

Public Hearing: YES NO

Department: Planning & Sustainability

SUBJECT:

COMMISSION DISTRICT(S): Commission District 01 Super District 07

Application of The Church in Atlanta Inc. c/o Dennis J. Web Jr., Smith Gambrell & Russell, LLC for a Special Land Use Permit (SLUP) to replace the existing church building with a new church in the R-100 (Residential Medium Lot-100) zoning district, at 2345 Shallowford Road.

PETITION NO: N5. SLUP-22-1245924 (2022-1910)

PROPOSED USE: New church (place of worship).

LOCATION: 2345 Shallowford Road, Atlanta, Georgia 30345

PARCEL NO. : 18-233-07-002

INFO. CONTACT: Planning & Sustainability

PHONE NUMBER: 404-371-2155

PURPOSE:

Application of The Church in Atlanta Inc. c/o Dennis J. Web Jr., Smith Gambrell & Russell, LLC for a Special Land Use Permit (SLUP) to replace the existing church building with a new church in the R-100 (Residential Medium Lot-100) zoning district. The property is located on the northeast quadrant of Shallowford Road and Briarcliff Road, opposite Melinda Drive, at 2345 Shallowford Road in Atlanta, Georgia. The property has approximately 647 feet of frontage along Shallowford Road and 411 feet of frontage along Briarcliff Road and contains 8.08 acres.

RECOMMENDATION:

COMMUNITY COUNCIL: Approval with a condition.

PLANNING COMMISSION: Pending.

PLANNING STAFF: Approval with Conditions.

STAFF ANALYSIS: The Board of Commissioners previously approved a SLUP in 2021 (SLUP-21-1244393) to allow the repair of fire damages to the existing building and allow a 13,285 square foot expansion of the structure. The 2021 SLUP anticipated the addition of a second floor to the existing building and a slight expansion of the first floor, which would result in a total floor area of +34,794 square feet. However, when subsequently evaluating the cost to repair the facility, the Church realized that the extensive nature of the damages made a repair economically infeasible. The Church now intends to remove the existing 21,509 square foot building and redevelop it with a slightly larger, +35,000 square foot structure and make other site improvements. The church proposes to modestly expand the congregational area from 1,000 seats to 1,200 seats and increase onsite parking from 137 existing spaces to a total of 246 proposed parking spaces. The proposed request to replace the existing church with a slightly larger new church is consistent with the policies of the Institutional Character Area of the *Dekalb County 2035 Comprehensive Plan* to provide opportunities for institutional development in the county (*Future Development strategy*, page 127). Based on the submitted information, the size of the site is adequate and complies with all required yards, open space, off-street parking, building height, and supplemental regulations. The proposed church appears to be consistent with the institutional land uses to the north (Shallowford Presbyterian Church), east (Mary Scott Park) and south (Briarcliff Methodist Church) and does not directly abut any residential uses. A minor arterial road (Shallowford Road) and a 10-foot landscape strip will separate the project from the single-family residential neighborhood to the west. Since the proposed buildings will be limited

to one-story and there is compliance with all required building setbacks, the proposed size, scale, and massing is appropriate in relation to the one-and two-story buildings in the surrounding area. Ingress and egress are sufficient given there are no proposed changes to the existing two access drives off of Briarcliff and Shallowford Road, the new church is only slightly larger than the current building, and access is off of two minor arterial roads. Lastly, project feasibility will be dependent upon stormwater management placement and compliance. Therefore, the Planning & Sustainability Department recommends “Approval, with the attached, recommended conditions”. Should the Board of Commissioners recommend approval, a variance to the maximum lot coverage requirements (maximum of 35% allowed, 40% lot coverage proposed) will be required from the Zoning Board of Appeals who shall consider the request on its own merits.

PLANNING COMMISSION VOTE: Pending.

COMMUNITY COUNCIL VOTE/RECOMMENDATION: Approval with a condition 8-0-0. The condition recommended was that construction traffic shall use the Shallowford Road entrance.

SLUP-22-1245924 (2022-1910)
Recommended Conditions
2345 Shallowford Road
September 2022

1. The approval of this SLUP application by the Board of Commissioners has no bearing on the requirements for other regulatory approvals under the Zoning Board of Appeals or other entity.
2. The proposed expansion and redevelopment shall be in substantial compliance with the submitted plan dated 5-11-22, titled "*The Local Church in Atlanta*", by AEC Engineering.
3. Construction traffic for the project shall use the Shallowford Road entrance only.

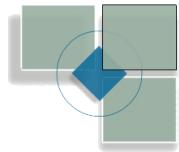


DeKalb County Department of Planning & Sustainability

178 Sams Street, Suite 3600

Decatur, GA 30030

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



Michael Thurmond
Chief Executive Officer

Planning Commission Hearing Date: September 1, 2022

Board of Commissioners Hearing Date: October 4, 2022

STAFF ANALYSIS

Case No.:	SLUP-22-1245924	Agenda #:	N5
Location/ Address:	The northeast quadrant of Shallowford Road and Briarcliff Road, opposite Melinda Drive, at 2345 Shallowford Road in Atlanta, Georgia.	Commission District:	1 Super District: 7
Parcel ID:	18-233-07-002		
Request:	For a Special Land Use Permit (SLUP) to replace the existing church building with a new church in the R-100 (Residential Medium Lot-100) District, in accordance with Table 4.1, Use Table.		
Property Owner:	The Church in Atlanta		
Applicant/Agent:	Smith, Gambrell, & Russell c/o Dennis J. Web Jr.		
Acreage:	8.08		
Existing Land Use:	Place of Worship		
Surrounding Properties:	Place of Worship to the north and south (across Briarcliff Road); a park to the east, and Single-Family Residential to the west across Shallowford Road.		
Adjacent Zoning:	North: R-100 South: R-100 East: R-100 West: R-100		
Comprehensive Plan:	SUB (Suburban)	Consistent	<input checked="" type="checkbox"/> Inconsistent <input type="checkbox"/>
Proposed Density:	NA	Existing Density:	NA—
Proposed Units/Square Ft.:	To replace the existing 21,509 s.f. church building with a new +/- 35,000 s.f. church	Existing Units/Square Feet:	Place of Worship
Proposed Lot Coverage:	40%	Existing Lot Coverage:	35%

STAFF RECOMMENDATION: APPROVAL WITH CONDITIONS

The Board of Commissioners previously approved a SLUP in 2021 (SLUP-21-1244393) to allow the repair of fire damages to the existing building and allow a 13,285 square foot expansion of the structure. The 2021 SLUP anticipated the addition of a second floor to the existing building and a slight expansion of the first floor, which would result in a total floor area of +34,794 square feet. However, when subsequently evaluating the cost to repair the facility, the Church realized that the extensive nature of the damages made a repair economically infeasible. The Church now intends to remove the existing 21,509 square foot building and redevelop it with a slightly larger, +35,000 square foot structure and make other site improvements. The church proposes to modestly expand the congregational area from 1,000 seats to 1,200 seats and increase onsite parking from 137 existing spaces to a total of 246 proposed parking spaces.

The proposed request to replace the existing church with a slightly larger new church is consistent with the policies of the Institutional Character Area of the *Dekalb County 2035 Comprehensive Plan* to provide opportunities for institutional development in the county (*Future Development strategy*, page 127). Based on the submitted information, the size of the site is adequate and complies with all required yards, open space, off-street parking, building height, and supplemental regulations. The proposed church appears to be consistent with the institutional land uses to the north (Shallowford Presbyterian Church), east (Mary Scott Park) and south (Briarcliff Methodist Church) and does not directly abut any residential uses. A minor arterial road (Shallowford Road) and a 10-foot landscape strip will separate the project from the single-family residential neighborhood to the west. Since the proposed buildings will be limited to one-story and there is compliance with all required building setbacks, the proposed size, scale, and massing is appropriate in relation to the one-and two story buildings in the surrounding area. Ingress and egress are sufficient given there are no proposed changes to the existing two access drives off of Briarcliff and Shallowford Road, the new church is only slightly larger than the current building, and access is off of two minor arterial roads. Lastly, project feasibility will be dependent upon stormwater management placement and compliance. Therefore, the Planning & Sustainability Department recommends “approval” with the following recommended conditions:

1. The approval of this SLUP application by the Board of Commissioners has no bearing on the requirements for other regulatory approvals under the Zoning Board of Appeals or other entity.
2. The proposed expansion and redevelopment shall be in substantial compliance with the submitted plan dated 5-11-22, titled “*The Local Church in Atlanta*”, by AEC Engineering.
3. Construction traffic for the project shall use the Shallowford Road entrance only.

Should the Board of Commissioners recommend approval, a variance to the maximum lot coverage requirements (maximum of 35% allowed, 40% lot coverage proposed) will be required from the Zoning Board of Appeals who shall consider the request on its own merits.



**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.: _____

Parcel I.D. #: 18 233 07 002

Address: 2345 Shallowford Road

Atlanta GA 30345

WATER:

Size of existing water main: 8" DI _____ (adequate/inadequate)

Distance from property to nearest main: adjacent

Size of line required, if inadequate: unknown

SEWER:

Outfall Servicing Project: North Fork Peachtree Creek

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

Water Treatment Facility: Atlanta - CM Clayton adequate () inadequate

Sewage Capacity: 40 (MGPD) Current Flow: 36.31 (MGPD)

COMMENTS:

Will need sewer capacity approval

Signature: _____



Board of Health

8/15/2022

To: Ms. Andrea Folgerait, Planning and Ms. LaShonda Hill
From: Ryan Cira, Director
Cc: Alan Gaines, Environmental Health Deputy Director
Re: Rezone Application Review

General Comments:

DeKalb County Health Regulations prohibit use of on-site sewage disposal systems for

- multiple dwellings
- food service establishments
- hotels and motels
- commercial laundries
- funeral homes
- schools
- nursing care facilities
- personal care homes with more than six (6) clients
- child or adult day care facilities with more than six (6) clients
- residential facilities containing food service establishments

If proposal will use on-site sewage disposal, please contact the Land Use Section (404) 508-7900.

Any proposal, which will alter wastewater flow to an on-site sewage disposal system, must be reviewed by this office prior to construction.

This office must approve any proposed food service operation or swimming pool prior to starting construction.

Public health recommends the inclusion of sidewalks to continue a preexisting sidewalk network or begin a new sidewalk network. Sidewalks can provide safe and convenient pedestrian access to a community-oriented facility and access to adjacent facilities and neighborhoods.

For a public transportation route, there shall be a 5ft. sidewalk with a buffer between the sidewalk and the road. There shall be enough space next to sidewalk for bus shelter's concrete pad installation.

Since DeKalb County is classified as a Zone 1 radon county, this office recommends the use of radon resistant construction.

DEKALB COUNTY

Board of Health

DeKalb County Board of Health

404.508.7900 • www.dekalbhealth.net

8/15/2022

N.5

2022-1910 SLUP-22-1245924 18-233-07-002

2345 Shallowford Road, Atlanta, GA 30345

Amendment

- Please review general comments.

N.6

2022-1911 SLUP-22-1245925 15-156-14-003

3771 Elkridge Drive, Decatur, GA 30032

Amendment

- Please review general comments.

N.7

2022-1912 Z-22-1245928 18-091-03-006, 18-091-03-048

883 Mountain View Drive, Stone Mountain, GA 30083

Amendment

- Please review general comments.
- Septic system installed on this property on 02/15/1961.

N.8

2022-1976 Z-22-1245935 18-063-09-077

695 Jordon Lane, Decatur, GA 30033

Amendment

- Please review general comments.

Zoning Comments - September 2022

N2. SLUP-22-1245880 - Briarcliff Road is SR 42. GDOT review and approval needed prior to Land Development Permit. (MWilson@dot.ga.gov). The property is within the Druid Hills Historic District. Please see the planner assigned to this district for infrastructure requirements- as the Overlay Districts trump the Zoning Code which trumps the Land Development Code. **Briarcliff Road** is classified as a minor arterial. Where silent the following minimum infrastructure requirements must be met: Right of way dedication of 40 feet from centerline OR such that all public infrastructure is within county right of way, whichever greater, a 6 foot sidewalk (Zoning Code) with a 4 foot bike lane (Land Development Code) OR a 10 foot shared multiuse path (preferred) located 5 feet from back of curb, Pedestrian Scale Street lighting required (Contact Street Light Engineer, Herman Fowler: hefowler@dekalbcountyga.gov), 11 foot travel lanes with curb and gutter. University Drive is classified as a local residential road. Where silent the following minimum infrastructure requirements must be met: Right of way dedication of 27.5 feet from centerline OR such that all public infrastructure is within county right of way, whichever greater, a 12 foot travel lane from centerline, curb and gutter, a 5 foot sidewalk (Zoning Code) located 5 feet from back of curb, Pedestrian Scale Street lighting required (Contact Street Light Engineer, Herman Fowler: hefowler@dekalbcountyga.gov). Concerned about the entrance and the interior intersection being too close and impacting Briarcliff Road. Traffic Study required to include a traffic signal warrant study at main entrance. Traffic operations at access point on University Drive will also need to be considered- as this will be a non-traditional intersection. Interior streets to be private. At time of permitting, verify sight distance at intersection of access points and Briarcliff Road and University Drive.

N3 & N4. Z-22-1245923 & SLUP-22-1245924 - North Decatur Road is classified as a minor arterial. The following minimum infrastructure requirements must be met: Right of way dedication of 40 feet from centerline OR such that all public infrastructure is within county right of way, whichever greater, a 6 foot sidewalk (Zoning Code) with 11 foot travel lane with curb and gutter, a 4 foot bike lane (Land Development Code) OR a 10 foot shared multiuse path (preferred) located 5 feet from back of curb, Pedestrian Scale Street lighting required (Contact Street Light Engineer, Herman Fowler: hefowler@dekalbcountyga.gov). Please see Land Development Code Section 14-200 (5) for the number of access points required by code for 200 units. Please see separation of access points Land Development Code Section 14-200 (6) which applies to both sides of the street. If you are seeking a variance for anything in Code Section 14-200 from the Board of Commissioners, I suggest you do it as part of your zoning.

N5. SLUP-22-1245924 - Shallowford and Braircliff Roads are classified as a minor arterials. The following minimum infrastructure requirements must be met: Right of way dedication of 40 feet from centerline OR such that all public infrastructure is within county right of way, whichever greater, an 11 foot travel lane from centerline with curb and gutter, a 6 foot sidewalk (Zoning Code) with a 4 foot bike lane (Land Development Code) OR a 10 foot shared multiuse path (preferred) located 5 feet from back of curb, Pedestrian Scale Street lighting required (Contact Street Light Engineer, Herman Fowler: hefowler@dekalbcountyga.gov). Dedicate necessary right of way for the extension of the right turn lane from Briarcliff Road onto Shallowford Road.

N6. SLUP-22-1245925 - No Comment

N7. Z-22-1245928 - Mountain View Drive is classified as a collector street. The following minimum infrastructure requirements must be met: Right of way dedication of 35 feet from centerline OR such that

all public infrastructure is within county right of way, whichever greater, an 11 foot travel lane with curb and gutter, a 6 foot sidewalk (Zoning Code) with a 4 foot bike lane (Land Development Code) OR a 10 foot shared multiuse path (preferred) located 5 feet from back of curb, Pedestrian Scale Street lighting required (Contact Street Light Engineer, Herman Fowler: hefowler@dekalbcountyga.gov). New local public streets have the following minimum requirements: Right of way dedication of 55 feet, 24 feet of pavement with curb and gutter, a 5 foot sidewalk (Zoning Code) located 6 feet from back of curb, Pedestrian Scale Street lighting required (Contact Street Light Engineer, Herman Fowler: hefowler@dekalbcountyga.gov). Please see separation of access points Land Development Code Section 14-200 (6) which applies to both sides of the street. If you are seeking a variance for anything in Code Section 14-200 from the Board of Commissioners, I suggest you do it as part of your zoning.

N8. Z-22-1245935 - Jordan Lane & Reverend D.L. Edwards Drive are classified as local streets have the following minimum requirements: Right of way dedication of 27.5 feet from centerline, 12 foot travel lane from Centerline with curb & gutter, a five foot planting strip and a 5 foot sidewalk (Zoning Code), Pedestrian Scale Street lighting required (Contact Street Light Engineer, Herman Fowler: hefowler@dekalbcountyga.gov). Developer required to pay to relocate traffic calming speed table away from proposed driveways. Driveways need to be at least 33 feet apart (edge of drive to edge of drive) from each other to fit the relocated speed table. May need to flip driveway location on corner lot to accommodate.

N9 & N10. Z-22-1245856 & SLUP-22-1245857 - No comment.

N11. Z-22-1245874 - Clairmont Road is SR 155. GDOT review and approval needed prior to Land Development Permit. (MWilson@dot.ga.gov). Donate right of way necessary for GDOT's project at Clairmont Road project. Briarcliff Road is classified as a minor arterial. Where silent the following minimum infrastructure requirements must be met: Right of way dedication of 40 feet from centerline OR such that all public infrastructure is within county right of way, whichever greater, a 6 foot sidewalk (Zoning Code) with a 4 foot bike lane (Land Development Code) OR a 10 foot shared multiuse path (preferred) located 5 feet from back of curb, Pedestrian Scale Street lighting required (Contact Street Light Engineer, Herman Fowler: hefowler@dekalbcountyga.gov), 11 foot travel lanes with curb and gutter. Additional comments may be warranted after receipt of traffic study.

N12. & N13. LP-22-1245937 & Z-22-1245875 - No comments.

N14. Z-22-1245876 - 1893, 1901 and 1909 are within the I-20 Overlay District, Tier 2. Please see the planner assigned to this district for infrastructure requirements- as the Overlay Districts trump the Zoning Code which trumps the Land Development Code. East Field Street, Glenvalley Dr & Northview Ave are classified as local streets. Improvements required on all frontages. Where the overlay district is silent the following minimum infrastructure requirements must be met: Right of way dedication of 27.5 feet from centerline, 12 foot travel lane from Centerline with curb & gutter, a five foot planting strip and a 5 foot sidewalk (Zoning Code), Pedestrian Scale Street lighting required (Contact Street Light Engineer, Herman Fowler: hefowler@dekalbcountyga.gov). Please note that the required right of way dedication may have significant impacts to your site plans. Please review.

N15. SLUP-22-1245885 - Chamblee Tucker Road is classified a minor arterial. The following minimum infrastructure requirements must be met: Right of way dedication of 40 feet from centerline OR such that all public infrastructure is within county right of way, whichever greater, a 6 foot sidewalk (Zoning Code)

with a 4 foot bike lane (Land Development Code) OR a 10 foot shared multiuse path (preferred) located 5 feet from back of curb, Pedestrian Scale Street lighting required (Contact Street Light Engineer, Herman Fowler: hefowler@dekalbcountyga.gov), 11 foot travel lanes with curb and gutter. If you are seeking a variance for the bike facility requirements, I would do so during zoning. Bolissa Drive is classified as a local road with the following minimum requirements: Right of way dedication of 27.5 feet from centerline, 12 foot travel lane from Centerline with curb & gutter, a five foot planting strip and a 5 foot sidewalk (Zoning Code), Pedestrian Scale Street lighting required (Contact Street Light Engineer, Herman Fowler: hefowler@dekalbcountyga.gov).

N16. & N17. LP-22-1245892 & Z-22-1245922 - Properties are located in the Covington Overlay District. Please see the planner assigned to this district for infrastructure requirements- as the Overlay Districts trump the Zoning Code which trumps the Land Development Code. Redan Road and Longshore Drive are classified as local roads. Where silent the following minimum infrastructure requirements must be met: Right of way dedication of 27.5 feet from centerline, 12 foot travel lane from Centerline with curb & gutter, a five foot planting strip and a 5 foot sidewalk (Zoning Code), Pedestrian Scale Street lighting required (Contact Street Light Engineer, Herman Fowler: hefowler@dekalbcountyga.gov). Interior streets to be private.

N18. CZ-22-1245934 - Lawrenceville Hwy is a State Route. GDOT review and approval needed prior to Land Development Permit. (MWilson@dot.ga.gov). Lawrenceville Hwy is classified as a major arterial. The following minimum infrastructure requirements must be met: Right of way dedication of 50 feet from centerline OR such that all public infrastructure is within county right of way, whichever greater, a 6 foot sidewalk (Zoning Code) with a 4 foot bike lane (Land Development Code) OR a 10 foot shared multiuse path (preferred) located 5 feet from back of curb, Pedestrian Scale Street lighting required (Contact Street Light Engineer, Herman Fowler: hefowler@dekalbcountyga.gov), 11 foot travel lanes with curb and gutter. Jordan Lane is classified as a local road. The following minimum requirements must be met: Right of way dedication of 27.5 feet from centerline, 12 foot travel lane from centerline with curb & gutter, a five foot planting strip and a 5 foot sidewalk (Zoning Code), Pedestrian Scale Street lighting required (Contact Street Light Engineer, Herman Fowler: hefowler@dekalbcountyga.gov). Add pedestrian crossing and ADA ramps to the intersection of Jordan Lane at Lawrenceville Hwy.



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. The existing site/survey doesn't show a stormwater mgt facility; however depending on the what criteria of sec.14-40 is applicable, the redevelopment may be required to provide stormwater management (i.e. RRv, Channel Protection Volume, overbank flood protection, extreme flood protection, 10% downstream analysis, etc..) with the pre-development conditions considered as wooded per the County codes.

- **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-5

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

COMMENTS FORM: PUBLIC WORKS TRAFFIC ENGINEERING

Case No.: SLUP-2a-1245924 Parcel I.D. #: 18-233-07-002

Address: 2345 Shallowford Rd
Atlanta, Ga. 30345

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.

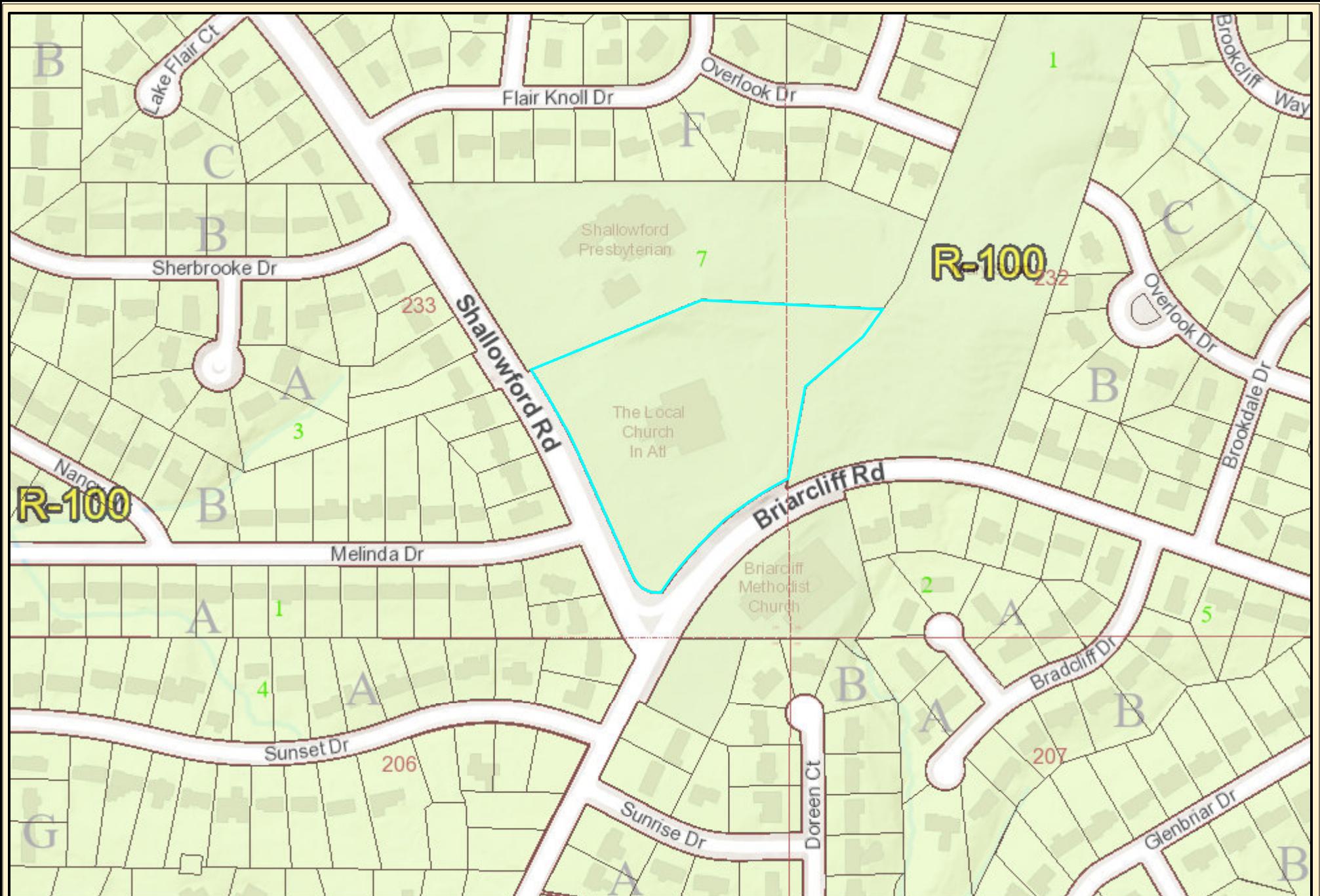
According to studies conducted by the Institute of Traffic Engineers (ITE) 6/7TH Edition (whichever is applicable), churches generate an average of fifteen (15) vehicle trip end (VTE) per 1,000 square feet of floor area, with an eight (8%) percent peak hour factor. Based on the above formula, the _____ 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:

<p>Plans and field reviewed. No issue that would interfere with traffic flow.</p> <p> </p> <p> </p> <p> </p> <p> </p>

Signature: Jerry Whit



DeKalb County Zoning Map

0 0.0175 0.035 0.07 0.105 0.14
mi

Date Printed: 8/4/2022



DeKalb County GIS Disclaimer

The maps and data, contained on DeKalb County's Geographic Information System (GIS) are subject to constant change. While DeKalb County strives to provide accurate and up-to-date information, the information is provided "as is" without warranty, representation or guarantee of any kind as to the content, sequence, accuracy, timeliness or completeness of any of the database information provided herein. DeKalb County explicitly disclaims all representations and warranties, including, without limitation, the implied warranties of merchantability and fitness for a particular purpose. In no event shall DeKalb County be liable for any special, indirect, or consequential damages whatsoever resulting from loss of use, data, or profits, whether in an action of contract, negligence, or other actions, arising out of or in connection with the use of the maps and/or data herein provided. The maps and data are for illustration purposes only and should not be relied upon for any reason. The maps and data are not suitable for site-specific decision-making nor should it be construed or used as a legal description. The areas depicted by maps and data are approximate, and are not necessarily accurate to surveying or engineering standards.



DeKalb County Land Use Map

0 0.0375 0.075 0.15 0.225 0.3
mi

Date Printed: 8/4/2022



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DeKalb County Aerial Map

0 0.0175 0.035 0.07 0.105 0.14
mi

Date Printed: 8/4/2022



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DEPARTMENT OF PLANNING & SUSTAINABILITY

SPECIAL LAND USE PERMIT APPLICATION

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

Date Received: _____ Application No.: _____

APPLICANT NAME: The Church in Atlanta, Inc., c/o Dennis J. Webb, Jr., Smith, Gambrell & Russell, LLP

Daytime Phone #: 404.815.3620 Fax #: 404.685.6903

Mailing Address: 1105 W. Peachtree Street, NE, Suite 1000, Atlanta, Georgia 30309

E-mail: dwebb@sgrlaw.com

OWNER NAME: The Church in Atlanta, Inc., f/k/a The Local Church in Atlanta, Inc. (c/o Jon Gallant) (If more than one owner, attach contact information for each owner)

Daytime Phone #: 678.932.8236 Fax #: _____

Mailing Address: 2345 Shallowford Road, Atlanta, Georgia 30345

E-mail: jon@dg.dev

SUBJECT PROPERTY ADDRESS OR LOCATION: 2345 Shallowford Road, Atlanta

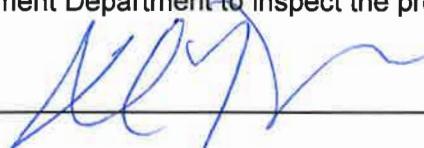
_____, DeKalb County, GA, 30345

District(s): 18 Land Lot(s): 233 & 232 Block(s): 07 Parcel(s): 18 233 07 002

Acreage or Square Feet: +/- 8.088 ac Commission District(s): 1,7 Existing Zoning: R-100

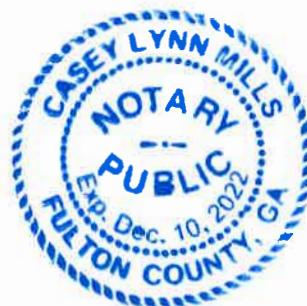
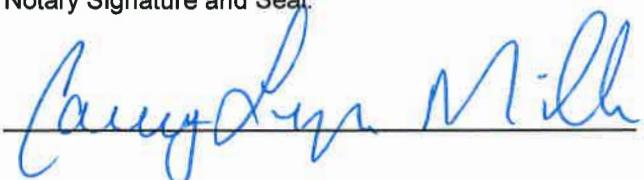
Proposed Special Land Use (SLUP): Replace existing structure with new single-story building

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

Owner: _____ Agent: Signature of Applicant: _____
(Check One) 

Printed Name of Applicant: Dennis J. Webb, Jr. (Smith, Gambrell & Russell, LLP)

Notary Signature and Seal:



DEPARTMENT OF PLANNING & SUSTAINABILITY

Director

Andrew A. Baker, AICP

SPECIAL LAND USE PERMIT CHECKLIST

(SUBMIT 4 COMPLETE, COLLATED, HARDCOPY SETS AND 1 SET IN PDF FORMAT ON FLASH DRIVE OR CD)

- 1. Mandatory **Pre-Application Conference** with Planning & Sustainability staff. **Pre-Application form** to be completed in pre-application meeting. Please call (404) 371-2155 to schedule pre-app conference.
- 2. Hold a **Pre-Submittal Community Meeting** with surrounding neighborhood associations and residents. Notify staff in advance of date, time, and location of meeting. **Provide documentation** (i.e., meeting notice, sign-in sheets, letter(s) from homeowners associations).
- 3. **Application Form.** Form must be completely filled out and be the first page of the packet.
- 4. Notarized **Authorization Form**, if the applicant is not the owner of the subject property, which
 - a. is signed and notarized by all owners of the subject property;
 - b. contains the mailing address and phone number of any applicant or agent who is authorized to represent the owner(s) of the subject property; and
- c. includes a warranty deed, if ownership is less than 2 consecutive years.
- 5. **Written Legal Description** of subject property, in metes and bounds.
- 6. **Boundary Survey** (showing existing buildings, structures, and improvements), prepared and sealed within the past ten years by a professional engineer or land surveyor registered in the State of Georgia, consistent with the plat(s) on the Official Tax Record. Applicant shall certify that the Boundary Survey is complete and currently accurate. **Site plans shall be drawn to scale** showing all proposed development or redevelopment projects, proposed buildings, structures, and improvements. Site plans must include the following:
 - a. Complete boundaries of subject property including curb cuts, internal vehicular circulation facilities, and sidewalks;
 - b. Location of buildings, structures, setback lines, buffer lines, and parking;
 - c. Location of any 100-year floodplains, streams, and stream buffer lines;
 - d. Notation of the total acreage or square footage of the subject property;
 - e. Landscaping, trees, open space, and undisturbed buffers;
 - f. Notation of building square footages and heights, residential density calculations, existing and proposed lot coverage, required and proposed parking, and open space calculations;
 - g. Copies of site plans:
- 1. Full-size site plans (at least 11" x 17"): 4 copies, folded.
- 2. Site plan reduced to 8 1/2" x 11": 4 copies
- 7. **Building Elevations**, renderings or details of materials proposed for compliance to Article 5, Ordinance
- 8. **Letter of Application** identifying the proposed zoning classification, the reason for the rezoning request, the existing and proposed use of the property, and detailed characteristics of the proposed use (e.g., floor area, height of building, number of units, mix of unit types, hours of operation, etc. Include any statement of conditions agreed upon by the applicant.
- 9. Written documented, detailed analysis of the impact of the proposed zoning map amendment with respect to each of the standards and factors specified in Article 7.
- 10. Campaign disclosure statement, if applicable, to be filed in compliance with State law.
- 11. **Application fee - \$400.00**. Payable to DeKalb County.

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

If subject property is made up of parcels located on opposite sides of a public street, a separate application is required for each parcel.

DEPARTMENT OF PLANNING & SUSTAINABILITY

SPECIAL LAND USE PERMIT APPLICATION 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: 6/16/22

TO WHOM IT MAY CONCERN:

(I) (WE), The Church in Atlanta, Inc., f/k/a The Local Church in Atlanta, Inc.
Name of Owner(s)

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

Dennis J. Webb, Jr., Gambrell & Russell, LLP

Name of Applicant or Agent

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

K Macon

Notary Public

Owner

Dennis Webb

Notary Public

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.

K. Macon
Notary

Expiration Date/ Seal

Don Holland / 6/16/22
Signature of Applicant / Date

The Church in Atlanta, Inc., f/k/a The Local Church in Atlanta, Inc.

Check one: Owner Agent

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

DEPARTMENT OF PLANNING & SUSTAINABILITY

DISCLOSURE OF CAMPAIGN CONTRIBUTION

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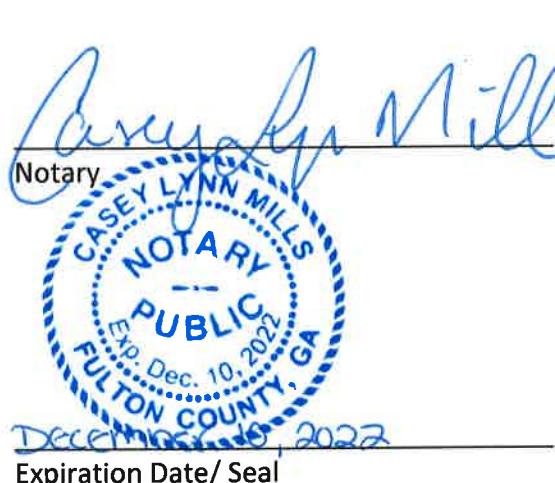
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06.29.2022
Dennis J. Webb, Jr. Signature of Applicant /Date

Check one: Owner Agent X

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

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.

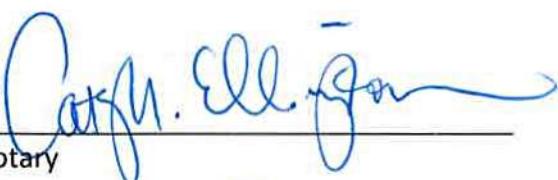
Have you, the applicant, made \$250.00 or more in campaign contribution to a local government official within two years immediately preceding the filling of this application?

Yes No *

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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.

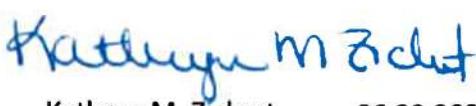
The disclosure must be filed within 10 days after the application is first filed and must be submitted to the C.E.O. and to the Board of Commissioners of DeKalb County, 1300 Commerce Drive, Decatur, GA 30030.



Notary



Expiration Date/ Seal



Kathryn M. Zickert 06.22.2022
Signature of Applicant /Date

Check one: Owner Agent

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

DEPARTMENT OF PLANNING & SUSTAINABILITY

DISCLOSURE OF CAMPAIGN CONTRIBUTION

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J. Alexander Brock 06.22.2022

Notary

Signature of Applicant /Date

Check one: Owner _____ Agent X _____

Expiration Date/ Seal

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

Pre-Application Community Meeting
Notices and Attendance Record

1105 W. Peachtree St. NE, Suite 1000
Atlanta, Georgia 30309-3608
Tel: 404 815-3500
www.sgrlaw.com



Dennis (Den) J. Webb, Jr.
Direct Tel: 404-815-3620
Direct Fax: 404-685-6920
dwebb@sgrlaw.com

June 7, 2022

Re: Petitioner: The Church in Atlanta (Dennis J. Webb, Jr.)
Subject: Community Meeting Notice

Dear Neighbor,

You are receiving this notice because you own property within 500' of 2345 Shallowford Road Road (the "Subject Property"). The Petitioner recently received a Special Land Use Permit to allow for the reconstruction of a church facility damaged by fire. The project has proven infeasible, however, so the Petitioner now would like to replace the existing structure with a new, single-story building. It will need a new Special Land Use Permit to accomplish this goal.

You are invited to participate in a virtual Community Meeting on the proposal on Thursday, June 23, 2022 at 7:00 PM.

ZOOM: <https://sgrlaw.zoom.us> Meeting number: **998 9858 8736** / Password: **426289**

The Special Land Use Permit application will be presented at the DeKalb County Planning Commission meeting on September 1, 2022 and the Board of Commissioners' meeting on September 29, 2022, both currently scheduled for 5:30 pm via zoom. Further details on these meetings (including whether the hearings will be live or virtual) will be made available on the County's website as these dates get closer: www.dekalbcountyga.gov.

Should you have any questions regarding this application, please feel free to contact me.

With kind regards,

A handwritten signature in blue ink, appearing to read "Dennis J. Webb, Jr.".

Dennis J. Webb, Jr.

PRE-APPLICATION COMMUNITY MEETING - MAILING LIST



Name and Address of Sender

Dennis J. Webb, Jr.
SGR
1105 W. Peachtree St NE
Ste 1000 Atlanta GA 30309

Check type of mail or service

- Adult Signature Required Priority Mail Express
- Adult Signature Restricted Delivery Registered Mail
- Certified Mail Return Receipt for Merchandise
- Certified Mail Restricted Delivery Signature Confirmation
- Collect on Delivery (COD) Signature Confirmation Restricted Delivery
- Insured Mail
- Priority Mail

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1.			GINSBURG DAVID 2679 OVERLOOK DR NE ATLANTA GA 30345	.54	.47										
2.			KARPEN HEIDI E 2671 OVERLOOK DR NE ATLANTA GA 30345	.54	.47										
3.			CHANG MICHAEL H 2615 MELINDA DR NE ATLANTA GA 30345	.54	.47										
4.			TEKLINSKI WILLIAM J 2601 MELINDA DR NE ATLANTA GA 30345	.54	.47										
5.			THE SANDERS AP TRUST 2566 MELINDA DR NE ATLANTA GA 30345	.54	.47										
6.			KING CHARLES 2370 SHALLOWFORD RD NE ATLANTA GA 30345	.54	.47										
7.			SHINALL JAMI ELIZABETH 2378 SHALLOWFORD RD NE ATLANTA GA 30345	.54	.47										
8.			MCCLOY CARL R 2483 OVERLOOK WAY NE ATLANTA GA 30345	.54	.47	Handling Charge - if Registered and over \$50,000 in value									

Total Number of Pieces
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Postmaster, Per (Name of receiving employee)



Firm Mailing Book For Accountable Mail

Name and Address of Sender		Check type of mail or service		Hasler 06/07/2022 US POSTAGE \$03.76 ⁰ ZIP 30301 011D11636292														
		<input type="checkbox"/> Adult Signature Required	<input type="checkbox"/> Priority Mail Express	<input type="checkbox"/> Registered Mail														
		<input type="checkbox"/> Adult Signature Restricted Delivery	<input type="checkbox"/> Return Receipt for Merchandise															
		<input type="checkbox"/> Certified Mail	<input type="checkbox"/> Signature Confirmation															
		<input type="checkbox"/> Certified Mail Restricted Delivery	<input type="checkbox"/> Signature Confirmation Restricted Delivery															
		<input type="checkbox"/> Collect on Delivery (COD)	<input type="checkbox"/> Insured Mail															
		<input type="checkbox"/> Priority Mail	<input type="checkbox"/> Priority Mail															
USPS Tracking/Article Number		Addressee (Name, Street, City, State, & ZIP Code™)		Postage	(Extra Service) Fee	Handling Charge	Actual Value if Registered	Insured Value	Due Sender if COD	ASR Fee	ASRD Fee	RD Fee	RR Fee	SC Fee	SCRD Fee	SH Fee		
1.	ATLANTA P&DC JUN 07 2022 USPS 30304		JOELL RAY RICKMAN TRUSTEE 2687 OVERLOOK DR ATLANTA GA 30345	.54	.47													
2.	ATLANTA P&DC JUN 07 2022 USPS 30304		LURWIG JANE A 2593 MELINDA DR NE ATLANTA GA 30345	.54	.47													
3.	ATLANTA P&DC JUN 07 2022 USPS 30304		MANELLA JOHN 2587 MELINDA DR NE ATLANTA GA 30345	.54	.47													
4.	ATLANTA P&DC JUN 07 2022 USPS 30304		MURILLO CARYN L 2587 SHERBROOK DR NE ATLANTA GA 30345	.54	.47													
5.	ATLANTA P&DC JUN 07 2022 USPS 30304		LIANG JIANGHONG 2577 SHERBROOKE DR ATLANTA GA 30345	.54	.47													
6.	ATLANTA P&DC JUN 07 2022 USPS 30304		LANGFORD DANNY REVOCABLE LIVING TRUST 2370 DOREEN CT NE ATLANTA GA 30345	.54	.47													
7.	ATLANTA P&DC JUN 07 2022 USPS 30304		GLOBE ACADEMY INC 2225 HERITAGE DR ATLANTA GA 30345	.54	.47	Handling Charge - if Registered and over \$50,000 in value												
8.	ATLANTA P&DC JUN 07 2022 USPS 30304		BARKLEY JOHN H 2386 BRADCLIFF CT NE ATLANTA GA 30345	.54	.47													
Total Number of Pieces Listed by Sender		Total Number of Pieces Received at Post Office		Postmaster, Per (Name of receiving employee)														



Firm Mailing Book For Accountable Mail

Name and Address of Sender

Check type of mail or service

Adult Signature Required Priority Mail E
 Adult Signature Restricted Delivery Registered Mail
 Certified Mail Return Receipt Merchandise
 Certified Mail Restricted Delivery Signature Confirmation
 Collect on Delivery (COD) Signature Confirmation
 Insured Mail Signature Confirmation
 Priority Mail Restricted Delivery

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1.	FERRANTI ALBERT A III 2 588 MELINDA DR NE ATLANTA GA 30345	.54	.47											
2.	YANG YIH MING 2574 MELINDA DR NE ATLANTA GA 30345	.54	.47											
3.	LOCAL CHURCH IN ATL INC THE 2345 SHALLOWFORD RD NE ATLANTA GA 30345	.54	.47											
4.	VAN COEVERN STEPHANIE J 2588 SUNSET DR NE ATLANTA GA 30345	.54	.47											
5.	YOUNKER T DIRK 2644 SUNRISE DR NE ATLANTA GA 30345	.54	.47											
6.	BEACH DONALD R 2354 DOREEN CT NE ATLANTA GA 30345	.54	.47											
7.	ROCKLYN HOMES INC 3505 KOGER BLVD STE 275 DULUTH GA 30096	.54	.47	Handling Charge - if Registered and over \$50,000 in value										
8.	GUPTA RAVINDER JOHN 2661 OVERLOOK DR NE ATLANTA GA 30345	.54	.47											

Total Number of Pieces
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1.	MARCELINO ROGELIO SALOME 2338 SHALLOWFORD RD NE ATLANTA GA 30345	.54	.47											
2.	WOJOHN ZACKARY R 2851 CRAVEY TRL NE ATLANTA GA 30345	.54	.47											
3.	MAKI EERO HENRY 445 FLAIR KNOLL DR NE ATLANTA GA 30345	.54	.47											
4.	LOUI HARRY 2461 FLAIR KNOLL DR ATLANTA GA 30345	.54	.47											
5.	THE GLOBE ACADEMY INC 4105 BRIARCLIFF RD NE ATLANTA GA 30345	.54	.47											
6.	FISHER ANDREW 2380 BRADCLIFF CT ATLANTA GA 30345	.54	.47											
7.	BLACKMAN DONALD K 2376 DOREEN CT NE ATLANTA GA 30345	.54	.47	Handling Charge - if Registered and over \$50,000 in value										
8.	ROSENDORF NICOL 4176 BRIARCLIFF RD NE ATLANTA GA 30345	.54	.47											

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1.	MURPHY DEANNA NICOLE 2741 OVERLOOK DR NF ATLANTA GA 30345	.54	.47											
2.	HOLMES MARGARET G 4133 BRIARCLIFF RD NE ATLANTA GA 30345	.54	.47											
3.	WINTERS ROBERT 4163 BRIARCLIFF RD NE ATLANTA GA 30345	.54	.47											
4.	MCGRATH PAMELA 2429 SHERBROOKE CT NE ATLANTA GA 30345	.54	.47											
5.	MA BETH WALKER 2483 FLAIR KNOLL DR NE ATLANTA GA 30345	.54	.47											
6.	HILL DAVID M 2596 SUNSET DR NE ATLANTA GA 30345	.54	.47											
7.	KARAGA PATRICK R 2620 SUNRISE DR NE ATLANTA GA 30345	.54	.47	Handling Charge - if Registered and over \$50,000 in value										
8.	PATY NANCY P 3293 DUNLOP CT NE ATLANTA GA 30319	.54	.47	Handling Charge - if Registered and over \$50,000 in value										

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1.		KOLECK ANTHONY VINCENT 2604 MELINDA DR NE ATLANTA GA 30345	.54	.47											
2.		BRADSHAW BETH 4215 PEACHTREE DUNWOODY RD NE ATLANTA GA 30342	.54	.47											
3.		JUN 07 2022 TURK AMY 2453 FLAIR KNOLL DR NE ATLANTA GA 30345	.54	.47											
4.		GRISCH JOHN 2469 FLAIR KNOLL DR NE ATLANTA GA 30345	.54	.47											
5.		THE GLOBE ACADEMY INC 4105 BRIARCLIFF RD NE ATLANTA GA 30345	.54	.47											
6.		ATLANTA P&DC MCKIE JOEL LEE 2362 DOREEN CT NE ATLANTA GA 30345	.54	.47											
7.		JUN 07 2022 AGRAWAL PRADEEP K 2367 DOREEN CT NE ATLANTA GA 30345	.54	.47											
8.		30304 SEDLACK PHILLIP K 2743 OVERLOOK DR NE ATLANTA GA 30345	.54	.47											

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1.		GLOBE ACADEMY INC 2225 HERITAGE DR NE ATLANTA GA 30345	.54	.47											
2.		RICHARDSON WILLIAM H 2387 BRADCLIFF CT NE ATLANTA GA 30345	.54	.47											
3.		LAURIN GARY 2308 SHALLOWFORD RD NE ATLANTA GA 30345	.54	.47											
4.		ATTWOOD ELEANOR M 2580 MELINDA DR NE ATLANTA GA 30345	.54	.47											
5.		CROWE MARGUERITE PELLETIER 2362 SHALLOWFORD RD NE ATLANTA GA 30345	.54	.47											
6.		SIMMS MELVIN JR 2435 SHERBROOKE CT NE ATLANTA GA 30345	.54	.47											
7.		SHALLOWFORD PRESBYTERIAN 2375 SHALLOWFORD RD NE ATLANTA GA 30345	.54	.47	Handling Charge - if Registered and over \$50,000 in value										
8.		CONNER EDWARD LYNN 2477 FLAIR KNOLL DR NE ATLANTA GA 30345	.54	.47											

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1.	GLOBAL ACADEMY INC 4105 BRIARCLIFF RD NE ATLANTA GA 30345	.54	.47											
2.	GLOBE ACADEMY INC 2225 HERITAGE DR ATLANTA GA 30345	.54	.47											
3.	DEKALB COUNTY 1300 COMMERCE DR # 6 DECATUR GA 30030	.54	.47											
4.	FRANK AMY I 4168 BRIARCLIFF RD NE ATLANTA GA 30345	.54	.47											
5.	JACOBSEN LAURITZ A 2737 OVERLOOK DR NE ATLANTA GA 30345	.54	.47											
6.	PITTS JEAN LATIMER 4143 BRIARCLIFF RD ATLANTA GA 30345	.54	.47											
7.	POULOS KATHERINE N 2579 MELINDA DR NE ATLANTA GA 30345	.54	.47	Handling Charge - if Registered and over \$50,000 in value										
8.	CONGER W RUSSELL 2594 MELINDA DR NE ATLANTA GA 30345	.54	.47											

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Listed by Sender Total Number of Pieces
Received at Post Office

Postmaster, Per (Name of receiving employee)

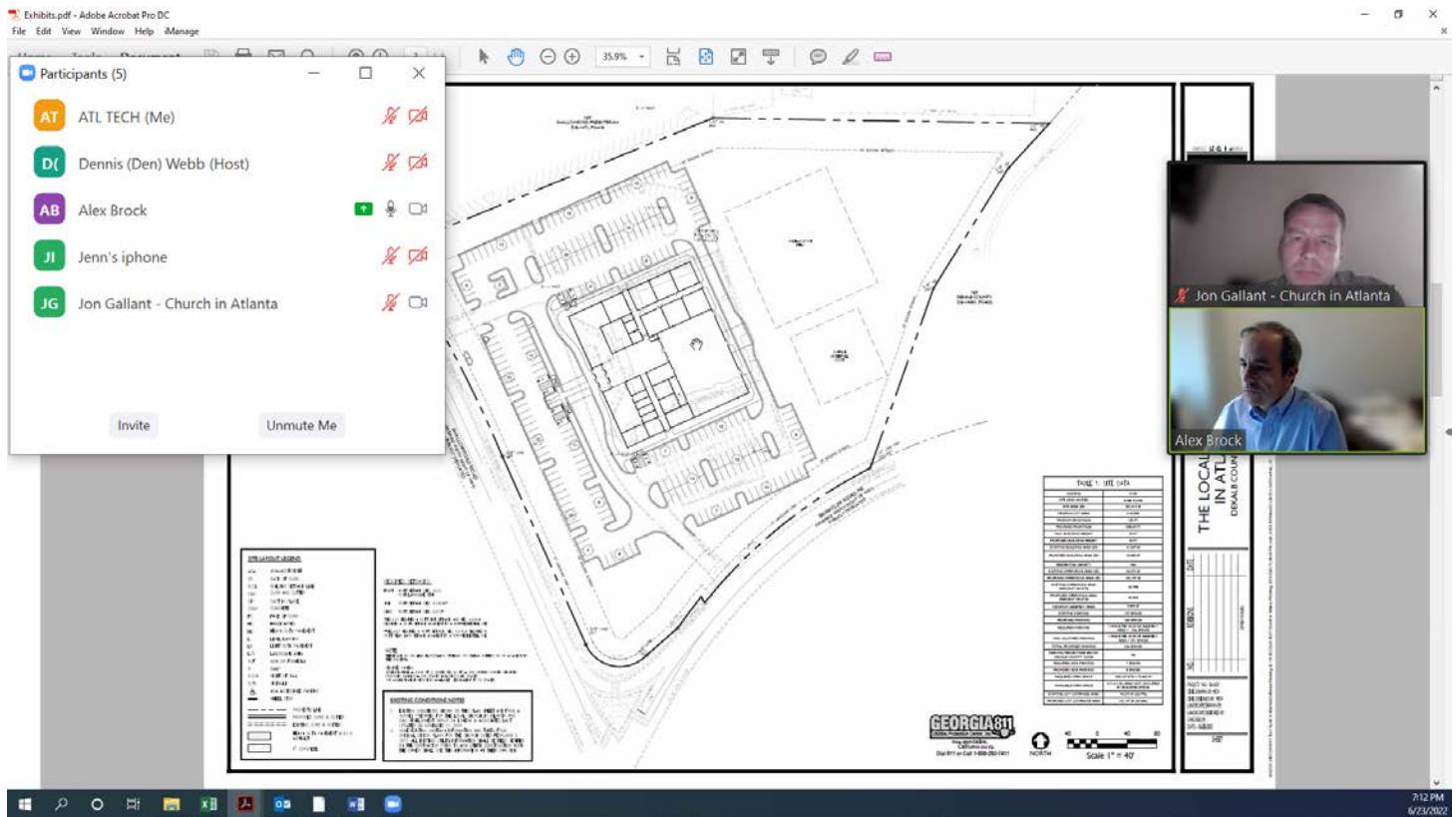


Firm Mailing Book For Accountable Mail

Name and Address of Sender		Check type of mail or service		Hasler 06/07/2022 US POSTAGE \$01.41 ⁰ ZIP 30301 011D11636292												
		<input type="checkbox"/> Adult Signature Required <input type="checkbox"/> Priority Mail Express <input type="checkbox"/> Adult Signature Restricted Delivery <input type="checkbox"/> Registered Mail <input type="checkbox"/> Certified Mail <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Certified Mail Restricted Delivery <input type="checkbox"/> Collect on Delivery (COD) <input type="checkbox"/> Signature Confirmation <input type="checkbox"/> Insured Mail <input type="checkbox"/> Signature Confirmation Restricted Delivery		Affix Stamp Here <i>(for additional copies of this Postmark with Date of Rec)</i>												
USPS Tracking/Article Number		Addressee (Name, Street, City, State, & ZIP Code™)		Postage	(Extra Service) Fee	Handling Charge	Actual Value if Registered	Insured Value	Due Sender if COD	ASR Fee	ASRD Fee	RD Fee	RR Fee	SC Fee	SCRD Fee	SH Fee
1.		ONEAL FRANKLIN ALLEN 2569 SHERBROOKE DR NE ATLANTA GA 30345		.54	.47											
2.		TENCH LEE BRABSON 2437 FLAIR KNOLL DR ATLANTA GA 30345		.54	.47											
3.		MITCHELL ROBERT L 2651 OVERLOOK DR NE ATLANTA GA 30345		.54	.47											
4.																
5.																
6.																
7.																
8.																
Total Number of Pieces Listed by Sender		Total Number of Pieces Received at Post Office		Postmaster, Per (Name of receiving employee)												

The Church in Atlanta – Pre-Submittal Community Meeting
June 23, 2022 7:00pm

Below is a screenshot taken during the meeting showing the attendees. The community attendees were Jenn and Phillip Sedlack, 2743 Overlook Drive (noted as “Jenn’s iphone” on the screenshot below).



Site Plan

Legal Description & Survey

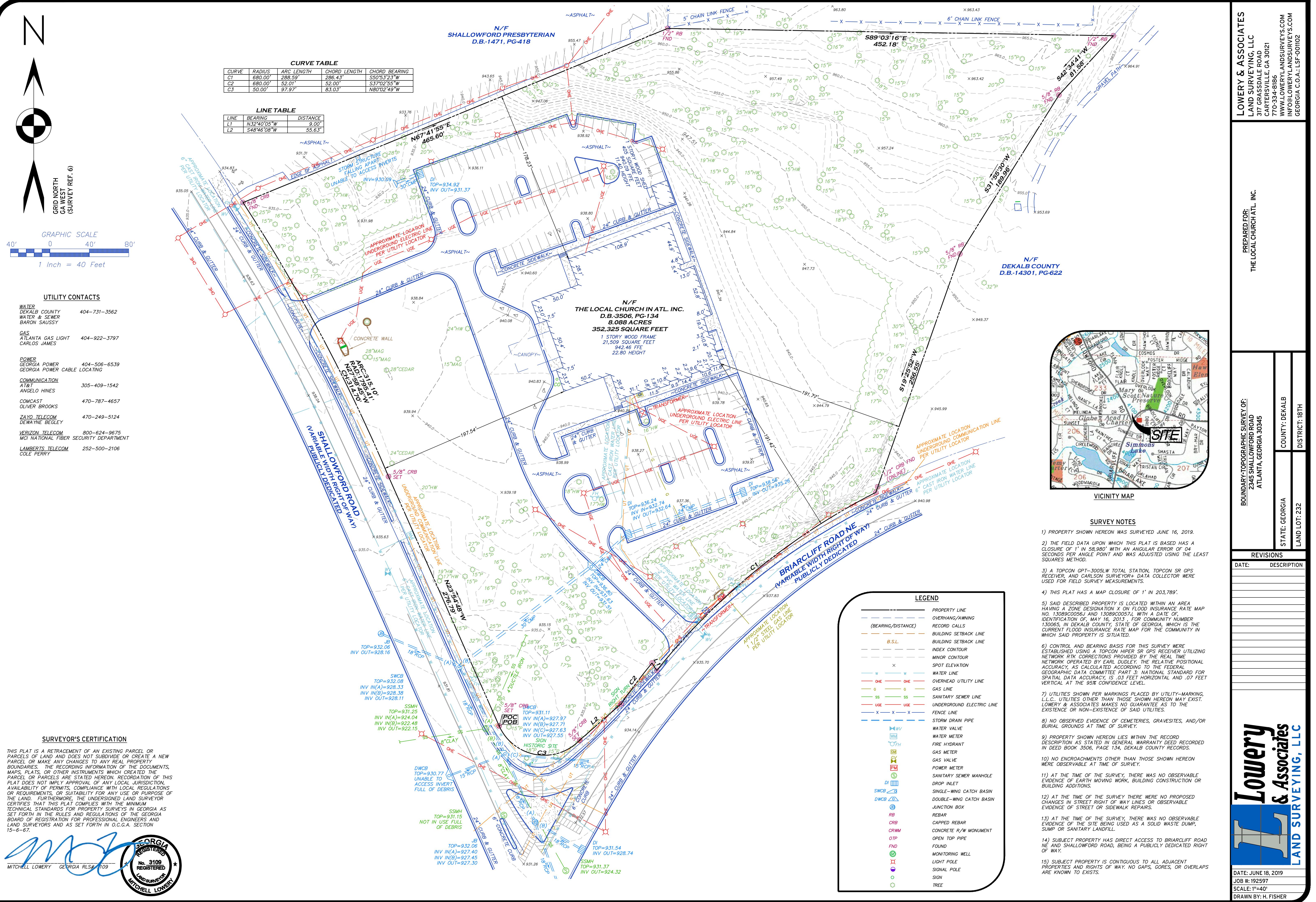
LEGAL DESCRIPTION

All that tract or parcel of land lying in and being in Land Lot 232 of the 18th District, Dekalb County, Georgia being more particularly described as follows:

Commencing at a 5/8-inch capped rebar set at the westerly end of the curved intersection of the easterly right of way of Shallowford Road (having a variable width, publicly dedicated right of way) and the northwesterly right of way of Briarcliff Road (having a variable width, publicly dedicated right of way), said rebar being the TRUE POINT OF BEGINNING.

Thence leaving said intersection and continuing along said right of way of Shallowford Road the following courses and distances: North 23 degrees 54 minutes 48 seconds West a distance of 276.79 feet to a point; along a curve to the left, said curve having a radius of 1795.41 feet, with an arc distance of 315.10 feet, with a chord bearing of North 27 degrees 58 minutes 45 seconds West and a chord length of 314.70 feet to a point; Thence leaving said right of way of Shallowford Road North 67 degrees 41 minutes 55 seconds East a distance of 465.60 feet to a point; Thence South 89 degrees 03 minutes 16 seconds East a distance of 452.18 feet to a point; Thence South 42 degrees 34 minutes 41 seconds West a distance of 81.58 feet to a point; Thence South 31 degrees 55 minutes 30 seconds West a distance of 189.96 feet to a point; Thence South 19 degrees 25 minutes 52 seconds West a distance of 256.55 feet to a point on said right of way of Briarcliff Road; Thence continuing along said right of way of Briarcliff Road the following courses and distances: along a curve to the left, said curve having a radius of 680.00 feet, with an arc distance of 288.59 feet, with a chord bearing of South 50 degrees 53 minutes 23 seconds West and a chord length of 286.43 feet to a point; North 32 degrees 40 minutes 05 seconds West a distance of 9.00 feet to a point; along a curve to the left, said curve having a radius of 680.00 feet, with an arc distance of 52.01 feet, with a chord bearing of South 37 degrees 02 minutes 55 seconds West and a chord length of 52.00 feet to a point; South 48 degrees 46 minutes 08 seconds West a distance of 55.63 feet to a point on the easterly end of the curved intersection of the easterly right of way of Shallowford Road and the northwesterly right of way of Briarcliff Road; Thence continuing along said curved intersection along a curve to the right, said curve having a radius of 50.00 feet, with an arc distance of 97.97 feet, with a chord bearing of North 80 degrees 02 minutes 49 seconds West and a chord length of 83.03 feet to a point, said point being the TRUE POINT OF BEGINNING.

Said tract of land contains 8.088 acres (352,325 square feet).



Statement of Intent

STATEMENT OF INTENT

and

Other Material Required by the
DeKalb County Zoning Ordinance
for the

Special Land Use Permit Application

of

THE CHURCH IN ATLANTA, INC.

for

±8.088 acres of land located in
Land Lots 232 and 233, 18th District
2345 Shallowford Road

Submitted for Applicant by:

Dennis J. Webb, Jr.
Kathryn M. Zickert
J. Alexander Brock
Smith, Gambrell & Russell, LLP
1105 W. Peachtree Street, NE
Atlanta, Georgia 30309
404-815-3500

I. INTRODUCTION

This Application seeks a Special Land Use Permit for the redevelopment of an existing church that was damaged by fire. The church, known as The Church in Atlanta (the “Church”¹), is located on a ±8.088 acre tract of land in Land Lots 232 and 233, 18th District, DeKalb County, with a street address of 2345 Shallowford Road (the “Subject Property”). The Subject Property currently contains a ±21,509 square foot structure, parking lots, and associated improvements. The building houses the congregation for the Church, a non-denominational Christian church that has occupied the property for approximately 45 years.² The Subject Property is zoned R-100 which allows a place of worship through a Special Land Use Permit (“SLUP”).

The Church constructed the building in 1977 and has continuously used it as its place of worship since that time. On June 21, 2020, however, a vandal started a fire that damaged a portion of the building. The fire was limited to the rear of the building, damaging that part of the structure and leaving a large hole in the roof that is now temporarily protected by a tarpaulin. The water damage from the fire sprinklers and fire hoses used to fight the fire, however, was more extensive and affected most of the interior. As a result, the Church cannot use any part of the building and has not been able to use it since 2020.

In 2021, the Applicant obtained a SLUP (SLUP-21-1244393) to repair the damage to the existing building and allow a ±13,285 square foot expansion of the structure (the “2021 SLUP”). The 2021 SLUP anticipated the addition of a second floor to the existing building and a slight expansion of the first floor, which would result in a total floor area of ±34,794 square feet. The SLUP was started. When subsequently evaluating the cost to repair the facility, the Church realized that the extensive nature of the damages made a repair economically infeasible.

¹ The term “Church” will be used herein to describe both the organization and the building.

² The current church use began in 1977 and pre-dates the DeKalb County Zoning Ordinance’s SLUP requirement for such uses.

Therefore, the Church now intends to remove the existing 21,509 square foot building and redevelop it with a slightly larger, ±35,000 square foot structure and make other site improvements (the “Proposed Redevelopment”). The original structure is 45 years old and is in need of updating both in terms of functionality and aesthetics. The proposed building will add more educational space, an enlarged bookroom/library, a covered drop-off entrance at the rear of the building for the mobility challenged congregants, and will modestly expand the congregational area from 1,000 seats to 1,200 seats. In addition, the Applicant will be increasing the onsite parking from 137 existing spaces³ to a total of 246 proposed parking spaces. The current structure is under-parked per DeKalb County requirements and the Proposed Redevelopment will bring the parking into conformance with current standards.⁴ Finally, the Church will be upgrading the exterior architecture to make it more aesthetically pleasing, as well as providing areas for future, unlit sports amenities in the rear of the property.

The new structure will be a welcome addition to the Church, which has been a long-standing member of the community. Throughout its 45-year existence on the Subject Property, the Church has co-existed in harmony with the surrounding neighborhood. The Subject Property is located in a predominantly residential area, but does not directly abut any housing. To the north is the Shallowford Presbyterian Church, zoned R-100; to the east is Mary Scott Park, owned by DeKalb County and zoned R-100; to the south is the right-of-way of Briarcliff Road; and to the west is the right-of-way of Shallowford Road. Further out are more R-100 districts, including single family residential lots in the Flair Forest subdivision to the north of Shallowford Presbyterian Church; to the east, beyond Mary Scott Park, is the Brookdale Park single family subdivision; to the south, across Briarcliff Road, is the Globe Academy school (formerly the

³ The 2021 SLUP and a subsequent administrative variance contemplated expanding the parking to 195 spaces.

⁴ DeKalb County Code of Ordinances § 6.1.4 requires one (1) space for each forty (40) square feet of floor space in the largest assembly room, which equates to 209 parking spaces.

Briarcliff Methodist Church); and to the west, across Shallowford Road, are single family residences within the Eco Hills subdivision.

It is important to note that the Applicant is not pursuing the instant SLUP to fit a new use onto the property, but to continue a use that has existed within the community for decades. The Applicant submits this document as a Statement of Intent with regard to its Application, a preservation of the Applicant's constitutional rights, and a written justification for the proposed SLUP as required by the DeKalb County Code of Ordinances ("Zoning Code"), §§ 27-7.4.6 and 27-4.2.42.

II. CRITERIA TO BE APPLIED TO SPECIAL LAND USE PERMITS

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 is ± 8.088 acres, which is more than adequate land area for the proposed use and the proposed building expansion, including the provision of all required yards, open space, off-street parking, and other applicable requirements of the R-100 district in which the use is proposed to be located.⁵ The fact that the Subject Property has contained a church use for the past 45 years points to the appropriateness of the site.

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

The church use is appropriate given the surrounding land uses. As noted above, the Church does not abut any residentially-used property. Although there are some neighborhoods in general proximity, residential areas are typically interspersed with certain civic and institutional uses such as schools, parks and churches. Indeed, churches are an integral part of residential

⁵ The Applicant anticipates a variance to increase the maximum R-100 lot coverage from 35% to 40%.

communities and are often found in proximity to single family residential. For that reason, DeKalb County allows church uses in almost all residential zoning districts with a SLUP.⁶

C. Adequacy of public services, public facilities, and utilities to serve the proposed use.

The Subject Property is currently served by water and sewer and access to other public services and facilities. It is anticipated that there will be adequate service for the Proposed Redevelopment.

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 use proposed so as not to unduly increase traffic and create congestion in the area.

According to the ITE Trip Generation Manual, the Proposed Redevelopment (ITE category 560, Church) will generate a net increase⁷ of 11.74 trips during the weekday A.M. peak hour, 12.68 trips during the weekday P.M. peak hour, 122.90 trips on a weekday, and 494.18 trips on a Sunday. It should also be noted that when the trips generated under the 2021 SLUP are compared to the Proposed Redevelopment, there is only a negligible net increase in trips.⁸ Consequently, the Proposed Redevelopment is not anticipated to significantly impact the adjacent roadways over what is existing and/or allowed to be developed today.

Regardless, the surrounding roadways are anticipated to adequately handle the amount of traffic coming from the Church, particularly given that the roads have accommodated the Church's traffic for over 45 years. Briarcliff Road and Shallowford Road are classified as minor arterials per the DeKalb County Recommended Functional Classification Map, which indicates that these roadways are intended to accommodate large amounts of vehicular traffic. The few

⁶ Only the Mobile Home Park (MHP) district does not allow a place of worship use.

⁷ The trips from the existing Church are already carried by the surrounding roadways and therefore only the net increase of the Proposed Redevelopment is analyzed.

⁸ The net trips from the Proposed Redevelopment compared to the 2021 SLUP would result in an increase in 1.88 trips on a Weekday, 0.18 trips in the AM peak hour, 0.19 trips in the PM peak hour, and 7.55 trips on a Sunday.

additional trips generated by the Proposed Redevelopment will have little, if any, noticeable impact on the adjacent roadways. Moreover, the peak traffic is on Sunday mornings during the Church's main service and significantly less throughout the week. Sunday mornings are not typically times of heavy traffic volumes for roadways and consequently when the Church will have its largest traffic impact, the adjacent roadways will have significantly lower volumes.

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

The Subject Property is located directly on Briarcliff Road and Shallowford Road with existing curb cuts on each. The Church will continue to utilize the existing curb cuts which adequately serve the property. Also, as stated in the paragraphs above, the Proposed Redevelopment is not anticipated to generate a significant amount of additional traffic and the adjacent arterial roadways have sufficiently accommodated vehicular traffic from the existing church for over four decades.

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

The Subject Property is served by two curb cuts which will remain after the redevelopment of the site. These same curb cuts adequately serve the existing Church and a significant increase, if any, in vehicles and pedestrians entering/exiting the site is not anticipated. Therefore, there will adequate 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.

G. Whether or not the proposed use will create adverse impacts upon any adjoining land use by reason of noise, smoke, odor, dust, or vibration generated by the proposed use.

No. As stated in previous paragraphs, the Subject Property is bordered by a similar church use to the north, a park to the east, and right-of way on the remaining two sides. The Church holds its services inside and generates little to no noise, smoke, odor, dust, or vibrations. Further, the Applicant does not anticipate any significant change in conditions after the Proposed Redevelopment.

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

No. The proposed hours of operation for the Church are compatible and complementary to with the surrounding uses. Additionally, the Church is not contemplating any change in its hours of operation after the grant of the SLUP.

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

No. As noted in the paragraphs above, the existing Church has been in operation for over 45 years and has existed in harmony with the surrounding neighborhood.

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

Yes. The Subject Property is zoned R-100 and a place of worship is allowed in that district subject to the grant of a SLUP. The Proposed Redevelopment will be compliant with the R-100 building setbacks and height requirements. However, the Applicant anticipates the need for a variance to increase the lot coverage beyond the 35% maximum allowed by R-100 to ±40%.

K. Whether or not the proposed use is consistent with the policies of the Comprehensive Plan.

The Subject Property is designated as “Institutional” (INS) by the County’s Comprehensive Land Use Plan (“Comp Plan”). The intent of the INS character area is to designate specific areas to provide institutional services. The Comp Plan expressly notes churches and religious institutions as one of the primary uses in the INS character area. Accordingly, the proposed use is fully allowed within this character area, and promotes the following specific goals and strategies of the County’s Land Use Plan.

- Compatibility—Ensure that institutional land is compatible with adjacent uses.
- Buffer—Use landscaping and other buffering to separate developments from surrounding uses.
- Aesthetics—Create and implement performance and aesthetic standards to protect adjacent properties.

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

Yes. The proposed improvements will adhere to the site buffer, setback and landscaping requirements prescribed by the DeKalb County Code of Ordinances for the R-100 district.

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

Yes. Adequate refuse and service areas will be provided onsite as depicted on the site plan attached to this application.

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

No. The proposed use is a permanent use and a time limitation is neither necessary nor appropriate.

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 the adjacent and nearby lots and buildings.

Yes. The proposed structure is of adequate size for the church's congregation and is consistent with the size and scale of other surrounding churches. In addition, the proposed structure is only a slightly larger footprint than what is existing today and will remain a 1-story structure.

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

No. The existing building is not historic and the proposed improvements will not adversely affect historic buildings, sites, districts, or archaeological resources.

Q. Whether the proposed use satisfies the requirements contained within the Supplemental Regulations for such special land use permit.

Yes. The church meets the supplemental requirements of Zoning Code § 27-4.2.42.

Specifically, it will meet the following:

- (a) The Church building not be located within 50 feet of a residentially zoned property; also, the building will be more than 20 feet from the side non-residential uses and more than 30 feet from the rear non-residential use.
- (b) The required setback from any street right-of-way shall be the front-yard setback for the R-100 district (40' setback).
- (c) The parking areas and driveways for any such uses shall be located at least twenty (20) feet from any property line, with a visual screen, provided by a six-foot-high fence or sufficient vegetation established within that area. The proposed parking will be screened with a mix of existing and proposed vegetation.

- (d) The Church is located on a lot greater than 3 acres (± 8.088 ac) and has a frontage of more than 100 feet (205.68 feet on Briarcliff Road and 315.10 feet on Shallowford Road).
- (e) Both Briarcliff Road and Shallowford Road are classified as minor arterials per the DeKalb County Recommended Functional Classification Map.
- (f) There are no other buildings or structures operated by the Church on the property that are not a place of worship.

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

There will be no negative shadow impact on any adjoining lot. The proposed building height will meet the 35-foot maximum building height for the R-100 district. Also, given the size, location, trees, and distance, the proposed church structure will not create a negative shadow impact on any adjoining lot or building.

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

As noted in the paragraphs above, the Subject Property has been used a place of worship since 1977 and has existed harmoniously with the surrounding community. Furthermore, the Comprehensive Plan identifies the Subject Property for institutional uses, including a church.

III. PRESERVATION OF CONSTITUTIONAL RIGHTS

As owner of the property, the Applicant respectfully submits that the current zoning classification of and rules relative to a place of worship's right to use the Subject Property established in the DeKalb County Zoning Ordinance, to the extent they prohibit this use, are unconstitutional, and constitute an arbitrary, irrational abuse of discretion and unreasonable use of the zoning power because they bear no substantial relationship to the public health, safety,

morality or general welfare of the public and substantially harm the Property owners in violation of the due process and equal protection rights of the property owner guaranteed by the Fifth Amendment and Fourteenth Amendment of the Constitution of the United States, and Article I, Section I, Paragraph I and Article I, Section III, Paragraph I of the Constitution of the State of Georgia. Further, the failure to allow this use would constitute a taking of the owner's private property without just compensation and without due process in violation of the Fifth Amendment and Fourteenth Amendment of the Constitution of the United States, and Article I, Section I, Paragraph I and Article I, Section III, Paragraph I of the Constitution of the State of Georgia.

Further, the Applicant respectfully submits that the Board of Commissioners' failure to approve the requested Special Land Use Permit would be unconstitutional and would discriminate in an arbitrary, capricious and unreasonable manner between the Property Owner and owners of similarly situated property in violation of Article I, Section III, Paragraph I of the Constitution of the State of Georgia and the Equal Protection Clause of the Fourteenth Amendment of the Constitution of the United States.

A refusal to allow the development in question would be unjustified from a fact-based standpoint and instead would result only from constituent opposition, which would be an unlawful delegation of authority in violation of Article IX, Section II, Paragraph IV of the Georgia Constitution.

A refusal to allow the development in question would be invalid inasmuch as it would be denied pursuant to an ordinance which is not in compliance with the Zoning Procedures Law, O.C.G.A. § 36-66-1 et seq., due to the manner in which the Ordinance as a whole and its map(s) have been adopted.

Opponents to this request lack standing, have failed to exhaust administrative remedies, and have waived their rights to appeal by failing to assert legal and constitutional objections.

The proposed use at issue in this Special Land Use Permit is a church that will house a religious assembly protected by the Religious Land Use and Institutionalized Persons Act of 2000. A denial of this Special Land Use Permit will impose a substantial burden on the religious assembly's free exercise and will result in disparate treatment of a religious institution in violation of the Religious Land Use and Institutionalized Persons Act of 2000 of the United States.

IV. CONCLUSION

For the foregoing reasons, the Applicant respectfully requests that the Special Land Use Permit at issue be approved. The Applicant also invites and welcomes any comments from Staff or other officials of DeKalb County so that such recommendations or input might be incorporated as conditions of approval of this Application.

This 29th day of June, 2022.

Respectfully submitted,



Dennis J. Webb, Jr.
Kathryn M. Zickert
J. Alexander Brock
Attorneys For Applicant

Building Elevations





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: Alex Brock Phone: 404-815-3603 Email: jabrock@sqrlegal.com

Property Address: 2345 Shallowford Rd.

Tax Parcel ID: 18-233-01-062 Comm. District(s): 1, 7 Acreage: ~ 8.0 acr.

Existing Use: church Proposed Use New Church

Supplemental Regs: Yes Overlay District: No DRI: No

Rezoning: Yes No

Existing Zoning: _____ Proposed Zoning: _____ Square Footage/Number of Units: _____

Rezoning Request: reconstruction of existing church

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) construct a new church

Major Modification: No

Existing Case Number(s): _____

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: BOC:
 Letter of Intent: _____ Impact Analysis: _____ Owner Authorization(s): _____ Campaign Disclosure: _____
 Zoning Conditions: _____ Community Council Meeting: _____ 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**

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:

SLUP for church expansion was approved pursuant to S-21-1244393. Church was damaged by fire. Now church will be reconstructed.

Planner: Melissa Furman Date 5/17/22

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, CI, C2, M, M2	\$750.00

LAND USE MAP AMENDMENT	\$500.00
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SPECIAL LAND USE PERMIT	\$400.00
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