

Public Hearing: YES NO

Department: Planning & Sustainability

SUBJECT:

COMMISSION DISTRICT(S): 3 and 6

Application of Tikay Investments, LLC c/o Battle Law, P.C. to rezone properties from R-75 (Residential Medium Lot-75) zoning district to MR-1 (Medium Density Residential-1) zoning district to allow for a mixed residential community, at 2674, 2682 and 2690 Gresham Road.

PETITION NO: D3-2026-0143 Z-26-1247933

PROPOSED USE: Mixed residential community.

LOCATION: 2674, 2682 and 2690 Gresham Road, Atlanta, GA 30316

PARCEL NO. : 15 117 01 105; 15 117 01 025; 15 117 01 104

INFO. CONTACT: Adam Chappell, Sr. Planner

PHONE NUMBER: 404-371-2155

PURPOSE:

Application of Tikay Investments, LLC c/o Battle Law, P.C. to rezone properties from R-75 (Residential Medium Lot-75) zoning district to MR-1 (Medium Density Residential-1) zoning district to allow for a mixed residential community.

RECOMMENDATION:

COMMUNITY COUNCIL: (June 2026) Approval with Conditions. (Feb. 2026) Two-cycle deferral.

PLANNING COMMISSION: (July 7, 2026) Pending. (March 3, 2026) Two-cycle deferral.

PLANNING STAFF: (July 2026) Full-Cycle Deferral. (March 2026) Two-Cycle Deferral.

STAFF ANALYSIS: The applicant requests a rezoning of the subject properties from the R- 75 (Residential Medium Lot-75) zoning district to the MR-1 (Medium Density Residential-1) zoning district to allow for a mixed residential community consisting of up to 63 single-family attached and detached dwellings. The proposal for the development site has changed several times since the original submittal. The original proposal called for a rezoning of three (3) properties, comprising 4.45 acres, to the MR-2 (Medium Density Residential-2) zoning district. The site plans for the original application showed 17 structures with a total of 51 dwelling units at a density of 11.46 units per acre. The units were proposed to be located on separate floors of these structures; as the units were proposed solely as rental units, Staff considered the overall use of the site to be a multifamily use. A revised application was submitted by the applicant in May 2026, adding the property designated as 2666 Gresham Road (Tax Parcel ID: 15-117-01-024) to the request. Instead of rezoning the properties to the MR-2 zoning district, the applicant has altered their request to rezone the four (4) properties, comprising approximately 5.91 acres, to the MR-1 zoning district instead. A new site plan, titled “Concept Site Plan Gresham Road Development” and dated March 16, 2026, proposes a fee-simple development consisting of up to 63 single-family dwellings at a density of 10.66 units per acre - 53 of which are proposed as single-family attached (townhome) dwellings and 10 of which are proposed as single-family detached dwellings. The properties are located within the outer edge of a Town Center (TC) character area. Per the *DeKalb County 2050 Unified Plan*, “the intent of the Town Center is to promote the concentration of higher intensity residential and commercial uses, which serve several communities surrounding the center, in order to reduce automobile travel, promote walkability, and increase transit usage” (*DeKalb County 2050 Unified Plan*, pg. 33). This character area is second only to Regional

Center (RC) character areas in terms of size, scope and intensity, and is supportive of residential densities of up to 60 units per acre. The properties are also in close proximity to the Interstate-20 Corridor Compatible Use (I-20) Overlay District, which permits multifamily dwellings by-right (with some exceptions, per Section 3.33.5 of the *Zoning Ordinance*) at densities of up to 40-60 units per acre, depending on the Tier classification within the Overlay. Notwithstanding high densities and building heights typically supported, “properties located along the outer edges of the Town Center Character Area shall be sensitive to building height and density of adjacent single-family residential; the edge of the activity center should serve as a transition zone, buffering more intense uses in the core from adjacent single-family neighborhoods and other uses outside the activity center’s boundaries” (*DeKalb County 2050 Unified Plan*, page 33). While most of the properties to the north along Gresham Road consist of larger lots dedicated to commercial uses, the vast majority of properties to the west, south, and east are developed with single-family detached dwellings that are part of established subdivisions. The updated site plans and elevations show a notable improvement over the original proposal, providing a more diverse building stock and including some areas of accessible open space. Smaller detached dwellings are proposed along the development site’s eastern and western perimeter along Gresham Road, which help to provide a more gradual transition from standard single-family detached dwellings to the south and west – the vast majority of which appear to be single-story “ranch” houses typical of the mid-twentieth century. Internally, some areas of open space have been provided in the center and southeastern corner of the development site. Additional streets are provided (compared to the one (1) with the original proposal), which allow for a rudimentary system of blocks on which the majority of the units front (with front-loading garages). The streets are proposed to be private streets built to public standards. From a land use perspective, the proposal represents an adequate transition in density and building form from the existing developments to the west, south, and east, and to potential developments to the north that would be encouraged/permitted in the I-20 Overlay to the north. There are certain aspects of the layout of the proposal that may not fully align with the intent of the Town Center Character Area, however:

- Lack of interconnectivity. The subject properties are included within the study area of the 2013 *Gresham Road Master Active Living Plan (MALP)*. The report highlights the Gresham Road corridor as one of several “characterized by having a few major arterials and collector streets with many disconnected local streets” (*Gresham Road Master Active Living Plan*, page 18). Activity centers such as the Town Center encourage connectivity with existing Rights-of-Way (ROW’s) wherever conditions allow. Concerns posed during previous public hearings have largely revolved around traffic issues. The number of units proposed is well short of warranting a traffic impact study (see Section 5.3.4. of the *Zoning Ordinance*); however, the lack of a connection with the existing Larkspur Drive is reminiscent of previous insulated cul-de-sac developments - which are some of the largest contributors to vehicle congestion in the Atlanta metro area and throughout the country. Concept plans within the *Gresham Road Master Active Living Plan* (pages 31 and 33) show a possible connection to Larkspur Drive and encourage new east-west connections.
- Design of blocks and lack of engagement with external/internal streets and open space areas. The proposed detached dwellings along Gresham Road do not appear to engage this corridor. Internal attached and detached units contain front-loading garages, with some driveways located at the intersection of internal streets. While front-loading garages are common for many attached developments, there does not appear to be any real engagement of these units with the central areas of enhanced open spaces; the primary entrances of the dwellings are adjacent to the front-loading garages/driveways. There do not appear to be any entrances from the units to the network of paths in the central open space. Front loading garages can still be provided, but the creation of additional blocks and alternate entrances for dwelling units could provide for an environment that is more friendly and attractive to pedestrians. While an expansion over the single-street provided with the original proposal, the updated site plan still resembles a suburban design that is more car-oriented. Discussions are ongoing with the applicant to help further refine the site plan to better match the intents of the TC Character Area and Gresham Road MALP. Additionally, the inclusion of the fourth property was not reflected in the advertising and for the agendas including this rezoning application, necessitating a deferral. Therefore, the Planning and Sustainability recommends a **“Full-Cycle Deferral to the September 2026 zoning agenda”** of this rezoning application to address all outstanding issues with the proposal.

PLANNING COMMISSION VOTE: (July 7, 2026) Pending. (March 3, 2026) Two-Cycle Deferral 7-0-0. Motion was made by Commissioner Moore, seconded by Commissioner Patton for a two-cycle deferral, per Staff recommendation.

COMMUNITY COUNCIL VOTE/RECOMMENDATION: (June 2026) Approval (7-0-0) with the following conditions: 1) To provide all required transportation improvements required by the Traffic Impact Study; and 2) To redesign the site to allow for a second access point. **(February 2026) Two-cycle deferral 10-0-0.** The Council recommended a two-cycle deferral to allow time for the applicant to clarify if the land use will be apartments, townhomes, or triplex; to consider alternative designs; and, to address traffic, parking, and stormwater concerns.

Planning Commission Hearing Date: July 7, 2026
Board of Commissioners Hearing Date: August 13, 2026

STAFF ANALYSIS

CASE NO.:	Z-26-1247933	File ID #: 2026-0143
Address:	2674, 2682 & 2690 Gresham Road, Atlanta 30316	Commission Districts: 3 & 6
Parcel ID(s):	15-117-01-105; 15-117-01-025; 15-117-01-104	
Request:	Rezone property from R-75 (Residential Medium Lot-75) zoning district to MR-1 (Medium Density Residential-1) zoning district to allow for a mixed residential community.	
Property Owner(s):	Tikay Investments, LLC	
Applicant/Agent:	Tikay Investments, LLC c/o Battle Law, P.C.	
Acreage:	Approx. 4.45 acres	
Existing Land Use:	Single-family detached dwellings	
Adjacent Zoning:	North: R-75 East: R-75 South: R-75 West: O-I (across Gresham Road)	
Character Area	Town Center (TC)	
Comprehensive Plan:	<input checked="" type="checkbox"/> Consistent <input type="checkbox"/> Inconsistent	

STAFF RECOMMENDATION: FULL-CYCLE DEFFERAL.

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A revised application was submitted by the applicant in May 2026, adding the property designated as 2666 Gresham Road (Tax Parcel ID: 15-117-01-024) to the request. Instead of rezoning the properties to the MR-2 zoning district, the applicant has altered their request to rezone the four (4) properties, comprising approximately 5.91 acres, to the MR-1 zoning district instead. A new site plan, titled “Concept Site Plan Gresham Road Development” and dated March 16, 2026, proposes a fee-simple development consisting of up to 63 single-family dwellings at a density of 10.66 units per acre - 53 of which are proposed as single-family attached (townhome) dwellings and 10 of which are proposed as single-family detached dwellings.

The properties are located within the outer edge of a Town Center (TC) character area. Per the *DeKalb County 2050 Unified Plan*, “the intent of the Town Center is to promote the concentration of higher intensity residential and commercial uses, which serve several communities surrounding the center, in order to reduce automobile travel, promote walkability, and increase transit usage” (*DeKalb County 2050 Unified Plan*, pg. 33). This character area is second only to Regional Center (RC) character areas in terms of size, scope and intensity, and is supportive of residential densities of up to 60 units per acre. The properties are also in close proximity to the Interstate 20 Corridor

Compatible Use (I-20) Overlay District, which permits multifamily dwellings by-right (with some exceptions, per Section 3.33.5 of the *Zoning Ordinance*) at densities of up to 40-60 units per acre, depending on the Tier classification within the Overlay.

Notwithstanding high densities and building heights typically supported, “properties located along the outer edges of the Town Center Character Area shall be sensitive to building height and density of adjacent single-family residential; the edge of the activity center should serve as a transition zone, buffering more intense uses in the core from adjacent single-family neighborhoods and other uses outside the activity center’s boundaries” (*DeKalb County 2050 Unified Plan*, page 33). While most of the properties to the north along Gresham Road consist of larger lots dedicated to commercial uses, the vast majority of properties to the west, south, and east are developed with single-family detached dwellings that are part of established subdivisions.

The updated site plans and elevations show a notable improvement over the original proposal, providing a more diverse building stock and including some areas of accessible open space. Smaller detached dwellings are proposed along the development site’s eastern and western perimeter along Gresham Road, which help to provide a more gradual transition from standard single-family detached dwellings to the south and west – the vast majority of which appear to be single-story “ranch” houses typical of the mid-twentieth century. Internally, some areas of open space have been provided in the center and southeastern corner of the development site. Additional streets are provided (compared to the one (1) with the original proposal), which allow for a rudimentary system of blocks on which the majority of the units front (with front-loading garages). The streets are proposed to be private streets built to public standards.

From a land use perspective, the proposal represents an adequate transition in density and building form from the existing developments to the west, south, and east, and to potential developments to the north that would be encouraged/permitted in the I-20 Overlay to the north. There are certain aspects of the layout of the proposal that may not fully align with the intent of the Town Center Character Area, however:

- Lack of interconnectivity. The subject properties are included within the study area of the 2013 *Gresham Road Master Active Living Plan (MALP)*. The report highlights the Gresham Road corridor as one of several “characterized by having a few major arterials and collector streets with many disconnected local streets” (*Gresham Road Master Active Living Plan*, page 18). Activity centers such as the Town Center encourage connectivity with existing Rights-of-Way (ROW’s) wherever conditions allow. Concerns posed during previous public hearings have largely revolved around traffic issues. The number of units proposed is well short of warranting a traffic impact study (see Section 5.3.4. of the *Zoning Ordinance*); however, the lack of a connection with the existing Larkspur Drive is reminiscent of previous insulated cul-de-sac developments - which are some of the largest contributors to vehicle congestion in the Atlanta metro area and throughout the country. Concept plans within the *Gresham Road Master Active Living Plan* (pages 31 and 33) show a possible connection to Larkspur Drive and encourage new east-west connections.
- Design of blocks and lack of engagement with external/internal streets and open space areas The proposed detached dwellings along Gresham Road do not appear to engage this corridor. Internal attached and detached units contain front-loading garages, with some driveways located at the intersection of internal streets. While front-loading garages are common for many attached developments, there does not appear to be any real engagement of these units with the central areas of enhanced open spaces; the primary entrances of the dwellings are adjacent to the front-loading garages/driveways. There do not appear to be any entrances from the units to the network of paths in the central open space. Front loading garages can still be provided, but the creation of additional blocks and alternate entrances for dwelling units could provide for an environment that is more friendly and attractive to pedestrians. While an expansion over the single-street provided with the original proposal, the updated site plan still resembles a suburban design that is more car-oriented.

Discussions are ongoing with the applicant to help further refine the site plan to better match the intents of the TC Character Area and Gresham Road MALP. Additionally, the inclusion of the fourth property was not reflected in the advertising and for the agendas including this rezoning application, necessitating a deferral. Therefore, the Planning and Sustainability recommends a “**Full-Cycle Deferral to the September 2026 zoning agenda**” of this rezoning application to address all outstanding issues with the proposal.

DEPARTMENT OF PLANNING & SUSTAINABILITY

Chief of Executive Officer
Lorraine Cochran-Johnson

Director
Juliana A. Njoku

Zoning Comments March 2026

N1. Z-26-1247920 (2026-0138) 1437 & 1453 S. Indian Creek Drive:

South Indian Creek is classified as a “Collector” road. All interior streets are to be private, designed to local street standards. Verify there is enough parking provided interior to the site for residents and guests. South Indian Creek Road is classified as a collector road. Land Development permit is required. Please refer to the requirements in Zoning Code 5.4.3 and Land Development Code 14-190. Requires a right of way dedication of 35 feet from centerline OR such that all public infrastructure is within right of way, whichever greater. Requires a 10-foot landscape strip with a 6-foot sidewalk and 4-foot bike lane OR **(PREFERRED)** a 10-foot landscape strip with a 10-foot multi-use path. At least 5 feet of the landscape strip must lie between the back of curb and the multi-use path or sidewalk. Requires pedestrian scale streetlights. (hefowler@dekalbcountyga.gov). All intersections must meet AASHTO sight distance requirements based on speed limit. All poles and other obstructions must be relocated out of the multi-use path.

N2. Z-26-1247923 (2026-0139) 3003 Chamblee-Tucker Road; 2936 Mercer University Drive:

All interior streets must be private. Mercer University Drive is classified as a “Collector” road. Land Development permit is required. Please refer to the requirements in Zoning Code 5.4.3 and Land Development Code 14-190. Requires a right of way dedication of 35 feet from centerline OR such that all public infrastructure is within right of way, whichever greater. Requires a 10-foot landscape strip with a 6-foot sidewalk and 4-foot bike lane OR **(PREFERRED)** a 10-foot landscape strip with a 10-foot multi-use path. At least 5 feet of the landscape strip must lie between the back of curb and the multi-use path or sidewalk. Requires pedestrian scale streetlights. (hefowler@dekalbcountyga.gov). The requirements are for the entire frontage unless a variance is sought. All intersections must meet AASHTO sight distance requirements based on speed limits. All poles and other obstructions must be relocated out of the multi-use path. The access entrance requires reworking due to possible driver confusion and impact to Mercer University Drive. Eliminate the acceleration lane along Mercer University Drive. Chamblee-Tucker Road is classified as a “Minor Arterial” road. If a land development permit is required, please refer to the requirements in Zoning Code 5.4.3 and Land Development Code 14-190. Requires a right of way dedication of 40 feet from centerline OR such that all public infrastructure is within right of way, whichever greater. Requires a 10-foot landscape strip with a 6-foot sidewalk and 4-foot bike lane OR **(PREFERRED)** a 10-foot multi-use path. Requires pedestrian scale streetlights.

N3/N4/N5. Z-26-1247929 (2026-0140); SLUP-26-1247927 (026-0141); SLUP-26-1247928 (2026-0142) 3820 & 3828 North Decatur Road:

Rockbridge Road is classified as a “Minor Arterial” road. Please refer to the requirements in Zoning Code 5.4.3 and Land Development Code 14-190. Requires a right of way dedication of 40 feet from centerline OR such that all public infrastructure is within right of way, whichever greater. Requires a 10-foot landscape strip with a 6-foot sidewalk and 4-foot bike lane OR **(PREFERRED)** a 10-foot landscape strip with a 10-foot multi-use path. At least 5 feet of the landscape strip must lie between the back of curb and the multi-use path or sidewalk. Requires pedestrian scale streetlights. (hefowler@dekalbcountyga.gov). All intersections must meet AASHTO sight distance requirements based on speed limits. All poles and other obstructions (hydrant) must be relocated out of the multi-use path. Site engineer to determine if guardrail along the property is still required

N6. Z-26-1247933 (2026-0143) 2674, 2682 & 2690 Gresham Road:

All interior streets are to be private, designed to local street standards. Gresham Road is classified as a “Collector” road. Land Development permit is required. Please refer to the requirements in Zoning Code 5.4.3 and Land Development Code 14-190. Requires a right of way dedication of 35 feet from centerline OR such that all public infrastructure is within right of way, whichever greater. Requires a 10-foot landscape strip with a 6-foot sidewalk and 4-foot bike lane OR **(PREFERRED)** a 10-foot landscape strip with a 10-foot multi-use path. At least 5 feet of the landscape strip must lie between the back of curb and the multi-use path or sidewalk. Requires pedestrian scale streetlights. (hefowler@dekalbcountyga.gov). All intersections must meet AASHTO sight distance requirements based on speed limits. All poles and other obstructions must be relocated out of the multi-use path.

N7/N8. Z-26-1247935 (2026-0144); SLUP-26-1247934 (2026-0145) 2111 Poplar Falls Road:

The existing road infrastructure approaching this development is not sufficient to support the implementation of the development. Poplar Falls Road is classified as a “Local” road. Please refer to the requirements in Zoning Code 5.4.3 and Land Development Code 14-190. Requires a right of way dedication of 27.5 feet from centerline OR such that all public infrastructure is within right of way, whichever greater. Requires a 6-foot landscape strip and a 5-foot sidewalk. Requires pedestrian scale streetlights. (hefowler@dekalbcountyga.gov). All intersections must meet AASHTO sight distance requirements based on speed limits. All poles and other obstructions must be relocated out of the multi-use path.

N9. SLUP-26-1247921 (2026-0146) 1313 & 1303 Lithonia-Industrial Boulevard:

Lithonia-Industrial Boulevard is classified as a “Minor Arterial” road. Not enough information to properly review. Access points were set based on the Lithonia Industrial Blvd Road Plans. Applicant does not show interior routes on plans. Streetlights will be required on Lithonia-Industrial Boulevard.

N10. Z-26-1247922 (2026-0147) 6136 Shadow Rock Lane:

Shadow Rock Lane is classified as a “Local” road. The existing road infrastructure approaching this development is not sufficient to support the implementation of the development. The entire right of way width of the corridor is 20 feet wide with a +/- 8-foot road/driveway. Please refer to the requirements in Zoning Code 5.4.3 and Land Development Code 14-190. Requires a right of way dedication of 27.5 feet from centerline OR such that all public infrastructure is within right of way, whichever greater. Requires a 5-foot landscape strip with a 5-foot sidewalk. Requires pedestrian scale streetlights. (hefowler@dekalbcountyga.gov).

N11. SLUP-26-1247926 (2026-0148) 4031 Rainbow Drive:

Rainbow Drive is classified as a “Minor Arterial” road. Please refer to the requirements in Zoning Code 5.4.3 and Land Development Code 14-190. Requires a right of way dedication of 40 feet from centerline OR such that all public infrastructure is within right of way, whichever greater. Requires a 10-foot landscape strip with a 6-foot sidewalk and 4-foot bike lane OR **(PREFERRED)** a 10-foot landscape strip with a 10-foot multi-use path. At least 5 feet of the landscape strip must lie between the back of curb and the multi-use path or sidewalk. Requires pedestrian scale streetlights. (hefowler@dekalbcountyga.gov). All intersections must meet AASHTO sight distance requirements based on speed limits. All poles and other obstructions must be relocated out of the multi-use path.

N12. SLUP-26-1247930 (2026-0149) 1890 Week Kirk Road:

Week Kirk is classified as a “Local” road. No comments

N13/N14. LP-26-1247932 (2026-0150); Z-26-1247931 (2026-0151) 1680, 1690, & 1700 Henrico Road:

Henrico Road is classified as a “Collector” road. Please refer to the zoning and land development requirements of Tier 5 of the Bouldercrest Overlay District, Tier 4A within the Soapstone Historic district for development requirements. Concerned about the encroachment of residential into the industrial area and the conflict (truck traffic/noise) that may develop. The two properties on either side of this development are active industrial properties. While overlay infrastructure standards apply. Where silent the Zoning and Land Development Codes are enforced, in respective order. Site plan needs work. At a minimum, the requirements are as follows: Please refer to the requirements in Zoning Code 5.4.3 and Land Development Code 14-190. Prefer internal streets to be private. If public, the internal streets require a right of way dedication of 55 feet (total) OR such that all public infrastructure is within right of way, whichever greater. Requires 24 feet of pavement with curb and gutter. Requires 6-foot landscape strip with a 5-foot sidewalk. Requires streetlights. (hefowler@dekalbcountyga.gov). Internal roundabout must be one-lane, one direction. Please refer to the requirements in Zoning Code 5.4.3 and Land Development Code 14-190. Requires a right of way dedication of 35 feet from centerline OR such that all public infrastructure is within right of way, whichever greater. Requires a 10-foot landscape strip with a 6-foot sidewalk and 4-foot bike lane OR **(PREFERRED)** a 10-foot landscape strip with a 10-foot multi-use path. At least 5 feet of the landscape strip must lie between the back of curb and the multi-use path or sidewalk. All intersections must meet AASHTO sight distance requirements based on speed limits. Concerned about entrance location based on horizontal and vertical curves along the site. All poles and other obstructions must be relocated out of the multi-use path.



Thursday, January 29, 2026

To: Mr. John Reid, Senior Planner
From: Ryan Cira, Director, Division of Environmental Health
Cc: Alan Gaines, Deputy Director, Division of Environmental Health
Re: Rezone Application Review

General Comments:

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

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

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

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

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

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

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

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

1/29/2026

N1-2026-0138

Z-26-1247920

1437 & 1453 South Indian Creek Drive, Stone Mountain, Ga 30083

- See general comments

N2-2026-0139

Z-26-1247923

3003 Chamblee-Tucker Road; 2936 Mercer University Drive, Chamblee, Ga 30341

- See general comments

N3-2026-0140

Z-26-1247929

3820 & 3828 North Decatur Road, Decatur, GA 30032

- See general comments.

N4-2026-0141

SLUP-26-1247927

3820 & 3828 North Decatur Road, Decatur, GA 30032

- SLUP. See general comments.

N5-2026-0142

SLUP-26-1247928

3820 & 3828 North Decatur Road, Decatur, GA 30032

- SLUP. See general comments.

N6-2026-0143

Z-26-1247933

2674, 2682, 2690 Gresham Road, Atlanta, Ga 30316

- See general comments.

Development Review Comments

Submitted to: DeKalb County **Case #:** Z-26-1247933
Parcel #: 15 117 02 105 ; 15 117 01 025; 15 117 01 104
Name of Development: Tikey Investments LLC c/o Battle Law P.C
Location: 2674, 2682 & 2690 Gresham Road, Atlanta, GA 30316
Description: Proposed development with 13 triplex buildings, or 39 flats for rent.

Impact of Development: When fully constructed, this development would be expected to generate 10 students: 3 at Barack H Obama Elem Magnet Sch, 2 at McNair Middle School, 2 at McNair High School, 3 at other DCSD schools, and 0 at private school. The additional homes are not expected to have a significant impact on the neighborhood schools.

Current Condition of Schools	Barack H Obama Elem Magnet Sch	McNair Middle School	McNair High School	Other DCSD Schools	Private Schools	Total
Capacity	984	1,200	1,674			
Portables	0	0	0			
Enrollment (Oct 2024)	830	707	770			
Seats Available	154	493	904			
Utilization (%)	84.3%	58.9%	46.0%			
New students from development	3	2	2	3	0	10

New Enrollment	833	709	772
New Seats Available	151	491	902
New Utilization	84.7%	59.1%	46.1%

Calculation Details
Inputs

Unit Type	APT	Proposed Units	39
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		Attend Home School	Attend other DCSD School	Private School	Total
Yield Rates (students per unit based on comparable developments)	Elementary	0.0694	0.0179	0.0000	0.0873
	Middle	0.0498	0.0131	0.0000	0.0629
	High	0.0424	0.0199	0.0057	0.0680
	Total	0.1616	0.0509	0.0057	0.2182
Units x Yield Rates	Elementary	2.71	0.70	0.00	3.41
	Middle	1.94	0.51	0.00	2.45
	High	1.65	0.78	0.22	2.65
	Total	6.30	1.99	0.22	8.51
New Students from Development (rounded result)	Elementary	3	1	0	4
	Middle	2	1	0	3
	High	2	1	0	3
	Total	7	3	0	10

LAND DEVELOPMENT ANALYSIS

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

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.

Case # and Address/Parcel: Z-26-1247933 (2026-0143) 2674, 2682 & 2690 Gresham Rd (15-117-01-105, 117 & 104)

- **Transportation/Access/Row**

- **Stormwater Management**

There would need to be full detention system for the development

- **Flood Hazard Area/Wetlands**

There is flood and state water at the back of the property

- **Landscaping/Tree Preservation**

- **Tributary Buffer**

- **Fire Safety**

DEPARTMENT OF PLANNING & SUSTAINABILITY

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

PUBLIC WORKS – **ROADS & DRAINAGE** - ZONING COMMENTS FORM

Case No.: Z-26-1247933 (2026-0143) Parcel ID#: 15 117 01 105; 15 117 01 025; 15 117 01 104

Address: 2674, 2682 & 2690 Gresham Road, Atlanta 30316

Drainage Basin: Dolittle Creek

Upstream Drainage Area: N/A

Percentage of Property in 100-Year Floodplain: 13.7%

Impact on property (flood, erosion, sedimentation) under existing zoning: Under existing zoning, flood, erosion and sedimentation may occur at some locations if adequate BMP is not implemented.

Required detention facility(s): Yes

COMMENTS: New roads and drainage infrastructure that will support the proposed development will be required to comply with the County's development standard, and ensure that onsite stormwater management facilities meet the provisions of Sec. 14-40 of the Code.

Signature: *Akin Akinsola*

DEPARTMENT OF PLANNING & SUSTAINABILITY

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

PUBLIC WORKS – TRAFFIC ENGINEERING - ZONING COMMENTS FORM

Case No.: SLUP-26-1247927 (2026-0141) Parcel ID#: 18 012 10 004; 18 012 10 003

Address: 3820 & 3828 North Decatur Road, Decatur 30032 (FUEL PUMPS)

Adjacent Roadway(s):

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: _____
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 (latest edition 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: After reviewing the location, no Traffic concern
were identified.

Signature: R. Landell

DEPARTMENT OF PLANNING & SUSTAINABILITY

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

PUBLIC WORKS – WATER & SEWER - ZONING COMMENTS FORM

Case No.: Z-26-1247933 (2026-0143) Parcel ID#: 15 117 01 105; 15 117 01 025; 15 117 01 104

Address: 2674, 2682 & 2690 Gresham Road, Atlanta 30316

WATER:

Size of existing water main: 16" CS and 6" AC adequate inadequate

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

SEWER:

Outfall Servicing Project: Doolittle Creek

Is sewer adjacent to property? Yes No If no, distance to nearest line: 800'

Water Treatment Facility: Snapfinger Adequate? Yes No

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

COMMENTS: Sewer Cap required

Signature: Yola Lewis

From: Davis Sandling <davis.sandling@gmail.com>

Sent: Friday, June 12, 2026 12:19 PM

To: Burge, James <djburge@dekalbcountyga.gov>

Subject: Follow-Up from the 6/10/26 Community Council Meeting — NR-7 Corridor Connectivity Opportunity, Gresham Road Area

Hello!

My name is Davis Sandling. I am a resident of Gresham Park in unincorporated DeKalb County. I attended Wednesday's Community Council District 3 meeting and spoke on Case D3-2026-0143, the Tikay Investments rezoning application at 2674–2690 Gresham Road.

During my remarks, I referenced a planned roadway connection to reduce traffic on Gresham Road identified as Project NR-7 in a DeKalb County Capital Improvement Program document. NR-7 is a proposed 850-linear-foot east-west connector extending West Flat Shoals Terrace to Vicki Lane. I understand that the planning staff members present were not familiar with the project, and I want to follow up respectfully in writing with the full context, because I believe this is a genuine and time-sensitive connectivity opportunity for the Gresham Park neighborhood.

BACKGROUND — THE 2013 GRESHAM ROAD MASTER ACTIVE LIVING PLAN

The developer's attorney tonight correctly cited the 2013 Gresham Road-Master Active Living Plan (MALP) in support of the Gresham Road Town Center designation. I would respectfully draw the Department's attention to another finding from that same county-adopted document: the MALP explicitly identified the study area's street network as having a few major arterials and collector streets with many disconnected local streets, with sidewalk and pedestrian connectivity largely absent beyond the primary corridors. The MALP called for improved internal street connectivity as a foundation for the corridor's long-range growth.

The Vicki Lane to West Flat Shoals Terrace connector was identified in a DeKalb CIP project list as the direct response to that finding. It is classified as a Medium-priority new roadway, privately-funded eligible, and is currently unfunded.

WHY THIS MATTERS NOW

The Tikay Investments application proposes approximately 42 units with 32 townhomes and 10 cottages all served by a single access point on Gresham Road. The deferral tonight is pending a traffic study and discussion of a secondary access point, with Larkspur Drive mentioned as one option. Larkspur Drive residents have expressed strong opposition to that connection, which is entirely understandable.

I would respectfully suggest that the NR-7 option deserves serious consideration as the preferred secondary access solution. Even with its proximity to the development, it achieves the same traffic relief goal without burdening an established residential street. Additionally, it advances a connectivity project the county has already identified and planned. It would provide a direct alternative route to Flat Shoals Road, reducing pressure on the Gresham Road and Cook Road corridors that currently serve as the neighborhood's only outlets.

A SECOND OPPORTUNITY: BOULDER RD SE TO VICKI LANE

I also want to bring a related opportunity to the Department's attention. There was historically a street connection between Boulder Road SE and Vicki Lane that served this neighborhood before Gresham Park Elementary School was constructed. Gresham Park Elementary has since closed and the property now sits as vacant green space. With that building and its associated use no longer present, the original street connection between Boulder Road SE and Vicki Lane could potentially be restored. This reconnection would provide a second internal arterial passage through the neighborhood, giving residents an additional east-west route and further reducing dependence on Gresham Road and Flat Shoals Road as the sole corridors in and out of the community. It is a low-cost, high-impact connectivity win that aligns directly with the MALP's recommendations and with Director Njoku's stated vision for coordinated reinvestment along the South DeKalb corridor.

The Gresham Park community has been patient and constructive. We understand the need for density. We are asking that growth come with the infrastructure investments that make it sustainable. Both of the connections described above are modest. They would make a meaningful difference for a neighborhood that has long lacked the internal connectivity that more-invested parts of the county take for granted.

Thank you sincerely for your time and for the Department's continued work on behalf of South

DeKalb.

Respectfully submitted,
Davis Sandling

--

Davis Sandling

From:



Subject:

Concerns re: Proposed Development at 2674, 2682, & 2690 Gresham Road

Date:

Wednesday, February 11, 2026 5:03:21 PM

Greetings,

I am a resident of Gresham Park and I wanted to send an email to document some concerns regarding the development proposed for the plots mentioned above on Gresham Road SE. I understand there is a meeting this evening, however I am unable to attend.

I am concerned about the traffic that will undoubtedly occur as a result of this development. The traffic is already heavy in that area. Additionally, Johnson's Learning Center is located right across the street, and the traffic becomes even heavier during pickup/drop-off. My son attended this JLC when he was in preschool. This area of Gresham Road was already in need of school zone signs, with 25 mph limits, to ensure safety of students and families.

Additionally, where are they planning to put the entrance/exit for this development? If the plan is to put it across from the entrance to Flintwood, this will also be problematic. That intersection is already congested during heavy traffic periods, which will only get heavier once this development is built. If they are planning to put the entrance across from Flintwood, are they going to install a traffic light to manage the flow of traffic appropriately?

I am also concerned about the amount of traffic that will now be routed through Gresham Park, including nearby streets like Flintwood, Rollingwood, Rockcliff, and Welland. These streets are already "cut through" streets, and people regularly drive at very high speeds to get from Gresham to Brannen. We have had 3 cars overturned on our street alone due to reckless drivers. We do not have speed humps or sidewalks in our neighborhood, and adding more traffic to an already congested area is going to create safety concerns for many of our residents who like to walk their children and pets on their streets.

Was there a traffic study completed and can this be provided to the public?

I appreciate any information you can provide.

Thank you,



AMENDED REZONING APPLICATION

to Amend the Official Zoning Map of DeKalb County, Georgia

APPLICANT/OWNER: Tikay Investments, LLC c/o Battle Law P.C.

Subject Property Address: 2666, 2674, 2682, 2690 Gresham Road

City: Atlanta State: GA Zip: 30316

Parcel ID Number(s): 15 117 01 014, 15 117 01 105, 15 117 01 025, 15 117 01 104

Acreage: 5.93 Commission District(s): 3 Super District: 6

Existing Zoning District(s): R-75 Proposed Zoning District(s): MR-

Existing Land Use Designation(s): TC Proposed Land Use Designation(s): n/a (if applicable)

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

Owner Agent

Signature:  Date: 5/6/2026

NOTE: PLEASE BE MINDFUL THAT THE APPLICATION AND ALL OF ITS CONTENTS IS A PUBLIC RECORD ONCE SUBMITTED AND ACCEPTED FOR A ZONING CYCLE.

REZONE APPLICATION FEES:

RE, RLG, R-100, R-85, R-75, R-60 MHP, RNC, RSM, MR-1, MR-2 \$500.00

HR-1, HR-2, HR-3 MU-1, MU-2, MU-3, MU-4, \$750.00

MU-5 O-I, OD, OIT, NS, C-1, C-2, M, M-2

**DeKalb County does not require payment by wire transfer.
Be aware of scammers and fraudulent emails.**

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

Applicant Name: Tikay Investments, LLC c/o Battle Law P.C.

Applicant Email Address: [REDACTED]

Applicant Mailing Address: [REDACTED]

Applicant Phone Number: [REDACTED]

Owner Name: Tikay Investments, LLC c/o Battle Law P.C.

(If more than one owner, attach list of owners.)

Owner Email Address: [REDACTED]

Owner Mailing Address: [REDACTED]

Owner Phone Number: [REDACTED]

Subject Property Address: 2674, 2682, 2690 Gresham Rd, Atlanta, GA 30316

Parcel ID Number(s): 15 117 01 105 / 15 117 01 025 / 15 117 01 104

Acreage: 4.45 Commission District(s): 3 Super District: 6

Existing Zoning District(s): R-75 Proposed Zoning District(s): _____

Existing Land Use Designation(s): TC Proposed Land Use Designation(s): n/a (if applicable)

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

Owner: Agent: _____



Signature of Applicant:

Tikay Invest, LLC - 2674, 2682, and 2690 Gresham
Road

Zoning Meeting

A new project is proposed near you...

Please join Battle Law for a Community Meeting to discuss this project and what it means for the community. To register for the ZOOM please use the QR code below.

If you would like the information emailed to you, please send an email to projects@battlelawpc.com to request the information.

Zoom Meeting Info:

Meeting ID: 863 1559 6624

Password: 384207

<https://otago.zoom.us/join>



participants_86315596624_2025_12_04__1_

Name (original name)	Email	Total duration (minutes)	Guest
Beverly Hightower	[REDACTED]	62	Yes
Wesley Johnson	[REDACTED]	62	Yes
Stephen okyere	[REDACTED]	41	Yes
John Holmes	[REDACTED]	62	Yes
Curtis Winston	[REDACTED]	62	Yes
Sheila Johnson	[REDACTED]	58	Yes
Hope Udoukpong	[REDACTED]	61	Yes
Michael Ahenfo	[REDACTED]	60	Yes
Shelly Johnson	[REDACTED]	17	Yes
Shelly Johnson	[REDACTED]	42	Yes
Michele Battle	[REDACTED]	62	No
V Gibkasa	[REDACTED]	60	Yes
Sabriena Gibbs	[REDACTED]	21	Yes
Emmanuel Ahenfo	[REDACTED]	60	Yes
Jeremiah Addo	[REDACTED]	56	Yes



Battle Law

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

Zoom Instructions:

Go to <https://battlelawpc.zoom.us/join> and Enter the Meeting ID that you have been provided with in the appropriate field and click "Join". To join by phone, please dial (646) 558-8656. If you are unable to attend or would like to learn more about the proposed project, please call our office at the number below.

We encourage you to come out and participate!

For More Information Contact
Jordan Battle at:
Phone: 404-601-7616 ext. 8
Fax: 404-745-0045
Email: jeb@battlelawpc.com

FOLLOW-UP COMMUNITY MEETING TO DISCUSS 2674, 2682, AND 2690 GRESHAM ROAD, SW UPDATES

**Project Title: Tikay Invest, LLC - 2674,
2682, and 2690 Gresham Road, SW**

When: April 21 , 2026

Time: 6:30 PM Eastern (US and Canada)

Register in advance for this meeting:

<https://battlelawpc.zoom.us/join>

Meeting ID: 843 1832 1545

Password: 532231



Battle Law

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

Zoom Instructions:

Go to <https://battlelawpc.zoom.us/join> and Enter the Meeting ID that you have been provided with in the appropriate field and click “Join” . To join by phone, please dial (646) 558-8656. If you are unable to attend or would like to learn more about the proposed project, please call our office at the number below.

We encourage you to come out and participate!

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Email: jeb@battlelawpc.com

FOLLOW-UP COMMUNITY MEETING TO DISCUSS 2674, 2682, AND 2690 GRESHAM ROAD, SW UPDATES

**Project Title: Tikay Invest, LLC - 2674,
2682, and 2690 Gresham Road, SW**

When: May 18, 2026

Time: 6:30 PM Eastern (US and Canada)

Register in advance for this meeting:

<https://battlelawpc.zoom.us/join>

Meeting ID: 843 1832 1545

Password: 532231

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: 11/17/2025

TO WHOM IT MAY CONCERN:

I/WE: Tikay Investments, LLC
Name of Owner(s)

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

Battle Law, P.C.
Name of Agent or Representative

to file an application on my/our behalf.

Deesi Means
Notary Public

[Signature]
Owner



AUTHORIZATION

DISCLOSURE OF CAMPAIGN CONTRIBUTION

In accordance with the Conflict of Interest in Zoning Act, OCGA Chapter 36-67A, the following questions must be answered.

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

Yes: _____ No: X _____ *

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.

Deesi Means
Notary

[Signature]
Signature of Applicant /Date

Check one: Owner _____ Agent _____

04/30/2029
Expiration Date/ Seal

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





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 filing of this application?

Yes XX 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.
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Notary

Signature of Applicant /Date

Check one: Owner _____ Agent XX



Expiration Date/Seal

*Notary seal not needed if answer is "no"



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 herein. 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 13-2-1.

By: *Jonathan W. Allen*
 Josh L. Lewis, IV, Registered Land Survey Number 3028



SURVEYOR NOTE
 Recorded plat for subject property references Gresham Road and Flat Shoals road as having 40' right of ways in 1939. Right of way of Gresham Road established as 60' Right of Way as per surrounding recorded plats and found monuments. Property lines established has resulted in an approximate 10 foot deficiency in lot frontage along Gresham Road. Surveyor recommends boundary line agreements.

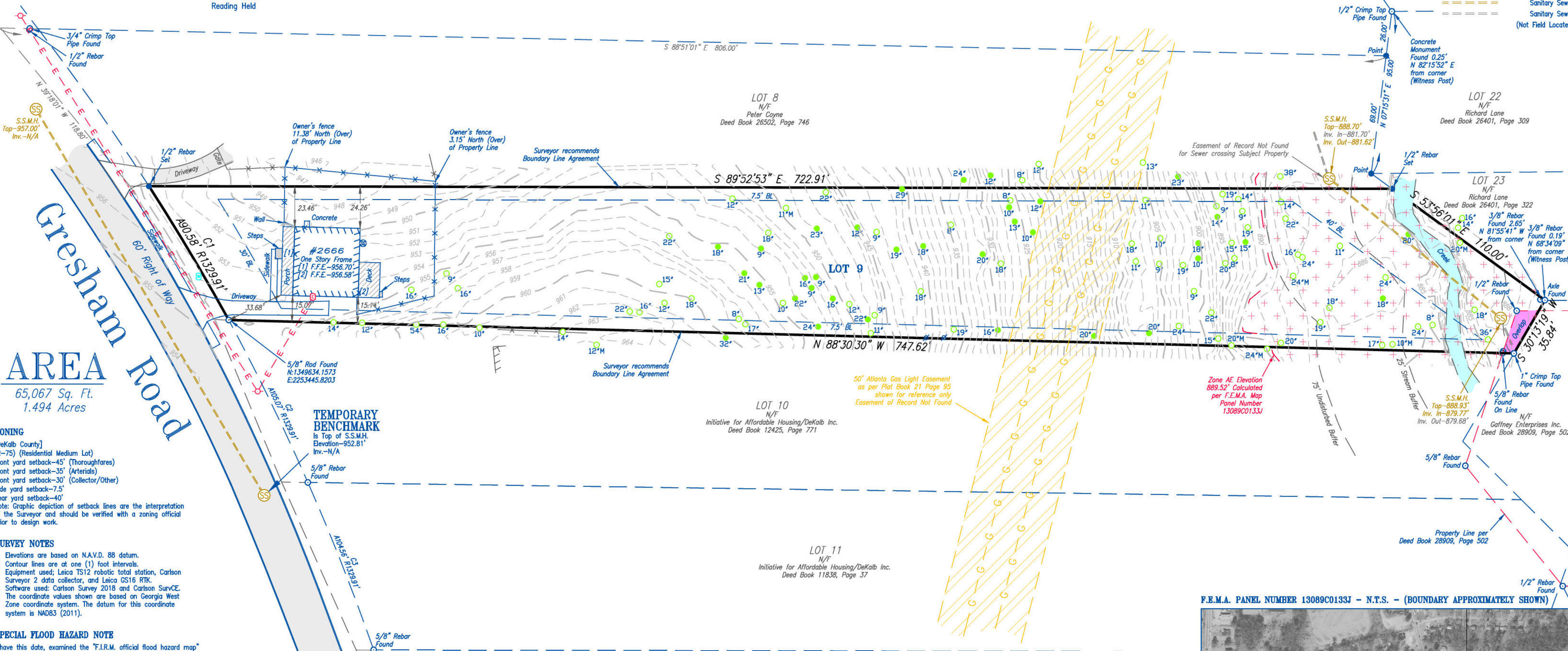


HATCH LEGEND
 These hatchings may be found in the drawing:

- Overlap between Deed Book 26161, Page 190 and Deed Book 28909, Page 502
- 50' Atlanta Gas Light Easement per Deed Plat 21, Page 95 (For reference only)
- Zone AE as per F.E.M.A. Map Panel Number 13089C0133J
- Concrete
- Asphalt
- Creek

LEGEND
 These standard symbols may be found in the drawing:

- 1/2" Rebar Set
- Iron Pin Found
- Building Line
- Power Pole
- Electric Meter
- Water Meter
- Sanitary Sewer Manhole
- Air Conditioning Unit
- Fence Post
- Hardwood Tree
- Pine Tree
- Fence
- Neighbor's Fence
- Overhead Electric Line
- Sanitary Sewer
- Sanitary Sewer (Not Field Located)



AREA
 65,067 Sq. Ft.
 1.494 Acres

ZONING
 [DeKalb County]
 (R-75) (Residential Medium Lot)
 Front yard setback-45' (Thoroughfares)
 Front yard setback-35' (Arterials)
 Front yard setback-30' (Collector/Other)
 Side yard setback-7.5'
 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

- Elevations are based on N.A.V.D. 88 datum.
- Contour lines are at one (1) foot intervals.
- Equipment used; Leica TS12 robotic total station, Carlson Surveyor 2 data collector, and Leica GS16 RTK.
- Software used: Carlson Survey 2018 and Carlson SurVCE.
- The coordinate values shown are based on Georgia West Zone coordinate system. The datum for this coordinate system is NAD83 (2011).

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 not] in an area having special flood hazards, without an elevation certification the Surveyor is not responsible for any damage due to its opinion for said parcel map ID [13089C0133J] effective date [05/16/2013].

CURVE TABLE

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	1329.91'	90.58'	90.56'	N 30°49'55" W	3°54'08"
C2	1329.91'	105.07'	105.04'	S 25°58'29" E	4°31'56"
C3	1329.91'	104.56'	104.54'	S 21°27'32" E	4°30'17"



- ADDITIONAL REFERENCES**
- Survey of R.L. Ezell's property dated Feb-3-1937 by Gordon Nalley Engr.
 - Survey of Lot 22 "Property of J. W. Cole dated Jan 1954 by Ernest L. Boggus, P.E. & Sur.
 - Survey of 2690 Gresham Road for Donald P. Fountain dated 3-3-00 by Georgia Land Surveying Co. Inc. referenced as Job Number 167090.
 - Survey of 2690 Gresham Road for Initiative for Affordable Housing Inc. dated 12/21/10 by Georgia Land Surveying Co. Inc. referenced as Job Number 190496.
 - Survey of 2646 Gresham Road dated 8/30/22 by Wide Open Land Surveying LLC.

F.E.M.A. PANEL NUMBER 13089C0133J - N.T.S. - (BOUNDARY APPROXIMATELY SHOWN)



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

JOB NUMBER 204653	DRAWING NUMBER F-4861	SURVEY PLAT FOR: 2690 Gresham Road, Atlanta Georgia 30316		DATE: 9/27/23	SCALE: 40'	
		JONATHAN W. ALLEN				REVISION
LAND LOT: 117		15th DISTRICT	SECTION	DeKalb COUNTY, GA		
LOT: 9		BLOCK:	UNIT:	PHASE:		
SUBDIVISION: R. L. Ezell Property		PLAT BOOK 11, PAGE 129		PARTY CHIEF: E.C.	FIELD DATE:	SHEET 1 OF 1
DEED BOOK 26161, PAGE 190		DRAFTER: BJC	2/15/23			

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 RECITIFICATION BY THE SURVEYOR NAMING SAID PERSON, PERSONS, OR ENTITY. ALL MATTERS PERTAINING TO TITLE ARE EXCEPTED.

SURVEYOR'S CERTIFICATION

THIS PLAT IS A RETRACEMENT OF AN EXISTING PARCEL OR PARCELS OF LAND AND DOES NOT SUBDIVIDE OR CREATE A NEW PARCEL OR MAKE ANY CHANGES TO ANY REAL PROPERTY BOUNDARIES. THE RECORDING INFORMATION OF THE DOCUMENTS, MAPS, PLATS, OR OTHER INSTRUMENTS WHICH CREATED THE PARCEL OR PARCELS ARE STATES HEREON, RECORDATION OF THIS PLAT DOES NOT APPLY 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 REGULATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN O.C.G.A. SECTION 15-6-67

Gerald H. Bernhard

GERALD H. BERNHARD GEORGIA RLS NO. 2688

THIS SURVEY PLAT OF EXISTING CONDITIONS ON THE PROPERTY MUST BE USED AS A SINGLE STAND ALONE DOCUMENT. IT CAN NOT BE SCANNED AND ALTERED, CROPPED OUT COPY/PASTE OR MODIFIED WITH SURVEY SYSTEMS ATLANTA TITLE BLOCK, SURVEYOR'S STAMP AND SIGNATURE. THIS SURVEY PLAT CAN BE ONLY ATTACHED AS A SEPARATE DOCUMENT BY ITSELF TO DEVELOPMENT PROJECTS AND SITE PLANS AND CAN NOT BE INSERTED WITH SURVEY SYSTEMS ATLANTA TITLE BLOCK, SURVEYOR'S STAMP AND SIGNATURE TO SOME OTHER DEVELOPMENT PROJECTS PREPARED BY ANY OTHER PARTY WITHOUT WRITTEN APPROVAL AND ORIGINAL BLUE INK SIGNATURE OF THE SURVEYOR OF RECORD.

LINE LENGTH BEARING
L1 29.51' S 40°02'38"E

*** LEGEND ***

NOTE: ALL ITEMS IN THIS LEGEND MAY NOT APPEAR ON THIS PLAT.
AKA ALSO KNOWN AS
APP AS PER PLAT
BSL BUILDING (SETBACK) LINE
CP COMPUTED POINT
CTP CRIMP TOP PIPE FOUND
OTP OPEN TOP PIPE FOUND
D DEED (BOOK/PAGE)
DW DRIVEWAY
EP EDGE OF PAVEMENT
FFE FINISH FLOOR ELEVATION
FKA FORMERLY KNOWN AS
IPF IRON PIN FOUND
L ARC LENGTH
LL LAND LOT
LLL LAND LOT LINE
N NEIGHBOR'S
N/F NOW OR FORMERLY
NAIL NAIL FOUND
P PLAT (BOOK/PAGE)
POB POINT OF BEGINNING
POC POINT OF COMMENCEMENT
R RADIUS LENGTH
R/W RIGHT-OF-WAY
RBF REINFORCING BAR FOUND (1/2" UNO)
RBS 1/2" REINFORCING BAR SET
SW SIDEWALK
SSE SANITARY SEWER EASEMENT
SSCO SANITARY SEWER CLEANOUT
SSMH SANITARY SEWER MANHOLE
-X- FENCE LINE
CB CATCH BASIN
SWCB STORM WATER CATCH BASIN
WALL

FLOOD HAZARD STATEMENT

I HAVE THIS DATE, EXAMINED THE "FIA FLOOD HAZARD MAP" AND FOUND IN MY OPINION A PORTION OF THE REFERENCED PARCEL IS IN AN AREA HAVING SPECIAL FLOOD HAZARDS.

PANEL 13089C0133J EFFECTIVE DATE: 05/16/2013

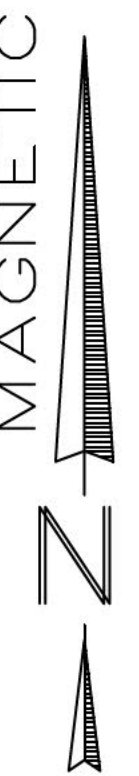
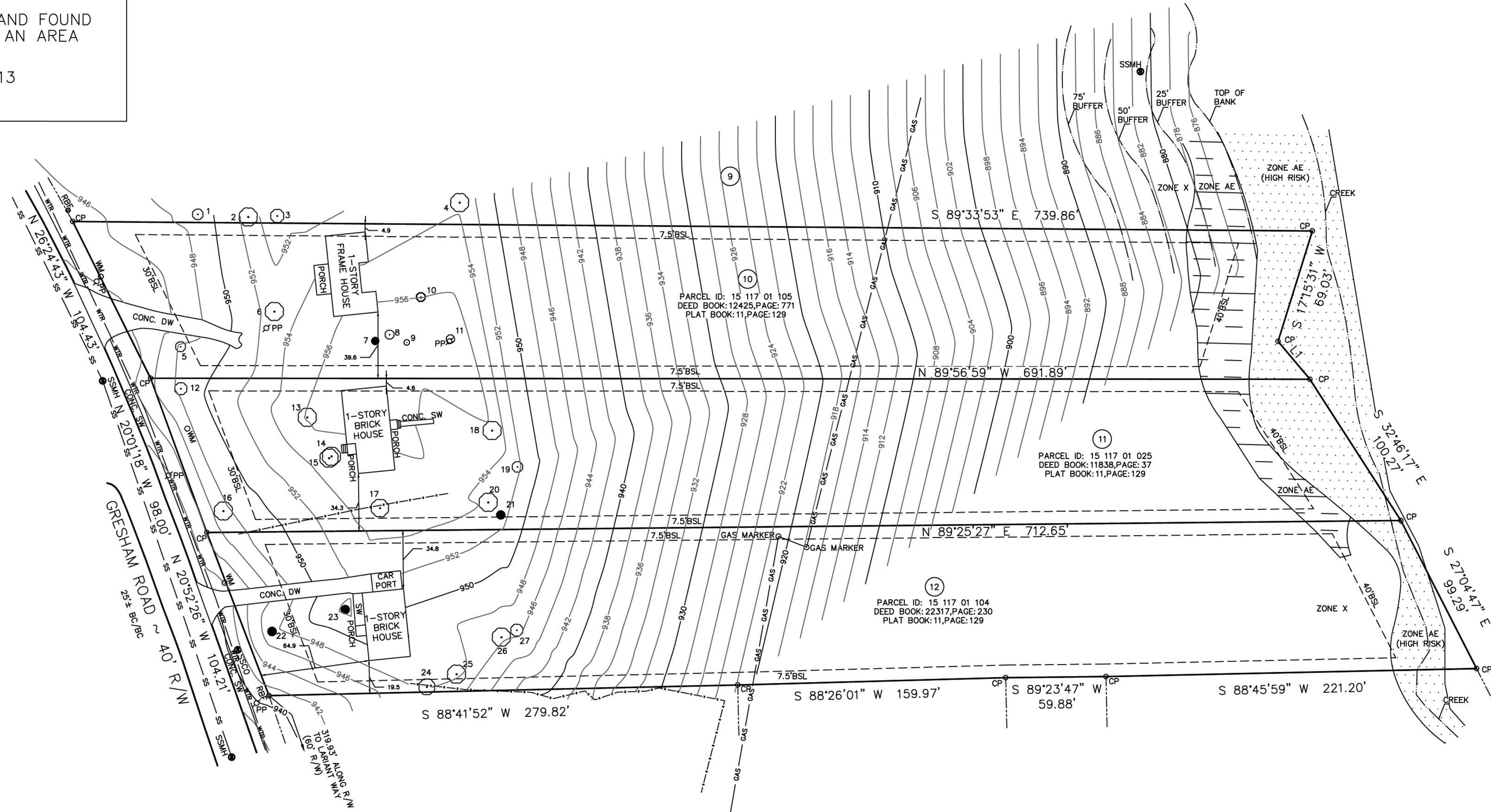
ZONE X,AE & AE(HIGH RISK)

ALL MATTERS OF TITLE ARE EXCEPTED. THIS PLAT IS SUBJECT TO ALL LEGAL EASEMENTS AND RIGHTS-OF-WAY PUBLIC OR PRIVATE. NOTE: PROPERTY LINES SHOWN ON THIS MAP/PLAT REPRESENT PHYSICAL FIELD CONDITIONS BY EVIDENCE OF APPARENT POSSESSION (IRON PINS FOUND, OLD & ESTABLISHED FENCE LINES, OLD WALL LINES, SHRUB & HEDGE LINE, HOUSE LOCATIONS, ETC.) THEY MAY DIFFER AND BE IN CONTENTION FROM EVIDENCE FOUND AT THE APPLICABLE COUNTY COURTHOUSE. THEY MAY ALSO DIFFER FROM OTHER SURVEYOR OPINIONS AND/OR NEIGHBORS SURVEYS/PLATS. A FULL LAND TITLE REPORT OPINION ON ALL PROPERTIES, INCLUDING ADJACENT AND CONTIGUOUS PROPERTIES MAY BE NEEDED TO RESOLVE ALL POSSIBLE PROPERTY LINE DISPUTES OR DISCREPANCIES.

THIS MAP/PLAT WAS MADE WITHOUT THE BENEFIT OF A CURRENT TITLE COMMITMENT. EASEMENTS AND ENCUMBRANCES MAY EXIST WHICH BENEFIT AND BURDEN THIS PROPERTY. THIS MAP/PLAT IS SUBJECT TO REVISIONS AND UPDATE UPON RECEIPT OF SAID TITLE COMMITMENT.

BUILDING LINES SHOWN HEREON DERIVED FROM VARIOUS ONLINE SOURCES. THEY MAY BE IN CONTENTION WITH OR DIFFER FROM INTERPRETATIONS OF GOVERNING AUTHORITIES. IT IS THE CLIENT'S OBLIGATION TO CONFIRM WITH PERMITTING AGENCIES BASED ON THEIR SPECIFIC CONSTRUCTION PROJECTS. ~ THIS MAP/PLAT HAS BEEN FIELD RUN WITH ASSUMED ELEVATIONS, THEN ADJUSTED TO NAVD 88 BASED ON MULTIPLE OBSERVATIONS FROM GOOGLE EARTH SATELLITE IMAGERY OR OTHER ONLINE SOURCES. THE ELEVATIONS SHOWN HEREON ARE +/- 1' (± ONE FOOT). TREE SYMBOLS ARE NOT TO SCALE. TREE SYMBOLS REPRESENT POSITION OF TREE & ARE NOT THE CRITICAL ROOT ZONE (NOT DRIPLINE).

NOTE: ANY & ALL UNDERGROUND UTILITIES, I.E. SEWER, STORM, GAS, WATER, ETC., HAVE NOT BEEN FIELD LOCATED BY CONVENTIONAL SURVEY METHODS.



TR. NO.	DIAMETER	TYPE
1	14	OAK
2	48	OAK
3	18	OAK
4	24	OAK
5	13	OAK
6	36	OAK
7	12	PINE
8	12	OAK
9	7	OAK
10	12x12	OAK
11	10	OAK

TR. NO.	DIAMETER	TYPE
12	16	OAK
13	58	OAK
14	35	OAK
15	42	OAK
16	28	OAK
17	23	OAK
18	65	OAK
19	14	OAK
20	24	OAK
21	20	PINE

TR. NO.	DIAMETER	TYPE
22	20x22	PINE
23	36	PINE
24	21	OAK
25	45	OAK
26	25	OAK
27	16	OAK

IMPERVIOUS (IN SQUARE FEET)	2674
HOUSE	1085
CONC. DW	789
PORCH	154
TOTAL IMPERVIOUS	2028

IMPERVIOUS (IN SQUARE FEET)	2682
HOUSE	1262
CONC. SW	57
PORCH	56
STEPS	25
TOTAL IMPERVIOUS	1400

IMPERVIOUS (IN SQUARE FEET)	2690
HOUSE	1006
CONC. DW	787
CONC. SW	111
PORCH	38
CARPORIT	192
TOTAL IMPERVIOUS	2134

ZONING NOTE:
BEFORE DEVELOPMENT OF THIS PROPERTY, DEVELOPER AND ARCHITECT TO CONFIRM ZONING DISTRICT, PER ZONING DEPARTMENT.

PROPERTY IS ZONED R-75
BUILDING SETBACK:
FRONT 30'
SIDE 7.5'
REAR 40'
MAX LOT COVERAGE -35

PROPERTY ADDRESS: 2674,2682 & 2690 GRESHAM RD SE, ATLANTA, GA 30316

LAND AREA: 2674-64,233 SF (1.47 AC), 2682-62,077 SF (1.43 AC), 2690-66,900 SF (1.54 AC)

IMPERVIOUS AREA: EXIST 2674= 2,028 SF= 3.2%, EXIST 2682= 1,400 SF= 2.3%, EXIST 2690= 2,134 SF= 3.2%

ZONING: R-75

PLAT PREPARED FOR: 2674,2682 & 2690 GRESHAM ROAD

LOT 10,11 & 12

LAND LOT 117 15th DISTRICT

DakALB COUNTY, GEORGIA

FIELD DATE: 11-19-2025 JT

DRAWN DATE: 11-21-2025 AE

SURVEY SYSTEMS ATLANTA
660 LAKE DR, SW, SNELLVILLE, GA 30039
COA #57000867, JOB#0808SURVEYSATLANTA.COM
CELL 978-591-0084 ~ OFFICE 404-760-0010

REFERENCE: PLAT BOOK XXXXX, PAGE XXX EXCEPTED, NOT TO BE RECORDED UNLESS USED TO CORRECT PROPERTY.

THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE OF 1' FOOT IN 10,000+ FEET, AN ANGULAR ERROR OF +/- 1 SECOND PER ANGLE POINT AND WAS ADJUSTED USING THE LEAST SQUARES METHOD. THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND FOUND TO BE ACCURATE TO 1 FOOT IN 30,000+ FEET. AN ELECTRONIC TOTAL STATION WAS USED IN THE PREPARATION OF THIS PLAT. NO STATE PLANE MONUMENT FOUND WITHIN 500' OF THIS PROPERTY.

THIS SURVEY WAS PREPARED IN CONFORMITY WITH THE TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN CHAPTER 180-7 OF THE RULES OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN THE GEORGIA PLAT ACT O.C.G.A. 15-6-67.



IF YOU DIG GEORGIA...
CALL US FIRST
1-800-282-7411
770-623-4344
(METRO ATLANTA ONLY)
UTILITY PROTECTION CENTER
IT'S THE LAW

LEGAL DESCRIPTION

ALL THAT TRACT OR PARCEL OF LAND lying and being in Land Lot 117 of the 15th District, DeKalb County, Georgia, being Lots 9, 10, 11 & 12 of the R. L. Ezell's Property according to the plat recorded in Plat Book 11, Page 129, DeKalb County, Georgia records.

Magnetic North

PROPERTY ADDRESS
2674, 2682, 2690, & 2666 GRESHAM RD SE,
ATLANTA, GA 30316

LAND AREA:	ADD.	AREA (S.F.)	AREA (AC)
2674	64,233	1.47	
2682	62,077	1.43	
2690	66,900	1.54	
2666	65,067	1.49	

TOTAL ACREAGE TO BE COMBINED: 5.93 AC

EXISTING IMPERVIOUS AREA:	AREA (S.F.)	% IMPERVIOUS
2674	2,028	3.2%
2682	1,400	2.3%
2690	2,134	3.2%
2666	2,663	4.1%

TOTAL EXISTING IMPERIOUS AREA: 8,225 S.F.

LOT COVERAGE PROPOSED

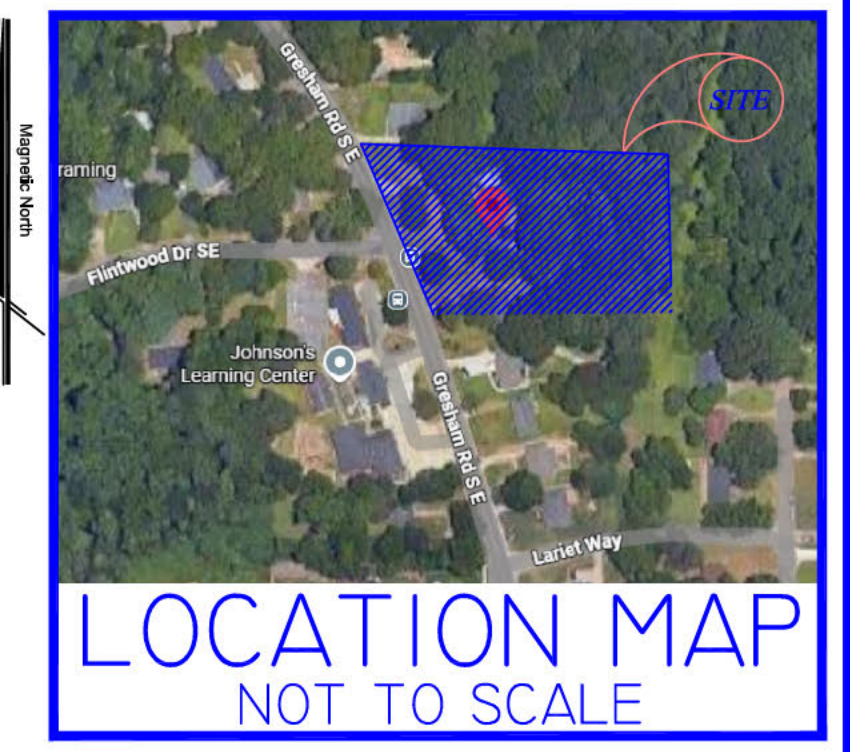
ROAD/PARKING: 36,537 SQFT
BUILDING: 45,044 SQFT
PAVILION: 442 SQFT
SIDEWALK: 8,361 SQFT
TOTAL PERCENTAGE: 34.9% COVERAGE

OPEN SPACE PROPOSED

3.25 AC
INCLUDING STREAM BUFFER AREA

TOTAL PARKING PROPOSED

3 STANDARD SPACES @ MAIL KIOSK



PROJECT NOTES:

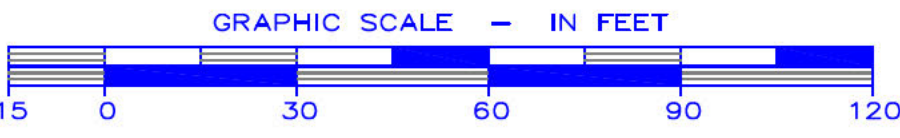
- Date:** 01/ & 12/ Construction
6595 Roswell Road PMB 5696
Suite G
CONTACT: John T. Holmes, Sr.
PHONE: 404-461-3201
EMAIL: holmesjohn09@gmail.com
- Developer:** 01/ & 12/ Construction
6595 Roswell Road PMB 5696
Suite G
CONTACT: John T. Holmes, Sr.
PHONE: 404-461-3201
EMAIL: holmesjohn09@gmail.com
- ENGINEER:**
WOODRUFF DESIGN ASSOCIATES
3301 STEWART LAKE ROAD
MONROE, GA 30655
PHONE: (404) 530-9278
CONTACT: A. Kathleen Woodruff
E-MAIL ADDRESS: kathleen@woodruffda.com
- Property located in L.L. 117, 15 Dist. DeKalb Co. Parcel No. 1511701105, 025, & 104.
 - Zoning: R-75.
 - Building Setbacks:
Front- 30'
Side- 7.5'
Rear- 40'
 - Proposed Bldg use is ---.
 - Total tract contains 4.44 acres/disturbed area--- acres ± including R-O-W.
 - Boundary information obtained from survey by Survey Systems Atlanta dated 11/21/2025.
 - Topographical information obtained from GIS dated 11/21/2025.
 - Vertical datum for topography is based on Sea Level.
 - Contour interval is 2' feet.
 - This property is shown on F.I.R.M. panel number 13089C0133J, dated 5/16/2013 and is not located within a special flood hazard zone.
 - Utilities:
Water - DeKalb
Sanitary Sewer - DeKalb
 - The location of underground utilities shown is approximate based on surface field evidence and information supplied by utility agencies. The survey makes no certification as to the completeness of the locations shown hereon. Appropriate utility companies should be contacted for verification of locations prior to any construction activity.
 - The contractor shall verify the invert elevations of all existing storm and sanitary sewer structures prior to commencement of storm and sanitary sewer construction.
 - Contractor shall notify the engineer and owner/developer of any information found in the field that is different from what is shown on these design plans.
 - There --- drive-up window(s) to be installed.
 - No billboards are permitted.
 - There --- dumpster(s) associated with this project.
 - There --- overhead doors on this project.
 - No outside storage proposed, this includes supplies equipment, vehicles, products, etc.
 - All new utility lines shall be located underground.



PROPERTY IS ZONED R-75
BUILDING SETBACK:
FRONT 0'
SIDE 7.5'
REAR 40'
MAX LOT COVERAGE: 35%



24-HOUR EMERGENCY CONTACT:
JOHN HOLMES
PH: 404-461-3201



WOODRUFF Design Associates
3301 Stewart Lake Road
Monroe, GA 30655

CONCEPT SITE PLAN
GRESHAM ROAD DEVELOPMENT

LAND LOT 117, 15 DISTRICT, DEKALB COUNTY, GA

REGISTERED PROFESSIONAL ENGINEER
MICHAEL J. WOODRUFF
No. 33085
12/15/2025
LEVEL II CERT. # 29526

C-1
CONCEPT SITE PLAN
3/16/2026
SCALE: 1"=50'
JOB: 25-04C-01
ISSUE: A.0
SHEET 1 OF 1









Gresham Road Townhome Community

Sales Summary – Cottages, 2-Story & 3-Story Townhomes

The Gresham Road Townhome Community delivers a thoughtfully designed mix of modern cottages and townhomes that meet today's demand for functional, attainable, and high-quality housing. Positioned in a growing corridor, this development offers strong value for homeowners and compelling returns for investors.

Product Offering

Cottage Units (3 Bed | 2 Bath)

Detached single-family homes designed for privacy and efficiency:

- ~1,200 Heated Square Feet
- Open-concept living and kitchen layout
- Private yard space
- Low-maintenance slab foundation
- Ideal for entry-level buyers and downsizers

2-Story Townhomes (3 Bed | 2.5 Bath | 1-Car Garage)

Balanced design with functional living space:

- 1,711 Heated Square Feet
- Open main level for living, dining, and kitchen
- Upstairs primary suite with additional bedrooms
- Attached 1-car garage
- Strong appeal for families and move-up buyers

3-Story Townhomes (4 Bed | 3.5 Bath | 2-Car Garage)

Premium vertical living with expanded flexibility:

- ~1,900–2,200 Heated Square Feet
 - Ground-level garage with upper living floors
 - Spacious layout ideal for multi-generational living or rental flexibility
 - Attached 2-car garage
 - High-end feel at an attainable price point
-

Interior & Lifestyle Features

- Open-concept floorplans designed for modern living
- Kitchen island or peninsula with seating
- Dedicated dining areas
- Private primary suites separated from secondary bedrooms
- Upstairs laundry for convenience
- 10' ceilings on main level, 9' upstairs for a more spacious feel

Construction & Design

- Modern farmhouse architecture with board and batten siding
- Durable 2x4 wood frame construction
- 6/12 roof pitch for strong curb appeal
- Covered patios for outdoor living
- Integrated front-facing garages

Built for long-term performance with a focus on efficiency, durability, and visual appeal.

Market Opportunity

Target Price Range:

Mid \$200Ks to Low \$400Ks

Target Buyers:

- First-time homeowners
- Move-up buyers
- Investors seeking stable rental assets

This community fills a critical gap between entry-level housing and higher-end new construction, making it highly competitive in today's market.

Investment & Community Value

For Buyers:

- Functional layouts that support everyday living
- New construction with minimal maintenance
- Long-term value appreciation potential

For Investors:

- Strong rental demand for 3- and 4-bedroom products
- Efficient layouts that maximize return per square foot

- Scalable product mix for phased development

For the Community:

- Transforms underutilized land into quality housing
- Enhances neighborhood aesthetics and property values
- Supports smart, responsible growth

Closing Position

The Gresham Road Townhome Community is a strategically positioned development that combines modern design, efficient land use, and strong market demand. With a diverse product mix and attractive price points, it offers a compelling opportunity for buyers, investors, and the surrounding community alike.



Battle Law

AMENDED AND RESTATED STATEMENT OF INTENT

and

Other Material Required by
DeKalb Zoning Ordinance
For
A Rezoning for Mixed Residential Community

of

Tikay Invest, LLC
c/o Battle Law, P.C.

for

+/- 5.93 Acres of Land
Being 2666, 2674, 2682 & 2690 Gresham Road SE
Atlanta, Georgia and
Parcel Nos. 15 117 01 024, 15 117 01 105, 15 117 01 025 & 15 117 01 104

Submitted for Applicant by:

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



Battle Law

I. LETTER OF INTENT

Tikay Invest, LLC (the “Applicant”) is seeking to redevelop four vacant single-family residential parcels located at 2666, 2674, 2682 and 2690 Gresham Road SE having a total acreage of 5.93 acres (the “Subject Property”) into 53 townhome units and 10 cottage units. The Subject Property is located within the Town Center Character Area, and is currently zoned R-75 which is not consistent with the Comprehensive Plan. The Subject Property is also located within the Gresham Road Master Active Living Plan Study Area. To allow the proposed development, the Applicant is seeking to rezone the Subject Property from R-75 to MR-1 for a density of 10.62 units per acre.

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

II. DEKALB COUNTY REZONING CRITERIA

When considering rezoning applications, the DeKalb County Code of Ordinances states that the following criteria shall be considered:

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

The proposed rezoning is consistent with the Subject Property’s Land Use Designation under the County’s Comprehensive Plan. MR-1 is an allowed zoning district, and the proposed density at 10.62 units per acre is significantly less than 60 units per acre allowed under the Town Center land use designation. The proposed density is consistent with the Comprehensive Plan’s policy to reduce density significantly around the edges of the Town Center land use designation. Additionally, the Subject Property is located along the east side of Gresham Road which is primarily commercial in character as all the properties along the east side of the Gresham Road corridor moving North of the Subject Property are zoned either C-1 or C-2, except for the vacant property at 2658 Gresham Road. Therefore, the Applicant feels strongly that the proposed rezoning provides a suitable transition between the existing R-75, C-1 and C-2 zonings in the surrounding area.

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

The Subject Property is located along the boundary of the Town Center Character Area and is located adjacent to residential property with a land use designation of Suburban. The submitted site plan takes into consideration the existing housing stock along Gresham Road by proposing 1,200 sq. ft. cottage units along the frontage of the Subject Property, with the townhome units being within the interior of the site. The 1,200 sq. ft. cottage units are consistent with some of the



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surrounding housing stock as the house adjacent to the site at 2698 Gresham Road is identified on the Tax Commissioner's website as being 1,148 sq. ft and the home at 2704 Gresham Road is identified as being 1,211 sq. ft. Therefore, the proposed cottage units will fit comfortably in with the existing housing stock and maintain the single-family detached character along the Gresham Road frontage. The townhome units within the interior of the Subject Property are consistent with the higher density called for in the Town Center character area, and in the Small Area Plan. Therefore, it is the Applicant's position that the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby properties.

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

The Subject Property as currently zoned has no reasonable economic use as currently zoned. The Subject Property is severely underdeveloped based on the density allowed within the Character Area and is not in alignment with the vision for the area set forth in the Gresham Road Small Area Plan.

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

The zoning proposal will not adversely affect the existing use or usability of adjacent or nearby properties. While this will be an introduction of a use that is not currently represented in the area, the proposed cottage units and townhome units will bring more residential options into an area that is developed primarily with single-family detached homes. The proposed project will also provide a suitable transition into the more traditional neighborhoods while also increasing density in the area as contemplated and expressly desired in the Gresham Road Small Area Plan

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

The Subject Property is located within a character area that is focused on growth. The proposed community will hopefully be a catalyst for change in the area that is consistent with the Gresham Road Small Area Plan.

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

The zoning proposal will not adversely affect historic buildings, sites, districts, or archaeological resources. The Subject Property is not in any historic site today.

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



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The zoning proposal will not result in a use which will or could cause excessive or burdensome use of existing streets, transportation facilities, utilities, or schools. The proposed use will have little to no effect on the aforementioned resources.

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

The zoning proposal will not impact the environment or surrounding natural resources.

III. CONCLUSION

For the foregoing reasons, the Applicant hereby requests that the application to rezone the Subject Property from R-75 to MR-1 be approved. The Applicant welcomes any questions and feedback from the planning staff.

IV. NOTICE OF CONSTITUTIONAL ALLEGATIONS AND PRESERVATION OF CONSTITUTIONAL RIGHTS

The portions of the DeKalb County Zoning Ordinance, facially and as applied to the Subject Property, which restrict or classify or may restrict or classify the Subject Property so as to prohibit its development as proposed by the Applicant are or would be unconstitutional in that they would destroy the Applicant's property rights without first paying fair, adequate and just compensation for such rights, in violation of the Fifth Amendment and Fourteenth Amendment of the Constitution of the United States and Article I, Section I, Paragraph I of the Constitution of the State of Georgia of 1983, Article I, Section III, Paragraph I of the Constitution of the State of Georgia of 1983, and would be in violation of the Commerce Clause, Article I, Section 8, Clause 3 of the Constitution of the United States.

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



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

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

A refusal to rezone the Subject Property in questions would be unjustified from a fact-based standpoint and instead would result only from constituent opposition, which would be an unlawful delegation of authority in violation of Article IX, Section II, Paragraph IV of the Georgia Constitution.

A refusal to rezone the Subject Property in question would be invalid inasmuch as it would be denied pursuant to an ordinance which is not in compliance with the Zoning Procedures Law, O.C.G.A Section 36-66/1 et seq., due to the manner in which the Ordinance as a whole and its map(s) have been adopted.

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

Michele L. Battle, Esq.
Attorney for the Applicant

DEPARTMENT OF PLANNING & SUSTAINABILITY

Chief of Executive Officer
Lorraine Cochran-Johnson

Director
Juliana A. Njoku

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

Applicant(s) Name: Michele Battle

Phone: 404-601-7616 Email: cag@battlelawpc.com

Property Address: 2674, 2682 & 2690 Gresham Road, Atlanta 30316

Tax Parcel ID: 15 117 01 105, 025, & 104 Comm. District(s): 3 & 6 Acreage: 5.93

Existing Use: Single-family homes Proposed Use: Development of triplex units.

Supplemental Regs: No Overlay District: No

Rezoning: Yes No Existing Zoning: R-75 Proposed Zoning: MR-1

DRI: No Square Footage/Number of Units: 5 u/acre

Rezoning Request: Rezoning lots from R-75 to MR-1 to build triplex units.

Land Use Plan Amendment: Yes No Existing Land Use: TC

Proposed Land Use: N/A Consistent Inconsistent

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

Special Land Use Request(s): _____

Major Modification: Yes No Existing Zoning Conditions: _____

Major Modification Request: _____

Condition(s) to be modified: _____

WHAT TO KNOW BEFORE YOU FILE YOUR APPLICATION

Pre-submittal Community Meeting: _____ Calendar Dates: CC: X

PC: X BOC: X

Letter of Intent: X Impact Analysis: X Owner Authorization(s): X Campaign Disclosure: X

Public Notice, Signs: X Tree Survey, Conservation (if applicable): n/a

Submittal Format:

ONE (1) COMBINED, PDF DOCUMENT UPLOAD via OUR ONLINE PORTAL.

Site Plan Checklist, if applicable:

- * Density
- * Density Bonuses
- * Mix of Uses
- * Open Space
- * Enhanced Open Space
- * Pedestrian Plan
- * Lot Size
- * Setbacks: front, sides, side corner, rear
- * Frontage
- * Street Width
- * Landscape Strips
- * Parking - Auto
- * Parking – Bicycle
- * Screening
- * Perimeter Landscapes
- * Bldg Materials: Roof, Fenestration, Façade Design
- * Sidewalks
- * Fencing/Walls
- * Building Height
- * Building Separation
- * Building Orientation
- * Streetscapes
- * Garages

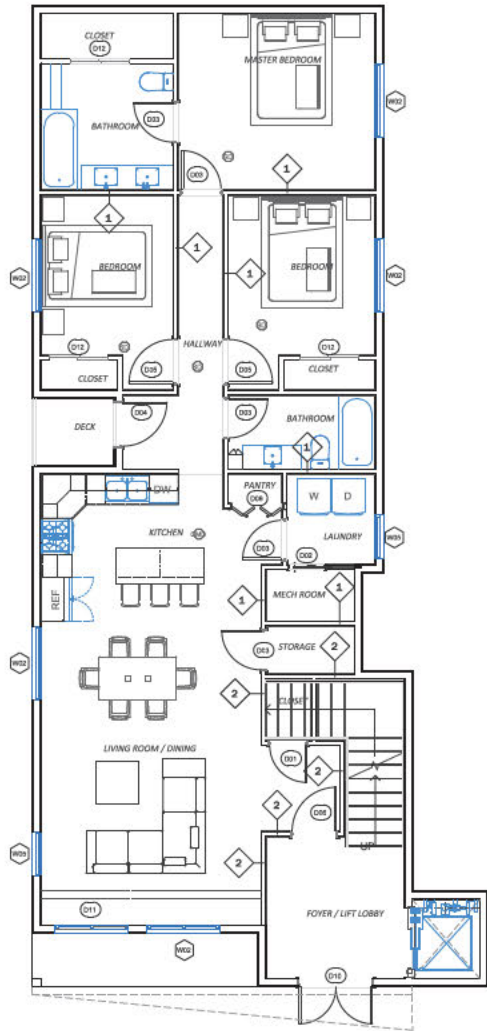
Possible Variances: Variances may be sought. Site plan is in conceptual phases.

Comments: The Applicant has proposed approx. 5 units per acre of triplexes within the TC Character Area. Housing type and density appears compatible with the edge of the TC. The Applicant discussed obtaining an additional 2 parcels to potentially expand the development further. The development may be two phases depending on the acquisition. Staff discussed with the Applicant building design alternatives for the proposal to be consistent with the existing neighborhood development pattern. The applicant should review requirements for MR-1 zoning district (Section 2.11.1), off-street parking (Section 6.1.4) a 30-foot transitional buffer is required (Section 5.4.5). The Site plan was in conceptual phases & Staff will provide a more comprehensive review upon submittal. It should be noted that the subject site is also located with the Gresham MALP (Master Active Living Plan) which may be helpful for the Applicant to consider.

Planner: Andrea Folgherait, Sr. Planner

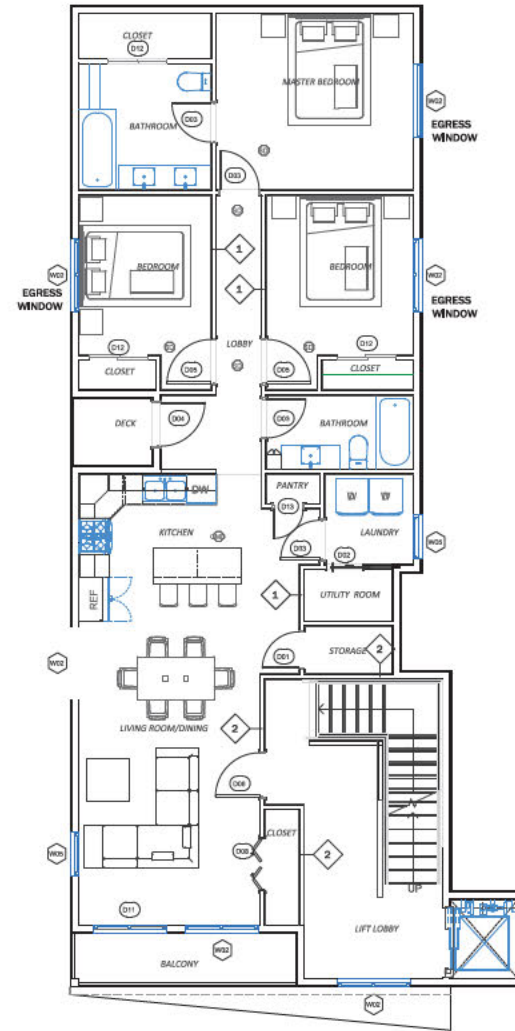


ORIGINAL SITE PLANS AND RENDERINGS



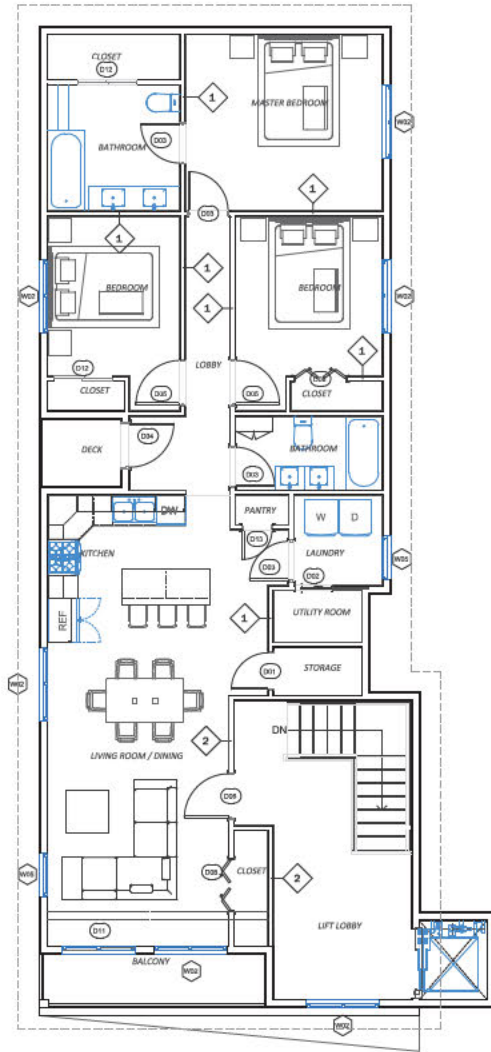
FIRST FLOOR PLAN

SCALE :: $\frac{1}{4}'' = 1'-0''$



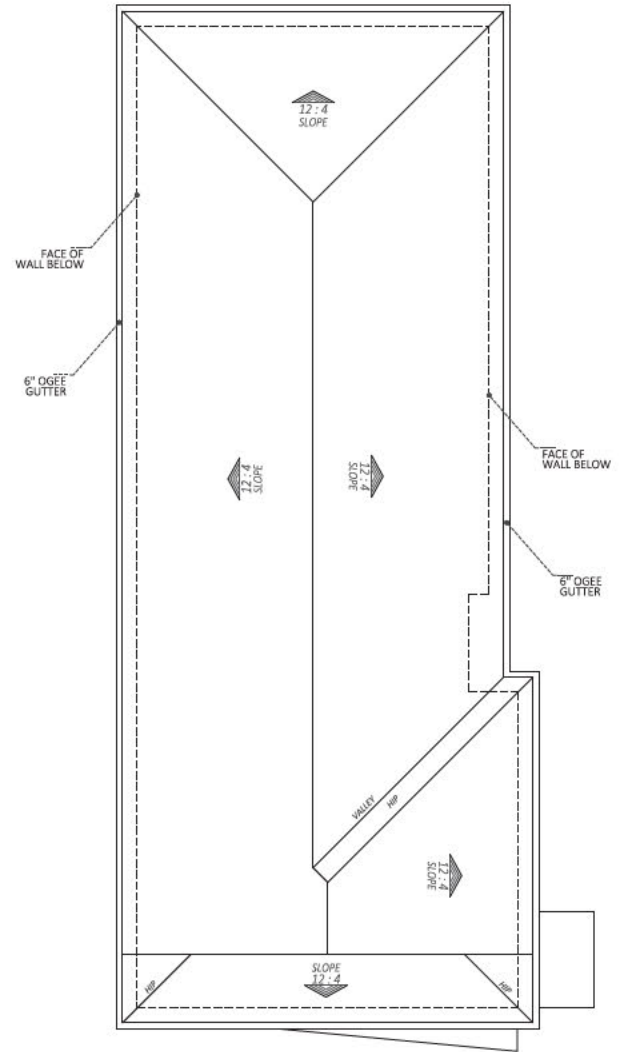
SECOND FLOOR PLAN

SCALE :: $\frac{1}{4}'' = 1'-0''$



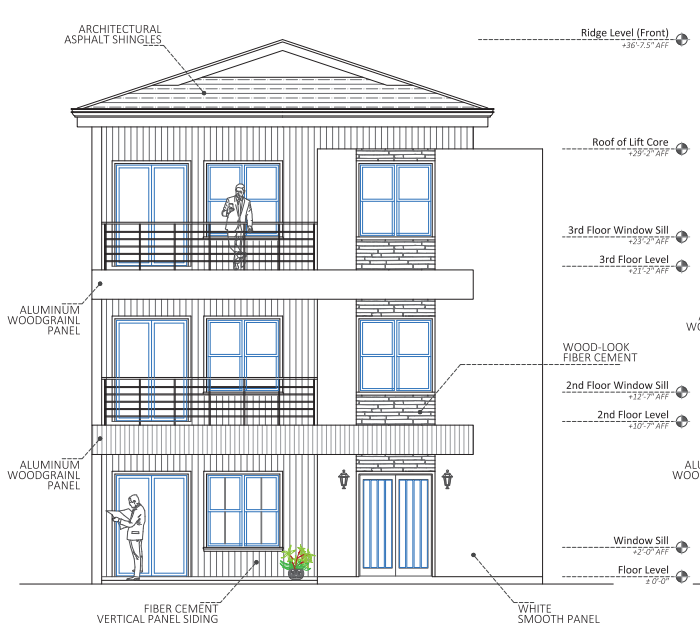
THIRD FLOOR PLAN

SCALE :: $\frac{1}{4}'' = 1'-0''$



ROOF PLAN

SCALE :: $\frac{1}{4}'' = 1'-0''$



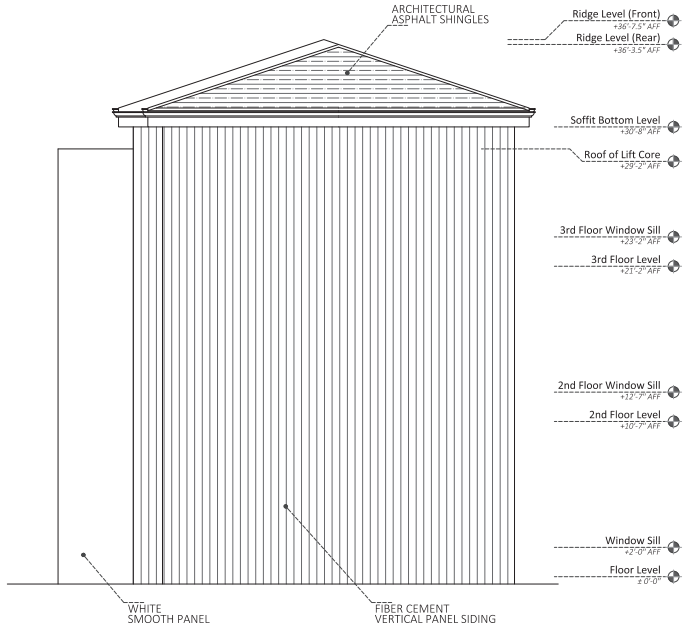
FRONT ELEVATION

SCALE :: $\frac{1}{4}'' = 1'-0''$



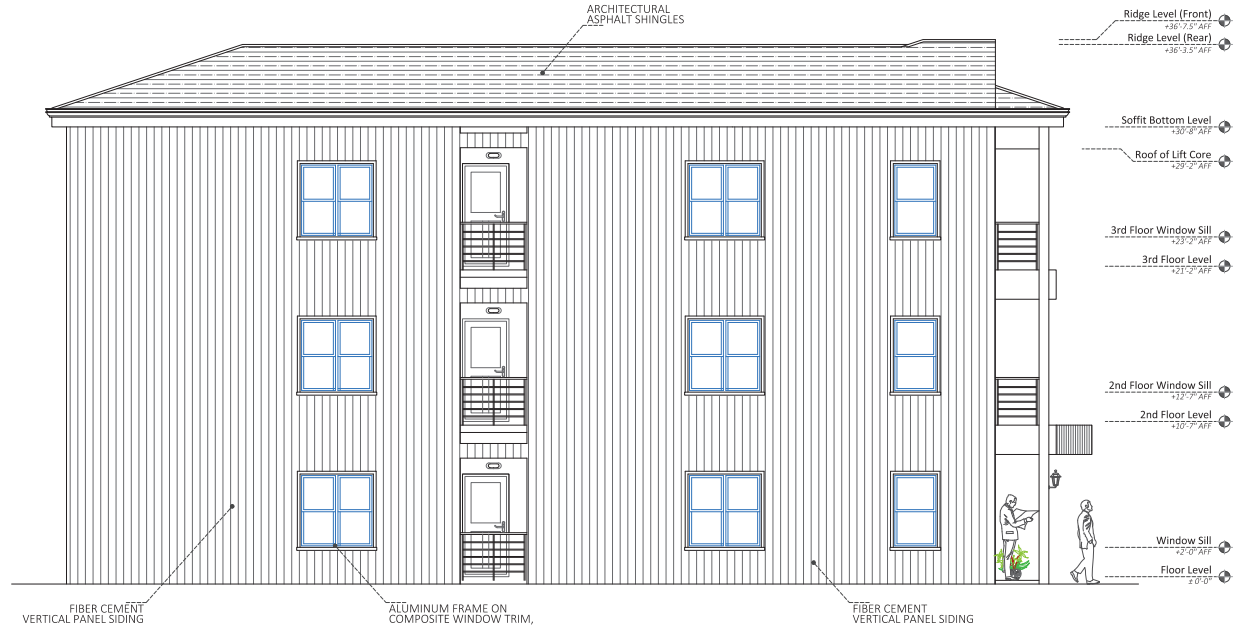
RIGHT ELEVATION

SCALE :: $\frac{1}{4}'' = 1'-0''$



REAR ELEVATION

SCALE :: $\frac{1}{4}'' = 1'-0''$



LEFT ELEVATION

SCALE :: $\frac{1}{4}'' = 1'-0''$

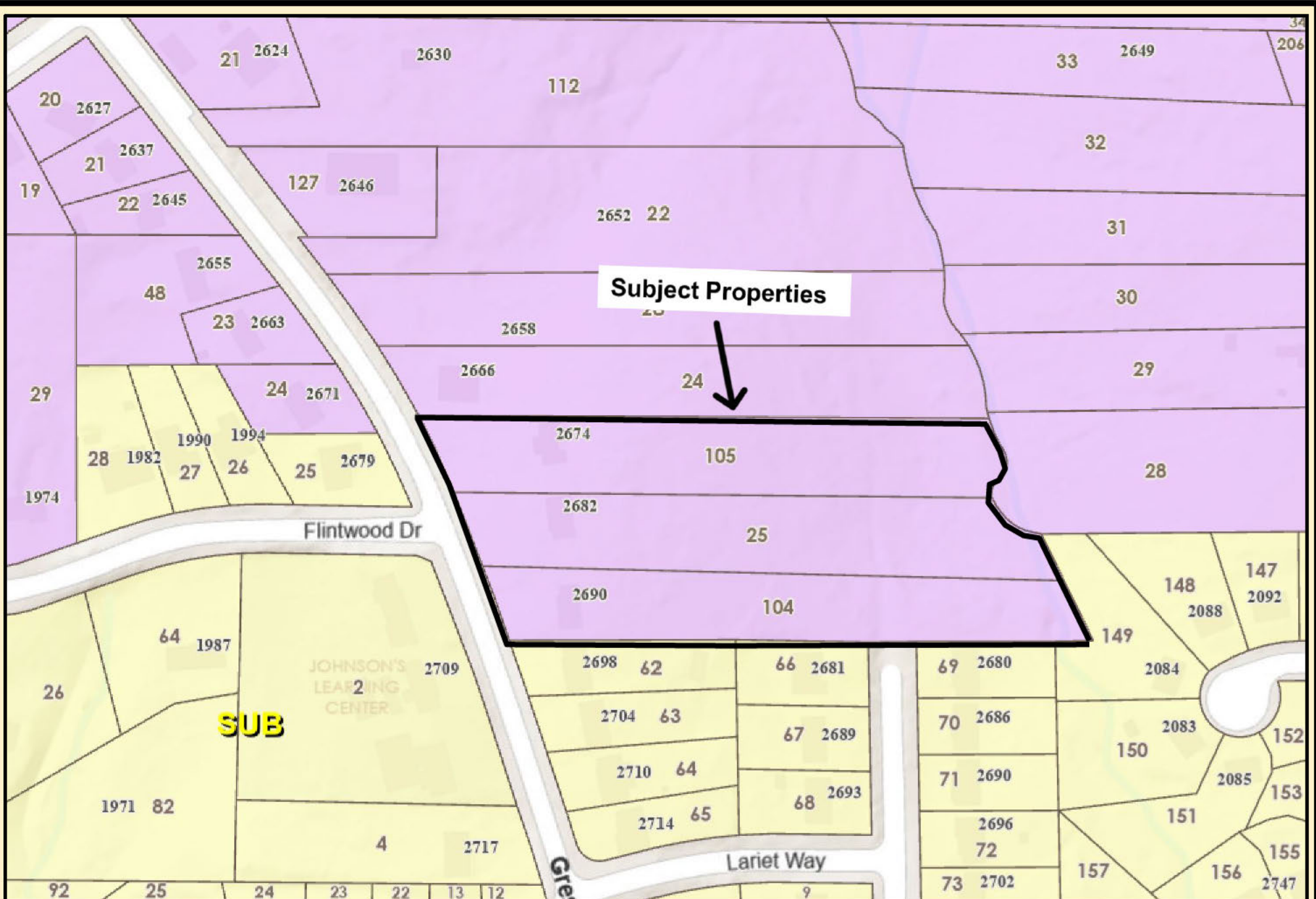




2690



2690



Subject Properties



SUB

Flintwood Dr

Larlet Way

DeKalb County Parcel Map



Date Printed: 1/14/2026



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Subject Properties



Flintwood Drive

Gresham Road

Gresham Road

Lariat Way

DeKalb County Parcel Map



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