



# DeKalb County Government

Manuel J. Maloof Center  
1300 Commerce Drive  
Decatur, Georgia 30030

## Agenda Item

**File #:** 2019-3526

5/7/2019

**File Status:** Preliminary Item

**Public Hearing:** YES  NO

**Department:** Planning & Sustainability

**SUBJECT:**

**COMMISSION DISTRICT(S):** 2 & 6

**Application of Toll Bros., Inc. c/o Morris, Manning and Martin, LLP to rezone property from R-85 (Residential Medium Lot) District to HR-2 (High Density Residential-2) District to develop a student housing development consisting of 202 apartment units on 3.38 acres at a density of 60 units per acre, at 957, 961, 953, 949, 946, 948, 9552, 956 and 960 Milledge Place.**

**PETITION NO:** N1. Z-19-1235071

**PROPOSED USE:** 202 Apartments

**LOCATION:** 957, 961, 953, 949, 946, 948, 952, 956 and 960 Milledge Place, Atlanta, GA.

**PARCEL NO.:** 18-106-10-033 through 18-106-10-041

**INFO. CONTACT:** Marian Eisenberg

**PHONE NUMBER:** 404-371-4922

**PURPOSE:**

Application of Toll Bros., Inc. c/o Morris, Manning and Martin, LLP to rezone property from R-85 (Residential Medium Lot) District to HR-2 (High Density Residential-2) District to develop a student housing development consisting of 202 apartment units on 3.38 acres at a density of 60 units per acre. The property is located on the north and south side of Milledge Place, the east side of Briarcliff Road, the north side of Clifton Road and the west side of Biltmore Drive at 957, 961, 953, 949, 948, 952, 956 and 960 Milledge Place. The property has approximately 115 feet of frontage on Briarcliff Road; 735 feet of frontage on Milledge Place; 450 feet of frontage on Clifton Road; and 518 feet of frontage on Biltmore Drive and contains 3.38 acres.

**RECOMMENDATION:**

**COMMUNITY COUNCIL:** DENIED

**PLANNING COMMISSION:** PENDING

**PLANNING STAFF:** Deferral Until November 2019 Rezoning Agenda

**STAFF ANALYSIS:** The proposed rezoning request from R-85 (Medium Lot Residential) District to HR-2 (High Density Residential-3) District is compatible with apartment zoning MR-2 (Medium Density Residential

-2) District adjacent to the site along Briarcliff Road. The proposed apartments are suitable in view of the surrounding higher intensity commercial uses in the area. However, the applicant has requested that the rezoning petition be deferred until the November 2019 rezoning agenda in order to gather more information about the proposed plans and coordinate the timing of the development with MARTA's improvements in the area. Therefore, per the applicant's request, the Planning and Sustainability Department recommends that the application be "Deferred until the November 2019 rezoning agenda".

**PLANNING COMMISSION VOTE: Pending**

**COMMUNITY COUNCIL VOTE/RECOMMENDATION: Denied 6-0-0.**



**DeKalb County Department of Planning & Sustainability**

**330 Ponce De Leon Avenue, Suite 300**

**Decatur, GA 30030**

**(404) 371-2155 / plandev@dekalbcountyga.gov**

**Planning Commission Hearing Date: May 07, 2019, 6:30 P.M.**

**Board of Commissioners Hearing Date: May 28, 2019, 6:30 P.M.**

**STAFF ANALYSIS**

**Case No.:** Z-19-1235071 **Agenda #:** N.1

**Location/Address:** The north and south side of Milledge Place; the east side of Briarcliff Road; the north side of Clairmont Road and the west side of Biltmore Drive at 957, 961, 953, 949, 946, 948, 952, 956 and 960 Milledge Place, Atlanta, Georgia. **Commission District: 2 Super District: 6**

**Parcel ID:** 18-106-10-033 thru 18-106-10-041

**Request:** To rezone property from R-85 (Residential Medium Lot) District to HR-2 (High Density Residential-2) District to develop a student housing development consisting of 202 apartment units on 3.38 acres at a density of 60 units per acre.

**Property Owners:** Perry Hamilton, Kimberly Perry Mergler & Eva Ann Perry Zwack; Karen G. Wise & Stuart L. Gottler; William W. Galloway & G. Douglas Dillard; David W. Amis & Jonathan T. DeLoach; Lynn E. & Edward J. Ryan; Bobby W. Goldberg; The Estate of Benjamin L. Wyckoff, Jr. & Estelle Wyckoff; Bottom Line Properties, LLC & The Estate of Grace J. Netland

**Applicant/Agent:** Toll Bros., Inc. c/o Morris, Manning and Martin, LLP

**Acreage:** 3.38 Acres

**Existing Land Use:** Nine (9) Single-Family Detached Residences

**Surrounding Properties:** QuikTrip; Pig-N-Chik BBQ; Atlantic Briarcliff Apartment Homes

**Adjacent & Surrounding Zoning:** North: MR-2 (Medium Density-Residential-2) District  
West: M (Light-Industrial) District; East: O-I (Office-Institutional) District  
South: C-1 (Local Commercial) District

**Comprehensive Plan:** Town Center (TC) Consistent X

<b>Proposed Building Square Feet:</b> 202 Apartment Units	<b>Existing Units:</b> 9 Single-Family Detached Residences
<b>Proposed Lot Coverage:</b> <80%	<b>Existing Lot Coverage:</b> <35% Per Lot

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

The 3.38-acre site has frontage on Briarcliff Road (a minor arterial), Clifton Road (a minor arterial), Milledge Place and Biltmore Drive (both local streets). The site is currently developed with nine (9) single-family detached residences. There is curb and gutter along all street frontages but only Clifton Road has sidewalks. Adjacent to the site along Briarcliff Road is Atlantic Briarcliff Apartments. West of the site is commercial uses including a Quik-Trip gas and convenience store. Along the south side of Clifton Road across from the site is Pig-N-Chik Barbeque. DeKalb County records indicate that the property was zoned R-85 (Residential Medium Lot) with the establishment of the 1956 Zoning Ordinance.

## **PROJECT ANALYSIS:**

Per the submitted application and site plan, the applicant is requesting to rezone the property from R-55 (Residential Medium Lot) District to the HR-2 (High Density Residential-2) District to develop 202 apartment units at a density of 60 units per acre by achieving bonus density qualifiers. The submitted site plan depicts a basement level, first floor and parking garage. The total proposed building height is five (5) stories. A 15-foot wide transitional buffer is proposed adjacent to MR-2 zoned property. Per Chapter 27- Article 5 of the DeKalb County Code, a 30-foot wide transitional buffer is required.

One (1) right-in/right-out access point is depicted from Briarcliff Road. One (1) left-in/right out access only is proposed on Biltmore Road. No access is proposed from Clifton Road. Per Land Development Code Sec. 14-400 (5) a minimum of three (3) access points is required for 200 units on a collector street. Per the submitted documentation, parking will be provided in an interior deck and connections to Emory via the Emory Shuttle and to MARTA via the existing bus stop and future MARTA line are anticipated. The applicant intends to pursue a variance to reduce the number of access points from three to two and to reduce the required transitional buffer from 30 feet to 15 feet.

## **ZONING ANALYSIS:**

The R-85 (Residential Medium Lot) District allows single-family detached residences on minimum 12,000 square foot lots. The HR-2 (High Density Residential-2) District allows high density, high-rise residential uses.

Adjacent property zoned MR-2 (Medium Density Residential) pursuant to CZ-85061 and developed as apartments along Briarcliff Road support the proposed HR-2 (High-Density Residential) zoning district on the site. The current zoning at that location is not consistent and compatible with adjacent zoning districts. The subject site is a stand-alone R-85 (Residential) zoned lot between MR-2 and commercial (C-1) zoned properties on Briarcliff Road. To the rear of the site along Biltmore Road is undeveloped property zoned O-I (Office-Institutional) pursuant to CZ-82063. Although the site is currently developed with single-family detached residences, there is no appropriate transition of land use from higher to lower density at the intersection of Briarcliff Road and Clifton Road. Therefore, the zoning analysis concludes that the proposed HR-2 District would be appropriate for the subject site.

## **IMPACT ANALYSIS:**

**Section 27-7.3.4 of the DeKalb County Code states that the following standards and factors shall govern the review of all proposed amendments to the Official Zoning Map.**

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

The 2035 Comprehensive Plan designates the subject site within a Town Center. Located at the intersection of Briarcliff Road and Clifton Road, the rezoning proposal is consistent with the following Land Use Policy: Location

Criteria – The most intense development shall occur in the center of the node or at the major intersections within the defined area. Higher density residential is encouraged within the defined area (stand alone or as a vertical mixed-use development).

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

The proposed rezoning to the HR-2 (High Density Residential-2) District for apartments is suitable given the adjacent Atlantic Briarcliff apartment homes and surrounding commercial uses in the area.

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

Given that the site is located within a Town Center Character Area for high density development, the property may not have a reasonable economic use as currently zoned R-85 (Residential Medium Lot) District for single-family detached residences. The proposed rezoning to the HR-2 District allows more options for more viable economic performance.

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

The rezoning request to the HR-2 (High Density Residential-2) District should not adversely affect the use or usability of adjacent and nearby commercial and apartment properties along Briarcliff Road.

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

The site is at a heavily traveled intersection (Briarcliff Road and Clifton Road). The proposed use for apartments allows higher density residential uses consistent with the Town Center Character Area policies identified by the 2035 Comprehensive Plan.

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

There are no known historic buildings, sites, districts or archeological resources that would be adversely affected by the rezoning request to the HR-2 District.

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

The request for 202 apartment units would have an impact on vehicle and pedestrian traffic in the area. Access points and road improvements are critical to development. The applicant is requesting to defer this petition to learn what improvement plans MARTA (Metropolitan Atlanta Rapid Transit Authority) has for the area and how it may affect the proposed development. Per the DeKalb County Schools, the proposed development may generate approximately seven (7) new school students. When fully constructed, this development would be expected to house 5 students at Briar Vista ES, 1 at Druid Hills MS, 2 at Druid Hills HS, and 1 at other DCSD schools. All three neighborhood schools have capacity for additional students.

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

The request for HR-2 zoning on the site should not adversely impact the environment or surrounding natural resources. However, the Land Disturbance Permit (LDP) process would require approval to establish tree preservation standards, storm water management and emergency vehicle access.

**COMPLIANCE WITH HR-2 (HIGH DENSITY RESIDENTIAL-2) DISTRICT STANDARDS PER TABLE 2.4: Medium and High Density-Residential Zoning Districts**

STANDARD	REQUIREMENT	PROPOSED	COMPLIANCE
DWELLING UNITS PER ACRE	Base maximum 40 Units Per Acre  Bonus maximum 60 Units Per Acre	60 Units Per Acre	No. Site Plan does not depict how site will achieve bonus maximum density.
STREET FRONTAGE	100 Feet	Approximately 100 feet of frontage on Briarcliff Road; 735 feet of frontage on Milledge Place; 450 feet of frontage on Clifton Road; and 518 feet of frontage along Biltmore Drive	Yes
LOT COVERAGE	Max. 85%	85%	Yes
FRONT SETBACK	Min. 10 Feet	10 Feet	Yes
TRANSITIONAL BUFFER Table 5.2(a)	30 Feet adjacent to MR-2 zoned District	15-Foot undisturbed buffer	No. Must seek variance with Zoning Board of Appeals
HEIGHT-Table 2.13 HR-2	Base maximum height at 40 units per acre is 4 stories or 60 feet  Bonus maximum height up to 60 units per acre is 6 stories or 75 feet	70 Feet	No. Site Plan does not depict how site will achieve bonus maximum height.
OPEN SPACE	Min. 15%	15%	Yes
PARKING – ARTICLE 6 Min. (1.5) space per dwelling unit	1.5 x 202 units = 303 parking spaces.	303 Parking Spaces	Yes. Parking is within parking garage.

**STAFF RECOMMENDATION: DEFERRAL UNTIL NOVEMBER 2019 REZONING AGENDA**

The proposed rezoning request from R-85 (Medium Lot Residential) District to HR-2 (High Density Residential-3) District is compatible with apartment zoning MR-2 (Medium Density Residential -2) District adjacent to the site along Briarcliff Road. The proposed apartments are suitable in view of the surrounding higher intensity commercial uses in the area. However, the applicant has requested that the rezoning petition be deferred until the November 2019 rezoning agenda in order to gather more information about the proposed plans and coordinate the timing of the development with MARTA's improvements in the area. Therefore, per the applicant's request, the Planning and Sustainability Department recommends that the application be **"Deferred Until the November 2019 Rezoning Agenda"**.

**Attachments:**

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

**Hill, Karen F.**

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**From:** Carl Westmoreland <CWestmoreland@mmmlaw.com>  
**Sent:** Monday, April 22, 2019 11:07 AM  
**To:** Hill, Karen F.; Alexander, Michelle M.  
**Cc:** Rader, Jeff; Gannon, Kathie; Stephen Bates (sbates@tollbrothers.com); 'khernacki@gmail.com'; Payne, David C; 'woody@glawgp.com'; Doug Dillard (DDillard@dillardsellers.com); Corbin Armstrong  
**Subject:** Z-18-1235069 and A-19-1243237; Milledge Place

On behalf of the applicant, please accept this as a request to defer the above rezoning application until the Commission's November agenda. This also requests deferral of the variance application until an available Board of Zoning Appeals' agenda after the rezoning. The reason for the delay is that both the applicant and county need more information about the plans and timing for MARTA's improvements in the area. We understand that the zoning case has been advertised and that someone will need to be at the 5/7 Planning Commission and the 5/28 BOC meetings to reiterate the deferral request. By copy, I'm asking representatives of the neighbors and other interested parties to inform their contacts that the applicant will not be moving forward in May. Please let me know if you have questions or need anything further.



**Carl Westmoreland**  
Partner

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## NEXT STEPS

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

- ✓ **Land Disturbance Permit** (Required for of new building construction on non-residential properties, or land disturbance/improvement such as storm water detention, paving, digging, or landscaping.)
- ✓ **Building Permit** (New construction or renovation of a building (interior or exterior) may require full plan submittal or other documentation. zoning, site development, watershed and health department standards will be checked for compliance.)
- ✓ **Certificate of Occupancy** (Required prior to occupation of a commercial space and for use of property for any business type. The issuance follows the review of submitted plans if required based on the type occupancy.)
- ✓ **Plat Approval** (Required if any parcel is being subdivided, re-parceled, or combined. Issued “administratively”; no public hearing required.)

**Sketch Plat Approval** (Required for the subdivision of property into three lots or more. Requires a public hearing by the Planning Commission.)

**Overlay Review** (Required review of development and building plans for all new construction or exterior modification of building(s) located within a designated overlay district.)

**Historic Preservation** (Certificate of Appropriateness required for any proposed changes to building exteriors or improvements to land when located within the Druid Hills or the Soapstone Geological Historic Districts. Historic Preservation Committee public hearing may be required.)

- ✓ **Variance or Special Exception** (Required seeking relief from any development standards of the Zoning Ordinance. A public hearing and action by the Board of Appeals are required for most variances.)

**\Minor Modification** (Required if there are any proposed minor changes to zoning conditions that were approved by the Board of Commissioners. The review is administrative if the changes are determined to be minor as described by Zoning Code.)

**Major Modification** (Required submittal of a complete zoning application for a public hearing if there are any proposed changes to zoning conditions approved by the Board of Commissioner on a prior rezoning.)

**Business License** (Required for any business or non-residential enterprise operating in Unincorporated DeKalb County, including in-home occupations).

**Alcohol License** (Required permit to sell alcohol for consumption on-site or packaged for off-site consumption. Signed and sealed distance survey is required. Background checks will be performed.)

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



## DEKALB COUNTY GOVERNMENT PLANNING DEPARTMENT DISTRIBUTION FORM

**NOTE: PLEASE RETURN ALL COMMENTS VIA EMAIL OR FAX TO EXPEDITE  
THE PROCESS TO JOHN REID [jreid@dekalbcountyga.gov](mailto:jreid@dekalbcountyga.gov) or  
MICHELLE ALEXANDER [mmalexander@dekalbcountyga.gov](mailto:mmalexander@dekalbcountyga.gov)**

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

### DEVELOPMENT ANALYSIS:

- **Transportation/Access/Row**

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

- **Storm Water Management**

Compliance with the Georgia Stormwater Management Manual, DeKalb County Code of Ordinances 14-40 for Stormwater Management and 14-42 for Storm Water Quality Control, to include Runoff Reduction Volume where applicable is required as a condition of land development permit approval. Use Volume Three of the G.S.M.M. for best maintenance practices. Use the NOAA Atlas 14 Point Precipitation Data set specific to the site.

- **Flood Hazard Area/Wetlands**

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

- **Landscaping/Tree Preservation**

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

- **Tributary Buffer**

State water and consequently, State water buffer was not reflected in the G.I.S. records for the site. Typical state waters buffer have a 75' undisturbed stream buffer and land development within the undisturbed creek buffer is prohibited without a variance per DeKalb County Code of Ordinances 14-44.1.

- **Fire Safety**

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

- **Retaining Wall**

Any proposed wall must comply with DeKalb County Code of Ordinances Chapter 27- 5.4.7



DEKALB COUNTY GOVERNMENT  
PLANNING DEPARTMENT  
DISTRIBUTION FORM

NOTE: PLEASE RETURN ALL COMMENTS VIA EMAIL OR FAX TO EXPEDITE THE PROCESS TO  
MICHELLE ALEXANDER [MMALEXANDER@DEKALBCOUNTYGA.GOV](mailto:MMALEXANDER@DEKALBCOUNTYGA.GOV) OR JOHN REID  
[JREID@DEKALBCOUNTYGA.GOV](mailto:JREID@DEKALBCOUNTYGA.GOV)

COMMENTS FORM:  
**PUBLIC WORKS TRAFFIC ENGINEERING**

Case No.: 2-18-1235071 Parcel I.D. #: 18-106-10-033

Address: Millidge Place  
Atlanta, GA

Adjacent Roadway (s):

\_\_\_\_\_  
\_\_\_\_\_  
(classification) (classification)

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

Please provide additional information relating to the following statement.

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

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

COMMENTS:

Plans and field reviewed. Nothing to indicate traffic interruptions.

Signature: [Signature]

**DeKalb County School District  
Development Review Comments**

Analysis Date: 4/15/2019

Submitted to: DeKalb County Case #: Z-19-1235071  
Parcel #: 18-106-10-033 -034 -035 -036 -037 -038 -039 - 040 - 041

Name of Development: Milledge Place Apartments  
Location: Milledge Place and Briarcliff Road (Near Clifton Rd and Billmore Place)

Description: Proposed 5-story apartment development with 202 1&2 Bedroom units marketed to Emory Univ. students.

Impact of Development: When fully constructed, this development would be expected to house 7 students: 3 at Briar Vista ES, 1 at Druid Hills MS, 2 at Druid Hills HS, 1 at other DCSD schools. All three neighborhood schools have capacity for additional students.

Current Condition of Schools	Briar Vista ES	Druid Hills MS	Druid Hills HS	Other DCSD Schools	Private Schools	Total
Capacity	500	1,182	1,405			
Portables	0	0	0			
Enrollment (Fcst. Oct. 2019)	422	949	1,388			
Seats Available	78	233	17			
Utilization (%)	84.4%	80.3%	98.8%			
<b>New students from development</b>	<b>3</b>	<b>1</b>	<b>2</b>	<b>1</b>	<b>0</b>	<b>7</b>
New Enrollment	425	950	1,390			
New Seats Available	75	232	15			
New Utilization	85.0%	80.4%	98.9%			

Yield Rates	Attend Home School	Attend other DCSD School	Private School	Total
Elementary	0.013378	0.006126	0.002393	0.021897
Middle	0.003381	0.000000	0.001593	0.004974
High	0.009417	0.001748	0.001445	0.012610
<b>Total</b>	<b>0.026175</b>	<b>0.007874</b>	<b>0.005431</b>	<b>0.039481</b>
<b>Student Calculations</b>				
Proposed Units	202			
Unit Type	Apt			
Cluster	Druid Hills HS			
Units x Yield	Attend Home School	Attend other DCSD School	Private School	Total
Elementary	2.70	1.24	0.48	4.42
Middle	0.68	0.00	0.32	1.00
High	1.90	0.35	0.29	2.54
<b>Total</b>	<b>5.28</b>	<b>1.59</b>	<b>1.09</b>	<b>7.96</b>
Anticipated Students	Attend Home School	Attend other DCSD School	Private School	Total
Briar Vista ES	3	1	0	4
Druid Hills MS	1	0	0	1
Druid Hills HS	2	0	0	2
<b>Total</b>	<b>6</b>	<b>1</b>	<b>0</b>	<b>7</b>

**Comparable Developments for:**

**Millage Place Apartmetns**

**Millage Place and Briarcliff Road (Near Clifton Rd and Biltmore Place)**

Average Yield Rate by Grade Level and Enrollment Type				
	Res	NonRes	Private	Total
ES	0.0134	0.0061	0.0024	0.0219
MS	0.0034	0.0000	0.0016	0.0050
HS	0.0094	0.0017	0.0014	0.0126
<b>Total</b>	<b>0.0262</b>	<b>0.0079</b>	<b>0.0054</b>	<b>0.0395</b>

Cluster	Year	Name	Units	Students									Yield Rate									Total Students	Total Yield Rate				
				Res			NonRes			Private			Res			NonRes			Private								
				ES	HS	MS	ES	HS	MS	ES	HS	MS	ES	HS	MS	ES	HS	MS	ES	HS	MS						
Druid Hills HS	2015	<b>Emory Point</b>	750	0	0	0	2	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	2	0.0027
	2016	<b>Accent North Druid</b>	310	2	5	4	1	0	0	1	1	1	0.0065	0.0161	0.0129	0.0032	0.0000	0.0000	0.0032	0.0032	0.0032	0.0032	0.0032	0.0032	15	0.0484	
		<b>Reserve Decatur</b>	211	6	4	0	1	1	0	1	0	1	0.0284	0.0190	0.0000	0.0047	0.0047	0.0000	0.0047	0.0000	0.0047	0.0000	0.0047	14	0.0664		
	2017	<b>Point on Scott I</b>	250	8	3	1	5	1	0	1	1	0	0.0320	0.0120	0.0040	0.0200	0.0040	0.0000	0.0040	0.0040	0.0000	0.0000	0.0000	20	0.0800		
2009	<b>Campus Crossing</b>	214	0	0	0	0	0	0	0	0	0	0	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0	0.0000		

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**Rezoning**  
**Summary and Impact Analysis**

**I. Letter of Application**

This application requests a rezoning of a 3.38 acre assemblage of properties from the R-85 district to the HR-2 district. The proposed development is located north of Emory University and has frontage on Biltmore Drive, Clifton Road and Briarcliff Road. The rezoning would enable the redevelopment of the property with a multifamily student housing development containing approximately 202 units with a height of five stories. Parking will be provided in an interior deck and connections to Emory via the Emory Shuttle and to MARTA via the existing bus stop and future MARTA line are anticipated.

**II. Impact Analysis**

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

The Comprehensive Plan designates the site as Town Center. The proposed development is consistent with the policy and intent the Comprehensive Plan. The Comprehensive Plan explicitly states that HR-2 is an appropriate category within Town Center. Further, an intent of the Town Center character area is to promote the concentration of residential structures which reduce automobile travel and promote walkability and transit usage. The proposed multifamily student housing development would allow for a vibrant, pedestrian and transit friendly use to complement the adjacent Emory University campus and the Centers for Disease Control and Prevention (CDC).

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

Across Biltmore Drive to the east is Emory University. Across Clifton Road to the southwest are railroad tracks, a restaurant, and a shopping center. Across Briarcliff Road to the northwest is a gas station and commercial cooking oil recycling facility. Adjacent to the north are the Atlantic Briarcliff apartment homes. The proposed multifamily use is suitable in view of the surrounding higher intensity commercial and multifamily uses. Further, the proposed multifamily student housing use is appropriate given its proximity to Emory University and existing and future transit facilities in the area.

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

The lack of significant renovations to the property as well as the surrounding classifications of medium density residential, commercial, office institutional, and light industrial suggest that the current single-family residential classification no longer has a reasonable economic use.

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

The zoning proposal will not adversely affect the existing use and usability of adjacent of adjacent or nearby properties. As mentioned above, the property is surrounded by uses that are compatible with the scale of the proposed development. The proposed development will add a vibrant multifamily student housing use to the mix of commercial, multifamily and university uses nearby.

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

The rezoning will bring the property in conformity with the surrounding properties of high and medium intensity uses and would eliminate what is currently an island of single-family use. Further, the proposed zoning is appropriate given that a MARTA rail line and station have been approved for construction in the nearby area. The MARTA station will likely catalyze further higher density development in the area. Finally, the property will serve the Emory University and CDC communities by providing a housing option within close proximity.

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

The proposal will not adversely affect historic buildings, sites, districts, or archaeological resources.

---

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

The proposed use will not cause an excessive or burdensome use of streets, transportation facilities, utilities or schools. The proposed development is not anticipated to have any impact on schools because it will be marketed and designed for student housing use. The proposed development will have some impact on existing streets, transportation facilities and utilities. However, those impacts will be mitigated by the proximity to Emory University's campus and the existing and future MARTA facilities.





March 25, 2019

Corbin Armstrong, Esq.  
404-495-8463  
carmstrong@mmmlaw.com  
www.mmmlaw.com

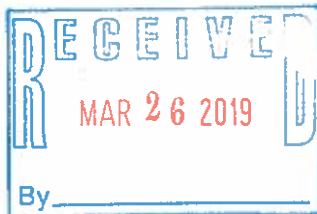
**VIA EMAIL: meisenberg@dekalbcountyga.gov**  
**VIA U.S. POSTAL SERVICE**

Marian Eisenberg  
Zoning Administrator  
DeKalb County  
Planning & Sustainability  
330 W. Ponce de Leon Avenue  
Decatur, GA 30030

Re: Request to Withdraw Application LP-18-1235069; Milledge Place

Dear Marian:

By this letter, the applicant for the above captioned application requests to withdraw the land use amendment application for property located at Milledge Place. After discussion with the County and GDOT, the applicant proposes to reduce the requested density for the proposed project from 372 units to 202 units. The applicant has requested to change the rezoning category request from HR-3 to HR-2. The property is currently in the Town Center land use category. Therefore, the land use amendment is no longer necessary and the applicant requests to withdraw the land use amendment request.



Sincerely,

*Corbin Armstrong*

Corbin Armstrong

Marian Eisenberg  
March 25, 2019  
Page 2

---

cc: Carl Westmoreland (via email: cwestmoreland@mmlaw.com)  
Larry Washington (via email: lashington@dekalbcountyga.gov)  
Michelle Alexander (via email: mmalexander@dekalbcountyga.gov)  
Karen Hill (via email: KFhill@dekalbcountyga.gov)  
Cedric Hudson (via email: chudson@dekalbcountyga.gov)



**Exhibit A**

**Property Owner Contact and Address List**

<b>Property Owner and Contact</b>	<b>Property Address</b>	<b>Tax Parcel ID</b>
Cathy Perry Hamilton, Kimberly Perry Mergler and Eva Ann Perry Zwack 521 Moreno Circle St. Petersburg, FL 33703	957 Milledge Place	18 106 10 034
Karen G. Wise and Stuart L. Gottler 961 Milledge Place Atlanta, GA 30329	961 Milledge Place	18 106 10 033
William W. Galloway and G. Douglas Dillard 3500 Lenox Road N.E., Suite 760 Atlanta, GA 30326	953 Milledge Place	18 106 10 035
David W. Amis and Jonathan T. DeLoach 949 Milledge Place Atlanta, GA 30329	949 Milledge Place	18 106 10 036
Lynn E. Ryan and Edward J. Ryan 946 Milledge Place Atlanta, GA 30329	946 Milledge Place	18 106 10 037
Bobby W. Goldberg 948 Milledge Place Atlanta, GA 30329	948 Milledge Place	18 106 10 038
The Estate of Benjamin L. Wyckoff, Jr. and The Estate of Estelle Wyckoff 543 Terrace Avenue, N.E. Atlanta, GA 30307	952 Milledge Place	18 106 10 039
Bottom Line Properties, LLC 1579 Monroe Drive, N.E., F-304 Atlanta, GA 30324	956 Milledge Place	18 106 10 040
The Estate of Grace J. Netland P.O. Box 980488 Park City, UT 84098	960 Milledge Place	18 106 10 041





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: Toll Bros., Inc. Phone: 404-419-2157 Email: Sbates@tollbrothersinc.com

Property Address: 961, 957, 953, 949, 946, 948, 952, 956 and 960 Milledge Place Atlanta, GA 30329

Tax Parcel ID: SEE ATTACHED Comm. District(s): 2 Acreage: ~~2.4~~, 4.4

Existing Use: Single Family Residential Proposed Use Multifamily Residential

Supplemental Regs: \_\_\_\_\_ Overlay District: N/A DRI: N/A

Rezoning: Yes  No \_\_\_\_\_

Existing Zoning: R-85 Proposed Zoning: HR-3 Square Footage/Number of Units: 374 85/acre

Rezoning Request: Request to zone from R-85 to HR-3.

Land Use Plan Amendment: Yes  No \_\_\_\_\_

Existing Land Use: Town Center Proposed Land Use: Regional Center Consistent \_\_\_\_\_ Inconsistent \_\_\_\_\_

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

Special Land Use Request(s) \_\_\_\_\_

**Major Modification:**

Existing Case Number(s): \_\_\_\_\_

Condition(s) to be modified:



DEPARTMENT OF PLANNING & SUSTAINABILITY

WHAT TO KNOW BEFORE YOU FILE YOUR APPLICATION

Pre-submittal Community Meeting:  Review Calendar Dates:  PC:  BOC:   
Letter of Intent:  Impact Analysis:  Owner Authorization(s):  Campaign Disclosure:   
Zoning Conditions: \_\_\_\_\_ Community Council Meeting:  Public Notice, Signs:   
Tree Survey, Conservation: \_\_\_\_\_ Land Disturbance Permit (LDP): \_\_\_\_\_ Sketch Plat: \_\_\_\_\_  
Bldg. Permits: \_\_\_\_\_ Fire Inspection: \_\_\_\_\_ Business License: \_\_\_\_\_ State License: \_\_\_\_\_  
Lighting Plan: \_\_\_\_\_ Tent Permit: \_\_\_\_\_ *Trash Study*

Review of Site Plan

Density: \_\_\_\_\_ Density Bonuses: *include in letter of intent* Mix of Uses: \_\_\_\_\_ Open Space:  Enhanced  
Open Space: \_\_\_\_\_ Setbacks: front \_\_\_\_\_ sides \_\_\_\_\_ side corner \_\_\_\_\_ rear \_\_\_\_\_ Lot Size:  
\_\_\_\_\_ Frontage: \_\_\_\_\_ Street Widths: \_\_\_\_\_ Landscape Strips: \_\_\_\_\_ Buffers: \_\_\_\_\_  
Parking Lot Landscaping:  Parking - Auto: \_\_\_\_\_ Parking - Bicycle: \_\_\_\_\_ Screening:  
\_\_\_\_\_ Streetscapes: \_\_\_\_\_ Sidewalks: \_\_\_\_\_ Fencing/Walls: \_\_\_\_\_ Bldg. Height: \_\_\_\_\_ Bldg.  
Orientation: \_\_\_\_\_ Bldg. Separation: \_\_\_\_\_ Bldg. Materials: \_\_\_\_\_ Roofs: \_\_\_\_\_ Fenestration: \_\_\_\_\_  
Façade Design: *5-7-7* Garages: \_\_\_\_\_ Pedestrian Plan:  Perimeter Landscape Strip: *10'*  
Possible Variances: *Buffer adjacent to MR-2 30'*

Comments:

Planner: *MRS*

Date *6/19/18*

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



Carl E. Westmoreland, Jr.  
404-504-7799  
cew@mmmlaw.com  
www.mmmlaw.com

June 11, 2018

RE: Meeting to Discuss Proposed Rezoning and Land Use Map Amendment for the Redevelopment of land located at 961, 957, 953, 949, 946, 948, 952, 956 and 960 Milledge Place (the "Property")

Dear Property Owner:

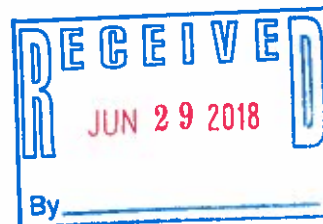
We represent Toll Bros., Inc. which proposes to file rezoning and land use map amendment applications in the near future to allow redevelopment of the Property with multifamily residences. The property, which is located near the intersection of Briarcliff and Clifton Roads, is currently zoned R-85 with the land use designation of Town Center and is proposed to be rezoned to HR-3 with the land use designation of Regional Center.

You are receiving this letter because you own property within 500 feet of the Property, or represent a neighborhood organization within a half mile of the Property. No change in zoning or land use designation is proposed on your property. As a part of any rezoning and land use amendment process, DeKalb County requires that the applicant notify its neighbors regarding the proposal and request feedback on the proposal. We have an open house meeting on Wednesday, June 27, 2018 at 7:00 pm at the Taqueria del Sol catering office at 1145 Zonolite Road, Suite 11 Atlanta, Georgia to answer any questions you may have regarding the proposal. On behalf of my client, I would like to invite you to attend the meeting to further discuss the proposed application and any concerns that you may have.

Thank you for your consideration.

Sincerely,

Carl E. Westmoreland, Jr.  
Attorney for Applicant

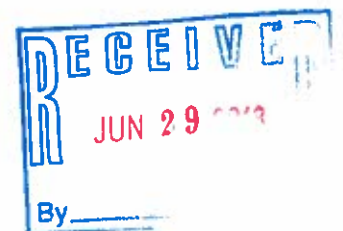


Enclosures

cc: Stephen Bates (via email: sbates@tollbrothers.com)  
W. Woodson Galloway, Esq. (via email: woody@glawgp.com)

---

PHILBECK CHRISTOPHER	994 BURTC ATLANTA GA 30329
EMORY UNIVERSITY	201 DOWN ATLANTA GA 30322
PERRY FAMILY PROPERTIES LLC	521 MORE ST PETERSBURG FL 33703
BAC HOLDINGS LLLP	1982 STAR ATLANTA GA 30345
NANCY KNOX SCHAFFER REVOCAL	44 SEA DU SANTA ROSA BEACH FL 32459
BOTTOM LINE PROPERTIES LLC	1579 MON ATLANTA GA 30324
EMORY UNIVERSITY	1599 CLIFT ATLANTA GA 30322
MARCUS AUTISM CENTER INC	1665 TULL ATLANTA GA 30329
GALLOWAY WILLIAM W	3500 LENC ATLANTA GA 30326
NETLAND GRACE J	PO BOX 98 PARK CITY UT 84098
PLANT IMPROVEMENT COMPANY	PO BOX 15 ATLANTA GA 30333
SHEPHERD STEPHEN B	PO BOX 80 ATLANTA GA 31106
SHEPHERD CONSTRUCTION CO IN	1800 BRIAI ATLANTA GA 30329
OCEAN CLIFTON LLC	1025 KANE BAY HARBOR ISLANDS FL 33154
WYCKOFF L BENJAMIN JR	543 TERRA ATLANTA GA 3030



## Corbin Armstrong

---

**From:** Corbin Armstrong  
**Sent:** Monday, June 11, 2018 5:13 PM  
**To:** 'bbelton@mindspring.com'; 'betty\_blondeau@bellsouth.net'; 'ian@bogost.com';  
'tedaniel@mindspring.com'; 'me9461@bellsouth.net'; 'artghansen@gmail.com';  
'crmaise@mindspring.com'; 'Heather@RenewalDesignBuild.com';  
'patathomas@patathomas.com'; 'jturner@turnerresearch.com'  
**Cc:** Carl Westmoreland (cwestmoreland@mmmlaw.com)  
**Subject:** Community Meeting Invitation-- Rezoning and Land Use Amendment Applications in  
Community Council 2 [WOV-mmmdms1.31315.109453]  
**Attachments:** 11838173 (1) (31315\_109453) (Notice Letter Regarding Community Meeting Milledge  
Place).PDF

Dear Community Council 2 Members,

Find attached an invitation to attend a community meeting regarding rezoning and land use amendment applications for properties located at 961, 957, 953, 949, 946, 948, 952, 956 and 960 Milledge Place. As described in the letter, the community meeting will occur on Wednesday, June 27<sup>th</sup> at 7:00 pm.

Kind Regards,



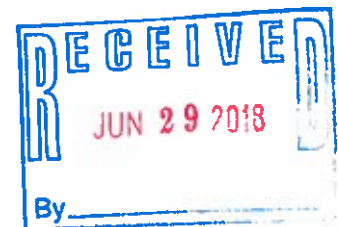
**Corbin Armstrong**  
Associate

Direct: 404-495-8463  
[carmstrong@mmmlaw.com](mailto:carmstrong@mmmlaw.com)  
1600 Atlanta Financial Center  
3343 Peachtree Road, NE  
Atlanta, GA 30326

[mmmlaw.com](http://mmmlaw.com)



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---

**Corbin Armstrong**

---

**From:** Corbin Armstrong  
**Sent:** Monday, June 11, 2018 5:29 PM  
**To:** 'amdavey@bellsouth.net'; 'beckyevans@mindspring.com'; 'tauxecyn@aol.com'; 'antjr@emory.edu'; 'charlie.bleau@scimeasure.com'; 'macdell@earthlink.net'; 'pelam898@bellsouth.net'; 'ralstont@bellsouth.net'; 'rolfgrun@bellsouth.net'; 'wasa3@msn.com'; 'president@lavistapark.org'; 'execvp@lavistapark.org'; 'president@woodlandhillsatlanta.org'; 'zoning@lavistapark.org'; 'davidlitt55@yahoo.com'  
**Cc:** Carl Westmoreland (cwestmoreland@mmmlaw.com)  
**Subject:** RE: Invitation to Community Meeting Regarding Proposed Rezoning and Land Use Amendment Applications [IWOV-mmmdms1.31315.109453]  
**Attachments:** 11838173 (1) (31315\_109453) (Notice Letter Regarding Community Meeting Milledge Place).PDF

Invitation attached.

---

**From:** Corbin Armstrong  
**Sent:** Monday, June 11, 2018 5:28 PM  
**To:** 'amdavey@bellsouth.net'; 'beckyevans@mindspring.com'; 'tauxecyn@aol.com'; 'antjr@emory.edu'; 'charlie.bleau@scimeasure.com'; 'macdell@earthlink.net'; 'pelam898@bellsouth.net'; 'ralstont@bellsouth.net'; 'rolfgrun@bellsouth.net'; 'wasa3@msn.com'; 'president@lavistapark.org'; 'execvp@lavistapark.org'; 'president@woodlandhillsatlanta.org'; 'zoning@lavistapark.org'; 'davidlitt55@yahoo.com'  
**Cc:** Carl Westmoreland (cwestmoreland@mmmlaw.com)  
**Subject:** Invitation to Community Meeting Regarding Proposed Rezoning and Land Use Amendment Applications [IWOV-mmmdms1.31315.109453]

Dear Neighborhood Leaders,

You are being contacted because you are listed by the DeKalb County Department of Planning and Sustainability as a leader for a neighborhood organization, listed below, that may be located within a half mile of properties located at 961, 957, 953, 949, 946, 948, 952, 956 and 960 Milledge Place, the subject of a rezoning and land use plan amendment application. Attached is an invitation to attend a pre-submittal community meeting on Wednesday, June 27<sup>th</sup> at 7:00pm.

If your organization is not located within a half mile of the relevant properties. Please disregard this email. If you are aware of additional organizations located within a half mile of the properties, please let us know so that we can provide notice to those as well.

Kind Regards,  
Corbin

**Organizations included:**

- Druid Hills
- Druid Hills Civic Association
- LaVista Park Civic Association
- Woodland Hills Neighborhood Association
- Victoria Estates Civic Association



## Corbin Armstrong

---

**From:** Corbin Armstrong  
**Sent:** Tuesday, June 19, 2018 3:13 PM  
**To:** bbelton@mindspring.com; betty\_blondeau@bellsouth.net; ian@bogost.com; tedaniel@mindspring.com; me9461@bellsouth.net; artghansen@gmail.com; crmaise@mindspring.com; Heather@RenewalDesignBuild.com; patathomas@patathomas.com; jturner@turnerresearch.com  
**Cc:** Carl Westmoreland  
**Subject:** RE: Community Meeting Invitation-- Rezoning and Land Use Amendment Applications in Community Council 2 [IWOV-mmmdms1.31315.124878]

Community Council 2 Members,

In regard to the community meeting referenced below, we were unable to obtain a precise list of neighborhood associations or organizations within a half mile of the property because DeKalb is in the midst of updating their neighborhood association contact list. We sent notice to the provided neighborhood contacts for Druid Hills, Druid Hills Civic Association, LaVista Park Civic Association, Woodland Hills Neighborhood Association and Victoria Estates Civic Association.

Please let me know if you are aware of any other neighborhood associations within a half mile of the property.

Kind Regards,  
Corbin



**Corbin Armstrong**  
Associate

Direct: 404-495-8463  
[carmstrong@mmmlaw.com](mailto:carmstrong@mmmlaw.com)  
1600 Atlanta Financial Center  
3343 Peachtree Road, NE  
Atlanta, GA 30326

[mmmlaw.com](http://mmmlaw.com)



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---

**From:** Corbin Armstrong  
**Sent:** Monday, June 11, 2018 5:13 PM  
**To:** 'bbelton@mindspring.com'; 'betty\_blondeau@bellsouth.net'; 'ian@bogost.com'; 'tedaniel@mindspring.com'; 'me9461@bellsouth.net'; 'artghansen@gmail.com'; 'crmaise@mindspring.com'; 'Heather@RenewalDesignBuild.com'; 'patathomas@patathomas.com'; 'jturner@turnerresearch.com'  
**Cc:** Carl Westmoreland ([cwestmoreland@mmmlaw.com](mailto:cwestmoreland@mmmlaw.com))  
**Subject:** Community Meeting Invitation-- Rezoning and Land Use Amendment Applications in Community Council 2 [IWOV-mmmdms1.31315.109453]

Dear Community Council 2 Members,

Find attached an invitation to attend a community meeting regarding rezoning and land use amendment applications for properties located at 961, 957, 953, 949, 946, 948, 952, 956 and 960 Milledge Place. As described in the letter, the community meeting will occur on Wednesday, June 27<sup>th</sup> at 7:00 pm.

Kind Regards,



**Corbin Armstrong**  
Associate

Direct: 404-495-8463  
[carmstrong@mmmlaw.com](mailto:carmstrong@mmmlaw.com)  
1600 Atlanta Financial Center  
3343 Peachtree Road, NE  
Atlanta, GA 30326

[mmmlaw.com](http://mmmlaw.com)



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**DeKalb Community Meeting Sign-In Sheet**  
**For Attendance Purposes Only**  
 Milledge Place Redevelopment  
 June 27<sup>th</sup>, 2018, 7:00 PM  
 1145 Zonolite, suite 11



Name	Address	Phone	E-mail
Dan Clark			dans.clarke@emory.edu
BETTY WILLIS	EMORY	404 727-5312	betty.willis@emory.edu
David Payne	Emory	4-727-0990	david.payne@emory.edu
David Amis	949 milledge	4-321-7950	david@mentorsw.com
Dr. Gregor Mike Gregor	432 Burlington Rd		
Luis Longoria	1022 Biltmore Dr. Apt. 62, 30329	404-423-9070	l.a.longoria@hotmail.com
Ian Bogost	1676 ECLIFIELD AVE 30307		ian@bogost.com
Louis Myor	1082 Briar Vista Dr 30324	404-325-7137	Lamy@comcast.com
Martha Pacini	958 Castle Falls Dr. 30329 Victoria Estates	404-320-1203	marthapacini@gmail.com
Joshua Pacini	780 castle Falls Dr NE Atlanta Ga 30329	678-768-5743	joshua.pacini@gmail.com



---

**Rezoning**  
**Summary and Impact Analysis**

**I. Letter of Application**

This application requests a rezoning of a 3.38 acre assemblage of properties from the R-85 district to the HR-2 district. The proposed development is located north of Emory University and has frontage on Biltmore Drive, Clifton Road and Briarcliff Road. The rezoning would enable the redevelopment of the property with a multifamily student housing development containing approximately 202 units with a height of five stories. Parking will be provided in an interior deck and connections to Emory via the Emory Shuttle and to MARTA via the existing bus stop and future MARTA line are anticipated.

**II. Impact Analysis**

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

The Comprehensive Plan designates the site as Town Center. The proposed development is consistent with the policy and intent the Comprehensive Plan. The Comprehensive Plan explicitly states that HR-2 is an appropriate category within Town Center. Further, an intent of the Town Center character area is to promote the concentration of residential structures which reduce automobile travel and promote walkability and transit usage. The proposed multifamily student housing development would allow for a vibrant, pedestrian and transit friendly use to complement the adjacent Emory University campus and the Centers for Disease Control and Prevention (CDC).

---

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

Across Biltmore Drive to the east is Emory University. Across Clifton Road to the southwest are railroad tracks, a restaurant, and a shopping center. Across Briarcliff Road to the northwest is a gas station and commercial cooking oil recycling facility. Adjacent to the north are the Atlantic Briarcliff apartment homes. The proposed multifamily use is suitable in view of the surrounding higher intensity commercial and multifamily uses. Further, the proposed multifamily student housing use is appropriate given its proximity to Emory University and existing and future transit facilities in the area.

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

The lack of significant renovations to the property as well as the surrounding classifications of medium density residential, commercial, office institutional, and light industrial suggest that the current single-family residential classification no longer has a reasonable economic use.

---

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

The zoning proposal will not adversely affect the existing use and usability of adjacent of adjacent or nearby properties. As mentioned above, the property is surrounded by uses that are compatible with the scale of the proposed development. The proposed development will add a vibrant multifamily student housing use to the mix of commercial, multifamily and university uses nearby.

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

The rezoning will bring the property in conformity with the surrounding properties of high and medium intensity uses and would eliminate what is currently an island of single-family use. Further, the proposed zoning is appropriate given that a MARTA rail line and station have been approved for construction in the nearby area. The MARTA station will likely catalyze further higher density development in the area. Finally, the property will serve the Emory University and CDC communities by providing a housing option within close proximity.

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

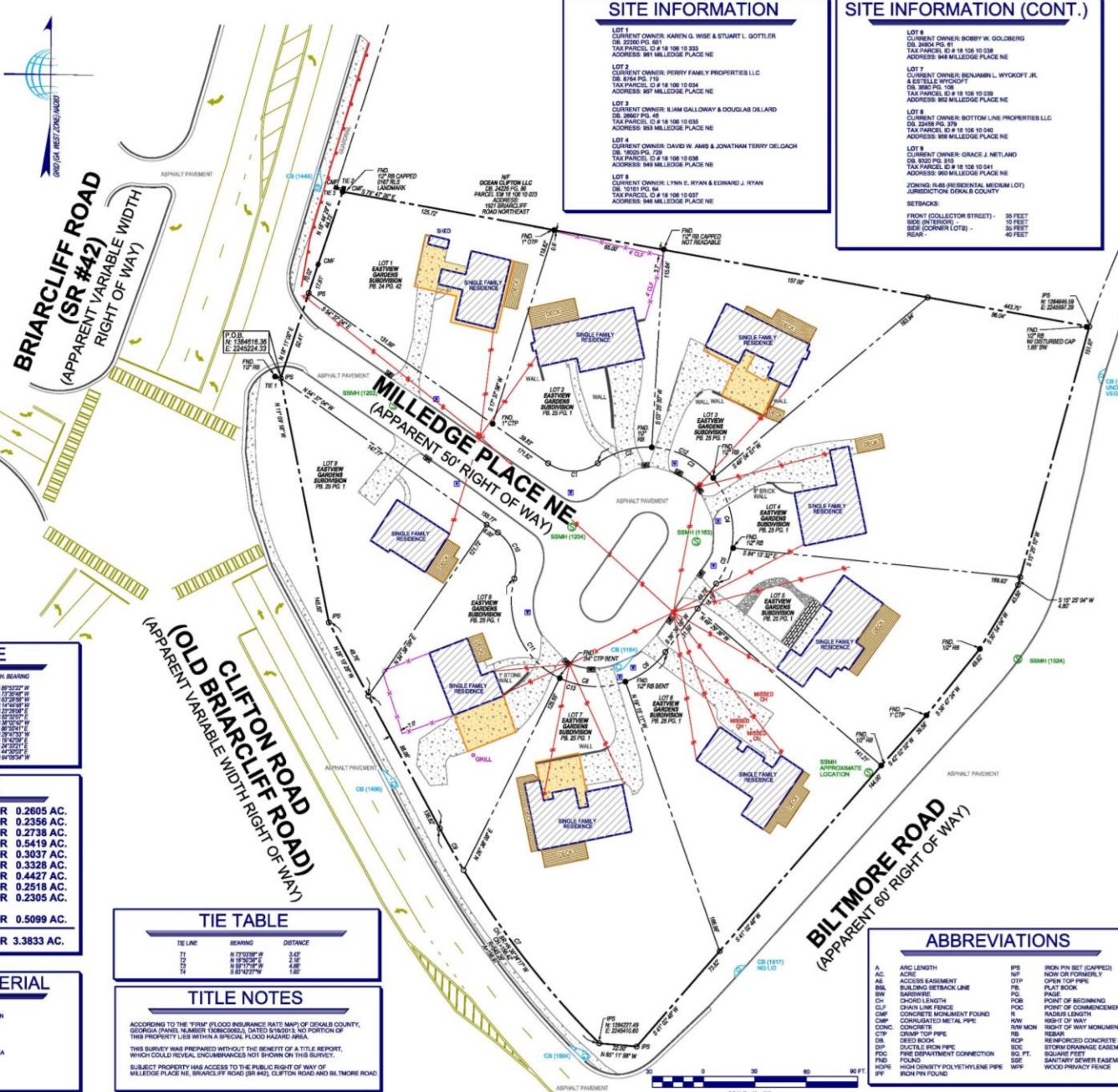
The proposal will not adversely affect historic buildings, sites, districts, or archaeological resources.

---

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

The proposed use will not cause an excessive or burdensome use of streets, transportation facilities, utilities or schools. The proposed development is not anticipated to have any impact on schools because it will be marketed and designed for student housing use. The proposed development will have some impact on existing streets, transportation facilities and utilities. However, those impacts will be mitigated by the proximity to Emory University's campus and the existing and future MARTA facilities.

### LEGEND



### SITE INFORMATION

**LOT 1**  
CURRENT OWNER: KATHA G. WISE & STUART L. GOTTLER  
DB 2296 PG. 851  
TAX PARCEL ID # 18 108 19 333  
ADDRESS: 948 MILLEDGE PLACE NE

**LOT 2**  
CURRENT OWNER: PERRY FAMILY PROPERTIES LLC  
DB 874 PG. 710  
TAX PARCEL ID # 18 108 19 034  
ADDRESS: 947 MILLEDGE PLACE NE

**LOT 3**  
CURRENT OWNER: LIAM GALLOWAY & DOUGLAS DELARD  
DB 2867 PG. 48  
TAX PARCEL ID # 18 108 19 036  
ADDRESS: 948 MILLEDGE PLACE NE

**LOT 4**  
CURRENT OWNER: DAVID W. AMBS & JONATHAN TERRY DELCASH  
DB 1928 PG. 279  
TAX PARCEL ID # 18 108 19 036  
ADDRESS: 948 MILLEDGE PLACE NE

**LOT 5**  
CURRENT OWNER: LYNN E. RYAN & EDWARD J. RYAN  
DB 1021 PG. 64  
TAX PARCEL ID # 18 108 19 037  
ADDRESS: 948 MILLEDGE PLACE NE

### SITE INFORMATION (CONT.)

**LOT 6**  
CURRENT OWNER: BOBBY W. GOLDBERG  
DB 3364 PG. 81  
TAX PARCEL ID # 18 108 19 038  
ADDRESS: 948 MILLEDGE PLACE NE

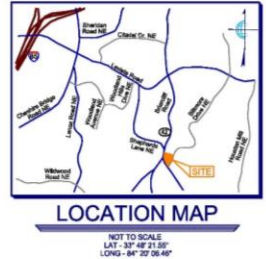
**LOT 7**  
CURRENT OWNER: BENJAMIN L. WYCKOFF JR. & ESTELLE WYCKOFF  
DB 3885 PG. 108  
TAX PARCEL ID # 18 108 19 038  
ADDRESS: 948 MILLEDGE PLACE NE

**LOT 8**  
CURRENT OWNER: BOTTOM LINE PROPERTIES LLC  
DB 2248 PG. 379  
TAX PARCEL ID # 18 108 19 041  
ADDRESS: 948 MILLEDGE PLACE NE

**LOT 9**  
CURRENT OWNER: GRACE J. NETLAND  
DB 932 PG. 511  
TAX PARCEL ID # 18 108 19 041  
ADDRESS: 948 MILLEDGE PLACE NE

**ZONING: RESIDENTIAL MEDIUM LOT**  
JURISDICTION: DEKALB COUNTY

**SETBACKS:**  
FRONT (COLLECTOR STREET) - 30 FEET  
SIDE (ON STREET) - 10 FEET  
SIDE (COLLECTOR LOTS) - 30 FEET  
REAR - 40 FEET



### SURVEY NOTES

EQUIPMENT USED:  
A TRIMBLE R-10 DUAL FREQUENCY GPS UNIT WAS USED TO OBTAIN ANGULAR MEASUREMENTS AND DISTANCE MEASUREMENTS.  
A TRIMBLE R-10 DUAL FREQUENCY GPS UNIT WAS USED FOR ESTABLISHING CONTROL. A NETWORK ADJUSTED RTK SURVEY WAS PERFORMED AND ADJUSTED BY RELATIVE POSITIONAL ACCURACY.  
CLOSURE STATEMENT:  
THE FIELD DATA UPON WHICH THIS SURVEY IS BASED HAS A CLOSURE OF ONE FOOT IN 107,524 FEET AND AN AVERAGE OF 80\"/>

### CURVE TABLE

CURVE	ARC	ANGLE	CHORD	CH BEARING
CB (1446)	20.97'	26.50°	28.22'	S 89°02'22\"/>

### AREA TABLE

PARCEL	SQ. FT.	AC.
PARCEL 1	11,349	0.2605
PARCEL 2	10,262	0.2356
PARCEL 3	11,926	0.2738
PARCEL 4	23,604	0.5419
PARCEL 5	13,230	0.3037
PARCEL 6	14,406	0.3328
PARCEL 7	19,284	0.4427
PARCEL 8	10,970	0.2518
PARCEL 9	10,041	0.2305
MILLEDGE PL. RIGHT OF WAY	22,213	0.5099
<b>TOTAL AREA</b>	<b>147,375</b>	<b>3.3833</b>

### TIE TABLE

TI LINE	BEARING	DISTANCE
T1	N 72°02'30\"/>	

### TITLE NOTES

ACCORDING TO THE "FIRM FLOOD INSURANCE RATE MAP" OF DEKALB COUNTY, GEORGIA (FIRM NUMBER 5803602A), DATED 5/16/2013, NO PORTION OF THIS PROPERTY LIES WITHIN A SPECIAL FLOOD HAZARD AREA.  
THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT, WHICH COULD REVEAL ENCUMBRANCES NOT SHOWN ON THIS SURVEY.  
SUBJECT PROPERTY HAS ACCESS TO THE PUBLIC RIGHT OF WAY OF MILLEDGE PLACE NE, BRIARCLIFF ROAD (SR #42), CLIFTON ROAD AND BILLMORE ROAD

### REFERENCE MATERIAL

- SURVEY FOR D AND G INVESTMENTS, LLC PREPARED BY LANDMARK ENGINEERING CORPORATION DATED 04/10/2017
- PLAT ENTITLED EASTVIEW GARDENS SUBDIVISION PREPARED BY LANDMARK ENGINEERING CORPORATION RECORDED IN PLAT BOOK 24, PAGE 42 IN THE PUBLIC RECORDS OF DEKALB COUNTY, GEORGIA
- PLAT ENTITLED EASTVIEW GARDENS SUBDIVISION PREPARED BY JACOBSON & CO. ENGINEERS RECORDED IN PLAT BOOK 20, PAGE 11 AFORESAID RECORDS

### ABBREVIATIONS

A	ARC LENGTH	IPS	IRON PIN SET (CAPPED)
AC	ACCESS EASEMENT	NF	NON OR FORMERLY
AE	ACCESS EASEMENT	OTF	OPEN TOP PIPE
BL	BUILDING SETBACK LINE	PL	PLAT BOOK
BS	BARBED WIRE	PG	PAGE
CB	CONCRETE BENCH MARK	PP	POWER POLE
CF	CHAIN LINK FENCE	POC	POINT OF COMMENCEMENT
CM	CONCRETE	R	RIGHT OF WAY
CMF	CONGULATED METAL PIPE	NW	HEIGHT OF WAY
CC	CONCRETE	NW MCN	NIGHT OF WAY MONUMENT
CTP	CRUMP TOP PIPE	REAR	REAR
CS	CONCRETE	RD	REINFORCED CONCRETE PIPE
DC	DUCTILE IRON PIPE	SDC	STORM DRAINAGE EASEMENT
DP	DUCTILE IRON PIPE	SQ	SQUARE FEET
FD	FOUND	SSE	SANITARY SEWER EASEMENT
HP	HIGH DENSITY POLYETHYLENE PIPE	WVF	WOOD VINYL FENCE
IPF	IRON PIN FOUND		

### SURVEYOR'S CERTIFICATE

THIS SURVEY WAS PREPARED IN CONFORMANCE WITH THE TECHNICAL STANDARDS FOR PROPERTY SURVEYING IN GEORGIA AS SET FORTH IN CHAPTER 180-2 OF THE RULES OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN THE GEORGIA SURVEYING ACT O.C.G.A. § 43-10-10 AUTHORITY O.C.G.A. SECS. 18-6-42, 43-10-4, 43-10-6, 43-10-9, 43-10-22.

*[Signature]*  
NAIL B. CARSON, III  
REGISTERED NUMBER 2003

**TerraMark**  
Professional Land Surveying, Inc.  
1000 South Perry Road  
Lawrenceville, GA 30046  
Phone No. (770) 961-1007  
Fax No. (770) 961-1007  
www.terra-mark.com  
E.O. 14176

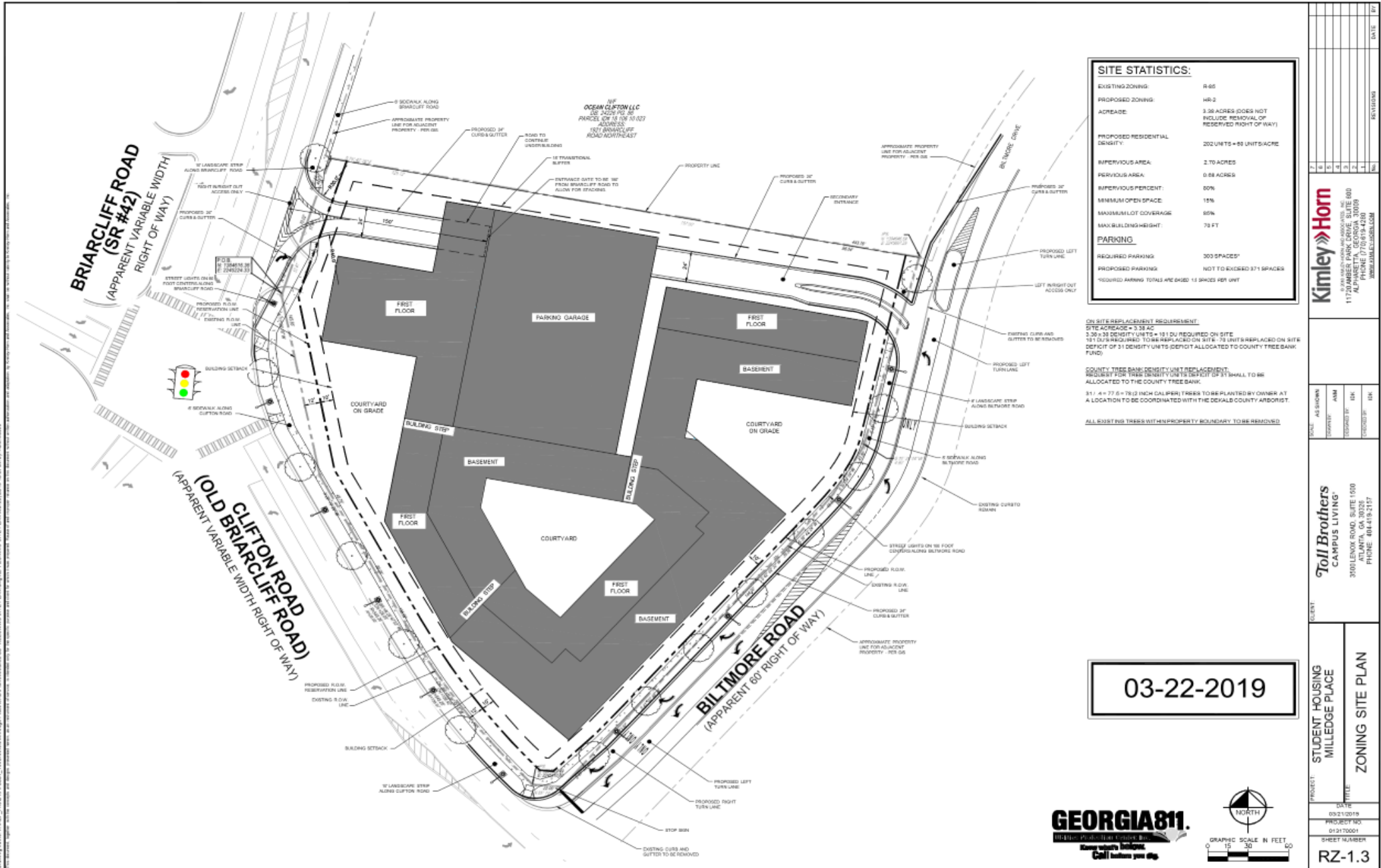
Project No.	Survey Date	Client	Surveyor	Appraiser	Date
2019-100	08/20/24	WVF	NBC		

**BOUNDARY SURVEY FOR THE TOLL BRIDGE PLACE (MILLEDGE PLACE) LOCATED IN LAND LOT 106, 18th DISTRICT DEKALB COUNTY, GEORGIA**

SHEET NO. 1/1

DRAWING TAG 19-100





SITE STATISTICS:	
EXISTING ZONING:	R-65
PROPOSED ZONING:	HR-2
ACREAGE:	3.36 ACRES (DOES NOT INCLUDE REMOVAL OF RESERVED RIGHT OF WAY)
PROPOSED RESIDENTIAL DENSITY:	202 UNITS = 60 UNITS/ACRE
IMPERVIOUS AREA:	2.70 ACRES
PERVIOUS AREA:	0.66 ACRES
IMPERVIOUS PERCENT:	80%
MINIMUM OPEN SPACE:	15%
MAXIMUM LOT COVERAGE:	65%
MAX BUILDING HEIGHT:	70 FT
<b>PARKING</b>	
REQUIRED PARKING:	303 SPACES*
PROPOSED PARKING:	NOT TO EXCEED 371 SPACES
*REQUIRED PARKING TOTALS ARE BASED ON 1.5 SPACES PER UNIT	

**ON SITE REPLACEMENT REQUIREMENT:**  
 SITE ACREAGE = 3.36 AC  
 2,200-31 DENSITY UNITS = 181 DU REQUIRED ON SITE  
 181 DUS REQUIRED TO BE REPLACED ON SITE = 78 UNITS REPLACED ON SITE DEFICIT OF 103 DENSITY UNITS (DEFICIT ALLOCATED TO COUNTY TREE BANK FUND)

**COUNTY TREE BANK DENSITY UNIT REPLACEMENT:**  
 REQUEST FOR TREE DENSITY UNITS DEFICIT OF 103 SHALL BE ALLOCATED TO THE COUNTY TREE BANK.

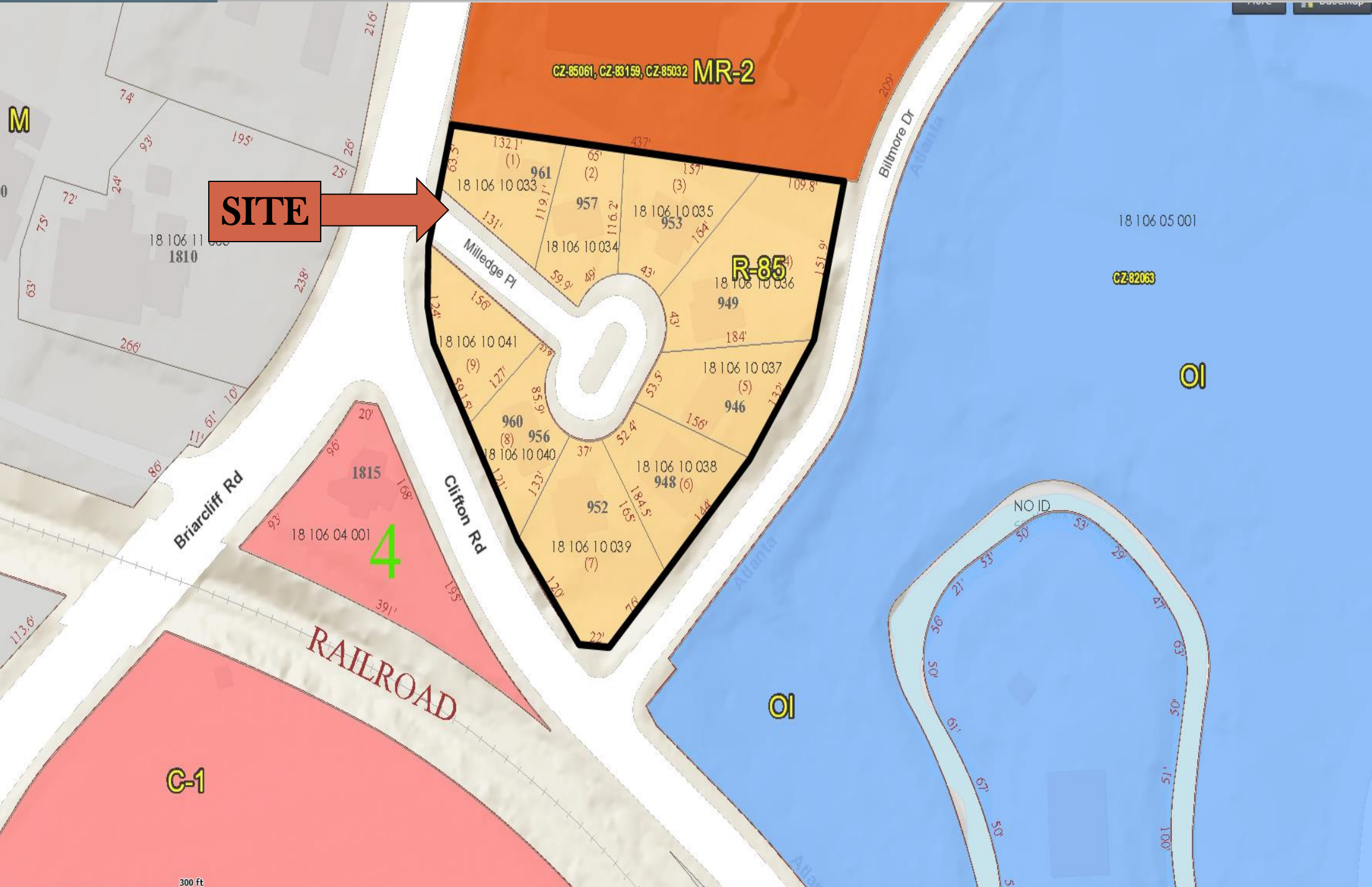
3 1/4" x 77.6" x 76.2" (2 INCH CALIPER) TREES TO BE PLANTED BY OWNER AT A LOCATION TO BE COORDINATED WITH THE LOCAL COUNTY ARBORIST.

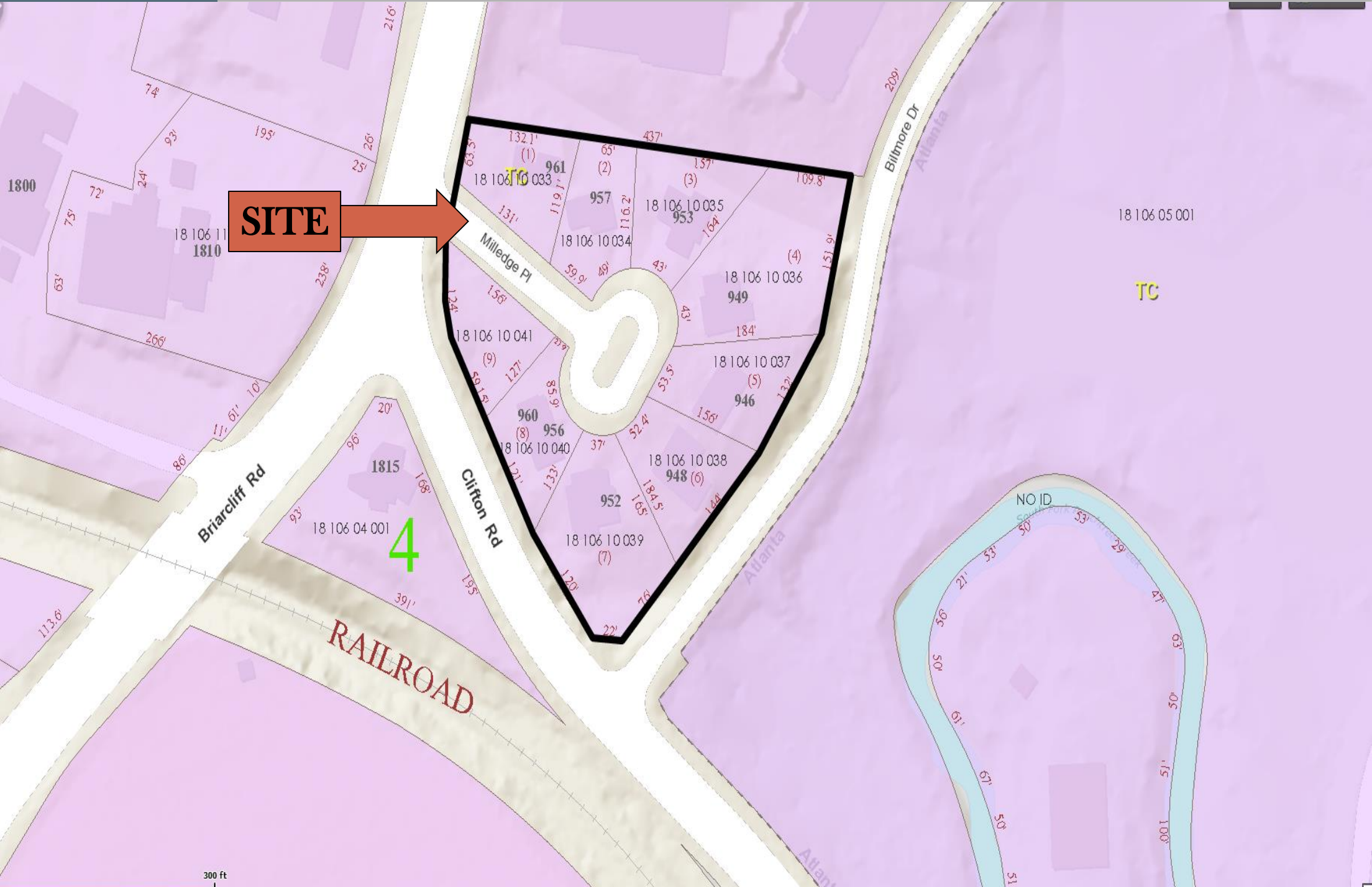
ALL EXISTING TREES WITHIN PROPERTY BOUNDARY TO BE REMOVED

03-22-2019



 KIMLEY-HORN AND ASSOCIATES, INC. 11720 AMBER PARK DRIVE, SUITE 800 FARMERS BRANCH, GA 30204 TEL: PHONE (770) 819-4280 WWW.KIMLEY-HORN.COM	DATE	
	REVISIONS	
	NO.	DATE
	BY	
	DATE	
SCALE	AS SHOWN	
CLIENT	Toll Brothers CAMPUS LIVING 300 LENOX ROAD, SUITE 1500 ATLANTA, GA 30328 PHONE: 404-619-2157	
PROJECT	STUDENT HOUSING MILLEDGE PLACE	
TITLE	ZONING SITE PLAN	
DATE	03/21/2019	
PROJECT NO	012170001	
SHEET NUMBER	RZ-1.3	







QuikTrip

Atlantic Briarcliff Apartments

SITE

Undeveloped

Pig-N-Chik BBQ

Briarcliff Road

Clifton Road

Biltmore Drive

RAILROAD

300 ft



**Residential Properties along Milledge Place**

