



## **DeKalb County Department of Planning & Sustainability**

178 Sams Street, Decatur, GA 30030 - (404) 371-2155

[Planning and Sustainability | DeKalb County GA](#)

**Planning Commission Sketch Plat Hearing Date: March 15, 2023, 6:00 P.M**

### **Variance Application**

### **STAFF ANALYSIS**

**Case No.:** A-23-1246326 **Agenda #:** N2

**Commission District:** 2 **Super District:** 6

**Location/Address:** 1260 Briarcliff Road, Atlanta, Georgia 30306

**Parcel ID(s):** 18 055 02 020

**Request:** Variance from Sec. 14-200 to reduce the minimum number of access points from four (4) to three (3) for a senior housing residential development over 300 units.

**Property Owner(s):** Emory University

**Applicant/Agent:** Chuck Palmer (Galerie Living)

**Acreage:** 41.62 acres

**Existing Land Use:** Institutional

**Request:** Variance from the requirements of Chapter 14-200 to decrease the number of provided access point from 4 to 3 for a residential development with more than 300 dwelling units.

### **SUBJECT PROPERTY & ZONING HISTORY**

A request for a Special Land Use Permit (SLUP) to allow senior housing in an OI (Office Institutional) Zoning District and to increase the height of a building to over 70 feet was approved by the Board of Commissioners on November 8, 2022 (SLUP-22-1245880).

In addition to the underlying zoning, the property is located in the Druid Hills Historic District. The historic Candler Mansion and an Emory University library facility will also continue to occupy the site.

### **PROJECT DESCRIPTION**

The applicants, Galerie Living, propose a maximum of 498 independent living, assisted living, and/or memory care units. A total of seven (7) multi-story buildings are proposed along with single-family cottages as shown on the Site Plan submitted with the application. The proposed use is consistent with the purpose of the OI Zoning District to “provide locations for the development of cultural, recreational, educational and health service facilities” for residents within the County and the Traditional Neighborhood (TN) future land use map designation. The proposed plans are compatible with the Druid Hills Historic District design guidelines. Multi-unit structures are located along Briarcliff Road and in the center of the property, while the one- and two-story cottages are located so as to provide an adequate transition from lower to higher density, including for existing single-family dwellings adjacent to the subject property.

The original SLUP request was approved by the Board of Commissioners with nine (9) zoning conditions, two (2) of which pertain to vehicle access points. Per Sec. 14-200 of the *Land Development Code*, a minimum of four (4)

vehicular access points shall be provided for any residential development over 300 units. Two “primary” access points are provided for the development along Briarcliff Road, while a third access point (Controlled Entrance #3 on the Site Plan) is provided as a gated entrance for residents only along University Drive. A fourth access point (Controlled Entrance #4) is shown as only allowing for emergency vehicles. The exclusion of this access point was acknowledged and supported by the Board and staff during the public hearing process, so that Condition #4 reads:

**“Unless eliminated by a variance granted by the DeKalb County Planning Commission, the first entrance located off University Drive closest to Briarcliff Road (referred to as the “4th Entrance”) shall be used for emergency vehicle access only.”**

**Sec. 14-64. - Power and duty of planning commission to hear variances, criteria to be used in deciding variances, and appeals.**

- (a) The planning commission shall hear and decide applications for variances from the strict application of Division 3 of Article III of this Chapter 14, known as the subdivision regulations of DeKalb County, where strict application of any regulation enacted in Division 3 of Article III would result in exceptional and undue hardship to the owner of such property. These regulations provide the minimum necessary requirements for subdivisions in DeKalb County; thus, variances from the requirements of Division 3 of Article III shall be authorized only upon the planning commission making all of the following findings:

**(1) By reason of the shape or topographical conditions of a parcel of property which were not created by the owner or applicant, the strict application of Division 3 of Article III would deprive the property owner of rights and privileges enjoyed by other similarly situated property owners in the same zoning district;**

The portion of University Drive that abuts the subject property to the west of the currently proposed access points has several rises and drops in topography, an extremely narrow right-of-way width, and several abrupt curves that include a safety guardrail, which together makes it an adverse choice to provide for vehicular access, especially emergency vehicles. No single-family dwellings front this section of University Drive. Additionally, the ~42-acre parcel only has road frontages or access on two short sides- along Briarcliff Road and along University Avenue. This limits the options for access points. Therefore, it appears there are exceptional topographic and shape conditions of the parcel that are unique to the subject property.

**(2) By reason of the shape or topographical conditions of a parcel of property which were not created by the owner or applicant, there is no opportunity for development under any design configuration allowed by these subdivision regulations unless a variance is granted;**

Due to the aforementioned issues with University Drive and the parcel’s shape, there is no alternative placement of the proposed access points that would not adversely affect the public welfare, and it would not be advisable for emergency vehicles to access the development from University Drive.

**(3) The requested variance does not go beyond the minimum necessary to afford relief, and does not constitute the grant of a special privilege inconsistent with the limitations upon other property owners in the zoning district in which the subject property is located;**

A gated controlled access point for residents will still be provided on University Drive and two additional access points are provided along Briarcliff Road. Furthermore, due to the specific use of the property for senior housing with a mixture of independent living, assisted living, and/or memory care units, the standard number of access points may be unnecessary and the reduction of access points from 4 to 3 may be the minimum necessary to afford relief.

**(4) The requested variance will not be materially detrimental to the public welfare or injurious to the property or improvements in the zoning district in which the subject property is located; and**

The elimination of Controlled Entrance #4 and the redirection of emergency vehicles to access the development off of Briarcliff Road would not be materially detrimental to the public welfare and would be a safer alternative than the currently proposed access point.

**(5) The requested variance will not in any manner vary the provisions of Chapter 27, the DeKalb County Comprehensive Plan or the zoning map of DeKalb County.**

Approval of the requested variance would not conflict with the *Comprehensive Plan* or Zoning map. It would support the Comprehensive Plans' goals of increasing opportunities for residents to age in place through the addition of senior housing (page 18).

**STAFF RECOMMENDATION: Approval**

Due to the topographic and shape constraints provided by the subject parcel, the potentially unsafe conditions posed by University Avenue, and the Comprehensive Plan's goal to increase the availability of senior housing, staff recommends approval of this application for a variance from Chapter 14-200, to decrease the number of access points from 4 to 3.

**Charles F. Palmer**

Charles.Palmer@troutman.com

December 5, 2022

**VIA EMAIL**

Rachel Bragg, Zoning Administrator  
DeKalb County Department of Planning & Sustainability  
178 Sams Street  
Decatur, Georgia 30030

**Re: Planning Commission Variance Application for 1260 Briarcliff Road (the  
"Property")**

Dear Ms. Bragg:

On behalf of Galerie Living ("Galerie") and Emory University ("Emory"), I am pleased to submit the attached Planning Commission Variance Application for the above-referenced Property to allow for the elimination of the first entrance located off University Drive consistent with the conditions of zoning approved by the DeKalb County Board of Commissioners in connection with the Special Use Permit approved on November 8, 2022 (SLUP – 22 – 1245880) (the "SLUP").

Included with this letter of intent are the following materials:

- A. A Planning Commission Variance Application;
- B. A copy of the Conceptual Site Plan;
- C. A Survey and Legal Description; and
- D. A copy of the November 8, 2022 conditions of zoning adopted by the DeKalb County Board of Commissioners.

On November 8, 2022, the DeKalb County Board of Commissioners approved the SLUP to allow for the operation of a Senior Housing facility on the Property (the "Project"). The Board of Commissioners conditioned the SLUP approval on the Conceptual Site Plan attached to this application. Additionally, consistent with the conditions of zoning adopted as part of the SLUP approval, the Board of Commissioners stated its desire to have the first University Drive entrance (the driveway closest to Briarcliff Road labeled as "Controlled Entrance #4" on the

Conceptual Site Plan) eliminated to reduce the number of ingress/egress points along University Drive. Condition #4 of the attached approved conditions of zoning pertains to the elimination of Controlled Entrance #4.

Accordingly, Galerie now seeks approval by the Planning Commission to reduce the minimum site access points required under Section 14-200 of the Code of Ordinances to allow for the elimination of the first University Drive entrance. As shown on the attached Conceptual Site Plan, if the first University Drive entrance labeled as "Controlled Entrance #4" is removed, the Project will include two primary entrances along Briarcliff Road and a gated, resident-only entrance along University Drive. The Code of Ordinances allows for the Planning Commission to consider such a variance request in light of the following criteria:

1. **By reason of the shape or topographical conditions of a parcel of property which were not created by the owner or applicant, the strict application of Division 3 of Article III would deprive the property owner of rights and privileges enjoyed by other similarly situated property owners in the same zoning district.**

Given the proposed Senior Housing facility use and the Property's double frontage along University Drive and Briarcliff Road, two driveways along University Drive are not needed and are not desired by the DeKalb County Board of Commissioners and neighbors along University Drive. The strict application of the County's driveway minimums would prevent Galerie from utilizing the Property in the most safe and efficient manner. Importantly, most of the senior residents do not have cars.

2. ***By reason of the shape or topographical conditions of a parcel of property which were not created by the owner or applicant, there is no opportunity for development under any design configuration allowed by these subdivision regulations unless a variance is granted.***

The elimination of the one driveway on University Drive will allow Galerie to construct and operate the proposed Senior Housing facility in the safest and most efficient manner, consistent with the desires of the DeKalb County Board of Commissioners and neighbors along University Drive.

3. ***The requested variance does not go beyond the minimum necessary to afford relief, and does not constitute the grant of a special privilege inconsistent with the limitations upon other property owners in the zoning district in which the subject property is located.***

The requested reduction in the number of driveways is not inconsistent with the limitations on other property owners. Instead, the requested driveway elimination is consistent with the November 8, 2022 SLUP approval and will allow Galerie to construct and operate the Property in a safe and efficient manner.

4. ***The requested variance will not be materially detrimental to the public welfare or injurious to the property or improvements in the zoning district in which the subject property is located.***

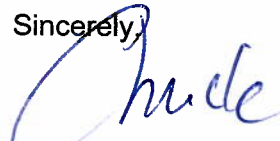
The requested reduction in the total number of driveways will not be detrimental to the public welfare. To the contrary, the provision of a single gated, resident-only entrance point off University Drive is consistent with the desires of the County and neighbors and will allow for the most efficient and safe operation of the site.

5. ***The requested variance will not in any manner vary the provisions of Chapter 27, the DeKalb County Comprehensive Plan or the zoning map of DeKalb County.***

The requested variance will have no impact on the County Comprehensive Plan or zoning map.

Please feel free to contact me should you have any questions or require any additional information. Thank you for your assistance and cooperation on this exciting project.

Sincerely,



Charles F. Palmer

Attachments

cc: Ms. Kelly Panter, Galerie Living (via email)  
Mr. Fergal Brady, Galerie Living (via email)  
Mr. Tim Gary, Galerie Living (via email)  
Mr. David Payne, Emory (via email)

## EXHIBIT A



DeKalb County Department of Planning & Sustainability

Hon. Michael Thurmond  
Chief Executive Officer

Andrew Baker, AICP,  
Director

**PLANNING COMMISSION VARIANCE APPLICATION FOR PUBLIC HEARING  
(VARIANCES FROM CHAPTER 14: III Subdivisions)**

Applicant and/or  
Authorized Representative Chuck Palmer, on behalf of Galerie Living

Mailing Address: 600 Peachtree Street, Suite 3000

City/State/Zip Code: Atlanta, GA 30308

Email: Charles.Palmer@troutman.com

Telephone Home: \_\_\_\_\_ Business: 404-885-3402

**OWNER OF RECORD OF SUBJECT PROPERTY**

Owner: Emory University

Address (Mailing): 201 Dowman Drive, Atlanta, GA 30322

Email: David.Payne@emory.edu

Telephone Home: \_\_\_\_\_ Business: 404-727-0996

**ADDRESS/LOCATION OF SUBJECT PROPERTY**

Address: 1260 Briarcliff Road City: Atlanta State: GA Zip: 30306

District(s): 2 Land Lot(s): \_\_\_\_\_ Block: \_\_\_\_\_ Parcel: 18 055 02 050

Zoning Classification: O-1 Commission District & Super District: 2 & 6

Variance Requested:

Variance to reduce entrance off of University Drive (entrance closest to Briarcliff Road) consistent with

Board of Commissioners Special Use Permit approval on November 8, 2022 (SLUP - 22 - 1245880)

**TO BE COMPLETED BY PLANNING AND SUSTAINABILITY DEPARTMENT:**

Date Received: \_\_\_\_\_

Fee Paid: \_\_\_\_\_



## AUTHORIZATION OF THE PROPERTY OWNER

I hereby authorize DeKalb County staff and members of the Planning Commission to inspect the premises of the Subject Property

I hereby certify that the information provided in the application is true and correct.

I hereby certify that I am the owner of the property subject to the application.

DATE: Nov 29, 2022

Applicant:   
Signature Sara Lu, on behalf of Emory University

DATE: \_\_\_\_\_

Applicant: \_\_\_\_\_  
Signature \_\_\_\_\_



### AUTHORIZATION TO REPRESENT THE PROPERTY OWNER

I hereby certify that the information provided in the application is true and correct.

I hereby certify that I am the owner of the property and that I authorize the applicant/agent to apply for a hearing to the Planning Commission for the requests as shown in this application.

DATE: 12/1/2022

Applicant/Agent:   
Signature

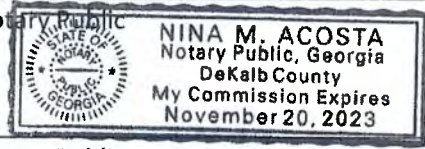
TO WHOM IT MAY CONCERN:

(I)/ (WE) Sara Lu, on behalf of Emory University  
(Name of Owners)

being (owner/owners) of the property described below or attached hereby delegate authority to:  
Galerie Living and Troutman Pepper Hamilton Sanders LLP

  
Notary Public

  
Owner

Notary Public  
  
Notary Public

Owner

Owner

## Filing Guidelines for Applications to Vary from the

### 1. Order of Submitted Materials:

- a. Application Form
- b. Signatures and authorization (including permission to go on property)
- c. Letter of Intent
- d. Surveys, site plans.
- e. Other relevant materials (e.g. photographs, letters of support, citation, etc.)

### 2. Application Materials:

- a. **Submit one (1) digital copy of the completed application and materials to [plansustain@dekalbcountyga.gov](mailto:plansustain@dekalbcountyga.gov) and [awchappell@dekalbcountyga.gov](mailto:awchappell@dekalbcountyga.gov)**
- b. **DO NOT USE E-permitting services (Project Dox).**
- c. Applications must be submitted in complete, collated packets.
- d. Variance applications should be submitted along with the Sketch Plat Application. If no Sketch Plat is required, please contact Adam Chappell, Senior Planner: [awchappell@dekalbcountyga.gov](mailto:awchappell@dekalbcountyga.gov)

### 3. Surveys and site plans of the Subject Property:

- a. Must be stamped by a professional engineer or surveyor, registered in the State of Georgia.
- b. All plans and surveys must include the following information:
  1. Must show all property lines with dimensions.
  2. Must show the location of all existing and proposed buildings, structures, parking and setbacks (their relationship to the property boundaries).
  3. Must show any other features related to the request such as trees, fences, topography, streams, etc.
  4. Must be to-scale
  5. Must show lot area and lot coverage (impervious materials, including paving and structures).
  6. Larger and small scale plans (8½ x 11) are generally required.
  7. If property is not located in a platted subdivision, a legal description must be included.

### 4. Letter of Intent:

- a. A typed statement indicating the request and clarifying justification for the proposal based on the criteria as indicated in Section 14-63 of the Land Development Code (see attached information).
- b. Reference the section of the code you are requesting to vary and the amount of requested change, (such as to reduce the rear yard setback from forty (40) feet to twenty (20) feet to construct an addition).

### 5. Authorization:

- a. If property owner is different from the applicant, the form to authorize the application must be signed by the owner and stamped by a notary.
- b. If property is owned by more than one property owner, all property owners must authorize the request.
- c. Authorize staff and members of the Planning Commission to go on the property for site analysis and to post signs.

### 6.



## LETTER OF INTENT

**Please address the following criteria as appropriate:**

**Sec. 14-64 Power and duty of planning commission to hear variances, criteria to be used in deciding variances, and appeals**

(a)The planning commission shall hear and decide applications for variances from the strict application of Division 3 of Article III of this Chapter 14, known as the subdivision regulations of DeKalb County, where strict application of any regulation enacted in Division 3 of Article III would result in exceptional and undue hardship to the owner of such property. These regulations provide the minimum necessary requirements for subdivisions in DeKalb County; thus, variances from the requirements of Division 3 of Article III shall be authorized only upon the planning commission making all of the following findings::

(1)By reason of the shape or topographical conditions of a parcel of property which were not created by the owner or applicant, the strict application of Division 3 of Article III would deprive the property owner of rights and privileges enjoyed by other similarly situated property owners in the same zoning district;

(2)By reason of the shape or topographical conditions of a parcel of property which were not created by the owner or applicant, there is no opportunity for development under any design configuration allowed by these subdivision regulations unless a variance is granted;

(3)The requested variance does not go beyond the minimum necessary to afford relief, and does not constitute the grant of a special privilege inconsistent with the limitations upon other property owners in the zoning district in which the subject property is located;

(4)The requested variance will not be materially detrimental to the public welfare or injurious to the property or improvements in the zoning district in which the subject property is located; and

(5)The requested variance will not in any manner vary the provisions of Chapter 27, the DeKalb County Comprehensive Plan or the zoning map of DeKalb County.

(b)No variance shall be granted by the planning commission to:

(1)Allow any variance which conflicts with or changes any requirement enacted as a condition of zoning or of a special land use permit by the board of commissioners;

(2)Increase the density allowed on the property; or

(3)Vary the requirements set forth in sections 14-256 through 14-260.

(c) Applications for variances must be submitted in writing to the planning director along with the application for sketch plat approval or if a variance becomes necessary after the planning commission has approved the sketch plat, within thirty (30) days of discovery of the condition(s) requiring such a variance from the preliminary plat. Applications shall contain all those materials and documents required by the planning director or the development director that are necessary to demonstrate the necessity for the variance and compliance with the requirements of this Code. At a minimum, the variance application must contain a full explanation of the reasons for the variance and must include a plat that shows the proposed subdivision designed without the variance and a plat that shows the proposed subdivision designed with the variance.

(d) When the variance application is first considered by the planning commission, the development director and the planning director shall provide the planning commission with written findings of fact and a recommendation for approval or disapproval of the variance.

(e) Applications for variances that accompany the application for sketch plat approval shall be heard by the planning commission contemporaneously with the public hearing on the sketch plat.

(f) Applications for variances from the preliminary plat shall be heard at a public hearing by the planning commission at the next meeting of the planning commission held after the filing of a complete application for variance from the preliminary plat. All land development activity associated with a proposed variance from a preliminary plat shall cease until a final decision on the variance is made by the planning commission. Land development activity that is not related to the proposed variance may continue unabated.

(g) All decisions by the planning commission approving or disapproving a variance must be issued in writing and must provide the grounds for the decision of the planning commission. The planning commission shall issue a final decision on a variance submitted with the application for a sketch plat at the same time that it issues the final decision approving or disapproving the sketch plat. The planning commission shall issue a final decision on a variance from the preliminary plat within fifty (50) days after the first meeting at which the planning commission considers the variance. If a final decision is not made on a subdivision plat variance in accordance with the time constraints set forth in this section, the variance shall stand disapproved.

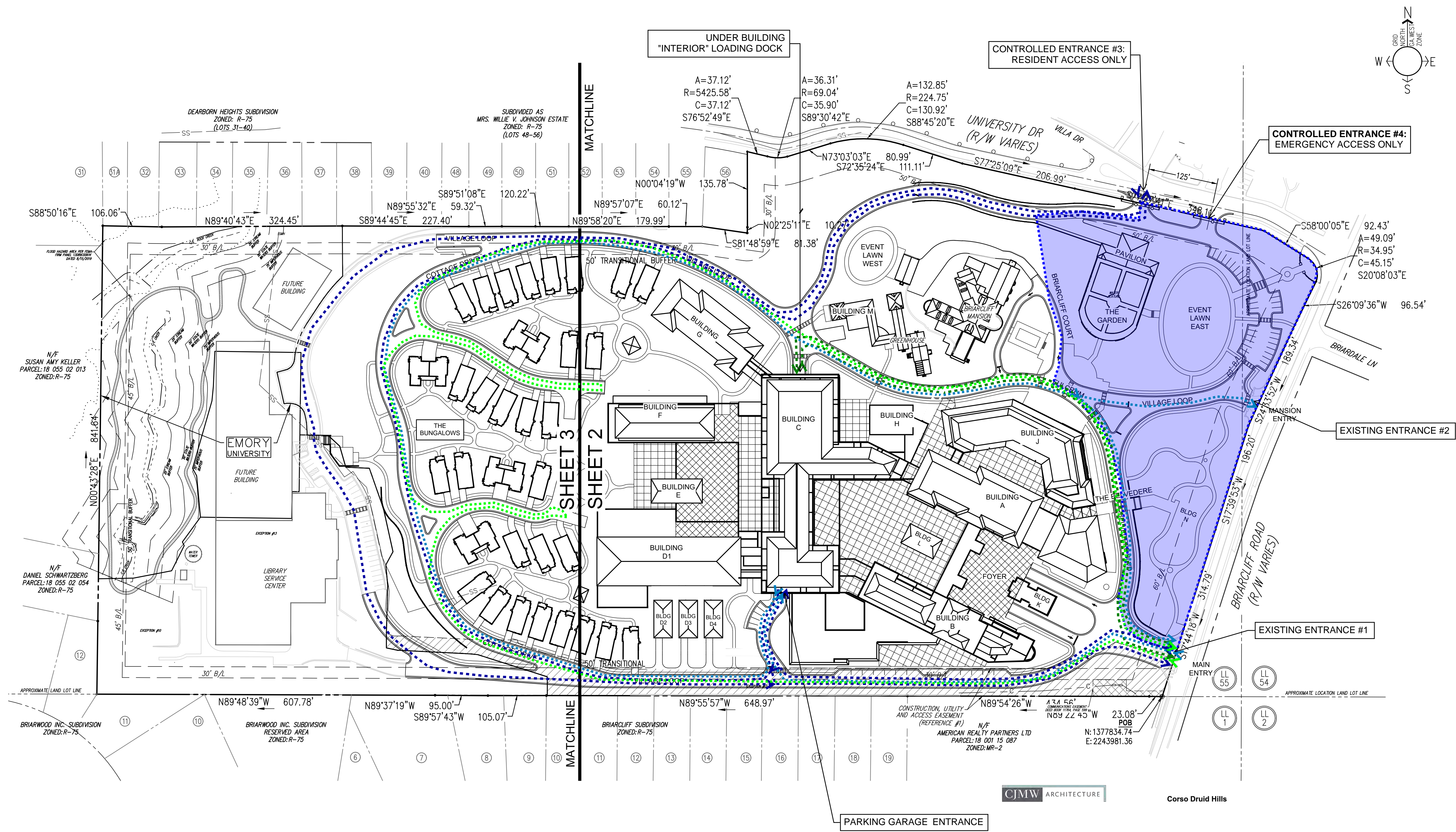
(h) Appeals of variances that accompany applications for sketch plat approval shall be made by writ of certiorari to the superior court of DeKalb County. Any person or entity (i.e., an owner, applicant, adjoining neighbor or a neighbor whose property line is within one thousand five hundred (1,500) feet of the nearest property line of the proposed subdivision) aggrieved by a variance decision of the planning commission affecting a preliminary plat, may appeal such decision by filing a petition for writ of certiorari to the superior court of DeKalb County.

## EXHIBIT B



**LEGEND**

- RESIDENT TRAFFIC
- SERVICE & DELIVERY TRAFFIC
- STAFF TRAFFIC
- RESIDENT SERVICES
- PUBLIC ACCESS AREA



ARTIST'S CONCEPTUAL SKETCH  
NOT FOR CONSTRUCTION  
23 JUNE 2022

# CORSO DRUID HILLS

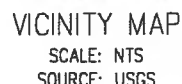
ATLANTA, GEORGIA

GALERIE  
LIVING



## EXHIBIT C





#### SURVEY REFERENCES

- ALTA/ACLSA LAND TITLE SURVEY FOR EMORY UNIVERSITY, PREPARED BY TRANS FRONT AND ASSOCIATES, INC. AND LAST REVISED NOVEMBER 03, 2014.
- GENERAL NOTES**
1. IPS (IRON PIN SET) IS 1/2" RE-BAR W/CAP: N5 (NAIL SET) IS MAXIMAL.
  2. PROPERTY CONTAINS 41.51 ACRES
  3. LAND DESCRIBED PROPERTY IS LOCATED WITHIN AN AREA HAVING A 14,000 HAZARD ZONE DESIGNATION BY THE SECRETARY OF HOUSING AND URBAN DEVELOPMENT, ON FLOOD INSURANCE RATE MAP NO. 13080R00016 AND 1308R00026, WITH AN EFFECTIVE DATE OF 8/15/09 FOR COUNTY NUMBER 13089. IN DEKALB COUNTY, STATE OF GEORGIA, WHICH IS THE CURRENT FLOOD INSURANCE RATE MAP FOR THE COUNTY IN WHICH SAID PROPERTY IS SITUATED.
  4. THERE WAS NO OBSERVED EVIDENCE OF CURRENT EARTH MOVING WORK, BUILDING CONSTRUCTION OR BUILDING ADJUSTIONS.
  5. THERE WAS NO OBSERVED EVIDENCE OF RECENT STREET OR SIDEWALK CONSTRUCTION OR REPAIRS.
  6. THE LOCATIONS OF UNDERGROUND UTILITIES ARE TAKEN FROM VISIBLE EVIDENCE, CONSTRUCTION PLANS AND/OR PREVIOUS SURVEYS AND SHOULD BE CONSIDERED APPROXIMATE.
  7. OTHER UNDERGROUND UTILITIES MAY BE LOCATED ON THIS PROPERTY. PIPE SIZES ARE TAKEN FROM CONSTRUCTION PLANS AND/OR PREVIOUS SURVEYS WERE NOT VERIFIABLE.
  8. PROPERTY IS IDENTIFIED AS DEKALB COUNTY TAX PARCEL(S) 18 055 02 020

## GPS STATEMENT

THE INITIAL CONTROL POINTS FOR THIS SURVEY WERE LOCATED UTILIZING GPS. THE EQUIPMENT USED WAS A CHAMPION TRD 0755 RECEIVER WITH CARLSON SURVEY DATA COLLECTION SOFTWARE. ALL COORDINATES ARE BASED ON NAD83(2011) AND GEOID20. NETWORK RTK CORRECTIONS WERE RECEIVED VIA A CELLULAR MODEM. THE TYPE OF SURVEY WAS NETWORK RTK UTILIZING THE TRIMBLE VRS REAL TIME NETWORK OPERATED BY EPOS SOLUTIONS, INC. THE RELATIVE POSITIONAL ACCURACY, AS CALCULATED ACCORDING TO THE FEDERAL GEOGRAPHIC DATA COMMITTEE PART 3: NATIONAL STANDARD FOR SPATIAL DATA ACCURACY, IS .04 FT HORIZONTAL AND .07 FT VERTICAL AT THE 95% CONFIDENCE LEVEL.

SURVEYOR'S CERTIFICATION BOUNDARY SURVEY

THE PROPERTY HEREIN LIES COMPLETELY WITHIN A JURISDICTION WHICH DOES NOT REVIEW OR APPROVE ANY PLATS OR THIS TYPE OF PLAT PRIOR TO RECORDING. RECORDATION OF THIS PLAT DOES NOT IMPLY APPROVAL OF ANY LOCAL JURISDICTION, AVAILABILITY OF PERMITS, COMPLIANCE WITH LOCAL REGULATIONS OR REQUIREMENTS, OR SATISFACTION FOR ANY USE OR PURPOSE OF THE LAND. THIS PLAT IS FOR INFORMATION PURPOSES ONLY. THE USER OF THIS PLAT ASSUMES ALL LIABILITY FOR ANY VIOLATION OF ANY FEDERAL, STATE OR LOCAL LAWS 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.

FIELD INFORMATION FOR THIS SURVEY WAS OBTAINED WITH A TRIMBLE 56 ROBOTIC TOTAL STATION ELECTRONIC INSTRUMENT. THE FIELD DATA USED FOR THIS MAP OR PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 100,000 FEET AND AN ANGULAR ERROR OF 05 SECONDS PER ANGULAR POINT AND WAS OBTAINED USING THE LEAST SQUARES ADJUSTMENT. THIS MAP OR PLAT HAS BEEN CHECKED AND FOUND TO BE ACCURATE TO WITHIN ONE FOOT IN 100,000 FEET.

DATE OF LAST FIELD WORK: 05/20/2022  
DATE PLAT WAS SEALED: 06/27/2022



NAME: THOMAS W. WOODSHALL  
REGISTRATION/LICENSE NUMBER: 2767 (GEORGIA)  
DATE OF EXPIRATION: DECEMBER 31, 2022

**B**

**BLUE  
LANDWORKS**

CONSULTING ENGINEERS & SURVEYORS

LICENSE # PFT000014  
LICENSE # LSF001044

5019 WEST BROAD STREET  
SUITE M230  
SUGAR HILL, GEORGIA 30018

TELEPHONE: (678) 804-8568  
PMP@BLUELANDWORKS.COM  
[WWW.BLUELANDWORKS.COM](http://WWW.BLUELANDWORKS.COM)

PREPARED FOR:  
GALERIE LIVING  
3424 PEACHTREE RD NE

[illegible]

SCALE: 1" = 100'

**EMORY UNIVERSITY  
BRIARCLIFF CAMPUS**

## BOUNDARY SURVEY

PROJECT# 2020.002  
V-001

## EXHIBIT D

2022-1907  
SLUP - 22 -1245880  
1256 Briarcliff Road  
Conditions of Zoning  
11-7-22

1. The project shall be constructed in conformance with the Site Plan prepared by CJMW Architecture and dated 9/27/22 and the Exhibits attached thereto.
2. A minimum of two percent of the parking spaces in parking structures shall have electric vehicle charging stations. In designing the overall electrical distribution for the development and single family residential homes, the developer will ensure the overall system can accommodate enough power, either initially or through future upgrades, for eventual conversion of ten percent of all parking spaces to have EV charging stations and shall provide room sufficient enough to allow upgrading the transformers or adding transformers for such future electrical demands associated with the additional EV charging stations.
3. With the exception of units related to single-family dwellings and the Candler Mansion, all air handling units shall be roof mounted. Said equipment shall also be screened with materials that are compatible with the surrounding building materials and architectural design.
4. Unless eliminated by a variance granted by the DeKalb County Planning Commission, the first entrance located off University Drive closest to Briarcliff Road (referred to as the "4<sup>th</sup> Entrance") shall be used for emergency vehicle access only.
5. The second entrance located on University Drive, as depicted on the attached Site Plan, shall be limited in use to residents only.
6. Light fixtures and outdoor lighting (in general) shall comply with Section 5.6.1 of the *Zoning Ordinance*.
7. The open spaces, as depicted on the Site Plan (areas shaded in purple on the 9-27-2022 Site Logistics Plan), shall be open and accessible to the public 7 days a week from dawn to dusk except during private events.
8. Buildings A, C, and J, as depicted on the Site Plan, may have primary (commercial) kitchens and Buildings B, K, and M may have secondary, or ancillary, kitchens. Kitchens located in residential units and single-family dwellings will not be limited.
9. Service trucks shall use the service entrance so designated on the Site Plan.
10. Per the 9/1/2022 Height Study Diagram, Building "B2" (memory care), along the south property border, must maintain a building height of 1-story.

11. Walls, fencing, or vegetative barriers shall be installed to insulate neighbors from the taller buildings within view per 9/16/2022 Fencing Diagram.
12. A point of contact with Galerie Living must be designated for community concerns during all phases of construction.
13. Construction related vehicles shall only utilize Briarcliff Road for ingress and egress.
14. The project shall provide three percent (3%) of its units as affordable units using a maximum rent of thirty percent (30%) of the Area Median Income for the previous year based on the Invest Atlanta Workforce Housing Income Limits and Maximums. *(By way of example, the 2021 Workforce Rental Housing Maximum for a one-bedroom unit at 30% AMI would be \$485.)* The project shall split the 3% of affordable units into sizes of approximately 600 sf and 300 sf. The 300 sf units may be located in a standalone structure including all of such 300 sf units. These rents do not include utilities, food, health care, and other amenities that the residents in such units may choose to obtain from the project or from other sources.