

Public Hearing: YES NO

Department: Planning & Sustainability

SUBJECT:

COMMISSION DISTRICT(S): COMMISSION DISTRICT 05 SUPER DISTRICT 07

TITLE: Application of Valrie Kong-Quee to rezone property from R-100 (Residential Medium Lot-100) zoning district to C-1 (Local Commercial) zoning district to allow for an administrative office associated with a landscaping business, at 1422 Rock Chapel Road.

PETITION NO: N4-2024-0630 Z-24-1246999

PROPOSED USE: Administrative office associated with a landscaping business.

LOCATION: 1422 Rock Chapel Road, Lithonia, GA 30058

PARCEL NO: 16 189 01 003

INFO. CONTACT: Andrea Folgherait, Sr. Planner

PHONE NUMBER: 404-371-4922

PURPOSE:

Application of Valrie Kong-Quee to rezone property from R-100 (Residential Medium Lot-100) zoning district to C-1 (Local Commercial) zoning district to allow for an administrative office associated with a landscaping business.

RECOMMENDATION:

COMMUNITY COUNCIL: Approval with 1 condition.

PLANNING COMMISSION: (July 11, 2024) Pending.

PLANNING STAFF: Two-Cycle Deferral.

STAFF ANALYSIS: The applicant, Valrie Kong-Quee, is seeking to rezone from R-100 (Residential Medium Lot-100) Zoning District to the Local Commercial (C-1) Zoning District to allow for an administrative office associated with a landscaping business. *Enviro Express Property Management, LLC* has a total of eighteen (18) employees, two (2) of which work in the building located at the subject site performing administrative operations from 6:30 AM to 6:30 PM Monday through Friday. In 2023, a Rezone and Land Use Amendment application was filed for 1422 and 1450 Rock Chapel Road to rezone the properties from R-100 (Residential Medium Lot - 100) to M (Light Industrial) to operate a landscaping company, upgrade and expand the existing building, and add additional parking. These applications were Withdrawn without Prejudice by the Board of Commissioners on April 25, 2023. The site was used by the previous owner to store dump trucks and highway construction materials. Since the land is zoned R-100, these illegal uses were discovered because of a complaint to DeKalb County Code Compliance. Based on a site visit by Staff, it appears the subject site is still storing industrial trucks. This continued illegal use is concerning, given the current application. Even if this rezoning is approved, outdoor storage of trucks and/or landscaping equipment, and landscaping materials would *not* be permitted. The current zoning of R-100 may be inconsistent with adjacent zoning districts and surrounding land uses. The subject property is in a Suburban (SUB) character area, the site is along a major arterial road and Industrial (M) and Light Industrial (LIND) zoning districts are in the immediate vicinity. C-1 may provide an appropriate transition between the industrial uses to the east and west and single-family residential uses to the north and south. However, according to the *2050 Unified Plan*, SUB character areas allow for commercial service uses at major intersections which provide increased connectivity and accessibility. The proposal and subject site do not appear to support this intent since there are no major intersections in the immediate vicinity. However, based on the current

surrounding development pattern comprising low density rural residential, an active land fill, and industrial business, Rock Chapel Road is not safe for pedestrian activity. It may be more viable for the applicant to consider rezoning to OI (Office Institutional) to operate an office use. OI is permitted in SUB Character Areas and limits the type of uses the subject site would permit, minimizing adverse impacts of higher intensity uses allowed by right in C-1. The applicant has submitted a surveyed site plan “1422 Rock Chapel Road Improvements” (see enclosed) of the approximately five (5) acre site and the existing one-story structure. The site plan does not specify lot coverage or display the existing truck parking area in the rear of the property. The existing truck parking area in the southwestern corner appears to encroach into the required 50-foot transitional buffer. An additional variance would be required for this parking area to remain. This parking area must be paved, and striped and have required landscape islands and buffers. The site plan also fails to display parking spaces provided/required per *Section 6.1.4 Off Street Parking Ratios* of (Office, Professional) one (1) space for each five hundred (500) square feet of floor area or meet *Section 5.4.4. Site and parking area landscaping (D 1- 10)*. The site plan does not show the 5-foot landscape strip and the 10-foot multiuse path along Rock Chapel Road per GDOT (Georgia Department of Transportation) requirements. Furthermore, the applicant has not addressed compliance with Supplemental Regulations A. and B. listed in *Section 4.2.16 Building and Construction Office, Landscape Contractors*. The existing building appears to comply with exterior building materials requirements set forth in *Section 5.7.4* and comply with *the C-1 zoning district requirements of the Non-Residential Dimensional Requirements (Section 2.24.1)*. The applicant has stated there is no proposed site development or construction to the existing building or grounds. There were no major findings from the Interdepartmental comments, however, comments should be reviewed (enclosed). It appears the proposal may not detract from the goals of the SUB character area, specifically along this major arterial. While the building meets the requirements of a C-1 zoning district, the site appears to be deficient. Based on the history of the site it may be necessary for the applicant to take the appropriate actions to address the land development processes and zoning district requirements which have been neglected prior to granting a rezoning: 1. Address Supplemental Regulations in *Section 4.2.16 Building and Construction Office, Landscape Contractors* 2. Striping the parking area(s); 3. Removing industrial trucks (storage and parking of truck fleet vehicles are not allowed); 4. Meet the lot coverage; 5. Site cleanup efforts including but not limited to site and parking area landscaping and removal of Fenced in dog day pen in the front yard. Therefore, upon review of *Section 7.3.5 (A, D, E, G, and H) of the Zoning Ordinance*, Staff recommends a “Two-Cycle Deferral to the November 2024 zoning agenda” to allow the applicant to remedy site specific development concerns and supply a correct site plan to Staff.

PLANNING COMMISSION VOTE: (July 11, 2024) Pending.

COMMUNITY COUNCIL VOTE/RECOMMENDATION: Approval (7-0-0) with the condition that the use be restricted to an administrative office only.

DEPARTMENT OF PLANNING & SUSTAINABILITY

Chief Executive Officer
Michael Thurmond

Interim Director
Cedric Hudson

Planning Commission Hearing Date: July 11th, 2024

Board of Commissioners Hearing Date: July 25th, 2024

STAFF ANALYSIS

Case No.:	Z-24-1246999	Agenda #: 2024-0630	
Address:	1422 Rock Chapel Road, Lithonia, GA 30058	Commission District: 05	Super District: 07
Parcel ID(s):	16-189-01-003		
Request:	Rezone the subject site from R-100 (Residential Medium Lot-100) zoning district to C-1 (Local Commercial) zoning district to allow for an administrative office associated with landscaping business.		
Property Owner(s):	Persiah Bedward		
Applicant/Agent:	Valrie Kong-Quee		
Acreage:	5.23		
Existing Land Use:	Single Family Residence and Rock Quarry in the rear.		
Surrounding Properties:	North: R-100 (Residential Medium Lot-100) East: R-100, M-2 (Heavy Industrial) South: R-100 West: R-100, M (Light Industrial)		
Comprehensive Plan:	Suburban (SUB)	Consistent X	Inconsistent

Staff Recommendation: Two-Cycle Deferral.

The applicant, Valrie Kong-Quee, is seeking to rezone from R-100 (Residential Medium Lot-100) Zoning District to the Local Commercial (C-1) Zoning District to allow for an administrative office associated with a landscaping business. *Enviro Express Property Management, LLC* has a total of eighteen (18) employees, two (2) of which work in the building located at the subject site performing administrative operations from 6:30 AM to 6:30 PM Monday through Friday. In 2023, a Rezone and Land Use Amendment application was filed for 1422 and 1450 Rock Chapel Road to rezone the properties from R-100 (Residential Medium Lot -100) to M (Light Industrial) to operate a landscaping company, upgrade and expand the existing building, and add additional parking. These applications were Withdrawn without Prejudice by the Board of Commissioners on April 25th, 2023.

The site was used by the previous owner to store dump trucks and highway construction materials. Since the land is zoned R-100, these illegal uses were discovered because of a complaint to DeKalb County Code Compliance. Based on a site visit by Staff, it appears the subject site is still storing industrial trucks. This continued illegal use is concerning, given the current application. Even if this rezoning is approved, outdoor storage of trucks and/or landscaping equipment, and landscaping materials would *not* be permitted.

The current zoning of R-100 may be inconsistent with adjacent zoning districts and surrounding land uses. The subject property is in a Suburban (SUB) character area, the site is along a major arterial road and Industrial (M) and Light Industrial (LIND) zoning districts are in the immediate vicinity. C-1 may provide an appropriate transition between the industrial uses to the east and west and single-family residential uses to the north and south. However, according to the *2050 Unified Plan*, SUB character areas allow for commercial service uses at major intersections which provide increased connectivity and accessibility. The proposal and subject site do not appear to support this intent since there are no major intersections in the immediate vicinity. However, based on the current surrounding development pattern comprising low density rural residential, an active land fill, and industrial business, Rock Chapel Road is not safe for pedestrian activity. It may be more viable for the applicant to consider rezoning to OI (Office Institutional) to operate an office use. OI is permitted in SUB Character Areas and limits the type of uses the subject site would permit, minimizing adverse impacts of higher intensity uses allowed by right in C-1.

The applicant has submitted a surveyed site plan “1422 Rock Chapel Road Improvements” (see enclosed) of the approximately five (5) acre site and the existing one-story structure. The site plan does not specify lot coverage or display the existing truck parking area in the rear of the property. The existing truck parking area in the southwestern corner appears to encroach into the required 50-foot transitional buffer. An additional variance would be required for this parking area to remain. This parking area must be paved, and striped and have required landscape islands and buffers. The site plan also fails to display parking spaces provided/required per *Section 6.1.4 Off Street Parking Ratios* of (Office, Professional) one (1) space for each five hundred (500) square feet of floor area or meet *Section 5.4.4. Site and parking area landscaping (D 1-10)*. The site plan does not show the 5-foot landscape strip and the 10-foot multiuse path along Rock Chapel Road per GDOT (Georgia Department of Transportation) requirements. Furthermore, the applicant has not addressed compliance with Supplemental Regulations A. and B. listed in *Section 4.2.16 Building and Construction Office, Landscape Contractors*. The existing building appears to comply with exterior building materials requirements set forth in *Section 5.7.4* and comply with *the C-1 zoning district requirements of the Non-Residential Dimensional Requirements (Section 2.24.1)*. The applicant has stated there is no proposed site development or construction to the existing building or grounds. There were no major findings from the Interdepartmental comments, however, comments should be reviewed (enclosed).

It appears the proposal may not detract from the goals of the SUB character area, specifically along this major arterial. While the building meets the requirements of a C-1 zoning district, the site appears to be deficient. Based on the history of the site it may be necessary for the applicant to take the appropriate actions to address the land development processes and zoning district requirements which have been neglected prior to granting a rezoning:

1. Address Supplemental Regulations in *Section 4.2.16 Building and Construction Office, Landscape Contractors*
2. Striping the parking area(s);
3. Removing industrial trucks (storage and parking of truck fleet vehicles are not allowed);
4. Meet the lot coverage;

5. Site clean up efforts including but not limited to site and parking area landscaping and removal of Fenced in dog day pen in the front yard.

Therefore, upon review of *Section 7.3.5* (A, D, E, G, and H) of the *Zoning Ordinance*, Staff recommends a *Two-Cycle Deferral* for the applicant to remedy site specific development concerns and supply a correct site plan to Staff.

ZONING COMMENTS – JUNE 2024

N1. 911 Mountain View Drive. Mountain View Drive is classified as a collector road. If a land development permit is required- Please refer to the requirements in Zoning Code 5.4.3 and Land Development Code 14-190. Requires a right of way dedication of 35 feet from centerline OR such that all public infrastructure is within right of way, whichever greater. Requires a 10-foot landscape strip with a 6-foot sidewalk and 4-foot bike lane OR (PREFERRED) a 10-foot multiuse path. Requires pedestrian scale streetlights. (hefowler@dekalbcountyga.gov). Mountain View Circle and Mountain Springs Way are classified as local roads. Please refer to the requirements in Zoning Code 5.4.3 and Land Development Code 14-190. Requires a right of way dedication of 27.5 feet from centerline OR such that all public infrastructure is within right of way, whichever greater. Requires a 5-foot landscape strip with a 5-foot sidewalk. Requires pedestrian scale streetlights. (hefowler@dekalbcountyga.gov). No poles may remain within the limits of the path/sidewalk on any street. Only one access point allowed on Mountain View Drive. Refer to Code Section 14-200 (6) for driveway spacing. Consider the circulation loop having access off Mountain View Circle. No parking allowed on the right of way. Verify that all access points have intersection and stopping sight distance as described by AASHTO.

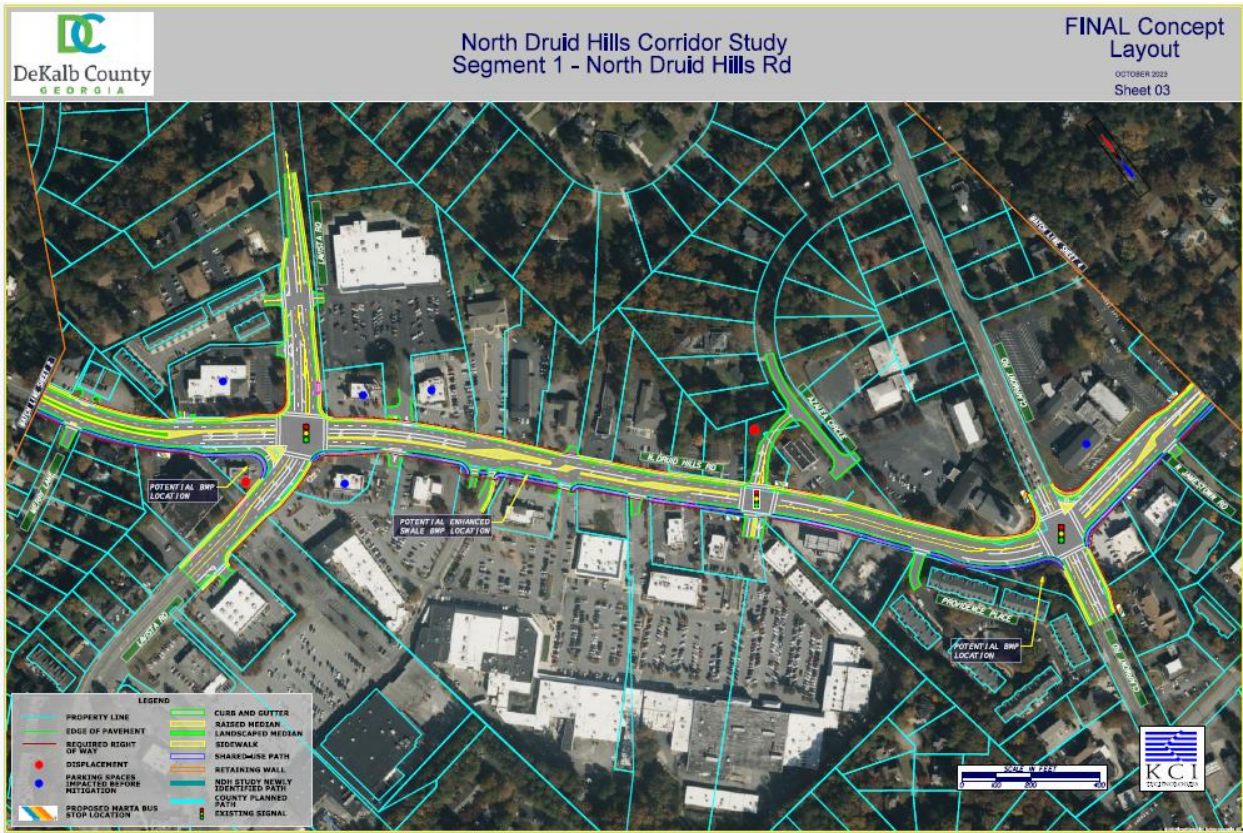
N2. 498 Crestwood Ct: No comment.

N3. 6061 Redan Road. Redan Road is classified as a minor arterial. If a land development permit is required- Please refer to the requirements in Zoning Code 5.4.3 and Land Development Code 14-190. Requires a right of way dedication of 40 feet from centerline OR such that all public infrastructure is within right of way, whichever greater. Requires a 10-foot landscape strip with a 6-foot sidewalk and 4-foot bike lane OR (PREFERRED) a 10-foot multiuse path. Requires pedestrian scale streetlights. (hefowler@dekalbcountyga.gov). Young Road is classified as a collector road. If a land development permit is required- Please refer to the requirements in Zoning Code 5.4.3 and Land Development Code 14-190. Requires a right of way dedication of 35 feet from centerline OR such that all public infrastructure is within right of way, whichever greater. Requires a 10-foot landscape strip with a 6-foot sidewalk and 4-foot bike lane OR (PREFERRED) a 10-foot multiuse path. Requires pedestrian scale streetlights. (hefowler@dekalbcountyga.gov). Verify that all access points have intersection and stopping sight distance as described by AASHTO. Provide a direct pedestrian connection between the public infrastructure/right of way to the building. One right in/left in/right out access point on Redan Road. Install physical barrier to prevent left turns and include a no left turn signage. Only one access point allowed on Young Road- away from the signalized intersection as possible. Update pedestrian striping and ADA ramps at traffic signal. Bring curb and gutter up to current standards along property frontage. No poles may remain within the limits of the path/sidewalk on any street.

N4. 1422 Rock Chapel Road. Rock Chapel Road is state route 124. GDOT review and approval is required prior to permitting. (JLivingston@dot.ga.gov) Rock Chapel Road is classified as a major arterial. If a land development permit is required- Please refer to the requirements in Zoning Code 5.4.3 and Land Development Code 14-190. Requires a right of way dedication of 50 feet from centerline OR such that all public infrastructure is within right of way, whichever greater. Requires a 10-foot landscape strip with a 6-foot sidewalk and 4-foot bike lane OR (PREFERRED) a 10-foot multiuse path. Requires pedestrian scale streetlights. (hefowler@dekalbcountyga.gov). If applicant is seeking a variance from the above infrastructure requirements, it is suggested to seek during the zoning process. Verify that all access points have intersection and stopping sight distance as described by AASHTO. No poles may remain within the limits of the path/sidewalk on any street.

N5. No comment

N6. 2933 N Druid Hills Rd. Additional coordination is required with the PW- Transportation Division on related to the North Druid Hills Study Section 1B. The Transportation Division has applied for federal funds to design and construct this project. Dedicate necessary right of way for the project. Recommend variance for all other infrastructure improvements until the project is delivered during zoning process. Please note the final position of access points. Verify that all access points have intersection and stopping sight distance as described by AASHTO.



N7. 5370, 5384, 5378 Flat Shoals Parkway. Flat Shoals Parkway is SR 155. GDOT review and permits required prior to permitting. (JLivingston@dot.ga.gov) Flat Shoals Parkway is classified as a major arterial. If a land development permit is required- Please refer to the requirements in Zoning Code 5.4.3 and Land Development Code 14-190. Requires a right of way dedication of 50 feet from centerline OR such that all public infrastructure is within right of way, whichever greater. Requires a 10-foot landscape strip with a 6-foot sidewalk and 4-foot bike lane OR (PREFERRED) a 10-foot multiuse path. Requires pedestrian scale streetlights. (hewfowler@dekalbcountyga.gov). Verify that all access points have intersection and stopping sight distance as described by AASHTO. No poles may remain within the limits of the path/sidewalk on any street. Private roads must be built to public road standards. All interior roads are to be private and maintained by a Homeowner’s Association. Verify the distance between the garage door and sidewalk is long enough to accommodate a vehicle without blocking the sidewalk. Make sure that sidewalk/pedestrian paths meet ADA requirements at driveways. If street is less than 24 feet wide, no on street parking allowed. Add no parking signs and include parking restrictions in neighborhood covenants.

N8. 1850 Lawrenceville Hwy. Lawrenceville Hwy is SR 8. GDOT review and permits required prior to permitting. (JLivingston@dot.ga.gov) Lawrenceville Hwy is classified as a major arterial. If a land development permit is required- Please refer to the requirements in Zoning Code 5.4.3 and Land Development Code 14-190. Requires a right of way dedication of 50 feet from centerline OR such that all public infrastructure is within right of way, whichever greater. Requires a 10-foot landscape strip with a 6-foot sidewalk and 4-foot bike lane OR (PREFERRED) a 10-foot multiuse

path. Requires pedestrian scale streetlights. (hefowler@dekalbcountyga.gov). Verify that all access points have intersection and stopping sight distance as described by AASHTO. No poles may remain within the limits of the path/sidewalk on any street. If seeking a variance from infrastructure improvements: At a minimum, add an 8-foot sidewalk for connection to South Fork Peachtree Creek Multiuse Trail along frontage and dedicate right of way needed.



6/14/2024

To: LaSondra H. Hill
From: Ryan Cira, Environmental Health Director
Cc: Alan Gaines, Deputy Director
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 Public Health

445 Winn Way – Box 987

Decatur, GA 30031

404.508.7900 • www.dekalbhealth.net



N.1 - 2024-0626

Z-24-1246990/ 18 091 03 035

911 Mountain View Road, Stone Mountain, GA 30083

Amendment

- Please review general comments.
- Property is indicated to operate on septic.

N.2 - 2024-0628

SLUP-24-1246990 18 026 04 039

498 Crestwood Court, Lithonia, GA 30058

Amendment

- Please review general comments.

N.3 - 2024-0629

CZ-24-1246996 16 068 02 018

6061 Redan Road, Lithonia, GA 30058

Amendment

- Please review general comments.
- This property is indicate to have a septic system installed.

N.4 - 2024-0630

Z-24-1246999 16 189 01 003

1422 Rock Chapel Road, Lithonia, GA 30058

Amendment

- Please review general comments.

DeKalb Public Health

445 Winn Way – Box 987

Decatur, GA 30031

404.508.7900 • www.dekalbhealth.net



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.

1246999 Review disposition comment: Land disturbing activity will require compliance with Chapter 14. No objection.

Andrew for DeKalb Co.

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 any land development application review approval. Safe vehicular circulation is required. Paved off-street parking is required.

- **Storm Water Management**

Compliance with the DeKalb County Code of Ordinances 14-40 for Stormwater management and water quality control and Georgia Stormwater Management Manual is required as a condition of land development permit approval. Stormwater discharge must comply with 14-40.(e)(6).

- **Flood Hazard Area/Wetlands**

The presence of FEMA Flood Hazard Area, local floodplain, or local flood prone areas 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 possibly with buffer was reflected in the DeKalb County 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.



**DEKALB COUNTY
GOVERNMENT PLANNING
DEPARTMENT DISTRIBUTION
FORM**

NOTE: PLEASE RETURN ALL COMMENTS VIA EMAIL TO EXPEDITE THE PROCESS TO JOHN REID jreid@dekalbcountyga.gov AND/OR LASONDRA HILL lahill@dekalbcountyga.gov

**COMMENTS FORM:
PUBLIC WORKS WATER AND SEWER**

Case No.: _____ Parcel I.D. #: _____

Address: _____

WATER:

Size of existing water main: _____ (adequate/inadequate)

Distance from property to nearest main: _____ Size of line required, if inadequate: _____

SEWER:

Outfall Servicing Project: _____

Is sewer adjacent to property: Yes ____ No ____ If no, distance to nearest line: _____

Water Treatment Facility: _____ adequate ____ inadequate ____

Sewage Capacity: _____ (MGPD) Current Flow: _____ (MGPD)

COMMENTS:

Signature: _____



**DEKALB COUNTY
GOVERNMENT PLANNING
DEPARTMENT DISTRIBUTION
FORM**

NOTE: PLEASE RETURN ALL COMMENTS VIA EMAIL TO EXPEDITE THE PROCESS TO JOHN REID jreid@dekalbcountyga.gov AND/OR LASONDRA HILL lahill@dekalbcountyga.gov

**COMMENTS FORM:
PUBLIC WORKS TRAFFIC ENGINEERING**

Case No.: Z-24-1246999 Parcel I.D. #: 16-189 01 003
 Address: 1422 Rock Chapel Road
Lithonia, Georgia 30058

Adjacent Roadway (s):

(classification) (classification)

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

Capacity (TPD) _____
 Latest Count (TPD) _____
 Hourly Capacity (VPH) _____
 Peak Hour. Volume (VPH) _____
 Existing number of traffic lanes _____
 Existing right of way width _____
 Proposed number of traffic lanes _____
 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: Did not see any traffic engineering concerns
at this time.

Signature: Joseph F. Wood



**DEKALB COUNTY GOVERNMENT
PLANNING DEPARTMENT
DISTRIBUTION FORM**

NOTE: PLEASE RETURN ALL COMMENTS VIA EMAIL TO EXPEDITE THE PROCESS TO JOHN REID jreid@dekalbcountyga.gov AND/OR LASONDRA HILL lahill@dekalbcountyga.gov

**REZONE
COMMENTS FORM:**

PUBLIC WORKS ROAD AND DRAINAGE

Case No.: _____ Parcel I.D. #: _____

Address: _____

Drainage Basin: _____

Upstream Drainage Area: _____

Percent of Property in 100-Year Floodplain: _____

Impact on property (flood, erosion, sedimentation) under existing zoning: _____

Required detention facility(s): _____

COMMENTS:

Signature: Akin A. Akinsola



DEPARTMENT OF PLANNING & SUSTAINABILITY

Rezoning Application to Amend the Official Zoning Map of DeKalb County, Georgia

Date Received: _____ Application No: _____

Applicant Name: Valrie Kong-Quee

Applicant E-Mail Address: enviroexpressinc@yahoo.com

Applicant Mailing Address: 4122

Applicant Daytime Phone: 404-867-9592 Fax: _____

Owner Name: Persiah Bedward

If more than one owner, attach list of owners.

Owner Mailing Address: 1422 Rock Chapel Road Lithonia GA 30058

Owner Daytime Phone: 404-227-6042

Address of Subject Property: 1422 Rock Chapel Road Lithonia GA. 30058

Parcel ID#: 1618901003

Acreage: 5.23 Commission District: 5

Present Zoning District(s): R100

Proposed Zoning District: C1

Present Land Use Designation: Recreational

Proposed Land Use Designation (if applicable): Business

LETTER OF APPLICATION

1422 ROCK CHAPEL ROAD,
LITHONIA GA 30058

RE: DEKALB COUNTY PLANNING COMMISSION

My name is Persiah Bedward. I purchased 1422 Rock Chapel Rd, Lithonia GA 30058 January 11, 2019 with the intention to rehab this property as an investment rental property.

The property was never able to rent as a home. Reasons are the busyness and speeding along rock chapel and 124. The rock quarry was also a huge concern to the families who viewed the property to rent as a home. It was too dangerous for children and elderly people. One feared even checking their mailbox of getting hit by speeding vehicles. After having the property for so long with no income revenue and after many approaches by young entrepreneurs regarding starting a small business at this location as the property sits without a purpose, I decided to use it for my own office. Therefore,

I am applying for a change from the current zoning to a C1. I believe such zoning would boost economic development and create jobs. As I am an employer of 20 plus employees. I would like you to know I would deeply appreciate your recommendations to make this happen.

Thank you for your consideration,

Persiah Bedward

AUTHORIZATION

The property owner should complete this form or a similar signed and notarized form if the individual who will file the application with the County is not the property owner.

Date: 3/20/2024


TO WHOM IT MAY CONCERN:


(I) (WE) Persiah Bedward
Name of owner(s)


being (owner) (owners) of the subject property described below or attached hereby delegate authority to


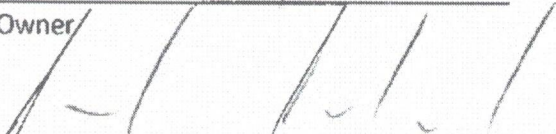
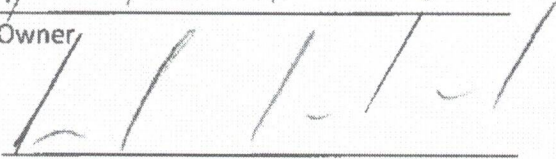
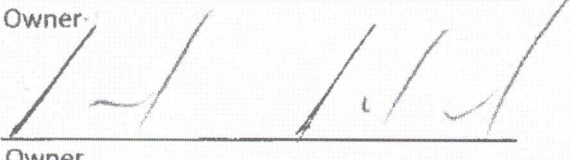
Valrie Kong-Quee
Name of Agent or Representative

to file an application on (my) (our) behalf.


Notary Public Georgia Foster
Rockdale County, GA
Exp: January 08, 2027

Notary Public

Notary Public


Notary Public


Owner

Owner

Owner

Owner



DEPARTMENT OF PLANNING & SUSTAINABILITY

DISCLOSURE OF CAMPAIGN CONTRIBUTION

In accordance with the Conflict of Interest in Zoning Act, OCGA Chapter 36-67A, the following questions must be answered.

Have you, the applicant, made \$250.00 or more in campaign contribution to a local government official within two years immediately preceding the filling of this application?

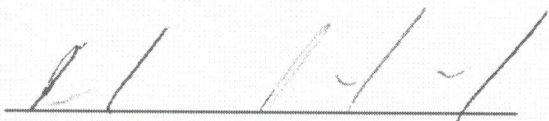
Yes No *

If the answer is yes, you must file a disclosure report with the governing authority of DeKalb County showing:

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 to the Board of Commissioners of DeKalb County, 1300 Commerce Drive, Decatur, GA 30030.

Notary



Signature of Applicant /Date

Check one: Owner Agent

Expiration Date/ Seal

*Notary seal not needed if answer is "no".

LEGAL DESCRIPTION

1422 Rock Chapel Road

All that tract or parcel of land lying and being and land lot 189 of the 16th District of DeKalb County, Georgia and being more particularly described as follows:

Begin at the point formed by the intersection of the Southeastern right of way of Rock Chapel Road (200' apparent r/w) and the Northern Land Lot Line of Land Lot 189; said point being the POINT OF BEGINNING;

thence along the Northern Land Lot Line of Land Lot 189: North 88 degrees 57 minutes 15 seconds East a distance of 623.48 feet to a point;

thence South 25 degree 13 minutes 15 seconds West a distance of 467.44 feet to a point;

thence North 76 degrees 44 minutes 44 seconds West a distance of 97.68 feet to a point;

thence North 77 degrees 17 minutes 31 seconds West a distance of 490.68 feet to a point on the right-of-way of Rock Chapel Road;

thence along said right-of-way on a curve to the left an arc distance of 187.72 feet being subtended by a chord distance of 187.59 feet, a bearing of North 27 degrees 16 minutes 23 seconds East and a radius of 1,452.13 feet to a point;

thence North 29 degrees 03 minutes 35 seconds East a distance of 130.91 feet to a point; and the POINT OF BEGINNING.

Said tract containing 220,850 square feet (5.070 acres) as shown on rezoning exhibit survey prepared for Vincent Beward Persiah G by Boundary Zone, Inc. dated December 12, 2018.

Sign in Sheet

To Whom it May Concern,

We, the residents of the Rock Chapel / Stephenson Rd / Rock Mountain Rd area, do attest by signature below that we are in full support of this section of land being rezoned as Commercial Property. These few residential plots are on a peninsula of land surrounded by commercial and industrial properties. Traffic in the area is unsafe for families, children, and pets and the quarry and cement plants make our air unsafe as well. We hereby request this area be rezoned as Commercial.

RESIDENT:

STREET ADDRESS:

- | | |
|----------------------------|---------------------------------------|
| 1. <u>Melanie Hill</u> | <u>1204 Rock Chapel Rd.</u> |
| 2. <u>Mary J. Smith</u> | <u>1192 Rock Chapel Rd.</u> |
| 3. <u>JAMES Low</u> | <u>1971 Stephenson</u> |
| 4. <u>Devon H Lynch</u> | <u>2200 Stephenson rd</u> |
| 5. <u>Demonte Hill</u> | <u>2005 Stephenson rd</u> |
| 6. <u>Alexander Babkin</u> | <u>1216 Rock Chapel Rd</u> |
| 7. <u>Persich Bedward</u> | <u>1422 Rock Chapel Rd</u> |
| 8. <u>Ms. Brigg</u> | <u>1310 Rock Chapel Rd</u> |
| 9. <u>Jim Parkman</u> | <u>1362 & 1332 Rock Chapel Rd</u> |
| 10. <u>Touman Price</u> | <u>1400 Rock Chapel Rd</u> |
| 11. _____ | _____ |
| 12. _____ | _____ |
| 13. _____ | _____ |
| 14. _____ | _____ |
| 15. _____ | _____ |
| 16. _____ | _____ |
| 17. _____ | _____ |
| 18. _____ | _____ |
| 19. _____ | _____ |
| 20. _____ | _____ |
| 21. _____ | _____ |
| 22. _____ | _____ |
| 23. _____ | _____ |
| 24. _____ | _____ |
| 25. _____ | _____ |

IMPACT ANALYSIS

1. Whether the proposed land use change will permit uses that are suitable in view of the use and development of adjacent and nearby properties.

The proposed use is a small office that will not attract significant traffic or create excessive noise to disturb the adjoining neighbors. No activities on this property will affect the development potential of nearby properties.

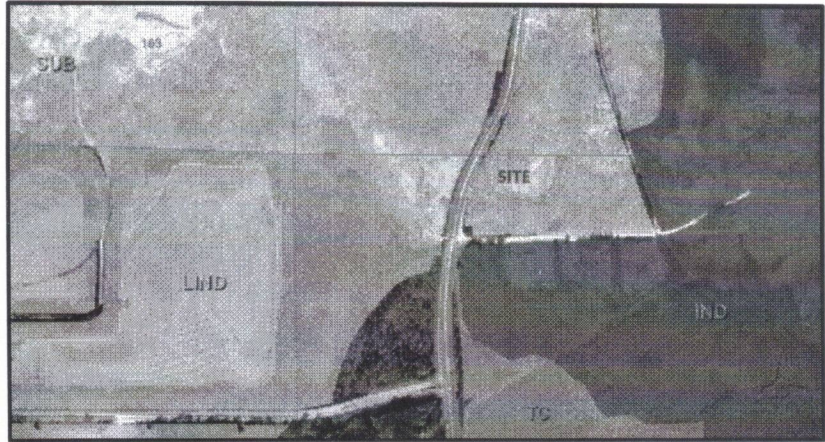
2. Whether the proposed land use change will adversely affect the existing use or suitability of adjacent or nearby properties

The proposed improvement will be limited to renovation of the existing structure to make it suitable for office use. There will be no expansion of the existing building footprint nor any improvements to cause discomfort to the adjacent properties.

3. Whether the proposed land use change will result in uses which will or could cause excessive or burdensome use of existing streets, transportation facilities, utilities or schools.

The proposed use is offices for conducting staff meetings and staff training. The number of vehicles entering or leaving the property will not have any adverse impact on the normal traffic flow.

4. Whether the amendment is consistent with the written policies in Comprehensive Plan text.
Whether the zoning proposal is in conformity with the policy and intent of the Comprehensive Plan.



Based on the future land use map of the subject site, the Comprehensive Plan identifies this site as Suburban (SUB). However, as indicated in the diagram, the subject site is surrounded by intense industrial use with future land use designations of Industrial (IND, LIND). To the west of the subject site there is a coal mining operation, and to the east of the site there is also a quarry operation company that is a major supplier of building materials such as aggregates, cement, ready mixed concrete and asphalt. There is also a trucking company and concrete plant located to the south of the subject site. The subject site is currently zoned as residential and we are proposing a rezoning to light industrial (M). The existing residential zoning is not compatible due to surrounding industrial activities making this area not suitable for residential activity due to the possible exposure to noise, dust, heavy vehicular traffic just to name a few. The rezoning to light industrial will be compatible with surrounding use as this area of the county consists of existing large scale industrial activities.

5. Whether there are environmental impacts or consequences resulting from the proposed change.

The subject site is currently operating as a landscaping company, the rezoning will allow for expansion to allow for a more favorable environment such as dust free parking, additional landscape buffer, easy access in and out of the property. Also, the subject site will be consistent with the Dekalb County Code to ensure there will be no adverse environmental impact to surrounding lots.

6. Whether there are impacts on properties in an adjoining governmental jurisdiction in cases of proposed changes near county boundary lines.

Propose change does not anticipate any impacts to adjoining governmental jurisdiction.

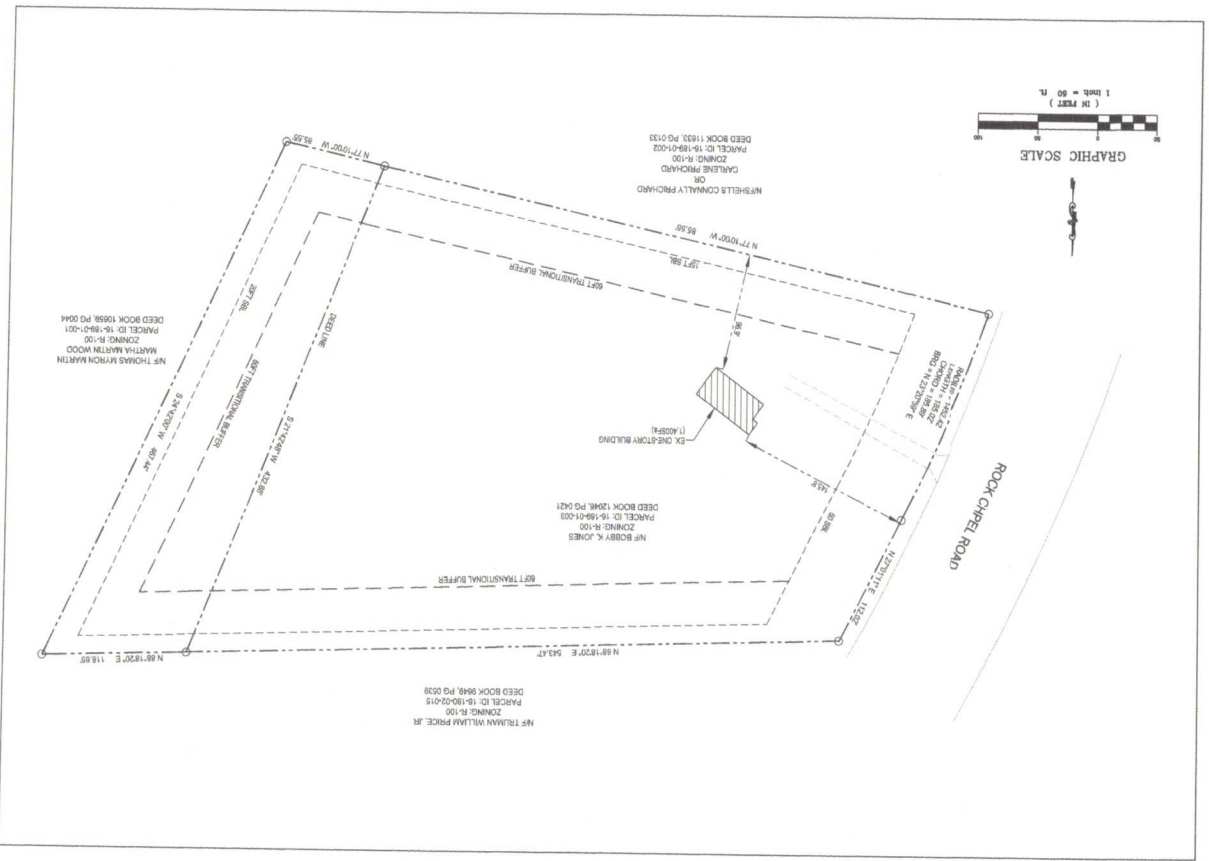
7. Whether there are other existing or changing conditions affecting the use and development of the affected land areas which support either approval or denial of the proposed land use change.

The existing residential zoning is not compatible due to surrounding industrial activities making this area not suitable for residential activity due to the possible exposure to noise, dust, heavy vehicular traffic just to name a few. The rezoning to light industrial will be compatible with surrounding use as this area of the county consists of existing large scale industrial activities.

8. Whether there are impacts on historic buildings, sites, districts or archaeological resources resulting from the proposed change.

The Rock Chapel Historic cemetery is located just north of the subject site, within a mile. There are no other known historical buildings, sites or archaeological resources on this site or within close proximity, there are no known anticipated adverse impact to these resources.

PROPERTY ADDRESS: 1422 ROCK CHAPEL ROAD, LITHONIA, GA 30058
 CURRENT ZONING: R-100
 PROPOSED ZONING: C-1
 SETBACK - FRONT: 80 FT
 SETBACK - SIDE: 15 FT
 SETBACK - REAR: 20 FT
 MINIMUM FRONTAGE: 100 FT
 MINIMUM LOT SIZE: 20,000 SF
 TRANSITIONAL BUFFER: 50 FT



SITE PLAN



C-100

DATE	1/17/2024
DESIGNED BY	
CHECKED BY	
DATE	
DESIGNED BY	
CHECKED BY	



1422 ROCK CHAPEL IMPROVEMENTS
 1422 ROCK CHAPEL ROAD
 LITHONIA, GA 30058

CITECH CONSULTING, INC.
 2302 PARKWAY N.E., SUITE 625
 ATLANTA, GA 30329
 TEL: 770-756-1270

DATE	REV. NO.	REVISION

NOTHING TO BE BUILT 11/20/2002

The reference for magnetic bearings taken from a survey by Chapman and Associates for Bobby K. Jones, dated August 26, 1965.

- GENERAL NOTES:**
1. The field data upon which this map or plat is based has a closure precision of one foot in 20,000 feet, and an angular error of less than 1" per angle point, and was adjusted using compass rule.
 2. This map or plat has been calculated for closure and is found to be accurate within one foot in 367,740 feet.
 3. Equipment used to obtain the linear and angular measurements in the preparation of this map or plat was a Topcon GTS 226 total station.
 4. Field work performed on 11/30/2002 and 1/11/2003.

8" SQUARE GRANITE STONE FOUND
 (1.2" NW of fence corner)
 N 88°18'20" E 118.63'
 N 88°18'20" E 543.47'
 P.O.B. - 1/2" IPS
 APPROX. LONG LOT LINE
 (189) (190)
 1/2" IPS

Thomas Myron Martin
 N/T
 Tax Map Parcel # 16-189-01-001
 Zoning: R-100
 D.B. 10658, Pg. 0044

Bobby K. Jones
 N/T
 Tax Map Parcel # 16-189-01-003
 Zoning: R-100
 D.B. 12046, Pg. 0421

Truman William Price, Jr.
 N/T
 Tax Map Parcel # 16-190-02-016
 Zoning: R-100
 D.B. 9649, Pg. 0539

ROCK CHAPEL ROAD
 64.52' (24' R/W)
 112.02' (12' R/W)
 N/T

Delta = 72017'
 Radius = 1452.42'
 Length = 186.02'
 Chord = 185.89'
 Brg = N 23°29'58" E

Sheela Connolly Pritchard
 N/T
 Carlene Pritchard
 Zoning: R-100
 Tax Map Parcel # 16-189-01-002
 D.B. 11633, Pg. 0133

4.24 acres (184,840 Sq.Ft.) - Deeded to Jones
 0.88 acres (43,135 Sq.Ft.) - Gap in Deeds / Area occupied by Jones
 5.23 acres (227,975 Sq.Ft.) - Total Area occupied by Jones.

January 11, 2003 - Bobby K. Jones, Myron Martin, Gerald Hinton, and Douglas R. Hinton, RLS met on-site. Mr. Martin gave verbal confirmation that based on the field evidence and his deed that the stone corner of fence line and iron pins at the southeast corner of Mr. Jones and the southeast corner of Mr. Pritchard's property were representative of the boundary as best that he could remember.

- LEGEND:**
- P.O.B. - Point of Beginning
 - IPS - Iron Pin Set
 - I/P - Iron Pin Found
 - R/W - Right of Way
 - R/W Monument
 - O/P - Open Top Pipe
 - C/P - Computed Point
 - L/L - Land Lot
 - N/T - Now or Formerly
 - D.B. - Deed Book
 - Pg. - Page
 - RCP - Reinforced Concrete Pipe
 - Light Pole
 - Power/Telephone Pole

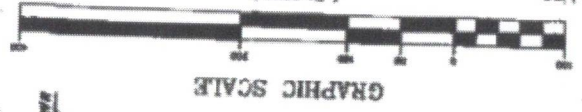


Boundary Survey for
BOBBY K. JONES

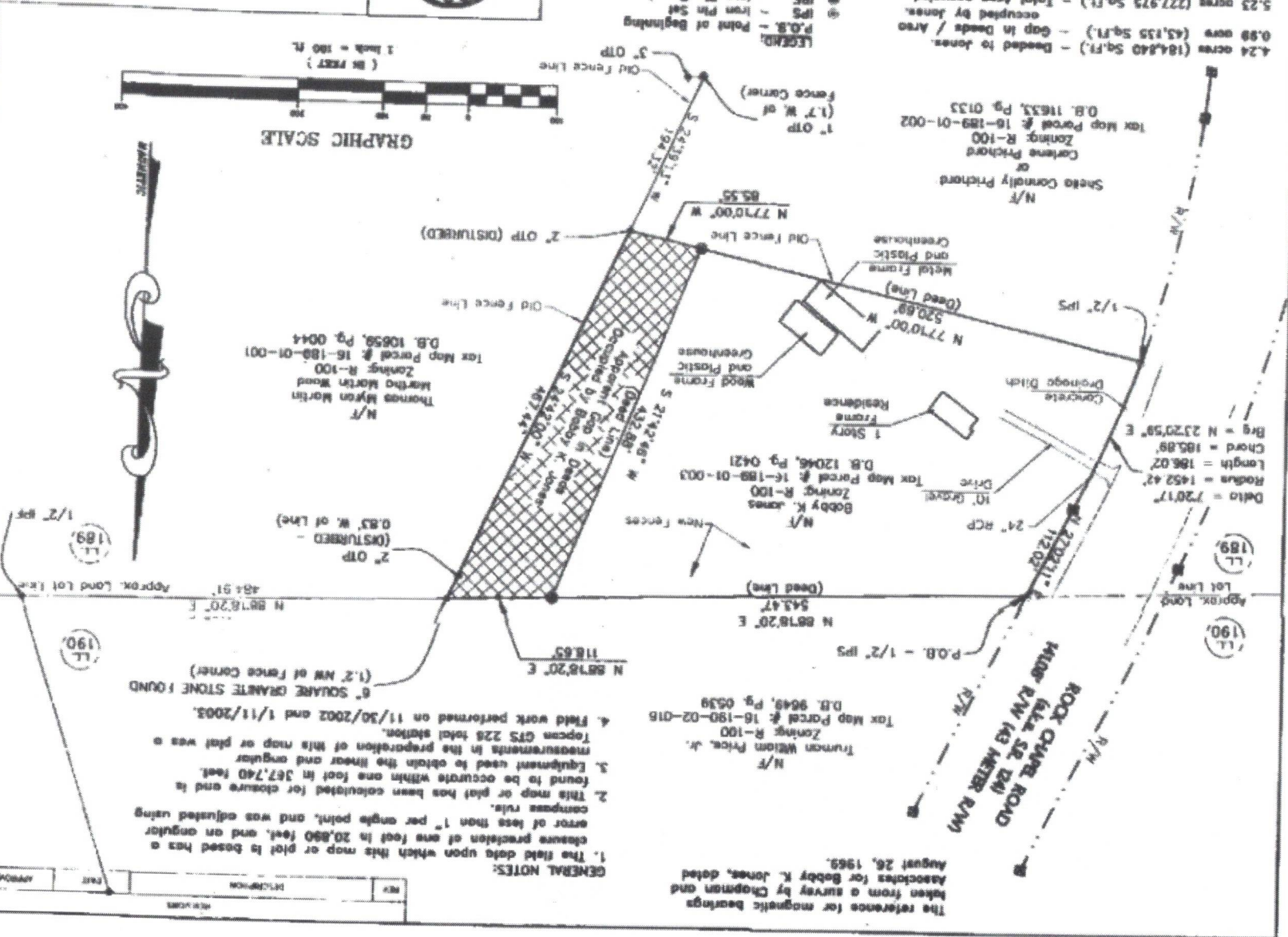
DAKALB COUNTY, GEORGIA
 LAND LOT 189, 16th DISTRICT

DOUGLAS R. HINTON, RLS
 5262 HART LAKE
 CONWAY, GEORGIA 30904
 (770) 889-9002
 1/12/02

SCALE 1" = 100'
 DATE 1/20/2003



GRAPHIC SCALE
 1 inch = 100 ft.
 (IN FEET)

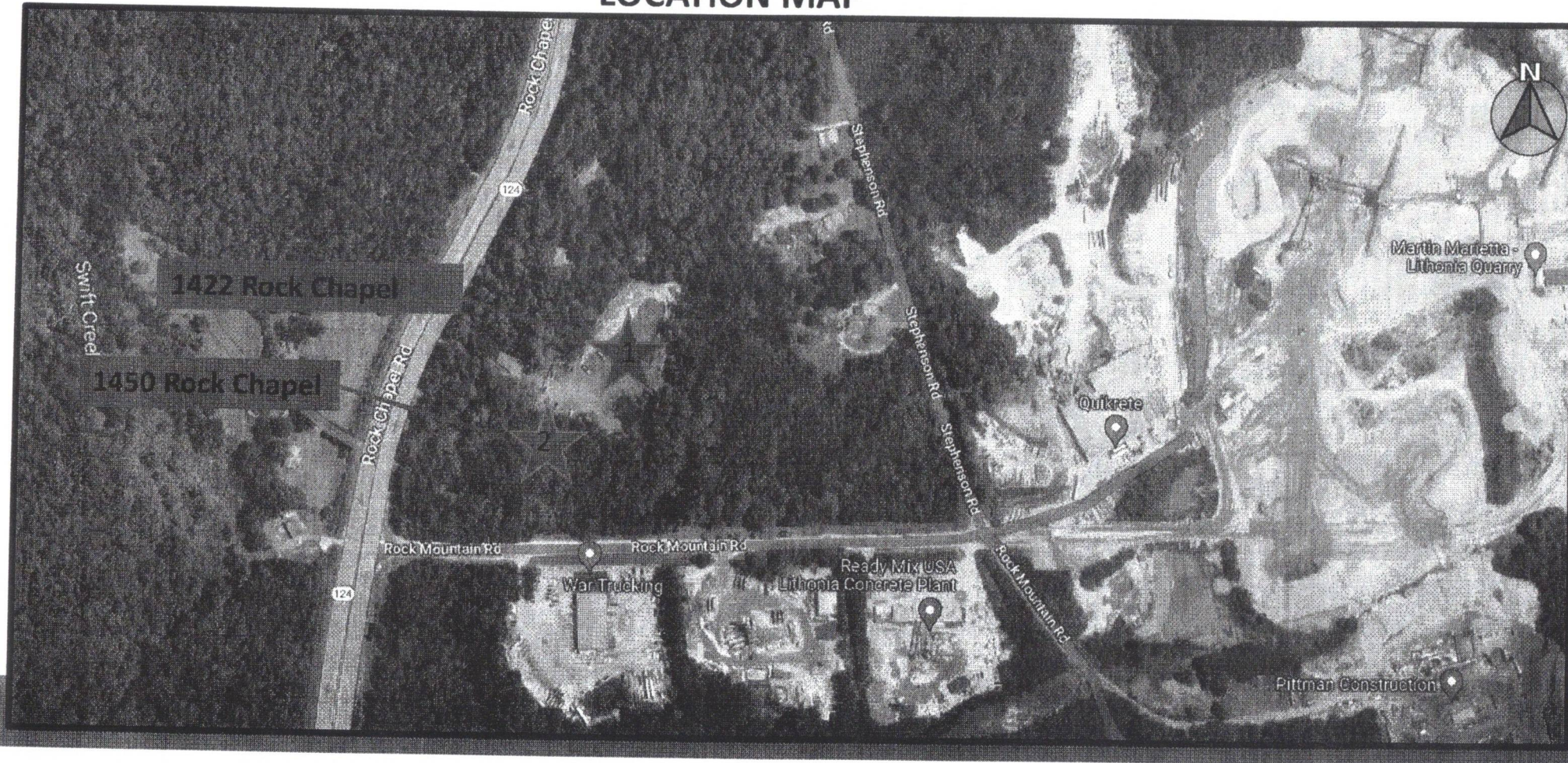


Planning Commission Meeting

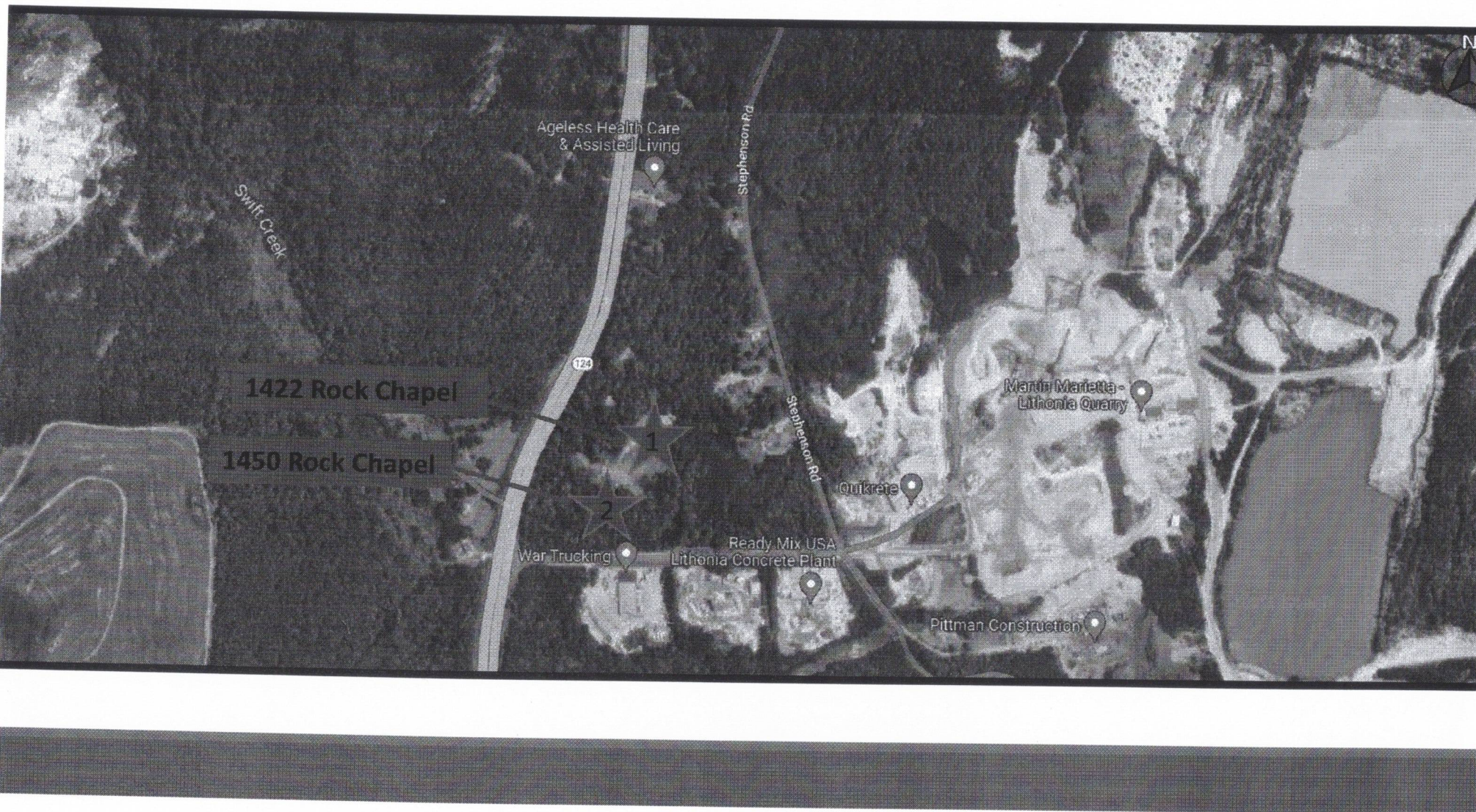
Site 1 – 1422 Rock Chapel Road

Site 2 – 1450 Rock Chapel Road

LOCATION MAP



EXISTING SURROUNDING USES



**#1
NEW CASES:**

**N1-2023-0064 LP-23-1246239
16-189-01-003
1422 ROCK CHAPEL RD, LITHONIA, GA 30058**

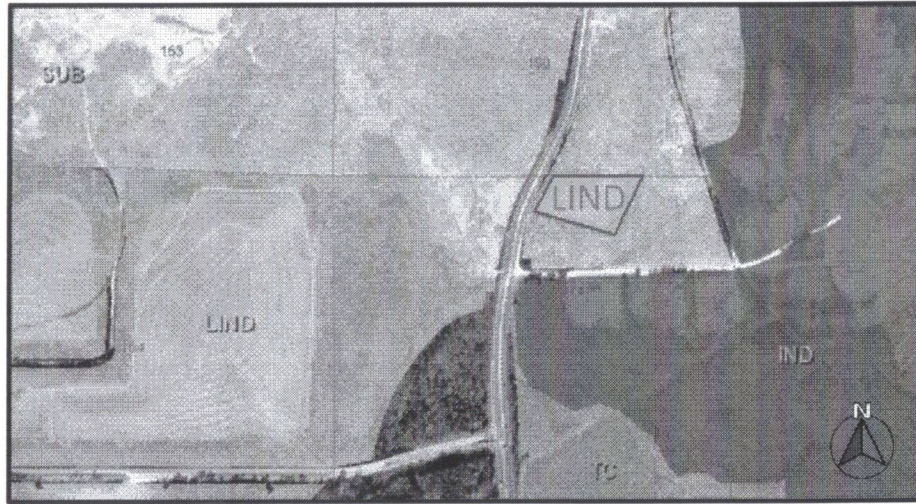
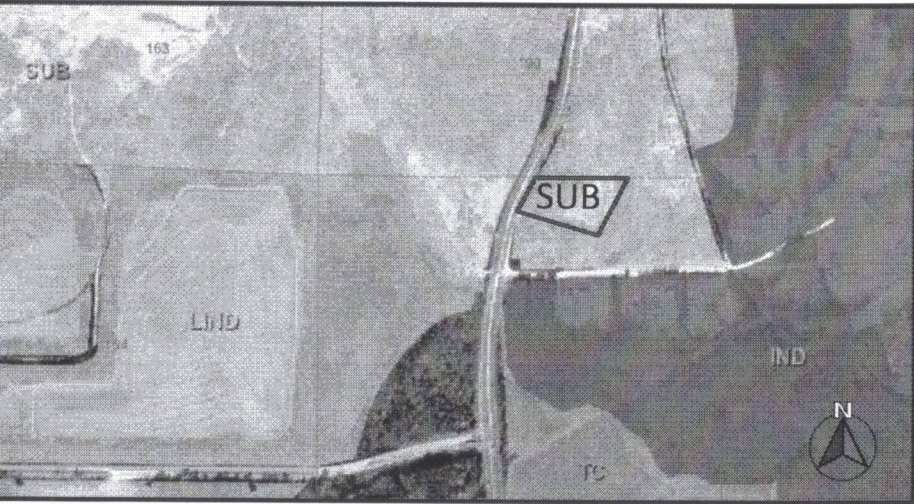
Commission District 05 Super District 07

**1422 Rock Chapel Road
Lithonia, GA
5.23 acres
Land Use Map Amendment
SUB to LIND**

Application of Land Engineering and Surveying Inc to amend the Future Land Use Plan from Suburban (SUB) character area to Light Industrial (LIND) character area to accommodate an existing landscape company, upgrade and expand the building, and add additional parking. The property is located on the east side of Rock Chapel Road, approximately 285 feet north of Rock Mountain Road at 1422 Rock Chapel Road, Lithonia, Georgia. The property has approximately 300 feet of frontage along Rock Chapel Road and contains 5.23 acres.

SUBURBAN, SUB

LIGHT INDUSTRIAL, LIND



Propose Use – Landscaping Company

#2

N2-2023-0065

Z-23-1246238

16-189-01-003

1422 ROCK CHAPEL RD, LITHONIA, GA 30058

Commission District 05 Super District 07

1422 Rock Chapel Road Lithonia, GA 30058

5.23 acres

Rezone

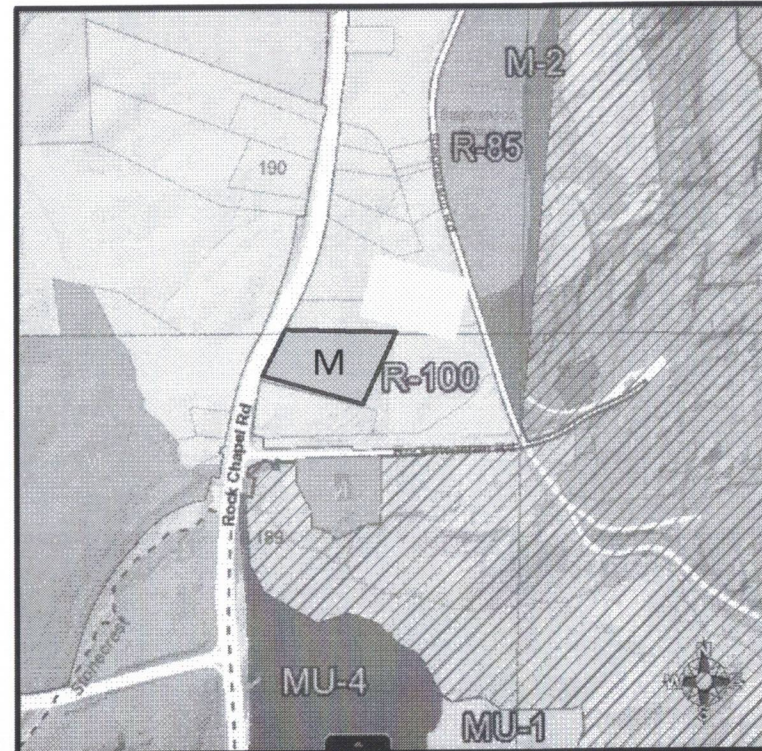
R-100 to M

Application of Land Engineering and Surveying, Inc. to rezone property from R-100 (Residential Medium Lot) zoning district to M (Light Industrial) zoning district to accommodate an existing landscaping company, upgrade and expand the building, and add additional parking. The property is located on the east side of Rock Chapel Road, approximately 285 feet north of Rock Mountain Road, at 1422 Rock Chapel Road, Lithonia, Georgia. The property has approximately 300 feet of frontage along Rock Chapel Road and contains 5.23 acres.

Residential (R-100)



Light Industrial (M)



JUSTIFICATION OF APPROVAL

- Area is surrounded by industrial use
- Heavy vegetation located between residential activity and subject site
- Proposed Use is anticipated to have less environmental impact compared to other existing uses
- Subject site is located on a major arterial road for the transportation of goods
- Not pose a health and safety concerns





Dog play pen in front of the subject property.



Subject property.

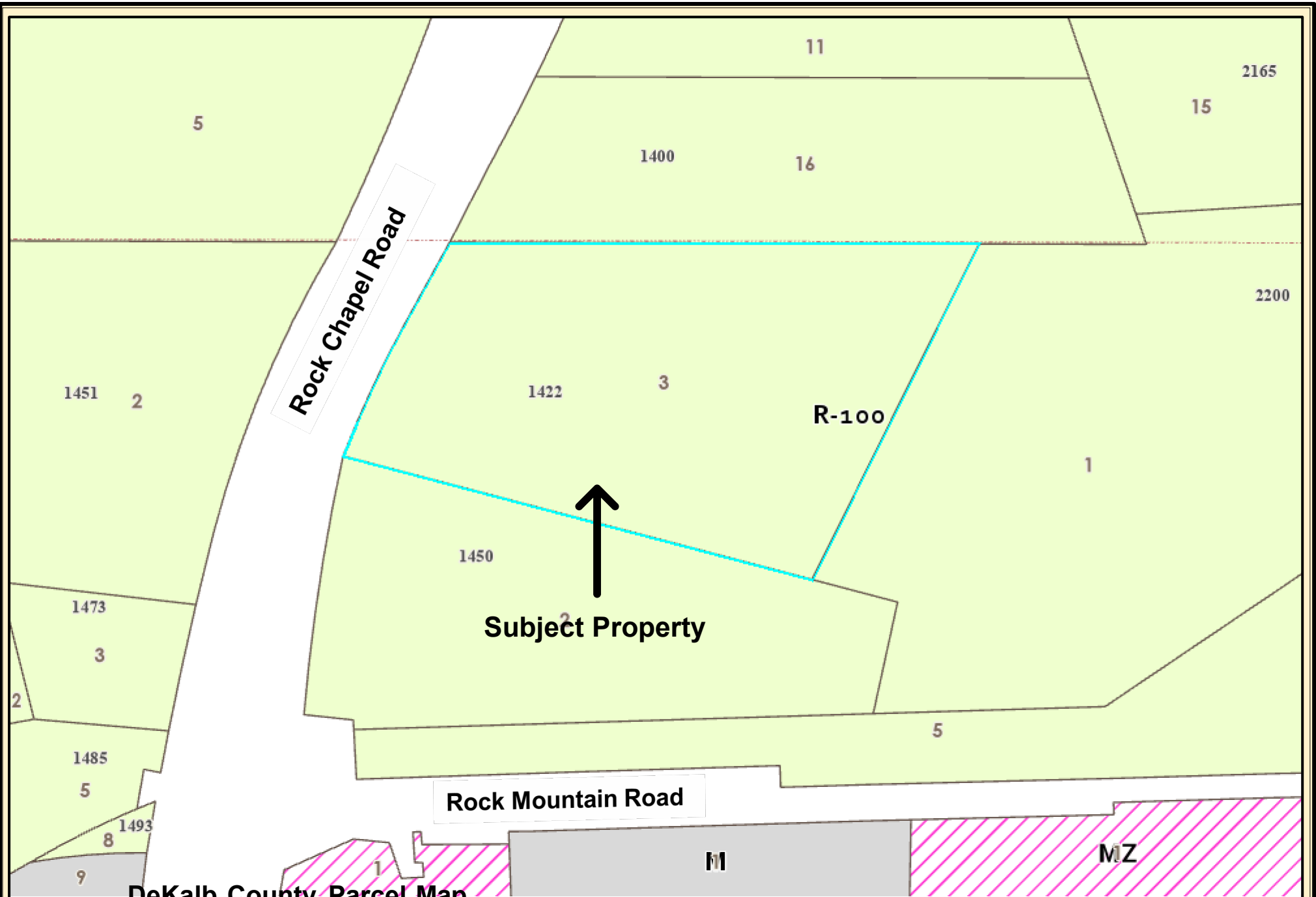


Front/side yard parking area and entrance to the rear parking area.

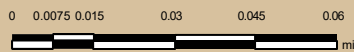


3 Photos show the rear Parking lot area.





DeKalb County Parcel Map

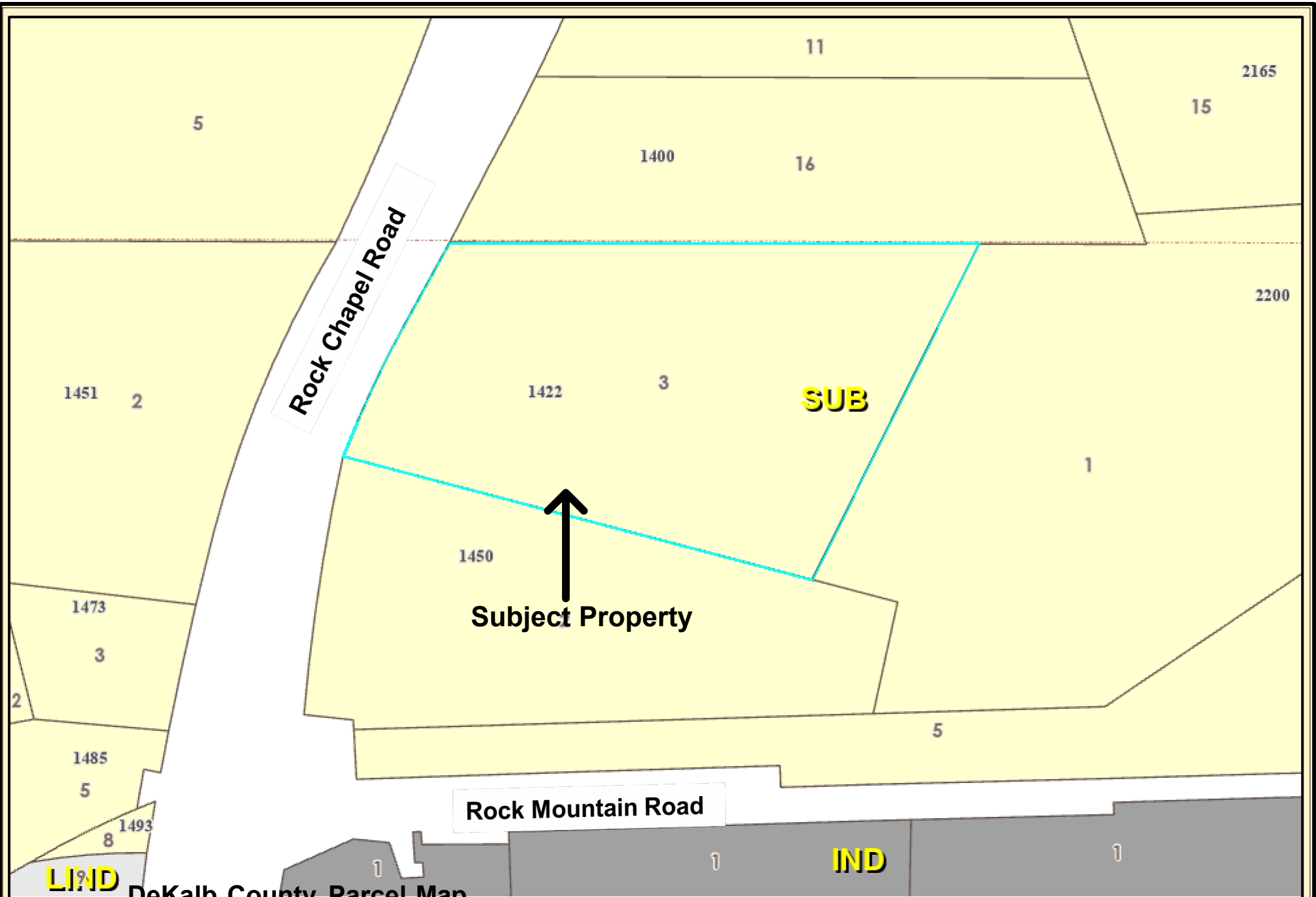


Date Printed: 5/22/2024

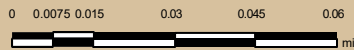


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DeKalb County Parcel Map



Date Printed: 5/22/2024

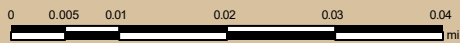


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DeKalb County Parcel Map



Date Printed: 5/22/2024



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