

Public Hearing: YES NO

Department: Planning & Sustainability

SUBJECT:

COMMISSION DISTRICT(S): Commission District 05 Super District 07

Application of Land Engineering and Surveying to rezone property from R-100 (Residential Medium Lot) zoning district to M (Light Industrial) zoning district to allow for the construction of a proposed landscaping company, at 1450 Rock Chapel Road.

PETITION NO: N4-2023-0067 Z-23-1246241

PROPOSED USE: Construction of proposed landscaping company.

LOCATION: 1450 Rock Chapel Road, Lithonia, Georgia 30058

PARCEL NO. : 16-189-01-002

INFO. CONTACT: Howard Johnson, Sr. Planner

PHONE NUMBER: 404-371-2155

PURPOSE:

Application of Land Engineering and Surveying to rezone property from R-100 (Residential Medium Lot) zoning district to M (Light Industrial) zoning district to allow for the construction of a proposed landscaping company. The property is located on the northeast corner of Rock Chapel Road and Rock Mountain Road, at 1450 Rock Chapel Road, Lithonia, Georgia. The property has approximately 285 feet of frontage along Rock Chapel Road and contains 3.97 acres.

RECOMMENDATION:

COMMUNITY COUNCIL: Approval.

PLANNING COMMISSION: Pending.

PLANNING STAFF: Denial.

STAFF ANALYSIS: The applicant, Cornelius Ani / Land Engineering and Surveying, Inc., is seeking to rezone the property located at 1422 Rock Chapel Road from R-100 (Residential Medium Lot -100) to M (Light Industrial) to operate a landscaping company, upgrade and expand the existing building, and add additional parking. The site is partially developed and was used by the previous owner to store dump trucks and large amounts asphalt, gravel and sand utilized in highway construction. Since the land is zoned residential, these illegal uses were discovered because of a complaint to DeKalb County Code Enforcement. Code Enforcement conducted a site visit and opened active use violation case (1244106) in April 2019 for parking business vehicles on an R-100 zoned property, a violation of Chapter 27-6.1.3. A Final Notice and a Court Summons were initiated in November 2022. The case is still pending based on the outcome of this Rezoning case and the Land Use Amendment. The applicant stated that a landscaping company with trucks recently purchased the property and is now is operating on the property. The landscaping company plans to provide the on-site sale and the off-site installation of landscaping materials, plants, pine straw and accessories. The applicant has submitted a companion Land Use Amendment (LP) application to amend the Future Land Use Map from Suburban (SUB) to Light Industrial (LIND) to allow for the expansion of an existing landscaping company with this rezoning request. Therefore, the total request is to rezone and amend the Land Use Plan for two parcels. 1422 Rock Chapel Road is the northern parcel and 1450 Rock Chapel Road is the southern parcel in the two-parcel tract. The requested rezoning from R-100 (Residential Medium Lot -100) to M (Light Industrial) is inconsistent with both the *Comprehensive Plan* and *Zoning Ordinance*. The subject property is surrounded by other properties zoned R-100.

The purpose and intent of this district is to provide for protection of stable neighborhoods; provide for compatible infill developments and new developments; to provide protections for existing development as new subdivisions are created; to provide flexibility in design on the interior of new development while protecting surrounding development; and to provide for appropriately sized and accessible open space for health, recreational and social opportunities for county residents (Section 2.5.1 *Dekalb County Zoning Ordinance*). The proposed use of the property as a landscaping company with onsite business vehicles, dirt moving equipment, and storage of materials does not fulfill this purpose and intent. The staff report from the companion Land Use Amendment case (2023-0064) states that the future land use designation for this property is Suburban. The report states: *Per the 2050 Unified Plan, "The intent of the Light Industrial Character Area is to identify areas appropriate for industrial type uses. The location of these areas shall preserve the appeal and appearance of residential and commercial areas from the prospective intrusion of light industrial land uses."* The subject property is bordered on all sides to parcels designated as Suburban. The intent of the Suburban Character area designation is to preserve the residential status of these area by limiting the amount of non-residential development. This application to amend the Future Land Use map is inconsistent with the surrounding properties' Future Land Use and the policies of the 2050 Unified Plan. In addition, approval of this application would undermine the residential development pattern of the area. This site is located along major thoroughfare, Rock Chapel Road (State Route 124) which already has significant movement of heavy industrial goods by truck in and out of the immediate area. On the site plan submitted by the applicant, the applicant included the required 75-foot transitional buffer along the northern perimeter of the property but failed to include the same required 75-foot buffer along the eastern edge of the parcel, adjacent to residential R-100 parcels. The existing truck parking area in the southwestern corner already encroaches into this required 75-foot transitional buffer. An additional variance would be required for this parking area to remain. The southern edge of this same parking area encroaches into the side yard setback, this may also require a variance, unless the two (2) parcels are consolidated into one (1) large parcel. The site plan also fails to show the 5 (five)-foot landscape strip and the 10-foot multiuse path along Rock Chapel Road per GDOT (Georgia Department of Transportation) requirements. There are approximately 10 homes nearby which are negatively impacted by the existing and proposed light industrial use of this site. There are land use conflicts because there are residential properties adjacent to the northern, western and eastern edge of an established Industrial district. The rezoning requests along with the companion cases are inconsistent with both the *Comprehensive Plan* and *Zoning Ordinance*. Therefore, staff recommends "Denial".

PLANNING COMMISSION VOTE: Pending.

COMMUNITY COUNCIL VOTE/RECOMMENDATION: Approval 10-0-0.



DeKalb County Department of Planning & Sustainability

178 Sams Street, Suite A-3600 Decatur, GA 30030

(404) 371-2155 / www.dekalbcountyga.gov/planning

Planning Commission Hearing Date: Tuesday, March 7, 2023
Board of Commissioners Hearing Date: Thursday March 30, 2023

STAFF ANALYSIS

Case No:	Z-23-1246241	Agenda #: N4-2023-0067
Location/Address:	1450 Rock Chapel Road, Lithonia, 30058	Commission District:05 Super District: 07
Parcel ID:	16-189-01-002	
Request:	Rezone property from the R-100 (Residential Medium Lot-100) zoning district to the M (Light Industrial) zoning district to accommodate an existing landscaping company, upgrade and expand the building and add additional parking.	
Property Owner:	Arnold Bowen	
Applicant/Agent:	Cornelius Ani / Land Engineering and Surveying, Inc.	
Acreage:	3.97 acres	
Existing Land Use:	Suburban (SUB)	
Adjacent Zoning:	North: R-100 (SUB) South: R-100 (SUB) East: R-100 (SUB) West: R-100 (SUB) Northeast: R-100 (SUB) Northwest: R-100 (SUB) Southeast: R-100(SUB) Southwest: M (LIND)	
Comprehensive Plan:	Consistent: Inconsistent: X	

Staff Recommendation: Denial

The applicant, Cornelius Ani / Land Engineering and Surveying, Inc., is seeking to rezone the property located at 1422 Rock Chapel Road from R-100 (Residential Medium Lot -100) to M (Light Industrial) to operate a landscaping company, upgrade and expand the existing building, and add additional parking. The site is partially developed and was used by the previous owner to store dump trucks and large amounts asphalt, gravel and sand utilized in highway construction. Since the land is zoned residential, these illegal uses were discovered because of a complaint to DeKalb County Code Enforcement. Code Enforcement conducted a site visit and opened active use violation case (1244106) in April 2019 for parking business vehicles on an R-100 zoned property, a violation of Chapter 27-6.1.3. A Final Notice and a Court Summons were initiated in November 2022. The case is still pending based on the outcome of this Rezoning case and the Land Use Amendment.

The applicant stated that a landscaping company with trucks recently purchased the property and is now is operating on the property. The landscaping company plans to provide the on-site sale and the off-site installation of landscaping materials, plants, pine straw and accessories.

The applicant has submitted a companion Land Use Amendment (LP) application to amend the Future Land Use Map from Suburban (SUB) to Light Industrial (LIND) to allow for the expansion of an existing landscaping company with this rezoning request. Therefore, the total request is to rezone and amend the Land Use Plan for two parcels. 1422 Rock Chapel Road is the northern parcel and 1450 Rock Chapel Road is the southern parcel in the two-parcel tract.

The requested rezoning from R-100 (Residential Medium Lot -100) to M (Light Industrial) is inconsistent with both the *Comprehensive Plan* and *Zoning Ordinance*. The subject property is surrounded by other properties zoned R-100. The purpose and intent of this district is to provide for protection of stable neighborhoods; provide for compatible infill developments and new developments; to provide protections for existing development as new subdivisions are created; to provide flexibility in design on the interior of new development while protecting surrounding development; and to provide for appropriately sized and accessible open space for health, recreational and social opportunities for county residents (Section 2.5.1 *Dekalb County Zoning Ordinance*). The proposed use of the property as a landscaping company with onsite business vehicles, dirt moving equipment, and storage of materials does not fulfill this purpose and intent.

The staff report from the companion Land Use Amendment case (2023-0064) states that the future land use designation for this property is Suburban. The report states:

Per the 2050 Unified Plan, “The intent of the Light Industrial Character Area is to identify areas appropriate for industrial type uses. The location of these areas shall preserve the appeal and appearance of residential and commercial areas from the prospective intrusion of light industrial land uses.”

The subject property is bordered on all sides to parcels designated as Suburban. The intent of the Suburban Character area designation is to preserve the residential status of these area by limiting the amount of non-residential development. This application to amend the Future Land Use map is inconsistent with the surrounding properties’ Future Land Use and the policies of the 2050 Unified Plan.

In addition, approval of this application would undermine the residential development pattern of the area. This site is located along major thoroughfare, Rock Chapel Road (State Route 124) which already has significant movement of heavy industrial goods by truck in and out of the immediate area.

On the site plan submitted by the applicant, the applicant included the required 75-foot transitional buffer along the northern perimeter of the property but failed to include the same required 75-foot buffer along the eastern edge of the parcel, adjacent to residential R-100 parcels. The existing truck parking area in the southwestern corner already encroaches into this required 75-foot transitional buffer. An additional variance would be required for this parking area to remain. The southern edge of this same parking area encroaches into the side yard setback, this may also require a variance, unless the two (2) parcels are consolidated into one (1) large parcel. The site plan also fails to show the 5 (five)-foot landscape strip and the 10-foot multiuse path along Rock Chapel Road per GDOT (Georgia Department of Transportation) requirements.

There are approximately 10 homes nearby which are negatively impacted by the existing and proposed light industrial use of this site. There are land use conflicts because there are residential properties adjacent to the northern, western and eastern edge of an established Industrial district.

The rezoning requests along with the companion cases are inconsistent with both the *Comprehensive Plan* and *Zoning Ordinance*.

Therefore, staff recommends **Denial**.

DEPARTMENT OF PLANNING & SUSTAINABILITY

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

Date Received: _____ Application No: _____

Applicant Name: Land Engineering and Surveying Inc.

Applicant E-Mail Address: byncorpmgmt@gmail.com

Applicant Mailing Address: 6062 Buford Hwy,, Suite 205, Norcross, GA 30071

Applicant Daytime Phone: 470-227-5319 Fax: _____

Owner Name: ARNOLD BOWEN

If more than one owner, attach list of owners.

Owner Mailing Address: 3456 E HIGHTOWER TRLCONYERS GA 30012

Owner Daytime Phone: _____

Address of Subject Property: 1450 ROCK CHAPEL RD, LITHONIA 30058

Parcel ID#: 16 189 01 002

Acreage: 3.97 Commission District: 5

Present Zoning District(s): R-100

Proposed Zoning District: M

Present Land Use Designation: Suburban

Proposed Land Use Designation (if applicable): Industrial



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: Benjamin Middlebrook Phone: : 470-227-5319 Email:
 ngpermitting@gmail.com..zyncorpmgmt@gmail.com

Property Address: 1422 & 1450 Rock Chapel Road (applicant may submit two separate applications for both parcels, which will entail double the filing fees) _____

Tax Parcel ID: 16 189 01 002 & 16 189 01 003 Comm. District(s): 5 & 7 Acreage: 9

Existing Use: Vacant Land and parking lot Proposed Use Landscaping business with landscaping fleet vehicles. No other outdoor storage proposed and no proposed repair to vehicles. Landscape heavy construction office with storage is a permitted land use in M zoning.

Supplemental Regs: N Overlay District: NA DRI: NA

Rezoning: Yes X No

Existing Zoning: R-100
Square Footage/Number of Units: _____

Rezone from R-100 to M (Light Industrial) to construct a landscape office with parking of landscape truck fleet vehicles.

Land Use Plan Amendment: Yes X No

Existing Land Use: SUB (Suburban) Proposed Land Use: LIND Land use amendment required from Suburban to LIND to support proposed rezone to M Consistent Inconsistent

Special Land Use Permit: Yes No X

Major Modification: Y

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: 03/07/23*
BOC: 03/30/23* Letter of Intent: Impact Analysis: Owner Authorization(s):
Campaign Disclosure: Zoning Conditions: Community Council Meeting: 2/6/23*
Public Notice, Signs: (Applicant must pick up and post and/or will be done by Staff) 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

***These are the relevant meetings and deadlines assuming the Board of Commissioners adopts the 2023 calendar on December 20th, 2022.**

***Deadline for hosting pre-community meeting with 15 days notice for March 2023 agenda cycle would be 12/21/22 and Filing Deadline for complete application would be 12/22/22. Land Use Amendment cases are only heard by Board of Commissioners in March of September.**

***If a complete application is submitted after 20 complete applications have been submitted, application will be moved to the Sept 2023 agenda cycle since Land Use Amendment cases only heard in March and September.**

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:

A Land Use Plan amendment to IND (Industrial) or LIND (Light Industrial) is required to support the proposed rezoning to M (Light Industrial). Land Use Amendment cases are only heard in March and September. Applicant to submit conceptual site plan showing proposed land use, building, parking, etc. Applicant must provide justification as to how the proposed rezoning and land use amendment change is compatible with surrounding uses and also show compliance with the M zoning requirements including but not

DEPARTMENT OF PLANNING & SUSTAINABILITY

limited to sidewalks, street trees, paving and striping the parking lot, providing minimum number of parking spaces, required minimum transitional buffers if abutting residential zoned property, minimum building setbacks, building material requirements, building height, etc shown on site plan. Applicant must also show compliance with Supplemental Regulations for outside storage unless all outside storage consist of fleet vehicles associated with proposed Landscape Business office (see information at end of document). Application fee for is \$500 for each Land Use amendment application and \$750 for each rezoning application.

This only a preliminary review and is not a complete list of zoning requirements, a final and complete review will be done upon official submission of a rezoning application and concept plan.

Planner: John Reid Date 11/28/22

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

OUTDOOR STORAGE SUPPLEMENTAL REGULATIONS

B.

In the C-2, M, and M-2 districts, any outdoor storage areas (primary or accessory) are allowed subject to the following requirements:

1.

The outdoor storage area shall be at least fifty (50) feet from the street right-of-way.

2.

The outdoor storage area shall be screened so as not to be visible at ground level from any adjoining property or public street.

3.

A ten-foot wide evergreen landscape buffer around the outside perimeter of the screened area shall be provided when adjacent to any property not zoned C-2, M, or M-2.

4.

Fleet vehicles associated with the operation of a business are exempt from these requirements.

PRE-SUBMITTAL COMMUNITY MEETING

DATE: 12/3/2022

TO: Property Owners

FROM: Land Engineering and Surveying Inc. on behalf of Owner, Persiah Bedward and Arnold Bowen

RE: Community Meeting - Rezoning from Residential (R-100) to Light Industrial (M); Land Use Amendment from Suburban (SUB) to Light Industrial (LIND).

This is to inform you that there will be a proposal for a land use amendment and rezoning for property located at 1422 and 1450 Rock Chapel Road, Lithonia GA 30058. The proposed land use amendment and rezoning is to allow for a landscaping company. A virtual community meeting will be held on December 21, 2022, at 6:30 pm – 7:30 pm to discuss our proposal. Meeting will be conducted via zoom, please see details below. Please note you can join by video conferencing, or you can also dial-in by phone using the information given below.

Join Zoom Meeting

<https://us06web.zoom.us/j/87581330258?pwd=RWt1bGFOL1J2azNtUnlDT1NDbWttdz09>

Meeting ID: 875 8133 0258

Passcode: 1422

Dial by your location +1 929 205 6099

Please email ngpermitting@gmail.com or call 770-765-3524 to register for the meeting before the scheduled meeting date. Please feel free to contact me by email if you have any questions or concerns.

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William Truman Price
1400 Rock Chapel Road
Lithonia GA 30058



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CERTIFIED MAIL® RECEIPT**
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For delivery information, visit our website at www.usps.com.
Greensboro, GA 30642

OFFICIAL USE

Certified Mail Fee \$4.00

Extra Services & Fees (check box, add fee as appropriate)

<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00
<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00

Postage \$0.60

Total Postage and Fees \$4.60

Sent To
Mariston Investment Properties
6350 Lake Oconee Parkway
PMB 110-51
Greensboro GA 30642

PS Form 3800, April 2015 PSN 7530-02-000-9027

**U.S. Postal Service™
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For delivery information, visit our website at www.usps.com.
Lithonia, GA 30058

OFFICIAL USE

Certified Mail Fee \$4.00

Extra Services & Fees (check box, add fee as appropriate)

<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00
<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00

Postage \$0.60

Total Postage and Fees \$4.60

Sent To
Warrior Met Coal Land LLC
2085 Stephenson Road
Lithonia GA 30058

PS Form 3800, April 2015 PSN 7530-02-000-9027

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<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00

Postage \$0.60

Total Postage and Fees \$4.60

Sent To
DeKalb County
7533 Rock Mountain Road
Lithonia GA 30058

PS Form 3800, April 2015 PSN 7530-02-000-9027



Shauna Edwards <ngpermitting@gmail.com>

ref rezoning meeting

1 message

Ray <awards@metroawards.com>
To: ngpermitting@gmail.com

Tue, Dec 13, 2022 at 2:24 PM

Dear Ms. Edwards,

I received your notice of the community meeting to discuss rezoning of 1450 and 1422 Rock Chapel Road. I support the rezoning of these properties to light industrial.

I am the owner of 1424 Rock Chapel. Please let me know if you need from me any further information.

Thank you,

Ray Sonshein



6354 Roswell Road

Sandy Springs, GA. 30328-3210 US

404-705-9005

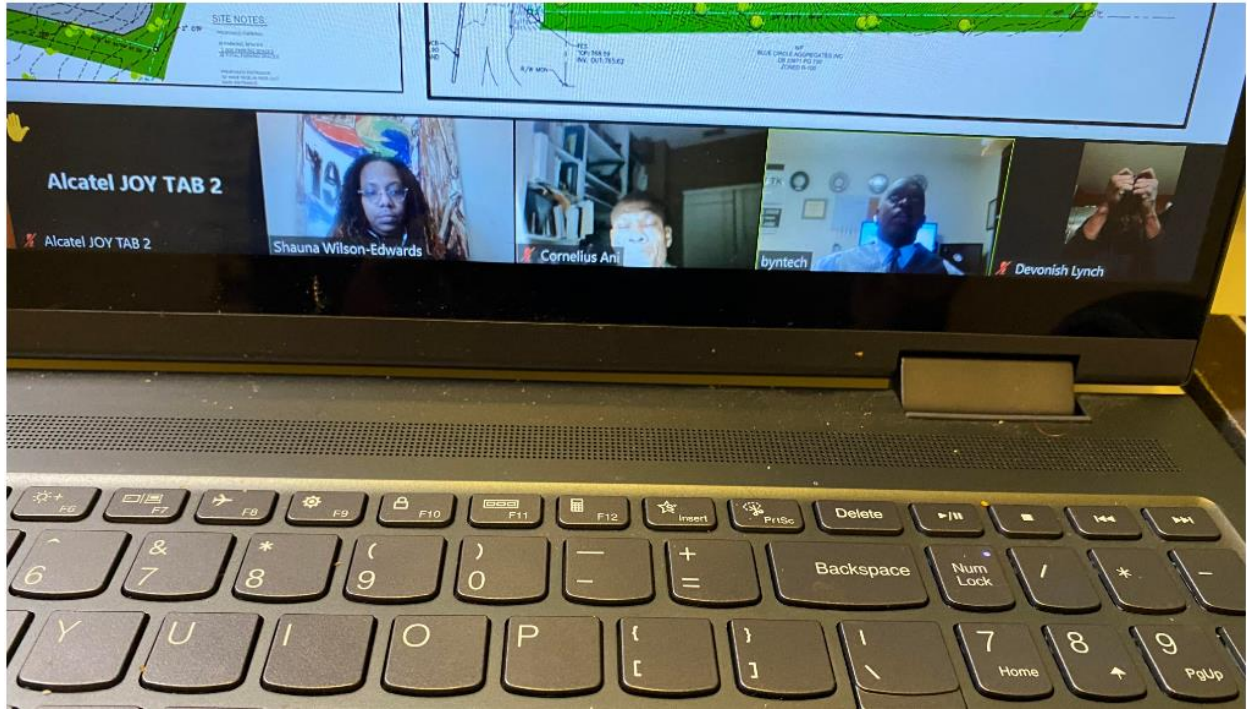
www.metroawards.com

SNIP OF ZOOM MEETING, Wednesday, December 21, 2022, 6:30 PM

Recorded Meeting Link

https://us06web.zoom.us/rec/share/xrz5SI-Ho1GuqKP0Z5tIW50Lgr_8MhLL8zUrfVp31zx1DFcNH1zomD-CS16pME4D.Zgv81PPHL0hvYWxa
Passcode: Ja+Lx1VD

The screenshot displays a Zoom meeting window with a PowerPoint presentation. The slide is titled "Questions & Answers" and features two site plans side-by-side. The left plan is for "1422 Rock Chapel Road (5.23 acres)" and the right plan is for "1450 Rock Chapel Road (3.97)". Both plans show building footprints, parking areas, and landscaping. A green notification bar at the top of the plans reads "You are screen sharing" with a "Stop Share" button. Below the plans, the text "THE END" is centered. The Zoom interface includes a top menu bar with "Record" and "Share" buttons, a right-hand sidebar with participant thumbnails (Alcatel JOY TAB 2, Shauna Wilson-Edwards, Cornelius Ani, byntech), and a Windows taskbar at the bottom showing the time as 6:45 PM on 12/21/2022.



REZONING APPLICATION CHECKLIST

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

_____ 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. 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

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.

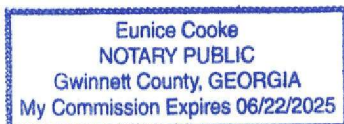


Notary



Signature of Applicant /Date

Check one: Owner _____ Agent V



Expiration Date/ Seal

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

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: 12/01/2022

TO WHOM IT MAY CONCERN:

Arnold Bowen

(I) (WE) _____
Name of owner(s)

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

Land Engineering and Surveying

Name of Agent or Representative

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

[Signature]
Notary Public

[Signature]
Owner

[Signature]
Notary Public

[Signature]
Owner

[Signature]
Notary Public

[Signature]
Owner

[Signature]
Notary Public

[Signature]
Owner



Chief Executive Officer
Michael Thurmond

DEPARTMENT OF PLANNING & SUSTAINABILITY

Director
Andrew A. Baker, AICP

REZONE APPLICATION AUTHORIZATION

Completion of this form is required if the individual making the request is **not** the owner of the property.

DATE: 12/01/2022

CHECK TYPE OF APPLICATION:

- LAND USE PLAN
- REZONE
- MINOR MODIFICATION

TO WHOM IT MAY CONCERN:

(I) (WE), Arnold Bowen
(Name of owner(s))

being (owner)/(owners) of the property described below or attached hereby delegate authority to
Land Engineering and Surveying
(Name of Applicant or Agent Representing Owner)

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

[Signature]
Notary Public

[Signature]
Notary Public

[Signature]
Notary Public

[Signature]
Owner

[Signature]
Owner

[Signature]
Owner



REZONING

1450 Rock Chapel Road Lithonia, GA 30058 (3.97 ACRES)

LETTER OF APPLICATION

a) the proposed zoning classification:

Proposing to rezone from Residential (R-100) to Light industrial (M).

b) The reason for the rezoning or special use or modification request: *The rezoning to M (Light Industrial) will allow the owner of the vacant property to operate a landscaping company.*

The site currently consists of an abandoned single-family home, the owner is proposing a landscaping company. Based on the numerous industrial activity that is surrounding the subject site, rezoning to M is the best and mostly suitable use for this site.

c) *existing and proposed use:*

The site currently consists of an abandoned single-family home, the owner is proposing a landscaping company. The proposed operation will entail the sale and installation of organic and inorganic material, plants, pine straw and other limited accessory products for the landscape industry and the storage and use of associated landscape vehicles and equipment.

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):

The operation will include the sale and installation of organic and inorganic material, plants, pine straw and other limited accessory products for the landscape industry and the storage and use of associated landscape vehicles and equipment. The proposed operational hours will be 9:00 am to 5:00 pm. The building will be demolished and rebuilt, with a proposed 15 parking spaces. The existing entrance will also be upgraded to a right-in right-out entrance.

e) (optional) statement of conditions discussed with the neighborhood or community, if any.

STATEMENT OF CONDITIONS

1. Rezoning property located at 1450 Rock Chapel Road Lithonia, GA 30058 from Residential (R-100) to Light Industrial (M) to allow for a landscaping company.

2. Property has all rights to retain uses permitted or restricted in the M zoning district, as outlined in the Zoning Ordinance of DeKalb County

IMPACT ANALYSIS

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

Based on the future land use map of the subject site, the Comprehensive Plan identifies this site as Suburban (SUB). However, as indicated in the diagram, the subject site is surrounded by intense industrial use with a future land use designation of Industrial (IND, LIND). To the west of the subject site there is a coal mining operation, and to the east of the site there is also a quarry operation company that is a major supplier of building materials such as



aggregates, cement, ready mixed concrete and asphalt. There is also a trucking company and concrete plant located to the south of the subject site. The subject site is currently zoned as residential and we are proposing a rezoning to light industrial (M). The existing residential zoning that is surrounding the subject site is not compatible due to surrounding industrial activities, making this area not suitable for residential activity due to the possible exposure to noise, dust, heavy vehicular traffic just to name a few. The rezoning to light industrial will be compatible with surrounding use as this area of the county consists of existing large scale industrial activities.

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

The diagram shows the surrounding land use and zoning. The site is surrounded by majority industrial activity. Yes, a rezoning will permit a use that is suitable and compatible with surrounding use. In addition, the site is located along a major thoroughfare that is convenient for transporting goods.



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

The subject site is currently zoned residential, rezoning to light industrial (M) will definitely allow for added economic value to this property. The rezoning to M will allow the owner to develop a landscaping company that will better serve the demand of the surrounding neighborhood. In addition, additional jobs will be created for residents. Rezoning to light industrial (M) makes the best economic sense for this site.

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

The site is currently adjacent to residential use and residential zoning. If rezoned, specific features will be implemented to reduce noise, air pollution, light and other impacts. Landscaping buffer will be implemented consistent the Dekalb County regulations to allow for compatibility and reduce environmental impact.

- E. Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the zoning proposal.

The site is better zoned for industrial activity as the site is surrounded by a variety of industrial activity such as mining, quarrying, trucking and concrete mixing. There are too many environmental impacts from industrial activity to have this strip zoned as residential. Rezoning to industrial will allow for compatibility. The subject site is also located along a major thoroughfare which allows for the movement of goods in and out of the site efficiently.

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

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


- 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.

The subject site is currently an existing lot with a vacant single-family home which has not been occupied in a while. Rezoning to M for a landscaping company should not be a burden on existing streets or transportation facilities as the subject site is located off a major roadway. The Rock Chapel Elementary is located north of the subject site, 0.7 miles. However, no added school age kids will be added due to this development. The proposal to rezone to industrial will not impact school resources.

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

As mentioned earlier this location is suitable for industrial activity due to surrounding industrial uses. Rezoning to M to facilitate a landscaping company is definitely compatible with surrounding environment. Also, the subject site will be consistent with the Dekalb County Code to ensure there will be no adverse environmental impact to surrounding lots.

THIS PLAT IS A RESTATEMENT OF AN EXISTING PARCEL OR PARCELS OF LAND AND DOES NOT SUBDIVIDE OR CREATE A NEW PARCEL. THE RECORDING INFORMATION OF THE DOCUMENTS, MAPS, PLATS, OR OTHER INSTRUMENTS WHICH CREATED THE PARCEL OR PARCELS ARE SET FORTH HEREIN. RECORDATION OF THIS PLAT DOES NOT IMPLY APPROVAL OF ANY LOCAL JURISDICTION, AVAILABILITY OF PERMITS, COMPLIANCE WITH LOCAL REGULATIONS OR REQUIREMENTS, NOR SUITABILITY FOR ANY USE OR PURPOSE OF THE LAND. FURTHERMORE, THE UNDERSIGNED LAND SURVEYOR CERTIFIES THAT THIS PLAT COMBINED WITH THE MINIMUM TECHNICAL STANDARDS FOR 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.G.C.A. SECTION 15-6-67.

12/13/18 DATE
 BEN L. BUTTNERWORTH RLS #2294

 12/13/18
 FOR THE FIRM
 BOUNDARY ZONE, INC.
 LSE 0259
 NOT VALID WITHOUT
 ORIGINAL SIGNATURE

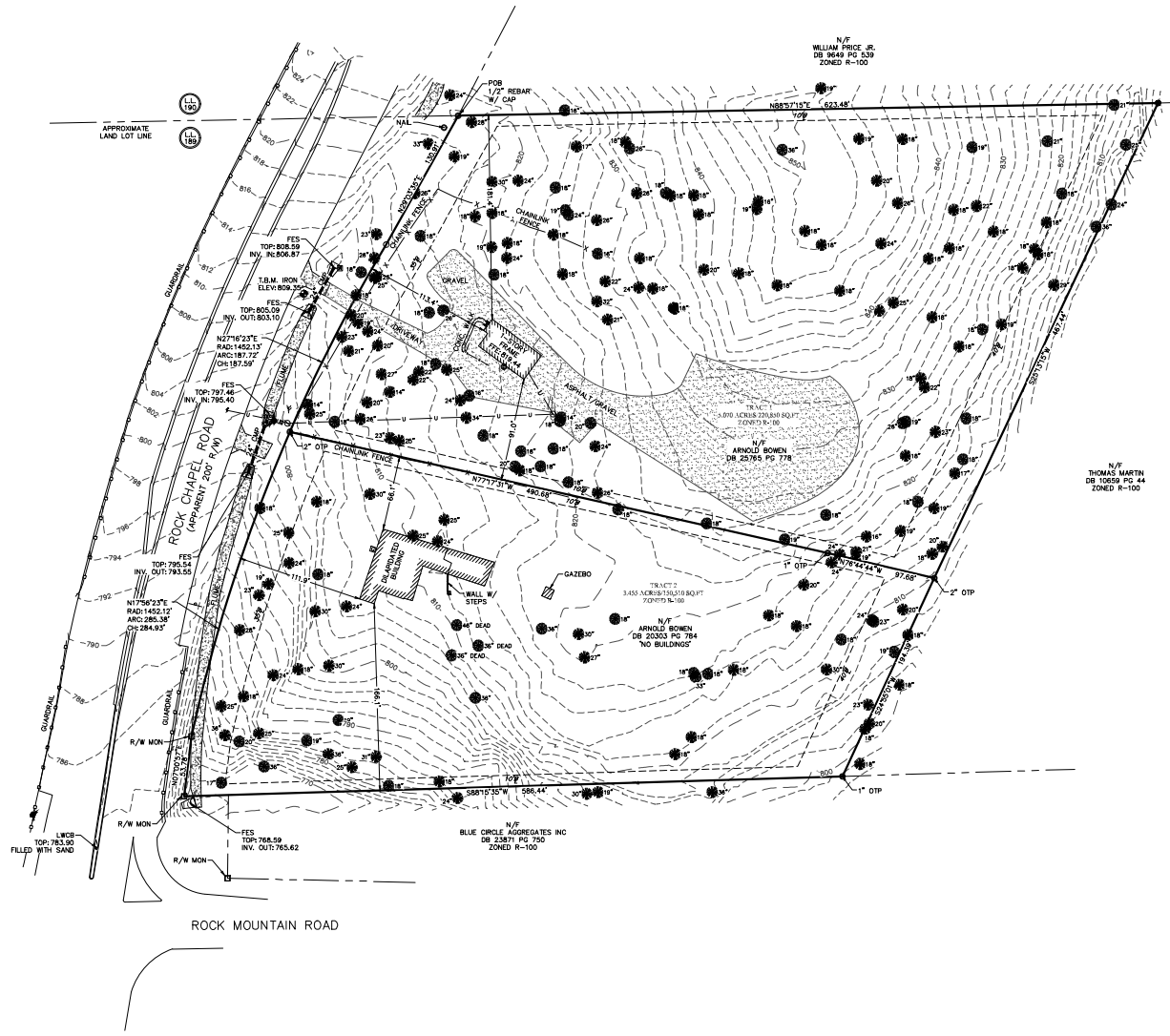
ZONING INFORMATION:
 R-100 (RESIDENTIAL MEDIUM LOT-400) DISTRICT
 *SETBACKS ARE SUBJECT TO THE DEKALB COUNTY BUILDING CODE REQUIREMENTS
 MINIMUM LOT SIZE: 12,000 SF
 MINIMUM LOT WIDTH: 100'
 MINIMUM HEATED FLOOR AREA: 3,000 SF
 MAXIMUM HEIGHT: 35'
 MAXIMUM COVERAGE: 35%
BUILDING SETBACKS:
 FRONT: 35'
 SIDE: 10'
 REAR: 40'
 THE SURVEYOR IN NO WAY INTENDS TO INTERPRET OR MAKE CONCLUSIONS REGARDING THE ZONING AND SETBACK DESIGNATION SHOWN HEREON. THIS INFORMATION IS REPORTED FROM PUBLIC INFORMATION WEBSITE FROM THE DEKALB COUNTY PLANNING AND ZONING DEPARTMENT.

THIS SURVEY WAS MADE WITHOUT THE BENEFIT OF A CURRENT TITLE COMMITMENT, EASEMENTS AND ENCUMBRANCES MAY EXIST WHICH BENEFIT AND BURDEN THIS PROPERTY.
 THIS PLAT WAS PREPARED FOR THE EXCLUSIVE USE OF THE PERSON, PERSONS OR ENTITY NAMED HEREON AND DOES NOT EXTEND TO ANY UNNAMED PERSON WITHOUT A RECORDED COPY IN THIS SURVEYOR'S RECORDS.
 © COPYRIGHT 2018 BOUNDARY ZONE, INC.
 THIS DRAWING AND ITS REPRODUCTIONS ARE THE PROPERTY OF THE SURVEYOR AND MAY NOT BE REPRODUCED, PUBLISHED OR USED IN ANY WAY WITHOUT THE WRITTEN PERMISSION OF THIS SURVEYOR.

TOTAL AREA: 6.272 ACRES / 371,360 SQUARE FEET
 BOUNDARY REFERENCE: DB 25765, PG 778; DB 30303, PG 784
 DEED/POWER OF ATTORNEY: 12-29-2015
 THIS MAP OR PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 10,730 FEET
 THIS PLAT HAS BEEN PREPARED USING A TRIMBLE 5601 8080B/C TOTAL STATION
 THE FIELD DATA UPON WHICH THIS MAP OR PLAT IS BASED HAS A RELATIVE POSITIONAL ACCURACY OF 0.02 FEET

LEGEND :

<ul style="list-style-type: none"> ○ PROPERTY CORNER ○ FOUND (AS NOTED) ○ 1/2" REBAR WITH CAP SET LIST #339 ○ R/W MONUMENT ○ FIRE HYDRANT ○ WATER METER ○ WATER VALVE ○ POWER POLE ○ LIGHT POLE 	<ul style="list-style-type: none"> ○ POWER/LIGHT POLE ○ OUT WIRE ○ POWER METER ○ POWER BOX ○ A/C UNIT ○ MANHOLE ○ CLEAN OUT ○ JUNCTION BOX ○ OUTFLOW STRUCTURE ○ DRAINAGE INLET 	<ul style="list-style-type: none"> ○ GAS METER ○ GAS VALVE ○ CABLE BOX ○ TELEPHONE BOX ○ S/O ○ W-WATER LINE ○ OVERHEAD UTILITY LINE ○ S-SEWER LINE ○ GAS LINE ○ CABLE LINE 	<ul style="list-style-type: none"> — TELEPHONE LINE — FENCE LINE — 40' CONTOUR LINE — BUILDING SETBACK LINE CONCRETE — EDGE OF PAVEMENT LL- LAND LOT N/F NOW OR FORMERLY R/W RIGHT-OF-WAY P/L PROPERTY LINE 	<ul style="list-style-type: none"> OH OVERHANG C/B CATCH BASIN ONT CANTILEVER N/C HANDICAP FYE FINISHED FLOOR ELEVATION BFE BASEMENT FLOOR ELEVATION GFE GARAGE FLOOR ELEVATION DB DEED BOOK PB PLAT BOOK PG PAGE 	<ul style="list-style-type: none"> POB POINT OF BEGINNING POC POINT OF COMMENCEMENT NAD NORTH AMERICAN DATUM NAD80 NORTH AMERICAN VERTICAL DATUM LAND SURVEYING SERVICES LANDSCAPE ARCHITECTURE LAND PLANNING LAND SURVEYING, ARCHITECTURE AND PLANNING HARDWOOD TREE PINE TREE
--	---	--	---	---	---



GRID NORTH
 GA. WEST ZONE
 NAD 1983
 DATUM: NAD 1983
 SCALE: 1"=50'

NO.	REVISION	DATE

BOUNDARY, TOPOGRAPHIC, & TREE SURVEY
 PREPARED FOR: VINCENT BEDWARD
 LAND LOT 189, 16TH DISTRICT
 DEKALB COUNTY, GEORGIA - 12/11/18



PROJECT 1938502
 SHEET 1 OF 1

LEGAL DESCRIPTION

1450 Rock Chapel Road

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

TO ARRIVE AT THE POINT OF BEGINNING, commence at the point formed by the intersection of the Southeastern right-of-way of Rock Chapel Road (200' apparent r/w) and the Northern Land Lot Line of Land Lot 189; thence southeasterly along said right-of-way of Rock Chapel Road on a curve to the right an arc distance of 187.72 feet being subtended by a chord distance of 187.59 feet, a bearing of South 27 degrees 16 minutes 23 seconds West and a radius of 1,452.13 feet to a point and the POINT OF BEGINNING;

thence South 77 degrees 17 minutes 31 seconds East a distance of 490.68 feet to a point;

thence South 76 degrees 44 minutes 44 seconds East a distance of 97.68 feet to a point;

thence South 24 degrees 55 minutes 01 seconds West a distance of 194.39 feet to a point;

thence South 88 degrees 15 minutes 35 seconds West a distance of 586.44 feet to a point;

thence North 07 degrees 00 minutes 57 seconds East a distance of 53.78 feet to a point;

thence along said right-of-way on a curve to the right an arc distance of 285.38 feet being subtended by a chord distance of 284.93 feet, a bearing of North 17 degrees 56 minutes 23 seconds East and a radius of 1452.12 feet to a point; and the POINT OF BEGINNING.

Said tract containing 150,510 square feet (3.455 acres) as shown on rezoning exhibit survey prepared for Vincent Beward Persiah G by Boundary Zone, Inc. dated December 12, 2018.

ZONING: M

MINIMUM LOT AREA: 30,000 SF

M SETBACKS
AS PER ZONING

FRONT: MIN 60 FT
INTERIOR SIDE: 20 FT
REAR: 30 FT
MAXIMUM COVERAGE: 80%
50' TRANSITIONAL BUFFER REQUIRED

THE SURVEYOR IN NO WAY INTENDS TO INTERPRET OR
MAKE CONCLUSION REGARDING THE ZONING AND
SETBACK DESIGNATION SHOWN HEREON. THIS
INFORMATION IS REPORTED FROM PUBLIC INFORMATION
OBTAINED FROM CITY OR COUNTY PLANNING AND ZONING
DEPARTMENTS.

OWNER

ARNOLD BOWEN
1450 ROCK CHAPEL ROAD
LITHONIA, GEORGIA 30058

BUILDER /
24 HR. EMERGENCY CONTACT

ARNOLD BOWEN
1450 ROCK CHAPEL ROAD
LITHONIA, GEORGIA 30058
404-227-6042



SITE NOTES:

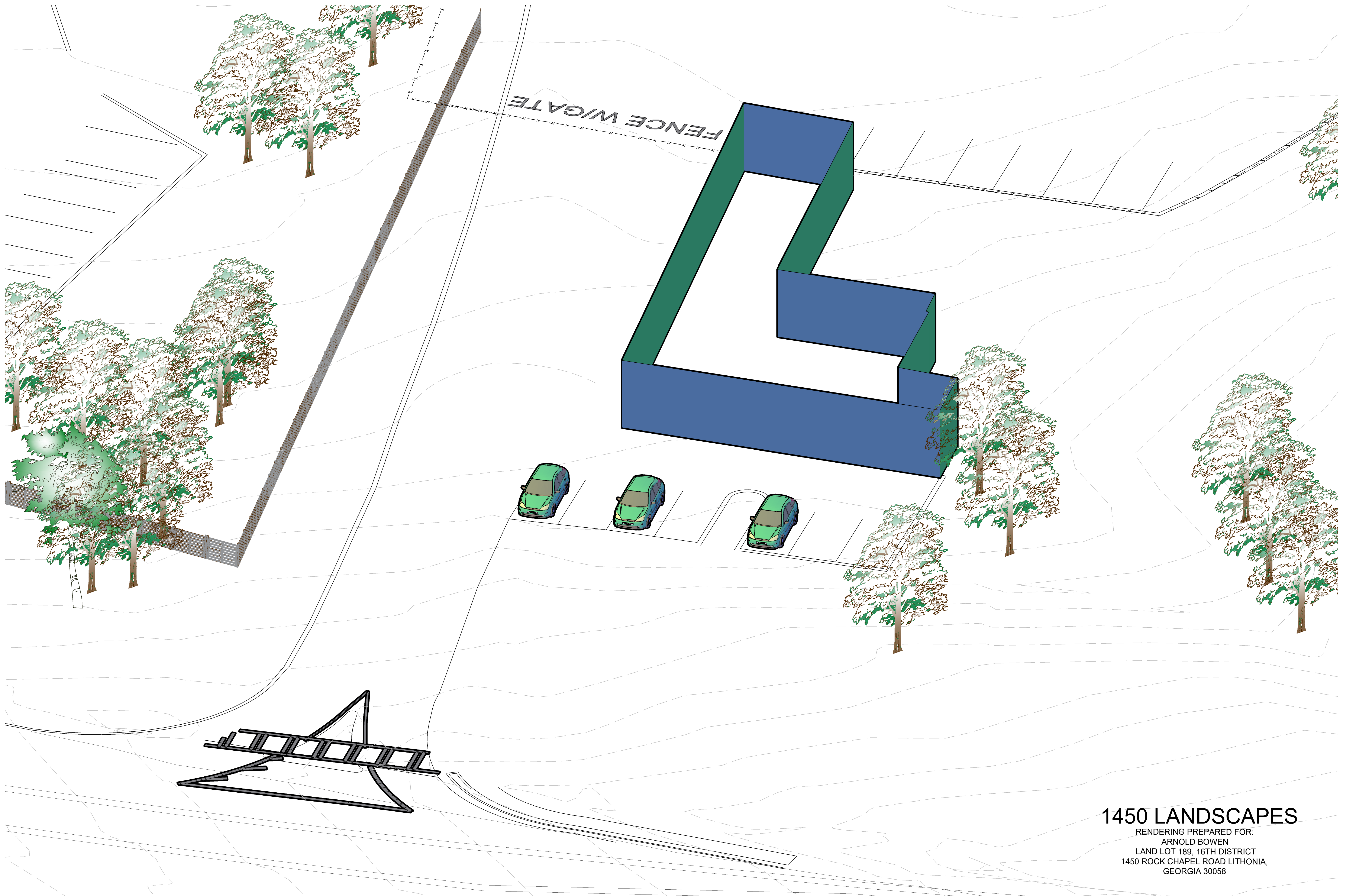
- PROPOSED PARKING:
 - 13 PARKING SPACES
 - 2 ADA PARKING SPACES
 - 15 TOTAL PARKING SPACES
- PROPOSED ENTRANCE:
 - 50' WIDE RIDE-IN RIDE-OUT MAIN ENTRANCE
- DEMOLITION:
 - REMOVE GAZEBO
 - REMOVE OLD BUILDING
 - REBUILD NEW BUILDING (SAME LOCATION)

GENERAL NOTES:

- TRACT 1 & 2 TOTAL AREA: 8.525 ACRES / 371,360 SQUARE FEET
- BOUNDARY REFERENCE: DB 25765, PG 778; DB 20303, PG 784
- FIELDWORK PERFORMED ON 12/5/2018
- ONE FOOT IN 153,730 FEET
- THIS PLAT HAS BEEN PREPARED USING A TRIMBLE 5603 ROBOTIC TOTAL STATION
- FLOOD HAZARD STATEMENT:
 - THIS IS TO CERTIFY THAT NO PORTION OF THIS SITE LIES WITHIN A FEDERALLY DESIGNATED 100 YEAR FLOOD HAZARD AREA AS SHOWN ON THE F.I.R.M. MAP OF DEKALB COUNTY (CITY OF LITHONIA), GEORGIA PANEL # 1308900177K, EFFECTIVE ON 12/06/2016
- PROJECT NARRATIVE:
 - SITE LOCATION:
 - 1422 ROCK CHAPEL ROAD
 - LITHONIA, GEORGIA 30058
 - CONSTRUCTION OF A SINGLE FAMILY RESIDENCE
 - SEE ARCHITECTURAL PLANS FOR MORE DETAIL
 - SANITARY SEWER IS PROVIDED BY PUBLIC SEWER SYSTEM
 - DRAINAGE STRUCTURES DO NOT EXIST ON THIS PROPERTY
 - CREEKS OR DRAINAGE SWALES DO NOT EXIST ON THIS PROPERTY
 - NO NEW STORM DRAIN PIPES ARE PROPOSED
 - THIS PROPERTY DOES (NOT) LIE WITHIN THE CHATTAHOOCHEE RIVER CORRIDOR
 - THIS PROPERTY IS (NOT) ON OR WITHIN 200 FEET OF WATERS OF THE STATE
 - THIS MAP OR PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN FLOOD HAZARD AREA AS SHOWN ON THE F.I.R.M. MAP OF CITY OF LITHONIA AS SHOWN ON THE FIELD DATA UPON WHICH THIS MAP OR PLAT IS BASED HAS A CLOSURE PRECISION OF 0.02 FEET.

1450 LANDSCAPES

RENDERING PREPARED FOR:
ARNOLD BOWEN
LAND LOT 189, 16TH DISTRICT
1450 ROCK CHAPEL ROAD
LITHONIA, GEORGIA 30058



FENCE W/GATE

1450 LANDSCAPES

RENDERING PREPARED FOR:
ARNOLD BOWEN
LAND LOT 189, 16TH DISTRICT
1450 ROCK CHAPEL ROAD LITHONIA,
GEORGIA 30058



**DEKALB COUNTY GOVERNMENT
PLANNING DEPARTMENT
DISTRIBUTION FORM**

NOTE: PLEASE RETURN ALL COMMENTS VIA EMAIL OR FAX TO EXPEDITE THE PROCESS TO
RACHEL BRAGG RLBRAGG@DEKALBCOUNTYGA.GOV OR
JOHN REID JREID@DEKALBCOUNTYGA.GOV

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

Case No.: LP-23-1246240

Parcel I.D. #: 16-189-01-002

Address: 1450 ROCK CHAPEL RD,
LITHONIA, GA 30058

WATER:

Size of existing water main: 16" DIP (~~ade~~quate/inadequate)

Distance from property to nearest main: Adjacent

Size of line required, if inadequate: _____

SEWER:

Outfall Servicing Project: _____

Is sewer adjacent to property: Yes () No () If no, distance to nearest line: aprox. 675"

Water Treatment Facility: Polebridge () adequate () inadequate

Sewage Capacity; 20 (MGPD) Current Flow: 7.8 (MGPD)

COMMENTS:

Sewer capacity request required

Signature: Yola Lewis



**DEKALB COUNTY GOVERNMENT
PLANNING DEPARTMENT
DISTRIBUTION FORM**

NOTE: PLEASE RETURN ALL COMMENTS VIA EMAIL OR FAX TO EXPEDITE THE PROCESS TO
RACHEL BRAGG RLBRAGG@DEKALBCOUNTYGA.GOV OR
JOHN REID JREID@DEKALBCOUNTYGA.GOV

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

Case No.: Z-23-1246241

Parcel I.D. #: 16-189-01-002

Address: 1450 ROCK CHAPEL RD,
LITHONIA, GA 30058

WATER:

Size of existing water main: 16" DIP (~~ade~~quate/inadequate)

Distance from property to nearest main: Adjacent

Size of line required, if inadequate: _____

SEWER:

Outfall Servicing Project: _____

Is sewer adjacent to property: Yes () No (X) If no, distance to nearest line: aprox. 675"

Water Treatment Facility: Polebridge () adequate () inadequate

Sewage Capacity; 20 (MGPD) Current Flow: 7.8 (MGPD)

COMMENTS:

Sewer capacity request required

Signature: Yola Lewis

2/17/2023

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

2/17/2023

N1-202300065

LP-23-1246239 16-189-01-003

1422 Rock Chapel Road, Lithonia, GA 30058

Amendment

- Please review general comments.
- Septic system install on properties in surrounding area 1400 Roack Chapel Road on September 21, 2001.

N2-2023-0065

Z-23-1246238 16-189-01-003

1422 Rock Chapel Road, Lithonia, GA 30058

Amendment

- Please review general comments.
- Septic system install on properties in surrounding area 1400 Roack Chapel Road on September 21, 2001.

N3-2023-0066

LP-23-1246240 16-189-01-002

1450 Rock Chapel Road, Lithonia, GA 30058

Amendment

- Please review general comments.
- Septic installed on surrounding areas of 1473 Rock Chapel Road. This located stated above may have septic system installed.

N4-2023-0067

Z-23-1246241 16-189-01-002

1450 Rock Chapel Road, Lithonia, GA 30058

Amendment

- Please review general comments.
- Septic installed on surrounding areas of 1473 Rock Chapel Road. This located stated above may have septic system installed.

ZONING COMMENTS – FEBRUARY 2023

N1 (LP-23-1246239), N2 (Z-23-1246238), N3 (LP-23-1246240), and N4 (Z-23-1246241): 1422 Rock Chapel Road. Rock Chapel Road is SR 124. GDOT review and approval required prior to permitting. (mwilson@dot.ga.gov) Rock Chapel Road is classified as a major arterial. Requires a right of way dedication of 50 feet from centerline OR such that all public infrastructure is within right of way, whichever greater. Requires a 5-foot landscape strip with a 10-foot multi-use path. Street Lighting required. (hefowler@dekalbcountyga.gov) No poles may remain within the limits of the path. (See Zoning Code 5.4.3 and Land Development Code 14-190 for infrastructure requirements.)

N5 (LP-23-1246249) & N6 (Z-23-1246248): 710 Fayetteville Road (47 Multi-family Units). The zoning is dependent on the conditions for 15 173 07 048, 15 173 07 002 and 15 173 07 018. Provide inter-parcel multimodal connectivity.

N7 (CZ-23-1246278) & N8 (SLUP-23-1246250): 1807 Memorial Drive. Memorial Drive is State Route 154. GDOT review and approval required prior to permitting. (mwilson@dot.ga.gov) The right of way in front of this property is within the City of Atlanta. City of Atlanta review and approval of improvements/access approval required for Memorial Drive. My suggestion would be to make the access point on Memorial Drive a right in/right out and provide primary access at the signal at Wilkinson Drive at Memorial Dr. This would be a City of Atlanta/GDOT decision. Wilkinson Drive and Warren Drive are local streets. DeKalb County Zoning Code (section 5.4.3) and Land Development Code (Section 14-190) require: Right of way dedication of 27.5 feet from centerline, 12 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).

N9 (CZ-23-1246251): 7006 Covington Hwy. Covington Hwy is State Route 12. GDOT review and approval required prior to permitting. (mwilson@dot.ga.gov). Covington Hwy is classified as a major arterial. Requires a right of way dedication of 50 feet from centerline OR such that all public infrastructure is within right of way, whichever greater. Requires a 5-foot landscape strip with a 10-foot multi-use path. Street Lighting required. (hefowler@dekalbcountyga.gov) No poles may remain within the limits of the path. (See Zoning Code 5.4.3 and Land Development Code 14-190 for infrastructure requirements.) Wellington Walk Place will be a local street. Whether public or private, it needs to be improved to public street standards. DeKalb County Zoning Code (section 5.4.3) and Land Development Code (Section 14-190) require: Right of way dedication of 55 feet (If public), 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). Interior streets to remain private. If Wellington Walk remains private, then the HOA will provide funding for ongoing maintenance. Connect sidewalk between Covington Hwy and the existing sidewalks on Wellington Walk Place. Upgrade ADA ramp on the northwest corner of Covington Hwy at Wellington Walk with an ADA ramp of modern standards with truncated domes. Add ADA ramps with truncated domes crossing proposed driveway of townhomes. Provide a pedestrian connection to the townhomes to the sidewalk.

N10 (SLUP-23-1246256): 4434, 4450, 4466 Memorial Drive. Memorial Drive is State Route 10. GDOT review and approval required prior to permitting. (mwilson@dot.ga.gov) GDOT MMIP coordination is also required for the I-285 managed lanes project prior to permitting. Contact Tim Matthews, PM (TMatthews@dot.ga.gov) Dedicate right of way or easements needed for the MMIP project, as required. Memorial Drive is classified as a major arterial. Requires a right of way dedication of 50 feet from centerline OR such that all public infrastructure is within right of way, whichever greater. Requires a 5-foot landscape strip with a 10-foot multi-use path. Street Lighting required. (hefowler@dekalbcountyga.gov) No poles may remain within the limits of the path. (See Zoning Code 5.4.3 and Land Development Code 14-190 for infrastructure requirements.) Northern Ave is classified as a collector road. Requires a right of way dedication of 35 from centerline OR such that all public infrastructure is within right of way, whichever

greater. Requires a 5-foot landscape strip with a 10-foot multi-use path. No poles may remain within the limits of the path. Requires pedestrian scale streetlights. (hefowler@dekalbcountyga.gov) Eliminate right in/right out access point on Northern Ave. Only one access point allowed on Northern Ave. No access allowed from Memorial Drive.



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**

- (1) 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 (those sections have been amended recently, and available in Municode), 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.
- (2) The county codes require the hydrology study to model the existing conditions as wooded
- (3) Runoff Reduction Volume shall be provided unless technical justification is provided regarding the unfeasibility. Strongly recommend investigating 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 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.



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N-3



DEKALB COUNTY GOVERNMENT PLANNING DEPARTMENT DISTRIBUTION FORM

**NOTE: PLEASE RETURN ALL COMMENTS VIA EMAIL OR FAX TO EXPEDITE THE PROCESS TO
RACHEL BRAGG RLBRAGG@DEKALBCOUNTYGA.GOV OR JOHN REID
JREID@DEKALBCOUNTYGA.GOV**

COMMENTS FORM:

PUBLIC WORKS TRAFFIC ENGINEERING

N3-2020-0066

Case No.: LP-23-1246240

Parcel I.D. #: 16-189-01-002

Address: 1450

Rock Chapel Rd
LITHIA, GA

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:

Field and plans reviewed. Nothing found that would change or disrupt traffic flow.

Signature: [Signature]



N44

DEKALB COUNTY GOVERNMENT PLANNING DEPARTMENT DISTRIBUTION FORM

NOTE: PLEASE RETURN ALL COMMENTS VIA EMAIL OR FAX TO EXPEDITE THE PROCESS TO
RACHEL BRAGG RLBRAGG@DEKALBCOUNTYGA.GOV OR JOHN REID
JREID@DEKALBCOUNTYGA.GOV

COMMENTS FORM:

PUBLIC WORKS TRAFFIC ENGINEERING

N-4 2023-0067

Case No.: 2-23-1246241 Parcel I.D. #: 16-189-01-002

Address: 1450
Rock Chapel Rd
Lawtonia, GA

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 _____
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COMMENTS:

Field and plans reviewed. Nothing found that would change or disrupt traffic flow.

Signature: [Signature]