



REGIONAL REVIEW FINDING

Atlanta Regional Commission • 40 Courtland Street NE, Atlanta, Georgia 30303 • ph: 404.463.3100 • fax: 404.463.3105 • www.atlantaregional.com

DATE: Oct 24 2007

ARC REVIEW CODE: R707272

TO: CEO Vernon Jones
ATTN TO: Karmen Swan White, Planner
FROM: Charles Krautler, Director

NOTE: This is digital
signature. Original on file.

The Atlanta Regional Commission (ARC) has completed regional review of the following Development of Regional Impact (DRI). Below is the ARC finding. The Atlanta Regional Commission reviewed the DRI with regard to conflicts to regional plans, goals, and policies and impacts it might have on the activities, plans, goals, and policies of other local jurisdictions and state, federal, and other agencies. The finding does not address whether the DRI is or is not in the best interest of the local government.

Submitting Local Government: DeKalb County

Name of Proposal: Parkview Plaza MUD

Review Type: Development of Regional Impact

Date Opened: Aug 27 2007

Date Closed: Oct 24 2007

FINDING: After reviewing the information submitted for the review, and the comments received from affected agencies, the Atlanta Regional Commission finding is that the DRI is in the best interest of the Region, and therefore, of the State.

Additional Comments: The proposed development meets many of ARC's Regional Development Policies, as well as the Atlanta Region Unified Growth Policy Map. The proposed development is located within the Mega Corridor along Interstate 20. Mega corridors are defined as the most intensely developed radial corridors in the region. The proposed development is a redevelopment of an underutilized site along Memorial Drive and meets many of the Regional Development Policies that encourage mixed use development and housing diversity.

THE FOLLOWING LOCAL GOVERNMENTS AND AGENCIES RECEIVED NOTICE OF THIS REVIEW:

ARC LAND USE PLANNING
ARC DATA RESEARCH
GEORGIA DEPARTMENT OF NATURAL RESOURCES
METRO ATLANTA RAPID TRANSIT AUTHORITY
FULTON COUNTY

ARC TRANSPORTATION PLANNING
ARC AGING DIVISION
GEORGIA DEPARTMENT OF TRANSPORTATION
CITY OF ATLANTA

ARC ENVIRONMENTAL PLANNING
GEORGIA DEPARTMENT OF COMMUNITY AFFAIRS
GEORGIA REGIONAL TRANSPORTATION AUTHORITY
DEKALB COUNTY SCHOOLS

If you have any questions regarding this review, Please call Haley Fleming, Review Coordinator, at (404) 463-3311. This finding will be published to the ARC website.

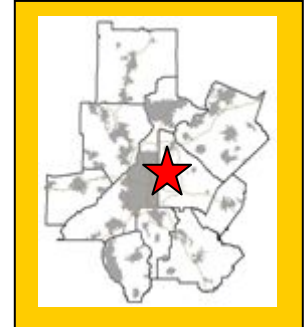
The ARC review website is located at: <http://www.atlantaregional.com/landuse> .

Preliminary Report:	August 27, 2007	DEVELOPMENT OF REGIONAL IMPACT REVIEW REPORT	Project:	Parkview Plaza MUD #1517
Final Report Due:	September 26, 2007		Comments Due By:	September 10, 2007

FINAL REPORT SUMMARY

REVISED DEVELOPMENT:

The proposed Parkview Plaza is a mixed use development located on 12.52 acres in DeKalb County. The proposed development will consist of 378 residential units that will include apartment dwelling units and condominium units, and 20,920 square feet of retail space, which includes an existing Pizza Hut. Access to the development is proposed along Memorial Drive, Warren Street, and Wilkinson Drive.



PROPOSED DEVELOPMENT:

The proposed Parkview Plaza is a mixed use development located on 12.52 acres in DeKalb County. The proposed development will consist of 298 apartment dwelling units, 78 condominium units, and 15,920 square feet of retail space, which includes an existing Pizza Hut. Access to the development is proposed along Memorial Drive, Warren Street, and Wilkinson Drive.

PROJECT PHASING:

The project is being proposed in one phase with a project build out date for 2008.

GENERAL

According to information on the review form or comments received from potentially affected governments:

Is the proposed project consistent with the host-local government's comprehensive plan? If not, identify inconsistencies.

The project site is currently zoned C-2 and R-75. The proposed zoning for the site is OCR. The proposed development is not consistent with DeKalb County's Future Development Plan, which designates the area as traditional neighborhood. The Plan will be amended to Town Center at the time of the rezoning, according to information submitted for the review.

Is the proposed project consistent with any potentially affected local government's comprehensive plan? If not, identify inconsistencies.

No comments were received during the review identifying inconsistencies with any potentially affected local government's comprehensive plan.

Will the proposed project impact the implementation of any local government's short-term work program? If so, how?

No comments were received concerning impacts to the implementation of any local government's short term work program.

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**Will the proposed project generate population and/or employment increases in the Region?
If yes, what would be the major infrastructure and facilities improvements needed to support the increase?**

Yes, the proposed development would increase the need for services in the area for existing and future residents.

What other major development projects are planned near the proposed project?

The ARC has reviewed other major development projects, known as Area Plan (1984 to 1991) or as a DRI (1991 to present), within a mile radius of the proposed project.

Year	Name
2003	Moreland Avenue Retail
2000	Glenwood Park

Will the proposed project displace housing units or community facilities? If yes, identify and give number of units, facilities, etc.

Information submitted for the review states that there is currently a shopping center that will be demolished and a Pizza Hut restaurant on the site that will remain.

Will the development cause a loss in jobs? If yes, how many?

No.

Is the proposed development consistent with regional plans and policies?

The proposed development meets many of ARC's Regional Development Policies, as well as the Atlanta Region Unified Growth Policy Map. The proposed development is located within the Mega Corridor along Interstate 20. Mega corridors are defined as the most intensely developed radial corridors in the region. The proposed development is a redevelopment of an underutilized site along Memorial Drive and meets many of the Regional Development Policies that encourage mixed use development and housing diversity.

Information submitted concerning site restraints due to existing businesses on the site will be reviewed by staff. A summary of those site restraints is attached at the end of this report.

ARC staff recommends that any further revisions to the site plan include placing the retail buildings up along Memorial Drive with the parking behind. With the submitted site plan attached at the end of this report, it is recommended that consideration be given to the pedestrian experience along the backside of commercial building 'b', facing the residential component. The development team should continue to work with the County to provide adequate pedestrian connections throughout the site, particularly between the commercial and residential components.

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ARC staff makes the following recommendations for the proposed development consistent with adopted and regional plans: coordinate with MARTA BRT (AR-923), coordinate with MARTA to provide benches at any existing bus stops adjacent to the property. It is strongly recommended that the developer provide enough space on Memorial Drive to accommodate a BRT shelter at this site. It is also recommended to provide visible and readily accessible bicycle parking at all commercial buildings the development, provide dedicated bicycle parking in the residential parking deck, and install a pedestrian crosswalk on Wilkinson Drive at a logical access point to DeKalb Memorial Park. Also include a 4' buffer between the road and pedestrian right of way on Wilkinson Dr. (as recommended for neighborhood sidewalk facilities by the ARC's Atlanta Region Bicycle Transportation and Pedestrian Walkways Plan). An acceptable alternative would be to use the same sidewalk design as proposed on Warren Street.

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FINAL REPORT

Regional Development Plan Policies

1. Provide sustainable economic growth in all areas of the region.
2. Encourage new homes and jobs within existing developed areas of the region, focusing on principal transportation corridors, the Central Business District, activity centers, and town centers.
3. Increase opportunities for mixed use development, transit-oriented development, infill, and redevelopment.
4. At strategic regional locations, plan and retail industrial and freight land uses.
5. Design transportation infrastructure to protect the context of adjoining development and provide a sense of place appropriate for our communities.
6. Promote the reclamation of Brownfield development sites.
7. Protect the character and integrity of existing neighborhoods, while also meeting the needs of communities to grow.
8. Encourage a variety of homes styles, densities, and price ranges in locations that are accessible to jobs and services to ensure housing for individuals and families of all incomes and age groups.
9. Promote new communities that feature greenspace and neighborhood parks, pedestrian scale, support transportation options, and provide an appropriate mix of uses and housing types.
10. Promote sustainable and energy efficient development.
11. Protect environmentally-sensitive areas including wetlands, floodplains, small water supply watersheds, rivers and stream corridors.
12. Increase the amount, quality, and connectivity, and accessibility of greenspace.
13. Provide strategies to preserve and enhance historic resources
14. Through regional infrastructure planning, limit growth in undeveloped areas of the region
15. Assist local governments to adopt growth management strategies that make more efficient use of existing infrastructure.
16. Inform and involve the public in planning at regional, local, and neighborhood levels.
17. Coordinate local policies and regulations to support Regional Policies
18. Encourage the development of state and regional growth management policy.

BEST LAND USE PRACTICES

Practice 1: Keep vehicle miles of travel (VMT) below the area average. Infill developments are the best at accomplishing this. The more remote a development the more self contained it must be to stay below the area average VMT.

Practice 2: Contribute to the area's jobs-housing balance. Strive for a job-housing balance with a three to five mile area around a development site.

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Practice 3: Mix land uses at the finest grain the market will bear and include civic uses in the mix.

Practice 4: Develop in clusters and keep the clusters small. This will result in more open space preservation.

Practice 5: Place higher-density housing near commercial centers, transit lines and parks. This will enable more walking, biking and transit use.

Practice 6: Phase convenience shopping and recreational opportunities to keep pace with housing. These are valued amenities and translate into less external travel by residents if located conveniently to housing.

Practice 7: Make subdivisions into neighborhoods with well-defined centers and edges. This is traditional development.

Practice 8: Reserve school sites and donate them if necessary to attract new schools. This will result in neighborhood schools which provide a more supportive learning environment than larger ones.

Practice 9: Concentrate commercial development in compact centers or districts, rather than letting it spread out in strips.

Practice 10: Make shopping centers and business parks into all-purpose activity centers. Suburban shopping centers and their environs could be improved by mixing uses and designing them with the pedestrian amenities of downtowns.

Practice 11: Tame auto-oriented land uses, or at least separate them from pedestrian-oriented uses. Relegate “big box” stores to areas where they will do the least harm to the community fabric.

BEST TRANSPORTATION PRACTICES

Practice 1: Design the street network with multiple connections and relatively direct routes.

Practice 2: Space through-streets no more than a half mile apart, or the equivalent route density in a curvilinear network.

Practice 3: Use traffic-calming measures liberally. Use short streets, sharp curves, center islands, traffic circles, textured pavements, speed bumps and raised crosswalks.

Practice 4: Keep speeds on local streets down to 20 mph.

Practice 5: Keep speeds on arterials and collectors down to 35 mph (at least inside communities).

Practice 6: Keep all streets as narrow as possible and never more than four traffic lanes wide. Florida suggests access streets 18 feet, subcollectors 26 feet, and collectors from 28 feet to 36 feet depending on lanes and parking.

Practice 7: Align streets to give buildings energy-efficient orientations. Allow building sites to benefit from sun angles, natural shading and prevailing breezes.

Practice 8: Avoid using traffic signals wherever possible and always space them for good traffic progression.

Practice 9: Provide networks for pedestrians and bicyclists as good as the network for motorists.

Practice 10: Provide pedestrians and bicyclists with shortcuts and alternatives to travel along high-volume streets.

Practice 11: Incorporate transit-oriented design features.

Practice 12: Establish TDM programs for local employees. Ridesharing, modified work hours, telecommuting and others.

BEST ENVIRONMENTAL PRACTICES

Practice 1: Use a systems approach to environmental planning. Shift from development orientation to basins or ecosystems planning.

Practice 2: Channel development into areas that are already disturbed.

Practice 3: Preserve patches of high-quality habitat, as large and circular as possible, feathered at the edges and connected by wildlife corridors. Stream corridors offer great potential.

Practice 4: Design around significant wetlands.

Practice 5: Establish upland buffers around all retained wetlands and natural water bodies.

Practice 6: Preserve significant uplands, too.

Practice 7: Restore and enhance ecological functions damaged by prior site activities.

Practice 8: Detain runoff with open, natural drainage systems. The more natural the system the more valuable it will be for wildlife and water quality.

Practice 9: Design man-made lakes and stormwater ponds for maximum environmental value. Recreation, stormwater management, wildlife habitat and others.

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Practice 10: Use reclaimed water and integrated pest management on large landscaped areas. Integrated pest management involves controlling pests by introducing their natural enemies and cultivating disease and insect resistant grasses.

Practice 11: Use and require the use of Xeriscape™ landscaping. Xeriscaping™ is water conserving landscape methods and materials.

BEST HOUSING PRACTICES

Practice 1: Offer “life cycle” housing. Providing integrated housing for every part of the “life cycle”.

Practice 2: Achieve an average net residential density of six to seven units per acre without the appearance of crowding. Cluster housing to achieve open space.

Practice 3: Use cost-effective site development and construction practices. Small frontages and setbacks; rolled curbs or no curbs; shared driveways.

Practice 4: Design of energy-saving features. Natural shading and solar access.

Practice 5: Supply affordable single-family homes for moderate-income households.

Practice 6: Supply affordable multi-family and accessory housing for low-income households.

Practice 7: Tap government housing programs to broaden and deepen the housing/income mix.

Practice 8: Mix housing to the extent the market will bear.

LOCATION

Where is the proposed project located within the host-local government's boundaries?

The proposed development is located in DeKalb County. The proposed development is located north of Interstate 20, bounded by Wilkinson Drive to the west, Memorial Drive to the north, and Warren Street to the east.

Will the proposed project be located close to the host-local government's boundary with another local government? If yes, identify the other local government.

The proposed development is entirely within DeKalb County; however, it is adjacent to the City of Atlanta.

Will the proposed project be located close to land uses in other jurisdictions that would benefit, or be negatively impacted, by the project? Identify those land uses which would benefit and those which would be negatively affected and describe impacts.

None were determined during the review.

ECONOMY OF THE REGION

According to information on the review form or comments received from potentially affected governments:

What new taxes will be generated by the proposed project?

Estimated value of the development is \$51,000,000 million with an expected \$1,000,000 million in annual local tax revenues.

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How many short-term jobs will the development generate in the Region?

Short-term jobs will depend upon construction schedule.

Is the regional work force sufficient to fill the demand created by the proposed project?

Yes.

In what ways could the proposed development have a positive or negative impact on existing industry or business in the Region?

None were determined during the review.

NATURAL RESOURCES

Watershed Protection and Stream Buffers

The property is not in a water supply watershed. The USGS coverage for the area shows no streams on or near the property. Any unmapped streams that may be on the property will be subject to the DeKalb County stream buffer ordinance which requires a 75-foot buffer along perennial and intermittent streams. Any state waters that may be on the property will be subject to the 25-foot Erosion and Sedimentation Act buffers, which are administered by the Environmental Protection Division of Georgia DNR. Any work within these buffers will require a variance from Georgia EPD.

Stormwater / Water Quality

The project is located in a dense urban area and stormwater may be handled by the County stormwater system. If on-site stormwater detention is provided, the project design should adequately address the impacts of the proposed development on stormwater runoff and downstream water quality. The amount of pollutants that will be produced after construction of the proposed development has been estimated by ARC. These are based on some simplifying assumptions for typical pollutant loading factors (lbs/ac/yr) from typical land uses in the Atlanta Region. The loading factors are based on regional storm water monitoring data from the Atlanta Region with impervious areas based on estimated averages for land uses in the Atlanta Region. If actual impervious percentages are higher or lower than the estimate, the pollutant loads will differ accordingly. A portion of the project is being built over existing impervious surfaces, which will affect the new loading amounts. Given the coverage of the proposed project, commercial was chosen as the use for the entire property. The following table summarizes the results of the analysis:

Estimated Pounds of Pollutants Per Year

Land Use	Land Area (ac)	Total Phosphorus	Total Nitrogen	BOD	TSS	Zinc	Lead
Commercial	12.50	21.38	217.50	1350.00	12287.50	15.38	2.75
TOTAL	12.50	21.38	217.50	1350.00	12287.50	15.38	2.75

Total Impervious = 85%

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If on-site detention is used, the project should implement stormwater management controls (structural and/or nonstructural) as found in the Georgia Stormwater Management Manual (www.georgiastormwater.com) and meet the stormwater management quantity and quality criteria outlined in the Manual. Where possible, the project should utilize the stormwater better site design concepts included in the Manual.

HISTORIC RESOURCES

Will the proposed project be located near a national register site? If yes, identify site.

None have been identified.

In what ways could the proposed project create impacts that would damage the resource?

Not applicable.

In what ways could the proposed project have a positive influence on efforts to preserve or promote the historic resource?

Not applicable.

INFRASTRUCTURE

Transportation

How many site access points will be associated with the proposed development? What are their locations?

Vehicular access to the development is proposed at five full movement driveways: one location along Wilkinson Drive, two locations along Memorial Drive, and two locations along Warren Street. Driveway 1 along Wilkinson Drive will be located approximately 215' south of Memorial Drive. Driveway 2 and Driveway 3 will be located along Memorial Drive approximately 220' and 450' east of Wilkinson Drive, respectively. Driveway 4 and Driveway 5 along Warren Street will be located approximately 260' and 520' south of Memorial Drive, respectively. A second access is proposed on Wilkinson Drive for emergency access only and is not planned to connect to the proposed parking garage. It will be located approximately 755' south of Memorial Drive.

How much traffic (both average daily and peak am/pm) will be generated by the proposed project?

Kimley-Horn & Associates performed the transportation analysis. GRTA and ARC review staff agreed with the methodology and assumptions used in the analysis. The net trip generation is based on the rates published in the 7th edition of the Institute of Transportation Engineers (ITE) Trip Generation report; they are listed in the following table:

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Land Use	A.M. Peak Hour			P.M. Peak Hour			24-Hour
	Enter	Exit	2-Way	Enter	Exit	2-Way	2-Way
Apartments 298 Units	30	120	150	118	64	182	1,942
Residential Condominium / Townhouse 78 Units	7	35	42	33	16	49	520
Retail Commercial 23,320 SF	40	25	65	115	124	239	2,636
<i>Mixed-Use Reductions</i>	0	0	0	-25	-25	-50	-528
<i>Alternative Mode Reductions</i>	-4	-9	-13	-12	-9	-21	-230
<i>Pass-By Reductions</i>	0	0	0	-35	-35	-70	-766
TOTAL NEW TRIPS	73	171	244	194	135	329	3574

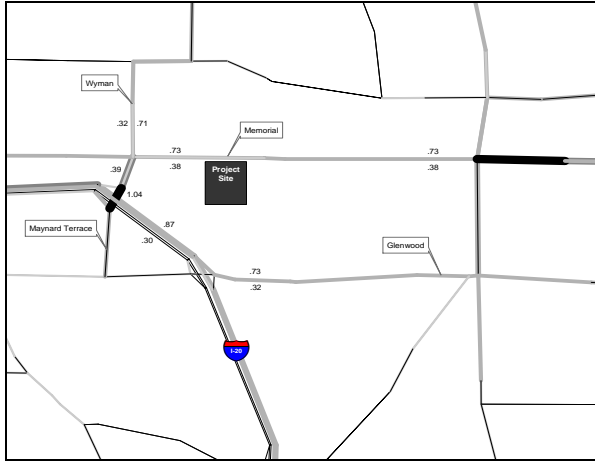
What are the existing traffic patterns and volumes on the local, county, state and interstate roads that serve the site?

Incorporating the trip generation results, the transportation consultant distributed the traffic on the current roadway network. An assessment of the existing Level of Service (LOS) and projected LOS based on the trip distribution findings helps to determine the study network. The results of this exercise determined the study network, which has been approved by ARC and GRTA. If analysis of an intersection or roadway results in a substandard LOS "D", then the consultant recommends improvements.

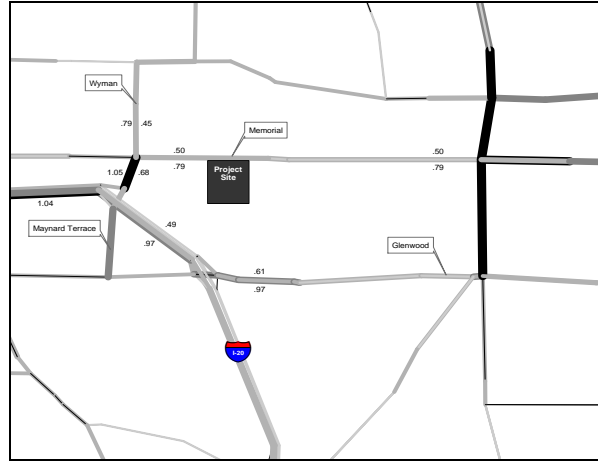
Projected traffic volumes from the Regional Travel Demand Model are compared to the assigned capacity of facilities within the study network. This data is used to calculate a volume to capacity (V/C) ratio. The V/C ratio values that define the LOS thresholds vary depending on factors such as the type of terrain traversed and the percent of the road where passing is prohibited. LOS A is free-flow traffic from 0 to 0.3, LOS B is decreased free-flow from 0.31 to 0.5, LOS C is limited mobility from 0.51 to 0.75, LOS D is restricted mobility from 0.76 to 0.9, LOS E is at or near capacity from 0.91 to 1.00, and LOS F is breakdown flow with a V/C ratio of 1.01 or above. As a V/C ratio reaches 0.8, congestion increases. The V/C ratios for traffic in various network years are presented in the following table. Any facilities that have a V/C ratio of 1.0 or above are considered congested.

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V/C Ratios



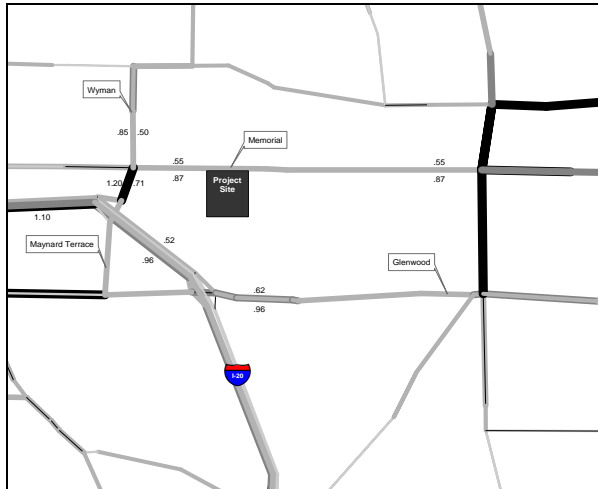
2005 AM Peak



2005 PM Peak



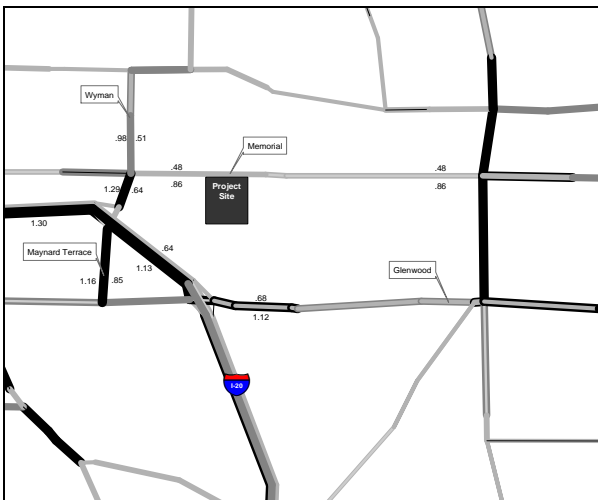
2010 AM Peak



2010 PM Peak



2030 AM Peak



2030 PM Peak

Legend	
AM/PM Peak V/C Ratio	LOS A: 0 - 0.3 LOS B: 0.31 - 0.5 LOS C: 0.51 - 0.75 LOS D: 0.76 - 0.90 LOS E: 0.91 - 1.00 LOS F: 1.01+

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For the V/C ratio graphic, the data is based on 2005, 2010 and 2030 AM/PM peak volume data generated from ARC's 20-county travel demand model utilizing projects from Mobility 2030 and the FY 2006-2011 TIP. The 20-county networks are being used since they consist of the most up to date transportation networks and data. The travel demand model incorporates lane addition improvements and updates to the network as appropriate. As the life of the RTP progresses, volume and/or V/C ratio data may appear inconsistent due to (1) effect of implementation of nearby new or expanded facilities or (2) impact of socio-economic data on facility types.

List the transportation improvements that would affect or be affected by the proposed project.

2006-2011 TIP*

ARC Number	Route	Type of Improvement	Scheduled Completion Year
AT-AR-BP127	Memorial Drive from Moreland Avenue to Candler Road	Pedestrian Facility	2008
DK-032A	Glenwood Road from I-20 to Candler Road	Pedestrian Facility	2008

2030 RTP*

ARC Number	Route	Type of Improvement	Scheduled Completion Year
AR-923	Memorial Drive from Avondale Mall in DeKalb County to MARTA Garnett Station in City of Atlanta	Arterial BRT	2015
AT-AR-BP127	Memorial Drive from Moreland Avenue to Candler Road	Pedestrian Facility	2008
DK-032A	Glenwood Road from I-20 to Candler Road	Pedestrian Facility	2008

**The ARC Board adopted the 2030 RTP and FY 2006-2011 TIP on June 8, 2007.*

Summarize the transportation improvements as recommended by consultant in the traffic study for Parkview Plaza.

According to the findings, there will be no capacity deficiencies as a result of future year **background** traffic. The transportation consultant has no recommendations for improvements to be carried out in order to upgrade the existing level of service.

According to the findings, there will be no capacity deficiencies within the study network as a result of future year **total** traffic. The transportation consultant has made no recommendations for improvements to be carried out in order to upgrade the existing level of service within the study network.

The proposed driveway improvements for the project are listed below:

Wilkinson Drive @ Proposed Driveway 1

- The proposed full-movement driveway should consist of one ingress lane and one egress lane.

Memorial Drive @ Proposed Driveway 2

- The proposed full-movement driveway should consist of one ingress lane and two egress lanes. Until approval can be granted by AutoZone, the proposed laneage consists of one ingress lane and one egress lane.

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Memorial Drive @ Proposed Driveway 3

- The proposed right-in/right-out driveway should consist of one ingress lane and one egress lane (right-turn lane).

Warren Street @ Proposed Driveway 4

- The proposed full-movement driveway should consist of one ingress lane and one egress lane.

Warren Street @ Proposed Driveway 5

- The proposed full-movement driveway should consist of one ingress lane and one egress lane.

Is the site served by transit? If so, describe type and level of service and how it will enhance or be enhanced by the presence of transit? Are there plans to provide or expand transit service in the vicinity of the proposed project?

MARTA bus route 21 (Memorial Drive) and route 28 (Village of East Lake) provide public transit service along Memorial Drive adjacent to the proposed project. Both bus routes provide service to MARTA rail stations: route 21 provides services to the Kensington rail station and route 28 provides service to the Edgewood/Candler Park rail station. In addition, the Memorial Drive BRT programmed development (from Avondale Mall to the Garnett MARTA rail station) will improve transit options in the area of the project.

What transportation demand management strategies does the developer propose (carpool, flex-time, transit subsidy, etc.)?

None proposed by the developer. The project is not located within a TMA.

The development **PASSES** the ARC's Air Quality Benchmark test.

Air Quality Impacts/Mitigation (based on ARC strategies)	Credits	Total
Where Residential is dominant, >15 units/ac	6%	6%
Where Residential is dominant, 10% Retail or 10% Office	4%	4%
w/in 1/4 mile of Bus Stop (CCT, MARTA, Other)	3%	3%
Bike/ped networks that meet Mixed Use or Density target and connect to adjoining uses	5%	5%
Total Calculated ARC Air Quality Credits (15 % reduction required)		18%

What are the conclusions of this review? Is the transportation system (existing and planned) capable of accommodating these trips?

Based on the traffic analysis completed by Kimley-Horn and Associates, Inc. and projected traffic volumes derived from the ARC Travel Demand Model (TDM), the transportation system is capable of accommodating the new trips generated by the proposed development and maintaining acceptable LOS

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standards at the studied intersections. However, the TDM does project that I-20, at peak hours, will experience growing delays.

ARC makes the following recommendations for the proposed development consistent with adopted and regional plans:

- Coordinate with MARTA BRT (AR-923) and provide space to accommodate a BRT station if possible.
- Coordinate with MARTA to provide benches at any existing bus stops adjacent to the property.
- Provide visible and readily accessible bicycle parking at all commercial buildings the development.
- Provide dedicated bicycle parking in the residential parking deck.
- Include a 4' buffer between the road and pedestrian right of way on Wilkinson Dr. (as recommended for neighborhood sidewalk facilities by the ARC's Atlanta Region Bicycle Transportation and Pedestrian Walkways Plan). An acceptable alternative would be to use the same sidewalk design as proposed on Warren St.
- Install a pedestrian crosswalk on Wilkinson Dr. at a logical access point to DeKalb Memorial Park.

INFRASTRUCTURE

Wastewater and Sewage

Wastewater is estimated at 0.092 MGD based on information submitted for the review.

Which facility will treat wastewater from the project?

Pole Bridge will provide wastewater treatment for the proposed development.

What is the current permitted capacity and average annual flow to this facility?

The capacity of Pole Bridge Site is listed below:

PERMITTED CAPACITY MMF, MGD₁	DESIGN CAPACITY MMF, MGD	2001 MMF, MGD	2008 MMF, MGD	2008 CAPACITY AVAILABLE +/-, MGD	PLANNED EXPANSION	REMARKS
20	20	13	30	-10	Combine Pole Bridge and Snapfinger in one 86 mgd plant at Pole Bridge, provide service portions of Rockdale, Gwinnett, Henry, and Clayton.	Approximately 80mgd interbasin transfer at full design flow. DeKalb Co. and EPD must resolve interbasin transfer issues prior to permitting.

MMF: Maximum Monthly Flow. Mgd: million of gallons per day.

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¹ Source: Metropolitan North Georgia Water Planning District *SHORT-TERM WASTEWATER CAPACITY PLAN*, August 2002.

What other major developments will be served by the plant serving this project?

ARC has reviewed a number of major developments that will be served by this plant.

INFRASTRUCTURE

Water Supply and Treatment

How much water will the proposed project demand?

Water demand also is estimated at 0.08 MGD based on information submitted for the review.

How will the proposed project's demand for water impact the water supply or treatment facilities of the jurisdiction providing the service?

Information submitted with the review suggests that there is sufficient water supply capacity available for the proposed project.

INFRASTRUCTURE

Solid Waste

How much solid waste will be generated by the project? Where will this waste be disposed?

Information submitted with the review 360 tons of solid waste per year and the waste will be disposed of in DeKalb County.

Will the project create any unusual waste handling or disposal problems?

No.

Are there any provisions for recycling this project's solid waste.

None stated.

INFRASTRUCTURE

Other facilities

According to information gained in the review process, will there be any unusual intergovernmental impacts on:

- Levels of governmental services?
- Administrative facilities?
- Schools?

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- **Libraries or cultural facilities?**
- **Fire, police, or EMS?**
- **Other government facilities?**
- **Other community services/resources (day care, health care, low income, non-English speaking, elderly, etc.)?**

None were determined during the review.

HOUSING

Will the proposed project create a demand for additional housing?

No, the proposed development will add 378 new residential units.

Will the proposed project provide housing opportunities close to existing employment centers?

Yes, once developed, this project will provide housing opportunities for existing employment centers.

Is there housing accessible to the project in all price ranges demanded?

The site proposed for the development is located in Census Tract 237. This tract had a 11.7 percent increase in number of housing units from 2000 to 2006 according to ARC's Population and Housing Report. The report shows that 62 percent, respectively, of the housing units are single-family, compared to 69 percent for the region; thus indicating is a variety of multi-family housing options around the development area.

Is it likely or unlikely that potential employees of the proposed project will be able to find affordable* housing?

Likely, assuming the development is approved with multiple price ranges of housing.

* Defined as 30 percent of the income of a family making 80 percent of the median income of the Region – FY 2000 median income of \$51,649 for family of 4 in Georgia.

Monday, August 20, 2007

Ms. Gena Wilder
Georgia Regional Transportation Authority
245 Peachtree Center Avenue, N.E.
Suite 900
Atlanta, GA 30303


Dear Gena:

Thank you in advance for your thoughtful and expeditious review of the Development of Regional Impact (DRI) application for the proposed redevelopment of the Parkview Plaza Shopping Center located at 1807 Memorial Drive in Unincorporated DeKalb County, Georgia. As is noted in the review application prepared by Kimley-Horn and Associates, this site has several extraordinary constraints that limit the site plan design of this project. SEC Development, LLC, the applicant and developer of the site, is purchasing the Parkview Plaza Shopping Center, four vacant single family lots along Wilkinson Drive to the south of the shopping center and the ground beneath the Pizza Hut at the corner of Memorial Drive and Warren Street. The property that contains the AutoZone, at the intersection of Wilkinson Drive and Memorial Drive, is owned by a separate owner and will not be purchased as part of this project.

The site plan that has been included in the application for rezoning of the site and subsequently included in the application for DRI review has been thoughtfully and appropriately designed given these constraints. The Pizza Hut and AutoZone leases both contain provisions that limit the developer's ability to move access points to the property and build in certain areas.

The recommendations that came from the pre-application meeting held on July 16, 2007 included the request for an explanation of these constraints and the supporting documentation. As such, this letter summarizes the site constraints and includes the following attachments:

- Ground Lease dated April 8, 1994 between Parkview Plaza T.I.C. (Lessor) and Pizza Hut of America, Inc. (Lessee)
- Access Easement Agreement dated June 16, 1994 between Parkview Plaza T.I.C. (Landlord) and Pizza Hut of America, Inc. (Tenant)
- First Amendment to Access Easement Agreement between SEC Development, LLC and Pizza Hut of America, Inc.

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- Ground Lease dated July 19, 1994 between James Arogeti, ARGO Associates, LTD., Herlis Associates, LTD. And Herman L. Lischkoff (Landlord) and AutoZone, Inc. (Tenant)
 - Agreement Regarding Restrictions dated June 29, 2007 between SEC Development, LLC and AutoZone Development Corporation
 - Proposed Site Plan drawn by Kimley-Horn and Associates for Southeast Capital Partners

Pizza Hut Ground Lease – April 8, 1994


This lease was entered into between a previous owner of the site and Pizza Hut of America for the approximately 10,000 square feet of land in the northeast corner of the shopping center parking lot and a building that was to be not less than 1,400. The initial term of the lease was for five (5) years from the date of execution. Three (3) additional five (5) year extensions were granted, effectively extending the lease, and the corresponding rights, to the year 2014. On June 16, 1994, this lease was amended to include 14,000 square feet of land, rather than, but not in addition to, the 10,000 square feet of the original lease.

While this lease, and the corresponding amendment, gave the tenant full rights to the 10,000, then 14,000, square feet at the northeast corner of the shopping center, another document was entered into on June 16, 1994 that gave the tenant rights outside of their demised premises. This Access Easement Agreement granted the tenant a “non-exclusive easement, right and privilege of vehicular and pedestrian passage upon, over and across the driveways* for purposes of access, ingress and egress to and from Parcel 1, Memorial Drive and Warren Street; *located at Memorial Drive and Warren Street (sic).” Parcel 1 describes the approximately 0.321 acres of the demised premises leased by Pizza Hut.

The agreement continued that the landlord “shall not prevent, hinder or unreasonably interfere with the free flow and passage of vehicular and pedestrian traffic from and between Parcel 1, Parcel 2, Memorial Drive, and Warren Street.” Parcel 1 describes the demised premises leased by Pizza Hut and Parcel 2 describes the approximately 11.638 acres of the Parkview Plaza Shopping Center, as was owned and measured at the time of this agreement.

Georgia law stipulates that easement locations are established through use. Therefore, the Access Easement Agreement mentioned above has established the current curb cuts on Warren Street and Memorial Drive, closest to the intersection of these two streets, as the points of access that are protected by this easement.

In the initial meeting between the developer submitting this application and the Georgia Department of Transportation (GDOT), Patrick Allen of GDOT requested that the easternmost curb cut on Memorial Drive be moved to align with Dearborn Street on the opposite side of Memorial Drive. While this alteration of the site plan was not possible under the existing Access Easement Agreement, the developer worked diligently to gain permission from Pizza Hut in the First Amendment to Access Easement Agreement



(Attached) to move these curb cuts. The First Amendment provides that the "Landlord shall have the right to relocate the driveways on Parcel 2 located at Memorial Drive and Warren Street provided that Tenant shall always have access to Parcel 1 from Memorial Drive and Warren Street over, across and through Parcel 2."

While the developer has gained the permission of Pizza Hut to alter the access points to the site, another issue hampers the developer's ability to move the easternmost curb cut on Memorial Drive to align with Dearborn Street. During site plan design it was discovered that there is a Georgia Power transmission electrical pole on the southern side of Memorial Drive, directly across from Dearborn Street. The location of this pole precludes the alignment of the curb cut access to the redevelopment site with Dearborn Street. Georgia Power has an easement for this pole in its current location. Furthermore, it would be cost prohibitive to move this pole as it carries both transmission and distribution lines for Georgia Power as well as cable, telephone, and possibly fiber optic wires.

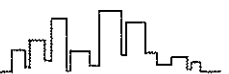
AutoZone Ground Lease – July 19, 1994

This lease was created in 1994 for an AutoZone franchise to locate on the northwest corner of the site at the intersection of Memorial Drive and Wilkinson Drive. The demised premises included approximately 35,000 square feet of land and the initial lease term was for a period of twenty (20) years. The lease also provided for "four (4) separate options to extend the Term for four (4) separate consecutive additional periods of five (5) years each," giving the tenant rights to the property until the year 2034.

While the rights over the Parkview Plaza property given to Pizza Hut were attached to the lease as an amendment, the AutoZone lease includes much more onerous restrictions on any alteration to the Parkview Plaza property. Section 32 of the lease, "**EASEMENTS AND RESTRICTIONS**," explains these rights in detail. Parts "A," "B" and "C" of this section, found on page 19 and 20 of the lease, explain the following restrictions and reference site plans attached as Exhibits "E" and "F" to the lease.

Section 32(A) explains that the landlord granted to the tenant a restricted area easement that affects a large part of the Parkview Plaza shopping center. As is evidenced in Exhibit "E," this restricted area includes land in the northwest corner of the shopping center starting at the intersection of Memorial Drive and Wilkinson Drive and continuing 400 feet down Wilkinson Drive. The restricted area also extends from the corner of Memorial Drive and Wilkinson Drive to the eastern edge of the curb cut closest to the Pizza Hut parcel on Memorial Drive and includes approximately 3.50 acres as described in Exhibit "C".

The restricted area provides that: "(1) No other ourparcel shall be created or building(s) erected on the Restricted areas or any part thereof during the Term of this Ground Lease," and, "(2) Landlord shall not cause or permit any businesses...or any other use on or within the Restricted Area to be conducted that might block or obscure the view of the Demised Premises from any public street."



Due to this total control of any development that occurs within the restricted area, the developer has worked very closely with AutoZone to create a site plan that meets with their approval and does not negatively impact their operations. This accounts for the placement of the proposed new retail building on the site that will be located between the AutoZone and the Pizza Hut. AutoZone would not agree to any site plan that placed this retail building on Memorial Drive, as this would block their view corridor extending to the east along Memorial Drive. Due to the extensive rights given to the AutoZone, they have total control over this part of the site and could reject any plans for development within their restricted area and kill the redevelopment of this site.

Section 32(B) provides a non-exclusive parking easement to the tenant "within forty-five (45) feet of the Demised Premises adjacent to the Demised Premises depicted on Exhibit "E"...which shall include at least one line of parking adjacent to the east boundary line of the Drive Easement." This is a confusing stipulation as the eastern boundary of the drive easement, as explained below, is fifty (50) feet from the eastern boundary of the Demised Premises. However, AutoZone was willing to work with the developer to surrender this right as evidenced in the Agreement mentioned below.

Section 32(C) details the right that AutoZone was not willing to surrender or alter in any way. This easement, known as the "Drive Easement," provides that AutoZone has the right to, "continuous, uninterrupted access to, from and among the driveways of the Demised Premises and all streets adjacent to the Demised Premises as long as this Ground Lease is in effect." Exhibit "F" attached to the lease shows that this easement extends to the east and south of the Demised Premises and ensures access from Wilkinson Drive and Memorial Drive. The boundaries of the easement are described in the "EASEMENT PROPERTY" section of Exhibit "A" to the lease. This area includes approximately 0.41 acres. The site plan attached to this letter shows that the existing curb cuts closest to the AutoZone property on Wilkinson Drive and Memorial Drive must remain in their current location due to this section of the lease specifically stipulating that the, "driveways on the Drive Easement shall not be relocated or materially altered without Tenant's prior written consent."

As mentioned above, the operators of this AutoZone location have been willing to work with the developer on several of these restrictions. The Agreement Regarding Restrictions, dated June 29, 2007, explains the specific rights that AutoZone is willing to surrender to allow the redevelopment of the Parkview Plaza shopping center. Attached to this agreement is an earlier version of the site plan than the one that has been filed with the DRI review application. The Agreement holds that, "there shall be no material change to the Site Plan, without prior written consent of AutoZone...For the purposes of this Agreement, any Site Plan change which impacts visibility of or access to the AutoZone site through the Drive Easement shall be deemed to be material."

In addition, AutoZone agrees to allow modifications to the Drive Easement as shown in the site plan attached to the Agreement. These modifications include adding medians to

the entrance drives to screen the residential portion of the site from the AutoZone through the use of landscaping. As mentioned above, AutoZone also waives its rights to the non-exclusive parking easement as detailed in section 32(B) of the lease.

While the site plan for this redevelopment is still undergoing some minor changes, mostly relating to fire access and design of the retail building, the attached site plan is representative of the most current layout of the site.

Again, thank you for your thoughtful and expeditious review of this application. I can be reached at the contact information below to answer any questions.

Sincerely,



Evan C. Cramer
Development Manager

cc: Haley Fleming, Atlanta Regional Commission
Shawanna Bowles, DeKalb County
Kelly Rosenberger, Kimley-Horn and Associates

September 5, 2007

Ms. Haley Fleming, Principal Planner
Atlanta Regional Commission (ARC)
40 Courtland Street, N.E.
Atlanta, GA 30303

**RE: Development of Regional Impact (DRI) # 1517
Parkview Plaza – DeKalb County**

The Metropolitan Atlanta Rapid Transit Authority (MARTA) has completed review of documentation for DRI # 1517 – Parkview Plaza – located in DeKalb County.

This project is located along Memorial Drive, one of the major travel corridors in our service area. MARTA is currently implementing the first phase of an arterial Bus Rapid Transit (BRT) service on a section of the Memorial Drive corridor, from the intersection of Goldsmith Road and Memorial Drive to Kensington Rail Station. In the future, the second phase of the BRT service is proposed to continue on Memorial Drive from Kensington Rail Station to Downtown Atlanta. The second phase will likely be impacted by this development.

Through pre-DRI consultations, ARC and MARTA staff has agreed to request that the development concept include space reservation on Memorial Drive large enough to accommodate a BRT bus shelter. This will be necessary if plans for the Phase 2 BRT service include a stop at the development. If that is not the case, the space will still be useful for a bus shelter for the local bus route 21 to serve the development.

Thank you for the opportunity to review the proposal and do contact me if you have any questions.

Sincerely,



Henry Ikwut-Ukwa
Transit System Planning

Developments of Regional Impact

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DRI #1517

DEVELOPMENT OF REGIONAL IMPACT Initial DRI Information

This form is to be completed by the city or county government to provide basic project information that will allow the RDC to determine if the project appears to meet or exceed applicable DRI thresholds. Refer to both the [Rules for the DRI Process](#) and the [DRI Tiers and Thresholds](#) for more information.

Local Government Information

Submitting Local Government: DeKalb

Individual completing form: Karmen Swan White

Telephone: 404-371-2155

E-mail: kswhite@co.dekalb.ga.us

*Note: The local government representative completing this form is responsible for the accuracy of the information contained herein. If a project is to be located in more than one jurisdiction and, in total, the project meets or exceeds a DRI threshold, the local government in which the largest portion of the project is to be located is responsible for initiating the DRI review process.

Proposed Project Information

Name of Proposed Project: Parkview Plaza Mixed-Used Complex

Location (Street Address, GPS Coordinates, or Legal Land Lot Description): DeKalb County District 15, Land Lot 179, Block 8, Parcels 1, 19, 2, 3, 4

Brief Description of Project: The project will contain 12.52 acres and will involve the redevelopment of the existing Parkview Plaza Shopping Center into a mixed-use residential and commercial development. The project will involve the demolition of the existing shopping center and the development of a commercial center fronting Memorial Drive, complemented by townhomes and apartments on the remainder of the property. The project will contain 14,500 square feet of new commercial floor area, 1,420 square feet of existing commercial floor area, 78 townhouse units, and 298 apartment units

Development Type:

(not selected)	Hotels	Wastewater Treatment Facilities
Office	Mixed Use	Petroleum Storage Facilities
Commercial	Airports	Water Supply Intakes/Reservoirs
Wholesale & Distribution	Attractions & Recreational Facilities	Intermodal Terminals
Hospitals and Health Care Facilities	Post-Secondary Schools	Truck Stops
Housing	Waste Handling Facilities	Any other development types
Industrial	Quarries, Asphalt & Cement Plants	

If other development type, describe:

Project Size (# of units, floor area, etc.):		692,720 gross square feet	
Developer:		Southeast Capital Partners	
Mailing Address:		3333 Riverwood Parkway, Suite 250	
Address 2:			
		City:Atlanta State: GA Zip:30339	
Telephone:		404-504-0500	
Email:		slevitt@secpartners.com	
Is property owner different from developer/ applicant?		(not selected) Yes No	
If yes, property owner:		Loh Foah	
Is the proposed project entirely located within your local government's jurisdiction?		(not selected) Yes No	
If no, in what additional jurisdictions is the project located?			
Is the current proposal a continuation or expansion of a previous DRI?		(not selected) Yes No	
If yes, provide the following information:		Project Name:	
		Project ID:	
The initial action being requested of the local government for this project:		Rezoning Variance Sewer Water Permit Other	
Is this project a phase or part of a larger overall project?		(not selected) Yes No	
If yes, what percent of the overall project does this project/phase represent?			

Estimated Project Completion Dates:

This project/phase: December 2008
Overall project: December 2008

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DRI #1517

DEVELOPMENT OF REGIONAL IMPACT Additional DRI Information

This form is to be completed by the city or county government to provide information needed by the RDC for its review of the proposed DRI. Refer to both the [Rules for the DRI Process](#) and the [DRI Tiers and Thresholds](#) for more information.

Local Government Information

Submitting Local Government:	DeKalb
Individual completing form:	Karmen Swan White
Telephone:	404-371-2155
Email:	kswhite@co.dekalb.ga.us

Project Information

Name of Proposed Project:	Parkview Plaza Mixed-Used Complex
DRI ID Number:	1517
Developer/Applicant:	Southeast Capital Partners
Telephone:	404-504-0500
Email(s):	slevitt@secpartners.com

Additional Information Requested

Has the RDC identified any additional information required in order to proceed with the official regional review process? (If no, proceed to Economic Impacts.)	(not selected)	Yes	No
If yes, has that additional information been provided to your RDC and, if applicable, GRTA?	(not selected)	Yes	No

If no, the official review process can not start until this additional information is provided.

Economic Development

Estimated Value at Build-Out:	Approx. \$51,000,000
Estimated annual local tax revenues (i.e., property tax, sales tax) likely to be generated by the proposed development:	Approx. 1,000,000

Is the regional work force sufficient to fill the demand created by the proposed project?	(not selected)	Yes	No
Will this development displace any existing uses?	(not selected)	Yes	No
If yes, please describe (including number of units, square feet, etc): Approximat			
Water Supply			
Name of water supply provider for this site:	DeKalb County		
What is the estimated water supply demand to be generated by the project, measured in Millions of Gallons Per Day (MGD)?	0.08 MGD		
Is sufficient water supply capacity available to serve the proposed project?	(not selected)	Yes	No
If no, describe any plans to expand the existing water supply capacity:			
Is a water line extension required to serve this project?	(not selected)	Yes	No
If yes, how much additional line (in miles) will be required?			
Wastewater Disposal			
Name of wastewater treatment provider for this site:	DeKalb County		
What is the estimated sewage flow to be generated by the project, measured in Millions of Gallons Per Day (MGD)?	0.092 MGD		
Is sufficient wastewater treatment capacity available to serve this proposed project?	(not selected)	Yes	No
If no, describe any plans to expand existing wastewater treatment capacity:			
Is a sewer line extension required to serve this project?	(not selected)	Yes	No
If yes, how much additional line (in miles) will be required?			
Land Transportation			
How much traffic volume is expected to be generated by the proposed development, in peak hour vehicle trips per day? (If only an alternative measure of volume is available, please provide.)	AM Peak hour: 65 trips in/166 trips out; PM Peak hours: 182 trips in / 122 trips out		
Has a traffic study been performed to determine whether or not transportation or access improvements will be needed to serve this project?	(not selected)	Yes	No
Are transportation improvements needed to serve this project?	(not selected)	Yes	No
If yes, please describe below:Please refer to the DRI transportation analysis by Kimley-Horn and Assocs.			
Solid Waste Disposal			
How much solid waste is the project expected to generate annually (in tons)?	360 tons		

Is sufficient landfill capacity available to serve this proposed project?	(not selected) Yes No
If no, describe any plans to expand existing landfill capacity:	
Will any hazardous waste be generated by the development?	(not selected) Yes No
If yes, please explain:	
Stormwater Management	
What percentage of the site is projected to be impervious surface once the proposed development has been constructed?	65%
Describe any measures proposed (such as buffers, detention or retention ponds, pervious parking areas) to mitigate the project's impacts on stormwater management."Retention is to be installed to Dekalb County Code using either oversized metal pipes or vault structures, and will tie into the City of Atlanta's stormwater system."	
Environmental Quality	
Is the development located within, or likely to affect any of the following:	
1. Water supply watersheds?	(not selected) Yes No
2. Significant groundwater recharge areas?	(not selected) Yes No
3. Wetlands?	(not selected) Yes No
4. Protected mountains?	(not selected) Yes No
5. Protected river corridors?	(not selected) Yes No
6. Floodplains?	(not selected) Yes No
7. Historic resources?	(not selected) Yes No
8. Other environmentally sensitive resources?	(not selected) Yes No
If you answered yes to any question above, describe how the identified resource(s) may be affected:	
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