Public Hearing: YES ☒ NO ☐ **Department:** Planning & Sustainability

SUBJECT:
COMMISSION DISTRICT(S): Commission District 05 Super District 07
Application of TR 34 Redan Road LLC c/o Battle Law, P.C. to rezone property from MU-4 (Mixed-Use High Density) zoning district to MR-1 (Medium Density Residential-1) zoning district to allow for the construction of single-family attached townhomes, at 1172 Longshore Drive.
PETITION NO: D3-2022-1997 Z-22-1245922

PROPOSED USE: Single-family, attached townhomes.

LOCATION: 1172 Longshore Drive, Decatur, Georgia 30032

PARCEL NO. : 15-220-01-001, 15-220-01-023, 15-220-01-024, 15-220-01-041
INFO. CONTACT: Planning & Sustainability

PHONE NUMBER: 404-371-2155

PURPOSE:
Application of TR 34 Redan Road LLC c/o Battle Law, P.C. to rezone property from MU-4 (Mixed-Use High Density) zoning district to MR-1 (Medium Density Residential-1) zoning district to allow for the construction of single-family attached townhomes. The property is located on the north side of Redan Road and the east side of Longshore Drive at 1172 Longshore Drive and 3676, 3686, and 3694 Redan Road in Decatur, Georgia. The property has approximately 555 feet of frontage along Redan Road and 145 feet of frontage along Longshore Drive and contains 4.05 acres.

RECOMMENDATION:
COMMUNITY COUNCIL: (Dec. 5, 2022) Approval. **(Aug. 8, 2022)** No Quorum.

PLANNING COMMISSION: **(Jan. 5, 2023)** Approval with Conditions. **(Sept. 6, 2022)** Approval with Conditions.

PLANNING STAFF: Approval with Conditions.

STAFF ANALYSIS: The subject properties were rezoned from R-75 (Residential Medium Lot-75) to the OCR (Office-Commercial- Residential-conditional) Zoning District in 2005 for development of 23 live/work units and 16 townhomes. The OCR Zoning District was converted to MU-4 (Mixed-Use High Density) in 2015. The subject properties are also located in the Covington Overlay District, which was adopted in 2020. The applicant is seeking a rezoning of the subject properties from the MU-4 (Mixed-Use High Density) Zoning District to the MR-1 (Medium Density Residential-1) Zoning District for the development of a full townhome community. The Board of Commissioners deferred this request for 60-days, subject to community council and Planning Commission reconsideration. There is a companion *Comprehensive Plan* future land use map amendment (LP-22-1245892) to change the designation from Suburban (SUB) to Commercial Redevelopment Corridor (CRC). If approved, the future land use designation will coincide with this rezoning request and support the infill project. The proposed development will consist of forty-seven (47) townhome (rental) units at a density of approximately eleven (11) dwelling units per acre. The propose site plan has been revised to include traditional, single-family driveways with one-car garages; community waste disposal area; 3-story units to accommodate garages; and a dog park. The development retains the stormwater area and pocket park near Redan Road, as previously proposed. Although the subject properties are located in the Covington Overlay District, they are not included in the *Covington Highway Corridor Master Active Living Plan* study area, and thus, require a more nuanced review. The subject properties

are approximately 500 feet east of the corridor. Longshore Drive is characterized by 1-story ranch style homes and Oakwood Manor is comprised of a 1-story traditional homes and 2-story split level homes. The proposed rezoning represents an attractive and suitable housing product. However, the proposed site plan notes that variance requests will be made to construct units less than the minimum 1,200 square feet and to disturb and replant the required 30-foot buffers along the western property line. Therefore, Staff recommends "Approval with Conditions".

PLANNING COMMISSION VOTE: (Jan. 5, 2023) Approval with Conditions 8-1-0. Jan Costello moved, Jana Johnson seconded for Approval with three (3) conditions, per Staff recommendation, with an added condition that language be added to include bicycle racks near the greenspace. Tess Snipes opposed. **(Sept. 6, 2022) Approval with Conditions 7-0-1.** Jan Costello moved, April Atkins seconded for approval with the following conditions: 1) There shall be a third-party property management; 2) There shall be assigned parking; 3) Amenities shall include a dog park and benches near the greenspace; and, 4) The property management company will handle all common area maintenance so that all units are maintained in similar fashion. Tess Snipes abstained.

COMMUNITY COUNCIL VOTE/RECOMMENDATION: (Dec. 5, 2022) Approval 6-2-0. (Aug. 8, 2022) No Quorum. Members present voted for approval.

Z-22-1245922 (2022-1997)
Recommended Conditions
January 16, 2023

1. The subject properties shall be developed in general conformance with the enclosed site plan entitled, "Trilogy Residences," dated, October 6, 2022. Exceptions based on approved variances, minor modifications, or administrative interpretations are acceptable, in accordance with county regulations.

2. Building design shall consist of brick and/or stone façade in a manner consistent with the enclosed building elevations.

3. The developer/property manager, TR 34 Redan Road, LLC, voluntarily proffers to retain ownership and management of the development for at least twenty (20) years. Should the owner consider selling the subject property sooner, consideration should be given to conversion of units to fee simple or condominium ownership. Notification shall be provided to the district commissioner, super district commissioner, and the Planning & Sustainability Director prior to making the property available for sale.

4. The developer shall provide bicycle storage/parking for residents in compliance with Section 6.1.17 (Bicycle/Moped Parking Requirements). Designated storage/parking must be installed prior to the issuance of the first certificate of occupancy.

DeKalb County Department of Planning & Sustainability

178 Sams Street,
Decatur, GA 30030
(404) 371-2155 / www.dekalbcountyga.gov/planning

Planning Commission Hearing Date: January 5, 2022
Board of Commissioners Hearing Date: January 26, 2022

STAFF ANALYSIS

Case No.:	Z-22-1245922	**Agenda #:** 2022-1997
Location/Address:	1172 Longshore Drive	**Commission District:** 05 **Super District:** 07
Parcel ID(s):	15-220-01-001, 15-220-01-023, 15-220-01-024. 15-220-01-041	
Request:	Rezone properties from MU-4 (Mixed-Use High Density) Zoning District to MR-1 (Medium Density Residential-1) Zoning District to allow for the construction of single-family attached townhomes.	
Property Owner(s):	Frances M. Milam	
Applicant/Agent:	TR 34 Redan Road, LLC c/o Battle Law, P.C.	
Acreage:	4.048 acres	
Existing Land Use:	Single-family, detached residential/undeveloped	
Surrounding Properties:	**North:** R-75, RNC **East:** OI & MR-2 **South:** C-1, C-2 **West:** OI, R-75, RNC	
Comprehensive Plan:	**SUB**	☐ **Consistent** X **Inconsistent**

Proposed Density: 11.6 DUs/AC	**Existing Density:** N/A
Proposed Units: 47	**Existing Units:** 3
Proposed Open Space: 0.82 acres	**Existing Open Space:** N/A

Staff Recommendation: Approval with conditions.

The subject properties were rezoned from R-75 (Residential Medium Lot-75) to the OCR (Office-Commercial-Residential-conditional) Zoning District in 2005 for development of 23 live/work units and 16 townhomes. The OCR Zoning District was converted to MU-4 (Mixed-Use High Density) in 2015. The subject properties are also located in the Covington Overlay District, which was adopted in 2020.

The applicant is seeking a rezoning of the subject properties from the MU-4 (Mixed-Use High Density) Zoning District to the MR-1 (Medium Density Residential-1) Zoning District for the development of a full townhome community. The Board of Commissioners deferred this request for 60-days, subject to community council and Planning Commission reconsideration.

There is a companion *Comprehensive Plan* future land use map amendment (LP-22-1245892) to change the designation from Suburban (SUB) to Commercial Redevelopment Corridor (CRC). If approved, the future land use designation will coincide with this rezoning request and support the infill project.

The proposed development will consist of forty-seven (47) townhome (rental) units at a density of approximately eleven (11) dwelling units per acre. The propose site plan has been revised to include traditional, single-family driveways with one-car garages; community waste disposal area; 3-story units to accommodate garages; and a dog park. The development retains the stormwater area and pocket park near Redan Road, as previously proposed.

Although the subject properties are located in the Covington Overlay District, they are not included in the *Covington Highway Corridor Master Active Living Plan* study area, and thus, require a more nuanced review. The subject properties are approximately 500 feet east of the corridor. Longshore Drive is characterized by 1-story ranch style homes and Oakwood Manor is comprised of a 1-story traditional homes and 2-story split level homes. The proposed rezoning represents an attractive and suitable housing product. However, the proposed site plan notes that variance requests will be made to construct units less than the minimum 1,200 square feet and to disturb and replant the required 30-foot buffers along the western property line.

Upon review of Section 7.3.5. of the *Zoning Ordinance*, staff recommends approval with conditions:

1. The subject properties shall be developed in general conformance with the enclosed site plan entitled, "Trilogy Residences," dated, October 6, 2022. Exceptions based on approved variances, minor modifications, or administrative interpretations are acceptable, in accordance with county regulations.
2. Building design shall consist of brick and/or stone façade in a manner consistent with the enclosed building elevations.
3. The developer/property manager, TR 34 Redan Road, LLC, voluntarily proffers to retain ownership and management of the development for at least twenty (20) years. Should the owner consider selling the subject property sooner, consideration should be given to conversion of units to fee simple or condominium ownership. Notification shall be provided to the district commissioner, super district commissioner, and the Planning & Sustainability Director prior to making the property available for sale.
4. The developer shall provide bicycle storage/parking for residents in compliance with Section 6.1.17 (Bicycle/Moped Parking Requirements). Designated storage/parking must be installed prior to the issuance of the first certificate of occupancy.

Battle Law

November 8, 2022
VIA: Email to Brandon White {blwhite@dekalbcountyga.gov}

CLIENT/MATTER REF: TR 34 Redan Road, LLC., 1172 Longshore Drive, DeKalb County, GA.

Attn: Brandon White
Current Planning and Zoning
Manager
DeKalb County Planning & Sustainability
178 Sams Street
Decatur, GA 30030

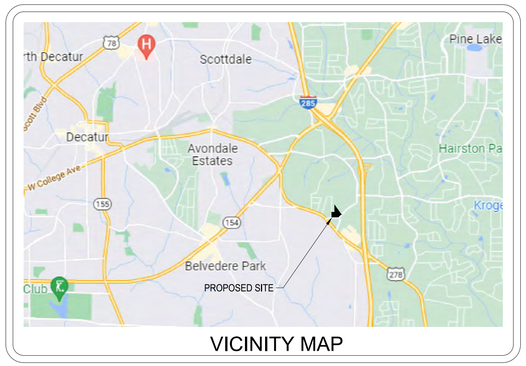
Mr. White,

We hereby submit this amended site plan in reference to the above-mentioned property and the pending rezoning and future land use amendment applications. Please find the latest documents attached.

Thank you.

Best,

Joshua Mahoney
Associate Attorney
Email: jsm@battlelawpc.com



VICINITY MAP

SITE DATA TABLE

JURISDICTION	DEKALB COUNTY, GA	
CURRENT ZONING	MU-4	
PROPOSED ZONING	MR-1	
PARCEL ID	ADDRESS	ACREAGE
15 220 01 001	1172 LONGSHORE DR	0.27
15 220 01 023	3686 REDAN RD	0.57
15 220 01 024	3694 REDAN RD	2.97
15 220 01 041	3676 REDAN RD	0.24
TOTAL ACREAGE		4.05

PARKING CALCULATIONS

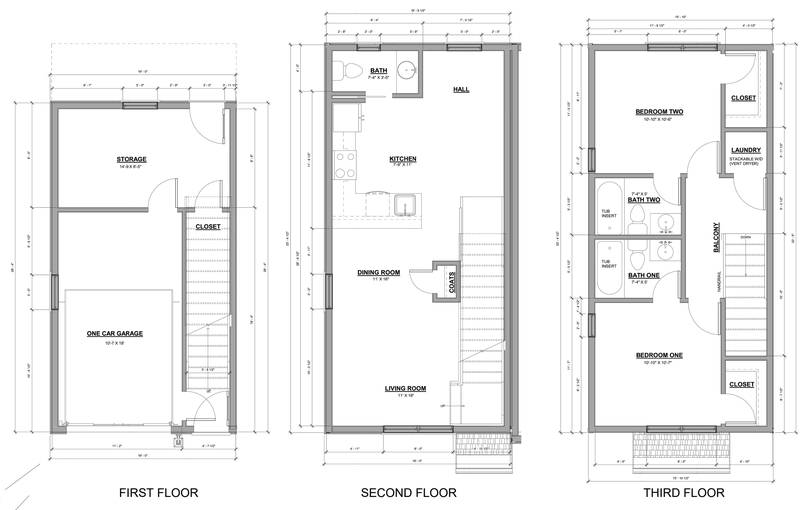
TOTAL REQUIRED	1.75 SPACES PER UNIT	81 SPACES
STANDARD	9' X 18'	=8
ADA	8' X 18'	=1
GARAGE / DRIVEWAY	2 SPACES PER UNIT	=92
TOTAL SPACES PROVIDED		=101

REQUESTED VARIANCES

1. MINIMUM HEATED FLOOR AREA <1,200 SF
2. BUFFER REDUCTIONS
   A. REQUIRED: 30' UNDISTURBED
      PROVIDED: 30' DISTURBED
   B. REQUIRED: 30' UNDISTURBED
      PROVIDED: 30' DISTURBED

GENERAL NOTES

SEWER NOTE:
SEWER WILL BE A GRAVITY LINE AND TIE INTO THE EXISTING SEWER MANHOLE ALONG LONGSHORE DR
WATER NOTE:
EXISTING WATER LINE LOCATED ON REDAN RD AND PROVIDED BY DEKALB COUNTY
STREET LIGHT NOTE:
FIXTURES AND ILLUMINATION SHALL COMPLY WITH COUNTY STANDARDS
FEMA NOTE:
NO PORTION OF THIS PROPERTY IS LOCATED IN A FEMA FLOOD PLAIN AS PER FEMA MAP NO. 13089C0088J, DATED MAY 16, 2013
TREE PRESERVATION NOTE:
EITHER 120 INCHES (DBH) PER ACRE OR 25% OF EXISTING SIGNIFICANT TREES PER ACRE OF SUCH SIGNIFICANT TREES, WHICHEVER IS LESS, SHALL BE PRESERVED ON THE SITE



FIRST FLOOR

SECOND FLOOR

THIRD FLOOR

UNIT FLOOR PLANS

GRAPHIC SCALE
0 20' 40' 80'
(IN FEET)
SCALE: 1" = 40'

Bowman
Certificate of Authorization License No. LSF001241

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www.bowman.com

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TRILOGY RESIDENCES

REDAN RD
DECATUR, GA

TRILOGY RESIDENCES

JD	JD	BG
DESIGN	DRAWN	CHKD
SCALE		1" = 20'
JOB No.		120040-01-001
DATE :		October 6, 2022
FILE No.		
SHEET No.		

GEORGIA811
www.Georgia811.com

October 6, 2022
File Path:\\120040 - Trilogy Redan Rd Decatur, GA\120040-01-001 (ENG) - Decatur, GA (Redan Rd)\Engineering\Engineering Plans\Exhibits\Buffer Variance Exhibit\Redan RD Buffer Variance Exhibit 1.1.dwg

THIS DOCUMENT, TOGETHER WITH THE CONCEPTS AND DESIGNS PRESENTED HEREIN, AS AN INSTRUMENT OF SERVICE, IS INTENDED ONLY FOR THE SPECIFIC PURPOSE AND CLIENT FOR WHICH IT WAS PREPARED. REUSE OF AND IMPROPER RELIANCE ON THIS DOCUMENT WITHOUT WRITTEN AUTHORIZATION AND ADAPTATION BY BOWMAN CONSULTING SHALL BE WITHOUT LIABILITY TO BOWMAN CONSULTING.

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.: _____

Parcel I.D. #: 15-220-01-001,15-220-01-041,15-220-01-023,15-220-01-024

Address: 1172 Longshore Drive, 3676 Redan Road

3686 Redan Road, 3694 Redan Road

Decatur, GA 30032

WATER:

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

Distance from property to nearest main: adjacent

Size of line required, if inadequate: unknown

SEWER:

Outfall Servicing Project: Cobb Fowler Creek

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

Water Treatment Facility: Snapfinger **(X) adequate ( ) inadequate**

Sewage Capacity; 36 **(MGPD)** **Current Flow:** 28.25 **(MGPD)**

COMMENTS:

Will require sewer capacity approval.

Signature: _____

DEKALB COUNTY

Board of Health

8/15/2022

To: Ms. Andrea Folgherait, Planning and Ms. LaShonda Hill
From: Ryan Cira, Director
Cc: Alan Gaines, Environmental Health Deputy Director
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

8/15/2022

N.16 2022-1996 LP-22-1245892 15-220-01-001, 15-220-01-023,15-220-01-024,15-220-01-041

1172 Longshore Drive, Decatur, GA 30032

Amendment

- Please review general comments.

N.17 2022-1997 Z22-1245922 15-220-01-001, 15-220-01-23,15-220-01-024,15-220-01-041

1172 Longshore Drive, Decatur, GA 30032

Amendment

- Please review general comments.

N.18 2022-1988 CZ-22-1245934 18-063-03-027

1849 Lawrenceville Hwy, Decatur, GA 30033

Amendment

- Please review general comments.

Zoning Comments - September 2022

N2. SLUP-22-1245880 - Briarcliff Road is SR 42. GDOT review and approval needed prior to Land Development Permit. (MWilson@dot.ga.gov). The property is within the Druid Hills Historic District. Please see the planner assigned to this district for infrastructure requirements- as the Overlay Districts trump the Zoning Code which trumps the Land Development Code. **Briarcliff Road** is classified as a minor arterial. Where silent the following minimum infrastructure requirements must be met: Right of way dedication of 40 feet from centerline OR such that all public infrastructure is within county right of way, whichever greater, a 6 foot sidewalk (Zoning Code) with a 4 foot bike lane (Land Development Code) OR a 10 foot shared multiuse path (preferred) located 5 feet from back of curb, Pedestrian Scale Street lighting required (Contact Street Light Engineer, Herman Fowler: hefowler@dekalbcountyga.gov), 11 foot travel lanes with curb and gutter. University Drive is classified as a local residential road. Where silent the following minimum infrastructure requirements must be met: Right of way dedication of 27.5 feet from centerline OR such that all public infrastructure is within county right of way, whichever greater, a 12 foot travel lane from centerline, curb and gutter, a 5 foot sidewalk (Zoning Code) located 5 feet from back of curb, Pedestrian Scale Street lighting required (Contact Street Light Engineer, Herman Fowler: hefowler@dekalbcountyga.gov). Concerned about the entrance and the interior intersection being too close and impacting Briarcliff Road. Traffic Study required to include a traffic signal warrant study at main entrance. Traffic operations at access point on University Drive will also need to be considered- as this will be a non-traditional intersection. Interior streets to be private. At time of permitting, verify sight distance at intersection of access points and Briarcliff Road and University Drive.

N3 & N4. Z-22-1245923 & SLUP-22-1245924 - North Decatur Road is classified as a minor arterial. The following minimum infrastructure requirements must be met: Right of way dedication of 40 feet from centerline OR such that all public infrastructure is within county right of way, whichever greater, a 6 foot sidewalk (Zoning Code) with 11 foot travel lane with curb and gutter, a 4 foot bike lane (Land Development Code) OR a 10 foot shared multiuse path (preferred) located 5 feet from back of curb, Pedestrian Scale Street lighting required (Contact Street Light Engineer, Herman Fowler: hefowler@dekalbcountyga.gov). Please see Land Development Code Section 14-200 (5) for the number of access points required by code for 200 units. Please see separation of access points Land Development Code Section 14-200 (6) which applies to both sides of the street. If you are seeking a variance for anything is Code Section 14-200 from the Board of Commissioners, I suggest you do it as part of your zoning.

N5. SLUP-22-1245924 - Shallowford and Braircliff Roads are classified as a minor arterials. The following minimum infrastructure requirements must be met: Right of way dedication of 40 feet from centerline OR such that all public infrastructure is within county right of way, whichever greater, an 11 foot travel lane from centerline with curb and gutter, a 6 foot sidewalk (Zoning Code) with a 4 foot bike lane (Land Development Code) OR a 10 foot shared multiuse path (preferred) located 5 feet from back of curb, Pedestrian Scale Street lighting required (Contact Street Light Engineer, Herman Fowler: hefowler@dekalbcountyga.gov). Dedicate necessary right of way for the extension of the right turn lane from Briarcliff Road onto Shallowford Road.

N6. SLUP-22-1245925 - No Comment

N7. Z-22-1245928 - Mountain View Drive is classified as a collector street. The following minimum infrastructure requirements must be met: Right of way dedication of 35 feet from centerline OR such that

all public infrastructure is within county right of way, whichever greater, an 11 foot travel lane with curb and gutter, a 6 foot sidewalk (Zoning Code) with a 4 foot bike lane (Land Development Code) OR a 10 foot shared multiuse path (preferred) located 5 feet from back of curb, Pedestrian Scale Street lighting required (Contact Street Light Engineer, Herman Fowler: hefowler@dekalbcountyga.gov). New local public streets have the following minimum requirements: Right of way dedication of 55 feet, 24 feet of pavement with curb and gutter, a 5 foot sidewalk (Zoning Code) located 6 feet from back of curb, Pedestrian Scale Street lighting required (Contact Street Light Engineer, Herman Fowler: hefowler@dekalbcountyga.gov). Please see separation of access points Land Development Code Section 14-200 (6) which applies to both sides of the street. If you are seeking a variance for anything is Code Section 14-200 from the Board of Commissioners, I suggest you do it as part of your zoning.

N8. Z-22-1245935 - Jordan Lane & Reverend D.L. Edwards Drive are classified as local streets have the following minimum requirements: Right of way dedication of 27.5 feet from centerline, 12 foot travel lane from Centerline with curb & gutter, a five foot planting strip and a 5 foot sidewalk (Zoning Code), Pedestrian Scale Street lighting required (Contact Street Light Engineer, Herman Fowler: hefowler@dekalbcountyga.gov). Developer required to pay to relocate traffic calming speed table away from proposed driveways. Driveways need to be at least 33 feet apart (edge of drive to edge of drive) from each other to fit the relocated speed table. May need to flip driveway location on corner lot to accommodate.

N9 & N10. Z-22-1245856 & SLUP-22-1245857 - No comment.

N11. Z-22-1245874 - Clairmont Road is SR 155. GDOT review and approval needed prior to Land Development Permit. (MWilson@dot.ga.gov). Donate right of way necessary for GDOT's project at Clairmont Road project. Briarcliff Road is classified as a minor arterial. Where silent the following minimum infrastructure requirements must be met: Right of way dedication of 40 feet from centerline OR such that all public infrastructure is within county right of way, whichever greater, a 6 foot sidewalk (Zoning Code) with a 4 foot bike lane (Land Development Code) OR a 10 foot shared multiuse path (preferred) located 5 feet from back of curb, Pedestrian Scale Street lighting required (Contact Street Light Engineer, Herman Fowler: hefowler@dekalbcountyga.gov), 11 foot travel lanes with curb and gutter. Additional comments may be warranted after receipt of traffic study.

N12. & N13. LP-22-1245937 & Z-22-1245875 - No comments.

N14. Z-22-1245876 - 1893, 1901 and 1909 are within the I-20 Overlay District, Tier 2. Please see the planner assigned to this district for infrastructure requirements- as the Overlay Districts trump the Zoning Code which trumps the Land Development Code. East Field Street, Glenvalley Dr & Northview Ave are classified as local streets. Improvements required on all frontages. Where the overlay district is silent the following minimum infrastructure requirements must be met: Right of way dedication of 27.5 feet from centerline, 12 foot travel lane from Centerline with curb & gutter, a five foot planting strip and a 5 foot sidewalk (Zoning Code), Pedestrian Scale Street lighting required (Contact Street Light Engineer, Herman Fowler: hefowler@dekalbcountyga.gov). Please note that the required right of way dedication may have significant impacts to your site plans. Please review.

N15. SLUP-22-1245885 - Chamblee Tucker Road is classified a minor arterial. The following minimum infrastructure requirements must be met: Right of way dedication of 40 feet from centerline OR such that all public infrastructure is within county right of way, whichever greater, a 6 foot sidewalk (Zoning Code)

with a 4 foot bike lane (Land Development Code) OR a 10 foot shared multiuse path (preferred) located 5 feet from back of curb, Pedestrian Scale Street lighting required (Contact Street Light Engineer, Herman Fowler: hefowler@dekalbcountyga.gov), 11 foot travel lanes with curb and gutter. If you are seeking a variance for the bike facility requirements, I would do so during zoning. Bolissa Drive is classified as a local road with the following minimum requirements: Right of way dedication of 27.5 feet from centerline, 12 foot travel lane from Centerline with curb & gutter, a five foot planting strip and a 5 foot sidewalk (Zoning Code), Pedestrian Scale Street lighting required (Contact Street Light Engineer, Herman Fowler: hefowler@dekalbcountyga.gov).

N16. & N17. LP-22-1245892 & Z-22-1245922 - Properties are located in the Covington Overlay District. Please see the planner assigned to this district for infrastructure requirements- as the Overlay Districts trump the Zoning Code which trumps the Land Development Code. Redan Road and Longshore Drive are classified as local roads. Where silent the following minimum infrastructure requirements must be met: Right of way dedication of 27.5 feet from centerline, 12 foot travel lane from Centerline with curb & gutter, a five foot planting strip and a 5 foot sidewalk (Zoning Code), Pedestrian Scale Street lighting required (Contact Street Light Engineer, Herman Fowler: hefowler@dekalbcountyga.gov). Interior streets to be private.

N18. C**Z-22-1245934 -** Lawrenceville Hwy is a State Route. GDOT review and approval needed prior to Land Development Permit. (MWilson@dot.ga.gov). Lawrenceville Hwy is classified as a major arterial. The following minimum infrastructure requirements must be met: Right of way dedication of 50 feet from centerline OR such that all public infrastructure is within county right of way, whichever greater, a 6 foot sidewalk (Zoning Code) with a 4 foot bike lane (Land Development Code) OR a 10 foot shared multiuse path (preferred) located 5 feet from back of curb, Pedestrian Scale Street lighting required (Contact Street Light Engineer, Herman Fowler: hefowler@dekalbcountyga.gov), 11 foot travel lanes with curb and gutter. Jordan Lane is classified as a local road. The following minimum requirements must be met: Right of way dedication of 27.5 feet from centerline, 12 foot travel lane from centerline with curb & gutter, a five foot planting strip and a 5 foot sidewalk (Zoning Code), Pedestrian Scale Street lighting required (Contact Street Light Engineer, Herman Fowler: hefowler@dekalbcountyga.gov). Add pedestrian crossing and ADA ramps to the intersection of Jordan Lane at Lawrenceville Hwy.

DeKalb County School District
Development Review Comments

Analysis Date: 8/15/2022

Submitted to: DeKalb County

Case #: Z-22-1245922
Parcel #: 15-220-01-001/-023/-024/-041

Name of Development: Redan Road Tract
Location: 3676, 3686, 3694 Redan Road and 1172 Longshore Drive

Description: Rezoning request to allow for redevelopment of undeveloped land and 2 single-family homes into 45 townhomes.

Impact of Development: When fully constructed, this development would be expected to generate 8 students: 2 at Peachcrest Elementary School, 1 at Bethune Middle School, 0 at Towers High School, 5 at other DCSD schools, and 0 at private school. All three neighborhood schools have capacity for additional students.

Current Condition of Schools	Peachcrest Elementary School	Bethune Middle School	Towers High School	Other DCSD Schools	Private Schools	Total
Capacity	984	1,290	1,302			
Portables	0	0	0			
Enrollment (Oct. 2021)	652	737	792			
Seats Available	332	553	510			
Utilization (%)	66.3%	57.1%	60.8%			
New students from development	2	1	0	5	0	8
New Enrollment	654	738	792			
New Seats Available	330	552	510			
New Utilization	66.5%	57.2%	60.8%			

Yield Rates	Attend Home School	Attend other DCSD School	Private School	Total
Elementary	0.0405	0.0560	0.0043	0.1008
Middle	0.0259	0.0178	0.0029	0.0466
High	0.0012	0.0146	0.0000	0.0157
Total	**0.0676**	**0.0883**	**0.0072**	**0.1631**

Student Calculations

Proposed Units	45
Unit Type	TH
Cluster	Towers High School

Units x Yield	Attend Home School	Attend other DCSD School	Private School	Total
Elementary	1.82	2.52	0.20	4.54
Middle	1.17	0.80	0.13	2.10
High	0.05	0.65	0.00	0.70
Total	**3.04**	**3.97**	**0.33**	**7.34**

Anticipated Students	Attend Home School	Attend other DCSD School	Private School	Total
Peachcrest Elementary School	2	3	0	5
Bethune Middle School	1	1	0	2
Towers High School	0	1	0	1
Total	**3**	**5**	**0**	**8**

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 (sections have been amended recently; please request the amended chapter), to include Runoff Reduction Volume where applicable is required as a condition of land development permit approval. Use Volume Three of the G.S.M.M. for best maintenance practices. Use the NOAA Atlas 14 Point Precipitation Data set specific to the site. Recommend Low Impact Development features/ Green Infrastructure be included in the proposed site design to protect as much as practicable the statewaters and special flood hazard areas.
Detention facilities are shown on the conceptual plans, however the location where the ponds is being discharged shall be shown; and to ensure that no adverse impacts are created downstream.
Additional consideration must be given to the 10% downstream analysis.
Runoff Reduction Volume shall be provided, unless technical justification is provided in regard to the unfeasibility. Strongly recommend investigating the site and identify location where RRv can be provided and re-design/revise the layout to comply with the RRv requirement.

- **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.

N-16

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 TRAFFIC ENGINEERING

Case No.: LP-22-1245890 Parcel I.D. #: 15-220, 01-001, 01-041, 01-023, 01-024

Address: 1172 Longshore Drive + 3676, 3686 + 3694 Redan Road
Decatur, Ga. 30032

Adjacent Roadway (s):

_____ _____

_____ (classification) _____ (classification)

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

Please provide additional information relating to the following statement.

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

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

COMMENTS:

Did not see any traffic engineering concerns at this time

Signature: Judith Perry

N-17

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 TRAFFIC ENGINEERING

Case No.: Z-22-1245922 **Parcel I.D. #:** 15-220-01-001

Address: 1172 Longstone Dr. Decatur, GA 30032

Adjacent Roadway (s):

_____ _____

_____ (classification) _____ (classification)

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

Please provide additional information relating to the following statement.

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

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

COMMENTS:

Field and plans reviewed. Found Nothing that would disrupt Traffic flow OR concerns. @ this Time.

Signature: D Mondaylor

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178 Sams Street
Decatur, GA 30030

Chief Executive Officer
Michael Thurmond

DEPARTMENT OF PLANNING & SUSTAINABILITY

Director
Andrew A. Baker, AICP

LAND USE AMENDMENT APPLICATION CHECKLIST

(Submit 4 printed, collated sets of the complete application and a PDF version on a flash drive)

_____ 1. Schedule a mandatory **Pre-Application Conference** with Planning & Sustainability staff by appointment. Obtain **Pre-Application form (**to be completed in pre-application meeting). Please call 404-371-2155 for appointment.

_____ 2. Hold a **Pre-Submittal Community Meeting** with surrounding neighborhood associations and residents. Provide documentation of the meeting (**meeting notice and sign in sheets).** Letter(s) from homeowners association(s) may also be provided.

_____3. Submit **Application** (Submit 4 printed, collated sets and a PDF version on a flash drive. Please assemble materials in the following order.)

_____ A. Application form with name and address of applicant and owner, and address of subject property;

_____ **B. Pre-submittal community meeting notice and sign-in sheet** and other documentation of meeting, if any;

_____C. Letter of application and impact analysis

1. **Letter of application** identifying a) the proposed zoning classification, b) the reason for the rezoning or special use or modification request, c) the existing and proposed use of the property, d) detailed characteristics of the proposed use (e.g. floor area, height of building(s), number of units, mix of unit types, number of employees, manner and hours of operation), d)(optional) statement of conditions discussed with the neighborhood or community, if any.
2. **Impact analysis** of the anticipated impact of the proposed use and rezoning on the surrounding properties in response to the standards and factors specified in Article 7.3 of the DeKalb County Zoning Ordinance, as attached. If a Major Modification, please include previously approved conditions and Board of Commissioner meeting minutes.

_____ **D. Authorization Form,** if applicant is not the owner. Must be signed by all owners of the subject property and notarized. Authorization must contain the mailing address and phone number of any applicant or agent who is authorized to represent the owner(s) of the subject property. Please include warranty deed, if property ownership is less than 2 years.

_____ **E. Campaign disclosure statement** (required by State law).

_____ **F. Legal boundary survey** of the subject property, (showing boundaries, structures, and improvements), prepared and sealed within the last year by a professional engineer or land surveyor registered in the State of Georgia. *(If survey shows property on opposite sides of a public street right-of-way, file a separate application for each property.)*

_____ **G. Site Plan**, printed to scale, folded, of any existing and or proposed development/redevelopment. For projects larger than 1 acre, site plan should be at least 1:50 scale. The site plan must include the following:

____ a. complete boundaries of subject property;
____ b. dimensioned access points and vehicular circulation drives;
____ c. location of all existing and proposed buildings, structures, setbacks and parking;
____ d. location of 100 year floodplain and any streams;
____ e. notation of the total acreage or square footage of the subject property;
____ f. landscaping, tree removal and replacement, buffer(s); and
____ g. site plan notes of building square footages, heights, density calculations, lot coverage of impervious surfaces, parking ratios, open space calculations, and other applicable district standards.

_____ **H. Reduced Site Plan**, reduced to 8.5" x 11".

_____ **I. Written Legal Description** of metes and bounds of the subject property (can be printed on site plan or survey).

_____ **J. Building Form Information.** Elevation (line drawing or rendering), or details of proposed materials, in compliance with Article 5 of the Zoning Ordinance.

_____ **K. Completed, signed Pre-application Form** (Provided at pre-application meeting.)

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

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DEPARTMENT OF PLANNING & SUSTAINABILITY

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

Application No _____ Date Received: _____

Applicant's Name TR 34 Redan Road, LLC c/o Battle Law, P.C. E-Mail mlb@battlelawpc.com

Applicant's Mailing Address 3562 Habersham at Northlake Building J, Suite 100 Tucker, GA 30084

Applicant's Daytime Phone# 404-601-7616 Fax# 404-745-0045

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

Owner's Name: Frances M Milam E-Mail francesmilam@gmail.com

Owner's Mailing Address 612 Lost Key Drive #901-B Pensacola, FL 32507

Owner's Daytime Phone # _____ Fax # _____

Address/Location of Subject Property 1172 Longshore Drive, 3676 Redan Road, 3686 Redan Road, 3694 Redan Road Decatur, GA 30032

Parcel ID# 15 220 01 001, 15 220 01 041, 15 220 01 023, 15 220 01 024 Acreage 4.048

Commission District 5, 7

Present Zoning District MU-4 Proposed Zoning District MR-1

Present Land Use Designation SUB

Proposed Land Use Designation CRC

Current Zoning Classification(s) MU-4

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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: _ TR 34 Redan Road, LLC __ Phone: : 404-601-7616___ Email: mlb@Battlelawpc.com__

Property Address: _1172 Longshore Drive & 3676, 3686, and 3694 Redan Rd_____

Tax Parcel ID: __15 220 01 001, 041, 023, 024 ~~~~____ _ Comm. District(s): _5 & 7_____ Acreage: 4.08___
_____

Existing Use: _single-family home_____ Proposed Use_43 Single-family attached townhomes at 10.54 per acre units per acre__ _____

Supplemental Regs: _NA_____ Overlay District: _Covington Overlay District ___ DRI: ___NA_____

Rezoning: Yes __X___ No __ ____

Existing Zoning: __Covington Overlay District with MU-4 District underlying_ _____
Proposed Zoning: _Covington Overlay District with MR-2 District underlying
Square Footage/Number of Units: _43_____

Rezoning Request: _to construct 43 single-family attached townhomes .
_____

_____

_____

Land Use Plan Amendment: Yes_X___ No _ ___

Existing Land Use: _SUB_____ Proposed Land Use: ___CRC_____ Consistent _____ Inconsistent_____

Special Land Use Permit: Yes_ ___ No _X___ Article Number(s) 27-
_____

Special Land Use Request(s) ___ ___
_____

_____

Major Modification:

Existing Case Number(s): ___NA_____

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Condition(s) to be modified:

_____

_____

_____

WHAT TO KNOW BEFORE YOU FILE YOUR APPLICATION

Pre-submittal Community Meeting: __X_____ Review Calendar Dates: __X_____ PC: 09/01/22*_____ BOC: _09/29/22**_____ Letter of Intent: __X___Impact Analysis: _X____ Owner Authorization(s):__X___ Campaign Disclosure: __X___ Zoning Conditions: _na_____ Community Council Meeting: _08/08/22____ Public Notice, Signs: ___X_**(Applicant must pick up and post**)_____ Tree Survey, Conservation: _____ Land Disturbance Permit (LDP): ___X_____ Sketch Plat: __X_____ Bldg. Permits: __X_____ Fire Inspection: __X_____ Business License: __X_____ State License: _____ Lighting Plan: _____ Tent Permit: _____ Submittal Format: NO STAPLES, NO BINDERS PLEASE

***Land Use Amendment applications only heard in March and September.**

***Deadline for hosting pre-community meeting with 15 days notice for September 2022 agenda cycle would be 06/29/22**

****Filing Deadline for application is 06/30/22**

Review of Site Plan

Density: __X_____ Density Bonuses: ___X_____ Mix of Uses: _____ Open Space: ___X____ Enhanced Open Space: _X_____ Setbacks: front __X____ sides __X____ side corner _____ rear ___X___ Lot Size: __X____ Frontage: ____X_____ Street Widths: ___X_____ Landscape Strips:__X_____ Buffers:_____ Parking Lot Landscaping: _____ Parking - Auto: __X_____ Parking - Bicycle: _____X___ Screening: ___X_____ Streetscapes: __X_____ Sidewalks: _X____Fencing/Walls:__X___ Bldg. Height: __X___ Bldg. Orientation: _____ Bldg. Separation: _____ Bldg. Materials: _X____ Roofs: _X____ Fenestration: ___X____ Façade Design: __X____ Garages: __X____ Pedestrian Plan:___X____ Perimeter Landscape Strip: _____

Possible Variances: _____

_____

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DEPARTMENT OF PLANNING & SUSTAINABILITY

Comments: __. _Applicant will need to justify MR-2 zoning. These properties also fall within the Covington Overlay District, and will need to demonstrate compliance with Covington Overlay District and MR-2 requirements, including but not limited to required transitional buffers, minimum open space, maximum building height, streetscape improvements, and required density bonus provisions (if applicable), etc.
The applicant is encouraged to discuss possible transportation improvements that may be required (if the rezoning is approved by the Board of Commissioners) with the county Transportation Department. The applicant is encouraged to contact Land Development Division of Public Works regarding required stormwater management, floodplain, and stream buffer issues. Article 5.7.6 prefers for townhomes to be accessed from the rear with front facades facing courtyard, and by providing rear access to the units or designing an alternative location for pedestrian paths or sidewalks. Please review 5.7.5 and 5.7.6 and Covington Overlay District regarding building materials, setbacks, fenestration, etc. Please clarify if townhomes are fee-simple lots or condo ownership. Also the entire project must comply with Covington Overlay District and Article 5 streetscape requriements regarding sidewalk width, number of street trees, and landscape width as well as street lights.

This only a preliminary review and is not a complete list of zoning requirements, a final and complete review will be done upon official submission of a rezoning application and concept plan.

Planner:__John Reid _____ _____Date_04/14/22_____

Filing Fees

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

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DEPARTMENT OF PLANNING & SUSTAINABILITY

AUTHORIZATION

The property owner should complete this form or a similar signed and notarized form if the individual who will file the application with the County is not the property owner.

Date: March 23, 2022 ~~X~~ APRIL 12, 2022

TO WHOM IT MAY CONCERN:

(I) (WE) Frances M Milam
Name of owner(s)

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

TR 34 Redan Road, LLC c/o Battle Law, P.C.
Name of Agent or Representative

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

Frances M Milam

Vicky Jo Chandler APRIL 12, 2022
Notary Public

Frances M Milam
Owner

Notary Public

VICKY JO CHANDLER
Notary Public - State of Florida
Commission # GG 950952
My Comm. Expires May 9, 2024

Owner

Notary Public

Owner

Notary Public

Owner

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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 filling 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.

Frances M Milam

Vicky Jo Chandler
Notary

VICKY JO CHANDLER
Notary Public - State of Florida
Commission # GG 950952
My Comm. Expires May 9, 2024

Frances M Milam
Signature of Applicant / Date

Check one: Owner X Agent_____

05/09/2024
Expiration Date/ Seal

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

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DEPARTMENT OF PLANNING & SUSTAINABILITY

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TR 34 Redan Road, LLC

Notary

Signature of Applicant /Date

Check one: Owner_____ Agent X

NATHAN PAUL SYCKS
NOTARY
PUBLIC
Exp. Sept. 17, 2023
FULTON COUNTY, GA

Expiration Date/ Seal

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

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DEPARTMENT OF PLANNING & SUSTAINABILITY

DISCLOSURE OF CAMPAIGN CONTRIBUTION

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Have you, the applicant, made $250.00 or more in campaign contribution to a local government official within two years immediately preceding the filling 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

BRITTNEY BUTLER
NOTARY PUBLIC
Exp. Aug. 18, 2025
COBB COUNTY, GA

Signature of Applicant /Date

Check one: Owner_____ Agent X

08/18/25
Expiration Date/ Seal

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

Campaign Contribution Disclosure Statements
Last Updated 6/17/2022

CAMPAIGN CONTRIBUTIONS DISCLOSURE STATEMENT

Pursuant to the provisions of 36 O.C.G.A. 67(A), please find below a list of those contributions made by Michèle L Battle or Battle Law, P.C. in the past two years, aggregating $250.00 or more, to local government officials who will consider this application.

NAME OF GOV'T OFFICIAL	OFFICIAL **POSITION**	AMOUNT OF **CONTRIBUTION**
Ted Terry	**Commissioner**	**$500**
Mereda Davis Johnson	**Commissioner**	**$250**
Lorraine Cochran-Johnson	**Commissioner**	**$750**

By:_____
Printed Name: Michele L Battle

Battle Law

3562 Habersham at Northlake, Bldg. J, Ste 100
Tucker, Georgia 30084

Zoom Instructions:

Go to https://www.battlelawpc.com . On the Home page, please click on "Projects", then choose "Dekalb County". Scroll down to the correct "Project Title" and click on "Join Meeting" under the correct meeting date. To join by phone, please dial (646) 558-8656 and enter the Meeting ID and Passcode provided on the website.

We encourage you to come out and participate!
Please Note: This meeting is hosted solely by Battle Law, P.C.

For More Information Contact
Brittney Butler at:
Phone: 404-601-7616 ext. 7
Fax: 404-745-0045
Email: btb@battlelawpc.com

Rezoning To Allow For The Development of Townhomes

You are invited to a Zoom meeting.

Project Title: Longshore Drive

When: Thursday, April 28, 2022

Time: 6:00 PM Eastern (US and Canada)

Register in advance for this meeting:
https://www.battlelawpc.com

Proposed Location(s):

1172 Longshore Drive, 3676 Redan Road, 3686 Redan Road, 3694 Redan Road Decatur, GA 30032
Parcel Number 15 220 01 001, 15 220 01 041, 15 220 01 023, 15 220 01 024

Battle Law

3562 Habersham at Northlake, Bldg. J, Ste 100
Tucker, Georgia 30084

PLEASE
PLACE
STAMP
HERE

«Name»
«Address»
«City», «State» «Zip»

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IMPACT ANALYSIS

(Please respond to the following standards and factors on a separate sheet.)

Section 27-7.3.5. The following standards and factors are found to be relevant to the exercise of the county's zoning powers and shall govern the review of all proposed amendments to the Official Zoning Map:

A. Whether the zoning proposal is in conformity with the policy and intent of the Comprehensive Plan.

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

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

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

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

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

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

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

Battle Law

STATEMENT OF INTENT

and

Other Material Required by
DeKalb County Zoning Ordinance
For
A Rezoning from MU-4 to MR-1
and Future Land Use Amendment from SUB to CRC

of

TR 34 REDAN ROAD, LLC.
c/o Battle Law, P.C.

for

+/-4.048 Acres of Land
Being address
DeKalb County, Georgia and
Parcel Nos. 15 220 01 001; 15 220 01 041; 15 220 01 023; and 15 220 01 024

Submitted for Applicant by:

Michèle L. Battle, Esq.
Battle Law, P.C.
Habersham at Northlake, Building J, Suite 100
Tucker, Georgia 300384
(404) 601-7616 Phone
(404) 745-0045 Facsimile
mlb@battlelawpc.com

Battle Law

I. LETTER OF INTENT

TR 34 Redan Road, LLC. (the "Applicant") is seeking to develop a fee simple townhome community on +/- 4.048 acres of land being Tax Parcel No. 15 220 01 001; 15 220 01 041; 15 220 01 023; and 15 220 01 024 having frontage on Redan Road and Longshore Drive (the "Subject Property"). In order to develop the proposed townhome community the Applicant is seeking to rezone the Subject Property from MU-4 (Conditional) to MR-1 and to amend the Future Land Use Map designation of SUB to CRC of the Subject Property

This document serves as a statement of intent, analysis of the criteria under the DeKalb County Zoning Ordinance and contains notice of constitutional allegations as a reservation of the Applicant's rights.

II. REZONING CRITERIA

Whether the zoning proposal is in conformity with the policy and intent of the Comprehensive Plan;

The current land use designation for the Subject Property is SUB which provides for a density of up to 8 units per acre. The Subject Property, however, was rezoned from R-75 to MU-4 (formerly known as OCR) for 39 condominium townhome units at a density of 9.75 units per acre. The Applicant is therefore seeking to amend the Land Use designation for the Subject Property to Commercial Redevelopment Corridor which is consistent with the properties in the immediately adjacent block West of the Subject Property, which allows for up to 18 units per acre which is the least intensive Land Use Character Area which allows for the current MU-4 zoning district. The Applicant is seeking to rezone to MR-1 which is also permitted under the CRC Land Use Character Area.

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

The proposed rezoning is consistent with the existing townhome use allowed on the Subject Property. The rezoning is being sought in order to change the style and layout of the proposed community that was rezoned back in 2005 but was never developed. The area in which the Subject Property is located is currently has a mixture of housing types, including cluster homes, townhomes, traditional single-family home, and multi-family units. Therefore, the proposed use is suitable in view of the surrounding uses and developments.

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

As currently zoned MU-4 the Subject Property has limited economic use with the conditions approved by the DeKalb County Board of Commissioners in CZ-04-135. Additionally, they layout is not consistent with the County's current Zoning Ordinance requirements, in terms of layout.

Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby properties;

The proposed rezoning will not adversely affect the existing use or usability of adjacent or nearby properties.

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

The area in which the Subject Property is located is in transition as growth and development around the South Indian Creek MARTA Station continuous. The proposed project will bring live/work townhome units with a fresh look, design and feel to a community that has been stagnant for years, by increasing homeownership in the area, and bringing more roof tops to support the development of better retail and commercial opportunities along the Covington Highway corridor.

Whether the zoning proposal will adversely affect historic building, sites, districts, or archaeological resources;

No historic building, sites, district or archaeological resources will be impacted by the proposed rezoning proposal.

Whether the zoning proposal will result in a use which will or could cause excessive or burdensome use of existing streets, transportation facilities, utilities, or schools; and

The rezoning will not result in a use which will or could cause excessive or burdensome use of existing streets, transportation facilities, utilities of schools.

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

The proposed rezoning will not adversely impact the environment or surrounding natural resources

Battle Law

III. FUTURE LAND USE AMENDMENT CRITERIA

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

The current land use designation for the Subject Property is SUB which provides for a density of up to 8 units per acre. The Subject Property, however, was rezoned from R-75 to MU-4 (formerly known as OCR) for 39 condominium townhome units at a density of 9.75 units per acre. The Applicant is therefore seeking to amend the Land Use designation for the Subject Property to Commercial Redevelopment Corridor which is consistent with the properties in the immediately adjacent block West of the Subject Property, which allows for up to 18 units per acre which is the least intensive Land Use Character Area which allows for the current MU-4 zoning district. The Applicant is seeking to rezone to MR-1 which is also permitted under the CRC Land Use Character Area.

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 allow for the currently allowed use to be consistent with the current Future Land Use Plan for the area. The CRC Land Use Designation is already in the adjacent block, and East of the Subject Property is the Town Center Character Area. rezoning is consistent with the existing townhome use allowed on the Subject Property, which allows for up to 60 units per acre. Therefore, the proposed land use change will not adversely affect the existing use or usability of adjacent or nearby properties

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 proposed land use change will not result in a use which will or could cause excessive or burdensome use of existing streets, transportation facilities, utilities of schools.

Whether the amendment is consistent with the written policies in the Comprehensive Plan;

The proposed amendment is consistent with the written policies in the Comprehensive Plan. The Change to CRC on the Subject Property will provide for the end of the Commercial Corridor at the Subject Property. Across from the Subject Property is a commercially zoned property, and portions of the Subject Property were used for a daycare facility.

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

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

The Subject Property is not near any jurisdictional boundaries.

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; and

The area in which the Subject Property is located is in transition as growth and development around the South Indian Creek MARTA Station continuous. The proposed project will bring live/work townhome units with a fresh look, design and feel to a community that has been stagnant for years, by increasing homeownership in the area, and bringing more roof tops to support the development of better retail and commercial opportunities along the Covington Highway corridor.

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

No historic building, sites, district or archaeological resources will be impacted by the proposed land use change.

IV. CONCLUSION

For the foregoing reasons, the Applicant hereby requests that the application for the rezoning from MU-4 (Conditional) to MR-1 and a Future Land Use Amendment from SUB to CRC be approved. The Applicant welcomes any questions and feedback from the planning staff.

IV. NOTICE OF CONSTITUTIONAL ALLEGATIONS AND PRESERVATION OF CONTITUTIONAL RIGHTS

The portions of the DeKalb County Zoning Ordinance, facially and as applied to the Subject Property, which restrict or classify or may restrict or classify the Subject Property so as to prohibit its development as proposed by the Applicant are or would be unconstitutional in that they would destroy the Applicant's property rights without first paying fair, adequate and just compensation for such rights, in violation of the Fifth Amendment and Fourteenth Amendment of the Constitution of the United States and Article I, Section I, Paragraph I of the Constitution of the

State of Georgia of 1983, Article I, Section III, Paragraph I of the Constitution of the State of Georgia of 1983, and would be in violation of the Commerce Clause, Article I, Section 8, Clause 3 of the Constitution of the United States.

The application of the DeKalb County Zoning Ordinance to the Subject Property which restricts its use to any classification other than that proposed by the Applicant is unconstitutional, illegal, null and void, constituting a taking of Applicant's Property in violation of the Just Compensation Clause of the Fifth Amendment to the Constitution of the United States, Article I, Section I, Paragraph I, and Article I, Section III, Paragraph I of the Constitution of the State of Georgia of 1983, and the Equal Protection and Due Process Clauses of the Fourteenth Amendment to the Constitution of the United States denying the Applicant an economically viable use of its land while not substantially advancing legitimate state interests.

A denial of this Application would constitute an arbitrary irrational abuse of discretion and unreasonable use of the zoning power because they bear no substantial relationship to the public health, safety, morality or general welfare of the public and substantially harm the Applicant in violation of the due process and equal protection rights guaranteed by 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 1 of the Constitution of the State of Georgia.

A refusal by the DeKalb County Board of Commissioners to amend the land use and/or rezone the Subject Property to the classification as requested by the Applicant would be unconstitutional and discriminate in an arbitrary, capricious and unreasonable manner between the Applicant and owners of similarly situated property in violation of Article I, Section I, Paragraph II of the Constitution of the State of Georgia of 1983 and the Equal Protection Clause of the Fourteenth Amendment to the Constitution of the United States. Any REZONING AND FUTURE LAND USE AMENDMENT of the Property subject to conditions which are different from the conditions requested by the Applicant, to the extent such different conditions would have the effect of further restricting Applicant's utilization of the property, would also constitute an arbitrary, capricious and discriminatory act in zoning the Subject Property to an unconstitutional classification and would likewise violate each of the provisions of the State and Federal Constitutions set forth hereinabove.

A refusal to allow the land use amendment and/or Rezoning and Future Land Use Amendment in questions would be unjustified from a fact-based standpoint and instead would result only from constituent opposition, which would be an unlawful delegation of authority in violation of Article IX, Section II, Paragraph IV of the Georgia Constitution.

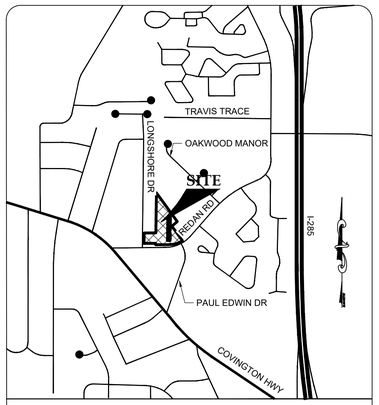
A refusal to allow the land use amendment and/or Rezoning and Future Land Use Amendment in question would be invalid inasmuch as it would be denied pursuant to an ordinance which is not in compliance with the Zoning Procedures Law, O.C.G.A Section 36-66/1 et seq., due to the manner in which the Ordinance as a whole and its map(s) have been adopted.

The existing land use designation and/or zoning classification on the Subject Property is unconstitutional as it applies to the Subject Property. This notice is being given to comply with

the provisions of O.C.G.A. Section 36-11-1 to afford the County an opportunity to revise the Property to a constitutional classification. If action is not taken by the County to rectify this unconstitutional land use designation and/or zoning classification within a reasonable time, the Applicant is hereby placing the County on notice that it may elect to file a claim in the Superior Court of Fulton County demanding just and adequate compensation under Georgia law for the taking of the Subject Property, diminution of value of the Subject Property, attorney's fees and other damages arising out of the unlawful deprivation of the Applicant's property rights.

Michele L. Battle, Esq.
Attorney for the Applicant

Plot Date: Wednesday, May 25, 2022 2:07:04 PM



VICINITY MAP
SCALE: 1"=2,000'

= PROPOSED TREE SAVE LIMITS; LIMITS ARE SUBJECT TO CHANGES WITH FURTHER REVIEW OF GRADING AND TREE SURVEY DATA.

GROSS ACRES:	+/-4.048 AC. (176,318 SQ. FT)
EXISTING ZONING:	MU-4
PROPOSED ZONING:	MR-1 / DEKALB COUNTY
TOTAL UNITS:	45 CONDO UNITS
TOTAL DENSITY:	11.12 U/A (OPPORTUNITY ZONE)
UNIT WIDTH:	14' MINIMUM
MIN. UNIT HEATED AREA:	
BUILDING SETBACKS	
FRONT:	20' THOROUGHFARES; 10' INTERNAL
REAR:	15'
SIDE:	0'
BETWEEN BUILDINGS:	20' TYPICAL
TRANSITIONAL BUFFER:	AS SHOWN
L/S STRIP:	AS SHOWN
BUILDING HT. REQUIRED:	3 STORIES OR 45 FT MAXIMUM
PARKING REQUIRED:	1.5 / UNIT FOR EACH DWELLING; 0.25 / UNIT FOR GUESTS
OPEN SPACE REQUIRED:	20% OR 0.82 ACRES
OPEN SPACE PROVIDED:	20% OR 0.82 ACRES
LOT COVERAGE ALLOWED:	80% (MAXIMUM PER LOT OR TOTAL PARCEL ACREAGE)
LOT COVERAGE PROVIDED:	+/- 65% OR 115,500 SQ. FT. POST DEVELOPMENT

BOUNDARY SURVEY BY:
ALLIANCE SURVEY
4525 S. LEE STREET
BUFORD, GEORGIA 30518
PHONE: 334.360.4197

PARKING ANALYSIS			TOTAL PER HOUSE	TOTAL UNITS	TOTAL SPACES
LOT TYPE	GARAGE	DRIVEWAY			
B1 PRODUCT	0	0	0	20	0
B2 PRODUCT	0	0	0	25	0
90 DEGREE (ON-STREET SPACES)					79
TOTAL PARKING/ GUEST SPACES REQUIRED FOR RESIDENTIAL					79
TOTAL PARKING SPACES PROPOSED FOR RESIDENTIAL					79

* REQUESTED VARIANCES:
1. GRADED AND REPLANTED BUFFERS AS SHOWN.
2. BUFFER REDUCTION FROM 30' TO 15' UNDISTURBED BUFFER.
3. MINIMUM UNIT WIDTH 14'.
4. ALL RETAINING WALLS ARE ALLOWED TO BE UP TO 12' TALL.
5. MINIMUM HEATED FLOOR AREA OF LESS THAN 1,200 ALLOWED.

PROPERTY OWNERS:
PID: 15 220 01 024 - MILAM FRANCES M
PID: 15 220 01 023 - MILAM FRANCES M
PID: 15 220 01 041 - MILAM FRANCES M
PID: 15 220 01 001 - MILAM FRANCES M

SEWER NOTE:
SEWER WILL BE A GRAVITY LINE AND TIE INTO THE EXISTING SEWER MANHOLE ALONG ALONG LONGSHORE DRIVE.

WATER NOTE:
EXISTING WATER LINE LOCATED ON REDAN ROAD AND PROVIDED BY DEKALB COUNTY.

STREET LIGHT NOTE:
FIXTURES AND ILLUMINATION SHALL COMPLY WITH COUNTY STANDARDS.

FEMA NOTE:
NO PORTION OF THIS PROPERTY IS LOCATED IN A FEMA FLOOD PLAIN AS PER FEMA MAP NO. 13089C0088J, DATED MAY 16, 2013

TREE PRESERVATION NOTE:
EITHER 120 INCHES (DBH) PER ACRE OR 25% OF EXISTING SIGNIFICANT TREES PER ACRE OF SUCH SIGNIFICANT TREES, WHICHEVER IS LESS, SHALL BE PRESERVED ON THE SITE.

ALLIANCE
ENGINEERING + PLANNING + LAND SURVEYING
LANDSCAPE ARCHITECTURE
CIVIL ENGINEERING • LAND PLANNING • LANDSCAPE ARCHITECTURE • LAND SURVEYING
299 South Main St., Suite A | Alpharetta, GA 30009
770.225.4730 | www.aepllc.com

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NOT RELEASED FOR CONSTRUCTION

SURVEYING BY:
ALLIANCE SURVEY
PHONE: (334) 360-4197
CONTACT: DAVID ANDERSON

DEVELOPER
Trilogy Acquisitions, LLC
26 Milton Avenue, Alpharetta, GA 30009
24 HR CONTACT: John Boniface: 352.425.3356
JOHN@WATFAIRSTREETPARTNERS.COM

Site Concept Plan for
Redan Road Tract
3694 REDAN ROAD

Orig. Issue	4.6.22
Designed by	BW
Checked by	TL
Project #	22074

NORTH

SCALE: 1"= 40'
0 40

BOUNDARY EXHIBIT

5.25.22

File Location: e:\dropbox (aep)\01-civil projects\03-projects\trilogy acquisitions, llc\22074 - redan tract\02-design\dwg\01-concept\22074 - concept 3b

THIS BLOCK RESERVED FOR THE CLERK OF THE SUPERIOR COURT.

ZONING

THE SUBJECT PROPERTIES ARE ZONED MU-4 PER DEKALB COUNTY ZONING MAP ACCESSED MARCH 9, 2022

THE SETBACKS FOR ZONE MU-4, MIXED USE HIGH DESNITY, CAN BE FOUND VIA DEKALB COUNTY MUNICODE, CODE OF ORDINANCES, CHAPTER 27 SECTION 3.41.7. "DESIGN STANDARDS"

FRONT: 50 FEET
SIDE: N/A
REAR: 10 FEET

ANY SETBACKS AND BUFFERS SHOWN ARE GOVERNED BY THE LOCAL JURISDICTION AND SHOULD BE CONFIRMED IN WRITING PRIOR TO LAND PLANNING OR ANY CONSTRUCTION ACTIVITIES.

SCHEDULE B-II EXCEPTIONS

1. Any defect, lien, encumbrance, adverse claim, or other matter that appears for the first time in the Public Records or is created, attaches, or is disclosed between the Commitment Date and the date on which all of the Schedule B, Part I–Requirements are met.
2. All taxes for the year 2022 and subsequent years, not yet due and payable, and any additional taxes for the current year or any prior years resulting from a reassessment, amendment or re-billing of city or county taxes subsequent to the Effective Date.
3. Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land.
4. Easements or claims of easements, not shown by the public records.
5. Rights or claims of parties in possession not shown by the public records.
6. Liens or rights to a lien, for services, labor or material heretofore or hereafter furnished, imposed by law and not shown by the public records.
7. Taxes or special assessments which are not shown as existing liens by the public records.
8. This policy does not insure the exact amount of acreage contained within the Land.
9. Rights of tenants in possession.
10. Any mortgage, deed of trust, security deed, judgment, lien or encumbrance of any kind which has been created by the insured, imposed upon or assented to by the Insured or of which the Insured has actual knowledge. (As to Owner's Policy)
11. All matters shown on that certain survey for Frances M. Milam prepared by J.M. Massey & Company, by John M. Massey, Jr., GRLS No. 2490, dated May 23, 2003. DOCUMENT NOT PROVIDED TO SURVEYOR.
12. All matters shown on that certain survey for M3 Development prepared by Planners and Engineers Collaborative, by Michael S. Tvner, GRE No. 18509, dated August 2, 2005. DOCUMENT NOT PROVIDED TO SURVEYOR.
13. EASEMENT DATED JUNE 5, 1945, FROM C. H. WILLIAMS, EDWARD S. WEST, MAY MERCK MORRIS, AND GEORGE J MORRIS, TO GEORGIA POWER COMPANY, AS RECORDED JUNE 21, 1945, AT DEED BOOK 622, PAGE 247, DEKALB COUNTY, GEORGIA RECORDS. LEGAL DESCRIPTION VAGUE AND BLANKET IN NATURE. MAY OR MAY NOT AFFECT THE SUBJECT PROPERTY.
14. PERMIT TO CUT OR TRIM TREES DATED JUNE 27, 1961, FROM MRS. GEORGE MORRIS TO GEORGIA POWER COMPANY, AS RECORDED JULY 11, 1961, AT DEED BOOK 1587, PAGE 447, DEKALB COUNTY, GEORGIA RECORDS. LEGAL DESCRIPTION VAGUE AND BLANKET IN NATURE. MAY OR MAY NOT AFFECT THE SUBJECT PROPERTY.

SURVEY LEGAL DESCRIPTION - COMBINED

A parcel of land lying in Land Lot 220 of the 15th District, Dekalb County, Georgia and being more particularly described as follows:

Begin at a set 5/8" capped rebar (L.S.F. #1322) lying at the intersection between the northerly right-of-way of Redan Road (variable right-of-way) and the easterly right-of-way of Longshore Drive (60' right-of-way); thence leaving said right-of-way of Redan Road, run North 01 Degrees 10 Minutes 56 Seconds East along said right-of-way of Longshore Drive for a distance of 140.00 feet to a set 5/8" capped rebar (L.S.F. #1322) being the southwesterly corner of Lot 1 - Panama Park Subdivision as recorded in Plat Book 21, Page 115 Dekalb County records; thence leaving said right-of-way, run North 89 Degrees 25 Minutes 08 Seconds East for a distance of 159.50 feet to a set 5/8" capped rebar (L.S.F. #1322); thence run North 01 Degrees 10 Minutes 56 Seconds East for a distance of 78.75 feet to a found 1/2" open top pipe and found 5/8" crimped top pipe; thence run North 01 Degrees 03 Minutes 09 Seconds East for a distance of 474.94 feet to a set 5/8" capped rebar (L.S.F. #1322); thence run South 36 Degrees 16 Minutes 08 Seconds East for a distance of 492.60 feet to a set 5/8" capped rebar (L.S.F. #1322); thence run South 49 Degrees 37 Minutes 52 Seconds West for a distance of 99.80 feet to a set 5/8" capped rebar (L.S.F. #1322); thence run South 36 Degrees 13 Minutes 08 Seconds East for a distance of 245.82 feet to a found 1" rod lying on the northerly right-of-way of the aforementioned Redan Road, said point lying on the curve to the right, said curve having a radius of 295.00 feet, a central angle of 39 Degrees 14 Minutes 43 Seconds, a chord bearing of South 73 Degrees 12 Minutes 40 Seconds West and a chord length of 198.14 feet; thence run along the arc of said curve and said right-of-way for a distance of 202.06 feet to a point; thence run North 87 Degrees 11 Minutes 20 Seconds West along said right-of-way for a distance of 84.95 feet to a set 5/8" capped rebar (L.S.F. #1322); thence run South 01 Degrees 15 Minutes 51 Seconds West along said right-of-way for a distance of 9.15 feet to a found 1.5" open top pipe; thence run South 89 Degrees 35 Minutes 46 Seconds West along said right-of-way for a distance of 99.73 feet to a found 3/4" open top pipe; thence run North 01 Degrees 10 Minutes 56 Seconds East along said right-of-way for a distance of 29.48 feet to a set 5/8" capped rebar (L.S.F. #1322); thence run South 89 Degrees 25 Minutes 08 Seconds West along said right-of-way for a distance of 148.50 feet to a point; thence run South 89 Degrees 25 Minutes 08 Seconds West along said right-of-way for a distance of 11.00 feet to the POINT OF BEGINNING.

Said parcel contains 176,318 square feet, or 4.048 acres.

TITLE LEGAL DESCRIPTION

Tract I:

All that tract or parcel of land lying and being in Land Lot 220 of the 15th District of DeKalb County, Georgia, being more particularly described as follows:

Beginning at a point where the East side of Longshore Drive (having a 60 foot right-of-way) intersects the North side of Redan Road (having a 100 foot right-of-way) if the sides of both said street lines were extended to form an angle rather than upon a curve; extending thence East as measured along the North side of Redan Road a distance of 111.0 feet to an iron pin found; extending thence Northeasterly a distance of 207.2 feet to an iron pin found; extending thence West a distance of 159.5 feet to an iron pin found on the East side of Longshore Drive; extending thence South as measured along the East side of Longshore Drive a distance of 140.0 feet to a point on the North side of Redan Road and the point of beginning; and being improved property known as No. 1172-1174 Longshore Drive, according to the present system of numbering houses in DeKalb County, Georgia, and being described according to a survey prepared by Josh L. Lewis III, Registered Land Surveyor, dated March 26, 1980 for Roy N. Miller.

Together With:

Tract II:

All that real estate situated and being in Land lot 220 of the 15th District of DeKalb County, Georgia, and being more particularly described as follows:

Beginning at a point on the North side of Redan Road (having a 100' right of way); 11 feet as measured along the North side of Redan Road, from a point formed by the intersection of the North side of Redan Road with the East side of Longshore Drive (having a 60' right of way); if the sides of both said Street lines were extended to form an angle rather than upon a curve; extending thence East as measured along the North side of Redan Road a distance of 148.5 feet to a point; extending thence North a distance of 140.0 feet to a point extending thence Southwesterly a distance of 207.2 feet to a point on the North side of Redan Road and the Point of Beginning, and being the same property conveyed in a Deed recorded in Deed Book 2145, Page 738, DeKalb County Records and more particularly described on a survey by Josh L. Lewis, III, dated March 26, 1980 for Roy N. Miler, and being improved property known as no. 3676 Redan Road, according to the present system of numbering houses in DeKalb County, Georgia.

Together With:

Tract III:

All that tract or parcel of land lying and being in Land Lot 220 of the 15th District of DeKalb County, Georgia, being more particularly described according to plat for Charles P. Morris made by M.A. Freer, surveyor, June 14, 1947 and being more fully described as follows:

Beginning at a point on the North side of Old Redan Road 594 feet East from the intersection of Old Redan Road and Covington Highway; thence North 88 degrees 15 minutes East along the North side of Old Redan Road 100 feet to an iron pin; thence North 00 degrees 30 minutes West 250 feet to an iron pin; thence West 99.1 feet to an iron pipe; thence South 250 feet to an iron pin at the Point of Beginning.

Together With:

Tract IV:

All That Tract or Parcel of Land lying and being in Land Lot 220 of the 15th District of DeKalb County, Georgia as shown on plat prepared for Frances Milam by John M. Massey, Jr., Georgia RLS No. 2490 dated December 30, 2002 and being more particularly described according to said plat as follows:

Beginning at a point located on the Northerly right-of-way of Redan Road (60' right-of-way) said point being located
259.50 feet Southeasterly as measured along said Northerly right-of-way line of Redan Road from its intersection with the Easterly right-of-way line of Longshore Drive (60' right-of-way); thence leaving said right-of-way line of Redan Road and running North 00 degrees 10' East a distance of 238.70 feet to a point; runnng thence South 88 degrees 45 minutes West a distance of 99.90 feet to an iron pin found; running thence North 00 degrees 00 minutes East a distance of 475.0' to an iron pin set; running thence South 37 degrees 18 minutes East a distance of 492.60 feet to an iron pin set; running thence South 48 degrees 36 minutes West a distance of 99.80 feet to an iron pin found; running thence South 37 degrees 15 minutes East a distance of 245.82' to an iron pin found on the Northwesterly right-of-way line of Redan Road; running thence along said Northwesterly right-of-way line of Redan Road a distance of 201.84 feet along the arc of a curve to the left, said curve having a radius of 295.0 feet a chord beanng of South 72 degrees 10 minutes West and a chord distance of 197.93 feet to a point; running thence North 88 degrees 14 minutes West a distance of
84.86 feet to a point and the Point of Beginning.

LEGEND

	SIGN		IRON PIN FOUND
WV	WATER VALVE		COMPUTED POINT
	FIRE HYDRANT	IPS	IRON PIN SET
WM	WATER METER	CTP	CRIMP TOP PIPE
WM	WATER MARKER/ MONUMENT	OTP	OPEN TOP PIPE
DB	STORM SEWER MANHOLE	RCP	REINFORCED CONCRETE PIPE
SS	SANITARY SEWER MANHOLE	HW	HEADWALL
	UTILITY POLE	POB	POINT OF BEGINNING
	GUY WIRE		STORM SEWER LINE
EM	ELECTRIC METER	SS	SANITARY SEWER
GM	GAS METER	W	WATER LINE
T	TELEPHONE MANHOLE	G	GAS LINE
T	TELEPHONE BOX	OHE	OVERHEAD ELECTRIC
			PROPERTY LINE
	SPECIMEN TREE		ADJACENT PROPERTY LINE
MB	MAILBOX	X X	FENCE
	BENCHMARK		SINGLE WING CATCH BASIN

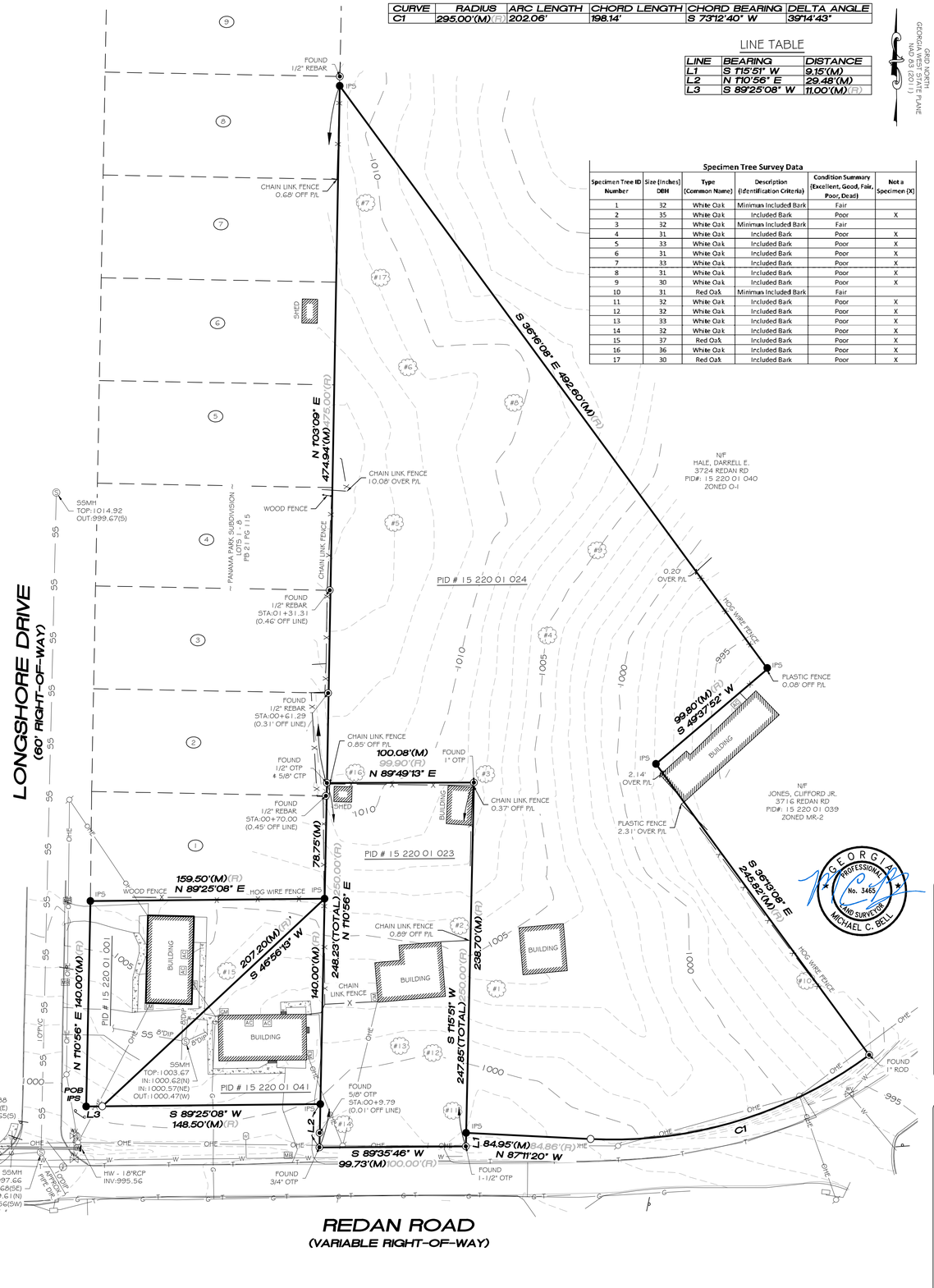
40' 0' 40' 80'
1 INCH = 40 FEET

CURVE TABLE

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	295.00'(M)(R)	202.06'	198.14'	S 73°12'40" W	39°14'43"

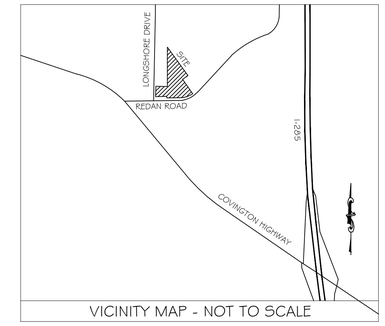
LINE TABLE

LINE	BEARING	DISTANCE
L1	S 11°51'51" W	9.15'(M)
L2	N 11°01'56" E	29.48'(M)
L3	S 89°25'08" W	11.00'(M)(R)



Specimen Tree Survey Data

Specimen Tree ID Number	Size (inches) DBH	Type (Common Name)	Description (Identification Criteria)	Condition Summary (Excellent, Good, Fair, Poor, Dead)	Not a Specimen (X)
1	32	White Oak	Minimum Included Bark	Fair	
2	35	White Oak	Included Bark	Poor	X
3	32	White Oak	Minimum Included Bark	Fair	
4	31	White Oak	Included Bark	Poor	X
5	33	White Oak	Included Bark	Poor	X
6	31	White Oak	Included Bark	Poor	X
7	33	White Oak	Included Bark	Poor	X
8	31	White Oak	Included Bark	Poor	X
9	30	White Oak	Included Bark	Poor	X
10	31	Red Oak	Minimum Included Bark	Fair	
11	32	White Oak	Included Bark	Poor	X
12	32	White Oak	Included Bark	Poor	X
13	33	White Oak	Included Bark	Poor	X
14	32	White Oak	Included Bark	Poor	X
15	37	Red Oak	Included Bark	Poor	X
16	36	White Oak	Included Bark	Poor	X
17	30	Red Oak	Included Bark	Poor	X



VICINITY MAP - NOT TO SCALE

SURVEY NOTES

1. All easements and rights of way of which the surveyor has knowledge are shown hereon; others may exist of which the surveyor has no knowledge and of which there is no observable evidence.
2. The property shown hereon is subject to all easements and restrictions of record both written and unwritten.
3. According to the Flood Insurance Rate Map (FIRM) for DeKalb County, Georgia, (Community-panel number 13089C0088 J, dated May 16, 2013), all of the subject property lies within Zone X, defined as "areas determined to be outside the 0.2% annual chance floodplain."
4. The locations of underground utilities shown hereon are based on visible structures and maps and/or field located markings provided by Ryken Utility Detection, LLC. and are approximate only. The property shown hereon may be served by underground utilities which are not shown hereon. Alliance makes no warranties or claims that all utilities are marked or accurate. All Utility Companies should be contacted before beginning any design or construction. Ryken's report can be provided upon request.
5. North arrow and bearings shown hereon are based on GA West Zone - NAD83 adjusted 2011. Using Global Positional System (GPS) and obtained by RTK observations on 05-04-2022 using the Leica Smartnet System. All distances are horizontal ground measurements expressed in U.S. Survey Feet.
6. The field data upon which this plat is based has a closure precision of one foot in 31,175 feet and an angular error on 10 seconds per angle point and was adjusted using the compass rule method.
7. This plat has been calculated for closure and is found to be accurate within one foot in 468,051 feet.
8. Equipment used for measurement:
   Angular: Leica TS16i Robotic Total Station
   Linear: Leica TS16i Robotic Total Station
   GPS: Leica GS18 GPS Receiver
9. 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 written certification by the surveyor naming said person, persons, or entity.
10. State, County, and Local buffers and setbacks might exist on the subject property that are not shown hereon.
11. Contours and spot elevations shown hereon are based on U.S.G.S. datum (NAVD 88), site benchmarks are shown hereon.
12. This survey is not valid without the Original Signature and Seal of a Georgia Licensed Surveyor.
13. There was no observable evidence of Human Burials or Cemeteries on Subject Property at the time of the field Survey.
14. Alliance Surveying does not warrant the existence or nonexistence of any wetlands or hazardous wastes located on the Subject Property.
15. At the time of the field survey there was no observable evidence of recent earth moving work, building construction, building additions, changes in right-of-way, or recent street and/or sidewalk repair.

PID#	PROPERTY ADDRESS	ACREAGE	OWNER
15 220 01 001	1172 LONGSHORE DRIVE	0.274	MILAM, FRANCES M.
15 220 01 023	3686 REDAN ROAD	0.569	MILAM, FRANCES M.
15 220 01 024	3694 REDAN ROAD	2.967	MILAM, FRANCES M.
15 220 01 041	3676 REDAN ROAD	0.239	MILAM, FRANCES M.

COMBINED AREA
176,318 Sq. Feet
4.048 Acres

GEORGIA PROFESSIONAL LAND SURVEYOR No. 3465 MICHAEL C. BELL

SURVEYOR CERTIFICATION

TO: Trilogy Acquisitions, LLC, a Georgia limited liability company & Chicago 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, 8, 13, 16, 17 AND 19 OF TABLE A THEREOF. THE FIELD WORK WAS COMPLETED DURING THE MONTH OF MAY OF 2022.

05/16/2022

Michael C. Bell, GA P.L.S. #3465 Date

SURVEYOR CERTIFICATION

THIS PLAT IS A RETRACEMENT 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 SUITABILITY 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.C.G.A. SECTION 15-6-67.

05/16/2022

Michael C. Bell, GA P.L.S. #3465 Date

ALLIANCE LAND SURVEYING
L.S.F. 1322
4525 SOUTH LEE STREET
BUFORD, GEORGIA 30518
678.828.9424 ∫ WWW.AEPATL.COM

LOCATED IN:
LAND LOT 220
15TH DISTRICT
DEKALB COUNTY, GEORGIA

ALTA / NSPS LAND TITLE SURVEY
REDAN ROAD TRACTS
FOR
TRILOGY ACQUISITIONS, LLC, A GEORGIA LIMITED LIABILITY COMPANY & CHICAGO TITLE INSURANCE COMPANY

ISSUE:	DATE:	DESCRIPTION
INITIAL	06/16/2022	
REV. 1		
REV. 2		
REV. 3		
REV. 4		
REV. 5		
REV. 6		
REV. 7		

DRAFTED BY: MAS
CHECKED BY: MCB
PROJECT #: 22050

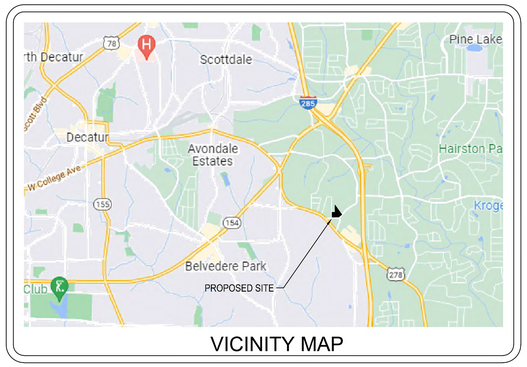
811 Know what's below. Call before you dig.

THE LOCATIONS OF EXISTING UNDERGROUND UTILITIES ARE SHOWN IN AN APPROXIMATE WAY ONLY AND HAVE NOT BEEN INDEPENDENTLY VERIFIED BY THE OWNER OR ITS REPRESENTATIVE. THE CONTRACTOR SHALL DETERMINE THE EXACT LOCATION OF ALL EXISTING UTILITIES BEFORE COMMENCING WORK, AND AGREES TO BE FULLY RESPONSIBLE FOR ANY AND ALL DAMAGES WHICH MIGHT BE OCCASIONED BY THE CONTRACTOR'S FAILURE TO EXACTLY LOCATE AND PRESERVE ANY AND ALL UNDERGROUND UTILITIES.

COPYRIGHT 2022 ALLIANCE SURVEYING LLC NO REPRODUCTION SHALL BE MADE WITHOUT THE PRIOR WRITTEN CONSENT OF ALLIANCE SURVEYING LLC

SHEET NO:
1 OF 1

File Location: /users/clayce.bell/dropbox (aep)/04-survey projects/03-projects/22050 - redan roadway/22050 - alta



VICINITY MAP

SITE DATA TABLE

JURISDICTION	DEKALB COUNTY, GA	
CURRENT ZONING		MU-4
PROPOSED ZONING		MR-1
PARCEL ID	ADDRESS	ACREAGE
15 220 01 001	1172 LONGSHORE DR	0.27
15 220 01 023	3686 REDAN RD	0.57
15 220 01 024	3694 REDAN RD	2.97
15 220 01 041	3676 REDAN RD	0.24
TOTAL ACREAGE		4.05

PARKING CALCULATIONS

TOTAL REQUIRED	1.75 SPACES PER UNIT	79 SPACES
STANDARD	9' X 18'	=77
ADA	8' X 18'	=4
TOTAL SPACES		=81

REQUESTED VARIANCES

1. MINIMUM UNIT WIDTH 14'
2. MINIMUM HEATED FLOOR AREA <1,200 SF
3. RETAINING WALLS UP TO 12' HEIGHT
4. BUFFER REDUCTIONS
   - A. REQUIRED: 30' UNDISTURBED
     PROVIDED: 15' UNDISTURBED
   - B. REQUIRED: 30' UNDISTURBED
     PROVIDED: 15' DISTURBED
   - C. REQUIRED: 50' UNDISTURBED
     PROVIDED: 20' UNDISTURBED
   - D. REQUIRED: 50' UNDISTURBED
     PROVIDED: 15' DISTURBED
   - E. REQUIRED: 50' UNDISTURBED
     PROVIDED: 15' DISTURBED

GENERAL NOTES

SEWER NOTE:
SEWER WILL BE A GRAVITY LINE AND TIE INTO THE EXISTING SEWER MANHOLE ALONG LONGSHORE DR

WATER NOTE:
EXISTING WATER LINE LOCATED ON REDAN RD AND PROVIDED BY DEKALB COUNTY

STREET LIGHT NOTE:
FIXTURES AND ILLUMINATION SHALL COMPLY WITH COUNTY STANDARDS

FEMA NOTE:
NO PORTION OF THIS PROPERTY IS LOCATED IN A FEMA FLOOD PLAIN AS PER FEMA MAP NO. 13089C0088J, DATED MAY 16, 2013

TREE PRESERVATION NOTE:
EITHER 120 INCHES (DBH) PER ACRE OR 25% OF EXISTING SIGNIFICANT TREES PER ACRE OF SUCH SIGNIFICANT TREES, WHICHEVER IS LESS, SHALL BE PRESERVED ON THE SITE

GRAPHIC SCALE
0 20' 40' 80'
(IN FEET)
SCALE: 1" = 40'

GEORGIA811
www.Georgia811.com

Bowman
Certificate of Authorization License No. LSF001241

Bowman Consulting Group Ltd
950 North Point Parkway
Suite 200
Alpharetta, GA 30005
Phone: (678) 374-6687
www.bowman.com

© Bowman Consulting Group Ltd

TRILOGY RESIDENCES
REDAN RD
DECATUR, GA

TRILOGY RESIDENCES

JD DESIGN	JD DRAWN	BG CHKD
SCALE		1" = 40'
JOB No.		120040-01-001
DATE :		June 16, 2022
FILE No.		
SHEET No.		

June 16, 2022
File Path:V:\120040 - Trilogy Redan Rd Decatur, GA\120040-01-001 (ENG) - Decatur, GA (Redan Rd)\Engineering\Plans\Exhibits\Buffer Variance Exhibit\Redan RD Buffer Variance Exhibit 1.0.dwg
THIS DOCUMENT, TOGETHER WITH THE CONCEPTS AND DESIGNS PRESENTED THEREIN, AS AN INSTRUMENT OF SERVICE, IS INTENDED ONLY FOR THE SPECIFIC PURPOSE AND CLIENT FOR WHICH IT WAS PREPARED. REUSE OF AND IMPROPER RELIANCE ON THIS DOCUMENT WITHOUT WRITTEN AUTHORIZATION AND ADAPTATION BY BOWMAN CONSULTING SHALL BE WITHOUT LIABILITY TO BOWMAN CONSULTING.

April 29, 2022

Matt Cotton
Trilogy Residences
26 Milton Avenue
Alpharetta, GA 30009
email: matt@trilogyic.com

RE: Trip Generation Study for Redan Road Tract, DeKalb County, Georgia

Dear Matt:

NV5 Engineers and Consultants, Inc. completed a trip generation study of the proposed Redan Road residential development at 3694 Redan Road in DeKalb County, Georgia. The development will consist of 45 condo units and utilize one full-access driveway along Redan Road.

The trip generation was calculated using rates and equations provided in the Institute of Transportation Engineers' (ITE) Trip Generation Manual, 11th Edition, 2021. The development is expected to generate 292 daily trips, including 18 AM peak hour trips (5 inbound and 13 outbound) and 23 PM peak hour trips (13 inbound and 10 outbound), as shown below:

Land Use	Code	Project Density	Period	Total	Inbound	Outbound
Single-Family Attached Housing	220	45 Condo Units	Daily	292	146	146
			AM	18	5	13
			PM	23	13	10

It is expected that 70% of the generated trips will travel to/from the west towards Covington Highway and the remaining 30% of the generated trips will travel to/from the east along Redan Road. The following table shows the expected breakdown of trips at the proposed driveway:

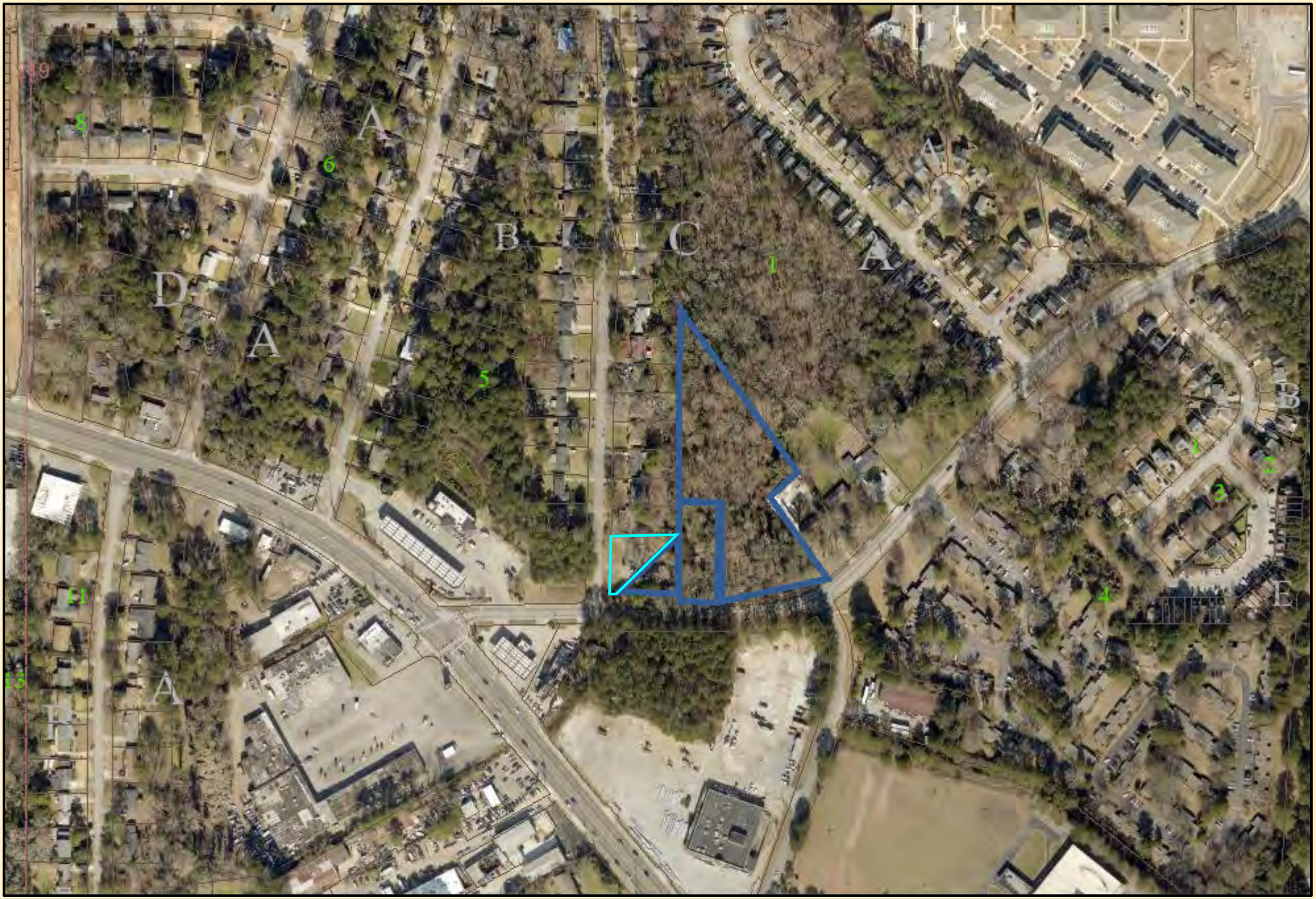
Period	Redan Road				Site Driveway	
	EBL	EBT	WBT	WBR	SBL	SBR
Daily	102	n/a[1]	n/a[1]	44	44	102
AM	4	n/a[1]	n/a[1]	1	4	9
PM	9	n/a[1]	n/a[1]	4	3	7

[1]n/a – not available

If you have any question regarding our analysis, please do not hesitate to call.

Sincerely,

Naveed Jaffar, P.E., PTOE



DeKalb County Aerial Map

0 0.0175 0.035 0.07 0.105 0.14 mi

Date Printed: 8/4/2022

N

DeKalb County GIS Disclaimer

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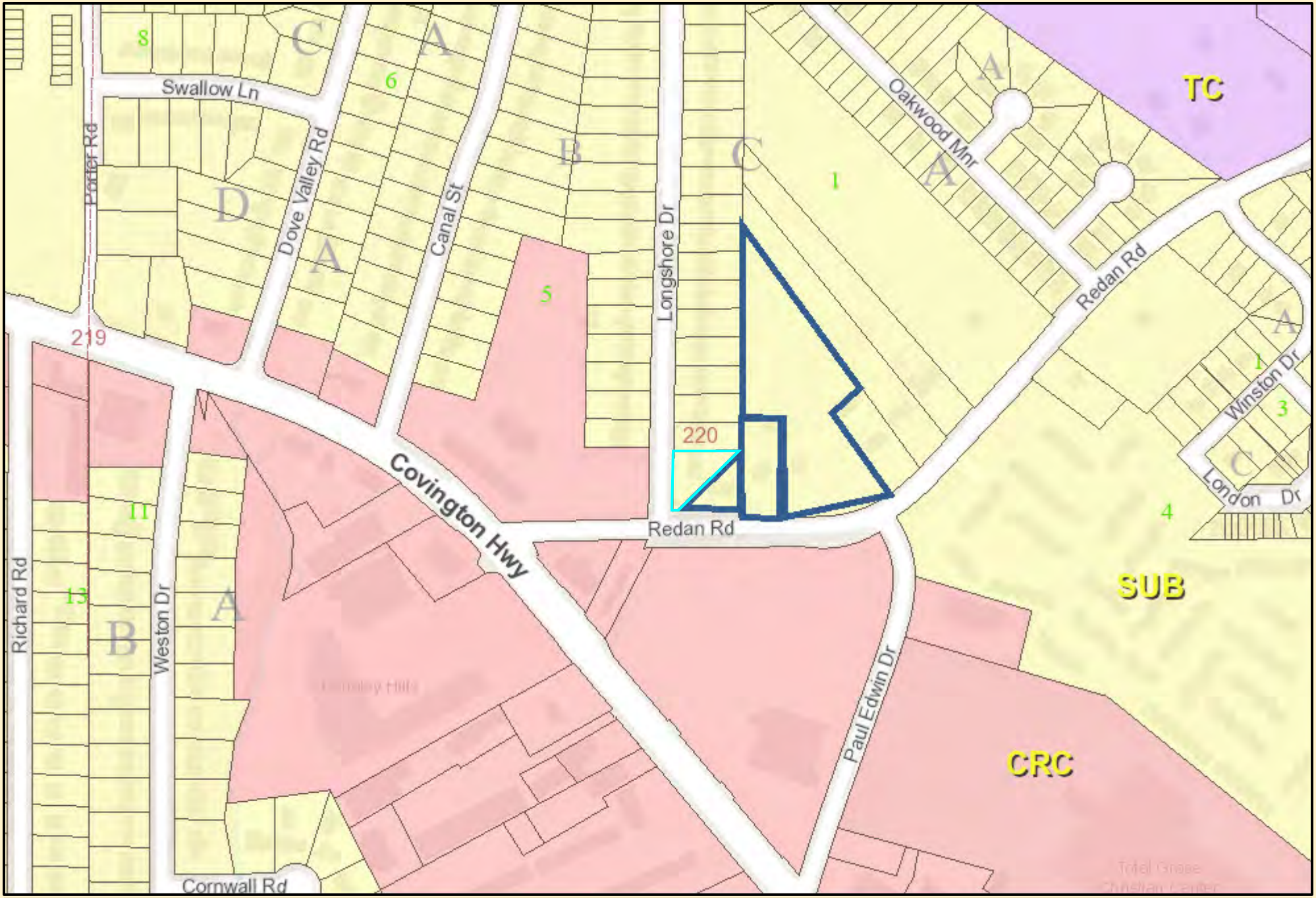

DeKalb County Land Use Map

0 0.0175 0.035 0.07 0.105 0.14 mi

Date Printed: 8/4/2022

N

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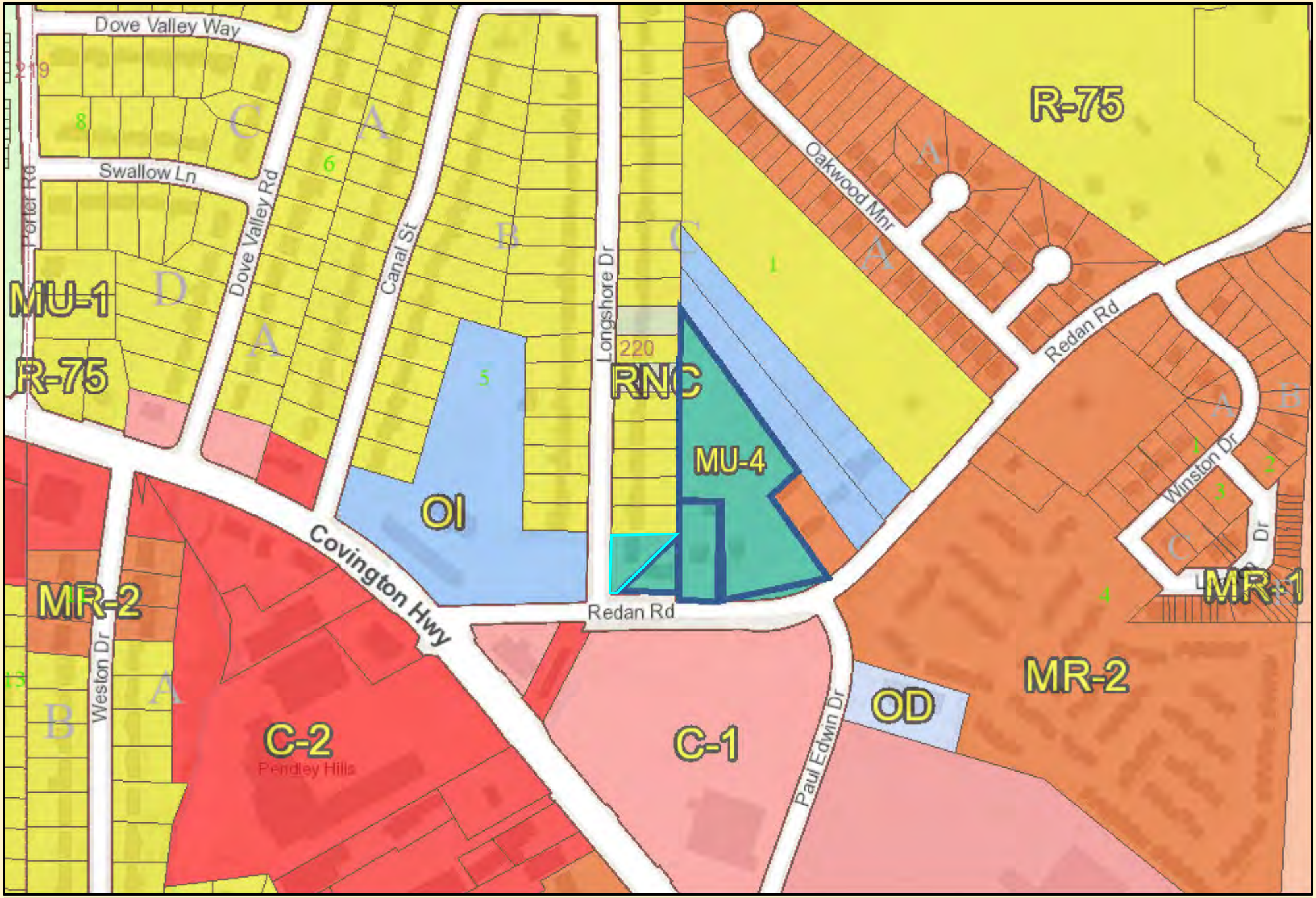

DeKalb County Zoning Map

0 0.0175 0.035 0.07 0.105 0.14 mi

Date Printed: 8/4/2022

N

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DEKALB COUNTY

BOARD OF COMMISSIONERS

ZONING AGENDA / MINUTES

MEETING DATE: April 26, 2005

ITEM NO.

HEARING TYPE	ACTION TYPE
PUBLIC HEARING	ORDINANCE

SUBJECT: **Rezone –** D.M. Martin

COMMISSION DISTRICTS: 4 & 7

DEPARTMENT: Planning	PUBLIC HEARING: YES ✓ NO
ATTACHMENT: ✓ YES ☐ No PAGES: 12	INFORMATION CONTACT: Shari Strickland/John A. Bell PHONE NUMBER: (404) 371-2155

Deferred from 1/27/05, 3/22/05, & 4/12/05 for decision only.

PURPOSE:
CZ-04-135

Application of D.M. Martin to rezone property located on the northeast corner of Redan Road and Longshore Drive from R-75 to OCR. The property has approximately 542.29 feet of frontage along Redan Road and 140 feet of frontage along Longshore Drive and contains approximately 4.0 acres. The application is conditioned on the construction of a mixed-use development consisting of thirty-nine (39) condominium (town home and live/work) units based on a site plan.

Subject Property: 15-220

RECOMMENDATION(S):

PLANNNG DEPARTMENT:

APPROVAL w/conditions: The proposed zoning amendment to the OCR District, is consistent with the character of the area. A detailed site plan has been submitted for review. The site plan contemplates a development of 23 live/work units and 16 town homes. The site plan appears to meet the requirements of the OCR District and in company with the proposed conditions should provide adequate protection to the adjoining residential areas. The current plan appears to address all of the issues raised in earlier hearings. Therefore, it is the recommendation of the Planning Department that the application be "Approved subject to the following conditions":

1. Compliance with the site plan entitled "Caymon Commons" prepared by Blue Ridge Mapping, Inc., dated March 14, 2005 and marked received by the DeKalb County Planning Department on April 5, 2005.
2. Compliance with the conditions enumerated in the document entitled "Zoning Conditions to be applied to Zoning Application Z-04-135", undated and marked received by the DeKalb County Planning Department on April 5, 2005.

PLANNING COMMISSION:
Full Cycle Deferral

COMMUNITY COUNCIL:
Deferral.

FOR USE BY COM
MISSION OFFICE/CLERK ONLY

ACTION: H7

MOTION was made by Commissioner Ellis, seconded by Commissioner Stokes, and passed 6-0-0-1, to approve per staff's recommendation with all conditions, the rezoning application of D.M Martin. Commissioner Larry Johnson was absent and not voting.

ADOPTED: MAY 1 0 2005
(DATE)

PRESIDING OFFICER
DEKALB COUNTY BOARD OF COMMISSIONERS

CERTIFIED: MAY 1 0 2005
(DATE)

CLERK,
DEKALB COUNTY BOARD
OF COMMISSIONERS

FOR USE BY CHIEF EXECUTIVE OFFICER ONLY

APPROVED: MAY 1 7 2005

CHIEF EXECUTIVE OFFICER
DEKALB COUNTY

VETOED:

CHIEF EXECUTIVE OFFICER
DEKALB COUNTY

VETO STATEMENT ATTACHED:

MINUTES:

Planning Department submitted conditions and Mr. Martin submitted the same conditions for the record.

	FOR	AGAINST	ABSTAIN	ABSENT
DISTRICT 1 - ELAINE BOYER	X			
DISTRICT 2 - GALE WALLDORFF	X			
DISTRICT 3 - LARRY JOHNSON				X
DISTRICT 4 – BURRELL ELLIS	X			
DISTRICT 5 – HANK JOHNSON	X			
DISTRICT 6 – KATHIE GANNON	X			
DISTRICT 7 – CONNIE STOKES	X			

OWNER/DEVELOPER
G.A.T. CONSTRUCTION
OWNER REPRESENTATIVE
MIKE MARTIN
575 DOUBLE SPRINGS ROAD
MONROE, GEORGIA 30655
770-267-4399

Caymon Commons

23 Live/work Units
Live area per unit 1436 sq ft
Work area per unit 500 sq ft
Total Area 1936 sq ft

1.75 parking spaces per unit required = 41 spaces

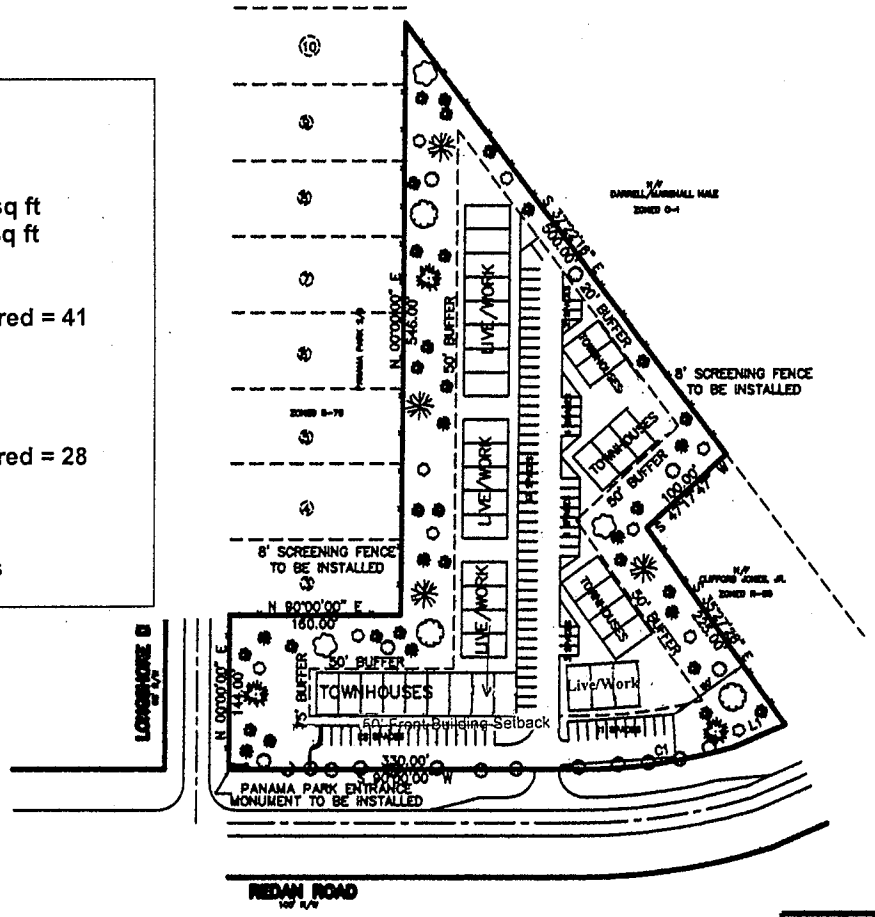
16 Townhome Units
1850 sq ft per unit
1.75 parking spaces per unit required = 28 spaces

Total spaces required = 69 spaces
Total spaces provided = 93 spaces

LINE	BEARING	DISTANCE
L1	S 64°00'00" W	51.31'

CURVE	LENGTH	RADIUS	CHORD	CHORD BEARING
C1	140.00'	600.00'	140.00'	S 36°27'49" W

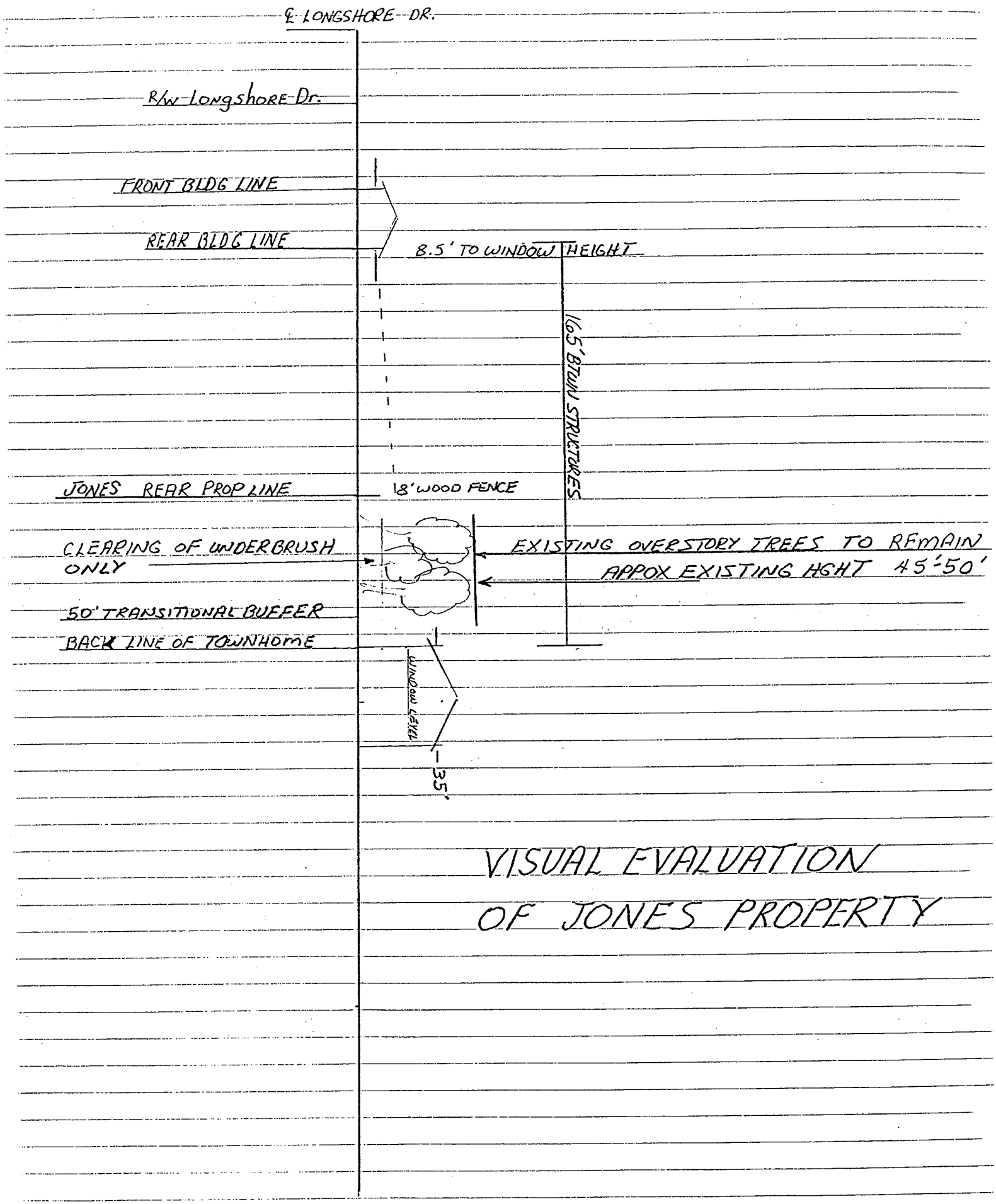
ZONING	
AREA OF SITE	3.55 ACRES
MINIMUM AREA FOR DISTRICT	2.00 ACRES
LOT REQUIREMENTS	
MINIMUM LOT AREA	2.00 ACRES
MAXIMUM LOT COVERAGE	[illegible]
MINIMUM LOT FRONTAGE	50'
MINIMUM FRONT YARD	50'
MINIMUM REAR YARD	40'
MINIMUM SIDE YARD	30'
TRANSITIONAL BUFFER	50'
MAXIMUM BUILDING HEIGHT	60'
MINIMUM BUILDING HEIGHT (RESIDENTIAL APPLICATION ONLY)	35' 2 STORIES
PROJECT AREA	
AREA OF DISTURBANCE	3.11 ACRES
MAXIMUM UNITS PER ACRE	20
PROPOSED UNITS PER ACRE	10.45
MAXIMUM NUMBER OF UNITS	110
NUMBER OF UNITS SHOWN	39
FLOOR AREA PER DWELLINGS	
MINIMUM ONE BEDROOM	650 sf
MINIMUM TWO BEDROOM	800 sf
MINIMUM THREE OR MORE BEDROOMS	1000 sf
PARKING REQUIREMENTS	
MINIMUM SPACES PER UNIT	1.75 (RESIDENTIAL) 4 PER 1000 sf OFFICE



Zoning Conditions Z-04-135	
1)	Buildings to be all brick with stucco accents
2)	Building height per county code
3)	Mandatory homeowners association with restrictive covenants
4)	Provide (construct) a lighted entrance marker to Panama Park Subdivision
5)	An 8' wood fence to be installed around the property
6)	Remove one residential unit adjacent to Longshore Drive and provide a 75' buffer along that right-of-way
7)	Provide an 80' planted separation from the parking along Redan Road to the Clifford Jones property
8)	There will be no retail/commercial units.

DATE	REVISION

CONCEPT PLAN FOR
CAYMON COMMONS
LAND LOT 230-16TH DISTRICT DEKALB COUNTY, GEORGIA
BULLARD DESIGN
1470 TWIFORD LANE
STONE MOUNTAIN, GEORGIA 30088
770-327-1666



VISUAL EVALUATION OF JONES PROPERTY

Zoning Conditions to be applied to Zoning Application Z-04-135

1) Buildings to be all brick with stucco accents
2) Building height per county code
3) Mandatory homeowners association with restrictive covenants shall include a minimum of:
    - Architectural design standards
    - Maintenance of common areas and open space
    - Aesthetic restrictions to outside storage, junk vehicles, outbuildings etc.
    - Mandatory homeowners or condo association
4) Provide (construct) a lighted entrance marker to Panama Park Subdivision
5) An 8' wood fence to be installed around the property
6) Remove one residential unit adjacent to Longshore Drive and provide a 75' buffer along that right-of-way
7) Provide an 80' planted separation from the parking along Redan Road to the Clifford Jones property
8) There will be no retail/commercial units.

As per Owner Representative
it is agreed that these items
be entered as conditions to the
approval of this rezoning.

David M Martin

Received
De[illegible]y
Plan[illegible]ent
[illegible]
Director
4/5/05
Date

Z-04-135

THE DEKALB COUNTY PLANNING DEPARTMENT

The Honorable Vernon Jones
Chief Executive Officer

Shari R. C. Strickland
Acting Director

ZONING ANALYSIS

Case No: Z-04-135 **Agenda #:** D.20

Parcel-ID: 15-220

Applicant: D.M. Martin **Commission Districts:** 4 & 7

Agent Authorized By: C & N Construction Company **Signed By:** Frances Milam

Location: Northeast corner of Redan Road and Longshore Drive.

SITE CHARACTERISTICS: _____

Adjacent Land Use: LDR, LMDR, LIC

Adjacent Zoning: R-75, RM-85, OI, C-1, C-2

Compatibility of size and configuration with development standards (sketch attached if necessary):

_____

Comprehensive Plan Recommendation:	LDR	**Acreage:**	4.0
Existing Zoning:	R-75	**Proposed Zoning:**	OCR
Est. Max Net Density/Acre:	4.3	**Est. Max Net Density/Acre:**	N/A
Estimated Max. Units:	17	**Estimated Max. Units:**	N/A

CONDITIONS REQUESTED BY APPLICANT:

The application is conditioned on the construction of a mixed-use development consisting of thirty-four (34) condominium (townhome/ livework) and commercial units.

ZONING HISTORY:

PLANNING DEPARTMENT RECOMMENDATION:
DEFERRAL: The proposed zoning amendment to the OCR District, may be consistent with the character of the area. However, a detailed site plan needs to be submitted for review before a final determination can be made. It is the recommendation of the planning department that the application be deferred for a revised site plan.

ZONING ANALYSIS

Case No: Z-04-135 **Agenda #:** N. 16

Parcel-ID: 15-220

Applicant: D.M. Martin **Commission Districts:** 4 & 7

Agent Authorized By: C & N Construction Company **Signed By:** Frances Milam

Location: Northeast corner of Redan Road and Longshore Drive.

SITE CHARACTERISTICS:

Adjacent Land Use: **LDR, LMDR, LIC**

Adjacent Zoning: R-75, RM-85, OI, C-1, C-2

Compatibility of size and configuration with development standards (sketch attached if necessary):

Comprehensive Plan Recommendation: LDR **Acreage:** 4.0

Existing Zoning: R-75 **Proposed Zoning:** OCR

Est. Max Net Density/Acre: 4.3 **Est. Max Net Density/Acre**: N/A

Estimated Max. Units: 17 **Estimated Max. Units:** N/A

CONDITIONS REQUESTED BY APPLICANT:

The application is conditioned on the construction of a mixed-use development consisting of thirty-four (34) condominium (townhome/ livework) and commercial units.

ZONING HISTORY:

PLANNING DEPARTMENT RECOMMENDATION:

APPROVAL. The proposed zoning amendment to the OCR District, may be consistent with the character of the area. However, a detailed site plan needs to be submitted for review before a final determination can be made. It is the recommendation of the planning department that the application be deferred for a revised site plan.

SITE ANALYSIS:

The project site is located on the north side of Redan Road, with 528' feet of frontage on Redan and 140' of frontage on Longshore Drive in unincorporated DeKalb County. The character of the area consists of a mixture of office, commercial, single, and multi-family residential land use. The project site is a wooded area containing four (4) single family residences. Properties adjacent and across the street include single-family dwellings in the R-75 District, multi-family dwellings in the RM-85 District, commercial unses in the C-1 District and office uses the O-I District.

PROJECT ANALYSIS:

The project applicant is requesting an Amendment to Official Zoning Map pursuant to Section 27-821 of the DeKalb County Zoning Ordinance, to rezone the project site from the R-75 (Single Family Residential) District to OCR (Office-Commercial-Residential) to construct a "mixed use development consisting of thirty-four (34) units condominium (townhome/ livework) and commercial units.

ZONING ANALYSIS:

The project applicant submitted a concept plan depicting the proposed construction of eighteen (18) condominium townhome unit, approximately sixteen (16) live/work condominium style townhome units for a total of thirty-four (34) townhome units along commercial uses. The conceptual plan depicts a fifty (50) foot wide transitional buffer around the entire site. It should be noted that the transitional buffer is only required along the north and west property, adjacent to the R-75 zoned property.

Additional information is needed regarding does not provide sufficient information relating to the square footage of the commercial floor area. A detailed site plan is needed before a final determination can be made whether the site plan The applicant has not submitted a site plan. He has submitted a "concept plan," but it may not be considered a site plan because it has not been signed and sealed by an architect, landscape architect, or engineer as required by code section 27-827.

Based on the information submitted it appears that the proposal may the requirements of the OCR district, however, there is not sufficient information to determine if the commercial parking requirements will be met. However, a detailed site plan needs to be submitted for review before a final determination can be made.

LAND USE PLAN CONSISTENCY:

It should be noted that a companion Land Use Plan Amendment application has also been filed on the site to change the land use plan from LDR (Low Density Residential) to the OPR (Office Professional) District (Case No: LP-04-91).

COUNTY DEPARTMENTS/ DIVISION COMMENTS OR RECOMMENDATIONS:

Water and Sewer:

No information was submitted at the writing of this report.

Transportation:

No information was submitted at the writing of this report.

Schools:

No information was submitted at the writing of this report.

Section 27-832 of the Zoning Ordinance, "Standards and factors governing review of proposed amendment to official zoning map" states that the following standards and factors are found to be relevant to the exercise of the county's zoning powers and shall govern the review of all proposed amendments to the zoning maps:

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

The zoning proposal would be in conformity with the policy and intent of the comprehensive plan subject to approval of the companion land use plan amendment application (LP-04-71) to change the land use plan from LDR (Low Density Residential) to the OPR (Office Professional) District.

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

The zoning proposal would permit a use that is suitable in view of the uses and development of adjacent and nearby properties. However, a detailed site plan needs to be submitted for review before a final determination can be made.

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

Based on the submitted information it does not appears possible for the zoning analysis staff to determine whether the property has a reasonable economics use as currently zoned. However, the project site is located within the Kensington Station LCI which recommends mixed-use for the project site and area.

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

Based on the submitted information it does not appear that the zoning proposal would adversely affect the existing use or usability of adjacent or nearby property. However, a detailed site plan needs to be submitted for review before a final determination can be made.

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

Based on the submitted information it is not possible for the zoning staff to determine whether the property to be affected by the zoning proposal has a reasonable economic use as currently**.**

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

There do not appear to be other existing or changing conditions affecting the use and development of the property, which give supporting grounds for either approval or disapproval of the zoning proposal.

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

Based on the submitted information it does not appear that the project proposal would not adversely affect historic buildings, sites, or archaeological resources.

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

Based on the submitted information, it does not appear that the zoning proposal would result in a use which would could cause an excessive or burdensome use of existing streets, transportation facilities, utilities or schools.

PLANNING DEPARTMENT RECOMMENDATION:

APPROVAL. The proposed zoning amendment to the OCR District, may be consistent with the character of the area. However, a detailed site plan needs to be submitted for review before a final determination can be made. It is the recommendation of the planning department that the application be deferred for a revised site plan.

Application of Frances M Milam & C & N Construction Company
To Rezone:
1172 Longshore Drive
3676 Redan Road
3686 Redan Road
3694 Redan Road

From R-75 to OCR

Section 27-382 Declaration

A. Whether the zoning proposal is in conformity with the policy and intent of the Comprehensive Land Use Plan.

The request for revision has been filed. Approval of said request will allow the proposal to be in conformity with the Comprehensive Land Use Plan for the area as will be evidenced by the approval of the DeKalb County Board of Commissioners approval of the requested rezoning from R-75 to OCR to allow construction of an office, commercial and residential mixed use facility.

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

The proposed use as a mixed-use facility provides a transition between the residential properties to the north, north west and east of subject property which are zoned R-75 and will enhance the properties to the west and south which are currently zoned O-I and C-1.

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

The property is currently zoned R-75. The developments planned will certainly enhance its economic use. The purpose of this application is to provide the opportunity to file a site plan which accomplishes the economic objectives of the project.

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

No adverse affects on the usability of nearby properties is envisaged.

Application of Frances M Milam & C & N Construction Company
To Rezone:
1172 Longshore Drive
3676 Redan Road
3686 Redan Road
3694 Redan Road

From R-75 to OCR

Section 27-382 Declaration

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

i) Working residents welcome the additional services and "live/work" housing options this development will provide.

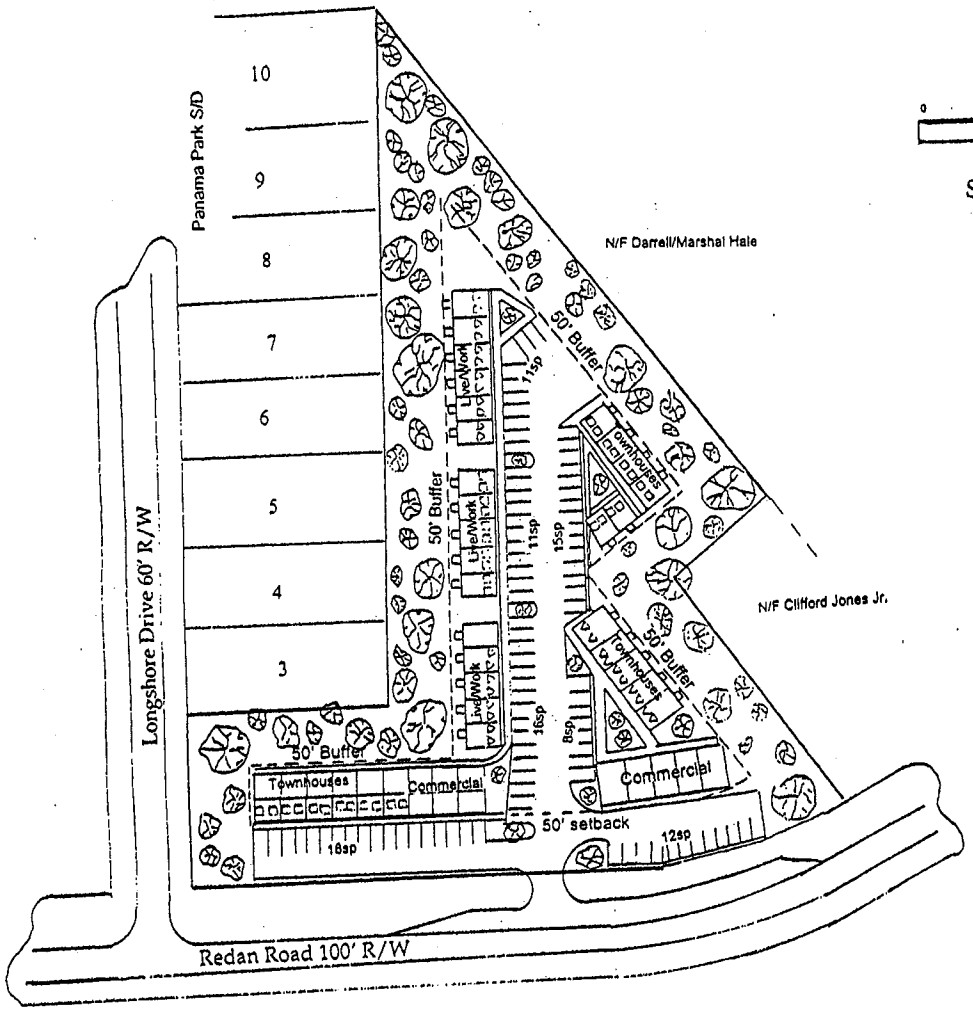
ii) Older residents who wish to stay in the area appreciate the "one level living" which the condominium apartments will provide.

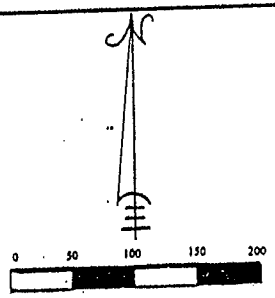
F. Whether the zoning proposal will adversely affect historic buildings, sites, districts or archaeological resources.

We are not aware of any historic buildings, sites, districts or archaeological resources which will be endangered or adversely affected by the proposed zoning.

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

This is a relatively small development of 34 units intended for compact families. There should therefore be no significant impact on existing facilities.





Scale 1" = 100'

Concept Plan For C & N Construction

CAYMON COMMONS

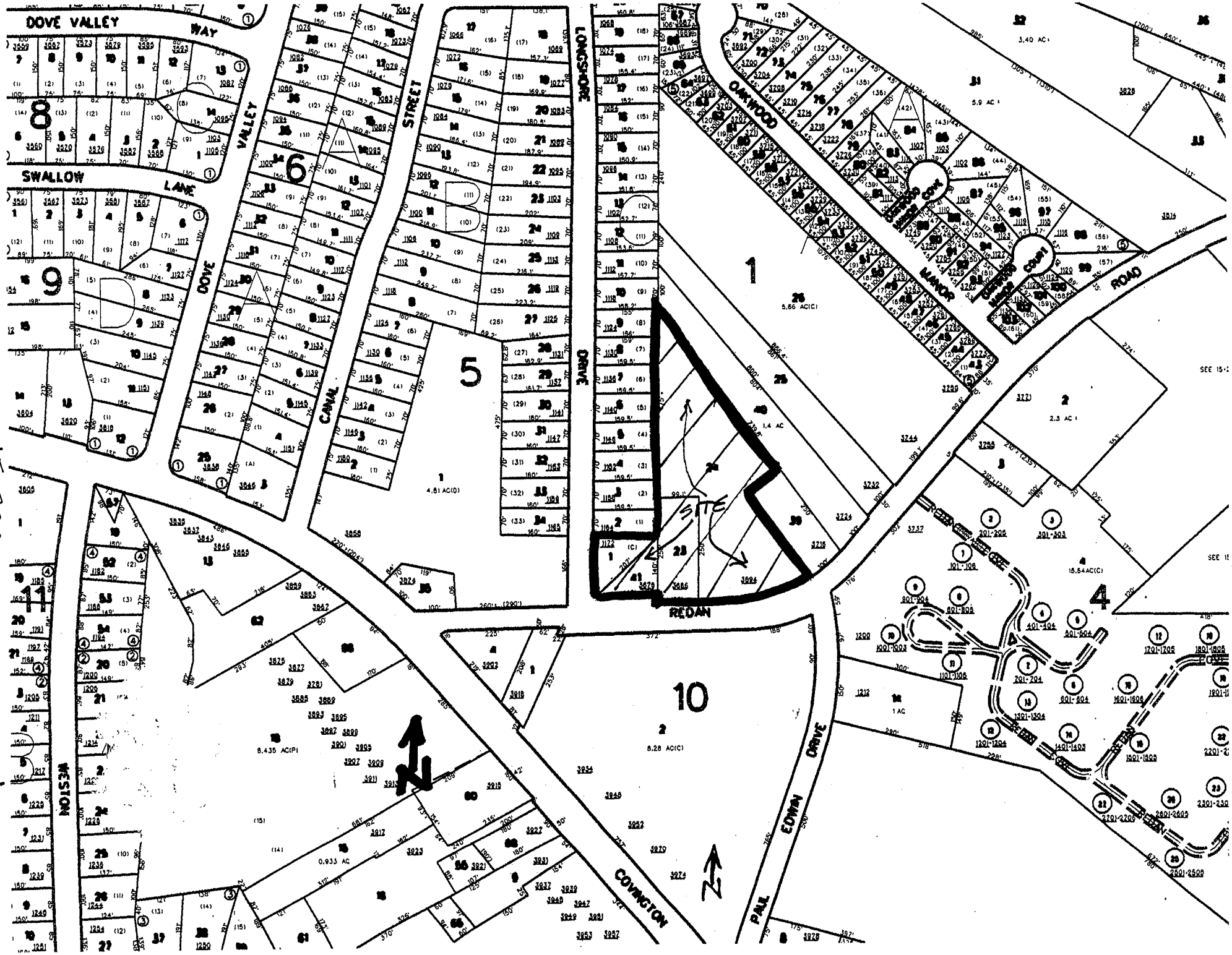
OCR (Office Commercial Residential)

TOWNHOMES/LIVING SPACE
*8 UNITS TWO BEDROOM, 1.5/2 BATH
*10 UNITS THREE BEDROOM, 2.5 BATH
TOTAL 18 UNITS
Parking provided: 2.3 spaces/unit

LIVE/WORK
*5 UNITS TWO BEDROOM, 2.5 BATH
*11 UNITS THREE BEDROOM, 2.5 BATH
TOTAL 16 UNITS
Parking provided 2.3 spaces/unit

COMMERCIAL
7 UNITS

TOTAL PARKING: 91 SPACES



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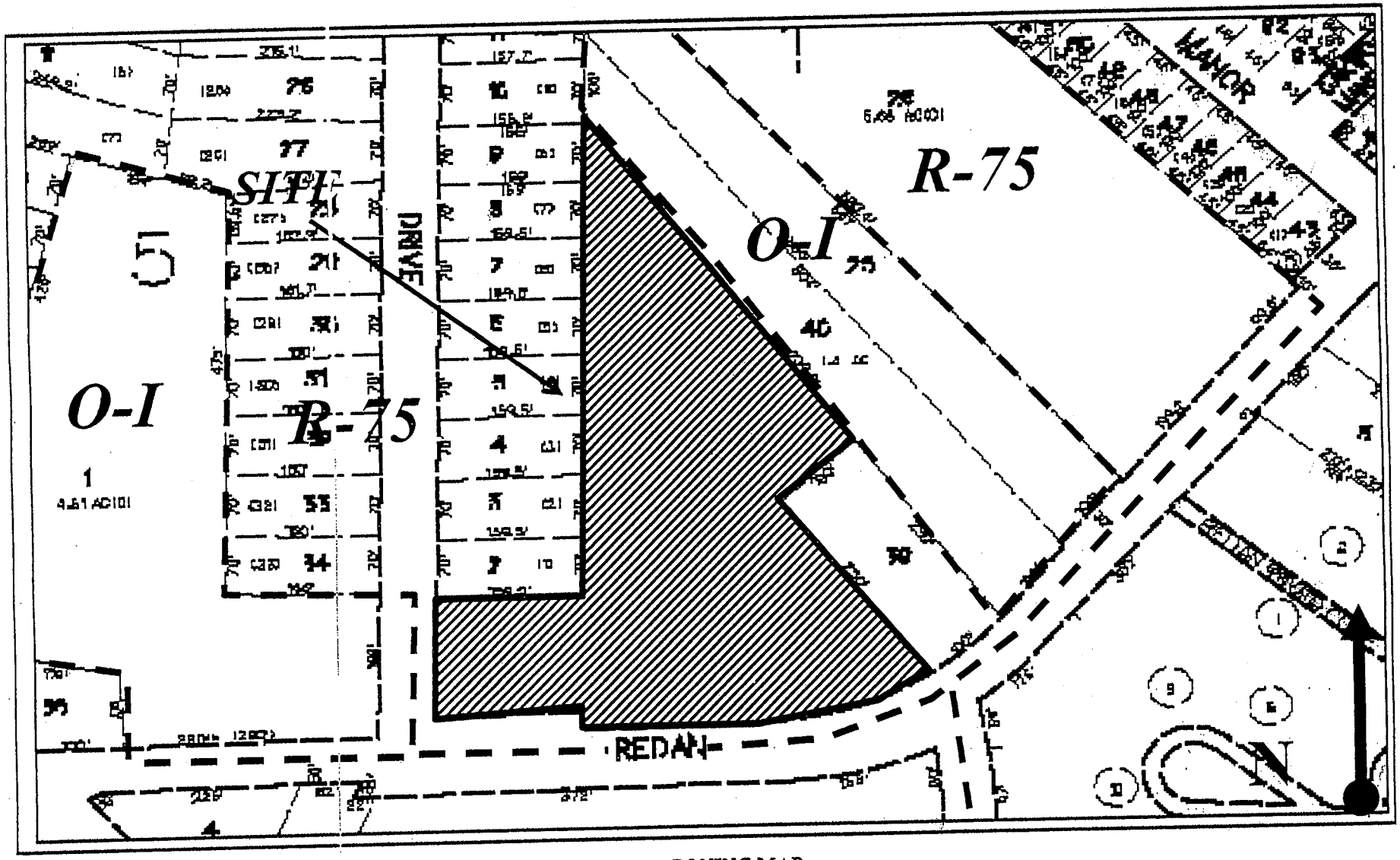

ZONING MAP

APPLICATION NO: CZ-04-135

PROJECT APPLICANT: D.M. MARTIN

REQUEST: R-75 TO OCR

PARCEL ID: 15-220