether the zoning proposal will result in a use that may cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools;

Schools: McClendon Elementary, Druid Hills Middle School, Druid Hills High School

Streets and Transportation Facilities:

The nature of the proposed use will create additional volumes of both pedestrian and vehicular traffic along Church Street, Glendale Road, and East Ponce de Leon Avenue.

Utilities and Environment:

The applicant would be required to follow all best management practices (BMPs) for land disturbance and pertaining to storm water runoff and erosion/sedimentation control to expand the parking area.

Public Safety:

Public safety will have an impact based on the high impact of an increased population what would develop from the rezoning request. Additional public services activity may warrant additional patrol in this area.

Criteria Point 6: Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the zoning proposal;

The existing or changing conditions for these parcels could warrant additional housing options in the City of Clarkston.

Criteria Points 7and 8: Whether the zoning proposal is compatible with the principals of the city's long range plan as set forth in the Conceptual Master Land Use and Connectivity Plan for the City of Clarkston, a part of the Clarkston Livable Centers Initiative Study as adopted in March 2005, adopted as the city's comprehensive plan; Whether the zoning proposal is compatible with the most current adopted version of the Future Development Map of the Clarkston Comprehensive Plan

The subject property is located in an area identified as Light Industrial on the Future Land Use Map in the Clarkston 2040 Comprehensive Plan adopted in 2016. The proposed rezoning request does not align with the uses permitted within the Light Industrial zoning classification.

Recommendation(s):

1. Staff recommends **denial** of the rezoning request due to an incomplete application that requires a conceptual site plan to be included in the rezoning application submittal packet.

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1. Staff recommends **approval** of the rezoning requests and to amend the zoning map to reflect the final approval of the rezoning of the properties located at 3449 Church Street, Clarkston GA 30021 and 801 Glendale Road, Scottdale GA 30079 from I- Light Industrial to the NR-3 High Density Neighborhood Residential subject to the proposed text amendment to Section 302 of the zoning ordinance being approved at the August 15th, Planning and Zoning and September 5th City Council meetings, that would allow certain rezoning applications to proceed without a conceptual/site plan.

Additional Information:

Street Index Map

Aerial Map of location

Current Zoning and Future Land Maps

Tax Map