



## **DeKalb County Department of Planning & Sustainability**

**330 Ponce De Leon Avenue, Suite 300**

**Decatur, GA 30030**

**(404) 371-2155 / [plandev@dekalbcountyga.gov](mailto:plandev@dekalbcountyga.gov)**

**Planning Commission Hearing Date: March 05, 2019, 6:30 P.M.**

**Board of Commissioners Hearing Date: March 26, 2019, 6:30 P.M.**

### **STAFF ANALYSIS**

**Case No.:** Z-19-1235180 **Agenda #:** N.2

**Location/Address:** The east side of Rock Chapel Road, approximately 101 feet north of Rock Mountain Road at 1422 and 1450 Rock Mountain Road, Lithonia, Georgia. **Commission District:** 5 **Super District:** 7

**Parcel ID:** 16-189-01-002 & 16-189-01-003

**Request:** To rezone property from R-100 (Residential Medium Lot) District to M (Light Industrial) District to develop a parking lot for a trucking company and utilize the existing residential structure as office space.

**Property Owners:** Arnold Bowen

**Applicant/Agent:** Rose Evans

**Acreage:** 8.53 Acres

**Existing Land Use:** Two (2) Single-Family Residential Structures

**Surrounding Properties:** Single-Family Detached Residences

**Adjacent & Surrounding Zoning:** North: R-100 (Residential Medium Lot) District  
East, South & West: R-100 (Residential Medium Lot) District  
Further South: M (Light Industrial) District

**Comprehensive Plan:** Suburban (SUB) Inconsistent X (Application LP-19-1235181)

<b>Proposed Residential Units:</b> N/A	<b>Existing Residential Units:</b> 2
<b>Proposed Lot Coverage:</b> <80%	<b>Existing Lot Coverage:</b> <35% Per Lot

## **SUBJECT PROPERTY & PROJECT ANALYSIS**

The subject site consists of two (2) adjacent properties located on the east side of Rock Chapel Road (a major arterial) in unincorporated DeKalb County. North and east of the site are scattered single-family detached residences along Rock Chapel Road and Stephenson Road. Other surrounding land uses include a mixture of industrial uses further east along Rock Mountain Road.

Per the submitted Letter-of-Intent, the applicant seeks to rezone the subject site to operate a parking lot for trucks, trailers and heavy equipment parking. Per Staff's observation, the one lot at 1422 Rock Chapel Road is developed with a small wood frame structure that serves as an office for truck parking in the rear of the site. Staff noted a few truck cabs and cars parked on the site. The parking lot appears to be asphalt; however, parking spaces are not delineated. The adjacent lot at 1450 Rock Chapel Road is heavily wooded with mature trees and shrubbery. A small deteriorated and uninhabitable residential structure sits on the site. Per the submitted site plan and survey, it appears there is no immediate future use for the 1450 Rock Chapel Road property at this time.

## **ZONING ANALYSIS**

The site is currently zoned R-100 (Residential Medium Lot) District without conditions. The subject application requests an amendment to the Official Zoning Map pursuant to Chapter 27, Article 7.3 of the DeKalb Code of Ordinances to rezone the site to the M (Light Industrial) District to allow a parking lot for trucks and industrial vehicles. Per Article 2.31.1.B, the intent of the M zoning district is to provide an environment for light industrial uses that produce no appreciable impact on adjacent properties and preserve the appeal and appearance of residential and commercial properties. The applicant's request to rezone the site to the M (Light Industrial) District fails to protect and preserve adjacent residential properties by increasing the intensity of land uses allowed on the site. The proposed M zoning district is inconsistent with adjacent residential zoned properties along Rock Chapel Road and the west side of Stephenson Road. The Industrial uses in the area are primarily south and further east of Rock Mountain Road which is the line of demarcation between industrial and suburban land uses established by the Comprehensive Plan along Rock Chapel Road. Encroachment of industrial land uses north of Rock Mountain Road would impact small but stable and established residential uses along Rock Chapel Road. The proposed M zoning district is not appropriate for the site given its inconsistency with the 2035 Comprehensive Plan Land Use Plan which designates the site within a Suburban (SUB) Land Use Character Area. The applicant has filed a companion Land Use Plan Map amendment application (LP-19-1235181) to request a change from Suburban (SUB) to Light Industrial (LIND).

## **COMPLIANCE WITH DISTRICT STANDARDS**

Property zoned for M (Light Industrial) must comply with minimum development standards per Article 2- Table 2.2 Non-Residential Zoning Districts Dimensional Requirements of the DeKalb County Zoning Ordinance.

STANDARD	REQUIREMENT	PROPOSED	COMPLIANCE
LOT WIDTH (M) Table 2.2	A minimum 100 feet of lot width on a public street frontage	Approximately 583 feet of frontage along Rock Chapel Road.	Yes
LOT AREA (M)	30,000 Square Feet	8.53 acres or 371,567 Square Feet	Yes
FRONT BUILDING SETBACK	60 Feet	>110 Feet	Yes

SIDE BUILDING SETBACK	Side Interior 20 Feet	N/A	N/A
REAR SETBACK	30 Feet	>30 Feet	Yes
TRANSITIONAL BUFFER Table 5.2(a)	75 Feet adjacent to residential zoned properties	None. Submitted plans fail to depict required buffers along the north, south and east property lines adjacent to residential zoned properties.	No, but there is enough land to accommodate required buffers.
HEIGHT	Max 3 stories	1-story	Yes
PARKING Article 6	Minimum 1 space for each 1,300 square feet of floor area. Existing building is approximately 1,084 square feet.	Although not shown on submitted plans.	Site can comply with one (1) parking space for 1,084 square feet of parking area.

**Chapter 27-Article 7.3.5. Standards and factors governing review of proposed amendments to the Official Zoning Map. The following standards and factors are found to be relevant to the exercise of the county's zoning powers and shall govern the review of all proposed amendments to the Official Zoning Map:**

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

The 2035 Comprehensive Plan designates this site within a Suburban (SUB) Character Area. The proposed Industrial uses are not permitted within a Suburban Character Area and is therefore inconsistent with the following 2035 plan policy: Protect stable neighborhoods from incompatible development that could alter established residential development patterns and density. The applicant has filed a companion Land Use Plan Amendment (LP-19-1235181) to request a change from Suburban (SUB) to Light Industrial (LIND) on the subject site.

**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 rezoning request to M (Light Industrial) District will permit a use that is not suitable in view of the existing single-family detached residence north and east of the site along Rock Chapel Road.

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

Currently zoned R-100 (Residential Medium Lot) District, the property has a reasonable economic use if developed and used as a single-family residence. However, an M (Light Industrial) zoning district on the site may yield more economic options.

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

The rezoning request may adversely affect the existing use or usability of adjacent and nearby residential properties by permitting an industrial land use in close proximity with existing single-family residences.

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

Existing zoned and residential land use patterns north and east of the site give supporting grounds for disapproval of the request to change residential zoning to an Industrial zoning district. The existing industrial land uses on Rock Chapel Road appear to be firmly established south of Rock Mountain Road further away from the subject site.

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

It is not known whether the proposed M (Light Industrial) District will have an adverse effect on historic buildings, sites, districts, or archaeological resources.

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

The site has frontage on a major arterial (Rock Chapel Road). Access routes to the site may not cause an excessive burden on existing streets. The proposed rezoning will have no impact on area schools.

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

The rezoning proposal to the M (Light Industrial) District for industrial uses may adversely impact the stable residential environment adjacent and surrounding the subject site.

**Staff Recommendation: DENIAL**

The proposed request for M (Light Industrial) District on the subject site is inconsistent with existing residential land uses north of Rock Mountain Road. Industrial uses are primarily south and further east of Rock Mountain Road which is the line of demarcation between industrial and suburban land uses established by the Comprehensive Plan along Rock Chapel Road. Encroachment of industrial land uses north of Rock Mountain Road would impact small but stable and established residential uses along Rock Chapel Road. Therefore, it is the recommendation of Planning and Sustainability Department that the rezoning request for M (Light Industrial) District on the subject site be "**DENIED**".

**Attachments:**

1. Department and Division Comments
2. Application
3. Site Plan
4. Zoning Map & Land Use Map
5. Aerial Photograph/Site Photographs

## Traffic Comments - March 2019 Zoning Agenda

N1 & N2. Rock Chapel Road is SR 124. GDOT review and permits required. . Contact Justin Hatch at GDOT District 7 ([juhatch@dot.gov](mailto:juhatch@dot.gov)). Rock Chapel Road is classified as a major arterial. See Chapter 14-190 and Chapter 5 of the Zoning Code for required infrastructure improvements. Right of way dedication of 50 feet from centerline required. All public infrastructure is required on public right of way- even if it exceeds 50 feet from centerline. Applicant is encouraged to seek an access easement across private property to obtain access to the traffic signal at Rock Mountain Rd and Rock Chapel Road. Street lighting along Rock Chapel Road required.

N3. No customer parking within public right of way along Chantilly Road due to close proximity of multiple intersections. Chantilly Road is classified as a local road. See Chapter 14-190 and Chapter 5 of the Zoning Code for required infrastructure improvements. Right of way dedication of 27.5 feet from centerline of Chantilly Road. These requirements will be applied with any land development permits.

N4. Rice Road, Classified as a local road. No comment.

N5. Lexington Trace is classified as a local road. Agape Way is classified as a local road. Agape Road is located within the I-285 right of way. GDOT review and approval is required. Contact Justin Hatch at GDOT District 7 ([juhatch@dot.gov](mailto:juhatch@dot.gov)). Applicant must coordinate with the Major Mobility Improvement Projects (MMIP) proposed managed lanes project along the east wall of I-285. Contact Tim Matthews ([TMatthews@dot.ga.gov](mailto:TMatthews@dot.ga.gov)) prior to permitting. Local roads require a 27.5 foot right of way dedication from centerline, 5 foot landscape strip, 5 foot sidewalk. See Chapter 14-190 and Chapter 5 of the Zoning Code for required infrastructure improvements. Streetlights required. Infrastructure improvements required on all frontages.

N6. Nicole Lane is classified as a local road. Reginald Court is classified as a local road. No comment.

N7 & N8. E. Tupelo Street is classified as a local roads. Oldfield Road is classified as a local road. All local public roads require a 27.5 foot right of way from centerline, five foot landscape strip, five foot sidewalk and street lights. Infrastructure improvements required on all frontages. See Chapter 14-190 and Chapter 5 of the Zoning Code for required infrastructure improvements.

N9. Wellborn Road is classified as a collector road. Collector Roads require a 35 foot right of way dedication from centerline, 6 foot sidewalk, 4 bike lane, 5 foot landscape strip, and streetlights. Covington Hwy is classified as major arterial. Requires GDOT approval and review. Contact Justin Hatch at GDOT District 7 ([juhatch@dot.gov](mailto:juhatch@dot.gov)). Major arterials require a 50 right of way dedication from centerline, 6 foot sidewalks, 4 foot bike lane, 5 foot landscape strip and street lights. Number of units requires two access points per code. Eliminate the acceleration lane at entrance. GDOT has just awarded an intersection project at the intersection of Covington Hwy at Wellborn Rd/Cove Lake Road. Coordinate with construction awarded to Baldwin Paving. Install a roundabout at the access point on Wellborn Road- eliminates the right turn lane and the left turn lane. The Transportation Division will support the one entrance with the installation of a roundabout, but still requires Board action to vary from the code.

N10. Flowers Road is classified as a collector road. Collector Roads require a 35 foot right of way dedication from centerline, 6 foot sidewalk, 4 foot bike lake, 5 foot landscape strip, and streetlights. Covington Hwy is classified as major arterial. Extend infrastructure improvements along all property lines. Intersection, stopping and left turn sight distance required to be verified by Professional Engineer at entrance on Wellborn Road due to curve and possible hill crest along Wellborn Road. Minimum sight distance requirements must be met for permitting.



N2

DEKALB COUNTY GOVERNMENT  
PLANNING DEPARTMENT  
DISTRIBUTION FORM

NOTE: PLEASE RETURN ALL COMMENTS VIA EMAIL OR FAX TO EXPEDITE THE PROCESS TO  
MICHELLE ALEXANDER [MMALEXANDER@DEKALBCOUNTYGA.GOV](mailto:MMALEXANDER@DEKALBCOUNTYGA.GOV) OR JOHN REID  
[JREID@DEKALBCOUNTYGA.GOV](mailto:JREID@DEKALBCOUNTYGA.GOV)

COMMENTS FORM:

PUBLIC WORKS TRAFFIC ENGINEERING

Case No. 2019-3210 Z-19-1235180 Parcel I.D. #: 16-189 01-003  
1422 + 1450  
Address: Rock Mountain Road  
Lithonia, Georgia

Adjacent Roadway (s):

\_\_\_\_\_  
(classification)

\_\_\_\_\_  
(classification)

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

Please provide additional information relating to the following statement.

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

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

COMMENTS:

Did not see any traffic engineering concerns at this time.

Signature: John Reid



## DEKALB COUNTY GOVERNMENT

### PLANNING DEPARTMENT

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 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 proposed use of the site is a stormwater hotspot. Recommend Low Impact Development features/Green Infrastructure be included in the proposed site design to protect as much as practicable.

- **Flood Hazard Area/Wetlands**

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

- **Landscaping/Tree Preservation**

Landscaping and tree preservation plans for any building, or parking lot must comply with DeKalb County Code of Ordinances 14-39 as well as Chapter 27 Article 5 and are subject to approval from the County Arborist.

- **Tributary Buffer**

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

- **Fire Safety**

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



Chief Executive Officer  
Michael Thurmond

DEPARTMENT OF PLANNING & SUSTAINABILITY

Director  
Andrew A. Baker, AICP

APPLICATION TO AMEND OFFICIAL ZONING MAP  
OF DEKALB COUNTY, GEORGIA

Z/CZ No. \_\_\_\_\_ Filing Fee: \_\_\_\_\_  
Date Received: August 16, 2018 Application No.: 1235180  
Applicant: Rose Evans E-Mail: rose.evans100@yahoo.com  
Applicant Mailing Address: 106 Horseshoe Spring Ct, Conyers, GA 30013  
Applicant Phone: 770-256-6088 Fax: \_\_\_\_\_  
Owner(s): ARNOLD Bowen E-Mail: ENVROEXPRESSIVE@yahoo.com  
(If more than one owner, attach as Exhibit "A")  
Owner's Mailing Address: 1422 Rock Chapel Rd, Lithonia, GA 30058  
Owner(s) Phone: 404-227-6042 Fax: \_\_\_\_\_  
Address/Location of Subject Property: 1422 & 1450 Rock Chapel Rd Lithonia, GA 30058  
District(s): 16 Land Lot(s): 189 Block: \_\_\_\_\_ Parcel(s): 16 189 01 003  
Acreage: 8.525 Commission District(s): Base District 5; Super District 7  
Present Zoning Category: R-100 Proposed Zoning Category: M-1  
Present Land Use Category: Residential

**PLEASE READ THE FOLLOWING BEFORE SIGNING**

This form must be completed in its entirety before the Planning Department accepts it. It must include the attachments and filing fees identified on the attachments. An application, which lacks any of the required attachments, shall be determined as incomplete and shall not be accepted.

**Disclosure of Campaign Contributions**

In accordance with the Conflict of Interest in Zoning Act, O.C.G.A., Chapter 36-67A, the following questions must be answered:

Have you the applicant made \$250 or more in campaign contributions to a local government official within two years immediately preceding the filing of this application? Yes ☒ No ☐

If the answer is yes, you must file a disclosure report with the governing authority of DeKalb County showing:

1. The name and official position of the local government official to whom the campaign contribution was made.
2. The dollar amount and description of each campaign contribution made during the two years immediately preceding the filing of this application and the date of each such contribution.

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

Paul Thomas 8/15/18  
NOTARY

July 17, 2020  
EXPIRATION DATE / SEAL

Rose Evans 8/15/18  
SIGNATURE OF APPLICANT / DATE

Check One: Owner ☐ Agent ☒

August 15, 2018

DeKalb County Zoning  
330 West Ponce De Leon Ave  
Decatur, GA 30030

CC: Arnold Bowen  
3456 E HIGHTOWER TRL  
CONYERS GA 30012

**Letter of Intent:** 1422 Rock Chapel Rd  
1450 Rock Chapel Rd

**RE-ZONING LETTER**

To whom it may concern,

I, Rose Evans (A licensed real estate agent within the state of Georgia) am submitting this Letter of Intent on behalf of the above property(s) owner Mr. Arnold Bowen for re-zoning.

I am asking for the re-zoning of these two parcels of land from Residential to M-1 because there is a growing demand for truck parking in this area. There are over 100 new small trucking businesses within the 5 mile radius who are looking for truck, trailer and heavy equipment parking.

1422 Rock Chapel Rd (parcel ID 16 18 01 003) is a 5.25 acres with a small one story building that will be use as for office and 1450 Rock Chapel Rd (parcel ID 16 18 01 002) is a 3.9 acres vacant lot. Both properties are owned by Mr. Arnold Bowen. The intent is to re-zone these two parcels from residential, R-100 to M for Industrial. These two properties will be used for parking for a trucking company.

1422 Rock Chapel Rd and 1450 Rock Chapel Rd are adjacent properties to each another. The properties are located on the corner to the intersection of Rock Mountain Rd and Rock Chapel Rd (See Exhibit A). This intersection, in which the properties sit on the corner lot, is the cusp of the Lithonia Industrial Zone, where many industrial business (such as Martin Marietta Lithonia Quarry, Quikrette, USA Ready Mix, War Trucking, Blue Circle Aggregates, and WAR Trucking LLC), also, Pittman Construction Company is a Asphalt Plant, Gravel Mix, heavy duty highway equipment and paving company is located directly behind the subject properties at 2250 Stephenson Rd, Lithonia, GA 30058. These properties are within .02 miles of the above listed properties.

If you have any questions about this project you can reach me directly at 770-256-6088.

Sincerely,



Rose Evans

## ZONING IMPACT ANALYSIS

A) The zoning proposal is in conformity with the policy and intent of the comprehensive plan of like properties currently zoned M1, surrounding the subject property.

B) This zoning proposal will indeed permit a use suitable in view of the use and development of adjacent properties. All the properties nearby to the subject are industrial and are already zoned M1. Such as: Martin Marietta Quarry, Quikrete, USA Ready Mix, War Trucking, Blue Circle Aggregates, and also Pittman Construction Company which is a Asphalt Plant, Gravel Mix and heavy duty highway equipment and paving Company. The other neighboring properties are zoned R-100. It appears to be an industrial locale with very few residential occupied properties.

C) The current zoning of R-100 is not the greatest use. The highest and best use for this property with the greatest economic use is to grant M-1 zoning. There are multiple Industrial businesses within .02 miles of the subject properties.

D) The adjacent properties will not be adversely affected by this zoning proposal. In fact, this zoning will affix to the neighborhood conformity with the existing use of usability of nearby real estate. The very limited number of residential zoned parcels will be re-zoned in the near future to conform to neighborhood.

E) It is evident based on the current use of the surrounding properties that the area will remain industrial with minimal residential use. We expect the residential properties to also become industrial zoned in the near future. Therefore, the neighborhood will be commercial, industrial use. Property adjacent to the subject located at: 1226 Rock Chapel Road is currently listed for sale, home with one acre of land. Listing states that property has unlimited possibilities and potential commercial.

F) This zoning proposal will not adversely affect historic building, sites, districts, or archaeological resources in the immediate area. The majority of historical parcels within this zip code are located in the city of Lithonia, 3-4 miles from the subject. The historical homes in that location are in conformity with the local historical market. There are very few historical properties outside the city limits.

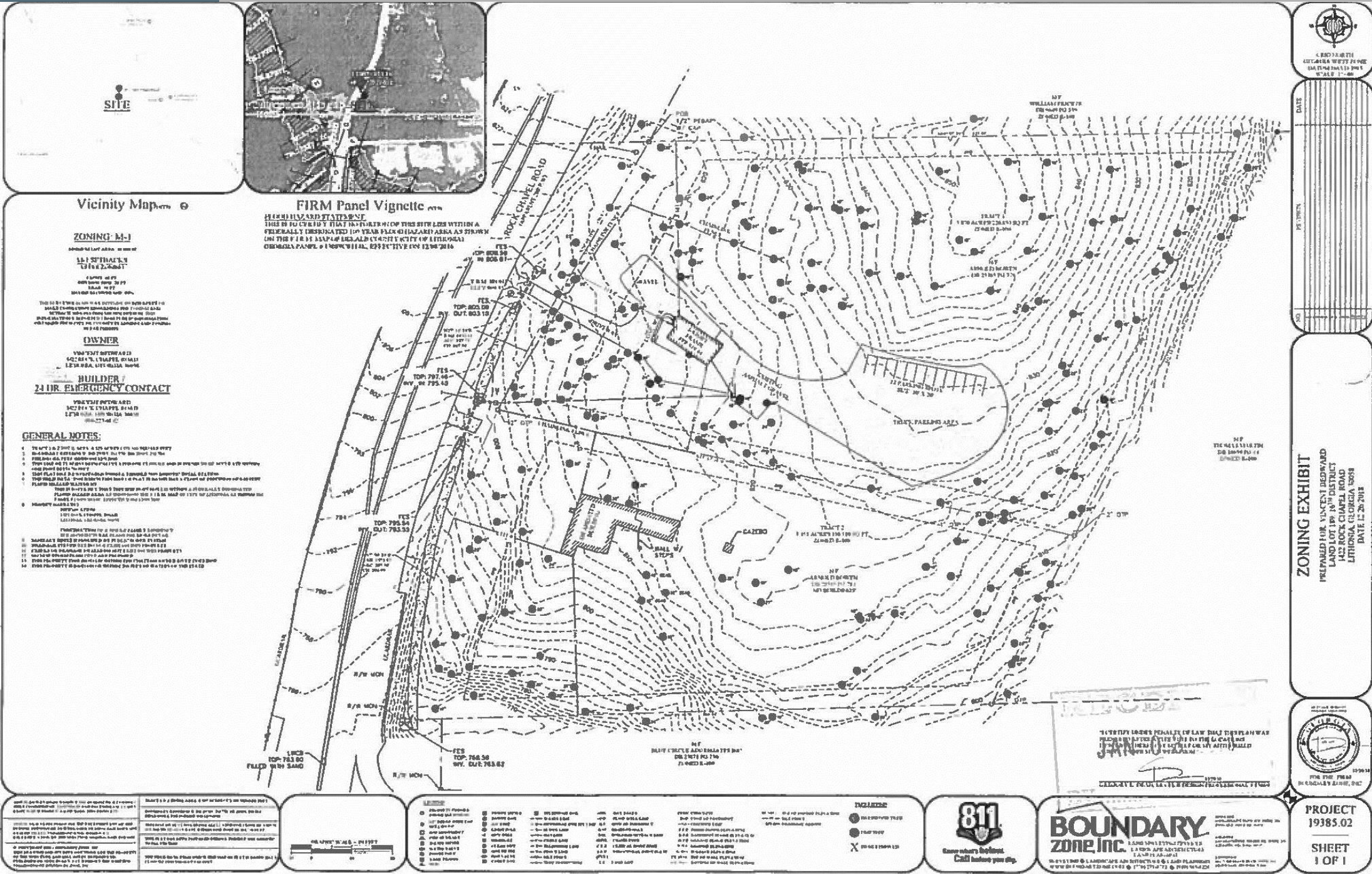
G) There is no foreseen burden impacting existing streets, transportation facilities, utilities, or schools. The use of the property will conform with the neighborhood along with other properties that are zoned for industrial use. Maintaining residential use would be difficult to access the main through way due to excessive traffic from commuters.

H) Zoning changes will not adversely impact the environment or surrounding natural resources located on the subject's land nor the surrounding neighborhood. The property will only be utilized as a commercial trucking company with gravel and asphalt paving.









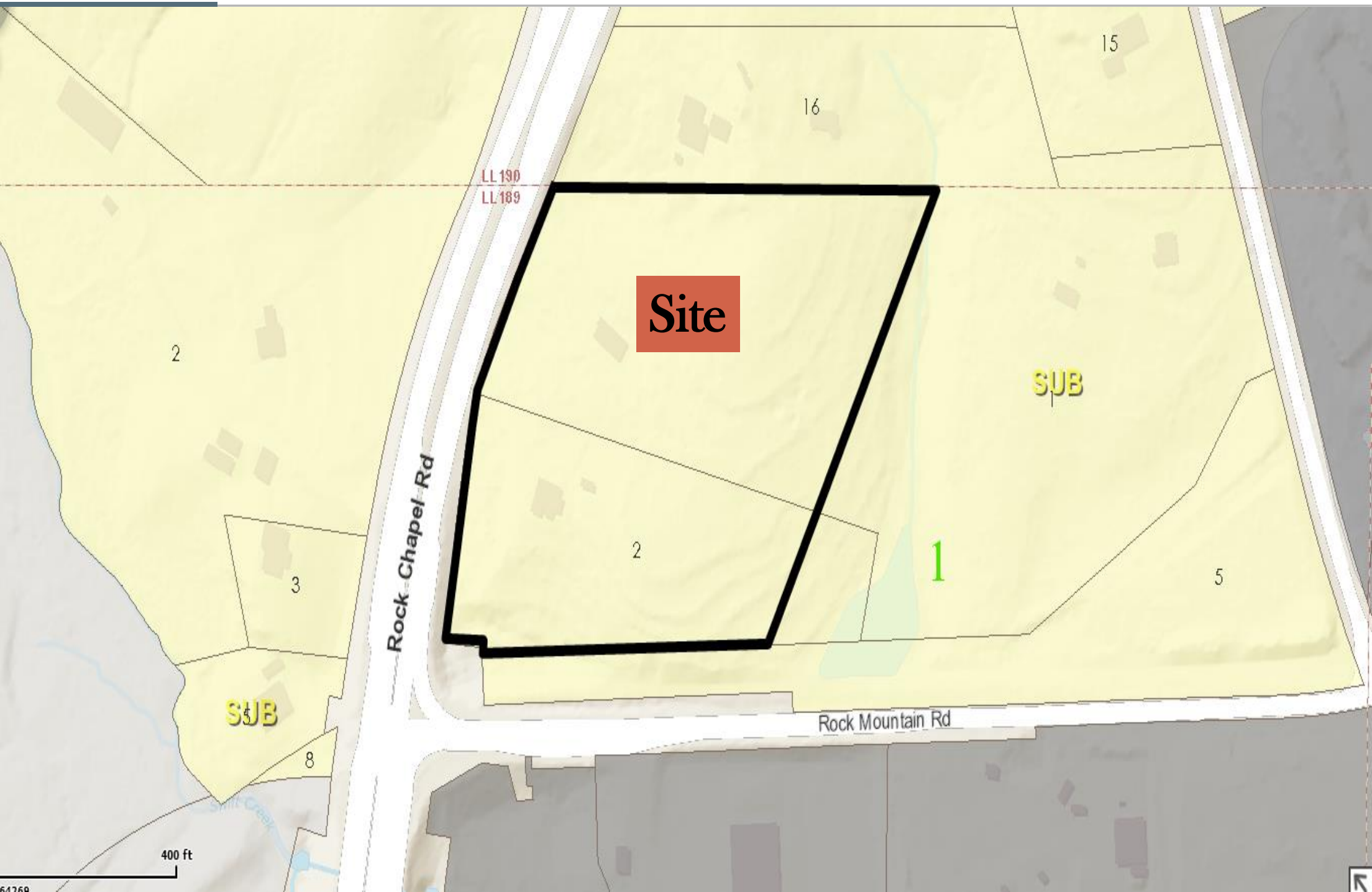




N.2

Z-19-1235180

Suburban Land Use







Site

Rock Chapel Road

Rock Mountain Road

400 ft



**N.2**

**Z-19-1235180**

**Site Photos**



**1422 Rock Chapel Road**