



DeKalb County Department of Planning & Sustainability

330 Ponce De Leon Avenue, Suite 300

Decatur, GA 30030

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

Planning Commission Hearing Date: January 08, 2019, 6:30 P.M.

Board of Commissioners Hearing Date: January 22, 2019, 6:30 P.M.

STAFF ANALYSIS

Case No.: 2018-3062/ SLUP-19-1235300 **Agenda #:** N.3

Location/Address: The northeast intersection of Brannen Road and Rockcliff Road at 2088 Brannen Road, Atlanta, Georgia. **Commission District:** 3 **Super District:** 6

Parcel ID: 15-141-02-063

Request: To request a Special Land Use Permit (SLUP) to allow a home occupation (vintage audio electronics repair) with customer contact in a R-75 (Residential Medium Lot) District, in accordance with Chapter 27, Article 4, Table 4.1 Use Table and Section 27-4.2.31 Supplemental Regulations of the DeKalb County Code.

Property Owners: William Walters

Applicant/Agent: William Walters

Acreage: .284 Acres

Existing Land Use: Single-Family Residence

Surrounding Properties: Single-Family Residences

Adjacent & Surrounding Zoning: North, South, West & East: R-75 (Residential Medium Lot) District

Comprehensive Plan: Suburban (SUB) Consistent X

Proposed Residential Units: N/A	Existing Residential Units: 1
Proposed Lot Coverage: N/A	Existing Lot Coverage: <35%

ZONING HISTORY & SITE CHARACTERISTICS:

The subject site is an existing single-family residence located at the northeast intersection of Rockcliff Road and Brannen Road in unincorporated DeKalb County. The site has been zoned R-75 (Residential Medium Lot) District since the adoption the DeKalb County code in 1956.

Located at 2088 Brannen Road, the site has frontage on both Brannen Road and Rockcliff Road (local streets). The approximate 1,100 plus square foot residence is a 1-story brick structure with a basement. Primary access is via an existing concrete driveway from Brannen Road that can accommodate up to six (6) vehicles. A side entry fence with a gate allows access to the residence from Rockcliff Road. The front lawn appears flat and well-manicured with a large tree and shrubbery. The fencing along Rockcliff Road is intertwined with shrubbery. Existing single-family residences abut and surround the subject site.

PROJECT ANALYSIS:

The applicant is requesting a Special Land Use Permit (SLUP) for an in-home occupation with customer contact to operate a boutique amp company that does select repairs on vintage audio electronics. Per the submitted letter of intent, the home occupation would occupy 500 square feet of the basement space of the residence. Customers would be able to access the site from the gated entrance on Rockcliff Road. The home occupation will serve approximately 4 customers per day. The proposed hours of operation are 11:00am to 6:00p.m. Tuesday through Saturday.

IMPACT ANALYSIS:

Section 27-7.4.6 of the DeKalb County Code states that the following criteria shall be applied in evaluating and deciding any application for a Special Land Use Permit.

- A. Adequacy of the size of the site for the use contemplated and whether or not adequate land area is available for the proposed use including provision of all required yards, open space, off-street parking, and all other applicable requirements of the zoning district in which the use is proposed to be located:**

The applicant is proposing an in-home occupation with limited customer contact within the R-75 (Residential Medium Lot) District. The residence on .28 acres is adequate for the proposed use and complies with required yards, parking and other standards of the zoning district.

- B. Compatibility of the proposed use with adjacent properties and land uses and with other properties and land uses in the district:**

The exterior of the existing single-family residence is not proposed for alterations, therefore remaining compatible with surrounding dwellings in the area.

- C. Adequacy of public services, public facilities, and utilities to serve the contemplated use:**

Based on the location of the site within an established residential subdivision on two (2) local streets, adequate public facilities and services are available for the proposed use.

- D. Adequacy of the public street on which the use is proposed to be located and whether or not there is sufficient traffic carrying capacity for the proposed use, so as not to unduly increase traffic or create congestion in the area:**

Brannen Road and Rockcliff Road are both local streets. Per the application, the applicant expects to serve on average approximately four (4) customers per day. The existing driveway can accommodate customer parking. Planning Staff anticipates little or no impact on traffic in the area caused by the proposed use.

- E. Whether or not existing land uses located along access routes to the site will be adversely affected by the character of the vehicles or the volume of traffic generated by the proposed use.**

The low volume of traffic or character of the vehicles generated by the proposed use should not adversely affect existing residential land uses along access routes to the site.

- F. Adequacy of ingress and egress to the subject property and to all proposed buildings, structures, and uses thereon, with particular reference to pedestrian and automotive safety and convenience, traffic flow and control, and access in the event of fire or other emergency:**

There are two (2) proposed access points to the site from street frontage. One (1) access point is via the existing driveway to the single-family residence on Brannen Road. The second access is through a gate in the fencing along Rockcliff Road. Emergency vehicles can access the site from either access point.

- G. Whether or not the proposed use would create adverse impacts upon any adjoining land use by reason of noise, smoke, odor, dust, or vibration that would be generated by the proposed use:**

The proposed use should not create adverse impacts upon any adjoining land use by reason of noise, smoke, odor, dust or vibration. Staff will condition the applicant to acoustically treat the business space to limit sound emissions during repair services.

- H. Whether or not the proposed use would create adverse impacts upon any adjoining land use by reason of the hours of operation of the proposed use:**

The applicant proposes to operate 5 days a week (Tuesday-Saturday) during the hours of 11:00 am to 6:00p.m. This is after rush hour morning traffic and before late evening. The proposed hours of operation should not create adverse impacts upon any adjoining residential land uses.

- I. Whether or not the proposed use will create adverse impacts upon any adjoining land use by reason of the manner of operation of the proposed use.**

The manner of operation should not create adverse impacts upon adjoining land uses.

- J. Whether or not the proposed use is otherwise consistent with the requirements of the zoning district classification in which the use is proposed to be located.**

The single-family residence meets all required building setbacks for the R-75 (Residential Medium Lot) District and the proposed use is consistent with an approved Special Land Use Permit by the Board of Commissioners.

- K. Whether or not the proposed use is consistent with the policies of the comprehensive plan.**

Located within a Suburban Character area designated by the DeKalb County 2035 Comprehensive Plan, the proposed home occupation with customer contact is consistent with the following area policy: Protect stable neighborhoods from incompatible development that could alter established single-family residential development patterns and density.

- L. Whether or not the proposed use provides for all required buffer zones and transitional buffer zones where required by the regulations of the zoning district in which the use is proposed to be located.**

Transitional buffer zones are not required for home occupations with customer contact.

- M. Whether or not there is adequate provision of refuse and service areas.**

Adequate refuse areas will be provided.

- N. Whether the length of time for which the special land use permit is granted should be limited in duration:**

The proposed use is a permanent use and should not be limited to any length of time on the subject site.

O. Whether or not the size, scale and massing of proposed buildings are appropriate in relation to the size of the subject property and in relation to the size, scale and massing of adjacent and nearby lots and buildings.

The requested SLUP for a home occupation with customer contact is in the existing single-family residence on the site. There will be no building additions to the single-family residence. The current residence is compatible in size with surrounding residences in the area,

P. Whether the proposed use will adversely affect historic buildings, sites, districts, or archaeological resources.

The proposed use will not adversely affect historic buildings, sites, districts, or archaeological resources.

Q. Whether the proposed use satisfies the requirements contained within the supplemental regulations for such special land use permit.

The proposed home occupation complies with the following supplemental regulations per Sec.27-4.2.31.C of the DeKalb County Zoning Code:

1. There shall be no exterior evidence of the home occupation.
2. No use shall create noise, dust, vibration, odor, smoke, glare or electrical interference that would be detectable beyond the dwelling unit.
3. The use shall be conducted entirely within the dwelling unit, and only persons living in the dwelling unit shall be employed at the location of the home occupation.
4. No more than twenty-five (25) percent of the dwelling unit and or five hundred (500) square feet, whichever is less, may be used for the operation of the home occupation.
5. No more than one (1) business vehicle per home occupation is allowed.
6. No home occupation shall be operated so as to create or cause a nuisance.

R. Whether or not the proposed use will create a negative shadow impact on any adjoining lot or building as a result of the proposed building height.

The existing single-family residence does not create a negative shadow impact on any adjoining lot or building.

S. Whether the proposed use would be consistent with the needs of the neighborhood or the community as a whole, be compatible with the neighborhood, and would not be in conflict with the overall objective of the comprehensive plan.

The proposed use would provide a needed service for patrons that use vintage audio electronics. The proposed use does not conflict with overall objectives of the comprehensive plan which is to offer a variety of retail and commercial services for residents in unincorporated DeKalb County.

COMPLIANCE WITH DISTRICT STANDARDS

Per the chart below, the single-family residence adheres to R-75 development standards.

STANDARD		REQUIREMENT	EXISTING	COMPLIANCE
LOT WIDTH		75 Feet	82 feet along Brannen Road and 150 feet along Rockcliff Road	Yes
LOT AREA		10,000 Square Feet	12,354 Square Feet	Yes
YARD SETBACKS	FRONT (Brannen Road)	30 Feet	47.5 Feet	Yes
	Side Corner Rockcliff Road	30 Feet	21 Feet	No. Existing non-conforming residential structure
	INTERIOR LOT - SIDE	7.5 Feet	7.5 Feet	Yes
	REAR	40 Feet	No definitive rear yard. Two (2) adjoining interior side yard property lines	N/A
HEIGHT		Max. 35 Feet	<35 Feet	Yes
LOT COVERAGE		Max. 35%	<35%	Yes
PARKING		Min. 4 parking spaces for a single-family residence	Can accommodate at least 4 parked cars	Yes
OPEN SPACE		N/A	N/A	N/A
LINEAR FEET OF NEW SIDEWALK		N/A	No sidewalks along Brannen Road or Rockcliff Road	N/A

STAFF RECOMMENDATION: APPROVAL WITH CONDITIONS

The proposed in- home occupation with customer contact should not have any adverse impact on adjacent and surrounding properties. The exterior of the existing single-family residence is not proposed for alterations, therefore remaining compatible with surrounding dwellings in the area. Given that the existing driveway can accommodate off-street parking for clients, there should be no impact on adjacent properties. The proposed use would not create adverse impacts on adjoining properties by way of noise, smoke, odor, dust or vibration. Therefore, it is the recommendation of the Planning and Sustainability Department that the application be **APPROVED**, subject to Staff's Recommended Conditions:

1. A home occupation (Acorn Amplifiers) with customer contact, within the existing single-family residence.
2. The owner/operator must provide evidence to substantiate that the business space has been acoustically treated to insulate noise prior to obtaining a business license.
3. The hours of operation shall be Tuesdays through Saturdays (11:00am-6:00pm). The business will be closed Sundays and Mondays.
4. No testing equipment after 9:00p.m.

5. Comply with the DeKalb County Noise Ordinance.
6. Parking shall be limited to the existing driveway.
7. The owner/operator shall not lease the business space for use by another person and the SLUP is not transferable to any future owners of the subject property.
8. No identification sign for the business shall be posted on the property.
9. The approval of this SLUP application by the Board of Commissioners has no bearing on the requirements for other regulatory approvals under the Zoning Board of Appeals, or other entity.

Attachments:

1. Department and Division Comments
2. Application
3. Site Plan
4. Zoning Map
5. Aerial Photograph
6. Site Photographs

NEXT STEPS

Following an approval of this modification action, 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 & Final 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** *(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.)*

Each of the approvals and permits listed above requires submittal of application and supporting documents, and payment of fees. Please consult with the appropriate department/division.



DEKALB COUNTY GOVERNMENT

PLANNING DEPARTMENT

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 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 to include sidewalk within the right-of-way may be required as a condition for building permit 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, to include Runoff Reduction Volume where applicable is required as a condition of land development permit approval. Use Volume Three of the G.S.M.M. for best maintenance practices. Use the NOAA Atlas 14 Point Precipitation Data set specific to the site. Recommend Low Impact Development features/Green Infrastructure be included in the proposed site design as much as practicable.

- **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. Encroachment of flood hazard areas require compliance with Article IV of Chapter 14 and FEMA floodplain regulations.

- **Landscaping/Tree Preservation**

Landscaping and tree preservation plans for any building lot must comply with DeKalb County Code of Ordinances 14-39 as well as Chapter 27 Article 5 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.

Zoning Comments (Jan 2019)

N1. No comment.

N2. Engineer must verify sight distance when placing driveways.

N3. No Comment.

N4 & N5. Rock Chapel Road is State Road 124. GDOT review and approval required prior to issuing any permits. GDOT Contact: Justin Hatch at juhatch@dot.ga.gov Minor Arterial. Refer to Section 14-190 of the Land Development Code and Chapter 5.4.3 of the Zoning Code for infrastructure requirements. No acceleration lane. Prefer deceleration lane. Verify driveway placement to ensure required sight distance requirements are met based on the speed limit and curvature of roadway. 6 foot sidewalk. Street lights required.

N6. No Comment.

N7. Refer to Section 14-190 of the Land Development Code and Chapter 5.4.3 of the Zoning Code for infrastructure requirements. Tilson Road is classified as a collector street. Right of way dedication of 35 feet from centerline, 6-foot sidewalks, street lights, bike lanes required. Verify driveway placement to ensure required sight distance requirements are met based on the speed limit and curvature of roadway. Interior streets to be local- 55 foot right of way, five foot landscape strip, 5 foot sidewalk, street lights required.

N8. Refer to Section 14-190 of the Land Development Code and Chapter 5.4.3 of the Zoning Code for infrastructure requirements. River Road is classified as a minor arterial. Right of way dedication of 35 feet from centerline, 6-foot sidewalks, street lights, bike lanes required. Verify driveway/roadway placement to ensure required sight distance requirements are met based on the speed limit and curvature of roadway. Interior streets to be local- 55 foot right of way, five foot landscape strip, 5 foot sidewalk, street lights required.

N9. Cook Road is within the GDOT I-20 Right of Way. GDOT review and approval for access is required prior to issuing any permits. GDOT Contact: Justin Hatch at juhatch@dot.ga.gov . Construct sidewalks up to Flat Shoals Road within the existing right of way.

N10. No comment.

N11. No comment.

N12. No comment.

N13. No comment.

N14. Candler Road is State Route 155. GDOT review and approval required prior to permitting. GDOT Contact: Justin Hatch at juhatch@dot.ga.gov GDOT review and approval for access is required prior to issuing any permits.

N15. Covington Hwy is a State Route. GDOT review and approval for access is required prior to issuing any permits. GDOT Contact: Justin Hatch at juhatch@dot.ga.gov . Refer to Section 14-190 of the Land Development Code and Chapter 5.4.3 of the Zoning Code for infrastructure requirements. Covington Hwy is classified as a major arterial. Right of way dedication of 50 feet from centerline, 6 foot sidewalks,

10 foot landscape strip, street lights, bike lanes required. Verify driveway/roadway placement to ensure required sight distance requirements are met based on the speed limit and curvature of roadway. Interior streets to be local- 55 foot right of way, five foot landscape strip, 5 foot sidewalk, street lights required. Porter Road is classified as a local street. Bring frontage of Porter up to local street standards, including right of way dedication, as needed, sidewalks and streetlights.

N16. Refer to Section 14-190 of the Land Development Code and Chapter 5.4.3 of the Zoning Code for infrastructure requirements. Pleasant Hill Trail is classified as a local road. Right of way of 27.5 feet from centerline, six foot landscape strip, 5 foot sidewalks, street lights requires. Pleasant Hill Road is classified as a minor arterial. Right of way 40 from centerline, 10 foot landscape strip, 6 foot sidewalks, street lights required. Right of way Verify driveway/roadway placement to ensure required sight distance requirements are met based on the speed limit and curvature of roadway. Interior streets to be local- 55 foot right of way, five foot landscape strip, 5 foot sidewalk, street lights required. All public road right of ways must be brought up to current standards.

12/21/2018

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

12/21/2018

N.1

Z-19-1235286 2018-3060 18-230-06-060

2405 HENDERSON MILL RD, ATLANTA, GA 30345

☐ Amendment

- Please review general comments.

N.2

CZ-19-1235306 2018-3061 15-146-04-018

2184 CAVANAUGH AVE, ATLANTA, GA 30316

☐ Amendment

- Please review general comments.

N.3

SLUP-19-1235300 2018-3062 15-141-02-063

2088 BRANNEN RD, ATLANTA, GA 30316

☐ Amendment

- Please review general comments.

N.4

Z-19-1235308 2018-3063 16-154-04-008

2478 ROCK CHAPEL RD, LITHONIA, GA 30058

☐ Amendment

- Please review general comments.

DEPARTMENT OF PLANNING & SUSTAINABILITY

SPECIAL LAND USE PERMIT APPLICATION

Amendments will not be accepted after 5 working days after the filing deadline.

OCT 29 2018

Date Received: _____

Application No: 1235300

APPLICANT NAME: William Walters

Daytime Phone: 404-600-3696

E-Mail: acornamps@gmail.com

Mailing Address: 2088 Brannen Rd, Atlanta, GA 30316

Owner Name: William Walters

(If more than one owner attach contact information for each owner)

Daytime Phone: 561-350-1072

E-Mail: acornamps@gmail.com

Mailing Address: 2088 Brannen Rd, Atlanta, GA 30316

SUBJECT PROPERTY ADDRESS OR LOCATION: 2088 Brannen Rd

Atlanta DeKalb County, GA, 30316

Parcel ID: 1514102063 Acreage or Square Feet: 12354.05 Commission District 3 & 6

Existing Zoning: R-75 Proposed Special Land Use (SLUP) home occupation with customer contact

I hereby authorize the staff of the Planning and Sustainable Department to inspect the property that is the subject of this application.

Owner: ☒

Agent: _____

Signature of Applicant

William Walters

Printed Name of Applicant: William Walters

Notary Signature and Seal:

Kinetha P. Wurster



Notice Date: 10/1/2018

PUBLIC NOTICE
To
Request for a Special Land Use Permit
Filed by: William Walters/Acorn Amplifiers
Located at: 2088 Brannen Rd
Atlanta, GA 30316

Current Use - Residence

Proposed Use - Home Occupation w/ Customer Contact

Hours of Operation

Current: Tuesday-Saturday, 12PM-8PM
Saturday, 11AM-6PM

Proposed: Tuesday-

Capacity: No Change

PRE-SUBMITTAL COMMUNITY MEETING TO TAKE PLACE AT:
GRESHAM LIBRARY

Location: 2418 Gresham Rd SE, Atlanta, GA 30316

Date & Time: Monday, October 22, 2018 at 7:00PM

Open to the public. Light refreshments will be served. Overflow parking available at the Walmart across the street.

MEETING SIGN-IN SHEET

Project: 2098 Bremen, Rd

Meeting Date: 17/02/2018

Facilitator: William Walters

Location: Graham Library - 2418 Graham Rd, Alt. 64

[illegible]

Letter of Application
for
Special Land Use Permit
at
2088 Brannen Rd, Atlanta, GA 30316

October 28, 2018

To Whom It May Concern,

This letter of application is to request a special land use permit at 2088 Brannen Rd, Atlanta, GA 30316. The existing zoning is listed as R-75 and the special land use permit, article number 4.2.31, is for a residence to use as a home occupation with customer contact. The home occupation is Acorn Amplifiers, a boutique amp company that does select repairs on vintage audio electronics. The home occupation would occupy 500 square feet of the basement space of the residence and customer contact would be available on the side of the property, out of sight and away from all neighboring residence entries. The home occupation will average 4 customers per work day. Acorn Amps is a sole member LLC owned by William Walters, currently located in a storefront 1259B Glenwood Ave in East Atlanta Village. There are no employees of Acorn besides William. The current hours of Acorn are 11am-7pm Tuesday-Saturday with plans to change to 11am-6pm at the home occupation. For any additional information, please contact William Walters at 561-350-1072 or at acornamps@gmail.com. Thank you for your time and consideration.



William Walters
Owner - Acorn Amplifiers, Tax Parcel ID: 1514102063

Detailed Impact Analysis
for a
Special Land Use Permit
at
2088 Brannen Rd, Atlanta, GA 30316

October 22, 2018

- A. There is adequate size of the site for use contemplated and there is adequate land area available for the proposed use including provision of all required yards, open space, off-street parking and all other applicable requirements of the zoning district in which the use is proposed to be located.
- B. The property will remain compatible with the proposed use of adjacent properties and land use and other properties and land uses in the district.
- C. There are adequate public services, public facilities, and utilities to serve the use contemplated.
- D. The public street on which the use is proposed to be located is adequate and there is sufficient traffic carrying capacity for the use proposed so as not to unduly increase traffic and create congestion in the area.
- E. The existing land uses located along access routes to the site will not be adversely affected by the character of the vehicles or the volume of traffic generated by the proposed use.
- F. Ingress and egress to the subject property and to all proposed buildings, structures and uses thereon with particular references to pedestrian and automotive safety and convenience, traffic flow, and control and access in the event of fire or other emergency will remain adequate and unchanged.
- G. The proposed use will not create any adverse impacts upon any adjoining land use by reason of noise, smoke, odor, dust or vibration generated by the proposed use.
- H. The proposed use will not create any adverse impact upon any adjoining land use by reason of the hours of operation of the proposed use.
- I. The proposed use will not create any adverse impact upon any adjoining land use by reason of the manner of operation of the proposed use.
- J. The proposed plan will remain consistent with all of the requirements of the zoning district classification in which the use is proposed to be located.
- K. The proposed use will remain consistent with the policies of the comprehensive plan.
- L. The proposed plan will provide for all required buffer zones and transitional buffer zones where required by the regulation of the district in which the use is proposed to be located.
- M. There is adequate provision of refuse and service areas.
- N. The length of time for which the special land use permit is granted should match the length of time the property is owned by the applicant.
- O. The size, scale, and massing of proposed buildings are and will remain appropriate in relation to the size of the subject property and in relation to the size, scale and massing of the adjacent and nearby lots and buildings.
- P. The proposed plan will not adversely affect historic buildings, sites, districts, or archaeological resources.
- Q. The proposed use will satisfy the requirements contained within the Supplemental

Regulations for such special land use permit.

R. The proposed building as a result of its proposed height will not create a negative shadow on any adjoining lot or building.

S. The proposed use will remain consistent with the needs of the neighborhood and the community as a whole and will not be in conflict with the overall objectives of the comprehensive plan.





