

Mayor
Beverly H. Burks

City Council
Debra Johnson, Vice Mayor
Yterenickia Bell
Jamie Carroll
Susan Hood
Mark Perkins

PLANNING & ZONING BOARD

SPECIAL-CALLED PUBLIC HEARING

October 31, 2024
6:00 P.M. – Public Hearing
3921 Church Street, Clarkston, GA 30021

AGENDA

- I. Meeting Called to Order
- II. Roll Call
- III. Approval of the October 31, 2024 Agenda
- IV. Approval of the August 20, 2024, Minutes
(The September meeting cancelled due to lack of quorum)
- V. Business arises from minutes.
Public Comments: Any member of the public may address the Planning and Zoning Board during the time allotted for public comment. Each attendee will be allowed 3 minutes. If your public comment contains a series of questions, please submit those to the Planning and Economic Development Director in writing on the Public Comment Card prior to the meeting. This will facilitate follow-up by staff or the city council. The Planning and Zoning Board desires to allow an opportunity for public comment, however, the business of the Board must proceed in an orderly and timely manner.
- VI. Old Business: None
- VI. New Business:
 - 1. Housing and Infrastructure Committee Text Amendments
Proposal:
 - i. Article III, Division 2 – Residential Districts, Sec. 305, Table 3.4 for Residential Districts Dimensional Standards, pertaining to NR-3 (High-density Neighborhood Residential District),
All districts with townhomes:
 - ii. the NR-2 (Medium-density Neighborhood Residential District),

- iii. Sec. 314, Dimensional requirements for Mixed-use Districts - NR-CD (Neighborhood Residential-Community Development District), Planned Unit Development - Planned Residential Development District), and Planned Unit Development - Planned Mixed-use Development District).
 - iv. Article VI, Division 3, Off-street parking requirements, Sec. 607. Off-street parking requirements – pertaining to Sec. 607 (a) and Table 6.1 for Parking requirements.
 - v. Article III, Division 4, Mixed Use Districts, Sec. 314, - Dimensional requirements, pertaining to Table 3.6 for the Town Center District.
- 2. MOD-24-10-001 - The Applicant, Tad Braswell, on behalf of Southwyck Homes, is requesting a Modification to zoning condition #19 on Site Plan of the Parkside Subdivision, from “Every home shall have one visitors parking space to be located behind each homes carport” **to read** “Every home shall have one visitors parking space to be located behind each homes carport **or garage**”.
 - 3. REZ-24-10-001 – The Applicants, Grace Denise Rainey-Orr, Garry Rainey, Victor Dwight Rainey, and John Barry Rainey are requesting to rezone properties located at 911 Mell Avenue, 917 Mell Avenue, 929 Mell Avenue, and 935 Mell Avenue from NR-1 District to NR-3.

VII. Adjourn



Planning and Zoning Board August 20, 20-2024 Meeting Minutes

NOTE: Lisa Cameron of the Planning & Economic Development Department transcribed these minutes. The minutes are a summation of the events of the meeting and not intended to be a verbatim transcription of the meeting.

Chair McFarland convened the Planning and Zoning Board public meeting at 7:03pm with the following members present: Charles McFarland, Vice Chair Felicia Weinert, Birendra Dhakal, Lisa Williams, and Amy Medford. Mr. Dean Moore was present for public comments.

Vice Chair (VC), Felicia Weinert made the motion to approve the August 20, 2024, agenda. Ms. Williams seconded. The motion was carried by a vote of 5-0.

The Board members considered minutes for the June 18, 2024, public hearing. VC, Felicia Weinert made the motion to approve the minutes. Ms. Medford seconded the motion. The motion was approved by a vote of 5-0.

Under Old Business, the board members discussed the adoption of the design guidelines that Ms. Cameron presented in December 2023. Ms. Williams stated that she would like to adopt the design guidelines based on recommendations from board members because the item was presented in 2023, and the board has deferred and should be considered for adoption.

Chair McFarland gave an overview of the tour on August 12, 2024, with the Downtown Development Authority and other boards chairs. His thoughts on redevelopment and revitalization of the downtown areas are needed, desperately. He looks forward to working with other boards and city staff to market the city for investment opportunities.

Chair McFarland stated that he would like to adopt the guidelines, as is, and asked Ms. Cameron to reiterate the basis needed for recommendations for the guidelines.

Ms. Cameron explained that the current zoning ordinance (ZO) does not particularly include specific guidance for quality development design. Ms. Cameron also stated that the guidelines would be triggered based on a new project, or percentage of renovations or alterations. She also explained that design guidelines are for development and redevelopment and seek to harmonize general planning, construction, unity organization of the built environment.

Additionally, Ms. Cameron requested that all board members review the Design Guidelines and send her their comments at which time will be compiled and presented at a meeting for discussion. Once the comments are discussed, the board can decide to

move forward with a recommendation to the City Council for consideration of approval and adoption, or not.

Ms. Medford explained that she is not in favor of design guidelines because of the cost that may be imposed on vulnerable community members.

Mr. Dhakal explained that the design guidelines should include graphics to help guide the citizens in the zoning and development requirements.

Ms. Williams requested that staff go back to including all documents in the agenda packet uploaded onto the City's website before the meeting.

Ms. Medford requested the board members to allow Ms. Cameron at least 60 days to compile and present the design guidelines at the October 15th public meeting. Providing that the comments are received within the next two (2) weeks.

Mr. Dean Moore made public comments. He stated that he would like to find all documents that will be discussed in public meetings posted on the city's website ahead of time.

Chair McFarland thanked the public for comments and then called for a motion to adjourn the meeting. Lisa Williams made the motion to adjourn the meeting. Ms. Medford seconded. The motion was carried by a vote of 5-0.

The meeting was adjourned at 8:17pm.

ASSESSMENT OF TEXT AMENDMENT PROPOSAL

The Housing & Infrastructure Committee

PLANNING and ZONING BOARD SPECIAL-CALLED MEETING - 10/31/2024

Planning and Zoning Board: ~~October 15, 2024~~

Mayor and Council Work Session: 10/29/2024

Mayor and Council Work Session: 11/07/2024

Lisa Cameron

From: Jamie Carroll
Sent: Tuesday, July 9, 2024 8:12 PM
To: Beverly Burks; Yt Bell; Quinn, Stephen (squinn@wmdlegal.com); Mark Perkins; Debra Johnson; Susan Hood; Tammi Saddler Jones; Lisa Cameron
Cc: Tomika Mitchell
Subject: Re: Item to add to Agenda

Hi all, I would like to start the 30 day review period for the staff on the below zoning changes:

1. Amending Table 3.4 Residential Zoning Dimensional Requirements of the Clarkston zoning code to make the FAR for NR-3 1.0 and to allow the following lot coverage changes to NR-3:
 1. 67% lot coverage for quadplexes/townhomes
 1. 62% lot coverage for triplexes
 1. 57% lot coverage for duplexes
2. For all districts where townhomes are allowed-reduce the lot width minimums for townhomes to 18 feet and remove any side setback requirement when a townhome is attached to another townhome.
3. Amending Table 3.4 Residential Zoning Dimensional Requirements of the Clarkston zoning code to reduce the minimum lot size for NR-3 lots to 1,400 square feet.
4. Amending Section 607 of the Clarkston Zoning Code to delete Section 607(a), which states that the maximum number of parking spaces allowed for each use shall be the same as the minimum number of parking spaces required for each use.
5. Amending Table 6.1 Parking Requirements of the Clarkston zoning code to reduce the parking spaces required for cottage houses, duplexes, triplexes and quadruplexes to 1 space per dwelling unit.
6. Amend Table 3.6 Mixed Use Zoning District Dimensional Requirements of the Clarkston zoning code to increase the height limits for TC to 7 stories/100 feet.

I would appreciate a second.

Thanks,

Jamie
Sent from my iPhone

On Jun 13, 2024, at 11:53 AM, Jamie Carroll <jcarroll@cityofclarkston.com> wrote:



October 2, 2024

To: Ms. Adleasia Cameron
Planning & Economic Development Director
City of Clarkston, GA
1055 Rowland Street
Clarkston, GA 30021

From: Bryce Hix *BH*
Senior Planner, W&A Engineering
355 Oneta Street, Suite D100
Athens, GA 30601

CC: Jason Gaines, AICP
Director of Planning, W&A Engineering

Re: Proposed Text Amendments
W&A Project No. 24-00366

Dear Ms. Cameron,

W&A is proud to work with the City of Clarkston as it continues to serve for many as the starting point of a journey in pursuit of the American Dream. This memorandum serves to provide comments, considerations, and recommendations regarding the proposed text amendments. As part of this exercise, W&A has reviewed the City of Clarkston Zoning Ordinance, Comprehensive Plan, and LCI Studies to understand the needs and desires of the City and its residents and how those can best be translated to the built environment.

Proposed Amendments to Current NR-3 Zoning

- An increase to the Maximum Floor Area Ratio (FAR) from 0.4 to 1.0
- An increase to the Maximum Lot Coverage
 - From 50% to 57% for duplexes
 - From 50% to 62% for triplexes
 - From 50% to 67% for quadplexes
- Reducing Minimum Lot Size from 5,000 square feet to 1,400 square feet

These proposed changes are in alignment with the desire to increase residential density and improve the quantity and quality of housing stock, as expressed in the Comprehensive Plan and outlined within the LCI studies.



Proposed Amendments for All Districts Allowing Townhomes

- Reduction in the minimum lot width to 18 feet and the removal of any side setback requirement when a townhome is attached to another townhome

The specific, proposed change (as shown in the Draft Ordinance) adds a row to Table 3.4 Residential Zoning District Dimensional Requirements that reads *Minimum Side Setback (SF attached (townhome)) – 0'*. While the intent of the proposed change is clear, the way that it is conveyed may cause some unintended friction. The proposed ordinance makes no distinction between the side setback for the common wall (acting as the property line in a townhouse dwelling) and that of the side setback for the exterior walls of the overall building. If two townhouse buildings (traversing a few lots each) are immediately adjacent to one another, there does not appear to be a requirement in the zoning ordinance for any separation between the two structures.

Recommendations:

- We suggest that either the wording of this new code section be amended to exclude the exterior walls on the ends of the structure – or by adding an additional row to the table for minimum building separation.
- Adding a specific definition of a townhouse/townhome will mitigate any confusion for the developer and aid in the administration of the zoning ordinance.

Proposed Amendments to Parking Requirements

- Deletion of Section 607a, which stated that the maximum number of parking spaces for each use shall be the same as the minimum number of parking spaces required.
- A reduction to the minimum number of parking spaces required for cottage houses, duplexes, triplexes, and quadplexes to 1 space per dwelling unit.

These changes reflect the growing realization across the nation that minimum parking requirements contribute to decreased housing affordability, increased stormwater runoff, decreased water quality, and decreased greenspace – while simultaneously allowing flexibility for the owner or developer.

Proposed Amendments to current TC Zoning

- Increasing the height limit from 5 stories/75 feet to 7 stories/100 feet in the TC (Town Center) zone.

An increase in allowable height in the core downtown of a community can sometimes deliver desired revitalization and development. However, without an accompanying increase to the current maximum FAR of 5.0 to accompany the height increase, it is unclear whether this proposed



change is in response to a specific development opportunity or if there are other mitigating factors at play.

Considerations

If the proposed ordinances do act as a catalyst for development within Clarkston, it is important to have considered the potential implications of this on the existing infrastructure. Smaller lots, denser development, higher percentage of lot coverage will increase stormwater runoff and increase the demand for water and sanitary sewer. Coordination with local utility providers/departments is recommended.

Attachments:

1. Clarkston Ordinance Strikethroughs
2. Text Amendment Design Graphics

Sec. 305. Dimensional Standards.

Dimensional requirements for residential zoning districts are established in Table 3.4, Residential Zoning Districts Dimensional Requirements. Buffer requirements on Table 5.3 also apply.

Table 3.4 Residential Zoning District Dimensional Requirements			
	NR-1	NR-2	NR-3
Primary Structure			
Maximum FAR	0.4	0.4	0.4 1.0
Minimum Unit Size	1000 s.f.	900 s.f.	800 s.f.
Maximum Lot Coverage	50%	50%	SF Detached: 50% SF Attached (Townhome): 67% Triplex: 62% Quadruplex: 67%
Maximum Building Height	35'	35'	35'
Minimum Lot Size	9,000 s.f.	7,500 s.f.	5,000 s.f. 1,400 s.f.
Minimum Lot Width	75'	SF Detached: 60' SF Attached (Townhome): 18'	SF Detached/Duplex/Triplex/Quadruplex: 50' SF Attached (Townhome): 18'
Minimum Front Setback (SF detached)	30'	25'	15'
Minimum Front Setback (duplex/triplex/ quadruplex)	N/A	N/A	15'
Minimum Front Setback (townhome)	N/A	15'	15'
Minimum Side Setback	10'	7'	5'
Minimum Side Setback (SF Attached (Townhome))	N/A	0'	0'
Minimum Rear Setback (SF detached)	25'	20'	15'
Minimum Rear Setback (duplex/triplex/ quadruplex)	N/A	N/A	15'
Minimum Building Separation	12'	12'	12'
Accessory Dwelling Unit			

Maximum Height	See Section 413		
Minimum Side Setback	10'	7'	5'
Minimum Rear Setback	10'	7'	5'

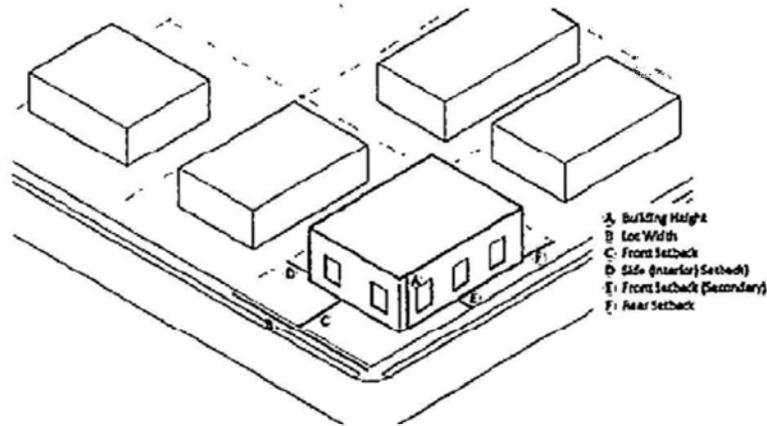


Figure 3.1 Residential Standards

(Ord. No. 480, § 1, 6-6-23)

Sec. 314. Dimensional Requirements.

Dimensional requirements for mixed use zoning districts are established in Table 3.6, Mixed-Use Zoning Districts Dimensional Requirements. Buffer requirements on Table 5.3 also apply.

Table 3.6 Mixed-Use Zoning District Dimensional Requirements			
	NR-CD	RC	TC
Primary Structure			
Maximum FAR	2	1	5
Minimum Unit Size	700 s.f.	800 s.f.	700 s.f.
Maximum Lot Coverage	80%	50%	80%
Minimum Open Space	20%	20%	20%
Maximum Building Height	50'	35'	5 stories/75' 7 stories/100'
Minimum Lot Size	Single-Family Use: 5,000 sq. ft. Multi-Family Use: N/A Non-Residential Use: N/A	7,200 s.f.	N/A

Minimum Lot Width	Single-Family Use: 60' Multi-Family Use: 75' Non-Residential Use: 75'	50'	N/A
Minimum Front Setback	Single-Family Use: 10' Multi-Family Use: 10' Non-Residential Use: 30'	15'	0'
Minimum Side Setback	Single-Family Use: 15' between units Multi-Family Use: 10' Non-Residential Use: 15'	7'	0'
Minimum Rear Setback	25'	20'	0'
Accessory Dwelling Unit			
Maximum Height	See Section 413		
Minimum Side Setback	5'	5'	5'
Minimum Rear Setback	5'	5'	5'

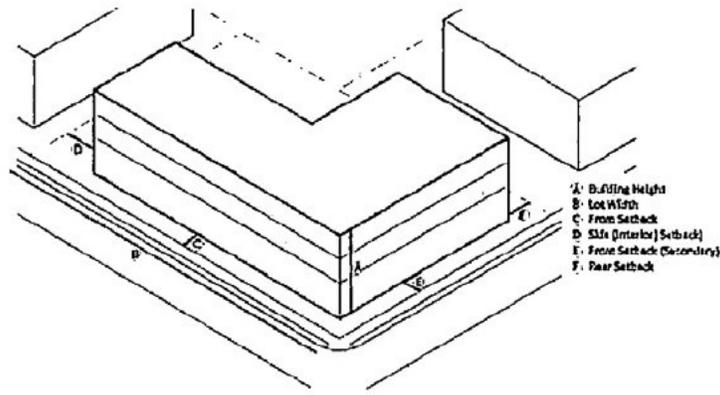


Figure 3.3 Mixed-Use Standards

(Ord. No. 480, § 1, 6-6-23)

Sec. 607. Off-street parking requirements.

The following are the minimum number of off-street parking spaces required by type of permitted use. The square footage is the gross square footage unless otherwise indicated.

- (a) ~~The total number of permitted parking spaces shall not exceed one hundred (100) percent of the minimum number of off street parking spaces required by type of permitted use.~~
- (b) ~~The number of off street parking spaces required by use are as follows:~~

Use	Minimum Number of Spaces Required

Commercial:	
Government, Office, Retail, Service Establishment, Restaurant, and Similar Commercial Uses	1.5 per 300 square feet of gross floor
Vehicle Repair Garages, Paint and Body Shops, Welding Shops, and Similar Establishments	1 per 200 square feet of gross floor area
Vehicle rental establishment	1 per 200 square feet of gross floor area plus one space for every vehicle for rent
Vehicle service garages	3 spaces per service bay
Hotel and motel	.75 spaces per guest room
Bed and Breakfast Inn	1 parking space per guest room, plus 1 for the owner-operator
Recreation—Subdivision recreation area	1 space per 10 dwelling units
Recreation—Commercial and public	1 space per 200 sq. ft. of recreational space
Wholesale stores	1 space per 600 sq. ft. of gross floor area, plus 1 space 2000 sq. ft. of gross storage area
Institutional:	
Places of worship and other places of assembly	1 per each 8 seats in the sanctuary or meeting room where seating is fixed or 1 per 50 square feet of gross floor area of sanctuary or meeting room where seating is not fixed
Theaters, Auditoriums, Funeral Homes, Community Centers and Other Places of Assembly	1 per each 4 seats where seating is fixed; 1 per 25 square feet of gross floor area of assembly area where seating is not fixed
Social organizations including lodges and fraternal organizations	1 space per 250 sq. ft.
Hospitals or group homes	1 space per 2 beds
Libraries, galleries, and similar uses	1 space per each 400 sq. ft. of gross space to which the public has access
Schools (elementary, middle, high schools)	2 per classroom, plus 1 space per each 8 seats in auditorium or assembly area where seating is fixed or 1 per 50 square feet of gross floor area of auditorium or assembly area where seating is not fixed
Schools (colleges, universities or adult education facilities)	As determined as part of the design approval
Daycare or nursery	2 spaces per classroom
Offices:	

Offices—Government, banks, professional, medical, general	1.5 per 300 square feet of gross floor
Residential:	
Apartments, townhomes, condominiums, and other multi-family attached uses	Minimum of 1 space per dwelling unit
Boarding or rooming houses	1 space per 2 bedrooms
Cottage housing	1.25 to 2.0 spaces per dwelling unit 1 space per dwelling unit as regulated in Section 529
Residences including single-family, duplexes, triplexes, quadruplexes	2 spaces per dwelling unit
Senior citizen independent living facility	.75 space per unit

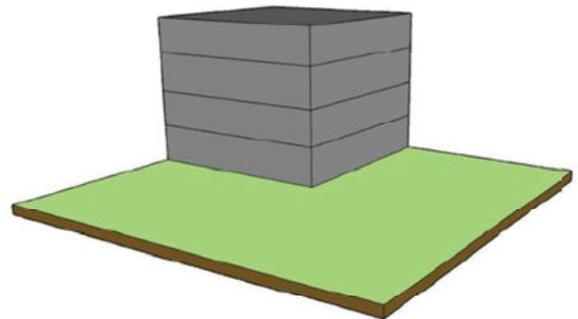
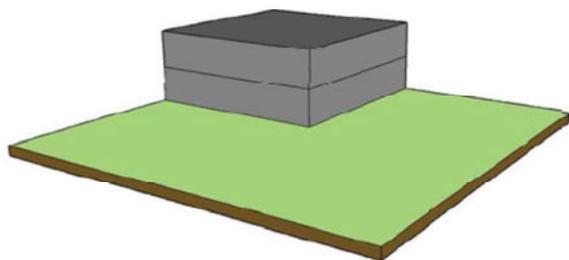
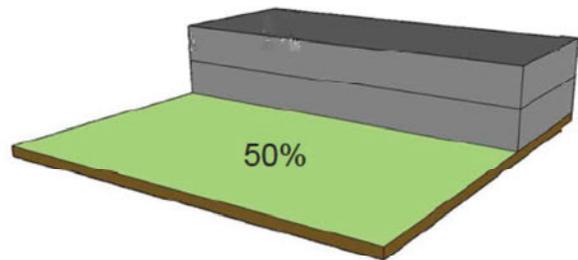
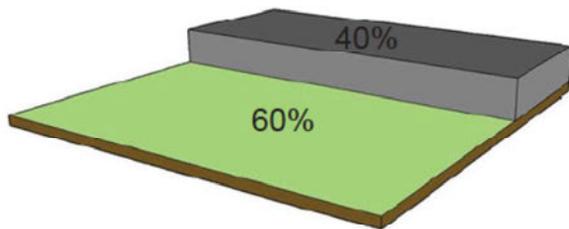
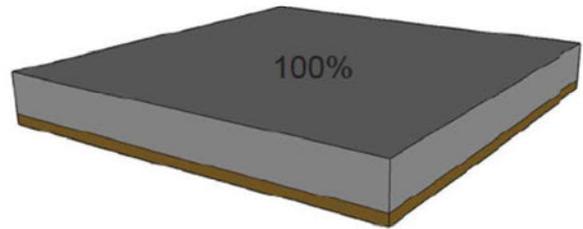
(Ord. No. 480, § 1, 6-6-23)

ARTICLE VII. DEFINITIONS

Dwelling, Townhouse/Townhome: A type of dwelling with fee-simple ownership and Single-Family occupancy that is one or more stories in height, which has individual front and rear entrances, is separated from adjoining dwellings by common walls serving as property lines and is part of a contiguous group of at least three such townhouses. These fire-rated common walls shall extend from the foundation to the roof decking.

(Ord. No. 480, § 1, 6-6-23)

Increase to Max Floor Area Ratio (FAR) From .4 to 1.0



Current Zoning

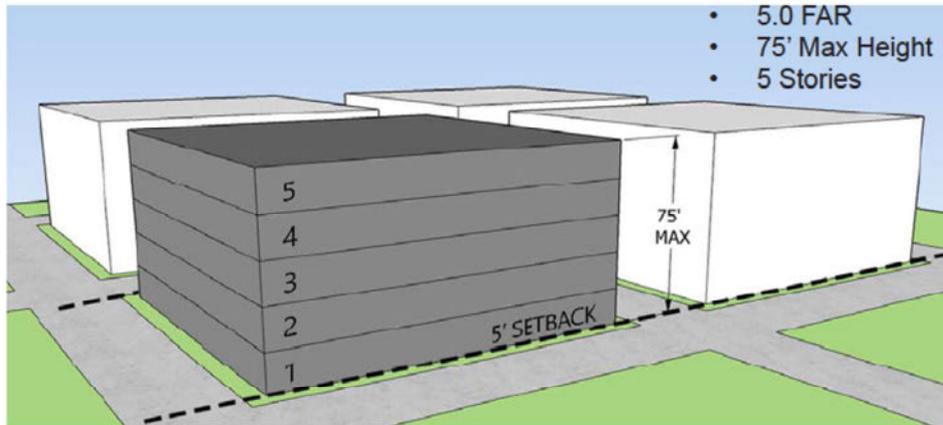
Proposed Amendment

Proposed Amendments to NR-3 Zoning

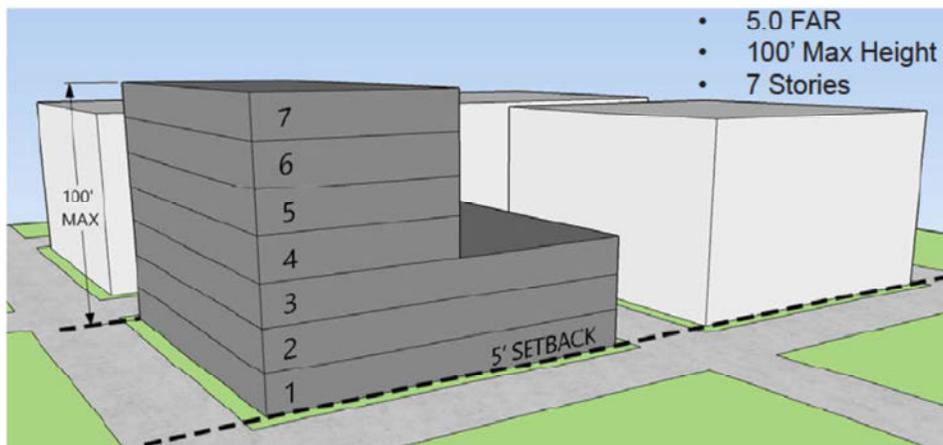
City of Clarkston, Georgia



Increase Height Limit From 75' to 100' Maximum



Current Zoning



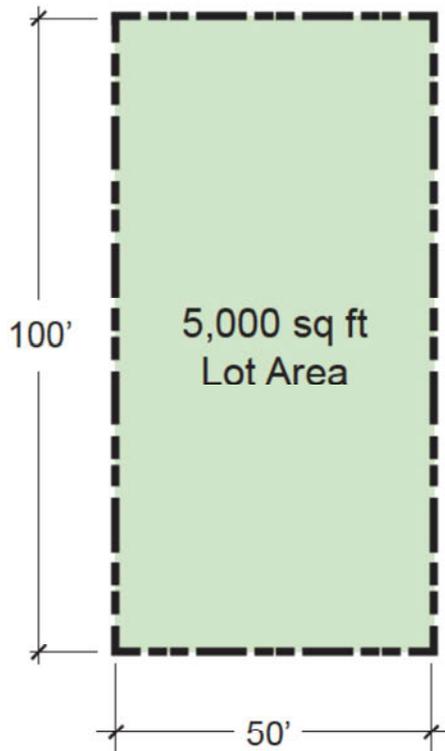
Proposed Amendment

Proposed Amendments to NR-3 Zoning

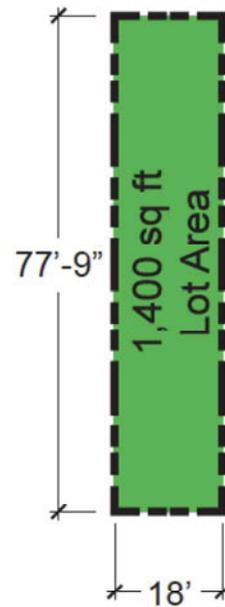
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Reducing Lot Size from 5,000 sqft to 1,400 sqft



Current Zoning



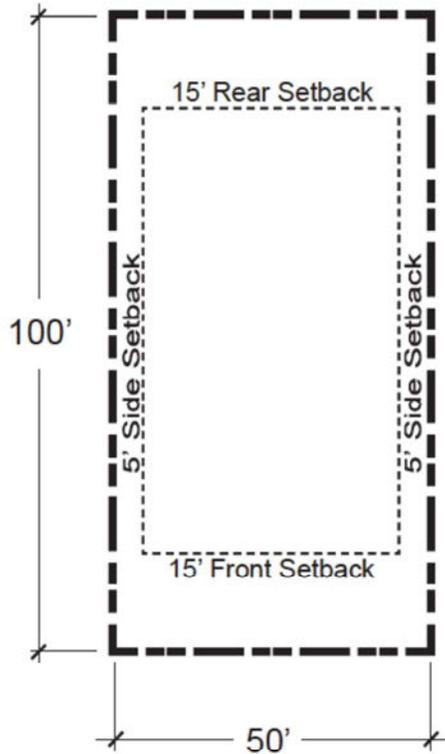
Proposed Amendment

Proposed Amendments to NR-3 Zoning

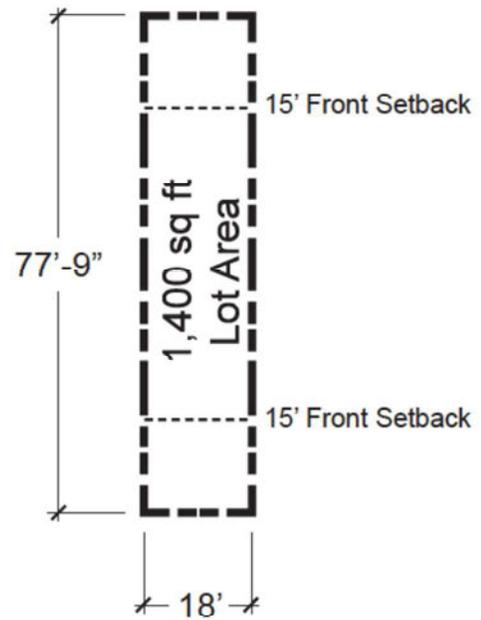
City of Clarkston, Georgia



Reduction In Lot Width & Removal Of Side Setback Requirements



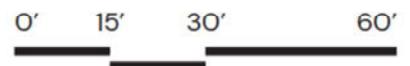
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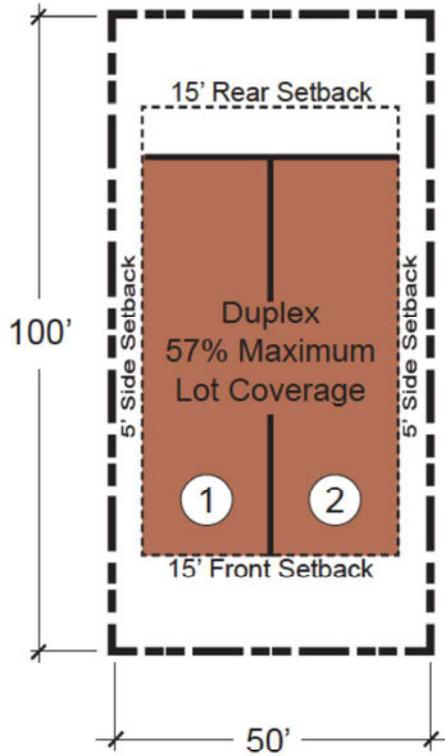
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Proposed Amendments to NR-3 Zoning

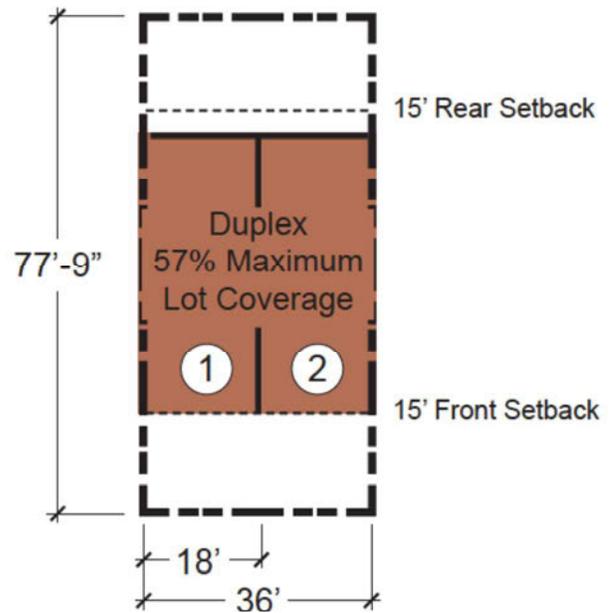
City of Clarkston, Georgia



Increase To Maximum Lot Coverage Duplex



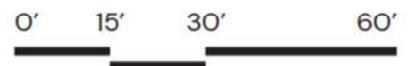
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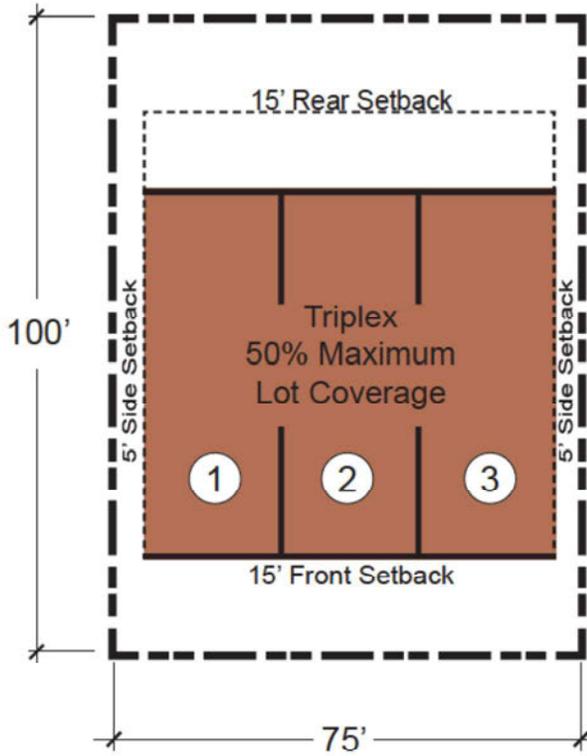
Proposed Amendment

Proposed Amendments to NR-3 Zoning

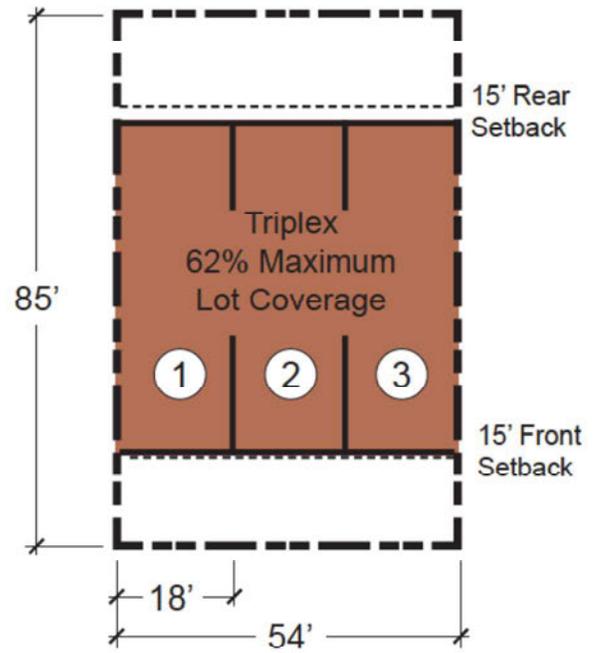
City of Clarkston, Georgia



Increase To Maximum Lot Coverage Triplex



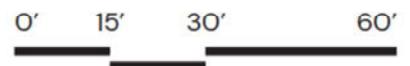
Current Zoning



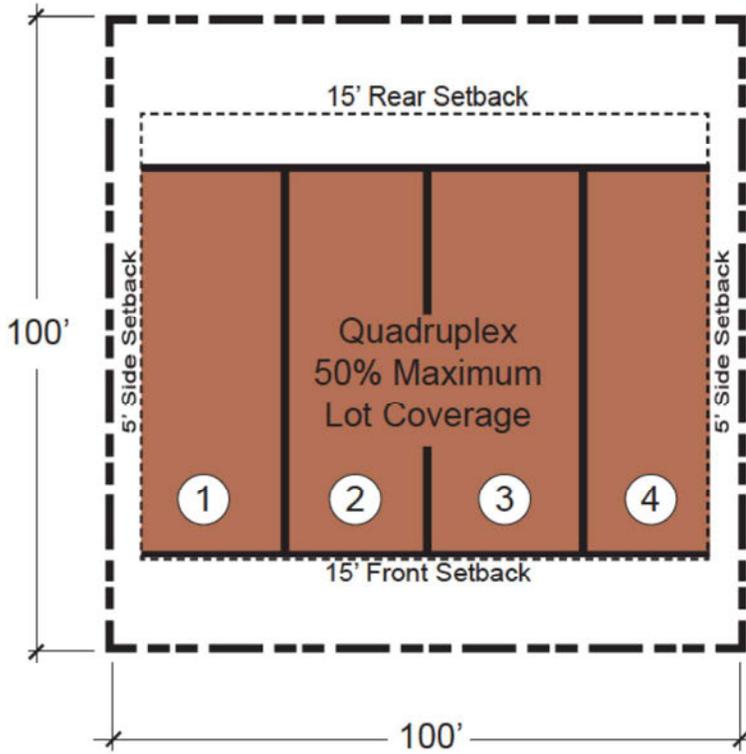
Proposed Amendment

Proposed Amendments to NR-3 Zoning

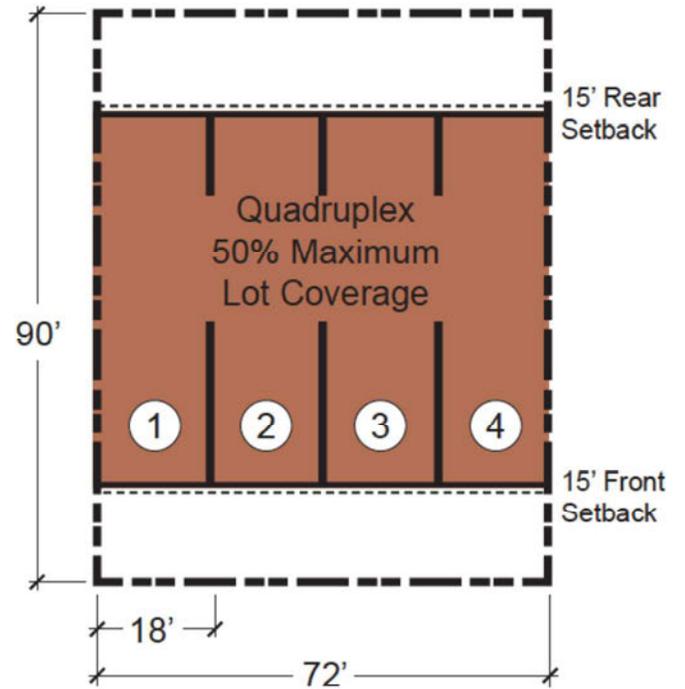
City of Clarkston, Georgia



Increase To Maximum Lot Coverage Quadruplex



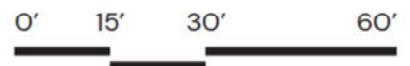
Current Zoning



Proposed Amendment

Proposed Amendments to NR-3 Zoning

City of Clarkston, Georgia





REZONING ANALYSIS

Report Prepared by: Adleasia Cameron, Planning & Development Director

Applicant: Tad Braswell, on behalf of Southwyck Homes

Location:

Address:	Parcel ID
3780 Cottage Circle	18 067 02 228
3786 Cottage Circle	18 067 02 229
3792 Cottage Circle	18 067 02 230
3798 Cottage Circle	18 067 02 231
3804 Cottage Circle	18 067 02 232
3810 Cottage Circle	18 067 02 233
918 Green Lane	18 067 02 242
914 Green Lane	18 067 02 243
910 Green Lane	18 067 02 244
906 Green Lane	18 067 02 245
929 West Green Lane	18 067 02 246
933 West Green Lane	18 067 02 247
937 West Green Lane	18 067 02 248
941 West Green Lane	18 067 02 249
940 West Green Lane	18 067 02 250
936 West Green Lane	18 067 02 251
932 West Green Lane	18 067 02 252
928 West Green Lane	18 067 02 253
3881 Cottage Circle	18 067 02 254
3885 Cottage Circle	18 067 02 255
3889 Cottage Circle	18 067 02 256
3893 Cottage Circle	18 067 02 257
3870 Cottage Circle	18 067 02 258
3864 Cottage Circle	18 067 02 259
3858 Cottage Circle	18 067 02 260
3852 Cottage Circle	18 067 02 261
3846 Cottage Circle	18 067 02 262
3840 Cottage Circle	18 067 02 263

Request: To modify zoning condition # 19 on conceptual site plan which state that "Every home shall have a minimum of one visitor parking space to be located behind each home's carport." **Modify condition to read:** "Every home shall have a minimum of one visitor parking space to be located behind each home's carport or garage."

Proposed Use /Purpose: Garage for single dwelling units

Current Land Use: Thirty-six (36) single dwelling Units

Future Land Use: According to the Clarkston 2040 Comprehensive Plan, the subject area is characterized as Traditional Neighborhood Development. Traditional Neighborhood Development are areas designated to nurture traditional neighborhood development patterns and housing types. This includes walkable areas of single-family homes, duplexes and triplexes, cottage courtyard housing, 4–6-unit walk-up apartment buildings, and townhouses.

Sign Posted: 10/30/2024.
Community Meeting: 10/7/2024
Planning and Zoning Meeting 10/31/2024
City Council Work Session: 10/29/2024
City Council Meeting Date: 11/07/2024

Lots' Size:

Number	Size
1	3450 SF
2-5	3780SF each
6	3248.74
15-26	3977.50 each
27	3391.71
28-29	3440 SF each
30	3391.71 SF
31-36	5025 SF each

Road Access: East Avenue

Public Utilities:

Water and Wastewater Treatment – Public water service is available and connected on the improved lots, however not yet available on the buildable lots. As the subdivision is currently being developed, public water service is warranted and will be made available via a line extension at the developer's expense.

Zoning History:

A review of City records indicates that the subject area was annexed into the City in January 2019. At the time of annexation, the subject property was zoned as NR-1, (low-density neighborhood residential district) intended primarily for single-family detached dwellings, with greater amounts of open space. The annexation and rezone request from NR-1 to NR-3, High Density neighborhood residential district was approved on May 7, 2019, with zoning conditions. The recorded final plat dated December 8, 2022, depicts 36 lots.

Table 1.0 illustrates the zoning and current land uses for the adjacent properties:

Table 1.0

	Current Zoning	Current Land Use
North	NR-1, Low density residential	Park and Recreation
East	NR-1, Low density residential	Single-family dwelling
South	R-85 Dekalb County	Unincorporated Dekalb County
West	R-85 Dekalb County	Unincorporated Dekalb County

Rezoning Review Criteria: Analysis of Request to modify a zoning condition (Article II, Sec. 201).

Criteria 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.

The proposed request to add the words “or garage” to the existing zoning condition will allow a completely enclosed structure that offers a property owner the privacy, protection, and security for private property, storage, and other valuable items such as: sports equipment, yard tools, and/or gardening supplies.

Criteria 2: Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property.

Yes, garage doors are reasonable and suitable for the privacy and protection of prospective property owner in the subdivision and nearby property. They provide protection and personal privacy.

Criteria 3: Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property.

No, the proposal will not have any adverse effect on the existing use or usability of adjacent or nearby properties. A garage is defined as a completely enclosed structure that offers a privacy, protection, and security for a vehicle, storage, and other valuable items. According to real estate experts, a garage adds value to a home verses a carport. Carports are inexpensive and easier to install but may lack curb appeal. They also make private property susceptible to intruders and weathering erosion.

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

A carport is defined as an outdoor structure providing overhead protection from the elements. They are smaller, more economical, and quicker to build. A carport can be attached or a freestanding structure to a house that can be installed without permit depending on its size.

A garage is defined as a completely enclosed structure offering storage space and overall security. A garage can be separated or attached to a house. Garages match the home's color and material scheme and come in design choices. A garage provides dry, secure, often climate-controlled storage for not only vehicles but also are appropriate for storing other items such as sports equipment, yard tools, gardening supplies, boxed storage items, and more.

Garages provide extra protection and personal privacy.

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. No, the nature of the proposal to add the words “or garage” to the existing condition will

have no impact on or cause any excessive or burdensome use on existing streets, transportation facilities, utilities, or schools.

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.

No. The applicant is requesting to modify zoning condition # 19 which stipulates, that "Every home shall have a minimum of one visitor parking space to be located behind each home's **carport**" to read, "Every home shall have a minimum of one visitor parking space to be located behind each home's **carport "or garage"**."

As noted under criterion #4, a carport is defined as an outdoor structure providing overhead protection. They are more economical and quicker to build. A carport can be attached or a freestanding structure to a house, which can be installed without a permit, depending on its size. On the other hand, a garage is defined as a completely enclosed structure used for storage space and security. A garage may be a separate or attached to a house. A garage generally matches the home's color and material scheme and comes in design choices. Additionally, a garage provides a dry entrance, security, and storage for not only vehicles but also for storing other expensive items such as: sports equipment, yard tools, gardening supplies,

Criteria Points 7 & 8: Whether the zoning proposal is compatible with the principles of the most current adopted version of the city's future land use map and comprehensive plan.

The Clarkston 2040 Update proposed a housing policy to create design standards that reflect the architectural diversity and history of Clarkston listed in a previous LCI planning study (2015) under Land Use Problems and Issues, which stated that existing structures were poor aesthetically and lacked design standards. Therefore, it is reasonable to believe that adding the option for a garage in the subject area would bring a higher economic return to the prospective property owners.

Comments:

The community meeting was held on October 7, 2024. The meeting was held at 3827 Cottage Circle, in the subdivision. The surrounding property owner within 300 feet attended the meeting at the subject site (see Exhibit "A").

See Exhibit "B" for the notification letter to the surrounding property owner within 300 feet and comments from attendees.

Recommendation:

Staff recommends **approval** of the request from the applicant to modify the zoning condition to add the words "or garage" to the zoning condition.

All other conditions remaining the same.

Attachments:

- Application
- Campaign Disclosure Form
- Letter of Ownership/Intent (6)
- Survey
- Site Plan
- Tax Map
- Zoning Map
- Aerial Map
- Site Photograph

EXHIBIT "A"

Parkside Zoning Condition Change Request Public Meeting Summary.

- I. The meeting was attended by 8 neighbors. The consensus was in support of the change.
- II. See attached
- III. The comments were mostly in favor of the change. There were concerns on how the first 8 homes were permitted with garage doors. There was no talk of not wanting to have garages in the community.
- IV. The concern of the permits is City issue and it was addressed by Mr. Carroll.
- V. See attached.
- VI. See Attached.

NAME

ADDRESS

- ① Bradford
- ② Jamie Carroll
- ③ DEAN Moore
- ④ Ann McCormack
- ⑤ Valissa Turner
- ⑥ Maggie Deaton
- ⑦ Jazmyne Boothe & Andre Boothe
- ⑧
- ⑨
- ⑩
- ⑪
- ⑫
- ⑬



3801 East Avenue Clarkston, GA 30021
3787 East Avenue Clarkston, GA 30021
3792 East Avenue Clarkston, GA 30021
3798 East Avenue Clarkston, GA 30021
3804 East Avenue Clarkston, GA 30021
3805 Poplar Drive Clarkston, GA 30021
3799 Poplar Drive Clarkston, GA 30021
3781 East Avenue Clarkston, GA 30021

883 Lagoon Court Stone Mountain, GA 30083
875 Lagoon Court Stone Mountain, GA 30083
867 Lagoon Court Stone Mountain, GA 30083
861 Lagoon Court Stone Mountain, GA 30083
855 Lagoon Court Stone Mountain, GA 30083
851 Lagoon Circle Stone Mountain, GA 30083
849 Lagoon Circle Stone Mountain, GA 30083

930 Belle Glade Drive Stone Mountain, GA 30083
924 Belle Glade Drive Stone Mountain, GA 30083
918 Belle Glade Drive Stone Mountain, GA 30083
912 Belle Glade Drive Stone Mountain, GA 30083

EXHIBIT "B"

Dear Neighbor,

We have submitted for a change to zoning condition #19 in our original zoning. The request is as follows:

” Every home shall have a minimum of one visitors parking space to be located behind each home’s carport”. We are requesting the condition to be revised to read “Every home shall have one visitors parking space to be located behind each homes carport **or garage.**”

We are having a meeting on Monday evening October 7, 2024, at 6:30 to answer any questions you may have.

We will be meeting at our model home in the Parkside Community, lot 10, 3827 Cottage Circle.

We hope you can make it.

Tad Braswell

Southwyck Homes

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- V. See attached.
- VI. See Attached.

NAME

ADDRESS

- ① Burkeford
- ② Jamie Carroll
- ③ DEAN Moore
- ④ Ann McCormack
- ⑤ Valissa Turner
- ⑥ Maggie Deaton
- ⑦ Jazmyne Boothe & Andre Boothe
- ⑧ _____
- ⑨ _____
- ⑩ _____
- ⑪ _____
- ⑫ _____
- ⑬ _____



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We hope you can make it.

Tad Braswell

Southwyck Homes



AMENDMENT TO ZONING CONDITIONS APPLICATION

This page must be completed by the Applicant. Please see Applicant Instructions for full requirements.

APPLICANT INFORMATION

Tad Braswell		Southwyck Homes	
Applicant Name	Company		
70 Mansell Ct,	Suite 110	Alpharetta, Georgia 30076	
Mailing Address	Suite/Apt. #	City, State	Zip Code
Primary Phone #	Alternate Phone #	Fax #	
tad@southwyckhomes.com			
Email Address			

PROJECT SUMMARY

Name of Project: Parkside

Detailed Description of Modification (include proposed use(s) and square footage of floor area for each use):
 Although we believe this is unnecessary. We are requesting a clarification to 19. Which states "Every home shall have a minimum of one visitor parking space to be located behind each home's carport. We are requesting this condition to be replaced with the following "Every home shall have a minimum one one visitor parking space to be located behind each home's carport or garage"

Original Re-zoning Case #: 11-6

Total Number of Parcels Involved: 38 Total Project Acreage: 6.292
 Total Number of Buildings: 8 Total Estimated Cost of Planned Improvements: N/A

Project Submittal Checklist and all documents, plans, written analysis, and fees required therein accompany this application form.

I hereby certify that all information provided herein and in the accompanying documents is true and correct.

Applicant Signature: [Signature] Date: 9-16-2024
 Property Owner Owner's Agent

PROPERTY INFORMATION/OWNER AUTHORIZATION

If more than one parcel is the subject of review, owner-applicant shall complete information for each parcel on additional page attachments; authorized agent-applicants must complete this page for EACH parcel.

PROPERTY # OF TOTAL see attached

PARCEL (PROPERTY) INFORMATION

SEE ATTACHED

Property Address/Location	Suite/Apt. #	City, State	Zip Code
Parcel ID/Property Tax Identification Number	Total Acreage		

Lot #	Address	Parcel ID	Acres
Non Lot	3809 EAST AVE	18 067 02 025	0.091
Lot 1	3780 COTTAGE CIR	18 067 02 228	0.079
Lot 2	3786 COTTAGE CIR	18 067 02 229	0.087
Lot 3	3792 COTTAGE CIR	18 067 02 230	0.087
Lot 4	3798 COTTAGE CIR	18 067 02 231	0.087
Lot 5	3804 COTTAGE CIR	18 067 02 232	0.087
Lot 6	3810 COTTAGE CIR	18 067 02 233	0.075
Lot 7	3815 COTTAGE CIR	18 067 02 234	0.078
Lot 8	3819 COTTAGE CIR	18 067 02 235	0.079
Lot 9	3823 COTTAGE CIR	18 067 02 236	0.079
Lot 10	3827 COTTAGE CIR	19 067 02 237	0.078
Lot 11	907 EAST GREEN LN	20 067 02 238	0.079
Lot 12	911 EAST GREEN LN	18 067 02 239	0.079
Lot 13	915 EAST GREEN LN	18 067 02 240	0.079
Lot 14	919 EAST GREEN LN	18 067 02 241	0.079
Lot 15	918 EAST GREEN LN	18 067 02 242	0.079
Lot 16	914 EAST GREEN LN	18 067 02 243	0.079
Lot 17	910 EAST GREEN LN	18 067 02 244	0.079
Lot 18	906 EAST GREEN LN	18 067 02 245	0.079
Lot 19	929 WEST GREEN LN	18 067 02 246	0.079
Lot 20	933 WEST GREEN LN	18 067 02 247	0.079
Lot 21	937 WEST GREEN LN	18 067 02 248	0.079
Lot 22	941 WEST GREEN LN	18 067 02 249	0.079
Lot 23	940 WEST GREEN LN	19 067 02 250	0.079
Lot 24	936 WEST GREEN LN	18 067 02 251	0.079
Lot 25	932 WEST GREEN LN	18 067 02 252	0.079
Lot 26	928 WEST GREEN LN	18 067 02 253	0.079
Lot 27	3881 COTTAGE CIR	18 067 02 254	0.078
Lot 28	3885 COTTAGE CIR	18 067 02 255	0.079
Lot 29	3889 COTTAGE CIR	18 067 02 256	0.079
Lot 30	3893 COTTAGE CIR	18 067 02 257	0.078
Lot 31	3870 COTTAGE CIR	18 067 02 258	0.115
Lot 32	3864 COTTAGE CIR	18 067 02 259	0.115
Lot 33	3858 COTTAGE CIR	18 067 02 260	0.115
Lot 34	3852 COTTAGE CIR	18 067 02 261	0.115
Lot 35	3846 COTTAGE CIR	18 067 02 262	0.115
Lot 36	3840 COTTAGE CIR	18 067 02 263	0.115
Non lot	3774 COTTAGE CIR	18 067 02 264	1.727



AMENDMENT TO ZONING CONDITIONS APPLICATION

Single Family Residential Present Zoning (Official Zoning Map) NR-3
Present Use(s) Single Family Residential
Proposed Use(s)

PROPERTY OWNER Southwyck Construction, LLC
Owner (Person, Firm, Corporation, or Agency) Southwyck Construction, LLC
70 Mansell Ct Suite 110 Alpharetta, GA 30076
Mailing Address Suite/Apt. # City, State Zip Code
Primary Phone # Alternate Phone # Fax #
Email Address tad@southwyckhomes.com

PROPERTY OWNER'S AGENT (If applicable; must match applicant contact information on page #1)
Name and Company (Owner's Agent or Attorney)
Mailing Address Suite/Apt. # City, State Zip Code
Primary Phone # Alternate Phone # Fax #
Email Address

AUTHORIZATION FOR AGENT (If applicable)
Owner Signature Date

Print Name
Subscribed and sworn before me this ___ day of ___, 20__
Signature of Notary Public in the State of Georgia
My Commission expires: ___
NOTARY SEAL

FOR OFFICE USE/DETERMINATION
Review determination and fee: Review fee (payable to The City of Clarkston) depends on type of review(s). (See Fee Schedule):
Amendment to Zoning Conditions (Fee) \$
Pre-Application Date: Planning Director/Engr Project #



Disclosure of Campaign Contributions

Pursuant to OCGA, Section 36-67A-3(a), the following disclosure is mandatory when an applicant or any representative has made campaign contributions aggregating \$250.00 or more to a local government within two (2) years immediately preceding the filing of this application.

It shall be the duty of the applicant and the attorney representing the applicant to file a disclosure with the governing authority of the respective local government. The following questions **must** be answered:

Have you, the applicant, made \$250.00 or more in campaign contributions to a **local** government official within two years immediately preceding the filing of this application?

Yes No

If the answer is **yes**, you must file a disclosure report with the governing authority of City of Clarkston showing:

1. The name and official position of the local governing authority in City of Clarkston to whom the campaign contribution was made.

N/A

Name and official position of the applicant/representative (Please Print)

2. The dollar amount and description of each campaign contribution made during the two (2) years immediately preceding the filing of this application and the date of each such contribution was made.

N/A

\$ N/A

Description of Campaign Contribution (Please Print)

Dollar Amount

This disclosure must be filed within ten (10) days after the application is first filed and must be submitted to the City of Clarkston, 8921 Church Street, Clarkston, GA 30021.

[Signature]
Signature (choose one) Applicant Owner

9-16-2024
Date

[Signature]
Notary Signature

9/16/24
Date and Seal





September 16, 2024

Lisa Cameron
Planning & Development Director
1055 Rowland St.
Clarkston, GA 30021

RECEIVED

SEP 18 2024

CITY OF CLARKSTON

Dear Lisa,

Although we feel this zoning condition change is unnecessary, because there are 8 homes in the community which have garage doors and garages or Private carports. We are requesting the City to revise the existing condition number 19. It states the following" Every home shall have a minimum of one visitors parking space to be located behind each home's carport". We are requesting the condition to be revised to read "Every home shall have one visitors parking space to be located behind each homes carport **or garage.**"

The following are the responses to the review standards:

- a) We believe it is immoral to allow some residence and not all to have the safety and privacy of a garage.
- b) The use of the property will not change and will allow it to be the same as the existing homes and homes in the surrounding area.
- c) The change will allow all homes in the subdivision to be the same.
- d) The revision will allow the new homes to have the same value as the existing homes.
- e) The use of the property will remain the same and will not cause increase the burdon on existing facilities.
- f) Because the City has already permitted and issued certificates of occupancy for 8 homes under the conditions as they are currently written, we believe that is supporting grounds for approval.
- g) We cannot find there are any future plans in the city to not allow garages on new homes in the city.
- h) We cannot find there are any future plans in the city to not allow garages on new homes in the city.

We appreciate your consideration of this matter and look forward to working with you on this project.

Sincerely,

Tad Braswell
Manager, Southwyck Homes
Cell: 404-234-6669

OWNER/DEVELOPER:
DVC CLARKSTON LLC
8236 FENCHREE ROAD, SUITE 100
ATLANTA, GA 30341
PHONE: 770-432-0308
CONTRACT UNIT NUMBER:
EPA#: null@earthlink.net

SURVEYOR/ENGINEER:
MCFARLAND-DYER & ASSOCIATES, INC.
4174 SILVER PEAR PARKWAY
SUMNER, GEORGIA 30084
PHONE: 770-432-0308 FAX: 770-432-0351
(SURVEYOR) CONTACT: CHRIS WHITLEY
EPA#: null@earthlink.net
(ENGINEER) CONTACT: JOHN BERRY, P.E.
EPA#: null@earthlink.net

FINAL PLAT FOR: PARKSIDE (A.K.A. GARDENS OF EAST AVENUE) (A.K.A. CLARKSTON TRACT)

RECEIVED
SEP 18 2024
CITY OF CLARKSTON

CITY OF CLARKSTON
DEKALB COUNTY
ATLANTA, GEORGIA
TAX PARCEL # 18-067-02-001

TAX PARCEL ADDRESS: 3809 EAST AVENUE
CLARKSTON, GA 30021
DEKALB COUNTY AP#3053801



DeKalb County
DEVELOPMENT SERVICES
APPROVED

AP 2023011
DATE 12/28/2022

The Department of Development Services has approved this plat for recording in the Public Records of DeKalb County, Georgia, provided that the applicant has satisfied all requirements of the Georgia Plat Act, O.C.G.A. Section 15-6-67, and all applicable local ordinances and regulations.

The Department of Development Services is not responsible for the accuracy of the information provided on this plat, nor for the consequences of any errors or omissions. The applicant is responsible for the accuracy of the information provided on this plat.

LOCATIONS: 1467

N. 18th District

These plans have not been reviewed for compliance with technical codes and will be subject to review upon construction.



SURVEYOR'S CERTIFICATION BOX
As required by subsection (d) of O.C.G.A. Section 15-6-67, this plat has been prepared by a land surveyor and approved by all applicable local jurisdictions for recording as evidenced by approval certificates, signatures, stamps, or statements hereon. Such approvals or affirmations should be confirmed with the appropriate governmental bodies by any purchaser or user of this plat as to intended use of any parcel. Furthermore, the undersigned land surveyor certifies that this plat complies with the minimum technical standards for property surveys in Georgia as set forth in the rules and regulations of the Georgia Board of Registration for Professional Engineers and Land Surveyors and as set forth in O.C.G.A. Section 15-6-67.

[Signature] 12-28-2022



- UTILITY NOTES:**
- ALL DESIGN & CONSTRUCTION FOR WATER, SEWER, FIRE LINES, LIFT STATIONS & BACKFLOW PREVENTION SHALL COMPLY WITH DEKALB COUNTY DEPARTMENT OF WATERSHED MANAGEMENT DESIGN STANDARDS 2009 EDITION, VERSION 1.0. ACTUAL FIELD CONDITIONS MAY DICTATE MORE STRINGENT REQUIREMENTS IF DEEMED NECESSARY BY THE CONSTRUCTION INSPECTOR.
 - PROJECTS INVOLVING CONSTRUCTION OF TOWNHOMES AND/OR CONDOMINIUMS ARE REQUIRED TO HAVE INDIVIDUAL METERS FOR EACH UNIT.
 - FIELD CHANGES DURING CONSTRUCTION MUST BE SUBMITTED FOR REVIEW AND APPROVAL BY THE COUNTY WATER & SEWER ENGINEER BEFORE CHANGES ARE IMPLEMENTED.
 - CONTRACTOR MUST JET CLEAN AND T.V. SANITARY SEWER LINES AFTER CONNECTIONS ARE MADE TO THE EXISTING SEWER TIE-IN POINTS. TRACER WIRE TO BE INSTALLED FOR PVC PIPES.
 - THRUST BLOCKS ARE REQUIRED WHENEVER PIPE CHANGES DIRECTIONS (TEES, BENDS, ECT.).
 - POTABLE WATER MAINS SHALL MAINTAIN A TEN (10') FOOT HORIZONTAL AND EIGHTEEN (18') INCH VERTICAL CLEARANCE FROM NON-POTABLE PIPELINES.
 - GRAVITY SEWER LINE MATERIAL SHALL BE PVC (SDR35) OR DIP (CLASS 350).
 - FIRE LINES, F.O.G., BACKFLOW PREVENTION, AND LIFT STATIONS REQUIRE A SEPARATE REVIEW.
 - DEKALB COUNTY SHALL BE RESPONSIBLE FOR THE 8 INCH SANITARY SEWER, THE 6 INCH SEWER SERVICE LATERAL PIPE UP TO THE CLEAN OUT, AND THE 8 INCH WATER MAIN.
 - THE OWNER/DEVELOPER IS RESPONSIBLE FOR PROVIDING LONG SIDE AND SHORT SIDE WATER SERVICE LINES EXTENDED PAST OR OUTSIDE THE SIDEWALK.
 - ALL STREETS, CURB, SIDEWALK, STORM WATER FEATURES, AND UTILITIES INSIDE THE BOUNDARY SHOWN HEREON HAVE NOT YET BEEN CONSTRUCTED AND ARE BASED ON PROPOSED CONSTRUCTION DRAWING EXCEPT FOR THOSE LABELED EX. OR EXISTING.

LOT AREA CHART

LOT #	SO. FT.	ACRES
1	3450.00	0.079
2	3780.00	0.087
3	3780.00	0.087
4	3780.00	0.087
5	3780.00	0.087
6	3780.00	0.087
7	3780.00	0.087
8	3780.00	0.087
9	3780.00	0.087
10	3780.00	0.087
11	3780.00	0.087
12	3780.00	0.087
13	3780.00	0.087
14	3780.00	0.087
15	3780.00	0.087
16	3780.00	0.087
17	3780.00	0.087
18	3780.00	0.087
19	3780.00	0.087
20	3780.00	0.087
21	3780.00	0.087
22	3780.00	0.087
23	3780.00	0.087
24	3780.00	0.087
25	3780.00	0.087
26	3780.00	0.087
27	3780.00	0.087
28	3780.00	0.087
29	3780.00	0.087
30	3780.00	0.087
31	3780.00	0.087
32	3780.00	0.087
33	3780.00	0.087
34	3780.00	0.087
35	3780.00	0.087
36	3780.00	0.087
37	3780.00	0.087
38	3780.00	0.087
39	3780.00	0.087
40	3780.00	0.087

BOUNDARY LINE CHART

LINE	BEARING	DISTANCE
BL1	N 19°44'27" W	4.85'
BL2	N 78°11'09" W	8.50'
BL3	S 85°21'07" W	6.69'
BL4	S 52°07'44" W	18.22'
BL5	S 02°32'04" W	6.92'
BL6	S 18°06'28" E	16.79'
BL7	S 29°38'52" W	16.37'
BL8	S 53°30'07" W	15.76'
BL9	N 89°03'34" W	13.31'
BL10	S 4°28'58" W	18.02'
BL11	N 45°09'38" W	11.12'
BL12	S 56°24'14" W	18.66'
BL13	N 83°19'08" W	13.82'
BL14	N 39°05'42" W	3.05'
BL15	S 71°05'43" W	15.49'
BL16	S 54°07'39" W	35.71'
BL17	N 83°53'52" W	23.45'
BL18	N 59°25'39" W	39.19'
BL19	N 77°24'46" W	49.55'
BL20	N 53°17'32" W	7.04'
BL21	N 76°45'14" W	39.58'
BL22	S 64°53'21" W	34.20'
BL23	S 80°07'05" W	32.14'
BL24	S 82°15'44" W	40.80'
BL25	S 85°48'26" W	23.88'
BL26	S 50°55'31" W	14.66'
BL27	N 50°02'03" W	20.62'
BL28	N 81°09'28" W	35.77'
BL29	N 76°58'44" W	31.78'
BL30	N 58°33'43" W	14.92'
BL31	N 41°35'02" W	25.24'
BL32	N 55°58'12" W	25.80'
BL33	N 29°35'27" W	17.99'
BL34	N 54°21'10" W	5.27'
BL35	N 80°23'21" W	16.30'
BL36	N 48°37'43" W	17.59'
BL37	N 52°38'47" W	10.28'

CURVE CHART

CURVE (ARC)	LENGTH	RADIUS	CHORD BEARING	CHORD LENGTH
C1	20.16'	25.20'	S 25°19'10" W	36.13'
C2	19.27'	25.20'	S 44°47'39" E	35.35'
C3	14.35'	25.20'	S 82°19'14" E	16.31'
C4	72.05'	30.00'	S 37°19'14" E	67.00'
C5	66.39'	35.00'	S 25°12'21" W	77.78'
C6	66.39'	35.00'	N 25°12'21" E	77.78'
C7	66.39'	35.00'	N 25°12'21" E	77.78'
C8	66.39'	35.00'	N 25°12'21" E	77.78'
C9	66.39'	35.00'	N 25°12'21" E	77.78'
C10	66.39'	35.00'	N 25°12'21" E	77.78'
C11	23.56'	15.00'	N 45°12'21" E	21.21'
C12	23.56'	15.00'	N 45°12'21" E	21.21'
C13	23.56'	15.00'	N 45°12'21" E	21.21'

ROAD CENTERLINE CURVE CHART

CURVE (ARC)	LENGTH	RADIUS	CHORD BEARING	CHORD LENGTH
C1	64.98'	35.00'	S 44°47'39" E	49.50'
C2	64.98'	35.00'	S 25°12'21" W	49.50'
C3	64.98'	35.00'	S 25°12'21" W	49.50'
C4	64.98'	35.00'	N 45°12'21" E	49.50'

CENTERLINE CHART

LINE	BEARING	DISTANCE
CL1	S 44°47'39" E	49.50'
CL2	S 25°12'21" W	49.50'
CL3	S 25°12'21" W	49.50'
CL4	N 45°12'21" E	49.50'
CL5	N 45°12'21" E	49.50'
CL6	N 45°12'21" E	49.50'
CL7	N 45°12'21" E	49.50'

LINE CHART

LINE	BEARING	DISTANCE
L1	S 44°47'39" E	49.50'
L2	S 25°12'21" W	49.50'
L3	S 25°12'21" W	49.50'
L4	N 45°12'21" E	49.50'
L5	N 45°12'21" E	49.50'

SITE AREA = 6.292 ACRES
NR-3

RESIDENTIAL = 38 UNITS TOTAL
DETACHED SINGLE FAMILY 38 UNITS
MIN. LOT WIDTH: 40'
MIN. DRIVEWAY 20' FROM CURB TO GARAGE
MIN. LOT AREA:
1 LOT 3,200 SF
8 LOTS 3,400 SF
8 LOTS 3,500 SF
4 LOTS 3,700 SF
8 LOTS THAT ABUT SHANNING CREEK TRIBUTARY SHALL HAVE A MINIMUM OF 5,000 SF

SETBACKS:
FRONT YARD: 15'
SIDE YARD: 5'
REAR YARD: 20'

DENSITY:
38 UNITS / 6.292 ACRES = 5.72 UPA

OPEN SPACE:
OPEN SPACE REQ'D 400 SF / UNIT = 14,400 SF
OPEN SPACE PROVIDED 76,137 SF

FINAL PLAT NOTES

- SITE AREA: 6.292 ACRES
- THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 18,108 FEET AND AN ANGULAR ERROR OF 2" PER ANGLE POINT, AND WAS ADJUSTED USING LEAST SQUARES RULE. THIS MAP OR PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 145,292 FEET. A TRIMBLE ROBOTIC TOTAL STATION WAS USED TO OBTAIN THE LINEAR AND ANGULAR MEASUREMENTS USED IN THE PREPARATION OF THIS PLAT. FIELD DATA WAS OBTAINED ON 04-09-2018.
- PROVISIONS HAVE BEEN MADE FOR STREET LIGHTING.
- SIDEWALKS ARE REQUIRED.
- IT IS THE RESPONSIBILITY OF THE HOME OWNERS ASSOCIATION TO MAINTAIN THE STORM DRAIN SYSTEM, DETENTION FACILITY, AND PRIVATE STREETS SHOWN HEREON.
- THE HOMEOWNERS ASSOCIATION OWNS THE COMMON AREAS IT IS THE RESPONSIBILITY OF THE HOME OWNERS ASSOCIATION TO MAINTAIN THE COMMON AREAS SHOWN HEREON.
- NO WORK IN THE RIGHT-OF-WAY, INCLUDING PAVED SURFACES, PERMITTED WITHOUT WRITTEN AUTHORIZATION FROM DEKALB COUNTY PUBLIC WORKS DEPARTMENT.
- FOR HOMES LOCATED BELOW THE STREET, A SEWER RELIEF VALVE IS REQUIRED ON CLEAN-OUT OUTSIDE EACH BUILDING AND BELOW THE LOWEST FLOOR ELEVATION. A BACKFLOW CHECK VALVE IS REQUIRED BETWEEN CLEAN-OUT AND THE STRUCTURE.
- SUBSEQUENT BUILDERS AND DEVELOPERS OF INDIVIDUAL LOTS SHALL MAKE PROVISIONS TO CONDUIT LOT GENERATED SURFACE WATERS TO THE DRAINAGE FACILITIES PROVIDED BY THE DEVELOPER WITHOUT UNAUTHORIZED DISCHARGE ONTO ADJACENT PROPERTIES.
- A 10 FT. DRAINAGE EASEMENT EXISTS BETWEEN ALL LOTS AND ALONG THE PERIMETER BOUNDARY LINES OF THE SUBDIVISION EXCEPT WHERE SHOWN OTHERWISE.
- EASEMENTS FOR STORM DRAINS AND SANITARY SEWER LINES SHALL BE CENTERED ON THE PIPES.
- INDIVIDUAL RESIDENTIAL BUILDERS, IN THE SUBDIVISION WHERE A NOTICE OF INTENT (NOI) IS REQUIRED TO COMPLY WITH FEDERAL NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) REGULATIONS, MUST ALSO FILE A NOI AND NOTICE OF TERMINATION (NOT) WITH THE GEORGIA DEPARTMENT OF NATURAL RESOURCES, ENVIRONMENTAL PROTECTION DIVISION (EPA). A STORM WATER POLLUTION PREVENTION PLAN MUST BE DEVELOPED AND IMPLEMENTED.
- THE OWNER/DEVELOPER IS RESPONSIBLE FOR PROVIDING LONG SIDE AND SHORT SIDE SERVICE LINES EXTENDING PAST OR OUTSIDE THE SIDEWALK.
- DEKALB COUNTY SANITATION DEPARTMENT IS NOT RESPONSIBLE FOR TRASH PICK-UP ON PRIVATE STREETS.
- LOTS THAT WILL REQUIRE FILL DEPTH OF TWO (2) FEET OR GREATER BETWEEN THE ROAD RIGHT-OF-WAY AND REAR BUILDING LINE AT THE TIME OF FUTURE LOT GRADING WILL REQUIRE A COMPACTION CERTIFICATION SEALED BY A REGISTERED GEOTECHNICAL ENGINEER TO BE SUBMITTED AT THE TIME OF BUILDING PERMITS APPLICATION.
- INERT LANDFILLS OR THE BURYING OF CONSTRUCTION DEBRIS, TREE STUMPS AND TOPS OR ANY OTHER REUSE IS PROHIBITED EXCEPT IN M-2 INDUSTRIAL DISTRICT PER LAND DEVELOPMENT ORDINANCE CHAPTER 14, ARTICLE II, SECTION 14-37(b)(6).
- ELECTRIC SERVICE SHALL BE UNDERGROUND.
- ALL BUILDINGS LOCATED ADJACENT TO THE INTERMEDIATE REGIONAL FLOODPLAIN SHALL BE CONSTRUCTED SO THAT PORTIONS OF THE STRUCTURE, INCLUDING THE BASEMENT FLOOR OR CRAWL AREAS, SHALL NOT BE LESS THAN THREE FEET ABOVE THE INTERMEDIATE REGIONAL FLOOD ELEVATIONS.
- AN EASEMENT SHALL EXIST WHICH INCLUDES THE FLOOD PLAIN PLUS FIVE FEET.
- THIS PLAT IS SUBJECT TO COVENANTS SET FORTH IN SEPARATE DOCUMENTS DATED 7-21-2022, RECORDED IN DEED BOOK 30469, PAGE 20, WHICH HEREBY BECOME A PART OF THIS PLAT.

FLOOD STATEMENT

A PORTION OF THE SUBJECT PROPERTY LIES WITHIN A 100 YEAR FLOOD ZONE. (PER F.I.R.M. MAP PANEL NO. 1306RC0068J, DATED MAY 16, 2013)

THIS SURVEY WAS PREPARED IN CONFORMITY WITH THE TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN CHAPTER 180-7 OF THE RULES OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN THE GEORGIA PLAT ACT O.C.G.A. 15-6-67, AUTHORITY O.C.G.A. SECS. 15-6-67, 43-15-4, 43-15-6, 43-15-19, 43-15-12.

Surveyor's Acknowledgement
In my opinion, this plat, drawn by me under my supervision, and is a correct representation of the land plotted and has been prepared in conformity with the minimum standards and requirements of law.

[Signature] 12-28-2022
John C. Whitley
Registered Georgia Land Surveyor No. 2672

THIS IS TO CERTIFY THAT THIS REVISION IS MADE BY AND WITH THE KNOWLEDGE OF THE UNDERSIGNED SURVEYOR AND IS IN COMPLIANCE WITH THE APPLICABLE LAWS OF THE STATE OF GEORGIA.

[Signature]
John C. Whitley Co. Reg. Land Surveyor Registration No. 2672
Revision # 1 REVISED OCTOBER 26, 2022
THIS PLAT SUPERCEDES A PORTION OF THE PLAT RECORDED IN PLAT BOOK 288 PAGE 95-99.

THE PURPOSE OF THIS REVISION IS TO: CORRECT ADDRESSES INCORRECTLY ASSIGNED BY FORMER GIS STAFF, SHOW PROPOSED 20' DRIVEWAY LOCATIONS AND REDUCE CERTAIN DRAINAGE EASEMENTS TO 15' WIDTH, REVISE LOT LINES AND AREAS ON LOTS 11-28, SHOW PROPOSED WATER METERS, AND SANITARY SEWER EASEMENT VERTICES COORDINATES TABLE.



Owner's Acknowledgement:
I, the owner of the land shown on this plat and whose name is subscribed hereto, acknowledge that this plat was made from an actual survey, and for value received the sufficiency of which is hereby acknowledged, do hereby confirm that the street and storm water facilities shown hereon shall be privately owned and maintained. The water mains and sanitary sewer lines in appropriate easements are hereby dedicated in fee simple forever to DeKalb County, in consideration of the approval of this development plan and other valuable considerations, the owner further releases and holds harmless DeKalb County from any and all claims, damages or demands arising on account of the design, construction, and maintenance of the property shown hereon, on account of roads, fills, embankments, ditches, cross-drains, culverts, water mains, sewer lines, and bridges, within the proposed right-of-way and easements shown; and on account of backwater, the collection or discharge of surface water, or the changing of courses of streams.

And further the owner warrants that he owns fee simple title to the property shown hereon and agrees that DeKalb County shall not be liable to him/her heirs, successors or assigns for any claim or damages resulting from the construction or maintenance of cross-drain extensions, ditches, structures, streets, culverts, curbs or sidewalks, the changing of courses of streams and rivers, flooding from natural creeks and rivers, surface waters and any other matter whatsoever. I further warrant that I have the right to sell and convey the land according to this plat and do hereby bind myself and owners subsequent in title to defend by virtue of these present.

In witness whereof, I have hereunto set my hand this ___ day of _____, 20__.

City of Clarkston Planning and Development
This is to certify that this final plat complies with all City Zoning, Environmental and Subdivision Ordinances and Regulations and all applicable state and federal laws.
Dated this ___ day of _____, 2022.

FOR ORIGINAL SIGNATURES, SEE PB 288, PG 95-99
Director, Planning and Development

City Manager of Clarkston
This plat has been submitted to and accepted by the City Manager of Clarkston, Georgia and has been approved as required by state law and county code of meeting all conditions precedent to recording in the superior court of this circuit.
Dated this ___ day of _____, 2022.

FOR ORIGINAL SIGNATURES, SEE PB 288, PG 95-99
By Direction: City Manager of Clarkston, Georgia

DeKalb County Department of Watershed Management
I certify that the Developer has complied with the requirements and the sanitary sewer requirements with this ___ day of _____, 2022.

[Signature]
Director, Department of Watershed Management

THIS SURVEY WAS PREPARED IN CONFORMITY WITH THE TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN CHAPTER 180-7 OF THE RULES OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN THE GEORGIA PLAT ACT O.C.G.A. 15-6-67, AUTHORITY O.C.G.A. SECS. 15-6-67, 43-15-4, 43-15-6, 43-15-19, 43-15-12.

DESC.	DATE	PLAT BOOK	PAGE #	AP #
ORIGINAL PLAT	12/3/2021	298	95	3053801

NOTE: THIS PLAT SUPERCEDES PREVIOUSLY RECORDED FINAL PLATS

This plat and permitted reproductions, in whole or in part, are instruments of service and are the sole property of McFarland-Dyer & Associates, Inc. unless otherwise agreed to, they shall not be reproduced or conveyed in any manner nor are they to be used for any projects other than specifically indicated hereon without written authorization from and due compensation to McFarland-Dyer & Associates, Inc.

This plat was prepared for the exclusive use of the person, persons, or entity named hereon. This plat does not extend to any unnamed persons, persons, or entity without the express recertification of the surveyor naming such person, persons, or entity.

FOR NO. 10-0308	DESCRIPTION	DATE	DATE
DEKALB COUNTY <td>FINAL PLAT<td>05-05-2022<td>10-26-2022</td></td></td>	FINAL PLAT <td>05-05-2022<td>10-26-2022</td></td>	05-05-2022 <td>10-26-2022</td>	10-26-2022
CHECKED BY: JCB <td>REVISION 1<td><td></td></td></td>	REVISION 1 <td><td></td></td>	<td></td>	
SURVEYED BY: KB <td><td><td></td></td></td>	<td><td></td></td>	<td></td>	

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FINAL PLAT FOR:
PARKSIDE
(A.K.A. GARDENS OF EAST AVENUE)
(A.K.A. CLARKSTON TRACT)

LL 07 6 96, 8TH DISTRICT
CITY OF CLARKSTON
DEKALB COUNTY, GEORGIA
FINAL PLAT
SHEET 1 OF 6



MINUTES FROM CLARKSTON CITY COUNCIL MEETING MAY 7, 2019

MINUTES CLARKSTON CITY COUNCIL Tuesday, May 7, 2019

Official Present Mayor: Ted Terry Council: YT Bell, Jamie Carroll, Andrea Cervone, Awet Eysan, Ahmed Hassan, Mario Williams City Manager: Robin L. Gonser City Clerk: Tracy Abby City Attorney: Stephen Quinn

A. CALL TO ORDER Mayor Terry called the meeting to order at 7:00pm.

B. ROLL CALL Present: YT Bell, Mario Williams, Awet Eysan, Ahmed Hassan, Andrea Cervone Councilmember Jamie Carroll arrived 7:09pm.

C. PLEDGE OF ALLEGIANCE

C. ADMINISTRATIVE BUSINESS/PRESENTATION

- (1) Approve Minutes Council Meeting 5-7-19 (2) Georgia State University Partners Accelerated Career Experience (PACE) J. Mack Robinson School of Business. (3) 100% Clean Energy Presentation Greenleaf Group provided a presentation. D. REPORTS 1) Planning & Zoning Report 2) City Manager's Report

Public Information meeting (6/18) for I-285 express lane proposal changes. He encouraged everyone to attend the Milton Pool opening on May 24; admission will be free and hotdogs will be served from 11am to 1pm. 3) City Attorney's Report Mr. Quinn provides an update on the nuisance abatement action on 390 Woodland started approximately 2 years ago. DuKalb County is foreclosing on the property due to non-payment of taxes and the city may be repaid for the prior demolishing of the structure. 4) Council Remarks YT Bell reported on attending the cottage home open house. She has spoken with a Clark Estates resident about amendments. Awet Eysan reported on attending the Clarkston Historic Preservation meeting (5/18), the Art contest judging at Jolly Elementary, Immigration Rights and responsibility meeting and the Culture Fest and Immigration Roundtable meeting. Jamie Carroll reported on the Coffee with Council and the Culture Fest. Andrea Cervone discussed the Historic preservation and the Coffee with Council meetings. She reported on the upcoming major Planning working session (5/18) and a second Historic Preservation 101. She will be attending the Spring OMA Training and she has applied for a CDBG to assist with energy audits for single family or owner occupied housing. Mayor Terry reported on the Clarkston High Schools boys' soccer team's efforts in their playoff game. Mayor and Council recognition of City Clerk Tracy Abby for Municipal Clerks Week. Mayor Terry read the resolution. E. PUBLIC COMMENTS Any member of the public may address the Council, during the time allotted for public comment. Each attendee will be allowed 3 minutes for comments at the discretion of the Presiding Officer. The public comment period will be limited to 30 minutes and it is not a time for dialogue. If your public comment contains a series of questions, please provide those questions to the City Clerk in writing on the Public Comment Card. This will facilitate follow-up by the council or staff. The City Council desires to allow an opportunity for public comment; however, the business of the City must proceed in an orderly, timely manner. Warren Hatlock discussed his opposition to the East Ave rezoning that is proposed. Victoria Webb expressed her opposition to the annexation/rezoning of the East Ave properties. She requested Council deny the request. Dean Moore spoke on concerns for code enforcement if larger livestock animals are permitted under the proposed urban agriculture ordinance. He requested the East rezoning properties remain NR-1 zoning. Susan Hood reported she is working on the final Charter Review recommendations and the draft will be forthcoming. She discussed the importance for the council to hire a professional to update the zoning ordinance. Kathleen Andrea Spoke in support of smaller houses.

Public Comments closed F. OLD BUSINESS F1) Public Hearing Re-opening Application to Rezone 3827, 3835 and 3861 East Avenue from Conditional NR-1 (Low Density Residential) to Conditional NR-3 (High Density Residential) Mayor Terry recognized the applicant Mr. Dawson, Oak Hall Companies, who presented the proposed plan to annex 6 acres into the city and build 36 cottage style homes with 24 conditions. Proposed Zoning Conditions for 3827, 3835 and 3861 East Avenue: 1. The property will generally be developed substantially as depicted on the attached conceptual site plan dated April 29, 2019, particularly as to the depicted site configuration and vegetated buffers. Each conceptual site plan is attached hereto and labeled as Exhibit "B." 2. The site shall have no more than thirty-six (36) single family cottage-style homes. 3. Noise of the homes will have more than three (3) bedrooms. 4. The building materials for the homes shall be a mixture of red brick, stone or hard-plank siding. No vinyl siding shall be allowed. 5. No vinyl siding shall be used for exterior walls and solar ready. 6. The driveways and sidewalks of each unit shall be a pervious material. 7. The outlet structures for the storm water system and the location of the storm water facilities shall be substantially the same as depicted on the plan attached hereto and labeled as Exhibit "C," subject to approval by the City's engineer. Developer shall work with the City's engineer to ensure that adequate erosion control measures are provided to protect the streams. 8. A majority of the trees planted on the site will be of a native species. No non-native species will be planted on common areas of the property. No more than two (2) accent trees, such as Japanese Maples, may be planted to each individual yard. 9. Developer shall grant to the City a 10' permanent easement and a 30' construction easement for the future construction of a trail system near the southeast corner of the property as shown on the conceptual site plan attached as Exhibit B. Such easement shall be located such that it does not encroach within the required 75' stream buffer of StonyCreeper Creek. 10. The developer shall donate \$40,000 to the Clarkston Affordable Housing Trust or the Clarkston Environmental Trust, at the City's election, prior to recording the Final Plat. 11. The developer is required to adhere to all development reviews required by the City of Clarkston including, but not limited to, for the land disturbance permit, landscape and tree replacement plans. 12. The developer shall adhere to all reviews as required by outside agencies with jurisdiction over the property, including but not limited to, DeKalb County Fire Marshal's office, DeKalb County Water and Sewer Department and the Georgia Bell and Water Conservation Commission. 13. All lots developed at the property shall be subject to restrictive covenant to participation in a mandatory homeowners' association ("HOA") as described by these conditions. 14. A maximum of three (3) of the homes may be rented or non-owner occupied at any given time. This restriction shall be included in the HOA governing documents and be binding upon all home owners. 15. The HOA shall have a professional engineer inspect the storm water facilities and prepare a report on such facility's condition bi-annually. This report shall be promptly submitted to the city manager. 16. The HOA shall be managed by a third-party manager employed by the HOA Board of Directors.

17. The developer shall provide a copy of the HOA documents to the city for review and approval prior to recording. The documents shall include the following requirements: a. All landscaped areas, including those located on individual lots, shall be maintained by the HOA. b. All streets shall be private and maintained by the HOA. c. There shall be an Architectural Review Board. This ARB shall be chaired by the developer and 51% of all the homes are constructed. Standards or revisions to any structure shall be approved by the ARB. 4. The Developer shall remain the Declarant until 100% of the homes have been sold. 5. Any change to the management structure of the Board will have to be approved by the Homeowners Association Board of Directors. The HOA will always be managed by a third party management company. 18. Prior to selling any lots, developer shall convey to the City an access easement for inspection (not maintenance) of the storm water facilities on the property. The HOA shall maintain such facilities. 19. Every home shall have a minimum of one visitor parking space to be located behind each home's garage. 20. Common areas shall be jointly owned by the owners of the individual parcels. 21. Yards along the exterior shall include an opaque, vegetated landscaped buffer on the sides that shall meet residential properties. 22. Final plat with covenants shall be submitted, reviewed, accepted and recorded before construction begins. Recording of the covenants and final plat shall create a separate lot for each dwelling place and subjects each lot to the development to private deed covenants that ensure the maintenance of the approved plan as substituted with the required maintenance of the common areas. 23. The city manager (in consultation with an appropriate expert) shall review and approve the landscape plan for compliance with "regenerative landscaping" principles. 24. All lots created on the property shall conform with the required dimensions and other development controls applicable in the NR-3 zoning district, unless a variance is granted by the City. Public Hearing Support: Hazel Poe, current co-owner of the property, spoke in support of the project. Opposed: Lisa Williams spoke in opposition to the proposal. Ann McCann spoke in opposition to the proposal. Ashley Kufner spoke in opposition to the proposal. Pat Davis-Morris spoke in opposition to the proposal. Dean Moore spoke in opposition to the proposal. Mayor Terry closed the public hearing. The City Attorney discussed the amended proposed conditions. Councilman Williams questioned if the application should be returned to Planning & Zoning for review based on the new conditions. Mr. Quinn advised that would be a policy decision if the Council felt the application should be reviewed by Planning & Zoning, but legally it is not required as the project was approved by the Planning & Zoning Committee reviewed. Further discussion and recommendations regarding the correction of errors. F2) Consider Application to Annex 3827, 3835 and 3861 East Avenue from Conditional NR-1 (Low Density Residential) to Conditional NR-3 (High Density Residential) with 24 conditions on Exhibit A. Yt Bell, Jamie Carroll, No-Ahmed Hassan, Awet Eysan, Mario Williams, Mayor Terry broke the tie and voted Yes and the annexation is approved (4, 3). F3) Consider Application to Rezone 3827, 3835 and 3861 East Avenue from NR-1 (Low Density Residential) to NR-3 (High Density Residential) Mayor Terry opened the floor for a motion. Jamie Carroll made a motion to approve the application to Rezone 3827, 3835 and 3861 East Avenue from NR-1 (Low Density Residential) to NR-3 (High Density Residential) with the 24 conditions on Exhibit A. Yt Bell seconded the motion. A vote was called Yes- Andrea Cervone, Yt Bell, Jamie Carroll, No-Ahmed Hassan, Awet Eysan, Mario Williams, Mayor Terry broke the tie and voted Yes and the annexation is approved (4, 3). F4) Consider Application to Rezone 3827, 3835 and 3861 East Avenue from NR-1 (Low Density Residential) to NR-3 (High Density Residential) with 24 conditions on Exhibit A. Yt Bell seconded the motion. Discussion: Mario Williams stated that the developer has admitted to making considerable changes and the Planning & Zoning has not seen those changes so how can we approve the application without Planning & Zoning reviewing the changes. Jamie Carroll stated he sat on the Planning & Zoning committee for three years, and he requests their reports their recommendations and after attending their last meeting, he felt many of their concerns had been addressed by the conditions and he discussed those specifically. He discussed that if the applicant chose to go to DeKalb County to develop the property, he felt many of those conditions would not be placed on the project. Further discussion on referring the item back to the Planning & Zoning committee. Mayor Terry called for the Vote: Yes- Yt Bell, Andrea Cervone, Jamie Carroll, No- Awet Eysan, Ahmed Hassan, Mario Williams, the Mayor broke the tie and voted Yes. Motion approved (4, 3). G. NEW BUSINESS G1) Discussion for Application for a proposed Planned Cottage Home Development (CHD) consisting of eight (8) cottages, on 0.57 acres located at 1169 Vaughan Street, Clarkston, GA 30021. Public Hearing 5-7-19 Council Meeting) Mayor Terry opened the public hearing. Public Hearing Support: No speakers Opposed: Kim Buckner, the representative for MicroLife, spoke in support of the proposal.

Planning & Zoning, but legally it is not required as the project was approved by the Planning & Zoning Committee reviewed. Further discussion and recommendations regarding the correction of errors. F2) Consider Application to Annex 3827, 3835 and 3861 East Avenue from Conditional NR-1 (Low Density Residential) to Conditional NR-3 (High Density Residential) with 24 conditions on Exhibit A. Yt Bell, Jamie Carroll, No-Ahmed Hassan, Awet Eysan, Mario Williams, Mayor Terry broke the tie and voted Yes and the annexation is approved (4, 3). F3) Consider Application to Rezone 3827, 3835 and 3861 East Avenue from NR-1 (Low Density Residential) to NR-3 (High Density Residential) Mayor Terry opened the floor for a motion. Jamie Carroll made a motion to approve the application to Rezone 3827, 3835 and 3861 East Avenue from NR-1 (Low Density Residential) to NR-3 (High Density Residential) with the 24 conditions on Exhibit A. Yt Bell seconded the motion. A vote was called Yes- Andrea Cervone, Yt Bell, Jamie Carroll, No-Ahmed Hassan, Awet Eysan, Mario Williams, Mayor Terry broke the tie and voted Yes and the annexation is approved (4, 3). F4) Consider Application to Rezone 3827, 3835 and 3861 East Avenue from NR-1 (Low Density Residential) to NR-3 (High Density Residential) with 24 conditions on Exhibit A. Yt Bell seconded the motion. Discussion: Mario Williams stated that the developer has admitted to making considerable changes and the Planning & Zoning has not seen those changes so how can we approve the application without Planning & Zoning reviewing the changes. Jamie Carroll stated he sat on the Planning & Zoning committee for three years, and he requests their reports their recommendations and after attending their last meeting, he felt many of their concerns had been addressed by the conditions and he discussed those specifically. He discussed that if the applicant chose to go to DeKalb County to develop the property, he felt many of those conditions would not be placed on the project. Further discussion on referring the item back to the Planning & Zoning committee. Mayor Terry called for the Vote: Yes- Yt Bell, Andrea Cervone, Jamie Carroll, No- Awet Eysan, Ahmed Hassan, Mario Williams, the Mayor broke the tie and voted Yes. Motion approved (4, 3). G. NEW BUSINESS G1) Discussion for Application for a proposed Planned Cottage Home Development (CHD) consisting of eight (8) cottages, on 0.57 acres located at 1169 Vaughan Street, Clarkston, GA 30021. Public Hearing 5-7-19 Council Meeting) Mayor Terry opened the public hearing. Public Hearing Support: No speakers Opposed: Kim Buckner, the representative for MicroLife, spoke in support of the proposal.

Lisa Williams spoke in support of the proposal. No other speakers. Mayor Terry closed the public hearing. G2) Discussion of proposal by MicroLife Institute to build a planned Cottage Home Development (CHD) located at 1169 Vaughan Street, Clarkston, GA 30021, to use 1179 South Street, and Vaughan Street (suspension right-of-way) as a part of the CHD development. Mayor Terry opened the floor for a motion. Jamie Carroll made a motion to approve the application by MicroLife Institute to build a planned Cottage Home Development (CHD) located at 1169 Vaughan Street, Clarkston, GA 30021, to use 1179 South Street and Vaughan Street (suspension right-of-way) as a part of the CHD development. Yt Bell seconded the motion. A vote was called and the motion carried (6, 0). G3) Adopt Summer/Fall Youth Tennis Program at Milton Park with South Atlanta Community Tennis Association Andrea Cervone made a motion to Adopt Summer/Fall Youth Tennis Program at Milton Park with South Atlanta Community Tennis Association. Ahmed Hassan seconded the motion. A vote was called and the motion carried (6, 0). G4) Agreement to Purchase Real Estate, Tax Parcel ID # 18-119-09-004 as part of the E Ponce de Leon Streetscape Improvement Project Mayor Terry reported this will create a MARTA bus carve out at near Brockton Road and purchasing the triangle area to develop as a pocket park. Yt Bell made a motion to adopt the agreement to purchase Real Estate, Tax Parcel ID # 18-119-09-004 as part of the E Ponce de Leon Streetscape Improvement Project. Awet Eysan seconded the motion. A vote was called and the motion carried (6, 0). G5) Adopt resolution to Refer a Plastic Bags and Single-Use Plastics Ban for study to the Environment & Natural Resources Committee Awet Eysan made a motion adopt the resolution to refer a Plastic Bags and Single-Use Plastics Ban for study to the Environment & Natural Resources Committee. Yt Bell seconded the motion. A vote was called and the motion carried (6, 0). G6) Adopt Urban Agriculture Consulting Agreement with Roots Down Consulting LLC Council discussion on the agreement and terms. Council Members Hassan and Eysan requested this be held until the next year's budget. Council Member Cervone decided the purpose to approve and move forward. Andrea Cervone made a motion adopt Urban Agriculture Consulting Agreement with Roots Down Consulting LLC. Jamie Carroll seconded the motion. A vote was called and the motion carried Yes, Andrea Cervone, Yt Bell, Jamie Carroll, Mario Williams, No- Awet Eysan, Ahmed Hassan, (4, 2). G7) Adopt Council Commission Policy Mayor Terry stated that the commission policy for the work session will remain the same, time limit of 3 minutes per speaker. For City Council meetings, the public comment period will limit speakers to 3 minutes and the overall comment period will be limited to 40 minutes.

Ahmed Hassan made a motion to adopt the Council Commission Policy and rules of decorum Yt Bell seconded the motion. A vote was called and the motion carried (6, 0). G8) Adopt Resolution to Establish Public Hearing Procedure for Zoning Hearings The City Attorney reported on the public comment for public hearings and detailed the speaker registration process for public hearings only. Speakers can register online 9a-5p or at City Hall (Council Room), starting one hour prior to the meeting, up to 5 minutes before the hearing. Andrea Cervone made a motion to adopt the Resolution to Establish Public Hearing Procedures for Zoning Hearings. Ahmed Hassan seconded the motion. A vote was called and the motion carried (5, 1- Awet Eysan). ADJOURNMENT: Andrea Cervone made a motion to adjourn the Council Meeting. Jamie Carroll seconded the motion. A vote was called and the motion carried (6, 0). Meeting adjourned. ATTEST: Tracy Abby City Clerk, City of Clarkston Approved: 6-4-2019

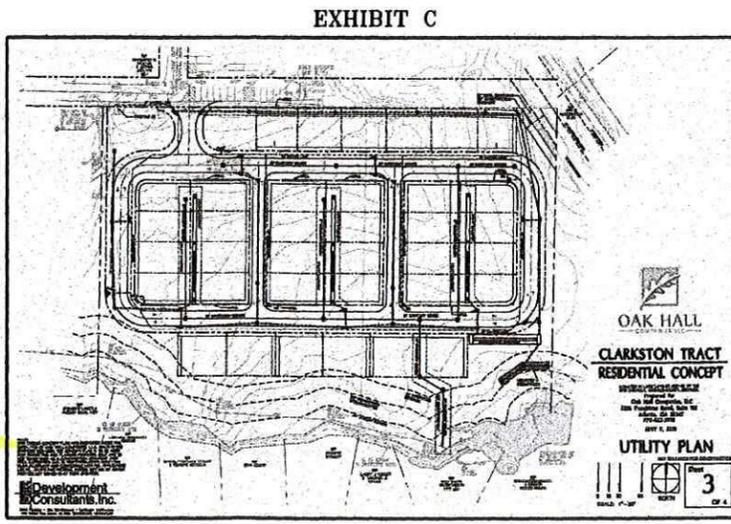
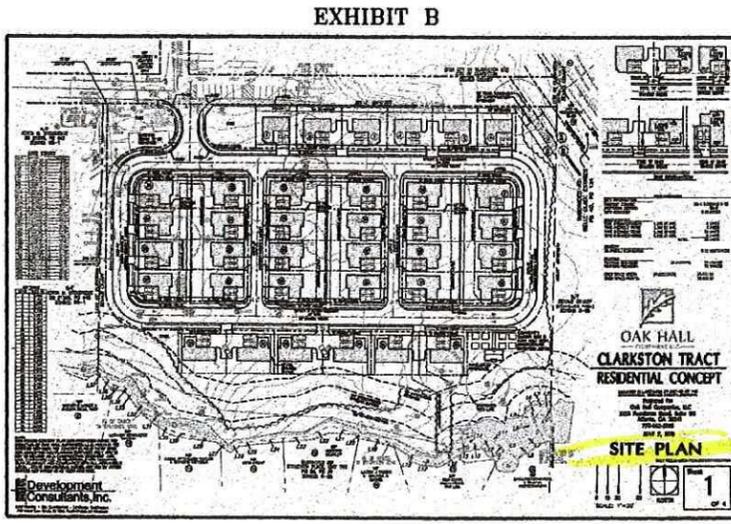


Table with 2 columns: DATE, DESCRIPTION. Row 1: 05/06/2022, FINAL PLAT. Row 2: 05/26/2022, REVISION 1.

FOR NO. 89308 CHECKED BY: KIM SURVEYED BY: KB DATE: 05/06/2022

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FINAL PLAT FOR: PARKSIDE (AKA GARDENS OF EAST AVENUE) (AKA CLARKSTON TRACT) CITY OF CLARKSTON DEKALB COUNTY, GEORGIA

FINAL PLAT SHEET 4 OF 6

DeKalb County
GEORGIA
DEVELOPMENT SERVICES

APPROVED

AP 3053801
DATE 11/03/22

This Department is not responsible for any errors or omissions by engineers or other design professionals on drawings or county code requirements of this project.

The purpose of granting of a permit shall not be construed to be a permit for, or an approval of, any violation of the provisions of applicable codes or any other codes under the jurisdiction. Permittees planning to violate any code or any other ordinance of this jurisdiction shall not be held liable for the issuance of a permit based on construction documents and other data shall not prevent the City from requiring the cessation of work.

Planning, Mechanical, Civil, and Electrical sections of this permit have not been reviewed for compliance with technical codes and will be subject to review during inspection.

All set back approved papers shall be kept on the premises at all times and shall not be modified or altered without the permission from DeKalb County Development Services.



MIDA
McFarland-Dyer & Associates
Professional Engineer
474 N. Lake Park Parkway
Atlanta, GA 30305
(770) 926-6500
www.mida.com

THE FIELD DATA FROM WHICH THIS PLAN IS BASED HAS BEEN OBTAINED FROM THE RECORDS OF THE DEPARTMENT OF CONSTRUCTION OF THE CITY OF CLARKSTON AND AN ANGULAR ERROR OF 1/4" PER 100' HAS BEEN ADJUSTED USING THE LEAST SQUARES METHOD.
THE MAGNITUDE OF THE ADJUSTMENT IS LESS THAN 1/8" AND IS FOUND TO BE ACQUAINT WITH ONE FOOT IN HORIZONTAL DISTANCE.
A TRIMBLE SCIENTIFIC SYSTEM STATION WAS USED TO OBTAIN THE LINEAR AND ANGULAR MEASUREMENTS USED IN THE PREPARATION OF THIS PLAN.
FIELD DATA WAS OBTAINED ON 04/20/2022 (SUBMIT ON 02/22/2022)

DESCRIPTION: FINAL PLAT, APPROXIMATE FLOOD LIMIT PER SCANNED FEMA MAP FM 130890088J, DATED 05-16-2013

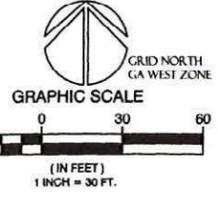
DATE: 02/22/2022
DRAWN BY: JAW
CHECKED BY: JAW
SURVEYED BY: JAW

FOR NO. 180396

FINAL PLAT FOR:
PARKSIDE
(AKA. GARDENS OF EAST AVENUE)
(AKA. CLARKSTON TRACT)

LL 67 & 68, 8TH DISTRICT
CITY OF CLARKSTON
DEKALB COUNTY, GEORGIA

FINAL PLAT
SHEET 5 OF 6



ABBREVIATIONS

INV	INVERT ELEVATION
HDPE	HIGH DENSITY POLYETHYLENE PIPE
CMP	CORRUGATED METAL PIPE
RCP	REINFORCED CONCRETE PIPE
DIP	DUCTILE IRON PIPE
FZE	FINISHED FLOOR ELEVATION
TBM	TEMPORARY BENCHMARK
GV	GATE VALVE
UGCM	UNDERGROUND CABLE MARKER
GLM	GAS LINE MARKER
WLM	WATER LINE MARKER
PB	PLAT BOOK
DB	DEED BOOK
N/F	NOW OR FORMERLY
SSMH	SANITARY SEWER MANHOLE
DWCB	DOUBLE WING CATCH BASIN
SWCB	SINGLE WING CATCH BASIN
FES	FLARED END SECTION
CONC	CONCRETE

LEGEND

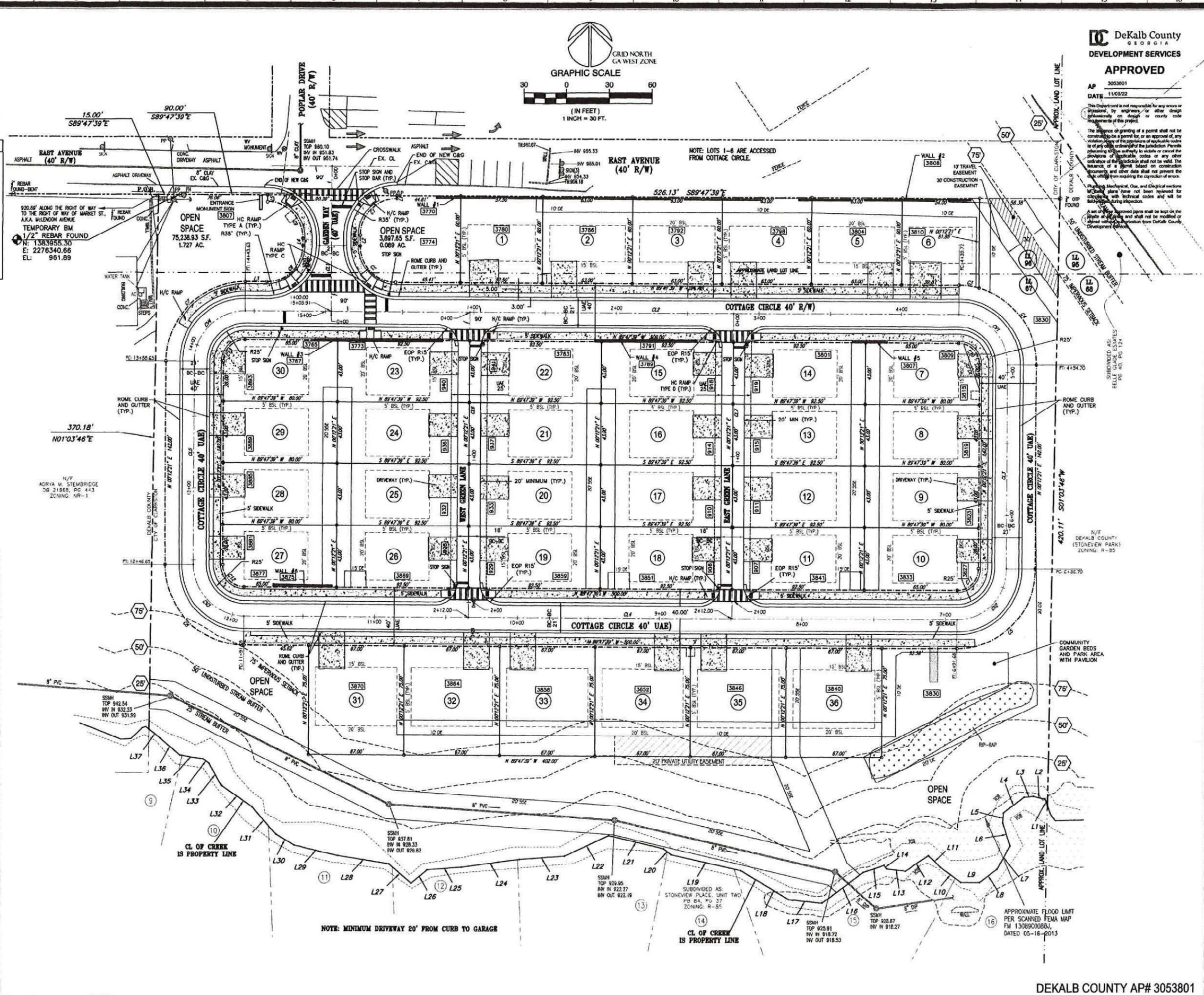
(Symbol)	UTILITY POLE (PP)
(Symbol)	GUY WIRE
(Symbol)	LIGHT POLE (LP)
(Symbol)	FLAG POLE (FP)
(Symbol)	FIRE HYDRANT (FH)
(Symbol)	SIGN
(Symbol)	JUNCTION BOX (JB)
(Symbol)	DROP INLET (DI)
(Symbol)	WATER VALVE (WV)
(Symbol)	ROOF DRAIN (RD)
(Symbol)	CLEAN OUT (CO)
(Symbol)	YARD INLET (YI)
(Symbol)	WATER METER (WM)
(Symbol)	SANITARY MANHOLE
(Symbol)	IRON PIN FOUND
(Symbol)	CONCRETE
(Symbol)	WALL
(Symbol)	HEAD WALL (HW)
(Symbol)	FENCE LINE
(Symbol)	TREE LINE
(Symbol)	HANDICAP RAMP
(Symbol)	CURB AND GUTTER

ADDRESS TABLE

LOT #	ADDRESS	STREET NAME
1	3780	COTTAGE CIRCLE
2	3786	COTTAGE CIRCLE
3	3792	COTTAGE CIRCLE
4	3798	COTTAGE CIRCLE
5	3804	COTTAGE CIRCLE
6	3810	COTTAGE CIRCLE
7	3816	COTTAGE CIRCLE
8	3822	COTTAGE CIRCLE
9	3828	COTTAGE CIRCLE
10	3834	COTTAGE CIRCLE
11	3840	COTTAGE CIRCLE
12	3846	COTTAGE CIRCLE
13	3852	COTTAGE CIRCLE
14	3858	COTTAGE CIRCLE
15	3864	COTTAGE CIRCLE
16	3870	COTTAGE CIRCLE
17	3876	COTTAGE CIRCLE
18	3882	COTTAGE CIRCLE
19	3888	COTTAGE CIRCLE
20	3894	COTTAGE CIRCLE
21	3900	COTTAGE CIRCLE
22	3906	COTTAGE CIRCLE
23	3912	COTTAGE CIRCLE
24	3918	COTTAGE CIRCLE
25	3924	COTTAGE CIRCLE
26	3930	COTTAGE CIRCLE
27	3936	COTTAGE CIRCLE
28	3942	COTTAGE CIRCLE
29	3948	COTTAGE CIRCLE
30	3954	COTTAGE CIRCLE
31	3960	COTTAGE CIRCLE
32	3966	COTTAGE CIRCLE
33	3972	COTTAGE CIRCLE
34	3978	COTTAGE CIRCLE
35	3984	COTTAGE CIRCLE
36	3990	COTTAGE CIRCLE

Address Table (continued)

37	3996	COTTAGE CIRCLE
38	4002	COTTAGE CIRCLE
39	4008	COTTAGE CIRCLE
40	4014	COTTAGE CIRCLE
41	4020	COTTAGE CIRCLE
42	4026	COTTAGE CIRCLE
43	4032	COTTAGE CIRCLE
44	4038	COTTAGE CIRCLE
45	4044	COTTAGE CIRCLE
46	4050	COTTAGE CIRCLE
47	4056	COTTAGE CIRCLE
48	4062	COTTAGE CIRCLE
49	4068	COTTAGE CIRCLE
50	4074	COTTAGE CIRCLE
51	4080	COTTAGE CIRCLE
52	4086	COTTAGE CIRCLE
53	4092	COTTAGE CIRCLE
54	4098	COTTAGE CIRCLE
55	4104	COTTAGE CIRCLE
56	4110	COTTAGE CIRCLE
57	4116	COTTAGE CIRCLE
58	4122	COTTAGE CIRCLE
59	4128	COTTAGE CIRCLE
60	4134	COTTAGE CIRCLE
61	4140	COTTAGE CIRCLE
62	4146	COTTAGE CIRCLE
63	4152	COTTAGE CIRCLE
64	4158	COTTAGE CIRCLE
65	4164	COTTAGE CIRCLE
66	4170	COTTAGE CIRCLE
67	4176	COTTAGE CIRCLE
68	4182	COTTAGE CIRCLE
69	4188	COTTAGE CIRCLE
70	4194	COTTAGE CIRCLE
71	4200	COTTAGE CIRCLE
72	4206	COTTAGE CIRCLE
73	4212	COTTAGE CIRCLE
74	4218	COTTAGE CIRCLE
75	4224	COTTAGE CIRCLE
76	4230	COTTAGE CIRCLE
77	4236	COTTAGE CIRCLE
78	4242	COTTAGE CIRCLE
79	4248	COTTAGE CIRCLE
80	4254	COTTAGE CIRCLE
81	4260	COTTAGE CIRCLE
82	4266	COTTAGE CIRCLE
83	4272	COTTAGE CIRCLE
84	4278	COTTAGE CIRCLE
85	4284	COTTAGE CIRCLE
86	4290	COTTAGE CIRCLE
87	4296	COTTAGE CIRCLE
88	4302	COTTAGE CIRCLE
89	4308	COTTAGE CIRCLE
90	4314	COTTAGE CIRCLE
91	4320	COTTAGE CIRCLE
92	4326	COTTAGE CIRCLE
93	4332	COTTAGE CIRCLE
94	4338	COTTAGE CIRCLE
95	4344	COTTAGE CIRCLE
96	4350	COTTAGE CIRCLE
97	4356	COTTAGE CIRCLE
98	4362	COTTAGE CIRCLE
99	4368	COTTAGE CIRCLE
100	4374	COTTAGE CIRCLE

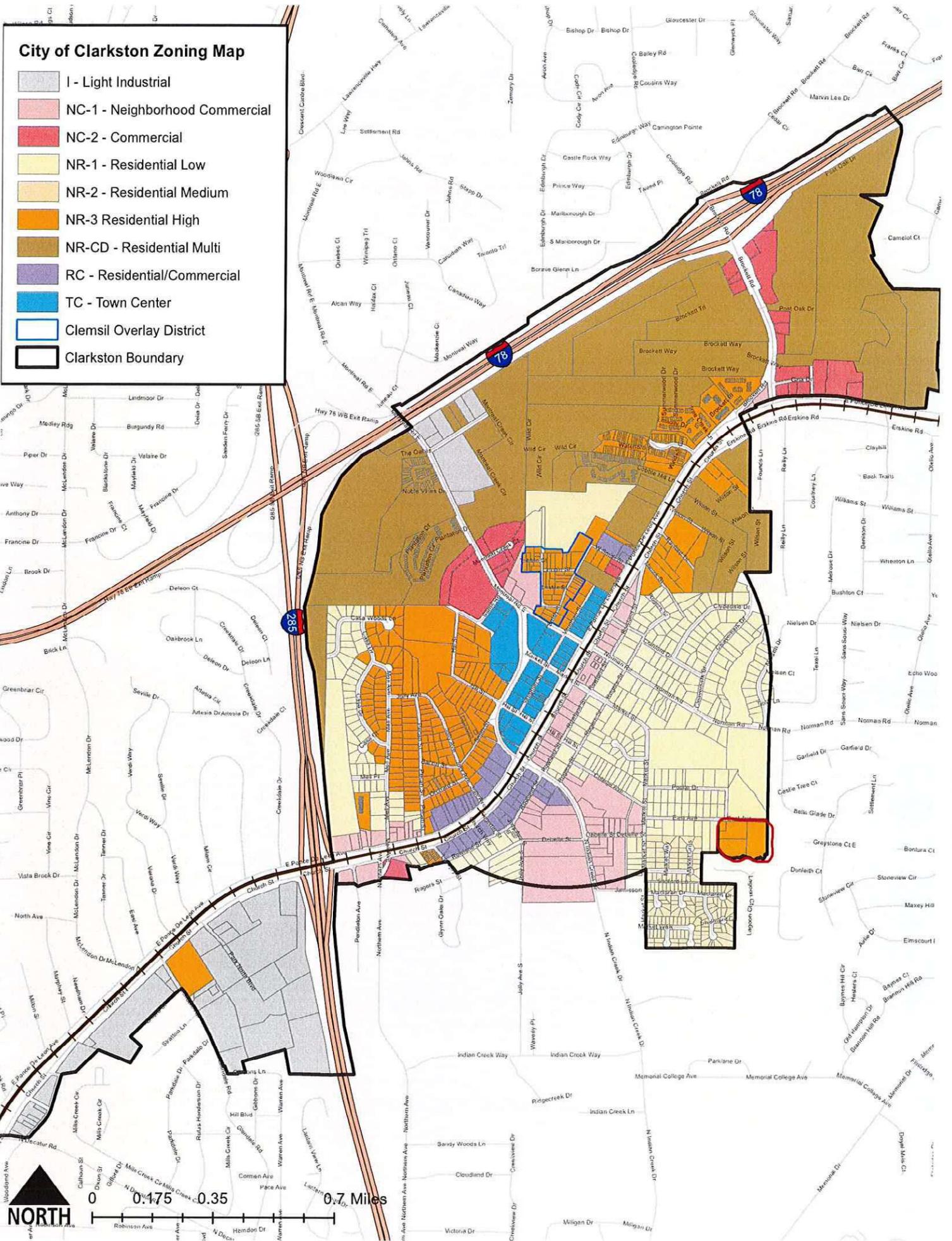


NOTE: MINIMUM DRIVEWAY 20' FROM CURB TO GARAGE

DEKALB COUNTY AP# 3053801

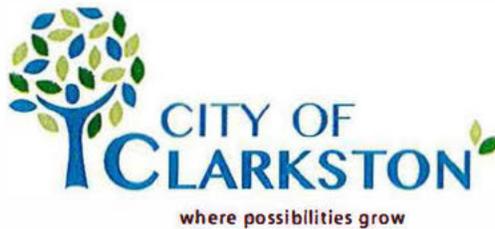
City of Clarkston Zoning Map

-  I - Light Industrial
-  NC-1 - Neighborhood Commercial
-  NC-2 - Commercial
-  NR-1 - Residential Low
-  NR-2 - Residential Medium
-  NR-3 Residential High
-  NR-CD - Residential Multi
-  RC - Residential/Commercial
-  TC - Town Center
-  Clemisil Overlay District
-  Clarkston Boundary









REZONING ANALYSIS

Report Prepared by: Adleasia Cameron, Planning & Development Director

Applicant: Grace Denise Rainey-Orr, Garry Rainey, Victor Dwight Rainey, and John Barry Rainey

Location: 911 Mell Avenue, 917 Mell Avenue, 929 Mell Avenue, and 935 Mell Avenue.

Request: To rezone properties located at 911 Mell Avenue, 917 Mell Avenue, 929 Mell Avenue, and 935 Mell Avenue from NR-1 (Low-density neighborhood residential District to NR-3 (High-density neighborhood residential district).

Parcel ID(s): 18 097 10 047, (BE Rainey Trust & Victor Dwight Rainey)
18 097 10 046, (BE Rainey Trust & Victor Dwight Rainey)
18 097 10 059, (Rainey B E Trust)
18 097 10 050, (Rainey B E)

Proposed Use /Purpose: Uses permitted in the NR-3 Zoning District

Current Land Use: 911, 917, and 935 vacant, unimproved lots and 929 Mell Avenue has an 1452 SF occupied home.

Future Land Use: According to the Clarkston 2040 Comprehensive Plan, the subject area is characterized as Traditional Neighborhood Development. Traditional Neighborhood Development are areas designated to nurture traditional neighborhood development patterns and housing types. This includes walkable areas of single-family homes, duplexes and triplexes, cottage courtyard housing, 4–6-unit walk-up apartment buildings, and townhouses.

Sign Posted: 9/30/2024
Community Meeting: 09/23/2024
Planning and Zoning Meeting: 10/31/2024
City Council Work Session: 10/29/2024
City Council Meeting Date: 11/07/2024

Lot Size: 911 Mell is 14,623 +/- acres, 917 Mell Avenue is 19,497 +/- acres, 929 Mell Avenue is 21,780 +/- acres, and 935 Mell Avenue is 17,424 +/- acres.

Road Access: Mell Avenue, to the south -East Ponce De Leon Avenue and to the north – Jolly Avenue.

Public Utilities:

Water and Wastewater Treatment – Public water and sewer service is available at property located at 929 Mell Avenue. If additional public sewer service connections are warranted it will be made available via a line extension at the property owner's/developer's expense.

Zoning History:

A review of City records indicates that the subject area was annexed into the city in 2015. A review of zoning files indicates that there have been no previous zoning requests regarding the subject property. The subject property is zoned NR-1 (Low-density neighborhood residential District).

The request is to rezone properties located at 911 Mell Avenue, 917 Mell Avenue, 929 Mell Avenue, and 935 Mell Avenue from NR-1 (Low-density Neighborhood Residential District) to NR-3 (High-density Neighborhood Residential District). Property owners plan to market the subject lots according to the purpose and intent of the NR-3 zoning classification.

Table 1.0 illustrates the zoning and current land uses for the adjacent properties:

Table 1.0

Direction	Current Zoning	Current Land Use	Comprehensive Plan Future Land Use Designation
North	NR-3	Single-family dwellings	Traditional Neighborhood Development
East	NR-1 and NR-3	SF dwellings and multi-family dwelling	Traditional Neighborhood Development
South	NC-1	Low Density Neighborhood Commercial	Mixed use
West	NR-1 and NR-3	SF dwellings and multi-family dwelling	Traditional Neighborhood Development

Development Regulations Relevant to Request:

- *Article III, Sec. 305, Dimensional Standards - Table 3.4 Residential Zoning District Dimensional Requirements*
- *Article IV, Sec. 403 Table – 4.1 Use Table (Permitted Uses)*
- *Article V, Site Design*
- *Article VI, Parking and loading requirements*
- *All other sections regarding site development standards and requirements.*

Rezoning Review Criteria: Analysis of Request (Article III, Sec. 212 (c1-8)):

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.

Mell Avenue is a roadway that allows access to abutting land and serves local traffic. It also channels local traffic to E. Ponce De Leon Avenue and Church Street. The proposed rezoning request to NR-3 high-density neighborhood will have an impact on the general welfare of the public if the lots are used in such a way that its development will bring maximum profit to the owners. Additionally, the degree of the health and safety impact cannot be determined without fully knowing how the city resources and services will be impacted by a proposed development project.

Criteria Points 2: Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property.

The merits of this request are reasonable, yet its suitability for the area is in question. The proposed rezoning request is directly adjacent to single-family dwellings as well as in proximity to duplexes, and multi-family dwellings.

Additionally, development of permitted uses in the NR-3 zoning classification stands to contribute to doubling and tripling traffic volume on Mell Avenue, Jolly Avenue, Church Street, and East Ponce De Leon Avenue. In their current state, the infrastructure is not adequate to manage such large volumes of vehicular traffic.

However, there are several road improvement projects planned for East Ponce De Leon Avenue; the soonest being a SPLOST-funded intersection improvements project (including signalization) at East Ponce De Leon Avenue and Mell Avenue, which is scheduled to be completed in 2026. Furthermore, approval of the rezoning request will not confer upon the subject properties any special privileges that are denied to other properties of the zoning district in which property is located.

Criteria Points 3: Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property.

The applicants are not proposing to develop the property. The request is to rezone the four subject lots to the NR-3 zoning classification to market for highest and best use. If approved, all development proposed must comply with the NR-3 zoning district's development regulations and design standards and will be similar to the current uses of adjacent or nearby properties.

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 NR-1, low-density neighborhood residential and could be developed based on the current zoning. One lot has a house that is owner occupied; the other three lots are vacant land with infrastructure access. Changes in market conditions makes vacant land viable for development to align with land use patterns, demographics, or economic shifts.

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.

The East Ponce De Leon Avenue corridor will be a popular target for developers over the next three-to-five years; evidenced by the number of zoning requests along East Ponce De Leon Avenue and other roads in the general vicinity. Planning Staff recommends that the Future Land Use Plan be updated to keep up the develop strategies that better-guides new development and revitalization in the area.

One such strategy is the creation of a design overlay district, which would regulate land use patterns in the area; as well as establish standards for architectural design, transportation infrastructure and inter-parcel connectivity.

If the request to rezone the subject lots from NR-1 to NR-3 are approved, the Clarkston Zoning Ordinance would allow several permitted uses as well as regulates permitted uses and development requirements.

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.

Currently, at least three of the lots are vacant land. The property owners stated that prior to being annexed into the City, zoning under Dekalb County would have permitted a mixture of dwelling units. The NR-1 zoning classification makes it difficult to sell the property because it limits the

housing supply. Additionally, the 2040 Update Comprehensive Plan takes into consideration the suitability for future land uses of the NR-3 zoning district and encourages a mixture of housing types for all ages and income levels.

Criteria Points 7 & 8: Whether the zoning proposal is compatible with the principles of the most current adopted version of the city's future land use map and comprehensive plan.

The property is currently zoned NR-1, low-density neighborhood residential and could be developed based on the current zoning. However, the Clarkston 2040 Comprehensive Plan Update applied Character Areas to the Future Land Use Plan. In the relationship to the Clarkston 2040 Comprehensive Plan Update, the proposal to rezone the subject properties from NR-1 to NR-3 corresponds with the applied character area of the Traditional Neighborhood Development. These areas are designated to nurture traditional neighborhood development patterns and housing types. They include walkable areas of single-family homes, duplexes and triplexes, cottage courtyard housing, 4-6 unit walk-up apartment buildings, and townhouses. Based on the traditional neighborhood development designation patterns and housing types, the proposal is compatible with the principles of the most current adopted version of the city's future land use map and comprehensive plan.

Comments:

The community meeting was held on 9/23/2024 on the Mell Avenue vacant lot (911 Mell Avenue). The applicant hand delivered and mailed meeting notifications to the following residents within 300 feet of the subject properties (Exhibit A).

See the attached summary for concerns and comments during the meeting (Exhibit B).

Recommendation:

The applicant is requesting a rezoning from NR-1 (low-density residential Agricultural) to NR-3 (high-density). This request is consistent with the Future Land Use Map, which designates the property for traditional neighborhood development with a mixed-unit density of 6-8 dwelling unit's apartment buildings, and townhouses.

Staff recommends approval of the request from the applicants to rezone the properties located at 911 Mell Avenue, 917 Mell Avenue, 929 Mell Avenue, and 935 Mell Avenue, from NR-1 to NR-3, with the following conditions:

Any proposed development shall follow the development regulations and design standard specifications, all the materials, methods of construction, and workmanship for the work covered in reference to street construction, stormwater drainage construction and maintenance shall conform to the adopted standard specifications of Dekalb County and the Georgia Department of Transportation.

Attachments:

- Application
- Campaign Disclosure Form
- Letter of Ownership/Intent
- Survey
- Tax Map
- Zoning Map
- Aerial Map
- Site Photographs

EXHIBIT "A"

Post Meeting Summary

911, 917, 929, 935 Mell Avenue

A meeting was held Monday September 23, 2024, on the Mell Avenue property

I explained the reason for the meeting so that everyone was aware of our intent to rezone from NR-1 to NR-3 and had very few concerns (see below). The meeting lasted approximately one (1) hour.

IN ATTENDANCE:

Debbie Gathman - [REDACTED] - Parcel ID 18 097 01 102

Lynn McEntire - [REDACTED] - Parcel ID 18 097 10 013

Jamie Carroll - [REDACTED] - Not with 300 ft. range

Tim Hall - [REDACTED] - Not with 300 ft. range

Simone Wilson - [REDACTED] - Not with 300 ft. range 102

Brian Medford - [REDACTED] - Not with 300 ft. range

Tracy Minich - [REDACTED] - Not with 300 ft. range

MAILING LIST:

Lynn McEntire - [REDACTED] - Parcel ID 18 097 10 013

Mark Lomanto - [REDACTED] - Parcel ID 18 097 01 012

Elmira LLC - [REDACTED] - Parcel ID 18 097 01 053

1006 Pecan LLC - 910 Pecan Street - Parcel ID 18 097 01 053

Rachel Blankton - [REDACTED] - Parcel ID 18 097 01 019

1006 Pecan LLC - [REDACTED] - Parcel ID 18 097 01 011

Denny Gardenia - [REDACTED] - Parcel ID 18 097 10 006

Denny Gardenia - [REDACTED] - Parcel ID 18 097 10 051

Debbie Gathman - [REDACTED] - Parcel ID 18 097 01 102

Jennifer Or Luce - [REDACTED] - Parcel ID 18 097 01 004

Michel L Marcus - [REDACTED] - Parcel ID 18 097 01 003

Susan Rembert - [REDACTED] - Parcel ID 18-097-10-062

Wendell Wright - [REDACTED] - Leon Ave - Parcel ID 18 097 10 054

Wendell Wright - [REDACTED] - Leon Ave - Parcel ID 18 097 10 055

Lam Son Hoang – [REDACTED] Parcel ID 18 097 10 010

Lam Son Hoang – [REDACTED] Parcel ID 18 097 10 055

Mpp Investments Inc – 3930 E Ponce de Leon Ave - Parcel ID 18 097 10 009

Wendell Wright – [REDACTED] - Parcel ID 18 097 04 017

Mela Enterprise LLC – 3924 E Ponce de Leon Ave - Parcel ID 18 097 10 008

Phmp Krish LLC – 3906 E Ponce de Leon Ave - Parcel ID 18 097 01 022

EXHIBIT "B"

Dear Neighbors,

My name is Garry Rainey, and I am writing this letter to invite you to a community open house meeting. The purpose for this meeting is for interested community members to have dialogue about our requesting a rezoning of our property located at 911, 917, 929 and 935 Mell Avenue, Clarkston Georgia 30021.

We are REZONING for future sale of these properties and have no plans on building.

We are simply asking to align our zoning with practically everything around us as we were in unincorporated Dekalb County until the annexation into the City of Clarkston in 2016.

Our current zoning is NR-1 and we are submitting for NR-3 (Most of Casa Woods and everything on Pecan Street, Orchard Street eastward is also NR-3)

All interested parties please join us for a quick meeting:

When- Monday September 23, 2024

Time – 6:00PM

Where -The open field between 929 Mell Avenue and 901 Mell Avenue.

We look forward to seeing you.

Garry Rainey

Denise Rainey - Orr

SUMMARY OF CONCERNS / RESPONSES:

The ONLY concern was the noise level after property was sold and being built out.

Response: There are requirements for hours that builders would adhere to per city regulations.

ALL other attendees were in favor of the amendment and several expressed that they didn't understand why it was not already zoned NR-3

Response: Originally the properties were in unincorporated DeKalb County and no amendments were made at that time.



REZONING APPLICATION

Form # 200-RZ

RECEIVED

#5975
BR

SEP 17 2021

CITY OF CLARKSTON

This page must be completed by the Applicant. Please see Applicant Instructions for full requirements.

SUBMITTAL CHECKLIST

Letter of Intent to Re-zone

Your application must include the following items, or it will not be considered complete:

- Conceptual Site Plans to scale (see checklist for requirements) (survey boundary required component of conceptual plans) *AS an Example of what could be built*
- Written Legal Description of Property
- Property Deed
- Recorded Plat of Property (seven (7) copies)
- Campaign Contribution Disclosure Form
- Filing Fee (payable to The City of Clarkston)
- Check here if applicant seeks to annex the listed property into the City limits *N/A*

N/A

N/A

FOR OFFICE USE/DETERMINATION

Review determination and fee: Review fee (payable to The City of Clarkston) depends on type of review(s). (See Fee Schedule):

_____ Rezoning (type(s)) _____ (Fee) _____

APPLICANT INFORMATION

victor Dwight Rainey, John Barry Rainey

B. Garry Rainey - Grace Denise Rainey - ORR

Applicant Name _____ Company _____

Mailing Address _____ Suite/Apt. # _____ City, State _____ Zip Code _____

Primary Phone # _____ Alternate Phone # _____ Fax # _____

BDAM Address _____

PROJECT SUMMARY

Rainey Property - Mell Ave Clarkston Ga. 30021

#911 917 929 935 (2 deeds)

Detailed Project Description (Include proposed use(s) and square footage of floor area for each use):
Requesting to Rezone property from NR-2 TO NR-3

Total Number of Parcels Involved: 4 Total Project Acreage: 2
Total Number of Buildings: 4 Total Estimated Cost of Planned Improvements: _____

- Development of Regional Impact (see table for thresholds that trigger DRI review)
- Project Submittal Checklist and all documents, plans, written analysis, and fees required therein accompany this application form.

I hereby certify that all information provided herein and in the accompanying documents is true and correct.



REZONING APPLICATION

Form # 200-RZ
RECEIVED

SEP 17 2024

CITY OF CLARKSTON

PROPERTY INFORMATION/OWNER AUTHORIZATION

If more than one parcel is the subject of review, owner-applicant shall complete information for each parcel on additional page attachments; authorized agent-applicants must complete this page for EACH parcel.

PROPERTY # 2 OF 2 TOTAL

PARCEL (PROPERTY) INFORMATION

Property Address/Location: 911 917, 929 Mell Ave Suite/Apt. #: _____ City, State: Clarkston, Ga. Zip Code: 30021
 Parcel ID/Property Tax Identification Number: 911-P# 18-097-10-047 / 917-P# 046 (929=0.4581) + (1.1 = 911 + 917) Total Acreage: _____
 Present Use(s): 2 vacant lots | 929 Mell Has a House Present Zoning (Official Zoning Map): NR-2
 Proposed Use(s): Condos

PROPERTY OWNER

Owner (Person, Firm, Corporation, or Agency): B. Garry Rainey, Grace Denise Rainey-ORR, J. Barry Rainey Company Name: Victor Dwight Rainey

[Redacted area]

Mailing Address Suite/Apt. # City, State Zip Code

[Redacted area]

Primary Phone # Alternate Phone # Fax #

[Redacted area]

Email Address

PROPERTY OWNER'S AGENT (If applicable; must match applicant contact information on page #1)

Name and Company (Owner's Agent or Attorney) N/A

Mailing Address Suite/Apt. # City, State Zip Code

Primary Phone # Alternate Phone # Fax #

Email Address

AUTHORIZATION FOR AGENT (If applicable)

Owner Signature N/A Date

Print Name

Subscribed and sworn before me this _____ day of _____, 20____.

Signature of Notary Public in the State of Georgia

NOTARY SEAL



REZONING APPLICATION

Form # 200-RZ

RECEIVED

SEP 17 2024

CITY OF CLARKSTON

PROPERTY INFORMATION/OWNER AUTHORIZATION

If more than one parcel is the subject of review, owner-applicant shall complete information for each parcel on an additional page attachments; authorized agent-applicants must complete this page for EACH parcel.

PROPERTY # 1 OF 2 TOTAL

PARCEL (PROPERTY) INFORMATION

935 Mell Avenue Clarkston, Ga. 30021
 Property Address/Location Suite/Apt. # City, State Zip Code
P# 18-092-10-050 0.4591
 Parcel ID/Property Tax Identification Number Total Acreage
2 vacant lots | 929 Mell Has a NR-1
 Present Use(s) House Present Zoning (Official Zoning Map)
Condos
 Proposed Use(s)

PROPERTY OWNER

B. Garry Rainey, Grace Denise Rainey - ORR J. Barry Rainey Victor Dwight Rainey

Owner (Person, Firm, Corporation, or Agency) Company Name
 [Redacted]
 Mailing Address Suite/Apt. # City, State Zip Code
 [Redacted]
 Primary Phone # Alternate Phone # Fax #
 [Redacted]
 Email Address
 [Redacted]

PROPERTY OWNER'S AGENT (If applicable; must match applicant contact information on page #1)

N/A
 Name and Company (Owner's Agent or Attorney)
 Mailing Address Suite/Apt. # City, State Zip Code
 Primary Phone # Alternate Phone # Fax #
 Email Address

AUTHORIZATION FOR AGENT (If applicable)

N/A
 Owner Signature Date

Print Name
 Subscribed and sworn before me this _____
 day of _____, 20____.
 Signature of Notary Public in the State of Georgia

NOTARY SEAL



REZONING APPLICATION

Form # 200-RZ

Bunson Amy Raimy, Grace Denise Raimy Om & Family
Applicant Signature
 Property Owner Owner's Agent Date
9/15/24

RECEIVED
SEP 17 2024
CITY OF CLARKSTON



RECEIVED
SEP 17 2024
CITY OF CLARKSTON

Disclosure of Campaign Contributions

Pursuant to OCGA, Section 36-67A-3(a), the following disclosure is mandatory when an applicant or any representative has made campaign contributions aggregating \$250.00 or more to a local government within two (2) years immediately preceding the filing of this application.

It shall be the duty of the applicant and the attorney representing the applicant to file a disclosure with the governing authority of the respective local government. The following questions **must** be answered:

Have you, the applicant, made \$250.00 or more in campaign contributions to a local government official within two years immediately preceding the filing of this application?

Yes No

If the answer is yes, you must file a disclosure report with the governing authority of City of Clarkston showing:

- 1. The name and official position of the local governing authority in City of Clarkston to whom the campaign contribution was made.

Name and official position of the applicant/representative (Please Print)

- 2. The dollar amount and description of each campaign contribution made during the two (2) years immediately preceding the filing of this application and the date of each such contribution was made.

Description of Campaign Contribution (Please Print)

\$ _____
Dollar Amount

This disclosure must be filed within ten (10) days after the application is first filed and must be submitted to the City of Clarkston, 3921 Church Street, Clarkston, GA 30021.

Grace Denise Rainey - on
Signature (choose one) Applicant Owner

9/17/24
Date

Adleasia Cameron
Notary Signature

9/17/24
Date and Seal

Adleasia Jacqueline Cameron
NOTARY PUBLIC
Clayton County, GEORGIA
My Commission Expires 10/16/2024

I, Grace Denise Rainey-Orr, co-owner of property at 911, 917, 929, and 935 Mell Avenue Clarkston Georgia, 30021 give Brunson Garry Rainey the authority to apply for rezoning of these lots.

RECEIVED

SEP 17 2024

CITY OF CLARKSTON

Grace Denise Rainey-Orr

Grace Denise Rainey-Orr

Date 9/11/24



Cicely Hazell
9/11/2024

I, Brunson Garry Rainey, co-owner of property at 911, 917, 929, and 935 Mell Avenue Clarkston Georgia, 30021 give Denise Rainey-Orr the authority to apply for rezoning of these lots.

Brunson Garry Rainey

Brunson Garry Rainey

Date *Sept 11, 2024*

RECEIVED
SEP 17 2024
CITY OF CLARKSTON

Michelle D Singletary
NOTARY PUBLIC
Gwinnett County, GEORGIA
My Commission Expires 01/27/2025

Michelle D. Singletary

I, John Barry Rainey, co-owner of property at 911, 917, 929, and 935 Mell Avenue Clarkston Georgia, 30021 give Denise Rainey-Orr and Brunson Garry Rainey the authority to apply for rezoning of these lots.

RECEIVED
SEP 17 2024
CITY OF CLARKSTON

John Barry Rainey

John Barry Rainey

Date 9/11/24

Michelle D Singletary
NOTARY PUBLIC
Gwinnett County, GEORGIA
My Commission Expires 01/27/2025

Michelle D Singletary

I, Victor Dwight Rainey, co-owner of property at 911, 917, 929, and 935 Mell Avenue, Clarkston, Georgia give Grace Denise Rainey-Orr and Brunson Garry Rainey the authority to apply for rezoning of these lots.

Victor Dwight Rainey

Victor Dwight Rainey

Debra L Martin
9/3/24

RECEIVED
'SEP 17 2024
CITY OF CLARKSTON

LETTER OF INTENT TO REZONE

RECEIVED
SEP 17 2024
CITY OF CLARKSTON

This letter of Intent to Rezone is for the purpose of Rezoning 4 lots on Mell Avenue which is Currently zoned NR-1. Our family is requesting to Rezone to NR-3.

We are requesting to Rezone only with intent to market property to sell.

This request will also bring the zoning of our property more in line with surrounding properties. ie: Casa Dr and Pecan Street which are currently NR-3.

Lots to rezone are 935,929,917,911 Mell Avenue.

3 of these lots are on 1 deed. ie: 929,917,911 Mell Avenue

1 lot is on 1 deed. 935 Mell Avenue.

905 is not included in this rezoning request.

Lot 905 is currently zoned commercial which will complete the approximately 2 acres that we intend to market for sale to prospective buyers.

Equal Owners of said property are:

Grace Denise Rainey-Orr

Brunson Garry Rainey

John Barry Rainey

Victor Dwight Rainey

Again These 4 lots are currently zoned NR-1.

We would like to make the request to Rezone to NR-3.

This would allow owners to market to prospective buyers to develop the property for possible Townhomes, Condominiums, etc.

Our property is also in the Federal Opportunity zone.

Thank you for your consideration.

RECEIVED
SEP 17 2024
CITY OF CLARKSTON

BOLING RICE LLC
A LIMITED LIABILITY COMPANY

Paul J. McGruder
Taylor H. Rice
Matthew C. Bottoms

207 PIRKLE FERRY ROAD
CUMMING, GEORGIA 30040

Of Counsel:

Zack A. Rice
Angie Martin McKinney

Leon Boling (1919 - 2015)
Larry H. Boling (1951 - 1991)

Telephone: 770.887.3162
Facsimile: 770.889.8824

Renee D.T. Welch

May 10, 2023

Denise Rainey-Orr


Dear Denise,

Please find enclosed the two recorded deeds that we have discussed. Please let me know if I can ever assist you in the future. Thank you.

Kindest Regards,



Matthew C. Bottoms

RECEIVED

SEP 17 2024

CITY OF CLARKSTON

RECEIVED

SEP 17 2024

2023054901 DEED BOOK 30897 Pg 275
Filed and Recorded: 5/9/2023 10:58:00 AM
Recording Fee: \$25.00
Prepared By:
2252090439
7067927936

CITY OF CLARKSTON

After Recording, Return To:
Mathew Bottoms
Boling Rice LLC
207 Pirkle Ferry Road
Cumming, GA 30040
#82774

Parcel ID: 1809710046; 1809710046; 1809710048; 1809710050; and 1809710059

Address: 905, 911, 917, 929, and 935 Mell Avenue

STATE OF GEORGIA

COUNTY OF FORSYTH

TRUSTEE'S DEED

THIS INDENTURE is made as of the 28 day of April, 2023, between G. Denise Rainey and V. Dwight Rainey, as Co-Trustees of the B.E. Rainey Trust Dated April 16, 2008 (hereinafter referred to as "Grantor") and Grace Denise Rainey, John Barry Rainey, Victor Dwight Rainey, and Brunson Gary Rainey (hereinafter referred to as "Grantee"), ("Grantor" and "Grantee" to include their respective heirs, successors, executors, administrators, legal representatives and assigns where the context requires or permits).

WITNESSETH:

GRANTOR, in consideration of the sum of Ten and No/100 Dollars (\$10. 00) and other valuable consideration, the receipt and sufficiency whereof are hereby acknowledged, has granted, bargained, sold, aliened, conveyed and confirmed, and does hereby grant, bargain, sell, alien, convey and confirm unto Grantee the following:

See Exhibit "A" attached hereto and incorporated herein by reference.

TO HAVE AND TO HOLD, the Land, with all and singular the rights, members and appurtenances thereof, to the same being, belonging, or in anywise appertaining, to the only proper use, benefit and behoof of Grantee, forever in FEE SIMPLE.

AND GRANTOR WILL WARRANT and forever defend the right and title of the above described property unto Grantee and Grantee's heirs and assigns against the claims of all persons whomsoever.

EXECUTED under seal as of the date above.

Signed, sealed and delivered in the presence of:

[Signature]
Witness

[Signature] (SEAL)
G. Denise Rainey, as Co-Trustee

[Signature]
Notary Public

(SEAL)



Signed, sealed and delivered in the presence of:

[Signature]
Witness

[Signature] (SEAL)
V. Dwight Rainey, as Co-Trustee

[Signature]
Notary Public

(SEAL)

RECEIVED

SEP 17 2024

CITY OF CLARKSTON

EXHIBIT "A"

Tract 1:

All that tract or parcel of land lying and being in Land Lot 66 and Land Lot 97 of the 18th District of DeKalb County, Georgia, and being Lots 4, 5, 6, 7, and 8, according to plat of Jolly Station Subdivision, recorded in Plat Book 2, Page 78, DeKalb County Records, and being more particularly described as follows:

Beginning on the East side of Mell Avenue, formerly Boulevard, at a point located one hundred eighty-five (185) feet north, as measured along the east side of Mell Avenue, from the northern right-of-way line of Georgia Railroad, which point of beginning is at the northwest corner of Lot 3, said plat; thence running north two hundred fifty (250) feet along the east line of Mell Avenue to the south line of Lot 9, said plat; thence running easterly two hundred (200) feet to the southeast corner of said Lot 9; thence running southerly two hundred fifty (250) feet to the northeast corner of said Lot 3; thence running westerly two hundred (200) feet along the northern line of Lot 3 to the eastern side of Mell Avenue and the point of beginning.

911
917

Tract 2:

All that tract or parcel of land lying and being in Land Lot 97 of the 18th District of DeKalb County, Georgia, as shown on Site Plan made for B. E. Rainey, dated September 12, 2000 by Robert M. Buhler, R.L.S. 1403. Beginning at the centerline intersection of East Ponce de Leon with the east right-of-way of Mell Avenue following along the east right-of-way in a northerly direction an approximate distance of 440 feet to a point and the TRUE POINT OF BEGINNING. THENCE in a northerly direction along the east right-of-way of Mell Avenue a distance of 100 feet to a point; THENCE in a easterly direction a distance of 195 feet to a point; thence in a southerly direction a distance of 100 feet to a point; THENCE in a westerly direction a distance of 195 feet to a point being the TRUE POINT OF BEGINNING. SAID PROPERTY CONTAINS 0.45 Acre. Being known as 929 Mell Avenue, Clarkston, Georgia 30021 according to the DeKalb County residential numbering system.

929
Mell

Tract 3:

All that tract and parcel of land lying and being in land lot 97 of the 18th District in DeKalb County as shown on Site Plan made for B. E. Rainey, dated September 12, 2000, by Robert M. Buhler, R.L.S. 1403.

Beginning at the centerline intersection of East Ponce de Leon with the east right-of-way of Mell Avenue following along the east right -of-way in northerly direction an approximate distance of 540 feet to a point and the TRUE POINT OF BEGINNING.

905

RECEIVED

SEP 17 2024

CITY OF CLARKSTON

THENCE in a northerly direction along the east right-of-way of Mell Avenue a distance of 100 feet to a point; THENCE in a easterly direction a distance of 195 feet to a point; THENCE in a southerly direction a distance of 100 feet to a point; THENCE in a westerly direction a distance of 195 feet to a point; being the TRUE POINT OF BEGINNING.

SAID PROPERTY CONTAINS 0.45 acre.

2023054899 DEED BOOK 30897 Pg 272
Filed and Recorded: 5/9/2023 10:58:00 AM
Recording Fee: \$25.00
Prepared By:
2252090439
7067927936

RECEIVED

SEP 17 2024

CITY OF CLARKSTON

AFTER RECORDING, RETURN TO:
Matthew Bottoms
Boling Rice LLC
207 Pirkle Ferry Road
Cumming, GA 30040
82774
Deed Preparation Only

Map/Parcel No.: 18 097 10 050
Address: 935 Mell Avenue

STATE OF GEORGIA
COUNTY OF FORSYTH

DEED OF ASSENT

THIS INDENTURE is made as of the 28 day of April, 2023 between Denise Rainey aka Grace Denise Rainey-Orr (hereinafter referred to as "Grantor") and G. Denise Rainey and V. Dwight Rainey, as Co-Trustees of the B.E. Rainey Trust Dated April 16, 2008 (hereinafter referred to as "Grantee") ("Grantor" and "Grantee" to include their respective heirs, successors, executors, administrators, legal representatives and assigns where the context requires or permits).

WITNESSETH

WHEREAS, B.E. Rainey (the "Decedent") died a resident of DeKalb County, Georgia on April 10, 2015, leaving a Will which has been probated in solemn form in said County on May 14, 2015 (being estate number 2015-0770); and

WHEREAS, under the terms of said Will, the following described property was devised to the Co-Trustees of the B.E. Rainey Trust Dated April 16, 2018 as established in Article 2 of the Last Will and Testament of the Decedent:

See Exhibit "A" attached hereto and incorporated herein by reference.

WHEREAS, the undersigned duly qualified as the Executor of the estate of the said Decedent and is now administering the estate under the terms of said Will; and it has been determined that all debts and claims against the estate have been fully paid.

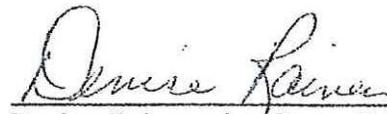
NOW, THEREFORE, the undersigned, as Executor of the Last Will and Testament of the said Decedent, hereby assents to the devise of said property under the terms of said Will, so that G. Denise Rainey and V. Dwight Rainey, as Co-Trustees of the B.E. Rainey Trust Dated April 16, 2008, as established in Article 2 of the Last Will and Testament of the Decedent, is vested with full fee simple title in said property as provided in said Will.

WITNESS my hand and seal, this 28 day of April, 2023.

Signed, sealed and delivered
in the presence of:



Witness

 (SEAL)
Denise Rainey aka Grace Denise Rainey-Orr,
Executor



Notary Public

(SEAL)



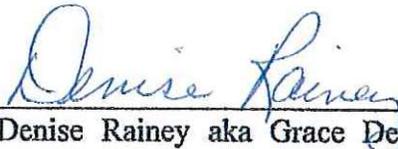
NOW, THEREFORE, the undersigned, as Executor of the Last Will and Testament of the said Decedent, hereby assents to the devise of said property under the terms of said Will, so that G. Denise Rainey and V. Dwight Rainey, as Co-Trustees of the B.E. Rainey Trust Dated April 16, 2008, as established in Article 2 of the Last Will and Testament of the Decedent, is vested with full fee simple title in said property as provided in said Will.

WITNESS my hand and seal, this 23 day of April, 2023.

Signed, sealed and delivered
in the presence of:



Witness

 (SEAL)
Denise Rainey aka Grace Denise Rainey-Orr,
Executor



Notary Public

(SEAL)



EXHIBIT "A"

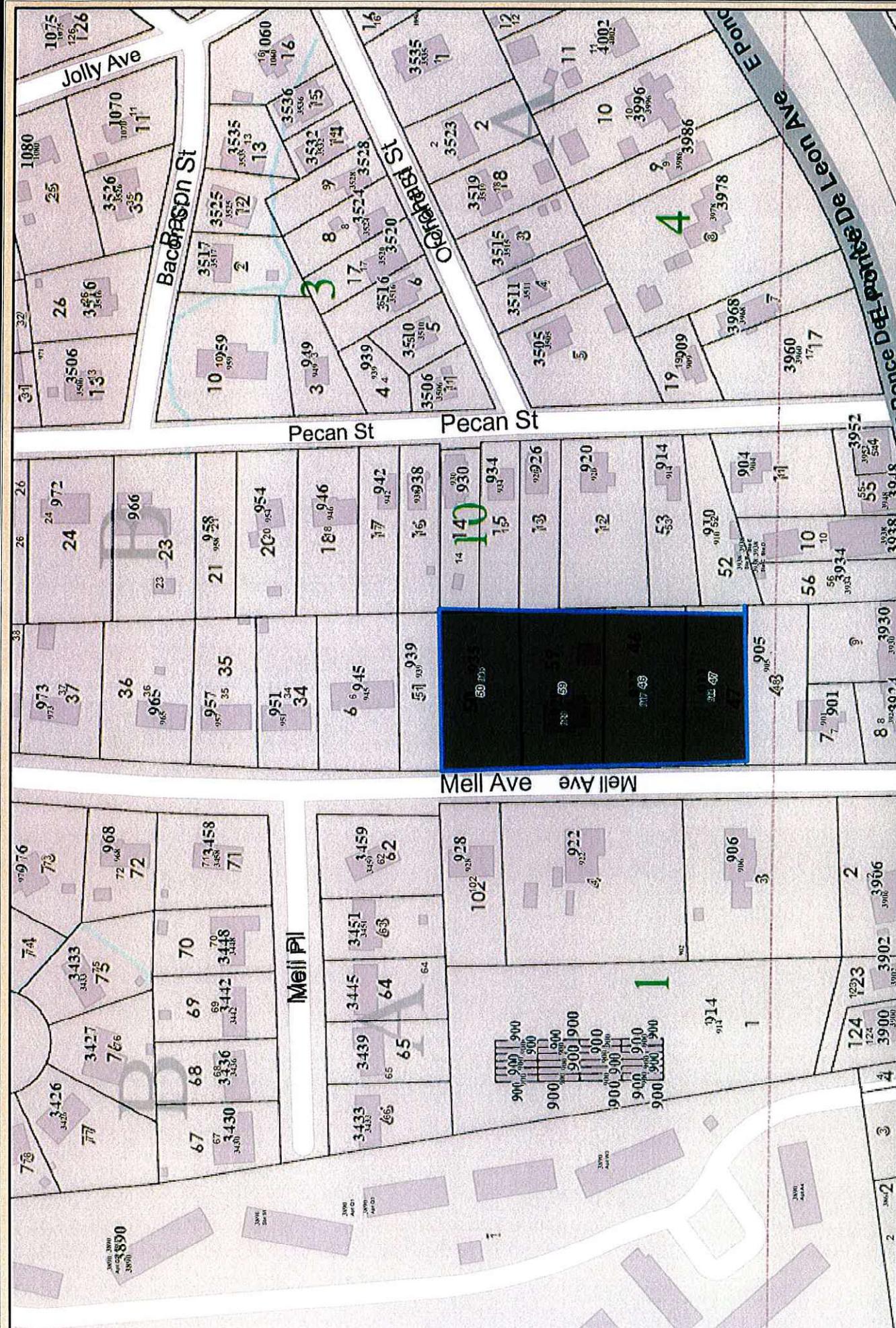
All that tract and parcel of land lying and being in land lot 97 of the 18th District in DeKalb County as shown on Site Plan made for B. E. Rainey, dated September 12, 2000, by Robert M. Buhler, R.L.S. 1403.

Beginning at the centerline intersection of East Ponce de Leon with the east right-of-way of Mell Avenue following along the east right -of-way in northerly direction an approximate distance of 540 feet to a point and the TRUE POINT OF BEGINNING.

THENCE in a northerly direction along the east right-of-way of Mell Avenue a distance of 100 feet to a point; THENCE in a easterly direction a distance of 195 feet to a point; THENCE in a southerly direction a distance of 100 feet to a point; THENCE in a westerly direction a distance of 195 feet to a point; being the TRUE POINT OF BEGINNING.

SAID PROPERTY CONTAINS 0.45 acre.

935 Mell



DeKalb County GIS Disclaimer
 The maps and data contained on DeKalb County's Geographic Information System (GIS) are subject to constant change. While DeKalb County strives to provide accurate and up-to-date information, the information is provided "as is" without warranty, representation or guarantee of any kind. To the extent possible, accuracy, timeliness or completeness of any of the database information provided herein. DeKalb County expressly disclaims all representation and warranties, including without limitation, the implied warranties of merchantability and fitness for a particular purpose. In no event shall DeKalb County be liable for any special, indirect or consequential damages, or for any loss of use, data, or profits, whether in an action of contract, negligence, or other tortious, arising out of or in connection with the use of the maps and/or data herein, including from the use of the maps and/or data for illustration purposes only and should not be relied upon for any reason. The maps and data are not suitable for site-specific decision-making nor should they be construed or used as a legal description. The areas depicted by maps and data are approximate, and are not necessarily accurate to surveying or engineering standards.

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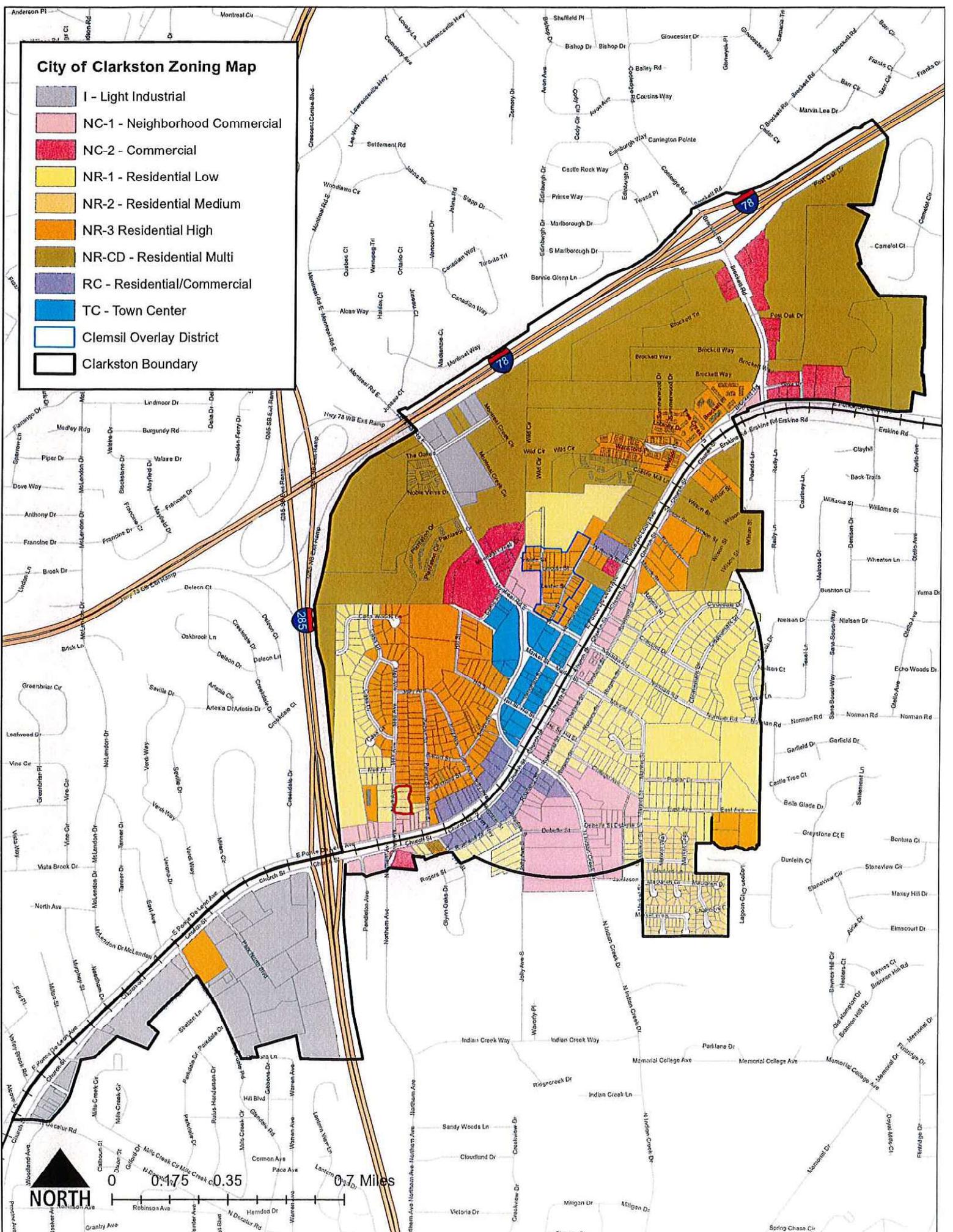
DeKalb County Parcel Map

0 0.0075 0.015 0.03 0.045 0.06 mi

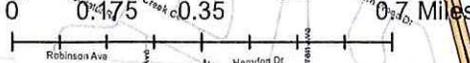
Date Printed: 10/8/2024

City of Clarkston Zoning Map

- I - Light Industrial
- NC-1 - Neighborhood Commercial
- NC-2 - Commercial
- NR-1 - Residential Low
- NR-2 - Residential Medium
- NR-3 Residential High
- NR-CD - Residential Multi
- RC - Residential/Commercial
- TC - Town Center
- Clemsil Overlay District
- Clarkston Boundary



NORTH





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Spanned out 911, 917, 929, 935 Mell Avenue




Date Printed: 10/19/2023





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911, 917, 929, 935 Mell Avenue

0 0.005 0.01 0.02 0.03 0.04 mi

Date Printed: 10/19/2023



18 097 01 006

18 097 01 063

18 097 01 064

18 097 01 019

18 097 01 062

18 097 10 001

18 097 01 102

228

18 097 01 004

222

200

18 097 01 003

18 097 01 123

18 097 01 002

18 097 10 051

18 097 10 015

18 097 10 050

935

18 097 10 059

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18 097 10 047

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18 097 10 014

934

18 097 10 015

926

18 097 10 018

920

18 097 10 012

914

18 097 10 053

Tim Hall
3525 Bacon Street
Clarkston, GA 30021
hallt@watkinsind.com

July 17, 2024,

City of Clarkston
Attention : Mayor and City Council Members
1055 Rowland Street
Clarkston, GA 30021

Mayor Beverly Burks, Clarkston City Council Members, and Ms. Lisa Cameron,

Attached is a petition signed by forty-eight City of Clarkston residents who are opposed to the proposed changes to the zoning ordinance for NR-3 zoning areas. I wanted to demonstrate to our elected representatives that the opposition to the proposed zoning ordinance changes is significant and strong. If more signatures are needed to further illustrate that the level of opposition to the zoning ordinance changes is extremely high, I am happy to gather them. Many of these signers of this petition are also willing to speak out in person at the next public council meeting opportunity.

In walking our community, my neighbors and I encountered no-one in the community who was in favor of the proposed zoning ordinance changes. Most residents of the homes we approached were willing to sign the attached petition. One neighbor abstained from signing for personal reasons but was in favor of the petition in principle. This level of neighborhood support is an honest observation and a very telling indication that the proposed zoning variance changes do not have much if any support within our community. The residents who have signed this petition live in NR-1 and NR-3 zoning areas and represent a diverse cross-section of residents. All signers are residents of the City of Clarkston.

I encourage you to consider the opinions and opposition of the residents, City of Clarkston homeowners, and your constituents and oppose the proposed zoning ordinance changes when the matter comes before the City Council for a vote.

Also enclosed is a brief summary (Fact Sheet) of the six proposed zoning ordinance changes. The summary does not contain any opinions, it simply compares the existing zoning ordinance to the proposed changes and quantifies the difference between the existing and proposed changes. As you can see, the proposed changes are incredibly significant and differ from the current zoning ordinance by as much as 150% for NR-3 homes.

Please let me know if you have questions or if I can be of service to you as you consider and deliberate on this matter.

Respectfully,



Tim Hall - 3525 Bacon Street

PETITION
TO THE CITY OF CLARKSON, CITY COUNCIL

WE, THE UNDERSIGNED HEREBY PETITION the City of Clarkston, City Council to oppose the proposed changes to the City of Clarkston Zoning Ordinance (adopted June 5, 2023), as recommended by the Housing & Infrastructure Committee.

WE STATE OR BELIEVE:

1a. The proposed increase in the Floor Area Ratio from 0.4 to 1.0 (a 150% increase) will create excessive density in new housing units that is incompatible with the character of the existing residential units and uses in our neighborhood and is highly undesirable.

1b. The proposed increase in the minimum lot coverage from 50% to between 57% and 67% (an increase of 14% to 34%) will create excessive density and will further exacerbate storm water runoff problems that already exist in our neighborhood.

2. The proposed width for townhomes of 18 feet with no setback is too small and is incompatible with the existing residential units and uses in our neighborhood and is undesirable.

3. The proposed minimum lot size for NR-3 residential districts be reduced from 5,000 square feet to 1,400 square feet (a 72% decrease) is incompatible with the character of the existing residential units and uses in our neighborhood and is highly undesirable.

4. The proposed reduction in the number of parking spaces for duplexes, triples, and quadplexes from 2 spaces per unit to 1 space per unit (a 50% decrease) is too few to provide for the parking needs of the residents of those units and will create traffic safety and pedestrian safety problems by forcing the residents and their guests of the new units to park on the street creating traffic safety and pedestrian safety problems that negatively impact residents, pedestrians and the users of the residential streets.

5. The results of the proposed changes will create overcrowding, traffic safety problems, stormwater problems, pedestrian safety problems, excessive density that is incompatible with the majority of uses in the existing neighborhood, and the changes are excessive and undesirable as proposed.

6. The results of the proposed changes will increase the predominance and presence of low-quality multifamily use development and absentee landlord ownership that will result in absentee property owners who do not maintain their properties or take pride in our community and more absentee landlord ownership is undesirable in our community.

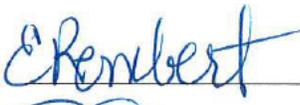
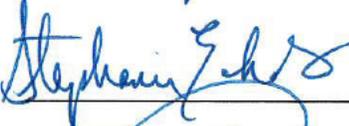
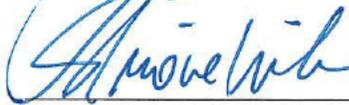
7. The proposed changes will not improve the residential tax digest as it promotes dense multifamily uses and will result in low quality units that are more likely to create decreases in existing property values (and decreases in the property tax digest will result) for the units that currently exist in our neighborhood and will detract from the quality of our residential community.

8. No evidence has been presented by the Housing & Infrastructure Committee to support that the proposed changes will accomplish their stated objectives of creating more affordable housing and creating more property tax revenue for the City. Furthermore, no data has been presented by the Housing & Infrastructure Committee that the City of Clarkston has available capacity or staffing to support the increased development, permitting, impact of the proposed changes, and provision of City services that would be generated if these significant changes are approved as proposed.

9. Decreasing the land size of lots and utilizing so much of the available lot area for the housing structure, driveway, and parking area will not permit the owner to comply with the zoning ordinance requirement to replace any trees removed during construction with like species on the remaining pervious areas of the lot.

10. The Housing & Infrastructure Committee did not obtain sufficient input from property owners in making the proposed changes to the zoning ordinance.

The undersigned residents of the City of Clarkston oppose the proposed changes to the City of Clarkston Zoning Ordinance as proposed by the Housing & Infrastructure Committee and request that each member of the City Council vote to reject the proposed changes.

Signature of Signer	Name	Address	Date
	Catherine Duke	[REDACTED]	7.6.24
	MICHAEL BRADY	[REDACTED]	7.7.24
	Cassandra Skott	[REDACTED]	7.7.24
	Betsy Rembert	[REDACTED]	07-07-24
	R.S. Rembert	[REDACTED]	7-7-24
	Stephanie Ehds	[REDACTED]	7-7-24
	Craig Brown	[REDACTED]	7-7-24
	Simone Wilks	[REDACTED]	7-7-24

Signature of Signer

Name

Address

Date

Timothy L. Hall

TIMOTHY L. HALL

7-7-2024

Lynne McEntire

Lynne McEntire

7-8-2024

678-739-5698

Ivonne Lomanto

Ivonne Lomanto

7-8-2024

404-449-1214

Stephanie Lomanto

Stephanie Lomanto

7/8/2024

Jacobs Bryant

Jacobs Bryant

7/8

Kyle Sages

Kyle Sages

7/8/2024

Jonathan Canada

Jonathan Canada

7/8/2024

Christine Canada

Christine Canada

7/8/2024

Rhonda Westburn

Rhonda Westburn

7/8/2024

Mark Bedke

Mark Bedke

7/8/2024

Jess Spaulding

Jess Spaulding

7/14/24

BRAD MOREAN

BRAD MOREAN

7/14/24

Kipley Meyer

Kipley Meyer

7/14/24

Signature of Signer

Name

Address

Date

[Signature]

AMY RYAN

7-14-24

[Signature]

HOLLI MAGOS

7-14-24

[Signature]

VICKI WOODARD

7/14/24

[Signature]

LINDSEY MUSE

7/14/24

[Signature]

MICHAEL YAKO

7/14/24

[Signature]

JAN RILEY

7/14/24

[Signature]

Abigail Joslin

7/14/24

Rita Gordon

Rita Gordon

7-14-24

Parker Thornblom

[Signature]

7-14-24

Adriana Starr

[Signature]

7-14-2024

[Signature]

Sue Rinker

7-14-2024

[Signature]

Price Udo

7/14/2024

[Signature]

Stephan Lichter

7/14/24

[Signature]

Arnon Lichter

7/14/24

59

Signature of Signer

Name

Address

Date

Deborah Blanton Deborah Blanton

7/14/24

C. Avila Courtney Avila

7/14/24

Margaret L. Math Margaret L. M

7/15/24
87

Shannon Willow SHANNON WILLOW

7/15/24

Mary S. Mitchell Mary S MITCHELL

7/16/24

Zach Sanders ZACH SANDERS

7/16/24

Lisa Spaver Lisa Spaver

7/16/24

Yancey LeRoy YANCEY LEROY

7/16/24

Elizabeth Adams

Elizabeth Adams

7/16/24

Mark S. Adams Mark S. Adams

7/16/24

Manuel Marks Manuel Marks

7/16/24

Shogun Khadya Shogun Khadya

7/16/24

FACT SHEET

SUMMARY OF PROPOSED ZONING ORDINANCE CHANGES

Ref to Agenda Memo	Reference to Zoning Ordinance	Existing Zoning Ordinance	Proposed Zoning Ordinance	Difference
1	Section 305, Table 3.4	Maximum Floor Access Ratio(FAR) allowed is 0.4	Maximum Floor Access Ratio proposed is 1.0	Proposed FAR is 150% larger
1	Section 305, Table 3.4	Maximum Lot Coverage allowed is 50%	Maximum Lot Coverage proposed is between 57% & 67%	Proposed Lot Coverage is between 14% and 34% larger
2	Section 305, Table 3.4	Minimum Lot width for Townhomes ranges from 50'-75', side setback ranges from 5' to 10'	Proposed Townhome Lot width is 18' with no setback	Proposed Townhome Lot width is between 64% and 74% smaller, proposed setback is 100% smaller
3	Section 305, Table 3.4	Minimum NR-3 lot size is 5,000 S.F.	Proposed minimum NR-3 lot size is 1,400 S.F.	Proposed lot size is 72% smaller
4	Division 3, Section 607 (a)	The total number of permitted parking spaces shall not exceed 100% of the minimum number of off street parking required by type of permitted use	Proposal is to remove the existing language	This appears to be a clean up of awkward/extraneous language
5	Section 607, Table 6.1	Allow 2 parking spaces per unit for duplex, triplex, & quadplex	Propose allowing 1 parking space per unit for duplex, triplex, & quadplex	Proposed parking spaces required is 50% smaller
6	Section 314, Table 3.6	Maximum Building Height for TC is 5 stories/75'	Proposed Building Height for TC is 7 stories/100'	Proposed Building Height increase is 33% larger, number of stories is 40% larger