



DeKalb County Government Services Center
178 Sams Street
Decatur, GA 30030
404-371-2155

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<https://www.dekalbcountyga.gov/planning-and-sustainability/public-hearing-agendas-info>

Planning Commission Hearing Date: September 9, 2025
Board of Commissioners Hearing Date: September 30, 2025

STAFF ANALYSIS

Case No.:	Z-25-1247529	Agenda #: 2025-0628
Address:	3265 Northeast Expressway, Chamblee, GA 30341	Commission District: 01 Super District: 07
Parcel ID(s):	18-267-01-003	
Request:	Rezone property from C-2 (General Commercial) zoning district to HR-1 (High Density Residential-1) zoning district to allow single-family, attached, and multi-family developments.	
Property Owner(s):	Reality Income Corporation	
Applicant/Agent:	LMPSF acquisitions, LLC. c/o Troutman Pepper Locke, LLP	
Acreage:	23 acres	
Existing Land Use:	Formally Regal Cinemas	
Surrounding Properties:	North: OI (Office Institutional) East: OI South: MR-2 (Medium Density Residential -1), R-100 (Residential Medium Lot-100) West: C-2 (General Commercial).	
Comprehensive Plan:	RC (Regional Center) Consistent X Inconsistent	

Staff Recommendation: Approval with Conditions.

The applicant, LMPSF acquisitions, LLC. c/o Troutman Pepper Locke, LLP, is seeking to rezone the subject site from C-2 (General Commercial) zoning district to HR-1 (High Density Residential-1) zoning district. The rezoning will allow a multi-family residential development including two (2) three (3) story apartment buildings (60 units each) and “paired home” units (192 units) which are in the style of single-family attached homes when facing either the front or rear of the unit. A maximum of three hundred and fourteen (314) dwelling units are proposed. The proposed rezone to HR-1, with a mixture of housing options, aligns with the evolving land use pattern in the surrounding area and presents an opportunity to support a more walkable corridor. Just north of the subject site are 3355, 3375, and 3395 Northeast

Expressway (Z-23-1246461), which were rezoned in 2023 to HR-3 (High Density Residential-3) for the redevelopment of a vacant office park into a multifamily development.

The applicant has proposed a density of approximately 8.5 units per acre, which is significantly lower than both the HR-1 maximum (40 units per acre) and the Regional Center (RC) Character Area, which has no maximum density. The RC future land use designation supports high-density, high-intensity development by encouraging mixed-use projects with 75 or more dwelling units per acre (*DeKalb 2050 Unified Plan, pg. 31*). These areas are defined by their accessibility to interstates, major roadways, transit, and trails, and typically feature campus-style or unified development patterns, higher floor-area ratios, and the integration of non-residential components. While the subject site aligns with several of the RC Character Area's desired physical characteristics—including its proximity to Mercer University, I-85, the ongoing construction of the Northfork Peachtree Creek Trail, and nearby redevelopment—the proposed development does not include any non-residential uses, which may limit its ability to fully support the mixed-use vision outlined for the RC Character Area.

Furthermore, the subject site is also located within the *Presidential Parkway Regional Center*, which includes supplemental land use and zoning recommendations. More specifically, it falls within *Area D – Edge 1* (Bordering Residential). This sub-area borders an existing single-family neighborhood and a smaller-scale multifamily development and has a preferred maximum of twenty-four (24) dwelling units per acre and a *four-story (4) building height limit*. The proposal helps provide an appropriate transition between the adjacent residential areas and the inner and outer cores of the RC (Presidential Parkway Map attached).

Site Plan Review (Everstead at Embry Hills, dated 4/25/25):

The site plan appears to comply with most of Section 27-2.11.2 – *Dimensional Requirements* for HR-1. However, because of the following deficiencies, variances may need to be sought.

- **Streetscaping** – Applicant did not supply a landscape strip in addition to the ten-foot (10) multiuse path along NE Expressway per *Section 27-5.4.3 – Streetscape Elements and Dimensions (Table 5.1)* and/or what is required by GDOT.
- **Interior strips:** Interior to non-residential, mixed-use and multi-family developments, a three-foot (3) wide planted landscape strips shall be required along all interior drives and pedestrian paths per *Section 5.4.4 - Site and Parking Area Landscaping B*. As well as *D. Parking Area Landscaping tree and island quantity (4 and 5)*.
- **Property perimeter landscape strip:** Along non-residential, mixed-use and multi-family development perimeter lot lines, a perimeter landscape strip shall be required per *Section 5.4.4 C1*. A five-foot-wide continuous perimeter landscape strip is required along all property lines that are not subject to streetscape requirements. This applies to individual tenant sites interior to a master planned project, even in instances where individual tenant sites do not have separately platted lot lines.
- **Unit Size:** The unit size is not listed for the apartment buildings.
- **Security Entrance Gates:** Multifamily requires gates be located at least fifty (50) feet from the property line to ensure safe queuing, ingress to and egress from the property per *Section 5.4.7 Walls, Fences, and Retaining Walls 8*.

- **Spacing between buildings:** For single-family attached buildings and multi-family buildings, building shall be separated a distance as required by the International Codes Council (IC per *Section 5.2.1 Minimum Required Yards and Buildings Setbacks B1*.
- **Traffic Impact Study:** Multi-family development with over three hundred (300) new units at build-out require a TIS per *Section 5.3.4- Traffic Impact Study A*.

Additional Staff Recommendations:

- Consideration of enhanced open space surrounding the detention pond located in the southeast corner of the site such as, benches and/or pedestrian walkways, and to comply with *Section 5.4.6 Screening (E)* which requires screening around detention facilities.
- Coordination with MARTA to place an amenity pad and accommodate direct pedestrian access to Northeast Expressway frontage so that residents can access transit service. See comments enclosed.
- Enhancement of space in and around the “Recreation Area” such as, benches and/or pedestrian walkways.
- Bike rack(s) parking throughout the development.

As this corridor continues to experience redevelopment and a SAP (Small Area Plan) is underway, careful consideration should be given to the cumulative impact of residential-only projects in an area designated as a RC. While the proposal contributes to a diverse housing supply, a more balanced mix of uses will be critical to avoid repeating low-intensity, suburban-style development patterns on large, well-positioned parcels. Thoughtful inclusion of non-residential uses, whether through vertical or horizontal mixed-use, can better serve the long-term function of the RC. However, the proposal is generally aligned with the existing development pattern along NE Expressway. Therefore, the proposed mixture of housing types is consistent with the building principles of the *2050 Comprehensive Plan (Pg. 31)*. Upon review of *27-7.3.5 (A-H) of the Zoning Ordinance* and the *Presidential Parkway Regional Center*, Staff recommends “Approval” with the following with conditions:

1. A minimum unit size of at least four hundred (400) heated square area for no more than 25% of units.
2. The development shall be no less than twenty-four (24) units per acre per the *Presidential Parkway Regional Center*, supplemental land use and zoning recommendations within *Area D – Edge 1*.
3. All “shared home” designs shall be consistent with architectural details and following building materials: cementitious siding, shingle roofing or metal roofs over porches, and must comply with the applicable provisions of Article 5 Section 5.7.9. of the Zoning Ordinance related to building form and design. Roof pitches shall vary between 6:6, 6:8, 6:10, 6:12, with no more than 25% of each pitch type to support the architectural design styles proposed by HR-1 Zoning Districts as stated in Section 2.15.1B.
4. Both multi-family building(s) shall be four (4) stories as referenced in the *Presidential Parkway Regional Center*, supplemental land use and zoning recommendations within *Area D – Edge 1*.

5. Dumpster and recycling enclosures shall be provided in sufficient number and strategically located to ensure convenient access for residents and minimize walking distances. The final number and placement of enclosures shall be approved by the Sanitation Division prior to issuance of a Certificate of Occupancy (CO).
6. Facades facing a street must comply with *Section 27-5.7.6 (I Facades) –Single Family Attached*, regardless of renderings submitted in the rezoning application (Z-25-1247529). Duplexes or townhomes shall have a minimum of 5-foot by 5-foot outdoor patio for each unit.
7. The development shall include (1) a connection to the ‘Recreation Park,’ (2) a path or trail around the detention pond, and (3) three (3) outdoor parks as described by HR-1 Zoning Districts in Section 2.15.1C and Activity Centers in the 2050 Unified Plan (pg.26). Any modifications to the site plan related to these or other compact, pedestrian-oriented improvements shall require approval by the Planning Director.
8. Subject to any necessary governmental approvals such access agreements or easements, the Applicant/Owner shall provide public connectivity from the subject property to the proposed Peachtree Creek Greenway. In the event that the Greenway has not yet been constructed to the point that connectivity is possible to the subject property at the time the first Certificate of Occupancy (C.O.) is issued for the subject property/development, the Applicant/Owner shall deposit \$250,000 into a DeKalb County account designated for development of the Peachtree Creek Greenway so that the County may facilitate connectivity. Any remainder of the funds not expended by the County in furtherance of the connectivity shall be refunded to the Applicant/Owner. In the event that connectivity is feasible at the time the first C.O. is issued for the subject property/development, the Applicant/Owner shall install the connecting infrastructure to the Greenway. The Applicant/ Owner is not to expend more than \$250,000 in this endeavor. This connectivity is in furtherance of the Countywide Greenway Network and goals of Peachtree Creek Greenway, Inc.
9. If connectivity to the Peachtree Creek Greenway is not installed by the Applicant/Owner as contemplated in condition number 8 above before issuance of the first C.O., then the Applicant/Owner shall provide DeKalb County with any access necessary for the County to do so, in the form of easement(s) or other agreements agreeable to both parties. No C.O.’s shall be issued by the County for the subject property/new development until the Applicant/Owner installs the connectivity itself or provides the County with the escrow funds and any necessary access needed for the County to construct the connection.
10. At least 50% of the bicycle racks required in Section 6.1.17 (Bicycle/Moped Requirements) shall be in a roofed or otherwise covered area.
11. The multifamily residential buildings shall include elevators to the extent required by applicable building code or law.
12. Considering Condition #2 and #3, the building architecture shall adhere to the building material components of Article 5.
13. If the County adopts design architectural design guidelines prior to the development of the subject property, the project shall be subject to these new guidelines.

14. The Applicant/Owner shall provide a summary of anticipated maintenance and ownership of streets, private drives, easements, and open space prior to the issuance of any land development permits.
15. The development shall provide a minimum of 3% of the total parking spaces to be marked as preferred spaces for alternative fuel vehicles and shall provide electric vehicle chargers on four (4) of the preferred spaces.
16. 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 Planning Commission, the Zoning Board of Appeals, or other entity whose decision should be based on the merits of the application under review by each entity.

DEPARTMENT OF PLANNING & SUSTAINABILITY

Chief Executive Officer
Lorraine Cochran-Johnson

Interim Director
Cedric G. Hudson, MCRP

ZONING COMMENTS – JULY 2025

N1-2025-0624 SLUP-25-1247517 (1101 N. Hairston Road): N. Hairston Road is classified as a Major Arterial.

N2-2025-0625 Z-25-1247521 (2381 Snapfinger Road): Snapfinger Road is classified as a local roadway. 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).

N3-2025-0626 SLUP-25-1247527 (5083 Biffle Road): Biffle Road is classified as local. 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). No poles may remain within the limits of the path/sidewalk on any street.

N4-2025-0627 Z-25-1247528 (3803 & 3815 Glenwood Road): Glenwood Road, Roadway classified is Minor Arterial. 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 multiuse path. Requires pedestrian scale streetlights. Farris Drive is classified as local roads. 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).

N5-2025-0628 Z-25-1247529 (3265 Northeast Expressway): Northeast Expressway is classified as a Collector. 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 multiuse path. Requires pedestrian scale streetlights. (hefowler@dekalbcountyga.gov).

N6-2025-0629 Z-25-1247470; and, N7-2025-0630 SLUP-25-1247471 (7566 Union Grove Road): Union Grove Road is classified as a minor arterial. 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 multiuse path. Requires pedestrian scale streetlights. (hefowler@dekalbcountyga.gov).

N8-2025-0631 SLUP-25-1247516 (1816 Enid Drive): Enid Drive is classified as a local roadway.

N9- 2025-0632 SLUP-25-1247522 (3600 Preakness Drive): Preakness Drive is classified as a local roadway.

N10-2025-0633 SLUP-25-1247526 (4106 Creek Court): Creek Court is classified as a local roadway.

N11-2025-0634 SLUP-25-1247530 (2854 Clifton Church Road): Clifton Church Road is classified as a minor arterial.



5/30/2025

To: Mr. John Reid, Senior Planner
From: Ryan Cira, Environmental Health Manager
cc: Alan Gaines, Technical Services Manager
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.

N1-2025-0624 SLUP-25-1247517: 1101 N. Hairston Road, Stone Mountain, GA 30083
Review general comments

N2-2025-0625 Z-25-1247521: 2381 Snapfinger Road, Decatur, Ga 30034
See general comments

N3-2025-0626 SLUP-25-1247527: 5083 Biffle Road, Stone Mountain, GA 30088
See general comments

N4-2025-0627 Z-25-1247528: 3803 & 3815 Glenwood Road, Decatur, GA
See general comments

N5-2025-0628 Z-25-1247529: 3265 Northeast Expressway, Chamblee, GA 30341
See general comments.

N6-2025-0629 Z-25-1247470: 7566 Union Grove Road, Lithonia
Septic system onsite. **Note:** DeKalb Public Health prohibit use of on-site sewage disposal systems for personal care homes with more than six (6) clients.

N7-2025-0630 SLUP-25-1247471: 7566 Union Grove Road, Lithonia, GA 30058
Septic system onsite. **Note:** DeKalb Public Health prohibit use of on-site sewage disposal systems for personal care homes with more than six (6) clients.

N8-2025-0631 SLUP-25-1247516: 1816 Enid Drive, Lithonia, GA 30058
Septic system onsite. **Note:** DeKalb Public Health prohibit use of on-site sewage disposal systems for personal care homes with more than six (6) clients.

N9-2025-0632 SLUP-25-1247522: 3600 Preakness Drive, Decatur, GA 30034
See general comments

N10-2025-0633 SLUP-25-1247526: 4106 Creek Court, Stone Mountain, GA 30083
See general comments

N11-2025-0634 SLUP-25-124753: 2854 Clifton Church Road, Atlanta, GA 30316
See General Comments

N12-2025-0635 TA-25-1247540: 3221 Glenwood Road, Decatur, GA
See general comments

**DeKalb County School District
Development Review Comments**

Analysis Date: 5/15/2025

Submitted to: DeKalb County

Case #: Z-25-1247529

Parcel #: 18 267 01 003

Name of Development: Everstead at Embry Hills

Location: 3265 Northeast Expressway, Chamblee GA 30341

Description: Rezoning request to redevelop the former movie theater property for the development of 192 single-family attached and 120 apartments (312 units total)

Impact of Development: When fully constructed, this development would be expected to generate 41 students: 17 at Henderson Mill Elementary, 8 at Henderson Middle School, 7 at Lakeside High School, 9 at other DCSD schools, and 0 at private school. Currently, enrollment at the high and elementary schools is over capacity and this development may add to the need for redistricting or new capacity.

Current Condition of Schools	Henderson Mill Elementary	Henderson Middle School	Lakeside High School	Other DCSD Schools	Private Schools	Total
Capacity	504	1,590	1,705			
Portables	7	0	11			
Enrollment (Oct. 2024)	539	1,344	2,224			
Seats Available	-35	246	-519			
Utilization (%)	106.9%	84.5%	130.4%			
New students from development	17	8	7	9	0	41
Apartments (120)	6	3	3	2	0	14
Single-Family Attached (192)	11	5	4	7	0	27
New Enrollment	556	1,352	2,231			
New Seats Available	-52	238	-526			
New Utilization	110.3%	85.0%	130.9%			

Apartments: Student Calculations				
Yield Rates	Attend Home School	Attend other DCSD School	Private School	Total
Elementary	0.0464	0.0056	0.0009	0.0734
Middle	0.0238	0.0038	0.0009	0.0422
High	0.0266	0.0040	0.0009	0.0243
Total	0.1007	0.0392	0.0000	0.1399
Proposed Units	120			
Unit Type	APT			
Cluster	Lakeside High School			
Units x Yield	Attend Home School	Attend other DCSD School	Private School	Total
Elementary	5.56	0.68	0.11	6.35
Middle	2.86	0.45	0.10	3.41
High	3.20	0.48	0.11	3.79
Total	11.62	1.61	0.32	13.55
Anticipated Students	Attend Home School	Attend other DCSD School	Private School	Total
Henderson Mill Elementary	6	1	0	7
Henderson Middle School	3	0	0	3
Lakeside High School	3	1	0	4
Total	12	2	0	14

Single-family, Attached: Student Calculations				
Yield Rates	Attend Home School	Attend other DCSD School	Private School	Total
Elementary	0.0556	0.0179	0.0000	0.0734
Middle	0.0243	0.0179	0.0000	0.0422
High	0.0208	0.0035	0.0000	0.0243
Total	0.1007	0.0392	0.0000	0.1399
Proposed Units	192			
Unit Type	TH			
Cluster	Lakeside High School			
Units x Yield	Attend Home School	Attend other DCSD School	Private School	Total
Elementary	10.67	3.43	0.00	14.10
Middle	4.67	3.43	0.00	8.10
High	4.00	0.67	0.00	4.67
Total	19.34	7.53	0.00	26.87
Anticipated Students	Attend Home School	Attend other DCSD School	Private School	Total
Henderson Mill Elementary	11	3	0	14

Henderson Middle School	5	3	0	8
Lakeside High School	4	1	0	5
Total	20	7	0	27



**DEKALB COUNTY GOVERNMENT
PLANNING DEPARTMENT
DISTRIBUTION FORM**

**NOTE: PLEASE RETURN ALL COMMENTS VIA EMAIL TO EXPEDITE THE PROCESS TO JOHN REID jreid@dekalbcountyga.gov AND/OR LASONDRA HILL lahill@dekalbcountyga.gov
3265 Northeast Expressway, Chamblee, GA 30341**

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

DEVELOPMENT ANALYSIS:

- Transportation/Access/Row

- Storm Water Management

Stormwater management is required for this project, either infiltration trench or pond.

- Flood Hazard Area/Wetlands

The parcel includes floodplain area, if the development extends to floodplain area no rise study is required.

- Landscaping/Tree Preservation

- Tributary Buffer

25-50-75 feet stream buffer needs to be maintained.

- **Fire Safety**



**DEKALB COUNTY GOVERNMENT
PLANNING DEPARTMENT
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**REZONE
COMMENTS FORM:**

PUBLIC WORKS ROAD AND DRAINAGE

Case No.: Z-25-1247529 Parcel I.D. #: 18 267 01 003

Address: 3265 Northeast Expressway Chamblee, GA 30341

Drainage Basin: North Fork Peachtree Creek

Upstream Drainage Area: N/A

Percent of Property in 100-Year Floodplain: 50%

Impact on property (flood, erosion, sedimentation) under existing zoning: Flood, erosion and sedimentation may take place in the floodplain on the property.

Required detention facility(s): Yes

COMMENTS:

The rezoning application for the proposed development may be approved,
provided there were protections for environmentally sensitive areas on the property.
No encroachment shall be allowed into the floodway on the property. Adequate
structural and non-structural BMPs shall be employed with good consideration for
green infrastructure/low impact development.

Signature: Akin A. Akinsola



**DEKALB COUNTY
GOVERNMENT PLANNING
DEPARTMENT DISTRIBUTION
FORM**

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

**COMMENTS FORM:
PUBLIC WORKS TRAFFIC ENGINEERING**

Case No.: Z-25-1247529 Parcel I.D. #s: 18-267-01-003
Address: 3265 Northeast Express way, Chamblee, Ga 30341

Adjacent Roadway (s):

(classification) (classification)

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

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

Please provide additional information relating to the following statement.

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

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

COMMENTS: Plans and Field reviewed. No problem That
would interfere with Traffic Flow.

Signature: _____

Jerry White



**DEKALB COUNTY
GOVERNMENT PLANNING
DEPARTMENT DISTRIBUTION
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**COMMENTS FORM:
PUBLIC WORKS WATER AND SEWER**

Case No.: Z-25-1247529 Parcel I.D. #: 18 267 01 003

Address: 3265 N East Expressway Pkwy

WATER:

Size of existing water main: 8" CI (adequate/inadequate)

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

SEWER:

Outfall Servicing Project: North Fork Peachtree Creek

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

Water Treatment Facility: ATL adequate _____ inadequate _____

Sewage Capacity: 40 (MGPD) Current Flow: 36 (MGPD)

COMMENTS:

The rezoning application for the proposed development may be approved,
provided there were protections for environmentally sensitive areas on the property.
No encroachment shall be allowed into the floodway on the property. Adequate
structural and non-structural BMPs shall be employed with good consideration for
green infrastructure/low impact development.

Signature: Yola Lewis



MARTA July 2025 Case Comments
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N5-2025-0628 Z-25-1247529 2381 Snapfinger Road, Decatur, GA 30034

This property is adjacent to MARTA bus routes on nearby Rainbow Rd and Wesley Chappel Rd. Development should include pedestrian connectivity to these routes.

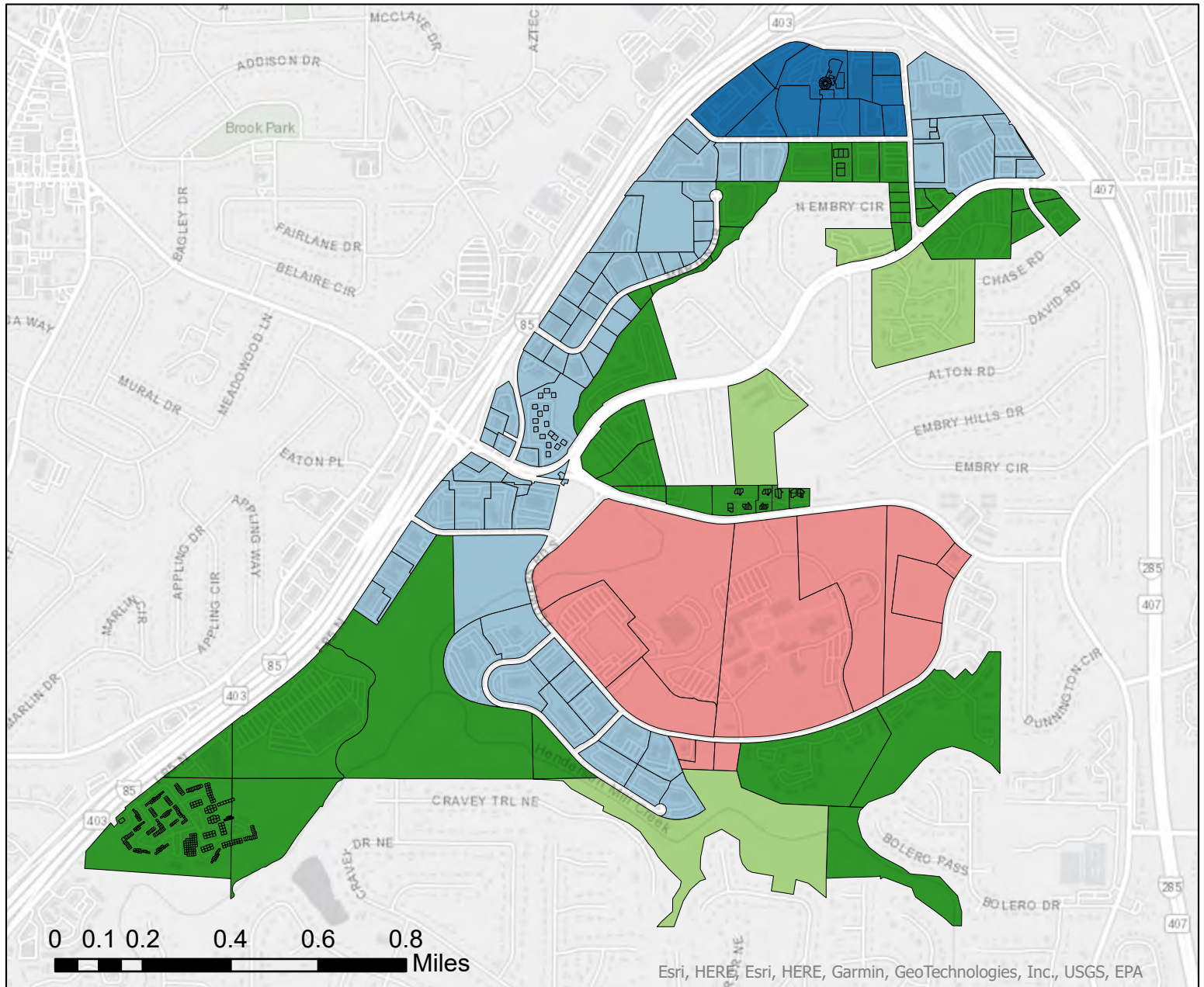
N4-2025-0627 Z-25-1247528 3803 & 3815 Glenwood Road, Decatur, GA 30032

MARTA supports this rezoning due to proximity to transit access on Glenwood Rd. The constructed development should include direct pedestrian access to Glenwood Rd to ensure residents can take advantage of transit services and should coordinate with MARTA during design.

N5-2025-0628 Z-25-1247529 3265 NE Expressway, Chamblee, GA 30341

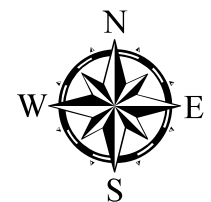
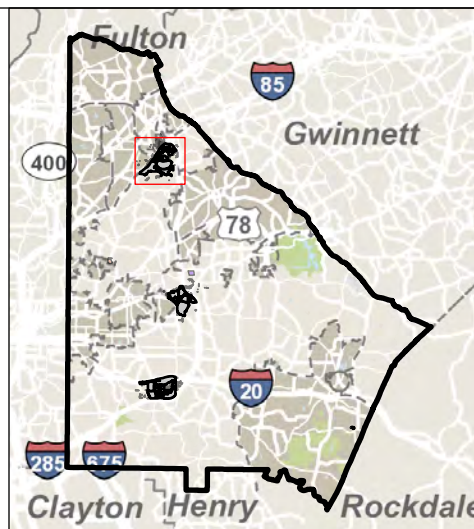
MARTA supports this rezoning as this project is located adjacent to MARTA service. However, it is critical that the developer accommodate direct pedestrian access to Northeast Expressway frontage so that residents can access transit service. Developer should coordinate with MARTA to place amenity pad.

Presidential Parkway Regional Center Supplemental Land Use Recommendations 2050 Unified Plan



Future Land Use Category

- Center Core**
- Outer Core**
- Institutional**
- Edge 1 (Bordering Residential)**
- Edge 2 (Residential)**



Map Prepared by:
Long Range Planning
DeKalb County Planning & Sustainability Department

Land Use and Re-Zoning Guidance

The *Presidential Parkway Regional Center* is new to the *2050 Unified Plan*. This means that once the 2050 Plan is adopted, then DeKalb will complete a Small Area Plan (SAP) for the area. As this SAP will take more time to complete, some future land use planning framework is needed in the meantime to help set development expectations in that area. This document is intended offer that interim guidance.

Area A - Center Core

Uses: This is the central portion of the Regional Center and should become a mix of high intensity office, medical services, multi-family residential and retail uses. In a broad sense it should become a walkable employment center served by transit. Retail should be incorporated within mixed use buildings and developments. Single-use, stand-alone retail is discouraged. In addition, the area is suitable for research and development facilities and high-density senior facilities.

Density: No density limits in this area. This is consistent with the Regional Center character area of the comprehensive plan. High density senior buildings should be near medical offices and shopping districts. Senior residential towers are best suited in areas where they do not dominate the views of single-family homes or create proportions that are out of scale with adjacent single-family homes.

Building Height: New buildings within the Center Core should be a minimum of 8 stories tall. Taller buildings are permitted if useful open space is provided and if buffers are provided to avoid overshadowing adjacent single-family homes.

Area B – Outer Core

Uses: This area should be a mix of lower-intensity office space, retail, and multi-family residential. Uses in these space should be flexible to meet the regional center's needs, but generally taper off in intensity as you get further from the Center Core and closer to residential neighborhoods.

Density: A density up to 30 units per acre is allowed here, in line with *Commercial Redevelopment Corridor* character area in the 2050 Unified Plan.

Building Height: The permitted height of new buildings within the Outer Core is up to 8 stories tall.

Area C - Institutional

Uses: This area encompasses the current Mercer University Campus. Development in this area will largely be left up to the discretion of the school.

Density: No density limit, as we need to allow the school flexibility to meet its own student housing needs.

Area C - Institutional

Uses: This area encompasses the current Mercer University Campus. Development in this area will largely be left up to the discretion of the school.

Density: No density limit, as we need to allow the school flexibility to meet its own student housing needs.

Building Height: A maximum height of 8 stories should allow the institution to meet its needs without overshadowing adjacent neighborhoods. Parking decks should be largely hidden from the surrounding neighborhoods. Limited buffers may be required when single family homes are adjacent to new medium density development.

Density: A maximum density of 24 dwelling units per acre is preferred, as it should provide a transition zone into the existing residential area.

Building Height: A maximum of 4-stories is the preferred height.

Area E – Edge 2 (Residential)

Uses: These are existing multi-family residential parcels that should be continued to be used as such.

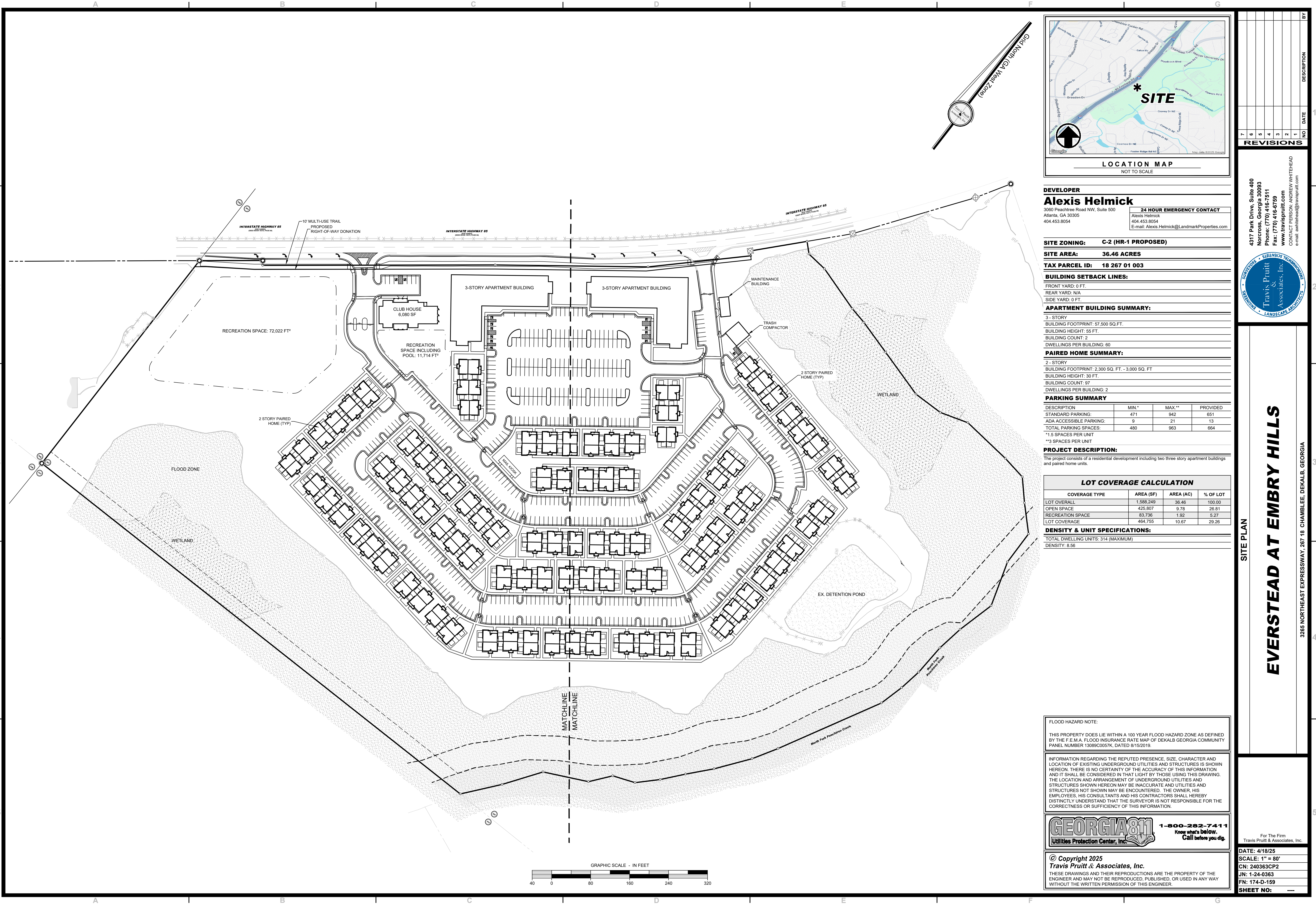
Density: A maximum density of 12 dwelling units per acre are preferred.

Building Height: A maximum of 3-stories is the preferred height of buildings in this area.

Area D – Edge1 (Bordering Residential)

Uses: Parcels in this area border existing single-family parcels, and as such should be used for smaller multi-family residential developments. Some lower-intensity commercial or mixed-use may be permitted if the uses do not disturb adjacent homes.

Sub-Area Districts	Primary Land Use	Density (du/ac)	Stories (max)
A. Center	Office Mixed Use	n/a	n/a
B. Outer Core	Office Industrial Mixed Use	30	8 Stories
C. Institutional	Higher Education	n/a	8 Stories
D. Edge 1	Multi-family Mixed Use	24	4 Stories
E. Edge 2	Multi-family	12	3 stories



DEVELOPER
Alexis Helmick
3080 Peachtree Road NW, Suite 500
Atlanta, GA 30305
404.453.8054

24 HOUR EMERGENCY CONTACT
Alexis Helmick
404.453.8054
E-mail: Alexis.Helmick@LandmarkProperties.com

SITE ZONING: C-2 (HR-1 PROPOSED)
SITE AREA: 36.46 ACRES
TAX PARCEL ID: 18 267 01 003
BUILDING SETBACK LINES:
FRONT YARD: 0 FT.
REAR YARD: N/A
SIDE YARD: 0 FT.

APARTMENT BUILDING SUMMARY:
3 - STORY
BUILDING FOOTPRINT: 57,500 SQ. FT.
BUILDING HEIGHT: 55 FT.
BUILDING COUNT: 2
DWELLINGS PER BUILDING: 60

PAIRED HOME SUMMARY:
2 - STORY
BUILDING FOOTPRINT: 2,300 SQ. FT. - 3,000 SQ. FT.
BUILDING HEIGHT: 30 FT.
BUILDING COUNT: 97
DWELLINGS PER BUILDING: 2

PARKING SUMMARY

DESCRIPTION	MIN.*	MAX.**	PROVIDED
STANDARD PARKING:	471	942	651
ADA ACCESSIBLE PARKING:	9	21	13
TOTAL PARKING SPACES:	480	963	664
*1.5 SPACES PER UNIT			
**3 SPACES PER UNIT			

PROJECT DESCRIPTION:
The project consists of a residential development including two three story apartment buildings and paired home units.

LOT COVERAGE CALCULATION			
COVERAGE TYPE	AREA (SF)	AREA (AC)	% OF LOT
LOT OVERALL	1,588,249	36.46	100.00
OPEN SPACE	425,807	9.78	26.81
RECREATION SPACE	83,736	1.92	5.27
LOT COVERAGE	464,755	10.67	29.26

DENSITY & UNIT SPECIFICATIONS:
TOTAL DWELLING UNITS: 314 (MAXIMUM)
DENSITY: 8.56

FLOOD HAZARD NOTE:
THIS PROPERTY DOES LIE WITHIN A 100 YEAR FLOOD HAZARD ZONE AS DEFINED BY THE F.E.M.A. FLOOD INSURANCE RATE MAP OF DEKALB GEORGIA COMMUNITY PANEL NUMBER 13089C0057K, DATED 8/15/2019.

INFORMATION REGARDING THE REPUTED PRESENCE, SIZE, CHARACTER AND LOCATION OF EXISTING UNDERGROUND UTILITIES AND STRUCTURES IS SHOWN HEREON. THERE IS NO CERTAINTY OF THE ACCURACY OF THIS INFORMATION AND IT SHALL BE CONSIDERED IN THAT LIGHT BY THOSE USING THIS DRAWING. THE LOCATION AND ARRANGEMENT OF UNDERGROUND UTILITIES AND STRUCTURES SHOWN HEREON MAY BE INACCURATE AND UTILITIES AND STRUCTURES NOT SHOWN MAY BE ENCOUNTERED. THE OWNER, HIS EMPLOYEES, HIS CONSULTANTS AND HIS CONTRACTORS SHALL HEREBY DISTINCTLY UNDERSTAND THAT THE SURVEYOR IS NOT RESPONSIBLE FOR THE CORRECTNESS OR SUFFICIENCY OF THIS INFORMATION.

GEORGIA811
Utilities Protection Center, Inc.
1-800-282-7411
Know what's below.
Call before you dig.

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CONTACT PERSON: ANDREW WHITEHEAD
e-mail: awhitehead@travispruit.com

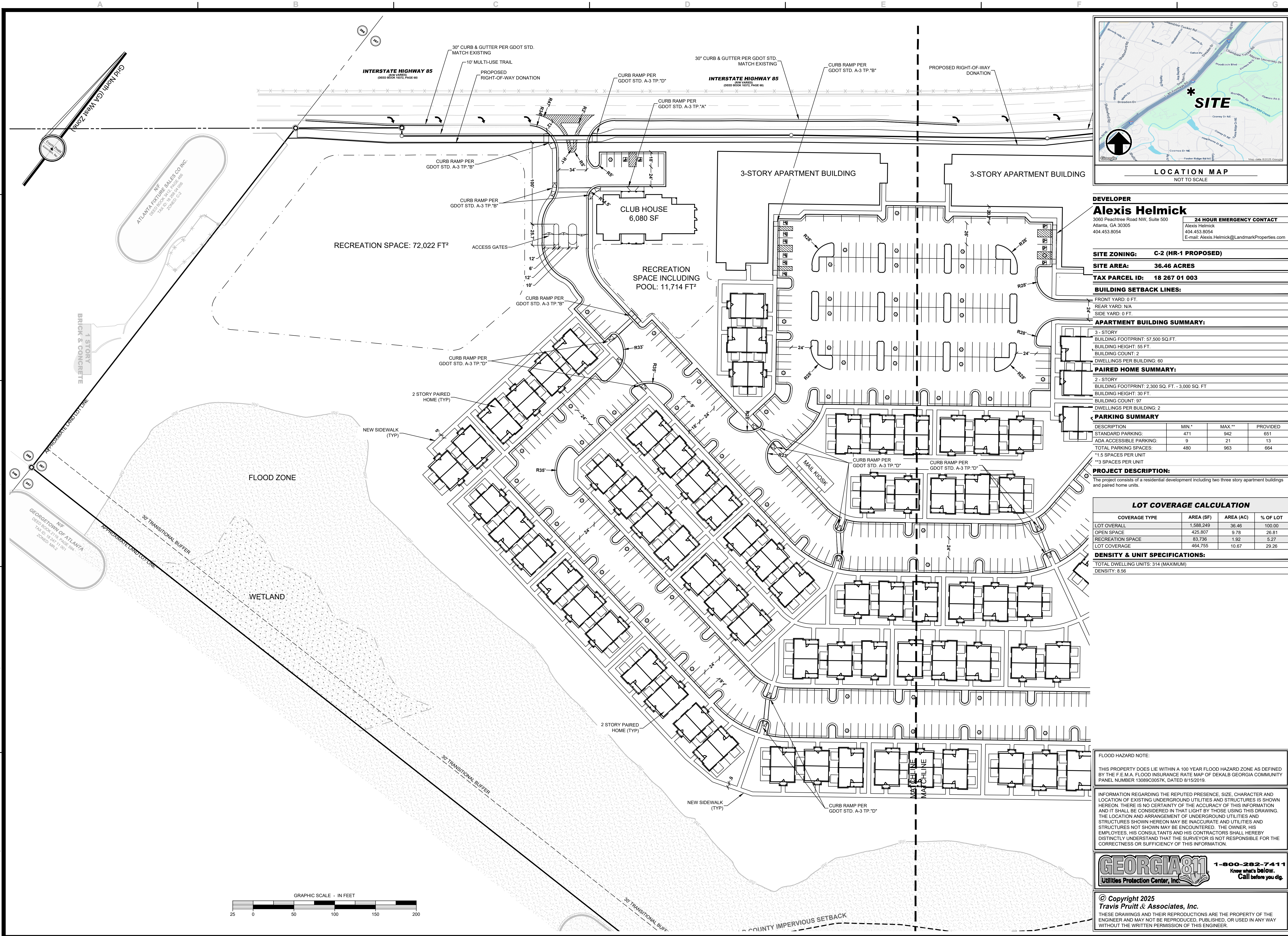


EVERSTEAD AT EMBRY HILLS

3265 NORTHEAST EXPRESSWAY, 267 18 CHAMBLEE DEKALB, GEORGIA

SITE PLAN

For The Firm
Travis Pruitt & Associates, Inc.
DATE: 4/18/25
SCALE: 1" = 80'
CN: 240363CP2
JN: 1-24-0363
FN: 174-D-159
SHEET NO:



DEVELOPER
Alexis Helmick
3060 Peachtree Road NW, Suite 500
Atlanta, GA 30305
404.453.8054

24 HOUR EMERGENCY CONTACT
Alexis Helmick
404.453.8054
E-mail: Alexis.Helmick@LandmarkProperties.com

SITE ZONING: C-2 (HR-1 PROPOSED)
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FRONT YARD: 0 FT.
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CONTACT PERSON: ANDREW WHITEHEAD
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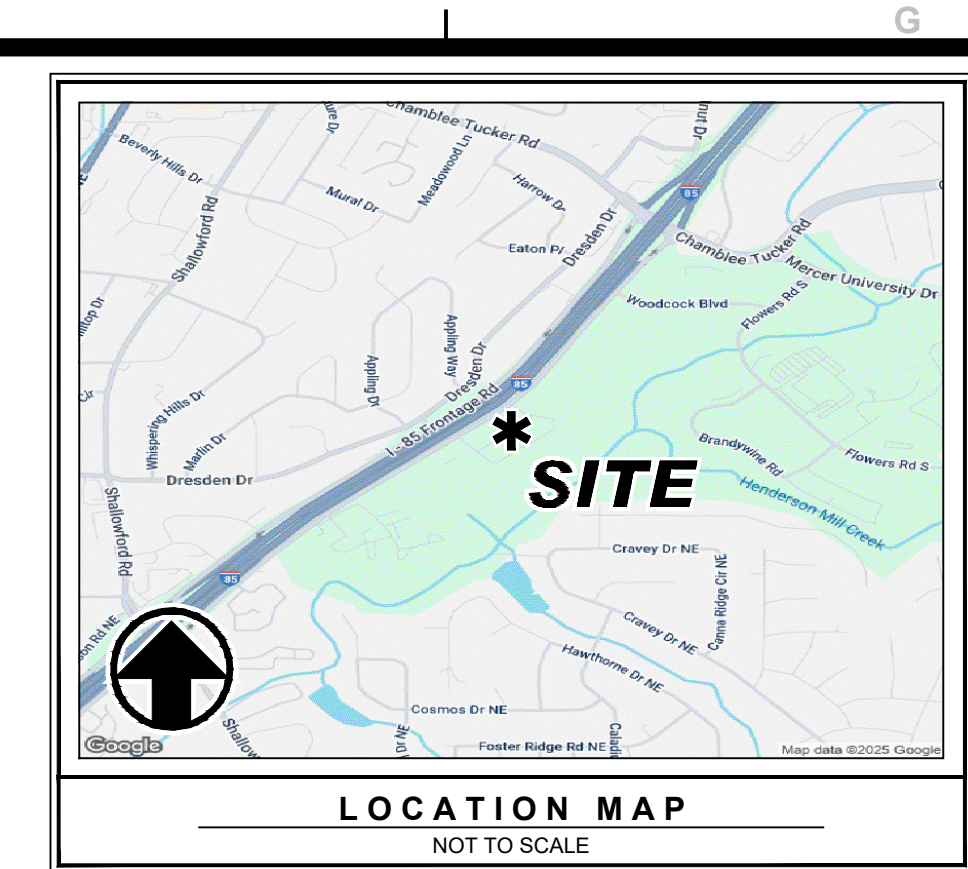
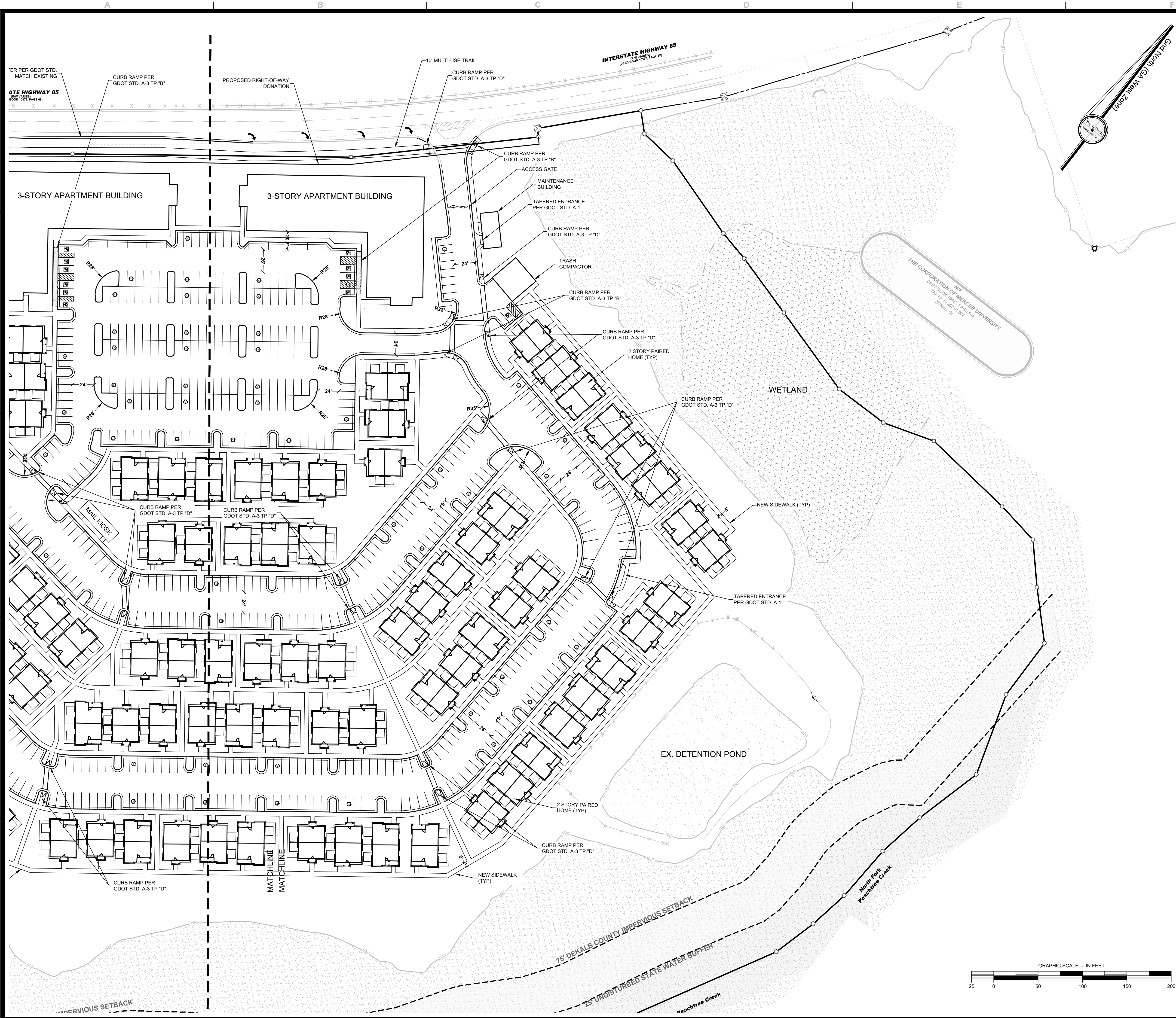
SITE PLAN 1

EVERSTEAD AT EMBRY HILLS

3265 NORTHEAST EXPRESSWAY, 267 18 CHAMBLEE DEKALB, GEORGIA

DATE: 4/18/25
SCALE: 1" = 80'
CN: 240363CP2
JN: 1-24-0363
FN: 174-D-159
SHEET NO: 1

DESCRIPTION



DEVELOPER
Alexis Helmick
3060 Peachtree Road NW, Suite 500
Atlanta, GA 30305
404.453.8054

24 HOUR EMERGENCY CONTACT
Alexis Helmick
404.453.8054
E-mail: Alexis.Helmick@LandmarkProperties.com

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REVISIONS

NO	DATE	DESCRIPTION
1		
2		
3		
4		
5		
6		
7		

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Norcross, Georgia 30093
Phone: (770) 416-7511
Fax: (770) 416-6759
www.travispruit.com
CONTACT PERSON: ANDREW WHITEHEAD
e-mail: awhitehead@travispruit.com

SITE PLAN 2

EVERSTEAD AT EMBRY HILLS

3265 NORTHEAST EXPRESSWAY, 267 18 CHAMBLEE DEKALB, GEORGIA

For The Firm
Travis Pruitt & Associates, Inc.

DATE: 4/18/25
SCALE: 1" = 80'
CN: 240363CP2
JN: 1-24-0363
FN: 174-D-159
SHEET NO: ---

D:\Civil 3D Projects\240363\Engineering\CAD\Drawings\240363CP2.dwg, Site Plan 2, cramsey, Jun. 11, 25 4:52:01 PM, 1:1

troutman.com

Jessica L. Hill
jessica.hill@troutman.com

June 12, 2025

DeKalb County Government Service Center
c/o Department of Planning and Sustainability
178 Sams Street
Decatur, Georgia 30030

RE: Letter of Application for 3265 Northeast Expressway

Dear Department of Planning and Sustainability,

The property at 3265 Northeast Expressway, Chamblee, Georgia 30341, is currently improved with a vacant movie theater complex previously known as the Regal Hollywood 24 theater. The total site area is 36.46 acres and the property is zoned C-2 (General Commercial) district. The proposal in this Application is to rezone the property to the HR-1 (High Density Residential-1) district.

The rezoning will allow the development of a multi-family residential development including two three story apartment buildings and paired home units which are in the style of single-family attached homes. A maximum of 314 dwelling units are proposed. Parking for the development will be accommodated by a surface parking lot behind the apartment buildings and surface parking spaces adjacent to the paired home units. The development will include residential amenities such as a clubhouse, a pool, and open space. The development will largely be constructed in the areas already paved for the existing movie theater complex thereby limiting the area of disturbance as much as possible.

Also enclosed with this letter of application are the impact analysis, as well as the appeal rights reservation required under Georgia law.

Thank you for your consideration of this application.

Sincerely,



Jessica L. Hill

Enclosures

Preservation of Rights

To preserve the rights of the applicant with respect to the subject property under Georgia law, this Application includes the following statements.

Denial of this Application or approval of this Application with conditions unacceptable to the Applicant would be unconstitutional in that it would unreasonably impair and destroy the Applicant's property rights without first paying fair, adequate and just compensation for such rights, in violation of 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 the Due Process Clause of the Fourteenth Amendment to the Constitution of the United States.

Denial of this Application or approval of this Application with conditions unacceptable to the Applicant would also be 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, by denying the Applicant an economically viable use of its land while not substantially advancing legitimate state interests.

Denial of this Application or approval of this Application with conditions unacceptable to the Applicant would constitute an unreasonable and extreme hardship upon the Applicant, without remotely advancing the public health, safety and welfare and would constitute an arbitrary and capricious act by the DeKalb County Board of Commissioners without any rational basis therefore, constituting an abuse of discretion in violation of 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 the Due Process Clause of the Fourteenth Amendment to the Constitution of the United States.

Denial of this Application or approval of this Application with conditions unacceptable to the Applicant by the DeKalb County Board of Commissioners would also violate the Applicant's rights under the First Amendment to the Constitution of the United States and would unconstitutionally discriminate, in an arbitrary, capricious and unreasonable manner, between the Applicant and owners of other similarly situated properties in DeKalb County 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.

Impact Analysis

1. Is the zoning proposal in conformity with the policy and intent of the Comprehensive Plan?

The comprehensive development plan indicates that the property has a Regional Center future land use designation. The Regional Center designation promotes density by including the highest intensity residential facilities allowed within DeKalb County. The areas within the Regional Center designation also have on-site parking, high floor-area-ratios, and large tracts of land. The preferred uses within the Regional Center designation include both townhomes and apartments and HR-1 is a permitted zoning. The property is also within the Presidential Parkway Regional Center and specifically Area D, Edge 1 (Bordering Residential). According to the comprehensive development plan, parcels in this area should be used for smaller multi-family residential developments with a preferred maximum density of 24 dwelling units per acre and a preferred maximum height of four stories. Development on parcels in this area should also provide a transition zone into the existing residential area. The proposed use of the property to construct a multi-family residential development including two three story apartment buildings and paired home units is consistent with the policy and intent of the comprehensive plan. The development will have a maximum of 314 dwelling units and will provide a transitional zone to the nearby residential area.

2. Will the zoning proposal permit a use that is suitable in view of the use and development of adjacent and nearby properties?

To the north and east of the property is a primarily wooded property that is owned by Mercer University. Just further north past this wooded property is 3355, 3375, and 3395 Northeast Expressway which were rezoned from OI (Office-Institutional) to HR-3 (High-Density Residential-3) in 2023 to redevelop the properties for four story multi-family buildings. To the west, the property both fronts on Northeast Expressway and is adjacent to the Atlanta Fixture property at 3185 Northeast Expressway. To the south is a condominium development at 2576 Colonial Way. To the southeast are single-family neighborhoods which are separated from the property by the North Fork Peachtree Creek and the associated stream buffer. The proposal is suitable in view of the mix of uses both adjacent to and nearby the property.

3. Does the property to be affected by the zoning proposal have a reasonable economic use as currently zoned?

The property currently contains the vacant Regal Hollywood 24 movie theater complex. While a redevelopment of the property may be possible under the current zoning, a development of a different type and scale than that allowed by the current C-2 zoning is more appropriate based on market conditions, the scale of surrounding development and environmental features on the property. The location of the property, coupled with the abutting uses and the trend of development in the area suggest the current zoning and market demand is misaligned. As a result, the economics of the property are impaired.

4. Will the zoning proposal adversely affect the existing use or usability of adjacent or nearby properties?

The zoning proposal contemplates replacing a vacant movie theater complex with an active development with a mix of residential uses. As redevelopment continues along Northeast Expressway, this development will continue to activate the area. As noted above, the majority of

the land uses proposed already exist or are proposed to be developed on adjacent and nearby properties. The proposal will not adversely affect the existing use or usability of adjacent or nearby property.

5. Are there 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?

With the mix of residential uses both existing and proposed along Northeast Expressway, the proposed development is consistent with existing conditions in the area. Further, two of the goals of the comprehensive development plan are to encourage reinvestment or redevelopment of commercial corridors including the introduction of residential or other new uses to these areas and encourage more diverse housing and development types to meet the changing needs of residents and communities. This proposed development will accomplish these goals.

6. Will the zoning proposal adversely affect historic building, sites, districts, or archaeological resources?

There are no historic buildings, sites, districts, nor are there archeological resources impacted by redevelopment of the property as proposed by this application.

7. Will the zoning proposal result in a use which would or could cause excessive or burdensome use of existing streets, transportation facilities, utilities, or schools?

The change in zoning will not cause an excessive or burdensome use of existing streets, transportation facilities or utilities. Generally, the property will be accessed from Northeast Expressway which is an I-85 frontage road which has capacity to support the project. The applicant will work with DeKalb County to ensure that all necessary utilities are available to the site and no undue burden on them is identified. While the change to add residential use may impact schools, it is not expected to be overly burdensome based on the type of mix of multi-family units proposed.

8. Will the zoning proposal adversely impact the environment or surrounding natural resources?

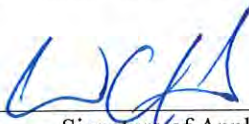
A significant portion of the perimeter of the property includes wetlands, floodplain and a stream. The proposed development will utilize the footprint of the currently existing surface parking lot and vacant movie theater building. This will help limit the disturbance area of the proposed development and impact on the surrounding natural features. Further, the development will adhere to all applicable state and county environmental regulations including the stream buffer regulations preserving the North Fork Peachtree Creek waterway. Conversion of the zoning from a commercial designation to a residential designation accommodates a use that is less impactful on the environment than a commercial use would be. The proposal will not adversely impact the environment or surrounding natural resources.

**Rezoning Application to Amend the Official Zoning Map
of DeKalb County, Georgia**Applicant Name: LMPSP Acquisitions, LLC (c/o Troutman Pepper Locke LLP)Applicant Email Address: alexis.helmick@landmarkproperties.comApplicant Mailing Address: 3060 Peachtree Road, NW, Suite 500, Atlanta, GA 30305Applicant Phone Number: (404) 453-8054Owner Name: Realty Income Corporation

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

Owner Email Address: jcouvillion@realtyincome.comOwner Mailing Address: 11995 El Camino, San Diego, CA 92310Owner Phone Number: 1-800-375-6700Subject Property Address: 3265 Northeast Expressway, Chamblee, GA 30341Parcel ID Number(s): 18 267 01 003Acreage: 36.46 Commission District(s): 1 Super District: 7Existing Zoning District(s): C-2 Proposed Zoning District(s): HR-1Existing Land Use Designation(s): Regional Center Proposed Land Use Designation(s): (no change) (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: X

Signature of Applicant: _____

Jonathan Futrell
D 404.885.3724
jonathan.futrell@troutman.com

March 21, 2025

VIA: U.S. MAIL

RE: Notice of Rezoning Application Community Meeting – Regal Cinemas Site

Dear Neighbor,

My client, LMPSP Acquisitions, LLC, is planning to apply for a rezoning of the former Regal Cinemas property located at 3265 Northeast Expressway, Chamblee, Georgia 30341. As a part of the rezoning process, we are hosting a virtual pre-application meeting and you are invited to attend. You are receiving this notice because you (1) own property within five hundred (500) feet of the Property, (2) are a representative of an HOA, community group, or stakeholder in DeKalb County District 1, or (3) are a member of the DeKalb County Community Council District 1. The proposal is to rezone the property from C-2 to HR-1 to construct a residential development including two four story multi-family residential buildings and single-family attached dwelling units.

The meeting will occur on Tuesday, April 8, 2025, at 5:30 PM. The meeting can be accessed by (1) using the link provided below or (2) going to www.zoom.com and clicking on "Meet" and "Join a Meeting" and filling in the Meeting ID and Passcode provided below:

Link: <https://zoom.us/j/91938962877?pwd=0fGyF6J9LvF7luSAoy4yDhqDrUklba.1>
Meeting ID: 919 3896 2877
Passcode: 525275

If you would like more information, feel free to contact me at (404) 885-3724 or at jonathan.futrell@troutman.com. We look forward to seeing you on April 8th.

Sincerely,



Jonathan Futrell



Certificate of Mailing — Firm

Name and Address of Sender Jonathan Futrell, Esq. Troutman Pepper Locke LLP 600 Peachtree Street NE, Suite 3000 Atlanta, GA 30308		TOTAL NO. of Pieces Listed by Sender 6	TOTAL NO. of Pieces Received at Post Office™ 6	Affix Stamp Here Postmark with Date of Receipt.  quadiant CORRECTION IMI \$013.20 ¹⁰ 03/21/2025 ZIP 30308 043M31244940 		
		Postmaster, per (name of receiving employee) 				
USPS® Tracking Number Firm-specific Identifier	Address (Name, Street, City, State, and ZIP Code™)		Postage	Fee	Special Handling	Parcel Airlift
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2.	Donna Pittman Doraville City Hall, 3725 Park Avenue Doraville, GA 30340					
3.	J. Max Davis 200 Ashford Center North, Suite 150 Atlanta, GA 30338					
4.	Luke Howe 3725 Park Avenue Doralville, GA 30340					
5.	Michael Bauer 3510 Shallowford Road NE Atlanta, GA 30341					
6.	Winsome Pottinger 1739 Pleasant Hill Trail Lithonia, GA 30058					

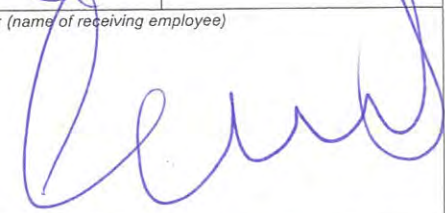


Certificate of Mailing — Firm

Name and Address of Recipient Jonathan Futrell, Esq. Troutman Pepper Locke LLP 600 Peachtree Street NE, Suite 3000 Atlanta, GA 30308		TOTAL NO. of Pieces Listed by Sender <i>6</i>	TOTAL NO. of Pieces Received at Post Office™ <i>6</i>	Affix Stamp Here Postmark with Date of Receipt.  		
		Postmaster, per (name of receiving employee) <i>[Signature]</i>				
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1.	Adele Clements 3510 Shallowford Road NE Atlanta, GA 30341					
2.	Aileen DelaTorre 2407 Sherbrooke Drive, NE Atlanta, GA 30345					
3.	Arahn Hawkins 2175 Parklake Drive Atlanta, GA 30345					
4.	Chaiwon Kim 3510 Shallowford Road Atlanta, GA 30341					
5.	Chris Woods 5025 New Peachtree Rd Chamblee, GA 30341					
6.	Eric Clarkson 5468 Peachtree Road Chamblee, GA 30341					



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1.	Edgar Tingley 3668 Prestwick Drive Tucker, GA 30084				
2.	Jeffrey Thompson 1155 Mount Vernon Highway, Ste: 800 Atlanta, GA 30338				
3.	Kelley McManaman 3301 Chase Road Chamblee, GA 30341				
4.	Kathy Glenn 1785 South Johnson Ferry Road Brookhaven, GA 30319				
5.	Michael Smith 41 Perimeter Center East Dunwoody, GA 30346				
6.	Bruce Penn 4228 First Avenue Suite 7 Tucker, GA 30084				



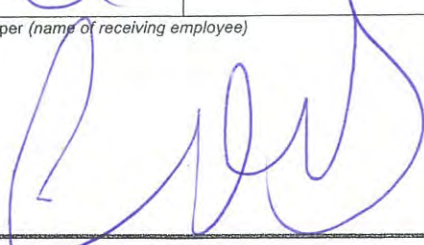
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1.	Leslie Richardson P.O. Box 1916 Tucker, GA 30085				
2.	Russ Jamieson 3376 Arbor Ridge Ct. Atlanta, GA 30340				
3.	Sandy Murray 3212 Saybrook Drive NE Atlanta, GA 30319-2422				
4.	Victoria Huynh 3510 Shallowford Road NE Atlanta, GA 30341				
5.	Yvonne Williams Perimeter Community Improvement Districts (PCIDs), One Ravinia Drive- Building One Suite 1125 Atlanta, GA 30346				
6.	Art Hansen 2494 Brookdale Drive NE Atlanta, GA 30345				



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1.	Frances Chang 834 Inman Village Parkway Ste 150 Atlanta, GA 30307					
2.	Vicki Hood 3154 Chamblee Tucker Rd Atlanta, GA 30341					
3.	Chris Hester 3511 Summitridge Drive Atlanta, GA 30340					
4.	GEORGETOWN OF ATLANTA 3069 COLONIAL WAY CHAMBLEE, GA 30341					
5.	MAXIM ZAITSEV 1929 NOBLIN WOODS TRL DULUTH, GA 30341					
6.	HOLLY GULBRANSON 3119 COLONIAL WAY # A ATLANTA, GA 30341					



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1.	LEE MAPLES 111 LEE ROAD 914 VALLEY, AL 30341					
2.	BRITTANY BISHOP 3119 COLONIAL WAY # C ATLANTA, GA 30341					
3.	VALENTINA G SHCHEGOLEVA 3119 COLONIAL WAY UNIT D ATLANTA, GA 30341					
4.	XIAOCHUN PENG 3338 N CREST RD APT D DORAVILLE, GA 30341					
5.	RLW PROPERTY RENTALS LLC 1046 Eden AVE SE ATLANTA, GA 30341					
6.	MICHELE OSBORNE 3119 COLONIAL WAY # G CHAMBLEE, GA 30341					



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1.	TIMOTHY DAY PO BOX 941186 ATLANTA, GA 30341				
2.	MATTHEW AURELIO SANDOVAL P O BOX 941186 ATLANTA, GA 30341				
3.	JOOF DORET B SIMPSON 2099 DILLARD XING LOT 102 TUCKER, GA 30341				
4.	EMILY BOSS 3117 COLONIAL WAY # A ATLANTA, GA 30341				
5.	J GERMAN FLORES 2166 DERING CIR NE ATLANTA, GA 30341				
6.	RICHARD S PRICE 3117 COLONIAL WAY # C CHAMBLEE, GA 30341				



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2.	JOHN P GARDNER 3117 COLONIAL WAY # E CHAMBLEE, GA 30341				
3.	RONALD J ATKINS 3117 COLONIAL WAY # F CHAMBLEE, GA 30341				
4.	THOMAS K YORK 312 WESTMINISTER LN SW LILBURN, GA 30341				
5.	ELENA S CORDEIRO 3372 ARBOR RIDGE CT ATLANTA, GA 30341				
6.	CHOUDHURY SALEKIN 3091 COLONIAL WAY APT A2 ATLANTA, GA 30341				



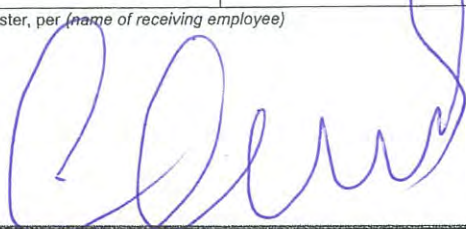
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1.	RAJ TANDON 1010 VINTAGE CLUB DR JOHNS CREEK , GA 30341				
2.	CONRHONDA BAKER 3117 COLONIAL WAY CHAMBLEE , GA 30341				
3.	DJ FAIRINGTON LLC 4607 STURGEON DR SEBRING , FL 30341				
4.	BOY97COT INC 967 OAKWOOD CHASE CIR STONE MOUNTAIN , GA 30341				
5.	TRACEY A WILLIAMS 3117 COLONIAL WAY # N CHAMBLEE , GA 30341				
6.	STANLEY VANSANT 1871 JOPPA LN TUCKER , GA 30341				

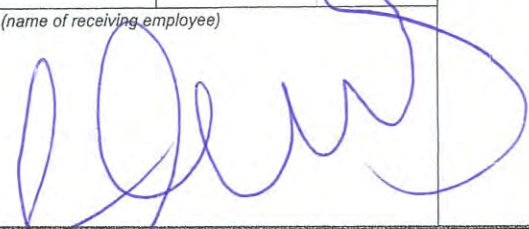


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1.	MICHAEL K LANDERS 2918 MARLIN CIR ATLANTA, GA 30341				
2.	PROSPERITY NOMINAL TRUST TRUSTEE 5055 MEMORIAL DR UNIT A-233 STONE MOUNTAIN, GA 30341				
3.	KRUSKO BRYAN MITCHELL LIVING TRUST 3115 COLONIAL WAY ATLANTA, GA 30341				
4.	SON PHAM 3115 COLONIAL WAY # E ATLANTA, GA 30341				
5.	DEBORAH A STRICKLAND 3115 COLONIAL WAY # G CHAMBLEE, GA 30341				
6.	KAREN ELIZABETH WIEGMAN 3115 COLONIAL WAY UNIT H ATLANTA, GA 30341				



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1.	COLLECTIVE LLC TANLI 702 OAKVIEW RD DECATUR, GA 30341				
2.	J AND M MAIN STREET LLC 2355 MIDVALE CIR TUCKER, GA 30341				
3.	SAHIR KAZMI 3111 COLONIAL WAY UNIT C ATLANTA, GA 30341				
4.	JASON MATTHEW STRICKLAND 3111 COLONIAL WAY # D ATLANTA, GA 30341				
5.	ROGER LEE FOCO 3111 COLONIAL WAY APT E ATLANTA, GA 30341				
6.	THE FELICIA B BRADLEY TRUST PO BOX 2282 DECATUR, GA 30341				

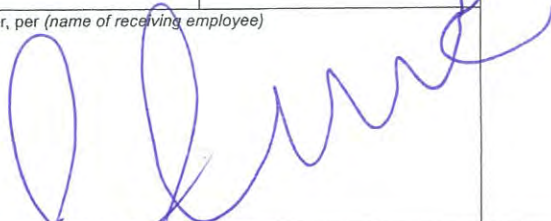


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1.	DOUGLAS A FONTENOT 3111 COLONIAL WAY # G CHAMBLEE, GA 30341					
2.	ADAM DAVIS 3111 COLONIAL WAY APT H ATLANTA, GA 30341					
3.	LORENA ESQUIVEL 3109 COLONIAL WAY UNIT A ATLANTA, GA 30341					
4.	HOLLY COTA 3121 COLONIAL WAY # D ATLANTA, GA 30341					
5.	KIRK HEROLD 3109 COLONIAL WAY # D CHAMBLEE, GA 30341					
6.	LIZA R SEERLEY 3109 COLONIAL WAY APT E CHAMBLEE, GA 30341					



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1.	RICHARD G MANVILLE 1201 G ST NE WASHINGTON , DC 30341				
2.	DAVID EDWARD MADDERN 3109 COLONIAL WAY UNIT G ATLANTA , GA 30341				
3.	NICHOLAS J ZOLFO 3109 COLONIAL WAY ATLANTA , GA 30341				
4.	THOM YORK 312 WESTMINISTER LN SW LILBURN , GA 30341				
5.	CHRISTOPHER ZOU 553 W LAKE AVE NW ATLANTA , GA 30341				
6.	SEYOUNG AHN 3105 COLONIAL WAY APT 3 ATLANTA , GA 30341				



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1.	GIL MAPLES 3502 U S HIGHWAY 29 VALLEY, AL 30341					
2.	RAJKUMAR SAMPATH 4260 ABERCROMBIE PL MARIETTA, GA 30341					
3.	MATTHEW N MASTERS 3103 COLONIAL WAY UNIT 1 ATLANTA, GA 30341					
4.	MARTHA AMELIA MARTIN 3103 COLONIAL WAY B CHAMBLEE, GA 30341					
5.	HOYTE E JOHNSON JR PO BOX 52852 ATLANTA, GA 30341					
6.	MAKAILA M BOWEN 3103 COLONIAL WAY DR UNIT D ATLANTA, GA 30341					



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1.	FEMI ALASHI 3103 COLONIAL WAY APT E ATLANTA, GA 30341					
2.	THU LOI THI NGUYEN 3103 COLONIAL WAY CHAMBLEE, GA 30341					
3.	JERRY JR COLLIER 2884 CRAVEY DR NE ATLANTA, GA 30345					
4.	BETTY E SMALL 267 W WIEUCA RD NE ATLANTA, GA 30345					
5.	THOMAS B BURRELL 2868 CRAVEY DR NE ATLANTA, GA 30345					
6.	LYNNE R RABINOWITZ 2770 CRAVEY LN NE ATLANTA, GA 30345					



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2.	OTOR ALKHALILI 2154 GREENSWARD DR NE ATLANTA , GA 30345					
3.	SUE A SCHROEDER 2780 CRAVEY FOREST LN NE ATLANTA , GA 30345					
4.	ROBERT E FONTAINE 2784 CRAVEY FOREST LN NE ATLANTA , GA 30345					
5.	PETER EUGENE GALBIATI 2788 CRAVEY LN NE ATLANTA , GA 30345					
6.	IAN YORK 2781 CRAVEY FOREST LN NE ATLANTA , GA 30345					



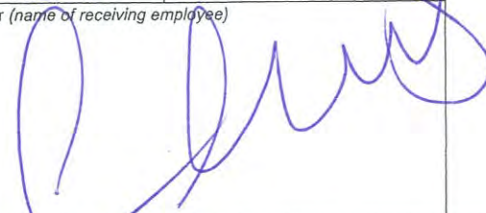
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1.	SYLVIA R DAVIDSON 2800 CRAVEY TRL NE ATLANTA , GA 30345				
2.	JOHNATHON BRITTON STAMPS III 3101 COLONIAL WAY A ATLANTA , GA 30341				
3.	ROBERT CLEMENT 3101 COLONIAL WAY UNIT B ATLANTA , GA 30341				
4.	ROBIN ELENA BRYAN 3101 COLONIAL WAY UNIT C ATLANTA , GA 30341				
5.	YACHING LU 2191 ROCKBRIDGE RD # 1904 STONE MOUNTAIN , GA 30341				
6.	MARJUL LLC 3011 TRAFALGAR WAY ATLANTA , GA 30341				



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1.	THEODORE R SLADOVICH JR 3101 COLONIAL WAY # F CHAMBLEE , GA 30341				
2.	TIM DAY P O BOX 941186 ATLANTA , GA 30341				
3.	BENJAMIN TYLER BRADSHAW 3101 COLONIAL WAY UNIT H CHAMBLEE , GA 30341				
4.	E LLC COLONIAL 3011 TRAFALGAR WAY ATLANTA , GA 30341				
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6.	SEYOUNG AHN 2298 KAYLEN DR ATLANTA , GA 30341				



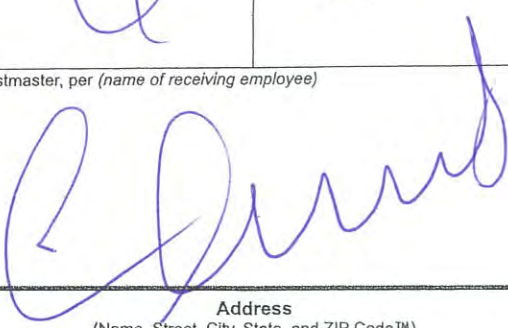
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1.	ROBERT W BRIDGES 1212 LEAON LN NE TOWNSEND , GA 30341				
2.	ACE HOLDINGS GROUP LLC 2087 GLENROY DR SE SMYRNA , GA 30341				
3.	TRACY MARIE OWENS 1384 BRODY DR MARIETTA , GA 30341				
4.	MARCEL BOUIE 3101 COLONIAL WAY # O ATLANTA , GA 30341				
5.	TIM DAY PO BOX 941186 ATLANTA , GA 30341				
6.	YI GE PENG 2722 ADDISON DR ATLANTA , GA 30341				



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1.	MARTA DIAZ 3099 COLONIAL WAY UNIT C CHAMBLEE, GA 30341					
2.	CORPORATION OF MERCER 1350 SPRING ST NW ATLANTA, GA 30341					
3.	REALTY INCOME CORPORATION 11995 EL CAMINO REAL SAN DIEGO, CA 30341					
4.	3355 NORTHEAST EXPRESSWAY LLC 34 PEACHTREE ST STE 2800 ATLANTA, GA 30341					
5.	BOYD ATLANTA WILLIAMS LLC P.O. BOX 13470 RICHMOND, VA 30341					
6.	3375 NORTHEAST EXPRESSWAY LLC 34 Peachtree ST SW STE 28 ATLANTA, GA 30341					

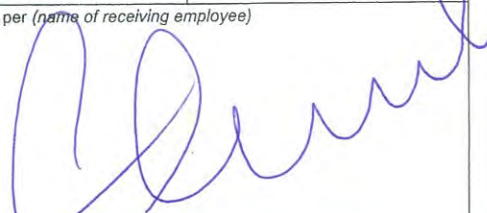


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1.	SELIG ENTERPRISES INC. 1100 SPRING ST NW # 550 ATLANTA, GA 30341					
2.	POISE PROPERTIES LLC 2521 OAK GROVE ESTATE NE ATLANTA, GA 30341					
3.	THIRTY THREE HUNDRED 3300 NORTHEAST EXPY NE # A ATLANTA, GA 30341					
4.	ENAMUL HAQUE 1020 PALMETTO DUNES DR DULUTH, GA 30341					
5.	GROUP THREE ASSOCIATES LP 3190 NE EXPRESSWAY STE 400 ATLANTA, GA 30341					
6.	ATLANTA FIXTURE SALES CO INC 1266 W PACES FERRY RD NW 428 ATLANTA, GA 30341					



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1.	AGNES V NELSON 2859 APPLING DR CHAMBLEE, GA 30341				
2.	MOHAMMED RUB 2756 DRESDEN DR CHAMBLEE, GA 30341				
3.	ARLES RUBIO 1012 RABUN DR NW LILBURN, GA 30341				
4.	REEVES MICHAEL JO PO BOX 81934 ATLANTA, GA 30341				
5.	CATHY L WIGGINS 2724 DRESDEN DR CHAMBLEE, GA 30341				
6.					

3265 Northeast Expressway - Notice of Rezoning Application Community Meeting



Futrell, Jonathan S.

To

Bcc bwhite.te93@gtalumni.org; dougers1979@gmail.com; ejhanfelt@bellsouth.net; paul.maner@yahoo.com; respy49779@aol.com; tgriffith@arguseyedpartners.com; JHDAWS@sierradevelopment.net; chuckhunt1972@gmail.com; pennhastings@yahoo.com; spshort@umich.edu; jennateston@gmail.com; btru404@gmail.com; [Hill, Jessica L.](#)



Notice of Rezoning Application Community Meeting.pdf
42 KB



Fri 3/21/2025 2:25 PM

Good afternoon,

Please find attached information regarding an upcoming community meeting for 3265 Northeast Expressway, Chamblee, Georgia 30341. The meeting will be virtual on April 8, 2025 at 5:30 PM. The meeting is regarding a proposed rezoning at the property. Your email address was provided to us by staff from the DeKalb County Planning & Sustainability Department since you are a stakeholder in the area.

If you would like more information regarding the meeting, feel free to contact me and we look forward to seeing you on the 8th.

Thank you,
Jonathan

Jonathan S. Futrell

Associate

Direct: 404.885.3724

jonathan.futrell@troutman.com

troutman pepper locke

600 Peachtree Street, NE, Suite 3000

Atlanta, GA 30308

troutman.com

Name (original name)	Join time	Leave time	Duration (minutes)
Ann Sillah	4/8/2025 16:36	4/8/2025 18:00	84
alice	4/8/2025 17:11	4/8/2025 17:15	5
Alan	4/8/2025 17:16	4/8/2025 17:24	8
Alexis Helmick	4/8/2025 17:18	4/8/2025 18:00	43
Michael Lloyd	4/8/2025 17:21	4/8/2025 17:25	5
Debbie Strickland	4/8/2025 17:22	4/8/2025 18:00	38
Aaron DeSilva	4/8/2025 17:23	4/8/2025 17:46	24
Robert Fontaine	4/8/2025 17:23	4/8/2025 18:00	37
Alan	4/8/2025 17:24	4/8/2025 17:27	3
Karla	4/8/2025 17:24	4/8/2025 18:00	36
Alan (Chamblee)	4/8/2025 17:24	4/8/2025 18:00	36
rogerbullock	4/8/2025 17:25	4/8/2025 17:25	1
Chuck	4/8/2025 17:25	4/8/2025 17:42	18
Sean	4/8/2025 17:25	4/8/2025 17:26	2
simps	4/8/2025 17:25	4/8/2025 18:00	35
Michael Lloyd	4/8/2025 17:25	4/8/2025 18:00	35
Chris G	4/8/2025 17:25	4/8/2025 18:00	35
Sean	4/8/2025 17:26	4/8/2025 17:47	22
FormerDroid	4/8/2025 17:26	4/8/2025 17:49	24
Rebecca Perkins	4/8/2025 17:27	4/8/2025 18:00	34
Jonathan Futrell	4/8/2025 17:27	4/8/2025 18:00	33
awhitehead	4/8/2025 17:27	4/8/2025 18:00	33
Ruth Hwu	4/8/2025 17:28	4/8/2025 17:48	21
Chris Grady	4/8/2025 17:28	4/8/2025 18:00	32
Lezlie Sosnick - Landmark	4/8/2025 17:29	4/8/2025 18:00	31
HaSue	4/8/2025 17:29	4/8/2025 18:00	31
hg	4/8/2025 17:30	4/8/2025 18:00	31
doug	4/8/2025 17:30	4/8/2025 18:00	30
BurnellJordan	4/8/2025 17:30	4/8/2025 18:00	30
Samsung SM-F721U	4/8/2025 17:31	4/8/2025 18:00	30
Andrew Costas	4/8/2025 17:31	4/8/2025 18:00	29
Pixel 6 Pro	4/8/2025 17:31	4/8/2025 18:00	29
Sue Schroeder	4/8/2025 17:31	4/8/2025 17:59	29
Parker Short	4/8/2025 17:31	4/8/2025 18:00	29
Kelley's Ipad 9th Gen (2)	4/8/2025 17:31	4/8/2025 18:00	29
Chad Madden	4/8/2025 17:32	4/8/2025 18:00	28
TW	4/8/2025 17:32	4/8/2025 18:00	28
Samsung SM-S928U	4/8/2025 17:32	4/8/2025 18:00	28
Hayden.Stroop	4/8/2025 17:34	4/8/2025 18:00	26
Kristen S	4/8/2025 17:35	4/8/2025 18:00	26
Iphone home 🏠	4/8/2025 17:35	4/8/2025 18:00	25
daniel	4/8/2025 17:37	4/8/2025 18:00	23
Fiker	4/8/2025 17:41	4/8/2025 18:00	20
David's iPhone	4/8/2025 17:44	4/8/2025 18:00	16
Bridgette.Ganter	4/8/2025 17:44	4/8/2025 18:00	16
Mary Mcleod	4/8/2025 17:50	4/8/2025 17:52	2
Cara's iPhone	4/8/2025 17:58	4/8/2025 18:00	3

troutman.com

Jessica L. Hill
jessica.hill@troutman.com

April 21, 2025

DeKalb County Government Service Center
c/o Department of Planning and Sustainability
178 Sams Street
Decatur, Georgia 30030

RE: Letter of Application for 3265 Northeast Expressway

Dear Department of Planning and Sustainability,

The property at 3265 Northeast Expressway, Chamblee, Georgia 30341, is currently improved with a vacant movie theater complex previously known as the Regal Hollywood 24 theater. The total site area is 36.46 acres and the property is zoned C-2 (General Commercial) district. The proposal in this Application is to rezone the property to the HR-1 (High Density Residential-1) district.

The rezoning will allow the development of a residential development including two three story multi-family residential buildings and single-family attached dwelling units. A maximum of 312 dwelling units are proposed. Parking for the development will be accommodated by a surface parking lot behind the multi-family residential buildings and surface parking spaces adjacent to the single-family attached dwelling units. The development will include residential amenities such as a clubhouse, a pool, and open space. The development will largely be constructed in the areas already paved for the existing movie theater complex thereby limiting the area of disturbance as much as possible.

Also enclosed with this letter of application are the impact analysis, as well as the appeal rights reservation required under Georgia law.

Thank you for your consideration of this application.

Sincerely,



Jessica L. Hill

Enclosures

Preservation of Rights

To preserve the rights of the applicant with respect to the subject property under Georgia law, this Application includes the following statements.

Denial of this Application or approval of this Application with conditions unacceptable to the Applicant would be unconstitutional in that it would unreasonably impair and destroy the Applicant's property rights without first paying fair, adequate and just compensation for such rights, in violation of 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 the Due Process Clause of the Fourteenth Amendment to the Constitution of the United States.

Denial of this Application or approval of this Application with conditions unacceptable to the Applicant would also be 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, by denying the Applicant an economically viable use of its land while not substantially advancing legitimate state interests.

Denial of this Application or approval of this Application with conditions unacceptable to the Applicant would constitute an unreasonable and extreme hardship upon the Applicant, without remotely advancing the public health, safety and welfare and would constitute an arbitrary and capricious act by the DeKalb County Board of Commissioners without any rational basis therefore, constituting an abuse of discretion in violation of 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 the Due Process Clause of the Fourteenth Amendment to the Constitution of the United States.

Denial of this Application or approval of this Application with conditions unacceptable to the Applicant by the DeKalb County Board of Commissioners would also violate the Applicant's rights under the First Amendment to the Constitution of the United States and would unconstitutionally discriminate, in an arbitrary, capricious and unreasonable manner, between the Applicant and owners of other similarly situated properties in DeKalb County 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.

Impact Analysis

1. Is the zoning proposal in conformity with the policy and intent of the Comprehensive Plan?

The comprehensive development plan indicates that the property has a Regional Center future land use designation. The Regional Center designation promotes density by including the highest intensity residential facilities allowed within DeKalb County. The areas within the Regional Center designation also have on-site parking, high floor-area-ratios, and large tracts of land. The preferred uses within the Regional Center designation include both townhomes and apartments and HR-1 is a permitted zoning. The property is also within the Presidential Parkway Regional Center and specifically Area D, Edge 1 (Bordering Residential). According to the comprehensive development plan, parcels in this area should be used for smaller multi-family residential developments with a preferred maximum density of 24 dwelling units per acre and a preferred maximum height of four stories. Development on parcels in this area should also provide a transition zone into the existing residential area. The proposed use of the property to construct a residential development including two three story multi-family residential buildings and single-family attached dwelling units is consistent with the policy and intent of the comprehensive plan. The development will have a maximum of 312 units and will provide a transitional zone to the nearby residential area.

2. Will the zoning proposal permit a use that is suitable in view of the use and development of adjacent and nearby properties?

To the north and east of the property is a primarily wooded property that is owned by Mercer University. Just further north past this wooded property is 3355, 3375, and 3395 Northeast Expressway which were rezoned from OI (Office-Institutional) to HR-3 (High-Density Residential-3) in 2023 to redevelop the properties for four story multi-family buildings. To the west, the property both fronts on Northeast Expressway and is adjacent to the Atlanta Fixture property at 3185 Northeast Expressway. To the south is a condominium development at 2576 Colonial Way. To the southeast are single-family neighborhoods which are separated from the property by the North Fork Peachtree Creek and the associated stream buffer. The proposal is suitable in view of the mix of uses both adjacent to and nearby the property.

3. Does the property to be affected by the zoning proposal have a reasonable economic use as currently zoned?

The property currently contains the vacant Regal Hollywood 24 movie theater complex. While a redevelopment of the property may be possible under the current zoning, a development of a different type and scale than that allowed by the current C-2 zoning is more appropriate based on market conditions, the scale of surrounding development and environmental features on the property. The location of the property, coupled with the abutting uses and the trend of development in the area suggest the current zoning and market demand is misaligned. As a result, the economics of the property are impaired.

4. Will the zoning proposal adversely affect the existing use or usability of adjacent or nearby properties?

The zoning proposal contemplates replacing a vacant movie theater complex with an active development with a mix of residential uses. As redevelopment continues along Northeast Expressway, this development will continue to activate the area. As noted above, the majority of

the land uses proposed already exist or are proposed to be developed on adjacent and nearby properties. The proposal will not adversely affect the existing use or usability of adjacent or nearby property.

5. Are there 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?

With the mix of residential uses both existing and proposed along Northeast Expressway, the proposed development is consistent with existing conditions in the area. Further, two of the goals of the comprehensive development plan are to encourage reinvestment or redevelopment of commercial corridors including the introduction of residential or other new uses to these areas and encourage more diverse housing and development types to meet the changing needs of residents and communities. This proposed development will accomplish these goals.

6. Will the zoning proposal adversely affect historic building, sites, districts, or archaeological resources?

There are no historic buildings, sites, districts, nor are there archeological resources impacted by redevelopment of the property as proposed by this application.

7. Will the zoning proposal result in a use which would or could cause excessive or burdensome use of existing streets, transportation facilities, utilities, or schools?

The change in zoning will not cause an excessive or burdensome use of existing streets, transportation facilities or utilities. Generally, the property will be accessed from Northeast Expressway which has capacity to support the project. The applicant will work with DeKalb County to ensure that all necessary utilities are available to the site and no undue burden on them is identified. While the change to add residential use may impact schools, it is not expected to be overly burdensome based on the type of mix of multi-family and single-family residential units proposed.

8. Will the zoning proposal adversely impact the environment or surrounding natural resources?

A significant portion of the perimeter of the property includes wetlands, floodplain and a stream. The proposed development will utilize the footprint of the currently existing surface parking lot and vacant movie theater building. This will help limit the disturbance area of the proposed development and impact on the surrounding natural features. Further, the development will adhere to all applicable state and county environmental regulations including the stream buffer regulations preserving the North Fork Peachtree Creek waterway. Conversion of the zoning from a commercial designation to a residential designation accommodates a use that is less impactful on the environment than a commercial use would be. The proposal will not adversely impact the environment or surrounding natural resources.

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: April 10, 2025

TO WHOM IT MAY CONCERN:

I/WE: Realty Income Corporation
Name of Owner(s)

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

LMPSF Acquisitions, LLC (c/o Troutman Pepper Locke LLP)
Name of Agent or Representative

to file an application on my/our behalf.

~~Notary Public~~


Owner - Realty Income Corporation
Signed by: Karolina Ericsson
SVP, Assoc. General Counsel
on behalf of Realty Income Corporation

SEE ATTACHED ACKNOWLEDGMENT

Approved As To Form
Legal Department


T. Odolowo

ACKNOWLEDGMENT

A Notary Public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA

COUNTY OF SAN DIEGO

On April 10, 2025 before me, Luciana Thomas, Notary Public, personally appeared Karolina Ericsson, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



A handwritten signature in blue ink, appearing to be "Luciana Thomas", written over a horizontal line.

Signature of Notary Public

(Notary Seal)

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: _____ 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.

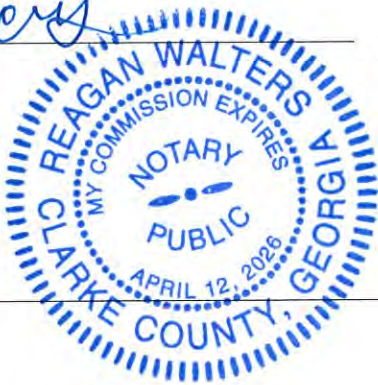
Reagan Walters
Notary

[Signature]
Signature of Applicant /Date

Check one: Owner _____ Agent X

4/12/2026

Expiration Date/ Seal



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

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: _____ 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.

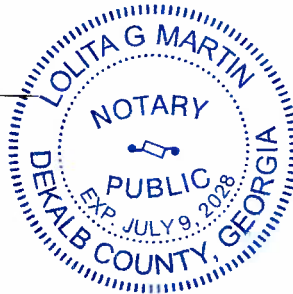
The disclosure must be filed within 10 days after the application is first filed and must be submitted to the C.E.O. and to the Board of Commissioners of DeKalb County, 1300 Commerce Drive, Decatur, GA 30030.

Lolita G. Martin
Notary

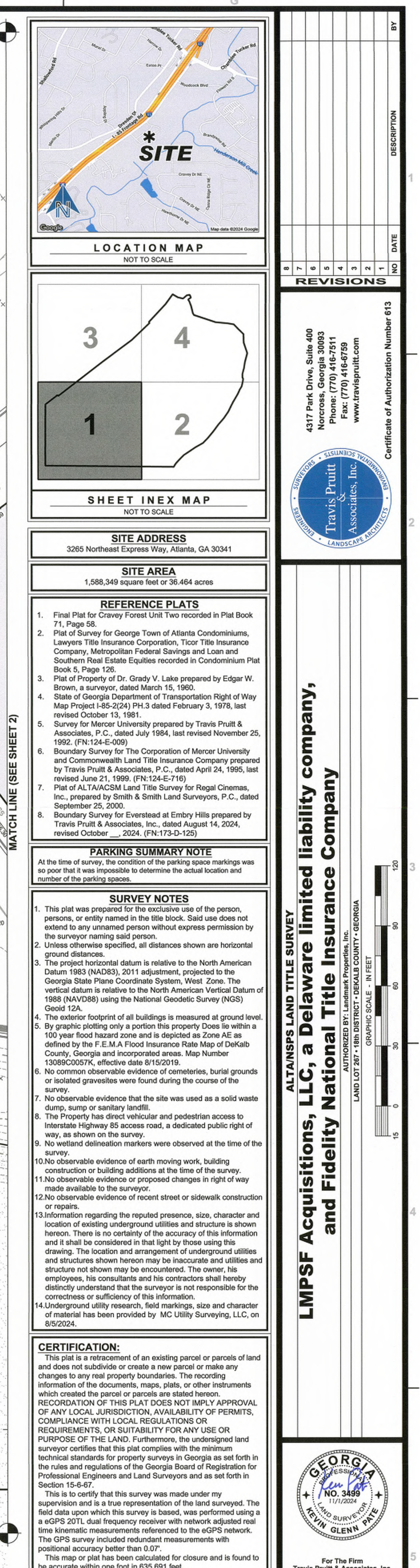
June 11/2018 on behalf of Troutman
Signature of Applicant /Date Piper Locke LLP

Check one: Owner _____ Agent X
(Attorney)

7-9-2028
Expiration Date/ Seal



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



ZONING: C-2

Front Yard: 60'

Side Yard: 20'

Rear Yard: 20'

This information is reported from public information obtained from DeKalb County records on August 20, 2024. It is not the intent of the surveyor to interpret or make conclusions regarding the zoning designation shown herein.

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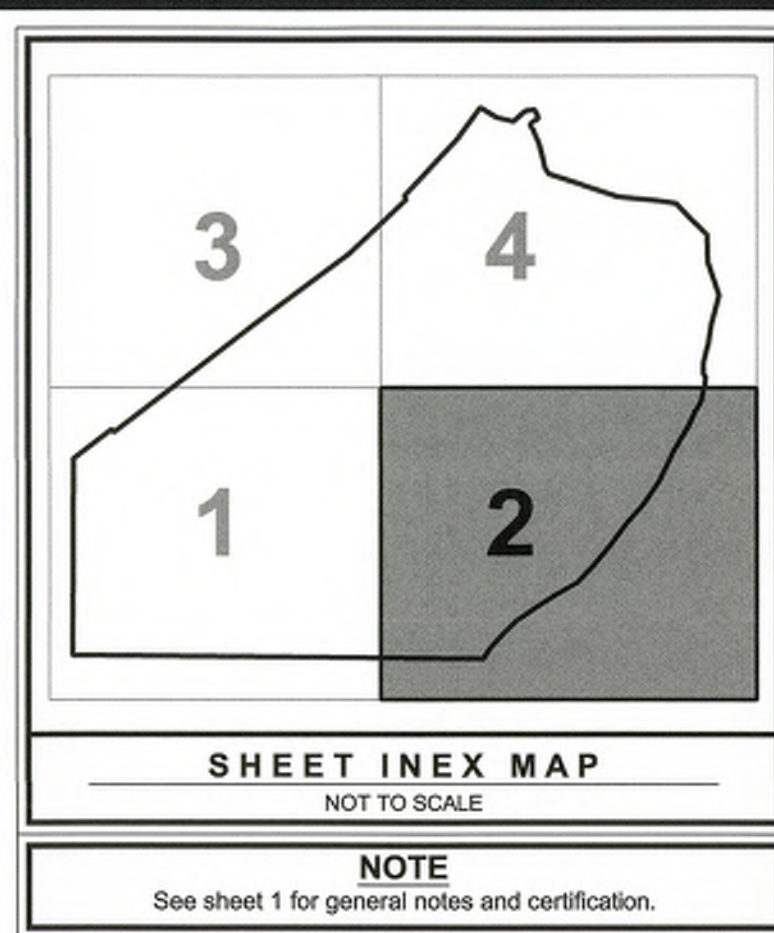
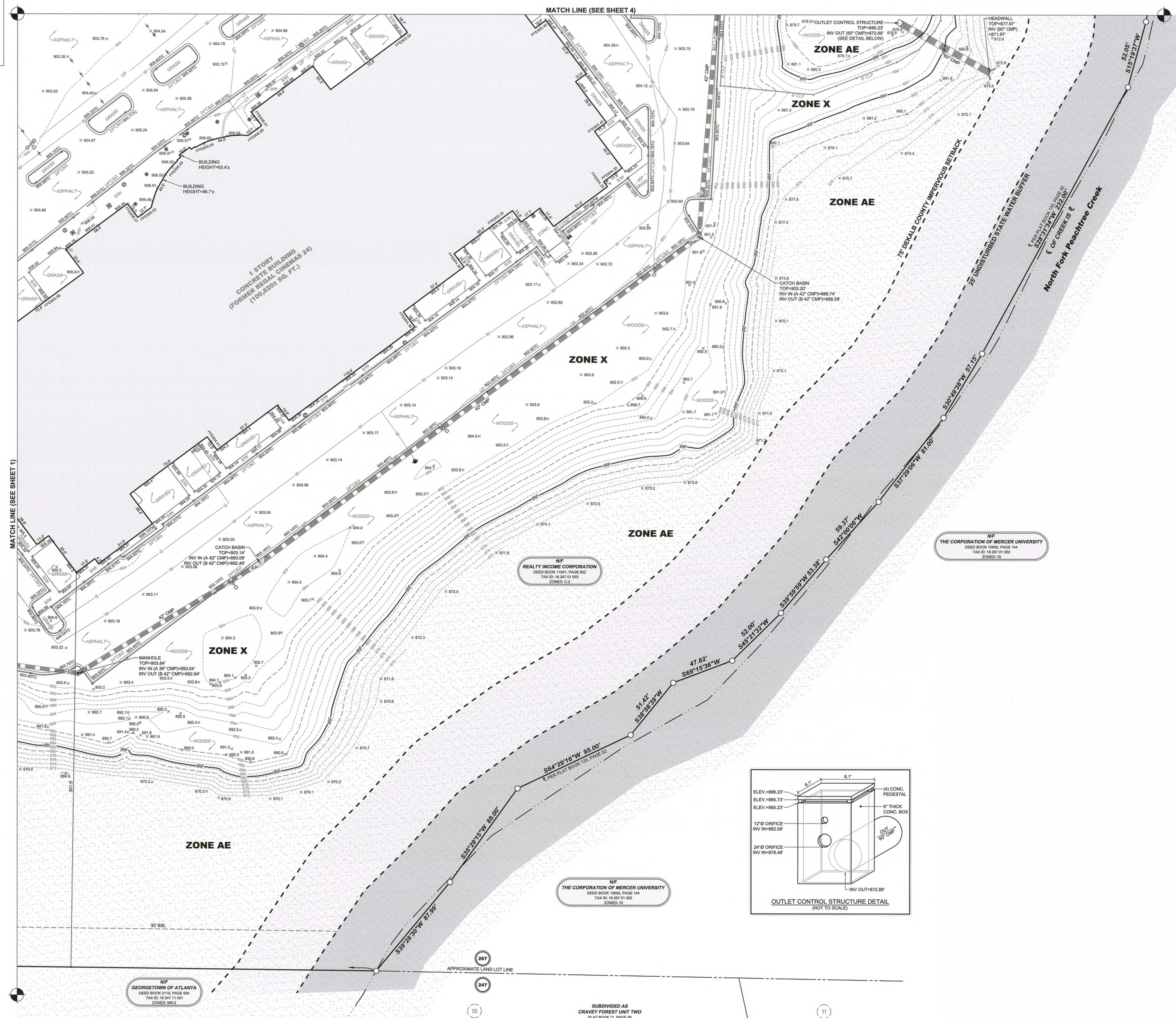
TITLE EXCEPTIONS:

See sheet 3 for title exception comments.

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PLAT DATE: 8/20/2024
SCALE: 1" = 30'
JUN: 1-24-0363.660
FN: 219-E-004
SHEET NO: 1 of 4



REVISIONS		
NO	DATE	DESCRIPTION
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3317 Park Drive, Suite 400
Norcross, Georgia 30093
Phone: (770) 416-7511
Fax: (770) 416-6759
www.travispruitt.com



LMPSPF Acquisitions, LLC, a Delaware limited liability company,
and Fidelity National Title Insurance Company

ALTA/NPS LAND TITLE SURVEY

LAND LOT 287, PLAT 60, COUNTY OF DEKALB - GEORGIA
AUTHORIZED BY: Landmark Properties, Inc.

GRAPHIC SCALE - IN FEET

The graphic scale bar shows increments of 15 feet from 0 to 120. The segments are color-coded: black for 0-15, white for 15-30, black for 30-45, white for 45-60, black for 60-75, white for 75-90, black for 90-105, and white for 105-120.



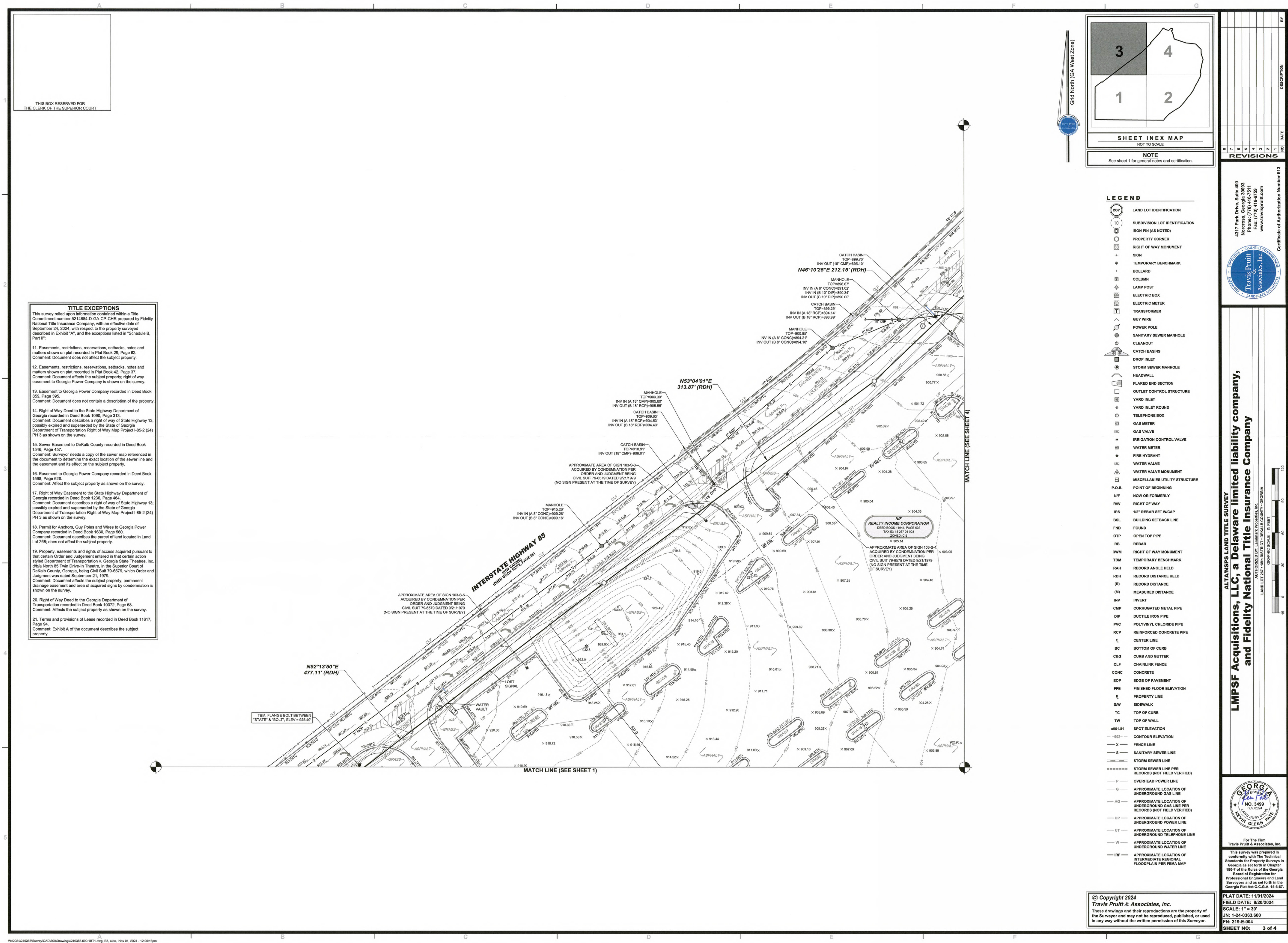
For The Firm
Travis Pruitt & Associates, Inc.

This survey was prepared in conformity with The Technical Standards for Property Surveys in Georgia as set forth in Chapter 1807-0 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.

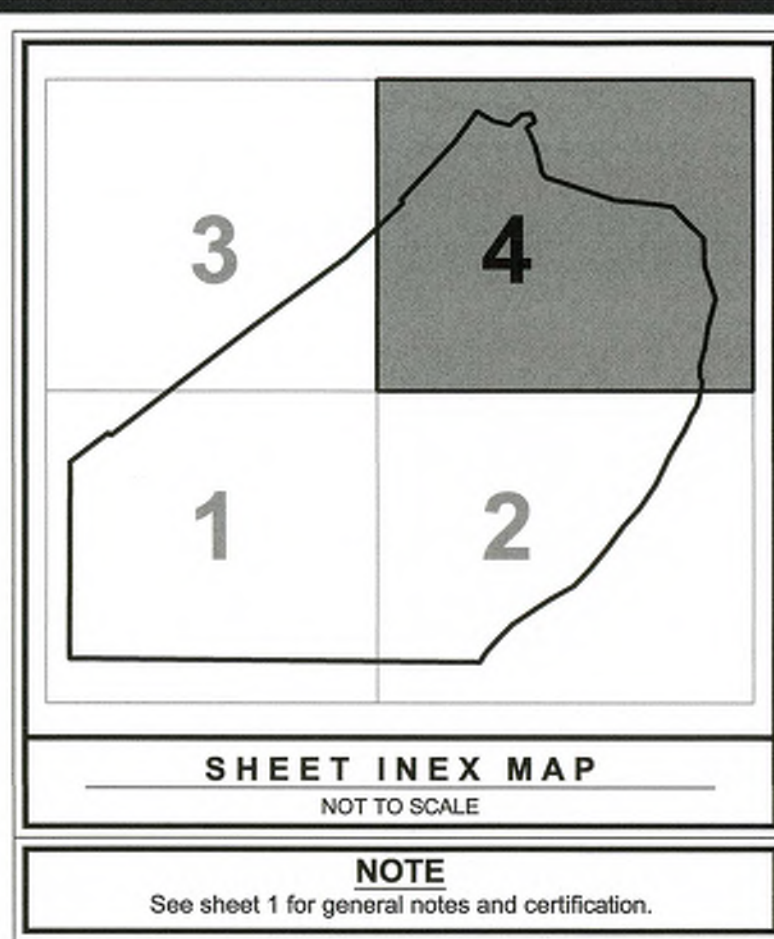
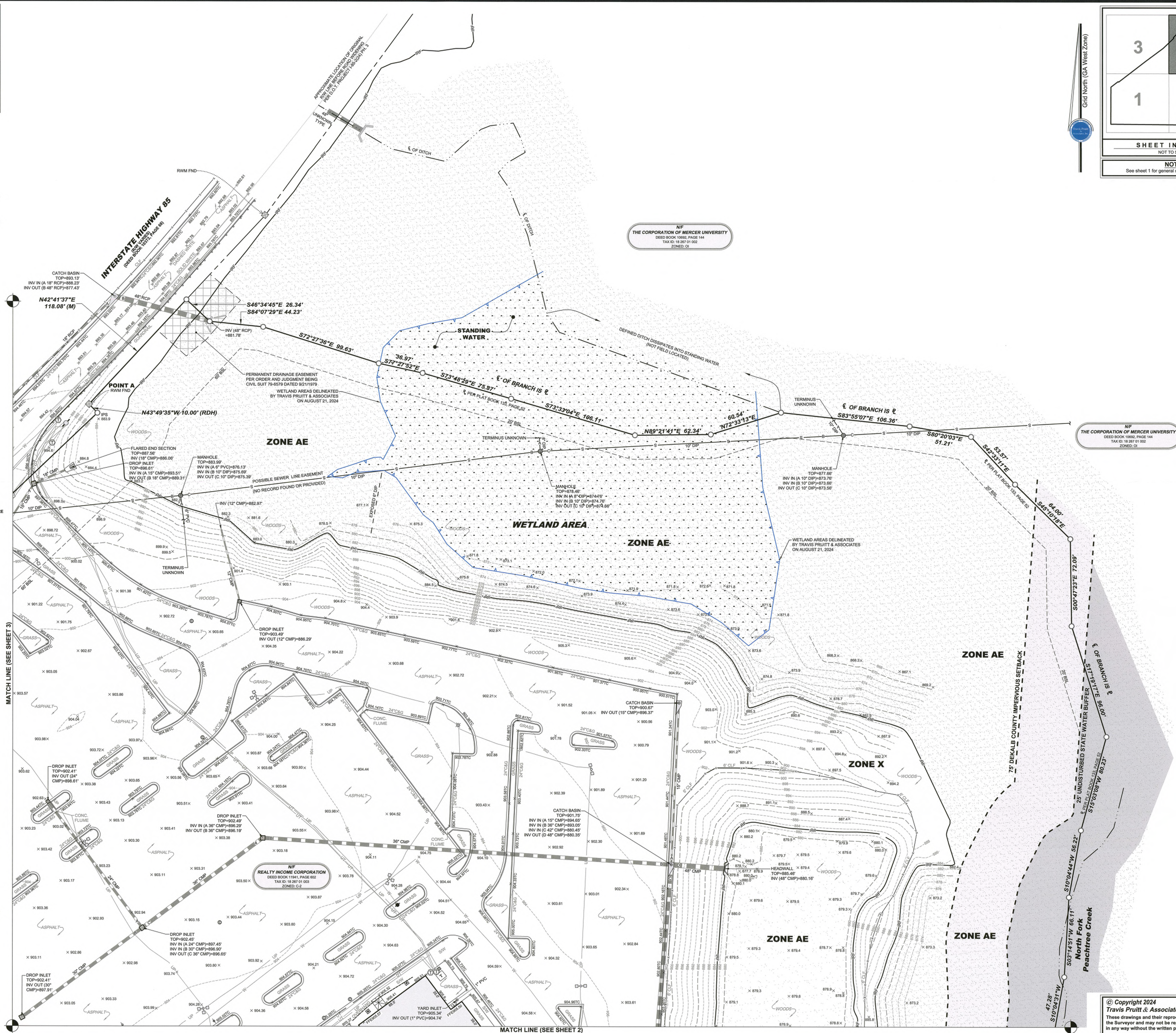
PLAT DATE: 11/01/2024
FIELD DATE: 8/20/2024
SCALE: 1" = 30'
JN: 1-24-0363.600
FN: 219-E-004
SHEET NO. 2 of 4

LEGEND	
	LAND LOT IDENTIFICATION
	SUBDIVISION LOT IDENTIFICATION
	IRON PIN (AS NOTED)
	PROPERTY CORNER
	RIGHT OF WAY MONUMENT
	SIGN
	TEMPORARY BENCHMARK
	BOLLARD
	COLUMN
	LAMP POST
	ELECTRIC BOX
	ELECTRIC METER
	TRANSFORMER
	GUY WIRE
	POWER POLE
	SANITARY SEWER MANHOLE
	CLEANOUT
	CATCH BASINS
	DROP INLET
	STORM SEWER MANHOLE
	HEADWALL
	FLARED END SECTION
	OUTLET CONTROL STRUCTURE
	YARD INLET
	YARD INLET ROUND
	TELEPHONE BOX
	GAS METER
	GAS VALVE
	IRRIGATION CONTROL VALVE
	WATER METER
	FIRE HYDRANT
	WATER VALVE
	WATER VALVE MONUMENT
	MISCELLANEOUS UTILITY STRUCTURE
P.O.B.	POINT OF BEGINNING
N/F	NOW OR FORMERLY
R/W	RIGHT OF WAY
IPS	1/2" REBAR SET W/CAP
BSL	BUILDING SETBACK LINE
FND	FOUND
OTP	OPEN TOP PIPE
RB	REBAR
R/W	RIGHT OF WAY MONUMENT
TBM	TEMPORARY BENCHMARK
RAH	RECORD ANGLE HELD
RDH	RECORD DISTANCE HELD
(R)	RECORD DISTANCE
(M)	MEASURED DISTANCE
INV	INVERT
CMP	CORRUGATED METAL PIPE
DIP	DUCTILE IRON PIPE
PVC	POLYVINYL CHLORIDE PIPE
RCP	REINFORCED CONCRETE PIPE
℄	CENTER LINE
BC	BOTTOM OF CURB
C&G	CURB AND GUTTER
CLF	CHAINLINK FENCE
CONC	CONCRETE
EOP	EDGE OF PAVEMENT
FFE	FINISHED FLOOR ELEVATION
℄	PROPERTY LINE
S/W	SIDEWALK
TC	TOP OF CURB
TW	TOP OF WALL
x901.81	SPOT ELEVATION
— 902.00 —	CONTOUR ELEVATION
— X —	FENCE LINE
— S —	SANITARY SEWER LINE
— — —	STORM SEWER LINE
— — — — —	STORM SEWER LINE PER RECORDS (NOT FIELD VERIFIED)
— P —	OVERHEAD POWER LINE
— G —	APPROXIMATE LOCATION OF UNDERGROUND GAS LINE
— AG —	APPROXIMATE LOCATION OF UNDERGROUND GAS LINE PER RECORDS (NOT FIELD VERIFIED)
— UP —	APPROXIMATE LOCATION OF UNDERGROUND GAS LINE PER RECORDS (NOT FIELD VERIFIED)
— UT —	APPROXIMATE LOCATION OF UNDERGROUND TELEPHONE LINE
— W —	APPROXIMATE LOCATION OF UNDERGROUND WATER LINE
— IRF —	APPROXIMATE LOCATION OF INTERMEDIATE REGIONAL FLOODPLAIN PER FEMA MAP

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- THIS BOX RESERVED FOR THE CLERK OF THE SUPERIOR COURT
- LEGEND**
- 267 LAND LOT IDENTIFICATION
 - 10 SUBDIVISION LOT IDENTIFICATION
 - IRON PIN (AS NOTED)
 - PROPERTY CORNER
 - RIGHT OF WAY MONUMENT
 - SIGN
 - TEMPORARY BENCHMARK
 - BOLLARD
 - COLUMN
 - LAMP POST
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 - NF NOW OR FORMERLY
 - RW RIGHT OF WAY
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 - BSL BUILDING SETBACK LINE
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 - RAH RECORD ANGLE HELD
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 - INV INVERT
 - CMP CORRUGATED METAL PIPE
 - DIP DUCTILE IRON PIPE
 - PVC POLYVINYL CHLORIDE PIPE
 - RCPC REINFORCED CONCRETE PIPE
 - CL CENTER LINE
 - BC BOTTOM OF CURB
 - C&G CURB AND GUTTER
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NO.	DATE	DESCRIPTION
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Norcross, GA 30093
Phone: (770) 416-7511
Fax: (770) 416-6759
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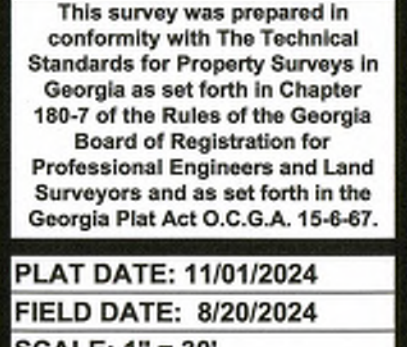
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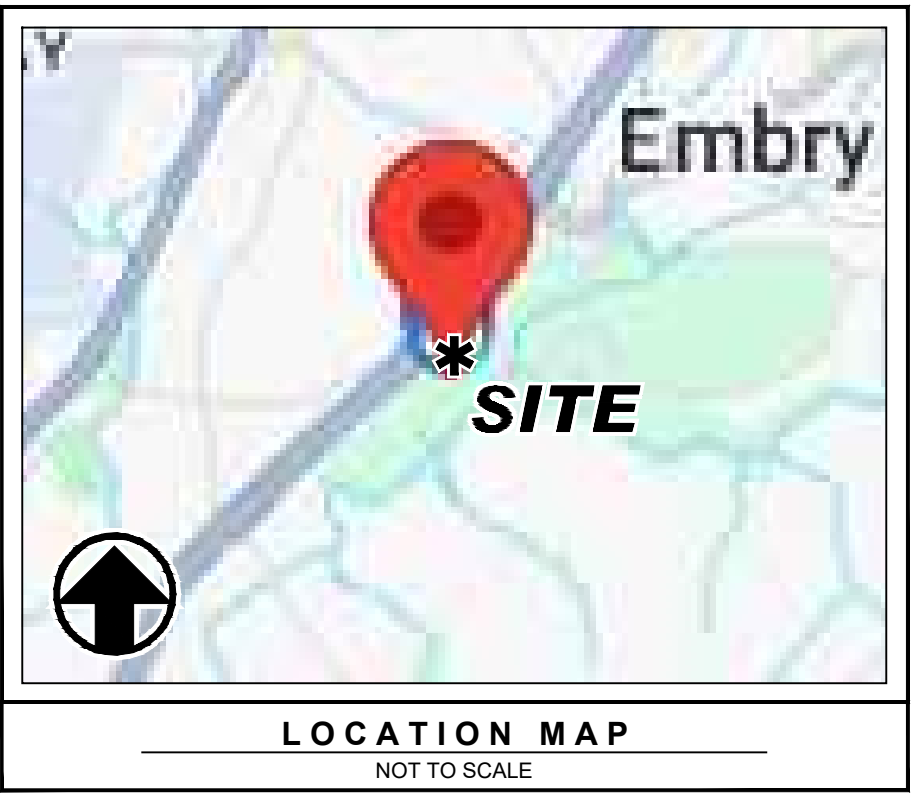
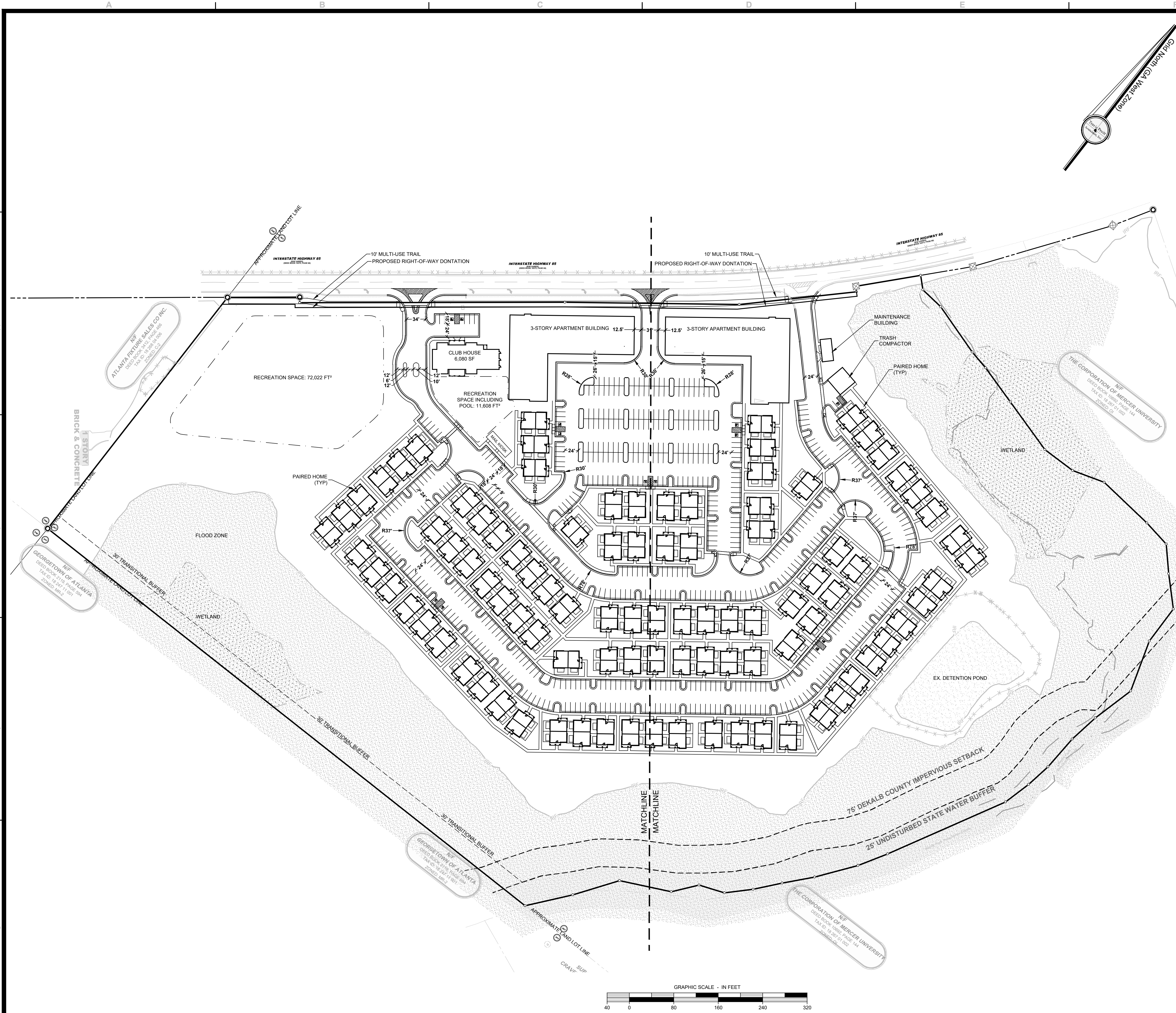
NO.	DATE	DESCRIPTION
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NO.	DATE	DESCRIPTION
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DEVELOPER
Alexis Helmick
3080 Peachtree Road NW, Suite 800
Atlanta, GA 30305
404.453.8054

24 HOUR EMERGENCY CONTACT
Alexis Helmick
404.453.8054
E-mail: Alexis.Helmick@LandmarkProperties.com

SITE ZONING: C-2 (HR-1 PROPOSED)
SITE AREA: 36.46 ACRES
TAX PARCEL ID: 18 267 01 003
BUILDING SETBACK LINES:
FRONT YARD: 0 FT.
REAR YARD: N/A
SIDE YARD: 0 FT.

APARTMENT BUILDING SUMMARY:
3 - STORY
BUILDING FOOTPRINT: 57,500 SQ. FT.
BUILDING HEIGHT: 55 FT.
BUILDING COUNT: 2
DWELLINGS PER BUILDING: 60

PAIRED HOME SUMMARY:
2 - STORY
BUILDING FOOTPRINT: 2,300 SQ. FT. - 2,650 SQ. FT.
BUILDING HEIGHT: 30 FT.
BUILDING COUNT: 96
DWELLINGS PER BUILDING: 2

PARKING SUMMARY

DESCRIPTION	MIN.*	MAX.**	PROVIDED
STANDARD PARKING:	459	1,002	605
ADA ACCESSIBLE PARKING:	9	21	13
TOTAL PARKING SPACES:	468	1,014	618
*1.5 SPACES PER UNIT			
**3 SPACES PER UNIT			

PROJECT DESCRIPTION:
The project consists of a residential development including two three story apartment buildings and single family attached units.

LOT COVERAGE CALCULATION

COVERAGE TYPE	AREA (SF)	AREA (AC)	% OF LOT
LOT OVERALL	1,588,249	36.46	100.00
FLOODPLAIN & WETLANDS	516,575	11.86	32.52
STEEP SLOPES	180,647	4.15	11.37
BUILDINGS	198,272	4.55	12.48
PARKING LOTS & PRIVATE YARDS	288,496	6.62	18.16
OPEN SPACE	403,320	9.26	25.39
RECREATION SPACE	85,110	1.95	5.36
LOT COVERAGE	555,858	12.76	35.00

DENSITY & UNIT SPECIFICATIONS:
TOTAL DWELLING UNITS: 312
DENSITY: 8.56
MIN. CONDITIONED DWELLING UNIT AREA: 650 SQ. FT.

FLOOD HAZARD NOTE:
THIS PROPERTY DOES LIE WITHIN A 100 YEAR FLOOD HAZARD ZONE AS DEFINED BY THE F.E.M.A. FLOOD INSURANCE RATE MAP OF DEKALB GEORGIA COMMUNITY PANEL NUMBER 13089C0057K, DATED 8/15/2019.

INFORMATION REGARDING THE REPUTED PRESENCE, SIZE, CHARACTER AND LOCATION OF EXISTING UNDERGROUND UTILITIES AND STRUCTURES IS SHOWN HEREON. THERE IS NO CERTAINTY OF THE ACCURACY OF THIS INFORMATION AND IT SHALL BE CONSIDERED IN THAT LIGHT BY THOSE USING THIS DRAWING. THE LOCATION AND ARRANGEMENT OF UNDERGROUND UTILITIES AND STRUCTURES SHOWN HEREON MAY BE INACCURATE AND UTILITIES AND STRUCTURES NOT SHOWN MAY BE ENCOUNTERED. THE OWNER, HIS EMPLOYEES, HIS CONSULTANTS AND HIS CONTRACTORS SHALL HEREBY DISTINCTLY UNDERSTAND THAT THE SURVEYOR IS NOT RESPONSIBLE FOR THE CORRECTNESS OR SUFFICIENCY OF THIS INFORMATION.



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www.travispruit.com
CONTACT PERSON: ANDREW WHITEHEAD
e-mail: awhitehead@travispruit.com

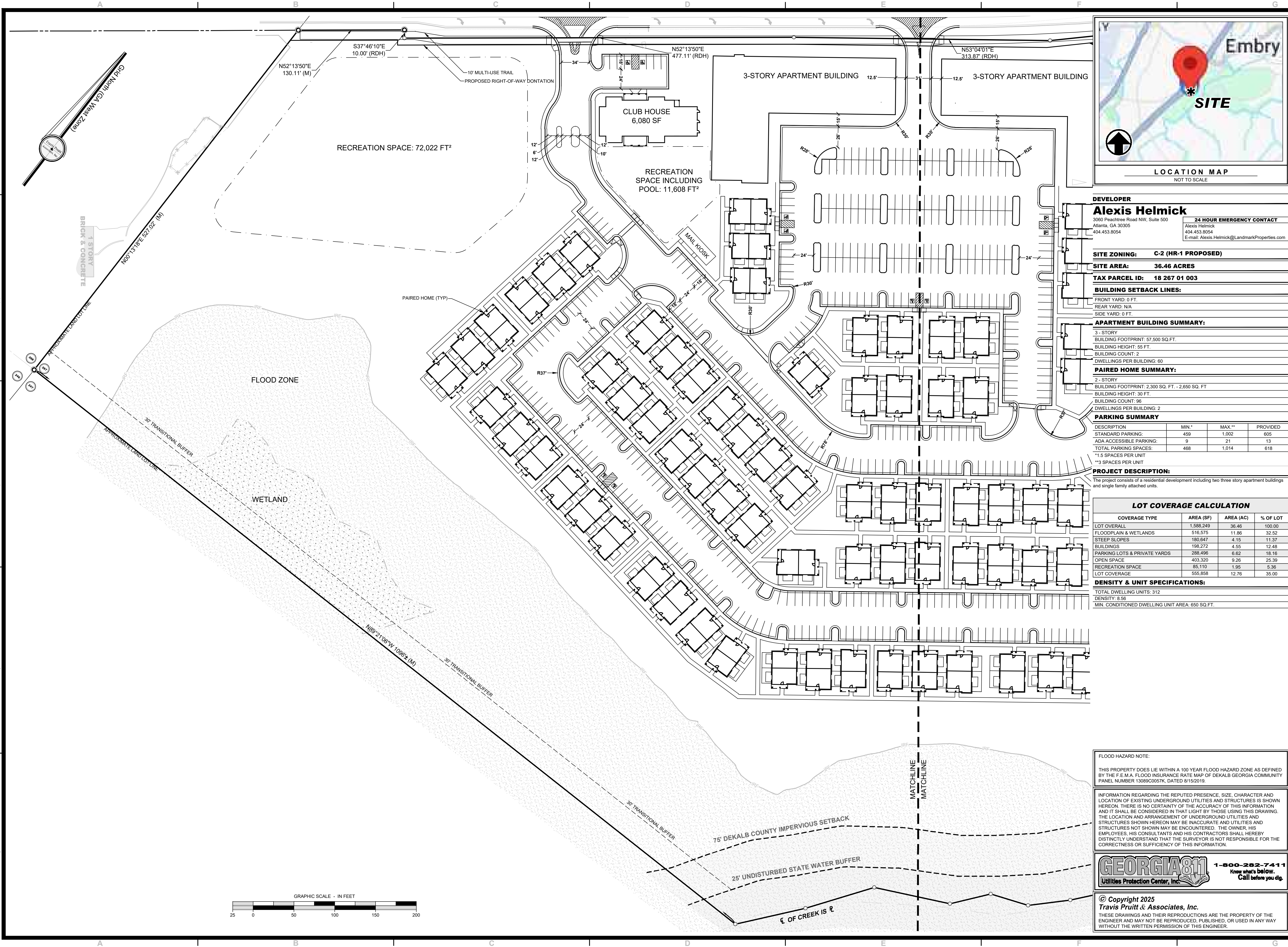


SITE PLAN
EVERSTEAD AT EMBRY HILLS

3265 NORTHEAST EXPRESSWAY, 267 18 CHAMBLEE DEKALB, GEORGIA



For The Firm
Travis Pruitt & Associates, Inc.
DATE: 4/18/25
SCALE: 1" = 80'
CN: 240363CP2
JN: 1-24-0363
FN: 174-D-159
SHEET NO: SP0



DEVELOPER
Alexis Helmick
3060 Peachtree Road NW, Suite 500
Atlanta, GA 30305
404.453.8054

24 HOUR EMERGENCY CONTACT
Alexis Helmick
404.453.8054
E-mail: Alexis.Helmick@LandmarkProperties.com

SITE ZONING: C-2 (HR-1 PROPOSED)

SITE AREA: 36.46 ACRES

TAX PARCEL ID: 18 267 01 003

BUILDING SETBACK LINES:

FRONT YARD: 0 FT.
REAR YARD: N/A
SIDE YARD: 0 FT.

APARTMENT BUILDING SUMMARY:

3 - STORY
BUILDING FOOTPRINT: 57,500 SQ. FT.
BUILDING HEIGHT: 55 FT.
BUILDING COUNT: 2
DWELLINGS PER BUILDING: 60

PAIRED HOME SUMMARY:

2 - STORY
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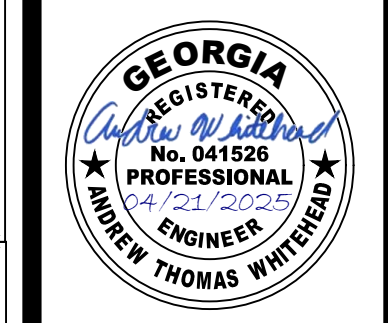
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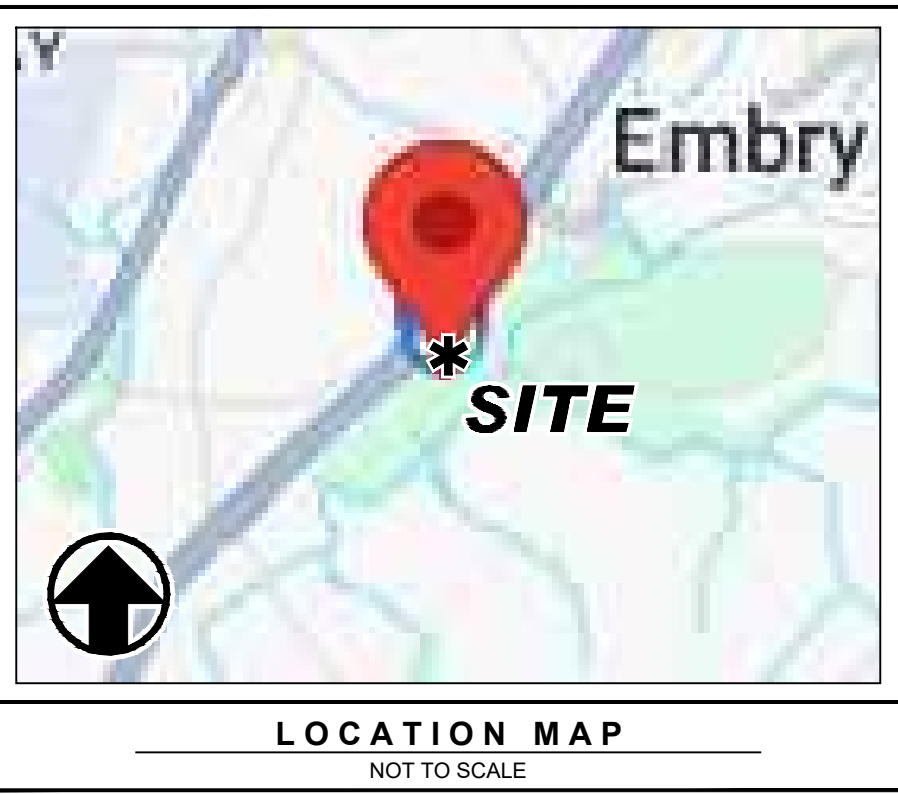
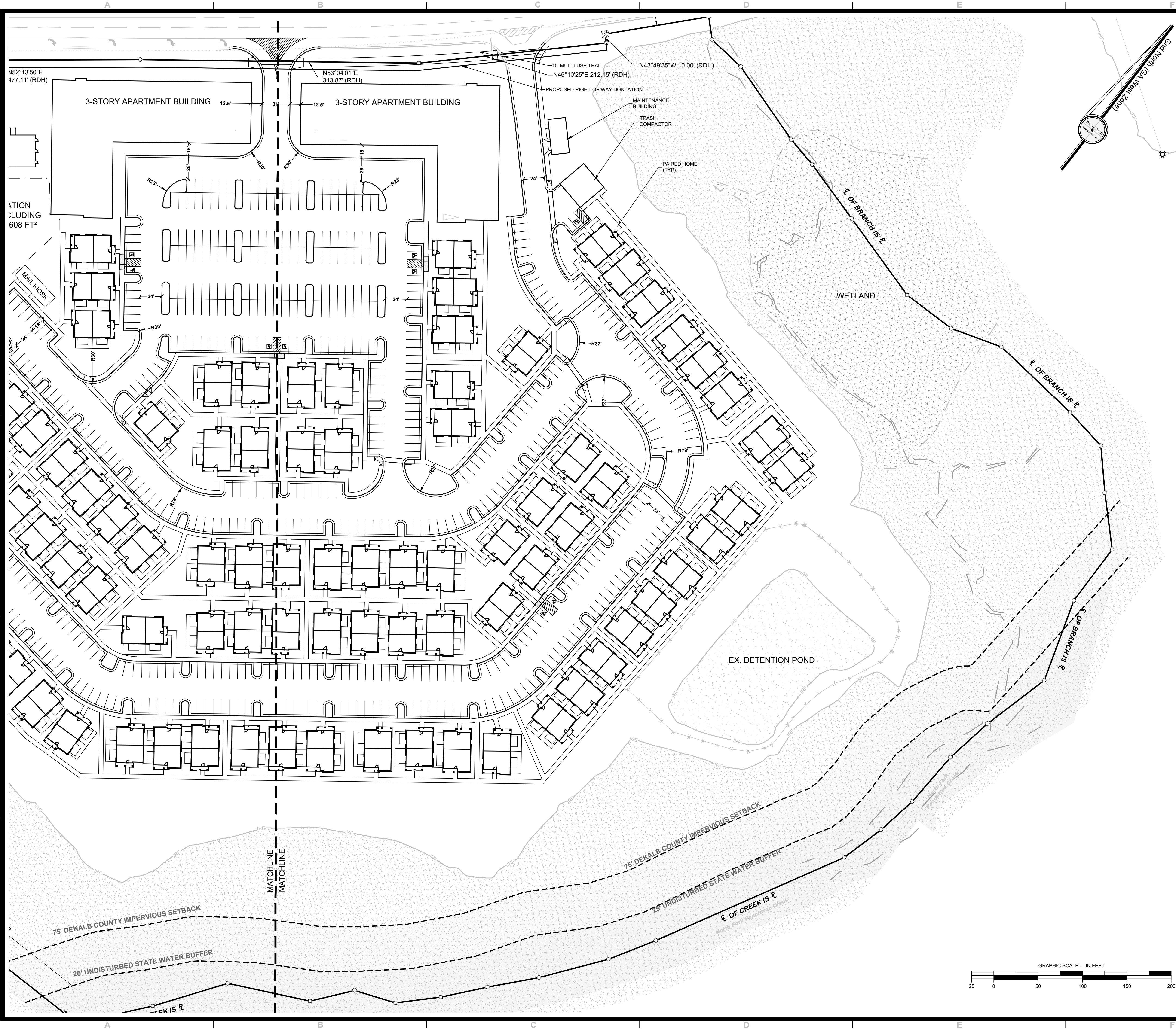
ENLARGED SITE PLAN 1

EVERSTEAD AT EMBRY HILLS

3265 NORTHEAST EXPRESSWAY, 267 18 CHAMBLEE DEKALB, GEORGIA



DATE: 4/18/25
SCALE: 1" = 80'
CN: 240363CP2
JN: 1-24-0363
FN: 174-D-159
SHEET NO: SP1



DEVELOPER
Alexis Helmick
3060 Peachtree Road NW, Suite 500
Atlanta, GA 30305
404.453.8054

24 HOUR EMERGENCY CONTACT
Alexis Helmick
404.453.8054
E-mail: Alexis.Helmick@LandmarkProperties.com

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EVERSTEAD AT EMBRY HILLS

ENLARGED SITE PLAN 2

3265 NORTHEAST EXPRESSWAY, 267 18 CHAMBLEE DEKALB, GEORGIA

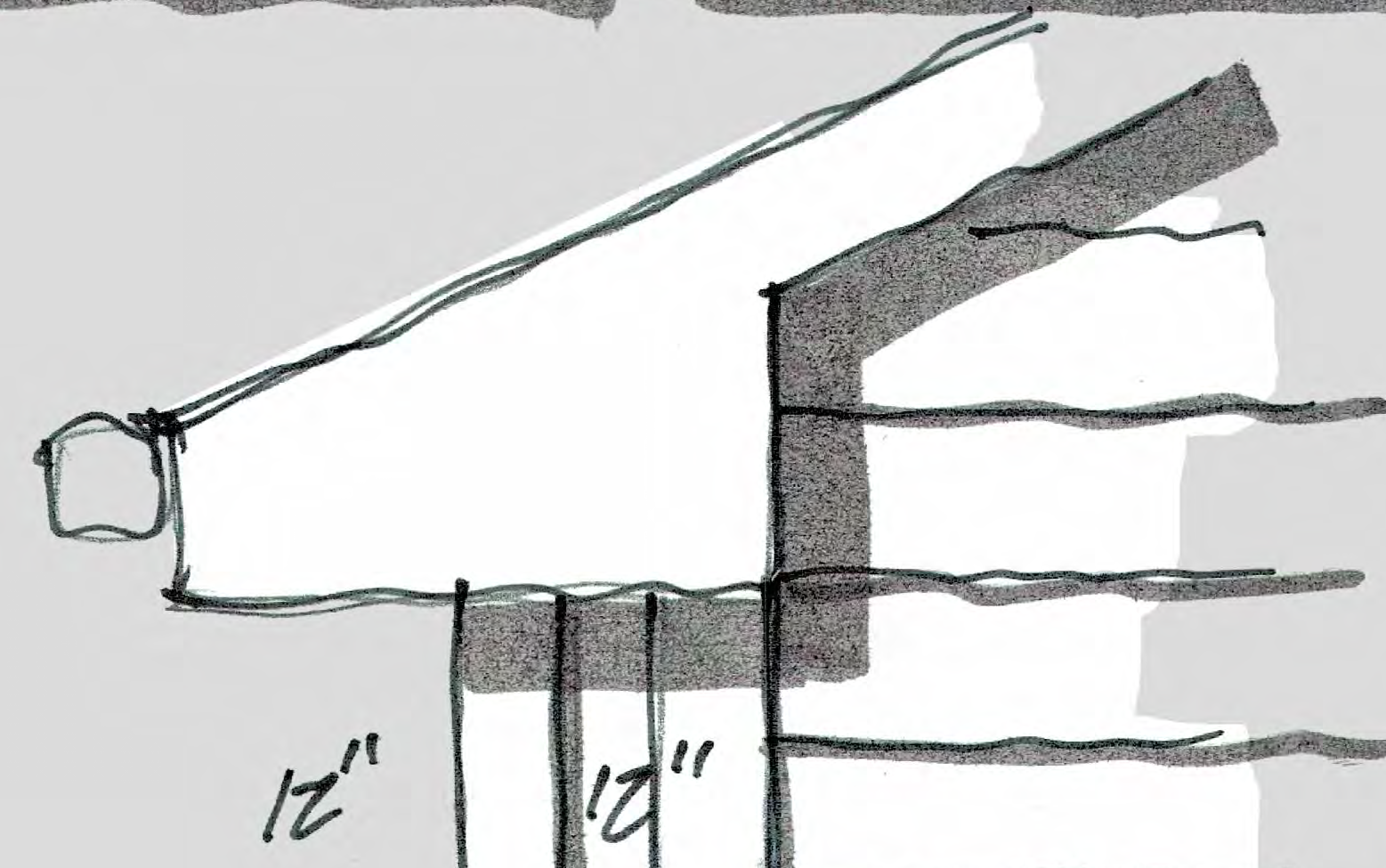


For The Firm
Travis Pruitt & Associates, Inc.

DATE: 4/18/25
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FN: 174-D-159
SHEET NO: SP2



ELEVATION A



UNDER ALL PORCH 8" HORIZONTAL SHIP LAP SIDING - SMOOTH
 - USE ALSO FOR PORCH CEILING
 - PAINTED SHADE OF BLUE GREEN FOR VARIATION.



ELEVATION B

UNDER PORCH 8" HORIZONTAL SHIP LAP SIDING - SMOOTH.
 - USE ALSO FOR PORCH CEILING

EVERSTEAD AT EMBRY HILLS

DEKALB COUNTY, GEORGIA
 PAIRED HOME ELEVATIONS | DATE 04/21/2025



ARCH
01



EVERSTEAD AT EMBRY HILLS

DEKALB COUNTY, GEORGIA
APARTMENT ELEVATIONS | DATE 04/21/2025



ARCH
02

OWNER:
LMPSF ACQUISITIONS, LLC

315 OCONEE STREET
ATHENS, GA 30601
706.543.1910

NOT FOR
CONSTRUCTION

DATE:
04/18/25 REZONE
& TREE PROTECTION

SHEET TITLE:
LANDSCAPE
SCHEDULES & CHARTS

LP-001

PLANT SCHEDULE

BOTANICAL NAME	COMMON NAME
DECIDUOUS TREES	
ACER BUERGERIANUM	TRIDENT MAPLE
ACER RUBRUM	RED MAPLE
CARPINUS BETULUS	EUROPEAN HORNBEAM
CLADRASTIS KENTUKEA	AMERICAN YELLOWWOOD
GINKGO BILOBA	MAIDENHAIR TREE
LIQUIDAMBAR STYRACIFLUA	SWEET GUM
LIRIODENDRON TULIPIFERA	TULIP POPLAR
PISTACIA CHINENSIS	CHINESE PISTACHE
PLATANUS OCCIDENTALIS	AMERICAN SYCAMORE
QUERCUS ALBA	WHITE OAK
QUERCUS FALCATA	SOUTHERN RED OAK
QUERCUS LYRATA	OVERCUP OAK
TAXODIUM DISTICHUM	BALD CYPRESS
ULMUS PARVIFOLIA	LACEBARK ELM
ZELKOVA SERRATA	JAPANESE ZELKOVA
EVERGREEN TREES	
CEDRUS DEODARA	DEODAR CEDAR
CRYPTOMERIA JAPONICA	JAPANESE CEDAR
ILEX OPACA	AMERICAN HOLLY
ILEX X 'NELLIE R. STEVENS'	NELLIE R. STEVENS HOLLY
MAGNOLIA GRANDIFLORA	SOUTHERN MAGNOLIA
MAGNOLIA VIRGINIANA	SWEETBAY MAGNOLIA
MYRICA CERIFERA	WAX MYRTLE
OSMANTHUS AMERICANUS	DEVILWOOD
PINUS ECHINATA	SHORT LEAF PINE
PINUS TAEDA	LOBLOLLY PINE
THUJA X 'ATTAPULGUS'	TITAN® ARBORVITAE
ORNAMENTAL TREES	
AMELANCHIER X GRANDIFLORA 'AUTUMN BRILLIANCE'	
CORNUS FLORIDA	FLOWERING DOGWOOD
LAGERSTROEMIA INDICA X FAURIEI 'CHOCTAW'	CHOCTAW CRAPE MYRTLE
MAGNOLIA X SOULANGEANA	SAUCER MAGNOLIA MULTI-TRUNK
MALUS FLORIBUNDA	FLOWERING CRABAPPLE
PRUNUS X 'OKAME'	OKAME FLOWERING CHERRY
STYRAX AMERICANUS	AMERICAN SNOWBELL

Open Space Calculations					
Overall Lot Area (SF)	Required Open Space (15% of total site area)	Provided Open Space (SF)	Provided Open Space (%)	Floodplain/Wetland Open Space (SF) (Max. 50% of Required Open Space)	Floodplain/Wetland Open Space (%)
1,588,249	238,237	405,198	25.51%	119,126	29.40%
Notes:					
1.) Open Space Requirements determined by Zoning Ordinance of DeKalb County 27-5.5 Division 5 & Article 2 Table 2.4 Medium and High Density Residential Zoning Districts Dimensions Requirements					
2.) Per Zoning Ordinance of DeKalb County 27-5.5 Division 5 Sec.5.5.3, a maximum of 50% of required open space may consist of floodplain					

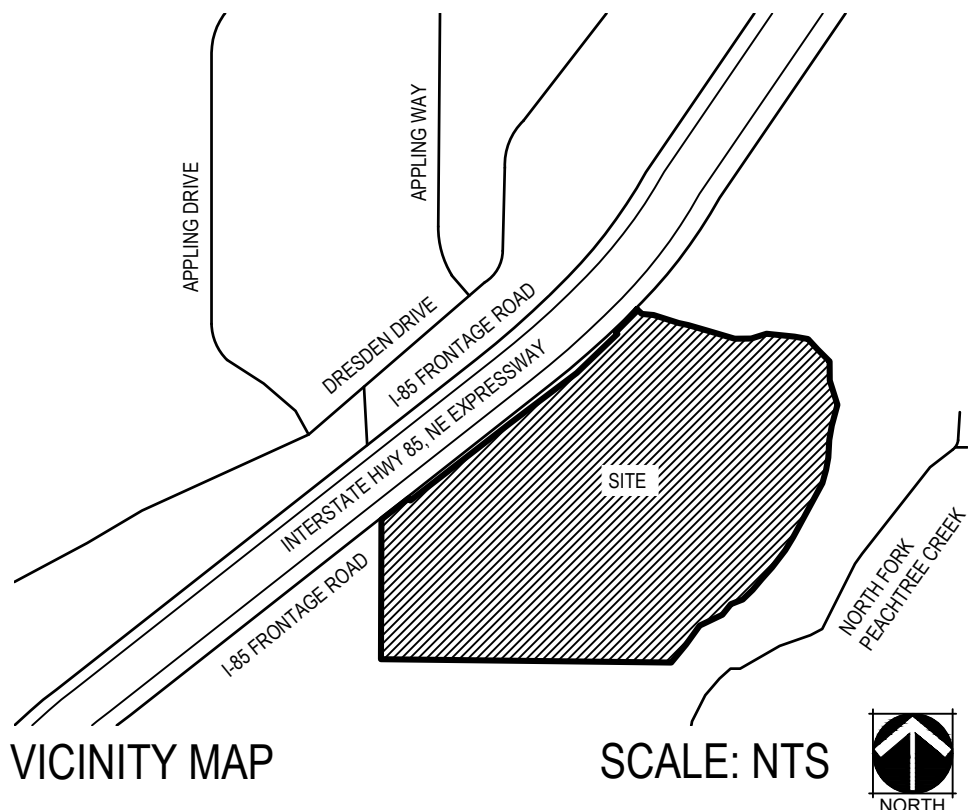
Street Tree Requirements			
Street Name	Street Frontage (LF)	Required Street Trees (1 per 50' LF)	Provided Street Trees
I-85 Frontage Rd	1,006	20	20
Notes:			
1.) Street Tree Requirements determined by Zoning Ordinance of DeKalb County 27-5.4 Division 4 Sec.5.4.3			
2.) 13 Street Trees are being located outside of landscape strip due to existing utility conflicts.			
3.) Street tree shall be pruned to provide 8' clearance above sidewalks and 12' clearance above the roadway surface.			

Property Preimeter Landscape Requirements			
Perimeter Description	Property LF	Required Evergreen or Ornamental Trees (3 per 50' LF)	Provided Evergreen Trees
West Property Line	318	19	19
Notes:			
1.) Street Tree Requirements determined by Zoning Ordinance of DeKalb County 27-5.4 Division 4 Sec.5.4.4			

Parking Area Landscape Requirements		
Total Number of Parking Spaces	Required Trees (1 per 8 Parking Spaces)	Provided Trees
618	78	92
Notes:		
1.) Street Tree Requirements determined by Zoning Ordinance of DeKalb County 27-5.4 Division 4 Sec.5.4.4D		

LANDSCAPE NOTES

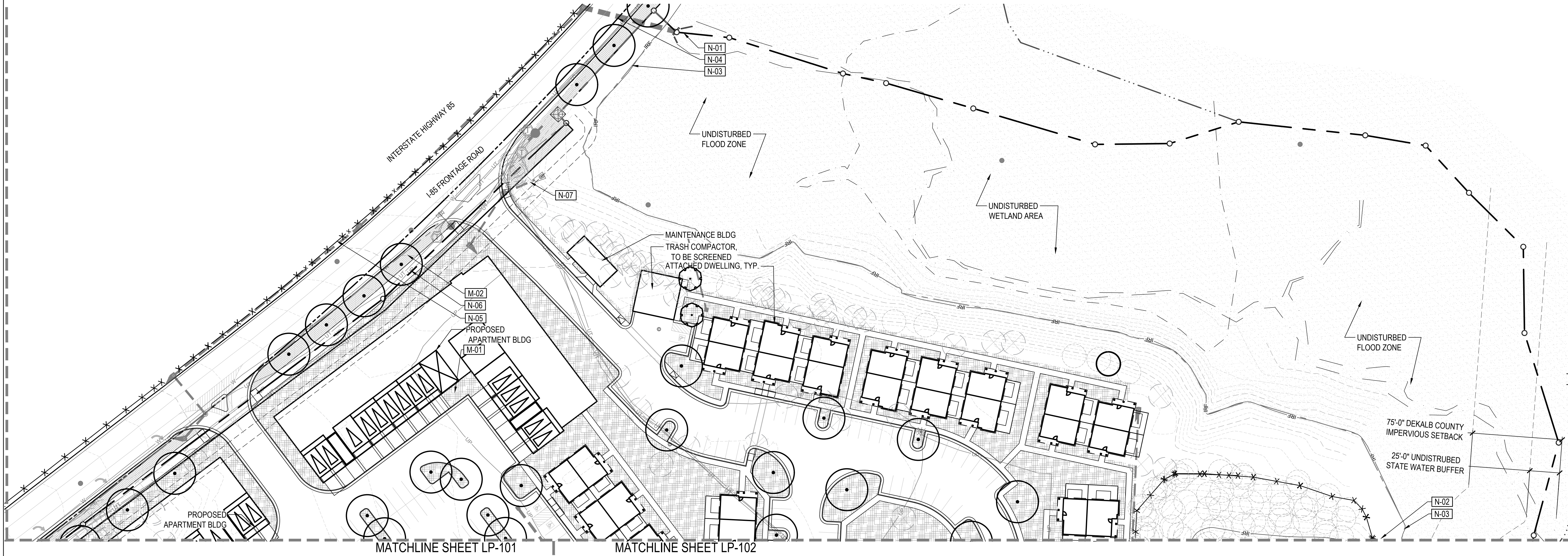
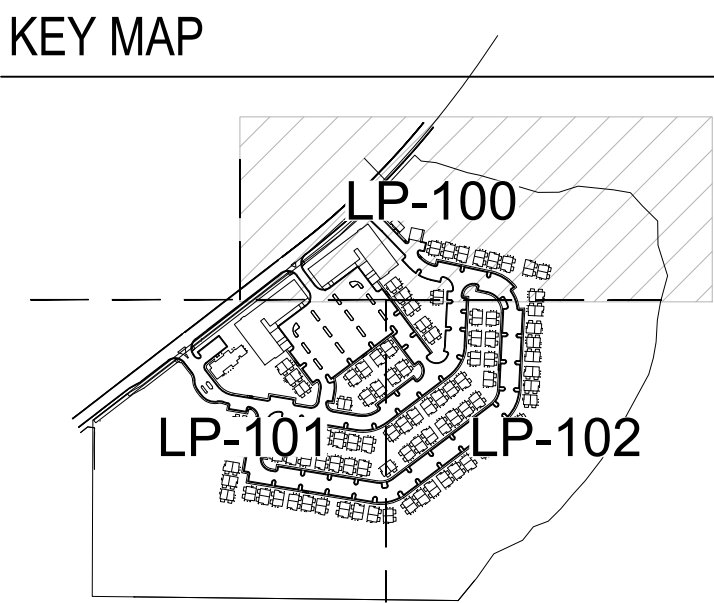
- THE CONTRACTOR SHALL FOLLOW THE LANDSCAPE PLANS AND SPECIFICATIONS AS CLOSELY AS POSSIBLE. ANY SUBSTITUTION OR ALTERATION SHALL NOT BE ALLOWED WITHOUT APPROVAL OF THE OWNER'S REPRESENTATIVE. OVERALL PLANT QUANTITY AND QUALITY SHALL BE CONSISTENT WITH THE PLANS.
- THE CONTRACTOR IS RESPONSIBLE FOR VERIFYING ALL PLANT QUANTITIES. GRAPHIC QUANTITIES TAKES PRECEDENCE OVER WRITTEN QUANTITIES.
- THE OWNER'S REPRESENTATIVE RESERVES THE RIGHT TO INSPECT AND TAG ALL PLANT MATERIAL PRIOR TO SHIPPING TO THE SITE. IN ALL CASES, THE OWNER'S REPRESENTATIVE MAY REJECT PLANT MATERIAL AT THE SITE IF MATERIAL IS DAMAGED, DISEASED, OR DECLINING IN HEALTH AT THE TIME OF ONSITE INSPECTIONS OR IF THE PLANT MATERIAL DOES NOT MEET THE MINIMUM SPECIFIED STANDARD IDENTIFIED ON THE PLANS AND IN THE SPECIFICATIONS. THE CONTRACTOR SHALL COORDINATE WITH THE OWNER'S REPRESENTATIVE FOR INSPECTION AND APPROVAL OF ALL MATERIALS AND PRODUCTS PRIOR TO INSTALLATION.
- THE OWNER'S REPRESENTATIVE MAY ELECT TO UPSIZE PLANT MATERIAL AT THEIR DISCRETION BASED ON SELECTION, AVAILABILITY, OR TO ENHANCE SPECIFIC AREAS OF THE PROJECT. THE CONTRACTOR SHALL VERIFY PLANT MATERIAL SIZES WITH OWNER'S REPRESENTATIVE PRIOR TO PURCHASING, SHIPPING OR STOCKING OF PLANT MATERIALS. SUBMIT CHANGE ORDER REQUEST TO OWNER'S REPRESENTATIVE FOR APPROVAL IF ADDITIONAL COST IS REQUESTED BY THE CONTRACTOR PRIOR TO INSTALLATION. RE-STOCKING CHARGES WILL NOT BE APPROVED IF THE CONTRACTOR FAILS TO SUBMIT A REQUEST FOR MATERIAL CHANGES.
- THE CONTRACTOR SHALL WARRANTY ALL CONTRACTED WORK AND MATERIALS FOR A PERIOD OF ONE YEAR AFTER SUBSTANTIAL COMPLETION HAS BEEN ISSUED BY THE OWNER'S REPRESENTATIVE FOR THE ENTIRE PROJECT UNLESS OTHERWISE SPECIFIED IN THE CONTRACT DOCUMENTS OR SPECIFICATIONS.
- REFER TO IRRIGATION PLANS FOR LIMITS AND TYPES OF IRRIGATION DESIGNED FOR THE LANDSCAPE. IN NO CASE SHALL IRRIGATION BE EMITTED WITHIN THE MINIMUM DISTANCE FROM BUILDING OR WALL FOUNDATIONS AS STIPULATED IN THE GEOTECHNICAL REPORT. ALL IRRIGATION DISTRIBUTION LINES, HEADS AND EMITTERS SHALL BE KEPT OUTSIDE THE MINIMUM DISTANCE AWAY FROM ALL BUILDING AND WALL FOUNDATIONS AS STIPULATED IN THE GEOTECHNICAL REPORT.
- LANDSCAPE MATERIAL LOCATIONS SHALL HAVE PRECEDENCE OVER IRRIGATION MAINLINE AND LATERAL LOCATIONS. COORDINATE INSTALLATION OF IRRIGATION EQUIPMENT SO THAT IT DOES NOT INTERFERE WITH THE PLANTING OF TREES OR OTHER LANDSCAPE MATERIAL.
- THE LANDSCAPE CONTRACTOR SHALL BE RESPONSIBLE FOR ENSURING POSITIVE DRAINAGE EXISTS IN ALL LANDSCAPE AREAS. SURFACE DRAINAGE ON LANDSCAPE AREAS SHALL NOT FLOW TOWARD STRUCTURES AND FOUNDATIONS. MAINTAIN SLOPE AWAY FROM FOUNDATIONS PER THE GEOTECHNICAL REPORT RECOMMENDATIONS. ALL LANDSCAPE AREAS BETWEEN WALKS AND CURBS SHALL DRAIN FREELY TO THE CURB UNLESS OTHERWISE IDENTIFIED ON THE GRADING PLAN. IN NO CASE SHALL THE GRADE, TURF THATCH, OR OTHER LANDSCAPE MATERIALS DAM WATER AGAINST WALKS. MINIMUM SLOPES ON LANDSCAPE AREAS SHALL BE 2%; MAXIMUM SLOPE SHALL BE 25% UNLESS SPECIFICALLY IDENTIFIED ON THE PLANS OR APPROVED BY THE OWNER'S REPRESENTATIVE.
- PRIOR TO INSTALLATION OF PLANT MATERIALS, AREAS THAT HAVE BEEN COMPACTED OR DISTURBED BY CONSTRUCTION ACTIVITY SHALL BE THOROUGHLY LOOSENEED TO A DEPTH OF 8" - 12" AND AMENDED PER SPECIFICATIONS.
- TREES SHALL NOT BE LOCATED IN DRAINAGE SWALES, DRAINAGE AREAS, OR UTILITY EASEMENTS. CONTACT OWNER'S REPRESENTATIVE FOR RELOCATION OF PLANTS IN QUESTIONABLE AREAS PRIOR TO INSTALLATION.
- THE CENTER OF EVERGREEN TREES SHALL NOT BE PLACED CLOSER THAN 8' AND THE CENTER OF ORNAMENTAL TREES CLOSER THAN 6' FROM A SIDEWALK, STREET OR DRIVE LANE. EVERGREEN TREES SHALL NOT BE LOCATED ANY CLOSER THAN 15' FROM IRRIGATION ROTOR HEADS. NOTIFY OWNER'S REPRESENTATIVE IF TREE LOCATIONS CONFLICT WITH THESE STANDARDS FOR FURTHER DIRECTION.
- ALL EVERGREEN TREES SHALL BE FULLY BRANCHED TO THE GROUND AND SHALL NOT EXHIBIT SIGNS OF ACCELERATED GROWTH AS DETERMINED BY THE OWNER'S REPRESENTATIVE.
- ALL TREES ARE TO BE STAKED AND GUYED PER DETAILS FOR A PERIOD OF 1 YEAR. THE CONTRACTOR SHALL BE RESPONSIBLE FOR REMOVING STAKES AT THE END OF 1 YEAR FROM ACCEPTANCE OF LANDSCAPE INSTALLATION BY THE OWNER'S REPRESENTATIVE. OBTAIN APPROVAL BY OWNER'S REPRESENTATIVE PRIOR TO REMOVAL.
- ALL TREES INSTALLED ABOVE RETAINING WALLS UTILIZING GEO-GRID MUST BE HAND DUG TO PROTECT GEO-GRID. IF GEO-GRID MUST BE CUT TO INSTALL TREES, APPROVAL MUST BE GIVEN BY OWNER'S REPRESENTATIVE PRIOR TO DOING WORK.
- ALL TREES IN SEED OR TURF AREAS SHALL RECEIVE MULCH RINGS. OBTAIN APPROVAL FROM OWNER'S REPRESENTATIVE FOR ANY TREES THAT WILL NOT BE MULCHED FOR EXCESSIVE MOISTURE REASONS.
- SHRUB, GROUNDCOVER AND PERENNIAL BEDS ARE TO BE CONTAINED BY 4" x 14 GAUGE GREEN, ROLL TOP, INTERLOCKING TYPE EDGER, DURAEDGE OR EQUAL WHERE NOTED ON PLANS. EDGER IS NOT REQUIRED WHEN ADJACENT TO CURBS, WALLS, WALKS OR SOLID FENCES WITHIN 3' OF PRE-MULCHED FINAL GRADE. EDGER SHALL NOT BE REQUIRED TO SEPARATE MULCH TYPES UNLESS SPECIFIED ON THE PLANS.
- AT SEED AREA BOUNDARIES ADJACENT TO EXISTING NATIVE AREAS, OVERLAP ABUTTING NATIVE AREAS BY THE FULL WIDTH OF THE SEEDER.
- EXISTING TURF AREAS THAT ARE DISTURBED DURING CONSTRUCTION, ESTABLISHMENT AND THE MAINTENANCE PERIOD SHALL BE RESTORED WITH NEW SOD TO MATCH EXISTING TURF SPECIES. DISTURBED NATIVE AREAS WHICH ARE TO REMAIN SHALL BE OVER SEEDED AND RESTORED WITH SPECIFIED SEED MIX.
- CONTRACTOR SHALL OVER SEED ALL MAINTENANCE OR SERVICE ACCESS BENCHES AND ROADS WITH SPECIFIED SEED MIX UNLESS OTHERWISE NOTED ON THE PLANS.
- ALL SEEDED SLOPES EXCEEDING 25% IN GRADE (4:1) SHALL RECEIVE EROSION CONTROL BLANKETS. PRIOR TO INSTALLATION, NOTIFY OWNER'S REPRESENTATIVE FOR APPROVAL OF LOCATION AND ANY ADDITIONAL COST IF A CHANGE ORDER IS NECESSARY.
- WHEN COMPLETE, ALL GRADES SHALL BE WITHIN +/- 1/8" OF FINISHED GRADES AS SHOWN ON THE PLANS.
- SOFT SURFACE TRAILS NEXT TO MANICURED TURF OR SHRUB BEDS SHALL BE CONTAINED WITH 4" x 14 GAUGE GREEN ROLL TOP EDGER, DURAEDGE OR EQUAL.
- PRIOR TO THE PLACEMENT OF MULCH AND WEED FABRIC, A GRANULAR, PRE-EMERGENT, WEED CONTROL AGENT SHALL BE ADDED TO ALL PLANTING BEDS IN ACCORDANCE WITH THE MANUFACTURER'S INSTRUCTION, EXCEPT AROUND ORNAMENTAL GRASSES.
- THE CONTRACTOR IS EXPECTED TO KNOW AND UNDERSTAND THE CITY AND COUNTY SPECIFICATIONS FOR LANDSCAPE AND IRRIGATION. IN CASES OF DISCREPANCIES THE HIGHER OF THE TWO STANDARDS SHALL HAVE PRECEDENCE.
- THE DEVELOPER, HIS SUCCESSORS AND ASSIGNS SHALL BE RESPONSIBLE FOR THE INSTALLATION, MAINTENANCE AND REPLACEMENT OF ALL IMPROVEMENTS SHOWN OR INDICATED ON THE APPROVED LANDSCAPE PLAN ON FILE IN THE PLANNING DEPARTMENT.



VICINITY MAP

SCALE: NTS





EVERSTEAD AT EMBRY HILLS
3265 NORTHEAST EXPRESSWAY
CHAMBLEE, GA 30341

OWNER:
LMPSF ACQUISITIONS, LLC
315 OCONEE STREET
ATHENS, GA 30601
706.543.1910

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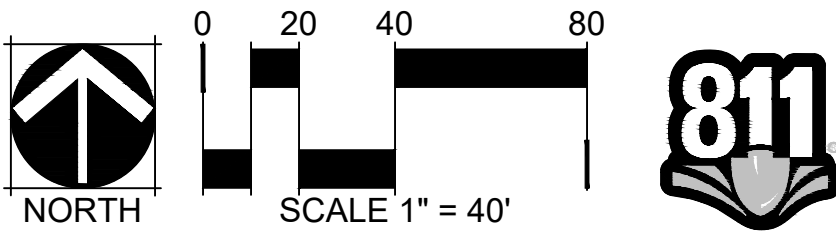
DATE:
04/18/25 REZONE
& TREE PROTECTION

SHEET TITLE:
LANDSCAPE
PLAN

LP-100

LEGEND		
SYMBOL	CODE	DESCRIPTION
LANDSCAPE MATERIAL SCHEDULE		
	M-01	LANDSCAPE AREA
	M-02	ROW LANDSCAPE
KEY NOTES		
	N-01	PROPERTY LINE, TYP.
	N-02	MATCHLINE
	N-03	LIMIT OF WORK
	N-04	ROW, TYP.
	N-05	EX. FENCE
	N-06	EX. ELECTRIC UTILITY, TYP.
	N-07	EX. STORM UTILITY, TYP.
		DECIDUOUS TREE
		ORNAMENTAL TREE
		EVERGREEN TREE
		EXISTING TREE TO REMAIN
		EXISTING TREE TO REMOVE
		SPECIMEN TREE TO REMAIN
		ENHANCED OPEN SPACE

NOTES:
1. 3' WIDE INTERIOR LANDSCAPE STRIP SHALL BE PROVIDED
ALONG ALL INTERIOR DRIVES AND PEDESTRIAN PATHS
PER ZONING ORDINANCE OF DEKALB COUNTY.



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MATCHLINE SHEET LP-100

N-02

INTERSTATE HIGHWAY 85
I-85 FRONTAGE ROAD

N-04
N-06
N-05
N-03

N-01
M-02
N-07

PROPOSED
APARTMENT BLDG
ENHANCED
OPEN SPACE
CLUBHOUSE

ENHANCED OPEN SPACE

ENHANCED
OPEN SPACE

ENHANCED
OPEN SPACE
2,984 SF

M-01
ATTACHED DWELLING, TYP.
N-03

50' PROPERTY PERIMETER
LANDSCAPE STRIP

N-01

UNDISTURBED
FLOOD ZONE

UNDISTURBED
WETLAND AREA

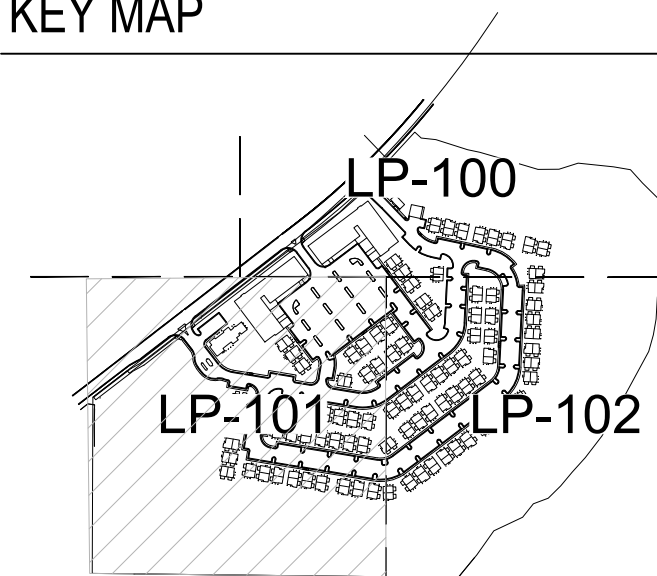
UNDISTURBED
FLOOD ZONE

N-01

20' BUILDING SETBACK LINE

MATCHLINE SHEET LP-102

KEY MAP



LEGEND

- DECIDUOUS TREE
- ORNAMENTAL TREE
- EVERGREEN TREE
- EXISTING TREE TO REMAIN
- EXISTING TREE TO REMOVE
- SPECIMEN TREE TO REMAIN

ENHANCED OPEN SPACE

SYMBOL CODE DESCRIPTION

LANDSCAPE MATERIAL SCHEDULE

M-01 LANDSCAPE AREA

M-02 ROW LANDSCAPE

KEY NOTES

- N-01 PROPERTY LINE, TYP.
- N-02 MATCHLINE
- N-03 LIMIT OF WORK
- N-04 ROW, TYP.
- N-05 EX. FENCE
- N-06 EX. ELECTRIC UTILITY, TYP.
- N-07 EX. STORM UTILITY, TYP.

NOTES:

- 3' WIDE INTERIOR LANDSCAPE STRIP SHALL BE PROVIDED ALONG ALL INTERIOR DRIVES AND PEDESTRIAN PATHS PER ZONING ORDINANCE OF DEKALB COUNTY.

**NORRIS
DESIGN**

PEOPLE + PLACEMAKING

901 EAST MADISON STREET
PHOENIX, AZ 85034
P 602.254.9600

NORRIS-DESIGN.COM

EVERSTEAD AT EMBRY HILLS
3265 NORTHEAST EXPRESSWAY
CHAMBLEE, GA 30341

OWNER:
LMPSF ACQUISITIONS, LLC

315 OCONEE STREET
ATHENS, GA 30601
706.543.1910

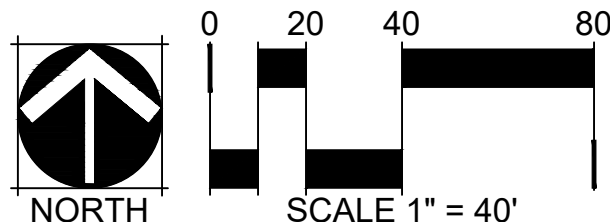
NOT FOR
CONSTRUCTION

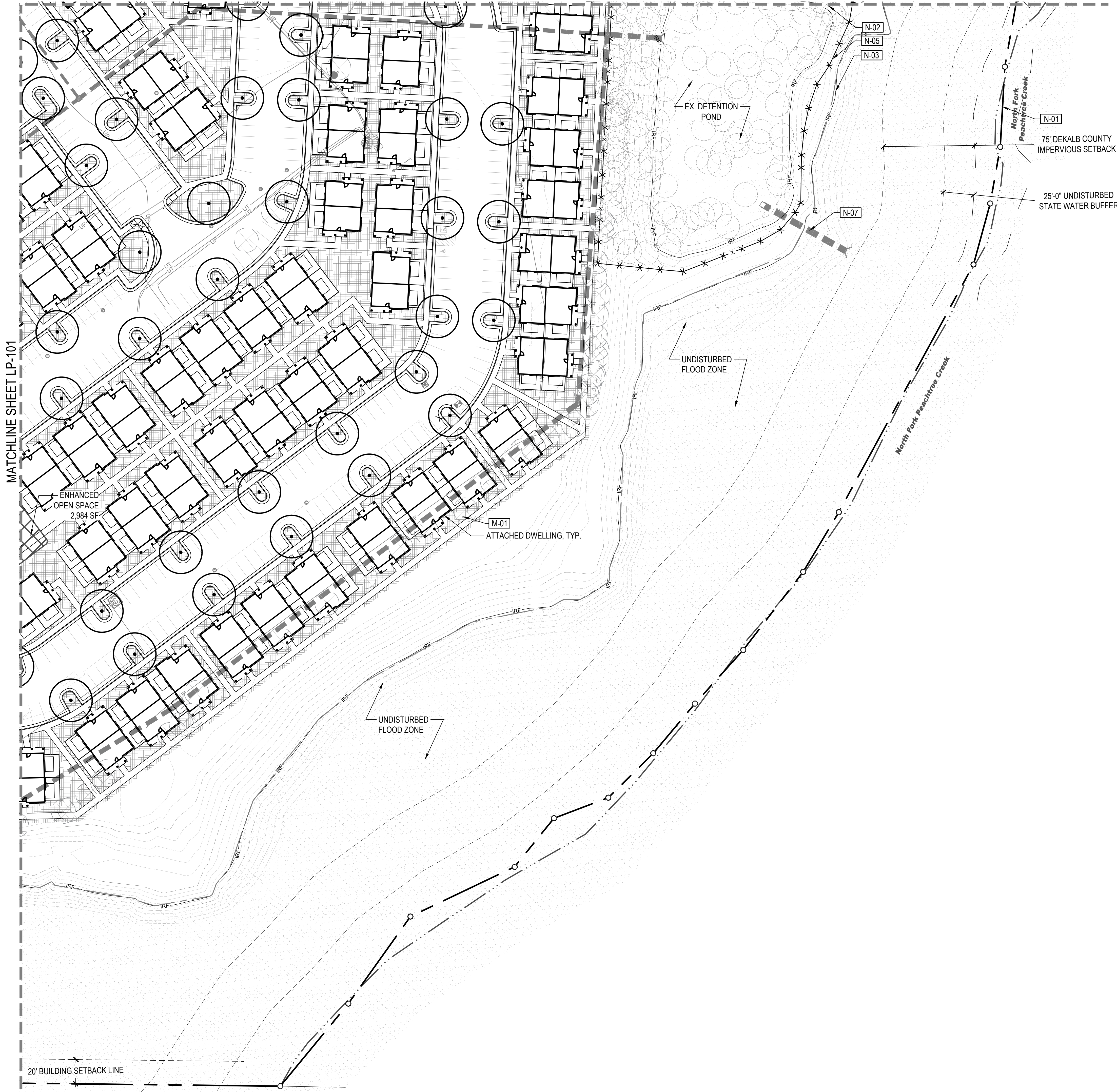
DATE:
04/18/25 REZONE
& TREE PROTECTION

SHEET TITLE:
LANDSCAPE
PLAN

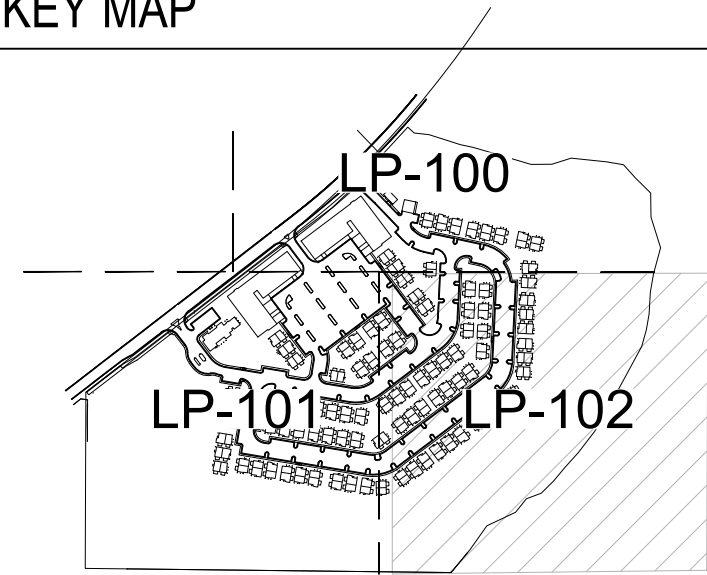
L-101

CHECKED BY: AHGR
DRAWN BY: LBKR





KEY MAP



LEGEND

- DECIDUOUS TREE
- ORNAMENTAL TREE
- EVERGREEN TREE
- EXISTING TREE TO REMAIN
- EXISTING TREE TO REMOVE
- SPECIMEN TREE TO REMAIN
- ENHANCED OPEN SPACE

SYMBOL	CODE	DESCRIPTION
LANDSCAPE MATERIAL SCHEDULE		
	M-01	LANDSCAPE AREA
	M-02	ROW LANDSCAPE

KEY NOTES	
N-01	PROPERTY LINE, TYP.
N-02	MATCHLINE
N-03	LIMIT OF WORK
N-04	ROW, TYP.
N-05	EX. FENCE
N-06	EX. ELECTRIC UTILITY, TYP.
N-07	EX. STORM UTILITY, TYP.

NOTES:
1. 3' WIDE INTERIOR LANDSCAPE STRIP SHALL BE PROVIDED ALONG ALL INTERIOR DRIVES AND PEDESTRIAN PATHS PER ZONING ORDINANCE OF DEKALB COUNTY.

EVERSTEAD AT EMBRY HILLS
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CHAMBLEE, GA 30341

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315 OCONEE STREET
ATHENS, GA 30601
706.543.1910

NOT FOR
CONSTRUCTION

DATE:
04/18/25 REZONE
& TREE PROTECTION

SHEET TITLE:
TREE REMOVAL
PLAN

LP-300

Total Limit of Work (SF)	Total Limit of Work (AC)	Required Denisty Units on Site (30DU/AC)	Existing Trees to Remain Density Unit	Replacement DU Required	New/Replacement Tree DU Provided
1071757.4	24.60	738.12	726.1	12.02	50.95

1.) Limit of work is equal to total property area minus floodplain.



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706.543.1910

NOT FOR
CONSTRUCTION

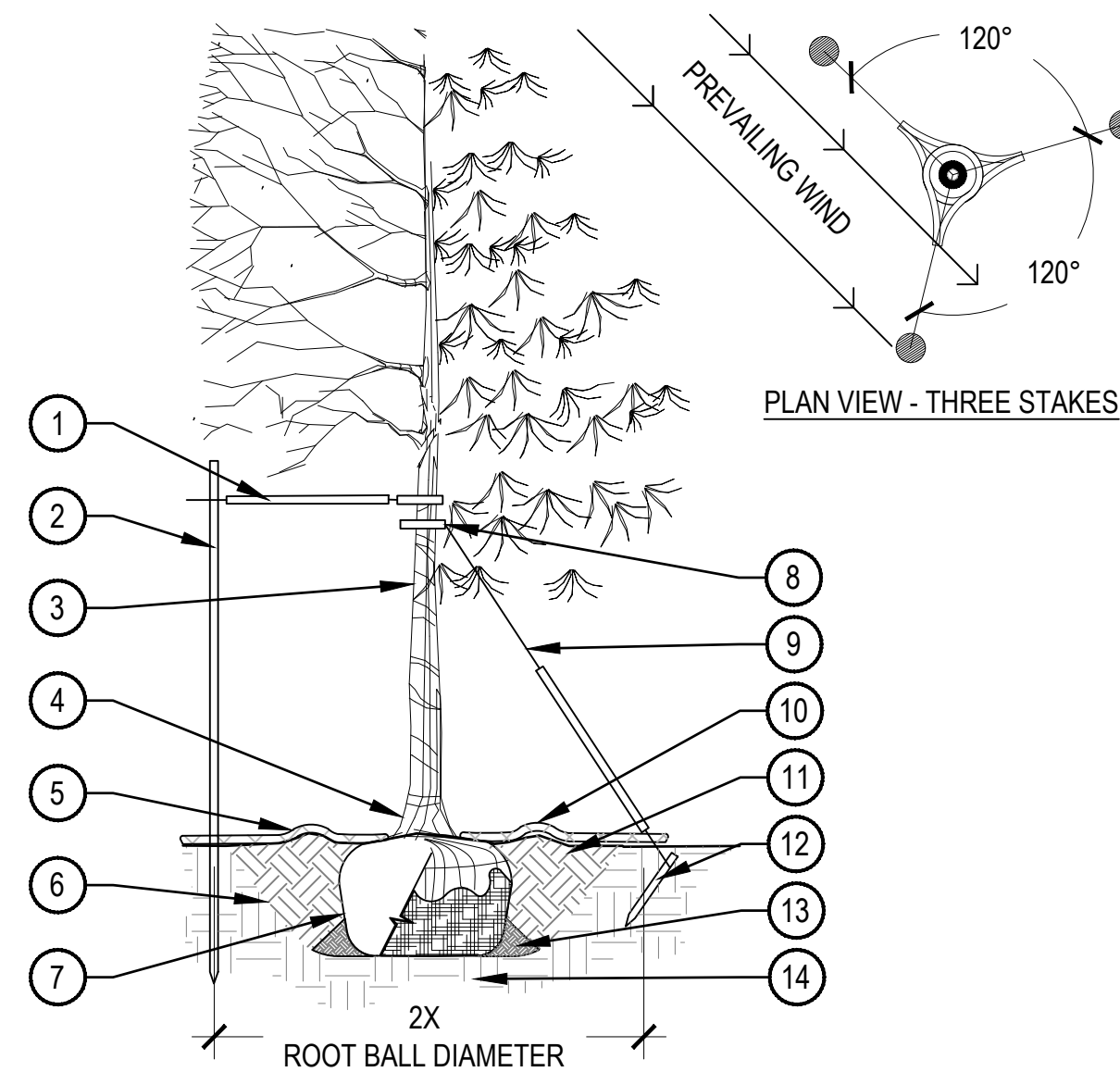
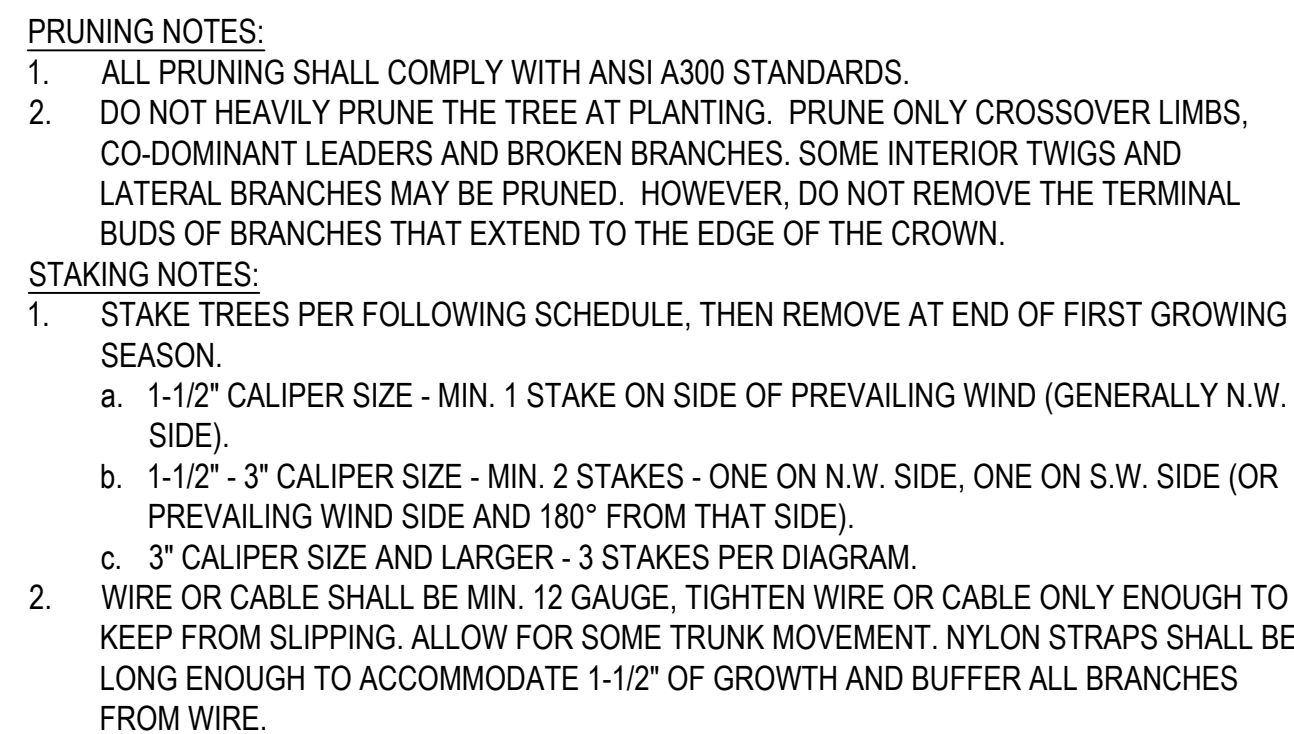
DATE:
04/18/25 REZONE
& TREE PROTECTION

SHEET TITLE:
TREE REPLACEMENT
PLAN

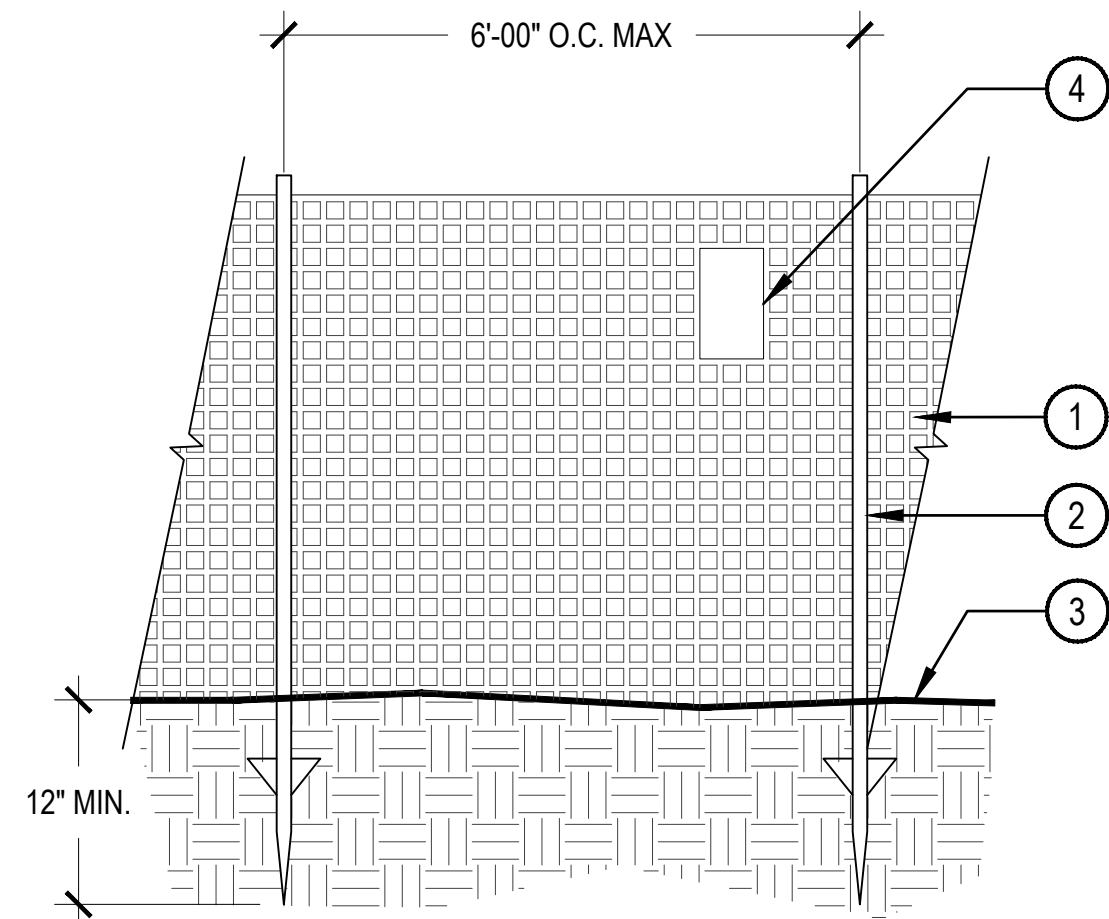
LP-300

CHECKED BY: AHGR
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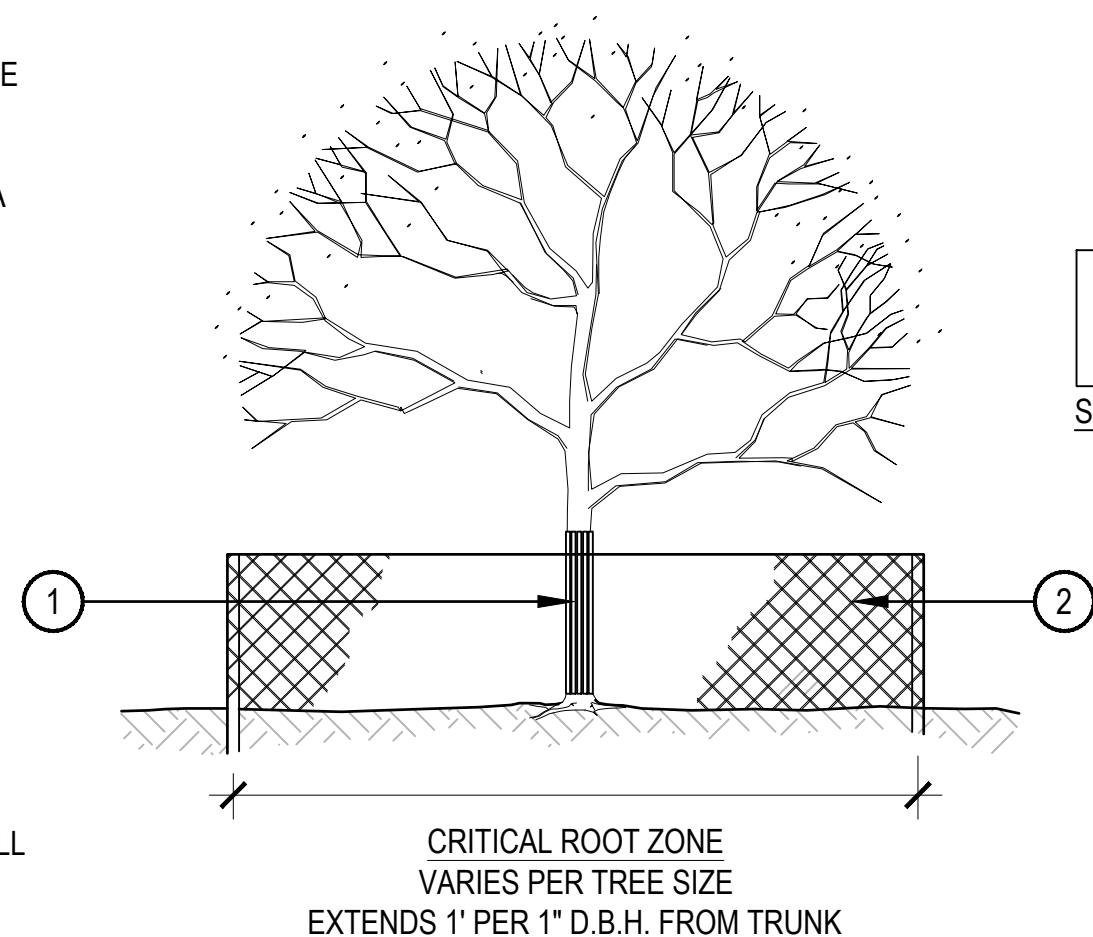
- ① PLACE MINIMUM 1/2" PVC PIPE AROUND EACH WIRE, EXPOSED WIRE SHALL BE MAXIMUM 2" EXPOSED
- ② 6'-0" UNTREATED WOOD POST, MINIMUM 1.5" DIAMETER, ALL SHALL BE DRIVEN OUTSIDE ROOTBALL AND IN UNDISTURBED SOIL
- ③ TREE WRAP TO BE INSTALLED ONLY FROM OCTOBER 1 THROUGH APRIL 30, DECIDUOUS ONLY, WRAP FROM BASE OF TRUNK TO BOTTOM LIMB
- ④ PLANT TREE SO THAT TOP MOST MAJOR ROOT IS 1'-2" ABOVE FINISHED GRADE
- ⑤ 2'-0" RADIUS MULCH RING, CENTERED ON TRUNK, 3" DEPTH, DO NOT PLACE MULCH IN CONTACT WITH TREE TRUNK, FINISHED GRADE REFERENCES TOP OF MULCH
- ⑥ 1:1 SLOPE ON SIDES OF PLANTING HOLE
- ⑦ ROPES AT TOP OF ROOTBALL SHALL BE CUT, REMOVE TOP 1/3 OF BURLAP, NON-BIODEGRADABLE MATERIAL SHALL BE TOTALLY REMOVED
- ⑧ GROMMETED NYLON STRAPS
- ⑨ GALVANIZED WIRE, MINIMUM 12 GAUGE CABLE, TWIST WIRE ONLY TO KEEP FROM SLIPPING
- ⑩ 4-6" HIGH WATER SAUCER IN NON-TURN AREAS
- ⑪ BACKFILL WITH BLEND OF EXISTING SOIL AND A MAXIMUM 20%, BY VOLUME ORGANIC MATERIAL, WATER THOROUGHLY WHEN BACKFILLING
- ⑫ 2'-0" STEEL T-POST, ALL SHALL BE DRIVEN BELOW GRADE AND OUTSIDE ROOTBALL IN UNDISTURBED SOIL
- ⑬ PLACE SOIL AROUND ROOT BALL FIRMLY, DO NOT COMPACT OR TAMP, SETTLE SOIL WITH WATER TO FILL ALL AIR POCKETS
- ⑭ PLACE ROOT BALL ON UNDISTURBED SOIL TO PREVENT SETTLEMENT



- ① TENSAR 4'-0" HT. ORANGE MESH FENCE
- ② 66" STEEL T-POST (1.33 G)
- ③ EXISTING GRADE
- ④ CONSTRUCTION FENCE SIGNAGE

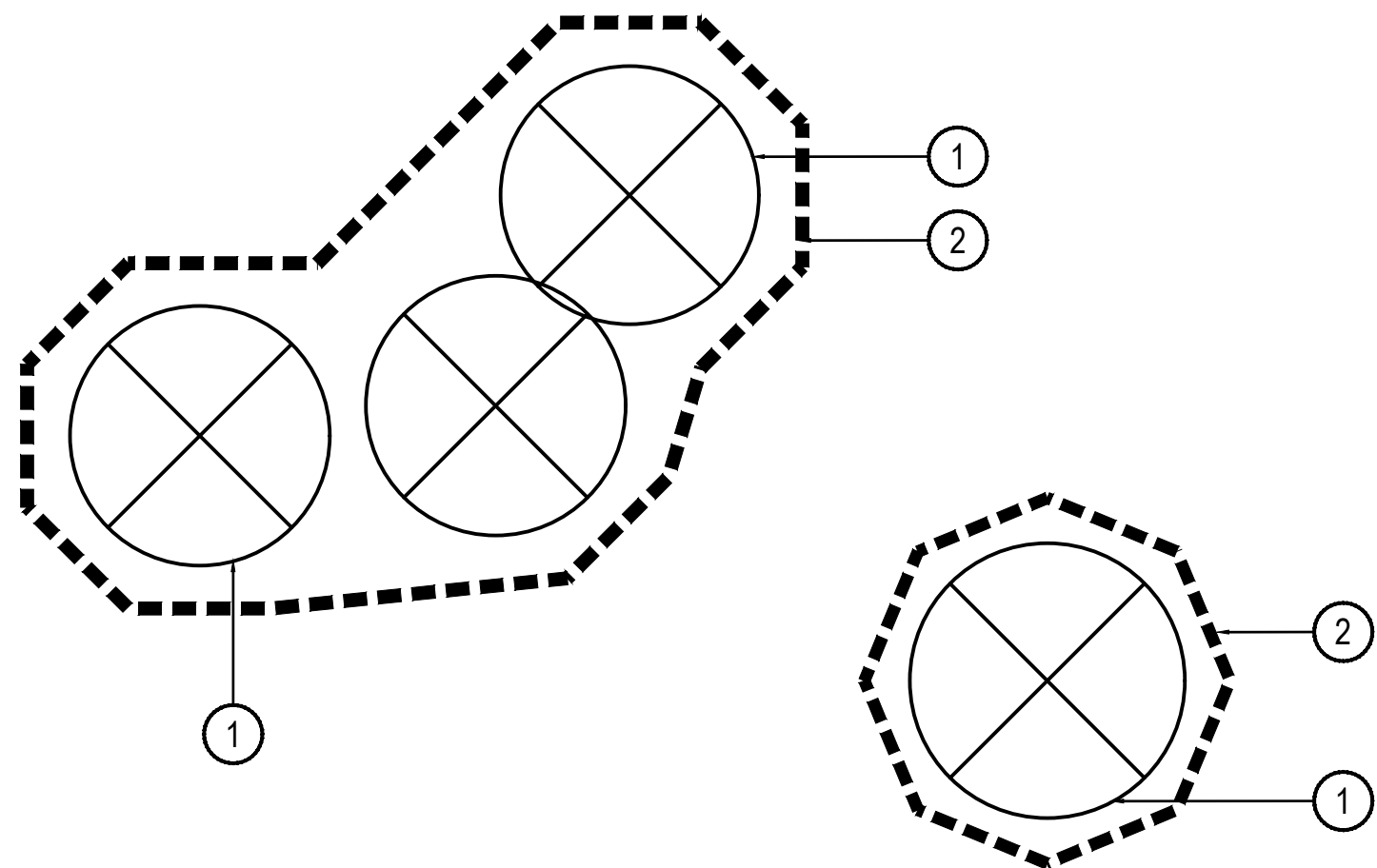
TREE PLANTING DETAIL

- NOTES:**
1. ALL METHODS AND STANDARDS FOR TREE PROTECTION SHALL BE ESTABLISHED IN ADMINISTRATIVE GUIDELINES ACCORDING TO DEKALB COUNTY CODE OF ORDINANCES SECTION 14-39.
 2. TREES TO BE PROTECTED AND PRESERVED SHALL BE IDENTIFIED ON THE TRUNK WITH WHITE SURVEY TAPE. GROUPING OF MORE THAN ONE TREE MAY OCCUR.
 3. NO PERSON ENGAGED IN THE CONSTRUCTION OF ANY STRUCTURE(S) OR IMPROVEMENT(S) OR ANY ACTIVITY SHALL ENCROACH OR PLACE SOLVENTS, MATERIAL, CONSTRUCTION MACHINERY, OR TEMPORARY SOIL DEPOSITS WITHIN SIX (6) FEET OF THE AREA OUTSIDE THE CRITICAL ROOT ZONE OR ANY EXISTING SIGNIFICANT TREE WITHIN A TREE SAVE AREA, TRANSITIONAL BUFFER ZONE, STREAM BUFFER, OR STATE BUFFER ZONE.
 4. FENCING MATERIAL SHALL BE SET AT 1' PER 1" OF DBH (MEASURED FROM TRUNK) AT MINIMUM AND MAINTAINED IN AN UPRIGHT POSITION THROUGHOUT THE DURATION OF CONSTRUCTION ACTIVITIES.
 5. FENCING MATERIAL SHALL BE DURABLE, ORANGE, AND A MINIMUM OF FOUR FEET IN HEIGHT.
 6. TREE ROOTS SHALL NOT BE CUT UNLESS CUTTING IS UNAVOIDABLE.
 7. WHEN ROOT CUTTING IS UNAVOIDABLE, A CLEAN SHARP CUT SHALL BE MADE TO AVOID SHREDDING OR SMASHING. ROOT CUTS SHOULD BE MADE BACK TO A LATERAL ROOT. ROOTS SHALL BE CUT NO MORE THAN 1/3 OF THE RADIUS FROM DRILLPIE TO TRUNK. WHENEVER POSSIBLE, ROOTS SHOULD BE CUT BETWEEN LATE FALL AND BUD OPENING, DURING DORMANCY PERIOD. ROOT STIMULATOR SHALL BE APPLIED TO CUT ROOTS. EXPOSED ROOTS SHALL BE COVERED IMMEDIATELY TO PREVENT DEHYDRATION. ROOTS SHALL BE COVERED WITH SOIL OR BURLAP AND KEPT MOIST. WATERING OF PROTECTED TREES IN WHICH ROOTS WERE CUT SHALL BE PROVIDED BY THE CONTRACTOR.
 8. WHEN ROOT CUTTING IS UNAVOIDABLE, A CLEAN SHARP CUT SHALL BE MADE TO AVOID SHREDDING OR SMASHING. ROOT CUTS SHOULD BE MADE BACK TO A LATERAL ROOT. WHENEVER POSSIBLE, ROOTS SHOULD BE CUT BETWEEN LATE FALL AND BUD OPENING, DURING DORMANCY PERIOD. EXPOSED ROOTS SHALL BE COVERED IMMEDIATELY TO PREVENT DEHYDRATION. ROOTS SHALL BE COVERED WITH SOIL OR BURLAP AND KEPT MOIST. WATERING OF PROTECTED TREES IN WHICH ROOTS WERE CUT SHALL BE PROVIDED BY THE CONTRACTOR.
 9. ANY GRADE CHANGES (SUCH AS THE REMOVAL OF TOPSOIL OR ADDITION OF FILL MATERIAL) WITHIN THE DRIP LINE SHOULD BE AVOIDED FOR EXISTING TREES TO REMAIN. RETAINING WALLS AND TREE WELLS ARE ACCEPTABLE ONLY WHEN CONSTRUCTED PRIOR TO GRADE CHANGE.



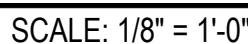
- 1 **TRUNK PROTECTION** - 1" BOARDS NO LESS THAN 5' LONG OR TO REACH FIRST SCAFFOLD BRANCH. WIRE TO HOLD BOARDS IN PLACE, NO NAILS PERMITTED. INCLUDE WRAPPING OF BURLAP UNDER BOARDS.
- 2 **BRANCH PROTECTION** - PROTECT LOWER BRANCHES OF TREE CANOPY. PROVIDE ORANGE TREE PROTECTION FENCING 1" PER 1" DBH MEASURED FROM TRUNK AT MINIMUM.
- 3 **PLACE SIGNS EVERY 50', PLACE SIGNS WHERE VISIBLE, ATTACH TO FENCING.**

TREE PROTECTION FENCE



- ① EXISTING TREE TO BE PRESERVED
- ② MINIMUM PRESERVATION FENCE (CRITICAL ROOT ZONE - 1' RADIUS AROUND TRUNK PER 1" DBH OF TREE)

TREE PROTECTION



TREE PROTECTION FENCING DETAIL



CHECKED BY: AHGR
DRAWN BY: LBKR

Survey Number	DBH	DU	Species	Common Name	Notes	Tree Removed (1=Y, 0=N)
1	9	2.4	<i>Acer rubrum</i>	Red maple		0
2	8	2.2	<i>Pinus taeda</i>	Loblolly pine		0
3	11	3.2	<i>Acer rubrum</i>	Red maple		1
4	11	3.2	<i>Acer rubrum</i>	Red maple		1
5	18	4.8	<i>Quercus palustris</i>	Pin oak		1
6	16	4.8	<i>Quercus palustris</i>	Pin oak		1
7	25	6.8	<i>Quercus phellos</i>	Willow oak		1
8	16	4.8	<i>Quercus phellos</i>	Willow oak		1
9	14	4	<i>Quercus palustris</i>	Pin oak		1
10	12	3.2	<i>Quercus phellos</i>	Willow oak		1
11	13	4	<i>Quercus palustris</i>	Pin oak		1
12	11	3.2	<i>Quercus palustris</i>	Pin oak		1
13	18	4.8	<i>Quercus phellos</i>	Willow oak		1
14	11	3.1	<i>Pinus taeda</i>	Loblolly pine		1
15	12	3.2	<i>Quercus palustris</i>	Pin oak		1
16	12	3.1	<i>Pinus taeda</i>	Loblolly pine		1
17	8	2.2	<i>Pinus taeda</i>	Loblolly pine		1
18	12		<i>Albizia julibrissin</i>	Mimosa	Invasive species	1
19	11	3.1	<i>Pinus taeda</i>	Loblolly pine		0
20	12	3.1	<i>Pinus taeda</i>	Loblolly pine		0
21	9	2.2	<i>Pinus taeda</i>	Loblolly pine		0
22	8	2.2	<i>Pinus taeda</i>	Loblolly pine		0
23	8	2.2	<i>Pinus taeda</i>	Loblolly pine		0
24	9		<i>Albizia julibrissin</i>	Mimosa	Invasive species	1
25	13	4	<i>Quercus palustris</i>	Pin oak		0
26	13	3.9	<i>Pinus taeda</i>	Loblolly pine		0
27	11	3.1	<i>Pinus taeda</i>	Loblolly pine		0
28	9	2.2	<i>Pinus taeda</i>	Loblolly pine		0
29	11	3.1	<i>Pinus taeda</i>	Loblolly pine		0
30	14	4	<i>Quercus palustris</i>	Pin oak		0
31	12	3.1	<i>Pinus taeda</i>	Loblolly pine		0
32	9	2.4	<i>Acer rubrum</i>	Red maple		0
33	14	4	<i>Acer rubrum</i>	Red maple		0
34	13	3.9	<i>Pinus taeda</i>	Loblolly pine		0
35	8	2.2	<i>Pinus taeda</i>	Loblolly pine		0
36	8		<i>Ulmus parvifolia</i>	Chinese elm	Invasive species	1
37	11	3.1	<i>Pinus taeda</i>	Loblolly pine		0
38	9	2.2	<i>Pinus taeda</i>	Loblolly pine		0
39	8	2.2	<i>Pinus taeda</i>	Loblolly pine		0
40	11	3.1	<i>Pinus taeda</i>	Loblolly pine		0
41	12		<i>Ulmus parvifolia</i>	Chinese elm	Invasive species	1
42	9	2.2	<i>Pinus taeda</i>	Loblolly pine		0
43	9	2.2	<i>Pinus taeda</i>	Loblolly pine		0
44	12	3.1	<i>Pinus taeda</i>	Loblolly pine		0
45	13	4	<i>Quercus phellos</i>	Willow oak		0
46	12	3.1	<i>Pinus taeda</i>	Loblolly pine		0
47	11	3.1	<i>Pinus taeda</i>	Loblolly pine		0
48	10	3.1	<i>Pinus taeda</i>	Loblolly pine		0
49	10		<i>Ulmus parvifolia</i>	Chinese elm	Invasive species	1
50	8	2.4	<i>Salix nigra</i>	Black willow		0
51	10		<i>Ulmus parvifolia</i>	Chinese elm	Invasive species	1
52	16	4.8	<i>Populus deltoides</i>	Cottonwood		0
53	11	3.2	<i>Populus deltoides</i>	Cottonwood		0
54	11	3.1	<i>Pinus taeda</i>	Loblolly pine		0
55	12	3.2	<i>Populus deltoides</i>	Cottonwood		0
56	11	3.2	<i>Populus deltoides</i>	Cottonwood		1
57	14	4	<i>Quercus phellos</i>	Willow oak		1
58	11	3.2	<i>Populus deltoides</i>	Cottonwood		1
59	14	3.9	<i>Pinus taeda</i>	Loblolly pine		0
60	10	3.2	<i>Liriodendron tulipifera</i>	Tulip poplar		0
61	11	3.2	<i>Acer rubrum</i>	Red maple		0
62	13	4	<i>Quercus rubra</i>	Northern red oak		0
63	9	2.4	<i>Acer rubrum</i>	Red maple		0
64	19		<i>Albizia julibrissin</i>	Mimosa	Invasive species	1
65	8	2.4	<i>Acer rubrum</i>	Red maple		1
66	8	2.4	<i>Betula nigra</i>	River birch		1
67	8	2.4	<i>Acer rubrum</i>	Red maple		1
68	10	3.2	<i>Acer rubrum</i>	Red maple		1
69	8	2.4	<i>Ulmus americana</i>	American elm		1
70	10	3.2	<i>Acer rubrum</i>	Red maple		1
71	18		<i>Albizia julibrissin</i>	Mimosa	Invasive species	1

72	17	4.8	<i>Populus deltoides</i>	Cottonwood		1
73	12	3.2	<i>Populus deltoides</i>	Cottonwood		1
74	10	3.2	<i>Populus deltoides</i>	Cottonwood		1
75	8	2.4	<i>Populus deltoides</i>	Cottonwood		1
76	8		<i>Ulmus parvifolia</i>	Chinese elm	Invasive species	1
77	9	2.4	<i>Pinus taeda</i>	Loblolly pine		1
78	16	4.8	<i>Populus deltoides</i>	Cottonwood		1
79	10	3.2	<i>Pinus taeda</i>	Loblolly pine		1
80	18	4.8	<i>Metasequoia glyptostroboides</i>	Dawn redwood		1
81	12	3.2	<i>Metasequoia glyptostroboides</i>	Dawn redwood		1
82	12	3.2	<i>Metasequoia glyptostroboides</i>	Dawn redwood		1
83	18	4.8	<i>Metasequoia glyptostroboides</i>	Dawn redwood		1
84	8	2.4	<i>Metasequoia glyptostroboides</i>	Dawn redwood		1
85	18	4.8	<i>Populus deltoides</i>	Cottonwood		1
86	12	3.2	<i>Acer negundo</i>	Boxelder	Low split	1
87	13	4	<i>Ulmus americana</i>	American elm	Low split	1
88	12	3.2	<i>Populus deltoides</i>	Cottonwood		1
89	20	5.4	<i>Albizia julibrissin</i>	Mimosa	Invasive species; multi stem - 7/7/6	1
90	10	3.2	<i>Populus deltoides</i>	Cottonwood		1
91	8	2.4	<i>Populus deltoides</i>	Cottonwood		1
92	17	4.8	<i>Populus deltoides</i>	Cottonwood		1
93	19	5.4	<i>Populus deltoides</i>	Cottonwood		1
94	9	2.4	<i>Populus deltoides</i>	Cottonwood		1
95	17	4.8	<i>Populus deltoides</i>	Cottonwood		1
96	17	4.8	<i>Populus deltoides</i>	Cottonwood		1
97	16	4.8	<i>Populus deltoides</i>	Cottonwood		1
98	16	4.8	<i>Populus deltoides</i>	Cottonwood		1
99	10	3.2	<i>Pinus taeda</i>	Loblolly pine		1
100	15	4	<i>Populus deltoides</i>	Cottonwood		1
101	12	3.2	<i>Populus deltoides</i>	Cottonwood		1
102	13	3.9	<i>Pinus taeda</i>	Loblolly pine		1
103	15	4	<i>Populus deltoides</i>	Cottonwood		1
104	11	3.2	<i>Populus deltoides</i>	Cottonwood		1
105	19	5.4	<i>Quercus phellos</i>	Willow oak		1
106	24	6	<i>Quercus phellos</i>	Willow oak		1
107	20	5.4	<i>Quercus phellos</i>	Willow oak		1
108	20	5.4	<i>Quercus phellos</i>	Willow oak		1
109	18	4.8	<i>Quercus phellos</i>	Willow oak		1
110	16	4.8	<i>Pinus taeda</i>	Loblolly pine		1
111	16	4.8	<i>Quercus phellos</i>	Willow oak		1
112	22	6	<i>Quercus phellos</i>	Willow oak		1
113	22	6	<i>Quercus phellos</i>	Willow oak		1
114	18	4.8	<i>Quercus phellos</i>	Willow oak		1
115	9	2.4	<i>Acer rubrum</i>	Red maple		1
116	8		<i>Ulmus parvifolia</i>	Chinese elm	Invasive species	1
117	13	4	<i>Lagerstroemia sp.</i>	Crape myrtle	Multi stem - 5/5/3	1
118	12	3.2	<i>Lagerstroemia sp.</i>	Crape myrtle	Multi stem - 4/4/4	1
119	11	3.2	<i>Lagerstroemia sp.</i>	Crape myrtle	Multi stem - 5/3/3	1
120	10	3.2	<i>Lagerstroemia sp.</i>	Crape myrtle	Multi stem - 4/3/3	1
121	9		<i>Ulmus parvifolia</i>	Chinese elm	Invasive species	1
122	8	2.4	<i>Acer rubrum</i>	Red maple		1
123	11		<i>Ulmus parvifolia</i>	Chinese elm	Invasive species	1
124	10		<i>Ulmus parvifolia</i>	Chinese elm	Invasive species	1
125	18	4.8	<i>Quercus phellos</i>	Willow oak		1
126	12	3.2	<i>Quercus phellos</i>	Willow oak	Multi stem - 4/4/4	1
127	17	4.8	<i>Quercus phellos</i>	Willow oak		1
128	22	6	<i>Quercus phellos</i>	Willow oak		1
129	18	4.8	<i>Quercus phellos</i>	Willow oak		1
130	11	3.2	<i>Lagerstroemia sp.</i>	Crape myrtle	Multi stem - 4/4/3	1
131	8	2.4	<i>Acer rubrum</i>	Red maple		1
132	13	4	<i>Quercus phellos</i>	Willow oak		1
133	13	4	<i>Quercus phellos</i>	Willow oak		1
134	10	3.2	<i>Pinus taeda</i>	Loblolly pine		1
135	9	2.4	<i>Pinus taeda</i>	Loblolly pine		1
136	9	2.4	<i>Pinus taeda</i>	Loblolly pine		1
137	11	3.2	<i>Pinus taeda</i>	Loblolly pine		1

138	15	4	<i>Pinus taeda</i>	Loblolly pine		1
139	10	3.2	<i>Pinus taeda</i>	Loblolly pine		1
140	10	3.2	<i>Pinus taeda</i>	Loblolly pine		1
141	9	2.4	<i>Quercus nigra</i>	Water oak		1
142	12	3.2	<i>Pinus taeda</i>	Loblolly pine		1
143	17	4.8	<i>Pinus taeda</i>	Loblolly pine		1
144	9	2.4	<i>Pinus taeda</i>	Loblolly pine		1
145	13	4	<i>Pinus taeda</i>	Loblolly pine		1
146	11	3.2	<i>Pinus taeda</i>	Loblolly pine		1
147	8	2.4	<i>Pinus taeda</i>	Loblolly pine		1
148	13	4	<i>Pinus taeda</i>	Loblolly pine		1
149	8	2.4	<i>Pinus taeda</i>	Loblolly pine		1
150	10	3.2	<i>Pinus taeda</i>	Loblolly pine		1
151	10	3.2	<i>Pinus taeda</i>	Loblolly pine		1
152	8	2.4	<i>Pinus taeda</i>	Loblolly pine		1
153	12	3.2	<i>Pinus taeda</i>	Loblolly pine		1
154	16	4.8	<i>Pinus taeda</i>	Loblolly pine		1
155	12	3.2	<i>Pinus taeda</i>	Loblolly pine		1
156	15		<i>Albizia julibrissin</i>	Mimosa	Invasive species; low split	1
157	15	4	<i>Pinus taeda</i>	Loblolly pine		1
158	9	2.4	<i>Pinus taeda</i>	Loblolly pine		1
159	12	3.2	<i>Pinus taeda</i>	Loblolly pine		1
160	9	2.4	<i>Pinus taeda</i>	Loblolly pine		1
161	14	4	<i>Pinus taeda</i>	Loblolly pine		1
162	15	4	<i>Pinus taeda</i>	Loblolly pine		1
163	20	5.4	<i>Pinus taeda</i>	Loblolly pine		1
164	11	3.2	<i>Pinus taeda</i>	Loblolly pine		1
165	12	3.2	<i>Metasequoia glyptostroboides</i>	Dawn redwood		1
166	14	4	<i>Metasequoia glyptostroboides</i>	Dawn redwood		1
167	12	3.2	<i>Populus deltoides</i>	Cottonwood		1
168	14	4	<i>Populus deltoides</i>	Cottonwood		1
169	19	5.4	<i>Populus deltoides</i>	Cottonwood		1
170	15	4	<i>Populus deltoides</i>	Cottonwood		1
171	16	4.8	<i>Populus deltoides</i>	Cottonwood		1
172	9	2.4	<i>Populus deltoides</i>	Cottonwood		1
173	15	4	<i>Populus deltoides</i>	Cottonwood		1
174	14	3.9	<i>Pinus taeda</i>	Loblolly pine		1
175	18	4.8	<i>Populus deltoides</i>	Cottonwood		1
176	15	4	<i>Populus deltoides</i>	Cottonwood		1
177	13	4	<i>Populus deltoides</i>	Cottonwood		1
178	18	4.8	<i>Populus deltoides</i>	Cottonwood		1
179	14	4	<i>Populus deltoides</i>	Cottonwood		1
180	14	4	<i>Populus deltoides</i>	Cottonwood		1
181	15	4	<i>Populus deltoides</i>	Cottonwood		1
182	18	4.8	<i>Quercus phellos</i>	Willow oak		1
183	8	2.4	<i>Populus deltoides</i>	Cottonwood		1
184	12	3.2	<i>Populus deltoides</i>	Cottonwood		1
185	8	2.4	<i>Populus deltoides</i>	Cottonwood		1
186	12	3.2	<i>Populus deltoides</i>	Cottonwood		1
187	11	3.2	<i>Populus deltoides</i>	Cottonwood		1
188	21	5.4	<i>Populus deltoides</i>	Cottonwood		1
189	11	3.2	<i>Populus deltoides</i>	Cottonwood		1
190	14	4	<i>Populus deltoides</i>	Cottonwood		1
191	18	4.8	<i>Populus deltoides</i>	Cottonwood	Low split	1
192	14	4	<i>Populus deltoides</i>	Cottonwood		0
193	17	4.8	<i>Populus deltoides</i>	Cottonwood		0
194	24		<i>Paulownia tomentosa</i>	Royal paulownia	Invasive species	1
195	12		<i>Paulownia tomentosa</i>	Royal paulownia	Invasive species	1
196	17	4.8	<i>Populus deltoides</i>	Cottonwood		1
197	11	3.2	<i>Populus deltoides</i>	Cottonwood		1
198	23		<i>Paulownia tomentosa</i>	Royal paulownia	Invasive species; low split	1
199	10	3.2	<i>Liriodendron tulipifera</i>	Tulip poplar		1
200	17	4.8	<i>Acer rubrum</i>	Red maple		1
201	8		<i>Albizia julibrissin</i>	Mimosa	Invasive species	1
202	11	3.2	<i>Acer negundo</i>	Boxelder		1
203	25	6.8	<i>Platanus occidentalis</i>	Sycamore		1
204	14	4	<i>Quercus nigra</i>	Water oak		0

205	16	4.8	Populus deltoides	Cottonwood		0
206	13	4	Populus deltoides	Cottonwood		1
207	9		Albizia julibrissin	Mimosa	Invasive species	1
208	9		Albizia julibrissin	Mimosa	Invasive species	1
209	15	4	Quercus nigra	Water oak		0
210	17	4.8	Pinus taeda	Loblolly pine		0
211*	11	3.2	Diospyros virginiana	Persimmon	Fair condition. Trunk wound with no decay (tag #1912)	0
212	13	4	Liquidambar styraciflua	Sweetgum		0
213	11	3.2	Quercus nigra	Water oak		1
214	11	3.2	Sassafras albidum	Sassafras	Low split	1
215	13	4	Sassafras albidum	Sassafras	Multi stem - 7/6	1
216	10	3.1	Pinus taeda	Loblolly pine		0
217	10	3.1	Pinus taeda	Loblolly pine		0
218	12	3.1	Pinus taeda	Loblolly pine		0
219	14	3.9	Pinus taeda	Loblolly pine		0
220	12	3.1	Pinus taeda	Loblolly pine		0
221	12	3.1	Pinus taeda	Loblolly pine		0
222	12	3.1	Pinus taeda	Loblolly pine		0
223	17	4.8	Pinus taeda	Loblolly pine		0
224	12	3.1	Pinus taeda	Loblolly pine		0
225	14	3.9	Pinus taeda	Loblolly pine		0
226	10	3.1	Pinus taeda	Loblolly pine		0
227	10	3.1	Pinus taeda	Loblolly pine		0
228	9	2.2	Pinus taeda	Loblolly pine		0
229	15		Albizia julibrissin	Mimosa	Invasive species; multi stem - 5/5/5	1
230	21	5.4	Pinus taeda	Loblolly pine		0
231	8	2.2	Pinus taeda	Loblolly pine		0
232	15	3.9	Pinus taeda	Loblolly pine		0
233	8	2.2	Pinus taeda	Loblolly pine		0
234	10	3.1	Pinus taeda	Loblolly pine		0
235	10	3.1	Pinus taeda	Loblolly pine		0
236	11	3.1	Pinus taeda	Loblolly pine		0
237	16	4.8	Pinus taeda	Loblolly pine		0
238	9	2.2	Pinus taeda	Loblolly pine		0
239	11	3.1	Pinus taeda	Loblolly pine		0
240	13	3.9	Pinus taeda	Loblolly pine		0
241	12	3.1	Pinus taeda	Loblolly pine		0
242	9	2.2	Pinus taeda	Loblolly pine		0
243	8	2.2	Pinus taeda	Loblolly pine		0
244	11	3.1	Pinus taeda	Loblolly pine		0
245	8	2.2	Pinus taeda	Loblolly pine		0
246	8		Albizia julibrissin	Mimosa	Invasive species	1
247	11	3.1	Pinus taeda	Loblolly pine		0
248	10	3.1	Pinus taeda	Loblolly pine		0
249	11	3.1	Pinus taeda	Loblolly pine		0
250	9	2.2	Pinus taeda	Loblolly pine		0
251	13	3.9	Pinus taeda	Loblolly pine		0
252	8	2.2	Pinus taeda	Loblolly pine		0
253	12	3.1	Pinus taeda	Loblolly pine		0
254	12	3.1	Pinus taeda	Loblolly pine		0
255	8	2.2	Pinus taeda	Loblolly pine		0
256	14	3.9	Pinus taeda	Loblolly pine		0
257	9	2.2	Pinus taeda	Loblolly pine		0
258	8	2.2	Pinus taeda	Loblolly pine		0
259	8	2.2	Pinus taeda	Loblolly pine		0
260	15	3.9	Pinus taeda	Loblolly pine		0
261	12		Albizia julibrissin	Mimosa	Invasive species	1
262	18	4.8	Pinus taeda	Loblolly pine		0
263	8	2.2	Pinus taeda	Loblolly pine		0
264	9	2.2	Pinus taeda	Loblolly pine		0
265	13	3.9	Pinus taeda	Loblolly pine		0
266	11	3.2	Populus deltoides	Cottonwood		1
267	11	3.2	Populus deltoides	Cottonwood		1
268	9	2.4	Pinus taeda	Loblolly pine		1
269	11	3.1	Pinus taeda	Loblolly pine		0
270	11	3.1	Pinus taeda	Loblolly pine		0
271	12	3.1	Pinus taeda	Loblolly pine		0
272	12	3.1	Pinus taeda	Loblolly pine		0
273	8	2.2	Pinus taeda	Loblolly pine		0
274	10	3.1	Pinus taeda	Loblolly pine		0
275	8	2.2	Pinus taeda	Loblolly pine		0
276	9	2.2	Pinus taeda	Loblolly pine		0
277	11	3.1	Pinus taeda	Loblolly pine		0
278	12	3.1	Pinus taeda	Loblolly pine		0
279	10	3.1	Pinus taeda	Loblolly pine		0
280	8	2.2	Pinus taeda	Loblolly pine		0
281	10	3.1	Pinus taeda	Loblolly pine		0
282	14	3.9	Pinus taeda	Loblolly pine		0

Chief Executive Officer
Lorraine Cochran-Johnson

DEPARTMENT OF PLANNING & SUSTAINABILITY

Interim Director
Cedric G. Hudson, MCRP

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

Applicant Name: LMPSP Acquisitions, LLC /co Jessica Hill Phone: 404-885-3925 Email: jessica.hill@troutman.com
Property Address: 3265 Northeast Expressway, Chamblee 30341
Tax Parcel ID: 18 267 01 003 Comm. District(s): 1 & 7 Acreage: _____
Existing Use: Vacant/Former Movie Theater Proposed Use: Residential, 24 units per acre.
Supplemental Regs: _____ Overlay District: No DRI: No
Rezoning: Yes X No _____
Existing Zoning: C-2 Proposed Zoning: HR-1 Square Footage/Number of Units: _____
Rezoning Request: Rezone to any zoning district that will permit residential use at a density of 24 units per acre.

Land Use Plan Amendment: Yes _____ No X
Existing Land Use: RC Proposed Land Use: _____ Consistent _____ Inconsistent _____
Special Land Use Permit: Yes _____ No X Article Number(s) 27- _____
Special Land Use Request(s): _____

Major Modification:

Existing Case Number(s): None
Condition(s) to be modified:
N/A

WHAT TO KNOW BEFORE YOU FILE YOUR APPLICATION

Pre-submittal Community Meeting: _____ Review Calendar Dates: _____ PC: 07/09/25 BOC: 07/24/25
Letter of Intent: X Impact Analysis: X Owner Authorization(s): X Campaign Disclosure: X
Zoning Conditions: _____ Community Council Meeting: 06/18/25 Public Notice, Signs: X
Tree Survey, Conservation: _____ Land Disturbance Permit (LDP): X Sketch Plat: _____
Bldg. Permits: X Fire Inspection: X Business License: _____ State License: _____
Lighting Plan: X Tent Permit: _____ Submittal Format: NO STAPLES, NO BINDERS PLEASE

Review of Site Plan

Density: X Density Bonuses: X Mix of Uses: X Open Space: X
Enhanced Open Space: X Setbacks: front X sides X side corner _____ rear X
Lot Size: X Frontage: X Street Widths: X Landscape Strips: X
Buffers: X Parking Lot Landscaping: X Parking - Auto: X Parking - Bicycle: X
Screening: X Streetscapes: X Sidewalks: X Fencing/Walls: _____
Bldg. Height: X Bldg. Orientation: _____ Bldg. Separation: X Bldg. Materials: _____ X
Roofs: _____ Fenestration: X Façade Design: _____ Garages: _____ Pedestrian Plan: _____
Perimeter Landscape Strip: _____
Possible Variances: _____

Comments: _____

Planner: John Reid, Sr. Planner Date: 03/18/2025

FILING FEES

REZONING:	RE, RLG, R-100, R-85, R-75, R-60, MHP, RSM, MR-1	\$500.00
	RNC, MR-2, HR-1, HR-2, HR-3, MU-1, MU-2, MU-3, MU-4, MU-5	\$750.00
	OI, OD, OIT, NS, C1, C2, M, M2	\$750.00
LAND USE MAP AMENDMENT		\$500.00
SPECIAL LAND USE PERMIT		\$400.00

Chief Executive Officer
Lorraine Cochran-Johnson

DEPARTMENT OF PLANNING & SUSTAINABILITY

Interim Director
Cedric G. Hudson

PRE-APP FORM ADDITIONAL COMMENT PAGE, IF NEEDED

APPLICANT: LMPSF Acquisitions, LLC /co Jessica Hill

ADDRESS/PARCEL: 3265 Northeast Expressway / 18 267 01 003

COMMENTS: Property falls within a Regional Center Character area calling for residential densities up to 120 units per acre and

building heights up to 10 stories. Verify with Atlanta Regional Commission that Development of

Regional Impact is not required. Floodplains areas along three sides of the property. Investigate

connecting to Peachtree Greenway. Consider bike parking, dog parks, alternative fuel vehicle

parking. While this property is not within a Small Area Plan, the abutting property to the south is

within a Small Area Plan--please review to see what impacts it might have on proposed project

Accessory commercial is encouraged to support the Regional Center Character Area calling for

high density mixed use. HR-1 allows a maximum base density of 24 units per acre, with up to 40

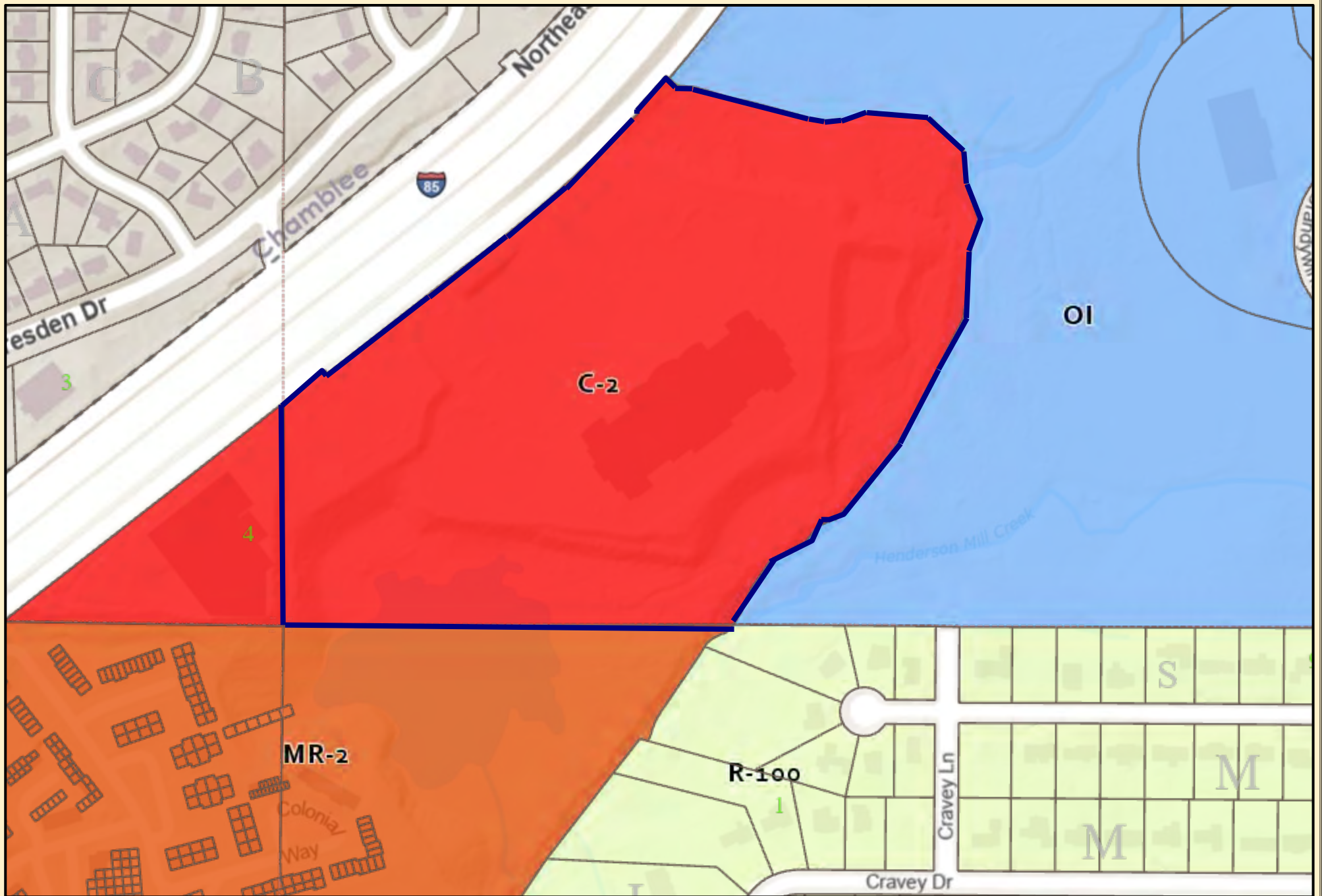
provision of density bonuses. 30 foot transitional buffer required where abutting MR-2 zoning to sc

Last day to hold community meeting with 15 days notice is 4/14/25 and filing deadline is 4/21/25.

Review comments are preliminary only; final review comments will be made when an official

application is submitted. Where is detention being provided.

PLANNER: John Reid Senior Planner



DeKalb County Parcel Map

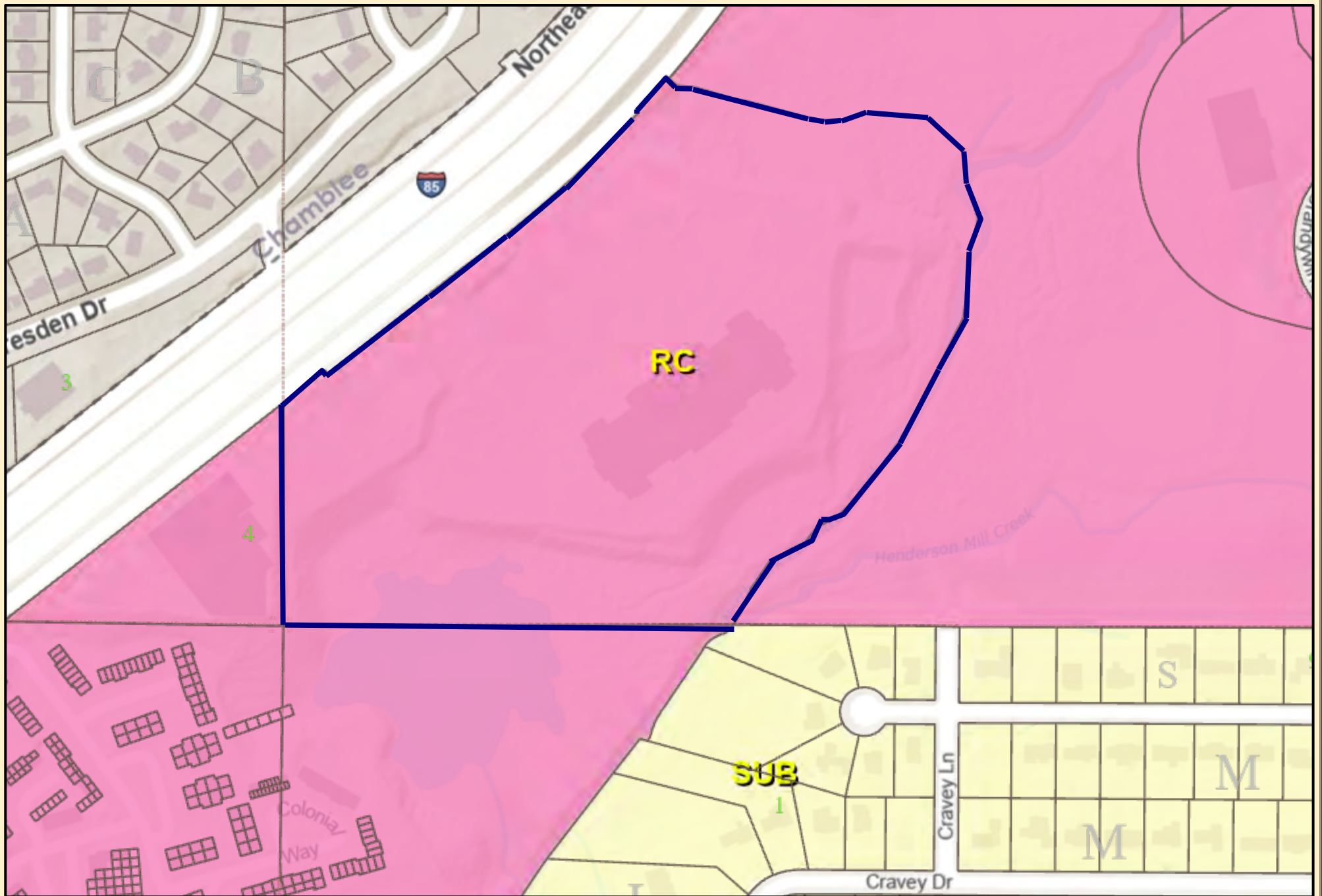
0 0.0175 0.035 0.07 0.105 0.14
mi

Date Printed: 6/16/2025



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DeKalb County Parcel Map

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Date Printed: 6/16/2025



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