

Public Hearing: YES ☒ NO ☐

Department: Planning & Sustainability

SUBJECT:

COMMISSION DISTRICT(S): 5 & 7

Application of Kaplan Residential to rezone property in the Indian Creek Overlay District from O-I (Office Institutional) to MR-1 (Medium Density Residential-1) to allow for a 230-unit townhome development, at 1014 Elder Lane.

PETITION NO: N3. Z-20-1244231 2020-1167

PROPOSED USE: 230-Unit townhome development.

LOCATION: 1014 Elder Lane, Stone Mountain, GA.

PARCEL NO. : 15-228-01-003; 15-228-01-005; 15-228-01-093; 15-288-01-094

INFO. CONTACT: Melora Furman, Sr. Planner

PHONE NUMBER: 404-371-2155

PURPOSE:

Application of Kaplan Residential to rezone property in the Indian Creek Overlay District from O-I (Office Institutional) to MR-1 (Medium Density Residential-1) to allow for a 230-unit townhome development. The property is located on the west side of Elder Lane and the north side of Redan Road, at 1014 and 1015 Elder Lane and 3892 and 3960 Redan Road, Stone Mountain, Georgia. The property has approximately 1,175 feet of frontage along Redan Road and approximately 908 feet of frontage along Elder Lane and contains 19.98 acres.

RECOMMENDATION:

COMMUNITY COUNCIL: Approval with a condition.

PLANNING COMMISSION: Full Cycle Deferral.

PLANNING STAFF: Approval With Conditions.

STAFF ANALYSIS: The proposed development is consistent with the intent of the *2013 Indian Creek Master Active Living Plan* and the *2019 I-20 East Transit-Oriented Development Community Plan* to promote pedestrian connections between new townhome development on the subject property and the MARTA station. The proposed density of development is consistent with the concepts contained in the plans to increase ridership by providing a critical mass of households near the station and pedestrian connections that would encourage residents of these households to walk to the station rather than drive to the park-and-ride lot. The development has an abundance of enhanced open spaces and internal pedestrian interconnections between them. The grid pattern of the private drives, relatively short blocks, relatively narrow private drive crossings for pedestrians, sidewalks and landscape strips on both sides of the private drives, and pedestrian connections to the Indian Creek MARTA station make the development consistent with the following Town Center policies: “Design shall be pedestrian-oriented with walkable connections between different uses.” (Policy No. 19) and “Encourage development and redevelopment in activity centers to provide open space and/or contribute to the public realm with wider public sidewalks, pedestrian linkages, and other design features.” (Policy No. 14) Therefore, the Department of Planning and Sustainability recommends “Approval, with conditions”.

PLANNING COMMISSION VOTE: Full Cycle Deferral 8-0-0. G. McCoy moved, J. Johnson seconded for a Full Cycle Deferral, per Staff recommendation.

COMMUNITY COUNCIL VOTE/RECOMMENDATION: Approval w/Condition(s) 7-0-0. The recommendation for approval is with a condition that the applicant secure a pathway to the Marta Station.

RECOMMENDED CONDITIONS

Z-20-1244231

Rezoning of Property from OI to MR-1

1. The subject property shall be developed in substantial conformity with the following site plans: “Proposed Site Plan”, prepared by Niles Bolton and Associates, dated 11-2-20; “Proposed Site Plan Elder Lane Entry”, prepared by Niles Bolton and Associates, dated 11-2-20; and “Proposed Site Plan Redan Road Entry”, prepared by Niles Bolton and Associates, dated 11-2-20.
 2. Building design shall be consistent with the elevation titled, “Exterior Building Elevations”, prepared by Niles Bolton and Associates, dated 11-2-20.
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DeKalb County Department of Planning & Sustainability

330 Ponce De Leon Avenue, Suite 300

Decatur, GA 30030

(404) 371-2155 / www.dekalbcountyga.gov/planning

Planning Commission Hearing Date: November 5, 2020

Board of Commissioners Hearing Date: November 19, 2020

STAFF ANALYSIS

Case No.: Z-20-1244231 **Agenda #:** N. 3

Location/Address: 3892 and 3960 Redan Road & 1014 and 1015 Elder Lane, Stone Mountain, GA **Commission District:** 5 **Super District:** 7

Parcel ID(s): 15-228-01-003, -005, -093, -094

Request: Rezone property in the Indian Creek Overlay District from O-I (Office Institutional) to MR-1 (Medium Density Residential-1) to allow for a 230-unit (increased to 239) townhome development.

Property Owner(s): The Paideia School Incorporated

Applicant/Agent: Kaplan Residential by Dentons US, LLP

Acreage: 19.98 acres

Existing Land Use: Wooded, undeveloped.

Surrounding Properties: To the north and northeast: the Indian Creek MARTA Station and park-and-ride (OI & MR-1); to the northeast and east: the Santeelah Forest single-family neighborhood (R-75); to the east: the Elder Lane MARTA access road (R-75 & OI) and a law office (OI); to the southeast and south (across Redan Road): single-family residential properties.

Comprehensive Plan: Town Center ☒ **Consistent** ☐ **Inconsistent**

Proposed Density: 11.5 units/acre (increased to 11.9 units/acre during staff review)	Existing Density: N.A. (undeveloped)
Proposed Units: 239	Existing Units: N.A. (undeveloped)
Proposed Open Space: 20%	Existing Open Space: 100%

Zoning History: Based on DeKalb County records, it appears that the OI zoning of the property has not changed since adoption of the first zoning ordinance and map in 1956.

SITE AND PROJECT ANALYSIS

The subject property is a 19.98-acre, undeveloped site located at the northwest corner of Redan Road and Elder Lane. A stream extends approximately 254 feet from the north property line into the site. The topography of the property slopes moderately from its east and west boundaries towards a ravine created by the stream. The entire property is wooded.

The property is bounded to the west by an exit ramp from I-285 that leads to the Indian Creek MARTA station, which is located on the adjoining property to the north. A 2,300-space park-and-ride lot is located between the MARTA station and the north boundary of the subject property. Land uses on Redan Road traveling eastward from the subject property to South Indian Creek Drive, a north-south collector street located approximately 1/3 mile from the property, include: a law office, the Dominion Station condominium development, a gas station, a package store, and scattered, large-lot single-family residences. A commercial node, zoned C-1, is located at the intersection of Redan Road and Indian Creek Road. Single-family residential neighborhoods, zoned R-75, R-100, and RSM, lie to the northeast and east of the subject property.

Redan Road is a two-lane, east-west minor arterial. The Georgia Department of Transportation (GDOT) plans to widen the portion of Redan Road that fronts the property and the I-285 interchange. The site plan reflects the road widening project.

Elder Lane runs north-south from Redan Road and connects with Durham Park Road to the north. Most of Elder Lane, except a portion approximately 400 feet long as measured from its intersection with Redan Road, is a private access drive owned by MARTA. Correspondence from MARTA states that MARTA conveyed this 400-foot section to DeKalb County as dedicated ROW and retained access rights. A 6-foot sidewalk has been constructed on the west side of Elder Lane, several feet from the east property line of the subject property. A chain link fence is located on, or a few feet from the interior edge of the sidewalk. The topography of the ground west of the sidewalk is level for a distance of approximately six feet, suggesting that the sidewalk could be widened without an excessive amount of re-grading.

Long-Range Planning Context

The subject property is located within the study area for the *2013 Indian Creek Master Active Living Plan*. The transit-oriented development (TOD) concept plan in the Master Active Living Plan shows townhome development in an area that includes part of the west side of the current MARTA station property as well as the subject property. The TOD concept, which apparently contemplates purchase of the subject property by MARTA, incorporates north-south roads between Durham Park Road and Redan Road.

More recently, the *2019 I-20 East Transit-Oriented Development Community Plan* recommended development of “Main Street retail and dense residential” land uses in the area surrounding the Indian Creek MARTA station. Among the specific recommendations were “[g]row affordable housing stock;” “[i]ncrease connectivity between residential parcels and parcels [that are developed] with other land uses;” and “[c]reate safe and pleasant connections between Indian Creek MARTA station and destinations inside I-285.”

The Indian Creek Overlay District statement of purpose and intent references the Master Active Living Plan: “The intent of this tier is to implement the recommendations of the Indian Creek Master Active Plan (MALP), while developing a multimodal, transit-oriented area that integrates physical activity by enhancing connectivity to trails, parks and open space (both internally and near developed areas). Transit oriented development (TOD) is encouraged in this area to increase MARTA ridership and mixed-use development around the Indian Creek MARTA station.”

Access and Transportation Considerations:

The emphasis on transit-oriented development in the plans for the subject property highlight the need for good pedestrian facilities within the development site and a layout that would allow later connections to the MARTA station. The latest revised site plan shows the following features:

- sidewalks throughout the development;
- sidewalks and landscape strip, built to standards for existing local streets, for the portion of Elder Lane that was dedicated by MARTA to the County;
- An access point on the north side of the site, for future connection with a MARTA pedestrian path or route on their property;
- A pedestrian path from the internal sidewalk system at the southeast corner of the site to the sidewalk at the corner of Redan Road and Elder Lane; and
- Sidewalk/street-facing front entrance to the units to the east of the main Redan Road entrance and to the south of the Elder Lane point of access.

Project Description

The proposal under consideration is a townhome development laid out in a traditional neighborhood block pattern with landscape strips, street trees, and sidewalks on both sides of interior private drives. A clubhouse and pool are located at the center of the development. The main entrance from Redan Road has two lanes for ingress and egress and a planted median. A second entrance, described as an emergency access point, also with two lanes and a median, is proposed on Elder Lane. Both the main and secondary entrances would be gated.

Pocket parks are located within the townhome blocks and at the southeast corner of the development. A dog park is located on the west edge of the property. A planted “micropool” detention pond is located near the stream buffer at the north end of the site. Townhomes within the blocks face 26-foot private drives and have rear doors that let out to green spaces at the center of each block

The townhomes would have front-facing garages for one or two cars. Elevations indicate that exterior materials include brick veneers on the first story and a combination of vinyl siding and another unidentified material. The elevations and application state that the building materials will comply with the overlay district regulations.

Compliance with District Standards:

MR-1/KENSINGTON OVD STANDARD	REQUIRED/ALLOWED	PROVIDED/PROPOSED	COMPLIANCE
MAX. D.U.s/ACRE (BASE, W/BONUSES)	Base: 8 d.u.s/acre W/Bonuses: 12 d.u.s/ac. 100% bonus for MARTA proximity = 8 add'l. units/ac.	11.5 units/acre (revised to 11.9 units/acre during staff review)	Yes
MIN. OPEN SPACE	20%	20% (174,240 sq. ft.)	Yes
MIN. TRANSITIONAL BUFFER (OVD)	Not applicable – no adjoining residential land uses	Not applicable	N.A.
MIN. ENHANCED OPEN SPACE (50% OF O.S.)	87,120 square feet with enhancements in accordance with Table 5.6.	110,915 square feet total; enhancements not detailed.	Enhanced spaces must meet standards or waiver must be obtained
MIN. TRANSITIONAL BUFFER (OVD)	Not applicable – no adjoining residential land uses	Not applicable	N.A.

MR-1/KENSINGTON OVD STANDARD		REQUIRED/ALLOWED	PROVIDED/PROPOSED	COMPLIANCE
MIN. LOT AREA		Not applicable – no individual lots	Not applicable	N.A.
MIN. LOT WIDTH		100 feet	1,175 feet	Yes
MAX. LOT COVERAGE		65%		
BUILDING SETBACKS	(OVD) FRONT – Redan Road	Min. 5 ft.; max. 15 ft.	5 to 15 feet	Yes
	FRONT – PRIVATE DRIVES	Determined by utility placement, ROW, streetscape	(typical) 30 feet	Yes
	INTERIOR SIDE	none required; 20 ft. is best practice	30 ft. (negotiated with GDOT)	Yes
	SIDE – CORNER LOT (same as front)	Min. 5 ft.; max. 15 ft.	15 feet	Yes
	(OVD) REAR	Min. 15 feet	15 feet	Yes
MINIMUM UNIT SIZE		650 square feet	875 feet	Yes
MAX. BLDG. HEIGHT (OVD)		4 stories or 60 feet	3 stories & max. 39 ft.	Yes
MIN. STREETSCAPE DIMENSIONS - PROPERTY FRONTAGE		(Redan Road) 10-ft. landscape strip and 6-ft. sidewalk, and street trees 40 ft. on center	10-ft. landscape strip and 6-ft. sidewalk, and street trees 40 ft. on center	Yes
MIN. STREETSCAPE DIMENSIONS - PRIVATE DRIVES		5-ft. landscape strip and 5-ft. sidewalk on each side; street trees the lesser of 50' or for every other unit.	5-ft. landscape strip and 5-ft. sidewalk on each side, street trees every other unit @ 38 – 42 ft.	Yes
PARKING		Min. 1.5 spaces per d.u. & .25/d.u. visitor parking = 358 d.u. spaces & 60 visitor spaces Max 3/d.u. & .25 spaces/d.u. visitor parking =	343 dwelling unit spaces (in garages and driveways) 65 visitor spaces	Yes

LAND USE AND ZONING ANALYSIS

Section 27-832 of the Zoning Ordinance, “Standards and factors governing review of proposed amendments to the official zoning map” states that the following standards and factors shall govern the review of all proposed amendments to the zoning maps.

A. Whether the zoning proposal is in conformity with the policy and intent of the comprehensive plan:

The intent of the Town Center activity center to “promote the concentration of residential and commercial structures, which serve many communities in order to reduce automobile travel, promote walkability and increased transit usage. . . The preferred density for areas of this type is up to 60 dwelling units per acre.” At 11.9 units per acre, the density of the proposed development is lower than the preferred density in the Town Center activity center but higher than that of nearby single-family residential neighborhoods. A density of 60 units per acre is acceptable at this location. It might not be feasible for the Town Center at the Indian Creek MARTA, or desirable in the view of residents of the surrounding community.

The development has an abundance of enhanced open spaces and internal pedestrian interconnections between them. The grid pattern of the private drives, relatively short blocks, relatively narrow private drive crossings for pedestrians, sidewalks and landscape strips on both sides of the private drives, and pedestrian connections to the Indian Creek MARTA station make the development consistent with the following Town Center policies: “Design shall be pedestrian-oriented with walkable connections between different uses.” (Policy No. 19) and “Encourage development and redevelopment in activity centers to provide open space and/or contribute to the public realm with wider public sidewalks, pedestrian linkages, and other design features.” (Policy No. 14)

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

The proposal is suitable in view of the proximity of the Indian Creek MARTA station and the plans that promote transit-oriented development for the MARTA property and the area around the MARTA station. The proposed density of development is consistent with the concepts contained in the plans to increase ridership by providing a critical mass of households near the station. The proposed development has pedestrian connections that would encourage residents of these households to walk to the station rather than drive to the park-and-ride lot.

In addition, the development interfaces, as much as possible, with properties outside its boundaries. Orienting buildings to face adjoining streets and sidewalks helps to create the kind of pedestrian-friendly environment promoted by the Town Center policies. The units to the west of the Redan Road entrance cannot meet this standard because the property line veers away from the street and the homes are some distance away from the street. Half of the townhomes on the east side of the site are also exempted from the standard because they front on the portion of Elder Lane that is owned by MARTA. However, two building on Redan and Elder are oriented towards the sidewalk and street.

Regarding the internal streets, the applicant prepared a site plan with mid-block alleys that would allow interior townhomes to have rear-facing garages on the alleys but rejected this concept because it would eliminate significant amounts of green space on the site.

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

The property has remained undeveloped despite good transportation access (construction of the Indian Creek MARTA station in 1993 and its proximity to I-285 via Memorial Drive to the north and Covington Highway to the South). This may indicate a weak market for office zoned land in this area.

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

Bounded by an interstate highway, an arterial road, and a MARTA access road, and located next to a MARTA park-and-ride, the development is not expected to adversely affect adjacent or nearby property.

E. Whether there are other existing or changing conditions affecting the use and development of the property, which give supporting grounds for either approval or disapproval of the zoning proposal:

The proposed development is consistent with the intent of the *2013 Indian Creek Master Active Living Plan* and the *2019 I-20 East Transit-Oriented Development Community Plan* to promote pedestrian connections between new townhome development on the subject property and the MARTA station. The applicant has worked with MARTA's TOD (Transit Oriented Development) team regarding the pedestrian connections to the MARTA property. These discussions may generate interest in use of the MARTA land for a future transit-oriented development.

F. Whether the zoning proposal will adversely affect historic buildings, sites, districts, or archaeological resources:

No historic buildings, sites, districts, or archaeological resources are located on the property or in the surrounding area.

G. Whether the zoning proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools:

The proposal was revised after submittal to increase the number of units from 230 to 239. As of the writing of this staff report, reviewing agencies and divisions have been asked to comment on the revised, 239-unit proposal. The School Board has commented, on a previous proposal for 230 units, that the elementary school in the area is at capacity and might need portable classrooms; however, the enrollment numbers were recently updated to reflect a decline in enrollment due to the Covid-19 pandemic. Some adjustments in overall enrollment might occur as an ongoing effect of the pandemic. Kaplan's development team has consulted with GDOT regarding the Redan Road widening project, and the site plan reflects those improvements.

H. Whether the zoning proposal adversely impacts the environment or surrounding natural resources:

The proposal incorporates a stream buffer and a planted "micropool" detention pond to meet water quality standards. In general, there has been no indication that the zoning proposal will have adverse impacts on the environment or surrounding natural resources beyond those that are typical when a wooded property is redeveloped.

STAFF RECOMMENDATION: APPROVAL WITH CONDITIONS.

The proposed development is consistent with the intent of the *2013 Indian Creek Master Active Living Plan* and the *2019 I-20 East Transit-Oriented Development Community Plan* to promote pedestrian connections between new townhome development on the subject property and the MARTA station. The proposed density of development is consistent with the concepts contained in the plans to increase ridership by providing a critical mass of households near the station and pedestrian connections that would encourage residents of these households to walk to the station rather than drive to the park-and-ride lot. The development has an abundance of enhanced open spaces and internal pedestrian interconnections between them. The grid pattern of the private drives, relatively short blocks, relatively narrow private drive crossings for pedestrians, sidewalks and landscape strips on both sides of the private drives, and pedestrian connections to the Indian Creek MARTA station make the development consistent with the following Town Center policies: "Design shall be pedestrian-oriented with walkable connections between different uses." (Policy No. 19) and "Encourage development and redevelopment in activity centers to provide open space and/or contribute to the public realm with wider public

sidewalks, pedestrian linkages, and other design features.” (Policy No. 14) Therefore, the Department of Planning and Sustainability recommends “Approval”, with the following conditions:

1. The subject property shall be developed in substantial conformity with the following site plans: “Proposed Site Plan”, prepared by Niles Bolton and Associates, dated 11-2-20; “Proposed Site Plan Elder Lane Entry”, prepared by Niles Bolton and Associates, dated 11-2-20; and “Proposed Site Plan Redan Road Entry”, prepared by Niles Bolton and Associates, dated 11-2-20.
2. Building design shall be consistent with the elevation titled, “Exterior Building Elevations”, prepared by Niles Bolton and Associates, dated 11-2-20.

Attachments:

1. Department and Division Comments
2. Board of Health Comments
3. Board of Education Comments
4. Application
5. Site Plan
6. Zoning Map
7. Land Use Plan Map
8. Aerial Photograph
9. Site Photographs

NEXT STEPS

Following an approval of this zoning action, one or several of the following may be required:

- ✓ • **Land Disturbance Permit** *(Required for of new building construction on non-residential properties, or land disturbance/improvement such as storm water detention, paving, digging, or landscaping.)*
- ✓ • **Building Permit** *(New construction or renovation of a building (interior or exterior) may require full plan submittal or other documentation. Zoning, site development, watershed and health department standards will be checked for compliance.)*
- ✓ • **Certificate of Occupancy** *(Required prior to occupation of a commercial or residential space and for use of property for a business. Floor plans may be required for certain types of occupants.)*
- **Plat Approval** *(Required if any parcel is being subdivided, re-parceled, or combined. Issued “administratively”; no public hearing required.)*
- **Sketch Plat Approval** *(Required for the subdivision of property into three lots or more. Requires a public hearing by the Planning Commission.)*
- **Overlay Review** *(Required review of development and building plans for all new construction or exterior modification of building(s) located within a designated overlay district.)*
- **Historic Preservation** *(A Certificate of Appropriateness is required for any proposed changes to building exteriors or improvements to land when located within the Druid Hills or the Soapstone Geological Historic Districts. Historic Preservation Committee public hearing may be required.)*
- ✓ • **Variance** *(Required to seek relief from any development standards of the Zoning Ordinance. A public hearing and action by the Board of Appeals are required for most variances.)*
- **Minor Modification** *(Required if there are any proposed minor changes to zoning conditions that were approved by the Board of Commissioners. The review is administrative if the changes are determined to be minor as described by Zoning Code.)*
- **Major Modification** *(Required submittal of a complete zoning application for a public hearing if there are any proposed major changes to zoning conditions that were approved by the Board of Commissioner for a prior rezoning.)*
- **Business License** *(Required for any business or non-residential enterprise operating in Unincorporated DeKalb County, including in-home occupations).*
- **Alcohol License** *(Required permit to sell alcohol for consumption on-site or packaged for off-site consumption. Signed and sealed distance survey is required. Background checks will be performed.)*

Each of the approvals and permits listed above requires submittal of application and supporting documents, and payment of fees. Please consult with the appropriate department/division.

Public Works Transportation Division Comments 10/19/2020

N3. Review, coordination and approval of GDOT MMIP Project Manager required prior to permitting at TMatthews@dot.ga.gov. Redan Road is classified at a minor arterial. Please note infrastructure requirements in Chapter 5 of the Zoning Code (5.4.3, pages 5-14 & 5-15) and Chapter 14, Section 190 of the Land Development Code. Please note that Elder Lane is a private road. Access easements will be required prior to permitting. With 230 proposed units, the land development code (Section 14-200 (5)) requires 3 access points. Please note that this parcel is within the Indian Creek Overlay District.



DEKALB COUNTY GOVERNMENT
PLANNING DEPARTMENT
DISTRIBUTION FORM

N-3

NOTE: PLEASE RETURN ALL COMMENTS VIA EMAIL OR FAX TO EXPEDITE THE PROCESS TO
MICHELLE ALEXANDER mmalexander@dekalbcountyga.gov AND/OR LASONDRA HILL
lahill@dekalbcountyga.gov

COMMENTS FORM:

PUBLIC WORKS TRAFFIC ENGINEERING

Case No.: 2-20-1244231 Parcel I.D. #: 15-228-01-003
Address: Redm Rd
Eldra Ln

Adjacent Roadway (s):

(classification) (classification)

Capacity (TPD) _____	Capacity (TPD) _____
Latest Count (TPD) _____	Latest Count (TPD) _____
Hourly Capacity (VPH) _____	Hourly Capacity (VPH) _____
Peak Hour. Volume (VPH) _____	Peak Hour. Volume (VPH) _____
Existing number of traffic lanes _____	Existing number of traffic lanes _____
Existing right of way width _____	Existing right of way width _____
Proposed number of traffic lanes _____	Proposed number of traffic lanes _____
Proposed right of way width _____	Proposed right of way width _____

Please provide additional information relating to the following statement.

According to studies conducted by the Institute of Traffic Engineers (ITE) 6/7TH Edition (whichever is applicable), churches generate an average of fifteen (15) vehicle trip end (VTE) per 1, 000 square feet of floor area, with an eight (8%) percent peak hour factor. Based on the above formula, the _____ square foot place of worship building would generate _____ vehicle trip ends, with approximately _____ peak hour vehicle trip ends.

Single Family residence, on the other hand, would generate ten (10) VTE's per day per dwelling unit, with a ten (10%) percent peak hour factor. Based on the above referenced formula, the _____ (Single Family Residential) District designation which allows a maximum of _____ units per acres, and the given fact that the project site is approximately _____ acres in land area, _____ daily vehicle trip end, and _____ peak hour vehicle trip end would be generated with residential development of the parcel.

COMMENTS:

Plans and field reviewed. No problem with
will interrupt traffic except when widening lanes

Signature: [Signature]



DEKALB COUNTY GOVERNMENT PLANNING DEPARTMENT DISTRIBUTION FORM

The following areas below may warrant comments from the Development Division. Please respond accordingly as the issues relate to the proposed request and the site plan enclosed as it relates to Chapter 14. You may address applicable disciplines.

DEVELOPMENT ANALYSIS:

- **Transportation/Access/Row**

Consult the Georgia DOT as well as the DeKalb County Transportation Department prior to land development permit. Verify widths from the centerline of the roadways to the property line for possible right-of-way dedication. Improvements within the right-of-way may be required as a condition for land development application review approval. Safe vehicular circulation is required. Paved off-street parking is required.

- **Storm Water Management**

Compliance with the Georgia Stormwater Management Manual, DeKalb County Code of Ordinances 14-40 for Stormwater Management and 14-42 for Storm Water Quality Control, to include Runoff Reduction Volume where applicable is required as a condition of land development permit approval. Use Volume Three of the G.S.M.M. for best maintenance practices. Use the NOAA Atlas 14 Point Precipitation Data set specific to the site. Recommend Low Impact Development features/ Green Infrastructure be included in the proposed site design to protect as much as practicable the statewaters and special flood hazard areas. **It is recommended that the discharge from the stormwater management facility from the development be connected to an existing storm sewer structure to prevent properties downstream from experiencing an increased volume of runoff after construction.**

- **Flood Hazard Area/Wetlands**

The presence of FEMA Flood Hazard Area was not indicated in the County G.I.S. mapping records for the site; and should be noted in the plans at the time of any land development permit application. Encroachment of flood hazard areas require compliance with Article IV of Chapter 14 and FEMA floodplain regulations.

- **Landscaping/Tree Preservation**

Landscaping and tree preservation plans for any building, or parking lot must comply with DeKalb County Code of Ordinances 14-39 as well as Chapter 27 Article 5 and are subject to approval from the County Arborist.



DEKALB COUNTY GOVERNMENT
PLANNING DEPARTMENT
DISTRIBUTION FORM

NOTE: PLEASE RETURN ALL COMMENTS VIA EMAIL OR FAX TO EXPEDITE THE PROCESS TO MICHELLE M ALEXANDER mmalexander@dekalbcountyga.gov OR JOHN REID jreid@DEKALBCOUNTYGA.GOV

COMMENTS FORM:
PUBLIC WORKS WATER AND SEWER

Case No.: SLUP-20-1244231

Parcel I.D. #: 15-228-01-003, -005, -093, -094

Address: 3892 and 3960 Redan Road & 1014 and 1015 Elder Lane
Stone Mountain, Georgia

WATER:

Size of existing water main: 6" DI & 8" DI Water Main (adequate/inadequate)

Distance from property to nearest main: Adjacent to Property

Size of line required, if inadequate: N/A

MUST UTILIZE 8" DI WL info

SEWER:

Outfall Servicing Project: Indian Creek Basin

Is sewer adjacent to property: Yes () No (X) If no, distance to nearest line: Approximately 437 feet Southeast of property

Water Treatment Facility: Snapfinger WTF () adequate () inadequate

Sewage Capacity: * (MGPD)

Current Flow: 21.77 (MGPD)

COMMENTS: EXTENSION OF SEWER WILL BE AT OWNER'S EXPENSE info

* Please note that the sewer capacity has not been reviewed or approved for this project. A Sewer Capacity Request (SCR) must be completed and submitted for review. This can be a lengthy process and should be addressed early in the process.

Signature: 

- **Tributary Buffer**

State water buffer was reflected in the G.I.S. records for the site. Typical state waters buffer have a 75' undisturbed stream buffer and land development within the undisturbed creek buffer is prohibited without a variance per DeKalb County Code of Ordinances 14-44.1. Conceptual provided show that proposed development may not take into consideration possible stream and stream buffer. Developer shall request an environmental investigation to make sure there is no stream and related stream buffer being impacted.

- **Fire Safety**

Plans for land development permit must comply with Chapter 12 DeKalb County Code for fire protection and prevention.

**DeKalb County School District
Development Review Comments**

Analysis Date: 10/16/2020

Submitted to: DeKalb County

Case #: Z-20-1244231

Parcel #: 15-228-01-003/-005/-093/-094

Name of Development: Elder Lane Townhomes

Location: 1014 Elder Lane

Description: New development with 230 Townhomes adjacent to the Indian Creek Marta Station

Impact of Development: When fully constructed, this development would be expected to generate 66 students: 30 at Rowland ES, 4 at Bethune MS, 3 at Towers HS, 24 at other DCSD schools, and 5 at private schools. Enrollment at Rowland ES is already about capacity and new students may require additional portable classrooms.

Current Condition of Schools	Rowland ES	Bethune MS	Towers HS	Other DCSD Schools	Private Schools	Total
Capacity	474	1,350	1,299			
Portables	7	0	0			
Enrollment (Fcast. Oct. 2020)	478	773	792			
Seats Available	-4	577	507			
Utilization (%)	100.8%	57.3%	61.0%			
New students from development	30	4	3	24	5	66

New Enrollment	508	777	795
New Seats Available	-34	573	504
New Utilization	107.2%	57.6%	61.2%

Yield Rates	Attend Home School	Attend other DCSD School	Private School	Total
Elementary	0.1319	0.0775	0.0051	0.2145
Middle	0.0191	0.0132	0.0034	0.0357
High	0.0140	0.0104	0.0111	0.0355
Total	0.1650	0.1011	0.0196	0.2857

Student Calculations				
Proposed Units	230			
Unit Type	TH			
Cluster	Towers HS			

Units x Yield	Attend Home School	Attend other DCSD School	Private School	Total
Elementary	30.34	17.82	1.18	49.34
Middle	4.38	3.04	0.78	8.20
High	3.22	2.39	2.56	8.17
Total	37.94	23.25	4.52	65.71

Anticipated Students	Attend Home School	Attend other DCSD School	Private School	Total
Rowland ES	30	18	1	49
Bethune MS	4	3	1	8
Towers HS	3	3	3	9
Total	37	24	5	66



DeKalb County Department of Planning & Sustainability

Michael L. Thurmond
Chief Executive Officer

Andrew A. Baker, AICP
Director

APPLICATION TO AMEND OFFICIAL ZONING MAP OF DEKALB COUNTY, GEORGIA

Z/CZ No. _____

Filing Fee: _____

Date Received: _____ Application No.: _____

Applicant: Kaplan Residential by Dentons US LLP E-Mail: dan.baskerville@dentons.com

Applicant Mailing Address: 303 Peachtree Street, Suite 5300, Atlanta, GA 30308

Applicant Phone: 404-527-8539

Fax: 404-527-4198

Owner(s): The Paideia School Incorporated E-Mail: hardy.laura@paideiaschool.com
(If more than one owner, attach as Exhibit "A")

Owner's Mailing Address: 1509 S. Ponce De Leon Ave., Atlanta, GA 30307

Owner(s) Phone: (404) 377-3491

Fax: n/a

Address/Location of Subject Property: 1014&1015 Elder, Ln; 3892&3960 Redan Rd. Stone Mt., GA 30083

District(s): 15 Land Lot(s): 221, 228 Block: 01 Parcel(s): 003, 005, 093, 094

Acreage: 19.983 acres +/-

Commission District(s): Five and Seven

Present Zoning Category: O-I

Proposed Zoning Category: MR-1

Present Land Use Category: Town Center

PLEASE READ THE FOLLOWING BEFORE SIGNING

This form must be completed in its entirety before the Planning Department accepts it. It must include the attachments and filing fees identified on the attachments. An application, which lacks any of the required attachments, shall be determined as incomplete and shall not be accepted.

Disclosure of Campaign Contributions

In accordance with the Conflict of Interest in Zoning Act, O.C.G.A., Chapter 36-67A, the following questions must be answered:

Have you the applicant made \$250 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 DeKalb County showing;

1. The name and official position of the local government official to whom the campaign contribution was made.
2. The dollar amount and description of each campaign contribution made during the two years immediately preceding the filing of this application and the date of each such contribution.

The disclosure must be filed within 10 days after the application is first filed and must be submitted to the C.E.O. and the Board of Commissioners, DeKalb County, 1300 Commerce Drive, Decatur, Ga. 30030.

NOTARY

Nov. 18, 2021

EXPIRATION DATE / SEAL



SIGNATURE OF APPLICANT / DATE

Check One: Owner ☒ Agent ☐

September 1, 2020

330 West Peachtree Street, Suite 100-500 - Decatur, Georgia - 30030
[voice] 404.371.2155 [Planning Fax] (404) 371-4556 [Development Fax] (404) 371-3007
Web Address <http://www.dekalbcountyga.gov/planning>
Email Address: planninganddevelopment@dekalbcountyga.gov

Chief Executive Officer
Michael Thurmond

DEPARTMENT OF PLANNING & SUSTAINABILITY

Director
Andrew A. Baker, AICP

PRE-APPLICATION FORM
REZONE, SPECIAL LAND USE PERMIT, MODIFICATION, AND LAND USE
(Required prior to filing application: signed copy of this form must be submitted at filing)

Applicant Name: Kaplan Residential by Dentons US LLP Phone: (404)527-8539 Email: dan.baskerville@dentons.com

Property Address: 1014 & 1015 Elder Lane; 3892 & 3960 Redan Road, Stone Mountain, GA 30083

Tax Parcel ID: 15 228 01 003 15 228 01 093 Comm. District(s): 5 & 7 Acreage: 19.983+/-

Existing Use: Vacant/Undeveloped Proposed Use: Rental Townhomes

Supplemental Regs: No Overlay District: Indian Creek DRI: N/A

Rezoning: Yes ☒ No ☐

Existing Zoning: O-I Proposed Zoning: MR-1 Square Footage/Number of Units: 276313 Sq. ft./230 units

Rezoning Request: To rezone from O-I/Indian Creek District to MR-1/Indian Creek District, utilizing the Density bonus
provided for in Marta station bonus in Section 2.12.5(c) of the Zoning Ordinance, as the property is within 1/4 mile of the
Indian Creek Marta Station

Land Use Plan Amendment: Yes ☐ No ☒

Existing Land Use: Town Center Proposed Land Use: Town Center Consistent ☒ Inconsistent ☐

Special Land Use Permit: Yes ☐ No ☒ Article Number(s) 27-

Special Land Use Request(s)

Major Modification:

Existing Case Number(s): N/A

Condition(s) to be modified:

DEPARTMENT OF PLANNING & SUSTAINABILITY

WHAT TO KNOW BEFORE YOU FILE YOUR APPLICATION

Pre-submittal Community Meeting: ☒ Review Calendar Dates: ☒ PC: ☒ BOC: ☒
 Letter of Intent: ☒ Impact Analysis: ☒ Owner Authorization(s): ☒ Campaign Disclosure: ☒
 Zoning Conditions: ☒ Community Council Meeting: ☒ Public Notice, Signs: ☒
 Tree Survey, Conservation: _____ Land Disturbance Permit (LDP): _____ Sketch Plat: _____
 Bldg. Permits: _____ Fire Inspection: _____ Business License: _____ State License: _____
 Lighting Plan: _____ Tent Permit: _____ Submittal Format: NO STAPLES, NO BINDERS PLEASE

Review of Site Plan

Density: _____ Density Bonuses: _____ Mix of Uses: _____ Open Space: _____ Enhanced
 Open Space: _____ Setbacks: front _____ sides _____ side corner _____ rear _____ Lot Size:
 _____ Frontage: _____ Street Widths: _____ Landscape Strips: _____ Buffers: _____
 Parking Lot Landscaping: _____ Parking - Auto: _____ Parking - Bicycle: _____ Screening:
 _____ Streetscapes: _____ Sidewalks: _____ Fencing/Walls: _____ Bldg. Height: _____ Bldg.
 Orientation: _____ Bldg. Separation: _____ Bldg. Materials: _____ Roofs: _____ Fenestration: _____
 Façade Design: _____ Garages: _____ Pedestrian Plan: _____ Perimeter Landscape Strip: _____
 Possible Variances: _____

Comments: _____

Planner: Karen Hill Date 7/16/20

Filing Fees

REZONING:	RE, RLG, R-100, R-85, R-75, R-60, MHP, RSM, MR-1	\$500.00
	RNC, MR-2, HR-1, HR-2, HR-3, MU-1, MU-2, MU-3, MU-4, MU-5	\$750.00
	OI, OD, OIT, NS, C1, C2, M, M2	\$750.00
LAND USE MAP AMENDMENT		\$500.00
SPECIAL LAND USE PERMIT		\$400.00

From: Baskerville, Dan

Sent: Tuesday, August 04, 2020 4:19 PM

To: 'dennisallen05@comcast.net' <dennisallen05@comcast.net>; 'kbarksdal22@gmail.com' <kbarksdal22@gmail.com>; 'samson_burrell@yahoo.com' <samson_burrell@yahoo.com>; 'dstbc@bellsouth.net' <dstbc@bellsouth.net>; 'janrcostello@gmail.com' <janrcostello@gmail.com>; 'marshallenglishr@yahoo.com' <marshallenglishr@yahoo.com>; 'E7hubbard@gmail.com' <E7hubbard@gmail.com>; 'mstonya@earthlink.net' <mstonya@earthlink.net>; 'hlove1223@aol.com' <hlove1223@aol.com>; 'oneiloooo4@comcast.net' <oneiloooo4@comcast.net>; 'konceptatlanta@bellsouth.net' <konceptatlanta@bellsouth.net>; 'w_duane_williams@yahoo.com' <w_duane_williams@yahoo.com>

Subject: Community Meeting for Pre-Submittal of Rezoning Application

Dear District Five Community Council Members,

Please find attached a letter providing information for a virtual pre-submittal community meeting on **Tuesday, August, 18, 2020, from 6:30 p.m. to 7:30 p.m.,** regarding a rezoning application to be submitted for property located just North of Redan Road, immediately south of the Indian Creek MARTA station. A similar letter is being mailed to the surrounding neighborhood.

Zoom Meeting Information:

<https://dentons.zoom.us/j/99411238473?pwd=S25rYkQ5eWJMNvRQ2IKZUFZLzJKdz09>

Meeting ID: 994 1123 8473

Passcode: 953218

One tap mobile

+13017158592,,99411238473#,,,,,0#,,953218#

Thank you



Dan Baskerville

Senior Policy Director

D +1 404 527 8539 | US Internal 78539

dan.baskerville@dentons.com

Bio | Website

Assistant: Teresa Griffith +1 404 527 8528

Dentons US LLP

Bingham Greenebaum > Cohen & Grigsby > Sayarh & Menjra > Larraín Rencoret > Hamilton Harrison & Mathews > Mardemootoo Balgobin > HPRP > Zain & Co. > Delany Law > Dinner Martin > For more on the firms that have joined Dentons, go to dentons.com/legacyfirms

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August 4, 2020

Re: Community Meeting for Pre-Submittal of Rezoning Application:

Dear Community Council Member,

We represent Kaplan Residential, which is planning to submit a rezoning application on property located in your neighborhood. Specifically, The subject property is located immediately south of the Indian Creek MARTA station, and is immediately north of Redan Rd, with a west border of I-285 and an eastern border of Elder Lane. Specifically it includes the following parcels, which are all currently owned by The Paideia School:

1. 1014 Elder Lane Stone Mountain, GA 30083 (Parcel ID: 15 228 01 003; Acreage: 13.37)
2. 3960 Redan Road Stone Mountain, GA 30083 (Parcel ID: 15 228 01 003; Acreage: 1.38)
3. 3892 Redan Road Stone Mountain, GA 30083 (Parcel ID: 15 228 01 093; Acreage: 1.15)
4. 1015 Elder Lane Stone Mountain, GA 30083 (Parcel ID: 15 228 01 094; Acreage: 4.06)

The proposed project is for a 230 rental-townhouse development. The subject property is zoned O-I (Office-Institutional) and is located within the Indian Creek Overlay District. The O-1 zoning category does not allow for Townhomes, only Multi-Family.

Therefore, Kaplan would need to rezone the property. After speaking with County Planning staff, and doing our own due diligence, we are proposing that the most appropriate zoning for the project would be MR-1 (Medium Density Residential - 1). This would allow for the proposed project, and be consistent with the MR-1 zoning of the property immediately to the North of the subject property. Further, MR-1 is compatible with the current Comprehensive Land Use Plan Character Area: of Town Center.

As you are probably aware, before submitting the application DeKalb County requires applicants for re-zonings to hold a Community Meeting with surrounding neighborhood associations and residents, to provide an adequate opportunity for the community to learn about and provide input on the proposed application. Therefore, we will be holding a community information meeting to provide details on the proposed project, and answer any questions.

All such meetings are currently being held virtually. Therefore, this meeting will be held via Zoom on **Tuesday, August, 18, 2020, from 6:30 p.m. to 7:30 p.m.** Please see connection info below:

Join Zoom Meeting

<https://dentons.zoom.us/j/99411238473?pwd=S25rYkQ5eWJMNVDdRQ2lKZUFZLzJKdz09>

Meeting ID: 994 1123 8473

Passcode: 953218

One tap mobile

+13017158592,,99411238473#,,,,,0#,,953218#

For your information we have enclosed a draft site plan and some information about proposed unit types.

We look forward to speaking with you about this exciting project. If you have any questions in the meantime, please feel free to email me at dan.baskerville@dentons.com

Respectfully,

Dan Baskerville, Senior Policy Director
Dentons US LLP

August 4, 2020

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Respectfully,

Dan Baskerville, Senior Policy Director
Dentons US LLP

GENERATION AT INDIAN CREEK - DEKALB COUNTY, GA

REZONING APPLICATION | Z-20-1244231 (N3)

NOVEMBER 02, 2020

PREPARED FOR:

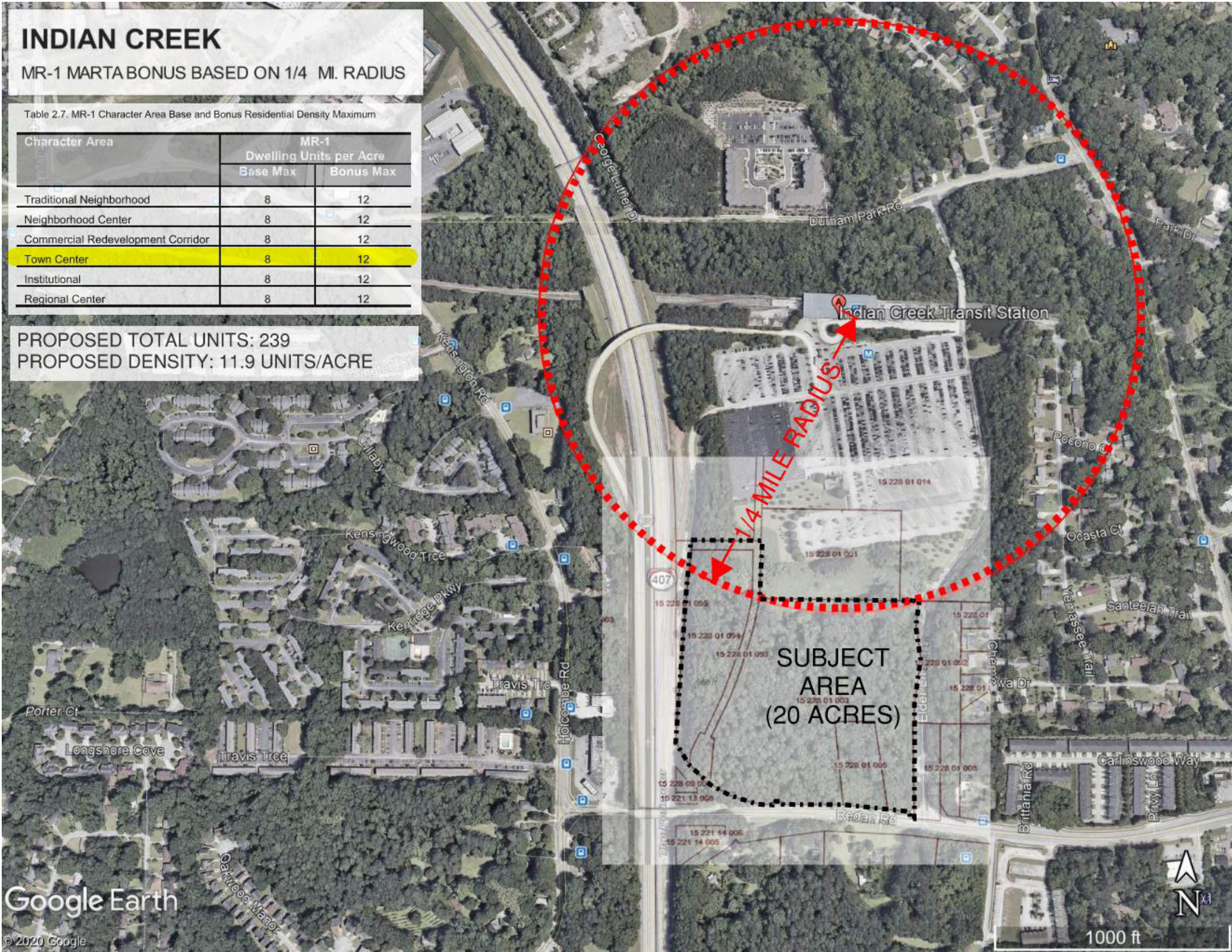
KAPLAN RESIDENTIAL

NILES BOLTON ASSOCIATES

ZONING | REQUIREMENTS & COMPLIANCE

DEKALB COUNTY, GA

APPLICATION OF KAPLAN RESIDENTIAL		
1014 & 1015 ELDER LANE		
3892 & 3960 REDAN ROAD		
ACREAGE	+/- 19.983 ac.	
CURRENT ZONING	O-I (OFFICE-INSTITUTIONAL)/ INDIAN CREEK OVERLAY DISTRICT	
PROPOSED ZONING	MR-1 (MEDIUM DENSITY RESIDENTIAL)/ INIDIAN CREEK OVERLAY DISTRICT	
CHARACTER AREA	TOWN CENTER	
ZONING ANALYSIS		
CATEGORY	REQUIRED/ALLOWED	POROPOSED
RESIDENTIAL UNITS	8-12 UNITS/ACRE	239 UNITS- 11.9 UNITS/ACRE (MARTA STATION DENSITY BONUSES PER TABLES 2.6, 2.7)
SETBACKS		
FRONT (REDAN RD.)	5'-15'	5'-15'
SIDE (CORNER LOT ON PUBLIC ST.)	5'-15'	5'-15'
REAR	15' MIN.	15'
BUILDING HEIGHT	3 STORIES/45'	3 STORIES/39'
REQUIRED BUFFER	NOT REQUIRED PER TABLE 5.2	N/A
OPEN SPACE	MIN. 20% (174,240 SF)	174,240 SF
ENHANCED OPEN SPACE	MIN. 50% OF TOTAL OPEN SPACE (87,120 SF)	110,915 SF
PARKING	403 TOTAL SPACES (1.5 SPACES/UNIT (345) + 0.25 SPACE/UNIT FOR GUEST PARKING (58))	608 TOTAL SPACES (543 DWELLING UNITS + 65 GUESTS)



UNIT & PARKING MIX
DEKALB COUNTY, GA

UNIT MIX PROPOSED			
UNIT TYPE	RATIO	UNIT COUNT	SF
1BR- A1	27%	64	875
2BR- B1	8%	19	1322
2BR- B1A WITH DEN	14%	33	1384
2BR- B2	38%	91	1250
3BR- C1	13%	32	1400
TOTAL UNITS	100%	239	285340
AVERAGE SF/UNIT			1194

PARKING	MIN. REQUIRED	MIN. PROPOSED
DWELLING UNITS	358.5	543
GUESTS	60	65
TOTAL	418	608

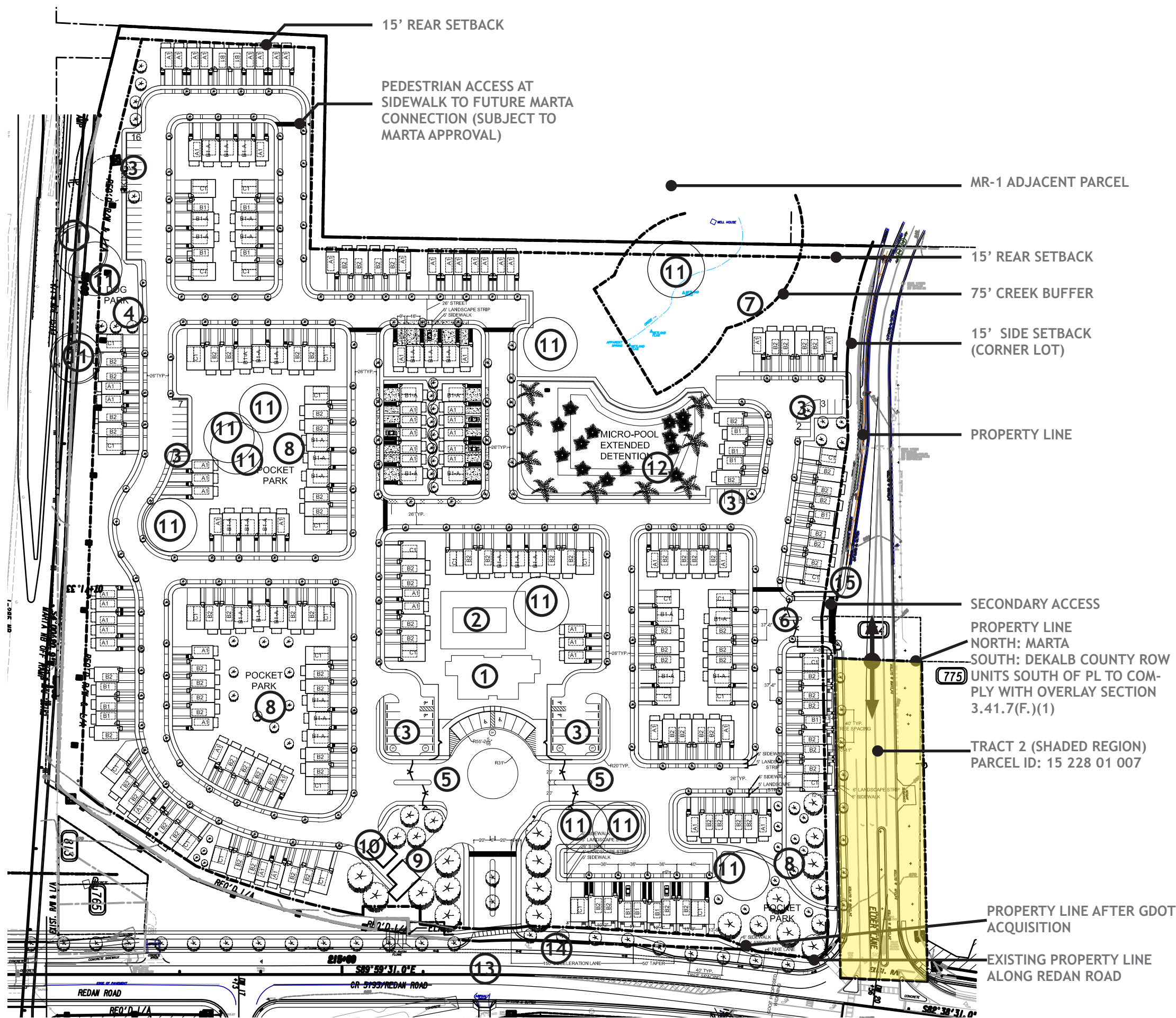
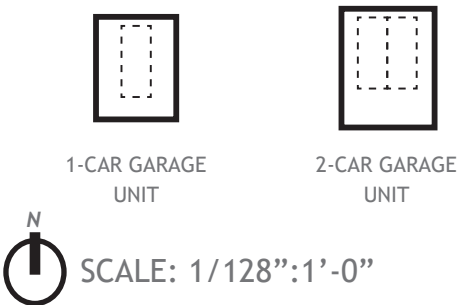
PROPOSED SITE PLAN
DEKALB COUNTY, GA

239 UNITS

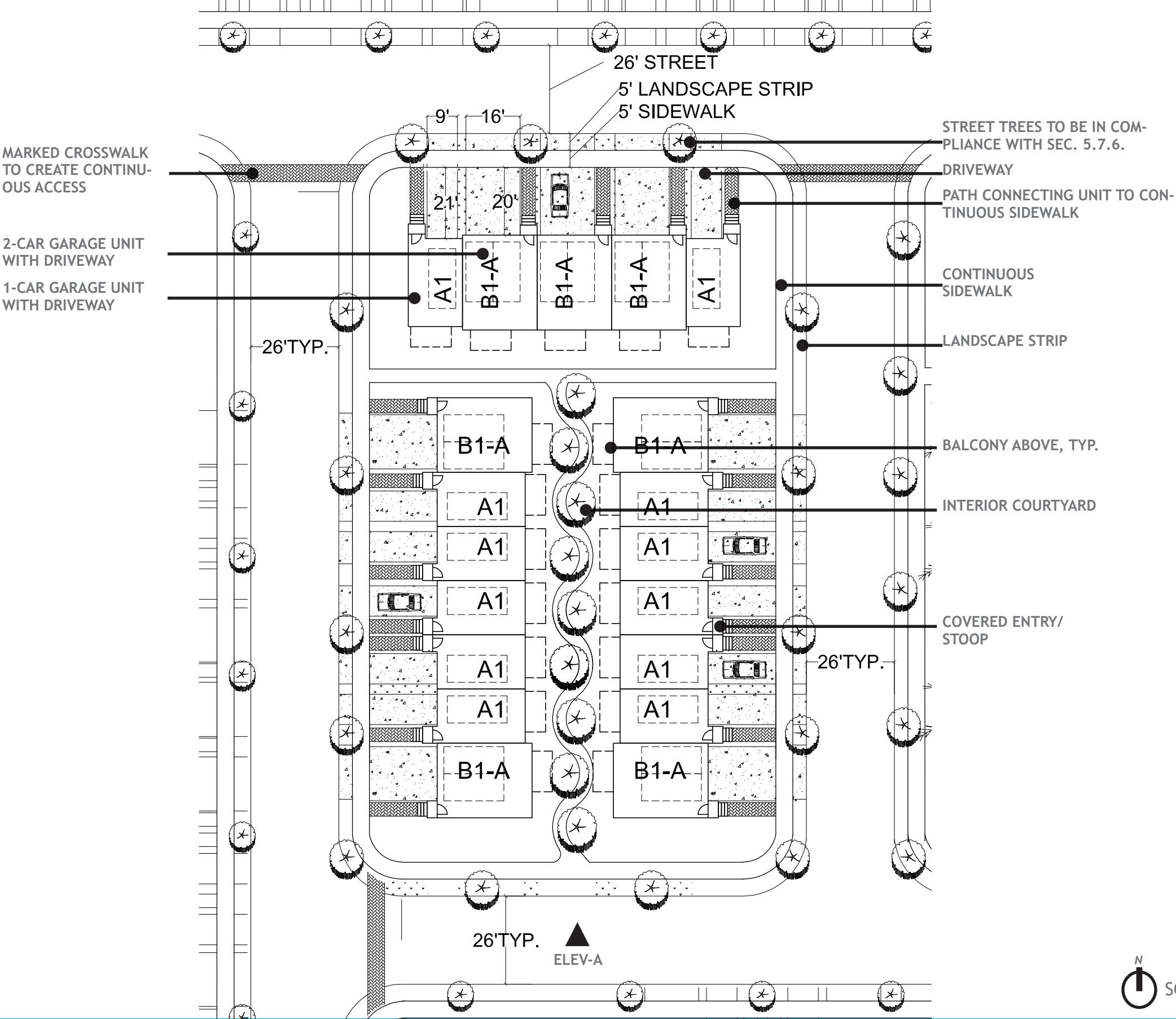
KEY LEGEND:

- 1. 5000 SF CLUBHOUSE
- 2. 2000 SF POOL
- 3. VISITOR/COMMUNITY PARKING
- 4. DOG PARK
- 5. SECURED GATES
- 6. SECONDARY ACCESS ROAD (RESIDENTS & EMERGENCY ACCESS W/ KNOX BOX)
- 7. CREEK WITH 75' RADIUS BUFFER
- 8. POCKET PARKS
- 9. WASTE DUMPSTER
- 10. MAINTENANCE BUILDING
- 11. 30"+ TREES TO BE PRESERVED (SOLID CIRCLES)
- 12. MICRO-POOL EXTENDED DETENTION COMPLYING WITH ALL COUNTY REGULATIONS & ENHANCED OPEN SPACE REQUIREMENTS
- 13. PROPOSED GDOT WIDENING OF REDAN RD FROM 2 TO 4 LANES PER REVIEW OF PRELIMINARY PLANS FOR GDOT PROJECT NO. 0013914.
- 14. DECELERATION LANE INTO SUBJECT PROPERTY
- 15. EXISTING PEDESTRIAN ACCESS TO MARTA CONNECT TO SITE

GENERAL COMMENT: UNIT FACADES WILL BE DESIGNED IN ACCORDANCE WITH ZONING CODE SECTION 5.7.6(I.)

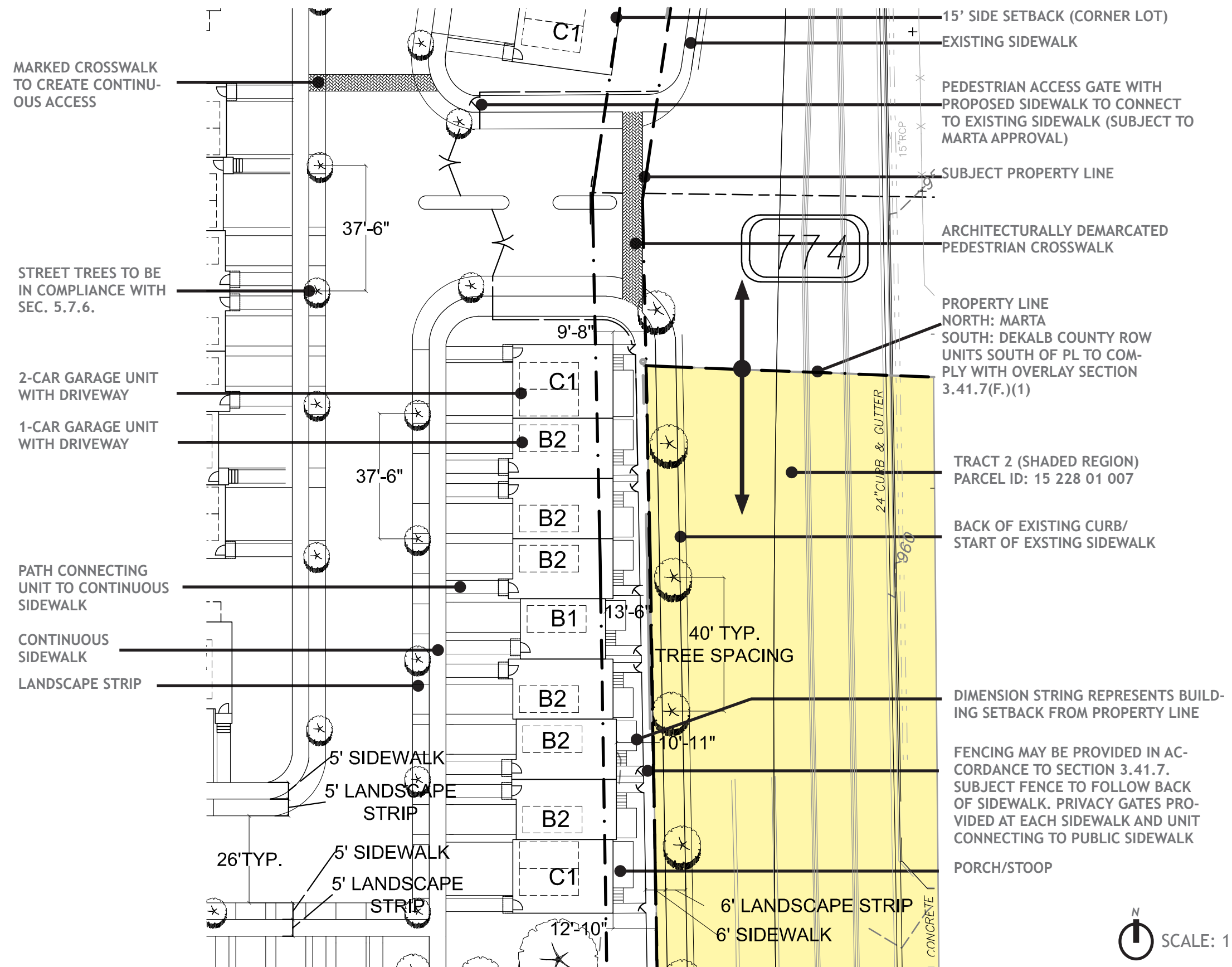


PROPOSED SITE PLAN- INTERIOR BLOCK
DEKALB COUNTY, GA



PROPOSED SITE PLAN- ELDER LN ENTRY

DEKALB COUNTY, GA



PROPOSED SITE PLAN- LOT COVERAGE
DEKALB COUNTY, GA



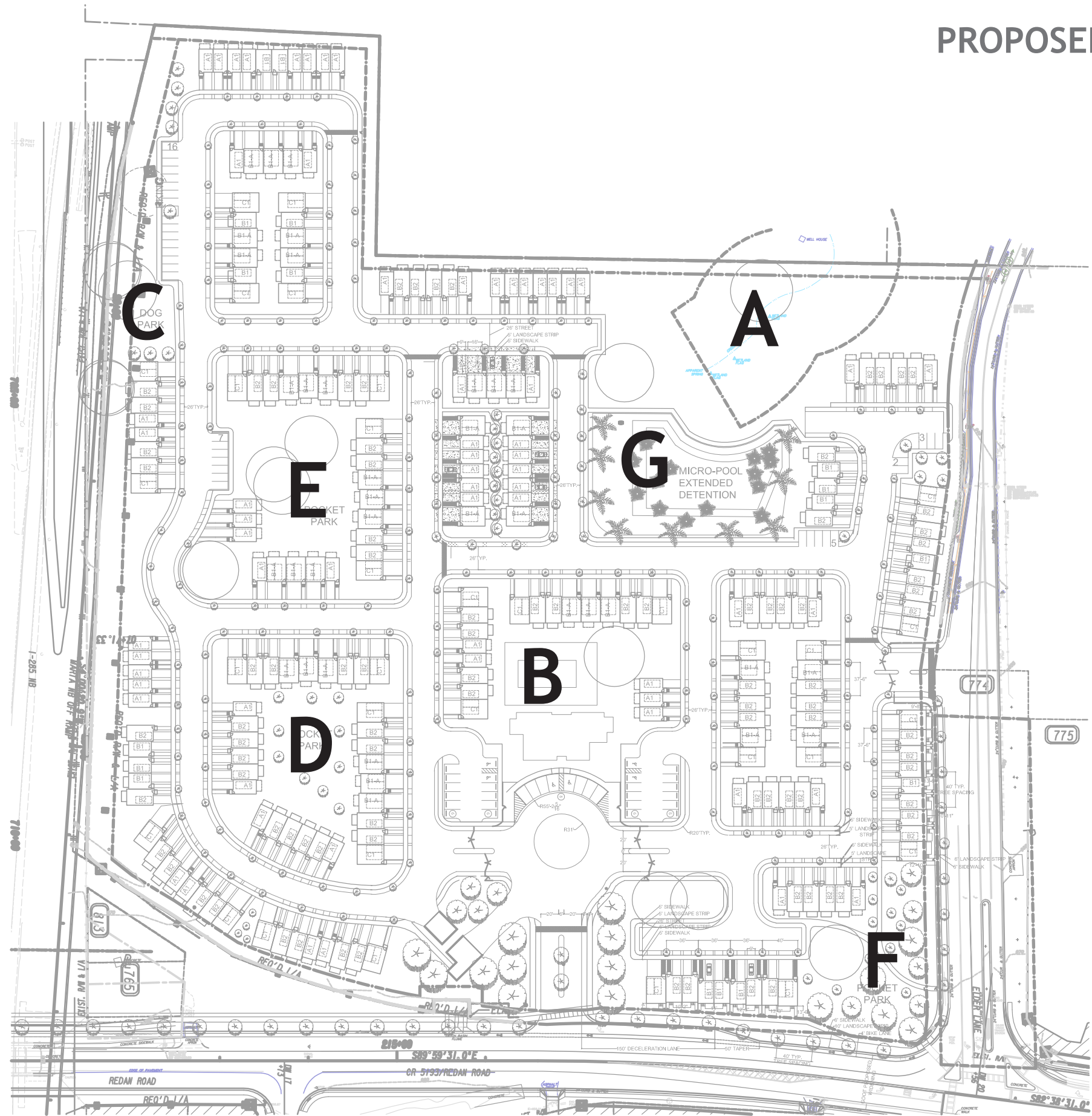
LOT COVERAGE			
PROPERTY SIZE (SF)			871,200.00
PARCEL	BUILDINGS	DRIVEWAYS	TOTAL
1	3375	2700	6075
2	15613	12364	27977
3	8085	6018	14103
4	14027	11175	25202
5	9915	8162	18077
6	4625	3700	8325
7	5653	4705	10358
8	9752	7830	17582
9	6562	5325	11887
10	9140	7390	16530
11	13390	10836	24226
12	3870	3060	6930
13	10280	8220	18500
14	6245	5150	11395
A	13700		13700
B	1620		1620
IMPERVIOUS SURFACES			191,800.00
TOTAL COVERAGE			424,287.00
LOT COVERAGE			49%

PER SEC. 27-2.11.2 (TABLE 2.4) LOT COVERAGE (MAX. % PER LOT OR TOTAL PARCEL ACREAGE): 80%

 SCALE: 1/128":1'-0"

PROPOSED SITE PLAN- ENHANCED OPEN SPACES

DEKALB COUNTY, GA



KEY	ENHANCED OPEN SPACE	SIZE (SF)
A	STREAM & BUFFER	18335
B	CLUBHOUSE AMENITIES & SURROUNDING AREA	19420
C	DOG PARK	2660
D	POCKET PARK 1	9000
E	POCKET PARK 2	16800
F	POCKET PARK 3	16000
G	STORMWATER POND	28700
	TOTAL	110915

ZONING COMPLIANCE (PER SEC. 5.5.3)

A. Designated wetlands and dedicated Conservation Areas for native species and/or vegetation may count toward open space requirements in accordance with Table 5.5

B. Per table 5.5, there are no minimum square footage requirements. Clubhouse to be in compliance with Table 5.6 Design requirements.

C-F. Per table 5.5, the proposed pocket parks meet the minimum 2000 square feet requirements.

G. Stormwater facilities may be located within open space if the stormwater facility is designed and approved as an amenity and/or low impact stormwater management technique, and is in compliance with applicable regulation of Chapter 14 of the Code, including approved Best Management Practices. Such facilities may be exempt from fencing, provided that the public health safety and welfare is not jeopardized by the lack of fencing as determined by the director of planning. Per (I)(1) no more than 50% is counted toward this requirement.

N
SCALE: 1/128":1'-0"

EXTERIOR BUILDING ELEVATIONS

DEKALB COUNTY, GA



CONCEPTUAL ELEVATIONS FOR ILLUSTRATIVE PURPOSES ONLY.
DESIGN TO COMPLY WITH ZONING CODE DESIGN REQUIREMENTS PER SEC. 27-5.7.6(I)(1)&(2).

THE NEXT FOUR PAGES WERE THE ATTACHMENT TO THE
LETTER REGARDING THE PRE-SUBMITTAL COMMUNITY
MEETING

I. INTRODUCTION

This Application for Rezoning is submitted for a ±19.983-acre parcel of land located in Land Lots 221 and 228 of the 15th District of DeKalb County and known as 1014 and 1015 Elder Lane and 3892 and 3960 Redan Road (collectively the “Property”). The Property is shown on the survey prepared by GeoSurvey, Ltd. dated December 28, 2015 and filed with this Application. The Property is located in Commission District 5 and Super District 7.

The Property is currently zoned O-I (Office-Institutional). The Property lies within the recently adopted Indian Creek Overlay District, which was formerly part of the Kensington-Memorial Drive Overlay District Tier III. Applicant, Kaplan Residential by Dentons US LLP (“Kaplan” or “Applicant”), now seeks approval to rezone the entire Property to MR-1 (Medium Density Residential-1) District/Indian Creek Overlay District to permit development of a 230-unit townhouse community.

This document is submitted as the Letter of Application, Documented Impact Analysis, and other materials required by the Zoning Ordinance of DeKalb County (“Zoning Ordinance”).

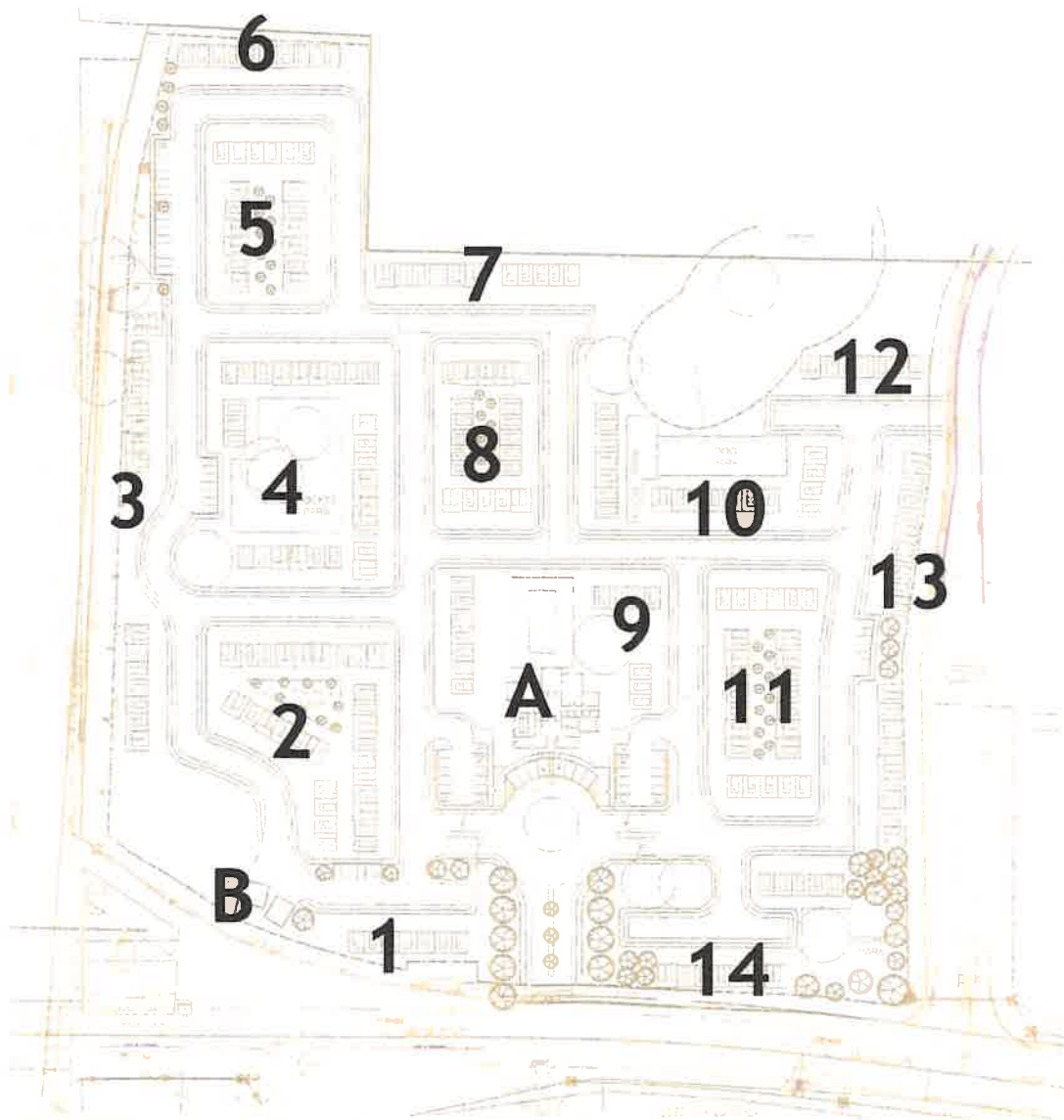
II. DESCRIPTION OF THE PROPERTY AND SURROUNDING AREA

The Property is an assemblage located at the northwest corner of the intersection of Redan Road, an east-west minor arterial street, and Elder Lane. It is bounded on the north by the Indian Creek MARTA Station (“MARTA station”) and to the west by Interstate 285. The Property is currently undeveloped.

The MARTA station, the final stop on the Blue Line eastbound, includes a park and ride lot with over 2,300 parking spaces. Elder Lane provides northbound and southbound vehicular access to the MARTA station and parking lot. The station also may be accessed by an exit directly off I-285 north. Pedestrian access from the Property to the transit station is currently provided via a sidewalk along the west side of Elder Lane from the Redan Road intersection to the MARTA parking lot.

Residential uses -- detached single family homes and townhomes -- predominate immediately south and east of the Property. These nearby parcels are zoned MR-1, R-100, and R-75. Additionally, all the adjacent parcels owned by MARTA, both developed and undeveloped, are zoned MR-1. A commercial node and institutional uses lie to the east at the intersection of Redan Road and S. Indian Creek Drive. The Property is served by Rowland Elementary School, Mary McLeod Bethune Middle School, and Towers High School.

The Property is designated as “Town Center” in the 2035 Comprehensive Plan. The Plan provides that “the intent of the Town Center Character Area is to promote the concentration of residential and commercial structures which serve many communities in order to reduce automobile travel, promote walkability and increased transit usage” (p. 64). Furthermore, the Redan Road and Indian Creek Drive Small Area Plan, entitled the Master Active Living Plan for the Indian Creek MARTA Station, provides a “Visioning Concept” that includes the Property, with townhomes envisioned along I-285.



PROPOSED SITE PLAN- LOT COVERAGE DEKALB COUNTY, GA

LOT COVERAGE			
PROPERTY SIZE (SF)			871,200.00
PARCEL	BUILDINGS	DRIVEWAYS	TOTAL
1	3375	2700	6075
2	15613	12364	27977
3	8085	6018	14103
4	14027	11175	25202
5	9915	8162	18077
6	4625	3700	8325
7	5653	4705	10358
8	9752	7830	17582
9	6562	5325	11887
10	9140	7390	16530
11	13390	10836	24226
12	3870	3060	6930
13	10280	8220	18500
14	6245	5150	11395
A	13700		13700
B	1620		1620
IMPERVIOUS SURFACES			191,800.00
TOTAL COVERAGE			424,287.00
LOT COVERAGE			49%

PER SEC. 27-2.11.2 (TABLE 2.4) LOT COVERAGE (MAX. % PER LOT OR TOTAL PARCEL ACREAGE): 80%

**LETTER OF APPLICATION, PROJECT SUMMARY
AND
DOCUMENTED IMPACT ANALYSIS**

and other materials required by the
Zoning Ordinance of DeKalb County

for

**APPLICATION TO REZONE PROPERTY
FROM O-I/INDIAN CREEK OVERLAY DISTRICT
TO MR-1/INDIAN CREEK OVERLAY DISTRICT**

for

± 19.983 acres of land
known as

1014 and 1015 Elder Lane and 3892 and 3960 Redan Road

Land Lots 221 and 228, 15th District, DeKalb County, Georgia

Submitted on behalf of

Kaplan Residential, LLC

by

Dentons US LLP

Sharon A. Gay, Esq.

Dan Baskerville

303 Peachtree Street, N.E.

Suite 5300

Atlanta, Georgia 30308

404.527.8539

dan.baskerville@dentons.com

III. KAPLAN RESIDENTIAL

Kaplan is a third-generation family-owned company with more than six decades of experience developing master-planned mixed-use communities, apartments, student housing, single family and townhome communities, and innovative urban infill redevelopment projects. Kaplan's track record now encompasses more than \$3 billion in development, including 30,000 residential homes, 3 million square feet of commercial space, and 10 master-planned and mixed-use communities in the northeastern and southeastern United States.

Kaplan began developing in metro Atlanta in the 1980s with projects such as Waterford on Piedmont apartment homes and 450 Piedmont townhomes, which the company still owns and manages today. Other Atlanta-area developments include 375 Highland Townhouses, Park Row Townhouses, and Cosmopolitan. Nathan Kaplan, grandson of the founder, is currently supervising development of Generation, a high-rise apartment building in Downtown Atlanta adjacent to Centennial Olympic Park. For more information on this family-centered, innovative company, go to www.kaplanresidential.com.

IV. PROJECT SUMMARY

As shown on the site plan prepared by Niles Bolton Architects dated September 2, 2020 and filed with this application (the "Site Plan"), Kaplan proposes to develop the Property into a townhome community of 230 residences plus a pool, clubhouse, pocket parks, dog park, and other amenities. The O-I district does not permit townhomes; accordingly, Kaplan is requesting approval to rezone the Property to MR-1.

The MR-1 zoning classification permits up to 12 units/acre with density bonuses (see tables 2.6 and 2.7 of the Zoning Ordinance). The proposed density is 11.5 units per acre, totaling approximately 276,000 square feet, with an average unit size of approximately 1,200 square feet. This unit per acre mix utilizes the MARTA station density bonus set forth section 2.12.5(c) of the Zoning Ordinance, as the Property is within ¼ mile of the MARTA station.

As shown on the Site Plan, the community will be pleasingly arranged around a central axis of a landscaped entryway and focal point leading to the clubhouse and pool. Private streets and sidewalks will connect the residences in a traditional neighborhood pattern. Pocket parks will be located throughout the community, and a dog park will be provided. Sidewalks, building architecture, streetscapes, and site design will be provided in accordance with Indian Creek Overlay District requirements. Primary exterior building materials will include a mix of stucco and brick veneers as prescribed in the Overlay District regulations. The primary roof form will be symmetrical gable covered with shingles and shed-style covers at the entryways.

All units will include either a one or two-car garage and a driveway to allow for parking of at least two vehicles. Approximately 68 additional designated community/visitor parking spaces will be provided onsite. Garages will not face the minor arterial road, Redan Road, or the public street, Elder Lane. The primary entrance point is on Redan Road, with an emergency access point to be provided off Elder Lane. Stormwater management facilities will be designed and installed in accordance with State and County requirements.

Kaplan plans to offer the residences for rent at rates likely ranging from \$1,500 for a one-bedroom unit up to \$2,000 for a three-bedroom home, with a proposed unit mix of:

- 57 one-bedrooms at 875 square feet;
- 141 two-bedrooms, ranging from 1,250 - 1,384 square feet; and
- 32 three-bedrooms at 1,400 square feet.

The purpose of this development is to provide DeKalb County residents with additional options for quality housing accessible to transit. Kaplan intends to coordinate with MARTA to enhance pedestrian access from the community to the station property.

V. DOCUMENTED IMPACT ANALYSIS

The Applicant provides the following information in response to the required analysis:

(A) Whether the zoning proposal is in conformity with the policy and intent of the comprehensive plan. Yes. The Property lies within a character area designated as "Town Center" in the 2035 Comprehensive Plan, which contemplates density up to 60 units/acre. The requested MR-1 classification is compatible with the Town Center designation. The proposed development is consistent with the intent of this land use designation that the Property and surrounding properties should be redeveloped to promote the concentration of residential structures in order to reduce automobile travel and promote walkability and increased transit usage. Further, as noted in Section II. above, the Redan Road and Indian Creek Drive Small Area Plan includes the Property with townhomes envisioned along I-285.

(B) Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property or properties. Yes. Several adjacent parcels are zoned MR-1. Other nearby parcels are zoned R-100 and R-75. The proposed development is similar in scale and density to nearby residential areas. Use of the Property for a townhome development is appropriate for this location adjacent to a MARTA station and the I-285 interchange. Allowing additional residences and density in this location can support complimentary retail and commercial uses that are consistent with the type of Transit Oriented Development envisioned for this area.

(C) Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned. The fact that a parcel of this size directly adjacent to a MARTA station and an interstate access point has remained undeveloped while nearly every other property in the vicinity has been developed strongly suggests a lack of market interest in the uses allowed under the O-I classification.

(D) Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property or properties. No. The residential use is compatible with adjacent and nearby residential uses, and the design of the community is compatible with the scale and layout of nearby residential areas. The residents of the townhomes will provide new customers for MARTA and support development of community retail, restaurant, and service establishments.

(E) 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. Notwithstanding lot frontage on a minor arterial street and close proximity to a MARTA

station, given the largely residential character of the vicinity the appropriate use for this Property is a medium density townhome development.

(F) Whether the zoning proposal will adversely affect historic buildings, sites, districts, or archaeological resources. Applicant is not aware of any historic buildings, sites, or districts or any archaeological resources near the Property.

(G) Whether the zoning proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools. No. Kaplan's engineers have conferred with Georgia Department of Transportation (GDOT) personnel about planned upgrades to Redan Road. The project has been designed to accommodate those improvements. Residents of the community will increase ridership for the MARTA station. Kaplan and the design team are consulting with MARTA staff about options to enhance pedestrian access to the station.

Stormwater management facilities will be designed and installed in accordance with State and County requirements. Kaplan is not aware of any deficiencies in public or private utilities that will serve the Property. Sanitary sewer capacity will be determined at the time Kaplan seeks a building permit to construct the townhomes. Kaplan will comply with any remedial actions required by the County at that time.

Given the unit mix and size of the units, Kaplan's experience with similar developments suggests that this community will not create a burden on the school system. The one-bedroom and two-bedroom homes are likely to be rented primarily by one or two-person households. Only 32 units will have three bedrooms.

Applicant further notes that this Application requests a "downzoning" from the current O-I classification, which allows uses such as offices, hotel, apartments, hospital, nursing home, and theatres up to five stories in height. The proposed density of 11.5 townhome units per acre is considerably less dense than the scale of development allowed under the current zoning of the Property.

(H) Whether the zoning proposal adversely impacts the environment or surrounding natural resources. No. Stormwater management facilities will be constructed to prevent runoff onto the public streets or nearby properties.

VI. CONSTITUTIONAL OBJECTIONS

The Applicant respectfully submits that the Zoning Ordinance as amended from time to time, to the extent that it classifies the Property in any zoning district that would preclude development of a townhome development, is unconstitutional as a taking of property, a denial of equal protection, an arbitrary and capricious act, and an unlawful delegation of authority under the specific constitutional provisions later set forth herein. Any existing inconsistent zoning of the Property pursuant to the Zoning Ordinance of DeKalb County deprives the Applicant and Property owner of any alternative reasonable use and development of the Property. Additionally, all other zoning classifications, including ones intervening between the existing classification and that requested herein, would deprive the Applicant and Property owner of any reasonable use and development of the Property.

Further, any attempt by the Board of Commissioners to impose greater restrictions upon the manner in which the Property will be developed than presently exist would be equally unlawful.

Accordingly, Applicant submits that the current zoning classifications and any other zoning of the Property save for what has been requested as established in the Zoning Ordinance of DeKalb County constitute an arbitrary and unreasonable use of the zoning and police powers because they bear no substantial relationship to the public health, safety, morality or general welfare of the public and substantially harm the Applicant and Property owner. All inconsistent zoning classifications between the existing zoning and the zoning requested hereunder would constitute an arbitrary and unreasonable use of the zoning and police powers because they bear or would bear no substantial relationship to the public health, safety, morality or general welfare of the public and would substantially harm the Applicant and Property owner. Further, the existing inconsistent zoning classification constitutes, and all zoning and plan classifications intervening between the existing inconsistent zoning classification and that required to develop this Project would constitute, a taking of the owner's private property without just compensation and without due process in violation of the Fifth Amendment and Fourteenth Amendment of the Constitution of the United States, and Article I, Section I, Paragraph I and Article I, Section III, Paragraph I of the Constitution of the State of Georgia and the Due Process and Equal Protection Clauses of the Fourteenth Amendment to the Constitution of the United States.

Further, the Applicant respectfully submits that failure to approve the requested zoning change would be unconstitutional and would discriminate in an arbitrary, capricious and unreasonable manner between the Applicant and Property owner and owners of similarly situated property in violation of Article I, Section III, Paragraph I of the Constitution of the State of Georgia and the Equal Protection Clause of the Fourteenth Amendment of the Constitution of the United States.

Finally, the Applicant respectfully submits that the Board of Commissioners cannot lawfully impose more restrictive standards upon the development of the Property than presently exist, as to do so not only would constitute a taking of the Property as set forth above, but also would amount to an unlawful delegation of their authority, in response to neighborhood opposition, in violation of Article IX, Section IV, Paragraph II of the Georgia Constitution.


This Application meets favorably the prescribed test set out by the Georgia Supreme Court to be used in establishing the constitutional balance between private property rights and zoning and planning as an expression of the government's police power. See Guhl vs. Holcomb Bridge Road Corp., 238 Ga. 322 (1977).

VII. CONCLUSION

For the foregoing reasons, the Applicant respectfully requests that this Application to Rezone from O-I/Indian Creek Overlay District to MR-1/Indian Creek Overlay District be approved.

Submitted this 2nd day of September, 2020.

By:


Sharon A. Gay
Atlanta Managing Partner
Dentons US LLP

**Within 250 Feet of the Property
Property Owner**

Address

City

State

Zip

MARTA	3923 Durham Park Road	Stone Mountain	Georgia	30083
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Jessica D. Campbell	4046 Carlinswood Way	Stone Mountain	Georgia	30083
Christopher Williams	1037 Crown Blvd	Stone Mountain	Georgia	30083
Margo Doers	1043 Crown Blvd	Stone Mountain	Georgia	30083
KB Home Atlanta LLC	1070 Britannia Rd	Stone Mountain	Georgia	30083
Zandile Nkabinde	1045 Crown Blvd	Stone Mountain	Georgia	30083
Janice Permer	1049 Crown Blvd	Stone Mountain	Georgia	30083
Michael R. Crawford	1055 Crown Blvd	Stone Mountain	Georgia	30083
Veronia Mallory	1036 Crown Blvd	Stone Mountain	Georgia	30083
Richard Stevenson	1040 Crown Blvd	Stone Mountain	Georgia	30083
Karamaia Barkley	1044 Crown Blvd	Stone Mountain	Georgia	30083
Jeevan Augustus Brown	1050 Crown Blvd	Stone Mountain	Georgia	30083
James H. Davis III	1052 Crown Blvd	Stone Mountain	Georgia	30083
Gloria Whitaker	1027 Privy Ln	Stone Mountain	Georgia	30083
Glenett Hannah	1048 Crown Blvd	Stone Mountain	Georgia	30083
Vanessa Williams	1025 Privy Ln	Stone Mountain	Georgia	30083
Britney Chappell	1021 Privy Ln	Stone Mountain	Georgia	30083
Jody Parkins	1015 Privy Ln	Stone Mountain	Georgia	30083
Ralph Gary	1011 Privy Ln	Stone Mountain	Georgia	30083
Felisha Digby Blackwell	1022 Privy Ln	Stone Mountain	Georgia	30083
Xiansheng Wang	1010 Privy Ln	Stone Mountain	Georgia	30083
Carla Morgan	1014 Privy Ln	Stone Mountain	Georgia	30083
Jonathan Blacksher	1016 Privy Ln	Stone Mountain	Georgia	30083
Bernice A. Williams	1018 Privy Ln	Stone Mountain	Georgia	30083
GRE management Inc	4092 Redan Rd	Stone Mountain	Georgia	30083
Dantali LLC	4071 Redan Rd	Stone Mountain	Georgia	30083
JCK Global Investment Inc	4081 Redan Rd	Stone Mountain	Georgia	30083
Golden Business Inc	1153 Indian Creek Dr	Stone Mountain	Georgia	30083
AKBO Inc	4043 Redan Rd	Stone Mountain	Georgia	30083
DCJ Properties and Holdings (owns :)	4015 Redan Rd	Stone Mountain	Georgia	30083
Willie E. Reese	4015 Redan Rd	Stone Mountain	Georgia	30083
Southwest of Property				
John Kirby	1107 Sagehill Rd	Stone Mountain	Georgia	30083
Basil O. mcPherson	1115 Sagehill Rd	Stone Mountain	Georgia	30083
Michael E. Lombardo	1126 Renee Dr	Stone Mountain	Georgia	30083
Louisiana McCullough	3938 Jane Marie Ln	Stone Mountain	Georgia	30083
Valerie Hillman	3946 Jame Marie Ln	Stone Mountain	Georgia	30083
Randolph Minor	3954 Jane Marie Ln	Stone Mountain	Georgia	30083
PFIN II F LLC	1127 Renee Dr	Stone Mountain	Georgia	30083
Lakimbalynn Parker	3982 Carlinswood Way	Stone Mountain	Georgia	30083
East of the Property				
Cynthia J. Pollard	4016 Chemawa Dr	Stone Mountain	Georgia	30083
Tiberhe Tsehaye	Chemawa Dr	Stone Mountain	Georgia	30083
Marcella Lottie	4027 Chemawa Dr	Stone Mountain	Georgia	30083
Michelle Hill	4033 Chemawa Dr	Stone Mountain	Georgia	30083
Rhonda Earl	4041 Chemawa Dr	Stone Mountain	Georgia	30083
Samath Pol	4049 Chemawa Dr	Stone Mountain	Georgia	30083
Rodney E. Freeman Sr	4057 Chemawa Dr	Stone Mountain	Georgia	30083

Willam S. Dean	1109 Indian Creek Dr	Stone Mountain	Georgia	30083
Tracy D. Culbreath	1071 Yemassee Trl	Stone Mountain	Georgia	30083
Eleanor Scott	1079 Yemassee Trl	Stone Mountain	Georgia	30083
Mohamud A. Elmi	1089 Yemassee Trl	Stone Mountain	Georgia	30083

Below is a list of the people who called in to the virtual (zoom) pre-submittal community meeting held on the evening of August 18, 2020. Several numbers appear more than once, but the total number was over 20 participants. Many good questions were asked and noted, we stayed on long enough for all participants to ask their questions.

Name (Original User Email Join Time Leave Time Duration (Minutes)

Dan Baske dan.basker	#####	#####	84
Devon	#####	#####	8
iPhone	#####	#####	8
Alicia H msaliciahai	#####	#####	8
chusbandg chusbandg	#####	#####	1
Doug Yarn splitsecon	#####	#####	8
R. E Tomp tompki@hc	#####	#####	7
Kevin	#####	#####	1
Sharon's iPad	#####	#####	4
Marshall	#####	#####	4
Debra Ware	#####	#####	1
Edward's iPhone	#####	#####	3
Andrés Rul andresrubio	#####	#####	5
Jonathan Bernard	#####	#####	2
Kevin	#####	#####	1
Kara Barkl ksarkley@	#####	#####	1
Marcela Dib	#####	#####	1
Morris	#####	#####	1
Morris	#####	#####	76
Sharon's iPad	#####	#####	76
iPhone	#####	#####	76
Alicia H msaliciahai	#####	#####	29
R. E Tomp tompki@hc	#####	#####	6
Edward's iPhone	#####	#####	40
Marcela Dib	#####	#####	76
Kara Barkl ksarkley@	#####	#####	76
Jonathan Bernard	#####	#####	76
Kevin	#####	#####	1
Doug Yarn splitsecon	#####	#####	17
Devon	#####	#####	76
Marshall	#####	#####	73
chusbandg chusbandg	#####	#####	1
Andrés Rul andresrubio	#####	#####	1
chusbandg chusbandg	#####	#####	73
Andrés Rul andresrubio	#####	#####	64
Isaac Marc yitsi80@gn	#####	#####	1
Janice Parmer	#####	#####	1
1.77E+10	#####	#####	74
Isaac Marc yitsi80@gn	#####	#####	27
Janice Parmer	#####	#####	62
ryanbbrown	#####	#####	1
Ryan and Beth (ryanbt	#####	#####	75
1.9E+10	#####	#####	2
James Joh jayjay@jps	#####	#####	1
James Joh jayjay@jps	#####	#####	1
jalila rustayee	#####	#####	1
Kevin	#####	#####	1
jalila rustayee	#####	#####	6
Kevin	#####	#####	2
James Joh jayjay@jps	#####	#####	1
1.4E+10	#####	#####	18
James Joh jayjay@jps	#####	#####	1
James Joh jayjay@jps	#####	#####	70
1.68E+10	#####	#####	67

Larry Ruck ruckerlc50(#####	#####	1
Larry Ruck ruckerlc50(#####	#####	71
1.9E+10	#####	#####	1
Kevin	#####	#####	1
Kevin	#####	#####	68
Errol Ritchie	#####	#####	1
Errol Ritchie	#####	#####	57
iPhone	#####	#####	1
iPhone	#####	#####	22
cherokee	#####	#####	1
1.9E+10	#####	#####	65
cherokee	#####	#####	64
Doug Yarn splitsecon	#####	#####	50
Julie McKay	#####	#####	3
Julie McKay	#####	#####	55
Joycelyn B.joycelynba	#####	#####	1
Joycelyn B.joycelynba	#####	#####	47
vanessa	#####	#####	1
vanessa	#####	#####	30
MARION	#####	#####	1
MARION	#####	#####	45
Tyson IPHONE 10	#####	#####	1
Tyson IPHONE 10	#####	#####	29
Edward's iPhone	#####	#####	1
Edward's iPhone	#####	#####	1
Edward's iPhone	#####	#####	1
Edward's iPhone	#####	#####	33
vanessa	#####	#####	1
vanessa	#####	#####	7
Andrés Rul andresrubi	#####	#####	12

Chief Executive Officer
Michael Thurmond

DEPARTMENT OF PLANNING & SUSTAINABILITY

Director
Andrew A. Baker, AICP

REZONE APPLICATION AUTHORIZATION

Completion of this form is required if the individual making the request is not the owner of the property.

DATE: 8/19/20

CHECK TYPE OF APPLICATION:

- () LAND USE PLAN
(☒) REZONE
() MINOR MODIFICATION

TO WHOM IT MAY CONCERN:

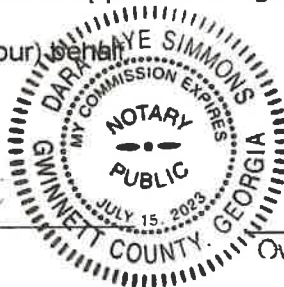
(I) (WE) The Paideia School Incorporated
(Name of owner(s))

being (owner)/(owners) of the property described below or attached hereby delegate authority to
Kaplan Residential by Dentons US LLP

(Name of Applicant or Agent Representing Owner)

to file an application on (my) / (our) behalf


Notary Public




Owner

Notary Public

Owner

Notary Public

Owner

Within 250 Feet of the Property Property Owner	Address	City	State	Zip
MARTA	3923 Durham Park Road	Stone Mountain	Georgia	30083
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Jessica D. Campbell	4046 Carlinswood Way	Stone Mountain	Georgia	30083
Christopher Williams	1037 Crown Blvd	Stone Mountain	Georgia	30083
Margo Doers	1043 Crown Blvd	Stone Mountain	Georgia	30083
KB Home Atlanta LLC	1070 Britannia Rd	Stone Mountain	Georgia	30083
Zandile Nkabinde	1045 Crown Blvd	Stone Mountain	Georgia	30083
Janice Permer	1049 Crown Blvd	Stone Mountain	Georgia	30083
Michael R. Crawford	1055 Crown Blvd	Stone Mountain	Georgia	30083
Veronia Mallory	1036 Crown Blvd	Stone Mountain	Georgia	30083
Richard Stevenson	1040 Crown Blvd	Stone Mountain	Georgia	30083
Karamaia Barkley	1044 Crown Blvd	Stone Mountain	Georgia	30083
Jeevan Augustus Brown	1050 Crown Blvd	Stone Mountain	Georgia	30083
James H. Davis III	1052 Crown Blvd	Stone Mountain	Georgia	30083
Gloria Whitaker	1027 Privy Ln	Stone Mountain	Georgia	30083
Glenett Hannah	1048 Crown Blvd	Stone Mountain	Georgia	30083
Vanessa Williams	1025 Privy Ln	Stone Mountain	Georgia	30083
Britney Chappell	1021 Privy Ln	Stone Mountain	Georgia	30083
Jody Parkins	1015 Privy Ln	Stone Mountain	Georgia	30083
Ralph Gary	1011 Privy Ln	Stone Mountain	Georgia	30083
Felisha Digby Blackwell	1022 Privy Ln	Stone Mountain	Georgia	30083
Xiansheng Wang	1010 Privy Ln	Stone Mountain	Georgia	30083
Carla Morgan	1014 Privy Ln	Stone Mountain	Georgia	30083
Jonathan Blacksher	1016 Privy Ln	Stone Mountain	Georgia	30083
Bernice A. Williams	1018 Privy Ln	Stone Mountain	Georgia	30083
GRE management Inc	4092 Redan Rd	Stone Mountain	Georgia	30083
Dantali LLC	4071 Redan Rd	Stone Mountain	Georgia	30083
JCK Global Investment Inc	4081 Redan Rd	Stone Mountain	Georgia	30083
Golden Business Inc	1153 Indian Creek Dr	Stone Mountain	Georgia	30083
AKBO Inc	4043 Redan Rd	Stone Mountain	Georgia	30083
DCJ Properties and Holdings (owns :)	4015 Redan Rd	Stone Mountain	Georgia	30083
Willie E. Reese	4015 Redan Rd	Stone Mountain	Georgia	30083
Southwest of Property				
John Kirby	1107 Sagehill Rd	Stone Mountain	Georgia	30083
Basil O. mcPherson	1115 Sagehill Rd	Stone Mountain	Georgia	30083
Michael E. Lombardo	1126 Renee Dr	Stone Mountain	Georgia	30083
Louisiana McCullough	3938 Jane Marie Ln	Stone Mountain	Georgia	30083
Valerie Hillman	3946 Jame Marie Ln	Stone Mountain	Georgia	30083
Randolph Minor	3954 Jane Marie Ln	Stone Mountain	Georgia	30083
PFIN II F LLC	1127 Renee Dr	Stone Mountain	Georgia	30083
Lakimbalynn Parker	3982 Carlinswood Way	Stone Mountain	Georgia	30083
East of the Property				
Cynthia J. Pollard	4016 Chemawa Dr	Stone Mountain	Georgia	30083
Tiberhe Tsehaye	Chemawa Dr	Stone Mountain	Georgia	30083
Marcella Lottie	4027 Chemawa Dr	Stone Mountain	Georgia	30083
Michelle Hill	4033 Chemawa Dr	Stone Mountain	Georgia	30083
Rhonda Earl	4041 Chemawa Dr	Stone Mountain	Georgia	30083
Samath Pol	4049 Chemawa Dr	Stone Mountain	Georgia	30083
Rodney E. Freeman Sr	4057 Chemawa Dr	Stone Mountain	Georgia	30083

Willam S. Dean	1109 Indian Creek Dr	Stone Mountain	Georgia	30083
Tracy D. Culbreath	1071 Yemassee Trl	Stone Mountain	Georgia	30083
Eleanor Scott	1079 Yemassee Trl	Stone Mountain	Georgia	30083
Mohamud A. Elmi	1089 Yemassee Trl	Stone Mountain	Georgia	30083

Below is a list of the people who called in to the virtual (zoom) pre-submittal community meeting held on the evening of August 18, 2020. Several numbers appear more than once, but the total number was over 20 participants. Many good questions were asked and noted, we stayed on long enough for all participants to ask their questions.

Name (Original User Email Join Time Leave Time Duration (Minutes)

Dan Baske dan.basker	#####	#####	84
Devon	#####	#####	8
iPhone	#####	#####	8
Alicia H msaliciahai	#####	#####	8
chusbandg chusbandg	#####	#####	1
Doug Yarn splitsecon	#####	#####	8
R. E Tomp tompki@hc	#####	#####	7
Kevin	#####	#####	1
Sharon's iPad	#####	#####	4
Marshall	#####	#####	4
Debra Ware	#####	#####	1
Edward's iPhone	#####	#####	3
Andrés Rul andresrubio	#####	#####	5
Jonathan Bernard	#####	#####	2
Kevin	#####	#####	1
Kara Barkl ksarkley@	#####	#####	1
Marcela Dib	#####	#####	1
Morris	#####	#####	1
Morris	#####	#####	76
Sharon's iPad	#####	#####	76
iPhone	#####	#####	76
Alicia H msaliciahai	#####	#####	29
R. E Tomp tompki@hc	#####	#####	6
Edward's iPhone	#####	#####	40
Marcela Dib	#####	#####	76
Kara Barkl ksarkley@	#####	#####	76
Jonathan Bernard	#####	#####	76
Kevin	#####	#####	1
Doug Yarn splitsecon	#####	#####	17
Devon	#####	#####	76
Marshall	#####	#####	73
chusbandg chusbandg	#####	#####	1
Andrés Rul andresrubio	#####	#####	1
chusbandg chusbandg	#####	#####	73
Andrés Rul andresrubio	#####	#####	64
Isaac Marc yitsi80@gn	#####	#####	1
Janice Parmer	#####	#####	1
1.77E+10	#####	#####	74
Isaac Marc yitsi80@gn	#####	#####	27
Janice Parmer	#####	#####	62
ryanbbrown	#####	#####	1
Ryan and Beth (ryanbt	#####	#####	75
1.9E+10	#####	#####	2
James Joh jayjay@jps	#####	#####	1
James Joh jayjay@jps	#####	#####	1
jalila rustayee	#####	#####	1
Kevin	#####	#####	1
jalila rustayee	#####	#####	6
Kevin	#####	#####	2
James Joh jayjay@jps	#####	#####	1
1.4E+10	#####	#####	18
James Joh jayjay@jps	#####	#####	1
James Joh jayjay@jps	#####	#####	70
1.68E+10	#####	#####	67

Larry Ruck ruckerlc50(#####	#####	1
Larry Ruck ruckerlc50(#####	#####	71
1.9E+10	#####	#####	1
Kevin	#####	#####	1
Kevin	#####	#####	68
Errol Ritchie	#####	#####	1
Errol Ritchie	#####	#####	57
iPhone	#####	#####	1
iPhone	#####	#####	22
cherokee	#####	#####	1
1.9E+10	#####	#####	65
cherokee	#####	#####	64
Doug Yarn splitsecon	#####	#####	50
Julie McKay	#####	#####	3
Julie McKay	#####	#####	55
Joycelyn B.joycelynba	#####	#####	1
Joycelyn B.joycelynba	#####	#####	47
vanessa	#####	#####	1
vanessa	#####	#####	30
MARION	#####	#####	1
MARION	#####	#####	45
Tyson IPHONE 10	#####	#####	1
Tyson IPHONE 10	#####	#####	29
Edward's iPhone	#####	#####	1
Edward's iPhone	#####	#####	1
Edward's iPhone	#####	#####	1
Edward's iPhone	#####	#####	33
vanessa	#####	#####	1
vanessa	#####	#####	7
Andrés Rul andresrubi	#####	#####	12

Chief Executive Officer
Michael Thurmond

DEPARTMENT OF PLANNING & SUSTAINABILITY

Director
Andrew A. Baker, AICP

REZONE APPLICATION AUTHORIZATION

Completion of this form is required if the individual making the request is not the owner of the property.

DATE: 8/19/20

CHECK TYPE OF APPLICATION:

- () LAND USE PLAN
(☒) REZONE
() MINOR MODIFICATION

TO WHOM IT MAY CONCERN:

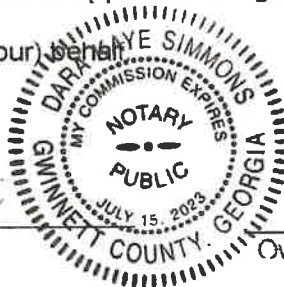
(I) (WE) The Paideia School Incorporated
(Name of owner(s))

being (owner)/(owners) of the property described below or attached hereby delegate authority to
Kaplan Residential by Dentons US LLP

(Name of Applicant or Agent Representing Owner)

to file an application on (my) / (our) behalf


Notary Public




Owner

Notary Public

Owner

Notary Public

Owner

Legal Description of Property

All that tract or parcel of land lying or being in Land Lots 221 & 228, 15th District, DeKalb County, Georgia, and being more particularly described as follows:

Commencing at a Marta control monument stamped "Redan A" having coordinates of North 1,369,111.08, East 2,276,605.33 (State Plane Coordinates, Georgia West Zone, North American Datum 1983); thence North 35 degrees 07 minutes 03 seconds West, a distance of 261.94 feet to a 5/8 inch rebar set at the intersection of the Northerly right-of-way of Old Kensington Road (50 foot right-of-way) (not open) with the Easterly right-of-way of Interstate I-285 (variable right-of-way), said point being the True Point of Beginning; thence along said right-of-way of Interstate I-285 North 00 degrees 14 minutes 58 seconds West, a distance of 23.94 feet to a 1/2 inch rebar found; thence leaving said right-of-way North 02 degrees 13 minutes 34 seconds East, a distance of 652.64 feet to a 1/2 inch rebar found; thence North 07 degrees 25 minutes 58 seconds East, a distance of 95.07 feet to a 1/2 inch rebar found; thence North 13 degrees 45 minutes 26 seconds East, a distance of 168.80 feet to a 5/8 inch rebar set on the Easterly end of Lullaby Way (40 foot right-of-way) (not open); thence leaving said right-of-way South 87 degrees 08 minutes 59 seconds East, a distance of 253.79 feet to a 5/8 inch rebar set on the Southerly end of Elder Lane (35 foot right-of-way) (not open); thence leaving said right-of-way South 01 degrees 00 minutes 59 seconds West, a distance of 246.63 feet to a 2 inch rod found; thence South 89 degrees 03 minutes 18 seconds East, a distance of 690.11 feet to a 5/8 inch rebar set; thence along a curve to the left, said curve having an arc length of 171.02 feet with a radius of 424.00 feet, being subtended by a chord bearing of South 10 degrees 32 minutes 00 seconds West, a distance of 169.86 feet to a 5/8 inch rebar set; thence South 01 degrees 01 minutes 18 seconds East, a distance of 71.13 feet to a 5/8 inch rebar set; thence South 08 degrees 21 minutes 20 seconds West, a distance of 220.95 feet to a 1/2 inch rebar found; thence South 01 degrees 29 minutes 28 seconds East, a distance of 48.87 feet to a 1/2 inch rebar found; thence South 01 degrees 02 minutes 33 seconds East, a distance of 344.24 feet to a 1/2 inch rebar found; thence South 44 degrees 10 minutes 37 seconds West, a distance of 36.08 feet to a concrete monument found on the Northerly right-of-way of Redan Road (variable right-of-way); thence along said right-of-way North 83 degrees 04 minutes 08 seconds West, a distance of 98.95 feet to a 1/2 inch rebar found; thence North 87 degrees 44 minutes 00 seconds West, a distance of 203.49 feet to a 5/8 inch rebar set; thence along a curve to the left, said curve having an arc length of 116.55 feet with a radius of 812.10 feet, being subtended by a chord bearing of North 89 degrees 10 minutes 37 seconds West, a distance of 116.45 feet to a 5/8 inch rebar set at the intersection of the Northerly right-of-way of Redan Road and the Northerly right-of-way of Old Kensington Road; thence along said right-of-way of Old Kensington Road, along a curve to the right, said curve having an arc length of 88.22 feet with a radius of 1046.37 feet, being subtended by a chord bearing of North 85 degrees 02 minutes 53 seconds West, a distance of 88.20 feet to a 5/8 inch rebar set; thence North 00 degrees 03 minutes 21 seconds East, a distance of 20.06 feet to a concrete monument found; thence North 89 degrees 56 minutes 39 seconds West, a distance of 40.00 feet to a 5/8 inch rebar set; thence South 00 degrees 03 minutes 21 seconds West, a distance of 14.14 feet to a concrete monument found; thence along a curve to the right, said curve having an arc length of 236.49 feet with a radius of 1046.37 feet, being subtended by a chord bearing of North 73 degrees 56 minutes 37 seconds West, a distance of 235.99 feet to a 5/8 inch rebar set; thence North 56 degrees 38 minutes 44 seconds West, a distance of 87.25 feet to a 5/8 inch rebar set; thence along a curve to the right, said curve having an arc length of 111.67 feet with a radius of 751.72 feet, being subtended by a chord bearing of North 55 degrees 21 minutes 01 seconds West, a distance of 111.57 feet to a 5/8 inch rebar set, said point being the True Point of Beginning.

Said tract of land contains approximately 19.983 Acres.

PROPOSED SITE PLAN DEKALB COUNTY, GA

239 UNITS

KEY LEGEND:

1. 5000 SF CLUBHOUSE
2. 2000 SF POOL
3. VISITOR/COMMUNITY PARKING
4. DOG PARK
5. SECURED GATES
6. SECONDARY ACCESS ROAD (RESIDENTS & EMERGENCY ACCESS W/ KNOX BOX)
7. CREEK WITH 75' RADIUS BUFFER
8. POCKET PARKS
9. WASTE DUMPSTER
10. MAINTENANCE BUILDING
11. 30"+ TREES TO BE PRESERVED (SOLID CIRCLES)
12. MICRO-POOL EXTENDED DETENTION COMPLYING WITH ALL COUNTY REGULATIONS & ENHANCED OPEN SPACE REQUIREMENTS
13. PROPOSED GDOT WIDENING OF REDAN RD FROM 2 TO 4 LANES PER REVIEW OF PRELIMINARY PLANS FOR GDOT PROJECT NO. 0013914.
14. DECELERATION LANE INTO SUBJECT PROPERTY
15. EXISTING PEDESTRIAN ACCESS TO MARTA CONNECT TO SITE

GENERAL COMMENT: UNIT FACADES WILL BE DESIGNED IN ACCORDANCE WITH ZONING CODE SECTION 5.7.6(1.)



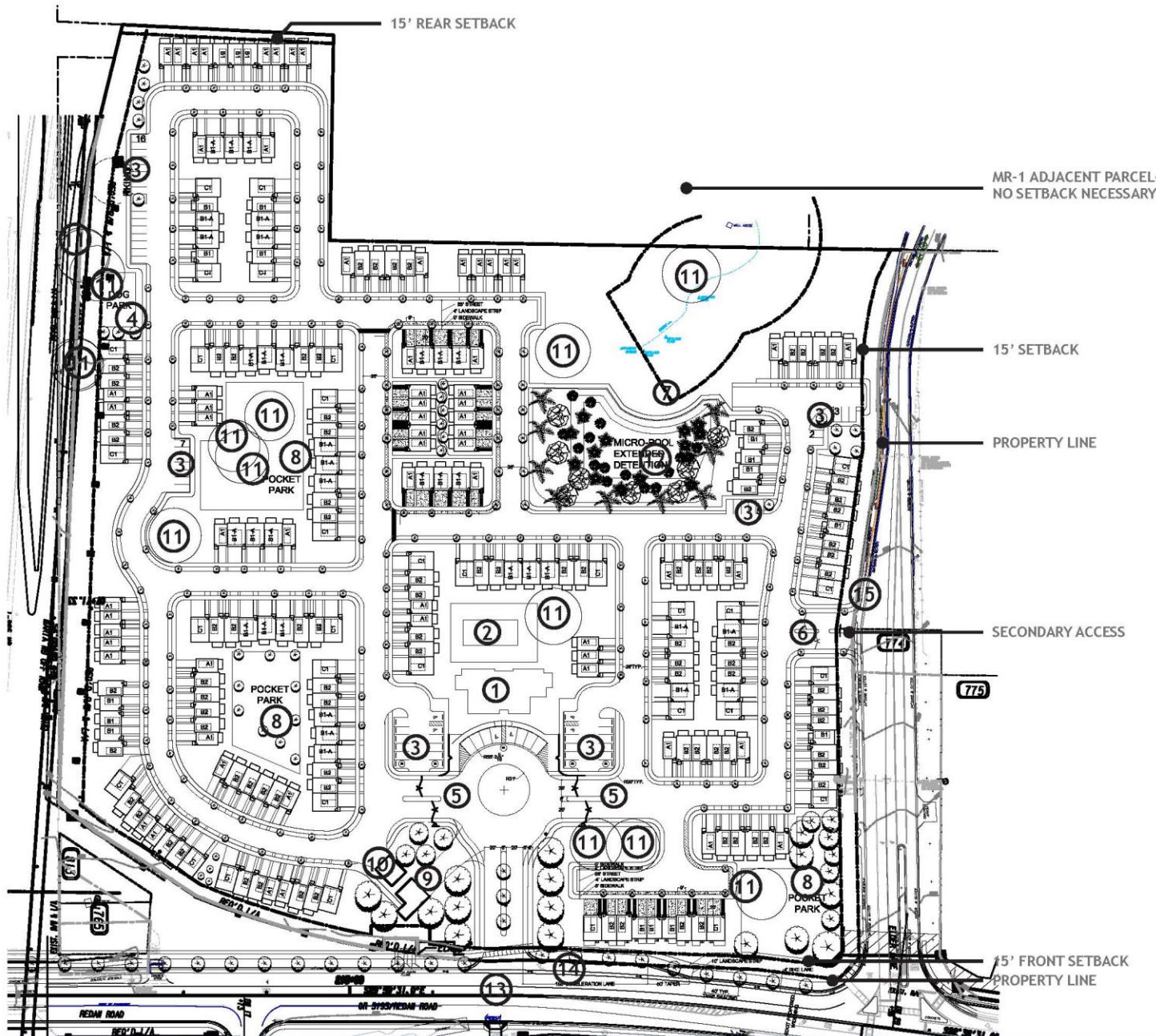
1-CAR GARAGE UNIT

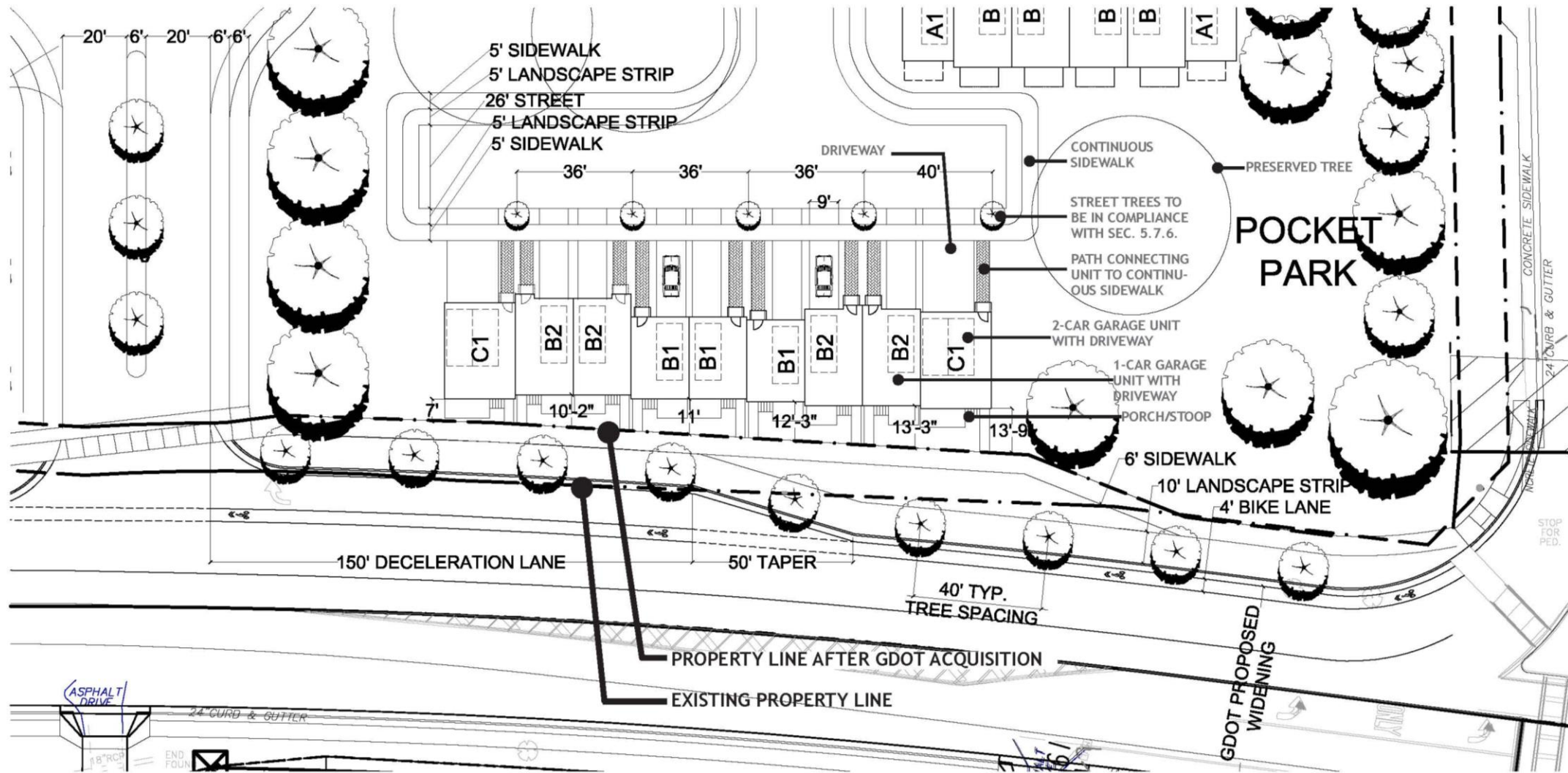


2-CAR GARAGE UNIT

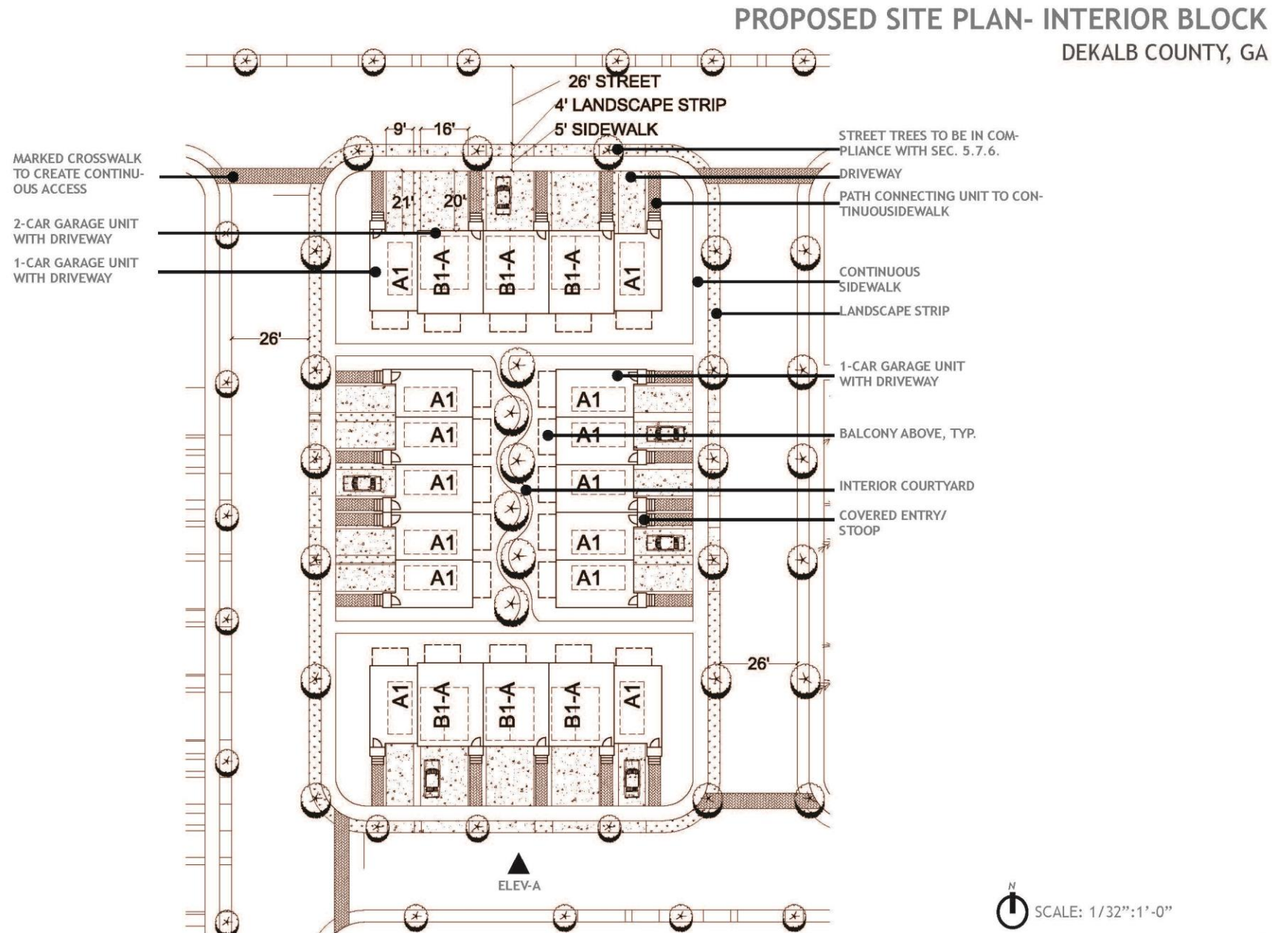


SCALE: 1/128"=1'-0"





SCALE: 1/32"=1'-0"



- Create a more enjoyable and stimulating environment

Land Use Recommendations

- Strive to achieve the land use vision shown in the Framework Plan
- Support the creation of a multi-purpose public open space at the center of the TOD
- Promote mixed-income housing, especially senior housing development in the MARTA TOD area
- Ensure appropriate transitions from commercial or TOD mixed-use zones to residential neighborhoods
- Comprehensive Plan updates (O-1)
- Amend zoning to facilitate development/redevelopment according to the plan vision (O-2)
- Amend subdivision regulations to require inter-parcel connectivity (O-3)
- Develop transit village at the Indian Creek MARTA station area (O-4)
- Improve the Redan Road/S. Indian Creek Drive intersection area (O-5)
- New police precinct in transit village (O-6)

Urban Design Recommendations

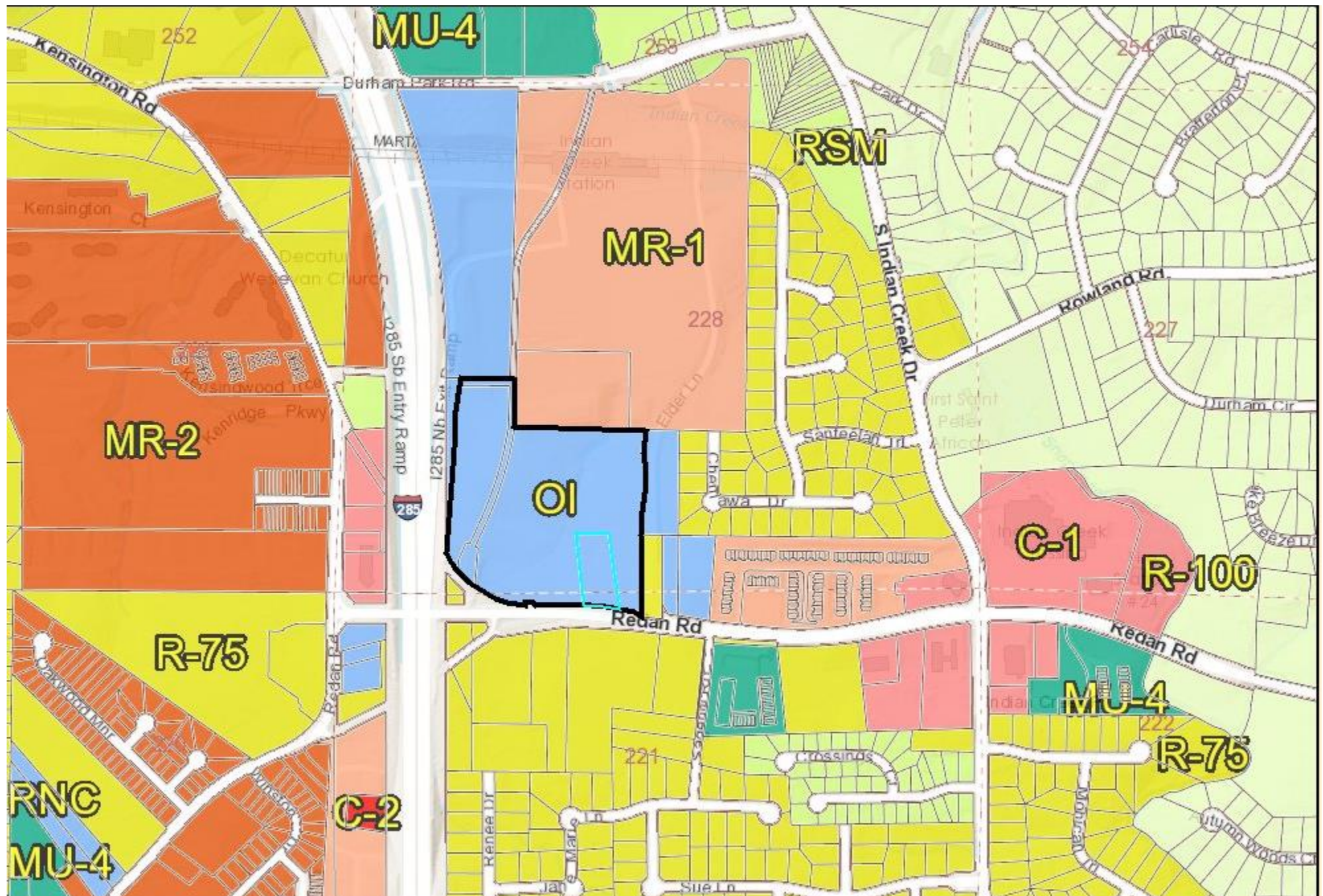
- Require good urban design standards to promote health.
- Support architectural standards that allow a variety of styles, but require good design.
- Incorporate Crime Prevention through Environmental Design (CPTED) Principles

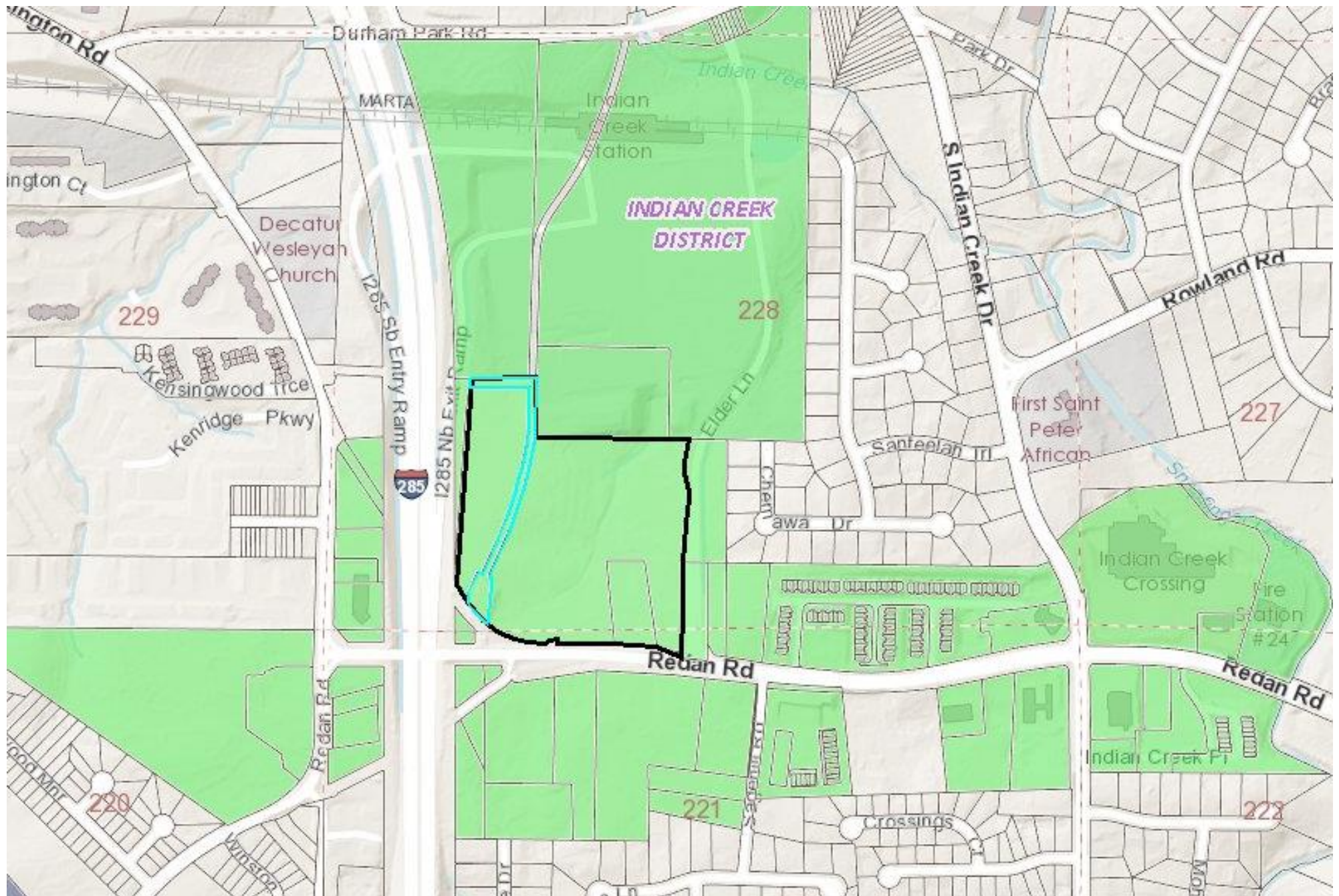
Study Area Concept Plan

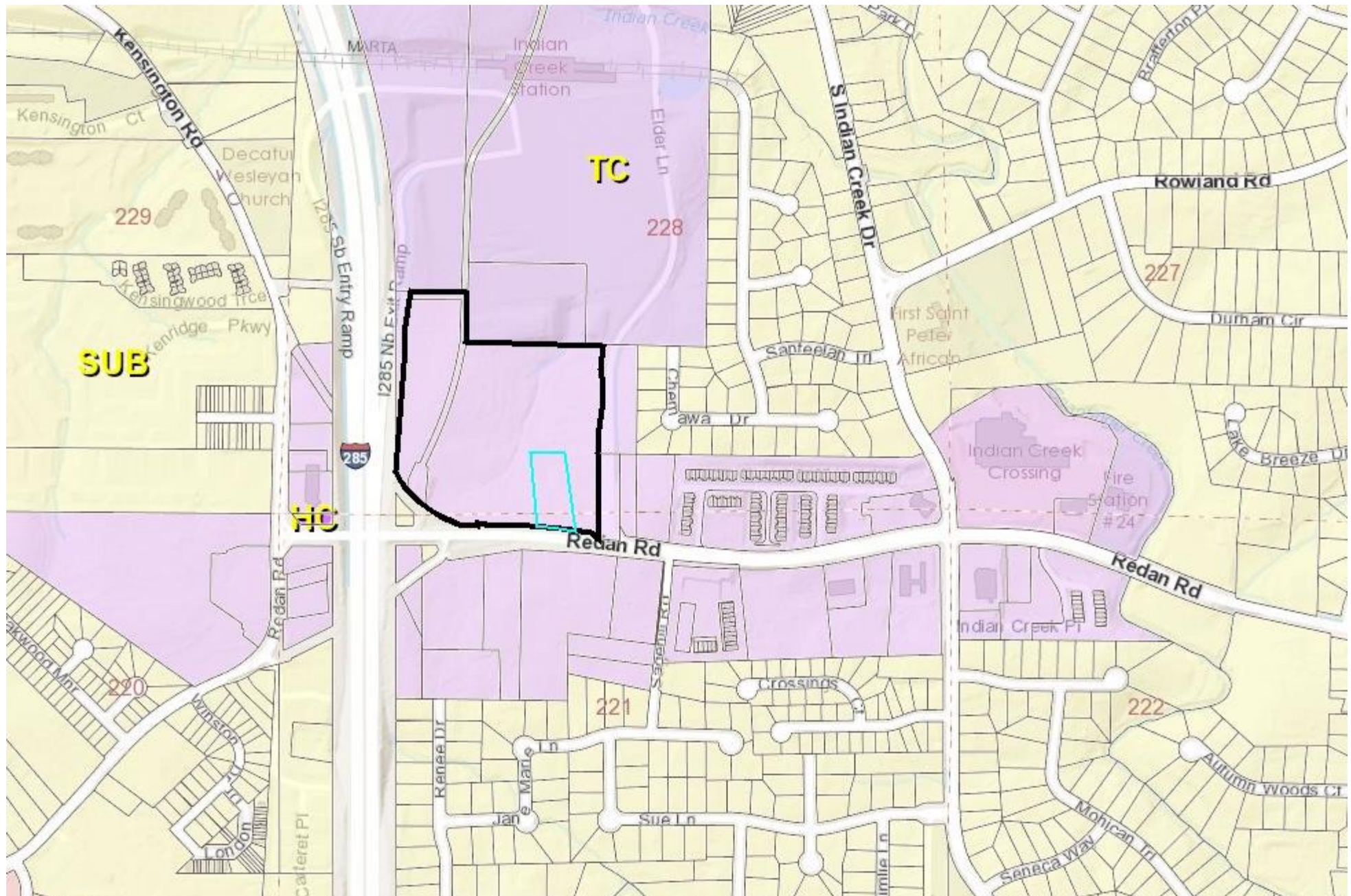




ELEV-A_INTERIOR STREET ELEVATION











Redan Road frontage, looking west



Northwest corner of Redan Road and Elder Lane, looking north