



# DeKalb County Government

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

## Agenda Item

**File #:** 2020-0314

6/2/2020

**File Status:** Preliminary Item

**Public Hearing:** YES  NO

**Department:** Planning & Sustainability

**SUBJECT:**

**COMMISSION DISTRICT(S):** 2 & 6

**Application of Luke Wemette to request a Special Land Use Permit (SLUP) for a proposed restaurant with a drive-through in a C-1 (Local Commercial) District in accordance Chapter 27, Article 4 of the DeKalb County Zoning Ordinance, Table 4.1., at 2550 Lawrenceville Highway.**

**PETITION NO:** N5. SLUP-20-1243837 (2020-0314)

**PROPOSED USE:** Restaurant with a drive-through.

**LOCATION:** 2550 Lawrenceville Highway.

**PARCEL NO. :** 18-146-02-081

**INFO. CONTACT:** Jeremy McNeil

**PHONE NUMBER:** 404-371-2155

**PURPOSE:**

Application of Luke Wemette to request a Special Land Use Permit (SLUP) for a proposed restaurant with a drive-through in a C-1 (Local Commercial) District in accordance Chapter 27, Article 4 of the DeKalb County Zoning Ordinance, Table 4.1. The property is located on the southwest corner of Lawrenceville Highway and Haralson Road, at 2550 Lawrenceville Highway, Decatur, Georgia. The property has frontage of 325 feet on Haralson Road, 601 feet on Lawrenceville Highway and contains 1.09 acres.

**RECOMMENDATION:**

**COMMUNITY COUNCIL:** Approval with a condition.

**PLANNING COMMISSION:** Pending.

**PLANNING STAFF:** Planning Staff Recommendation

**STAFF ANALYSIS:** The proposed restaurant with a drive-through lane is compatible with nearby commercial uses along Lawrenceville Highway. The site is in the Commercial Redevelopment Corridor Character Area where the proposed drive-through restaurant is consistent with the following policy and intent of the character area: creating mixed uses that offer a variety of retail and commercial services along Lawrenceville Highway. Therefore, it is the recommendation of Planning and Sustainability Department that the Special Land Use

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Permit (SLUP) to allow a restaurant with a drive-through be “Approved, with conditions”.

**PLANNING COMMISSION VOTE: Pending.**

**COMMUNITY COUNCIL VOTE/RECOMMENDATION: Approval with a condition (10-9-0)** that there be no curb cut from Haralson Road.

**RECOMMEND CONDITIONS SLUP-20-1243837**

1. That the proposed restaurant with a drive-through lane shall be depicted on the site plan received by the Department of Planning and Sustainability dated 02/11/2020. Said site plan is conceptual and is subject to compliance with C-1 (Local Commercial) zoning standards and unless variances are obtained from appropriate regulatory authorities.
2. That there shall be no curb cuts on Harelson Road.
3. That a 50-foot transitional buffer shall be planted along the western boundary line of the site and shall adhere to the buffer planting and materials requirements as shown in Section 5.4.5 of the DeKalb County Zoning Ordinance.
4. The approval of this SLUP application by the Board of Commissioners has no bearing on the requirements for other regulatory approvals under the Zoning Board of Appeals, or other entity.



**DeKalb County Department of Planning & Sustainability**

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

**Decatur, GA 30030**

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

Michael Thurmond  
Chief Executive Officer

**Planning Commission Hearing Date: June 2, 2020, 5:30 P.M**  
**Board of Commissioners Hearing Date: June 25, 2020, 5:30 P.M.**

**STAFF ANALYSIS**

**Case No.:** SLUP-20-1243837 **Agenda #:** N.5

**Location/Address:** 2550 Lawrenceville Highway **Commission District:** 04 **Super District:** 06

**Parcel ID:** 18-146-02-081

**Request:** A Special Land Use Permit (SLUP) for a proposed drive-through restaurant in a C-1 (Local Commercial) District accordance Chapter 27, Article 4 of the DeKalb County Zoning Ordinance, Table 4.1.

**Property Owner/Agent:** Kadirali Chunara

**Applicant/Agent:** Luke Wemette – AXIS Infrastructure, LLC

**Acreage:** 1.09

**Existing Land Use:** Vacant

**Surrounding Properties/ Adjacent Zoning:** **North:** R-75 (Residential Medium Lot) District and C-1 (Local Commercial) District; Detached Single Family Residences and *JJ Express Car Wash*. **East:** C-1 (Local Commercial) District; *Atlanta Cancer Care/Northside Hospital*. **South:** OI (Office Institutional); Office Building. **West:** R-75 (Residential Medium Lot) District; Detached Single Family Residences.

**Comprehensive Plan:** **Commercial Redevelopment Corridor (CRC)**  **Consistent**  **Inconsistent**

<b>Proposed Density:</b> N/A	<b>Existing Density:</b> N/A
<b>Proposed Square Ft.:</b> N/A	<b>Existing Units/Square Feet:</b> N/A
<b>Proposed Lot Coverage:</b> 43.8%	<b>Existing Lot Coverage:</b> 50%

## **SUBJECT PROPERTY**

The subject property is located on the northeast corner of Lawrenceville Highway and Haralson Road. The subject property contains 1.09 acres with approximately 119 feet of frontage along Lawrenceville Highway (Major Arterial) and approximately 325 feet of frontage along Haralson Road. The property currently contains a vacant building which was the former site of *Bruster's Ice Cream*. The surrounding properties to the north across Haralson Road are detached single family residences and *JJ Express Car Wash*. The surrounding property to the south are office buildings. The property west of the subject property is a detached single family residence. Directly east of the subject property across Lawrenceville Highway is *Atlanta Cancer Care/Northside Hospital*.

## **ZONING HISTORY AND ANALYSIS**

The site was previously zoned OI (Office Institutional) and was later rezoned to C-1 (Local Commercial) on August 24, 1999 pursuant to the following zoning conditions:

1. *Use of the property as an ice cream restaurant.*
2. *Site plan not made a part of the application.*
3. *All requirements of the C-1 zoning classification must be met.*

The southern property line abuts the OI (Office Institutional) zoning district. To the west of the subject site is the R-75 (Residential Medium Lot) zoning district. To the north, across Haralson Road, are R-75 (Residential Medium Lot) and C-1 (Local Commercial) zoning districts. Across Lawrenceville Highway, east of the subject property, is C-1 (Local Commercial) zoning district.

## **PROJECT ANALYSIS**

The applicant is requesting a Special Land Use Permit (SLUP) to allow for a restaurant with a drive through lane in the C-1 (Local Commercial) District. The submitted site plan depicts a one story 1,040 square foot building with a drive through lane that provides one access point to the drive through window. The site plan also depicts 21 parking spaces along the northern, eastern, and southern parts of the structure with the addition of one handicap space. The existing sidewalk along Lawrenceville Highway will be maintained to provide pedestrian access to the restaurant. The existing ingress and egress from Lawrenceville will be maintained for entry/exit for the new proposed restaurant with a drive through lane.

This SLUP request to allow a drive through on the site is compatible with other commercial and retail uses along Lawrenceville Highway, as such Krystal and DQ which are located south along Lawrenceville Highway. The proposed restaurant with a drive-through lane must comply with the following supplemental regulations per Sec.27-4.2.23 of the DeKalb County Zoning Code:

- a. *Not located within sixty feet of a residentially zoned property.*
- b. *Drive-through facility located on property greater than ten thousand square feet in area*
- c. *Drive-through lanes and service windows serving drive-through lanes are located on the side and rear of building*
- d. *No drive-through canopies according to site plan*

- e. *Speaker boxes shall be directed away from any adjacent residential properties.*
- f. *All lighting from drive-through facilities shall be shaded and screened to be directed away from adjacent residential property.*

The subject property currently adjoins a R-75 (Residential Medium Lot) zoned property to the west and based on the County's GIS the northern property line measures approximately 53 feet from the residentially zoned property to the north. A variance will be required in order to comply with the 60-foot separation distance

## **IMPACT ANALYSIS**

**Section 27-7.4.6 of the DeKalb County Code states that the following criteria shall be applied in evaluating and deciding any application for a Special Land Use Permit.**

- A. Adequacy of the size of the site for the use contemplated and whether or not adequate land area is available for the proposed use including provision of all required yards, open space, off-street parking, and all other applicable requirements of the zoning district in which the use is proposed to be located:**

Located on 1.09 acres, adequate land area is available to operate a restaurant with a drive-through lane. All required yards, open space, and off-street parking are satisfied within the C-1 (Local Commercial) District.

- B. Compatibility of the proposed use with adjacent properties and land uses and with other properties and land uses in the district:**

The proposed restaurant with a drive-through lane is compatible with nearby uses with drive through lanes, as such *Krystal and DQ*, which are located south along Lawrenceville Highway.

- C. Adequacy of public services, public facilities, and utilities to serve the contemplated use:**

Given that the area along Lawrenceville Highway is developed with various commercial and retail uses, it appears that there are adequate public streets and services are available for the proposed restaurant with a drive-through lane. DeKalb County Public Works – Water and Sewer notes that a sewer capacity evaluation will be required prior to any sewer connection approval.

- D. Adequacy of the public street on which the use is proposed to be located and whether or not there is sufficient traffic carrying capacity for the proposed use, so as not to unduly increase traffic or create congestion in the area:**

Lawrenceville Highway is a major arterial and Haralson Road is a local street. DeKalb County Department of Public Works -Traffic Engineering found that the proposed use would not disrupt traffic flow. DeKalb County Department of Public Works – Transportation requires 50-foot right of way dedication from centerline, six-foot sidewalks, bike lanes and streetlights along Lawrenceville Highway and 27.5-foot right of way dedication from centerline, five-foot sidewalks, bike lanes and streetlights along Haralson Road.

- E. Whether or not existing land uses located along access routes to the site will be adversely affected by the character of the vehicles or the volume of traffic generated by the proposed use.**

The character of the vehicles nor traffic generated by the restaurant with a drive-through lane will not adversely impact existing land uses along access routes to the site.

**F. Adequacy of ingress and egress to the subject property and to all proposed buildings, structures, and uses thereon, with particular reference to pedestrian and automotive safety and convenience, traffic flow and control, and access in the event of fire or other emergency:**

Based on the submitted site plan, there is one access point to the site with street frontage along Lawrenceville Highway. Emergency vehicles can access the site safely from this one access point. According to the site plan, it appears traffic will flow in a circular pattern to access the drive-through lane and available parking spaces.

**G. Whether or not the proposed use would create adverse impacts upon any adjoining land use by reason of noise, smoke, odor, dust, or vibration that would be generated by the proposed use:**

The proposed restaurant with a drive-through lane should not create adverse impacts upon any adjoining land use by reason of noise, smoke, odor, dust or vibration.

**H. Whether or not the proposed use would create adverse impacts upon any adjoining land use by reason of the hours of operation of the proposed use:**

The hours of operation for the proposed restaurant with a drive-through lane should not create adverse impacts upon adjoining land uses. Based on the submitted materials, the restaurant will operate seven days a week from 5:00 a.m. to 10 p.m.

**I. Whether or not the proposed use will create adverse impacts upon any adjoining land use by reason of the manner of operation of the proposed use.**

The manner of operation for the proposed restaurant with a drive-through lane should not create adverse impacts upon adjoining land uses.

**Whether or not the proposed use is otherwise consistent with the requirements of the zoning district classification in which the use is proposed to be located.**

Restaurants with a drive-through lane are a permitted use within the C-1 (Local Commercial) District with a Special Land Use Permit (SLUP).

**J. Whether or not the proposed use is consistent with the policies of the comprehensive plan.**

Located within the Commercial Redevelopment Corridor (CRC) Character Area designated by the DeKalb County 2035 Comprehensive Plan, the proposed restaurant with a drive-through lane is consistent with the following area policy: infill development by utilizing vacant properties in the neighborhood as an opportunity for infill development of compatible structures.

**K. Whether or not the proposed use provides for all required buffer zones and transitional buffer zones where required by the regulations of the zoning district in which the use is proposed to be located.**

The proposed restaurant with a drive-through lane will abut R-75 (Medium Residential Lot) District to the west. A 50-foot transitional buffer will be required.

**L. Whether or not there is adequate provision of refuse and service areas.**

Adequate provision of refuse areas will be provided on site.

**M. Whether the length of time for which the special land use permit is granted should be limited in duration:**

There does not appear to be any compelling reasons for limiting the duration of the requested Special Land Use Permit.

**N. Whether or not the size, scale and massing of proposed buildings are appropriate in relation to the size of the subject property and in relation to the size, scale and massing of adjacent and nearby lots and buildings.**

The proposed one-story restaurant with a drive-through lane is compatible in size and massing of adjacent and nearby commercial buildings in the area.

**O. Whether the proposed use will adversely affect historic buildings, sites, districts, or archaeological resources.**

The proposed restaurant with a drive-through lane will not adversely affect historic buildings, sites, districts, or archaeological resources.

**P. Whether the proposed use satisfies the requirements contained within the supplemental regulations for such special land use permit.**

The proposed restaurant with a drive-through lane complies with all except (a.) of the following supplemental regulations per Sec.27-4.2.23 of the DeKalb County Zoning Code:

- a. Not located within sixty feet of a residentially zoned property.
- b. Drive-through facility located on property greater than ten thousand square feet in area
- c. Drive-through lanes and service windows serving drive-through lanes are located on the side and rear of building
- d. No drive-through canopies according to site plan
- e. Speaker boxes shall be directed away from any adjacent residential properties.
- f. All lighting from drive-through facilities shall be shaded and screened to be directed away from adjacent residential property.

A variance will be required in order to comply with 60 feet separation distance.

**R. Whether or not the proposed use will create a negative shadow impact on any adjoining lot or building as a result of the proposed building height.**

The proposed one-story restaurant with a drive-through lane does not create a negative shadow impact on any adjoining lot or building.

**S. Whether the proposed use would be consistent with the needs of the neighborhood or the community as a whole, be compatible with the neighborhood, and would not be in conflict with the overall objective of the comprehensive plan.**

The proposed restaurant with a drive-through lane provides a service to the community and is compatible with existing commercial development in the area. The proposed use complies with the overall objectives of the comprehensive plan by creating mixed uses that offer a variety of retail and commercial services and amenities along Lawrenceville Highway.

**COMPLIANCE WITH DISTRICT STANDARDS**

The site zoned C-1 (Local Commercial) District 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	MINIMUM OF 100 FEET ON A PUBLIC STREET FRONTAGE	119 FEET FRONTAGE ALONG LAWRENCEVILLE HIGHWAY; 325 FEET FRONTAGE ALONG HARALSON ROAD	YES
LOT AREA	20,000 SQUARE FEET	47,492 SQUARE FEET	YES
LOT COVERAGE	Max. 80%	43.8%	YES
FRONT BUILDING SETBACK	60 FEET	60 Feet	YES
SIDE BUILDING SETBACK	INTERIOR 20 FEET CORNER 50 FEET	INTERIOR 20 FEET CORNER 50 FEET	YES YES
REAR SETBACK	30 FEET	30 FEET	YES
HEIGHT	2 story / 35 FEET	21.83 FEET	YES
OPEN SPACE	MINIMUM 20%	20%	YES
PARKING – ARTICLE 6	One (1) space for each one hundred fifty (150) square feet of floor area, but not less than ten (10) spaces (MIN). One (1) space for each seventy five (75) square feet of floor area, but not less than ten (10) spaces (MAX).	21 SPACES	YES

**STAFF RECOMMENDATION:**

The proposed restaurant with a drive-through lane is compatible with nearby commercial uses along Lawrenceville Highway. The site is in the Commercial Redevelopment Corridor Character Area where the proposed drive-through restaurant is consistent with the following policy and intent of the character area: creating mixed uses that offer a variety of retail and commercial services along Lawrenceville Highway. Therefore, it is the recommendation of Planning and Sustainability Department that the Special Land Use Permit (SLUP) to allow a restaurant with a drive-through be **APPROVED** with conditions.

1. That the proposed restaurant with a drive-through lane shall be depicted on the site plan received by the Department of Planning and Sustainability dated 02/11/2020. Said site plan is conceptual and is subject to compliance with C-1 (Local Commercial) zoning standards and unless variances are obtained from appropriate regulatory authorities.
2. That there shall be no curb cuts on Harelson Road
3. That a 50-foot transitional buffer shall be planted along the western boundary line of the site and shall adhere to the buffer planting and materials requirements as shown in Section 5.4.5 of the DeKalb County Zoning Ordinance.
4. The approval of this SLUP application by the Board of Commissioners has no bearing on the requirements for other regulatory approvals under the Zoning Board of Appeals, or other entity.

Attachments:

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



DEKALB COUNTY GOVERNMENT  
PLANNING DEPARTMENT  
DISTRIBUTION FORM

N-5

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

COMMENTS FORM:  
PUBLIC WORKS TRAFFIC ENGINEERING

Case No.: SLUP-20-1243837 Parcel I.D. #: 18-146-02-081

Address: 2550

LAWRENCEVILLE Highway  
DECATUR, GA. 30033

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:

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

Signature: Jerry White



**DEKALB COUNTY GOVERNMENT  
PLANNING DEPARTMENT  
DISTRIBUTION FORM**

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

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

Case No.: SLUP-20-1243837

Parcel I.D. #: 18-146-02-081

Address: 2550 Lawrenceville Highway

Decatur, Georgia

**WATER:**

Size of existing water main: 24" CS, Water Main (adequate/inadequate)

Distance from property to nearest main: Adjacent to Property

Size of line required, if inadequate: N/A

**SEWER:**

Outfall Servicing Project: South Fork Peachtree Creek Basin

Is sewer adjacent to property: Yes ( ) No (X) If no, distance to nearest line: Approximately 692 feet Northeast of property

Water Treatment Facility: R M Clayton WTF ( ) adequate ( ) inadequate

Sewage Capacity; \* (MGPD)

Current Flow: 127 (MGPD)

**COMMENTS:**

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

(see attachment)

Signature: 

## Baugh, Shauna S.

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**From:** Otts, Michelle L.  
**Sent:** Thursday, April 16, 2020 2:54 PM  
**To:** Baugh, Shauna S.  
**Subject:** Zoning cases

**Importance:** High

I am fine with approving these with the below condition to each one:

1. sewer capacity is not guaranteed. Sewer Capacity Evaluation will be required prior to any sewer connection approval.
2. All water connections/lines must be to 8" WL. Upgrades may be required by applicant (and at applicant's cost) to proceed with development.

Thank you! 😊

Michelle L. (Jackam) Otts, PE  
Principal Engineer  
Manager, Division of Planning & Development Department of Watershed Management

330 W. Ponce de Leon Ave  
3rd Floor  
Decatur, GA 30030  
MLOtts@dekalbcountyga.gov  
404-371-4918 (o)  
DeKalbCountyGA.gov

-----Original Message-----

**From:** copier@dekalbcountyga.gov <copier@dekalbcountyga.gov>  
**Sent:** Thursday, April 16, 2020 1:07 PM  
**To:** Baugh, Shauna S. <ssbaugh@dekalbcountyga.gov>  
**Subject:** Scanned from a Xerox Multifunction Printer

Please open the attached document. It was scanned and sent to you using a Xerox Multifunction Printer.

Attachment File Type: pdf, Multi-Page

Multifunction Printer Location:  
Device Name: WSMD\_XRX7855\_GIS



## 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.. Recommend Low Impact Development features/ Green Infrastructure be included in the proposed site design to protect as much as practicable the statewaters and special flood hazard areas.

- **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.

**From:** [Keeter, Patrece](#)  
**To:** [Hill, LaSondra](#)  
**Subject:** Zoning Comments April 2020  
**Date:** Monday, April 13, 2020 5:48:42 PM  
**Attachments:** [image006.png](#)  
[image008.png](#)  
[image010.png](#)  
[image003.emz](#)  
[image005.png](#)  
[image007.jpg](#)  
[image009.png](#)  
[image011.png](#)  
[image017.png](#)

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N1 & N2- Panthersville Road is classified as a minor arterial. 6 foot sidewalks, Bike lanes, Street lights (SL Engineer: [hefowler@dekalbcountyga.gov](mailto:hefowler@dekalbcountyga.gov)) and 40 foot right of way dedication from centerline required (see Land Development Code 14-190 and Zoning Code page 5-14). Ensure driveway has intersection and stopping sight distance based on AASHTO standards- provide sign and sealed engineer's study of sight distance.

N3. Memorial Drive is a state route. GDOT review and approval required prior to permitting. Memorial Drive is classified as a major arterial. 6 foot sidewalks, Bike lanes, Street lights (SL Engineer: [hefowler@dekalbcountyga.gov](mailto:hefowler@dekalbcountyga.gov)) and 50 of right of way dedication from centerline or the amount needed for all public infrastructure (Sidewalks, bike lanes, lanes, street lights) required, whichever greater (see Land Development Code 14-190 and Zoning Code page 5-14). Midway Road is classified as a collector. 6 foot sidewalks, Bike lanes, Street lights (SL Engineer: [hefowler@dekalbcountyga.gov](mailto:hefowler@dekalbcountyga.gov)) and 35 feet of right of way dedication from centerline or the amount needed for all public infrastructure (Sidewalks, bike lanes, street lights) required, whichever greater (see Land Development Code 14-190 and Zoning Code page 5-14). Ensure driveway has intersection and stopping sight distance based on AASHTO standards- provide sign and sealed engineer's study of sight distance.

N4. See chapter 5 of the zoning code- traffic study required. 448 units requires more access points. See section 14-200 of the land development code. Memorial Drive is a state route. GDOT review and approval. required prior to permitting. Memorial is classified as a major arterial. 6 foot sidewalks, Bike lanes, Street lights (SL Engineer: [hefowler@dekalbcountyga.gov](mailto:hefowler@dekalbcountyga.gov)) and 50 feet of right of way dedication from centerline or the amount needed for all public infrastructure (Sidewalks, bike lanes, lanes, street lights) required, whichever greater (see Land Development Code 14-190 and Zoning Code page 5-14). If you variances for bike lanes, I suggest you request this as part of zoning. Ensure driveway has intersection and stopping sight distance based on AASHTO standards- provide sign and sealed engineer's study of sight distance.

N5. Lawrenceville Hwy is a state route classified as a major arterial. GDOT review and approval. required prior to permitting. 6 foot sidewalks, Bike lanes, Street lights (SL Engineer: [hefowler@dekalbcountyga.gov](mailto:hefowler@dekalbcountyga.gov)) and 50 feet of right of way dedication from centerline or the amount needed for all public infrastructure (Sidewalks, bike lanes, lanes, street lights) required, whichever greater (see Land Development Code 14-190 and Zoning Code page 5-14). If you variances for bike lanes, I suggest you request this as part of zoning. Haralson Rd is classified as a local road. 5 foot sidewalks, Street lights (SL Engineer: [hefowler@dekalbcountyga.gov](mailto:hefowler@dekalbcountyga.gov)) and 27.5 feet right of way dedication from centerline or the amount needed for all public infrastructure (Sidewalks, bike lanes, lanes, street lights) required, whichever greater (see Land Development Code 14-190 and Zoning Code page 5-14). Ensure driveway has intersection and stopping sight distance



based on AASHTO standards- provide sign and sealed engineer's study of sight distance.

N6. East Conley Rd is classified as a collector. 6 foot sidewalks, Bike lanes, Street lights (SL Engineer: [hefowler@dekalbcountyga.gov](mailto:hefowler@dekalbcountyga.gov)) and 50 feet of right of way dedication from centerline or the amount needed for all public infrastructure (Sidewalks, bike lanes, lanes, street lights) required, whichever greater (see Land Development Code 14-190 and Zoning Code page 5-14). If you variances for bike lanes, I suggest you request this as part of zoning. Ensure driveway has intersection and stopping sight distance based on AASHTO standards- provide sign and sealed engineer's study of sight distance.

N7. East Conley Rd is classified as a collector. 6 foot sidewalks, Bike lanes, Street lights (SL Engineer: [hefowler@dekalbcountyga.gov](mailto:hefowler@dekalbcountyga.gov)) and 50 feet of right of way dedication from centerline or the amount needed for all public infrastructure (Sidewalks, bike lanes, lanes, street lights) required, whichever greater (see Land Development Code 14-190 and Zoning Code page 5-14). If you variances for bike lanes, I suggest you request this as part of zoning. Ensure driveway has intersection and stopping sight distance based on AASHTO standards- provide sign and sealed engineer's study of sight distance.

N8. North Druid Hills Road is classified as a major arterial. 6 foot sidewalks, Bike lanes, Street lights (SL Engineer: [hefowler@dekalbcountyga.gov](mailto:hefowler@dekalbcountyga.gov)) and 50 feet of right of way dedication from centerline or the amount needed for all public infrastructure (Sidewalks, bike lanes, lanes, street lights) required, whichever greater (see Land Development Code 14-190 and Zoning Code page 5-14). Ensure driveway has intersection and stopping sight distance based on AASHTO standards- provide sign and sealed engineer's study of sight distance. Ensure that the driveway either lines up with the Knob Hill or is at the appropriate offset in section 14-200 of the land development code. Interior road to be privately maintained.

N9. Stephenson Road is classified as a collector road. 6 foot sidewalks, Bike lanes, Street lights (SL Engineer: [hefowler@dekalbcountyga.gov](mailto:hefowler@dekalbcountyga.gov)) and 35 feet of right of way dedication from centerline or the amount needed for all public infrastructure (Sidewalks, bike lanes, lanes, street lights) required, whichever greater (see Land Development Code 14-190 and Zoning Code page 5-14). Ensure driveway has intersection and stopping sight distance based on AASHTO standards- provide sign and sealed engineer's study of sight distance. For more that 150 units, the code requires two access points. I would like more details on the proposed super entrance, but would generally support a variance for the extra 10 lots with the addition of sidewalk along the entire frontage and along the frontage of the Calvary Church within the existing ROW.

N10. Sherrydale Ln is classified as a local road. 5 foot sidewalks, Street lights (SL Engineer: [hefowler@dekalbcountyga.gov](mailto:hefowler@dekalbcountyga.gov)) and 27.5 feet right of way dedication from centerline or the amount needed for all public infrastructure (Sidewalks, bike lanes, lanes, street lights) required, whichever greater (see Land Development Code 14-190 and Zoning Code page 5-14). Interior streets to remain private.

N11. No comment

N12. No comment

N13. This appears to be a DRI. As I recall, the county can not take any zoning actions until the traffic study is submitted and reviewed by the regional partners, including ARC, GDOT and GRTA. Taking action on this item can put our federal transportation funding at risk. If this is not considered to be a DRI, I would still need a traffic study completed to make appropriate zoning comments to identify necessary improvements. Transportation has currently applied for federal funding to complete road diets on Mountain Drive (state route) and Kensington Road. In addition, we have applied for federal

funding to wrap this development area in a multiuse path to promote development and multi-modal connectivity. Memorial Drive and Covington Hwy are state routes classified as major arterials. GDOT review and approval. required prior to permitting. 6 foot sidewalks, Bike lanes, Street lights (SL Engineer: [hefowler@dekalbcountyga.gov](mailto:hefowler@dekalbcountyga.gov)) and 50 feet of right of way dedication from centerline or the amount needed for all public infrastructure (Sidewalks, bike lanes, lanes, street lights) required, whichever greater (see Land Development Code 14-190 and Zoning Code page 5-14). Mountain Drive is a state route classified as a collector. GDOT review and approval required prior to permitting. 6 foot sidewalks, Bike lanes, Street lights (SL Engineer: [hefowler@dekalbcountyga.gov](mailto:hefowler@dekalbcountyga.gov)) and 35 feet of right of way dedication from centerline or the amount needed for all public infrastructure (Sidewalks, bike lanes, street lights) required, whichever greater (see Land Development Code 14-190 and Zoning Code page 5-14). Kensington Road is classified as a minor arterial. 6 foot sidewalks, Bike lanes, Street lights (SL Engineer: [hefowler@dekalbcountyga.gov](mailto:hefowler@dekalbcountyga.gov)) and 40 feet of right of way dedication from centerline or the amount needed for all public infrastructure (Sidewalks, bike lanes, lanes, street lights) required, whichever greater (see Land Development Code 14-190 and Zoning Code page 5-14). Ensure driveway has intersection and stopping sight distance based on AASHTO standards- provide sign and sealed engineer's study of sight distance. Watch driveway offsets required in Section 14-200 of the land development code (existing and already permitted driveways). This will be more units than the code allows. Intersection improvements and upgrades to protect capacity (median islands) will most likely be required. At a minimum: analyze roundabouts as design solutions for driveway access on Mountain and Kensington, provide enhanced pedestrian crossings on Kensington and Mountain, provide direct pedestrian accommodations from the sidewalks on public right of way to the entrances of the development. N14 & N15- This should all be packaged with the DRI in N13. See comments on N13.

**Patrece G. Keeter, P.E.**

*Engineering Manager,  
Department of Public Works  
Transportation Division*

1950 West Exchange Place, 4<sup>th</sup> FL  
Tucker, Georgia 30084  
[pgkeeter@dekalbcountyga.gov](mailto:pgkeeter@dekalbcountyga.gov)

770-492-5281  
678-758-3860  
[DeKalbCountyGA.gov](http://DeKalbCountyGA.gov)



04/08/2020

To: 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. Recommendation: Provide trash can with liner at each bus stop with bench and monitor for proper removal of waste.

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

## Board of Health

- N.1 **Z-20-1243789 2020-0310 / 15-023-01-008**  
4201 PANTHERSVILLE RD, ELLENWOOD, GA 30294  
- Septic system installed on 09/07/1962
- N.2 **SLUP-20-1243788 2020-0311 / 15-023-01-008**  
4201 PANTHERSVILLE RD, ELLENWOOD, GA 30294  
- Septic System installed on 06/07/1962
- N.3 **N3 SLUP-20-1243831 2020-0312 /15-217-12-003**  
3585 MEMORIAL DR, DECATUR, GA 30032  
- Please review general comments
- N.4 **Z-20-1243836 2020-0313 / 15-230-01-010**  
4213, 4203, 4195, 4187, 4179, 4183, & 4159  
MEMORIAL DR, DECATUR, GA 30032  
- Please review general comments
- N.5 **Z-20-1243837 2020-0314 / 18-146-02-081**  
2550 LAWRENCEVILLE HWY, DECATUR, GA 30033  
- Septic system installed on 10/18/1989
- N.6 **Z-20-1243838 2020-0315 / 15-013-01-017; 15-013-01-018**  
4321 & 4341 E CONLEY RD, CONLEY, GA 30288  
- Please review general comments
- N.7 **Z-20-1243839 2020-0316 / 15-013-02-017**  
4388 E CONLEY RD, CONLEY, GA 30288  
- Please review general comments
- N.8 **Z-20-1243840 2020-0317 / 18-152-03-006**  
2573 N DRUID HILLS RD, ATLANTA, GA 30329  
- Septic system installed on 05/02/1963
- N.9 **Z-20-1243841 2020-0318/ 16-159-01-003; 16-162-05-002**  
1467 & 1503 STEPHENSON RD, LITHONIA, GA 30058  
- Please review general comments
- N.10 **Z-20-1243847 2020-0319 / 15-197-01-001**  
3559 SHERRYDALE LN, DECATUR, GA 30032  
- Please review general comments
- N.11 **CZ-20-1243853 2020-0320/ 15-251-01-028**  
3458, 3468 & 3478 MOUNTAIN DR, DECATUR, GA 30032

**DeKalb County Board of Health**

445 Winn Way – Box 987

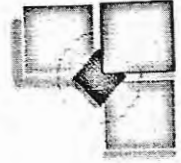
Decatur, GA 30031

404.294.3700 • [www.dekalbhealth.net](http://www.dekalbhealth.net)



DeKalb County Department of Planning & Sustainability  
 Lee May  
 Interim Chief Executive Officer

Andrew A. Baker, AICP  
 Director



### SPECIAL LAND USE PERMIT APPLICATION

Amendments will not be accepted after 5 working days after the filing date.

Date Received: 2/27/2020 Application No.: SLUP-20-1243837

APPLICANT NAME: Luke Wemette - AXIS Infrastructure, LLC

Daytime Phone #: 678.395.4920 Fax #: \_\_\_\_\_

Mailing Address: 1111 Cambridge Square, Alpharetta, GA 30009

E-mail: lukewemette@axiscompanies.com

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

Daytime Phone #: 770-356-7360 Fax #: \_\_\_\_\_

Mailing Address: 1244 Mcminn way, Snellville GA 30078

E-mail: ZVEERANTOCHUNARAFOODGROUP.COM

SUBJECT PROPERTY ADDRESS OR LOCATION: 2550 Lawrenceville Highway,  
Decatur, GA, DeKalb County, GA, 30033

District(s): 18 Land Lot(s): 146 Block(s): \_\_\_\_\_ Parcel(s): 18 146 02 081

Acreage or Square Feet: 1.09 AC Commission District(s): 04 & 6 Existing Zoning: C-1

Proposed Special Land Use (SLUP): \_\_\_\_\_

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

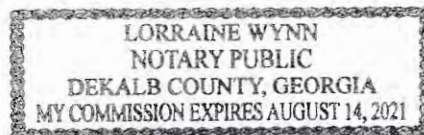
Owner: \_\_\_\_\_ Agent:  (Check One)

Signature of Applicant: [Signature]

Printed Name of Applicant: LUKE WEMETTE

Notary Signature and Seal:

[Signature]



330 West Ponce de Leon Avenue – Suites 100-500 – Decatur, Georgia – 30030  
 [voice] 404.371.2155 – [Planning Fax] (404) 371-4556 [Development Fax] (404) 371-3007  
 Web Address <http://www.dekalbcountyga.gov/planning>  
 Email Address: [planninganddevelopment@dekalbcountyga.gov](mailto:planninganddevelopment@dekalbcountyga.gov)

# **PUBLIC NOTICE**

TO

## **REQUEST FOR A SPECIAL LAND USE PERMIT**

**FILED BY:** AXIS INFRASTRUCTURE, LLC

**SUBJECT PROPERTY:** 2550 LAWRENCEVILLE HIGHWAY, DECATUR, GA 30033

**CURRENT USE:** Old Restaurant

**PROPOSED USE:** Restaurant

### **HOURS OF OPERATION:**

**CURRENT:** VACANT BUILDING

**PROPOSED:** 7 days a week, 5:00 am – 10 pm

**CAPACITY:** No Change

**PRESUBMITTAL COMMUNITY MEETING TO TAKE PLACE AT:** Druid Hills Middle School

**MEETING LOCATION:** 3100 Mount Olive Drive  
Decatur, GA 30033

**DATE & TIME:** Wednesday, February 26, 2020 at 7:00 pm

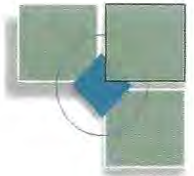




DeKalb County Department of Planning & Sustainability

Lee May
Interim Chief Executive Officer

Andrew A. Baker, AICP
Director



SPECIAL LAND USE PERMIT APPLICATION AUTHORIZATION

The property owner should complete this form or a similar, signed and notarized form if the individual who will file the application with the County is not the property owner.

Date: 2/25/2020

TO WHOM IT MAY CONCERN:

(I) (WE), Kadirali Chunara
Name of Owner(s)

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

AXIS INFRASTRUCTURE, LLC - LUKE WEMETTE
Name of Applicant or Agent
AXIS Infrastructure, LLC
1111 Cambridge Square
Alpharetta, GA 30009
678.395.4920

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

Lorraine Wynn
Notary Public
LORRAINE WYNN
NOTARY PUBLIC
DEKALB COUNTY, GEORGIA
MY COMMISSION EXPIRES AUGUST 14, 2021

[Signature]
Owner

Notary Public

Owner

Notary Public

Owner

Notary Public

Owner





Chief Executive Officer  
Michael Thurmond

DEPARTMENT OF PLANNING & SUSTAINABILITY

Director  
Andrew A. Baker, AICP

**SPECIAL LAND USE PERMIT CHECKLIST**

(SUBMIT 4 COMPLETE, COLLATED, HARDCOPY SETS AND 1 SET IN PDF FORMAT ON FLASH DRIVE OR CD)

- 1. Mandatory **Pre-Application Conference** with Planning & Sustainability staff. **Pre-Application form** to be completed in pre-application meeting. Please call (404) 371-2155 to schedule pre-app conference.
- 2. Hold a **Pre-Submittal Community Meeting** with surrounding neighborhood associations and residents. Notify staff in advance of date, time, and location of meeting. **Provide documentation** (i.e., meeting notice, sign-in sheets, letter(s) from homeowners associations).
- 3. **Application Form**. Form must be completely filled out and be the first page of the packet.
- 4. Notarized **Authorization Form**, if the applicant is not the owner of the subject property, which
  - a. is signed and notarized by all owners of the subject property;
  - b. contains the mailing address and phone number of any applicant or agent who is authorized to represent the owner(s) of the subject property; and
  - c. includes a warranty deed, if ownership is less than 2 consecutive years.
- 5. **Written Legal Description** of subject property, in metes and bounds.
- 6. **Boundary Survey** (showing existing buildings, structures, and improvements), prepared and sealed within the past ten years by a professional engineer or land surveyor registered in the State of Georgia, consistent with the plat(s) on the Official Tax Record. Applicant shall certify that the Boundary Survey is complete and currently accurate. **Site plans shall be drawn to scale** showing all proposed development or redevelopment projects, proposed buildings, structures, and improvements. Site plans must include the following:
  - a. Complete boundaries of subject property including curb cuts, internal vehicular circulation facilities, and sidewalks;
  - b. Location of buildings, structures, setback lines, buffer lines, and parking;
  - c. Location of any 100-year floodplains, streams, and stream buffer lines;
  - d. Notation of the total acreage or square footage of the subject property;
  - e. Landscaping, trees, open space, and undisturbed buffers;
  - f. Notation of building square footages and heights, residential density calculations, existing and proposed lot coverage, required and proposed parking, and open space calculations;
  - g. Copies of site plans:
    - 1. Full-size site plans (at least 11" x 17"): 4 copies, folded.
    - 2. Site plan reduced to 8 1/2" x 11": 4 copies
- 7. **Building Elevations**, renderings or details of materials proposed for compliance to Article 5, Ordinance
- 8. **Letter of Application** identifying the proposed zoning classification, the reason for the rezoning request, the existing and proposed use of the property, and detailed characteristics of the proposed use (e.g., floor area, height of building, number of units, mix of unit types, hours of operation, etc. Include any statement of conditions agreed upon by the applicant.
- 9. Written documented, detailed analysis of the impact of the proposed zoning map amendment with respect to each of the standards and factors specified in Article 7.
- 10. Campaign disclosure statement, if applicable, to be filed in compliance with State law.
- 11. **Application fee - \$400.00**. Payable to DeKalb County.

**INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED**

If subject property is made up of parcels located on opposite sides of a public street, a separate application is required for each parcel.

Chief Executive Officer  
Michael Thurmond

DEPARTMENT OF PLANNING & SUSTAINABILITY

Director  
Andrew A. Baker, AICP

PRE-APPLICATION FORM  
REZONE, SPECIAL LAND USE PERMIT, MODIFICATION, AND LAND USE  
(Required prior to filing application: signed copy of this form must be submitted at filing)

Applicant Name: Axis Companies Phone: 478-4920 Email: teresa.curry@axiscompanies.com  
*Theresa Curry*

Property Address: 2550 Lawrenceville Hwy

Tax Parcel ID: 18-146-02-081 Comm. District(s): 4 & 6 Acreage: \_\_\_\_\_

Existing Use: vacant breckon's Proposed Use: donuts & ice cream Dunkin Donuts

Supplemental Regs: 4.2.23 *ice cream* Overlay District: NA DRI: NA

Rezoning: Yes \_\_\_\_\_ No X

Existing Zoning: C-1 Proposed Zoning: \_\_\_\_\_ Square Footage/Number of Units: \_\_\_\_\_

Rezoning Request: C299056

Land Use Plan Amendment: Yes \_\_\_\_\_ No X

Existing Land Use: CRC Proposed Land Use: \_\_\_\_\_ Consistent \_\_\_\_\_ Inconsistent \_\_\_\_\_

Special Land Use Permit: Yes X No \_\_\_\_\_ Article Number(s) 27- 4.2.23

Special Land Use Request(s) By-liner Drive thru

Major Modification:

Existing Case Number(s): \_\_\_\_\_

Condition(s) to be modified:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



February 26<sup>th</sup>, 2020

Dekalb County  
Department of Planning & Sustainability  
330 W. Ponce de Leon Ave.  
Decatur, GA 30030

To Whom It May Concern:

This letter accompanies the required submission documents to request a Special Land Use Permit (SLUP) for the property located at 2550 Lawrenceville Highway in Decatur. The current 1.09-acre site is the location of an old Brewster restaurant with an existing drive-thru. The building is currently vacant. My client would like to redevelop the site and building into a Dunkin Donuts & Baskin Robins Co-branded building with the continued use of the drive thru. The site is zoned C-1, the proposed redevelopment meets the zoning conditions of the 1999 rezoning – Z99056.

The project scope includes the renovation and expansion of the existing building. The proposed building is a co-branded Dunkin Donuts & Baskin Robins with public restrooms and interior seating. The scope of the site work includes a regraded parking lot with reduced slopes, a new drive thru lane and further improvements to bring the site into full ADA compliance. The ADA improvements include new sidewalks, ADA parking stall and an ADA sidewalk connection to the existing sidewalk along Lawrenceville Highway. The existing driveway off Lawrenceville highway will remain.

If you have any questions or would like to discuss in further detail, please contact me at 678.395.4920.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Luke Wemette', is written over a light blue horizontal line.

Luke Wemette PE



February 26<sup>th</sup>, 2020

Dekalb County  
Department of Planning & Sustainability  
330 W. Ponce de Leon Ave.  
Decatur, GA 30030

To Whom It May Concern:

This letter is in reference to the property located at 2550 Lawrenceville Highway in Decatur. This letter accompanies the Special Land Use Application to redevelop the current site into a Dunkin Donuts & Baskin Robins co-branded building. Below is the impact analysis criteria that is being met by this development:

- The size of the site is adequate for the use contemplated. All the required yards, open space, off-street parking, and all other applicable requirements of the zoning district in which the use is proposed to be located are met.
- The proposed use is compatibility with adjacent properties and land uses and with other properties and land uses in the district.
- The site has adequate public services, public facilities, and utilities to serve the proposed use.
- The public street on which the use is proposed to be located is adequate. Lawrenceville highway has sufficient traffic-carrying capacity for the use proposed so as not to unduly increase traffic and create congestion in the area. The existing use is the same as what is being proposed.
- Existing land uses located along access routes to the site will not be adversely affected by the character of the vehicles or the volume of traffic generated by the proposed use. The existing use is the same as what is being proposed.
- The existing ingress and egress is adequate to the subject property and to all proposed buildings, structures, and uses thereon, with particular reference to pedestrian and automotive safety and convenience, traffic flow and control, and access in the event of fire or other emergency. No changes to the existing curb cut to Lawrenceville highway is proposed.
- The proposed use will not create adverse impacts upon any adjoining land use by reason of noise, smoke, odor, dust, or vibration generated by the proposed use. The existing use is the same as what is being proposed.



- The proposed use will not create adverse impacts upon any adjoining land use by reason of the hours of operation of the proposed use. The existing use is the same as what is being proposed.
- The proposed use is otherwise consistent with the requirements of the zoning district classification in which the use is proposed to be located.
- The proposed use is consistent with the policies of the comprehensive plan.
- The proposed use provides for all required buffer zones and transitional buffer zones where required by the regulations of the zoning district in which the use is proposed to be located.
- The use has proposed adequate provisions of refuse and service areas.
- The length of time for which the special land use permit is granted should not be limited in duration.
- The size, scale and massing of proposed buildings are appropriate in relation to the size of the subject property and in relation to the size, scale and massing of adjacent and nearby lots and buildings.
- The proposed use will not adversely affect historic buildings, sites, districts, or archaeological resources.
- The proposed use satisfies the requirements contained within the supplemental regulations for such special land use permit.
- The proposed use will not create a negative shadow impact on any adjoining lot or building as a result of the proposed building height.
- The proposed use would be consistent with the needs of the neighborhood or the community as a whole, be compatible with the neighborhood, and would not be in conflict with the overall objective of the comprehensive plan.

If you have any questions or would like to discuss in further detail, please contact me at 678.395.4920.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Luke Wemette', is written over a light blue horizontal line.

Luke Wemette PE

**DEPARTMENT OF PLANNING & SUSTAINABILITY**

**DISCLOSURE OF CAMPAIGN CONTRIBUTION**

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

Have you, the applicant, made \$250.00 or more in campaign contribution to a local government official within two years immediately preceding the filling of this application?

Yes \_\_\_\_\_ No X \*

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

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

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

\_\_\_\_\_  
Notary

[Signature] 2/25/20  
Signature of Applicant /Date

Check one: Owner \_\_\_\_\_ Agent X

\_\_\_\_\_  
Expiration Date/ Seal

\*Notarization is not needed if the response is "No"

# LEGAL DESCRIPTION

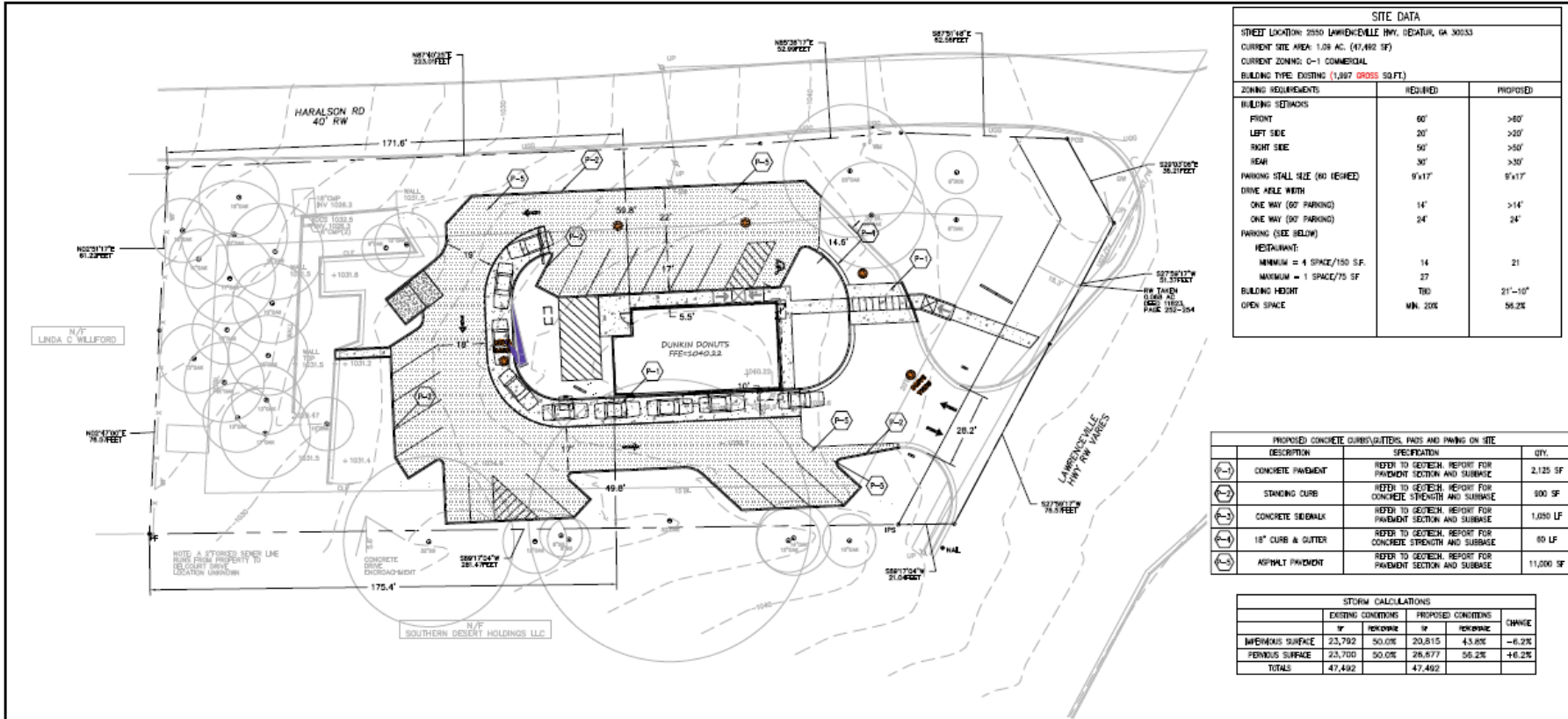
ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 146, 18TH DISTRICT, DEKALB COUNTY, GEORGIA, BEING MORE PARTICULARLY DESCRIBED IN SURVEY FOR ELI FLOURNOY AND JILL FLOURNOY, BUSINESS DEVELOPMENT CORPORATION OF GEORGIA AND CHICAGO TITLE INSURANCE COMPANY PREPARED BY MARK D. PATRICK, RLS NO. 2791 DATED JUNE 9, 2000 BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT LOCATED AT THE INTERSECTION OF THE SOUTHERLY RIGHT OF WAY LINE OF HARALSON ROAD AND THE NORTHERN POINT OF THE MITER CONNECTING HARALSON ROAD AND THE WESTERLY RIGHT OF WAY LINE OF LAWRENCEVILLE HIGHWAY A/K/A U.S. 29; THENCE RUNNING SOUTH 29 DEGREES 03 MINUTES 06 SECONDS EAST ALONG SAID MITER 36.21 FEET TO A POINT ON THE WESTERLY RIGHT OF WAY LINE OF LAWRENCEVILLE HIGHWAY; THENCE RUNNING SOUTH 27 DEGREES 59 MINUTES 17 SECONDS WEST ALONG SAID WESTERLY RIGHT OF WAY LINE, 51.37 FEET TO A POINT; THENCE RUNNING NORTH 89 DEGREES 07 MINUTES 45 SECONDS WEST 334.74 FEET TO A POINT; THENCE RUNNING NORTH 02 DEGREES 51 MINUTES 17 SECONDS EAST 61.22 FEET TO A POINT LOCATED ON THE SOUTHERLY RIGHT OF WAY LINE OF HARALSON ROAD; THENCE RUNNING NORTH 87 DEGREES 40 MINUTES 25 SECONDS EAST ALONG SAID SOUTHERLY RIGHT OF WAY LINE, 223.01 FEET TO A POINT; THENCE RUNNING NORTH 85 DEGREES 36 MINUTES 17 SECONDS EAST ALONG SAID SOUTHERLY RIGHT OF WAY LINE, 52.99 FEET TO A POINT; THENCE RUNNING SOUTH 87 DEGREES 51 MINUTES 48 SECONDS EAST ALONG SAID RIGHT OF WAY LINE, 62.56 FEET TO THE POINT OF BEGINNING; CONTAINING .563 ACRES TOGETHER WITH:

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 146, 18TH DISTRICT, DEKALB COUNTY, GEORGIA, BEING MORE PARTICULARLY DESCRIBED IN SURVEY FOR ELI FLOURNOY AND JILL FLOURNOY, BUSINESS DEVELOPMENT CORPORATION OF GEORGIA AND CHICAGO TITLE INSURANCE COMPANY PREPARED BY MARK D. PATRICK, RLS NO. 2791 DATED JUNE 9, 2000 BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:  
TO FIND A TRUE POINT OF BEGINNING, BEGIN AT A POINT LOCATED AT THE INTERSECTION OF THE SOUTHERLY RIGHT OF WAY LINE OF HARALSON ROAD AND THE NORTHERN POINT OF THE MITER CONNECTING HARALSON ROAD AND THE WESTERLY RIGHT OF WAY LINE OF LAWRENCEVILLE HIGHWAY A/K/A U.S. 29; THENCE RUNNING SOUTH 29 DEGREES 03 MINUTES 06 SECONDS EAST ALONG SAID MITER 36.21 FEET TO A POINT ON THE WESTERLY RIGHT OF WAY LINE OF LAWRENCEVILLE HIGHWAY; THENCE RUNNING SOUTH 27 DEGREES 59 MINUTES 17 SECONDS WEST ALONG SAID WESTERLY RIGHT OF WAY LINE, 51.37 FEET TO A POINT; SAID POINT BEING THE TRUE POINT OF BEGINNING; THENCE RUNNING SOUTH 27 DEGREES 59 MINUTES 17 SECONDS WEST ALONG SAID RIGHT OF WAY LINE 76.57 FEET TO A POINT; THENCE RUNNING SOUTH 89 DEGREES 17 MINUTES 04 SECONDS WEST 21.04 FEET TO A POINT; THENCE RUNNING SOUTH 89 DEGREES 17 MINUTES 04 SECONDS WEST 281.47 FEET TO A 1/2 INCH IRON PIN; THENCE RUNNING NORTH 02 DEGREES 47 MINUTES 00 SECONDS EAST 76.57 FEET TO A POINT; THENCE RUNNING SOUTH 89 DEGREES 07 MINUTES 45 SECONDS EAST 334.74 FEET TO THE TRUE POINT OF BEGINNING; CONTAINING .527 ACRES AS SHOWN ON THE SURVEY REFERENCED ABOVE.

LESS AND EXCEPT:

THE RIGHT-OF WAY TAKEN BY THE DEPARTMENT OF TRANSPORTATION DESCRIBED IN DEED BOOK 11823, PAGES 252 - 255, RECORDED 1/23/2001 BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:  
BEGIN AT A POINT WHERE THE WESTERLY RIGHT OF WAY OF HARALSON ROAD INTERSECTS WITH THE NORTHERLY RIGHT OF WAY OF LAWRENCEVILLE HIGHWAY; THENCE SOUTH 27 DEGREES 59 MINUTES 17 SECONDS WEST, A DISTANCE OF 51.37 FEET TO A POINT; THENCE SOUTH 27 DEGREES 59 MINUTES 17 SECONDS WEST, A DISTANCE OF 76.57 FEET TO A POINT; THENCE SOUTH 89 DEGREES 17 MINUTES 04 SECONDS WEST, A DISTANCE OF 21.04 FEET TO A POINT; THENCE NORTH 28 DEGREES 04 MINUTES 16 SECONDS EAST, A DISTANCE OF 77.28 FEET TO A POINT; THENCE NORTH 28 DEGREES 04 MINUTES 16 SECONDS EAST, A DISTANCE OF 52.66 FEET TO A POINT; THENCE NORTH 29 DEGREES 03 MINUTES 06 SECONDS WEST, A DISTANCE OF 35.42 FEET TO A POINT; THENCE SOUTH 87 DEGREES 51 MINUTES 48 SECONDS EAST, A DISTANCE OF 19.56 FEET TO A POINT; THENCE SOUTH 29 DEGREES 03 MINUTES 06 SECONDS EAST, A DISTANCE OF 36.21 TO THE POINT OF BEGINNING; CONTAINING 0.068 ACRES (2,966 SQUARE FEET)

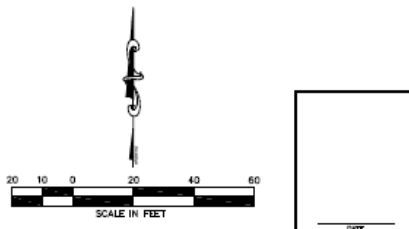


SITE DATA		
STREET LOCATION: 2550 LAWDALEVILLE HWY, DEKALB, GA 30033		
CURRENT SITE AREA: 1.08 AC. (47,492 SF)		
CURRENT ZONING: C-1 COMMERCIAL		
BUILDING TYPE: EXISTING (1,997 GROSS SQ.FT.)		
ZONING REQUIREMENTS	REQUIRED	PROPOSED
BUILDING SETBACKS		
FRONT	60'	>60'
LEFT SIDE	20'	>20'
RIGHT SIDE	50'	>50'
REAR	30'	>30'
PARKING STALL SIZE (NO REHEAT)	9'x17'	9'x17'
DRIVE AHEAD WIDTH		
ONE WAY (90° PARKING)	14'	>14'
ONE WAY (90° PARKING)	24'	24'
PARKING (SEE BELOW)		
RESTAURANT:		
MINIMUM = 4 SPACE/150 SF.	14	21
MAXIMUM = 1 SPACE/70 SF.	27	
BUILDING HEIGHT	700	21'-10"
OPEN SPACE	MIN 20%	56.2%

PROVIDED CONCRETE CURBS, GUTTERS, PAVES AND PAVING ON SITE		
DESCRIPTION	SPECIFICATION	QTY.
CONCRETE PAVEMENT	REFER TO GEOTECH. REPORT FOR PAVEMENT SECTION AND SUBBASE	2,125 SF
STANDING CURB	REFER TO GEOTECH. REPORT FOR CONCRETE STRENGTH AND SUBBASE	900 SF
CONCRETE SIDEWALK	REFER TO GEOTECH. REPORT FOR PAVEMENT SECTION AND SUBBASE	1,000 LF
18" CURB & GUTTER	REFER TO GEOTECH. REPORT FOR CONCRETE STRENGTH AND SUBBASE	60 LF
ASPHALT PAVEMENT	REFER TO GEOTECH. REPORT FOR PAVEMENT SECTION AND SUBBASE	11,000 SF

STORM CALCULATIONS					
	EXISTING CONDITIONS		PROPOSED CONDITIONS		CHANGE
	SF	% IMPERVIOUS	SF	% IMPERVIOUS	
IMPERVIOUS SURFACE	23,792	50.0%	20,815	43.8%	-6.2%
PERVIOUS SURFACE	23,700	50.0%	26,677	56.2%	+6.2%
TOTALS	47,492		47,492		

- GENERAL NOTES:**
- THE MAJOR ROAD SIGNS AND SIGNS AND ALL INSTALLATION IS PART OF THE SIGN CONTRACTOR'S PACKAGE. CONDUIT AND WIRE TO THE SIGNS INSTALLED BY GC AND COST PAID BY THE OWNER.
  - ENTRANCE AND EXIT SIGNS, DRIVE-THRU MENU BOARDS AND FLAGPOLES, INCLUDING THE INSTALLATION, ARE PART OF THE SIGN CONTRACTOR'S PACKAGE. BASES AND WIRING TO THE SIGNS AND CONDUIT ARE INSTALLED BY GC AND COSTS PAID BY THE OWNER.
  - LOT LIGHTING SUPPLIER NOTE: LIGHT FOR AMERICAN FLAG ILLUMINATION TO BE LOCATED ON BUILDING NEAR THE FLAG WHEN REQUIRED.
  - BASES FOR FLAGPOLES ARE BY THE GENERAL CONTRACTOR. ANCHOR BOLTS ARE BY OTHERS.
  - PROPOSED UTILITIES ARE SHOWN IN SCHEMATIC ONLY. EXACT LOCATIONS SHALL BE DETERMINED TO ALLOW FOR THE MOST ECONOMICAL INSTALLATION.
  - THE CONTRACTOR SHALL COORDINATE WITH ALL UTILITY COMPANIES TO DETERMINE EXACT POINT OF SERVICE CONNECTION AT EXISTING UTILITY. REFER TO THE BUILDING ELECTRICAL AND PLUMBING DRAWINGS FOR UTILITY SERVICE ENTRANCE LOCATIONS, SIZES, AND CIRCUITING.
  - ALL ELEVATIONS SHOWN ARE IN REFERENCE TO THE BENCHMARK AND MUST BE VERIFIED BY THE GENERAL CONTRACTOR AT OBTAINMENT.
  - FINISH WALK AND CURB ELEVATIONS SHALL BE 0" ABOVE FINISH PAVEMENT.
  - ALL LANDSCAPE AREAS SHALL BE ROUGH GRADED TO 6" BELOW TOP OF ALL WALKS AND CURBS, FINISH GRASSING, LANDSCAPING, AND SPRINKLER SYSTEMS ARE BY THE OWNER/OPERATOR.
  - ALL CONCRETE WALKS TO BE 4" THICK AND BROOM FINISHED.
  - BASES, ANCHOR BOLTS, CONDUIT, AND WIRING FOR ALL OTHER SIGNS ARE BY THE GENERAL CONTRACTOR.
  - ANY WORK PERFORMED IN THE STATE R.O.M. SHALL BE PER DOT GUIDELINES AND STANDARD SPECIFICATIONS.
  - ALL EXPOSED CONCRETE CORNERS TO BE CHAMFERED AND/OR TO HAVE CURB.
  - ALL EXPOSED CONCRETE CURBS, SIDEWALK SLABS, PAVEMENT AND FOUNDATIONS SHALL BE TREATED WITH AN AQUON OR APPROVED EQUIVARIANT.
  - THE GENERAL CONTRACTOR IS RESPONSIBLE FOR DEMOLITION OF ANY REMAINING SITE IMPROVEMENTS PRIOR TO CONSTRUCTION.
  - ALL JOINTS WHERE NEW PAVEMENT ADJOINS EXISTING PAVEMENT SHALL BE SAW CUT TO INSURE A STRAIGHT CLEAN LINE, OR WILL BE CARVED TO THE NEXT EXPANSION JOINT ON SET R.O.M. WHERE FEASIBLE.
  - ALL CURB RINKS 5" UNLESS NOTED OTHERWISE.
  - ALL CURB FACES AND PAVEMENT ELEVATIONS SHALL MATCH ADJOINING CURBING AND PAVEMENT EXACTLY.
  - STAIRCASE AND GRASS ALL SLOPES TO PREVENT EROSION, AND SOIL OR IMPROVISED SLOPES OVER 2:1 UNLESS OTHER WISE SPECIFIED. SEE GRADING PLAN.
  - ALL DIMENSIONS ARE GIVEN TO THE FACE OF CURB.
  - CONTRACTOR TO USE TOPOGRAPHIC SURVEY IN CONJUNCTION WITH THIS SITE PLAN FOR LOCATION AND SIDES OF EXISTING FEATURES.
  - PROJECT SITE IS OUTSIDE OF THE 100 YEAR FLOODPLAIN AND IN ZONE X PER FEMA FLOOD MAP 13099K0206AK AND DATED 8/15/2019.



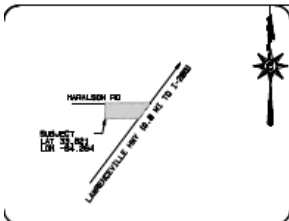
NO.	DATE	DESCRIPTION	REVISION
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PROJECT NAME	DUNKIN' DONUTS
CLIENT	DUNKIN' DONUTS
SITE PLAN	

PROJECT NO.	PROJ. WPK.
DATE	DWG. BY
SCALE	DWG. BY
DRAWING SERIES	DATE
DRAWING NO.	SCALE





TECHNICAL STANDARDS

This survey was prepared in conformity with the Georgia Engineering and Surveying Act...

PRECISION NOTE

The field data dated 1-15-2020 were collected using a total station...

ZONING

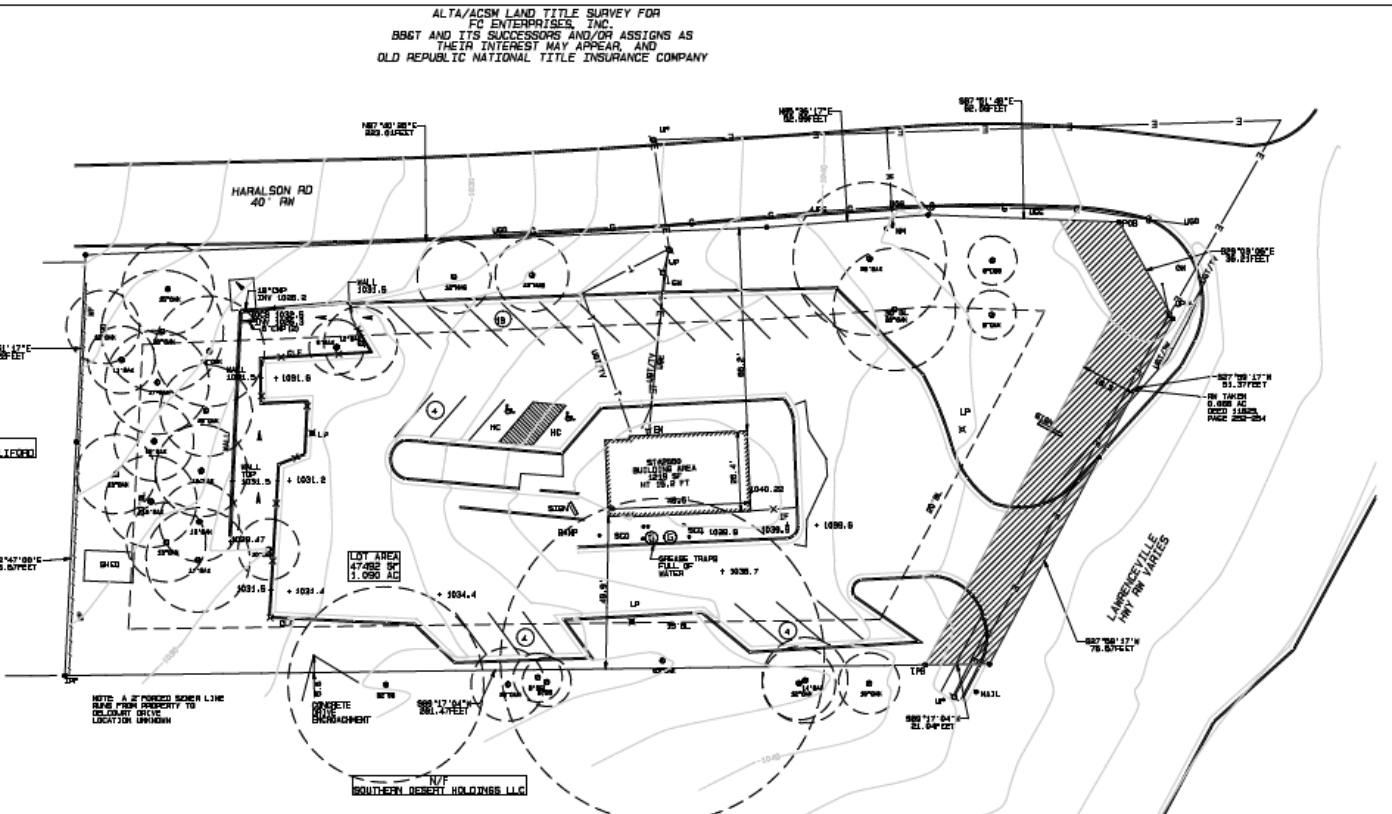
The zoning on the book is R-1. The zoning on the plat is R-1. The zoning on the plat is R-1.

DRAINAGE

See total drainage in attached sheets.

LEGAL DESCRIPTION

ALL THAT TRACT OR PARTS OF LAND LYING AND BEING IN LAND LOT 248, WITH DISTRICT OF DENY COUNTY, GEORGIA...



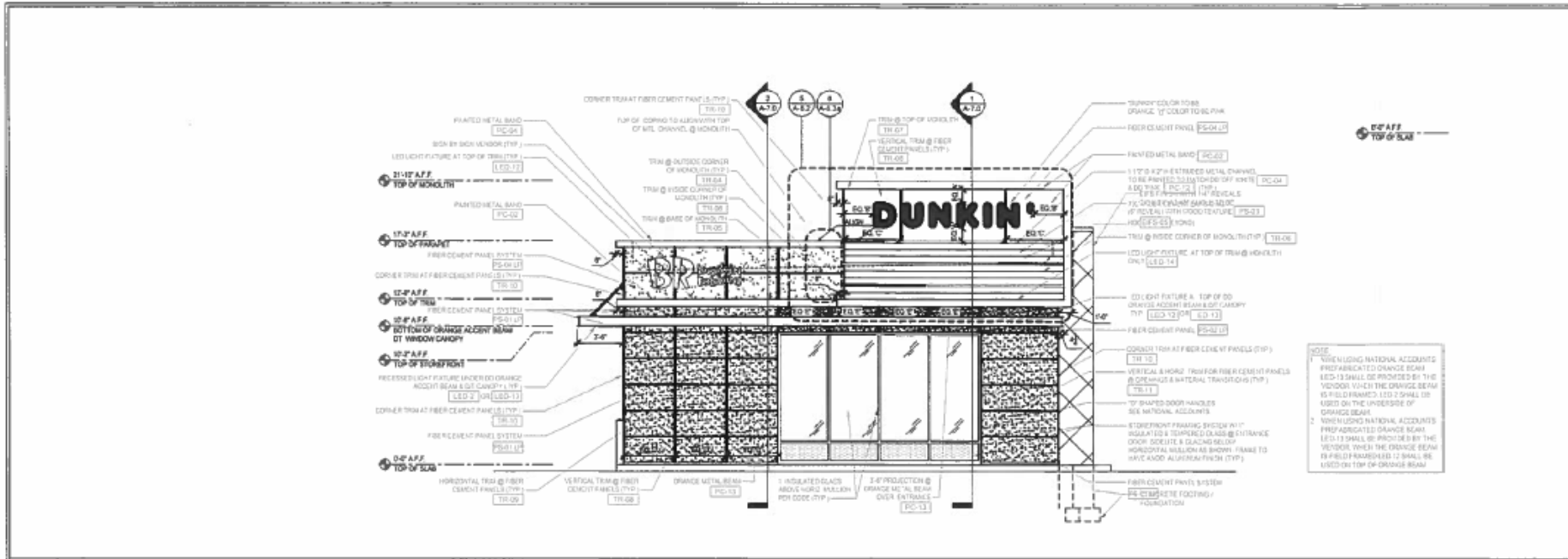
SURVEYORS NOTES: THIS SURVEY WAS PREPARED FROM TITLE INSURANCE COMMITMENT FOR AGENT ELLI MANEY... EXEMPTIONS TO TITLE POLICY: IF OWNER AGREES AND AGREEMENTS FOR MAINTENANCE REQUIRED...

LEGEND table with symbols for features like Easement, Utility Pole, Water Meter, etc.

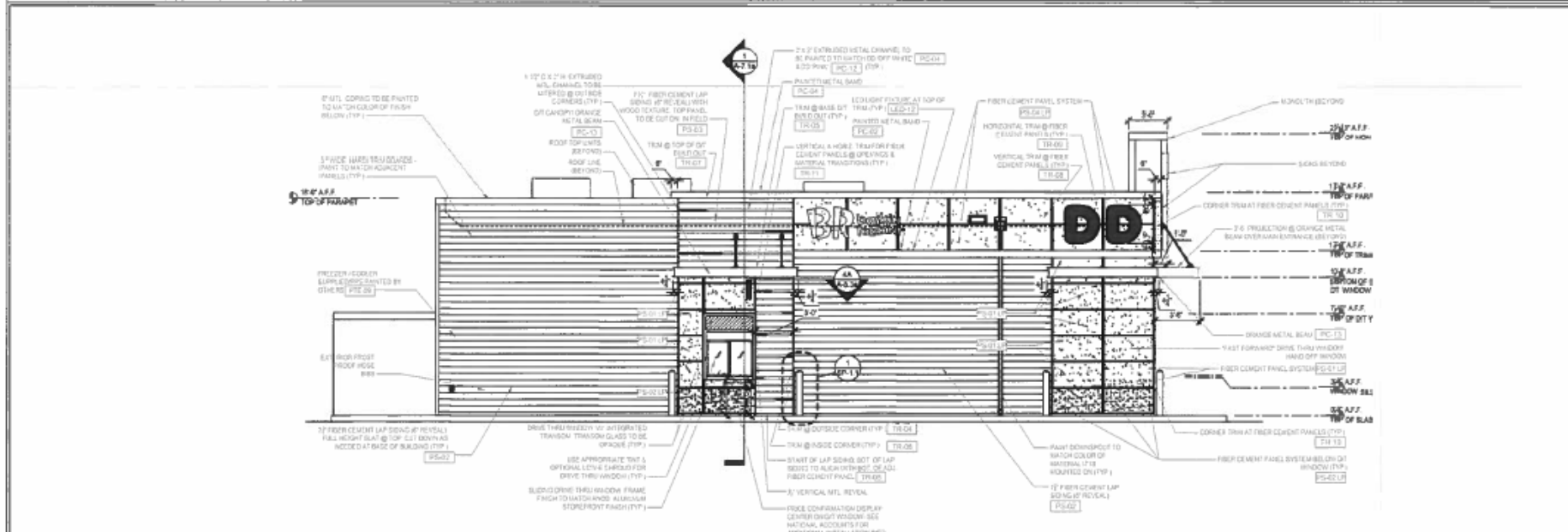
SURVEYORS CERTIFICATION TO: I, THE ENGINEER, HEREBY CERTIFY THAT THIS SURVEY WAS MADE IN ACCORDANCE WITH THE GEORGIA ENGINEERING AND SURVEYING ACT...



Vertical sidebar containing title block information, scale bar, north arrow, and contact details for the surveying firm.



1 FRONT ELEVATION  
1/4" = 1'-0" NOTE



2 LEFT ELEVATION  
1/4" = 1'-0" NOTE

EXTERIOR ELEVATIONS -  
JAMES HARDIE BLDG.  
PREFERRED OPTION



FRONT ELEVATION



REAR ELEVATION



SIDE ELEVATION



ABOVE GROUND ELEVATION

MATERIAL		DESCRIPTION / FINISH
01	CONCRETE FINISH	
02	CHARCOAL	
03	WOOD PATTERN	
04	OFF WHITE FINISH	
05	MID-TONE FINISH	
08	LIGHT GREY	
12	DD PINK	
13	DD ORANGE	

NO.	DESCRIPTION	OPTION #1	DESCRIPTION / FINISH
01	CONCRETE FINISH		
02	CHARCOAL		
03	WOOD PATTERN		
04	OFF WHITE FINISH		
05	MID-TONE FINISH		
08	LIGHT GREY		
12	DD PINK		
13	DD ORANGE		

DUNKIN COMBO BUILDING  
LAWRENCEVILLE HWY  
DECATUR, GA



