

RECOMMENDED CONDITIONS – 9/7/2018
Z-18-22138

Rezone from R-75 (Residential Medium Lot-75) to RSM (Residential Small Lot Mix)

1. The subject property shall be developed in accordance and full compliance with the conceptual layout shown on the Zoning Site Plan titled "Valley Brook Tract dated September 4, 2018, received by the department of Planning and Sustainability on September 10, 2018, and, a true and correct copy of which is attached as Exhibit "A" and incorporated herein by reference (the "Site Plan"), except for any modifications required to comply with and/or incorporate these and any other zoning conditions imposed and approved by the DeKalb County Board of Commissioners or applicable County, State, and Federal regulations, as and whenever amended. Modifications to conditions approved by the Board of Commissioners must comply with Section 27-7.3.10 of the DeKalb County Code.
2. The conceptual landscape plan dated September 6, 2018, received by the department of Planning and Sustainability on September 10, 2018. The landscape plans are conceptual and may change slightly due to engineering. To the extent possible, applicant shall protect existing large over-story trees in the landscaping strip, pocket parks and enhanced open space by using fencing around the roots to prevent grading and vehicles on the critical root zone. Sidewalks in the frontage park along Valley Brook Road shall be 6 feet wide and may meander to avoid trees. In consultation with the County Arborist, the developer shall plant over-story trees from the list in landscape plan in pocket parks, landscape strips and enhanced open space. The detention structure shall be screened with dense mixture of native species and screening trees. The final landscaping plan shall be approved by the County Arborist and reviewed by the District Commissioners. Any remaining tree recompense shall be planted within the vicinity of the development.
3. The Proposed Development shall consist of a maximum of 43 lots for urban single-family detached homes and 39 lots for attached, fee-simple townhome units.
4. The single-family homes along Valley Brook Road shall be limited to two stories. ^{Internal} They shall face Valley Brook Road and be rear loaded. ^{and 35 ft.} Single family homes shall not exceed 38 feet in height. Townhouses shall not exceed 40 feet in height. For end unit townhouses, fenestration shall be provided on the sides that address a street.
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5. Residential architecture and building materials of the Proposed Development shall be developed in substantial compliance with the conceptual renderings provided to DeKalb County and attached as Exhibit "B". All dwelling units shall consist of a mixture of building materials that will include brick, stacked stone, hardy plank and hardy plank shake.
6. The owner or developer shall create and incorporate a mandatory perpetual homeowners association ("HOA") compliant in all respects with applicable Georgia law. The HOA

shall own and be responsible for the repair, upkeep, and maintenance of all common areas, open areas/spaces, enhanced open spaces, landscape strips (not less than twenty [20] feet wide), greenways, underground stormwater detention/retention areas or facilities, private streets, water, sewer, and stormwater systems, landscaping around detention areas, entrance area, and the like, contained within the Proposed Development. In conjunction with the creation of the mandatory HOA, the owner or developer shall create and record in the Office of the Clerk of the Superior Court of DeKalb County and enforce protective covenants running with the land which shall contain covenants, rules, and regulations that shall be compliant in all respects with and incorporate these Zoning Conditions and shall be enforced and enforceable by the mandatory HOA to the fullest extent permitted by Georgia law (collectively, the "Protective Covenants").

7. A six (6) foot sidewalk will be installed in lieu of the bike lane or the ten (10) foot multi-use path, as per the meeting with Transportation Division.
8. The proposed walking trail shall be located as shown on the Site Plan. A minimum of three (3) benches and a minimum of two (2) trash receptacles shall be provided along the walking trails. The walking trails will not be lighted and a sign will be posted that the walking trail shall be closed dusk till dawn.
9. Use or operation of any gas-powered motorized vehicles, except for maintenance equipment, shall be prohibited on any walking trail or in any open space, enhanced open space, landscape strip, pocket park, or greenway shown on the final plat.
10. A twenty (20) foot wide landscape strip shall be established as shown on the Site Plan. A solid privacy fence not less than six (6) feet in height shall be installed within the landscape strip, three (3) feet from the exterior property line of the Proposed Development. If the fence has a finished side, it shall face the lots that adjoin the Proposed Development.
11. There shall be a minimum of three (3) pocket parks. Each pocket park shall have a minimum of one bench that provides seating and minimum of one trash receptacle. Additionally, the owner, developer, or HOA, as applicable shall provide a pet refuse station on both ends of the walking trail and in each pocket park. Maintenance and upkeep of the pet refuse stations shall be the sole responsibility of the HOA.
12. All sidewalks, pocket parks, walking trails, and greenways in the Proposed Development shall be open to public use for the larger community. Streets and sidewalks within the Proposed Development that are not dedicated to public use will be subject to an easement for public use by vehicular or pedestrian traffic, as appropriate. All alleys shall only be for private use by residents of the Proposed Development.
13. Outdoor lighting shall comply with Section 27-5.6.1 of the DeKalb County Code. All exterior lighting shall be screened or shielded to minimize glare, keep light inside the development, and minimize light spillover.
14. The pedestrian crossings across the internal private drives shown on the Site Plan shall be striped to slow traffic and facilitate safe crossings for pedestrians. Pedestrian crossings

across the primary ingress and egress points from Valley Brook Drive may be striped, or consist of a pavement in a contrasting color or texture.

15. The owner, developer, or HOA, as applicable shall design, construct, operate and maintain a stormwater management system that complies with all applicable laws and statutes.
16. No more than fifty (50%) percent of the actual open space may consist of floodplain, wetlands, steep slopes, streams and buffers.
17. Best Management Practices shall be followed with the design and implementation of an erosion and sedimentation control plan during construction, as per the Manual for Erosion and Sedimentation Control in Georgia, subject to approval by the DeKalb County Development Services Division.
18. The subdivision sign shall be a maximum of six feet high and shall have a brick- and/or stone-finished base, and may have accents of other materials used in the houses.
19. Subject to the design requirements of the County Transportation Department, the applicant shall install a marked crosswalk with a rectangular rapid-flashing beacon at Lowrance Drive (RRFB) connected to AC power that meets Federal Highway Administration requirements. ADA ramps are to be installed at both ends of the crosswalk.
20. There shall be a 24-hour contact and telephone number during demolition and construction. This 24-hour contact and telephone number shall be listed on all permit materials submitted to DeKalb County.
21. All utilities shall be installed underground.
22. All construction and employee vehicles and equipment will be parked and otherwise located on, the Subject Property during development of infrastructure and construction of units and shall not be parked on or along Ford Place or Milton Street. This restriction does not apply during demolition and removal of said roads from the subject property.
23. The approval of this rezoning application by the Board of Commissioners has no bearing on other approvals by the Zoning Board of Appeals or other authority, whose decision should be based on the merits of the application before said authority.