

**Z-22-1245447 (2022-1469)**  
**(Revised May 12, 2022)**  
**Recommended Conditions – May BOC 2022**  
**1493 LaVista Road**

1. The combined subject properties containing 1.3 acres shall be developed for no more than twenty (20) **fee-simple condominium units** within structures not to exceed three (3) stories or 45 feet, whichever is less. The site must be developed in substantial compliance with the layout shown on the most current site plan titled "*Land Disturbance Permits for Lavista Road Overall Site Plan*", prepared by Greyden Engineering and dated **05/11/22** and subject to any modifications and/or conditions that may be approved by the Zoning Board of Appeals for future variance requests. To the extent that there is any conflict between the site plan and the other approved conditions, set forth below, the written condition shall control.
2. **All tree islands shall contain an overstory tree as shown on concept plan prepared by Greyden Engineering and dated 05/11/22.**
3. Building facades shall be in conformance with Article 5 of the *Zoning Ordinance* and shall be developed in general conformity with the submitted conceptual elevations titled "1493 & 1501 Lavista Road Rezoning" and dated 12/14/21 by Wright Gardner Architect, Inc.
4. Developer shall comply with the zoning requirement of providing a transitional buffer along the southwest and south property line adjacent to the R-85 boundary. Whereas the Developer is seeking to reduce the minimum required width of the transitional buffer, it shall not be any less than thirty (30) feet along the south property line nor less than 20 feet along the southwest property line, if approved by the Board of Zoning Appeals. No buildings or structures shall be constructed within the transitional buffer, and it shall include new landscaping that will help serve as a visual barrier between the subject properties and the adjacent R-85 zoned single-family residential properties. The landscaping shall be as approved by the County Arborist. Wherever reasonably feasible, any mature or hardy hardwood or decorative trees within the transitional buffer shall be saved.
5. All exterior lighting shall be screened or shielded to minimize glare onto Lavista Road, as well as onto any adjacent homeowners' properties to the south and southwest, to keep light inside the property.
6. Prior to issuance of a Land Development Permit the applicant will need to provide detailed information on the location of the proposed stormwater management facility and address the comments from the Land Development Department on the *Planning Department Distribution Form* for this rezoning request. Post-construction storm water run-off shall be no greater than pre-construction storm water run-off in accordance with the DeKalb County Code of Ordinances and as required by the Georgia Storm Water Management Manual, subject to approval by the Division of Land Development. Furthermore, water quality shall meet the minimum requirements of the Georgia Storm water Management Manual or DeKalb County requirements.
7. Developer shall employ any dust abatement measures, storm water management, and erosion control measures required by ordinance during construction.
8. A minimum of 15% open space shall be provided. The applicant must provide evidence of a legal mechanism under which all land to be held in common and used for greenspace purposes within the development and all landscaping and street trees along Lavista Road (outside of the right-of-way) shall be protected in perpetuity. Existing trees of greater than 8" DBH located within designated open space areas that are not proposed for trails, buildings, structures, or parking lots or those likely to be impacted by necessary grading shall be preserved subject to approval of the County Arborist.
9. 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 Zoning Board of Appeals, or other entity whose decision should be based on the merits of the application under review by such entity whose decision shall be independently based.

10. Applicant must demonstrate compliance with the density bonus criteria that all proposed buildings are accredited by LEED®, EarthCraft, or other similar national accreditation organization, for energy and water-efficient site and building design. Prior to the last four residential units being approved for a building permit and certificate of occupancy, the first sixteen (16) residential units must be certified as a LEED®, EarthCraft, or other similar national accreditation for energy and water-efficient site and building design.
11. Access to the development shall be via a 24-foot-wide private drive, subject to transportation and fire marshal approval. Only one access point shall be allowed on Lavista Road. All interior streets must be private.
12. Ground signs shall be monument style signs with a base and framework made of brick or stone.
13. The two parcels which comprise the proposed development shall be combined into one legal lot of record prior to issuance of any land disturbance permits.
14. All units will contain one or two-car garages on ground floor and be rear loaded with front facades facing the common open space area.
15. The access on the east side of the property is classified by the applicant as an alley, and alleys are exempt from the private drive requirements but must comply with pavement width and length standards of the *Zoning Ordinance*.
16. **The electrical panel shall be sized to accommodate a 40-amp double pole breaker on the opposite end of the panel labeled "reserved for solar".**
17. **The electrical panel shall be sized to accommodate a 50-amp double pole breaker for electric vehicle charging. Due to ongoing changes in technology, prospective purchasers will be offered upgrade options to install appropriate plug(s).**
18. **"Smart" thermostats with an internet-ready connection, or other comparable technology which may be available, shall be used in all units.**