

Public Hearing: YES ☒ NO ☐

Department: Planning & Sustainability

SUBJECT:

COMMISSION DISTRICT(S): Commission District 02 Super District 06

Application of Amy Swick, Inhance Construction Co., LLC for a Land Use Plan amendment for properties at 1493 and 1501 LaVista Road from SUB (Suburban) to NC (Neighborhood Center).

PETITION NO: D5. LP-22-1245408 (2022-1176)

PROPOSED USE: Suburban to Neighborhood Center for a proposed townhome community.

LOCATION: 1493 LaVista Road, Atlanta, Georgia 30324

PARCEL NO. : 18-108-07-001

INFO. CONTACT: Brian Brewer, Sr. Planner

PHONE NUMBER: 404-371-2155

PURPOSE:

Application of Amy Swick, Inhance Construction Co., LLC for a Land Use Plan amendment for properties at 1493 and 1501 LaVista Road from SUB (Suburban) to NC (Neighborhood Center). The property is located on the south side of LaVista Road, approximately 141 feet east of Shepherds Lane, at 1493 and 1501 LaVista Road in Atlanta, Georgia. The property has 226 Feet of frontage along LaVista Road and contains 1.3 acres.

RECOMMENDATION:

COMMUNITY COUNCIL: (April 12, 2022) Approval. (Feb. 8, 2022) Full Cycle Deferral.

PLANNING COMMISSION: (May 3, 2022) Approval. (March 3, 2022) Full Cycle Deferral.

PLANNING STAFF: Approval.

STAFF ANALYSIS: The intent of the Neighborhood Center Character Area is to identify areas that can serve the local neighborhood's needs for goods and services. These areas shall complement the character of neighborhoods and the location of the commercial areas shall reduce automobile travel, promote walkability and increased transit usage. These areas consist of a neighborhood focal point with a concentration of activities such as general retail, neighborhood commercial, professional office, higher-density housing, and appropriate public and open space uses that are easily accessible by pedestrians. The proposed density for areas of this type is up to 24 dwelling units per acre. Policies Primary Uses • Townhomes • Condominiums • Apartments • Health Care Facilities • Retail and Commercial • Office • Institutional Uses • Entertainment and Cultural Facilities • Park and Recreational Facilities • Public and Civic Facilities Protect Single Family Neighborhoods - Preserve and enhance the integrity and quality of existing residential neighborhoods. Maximum Density - Encourage the maximum density of residential in mixed use projects not to exceed 24 dwelling units per acre, with the most intense development located towards the commercial and/or office core of the Neighborhood Center. Properties located along the outer edges of the Neighborhood Center shall be sensitive to the building height and density of adjacent single family residential. Retrofitting - Foster retrofitting for conformity with traditional neighborhood principles. Mixed Use Development - Create compact mixed-use districts and reduce automobile dependency and travel to obtain basic services Transitional Buffers - Require greater setbacks and/or transitional buffers for developments when located adjacent to lower density residential uses. Enhanced Buffers - Require the incorporation of enhanced buffers in efforts to protect single family neighborhoods. Staggered Heights - Require the consideration of staggered height implementation when developments are adjacent to single family residential neighborhoods. Pocket Parks - Create focal points through the use of existing pocket parks and squares for community activities.

Cultural Diversity - Promote activities to highlight historic and cultural assets in the community and provide opportunities for community interaction. Infill Development - Utilize vacant properties in the neighborhood as an opportunity for infill development of compatible structures. Parking - Clearly define road edges by locating buildings near the roadside with parking in the rear. Open Space and linkages - Encourage that all development and redevelopment in activity centers provide open space and/or contribute to the public realm with wider public sidewalks, pedestrian linkages and other design features. Healthy Neighborhoods - Promote healthy living in neighborhoods by incorporating a pedestrian environment that encourages socialization, walking, biking and connectivity. Implement the recommendations of the Master Active Living Plans (MALPs). High Density Residential - Residential development shall reinforce the center by locating higher density housing options adjacent to the center. Housing in Neighborhood Center shall be targeted to a broad range of income levels. Streetscaping - Improve street character with consistent signage, lighting, landscaping and other design features. Pedestrian Enhancements - Create a pedestrian-friendly environment by adding sidewalks that link neighborhood amenities. Traffic Calming - Organize circulation patterns through traffic calming techniques and access management. Add traffic calming improvements, sidewalks, and increased street interconnections to increase safety and improve walkability. Pedestrian Oriented Design - Design shall be pedestrian-oriented with walkable connections between different uses. VMT - Promote new and redevelopment at or near activity centers as a means of reduce vehicle miles traveled (VMT). High Density Development - Each Neighborhood Center shall include a very high-density mix of retail, office, services, and employment opportunities to serve several neighborhoods. Preferred Uses - Each Neighborhood Center shall include a medium- high density mix of retail, office, services, and employment to serve neighborhoods. Small Area Plans (SAPs) - Implement appropriate sub-policies and development guidelines in Neighborhood Centers that have Small Area Plans, which provide more guidance to the development of mixed use and transition down to single family residential. Neighborhood Centers with SAPs include: Emory Village LCI Bouldercrest & I-285 SDAT Greater Hidden Hills Mason Mill Node of the N. Druid Hills LCI Plan Development Guidelines *Setbacks* Greater setbacks shall be required when adjacent to lower density residential uses and transitional buffers shall be required. *Buffers* Development shall incorporate enhanced buffers in an effort to protect single family neighborhoods. *Heights* Proposed development shall consider and implement staggered heights when adjacent to single family residential neighborhoods. The Land Plan Map Amendment application to the subject parcel from Suburban (SUB) to Neighborhood Center (NC) is consistent with the Character Area and Activity Center policies. Therefore, staff's recommendation for this application is "Approval".

PLANNING COMMISSION VOTE: (May 3, 2022) Approval 5-0-1. Gwendolyn McCoy moved, Jana Johnson seconded for Approval, per Staff recommendation. Tess Snipes abstained; LaSonya Osler was not present for this vote. **(March 3, 2022) Full Cycle Deferral 7-1-0.** April Atkins moved, Lauren Blaszyk seconded for a Full Cycle Deferral, per Staff recommendation. Tess Snipes opposed; Edward Patton was not present for this vote.

COMMUNITY COUNCIL VOTE/RECOMMENDATION: (April 12, 2022) Approval 10-0-0. (Feb. 8, 2022) Full Cycle Deferral 10-0-0.



DeKalb County Department of Planning & Sustainability

178 Sams Street

Decatur, GA 30030

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

Planning Commission Hearing Date: March 3, 2022, 5:30 P.M.

Board of Commissioners Hearing Date: March 24, 2022, 5:30 P.M.

STAFF ANALYSIS

Case No.: LP-22-1245408 **Agenda #:** D.5
Location/Address: 1493 LaVista Road Atlanta, GA 30324 **Commission District:** 2 **Super District:** 6
Parcel IDs: 18 108 07 001
Request: To amend the Future Land Plan Map from Suburban (SUB) to Neighborhood Center (NC)
Property Owner(s): Bayless Properties, LLC
Applicant/Agent: Amy Swick, Inchan Construction Company, LLC
Acreage: 0.54 acres
Existing Land Use: Suburban
Surrounding Properties: Neighborhood Center & Suburban
Adjacent Zoning: North: R-85(SUB) South: R-75(SUB) East: O-I(NC) West: O-I(SUB)

Comprehensive Plan:

☒

Consistent

☐

Inconsistent

Proposed Density: 15.7 units/acre

Existing Density: N/A

Proposed Units/Square Ft.: N/A

Existing Units/Square Feet: N/A

Proposed Lot Coverage: N/A

Existing Lot Coverage: N/A

Companion Application:

The applicant has filed a companion application Z-22-1245447 to amend the zoning of properties from O-I (Office-Institutional) district to MR-2 (Medium Density Residential-2) district to allow for 20 new single-family attached residential units (townhomes).

STAFF RECOMMENDATION: APPROVAL

The intent of the Neighborhood Center Character Area is to identify areas that can serve the local neighborhood's needs for goods and services. These areas shall complement the character of neighborhoods and the location of the commercial areas shall reduce automobile travel, promote walkability and increased transit usage. These areas consist of a neighborhood focal point with a concentration of activities such as general retail, neighborhood commercial, professional office, higher-density housing, and appropriate public and open space uses that are easily accessible by pedestrians. The proposed density for areas of this type is up to 24 dwelling units per acre.

Policies

Primary Uses

- Townhomes
 - Condominiums
 - Apartments
 - Health Care Facilities
 - Retail and Commercial
 - Office
 - Institutional Uses
 - Entertainment and Cultural Facilities
 - Park and Recreational Facilities
 - Public and Civic Facilities
- Protect Single Family Neighborhoods - Preserve and enhance the integrity and quality of existing residential neighborhoods.
 - Maximum Density - Encourage the maximum density of residential in mixed use projects not to exceed 24 dwelling units per acre, with the most intense development located towards the commercial and/or office core of the Neighborhood Center. Properties located along the outer edges of the Neighborhood Center shall be sensitive to the building height and density of adjacent single family residential.
 - Retrofitting - Foster retrofitting for conformity with traditional neighborhood principles.
 - Mixed Use Development - Create compact mixed-use districts and reduce automobile dependency and travel to obtain basic services
 - Transitional Buffers - Require greater setbacks and/or transitional buffers for developments when located adjacent to lower density residential uses.
 - Enhanced Buffers - Require the incorporation of enhanced buffers in efforts to protect single family neighborhoods.
 - Staggered Heights - Require the consideration of staggered height implementation when developments are adjacent to single family residential neighborhoods.
 - Pocket Parks - Create focal points through the use of existing pocket parks and squares for community activities.
 - Cultural Diversity - Promote activities to highlight historic and cultural assets in the community and provide opportunities for community interaction.
 - Infill Development - Utilize vacant properties in the neighborhood as an opportunity for infill development of compatible structures.
 - Parking - Clearly define road edges by locating buildings near the roadside with parking in the rear.
 - Open Space and linkages - Encourage that all development and redevelopment in activity centers provide open space and/or contribute to the public realm with wider public sidewalks, pedestrian linkages and other design features.
 - Healthy Neighborhoods - Promote healthy living in neighborhoods by incorporating a pedestrian environment that encourages socialization, walking, biking and connectivity. Implement the recommendations of the Master Active Living Plans (MALPs).

- High Density Residential - Residential development shall reinforce the center by locating higher density housing options adjacent to the center. Housing in Neighborhood Center shall be targeted to a broad range of income levels.
- Streetscaping - Improve street character with consistent signage, lighting, landscaping and other design features.
- Pedestrian Enhancements - Create a pedestrian-friendly environment by adding sidewalks that link neighborhood amenities.
- Traffic Calming - Organize circulation patterns through traffic calming techniques and access management. Add traffic calming improvements, sidewalks, and increased street interconnections to increase safety and improve walkability.
- Pedestrian Oriented Design - Design shall be pedestrian-oriented with walkable connections between different uses.
- VMT - Promote new and redevelopment at or near activity centers as a means of reduce vehicle miles traveled (VMT).
- High Density Development - Each Neighborhood Center shall include a very high-density mix of retail, office, services, and employment opportunities to serve several neighborhoods.
- Preferred Uses - Each Neighborhood Center shall include a medium- high density mix of retail, office, services, and employment to serve neighborhoods.
- Small Area Plans (SAPs) - Implement appropriate sub-policies and development guidelines in Neighborhood Centers that have Small Area Plans, which provide more guidance to the development of mixed use and transition down to single family residential.
 - Neighborhood Centers with SAPs include:
 - Emory Village LCI
 - Bouldercrest & I-285 SDAT
 - Greater Hidden Hills
 - Mason Mill Node of the N. Druid Hills LCI Plan

Development Guidelines

Setbacks

Greater setbacks shall be required when adjacent to lower density residential uses and transitional buffers shall be required.

Buffers

Development shall incorporate enhanced buffers in an effort to protect single family neighborhoods.

Heights

Proposed development shall consider and implement staggered heights when adjacent to single family residential neighborhoods.

The Land Plan Map Amendment application to the subject parcel from Suburban (SUB) to Neighborhood Center (NC) is consistent with the Character Area and Activity Center policies. Therefore, staff's recommendation for this application is 'Approval'.

Attachments:

1. Department and Division Comments
2. Application
3. Site Plan
4. Zoning Map
5. Land Use Plan Map
6. Aerial Map

DEPARTMENT OF PLANNING & SUSTAINABILITY

APPLICATION TO AMEND COMPREHENSIVE LAND USE (FUTURE DEVELOPMENT) MAP
PLAN OF DEKALB CNTY, GEORGIA

Application No _____ Date Received: _____

Applicant's Name Amy Swick, Inhance Construction Company, LLC E-Mail amy@inhancedev.com

Applicant's Mailing Address 6430 Scott Valley Road, Atlanta, GA 30328

Applicant's Daytime Phone# 404-323-5101 Fax# _____

If more than one owner, attach information for each owner as Exhibit "A"

Owner's Name: Bayless Properties, LLC E-Mail _____

Owner's Mailing Address 1493 LaVista Road, Atlanta, GA 30324

Owner's Daytime Phone # 678-938-4854 Fax # _____

Address/Location of Subject Property 1493 LaVista Road, Atlanta, GA 30324

Parcel ID# 18-108-07-001 Acreage 0.606

Commission District 2 & 6

Present Zoning District OI Proposed Zoning District MR-2

Present Land Use Designation SUB

Proposed Land Use Designation NC

Current Zoning Classification(s) C3

December 21, 2021

Via Hand Delivery

Mr. Brandon White
DeKalb County Planning & Zoning Manager
330 West Ponce de Leon Avenue
Decatur, GA 30030

RE: Land Use Map Amendment Application

Dear Mr. White:

Please find enclosed an application to amend the land use for the property located at 1493 Lavista Road from SUB to NC. Currently the property is being used as a real estate office. In conjunction with 1501 Lavista Road, which currently has a land use designation of NC, my client proposes to develop an MR-2 townhome community comprised of 20 units. Eight units will be 16' wide and twelve will be 20' wide. Units will have either 2-car garages or a 1-car garage with second parking pad behind garage or parallel space along drive aisle for a second car space. Unit sizes will range from 1900 – 2300 square feet per unit. Units will be 3 stories. A 6-foot-high privacy fence will wrap around the rear of the Subject Property where it abuts residentially zoned properties. My client proposes a 20-foot-transitional buffer with heavy plantings interior to the fence in lieu of the 50-foot required transitional buffer. We understand that variance from the ZBA will be necessary should this application and the companion rezoning be approved.

Please contact me if you have any questions or concerns regarding the enclosed application.

Sincerely,

DUNLAVY LAW GROUP, LLC



Linda I. Dunlavy
Attorney for Inhance Construction
Company, LLC

Enclosure

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: 12/11/2021

CHECK TYPE OF APPLICATION:

☒ LAND USE PLAN

☐ REZONE

☐ MINOR MODIFICATION

TO WHOM IT MAY CONCERN:

(I) (WE) Bayless Properties LLC, 1493 Lavista Road, Atlanta 30324

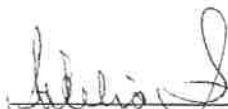
(Name of owner(s))

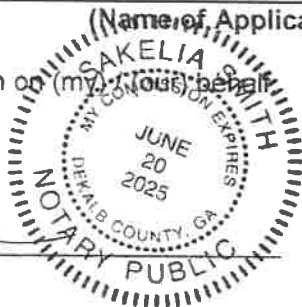
being (owner)/(owners) of the property described below or attached hereby delegate authority to

Inhance Development Group LLC

(Name of Applicant or Agent Representing Owner)

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


Notary Public




Owner

Notary Public

Owner

Notary Public

Owner

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: Inhance Construction Company Phone: 404-323-5101 Email: amy@inhancedev.com

Property Address: 1493 and 1501 LaVista Road

Tax Parcel ID: 18-108-07-001/18-109-03-017 Comm. District(s): 2 & 6 Acreage: 1.31

Existing Use: Professional offices Proposed Use Townhomes

Supplemental Regs: _____ Overlay District: No DRI: No

Rezoning: Yes x No _____

Existing Zoning: R-75 and O-I Proposed Zoning: MR-2 Square Footage/Number of Units: _____

Rezoning Request: Request to rezone both parcels in order to develop an MR-2 townhome community comprised of 20 units.

Land Use Plan Amendment: Yes x No _____

Existing Land Use: SUB Proposed Land Use: NC Consistent yes Inconsistent _____

Special Land Use Permit: Yes _____ No x Article Number(s) 27- _____

Special Land Use Request(s) _____

Major Modification:

Existing Case Number(s): _____

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: Dustin Jackson Date 7/19/21

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
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SPECIAL LAND USE PERMIT	\$400.00
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CAMPAIGN DISCLOSURE-BAYLESS PROPERTIES

DEPARTMENT OF PLANNING & SUSTAINABILITY

DISCLOSURE OF CAMPAIGN CONTRIBUTION

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

Have you, the applicant, made \$250.00 or more in campaign contribution 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 to the Board of Commissioners of DeKalb County, 1300 Commerce Drive, Decatur, GA 30030.

Notary

21. [Signature] 12/17/2011
Signature of Applicant /Date

Check one: Owner ✓ Agent _____

Expiration Date/ Seal

*Notary seal not needed if answer is "no".

IMPACT ANALYSIS

and

Other Material Required by
DeKalb County Zoning Ordinance
For the
Comprehensive Land Use Plan Amendment

of

Amy Swick
Inhance Construction Company, LLC

for

+/- .606 Acres of Land located in
Land Lot 108, 18th District, DeKalb County
1493 LaVista Road

From SUB to NC

Submitted for Applicant by:

Linda I. Dunlavy
Dunlavy Law Group, LLC
1026 B Atlanta Avenue
Decatur, Georgia 30030
(404) 371-4101 Phone
(404) 371-8901 Facsimile
ldunlavy@dunlavylawgroup.com

I. INTRODUCTION

This Application seeks a Comprehensive Land Use Plan Amendment of \pm 0.606 acres of land located in Land Lot 108, 18th District. The Applicant seeks a land use plan amendment from SUB to NC. A companion rezoning application has been filed by this Applicant.

This document is submitted both as an Impact Analysis regarding this Application, a preservation of the Applicant's constitutional rights, and the analysis of this Application as required by the DeKalb County Zoning Ordinance, §27-7.3.4. A surveyed plat of the property along with a site plan for the proposed development should the land use be changed have been filed contemporaneously with the Application, along with other required materials.

II. HISTORY

The single-family structure at 1493 LaVista Road was built in 1951, is comprised of approximately 1684 square feet of habitable space. Between 1951 and 1981, it was used as a single-family home. In 1981 it was rezoned to O-I (Z-81069) with conditions and since that time to the present used for professional offices. It is currently being used as a real estate office. The 1981 zoning required that the existing home be retained and that any use be within the confines of that structure. See 1981 Minutes included with these application materials. Efforts at marketing the Subject Property over the course of the past year as zoned have been unsuccessful. While it was under contract for a daycare use, that contract fell through. The only other interest in the Subject Property has been contingent upon rezoning. Much of the surrounding area has been redeveloped on the south side of LaVista Road towards the Briarcliff Neighborhood Center for townhomes, apartments and other higher density uses. The Suburban Land Use Classification on the Subject Property limits density to a maximum of 8 units per acre and otherwise restricts opportunity for a viable development with a reasonable economic return. The NC land use

adjoins the Subject Property immediately to the east all the way to Briarcliff Road and to the southeast all the way to Briar Vista Terrace. Although the property adjoining the Subject property to the west at 1489 is used for an OI use (psychiatry office), it also has an SUB land use designation. All four quadrants of the intersection of LaVista and Briarcliff are in the NC land use classification.

The current Suburban Land Use designation for the Subject Property does not allow for MR-2 zoning and significantly limits the uses for which the Subject Property can be developed. However, consolidating 1493 with 1501 LaVista would permit the development of a medium density townhome community compatible with the as-built environment in the immediate vicinity. See the companion rezoning application filed by the Applicant for details.

III IMPACT ANALYSIS

1. Whether the proposed land use change will permit uses that are suitable in view of the use and development of adjacent and nearby properties.

Given the current as-built environment, the Applicant's proposal is clearly suitable in view of the use and development of adjacent and nearby properties. Immediately to the east of the Subject Property are the Sloane Square Apartments at 29 upa. Further to the east is the relatively new Row Townhomes at 1587 Lavista and 14 upa and the Peachtree Baptist Church at the intersection of Briarcliff Road and Lavista. A transition down from density at Sloane Square Apartments from 29 upa to less than 16 upa is suitable and compatible with adjacent and nearby properties. Such a transition is preferable to the neighborhood than OI uses that could theoretically go up to 5 stories. Finally, there are other MR-2 zonings in the immediate vicinity with which this proposal is compatible. The synergy created between 20 new townhomes flanked by apartments and professional offices will promote a sense of community.

2. Whether the proposed land use change will adversely affect the existing use or usability of adjacent or nearby property.

The proposed land use change will not adversely affect adjacent or nearby property. On the contrary, it will assist in providing consumers for other uses within the Neighborhood Center character Area at Lavista and Briarcliff. The proposed development within the NC designation will be significantly less dense than the Sloan Square Apartments immediately to the east of the Subject Property and the sensitive design elements (i.e., inward facing units surrounding a greenspace/courtyard, a 6-foot privacy fence adjacent to residential properties, and densely planted transitional buffer) incorporated into the proposed site plan will assure protection and privacy for adjacent and nearby residential properties. The proposed development will be aesthetically pleasing and have a positive impact on adjacent and nearby property.

3. Whether the proposed land use change will result in uses which will or could cause excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.

The Subject Property is located fronting on a designated state route—Lavista Road (SR236)—a two-way, two-lane minor arterial that carries a high volume of traffic (between 20-28,000 per day) and serves cross jurisdictional traffic. It is on the Route 30 MARTA bus line, with bus stops at Bernadette Lane, approximately 100 feet from the Subject Property. While the DeKalb County Comprehensive Transportation Plan of 2014 noted a 5-25% decrease in AADT numbers between Briarcliff Road and the County line to the west, the intersection at Briarcliff Road and Lavista shows up as an area of concern for vehicle congestion. The 20 new townhome units proposed by the Applicant in a newly designated NC land use will likely generate the same number of trips as the existing professional offices uses.

It was recognized in The Blueprints Lindbergh Lavista Corridor Study of 2008 when it noted that “there is a correlation between providing housing and employment in the study area. Vehicular traffic could be decreased as more people who live in the area also work in the area.”

p. 16. Moreover, redevelopment of the Subject Property would also result in the installation of sidewalks in front of these two lots, moving towards closing the gap in pedestrian access along this stretch of Lavista Road.

The Subject Property is within the Briar Vista Elementary School, the Druid Hills Middle School, and the Druid Hills Highschool zones. All these schools are currently under capacity and have plenty of room to absorb any students generated by the proposed townhome development. See numbers in chart provided. It is estimated that a maximum of one student per school would be added to each of the listed schools by the townhome development. There will be public sewer and water available for the Subject Property. As such, no excessive or burdensome use of existing streets, transportation facilities, utilities or schools will be created by the proposed land use change and the use proposed on the newly designated NC property.

4. Whether the amendment is consistent with the written policies in Comprehensive Plan text.

An NC land use designation for 1493 would be consistent with the current land use designation for 1501 Lavista Road and all other parcels to the east on the southside of Lavista Road to Briarcliff Road. A Neighborhood Center designation allows up to 24 units per acre (with certain density bonuses) with primary residential uses envisioned as townhomes, condominiums, and apartments. The proposed MR-2 zoning (see companion zoning case) is a permitted zoning in the NC land use but not the SUB land use, which only would allow up to 8 units per acre. The proposed rezoning and land use change are in conformity with land use policies found in the 2035 Comprehensive Plan. For example, the proposed townhome community would help protect

the existing neighborhoods from incompatible land uses by providing a reasonable transition in density between the Briarcliff Neighborhood Center at the intersection of Lavista and Briarcliff and the single-family low density residential community of Woodland Hills to the west and south. The increased density of the residential townhome development proposed will support urban life-style mixes within the NC Character Area. Location of the proposed medium density residential townhomes will reduce automobile dependency and travel to obtain basic services for its residents. The proposed development is on a MARTA bus route (#30). At 3-stories in height, the proposed townhomes are sensitive to the building height and density of adjacent single-family residential uses. While seeking a variance to the transitional buffer in the southwest corner of the Subject Property, the Applicant will provide an enhanced buffer to protect the single-family homes adjacent to that area. There are currently no sidewalks along the Subject Property's frontage. The development incorporates sidewalks and walkways to encourage a pedestrian-friendly environment. See pages 58- 59; 67- 70. of the Comprehensive Plan text.

The Georgia Conservancy conducted a study to "create a blueprint for quality growth" for the Lindbergh Lavista Corridor straddling unincorporated DeKalb County and the City of Atlanta, in which is included the Subject Property. See Relevant Maps included herein. The Blueprints Lindbergh Lavista Corridor Study of 2008 notes, among other things, that "while the mix of uses at nodes varies widely, successful nodes and neighborhood centers tend to offer a base including a mix of land uses, a density and mix of housing options, pedestrian friendly environments, and a range of transportation options. A mix of these aspects, combined in a dense, walkable, well-connected environment are what allow centers and nodes to become vibrant focal points of the community as well as points where investments in infrastructure can be maximized to a higher benefit than with less concentrated development. Concentrating future

residential density at nodes allows for these infrastructure investments to be maximized while also helping to protect existing neighborhoods. “ p.37. The creation of a medium density townhome community within a Neighborhood Center Character Area promotes this vibrancy and protection of existing neighborhoods while providing a housing option to the single-family detached offerings in the immediate vicinity. Such a development also contributes to the consumer base needed to sustain the commercial development envisioned for the Briarcliff Lavista Neighborhood Center and may assist in providing housing options in what has become known as the “missing middle” –providing solutions to address the mismatch between available housing stock and shifting demographics. It is consistent with the policies found in the Neighborhood Center and activity Center sections of the comprehensive plan as those policies relate to locational criteria, land use and neighborhood compatibility, density that encourages urban lifestyles, corridor aesthetics, and clustering. See Relevant Land Use Plan excerpts, pp. 51-69.

5. Whether there are environmental impacts or consequences resulting from the proposed change.

The proposed land use change will not have adverse impacts on the environment. The land comprising the Subject Property does not contain environmentally sensitive features such as streams, wetlands, steep slopes, or floodplain. Pursuant to the Applicant’s zoning request, greenspace for residents will be provided by way of an interior grassed courtyard and every effort will be made to preserve mature trees in good condition. The transitional buffer will be heavily vegetated and be an improvement over the current tree population which is in poor condition. Further, all new construction will be in accordance with the green building standards required for Earthcraft certification.

6. Whether there are impacts on properties in an adjoining governmental jurisdiction in cases of proposed changes near county boundary lines.

The Subject Property is near the City of Atlanta municipal line to the west and the City of Brookhaven municipal line to the north. LaVista Road separates the Subject Property from the City of Brookhaven. Immediately across from the Subject Property, is 1500 LaVista Road in the City of Brookhaven. This property along with 1204 and 1192 are vacant and for sale. The other two homes on the northside of LaVista opposite the Subject Property are set back substantially from the street and will be impacted minimally by the Applicant's proposed development. The City of Atlanta line is approximately 0.7 miles from the Subject Property and is developed with a large commercial node at Cheshire Bridge surrounded by multi-family development and condominium projects at much denser levels than the proposed land use change would allow in DeKalb County. There will be no impacts of the proposed change to properties within the City of Atlanta.

7. Whether there are other existing or changing conditions affecting the use and development of the affected land areas which support either approval or denial of the proposed land use change.

The Lavista-Lindbergh Corridor has experienced significant development and change over the course of the past 10 years, moving rapidly from an area epitomized by suburban type development to a changing urban mixed-use environment. The large amount of traffic along Lavista Road, much of it through traffic, along with the changing conditions subjects the Subject Property to development pressures and makes it an unlikely candidate for sustainable adaptive reuse office uses to which it is currently limited . Property owners are incentivized in this climate to transition their land and uses to higher and better uses. See Blueprints comment on this in 2008, p. 43. These dynamics support a change of the land use classification for the Subject

Property to a more flexible category.

8. Whether there are impacts on historic buildings, sites, districts, or archaeological resources resulting from the proposed change.

There are no known historic buildings, sites, or archaeological resources on or near the Subject Property

IV. CONCLUSION

For the foregoing reasons, the Applicant respectfully requests that the proposed Land Use Plan Amendment Application at issue be approved. Additionally, the Applicant, on behalf of the owners of the tracts of land at issue in this land use amendment application (the “Subject Property”), respectfully submits that the Comprehensive Plan of DeKalb County, Georgia, as amended from time to time and known as the “DeKalb County Comprehensive Plan,” to the extent that it classifies the Property in any plan category which would preclude the development of this project, 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 other plan category also would deprive the current owner of any alternative reasonable use and development of the Property. Additionally, all other plan classifications, including ones intervening between the existing classification and the one requested herein, would deprive the current owner of any reasonable use and development of the Property.

Accordingly, Applicant submits that the current land use plan classification and any other land use plan classification of the Property save for what has been requested by it as established in the DeKalb County Comprehensive Plan 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 Property owners. All

inconsistent zoning classifications between the existing land use plan category and the category 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 Property owner. Further, the existing inconsistent land use plan classifications constitute, and all plan classifications intervening between the existing inconsistent plan 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 Clause of the Fourteenth Amendment of the United States Constitution and the Equal Protection Clause of the Fourteenth Amendment to the Constitution of the United States.

Further, the Applicant respectfully submits that the Board of Commissioners' failure to approve the requested land use plan change would be unconstitutional and would discriminate in an arbitrary, capricious and unreasonable manner between the 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.

Moreover, adherence to the “district courtesy rule” by Board of Commissioners’ members and failure to exercise that independent legislative judgment on this application would be an unlawful abdication of legislative authority and responsibility in violation 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, Guhl vs. Holcomb Bridge Road, 238 Ga. 322 (1977).

This 22nd day of December, 2021.

Respectfully submitted,

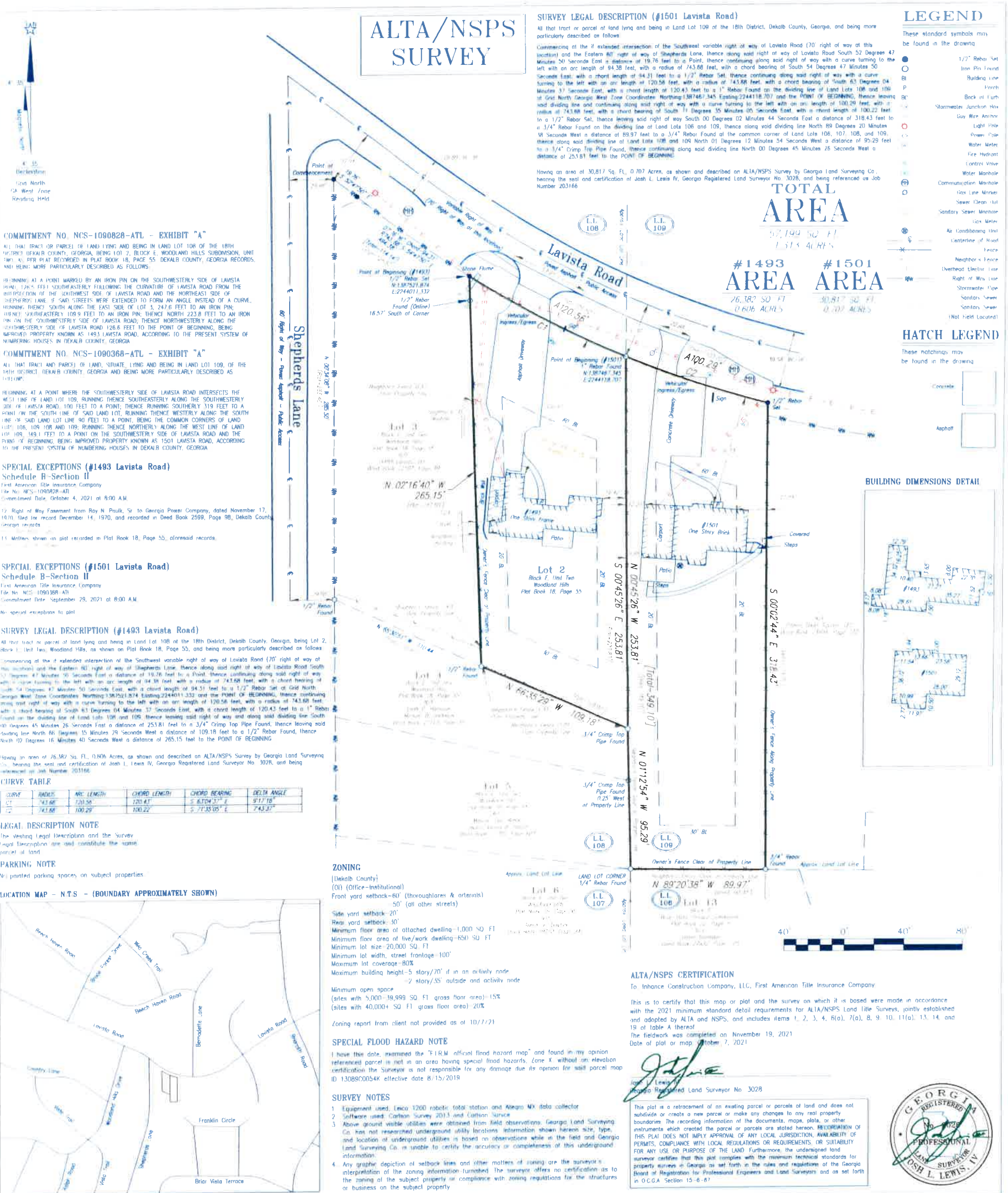
A handwritten signature in black ink, appearing to read "Linda I. Dunlavy", written over a horizontal line.

Linda I. Dunlavy
Attorney for Applicant

Dunlavy Law Group, LLC
1026 B Atlanta Avenue
Decatur, Georgia 30030
(404) 371-4101 Phone
(404) 371-8901 Facsimile
ldunlavy@dunlavylawgroup.com

SURVEY

LEGEND



156 CLEFTWOOD DRIVE - ATLANTA, GEORGIA 30328 - TELEPHONE (404) 255-4671 - FAX (404) 255-6607 - WWW.GEORGIALANDSURVEYING.COM

ALTA/NSPS LAND TITLE SURVEY FOR 1493 & 1501 Lavista Road, Atlanta Georgia 30324

DATE 10/7/21 SCALE 40'

REVISION BY DATE

Revised Title Commitment NCS 12/2/21

LAND LOT 108 & 109 18th DISTRICT SECTION DeKalb COUNTY GA

LOT BLOCK UNIT PHASE

SUBDIVISION

PLAT BOOK PAGE PARTY CHIEF JJ FIELD DATE 11/19/21 SHEET 1 OF 1

DEED BOOK PAGE DRAFTER BMS

INSURANCE CONSTRUCTION COMPANY, LLC

FIRST AMERICAN TITLE INSURANCE COMPANY

GEORGIA LAND SURVEYING CO. EST 1955

THIS PLAT WAS PREPARED FOR THE EXCLUSIVE USE OF THE PERSON, PERSONS OR ENTITY NAMED HEREON. THIS PLAT DOES NOT EXTEND TO ANY UNNAMED PERSON, PERSONS, OR ENTITY WITHOUT EXPRESS REIFICATION BY THE SURVEYOR NAMING SAID PERSON, PERSONS, OR ENTITY. ALL MATTERS PERTAINING TO TITLE ARE EXCEPTED.

EXISTING ZONING-

PROPOSED STREET WIDTH = 10' EOC-EOC
BUILDING SETBACKS FRONT = 10' FROM HOPE CH FARES

```

RFCD TRANSITION BUFFER 50*
PROPOSED TRANSITION BUTTE 20* VARIANT REQUEST

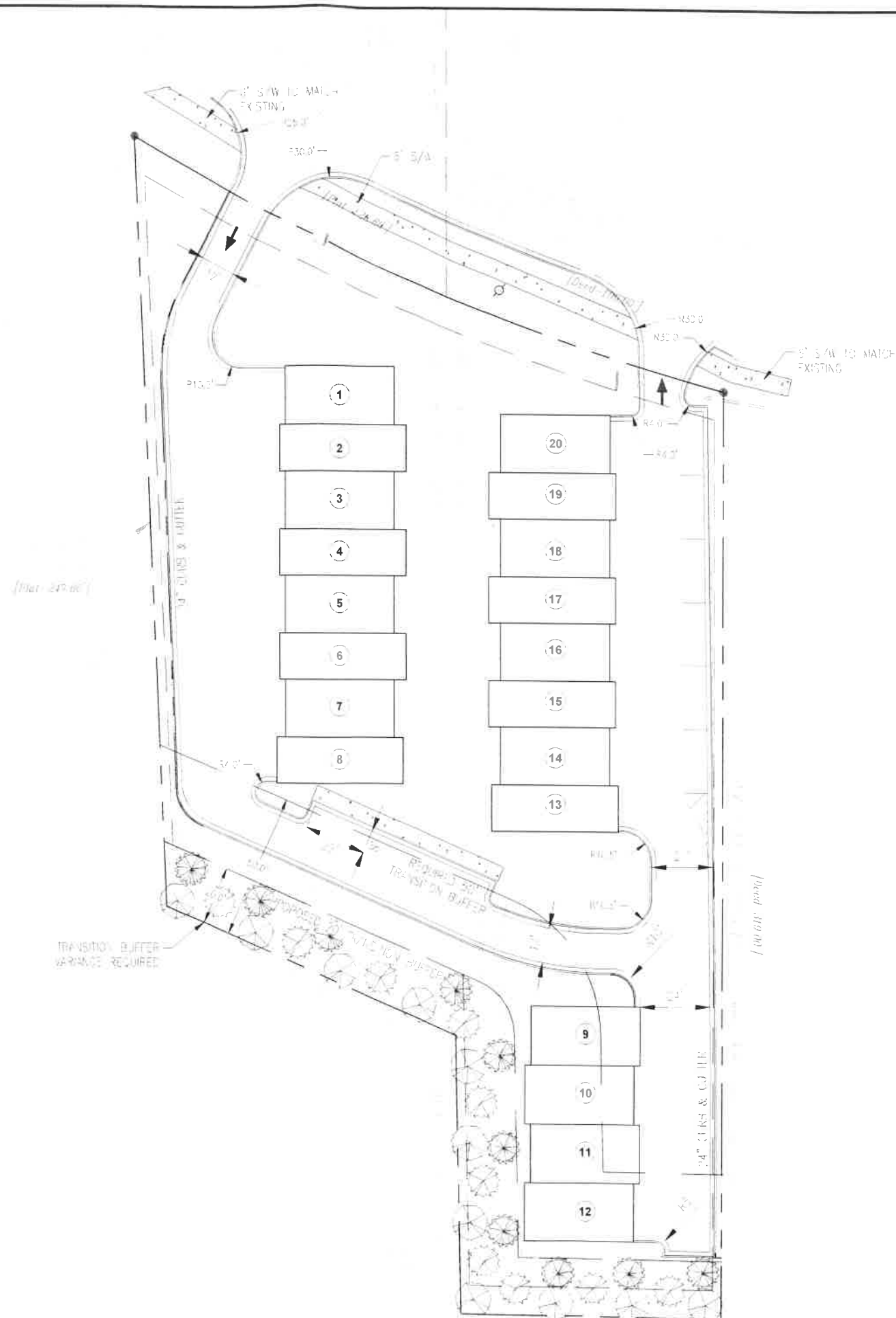
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QUEST PARKING REQUIRED = 0.25 SPACES/UNIT = 3 SPACES
QUEST PARKING PROVIDED = 0.45 SPACES/UNIT = 9 SPACES

GENERAL NOTES

- ### CURVE TABLE

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	743.68'	120.56'	120.43'	S 63°04'37" E	9°17'18"
C2	743.68'	100.29'	100.22'	S 71°35'05" E	7°43'32"


$$M(\gamma) = \text{Hilb}(\gamma) - \text{Hilb}(\gamma^2)$$

24 HOUR EMERGENCY CONSULT ANY SWEEK / 464 343 5105

GREYDEN
ENGINEERING
12460 Crabapple Road; Ste. 202-347
Alpharetta, Georgia 30004
PH: 770-573-4801 FAX: 678-302-6362



LAND DISTURBANCE PLANS
100%
LAVISTA ROAD
TOTAL 10 LOTS, 201.06 & 128.10 AC. R01
-BANK CATCH FLOOD-
OVERALL SITE PLAN

WILEY-INTERSCIENCE

TABLE	DATE
DATE	DATE
DATE	DATE
CHECKED	DATE
DATE	DATE
SHEET	6200

C200

(IN FEET)
1 inch = 20 ft

SITE PLAN

EXISTING ZONING= (0)

PROPOSED STREET WIDTH - 12' BOC BOC
BUILDING SETBACKS FRONT - 10' FROM THOROUGHFARE
SIDE - 10'
REAR - 20'

REQ'D TRANSITION BUFFER 50'
PROPOSED TRANSITION BUFFER 20' (VARIANCE REQUEST)

GUI ST PARKING REQUIRED = 0.25 SPACES/UNIT - 5 SPACES
GUI ST PARKING PROVIDED = 0.45 SPACES/UNIT - 9 SPACES

GENERAL NOTES

- ### CURVE TABLE

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	743.68'	120.56'	120.43'	S 85°04'37" E	87°17'18"
C2	743.68'	100.79'	100.22'	S 71°35'00" E	74°15'37"



302-534 75 - 1834 2153

INCREASE DEVELOPMENT

GREYDEN
ENGINEERING
12460 Crabapple Road Ste 202-347
Alpharetta, Georgia 30004
PH 770-573-4801 FAX 678-262-6362



LAND DISTURBANCE PLANS
104
LAVISTA ROAD
LOCATED IN LOTS 101, 102 & 103, 18th DISTRICT
DELAWARE COUNTY, GEORGIA
OVERALL SITE PLAN

[illegible]

ELEVATIONS AND MATERIALS



EXTERIOR MATERIALS NARRATIVE

1493 and 1501 Lavista Road

EXTERIOR MATERIALS NARRATIVE:

Roof

sloped roof - 25 year asphalt shingle roof - color tbd

flat roof - TPO membrane (not visible)

Siding

All siding will be different versions of fiber cement panels and other styles. All fiber cement will be painted or prefinished.

Siding types are equivalent to:

1. Panel (4x8 sheet material) 4'x 8' max dimension with manufacturer's standard reveal joint.
2. Board and Batten - fiber cement panel with vertical 1x2 strips at max 16" on center
3. Horizontal siding with max 8" exposure.

Windows

Composite through color window frames and sashes, color tbd

Doors

Swing and Patio doors - Composite (some with glass, some without) to match color of windows

Garage Doors - flush panel painted garage doors

Railings

Prefinished Aluminum or similar, color tbd



**wright
gardner
architect
llc**

194 King Street, #125
Atlanta, GA 30307
404.719.8442

**1493 & 1501 LAVISTA RD
REZONING**
DEKALB COUNTY
ATLANTA, GA 30339

#1010

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No.	Description	Date

Sheet 0001

COVER

PROJECT NUMBER: 21-029
DRAWING DATE: 11.14.2021
BY: WGA

DESIGN: WRIGHT GARDNER

A001

☒ NOT ISSUED FOR CONSTRUCTION
☐ ISSUED FOR CONSTRUCTION

1493 & 1501 LAVISTA RD
REZONING
DEKALB COUNTY
ATLANTA, GA 30309

Sheet

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No.	Description	Date

Sheet 1 of 1

BLOCK 1 & 2
ELEVATIONS

Project Number: 31-029
Drawing Date: 12.14.2021
Scale: AS SHOWN

Notes:

A2-01

■ WITH DIMENSIONS FOR CONSTRUCTION
□ ISSUED FOR CONSTRUCTION



1493 & 1501 LAVISTA RD
REZONING
DEKALB COUNTY
ATLANTA, GA 30329

Sheet:

No.	Description	Date

Sheet title

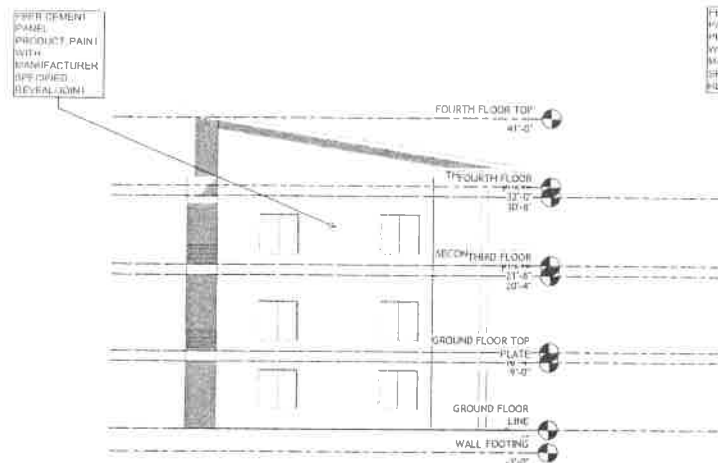
BLOCK 3
ELEVATIONS

project number: 21-029
drawing date: 12.14.2021
scale: as noted

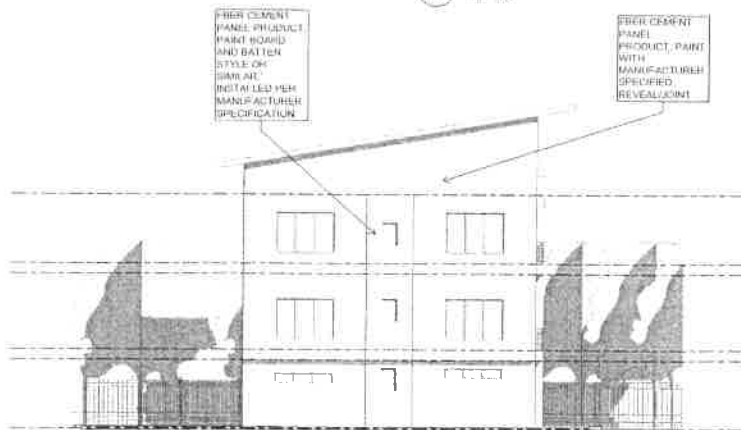
sheet number:

A2-02

NOT PASSED FOR CONSTRUCTION
ISSUED FOR CONSTRUCTION



4 RIGHT ELEVATION BLOCK 3
A2-03 1/8" = 1'-0"



2 LEFT ELEVATION BLOCK 3
A2-07 1/8" = 1'-0"

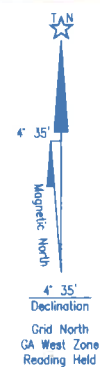


3 REAR ELEVATION BLOCK 3
A2-02 1/8" = 1'-0"



1 FRONT ELEVATION BLOCK 3
A2-01 1/8" = 1'-0"

TREE SURVEY



COMMITMENT NO. NCS-1090828-ATL - EXHIBIT "A"
ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 108 OF THE 18TH DISTRICT DEKALB COUNTY, GEORGIA, BEING LOT 2, BLOCK E, WOODLAND HILLS SUBDIVISION, UNIT TWO, AS PER PLAT RECORDED IN PLAT BOOK 18, PAGE 55, DEKALB COUNTY, GEORGIA RECORDS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT MARKED BY AN IRON PIN ON THE SOUTHWESTERLY SIDE OF LAVISTA ROAD, 126.5 FEET SOUTHEASTERLY FOLLOWING THE CURVATURE OF LAVISTA ROAD FROM THE INTERSECTION OF THE SOUTHWEST SIDE OF LAVISTA ROAD AND THE NORTHEAST SIDE OF SHEPHERDS LANE, IF SAID STREETS WERE EXTENDED TO FORM AN ANGLE INSTEAD OF A CURVE; RUNNING THENCE SOUTHEAST ALONG THE EAST SIDE OF LOT 3, 247.6 FEET TO AN IRON PIN; THENCE SOUTHEASTERLY 109.9 FEET TO AN IRON PIN; THENCE NORTH 223.8 FEET TO AN IRON PIN ON THE SOUTHWESTERLY SIDE OF LAVISTA ROAD; THENCE NORTHWESTERLY ALONG THE SOUTHWESTERLY SIDE OF LAVISTA ROAD 126.8 FEET TO THE POINT OF BEGINNING; BEING IMPROVED PROPERTY KNOWN AS 1493 LAVISTA ROAD, ACCORDING TO THE PRESENT SYSTEM OF NUMBERING HOUSES IN DEKALB COUNTY, GEORGIA.

COMMITMENT NO. NCS-1090368-ATL - EXHIBIT "A"
ALL THAT TRACT OR PARCEL OF LAND, SITUATE, LYING AND BEING IN LAND LOT 109, OF THE 18TH DISTRICT, DEKALB COUNTY, GEORGIA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT WHERE THE SOUTHWESTERLY SIDE OF LAVISTA ROAD INTERSECTS THE WEST LINE OF LAND LOT 109, RUNNING THENCE SOUTHEASTERLY ALONG THE SOUTHWESTERLY SIDE OF LAVISTA ROAD, 100 FEET TO A POINT, THENCE RUNNING SOUTHERLY 319 FEET TO A POINT ON THE SOUTH LINE OF SAID LAND LOT, RUNNING THENCE WESTERLY ALONG THE SOUTH LINE OF SAID LAND LOT LINE 90 FEET TO A POINT, BEING THE COMMON CORNERS OF LAND LOTS 108, 109, 108 AND 109; RUNNING THENCE NORTHERLY ALONG THE WEST LINE OF LAND LOT 109, 349.1 FEET TO A POINT ON THE SOUTHWESTERLY SIDE OF LAVISTA ROAD AND THE POINT OF BEGINNING, BEING IMPROVED PROPERTY KNOWN AS 1501 LAVISTA ROAD, ACCORDING TO THE PRESENT SYSTEM OF NUMBERING HOUSES IN DEKALB COUNTY, GEORGIA.

SPECIAL EXCEPTIONS (#1493 Lavista Road) Schedule B-Section II

First American Title Insurance Company
File No. NCS-1090828-ATL
Commitment Date: October 4, 2021 at 8:00 A.M.
12. Right of Way Easement from Roy N. Paulk, Sr. to Georgia Power Company, dated November 17, 1970, filed for record December 14, 1970, and recorded in Deed Book 2590, Page 96, DeKalb County, Georgia records.
13. Matters shown on plat recorded in Plat Book 18, Page 55, aforesaid records.
Attorney: (See Attached)

SPECIAL EXCEPTIONS (#1501 Lavista Road) Schedule B-Section II

First American Title Insurance Company
File No. NCS-1090368-ATL
Commitment Date: September 29, 2021 at 8:00 A.M.
No special exceptions to plat.

SURVEY LEGAL DESCRIPTION (#1493 Lavista Road)

All that tract or parcel of land lying and being in Land Lot 108 of the 18th District, DeKalb County, Georgia, being Lot 2, Block E, Unit Two, Woodland Hills, as shown on Plat Book 18, Page 55, and being more particularly described as follows:

Commencing at the if extended intersection of the Southwest variable right of way of Lavista Road (70' right of way of this location) and the Eastern 80' right of way of Shepherd Lane, thence along said right of way of Lavista Road South 52 Degrees 47 Minutes 50 Seconds East a distance of 19.76 feet to a Point, thence continuing along said right of way with a curve turning to the left with an arc length of 94.36 feet, with a radius of 743.68 feet, with a chord bearing of South 54 Degrees 47 Minutes 50 Seconds East, with a chord length of 94.31 feet to a 1/2" Rebar Set at Grid North Georgia West Zone Coordinates: Northing:1387521.874 Easting:2244011.332 and the POINT OF BEGINNING, thence continuing along said right of way with a curve turning to the left with an arc length of 120.56 feet, with a radius of 743.68 feet, with a chord bearing of South 63 Degrees 04 Minutes 37 Seconds East, with a chord length of 120.43 feet to a 1" Rebar Found on the dividing line of Land Lots 108 and 109, thence leaving said right of way and along said dividing line South 00 Degrees 45 Minutes 26 Seconds East a distance of 253.81 feet to a 3/4" Crimp Tap Pipe Found, thence leaving said dividing line North 66 Degrees 35 Minutes 29 Seconds West a distance of 109.18 feet to a 1/2" Rebar Found, thence North 02 Degrees 16 Minutes 40 Seconds West a distance of 265.15 feet to the POINT OF BEGINNING.

Having an area of 26,382 Sq. Ft., 0.606 Acres, as shown and described on ALTA/NSPS Survey by Georgia Land Surveying Co., bearing the seal and certification of Josh L. Lewis IV, Georgia Registered Land Surveyor No. 3028, and being referenced as Job Number 203166.

CURVE TABLE

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
CT	743.68'	120.56'	120.43'	S 63°04'37" E	9°17'18"
CP	743.68'	100.26'	100.22'	S 71°35'05" E	7°43'37"

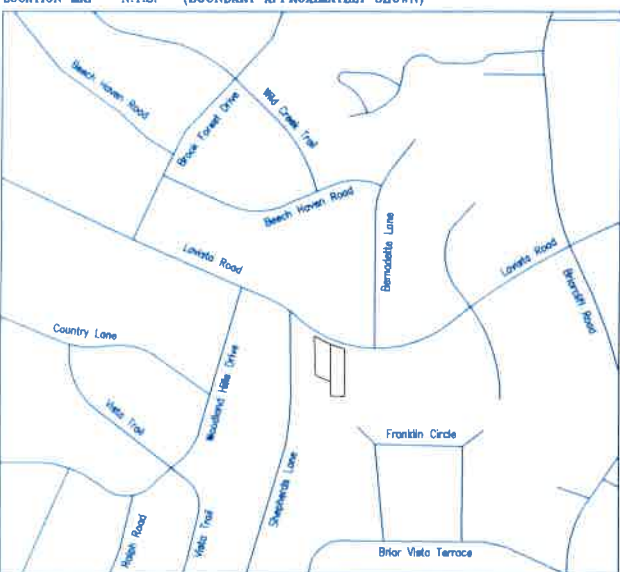
LEGAL DESCRIPTION NOTE

The Vesting Legal Description and the Survey Legal Description are and constitute the same parcel of land.

PARKING NOTE

No painted parking spaces on subject properties.

LOCATION MAP - N.T.S. - (BOUNDARY APPROXIMATELY SHOWN)



ALTA/NSPS SURVEY

SURVEY LEGAL DESCRIPTION (#1501 Lavista Road)

All that tract or parcel of land lying and being in Land Lot 109 of the 18th District, DeKalb County, Georgia, and being more particularly described as follows:

Commencing at the if extended intersection of the Southwest variable right of way of Lavista Road (70' right of way of this location) and the Eastern 80' right of way of Shepherd Lane, thence along said right of way of Lavista Road South 52 Degrees 47 Minutes 50 Seconds East a distance of 19.76 feet to a Point, thence continuing along said right of way with a curve turning to the left with an arc length of 94.36 feet, with a radius of 743.68 feet, with a chord bearing of South 54 Degrees 47 Minutes 50 Seconds East, with a chord length of 94.31 feet to a 1/2" Rebar Set, thence continuing along said right of way with a curve turning to the left with an arc length of 120.56 feet, with a radius of 743.68 feet, with a chord bearing of South 63 Degrees 04 Minutes 37 Seconds East, with a chord length of 120.43 feet to a 1" Rebar Found on the dividing line of Land Lots 108 and 109, thence leaving said dividing line and continuing along said right of way with a curve turning to the left with an arc length of 100.29 feet, with a radius of 743.68 feet, with a chord bearing of South 71 Degrees 35 Minutes 05 Seconds East, with a chord length of 100.22 feet to a 1/2" Rebar Set, thence leaving said right of way South 00 Degrees 02 Minutes 44 Seconds East a distance of 318.43 feet to a 3/4" Rebar Found on the dividing line of Land Lots 108 and 109, thence along said dividing line North 89 Degrees 20 Minutes 38 Seconds West a distance of 89.97 feet to a 3/4" Rebar Found at the common corner of Land Lots 106, 107, 108, and 109, thence along said dividing line of Land Lots 108 and 109 North 01 Degrees 12 Minutes 54 Seconds West a distance of 95.29 feet to a 3/4" Crimp Tap Pipe Found, thence continuing along said dividing line North 00 Degrees 45 Minutes 26 Seconds West a distance of 253.81 feet to the POINT OF BEGINNING.

Having an area of 30,817 Sq. Ft., 0.707 Acres, as shown and described on ALTA/NSPS Survey by Georgia Land Surveying Co., bearing the seal and certification of Josh L. Lewis IV, Georgia Registered Land Surveyor No. 3028, and being referenced as Job Number 203166.

**TOTAL
AREA**
57,199 SQ. FT.
1.313 ACRES

**#1493
AREA**
26,382 SQ. FT.
0.606 ACRES

**#1501
AREA**
30,817 SQ. FT.
0.707 ACRES

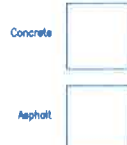
LEGEND

These standard symbols may be found in the drawing

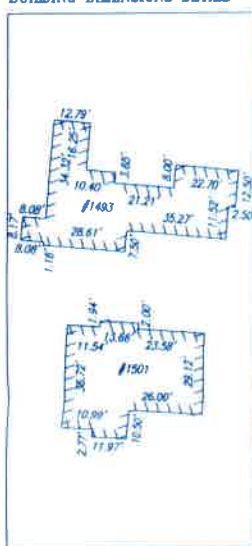


HATCH LEGEND

These hatchings may be found in the drawing



BUILDING DIMENSIONS DETAIL



ZONING

[DeKalb County]
(D1) (Office-Institutional)
Front yard setback-60' (thoroughfares & arterials)
-50' (all other streets)
Side yard setback-20'
Rear yard setback-30'
Minimum floor area of attached dwelling-1,000 SQ. FT.
Minimum floor area of live/work dwelling-650 SQ. FT.
Minimum lot size-20,000 SQ. FT.
Minimum lot width, street frontage-100'
Maximum lot coverage-80%
Maximum building height-5 story/70' if in an activity node
-2 story/35' outside and activity node
Minimum open space
(sites with 5,000-39,999 SQ. FT. gross floor area)-15%
(sites with 40,000+ SQ. FT. gross floor area)-20%

Zoning report from client not provided as of 10/7/21.

SPECIAL FLOOD HAZARD NOTE

I have this date, examined the "FIRM official flood hazard map" and found in my opinion referenced parcel is not in an area having special flood hazards, Zone X, without an elevation certification the Surveyor is not responsible for any damage due its opinion for said parcel map ID 13089C0054K effective date 8/15/2019.

SURVEY NOTES

- Equipment used: Leica 1200 robotic total station and Allegro MX data collector.
- Software used: Carlson Survey 2013 and Carlson Surver
- Above ground visible utilities were obtained from field observations. Georgia Land Surveying Co. has not researched underground utility locations. Information shown hereon size, type, and location of underground utilities is based on observations while in the field and Georgia Land Surveying Co. is unable to certify the accuracy or completeness of this underground information.
- Any graphic depiction of setback lines and other matters of zoning are the surveyor's interpretation of the zoning information furnished. The surveyor offers no certification as to the zoning of the subject property or compliance with zoning regulations for the structures or business on the subject property.

ALTA/NSPS CERTIFICATION

To: Inhance Construction Company, LLC; First American Title Insurance Company.

This is to certify that this map or plat and the survey on which it is based were made in accordance with the 2021 minimum standard detail requirements for ALTA/NSPS Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes items 1, 2, 3, 4, 6(a), 7(a), 8, 9, 10, 11(a), 13, 14, and 19 of table A thereof.
The fieldwork was completed on: November 19, 2021
Date of plat or map: October 7, 2021

Josh L. Lewis IV
Georgia Registered Land Surveyor No. 3028

This plat is a retacement of an existing parcel or parcels of land and does not subdivide or create a new parcel or make any changes to any real property boundaries. The recording information of the documents, maps, plats, or other instruments which created the parcel or parcels are stated hereon. RECORDATION OF THIS PLAT DOES NOT IMPLY APPROVAL OF ANY LOCAL JURISDICTION, AVAILABILITY OF PERMITS, COMPLIANCE WITH LOCAL REGULATIONS OR REQUIREMENTS, OR SUSTAINABILITY FOR ANY USE OR PURPOSE OF THE LAND. Furthermore, the undersigned land surveyor certifies that this plat complies with the minimum technical standards for property surveys in Georgia as set forth in the rules and regulations of the Georgia Board of Registration for Professional Engineers and Land Surveyors and as set forth in O.G.G.A. Section 15-6-67.



155 CLIFTWOOD DRIVE - ATLANTA, GEORGIA 30328 - TELEPHONE (404) 255-4671 - FAX (404) 255-6607 - WWW.GEORGIALANDSURVEYING.COM

JOB NUMBER 203166:1	ALTA/NSPS LAND TITLE SURVEY FOR 1493 & 1501 Lavista Road, Atlanta Georgia 30324				DATE 10/7/21	SCALE 40'
	— INHANCE CONSTRUCTION COMPANY, LLC — — FIRST AMERICAN TITLE INSURANCE COMPANY —				REVISION	BY DATE
					Received Title Commitment	BMS 12/2/21
	LAND LOT 108 & 109		18th DISTRICT	SECTION	DeKalb COUNTY G4	
	LOT		BLOCK	UNIT	PHASE	
SUBDIVISION						
PLAT BOOK	PAGE	PARTY CHIEF JJ	FIELD DATE:	SHEET 1 OF 1		
DEED BOOK	PAGE	DRAFTER: BMS	11/19/21			

THIS PLAT WAS PREPARED FOR THE EXCLUSIVE USE OF THE PERSON, PERSONS OR ENTITY NAMED HEREON. THIS PLAT DOES NOT EXTEND TO ANY UNNAMED PERSON, PERSONS, OR ENTITY WITHOUT EXPRESS RECTIFICATION BY THE SURVEYOR NAMING SAID PERSON, PERSONS, OR ENTITY. ALL MATTERS PERTAINING TO TITLE ARE EXCEPTED.

ARBORIST REPORT



1493-1501 Lavista Rd
Tree Assessment

For:
Amy Swick
Inhance Construction Company LLC
6430 Scott Valley Rd
Atlanta, GA 30328-2935

By:
David Mitchell
ISA Certified Arborist #SO-7535A
Arborguard Tree Specialists, Inc.
PO Box 477
Avondale Estates, GA 30002

December 14, 2021

Assignment

Survey, tag and record the following data per Dekalb County tree ordinance; all trees meeting the size criteria for overstory trees $\geq 18''$ in Diameter at Breast Height (DBH), and understory trees $\geq 10''$ DBH, for all trees located within and around the property site-wide. Identify each tree collected with a unique identifier (tree tag number) while recording the diameter, species, vitality, and other comments relative to condition. *Tag sequencing begins with #2001

Methods

Information for the following parameters was recorded for each tree and provided in the following survey.

Term	Description
Tree No.	All trees were tagged on the side of the trunk with an aluminum tag, bearing a unique number to identify trees, at about 5 feet.
DBH	Diameter of trunk in inches, measured at 4.5' feet above average soil level. Measurements were taken using a forestry diameter tape.
Species	Listed as the North American common name.
Condition	<p>GoodTree has excellent vigor and is actively growing without any serious pathogenic problems. Tree exhibits a structural form that is safe and typical of the species.</p> <p>FairTree is in moderate health, but may have a minor pathogenic problem. Some insects and disease could be present. Tree may have minor structural defects, but does not exhibit optimal form for the species in an urban environment. A tree in fair condition may not react favorably to site developments or additional stress.</p> <p>PoorTree's vigor is low to moderate. It may also have moderate to severe structural defects or a form that is undesirable for the species. Some trees in poor condition are not recoverable and could degrade into a state of advanced decline leading to death.</p> <p>DeadTree is dead.</p> <p>Invasive.....Trees that are non-indigenous to the Atlanta area, Piedmont region.</p> <p>Hazardous ..Tree with uncorrectable defects severe enough to pose present danger to people or buildings under normal conditions, as determined by a City Arborist or City Forester.</p>
Comments	Additional information regarding health and condition of the trees.

Tree Assessment Data

TAG #	DBH	SPECIES	CONDITION	NOTES
2001	30	Loblolly Pine	Poor	Few calloused basal wounds, large fusiform canker at approximately 15', asymmetrical canopy
2002	21	Loblolly Pine	Fair	Few calloused basal wounds, asymmetrical canopy, few large dead limbs
2003	23	Water Oak	Fair	Slight lean, severe epicormic sprouts, pruned for overhead utility line clearance, asymmetrical canopy, previous main lead failure
2004	19	Loblolly Pine	Poor	Large fusiform canker at approximately 40', phototropic lean, asymmetrical canopy, few large dead limbs
2005	37	Loblolly Pine	Poor	Few large fusiform cankers from root crown to approximately 6', few prune wounds, few large dead limbs, fails sounding test
2006	29	Loblolly Pine	Good	Few prune wounds, asymmetrical canopy, few dead limbs
2007	22	Loblolly Pine	Fair	Burl at approximately 3', asymmetrical canopy, few dead limbs
2008	24	Loblolly Pine	Fair	Few prune wounds, asymmetrical canopy, few dead limbs, thinning canopy
2009	25(est.)	Tulip Poplar	Fair	Boundary tree, heavy vine coverage, epicormic sprouts, asymmetrical canopy, few dead limbs, tag on fence
2010	25	Loblolly Pine	Fair	Slight lean, asymmetrical canopy, few large dead limbs, thinning canopy
2011	24	Loblolly Pine	Fair	Slight lean, asymmetrical canopy, few dead limbs
2012	20	Loblolly Pine	Poor	Fusiform canker at root crown, asymmetrical canopy, few large dead limbs, thinning canopy
2013	22	Loblolly Pine	Fair	Sinuuous upper canopy, few prune wounds, asymmetrical canopy, few dead limbs, thinning canopy
2014	13	Black Cherry	Poor	Significant lean, weak stem union at approximately 4', significant vine coverage, multiple dead limbs
2015	25	Loblolly Pine	Poor	Large fusiform canker with decay from root crown to approximately 18', asymmetrical canopy, multiple dead limbs, fails sounding test
2016	23	Loblolly Pine	Fair	Moderate vine coverage, asymmetrical canopy, few dead limbs, thinning canopy
2017	22	Water Oak	Fair	Slight lean, co-dominant at approximately 25' with included bark, phototropic lean, asymmetrical canopy, few dead limbs

TAG #	DBH	SPECIES	CONDITION	NOTES
2018	24	Loblolly Pine	Fair	Significant vine coverage, few burls, phototropic lean, asymmetrical canopy, few dead limbs, thinning canopy
2019	22	White Oak	Fair	Significant vine coverage, phototropic lean, asymmetrical canopy, few dead limbs
2020	27	Post Oak	Poor	Basal cavity at root crown, significant lean, epicormic sprouts, severe phototropic lean, asymmetrical canopy, fails sounding test
2021	20	Southern Red Oak	Poor	Slight lean, severe vine coverage, few vertical cracks in trunk, sinuous trunk, multiple dead limbs, signs of boring insect infestation, fails sounding test
2022	22	White Oak	Poor	Weak stem union at approximately 10' with small lead dead, asymmetrical canopy, multiple dead limbs
2023	25	Loblolly Pine	Dead	
2024	25	Loblolly Pine	Fair	Slight lean, asymmetrical canopy, multiple dead limbs
2025	23	Loblolly Pine	Fair	Slight lean, included wire, asymmetrical canopy, few dead limbs
2026	18(est.)	Elm	Poor	Weak stem union at approximately 10' with included bark, fused with adjacent tree, asymmetrical canopy, poor form
2027	28	Loblolly Pine	Fair	Asymmetrical canopy, few dead limbs, thinning canopy
2028	25	Loblolly Pine	Fair	Burl at approximately 10', asymmetrical canopy, few large dead limbs, thinning canopy
2029	23	Loblolly Pine	Fair	Moderate lean, included wire, asymmetrical canopy, few dead limbs
2030	23	Loblolly Pine	Fair	Slight lean, asymmetrical canopy, few dead limbs
2031	35	Water Oak	Fair	Slight lean, heavy vine coverage, epicormic sprouts, ingrown chain-linked fence, pruned for overhead utility line clearance, few large dead limbs
2032	24	Loblolly Pine	Poor	Slight lean, large fusiform canker at approximately 30', asymmetrical canopy, few dead limbs
2033	24	Loblolly Pine	Fair	Slight lean, multiple burls and prune wounds, asymmetrical canopy, few dead limbs
2034	25	Loblolly Pine	Fair	Heavy vine coverage, asymmetrical canopy, few large dead limbs
2035	16	Black Cherry	Poor	Co-dominant at approximately 12', severe epicormic sprouts, asymmetrical canopy, multiple dead limbs, few large dead limbs

TAG #	DBH	SPECIES	CONDITION	NOTES
2036	20	Loblolly Pine	Fair	Moderate vine coverage, asymmetrical canopy, multiple dead limbs, thin canopy
2037	26	Loblolly Pine	Fair	Significant vine coverage, asymmetrical canopy, few dead limbs
2038	24	Loblolly Pine	Fair	Heavy vine coverage, asymmetrical canopy, few large dead limbs
2039	18	Loblolly Pine	Fair	Sinuous upper canopy, asymmetrical canopy, few dead limbs
2040	24	Loblolly Pine	Fair	Slight lean, sweep in trunk, asymmetrical canopy, few dead limbs
2041	18	Loblolly Pine	Fair	Severe vine coverage, asymmetrical canopy, few dead limbs
2042	20	Loblolly Pine	Fair	Severe vine coverage, phototropic lean, sinuous upper canopy, few dead limbs
2043	27	Loblolly Pine	Fair	Severe vine coverage, asymmetrical canopy, few dead limbs
2044	22	Loblolly Pine	Good	Significant vine coverage, few dead limbs
2045	26	Sweetgum	Fair	Moderate vine coverage, few calloused basal wounds, epicormic sprouts, few prune wounds, phototropic lean, few dead limbs
2046	33	Loblolly Pine	Good	Heavy vine coverage, asymmetrical canopy, few large dead limbs
2047	19(est.)	Tulip Poplar	Fair	Boundary tree, slight lean, epicormic sprouts, sinuous upper canopy, asymmetrical canopy, few dead limbs, tag on fence
2048	24(est.)	Loblolly Pine	Fair	Boundary tree, slight lean, bow in trunk, asymmetrical canopy, few large dead limbs, tag on fence
2049	26	Loblolly Pine	Good	Heavy vine coverage, few dead limbs
2050	21	Loblolly Pine	Fair	Severe vine coverage, asymmetrical canopy, few dead limbs
2051	22	Loblolly Pine	Fair	Severe vine coverage, asymmetrical canopy, few dead limbs
2052	20	Loblolly Pine	Fair	Moderate vine coverage, sweep in trunk, few dead limbs
2053	22	Loblolly Pine	Fair	Moderate lean, severe vine coverage, asymmetrical canopy, few dead limbs
2054	21	Loblolly Pine	Fair	Heavy vine coverage, asymmetrical canopy, few dead limbs

TAG #	DBH	SPECIES	CONDITION	NOTES
2055	21	Loblolly Pine	Fair	Moderate vine coverage, bow in upper canopy, asymmetrical canopy, few dead limbs
2056	20	Loblolly Pine	Fair	Moderate vine coverage, sinuous upper canopy, asymmetrical canopy, few dead limbs
2057	25	Loblolly Pine	Fair	Severe vine coverage, phototropic lean, asymmetrical canopy, few dead limbs
2058	23	Loblolly Pine	Fair	Severe vine coverage, slight lean, asymmetrical canopy, few dead limbs
2059	20	Loblolly Pine	Poor	Large fusiform canker from root crown to approximately 4', asymmetrical canopy, few large dead limbs
2060	21	Pecan	Fair	Significant phototropic lean, asymmetrical canopy, few limb failures, few dead limbs
2061	24	Loblolly Pine	Poor	Slight lean, severe vine coverage, severe crook in upper canopy, basal wound in upper canopy, multiple dead limbs
2062	18	Loblolly Pine	Fair	Slight lean, significant vine coverage, sinuous upper canopy, asymmetrical canopy, few dead limbs
2063	28	Tulip Poplar	Fair	Epicormic sprouts, co-dominant at approximately 35', crook in upper canopy, few dead limbs, 1 large dead limb
2064	27	Pecan	Fair	Co-dominant at approximately 6' with leads fused, included chain-linked fence, few large dead limbs
2065	22	Water Oak	Fair	Slight lean, girdling root, weak stem union at approximately 18', epicormic sprouts, asymmetrical canopy, few dead limbs
2066	18	Ash	Fair	Tri-stem union at approximately 6' with weak stem union and severe included bark, significant vine coverage, asymmetrical canopy, few dead limbs
2067	25	Southern Magnolia	Fair	Few prune wounds, phototropic lean, asymmetrical canopy, few dead limbs

Summary

67 trees were tagged on this site:

04 trees are in Good condition
 48 trees are in Fair condition
 14 trees are in Poor condition
 00 trees are Invasive
 01 tree is Dead

IMAGES AND PHOTOGRAPHS OF SUBJECT PROPERTY
AND SURROUNDS



Legend

- 1493 Lavista Rd NE
- Feature 1
- Feature 2
- Oldcastle Nature Trail at Mar...
- Public Storage

1000 ft

e Earth Aerial Showing sloane apartments

Legend

- 1493 Lavista Rd NE
- Feature 1
- Feature 2
- Oldcastle Nature Trail at Ma
- Public Storage

16 103
06 014

16 103 06 007

16 103 06 004

16 103 07 001

16 103 06 009

1459
16 103 07 002

1495

1500

16 103 06 005

1162

16 103 06 010

16 103 06 004

1173

16 103 06 011

16 103 06 003

16 103 07 003

16 107 06 007

16 103 06 012

1172

16 103 06 012

1160

16 103
06 013

16 103 06 001

16 103 07 004

1174

1163

16 107 06 001

16 103 01 013

16 103
06 014

1162

16 107 05 003

16 107 06 002

1159

1150

1163

16 107 06 003

1158

16 103 01 015

16 103
06 015

16 107 05 002

16 107 06 004

16 103 01 013

1162

16 107
06 015

16 103
06 015

1495



DeKalb County Parcel Map

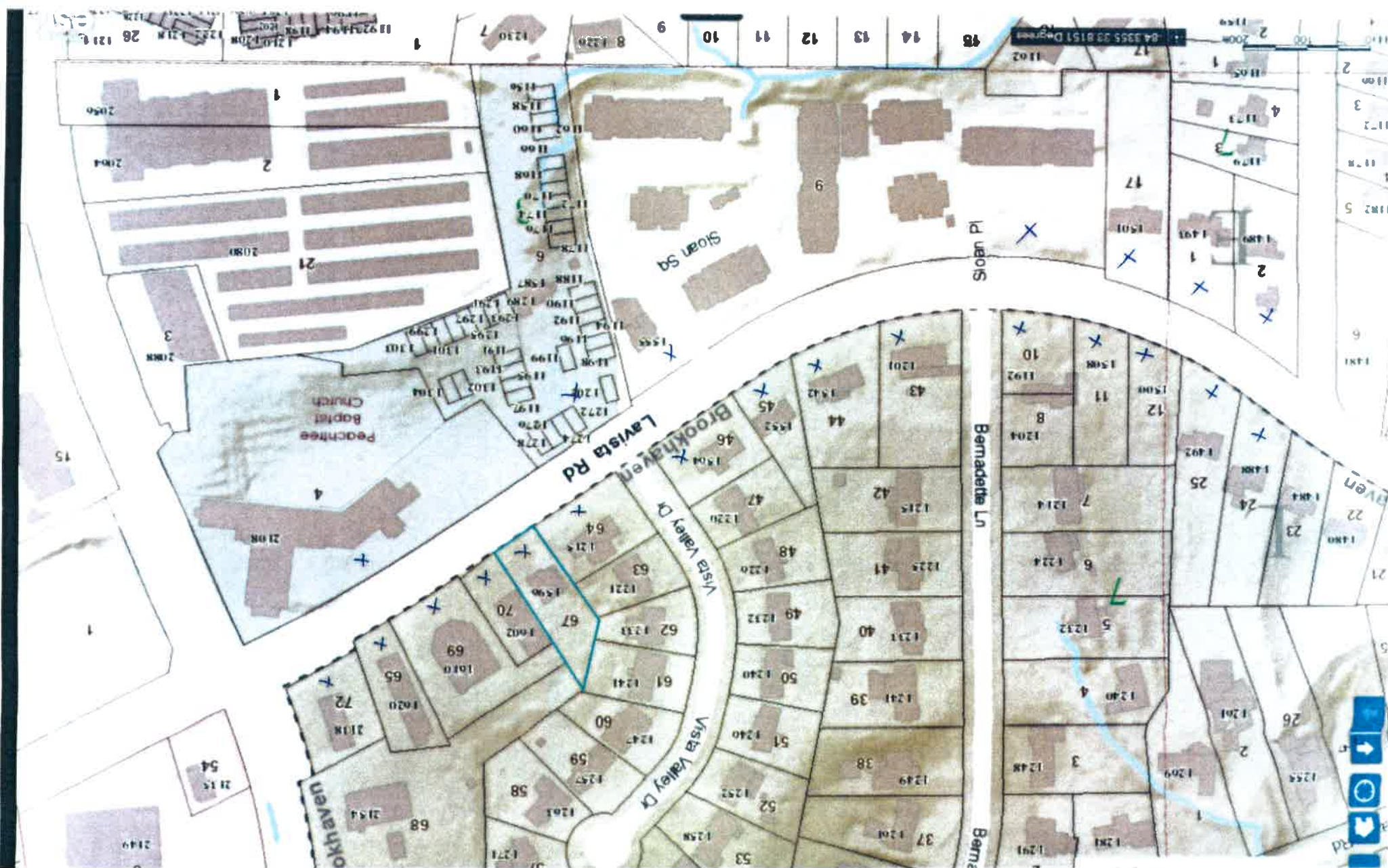
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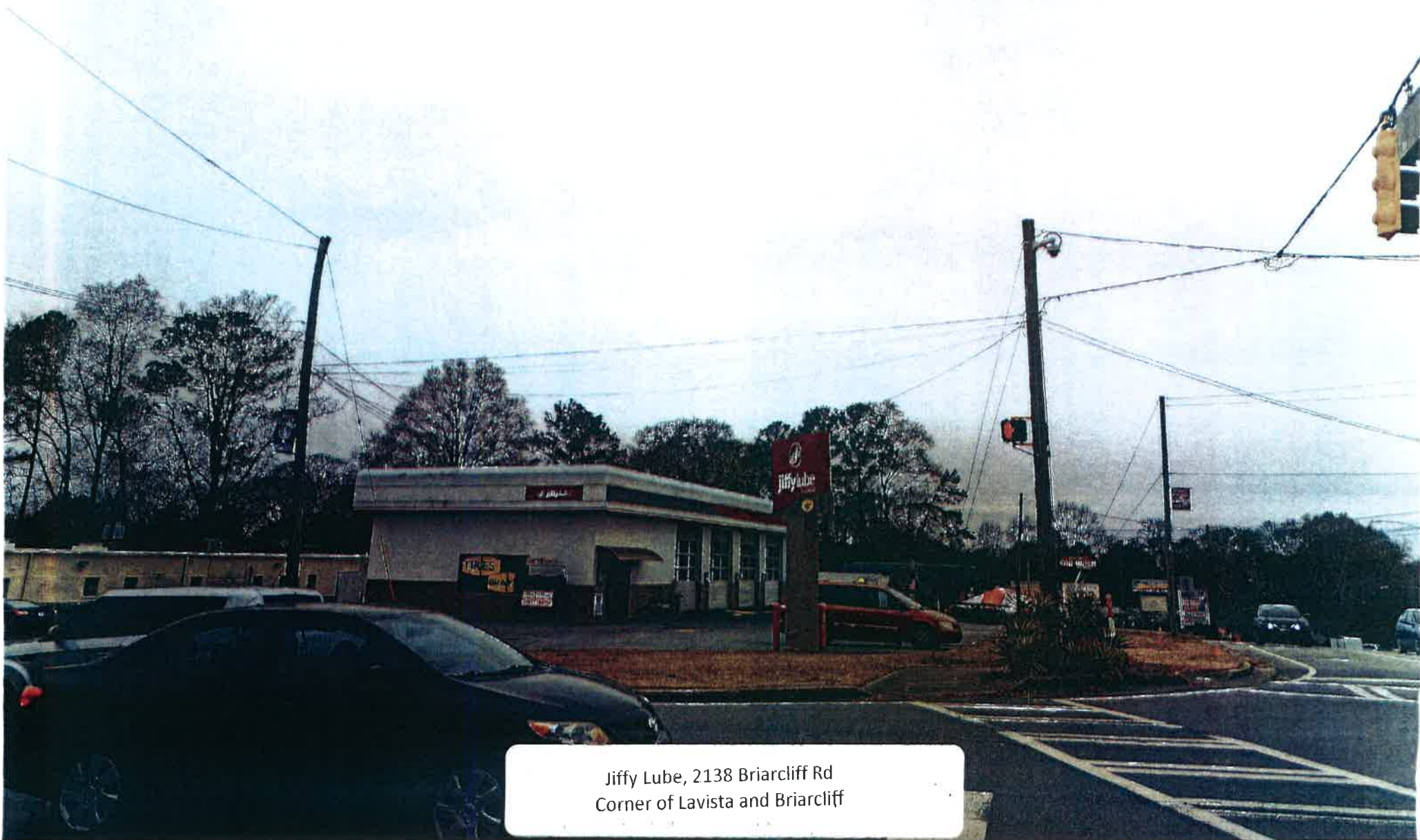
Date Printed: 9/28/2021



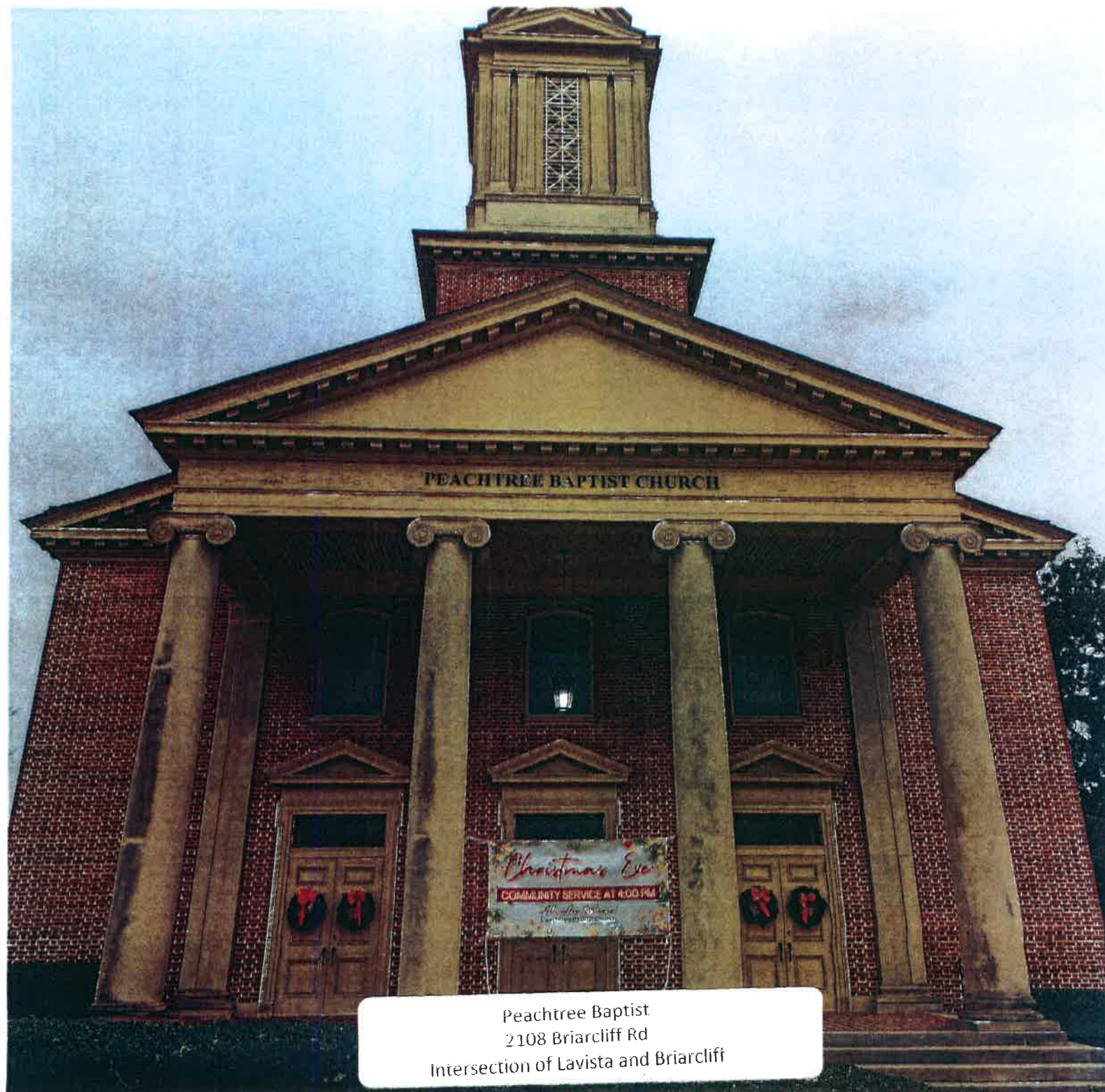
DeKalb County GIS Disclaimer

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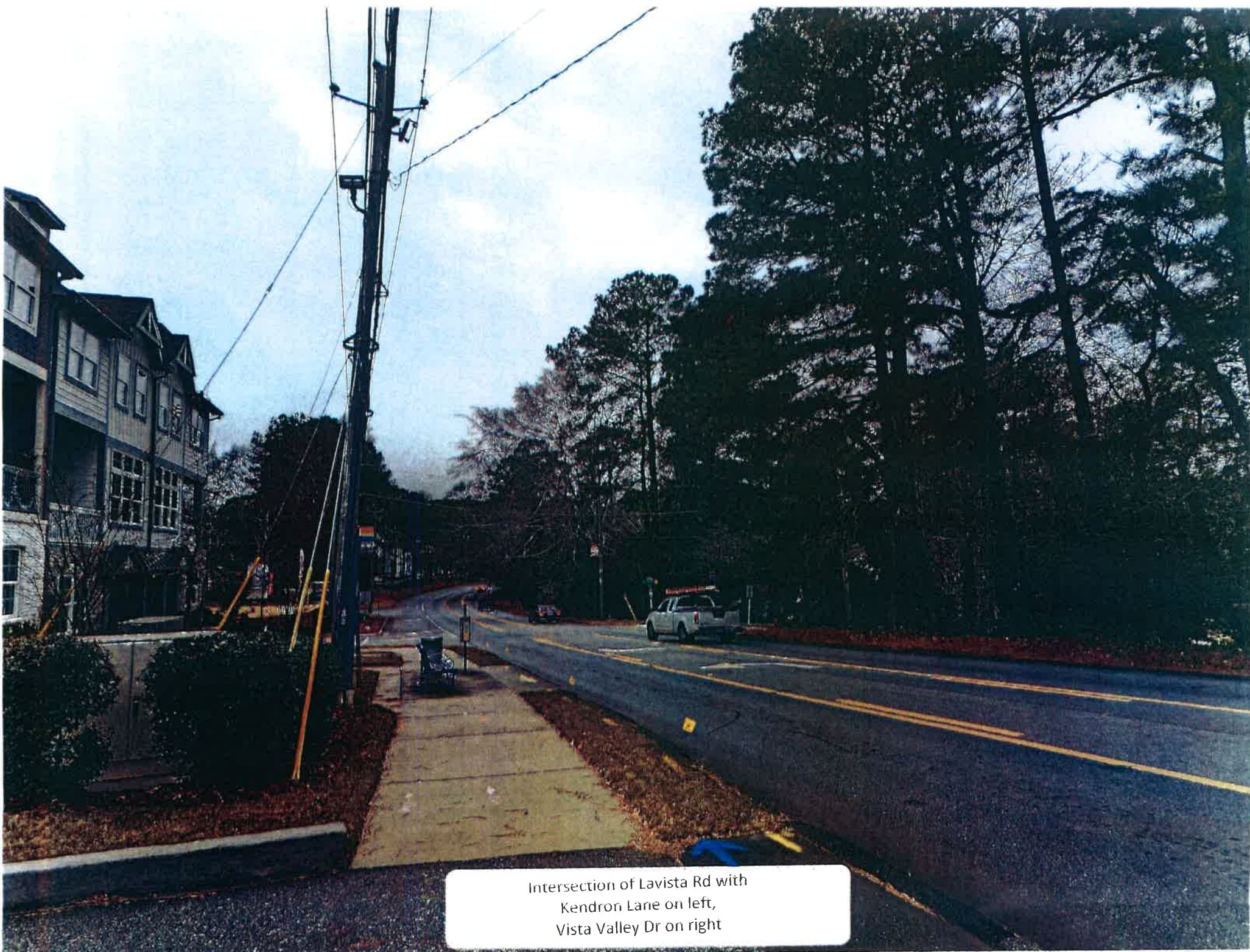




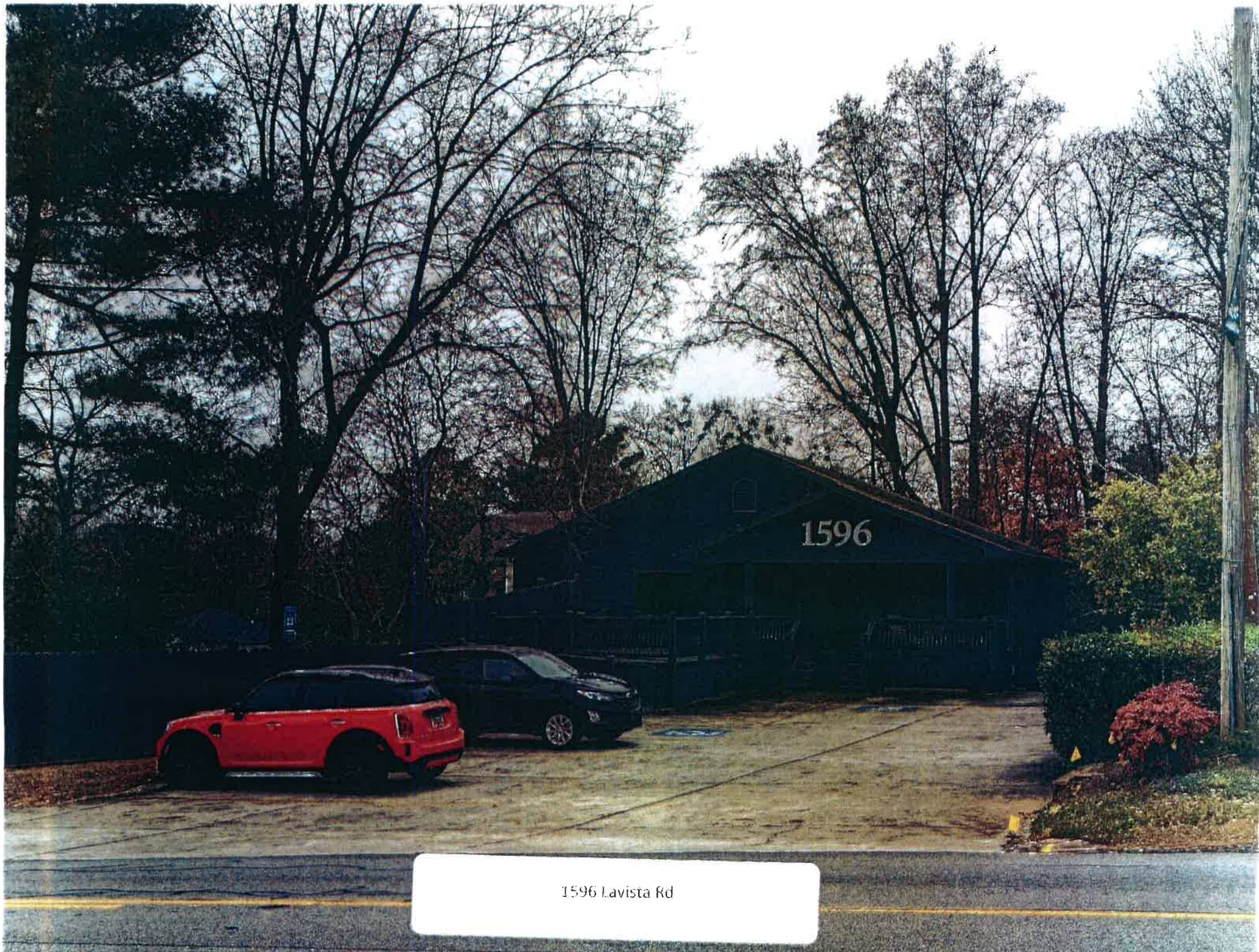
Jiffy Lube, 2138 Briarcliff Rd
Corner of Lavista and Briarcliff



Peachtree Baptist
2108 Briarcliff Rd
Intersection of Lavista and Briarcliff



Intersection of Lavista Rd with
Kendron Lane on left,
Vista Valley Dr on right



1596 Lavista Rd



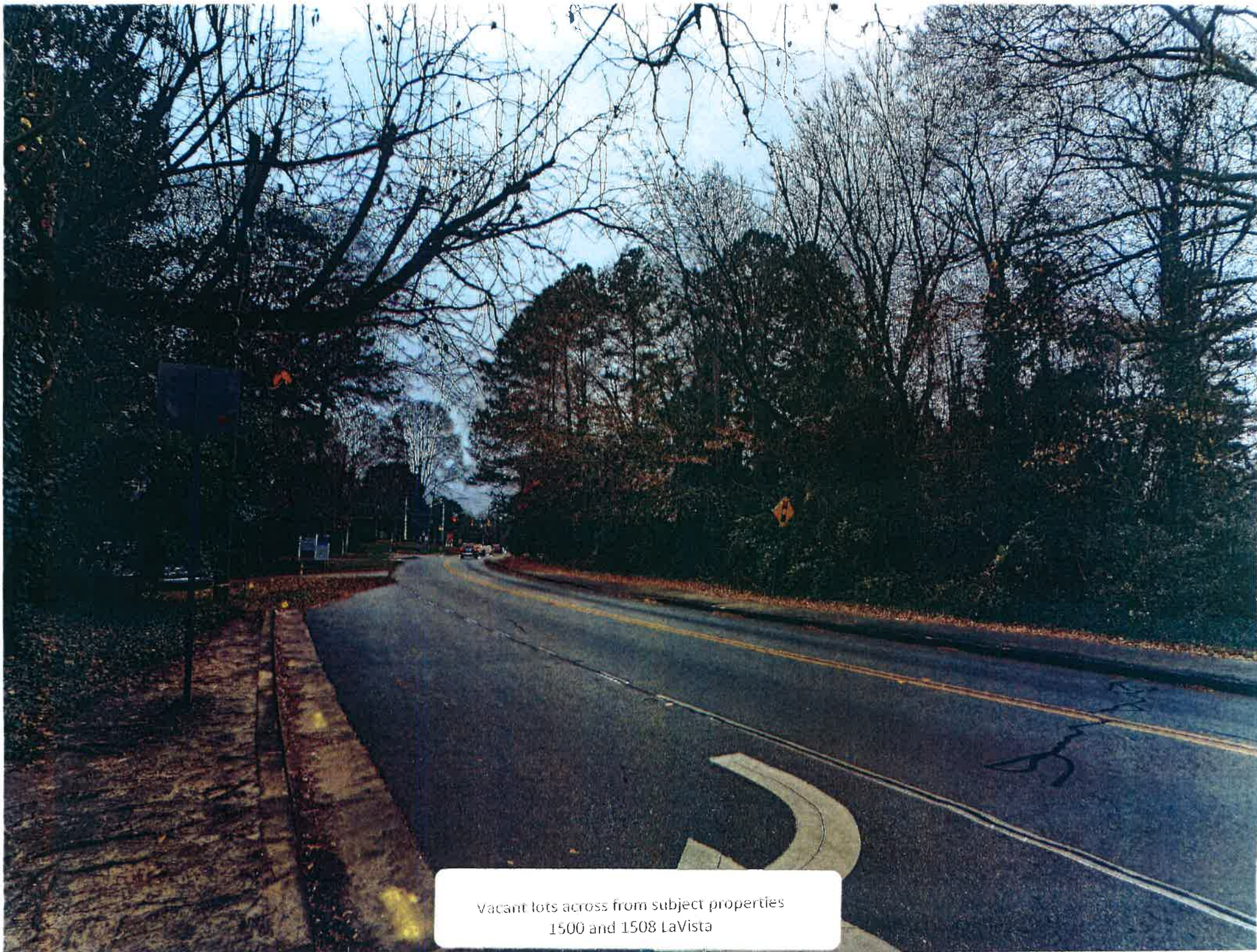
The Row Townhomes
1587 Lavista Rd

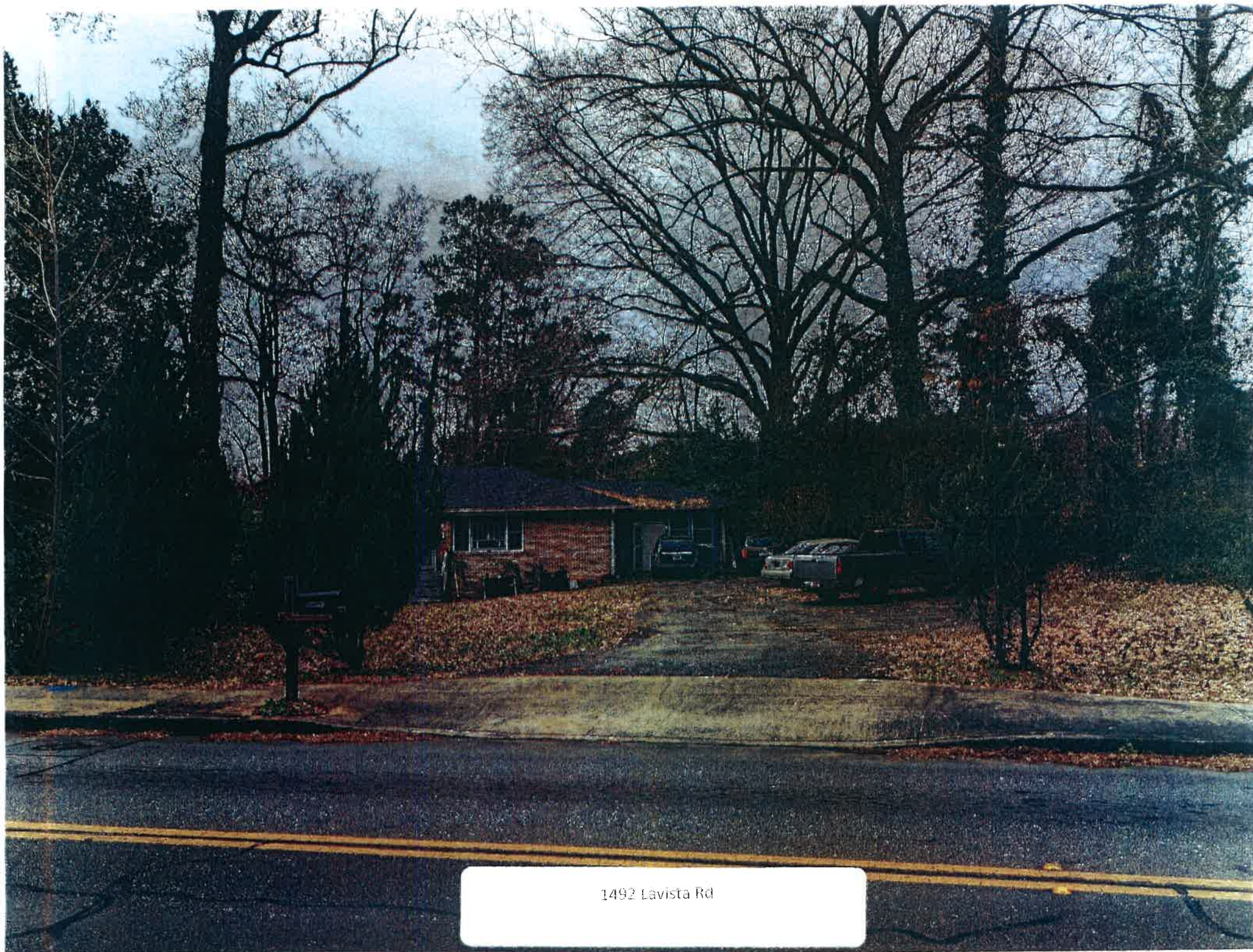


Sloan Square Apts, primary entrance
1555 Lavista Rd



Sloan Square Apts
Secondary entrance across from Bernadette Lane

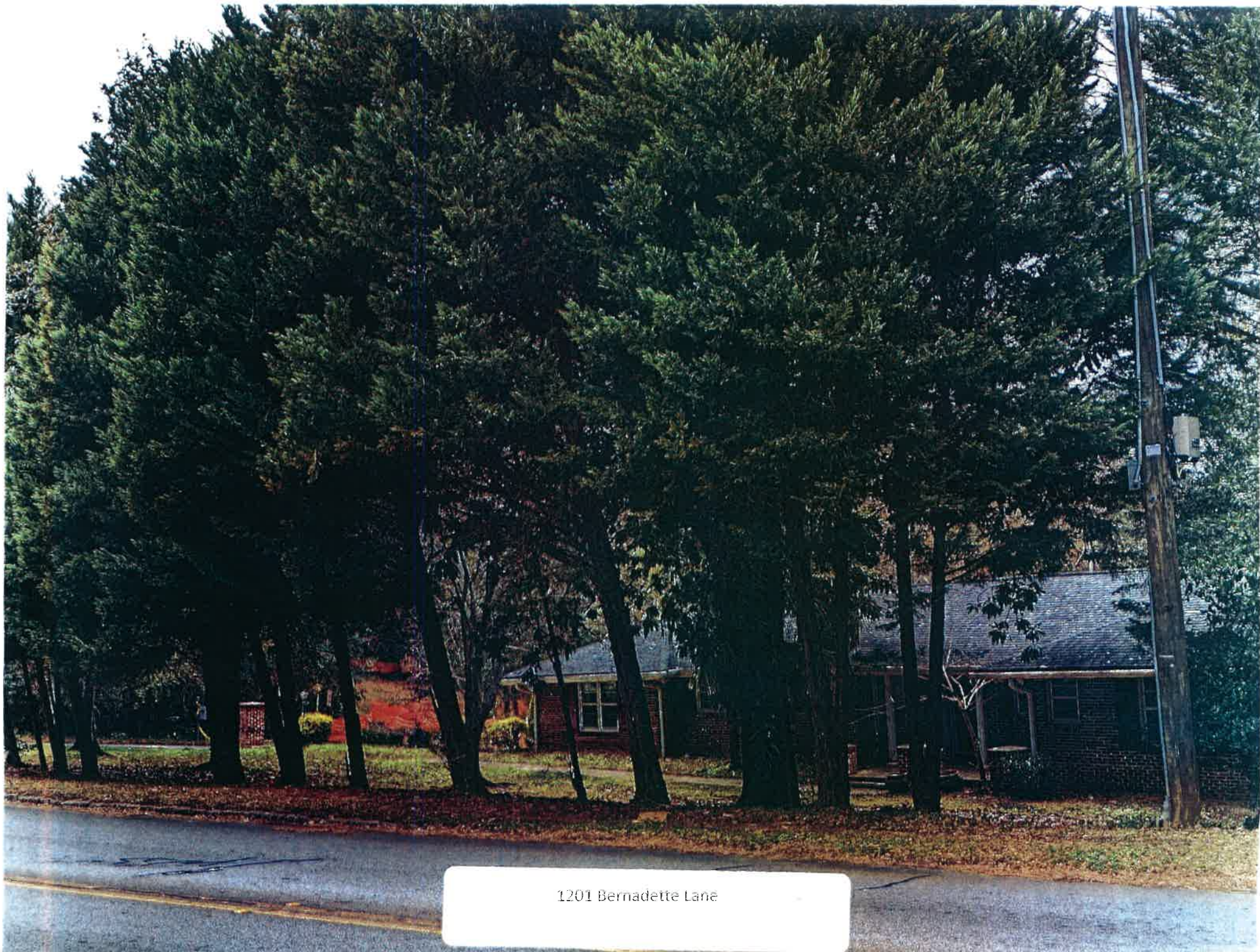




1492 Lavista Rd



1542 Lavista Rd



1201 Bernadette Lane

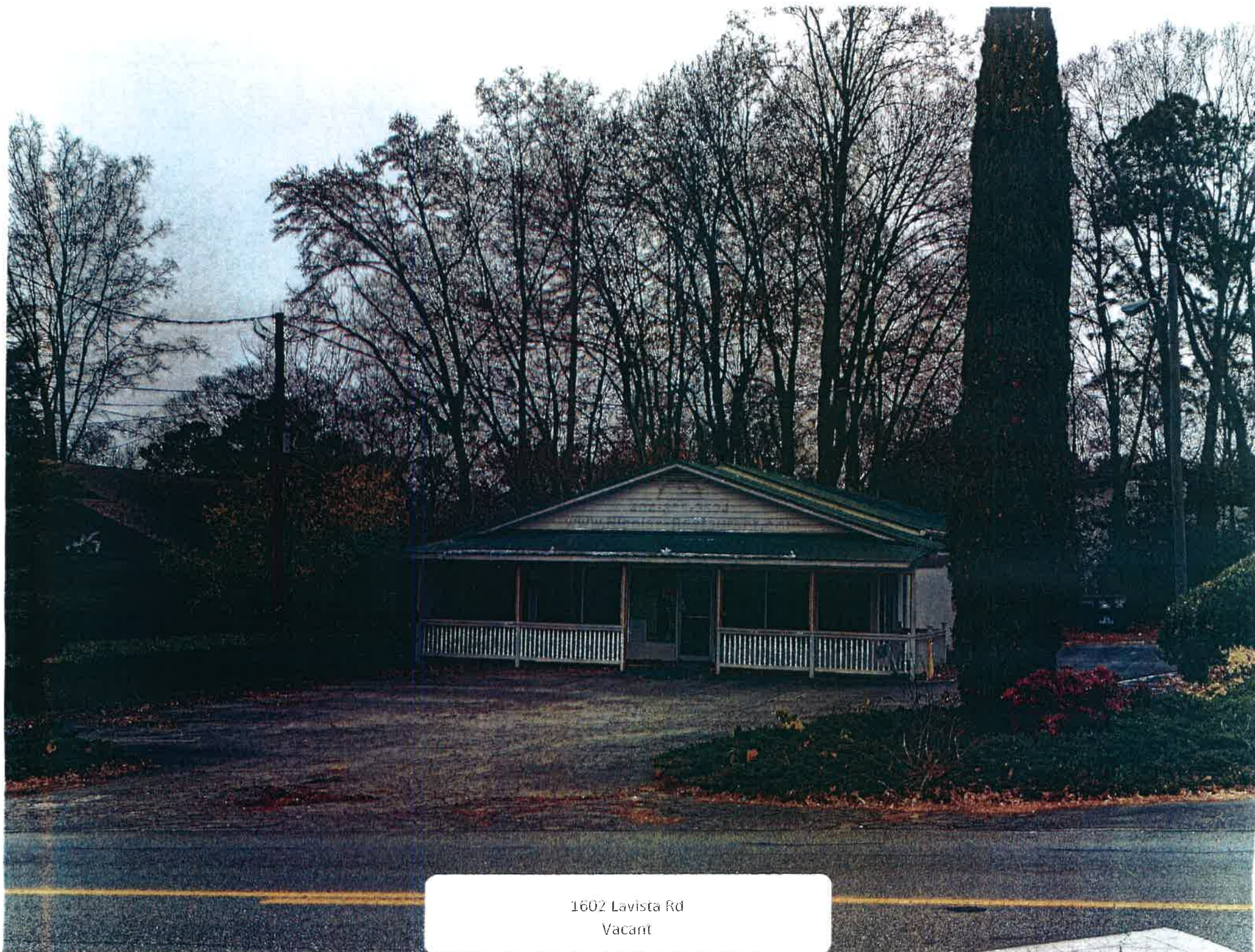


1620 Lavista Rd
Vacant

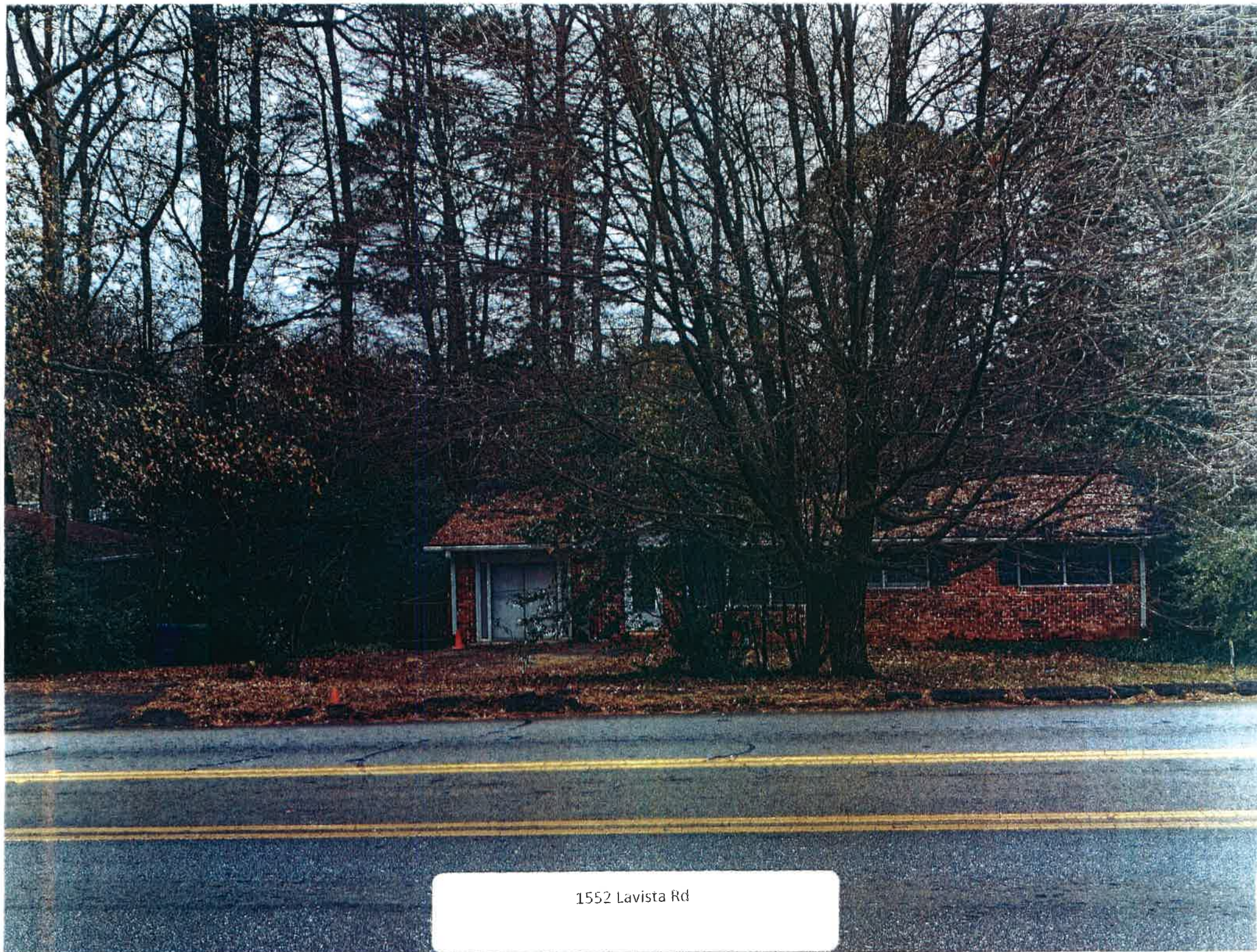


1610 LAVISTA RD.
OFFICE SUITES
(404) 822-0056

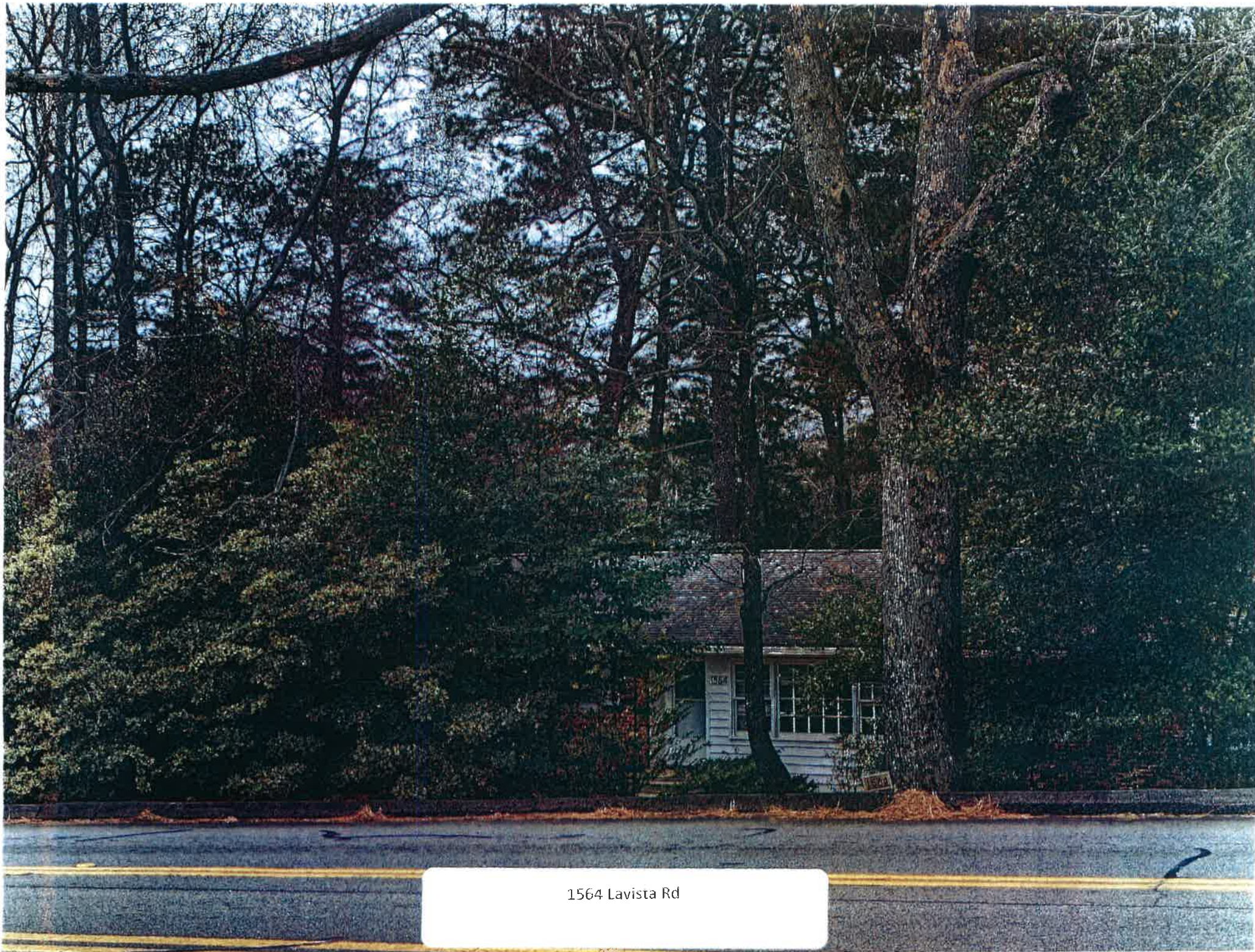
1610 Lavista Road
Vacant



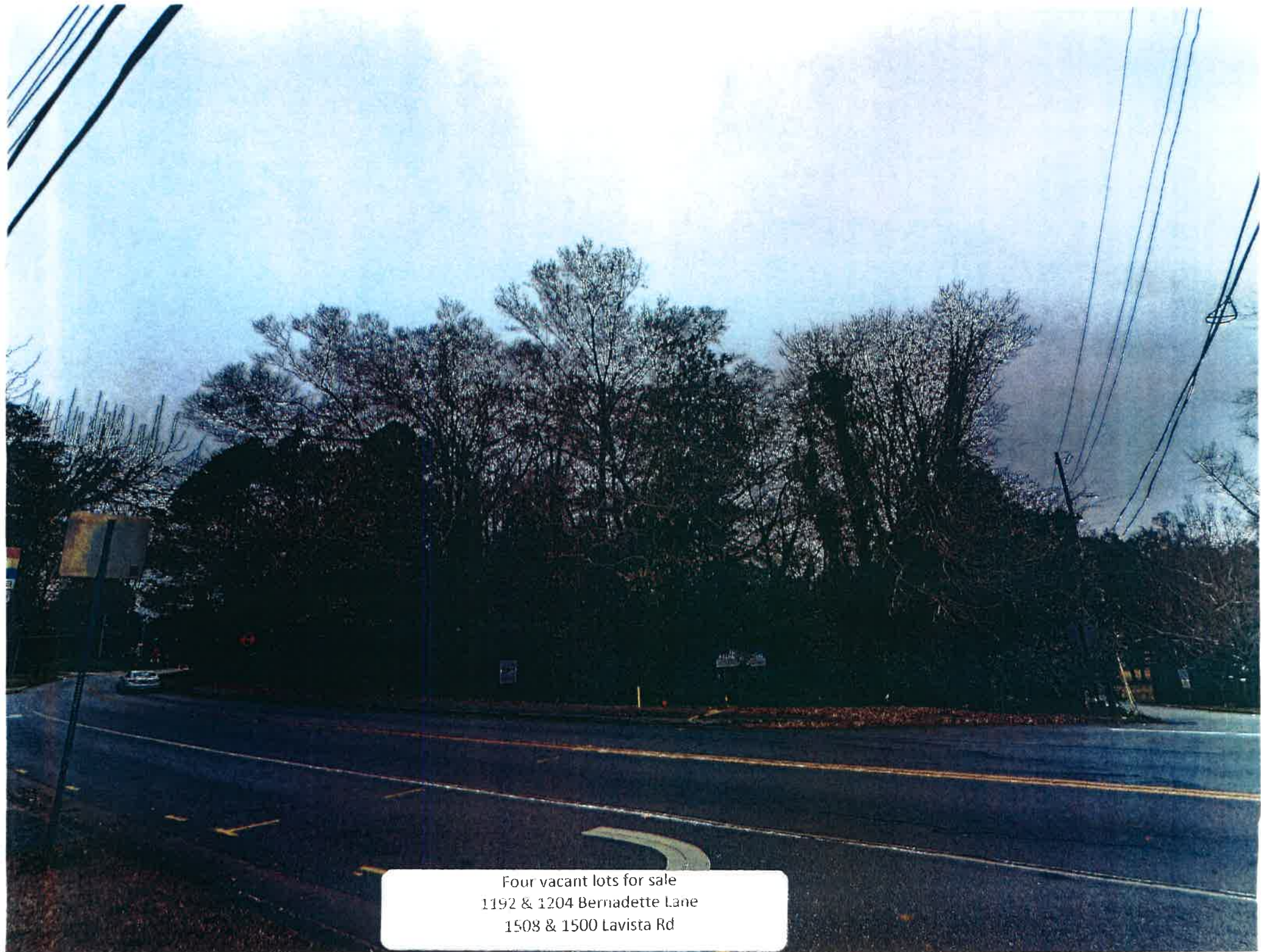
1602 Lavista Rd
Vacant



1552 Lavista Rd



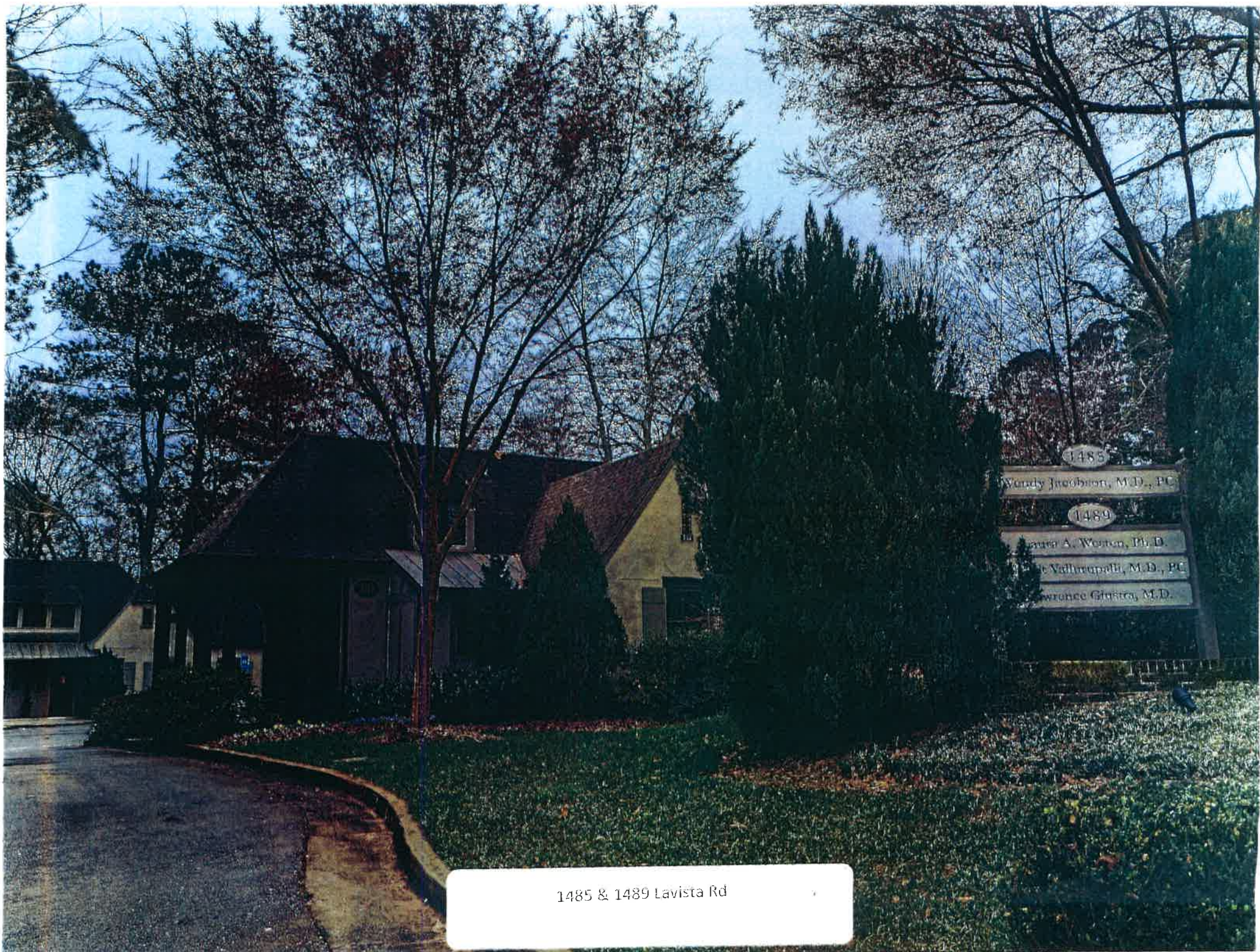
1564 Lavista Rd



Four vacant lots for sale
1192 & 1204 Bernadette Lane
1508 & 1500 Lavista Rd

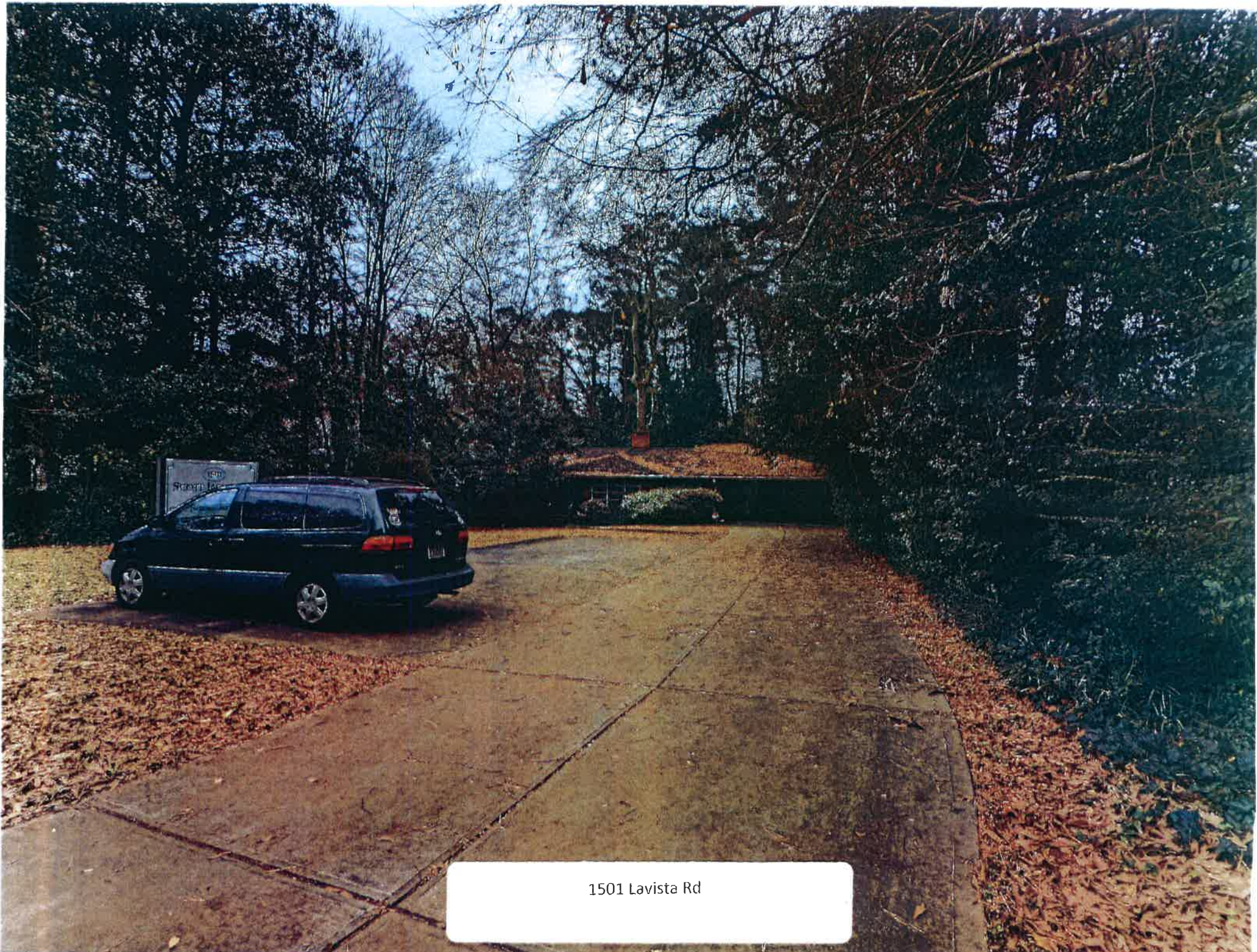


1488 Lavista Rd



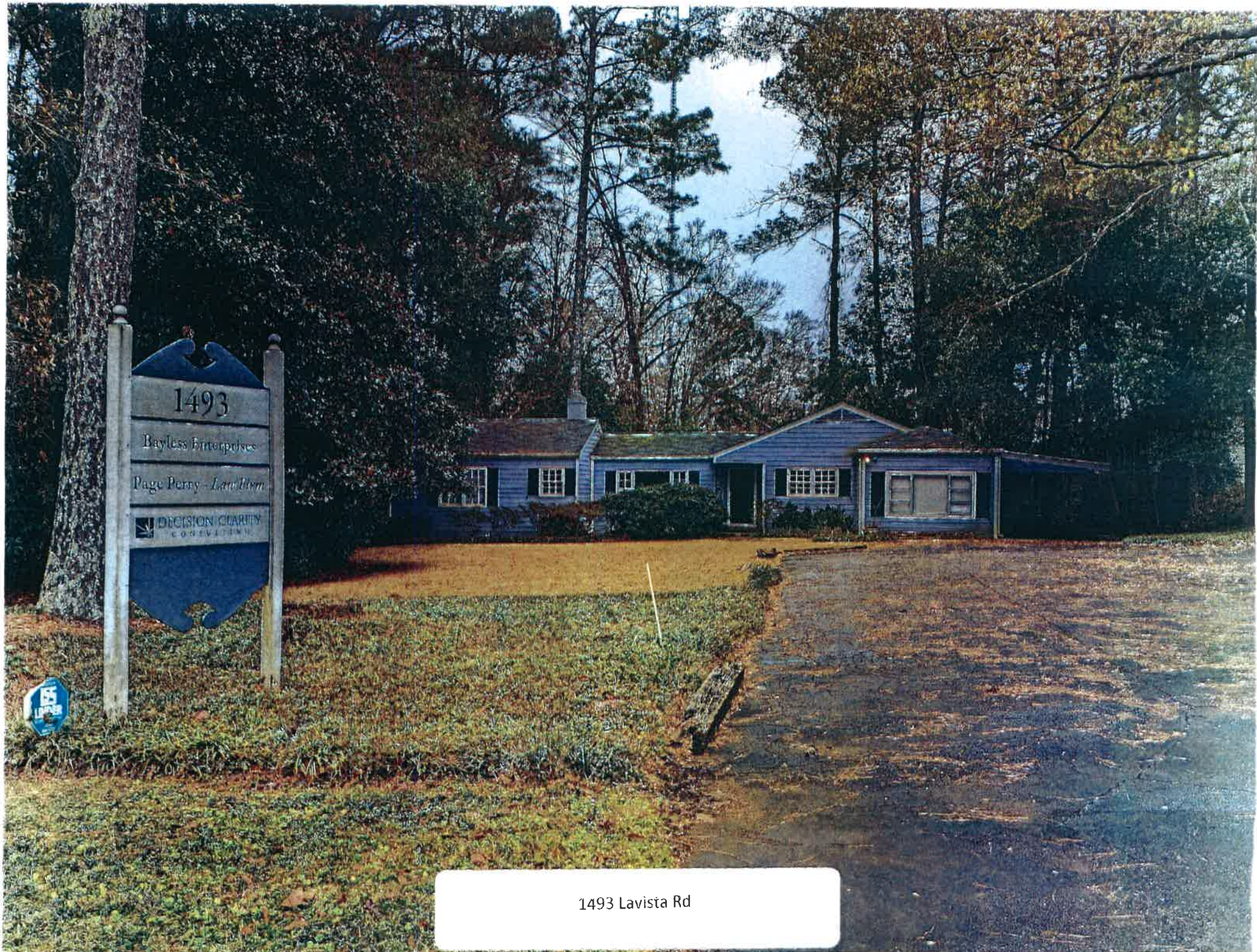
1485 & 1489 Lavista Rd

1501 LAVISTA-CURRENT CONDITIONS



1501 Lavista Rd

1493 LAVISTA-CURRENT CONDITIONS



1493 Lavista Rd

PROPERTY TAX AND DEED INFORMATION

Property Tax Information Results

Any errors or omissions should be reported for investigation. No warranties, expressed or implied, are provided for the data herein, its use, or its interpretation.

Would you like to have future tax bills emailed to you?

Back

 Print[illegible]

AVERAGE 2014 \$6,110.62 \$6,110.62 \$0.00

Delinquent Taxes/
Tax Sale Information

Tax Sale File Number
Fifa-GED Book/Page
Levy Date
Sale Date
Delinquent Amount Due

Quality Grade
Air Conditioning
Fireplaces
Stories
Square Footage
Basement Area
% Bsmt Finished
Bedrooms
Bathrooms
Last Deed Date
Last Deed Amount

1,684 Sq. Ft.
0 Sq. Ft.
0 Sq. Ft.
11/11/2012
\$300,000.00

Additional Property Information

[Click here to view property map](#)

Property Value/Billing Assessment

Taxable Year 2021
Land Value \$318,890
Building Value \$47,190
Misc. Improvement Value \$0
Total Value \$366,080
40% Taxable Assessment \$146,432

Information as of 12/20/2021

For additional information on the data above,
contact the Property Appraisal Department at 404-371-2471

Please return to:
NEEL & ROBINSON ATTORNEYS AT LAW, LLC
(NR ATTORNEYS)
5555 Glenridge Connector, Suite 400
Atlanta, GA 30342
File No.: 121025531

2012205305 DEED BOOK 23467 Pg 133
Filed and Recorded
12/21/2012 3:01:30 PM
Debra DeBerry
Clerk of Superior Court
DeKalb County, Georgia

STATE OF GEORGIA
COUNTY OF FULTON

Real Estate Transfer Tax \$300.00

WARRANTY DEED

THIS INDENTURE, made this 11th day of December, 2012, between

R. PEERY GRANT

as party or parties of the first part, hereinafter called Grantor, and

BAYLESS PROPERTIES, LLC

as party or parties of the second part, hereinafter called Grantee (the words "Grantor" and "Grantee" to include their respective heirs, successors and assigns where the context requires or permits).

WITNESSETH that: Grantor, for and in consideration of the sum of TEN DOLLARS (\$10.00) and other good and valuable consideration in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, has granted, bargained, sold, aliened, conveyed and confirmed, and by these presents does grant, bargain, sell, alien, convey and confirm unto the said Grantee, the following described property:

All that tract or parcel of land lying and being in Land Lot 108 of the 18th District, DeKalb County, Georgia, being Lot 2, Block E, Woodland Hills Subdivision, Unit Two, as per plat recorded in Plat Book 18, Page 55, DeKalb County, Georgia Records, and being more particularly described as follows:

Beginning at a point marked by an iron pin on the southwesterly side of Lavista Road, 126.5 feet southeasterly following the curvature of Lavista Road from the intersection of the southwest side of Lavista Road and the northeast side of Shepherd's Lane, if said streets were extended to form an angle instead of a curve; running thence south along the east side of Lot 3, 247.6 feet to an iron pin; thence southeasterly 109.9 feet to an iron pin; thence north 223.8 feet to an iron pin on the southwesterly side of Lavista Road; thence northwesterly along the southwesterly side of Lavista Road 126.6 feet to the point of beginning; being improved property known as 1493 Lavista Road, according to the present system of numbering houses in DeKalb County, Georgia.

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

AND THE SAID Grantor will warrant and forever defend the right and title to the above-described property unto the said Grantee against the claims of all persons whomsoever.

IN WITNESS WHEREOF, Grantor has hereunto set grantor's hand and seal this first day and year first above written.

Signed, sealed and delivered
in the presence of:


R. PEERY GRANT (Seal)

Witness

Notary Public
My Commission expires:

[Notary Seal]

COMMUNITY PRE-APPLICATION MEETING MATERIALS

1493 / 1501 Lavista Road Community Meeting

12/15/2021

Attendees List

Leah Pate Hartman

Michael Hartman

Trevor Boylan

Wendy Jacobson

A.D. McNaghten

Larry Hoskins

Barbara Wiley

Walt Siedentopf

Wright Gardner

Amy Swick

Dave Radlmann



I N H A N C E
D E V E L O P M E N T

COMMUNITY MEETING INVITATION

Please join us via Zoom on Wednesday, December 15th, for a virtual community meeting at 6:30pm to learn more about proposed redevelopment plans at 1493 and 1501 Lavista Road.

Join Zoom Meeting via

[THIS LINK](#)

OR

Meeting ID: 314 187 7509

Passcode: 076229

OR

Dial by phone

(301) 715 8592

Meeting ID: 314 187 7509

Passcode: 076229

HOSTS:

Urban Eco

Inhance Development

Wright Gardner Architect

1. Link for copy of community meeting video recorded meeting:

https://us02web.zoom.us/rec/share/SqT06W1TPXKUrUw8rNIkB_ROBEG-PR02IMxSe9YmW1IVDDoNg7Dm9KP9ZB7zZmIP.q3if_OYiRjEo5m5o Passcode: 2AX^9VAZ

RELEVANT MAPS

-Tax Map of Subject Property

-Zoning Map

-Land Use Map

X	Q
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1501 L

22

10

12

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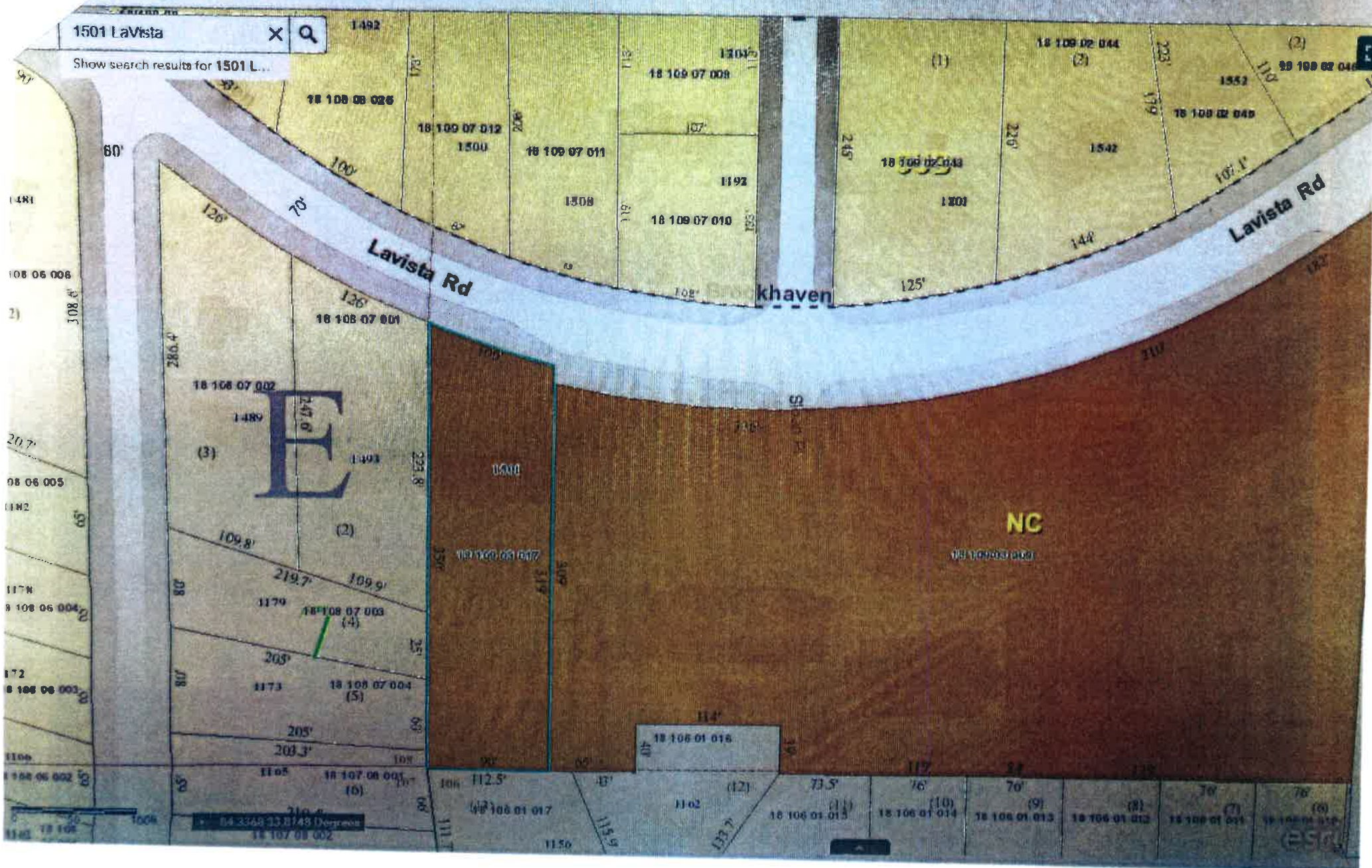
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DeKalb County, GA 2021 Comprehensive Land Use Map

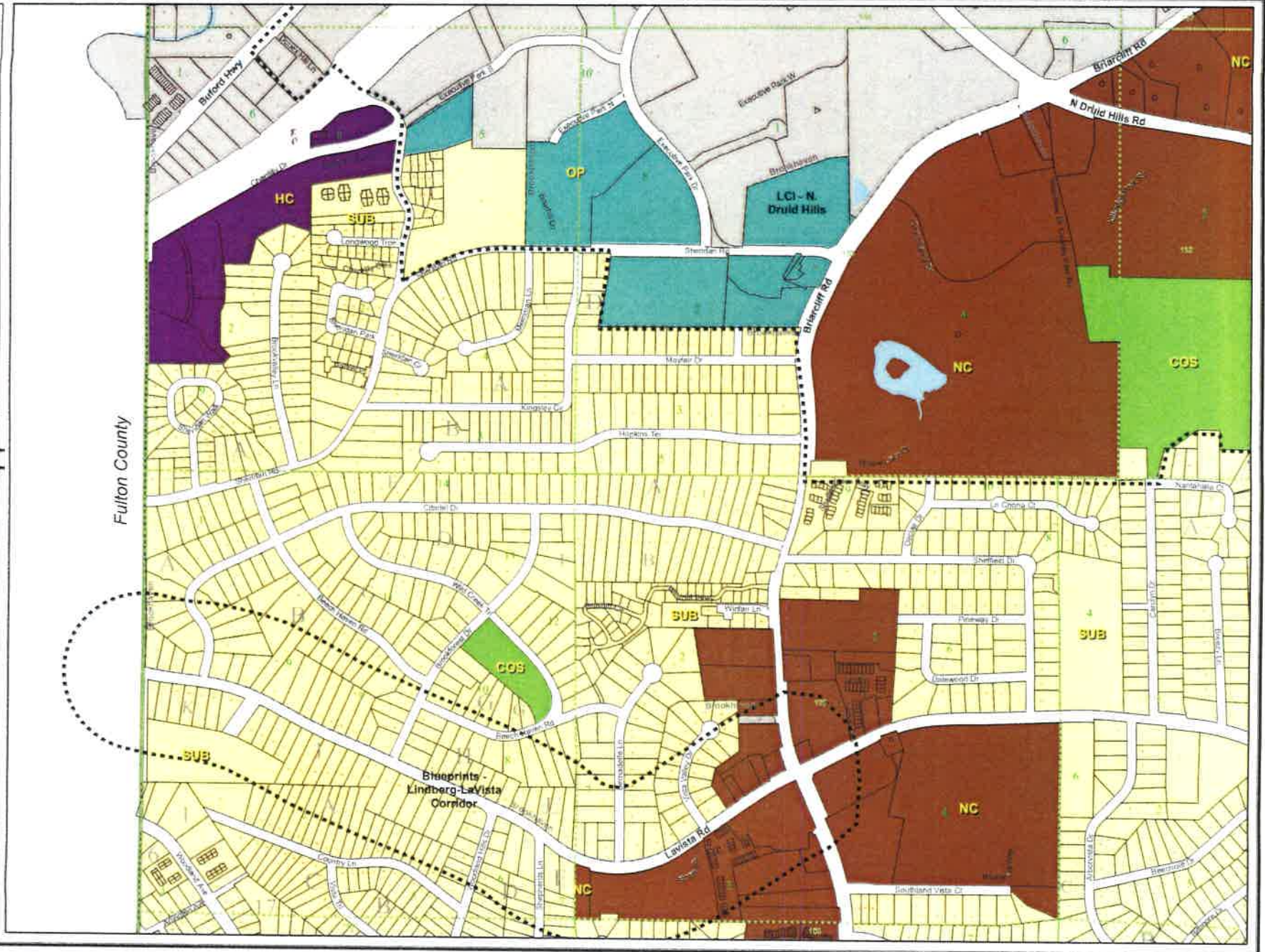
District **18**
Land Lots 109, 108, 154, 153

Legend

- Land Lot
- Lake
- Stream
- Railroad
- City Boundary
- SAP
- Conservation / Open Space
- Highway Corridor
- Neighborhood Center
- Office Park
- Suburban
- Parcel Number
- Legal Block
- Tax Block



Map produced by the GIS Department
For all printing and use, no other date or edition, please refer to the
official DeKalb County website.
Printed 3/18/2021
Scale: 1" = 1/2" Mile



RELEVANT LAND USE POLICIES

Land Use Policies

The **basic premise** is to focus more intense development at the Activity Centers/Nodes. This basic premise will help to protect existing neighborhoods from incompatible land uses. The intent of the 2035 plan is not to allow intense development throughout the designated node, but to provide consideration of the allowable densities/intensities. Listed below are the guiding principles for development.

- A. **Locational Criteria** - The most intense development shall occur in the center of the node or at the major intersections within the defined area. Higher density residential is encouraged within the defined area (stand alone or as a vertical mixed use development). Office uses are encouraged within the node but can also be used as a buffer/transition between existing commercial uses and residential uses. **Density** shall be increased to support urban lifestyles within mixed uses. Bonuses shall be granted for workforce and senior housing.
- B. **Land Use Compatibility** - Development intensity shall transition from the most dense toward the edge/periphery of the activity center. Smaller scale professional services and residential developments may serve as transitions to existing neighborhoods. Staggered heights, greater setbacks, increased screening/buffers can help mitigate compatibility issues.
- C. **Neighborhood Compatibility** - Commercial and office uses that would have a negative or blighting influence on adjacent residential neighborhoods or individual residence shall not be permitted.
- D. **Services/Facilities** - Proposed developments shall not degrade the level of service on roadways, capacity of water/sewer, or cause drainage problems. The developer must provide evidence to the contrary that is acceptable to staff, make on or off site improvements, and/or provide funding to mitigate impact on public facilities and services. All new development will be subject to review of its proposed impact on existing services and infrastructure. Developers will be required to submit additional plans, which will mitigate any negative impacts.
- E. **Environmental** - The proposed development shall be allowed only in areas where it can be demonstrated that environmental damage

will not occur and mitigation measures must be approved by EPD and local stream buffer standards.

- F. **Policies** – The policies and strategies will be used to make recommendations for zoning and land use decisions.
- G. **Mandatory Pre-Application meeting** – shall occur prior to zoning and land use application submittal to guide the applicant with development standards and maintaining an acceptable quality of life.

Policies

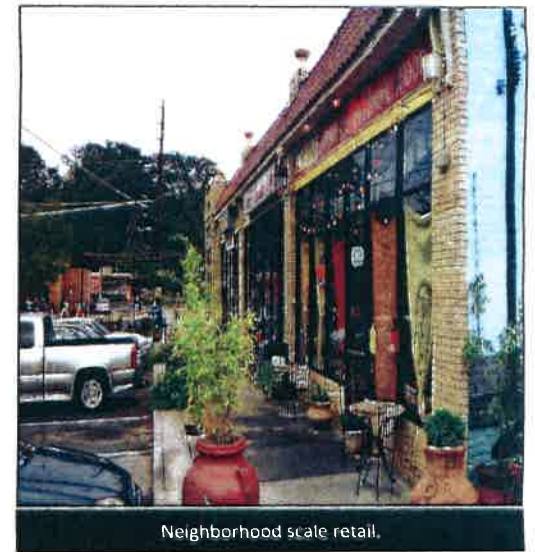
1. **Infill** - Identify and encourage the development of priority areas for new infill or redevelopment.
2. **Mixed Use** - Create compact mixed use districts and reduce automobile dependency and travel to obtain basic services.
3. **Density** - Allow increased density to encourage urban lifestyles that support mixed use in activity centers.
4. **Existing Residential** - Ensure that new development and redevelopment is compatible with existing residential areas.
5. **Parking** - Decrease the amount of land used for surface parking.
6. **Corridor Aesthetics** - Improve the aesthetic appearance of developments along major corridors.
7. **Contextual Design** - Support context sensitive design as a way to mitigate the impact of new development at higher densities and intensities.
8. **Land Development** - Enforce the Land Development Chapter (14) of the County Code to improve development within the County.
9. **Zoning (Commercial)** - Strictly regulate existing nonconforming commercial uses that are not recognized by the Future Development Map.
10. **Development Standards** - Provide standards of development for retail, office and neighborhood-serving commercial uses to protect the appeal and character of neighborhoods.
11. **Transportation** - Encourage development within and near principal transportation corridors and activity centers.
12. **Clustering** - Encourage the clustering of neighborhood and community shopping and office facilities in nodes with defined boundaries which are convenient to population concentrations and major transportation facilities.
13. **TOD** - Encourage Transit Oriented Development (TOD) in appropriate locations.

Neighborhood Center (NC)

The intent of the Neighborhood Center Character Area is to identify areas that can serve the local neighborhood's needs for goods and services. These areas shall complement the character of neighborhoods and the location of the commercial areas shall reduce automobile travel, promote walkability and increased transit usage. These areas consist of a neighborhood focal point with a concentration of activities such as general retail, neighborhood commercial, professional office, higher-density housing, and appropriate public and open space uses that are easily accessible by pedestrians. The proposed density for areas of this type is up to 24 dwelling units per acre.



Higher density housing oriented towards the street.



Neighborhood scale retail.

Primary Land Uses	Permitted Zoning
<ul style="list-style-type: none"> Townhomes Condominiums Apartments Health Care Facilities Retail and Commercial Office Institutional Uses Entertainment and Cultural Facilities Park and Recreational Facilities Public and Civic Facilities 	<ul style="list-style-type: none"> MU-5 MU-4 MU-3 MU-2 MR-1 MR-2 C-1 OI HR-1 HR-2 RSM

Neighborhood Center Character Areas

- Oak Grove
- Perimeter College/DeKalb Tech
- Village Square/Value Mall
- Hairston Road & Central Drive
- Panola & Rockbridge Roads
- Dashon and Rockbridge Roads
- Covington Hwy & Hairston Road
- Covington Hwy & Panola Road
- Covington & DeKalb Medical Way
- Flat Shoals Pkwy & Wesley Chapel
- Road
- Eastlake Village
- Browns Mill and Klondike Roads
- Redan and Hairston Roads
- Salem and Panola Roads

- Hairston Memorial and Wilkinson Drives
- Flat Shoals & Clifton Springs
- on & Rockbridge Roads

Planned Neighborhood Center Character Areas (Small Area Plans)

- Lavista Road and Blandford Road
- Emory Village LCI
- Bouldercrest & I-285 (SDAT)
- Panola & Redan Roads (GHH)
- Panola & Young Roads (GHH)
- Mason Mill Node (N Druid Hills LCI)

Note:

GHH - Greater Historic Hills

SDAT - Sustainable Design Architecture Team

Preferred Intensity

Intermediate Ring - Up to 12 du/ac

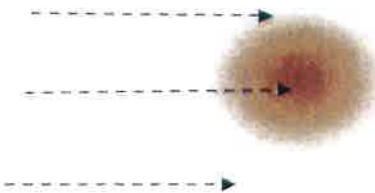
Max Height - 2 Stories

Core Density - Up to 24 du/ac

Max Height - 3 Stories

Outer Ring - Up to 8 du/ac

Max Height - 1 - 2 stories



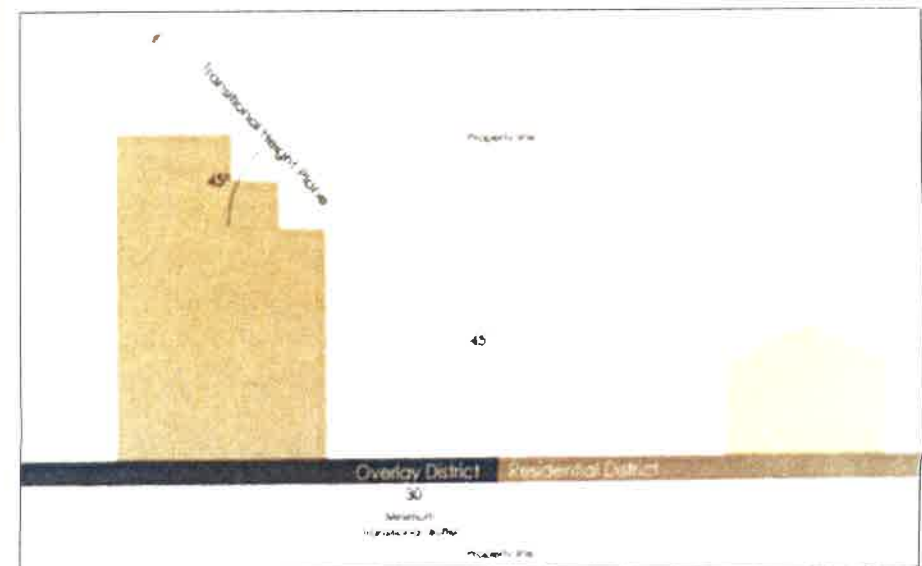
This is a guideline policy to protect single family housing which is supported by the new zoning code

Preferred Building Height for Neighborhood Center



Design Guidelines

1. **Setbacks** - Greater setbacks shall be required when adjacent to lower density residential uses and transitional buffers shall be required
2. **Buffers** - Development shall incorporate enhanced buffers in an effort to protect single family neighborhoods
3. **Heights** - Proposed development shall consider and implement staggered heights when adjacent to single family residential neighborhoods



Neighborhood Center Character Area Policies

Premise - These policies are primarily applicable to activity centers that do not have adopted studies. Studies that are adopted for Neighborhood Centers are referred to as Small Area Plans (SAPs) and they provide more detailed guidelines and recommendations for land use, zoning, development, transportation, housing, economic development, and green space. If there are conflicts between SAP and Town Center policies, SAP policies shall take precedence.

1. **Protect Single Family Neighborhoods** - Preserve and enhance the integrity and quality of existing residential neighborhoods.
2. **Maximum Density**—Encourage the maximum density of residential in mixed use projects not to exceed 24 dwelling units per acre, with the most intense development located towards the commercial and/or office core of the Neighborhood Center. Properties located along the outer edges of the Neighborhood Center shall be sensitive to the building height and density of adjacent single family residential. (Refer to Figure 7.3, page 60)
3. **Retrofitting** - Foster retrofitting for conformity with traditional neighborhood principles.
4. **Pedestrian Scale Development** - Create pedestrian scale communities that focus on the relationship between the street, buildings, streetscaping and people.
5. **Mixed Use Development** - Create compact mixed use districts and reduce automobile dependency and travel to obtain basic services.
6. **Transitional Buffers** - Require greater setbacks and/or transitional buffers for developments when located adjacent to lower density residential uses.
7. **Enhanced Buffers** - Require the incorporation of enhanced buffers in efforts to protect single family neighborhoods.
8. **Staggered Heights** - Require the consideration of staggered height implementation when developments are adjacent to single family residential neighborhoods.
9. **Streetscaping** - Improve street character with consistent signage, lighting, landscaping and other design features.
10. **Pocket Parks** - Create focal points through the use of existing pocket parks and squares for community activities.
11. **Cultural Diversity** - Promote activities to highlight historic and cultural assets in the community and provide opportunities for community interaction.
12. **Infill Development** - Utilize vacant properties in the neighborhood as an opportunity for infill development of compatible structures.
13. **Parking** - Clearly define road edges by locating buildings near the road side with parking in the rear.
14. **Open Space and linkages** - Encourage development and redevelopment in activity centers provide open space and/or contribute to the public realm with wider public sidewalks, pedestrian linkages and other design features.
15. **Healthy Neighborhoods** - Promote healthy living in neighborhoods by incorporating a pedestrian environment that encourages socialization, walking, biking and connectivity. Implement the recommendations of the Master Active Living Plans (MALPs).
16. **High Density Residential** - Residential development shall reinforce the center by locating higher density housing options adjacent to the center. Housing in Regional Centers shall be targeted to a broad range of income levels.
17. **Pedestrian Enhancements** - Create pedestrian-friendly environment by adding sidewalks that link neighborhood amenities.
18. **Traffic Calming** - Organize circulation patterns through traffic calming techniques and access management. Add traffic calming improvements, sidewalks and increased street interconnections to increase safety and improve walkability.
19. **Pedestrian Oriented Design** - Design shall be pedestrian-oriented with walkable connections between different uses.
20. **VMT** - Promote new and redevelopment at or near activity centers as a means to reduce vehicle miles traveled (VMT).
21. **High Density Development** - Each center shall include a very high density mix of retail, office, services, and employment opportunities to serve several neighborhoods.
22. **Preferred Uses** - Each Neighborhood Center shall include a medium-high density mix of retail, office, services, and employment to serve neighborhoods.
23. **Small Area Plans (SAPs)** - Implement appropriate sub-policies (pages 95-114 in this chapter) and development guidelines in Neighborhood Centers that have Small Area Plans, which provide more guidance to the development of mixed use and transition down to single family residential. Neighborhood Centers with SAPs include Emory Village LCI, Bouldercrest & E-285 SDAI, Greater Hidden Hills, and Delson Mill Road of the N. Druid Hills LCI Plan.



Georgia Conservancy
817 West Peachtree Street
Suite 200
Atlanta, Georgia 30308
404.876.2900
www.georgiaconservancy.org



Figure 1.0a: Lindbergh LaVista Corridor Coalition Study Area

2.1.2 DEMOGRAPHICS AND HOUSING

This section looks at demographics to determine whom historically and currently lives in the LLCC study area and for whom this *Blueprints* report is being done. Through the scope of housing, the availability of affordable housing can be determined as well as the location of single and multi-family housing.

DEMOGRAPHICS

The following demographic data was collected using 2000 Census data and estimated 2007 Claritas projection sources. Refer to the appendix for complimentary graphs and charts.

The study area as a whole is well educated. Over 50% of the population over the age of 25 has a bachelor's degree or higher while only 10% of the population does not have a high school diploma.

The age of residents in the study area fall predominately between 25 and 54, with the 25-34 age cohort yielding the largest percentage. Only one of ten residents in the study area is under the age of 17. This suggests that the study area is predominately young to middle aged individuals, with a notable proportion of families with children. Because a significant proportion of the population, 25%, is 45-64 years old, it is important to begin preparing for that aging population's changing needs.

The study area has 1,041 businesses and provides 13,360 jobs in the area, although the data does not indicate what percentage of those jobs are held by residents in the study area. A majority of the jobs in the area are in the professional, science and technology industry (19%) followed by retail (14%) and accommodation and food services (11%).

Overall, the employment data suggests that there are a substantial number of jobs in the area for the population. In addition, the number and variety of establishments in the study area provide a mix of services to serve the current population. As the projected demographic shift shows an increase in multi-family housing, some of the establishments in the area may move or change in nature in order to accommodate the changing demographics.

HOUSING

The study area is predominantly single family in nature, as shown in Figures 2.1c and 2.1d. There are pockets of multi-family housing, particularly near the major nodes of Cheshire Bridge Road/LaVista Road/Lindbergh Drive, LaVista Road/Briarcliff Road, and North Druid Hills Road/Briarcliff Road.

There is a correlation between providing housing and employment in the study area. Vehicular traffic could be decreased as more people who live in the area also work in the area. Alternative modes of transportation and shorter travel times can lead to less traffic congestion in the community.

Community nodes are important because successful nodes are centers of economic vitality. They serve as focal points of culture, entertainment, leisure, work, and transportation for their surrounding neighborhoods. While the mix of uses at nodes varies widely, successful nodes and neighborhood centers tend to offer a base including a mix of land uses, a density and mix of housing options, pedestrian friendly environments, and a range of transportation options. A mix of these aspects, combined in a dense, walkable, well-connected environment are what allow centers and nodes to become vibrant focal points of the community as well as points where investments in infrastructure can be maximized to a higher benefit than with less concentrated development. Concentrating future residential density at nodes allows for these infrastructure investments to be maximized while also helping to protect existing neighborhoods. Figures 3.1b and 3.1c illustrate components and benefits of a successful node.



Figure 3.1b

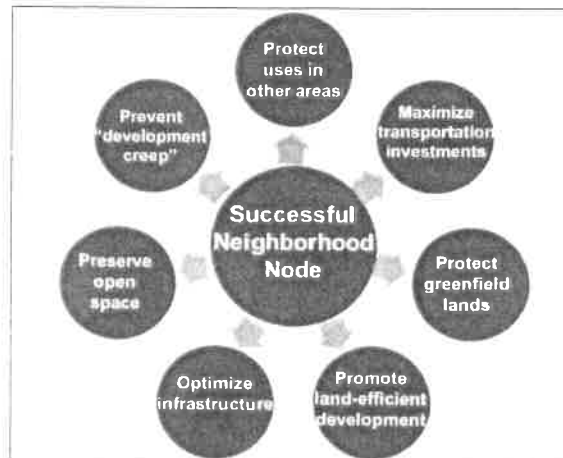


Figure 3.1c: Components and benefits of a successful neighborhood node.

3.1.1 FULL RECOMMENDATIONS AND RESOURCES

The table below fully summarizes the recommendations for the LLCC study area nodes, as well as provides direction to resources and additional information pertaining to each recommendation. The table is categorized into the following sections: Comprehensive Community Vision, Housing and Services, Local Business Improvements and Urban Design Standards. Following the recommendation table, is a detailed discussion of each recommendation.

changes that have a high likelihood of occurring. Thinking about and planning for these changes is essential for the long-term success of the LLCC study area as a thriving community.

The LLCC community should begin formulating a long term development plan based on a community vision and an ongoing collaboration among community members, businesses, and government representatives. This plan should outline what the community aims to achieve as it develops, within the next few years and as long as 10 to 15 years into the future. Providing this roadmap for development will help frame what types of projects developers consider in the area and help influence government policy affecting the community. Simply having a plan can have a dramatic affect on the amount, type, and location of development that occurs in a community. This plan will have to be revisited and updated periodically as the area evolves over time, as market circumstances change, and as the priorities of the community change.

It is important for the LLCC community to keep in mind that areas which currently hold the potential for positive change will not stay static. The current economic recession will likely depress new investment for some indefinite period of time, but once this cycle is over the LLCC study area will again experience development pressure. This development pressure could easily start altering the landscape of the LLCC study area and eliminate valuable opportunities that could be used to achieve the community's vision, or worse, could begin changing the character of the neighborhood in a negative way.

The Cheshire Bridge Road corridor holds huge opportunity for change and redevelopment within the study area. Cheshire Bridge Road sees a large amount of through-traffic, an asset that can be used to the advantage of the LLCC community. This section of the LLCC community is currently not particularly attractive; it is not pedestrian friendly, development is very haphazard, and commercial businesses are very self-contained with their own parking lots. Despite these conditions, the area is highly visible, so that change will be clearly apparent to the vehicular traffic moving through the corridor every day. Refer to the appendix for particular solutions to the Cheshire Bridge node.

The Briarcliff Road and LaVista Road intersection, Faulkner Road, and Zonolite Road all contain uses that will be redeveloped as real estate prices increase. The metro Atlanta area is transitioning away from explosive growth in the suburbs to a pattern of growth closer to downtown and inner suburban neighborhoods. This trend will incentivize property owners to transition their buildings and land to accommodate higher and better uses. The LLCC community can play an instrumental role in engaging these property owners and potential developers to share the community vision with them and attempt to have community goals included in decisions that are commonly weighed using purely economic, and often short-term, calculations. Many Atlanta area developers are interested in cooperating with the communities where they work, but cooperation also requires organization and engagement from the community. These facts and trends illustrate how essential it is for the LLCC community to think about how the area will change in the near future and begin planning now how to positively harness those changes.

SHORT TERM

Livable Centers Initiative (LCI) Application

The Atlanta Regional Commission's LCI program is currently being re-evaluated. Should the ARC continue with the program and assuming criteria remain the same, the LLCC community should

1981 REZONING MINUTES FOR 1493 LAVISTA ROAD
(Z-81069)

Zoning Hearing - Main Auditorium - 7:30 P.M. Con't:24. Application of Thomas C. Graham Con't:

which, due to development standards, would probably be reduced to a 65' x 700' configuration. Third, the bulk of the tract is extremely rough consisting of extremely steep topo with grades in some areas of 50% or greater. If rezoning is considered, it should be to a low density category based on a plan which identifies building and drive locations, areas to be graded and filled plus engineering data to support storm water retention capabilities.

NOTE: An amendment has been submitted (5-12-81) which includes a site plan. This information is attached. The plan is being reviewed by the Traffic Engineer, Drainage Engineer and Fire Marshall for impact on traffic generation, drainage detention and fire protection. Staff will supply this information to the Board when it is received.

PLANNING COMMISSION RECOMMENDATION: Denial.

DECISION:

MOTION made by Commissioner Moon, seconded by Commissioner Manning, to deny the application, passed 6-0-1.

Abstained: Commissioner Patterson.

25. Z-81069

Commissioner District 2

- A) 5230
- B) Zoning
Andrew &
Betsy
Williamson
- C) LaVista
Rd.,
Shepherds
Lane

Application of Andrew and Betsy Williamson, Jr. to rezone property located on the south side of LaVista Road, 127' southeast of Shepherds Lane, from R-75 to OI. The property has frontage of 126' and contains .7 acre.

Opposition: None.

Mr. Charles Coleman stated the applicant had submitted a plan showing places for nine parking places in front.

PLANNING DEPARTMENT RECOMMENDATION: Approval with conditions. The trend for OI zoning has been established along the south side of LaVista Road east of Shepherds Lane. In order to reduce impact of rezoning on area residential properties, staff recommends incorporation of the following conditions:

1. Use is limited to business and professional offices in the existing structure.
2. Structure shall be maintained with a residential facade.
3. Parking shall be maintained in the front yard with a maximum of five spaces.
4. Parking shall be paved.
5. Signs shall not be lighted.

PLANNING COMMISSION RECOMMENDATION: Approval as recommended by the Planning Department.

Zoning Hearing - Main Auditorium - 7:30 P.M. Con't:25. Application of Andrew and Betsy Williamson, Jr.
Con't:DECISION:

MOTION was made by Commissioner Manning, seconded by Commissioner Moon, and unanimously passed, to approve the application as recommended by the Planning Department based on the parking plan for nine spaces.

26. CZ-81057

Commissioner District 2

A) 5230

B) Zoning
Briarcliff
Baptist
ChurchC) Briarcliff
Rd.,
Clairmont
Rd.

Application of Briarcliff Baptist Church to rezone property located on the south side of Briarcliff Road, 183' west of Clairmont Road, from R-85 and C-1 to OI (conditional). The property has frontage of 232' and contains 5.7 acres. The proposed use is a retirement community complex based on site and architectural plans.

Opposition: None.

PLANNING DEPARTMENT RECOMMENDATION: Approval of OI with conditions: The property is adjoined by commercial, multifamily and institutional uses. The proposed density is consistent with other elderly housing in the area. Staff recommends approval with the following conditions:

1. Maximum of 200 units.
2. Minimum of 219 parking spaces to include at least 189 on the development and at least 30 on the adjacent Church property required.
3. Allow variances to permit fire lanes in buffer.
4. Maximum of one curb cut, location to be approved by Traffic Engineer.
5. Waive required buffers along property lines adjoining Church.
6. Development is consistent with the submitted concept plan and renderings.

PLANNING COMMISSION RECOMMENDATION: Approval as recommended by the Planning Department.

DECISION:

MOTION was made by Commissioner Levetan, seconded by Commissioner Williams, and unanimously passed, to approve the application as recommended by the Planning Department, and conditioned on the site plan.

Z. A. NUMBER: CZ-81069

MAP REF. NUMBER: 18-108-7-1

LOCATION: south side of LaVista Rd., 127' SE of Shepherds Lane

USAGE: from R-75 to OI

APPLICANT(S): Andrew Williamson, Jr. & Betsy Williamson

ACTION BY PLANNING COMMISSION

DATE: 5/12/81

ACTION: Approval per staff

DATE:

ACTION:

ACTION BY BOARD OF COMMISSIONERS

DATE: 5/26/81

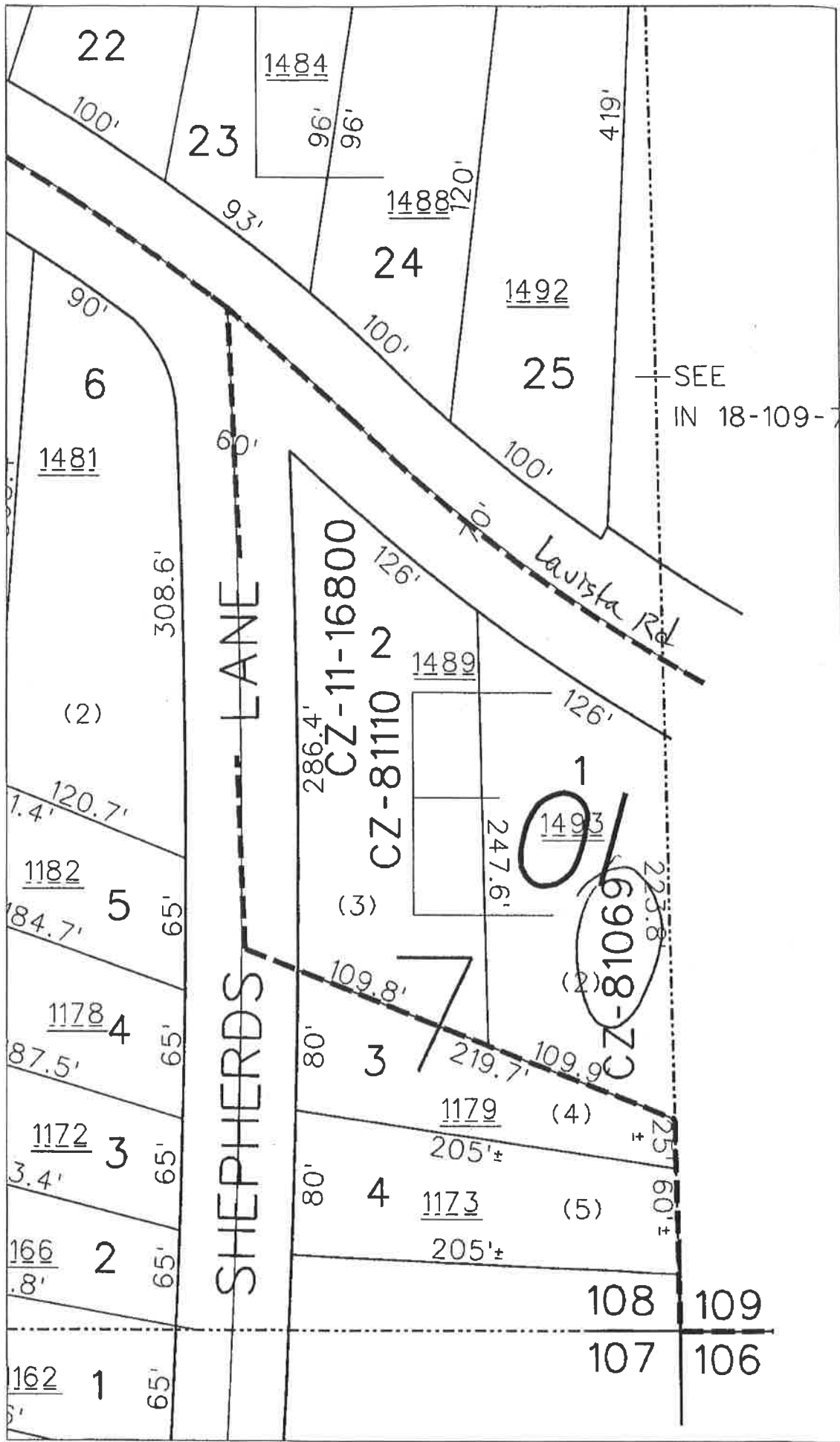
ACTION: Approved per plan

DATE:

ACTION:

DATE:

ACTION:



SCHOOL ENROLLMENT AND CAPACITY

School Name	Enrollment	Capacity
Briar Vista Elementary School	382	528
Druid Hills Middle School	940	1,170
Druid Hills High School	1,339	1,395



**DEKALB COUNTY GOVERNMENT
PLANNING DEPARTMENT
DISTRIBUTION FORM**

**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 WATER AND SEWER**

Case No.: LP-22-1245408

Parcel I.D. #: 18-108-07-001

Address: 1493 LAVISTA RD

ATLANTA, GA 30324

WATER:

Size of existing water main: 6" (adequate/inadequate)

Distance from property to nearest main: ~ 50 ft.

Size of line required, if inadequate: 8"

SEWER:

Outfall Servicing Project: North Fork Peachtree Creek

Is sewer adjacent to property: Yes (X) No () If no, distance to nearest line: _____

Water Treatment Facility: Atlanta IGA (X adequate () inadequate

Sewage Capacity; 40 (MGPD)

Current Flow: 36.3 (MGPD)

COMMENTS:

Sewer capacity approval required.

Signature: _____



2/7/2022

To: Mr. Brandon White, Planning Manager
From: Ryan Cira, Environmental Health Director
Cc: Alan Gaines, Technical Services Manager
Re: Rezone Application Review

General Comments:

DeKalb County Health Regulations prohibit use of on-site sewage disposal systems for

- multiple dwellings
- food service establishments
- hotels and motels
- commercial laundries
- funeral homes
- schools
- nursing care facilities
- personal care homes with more than six (6) clients
- child or adult day care facilities with more than six (6) clients
- residential facilities containing food service establishments

If proposal will use on-site sewage disposal, please contact the Land Use Section (404) 508-7900.

Any proposal, which will alter wastewater flow to an on-site sewage disposal system, must be reviewed by this office prior to construction.

This office must approve any proposed food service operation or swimming pool prior to starting construction.

Public health recommends the inclusion of sidewalks to continue a preexisting sidewalk network or begin a new sidewalk network. Sidewalks can provide safe and convenient pedestrian access to a community-oriented facility and access to adjacent facilities and neighborhoods.

For a public transportation route, there shall be a 5ft. sidewalk with a buffer between the sidewalk and the road. There shall be enough space next to sidewalk for bus shelter's concrete pad installation.

Since DeKalb County is classified as a Zone 1 radon county, this office recommends the use of radon resistant construction.

DeKalb County Board of Health

404.508.7900 • www.dekalbhealth.net

2/7/2022



N.8

Z-22-1245427 2022-1175/16-037-02-004

1726 Panola Road, Stone Mountain, GA 30088

Amendment

- Septic system installed on property (Date: 08/21/1991). DeKalb County Public Health prohibit use of on-site sewage disposal systems for food service establishment.
- Please review general comments.

N.9

LP-22-1245408 2022-1176/18-108-07-001

1493 LaVista Road, Atlanta, GA 30324 and 1501 LaVista Road, Atlanta, GA 30324

Amendment

- Please review general comments.
- Surrounding area indicated to have septic sytem installation.

N.10

SLUP-22-124508 2022-1178 18-108-07-001

8002 Rockbridge Road, Lithonia, GA 30058

Amendment

- Please review general comments.
- Surrounding properties indicated with septic system installed.

DeKalb County Board of Health

404.508.7900 • www.dekalbhealth.net

2/7/2022

Zoning Comments – Feb. 2022

- N1. No comment
- N2. McAfee Road is classified as a collector road. Miter right of way at corner to allow for ADA ramps. Please note that DeKalb Transportation has recently acquired right of way and easements for the construction of sidewalks along McAfee. Make sure the survey is updated with the changes to ensure no impacts future setback requirements.
- N3. No comment
- N4. Please see chapter 5 of the zoning code and chapter 14 of the land development code for required infrastructure improvements. Misty Valley Road is classified as a local road. Right of way dedication of 27.5 feet from centerline or such that all public infrastructure is within right of way, 6-foot landscape strip, 5-foot sidewalk, pedestrian scale street lighting required. Miter right of way to allow for ADA ramps at the corner of Misty Valley at Glenwood. Glenwood is classified as a minor arterial. Right of way dedication of 40 feet from centerline or such that all public infrastructure is within right of way, 10-foot landscape strip, 6-foot sidewalk with a 4-foot bike and OR a 10 for multiuse path (preferred), pedestrian scale street lighting required. No poles or utility obstructions (including guy wires) to remain within the pedestrian/bike facilities. Interior street must be private. Section 14-200(6)- watch required street spacing. Hard to tell if you have enough offset on the plans submitted but the offset may come up at the land development stage. Ensure intersection and stopping sight distance for the new road and Misty Valley during permitting.
- N5. Please see chapter 5 of the zoning code and chapter 14 of the land development code for required infrastructure improvements. Old Rockbridge Road is classified as a local road. Right of way dedication of 27.5 feet from centerline or such that all public infrastructure is within right of way, 6-foot landscape strip, 5-foot sidewalk, pedestrian scale street lighting required. Rockbridge Road is a minor arterial. Right of way dedication of 40 feet from centerline or such that all public infrastructure is within right of way, 10-foot landscape strip, 6-foot sidewalk with a 4-foot bike lane OR a 10-foot multiuse path (preferred), pedestrian scale street lighting required. If installing a gate, there needs to be a queueing area for entry and a place to turn around if entry is not granted. We cannot have cars backing out onto Rockbridge Road.
- N6. No Comment
- N7. No Comment
- N8. Please see chapter 5 of the zoning code and chapter 14 of the land development code for required infrastructure improvements. Panola Road is classified as a major arterial. Right of way dedication of 50 feet from centerline or such that all public infrastructure is within right of way, 10-foot landscape strip, 6-foot sidewalk with a 4-foot bike lane OR a 10-foot multiuse path (preferred), pedestrian scale street lighting required.
- N9. Please see chapter 5 of the zoning code and chapter 14 of the land development code for required infrastructure improvements. LaVista Road is state route 236. GDOT review and approval required prior to land development permitting. Lavista Road is classified as minor arterial. Right of way dedication of 40 feet from centerline or such that all public infrastructure is within right of way, 10-foot landscape strip, 6-foot sidewalk with a 4-foot bike lane OR a 10-foot multiuse path (preferred), pedestrian scale street lighting required. Only one access point will be allowed onto LaVista Road.
- N10. No Comment

- N11. Please see chapter 5 of the zoning code and chapter 14 of the land development code for required infrastructure improvements. Unable to comment about specifics without site plan. Shadowridge Drive is classified as a local road. Right of way dedication of 27.5 feet from centerline or such that all public infrastructure is within right of way, 6-foot landscape strip, 5-foot sidewalk, pedestrian scale street lighting required. Moreland Ave. is SR 42. GDOT review and permits required prior to land development permitting. Moreland Ave. is classified as minor arterial. Right of way dedication of 50 feet from centerline or such that all public infrastructure is within right of way, 10-foot landscape strip, 6-foot sidewalk with a 4-foot bike lane OR a 10-foot multiuse path (preferred), pedestrian scale street lighting required.
- N12. No Comment



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:

- **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. Low Impact Development features/ Green Infrastructure shall be included in the proposed site design to protect as much as practicable the statewaters and special flood hazard areas.

- **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.

- **Tributary Buffer**

State water buffer **was not** 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.



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lahill@dekalbcountyga.gov

COMMENTS FORM:
PUBLIC WORKS TRAFFIC ENGINEERING

Case No.: LP-22-045408 Parcel I.D. #: 18-108-07-001

Address: 1497
LaVista Road
Atlanta, Ga

Adjacent Roadway (s):

(classification)

(classification)

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

Capacity (TPD) _____
Latest Count (TPD) _____
Hourly Capacity (VPH) _____
Peak Hour Volume (VPH) _____
Existing number of traffic lanes _____
Existing right of way width _____
Proposed number of traffic lanes _____
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. Nothing found that would disrupt traffic.

Signature: [Signature]

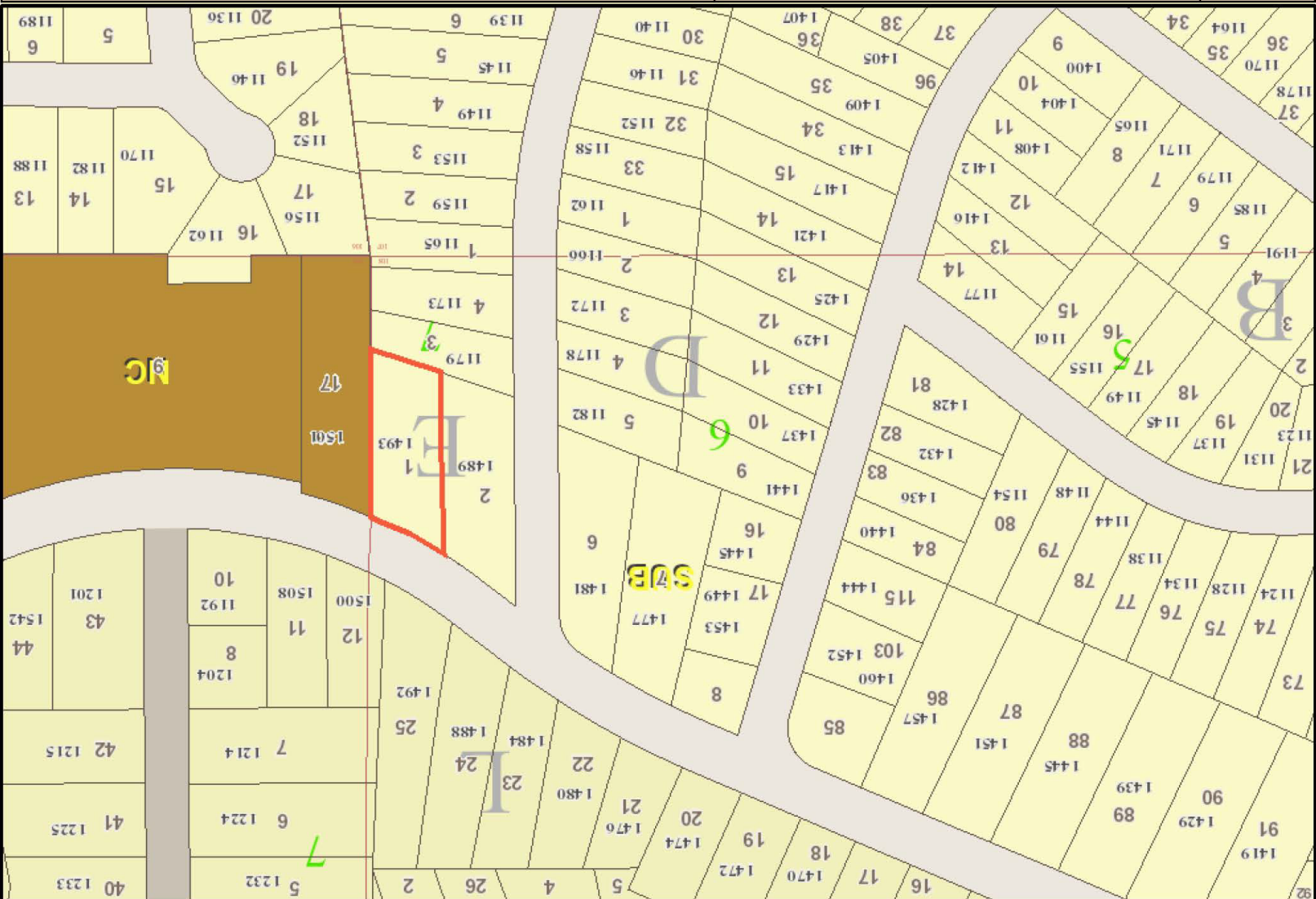


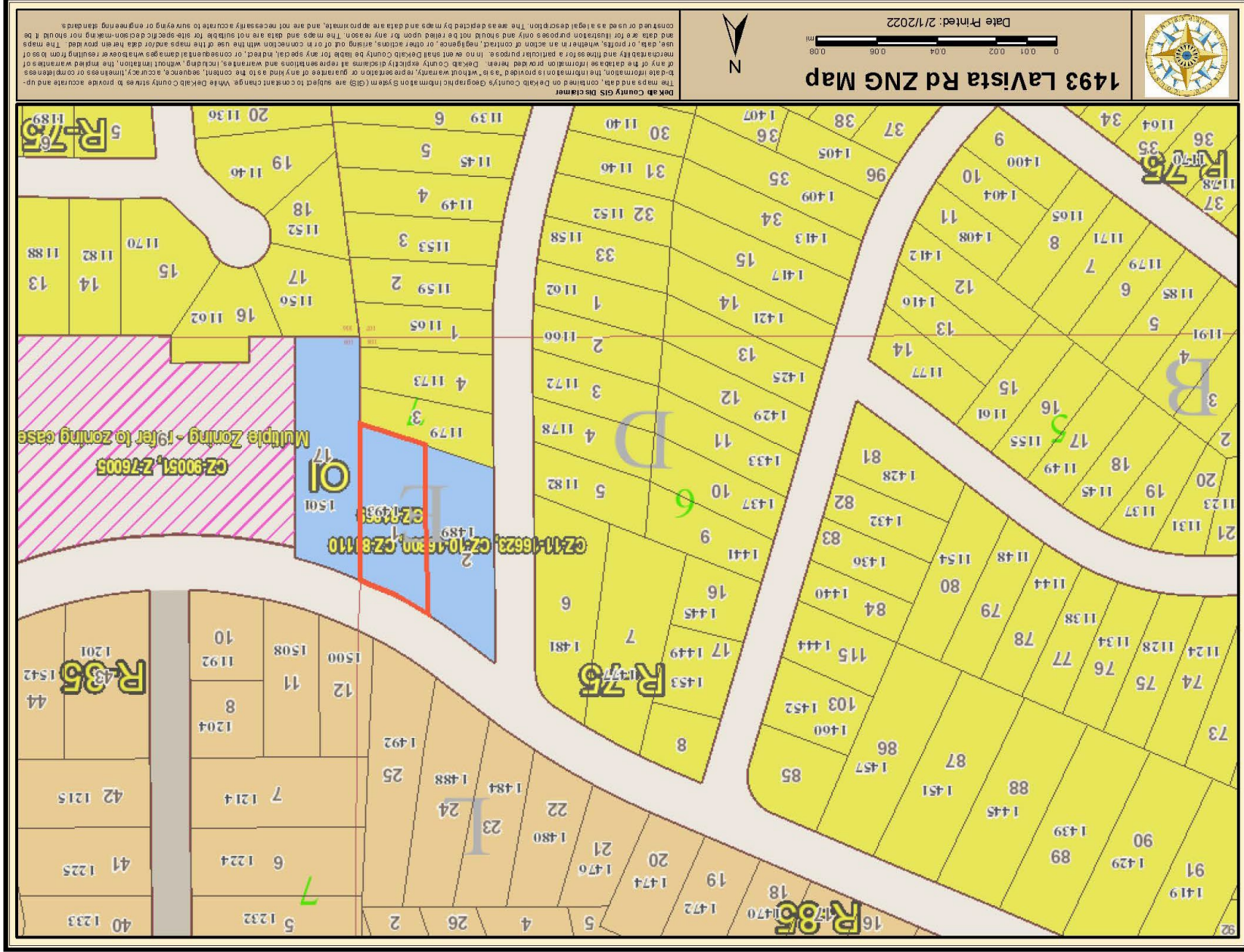
Date Printed: 2/1/2022

1493 Lavista Rd LU Map

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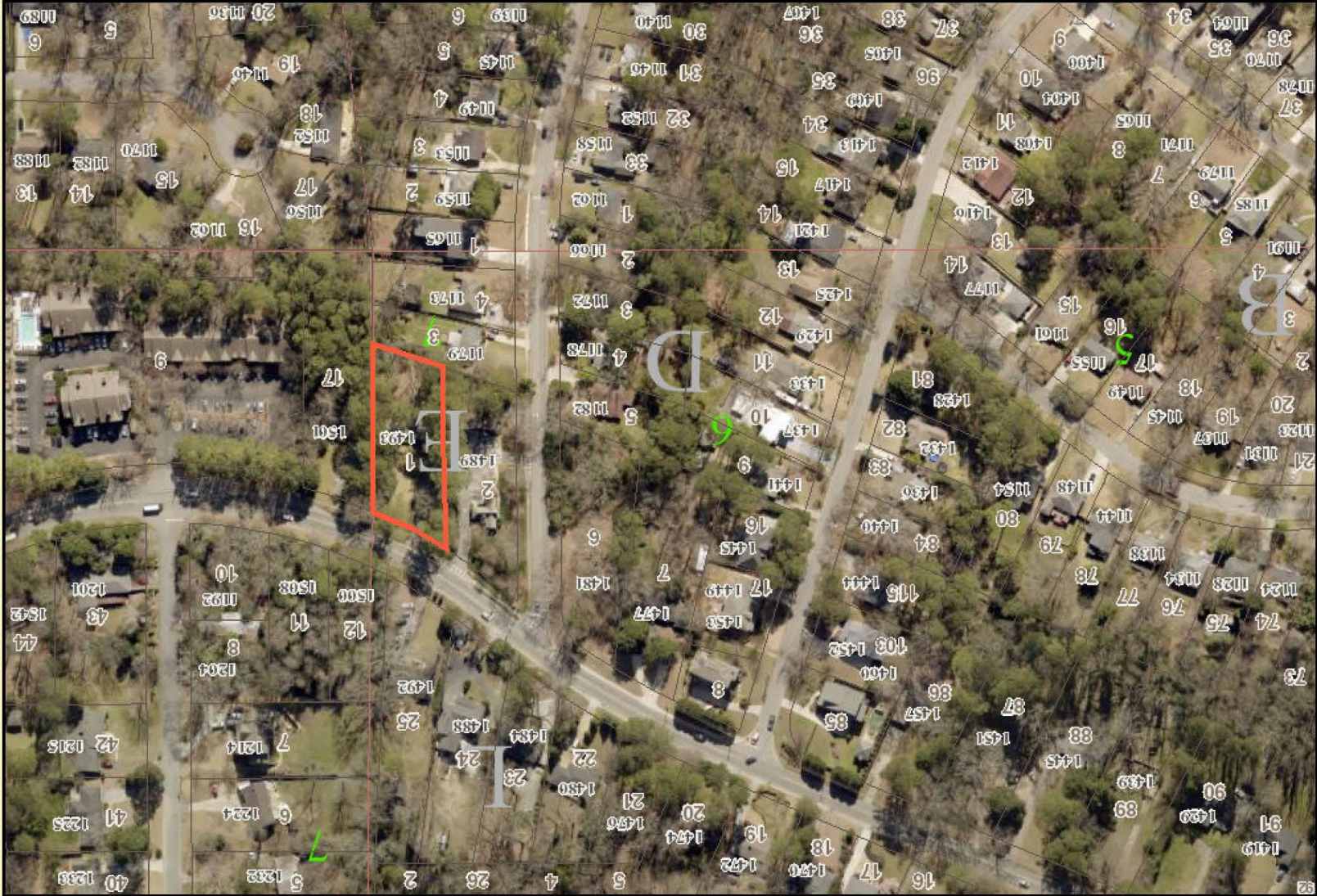


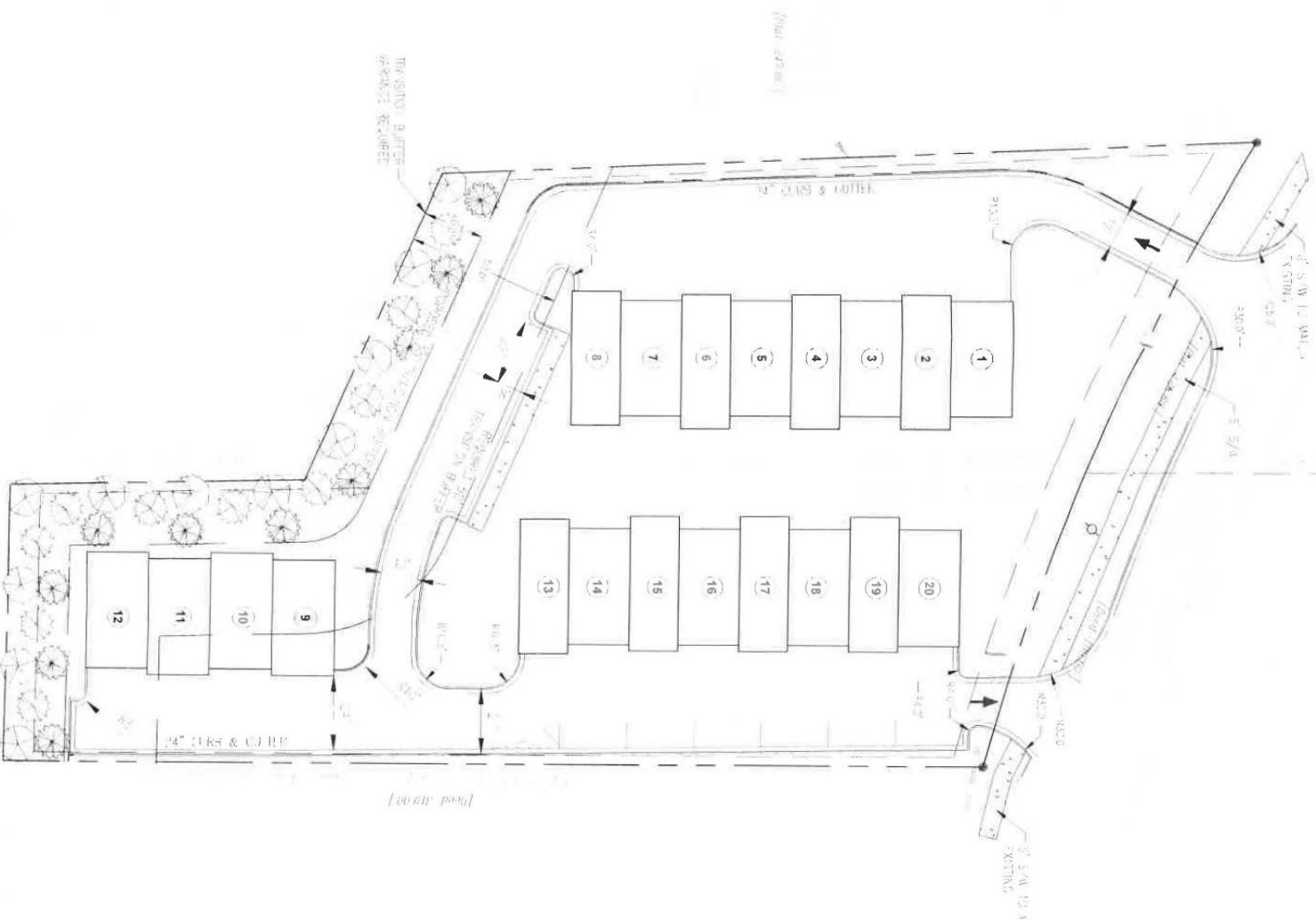


1493 Lavista Rd IMG Map

Dekalb County GIS Disclaimer

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PINC	DELTA ANGLE
E	91718°
E	74537°

[illegible]