

DEPARTMENT OF PLANNING & SUSTAINABILITY

SPECIAL LAND USE PERMIT APPLICATION

Amendments will not be accepted after 5 working days after the filing date.

Date Received: 2/15/23 Application No.: _____

APPLICANT NAME: Linda I. Dunlavy, Dunlavy Law Group, LLC

Daytime Phone #: 404-664-0895 Fax #: _____

Mailing Address: 245 North Highland Ave NE, Suite 230, #905, Atlanta 30307

E-mail: ldunlavy@dunlavylawgroup.com

OWNER NAME: Zalman Lipskier on behalf of Emory Jewish Student Center, Inc. (if more than one owner, attach contact information for each owner)

Daytime Phone #: 404-441-3199 Fax #: _____

Mailing Address: 1526 North Decatur Road, Atlanta, GA 30307

E-mail: info@chabademory.org

SUBJECT PROPERTY ADDRESS OR LOCATION: 1500 North Decatur Road

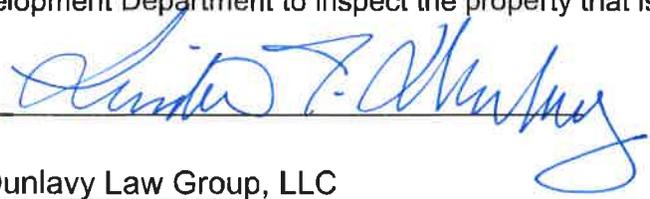
_____, DeKalb County, GA, _____

District(s): 18 Land Lot(s): 2, 3, 53, 54 Block(s): B Parcel(s): 8, 9

Acreage or Square Feet: 2.39 Commission District(s): 2, 6 Existing Zoning: MR-2

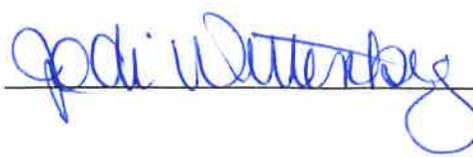
Proposed Special Land Use (SLUP): Cultural center

I hereby authorize the staff of the Planning and Development Department to inspect the property that is the subject of this application.

Owner: _____ Agent: **Signature of Applicant:** 
(Check One)

Printed Name of Applicant: Linda I. Dunlavy, Dunlavy Law Group, LLC

Notary Signature and Seal:

DEPARTMENT OF PLANNING & SUSTAINABILITY

A. Filing Fee: \$400. Filing fees shall not be refunded at any time following the deadline for amendments.

B. Criteria: Sec. 27-873. Special land use permits; criteria to be applied. The following criteria shall be applied by the Department of Planning and Sustainability, the Planning Commission, and the Board of Commissioners in evaluating and deciding any application for a special land use permit. No application for a special land use permit shall be granted by the Board of Commissioners unless satisfactory provisions and arrangements have been made concerning each of the following factors, all of which are applicable to each application:

A. Adequacy of the size of the site for use contemplated and whether or not adequate land area is available for the proposed use including provision of all required yards, open space, off-street parking, and all other applicable requirements of the zoning district in which the use is proposed to be located;

B. Compatibility of the proposed use with adjacent properties and land uses and with other properties and land uses in the district;

C. Adequacy of public services, public facilities, and utilities to serve the use contemplated;

D. Adequacy of the public street on which the use is proposed to be located and whether or not there is sufficient traffic-carrying capacity for the use proposed so as not to unduly increase traffic and create congestion in the area;

E. Whether or not existing land uses located along access routes to the site will be adversely affected by the character of the vehicles or the volume of traffic generated by the proposed use;

F. Ingress and egress to the subject property and to all proposed buildings, structures, and uses thereon, with particular references to pedestrian and automotive safety and convenience, traffic flow and control, and access in the event of fire or other emergency;

G. Whether or not the proposed use will create adverse impacts upon any adjoining land use by reason of noise, smoke, odor, dust, or vibration generated by the proposed use;

H. Whether or not the proposed use will create adverse impacts upon any adjoining land use by reason of the hours of operation of the proposed use;

I. Whether or not the proposed use will create adverse impacts upon any adjoining land use by reason of the manner of operation of the proposed use;

J. Whether or not the proposed plan is consistent with all of the requirements of the zoning district classification in which the use is proposed to be located;

K. Whether or not the proposed use is consistent with the policies of the Comprehensive Plan;

L. Whether or not the proposed plan provides for all required buffer zones and transitional buffer zones where required by the regulations of the district in which the use is proposed to be located;

M. Whether or not there is adequate provision of refuse and service areas;

N. Whether the length of time for which the special land use permit is granted should be limited in duration;

O. Whether or not the size, scale and massing of proposed buildings are appropriate in relation to the size of the subject property and in relation to the size, scale and massing of the adjacent and nearby lots and buildings;

P. Whether the proposed plan will adversely affect historic buildings, sites, districts, or archaeological resources;

Q. Whether the proposed use satisfies the requirements contained within the Supplemental Regulations for such special land use permit.

R. Whether or not the proposed building as a result of its proposed height will create a negative shadow impact on any adjoining lot or building.

S. Whether the proposed use would result in a disproportional proliferation of that or similar uses in the subject character area.

T. Whether the proposed use would be consistent with the needs of the neighborhood or of the community as a whole, be compatible with the neighborhood, and would not be in conflict with the overall objectives of the comprehensive plan.

C. Additional Criteria is contained in Supplemental Regulations of Zoning Ordinance: Sec. 27-874. Additional criteria for specified uses: "In addition to the criteria contained in Sec. 27-873 and Sec. 27-863 listed above, which each applicant for special land use permit is required to meet, Article IV, Supplemental Regulations of the DeKalb County Zoning Ordinance shall apply to that specific land use being applied for. No application for a Special Land Use permit for the uses specified shall be granted by the Board of Commissioners unless it is determined that all requirements contained within the zoning district in which such property is located, and the criteria contained in Section 27-873 and Article IV, Supplemental Regulations have been met."

DEPARTMENT OF PLANNING & SUSTAINABILITY

SPECIAL LAND USE PERMIT APPLICATION 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: 2/15/23

TO WHOM IT MAY CONCERN:

(I) (WE), Zalman Lipskier on behalf of Emory Jewish Student Center, Inc.
Name of Owner(s)

being (owner) (owners) of the subject property described below or attached hereby delegate authority to
Linda I. Dunlavy, Dunlavy Law Group, LLC
Name of Applicant or Agent

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

Jodi Wittenberg
Notary Public
DeKalb County, GEORGIA
My Commission Expires 08/03/2024

[Signature]
Owner

Notary Public Owner

Notary Public Owner

Notary Public Owner

Chief Executive Officer
Michael Thurmond

DEPARTMENT OF PLANNING & SUSTAINABILITY

Director
Andrew A. Baker, AICP

SPECIAL LAND USE PERMIT CHECKLIST

(SUBMIT 4 COMPLETE, COLLATED, HARDCOPY SETS AND 1 SET IN PDF FORMAT ON FLASH DRIVE OR CD)

1. Mandatory **Pre-Application Conference** with Planning & Sustainability staff. **Pre-Application form** to be completed in pre-application meeting. Please call (404) 371-2155 to schedule pre-app conference.
2. Hold a **Pre-Submittal Community Meeting** with surrounding neighborhood associations and residents. Notify staff in advance of date, time, and location of meeting. **Provide documentation** (i.e., meeting notice, sign-in sheets, letter(s) from homeowners associations).
3. **Application Form**. Form must be completely filled out and be the first page of the packet.
4. Notarized **Authorization Form**, if the applicant is not the owner of the subject property, which
 - a. is signed and notarized by all owners of the subject property;
 - b. contains the mailing address and phone number of any applicant or agent who is authorized to represent the owner(s) of the subject property; and
 - c. includes a warranty deed, if ownership is less than 2 consecutive years.
5. **Written Legal Description** of subject property, in metes and bounds.
6. **Boundary Survey** (showing existing buildings, structures, and improvements), prepared and sealed within the past ten years by a professional engineer or land surveyor registered in the State of Georgia, consistent with the plat(s) on the Official Tax Record. Applicant shall certify that the Boundary Survey is complete and currently accurate. **Site plans shall be drawn to scale** showing all proposed development or redevelopment projects, proposed buildings, structures, and improvements. Site plans must include the following:
 - a. Complete boundaries of subject property including curb cuts, internal vehicular circulation facilities, and sidewalks;
 - b. Location of buildings, structures, setback lines, buffer lines, and parking;
 - c. Location of any 100-year floodplains, streams, and stream buffer lines;
 - d. Notation of the total acreage or square footage of the subject property;
 - e. Landscaping, trees, open space, and undisturbed buffers;
 - f. Notation of building square footages and heights, residential density calculations, existing and proposed lot coverage, required and proposed parking, and open space calculations;
 - g. Copies of site plans:
 1. Full-size site plans (at least 11" x 17"): 4 copies, folded.
 2. Site plan reduced to 8 1/2" x 11": 4 copies
7. **Building Elevations**, renderings or details of materials proposed for compliance to Article 5, Ordinance
8. **Letter of Application** identifying the proposed zoning classification, the reason for the rezoning request, the existing and proposed use of the property, and detailed characteristics of the proposed use (e.g., floor area, height of building, number of units, mix of unit types, hours of operation, etc. Include any statement of conditions agreed upon by the applicant.
9. Written documented, detailed analysis of the impact of the proposed zoning map amendment with respect to each of the standards and factors specified in Article 7.
10. Campaign disclosure statement, if applicable, to be filed in compliance with State law.
11. **Application fee - \$400.00**. Payable to DeKalb County.

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

If subject property is made up of parcels located on opposite sides of a public street, a separate application is required for each parcel.

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.

Notary Seal: LANA ASHLEY JONES, NOTARY PUBLIC, FORSYTH COUNTY, GEORGIA. Date: 11/8/2022

Signature of Applicant / Date: [Signature] 2/20/23

Check one: Owner Agent _____

Expiration Date/ Seal

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

DEPARTMENT OF PLANNING & SUSTAINABILITY

WHAT TO KNOW BEFORE YOU FILE YOUR APPLICATION

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

Review of Site Plan

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

Comments: No exterior improvements planned (No COA). Existing structures will be used. No proposed construction. No proposed changes to parking, access, or landscaping. _____

Planner: Brandon White Date 2/22/2023

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

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: Linda Dunlavy Phone: 404-664-0895 Email: ldunlavy@dunlavylawgroup.com

Property Address: 1500 N. Decatur Rd.

Tax Parcel ID: 18-053-02-036 Comm. District(s): 2 & 6 Acreage: 2.39 acres

Existing Use: vacant, non-profit shelter Proposed Use: multifamily dwelling and cultural facility (religious, cultural, and social offerings (e.g. gathering spaces, administrative offices, study areas, classrooms, community events, guest housing, recreation, etc.))

Supplemental Regs: N/A Overlay District: Druid Hills OV DRI: N/A

Rezoning: Yes No

Existing Zoning: MR-2 Proposed Zoning: same Square Footage/Number of Units: 13

Rezoning Request:

Land Use Plan Amendment: Yes No

Existing Land Use: NC Proposed Land Use: Consistent Inconsistent

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

Special Land Use Request(s) cultural facility

Major Modification:

Existing Case Number(s): _____

Condition(s) to be modified:

After recording return to:
Calloway Title and Escrow, LLC
4170 Ashford Dunwoody Rd. Ste. 525
Atlanta, GA 30319
2-41416

Tax Parcel ID No.: 18 053 02 036

After recording, return to:

Continuum Legal Group LLP
5605 Glenridge Drive, Suite 600
Atlanta, Georgia 30342
Attn: Marc D. Glenn, Esq.

LIMITED WARRANTY DEED

THIS INDENTURE (this "Deed") is made this 14 day of October, 2022, between **JERUSALEM HOUSE, INC.**, a Georgia public nonprofit corporation (herein called "Grantor") and **EMORY JEWISH STUDENT CENTER, INC.**, a Georgia nonprofit corporation (herein called "Grantee").

WITNESSETH: That Grantor, for and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration, in hand paid at and before the sealing and delivery of these presents, the receipt and sufficiency of which are hereby acknowledged, has granted, bargained, sold, aliened, conveyed and confirmed and by these presents does grant, bargain, sell, alien, convey and confirm unto Grantee all that tract or parcel of land described on Exhibit A attached hereto and made a part hereof (the "Property").

TO HAVE AND TO HOLD the said bargained premises, together with all and singular the rights, easements, members and appurtenances thereof, to the same being, belonging or in any wise appertaining, to the only proper use, benefit and behoof of Grantee, forever, IN FEE SIMPLE.

This Deed and the warranty of title contained herein are made expressly subject to all matters disclosed in the public land records of DeKalb County, Georgia, and such matters as would be disclosed by a current and accurate survey of the Property.

Grantor will warrant and forever defend the right and title to the above-described property unto Grantee against the lawful claims of all persons owning, holding or claiming by, through or under Grantor, but not otherwise.

(The words "Grantor" and "Grantee" include all genders, plural and singular, and their respective heirs, successors and assigns where the context requires or permits.)

IN WITNESS WHEREOF, Grantor has caused this Indenture to be executed and sealed the day and year first above written.

GRANTOR:

Signed, sealed and delivered
in the presence of:

JERUSALEM HOUSE, INC.,
a Georgia nonprofit corporation

Benjamin Bond-Marty
Unofficial Witness

By: *Maryann C Lewis*
Name: Maryann C Lewis
Its: President & CEO

Reem Hamitt
Notary Public

[CORPORATE SEAL]

[NOTARY SEAL]

My Commission Expires:

8/28/26

EXHIBIT A

LEGAL DESCRIPTION OF THE PROPERTY

ALL THAT TRACT OR PARCEL OF LAND lying and being in Land Lots 2, 3, 53, and 54 of the 18th District, DeKalb County, Georgia being part of Lots 8 and 9, Block B, Lullwater subdivision, being more particularly described as follows:

To find the POINT OF BEGINNING begin at a 3/4 inch open top pipe found on the northerly right of way of North Decatur Road (right of way varies) 700.00 feet in a southeasterly direction along said right of way from the intersection of the northerly right of way of North Decatur Road and the easterly right of way of Oakdale Road; running thence North 13 degrees 00 minutes 00 seconds East a distance of 21.84 feet to a 1/2 inch rebar set which is the POINT OF BEGINNING; running thence along the northerly right of way of North Decatur Road South 58 degrees 52 minutes 14 seconds East a distance of 162.74 feet to a point; running thence along said right of way and following the curvature thereof 74.69 feet through the arc of a circle with a radius of 105.21 feet being subtended by a 73.13 foot chord bearing South 79 degrees 12 minutes 24 seconds East to a point; running thence along said right of way and following the curvature thereof 35.85 feet through the arc of a circle having a radius of 712.24 feet being subtended by a 35.84 foot chord bearing North 79 degrees 00 minutes 56 seconds East to a 1/2 inch rebar set; departing said right of way and running thence North 06 degrees 45 minutes 33 seconds West a distance of 282.70 feet to an angle iron found; running thence North 76 degrees 24 minutes 12 seconds East a distance of 72.00 feet to a 1/2 inch rebar set; running thence South 12 degrees 11 minutes 35 seconds East a distance of 286.28 feet to a 1/2 inch rebar set on the northerly right of way of North Decatur Road; running thence along said right of way North 71 degrees 11 minutes 38 seconds East a distance of 100.00 feet to a 1/2 inch rebar set; departing said right of way and running thence North 17 degrees 38 minutes 14 seconds West a distance of 277.80 feet to a 1/2 inch rebar set; running thence North 76 degrees 24 minutes 12 seconds East a distance of 23.80 feet to a 1 inch open top pipe found; running thence North 20 degrees 43 minutes 21 seconds West a distance of 54.18 feet to a 1 1/2 inch open top pipe found; running thence South 86 degrees 03 minutes 05 seconds West a distance of 298.74 feet to a 3/8 inch rebar found; running thence South 13 degrees 00 minutes 00 seconds West a distance of 266.35 feet to a 1/2 inch rebar set which is the POINT OF BEGINNING; as shown on a survey for Jerusalem House, Inc., prepared by The Carter Group, Inc., dated October 14, 1994.

STATEMENT OF INTENT

and

Other Material Required by
DeKalb County Zoning Ordinance

for

A Special Land Use Permit pursuant to
Sections 27-4.1.3 and 27-7.4.1
of the DeKalb County Zoning Ordinance

Of

CHABAD EMORY JEWISH STUDENT CENTER, INC.

To Allow For

A Cultural Facility known as the Chabad Emory Jewish Student Center
18th District, Land Lots 2,3,53 and 54, DeKalb County
1500 North Decatur Road

Submitted for Applicant by:

Linda I. Dunlavy
Dunlavy Law Group, LLC
245 North Highland N.E. Suite 230, #905
Atlanta, GA 30307
(404) 371-4101 Phone
(404) 371-8901 Facsimile
ldunlavy@dunlavylawgroup.com

I. INTRODUCTION

This Application seeks Special Land Use Permits to authorize the Applicant to operate a Cultural Facility at 1500 North Decatur Road Subject Property (“Subject Property”). The property is zoned MR-2 (Medium Density Residential) without conditions. It is located on the northside of North Decatur Road adjacent to the roundabout at the intersection of North Decatur Road and Lullwater Road in the Druid Hills Historic District. It is located in an NC (Neighborhood Center) Future Land Use Area. *See maps filed contemporaneously with this application.* Applicant also owns the property at 1512 North Decatur Road immediately adjacent to the Subject Property to the east and also owns 1526 North Decatur Road, where the Emory Jewish Student Center operates and has since early 2002, when it was first acquired. The Student Center has outgrown its space at 1526 North Decatur Road. In furtherance of its mission and to provide sufficient space for the cultural, religious and educational activities it conducts, the Applicant purchased the Subject Property, the former site of Jerusalem House, on October 14, 2022, *See Limited Warranty Deed included with the application materials.* Jerusalem House continues to occupy the Subject property until June of 2023, at which time the Applicant will make necessary repairs and interior improvements to the existing buildings. Upon completion, applicant intends to transfer the vast majority of its current Student Center activities from the 1526 North Decatur Road current location to the Subject Property and begin leasing up the apartment building on site. In order to do this the Applicant has been advised by the Planning and Sustainability Department that it will need a Special Land Use Permit for the “cultural facility” elements of this proposed use.

II. BACKGROUND INFORMATION

The Subject Property is comprised of +/-2.287 acres of land fronting on North Decatur Road where it has approximately 300 feet of frontage. It is an unusually shaped parcel—inverse

horse shoe—which wraps around the parcel at 1512 North Decatur Road. North Decatur Road is currently occupied by Rabbi Lipskier and his wife, Miriam, the co-directors of the Emory Jewish Student Center, and their family. The Subject Property rises steadily from North Decatur Road. At the top of the rise the Subject Property is currently developed with a historic home of approximately 7000 square feet at the northeastern corner of the Subject Property, an approximate 3000 square foot two-story educational building (labeled “Rec. Building” on survey) immediately behind the historic house and , separated by a court yard from the house, a two story 12-unit multi-family L-shaped building in the northwestern corner adjacent to the rear property line. Additionally, there are 38 striped parking spaces plus three handicapped spaces with room for additional parking at the front of the Subject Property (where it is marked “Lot 9” on the survey). Access is provided from North Decatur Road via one curb cut on the southwestern side of the Subject Property with an additional (unused) curb cut at its southeastern side. A circular driveway on the western side of the Subject Property traverses the site providing access to the parking areas. Finally, there is a large undeveloped open area with a paved walking trail commencing between the rear of the Educational Building and the apartments bisecting the open area. It currently contains children’s playground equipment, a playhouse, an asphalt basketball court and park benches. *See As-Built survey and site photographs included with materials.* The current impervious lot coverage is 50.8%, Immediately and further to the west of the Subject Property are R-85 zoned single-family residences within the Historic District. Adjoining to the north are R-75 zoned single-family residences also in the Historic District. Along the southside of North Decatur Road opposite the Subject Property are R-85 single-family residences and the Lullwater Apartments.- unit apartment complex zoned MR-2. To the east of the Subject Property are the Rabbi’s current residence at 1512, the current Student Center at 1526 (zoned OIT), the Stoddard

Law Firm at 1534 (zoned OI), and the Emory Village commercial center.

Aside from making necessary repairs, painting, and landscaping there are no immediate plans to alter the exterior of the buildings or other structures on the Subject Property. Chabad Emory provides educational, social, and recreational programming for students and faculty. The Applicant proposes to use the house for small gatherings such as Sabbath dinners on Friday evenings, baking classes, lunch and learn events, and other cultural and educational gatherings. No one will reside in the home. The proposed use for the Educational Building is for small meeting places, hosting of speakers, study sessions and other educational programming. The apartment building currently has 12 units. The Applicant proposes to update these units and to rent approximately 10 of those units. The ideal target tenant would be Emory Jewish graduate students who desire to live close to campus in the Chabad community provided. The open area on the eastern side of the Subject Property would be used for recreational programming, as an amenity to the apartment residents, and for outdoor gatherings. The gathering tent currently at 1526 North Decatur Road will be removed once the SLUP is approved and all gatherings held in the tent historically will now be conducted on the Subject Property. The 1526 property will be retained by the Applicant. Current plans for that space are for graduate student programming and the occasional overnight visitor in the bedrooms upstairs.

Prior to the filing of this application, the Applicant held an in-person community presubmittal meeting on February 27th at the Subject Property. In addition to Miriam Lipskier and counsel, there were eight people in attendance. *See sign in sheet.* A tour of the Subject Property was conducted, a copy of the survey and zoning map were provided to attendees along with a copy of the zoning schedule for the March cycle. Questions were answered and follow up conducted. Additionally, Rabbi Lipskier and counsel met in person on the Subject Property with

representatives of the Druid Hills civic Association and the Emory village Alliance on February 5th. See email communications re same included with this packet. Sample letters along with the mailing list to whom notices of the community meeting are also included. ¹

III. RELEVANT ZONING ORDINANCE PROVISIONS

Section 27-9.1.3 defines a “cultural facility” as:

“a building or structure that is primarily used for meetings, classes, exhibits, individual study, referral services, informational and entertainment presentations, and other similar programs oriented around the customs and interests of a specific group of people, including but not limited to an immigrant, ethnic, or national minority group, or the heritage of defined geographic region. Movies, theater performances and similar entertainment may occur in a cultural facility, but the purpose of the cultural facility is not to provide a venue solely for such entertainment. A cultural facility may be programmed, managed, or operated by a public, private, or non-profit entity.

The proposed Emory Jewish Student Center fits squarely within that definition. In the MR-2 zoning district, a cultural facility is permitted by Special Land Use Permit. Multi-family housing is permitted of right in the MR-2 District. See Use Table at Section 27-4.1.3. The MR-2 district has minimum dimensional requirements, all of which the Subject Property appears to meet apart from one portion of the apartment building. It is somewhat less than the required 20 foot rear yard setback.² However, it appears that the apartment building pre-dates the Zoning Ordinance so would be grandfathered under current regulations.

IV. CRITERIA TO BE APPLIED TO SPECIAL LAND USE PERMITS

- A. Adequacy of the size of the site for use contemplated and whether or not adequate land is available for the proposed use including provision of all required yards, open space, off-street parking, and all other applicable requirements of the zoning district in which the use is proposed to be located.**

The Subject Property is comprised of land totaling 2.287 acres. The MR-2 zoning district

¹ Four owners were inadvertently left off the initial mailing for the community meeting but follow up letters were sent on March 4th inviting feedback and providing information. Those owners were David Hardy, Katherine Smith, Thomas Flynn and Barbara Hartman. While it is unclear that these residents are within the prescribed distance for required notice, these letters were sent in the utmost of caution and transparency.

² The eastern edge of the building is at 16.7 feet; the western edge is at 25.6 feet.

has a minimum lot size requirement of 2000 square feet for single-family detached and no minimum for multi-family or mixed use. The land is more than adequate for the use proposed. Approximately one-third of the land remains undisturbed and is currently grassed open space with several mature evergreen and hardwood trees. There will be no changes to the existing structures so they will be grandfathered as to setbacks. There are 38 parking spaces plus three handicap spaces—more than adequate. There is approximately 0.6-0.7 acres of open space.

B. Compatibility of the proposed use with adjacent properties and land uses and with other properties and land uses in the district.

The proposed use is compatible with adjoining uses. It adjoins Chabad property to the immediate east and is separated from the residential uses to the south by North Decatur Road and the Lullwater roundabout. The closest structure is just under 140 feet from the North Decatur right-of way. The closest residence is that of the Quillians at 1482 North Decatur Road. Their home at its closest point is approximately 40 feet from the apartment building on the Subject property and 30 feet from an active parking area. However, there is mature vegetation between the two properties offering visual and sound buffering from the Chabad use and operations. The nearest residential structures to the rear of the Subject Property front Oakdale or Emory Road and are more than approximately 75 feet from the apartment building at the rear of the Subject property. Additionally the apartment building is separated by a sharp topographical drop and a 6 foot wooden privacy fence.

C. Adequacy of public services, public facilities, and utilities to serve the use contemplated.

All services, facilities and utilities are available to serve the use contemplated. Since the proposed use is a non-residential use, there are no impacts on schools. The site is served by public water and sewer and no burdensome impacts on public services, facilities and utilities would be

anticipated.

D. Adequacy of the public street on which the use is proposed to be located and whether or not there is sufficient traffic-carrying capacity for the use proposed so as not to unduly increase traffic and create congestion in the area.

As noted, the Subject Property fronts on North Decatur Road which is a two lane road and the Lullwater round about is within feet of the Subject Property. These roadways have more than sufficient carrying capacity to manage any traffic generated from the proposed use. The use will not increase congestion or cause back up on North Decatur Road or Lullwater Road.

E. Whether or not existing land uses located along access routes to the site will be adversely affected by the character of the vehicles or the volume of traffic generated by the proposed use.

Neither the character of the vehicles nor any potential volume of traffic generated by the proposed use will adversely affect existing land uses in the immediate vicinity or adjoining access routes. The additional traffic generated by the proposed use will be negligible as many of the students, faculty and parents utilizing the center will be on foot, utilize ride share or bike to the Subject property. Moreover, the long drives within the boundaries of the subject Property allow for the stacking of multiple vehicles entering and exiting the site.

F. Ingress and egress to the subject property and to all proposed buildings, structures, and uses thereon, with particular references to pedestrian and automotive safety and convenience, traffic flow and control, and access in the event of fire or other emergency.

Ingress and egress to the Subject Property will be more than adequate, safe, and convenient. There is one large curb cut on North Decatur Road, where full turning movements will be allowed, such that users may exit onto North Decatur Road directly west or turn left and enter the Lullwater Road round about to travel east or south. The site driveways, access routes and building locations facilitate safe, convenient and efficient traffic flow and control throughout the Subject Property.

In the event of fire or other emergency, emergency vehicles will have close access to any part of the buildings or other developed areas of the site. Moreover, sidewalks front the entirety of the Subject Property, bike racks are planned for the use, and the Subject Property provides for safe access to the MARTA bus stops on both sides of North Decatur Road at Lullwater.

G. Whether or not the proposed use will create adverse impacts upon any adjoining land use by reason of noise, smoke, odor, dust, or vibration generated by the proposed use.

No smoke, odor, dust, or vibration are produced by the proposed use. While there is some noise inherent in outdoor recreational and cultural events, there will be no adverse impacts created by the use upon any adjoining land uses. This is largely because of the location of the use and the large amount of open space, mature vegetation, and separation between uses and adjoining residential properties to the north and west. The site is surrounded by mature trees and most of the activities contemplated will be indoors within buildings (home or educational building) separated by more than 100 feet from any single-family residential property.

H. Whether or not the proposed use will create adverse impacts upon any adjoining land use by reason of the hours of operation of the proposed use.

The Applicant proposes hours of operation for the house and the educational building is seven days per week. These hours of operation will be consistent with residential uses and will not impact adjoining land uses within the immediate vicinity.

I. Whether or not the proposed use will create adverse impacts upon any adjoining land use by reason of the manner of operation of the proposed use.

See E through H, above.

J. Whether or not the proposed use is otherwise consistent with the requirements of the zoning district classification in which the use is proposed to be located.

The proposed use is totally consistent with the requirements in an MR-2 District. It produces no appreciable impact on adjacent properties and preserves the appeal and appearance of residential and historic areas. Any impacts from the cultural facility will be contained within its boundaries and will not create noise problems for nearby residential, office, or commercial districts.

K. Whether or not the proposed use is consistent with the policies of the Comprehensive Plan.

The designated land use for the Subject Property is Neighborhood Center and it is in the Druid Hills Historic District. The historic home on site will not be altered on the exterior and is thus consistent with the goals and intent of the historic district to preserve historic properties. The use is consistent with the future vision for this area. The stated intent of the NC land use designation is to:

[p]romote a concentration of clustered residential and commercial uses that serve the goods and service needs of a few surrounding, local neighborhoods. These areas and their uses shall complement the smaller scale character of nearby neighborhoods while reducing automobile travel and promote walkability and increased transit usage. These areas act as a neighborhood focal point with a concentration of activities including retail, neighborhood commercial, professional office, moderate density housing, and public open space that are all easily accessible by pedestrians.

See page 34 of the 2050 Comprehensive Land Use Plan.

The cultural facility will provide services to neighboring communities thereby reducing travel time to services outside of the community and will support the activities envisioned in the Neighborhood Center land use. Moreover, the proposed use furthers the general goals set forth on page 23 of 2050 Comprehensive Land Use Plan such as the following:

Preserve and enhance the integrity and quality of existing residential neighborhoods

through appropriate transitions, buffers, and infill

Reduce Vehicle Miles Traveled by promoting new development and redevelopment at or near activity centers, developing quality bicycle and pedestrian facilities, and providing better transit access

Promote activities to highlight historic and cultural assets in the community and provide opportunities for community interaction.

Preservation of the existing tree canopy.

L. Whether or not the proposed plan provides for all required buffer zones and transitional buffer zones where required by the regulations of the district in which the use is proposed to be located.

Because no exterior changes to the Subject Property are planned, transitional buffers are required. However, Applicant plans to enhance landscaping along the frontage of the Subject Property to improve appearances, provide vegetative screening and sound and light buffering from North Decatur Road. However, the height of the buildings on site are much lower than that permitted in the Mr-2 district. For example, the apartment building is only 28.6 feet in height, whereas the district would allow up to 60 feet in height for such a building. the other two buildings are internal to the Subject property and would have no impact on the adjoining residential districts to the west or north.

M. Whether there is adequate provision of refuse and service areas.

There is a dumpster on site adjacent to the west side of the store . With the approval of DeKalb County sanitation, the Applicant would like to relocate this dumpster so it is further from the Quillian property and to enclose the dumpster on three sides per specifications of the County.

N. Whether the length of time for which the special land use permit is granted should be limited in duration.

A time limitation is neither necessary nor appropriate. The proposed use is designed to be permanent in nature.

O. Whether or not the size, scale and massing of proposed buildings are appropriate in relation to the size of the subject property and in relation to the size, scale and massing of the adjacent and nearby lots and buildings.

The size, scale, and massing of the existing buildings on site is appropriate. The land parcel is large for the area—more than 2 acres. The buildings are two story buildings. Two of the buildings are interior to the site and largely not visible from adjoining properties. The L-shaped apartment building is modest in size, just under 29 feet in height and designed for 12 units. The Educational Building is less than 22 feet in height and the historic house is 28 feet in height. All buildings are set back more than 135 feet from the street. Approximately 1/3 of the Subject Property is undisturbed and is newly vegetated with trees, grassed open space with mature vegetation.

P. Whether the proposed plan will adversely affect historic buildings, sites, districts, or archaeological resources.

There is one known historic/contributing building on the Subject Property—the house. No material exterior changes are planned for this structure. Similarly, the other two buildings may be more than 50 years old and thus “historic”. It is unclear at this time whether they were constructed prior to the period of significance for Druid Hills—1942. Nonetheless, no exterior changes are planned for either of these two buildings and thus the plan will have no negative effect on these structures.

Q. Whether the proposed use satisfies the requirements contained within the Supplemental Regulations for such special land use permit.

No supplemental regulations relevant to cultural facilities could be found.

R. Whether or not the proposed building as a result of its proposed height will create a negative shadow impact on any adjoining lot or building.

As noted above, all buildings on the subject Property are less than the maximum heights allowed. Moreover, two of the buildings are interior to the site shielded from adjoining properties by mature vegetation, fencing and separation distance. The apartment building, while near the rear exterior of the Subject Property is less than 29 feet in height and separated from adjoining properties by fencing and/or mature vegetation. No negative shadow impact on adjoining property will occur.

S. Whether the proposed use would result in a disproportionate proliferation of that or similar uses in the subject character area.

The proposed use is unique and no other similar use is known.

T. Whether the proposed use would be consistent with the needs of the neighborhood or to the community as a whole, be compatible with the neighborhood, and would not conflict with the overall objective of the Comprehensive Plan.

The Applicant is committed to providing the Emory Jewish community with cultural, educational, and recreational programs. While the student community and Jewish community are the targeted audience for these services, all are welcome and none excluded. Such objectives do not conflict with the needs of the community and are consistent with the County's land use objectives and policies.

V. PRESERVATION OF CONSTITUTIONAL RIGHTS

The Applicant respectfully submits that to the extent the current zoning regulations would

prohibit the Applicant's proposed use, they 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 Property owner in violation of the due process and equal protection rights of the property owner 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 I of the Constitution of the State of Georgia. Further, the failure to allow this use would constitute a taking of the owner's private property without just compensation and without due process in violation of the Fifth Amendment and Fourteenth Amendment of the Constitution of the United States, and Article I, Section I, Paragraph I and Article I, Section III, Paragraph I of the Constitution of the State of Georgia.

Further, the Applicant respectfully submits that the failure to approve the requested Special Land Use Permit would be unconstitutional and would discriminate in an arbitrary, capricious and unreasonable manner between the Property owner and owners of similarly situated property in violation of Article I, Section III, Paragraph I of the Constitution of the State of Georgia and the Equal Protection Clause of the Fourteenth Amendment of the Constitution of the United States. Specifically, there is no rational basis for distinction between the Applicant's proposed use and other similar uses within the County.

A refusal to allow the operation in question 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.

Finally, any resident objecting to the granting of the SLUP requested does not have legal

standing to challenge the applications.

IV. CONCLUSION

For the foregoing reasons, the Applicant respectfully requests that the Special Land Use Permits at issue be approved. The Applicant also invites and welcomes any comments from Staff or other officials of the County so that such recommendations or input might be incorporated as conditions of approval of this Application.

This 9th day of March 2023.

Respectfully submitted,



Linda I. Dunlavy
Attorney for Applicant

Dunlavy Law Group, LLC
245 North Highland N.E. Suite 230, #905
Atlanta, GA 30307
(404) 371-4101 Phone
ldunlavy@dunlavylawgroup.com

LEGAL DESCRIPTION

EXHIBIT A

PROPERTY

ALL THAT TRACT OR PARCEL OF LAND lying and being in Land Lots 2, 3, 53, and 54 of the 18th District, DeKalb County, Georgia being part of Lots 8 and 9, Block B, Lullwater subdivision, being more particularly described as follows:

To find the POINT OF BEGINNING begin at a 3/4 inch open top pipe found on the northerly right of way of North Decatur Road (right of way varies) 700.00 feet in a southeasterly direction along said right of way from the intersection of the northerly right of way of North Decatur Road and the easterly right of way of Oakdale Road; running thence North 13 degrees 00 minutes 00 seconds East a distance of 21.84 feet to a 1/2 inch rebar set which is the POINT OF BEGINNING; running thence along the northerly right of way of North Decatur Road South 58 degrees 52 minutes 14 seconds East a distance of 162.74 feet to a point; running thence along said right of way and following the curvature thereof 74.69 feet through the arc of a circle with a radius of 105.21 feet being subtended by a 73.13 foot chord bearing South 79 degrees 12 minutes 24 seconds East to a point; running thence along said right of way and following the curvature thereof 35.85 feet through the arc of a circle having a radius of 712.24 feet being subtended by a 35.84 foot chord bearing North 79 degrees 00 minutes 56 seconds East to a 1/2 inch rebar set; departing said right of way and running thence North 06 degrees 45 minutes 33 seconds West a distance of 282.70 feet to an angle iron found; running thence North 76 degrees 24 minutes 12 seconds East a distance of 72.00 feet to a 1/2 inch rebar set; running thence South 12 degrees 11 minutes 35 seconds East a distance of 286.28 feet to a 1/2 inch rebar set on the northerly right of way of North Decatur Road; running thence along said right of way North 71 degrees 11 minutes 38 seconds East a distance of 100.00 feet to a 1/2 inch rebar set; departing said right of way and running thence North 17 degrees 38 minutes 14 seconds West a distance of 277.80 feet to a 1/2 inch rebar set; running thence North 76 degrees 24 minutes 12 seconds East a distance of 23.80 feet to a 1 inch open top pipe found; running thence North 20 degrees 43 minutes 21 seconds West a distance of 54.18 feet to a 1 1/2 inch open top pipe found; running thence South 86 degrees 03 minutes 05 seconds West a distance of 298.74 feet to a 3/8 inch rebar found; running thence South 13 degrees 00 minutes 00 seconds West a distance of 266.35 feet to a 1/2 inch rebar set which is the POINT OF BEGINNING; as shown on a survey for Jerusalem House, Inc., prepared by The Carter Group, Inc., dated October 14, 1994.



Property Tax Information Results

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

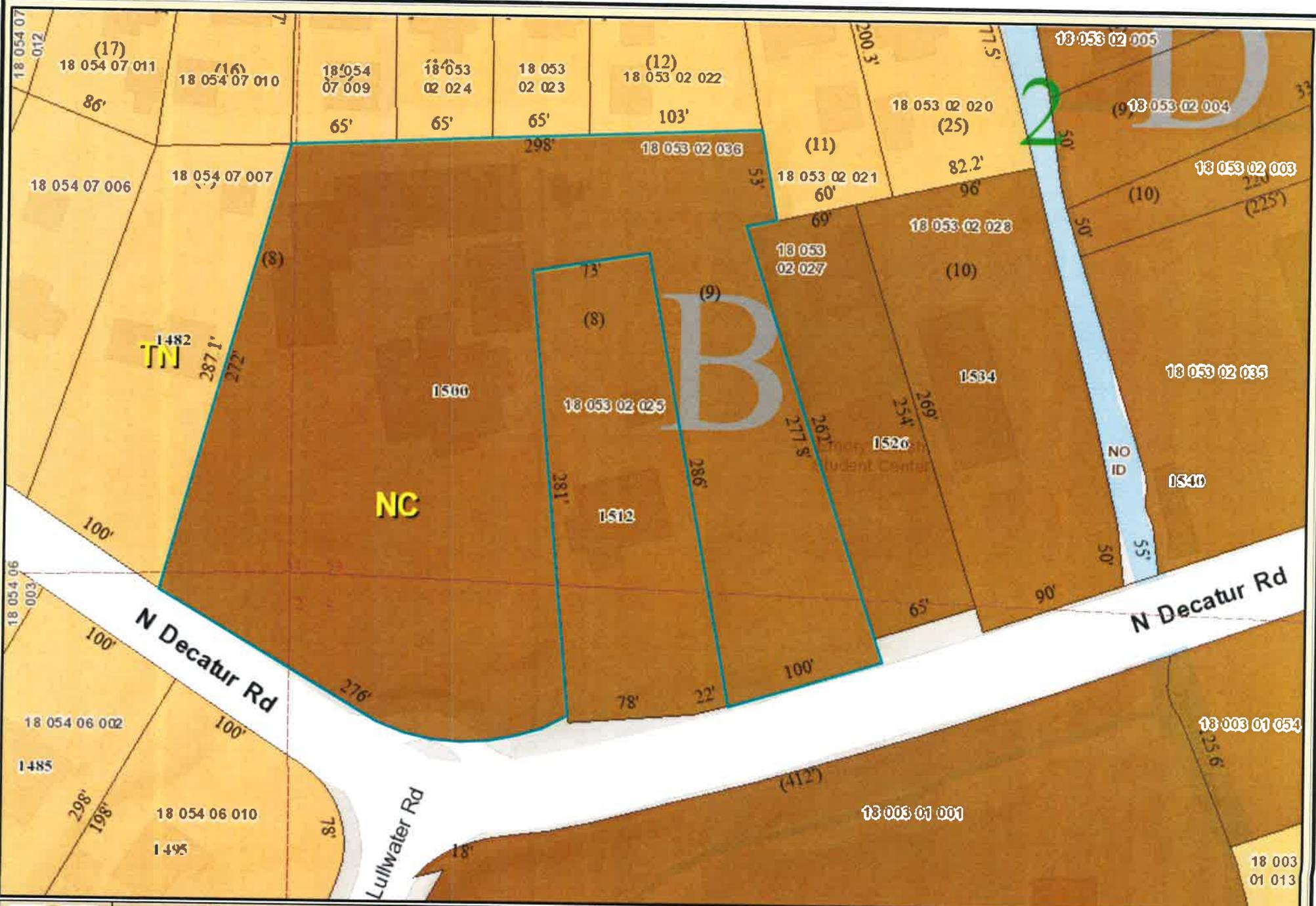
[Sign up to receive future tax bills by email.](#)
[Click here for the request form](#)

[Back](#)

Parcel ID	18 053 02 036
Pin Number	0912972
Property Address	1500 N DECATUR RD NE
Property Type	Real Estate
Tax District	04 - UNINCORPORATED
Last Name, First Name	
Jan. 1 st Owner	EMORY JEWISH STUDENT CENTER INC
Co-Owner	
Current Owner	EMORY JEWISH STUDENT CENTER INC
Co-Owner	
Owner Address	1526 N DECATUR RD NE ATLANTA GA 30307
Care of Information	
** CHANGE MAILING ADDRESS **	
Exemption Type	- NO EXEMPTION
Tax Exempt Amount	\$0.00
APPLY FOR BASIC HOMESTEAD EXEMPTION AND PROPERTY ASSESSMENT FREEZE	
Exemption Type	E3
Value Exemption Amount	\$0.00
Deed Type	QUIT CLAIM DEED
Deed Book/Page	30614 / 00291
Plat Book/Page	/ 11 0 DCTV
NBHD Code	5000
Zoning Type	-
Improvement Type	
Last Deed Date	10/14/2022
Last Deed Amount	\$0.00
Click here to view property map	
Taxable Year	2022
Land Value	\$867,100
Building Value	\$0
Misc. Improvement Value	\$0
Total Value	\$867,100
40% Taxable Assessment	\$0
Information as of 3/8/2023	
For additional information on the data above, contact the Property Appraisal Department at 404-371-2471	

Taxable Year	2022
Millage Rate	0.04389
DeKalb County Taxes Billed	\$268.80
DeKalb County Taxes Paid	\$268.80
DeKalb County Taxes Due	\$0.00
Total Taxes Billed	\$268.80
Total Taxes Paid	\$268.80
Total Taxes Due	\$0.00
DeKalb County Taxes	
First Payment Date	10/19/2022
First Payment Amount	\$268.80
Last Payment Date	11/10/2022
Last Payment Amount	\$268.80
<div style="display: flex; justify-content: space-around; margin-top: 10px;"> <div style="border: 1px solid black; padding: 5px; text-decoration: none;">Tax Paid Receipt</div> <div style="border: 1px solid black; padding: 5px; text-decoration: none;">Tax Bill Details</div> </div> <div style="text-align: center; margin-top: 10px;"> -- Choose a Tax Year -- v </div> <div style="text-align: center; margin-top: 10px;"> <div style="border: 1px solid black; padding: 5px; display: inline-block;">Get Tax Payoff Info.</div> </div>	
<div style="display: flex; justify-content: space-between; margin-top: 20px;"> <div style="width: 45%;"> <p>CURRENT YEAR PAYMENTS</p> <p>DeKalb County Tax Commissioner Collections Division PO Box 117545 Atlanta, GA 30368-7545</p> </div> <div style="width: 45%;"> <p>PRIOR YEAR PAYMENTS</p> <p>DeKalb County Tax Commissioner Collections Division PO Box 100004 Decatur, GA 30031-7004</p> </div> </div> <p style="text-align: center; margin-top: 10px;">Prior Years Tax *** Please note that payment posting information may be delayed due to batch processing***</p>	
DeKalb County Tax	
<u>TaxYear</u>	<u>Total Owed</u> <u>Total Paid</u> <u>Total Due</u> <u>Adjusted Bill</u>
	<u>Due Date</u>
2022	\$268.80 \$268.80 \$0.00
2021	\$268.80 \$268.80 \$0.00
2020	\$268.80 \$268.80 \$0.00
2019	\$268.80 \$268.80 \$0.00
2018	\$268.80 \$268.80 \$0.00
2017	\$268.80 \$268.80 \$0.00
2016	\$268.80 \$268.80 \$0.00
2015	\$268.80 \$268.80 \$0.00
Tax Sale File Number FiFa-GED Book/Page Levy Date Sale Date Delinquent Amount Due	

MAPS



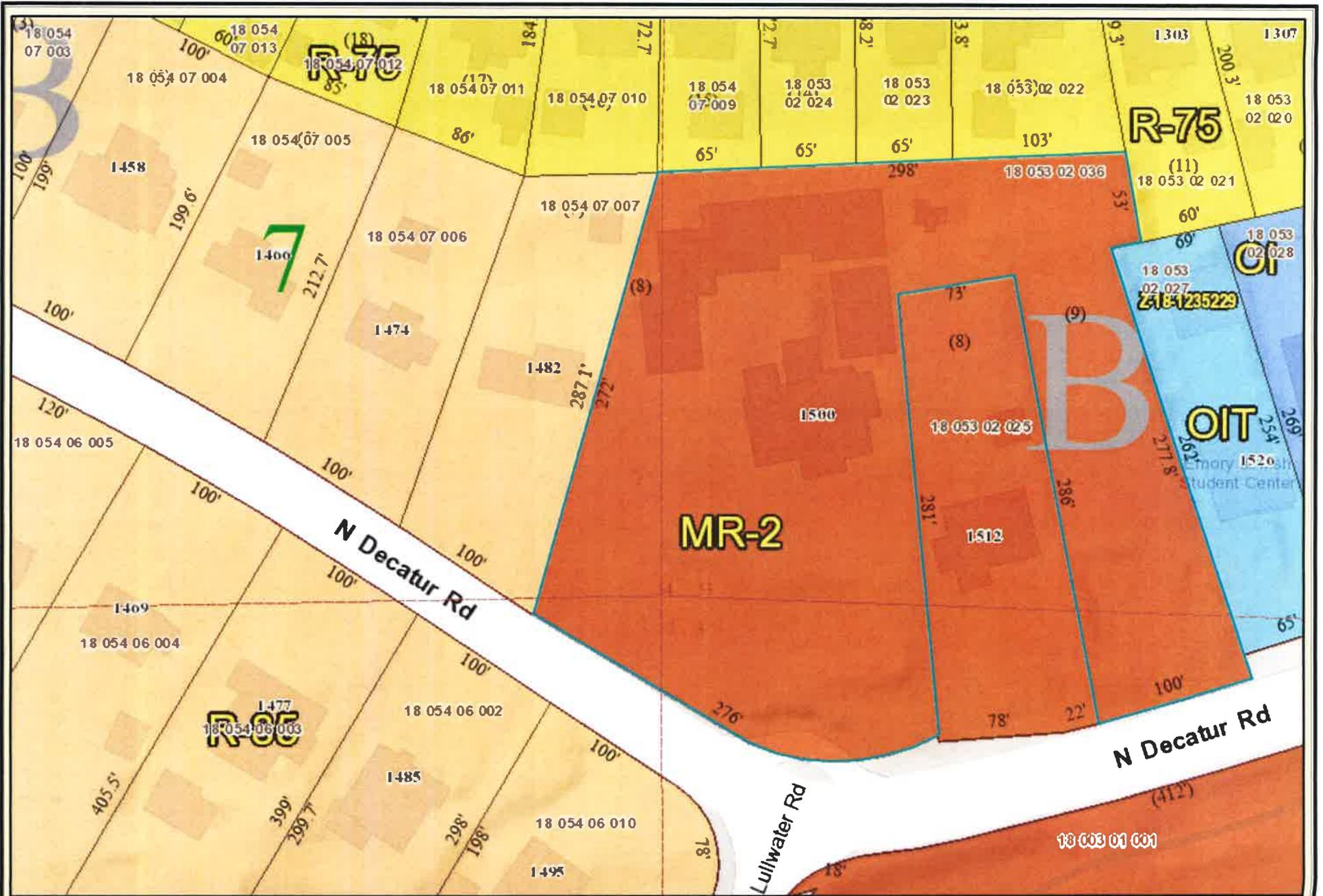
DeKalb County Parcel Map



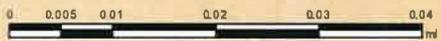
Date Printed: 3/9/2023



DeKalb County GIS Disclaimer
 The maps and data, contained on DeKalb County's Geographic Information System (GIS) are subject to constant change. While DeKalb County strives to provide accurate and up-to-date information, the information is provided "as is" without warranty, representation or guarantee of any kind as to the content, sequence, accuracy, timeliness or completeness of any of the database information provided herein. DeKalb County explicitly disclaims all representations and warranties, including, without limitation, the implied warranties of merchantability and fitness for a particular purpose. In no event shall DeKalb County be liable for any special, indirect, or consequential damages whatsoever resulting from loss of use, data, or profits, whether in an action of contract, negligence, or other actions, arising out of or in connection with the use of the maps and/or data herein provided. The maps and data are for illustration purposes only and should not be relied upon for any reason. The maps and data are not suitable for site-specific decision-making nor should they be construed or used as a legal description. The areas depicted by maps and data are approximate, and are not necessarily accurate to surveying or engineering standards.



DeKalb County Parcel Map

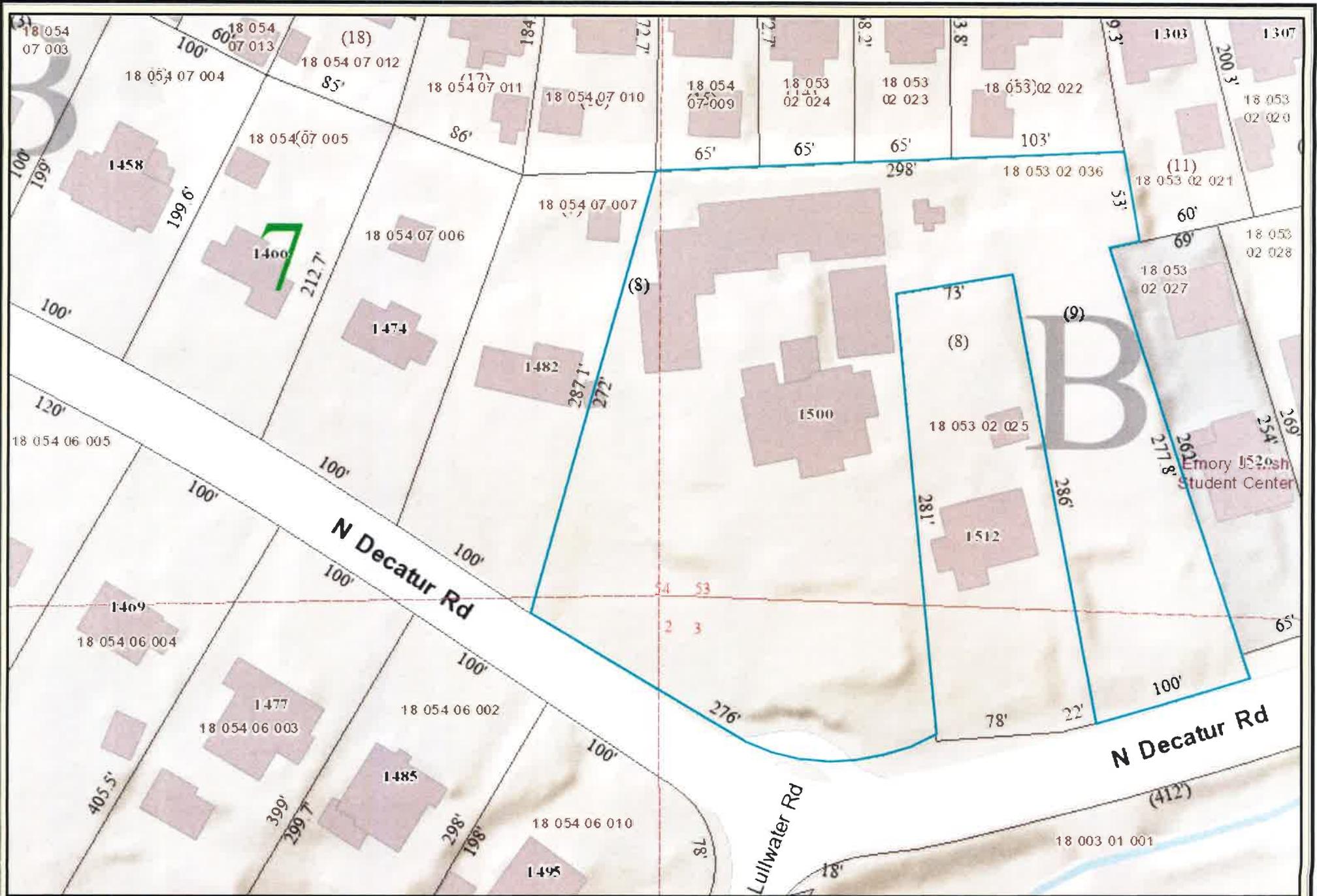


Date Printed: 1/12/2023

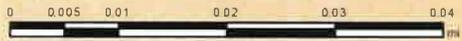


DeKalb County GIS Disclaimer

The maps and data contained on DeKalb County's Geographic Information System (GIS) are subject to constant change. While DeKalb County strives to provide accurate and up-to-date information, the information is provided "as is" without warranty, representation or guarantee of any kind as to its content, accuracy, timeliness or completeness of any of the database information provided herein. DeKalb County explicitly disclaims all representations and warranties, including, without limitation, the implied warranties of merchantability and fitness for a particular purpose. In no event shall DeKalb County be liable for any special, indirect, or consequential damages whatsoever resulting from loss of use, data, or profits, whether in an action of contract, negligence, or other actions, arising out of or in connection with the use of the maps and/or data herein provided. The maps and data are for illustration purposes only and should not be relied upon for any reason. The maps and data are not suitable for site-specific decision-making nor should it be construed or used as a legal description. The areas depicted by maps and data are approximate, and are not necessarily accurate to surveying or engineering standards.



DeKalb County Parcel Map

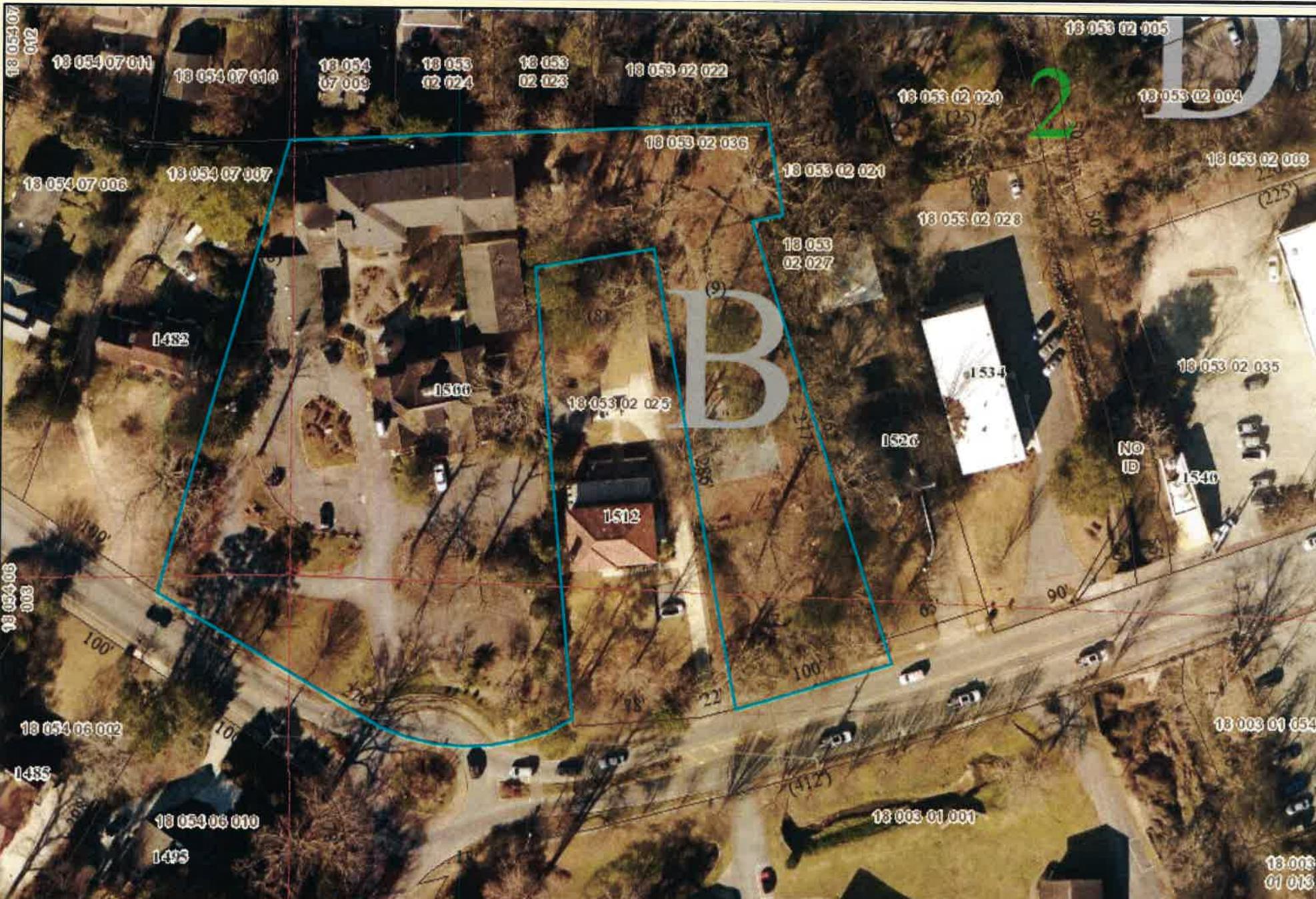


Date Printed: 1/12/2023



DeKalb County GIS Disclaimer

The maps and data contained on DeKalb County's Geographic Information System (GIS) are subject to constant change. While DeKalb County strives to provide accurate and up-to-date information, the information is provided "as is" without warranty, representation or guarantee of any kind as to the content, sequence, accuracy, timeliness or completeness of any of the database information provided herein. DeKalb County explicitly disclaims all representations and warranties, including, without limitation, the implied warranties of merchantability and fitness for a particular purpose. In no event shall DeKalb County be liable for any special, indirect, or consequential damages whatsoever resulting from loss of use, data, or profits, whether in an action of contract, negligence, or other actions, arising out of or in connection with the use of the maps and/or data herein provided. The maps and data are for illustration purposes only and should not be relied upon for any reason. The maps and data are not suitable for site-specific decision-making nor should it be construed or used as a legal description. The areas depicted by maps and data are approximate, and are not necessarily accurate to surveying or engineering standards.



DeKalb County Parcel Map



Date Printed: 3/9/2023



DeKalb County GIS Disclaimer

The maps and data, contained on DeKalb County's Geographic Information System (GIS) are subject to constant change. While DeKalb County strives to provide accurate and up-to-date information, the information is provided "as is" without warranty, representation or guarantee of any kind as to the content, sequence, accuracy, timeliness or completeness of any of the database information provided herein. DeKalb County explicitly disclaims all representations and warranties, including, without limitation, the implied warranties of merchantability and fitness for a particular purpose. In no event shall DeKalb County be liable for any special, indirect, or consequential damages whatsoever resulting from loss of use, data, or profits, whether in an action of contract, negligence, or other actions, arising out of or in connection with the use of the maps and/or data herein provided. The maps and data are for illustration purposes only and should not be relied upon for any reason. The maps and data are not suitable for site-specific decision-making nor should it be construed or used as a legal description. The areas depicted by maps and data are approximate, and are not necessarily accurate to surveying or engineering standards.

AS BUILT SURVEY

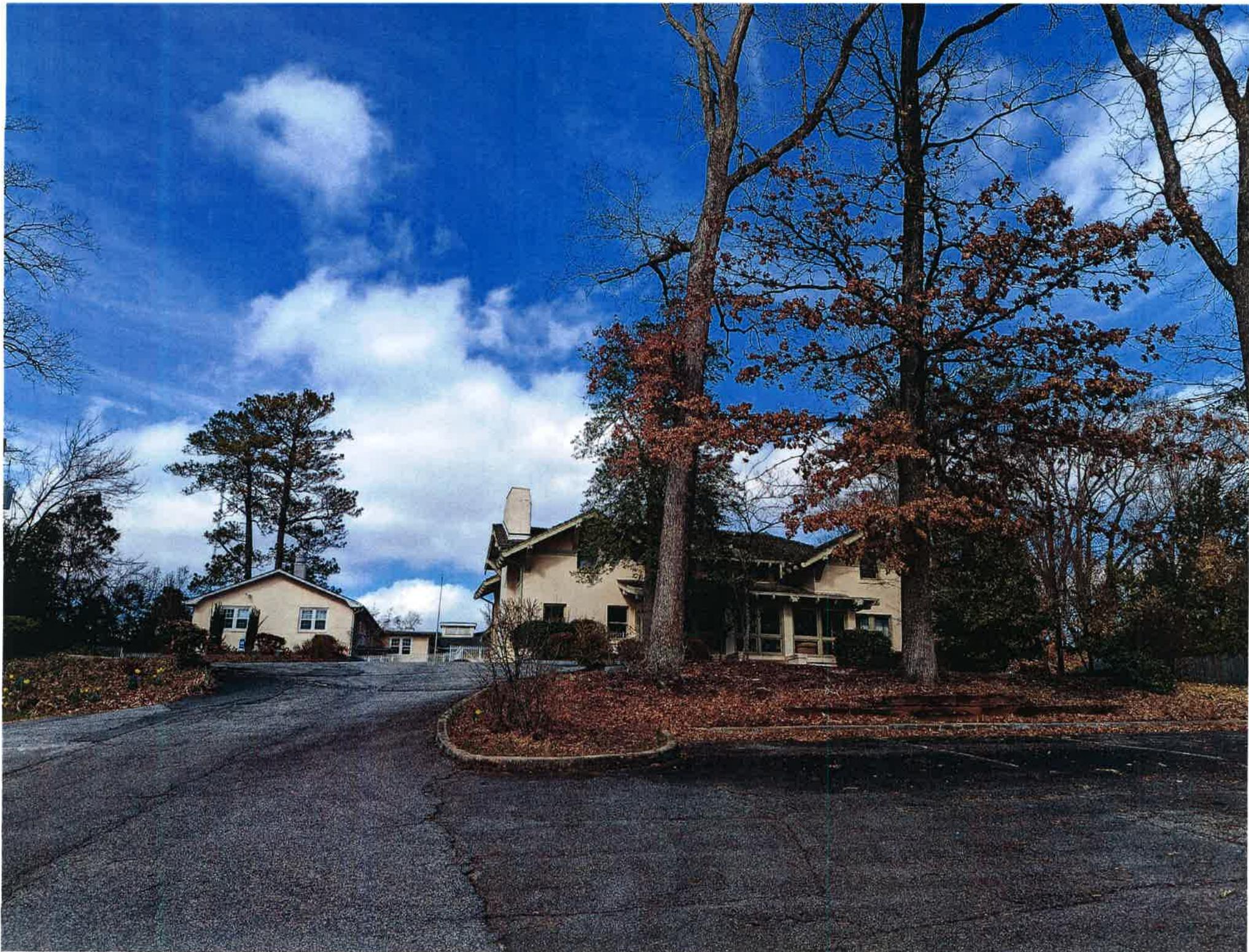
PHOTOGRAPHS OF SUBJECT PROPERTY

From North Decatur Road-House to right and
parking areas in front



From North Decatur Road-House to right and end of
apartment building to left





From interior court yard-Educational Building to left and
rear of house to right



From interior court yard-Apartment Building and
Educational Building to far right



From rear of house -Apartment Building and Educational
interior courtyard



Rear of Apartment Building and Rear privacy fence



From Open Space-Apartment Building to right and
Educational Building to left





From Open Space-towards North Decatur Road



COMMUNITY CONTACT LIST

1500 N. Decatur Road
EDWARDS LOUIS WARD III
1156 LULLWATER RD NE
ATLANTA GA 30307

1500 N. Decatur Road
HOUSTON MILL FIVE LLC
2285 TRISTAN CIR
ATLANTA GA 30345

1500 N. Decatur Road
EVANS RAYGAN
1283 OAKDALE RD NE
ATLANTA GA 30307

1500 N. Decatur Road
FIFTEEN FORTY FIVE ASSOCIATES
1708 PEACHTREE ST NW # 208
ATLANTA GA 30309

1500 N. Decatur Road
BARNES EMMETT LEE
1353 OXFORD RD NE
ATLANTA GA 30307

1500 N. Decatur Road
CLAYMAN AMY
1605 EMORY RD NE
ATLANTA GA 30306

1500 N. Decatur Road
MANN JESSICA RICE
1596 EMORY RD NE
ATLANTA GA 30306

1500 N. Decatur Road
MARTIN DAVID
1136 LULLWATER RD
ATLANTA GA 30307

1500 N. Decatur Road
DRUID HILLS GOLF CLUB
740 CLIFTON RD NE
ATLANTA GA 30307

1500 N. Decatur Road
MACKAY JAMES L
1477 N DECATUR RD NE
ATLANTA GA 30306

1500 N. Decatur Road
LYNCH-STIEGLITZ JEAN
1281 OAKDALE RD NE
ATLANTA GA 30307

1500 N. Decatur Road
ADAMS THOMAS A
PO BOX 1122
DECATUR GA 30031

1500 N. Decatur Road
KROEGER CLAUS F
1459 N DECATUR RD NE
ATLANTA GA 30306

1500 N. Decatur Road
SMITH KATHARINE COOPER
1275 OAKDALE RD NE
ATLANTA GA 30307

1500 N. Decatur Road
SEVER ADAM
1606 EMORY RD NE
ATLANTA GA 30306

1500 N. Decatur Road
MALIK BILAL
1443 N DECATUR RD NE
ATLANTA GA 30307

1500 N. Decatur Road
RED LANE STRATEGY INC
P O BOX 29342
ATLANTA GA 30359

1500 N. Decatur Road
EMORY VILLAGE LLC
1230 PEACHTREE ST STE 800
ATLANTA GA 30309

1500 N. Decatur Road
VAN GELDEREN LEON A
1289 OAKDALE RD NE
ATLANTA GA 30307

1500 N. Decatur Road
EMORY JEWISH STUDENT CENTER INC
1526 N DECATUR RD NE
ATLANTA GA 30307

1500 N. Decatur Road
MANNING KIMBERLY D
1485 N DECATUR RD NE
ATLANTA GA 30306

1500 N. Decatur Road
LUTON SHAWN REVOCABLE TRUST
1285 OAKDALE RD NE
ATLANTA GA 30307

1500 N. Decatur Road
WRIGHT JR CLARENCE D
1469 N DECATUR RD NE
ATLANTA GA 30306

1500 N. Decatur Road
OTS KARL
1474 N DECATUR RD NE
ATLANTA GA 30306

1500 N. Decatur Road
HENDERSON LOGAN J
1609 EMORY RD NE
ATLANTA GA 30306

1500 N. Decatur Road
HIBBERT PEGGY B
1451 N DECATUR RD NE
ATLANTA GA 30306

1500 N. Decatur Road
LUKER JEAN C
1288 OAKDALE RD NE
ATLANTA GA 30307

1500 N. Decatur Road
HARDY DAVID T
1619 CREDITNE DR NE
ATLANTA GA 30345

1500 N. Decatur Road
KANEY RACHEL
1287 OAKDALE RD NE
ATLANTA GA 30307

1500 N. Decatur Road
TBR LULLWATER OWNER LLC
100 PEACHTREE ST NW STE 1400
ATLANTA GA 30303

1500 N. Decatur Road
DEFRANCIS DAVID PAUL
1169 LULLWATER RD NE
ATLANTA GA 30307

1500 N. Decatur Road
EMORY VILLAGE ASSOCIATES LLC
1708 PEACHTREE ST NW # 208
ATLANTA GA 30309

1500 N. Decatur Road
HOUSTON MILL FIVE LLC
2285 TRISTAN CIR
ATLANTA GA 30345

1500 N. Decatur Road
BREC EMORY VILLAGE LLC
3715 NORTHSIDE PKWY NW BLDG/STE 4-450
ATLANTA GA 30327

1500 N. Decatur Road
GEORGIA POWER CO
241 RALPH MCGILL BLVD NE
ATLANTA GA 30308

1500 N. Decatur Road
FLUECKIGER PETER
39 CHURCH ST # 4A
NEW HAVEN CT 6510

1500 N. Decatur Road
OXFORD ROAD PARTNERS LLC
1230 PEACHTREE ST STE 800
ATLANTA GA 30309

1500 N. Decatur Road
GEORGIA POWER CO
241 RALPH MCGILL BLVD NE
ATLANTA GA 30308

1500 N. Decatur Road
EMORY JEWISH STUDENT CENTER INC
1526 N DECATUR RD NE
ATLANTA GA 30307

1500 N. Decatur Road
DOMOZICK CORINA DOMOZICK JEFFREY
1299 OAKDALE RD
ATLANTA GA 30307

1500 N. Decatur Road
LEE J BRENT
1307 OAKDALE RD NE
ATLANTA GA 30307

1500 N. Decatur Road
GAINES BENNETT L
9 LOOMIS FERRY RD
HILTON HEAD ISLAND SC 29928

1500 N. Decatur Road
BROWNLEY MARTINE W
1297 OAKDALE RD NE
ATLANTA GA 30307

1500 N. Decatur Road
SMART JENNIFER DUKE
1303 OAKDALE RD NE
ATLANTA GA 30307

1500 N. Decatur Road
HARTMAN BARBARA LANDIS REVOCABLE LIVII
1277 OAKDALE RD
ATLANTA GA 30307

1500 N. Decatur Road
JOHNSON BENJAMIN A
1458 N DECATUR RD NE
ATLANTA GA 30306

1500 N. Decatur Road
CLARK WILLIAM T
1295 OAKDALE RD NE
ATLANTA GA 30307

1500 N. Decatur Road
LAWRENCE GARTH
1284 OAKDALE RD NE
ATLANTA GA 30307

1500 N. Decatur Road
VAN TRUMP DANETTE
1466 N DECATUR RD NE
ATLANTA GA 30306

1500 N. Decatur Road
HOADLEY-THOROMAN LAINE S TRS
1442 N DECATUR RD NE
ATLANTA GA 30306

1500 N. Decatur Road

1500 N. Decatur Road
FLYNN THOMAS R REV DR TRUST
1278 OAKDALE RD NE
ATLANTA GA 30307

1500 N. Decatur Road
VANDERWIEL GRACE
1450 N DECATUR RD NE
ATLANTA GA 30306

1500 N. Decatur Road
TENHOOR TERRI I
1166 LULLWATER RD
ATLANTA GA 30307

1500 N. Decatur Road
BUTLER KATHARINE S
1165 LULLWATER RD NE
ATLANTA GA 30307

1500 N. Decatur Road
CARUSO CHRISTOPHER D
1280 OAKDALE RD NE
ATLANTA GA 30307

1500 N. Decatur Road
GALLAGHER HUGH H II
1602 EMORY RD NE
ATLANTA GA 30306

1500 N. Decatur Road
WILLIAMS JUDY
1155 LULLWATER RD NE
ATLANTA GA 30307

1500 N. Decatur Road
ROSEBRIAR COURT APARTMENTS
114 E PONCE DE LEON AVE STE C
DECATUR GA 30030

1500 N. Decatur Road
PALMER WILLIAM M
1610 EMORY RD NE
ATLANTA GA 30306

1500 N. Decatur Road
EMORY JEWISH STUDENT CENTER INC
1526 N DECATUR RD NE
ATLANTA GA 30307

1500 N. Decatur Road
LULLWATER WHARF LLC
1534 N DECATUR RD NE
ATLANTA GA 30307

1500 N. Decatur Road
GREEN RICHARD E
1495 N DECATUR RD NE
ATLANTA GA 30306

1500 N. Decatur Road
QUILLIAN CYNTHIA CLARK
1482 N DECATUR RD NE
ATLANTA GA 30306

1500 N. Decatur Road
VERENE DONALD PHILLIP
1291 OAKDALE RD NE
ATLANTA GA 30307

1500 N. Decatur Road
BULLOCK E POPE
1282 OAKDALE RD NE
ATLANTA GA 30306

1500 N. Decatur Road
SETILI ROBERT M
1286 OAKDALE RD NE
ATLANTA GA 30307

1500 N. Decatur Road
ARMSTRONG ALAN D
1290 OAKDALE RD NE
ATLANTA GA 30307

COMMUNITY MEETING SIGN IN SHEET

Chabad – Jerusalem House
 Meeting to Discuss Special Land Use Permit
 February 27, 2023

Name	Address	Cell Number	Email
Danette Van Trump	1466 N Decatur Rd NE	4) 519 9029	d.vantrump@yahoo.com
Karl Otz	1474 N Decatur RD	7) 231 2558	KJO1922@gmail.com
Leon Van Gelderen	1289 Oakdale R	4-966-8565	
Bennett Guines	1293 OAKdale Rd NE	(513) 309-5583	oakbluff@yahoo.com
Mutt Stoddard/Lullwater	1534 N Decatur	470-467-2200	muttekgalhelpga.com
Cynthia Quillien	1482 N. Decatur Rd. NE	404-373-0657	gwquillien@aol.com
George Quillien	" "	404-373-0657	"
Caroline Quillien Stubbs	"	770/335-7088	cqstubbs@gmail.com

COMMUNICATIONS WITH DRUID HILL
CIVIC ASSOCIATION AND EMMORY
VILLAGE ALLIANCE

Linda Dunlavy

From: Linda Dunlavy
Sent: Wednesday, February 15, 2023 10:55 AM
To: Rob Kincheloe
Cc: brucemac@earthlink.net; stevenjmisner@gmail.com; Cynthia Tauxe
Subject: Chabad SLUP
Attachments: Feb 2023 Letter to neighbors re SLUP meeting.docx

Rob:

Please find attached a sample of the letter sent to the neighboring property owners to 1500 North Decatur Road per the community involvement requirements of the DeKalb County BOC. Although you have already visited the site with us on February 5, please feel free to attend the meeting if you desire. Let me know of any questions.

Linda

Linda Dunlavy

To: Linda Dunlavy
Subject: RE: Chabad Emory Student Center

From: Linda Dunlavy
Sent: Monday, February 6, 2023 9:36 AM
To: Rob Kincheloe <rkincheloe@metareps.com>; Cynthia Tauxe <cyntauxe@gmail.com>; brucemac@earthlink.net; district9@druidhills.org
Cc: Chabad at Emory <rabbi@chabademory.org>
Subject: RE: Chabad Emory Student Center

Thanks for your visit yesterday. We will be moving forward with the SLUP application. Our goal is to file by March 9. I will keep you apprised of any significant developments as they occur. In the meantime, if any questions or concerns arise, feel free to reach out.

Linda

PS-I am not sure I have Bruce's email correct and the email for Steve is just the general mailbox for District 9 so if that is not checked much, please forward to Steve's personal email and to Bruce if I do not have the correct email!

Thanks,

Linda

From: Rob Kincheloe <rkincheloe@metareps.com>
Sent: Sunday, February 5, 2023 8:53 AM
To: Linda Dunlavy <ldunlavy@dunlavylawgroup.com>
Subject: Re: Chabad Emory Student Center

Plan to. Let me confirm with the 3 folks who accepted the invite as well. You put 1500 N Decatur on the invite, is this correct?

Thanks

On Feb 5, 2023, at 8:49 AM, Linda Dunlavy <ldunlavy@dunlavylawgroup.com> wrote:

Still on for 1 today at Jerusalem House?

Sent from my iPhone

From: Linda Dunlavy <ldunlavy@dunlavylawgroup.com>
Sent: Monday, January 23, 2023 5:04 PM
To: Rob Kincheloe <rkincheloe@metareps.com>
Subject: RE: Chabad Emory Student Center

Subject: RE: Chabad Emory Student Center

Okay—what about Sunday February 5 at any time?

From: Rob Kincheloe
<rkincheloe@metareps.com>
Sent: Thursday, January 12, 2023 8:44 AM
To: Linda Dunlavy
<ldunlavy@dunlavylawgroup.com>
Subject: Re: Chabad Emory Student Center

Unfortunately this Friday does not work for others. Is there a Friday or a Sunday option in the coming weeks?

On Jan 11, 2023, at 12:57 PM, Linda Dunlavy <ldunlavy@dunlavylawgroup.com> wrote:

Ugh! I hate scheduling! That said, the Rabbi is not available most of the week of the 23rd. Can we possibly say 1 p.m. this Friday???
1/13/23

From: Rob Kincheloe
<rkincheloe@metareps.com>
Sent: Wednesday, January 11, 2023 10:26 AM
To: Linda Dunlavy
<ldunlavy@dunlavylawgroup.com>
Subject: RE: Chabad Emory Student Center

OK, I was thinking around noon. Let me confirm with my guys/gals.

week of the 23rd. I am available the 23rd, the afternoon of the 24th or anytime on the 25th. Do any of these work for your team?

From: Rob Kincheloe
<rkincheloe@metareps.com>
Sent: Wednesday, January 11, 2023 9:51 AM
To: Linda Dunlavy
<ldunlavy@dunlavylawgroup.com>
Subject: RE: Chabad Emory Student Center

So is the 13th still an option? Never heard back here. We may need to push out with just two days notice.

From: Linda Dunlavy
<ldunlavy@dunlavylawgroup.com>
Sent: Monday, January 9, 2023 5:10 PM
To: Rob Kincheloe
<rkincheloe@metareps.com>
Subject: RE: Chabad Emory Student Center

Are you proposing these dates in January? Or February. If January, the 14th and 21st are Sabbath so the Rabbi cannot do those dates. I cannot do the 20th but can do the afternoon of the 13th if you are indeed suggesting January 13. Please clarify

From: Rob Kincheloe
<rkincheloe@metareps.com>

I'm sure members of my committee and I would be willing to meet and discuss your plans for the property. I suspect a weekend will prove best for our group. Let me see who wants to attend and what dates we can offer.

Thanks, Rob

From: Linda Dunlavy
<ldunlavy@dunlavylawgroup.com>
Sent: Wednesday, January 4, 2023 5:02 PM
To: landuse@druidhills.org
Subject: Chabad Emory Student Center

Rob:

I represent Chabad Emory who has recently closed on the purchase of the old Jerusalem House Property on North Decatur Road (#1500). For years Chabad has operated its student center #1526 immediately adjacent to the old Jerusalem House and what is now the Stoddard Law Firm. Due to increasing demands and a desire to more comprehensively address the needs of the Emory student population, Chabad decided to purchase the property and hopes to relocate its community outreach,

Dunlavy
Law Group, LLC

Linda I. Dunlavy
245 N. Highland Avenue, NE
Suite 230, #905
Atlanta, GA 30307
Tel: 404-371-4101

ldunlavy@dunlavylawgroup.com | www.dunlavylawgroup.com

March 8, 2023

David Hardy
1619 Crestline Dr NE
Atlanta, GA 30345

RE: Special Land Use Permit Application – 1500 N. Decatur Road

Dear Mr. Hardy:

I represent Chabad – Jerusalem House. Chabad plans to submit an application to DeKalb County seeking a Special Land Use permit for a cultural center at the referenced address. Enclosed is a copy of the relevant zoning map, property survey, and zoning schedule. The District 2 Community Council will meet via Zoom on April 11, 2023, at 6:30 p.m. I invite you to call me before the meeting on my cell phone at 404-664-0895 or email me at the address above if you have any questions or concerns.

Sincerely,

DUNLAVY LAW GROUP, LLC

/s/ Linda I. Dunlavy

Linda I. Dunlavy
Attorney for Chabad – Jerusalem House

Enclosures

Mailed 3/4/23



Linda I. Dunlavy
245 N. Highland Avenue, NE
Suite 230, #905
Atlanta, GA 30307
Tel: 404-371-4101

ldunlavy@dunlavylawgroup.com | www.dunlavylawgroup.com

March 8, 2023

RE: Special Land Use Permit Application – 1500 N. Decatur Road

Dear Neighbor:

I represent Chabad – Jerusalem House. On February 27, 2023, at 5:00 p.m., Rabbi Zalman Lipskier and I will conduct a meeting at 1500 North Decatur Road to discuss Chabad’s application to DeKalb County seeking a Special Land Use permit for a cultural center at this address. We invite you to join us so that we may discuss any questions or concerns that you have.

We look forward to seeing you at the meeting.

Sincerely,

DUNLAVY LAW GROUP, LLC

/s/ Linda I. Dunlavy

Linda I. Dunlavy
Attorney for Chabad – Jerusalem House

Mailed 2/9/23