



DeKalb County Government

Manuel J. Maloof Center
1300 Commerce Drive
Decatur, Georgia 30030

Agenda Item

File #: 2018-2411
File Status: Preliminary Item

9/25/2018

Public Hearing: YES NO **Department:** Planning & Sustainability

SUBJECT:

COMMISSION DISTRICT(S): 4 & 7
N13 Aria & Todd Properties, LLC Z 18 1235061
PETITION NO: Z 18 1235061

PROPOSED USE: Major Auto Repair

LOCATION: 6158 and 6166 Memorial Drive

PARCEL NO.: 18 091 01 022 & 18 091 01 029

INFORMATION CONTACT: Marian Eisenberg

PHONE NUMBER: 404-371-4922

PURPOSE:

Application of Aria and Todd Properties LLC to rezone properties from C-1 (Local Commercial) District to C-2 (General Commercial) District to allow major auto repair within the existing buildings in accordance with Section 27-4.1 Use Table of the DeKalb County Code. The property is located on the northwest side of Memorial Drive, approximately 1,817 feet east of North Hairston Road at 6158 and 6166 Memorial Drive in Stone Mountain, Georgia. The property has approximately 167 feet of frontage along Memorial Drive and contains 1.3 acres.

RECOMMENDATION:

COMMUNITY COUNCIL: APPROVAL WITH CONDITIONS

PLANNING COMMISSION: APPROVAL WITH CONDITIONS

PLANNING STAFF: APPROVAL WITH CONDITIONS

PLANNING STAFF ANALYSIS: The C-2 rezoning is being requested since the current C-1 zoning district does not allow Major Auto Repair. There is a companion Land Use Amendment case (LP-18-1235115) which proposes to change the Character Area from SUB (Suburban) to CRC (Commercial Redevelopment Corridor) since C-2 is not allowed in a SUB character area. There is also a companion Special Land Use Permit case (SLUP `8 1235179) to allow a major auto repair business in the proposed C-2 district. The proposed C-2 zoning is consistent with the predominant CRC Character area designation to the east and west and the policies

and strategies of the Comprehensive Plan's CRC character area calling for focused development on parcels that abut the designated Commercial Redevelopment Corridor along Memorial Drive (CRC Policy #18). The C-2 district is a permitted zoning district in the CRC Character Area per Table 1.2 of the Zoning Ordinance (Character Areas and Permitted Zoning Districts). The zoning request is consistent with the predominant C-2 zoning and auto-related development pattern along this stretch of Memorial Drive. Therefore, it is the recommendation of the Planning & Sustainability Department that the application be "Approved with Staff's recommended conditions".

PLANNING COMMISSION VOTE: APPROVAL WITH CONDITIONS 7-1-0 L. Osler moved, P. Womack, Jr. seconded for approval with Staff's conditions. J. Johnson opposed.

COMMUNITY COUNCIL VOTE/RECOMMENDATION: APPROVAL WITH CONDITIONS 10-1-0 Council recommended approval with the condition that all overnight or weekend parking of vehicles must be located inside a building.

N13 SLUP 18 1235061 RECOMMENDED CONDITIONS

1. All auto repair work to be completely indoors.
2. All overnight parking of vehicles awaiting service shall be completely indoors.
3. Any outdoor storage areas shall be at least fifty (50) feet from the street right-of-way.
4. Should a new sign be constructed, it shall be a monument sign with a brick base not to exceed ten (10) feet in height or 48 square feet in size.
5. All refuse areas shall be completely screened from view of public right-of-way, parking and pedestrian areas.
6. Landscaping within the grassy area along Memorial Drive subject to approval of the County Arborist and the Planning Department.

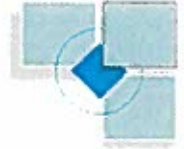


DeKalb County Department of Planning & Sustainability

330 Ponce De Leon Avenue, Suite 500

Decatur, GA 30030

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



Michael Thurmond
Chief Executive Officer

Planning Commission Hearing Date: September 6, 2018, 6:30 P.M.
Board of Commissioners Hearing Date: September 25, 2018, 6:30 P.M.

STAFF ANALYSIS

Case No.: Z-18-1235061 **Agenda #:** N13

Location/Address: 6158 & 6166 Memorial Drive, Stone Mountain, Georgia **Commission District:** 4 **Super District:** 7

Parcel ID: 18-091-01-022,18-091-01-029

Request: To rezone properties from C-1 (Local Commercial) District to C-2 (General Commercial) District to allow major auto repair within the existing buildings in accordance with Section 27-4.1 Use Table of the DeKalb County Code.

Property Owner: Aria & Todd Properties LLC

Applicant/Agent: Aria & Todd Properties LLC

Acreage: 1.4 acres

Existing Land Use: Two vacant buildings

Surrounding Properties: Auto Sales and Auto Repair (AutoWorld Superstore [owned and operated by the applicant]) to the west; Apartments (Hairston Lake Apartments) to the north; Auto-Sales and Auto Repair (AATL Auto Trade and Friendship Body Shop) to the east; and a liquor store (Beverage Club Package Store, a vacant building, and a specialized school (1st United DUI Driving School) to the south across Memorial Drive.

Adjacent Zoning: North: MR-1 South: C-1 East: C-2 West: C-2

Comprehensive Plan: CRC (See LP-18-1235115) **Consistent** **Inconsistent**

Proposed Density: NA **Existing Density:** NA
Proposed Units/Square Ft.: Major auto-repair within two existing buildings containing 5,092 square feet **Existing Units/Square Feet:** Two vacant buildings
Proposed Lot Coverage: NA **Existing Lot Coverage:** NA

ZONING HISTORY

The property has been zoned C-1 since the initial adoption of the DeKalb County Zoning Ordinance in 1956.

PROJECT ANALYSIS

The project site comprises two properties, 6158 and 6166 Memorial Drive. Those two properties contain two vacant buildings totaling 5,092 square feet. The applicant is proposing to rezone to C-2 (General Commercial) to allow major auto-repair uses, consistent with the C-2 property to the west that the applicant owns which contains a major auto repair business (AutoWorld Superstore). There is a companion Land Use Amendment case (LP-18-1235115) which proposes to change the Character Area from SUB (Suburban) to CRC (Commercial Redevelopment Corridor) since C-2 is not allowed in a SUB character area. There is also a companion Special Land Use Permit case (SLUP 18 1235179) to allow a major auto repair business in the proposed C-2 district.

There is one driveway access to 6166 Memorial Drive and two driveways accessing 6158 Memorial Drive. Memorial Drive is a six-lane major thoroughfare with sidewalks, curb, and gutter. Field investigation of the project site indicates 6 striped parking spaces at 6166 Memorial Drive and five striped parking spaces at 6158 Memorial Drive. The property is flat, with no floodplains or streams running through or near the property based on the submitted site plan. The property is surrounded by Auto Sales and Auto Repair (AutoWorld Superstore and DeKalb Import Specialists) to the west; Apartments (Hairston Lake Apartments) to the north; Auto-Sales and Auto Repair (AATL Auto Trade and Friendship Body Shop) to the east; and a liquor store (Beverage Club Package Store, a vacant building, and a specialized school (1st United DUI Driving School) to the south across Memorial Drive.

Section 4.2.14 of the Zoning Ordinance requires the follow Supplemental Regulations for Major Auto Repair Establishments:

Automobile repair, major, and paint shops. Major automobile repair and paint shops shall not be permitted on property located within three hundred (300) feet of any property used for a school, park, playground or hospital. All activities shall be carried on entirely within an enclosed building, unless in M (Light Industrial) District. For purposes of determining whether a building is enclosed, the use of open overhead bay doors that can be closed shall be permitted. Cars awaiting service shall be stored inside an enclosed building or in the side or rear yard.

Based on county records, it appears that there is compliance with Section 4.2.14 as there are no schools, parks, playgrounds or hospitals within 300 feet of the subject properties. All auto repair activities will be required to be indoors.

LAND USE AND ZONING ANALYSIS

Section 27-832 of the Zoning Ordinance, "Standards and factors governing review of proposed amendments to the official zoning map" states that the following standards and factors shall govern the review of all proposed amendments to the zoning maps.

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

Companion case LP-18-1235115 proposes to change the character area from SUB (Suburban) to CRC (Commercial Redevelopment Corridor). Staff is recommending approval of that companion case since the properties to the east and west also fall within a CRC (Commercial Redevelopment Corridor) character area along a major thoroughfare road (Memorial Drive). The proposed C-2 zoning is consistent with Table 1.2 of the Zoning Ordinance (Character Areas and Permitted Zoning Districts) and the policies and strategies of the Comprehensive Plan's Commercial Redevelopment Corridor (CRC) character area calling for focused

development on parcels that abut or have access to the designated Commercial Redevelopment Corridor (CRC Policy #18).

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 properties are surrounded by similar C-2 zoning to the east and west, with auto-repair and auto-sales as the predominant land use along this stretch of Memorial Drive. Therefore, it appears that the zoning proposal will permit a suitable use, should the Board of Commissioners approve the Special Land Use Permit.

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

The property may have a reasonable economic use as currently zoned for C-1 which allows minor auto repair and other commercial uses. However, the applicant wants to expand their 15 year old major auto repair business on the adjacent C-2 zoned parcel at 6154 Memorial Drive, but cannot do so without the C-2 rezoning and Special Land Use Permit approval.

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

Given the predominant C-2 zoning pattern and auto-related businesses along this stretch of Memorial Drive, it does not appear that the zoning proposal would adversely affect adjacent and surrounding properties.

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 applicant owns the adjacent property and its 15 year old business will benefit from the proposed zoning. The other properties surrounding the site share C-2 zoning to the east and west, with auto-repair and auto-sales as the predominant land use along this stretch of Memorial Drive.

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

Based on the submitted information, the proposed rezoning request should not have an adverse effect on historic buildings, sites, districts, or archaeological resources.

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:

Based on the submitted information, it does not appear that the zoning proposal will result in a use which would cause an excessive or burdensome use of existing streets or transportation facilities. There will be no impact on schools since the proposed use does not provide housing for the school population. Per comments from the Department of Public Works, due to the high volume of development in the area causing increased flows, sanitary sewer capacity cannot be guaranteed at the time the development comes on line.

COMPLIANCE WITH C-2 (LOCAL COMMERCIAL) DISTRICT STANDARDS PER ARTICLE 27-TABLE 2.2

STANDARD	REQUIRED	EXISTING/PROVIDED	COMPLIANCE
LOT WIDTH Sec.27-186(a)	100 Feet	97 feet (6166 Memorial) 70 feet (6158 Memorial)	<i>No (non-conforming lot, buildings constructed circa 1967 and 1971)</i>
LOT AREA Sec.27-186(b)	30,000 Square Feet	40,510 s.f. (6166 Memorial)	Yes

		13,068 s.f. (6158 Memorial)	<i>No (non-conforming lot, buildings constructed circa 1967 and 1971)</i>
FRONT SETBACK Sec.27-186(c)(4)	60 Feet	65 Feet (6166 Memorial) 65 Feet (6158 Memorial)	Yes Yes
INTERIOR SIDE YARD SETBACK Sec.27-186(d)	20 Feet	18 Feet (6166 Memorial) 4 Feet (6158 Memorial)	<i>No (non-conforming lot, buildings constructed circa 1967 and 1971)</i> <i>No (non-conforming lot, buildings constructed circa 1967 and 1971)</i>
REAR SETBACK Sec.27-186(e)	30 Feet	250 Feet (6166 Memorial) 50 Feet (6158 Memorial)	Yes Yes
TRANS. BUFFERS	50 Feet (6166 Memorial) No buffer required for 6158 Memorial since does not abut residential zoning	45 feet (North p/l)	<i>No (non-conforming lot, buildings constructed circa 1967 and 1971)</i>
BUILDING HEIGHT Sec.27-187	Maximum 2 stories	One story	Yes
PARKING Sec. 27-150 (e)	7 spaces (6166 Memorial) 6 spaces (6158 Memorial)	6 spaces (6166 Memorial) 5 spaces (6158 Memorial)	<i>No (non-conforming lot, buildings constructed circa 1967 and 1971)</i> <i>No (non-conforming lot, buildings constructed circa 1967 and 1971)</i>

Staff Recommendation: APPROVE WITH CONDITIONS

The C-2 rezoning is being requested since the current C-1 zoning district does not allow Major Auto Repair. There is a companion Land Use Amendment case (LP-18-1235115) which proposes to change the Character Area from SUB (Suburban) to CRC (Commercial Redevelopment Corridor) since C-2 is not allowed in a SUB character area. There is also a companion Special Land Use Permit case (SLUP '8 1235179) to allow a major auto repair business in the proposed C-2 district. The proposed C-2 zoning is consistent with the predominant CRC Character area designation to the east and west and the policies and strategies of the Comprehensive Plan's CRC character area calling for focused development on parcels that abut the designated Commercial Redevelopment Corridor along Memorial Drive (CRC Policy #18). The C-2 district is a permitted zoning district in the CRC Character Area per Table 1.2 of the Zoning Ordinance (Character Areas and Permitted Zoning Districts). The zoning request is consistent with the predominant C-2 zoning and auto-related development pattern along this stretch of Memorial Drive. Therefore, it is the recommendation of the Planning & Sustainability Department that the application be "Approved" with the following conditions:

1. All auto repair work to be completely indoors.
2. All overnight parking of vehicles awaiting service shall be completely indoors.
3. Any outdoor storage areas shall be at least fifty (50) feet from the street right-of-way.
4. Should a new sign be constructed, it shall be a monument sign with a brick base not to exceed ten (10) feet in height or 48 square feet in size.
5. All refuse areas shall be completely screened from view of public right-of-way, parking and pedestrian areas.

6. Landscaping within the grassy area along Memorial Drive subject to approval of the County Arborist and the Planning Department.

Attachments:

1. Departmental Comments
 - a. Land Development Division
 - b. Traffic Engineering Division
 - c. Watershed Management
 - d. Board of Health
2. Application
3. Site Plan
4. Zoning Map
5. Aerial Photograph
6. Location Photographs

NEXT STEPS: *Following an approval of this action, one or several of the following approvals or permits 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 Approval** *(Required for the subdivision of property into three lots or more. Requires a public hearing by the Planning Commission.)*
- **Historic Preservation Certificate of Appropriateness** *(Required for any proposed changes to building exteriors or improvements to land when a property is located within the Druid Hills Historic District or the Soapstone Geological Historic District. Historic Preservation Committee public hearing may be required.)*
- **Variance or Special Exception** *(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.)*
- **Major Modification** *(Required if there are any changes to zoning conditions approved by the Board of Commissioner on 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 require submittal



1.2.3 Relationship between character areas and zoning districts.

The character area categories established in the adopted comprehensive plan and shown on the future development map are to be implemented by approving rezonings to zoning districts listed within the following categories in Table 1.2, except the Scenic Corridor character area in which any zoning district may be approved. The zoning districts that are permitted within each character area shall be restricted as provided by Table 1.2.

1.2.4 Relationship between supplemental plans and zoning districts.

Section 5.7, Supplemental Plans of the comprehensive plan references all supplemental plans that focus on areas, situations, or issues of importance to DeKalb County. These plans include, but not limited to, redevelopment plans, neighborhood plans, county wide plans, corridor plans, or plans for conservation management. Where the board of commissioners has adopted a supplemental plan's policies and development standards, these policies and development standards will serve as specific guidelines to support the existing Future Development Plan (Section 4.3 Future Development Plan) and character area policies (Section 5.4-13.1 Land Use Character Area Policies and Strategies).

Table 1.2: Character areas and permitted zoning districts.

	Rural Residential (max 4 du/a)	Suburban (max 8 du/a)	Traditional Neighborhood (max 12 du/a)	Neighborhood Center (max 24 du/a)	Town Center (max 60 du/a)	Regional Center (max 120 du/a)	Office Park (max 30 du/a)	Institutional	Industrial	Light Industrial	Commercial Redevelopment Corridor (max 18 du/a)	Highway Corridor (max 30 du/a)
Zoning District	RE	RE	RE	R-60	RSM	MR-1	HR-1	R-100	M	C-2	RSM	HR-1
	RLG	RLG	RLG	RSM	MR-1	MR-2	MU-1	R-85	M-2	OD	MR-1	MU-1
	R-100	R-100	R-100	MR-1	MR-2	HR-1	MU-2	R-75	OD	OI	MR-2	MU-2
	R-85	R-85	R-85	MR-2	HR-1	HR-2	MU-3	R-60	C-2	M	MU-1	MU-3
	R-75	R-75	R-75	MU-1	HR-2	HR-3	MU-4	RSM		M-2	MU-2	MU-4
	RNC	R-60	R-60	MU-2	MU-1	MU-1	NS	MR-1			MU-3	C-1
	MHP	RNC	RNC	MU-3	MU-2	MU-2	C-1	MR-2			NS	C-2
	NS	MHP	RSM	NS	MU-3	MU-3	C-2	MU-1			C-1	OD
		RSM	MR-1	C-1	MU-4	MU-4	OIT	MU-2			C-2	OI
		MU-1	MU-1	OI	MU-5	MU-5	OI	MU-3			OI	OIT
		NS	MU-2	OIT	OI	OI	OD	OI			OD	M
		C1	NS		OIT	OIT		OIT			OIT	M-2
		OIT	C-1		C-1	C-1						
		OI	OIT		C-2	C-2						

*du/a = dwelling units per acre



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:

- **Transportation/Access/Row**

Consult the Georgia DOT as well as the DeKalb County Transportation Department prior to land development permit. Verify widths from the centerline of the roadways to the property line for possible right-of-way dedication. Improvements within the right-of-way may be required as a condition for land development application review approval. Safe vehicular circulation is required. Paved off-street parking is required.

- **Storm Water Management**

Compliance with the Georgia Stormwater Management Manual, DeKalb County Code of Ordinances 14-40 for Stormwater Management and 14-42 for Storm Water Quality Control, to include Runoff Reduction Volume where applicable is required as a condition of land development permit approval. Use Volume Three of the G.S.M.M. for best maintenance practices. Use the NOAA Atlas 14 Point Precipitation Data set specific to the site. The site is a stormwater hotspot.

- **Flood Hazard Area/Wetlands**

The presence of FEMA Flood Hazard Area was not indicated in the County G.I.S. mapping records for the site; and should be noted in the plans at the time of any land development permit application. Encroachment of flood hazard areas require compliance with Article IV of Chapter 14 and FEMA floodplain regulations.

- **Landscaping/Tree Preservation**

Landscaping and tree preservation plans for any building, or parking lot must comply with DeKalb County Code of Ordinances 14-39 and are subject to approval from the County Arborist.

- **Tributary Buffer**

State water buffer was not reflected in the G.I.S. records for the site. Typical state waters buffer have a 75' undisturbed stream buffer and land development within the undisturbed creek buffer is prohibited without a variance per DeKalb County Code of Ordinances 14-44.1.

- **Fire Safety**

Plans for land development permit must comply with Chapter 12 DeKalb County Code for fire protection and prevention.



DEKALB COUNTY GOVERNMENT
PLANNING DEPARTMENT
DISTRIBUTION FORM

NOTE: PLEASE RETURN ALL COMMENTS VIA EMAIL OR FAX TO EXPEDITE THE PROCESS TO MICHELLE M ALEXANDER mmalexander@dekalbcountyga.gov OR JOHN REID jreid@DEKALBCOUNTYGA.GOV

COMMENTS FORM:
PUBLIC WORKS WATER AND SEWER

Case No.: Z-18-1235061

Parcel I.D. #: 18-091-01-022 & 18-091-01-029

Address: 6158 & 6166 Memorial Drive
Stone Mountain, Georgia

WATER:

Size of existing water main: 12" DI Water Main (adequate/inadequate)

Distance from property to nearest main: Adjacent to Property

Size of line required, if inadequate: N/A

SEWER:

Outfall Servicing Project: Upper Snapfinger Creek Basin

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

Water Treatment Facility: Snapfinger Creek WTF () adequate () inadequate

Sewage Capacity; * (MGPD) Current Flow: 21.77 (MGPD)

COMMENTS:

* Please note that the sewer capacity has not been reviewed or approved for this project. A Sewer Capacity Request (SCR) must be completed and submitted for review. This can be a lengthy process and should be addressed early in the process.

Signature: 

DeKalb County Board of Health

404.508.7900 • www.dekalbhealth.net

8/24/2018

N.13

LP-18-1235115/18-091-01-029

6166 Memorial Drive, Stone Mountain, Ga

Amendment

- Please review general comments.

N.14

Z-18-1235061/18-091-01-022 & 18-091-01-029

6158 & 6166 Memorial Drive, Stone Mountain, Ga

Amendment

- Please see general comments.

- Indications file in system that an septic system is currently installed on this property as of 09/27/1967 at 6158 Memorial Drive.

N.15

LP-18-1235096/15-127-03-007

2604 Snapfinger Road, Decatur, Ga

Amendment

- Please review general comments.

N.16

2018-2446/Z-18-1235084/18-041-03-004

4449 Rockbridge Road, Stone Mountain, Ga

Amendment

- Please review general comments.

174



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.: 2-18-235061 Parcel I.D. #: 18-091-01-022

Address: 6158
Memorial Dr
STN. NYN, 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. No problem with traffic interruption

Signature: [Signature]

DEKALB COUNTY

Board of Health

8/24/2018

To: Ms. Madolyn Spann, Planning Manager
Mr. John Reid, Senior Planner
From: Ryan Cira, Environmental Health Manager
Cc: Alan Gaines, Technical Services Manager
Re: Rezone Application Review

General Comments:

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

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

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

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

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

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

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

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

DeKalb County Board of Health

permit. (The Zoning Code trumps the Land Development Code- but when the Zoning Code is silent, the Land Development Code takes effect.)

N11. Treadway Road is classified local. See Section 5.4.3 of the Zoning Code for required improvements and Section 14-190 of the Land Development Code for required infrastructure improvements at time of permit. . (The Zoning Code trumps the Land Development Code- but when the Zoning Code is silent, the Land Development Code takes effect.

Overlay Districts trump both of the above.) Public local roads require a 27.5 foot right of way from the centerline (for a total of 55 feet), 5 foot sidewalks, 5 foot landscape strip and street lights within the right of way. The right of way width show on the application does not seem to meet the 55 feet for the interior streets. Cul-de-sac appears to be substandard also. These will need to be corrected prior to permitting and will impact storm detention, setbacks, etc.

N12. McClendon is a collector street. Allow only one standard size commercial curb cut on McClendon Dr. Install sidewalks along property frontage. Street lights required behind sidewalk within right of way at permitting.

N13. Memorial Drive is a major arterial and a state route. GDOT review and permits required.

N14. Memorial Drive is a major arterial and a state route. GDOT review and permits required. Eliminate a curb cut on 6158 and restore streetscape.

N15. Snapfinger Road is a major arterial. Site limited to right in/right out access point.

N16. Rockbridge Road is a minor arterial. . See Section 5.4.3 of the Zoning Code for required improvements and Section 14-190 of the Land Development Code for required infrastructure improvements at time of permit. . (The Zoning Code trumps the Land Development Code- but when the Zoning Code is silent, the Land Development Code takes effect.

Overlay Districts trump both of the above.) 40 foot right of way dedication from centerline. 6 foot sidewalks, 4 foot bike lanes. Street lights behind the sidewalk within right of way. Construct sidewalks along Rockbridge Road to Allgood Circle within right of way. Limited to one access point onto Rockbridge Road.

N17. Bermuda Road is a collector road. See Section 5.4.3 of the Zoning Code for required improvements and Section 14-190 of the Land Development Code for required infrastructure improvements at time of permit. . (The Zoning Code trumps the Land Development Code- but when the Zoning Code is silent, the Land Development Code takes effect.

Overlay Districts trump both of the above.) 35 foot right of way dedication from centerline. 6 foot sidewalks, 4 foot bike lanes. Street lights behind the sidewalk within right of way. Add roundabout at the intersection of Stewart Mill Road and Bermuda Road. Gordon Burkett at Keep DeKalb Beautiful is working on the concept for this project. Add sidewalks and street lights along Bermuda Road (within right of way) to the intersection of Stewart Mill Road. Complete all requirements of GRITA's notice of decision that are within DeKalb County. Design to restrict truck movements from using Stewart Mill Road to get to Rockbridge Road.

N18. Norris Lake is a collector road. Pleasant Hill is a minor arterial. Pleasant Hill Way is a local road. Pleasant Hill Way appears to be public in some areas where the development is proposed. I assume they are planning an right of way abandonment. Provide ped/bike access from the neighborhood into the park, as approved by the Parks and Recreation Department. Frontage on Pleasant Hill Way must be improved to Code also. 339 lots requires a traffic study be completed prior to zoning. Traffic study should include the access points and the intersection of Norris Lake

Road/Humphries at Pleasant Hill Road. Left turn lane required on Pleasant Hill Road. Add sidewalks along frontage of Norris Lake Road and extend to the intersection of Norris Lake Road/Humphries at Pleasant Hill Road. Add sidewalks along frontage of Pleasant Hill Road and extend to the intersection of Norris Lake Road/Humphries at Pleasant Hill Road. Consider moving the roundabout to Pleasant Hill Road. **Request deferral until the study is received.** Norris Lake requires right of way dedication of 35' from centerline, 6 foot sidewalks, 4 foot bike lanes and street lights on back of curb within the proposed right of way. Pleasant Hill Road requires right of way dedication of 40' from centerline, 6 foot sidewalks, 4 foot bike lanes and street lights on back of curb within the proposed right of way. Pleasant Hill Way right of way dedication of 27.5' from centerline, 12 foot travel lane on the development side from centerline, 5 foot sidewalks and street light on back of curb within the proposed right of way.

N19. No Comments.

N20 & N21.. Rock Chapel Road is a major arterial and state route. GDOT review and permits required at permitting. See Section 5.4.3 of the Zoning Code for required improvements and Section 14-190 of the Land Development Code for required infrastructure improvements at time of permit. . (The Zoning Code trumps the Land Development Code- but when the Zoning Code is silent, the Land Development Code takes effect. Overlay Districts trump both of the above.)

N22. S. Stone Mountain Lithonia Road is a minor arterial. Add sidewalks and street lights behind sidewalks and within right of way along property frontage and dedicate 40 feet of right of way from centerline.

Reid, John

From: Hill, LaSondra
Sent: Monday, August 20, 2018 7:26 AM
To: Hill, Karen F.; Reid, John; Furman, Melora L.; Brewer, Brian N.; Washington, Larry
Cc: Alexander, Michelle M.; Eisenberg, Marian
Subject: FW: Request for Inter-Departmental Comments

From: Keeter, Patrece
Sent: Friday, August 17, 2018 4:41 PM
To: Hill, LaSondra <lahill@dekalbcountyga.gov>
Cc: Alexander, Michelle M. <mmalexander@dekalbcountyga.gov>
Subject: RE: Request for Inter-Departmental Comments

On Case N.10- The access point on Candler Road should be limited to right in-right out.

From: Keeter, Patrece
Sent: Monday, August 13, 2018 12:01 PM
To: Hill, LaSondra <lahill@dekalbcountyga.gov>
Cc: Alexander, Michelle M. <mmalexander@dekalbcountyga.gov>
Subject: RE: Request for Inter-Departmental Comments

- N1. Lawrenceville Hwy is a major arterial on a state route. Dedicate right of way at least 50 from centerline. Install sidewalks along property frontage (ensure sidewalks are within right of way). GDOT review and permits required. Street lights required 1 foot behind sidewalks on right of way.
- N2. Clairmont Road is a major arterial on a state route. Dedicate right of way at least 50 from centerline. GDOT review and permits required.
- N3. Braircliff Road is a minor arterial and state route. GDOT review and permits required. No access allowed onto Braircliff Road.
- N4. No Comments.
- N5. No Comments.
- N6. No Comments.
- N7. No Comments.
- N8 & N9. Columbia Drive is a minor arterial. See Section 5.4.3 of the Zoning Code for required improvements and Section 14-190 of the Land Development Code for required infrastructure improvements at time of permit. . (The Zoning Code trumps the Land Development Code- but when the Zoning Code is silent, the Land Development Code takes effect. Overlay Districts trump both of the above.) 40 foot right of way dedication from centerline. 6 foot sidewalks, 4 foot bike lanes. Street lights behind the sidewalk within right of way. As shown in the application, interior roads must be private.
- N10. Candler Road is a major arterial and a state route. GDOT review and permits required. Kelly Lake Road is a local road. See Section 5.4.3 of the Zoning Code for required improvements and Section 14-190 of the Land Development Code. (The Zoning Code trumps the Land Development Code- but when the Zoning Code is silent, the Land Development Code takes effect. Overlay Districts trump both of the above.) Right of way dedication of 50 from centerline on Candler Road, 6 foot sidewalks. Right of way dedication on Kelly Lake Road 27.5 feet from centerline, 5 foot sidewalks. Extend sidewalks along Kelly Lake Road within existing right of way to Candler Road. Street Lights required on back of sidewalk within right of way along both frontages. See Section 5.4.3 of the Zoning Code for required improvements and Section 14-190 of the Land Development Code for required infrastructure improvements at time of

LETTER OF INTENT

Requesting to rezone 6166 and 6158 Memorial Drive, Stone Mountain, Georgia, 30083 from:

C1 to **C2**

Purpose: To expand existing auto body and repair business at adjacent parcel which we own at 6154 Memorial Drive, Stone Mountain, Georgia 30083. There is an existing driveway which makes it convenient for us to access (in the back of) all 3 properties.

We will be using existing buildings on all properties.

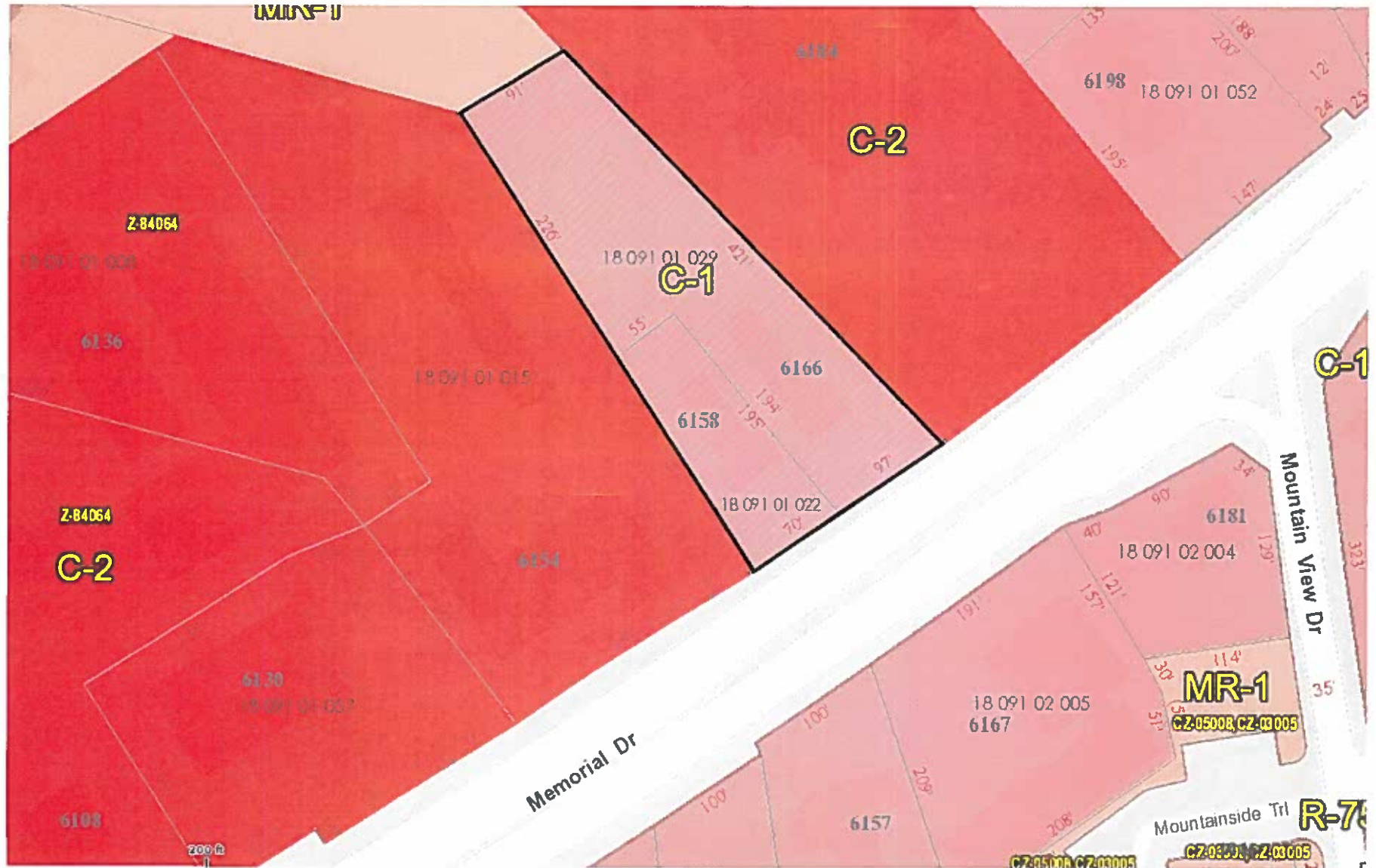
DEPARTMENT OF PLANNING & SUSTAINABILITY

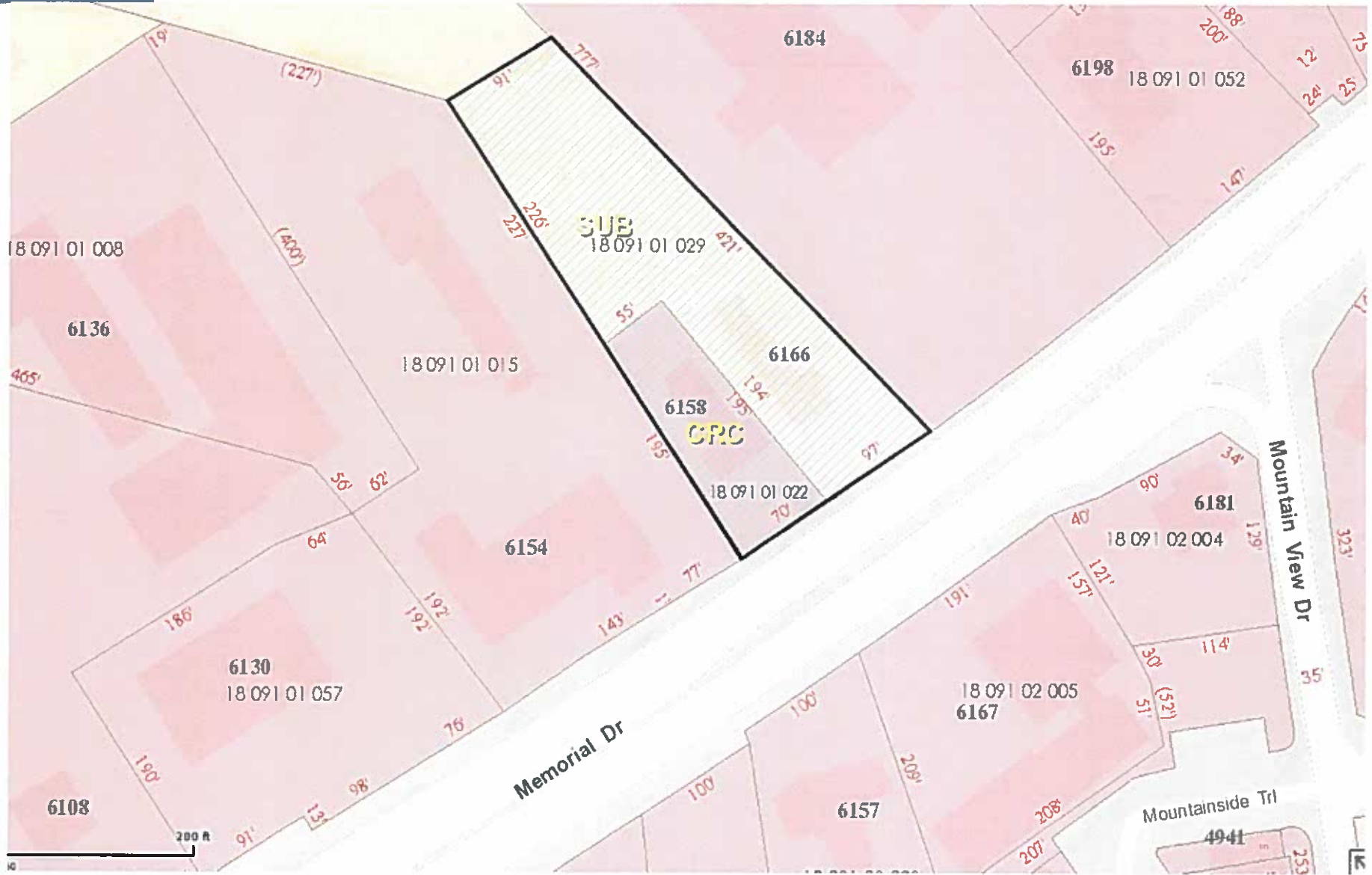
IMPACT ANALYSIS

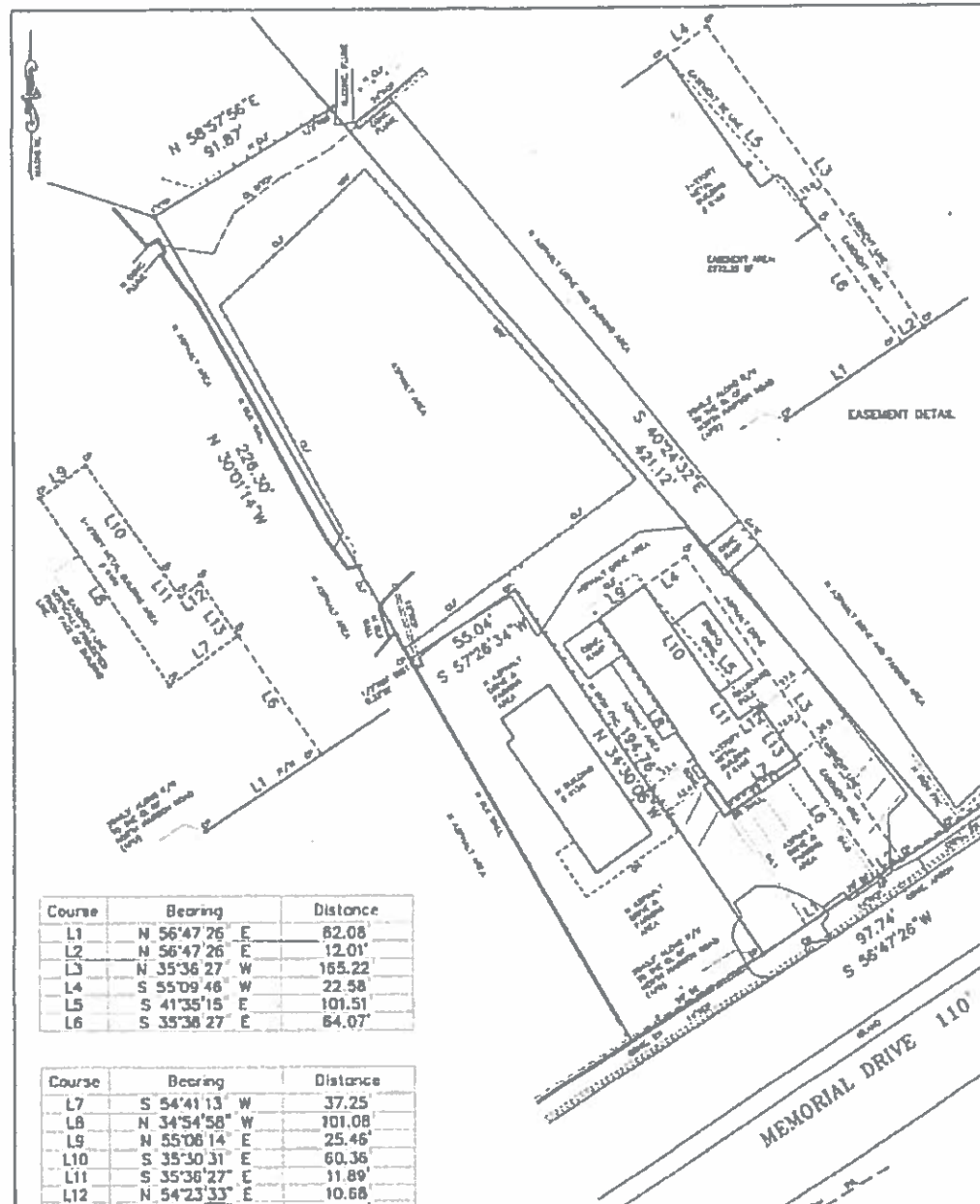
(Please respond to the following standards and factors on a separate sheet.)

Section 27-7.3.⁵ The following standards and factors are found to be relevant to the exercise of the county's zoning powers and 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 proposed zoning is in conformity with the policy & intent of the comprehensive Plan*
- B. Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby properties. *The proposed zoning will permit a use and development of adjacent & nearby properties*
- C. Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned. *The property to be affected by the zoning proposal has a reasonable economic use that will improve and enhance the property*
- D. Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby properties. *The zoning proposal will not adversely affect the existing use of usability of adjacent or nearby properties since adjacent properties on Memorial Dr are C2 properties*
- 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. *Existing zoning on all properties adjacent to this zoning proposal are C2*
- F. Whether the zoning proposal will adversely affect historic building, sites, districts, or archaeological resources. *The zoning proposal will not adversely affect historical building, sites, districts or archaeological resources. None exist in proximity to the zoning proposal.*
- 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 zoning proposal will not or could not cause excessive or burdensome use of existing streets transportation facilities, utilities or schools*
- H. Whether the zoning proposal adversely impacts the environment or surrounding natural resources.
No.













404.371.2155 (o)
404.371.4556 (f)
DeKalbCountyGa.gov

Clark Harrison Building
330 W. Ponce de Leon Ave
Decatur, GA 30030

DEPARTMENT OF PLANNING & SUSTAINABILITY

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

Date Received: _____ Application No: 2-18-1235061

Applicant Name: Aria + Todd Properties LLC

Applicant E-Mail Address: autosport@bellsouth.net

Applicant Mailing Address: 6154 Memorial Dr. Stone Mountain Ga 30083

Applicant Daytime Phone: 770 498-2300 Fax: 770 498-2304

Owner Name: Kathleen D. Todd David E Aria
If more than one owner, attach list of owners.

Owner Mailing Address: 6154 Memorial Drive Stone Mountain Ga 30083

Owner Daytime Phone: 770 498-2300

Address of Subject Property: 6158 + 6166 Memorial Dr.
Stone Mountain Ga 30083

Parcel ID#: 1809101029 + 1809101022

Acreage: 1.3 acres Commission District: 4 + 7

Present Zoning District(s): _____

Proposed Zoning District: C2

Present Land Use Designation: suburban + CRC (C1)

Proposed Land Use Designation (if applicable): _____

2

PUBLIC NOTICE

TO

Request for a Special Land Use Permit

Filed by: Aria & Todd Properties llc

**Located at: 6166 Memorial Drive and 6158
Memorial drive**

Stone Mountain, Ga 30083

Curent Use: C1 (Light Auto Service)

Proposed Use: C2 (Auto Body and Car Maintenance)

Hours of Operation: Current: Mon-Sat 8am to 6pm

Proposed: No change

Capacity: No change

Pre-Submittal Community Meeting to Take Place at:

Autoworld Superstore

6154 Memorial Drive Stone Mountain, Ga 30083

Time and Date: Wednesday, May 23, 2018 7pm

Any questions--- call Kathleen Todd

(678)471-4751

This certificate is attached to a 1 page document dealing with/entitled Dept of Planning and dated 6-27-18

Acknowledgment in an Individual Capacity

State of Georgia
County of DeKalb

This record was acknowledged before me on 6-27-18

by Kathleen D. Todd
Printed name(s) of individual(s) signing document

who proved to me on the basis of satisfactory evidence to be the person(s) who appeared before me.

Personally Known

or
 Produced Identification

Type ID GA Driver's License

Tiffany N. Williams
Signature of notary, public

Tiffany N. Williams
(Name of notary, typed, stamped or printed)
Notary Public State of Georgia

Stamp/Seal

My commission expires: Aug 20, 2018

TIFFANY N WILLIAMS
NOTARY PUBLIC
DeKalb County
State of Georgia
My Comm. Expires Aug. 20, 2018

LEGAL DESCRIPTION

ALL that tract or parcel of land lying and being in Land Lot 91 of the 18th District of DeKalb County, Georgia, being part of property as shown on survey recorded in Plat Book 63, Page 68, DeKalb County Records, and being more particularly described as follows:

BEGINNING at an iron pin located on the Northwestern right-of-way line of Memorial Drive (a 110-foot right of way width), 2040.3 feet Northeasterly as measured along the Northwestern right Of way line of Memorial Drive from its intersection with the center line of Hairston Road if the Northwestern right-of-way line of Memorial Drive were extended so as to intersect with the center line of N. Hairston Road; running thence Northeasterly along the Northwestern right of way line of Memorial Drive, a distance of 97.74 feet to an iron pin; running thence North 40 degrees 24 minutes 32 seconds West, a distance of 421.12 feet to an iron pin; running thence South 58 degrees 57 minutes 56 seconds West, a distance of 91.87 feet to an iron pin; running thence South 30 degrees 01 minutes 14 seconds East, a distance of 226.30 feet to an iron pin; running thence North 57 degrees 26 minutes 34 seconds East, a distance of 55.04 feet to an iron pin; running thence South 34 degrees 30 minutes 06 seconds East a distance of 194.76 feet to an iron pin located on the Northwestern right of way line of Memorial Drive and the POINT OF BEGINNING.

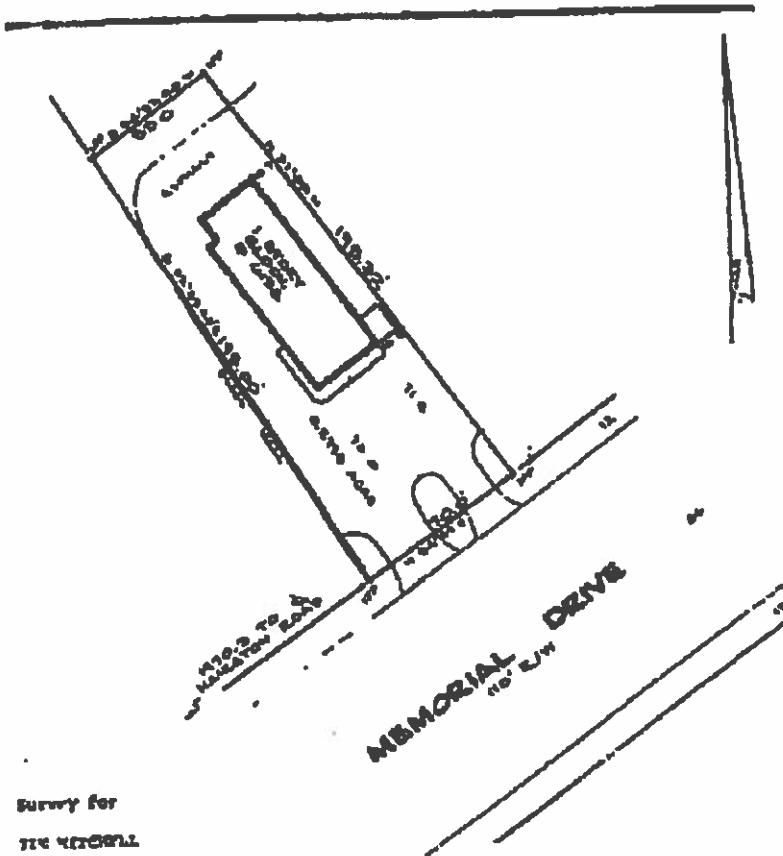
Subject Property Address: 6166 Memorial Drive, Stone Mountain, GA 30083

Parcel ID: 18 091 01 029



Exhibit "A" Legal Description

LAND LOT 91, 18TH DISTRICT OF DEKALB COUNTY, GEORGIA, BEING KNOWN AS 6158 MEMORIAL DRIVE ACCORDING TO THE PRESENT SYSTEM OF NUMBERING IN DEKALB COUNTY, GEORGIA, AND MORE PARTICULARLY DESCRIBED ON A PLAT OF SURVEY DATED APRIL 25, 1980, PREPARED BY ALVIN E. WIGGINS & ASSOCIATES, A COPY OF WHICH IS ATTACHED HERETO AS EXHIBIT "A" AND INCORPORATED HEREIN BY REFERENCE.



Survey for

THE PURCHASER

of property at 6158 Memorial Drive

Land Lot 91, 18th District, DeKalb County, Georgia

April 25, 1980

Scale 1" = 40'

Made by
ALVIN E. WIGGINS & ASSOC.
Planners - Surveyors
P.O. Box 783
Stockbridge, Ga. 30281

In my presence and that of the parties to the above plat, the same were duly prepared and approved as per the laws of the State of Georgia.



Purchaser

Seller

559104-145

EXHIBIT "A"

4340 61

6158

2011037178 DEED BOOK 22358 Pg 65
Filed and Recorded
2/14/2011 11:12:16 AM
Linda Carter
Clerk of Superior Court
DeKalb County, Georgia
Real Estate Transfer Tax \$77.00

Return to:
LANE & KARLO, LLP
1827 Powers Ferry Road
Building Five
Atlanta, Georgia 30339

File No: LK103171

LIMITED WARRANTY DEED

STATE OF GEORGIA

COUNTY OF COBB

THIS INDENTURE, made and entered into as of the 7th day of February, in the year two thousand eleven, by and between


REKEEP INVESTMENTS, INC.

of the County of Mecklenburg, and State of North Carolina, as party or parties of the first part, hereinafter called Grantor, and

ARIA AND TODD PROPERTIES, LLC

as party or parties of the second part, hereinafter called Grantee (the words "Grantor" and "Grantee" to include their respective heirs, successors and assigns where the context requires or permits.)

WITNESSETH that: Grantor, for and in consideration of the sum of TEN AND NO/100 (\$10.00) DOLLARS in hand paid at and before the sealing and delivery of these presents, the


Initials

receipt whereof is hereby acknowledged, has granted, bargained, sold, aliened, conveyed and confirmed, and by these presents does grant, bargain, sell, convey and confirm unto the said Grantee, the following described property, to-wit:

All that tract or parcel of land lying and being in Land Lot 91, 18th District, DeKalb County, Georgia, being 0.2798 acres, as shown on plat of survey for Jim Mitchell by Alvin F. Vaughn & Assoc., Registered Land Surveyors, dated April 25, 1980, recorded in Deed Book 9104, Page 145, DeKalb County records, and being more particularly described as follows:

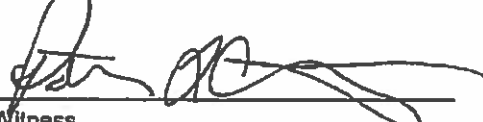
BEGINNING at an iron pin on the northwest right-of-way of Memorial Drive (110-foot right-of-way) 1,970.3 feet northeasterly from the intersection of the northwesterly right-of-way of Memorial Drive and the centerline of Hairston Road, as measured along the northwesterly right-of-way of Memorial Drive; running thence North 54 degrees 49 minutes East along the northwesterly right-of-way of Memorial Drive 70.0 feet to an iron pin; thence North 37 degrees 00 minutes West 195.32 feet to an iron pin; thence South 54 degrees 22 minutes 40 seconds West 55.0 feet to an iron pin; thence South 32 degrees 35 minutes 40 seconds East 195.00 feet to an iron pin on the northwesterly right-of-way of Memorial Drive and the point of beginning.

TO HAVE AND TO HOLD the said tract or parcel of land, with all and singular the rights, members and appurtenances thereof, to the same being, belonging, or in anywise appertaining, to the only proper use, benefit and behoof of the said Grantee forever in FEE SIMPLE.

AND THE SAID Grantor will warrant and forever defend the right and title to the above described property unto the said Grantee against the claims of all persons claiming by, through or under Grantor herein.

IN WITNESS WHEREOF, the Grantor has signed and sealed this deed as of the day and year above written.

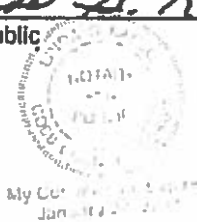
Signed, sealed and delivered in the presence of:

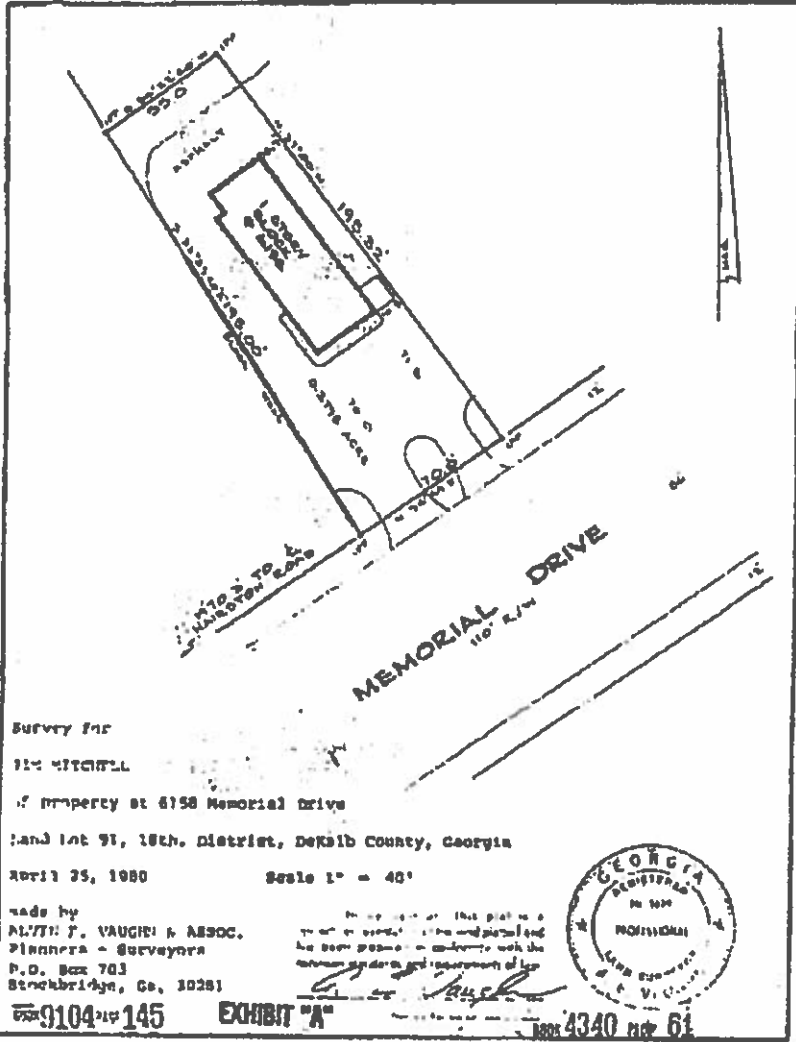

Witness

Rekeep Investments, Inc.

By:  (SEAL)
Michael Pecker, President


Notary Public





Survey for

Site Specific

of property at 6158 Memorial Drive

Land Int 91, 18th. District, DeKalb County, Georgia

April 25, 1980

Scale 1" = 40'

Made by
 ALVIN J. VAUGHN & ASSOC.
 Planners - Surveyors
 P.O. Box 703
 Stockbridge, Ga. 30281

This plat is a true and correct copy of the original and has been prepared in accordance with the custom and practice of the profession of land surveyors in Georgia.



9104-145

EXHIBIT "A"

4340 61

AFFIDAVIT

STATE OF GEORGIA

COUNTY OF DEKALB

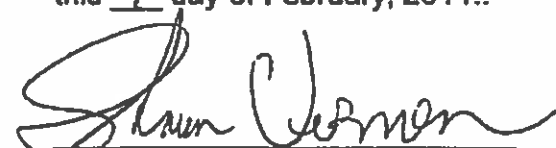
Re: Aria and Todd Properties, LLC

BEFORE ME, a notary public in and for said State and County, came **DAVID E. ARIA**, being duly sworn, deposes and says on oath as follows:

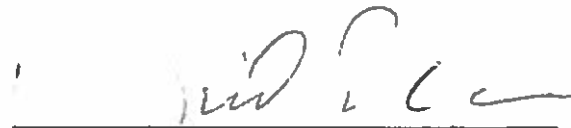
That Deponent and Kathleen Dale Todd are the sole Members of Aria and Todd Properties, LLC; that said company has been duly organized pursuant to the Articles of Organization of Aria and Todd Properties, LLC filed April 4, 2003, in the Office of the Secretary of State, State of Georgia and that certain Operating Agreement for Aria and Todd Properties, LLC of even date therewith; that no amendment or modification thereof has occurred; that said company is this date in good standing with said Secretary of State; that the purchase of property located at and designated as 6158 Memorial Drive, Stone Mountain, DeKalb County, Georgia 30083 is made pursuant to and in full compliance therewith; that either Deponent or Kathleen Dale Todd, as a Member/Manager, is thereby empowered to execute such deeds and other documents as are necessary to effectuate the conveyance of said property; and

That this affidavit is made with the understanding that it will be relied upon by sellers or lenders dealing with said property, by attorneys certifying title in and to said property, and by title insurance companies insuring title in and to said property.

Sworn to and subscribed before me
this 9 day of February, 2011..



Notary Public



David E. Aria

SHAUN L VERNON
NOTARY PUBLIC
Gwinnett County - State of Georgia
My Comm. Expires Jan. 2, 2015

6166

2018081099 DEED BOOK 26899 Pg 145
Filed and Recorded:
5/8/2018 11:18:34 AM
Debra DeBerry
Clerk of Superior Court
DeKalb County, Georgia

Deeds Recorded Document by
John B. Mangrum Attorney at Law
4842 Lavista BA
Tucker, GA 30084

LIMITED WARRANTY DEED

STATE OF GEORGIA
COUNTY OF DeKalb

This Indenture made this 14th day of April, 2018 between 2013 SWE GA, L.L.C. a Georgia Limited Liability Company as party or parties of the first part, hereinafter called Grantor, and Aris and Todd Properties, LLC a Domestic Limited Liability Company, as party or parties of the second part, hereinafter called Grantee (the words "Grantor" and "Grantee" to include their respective heirs, successors and assigns where the context requires or permits).

WITNESSETH that Grantor, for and in consideration of the sum of TEN AND 00/100'S (\$10.00) Dollars and other good and valuable considerations in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, has granted, bargained, sold, aliened, conveyed and confirmed, and by these presents does grant, bargain, sell, alien, convey and confirm unto the said Grantee,

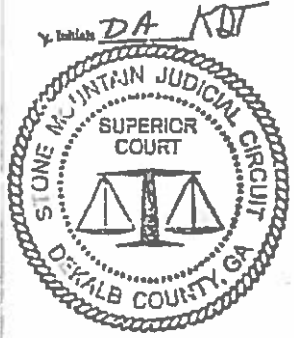
See Exhibit "A"
TAX MAP OR PARCEL ID NO: 18 091 01 029
Street Address: 6166 Memorial Dr., Stone Mountain, GA 30083

Exceptions to Conveyance and Warranty: Liens described as part of the Consideration and any other liens described in this deed as being either assumed or subject to which title is taken; validly existing easements, rights-of-way, and prescriptive rights, whether of record or not; all presently recorded and validly existing restrictions, reservations, covenants, conditions, oil and gas leases, mineral interests outstanding in persons other than Grantor, and other instruments, other than conveyances of the surface fee estate, that affect the Property; validly existing rights of adjoining owners in any walls and fences situated on a common boundary; any discrepancies, conflicts, or shortages in area or boundary lines; any encroachments or overlapping of improvements; and that certain perpetual billboard easement as executed between the Grantor and Grantee; all rights, obligations, and other matters arising from and existing by reason of the County in which the Property is located; and taxes for the current year, which Grantee assumes and agrees to pay, and subsequent assessments for that and prior years due to change in land usage, ownership, or both, the payment of which Grantee assumes but not subsequent assessments for that and prior years due to change in land usage, ownership, or both, the payment of which Grantor assumes.

Grantor, for the Consideration and subject to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty, grants, sells, and conveys to Grantee the Property, together with all and singular the rights and appurtenances thereto in any way belonging, to have and to hold it to Grantee and Grantee's heirs, successors, and assigns forever. Grantor binds Grantor and Grantor's heirs and successors to warrant and forever defend all and singular the Property to Grantee and Grantee's heirs, successors, and assigns against every person whatsoever lawfully claiming or to claim the same or any part thereof, when the claim is by, through or under Grantor but not otherwise, except as to the Reservations from Conveyance; and the Exceptions to Conveyance and Warranty.

As a material part of the Consideration for this deed, Grantor and Grantee agree that Grantee is taking the Property "AS IS, WHERE IS" with any and all latent and patent faults and defects and that there is no warranty by Grantor that the Property has a particular financial value or is fit for a particular purpose. Grantee acknowledges and stipulates that Grantee is not relying on any representation, statement, or other assertion with respect to the Property condition but is relying on Grantee's examination of the Property. Grantee takes the Property with the express understanding and stipulation that there are no express or implied warranties, except for the special warranties of title set forth in this deed.

TO HAVE AND TO HOLD the said tract or parcel of land, with all and singular the rights, members and appurtenances thereto, to the same being, belonging, or in anywise appertaining, to the only proper use, benefit and behoof of the said Grantee forever in FREE AND CLEAR.
AND THE SAID Grantee will warrant and forever defend the right and title to the above described property unto the said Grantee against



State of Georgia, DeKalb County,
The undersigned officer of DeKalb Superior Court certifies that this is a true and correct copy of the original document which is on file and of record in the Office of the Clerk of Superior Court. Witness my hand and seal of the Superior Court of DeKalb County Georgia.

This 26th day of June 2018
Signature: *[Handwritten Signature]*
Deputy Clerk DeKalb County Superior Court

Deed BOOK 26899 PAGE 145 - 147

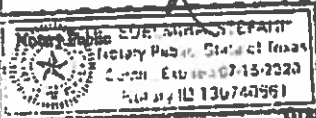
the lawful claims and demands of all persons claiming by, through or under the above named Grantor, but against none other.

IN WITNESS WHEREOF, Grantor has hereunto set grantor's hand and seal this day and year first above written.

Signed, sealed and delivered in the presence of:

[Signature]
Witness

Grantor:
2013 SVS GA, LLC
a Georgia Limited Liability Company
by: [Signature] (Seal)
Name: Scott Wzig
Title: Manager



Grantee's Acceptance of Deed

Grantee accepts the attached deed and consents to its form and substance. Grantee acknowledges that the terms of the deed conform with Grantor's intent and that they will control in the event of any conflict with the contract. Grantee signed regarding the property described in the deed. Grantee waives and releases all claims against Grantor, including fraud and fraudulent inducement against Grantor and all persons and entities associated with Grantor.

Aria and Todd Properties, LLC
a Domestic Limited Liability Company

Aria and Todd Properties, LLC
a Domestic Limited Liability Company

by: [Signature] (Seal) by: [Signature] (Seal)
Name: Kathleen D. Todd Name: David E. Aria
Title: Manager Title: Manager

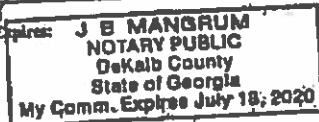
COUNTY OF DeKalb

STATE OF GEORGIA

The foregoing instrument was acknowledged before me, this 19 day of April, 2018, by Kathleen D. Todd, Manager, Aria and Todd Properties, LLC, a Domestic Limited Liability Company.

[Signature]
Witness ARAS [Signature]

[Signature]
Notary Public
My Commission Expires:



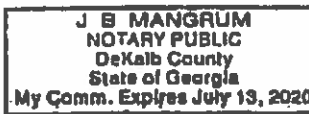
COUNTY OF DeKalb

STATE OF GEORGIA

The foregoing instrument was acknowledged before me, this 19 day of April, 2018, by David E. Aria, Manager, Aria and Todd Properties, LLC, a Domestic Limited Liability Company.

[Signature]
Witness ARAS [Signature]

[Signature]
Notary Public
My Commission Expires:



Initials D.E. KDT



LEGAL DESCRIPTION

ALL that tract or parcel of land lying and being in Land Lot 91 of the 18th District of DeKalb County, Georgia, being part of property as shown on survey recorded in Plat Book 63, Page 68, DeKalb County Records, and being more particularly described as follows:

BEGINNING at an iron pin located on the Northwestern right-of-way line of Memorial Drive (a 110-foot right of way width), 2040.3 feet Northeasterly as measured along the Northwestern right Of way line of Memorial Drive from its intersection with the center line of Hairston Road if the Northwestern right-of-way line of Memorial Drive were extended so as to intersect with the center line of N. Hairston Road; running thence Northeasterly along the Northwestern right of way line of Memorial Drive, a distance of 97.74 feet to an iron pin; running thence North 40 degrees 24 minutes 32 seconds West, a distance of 421.12 feet to an iron pin; running thence South 58 degrees 57 minutes 56 seconds West, a distance of 91.87 feet to an iron pin; running thence South 30 degrees 01 minutes 14 seconds East, a distance of 226.30 feet to an iron pin; running thence North 57 degrees 26 minutes 34 seconds East, a distance of 55.04 feet to an iron pin; running thence South 34 degrees 30 minutes 06 seconds East a distance of 194.76 feet to an iron pin located on the Northwestern right of way line of Memorial Drive and the POINT OF BEGINNING.

Subject Property Address: 6166 Memorial Drive, Stone Mountain, GA 30083

Parcel ID: 18 091 01 029



