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

SUBJECT:

COMMISSION DISTRICT(S): Commission District 03 Super District 06

Application of Linda Dunlavy, Dunlavy Law Group, LLC to rezone property from R-75 (Residential Medium Lot-75) zoning district to RSM (Small Lot Residential Mix) zoning district to allow for the development of twelve (12) single-family attached townhomes, at 2452 La Fortune Drive a.k.a. 2724 Kelly Lake Road.

PETITION NO: D5-2024-1112 Z-24-1247194

PROPOSED USE: Development of single-family, attached townhomes.

LOCATION: 2452 La Fortune Drive a.k.a. 2724 Kelly Lake Road, Decatur, Georgia 30032

PARCEL NO. : 15 137 03 024

INFO. CONTACT: Andrea Folgherait, Sr. Planner

PHONE NUMBER: 404-371-2155

PURPOSE:

Application of Linda Dunlavy, Dunlavy Law Group, LLC to rezone property from R-75 (Residential Medium Lot-75) zoning district to RSM (Small Lot Residential Mix) zoning district to allow for the development of twelve (12) single-family attached townhomes.

RECOMMENDATION:

COMMUNITY COUNCIL: (February 2025) Denial. **(October 2024)** Denial.

PLANNING COMMISSION: (March 6, 2025) Pending. **(November 7, 2024)** Three-cycle deferral.

PLANNING STAFF: (March 2025) Withdrawal without prejudice. **(Nov. 2024)** Denial.

STAFF ANALYSIS: Based on the Applicants request to Withdrawal without Prejudice (see attached email), the Planning & Sustainability Department recommends a "Withdrawal without Prejudice".

PLANNING COMMISSION VOTE: (March 6, 2025) Pending. (November 7, 2024) Three-cycle deferral 5-1-0. Jan Costello moved, Jana Johnson seconded for a three-cycle deferral to the May 2025 zoning agenda. Vivian Moore opposed. (*The first motion by Vivian Moore to deny, failed due to lack of a second.)

COMMUNITY COUNCIL VOTE/RECOMMENDATION: **(February 2025) Denial 10-0-0. (October 2024) Denial 4-3-0** due to the proposed townhomes not being consistent with the adjacent single-family detached neighborhood.

DeKalb County
GEORGIA

DEPARTMENT OF PLANNING & SUSTAINABILITY

Planning Commission Hearing Date: March 4, 2025
Board of Commissioners Hearing Date: March 27, 2025

STAFF ANALYSIS

Case No.:	Z-24-1247194	**File ID#:** 2024-1112
Address:	2452 La Fortune Drive	**Commission District:** 03 **Super District:** 06
Parcel ID(s):	15-137-03-024	
Request:	Rezone property from R-75 (Residential Medium Lot-75) Zoning District to RSM (Small Lot Residential Mix) Zoning District to develop single family attached townhomes.	
Property Owner(s):	AANAGA, LLC.	
Applicant/Agent:	Linda Dunlavy	
Acreage:	3.7 acres	
Existing Land Use:	Single Family Residence	
Surrounding Properties:	**North:** R-75 (Residential Medium Lot-75) East**:** RSM (Residential Small Mix), MR-2 (Medium Density -2) South**:** MZ (Multiple Zoning) MR-2 **West:** R-75	
Comprehensive Plan:	**SUB (Suburban)** **Consistent** X **Inconsistent**	

Staff Recommendation: Based on the Applicants request to Withdrawal without Prejudice (see attached email), the Planning & Sustainability Department recommends a Withdrawal without Prejudice.

From: Linda Dunlavy <ldunlavy@dunlavylawgroup.com>
Sent on: Monday, January 27, 2025 6:49:14 PM
To: Folgherait, Andrea K <akfolgherait@dekalbcountyga.gov>
CC: Bragg, Rachel L. <RLBragg@dekalbcountyga.gov>; Reid, John <jreid@dekalbcountyga.gov>; Chappell, Adam W <awchappell@dekalbcountyga.gov>
Subject: RE: La Fortune and Kelly Lake - Rezone Application

Yes, we are officially withdrawing our application at this time. we purposefully did NOT post signs in anticipation of this. Thanks for all your help on this. Let me know if you require anything further.

From: Folgherait, Andrea K <akfolgherait@dekalbcountyga.gov>
Sent: Friday, January 24, 2025 3:59 PM
To: Linda Dunlavy <ldunlavy@dunlavylawgroup.com>
Cc: Bragg, Rachel L. <RLBragg@dekalbcountyga.gov>; Reid, John <jreid@dekalbcountyga.gov>; Chappell, Adam W <awchappell@dekalbcountyga.gov>
Subject: La Fortune and Kelly Lake - Rezone Application

Hi Linda,

Please let me know if you are planning to withdraw your rezone application (Z-24-1247194). We will need a letter and/or email stating your official withdrawal.

Thanks!
Andrea

DeKalb County
GEORGIA

Government Services Center
178 Sams Street
Decatur, GA 30030

Andrea K. Folgherait
(she/her)
Planner - Public Meetings - Zoning Cycle
Planning & Sustainability Department
Current Planning Division
akfolgherait@dekalbcountyga.gov
470.421.0196

DeKalbCountyGa.gov/planning

DeKalb County
GEORGIA

Government Services Center
178 Sams Street
Decatur, GA 30030
www.dekalbcountyga.gov/planning
404-371-2155 (o); 404-371-4556 (f)

Chief Executive Officer
Michael Thurmond

DEPARTMENT OF PLANNING & SUSTAINABILITY

Interim Director
Cedric Hudson

ZONING COMMENTS – OCTOBER 2024

N1. (SLUP-24-1247188) 4293 Hambrick Road: No overlay district in place. No changes to the structure just the functional property use. Roadway classified as Local. No proposed changes or edits to the property frontage.

N2. (Z-24-1247190) 1491, 1531 & 1555 Austin Drive: No overlay district in place. No site distance issues. Proposed improvement along a roadway classified as a collector: Rezoning and property upgrade; Shoulder improvements requirements in Zoning Code 5.4.3, 10-foot multiuse path with pedestrian scale streetlights. Project is on a bus route maintain exiting Marta bus stops.

N3. (Z-24-1247191) 3960 Rockbridge Road: No overlay restrictions. Road classified as Minor Arterial. Regulatory traffic signs posted at 45 MPH. No site distance issues to note. Rezoning and reusage of property would require proper parking lot marking for ingress and egress with plaza directly in front of subject property. Right and Left turning issues should be mitigated with proper Traffic engineering evaluation in reference to placement of parking lot entrance and exit. Would consider placing KIDS AT PLAY (NON regulatory) warning signs in advance of subject property in both directions. Contact Dekalb County Roads and Drainage for signage installation. Project is on along Marta bus route.

N4. (Z-24-1247192) 3089 Snapfinger Road: Roadway classification Major Arterial. Snapfinger Road is SR 155. Regulatory posted speed is 45MPH. Limited sight distance to driveway. MUTCD calls for Vehicular warning signs Section2C.49. Subject parcel driveway has limited sight distance. Advance warning signs should be posted on the shoulder and median for both lanes going east bound. Contact (JLivingston@dot.ga.gov) with GDOT for on state routes.

N5. (Z-24-1247194) 2452 La Fortune Drive: No overlay district. Roadway classification is local road. Shoulder/Frontage improvements requirements in Zoning Code 5.4.3, 10-foot multiuse path with pedestrian scale streetlights.

9/20/2024

To: Ms. LaSondra Hill, Planning
From: Ryan Cira, Environmental Health Director
Cc: Alan Gaines, Deputy Director
Re: Rezone Application Review

General Comments:

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

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

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

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

DeKalb Public Health

445 Winn Way – Box 987
Decatur, GA 30031
404.508.7900 • www.dekalbhealth.net

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

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

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

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

DeKalb Public Health

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Decatur, GA 30031
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N5-2024-1112 Z-24-1247194 / 15 137 03 024
2452 LA FORTUNE DRIVE, DECATUR, GA 30032
Amendment
- PLEASE REVIEW GENERAL COMMENTS

N6-2024-0815 TA-24-1247197
COUNTY-WIDE
Amendment
- PLEASE REVIEW GENERAL COMMENTS

N7-2024-1077 TA-24-1247215
COUNTY-WIDE
Amendment

DeKalb Public Health

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DeKalb County School District
Development Review Comments

Analysis Date: 9/17/2024

Submitted to: Dekalb County

Case #: Z-21-1247194
Parcel #: 1513703024

Name of Development: 2724 Kelley Lake Townhomes
Location: 2724 Kelly Lake Road aka 2452 LaFortune Drive

Description: Rezoning request to allow for development of a 12 townhomes.

Impact of Development: When fully constructed, this development would be expected to generate 1 student: 1 at Kelley Lake Elementary School, 0 at McNair Middle School, 0 at McNair High School, 0 at other DCSD schools, and 0 at private school. All three neighborhood schools have capacity for additional students.

Current Condition of Schools	Kelley Lake Elementary School	McNair Middle School	McNair High School	Other DCSD Schools	Private Schools	Total
Capacity	696	1,200	1,674			
Portables	2	0	0			
Enrollment (Oct. 2023)	228	795	782			
Seats Available	468	405	892			
Utilization (%)	32.8%	66.3%	46.7%			
New students from development	1	0	0	0	0	1
New Enrollment	229	795	782			
New Seats Available	467	405	892			
New Utilization	32.9%	66.3%	46.7%			

Yield Rates	Attend Home School	Attend other DCSD School	Private School	Total
Elementary	0.0377	0.0158	0.0025	0.0561
Middle	0.0106	0.0044	0.0022	0.0171
High	0.0156	0.0157	0.0028	0.0341
Total	**0.0639**	**0.0359**	**0.0075**	**0.1073**

Student Calculations

Proposed Units	12
Unit Type	TH
Cluster	McNair High School

Units x Yield	Attend Home School	Attend other DCSD School	Private School	Total
Elementary	0.45	0.19	0.03	0.67
Middle	0.13	0.05	0.03	0.21
High	0.19	0.19	0.03	0.41
Total	**0.77**	**0.43**	**0.09**	**1.29**

Anticipated Students	Attend Home School	Attend other DCSD School	Private School	Total
Kelley Lake Elementary School	1	0	0	1
McNair Middle School	0	0	0	0
McNair High School	0	0	0	0
Total	**1**	**0**	**0**	**1**

DeKalb County School District

DEKALB COUNTY GOVERNMENT
PLANNING DEPARTMENT
DISTRIBUTION FORM

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

1112 Z-24-1247194 2452 La Fortune Drive Recommendation: Denial.

DEVELOPMENT ANALYSIS:

- **Transportation/Access/Row**

  Consult 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 pedestrian and vehicular circulation are required compliant with DeKalb street standards. Paved off-street parking is required. Sidewalk is shown in the visualization but not in the site plan.

- **Storm Water Management**

  Compliance with the Georgia Stormwater Management Manual, DeKalb County Code of Ordinances 14-40 for Stormwater Management and Water Quality Control is required as a condition of land development permit approval. Show how runoff reduction and water quality treatment will be provided. Stormwater management under the private roadway is not recommended as system failures may restrict access to residences.

- **Flood Hazard Area/Wetlands**

  The presence of FEMA Flood Hazard Area was indicated in the County G.I.S. mapping records for the site and is noted in the plan; and should be noted in the plans at the time of any land development permit application.

- **Landscaping/Tree Preservation**

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

- **Tributary Buffer**

  State water buffer was reflected in the G.I.S. records for the site and is noted in the plan. Typical state waters buffer requires 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. Variances from the Zoning board of Appeal should be required for removal of impervious area in the buffers and for proposed roadway feature in the buffer.

- **Fire Safety**

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

DEKALB COUNTY GOVERNMENT
PLANNING DEPARTMENT
DISTRIBUTION FORM

NOTE: **PLEASE RETURN ALL COMMENTS VIA EMAIL TO EXPEDITE THE PROCESS TO JOHN REID jreid@dekalbcountyga.gov AND/OR LASONDRA HILL lahill@dekalbcountyga.gov**

REZONE
COMMENTS FORM:

PUBLIC WORKS ROAD AND DRAINAGE

Case No.: Z-24-1247194 **Parcel I.D. #:** 15 137 03 024

Address: 2452 La Fortune Drive Decatur, GA 30032

Drainage Basin: Dolittle Creek

Upstream Drainage Area: N/A

Percent of Property in 100-Year Floodplain: 54%

Impact on property (flood, erosion, sedimentation) under existing zoning: No reported impact of flood, erosion and sedimentation under existing zoning beyond what is peculiar to parcels with floodplain.

Required detention facility(s): As applicable

COMMENTS:

This rezoning application if approved and the subsequent development being proposed would impact drainage infrastructure and would require compliance with Chapter 14 of the Land Development code.

Signature: Akin A. Akinsola

DEKALB COUNTY
GOVERNMENT PLANNING
DEPARTMENT DISTRIBUTION
FORM

***NOTE*: PLEASE RETURN ALL COMMENTS VIA EMAIL TO EXPEDITE THE PROCESS TO JOHN REID jreid@dekalbcountyga.gov AND/OR LASONDRA HILL lahill@dekalbcountyga.gov**

COMMENTS FORM:

PUBLIC WORKS TRAFFIC ENGINEERING

Case No.: Z-24-1247194 **Parcel I.D. #s:** 15-137-03-024

Address: 2452 La Fortune Dr. Decatur 30032

Adjacent Roadway (s):

_____ _____

(classification) (classification)

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

Please provide additional information relating to the following statement.

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

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

COMMENTS: Did not see any traffic engineering concerns at this time.

Signature: Jerry White

DEKALB COUNTY
GOVERNMENT PLANNING
DEPARTMENT DISTRIBUTION
FORM

***NOTE*: PLEASE RETURN ALL COMMENTS VIA EMAIL TO EXPEDITE THE PROCESS TO JOHN REID jreid@dekalbcountyga.gov AND/OR LASONDRA HILL lahill@dekalbcountyga.gov**

COMMENTS FORM:
PUBLIC WORKS WATER AND SEWER

Case No.: Z-24-1247194 **Parcel I.D. #:** 15 137 03 024

Address: 2452 La Fortune Drive

WATER:

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

Distance from property to nearest main: adjacent **Size of line required, if inadequate:** _____

SEWER:

Outfall Servicing Project: Doolittle Creek

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

Water Treatment Facility: Snap Finger **adequate** _____ **inadequate** _____

Sewage Capacity: 28 **(MGPD)** **Current Flow:** 36 **(MGPD)**

COMMENTS:

This rezoning application if approved and the subsequent development being proposed would impact drainage infrastructure and would require compliance with Chapter 14 of the Land Development code.

Signature: Yola Lewis

DeKalb County
GEORGIA

DEPARTMENT OF PLANNING & SUSTAINABILITY

Rezoning Application to Amend the Official Zoning Map of DeKalb County, Georgia

Date Received: _____ Application No: _____

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

Applicant E-Mail Address: ldunlavy@dunlavylawgroup.com

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

Applicant Daytime Phone: 404-664-0895 Fax: N/A

Owner Name: AANAGA, LLC
If more than one owner, attach list of owners.

Owner Mailing Address: c/o Anastasiya Arina 1541 Peachcrest Road, Decatur, GA, 30032, USA

Owner Daytime Phone: (954)594-4356

Address of Subject Property: 2452 LaFortune Drive a/k/a 2724 Kelly Lake Road

Parcel ID#: 15-137-03-024

Acreage: 3.782 acres Commission District: 3 and 6

Present Zoning District(s): R-75

Proposed Zoning District: RSM

Present Land Use Designation: SUB

Proposed Land Use Designation (if applicable): _____

DeKalb County
GEORGIA

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 X___ 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.

Gloria Ann Woodward-Glasser
Notary

Signature of Applicant /Date

Check one: Owner_____ Agent X

Gloria Ann WoodwardGlasser
NOTARY PUBLIC
DeKalb County, GEORGIA
My Commission Expires 08/18/2026

Expiration Date/ Seal

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

DISCLOSURE OF CAMPAIGN CONTRIBUTION

NAME	POSITION	DATE	AMOUNT
Edward "Ted" Terry	DeKalb County Commissioner	2023	$1,000.00

8-31-24

Linda I. Dunlavy, Applicant
Attorney for AG Development
Application No. 1247194

DeKalb County
GEORGIA

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.

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Yes X___ No ___*

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Gloria Ann Woodward-Glasser
Notary

Signature of Applicant /Date

Check one: Owner_____ Agent X

Gloria Ann WoodwardGlasser
NOTARY PUBLIC
DeKalb County, GEORGIA
My Commission Expires 08/18/2026

Expiration Date/ Seal

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

DeKalb County
GEORGIA

DEPARTMENT OF PLANNING & SUSTAINABILITY

AUTHORIZATION

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

Date: 07/26/2024

TO WHOM IT MAY CONCERN:

(I) (WE) Anastasiya Arina of AANAGA, LLC
Name of owner(s)

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

Linda I. Dunlavy of Dunlavy Law Group, LLC
Name of Agent or Representative

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

Kimberly Castro
Notary Public

KIMBERLY CASTRO NOTARY PUBLIC GWINNETT COUNTY, GEORGIA My Commission Expires 06-15-2027

Owner

Notary Public

Owner

Notary Public

Owner

Notary Public

Owner

DeKalb County
GEORGIA

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404.371.4556 (f)
DeKalbCountyGa.gov

Clark Harrison Building
330 W. Ponce de Leon Ave
Decatur, GA 30030

DEPARTMENT OF PLANNING & SUSTAINABILITY

Director
Andrew A. Baker, AICP

PRE-APPLICATION FORM
REZONE, SPECIAL LAND U SE PERMIT, MODIFICATION, AND LAND USE
(Required prior to filing application: signed copy of this form must be submitted at filing)

Applicant Name: _Linda Dunlavy: _ Property address 2452 La Fortune Drive & 2724 Kelly Lake Road_____

Tax Parcel ID: _15 137 03 024 _ Comm. District(s): 3 & 6_____Acreage: 3.78 acres

Existing Use: Single-family structure Proposed Use: Townhomes

Supplemental Regs: _____ DRI: __NA_____

Rezoning: Yes _X____ No __

Existing Zoning: R-75 _____ Proposed Zoning: RSM

Rezoning Request: rezone from R-75 to RSM to allow up to 12 single-family attached townhomes (no concept plan provided for pre-app meeting).

_____
_____

Land Use Plan Amendment: Yes____ __ __ No _X_

Existing Land Use: __SUB (Suburban)____Proposed Land Use: _NA- SUB allows a maximum density of up to 8 units per acre rad

Consistent _____ Inconsistent_____

Special Land Use Permit: Yes__ No _X__

Major Modification: NA

Existing Case Number(s): ___N_____

Condition(s) to be modified:

_____

_____

WHAT TO KNOW BEFORE YOU FILE YOUR APPLICATION

DeKalb County
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DEPARTMENT OF PLANNING & SUSTAINABILITY

Pre-submittal Community Meeting: ___X_____ Review Calendar Dates: _____ PC: 11/07/24**_____ BOC: _11/21/24**_____ Letter of Intent: __X___Impact Analysis: __X___ Owner Authorization(s):_____ Campaign Disclosure: __X___ Zoning Conditions: ___X_____ Community Council Meeting: ____10/09/24*____ Public Notice, Signs: _X_____ Tree Survey, Conservation: __X_____ Land Disturbance Permit (LDP): _____ Sketch Plat: _____ Bldg. Permits: __X_____ Fire Inspection: ___X____ Business License: __X_____ State License: _____ Lighting Plan: _____ Tent Permit: _____ Submittal Format: NO STAPLES, NO BINDERS PLEASE

***Deadline for hosting pre-community meeting with 15 days notice for Nov 2024 agenda cycle would be 08/19/24**

****Filing Deadline for application is 08/26/24—PLEASE EMAIL John Reid in addition to submitting application through portal, and confirm with John Reid that he has received your complete application.**

Review of Site Plan—NO SITE PLAN SUBMITTED

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

Possible Variances: _ NA no site plan provided for pre-app meeting.

Comments: _ Show how proposed rezoning is compatible with surrounding single-family residential area. Show how proposed zoning is compatible with surrounding properties and the Suburban Character Area of the 2050 Comprehensive Plan. Show compliance with RSM zoning requirements including but not limited to building materials, minimum building setbacks, transitional buffer areas, maximum building height, minimum lot area, minimum unit size, minimum parking requirements, sidewalk and street tree requirements, etc. There appears to be a large portion of the site located within a stream buffer/floodplain area that could impact buildability of the site, please contact Land Development Department for further details.

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DeKalbCountyGa.gov

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Decatur, GA 30030

This only a <u>preliminary</u> review and is not a complete list of zoning requirements, a final and complete review and official Planning Department recommendation will be done upon official submission of a rezoning or rezoning including a concept plan. If the application were to be approved, the applicant would have to submit and obtain approval of a sketch plat creating the various fee-simple lots, and then submit for land disturbance permits and building permits.

Planner:__John Reid _____Date_07/30/24_____

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

2023003370 DEED BOOK 30732 Pg 7
Filed and Recorded: 1/13/2023 12:45:00 PM
Recording Fee: $25.00
Real Estate Transfer Tax: $475.00
Prepared By:
0013912291
7067927936

After Recording, Return To:
McLain & Merritt, P.C.
Attn: Kimora T. Williams
3445 Peachtree Road NE, Suite 500
Atlanta, GA 30326

Order No.: 22-2543B

PARCEL ID: 15 137 03 024

LIMITED WARRANTY DEED

STATE OF GEORGIA

COUNTY OF FULTON

THIS INDENTURE, made this 9th day of January, 2023, between AG Development Group, LLC, as party or parties of the first part, hereinafter called Grantor, and AANAGA, LLC, a Georgia limited liability company, as party or parties of the second part, hereinafter called Grantee.

The words "Grantor" and "Grantee" whenever used herein shall include all individuals, corporations, and any other persons or entities, and all the respective heirs, executors, administrators, legal representatives, successors and assigns of the parties hereto, and all those holding under either of them, and the pronouns used herein shall include, when appropriate, either gender and both singular and plural, and the grammatical construction of sentences shall conform thereto. If more than one party shall execute this deed each Grantor shall always be jointly and severally liable for the performance of every promise and agreement made herein.

WITNESSETH that: Grantor, for and in consideration of the sum of Ten and no/100 Dollars ($10.00) and other good and valuable considerations in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, has granted, bargained, sold, aliened, conveyed and confirmed, and by these presents does grant, bargain, sell, alien, convey and confirm unto the said Grantee,

See Exhibit A attached hereto and by this reference incorporated herein and made a part hereof.

SUBJECT to all zoning ordinances, easements, and restrictions of record insofar as the same may lawfully affect the above-described property.

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

AND THE SAID Grantor will warrant and forever defend the right and title to the above described property unto the said Grantee against the claims of all persons owning, holding or claiming by, through or under the said Grantor.

IN WITNESS WHEREOF, the Grantor has signed and sealed this deed, this 9th day of January, 2023.

Signed, sealed and delivered in the presence of:

Unofficial Witness

Notary Public

My Commission Expires: _____

TRAVIS LACKEY NOTARY PUBLIC FULTON COUNTY, GA Exp. Dec. 12, 2025

AG Development Group, LLC, a Georgia limited liability company

BY: _____
Anastasiya Arina, Member

By: _____
Anthony Gonzalez, Member

EXHIBIT A

Legal Description

All that tract or parcel of land lying and being in Land Lot 137 of the 15th District, DeKalb County, Georgia; being more particularly described as follows:

Beginning at an iron pin set at the intersection of the northern right-of-way of Kelley Lake Road and the eastern right-of-way of La Fortune Drive; running thence north 0 degrees, 54 minutes, 38 seconds east along the eastern right-of-way of La Fortune Drive a distance of 472.06 feet to a point; thence running north 88 degrees 47 minutes 29 degrees east a distance of 343.13 to a point; thence running south 3 degrees 23 minutes 13 seconds east a distance of 103.22 feet to an iron pin set; thence running south 6 degrees 50 minutes 20 seconds east a distance of 306.13 feet to an iron pin set on the northern right-of-way of Kelley Lake Drive; thence along the arc of a curve and arc distance of 123.35 feet (said arc having a radius of 1131.90 feet and being subtended by a chord bearing south 74 degrees 9 minutes 40 seconds west a chord distance of 123.29 feet) to a point on the northern right-of-way of Kelley Lake Drive; thence along the arc of a curve an arc distance of 277.25 feet (said arc having a radius of 2372.04 feet and being subtended by a chord bearing south 81 degrees 59 minutes 40 seconds west a chord distance of 277.25 feet) to an iron pin set at the intersection of the northern right-of-way of Kelley Lake Drive and the eastern right-of-way of La Fortune Drive and the point of beginning;

Being improved property commonly known as 2724 Kelley Lake Drive, Decatur, Georgia 30032 according to the present system of numbering houses in DeKalb County, Georgia.

LETTER OF INTENT

and

Other Material Required by
DeKalb County Zoning Ordinance

for

Rezoning of the Subject Property from R-75(single-family residential) to RSM (residential townhomes with conditions)

Of

AANAGA, LLC

To Allow For

12 townhomes located on +/- 3.782 acres
Tax Parcel 15-137-03-024

2724 Kelly Lake Road a/k/a 2452 LaFortune Drive

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
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I. INTRODUCTION

This Application seeks rezoning of a largely undeveloped parcel of land on the northeast corner of LaFortune Drive and Kelly Lake Road for an eco-friendly, contemporary townhome community in the trees. The Applicant proposes to develop the +/- 3.782 acres on the north side Kelly Lake Road with a maximum of 12 townhomes (approximately 3.17 units per acre) while minimizing deforestation. The applicant proposes to offer different design models with the opportunity for custom touches. *See elevations included herein.* Amenities will include nature trails with benches, a dog park, play areas for children, and a sports zone,. Green building practices will be incorporated throughout. These include energy efficient insulation, lighting and plumbing fixtures, solar tiles, energy efficient glass packages, earth friendly building material and electric car chargers inside each dwelling. There will drive under be two-car garages and options for a roof terrace.

In order to achieve this the Subject Property needs to be rezoned from its current designation of R-75 to RSM. Along the I-20 Corridor RSM has been used as a transitional zoning designation between the Overlay and R-75. *See, e.g.,* —at Adair Trace and Mills Commons Drive; Mills Bend and Whites Ridges off Whites Mill Road; Charleston Pointe; Brighton Boulevard, Shropshire Lane , and Gates at Flat Shoals off Flat Shoals Road and more. *See attached.*

II. FACTUAL BACKGROUND

The Subject Property is currently zoned R-75 (single-family residential), a zoning district requiring, among other things, minimum lot areas of 10,000 square feet and not permitting attached single-family dwellings such as townhomes. It is located across the road from three or four large lot single family homes on Kelly Lake Road and smaller single family residential

developments along LaFortune Drive, all zoned R-75. However further to the east and south of the Subject Property are the Bolden Pines Apartments at 2784 Kelly Lake Road (zoned MR-2), an RSM zoned lot at 2772 Kelly Lake Road, and commercial strip development zoned C-1 and C-2 along Candler Road. These latter properties are all within Tier 2 of the I-20 Overlay located immediately to the southeast and east of the Subject Property. *See Overlay map.* Bolden Pines is comprised of 40 units on 3.56 acres (10.96 upa). It was built in 1965 and abuts another MR-2 zoned parcel at 2423 Candler Road developed for 90 apartments on 7.68 acres at a density of 11.7 upa. Immediately to the southeast across Kelly Lake Road from the Subject Property is a development fronting on Candler Road but with frontage on Kelly Lake Road (2537 Candler Road). It is currently being built out and known as "Tranquility @ Decatur." It has 160 rental units, is zoned MZ (multi-zone), and is in the I-20 Overlay. Immediately to the north of the Subject Property and to its west are single family homes zoned R-75, Kelly Lake Elementary School, and Whites Mill Road. *See included photos of Subject Property and its surrounds.*

The Subject Property has a number of development challenges: 1) More than one half of the property is in a special flood zone AE; 2) it is traversed on the southern one fourth by a blue line stream known as "Doleless Creek" and a branch thereof requiring 75-foot buffers on either side of the stream cover almost 2/3 of the Subject Property; 3) it is heavily wooded; 4) topography rises 20 feet on either side of the stream. It is designated as Suburban on the future land use map in the 2050 Comprehensive Land Use Plan and is located in Commission District 3. *See maps filed contemporaneously with this application.* The Applicant purchased the Subject Property in early January of 2023. Shortly after purchase, the Applicant commenced conducting due diligence with the intent of trying to develop the Subject Property for residential use. Due to the development challenges on site, the Applicant quickly rejected development of the site for a

large lot subdivision as zoned. While theoretically, development of the Subject Property as zoned could yield between 8 and 10 single-family homes, such development would require mass grading, almost total destruction of all trees on site, encroachment into the stream buffers and would not yield any profit due to the sheer expense of development. In other words, the land costs coupled with the high development costs would exceed any revenue from sales of such homes and would do so at the considerable cost of the environment and privacy of existing residents who now enjoy the canopy provided, in part, by the Subject Property. However, the clustering of attached homes on the northern 1/3 of the Subject Property would reduce development costs, minimize deforestation, and allow more than 2 acres of the site to remain as green space. The green space would serve as an amenity for the townhome community providing privacy, serenity, passive recreational trails, a community garden, and gathering spaces. The Applicant's plan would preserve slopes[1] and vegetation as much as possible while at the same time providing eco-sensitive homes in a park like setting for future residents. The homes will be contemporary in design, 25 feet wide and 45 feet deep, a minimum of 2000 square feet, with high-end finishes and materials. Green building techniques will be used throughout including energy efficient insulation, lighting, and plumbing, earth friendly building materials, electric car chargers, energy efficient glass packages and solar hook ups. It is anticipated that they would initially be marketed at $475,000 +. The community would be gated and restrictions would be placed on rentals of units in the HOA documents. *See enclosed site plan.*

The Applicant offers this Letter of Intent along with supporting documentation including a survey, a conceptual site plan, sample elevations, various County maps, photographs of the Subject Property and its surrounds, and more. The Applicant submits that the application

[1] Slopes will need to be disturbed for the townhome pads but the slopes otherwise will be used to manage elevations differences wherever possible.

information and the material herein demonstrate that the application meets the standards for rezoning set forth in the Zoning Ordinance addressed in more detail below.

II. RELEVANT ZONING ORDINANCE PROVISIONS

Sections 7.3.5 of the Zoning Ordinance sets forth "standards and factors governing review" of rezoning applications by decision makers. Those factors and standards are as follows:

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

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

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

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

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

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

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.

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

The Applicant submits that, as required, it can satisfactorily address all of these factors and standards and addresses them in detail below.

III. ZONING FACTORS/STANDARDS ANALYSIS

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

The Subject Property is designated in the 2050 Comprehensive Land Use Plan ("LUP") for "Suburban " land use. This designation is for neighborhoods that have developed in traditional suburban land use patterns. Future development in these areas "should provide better pedestrian and community connectivity and be designed in a way that preserves and enhances existing green space. This designation allows for detached single-family homes, townhomes, cottages, conservation villages and hamlets of up to 8 units per acre. *See 2050 Comprehensive Land Use Plan, page 41*

One of the articulated listed "opportunities" of the LUP to resolve the issue of preserving open space and critical environmental areas is stated as "Development that combines land conservation with clustered development provides an opportunity to encourage growth while preserving the limited remaining greenspace. ". *See 2050 Comprehensive Land Use Plan, page 6.* Goals articulated within the LUP include:

- **Preservation**-encourage the preservation of the County's limited remaining open space, farmland, natural and critical environmental areas.
- **Environmental Sensitivity**-protect environmentally sensitive areas including wetlands, floodplains, water supply watersheds and stream corridors.
- **Sustainable Zoning**-utilize zoning tools and techniques that preserve open space, natural resources and the environment and address resiliency.
- **Sustainable and Conservation Development**-promote development that incorporates sustainable practices and conserves critical environmental areas.

See 2050 Comprehensive Land Use Plan Update, page 6.

Housing opportunities note that "new and diverse housing types will help the County meet market demands and support continued growth." *See 2050 Comprehensive Land Use Plan, page 8.*

The zoning proposal is not only in conformity with the policies and intent of the Suburban Character Area but many of its elements further the goals set forth in the Comprehensive Land Use Plan. The density does not exceed eight units per acre (it is at 3.17 units per acre); the Applicants propose a mixture of contemporary housing quite different from each other and those in the immediate vicinity, thereby offering a diversity. Three bedroom and four-bedroom models will be offered. Moreover, the zoning proposal provides for these units to be surrounded by trees, greenspace, and community spaces. The community created will be walkable and connected with walking trails. The site plan proposed is designed to promote the building of a strong community identity. Sidewalks will be provided along the frontage of Kelly Lake Road and La Fortune Drive; approximately 2 acres of green space will be saved and utilized for passive recreation and enjoyment; the homes will be clustered so as to avoid encroachment into any stream buffers and flood plain; *See site plan.* Green building techniques will be incorporated throughout the development thereby promoting environmental sustainability and resilience. *See enclosed Powerpoint presented to the community during pre-submittal meeting on August 19. 2024.*

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

The proposed townhome community is clearly suitable in view of the use and development of adjacent and nearby property . The adjacent properties are all zoned for residential use—medium or low-density residential zonings. The density of the proposed development is a modest

3.17 units per acre. This density is consistent with the developed adjacent properties where lots are on the average about 1/3 acre or developed at 2.5 to 3 units per acre[2]. Aside from parcels owned by the elementary school and churches in the area, the Subject Property is one of the largest R-75 lots, if not the largest, in the R-75 zoned area. Because of the preserved tree canopy and proposed street tree planting along LaFortune Drive , the townhome community will be largely hidden in the trees, not visible from the streets, and fully compatible with its surrounds. Moreover, the grade change and the distance from nearby residences and the active areas of the community will serve further to buffer views of the community from adjoining properties.

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

Due to the extreme topography, the considerable number of trees, stream buffering, and flood plain requirements development costs for development of the Subject Property would likely exceed any potential profit from marketing as large lot single family residential. Moreover, developing as is would likely result in mass grading and destruction of the tree canopy, which is something the Applicants wish to avoid. As noted above, while theoretically, development of the Subject Property as zoned could yield between 8 and 10 single-family homes, such development would require mass grading, almost total destruction of all trees on site, encroachment into the stream buffers and would not yield any profit due to the sheer expense of development. In other words, the land costs coupled with the high development costs would exceed any revenue from sales of such homes and would do so at the considerable cost of the environment and privacy of existing residents who now enjoy the canopy provided, in part,

[2] There are a few larger lots on the east sides of LaFortune but the average lot in the nearby community is 75 x 150 or 11, 250 square feet. Cul de sac lots are generally smaller.

by the Subject Property. At most two homes could be developed on the lot without intrusion into the buffers or flood plains, however, such a project would not yield a profit. As such, Applicant submits that there is no reasonable economic use as zoned when compared to similarly situated properties within the same zoning classification.

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

The proposed development provides for a 20-foot transitional buffer to the north and east where it directly adjoins single family residential properties. It provides for preservation of more than two acres of natural greens space with a mature tree canopy. stream buffers and flood plain. It provides for the planting of street trees along both the Kelly Lake Road and LaFortune Drive frontages. These characteristics provide for large separation between the proposed townhome community and the existing adjoining properties. For example, the closest residence is at 2428 LaFortune Drive. It will be separated from the row of townhomes by approximately 50 feet due to the separation of the residence from its property line, the 20-foot transitional buffer, and additional setback to the rear of the townhome community. The residence at 2744 Kelly Lake Road will be separated from the closest point of the townhome community proposed by more than 150 feet, whereas 2732 Kelly Lake Road will be separated from the closest point of the townhome community by at least 100 feet. The topographic differences will further increase the sense of separation and serve to protect existing neighbors' privacy and quiet enjoyment of their property. There will be no significant adverse effects on the existing use or usability of adjacent properties.

Residents in opposition to the proposed rezoning expressed, among other matters, concerns regarding rental of future units and security. The Applicants are willing to agree to a condition of zoning to include in the CCRs for the townhome community provisions which would limit the number of rentals at any given time to no more than a total of two (2) units, to prohibit short term/vacation rentals; to require a minimum of a 12 month lease and to require that owners provide evidence of background check, credit check and required security deposit to the HOA Governing Board. This is significantly more than any rental controls in the surrounding communities. The Applicant also proposes to gate the community for security purposes. It is agreeable to having this be a condition of any zoning approval.

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.

As noted above, the property immediately to the southeast of the Subject Property is being developed for a 160-unit apartment complex. It and other properties fronting Candler Road are in the I-20 Overlay, an Overlay with considerably more density allowed than in the older residential subdivisions to its west. Housing options for single family homes are needed in the County. Residents, according to the 2050 Comprehensive Land Use Plan want more housing choices; they want to attract younger families and professionals and increase the diversity of housing options. The townhomes proposed by the Applicant do this—the only other options offered in the immediate vicinity are large lot aging single family detached homes. While lovely, this type of housing is not for everybody. The proposed development helps meet the needs of home buyers looking for alternatives to the high maintenance large lot

subdivisions available throughout this community. The proposed development allows buyers to secure eco-friendly sustainable housing close to services and amenities.

Moreover, along the I-20 Corridor RSM has been used as a transitional zoning designation between the Overlay and R-75. *See, e.g.,* —at Adair Trace and Mills Commons Drive; Mills Bend and Whites Ridges off Whites Mill Road; Charleston Pointe; Brighton Boulevard, Shropshire Lane , and Gates at Flat Shoals off Flat Shoals Road and more. *See attached.* Given the intensity of the uses and likely future uses along Candler Road proximate to the Subject Property, utilization of the RSM zoning category to provide for sensible transition from Candler Road to the large lot communities to the west provides for protection of these older communities.

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

Applicant is not aware of any historic buildings, sites, districts or archaeological resources in the vicinity of the Subject Property.

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.

A traffic study is not required for such a small community. However, using the Institute of Transportation Engineers (ITE) Trip Generation Manual, 11th edition 2021, for Single-Family Attached Housing (LUC 215), it is estimated that Daily vehicle trips for this 123 unit community would generate a maximum of That study was submitted by Applicants to the Community Development Department and is included with the materials herein. The traffic engineer determined, among other things, that the proposed project would generate an estimated 77 vehicle trips per day with between 4 and 6 vehicle trips at peak a.m. and p.m.

hours. The contribution of trips to the adjoining roadways will be minimal and will not necessitate any road improvements.

Public sewer is available at the Subject Property through a DeKalb County line running down Kelly Lake Road. Water is provided by DeKalb County. The DeKalb County schools serving the Subject Property are Kelly Lake Elementary School, McNair Middle School and McNair Highschool. This project should not generate (using standard school planning numbers generate more than 2 or 3 additional students at each level. The townhomes proposed will be 3 to 4 bedrooms and between 2000 and 2800 square feet. The marketing will be largely to young professionals with and without children and to couples who work at home. But even if all homes are occupied by families with children, the development will not impose an excessive burden on the schools. All of these schools, according to the DeKalb County Schools enrollment and capacity statistics at https://www.dekalbschoolsga.org/operations/planning/ are under capacity. Kelly Lake ES has a capacity of 480 students with only 228 enrolled; McNair MS has a capacity of 1200 with only 795 enrolled; and McNair HS has capacity of 1674 with only 782 enrolled.

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

The zoning proposal will not be adverse to the environment or surrounding natural resources. While there are stream buffers and flood plain, none of these areas will be disturbed or developed pursuant to the Applicant's plan. At least two acres of the subject property will be undisturbed, leaving the environment and its natural resources untouched. The clustering of townhomes on the north side of the Subject Property allows for the development of an

environmentally sustainable and sensitive community. Moreover, the Applicant is taking careful steps to incorporate green building elements throughout the community to lessen environmental impacts such as solar roof tiles, electrical car chargers, earth friendly building materials, glass packages, and energy efficient insulation, lighting, and plumbing fixtures. The entire impetus and implementation of this proposed community is to provide for an eco-friendly community "in the trees."

V. CONCLUSION

Based on the foregoing, the Applicant respectfully request that the Board of Commissioners approve rezoning of the Subject Property from R-75 to RSM to allow for the Applicant's proposed 12-unit townhome with the following conditions:

1) The building elevations shall vary in style and design composed of brick stone or stucco or any combination thereof. The corner units shall be brick. The building elevations shall be staggered to have articulation throughout. No two buildings shall have the same architectural design.
2) The townhome community shall be gated.
3) No more than 2 of the units shall be rented out and no such rentals may be for less than a period of one year.
4) Any rentals must be approved by an HOA to be established for the community and shall not be approved until criminal and financial background checks have been provided by the owner to the HOA governing body.
5) Development of the Subject Property shall be in substantial conformity with the site plan submitted with the zoning application.

The Applicant attended a pre-application meeting. *Form enclosed.* Applicant also conducted a community pre-submittal meeting on August 19, 2024, via Zoom. *See included recording, chat record and notices to community.* The Applicant is amendable to additional reasonable conditions proposed through these community meetings or by staff should further conditions be requested.

Respectfully submitted this 26th day of August, 2024.

Linda Dunlavy

Linda I. Dunlavy
Georgia Bar No. 339596
Attorney for Applicant
DUNLAVY LAW GROUP, LLC

(404) 371-4101 Telephone
(404) 664-0895 Cell phone
ldunlavy@dunlavylawgroup.com

CONSTITUTIONAL OBJECTIONS

The Applicant of the Subject Property respectfully submits that any decision of the Board of Commissioners which would preclude the rezoning of this property from R-75 (Single Family Dwelling District) to RSM (Residential Small Lot Mix District) to allow for the development of the 12-unit townhome community proposed is unconstitutional as a taking of property, a denial of equal protection, an arbitrary and capricious act, and an unlawful delegation of authority in violation of the Fifth Amendment and Fourteenth Amendment of the Constitution of the United States, and Article I, Section I, Paragraph I and Article I, Section III, Paragraph I of the Constitution of the State of Georgia and the Due Process Clause of the Fourteenth Amendment of the United States Constitution and the Equal Protection Clause of the Fourteenth Amendment to the Constitution of the United States.

Further, an attempt by the Board of Commissioners to impose greater restrictions upon the manner in which the property will be developed than presently exist in the Code of Ordinances, such as by way of approving the Rezoning Applications, but conditioning said approval in such a way that the proposed number of units could not be developed, would be equally unlawful. Such conditioning or restrictions would constitute an arbitrary and unreasonable use of the power

delegated to the Board because they could bear no substantial relation to the public health, safety, morality, or general welfare of the public and would substantially harm the Property Owner and deprive it of reasonable, investment backed expectations based upon the current Codes of the County. Finally, any use of the power delegated to DeKalb County to deny the Rezoning applications or condition it would be a manifest abuse of its discretion.

Finally, the failure to rezone the Subject Property would result in the taking of property without just and adequate compensation or due process of law in violation of Article I, Section I, Paragraph I and Article I, Section III, Paragraph I (a) of the Constitution of the State of Georgia and the Due Process Clause of the Fourteenth Amendment of the United States Constitution.

TAN

4° 35'

Magnetic North

4° 35'
Declination

Grid North
GA West Zone
Reading Held

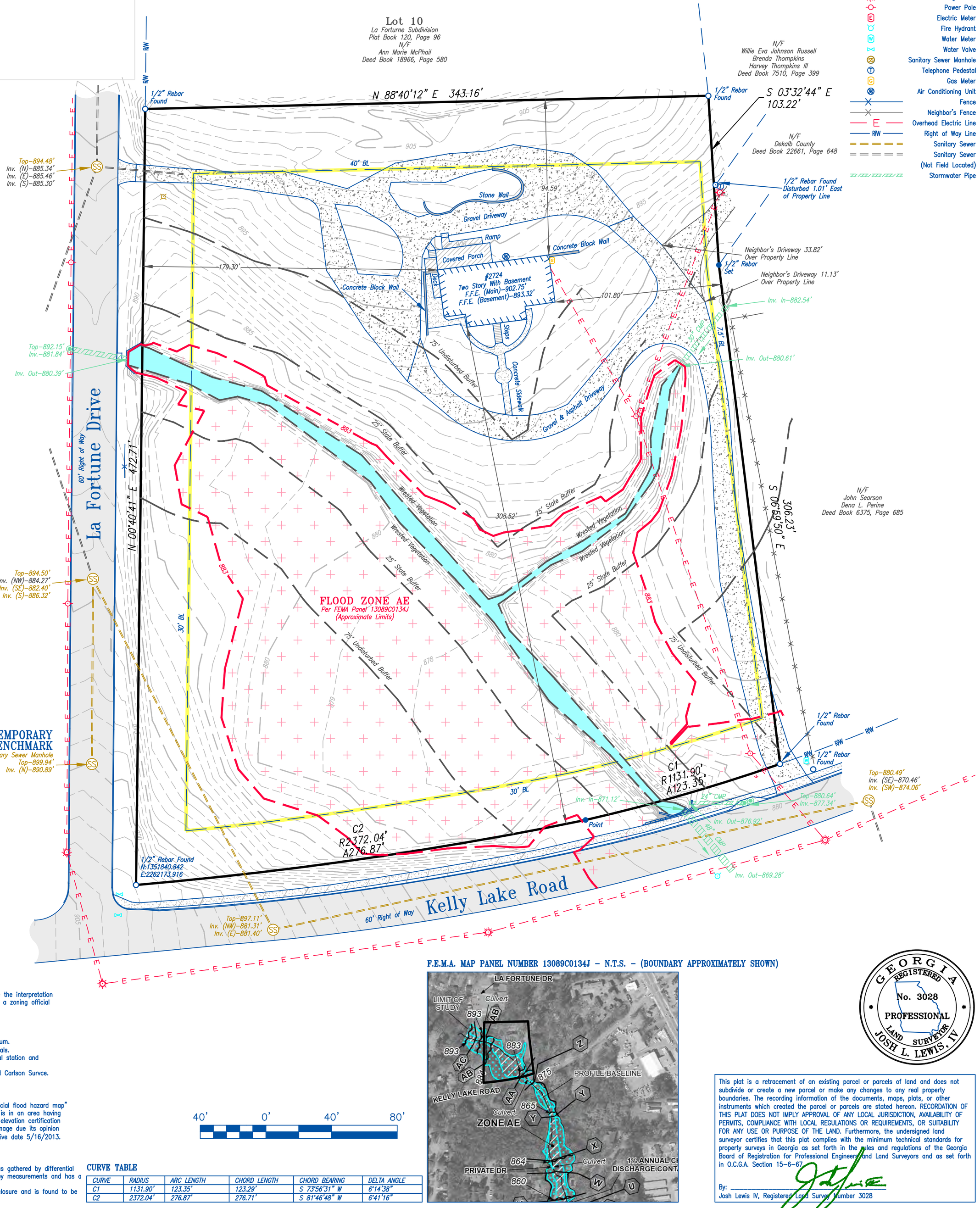
AREA

164,762 SQ. FT.
3.782 ACRES

LEGEND

These standard symbols may be found in the drawing.

- Point
- Iron Pin Found
- BL — Building Line
- Catch Basin Lid
- Guy Wire Anchor
- Light Pole
- Power Pole
- E — Electric Meter
- Fire Hydrant
- W — Water Meter
- Water Valve
- SS — Sanitary Sewer Manhole
- T — Telephone Pedestal
- G — Gas Meter
- Air Conditioning Unit
- Fence
- Neighbor's Fence
- E — Overhead Electric Line
- RW — Right of Way Line
- Sanitary Sewer
- Sanitary Sewer (Not Field Located)
- Stormwater Pipe



TEMPORARY BENCHMARK

Is Top of Sanitary Sewer Manhole
Top=899.94'
Inv. (N)=890.89'

ZONING

[Dekalb County]
(R-75) (Residential Medium Lot)
Front yard setback-30'
Side yard setback-7.5' (30' corner lot)
Rear yard setback-40'
Note: Graphic depiction of setback lines are the interpretation of the Surveyor and should be verified with a zoning official prior to design work.

SURVEY NOTES

1. Elevations are based on N.A.V.D. 88 datum.
2. Contour lines are at one (1) foot intervals.
3. Equipment used; Leica 1200 robotic total station and Allegro MX data collector.
4. Software used: Carlson Survey 2013 and Carlson Survce.

SPECIAL FLOOD HAZARD NOTE

I have this date, examined the "F.I.R.M. official flood hazard map" and found in my opinion referenced parcel is in an area having special flood hazards, Zone AE, without an elevation certification the Surveyor is not responsible for any damage due its opinion for said parcel map ID 13089C0134J effective date 5/16/2013.

40' 0' 40' 80'

CLOSURE STATEMENT

The field data used to compile this plat was gathered by differential adjusted G.P.S. coordinates and radial survey measurements and has a positional tolerance of 0.1 feet.
This map or plat has been calculated for closure and is found to be accurate within one foot in 284,499 feet.

CURVE TABLE

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	1131.90'	123.35'	123.29'	S 73°56'31" W	6°14'38"
C2	2372.04'	276.87'	276.71'	S 81°46'48" W	6°41'16"

F.E.M.A. MAP PANEL NUMBER 13089C0134J - N.T.S. - (BOUNDARY APPROXIMATELY SHOWN)

GEORGIA REGISTERED No. 3028 PROFESSIONAL LAND SURVEYOR JOSH L. LEWIS, IV

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

By: _____
Josh Lewis IV, Registered Land Surveyor Number 3028

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

JOB NUMBER 202350

DRAWING NUMBER F-4211

TOPOGRAPHIC SURVEY PLAT FOR: *2724 Kelly Lake Road, Decatur Georgia 30032*

ACTIVE LIVING AT KELLY LAKE

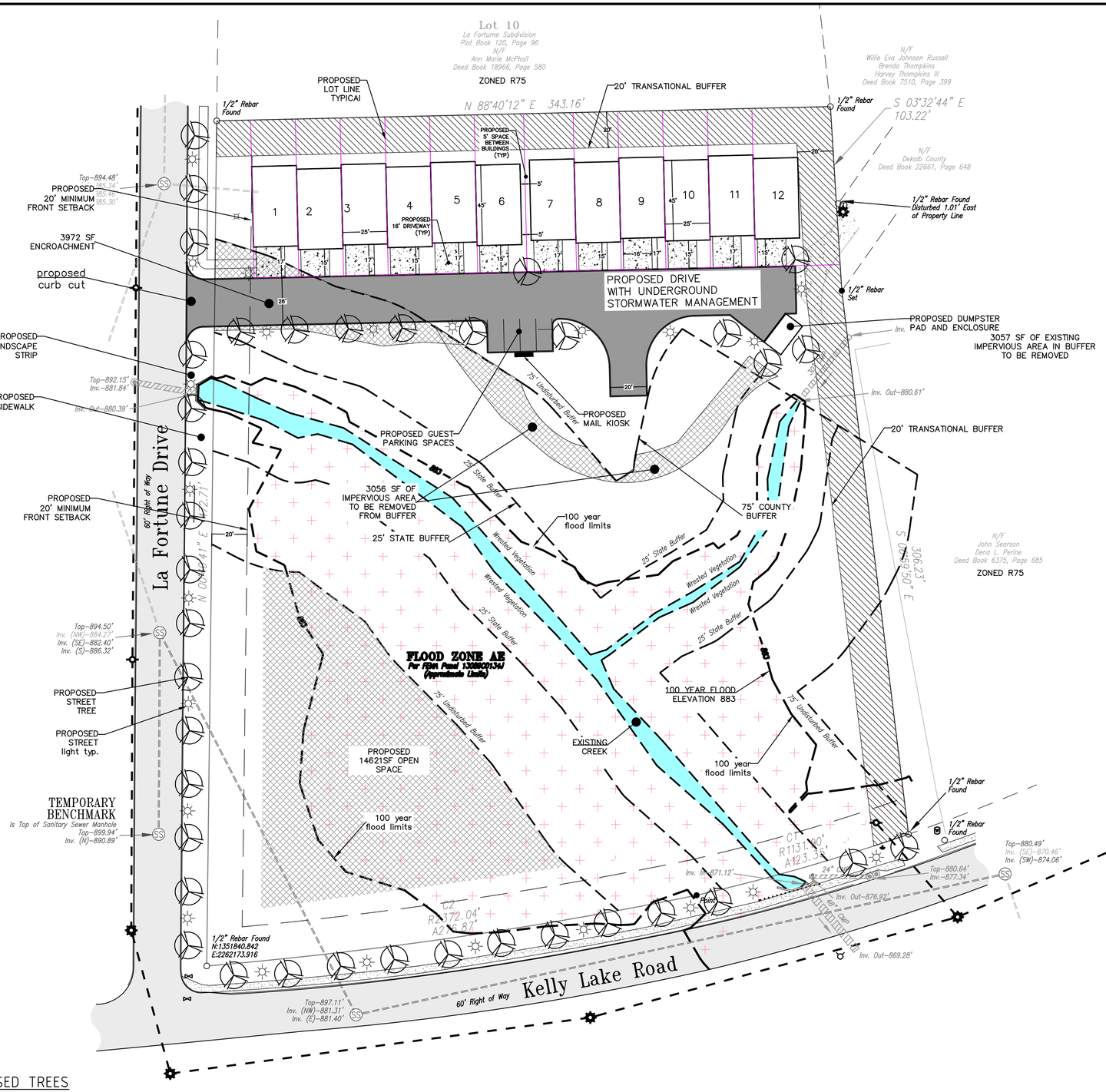
DATE: 12/7/20 SCALE: 40'

REVISION	BY	DATE

LAND LOT: 137 | 15th DISTRICT | SECTION | Dekalb COUNTY, GA
LOT: | BLOCK: | UNIT: | PHASE:
SUBDIVISION:
PLAT BOOK , PAGE | PARTY CHIEF: JJ | FIELD DATE: 1/6/21 | SHEET 1 OF 1
DEED BOOK 28466 , PAGE 94 | DRAFTER: BMS

GEORGIA LAND SURVEYING CO. EST 1955

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



PROJECT DATA

2724 KELLY LAKE ROAD, DECATUR, GEORGIA 30032

PID# 15 137 03 024

SITE AREA
3.782 ACRES 164762 SF

EXISTING ZONING: R75
PROPOSED ZONING: RSM RESIDENTIAL SMALL LOT

PROPOSED UNITS: 12
PROPOSED SQUARE FOOTAGE = 3150 SF PER UNIT

PERIMITER LOT COMPATIBILITY REQUIRED.
20' TRANSITIONAL BUFFER PROVIDED

MAXIMUM BUILDING HEIGHT
35 FEET FROM FRONT DOOR THRESHOLD

MAXIMUM LOT COVERAGE: 35%

EXISTING IMPERVIOUS AREA = 21836 SF
EXISTING LOT COVERAGE = 13%

PROPOSED IMPERVIOUS AREA = 31499 SF
Proposed lot coverage = 19%

MIN OPEN SPACE REQUIRED: 0% = PROJECT IS LESS THAN 5 ACRES AND LESS THAN 36 UNITS.

PROPOSED OPEN SPACE AT BUILD OUT = 14621 SF

PROPOSED DENSITY: 12/3.782 = 3.17 DWELLING UNITS/ACRE

PARKING REQUIRED = 1.75 SPACES/ UNIT * 12 UNITS = 21 SPACES

PROPOSED PARKING = 28 SPACES:

EACH TOWNHOME TO HAVE A 2-CAR GARAGE.

4 GUEST SPACES PROPOSED.

NOTE:

PROPOSED STREET LIGHTING TO BE PROVIDED.

PROPOSED OPAQUE FENCING TO BE PROVIDED.

STORMWATER MANAGEMENT TO BE UNDETRGROUND ON SITE.

PROPOSED TREES

SPECIES	QUANTITY	SIZE	POTENTIAL CANOPY	SYMBOL
RED MAPLE	9	2.5"	1000	
WILLOW OAK	9	2.5"	1000	
AMERICAN ELM	9	2.5"	1000	
SHUMARD OAK	10	2.5"	1000	

LEGEND

	POWER POLE		PROPERTY CORNER
	POWER POLE W/ GUY WIRE		FIELD LOCATED PIN (AS NOTED)
	POWER POLE W/LIGHT		TEMPORARY BENCHMARK
	STREET LIGHT	-P-	OVERHEAD POWER LINE
	LAMP POST	-T-	OVERHEAD TELEPHONE LINE
	FIRE HYDRANT	-C-	OVERHEAD CABLE TELEVISION LINE
	WATER VALVE	-GW-	OVERHEAD GUY WIRE
W	WATER METER	-G-	APPROX. LOCATION GAS LINE
T	TELEPHONE MANHOLE	-W-	APPROX. LOCATION WATER LINE
T	TELEPHONE BOX	-S-	SANITARY SEWER LINE
G	GAS METER	RCP	REINFORCED CONCRETE PIPE
	GAS VALVE	CMP	CORRUGATED METAL PIPE
	SANITARY SEWER MANHOLE	DIP	DUCTILE IRON PIPE
C	CLEAN OUT	IPS	IRON PIN SET
JB	JUNCTION BOX	IPF	IRON PIN FOUND
	HEADWALL	D.E.	DRAINAGE EASEMENT
		S.S.E.	SANITARY SEWER EASEMENT
		A.E.	ACCESS EASEMENT
	CATCH BASINS	BSL	BUILDING SETBACK LINE
	DROP INLETS	L.L.	LAND LOT
	STORM SEWER LINE	L.L.L.	LAND LOT LINE
	CURB INLET	P.O.B.	POINT OF BEGINNING
	FLARED END SECTION	N/F	NOW OR FORMERLY
	OUTLET CONTROL STRUCTURE	R/W	RIGHT-OF-WAY
		F.F.E.	FINISHED FLOOR ELEVATION
		D.B.	DEED BOOK
		P.B.	PLAT BOOK
L.L. 000	LAND LOT IDENTIFICATION	PG.	PAGE

GRAPHIC SCALE (FEET)
-15 0 30 60 90

CIVIL • RESIDENTIAL • COMMERCIAL • LEED

SHIELDS ENGINEERING GROUP

409 JOHN WESLEY DOBBS AVENUE
SUITE F • ATLANTA • GA. • 30312
P 404 | 521 | 9999
F 404 | 521 | 3666
EMAIL mshields@shieldseng.com
www.shieldseng.com

revisions

NO.	DATE	DESCRIPTION
1		
2		
3		
4		
5		
6		

GEORGIA REGISTERED No. 20686 PROFESSIONAL ENGINEER MARTIN D SHIELDS

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SEAL

2724 KELLY LAKE ROAD TOWNHOMES

LAND LOT 137 15TH DISTRICT, DEKALB COUNTY GEORGIA

TITLE

SITE REZONING PLAN

DATE	8/25/2024
JOB NO.	SE23118
dwg file	SE23118CVV
DRAWN BY	LPW
CHECKED	MDS
SCALE	1"=30'
SHEET	C1

TYPE 3. OPT. 1 - VIZUALIZATION 1

TYPE 3. OPT. 1 - VIZUALIZATION 2

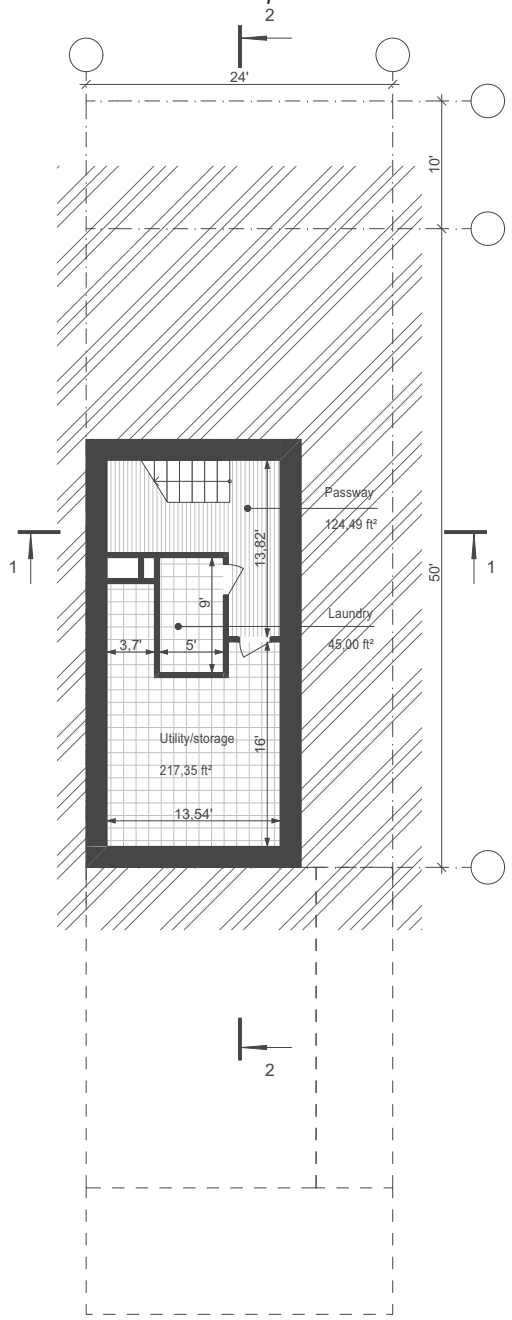
TYPE 3. OPT. 1 - VIZUALIZATION 3

TYPE 3. OPT. 1 - VIZUALIZATION 4 (terrace)

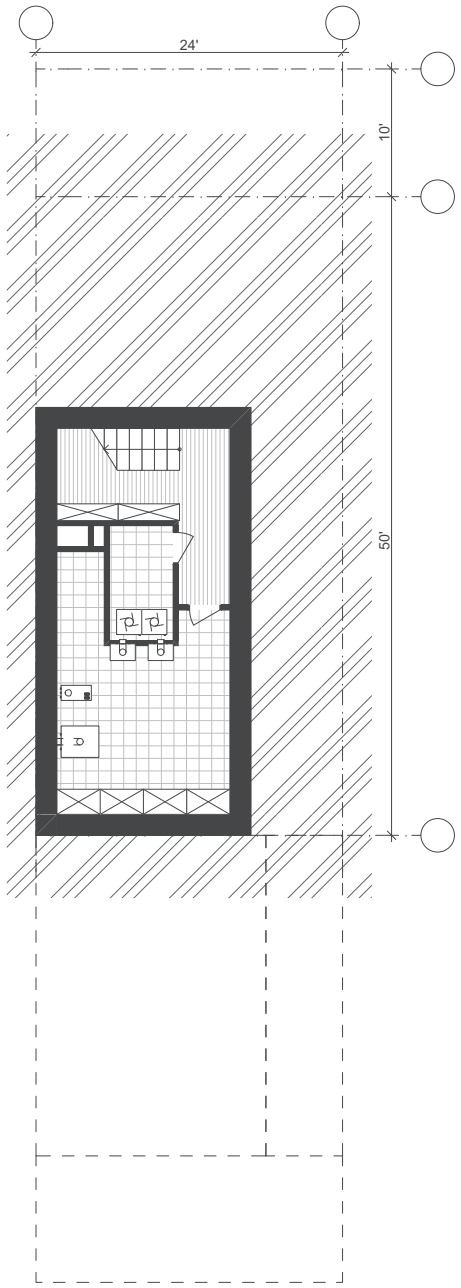
BASEMENT PLAN

Name	Area, sq.ft
Laundry	45,00
Passway	124,49
Utility/storage	217,35
	386,84 sq.ft

Dimension plan



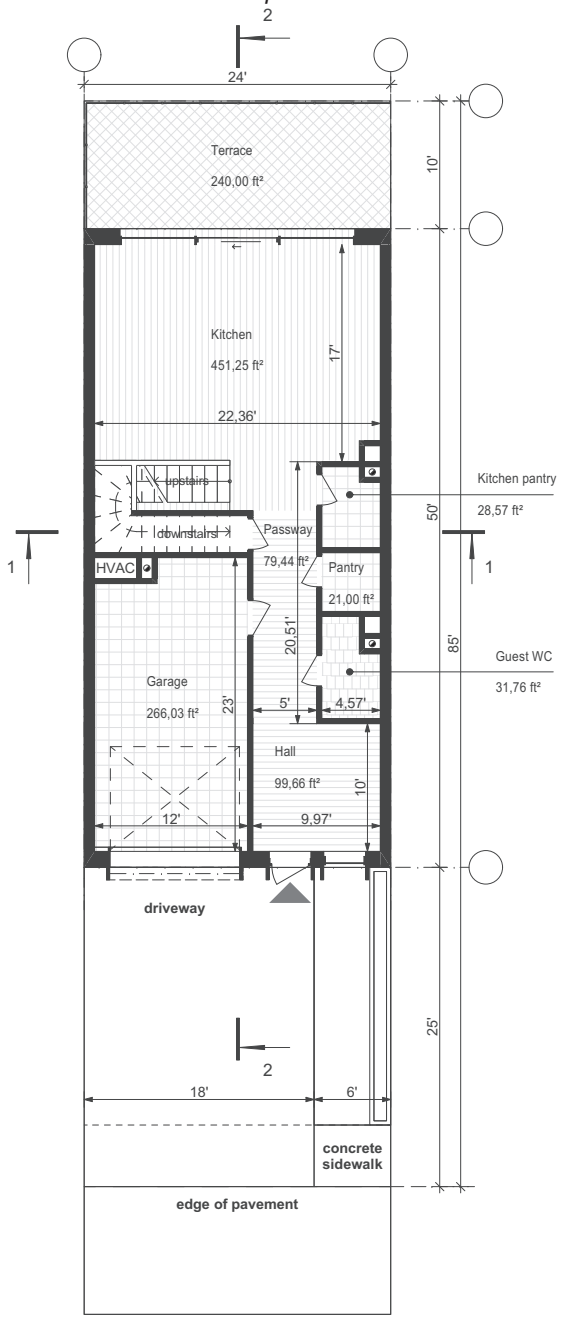
Furniture plan



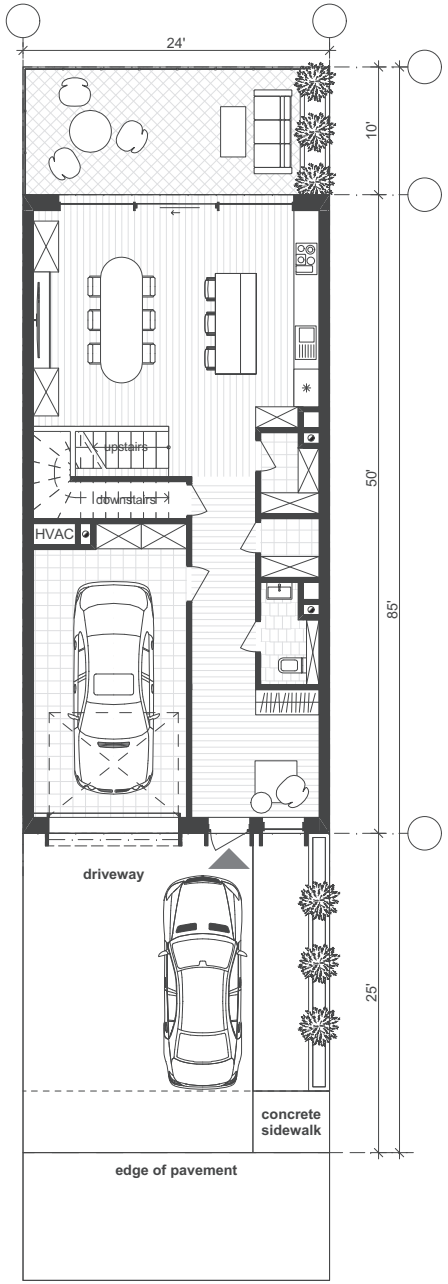
GROUND FLOOR PLAN

Name	Area, sq.ft
Pantry	21,00
Kitchen pantry	28,57
Guest WC	31,76
Passway	79,44
Hall	99,66
Terrace	240,00
Garage	266,03
Kitchen	451,25
	1 217,71 sq.ft

Dimension plan



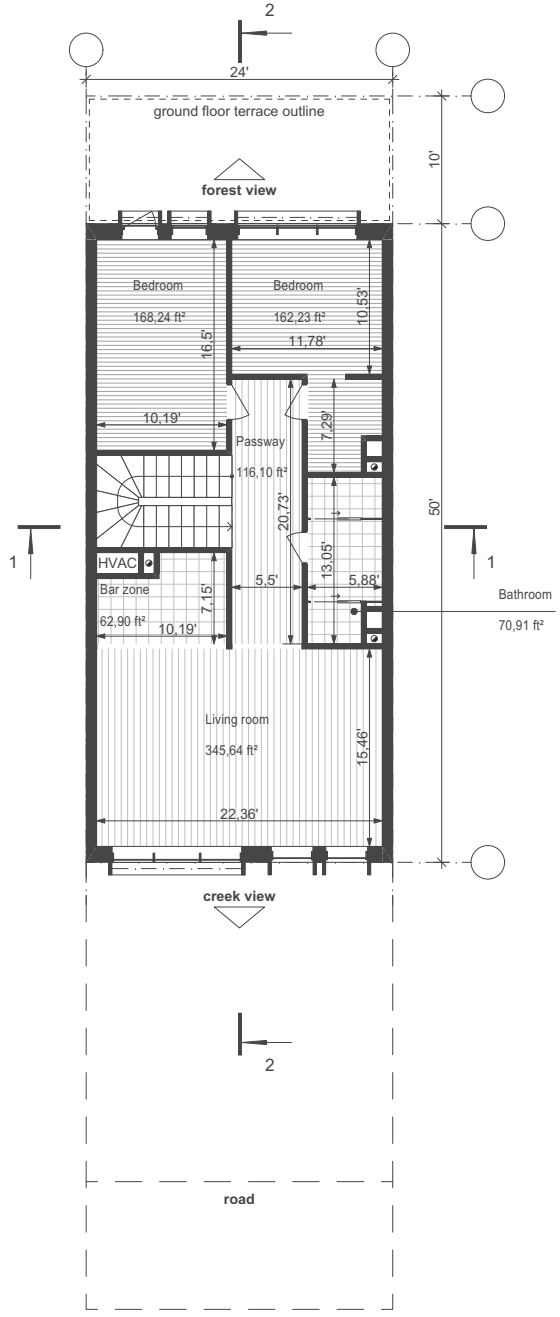
Furniture plan



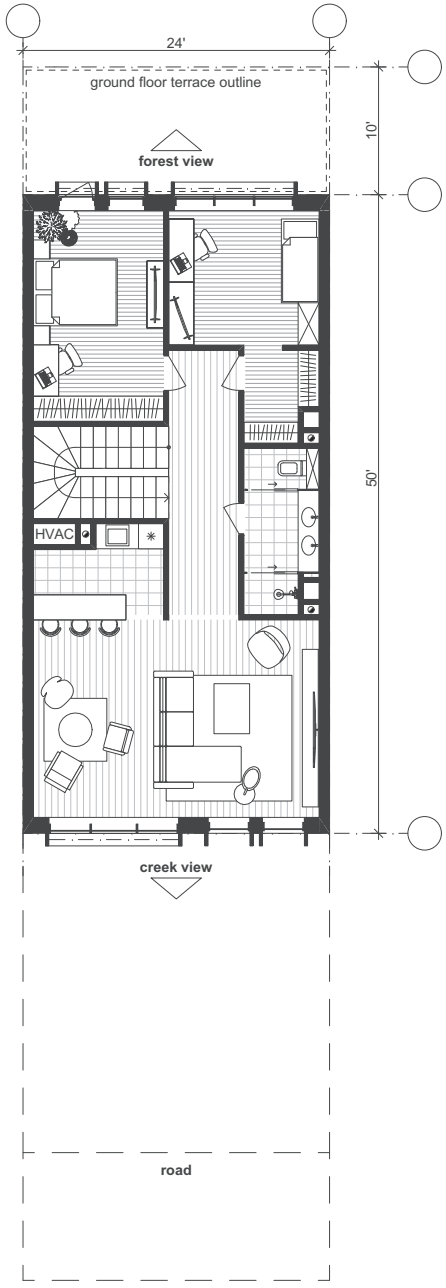
FIRST FLOOR PLAN

Name	Area, sq.ft
Bar zone	62,90
Bathroom	70,91
Passway	116,10
Bedroom	162,23
Bedroom	168,24
Living room	345,64
	926,02 sq.ft

Dimension plan



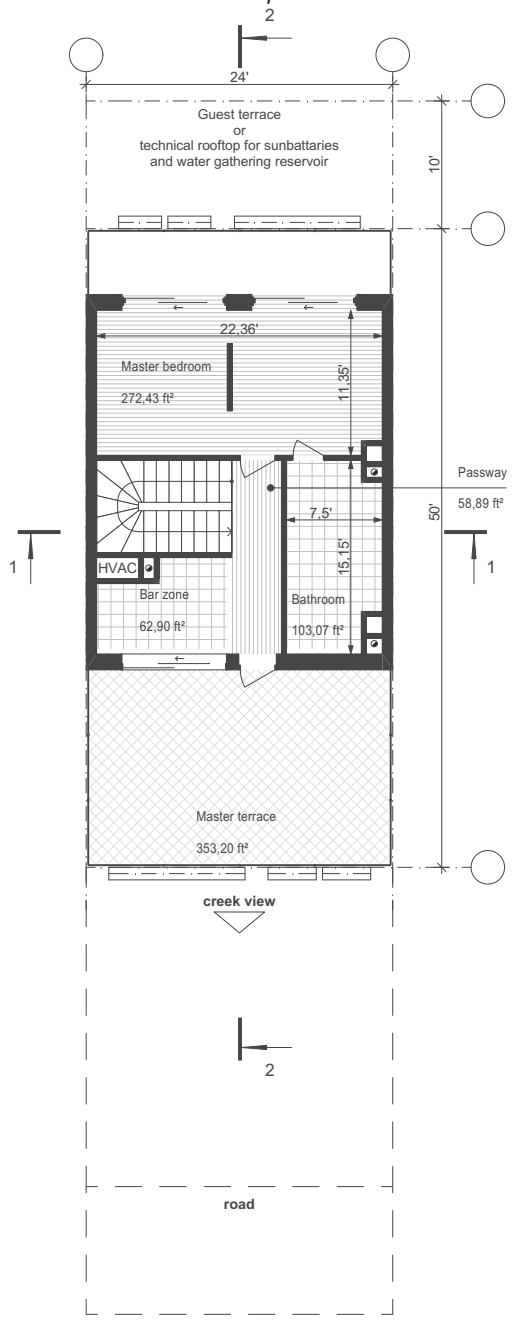
Furniture plan



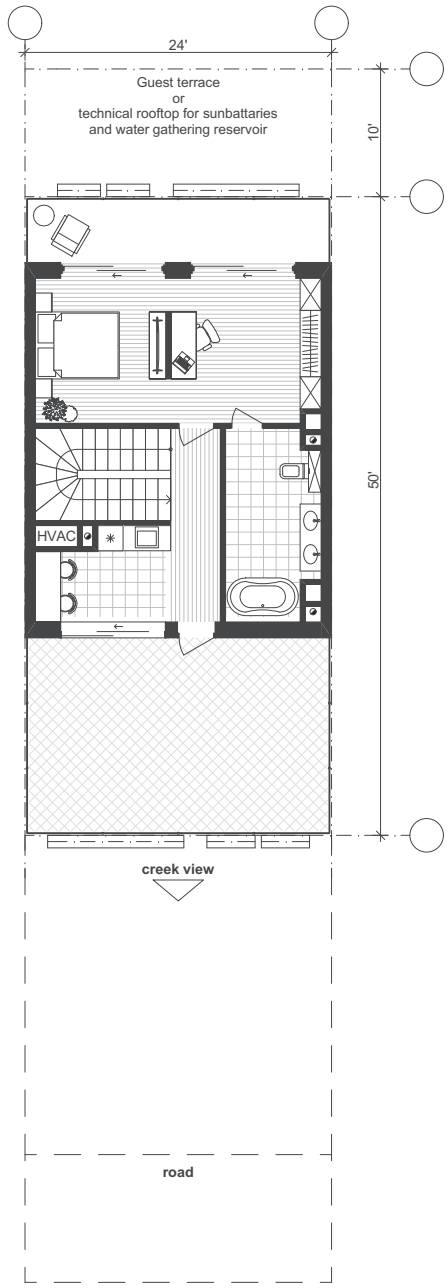
SECOND FLOOR PLAN

Name	Area, sq.ft
Passway	58,89
Bar zone	62,90
Bathroom	103,07
Master bedroom	272,43
Master terrace	353,20
	850,49 sq.ft

Dimension plan



Furniture plan



Linda I. Dunlavy
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Suite 230, #905
Atlanta, GA 30307
Tel: 404-371-4101
ldunlavy@dunlavylawgroup.com | www.dunlavylawgroup.com

August 3, 2024

RE: Parcel ID 15-137-03-024 - 2724 Kelly Lake Road aka 2452 LaFortune Drive
Application to Rezone Property to RSM (Small Lot Residential Mix)

Dear Property Owner:

We invite you to join our Zoom video meeting on Monday, August 19, at 7:00 p.m. to discuss a proposed rezoning to RSM (Small Lot Residential Mix) for the property located at 2724 Kelly Lake Road (also known as 2452 LaFortune Drive). Our client, Anaga, LLC, is seeking this rezoning to allow for the development of twelve (12) fee simple townhomes.

Below are the meeting instructions. There are multiple ways for you to join the meeting, including via your computer, tablet, or cell phone, with or without video.

Linda Dunlavy-Attorney is inviting you to a scheduled Zoom meeting.

Join Zoom Meeting
https://us02web.zoom.us/j/88976573006?pwd=s4KD9GO4tzyDpkdBg5a9r6DIpNZbDK.1

Meeting ID: 889 7657 3006
Passcode: 486746

One tap mobile
+16465588656,,88976573006#,,,,*486746# US (New York)
+16469313860,,88976573006#,,,,*486746# US

Please feel free to contact me if you have any questions.

Sincerely,
DUNLAVY LAW GROUP, LLC

/s/ *Linda I. Dunlavy*

Linda I. Dunlavy
Attorney for Anaga, LLC

Zoom Chat Details

https://us02web.zoom.us/rec/share/8GQL1uzBIBq1ynNsmSB-K1xIyRGhywmxAJzVxgKGaHQAKrJTxDTY5t7w65A49xYP.O_uJ5dCNpyD8z7q6

Passcode: .DNSJU9*

Neighbor	Contact Details	Question
Evan and Katherine Horne	2415 LaFortune Dr	
Jon Markham	2917 Katherine Valley	Does the proposed zoning exist anywhere on Kelly Lake or in the neighborhood currently?
Gary and Judy DuMont		
Margaret R Jackson	2427 LaFortune Dr Decatur, GA 30032 Jacksongcarr1922@gmail.com 404-427-2289	
Keith Owens	2732 and 2752 Kelly Lake Road	How will it affect the adjoining properties of 2732 and 2752?
Anawah Reuven	Kelly Lake Rd	One HOME to One PROPERTY/LAND-LOT. The creek-bed of Doless Creek (which this project is on top of and directly buttresses) is horribly/horrendously eroded and the the street-drain floods EVERY time there is rain/heavy rain on KELLY LAKE ROAD. This project Will directly ADVERSELY impact DOLESS CREEK and KELLY LAKE ROAD. Residents and Neighbors are walking in the street where this limb, from this property, is fallen on the narrow KELLY LAKE ROAD sidewalk, this has been like this for over a week Will there be a tear down of the existing home that is on the property?
Carl and Sarial Jaffar	2603 Yale Terrace Decatur, GA 30032 Carl.jaffar@gmail.com	
Ellen K		How will the stream be affected?
Faye Lyons-Gary	Flyons_gary@hotmail.com 2267 Whites Mill Road	
Stephen Conover	2775 Augusta Way Decatur, GA 30032 conover@gmail.com	

Zoom Chat Details

https://us02web.zoom.us/rec/share/8GQL1uzBIBq1ynNsmSB-K1xIyRGhywmxAJzVxgKGaHQAKrJTxDTY5t7w65A49xYP.O_uJ5dCNpyD8z7q6

Passcode: .DNSJU9*

Neighbor	Contact Details	Question
Alexis		Is it possible to reshare the concept for those that were late? please share addresses of the houses previously done and name of firm designing
I		I have an easement on the Kelly Lake side. How will it affect us
SS		When do you propose demolition of the home and construction of the townhomes?
Eric Carlton	Eric.carlton@gmail.com 404-861-1096	
Katie DeLay-Horne and Evan Horne	2415 La Fortune Drive Decatur, GA 30030 Thehornes1019@gmail.com	
Richard Smith	Richardsmith2372@gmail.com 404-519-3286	
Vertonia Jarrett	2632 Candler Woods Drive Decatur, GA 30032 vertoniaja@gmail.com	Please keep me updated also give me an email in case I have any questions for you later.
Ellen Kates	2593 Kelly Lake Rd Ellenkates@yahoo,com 470-217-5531	

PROPERTY OWNER	ADDRESS
LUSTER JAMES E	2627 CANDLER WOODS DR
HEATH TERRILYNN	2631 CANDLER WOODS DR
COLE JAMES A	2636 CANDLER WOODS DR
TRANQUILITY AT DECATUR LP	4110 SOUTHPOINT BLVD STE 206
ELLISON JOHN E	2719 KELLY LAKE RD
DUMONT GARY DEAN	2705 KELLY LAKE RD
MARKHAM JONATHAN DAVID	P.O. BOX 54
GLADDEN BARRY A	2743 KELLY LAKE RD
REUVEN ANAWAH E	2729 KELLY LAKE RD
KELLY LAKE ROAD LLC	PO BOX 673
SEARSON JOHN	2760 KELLY LAKE RD
SEARSON JOHN R II	2760 KELLY LAKE RD
2784 KELLY LAKE ROAD LLC	400 W PEACHTREE ST NE STE 3004
2425 CANDLER LLC	3853 REVERE AVE
AANAGA LLC	1541 PEACHCREST RD
THOMPKINS BRENDA	2732 KELLY LAKE RD
HAYES STEPHANIE	2027 OAK TER
DEKALB COUNTY	1300 COMMERCE DR
2018 3 IH BORROWER LP	1717 MAIN ST STE 2000
BROWN JAYSON E	2396 LA FORTUNE DR
CARWILE ISAAC	2404 LAFORTUNE DR
RS RENTAL I LLC	31 HUDSON YARDS
FREEMAN DIONTE	2416 LA FORTUNE DR
MINTER VIVIAN	2422 LAFORTUNE DR
MCPHAIL ANN MARIE	22 CAMPBELL SCENIC DR 4434
BOOTH SHANE IRWIN	2395 LA FORTUNE DR
PLOWRIGHT RONDA S	2606 KINNETT DR SW
LEWIS LILLIE R	2457 LA FORTUNE DR
DEAL NATHANIEL	2451 LA FORTUNE DR
JOBE DELPHIA YVONNE	2441 LAFORTUNE DR
CALVIN EPPS ALEXIS	2433 LAFORTUNE DR
CARR MARGARET	2235 SPRINGDALE RD SW
RELF JULIAN E	2421 LAFORTUNE DR
DELAY KATHERINE	2415 LA FORTUNE DR
WRIGHT SAMUEL	2409 LA FORTUNE DR
GILLEY DAN E	2677 KELLY LAKE RD
PRATT JEROME	P O BOX 24564
WADIA SORAB	423 W 120TH ST # 53
BARRON DARRYL	2389 KELLY LAKE DR
ANTHONY JACQUELYN WILLIS	2388 KELLY LAKE DR
HALE JOANN	2404 KELLY LAKE DR
FLORENCE CHARLIE L	2412 KELLY LAKE DR
VICENTE CRISTIAN VICENTE	2432 KELLY LAKE DR
PALMER SUSAN GAIL	2664 KELLY LAKE CT
HENRY ELOISE	5096 W SHORE DR SW
ALLEN BERNICE S	2677 KELLY LAKE CT

TENPENNY MATTHEW	2671 KELLY LAKE CT
SWAIN SYLVIA	2665 KELLY LAKE CT
DATCHER MARY LEE	2444 KELLY LAKE DR
LTCG INVESTMENTS LLC	515 SAINT REGIS DR
TURNIPSEED JIM O	2676 KELLY LAKE RD
SHY JOE H JR	2664 KELLY LAKE RD
WOODARD DAVID LEE	410 COPELAND DR
MCCOY ANNIE MAUDE	2682 KELLY LAKE RD

CITY, STATE ZIP
DECATUR , GA 30032
DECATUR , GA 30032
DECATUR , GA 30032
JACKSONVILLE , FL 30032
DECATUR , GA 30032
DECATUR , GA 30032
DECATUR , GA 30032
DECATUR , GA 30032
DECATUR , GA 30032
MIDWAY , GA 30032
DECATUR , GA 30032
DECATUR , GA 30032
ATLANTA , GA 30032
LOS ANGELES , CA 30032
DECATUR , GA 30032
DECATUR , GA 30032
ATLANTA , GA 30032
DECATUR , GA 30032
DALLAS , TX 30032
DECATUR , GA 30032
DECATUR , GA 30032
NEW YORK , NY 30032
DECATUR , GA 30032
DECATUR , GA 30032
HATTIESBURG , MS 30032
DECATUR , GA 30032
LILBURN , GA 30032
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DECATUR , GA 30032
CHATTANOOGA , TN 30032
NEW YORK , NY 30032
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DECATUR , GA 30032
CONYERS , GA 30032
DECATUR , GA 30032

DECATUR , GA 30032
DECATUR , GA 30032
DECATUR , GA 30032
JOHNS CREEK , GA 30032
DECATUR , GA 30032
DECATUR , GA 30032
CEDAR HILL , TX 30032
DECATUR , GA 30032

ID	Email	Last Name	First Name
7		Hassan	Ali
36		Lips	Erik
45		Freeman	James
72		Frank	Leanne
86		McGannon	Monica
91		Akins	Pat
104		Berlinsky	Samantha
121	adriannez.realty@gmail.com	Zimmerman	Annie
127	albertajordan@bellsouth.net	Jordan	Alberta
141	barnesve@yahoo.com	Barnes, AIA	Vernell
143	bcpace2@gmail.com	Pace	Brenda
145	berryelfreda227@gmail.com	Berry	Elfreda
146	bethbond@bellsouth.net	Bond	Beth
154	bjaevnt@gmail.com	Jackson	Brenda
169	christinedennis@bellsouth.net	Dennis	Christine
184	csanders@eastmetrocid.com	Sanders	Christopher
192	dbonino1@aol.com	Bonino	Doninck
201	dlocks1019@aol.com	Locks	Danita
220	edsan@bellsouth.net	Arnold	Sandra
225	elitedesignsatl@yahoo.com	Mustafa	Laurel
234	ericastewart2009@gmail.com	Stewart	Erica
235	ericwschwartz@gmail.com	Schwartz	Eric
241	frank@golleyrealty.com	Golley	Frank
263	hjpreston23@gmail.com	Preston	Judy
271	info@greshamhills.org	Carter	Rachel
273	jacquelynbuiebrown@gmail.com	Buie-Brown	Jacquelyn
290	jgross@stickybusiness.net	Gross	Joel
304	k1776usa@yahoo.com	Banks	Kenneth
332	linn.jeff@gmail.com	Linn	Jeff
360	mfunk64@att.net	Funk	Melanie
367	mkirkwood73@outlook.com	Kirkwood	Michael
377	naacpdek@comcast.net	Evans	John
379	nahwash4ms@aol.com	Washington	Norma
381	NettieJackson@me.com	Jackson	Nettie
386	norfley@yahoo.com	Coleman	Michael
391	parkviewcivicclub@gmail.com	Club	Parkview Civic
392	pat.lawrencecraig@gmail.com	Craig	Pat
403	phthompson3@msn.com	Hodby	Peggy
405	ppculp@att.net	Culp	Patricia

408	president@naacpdekalb.org	Hardy	Teresa
414	rachelbarber4@gmail.com	Barber	Rachel
417	rbarrow@comcast.net	Barrow	Rachel
420	regeniarobertsone@gmail.com	Roberts	Regenia
428	rigel.cable@gmail.com	Cable	Rigel
433	robroark@allsouthwarehouse.com	Roark	Rob
443	samandbettysmith@bellsouth.net	Smith	Samuel
449	sbhouston@bellsouth.net	Houston	S B
460	sls1289@gmail.com	Stephens	Sandra
484	tolip209@gmail.com	Pringle	Willie
486	tommyt4dekalb@gmail.com	Travis	Tommy
504	wazulamor@aol.com	Stewart	Willie J.
508	wmtoliver7@gmail.com	Toliver	Marvin
517	jackson.gloria1@gmail.com	Jackson	Gloria
518		Simmons	Khristine
519	loue738@gmail.com	Laue	Larry
524	info@destinedevents.com	Alsobrook	Tersa

Address	City	State	Zip Code	Phone
3496 Midway	Decatur	GA	30032	(718) 926-0228
1307 Crescent Wood Lane	Decatur	GA	30032	
	Decatur	GA	30034	
3141 Bonway Dr	Decatur	GA	30032	
1305 Crescentwood Lane				
3347 Beech Dr	Decatur	GA	30032	
1301 Crescentwood Lane	Decatur	GA	30032	(803) 616-2536
1361 Skyhaven Road SE	Atlanta	GA	30316	(717) 587-9891
	Decatur	GA	30034	
3826 Loyola Court	Decatur	GA	30034	(770) 605-9829
2638 Glenvalley Drive	Decatur	GA	30032	(404) 277-4942
1491 Deerwood Drive	Decatur	GA	30034	(404) 578-2414
	Decatur	GA	30034	
1987 Joseph Court	Decatur	GA	30032	(404) 243-0493
2724 Wesley Chapel Road #360909	Decatur	GA	30036	(404) 908-8305
4125 Milton Parkway	Alpharetta	GA	30055	(347) 489-1643
1211 Crescentwood Lane	Decatur	GA		(973) 978-3657
4296 Cedar Valley Court	Conley	GA	30328	(404) 241-4636
	Decatur	GA	30034	
2902 Cedar Trace Drive	Ellenwood	GA	30294	
	Atlanta	GA	30316	(678) 439-8437
3392 Midway Rd	Decatur	GA	30032	
2305 Bailey St				
	Atlanta	GA		(678) 653-4614
	Decatur	GA	30034	
4140 Bonsal Rd	Conley	GA		(678) 283-2045
4116 Marquette Court	Decatur	GA	30034	(770) 987-3765
1361 Skyhaven Road SE	Atlanta	GA	30316	(717) 779-0288
3392 Midway Rd	Decatur	GA	30032	
415 Sugarmill Oaks Avenue	Atlanta	GA	30316	(770) 282-7196
3011 Rainbow Drive, Suite 180A	Decatur	GA	30034	(404) 241-8006
3268 Harbor View Court	Decatur	GA	30034	(404) 244-7334
3714 Valpariso Circle	Decatur	GA	30034	(404) 725-2463
	Decatur	GA	30034	
3830 Brookview Point	Decatur	GA	30034	
2791 Treadway Drive	Decatur	GA	30034	(404) 984-8253
				(404) 660-9726

	Decatur	GA	30034	
3675 Radcliff Boulevard	Decatur	GA	30034	(770) 940-1683
3355 Beech Dr	Decatur	GA	30032	
1896 Cedar Walk Lane	Conley	GA	30288	(404) 363-9082
1274 Skyhaven Road SE	Atlanta	GA	30316	(603) 244-0127
1775 Continental Way	Atlanta	GA	30316	(404) 243-7560
2440 Parkland Drive	Decatur	GA	30032	(404) 243-5874
	Decatur	GA	30034	
1289 Crescentwood Lane	Decatur	GA	30032	(321) 217-1000
2722 Pleasant Wood Drive	Decatur	GA	30034	(404) 288-2784
2836 Reveille Circle	Atlanta	ga	30316	(404) 381-5151
2902 Cedar Trace	Ellenwood	GA	30294	(678) 876-8424
2310 Springside Way	Decatur	GA	30032	(404) 664-8755
2712 Neptune PL	Decatur	GA	30034	(678) 851-0559
1507 Snapfinger Rd	Decatur	GA	30032	(470) 685-9821
1787 Derrill Dr	Decatur	GA	30032	
3887 River Ridge Court	Decatur	GA	30034	(877) 630-5706

Affiliation Name	Affiliation Type	Project	Commission District
Ali Hasan and Associates	Private Businesses		3
Meadow Acres Neighborhood Assoc.	HOA/Civic		3
The Summit at Chapel Lake	HOA/Civic		3
Meadow Acres Neighborhood Assoc.	HOA/Civic		3
Meadowbrook Acres Neighborhood	HOA/Civic		3
			3
Crescentwood	HOA/Civic		3
			3
Huntingdale Association	HOA/Civic		3
Staff/Appointee - Commissioner Watson			3
East Lake Terrace Community Association, Inc.	HOA/Civic		3
Community Council 3			3
Community Council 3			3
Pointe Bleue Neighborhood Association	HOA/Civic		3
Greystone Park Community Association	HOA/Civic		3
East Metro DeKalb CID		I-20 TOD Advisory Team	3
Brighton Village HOA	HOA/Civic		3
			3
Cedar Grove Civic Association	HOA/Civic		3
Pointe Bleue Neighborhood Association	HOA/Civic		3
South DeKalb Neighborhoods Coalition	HOA/Civic		3
Parkview Civic Club	HOA/Civic		3
Meadow Acres Neighborhood Assoc.	HOA/Civic		3
Corner Stone Of Praise			3
Gresham Hills Neighborhood Association	HOA/Civic		3
Huntingdale Association	HOA/Civic		3
GCI CID			3
Chapel Hill Neighborhood Association	HOA/Civic		3
			3
Meadow Acres Neighborhood Assoc.	HOA/Civic		3
			3
NAACP DeKalb County Branch	Private Businesses		3
Community Council 3			3
Community Council 3			3
Kings Row Coomunity Association	HOA/Civic		3
Parkview Civic Club	HOA/Civic		3
Community Council 3			3
Community Council 3			3
Cedar Grove Neighborhood Associaton	HOA/Civic		3

NAACP DeKalb County Branch	HOA/Civic		3
	HOA/Civic		3
Meadow Acres Neighborhood Assoc.	HOA/Civic		3
Community Council 3			3
			3
CABA Vice President	Private Businesses		3
Community Council 3			3
Kings Row Coomunity Association	HOA/Civic		3
Crescentwood HOA	HOA/Civic		3
Community Council 3			3
Community Council 3			3
Royal Hills	HOA/Civic		3
Spring Valley	HOA/Civic		3
			3
			3
			3
			3

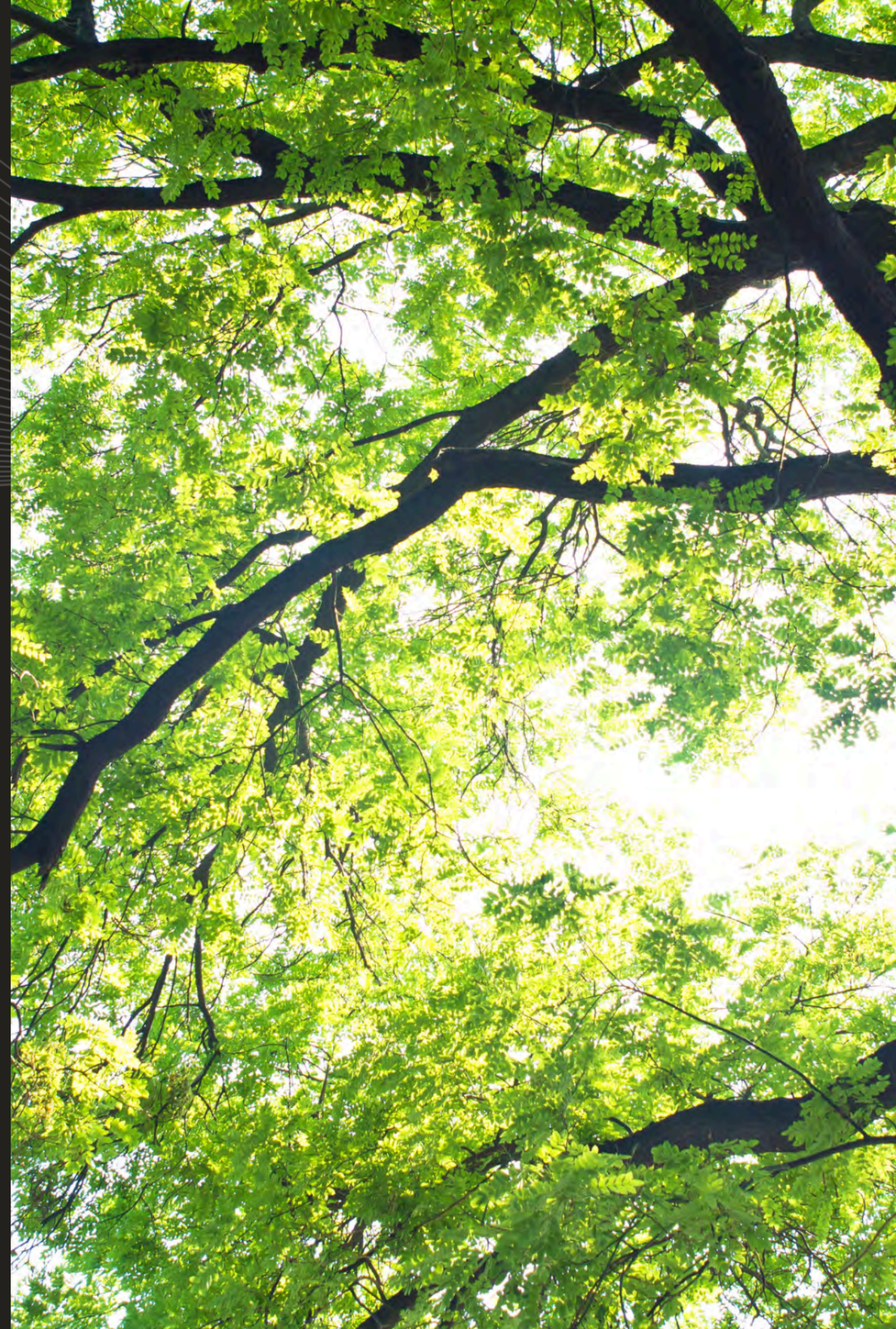
Super District	Other	Extension	Date Entered
7			01-May-18
7			01-May-18
7			20-Jun-19
7			01-May-18
7			01-May-18
7			01-May-18
7			01-May-18
6			12-May-21
7			20-Jun-19
7			09-Jul-18
7	President		09-Jul-18
7			20-Jun-19
6			01-Jul-19
7			
6			12-Apr-19
7			01-May-18
6			09-Jul-18
7			20-Jun-19
6			11-Jun-19
6	President		15-Apr-19
7			01-May-18
6			01-May-18
6	Vice President		05-Sep-19
7			20-Jun-19
6			01-May-18
7	President		17-Jul-19
6			12-May-21
7			01-May-18
6			14-May-21
7	President		09-Jul-18
	CC3 Chairman as of 2020		
7			20-Jun-19
6			15-Apr-19
6			10-Apr-19

7			20-Jun-19
7			21-Apr-21
7			01-May-18
	CC3 Vice Chairman as of 2020		
6			12-May-21
6	404 867-4974		
7			20-Jun-19
7			01-May-18
6			14-May-19
7			
7			14-Jun-23
7			14-Jun-23
7			14-Jun-23
6			

SOLE AT KELLY LAKE

Modern Townhome Community

Living in the trees



About Us

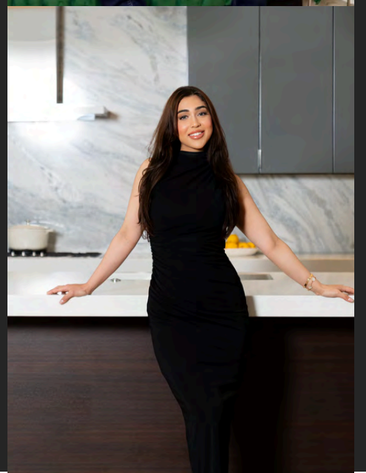
We are a small family owned and operated company with a health-conscious, community-focused approach. We care about providing the highest quality product while also promoting the health and well being of the community and environment. We belive you can live and work in harmony with nature.

Anastasiya

Lead Developer/ Designer

Anthony

Director of Operations



Cameron

Realestate Agent/ Director of Community Relations

Our Strategy

Community Centered

Support the community needs and create opportunities for connection, safety, and peace

Alignment

aligning with modern living, healthy lifestyle, lower property maintenance, environment conscious and acres of green space.

Nature Integrated

Integrate nature with residential development and inspire others to do same.

Conscious Building

Use health-conscious and environmentally-conscious building practices.

Our Sole Objectives

Green Development

Limit deforestation and bring green development and building practices to DeKalb County

Modern Beauty

Merge modern esthetic and amenities with the natural beauty of the forest.

Healthy Living

Promote a healthy lifestyle built into the infrastructure of the community.

Anchor Community

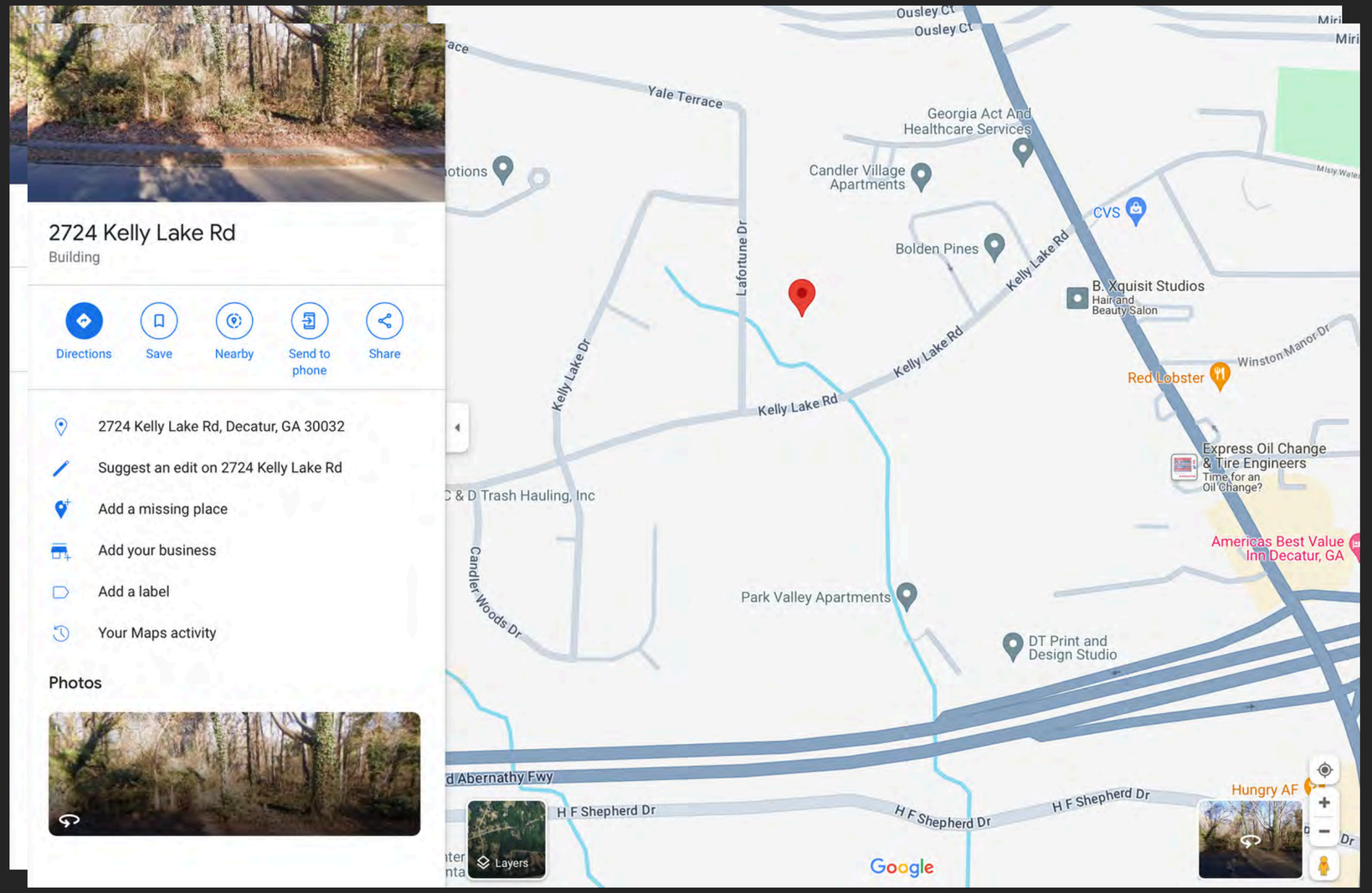
Create a community where the residents will want to anchor in and build roots.

Our Project

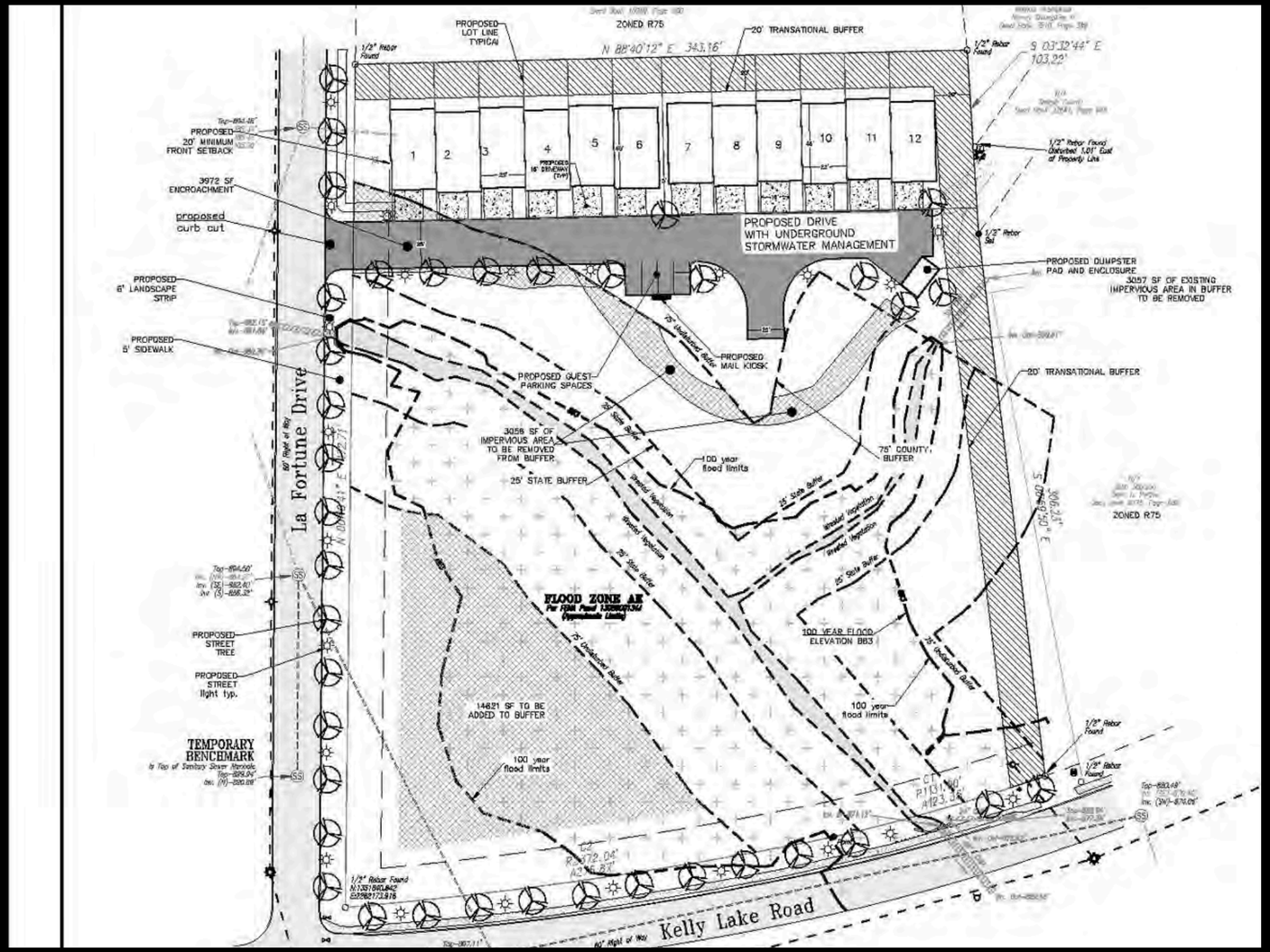
Estimated Price Range
$475,000-$525,000

- 12 visually stunning attached homes -3&4 Beds +3 1/2 Baths +2 Car Garage + Rooftop Living Space
- 3.8 acres of private land
- over 2 acres of undisturbed trees and a creek providing privacy and serenity
- Community garden, benches, a dog park and trails

Location of proposed Sole Development



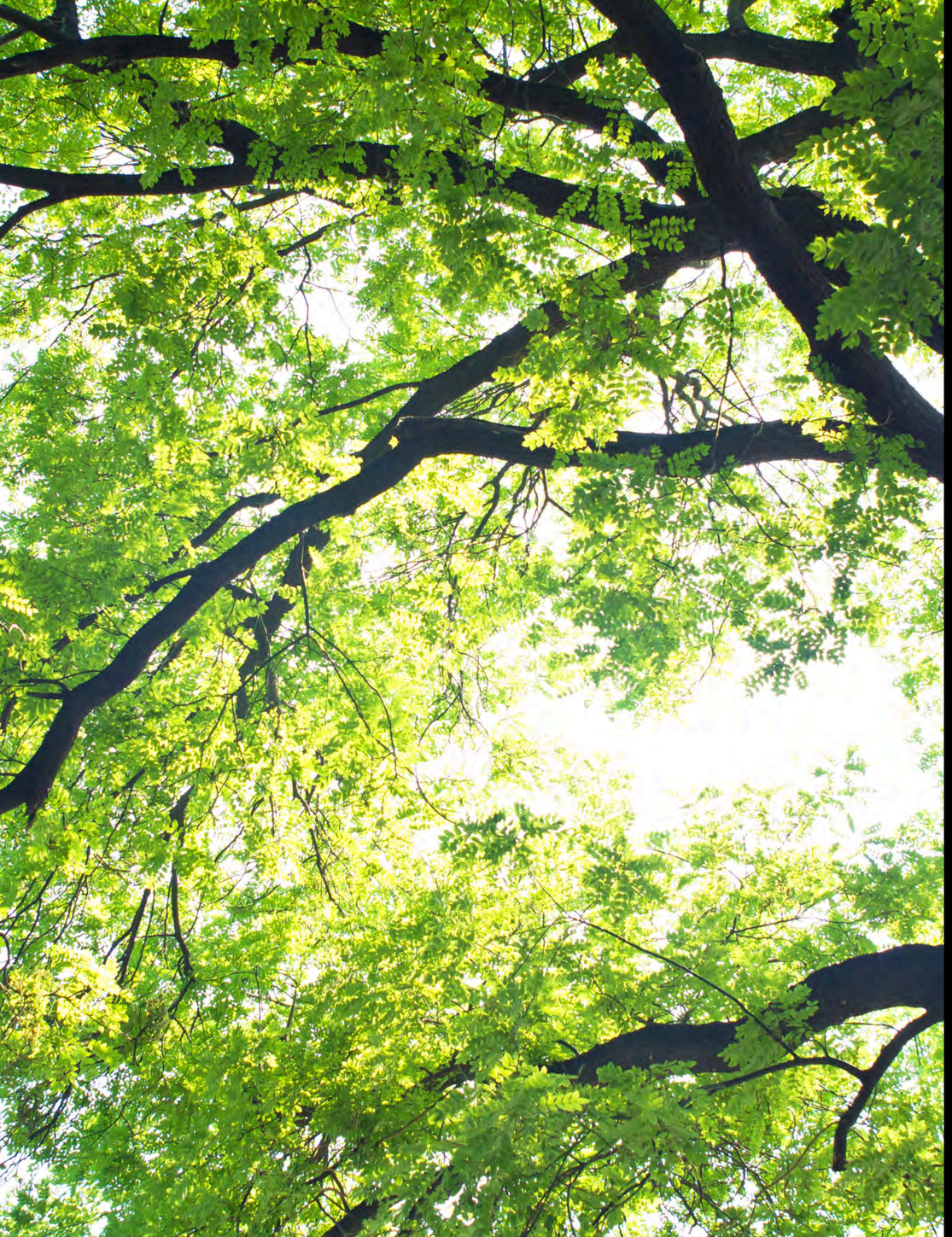
PROPOSED SITE PLAN



Concept Model

Amenities

- Nature trails with benches and rest areas throughout the property
- Dog park, picnic areas, playground
- Bike racks, walk/bike paths, sports zone
- Gated community
- Energy Efficient Insulation, lighting, plumbing fixtures and more
- Energy Efficient Glass Packages
- Use of Earth Friendly Building Materials
- Electric car chargers for each dwelling
- Solar Hookups and more
- Innovative Gutter systems

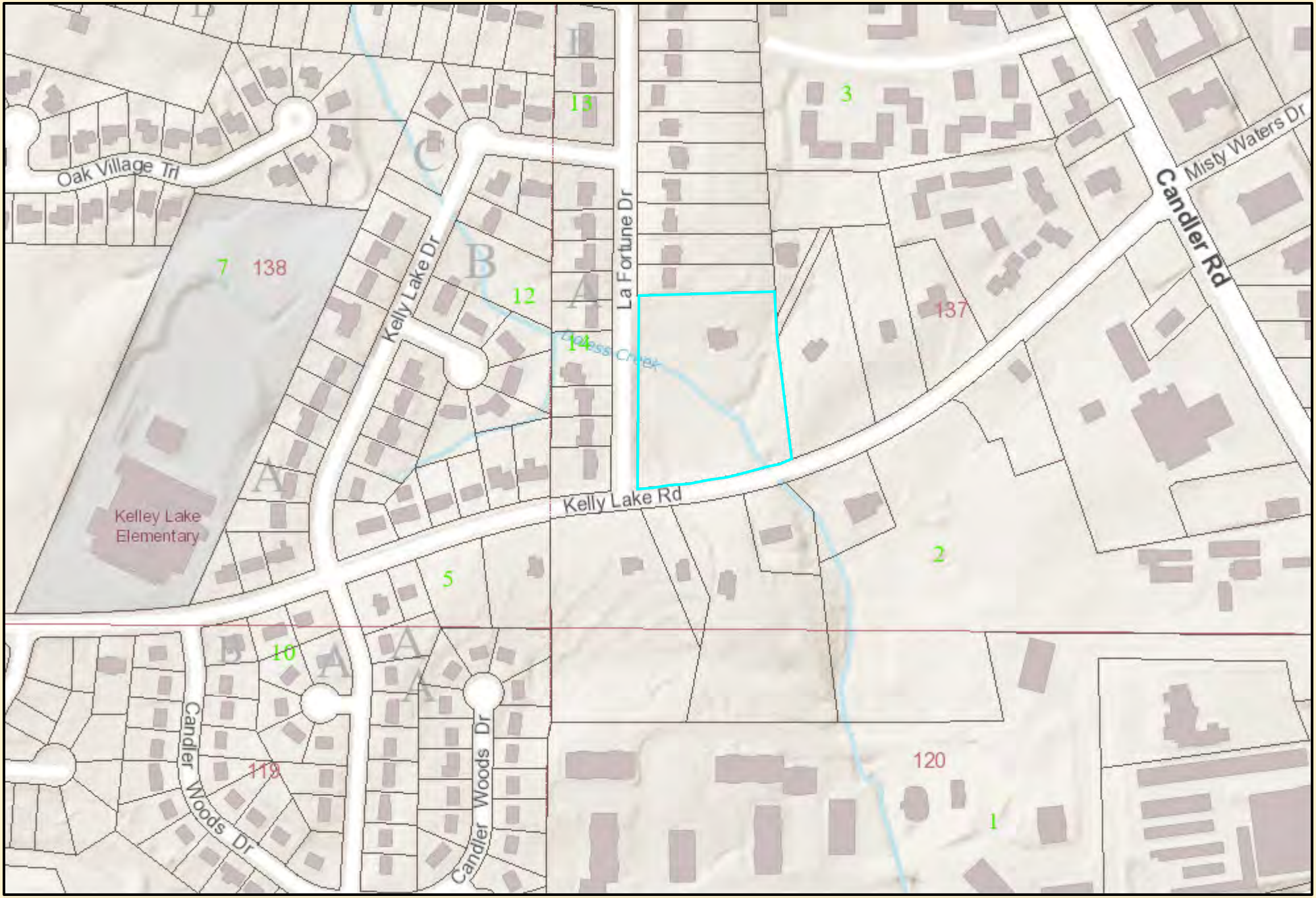


SOLE AT EAST POINT

Living in the trees

Innovative project created with good intentions, ingenuity, and passion.

We ask for your support to create a better future together.



DeKalb County Parcel Map

0 0.0175 0.035 0.07 0.105 0.14 mi

Date Printed: 8/28/2023

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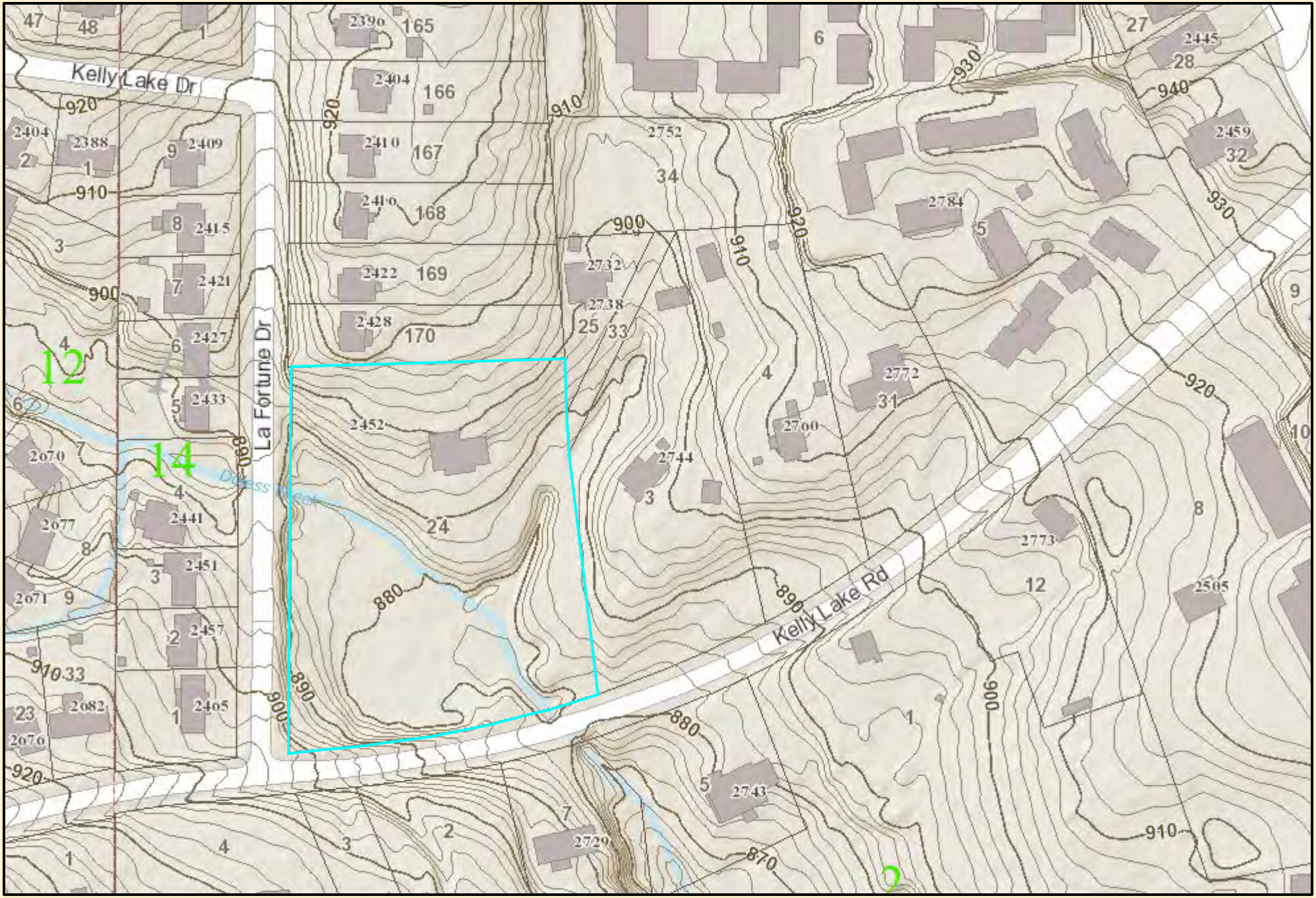

DeKalb County Parcel Map

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Date Printed: 8/28/2023

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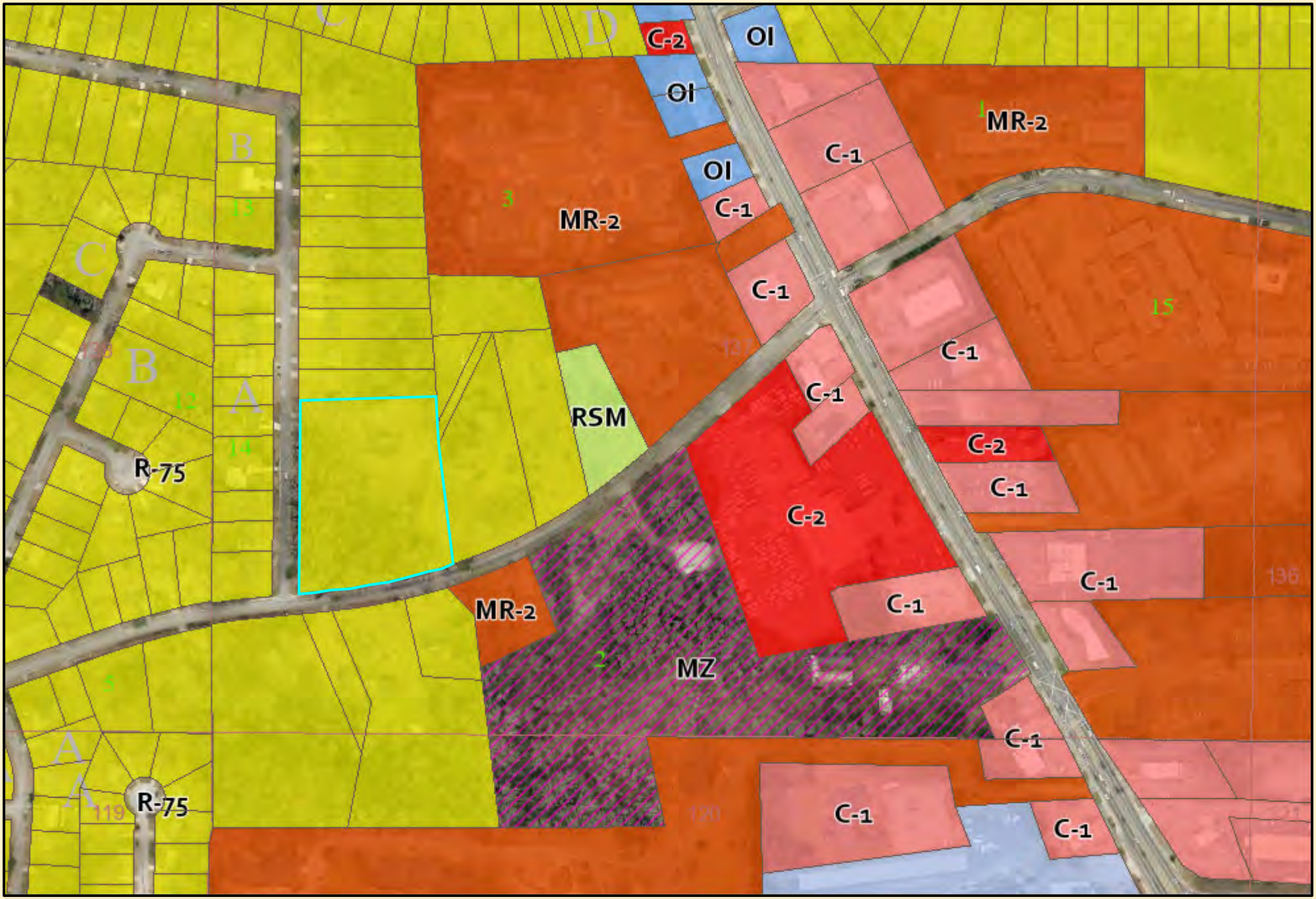

DeKalb County Parcel Map

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Date Printed: 8/25/2023

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DeKalb County Parcel Map

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Date Printed: 8/30/2023

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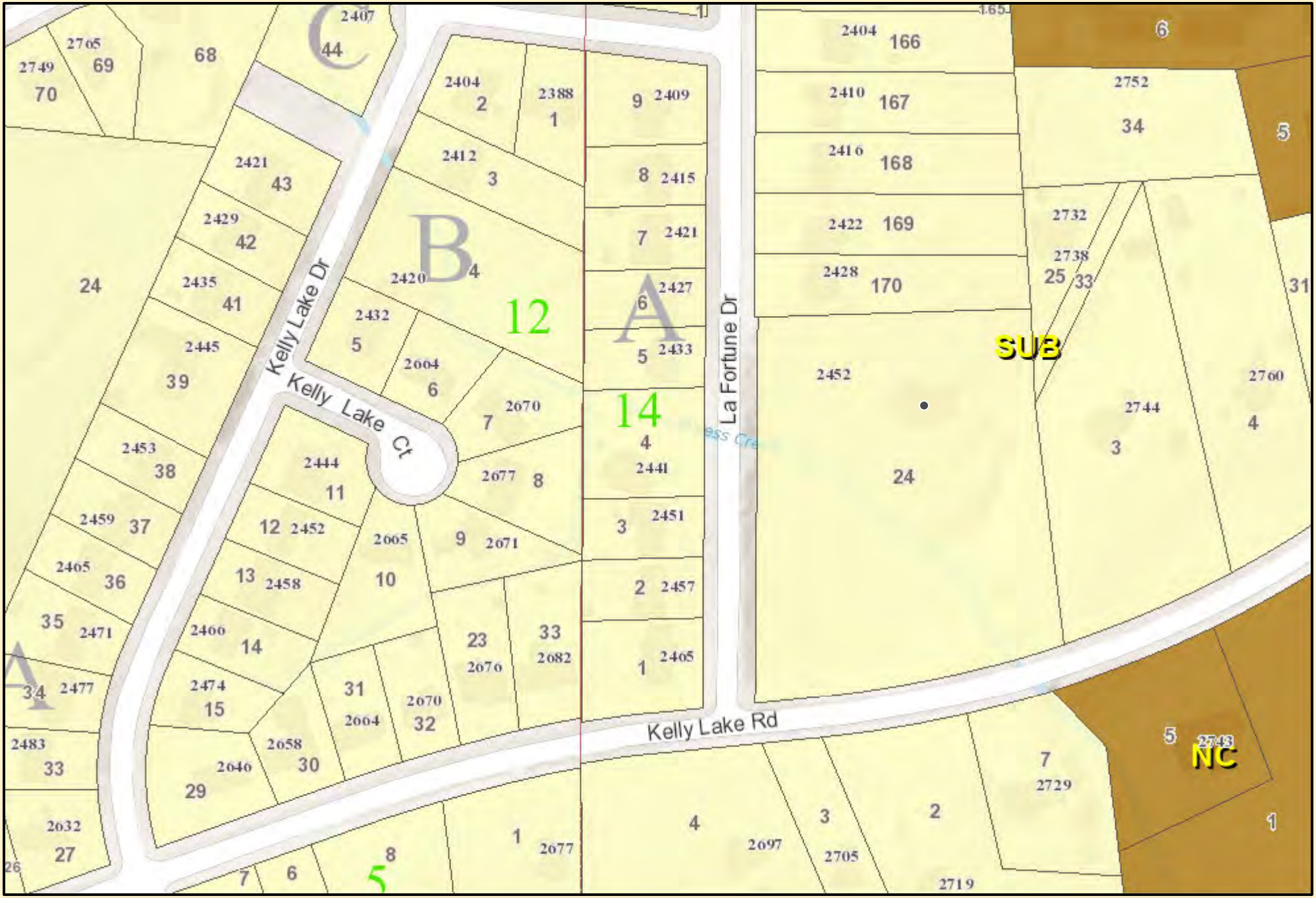

DeKalb County Parcel Map

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Date Printed: 9/13/2023

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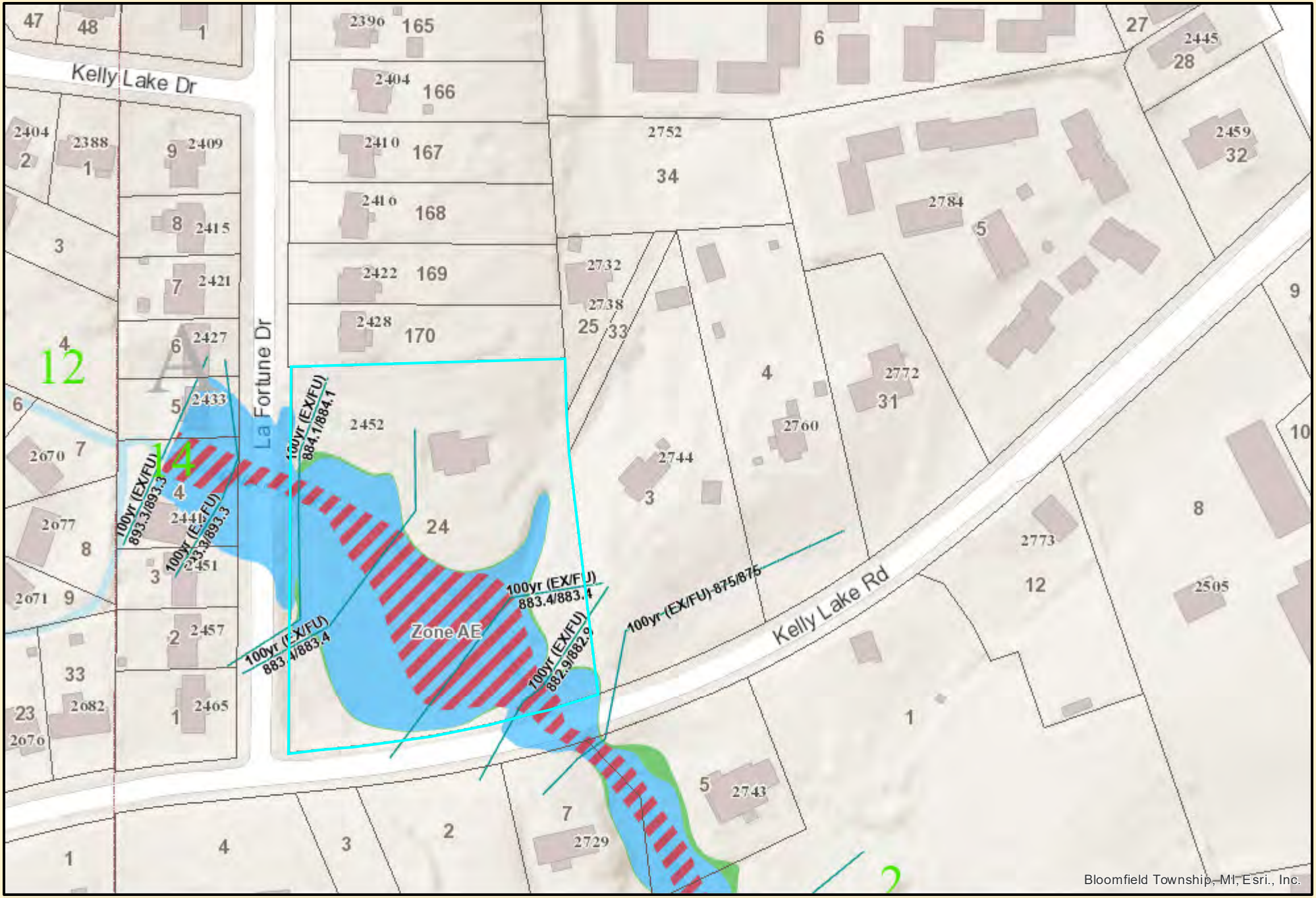

DeKalb County Parcel Map

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Date Printed: 8/28/2023

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DeKalb County Parcel Map

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Date Printed: 8/28/2023

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1:09 63%

Candler Village Apartments

2425 Candler Rd, Decatur, GA 30032

Southeast DeKalb

★★★★☆ (3)

About Candler Village

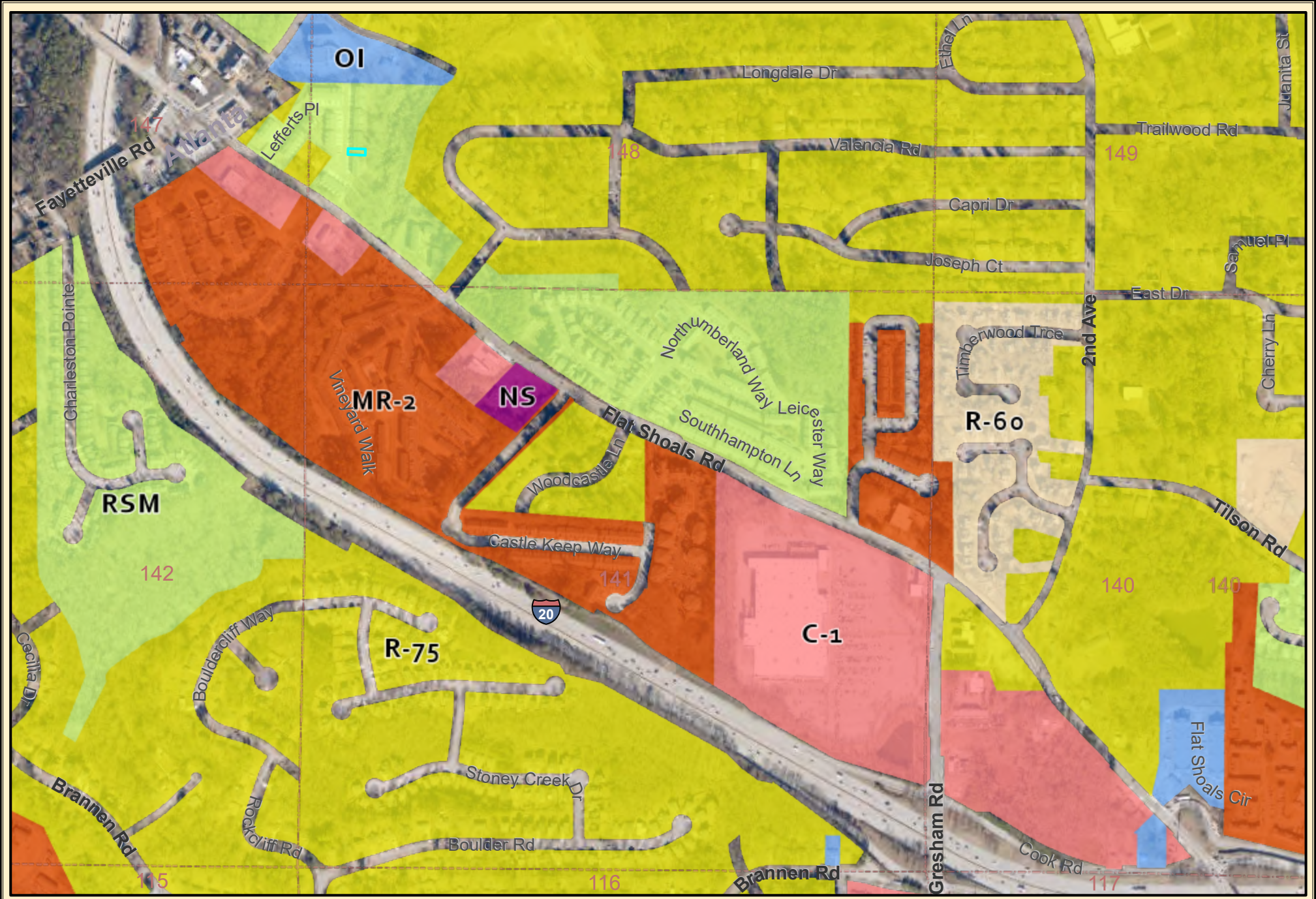
Candler Village is a pet and family-friendly community in Decatur, Georgia with one, two, and three-bedroom apartment home options to suit your needs. Our apartments feature patios, balconies, and central heating and air conditioning, and select units include upgraded features such as modern, soft- close cabinetry, quartz countertops, stainless steel appliances, and plank-style flooring. We also have convenient amenities for our residents to enjoy, including a swimming pool, playground, basketball court, and laundry facilities. Candler Village offers comfort, enjoyment, and a convenient location just minutes from downtown Atlanta, local restaurants, shopping destinations, and beautiful parks.

Candler Village is located in Decatur, Georgia in the 30032 zip code. This apartment community was built in 1964 and has 2 stories with 90 units.

Special Features

- Access to Public Transportation

Community Features



DeKalb County Parcel Map

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Date Printed: 8/20/2024

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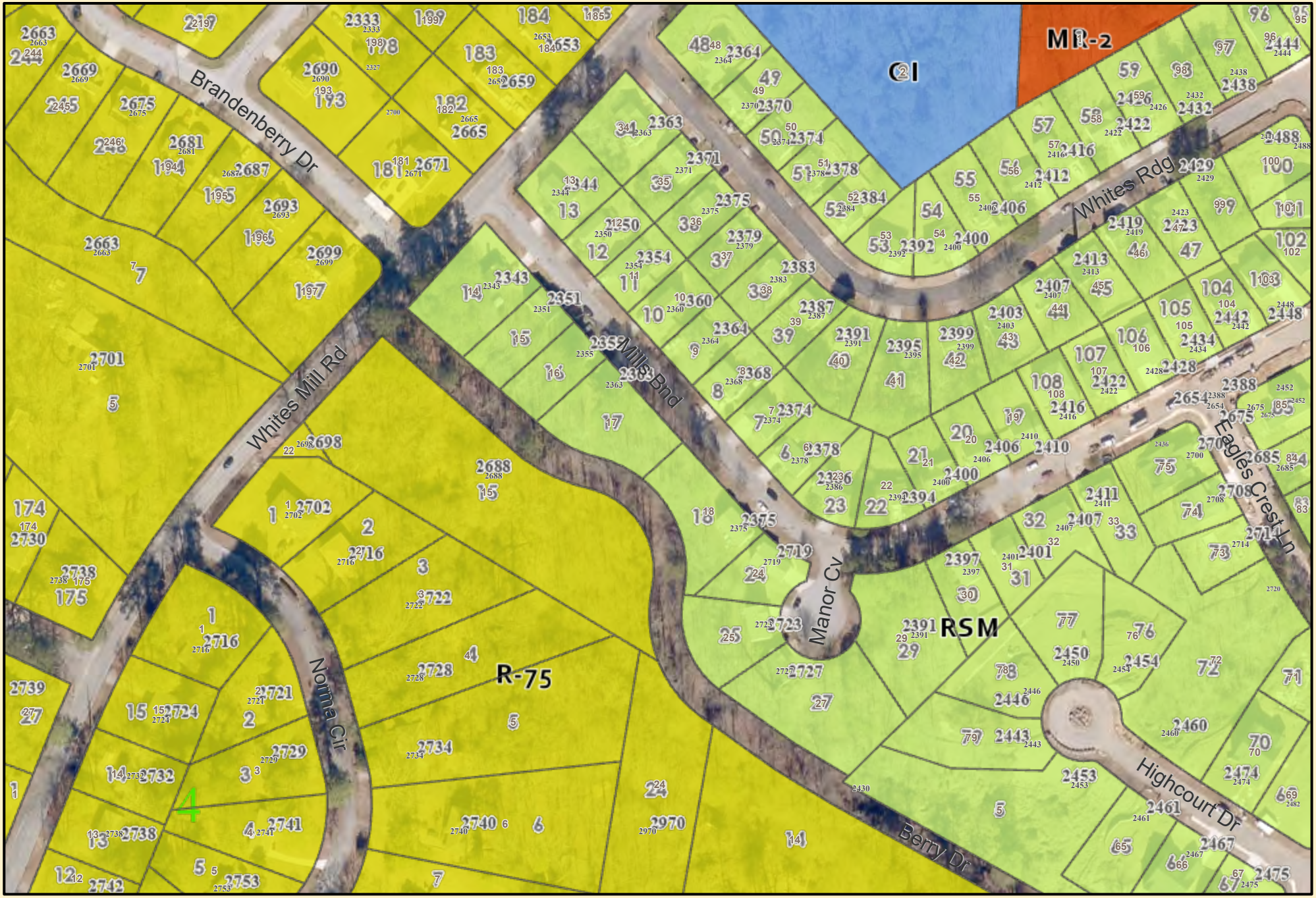

DeKalb County Parcel Map

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Date Printed: 8/20/2024

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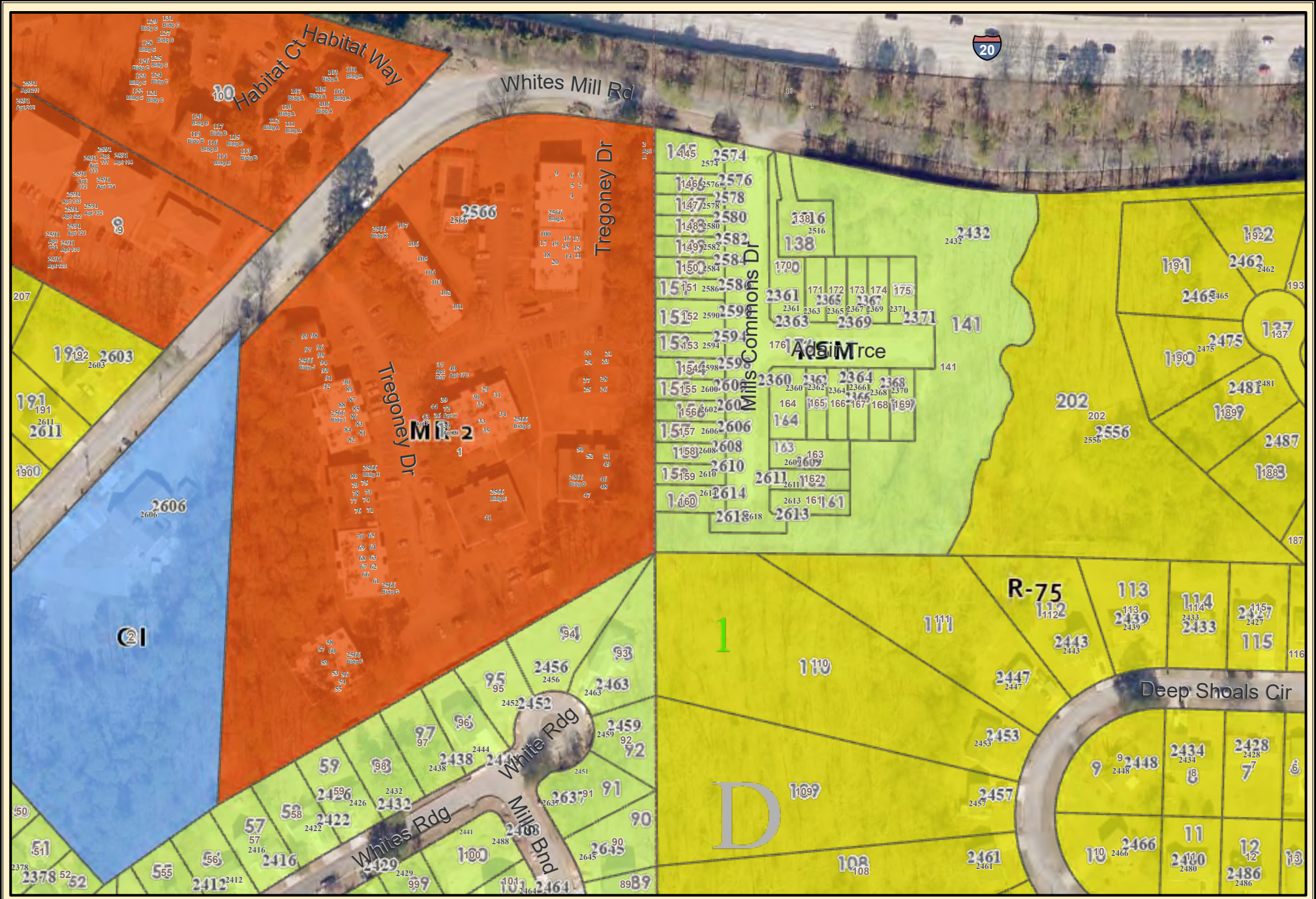

DeKalb County Parcel Map

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Date Printed: 8/20/2024

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Goals

- **Preservation**
  Encourage the preservation of the County's limited remaining open space, farmland, natural and critical environmental areas.

- **Environmental Sensitivity**
  Protect environmentally sensitive areas including wetlands, floodplains, water supply watersheds and stream corridors.

- **Develop more Neighborhood Parks**
  Increase the number of parks within neighborhoods that are easily accessible to nearby residents.

- **Acquisition of Open Space**
  Continue coordination with Recreation, Parks & Cultural Affairs to facilitate open-space acquisition and expansion

- **Sustainable Zoning**
  Utilize zoning tools and techniques that preserve open space, natural resources and the environment, and address resiliency.

- **Private Partnerships**
  Partner with nongovernmental organizations to acquire and protect land.

- **Sustainable and Conservation Development**
  Promote development that incorporates sustainable practices and conserves critical environmental areas.

- **Stormwater Management**
  Encourage techniques to reduce storm water runoff and other drainage issues as part of development activities.

- **Education**
  Educate the development community and the public on strategies and solutions for addressing water and sewer capacity concerns within the County.

- **Vision**
  Develop a unified vision and strategy for sustainability related initiatives within DeKalb County.

NATURAL RESOURCES AND SUSTAINABILITY

Issues

- The amount of remaining, undeveloped land and natural greenspace within the County is decreasing.
- The county needs to preserve open space and its critical environmental areas.
- Some neighborhoods desire more small and local park/greenspace options.
- Adequate maintenance of County parks and greenspace is a concern for many residents and stakeholders.
- Residents in some parts of the county have raised concerns over stormwater runoff and sewer capacity problems as more intense developments have increased around their neighborhoods.
- Non-point source pollution and stormwater runoff are major concerns.
- For many years, the County's water and sewer availability have been unknown, creating uncertainty around current and future development needs.
- While the County has policies and programs related to sustainability, there is no unified vision or strategy.

Figure 4: Median breaks allow stormwater to drain while reducing water velocity

Opportunities

- DeKalb County has a greenspace program that, coupled with private development and other stakeholders, could protect some of the County's remaining undeveloped greenspace.
- The county is dedicated to using Best Management Practices (BMP) to reduce the impact of stormwater runoff and non-point source pollution.
- The County has recently developed a plan and a strategy for dealing with previous uncertainty around water and sewer availability.
- The County currently is designated as a bronze level ARC Green Community.
- Development that combines land conservation with clustered development provides an opportunity to encourage growth while preserving the limited remaining greenspace.

Figure 5: Keswick Park in Chamblee is connected to a community trail system and accessible from nearby development

Figure 6: Westside Park in Atlanta is an example of strategic infrastrcuture investment, serving as both a recreational facility and an emergency water reservoir for the community

HOUSING

Issues

- The location of affordable housing is often away from major amenities, employment centers and high-income neighborhoods.
- Many subdivisions built over the last 30 years are in need of increased upkeep, maintenance or rehabilitation.
- The existing housing stock may not be meeting the demands of the current market, or current and future residents.
- DeKalb is in need of additional market rate housing.
- With increased infill development, there is added development pressure near existing, stable single-family neighborhoods.

Opportunities

- DeKalb has proximity to downtown Atlanta and many growing in-town neighborhoods.
- FAR and housing types are increasing within some new developments allowing for more housing options.
- New and diverse housing types will help the County meet market demands and support continued growth.
- Areas of existing, naturally occurring affordable housing present a unique opportunity to preserve affordability within the County.
- Clearly stated policies on transitions and buffers between areas of higher and lower intensity can provide guidelines that address concerns and set better expectations.

Figure 7: Affordable Housing should be high quality, and located throughout the county

Figure 8: Zero-lot line housing can increase FAR and units closer to development nodes, increasing the housing supply

Figure 9: Older homes in established neighborhoods offer more affordable quality housing options for residents, compared to new construction

Identifying Features

- Detached Single-Family
- Townhomes
- Retail
- Institutional
- Assisted Living Facilities
- Parks and Related
- Health Care
- Civic
- Cottages
- Conservation Villages and Hamlets

Description

The intent of the Suburban Character Area is to recognize those areas of the county that have developed in traditional suburban land use patterns while encouraging new development to have increased connectivity and accessibility. These areas include those developed (built out) and those under development pressures. These areas are characterized by low pedestrian orientation, limited transit access, scattered civic buildings and curvilinear street patterns. Future development should provide better pedestrian and community connectivity and be designed in a way that preserves and enhances existing greenspace. The proposed density for areas of this type is up to 8 dwelling units per acre.

Land Use Compatibility

Permit small scale infill such as cottage court development, accessory housing units, small-scale infill and other innovative housing types to increase housing choice and income diversity without significantly altering established neighborhood development patterns.

Buffers

In areas adjacent to Activity Centers, require the transition from higher to lower densities to occur within Activity Center

Development

Create community and neighborhood focal points through the use of existing commercial areas or public parks, or by locating new parks or public squares, schools, community centers, or well-designed small commercial centers at suitable locations within walking distance of residences.

Mixed-Use and Non-Residential

Allow limited non-residential development, such small mixed-use developments outside of existing, stable single-family neighborhoods, particularly in locations with high levels of pedestrian connectivity, to meet the needs of surrounding residents.

Streetscapes & The Public Realm

Create an enhanced sense-of-place by using design principles that promote good streetscapes and a strong public realm.

Multimodal Connectivity

Enhance connectivity by providing pedestrian and bicycle infrastructure, high levels of street connectivity, multiple site access points, and connections between adjacent subdivisions, properties, and retail/commercial development.

Parking and Access

Where appropriate, require new streets to connect to adjacent street networks or developments and minimize or prohibit cul-de-sacs.

Regulatory Standards

Encourage compatible architecture styles that maintain or compliment neighborhood character and enforce residential infill development regulations in to preserve and stabilize existing neighborhoods.

Conservation Areas

New development should be designed to preserve existing undeveloped greenspace, especially in areas identified on the "Additional Areas for Consideration" map. Potential development strategies include clustered development, conservation communities, or conservation villages and hamlets.

Memorandum

Date: September 17, 2024

Subject: Trip Generation Study for Proposed Townhomes Development
2724 Kelly Lake Road, DeKalb County, Georgia

The trip generation was calculated for a proposed townhomes development in DeKalb County. The site is located along the east side of LaFortune Road, north of Kelly Lake Road, as shown in Figure 1. The project will consist of 12 attached residential townhomes with one full-movement vehicular access proposed on LaFortune Road. The site plan is presented in Figure 2.

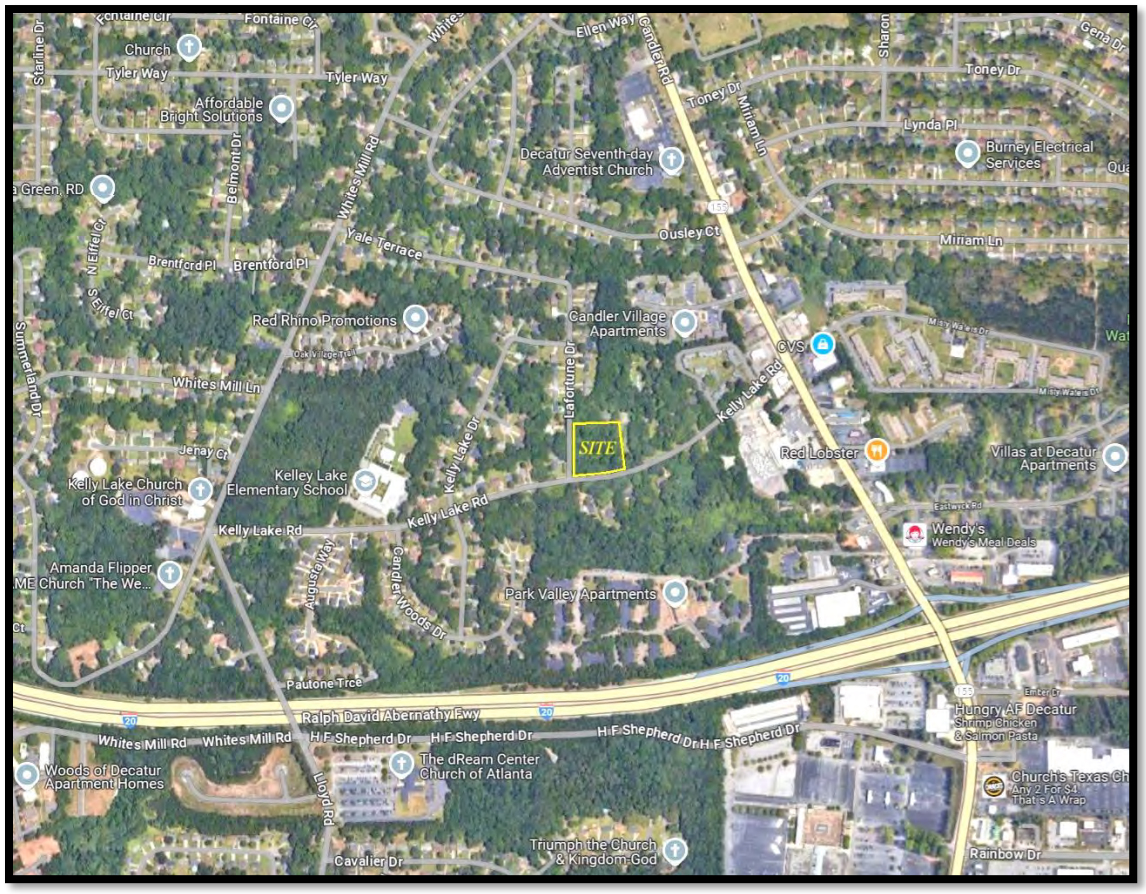


Figure 1 – Site Location Map

858 Myrtle Street, NE
Atlanta, Georgia 30308

phone (678) 637-1763
e-mail acamporatraffic@comcast.net

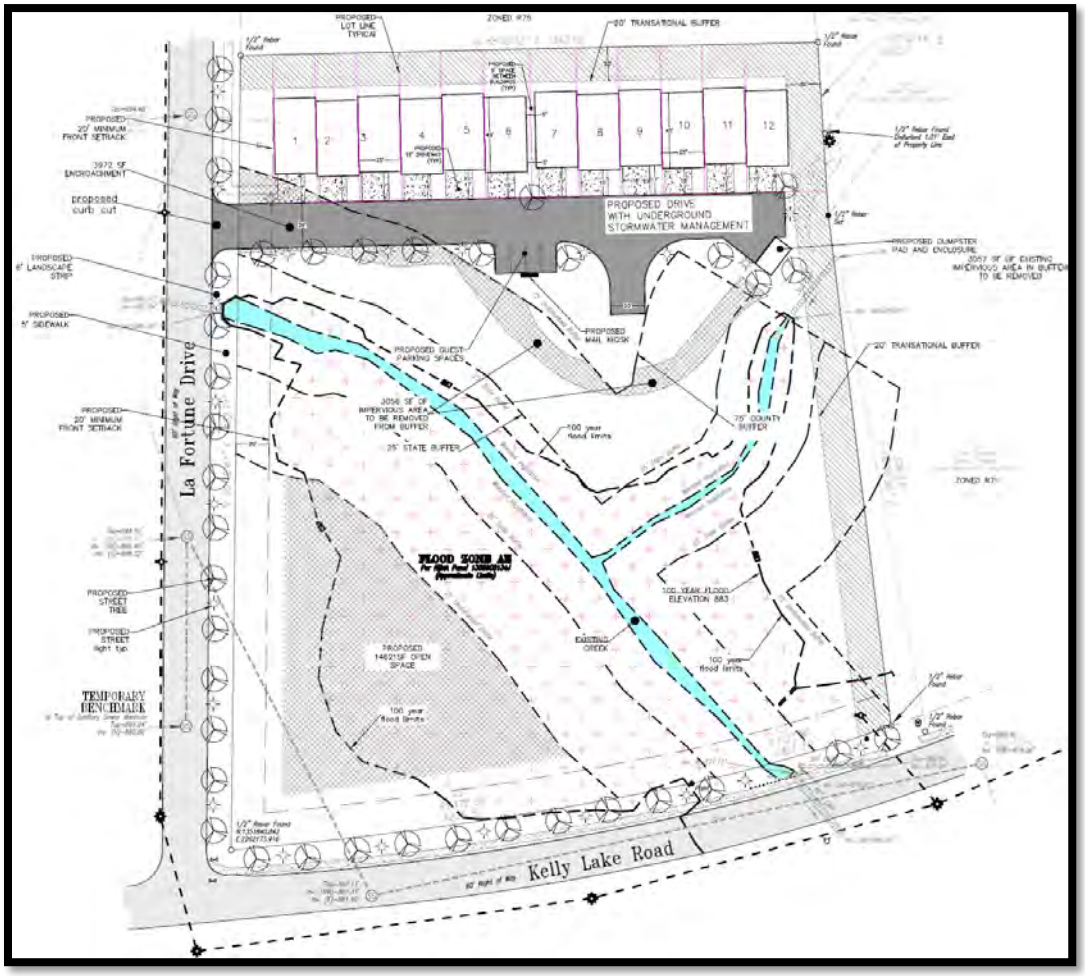


Figure 2 – Proposed Townhomes Site Plan

The volume of traffic that will be generated by the townhomes was calculated using the rates in the Institute of Transportation Engineers (ITE) *Trip Generation Manual*, 11th Edition (the current edition). ITE Land Use 215 – Single Family Attached Housing was chosen as representative of the project. The average trip rates were used instead of the equations due to the small number of units (twelve units are proposed; the average number of units for these developments is 120 to 136 units). This yielded conservatively higher numbers of trips than the equations. The trip generation for the proposed townhomes is presented in Table 1.

Table 1 – Proposed Townhomes Development Trip Generation

Land Use	ITE Code	Size	A.M. Peak Hour			P.M. Peak Hour			24-Hour		
			In	Out	Total	In	Out	Total	In	Out	Total
Townhomes	215	12 homes	1	5	6	4	3	7	43	43	86

The proposed townhomes development will generate 6 trips in the a.m. peak hour, 7 trips in the p.m. peak hour, and 86 trips in a 24-hour period.

The trip distribution was developed for the project. This determines the percentage of the project's trips that will travel to and from each direction on the public roadways. The trip distribution for the townhomes takes into consideration the locations of employment centers, retail developments, and schools in the vicinity and the major routes of travel in the area, most notably Candler Road (SR 155) and its interchange with Interstate 20. The project's trips were assigned to the full-movement project access on LaFortune Drive and the intersection of Kelly Lake Road at LaFortune Drive. Figure 3 presents the trip distribution percentages and the project trips that will be generated by the townhomes.

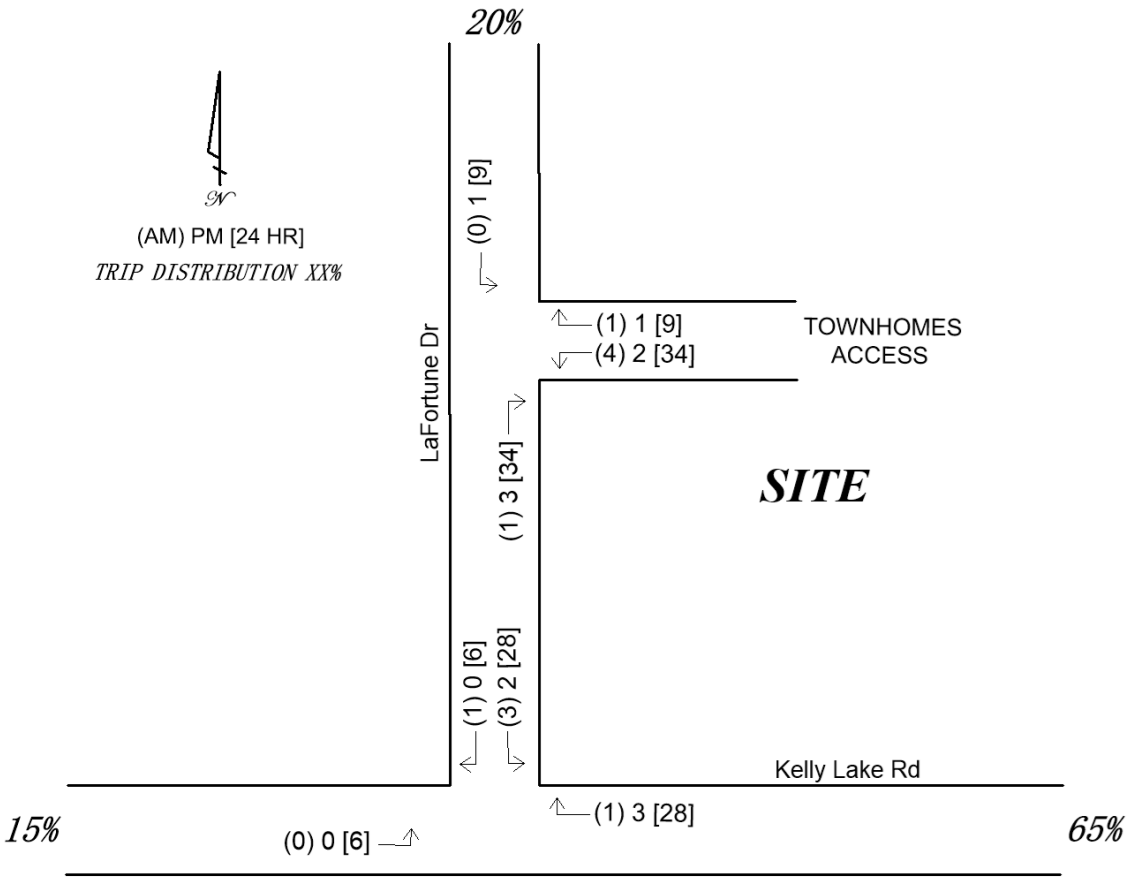
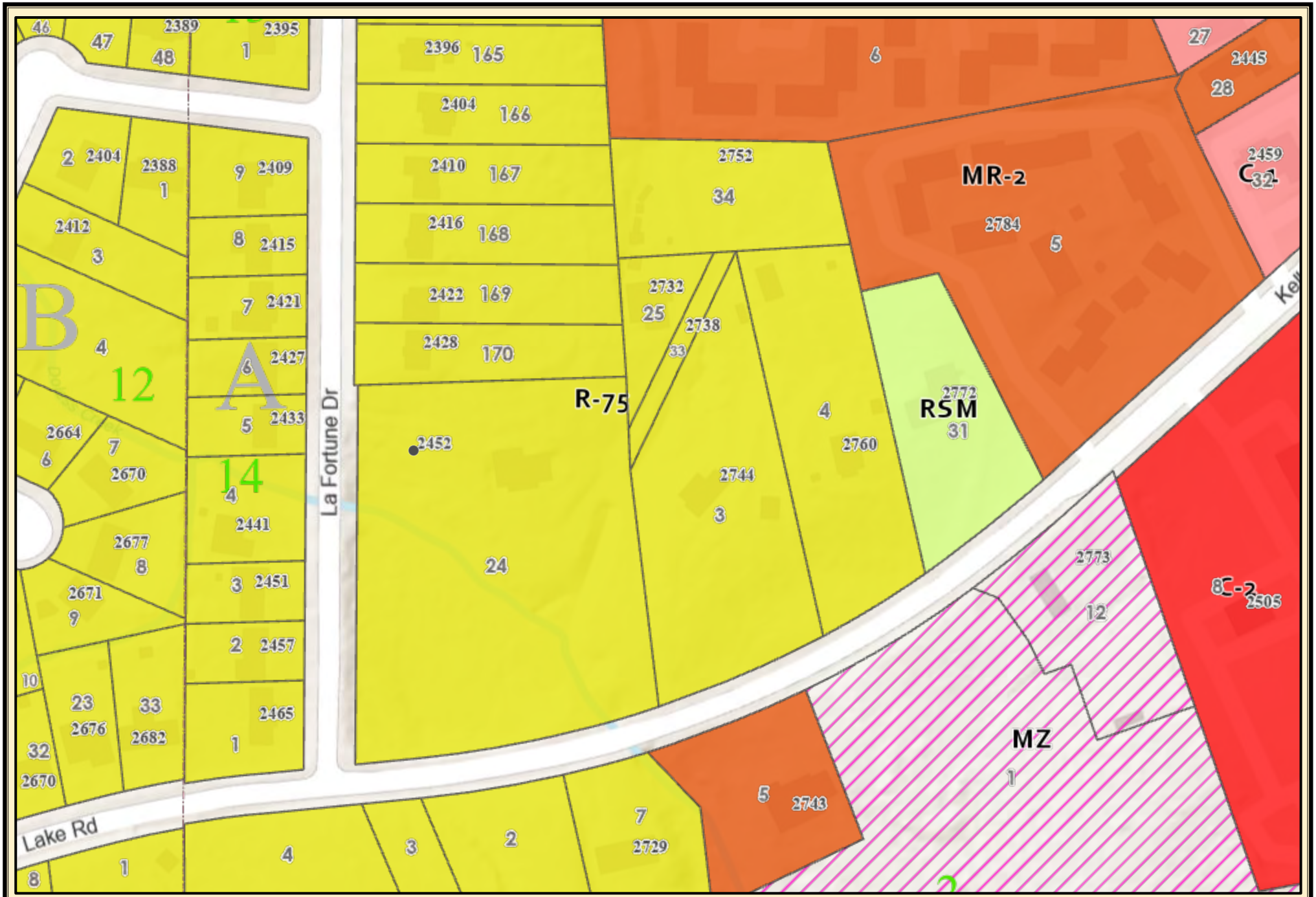


Figure 3 – Proposed Townhomes Development Trips



DeKalb County Parcel Map

0 0.0075 0.015 0.03 0.045 0.06 mi

Date Printed: 10/28/2024

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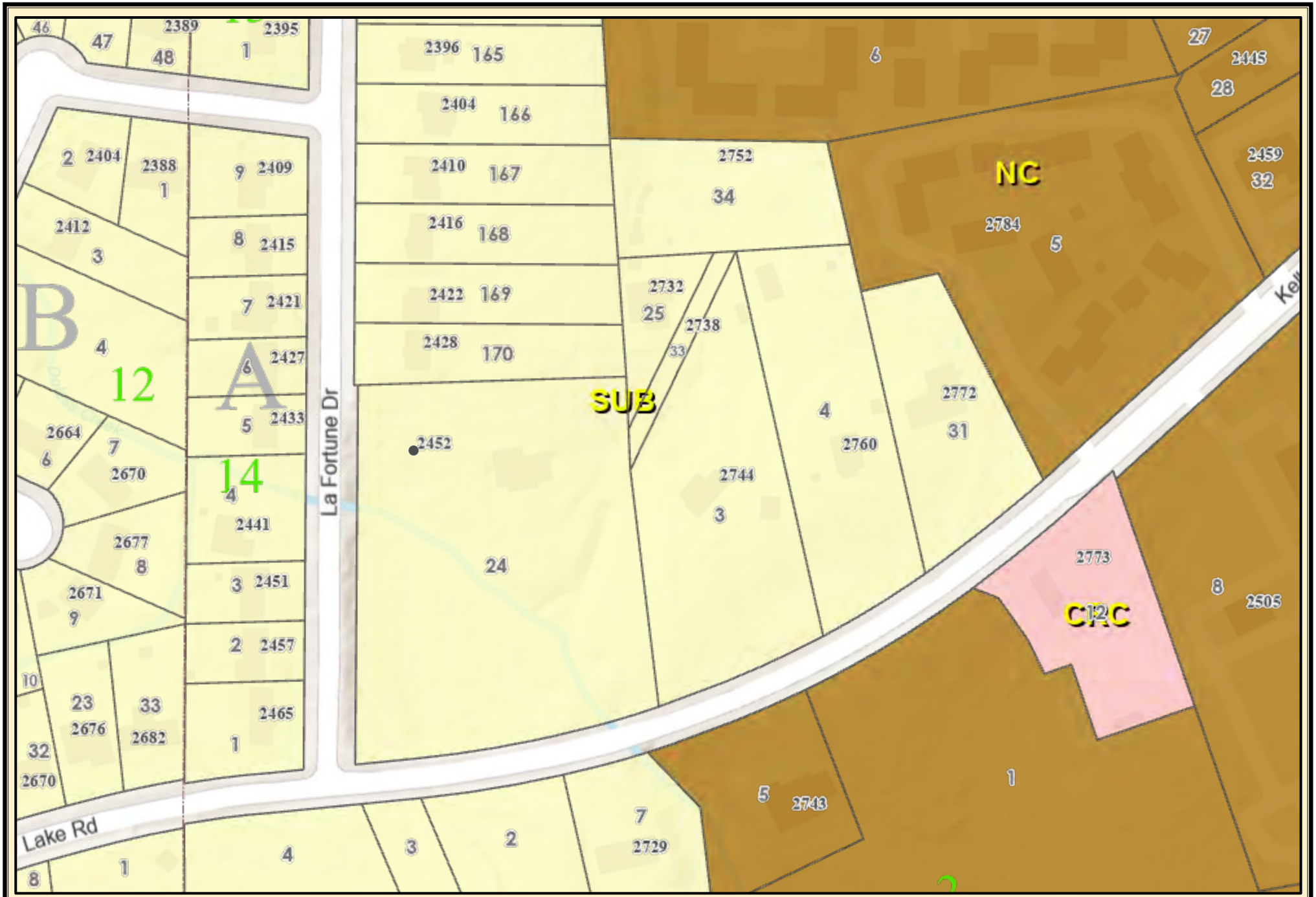

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0 0.0075 0.015 0.03 0.045 0.06 mi

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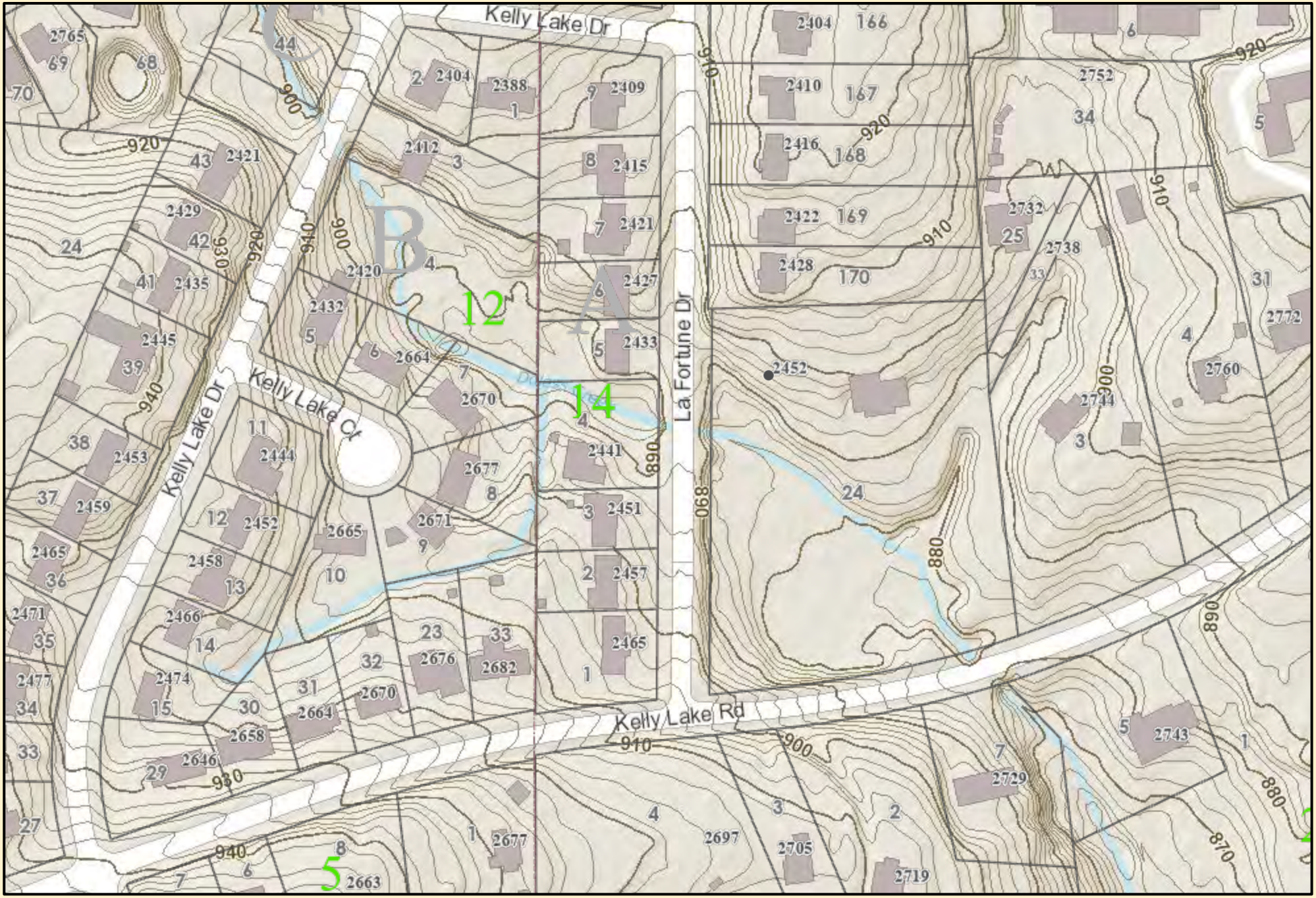

DeKalb County Parcel Map

0 0.0075 0.015 0.03 0.045 0.06 mi

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DeKalb County Parcel Map

0 0.0175 0.035 0.07 0.105 0.14 mi

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