

ENVIRONMENTAL PROTECTION DIVISION  
PUBLIC NOTICE  
WATERSHED PROTECTION BRANCH

September 26, 2019  
Notice Issue Date

City of Atlanta  
City/County

October 28, 2019  
Notice Close Date

BV-060-19-09  
Revised Control Number

Modera Prominence Phase II  
Activity

This notice is issued to inform the public of a receipt of an Application for a variance submitted pursuant to a state environmental Law. The public is invited to comment during the 30-day period on the proposed activity. Site Plans are available for review and are located in the following EPD office: Watershed Protection Branch 200 Piedmont Avenue, S.W. Suite 418 West Atlanta, Georgia 30334. Please contact Ms. Clara Davis at (404) 463-2382 or e-mail [clara.davis@dnr.ga.gov](mailto:clara.davis@dnr.ga.gov) to schedule an appointment to review the plans. Since the EPD has no authority to zone property or determine land use, only those comments addressing environmental issues related to air, water, and land protection will be considered in the application review process. Written comments should be submitted to: Program Manager, NonPoint Source Program, Erosion and Sedimentation Control, 2 MLK Jr., Dr., SW Suite 1462 East, Atlanta, Georgia 30334

Type of Permit Application: Variance to encroach within the 25-foot State waters buffer.

Applicable Law: Georgia Erosion and Sedimentation Act O.C.G.A. 12-7-1 et seq.

Applicable Rules: Erosion and Sedimentation Control Chapter 391-3-7

Basis under which variance shall be considered {391-3-7.05 (2)(A-K)}: H

Description and Location of Proposed Activity:

The applicant proposes to permanently impact 75 linear feet (5,032 ft<sup>2</sup>) of stream buffer along one unnamed tributary to Nancy Creek to construct a multi-family development on a 2.82-acre site. Impacts include pipe and fill for construction of two midrise residential buildings, one high-rise residential building, an amenity courtyard, parking, a fire access road and associated infrastructure. The project is located at the intersection of Lenox Rd. NE and the Buckhead Loop NE.

Name and Address of Permit Applicant: Mr. Chad Debeau  
MCRT Investments, LLC  
3715 Northside Parkway NW  
Suite 2-440  
Atlanta, Georgia 30327

Summary of Rules Requirements for Variance Application:

The application for a variance must include an Erosion and Sediment Control Plan with control measures based on sound conservation and engineering practices which meet or exceed the standards in the "Manual for Erosion and Sediment Control in Georgia" and which will minimize erosion and deposition of sediments on adjacent lands or into State waters.

For Additional Information Contact:

Peggy Chambers, Environmental Specialist  
EPD, Watershed Protection Branch  
NonPoint Source Program  
2 MLK Jr., Dr., SW  
Suite 1462 East  
Atlanta, Georgia 30334  
Telephone: 404/651-8549    FAX: 404/651-8455