

Zoning Conditions  
Example Development  
Z-17-90987

1. The 10.32 acre tract (the “Project Site”) shall be developed in general conformity with the location of streets, land uses and buildings as shown on the conceptual plan attached Exhibit A as Buildings A, A1, B, C, D, & E. Provide a transitional buffer between zero and twenty-five feet wide between the alley of the proposed townhomes and the western property line (abutting the single-family subdivision) as shown on the conceptual plan. Existing trees within the transitional buffer shall be preserved and supplemented with new trees to form an effective visual screen as approved by the County Arborist prior to the issuance of any Land Disturbance Permits. The buffer along the western property line from townhouse 18 to the southeast corner of parcel 100-241-01-979 shall be an undisturbed buffer of at least 25 feet and shall not be graded. Invasive species may be removed from the buffer and additional plantings can be added to form a visual screen. Where invasive species is removed from the buffer, special consideration shall be given to prevent erosion and sedimentation during construction. An 8-foot tall opaque wooden fence shall be installed along the north and west property line.
2. The landscape plan will be in substantial compliance to Exhibit E. If trees are replaced in the buffer, the preferred trees are one of or a combination of white oak, shumard red oak, southern red oak or northern red oak. These are also the preferred trees for street trees within the development. The final landscaping plan shall be approved by the County arborist and take into consideration the recompense required under the tree ordinance. Within the development street trees may be planted off the right-of-way if they would otherwise interfere with buried utilities. Recompense should take place within the immediate vicinity of the development.
3. Comply with Sketch Plat requirements for subdivision prior to the issuance of a Land Disturbance Permit.
4. An outdoor lighting plan shall be submitted, reviewed, and approved by the Planning and Sustainability Department prior to the issuance of any building permits. The residential fixtures will be the “Savanah” lamp. Lighting shall be established such that no direct light is cast upon or adversely affects adjacent properties and roadways. Light fixtures shall limit direct rays onto adjacent residential properties. All lighting fixtures (luminaries) shall be cutoff luminaries whose source is completely concealed with an opaque housing. Fixtures shall be recessed in the opaque housing. Drop Dish Refractors are prohibited. Approval of the lighting fixtures will be subject to review by the Planning and Sustainability Department.
5. During the construction phases the Developer shall post a contact phone number that nearby residents can call to discuss development and construction issues. The developer shall use temporary Best Management Practices (BMPs) for run-off and temporary sedimentation storage in compliance with Section 14.38 (Soil Erosion and Sediment Control) subject to approval of the Land Development Division of the Planning and Sustainability Department. If the Land Development Division determines that the adjacent property owners (in particular those who will not have the benefit of an undisturbed buffer) are susceptible to damage from erosion, the

Department may require at a minimum additional row of silt fencing and bales of straw to protect the adjacent properties.

6. Provide compliance with Section 14-40 and Section 14-42 of the DeKalb County Code regarding storm water management and water quality control as approved by.
7. A minimum of 20% open space shall be provided. A minimum of 7.6% of the open space shall be provided in pedestrian usable parks or squares.
8. The townhomes and single-family detached units shall have a minimum floor area of 1,200 square feet.
9. All residential buildings shall be designed to have a pitched roof.
10. The building materials shall be those listed in Exhibit B Construction Details. The building elevations shall closely to Exhibit C and Exhibit D. The rear elevations of the stacked flats and the commercial buildings shall be similar to the front facades and comprised of similar materials. The facades of the parking decks shall be consistent with the remainder of the building and use the same building materials. The side elevations of all residential buildings shall not be solid, and will have windows.
11. Commercial uses limited to NS (Neighborhood Shopping) uses. The following uses are prohibited within the Project Site:
  - a. Animal hospital, veterinary clinic, boarding and breeding kennels
  - b. Convent and monastery
  - c. Private elementary, middle and high school
  - d. Hotels, motels, extended stay hotel/motels, boarding and rooming houses.
  - e. Movie theater or bowling alley.
  - f. Farm and garden supply store
  - g. Liquor Store, including retail liquor store as accessory use to hotels, motels and high rise office building.
  - h. Adult Entertainment establishments and adult service facilities
  - i. Nightclubs or late night establishments
  - j. Coin-operated laundry and dry-cleaning store (specifically excluding dry-cleaning pressing establishments or pick-up stations, and coin-operated laundry facilities within the interior of any multi-family apartment building)
  - k. Home appliance repair and service
  - l. Special Events Facilities
  - m. Drive-through facilities (other than dry-cleaning pick-up stations)
  - n. Pawn Shops
  - o. Check Cashing Establishments
  - p. Place of worship
  - q. Convenience store
  - r. Gas station.
12. Maximum building height of Building D & E shall be three stories. Maximum building height of Building B & C shall be eight stories. Maximum building height of Building A shall be two stories, and maximum building height of Building A1 shall be one story. Locations of Buildings A, A1, B, C, D, & E shall be in general compliance with the locations shown on the concept plan Exhibit A

entitled "Example Development". The only deviation of these building locations pertains to Building A, which can be shifted to more closely align to the curve of Development Drive.

13. Subject to Georgia Department of Transportation approval, provide and maintain a 6-foot wide sidewalk and a 10-foot wide landscape strip within the Development Drive right-of-way prior to the issuance of any certificates of occupancy. Within the landscape strip, provide a minimum of one street tree for every 50 feet of street frontage along Development Drive or as approved by the County Arborist so long as there are a minimum of seven trees.
14. Refuse areas shall be screened from public streets and shall be fenced or screened with a combination of material and colors to match building materials of primary buildings.
15. Recycle collection bins shall be provided for the tenants residing in the townhome and multi-family buildings.
16. Limit access to two access points on Development Drive. Location of curb cuts is subject to GDOT permits. Written confirmation of approval from Georgia Department of Transportation (GDOT) and the Transportation Division of Public Works is required prior to the issuance of any Land Disturbance Permits. No direct vehicular access shall be permitted from the subject property to Neighborhood Court.
17. Provide the traffic study and the conceptual design on Development Drive to include the removal of two vehicular lanes and the addition of bicycle lanes and enhanced pedestrian crosswalks across Development Drive to reach the subject property, Neighborhood Court and the Kensington MARTA station based on CTP Project 90319 prior to the issuance of any Land Disturbance Permits subject to approval of the Georgia Department of Transportation and the Transportation Division of Public Works.
18. Secure bicycle storage lockers shall be provided within the parking deck of the stacked flat residential buildings. The space shall be sufficient for a minimum of 20 bikes.
19. No more than two ground signs along Development Drive shall be permitted and they will be monument style signs with a base and framework made of brick or stone and a maximum height of 6 feet.
20. The approval of this rezoning application by the Board of Commissioners has no bearing on the requirements for other regulatory approvals under the authority of the Historic Preservation Commission, the Zoning Board of Appeals, or other entity whose decision should be based on the merits of the application under review by such entity.