



## Planning Commission Staff Report October 2022

The Planning Commission will meet on October 11, 2022. The following staff report has been prepared for an application that was received by the Planning and Zoning Division of the Community and Economic Development Department.

**Applicant:** Joe and Talia Bunting, 813 West Ponce de Leon Avenue

**Property Address:** 620 Pinetree Drive

**Parcel ID:** 15 245 02 006

**Present Land Use:** RL – Low Density Residential

**Present Zoning:** R-85 Single Family Residential

**Proposed Use:** Overnight Lodging

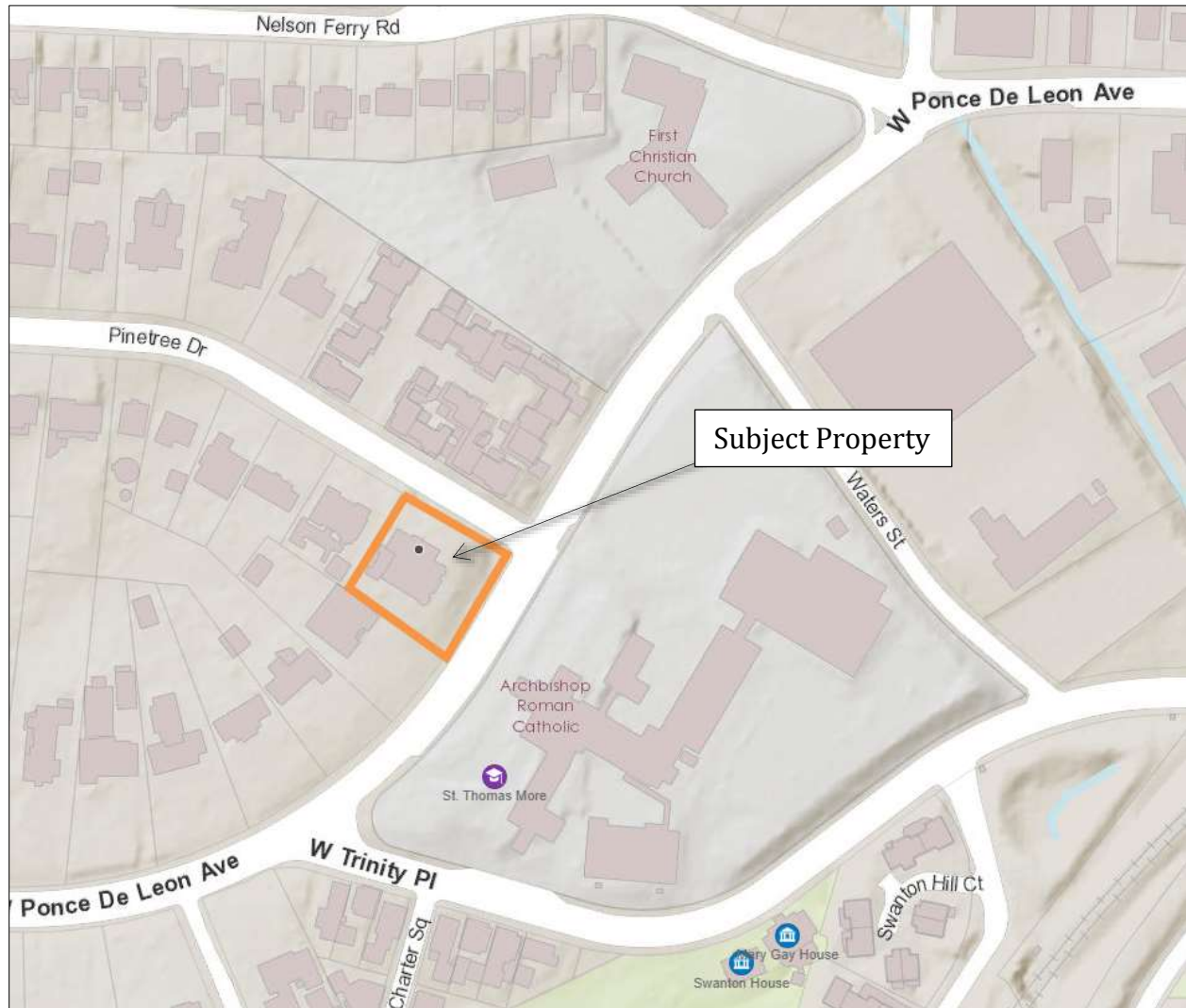
1. The subject property is a 0.54 acre lot (40,075.20 sq. ft.) located at the corner of West Ponce de Leon Avenue and Pinetree Drive. The property is occupied by a 5,602 sq. ft. two-story brick building facing West Ponce de Leon and is accessed by a driveway from Pinetree Drive. Surrounding properties are zoned R-85 – Single Family Residential, RS-17 – Single Family Residential, and I – Institutional.
2. The current applicant is under contract to purchase the property and seeks to operate an overnight lodginghouse.
3. Overnight lodginghouses are allowed in the R-85 zoning district with conditional use permit, which requires approval by the City Commission with recommendation from the Planning Commission.
4. *Standards of Use.* Pursuant to Section 6.5.7.B.2. of the UDO, where overnight lodging requires a conditional use permit, it is subject to the following:
  - The minimum floor area of a lodginghouse shall not be less than 3,500 square feet.
  - Legally established, but non-conforming lots are eligible for a lodginghouse use.

- The lodginghouse shall be managed by a full-time resident of the property who shall be present and residing in the home when guests are present. Present and residing in the home means the full-time resident shall not be staying overnight outside of the home for reasons such as vacation, visiting with friends or family, or travelling out of town for business or personal reasons. Temporary absences related to normal residential activity such as shopping, working, attending class, etc., are permitted. A minimum of two documents establishing proof of residency shall be supplied from an approved list of documents.
  - Activities and functions at the lodginghouse shall be provided for overnight guests only. Meal service shall be limited to breakfast and an afternoon and/or evening refreshment. No commercial activities other than providing lodging for registered guests shall be permitted.
  - No displays of goods, products, services, or other advertising shall be visible from outside of the building.
  - The maximum number of guest rooms provided by the lodginghouse in a residential district shall be eight.
  - The length of stay of guests shall not exceed 30 days.
5. *Parking.* Per the off-street parking requirements of Section 7.1.3., lodginghouses are required to provide 1 space per each two bedrooms, plus one for the full-time residential unit. Six total spaces are proposed in the side yard with 45-degree angled parking loaded towards the interior of the property, to decrease glare of headlights onto adjacent property. The existing curb cut would be maintained and additional curb cut is proposed to create a circular driveway. The vehicular pattern would be one way.
6. *Standards of Review.* The following standards, per Section 11.2.3.G of the UDO, shall be considered when conditional use approval is requested:
- 1) Whether the proposed use is suitable in view of the use and development of adjacent and nearby property.
  - 2) Whether the proposed use is consistent with the requirements of the zoning district in which the use is proposed to be located.
  - 3) Whether the proposed use adversely affects the existing use or usability of adjacent or nearby property.
  - 4) Whether the proposed use results in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities or other public facilities.

- 5) Whether there is adequate ingress and egress to the subject property, including evaluation of the traffic impact of the proposed use relative to street capacity and safety of public streets and nearby pedestrian uses.
- 6) Whether there are other existing or changing conditions which, because of their impact on the public health, safety, morality and general welfare of the community, give supporting grounds for either approval or disapproval of the proposed use.
7. *Other requirements.* If approved, the development is subject to the State of Georgia Dept. of Public Health tourist accommodation permit and compliance procedures, including any hotel/motel taxes that may be applicable, and local laws governing overnight lodging, current local life safety and fire codes, local soil erosion, drainage, and tree preservation ordinances.
8. *Alignment with the 2020 Decatur Strategic Plan.* Under the Economic Growth theme, action item “EG.02” calls to “Expand lodging options. Attract a boutique hotel and a bed & breakfast. Encourage the appropriate use of accessory short-term rentals.”

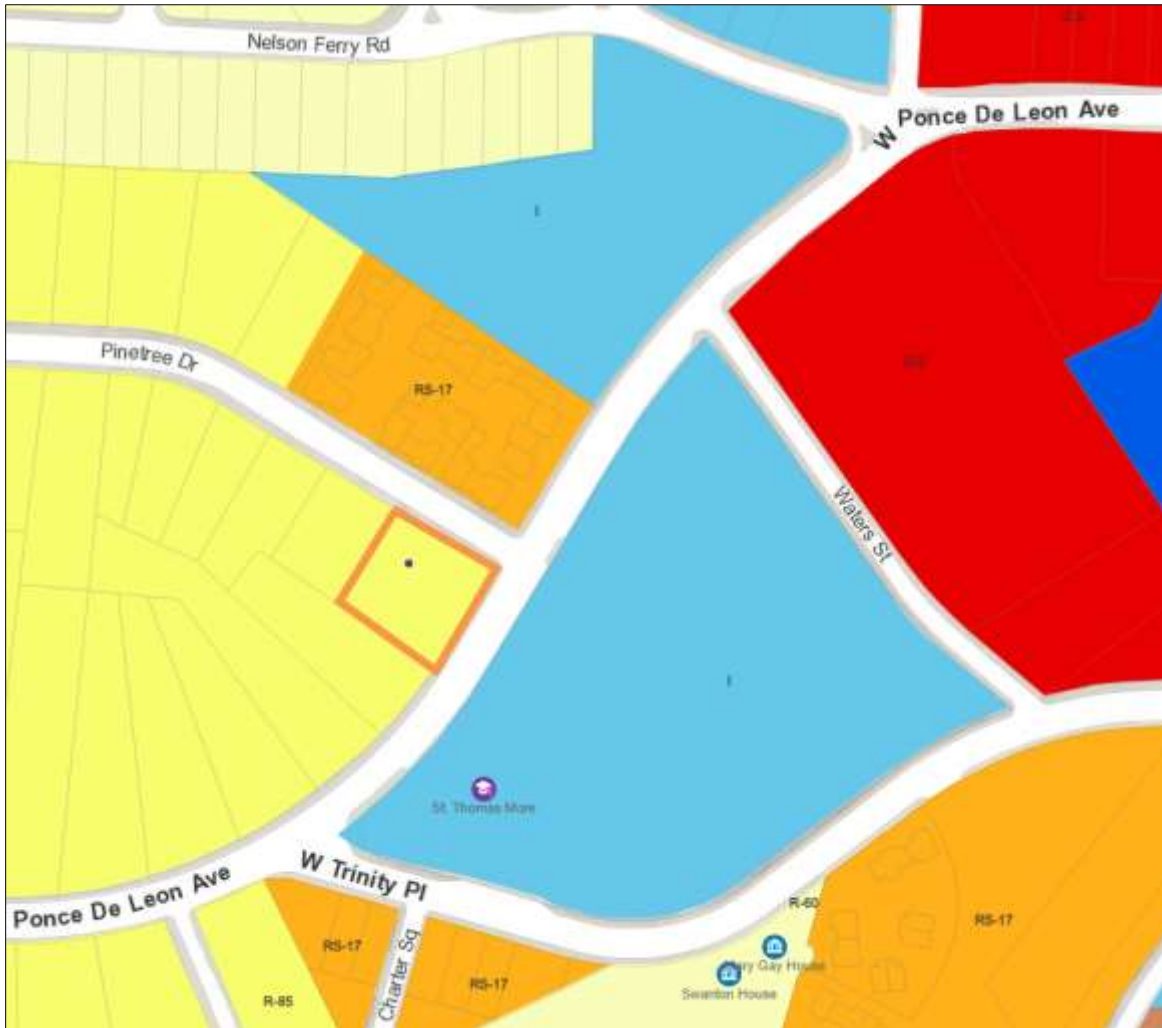
## Exhibit "A"

### LOCATIONAL MAP



City of Decatur OneMap

**Exhibit “B”  
ZONING MAP**



|                                     |                                   |
|-------------------------------------|-----------------------------------|
| <input checked="" type="checkbox"/> | Zoning Districts                  |
|                                     | R-60 Single Family Residential    |
|                                     | R-85 Single Family Residential    |
|                                     | RS-17 Single Family Residential   |
|                                     | RM-18 Multiple Family Residential |
|                                     | RM-22 Multiple Family Residential |
|                                     | RM-43 Multiple Family Residential |
|                                     | PO Professional Office            |
|                                     | C-1 Local Commercial              |
|                                     | C-2 General Commercial            |
|                                     | C-3 Heavy Commercial              |
|                                     | MU Mixed Use                      |
|                                     | NMU Neighborhood Mixed Use        |
|                                     | I Institutional                   |

City of Decatur OneMap



**Exhibit “C”  
AERIAL VIEW**



City of Decatur OneMap