

Conditions CZ-21-1245061
Major Modification of CZ-18-22125

1. The project site shall be developed in general conformity with the location of streets, land uses and buildings as shown on the site plan "Proposed Development at Avondale Park", prepared by Proterra Development LLC, dated June 13, 2018. A buffer with a depth of 10 to 20 feet shall be provided between the proposed alley ("Catalan Circle") of the proposed townhomes and the western property line (abutting the Farrar Court single-family subdivision) as shown on the aforementioned site plan. Existing trees within the transitional buffer shall be preserved and supplemented with new trees to form an effective visual screen as approved by the County Arborist. Invasive species such as bamboo may be removed from the buffer and additional plantings can be added to form a visual screen. Where invasive species are removed from the buffer, special consideration shall be given to prevent erosion and sedimentation during construction. A screen shall be installed along the entire length of the west property line and at the rear property lines of the single-family homes along the east property line, which shall consist of 1) an opaque fence with the finished side facing outwards and with a height of a minimum of six feet and 2) sufficient numbers of the following trees to provide a solid screen at maturity: arbor vitae, cryptomeria, or giant arbor vitae.
2. The landscape plan shall be in substantial compliance to Exhibit E Avondale Park and shall comply with Article 5 and Chapter 14 of the DeKalb County Code. If trees are replaced in the buffer, the preferred trees are one of or a combination of white oak, shumard red oak, southern red oak, or northern red oak. These are also the preferred trees for street trees within the development. The final landscaping plan shall be approved by the County arborist and shall take into consideration the recompense required under the tree ordinance. Within the development, street trees may be planted off the right-of-way if they would otherwise interfere with buried utilities. Recompense should take place within the immediate vicinity of the development along Mountain Drive or along Farrar Court.
3. The development shall comply with Sketch Plan requirements for subdivision prior to the issuance of a Land Disturbance Permit.
4. An outdoor lighting plan shall be submitted, reviewed, and approved by the Planning and Sustainability Department for compliance to the regulations of Section 27-5.6.1 of the County Code prior to the issuance of any building permits. The residential fixtures will be the "Savannah" lamp. Drop dish refractors are prohibited.
5. During construction, the Developer shall post a contact phone number that nearby residents can call to discuss development and construction issues. The developer shall use temporary Best Management Practices (BMPs) for run-off and temporary sedimentation storage in compliance with Section 14.38 (Soil Erosion and Sediment Control), subject to approval of the Land Development Division of the Department of Planning and Sustainability. If the Land Development Division determines that the property owners of Farrar Court (in particular those who will not have the benefit of an undisturbed buffer) are susceptible to damage from erosion, the Department may require, at a minimum, additional row(s) of silt fencing and bales of straw to protect the adjacent properties.
6. Provide compliance with Section 14-40 and Section 14-42 of the DeKalb County Code regarding storm water management and water quality control.
7. Open space and park space shall be as shown on the site plan cited in Condition No. 1.

8. The townhomes and single-family detached units shall have a minimum floor area of 1,200 square feet.
9. All residential buildings shall be designed to have a pitched roof.
10. The building materials shall be those listed in Exhibit B Construction Details of CZ-15-19943. Single-family attached townhomes shall be substantially similar in design to those depicted in *Atl T204 Elevation Plans dated 8/12/21, Elevation Plans Front Elevations, Elevation Plans Rear Elevations, and Elevation Plans Side Elevations*. Single-family detached homes shall be similar to those depicted in *Atl E128 and Atl E129*. The facades of the parking decks shall be consistent with the remainder of the building and shall use the same building materials. The side elevations of all single-family attached townhomes and single-family detached homes shall have windows and architectural detailing as required in Section 27-5.7.6(l)(1) of the County Code.
11. Commercial uses shall be limited to those permitted in the NS (Neighborhood Shopping) District. The following uses are prohibited within the Project Site:
 - a. Animal hospital, veterinary clinic, or boarding or breeding kennels
 - b. Convent or monastery
 - c. Private elementary, middle, or high school
 - d. Hotel, motel, extended stay hotel/motel, or boarding or rooming house
 - e. Movie theater or bowling alley
 - f. Farm or garden supply store
 - g. Liquor store, including retail liquor store as accessory use to hotels, motels and high-rise office building
 - h. Adult entertainment establishment or adult service facility
 - i. Nightclubs or late-night establishments
 - j. Coin-operated laundry or dry-cleaning store (specifically excluding dry-cleaning pressing establishments or pick-up stations and coin-operated laundry facilities within the interior of any multifamily apartment building)
 - k. Home appliance repair or service establishment
 - l. Special events facility
 - m. Drive-through facility (other than dry-cleaning pick-up station)
 - n. Pawn shop
 - o. Check cashing establishment
 - p. Place of worship
 - q. Convenience store
 - r. Gas station
12. Maximum building heights of non-residential buildings shall be eight stories. The townhomes along the west side of the site shall be no more than 40 feet high.
13. Subject to Georgia Department of Transportation approval, the developer shall provide a 6-foot wide sidewalk and a 10-foot wide landscape strip within the Mountain Drive right-of-way prior to the issuance of any certificates of occupancy. Within the landscape strip, provide a minimum of one street tree for every 50 feet of street frontage along Mountain Drive or as approved by the County Arborist so long as there is a minimum of seven trees.

14. Refuse areas shall be screened from public streets and shall be fenced or screened with a combination of materials and colors to match building materials of primary buildings.
15. Recycle collection bins shall be provided for the tenants residing in the townhome and multifamily buildings.
16. No direct vehicular access shall be permitted from the subject property to Farrar Court.
17. Secure bicycle storage lockers shall be provided within the parking deck of the stacked flat residential buildings. The space shall be sufficient for a minimum of 20 bikes.
18. No more than one ground sign shall be permitted on the Mountain Drive frontage. The ground sign shall be a monument style sign with a base and framework made of brick or stone and a maximum height of 6 feet.
19. The approval of this rezoning application by the Board of Commissioners has no bearing on the requirements for other regulatory approvals under the authority of the Historic Preservation Commission, the Zoning Board of Appeals, or other entity whose decision should be based on the merits of the application under review by such entity.
20. A sidewalk shall be extended from the east property line of the subject property to the sidewalk stub located approximately 70 feet from the eastern edge of the driveway into the Tax Commissioner's office.
21. In order to save as many significant trees as possible, utilities shall be installed by tunneling under tree roots, subject to approval by the County Arborist.
22. The developer shall have a soil study and a water percolation test performed before clearing trees and shall submit the study and test results to the DeKalb County staff, who shall determine whether the site is suitable for land disturbance.
23. The developer shall notify residents of properties on Farrar Court, by way of mailbox flyers, 24 hours in advance of any blasting.
24. The proposed sidewalk along Mountain Drive shall be completed in the first phase of construction, pending GDOT approval.