

January 17, 2017

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DEKALB COUNTY

ITEM NO. N9

BOARD OF COMMISSIONERS

HEARING TYPE
PUBLIC HEARING

ZONING AGENDA / MINUTES

ACTION TYPE
ORDINANCE

MEETING DATE: January 24, 2017

SUBJECT: Rezone, **Z-17-21105 Alex Brennan**

COMMISSION DISTRICTS: 5 & 7

DEPARTMENT: Planning & Sustainability

PUBLIC HEARING: YES NO

ATTACHMENT: YES NO
PAGES:

INFORMATION
CONTACT: Marian Eisenberg, Zoning Admin.
PHONE NUMBER: (404) 371-2155

PETITION NO: Z-17-21105

PROPOSED USE: Commercial, Retail and/or Office Uses

LOCATION: 1967 South Stone Mountain Lithonia Road, Lithonia, GA

PARCEL No.: 16-100-05-004

PURPOSE: To rezone property from R-100 (Residential Medium Lot) District to C-1 (Local Commercial) District to construct and develop a total of 20,800 square feet of usable commercial, retail and/ or office space in accordance with Chapter 27-Article 4.1 Use Table of the DeKalb County Code. The property is located on the southwest corner of South Stone Mountain Lithonia Road and South Deshon Road at 1967 South Stone Mountain Lithonia Road, Lithonia, Georgia. The property has approximately 682 feet of frontage along the south side of South Stone Mountain Lithonia Road and approximately 408 feet of frontage along the west side of South Deshon Road and contains 7.23 acres.

RECOMMENDATIONS:

PLANNING COMMISSION: DENIAL

COMMUNITY COUNCIL: APPROVAL

PLANNING STAFF: APPROVAL WITH CONDITIONS

PLANNING STAFF ANALYSIS:

The applicant is requesting to rezone the property from the R-100 (Residential Medium Lot) District to the C-1 (Local Commercial) District. The proposed use is retail and commercial uses. Located within a Suburban Character Area designated by the 2025 Comprehensive Plan, the proposed use reflects consistency with the

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following Comprehensive Plan Policies: Encourage development within and near principal transportation corridors and activity centers (LUS3); and Reinforce stability by encouraging the maintenance of or upgrade of existing properties (CRCCAS15). The rezoning request for retail and commercial uses are suitable in view of existing non-residential uses near the site along South Stone Mountain Lithonia Road. Located on a two-lane major arterial with added turn lane, there should be no significant impact on traffic. The proposed C-1 (Local Commercial) District is compatible with existing commercial and office zonings along South Stone Mountain Lithonia Road. Existing mature vegetative screening along perimeter property lines provides a transitional buffer to mitigate the impact on adjacent residential zoned properties. The Department of Planning and Sustainability recommends “**APPROVAL CONDITIONAL**” of the rezoning request to C-1 (Local Commercial) subject to the following attached conditions:

PLANNING COMMISSION VOTE/RECOMMENDATION: 7-0-0 Denial. J. Edmondson moved, J. West seconded for denial.

COMMUNITY COUNCIL VOTE/RECOMMENDATION: 6-0-0. Approval. All council members present voted in favor of the requested petition for retail, commercial and office uses on the site. The Council recommended 3-sided brick for building façade.

Z-17-21105
RECOMMENDED CONDITIONS

1. Limit site to a total of 20,800 square feet of retail, commercial or office uses in substantial compliance with the site plan submitted to the Department of Planning and Sustainability on November 2, 2016. Site plan is conceptual and subject to the approval of the Director.
2. Access shall be limited to no more than one (1) curb cut on South Stone Mountain Lithonia Road and one (1) curb cut on South Deshon Road placed away from the signalized intersection closest to the property line, as possible subject to approval by the Transportation Division of the Department of Public Works. Provide road improvements (such as deceleration lanes) as required by the Transportation Division of the Department of Public Works.
3. Dedicate at no cost to DeKalb County 40 feet from centerline of right-of way along both property frontages. Right of way dedication may impact setbacks.
4. Building walls shall be three (3) sided brick along the new facades of all buildings.
5. All refuse areas shall be located to the rear of the site and screened from public view with fencing or similar building materials to match the primary structure.
6. Ground signage must be a monument sign with a brick base not to exceed an overall height of eight (8) feet. Sign area shall not exceed thirty-two (32) square feet.
7. Wall-mounted signs shall be channel cut letters directly applied to the building façade. Individual letters shall not exceed 18 inches in height.
8. Provide outside trash receptacles.
9. Screen roof-top equipment.
10. 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.



DeKalb County Department of Planning & Sustainability

330 Ponce De Leon Avenue, Suite 500

Decatur, GA 30030

(404) 371-2155 / plandev@dekalbcountyga.gov

Planning Commission Hearing Date: January 5, 2017 6:30 P.M.

Board of Commissioners Hearing Date: January 24, 2017 6:30 P.M.

STAFF ANALYSIS

Case No.: Z-17-21105 **Agenda #:** N.9

Location/Address: The southwest corner of South Stone Mountain Lithonia Road and South Deshon Road at 1967 South Stone Mountain Lithonia Road, Lithonia, Georgia. **Commission District:** 5 **Super District:** 7

Parcel ID: 16-100-05-004

Request: To rezone from R-100 (Residential Medium Lot) District to C-1 (Local Commercial) District to allow commercial and or office uses within 20,800 square feet of useable space in accordance with Chapter 27-Article 4.1 Use Table of the DeKalb County Code.

Property Owner: Randy Austin

Applicant/Agent: East Mountain Development/ Alex Brennan

Acreage: 7.23 Acres

Existing Land Use: One (1) vacant single-family residence surrounded by heavy mature dense vegetation.

Surrounding Properties: Commercial, residential & institutional uses

Adjacent & Surrounding Zoning: North: O-I (Office-Institutional); East: C-1 (Local Commercial); West & South: R-100 (Residential Medium Lot) District

Comprehensive Plan: Suburban Consistent: X

Proposed Square Feet: 20,800 square feet	Existing Square Feet: 2,182 square feet
Proposed Lot Coverage: <80%	Existing Lot Coverage: <20%

SUBJECT SITE & ZONING HISTORY

Per the submitted survey, the site consists of 7.230 acres at the southwest intersection of South Stone Mountain Lithonia Road (a minor arterial) and South Deshon Road (a minor arterial). Located at 1967 South Stone Mountain Lithonia Road, the site is currently developed with a vacant single-family residence. The majority of the acreage consists of mature dense vegetation. Surrounding and nearby properties include commercial and institutional uses along the north side of South Stone Mountain Lithonia Road. Adjacent to the site on the west is Universal Church of Truth. Further west is a cemetery. Further east on South Stone Mountain Lithonia Road is a vacant single-family residence. South of the site is an established single-family detached residential community. The site has been zoned R-100 (Residential Medium Lot) District since the adoption of the DeKalb Zoning Ordinance in 1956.

PROJECT ANALYSIS

The request is to rezone property from the R-100 (Residential Medium Lot) District to C-1 (Local Commercial) District to redevelop the site for low intensity commercial and retail uses. Per the information submitted with the application, the intent is to develop a commercial and retail center consisting of 20,800 square feet. Anticipated hours of operation are 9:00a.m. to 6:00p.m. However, if a restaurant leases commercial space, it is not expected to remain open past 11:00p.m. The commercial center will be 3-sided brick with awnings and windows to break up the facades. Access to the commercial center is proposed from both South Stone Mountain Lithonia Road and South Deshon Road. Detention is depicted in the rear of the site. Approximately 4 acres of the dense vegetation will remain undisturbed in the rear of the site and adjacent to existing residential zoned property lines to satisfy the 50-foot transitional buffer requirement. A 6-foot wooden privacy fence is proposed interior to the undisturbed area.

ZONING ANALYSIS

The requested C-1 (Local Commercial) District is compatible with existing non-residential districts and developments along the north side of South Stone Mountain Lithonia Road and east of South Deshon Road. North of the site is zoned O-I (Office-Institutional) District and is developed with Masjid An- Nur non-denominational church, a vacant child care facility for lease and Powells Learning and Development Center. Further northwest is Redan Elementary school. The northeast intersection of South Stone Mountain Lithonia Road and South Deshon Road is zoned C-1 (Local Commercial) and developed with a Chevron auto gas station with a small retail plaza. East of the site at the southeast intersection of South Stone Mountain Lithonia Road and South Deshon Road is zoned C-1 (Local Commercial) and approved for a restaurant pursuant to CZ-05-057. Therefore, given the existing institutional and commercial uses and character of the area along South Stone Mountain Lithonia Road, the requested C-1 (Local Commercial) District would be appropriate for the subject site.

Chapter 27-Article 7.3.5. Standards and factors governing review of proposed amendments to the Official Zoning Map. The following standards and factors are found to be relevant to the exercise of the county's zoning powers and shall govern the review of all proposed amendments to the Official Zoning Map:

A. Whether the zoning proposal is in conformity with the policy and intent of the comprehensive plan.

Located on a major arterial (South Stone Mountain Lithonia Road) and within a Suburban Character Area designated by the 2025 Comprehensive Plan, the rezoning request to the C-1(Local Commercial) District will allow retail, professional and commercial related service establishments and reflect consistency with the following Comprehensive Plan Policies: Encourage development within and near principal transportation corridors and activity centers (LUS3); and Reinforce stability by encouraging the maintenance of or upgrade of existing properties (CRCCAS15).

B. Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property or properties.

The rezoning request to C-1 (Local Commercial) would allow low intensity non-residential uses compatible with other non-residential uses along South Stone Mountain Lithonia Road. Adjacent and nearby non-residential

uses include a Chevron auto gas station with a small retail plaza, a non-denominational church, a child learning center and an elementary school.

C. Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned.

The request may not have a reasonable economic use as currently zoned R-100 (Residential Medium Lot) District given the location of the site along a major arterial (South Stone Mountain Lithonia Road) and its' proximity to nearby non-residential uses in the area.

D. Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property or properties.

The rezoning request will not adversely affect the existing use or usability of adjacent and nearby property in the area. The site provides greater than 50 –foot transitional buffers and fencing adjacent to residential zoned properties. Other non-residential zonings and uses in the area will not be affected by the zoning proposal.

E. Whether there are 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.

The site is located across from various commercial and institutional properties. The large 7 acre site is primarily undeveloped and under-utilized with a vacant single-family residential structure. Retail and commercial use on this property should have a positive impact on the community by providing services in the surrounding area. The site is heavily screened along property lines with mature vegetation where the transitional buffer will be maintained.

F. Whether the zoning proposal will adversely affect historic buildings, sites, districts, or archaeological resources.

The proposed rezoning request should not have an adverse effect on historic buildings, sites, districts, or archaeological resources.

G. Whether the zoning proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.

The site is located on a two-lane major arterial with a turn lane (South Stone Mountain Lithonia Road) at the intersection with South Deshon Road. The proposed retail and commercial uses should not cause an excessive burden on existing streets and transportation facilities. The proposed use will have no impact on area schools.

H. Whether the zoning proposal adversely impacts the environment or surrounding natural resources.

The rezoning proposal to the C-1 district for retail and commercial uses should not adversely impact the environment or surrounding natural resources. A significant amount of the existing mature vegetation will be maintained in the rear of the site.

COMPLIANCE WITH DISTRICT STANDARDS

Per the chart below, it appears the proposed use and building on the site can comply with minimum development standards of the C-1 (Local Commercial) District per Table 2.2 of the DeKalb County Zoning Ordinance.

STANDARD	REQUIREMENT	PROPOSED	COMPLIANCE
LOT WIDTH (C-1)	A minimum 100 feet of lot width on a public street frontage	Approximately 682 feet of frontage along South Stone Mountain Lithonia Road and 408 feet of frontage	Yes

		along South Deshon Road.	
LOT AREA (C-1)	20,000 Square Feet	7.23 acres or 314,949 sf	Yes
FRONT BUILDING SETBACK	Minimum 20 Feet Maximum 60 Feet	60 Feet	Yes
TRANS. BUFFERS Table 5.2(a)	50 feet adjacent to R-100 zoned district.	Mature vegetation existing along perimeter property lines adjacent to residential zoned properties will serve as the transitional buffer. It exceeds 50 feet.	Yes
HEIGHT	Up to 5 stories	1-Story	Yes
PARKING Article 6	Minimum 1 space for each 500 square feet of floor area or max 1 space for each 200 square feet. Minimum 42 spaces Max. 104 spaces	104 Parking Spaces	Yes

Staff Recommendation: APPROVAL CONDITIONAL

The applicant is requesting to rezone the property from the R-100 (Residential Medium Lot) District to the C-1 (Local Commercial) District. The proposed use is retail and commercial uses. Located within a Suburban Character Area designated by the 2025 Comprehensive Plan, the proposed use reflects consistency with the following Comprehensive Plan Policies: Encourage development within and near principal transportation corridors and activity centers (LUS3); and Reinforce stability by encouraging the maintenance of or upgrade of existing properties (CRCCAS15). The rezoning request for retail and commercial uses are suitable in view of existing non-residential uses near the site along South Stone Mountain Lithonia Road. Located on a two-lane major arterial with added turn lane, there should be no significant impact on traffic. The proposed C-1 (Local Commercial) District is compatible with existing commercial and office zonings along South Stone Mountain Lithonia Road. Existing mature vegetative screening along perimeter property lines provides a transitional buffer to mitigate the impact on adjacent residential zoned properties. The Department of Planning and Sustainability recommends **“APPROVAL CONDITIONAL”** of the rezoning request to C-1 (Local Commercial) subject to the following conditions:

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10. 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.

Attachments:

1. Department and Division Comments
2. Application
3. Site Plan
4. Zoning Map & Land Use Map
5. Aerial Photograph/Site Photographs

NEXT STEPS

Following an approval of this application, one or several of the following may be required:

- **Land Disturbance Permit** *(Required for of new building construction on non-residential properties, or land disturbance/improvement such as storm water detention, paving, digging, or landscaping.)*
- **Building Permit** *(New construction or renovation of a building (interior or exterior) may require full plan submittal or other documentation. Zoning, site development, watershed and health department standards will be checked for compliance.)*
- **Certificate of Occupancy** *(Required prior to occupation of a commercial space and for use of property for any business type. The issuance follows the review of submitted plans if required based on the type occupancy.)*

Plat Approval *(Required if any parcel is being subdivided, re-parceled, or combined. Issued “administratively”; no public hearing required.)*

Sketch Plat Approval *(Required for the subdivision of property into three lots or more. Requires a public hearing by the Planning Commission.)*

Overlay Review *(Required review of development and building plans for all new construction or exterior modification of building(s) located within a designated overlay district.)*

Historic Preservation *(A Certificate of Appropriateness is required for any proposed changes to building exteriors or improvements to land when located within the Druid Hills or the Soapstone Geological Historic Districts. Historic Preservation Committee public hearing may be required.)*

- **Variance or Special Exception** *(Required to seek relief from any development standards of the Zoning Ordinance. A public hearing and action by the Board of Appeals are required for most variances.)*
- **Minor Modification** *(Required if there are any proposed minor changes to zoning conditions that were approved by the Board of Commissioners. The review is administrative if the changes are determined to be minor as described by Zoning Code.)*
- **Major Modification** *(Required submittal of a complete zoning application for a public hearing if there are any proposed major changes to zoning conditions that were approved by the Board of Commissioner for a prior rezoning.)*
- **Business License** *(Required for any business or non-residential enterprise operating in Unincorporated DeKalb County, including in-home occupations).*

Alcohol License *(Required permit to sell alcohol for consumption on-site or packaged for off-site consumption. Signed and sealed distance survey is required. Background checks will be performed.)*



DEKALB COUNTY GOVERNMENT PLANNING DEPARTMENT DISTRIBUTION FORM

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**

Consult the Georgia DOT as well as the DeKalb County Transportation Department prior to land development permit. Verify widths from the centerline of the roadways to the property line for possible right-of-way dedication. Improvements within the right-of-way may be required as a condition for land development application review approval. Safe vehicular circulation is required. Paved off-street parking is required.

- **Storm Water Management**

Compliance with the Georgia Stormwater Management Manual, DeKalb County Code of Ordinances 14-40 for Stormwater Management and 14-42 for Storm Water Quality Control is required as a condition of land development permit approval.

- **Flood Hazard Area/Wetlands**

The presence of FEMA Flood Hazard Area was not indicated in the County G.I.S. mapping records for the site; and should be noted in the plans at the time of any land development permit application.

- **Landscaping/Tree Preservation**

Landscaping and tree preservation plans for any building, or parking lot must comply with DeKalb County Code of Ordinances 14-39 and are subject to approval from the County Arborist.

- **Tributary Buffer**

State water buffer was not reflected in the G.I.S. records for the site. Typical state waters buffer have a 75' undisturbed stream buffer and land development within the undisturbed creek buffer is prohibited without a variance per DeKalb County Code of Ordinances 14-44.1.

- **Fire Safety**

Plans for land development permit must comply with Chapter 12 DeKalb County Code for fire protection and prevention.

TRANSPORTATION COMMENTS

N.1: North Decatur is classified as a minor arterial. See section 14-190 and zoning code for required road improvements (Bike lanes, 40 foot from centerline right of way requirement, 6 foot sidewalk, and landscape strip). All public infrastructure must be on county right of way. This section of North Decatur is on the Tier One Bike Priority network- match bike facilities to ones planned in other area projects (multi-use path). Pedestrian crossing across driveway needs to be closer to North Decatur for visibility to motorists. Right of way dedication may impact setbacks.

N.2: GDOT review and permits required. Lawrenceville Hwy (SR 8) is classified as a major arterial and Tier 2 bicycle priority network. See section 14-190 and zoning code for required road improvements (Bike lanes, 50 foot from centerline right of way requirement, 6 foot sidewalk, and landscape strip). Right of way dedication may impact setbacks.

N.3: GDOT review and permits required. Flat Shoals Parkway (SR 155) is classified as a major arterial and Tier 2 bicycle priority network. See section 14-190 and zoning code for required road improvements (Bike lanes, 50 foot from centerline right of way requirement, 6 foot sidewalk, and landscape strip). Right of way dedication may impact setbacks.

N.4: No comments

N.5: Flat Shoals Road is classified as a minor arterial and Tier 2 bicycle priority network. See section 14-190 and zoning code for required road improvements (Bike lanes, 40 foot from centerline right of way requirement, 6 foot sidewalk, and landscape strip). Fayetteville Road is a collector. See section 14-190 and zoning code for required road improvements (Bike lanes, 35 foot from centerline right of way requirement, 6 foot sidewalk, and landscape strip). Pine Tree Trail is a local. See section 14-190 and zoning code for required road improvements (Bike lanes, 27.5 foot from centerline right of way requirement, 5 foot sidewalk, and landscape strip). Right of way dedication may impact setbacks.

N.6: Line Street is classified as a local street. See section 14-190 and zoning code for required road improvements (Bike lanes, 27.5 feet from centerline right of way requirement, 5 foot sidewalk, and landscape strip).

N.7: Valley Brook Road is classified as a minor arterial. See section 14-190 and zoning code for required road improvements (Bike lanes, 40 foot from centerline right of way requirement, 6 foot sidewalk, and landscape strip). Right of way dedication may impact setbacks. At LDP submittal- an engineer must verify that sight distance (stopping, left turn into new street and left/right out of new street) meets the requirements of AASHTO.

N.8: No comments

N.9: South Stone Mountain Lithonia Road and South Deshon Road are classified as minor arterials. South Stone Mountain Lithonia Road in this section is on the First Tier Priority bike network. South Deshon is on the Second Tier priority bike network. See section 14-190 and zoning code for required road improvements (Bike lanes, 40 foot from centerline right of way requirement, 6 foot sidewalk, and

landscape strip). Right of way dedication may impact setbacks. Access is limited to one driveway on each road, placed away from the signalized intersection closest to the property line, as possible.

N.10: GDOT review and permits required. Covington Hwy (SR 12) is a major arterial and on the Second Tier Bike priority network. See section 14-190 and zoning code for required road improvements (Bike lanes, 50 foot from centerline right of way requirement, 6 foot sidewalk, and landscape strip). Right of way dedication may impact setbacks. Phillips Road is classified as a collector and one the Second Tier bike priority network. See section 14-190 and zoning code for required road improvements (Bike lanes, 35 foot from centerline right of way requirement, 6 foot sidewalk, and landscape strip). The other streets are classified as local. See section 14-190 and zoning code for required road improvements (Bike lanes, 27.5 foot from centerline right of way requirement, 5 foot sidewalk, and landscape strip). Donate necessary right of way for GDOT PI NO. 0008288.

N.11: River Road is classified as a minor arterial. See section 14-190 and zoning code for required road improvements (Bike lanes, 40 foot from centerline right of way requirement, 6 foot sidewalk, and landscape strip). Right of way dedication may impact setbacks. At LDP submittal- an engineer must verify that sight distance (stopping, left turn into the driveway and left/right out of the driveway) meets the requirements of AASHTO. Driveway location may need to be relocated to a position on the property that meets sight distance requirements.

N.12: GDOT review and permits required. Covington Hwy (SR 12) is a major arterial and Second Tier Bike Priority network. See section 14-190 and zoning code for required road improvements (Bike lanes, 50 foot from centerline right of way requirement, 6 foot sidewalk, and landscape strip). Right of way dedication may impact setbacks. Donate necessary right of way for GDOT PI NO. 0008288. No access onto Wellington Walk Place.

N.13: Same as N.12

N.14: No Comment.

N.15: No Comment.



**DEKALB COUNTY GOVERNMENT
PLANNING DEPARTMENT
DISTRIBUTION FORM**

**NOTE: PLEASE RETURN ALL COMMENTS VIA EMAIL OR FAX TO EXPEDITE THE PROCESS TO
MADOLYN SPANN MSPANN@DEKALBCOUNTYGA.GOV OR JOHN REID JREID@DEKALBCOUNTYGA.GOV**

**COMMENTS FORM:
PUBLIC WORKS TRAFFIC ENGINEERING**

Case No.: Z-17-21105 Parcel I.D. #: 16-100-05-004

Address: 1967
S. STRAIGHTWAY L.T. RD
LITHONIA, GA

Adjacent Roadway (s):
S. Decker Rd _____

(classification) (classification)

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

<u>Field and plans reviewed, No problems</u>

Signature: [Handwritten Signature]
DAVID M. ROSS



DEKALB COUNTY GOVERNMENT
PLANNING DEPARTMENT
DISTRIBUTION FORM

NOTE: PLEASE RETURN ALL COMMENTS VIA EMAIL OR FAX TO EXPEDITE THE PROCESS TO
MADOLYN SPANN MSPANN@DEKALBCOUNTYGA.GOV OR JOHN REID JREID@DEKALBCOUNTYGA.GOV

COMMENTS FORM:
PUBLIC WORKS WATER AND SEWER

Case No.: Z-17-21105

Parcel I.D. #: 16-100-05-004

Address: 1967 South Stone Mountain Lithonia Road

Lithonia, Georgia

WATER:

Size of existing water main: 8" CI, 8" DI Water Main (adequate/inadequate)

Distance from property to nearest main: Adjacent to Property

Size of line required, if inadequate: N/A

SEWER:

Outfall Servicing Project: Pole Bridge Creek Basin

Is sewer adjacent to property: Yes (X) No () If no, distance to nearest line: _____

Water Treatment Facility: Pole Bridge WWTP () adequate () inadequate

Sewage Capacity: * (MGPD) Current Flow: 11,384 (MGPD)

COMMENTS:

* Please note that the determination of available capacity expressed herein is not guaranteed as it is based upon the known conditions as of the date of this correspondence and on the anticipated capacity needs associated with your project.

Signature

12/13/2016

To: Ms. Madolyn Spann, Planning Manager
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.

DeKalb County Board of Health

404.508.7900 • www.dekalbhealth.net

12/13/2016

N.9

Z-17-21105/16-100-05-004

1967 South Stone Mountain, Lithonia, Ga

Amendment

- Please see attached letter for general comments.
- Septic system installed on property on 9/08/1964.

N.10

CZ-17-21110/ 16-104-02-001 & 002; 16-104-02-004 thru 120/16-121-01-001 & 16-121-01-012

McKenna Square Drive and Kennonbriar Court, Lithonia, GA

Amendment

- Please see attached letter for general comments.

N.11

SLUP-17-21140/15-028-01-008

3986 River Road, Ellenwood, GA

Amendment

- Please see attached letter for general comments.
- On records indicates septic system installation on 11/23/1987.

N.12

LP-17-21112/16-104-01-002

Covington Highway and Phillips Road at 7043 Covington Highway, Lithonia, Ga

Amendment

- Please see attached letter for general comments.



DeKalb County Department of Planning & Sustainability

Lee May
Interim Chief Executive Officer

Andrew A. Baker, AICP
Director



APPLICATION TO AMEND OFFICIAL ZONING MAP
OF DEKALB COUNTY, GEORGIA

NOV 02 2016

Date Received: Application No.: 21105

Applicant: East Mountain Development E-Mail: alex@eastmountaindevelopment.com

Applicant's Mailing Address: 5387 E. MOUNTAIN ST, STONE MOUNTAIN, GA 30083

Applicant's Phone No.: 404-375-9604 Fax: 404-921-9186

Owner(s): RANDY AUSTIN E-Mail: (If more than one owner, attach as Exhibit "A")

Owner's Mailing Address: 1032 BRADLEY GUN LANE, MARIETTA, GA 30066

Owner(s) Phone No.: 770-652-3185 Fax:

Address/Location of Subject Property: 1967 STONE MOUNTAIN LITTONIA RD

District(s): 16 Land Lot(s): 100 Block(s): 05 Parcel(s): 004

Acreage: 7.23 Commission District(s): DISTRICT 7

Current Zoning Category: R-100 Proposed Zoning Category: C-1

Current Land Use Category: SUBURBAN Land Use Amendment Filed? Yes X No

PLEASE READ THE FOLLOWING BEFORE SIGNING

This form must be completed in its entirety before the Planning Department accepts it. It must include the attachments and filing fees identified on the attachments. An application, which lacks any of the required attachments, shall be determined as incomplete and shall not be accepted. 20 collated copies must be submitted.

Disclosure of Campaign Contributions

In accordance with the Conflict of Interest in Zoning Act, O.C.G.A., Chapter 36-67A, the following question must be answered: Have you the applicant made \$250 or more in campaign contributions to a local government official within two years immediately preceding the filing of this application? Yes X No

- 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 the Board of Commissioners, DeKalb County, 1300 Commerce Drive, Decatur, Ga. 30030.

Notary Signature

Expiration Date / Seal: Nov 30, 2017

Signature of Applicant / Date: Alexander Brennan

Check One: Owner Agent X

Letter of Application

RE: Rezoning of 1967 Stone Mountain Lithonia Road, Redan

To whom it may concern:

East Mountain Development Group has contracted with the current owner to buy +/- 7 acres of raw land (land currently has a vacant single family residential house on the western portion) located at the address above, and our desire is to from R-100 to C-1. The property is located on the SW corner of the lighted intersection of South Stone Mountain Lithonia Rd and South Deshon Road. The address for the property is 1967 South Stone Mountain Lithonia Rd.

The proposed rezoning would be for a C-1 category to allow for low intensity commercial uses. The plan is broken into two phases. The 1.31 acre corner parcel would be developed as Phase 1 anchored by DaVita Dialysis (or another single tenant user to be determined) as part of a small retail center. This first phase would include the installation of full access curb cuts on both South Deshon Road and South Stone Mountain Lithonia Rd. The residual 2 acres of frontage is designed to be developed at a later date as small neighborhood retail centers.

The remaining roughly 4 acres will consist of a 75 ft buffer area and large green space area. The detention pond for the project will be in the rear of the property hidden from road frontage view. Existing dense vegetation in the buffer areas will remain undisturbed and new landscaping will be installed per county codes along the commercial frontage. At the suggestion of one of the attendees at the community meeting, fencing has been designed between the developed portions and the undisturbed portions of the project.

In total, the project is designed as a 3 building project, with the Phase 1 building containing 8,000 square feet and the Phase 2 buildings each designed as 6,400 square foot buildings (for a total of 20,800 square feet of density). Anticipated hours of operation would be consistent with normal retail operating hours (i.e. 9 AM to 6 PM). One or more of the spaces could be leased to a restaurant, and those hours would likely extend later into the evening, although it is not expected that any of the establishments will be open past 11 PM.

Buildings will consist of 4-sides brick construction with awnings and windows to break up the facades. New sidewalks will be installed along both road frontages and will connect pedestrians to the buildings. Site improvements will also include enhanced detention facilities, and standard deceleration lanes will assist traffic congestion on both entrances. It is our understanding that the county has expressed an interest in widening Deshon Road adjacent to the property, and to the extent needed applicant would be happy to discuss dedication of a portion of right of way to the county to facilitate that project.

Applicant believes that this is an under retailled market area, and that this rezoning will allow an appropriate scale and size development to take place to bring more quality retail options to the area. Additionally, the development as proposed will maintain a significant buffer from the commercial to the existing surrounding residential uses, and also provide needed infrastructure improvements for surrounding residents.

REZONING - CRITERIA TO BE APPLIED:

1. Whether the zoning proposal is in conformity with the policy and intent of the comprehensive plan.

The subject property is currently located within a Suburban Character Area. As a compact, neighborhood retail development, the proposed project meets both the primary land use category and implementation measures for the underlying comp plan objectives. The proposed plan proposes to keep almost half of the site as green space to provide a meaningful buffer from adjacent residential areas. The developer intends to work with DeKalb engineers on detention capacity and routing, which will improve environmental concerns expressed by some neighbors (specifically excessive runoff from upstream parcels across this parcel). Additionally, this project represents infill development to offer additional retailers to an underserved area, and will further create a sense of place consistent with the commercial and institutional uses already found on the North side of Stone Mountain Lithonia Road in this area.

2. Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property or properties.

The area contains a mix of both commercial and residential properties, with the majority of the commercial uses to the North, East and West of the property and the majority of residential uses to the South. The site is directly adjacent to a mix of traditional retail/commercial uses, institutional uses including places of worship and Redan Elementary School, and a variety of other commercial uses housed in former residential dwellings. Approval of rezoning will provide consistent uses on both the North and South sides of Stone Mountain Lithonia Road, and contribute to the creation of a sense of place for Redan. Finally, the site plan developed provides for a large buffer zone to protect adjacent and close by residential parcels from nuisances commonly associated with commercial development.

3. Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned.

The property is currently zoned R-100 with a vacant overgrown single family house on the property. While there is some long term economic use as zoned as a residence, the residential value is negatively impacted by extremely high traffic counts in all directions. The proposed C-1 zoning mirroring land across the street at this intersection represents the highest and best use for this property.

4. Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property or properties.

The proposed zoning should not have an adverse effect on the existing uses or usability of adjacent or nearby properties. Applicant has allowed for significant buffers to insure that there is adequate separation and screening to create as little adverse impact as possible.

5. Whether there are 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.

The proposed zoning is consistent with the character and proposed development patterns for this area. The additional of quality neighborhood serving retail should enhance the area's desirability for both future commercial and residential development.

6. Whether the zoning proposal will adversely affect historic buildings, site, districts, or archaeological resources.

There are no known historic buildings, sites, districts or archaeological resources on the subject.

7. Whether the zoning proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.

The proposed land use change will not cause an excessive and burdensome use of existing streets, transportation facilities, utilities, and schools. The developer has included decal lanes on both street frontages to aide in minimizing the impact on direct traffic. The retail mix is going to be heavily concentrated on serving the local community, and this is an area that is extremely underserved by retail. Residents already have to drive some distance from this project's location to surrounding retail areas, and this project should reduce the frequency and length of trips to those other areas. The traffic at this intersection already exists under current conditions. As the property is not residential, there will be no impact on the surrounding schools.

8. Whether the zoning proposal adversely impacts the environment or surrounding natural resources.

The proposed zoning request will positively impact the environment and surrounding natural resources. One of the issues raised at the Community Meeting (as detailed in the attached overview memo) is that there is a fair amount of water that comes across this property via a drainage easement and adversely affects properties located to the South. Developer will work with the County engineers to improve the overall storm system for both the property and the area. There will be no intrusions into wetlands or stream buffers.

Notice Date: Monday September 26, 2016

PUBLIC NOTICE

To

Request for Rezoning from R-100 to C-1

Filed By: East Mountain Development Group, Alex Brennan

Located at 1967 South Stone Mountain Lithonia Road

Lithonia, GA 30058

Current Use – Single Family Residence

Proposed Use – Multi-building, multi-tenant retail

Hours of Operation

Current – N/A **Proposed** – Estimated to be 7AM to 10 PM

Capacity – TBD see enclosed project narrative.

PRE-SUBMITTAL COMMUNITY MEETING TO TAKE PLACE AT:

Location: Redan Trotti Library, Meeting Room

1569 Wellborn Rd, Lithonia, GA 30058

Date and Time: Monday October 17, 2016; 7 PM – 8 PM

Contact Info: Alex Brennan, alex@eastmountaindevelopment.com, 404-375-9604

Memo

To: Redan Rezoning File
From: East Mountain Development Group
Date: October 18, 2016
Re: Community Meeting RE: Rezoning of 1967 S Stone Mountain Lithonia Road

This memo is intended to memorialize the pre-application community meeting held on October 17, 2016, regarding the rezoning application to be filed for the above referenced property.

The meeting was advertised (via the enclosed meeting notification) to all surrounding property owners by mail approximately 3 weeks ahead of the meeting date. Members of the Community Council were emailed the notice on September 30. The meeting was held from 7 PM to 8 PM at the Redan Trotti Library in their public conference room. Present for the rezoning applicant was Alex Brennan, Managing Member of East Mountain Development Group (who currently has the property under contract pending outcome of the rezoning meeting). Additionally, Mr. Robert White, listing agent for the property was also in attendance.

Two property owners were present at the meeting, Ms. Norma Kahn of 2053 South Stone Mountain Lithonia Road, and Mr. William Sheppard of 2052 South Deshon Road. Mr. Brennan reviewed the proposed plan in detail, and discussions about the layout, the amount of undisturbed buffer, and potential tenants were had. The feedback from all three parties was that they were okay with the rezoning, and that the area was underserved from a retail standpoint. They liked the proposed design of the buildings, and thought they would add a nice element to this portion of Stone Mountain Lithonia Road. There were two primary concerns raised (one by each public attendee), as follows

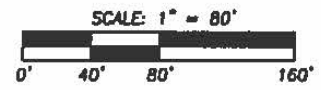
Mr. Sheppard raised a point that he feels like his property is adversely affected by water that comes from the property. We did discuss the existing drainage easement that crosses the property from properties on the north side of Stone Mountain Lithonia Road, and he further mentioned an old detention pond on the west side of Deshon Road that apparently is no longer functioning as designed, resulting in large amounts of runoff coming on to his property. Developer agreed to examine and, to the extent economically viable, incorporate improvements into the overall civil design. Additionally, Developer will work to identify responsible party for the maintenance of the off-site pond and implore them to restore the functionality of this pond to ease the speed and quantity of discharge. Finally, developer will work with county engineering to alleviate these issues on our site to the extent possible. Mr. Sheppard was appreciative of this position.

Ms. Kahn expressed some concern over security of the new buildings. She mentioned several incidents at the commercial buildings on the northeast corner of Deshon and Stone Mountain Lithonia (which is more or less across the street from her house), and recommend investing in

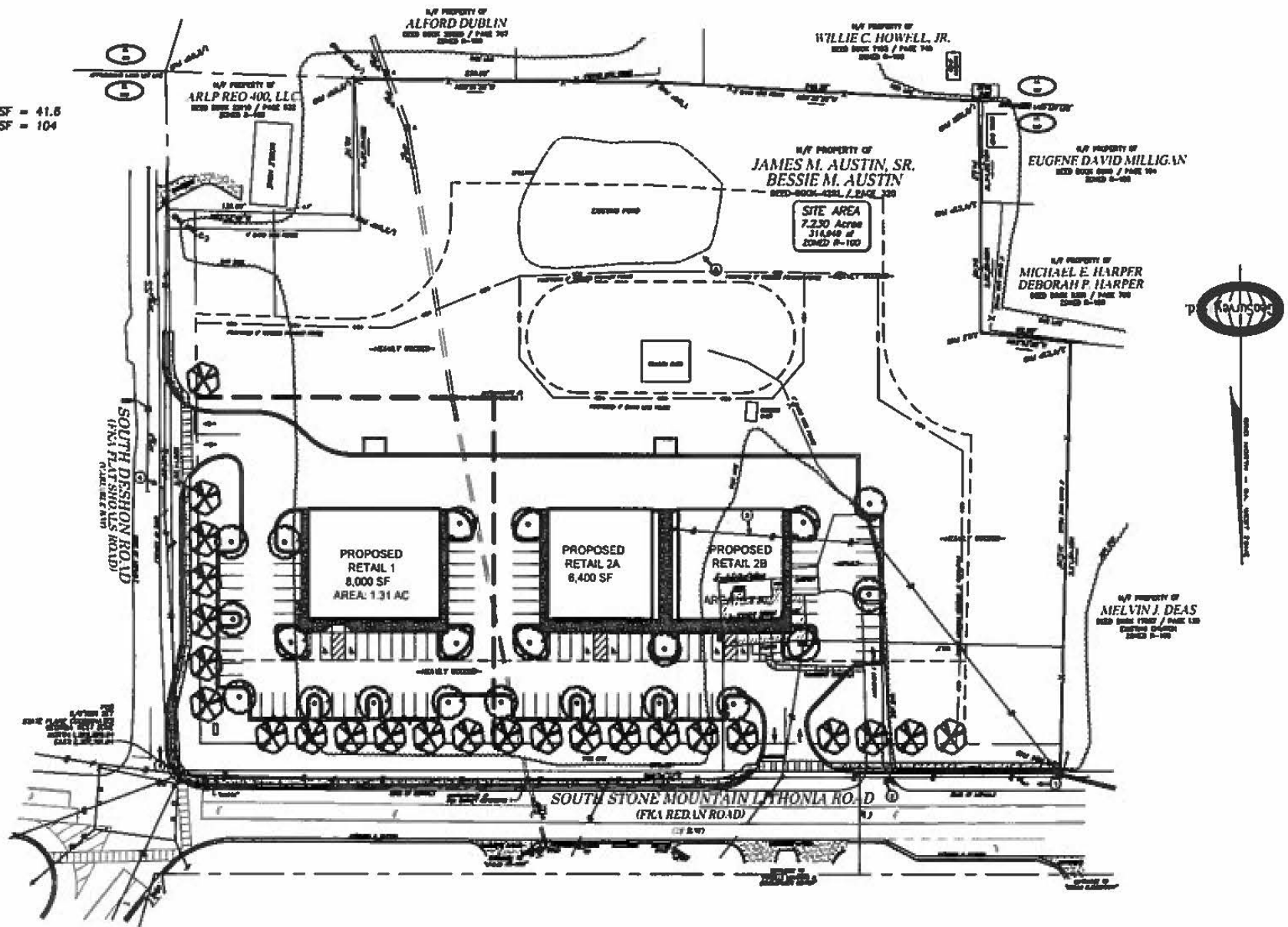
additional security and counter theft measures to protect the incoming tenants. Additionally, we discussed the likely need to incorporate a fence to separate the buildings from the undisturbed/buffer area of the property to aid in crime prevention. Developer was appreciative of her local knowledge and insight, and the plan submitted has included her suggested change.

Developer and attendees discussed the likely time line of the project and subsequent public meetings, assuming a November 1 application date. With no further discussion, the meeting was adjourned at approximately 7:50 PM.

PRELIMINARY SITE PLAN		
CITY, STATE - STREET: DEKALB COUNTY, GA - S STONE MOUNTAIN LATHONIA RD.		
DEVELOPER	DESIGNER	DATE:
COMPANY: EAST MOUNTAIN DEVELOPMENT	COMPANY: ROCHESTER & ASSOCIATES	9-13-16
NAME: ALEX BRENNAN	NAME: KEVIN REED	
PHONE #: (404) 375-9604	PHONE #: (770) 718-0600	

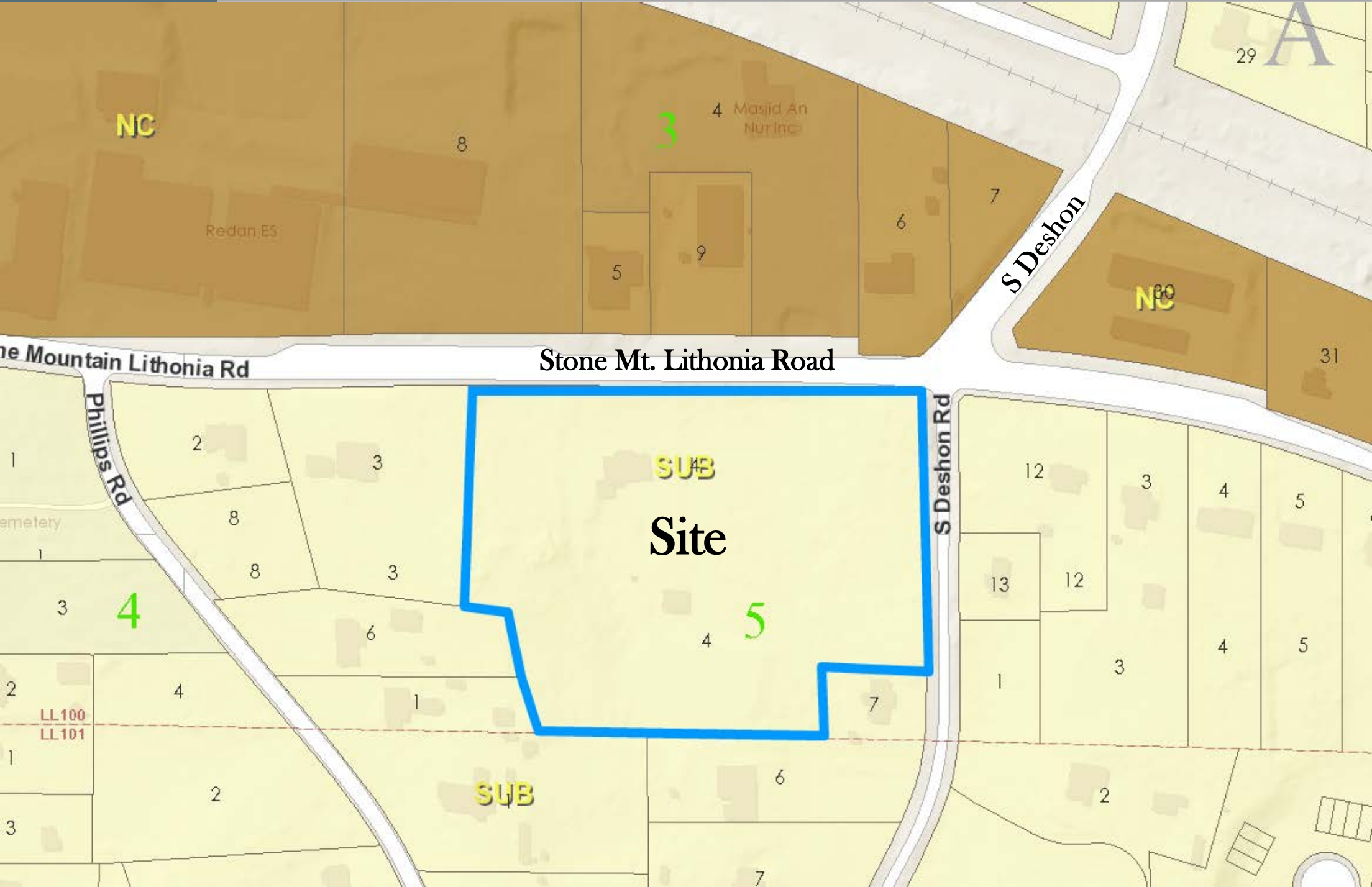


- NOTES:**
1. SITE AREA = 7.0 ACRES
 2. PROPOSED ZONING: C-1 (COMMERCIAL)
 3. TOTAL BUILDING AREA = 25,000 S.F.
 4. MINIMUM PARKING SPACES REQUIRED: 1 SP/300 SF = 41.6
MAXIMUM PARKING SPACES ALLOWED: 1 SP/200 SF = 104
PARKING SPACES PROVIDED: 104
 5. EXISTING FEATURES SHOWN ARE APPROXIMATED BASED ON AERIAL PHOTOS. NO BUILDINGS OR STRUCTURES ARE EXISTING ON THE PROPERTY.
 6. BEARINGS & DISTANCES SHOWN ARE BASED ON LEGAL DESCRIPTION PROVIDED BY THE CLIENT AND DOT PLAN INFORMATION.



NOV 02 2016







South Stone Mt. Lithonia Rd.

Phillips Rd.

S. Deshon Rd.

S. Deshon Rd.

Site

4

5

2

6



Southwest Intersection of S. Stone Mountain Lithonia & S. Deshon Road

