

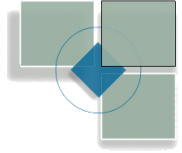


DeKalb County Department of Planning & Sustainability

330 Ponce De Leon Avenue, Suite 300

Decatur, GA 30030

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



Michael L. Thurmond
Chief Executive Officer

Planning Commission Hearing Date: Thursday, September 7, 2017, 6:30 P.M.
Board of Commissioners Hearing Date: Tuesday, September 26, 2017, 6:30 P.M.

STAFF ANALYSIS

Case No.: CZ-17-21564 **Agenda #:** D.2

Location/Address: The south side of Flat Shoals Parkway, at the southwest intersection of Clifton Springs Road and Flat Shoals Parkway at 3975, 4007 and 4025 Flat Shoals Parkway and a portion of 3101 Clifton Springs Road, Decatur, Georgia. **Commission District:** 3 **Super District:** 6

Parcel ID: 15-090-01-004; 15-090-01-008
15 090 01 020 & a portion of 15 090 01 013

Request: A major modification of conditions pursuant to SLUP-12-18066. To reduce the number of approved drive-through restaurants in a C-1 (Local Commercial) District from two (2) to one (1).

Property Owners: Humphreys Fund LLC; Standard Authority LLC; Otto Tract NO 10 LLC (Per County Records)

Applicant/Agent: DeKalb County Board of Commissioners

Acreage: 5.540 Acres

Existing Land Use: Quik Trip & Adjacent Undeveloped Property

Surrounding Properties: Various commercial, office & residential uses along Flat Shoals Parkway: Quik-Trip auto gas fueling station & convenience store; Orchard Walk Apartments; Zoom car wash, Flat Shoals Library

Adjacent & Surrounding Zoning: West: C-1(Local Commercial) District
South & East: MU-4 (Mixed Use High Density) District
Further East: NS (Neighborhood Shopping) District

Comprehensive Plan: Neighborhood Center (NC) Consistent X

Proposed Building Square Feet: N/A	Existing Building Square Feet: None
Proposed Lot Coverage: N/A	Existing Lot Coverage: N/A

SUBJECT SITE:

The project site consisting of 5.540 acres is zoned C-1 (Local Commercial) District pursuant to Z-12-18064. It is located on the south side of Flat Shoals Parkway (a four-lane major arterial with a grassed median) and east of the intersection of Clifton Springs Road and Flat Shoals Parkway in Decatur, Georgia. Located within Tier 2 of the I-20 Overlay District, the site is adjacent to the Quik Trip convenience and auto gas pump outlet at the southeastern intersection of Clifton Springs Road and Flat Shoals Parkway. The site is primarily undeveloped with mature vegetation except for one vacant single-family residence along Flat Shoals Parkway. The property frontage is developed with curb, gutter and sidewalk.

Surrounding land uses include a mixture of residential, office and commercial developments. Along the east side of Flat Shoals Parkway is Orchard Land Condominiums, Living Crest Townhomes and Orchard Walk apartment homes. South of the site along Flat Shoals Parkway are single-family residences. Adjacent to the site along the west property line is Quik-Trip convenience store with auto fuel pumps. South and east of the site is undeveloped land that is part of the overall 79.53 acre tract designated for the mixed use development. Commercial uses in the immediate area include Burger King, Zoom Car Wash, Flat Shoals Crossing Shopping Center and Battle's Plaza Shopping Center. Public facilities and community uses in the area include the Flat Shoals Library on Flat Shoals Parkway and DeKalb County Board of Health along Clifton Springs Road.

ZONING & SITE HISTORY:

DRI #1850 (Development of Regional Impact) - The site is part of DRI #1850, a traffic study conducted by GRTA (Georgia Regional Transportation Authority) on 79 acres at the intersection of Clifton Springs Road and Flat Shoals Parkway. The overall development is a mixed use project consisting of retail, office, commercial and residential development at the intersection of Clifton Springs Road and Flat Shoals Parkway. The residential component consisted of 600 multi-family units which initiated the DRI review by GRTA. The DRI was approved with conditions included in the notice of decision on September 8, 2008. A revised notice of decision for DRI #1850 was issued by GRTA on January 12, 2015. The revisions were to include temporary site access until additional improvements and site access are installed, and to reduce the required distances for internal turning movements on certain site driveways. (See Attachments 2 & 3)

LP-08-15001 - The DeKalb County Board of Commissioners approved Land Plan Amendment (LP-08-15001) on February 10, 2009 to amend the Comprehensive Land Use Plan from Suburban (SUB) to Neighborhood Center (NC) on the subject site.

Z-12-18064 & SLUP-12-18066 - On November 13, 2012, the Board of Commissioners rezoned the 79 acre tract from R-100 (Single-Family Residential) District to C-1 (Local Commercial) District and OCR (Office-Commercial-Residential) District in accordance with conditions per GRTA. Tract 1 per the site survey (Attachment 1), allows for retail, office and commercial uses on 73.996 acres zoned OCR District. Tract 2 allows for retail, service commercial on 5.540 acres zoned C-1 District. The overall development allows for a maximum of 274,400 square feet of heated space for commercial uses and a maximum of 600 multi-family residential units at the intersection of Flat Shoals Road and Clifton Springs Road. (See attached conditions). The revised DeKalb Zoning Ordinance effective September 1, 2015 renamed the OCR District to MU-4 (Mixed Use High Density). The overall 79 +/- acre site is currently zoned C-1 (Local Commercial District) and MU-4. The subject modification site is part of the 5.540 acre site (Tract 2 on the survey) zoned C-1 along Flat Shoals Parkway with conditions. The Board of Commissioners also approved a Special Land Use Permit with seven (7) approved conditions to allow up to two (2) drive-through restaurants on the 5.540 acres (Tract 2) zoned C-1 which consisted of five outparcels. (See Attachments 4 & 5)

SLUP-14-19363 & SLUP-14-19365 – On October 28, 2014, the Board of Commissioners approved a Special Land Use Permit with conditions to allow automobile fuel sales and alcohol with conditions in conjunction with a Quik Trip convenience store on the 5.540 acre site (Tract 2) zoned C-1 (Local Commercial) District. The site for the Quik Trip took two (2) of the (5) outparcels leaving (3) remaining for development. The Board of Commissioners did not want to allow two drive-through restaurants on the remaining three undeveloped parcels along Flat Shoals Parkway adjacent to the Quik Trip. Therefore, the Board added conditions pursuant to SLUP-14-19363 and SLUP-14-19365 that requires an amendment to SLUP-12-18066 to reduce the number of drive-through restaurants from two (2) to one (1) on the 5.540 acre site zoned C-1. They are as follows:

SLUP-14-19363

Condition #12 SLUP-12-18066 shall be amended so that condition #1 allows for (1) one drive-through restaurant on Tract 2 that is entirely internal to the development through the main access points and has an outside pedestrian accessible seating area. The Board of Commissioners shall initiate this SLUP change.

SLUP-14-19365

Condition #14 Same as #12 on SLUP-14-19363

(See attachments 6 & 7 for complete set of approved conditions)

MODIFICATION REQUEST:

The request seeks to modify approved conditions of zoning pursuant to SLUP- 12-18066 as required by the above referenced conditions. Planning Staff notes that conditions 1, 6 & 7 refer to the two (2) approved drive-through restaurants on the site. The proposed revised conditions reflect the modification request as well as current DeKalb County Code. The proposed amendments to the seven approved SLUP-12-18066 conditions are as follows:

Note: The strike out reflects what is being deleted from the existing conditions. The highlighted language reflects what is being added to the existing conditions.

1. ~~Approve up to two~~ **Not more than one** drive-through restaurants on the C-1 labeled Tract 2 (5.540 acres) on the survey for Maxie Price (the "Survey") prepared by Rochester & Associates. Inc. for Maxie Price, dated March 26, 2012, last revised July 18, 2012, Job. No. G208051.CBT and received by the Planning and Sustainability Department on July 20, 2012. (See Attachment 1). **Restaurant shall be entirely internal to the development via the main access points and have an outside pedestrian accessible seating area.**
2. ~~Approved~~ **Provide road improvements** in accordance with development conditions per Georgia Regional Transportation Authority (GRTA) ~~Revised~~ Notice of Decision pursuant to DRI #1850 **dated January 12, 2015** (See Attachment 2).
3. The Subject Property shall be developed in general conformity with the DRI site plan prepared by Hughes, Goode, O'Leary and Ryan, Inc. dated July 24, 2008, last revised September 4, 2008 (the "DRI Site Plan") for the 79.53 acre tract (the "Project Site"), with such modifications as are approved by the Director of the Planning and Sustainability Department during the I-20 Overlay District compliance review. (See Attachment 3).
4. ~~Deleted. Site shall adhere to development standards of the I-20 Overlay District.~~

5. Consistent with ~~Section 27-729.25 of~~ the DeKalb County Zoning Ordinance, prior to submission of an application for the issuance of any development or building permit, the conceptual design package shall be submitted to and approved by the planning and development director after consultation with the district commissioner(s) and super district commissioner(s), ~~consistent with~~ as required in the I-20 corridor overlay district requirements.
6. The issuance of a building permit for the drive-through restaurant(s) shall not be prior to be conditioned on: (a) the issuance of a certificate of occupancy for Building C9 as shown on the DRI Site Plan for the project site of which the Subject Property is a portion thereof, or (b) the issuance of a certificate(s) of occupancy for non-residential structures on the Project Site, which have an aggregate square footage of a minimum of 50,000 sq. ft.
7. Deleted. In addition to compliance with Paragraph 6 above, the development of the second drive thru restaurant shall also be conditioned on the issuance of a certificate of occupancy for a grocery store on the Project Site.
8. These conditions replace all previous Board approved conditions pursuant to SLUP-12-18066.

Planning Analysis:

The modification request to allow only one (1) drive-through restaurant on the site does not alter or change the intent of the C-1 zoning district. The modification request renders compliance to conditions 12 and 14 pursuant to SLUP-14-19363 and SLUP-14-19365 respectively as noted in the zoning history of this Staff report. The request is consistent with Comprehensive Policies and standards regarding development as outlined below:

Section 27-7.3.4 of the DeKalb County Code states that the following standards and factors shall govern the review of all proposed amendments to the Official Zoning Map.

A. Whether the zoning proposal is in conformity with the policy and intent of the comprehensive plan:

The modification request is consistent with the following policies of the 2035 Comprehensive Plan: “Create compact mixed use districts and reduce automobile dependency and travel to obtain basic services”

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 modification request to limit the site to one (1) drive-through restaurant will allow other uses on the site consistent with existing commercial uses in the area.

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

The site has a reasonable economic use currently zoned C-1 (Local Commercial) District. The modification request does not affect the current C-1 zoning on the site.

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

Adjacent (Quik-Trip) and other nearby commercial and institutional uses (public library) should not be adversely affected by the modification request.

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 mixture of existing land uses along Flat Shoals Parkway support various commercial uses on the site. Limiting the site to one (1) drive-through restaurant will provide opportunities for other commercial and retail development.

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

There are no known historic buildings, sites, districts or archaeological resources affecting the modification request.

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

There has been no indication from reviewing departments and agencies that the modification request will or could cause excessive use of existing streets, transportation facilities or utilities. There will be no impact on school enrollment.

STAFF RECOMMENDATION: APPROVAL WITH CONDITIONS

The modification request to allow only one (1) drive-through restaurant on the site does not alter or change the intent of the C-1 zoning district. The request will allow other uses consistent and compatible with existing retail, institutional and commercial uses in the area. The Planning and Sustainability Department recommends **“APPROVAL WITH CONDITIONS”**. The following revised conditions reflect the modification and replace existing SLUP-12-18066 conditions.

1. Not more than one drive-through restaurant on the C-1 labeled Tract 2 (5.540 acres) on the survey for Maxie Price (the “Survey”) prepared by Rochester & Associates, Inc. for Maxie Price, dated March 26, 2012, last revised July 18, 2012, Job. No. G208051.CBT and received by the Planning and Sustainability Department on July 20, 2012. (See Attachment 1). Restaurant shall be entirely internal to the development via the main access points and have an outside pedestrian accessible seating area.
2. Provide road improvements in accordance with development conditions per Georgia Regional Transportation Authority (GRTA) Revised Notice of Decision pursuant to DRI #1850 dated January 12, 2015 (See Attachment 2).
3. The Subject Property shall be developed in general conformity with the DRI site plan prepared by Hughes, Goode, O’Leary and Ryan, Inc. dated July 24, 2008, last revised September 4, 2008 (the “DRI Site Plan”) for the 79.53 acre tract (the “Project Site”), with such modifications as are approved by the Director of the Planning and Sustainability Department during the I-20 Overlay District compliance review. (See Attachment 3).
4. Deleted.
5. Consistent with the DeKalb County Zoning Ordinance, prior to submission of an application for the issuance of any development or building permit, the conceptual design package shall be submitted to and approved by the planning and development director after consultation with the district commissioner(s) and super district commissioner(s), as required in the I-20 corridor overlay district.

6. The issuance of a building permit for the drive-through restaurant shall not be prior to: (a) the issuance of a certificate of occupancy for Building C9 as shown on the DRI Site Plan for the project site of which the Subject Property is a portion thereof, or (b) the issuance of a certificate(s) of occupancy for non-residential structures on the Project Site, which have an aggregate square footage of a minimum of 50,000 sq. ft.
7. Deleted.
8. These conditions replace all previous Board approved conditions pursuant to SLUP-12-18066.

Attachments:

1. Next Steps
2. Letter of Support from property owners representative
3. Department and Division Comments
4. Application and Letter of Intent
5. Attachment 1 – Site Survey
6. Attachment 2 – DRI # 1850 GRTA Revised Notice of Decision dated January 12, 2015
7. Attachment 3 – DRI Site Plan
8. Attachment 4 – Z-12-18064 Approved Conditions for mixed use development on site
9. Attachment 5 – SLUP-12-18066 Approved Conditions for two (2) drive-through restaurants on C-1 property
10. Attachment 6 – SLUP-14-19363 Approved Conditions for Quik Trip with amendment for modification
11. Attachment 7 – SLUP-14-19365 Approved Conditions for QT alcohol sales with amendment for modification
12. DRI Site Plan, Site Survey, Zoning Map, Outparcels for development,
13. Land Use Plan Map, Site Aerial
14. Site Photographs

NEXT STEPS

Following an approval of this modification action, one or several of the following may be required:

-  **Land Disturbance Permit** (Required for of new building construction on non-residential properties, or land disturbance/improvement such as storm water detention, paving, digging, or landscaping.)
-  **Building Permit** (New construction or renovation of a building (interior or exterior) may require full plan submittal or other documentation. Zoning, site development, watershed and health department standards will be checked for compliance.)
-  **Certificate of Occupancy** (Required prior to occupation of a commercial space and for use of property for any business type. The issuance follows the review of submitted plans if required based on the type occupancy.)
- **Plat Approval** (Required if any parcel is being subdivided, re-parceled, or combined. Issued “administratively”; no public hearing required.)
-  **Sketch Plat & Final Plat Approval** (Required for the subdivision of property into three lots or more. Requires a public hearing by the Planning Commission.)
-  **Overlay Review** (Required review of development and building plans for all new construction or exterior modification of building(s) located within a designated overlay district.)
- **Historic Preservation** (A Certificate of Appropriateness is required for any proposed changes to building exteriors or improvements to land when located within the Druid Hills or the Soapstone Geological Historic Districts. Historic Preservation Committee public hearing may be required.)
- **Variance** (Required to seek relief from any development standards of the Zoning Ordinance. A public hearing and action by the Board of Appeals are required for most variances.)
- **Minor Modification** (Required if there are any proposed minor changes to zoning conditions that were approved by the Board of Commissioners. The review is administrative if the changes are determined to be minor as described by Zoning Code.)
- **Major Modification** (Required submittal of a complete zoning application for a public hearing if there are any proposed major changes to zoning conditions that were approved by the Board of Commissioner for a prior rezoning.)
-  **Business License** (Required for any business or non-residential enterprise operating in Unincorporated DeKalb County, including in-home occupations).
- **Alcohol License** (Required permit to sell alcohol for consumption on-site or packaged for off-site consumption. Signed and sealed distance survey is required. Background checks will be performed.)

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

Matthew P. Benson
Gerald Davidson, Jr.*
Brian T. Easley
Kelly O. Faber
Christopher D. Holbrook
Frances H. Kim
Shane M. Lanham

Writer's e-mail: slanham@mptlawfirm.com

July 27, 2017

Austen T. Mabe
Jeffrey R. Mahaffey
David G. McGee
Steven A. Pickens
Andrew D. Stancil
R. Lee Tucker, Jr.
*Of Counsel

VIA HAND DELIVERY,
CERTIFIED MAIL NO. 7016 3010 0000 4926 8216,
RETURN RECEIPT REQUESTED

DeKalb County Board of Commissioners
1300 Commerce Drive
Decatur, Georgia 30030

VIA HAND DELIVERY,
CERTIFIED MAIL NO. 7016 3010 0000 4926 8209
RETURN RECEIPT REQUESTED AND
EMAIL: meisenberg@dekalbcountyga.gov

Ms. Marian Eisenberg
Zoning Administrator
DeKalb County Planning & Sustainability Department
330 West Ponce de Leon Avenue
Decatur, Georgia 30030

Re: Case Number: CZ-17-21564: Major Modification of Conditions pursuant to Case Number SLUP-12-18066 for property located at 3975, 4007, and 4025 Flat Shoals Parkway and a portion of 3101 Clifton Springs Road, Decatur, Georgia (tax parcel numbers 15-090-01-004, 15-090-01-008, 15-090-01-020 & portion of parcel 15-090-01-013) (the "Property")

Dear Commissioners:

This firm represents Standard Authority LLC and Otto Tract No. 10, LLC, the owners of the above-referenced Property (the "Owner"). We are in receipt of the Major Modification application bearing case number CZ-17-21564 (the "Application") submitted by the DeKalb County Board of Commissioners relative to the Property, as well as the associated staff report (the "Staff Report"). Pursuant to the conditions approved by the DeKalb County Board of Commissioners for the 2014 Special Land Use Permit cases SLUP-14-19363 and SLUP-14-19365, we do not wish at this time to oppose the approval of the Application according to the recommended conditions set forth in the Staff Report and attached hereto as Exhibit "A" (the "Staff Recommended Conditions").

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While we are generally agreeable to the request made in the Application, we respectfully submit that an approval of the Application, subject to conditions other than the Staff Recommended Conditions, which would have the effect of further restricting our client's use of the Property and is or would be unconstitutional in that it would destroy the Owner's property rights without first paying fair, adequate and just compensation for such rights in violation of Article I, Section I, Paragraph II of the Constitution of the State of Georgia of 1983 and the Due Process Clause of the Fourteenth Amendment to the Constitution of the United States. An approval of the Application with conditions that would have the effect of further restricting the use of the Property would be unconstitutional, illegal, null, and void, constituting a taking of the Owner's property in violation of the Just Compensation Clause of the Fifth Amendment and the Due Process Clause of the Fourteenth Amendment to the Constitution of the United States, Article I, Section I, Paragraph I, and Article I, Section I, Paragraph II of the Constitution of the State of Georgia of 1983 and the Equal Protection Clause of the Fourteenth Amendment to the Constitution of the United States denying the Owner an economically viable use of its land while not substantially advancing legitimate state interests.

We would welcome the opportunity to meet with you or the staff of the DeKalb County Department of Planning & Sustainability to answer any questions or to address any concerns relating to the matters set forth in this letter. Thank you for your time and consideration of this matter.

Respectfully yours,

MAHAFFEY PICKENS TUCKER, LLP



Shane M. Lanham

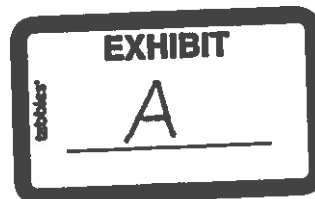
SML/jeb
Enclosure – Exhibit "A"

July 10, 2017

**RECOMMENDED CONDITIONS
(CZ-17-21564)**

1. Not more than one drive-through restaurant on the C-1 labeled Tract 2 (5.540 acres) on the survey for Maxie Price (the "Survey") prepared by Rochester & Associates, Inc. for Maxie Price, dated March 26, 2012, last revised July 18, 2012, Job. No. G208051.CBT and received by the Planning and Sustainability Department on July 20, 2012. (See Attachment 1). Restaurant shall be entirely internal to the development via the main access points and have an outside pedestrian accessible seating area.
2. Provide road improvements in accordance with development conditions per Georgia Regional Transportation Authority (GRTA) Revised Notice of Decision pursuant to DRI #1850 dated January 12, 2015 (See Attachment 2).
3. The Subject Property shall be developed in general conformity with the DRI site plan prepared by Hughes, Goode, O'Leary and Ryan, Inc. dated July 24, 2008, last revised September 4, 2008 (the "DRI Site Plan") for the 79.53 acre tract (the "Project Site"), with such modifications as are approved by the Director of the Planning and Sustainability Department during the I-20 Overlay District compliance review. (See Attachment 3).
4. Deleted.
5. Consistent with the DeKalb County Zoning Ordinance, prior to submission of an application for the issuance of any development or building permit, the conceptual design package shall be submitted to and approved by the planning and development director after consultation with the district commissioner(s) and super district commissioner(s), as required in the I-20 corridor overlay district.
6. The issuance of a building permit for the drive-through restaurant shall not be prior to: (a) the issuance of a certificate of occupancy for Building C9 as shown on the DRI Site Plan for the project site of which the Subject Property is a portion thereof, or (b) the issuance of a certificate(s) of occupancy for non-residential structures on the Project Site, which have an aggregate square footage of a minimum of 50,000 sq. ft.
7. Deleted.
8. These conditions replace all previous Board approved conditions pursuant to SLUP-12-18066.

Petition Number CZ-17-21564
Board of Commissioners: 07/27/17
kfhill



Zoning Comments July 2017

N1. Text amendment- not reviewed

N2. Text amendment- not reviewed, but would like to review infrastructure requirements.

N3. No Comment- Frontage is within the City of Decatur. Any improvements will required GDOT permits.

N4. Fayetteville Road- Classified as a collector street (Speed Limit: 35mph). Required by land development code (Section 14-190): 4 foot bike lanes, 35 feet of right of way dedication from centerline. Required by Zoning Code (page 5-14): Street lights via developer petition process, 6 feet sidewalks, 10 foot landscape strip.

Pine Trail: Classified as local. Required by land development code (Section 14-190): 12 foot travel lanes from centerline, 27.5 feet of right of way dedication from centerline. Required by Zoning Code (page 5-14): Street lights via developer petition process, 5 feet sidewalks, 6 foot landscape strip.

Must be included in zoning conditions:

Sight distance concerns need to be addressed prior to land development permitting process. The proposed driveway and pedestrian crossing appear to be about 120 feet over a vertical curve. A sight distance report is required (based on AASHTO) for stopping sight distance for vehicles approaching the proposed pedestrian crosswalk (based on the measured 85th percentile speeds, not the speed limit) and for stopping for vehicles turning right into the facility. In addition, intersection sight distance is to be measured for vehicles exiting the driveway. This report must be prepared by a professional engineer and a stamped copy provided to the Transportation Division prior to the issuance of a land development permit. In addition based on the finding of the report, corrective safety countermeasures may be required.

If the crosswalk is permitted, the applicant will be required to stripe the crosswalk to GDOT Standards, provide both at crossing and advanced pedestrian crossing signage, furnish and install approved County pedestrian scale street lights on both sides of the road for safety and construction ADA ramps and landing pads to GDOT standards on both sides of the crosswalk.

N5. Pine Trail is classified local. Required by land development code (Section 14-190): 12 foot travel lanes from centerline, 27.5 feet of right of way dedication from centerline. Required by Zoning Code (page 5-14): Street lights via developer petition process, 5 feet sidewalks, 6 foot landscape strip. Based on GIS mapping, Pine Trail does not appear to be centered in the right of way. ROW dedication may impact setbacks. This should be investigated and considered as plans are developed.

N6. This project falls within the I-20 Overlay District Tier II: County Code 27-3.33 DIVISION 33.

- **Sec. 3.33.14. - Sidewalks, street tree planting zone, landscaping and ground cover requirements, and curb cuts.**

A.

Sidewalk requirement. There shall be a public sidewalk constructed along all public street frontages contiguous to all properties within the I-20 Corridor Overlay Districts. The sidewalk shall be located

five (5) feet from the curb and shall be ten (10) feet in width. The five-foot zone adjacent to the curb shall be the street tree-planting zone. In blocks where there are overhead utility lines, the director of planning and development may authorize a two-foot planting zone from the curb with the five-foot tree-planting zone to be located at the sidewalk.

- **Sec. 3.33.16. - Streetlights and street furnishings.**

Streetlights and street furnishings. Streetlights and furnishings are required for all public streets and shall conform to the design guidelines for the I-20 Corridor Area Overlay District.

- **Sec. 3.33.17. - Street and inter-parcel access.**

Streets within the I-20 Corridor Area Overlay District may be either public or private streets. Private streets shall comply with the requirements of public streets found in [chapter 14](#) and all other applicable sections of the DeKalb County Code of Ordinances.

Inter-parcel access. To the maximum extent possible, sidewalks and parking lots serving adjacent lots shall be interconnected to provide continuous driveway connections and pedestrian connections between adjoining lots and streets, except that this requirement shall not apply to lots zoned for single-family residential development. Where necessary, DeKalb County may require access easements be provided to ensure continuous access and egress routes connecting commercial, office and multifamily lots.

- **Sec. 3.33.18. - Multimodal access plans required.**

Multimodal access plan required. Each new application for a development permit within the I-20 Corridor Overlay District shall be accompanied by a multimodal access plan prepared at a scale not greater than one inch equals one hundred feet (1"=100'). The multimodal access plan shall cover the full extent of the proposed development along with public rights-of-way of adjoining streets and any other property lying between the subject property and the nearest public streets on wall sides. The purpose of the multimodal access plan is to demonstrate a unified plan of continuous access to and between all buildings in the proposed development and adjacent properties. Connections to available transportation modes, such as driveways, sidewalk, and bike paths shall be shown along adjacent streets and those entering adjoining properties. Safe and convenient pedestrian ways shall be provided from sidewalks along streets to each building entrance, including pedestrian access routes across parking lots and between adjacent buildings within the same development. Where an existing or planned public transportation station or stop is within one thousand two hundred fifty (1,250) feet (straight-line distance) from any boundary of the subject property, the access plan shall show how pedestrians may safely travel from such station or stop to the subject property, the access plan shall show how safe, continuous and convenient bicycle access shall be provided to the subject property.

Flat Shoals Parkway (SR 155): GDOT review and permits required. Classified as a major arterial (Speed Limit 45 mph). Overlay district trumps land development code and zoning code. Where silent, the other codes apply. Required by overlay code: five foot landscape strip between curb and sidewalk and with a 10 foot wide sidewalk. Required by the land development code (Section 14-190): 50 feet of right of way dedication from centerline. Required by Zoning Code (page 5-14): Street lights via developer petition process. **No additional curb cuts on Flat Shoals Parkway, pending GDOT approval.**

Clifton Springs Road: Classified as a minor arterial (35 mph). Required by overlay code: five foot landscape strip between curb and sidewalk and with a 10 foot wide sidewalk. Required by the land

development code (Section 14-190): 40 feet of right of way dedication from centerline. Required by Zoning Code (page 5-14): Street lights via developer petition process. Extend existing sidewalk to property line along Clifton Springs Road.

No comment on the reduction of drive through restaurants from 2 to 1.

N7. Eastland: Classified as a collector road. Required by land development code (Section 14-190): 4 foot bike lanes, 35 feet of right of way dedication from centerline. Required by Zoning Code (page 5-14): Street lights via developer petition process, 6 feet sidewalks, 10 foot landscape strip.

Glynn Drive is classified local. Required by land development code (Section 14-190): 12 foot travel lanes from centerline, 27.5 feet of right of way dedication from centerline. Required by Zoning Code (page 5-14): Street lights via developer petition process, 5 feet sidewalks, 6 foot landscape strip.

6/13/2017

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

6/13/2017

N.5

Z-17-21589/ 15-148-02-031

1743 Pine Trail , Atlanta, Ga

Amendment

- See general comments.

N.6

CZ-17-21564/15-090-01-004,15-090-01-008

4007 and 4025 shoal Parkway, Decatur, Georgia

Amendment

- See general comments.

N.7

Z-17-21580/15-143-02-016

1483 Eastland Road, Atlanta, GA

Amendment

- See general comments.



**DEKALB COUNTY GOVERNMENT
PLANNING DEPARTMENT
DISTRIBUTION FORM**

**NOTE: PLEASE RETURN ALL COMMENTS VIA EMAIL 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.: CZ-17-21564

Parcel I.D. #: 15-090-01-004; 15-090-01-008

Address: 4007-4025

Flat Shoals Parkway,
Decatur, GA

Adjacent Roadway (s):

(classification)	(classification)

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

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

Please provide additional information relating to the following statement.

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

Single Family residence, on the other hand, would generate ten (10) VTE's per day per dwelling unit, with a ten (10%) percent peak hour factor. Based on the above referenced formula, the _____ (Single Family Residential) District designation which allows a maximum of _____ units per acres, and the given fact that the project site is approximately _____ acres in land area, _____ daily vehicle trip end, and _____ peak hour vehicle trip end would be generated with residential development of the parcel.

COMMENTS:

<p><i>PLANS AND FIELD REVIEWED, NO PROBLEM THAT WOULD INTERFERE WITH TRAFFIC FLOW.</i></p>

Signature: *Jerry White*

SCHOOL COMMENTS

Regarding the July 2017 Prelim Agenda Items:

All of the proposed rezoning cases would have minimal, if any, effect on the local schools.

Thank you.

David Yoke
Planning & GIS Analyst
DeKalb County School District
1780 Montreal Rd
Tucker, GA 30084
678.676.1329(Office) 404.423.6758 (Cell)
david_s_yoke@dekalbschoolsga.org

DEPARTMENT OF PLANNING & SUSTAINABILITY

MAJOR MODIFICATION APPLICATION

Existing Conditional Zoning No.: SLUP 12-18066

APPLICANT NAME: COMMISSIONER KATHIE GANNON

Daytime Phone#: 371 6353 Fax #: _____ E-mail: kgannon@dekalbcountyga.gov

Mailing Address: 1300 COMMERCE ST DECATUR, GA 30030

OWNER NAME: MAXIE PRICE (If more than one owner, attach contact information for each owner)

Daytime Phone#: 404 601 7616 Fax #: _____ E-mail: _____

Mailing Address: 1261 HAMMOND DR BOSTON GA 30622

SUBJECT PROPERTY ADDRESS OR LOCATION: 4007 FLAT SHOALS PARKWAY

and 4025 FLAT SHOALS PARKWAY, DeKalb County, GA, _____

District(s): 15 Land Lot(s): 090 Block(s): 01 Parcel(s): 004, 008

Acreage or Square Feet: 4.7 ac Commission District(s): 346 Existing Zoning: C-1

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

Have you, the applicant, made a campaign contribution of \$250.00 or more to a DeKalb County government official within the two year period that precedes the date on which you are filing this application?
 Yes No If "yes", see page 4. (Conflict of Interest in Zoning Act, O.C.G.A., Chapter 36-67A)

Owner: _____ Agent: _____
(Check One)

Signature of Applicant: Kathie Gannon

Printed Name of Applicant: KATHIE GANNON Major Modification Application

2-17-21564

15-090-01-
020,004,008



404.371.2155(o) | Clark Harrison Building
404.371.4556 (f) | 330 W. Ponce de Leon Ave
DeKalbCountyga.gov | Decatur, GA 30030

DEPARTMENT OF PLANNING & SUSTAINABILITY

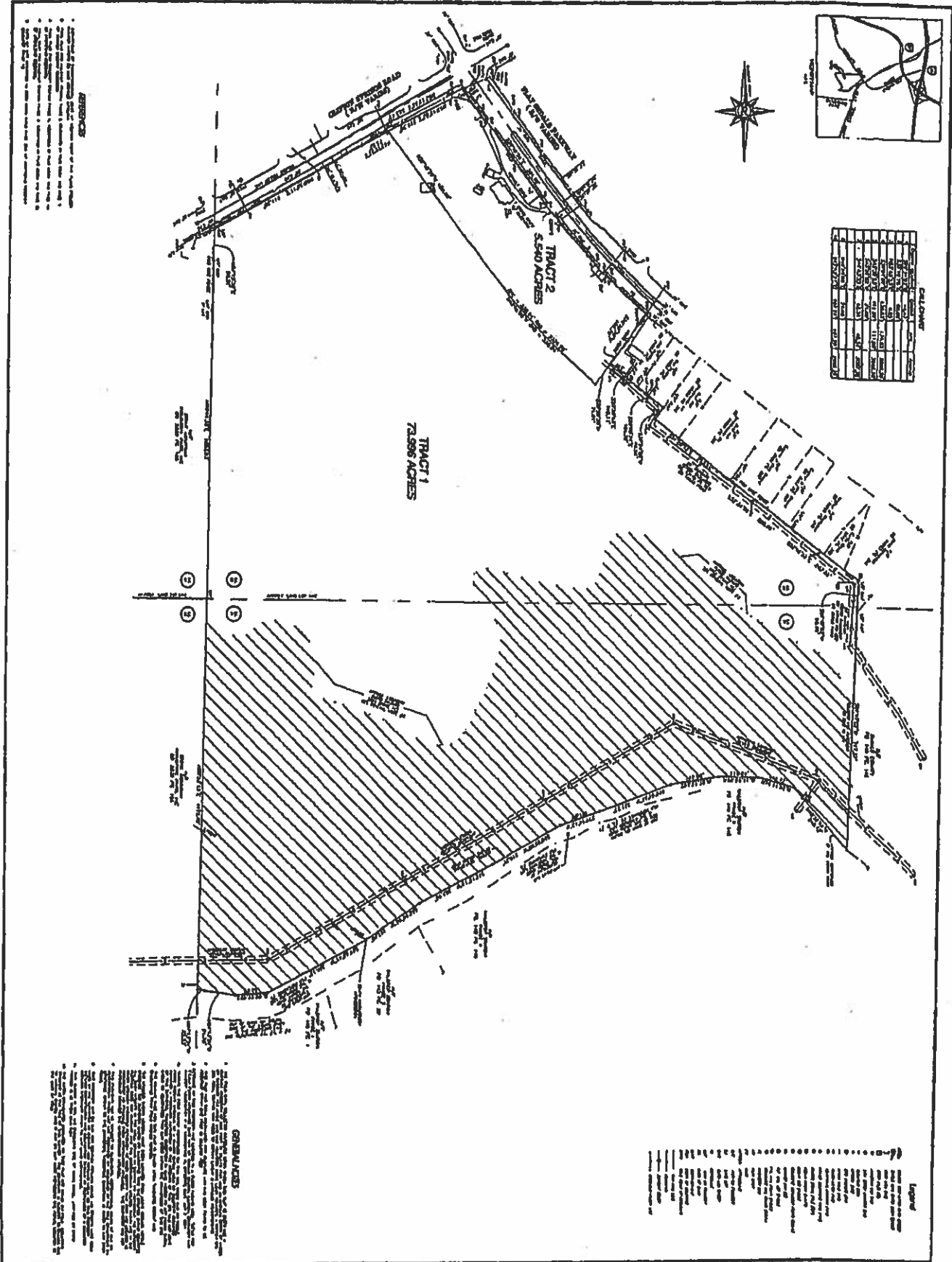
April 27, 2017

Board of Commissioners initiated modification to approved conditions pursuant SLUP-12-18066

Request: Modify condition 1 to reduce the number of allowed drive-through restaurants from 2 to 1 on the subject site.

Site Survey

ATTACHMENT 1



DATE: 11/10/04
BY: M. PRICE
SCALE: AS SHOWN

LEGEND

---	PROPERTY LINE
---	ADJACENT PROPERTY
---	...

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49	...
50	...

SURVEY FOR
MAXIE PRICE

LOCATED BY
LINE 100, 11, 12, 13, 14
100' (20' PER 10')

Rochester & Associates, Inc.
513 Oak Street, N.W., Columbus, Georgia 31904
(770) 533-8888 Fax: (770) 533-8889



REVISED NOTICE OF DECISION

To: Doug Hooker, ARC
(via electronic mail) Sonny Deriso, GRTA
Bob Voyles, GRTA

Dick Anderson, GRTA
Al Nash, GRTA

To: Lee May, DeKalb County Interim CEO
(via electronic mail and certified mail) Lee Tucker, Mahaffey Pickens Tucker LLP
Michelle Battle, Battle Law Group

From: Chris Tomlinson, GRTA Executive Director

Copy: Kirk Fjelstul, GRTA
(via electronic mail) Laura Beall, GRTA
Jon West, DCA
Jon Tuley, ARC
Mike Lobdell, GDOT
Greg Floyd, MARTA

Andrew Antweiler, KHA
John Walker, KHA
Bob Hughes, HGOR
Patrece Keeter, DeKalb Co DOT
Marion Eisenberg, DeKalb Co Zoning

Date: January 12, 2015

Re: DRI 1850 Flat Shoals

Summary: This Revised Notice of Decision replaces the original issued on September 8, 2008. The revisions are to include temporary site access until additional improvements and site access are installed, and to reduce the required distances for internal turning movements on certain site driveways.

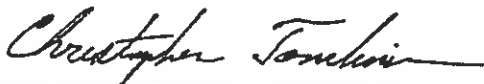
**Revised Notice of Decision for
Request for Non-Expedited Review of
DRI 1850 Flat Shoals**

The purpose of this notice is to inform QuikTrip Corporation and FS/CS Project, LLC (the Applicant), DeKalb County (the local government), the GRTA Land Development Committee, the Georgia Department of Community Affairs (DCA), the Georgia Department of Transportation (GDOT), and the Atlanta Regional Commission (ARC) of GRTA's decision regarding DRI 1850 Flat Shoals (the DRI Plan of Development). GRTA has completed a non-expedited review for the DRI Plan of Development pursuant to sections 3-101 and 3-103.A of the *Procedures and Principles for GRTA Development of Regional Impact Review* and has determined that the DRI Plan of Development meets the GRTA review criteria set forth in Sections 3-101 and 3-103.A. The DRI Plan of Development as proposed is **approved subject to conditions**, as provided in Attachment A and subject to the limitations placed on allowable modifications to the DRI Plan of Development, as described in Attachment B.

Subject to the conditions set forth in Attachment A and Attachment B, GRTA will approve the expenditure of state and/or federal funds for providing the Land Transportation Services and Access improvements listed in Section 2 of Attachment C. The need for said approval shall terminate and be of no further force and effect after ten (10) years from the date of this Notice of Decision, unless the local government has issued a permit for the construction of any part of the proposed DRI Plan of Development prior to the end of the ten-year period.

The notice of decision is based upon review of the applicant's DRI Review Package. The Review Package includes the updated site development plan dated September 4, 2008 and received by GRTA on September 5, 2008, prepared by HGOR and, titled "DRI Site Plan (DRI ID: 1850)" (Site Plan) and the analysis prepared by Kimley-Horn and Associates, Inc. July 2008 and received by GRTA on July 28, 2008 (together the Review Package). All materials submitted for the Request to Revise an Issued Notice of Decision, including a request from DeKalb County on December 2, 2014 and a site plan prepared by QuikTrip Corporation dated May 1, 2014.

Pursuant to Section 2-501 of the *Procedures and Principles for GRTA Development of Regional Impact Review*, the Applicant, the GRTA Land Development Committee and the local government have a right to appeal this decision within five (5) working days of the date on this letter by filing a Notice of Appeal with the GRTA Land Development Committee. A Notice of Appeal must specify the grounds for the appeal and present any argument or analysis in support of the appeal. For further information regarding the right to appeal, consult Part 5 of the *Procedures and Principles for GRTA Development of Regional Impact Review*, available from GRTA or on the Worldwide Web at <<http://www.grta.org/dri/home.htm>>. If GRTA staff receives an appeal, you will receive another notice from GRTA and the Land Development Committee will hear the appeal at its February 11, 2015 meeting.



Chris Tomlinson
Executive Director
Georgia Regional Transportation Authority

Attachment A – General Conditions

Conditions to GRTA Notice of Decision:

Development Intensity and Use

- Provide a mixture of commercial and residential uses.

Road Connectivity

- All internal intersections must be 200 feet minimum on full access site driveways and 120 feet minimum on right-in/right-out site driveways from Flat Shoals Parkway (SR 155).
- All internal intersections must be 120-150 feet minimum from Clifton Springs Road.
- No direct access to outlots from Clifton Springs Road or Flat Shoals Parkway.
- Provide a direct vehicular connection from Road E to Road B.

Pedestrian Facilities

- Provide crosswalks at all driveways and intersections.
- Provide pedestrian connections from parking fields to each building.
- Provide pedestrian sidewalks along all property frontage on Flat Shoals Parkway and Clifton Springs Road.
- Provide bike racks for all uses.
- Provide a covered bus shelter for all bus stops along property frontage.

Roadway Improvements as Conditions to GRTA Notice of Decision:

Flat Shoals Parkway (SR 155) at Clifton Springs Road/Columbia Drive (Intersection #4)

- Install an additional eastbound left-turn lane (creating dual left-turns) along Clifton Springs Road and provide protected-only left-turn signal phase (green arrow). The center left-turn lane will terminate into the dual left-turn lane at Flat Shoals Parkway (Intersection #4).

Clifton Springs Road at Driveway #1 (Full-movement Unsignalized)

- Provide center two-way left turn lane along Clifton Road between Driveway #1 and Flat Shoals Parkway. This improvement would provide a westbound left-turn lane at driveways #1 and #2.

Clifton Springs Road at Driveway #3 (Right-in/right-out driveway)

- Install right-in/right-out driveway. Driveway #3 may temporarily provide full movement site access until Driveway #2 is installed with the left-turn lanes above.

Flat Shoals Parkway (SR 155) at Driveway #4 (Right-in/right-out driveway)

- Install right-in/right-out driveway.
- Install a southbound right-turn lane along Flat Shoals Parkway.

Flat Shoals Parkway (SR 155) at Driveway #5 (Right-In, Right-Out, Left-In Only)

- Install a northbound left-turn lane along Flat Shoals Parkway.
- Install a southbound right-turn lane along Flat Shoals Parkway.

Attachment B – Required Elements of the DRI Plan of Development

Conditions Related to Altering Site Plan after GRTA Notice of Decision:

The on-site development will be constructed materially (substantially) in accordance with the Site Plan. Changes to the Site Plan will not be considered material or substantial so long as the following conditions are included as part of any changes:

- All of the "Conditions to GRTA Notice of Decision" set forth in Attachment A are satisfied.
- All of the "Roadway Improvements as Conditions to GRTA Notice of Decision" set forth in Attachment A are satisfied.

Attachment C – Required Improvements to Serve the DRI

Pursuant to Section 1-201.R. of the *Procedures and Principles for GRTA Development of Regional Impact Review*, a "Required Improvement means a land transportation service [def. in Section 1-201.N] or access [def. in Section 1-201.A.] improvement which is necessary in order to provide a safe and efficient level of service to residents, employees and visitors of a proposed DRI."

The Required Improvements in the study network were identified in the Review Package as necessary to bring the level of service up to an applicable standard before the build-out of the proposed project. These requirements are identified in Sections 1 and 2 of this Attachment. Section 1 contains improvements that do not require GRTA approval at this time because they are to be constructed prior to the completion of the DRI Plan of Development. However, GRTA approval shall be required in the event state and/or federal funds are proposed at a later date to be used for any portion of the improvements described in Section 1. Section 2 contains improvements that require GRTA approval prior to the expenditure of state and/or federal funding. Subject to the conditions set forth in Attachment A and Attachment B, GRTA approves the expenditure of state/and or federal funding for the improvements contained in Section 2.

Section 1.

Flat Shoals Parkway (SR 155) at Clifton Springs Road/Columbia Drive (Intersection #4)

- Install an additional eastbound left-turn lane (creating dual left-turns) along Clifton Springs Road and provide protected-only left-turn signal phase (green arrow). The center left-turn lane will terminate into the dual left-turn lane at Flat Shoals Parkway (Intersection #4).

Clifton Springs Road at Driveway #1 (Full-movement Unsignalized)

- Provide center two-way left turn lane along Clifton Road between Driveway #1 and Flat Shoals Parkway. This improvement would provide a westbound left-turn lane at driveways #1 and #2.

Clifton Springs Road at Driveway #3 (Right-in/right-out driveway)

- Install right-in/right-out driveway. Driveway #3 may temporarily provide full movement site access until Driveway #2 is installed with the left-turn lanes above.

Flat Shoals Parkway (SR 155) at Driveway #4 (Right-in/right-out driveway)

- Install right-in/right-out driveway.
- Install a southbound right-turn lane along Flat Shoals Parkway.

Flat Shoals Parkway (SR 155) at Driveway #5 (Right-In, Right-Out, Left-In Only)

- Install a northbound left-turn lane along Flat Shoals Parkway.
- Install a southbound right-turn lane along Flat Shoals Parkway.
- Install separate eastbound left-turn lane and shared through/right-turn lane exiting the driveway.

Section 2.

Flat Shoals Parkway (SR 155) at I-285 Eastbound Ramps (Intersection #3)

- Install an additional eastbound left-turn lane and right-turn lane along the off-ramp.

Flat Shoals Parkway (SR 155) at Clifton Springs Road/Columbia Drive (Intersection #4)

- Install an additional westbound left-turn lane (creating dual left-turns) along Columbia Drive and provide protected-only left-turn signal phase (green arrow).
- Install a northbound right-turn lane along Flat Shoals Parkway.

Flat Shoals Parkway (SR 155) at Waldrop Road (Intersection #5)

- Install a westbound left-turn lane along Waldrop Road.

I-285 and SR 155 (Flat Shoals Parkway)

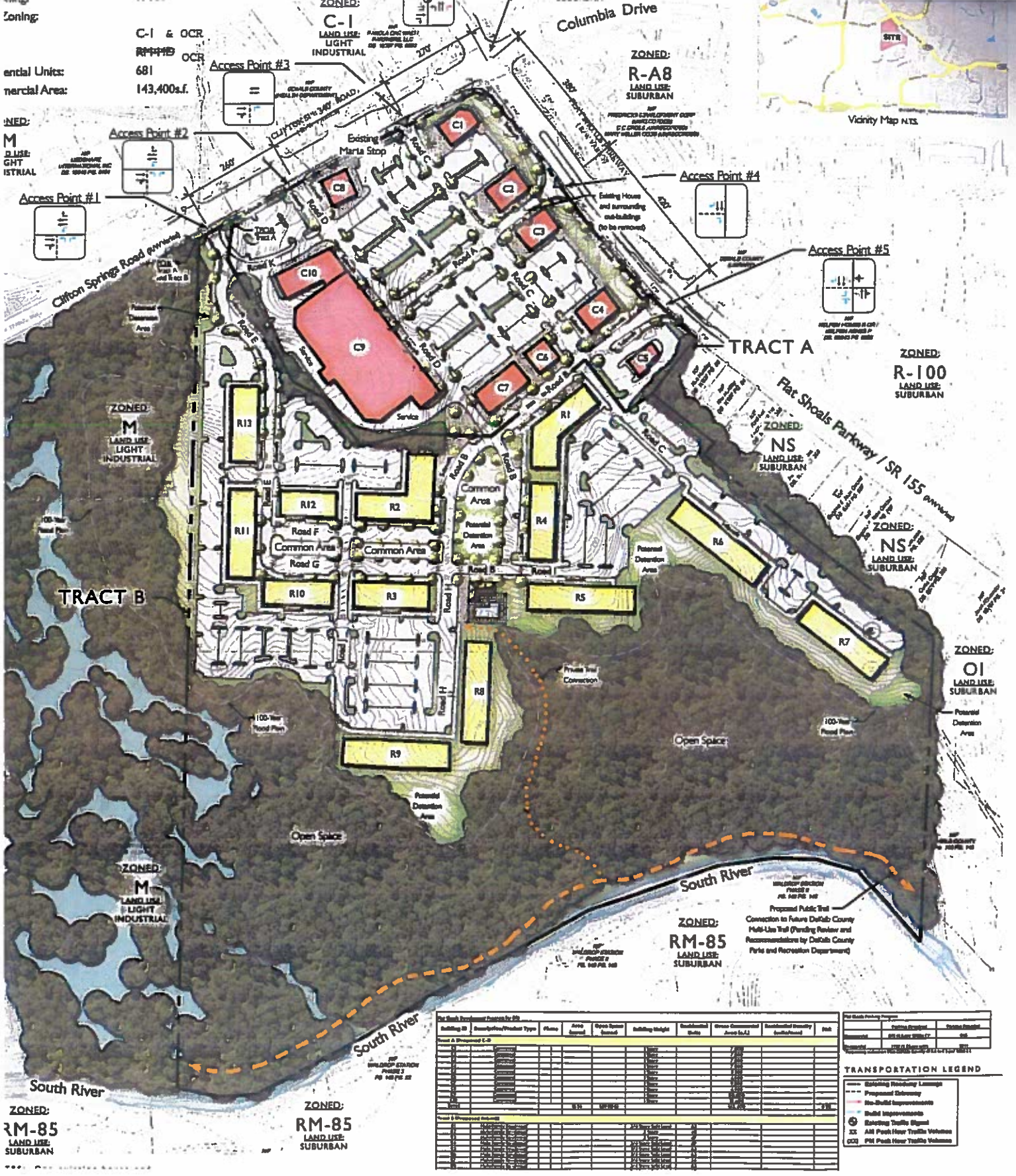
- Interchange improvements to include additional turn lanes and capacity on the bridge, improved signalization, and bicycle and pedestrian facilities. (2020) (ARC DK-AR-206, GDOT #713290)

Rainbow Drive from SR 155 (Candler Road) to Wesley Chapel Road

- Widening of Rainbow Drive from 2 to 4 lanes. The project will also incorporate bike lanes and sidewalks. (2020) (ARC DK-343, GDOT #0006898)

Columbia Drive from SR 155 (Flat Shoals Parkway) to Rainbow Drive

- Widening of Columbia Drive from 2 to 4 lanes from SR 155 (Flat Shoals Parkway) to Rainbow Drive. The project will also incorporate bike lanes and sidewalks. (2020) (ARC DK-339, GDOT #0006895)



Site Development Control by Use

Building ID	Description/Product Type	Area (sq ft)	Area (sq ft)	Area (sq ft)	Area (sq ft)	Area (sq ft)	Area (sq ft)	Area (sq ft)	Area (sq ft)
Tract A (Proposed C-1)									
C1	Office	10,000	10,000	10,000	10,000	10,000	10,000	10,000	10,000
C2	Office	10,000	10,000	10,000	10,000	10,000	10,000	10,000	10,000
C3	Office	10,000	10,000	10,000	10,000	10,000	10,000	10,000	10,000
C4	Office	10,000	10,000	10,000	10,000	10,000	10,000	10,000	10,000
C5	Office	10,000	10,000	10,000	10,000	10,000	10,000	10,000	10,000
C6	Office	10,000	10,000	10,000	10,000	10,000	10,000	10,000	10,000
C7	Office	10,000	10,000	10,000	10,000	10,000	10,000	10,000	10,000
C8	Office	10,000	10,000	10,000	10,000	10,000	10,000	10,000	10,000
C9	Office	10,000	10,000	10,000	10,000	10,000	10,000	10,000	10,000
C10	Office	10,000	10,000	10,000	10,000	10,000	10,000	10,000	10,000
Tract B (Proposed R-100)									
R1	Residential	10,000	10,000	10,000	10,000	10,000	10,000	10,000	10,000
R2	Residential	10,000	10,000	10,000	10,000	10,000	10,000	10,000	10,000
R3	Residential	10,000	10,000	10,000	10,000	10,000	10,000	10,000	10,000
R4	Residential	10,000	10,000	10,000	10,000	10,000	10,000	10,000	10,000
R5	Residential	10,000	10,000	10,000	10,000	10,000	10,000	10,000	10,000
R6	Residential	10,000	10,000	10,000	10,000	10,000	10,000	10,000	10,000
R7	Residential	10,000	10,000	10,000	10,000	10,000	10,000	10,000	10,000
R8	Residential	10,000	10,000	10,000	10,000	10,000	10,000	10,000	10,000
R9	Residential	10,000	10,000	10,000	10,000	10,000	10,000	10,000	10,000
R10	Residential	10,000	10,000	10,000	10,000	10,000	10,000	10,000	10,000
R11	Residential	10,000	10,000	10,000	10,000	10,000	10,000	10,000	10,000
R12	Residential	10,000	10,000	10,000	10,000	10,000	10,000	10,000	10,000
R13	Residential	10,000	10,000	10,000	10,000	10,000	10,000	10,000	10,000

TRANSPORTATION LEGEND

- Existing Roadway Lanes
- Proposed Roadway
- Proposed Station
- Proposed Improvements
- Build Improvements
- Existing Traffic Signal
- All Peak Hour Traffic Volume
- Peak Hour Traffic Volume

DRI SITE PLAN
Attachment 3

COAH
Item #624
CLERK'S OFFICE
11/13/12
Comm May

Attachment 4

11/13/12
Lee May
LM

Final Conditions for Z-12-18064
Clifton Springs Corner Development LLC
November 13, 2012

1. Approval of C-1 (Local Commercial) District allowing retail, service commercial, for property labeled Tract 2 (5.540 acres) on the Survey for Maxie Price (the "Survey") prepared by Rochester & Associates, Inc. for Maxie Price, dated March 26, 2012, last revised July 18, 2012, Job. No. G208051.CBT and received by the Planning and Sustainability Department on July 20, 2012. (See Attachment1)
2. Approval of OCR (Office-Commercial-Residential) District allowing retail, office and service commercial for property labeled Tract 1 (73.996 acres) on the Survey received by the Planning and Sustainability Department on July 20, 2012.
3. Approved in accordance with development conditions per Georgia Regional Transportation Authority (GRTA) Notice of Decision pursuant to DRI #1850 (See Attachment 2).
4. The 79.53 acre tract (the "Project Site") shall be developed in general conformity with the DRI site plan prepared by Hughes, Goode, O'Leary and Ryan, Inc. dated July 24, 2008, last revised September 4, 2008 (the "DRI Site Plan"), with such modifications as are approved by the Director of the Planning and Sustainability Development during the I-20 Overlay District compliance review. (See Attachment 3).
5. The Project Site shall adhere to the development standards of the I-20 Overlay District.
6. Sidewalks shall be installed along the perimeter of the Project Site.
7. Building structures with frontage on Flat Shoals Parkway or Clifton Springs Road shall be designed and implemented in a manner so as to give the look and feel of an urban environment. Deviation from the DRI Site Plan shall be allowed in order to facilitate denser development along Flat Shoals Parkway or Clifton Springs Road to foster an urban appearance.
8. Seek approval of and coordinate with the Georgia D.O.T. and DeKalb D.O.T. for a full median break in the median of Flat Shoals Parkway at Access Point 5 depicted on the DRI Site Plan.
9. The total number of multifamily dwelling units on the Project Site shall not exceed 600, with a maximum of 500 of the 600 units being available for occupancy for individuals under the age of 55 years old.
10. The total allowable heated square footage for the commercial area on the Project Site shall be a maximum of 274,400 sq. ft.

11. A minimum of one (1) acre of the open space required under Section 27-729.10 of the DeKalb County Zoning Ordinance (the "Zoning Ordinance") shall be developed to provide age appropriate amenities for the residents eligible to reside in residential communities developed on the Project Site, including, without limitation, dog walk areas, tennis courts, basketball courts, picnic tables, gazebos, park benches, outdoor fitness equipment, etc. Notwithstanding the foregoing, playground equipment, with a swimming pool area, shall be installed within the one (1) acre minimum open space.
12. In addition to the sidewalks required pursuant to Section 27-729.14 of the Zoning Ordinance, private sidewalks shall be constructed adjacent to all buildings, continuously connected throughout the entire Project Site to provide for continuous connectivity to the residential buildings, the retail, office buildings and to the main street sidewalks. If the pathway crosses a driveway or internal street, it shall be clearly marked with striping, pavers or raised crosswalk. The private sidewalks shall be a minimum of six (6) feet in width to provide for use as walking trails for the Project Site, but shall not be counted towards compliance with the one (1) acre minimum open space requirement set forth in Paragraph 11 above.
13. If an above-ground detention facility is placed within the interior of the Project Site, rather than on the outside edges of the Project Site, it shall be designed to look like an amenity and made to be a feature of the open space, such as a fountain or similar feature, but shall not be counted towards compliance with the one (1) acre minimum open space requirement set forth in Paragraph 11 above.
14. All wetlands shall be delineated and protected as set forth in the DeKalb County Ordinance, Chapter 14, Land Development.
15. If the PATH Foundation and the DeKalb County Natural Resources Department elect to move forward with the South River walking trail, all required permanent and temporary easements for the construction and maintenance of the trail shall be provided by the land owner, and an identifiable pervious path shall be constructed and maintained from the interior of the development to the South River path.
16. A fifty (50) foot planted landscape buffer shall be maintained behind building C-9 to provide visual screening between the residential dwelling units and Building C-9. In addition, a six (6) foot opaque fence shall be placed behind the C-9 building on the interior side of the buffer to provide visual screening from the rear of the buildings.
17. In addition to Paragraph 16 above, a combination of natural buffers, landscaped buffers, decorative fencing and/or gated entries for vehicular ingress and egress shall be incorporated into the DRI Site Plan for the Project Site between the residential and non-residential uses, in order to facilitate the privacy and safety of the multifamily dwelling units.
18. To the extent that the multifamily dwelling units have balconies, the balconies shall be useable and a minimum depth of five (5) feet.

Attachment 5

comm.
Item No. D5
Clerk's Office

11/13/12
Comm. Max

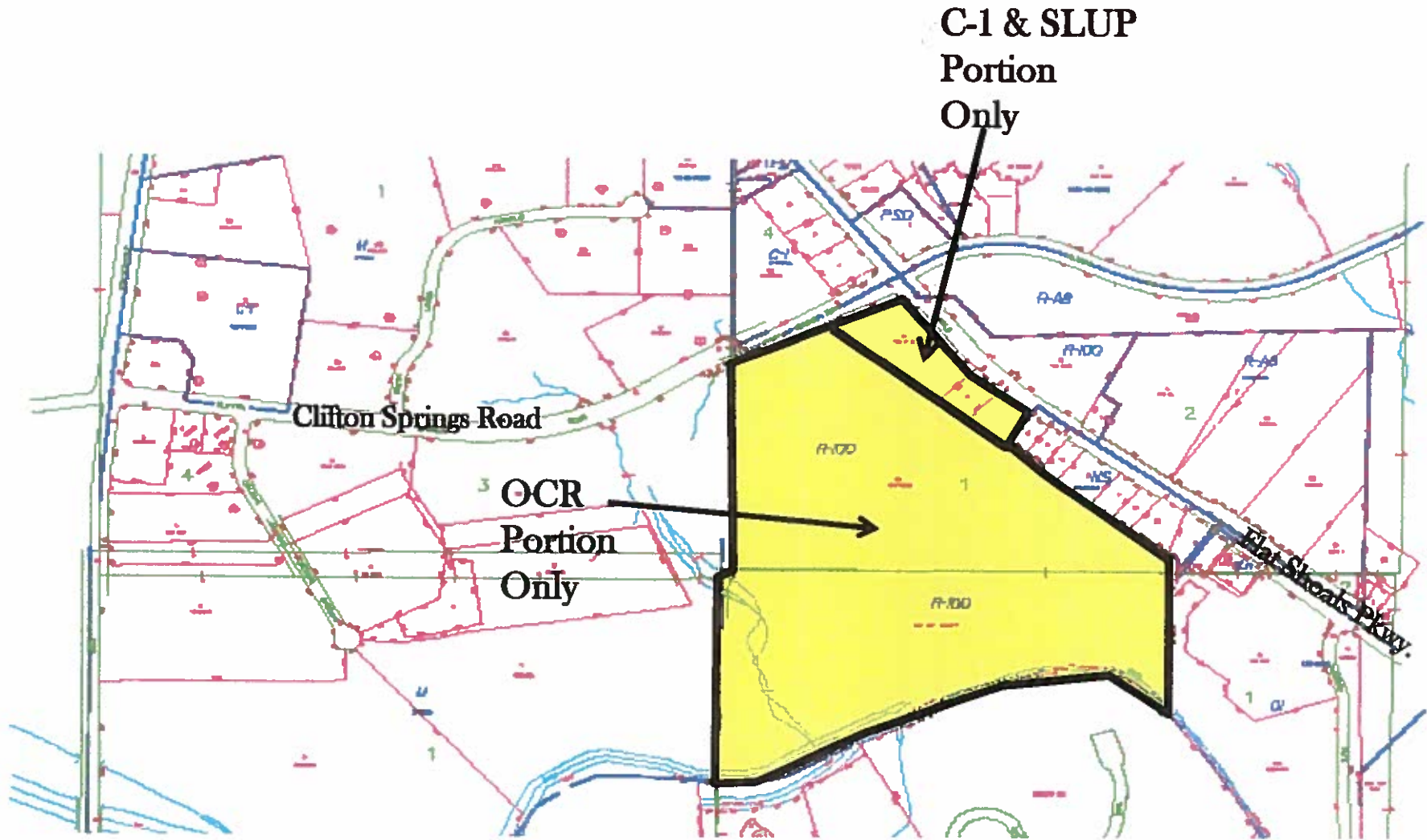
Final Conditions for SLUP 12-18066
Clifton Springs Corner Development, LLC
November 13, 2012

11/13/12
Lee Mey
[Signature]

1. Approve up to two drive-through restaurants on the C-1 labeled Tract 2 (5.540 acres) on the Survey for Maxie Price (the "Survey") prepared by Rochester & Associates, Inc. for Maxie Price, dated March 26, 2012, last revised July 18, 2012, Job. No. G208051.CBT and received by the Planning and Sustainability Department on July 20, 2012. (See Attachment 1)
2. Approved in accordance with development conditions per Georgia Regional Transportation Authority (GRTA) Notice of Decision pursuant to DRI #1850 (See Attachment 2).
3. The Subject Property shall be developed in general conformity with the DRI site plan prepared by Hughes, Goode, O'Leary and Ryan, Inc. dated July 24, 2008, last revised September 4, 2008 (the "DRI Site Plan") for the 79.53 acre tract (the "Project Site"), with such modifications as are approved by the Director of the Planning and Sustainability Development during the I-20 Overlay District compliance review. (See Attachment 3).
4. Site shall adhere to development standards of the I-20 Overlay District.
5. Consistent with Section 27-729.25 of the DeKalb County Zoning Ordinance, prior to submission of an application for the issuance of any development or building permit, the conceptual design package shall be submitted to and approved by the planning and development director after consultation with the district commissioner(s) and super district commissioner(s), consistent with the I-20 corridor overlay district requirements.
6. The issuance of a building permit for the drive-thru restaurants shall be conditioned on: (a) the issuance of a certificate of occupancy for Building C9 as shown on the DRI Site Plan for the Project Site of which the Subject Property is a portion thereof, or (b) the issuance of a certificate(s) of occupancy for non-residential structures on the Project Site, which have an aggregate square footage of a minimum of 50,000 sq. ft.
7. In addition to compliance with Paragraph 6 above, the development of the second drive-thru restaurant shall also be conditioned on the issuance of a certificate of occupancy for a grocery store on the Project Site.

Z-12-18064 &
SLUP-12-18066

[FROM: R-100 to C-1 & OCR
Special Land Use Permit]



Attachment 6

D-4

September 10, 2014

RECOMMENDED CONDITIONS
SLUP-14-19363

AP 10/28/14
W 10/28/14

1. Allow automobile fuel sales in conjunction with the proposed QuikTrip convenience store pursuant to the revised site plan entitled QUIKTRIP No. 0736 dated and stamped received by the Department of Planning and Sustainability on August 20, 2014.
2. The Subject Property shall be developed in general conformity with the DRI site plan prepared by Hughes, Goode, O'Leary and Ryan, Inc. dated July 24, 2008, last revised September 4, 2008 (the DRI Site Plan) for the 79.53 acre tract (the Project Site), as approved by the Director of the Planning and Sustainability Development during the I-20 Overlay District compliance review. (See Notice of Decision in Attachment).
3. The retail/convenience store building façade shall consist of four (4) sides' brick, with brick and stacked stone accents consistent with building elevations dated 07/02/14 as submitted to the Department of Planning and Sustainability on July 10, 2014 and be developed in compliance with I-20 Overlay District standards.
4. There shall be a maximum of 14 pump fueling stations.
5. Support columns for the canopy shall consist of four (4) sides' brick.
6. Location and number of curb cuts on the site must be in accordance with the approved DRI site plan subject to approval of the Georgia Department of Transportation (GDOT) and the Transportation Division of the Public Works Department.
7. Inter-parcel access to adjacent properties shall be provided as shown on the submitted site plan subject to the approval of the DeKalb County Transportation Division.
8. Refuse areas shall not be visible from the public street and shall be constructed with a combination of brick and wood enclosure to match the building materials of the principal structure.
9. Outside storage and display of products are prohibited unless from a vending machine.
10. The approval of this SLUP application by the Board of Commissioners has no bearing on the requirements for other regulatory approvals under the authority of the Zoning Board of Appeals, or other entity whose decision should be based on the merits of the application under review by such entity.
11. A "Covenant Regarding Real Estate" ^{*dated 10/24/14*} will be imposed on the existing Flat Shoals / Columbia Drive store (# 736) immediately after 10/28/14 SLUP approval. (Attached)
12. SLUP 12-18066 shall be amended so that condition #1 allows for (1) one drive-through restaurant on Tract 2 that is entirely internal to the development through the main access points and has an outside pedestrian accessible seating area. The Board of Commissioners shall initiate this SLUP change.
13. Hold a job Fair in the area

comm. Gannon + Johnson
Item No. D4 10/28/14
Clerk's Office

Attachment 7

APPROVED CONDITIONS

BDC 10/28/14

D6

September 12, 2014

RECOMMENDED CONDITIONS
SLUP-14-19365

1. Compliance with alcohol license requirements of DeKalb County.
2. The convenience store with alcohol sales shall be limited to the proposed QuikTrip development on the subject site pursuant to the revised site plan and building elevations entitled QuikTrip No.0736 dated and stamped received by the Department of Planning and Sustainability on August 20, 2014.
3. Said site plan is conceptual and must meet or exceed the development standards of the C-1 (Local Commercial) District and the I-20 Overlay District and conditions.
4. No consumption of alcohol shall be allowed on the premises.
5. The Subject Property shall be developed in general conformity with the DRI site plan prepared by Hughes, Goode, O'Leary and Ryan, Inc. dated July 24, 2008, last revised September 4, 2008 (the DRI Site Plan) for the 79.53 acre tract (the Project Site), with such modifications as are approved by the Director of the Planning and Sustainability Development during the I-20 Overlay District compliance review. (See Attachment).
6. Consistent with Section 27-729.25 of the DeKalb County Zoning Ordinance, prior to submission of an application for the issuance of any development or building permit, the conceptual design package shall be submitted to and approved by the planning and development director after consultation with the district commissioner(s) and super district commissioner(s), consistent with the I-20 corridor overlay district requirements.
7. Location of access, number of curb cuts on the site must be in accordance with the approved DRI site plan subject to approval of the Georgia Department of Transportation (GDOT) and the Transportation Division of the Public Works Department.
8. Provide pedestrian crossings from public sidewalk delineated by raised walk, striping, or use of differing materials.
9. Inter-parcel access to adjacent properties shall be provided as shown on the submitted site plan subject to the approval of the DeKalb County Transportation Division.
10. Refuse areas shall not be visible from the public street and shall be constructed with a combination of brick and wood enclosure to match the building materials of the principal structure.
11. Outside storage and display of products are prohibited unless from a vending machine.
12. The approval of this SLUP application by the Board of Commissioners has no bearing on the requirements for other regulatory approvals under the authority of the Zoning Board of Appeals, or other entity whose decision should be based on the merits of the application under review by such entity.

13. Same as #11 on SLUP 14-19363

14. Same as #12 on SLUP 14-19363

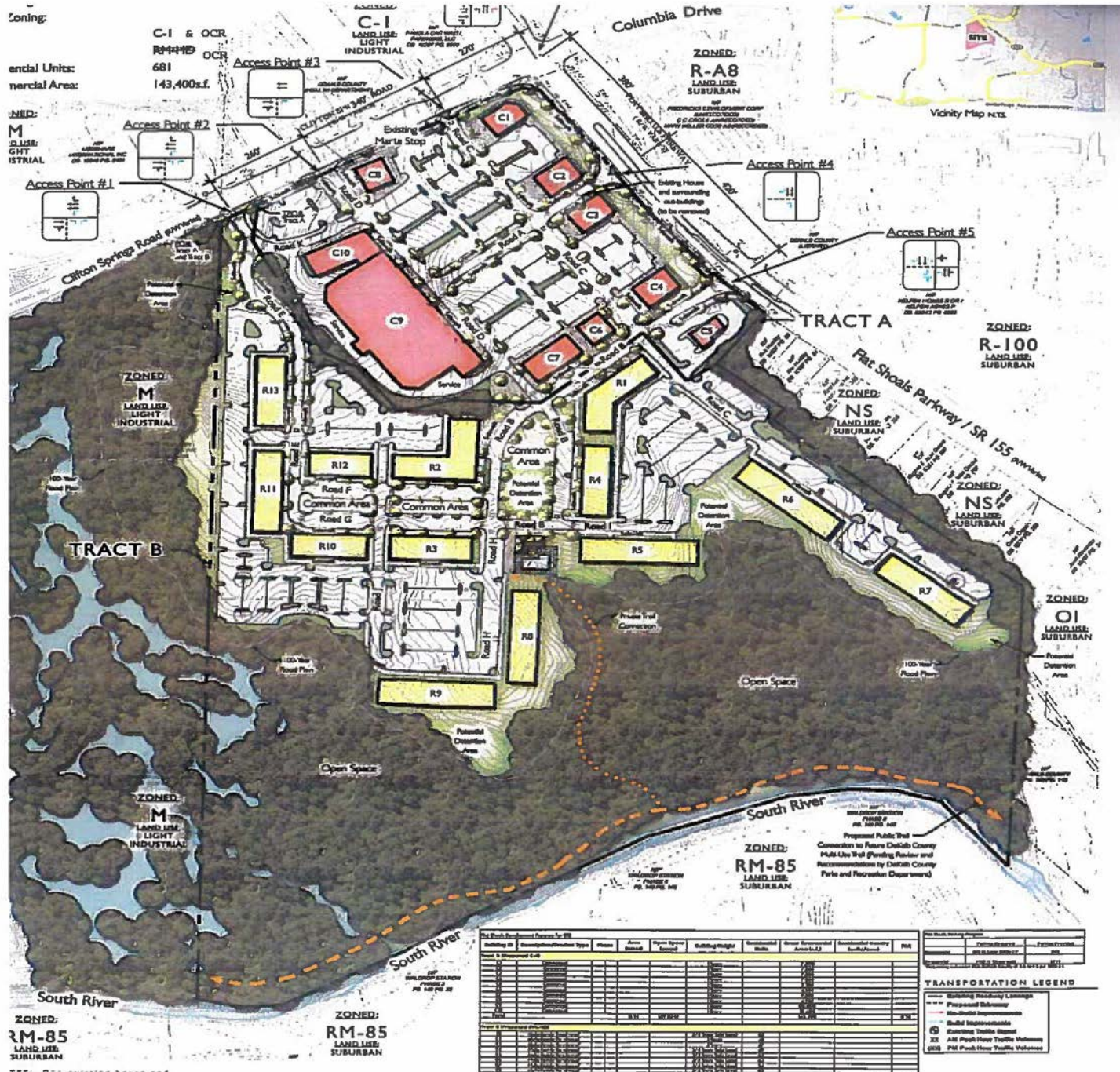
15. Hold a job Fair in the area.

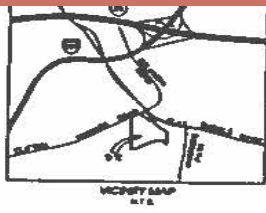
Rg 10/24/14

KM 10/28/14

comm. Johnson + Cannon
Item No. D6
Clerk's Office 10/28/14

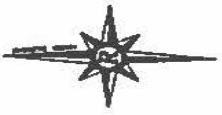
D.2 Development of Regional Impact DRI # 1850 Flat Shoals Parkway





CALL CHART

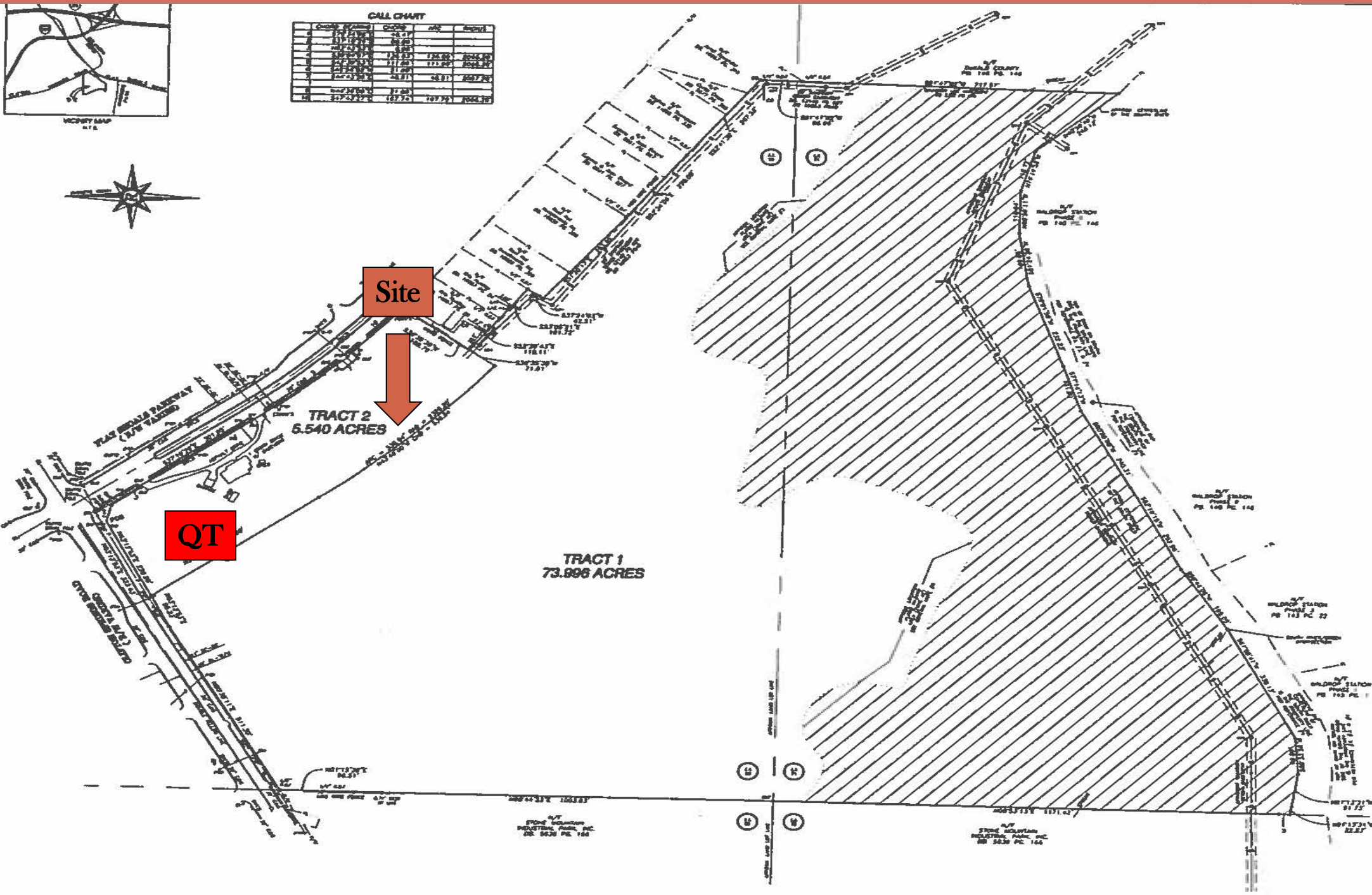
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2	157+73.25	38.00	R	157+111.25
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4	157+73.25	125.20	R	157+198.45
5	157+73.25	111.00	R	157+184.25
6	157+73.25	11.00	L	157+84.25
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9	157+73.25	127.25	R	157+200.50



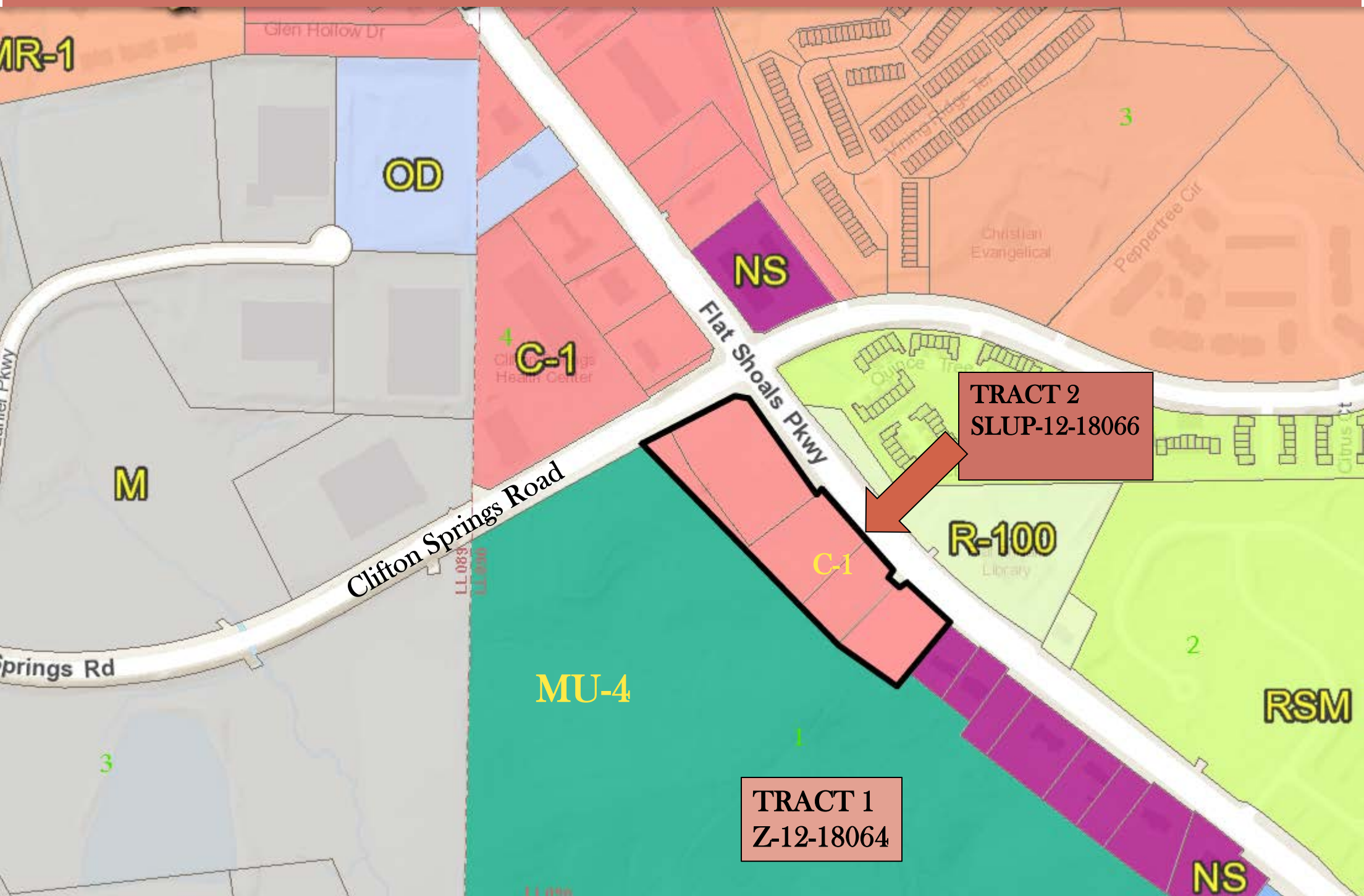
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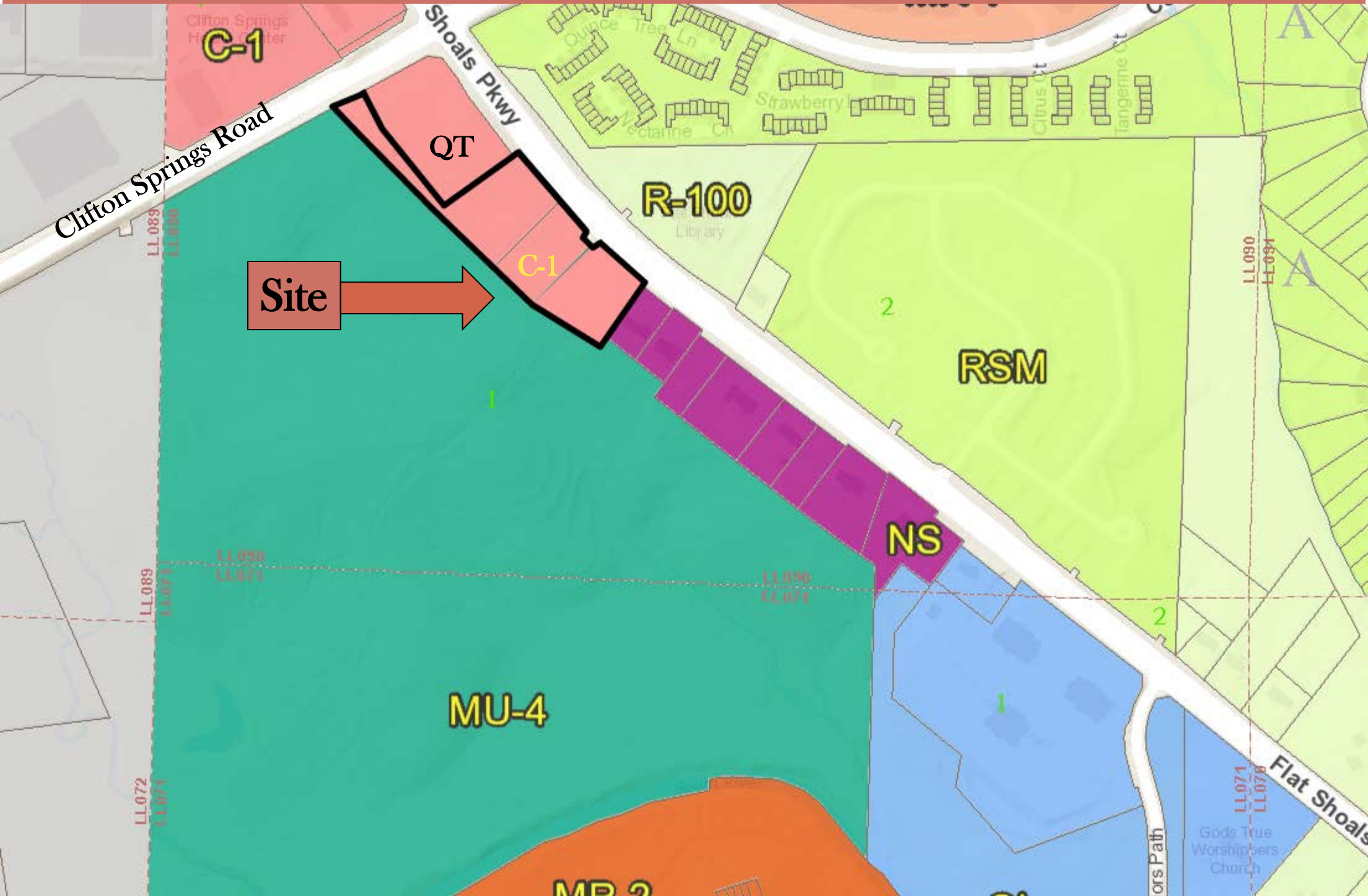


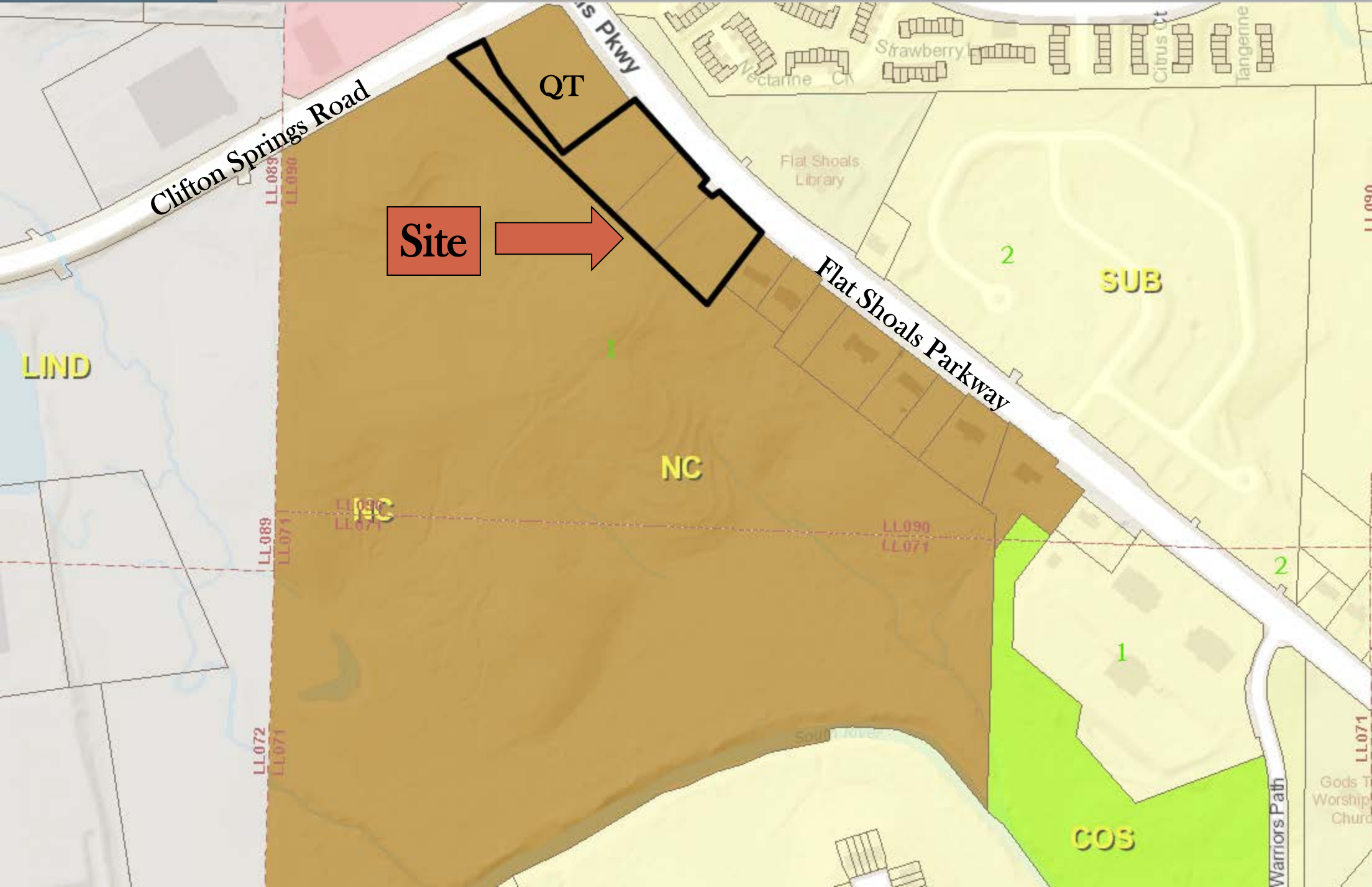
QT



D.2 SLUP-12-18066 Allows up to two drive-through restaurants on 5.540 acres zoned C-1 .











Adjacent Quik Trip



Undeveloped Outparcels Along Flat Shoals Parkway