

Public Hearing: YES ☒ NO ☐

Department: Planning & Sustainability

SUBJECT:

COMMISSION DISTRICT(S): Commission District 02 Super District 06

Application of Ryan Jones, PE for a Special Land Use Permit (SLUP) to allow a drive-through (medical facility) in the NS (Neighborhood Shopping) District, at 1799 Clairmont Road.

PETITION NO: N5. SLUP-22-1245550 (2022-1473)

PROPOSED USE: Drive-through medical facility.

LOCATION: 1799 Clairmont Road, Decatur, Georgia 30033

PARCEL NO. : 18-103-03-017, 18-103-03-018

INFO. CONTACT: Brandon White, Planning Manager

PHONE NUMBER: 404-371-2155

PURPOSE:

Application of Ryan Jones, PE for a Special Land Use Permit (SLUP) to allow a drive-through (medical facility) in the NS (Neighborhood Shopping) District. The property is located on the east side of Clairmont Road opposite Mason Mill Road at 1799 and 1805 Clairmont Road in Decatur, Georgia. The property has approximately 200 feet of frontage along Clairmont Road and contains 0.64 acre.

RECOMMENDATION:

COMMUNITY COUNCIL: Denial.

PLANNING COMMISSION: Two-Cycle Deferral.

PLANNING STAFF: Two-Cycle Deferral.

STAFF ANALYSIS: The NS (Neighborhood Shopping) Zoning District request and the proposed use is consistent with the *Comprehensive Plan*. The intent of the Commercial Redevelopment Corridor (CRC) Character Area is to “promote the redevelopment of declining commercial corridors and to improve the function and aesthetic appeal of more stable commercial corridors.” CRC commercial zoning options include: OI (Office-Institutional), OIT (Office-Institutional- Transitional), NS (Neighborhood Shopping), C-1 (Light Commercial), C-2 (General Commercial), and OD (Office- Distribution). The proposed rezoning would facilitate redevelopment of the subject properties and provide medical services that are consistent with the character of uses in the vicinity. Moreover, if approved, the rezoning proposal aligns with a number of CRC character area guidelines including streetscape enhancements along its frontage, improved signage, and contemporary building design. The appropriateness of a drive-through use at this location is unclear at this time. The site may accommodate the proposed use, in a traditional manner, however, a centralized drive-through feature may exacerbate some of the site development challenges that exist. The proposal has a number of zoning compliance deficiencies (buffers, loading/stacking, drive-through supplemental regulations, etc.) that need to be address in conjunction with access management concerns and internal circulation issues. Additionally, stormwater management needs to be contemplated as part of the redevelopment proposal. More details regarding these concerns may alleviate some of the concerns raised by community members. Staff recommendation is for a “Two-Cycle Deferral to the September 2022 zoning agenda”.

PLANNING COMMISSION VOTE: Two-Cycle Deferral 5-0-2. Jana Johnson moved, Gwendolyn McCoy seconded for a Two-Cycle Deferral to the September 2022 zoning cycle, per Staff recommendation. Lauren Blaszyk and Edward Patton abstained.

COMMUNITY COUNCIL VOTE/RECOMMENDATION: Denial 10-0-0. The board voted for denial because the use is "vehicle-based", the site plan does not incorporate buffers, and there were neighborhood concerns about traffic and congestion. 36 members of the public raised their hands in opposition.



DeKalb County Department of Planning & Sustainability

178 Sams Street, Decatur, GA 30030
(404) 371-2155 / plandev@dekalbcountyga.gov

Planning Commission Hearing Date: May 3, 2022
Board of Commissioners Hearing Date: May 26, 2022

STAFF ANALYSIS

Case No.: SLUP-22-1245550 **Agenda #:** N5

Location/Address: 1799 & 1805 Clairmont Road **Commission District:** 2 **Super District:** 6

Parcel ID: 18-103-03-017, -018

Request: Request for a Special Land Use Permit (SLUP) to allow a drive-through (health services clinic) in the NS (Neighborhood Shopping) Zoning District.

Property Owner(s): Viral Solutions

Applicant/Agent: Ryan D. Jones, PE

Acreage: 0.64 acres

Existing Land Use: Office

Surrounding Properties: To the north of the subject property are a residential parcel and an office use, to the south are medical office uses, to the west is a gas station use, and to the east are townhomes.

Comprehensive Plan: CRC (Commercial Redevelopment Corridor) ☒ ☐

Consistent **Inconsistent**

Proposed Density: N.A. – no new construction proposed	Existing Density: N/A
Proposed Units: 4,500 SF	Existing Units: 1,150 SF/ 2,110 SF
Proposed Lot Coverage: Undetermined	Existing Lot Coverage: Undetermined

ZONING HISTORY

1799 Clairmont Road was rezoned from R-100 to O-I (conditional) in 1979 for a real estate office use. 1805 Clairmont Road was similarly rezoned in 1979. A 1983 administrative modification changed the conditional use from solely “real estate office” to “business and professional” offices.”

SUBJECT PROPERTY AND VICINITY

The subject properties are a combined 0.64 acres and contain two, vacant, residential office buildings. The subject properties are north of the Department of Veterans Affairs Medical Center (VA Hospital) and adjacent to a collection of medical office uses along Clairmont Road. A townhome community sits east-northeast of the subject properties.

Clairmont Road is a four-lane, major arterial road. The subject properties are situated near the intersection of Clairmont Road at Mason Mill Road. The topography of the subject properties slopes downward from the right-of-way towards the rear of the lots. Additionally, 1805 rests slightly lower than 1799.

PROJECT DESCRIPTION

The applicant is seeking rezoning of the subject properties in order to redevelop the site for a medical clinic that will include a unique centralize service drive-through. According to the applicant's letter of intent, the proposed use will be "around 4,500 square feet and a maximum of only two stories." While the current zoning, OI (Office Institutional), permits medical offices, drive-through facilities are not permitted; hence, this request has been proposed for consideration.

COMPLIANCE WITH DISTRICT STANDARDS:

DEVELOPMENT STANDARDS		NS REQUIREMENTS	PROVIDED/PROPOSED	COMPLIANCE
MIN. OPEN SPACE		N/A	N/A	N/A
MIN. TRANSITIONAL BUFFER		50ft (Type C) adjacent to residential zoning districts	0 feet	No; variances will be required
MIN. LOT AREA		20,000sf	33,826 sf (0.77 acres)	Yes
MIN. LOT WIDTH		100 feet	≈ 187 feet	Yes
MAX. LOT COVERAGE		80%	Not provided	Undetermined
BUILDING SETBACKS	FRONT (arterial road)	Min. 30 ft.	> 30 feet	Yes
	INTERIOR SIDE	Min. 20 ft.	> 20 feet	Yes
	REAR	Min. 20 ft.	> 20 feet	Yes
MAX. BLDG. HEIGHT		35 feet/2 stories	≈ 24 ft.	Undetermined
MIN. STREETScape		10-ft. landscape strip; 6-ft. sidewalk; 1 light pole/80ft. (max); and 1 street tree/50 ft.	Sidewalks existing along property frontage. Other features not provided.	Undetermined
PARKING		Min: 1 space/500sf – 9 Max: 1 space/200sf – 23	16 standard spaces & 1 handicapped accessible space	Yes

LAND USE AND ZONING ANALYSIS

Section 27-7.4.6 of the DeKalb County Zoning Ordinance, “Special land use permit; criteria to be applied” states that the following criteria shall be considered...in evaluating and deciding any application for a special land use permit. No application for a special land use permit shall be granted...unless satisfactory provisions and arrangements have been made concerning each of the following factors, all of which are applicable to each application...

- 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 subject property may be inadequate for the scale and manner of use contemplated. While the redevelopment proposal includes a health service clinic that would be compatible with similar uses in the vicinity, there are a number of land development site challenges. Proposed stormwater facilities have not been designated on preliminary plans. Redevelopment of the subject properties would require adequate management of stormwater runoff to prevent adverse impacts to adjacent properties.

The subject properties are located near the intersection of Clairmont Road and Mason Mill Road. The proposed northern point of ingress/egress into the site is situated at the intersection, however, it is aligned with Mason Mill Road. The proposed southern point of ingress/egress may not be permitted due to its proximity to the intersection along with existing traffic management features (e.g., turning lanes, traffic signals, stop bars, crosswalks, etc.). Secondly, visibility of traffic traveling northbound (i.e., south to north) appears to be limited from 1799 Clairmont Road when exiting the site due to the curvature and decline of the right-of-way.

Additionally, the proposed site plan indicates an intent to “to seek variance to eliminate buffer.” A 50-foot vegetated buffer is required adjacent to residentially zoned properties.

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

The subject property is adjacent to multiple medical/health facilities (eye care, dental, counseling, physical therapy, urgent care, etc.) in addition to the Department of Veterans Affairs Medical Center (VA Hospital). Additionally, there are multi-story structures along this portion of the Clairmont Road corridor. In its basic form, a health services clinic is compatible with other medical/health services along this portion of the Clairmont Road corridor.

However, central to this project is a drive-through service feature through the center of the proposed building. Within the vicinity, there appears to only be two drive-through or auto related uses along this portion of the corridor. There is Citgo gas station across Clairmont Road from the subject property and a BP gas station north of the subject properties. Since this is a relatively new health service delivery method, it is unclear what the demand is for this mode of service and what the impacts will be.

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

Clairmont Road is a four-lane, major arterial road. Its capacity should be sufficient for the proposed use. No significant impacts to traffic volume are expected. The Watershed Department indicated that adequate water service is available to the site. Sewer capacity review may be necessary prior to permit approval.

- 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:**

See Criterion C.

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

See Criteria B and C.

F. 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:

The subject properties are located near the intersection of Clairmont Road and Mason Mill Road. The applicant proposes to use the existing two, full access points of ingress/egress to/from Clairmont Road. The proposed northern point of ingress/egress into the site is situated at the intersection, however, it is aligned with Mason Mill Road. The proposed southern point of ingress/egress may not be permitted due to its proximity to the northern access and the intersection along with existing traffic management features (e.g., turning lanes, traffic signals, stop bars, crosswalks, etc.). Secondly, visibility of traffic traveling northbound (i.e., south to north) appears to be limited from 1799 Clairmont Road when exiting the site due to the curvature and decline of the right-of-way. Ultimately, the Georgia Department of Transportation (GDOT) will have to evaluate the proposed access management plan in conjunction with the County Public Works Department—Transportation Division. Moreover, the existing sidewalk along the property frontage will need to be upgraded and enhanced per the *Zoning Ordinance*.

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:

Given that the proposed use is a relatively new health service delivery method, it is unclear what the impacts will be. However, one could assume that an active drive-through use will contribute to more vehicular emissions within the vicinity than exists presently or in contrast to a conventional health service clinic.

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:

Per the applicant's impact statement, "work hours are still to be determined."

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

See Criteria F and G.

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

See Criteria A. Additionally, there is a companion rezoning request to rezone the subject properties to NS (Neighborhood Shopping) to accommodate the drive-through proposal.

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

The proposed use is consistent with the policies and strategies of the Commercial Redevelopment Corridor (CRC) character area, which encourages redevelopment and revitalization of vacant and declining commercial corridors. CRC commercial zoning options include: OI (Office-Institutional), OIT (Office-Institutional-Transitional), NS (Neighborhood Shopping), C-1 (Light Commercial), C-2 (General Commercial), and OD (Office-Distribution). The proposed rezoning would facilitate redevelopment of the subject properties and provide health/medical services that are consistent with the character of uses in the vicinity. Moreover, if approved, the rezoning proposal aligns with a number of CRC character area guidelines including streetscape enhancements along its frontage, improved signage, and contemporary building design.

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

See Criteria A.

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

Refuse is proposed to be stored in the northeastern corner of the site. The applicant pledges to comply with enclosure design regulations.

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

Based on the proposed use and manner of operation, a limitation on use duration is not recommended.

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 applicant proposes a 2-story building, which is compatible with its surroundings. There are multi-story structures along this portion of the Clairmont Road corridor, although the grades of the parcels vary and therefore, the visual impacts vary. Also, adjacent residential uses east of the subject properties are 2-3 story townhomes.

P. Whether the proposed plan would adversely affect historic building sites, districts, or archaeological resources:

No historic building sites, districts, or archaeological resources have been identified.

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

Drive-through facilities are subject to the supplemental regulations of Sec. 4.2.23 within the *Zoning Ordinance*. The site plan does not indicate full compliance:

- A. Drive-through facilities shall not be located within sixty (60) feet of a residentially zoned property, as measured from any menu or speaker box to the property line of the residential property, unless part of a mixed-use development.**

Undetermined.

- B. No drive-through facility shall be located on a property less than ten thousand (10,000) square feet in area, unless part of a mixed-use development. Stacking spaces for queuing of cars shall be provided for the drive-through area as required in article 6 of this chapter.**

The subject properties are approximately 33,826 sf (0.77 acres). Compliance with stacking requirements is undetermined at this time.

- C. Drive-through lanes and service windows serving drive-through lanes shall only be located to the side or rear of buildings.**

The drive-through lane is proposed through the center of the structure. A variance will be required.

- D. Drive-through canopies and other structures, where present, shall be constructed from the same materials as the primary building and with a similar level of architectural quality and detailing.**

The bulk of the building, including the drive-through tunnel, will be constructed of fiber cement material.

- E. Speaker boxes shall be pointed away from any adjacent residential properties and shall require masonry sound attenuation walls with landscaping or other speaker volume mitigation measures. Speaker boxes shall not play music but shall only be used for communication for placing orders.**

The proposed use will not include speaker boxes. Employees will be stationed outdoors.

- F. All lighting from drive-through facilities shall be shaded and screened so as to be directed away from any adjacent residential property.**

Undetermined.

- G. Stacking spaces shall be provided for any use having a drive-through facility or areas having drop-off and pick-up areas in accordance with the following requirements. Stacking spaces shall be a minimum of ten (10) feet wide and twenty-five (25) feet long. Stacking spaces shall begin at the last service window for the drive-through lane (typically the "pick-up" window).**

Compliance with stacking requirements is undetermined at this time.

- H. All drive-through facilities with the exception of drive-through restaurants shall provide at least three (3) stacking spaces for each window or drive-through service facility.**

Compliance with stacking requirements is undetermined at this time.

- I. The following standards shall apply to all stacking spaces and drive-through facilities:**

- 1. Drive-through lanes shall not impede on and off-site traffic movements, shall not cross or pass through off-street parking areas, and shall not create unsafe conditions where crossed by pedestrian access to a public entrance of a building.**

Internal circulation will need to be reevaluated based on changes to site access.

- 2. Drive-through lanes shall be separated by striping or curbing from off-street parking areas. Individual lanes shall be striped, marked, or otherwise distinctly delineated.**

Not addressed.

- 3. All drive-through facilities shall include a bypass lane with a minimum width of ten (10) feet, by which traffic may navigate around the drive-through facility without traveling in the drive-through lane. The bypass lane may share space with a parking access aisle.**

A 14.5-foot bypass lane is proposed.

- 4. Drive-through lanes must be set back five (5) feet from all lot lines and roadway right-of-way lines.**

Complies.

- 5. Owner and operator are responsible for daily litter clean-up to ensure the property remains free of trash, litter, and debris.**

- 6. Drive-through restaurants shall not be located within five hundred (500) feet of an elementary, middle, or high school.**

N/A

- 7. Drive-through facilities located in activity centers require a special land use permit.**

N/A

- 8. Distance shall be measured along the right-of-way, along the route of travel, from entrance to entrance.**

N/A

- R. Whether or not the proposed building as a result of its proposed height, would create a negative shadow impact on any adjoining lot or building:**

The proposed 2-story building should not create any negative shadow issues for adjacent properties.

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

See Criteria B and K. Additionally, members of the surrounding community raised many issues with the proposed project at the community council meeting and expressed general opposition to it. Transportation, access, use viability, and operational concerns were among the many issues raised.

STAFF RECOMMENDATION: 2-Cycle Deferral

The NS (Neighborhood Shopping) Zoning District request and the proposed use is consistent with the *Comprehensive Plan*. The intent of the Commercial Redevelopment Corridor (CRC) Character Area is to “promote the redevelopment of declining commercial corridors and to improve the function and aesthetic appeal of more stable commercial corridors.” CRC commercial zoning options include: OI (Office-Institutional), OIT (Office-Institutional-Transitional), NS (Neighborhood Shopping), C-1 (Light Commercial), C-2 (General Commercial), and OD (Office-Distribution). The proposed rezoning would facilitate redevelopment of the subject properties and provide medical services that are consistent with the character of uses in the vicinity. Moreover, if approved, the rezoning proposal aligns with a number of CRC character area guidelines including streetscape enhancements along its frontage, improved signage, and contemporary building design.

The appropriateness of a drive-through use at this location is unclear at this time. The site may accommodate the proposed use, in a traditional manner, however, a centralized drive-through feature may exacerbate some of the site development challenges that exist. The proposal has a number of zoning compliance deficiencies (buffers, loading/stacking, drive-through supplemental regulations, etc.) that need to be address in conjunction with access management concerns and internal circulation issues. Additionally, stormwater management needs to be contemplated as part of the redevelopment proposal. More details regarding these concerns may alleviate some of the concerns raised by community members.



**DEKALB COUNTY GOVERNMENT
PLANNING DEPARTMENT
DISTRIBUTION FORM**

**NOTE: PLEASE RETURN ALL COMMENTS VIA EMAIL OR FAX TO EXPEDITE THE PROCESS TO
MICHELLE ALEXANDER mmalexander@dekalbcountyga.gov AND/OR LASONDRA HILL
lahill@dekalbcountyga.gov**

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

Case No.: SLUP-22-1245550

Parcel I.D. #: 18-103-03-017,-018

Address: 1799 & 1805 Clairmont Road

WATER:

Size of existing water main: 36" adequate (adequate/inadequate)

Distance from property to nearest main: Adjacent

Size of line required, if inadequate: _____

SEWER:

Outfall Servicing Project: South Fork Peachtree Creek

Is sewer adjacent to property: Yes () No (x) If no, distance to nearest line: ~45 ft. or ~150 ft.

Water Treatment Facility: Atlanta IGA (x adequate () inadequate)

Sewage Capacity; 36.3 (MGPD) Current Flow: 40 (MGPD)

COMMENTS:

Sewer capacity approval required if connecting to sewer.

Signature: _____

4/13/2022

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

4/13/2022

N.5

SLUP-22-1245550 2022-1473 18-103-03-017, 18-103-03-018

1799 Clairmont Road, Decatur, GA 30033

☐ Amendment

- Please review general comments.
- Note: Several properties in the area operate on septic system.

N.6

SLUP-22-1245546 2022-1474 18-018-01-093

518 Lake Michele Court, Stone Mountain, GA 30088

☐ Amendment

- Please review general comments.
- Septic system installed on October 27, 1975.

N.7

Z-22-1245577 2022-1475 15-173-07-002, 15-173-07-018, 15-173-07-048

1847 2nd Ave, Decatur, GA 30032

☐ Amendment

- Please review general comments.
- Note: Several properties in the surrounding area operate on septic.

N.8

Z-22-1245595 2022-1476 18-100-02-005, 18-100-02-040, 18-100-02-041, 18-100-02-057, 18-100-04-014

2050 Lawrenceville Highway Kiosk 1101, Decatur, GA 30033

☐ Amendment

- Please review general comments.
- Note: Several properties in the surrounding area operate on septic.



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:

- **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 **(sections have been amended recently; please request the amended chapter)**, 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 to protect as much as practicable the statewaters and special flood hazard areas.

Conceptual plan doesn't indicate the location of the stormwater management facility. Concerns are related to the discharge point of the facility. Development/residences are located downstream of the property, and consideration must be given as to where the discharge pipe from the facility is directed as to not create adverse effects. Additional, design professional shall be aware that (1) per county codes, existing conditions must be taken as wooded for the hydrology analysis (meaning existing impervious is not to be considered) and (2) Reduction Reduction Volume is the default water quality.

Runoff Reduction Volume shall be provided, unless technical justification is provided as to the unfeasibility. Strongly recommend to investigate the site and identify location where RRv can be provided and re-design/revise the layout to comply with the RRv requirement.

- **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, or parking 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.



DEKALB COUNTY GOVERNMENT
PLANNING DEPARTMENT
DISTRIBUTION FORM

N-4

NOTE: PLEASE RETURN ALL COMMENTS VIA EMAIL OR FAX TO EXPEDITE THE PROCESS TO
MICHELLE ALEXANDER mmalexander@dekalbcountyga.gov AND/OR LASONDRA HILL
lahill@dekalbcountyga.gov

COMMENTS FORM:
PUBLIC WORKS TRAFFIC ENGINEERING

Case No.: SLUP-22-124580 Parcel I.D. #: 18-103 03-017 ⁰¹⁸
Address: 1799+1805 Clairmont Road
Decatur, Ga. 30329

Adjacent Roadway (s):

_____	_____
(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:

Didn't see any traffic engineering concerns at this time.

Signature: Jeffrey Russell

ZONING COMMENTS – APRIL 2022

- N1.** LaVista Road is SR 236. GDOT review and approval required prior to land development permit. (GDOT District 7 Contact: Mwilson@dot.ga.gov). LaVista Road is classified as a minor arterial. Please see Zoning Code 5.4.3 and Land Development Code 14-190 for infrastructure improvements. Required right of way dedication of 40 feet from centerline or such that all public infrastructure is within right of way, whichever greater. Required: 6-foot sidewalk and 4-foot bike lane OR a 10-foot multiuse path (preferred), curb and gutter raised to current standards, 10 foot landscape strip (see Zoning 5.4.3 for options), pedestrian scale street lighting (contact: hefowler@dekalbcountyga.gov). Only one access point allowed on LaVista Road. I cannot read the site plan, but I would have the Fire Marshall take a look at your interior street widths. All interior streets must be private. No poles can remain within the limits of the sidewalk or multiuse path. Intersection and stopping sight distance must be met for all access points based on AASHTO.
- N2.** No Comment
- N3.** Bouldercrest overlay District Tier Corr 1. Infrastructure requirements of the overlay district trump the zoning and land development code. Overlay trumps Zoning trumps Land Development. When silent, the next code on the list applies. Overlay code requirements should be verified with the appropriate planning staff assigned to that overlay district. Bouldercrest Road is classified as a major arterial. Please see Zoning Code 5.4.3 and Land Development Code 14-190 for infrastructure improvements. Required right of way dedication of 50 feet from centerline or such that all public infrastructure is within right of way, whichever greater. Required: 6-foot sidewalk and 4-foot bike lane OR a 10-foot multiuse path (preferred), curb and gutter raised to current standards, 10-foot landscape strip (see Zoning 5.4.3 for options), pedestrian scale street lighting (contact: hefowler@dekalbcountyga.gov). No poles can remain within the limits of the sidewalk or multiuse path. Intersection and stopping sight distance must be met for all access points based on AASHTO.
- N4-5.** Clairmont Road is SR 155. GDOT review and approval required prior to land development permit. (GDOT District 7 Contact: Mwilson@dot.ga.gov). Clairmont Road is classified as a major arterial. Required right of way dedication of 50 feet from centerline or such that all public infrastructure is within right of way, whichever greater. Required: 6-foot sidewalk and 4-foot bike lane OR a 10-foot multiuse path (preferred), curb and gutter raised to current standards, 10-foot landscape strip (see Zoning 5.4.3 for options), pedestrian scale street lighting (contact: hefowler@dekalbcountyga.gov). Only one access point allowed at the traffic signal. Northern driveway ties to the existing traffic signal. Signal will need to be fully upgraded to accommodate the new vehicular phase and pedestrian phases. Developer responsible for all GDOT required traffic studies, plans and permits. No poles can remain within the limits of the sidewalk or multiuse path. Intersection and stopping sight distance must be met for all access points based on AASHTO.
- N6.** No comment.
- N7.** Second Avenue is classified as a collector road. Please see Zoning Code 5.4.3 and Land Development Code 14-190 for infrastructure improvements. Required right of way dedication of 35 feet from centerline or such that all public infrastructure is within right of way, whichever greater. Required: 6-foot sidewalk and 4-foot bike lane OR a 10-foot multiuse path (preferred), curb and gutter raised to current standards, 10-foot landscape strip (see Zoning 5.4.3 for options), pedestrian scale street lighting (contact: hefowler@dekalbcountyga.gov). Traffic study required. Developer needs to watch access management requirements in Land Development Code Section 14-200 (6). No poles can remain within the limits of the sidewalk or multiuse path. Intersection and stopping sight distance must be met for all access points based on AASHTO. Make functional pedestrian and bicycle connections between the property destinations and the public right of way.
- N8.** North DeKalb Mall DRI. Lawrenceville Hwy is SR 8. GDOT review and approval required prior to land development permits. Both Lawrenceville Hwy and North Druid Hills are classified as major arterials. Please see Zoning Code 5.4.3 and Land Development Code 14-190 for infrastructure improvements. Required right of way dedication of 40 feet from centerline or such that all public infrastructure is within right of way, whichever greater. Required: 6-foot sidewalk and 4-foot bike lane OR a 10-foot multiuse path (preferred), curb and gutter raised to current standards, 10-foot landscape strip (see Zoning 5.4.3 for options), pedestrian scale street lighting (contact: hefowler@dekalbcountyga.gov). Contribute \$500,000 towards a future project to add a left turn lane at the

DEPARTMENT OF PLANNING & SUSTAINABILITY

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

Date Received: _____ Application No: _____

Applicant Name: Ryan D. Jones, PE

Applicant E-Mail Address: rjones@hayesjames.com

Applicant Mailing Address: 3100 Breckinridge Blvd, Building 300, Duluth GA 30096

Applicant Daytime Phone: 770-923-1600 Fax: _____

Owner Name: Viral Solutions

If more than one owner, attach list of owners.

Owner Mailing Address: 2512 N Druid Hill Rd, Atlanta GA 30329

Owner Daytime Phone: 770-843-0929

Address of Subject Property: 1799 & 1805 Clairmont Rd, Decatur, GA 30329

Parcel ID#: 18-108-03-017 & 18-103-03-018

Acreage: 0.64 Acre Total (2 Parcels) Commission District: 2

Present Zoning District(s): OI

Proposed Zoning District: NS

Present Land Use Designation: Real Estate Office

Proposed Land Use Designation (if applicable): Medical Office with Drive Through

Chief Executive Officer
Michael Thurmond

DEPARTMENT OF PLANNING & SUSTAINABILITY

Director
Andrew A. Baker, AICP

REZONING APPLICATION CHECKLIST

Submit 4 printed, collated sets of the complete application (no staples, no binders) and a PDF version on a flash drive

- ✓ **2/17** 1. Schedule a mandatory **Pre-Application Conference** with Planning & Sustainability staff by appointment. Obtain **Pre-Application form** (to be completed in pre-application meeting). Please call 404-371-2155 for appointment.
- ✓ **2/23** 2. Hold a **Pre-Submittal Community Meeting** with surrounding neighborhood associations and residents. Provide documentation of the meeting (**meeting notice and sign in sheets**). Letter(s) from homeowners association(s) may also be provided.
- ✓ 3. Submit **Application** (Submit 4 printed, collated sets and a PDF version on a flash drive. Please assemble materials in the following order.)
 - ✓ **A. Application form** with name and address of applicant and owner, and address of subject property;
 - ✓ **B. Pre-submittal community meeting notice and sign-in sheet** and other documentation of meeting, if any;
 - ✓ **C. Letter of application and impact analysis**
 - 1. **Letter of application** identifying a) the proposed zoning classification, b) the reason for the rezoning or special use or modification request, c) the existing and proposed use of the property, d) detailed characteristics of the proposed use (e.g. floor area, height of building(s), number of units, mix of unit types, number of employees, manner and hours of operation), d)(optional) statement of conditions discussed with the neighborhood or community, if any.
 - 2. **Impact analysis** of the anticipated impact of the proposed use and rezoning on the surrounding properties in response to the standards and factors specified in Article 7.3 of the DeKalb County Zoning Ordinance, as attached. If a Major Modification, please include previously approved conditions and Board of Commissioner meeting minutes.
 - ✓ **D. Authorization Form**, if applicant is not the owner. Must be signed by all owners of the subject property and notarized. Authorization must contain the mailing address and phone number of any applicant or agent who is authorized to represent the owner(s) of the subject property. Please include warranty deed, if property ownership is less than 2 years.
 - ✓ **E. Campaign disclosure statement** (required by State law).
 - ✓ **F. Legal boundary survey** of the subject property, (showing boundaries, structures, and improvements), prepared and sealed within the last year by a professional engineer or land surveyor registered in the State of Georgia. *(If survey shows property on opposite sides of a public street right-of-way, file a separate application for each property.)*
 - ✓ **G. Site Plan**, printed to scale, folded, of any existing and or proposed development/redevelopment. For projects larger than 1 acre, site plan should be at least 1:50 scale. The site plan must include the following:
 - ✓ a. complete boundaries of subject property;
 - b. dimensioned access points and vehicular circulation drives;
 - c. location of all existing and proposed buildings, structures, setbacks and parking;
 - d. location of 100 year floodplain and any streams;
 - e. notation of the total acreage or square footage of the subject property;
 - f. landscaping, tree removal and replacement, buffer(s); and
 - g. site plan notes of building square footages, heights, density calculations, lot coverage of impervious surfaces, parking ratios, open space calculations, and other applicable district standards.
 - ✓ **H. Reduced Site Plan**, reduced to 8.5" x 11".
 - ✓ **I. Written Legal Description** of metes and bounds of the subject property (can be printed on site plan or survey).
 - ✓ **J. Building Form Information**. Elevation (line drawing or rendering), or details of proposed materials, in compliance with Article 5 of the Zoning Ordinance.
 - ✓ **K. Completed, signed Pre-application Form** (Provided at pre-application meeting.)

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

February 22, 2022

DeKalb County
Office of Planning and Sustainability
1300 Commerce Drive
Decatur, GA 30030

To Whom It May Concern:

This letter shall serve as the letter of application for a rezoning of Parcels 18-103-03-017 and 18-103-03-018 located at 1799 and 1805 Clairmont Road in Decatur, Georgia.

The current zoning of both parcels is OI (Office Institutional). The proposed zoning we are looking to obtain is NS (Neighborhood Shopping) with a Special Land Use Permit to ascertain a drive-through facility on the same property. The two properties are currently under review for a lot-consolidation that was submitted to DeKalb County on Monday, February 21, 2022. That Application Number is 1245533. Our plan is to take these two parcels and combine them into one parcel. The existing use of the properties, from a rezoning case in 1979, was from single-family homes to real estate offices. The proposed use of the combined parcel is to be medical office with a drive-through facility. In essence, a drive-through clinic. The proposed structure shall be around 4,500 square feet and a maximum of only two stories. Numbers of employees and work hours are still to be determined. To date, we have received no negative feedback from surrounding property/business owners.

As per the IMPACT ANALYSIS, see below:

- A. Whether the zoning proposal is in conformity with the policy and intent of the Comprehensive Plan.

RESPONSE: The project and development is in conformity with the policy and intent of the Comprehensive Plan.

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

RESPONSE: This zoning proposal, through the rezoning process and special land use permit will be a use in view and development of the adjacent and nearby properties.



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

RESPONSE: The property shall have a very beneficial economic use; however, it cannot maintain its current zoning. It must be rezoned and acquire a special land use permit as well.

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

RESPONSE: The rezoning and SLUP we plan to acquire shall not have any adverse effect.

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.

RESPONSE: There are no other existing changing conditions affecting the use and development of the property.

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

RESPONSE: This zoning proposal will not affect any historic building, sites, districts, or archaeological sites.

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

RESPONSE: This zoning proposal could cause increased traffic to the area, but this intersection is already traffic-light controlled. We will be doing a traffic study and will be incorporating an additional traffic light to better help the traffic flow and the additional traffic as well. There shall be no affects to transportation facilities, utilities, or schools.

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

RESPONSE: This zoning proposal shall have no adverse impacts to the environment or surrounding natural resources.

Thank you for your consideration in this matter.

Sincerely,
HAYES, JAMES & ASSOCIATES, INC.

Ryan D. Jones, PE
3100 Breckinridge Boulevard, Building 300, Duluth, GA 30096
770-923-1600, ext. 115, rjones@hayesjames.com

RDJ/sms

DEPARTMENT OF PLANNING & SUSTAINABILITY

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: February 22, 2022

TO WHOM IT MAY CONCERN:

(I) (WE) Viral Solutions
Name of owner(s)

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

Ryan D. Jones, PE (Hayes James & Associates)
Name of Agent or Representative

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

Susan Marie Seymour
Notary Public

[Signature]
Owner

Susan Marie Seymour
Notary Public

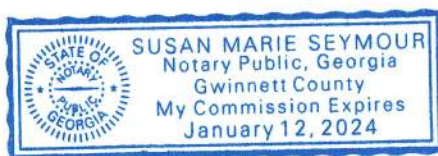
[Signature]
Owner

Notary Public

Owner

Notary Public

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 X *

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".

TECHNICAL DATA

<u>TRACT 1</u>	<u>TRACT 2</u>
0.354 ACRES	0.423 ACRES
15,408 SQ. FT	18,418 SQ. FT.

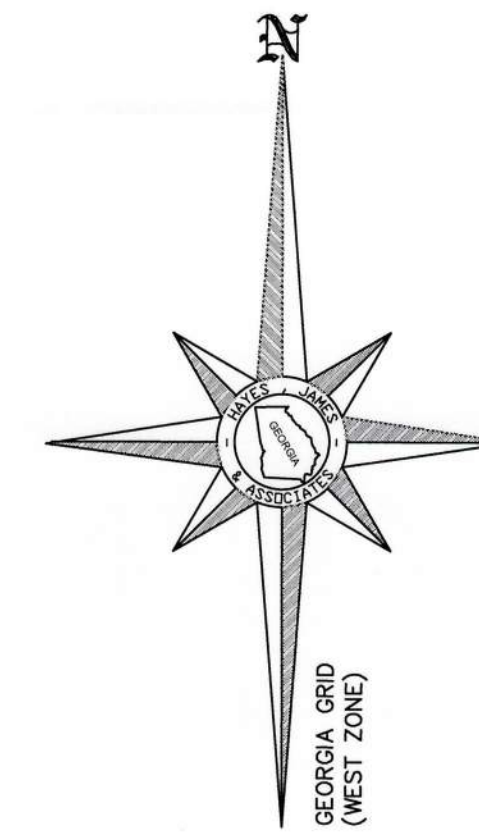
DATE OF SURVEY: JANUARY 2022
EQUIPMENT USED: NIKON DTM 521
ANGULAR ERROR: 0'00'30"±
PRECISION: 1: 10,000+
TYPE OF ADJUSTMENT: COMPASS RULE
PLAT CLOSURE: 1: 100,000+

PROPERTY I.D. 18 103 03 017
18 103 03 018

THIS BLOCK RESERVED FOR CLERK OF
SUPERIOR COURT

LOCATION MAP

NOT TO SCALE



GEORGIA
CERTIFICATION







As required by subsection (d) of O.C.G.A. Section 15-6-67, this plat has been prepared by a land surveyor. This plat has been approved by all applicable local jurisdictions that require prior approval for recording this type of plat or one or more of the applicable local jurisdictions do not require approval of this type of plat. For any applicable local jurisdiction that requires approval of this type of plat, the names of the individuals signing or approving this plat, the agency or office of that individual, and the date of approval of this plat are in the approval table shown hereon. For any applicable local jurisdiction that does not require approval of this type of plat, the name of such local jurisdiction and the number of the applicable ordinance or resolution providing that no such approval is required are listed in the approval table shown hereon. Such approvals, affirmations, or ordinance or resolution numbers should be confirmed with the appropriate governmental bodies by any purchaser or user of this plat as to intended use of any parcel. Furthermore, the undersigned Professional Engineer and Land Surveyor, in undersigned and the undersigned hereby certify that this plat complies with all applicable technical standards and property surveys in Georgia as set forth in the rules and regulations of the Georgia Board of Registration for Professional Engineers and Land Surveyors and as set forth in O.C.G.A. Section 15-6-67.
































Steven M. Hardy
Georgia Land Surveyor No. 2662

LEGEND

LINE TYPES

- _____ ADJACENT PROPERTY LINE
 _____ BUILDING SETBACK LINE
 CREEK LINE
 _____ CURB AND GUTTER (C&G)
 _____ EDGE OF GRAVEL
 FENCE LINE
 _____ FORCED MAIN
 _____ FIBER OPTIC
 _____ GAS MAIN
 INDEX CONTOUR
 INTERMEDIATE CONTOUR
 _____ LAND LOT LINE
 _____ OVERHEAD POWER LINE
 SANITARY SEWER PIPE
 _____ SITE WALL
 STORM SEWER PIPE
 _____ SURVEY PROPERTY LINE
 _____ TELEPHONE LINE
 _____ WATER MAIN












SYMBOLS

- | | | |
|--------|---|--------------------------|
| DWCB |  | DOUBLE WING CATCH BASIN |
| FCC-B |  | FIBER OPTIC CABLE BOX |
| GY |  | GUY WIRE |
| HW |  | HEAD WALL |
| IPS |  | IRON PIN SET |
| JB |  | JUNCTION BOX |
| LLL |  | LAND LOT LINE |
| LOT |  | SUBMERSION LOT # |
| LP |  | LIGHT POLE |
| MAR-FD |  | FIBER OPTIC CABLE MARKER |
| MB |  | MAILBOX |
| OCS |  | OUTLET CONTROL STRUCTURE |
| OTF |  | OPEN TOP PIPE FOUND |
| PV |  | POV INDICATOR VALVE |
| PM |  | POWER METER |
| PP |  | POWER POLE |
| RF |  | REBAR FOUND |
| RS |  | REBAR SET |
| RWM |  | RIGHT-OF-WAY MONUMENT |
| SSMH |  | SOUTHERN BELL MANHOLE |
| SGN |  | TRAFFIC SIGN |
| SSE |  | SANITARY SEWER EASEMENT |
| SSMH |  | SANITARY SEWER MANHOLE |
| SWCB |  | SINGLE WING CATCH BASIN |
| TM |  | TELEPHONE MARKER |
| TPED |  | TELEPHONE PEDESTAL |
| TRAN |  | TRANSFORMER |
| TSB |  | TRAFFIC SIGNAL BOX |
| WB |  | WATER METER |
| WW | | WATER VALVE |
| WLV | | WATER VAULT |

SYMBOLS

- | | | |
|-----|-------|-----------------------|
| CLF | ————— | CHAIN LINK FENCE |
| CMP | ————— | CORRUGATED METAL PIPE |
| CO | ○ | CLEAN OUT |
| CTF | ⊗ | CRIMPED TOP PIPE FOUR |
| CTV | ■ | CABLE TV PEDESTAL |
| DE | ————— | DRAINAGE EASEMENT |
| DI | ■ | DROP INLET |
| DIP | ————— | DUCTILE IRON PIPE |
| DIR | } | PIPE DIRECTION |

TREE SYMBOLS

- | | | |
|-----|---|-----------|
| CH |  | CHERRY |
| DW |  | DOGWOOD |
| HK |  | HICKORY |
| HO |  | HOLLY |
| HW |  | HARD WOOD |
| MAG |  | MAGNOLIA |
| MP |  | MAPLE |
| O |  | OAK |
| P |  | PINE |
| SG |  | SWEETGUM |
| SP |  | SPRUCE |

$R=3645.38'$
 $L=88.12'$
 $N12^{\circ}26'30''E$
CHORD:
 $88.11'$

R=2645.38'
L=99.51'
N07°35'08"E
CHORD:
99.50'

~N/F~
CREWS MANAGEMENT
LLC
18 103 03 019
D.B. 28149 PG. 00019

BENCHMARK
CITY STATE BOLT
ELEV. =993.23
NAVD 88

NOTE:

EXCEPT AS SPECIFICALLY STATED OR SHOWN ON THIS PLAT, THIS SURVEY DOES NOT PURPORT TO REFLECT ANY OF THE FOLLOWING WHICH MAY BE APPLICABLE TO THE SUBJECT PARCEL(S): EASEMENTS, BUILDING SETBACK LINES, RESTRICTIVE COVENANTS, SUBDIVISION RESTRICTIONS, ZONING OR OTHER LAND-USE REGULATIONS; AND ANY OTHER FACT(S) THAT AN ACCURATE AND CURRENT TITLE SEARCH MAY DISCLOSE.

INFORMATION REGARDING THE PRESENCE, SIZE AND LOCATION OF UNDERGROUND UTILITIES SHOWN HEREON HAS BEEN SHOWN BASED ON THE LOCATION OF THE ABOVE GROUND APPURTENANCES, AVAILABLE DESIGN PLANS, AND FLAGS AND PAINT PLACED BY THE UTILITY PROTECTION SERVICE. NO CERTIFICATION IS MADE AS TO THE ACCURACY OR THOROUGHNESS OF THE INFORMATION CONCERNING UNDERGROUND UTILITIES AND STRUCTURES SHOWN HEREON. PER GEORGIA LAW, THE UNDERGROUND UTILITIES PROTECTION SERVICE MUST BE CALLED PRIOR TO THE COMMENCEMENT OF ANY AND ALL EARTH DISTURBING ACTIVITIES.

PORTIONS OF THIS PROPERTY ARE SHOWN TO BE LOCATED WITHIN THE LIMITS OF A DESIGNATED 100 YEAR FLOOD HAZARD AREA "ZONE AE" ACCORDING TO FEMA FLOOD INSURANCE RATE MAP NO. 13089C0066K DATED AUGUST 15, 2019. ZONE "AE" IS DEFINED AS THE BASE FLOODPLAIN WHERE BASE FLOOD ELEVATIONS ARE PROVIDED.


THIS SURVEY HAS BEEN PREPARED FOR THE EXCLUSIVE USE OF THE PERSON, PERSONS OR ENTITIES NAMED HEREON. NO EXPRESSED OR IMPLIED WARRANTIES WITH RESPECT TO THE INFORMATION SHOWN HEREON IS TO BE EXTENDED TO ANY OTHER PERSON, PERSONS OR ENTITIES WITHOUT AN EXPRESSED RECERTIFICATION BY THE SURVEYOR OF RECORD.

LEGAL DESCRIPTION: OVERALL

ALL THAT CERTAIN PIECE, PARCEL OR LOT OF LAND LAYING AND BEING WITHIN LAND LOT 103 OF THE 18TH DISTRICT OF DEKALB COUNTY, GEORGIA AND BEING MORE FULLY SHOWN AND DESIGNATED ON A PARCEL CONSOLIDATION MAP FOR VITAL SOLUTIONS DATED JANUARY 24, 2022 BY HAYES JAMES AND ASSOCIATES HAVING THE FOLLOWING METES AND BOUNDS TO WIT:

COMMENCING AT A POINT WHERE THE EAST RIGHT-OF-WAY OF CLAIRMONT ROAD (R/W VARIES) INTERSECTS THE SOUTH RIGHT-OF-WAY OF MASON MILL ROAD (R/W VARIES); THENCE CONTINUING ALONG THE EAST RIGHT-OF-WAY OF CLAIRMONT ROAD (R/W VARIES) A DISTANCE OF 200' TO A 3/4" OPEN TOP PIPE FOUND, THE POINT OF BEGINNING (P.O.B.)

THENCE TURNING AND CONTINUING ALONG THE SHARED LINE OF JOAT ENTERPRISES LLC AND ANGELO VIERITO & VIVIAN VIERITO SOUTH 86 DEGREES 12 MINUTES 07 SECONDS EAST (S86°12'07") A DISTANCE OF 154.86' TO A #4 REBAR SET; THENCE TURNING AND CONTINUING ALONG THE SHARED LINE OF EMORY PARK HOME OWNERS ASSOCIATION SOUTH 06 DEGREES 45 MINUTES 41 SECONDS WEST (S06°45'41") A DISTANCE OF 64.26' TO A #4 REBAR SET; THENCE TURNING AND CONTINUING SOUTH 00 DEGREES 24 MINUTES 58 SECONDS EAST (S00°24'58") A DISTANCE OF 10.00' TO A CHORD BEARING NORTH 76 DEGREES 19 MINUTES 27 SECONDS EAST (N76°19'27") A DISTANCE OF 177.68' TO A CHORD FOUND WITH CAP OF CLAMORON ROAD (R/W VARIATION) BEARING NORTH 07 DEGREES 45 MINUTES 41 SECONDS WEST (N07°45'41") A DISTANCE OF 2046.35'; AN ARC OF 100' ON THE EASTERN RIGHT-OF-WAY OF CLAMORON ROAD (R/W VARIATION) BEARING SOUTH 07 DEGREES 45 MINUTES 41 SECONDS WEST (S07°45'41") TO A CHORD BEARING NORTH 07 DEGREES 35 MINUTES 08 SECONDS EAST (N07°35'08") AND A CHORD DISTANCE OF 89.50' TO A #4 REBAR SET; THENCE CONTINUING ALONG A CURVE (R/W VARIATION) HAVING A RADIUS OF 3645.38", AN ARC LENGTH OF 88.12', BEING SUBSTITUTED BY A CHORD BEARING NORTH 12 DEGREES 00 MINUTES 00 SECONDS EAST (N12°00'00") A DISTANCE OF 150.00' TO A CHORD DISTANCE OF 88.11' TO THE POINT OF BEGINNING (P.O.B.) AND CONTAINING 070 ACRES (30,537.50 SQ. FT.)



Hayes | James
ENGINEERS, PLANNERS & SURVEYORS

3100 BRECKINRIDGE BLVD.
DULUTH, GA 30096-4986
TEL: (770) 923-1600

CERTIFICATE OF AUTHORIZATION:
NO. LSF000255

BOUNDARY / TOPOGRAPHIC SURVEY

VIRAL SOLUTIONS

2512 N. DRUID HILLS RD.
ATLANTA, GA 30329
Phone: 770.843.0929

PROJECT LOCATION

Land lot(s) : 103
District: 18th
Section
City: DECATUR
County: DEKALB
State: GEORGIA



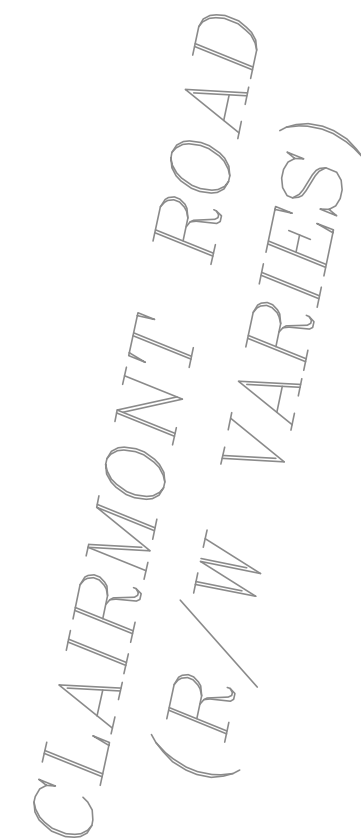
Project # : 22-003
 Drawn By: A.G.W.
 Checked By: S.M.H.
 Scale: 1" = 20'
 Date: JANUARY 24, 2022

REVISIONS		DATE
NO.	DESCRIPTION	
1	-	
2	-	
3		
4	-	
5	-	
6	-	
7	-	
8	-	
9	-	
10		


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Sheet Number

1 of 1



GRAPHIC SCALE



(IN FEET)
1 inch = 10 ft.

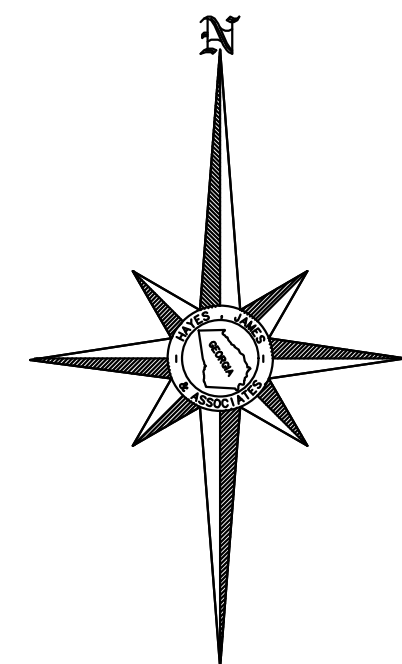


EXHIBIT "A"
LEGAL DESCRIPTION

Property 1: 1799 Clairmont Road, Decatur, Georgia

All that tract or parcel of land lying and being in Land Lots 103 and 104, in the 18th District, of DeKalb County, Georgia, and being more particularly described as follows:

Beginning at an iron pin found on the Southeasterly side of Clairmont Road two hundred eighty-eight (288.00) feet Southwesterly, as measured along the Southeasterly side of Clairmont Road, from the corner formed by the intersection of the Southeasterly side of Clairmont Road with the Southerly side of Mason Mill Road (formerly Waterworks Road), if said street lines were extended to form an angle instead of a curve, which said Point of Beginning also being at the line dividing Lots 18 and 19, Block "B", of Clairmont Acres; run thence Southwesterly, along the Southeasterly side of Clairmont Road, one hundred (100.00) feet to an iron pin found at the Northwest corner of Lot 17, Block "B", of Clairmont Acres; run thence Southeasterly, along the Northeasterly line of said Lot 17, Block "B", one hundred ninety-three and four tenths (193.40) feet to an iron pin found; run thence North, one hundred (100.00) feet to an iron pin found at the Southeast corner of said Lot 19, Block "B"; run thence Northwesterly, along the Southwesterly line of said Lot 19, Block "B", one hundred seventy-two and two tenths (172.20) feet to the Southeasterly side of Clairmont Road, and being the Point of Beginning. Said tract of land being known as Lot 18, Block "B", of Clairmont Acres, as per Plat thereof recorded in Plat Book 11, Page 107, in the DeKalb County, Georgia Records, which Plat is incorporated herein and made a part hereto by reference; and being improved property being known as No. 1799 Clairmont Road, according to the present system of numbering in DeKalb County, Georgia.

Less and Except therefrom that portion of the property acquired by The State Highway Department of Georgia by Condemnation, in Case Number 32032, in the Superior Court of DeKalb County, Georgia, said Court Order being recorded in Deed Book 1735, Page 05, in the DeKalb County, Georgia Records.

Said tract of land also being the same property conveyed by Warranty Deed from Linwood Gray Whitlaw and Mozelle S. Whitlaw to John P. Tarlton, dated October 13, 1978, recorded October 19, 1978 in Deed Book 3912, Page 72, in the DeKalb County, Georgia Records.

Parcel ID: 18-103-03-018

Property 2: 1805 Clairmont Road, Decatur, Georgia

All that tract or parcel of land lying and being in Land Lots 103 and 104, in the 18th District, of DeKalb County, Georgia, and being more particularly described as follows:

Beginning at an iron pin found on the Southeasterly side of Clairmont Road two hundred (200.00) feet Southwesterly, as measured along the right-of-way of Clairmont Road, from the intersection of Clairmont Road with the right-of-way of Meson Mill Road; rung thence Southeasterly, along a line that forms an interior angle of 99 degrees 30 minutes with the Southeasterly side of Clairmont Road, one hundred fifty-three (153.00) feet to an iron pin found; run thence Southwesterly, at an interior angle of 87 degrees 40 minutes with the preceding course, eighty-five feet (85.00) to an iron pin found; run thence Northwesterly, at an interior angle of 92 degrees 50 minutes with the preceding course, one hundred sixty four and three tenths (164.30) feet to an iron pin found on the Southeasterly side of Clairmont Road; run thence Northeasterly, along an interior angle of 79 degrees 31 minutes with the preceding course, eighty-eight (88.00) feet to an iron pin found, and being the Point of Beginning. Said tract of land being known

Debra DeBerry
Clerk of Superior Court
DeKalb County, Georgia

as Lot 19A, of the S. T. Sutton Property, as shown per Plat thereof recorded in Plat Book 12, Page 142, in the DeKalb County, Georgia Records, which Plat is incorporated herein and made a part hereto by reference; and being improved property being known as No. 1805 Clairmont Road, according to the present system of numbering in DeKalb County, Georgia.

Less and Except therefrom that portion of the property conveyed by William F. Richards to The State Highway Department of Georgia, dated January 19, 1963, Recorded January 23, 1963 in Deed Book 1738, Page 99, in the DeKalb County, Georgia Records.

The following Warranty Deeds state that Captioned Property is located in Land Lots 102 and 103. This is erroneous information. The correct Land Lots are Land Lots 103 and 104; This is the same Property as conveyed to William G. Richards by Warranty Deed from S. T. Sutton recorded in Deed Book 819, Page 497, in the DeKalb County, Georgia Records. Also being the same property conveyed by Warranty Deed from William G. Richards to Rebecca R. Furstnow, on July 13, 1979, recorded in Deed Book 4087, Page 162, in the aforesaid records. Also being the same property conveyed by Warranty Deed from Rebecca R. Furstnow to John P. Tarlton, dated May 20, 1983, recorded in Deed Book 4768, Page 420, in the DeKalb County, Georgia Records.

Parcel ID: 18-103-03-017

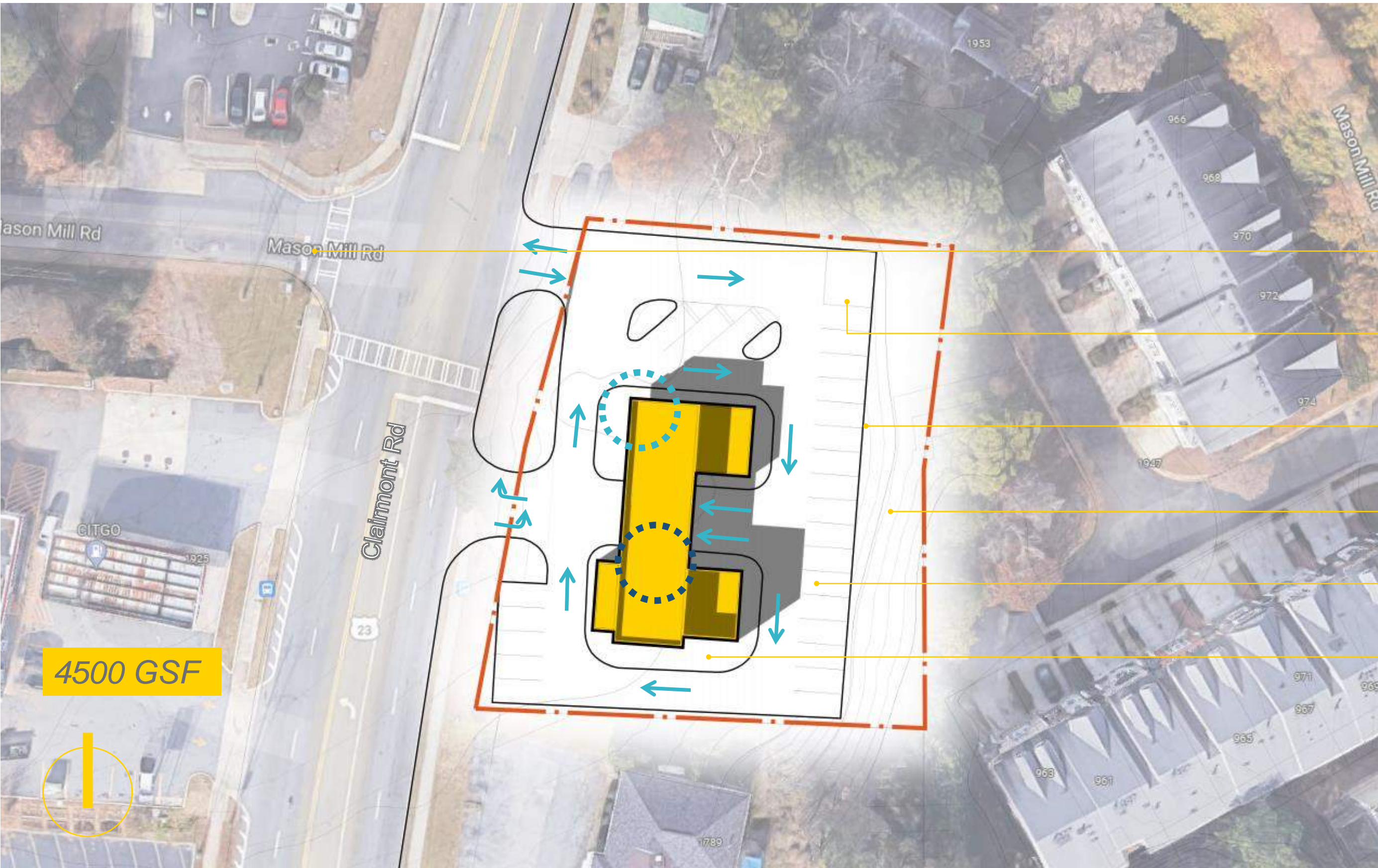
BLACK & VEATCH

VIRAL SOLUTIONS /
Clairmont Rd.
CONCEPTUAL
DESIGN PACKAGE

2021







Site Plan

TRAFFIC SIGNAL

MASONRY DUMPSTER ENCLOSURE W/
PERFORATED METAL GATES (6' TALL)

GABION RETAINING WALL; 9' TALL @ EAST EXPOSURE

— TREE REMOVAL; MITIGATION MAY BE REQUIRED

25 PARKING SPACES PROVIDED

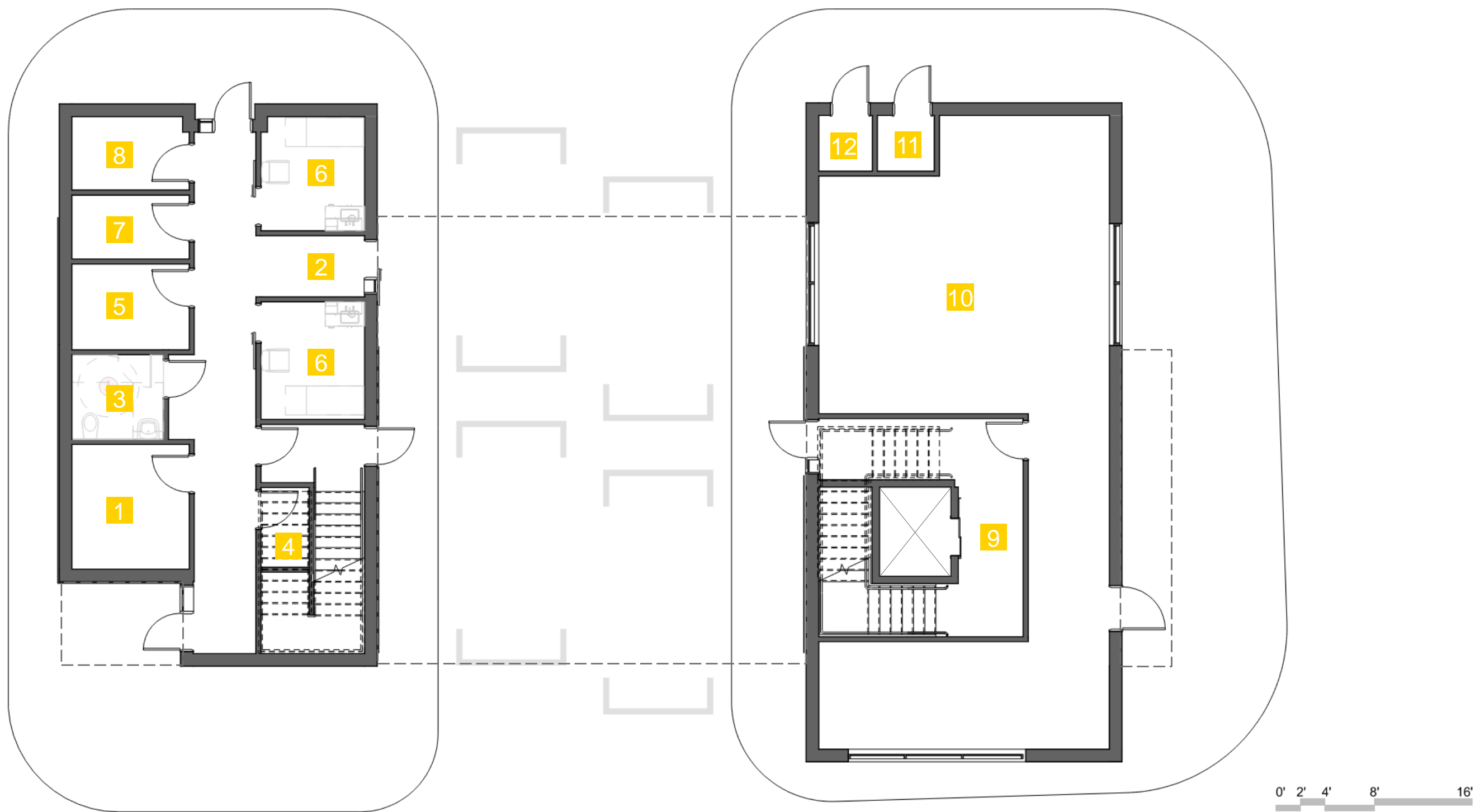
DELIVERY DROP-OFF AREA



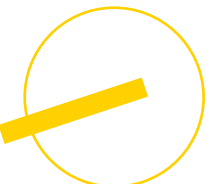
PATIENT ENTRY



STAFF ENTRY

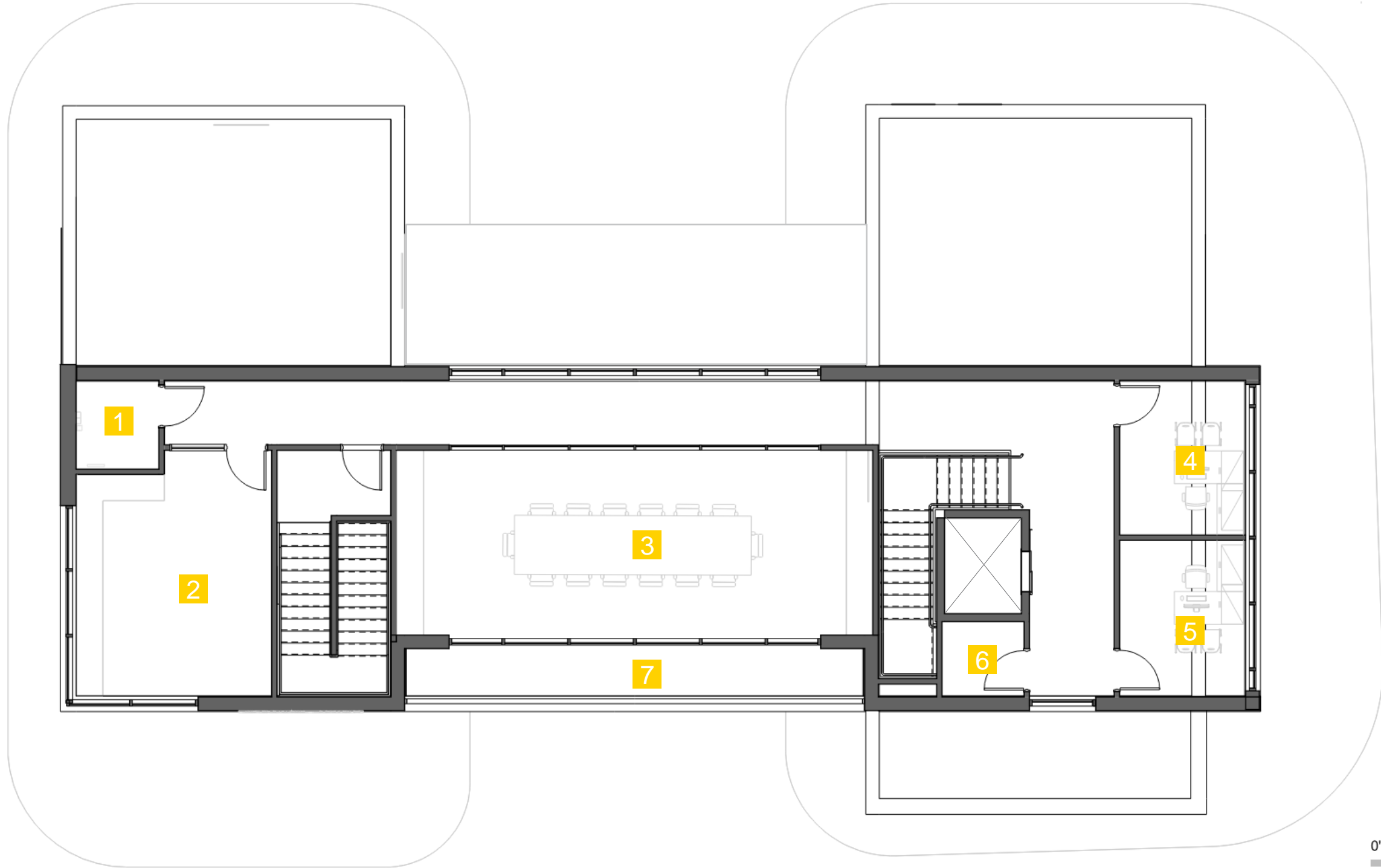


- 1 X-RAY
- 2 NURSE STATION
- 3 PATIENT TOILET
- 4 JANITOR CLOSET
- 5 LAB
- 6 EXAM
- 7 SOILED STORAGE
- 8 CLEAN STORAGE
- 9 LOBBY
- 10 HUB LAB
- 11 FIRE RISER
- 12 ELECTRICAL



FLOOR PLAN - LEVEL ONE
1/8" = 1'-0"

CORGAN 



- 1 STAFF TOILET
- 2 EXECUTIVE LOUNGE
- 3 CONFERENCE
- 4 OFFICE-1
- 5 OFFICE-2
- 6 JANITOR CLOSET
- 7 OUTDOOR PATIO

0' 2' 4' 8' 16'

FLOOR PLAN - LEVEL TWO
1/8" = 1'-0"



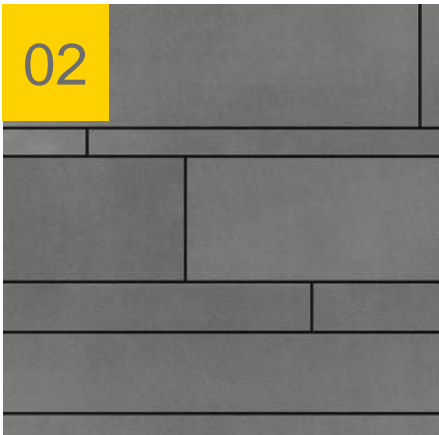
Viral Solutions | Clairmont Rd. – West Elevation

VISION GLASS



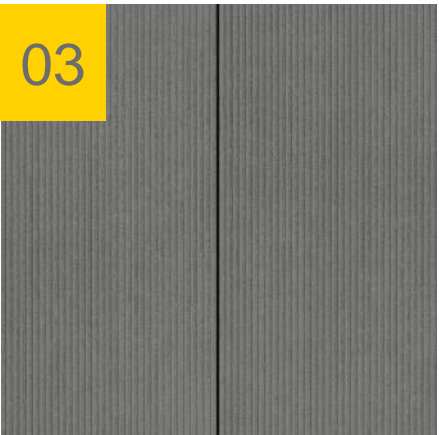
Vitro Solarban 67 (2)
Azuria + Clear Glass

**FIBER CEMENT
PANEL 01**



Equitone Tectiva TE20

**FIBER CEMENT
PANEL 02**



Equitone Linea LT20

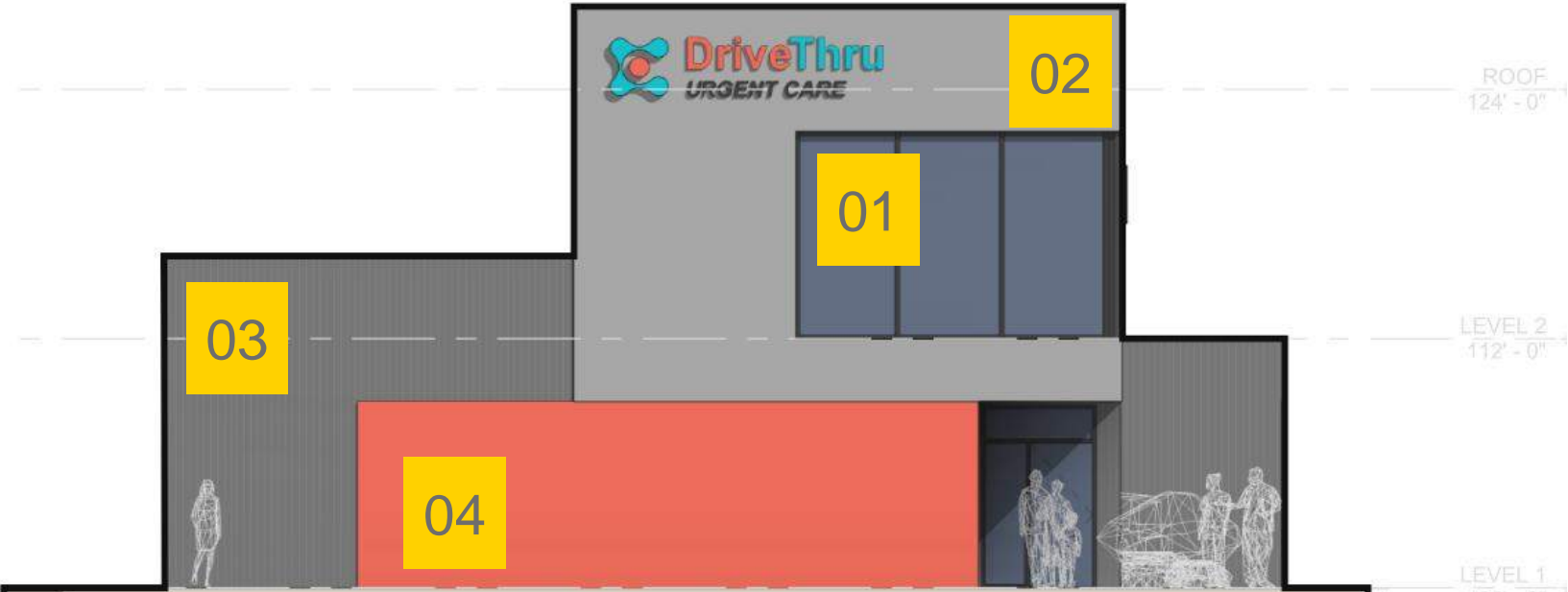
**COLORED
GLASS**



Glass with custom
opaque coating on face
2 of insulated unit.
Glass installed within
storefront unit.



WEST ELEVATION



NORTH ELEVATION



Chief Executive Officer
Michael Thurmond

DEPARTMENT OF PLANNING & SUSTAINABILITY

Director
Andrew A. Baker, AICP

PRE-APPLICATION FORM
REZONE, SPECIAL LAND USE PERMIT, MODIFICATION, AND LAND USE
(Required prior to filing application: signed copy of this form must be submitted at filing)

Applicant Name: Viral Solutions_____ Phone: _470-601-7810_____ Email: _ben@viralsolutionsga.com_____

Property Address: _1799 & 1805 Clairmont Rd_____

Tax Parcel ID: _18 103 03 018 & 18 103 03 017_____ _ Comm. District(s): _2 & 6_____ Acreage: .28 and .34--.64 acres combined_____

Existing Use: __Vacant homes _____ Proposed Use__Drive through clinic_ _____

Supplemental Regs: _NA_____ Overlay District: _NA_____ DRI: __NA_____

Rezoning: Yes _X___ No __ ___

Existing Zoning: O-I with zoning conditions_____ Proposed Zoning: _NS _____ Square Footage/Number of Units: _____

Rezoning Request: __to allow medical office and drive-through clinic. Zoning ordinance does not have a land use category for “drive-through clinic”, this will have to be reviewed on its merits when application submitted. NS does allow for medical office and health services clinics, and proposed NS district is one of the zoning districts that can be pursued under the Commercial Redevelopment Corridor (CRC) character area.

Land Use Plan Amendment: Yes____ No _ _X__

Existing Land Use: _____ Proposed Land Use: _____ Consistent _____ Inconsistent_____

Special Land Use Permit: Yes_ X___ No _____ Article Number(s) 27- _____

Special Land Use Request(s) _____

Major Modification:

Existing Case Number(s): _NA_____

Condition(s) to be modified:

DEPARTMENT OF PLANNING & SUSTAINABILITY

WHAT TO KNOW BEFORE YOU FILE YOUR APPLICATION

Pre-submittal Community Meeting: ☒ Review Calendar Dates: ☒ PC: 05/03/22 BOC:
05/26/22 Letter of Intent: ☒ Impact Analysis: ☒ Owner Authorization(s): ☒
Campaign Disclosure: ☒ Zoning Conditions: ☐ Community Council Meeting:
04/12/22 Public Notice, Signs: ☒ Tree Survey, Conservation: _____ Land Disturbance
Permit (LDP): _____ Sketch Plat: _____ Bldg. Permits: ☒ Fire Inspection: ☒
Business License: ☒ State License: _____ Lighting Plan: _____ Tent Permit: _____
Submittal Format: NO STAPLES, NO BINDERS PLEASE

**Last day to hold –pre-community digital meeting with 15 days notice to qualify for May 2022 agenda
cycle is Feb 23rd, 2022—applicant is holding community meeting on Feb 23**

Filing Deadline for application is Feb 24, 2022

Review of Site Plan

Density: ☐ Density Bonuses: ☐ Mix of Uses: _____ Open Space: ☒
Enhanced Open Space: ☒ Setbacks: front ☒ sides ☒ side corner ☒ rear _____
Lot Size: ☒ Frontage: ☒ Street Widths: ☒ Landscape Strips: ☒
Buffers: ☒ Parking Lot Landscaping: ☒ Parking - Auto: ☒ Parking - Bicycle:
☒ Screening: ☒ Streetscapes: ☒ Sidewalks: ☒ Fencing/Walls: _____
Bldg. Height: ☒ Bldg. Orientation: _____ Bldg. Separation: _____ Bldg. Materials: _____ Roofs: _____
Fenestration: ☒ Façade Design: ☒ Garages: ☒ Pedestrian Plan: ☒ Perimeter
Landscape Strip: _____
Possible Variances: _____

Comments: ☐ Zoning ordinance does not have a land use category for “drive-through clinic”, this will have

DEPARTMENT OF PLANNING & SUSTAINABILITY

to be reviewed on its merits when application submitted. NS does allow for medical office and health services clinics, and proposed NS district is one of the zoning districts that can be pursued under the Commercial Redevelopment Corridor (CRC) character area. Planning Department will need to verify that proposed drive through clinic is a permitted land use in the proposed NS zoning. Applicant will need to apply for a Special Land Use Permit and provide justification as to how proposed rezone change is compatible with area and complies with zoning ordinance requirements including but not limited to transitional buffers, building materials, queuing spaces, parking, building setback, drive-through supplemental regulations.

Planner: John Reid Date 02/17/22

Filing Fees

REZONING:	RE, RLG, R-100, R-85, R-75, R-60, MHP, RSM, MR-1	\$500.00
	RNC, MR-2, HR-1, HR-2, HR-3, MU-1, MU-2, MU-3, MU-4, MU-5	\$750.00
	OI, OD, OIT, NS, C1, C2, M, M2	\$750.00
LAND USE MAP AMENDMENT		\$500.00
SPECIAL LAND USE PERMIT		\$400.00



BLACK & VEATCH

Black & Veatch Corporation
11401 Lamar Ave., Overland Park, KS 66211
P +1 913-458-2061 E StroudA@bv.com

Notice of Rezoning Application Community Meeting

CHEN PETER C
1951 MASON MILL RD
DECATUR, GA 30033

We are planning to apply for a Dekalb County Rezoning and Special Land Use Permit for 1799 & 1805 Clairmont Road to build a healthcare facility. Find out more about the project, ask questions, and voice your opinion at the following community meeting:

Date: **February 23, 2022**

Time: **7:00pm Eastern Standard Time**

Location: Microsoft Teams meeting
Join on your computer or mobile app
[Click here to join the meeting](#)
Or call in (audio only)
[+1 913-278-0791,,530509784#](#) United States, Kansas City
Phone Conference ID: 530 509 784#
[Find a local number](#)

If you have any questions about the meeting, please call **913-458-2061** or e-mail **strouda@bv.com**. We look forward to seeing you there!

Sincerely,

BV Health Solutions

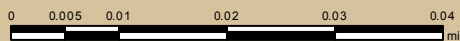
Meeting Summary
Total Number of Participants
Meeting Title
Meeting Start Time
Meeting End Time

37
Viral Solutions Community Meeting
2/23/2022, 7:00 PM
2/23/2022, 8:00 PM

Full Name	Role
Shreve, Mark A.	Organizer
Tarun Bhatia	Presenter
Stroud, M. Ashley	Presenter
Ryan Jones	Presenter
Pant, Jeremiah	Presenter
Monica Miles	Presenter
Ben Lefkove (Guest)	Presenter
Bernard Coxton (Guest)	Presenter
Kevin Wood	Presenter
Jordan Gill	Presenter
Linda Tang	Presenter
Ili Hidalgo-Nilsson	Attendee
Mary Hinkel (Guest)	Attendee
John Kisner (Guest)	Attendee
jacqueline desilva (Guest)	Attendee
Thom (Guest)	Attendee
Colleen Cousineau HOA Board Member (Guest)	Attendee
James Bowers (Guest)	Attendee
Thom (Guest)	Attendee
Leola Reis (Guest)	Attendee
Sally Hale (Guest)	Attendee
BARBARA ROSE (Guest)	Attendee
14049643309	Attendee
C	Attendee
14043159885	Attendee
13016138088	Attendee
14046448933	Attendee
14043128646	Attendee
Tony Miles	Attendee
14705838594	Attendee
C Lin (Guest)	Attendee
Alan L (Guest)	Attendee
elise ashpole (Guest)	Attendee
14047986104	Attendee
Fonts (Guest)	Attendee
Jennifer victor (Guest)	Attendee
Gary Knisely (Guest)	Attendee



DeKalb County Parcel Map



Date Printed: 4/8/2022



DeKalb County GIS Disclaimer

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DRUID HILLS
EYE CARE



CREWS
ORTHODONTICS



Mary Lynn Crews, DMD

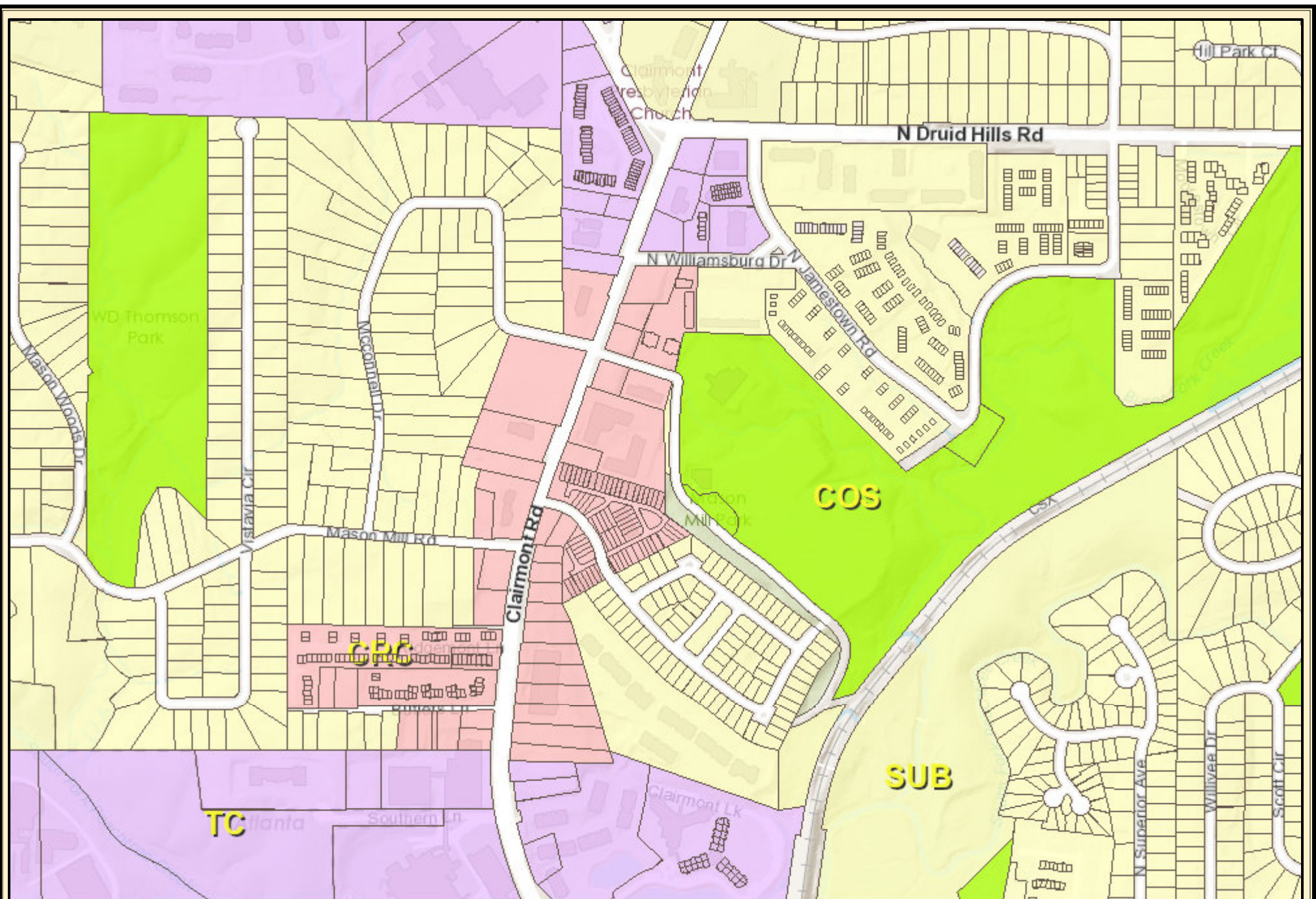




NORTH

155

KARUNA
COURTESY INC
404-321-4387



DeKalb County Parcel Map

0 0.0375 0.075 0.15 0.225 0.3
mi

Date Printed: 4/8/2022



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From: [Ryan Jones](#)
To: [Bragg, Rachel L.](#); [White, Brandon L.](#); [Reid, John](#)
Cc: [Stroud, M. Ashley](#); [Jordan Gill](#); [Shreve, Mark A.](#); ron@viralsolutionsga.com; ben@viralsolutionsga.com; coxton@viralsolutionsga.com
Subject: 1799 & 1805 Clairmont Deferral
Date: Monday, May 2, 2022 4:23:05 PM

Rachel, Brandon and John,

It might be late notice, but we'd like to defer our agenda items until the next PC meeting if possible. Is this something we can do in this fashion, or do we still need to attend the meeting and ask for a deferral?

Please advise and I appreciate all your time.

Thanks,
Ryan Jones
Hayes James

Sent from my iPhone 11 Pro on AT&T

From: William Acree <billyacree@gmail.com>

Sent: Sunday, May 1, 2022 10:29 PM

To: Plansustain <plansustain@dekalbcountyga.gov>

Subject: Opposition to Rezoning of Parcels 1799 and 1805 Clairmont Road

5/1/2022

Dear Planning Commissioners,

We write to express our opposition to the development of a drive-through urgent care facility proposed by Viral Solutions for parcels 1799 and 1805 Clairmont Road. Their application to rezone from OI to NS (Z-22-1245545), special land use permits (SLUP-22-1245550), and proposed site plan are inconsistent with the 2035 DeKalb County Comprehensive Plan. If approved, it is our understanding that additional applications will be made for variances which, if approved, will further impact the adjacent and surrounding communities.

The request to rezone from an OI district, which is designed to provide services within walking distance of residents and, thus, reduce vehicular dependence, to NS, a district concept designed for shopping centers with access by vehicles, is being sought only to support their business model as a drive-through urgent care facility. Additionally, rezoning from OI to NS would allow for future development that is incongruent with the adjacent residential communities.

The business model as explained is based on patients remaining in their vehicles to receive both diagnosis and treatment. The proposed plan by Viral Solutions provides only one exam room within the building in the event any of their estimated 40-50 patients, per 12-hour operating day, need an examination that cannot be performed through a vehicle window.

We also are concerned about the proposed plan to reduce both buffers, portions set aside for open spaces and/visual screening, and undisturbed buffers, the protected portions of vegetation and trees, contiguous to the adjacent residential communities.

We believe this development is inappropriate for the size and location of these two parcels. Other relevant concerns include the fact there is no southbound left turn lane planned, which poses potential safety issues for both turning and oncoming traffic, as well as pedestrians; that idling vehicles will create pollution, noise and general disturbance to neighbors; that the area already has an oversaturated market for urgent/immediate care facilities and minute clinics within a five-mile radius; and, finally, that it fails to meet the criteria established in Supplemental Regulations of Zoning Ordinance: Section 27-874; Section 27-863; and Section 27-873.

We strongly urge you to deny the application by Hayes | James, on behalf of Viral Solutions, to rezone these parcels from OI to NS and to deny their application for a Special Land Use Permit (SLUP).

Sincerely,

William Acree

1005 Emory Parc Place

Decatur, GA 30033

From: Santiago Arboleda <santiago_arboleda@hotmail.com>

Sent: Monday, May 2, 2022 5:11 PM

To: Plansustain <plansustain@dekalbcountyga.gov>

Subject: Please forward to all Planning Commissioners

May 2nd, 2022

Dear Planning Commission:

We write to express our opposition to the development of a drive-through urgent care facility proposed by **Viral Solutions** for parcels **1799 and 1805 Clairmont Road**. Their application to rezone from **OI** to **NS** (Z-22-1245545), special land use permits (SLUP-22-1245550), and proposed site plan are inconsistent with the *2035 DeKalb County Comprehensive Plan*. If approved, it is our understanding that additional applications will be made for variances which, if approved, will further impact the adjacent and surrounding communities.

The request to rezone from an **OI** district, which is designed to provide services within walking distance of residents and, thus, reduce vehicular dependence, to **NS**, a district concept designed for shopping centers with access by vehicles, is being sought only to support their business model as a drive-through urgent care facility. Additionally, rezoning from **OI** to **NS** would allow for future development that is incongruent with the adjacent residential communities.

The business model as explained is based on patients remaining in their vehicles to receive both diagnosis and treatment. The proposed plan by Viral Solutions provides only one exam room within the building in the event any of their estimated 40-50 patients, per 12-hour operating day, need an examination that cannot be performed through a vehicle window.

We are also concerned about the proposed plan to reduce both buffers, portions set aside for open spaces and/visual screening, and undisturbed buffers, the protected portions of vegetation and trees, contiguous to the adjacent residential communities.

We believe this development is inappropriate for the size and location of these two parcels. Other relevant concerns include the fact there is no southbound left turn lane planned, which poses potential safety issues for both turning and oncoming traffic, as well as pedestrians; that idling vehicles will create pollution, noise and general disturbance to neighbors; that the area already has an oversaturated market for urgent/immediate care facilities and minute clinics within a five-mile radius; and, finally, that it fails to meet the criteria established in Supplemental Regulations of Zoning Ordinance: Section 27-874; Section 27-863; and Section 27-873.

We strongly urge you to deny the application by **Hayes | James**, on behalf of **Viral Solutions**, to rezone these parcels from **OI** to **NS** and to deny their application for a Special Land Use Permit (SLUP).

Sincerely,

Santiago Arboleda

2015 Mason Mill Rd.

Decatur, GA 30033

From: Joseph Bihlmier <jmbihlmier@gmail.com>
Sent: Monday, May 2, 2022 11:51 AM
To: Plansustain <plansustain@dekalbcountyga.gov>
Subject: Please forward to the planning Commission

May 2nd, 2022

Dear Planning Commission:

I write to express our opposition to the development of a drive-through urgent care facility proposed by **Viral Solutions** for parcels **1799 and 1805 Clairmont Road**. Their application to rezone from **OI** to **NS** (Z-22-1245545), special land use permits (SLUP-22-1245550), and proposed site plan are inconsistent with the *2035 DeKalb County Comprehensive Plan*. If approved, it is our understanding that additional applications will be made for variances which, if approved, will further impact the adjacent and surrounding communities.

The request to rezone from an **OI** district, which is designed to provide services within walking distance of residents and, thus, reduce vehicular dependence, to **NS**, a district concept designed for shopping centers with access by vehicles, is being sought only to support their business model as a drive-through urgent care facility. Additionally, rezoning from **OI** to **NS** would allow for future development that is incongruent with the adjacent residential communities.

The business model as explained is based on patients remaining in their vehicles to receive both diagnosis and treatment. The proposed plan by Viral Solutions provides only one exam room within the building in the event any of their estimated 40-50 patients, per 12-hour operating day, need an examination that cannot be performed through a vehicle window.

I am also concerned about the proposed plan to reduce both buffers, portions set aside for open spaces and/visual screening, and undisturbed buffers, the protected portions of vegetation and trees, contiguous to the adjacent residential communities.

I believe this development is inappropriate for the size and location of these two parcels. Other relevant concerns include the fact there is no southbound left turn lane planned, which poses potential safety issues for both turning and oncoming traffic, as well as pedestrians; that idling vehicles will create pollution, noise and general disturbance to neighbors; that the area already has an oversaturated market for urgent/immediate care facilities and minute clinics within a five-mile radius; and, finally, that it fails to meet the criteria established in Supplemental Regulations of Zoning Ordinance: Section 27-874; Section 27-863; and Section 27-873.

We strongly urge you to deny the application by **Hayes | James**, on behalf of **Viral Solutions**, to rezone these parcels from **OI** to **NS** and to deny their application for a Special Land Use Permit (SLUP).

Sincerely,

Joseph Bihlmier

2011 Mason Mill Road

Decatur, GA 30033

From: Blooms Smith, Mollie <mabloom@emory.edu>
Sent: Monday, May 2, 2022 5:16 PM
To: Plansustain <plansustain@dekalbcountyga.gov>
Subject: opposition to Viral Solutions proposal

Please forward this all Planning Commissioners.

May 2, 2022

Dear Planning Commission:

I am writing to express my opposition to the development of a drive-through urgent care facility proposed by **Viral Solutions** for parcels **1799 and 1805 Clairmont Road**. Their application to rezone from **OI** to **NS** (Z-22-1245545), special land use permits (SLUP-22-1245550), and proposed site plan are inconsistent with the *2035 DeKalb County Comprehensive Plan*. If approved, it is my understanding that additional applications will be made for variances which, if approved, will further impact the adjacent and surrounding communities.

I am most concerned about the proposed plan to reduce both buffers, portions set aside for open spaces and/visual screening, and undisturbed buffers, the protected portions of vegetation and trees, contiguous to the adjacent residential communities.

I believe this development is inappropriate for the size and location of these two parcels and that it will cause further traffic problems in this congested area. There is no southbound left turn lane planned, which poses potential safety issues for both turning and oncoming traffic, as well as pedestrians. Idling vehicles will create pollution, noise and general disturbance to nearby neighbors.

At a meeting to discuss this a few weeks ago, 70 neighbors gathered to show their opposition and that indicates the level of concern. I urge you to deny the application by **Hayes | James**, on behalf of **Viral Solutions**, to rezone these parcels from **OI** to **NS** and to deny their application for a Special Land Use Permit (SLUP).

I am concerned and I vote.

Sincerely,

Mollie Blooms Smith

1963 Mason Mill Rd

Decatur, GA 30033

From: jwmbowers@gmail.com <jwmbowers@gmail.com>
Sent: Monday, May 2, 2022 4:42 PM
To: Plansustain <plansustain@dekalbcountyga.gov>
Cc: Rader, Jeff <jrader@dekalbcountyga.gov>
Subject: Rezoning Opposition 1799 & 1805 Clairmont Road

Please forward to the Planning Commission Members

Dear Planning Commission:

We write to express our opposition to the development of a drive-through urgent care facility proposed by **Viral Solutions** for parcels **1799 and 1805 Clairmont Road**. Their application to rezone from **OI** to **NS** (Z-22-1245545), special land use permits (SLUP-22-1245550), and proposed site plan are inconsistent with the *2035 DeKalb County Comprehensive Plan*. If approved, it is our understanding that additional applications will be made for variances which, if approved, will further impact the adjacent and surrounding communities.

The request to rezone from an **OI** district, which is designed to provide services within walking distance of residents and, thus, reduce vehicular dependence, to **NS**, a district concept designed for shopping centers with access by vehicles, is being sought only to support their business model as a drive-through urgent care facility. Additionally, rezoning from **OI** to **NS** would allow for future development that is incongruent with the adjacent residential communities.

The business model as explained is based on patients remaining in their vehicles to receive both diagnosis and treatment. The proposed plan by Viral Solutions provides only one exam room within the building in the event any of their estimated 40-50 patients, per 12-hour operating day, need an examination that cannot be performed through a vehicle window.

We are also concerned about the proposed plan to reduce both buffers, portions set aside for open spaces and/visual screening, and undisturbed buffers, the protected portions of vegetation and trees, contiguous to the adjacent residential communities.

We believe this development is inappropriate for the size and location of these two parcels. Other relevant concerns include the fact there is no southbound left turn lane planned, which poses potential safety issues for both turning and oncoming traffic, as well as pedestrians; that idling vehicles will create pollution, noise and general disturbance to neighbors; that the area already has an oversaturated market for urgent/immediate care facilities and minute clinics within a five-mile radius; and, finally, that it fails to meet the criteria established in Supplemental Regulations of Zoning Ordinance: Section 27-874; Section 27-863; and Section 27-873.

We strongly urge you to deny the application by **Hayes | James**, on behalf of **Viral Solutions**, to rezone these parcels from **OI** to **NS** and to deny their application for a Special Land Use Permit (SLUP).

Sincerely,

James Bowers
1974 Mason Mill Rd
Decatur, GA 30033

From: tom.brinks@comcast.net <tom.brinks@comcast.net>

Sent: Tuesday, May 3, 2022 3:55 PM

To: Plansustain <plansustain@dekalbcountyga.gov>

Subject: Agenda Items N4 & N5: Rezoning at 1799 Clairmont Rd, Decatur, GA 30033 - VOITE NO!

Importance: High

Note: Please forward this email to all Planning Commissioners

5/3/22

Dear Planning Commission:

We write to express our opposition to the development of a drive-through urgent care facility proposed by **Viral Solutions** for parcels **1799 and 1805 Clairmont Road**. Their application to rezone from **OI** to **NS** (Z-22-1245545), special land use permits (SLUP-22-1245550), and proposed site plan are inconsistent with the *2035 DeKalb County Comprehensive Plan*. If approved, it is our understanding that additional applications will be made for variances which, if approved, will further impact the adjacent and surrounding communities.

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We strongly urge you to deny the application by **Hayes | James**, on behalf of **Viral Solutions**, to rezone these parcels from **OI** to **NS** and to deny their application for a Special Land Use Permit (SLUP).

Sincerely,

Tom & Sandy Brinks

905 Manor Parc Dr.

Decatur, GA 30033

From: Peggy Brockington <peggy.brockington@gmail.com>
Sent: Tuesday, May 3, 2022 10:39 AM
To: Plansustain <plansustain@dekalbcountyga.gov>
Subject: Opposition to Viral Solutions' Rezoning and Special Land Use Permits

May 2, 2022

Dear Planning Commission:

We write to express our opposition to the development of a drive-through urgent care facility proposed by **Viral Solutions** for parcels **1799 and 1805 Clairmont Road**. Their application to rezone from **OI** to **NS** (Z-22-1245545), special land use permits (SLUP-22-1245550), and proposed site plan are inconsistent with the *2035 DeKalb County Comprehensive Plan*. If approved, it is our understanding that additional applications will be made for variances which, if approved, will further impact the adjacent and surrounding communities.

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We strongly urge you to deny the application by **Hayes | James**, on behalf of **Viral Solutions**, to rezone these parcels from **OI** to **NS** and to deny their application for a Special Land Use Permit (SLUP).

Sincerely,

Mary M. (Peggy) and Paul Brockington, 904 Manor Parc Drive, Decatur GA 30033

Peggy Brockington

peggy.brockington@gmail.com

404-395-3954

From: Kevin C. <kevcar34@gmail.com>
Sent: Monday, May 2, 2022 9:46 AM
To: Plansustain <plansustain@dekalbcountyga.gov>
Subject: Development of parcels 1799 & 1805 Clairmont Rd

May 2, 2022

Please forward to all Planning Commissioners

Dear Planning Commission:

We write to express our opposition to the development of a drive-through urgent care facility proposed by **Viral Solutions** for parcels **1799 and 1805 Clairmont Road**. Their application to rezone from **OI** to **NS** (Z-22-1245545), special land use permits (SLUP-22-1245550), and proposed site plan are inconsistent with the *2035 DeKalb County Comprehensive Plan*. If approved, it is our understanding that additional applications will be made for variances which, if approved, will further impact the adjacent and surrounding communities.

The request to rezone from an **OI** district, which is designed to provide services within walking distance of residents and, thus, reduce vehicular dependence, to **NS**, a district concept designed for shopping centers with access by vehicles, is being sought only to support their business model as a drive-through urgent care facility. Additionally, rezoning from **OI** to **NS** would allow for future development that is incongruent with the adjacent residential communities.

The business model as explained is based on patients remaining in their vehicles to receive both diagnosis and treatment. The proposed plan by Viral Solutions provides only one exam room within the building in the event any of their estimated 40-50 patients, per 12-hour operating day, need an examination that cannot be performed through a vehicle window.

We are also concerned about the proposed plan to reduce both buffers, portions set aside for open spaces and/visual screening, and undisturbed buffers, the protected portions of vegetation and trees, contiguous to the adjacent residential communities.

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We strongly urge you to deny the application by **Hayes | James**, on behalf of **Viral Solutions**, to rezone these parcels from **OI** to **NS** and to deny their application for a Special Land Use Permit (SLUP).

Sincerely,

Kevin Carpenter
1966 Mason Mill Rd, Decatur GA 30033

From: Matt Collins <mbcollins2@gmail.com>
Sent: Sunday, May 1, 2022 11:20 AM
To: Plansustain <plansustain@dekalbcountyga.gov>
Subject: Opposition to Rezoning of Parcels 1799 and 1805 Clairmont Road

Please forward this email to all planning commissioners.

Dear Planning Commissioners,

We write to express our opposition to the development of a drive-through urgent care facility proposed by Viral Solutions for parcels 1799 and 1805 Clairmont Road. Their application to rezone from OI to NS (Z-22-1245545), special land use permits (SLUP-22-1245550), and proposed site plan are inconsistent with the 2035 DeKalb County Comprehensive Plan. If approved, it is our understanding that additional applications will be made for variances which, if approved, will further impact the adjacent and surrounding communities.

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We strongly urge you to deny the application by Hayes | James, on behalf of Viral Solutions, to rezone these parcels from OI to NS and to deny their application for a Special Land Use Permit (SLUP).

Sincerely,
Matt and Claire Collins
1003 Emory Parc Pl, Decatur, GA 30033

--

Matt Collins
(205) 765-7913

From: CJ <cjkordana@yahoo.com>

Sent: Friday, April 29, 2022 10:40 PM

To: Plansustain <plansustain@dekalbcountyga.gov>

Subject: Opposition to 1799 and 1805 Clairmont Road development

- Please forward the below to all Planning Commissioners

04/29/2022

Dear Planning Commission:

We write to express our opposition to the development of a drive-through urgent care facility proposed by **Viral Solutions** for parcels **1799 and 1805 Clairmont Road**. Their application to rezone from **OI** to **NS** (Z-22-1245545), special land use permits (SLUP-22-1245550), and proposed site plan are inconsistent with the *2035 DeKalb County Comprehensive Plan*. If approved, it is our understanding that additional applications will be made for variances which, if approved, will further impact the adjacent and surrounding communities.

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We strongly urge you to deny the application by **Hayes | James**, on behalf of **Viral Solutions**, to rezone these parcels from **OI** to **NS** and to deny their application for a Special Land Use Permit (SLUP).

Sincerely,

CJ Czerniawski

2071 Mason Mill Rd

Decatur, GA 30033

From: SUE Donaldson <skd@comcast.net>
Sent: Friday, April 29, 2022 1:34 PM
To: Plansustain <plansustain@dekalbcountyga.gov>
Subject: Proposed rezoning 1799 and 1805 Clairmont Road

May 1, 2022

Dear Planning Commissioner Tess Snipes - Chairman :

I write to express my opposition to the development of a drive-through urgent care facility proposed by **Viral Solutions** for parcels **1799 and 1805 Clairmont Road**. Their application to rezone from **OI** to **NS** (Z-22-1245545), special land use permits (SLUP-22-1245550), and proposed site plan are inconsistent with the *2035 DeKalb County Comprehensive Plan*. If approved, it is our understanding that additional applications will be made for variances which, if approved, will further impact the adjacent and surrounding communities.

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I am also concerned about the proposed plan to reduce both buffers, portions set aside for open spaces and/visual screening, and undisturbed buffers, the protected portions of vegetation and trees, contiguous to the adjacent residential communities.

I believe this development is inappropriate for the size and location of these two parcels. Other relevant concerns include the fact there is no southbound left turn lane planned, which poses potential safety issues for both turning and oncoming traffic, as well as pedestrians; that idling vehicles will create pollution, noise and general disturbance to neighbors; that the area already has an oversaturated market for urgent/immediate care facilities and minute clinics within a five-mile radius; and, finally, that it fails to meet the criteria established in Supplemental Regulations of Zoning Ordinance: Section 27-874; Section 27-863; and Section 27-873.

I strongly urge you to deny the application by **Hayes | James**, on behalf of **Viral Solutions**, to rezone these parcels from **OI** to **NS** and to deny their application for a Special Land Use Permit (SLUP).

Sincerely,

Sue K. Donaldson

2007 Mason Mill Road

Decatur, GA 30033

From: Kathleen Everett <kathleeneverett@bellsouth.net>
Sent: Friday, April 29, 2022 1:07 PM
To: Plansustain <plansustain@dekalbcountyga.gov>
Subject: Please forward to Planning Commissioner Tess Snipes

**** WARNING:** The sender of this email could not be validated and may not match the person in the "From" field.

April 29, 2022

Dear Planning Commissioner Snipes:

We write to express our opposition to the development of a drive-through urgent care facility proposed by **Viral Solutions** for parcels **1799 and 1805 Clairmont Road**. Their application to rezone from **OI** to **NS** (Z-22-1245545), special land use permits (SLUP-22-1245550), and proposed site plan are inconsistent with the *2035 DeKalb County Comprehensive Plan*. If approved, it is our understanding that additional applications will be made for variances which, if approved, will further impact the adjacent and surrounding communities.

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We are also concerned about the proposed plan to reduce both buffers, portions set aside for open spaces and/visual screening, and undisturbed buffers, the protected portions of vegetation and trees, contiguous to the adjacent residential communities.

We believe this development is inappropriate for the size and location of these two parcels. Other relevant concerns include the fact there is no southbound left turn lane planned, which poses potential safety issues for both turning and oncoming traffic, as well as pedestrians; that idling vehicles will create pollution, noise and general disturbance to neighbors; that the area already has an oversaturated market for urgent/immediate care facilities and minute clinics within a five-mile radius; and, finally, that it fails to meet the criteria established in Supplemental Regulations of Zoning Ordinance: Section 27-874; Section 27-863; and Section 27-873.

We strongly urge you to deny the application by **Hayes | James**, on behalf of **Viral Solutions**, to rezone these parcels from **OI** to **NS** and to deny their application for a Special Land Use Permit (SLUP).

Sincerely,

Kathleen and Ron Everett

909 Manor Parc Drive
Decatur GA 30033

From: Lisa Fagan <monaleesa555@gmail.com>
Sent: Friday, April 29, 2022 10:28 AM
To: Plansustain <plansustain@dekalbcountyga.gov>
Subject: Opposition to Rezoning of Parcels 1799 and 1805 Clairmont Road

April 29, 2022

Dear Commissioner Snipes:

I/we write to express our opposition to the development of a drive-through urgent care facility proposed by Viral Solutions for parcels 1799 and 1805 Clairmont Road. Their application to rezone from OI to NS (Z-22-1245545), special land use permits (SLUP-22-1245550), and proposed site plan are inconsistent with the 2035 DeKalb County Comprehensive Plan. If approved, it is my/our understanding that additional applications will be made for variances that, if approved, will further impact the adjacent and surrounding communities.

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I/we also are concerned about the proposed plan to reduce both buffers, portions set aside for open spaces and/or visual screening, and undisturbed buffers, the protected portions of vegetation and trees, contiguous to the adjacent residential communities.

I/we believe this development is inappropriate for the size and location of these two parcels.

Other relevant concerns include the fact there is no southbound left turn lane planned, which poses potential safety issues for both turning and oncoming traffic,

as well as pedestrians; that idling vehicles will create pollution, noise, and general disturbance to neighbors; that the area already has an oversaturated market for urgent/immediate care facilities and minute clinics within a five-mile radius; and, finally, that it fails to meet the criteria established in Supplemental Regulations of Zoning Ordinance: Section 27-874; Section 27-863; and Section 27-873.

I/we strongly urge you to deny the application by Hayes | James, on behalf of Viral Solutions, to rezone these parcels from OI to NS and to deny their application for a Special Land Use Permit (SLUP).

Sincerely,

Edward and Lisa Fagan
1019 Emory Parc Place, Decatur, GA 30033

From: Stephanie Flint <swalkerflint@comcast.net>
Sent: Saturday, April 30, 2022 12:58 AM
To: Plansustain <plansustain@dekalbcountyga.gov>
Subject: Opposition to Urgent Care/Viral Solutions 1799 & 1805 Clairmont Rd.

April 30,2022

Dear Planning Commission:

We write to express our opposition to the development of a drive-through urgent care facility proposed by **Viral Solutions** for parcels **1799 and 1805 Clairmont Road**. Their application to rezone from **OI** to **NS** (Z-22-1245545), special land use permits (SLUP-22-1245550), and proposed site plan are inconsistent with the *2035 DeKalb County Comprehensive Plan*. If approved, it is our understanding that additional applications will be made for variances which, if approved, will further impact the adjacent and surrounding communities.

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We strongly urge you to deny the application by **Hayes | James**, on behalf of **Viral Solutions**, to rezone these parcels from **OI** to **NS** and to deny their application for a Special Land Use Permit (SLUP).

Sincerely,

Stephanie Flint

2026 Mason Mill Road

Decatur, GA 30033

From: Patricia Fonts <pnfonts@aol.com>

Sent: Monday, May 2, 2022 5:53 PM

To: Plansustain <plansustain@dekalbcountyga.gov>

Subject: Viral Solutions Proposed Plan for 1799 and 1805 Clairmont Road

I live at 963 EMORY PARC Way and this proposed development will be directly in front of our townhouses (and my front door) with an inadequate transitional buffer.

Clairmont Road has very heavy traffic and this will only add to the problem for those of us who live in this area. I feel there are many concerns regarding the traffic that this venture will create.

We also have an urgent care across the street and many medical facilities close by.

The proposed development cannot be adequately built on the given property

The proposal has unacceptable and un-mitigated impacts on adjacent residential property (Emory Parc Place)

This use and this site plan are highly inappropriate for this property.

I urge you to reject Viral Solutions proposed plan for this site.

Thank you for your consideration on this matter.

Patricia Fonts

From: Jincy Futrell <jincyfutrell@yahoo.com>
Sent: Saturday, April 30, 2022 3:14 PM
To: Plansustain <plansustain@dekalbcountyga.gov>
Subject: Please forward to all Planning Commissioners

04.30.2022

Dear Planning Commission:

We write to express our opposition to the development of a drive-through urgent care facility proposed by **Viral Solutions** for parcels **1799 and 1805 Clairmont Road**. Their application to rezone from **OI** to **NS** (Z-22-1245545), special land use permits (SLUP-22-1245550), and proposed site plan are inconsistent with the *2035 DeKalb County Comprehensive Plan*. If approved, it is our understanding that additional applications will be made for variances which, if approved, will further impact the adjacent and surrounding communities.

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We strongly urge you to deny the application by **Hayes | James**, on behalf of **Viral Solutions**, to rezone these parcels from **OI** to **NS** and to deny their application for a Special Land Use Permit (SLUP).

Sincerely,

Preston and Jincy Futrell

1036 Parc Lane West

Decatur, GA 30033

From: shelmsinatl <shelmsinatl@bellsouth.net>
Sent: Sunday, May 1, 2022 2:26 PM
To: Plansustain <plansustain@dekalbcountyga.gov>
Subject: Opposition to Viral Solutions Proposal

**** WARNING:** The sender of this email could not be validated and may not match the person in the "From" field.

May 1, 2022

Dear Planning Commissioners:

We write to express our opposition to the development of a drive-through urgent care facility proposed by Viral Solutions for parcels 1799 and 1805 Clairmont Road. Their application to rezone from OI to NS (Z-22-1245545), special land use permits (SLUP-22-1245550), and proposed site plan are inconsistent with the 2035 DeKalb County Comprehensive Plan. If approved, it is our understanding that additional applications will be made for variances which, if approved, will further impact the adjacent and surrounding communities. The request to rezone from an OI district, which is designed to provide services within walking distance of residents and, thus, reduce vehicular dependence, to NS, a district concept designed for shopping centers with access by vehicles, is being sought only to support their business model as a drive-through urgent care facility. Additionally, rezoning from OI to NS would allow for future development that is incongruent with the adjacent residential communities. The business model as explained is based on patients remaining in their vehicles to receive both diagnosis and treatment. The proposed plan by Viral Solutions provides only one exam room within the building in the event any of their estimated 40-50 patients, per 12-hour operating day, need an examination that cannot be performed through a vehicle window. I/we also are concerned about the proposed plan to reduce both buffers, portions set aside for open spaces and/visual screening, and undisturbed buffers, the protected portions of vegetation and trees, contiguous to the adjacent residential communities. We believe this development is inappropriate for the size and location of these two parcels. Other relevant concerns include the fact there is no southbound left turn lane planned, which poses potential safety issues for both turning and oncoming traffic, as well as pedestrians; that idling vehicles will create pollution, noise and general disturbance to neighbors; that the area already has an oversaturated market for urgent/immediate care facilities and minute clinics within a five-mile radius; and, finally, that it fails to meet the criteria established in Supplemental Regulations of Zoning Ordinance: Section 27-874; Section 27-863; and Section 27-873. We strongly urge you to deny the application by Hayes | James, on behalf of Viral Solutions, to rezone these parcels from OI to NS and to deny their application for a Special Land Use Permit (SLUP).

Sincerely,

Scott Helms & Jeff Watanabe
1038 Emory Parc Place
Decatur, Georgia 30033

From: Fumie Hussen <fumie.hussen@gmail.com>
Sent: Saturday, April 30, 2022 4:47 PM
To: Plansustain <plansustain@dekalbcountyga.gov>
Subject: Opposition to Rezoning of Parcels 1799 and 1805 Clairmont Road

Please send this e-mail to all the planning commissioners.

Dear Planning Commissioners:

We write to express our opposition to the development of a drive-through urgent care facility proposed by Viral Solutions for parcels 1799 and 1805 Clairmont Road. Their application to rezone from OI to NS (Z-22-1245545), special land use permits (SLUP-22-1245550), and proposed site plan are inconsistent with the 2035 DeKalb County Comprehensive Plan. If approved, it is my/our understanding that additional applications will be made for variances which, if approved, will further impact the adjacent and surrounding communities.

The request to rezone from an OI district, which is designed to provide services within walking distance of residents and, thus, reduce vehicular dependence, to NS, a district concept designed for shopping centers with access by vehicles, is being sought only to support their business model as a drive-through urgent care facility. Additionally, rezoning from OI to NS would allow for future development that is incongruent with the adjacent residential communities.

The business model as explained is based on patients remaining in their vehicles to receive both diagnosis and treatment. The proposed plan by Viral Solutions provides only one exam room within the building in the event any of their estimated 40-50 patients, per 12-hour operating day, need an examination that cannot be performed through a vehicle window.

We also are concerned about the proposed plan to reduce both buffers, portions set aside for open spaces and/visual screening, and undisturbed buffers, the protected portions of vegetation and trees, contiguous to the adjacent residential communities.

We believe this development is inappropriate for the size and location of these two parcels. Other relevant concerns include the fact there is no southbound left turn lane planned, which poses potential safety issues for both turning and oncoming traffic, as well as pedestrians; that idling vehicles will create pollution, noise and general disturbance to neighbors; that the area already has an oversaturated market for urgent/immediate care facilities and minute clinics within a five-mile radius; and, finally, that it fails to meet the criteria established in Supplemental Regulations of Zoning Ordinance: Section 27-874; Section 27-863; and Section 27-873.

We strongly urge you to deny the application by Hayes | James, on behalf of Viral Solutions, to rezone these parcels from OI to NS and to deny their application for a Special Land Use Permit (SLUP).

Sincerely,

Ahmed and Fumie Hussen

1018 Emory Parc Place
Decatur, GA 30033

From: Timothy Lash <lashtl@gmail.com>

Sent: Monday, May 2, 2022 10:56 AM

To: Plansustain <plansustain@dekalbcountyga.gov>

Subject: 5/3 meeting re: OI to NS (Z-22-1245545), special land use permits (SLUP-22-1245550)

Dear Planning Commission:

I write to express my opposition to the development of a drive-through urgent care facility proposed by Viral Solutions for parcels 1799 and 1805 Clairmont Road. Their application to rezone from OI to NS (Z-22-1245545), special land use permits (SLUP-22-1245550), and proposed site plan are inconsistent with the 2035 DeKalb County Comprehensive Plan. If approved, it is our understanding that additional applications will be made for variances which, if approved, will adversely impact the adjacent and surrounding communities.

The request to rezone from an OI district, which is designed to provide services within walking distance of residents and, thus, reduce vehicular dependence, to NS, a district concept designed for shopping centers with access by vehicles, is being sought only to support their business model as a drive-through urgent care facility. It will reduce the quality of walkable services within distance of the adjacent neighborhoods. Additionally, rezoning from OI to NS would allow for future development that is incongruent with the adjacent residential communities. There is already an urgent care facility with walk-in services directly across the street from the proposed site plan, so the neighborhoods walk-in urgent care needs are already well-served.

The business model as explained is based on patients remaining in their vehicles to receive both diagnosis and treatment. The proposed plan by Viral Solutions provides only one exam room within the building in the event any of their estimated 40-50 patients, per 12-hour operating day, need an examination that cannot be performed through a vehicle window. Forty to fifty idling vehicles waiting for medical care will add substantial noise and air pollution to our adjacent neighborhood during their proposed twelve hour day, or even over an eight hour day.

We are also concerned about the proposed plan to substantially narrow both buffers, portions set aside for open spaces and/visual screening, and undisturbed buffers, the protected portions of vegetation and trees, contiguous to the adjacent residential communities. These buffers are meant to protect neighborhoods from the very noise, pollution, and visual landscapes that will clearly develop if this drive-through clinic is sited as proposed.

This development is inappropriate for the size and location of these two parcels. Other relevant concerns include the fact there is no southbound left turn lane planned, which poses potential safety issues for both turning and oncoming traffic, as well as pedestrians; that idling vehicles will create pollution, noise and general disturbance to neighbors; that the area already has an oversaturated market for urgent/immediate care facilities and minute clinics within a five-mile radius; and, finally, that it fails to meet the criteria established in Supplemental Regulations of Zoning Ordinance: Section 27-874; Section 27-863; and Section 27-873.

I strongly urge you to deny the application by Hayes | James, on behalf of Viral Solutions, to rezone these parcels from OI to NS and to deny their application for a Special Land Use Permit (SLUP).

Please forward this message to all Planning Commissioners.

Sincerely,

Timothy L. Lash
2075 Mason Mill Rd
Decatur, GA 30033

From: Roberto Ioriatti <roberto.ioriatti@yahoo.it>
Sent: Monday, May 2, 2022 5:18 PM
To: Plansustain <plansustain@dekalbcountyga.gov>
Subject: REZONING OPPOSITION - please forward this note to all Planning Commissioners

Please forward this note to all Planning Commissioners

05/02/2022

Dear Planning Commission:

We write to express our opposition to the development of a drive-through urgent care facility proposed by **Viral Solutions** for parcels **1799 and 1805 Clairmont Road**. Their application to rezone from **OI** to **NS** (Z-22-1245545), special land use permits (SLUP-22-1245550), and proposed site plan are inconsistent with the *2035 DeKalb County Comprehensive Plan*. If approved, it is our understanding that additional applications will be made for variances which, if approved, will further impact the adjacent and surrounding communities.

The request to rezone from an **OI** district, which is designed to provide services within walking distance of residents and, thus, reduce vehicular dependence, to **NS**, a district concept designed for shopping centers with access by vehicles, is being sought only to support their business model as a drive-through urgent care facility. Additionally, rezoning from **OI** to **NS** would allow for future development that is incongruent with the adjacent residential communities.

The business model as explained is based on patients remaining in their vehicles to receive both diagnosis and treatment. The proposed plan by Viral Solutions provides only one exam room within the building in the event any of their estimated 40-50 patients, per 12-hour operating day, need an examination that cannot be performed through a vehicle window.

We are also concerned about the proposed plan to reduce both buffers, portions set aside for open spaces and/visual screening, and undisturbed buffers, the protected portions of vegetation and trees, contiguous to the adjacent residential communities.

We believe this development is inappropriate for the size and location of these two parcels. Other relevant concerns include the fact there is no southbound left turn lane planned, which poses potential safety issues for both turning and oncoming traffic, as well as pedestrians; that idling vehicles will create pollution, noise and general disturbance to neighbors; that the area already has an oversaturated market for urgent/immediate care facilities and minute clinics within a five-mile radius; and, finally, that it fails to meet the criteria established in Supplemental Regulations of Zoning Ordinance: Section 27-874; Section 27-863; and Section 27-873.

We strongly urge you to deny the application by **Hayes | James**, on behalf of **Viral Solutions**, to rezone these parcels from **OI** to **NS** and to deny their application for a Special Land Use Permit (SLUP).

Sincerely,

Roberto Ioriatti

1028 Parc Ln W

Decatur, GA 30033

From: Michael Malison <michael.malison@gmail.com>
Sent: Friday, April 29, 2022 8:26 PM
To: Plansustain <plansustain@dekalbcountyga.gov>
Subject: Please forward to all Commissioners

April 29, 2022

Dear Planning Commission:

We write to express our opposition to the development of a drive-through urgent care facility proposed by **Viral Solutions** for parcels **1799 and 1805 Clairmont Road**. Their application to rezone from **OI** to **NS** (Z-22-1245545), special land use permits (SLUP-22-1245550), and proposed site plan are inconsistent with the *2035 DeKalb County Comprehensive Plan*. If approved, it is our understanding that additional applications will be made for variances which, if approved, will further impact the adjacent and surrounding communities.

The request to rezone from an **OI** district, which is designed to provide services within walking distance of residents and, thus, reduce vehicular dependence, to **NS**, a district concept designed for shopping centers with access by vehicles, is being sought only to support their business model as a drive-through urgent care facility. Additionally, rezoning from **OI** to **NS** would allow for future development that is incongruent with the adjacent residential communities.

The business model as explained is based on patients remaining in their vehicles to receive both diagnosis and treatment. The proposed plan by Viral Solutions provides only one exam room within the building in the event any of their estimated 40-50 patients, per 12-hour operating day, need an examination that cannot be performed through a vehicle window.

We are also concerned about the proposed plan to reduce both buffers, portions set aside for open spaces and/visual screening, and undisturbed buffers, the protected portions of vegetation and trees, contiguous to the adjacent residential communities.

We believe this development is inappropriate for the size and location of these two parcels. Other relevant concerns include the fact there is no southbound left turn lane planned, which poses potential safety issues for both turning and oncoming traffic, as well as pedestrians; that idling vehicles will create pollution, noise and general disturbance to neighbors; that the area already has an oversaturated market for urgent/immediate care facilities and minute clinics within a five-mile radius; and, finally, that it fails to meet the criteria established in Supplemental Regulations of Zoning Ordinance: Section 27-874; Section 27-863; and Section 27-873.

We strongly urge you to deny the application by **Hayes | James**, on behalf of **Viral Solutions**, to rezone these parcels from **OI** to **NS** and to deny their application for a Special Land Use Permit (SLUP).

Sincerely,

Michael D. Malison, M.D.

942 Manor Parc Drive

Decatur, GA 30033

From: Charles Martin <indianlord@me.com>
Sent: Friday, April 29, 2022 2:53 PM
To: Plansustain <plansustain@dekalbcountyga.gov>
Subject: Viral Solutions rezonong request

Dear Planning Commissioners Snipes, Blaszyk, Atkins, Moore, Osler, McCoy, Johnson, Patton,
and West:

I disagree with the opposition of the Emory Parc Manor HOA. I asked them to tell you that their view is not held by all residents, but have not seen any disclosure that the neighborhood has not voted on it. I do not believe the planned use will necessarily adversely impact our neighborhood so long as adequate steps are taken to shield neighbors from light and noise from vehicles, surface water runoff, and the like.

The Claremont corridor is heavily developed, and the proposed use fits in with numerous other providers of medical services. I have no opinion as to physical suitability of the parcel or traffic safety aspects of the proposal, but merely believe a land owner should be able to use property if the use does not harm neighbors. I can't see an adverse impact solely from the provision of drive-through medical services, especially when emergency medical services are being provided across Claremont at the VA.

Sincerely,

Charles Martin
2018 Mason Mill Rd.
Decatur, Ga. 30033

From: Kathy Nickerson <kmnickerson@hotmail.com>
Sent: Sunday, May 1, 2022 1:54 PM
To: Plansustain <plansustain@dekalbcountyga.gov>
Subject: Deny Rezoning for Viral Solutions - Clairmont Road

Dear Planning Commission:

Below is the statement our organization has drafted to oppose the Viral Solutions request for rezoning. We firmly agree with the points made by this statement.

We are to express our opposition to the development of a drive-through urgent care facility proposed by **Viral Solutions** for parcels **1799 and 1805 Clairmont Road**. Their application to rezone from **OI** to **NS** (Z-22-1245545), special land use permits (SLUP-22-1245550), and proposed site plan are inconsistent with the *2035 DeKalb County Comprehensive Plan*. If approved, it is our understanding that additional applications will be made for variances which, if approved, will further impact the adjacent and surrounding communities.

The request to rezone from an **OI** district, which is designed to provide services within walking distance of residents and, thus, reduce vehicular dependence, to **NS**, a district concept designed for shopping centers with access by vehicles, is being sought only to support their business model as a drive-through urgent care facility. Additionally, rezoning from **OI** to **NS** would allow for future development that is incongruent with the adjacent residential communities.

The business model as explained is based on patients remaining in their vehicles to receive both diagnosis and treatment. The proposed plan by Viral Solutions provides only one exam room within the building in the event any of their estimated 40-50 patients, per 12-hour operating day, need an examination that cannot be performed through a vehicle window.

We are also concerned about the proposed plan to reduce both buffers, portions set aside for open spaces and/visual screening, and undisturbed buffers, the protected portions of vegetation and trees, contiguous to the adjacent residential communities.

We believe this development is inappropriate for the size and location of these two parcels. Other relevant concerns include the fact there is no southbound left turn lane planned, which poses potential safety issues for both turning and oncoming traffic, as well as pedestrians; that idling vehicles will create pollution, noise and general disturbance to neighbors; that the area already has an oversaturated market for urgent/immediate care facilities and minute clinics within a five-mile radius; and, finally, that it fails to meet the criteria established in Supplemental Regulations of Zoning Ordinance: Section 27-874; Section 27-863; and Section 27-873.

We strongly urge you to deny the application by **Hayes | James**, on behalf of **Viral Solutions**, to rezone these parcels from **OI** to **NS** and to deny their application for a Special Land Use Permit (SLUP).

Sincerely,

Kathy and John Nickerson

1999 Mason Mill Road

Decatur, GA 30033

Sent from my iPad

From: Mimi Nusbaum <mimi190@hotmail.com>
Sent: Sunday, May 1, 2022 11:29 AM
To: Plansustain <plansustain@dekalbcountyga.gov>
Subject: Rezoning of 1788 and 1805 Clairmont Rd.

May 1, 2022

Dear Planning Commission:

We write to express our opposition to the development of a drive-through urgent care facility proposed by **Viral Solutions** for parcels **1799 and 1805 Clairmont Road**. Their application to rezone from **OI** to **NS** (Z-22-1245545), special land use permits (SLUP-22-1245550), and proposed site plan are inconsistent with the *2035 DeKalb County Comprehensive Plan*. If approved, it is our understanding that additional applications will be made for variances which, if approved, will further impact the adjacent and surrounding communities.

The request to rezone from an **OI** district, which is designed to provide services within walking distance of residents and, thus, reduce vehicular dependence, to **NS**, a district concept designed for shopping centers with access by vehicles, is being sought only to support their business model as a drive-through urgent care facility. Additionally, rezoning from **OI** to **NS** would allow for future development that is incongruent with the adjacent residential communities.

The business model as explained is based on patients remaining in their vehicles to receive both diagnosis and treatment. The proposed plan by Viral Solutions provides only one exam room within the building in the event any of their estimated 40-50 patients, per 12-hour operating day, need an examination that cannot be performed through a vehicle window.

We are also concerned about the proposed plan to reduce both buffers, portions set aside for open spaces and/visual screening, and undisturbed buffers, the protected portions of vegetation and trees, contiguous to the adjacent residential communities.

We believe this development is inappropriate for the size and location of these two parcels. Other relevant concerns include the fact there is no southbound left turn lane planned, which poses potential safety issues for both turning and oncoming traffic, as well as pedestrians; that idling vehicles will create pollution, noise and general disturbance to neighbors; that the area already has an oversaturated market for urgent/immediate care facilities and minute clinics within a five-mile radius; and, finally, that it fails to meet the criteria established in Supplemental Regulations of Zoning Ordinance: Section 27-874; Section 27-863; and Section 27-873.

We strongly urge you to deny the application by **Hayes | James**, on behalf of **Viral Solutions**, to rezone these parcels from **OI** to **NS** and to deny their application for a Special Land Use Permit (SLUP).

Sincerely,

Dr. Robert and Mimi Nusbaum

2055 Mason Mill Rd.

From: markpallansch@comcast.net <markpallansch@comcast.net>

Sent: Monday, May 2, 2022 3:26 PM

To: Plansustain <plansustain@dekalbcountyga.gov>

Subject: Opposition to Rezoning of Parcels 1799 and 1805 Clairmont Road

May 2, 2022

Dear Commissioner Blaszyk:

I am writing to express my opposition to the development of a drive-through urgent care facility proposed by Viral Solutions for parcels 1799 and 1805 Clairmont Road. Their application to rezone from OI to NS (Z-22-1245545), special land use permits (SLUP-22-1245550), and proposed site plan are inconsistent with the 2035 DeKalb County Comprehensive Plan. If approved, it is my/our understanding that additional applications will be made for variances which, if approved, will further impact the adjacent and surrounding communities.

The request to rezone from an OI district, which is designed to provide services within walking distance of residents and, thus, reduce vehicular dependence, to NS, a district concept designed for shopping centers with access by vehicles, is being sought only to support their business model as a drive-through urgent care facility. Additionally, rezoning from OI to NS would allow for future development that is incongruent with the adjacent residential communities.

The business model as explained is based on patients remaining in their vehicles to receive both diagnosis and treatment. The proposed plan by Viral Solutions provides only one exam room within the building in the event any of their estimated 40-50 patients, per 12-hour operating day, need an examination that cannot be performed through a vehicle window.

I also am concerned about the proposed plan to reduce both buffers, portions set aside for open spaces and/visual screening, and undisturbed buffers, the protected portions of vegetation and trees, contiguous to the adjacent residential communities.

I believe this development is inappropriate for the size and location of these two parcels. Other relevant concerns include the fact there is no southbound left turn lane planned, which poses potential safety issues for both turning and oncoming traffic, as well as pedestrians; that idling vehicles will create pollution, noise and general disturbance to neighbors; that the area already has an oversaturated market for urgent/immediate care facilities and minute clinics within a five-mile radius; and, finally, that it fails to meet the criteria established in Supplemental Regulations of Zoning Ordinance: Section 27-874; Section 27-863; and Section 27-873.

I strongly urge you to deny the application by Hayes | James, on behalf of Viral Solutions, to rezone these parcels from OI to NS and to deny their application for a Special Land Use Permit (SLUP).

Sincerely,

Mark A Pallansch
1047 Emory Parc Place, Decatur

From: Thomas Pantino <tpantino6@gmail.com>

Sent: Friday, April 29, 2022 2:46 PM

To: Plansustain <plansustain@dekalbcountyga.gov>

Subject: Opposition to Rezoning of Parcels 1799 and 1805 Clairmont Road

We write to express our opposition to the development of a drive-through urgent care facility proposed by Viral Solutions for parcels 1799 and 1805 Clairmont Road. Their application to rezone from OI to NS (Z-22-1245545), special land use permits (SLUP-22-1245550), and proposed site plan are inconsistent with the 2035 DeKalb County Comprehensive Plan. If approved, it is our understanding that additional applications will be made for variances which, if approved, will further impact the adjacent and surrounding communities.

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The business model as explained is based on patients remaining in their vehicles to receive both diagnosis and treatment. The proposed plan by Viral Solutions provides only one exam room within the building in the event any of their estimated 40-50 patients, per 12-hour operating day, need an examination that cannot be performed through a vehicle window. We also are concerned about the proposed plan to reduce both buffers, portions set aside for open spaces and/visual screening, and undisturbed buffers, the protected portions of vegetation and trees, contiguous to the adjacent residential communities.

We believe this development is inappropriate for the size and location of these two parcels. Other relevant concerns include the fact there is no southbound left turn lane planned, which poses potential safety issues for both turning and oncoming traffic, as well as pedestrians; that idling vehicles will create pollution, noise and general disturbance to neighbors; that the area already has an oversaturated market for urgent/immediate care facilities and minute clinics within a five-mile radius; and, finally, that it fails to meet the criteria established in Supplemental Regulations of Zoning Ordinance: Section 27-874; Section 27-863; and Section 27-873.

We strongly urge you to deny the application by Hayes | James, on behalf of Viral Solutions, to rezone these parcels from OI to NS and to deny their application for a Special Land Use Permit (SLUP).

Sincerely,

Thom and Betsy Pantino
979 Emory Parc Place
Decatur, Ga 30033

From: DAWN SCHAKETT <wordofhand@aol.com>

Sent: Friday, April 29, 2022 11:06 PM

To: Plansustain <plansustain@dekalbcountyga.gov>

Subject: Opposition to proposed urgent care facility on 1799 and 1805 Clairmont Rd

Please **forward this to all Planning Commissioners! Thank you!**

April 29, 2022

Dear Planning Commission:

We write to express our opposition to the development of a drive-through urgent care facility proposed by **Viral Solutions** for parcels **1799 and 1805 Clairmont Road**. Their application to rezone from **OI** to **NS** (Z-22-1245545), special land use permits (SLUP-22-1245550), and proposed site plan are inconsistent with the *2035 DeKalb County Comprehensive Plan*. If approved, it is our understanding that additional applications will be made for variances which, if approved, will further impact the adjacent and surrounding communities.

The request to rezone from an **OI** district, which is designed to provide services within walking distance of residents and, thus, reduce vehicular dependence, to **NS**, a district concept designed for shopping centers with access by vehicles, is being sought only to support their business model as a drive-through urgent care facility. Additionally, rezoning from **OI** to **NS** would allow for future development that is incongruent with the adjacent residential communities.

The business model as explained is based on patients remaining in their vehicles to receive both diagnosis and treatment. The proposed plan by Viral Solutions provides only one exam room within the building in the event any of their estimated 40-50 patients, per 12-hour operating day, need an examination that cannot be performed through a vehicle window.

We are also concerned about the proposed plan to reduce both buffers, portions set aside for open spaces and/visual screening, and undisturbed buffers, the protected portions of vegetation and trees, contiguous to the adjacent residential communities.

We believe this development is inappropriate for the size and location of these two parcels. Other relevant concerns include the fact there is no southbound left turn lane planned, which poses potential safety issues for both turning and oncoming traffic, as well as pedestrians; that idling vehicles will create pollution, noise and general disturbance to neighbors; that the area already has an oversaturated market for urgent/immediate care facilities and minute clinics within a five-mile radius; and, finally, that it fails to meet the criteria established in Supplemental Regulations of Zoning Ordinance: Section 27-874; Section 27-863; and Section 27-873.

We strongly urge you to deny the application by **Hayes | James**, on behalf of **Viral Solutions**, to rezone these parcels from **OI** to **NS** and to deny their application for a Special Land Use Permit (SLUP).

Sincerely,

Dawn Schakett

958 Manor Parc Drive

Decatur, GA 30033

From: Veeral Shah <veeral.shah@icloud.com>

Sent: Friday, April 29, 2022 9:31 AM

To: Plansustain <plansustain@dekalbcountyga.gov>

Cc: Kinita Shah <kinu17@gmail.com>

Subject: Opposition to Rezoning of Parcels 1799 and 1805 Clairmont Road

4/29/2021

Dear Commissioners:

I write to express our opposition to the development of a drive-through urgent care facility proposed by Viral Solutions for parcels 1799 and 1805 Clairmont Road. Their application to rezone from OI to NS (Z-22-1245545), special land use permits (SLUP-22-1245550), and proposed site plan are inconsistent with the 2035 DeKalb County Comprehensive Plan. If approved, it is my/our understanding that additional applications will be made for variances which, if approved, will further impact the adjacent and surrounding communities.

The request to rezone from an OI district, which is designed to provide services within walking distance of residents and, thus, reduce vehicular dependence, to NS, a district concept designed for shopping centers with access by vehicles, is being sought only to support their business model as a drive-through urgent care facility. Additionally, rezoning from OI to NS would allow for future development that is incongruent with the adjacent residential communities.

The business model as explained is based on patients remaining in their vehicles to receive both diagnosis and treatment. The proposed plan by Viral Solutions provides only one exam room within the building in the event any of their estimated 40-50 patients, per 12-hour operating day, need an examination that cannot be performed through a vehicle window.

I/we also are concerned about the proposed plan to reduce both buffers, portions set aside for open spaces and/visual screening, and undisturbed buffers, the protected portions of vegetation and trees, contiguous to the adjacent residential communities.

I/we believe this development is inappropriate for the size and location of these two parcels. Other relevant concerns include the fact there is no southbound left turn lane planned, which poses potential safety issues for both turning and oncoming traffic, as well as pedestrians; that idling vehicles will create pollution, noise and general disturbance to neighbors; that the area already has an oversaturated market for urgent/immediate care facilities and minute clinics within a five-mile radius; and, finally, that it fails to meet the criteria established in Supplemental Regulations of Zoning Ordinance: Section 27-874; Section 27-863; and Section 27-873.

I strongly urge you to deny the application by Hayes | James, on behalf of Viral Solutions, to rezone these parcels from OI to NS and to deny their application for a Special Land Use Permit (SLUP).

Regards,

Veeral Shah
1039 Emory Parc Place
Decatur, GA 30033

From: Rahim <rshariff@gmail.com>
Sent: Friday, April 29, 2022 8:03 PM
To: Plansustain <plansustain@dekalbcountyga.gov>
Subject: Opposition for urgent care facility Clairmont

Dear Planning Commission:

We write to express our opposition to the development of a drive-through urgent care facility proposed by **Viral Solutions** for parcels **1799 and 1805 Clairmont Road**. Their application to rezone from **OI** to **NS** (Z-22-1245545), special land use permits (SLUP-22-1245550), and proposed site plan are inconsistent with the *2035 DeKalb County Comprehensive Plan*. If approved, it is our understanding that additional applications will be made for variances which, if approved, will further impact the adjacent and surrounding communities.

The request to rezone from an **OI** district, which is designed to provide services within walking distance of residents and, thus, reduce vehicular dependence, to **NS**, a district concept designed for shopping centers with access by vehicles, is being sought only to support their business model as a drive-through urgent care facility. Additionally, rezoning from **OI** to **NS** would allow for future development that is incongruent with the adjacent residential communities.

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We are also concerned about the proposed plan to reduce both buffers, portions set aside for open spaces and/visual screening, and undisturbed buffers, the protected portions of vegetation and trees, contiguous to the adjacent residential communities.

We believe this development is inappropriate for the size and location of these two parcels. Other relevant concerns include the fact there is no southbound left turn lane planned, which poses potential safety issues for both turning and oncoming traffic, as well as pedestrians; that idling vehicles will create pollution, noise and general disturbance to neighbors; that the area already has an oversaturated market for urgent/immediate care facilities and minute clinics within a five-mile radius; and, finally, that it fails to meet the criteria established in Supplemental Regulations of Zoning Ordinance: Section 27-874; Section 27-863; and Section 27-873.

We strongly urge you to deny the application by **Hayes | James**, on behalf of **Viral Solutions**, to rezone these parcels from **OI** to **NS** and to deny their application for a Special Land Use Permit (SLUP).

Sincerely,

Rahim Shariff

2014 Mason Mill Rd

From: Marvin Tingler <marvin.tingler@gmail.com>
Sent: Monday, May 2, 2022 9:05 PM
To: Plansustain <plansustain@dekalbcountyga.gov>
Subject: Opposition to Rezoning parcels 1799 and 1805

Date: 5/2/2022

Dear Planning Commissioner:

Please forward to all board members.

We write to express our opposition to the development of a drive-through urgent care facility proposed by **Viral Solutions** for parcels **1799 and 1805 Clairmont Road**. Their application to rezone from **OI** to **NS** (Z-22-1245545), special land use permits (SLUP-22-1245550), and proposed site plan are inconsistent with the *2035 DeKalb County Comprehensive Plan*. If approved, it is our understanding that additional applications will be made for variances which, if approved, will further impact the adjacent and surrounding communities.

The request to rezone from an **OI** district, which is designed to provide services within walking distance of residents and, thus, reduce vehicular dependence, to **NS**, a district concept designed for shopping centers with access by vehicles, is being sought only to support their business model as a drive-through urgent care facility. Additionally, rezoning from **OI** to **NS** would allow for future development that is incongruent with the adjacent residential communities.

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We are also concerned about the proposed plan to reduce both buffers, portions set aside for open spaces and/visual screening, and undisturbed buffers, the protected portions of vegetation and trees, contiguous to the adjacent residential communities.

We believe this development is inappropriate for the size and location of these two parcels. Other relevant concerns include the fact there is no southbound left turn lane planned, which poses potential safety issues for both turning and oncoming traffic, as well as pedestrians; that idling vehicles will create pollution, noise and general disturbance to neighbors; that the area already has an oversaturated market for urgent/immediate care facilities and minute clinics within a five-mile radius; and, finally, that it fails to meet the criteria established in Supplemental Regulations of Zoning Ordinance: Section 27-874; Section 27-863; and Section 27-873.

We strongly urge you to deny the application by **Hayes | James**, on behalf of **Viral Solutions**, to rezone these parcels from **OI** to **NS** and to deny their application for a Special Land Use Permit (SLUP).

Sincerely,

Marvin Tingler& Trisha Hedden

2027 Mason Mill Rd.

Decatur, GA 30033

From: Jennifer Victor <jvictor@thevictorfirm.com>
Sent: Friday, April 29, 2022 4:50 PM
To: Plansustain <plansustain@dekalbcountyga.gov>
Subject: Rezoing on Clairmont Road near Mason Mill

**** WARNING:** The sender of this email could not be validated and may not match the person in the "From" field.

April 29, 2022

Dear Planning Commissioner Atkins, et al:

We write to express our opposition to the development of a drive-through urgent care facility proposed by **Viral Solutions** for parcels **1799 and 1805 Clairmont Road**. Their application to rezone from **OI** to **NS** (Z-22-1245545), special land use permits (SLUP-22-1245550), and proposed site plan are inconsistent with the *2035 DeKalb County Comprehensive Plan*. If approved, it is our understanding that additional applications will be made for variances which, if approved, will further impact the adjacent and surrounding communities.

The request to rezone from an **OI** district, which is designed to provide services within walking distance of residents and, thus, reduce vehicular dependence, to **NS**, a district concept designed for shopping centers with access by vehicles, is being sought only to support their business model as a drive-through urgent care facility. Additionally, rezoning from **OI** to **NS** would allow for future development that is incongruent with the adjacent residential communities.

The business model as explained is based on patients remaining in their vehicles to receive both diagnosis and treatment. The proposed plan by Viral Solutions provides only one exam room within the building in the event any of their estimated 40-50 patients, per 12-hour operating day, need an examination that cannot be performed through a vehicle window.

We are also concerned about the proposed plan to reduce both buffers, portions set aside for open spaces and/visual screening, and undisturbed buffers, the protected portions of vegetation and trees, contiguous to the adjacent residential communities.

We believe this development is inappropriate for the size and location of these two parcels. Other relevant concerns include the fact there is no southbound left turn lane planned, which poses potential safety issues for both turning and oncoming traffic, as well as pedestrians; that idling vehicles will create pollution, noise and general disturbance to neighbors; that the area already has an oversaturated market for urgent/immediate care facilities and minute clinics within a five-mile radius; and, finally, that it fails to meet the criteria established in Supplemental Regulations of Zoning Ordinance: Section 27-874; Section 27-863; and Section 27-873.

We strongly urge you to deny the application by **Hayes | James**, on behalf of **Viral Solutions**, to rezone these parcels from **OI** to **NS** and to deny their application for a Special Land Use Permit (SLUP).

Sincerely,

Jennifer and William Victor
1031 Parc Lane East
Decatur, GA 30033

Jennifer Boyens Victor
The Victor Firm LLC
404-644-8933
jvictor@thevictorfirm.com

From: kwood9009@gmail.com <kwood9009@gmail.com>
Sent: Sunday, May 1, 2022 8:11 AM
To: Plansustain <plansustain@dekalbcountyga.gov>
Cc: eyankee94@gmail.com
Subject: Opposition to Rezoning of Parcels 1799 and 1805 Clairmont Road
Importance: High

May 1, 2022

Dear Planning Commissioners,

We write to express our opposition to the development of a drive-through urgent care facility proposed by Viral Solutions for parcels 1799 and 1805 Clairmont Road. Their application to rezone from OI to NS (Z-22-1245545), special land use permits (SLUP-22-1245550), and proposed site plan are inconsistent with the 2035 DeKalb County Comprehensive Plan. If approved, it is my/our understanding that additional applications will be made for variances which, if approved, will further impact the adjacent and surrounding communities.

The request to rezone from an OI district, which is designed to provide services within walking distance of residents and, thus, reduce vehicular dependence, to NS, a district concept designed for shopping centers with access by vehicles, is being sought only to support their business model as a drive-through urgent care facility. Additionally, rezoning from OI to NS would allow for future development that is incongruent with the adjacent residential communities.

The business model as explained is based on patients remaining in their vehicles to receive both diagnosis and treatment. The proposed plan by Viral Solutions provides only one exam room within the building in the event any of their estimated 40-50 patients, per 12-hour operating day, need an examination that cannot be performed through a vehicle window.

We also are concerned about the proposed plan to reduce both buffers, portions set aside for open spaces and/visual screening, and undisturbed buffers, the protected portions of vegetation and trees, contiguous to the adjacent residential communities.

We believe this development is inappropriate for the size and location of these two parcels. Other relevant concerns include the fact there is no southbound left turn lane planned, which poses potential safety issues for both turning and oncoming traffic, as well as pedestrians; that idling vehicles will create pollution, noise and general disturbance to neighbors; that the area already has an oversaturated market for urgent/immediate care facilities and minute clinics within a five-mile radius; and, finally, that it fails to meet the criteria established in Supplemental Regulations of Zoning Ordinance: Section 27-874; Section 27-863; and Section 27-873.

We strongly urge you to deny the application by Hayes | James, on behalf of Viral Solutions, to rezone these parcels from OI to NS and to deny their application for a Special Land Use Permit (SLUP).

Please forward my email to all the Planning Commissioners.

Sincerely,
Kevin P. Wood & Ellen T. Yankee
1046 Emory Parc Place
Decatur, GA 30033

JOHN H. KOON
985 EMORY PARC PLACE
DECATUR, GA 30033

May 2, 2022

Re: **Z-22-1245545 2022-1472**
18-103-03-017, 18-103-03-018
1799 CLAIRMONT RD, DECATUR, GA 30033

SLUP-22-1245550 2022-1473 Commission District 02 Super District 06
18-103-03-017, 18-103-03-018
1799 CLAIRMONT RD, DECATUR, GA 30033

Dear Commissioners:

My wife, Junith, and I are writing to express our opposition to the development of a drive-through urgent care facility proposed by Viral Solutions for parcels 1799 and 1805 Clairmont Road. Their application to rezone from OI to NS (Z-22-1245545), special land use permits (SLUP-22-1245550), and proposed site plan are inconsistent with the 2035 DeKalb County Comprehensive Plan. If approved, it is my/our understanding that additional applications will be made for variances which, if approved, will further impact the adjacent and surrounding communities.

The request to rezone from an OI district, which is designed to provide services within walking distance of residents and, thus, reduce vehicular dependence, to NS, a district concept designed for shopping centers with access by vehicles, is being sought only to support their business model as a drive-through urgent care facility. Additionally, rezoning from OI to NS would allow for future development that is incongruent with the adjacent residential communities.

The business model as explained is based on patients remaining in their vehicles to receive both diagnosis and treatment. The proposed plan by Viral Solutions provides only one exam room within the building in the event any of their estimated 40-50 patients, per 12-hour operating day, need an examination that cannot be performed through a vehicle window.

We also are concerned about the proposed plan to reduce both buffers, portions set aside for open spaces and/visual screening, and undisturbed buffers, the protected portions of vegetation and trees, contiguous to the adjacent residential communities.

We believe this development is inappropriate for the size and location of these two parcels. Other relevant concerns include the fact there is no southbound left turn lane planned, which poses potential safety issues for both turning and oncoming traffic, as well as pedestrians; that idling vehicles will create pollution, noise and general disturbance to neighbors; that the area already has an oversaturated market for urgent/immediate care facilities and minute clinics within a five-mile radius; and, finally, that it fails to meet the criteria established in Supplemental Regulations of Zoning Ordinance: Section 27-874; Section 27-863; and Section 27-873.

As a civil engineer, I also have concerns about the impacts of the proposed project on traffic in the vicinity of this property on Clairmont Road. While I am not a traffic engineering specialist, I am educated as a civil engineer. I hold an appointment as a Professor of Practice in the Civil and Environmental Engineering school at Georgia Tech. It appears to me that the entries and exits from the subject property are on a complicated and very busy part of Clairmont Road and that vehicle traffic into and out of the proposed facility will add noticeably to problems along this

section of Clairemont. Approaching from the south, vehicles are coming up a hill, toward a traffic light, and with multiple exits into small businesses. Vehicles will easily become confused as to which exit they must take to enter the drive-thru health care facility. There is no room for an exit lane, so this will add to the congestion all along this section of Clairemont.

Approaching from the north, traffic wanting to enter the proposed facility will need to make a left turn across an oncoming left turn lane and two busy lanes of oncoming traffic to gain entrance to the facility. This entrance will presumably be a very short distance south of the traffic light at Mason Mill which will add to the confusion and congestion. These vehicles will not have the benefit of a center turn lane in which they might seek short-term refuge and a chance to reorient themselves before turning across the oncoming left turn lane and the two additional lanes of oncoming traffic.

If you decide to consider this ill-conceived proposal further, I urge you to have a traffic study of the area conducted before making a decision. I will be glad to connect you with traffic specialists in the Civil and Environmental Engineering school at Georgia Tech that could help you with such an analysis.

My wife and I strongly urge you to deny the application by Hayes | James, on behalf of Viral Solutions, to rezone these parcels from OI to NS and to deny their application for a Special Land Use Permit (SLUP).

Sincerely,



John H. Koon, Ph.D., P.E.

Junith S. Koon

Remarks Before the DeKalb County Planning Commission: May 3, 2022
Colleen Cousineau | 1031 Emory Parc Place, Decatur 30033

My thanks to the Planning Commissioners and staff for the opportunity to speak, and for your efforts on behalf of the citizens of DeKalb County to carefully review applications that have long-lasting impacts on all our communities.

My name is Colleen Cousineau and I represent The Villas of Emory Parc and Emory Parc Manor, two communities directly impacted by this development. Mr. John Kisner, one of our neighbors who lives directly behind the 1805 property, will follow my remarks. I hope also that both Dr. Ashpole, who owns an adjacent business, and Mary Hinkle from Thompson Park, will be recognized to speak in support of our opposition.

At the conclusion of our remarks, I respectfully ask that those present be allowed to raise their hands to be counted in support of our collective opposition.

We recognize, at some point, these parcels will be developed, and we are not in opposition to their development. However, whatever is proposed must meet established requirements and be in concert with the 2035 Comprehensive Plan. The application submitted by **Hayes | James** on behalf of **Viral Solutions** cannot meet the criteria.

We oppose the development of a drive-through urgent care facility proposed for parcels **1799 and 1805 Clairmont Road**. The application to rezone from **OI** to **NS**, special land use permits, and proposed site plan is inconsistent with the *2035 DeKalb County Comprehensive Plan* which emphasizes the inclusion of the community's vision for the future.

If the zoning application is approved, Viral Solutions will need to make additional applications for variances which, if also approved, would further impact the adjacent and surrounding communities.

The request to rezone from an **OI** district to an **NS** district is being sought only to support the business model as a drive-through urgent care facility.

Additionally, rezoning these parcels from **OI** to **NS** would set a precedent for future development that is incongruent with the adjacent residential communities.

We believe this development is inappropriate for the size and location of these two parcels.

Other relevant concerns include the fact there is no southbound left-turn lane planned, which poses potential safety issues for both turning and oncoming traffic, as well as for pedestrians; that idling vehicles will create pollution, noise and general disturbance to neighbors; that the area already has an oversaturated market for urgent/immediate care facilities and minute clinics within a five-mile radius; and, finally, that it fails to meet the criteria established in Supplemental Regulations of Zoning Ordinance: Section 27-874; Section 27-863; and Section 27-873.

Viral Solutions' business model is vehicle-centric and demonstrates no intent to reduce vehicular dependency. The public street on which the development is proposed does not have sufficient traffic carrying capacity and will unduly increase traffic and create congestion in the area.

The proposed use would be inconsistent and incompatible with the needs of the neighborhood and community, as a whole, and would be in conflict with the overall objectives of the *2035 Comprehensive Plan*.

The business model, as explained, is based on patients remaining in their vehicles to receive both diagnosis and treatment. The proposed plan provides only one exam room within the building in the event any of their estimated 40-50 patients, per 12-hour operating day, require further care.

The concept of drive-through healthcare for an array of urgent care needs ranging from urinary tract infections, to broken bones, wounds in need of suturing, intestinal maladies requiring sampling, etc. simply cannot be done through the window of a vehicle, thus requiring access to multiple, indoor exam rooms, waiting areas, and administrative offices, all of which will require substantial parking.

A proposed healthcare facility that designates **TBD** on their application as their escape clause for figuring out how it will operate suggests a future of unknowns for this site and for our communities.

We strongly urge you to deny the application by **Hayes | James**, on behalf of **Viral Solutions**, to rezone these parcels from **OI** to **NS** and to deny their application for a Special Land Use Permit.

Now Mr. Kisner has additional comments.

From: [Plansustain](#)
To: [Kiran Maddu](#)
Cc: [White, Brandon L.](#)
Subject: RE: Rezoning Opposition Mason Mill Community
Date: Tuesday, May 3, 2022 6:55:33 AM

Your email is being forwarded to the Planning Commission and the Planning Manager, Mr. Brandon White.

To submit your comments to the BOC prior to their 5/26/2022 5:30 p.m. hearing, please email:

PublicHearing@dekalbcountyga.gov

Thank you.

From: Kiran Maddu <drkiranrad@gmail.com>
Sent: Monday, May 2, 2022 6:03 PM
To: Plansustain <plansustain@dekalbcountyga.gov>
Subject: Rezoning Opposition Mason Mill Community
Date: May 2, 2022

Dear Planning Commission:

We write to express our opposition to the development of a drive-through urgent care facility proposed by **Viral Solutions** for parcels **1799 and 1805 Clairmont Road**. Their application to rezone from **OI** to **NS** (Z-22-1245545), special land use permits (SLUP-22-1245550), and proposed site plan are inconsistent with the *2035 DeKalb County Comprehensive Plan*. If approved, it is our understanding that additional applications will be made for variances which, if approved, will further impact the adjacent and surrounding communities.

The request to rezone from an **OI** district, which is designed to provide services within walking distance of residents and, thus, reduce vehicular dependence, to **NS**, a district concept designed for shopping centers with access by vehicles, is being sought only to support their business model as a drive-through urgent care facility. Additionally, rezoning from **OI** to **NS** would allow for future development that is incongruent with the adjacent residential communities.

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We are also concerned about the proposed plan to reduce both buffers, portions set aside for open spaces and/visual screening, and undisturbed buffers, the protected portions of vegetation and trees, contiguous to the adjacent residential communities.

We believe this development is inappropriate for the size and location of these two parcels. Other relevant concerns include the fact there is no southbound left turn lane planned, which poses potential safety issues for both turning and oncoming traffic, as well as pedestrians; that idling vehicles will create pollution, noise and general disturbance to neighbors; that the area already has an oversaturated market for urgent/immediate care facilities and minute clinics within a five-mile radius; and, finally, that it fails to meet the criteria established in Supplemental Regulations of Zoning Ordinance: Section 27-874; Section 27-863; and Section 27-873.

We strongly urge you to deny the application by **Hayes | James**, on behalf of **Viral Solutions**, to rezone these parcels from **OI** to **NS** and to deny their application for a Special Land Use Permit (SLUP).

Sincerely,

Kiran Kumar Maddu

Address: 1979 Maso Mill Rd

Decatur GA 30033

May 2, 2022

Dear Planning Commissioners,

I'm writing to express my opposition to the development of a drive-through urgent care facility proposed by Viral Solutions for parcels 1799 and 1805 Clairmont Road. Their application to rezone from OI to NS (Z-22-1245545), special land use permits (SLUP-22-1245550), and proposed site plan are inconsistent with the 2035 DeKalb County Comprehensive Plan. If approved, it is my understanding that additional applications will be made for variances which, if approved, will further impact the adjacent and surrounding communities.

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I strongly urge you to deny the application by Hayes | James, on behalf of Viral Solutions, to rezone these parcels from OI to NS and to deny their application for a Special Land Use Permit (SLUP).

Sincerely,

A handwritten signature in black ink that reads "Leah Hall". The script is cursive and fluid.

Leah Hall

961 Emory Parc Way

Decatur, GA 30033

May 2, 2022

Dear Planning Commissioners,

I'm writing to express my opposition to the development of a drive-through urgent care facility proposed by Viral Solutions for parcels 1799 and 1805 Clairmont Road. Their application to rezone from OI to NS (Z-22-1245545), special land use permits (SLUP-22-1245550), and proposed site plan are inconsistent with the 2035 DeKalb County Comprehensive Plan. If approved, it is my understanding that additional applications will be made for variances which, if approved, will further impact the adjacent and surrounding communities.

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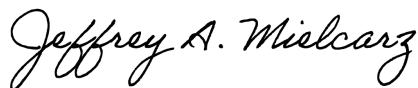
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I strongly urge you to deny the application by Hayes | James, on behalf of Viral Solutions, to rezone these parcels from OI to NS and to deny their application for a Special Land Use Permit (SLUP).

Sincerely,

A handwritten signature in black ink that reads "Jeffrey A. Mielcarz". The signature is written in a cursive, flowing style.

Jeffrey A. Mielcarz

961 Emory Parc Way

Decatur, GA 30033