



PLANNING & ZONING BOARD MEETING AGENDA
TUESDAY, OCTOBER 21, 2025 - 7:00 PM
736 PARK NORTH BOULEVARD, SUITE 120 ♦ CLARKSTON, GEORGIA 30021
(404) 296-6489 ♦ WWW.CLARKSTONGA.GOV

- 1. CALL TO ORDER**
- 2. ROLL CALL**
- 3. APPROVAL OF THE AGENDA**
- 4. MEETING MINUTES**

PUBLIC HEARING

Any member of the public may address the Planning and Zoning Board, during the time allotted for public hearing. Each attendee will be allowed 3 minutes. If your public comment contains a series of questions, please provide those questions to staff in writing on the Public Comment Card (Staff) prior to the meeting. This will facilitate follow-up by the Board or Staff. 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.

- 5. PRESENTATIONS**
- 6. OLD BUSINESS**

A. To make a recommendation on an ordinance to add Sec. 16-16 to the City Code to establish a Fee in Lieu of Sidewalk Construction Program.

- 7. NEW BUSINESS**

- A.** To make a recommendation on REZ2025-002, applicant James Smith, to rezone 3734 Poplar Drive (Parcel ID: 18 096 13 008) from NR-1 to NR-2.
- B.** To make a recommendation on PUD2025-002, applicant James Smith, for a Planned Unit Development (PUD) at 3734 Poplar Drive (Parcel ID: 18 096 13 008) for the construction of six (6) townhouse units.
- C.** To make a recommendation on an ordinance to amend the text of the Clarkston Zoning Ordinance, Appendix A, Articles III and VI of the city code.

8. ADJOURNMENT

STAFF ANALYSIS AND REPORT

To: City of Clarkston Planning & Zoning Board

From: Richard Edwards, AICP

Date: October 21, 2025

Subject:

Proposed Text Amendments to the City of Clarkston Code of Ordinances, Chapter 16 – Streets, Sidewalks and Other Public Ways to add Sec. 16-16 to incorporate a fee in lieu of sidewalk construction program.

Background:

The City of Clarkston has received multiple variance requests from developers seeking relief from the requirement to install sidewalks along streets where no sidewalks currently exist and where none are planned for future construction. In many of these cases, requiring a sidewalk along a single parcel results in a disconnected segment that offers little to no functional pedestrian benefit. This piecemeal approach is not consistent with sound planning principles and can create long-term maintenance and infrastructure inefficiencies for the city.

To address this issue, the city is proposing to establish a "Fee in Lieu of Sidewalk Construction" program, which provides an alternative pathway for meeting sidewalk requirements. Under this program, applicants may request to satisfy sidewalk obligations by paying a fee instead of constructing sidewalks in locations where installation is impractical, cost-prohibitive, or misaligned with broader city infrastructure plans. The collected fees will be dedicated exclusively to funding new sidewalks or pedestrian facilities in areas where they are more contextually appropriate and beneficial. This approach allows the city to strategically prioritize sidewalk investments while maintaining flexibility for unique site conditions.

Analysis:

This proposed text amendment would establish a formal "Fee in Lieu of Sidewalk Construction" program in the City of Clarkston. It allows developers who are otherwise required to build sidewalks as part of their projects to instead request to pay a fee, subject to approval by the city. This alternative is intended for cases where physical sidewalk construction is impractical or unreasonable due to specific site conditions or infrastructure plans.

The city will use a defined set of criteria to evaluate such requests. These include situations where there are no existing or planned sidewalks on the same block, where public infrastructure such as stormwater ditches obstruct construction, where topography would require excessive grading or retaining walls, or where upcoming infrastructure projects would necessitate removal of newly installed sidewalks. Additionally, the city may consider other unique circumstances that would make sidewalk installation inconsistent with city policies.

If a fee in lieu is approved, then the applicant /developer will pay \$8 per square foot of sidewalk construction. Payment must be made before a certificate of occupancy is issued, and the funds collected can only be used for sidewalks or pedestrian infrastructure elsewhere in the city. Importantly, approval of a fee in lieu does not exempt the property from future sidewalk requirements if redevelopment or changes in use occur.

Applicants who are denied the option to pay a fee in lieu may appeal the decision to the City Council within seven days. The appeal must be filed with the Planning and Economic Development Director, and any further appeals must follow the procedures outlined in Section 220 of the city code.

Recommendation:

Staff recommends **APPROVAL** of the proposed text to add Sec. 16-16 to establish a fee in lieu of sidewalk construction program.

ORDINANCE NO. _____

AN ORDINANCE TO AMEND CHAPTER 16, ARTICLE I OF THE CITY CODE CONCERNING STREETS, SIDEWALKS, AND OTHER PUBLIC WAYS; TO ESTABLISH A FEE IN LIEU OF SIDEWALK CONSTRUCTION PROGRAM; TO SPECIFY EVALUATION CRITERIA AND FEE CALCULATION; AND TO PROVIDE AN APPEALS PROCESS.

WHEREAS, the City of Clarkston desires to establish a fee in lieu of sidewalk construction program (the “Program”) to ensure that sidewalk and pedestrian facility projects are funded and constructed in a strategic, City-wide manner; and

WHEREAS, the Program will allow developers to request to contribute financially in lieu of constructing sidewalks immediately, particularly where immediate physical construction is infeasible, impractical, or unreasonable; and

WHEREAS, funds collected under the Program shall be used only for the purpose of constructing and installing new sidewalks or pedestrian facilities within the City; and

WHEREAS, the City Council finds it necessary to amend Chapter 16, Article I to establish the Program, to specify evaluation criteria and fee calculation, and to provide an appeals process for aggrieved applicants.

NOW, THEREFORE, BE IT ORDAINED BY the City of Clarkston as follows:

SECTION 1. Chapter 16, Article I, of the City of Clarkston Code of Ordinances is hereby amended by adding a new Section 16-16 to read as follows:

Sec. 16-16. - Fee in Lieu of Sidewalk Construction Program.

- (a) Any development project subject to sidewalk installation requirements pursuant to the City of Clarkston Code of Ordinances may request to satisfy such requirements through the payment of a fee in lieu of physical sidewalk construction. All such requests shall be submitted to the Planning and Economic Development Director for review by the Planning and Economic Development, City Engineer, and City Manager.
- (b) The following circumstances, if present, shall be considered by the city when evaluating a fee in lieu of sidewalk construction request:
 - (1) There are no existing sidewalks along the block face on the same side of the roadway, and no sidewalk improvements are planned or scheduled for the subject roadway segment.
 - (2) A stormwater drainage ditch or similar public utility facility prevents the installation of the sidewalk, and neither the sidewalk nor the facility

can be reasonably relocated to accommodate both the sidewalk and the facility.

- (3) The topography would require construction of a retaining wall more than four (4) feet in height to accommodate the sidewalk.
 - (4) There is a planned roadway or infrastructure improvement scheduled to be implemented within the next five (5) years which would require the removal or relocation of the required sidewalk.
 - (5) Other unique or exceptional circumstances exist which render the requirement for sidewalk installation unreasonable, impractical, or inconsistent with the intent of the City of Clarkston Code of Ordinances.
- (c) If any of the circumstances set forth in Section 16-16(b) exist on the property, the City Manager, or their authorized designee, shall approve the request in writing prior to the issuance of a building permit.
 - (d) The fee in lieu of sidewalk construction shall be \$8.00 per square foot of required sidewalk. The fee shall automatically increase on January 1 of each calendar year by 2% with the first increase beginning on January 1, 2027.
 - (e) All approved fees in lieu of sidewalk construction shall be paid in full prior to the issuance of any certificate of occupancy associated with the proposed development.
 - (f) Nothing in this policy shall be construed to grant exemption from sidewalk installation requirements for any future building expansions, parking lot expansions, redevelopments, or changes in use that would otherwise trigger sidewalk installation pursuant to the standards set forth in the City of Clarkston Code of Ordinances.
 - (g) The funds collected from the fee in lieu of sidewalk construction shall be separately accounted for and may only be used to install new sidewalks, new pedestrian facilities, or to repair existing sidewalk or pedestrian facilities, but not limited to, the following:
 - a. Sidewalks or trails that fill a gap between two existing sidewalks or trail segments.
 - b. ADA compliant curb ramps.
 - c. Pedestrian crosswalk pavement markings
 - d. Pedestrian warning signs or signals
 - (h) Payments collected through fees in lieu of sidewalk construction shall be used by the city within two (2) years of collection, unless the said funds are

insufficient to cover the cost of any project identified within an approved project.

- (i) Any applicant aggrieved by a decision of the city denying a request to pay a fee in lieu of sidewalk construction may file an appeal to the City Council within seven (7) calendar days of the date of the denial notice. A formal appeal application shall be submitted to the Planning and Economic Development Director, who shall place the appeal on the next City Council regular meeting agenda.
- (j) Appeals from a final decision by the City Council regarding a request to pay a fee in lieu of sidewalk construction by an aggrieved party may be made to the Superior Court of Dekalb County pursuant to the Petition for Review process established by State general law.

SECTION 2. This ordinance shall become effective immediately upon its approval by the City Council and signature of the Mayor.

SO ORDAINED, this ____ day of _____, 2025.

**CITY COUNCIL
CITY OF CLARKSTON, GEORGIA**

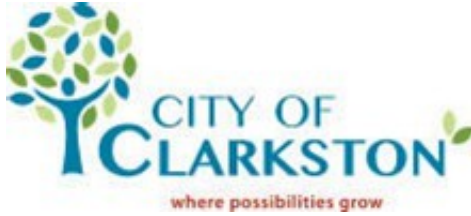
Beverly H. Burks, Mayor

ATTEST:

Tomika Mithcell, City Clerk

Approved as to Form:

Stephen G. Quinn, City Attorney



Application No.:

APPLICATION FOR PAYMENT IN LIEU OF SIDEWALK CONSTRUCTION

PROPERTY INFORMATION:

Property Address:

Sidewalk Location (street names): Tax Map ID

PROPERTY OWNER INFORMATION:

Owner Name:

Owner Address:

Phone Numbers: Email Address:

CONTRACTOR/REPRESENTATIVE INFORMATION:

Name:

Address:

Phone Numbers: Email Address:

REASON FOR REQUEST:

| 1 | Minimum required sidewalk width | | Cost (\$) |
|---|---|--|-----------|
| 2 | Length of property line(s) abutting street(s) | | |
| 3 | Required sidewalk area (sq. ft) | | |
| 4 | Unit Price for Sidewalk Construction | | |
| 5 | Sidewalk Cost (Line 3 x Line 4) | | \$ 0.00 |

Computed by: Date:

The property owner and developer understands and agrees that, by payment in lieu of sidewalk construction, the City of Clarkston reserves the right to install sidewalks along the streets abutting the subject property or properties at a future date. The developer also understands and agrees that this contribution in lieu of sidewalk construction is exclusively reserved for sidewalk and pedestrian facilities construction anywhere in the City of Clarkston; the city can leverage the funds received in an effort to procure additional funds for sidewalks. Further, the property owner acknowledges that this fee-in-lieu of sidewalk construction does not exempt the property from future construction requirements based on future building expansions, parking lot expansions, redevelopments, or changes that would trigger sidewalk installation pursuant to the standards set forth in the City of Clarkston Code of Ordinances.

Name of Owner or Owner's Representative

Signature

Date

APPROVED BY CITY MANAGER:

Signature

Date

STAFF ANALYSIS AND REPORT

APPLICANT: James Smith

CASE: REZ2025-02

LOCATION: 3734 Poplar Drive (Parcel ID: 18 096 13 008)

ZONING: NR-1: Low Density Neighborhood Commercial

REQUEST: Rezoning from NR-1 to NR-2 and a concurrent Planned Unit Development submittal a six (6) unit townhome development.

ZONING/ADJACENT LAND USE:

| | |
|-------|---------------------------------|
| North | NR-1: Forty Oaks |
| South | NR-1: Single-Family Residential |
| West | NR-1: Vacant Residential |
| East | NR-1: Single-family Residential |

MEETING INFORMATION:

| | |
|---------------------------------------|------------------------|
| Planning & Zoning Commission: | 10/21/2025 – 7:00 P.M |
| Mayor & City Council Public Hearing: | 11/25/2025 – 7:00 P.M. |
| Mayor & City Council Regular Meeting: | 12/02/2025 – 7:00 P.M. |

RECOMMENDATION:

Staff recommends **APPROVAL** of the rezoning from NR-1 to NR-3 with conditions.

BACKGROUND:

The property at 3734 Poplar Drive is currently developed with a 1,021 square foot ranch style single-family home that was constructed in 1949 with an accessory structure in the rear along Market Street. The property consists of approximately 0.424 acres or 18,501.42 square feet of land area.

The applicant is requesting to rezone the property from low-density neighborhood residential (NR-1) to medium density neighborhood residential (NR-2) to allow for a Planned Unit Development – Planned Residential Development for the construction of six (6) attached residential townhome units across three (3) buildings.

Below are the residential development dimensional requirements for the NR-1 and NR-2 zoning districts. The differences between the two districts include reduced minimum unit size, lot size, and setbacks. Further, the NR-2 zoning district allows for townhomes and Planned Unit Development submittals, whereas the NR-1 district does not allow either.

Table 3.4 Residential Zoning District Dimensional Requirements

| | NR-1 | NR-2 |
|--|------------|---------------------------------|
| Primary Structure | | |
| Maximum FAR | 0.4 | 0.4 |
| Minimum Unit Size | 1000 s.f. | 900 s.f. |
| Maximum Lot Coverage | 50% | 50% |
| Maximum Building Height | 35' | 35' |
| Minimum Lot Size | 9,000 s.f. | 7,500 s.f. |
| Minimum Lot Width | 75' | 60' |
| Minimum Front Setback (SF detached) | 30' | 25' |
| Minimum Front Setback (duplex/triplex) | N/A | N/A |
| Minimum Front Setback (townhome) | N/A | 15' |
| Minimum Side Setback | 10' | 7' |
| Minimum Rear Setback (SF detached) | 25' | 20' |
| Minimum Rear Setback (duplex/triplex) | N/A | N/A |
| Accessory Dwelling Unit | | |
| Maximum Height | | See Section 413 |
| Minimum Side Setback | 10' | 7' |
| Minimum Rear Setback | 10' | 7' |

The following are nearby and similar residential developments within the city and their residential units per acre:

- Glendale Rowes (NR-CD) – 60 units on 4.98 acres or 12.10 units per acre.
- Woodland Avenue Townhomes (NR_CD)– 14 units on 1.3993 acres or 10 units per acre (plat approved but pending DeKalb County Fire review on LDP).
- Carroll Park Single-Family (R-1) – 17 units on 3.327 acres or 5.11 units per acre.
- Parkside at East Avenue Single-Family (NR-3) – 36 units on 6.292 acres or 5.72 units per acre.
- Lovejoy Street Townhomes (NR-3) – 12 units on 0.79 acres or 15.1 units per acre.

The following are nearby and similar residential developments within the city and their Floor Area Ratio (FAR):

- Glendale Rowes (NR-CD) – ~0.46 FAR (30 units at 1,732 sq ft and 30 units at 1,622 sq. ft.)
- Woodland Avenue Townhomes (NR-CD) - ~0.53 (2,310 unit size)
- Carroll Park Single-Family (R-1) – ~0.32 FAR (homes range from 5,158 sq ft to 1,789 sq ft)

- Parkside at East Avenue Single-Family (NR-3) – ~0.29 FAR (average unit size of 2,200)
- Lovejoy Street Townhomes (NR-3) – ~0.44 FAR (all 12 units are 1,280 sq ft)

The applicant provided a sign-in sheet from the community meeting that was held on September 30, 2025, at 6:00pm at 3734 Poplar Drive. Four (4) people attended the meeting, and the following topics were discussed environmental impacts, density and compatibility, tree removal, neighboring property impacts, and ongoing engagement.

Analysis: Pursuant to Article II of the City of Clarkston Zoning Ordinance, Staff has reviewed the application for rezoning in accordance with the required review criteria.

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

There are not any anticipated effects on the health, safety, or general welfare of the public with this request.

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 adjacent properties are all residential in nature and this rezoning would permit new residential development. The proposed townhome development would have a greater density than the surrounding properties with six (6) units on 0.424 acres or approximately 14.15 units per acre.

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

This proposed rezoning would increase traffic along Market Street and Poplar Drive but it is not anticipated to adversely affect the existing use or usability of adjacent or nearby properties.

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

The property as currently zoned could be subdivided and developed into two (2) single-family lots, which would be an increase in economic use compared to the existing one (1) single-family home.

5. Whether the zoning proposal will result in a use that may cause an excessive or burdensome use of existing transportation facilities and other infrastructure, such as schools, water, and sewer.

It is not anticipated that the proposed rezoning would cause excessive or burdensome use of existing transportation facilities nor other infrastructure, such as schools, water, and sewer.

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.

Staff is unaware of other existing or changing conditions affecting the use and development of this property, which may give supporting grounds for disapproval.

7. Whether the zoning proposal is compatible with the principles of the city's comprehensive plan.

The 2040 Comprehensive Plan labels this property within the “Single-Family Homes Areas.” This designation calls for the preservation of single-family homes, both historic as well as new development. “Townhomes and single-family homes are allowed in this area.”

The proposed rezoning from NR-1 to NR-2 would allow for the development of townhomes and Planned Unit Development – Planned Residential Development submittals. The rezoning request is compatible with the city’s 2040 Comprehensive Plan.

8. Whether the zoning proposal is compatible with the most current adopted version of the future land use map of the comprehensive plan.

Staff has found that this request is compatible with the most current, adopted version of the future land use map in the Comprehensive Plan.

Recommendation:

Pursuant to Article II of the City of Clarkston Zoning Ordinance, Staff has reviewed the request in accordance with the required review criteria and recommends **APPROVAL** of the rezoning request from NR-1 to NR-2 at 3734 Poplar Drive with the following conditions:

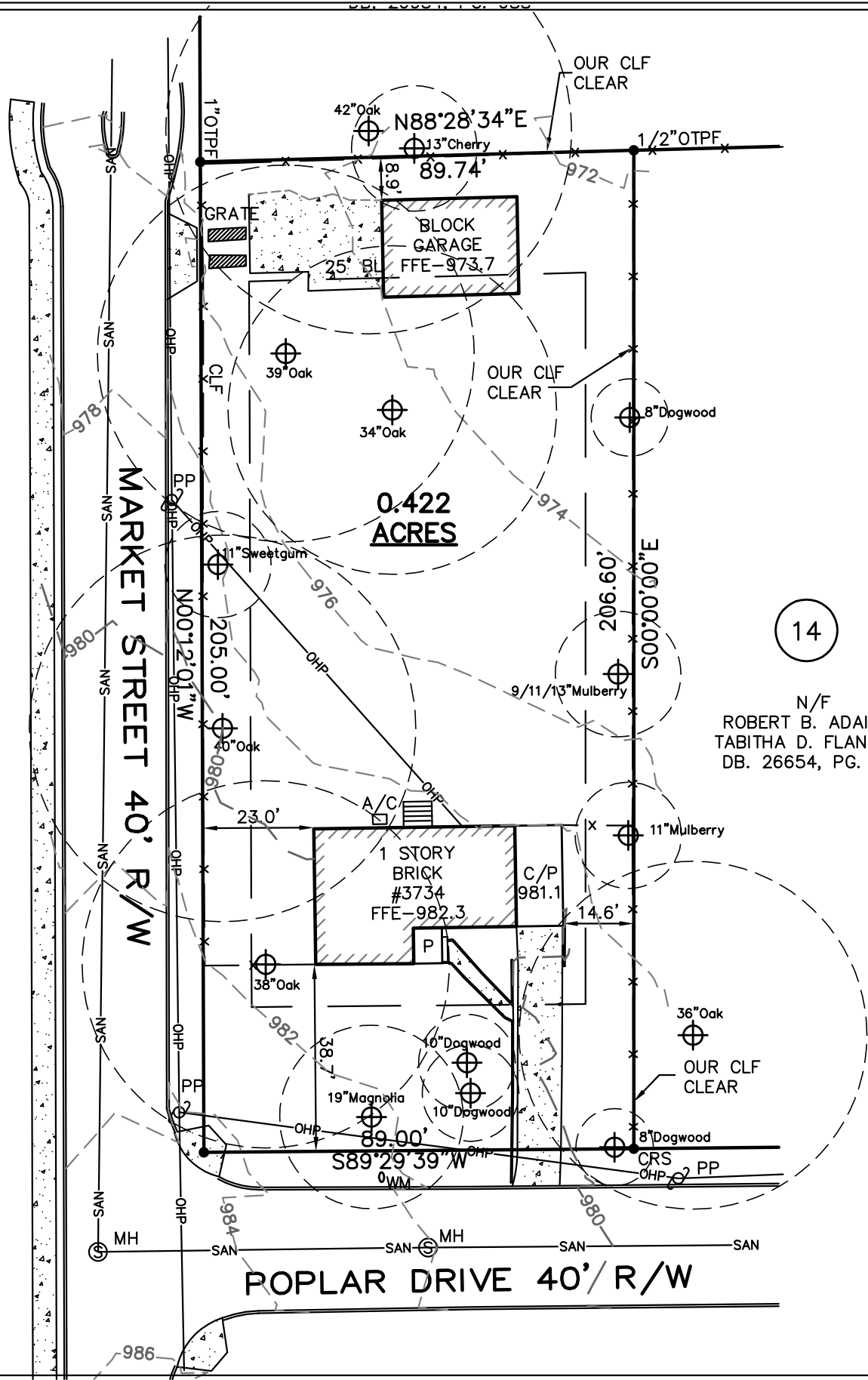
1. The maximum floor area ratio (FAR) for the site shall be 0.5 or 9,236.72 square feet of floor area as measured to the outside surfaces of exterior walls and including halls, stairways, elevator shafts, excluding attached garages, porches, balconies and unfinished basements.
2. The architectural elevations shall be substantially similar to the conceptual drawings titled “Clarkston Townhomes 3828 Market St,” as included in this packet.
3. The site plan shall be substantially similar to the site plan dated, received September 30, 2025, as included in this packet.
4. Vinyl shall be excluded from the allowed building material with the exception of the fascia and soffits.
5. The driveway shall be a one-way private street with a right entrance only off Market Street and a right exit only onto Poplar Drive.
6. A homeowner association (HOA) shall be required. The developer shall execute, record, and maintain documents for the HOA which establishes dues, fees, and responsibilities related to maintenance of units and common facilities. The HOA bylaws shall be reviewed and approved by the Planning and Economic Development Director prior to being recorded with the DeKalb County Superior Court.
7. All utilities shall be installed underground throughout the development.
8. An engineer’s report shall be submitted as part of the land disturbance permit for certification on all pervious surface areas being installed.
9. This rezoning approval shall be expressly contingent upon the approval of Planned Unit Development application PUD2025-002. In the event that PUD2025-002 is not approved, the subject property shall automatically revert to its prior zoning designation of NR-1, without the need for further action by the governing body.

Aerial of the site



LEGEND

- RBF REBAR FOUND (1/2" REBAR)
- CRS CAPPED REBAR SET (1/2" REBAR)
- CRBF CAPPED REBAR FOUND
- OTF OPEN TOP FOUND
- CTF CRIMP TOP FOUND
- ☆ LIGHT POLE
- BL BUILDING LINE
- C.L.F CHAIN LINK FENCE
- R/W RIGHT-OF-WAY
- TPED PHONE PEDASTAL
- CATV CABLE BOX
- WM WATER METER
- PB TRANSFORMER
- U/E UTILITY EASEMENT
- (12.34'D) DEED DISTANCE
- 12.34'(M) MEASURED DISTANCE
- DE DRAINAGE EASEMENT
- SSE SEWER EASEMENT
- AE ACCESS EASEMENT
- HW HEADWALL
- JB JUNCTION BOX
- CB CATCH BASIN
- YI YARD INLET
- P PORCH
- C/P CARPORT
- YI YARD INLET
- ST STORAGE ROOM
- OHP- OVERHEAD POWER
- AGL- ATLANTA GAS LINE



14

N/F
ROBERT B. ADAIR &
TABITHA D. FLANNERY
DB. 26654, PG. 458

0.422
ACRES

GENERAL NOTES

THIS PLAT HAS BEEN CALCULATED FOR CLOSURE BY LATITUDES AND DEPARTURES AND IS FOUND ACCURATE TO WITHIN ONE FOOT IN 121.245 FEET.

THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 10,000± FEET AND AN ANGULAR ERROR OF 02" PER ANGLE POINT AND WAS ADJUSTED USING COMPASS RULE.

A NIKON - TOTAL STATION WAS USED TO OBTAIN THE LINEAR AND ANGULAR MEASUREMENTS USED IN THE PREPARATION OF THIS PLAT.

FENCES SHOULD NOT BE PLACED USING SIDE DIMENSIONS FROM HOUSE OR STRUCTURE.

CERTIFICATION IS MADE TO PERSON(S) NAMED ON THIS PLAT AND IS NOT TRANSFERABLE TO OTHERS.

UTILITIES SHOWN ARE LOCATIONS OF GROUND IDENTIFIABLE ITEMS. ADDITIONAL UTILITIES MAY EXIST ABOVE OR BELOW GROUND. THE SURVEYOR ACCEPTS NO RESPONSIBILITY FOR THE COMPLETENESS OF THIS DATA.

THIS PROPERTY IS SUBJECT TO ALL RIGHT OF WAYS AND EASEMENTS SHOWN OR NOT SHOWN, RECORDED OR UNRECORDED

FLOOD NOTE:

BASED ON GRAPHIC DETERMINATION, THIS PROPERTY DOES NOT LIE WITHIN A FEMA/FIRM SPECIAL FLOOD HAZARD AREA PER COMMUNITY PANEL NO. 13089C0086K DATED 8/15/19.



IN MY OPINION, THIS PLAT IS A CORRECT REPRESENTATION OF THE LAND PLATTED AND HAS BEEN PREPARED IN CONFORMITY WITH THE MINIMUM STANDARDS AND REQUIREMENTS OF LAW.

NOTE: THE PUBLIC RECORDS REFERENCED HEREON REFLECT ONLY THOSE RECORDS NECESSARY TO ESTABLISH THE BOUNDARIES SHOWN HEREON, AND REFERENCE TO THE SAME DOES NOT AND IS NOT INTENDED TO CONSTITUTE A TITLE SEARCH OR OPINION. EASEMENTS OR OTHER ENCUMBRANCES MAY EXIST ON PUBLIC RECORD BUT NOT BE SHOWN HEREON.

SCI Development Services

ENGINEERS - SURVEYORS - LAND PLANNERS
2020 WESTSIDE COURT-SITE E-SNELLVILLE GEORGIA 30078
(770) 736-7666 FAX (770) 736-4623
MAIL@SURVEYCONCEPTS.NET

PROJECT: 56802
DWG BY: DCP
CHKD BY: JAS
DATE: 9/29/25
SCALE: 1"=30'

SURVEY FOR:
JAMES SMITH

LOT 15, BLOCK "B"
SUBDIVISION: MILAM-ARMISTLEAD
LAND LOT 96 18th DISTRICT
CITY OF CLARKSTON
DEKALB COUNTY, GEORGIA
REFERENCED IN PLAT BOOK 16, PAGE 118



REZONING APPLICATION

Form # 200-RZ

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

SUBMITTAL CHECKLIST

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)
- 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

RECEIVED

SEP 30 2025

CITY OF CLARKSTON

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

| | | | |
|----------------------|-------------------|-------------|----------|
| James T. Smith, V | | | |
| Applicant Name | Company | Lilburn, GA | 30047 |
| 5614 Laurel Ln NW | | City, State | Zip Code |
| Mailing Address | Suite/Apt. # | | |
| 404-539-6236 | | | |
| Primary Phone # | Alternate Phone # | Fax # | |
| jtsmit1960@gmail.com | | | |
| Email Address | | | |

PROJECT SUMMARY

3828 Market St. Townhomes

Name of Project

Detailed Project Description (Include proposed use(s) and square footage of floor area for each use):

The applicant proposes to rezone and develop the parcel at 3734 Poplar Drive—located at the northeast corner of Poplar Drive and Market Street—into a single NR-2 (Neighborhood Residential-2) zoning lot of approximately 18,000 square feet. The project will deliver six (6) single-family townhomes, each approximately 1,918 square feet of living space, organized into 3 buildings with 2 units each facing Market Street. Vehicle access and parking are accommodated by a shared rear driveway and six (6) rear-facing, 2 car garages.

Total Number of Parcels Involved: 1 Total Project Acreage: ~18,315 sqft
 Total Number of Buildings: 3 Total Estimated Cost of Planned Improvements: \$1,683,817

- 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.

| | | |
|-----------------------------|--------------------------------|---------------|
| Pre-Application Date: _____ | City Plnr/Engr Project # _____ | Rev. 05/01/12 |
| Case # _____ | | Page 1 of 3 |



REZONING APPLICATION

Form # 200-RZ

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

PARCEL (PROPERTY) INFORMATION

| | | | |
|--|--------------|--------------------------------------|----------|
| 3734 Poplar Dr | | Clarkston, GA | 30021 |
| Property Address/Location | Suite/Apt. # | City, State | Zip Code |
| 18 096 13 008 | | .41 | |
| Parcel ID/Property Tax Identification Number | | Total Acreage | |
| Single Family Residential | | NR-1 | |
| Present Use(s) | | Present Zoning (Official Zoning Map) | |
| NR-2 Lot with 6 Townhomes | | | |
| Proposed Use(s) | | | |

PROPERTY OWNER

| | | | |
|--|-------------------|--------------------|----------|
| James T Smith, IV & Derek A. Smith | | | |
| Owner (Person, Firm, Corporation, or Agency) | | Company Name | |
| 1768 Trotters Ln | | Stone Mountain, GA | 30087 |
| Mailing Address | Suite/Apt. # | City, State | Zip Code |
| 404-557-3052 | | | |
| Primary Phone # | Alternate Phone # | Fax # | |
| j4deatur@outlook.com | | | |
| Email Address | | | |

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

| | | | |
|--|-------------------|-------------|----------|
| James T. Smith, V | | | |
| Name and Company (Owner's Agent or Attorney) | | Lilburn, GA | |
| 5614 Laurel Ln NW | | 30047 | |
| Mailing Address | Suite/Apt. # | City, State | Zip Code |
| 404-539-6236 | | | |
| Primary Phone # | Alternate Phone # | Fax # | |
| jtsmit1960@gmail.com | | | |
| Email Address | | | |

AUTHORIZATION FOR AGENT (If applicable)

[Signature] _____ Date 9/19/25

Owner Signature _____

James T. Smith, IV & Derek A. Smith _____

Print Name _____

Subscribed and sworn before me this 19 day of September, 2025.

Jacqueline Lucas
Signature of Notary Public in the State of Georgia



FILE # R05-033
SMITH
3734 POPLAR DR
CLARKSTON, GA

EXHIBIT "A"

All that tract or parcel of land lying and being in Land Lot 96 of the 18th District, Dekalb County, Georgia, and being more particularly described as follows:

BEGINNING at an iron pin found at the northeast corner of the intersection of Poplar Drive and Market Street (formerly McLendon Avenue); thence running east along the north side of Poplar Drive 89.0 feet to an iron pin found; thence north along the west line of Lot 14 of the block and subdivision hereinafter referred to 206.6 feet to an iron pin found; thence west 89.8 feet to an iron pin found on the east side of Market Street (formerly McLendon Avenue) thence running south along the east side of Market Street (formerly McLendon Avenue) 205.0 feet to the iron pin found at the POINT OF BEGINNING; also being Lot 15, Block B of the subdivision or property of Millam-Armistead as shown on survey prepared by Georgia Land Surveying Co., Inc., dated February 6, 1976, and as shown on plat recorded at Plat Book 16, Page 118, Dekalb County Records, being improved property known as 3734 Poplar Drive, according to the present system of numbering houses in the City of Clarkston, Dekalb County, Georgia.

Handwritten initials or signature

Deed Book 15894 Pg 773
Filed and Recorded Mar-10-2004 08:39am
2004-0053386
Real Estate Transfer Tax \$68.00

Linda Carter

Linda Carter
Clerk of Superior Court DeKalb Cty. Ga.
I HAVE THE HONOR TO SIGN THIS DEED IN WITNESS WHEREOF I HAVE SIGNED MY OFFICIAL SEAL

PLEASE RETURN TO:
McNally & Edwards
150 East Ponce De Leon Avenue, Suite 260
Decatur, Georgia 30030-2557

WARRANTY DEED

STATE OF GEORGIA,

County of DeKalb

This INDENTURE, Made this 28 day of February, 2004 between LISA R. ARRENDALE TALLEY, of the State of Georgia and County of Rabun, Grantor, and DEREK A. SMITH and JAMES T. SMITH, IV, of the State of Georgia and County of DeKalb, Grantees.

WITNESSETH:

That the said Grantor for and in consideration of the sum of ONE DOLLAR (\$1.00) and other valuable consideration in hand paid, at and before the sealing and delivery of these presents, the receipt of which is hereby acknowledged, has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell and convey unto the Grantees, their heirs and assigns, the following described real property:

All that tract or parcel of land lying and being in Land Lot 96 of the 18th District, DeKalb County, Georgia, and being more particularly described as follows:

BEGINNING at an iron pin found at the northeast corner of the intersection of Poplar Drive and Market Street (formerly McLendon Avenue); thence running east along the north side of Poplar Drive 89.0 feet to an iron pin found; thence north along the west line of Lot 14 of the block and subdivision hereinafter referred to 206.6 feet to an iron pin found; thence west 89.8 feet to an iron pin found on the east side of Market Street (formerly McLendon Avenue) thence running south along the east side of Market Street (formerly McLendon Avenue) 205.0 feet to the iron pin found at the point of beginning;

also being Lot 15, Block B of the subdivision of property of Millam-Armistead as shown on survey prepared by Georgia Land Surveying Co., Inc., dated February 6, 1976, and as shown on Plat recorded at Plat book 16, Page 118, DeKalb County records, being improved property known as 3734 Poplar Drive, according to the present system of numbering houses in the City of Clarkston, DeKalb County, Georgia.

TO HAVE AND TO HOLD the said tract or parcel of 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 the said Grantees, their heirs and assigns, forever, in Fee Simple.

AND THE SAID Grantors for their heirs, executors and administrators, will warrant and forever defend the right and title to the above described property, unto the Grantees, their heirs and assigns, against the claims of all persons whomsoever.

IN WITNESS WHEREOF, the Grantors have hereunto set their hands and seals on the day and year first above written.

Signed, sealed and delivered in our presence this 22 day of February, 2004.

Signed, sealed and delivered in our presence this 22 day of Feb, 2004

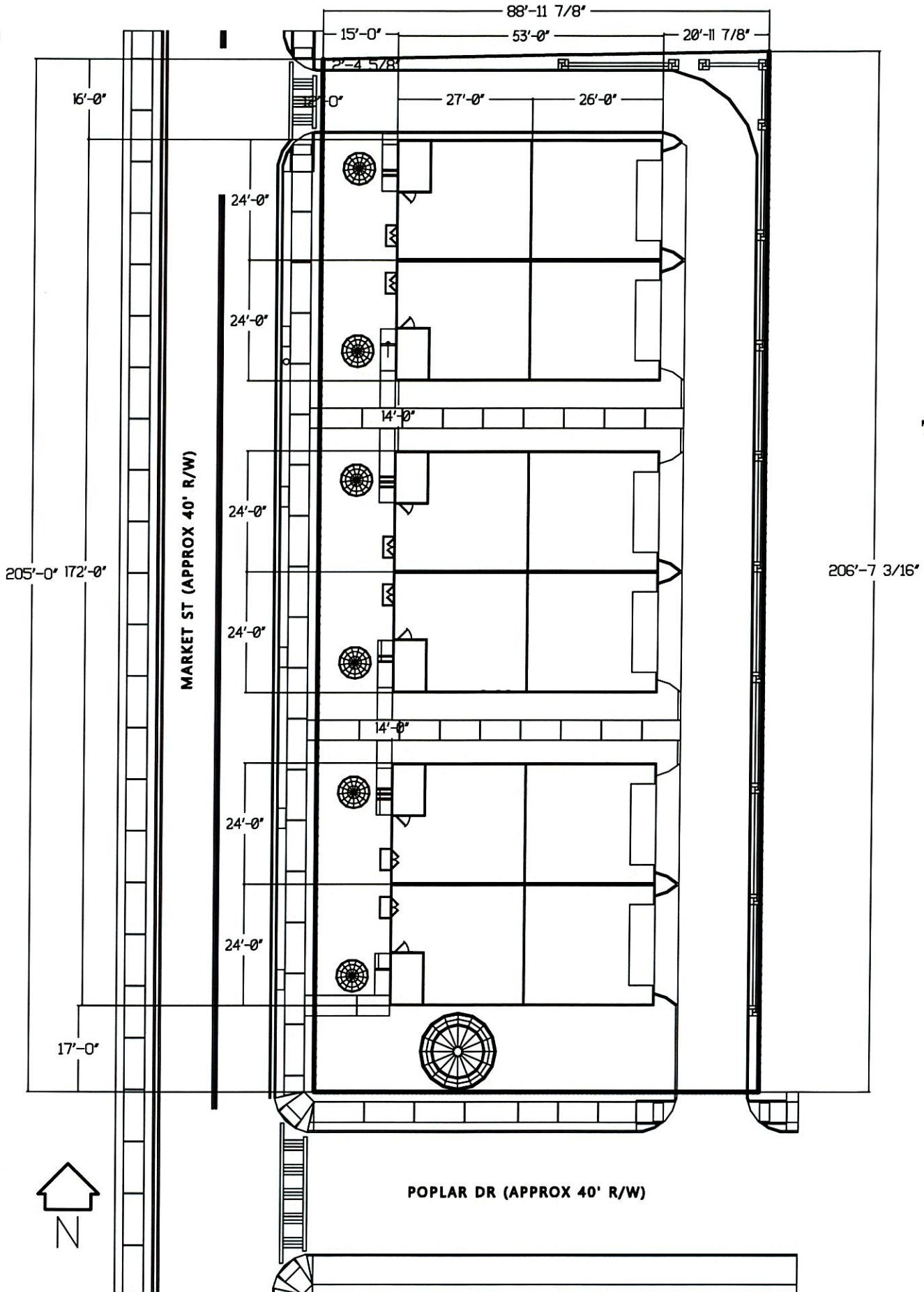
[Signature]
Unofficial Witness

[Signature] (SEAL)
Lisa R. Arrendale Talley

[Signature]
Notary Public
My commission expires: _____

My Commission Expires March 8, 2007

Deed Book 15894 Pg 774
[Signature]
Linda Carter
Clerk of Superior Court DeKalb Cty., Ga.

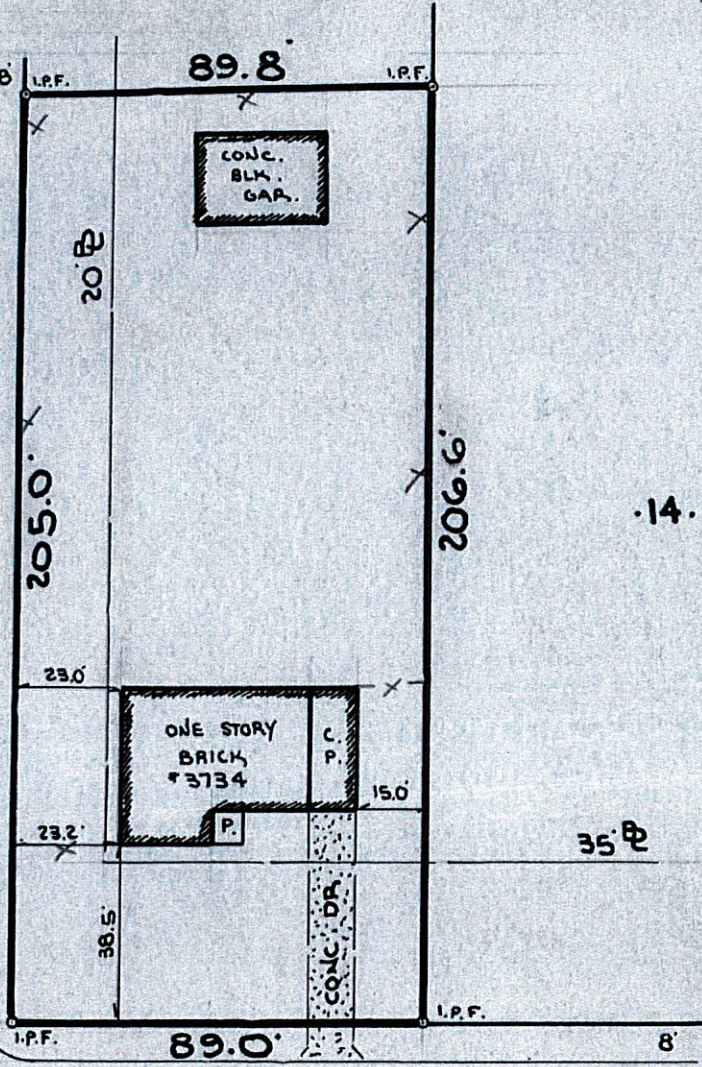


PD 15 006 IS 088
3742 POPLAR DR
ROBERT ADAMS
ZONING E3

LOT 15
BLOCK 15
UNIT 15
SUB. MILAM-ARMISTEAD
SUBDIVISION

MAG. NORTH

MARKET STREET 40' R/W
(FORMERLY McLENDON AVENUE)



POPLAR DRIVE 24'

SURVEY FOR

STUART T. LIGHT
PAULA T. LIGHT

LAND LOT 96 18TH DISTRICT

DEKALB COUNTY, GEORGIA

SCALE 1" = 40' DATE: 8-15-86

REG. LAND SURVEYOR NO. 1751

GEORGIA LAND SURVEYING CO., INC.

I CERTIFY THAT THE INFORMATION SHOWN ON THIS PLAT IS TRUE AND CORRECT.

John L. Lewis III

I have, this date, examined the "FIA OFFICIAL FLOOD HAZARD MAP" and found referenced lot (IS NOT) in an area having special flood hazards.

NO. 8375



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

Description of Campaign Contribution
(Please Print)

\$ N/A

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.

[Signature]

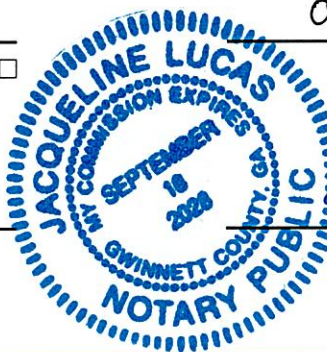
Signature (choose one) Applicant Owner

09/26/2025

Date

Jacqueline Lucas

Notary Signature

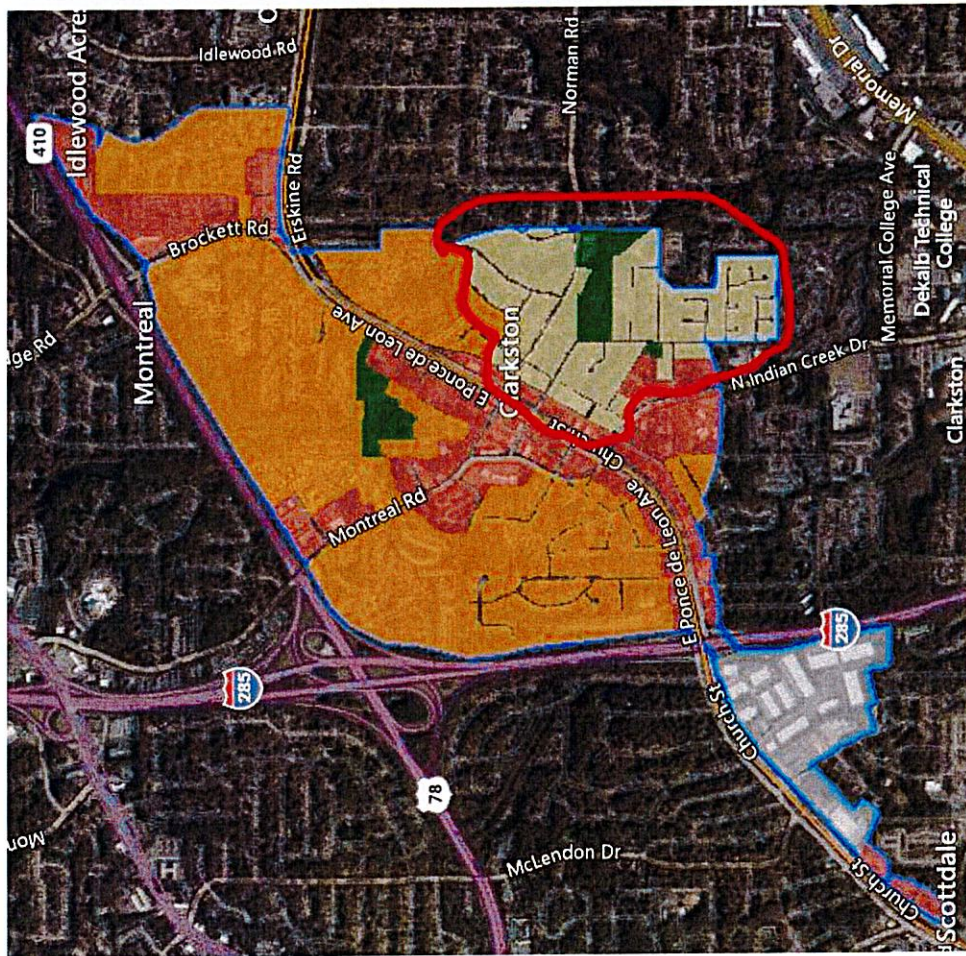


09/26/2025

Date

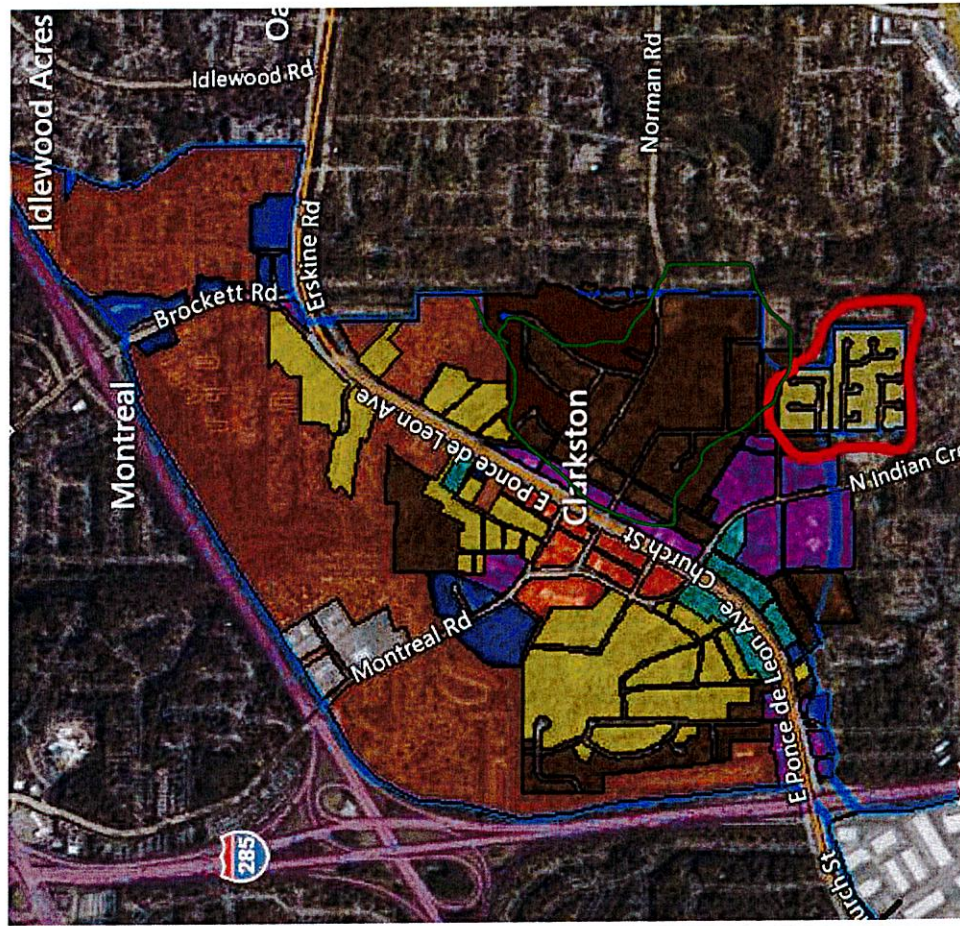
Future Use Map

- Area circled in Red: "Single Family Home Areas"
- "Townhomes and single family homes are allowed in this area."



Current Zoning Map

- Area circled in Green current NR-1 zoning
- Area circled in Red current NR-2 zoning



Both NR-1 and NR-2 zones are found in the Future Use Area designated "Single Family Homes Area". Therefore, the rezoning of a lot from NR-1 to NR-2 within the "Single Family Home Area" would not need a Future Use Amendment.

ii. Whether the amendment proposal can be adequately served by existing transportation facilities and other infrastructure, such as schools, water, and sewer.

The proposed six-unit townhome development at 3734 Poplar Drive can be adequately served by existing infrastructure. Market Street and Poplar Drive provide direct vehicular and pedestrian access, and the small scale of the project will not burden traffic. Public sewer is available beneath Market Street, and water service is provided by DeKalb County. Fire hydrants are located along Market Street and will be confirmed for compliance during site plan review. The project's limited size will have minimal impact on school enrollment and will be fully supported by existing services.

iii. Whether the amendment proposal negatively impacts natural and historic resources identified by the city.

The proposed rezoning and development at 3734 Poplar Drive will not negatively impact natural or historic resources identified by the City. In informal discussions with members of the Historic Preservation Commission (Ashton Walker and Robyn Sands), no concerns were raised regarding historic resources. With respect to natural resources, the site does not contain unique features, and potential impacts will be mitigated through an appropriate stormwater management plan to prevent erosion into adjacent Forty Acres Park and through replanting of trees removed during construction.

iv. Whether the amendment proposal is in the best interest of the city and the public good and proposal protects the health and welfare of its citizens.

The proposed rezoning and six-unit townhome development supports the City of Clarkston's goals of providing diverse, affordable, and high-quality housing options in walkable, connected neighborhoods. The project replaces an underutilized lot with well-designed residences that enhance the character of Market Street while maintaining compatibility with surrounding uses. By adding new housing within existing infrastructure, the proposal promotes efficient land use, supports local businesses, and strengthens the tax base. Adequate stormwater, utility, and fire protection measures will ensure the health, safety, and welfare of Clarkston's residents are protected.

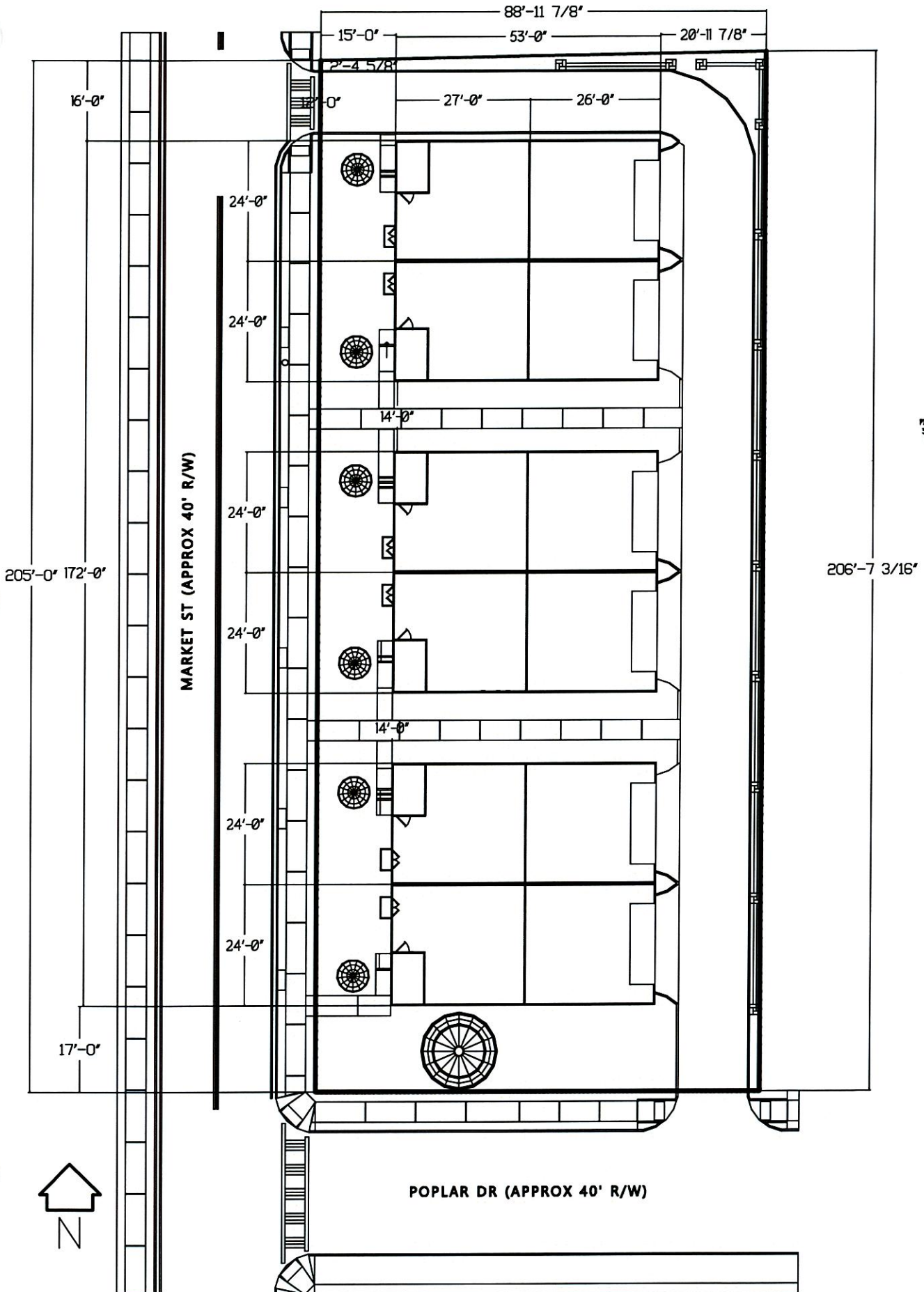
v. Whether the property to be affected by the amendment proposal has a reasonable economic use as currently designated on the future development map

The property at 3734 Poplar Drive is currently designated for single-family use on the Future Development Map. While this allows for continued use of the existing residence, the lot size and location along Market Street limit its long-term economic potential under the current designation. Rezoning to NR-2 will allow a modest townhome development that aligns with the Future Development Map's intent, provides a more efficient and reasonable economic use of the property, and contributes additional housing and tax revenue to the City.

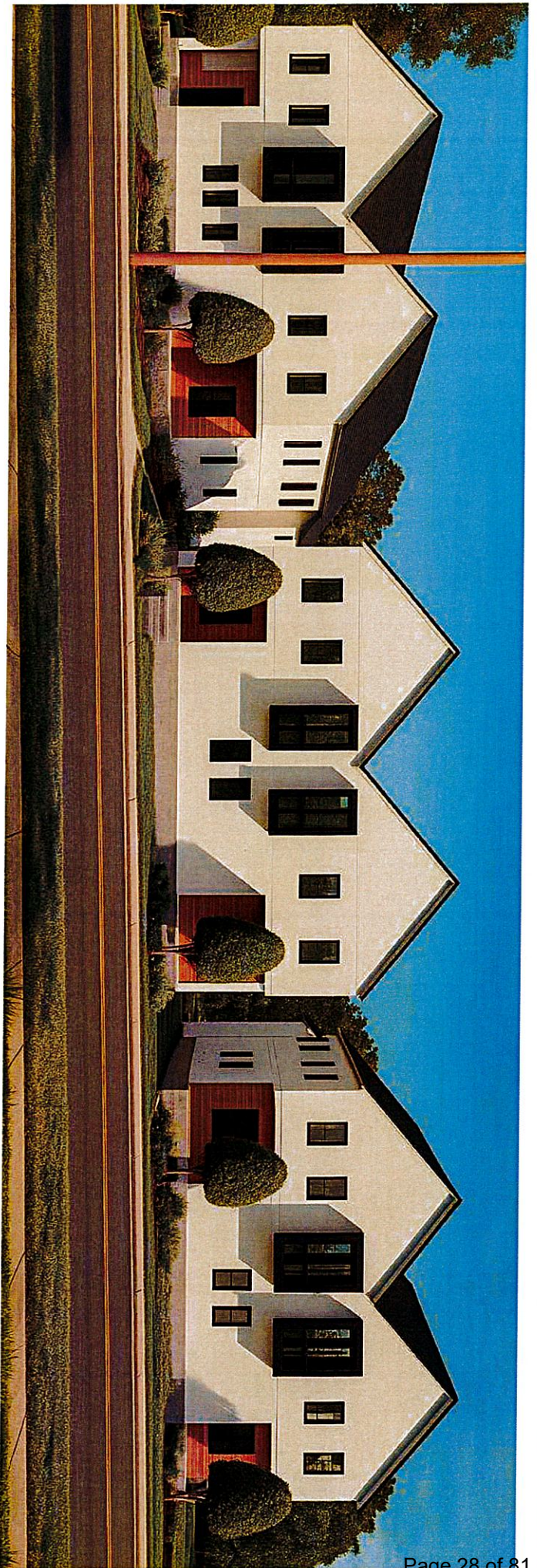
vi. Whether the amendment proposal meets the policies and intent established in the comprehensive plan

The proposed rezoning from NR-1 to NR-2 for six townhomes at 3734 Poplar Drive is consistent with the policies and intent of the Clarkston 2040 Comprehensive Plan. The Plan identifies housing diversity and compact growth as key priorities for guiding development in the city.

- **Housing Variety and Affordability:** Community engagement for Clarkston 2040 highlighted the need for “*more housing at all price points*” and a “*greater variety of housing types*”. Allowing townhomes within the NR-2 district directly supports this policy by expanding the range of housing choices available to residents.
- **Compact, Walkable Development:** The Plan calls for encouraging development patterns that are “*transit supportive*” and enhance walkability. This project is located on Market Street, within walking distance of neighborhood amenities and transit access, reinforcing the city’s goal of connected, pedestrian-friendly neighborhoods.
- **Efficient Use of Existing Infrastructure:** The Plan promotes infill and redevelopment in already-served areas over greenfield development. This proposal makes full use of existing water, sewer, and transportation facilities, advancing the City’s intent to grow responsibly.

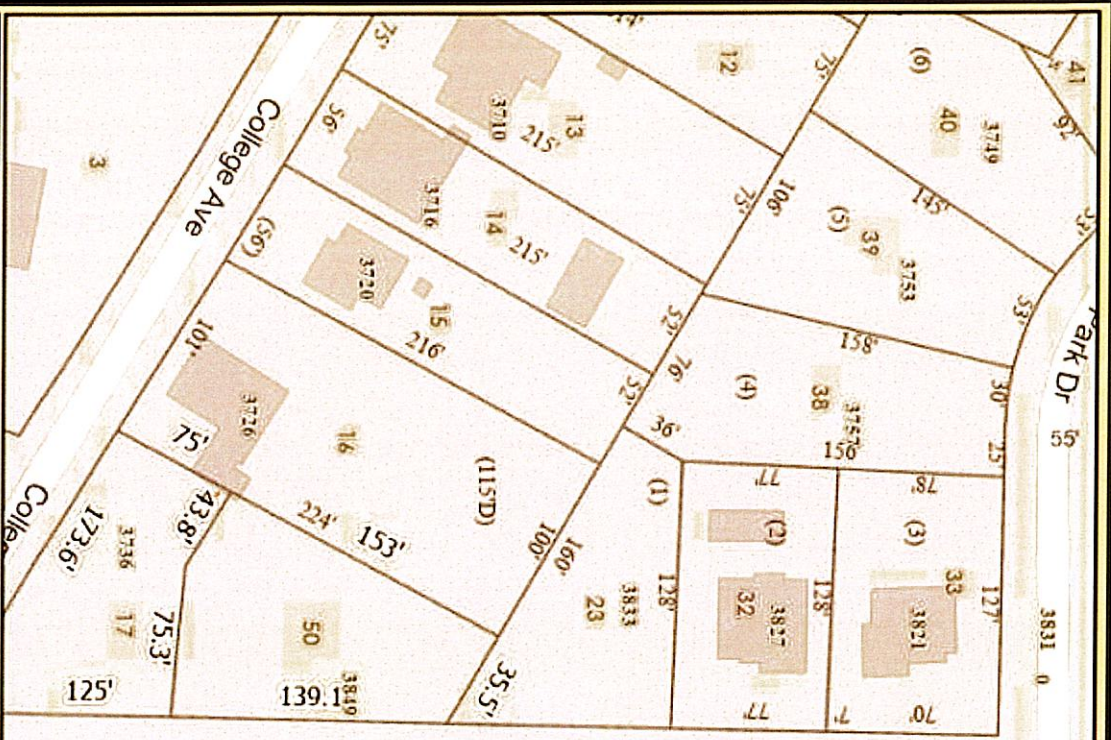


PD 15 806 IS 889
3743 POPLAR DR
ROBERT ADAIR
ZONING E3



Clarkston Townhomes

3828 Market St.



DeKalb County Parcel Map

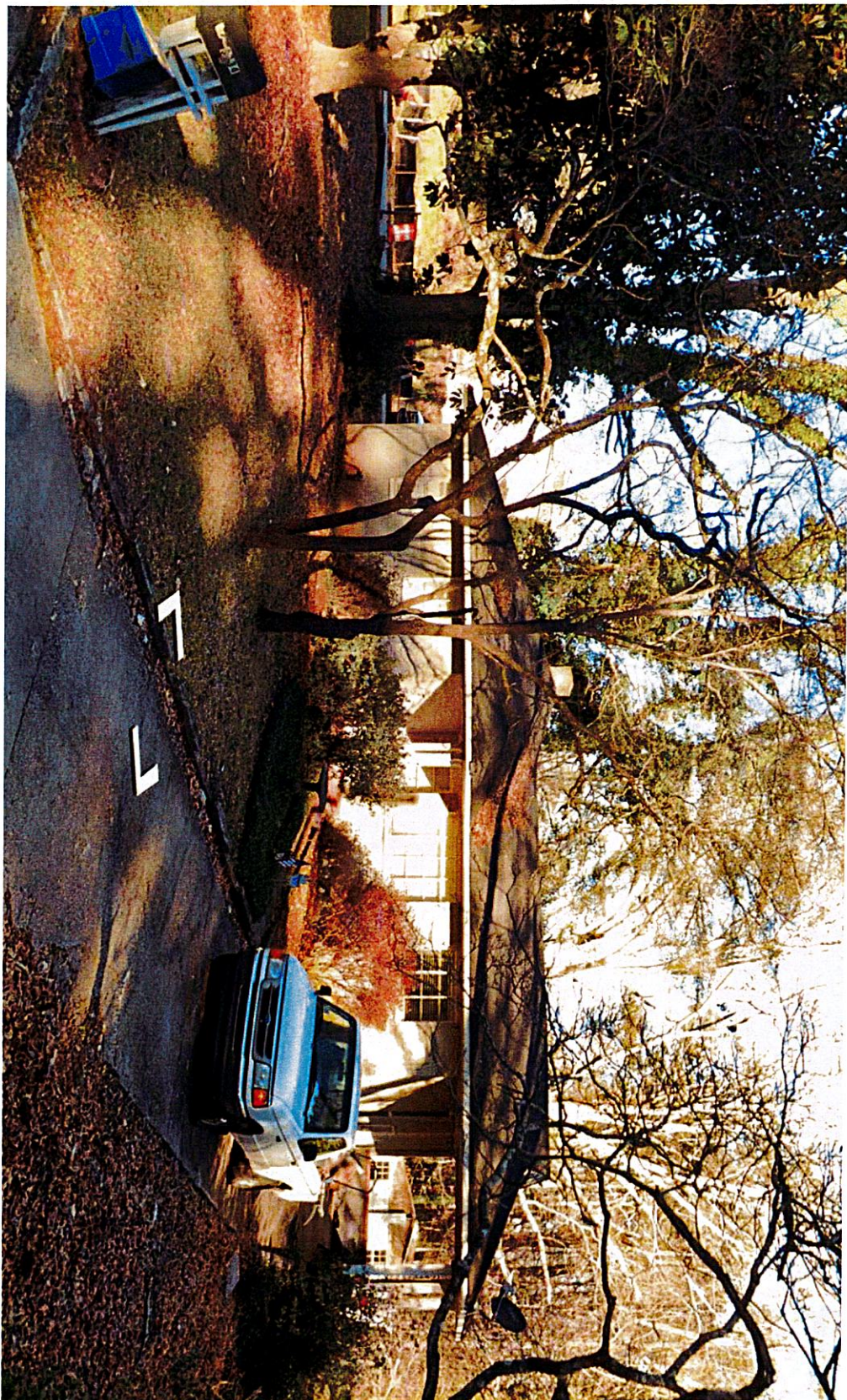


Date Printed: 12/22/2024

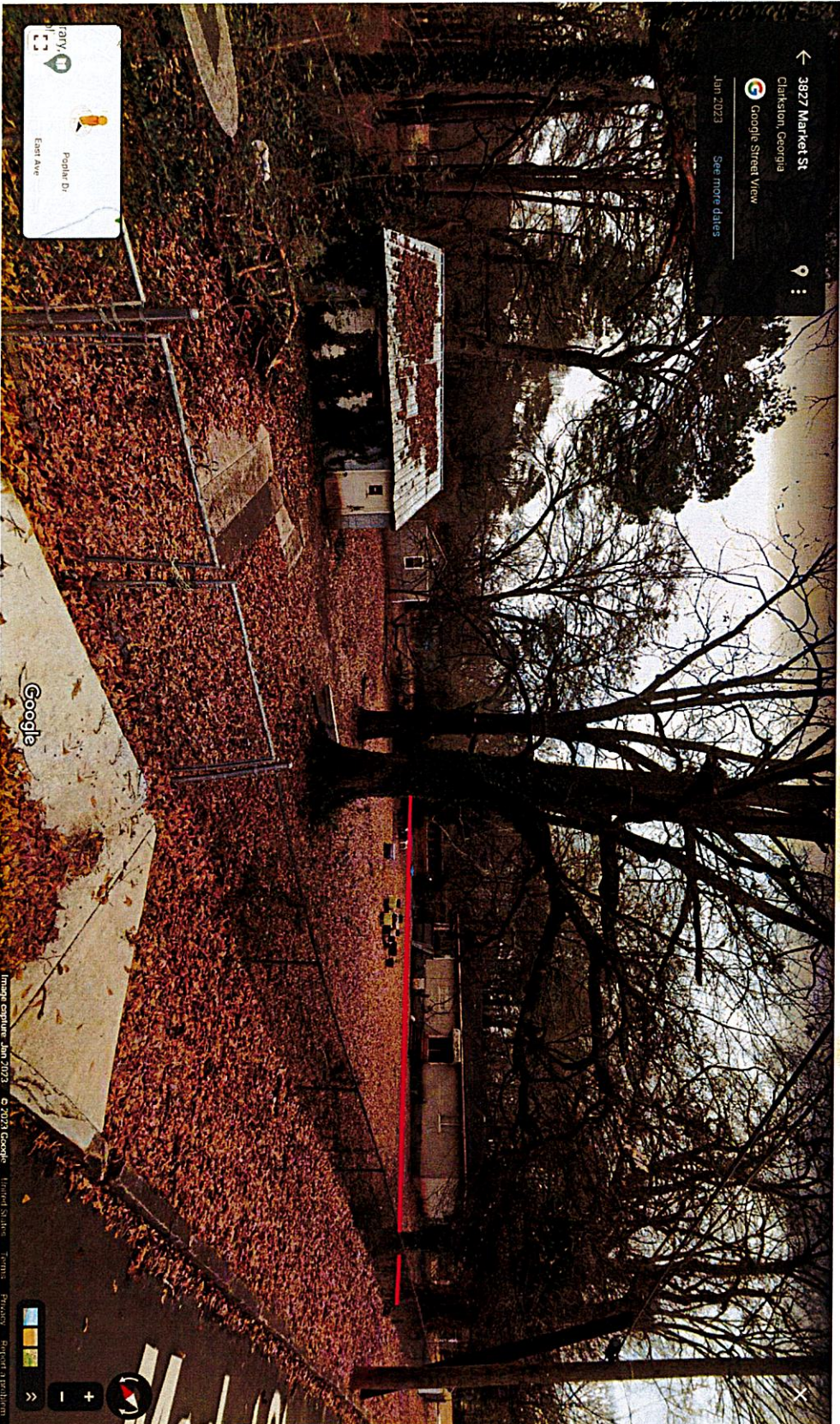


DeKalb County GIS Disclaimer
 The maps and data, developed on DeKalb County's Geographic Information System (GIS) are subject to constant change. While DeKalb County strives to provide accurate and up-to-date information, the information is provided "as is" without any warranty, express or implied. DeKalb County is not responsible for any errors or omissions, or for any consequences arising from the use of the information. DeKalb County is not liable for any special, incidental, or consequential damages whatsoever resulting from the use of the information, whether or not advised in writing. DeKalb County is not liable for any damages, including without limitation, any special, incidental, or consequential damages whatsoever resulting from the use of the information, whether or not advised in writing. The areas depicted by means and data are approximate, and are not necessarily accurate to surveying standards.

Street View 1: Front Current House 3734 Poplar Dr

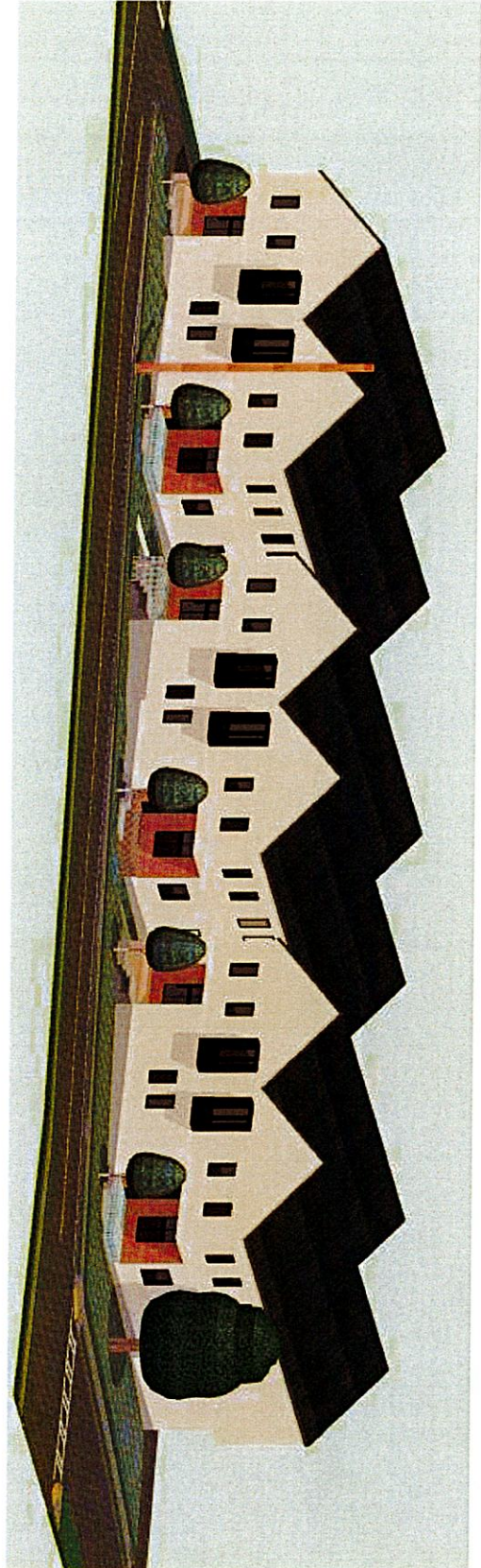
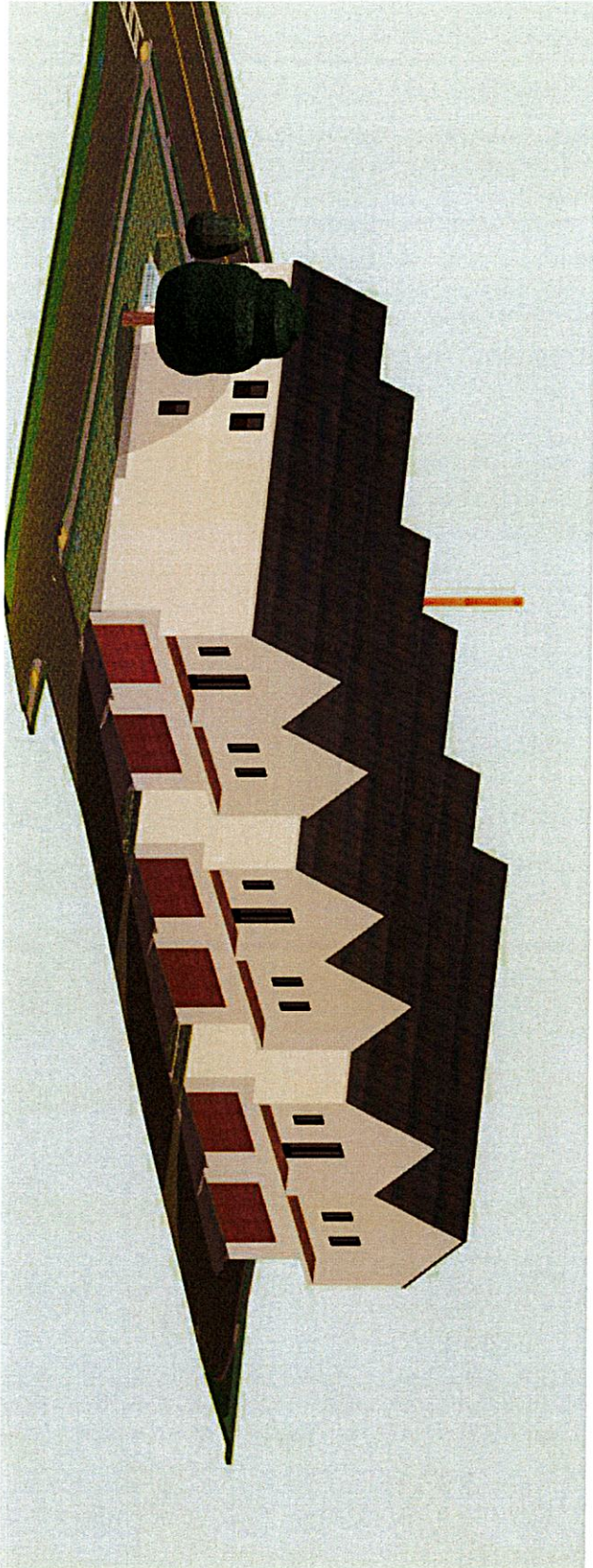


Street View 2: Rear Current House Viewing from Market St

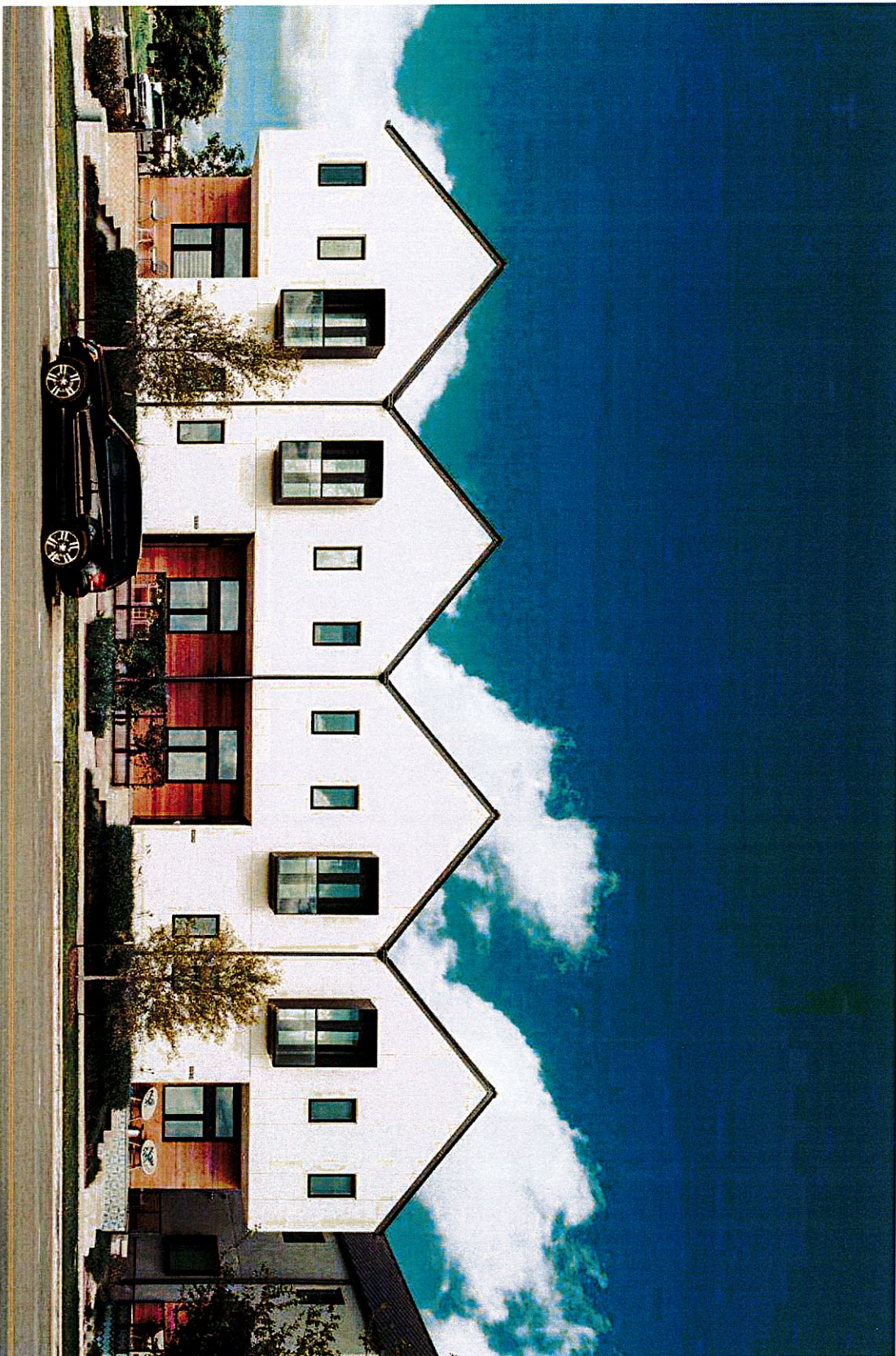


Proposed Townhome View: Initial Concept





As Built in Austin, Texas:





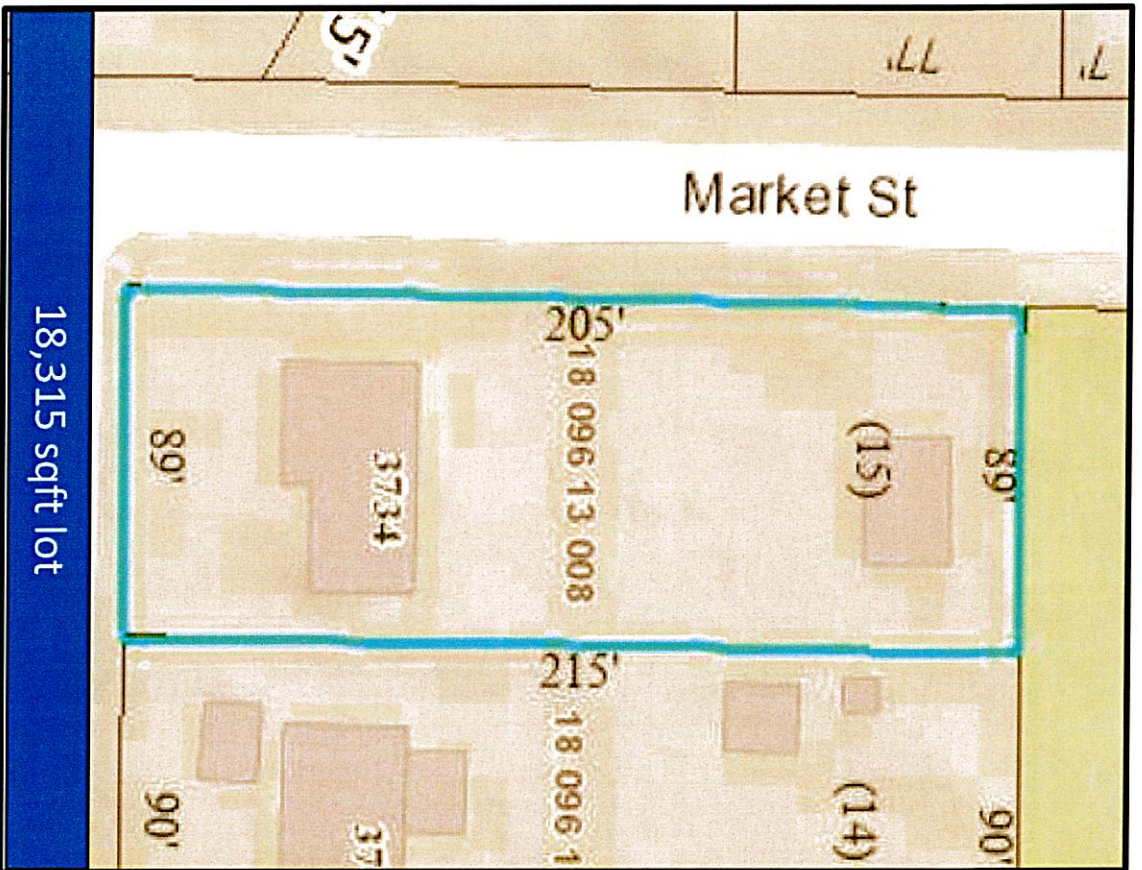
Proposed Townhomes for 3828 Market St.

| | |
|-----------------------------------|-------------------|
| Townhome | |
| • 1 st Floor | 691 sqft |
| • 2 nd Floor | 1,227 sqft |
| Total Living Area Per Unit | 1,918 sqft |
| 6 Unit Total | 11,508 |

Table 3.2 Residential Zoning District Dimensional Requirements

| | NR-1 | NR-2 | NR-3 |
|--|-------------------|------------|------------|
| Primary Structure | | | |
| Maximum FAR | 0.4 | 0.4 | 0.4 |
| Minimum Lot Size | 1000 s.f. | 900 s.f. | 800 s.f. |
| Maximum Lot Coverage | 50% | 50% | 50% |
| Maximum Building Height | 35' | 35' | 45' |
| Minimum Lot Size | 8,000-10,000 s.f. | 7,500 s.f. | 5,000 s.f. |
| Minimum Lot Width | 75' | 60' | 50' |
| Minimum Front Setback (SF detached) | 30' | 25' | 15' |
| Minimum Front Setback (duplex/triplex) | N/A | 15' | 5' |
| Minimum Front Setback (townhome) | N/A | 15' | 5' |
| Minimum Side Setback | 10' | 7' | 5' |
| Minimum Rear Setback (SF detached) | 25' | 20' | 20' |
| Minimum Rear Setback (duplex/triplex) | N/A | 15' | 15' |
| Accessory Structure | | | |
| Maximum Height* | 25' | 25' | 25' |
| Minimum Side Setback | 10' | 7' | 5' |
| Minimum Rear Setback | 15' | 7' | 5' |

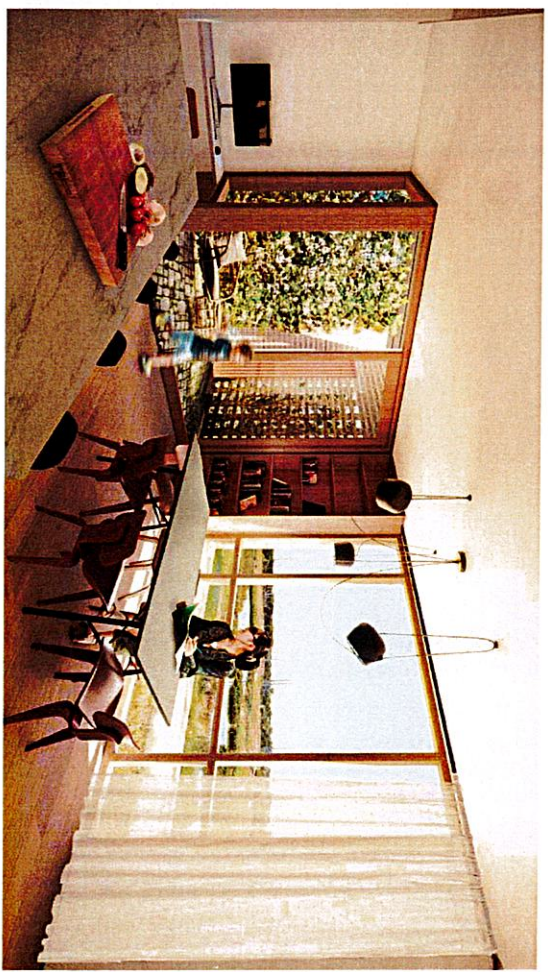
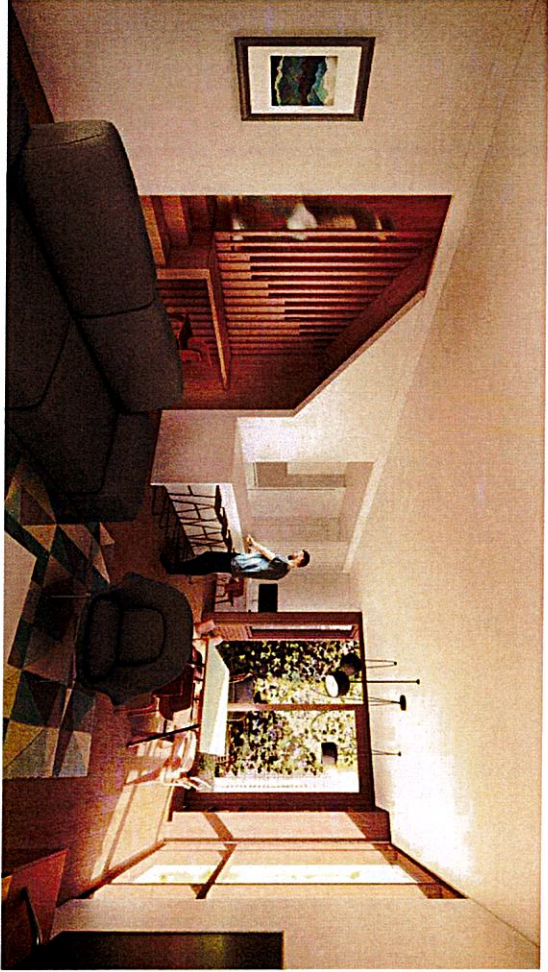
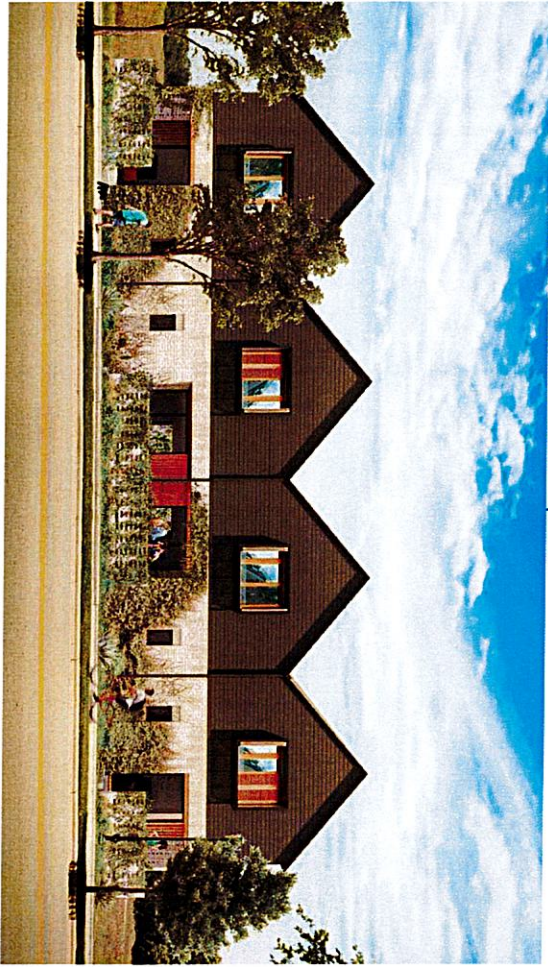
* Accessory structure cannot be taller than the primary structure



18,315 sqft lot

Purpose and Intent: The NR-2 zoning district is intended for single-family detached, townhomes, and attached residences on smaller lots where large amounts of open space are not required and/or desired

Precedents and Concepts:



NOTICE OF COMMUNITY OPEN HOUSE MEETING

Dear Neighbor,

You are receiving this letter because you own property within 300 feet of **3734 Poplar Dr** for which a zoning application has been filed. As part of the rezoning process, the applicant is required to hold a community open house meeting to share information about the proposed project and to answer questions from interested residents.

Meeting Information:

- **Date:** September 30th 2025
- **Time:** 6:00 pm- 7:00 pm
- **Location:** On the subject property in front of the shed in the backyard of 3734 Poplar Drive, Clarkston, GA. Please enter from the gate off that is off Market St.
- **Purpose:** The applicant is proposing to rezone the property to the NR-2 zoning district in order to construct six (6) new townhomes. Each unit will be approximately 1,900 square feet of living space, arranged in three buildings of two units each facing Market Street, with a shared rear driveway and two car garages. The meeting will provide details of the proposal and give neighbors the opportunity to ask questions and provide feedback.

We encourage you to attend this meeting to learn more about the proposal and provide any comments or feedback you may have.

Sincerely,

James Smith

A handwritten signature in black ink that reads "James Smith" with a stylized flourish at the end.

Sec. 307. - NR-2, medium-density neighborhood residential district.

- a. Purpose and intent. The NR-2 zoning district is intended for single-family detached, townhomes, and attached residences on smaller lots where large amounts of open space are not required and/or desired.
- b. Permitted and conditional uses shall be as provided in Table 4.1 of this zoning ordinance. In cases where a use is permitted but there are supplemental use regulations for that use specified in Article IV of this chapter, such regulations shall also apply.
- c. Dimensional requirements shall be as provided in Table 3.4.

| Table 3.4 Dimensional Requirements | NR-2 | As Drawn | Compliant |
|---|------------|---|-----------------|
| Maximum FAR | 0.4 | .62 for 6 units ~14 u/a* | Variance needed |
| Minimum Unit Size | 900 s.f. | 1,918 s.f. | ☑ |
| Maximum Lot Coverage | 50% | Buildings: 41% (7,632 s.f.) Driveway pervious: 20% (3,744 s.f.) Walkway impervious: 8% (1,484 s.f.) | ☑** |
| Maximum Building Height | 35' | ~32' | ☑ |
| Minimum Lot Size | 7,500 s.f. | 18,315 s.f. | ☑ |
| Minimum Lot Width | 60' | 89' | ☑ |
| Minimum Front Setback (townhome) | 15' | 15' | ☑ |
| Minimum Side Setback | 7' | 15' | ☑ |
| Minimum Rear Setback (SF detached) | 20' | 20' | ☑ |

* This medium-density zoning standard is comparable to Decatur’s RS-17 (17 u/a) and Atlanta’s RG-2/3 (14–20 u/a)

** Compliant if pervious surface does not count against maximum lot coverage.

Community Meeting Summary

On September 30th at 6:00 pm, a community meeting was held regarding the proposed townhome development at 3734 Poplar Drive. Four residents attended:

- Michele Maserjian, 3756 Poplar Dr
- Tabitha Adair, 3742 Poplar Dr
- Ann McCormack, Belle Glade Dr
- Jamie Carroll, 3827 Market St

The following concerns were raised:

- **Environmental impacts:** Potential effects on the Forty Oaks Nature Preserve, with specific attention to stormwater runoff, impervious surface area, and the balance of pervious surfaces.
- **Density and compatibility:** Several attendees expressed a preference for fewer homes (2–4 units instead of 6) to better align with the surrounding neighborhood’s character.
- **Tree removal:** Concern over the loss of two large oak trees and questions regarding their replacement.
- **Neighboring property impacts:** Specific concerns were raised about noise, views, and the effect on the marketability of adjacent homes (particularly by Tabitha Adair).
- **Ongoing engagement:** Residents requested additional opportunities for community meetings to continue dialogue as the project progresses.

STAFF ANALYSIS AND REPORT

APPLICANT: James Smith

CASE: PUD2025-02

LOCATION: 3734 Poplar Drive (Parcel ID: 18 096 13 008)

ZONING: NR-1: Low Density Neighborhood Commercial

REQUEST: Planned Unit Development – Planned Residential Development for the construction of six (6) townhome units.

ZONING/ADJACENT LAND USE:

| | |
|-------|---------------------------------|
| North | NR-1: Forty Oaks |
| South | NR-1: Single-Family Residential |
| West | NR-1: Vacant Residential |
| East | NR-1: Single-family Residential |

MEETING INFORMATION:

| | |
|---------------------------------------|------------------------|
| Planning & Zoning Commission: | 10/21/2025 – 7:00 P.M |
| Mayor & City Council Public Hearing: | 11/25/2025 – 7:00 P.M. |
| Mayor & City Council Regular Meeting: | 12/02/2025 – 7:00 P.M. |

RECOMMENDATION:

Staff recommends **APPROVAL** of the PUD with conditions.

BACKGROUND:

The property at 3734 Poplar Drive is currently developed with a 1,021 square foot ranch style single-family home that was constructed in 1949 with an accessory structure in the rear along Market Street. The property consists of approximately 0.424 acres or 18,501.42 square feet of land area.

The applicant is requesting a Planned Unit Development – Planned Residential Development for the construction of six (6) attached residential townhome units across three (3) buildings. This proposal is approximately 14.15 units per acre. Below is an analysis of how the proposed PUD compares to the existing zoning and proposed zoning.

| | NR-1 Requirements | NR-2 Requirements | Proposed PUD |
|-------------------|-------------------|-------------------|--------------------------------------|
| Max. FAR | 0.4 | 0.4 | .62 |
| Minimum Unit Size | 1,000 sf | 900 sf | 1,918 sf |
| Lot Coverage | 50% | 50% | 49% impervious 20% pervious paver |
| Lot Width | 75' | 60' | 89' |
| Building Height | 35' | 35' | ~32' |
| Lot Size | 9,000 sf | 7,500 sf | 18,315 sf |
| Front Setback | 30' | 15' (townhome) | 15' |
| Side Setback | 10' | 7' | 15' |
| Rear Setback | 25' | 20' | 20' |

The following are nearby and similar residential developments within the city and their residential units per acre:

- Glendale Rowes (NR-CD) – 60 units on 4.98 acres or 12.10 units per acre.
- Woodland Avenue Townhomes (NR_CD)– 14 units on 1.3993 acres or 10 units per acre (plat approved but pending DeKalb County Fire review on LDP).
- Carroll Park Single-Family (R-1) – 17 units on 3.327 acres or 5.11 units per acre.
- Parkside at East Avenue Single-Family (NR-3) – 36 units on 6.292 acres or 5.72 units per acre.
- Lovejoy Street Townhomes (NR-3) – 12 units on 0.79 acres or 15.1 units per acre.

The following are nearby and similar residential developments within the city and their Floor Area Ratio (FAR):

- Glendale Rowes (NR-CD) – ~0.46 FAR (30 units at 1,732 sq ft and 30 units at 1,622 sq. ft.)
- Woodland Avenue Townhomes (NR-CD) - ~0.53 (2,310 unit size)
- Carroll Park Single-Family (R-1) – ~0.32 FAR (homes range from 5,158 sq ft to 1,789 sq ft)
- Parkside at East Avenue Single-Family (NR-3) – ~0.29 FAR (average unit size of 2,200)
- Lovejoy Street Townhomes (NR-3) – ~0.44 FAR (all 12 units are 1,280 sq ft)

The applicant provided a sign-in sheet from the community meeting that was held on September 30, 2025, at 6:00pm at 3734 Poplar Drive. Four (4) people attended the meeting, and the topics discussed were environmental impacts, density and compatibility, tree removal, neighboring property impacts, and ongoing engagement.

Analysis: Pursuant to Article II of the City of Clarkston Zoning Ordinance, Staff has reviewed the application for rezoning in accordance with the required review criteria.

- 1. The effect upon the health, safety, or general welfare of the public compared to any hardship imposed upon the individual property owner seeking rezoning should rezoning be denied.**
There are not any anticipated effects on the health, safety, or general welfare of the public with this request.
- 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 adjacent properties are all residential in nature and this rezoning would permit new residential development. The proposed townhome development would have a greater density than the surrounding properties with six (6) units on 0.424 acres or approximately 14.15 units per acre.

The following are nearby and similar residential developments within the city and their residential units per acre:

- Glendale Rowes (NR-CD) – 60 units on 4.98 acres or 12.10 units per acre.
- Woodland Avenue Townhomes (NR_CD)– 14 units on 1.3993 acres or 10 units per acre (plat approved but pending DeKalb County Fire review on LDP).
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- Lovejoy Street Townhomes (NR-3) – 12 units on 0.79 acres or 15.1 units per acre.

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

This proposed rezoning would increase traffic along Market Street and Poplar Drive but it is not anticipated to adversely affect the existing use or usability of adjacent or nearby properties.

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

The property as currently zoned could be subdivided and developed into two (2) single-family lots, which would be an increase in economic use compared to the existing one (1) single-family home.

5. Whether the zoning proposal will result in a use that may cause an excessive or burdensome use of existing transportation facilities and other infrastructure, such as schools, water, and sewer.

It is not anticipated that the proposed rezoning would cause excessive or burdensome use of existing transportation facilities nor other infrastructure, such as schools, water, and sewer.

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.

Staff is unaware of other existing or changing conditions affecting the use and development of this property, which may give supporting grounds for disapproval.

7. Whether the zoning proposal is compatible with the principles of the city's comprehensive plan.

The 2040 Comprehensive Plan labels this property within the “Single-Family Homes Areas.” This designation calls for the preservation of single-family homes, both historic as well as new development. “Townhomes and single-family homes are allowed in this area.”

The proposed rezoning from NR-1 to NR-2 would allow for the development of townhomes and Planned Unit Development – Planned Residential Development submittals. The rezoning request is compatible with the city’s 2040 Comprehensive Plan.

8. Whether the zoning proposal is compatible with the most current adopted version of the future land use map of the comprehensive plan.

Staff has found that this request is compatible with the most current, adopted version of the future land use map in the Comprehensive Plan.

Recommendation:

Pursuant to Article II of the City of Clarkston Zoning Ordinance, Staff has reviewed the request in accordance with the required review criteria and recommends **APPROVAL** of the Planned Unit Development (PUD) at 3734 Poplar Street with the following conditions:

1. The maximum floor area ratio (FAR) for the site shall be 0.5 or 9,236.72 square feet of floor area as measured to the outside surfaces of exterior walls and including halls, stairways, elevator shafts, excluding attached garages, porches, balconies and unfinished basements.

2. The architectural elevations shall be substantially similar to the conceptual drawings titled “Clarkston Townhomes 3828 Market St,” as included in this packet.
3. The site plan shall be substantially similar to the site plan dated, received September 30, 2025, as included in this packet.
4. Vinyl shall be excluded from the allowed building material with the exception of the fascia and soffits.
5. The driveway shall be a one-way private street with a right entrance only off Market Street and a right exit only onto Poplar Drive.
6. A homeowner association (HOA) shall be required. The developer shall execute, record, and maintain documents for the HOA which establishes dues, fees, and responsibilities related to maintenance of units and common facilities. The HOA bylaws shall be reviewed and approved by the Planning and Economic Development Director prior to being recorded with the DeKalb County Superior Court.
7. All utilities shall be installed underground throughout the development.
8. An engineer’s report shall be submitted as part of the land disturbance permit for certification on all pervious surface areas being installed.

Aerial of the site





REZONING APPLICATION

Form # 200-RZ

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

SUBMITTAL CHECKLIST

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)
- 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

RECEIVED

SEP 30 2025

CITY OF CLARKSTON

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

James T. Smith, V

| | | | |
|----------------------|-------------------|-------------|----------|
| Applicant Name | Company | Lilburn, GA | 30047 |
| 5614 Laurel Ln NW | | City, State | Zip Code |
| Mailing Address | Suite/Apt. # | | |
| 404-539-6236 | | | |
| Primary Phone # | Alternate Phone # | Fax # | |
| itsmit1960@gmail.com | | | |
| Email Address | | | |

PROJECT SUMMARY

3828 Market St. Townhomes

Name of Project

Detailed Project Description (Include proposed use(s) and square footage of floor area for each use):

The applicant proposes to rezone and develop the parcel at 3734 Poplar Drive—located at the northeast corner of Poplar Drive and Market Street—into a single NR-2 (Neighborhood Residential-2) zoning lot of approximately 18,000 square feet. The project will deliver six (6) single-family townhomes, each approximately 1,918 square feet of living space, organized into 3 buildings with 2 units each facing Market Street. Vehicle access and parking are accommodated by a shared rear driveway and six (6) rear-facing, 2 car garages.

Total Number of Parcels Involved: 1 Total Project Acreage: ~18,315 sqft
 Total Number of Buildings: 3 Total Estimated Cost of Planned Improvements: \$1,683,817

- 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.

Pre-Application Date: _____ City Plnr/Engr Project # _____ Rev. 05/01/12
 Case # _____ Page 1 of 3



**REZONING
APPLICATION**

Form # 200-RZ

James Smith V _____ 9/19/2025
Applicant Signature Date
 Property Owner Owner's Agent



REZONING APPLICATION

Form # 200-RZ

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

PARCEL (PROPERTY) INFORMATION

| | | | |
|--|--------------|--------------------------------------|----------|
| 3734 Poplar Dr | | Clarkston, GA | 30021 |
| Property Address/Location | Suite/Apt. # | City, State | Zip Code |
| 18 096 13 008 | | .41 | |
| Parcel ID/Property Tax Identification Number | | Total Acreage | |
| Single Family Residential | | NR-1 | |
| Present Use(s) | | Present Zoning (Official Zoning Map) | |
| NR-2 Lot with 6 Townhomes | | | |
| Proposed Use(s) | | | |

PROPERTY OWNER

| | | | |
|--|-------------------|--------------------|----------|
| James T Smith, IV & Derek A. Smith | | | |
| Owner (Person, Firm, Corporation, or Agency) | | | |
| 1768 Trotters Ln | | Stone Mountain, GA | 30087 |
| Mailing Address | Suite/Apt. # | City, State | Zip Code |
| 404-557-3052 | | | |
| Primary Phone # | Alternate Phone # | Fax # | |
| j4deatur@outlook.com | | | |
| Email Address | | | |

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

| | | | |
|--|-------------------|-------------|----------|
| James T. Smith, V | | | |
| Name and Company (Owner's Agent or Attorney) | | | |
| 5614 Laurel Ln NW | | Lilburn, GA | 30047 |
| Mailing Address | Suite/Apt. # | City, State | Zip Code |
| 404-539-6236 | | | |
| Primary Phone # | Alternate Phone # | Fax # | |
| jtsmit1960@gmail.com | | | |
| Email Address | | | |

AUTHORIZATION FOR AGENT (If applicable)

| | |
|-------------------------------------|---------|
| | 9/19/25 |
| Owner Signature | Date |
| James T. Smith, IV & Derek A. Smith | |
| Print Name | |

Subscribed and sworn before me this 19 day of September, 2025.

Signature of Notary Public in the State of Georgia



FILE # R05-033
SMITH
3734 POPLAR DR
CLARKSTON, GA

EXHIBIT "A"

All that tract or parcel of land lying and being in Land Lot 96 of the 18th District, Dekalb County, Georgia, and being more particularly described as follows:

BEGINNING at an iron pin found at the northeast corner of the intersection of Poplar Drive and Market Street (formerly McLendon Avenue); thence running east along the north side of Poplar Drive 89.0 feet to an iron pin found; thence north along the west line of Lot 14 of the block and subdivision hereinafter referred to 206.6 feet to an iron pin found; thence west 89.8 feet to an iron pin found on the east side of Market Street (formerly McLendon Avenue) thence running south along the east side of Market Street (formerly McLendon Avenue) 205.0 feet to the iron pin found at the POINT OF BEGINNING; also being Lot 15, Block B of the subdivision or property of Millam-Armistead as shown on survey prepared by Georgia Land Surveying Co., Inc., dated February 6, 1976, and as shown on plat recorded at Plat Book 16, Page 118, Dekalb County Records, being improved property known as 3734 Poplar Drive, according to the present system of numbering houses in the City of Clarkston, Dekalb County, Georgia.

Handwritten initials/signature

Deed Book 15894 Pg 773
Filed and Recorded Mar-10-2004 08:39am
2004-0053386
Real Estate Transfer Tax \$68.00

Linda Carter

Linda Carter
Clerk of Superior Court DeKalb Cty. Ga.
I HEREBY CERTIFY THAT THIS DEED WAS FILED IN DEED BOOK 15894 PAGE 773

PLEASE RETURN TO:
McNally & Edwards
150 East Ponce De Leon Avenue, Suite 260
Decatur, Georgia 30030-2557

WARRANTY DEED

STATE OF GEORGIA,

County of DeKalb

This INDENTURE, Made this 28 day of February, 2004 between LISA R. ARRENDALE TALLEY, of the State of Georgia and County of Rabun, Grantor, and DEREK A. SMITH and JAMES T. SMITH, IV, of the State of Georgia and County of DeKalb, Grantees.

WITNESSETH:

That the said Grantor for and in consideration of the sum of ONE DOLLAR (\$1.00) and other valuable consideration in hand paid, at and before the sealing and delivery of these presents, the receipt of which is hereby acknowledged, has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell and convey unto the Grantees, their heirs and assigns, the following described real property:

All that tract or parcel of land lying and being in Land Lot 96 of the 18th District, DeKalb County, Georgia, and being more particularly described as follows:

BEGINNING at an iron pin found at the northeast corner of the intersection of Poplar Drive and Market Street (formerly McLendon Avenue); thence running east along the north side of Poplar Drive 89.0 feet to an iron pin found; thence north along the west line of Lot 14 of the block and subdivision hereinafter referred to 206.6 feet to an iron pin found; thence west 89.8 feet to an iron pin found on the east side of Market Street (formerly McLendon Avenue) thence running south along the east side of Market Street (formerly McLendon Avenue) 205.0 feet to the iron pin found at the point of beginning;

also being Lot 15, Block B of the subdivision of property of Millam-Armistead as shown on survey prepared by Georgia Land Surveying Co., Inc., dated February 6, 1976, and as shown on Plat recorded at Plat book 16, Page 118, DeKalb County records, being improved property known as 3734 Poplar Drive, according to the present system of numbering houses in the City of Clarkston, DeKalb County, Georgia.

TO HAVE AND TO HOLD the said tract or parcel of 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 the said Grantees, their heirs and assigns, forever, in Fee Simple.

AND THE SAID Grantors for their heirs, executors and administrators, will warrant and forever defend the right and title to the above described property, unto the Grantees, their heirs and assigns, against the claims of all persons whomsoever.

IN WITNESS WHEREOF, the Grantors have hereunto set their hands and seals on the day and year first above written.

Signed, sealed and delivered in our presence this 22 day of February, 2004.

Signed, sealed and delivered in our presence this 22 day of Feb, 2004

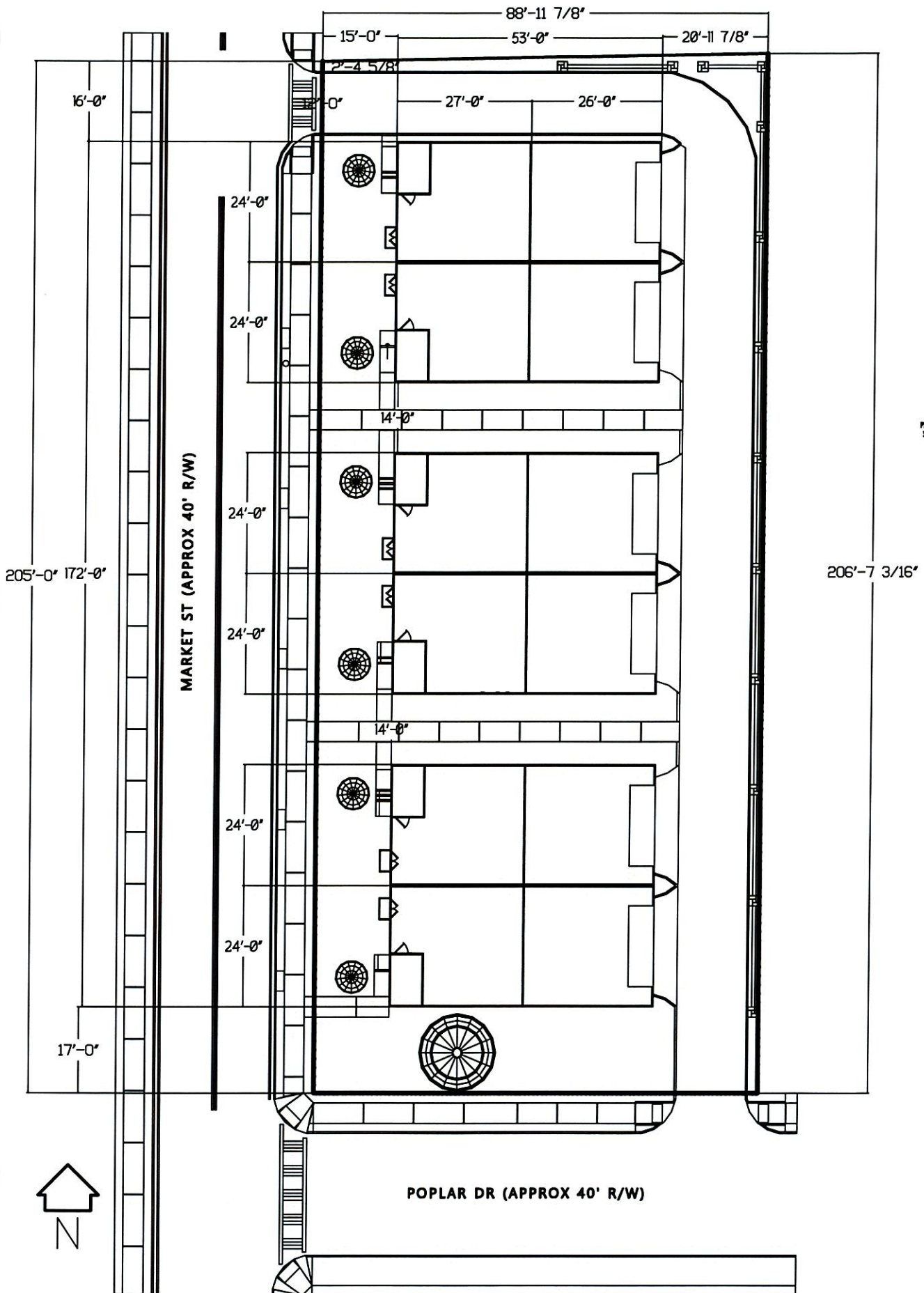
[Signature]
Unofficial Witness

[Signature] (SEAL)
Lisa R. Arrendale Talley

[Signature]
Notary Public
My commission expires: _____

My Commission Expires March 8, 2007

Deed Book 15894 Pg 774
[Signature]
Linda Carter
Clerk of Superior Court DeKalb Cty., Ga.

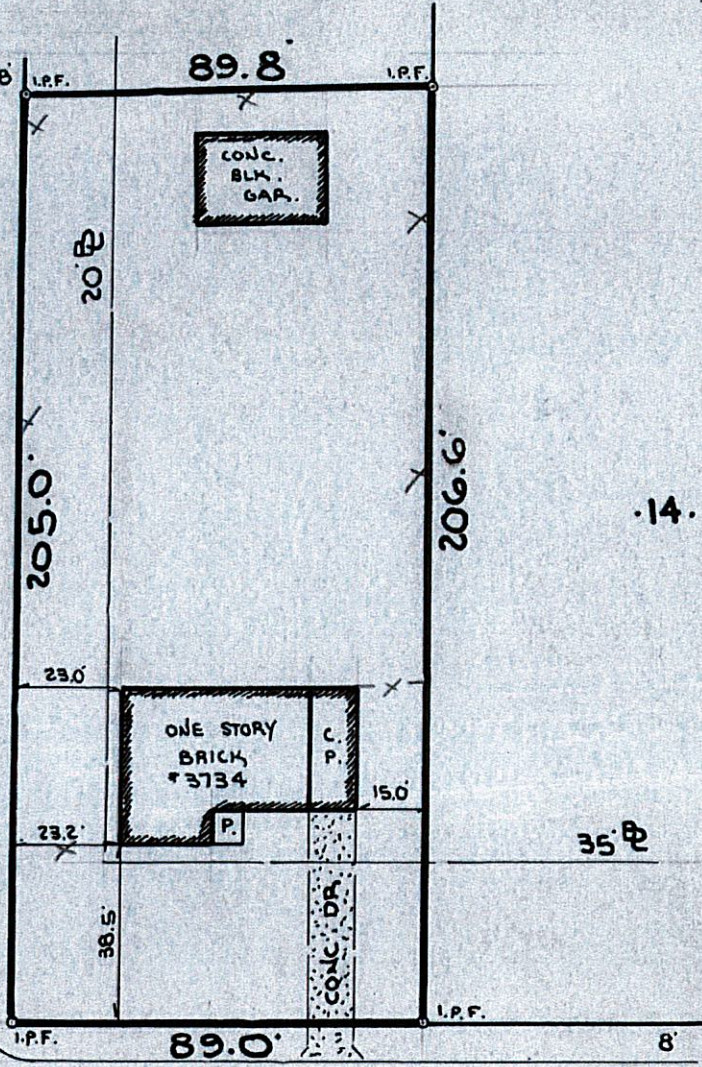


PD 15 006 IS 088
3742 POPLAR DR
ROBERT ADAMS
ZONING E3

LOT 15
BLOCK 15
UNIT 15
SUB. MILAM-ARMISTEAD
SUBDIVISION

MAG. NORTH

MARKET STREET 40' R/W
(FORMERLY McLENDON AVENUE)



POPLAR DRIVE 24'

SURVEY FOR

STUART T. LIGHT
PAULA T. LIGHT

LAND LOT 96 18TH DISTRICT

DEKALB COUNTY, GEORGIA

SCALE 1" = 40' DATE: 8-15-86

REG. LAND SURVEYOR NO. 1751

GEORGIA LAND SURVEYING CO., INC.

I CERTIFY THAT THE INFORMATION SHOWN ON THIS PLAT IS TRUE AND CORRECT.

John L. Lewis III

I have, this date, examined the "FIA OFFICIAL FLOOD HAZARD MAP" and found referenced lot (IS NOT) in an area having special flood hazards.

NO. 8375



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

Description of Campaign Contribution
(Please Print)

\$ N/A

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.

[Signature]

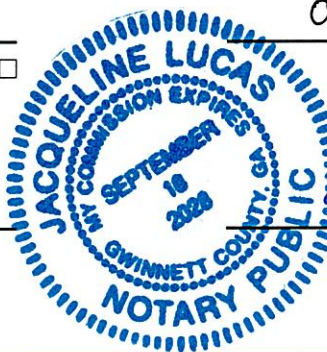
Signature (choose one) Applicant Owner

09/26/2025

Date

Jacqueline Lucas

Notary Signature



09/26/2025

Date



FEE SCHEDULE

09-03-2025 **\$1060**

| REVIEW TYPE | AMOUNT | | | |
|---|--|-----------------------|--------------------------------------|------------------|
| Rezoning | < 10 Acres | | ≥ 10 Acres | |
| Single Family Residential | \$500 | | \$800 | |
| Med/HD Multi-family Residential | \$750 | | \$1,250 | |
| Commercial | \$750 | | \$1,250 | |
| Industrial | \$750 | | \$1,250 | |
| Variance | | | | |
| Standard Variance | \$500 | | | |
| Administrative Variance | \$150 | | | |
| Zoning Verification Letter | \$40 | | | |
| Copy of Map or Ordinance | \$0.25 for 8 ½" by 11"/\$0.50 for 8 ½" by 14"/\$5 for 11" by 17" | | | |
| Conditional Land Use Permit | \$500 | | | |
| Residential Plan Review | < 1 acre | 1 < 2 acres | 2 < 4 acres | ≥ 4 acres |
| Initial Review | \$250 | \$350 | \$450 | \$600 |
| PUD, Residential Multiple Family | < 5 acres | | ≥ 5 acres | |
| Initial Review | \$450 + \$10 per unit | | \$450 + \$5 per unit | |
| Commercial Plan Review | < 1 acre | | ≥ 1 acres | |
| Initial Review | \$650 | | \$650 + \$50 per additional 0.5 acre | |
| Each Additional Review (all types) | \$200 | | | |
| Land Disturbance Permit | < 1 acre | 1 < 2 acres | 2 < 4 acres | ≥ 4 acres |
| (includes all E&SC Inspections) | \$300 | \$400 | \$500 | \$600 |
| Landscape Review (all types) | ≤ 2 acres | | > 2 acres | |
| | \$100 | | \$200 | |
| Tree Protection Plan Review | \$250 per site visit/plan review | | | |
| City E&SC Permit Fee | \$40/acre | | | |
| GA EPD E&SC Permit Fee | \$40/acre | | | |
| Paving Development | \$500 < 1 acre; \$50 per additional half acre or fraction thereof | | | |
| Bonds | | | | |
| E&SC Maintenance Bond | Cash bond up to, but not exceeding \$3,000 per acre or fraction thereof of the proposed land-disturbing activity | | | |
| Performance Bond | Not less than 110% of the estimated construction cost of improvements | | | |
| Plat Review and Approval | \$500 < 1 acre; \$50 per additional half acre or fraction thereof | | | |
| Preliminary/Final Plat (each review) | \$200 | | | |

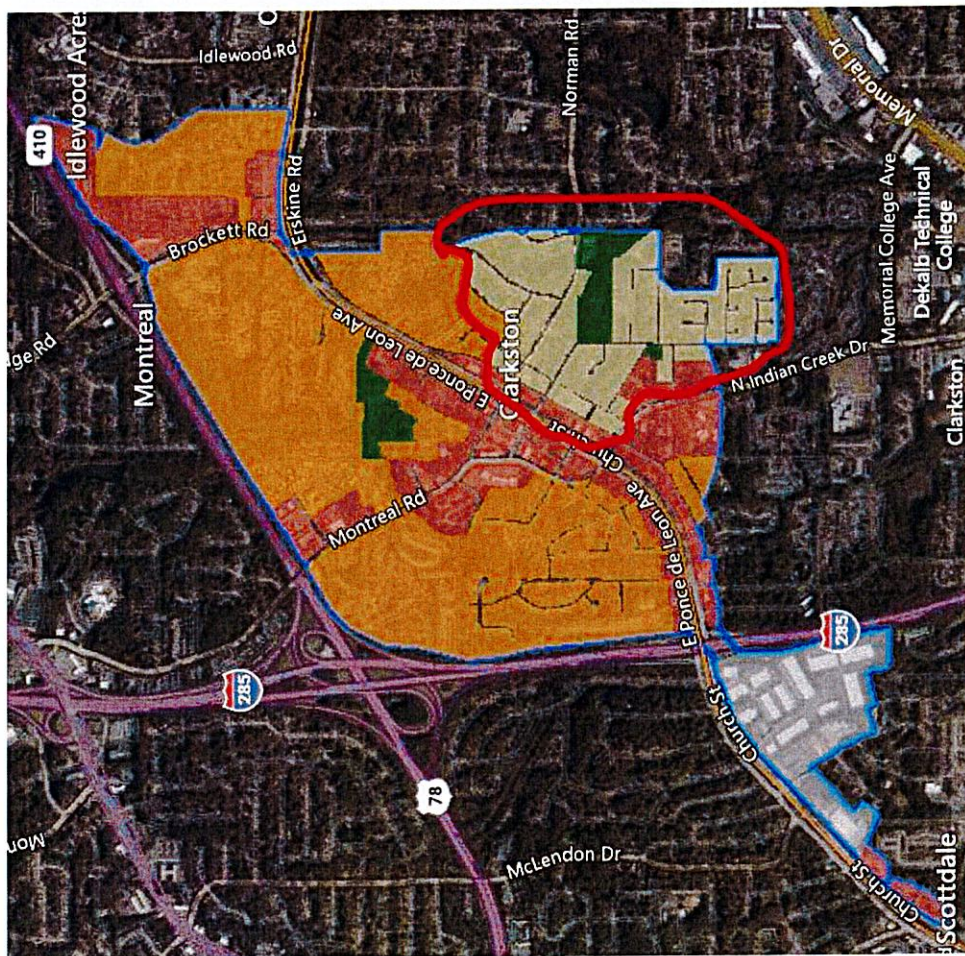
Note: Additional fees may be imposed by DeKalb County, GA (e.g., water supply and wastewater services).

| REVIEW TYPE | AMOUNT | |
|---|---|--|
| Building Plan Review Fees | Residential | Commercial |
| | \$100 or additional 25% of permit fee (whichever is greater) | \$200 or additional 50% of permit fee (whichever is greater) |
| Building Permit Fees | Residential and Commercial | |
| | (\$1.00 to \$25,000) \$14 for each \$1,000, or fraction thereof to and including \$25,000. | |
| | (\$25,000 to \$50,000) \$350 for the first \$25,000 plus \$10 for each additional \$1,000 or fraction thereof to and including \$50,000 | |
| | \$600 for the first \$50,000 plus \$7.00 for each additional \$1,000 or fraction thereof to and including \$100,000 | |
| | \$950.00 for the first \$100,000 plus \$6.00 for each additional \$1,000, or fraction thereof to and including \$500,000 | |
| | \$3,350 for the first \$500,000 plus \$5.00 for each additional \$1,000, or fraction thereof to and including \$1,000,000 | |
| | \$1,000,000 and up \$5.850 for the first \$1,000,000 plus \$3.00 for each additional \$1,000 or fraction thereof | |
| Certificate of Occupancy / Appropriateness | Residential | Commercial |
| Certificate of Occupancy | \$50 home, condo, townhouse/\$25 tenant | \$100 |
| Certificate of Appropriateness | | \$100 |
| Sign Permit | | |
| Temporary Sign | \$25 per two week period. Can be renewed twice for a total of six weeks display for \$75 | |
| Wall Mounted Sign | Application fees are 10% of the total value of the sign with the maximum fee set at \$500 | |
| Free Standing Sign | Application fees are 10% of the total value of the sign with the maximum fee set at \$500 | |

| ADDITIONAL FEES | |
|--|--|
| Starting Work without a Permit | 200% of original permit fee |
| Permit Extensions | \$50 for 3 months; \$100 for 3 months all others |
| Replacement Face New Building | ½ Fee |
| Reinspection Fee | \$50 |
| Transfer of permit/Change of Contractor | \$200 |
| Structure Move | \$200 |
| Siding Replacement | \$100 |
| Residential Roof | \$100 |
| Inspections Outside of Normal Business Hours | \$75 (\$150 minimum) |
| Replacements of Permits, COs, etc. | \$25 |
| Minor Revisions to Approved Plan Reviews | \$75 (\$150 minimum) |
| Temporary Construction Trailer (not including electric) | \$100 |
| Preliminary/Code Compliance/Safety Inspection | \$100 |
| Temporary Power Letter | \$50 |
| Demolition Fee | Interior (bldg or tenant space) \$100 Single Family Residential house \$150 Commercial \$200 |
| Business License | \$50 Administrative Fee + Occupational Tax |
| Special Land Use Permit | \$400 |
| Alcoholic Beverages | Annual Retail Sales: Beer/Malt only - \$750; Wine only - \$750; Beer/Malt/Wine - \$1,000; Distilled - \$2,500; Admin fee \$200; Work Permit Each Server - \$50 |
| Stormwater Utility Fee | \$4 per ERU (increase to \$5 per ERU pending) |

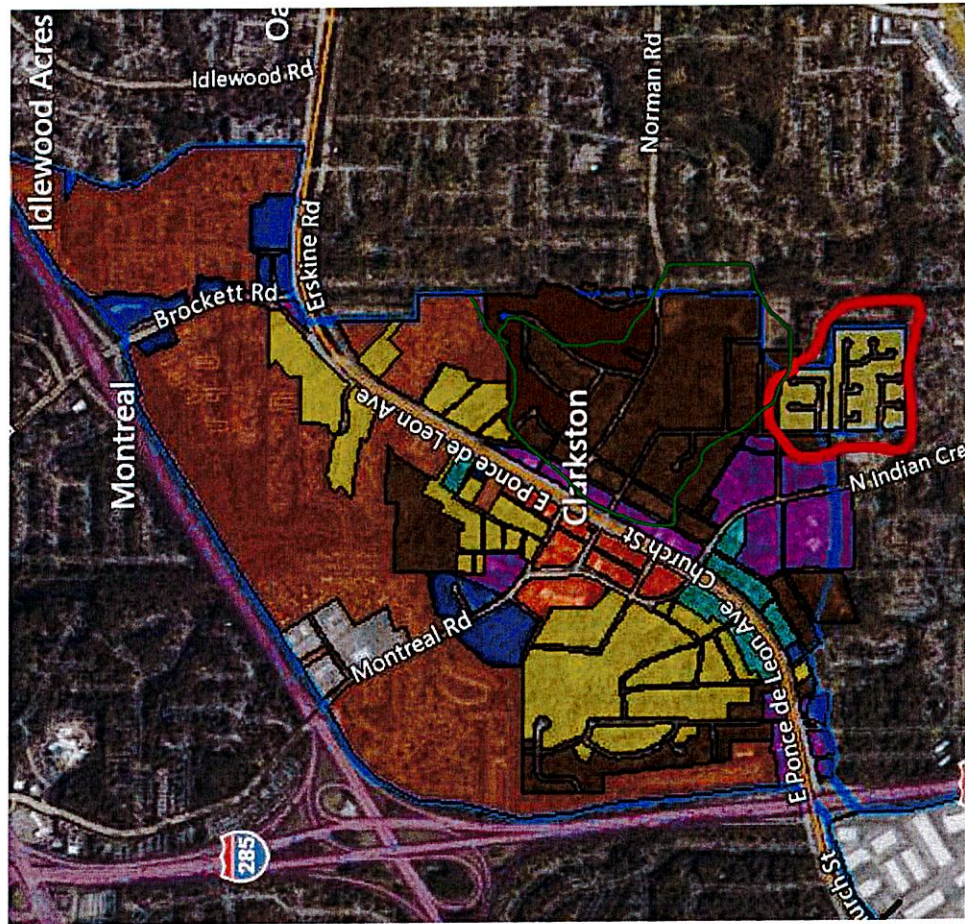
Future Use Map

- Area circled in Red: "Single Family Home Areas"
- "Townhomes and single family homes are allowed in this area."



Current Zoning Map

- Area circled in Green current NR-1 zoning
- Area circled in Red current NR-2 zoning



Both NR-1 and NR-2 zones are found in the Future Use Area designated "Single Family Homes Area". Therefore, the rezoning of a lot from NR-1 to NR-2 within the "Single Family Home Area" would not need a Future Use Amendment.

ii. Whether the amendment proposal can be adequately served by existing transportation facilities and other infrastructure, such as schools, water, and sewer.

The proposed six-unit townhome development at 3734 Poplar Drive can be adequately served by existing infrastructure. Market Street and Poplar Drive provide direct vehicular and pedestrian access, and the small scale of the project will not burden traffic. Public sewer is available beneath Market Street, and water service is provided by DeKalb County. Fire hydrants are located along Market Street and will be confirmed for compliance during site plan review. The project's limited size will have minimal impact on school enrollment and will be fully supported by existing services.

iii. Whether the amendment proposal negatively impacts natural and historic resources identified by the city.

The proposed rezoning and development at 3734 Poplar Drive will not negatively impact natural or historic resources identified by the City. In informal discussions with members of the Historic Preservation Commission (Ashton Walker and Robyn Sands), no concerns were raised regarding historic resources. With respect to natural resources, the site does not contain unique features, and potential impacts will be mitigated through an appropriate stormwater management plan to prevent erosion into adjacent Forty Acres Park and through replanting of trees removed during construction.

iv. Whether the amendment proposal is in the best interest of the city and the public good and proposal protects the health and welfare of its citizens.

The proposed rezoning and six-unit townhome development supports the City of Clarkston's goals of providing diverse, affordable, and high-quality housing options in walkable, connected neighborhoods. The project replaces an underutilized lot with well-designed residences that enhance the character of Market Street while maintaining compatibility with surrounding uses. By adding new housing within existing infrastructure, the proposal promotes efficient land use, supports local businesses, and strengthens the tax base. Adequate stormwater, utility, and fire protection measures will ensure the health, safety, and welfare of Clarkston's residents are protected.

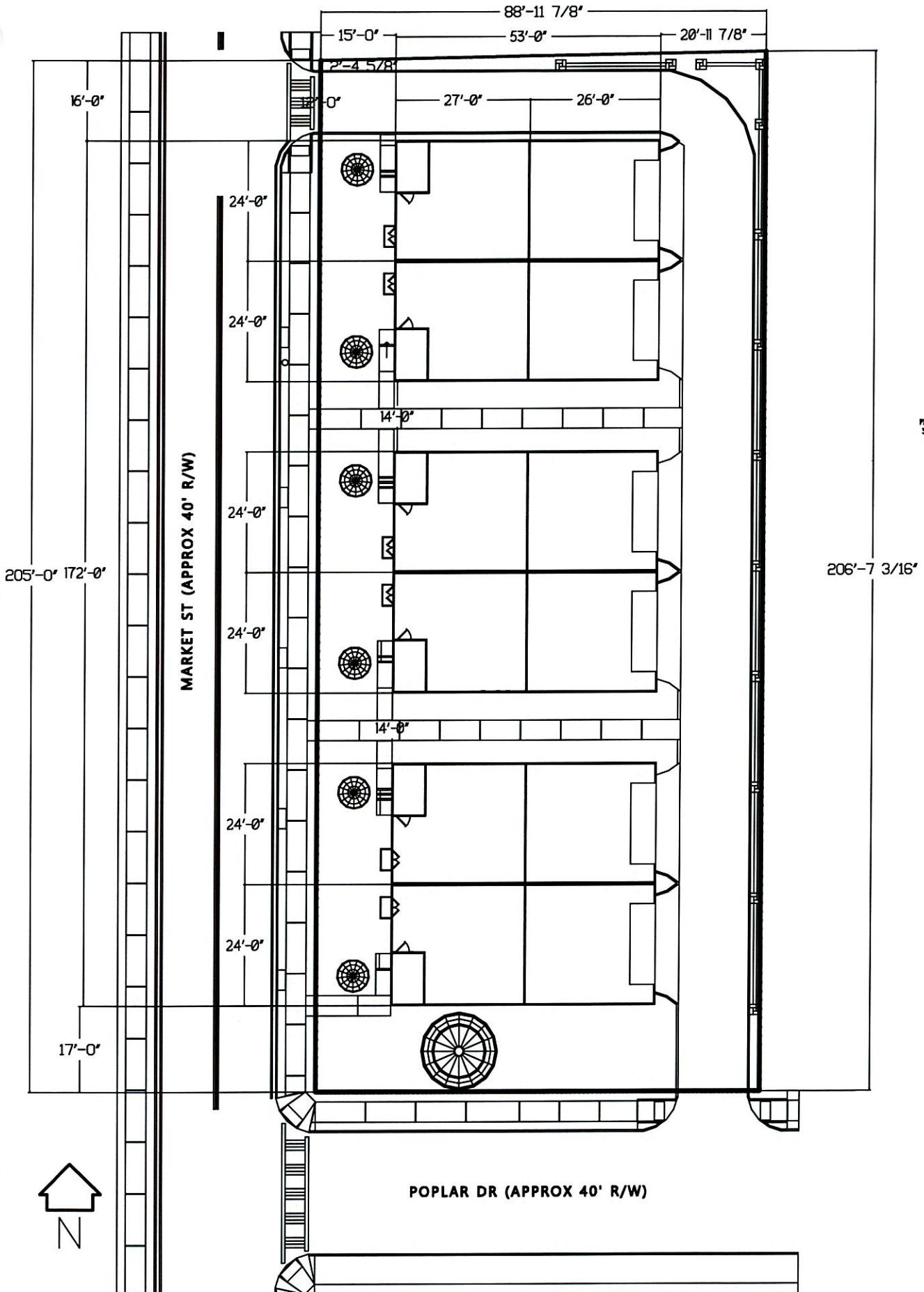
v. Whether the property to be affected by the amendment proposal has a reasonable economic use as currently designated on the future development map

The property at 3734 Poplar Drive is currently designated for single-family use on the Future Development Map. While this allows for continued use of the existing residence, the lot size and location along Market Street limit its long-term economic potential under the current designation. Rezoning to NR-2 will allow a modest townhome development that aligns with the Future Development Map's intent, provides a more efficient and reasonable economic use of the property, and contributes additional housing and tax revenue to the City.

vi. Whether the amendment proposal meets the policies and intent established in the comprehensive plan

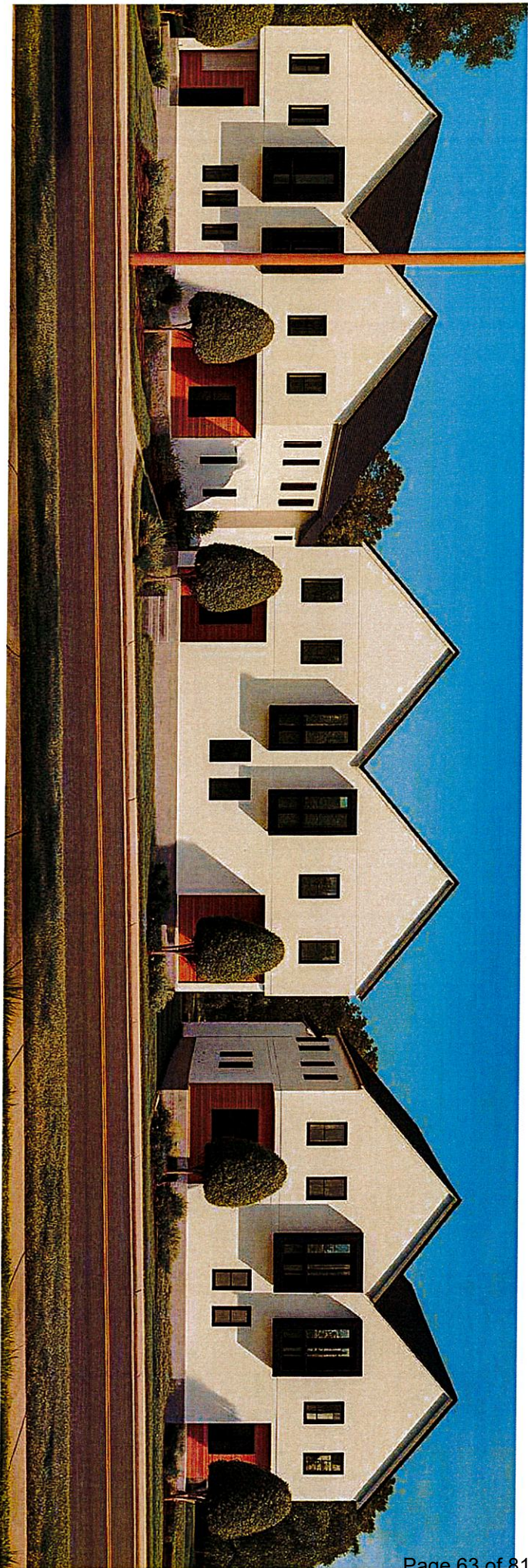
The proposed rezoning from NR-1 to NR-2 for six townhomes at 3734 Poplar Drive is consistent with the policies and intent of the Clarkston 2040 Comprehensive Plan. The Plan identifies housing diversity and compact growth as key priorities for guiding development in the city.

- **Housing Variety and Affordability:** Community engagement for Clarkston 2040 highlighted the need for “*more housing at all price points*” and a “*greater variety of housing types*”. Allowing townhomes within the NR-2 district directly supports this policy by expanding the range of housing choices available to residents.
- **Compact, Walkable Development:** The Plan calls for encouraging development patterns that are “*transit supportive*” and enhance walkability. This project is located on Market Street, within walking distance of neighborhood amenities and transit access, reinforcing the city’s goal of connected, pedestrian-friendly neighborhoods.
- **Efficient Use of Existing Infrastructure:** The Plan promotes infill and redevelopment in already-served areas over greenfield development. This proposal makes full use of existing water, sewer, and transportation facilities, advancing the City’s intent to grow responsibly.



PD 15 806 IS 889
3743 POPLAR DR
ROBERT ADAIR
ZONING E3





Clarkston Townhomes

3828 Market St.





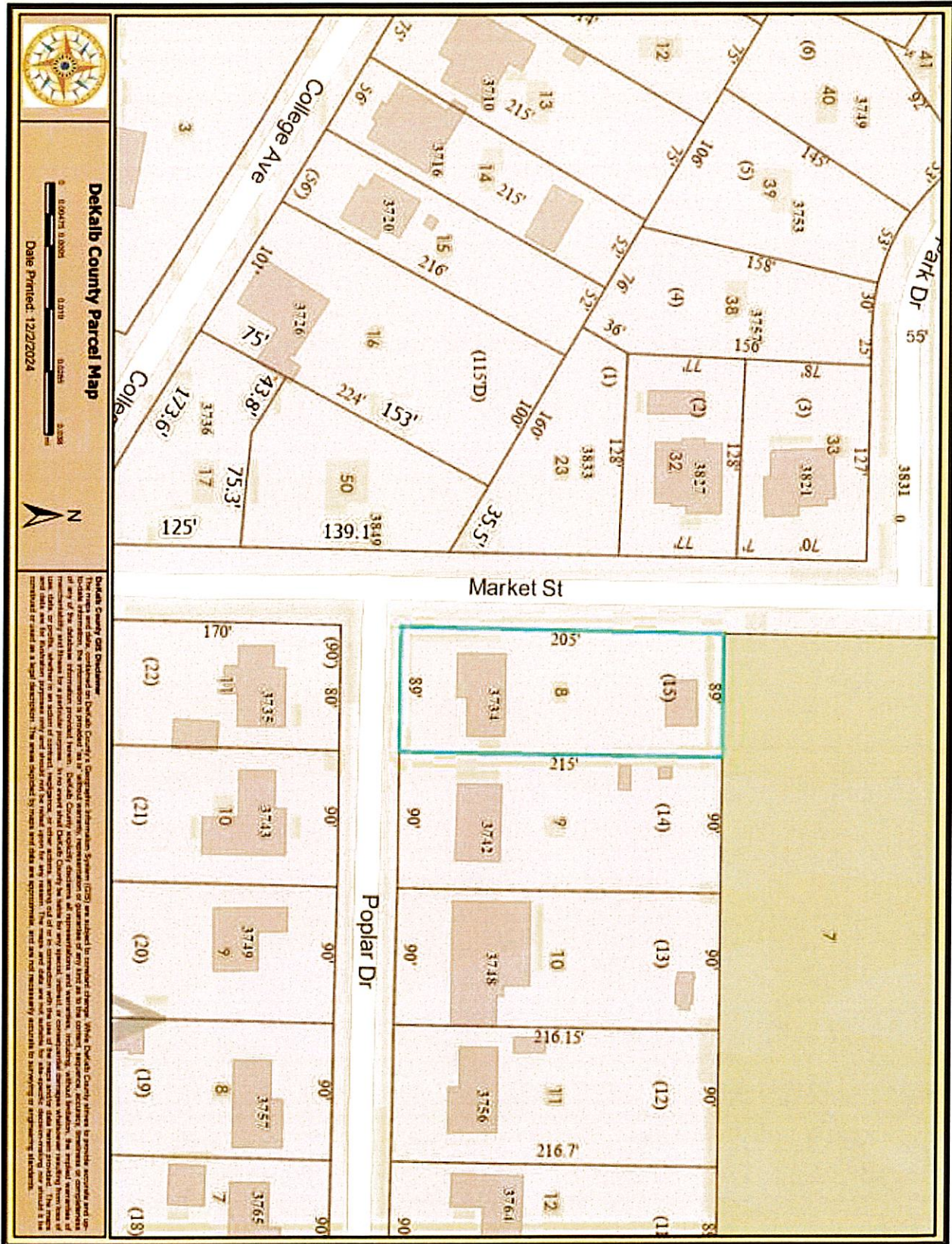
Clarkston Plat Satellite



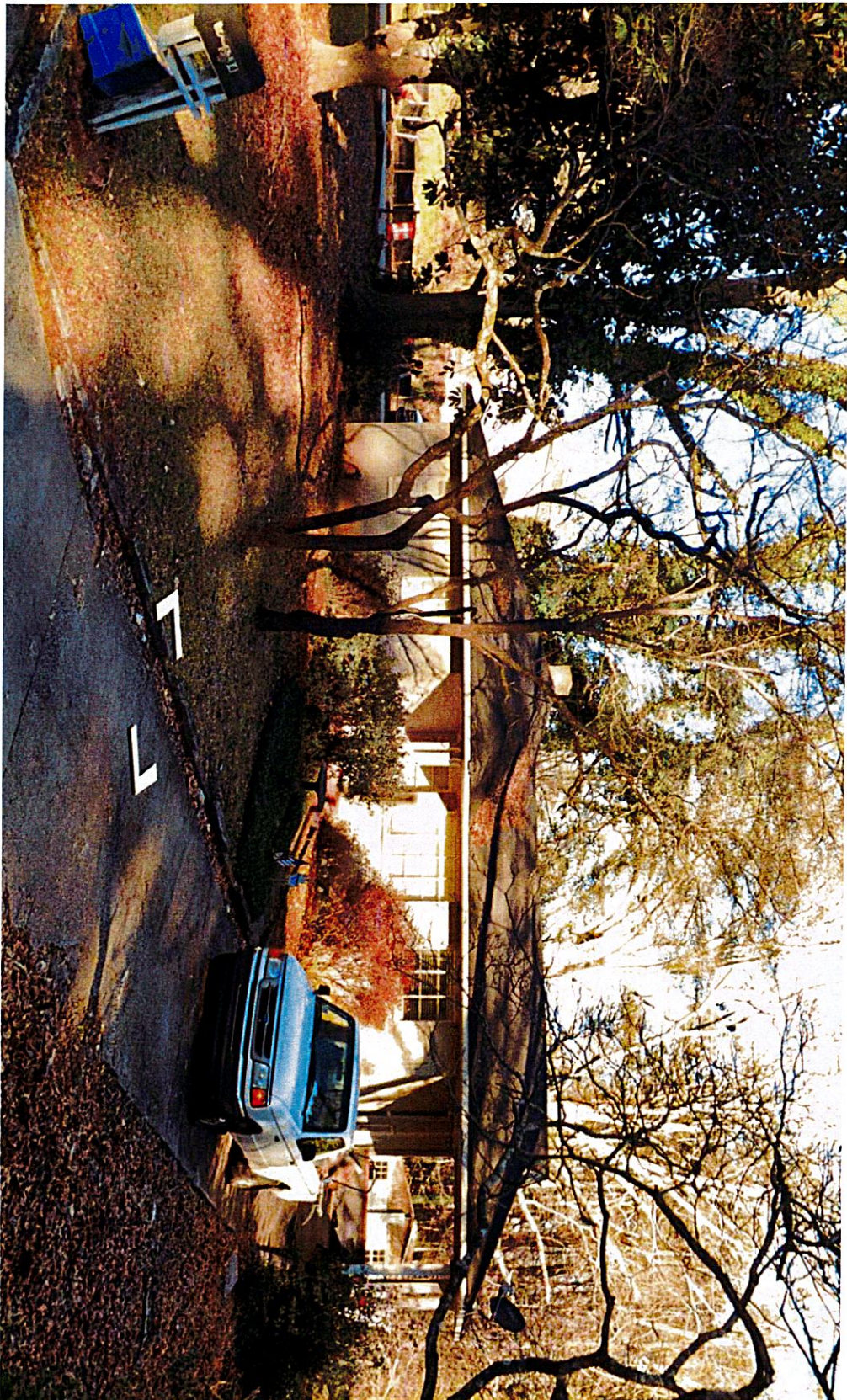
Date Printed: 2/21/2023



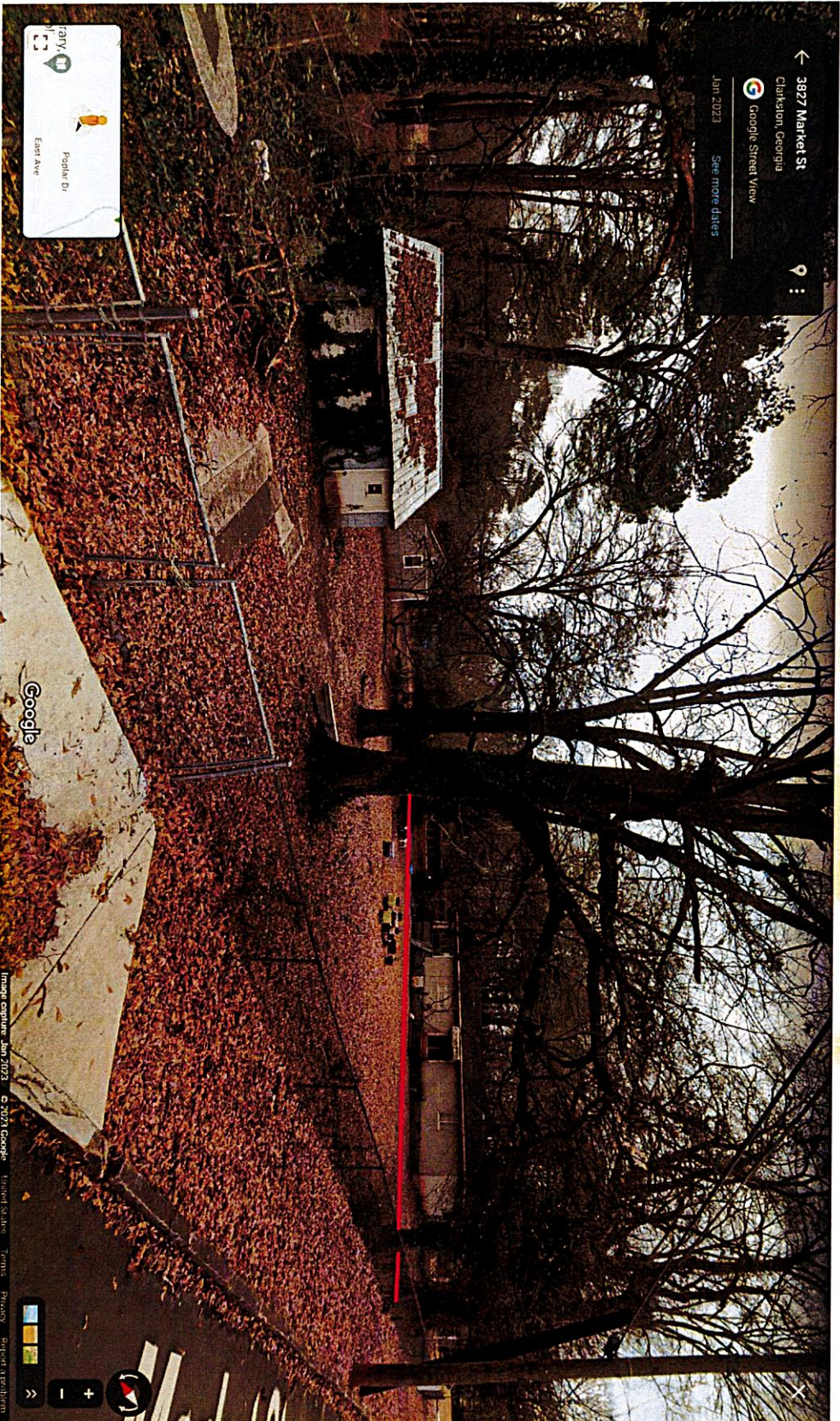
Dakota County GIS Disclaimer:
The maps and/or data combined on Dakota County's Geographic Information System (GIS) are subject to constant change. While Dakota County strives to provide accurate and up-to-date information, the information provided is without warranty, representation or guarantee of any kind as to the content, accuracy, timeliness or completeness of any of the data or information provided herein. Dakota County expressly disclaims all representations and warranties, including, without limitation, the implied warranties of merchantability and fitness for a particular purpose. Users must contact Dakota County to ask for any special, direct, or consequential damages with lower or resulting from use of the data and/or information provided. The maps and data are not suitable for any purpose other than the specific decision-making for which they were created and should not be used as a legal description. The users are responsible for their own interpretation and use of the data and/or information provided.



Street View 1: Front Current House 3734 Poplar Dr

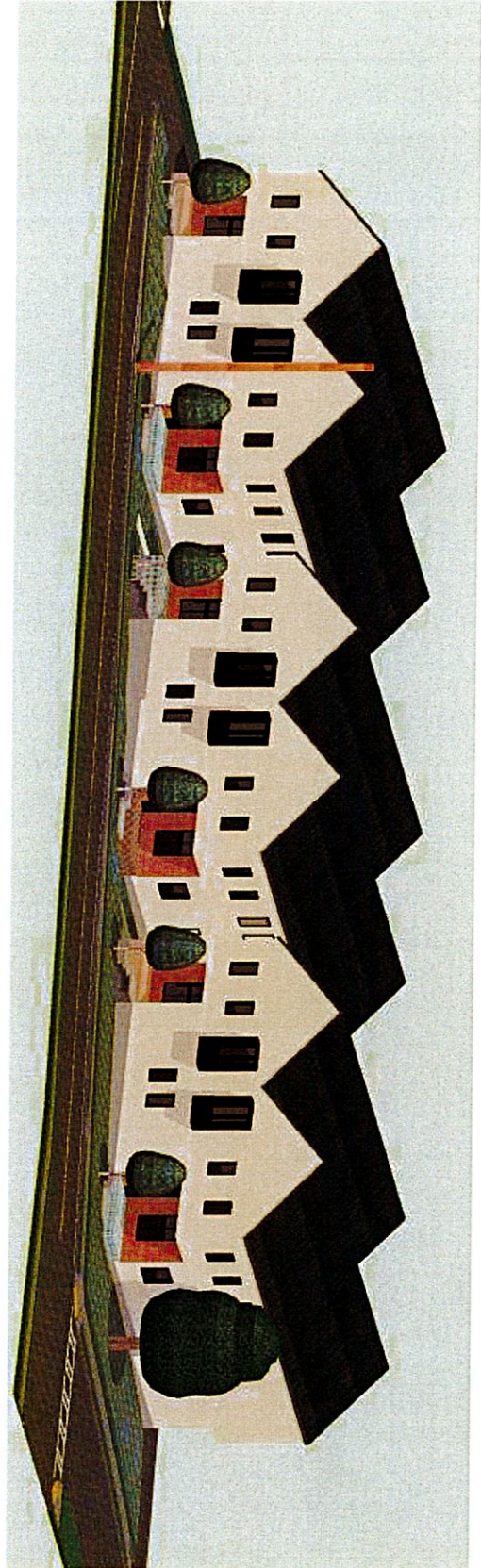
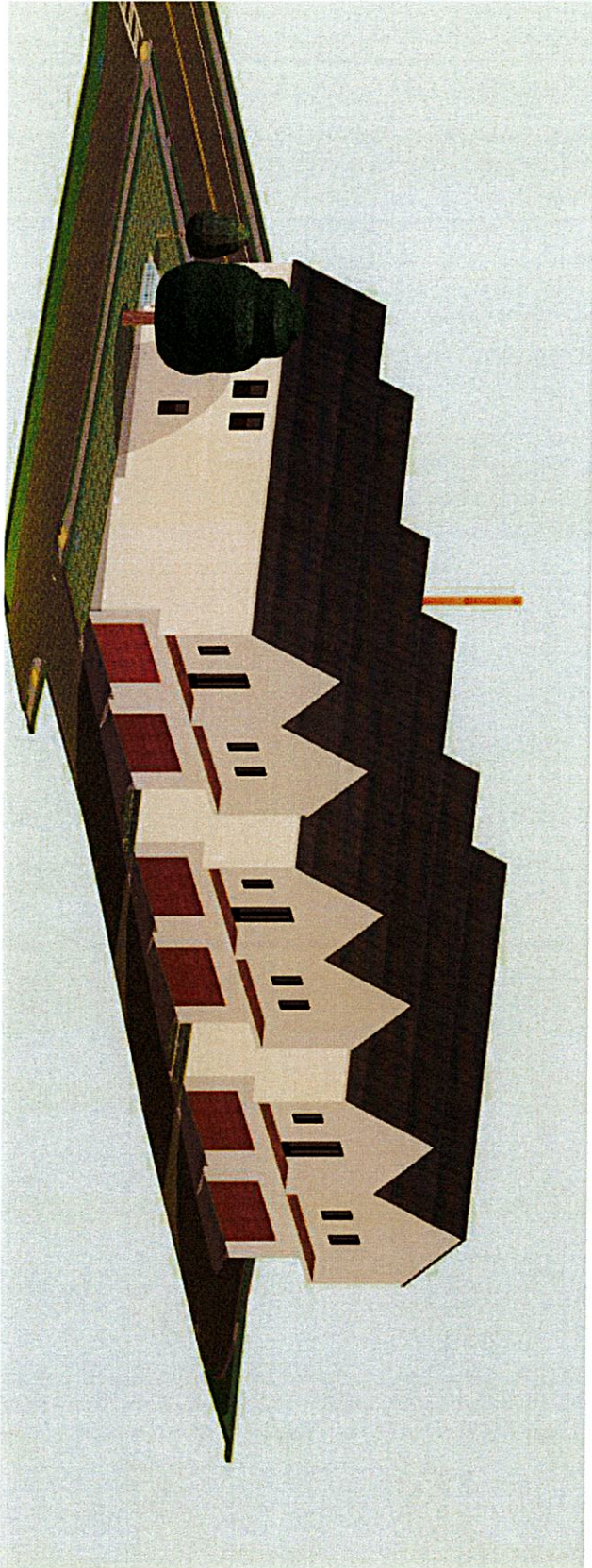


Street View 2: Rear Current House Viewing from Market St

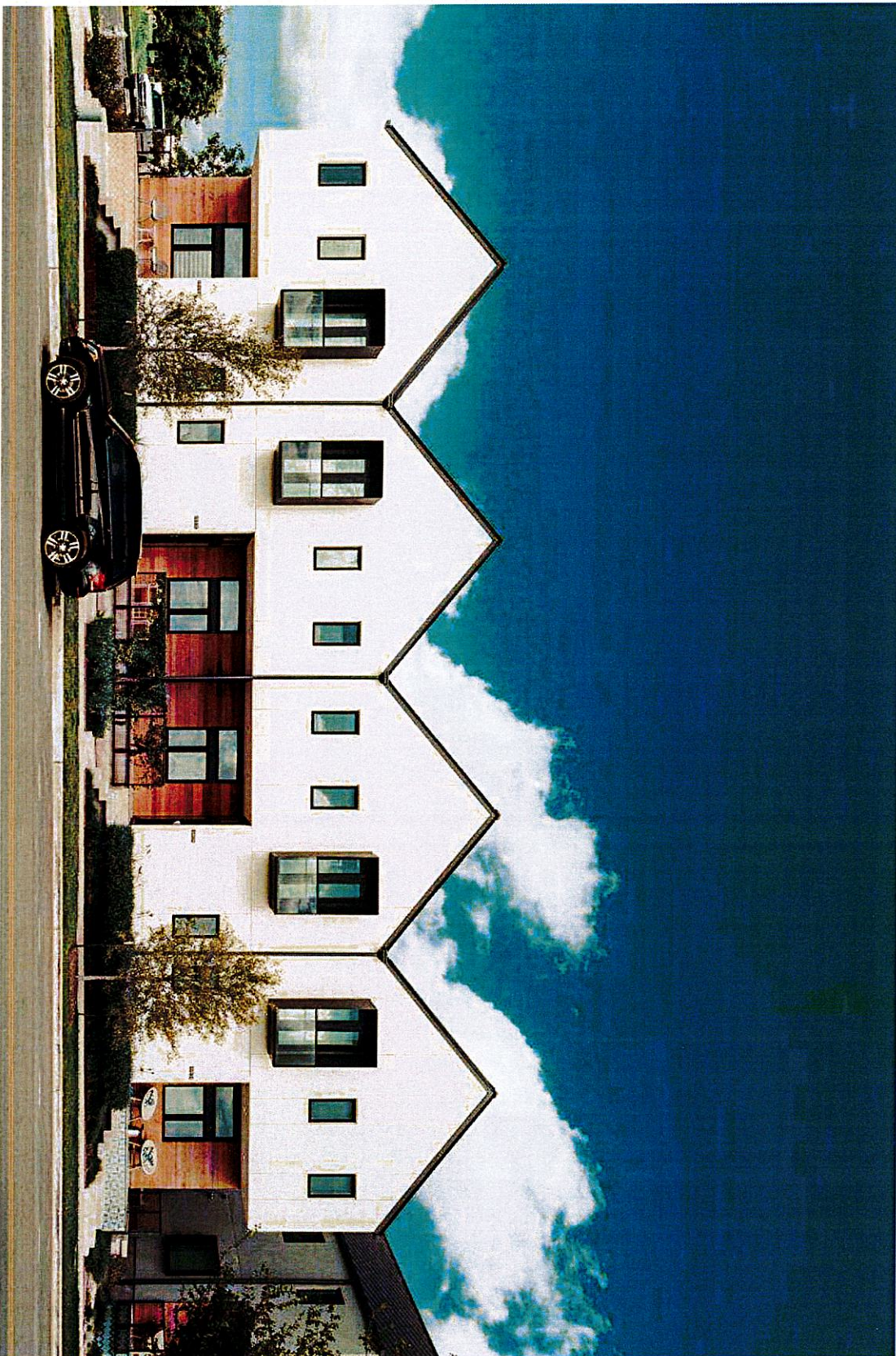


Proposed Townhome View: Initial Concept



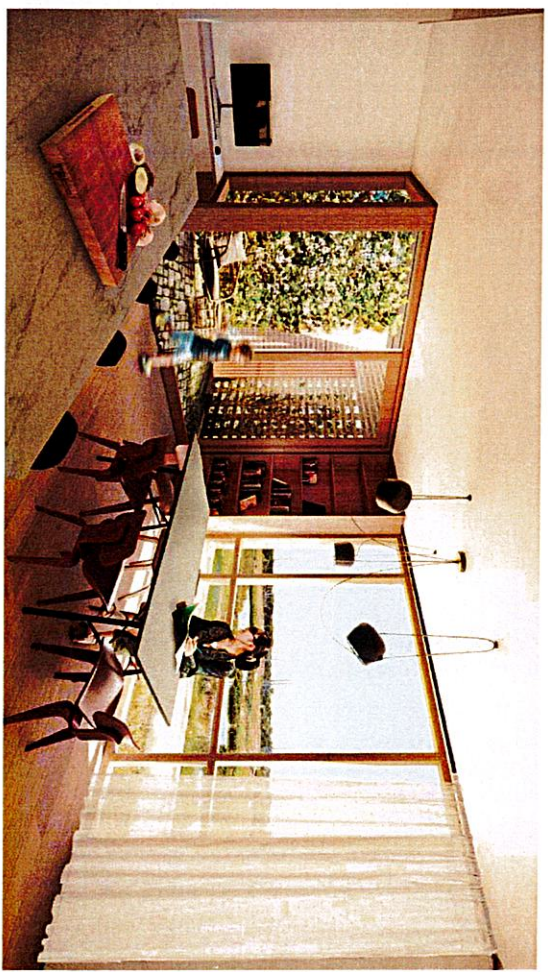
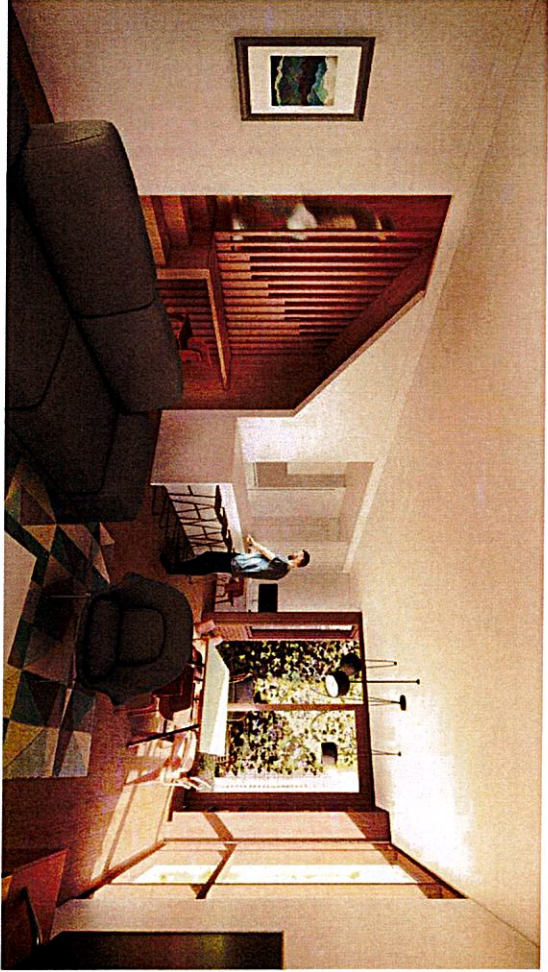


As Built in Austin, Texas:





Precedents and Concepts:



NOTICE OF COMMUNITY OPEN HOUSE MEETING

Dear Neighbor,

You are receiving this letter because you own property within 300 feet of **3734 Poplar Dr** for which a zoning application has been filed. As part of the rezoning process, the applicant is required to hold a community open house meeting to share information about the proposed project and to answer questions from interested residents.

Meeting Information:

- **Date:** September 30th 2025
- **Time:** 6:00 pm- 7:00 pm
- **Location:** On the subject property in front of the shed in the backyard of 3734 Poplar Drive, Clarkston, GA. Please enter from the gate off that is off Market St.
- **Purpose:** The applicant is proposing to rezone the property to the NR-2 zoning district in order to construct six (6) new townhomes. Each unit will be approximately 1,900 square feet of living space, arranged in three buildings of two units each facing Market Street, with a shared rear driveway and two car garages. The meeting will provide details of the proposal and give neighbors the opportunity to ask questions and provide feedback.

We encourage you to attend this meeting to learn more about the proposal and provide any comments or feedback you may have.

Sincerely,

James Smith

A handwritten signature in black ink that reads "James Smith" with a stylized flourish at the end.

Community Meeting Summary

On September 30th at 6:00 pm, a community meeting was held regarding the proposed townhome development at 3734 Poplar Drive. Four residents attended:

- Michele Maserjian, 3756 Poplar Dr
- Tabitha Adair, 3742 Poplar Dr
- Ann McCormack, Belle Glade Dr
- Jamie Carroll, 3827 Market St

The following concerns were raised:

- **Environmental impacts:** Potential effects on the Forty Oaks Nature Preserve, with specific attention to stormwater runoff, impervious surface area, and the balance of pervious surfaces.
- **Density and compatibility:** Several attendees expressed a preference for fewer homes (2–4 units instead of 6) to better align with the surrounding neighborhood’s character.
- **Tree removal:** Concern over the loss of two large oak trees and questions regarding their replacement.
- **Neighboring property impacts:** Specific concerns were raised about noise, views, and the effect on the marketability of adjacent homes (particularly by Tabitha Adair).
- **Ongoing engagement:** Residents requested additional opportunities for community meetings to continue dialogue as the project progresses.

Sec. 307. - NR-2, medium-density neighborhood residential district.

- a. Purpose and intent. The NR-2 zoning district is intended for single-family detached, townhomes, and attached residences on smaller lots where large amounts of open space are not required and/or desired.
- b. Permitted and conditional uses shall be as provided in Table 4.1 of this zoning ordinance. In cases where a use is permitted but there are supplemental use regulations for that use specified in Article IV of this chapter, such regulations shall also apply.
- c. Dimensional requirements shall be as provided in Table 3.4.

| Table 3.4 Dimensional Requirements | NR-2 | As Drawn | Compliant |
|---|------------|---|-----------------|
| Maximum FAR | 0.4 | .62 for 6 units ~14 u/a* | Variance needed |
| Minimum Unit Size | 900 s.f. | 1,918 s.f. | ☑ |
| Maximum Lot Coverage | 50% | Buildings: 41% (7,632 s.f.) Driveway pervious: 20% (3,744 s.f.) Walkway impervious: 8% (1,484 s.f.) | ☑** |
| Maximum Building Height | 35' | ~32' | ☑ |
| Minimum Lot Size | 7,500 s.f. | 18,315 s.f. | ☑ |
| Minimum Lot Width | 60' | 89' | ☑ |
| Minimum Front Setback (townhome) | 15' | 15' | ☑ |
| Minimum Side Setback | 7' | 15' | ☑ |
| Minimum Rear Setback (SF detached) | 20' | 20' | ☑ |

* This medium-density zoning standard is comparable to Decatur’s RS-17 (17 u/a) and Atlanta’s RG-2/3 (14–20 u/a)

** Compliant if pervious surface does not count against maximum lot coverage.

ORDINANCE NO. _____

AN ORDINANCE TO AMEND THE TEXT OF THE CLARKSTON ZONING ORDINANCE, APPENDIX A, ARTICLES III AND VI OF THE CITY CODE, TO INCREASE THE MAXIMUM FLOOR AREA RATIO, REDUCE THE MINIMUM LOT SIZE, AND INCREASE MAXIMUM LOT COVERAGE REQUIREMENTS FOR NR-3 LOTS; TO REDUCE THE MINIMUM LOT WIDTH AND TO REMOVE SIDE SETBACK REQUIREMENTS FOR SINGLE FAMILY ATTACHED DWELLING UNITS (TOWNHOMES); TO INCREASE THE MAXIMUM BUILDING HEIGHT FOR TC LOTS; AND TO REDUCE PARKING REQUIREMENTS FOR CERTAIN DWELLING TYPES TO ENCOURAGE THE DEVELOPMENT OF MULTIPLE DWELLING TYPES WITHIN THE CITY LIMITS.

WHEREAS, the City’s new Zoning Ordinance adopted in 2023 includes certain requirements for the development of real property located within the City limits; and

WHEREAS, the City desires to encourage housing diversity and affordability, and to that end encourages the development of multiple types of housing within the City limits; and

WHEREAS, the modification of certain dimensional and parking requirements for districts in which residential development is permitted will expand housing options within the City limits; and

WHEREAS, the City Council desires to amend the zoning ordinance to facilitate appropriate development within the City; and

WHEREAS, the City has fully complied with the requirements of the Zoning Procedures Law in adopting this ordinance.

NOW THEREFORE, BE IT ORDAINED BY the City of Clarkston as follows:

SECTION 1. Appendix A, Article III, Division 2, Section 305 of the City of Clarkston Code of Ordinances is amended by deleting existing Table 3.4 and replacing it with the following:

| Table 3.4 Residential Zoning District Dimensional Requirements | | | |
|---|-------------|-------------|---|
| | NR-1 | NR-2 | NR-3 |
| Primary Structure | | | |
| Maximum FAR | 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% Duplex: 57% Quadruplex: 67% |

| | | | |
|---|-----------------|---|--|
| Maximum Building Height | 35' | 35' | 35' |
| Minimum Lot Size | 9,000 s.f. | 7,500 s.f. | 1,400 s.f. for Townhomes 4,000 s.f. for SF detached/Duplex/Triplex/Quadruplex |
| 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 (SF attached (townhome)) | N/A | 15' | 15' |
| Minimum Side Setback (SF detached, duplex, triplex, quadruplex) | 10' | 7' | 5' |
| Minimum Side Setback (SF attached (townhome)) | 0' | 0' | 0' |
| Minimum Rear Setback (SF detached) | 25' | 20' | 15' |
| Minimum Rear Setback (duplex/triplex/quadruplex) | N/A | N/A | 15' |
| Accessory Dwelling Unit | | | |
| Maximum Height | See Section 413 | | |
| Minimum Side Setback | 10' | 7' | 5' |
| Minimum Rear Setback | 10' | 7' | 5' |

SECTION 2. Appendix A, Article III, Division 4, Section 314 of the City of Clarkston Code of Ordinances is amended by deleting existing Table 3.6 and replacing it with the following:

| 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' | 7 stories/100' |
| Minimum Lot Size | Single-Family Use: 5,000 s.f. Multi-Family Use: N/A Non-Residential Use: N/A | 7,200 s.f. | N/A |
| Minimum Lot Width | Single-Family Use Detached: 60' Single-Family Use Attached (Townhome): 18' | 50' | N/A |

| | | | |
|--------------------------------|---|-----|----|
| | Multi-Family Use: 75' Non-Residential Use: 75' | | |
| Minimum Front Setback | Single-Family Use: 10' Multi-Family Use: 10' Non-Residential Use: 30' | 15' | 0' |
| Minimum Side Setback | Single-Family Use Detached: 15' between units Single-Family Use Attached (Townhome): 0' Multi-Family Use: 10' Non-Residential Use: 15' | 7' | 5' |
| 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' |

SECTION 3. Appendix A, Article VI, Section 607 of the City of Clarkston Code of Ordinances is amended by deleting subsections (a) and (b), and further amended by deleting existing Table 6.1 and replacing it with the following:

| Table 6.1 Parking Requirements | |
|--|---|
| 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 per 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 sq. ft. 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 sq. ft. 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 sq. ft. 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 sq. ft. of gross floor |
| Residential: | |
| Apartments, townhomes, condominiums, duplexes, triplexes, quadruplexes 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 space per dwelling unit as regulated in section 529 |
| Single-family- detached | 2 spaces per dwelling unit |
| Senior citizen independent living facility | .75 space per unit |

SECTION 4. This ordinance is intended to be severable. Should any portion of this ordinance be judged invalid by a Court of competent jurisdiction, such order or judgment shall not invalidate the remainder of this ordinance.

SECTION 5. This ordinance shall become effective upon its adoption by the City Council and signature by the Mayor.

Notice Published in DeKalb Champion: _____

Public Hearing Held by City Council: _____

SO ORDAINED this _____ day of _____, **2025.**

ATTEST:

CITY COUNCIL OF
CITY OF CLARKSTON, GEORGIA

Tomika Mitchell, City Clerk

Mayor Beverly H. Burks

Approved as to form:

Stephen G. Quinn, City Attorney