



DeKalb County Department of Planning & Sustainability

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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.

MAJOR MODIFICATION – CHANGE OF CONDITIONS
STAFF ANALYSIS

Case No.: CZ-18-1235087 **Agenda #:** N. 16

Location/Address: 6754 Bermuda Road **Commission District:** 4 **Super District:** 7

Parcel ID: 18-084-01-002

Request: A Major Modification of two zoning conditions pursuant to CZ-86024, which rezoned the property to M (Light Industrial) with conditions, to allow access to an adjoining property in Gwinnett County from Bermuda Road and to eliminate the requirement for a berm on the west side of the property.

Property Owner: J.M. Williams, Jr., Heritage STH Real Est Part LP

Applicant/Agent: Eberly & Associates c/o the Galloway Law Group, LLC

Acreage: 12 acres

Existing Land Use: Undeveloped, wooded

Surrounding Properties: To the north, northeast, east, south, southwest, west, and northwest: vacant and wooded. The adjoining property to the west is zoned M-2 and is part of the Stone Mountain golf course, although it is currently heavily wooded. To the southeast: the English Manor single-family residential subdivision.

Adjacent Zoning: **North:** N.A. (Located in Gwinnett County) **South:** R-100 **East:** N.A. (Located in Gwinnett County) **West:** M-2 **Northeast:** N.A. (Located in Gwinnett County) **Northwest:** M-2 **Southeast:** N.A. (Located in Gwinnett County) **Southwest:** N.A. (Located in Gwinnett County)

Comprehensive Plan: SUB (Suburban) **Consistent** **Inconsistent**

Proposed Units/Square Ft.: Not applicable	Existing Units/Square Feet: Not applicable
Proposed Lot Coverage: (Estimated) 15%	Existing Lot Coverage: Not applicable

Zoning History: In 1986, the subject property was rezoned from R-100 (Residential Medium Lot-100) to M (Light Industrial) with five conditions, pursuant to CZ-86024. The applicant at that time proposed to develop the subject property for two office-warehouse buildings with surface parking. The subject property was proposed to be part of a light industrial park located partly on the subject property and partly on neighboring properties in Gwinnett County.

The conditions adopted with CZ-86-024 are as follows:

1. There shall be no access from the development to Bermuda Road other than a limited access for fire and emergency vehicles if such limited access is required by DeKalb County at the time permits are obtained for the development of this property;
2. All buildings located on the property shall be a maximum of one story;
3. A fifty-foot undisturbed buffer shall be maintained along Bermuda Road and adjoining residential property in Gwinnett County, except that the buffer may be disturbed as described in paragraph number 4 herein below;
4. The Applicant will provide a six-foot earthen berm along the line of the aforementioned fifty-foot buffer. The slope of the berm will be approximately two-to-one, and the berm may extend into the fifty-foot buffer by as much as fifteen feet. Eleagnus shrubs and/or Virginia Pines will be planted along the top of the berm on ten-foot centers. Each of these plantings will be a minimum of three feet in height. The berm will be maintained by the Applicant.
5. Lighting on the property will be directed away from adjoining residential properties.

PROJECT ANALYSIS

The requested Modification was precipitated by a proposal to develop a warehouse/distribution facility primarily on adjoining property in Gwinnett County. The DeKalb County portion of the proposal is to use the subject property for a private drive that would connect Bermuda Road to the proposed facility; hence the request to delete Condition No. 1 of CZ-86024. In addition, 26 parking spaces and a portion of 10 parking spaces are proposed to be located at the northeast edge of the DeKalb County property, to serve the warehouse/distribution facility. Because no buildings are proposed to be located on the subject property, the applicant requests deletion of Condition No. 4, stating that the private drive would not be visible to adjoining properties and that construction of the berm would involve the removal of many mature trees. The private drive would not be the primary means of access to the facility; two private drives from West Park Place Boulevard, in Gwinnett County, would allow access to the front entrances of the facility and to its parking lots.

With 2,560,000 square feet of floor space, the warehouse/distribution facility triggers a DRI review. The Atlanta Regional Commission (ARC) reviewed the proposal, known as "Project Rocket", for Gwinnett County, the host local government. The final report contains advisory comments in favor of the proposal. In addition, the Georgia Regional Transportation Authority (GRTA) approved the proposal, subject to several conditions for improvements to the surrounding road system, consistent with the traffic study prepared by Calyx Engineers + Consultants. The GRTA report states that the road system improvements are recommended "to bring the level of service up to an applicable standard before the build-out of the proposed project". The traffic study acknowledges that Bermuda Road is, during commuting hours, "a cut-through path for traffic from the east trying to avoid the congestion on Rockbridge Road." Based on the traffic study, the GRTA report recommends addition of a 200-foot, southbound left turn lane on Bermuda Road at the intersection of Stewart Mill Road and Bermuda Road, "as approved by DeKalb County".

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:

Staff has recommended conditions to restrict truck traffic on Bermuda Road, consistent with Comprehensive Plan policies to reduce traffic congestion and to protect residential areas from impacts of non-residential land uses. The proposed driveway would involve less land disturbance, and therefore less of an impact on the natural environment, than the 1986 proposal for a light industrial park. Elimination of the requirement to construct an earthen berm similarly protects natural resources because it would allow existing trees to remain. Thus, the requested modification to eliminate CZ-86024 Condition No. 4 is consistent with the following policy of the 2035 Comprehensive Plan: “Preserve trees and other natural resources to protect the environment and aesthetically enhance communities.” (Natural Resources Policy No. 4)

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 private drive and parking spaces are a suitable use of the subject property, given that the property is currently zoned for industrial use. As noted in the DRI traffic study, congestion at the Bermuda Road-Stewart Mill Road intersection is an existing problem. Comments from the County Transportation Division state that the County has been working on a concept plan for a roundabout at the Bermuda Road-Stewart Mill Road intersection to relieve current and future congestion at the intersection, as well as plans for system-wide improvements. The traffic study contains estimates of the number of personal vehicles and trucks that could use the proposed private drive if it were constructed to serve the proposed warehouse/distribution facility: in peak season, up to 523 personal vehicle trips and up to 29 trucks. Because truck traffic is considered to place greater demands on the transportation system than passenger traffic, Staff has recommended conditions intended to prevent truck traffic from using the private drive at Bermuda Road.

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

No change is proposed to the underlying zoning of the property. The zoning conditions, which are “an integral part” (Sec. 27-7.3.9(B)) of the zoning classification of the subject property, restrict the economic use of the property by applying specifically to the development that was proposed in 1989 when the conditions were approved.

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

Adjacent and nearby properties are currently undeveloped and wooded. The driveway and parking spaces would be more than ¼ mile from the nearest existing subdivision. Even if adjacent or nearby properties were to be developed in the future, the private drive and parking spaces would be heavily screened from view by thick natural vegetation.

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 requested modification would eliminate the 1986 condition that required an earthen berm; it was intended to screen the buildings of the industrial park proposed in 1986 from views from adjoining residential properties in Gwinnett County. The current proposal involves no buildings or structures that would be visible from adjoining residential properties; thus, the berm is no longer needed. Elimination of the requirement for a berm would preserve trees that would otherwise be cut down to construct the berm. As more properties become developed in DeKalb County, it becomes increasingly important to preserve natural resources.

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

No historic buildings, sites, districts, or archaeological resources are located on the property or in the surrounding area.

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:

Potential impacts on the street system are currently being addressed by the County Transportation Division. No impacts are expected on public transportation facilities, utilities, or schools.

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

The proposed driveway would have less of an impact on the natural environment than the 1986 proposal for a light industrial park.

STAFF RECOMMENDATION: APPROVAL WITH CONDITIONS.

Comprehensive Plan policies to reduce traffic congestion and to protect residential areas from impacts of non-residential land uses can be implemented through conditions to restrict truck traffic on Bermuda Road, as recommended by Staff. The proposed driveway would involve less land disturbance, and therefore less of an impact on the natural environment, than the 1986 proposal for a light industrial park. Elimination of the requirement to construct an earthen berm similarly protects natural resources because it would allow existing trees to remain. Thus, the requested modification to eliminate CZ-86024 Condition No. 4 is consistent with the following policy of the 2035 Comprehensive Plan: "Preserve trees and other natural resources to protect the environment and aesthetically enhance communities." (Natural Resources Policy No. 4) Potential impacts on the street system are currently being addressed by the County Transportation Division; County planning initiatives are consistent with the recommendations of the Georgia Regional Transportation Authority (GRTA). Adjacent and nearby properties are currently undeveloped and wooded. The driveway would be more than ¼ mile from the nearest existing subdivision. Even if adjacent or nearby properties were to be developed in the future, the private drive would be heavily screened from view by thick natural vegetation. Therefore, the Department of Planning and Sustainability recommends "Approval" of the requested Major Modification to Conditions of CZ-86024 to delete Condition Nos. 1 and 4. Further, in consideration of the potential impact of the proposed "Project Rocket" warehouse/distribution center on the surrounding area, the Department of Planning and Sustainability recommends additional revisions to the conditions, as follow:

- ~~1. There shall be no access from the development to Bermuda Road other than a limited access for fire and emergency vehicles if such limited access is required by DeKalb County at the time permits are obtained for the development of this property;~~
- ~~2.1. All buildings located on the property shall be a maximum of one story;~~
 1. The subject property shall be used for a private drive for a warehouse/distribution facility, and for parking spaces as shown on the site plan titled, "Project Rocket Layout and Staking Plan", prepared by Eberly & Associates, dated 4/30/2018.
- ~~3.2. A fifty-foot undisturbed buffer shall be maintained along Bermuda Road and adjoining residential property in Gwinnett County, except that the buffer may be disturbed as described in paragraph number 4 herein below;~~
- ~~4. The Applicant will provide a six-foot earthen berm along the line of the aforementioned fifty-foot buffer. The slope of the berm will be approximately two to one, and the berm may extend into the fifty-foot buffer by as much as fifteen feet. Eleagnus shrubs and/or Virginia Pines will be planted along the top of the berm on ten-foot centers. Each of these plantings will be a minimum of three feet in height. The berm will be maintained by the Applicant.~~
- ~~5. 3. Lighting on the property will be directed away from adjoining residential properties.~~
 4. Trucks related to the proposed warehouse/distribution facility shall be prohibited from entering or exiting the facility at Bermuda Road. The developer shall cause signs to be posted to that effect at the Bermuda Road entrance/exit point, at the Bermuda Road-North Deshon Road intersection, at the Bermuda Road-Stewart Mill Road intersection, and at the Bermuda Road-West Park Place intersection, subject to approval by the DeKalb County Transportation Division and the appropriate Gwinnett County authorities. In addition, the Bermuda Road entrance/exit point shall be designed to make it physically difficult for trucks to enter or exit, subject to approval by the DeKalb County Division of Transportation.
 5. To relieve traffic congestion, the Bermuda Road-Stewart Mill Road intersection shall be improved with a southbound left turn lane on Bermuda Road, a roundabout, or another design subject to approval by the DeKalb County Division of Transportation.
 6. Sidewalks and street trees shall be installed on Bermuda Road, subject to approval by the DeKalb County Division of Transportation.

Resulting conditions without mark-ups:

1. The subject property shall be used for a private drive for a warehouse/distribution facility, and for parking spaces as shown on the site plan titled, "Project Rocket Layout and Staking Plan", prepared by Eberly & Associates, dated 4/30/2018.
2. A fifty-foot undisturbed buffer shall be maintained along Bermuda Road and adjoining residential property in Gwinnett County.
3. Lighting on the property will be directed away from adjoining residential properties.
4. Trucks related to the proposed warehouse/distribution facility shall be prohibited from entering or exiting the facility at Bermuda Road. The developer shall cause signs to be posted to that effect at the Bermuda Road entrance/exit point, at the Bermuda Road-North Deshon Road intersection, at the Bermuda Road-Stewart Mill Road intersection, and at the Bermuda Road-West Park Place intersection, subject to approval by the DeKalb County Transportation Division and the appropriate Gwinnett County authorities. In addition,

the Bermuda Road entrance/exit point shall be designed to make it physically difficult for trucks to enter or exit, subject to approval by the DeKalb County Division of Transportation.

5. The Bermuda Road-Steward Mill Road intersection shall be improved to relieve traffic congestion, with a southbound left turn lane on Bermuda Road, a roundabout, or other design subject to approval by the DeKalb County Division of Transportation.
6. Sidewalks and street trees shall be installed on Bermuda Road, subject to approval by the DeKalb County Division of Transportation.

Attachments:

1. Department and Division Comments
2. Board of Health Comments
3. Application
4. Site Plan
5. Zoning Map
6. Land Use Plan Map
7. Aerial Photograph
8. Surrounding Road System Map
9. Site Photographs

NEXT STEPS

Following an approval of this zoning 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 or residential space and for use of property for a business. Floor plans may be required for certain types of occupants.)*
- **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.)*
- **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.

TRAFFIC IMPACT STUDY FOR

**PROJECT ROCKET DRI 2807
WEST PARK PLACE
GWINNETT COUNTY, GA**

DATE:

May 29, 2018

LOCATION:

Gwinnett County, GA

PREPARED FOR:

Eberly & Associates

PREPARED BY:

John Karnowski, PE, AICP, PTOE



www.calyxengineers.com

1255 Canton Street, Suite G Roswell, GA 30075 678.795.3600

Executive Summary

A warehouse/processing center is proposed on a now vacant tract of land that straddles the Gwinnett/DeKalb County line in the Stone Mountain area. The building footprint will be 640,000 sq.ft. and contain 2,560,000 sq. ft. of floor space. Because of the automated nature of the business, the number of employees used is less than what would be expected by a similarly sized center. There will be two shifts and approximately 1800 parking spaces. The site is expected to be operational by 2020.

The West Park Place Boulevard / Rockbridge Road corridors are a busy commute paths. Access to the Stone Mountain Freeway (US 78) makes it an attractive area for motorists. As such, there existing congestion on the roadway. The following summarizes the existing and near future conditions.

- The AM Peak has much worse traffic conditions than the PM peak.
- In the AM, the Stone Mountain Freeway is the main culprit for the West Park Place and Bermuda Rd traffic problems.
- The intersection of Rockbridge Road / Annistown Rd at Deshong Rd is the pinch point for the AM and PM traffic southeast of the site. Some of the problem is caused by the traffic coming from Stone Road intersection that is between Deshong Road and West Park Place Blvd.
- Bermuda Road is a cut-through path for traffic from the east trying to avoid the congestion on Rockbridge Road.

The following improvements are recommended to accommodate the existing deficiencies:

- West Park Place Blvd at Bermuda Road – Restripe EB lanes to be left and shared left/right lane.
- West Park Place Blvd at Rockbridge Road – Re-time the traffic signal for the PM peak hour to even out delay
- N. Deshong Road at Rockbridge Road/Annistown Rd – Re-stripe approximately 750 feet of N Deshong Road to remove TWTL and add a receiving lane for a free-flow EB right; extend the eastbound right turn lane to 400 feet
- N. Deshong Road at Bermuda Road – Install a roundabout or traffic signal
- Stewart Mill Road at Bermuda Road – Add a 200 foot, southbound left turn lane on Bermuda Road

The same improvements are needed for the background growth in traffic.

The site's AM peak traffic will, for the most part, occur before the congestion on the surrounding roads so it will have little impact on the road network. The site's PM related traffic will occur during the road network's peak hour.

The following improvements are recommended to accommodate the site traffic – in addition to those needed for existing and background traffic:

- West Park Place Blvd at Centre Park Ct / Driveway 2 – Install a traffic signal; construct an eastbound right turn deceleration lane; re-stripe the two-way, center turn lane for dedicated left turn bays; add a northbound left turn lane and a shared northbound left/thru/right lane
- West Park Place Blvd at Rockbridge Road – Re-time the traffic signal to even out delay
- Stewart Mill Road at Bermuda Rd – Add a westbound right turn lane that is continuous from Driveway 3 to Stewart Mill Road.
- West Park Place Blvd at Driveway 1 – Construct an eastbound right turn deceleration lane on West Park Place Blvd; re-stripe the two-way, center turn lane for a dedicated westbound left turn bay; build separate northbound left and right turn lanes exiting the site.
- Bermuda Rd at Driveway 3 – No turn lanes required by analysis. DeKalb County will likely require left and right turn lanes on Bermuda Road.

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CALYX #2018035

1. Introduction

A new 640,000 sq. ft. (footprint), multi-story (4 floors) warehouse/distribution center is proposed along West Park Place Boulevard in the Stone Mountain area of Gwinnett County, Georgia with some property extending into DeKalb County. The building will contain 2,560,000 sq. ft. of usable space. Vehicular access will be provided via three driveways: two on West Park Place Blvd and one on Bermuda Road.

The facility is expected to be completed in 2020 – analyzed to be built as a single phase.

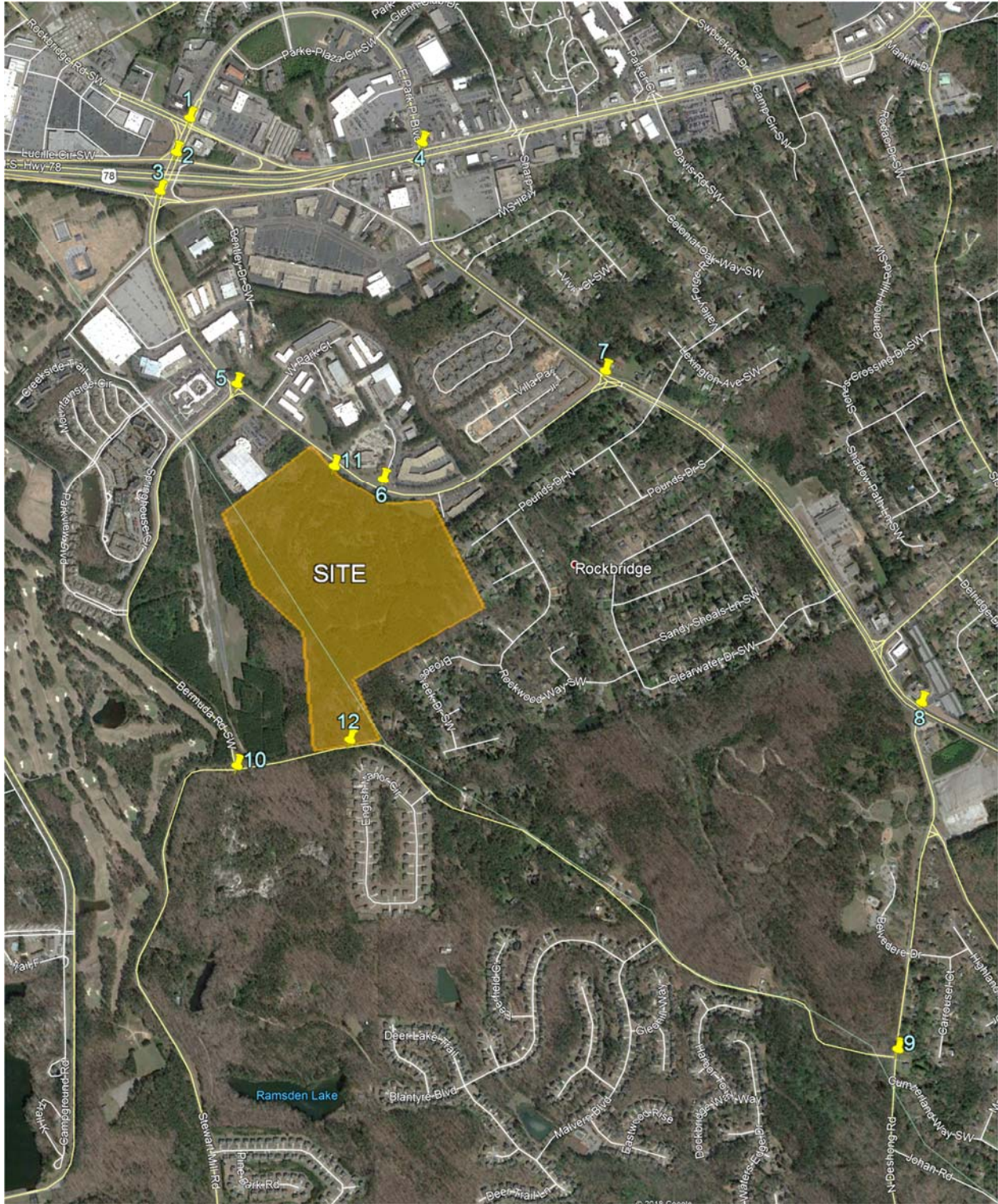
The 92 acre site location facilitates approximately 1,800 employee parking spaces and 207 tractor trailer parking spaces. The site spans across two counties—DeKalb (to the southwest) and Gwinnett (to the east). The majority of the proposed site including the building will reside within the boundaries of Gwinnett County. The land is currently zoned for Light Industry (M-1) in Gwinnett County. A Special-Use Permit is required for a building height variance in M-1.

The traffic analysis is for a single phase of construction. The purpose of this report is to identify the traffic expected to be generated by new vehicular trips generated when the development is completed. The study includes existing (2018) traffic volumes, future traffic volumes (2020), trip generation, directional distribution, and traffic impacts at the following intersections:

1. East Park Place Blvd at Rockbridge Road (North Intersection)
2. West Park Place Boulevard at US 78 (Stone Mountain Highway) Westbound ramp
3. West Park Place Boulevard at US 78 (Stone Mountain Highway) Eastbound ramp
4. US 78 at East Park Place Blvd (For informational purposes only)
5. West Park Boulevard at Bermuda Road
6. West Park Place Blvd at Proposed Site Dwy 2/ Centre Park Court
7. West Park Place Boulevard at Rockbridge Road
8. Rockbridge Road/Annistown Road at North Deshong Road
9. Bermuda Road at Deshong Road
10. Bermuda Road at Stewart Mill Road (For informational purposes only)
11. West Park Place Blvd at Site Dwy 1
12. Bermuda Road at Site Dwy 3

Figure 1 shows the site location on an aerial along with the study intersections. The site plan is included in the Appendix.

Figure 1: Study Locations



1.1. *Planned and Programmed Improvements*

According to ARC's Transportation Improvement Program, the Regional Transportation Plan (Atlanta Region's Plan), GDOT's construction work programs, Gwinnett and DeKalb Counties' programmed projects, and the GA STIP, the following projects are programmed in the general area of the development:

1. **GDOT:** Short-Term (complete 2018) GW-390A ATMS/ITS Infrastructure expansion Rockbridge Rd at Five Forks Trickum Rd (and 6.7 miles to Sugarloaf Pkwy) GDOT PI 0013143 \$1,859,171-total cost, \$1,296,311-Federal, \$562,860-Local/Private
2. **GDOT:** Short-Term (complete 2021) GW-414 ITS enhancements Five Forks Trickum Rd to DeKalb County line (includes multiple SW Gwinnett County locations) no GDOT PI \$4,687,500 total cost, \$3,750,000-Federal, \$937,500-Local/Private
3. **GDOT:** Short-Term (network year 2020) GW-331 North Evermore Pkwy parallel roadway to US 78 between Hewatt Rd and Britt Rd GDOT PI 0007535 \$16,740,196-total cost, \$8,334,376-Federal, \$876,449-State, \$7,529,371-Local/Private
4. **GDOT/Gwinnett DOT:** Short Term (final funding 2018) Signal Upgrades at 9 locations GDOT PI 0012814 \$2,217,631-total cost all Federal funds
5. **Gwinnett DOT:** Mid Term (est. 2020) GW-SPLOST Intersection Improvement Rockbridge Rd at West Park Place Blvd – budget unknown
6. Long Term (2052 construction funding) Rockbridge Rd (CR 494) CRX RR Grade Separation GDOT PI 0001815 \$5,280,000-total cost—no funding breakdown

Only line items #4 and #5 are within the study area and are relevant to the traffic impact study. The Rockbridge Road at West Park Place Blvd intersection improvement has yet to be defined; therefore, any improvements identified for existing or future conditions may be considered by Gwinnett DOT in their project development.

2. Existing Conditions

2.1. Transportation Facilities

US 78 (Stone Mountain Freeway/ Stone Mountain Highway) is a six-lane divided roadway classified as a Freeway (Principal Arterial-Freeway, [GDOT]) with a posted speed limit of 55 MPH to the west of its intersection with East Park Place Blvd and a Major Arterial (Principal Arterial- Other [GDOT]) with a posted speed limit of 45 MPH to the east. The roadway facilitates driveway access to retail land uses as a major arterial and has limited/restricted access to land use as a freeway. Traffic signal control is present at its intersection with East Park Place Blvd. The roadway overpasses, and provides ramp access to West Park Place Blvd.

Rockbridge Road is a 4-lane divided minor arterial near the proposed site. The roadway runs north/south intersecting N. Deshong Road, West Park Place Blvd, and US 78/ Stone Mountain Hwy. The roadway changes names to East Park Place Blvd at its intersection with US 78 where it incurs brief discontinuity before heading northwest of US 78.

West Park Place Blvd is 4-lane major collector, divided by a two-way, left turn lane with a 45 MPH posted speed limit. The roadway runs north /south north of its intersection with Bermuda Rd and east/west south of its intersection with Bermuda Rd. The roadway contains access to industrial and commercial and some residential land uses. Traffic control signals are present at its intersections with US 78 (freeway ramps), an unnamed commercial access driveway, Bermuda Road, and Rockbridge Road. The roadway changes name to East Park Place Blvd at its intersection with Rockbridge Road, north of US 78. The roadway terminates to the south of the proposed site (south of US 78) at a skewed signalized 3-way intersection with Rockbridge Road.

East Park Place Blvd is an east/west 4-lane major collector divided by a Two-Way Left Turn Lane providing driveway access to retail, commercial and residential land uses. The roadway contains three signalized intersections at Rockbridge Road, Eastford Trace/Parke Plaza Drive, and US 78 (Stone Mountain Hwy) and has a posted speed limit of 45 MPH. The roadway changes name to West Park Place Blvd beyond its intersection with Rockbridge Road.

Bermuda Road is a 2-lane undivided roadway classified as a major collector with a posted speed of 35 MPH to the west and a local road/street with a posted speed of 25 MPH to the south of the site. The roadway changes name to Stewart Mill Road at the southwest corner of the proposed site. There is only one traffic control signal present at the roadway's intersection with West Park Place Blvd with left and right turn lanes from each approach to and from the roadway.

2.2. Bicycle, Pedestrian and Transit Facilities

There are no pedestrian accommodations adjacent to the site. As part of the development process, Gwinnett County will require sidewalk to be constructed along the site frontage on West Park Place Blvd. Similarly, DeKalb County will require sidewalk along Bermuda Road.

There is sidewalk on both sides of Rockbridge Road/East Park Place Blvd. There are no bike lanes in the study area.

GRTA Xpress Route 419 services the Stone Mountain Park-and-Ride lot located at US 78 and East Park Place Blvd approximately one mile from the proposed development. Route 419 runs to/from downtown Atlanta with stops at the Stone Mountain Park-and-Ride, the Hewatt Road Park-and-Ride, and the Snellville Park-and-Ride. There is no transit service by either MARTA or Gwinnett County Transit near the proposed development location.

2.3. Land Use

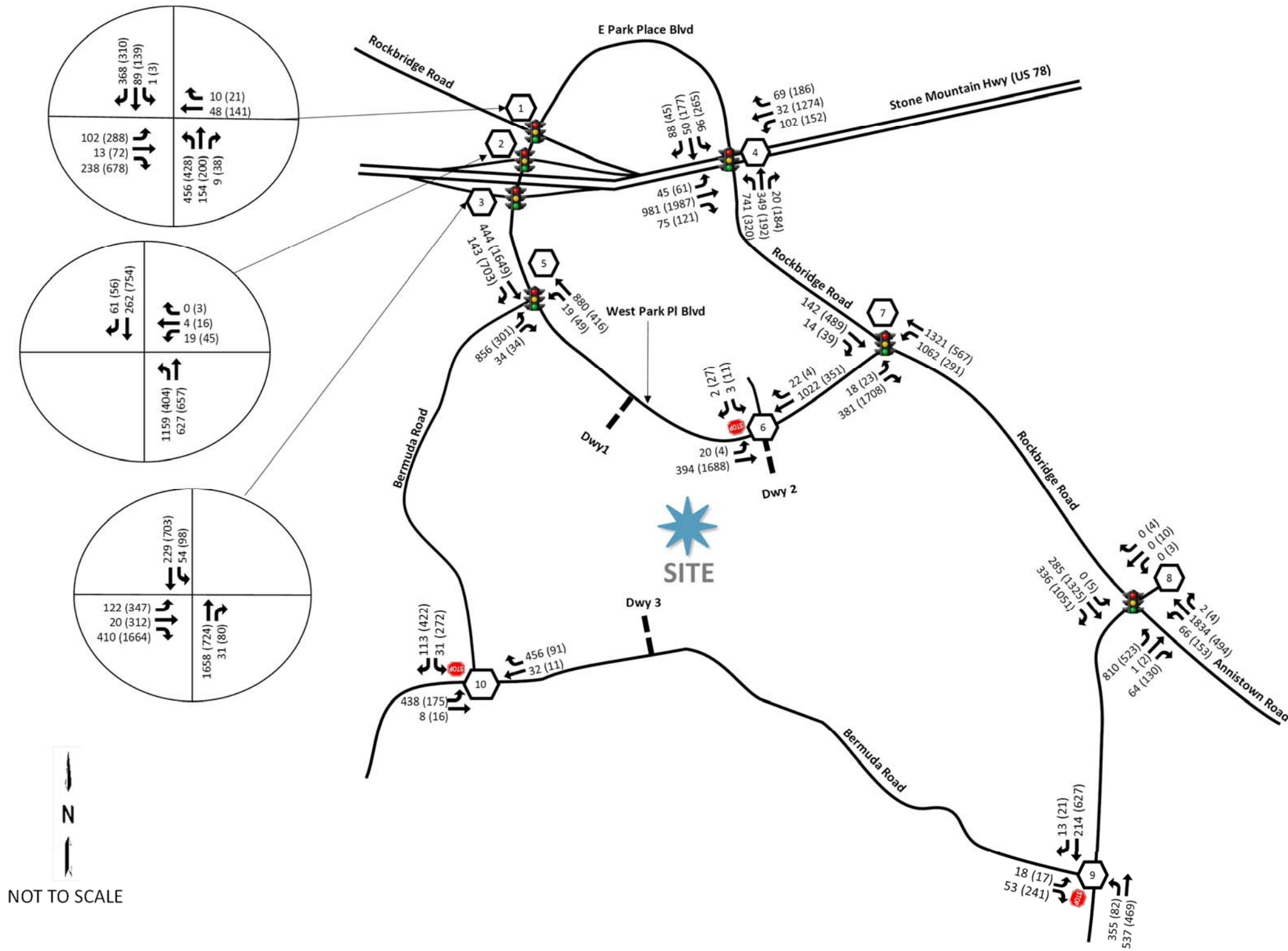
The land uses surrounding the site are a mixture of residential, industrial, office, and institutional. There is a closed airfield adjacent to the site.

2.4. Traffic Volumes

Traffic counts were collected in April and May, 2018. The turning movement counts were taken from 7 to 9 AM and 4 to 6 PM during a typical weekday when schools were in session. Counts at West Park Place Blvd and Centre Park Court were taken from 6 AM to 7 PM to allow for a signal warrant study to be conducted. From the counts, the peak hour for the AM turning movements is 7:00-8:00 AM and the peak hour for the PM turning movements is 4:30 – 5:30 PM on the surrounding road network.

The existing peak hour turning movement counts at the study intersections are shown in Figure 2. The count worksheets are included in the Appendix.

Figure 2: Existing Traffic Volumes



2.5. Existing Capacity Analysis

The results of the intersection capacity analysis at the existing intersections are shown in Table 1 for existing counted volumes. Average vehicular delays are calculated and reported as Levels of Service (LOS) as defined by the Highway Capacity Manual (HCM), 6th Ed.

The following summarizes the existing conditions at the study locations:

- The AM Peak has much worse traffic conditions than the PM peak.
- In the AM, the Stone Mountain Freeway is the main culprit for the West Park Place and Bermuda Rd traffic problems.
- The intersection of Rockbridge Road / Annistown Rd at Deshong Rd is the pinch point for the AM and PM traffic southeast of the site.

Table 1: Existing Capacity Analysis

Intersection	Control	Approach	AM		PM	
			Delay (s)	LOS	Delay (s)	LOS
1. West Park Place Blvd at Rockbridge Rd	Signal	EB	63.7	E	59.0	E
		WB	69.8	E	65.6	E
		NB	9.5	A	13.3	B
		SB	34.4	C	34.8	C
		Overall	23.7	C	35.2	D
2. West Park Place Blvd at US 78 WB Ramp	Signal	WB	69.3	E	66.1	E
		NB	17.4	B	22.7	C
		SB	35.9	D	28.1	C
		Overall	21.0	C	26.7	C
3. West Park Place Blvd at US 78 EB Ramp	Signal	EB	63.7	E	51.2	D
		NB	9.6	A	18.6	B
		SB	14.3	B	8.2	A
		Overall	14.5	B	25.9	C
4. East Park Place Blvd at US 78/ Stone Mtn Hwy	Signal	EB	23.3	C	42.8	D
		WB	557.4	E	47.5	D
		NB	161.2	F	116.7	F
		SB	260.4	F	110.7	F
		Overall	108.1	F	59.5	D
5. West Park Place Blvd at Bermuda Rd.	Signal	EB	72.8	E	92.5	F
		NB	35.0	C	8.5	A
		SB	33.3	C	24.9	C
		Overall	48.0	D	29.0	C

Intersection	Control	Approach	AM		PM	
			Delay (s)	LOS	Delay (s)	LOS
6. West Park Place Blvd at Centre Park Ct	One-Way Stop	SB	18.9	C	13.9	B
7. West Park Place Blvd at Rockbridge Rd	Signal	EB	5.2	A	20.2	C
		WB	14.5	A	23.3	C
		SB	63.6	E	65.2	E
		Overall	17.0	B	29.8	C
8. N. Deshong Rd at Rockbridge Rd/ Annistown Rd	Signal	EB	26.7	C	80.4	F
		WB	58.5	E	23.0	C
		NB	35.6	D	58.1	E
		SB	0.0	A	77.0	E
		Overall	46.3	D	66.4	E
9. N. Deshong Rd at Bermuda Rd	One- Way Stop	EB	38.3	E	74.9	F
10. Stewart Mill Rd at Bermuda Rd	One-Way Stop	SB	32.6	D	94.9	F

Figure 3: AM Existing Conditions

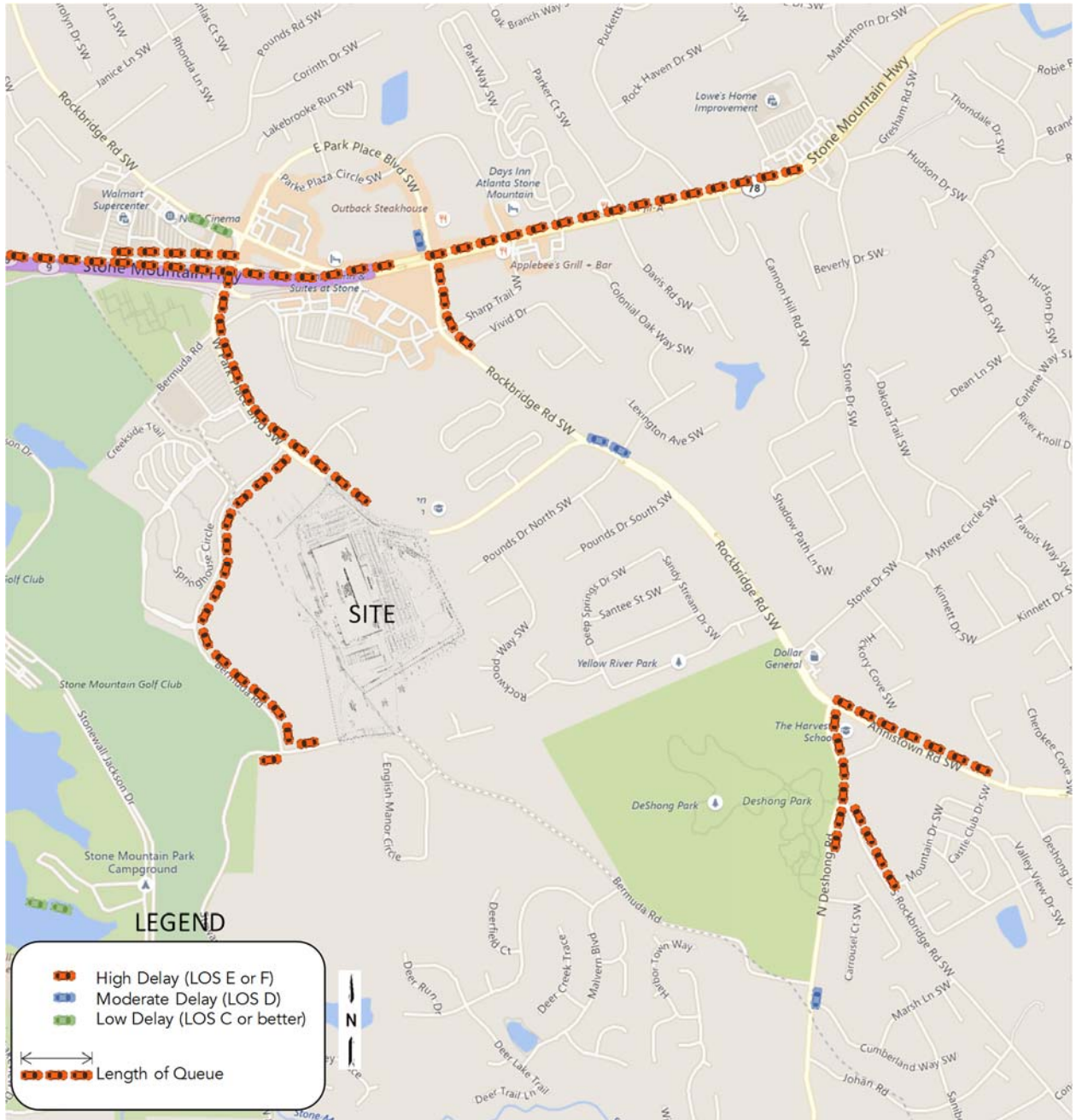


Figure 4: PM Existing Conditions

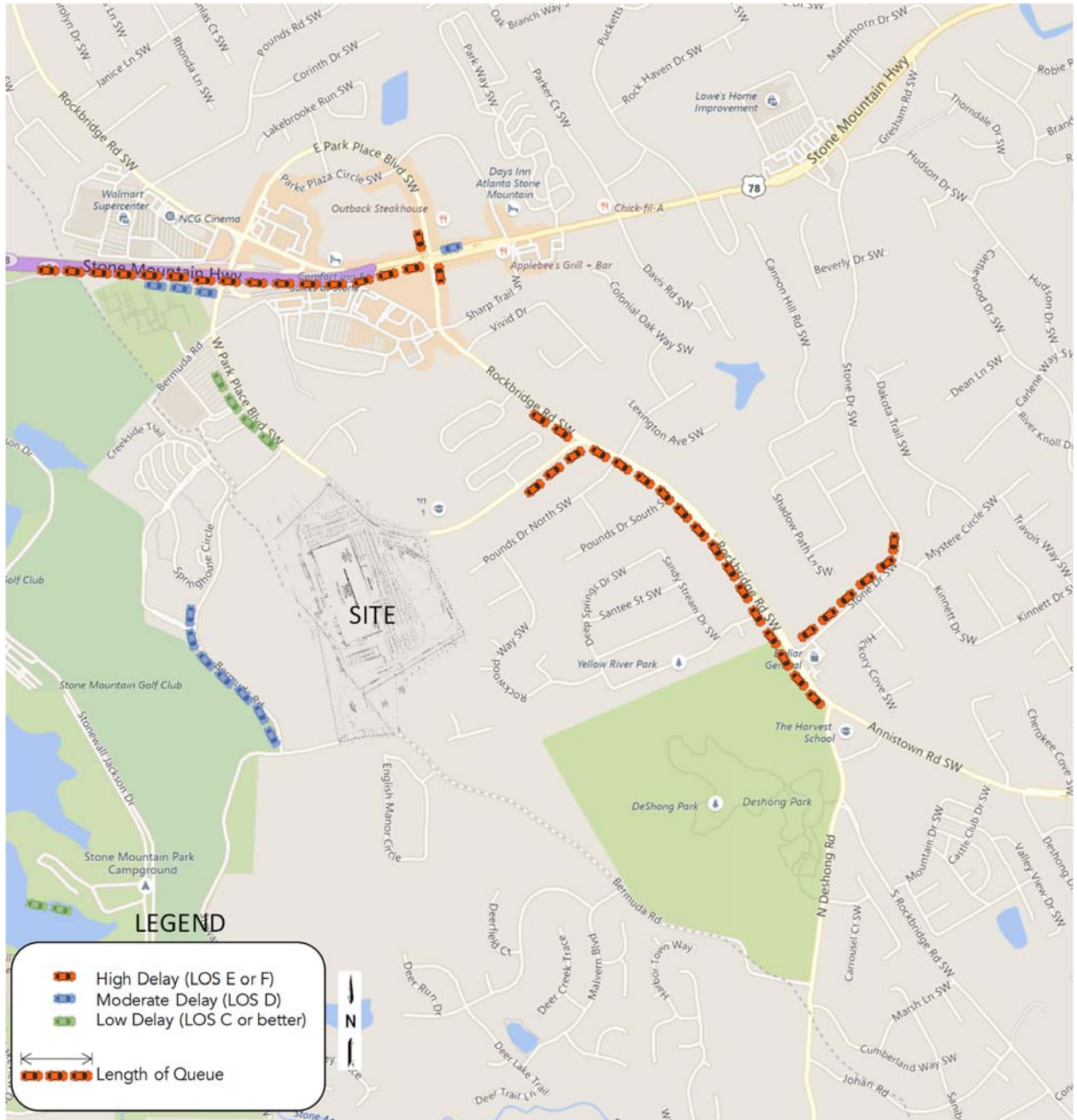


Table 2 identifies possible solutions at the study locations and the resulting new levels of service. Note, some locations may show a poor level of service but that is mostly due to the very long cycle lengths used to manage traffic. Only where queues are excessively long (defined as longer than can be served in a single cycle) are there mitigation measures proposed.

Table 2: Existing Conditions Mitigation

Intersection	Approach	Mitigation	AM		PM	
			Delay (s)	LOS	Delay (s)	LOS
1. West Park Place Blvd at Rockbridge Rd	EB	Do nothing. Vehicles are not queued excessively	63.7	E	59.0	E
	WB		69.8	E	65.6	E
	NB		9.5	A	13.3	B
	SB		34.4	C	34.8	C
	Overall		23.7	C	35.2	D
2. West Park Place Blvd at US 78 WB Ramp	WB	Do nothing. Volume on WB off ramp is small and not queued excessively	69.3	E	66.1	E
	NB		17.4	B	22.7	C
	SB		35.9	D	28.1	C
	Overall		21.0	C	26.7	C
3. West Park Place Blvd at US 78 EB Ramp	EB	Do nothing. In AM, volume on EB off ramp is not queued excessively.	63.7	E	51.2	D
	NB		9.6	A	18.6	B
	SB		14.3	B	8.2	A
	Overall		14.5	B	25.9	C
4. East Park Place Blvd at US 78/ Stone Mtn Hwy	EB	Adding right turn lanes in all directions would improve overall LOS but it would create significant impacts.	23.3	C	42.8	D
	WB		557.4	E	47.5	D
	NB		161.2	F	116.7	F
	SB		260.4	F	110.7	F
	Overall		108.1	F	59.5	D
5. West Park Place Blvd at Bermuda Rd.	EB	Restripe EB lanes to be left and shared left/right lane.	47.9	D	60.9	E
	NB		14.9	B	4.8	A
	SB		16.0	B	14.3	B
	Overall		27.1	C	17.5	B
6. West Park Place Blvd at Centre Park Ct	EBL	Do nothing	11.4	B	0.0	A
	SB		18.9	C	13.9	B
7. West Park Place Blvd at Rockbridge Rd	EB	Retime signal in PM to even out delay; no change in AM - SBL is not queued excessively	5.2	A	21.6	C
	WB		14.5	A	23.9	C
	SB		63.6	E	53.5	D
	Overall		17.0	B	28.4	C
8. N. Deshong Rd at Rockbridge	EB	Restripe for approx 750 feet N Deshong Rd to remove TWTL and add a receiving lane for a free-flow	21.1	C	24.2	C
	WB		50.3	D	14.4	B
	NB		37.7	D	54.8	D

Intersection	Approach	Mitigation		AM		PM	
				Delay (s)	LOS	Delay (s)	LOS
Rd/ Annistown Rd	SB	EB right		0.0	A	77.0	E
	Overall	Extend EB Right turn lane to 400 FT total storage length		43.6	D	29.5	C
9. N. Deshong Rd at Bermuda Rd	EB	Install a roundabout or traffic signal; signal not likely to meet warrants	Signal	4.9	A	15.7	B
	NBL		Roundabout	11.6	B	11.0	B
10. Stewart Mill Rd at Bermuda Rd	EBL	Add 200' SB left turn lane on Bermuda Rd		11.9	B	7.9	A
	SB			23.1	C	17.4	C

3. Background Growth Conditions

To establish the future conditions, background traffic was calculated for the study area. Both historic trends and forecasted estimates were considered when establishing a yearly growth rate. As directed by GRTA staff, an annual growth rate of 1.5% growth per year was used to calculate the background traffic in 2020. The background peak hour traffic volumes are shown in Figure 5.

3.1. Background Growth Capacity Analysis

The results of the intersection capacity analysis are shown in Table 3 for background volumes. Because the growth is only for two years and conditions will remain unchanged over that time, the same observations for existing traffic conditions apply to the background conditions. Table 4 shows the results of the same mitigation measures as in the existing conditions.

Table 3: Background Growth Capacity Analysis

Intersection	Control	Movement	AM		PM	
			Delay (s)	LOS	Delay (s)	LOS
1. West Park Place Blvd at Rockbridge Rd	Signal	EB	63.7	E	59.2	E
		WB	69.8	E	65.5	E
		NB	9.6	A	13.8	C
		SB	34.4	C	34.9	B
		Overall	23.7	C	35.5	D
2. West Park Place Blvd at US 78 WB Ramp	Signal	WB	69.4	E	66.0	E
		NB	16.7	B	22.6	C
		SB	36.9	D	28.8	C
		Overall	20.6	C	26.9	C
3. West Park Place Blvd at US 78 EB Ramp	Signal	EB	63.6	E	51.2	D
		NB	10.4	A	19.5	B
		SB	14.4	B	8.2	A
		Overall	15.1	B	26.2	C
4. East Park Place Blvd at US 78/ Stone Mtn Hwy	Signal	EB	23.4	C	48.3	D
		WB	58.4	E	49.3	D
		NB	172.3	F	121.9	F
		SB	274.4	F	114.8	F
		Overall	114.4	F	63.6	E
5. West Park Place Blvd at Bermuda Rd.	Signal	EB	82.5	F	92.5	F
		NB	35.8	C	8.5	A
		SB	33.7	C	24.9	C
		Overall	51.9	D	29.0	C

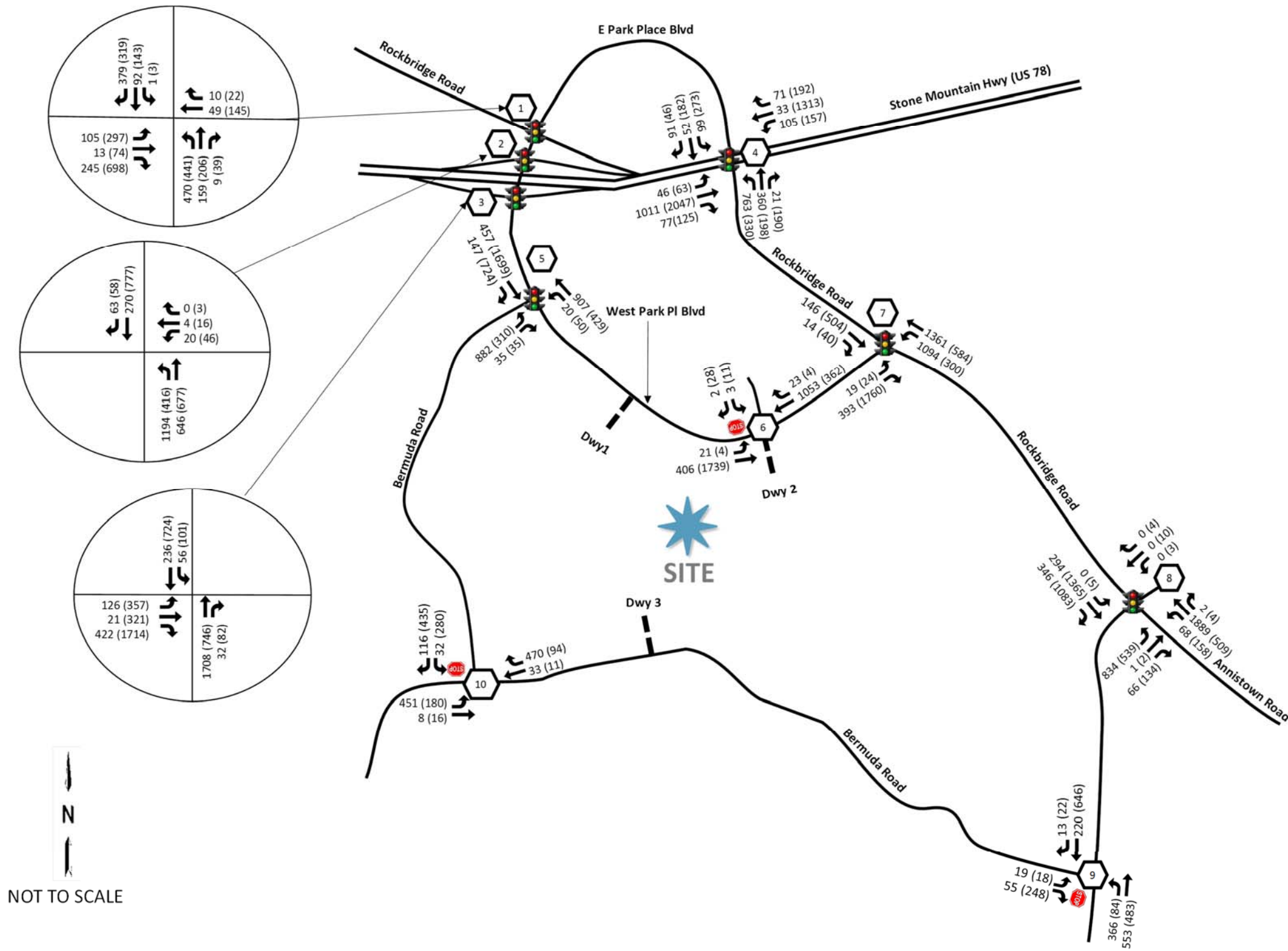
Intersection	Control	Movement	AM		PM	
			Delay (s)	LOS	Delay (s)	LOS
6. West Park Place Blvd at Centre Park Ct	One-Way Stop	EBL	11.4	B	0.0	A
		SB	19.6	C	14.1	B
7. West Park Place Blvd at Rockbridge Rd	Signal	EB	5.3	A	22.9	C
		WB	14.9	B	23.7	C
		SB	63.5	E	66.1	E
		Overall	17.3	B	31.9	C
8. N. Deshong Rd at Rockbridge Rd/ Annistown Rd	Signal	EB	27.1	C	90.3	F
		WB	66.4	E	27.1	C
		NB	36.1	D	58.3	E
		SB	0.0	A	77.0	E
		Overall	50.7	D	71.9	E
9. N. Deshong Rd at Bermuda Rd	One- Way Stop	EB	47.4	E	95.6	F
		NBL	3.7	A	10.3	B
10. Stewart Mill Rd at Bermuda Rd	One-Way Stop	EBL	12.3	B	7.3	A
		SB	39.1	E	114.5	F

Table 4: Background Growth Conditions Mitigation

Intersection	Approach	Mitigation	AM		PM	
			Delay (s)	LOS	Delay (s)	LOS
1. West Park Place Blvd at Rockbridge Rd	EB	Do nothing. Vehicles are not queued excessively	63.7	E	59.2	E
	WB		69.8	E	65.5	E
	NB		9.6	A	13.8	C
	SB		34.4	C	34.9	B
	Overall		23.7	C	35.5	D
2. West Park Place Blvd at US 78 WB Ramp	WB	Do nothing. Volume on WB off ramp is small and not queued excessively	69.4	E	66.0	E
	NB		16.7	B	22.6	C
	SB		36.9	D	28.8	C
	Overall		20.6	C	26.9	C
3. West Park Place Blvd at US 78 EB Ramp	EB	Retime signal to even out delay	63.6	E	51.2	D
	NB		10.4	B	19.5	B
	SB		14.4	B	8.2	A
	Overall		15.1	B	26.2	C
4. East Park Place Blvd at US 78/ Stone Mtn Hwy	EB	Adding right turn lanes in all directions would improve overall LOS but it would create significant impacts.	23.4	C	48.3	D
	WB		58.4	E	49.3	D
	NB		172.3	F	121.9	F
	SB		274.4	F	114.8	F
	Overall		114.4	F	63.6	E
	EB		47.6	D	61.6	E

Intersection	Approach	Mitigation		AM		PM	
				Delay (s)	LOS	Delay (s)	LOS
5. West Park Place Blvd at Bermuda Rd.	NB	Restripe EB lanes to be left and shared left/right lane.		15.8	B	5.7	A
	SB			16.8	B	16.9	B
	Overall			27.5	C	20.0	C
6. West Park Place Blvd at Centre Park Ct	EBL	Do nothing		11.4	B	0.0	A
	SB			19.6	C	14.1	B
7. West Park Place Blvd at Rockbridge Rd	EB	Retime signal to even out delay; queing on Rockbridge is not excessive		5.3	A	22.9	C
	WB			14.9	B	23.7	C
	SB			63.5	E	66.1	E
	Overall			17.3	B	31.9	C
8. N. Deshong Rd at Rockbridge Rd/ Annistown Rd	EB	Restripe for approx 750 feet N Deshong Rd to remove TWTL and add a receiving lane for a free-flow EB right		21.2	C	24.5	C
	WB			57.4	E	15.3	B
	NB			38.3	D	58.3	E
	SB	Extend EB Right turn lane to 400 FT		-	-	77.0	E
	Overall	total storage length		48.1	D	30.7	C
9. N. Deshong Rd at Bermuda Rd	EB	Install a roundabout or traffic signal; signal not likely to meet warrants	Signal	5.6	A	17.6	A
	NBL		Roundabout	6.4	A	11.8	B
10. Stewart Mill Rd at Bermuda Rd	EBL	Add 200' SB left turn lane on Bermuda Rd		12.1	B	7.9	A
	SB			25.9	D	18.5	C

Figure 5: Background Traffic Volumes



4. Site Development Traffic

The existing site is vacant. The new development will include a warehouse/distribution center. The building footprint will be 640,000 sq. ft. and will be four floors. The development will have three (3) vehicular site access points: two (2) on West Park Place Blvd and one (1) on Bermuda Drive.

4.1. Trip Generation

The proposed facility constitutes a unique type of land use. Trip generation for a similar type of facility for both Peak and Non-Peak seasonal facility usage was provided by the expected user. Table 5 depicts both the project provided trip generation for peak and non-peak season. The peak season traffic was used in the analysis. Table 6 shows the hourly distribution of traffic for the site.

The site operations are unique in that it relies heavily on automation for the distribution activities and includes a higher storage volume than is typical for similar sites. The data provided by the site user has been used in similar studies around the country and is deemed adequate in lieu of ITE Trip Generation trips.

Table 5: Trip Generation

User Provided Trip Generation (Non-Peak Season)

		Total	In	Out
Personal Vehicles	Daily	5,047	2,524	2,523
	AM Peak Hour	568	562	6
	PM Peak Hour	1,144	546	598
Trucks	Daily	214	107	107
	AM Peak Hour	12	6	6
	PM Peak Hour	10	5	5
Total	Daily	5,261	2,631	2,630
	AM Peak Hour	580	568	12
	PM Peak Hour	1,154	551	603

User Provided Trip Generation (Peak Season)

		Total	In	Out
Personal Vehicles	Daily	6,542	3,271	3,271
	AM Peak Hour	721	8	18
	PM Peak Hour	1,483	715	767
Trucks	Daily	357	179	179
	AM Peak Hour	20	10	10
	PM Peak Hour	16	8	8
Total	Daily	6,899	3,450	3,450
	AM Peak Hour	749	731	18
	PM Peak Hour	1,498	723	775

Table 6: Hourly Total Trips Generation

Hour	In	Out	Total
00:00	15	14	29
01:00	13	12	25
02:00	14	14	28
03:00	9	9	17
04:00	14	715	729
05:00	103	726	830
06:00	726	13	740
07:00	731	18	749
08:00	34	34	69
09:00	31	31	62
10:00	30	30	60
11:00	34	34	68
12:00	57	57	114
13:00	30	30	60
14:00	31	31	61
15:00	31	31	61
16:00	29	29	58
17:00	723	775	1,498
18:00	723	775	1,497
19:00	15	15	29
20:00	13	13	26
21:00	15	15	30
22:00	14	14	28
23:00	14	14	28

It is noteworthy that the shift nature of the distribution center results in an outbound traffic flow very early in the morning, prior to the AM peak hour. While the PM peak hour begins at 4:30 PM, the entire 5:00 PM shift traffic was used in the analysis.

4.2. Pedestrian and Bicycle Facility Trip Reduction

Although sidewalks will be provided adjacent to the site no reduction in trips was taken for alternate transportation modes.

4.3. Transit Trip Reduction

Since there is no existing public transit running alongside the site, no reduction in trips was taken for alternate transportation modes.

4.4. Trip Distribution and Assignment

The directional distribution of the new project trips is expected to be as follows:

Personal Vehicles:

- 30% to/from east of site via US 78/ Stone Mountain Hwy)
- 5% to/from north of site via Pounds Rd (via Rockbridge Rd and West Park Place Blvd)
- 10% to/from north of site via Rockbridge Rd (via West Park Place Blvd)
- 25% to/from west of site via US 78/ Stone Mountain Frwy
- 8% to/from south of site via Stewart Mill Rd (via Bermuda Rd west of site)
- 12% to/from south of site via N. Deshong Rd (via Bermuda Rd east of site, and via Rockbridge Rd and West Park Place Blvd east of the site)
- 10% to/from south and east of site via Annistown Rd (via West Park Place Blvd east of the site and Rockbridge Rd)

Trucks:

- 20% to/from east of site via US 78/ Stone Mountain Hwy
- 5% to/from north of site via Rockbridge Rd (via West Park Place Blvd)
- 50% to/from west of site via US 78/ Stone Mountain Frwy to/from I-295
- 15% to/from south of site via Rockbridge Rd (via N Deshong Rd, Rockbridge Rd and West Park Place Blvd east of site) to/from SR 124 and I-20
- 10% to/from south and east of site via Annistown Rd (via Rockbridge Rd and West Park Place Blvd east of site) to/from SR 124 and I-20

Figure 6 summarizes the distribution used at each of study intersections and the site driveway. Figure 7 depicts the total project trips as distributed throughout the study area.

Figure 6: Directional Distribution

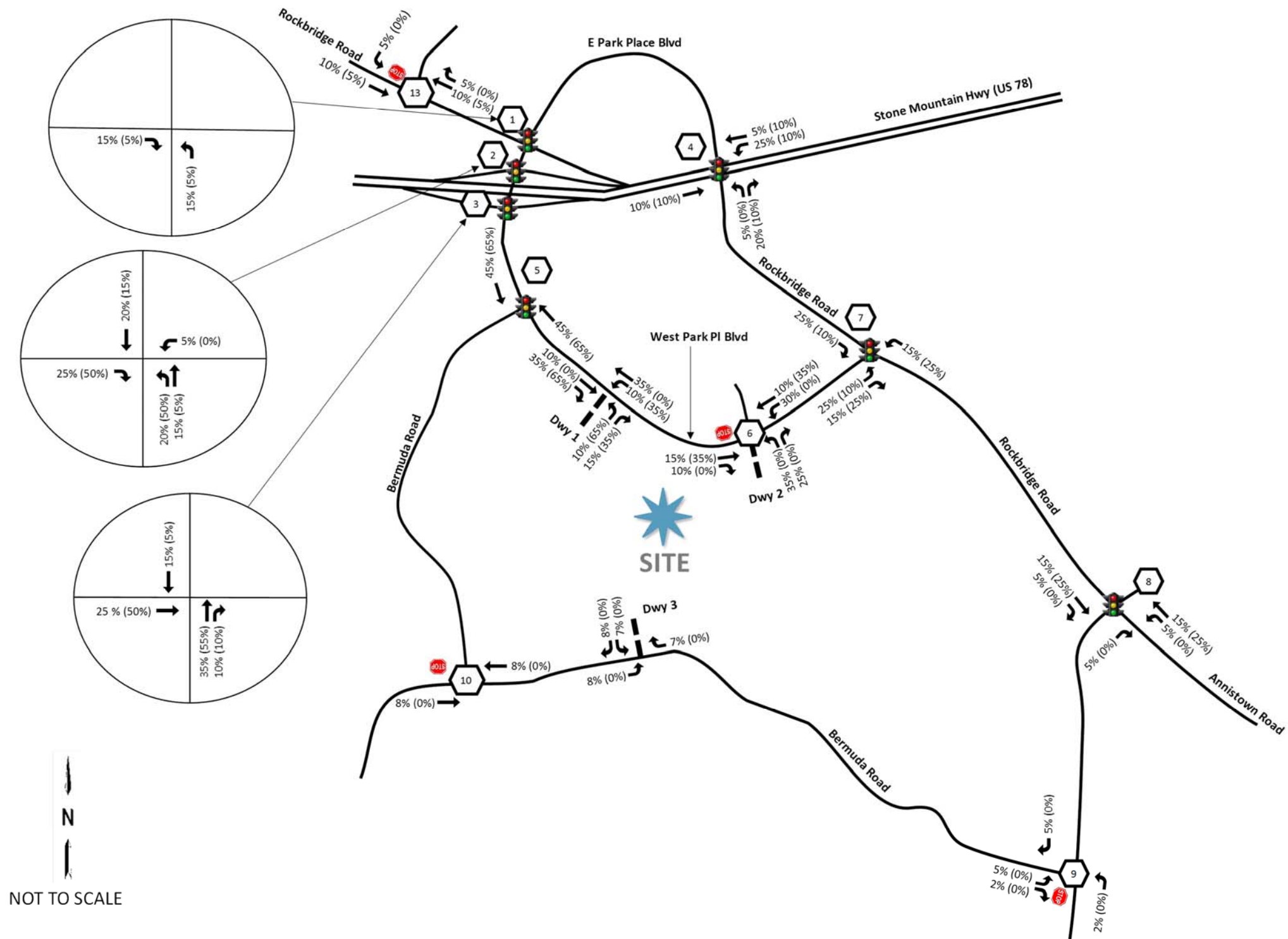
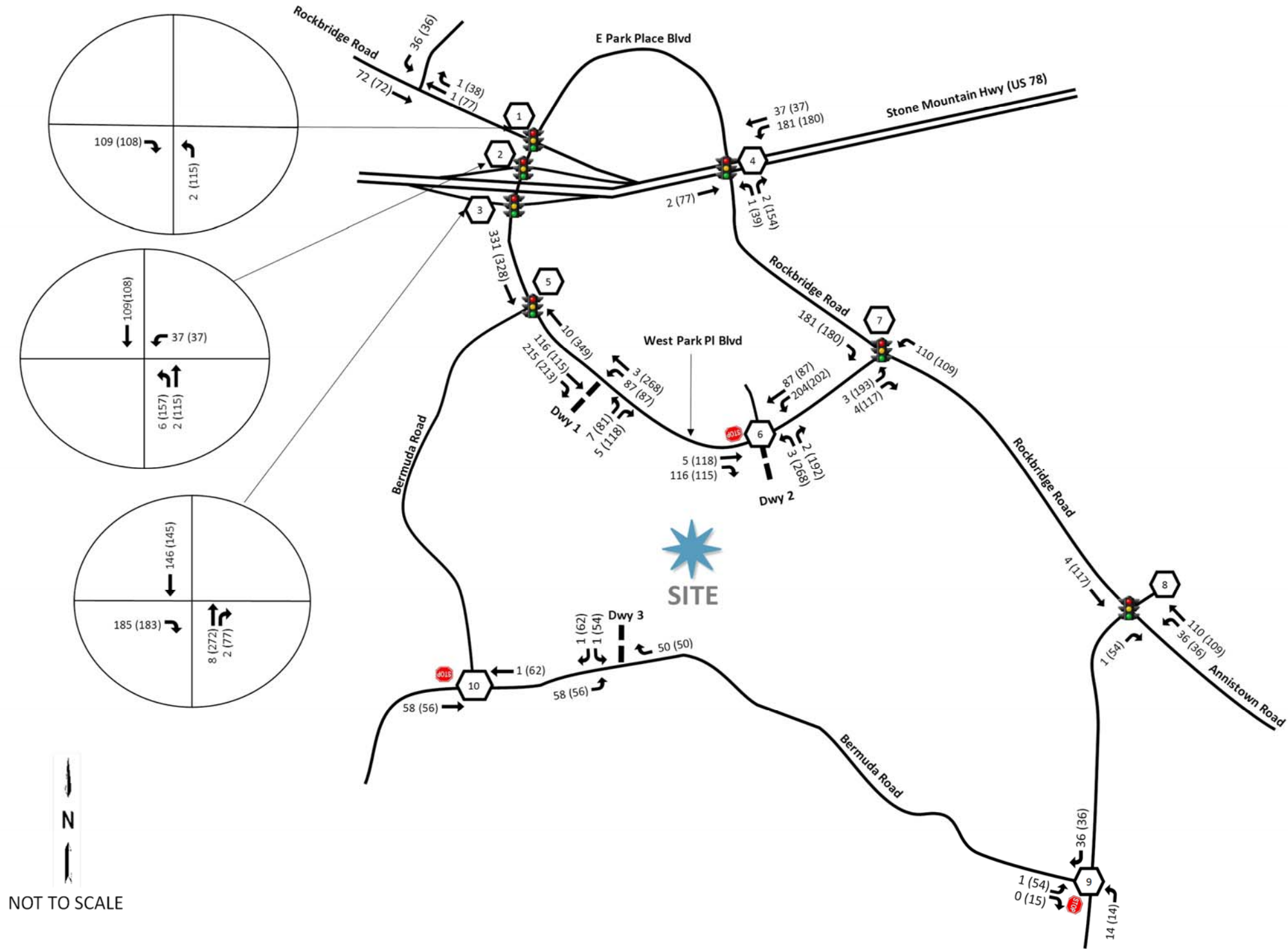


Figure 7: Project Volumes



5. Future Conditions

The build condition was analyzed including the background traffic and the proposed project trips. The results of the intersection capacity analysis for future conditions are shown in Table 7 for existing plus background growth plus project traffic. The associated full build out volumes are shown in Figure 8.

Table 7: Full Build-out Conditions Capacity Analysis

Intersection	Control	Movement	AM		PM	
			Delay (s)	LOS	Delay (s)	LOS
1. West Park Place Blvd at Rockbridge Rd	Signal	EB	63.7	E	59.2	E
		WB	69.8	E	65.5	E
		NB	9.6	A	15.5	B
		SB	34.4	C	34.9	C
		Overall	23.7	C	34.7	C
2. West Park Place Blvd at US 78 WB Ramp	Signal	WB	66.5	E	64.3	E
		NB	16.6	B	20.9	C
		SB	40.5	D	35.2	D
		Overall	22.7	C	28.7	C
3. West Park Place Blvd at US 78 EB Ramp	Signal	EB	63.6	E	51.2	D
		NB	10.4	A	22.7	C
		SB	9.4	B	7.0	A
		Overall	14.1	B	25.4	C
4. East Park Place Blvd at US 78/ Stone Mtn Hwy	Signal	EB	23.4	C	94.5	F
		WB	365.9	F	176.1	F
		NB	172.3	F	168.3	F
		SB	274.4	F	110.5	F
		Overall	154.2	F	133.5	F
5. West Park Place Blvd at Bermuda Rd.	Signal	EB	82.5	F	100.9	F
		NB	36.2	D	9.1	A
		SB	42.7	D	74.9	E
		Overall	51.4	D	59.8	E
6. West Park Place Blvd at Centre Park Ct	One-Way Stop	EBL	0.5	A	8.4	A
		WBL	1.4	A	70.6	F
		NB	44.2	E	>999	F
		SB	88.9	F	>999	B
7. West Park Place Blvd at Rockbridge Rd	Signal	EB	5.3	A	90.5	F
		WB	14.9	C	13.3	B
		SB	63.5	E	66.3	E
		Overall	17.3	C	77.2	E

Intersection	Control	Movement	AM		PM	
			Delay (s)	LOS	Delay (s)	LOS
8. N. Deshong Rd at Rockbridge Rd/ Annistown Rd	Signal	EB	27.1	C	89.2	F
		WB	66.4	F	49.5	D
		NB	36.1	D	58.5	E
		SB	0.0	A	77.0	E
		Overall	50.7	E	74.8	E
9. N. Deshong Rd at Bermuda Rd	One- Way Stop	EB	47.4	F	430.4	F
		NBL	3.7	A	10.6	B
10. Stewart Mill Rd at Bermuda Rd	One-Way Stop	EBL	12.3	B	8.1	A
		SB	39.1	E	205.3	F
11. West Park Place Blvd at Driveway 1	One-Way Stop	WBL	10.1	B	31.4	D
		NB	16.4	C	282.6	F
12. Bermuda Rd at Driveway 3	One-Way Stop	EBL	8.9	A	7.7	A
		SB	13.6	B	12.2	B

The mitigation necessary to create acceptable conditions are shown in Table 8.

Table 8: Full Build-out Conditions Mitigation

Intersection	Approach	Mitigation	AM		PM	
			Delay (s)	LOS	Delay (s)	LOS
1. West Park Place Blvd at Rockbridge Rd	EB	Do nothing. Vehicles are not queued excessively	63.7	E	59.2	E
	WB		69.8	E	65.5	E
	NB		9.6	A	15.5	B
	SB		34.4	C	34.9	C
	Overall		23.7	C	34.7	C
2. West Park Place Blvd at US 78 WB Ramp	WB	Do nothing. Volume on WB off ramp is small and not queued excessively	66.5	E	64.3	E
	NB		16.6	B	20.9	C
	SB		40.5	D	35.2	D
	Overall		22.7	C	28.7	C
3. West Park Place Blvd at US 78 EB Ramp	EB	Do nothing. Vehicles are not queued excessively	63.6	E	51.2	D
	NB		10.4	A	22.7	C
	SB		9.4	B	7.0	A
	Overall		14.1	B	25.4	C
4. East Park Place Blvd at US 78/ Stone Mtn Hwy	EB	Adding right turn lanes in all directions would improve overall LOS but it would create significant impacts. Retime signal for increased WB Left traffic in AM. Some traffic bound for the east will likely use Sharp Trail to avoid congestion	35.3	D	54.7	D
	WB		53.4	D	75.3	E
	NB		172.3	F	168.3	F
	SB		274.4	F	110.5	F
	Overall		114.3	F	133.5	F
	EB		51.8	D	59.2	E

Intersection	Approach	Mitigation	AM		PM	
			Delay (s)	LOS	Delay (s)	LOS
5. West Park Place Blvd at Bermuda Rd.	NB	Restripe EB lanes to be left and shared left/right lane.	15.5	B	6.9	A
	SB		19.6	B	40.0	D
	Overall		28.1	C	33.3	C
6. West Park Place Blvd at Centre Park Ct	EBL	Add traffic signal - split phased Add EB Right turn decel lane Re-stripe WB left turn lane for dedicated left turn Add NB left turn lanes and shared NB left/thru/right lane	15.9	B	41.6	D
	WBL		1.9	A	32.2	C
	NB		34.8	C	54.6	D
	SB		34.9	C	41.9	D
	Overall		6.1	A	40.8	D
7. West Park Place Blvd at Rockbridge Rd	EB	Retime signal to even out delay; LOS E in AM does not result in long queue	16.2	B	6.8	A
	WB		27.6	C	20.8	C
	SB		63.3	E	54.7	D
	Overall		28.1	C	17.0	B
8. N. Deshong Rd at Rockbridge Rd/ Annistown Rd	EB	Restripe for approx 750 feet N Deshong Rd to remove TWTL and add a receiving lane for a free-flow EB right. Extend EB Right turn lane to 400 FT total storage length. SB movement is very low volume	17.1	B	31.7	C
	WB		41.1	D	22.4	C
	NB		49.5	D	54.6	D
	SB		0.0	A	77.0	E
	Overall		40.8	D	34.7	C
9. N. Deshong Rd at Bermuda Rd	EB	Install a roundabout or traffic signal; signal not likely to meet warrants	12.8	B	20.5	C
	NBL		12.4	B	10.9	B
10. Stewart Mill Rd at Bermuda Rd	EBL	Add 200' SB left turn lane on Bermuda Rd	8.4	A	5.6	A
	SB		14.9	C	22.4	C
11. West Park Place Blvd at Driveway 1	WBL	Construct EB right turn deceleration lane on West Park Pl; re-stripe WB left turn lane for dedicated left turn; separate NB left and right turn lanes	0.0	A	23.7	C
	NB		16.3	C	43.5	E*
12. Bermuda Rd at Driveway 3	EBL	No turn lanes required by analysis. DeKalb County likely to require left and right turn lanes on Bermuda.	8.9	A	7.7	A
	SB		13.6	B	12.2	B

*Traffic from Driveway 1 is metered by the upstream signal at Bermuda Rd. Delay is simulated traffic conditions.

5.1. Signal Warrant Analysis

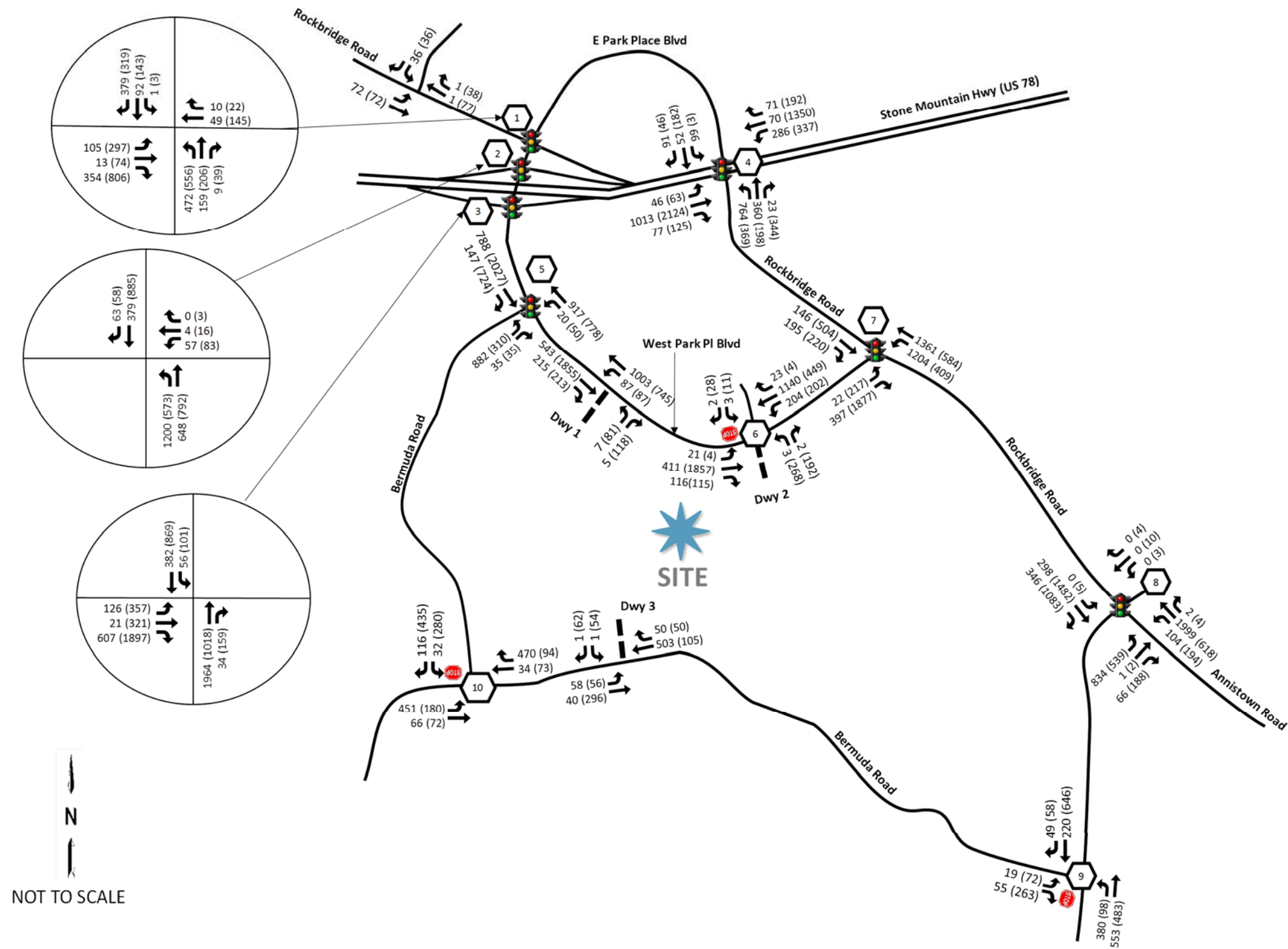
The intersection of West Park Place Blvd and Centre Park Ct / Driveway 2 was checked for adherence to the traffic signal warrants in the Manual on Uniform Traffic Control Devices, FHWA. Centre Park Court is a minor contributor to the intersection volume; therefore, the volume for the new site takes precedence. The daily volume for the site was derived from the trip generation provided by the expected development user and based on the trip distribution described in Section 4.4. Table 8 shows the results of the signal warrant study.

Table 9: Signal Warrant Results

Existing	West Park Place Blvd	Dwy 2	WARRANT 1A Major Street Condition Met? Major>420 Minor >105	WARRANT 1B Major Street Condition Met? Major>630 Minor >53	WARRANT 2 Conditions Met?	WARRANT 3 Conditions Met?
Hour Beginning	Combined Approach Volume	Approach Volume w/Right Turns				
4:00	413	429	NO	NO	YES	YES
5:00	843	429	YES	YES	YES	YES
6:00	1827	5	NO	NO	NO	NO
7:00	1883	5	NO	NO	NO	NO
8:00	1421	14	NO	NO	NO	NO
9:00	1105	14	NO	NO	NO	NO
10:00	968	14	NO	NO	NO	NO
11:00	904	14	NO	NO	NO	NO
12:00	1046	28	NO	NO	NO	NO
13:00	1098	14	NO	NO	NO	NO
14:00	1249	14	NO	NO	NO	NO
15:00	1603	14	NO	NO	NO	NO
16:00	1998	14	NO	NO	NO	NO
17:00	2520	460	YES	YES	YES	YES
18:00	2316	460	YES	YES	YES	YES
Number of Hours Required			8	8	4	1
Number of Hours Met			3	3	4	2

A traffic signal is warranted based on the four-hour and the peak hour warrant. During the peak hours, the intersection will experience extreme delay and queuing if a traffic signal is not installed.

Figure 8: Build Volumes



6. Conclusions

The following improvements are recommended to accommodate the existing deficiencies:

- West Park Place Blvd at Bermuda Road – Restripe EB lanes to be left and shared left/right lane.
- West Park Place Blvd at Rockbridge Road – Re-time the traffic signal for the PM peak hour to even out delay
- N. Deshong Road at Rockbridge Road/Annistown Rd – Re-stripe approximately 750 feet of N Deshong Road to remove TWTL and add a receiving lane for a free-flow EB right; extend the eastbound right turn lane to 400 feet
- N. Deshong Road at Bermuda Road – Install a roundabout or traffic signal
- Stewart Mill Road at Bermuda Road – Add a 200 foot, southbound left turn lane on Bermuda Road

The same improvements are needed for the background growth in traffic.

The site's AM peak traffic will, for the most part, occur before the congestion on the surrounding roads so it will have little impact on the road network. The site's PM related traffic will occur during the road network's peak hour.

The following improvements are recommended to accommodate the site traffic – in addition to those needed for existing and background traffic:

- West Park Place Blvd at Centre Park Ct / Driveway 2 – Install a traffic signal; construct an eastbound right turn deceleration lane; re-stripe the two-way, center turn lane for dedicated left turn bays; add a northbound left turn lane and a shared northbound left/thru/right lane
- West Park Place Blvd at Rockbridge Road – Re-time the traffic signal to even out delay
- Stewart Mill Road at Bermuda Rd – Add a westbound right turn lane that is continuous from Driveway 3 to Stewart Mill Road.
- West Park Place Blvd at Driveway 1 – Construct an eastbound right turn deceleration lane on West Park Place Blvd; re-stripe the two-way, center turn lane for a dedicated westbound left turn bay; build separate northbound left and right turn lanes exiting the site.
- Bermuda Rd at Driveway 3 – No turn lanes required by analysis. DeKalb County will likely require left and right turn lanes on Bermuda Road.



NOTICE OF DECISION

To: Doug Hooker, ARC
(via Sonny Deriso, GRTA
electronic Dick Anderson, GRTA
mail)

Al Nash, GRTA
Bob Voyles, GRTA

To: Gwinnett County
(via Scott Gardner, Eberly and Associates
electronic
mail and
certified
mail)

From: Christopher Tomlinson, GRTA Executive Director

Copy: Jon West, DCA
(via Emily Estes, GRTA
electronic Annie Gillespie, GRTA
mail) Andrew Smith, ARC
Marquitrice Mangham, ARC
Michael Johnson, GCDOT
Tom Sever GCDOT
Jim Brooks, Evermore CID
Helen Appenzeller, Gwinnett County
Jerry Oberholtzer, Gwinnett County
ChaQuias Miller-Thornton, City of Stone
Mountain

Randy Parker, Calyx Engineering
John Karnowski, Calyx Engineering
Antonio Sample, Eberly and Associates
Laurel David, The Galloway Law Group

Date: August 1, 2018

Re: DRI 2807 Project Rocket


Notice of Decision for Request for Non-Expedited Review of DRI 2807 Project Rocket

The purpose of this notice is to inform Eberly and Associates (the Applicant), Gwinnett 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 2807 Project Rocket (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 on a review of the applicant's DRI review package received by GRTA. The review package includes: (1) the site development plan (Site Plan) dated June 11, 2018 titled "Project Rocket" prepared by Eberly and Associates and (2) the transportation analysis dated May 29, 2018 prepared by Calyx Engineering, received by GRTA on June 13, 2018 and revised transportation analysis dated July 23, 2018 and received by GRTA on July 24, 2018.

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*. If GRTA staff receives an appeal, you will receive another notice from GRTA and the Land Development Committee will hear the appeal at its November 14, 2018 meeting.

DocuSigned by:


5409E9A65D4847B...
Christopher Tomlinson
Executive Director
Georgia Regional Transportation Authority

Attachment A – General Conditions

General Conditions for GRTA Notice of Decision:

None.

Road Improvements for GRTA Notice of Decision:

- Intersection 2: West Park Place Blvd at US 78 WB Ramp
 - Widen WB on-ramp to extend the length of the two full lanes and relocate the ramp meter to the west per GDOT approval
- Intersection 5: West Park Place Blvd at Bermuda Road
 - Restripe EB lanes to be left and shared left/right lane
- Intersection 7: West Park Place Blvd at Rockbridge Road
 - Re-time the traffic signal for the PM peak hour
- Intersection 8: N. Deshong Road at Rockbridge Road/Annistown Rd
 - Restripe approximately 750 feet of N Deshong Road
 - Extend the eastbound right turn lane to 400 feet
 - Add a receiving lane for a free-flow EB right
- Intersection 9: N. Deshong Road at Bermuda Road
 - Install a roundabout as coordinated and approved by DeKalb County
- Intersection 10: Stewart Mill Road at Bermuda Road
 - Add a 200-foot, southbound left turn lane on Bermuda Road, as approved by DeKalb County
- Intersection 4: East Park Place Blvd at US 78/ Stone Mtn Hwy
 - Retime signal for increased WB Left traffic in AM per GDOT approval

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.

- Intersection 2: West Park Place Blvd at US 78 WB Ramp
 - Widen WB on-ramp to extend the length of the two full lanes and relocate the ramp meter to the west per GDOT approval
- Intersection 5: West Park Place Blvd at Bermuda Road
 - Restripe EB lanes to be left and shared left/right lane
- Intersection 7: West Park Place Blvd at Rockbridge Road
 - Re-time the traffic signal for the PM peak hour
- Intersection 8: N. Deshong Road at Rockbridge Road/Annistown Rd
 - Restripe approximately 750 feet of N Deshong Road
 - Extend the eastbound right turn lane to 400 feet
 - Add a receiving lane for a free-flow EB right
- Intersection 9: N. Deshong Road at Bermuda Road
 - Install a roundabout as coordinated and approved by DeKalb County
- Intersection 10: Stewart Mill Road at Bermuda Road
 - Add a 200-foot, southbound left turn lane on Bermuda Road, as approved by DeKalb County
- Intersection 4: East Park Place Blvd at US 78/ Stone Mtn Hwy
 - Retime signal for increased WB Left traffic in AM per GDOT approval

Section 2.

None.



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.

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

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 GRTA's notice of decision that are within DeKalb County. Design to restrict truck movements from using Stewart Mill Road to get to Rockbridge Road.



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

404.508.7900 • www.dekalbhealth.net

8/24/2018

N.17

Cz-18-1235087/18-084-01-002

6754 Bermuda Road

Amendment

- Please review general comments.

N.18

2018-2450/Z-18-12345046/16-228-01-006,008,013;16-229-01-002;16-252-02-001,003,005;16-253-02-007,009,011,026;and portions of 16-228-01-003 &007;16-253-02-004,004,005,008,&027

1679,17351729,1695,1709,1719 Norris Lake Way; 8277&8455 Norris Lake Way; 8682 Pleasant Hill Road;

Amendment

- Please review general comments.
- Indictions file in system that an septic system is currently installed on this property as of 6/17/1969 on property Norris Drive and 02/22/1985 for property 1729 Norris Lake Drive and 04/19/1971 for property 8565 Pleasant Hill Way and 01/30/1991 ...
- for property 855- Pleasant Hill Way and on 08/10/1977 for property 8612 Pleasant Hill Way.

N.19

SLUP-18-1235052/16 036 01 023

5460 Biffle Road, Stone Mountain, Ga

Amendment

- Please review general comments.
- Indictions filed in DCBOH system that an septic system is currently installed on this property as of 12/15/1972.

N.20

LP-18-1235068/16 166 01 004

2018 Rock Chapel Road

Amendment

- Please review genral comments.
- Indictions filed in DCBOH system that an septic system is currently installed on this property as of 08/12/2003.



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

MAJOR MODIFICATION APPLICATION

Existing Conditional Zoning No.: CZ-86024 CZ-18-1235087

APPLICANT NAME: Eberly & Associates c/o The Galloway Law Group, LLC

Daytime Phone#: (404) 965-3680 Fax #: (404) 965-3670 E-mail: laurel@glawgp.com

Mailing Address: 3500 Lenox Road NE, Ste 750, Atlanta, GA 30326

OWNER NAME: J.M. Williams, Jr., HERITAGE STH REAL EST PART LP (If more than one owner, attach contact information for each owner)

Daytime Phone#: _____ Fax #: _____ E-mail: _____

Mailing Address: P.O. Box 3429, Suwanee, GA 30024-0992

SUBJECT PROPERTY ADDRESS OR LOCATION: 6754 Bermuda Road
_____, DeKalb County, GA, 30087

District(s): 18 Land Lot(s): 084 Block(s): 01 Parcel(s): 002

Acreage or Square Feet: _____ Commission District(s): 4, 7 Existing Zoning: M

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:

Printed Name of Applicant: Scott L. Gardner Major Modification Application

June 11, 2018

RE: Notification of Community Meeting for Zoning Modification Request

Next month, Eberly & Associates plans to submit an application to the DeKalb County Planning and Sustainability Department requesting a modification of zoning conditions attached to vacant property located at 6754 Bermuda Road. This property is adjacent to a site located in Gwinnett County that has been proposed for development, and the zoning modification would allow access to the site from Bermuda Road.

You are receiving this letter because the person or entity to whom it is addressed owns property located within 500 feet the property that is the subject of this Application. To provide more information about the proposal before the application is filed, the Applicant will host an informational meeting that you are welcome to attend. The meeting will take place at the Comfort Inn & Suites in Stone Mountain, located at 5355 Stone Mountain Highway, Stone Mountain, GA 30087, on June 27, 2018 at 6:30 P.M.

If you are unable to attend the meeting and would like information about the application, please feel free to contact the Galloway Law Group at (404) 965-3680.

Sincerely,

THE GALLOWAY LAW GROUP, LLC

COMMUNITY MEETING SIGN-IN SHEET

Project:	6754 Bermuda Road – private drive, berm	Date:	June 26, 2018, 6:30 PM
Applicant:	Eberly & Associates	Place:	Comfort Inn & Suites 5355 Stone Mountain Hwy Stone Mountain, GA 30087

Name	Address	E-Mail / Phone
Laurel Dand	Galloway Law Group	
Danielle Jones	1331 English Manor Cir	Msdjones65eya400.com
Frank Davis	STONE MT. Park	F. Davis @ stonemountainpark.ORE
Larry Norwood	1452 English Manor Circle Stone Mtn. Ga 30087	Larrylnorwood@gmail.com
Tasha Norwood	Same	
SONIA Stewart	1273 ENGLISH MANOR CIR	Kyssey30@Yahoo.com
Ronda Taylor	1512 English Manor Cir	ronitaylor@att.net 678 777 0349
Angela Perry	1489 English Manor Cir	angela.allen@att.net
Teresa Williams	1545 English Manor Cir	tmwi@bellsouth.net
Bob Cowley	Stone Mt Park	- 770-498-5714
Li Rucker	1534 English Manor Cir Stone Mountain, GA, 30087	lchttbr@aol.com 770-981-2700
Wayne Sheets	1303 English Manor Circle	678-656-2465 415-636-8844
Bryonne Dixon	1432 English Manor Circle	Bdixon@hotmail.com
Bill Hasbune	1282 English - Manor Cr	hasbunes3@gmail.com
Demetrius Collatte	1412 English Manor Circle	meatrius74@gmail.com
Katherine Holmes	English Manor Estates HOA 1390 English Manor Circle	englishmanorestates@gmail.com kayward512@gmail.com
Adrian & Philip Cox	1499 English Manor Circle	adwc31@gmail.com
Renaldo Woods	1262 English Manor Circle, Stone Mtn, GA 30087	CAwoods11@gmail.com
KEVIN ISAKSON	500 SPRINGHOUSE CIR. SN. MTN. 30087	KISAKSON@ISAKSON LIVING.COM (404) 932-6552

**LETTER OF APPLICATION
APPLICATION FOR MAJOR MODIFICATION
DEKALB COUNTY, GEORGIA**

Eberly & Associates (the "Applicant") requests the modification of zoning conditions that were approved in 1986 for property located at 6754 Bermuda Road, DeKalb County, Georgia (Parcel Number 18 084 01 002) (the "Property"). The Property is zoned to the light industrial (M) district and is currently vacant and largely wooded. The Applicant plans to develop adjacent land zoned light industrial in neighboring Gwinnett County for warehouse and distribution uses that are consistent with the industrial zoning of nearby and neighboring parcels. The Applicant has submitted a request for a Special Use Permit in Gwinnett County to allow an increase in height for the proposed use, and a Development of Regional Impact (DRI) review is currently underway for the project.

When the DeKalb County Board of Commissioners rezoned the Property to the M district in 1986, it did so subject to five conditions. See CZ-86024. The original zoning scheme proposed two office-warehouse buildings on the Property with attendant surface parking lots. Thirty-two years later, the Applicant's plan for developing the Property is entirely different than that which was proposed during the 1986 rezoning. Instead of buildings or parking lots, the Applicant proposes to construct only a private drive through the Property, connecting Bermuda Road to the warehouse distribution facility on the Gwinnett County property, and a limited number of parking spaces in the northern corner of the Property. The Applicant accordingly requests the modification of two of the CZ-86024 zoning conditions.

First, the Applicant proposes the removal of Condition #1 stating "There shall be no access from the development to Bermuda Road other than a limited access for fire and emergency vehicles if the same is required by DeKalb County at the time permits are obtained for the development of this property". The Applicant plans to develop a light industrial building on the neighboring Gwinnett County parcel to the northeast. To facilitate ingress and egress to the development, the Applicant proposes a connection to Bermuda Road, in addition to two points of ingress and egress on West Park Place Boulevard. The connection to Bermuda Road will be approximately 1,385 feet from the English Manor subdivision entrance and approximately 630 feet from the intersection of Stewart Mill and Bermuda Roads.

Consequently, the Applicant seeks the requested modification that would allow access on Bermuda Road.

Second, the Applicant proposes the removal of Condition #4 that "The Applicant will provide a six foot earthen berm along the line of the aforementioned fifty foot buffer. The slope of the berm will be approximately two to one and the berm may extend into the fifty foot buffer by as much as fifteen feet. Eleagnus shrubs and/or Virginia Pines will be planted along the top of the berm on ten foot centers. Each of these plantings will be a minimum of three feet in height. The berm will be maintained by the Applicant". An earthen berm is not now necessary, however, because the current Applicant proposes to develop only a private drive on the western extreme of the Property and a limited number of parking spaces in the northern corner (both nearer a neighboring parcel zoned to the Heavy Industrial (M-2) zoning district) as shown on the Site Plan, and not any buildings or parking lots near residential property. Further, the area along a short portion of the eastern property line where the condition requires the berm to be installed is already heavily wooded. Developing the berm would therefore necessitate cutting down dozens of mature trees and result in a greater impact to the environment and disruption to nearby property owners than leaving the existing forest in place.

As demonstrated in the Impact Analysis enclosed with this Modification Application, these two requests are consistent with the Standards and Factors governing review of proposed amendments to the Official Zoning Map. Accordingly, the Applicant respectfully asks that the Board of Commissioners of DeKalb County approve the modifications as requested.

Sincerely,

THE GALLOWAY LAW GROUP, LLC



Laurel David
Attorney for the Applicant

3500 Lenox Road NE, Suite 760
Atlanta, Georgia 30326
(404) 965-3680

IMPACT ANALYSIS
APPLICATION FOR MAJOR MODIFICATION
DEKALB COUNTY, GEORGIA

As stated in the enclosed Letter of Application, Eberly & Associates (the “Applicant”) requests the modification of two of the zoning conditions that were approved in 1986 for property located at 6754 Bermuda Road, DeKalb County, Georgia (Parcel Number 18 084 01 002) (the “Property”). When the DeKalb County Board of Commissioners rezoned the Property to the Light Industrial (M) district in 1986, it did so subject to five conditions based on a development plan proposing two office-warehouse facilities and surface parking. See CZ-86024. The Property was never developed, however, and thirty-two years later it remains vacant and wooded. The Applicant plans to develop adjacent land to the north zoned light industrial in neighboring Gwinnett County for warehouse and distribution uses. Instead of buildings or parking lots near residential property, the Applicant proposes to develop a private drive on the western side of the Property to provide access from Bermuda Road to the neighboring parcel to the north, in Gwinnett County, as well as a limited number of parking spaces. The Bermuda Road access point will be approximately 1,385 feet from the English Manor subdivision entrance and approximately 630 feet from the intersection of Bermuda and Stewart Mill Roads. The Applicant accordingly requests the modification of two of the CZ-86024 zoning conditions.

First, the Applicant proposes the removal of Condition #1 that “There shall be no access from the development to Bermuda Road other than a limited access for fire and emergency vehicles if the same is required by DeKalb County at the time permits are obtained for the development of this property”. The Property is adjacent to a parcel in Gwinnett County that the Applicant plans to develop for warehouse and distribution uses. This modification to allow access to Bermuda Road will facilitate safe and efficient access to the south, in addition to the two points of access planned to West Park Place Boulevard to the north. Second, the Applicant proposes the removal of Condition #4 that “The Applicant will provide a six foot earthen berm along the line of the aforementioned fifty foot buffer. The slope of the berm will be approximately two to one and the berm may extend into the fifty foot buffer by as much as fifteen feet. Eleagnus shrubs and/or Virginia Pines will be planted along the top of the berm on ten foot centers. Each of these plantings will be a minimum of three feet in height. The berm will be maintained by the Applicant”. As shown on the Site Plan, a wide expanse of forested

land will remain on the Property, separating the adjacent residential use from the proposed private drive on the western end of the Property. The parking spaces will be located on the other side of the drive and in the northern corner of the Property, near land zoned to the Heavy Industrial (M-2) district. Installing the required buffer on the eastern side of the Property would necessitate the cutting down of dozens of trees that the Applicant proposes to preserve and would result in a greater impact to the environment and nearby property owners.

Because both of these modifications are consistent with the Standards and Factors governing review of proposed amendments to the Official Zoning Map established at Section 7.3.5. of the DeKalb County Zoning Ordinance, as demonstrated below, the Applicant respectfully asks that the Board of Commissioners approve the modifications as requested.

I. MODIFICATION TO REMOVE THE RESTRICTION ON INGRESS AND EGRESS ACCESS TO BERMUDA ROAD

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

The Applicant's request for a modification that will allow ingress and egress access on Bermuda Road is in keeping with the policy and intent of DeKalb County's 2035 Comprehensive Plan. West Park Place Boulevard, located north of the Property, provides convenient access to Highway 78 from numerous light industrial uses in the area. West Park Place Boulevard will provide similar access for vehicles entering and exiting the Applicant's light industrial development on the Gwinnett County parcel to the north of the Property. Providing a point of access to Bermuda Road, as shown on the Site Plan, will enhance the efficiency of the roadway network in keeping with the transportation policies established in the Comprehensive Plan. See Comprehensive Plan at 49.

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

The Property is adjacent to parcels in both DeKalb County and Gwinnett County that are zoned to industrial districts and used for industrial purposes. The proposed modification will allow a private drive connecting warehouse distribution, a permitted use in this zoning district, to the public roadway. The Property is also adjacent to or near parcels zoned for residential uses. As the Property is zoned industrially, use of the Property for a private drive in the manner shown on the Site Plan is far less impactful than other uses allowed by right in the M district. The

private drive is also less impactful than the two large warehouse buildings and surface parking lots originally approved for the Property. Accordingly, use of the Property for a private drive accessing Bermuda Road is suitable in view of the use and development of adjacent and nearby properties.

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

The Property is appropriately zoned to the M district and would have a reasonable economic use under that designation. However, the Property's only frontage is Bermuda Road, and the zoning condition restricting access to this road prevents entry to the Property. Consequently, the zoning condition virtually destroys the economic use of the Property.

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

As described above, the proposed private drive is both consistent with the nearby industrial uses and far less impactful to nearby residential uses than other uses allowed at the Property. The majority of the Property will remain undeveloped, as the private drive and limited parking spaces are the only improvements planned for the Property. Therefore, the proposed modification will not adversely affect the existing uses or usability of adjacent or nearby 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.

Condition #1 prohibiting access to Bermuda Road was approved more than thirty-two years ago at a time when the development of DeKalb County was far different than today. Since 1986 both DeKalb County and Gwinnett County have developed significantly, and the Atlanta metropolitan region has become a national hub for light industrial warehousing and distribution uses. While the area is appropriate for the use proposed on the adjacent Gwinnett County parcel, access to Bermuda Road is critical to the safe, efficient operation of both the planned facility and the surrounding roadway network. At the same time, developing only a private drive and remote parking spaces instead of the two office-warehouse buildings and large parking lots that the Board of Commissioners has already approved for the Property will be comparatively beneficial to residential uses in the vicinity. The changed conditions of the area therefore support approval of the modification.

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

Development of the Property will not affect Stone Mountain Park. The Property is separated from Stone Mountain Park by the Stone Mountain Golf Club; a residential subdivision; and property zoned to the M-2 district now or formerly used as an aircraft runway. The Property is not within a historic district, and the Applicant is not aware of any historic buildings, sites, districts or archaeological resources on the site or located in the immediate vicinity.

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.

The development of the Gwinnett County parcel for a light industrial use will generate numerous vehicle trips. To disperse these trips and minimize the overall effect on the surrounding roadway network, a private drive connecting to Bermuda Road to the south is necessary. If approved, the modification allowing Bermuda Road access will not result in a use that will cause excessive or burdensome use of existing streets. The modification will also not affect existing transportation facilities, utilities, or schools.

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

Development of a private drive will not adversely impact the environment or surrounding natural resources. On the contrary, the M district to which the Property is zoned permits relatively intense uses by right, such that the proposed private drive is comparatively supportive of existing natural resources. Similarly, the proposed development will be far less impactful than development of the two office-warehouse buildings and large parking lots that the Board of Commissioners has already approved for the Property. As shown on the Site Plan, the Applicant plans to minimize the area that is disturbed and will preserve as many existing trees and other natural resources as possible.

II. MODIFICATION TO REMOVE THE REQUIREMENT OF AN EARTHEN BERM ALONG THE 50-FOOT UNDISTURBED BUFFER

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

The 2035 Comprehensive Plan and the Zoning Map alike promote the use of buffers to “reduce noise and air pollution in residential neighborhoods.” Comprehensive Plan at 59. Condition #4 of the 1986 rezoning requires the maintenance of a 50-foot undisturbed buffer adjacent to residential property in Gwinnett County, and a separate condition requires the installation of a six-foot earthen berm along the line of that buffer. However, the Board of Commissioners required the berm in the context of the development proposed at the time, which included clearcutting of the Property and constructing two office-warehouse buildings and large attendant parking lots.

Under the present proposal, however, the Applicant will develop only a private drive and a limited number of parking spaces on the Property’s northwestern edge, near the adjacent M-2 zoning district. This plan locates the improvements as far as possible from the residential use to the east and leaves the majority of the heavily wooded Property undisturbed. In sharp contrast, strict enforcement of the zoning condition would require the Applicant to cut down a wide swath of mature trees a mere 35 to 50 feet from the residential parcel and operate heavy earthmoving machinery to build the berm, and then plant the berm with 3-foot tall saplings. Because no building will be built at the Property, this berm would be a nonsensical solution to a problem that won’t exist, and it will create an unnecessary disturbance both to natural resources and to the neighboring property owner. Accordingly, the Applicant seeks removal of Condition #4 in keeping with the intent and policy 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 property or properties.

The modification to remove the berm requirement will not affect the use of the Property. While the Property is zoned to the M district and is adjacent or near to several light industrial uses, the Applicant only proposes to use the Property for a private drive and a limited number of parking spaces. This use is suitable in view of the use and development of adjacent and nearby properties.

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

The Property is appropriately zoned to the M district and would have a reasonable economic use under that designation if access is granted from Bermuda Road. Installation of the berm does not impact this economic use, but the Applicant has proposed the modification in the interest of the neighboring residential property owner. As shown on the Site Plan, a wide distance will separate the private drive from the Property's eastern property line, and the intervening space is densely vegetated with mature trees. In order to comply with this condition, the Applicant will be forced to cut down all of the trees along the 50-foot undisturbed buffer (as near as 35 feet from the residential neighbor) and employ heavy earthmoving equipment at considerable cost with no public benefit.

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

Foregoing installation of the berm will not affect the existing use or usability of adjacent or nearby property or properties. As shown on the Site Plan, a wide expanse of forested land will be located between the proposed private drive and the Property's eastern property line, sufficient to buffer the residential use to the east.

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.

In 1986 the Board of Commissioners rezoned the Property with the understanding that it would be cleared and developed for two office-warehouse buildings and large parking lots near the residential property to the east. Condition #4 requiring the berm was intended to offset any impact of that development felt by the residential property owner to the east. However, the office-warehouse facilities have not yet been built and thirty-two years later the Property remains thickly forested. The Applicant is proposing only a private drive and a limited number of parking spaces on the opposite side of the Property, and installation of an unnecessary berm will do more harm than good. This change in circumstances supports approval of the modification.

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

Development of the Property will not affect Stone Mountain Park. The Property is separated from Stone Mountain Park by the Stone Mountain Golf Club; a residential subdivision;

and property zoned to the M-2 district now or formerly used as an aircraft runway. The Property is not within a historic district, and the Applicant is not aware of any historic buildings, sites, districts or archaeological resources on the site or located in the immediate vicinity.

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.

The modification to forego installation of the berm will 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.

Installing the berm, as required by Condition #4, would require the cutting down of numerous healthy, mature trees, and the use of heavy earthmoving equipment. This process would adversely impact the environment and surrounding natural resources. On the other hand, the modification requested by the Applicant would be far more beneficial for the environment, because it would leave the existing forestland in place to act as a natural buffer between the private drive and the neighboring property owner.

As demonstrated above, these two modifications are consistent with the Standards and Factors governing review of proposed amendments to the Official Zoning Map. Accordingly, the Applicant respectfully asks that the Board of Commissioners of DeKalb County approve the modifications as requested.

Sincerely,

THE GALLOWAY LAW GROUP, LLC



Laurel David

Attorney for the Applicant

3500 Lenox Road NE, Suite 760
Atlanta, Georgia 30326
(404) 965-3680

CONSTITUTIONAL OBJECTIONS
APPLICATION FOR MAJOR MODIFICATION
DEKALB COUNTY, GEORGIA

Georgia Law and the procedures of DeKalb County require us to raise Federal and State Constitutional objections during the Major Modification application process. While the Owner/Applicant anticipates a smooth application process, failure to raise constitutional objections at this stage may mean that the Owner/Applicant will be barred from raising important legal claims later in the process. Accordingly, we are required to raise the following constitutional objections at this time:

The portions of the Zoning Ordinance of DeKalb County, Georgia, as applied to the Property, that would result in a denial of the Major Modification as requested, are, or would be, unconstitutional in that they would destroy property rights without first paying fair, adequate and just compensation for such rights, in violation of Article I, Section I, Paragraph I of the Constitution of the State of Georgia of 1983, Article I, Section III, Paragraph I 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.

Any application of the Code of DeKalb County or the DeKalb County Zoning Ordinance to the Property which restricts its use to any use in a manner other than that requested is unconstitutional, illegal and null and void because such an application constitutes a taking of property in violation of the Just Compensation Clause of the Fifth Amendment to the Constitution of the United States, Article I, Section I, Paragraph I, and Article I, Section III, Paragraph I, of the Constitution of the State of Georgia of 1983 and the Equal Protection and Due Process Clauses of the Fourteenth Amendment to the Constitution of the United States because such an application denies the Owner/Applicant an economically viable use of its land while not substantially advancing legitimate state interests.

A denial of this Application would also constitute an arbitrary and capricious act by Board of County Commissioners of DeKalb County without any rational basis therefore, thereby constituting an abuse of discretion in violation of Article I, Section I, Paragraph I of the Constitution of the State of Georgia of 1983, Article I, Section III, Paragraph I 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.

A refusal to grant the Major Modification as requested would be unconstitutional and discriminate in an arbitrary, capricious and unreasonable manner between the Owner/Applicant and owners of similarly situated property in violation of 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. Any approval of the Major Modification subject to conditions that are different from the conditions requested, to the extent such different conditions would have the effect of further restricting the utilization of the Property, would also constitute an arbitrary, capricious and discriminatory act and would likewise violate each of the provisions of the State and Federal Constitutions set forth herein above.

In addition, this constitutes formal written notice to DeKalb County, pursuant to O.C.G.A. § 36-11-1, that the Owner/Applicant plans to seek to recover all damages that it sustains or suffers as a result of the denial of this Application and/or the unconstitutional zoning of the Property by DeKalb County. Such damages may include, but are not necessarily limited to, damages related to the diminution in the value of the Property, attorneys' fees and expenses of litigation.

Accordingly, the Owner/Applicant respectfully requests that the Board of County Commissioners of DeKalb County grant the Major Modification as requested.

THE GALLOWAY LAW GROUP, LLC

By: Laurel David

Laurel David
Attorney for Applicant

3500 Lenox Road, NE
Suite 760
Atlanta, Georgia 30326
(404) 965-3680
(404) 965-3670 Facsimile

ITEM NO. D. 37

PREL.	<u> </u>
ACTION	<u> </u>
PUB.HRG.	<u> y </u>

ZONING AGENDA/MINUTES
MEETING DATE March 25, 1986

RESOLUTION	<u> </u>
ORDINANCE	<u> y </u>
PROCLAMATION	<u> </u>

SUBJECT: Deferred Rezoning Application - Williams-Adair Equity Corporation

DEPARTMENT: Planning

PUBLIC HEARING: y Yes No

ATTACHMENT: x Yes No 10pp

INFORMATION CONTACT: Mac Baggett of
Charles Coleman
PHONE NUMBER: 371-2155 *ee*

PURPOSE: CZ-86024 - To consider the application of Williams-Adair Equity Corporation to rezone property located on the north side of Bermuda Road, approximately 375' east of Stewart Mill Road, from R-100 to M (conditional). The application is conditioned on development of an office-warehouse facility in conjunction with adjacent development in Gwinnett County in accordance with a site plan and list of conditions.
(This application was tabled by the Board of Commissioners on 2/11/86 and readvertised for March.)

DISTRICT: 1. 2. 3. x 4. 5. N/A

SUBJECT PROPERTY: 18-84-1-2 (0000 Bermuda Road). The property has frontage of approximately 800' and contains 11.47 acres.

RECOMMENDATION(s): PLANNING DEPARTMENT: Approval with conditions. This parcel of land is part of a large industrial park which is being developed in Gwinnett County. The land is inappropriate for R-100 development because it adjoins the Stone Mountain Airport. Staff supports the request subject to the following:

1. No access to Bermuda Road.
2. Building height limit of one story.
3. 50' buffer to be maintained along Bermuda Road and adjoining residential property in Gwinnett County.

PLANNING COMMISSION: Approval as conditioned by applicant.

COMMUNITY COUNCIL: Approval subject to applicant's conditions (1/86).

FOR USE BY COMMISSION OFFICE/CLERK ONLY

ACTION: MOTION was made by Commissioner Manning, seconded by Commissioner Evans, and passed 6-0-0 to approve the application as conditioned.

Commissioner Lanier out of the room and not voting.

ADOPTED: MAR 25 '86 (DATE)

CERTIFIED: MAR 25 '86 (DATE)

Signature of Presiding Officer, DEKALB COUNTY BOARD OF COMMISSIONERS

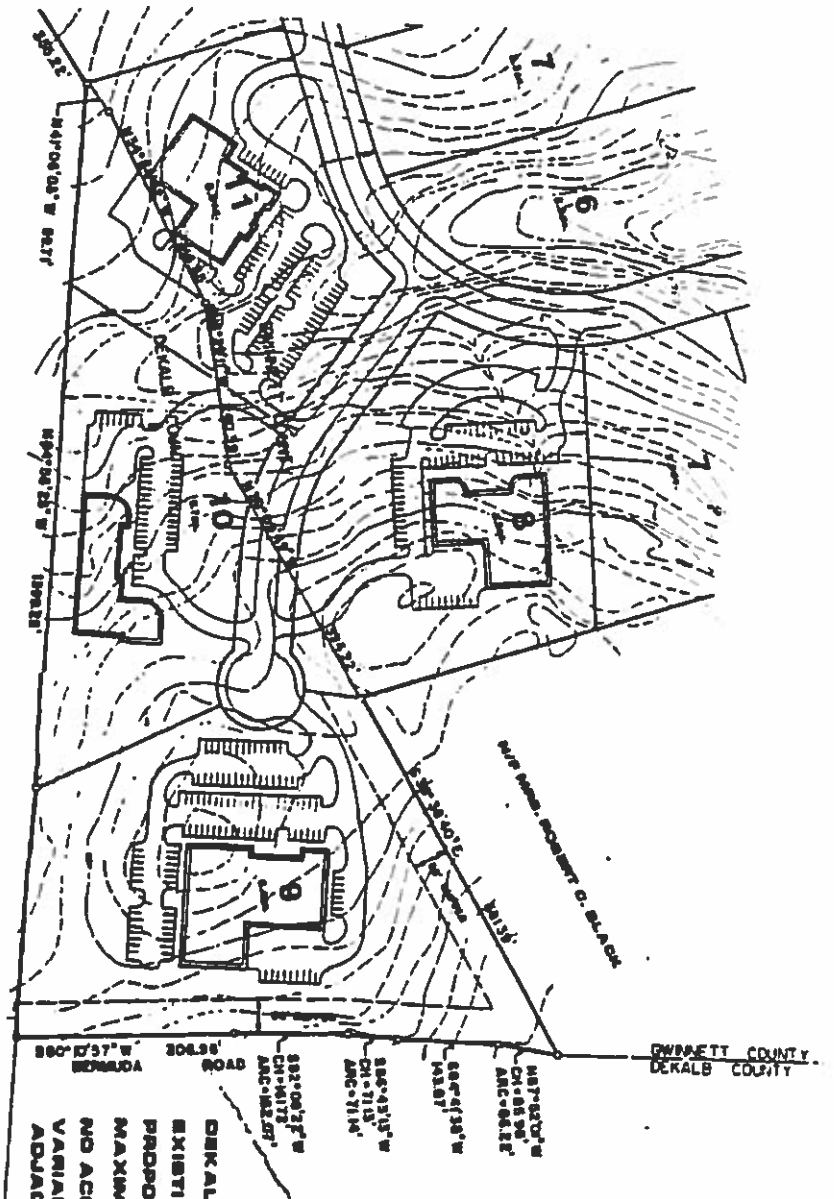
Signature of Clerk, DEKALB COUNTY BOARD OF COMMISSIONERS

Ms. Kathy Beard, Attorney, 3414 Peachtree Road, Suite 800, Atlanta, represented the applicant. She stated that this item was approved by the Planning Commission at the last meeting, but because of improper posting of the public hearing sign, it was tabled by the Board and readvertised for the March hearing. During this time, they have reached an agreement with residents on Bermuda Road and have filed an amendment to their application.

Mr. David A. English, 2448 Bermuda Road, Stone Mountain, represented the homeowners on Bermuda Road. He stated that they support the application for rezoning as amended.

Opposition: None.

Table with 5 columns: FOR, AGAINST, ABSTENTION, ABSENT. Rows list District 1-5 and AT-LARGE members with checkmarks indicating their vote.



SITE DATA

DEKALB COUNTY TRACT ——— 11.47 ACRES
 EXISTING ZONING ——— R-100
 PROPOSED ZONING ——— M-1
 MAXIMUM BUILDING HEIGHT 35 FEET
 NO ACCESS TO BERMUDA ROAD
 VARIANCE TO BE REQUESTED FOR SUPER
 ADVACENT TO STONE MOUNTAIN AIRPORT

NOTE
 NO ACCESS TO BERMUDA ROAD.



AMENDMENT

IN RE:

APPLICATION NO. CZ-86024

WILLIAMS-ADAIR EQUITY :
CORPORATION. :
Applicant :
Property located on the :
DeKalb/Gwinnett County line :
adjacent to Stone Mountain :
Airport with frontage on :
Bermuda Road :

COMES NOW the Applicant, WILLIAMS-ADAIR EQUITY CORPORATION, and requests that the above-captioned Rezoning Application be amended to incorporate the conditions of rezoning listed below:

(1) There shall be no access from the development to Bermuda Road other than a limited access for fire and emergency vehicles if the same is required by DeKalb County at the time permits are obtained for the development of this property;

(2) All buildings located on the property shall be a maximum of one story;

(3) A fifty foot undisturbed buffer shall be maintained along Bermuda Road and adjoining residential property in Gwinnett County, except that the buffer may be disturbed as described in paragraph number 4 herein below;

(4) The Applicant will provide a six foot earthen berm along the line of the aforementioned fifty foot buffer. The slope of the berm will be approximately two to one and the berm may extend into the fifty foot buffer by as much as fifteen feet. Eleagnus shrubs and/or Virginia Pines will be planted along the top of the berm on ten foot centers. Each of these plantings will be a minimum of three feet in height. The berm will be maintained by the Applicant;

(5) Lighting on the property will be directed away from adjoining residential properties.

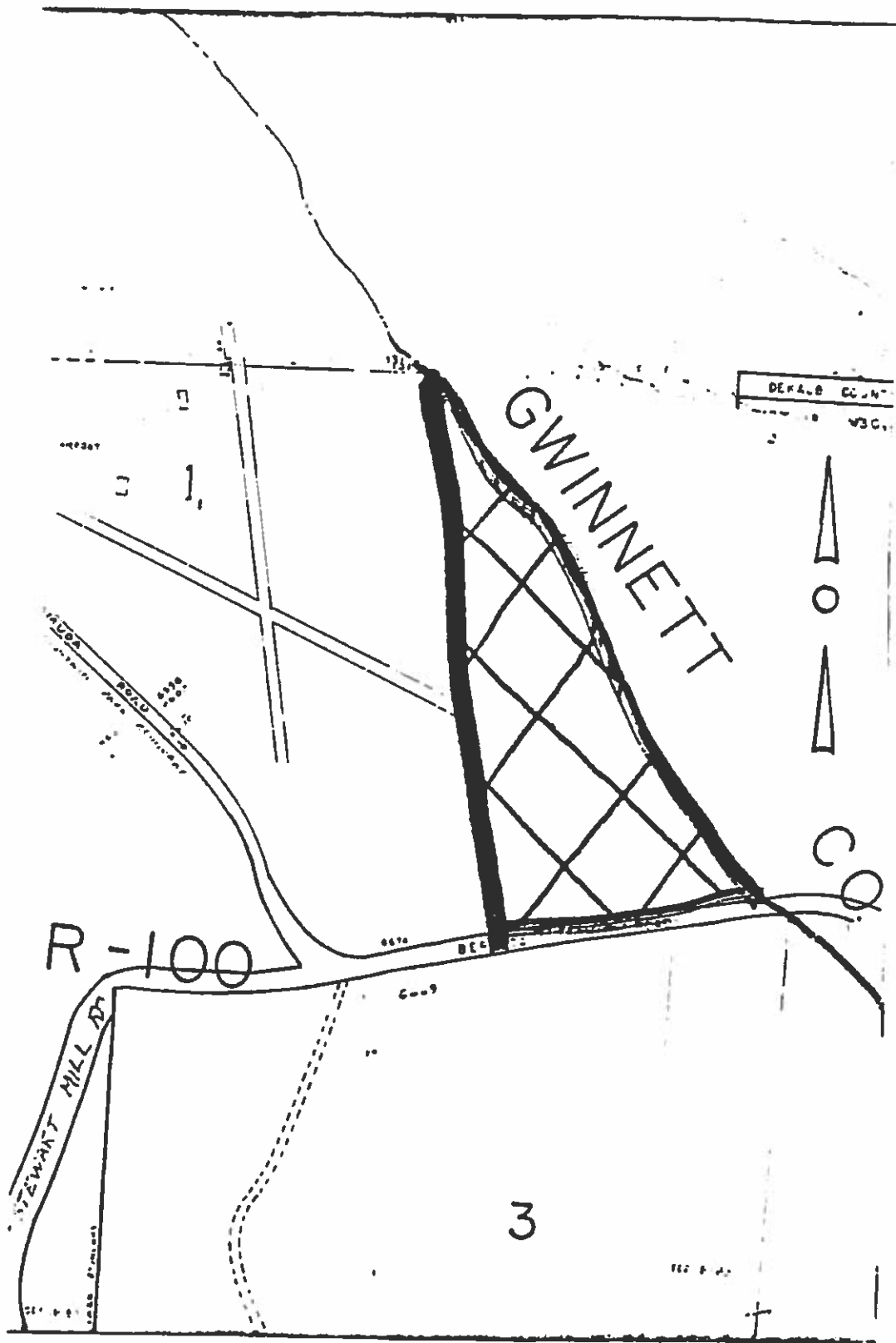
Accordingly, WILLIAMS ADAIR EQUITY CORPORATION respectfully requests that the Application be amended to incorporate the above conditions of rezoning.

DILLARD, GREER, WESTMORELAND
& WILSON, P.C.

By: Kathleen Lewis Beard
Kathleen Lewis Beard
Attorney for applicant

800 Monarch Plaza
3414 Peachtree Road, N.E.
Atlanta, Georgia 30326
(404) 231-0000

SUBMITTED: 3/13/86

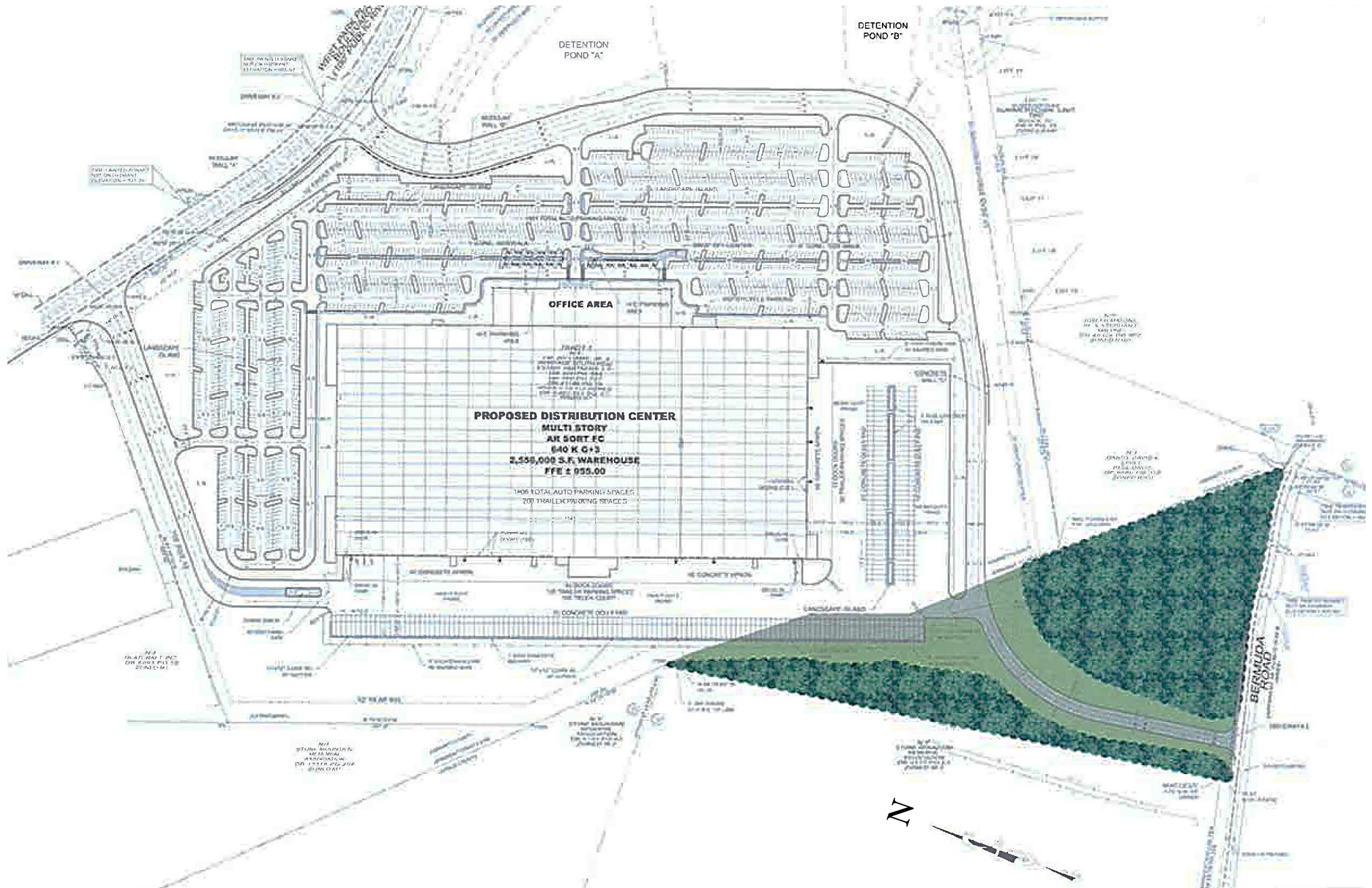


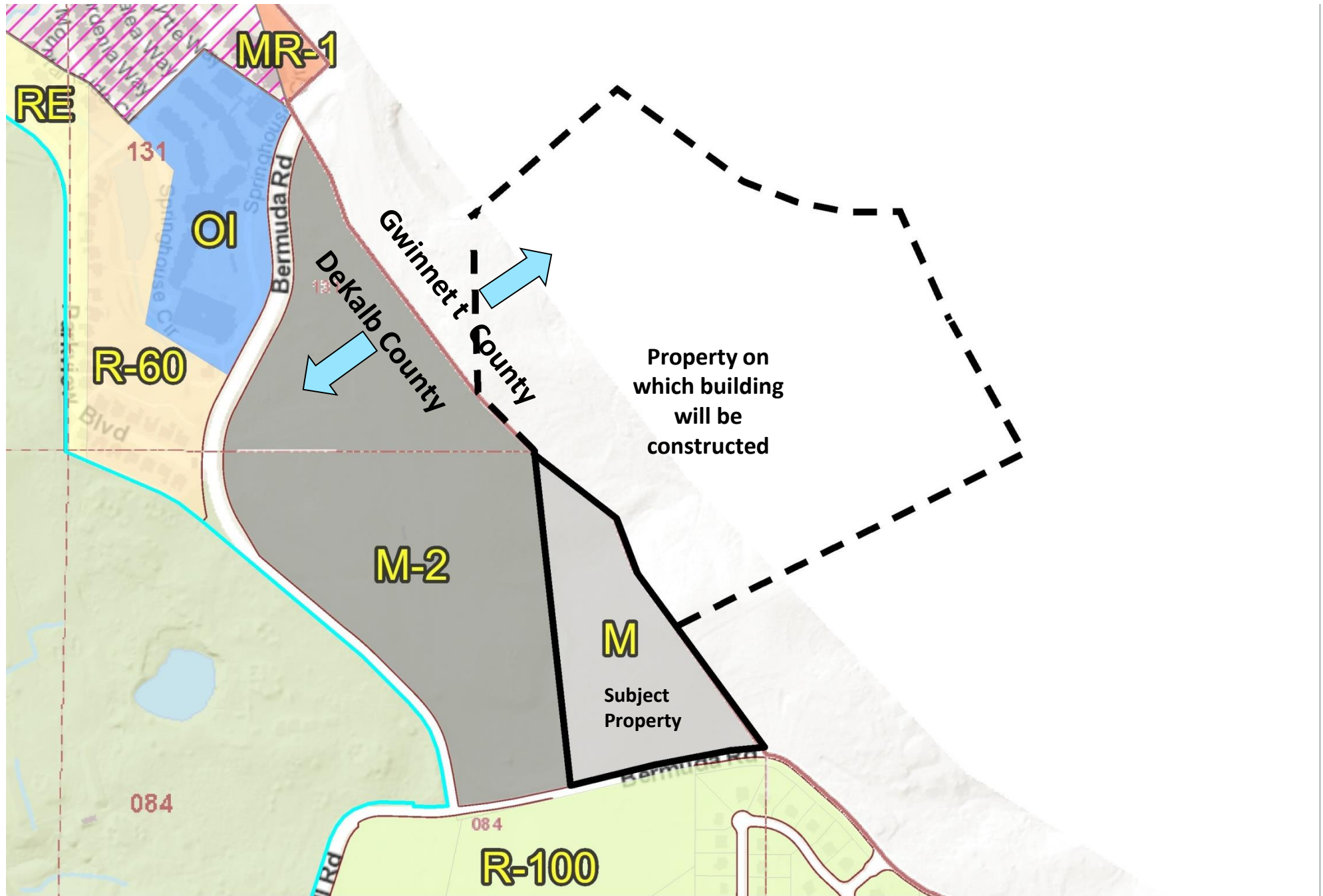
CZ-86024

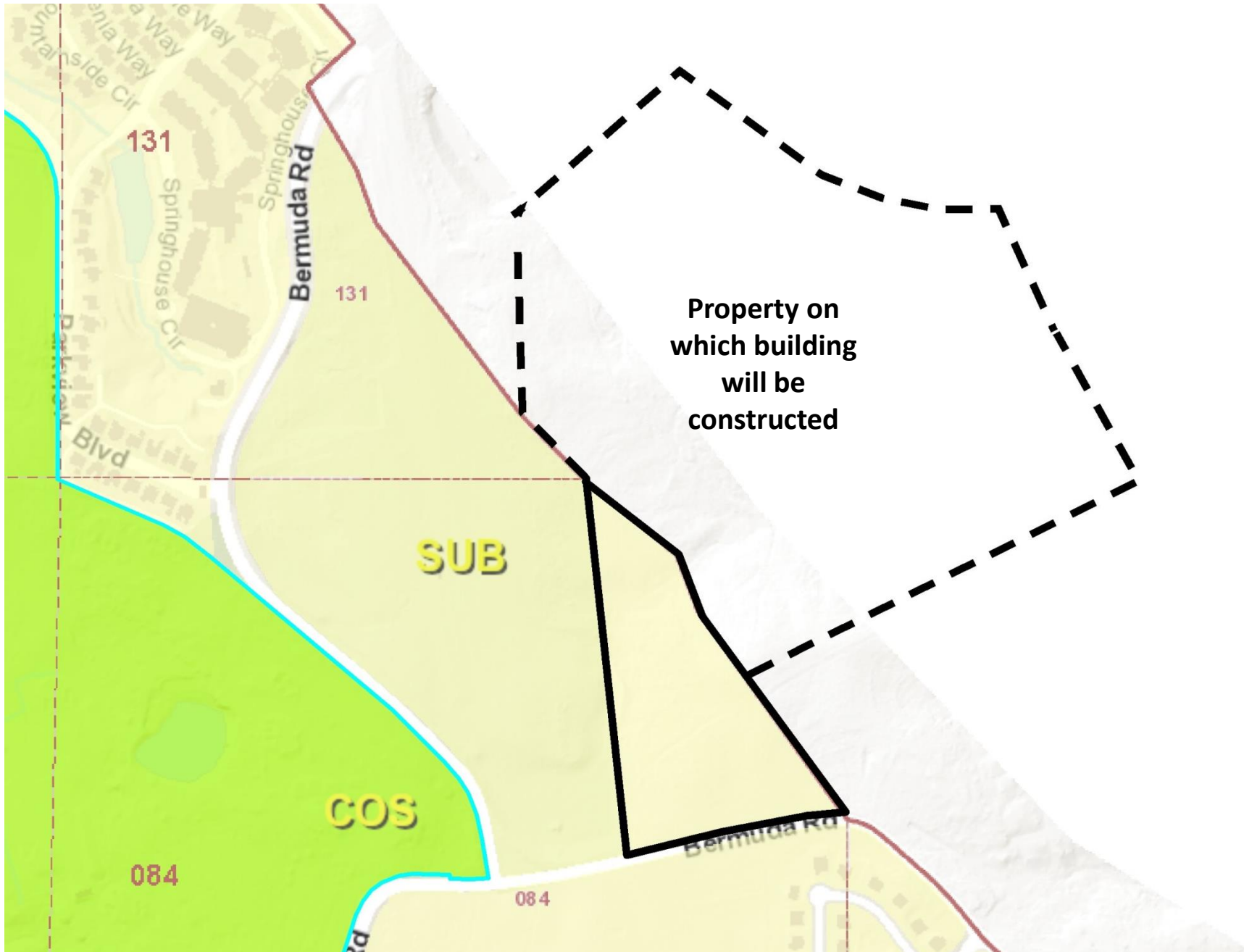
R-100 TO M

CONDITIONAL

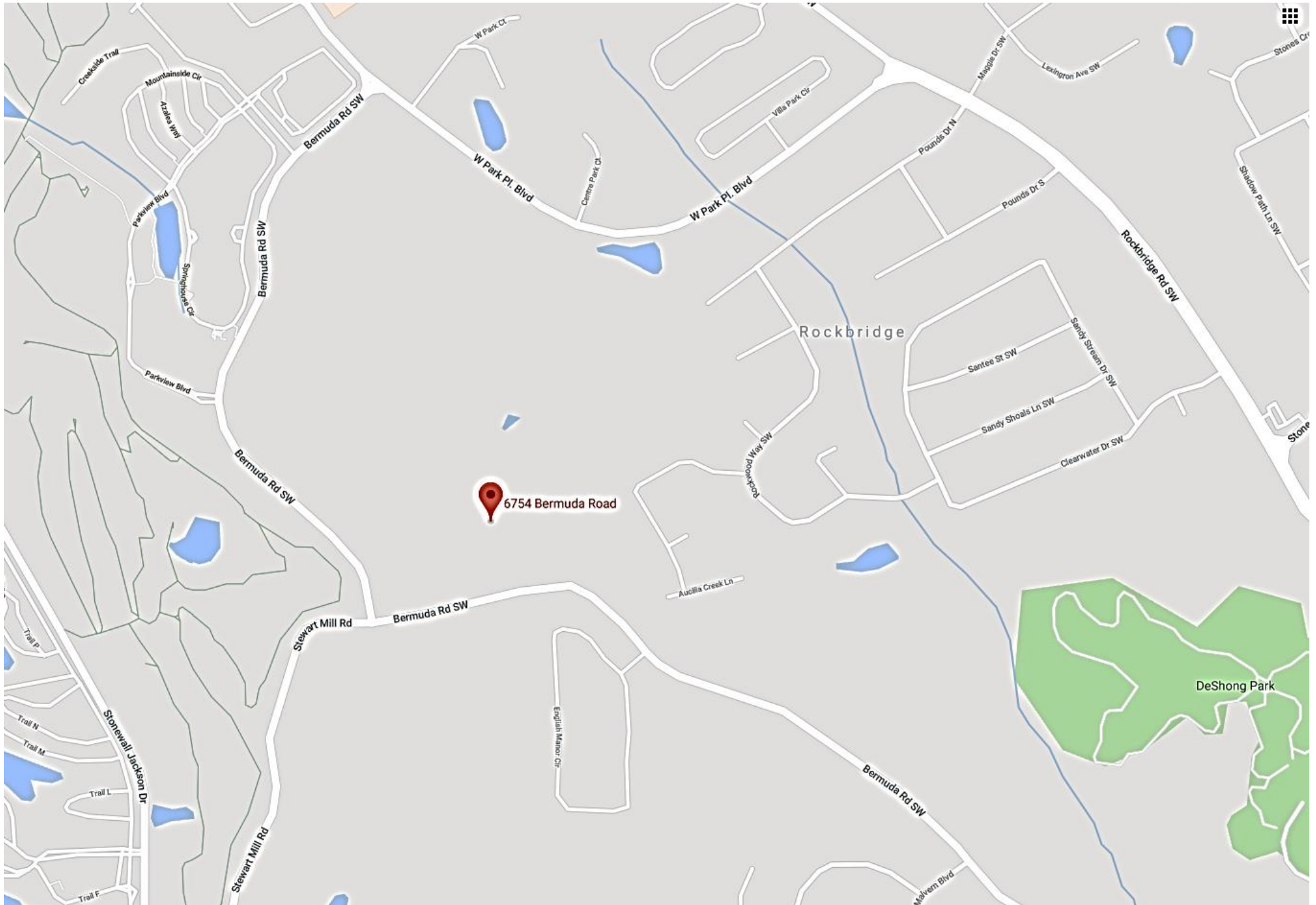
D:37













(Left) Subject Property, looking northeastward



(Right) Subject Property, looking northwestward