



DeKalb County Government

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

Agenda Item

File #: 2019-3845

7/9/2019

File Status: Preliminary Item

Public Hearing: YES ☒ NO ☐

Department: Planning & Sustainability

SUBJECT:

COMMISSION DISTRICT(S): 4 & 7

Application of R. Lawton Jordan Esq. to rezone property from RSM (Small Lot Residential Mix) District to C-1 (Local Commercial) District to allow local commercial uses on the site.

PETITION NO: N6. Z-19-1243279

PROPOSED USE: Local Commercial Uses

LOCATION: 7231 Rockbridge Road

PARCEL NO.: 18-026-04-090

INFO. CONTACT: Marian Eisenberg

PHONE NUMBER: 404-371-4922

PURPOSE:

Application of R. Lawton Jordan Esq. to rezone property from RSM (Small Lot Residential Mix) District to C-1 (Local Commercial) District to allow local commercial uses on the site. The property is located on the south side of Rockbridge Road, 201 feet east of S. Deshon Road at 7231 Rockbridge Road. The property has approximately 244 feet of frontage along the south side of Rockbridge Road and contains 0.83 acre.

RECOMMENDATION:

COMMUNITY COUNCIL: Approval

PLANNING COMMISSION: Pending

PLANNING STAFF: Approval with Conditions

STAFF ANALYSIS: The applicant is requesting to rezone the property from the RSM (Small Lot Residential Mix) District to C-1 (Local Commercial) District to utilize the existing structure for general commercial uses. Located within a Neighborhood Center Character Area designated by the 2035 Comprehensive Plan, the rezoning request to the C-1 (Local Commercial) District is consistent with the following Plan Policy: Preferred Uses - Each Neighborhood Center shall include a medium -high density mix of retail, office, services, and employment to serve neighborhoods. The approval of the C-1 District on the subject site will not affect the existing use or usability of adjacent or nearby commercial properties. Given that Rockbridge Road is a two-

lane arterial, commercial uses in the existing building should not cause an excessive burden on existing streets and transportation facilities. The proposed use will have no impact on area schools. Therefore, the Department of Planning and Sustainability recommends “Approval, subject to Staff’s conditions”.

PLANNING COMMISSION VOTE: Pending

COMMUNITY COUNCIL VOTE/RECOMMENDATION: Approval 6-5-0.

Z-19-1243279

RECOMMENDED CONDITIONS

1. Limit site to general retail, commercial or office uses permitted within the C-1 (Local Commercial) District. The following uses shall be prohibited: Liquor store, late night establishments, night clubs, auto tire sales and repair, car wash, service station, auto sales, temporary outdoor sales. Site plan is conceptual and subject to the approval of the Director for compliance to zoning code and approved conditions.
2. Access points are subject to approval by the Transportation Division of the Department of Public Works.
3. All refuse areas shall be located to the rear of the site and screened from public view with fencing or similar building materials to match the primary structure.



DeKalb County Department of Planning & Sustainability

330 Ponce De Leon Avenue, Suite 300

Decatur, GA 30030

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

Planning Commission Hearing Date: July 09, 2019, 6:30 P.M.

Board of Commissioners Hearing Date: July 23, 2019, 6:30 P.M.

STAFF ANALYSIS

Case No.: Z-19-1243279 **Agenda #:** N.6

Location/Address: The south side of Rockbridge Road, approximately 201 feet north of east of S. Deshon Road at 7231 Rockbridge Road, Stone Mountain, GA. **Commission District:** 4 **Super District:** 7

Parcel ID: 18-026-04-090

Request: To rezone property from RSM (Small Lot Residential Mix) District to C-1 (Local Commercial) District to allow local commercial uses on the site.

Property Owners: Paul Wishney

Applicant/Agent: R. Lawton Jordan, Esq.

Acreage: .83 Acres

Existing Land Use: PNC Bank Building

Surrounding Properties: Various Retail Uses (QuikTrip, CVS, Zaxby's, Publix, Strip Retail Shopping Center)

Adjacent & Surrounding Zoning: North, South, East, Further West: RSM (Residential Medium Lot) District
Northwest, Further Southwest & West: C-1 (Local Commercial) District

Comprehensive Plan: Neighborhood Center (NC) Consistent X

Proposed Additional Commercial Sq. Feet: None	Existing Commercial Sq. Footage: 4,142
Proposed Lot Coverage: <80%	Existing Lot Coverage: <80%

SUBJECT SITE & ZONING HISTORY

Per the submitted survey, the site consists of a vacated one-story commercial brick building consisting of 3,350 square feet of interior heated floor space. The building was formerly occupied by a bank. The site is located on an outparcel lot within Rockbridge Square shopping center with several other retail uses on Rockbridge Road. Primary access via an existing curb cut on Rockbridge Road. The site can also be accessed via a curb cut on South Deshon Road. The character of the area immediately surrounding the site consists of various commercial and retail uses at the intersection of Rockbridge Road and South Deshon Road. Further North, west, south, east and west are established single-family detached subdivisions (Lakeside at Waters Edge; NorthShore & Mountain Oaks).

Previously, the site was zoned R-CD (Residential Community Development) District which allowed a mixture of residential, community facilities, educational, retail and service uses. The site is currently zoned RSM (Small Lot Residential Mix) pursuant to the DeKalb County Zoning Code Update in September 2015 which consolidated several zoning districts.

PROJECT ANALYSIS

Per the submitted Letter-of-Intent, the goal is to utilize the existing building on the site for general commercial and or retail uses.

COMPLIANCE WITH DISTRICT STANDARDS

The site must comply with minimum development standards of the C-1 (Local Commercial) District per Table 2.2 of the DeKalb County Zoning Ordinance. Per the chart below, a variance is required for the transitional buffer adjacent to residential zoned property lines.

STANDARD	REQUIREMENT	EXISTING	COMPLIANCE
LOT WIDTH (C-1)	A minimum 100 feet of lot width on a public street frontage	Approximately 244 feet of frontage along the south side of Rockbridge Road.	Yes
LOT AREA (C-1)	20,000 Square Feet	36,303 Square feet	Yes
FRONT BUILDING SETBACK	Minimum 60 Feet for on minor arterial (Rockbridge Road) within a Neighborhood Center Character Areas	Per submitted survey, it appears building is set back 72 feet from Rockbridge Road	Yes
SIDE INTERIOR BUILDING SETBACK	20 Feet	Existing minimum 30 feet	Yes

REAR BUILDING SETBACK	30 Feet	The brick column of the existing ATM Drive-Thru in the rear slightly encroaches into the 30-foot rear setback	No. Site may require a variance if drive-thru columns stay on the rear of the site.
TRANS. BUFFERS Table 5.2(a)	50 feet adjacent to RSM zoned property.	Not applicable. No 50-foot transitional buffer adjacent to existing developed non-residential properties.	5-foot landscape strip is required along property lines where existing structures do not impede planting.
HEIGHT	2 stories/35 feet	1 story	Yes
PARKING Article 6 Minimum 1 space per 500 Square Feet of floor area. Max. 1 space per 200 Square Feet.	Based on 3,350 square feet of heated floor area, a minimum 7 spaces are required, and a maximum 17 spaces are required.	30 parking spaces are provided	Exceeds number of parking spaces. Staff has suggested removal of excess parking spaces and provide additional parking lot landscaping or apply for a variance from the ZBOA.
OPEN SPACE PROVIDED	10%	Not calculated or depicted on submitted survey	Site should be able to accommodate this standard.
LINEAR FEET OF NEW SIDEWALK	Sidewalk along Rockbridge Road frontage	Sidewalk currently exists along Rockbridge Road frontage.	Yes

ZONING ANALYSIS

The request is to rezone property from the RSM (Small Lot Residential Mix) District to the C-1 (Local Commercial) District. Per the DeKalb Zoning Ordinance, the purpose of the RSM District is to allow a mix of single-family attached and detached housing options and to provide flexibility in design and product on the interior of new development while protecting surrounding neighborhoods. The current RSM District does not allow for general commercial uses on a site. The requested C-1 (Local Commercial) District would allow uses consistent with existing retail and commercial uses currently developed at all four corners of the intersection of Rockbridge Road and South Deshon Road. Some of the commercial uses include: QuikTrip gas outlet & convenience store; strip retail uses within Rockbridge Square shopping center such as small take out & eat-in restaurants, nail salon, hair salon, beauty supply, metro-pcs, Pizza-Hut take-out and Little Caesars. North of the site along Rockbridge Road is a McDonalds restaurant and Publix grocery store. Further north on S. Deshon Road is Auto Zone. West and southwest is CVS Pharmacy, Zaxby's restaurant and a child day care center. The proposed C-1 zoning district designation on the site would not impact the use of nearby residential uses further north and south of the intersection.

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.

Located within a Neighborhood Center Character Area designated by the 2035 Comprehensive Plan, the rezoning request to the C-1(Local Commercial) District is consistent with the following Plan Policy: Preferred Uses – Each Neighborhood Center shall include a medium -high density mix of retail, office, services, and employment to serve neighborhoods.

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 for C-1 (Local Commercial) District in view of adjacent and nearby commercial uses at the intersections of Rockbridge Road and South Deshon Road.

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

Given that the site is currently developed with a vacated commercial use and is surrounded by established retail uses, the site may not have a reasonable economic use as currently zoned RSM (Small Lot Residential Mix) District.

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

The approval of the C-1 district on the subject site will not affect the existing use or usability of adjacent or nearby commercial.

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

The commercial structure is already existing. It was previously a bank which has relocated. The building is now vacant, and the proposed C-1 District would allow other commercial uses to occupy the vacant structure.

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

The proposed rezoning request should not have an adverse effect on historic buildings, sites, districts, or archaeological resources.

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

The site is located on a two-lane minor arterial (Rockbridge Road) that has been undergoing road improvements. The proposed use 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 C-1 district should not adversely impact the environment or surrounding natural resources.

Staff Recommendation: APPROVAL WITH CONDITIONS

The applicant is requesting to rezone the property from the RSM (Small Lot Residential Mix) District to C-1 (Local Commercial) District to utilize the existing structure for general commercial uses. Located within a Neighborhood Center Character Area designated by the 2035 Comprehensive Plan, the rezoning request to the C-1 (Local Commercial) District is consistent with the following Plan Policy: Preferred Uses – Each Neighborhood Center shall include a medium -high density mix of retail, office, services, and employment to serve neighborhoods. The approval of the C-1 District on the subject site will not affect the existing use or usability of adjacent or nearby commercial properties. Given that Rockbridge Road is a two-lane arterial, commercial uses in the existing building should not cause an excessive burden on existing streets and transportation facilities. The proposed use will have no impact on area schools. Therefore, the Department of Planning and Sustainability recommends **APPROVAL** of the rezoning request to C-1 (Local Commercial) District subject to the following conditions for consideration:

1. Limit site to general retail, commercial or office uses permitted within the C-1 (Local Commercial) District. The following uses shall be prohibited: Liquor store, late night establishments, night clubs, auto tire sales and repair, car wash, service station, auto sales, temporary outdoor sales. Site plan is conceptual and subject to the approval of the Director for compliance to zoning code and approved conditions.
2. Access points are subject to approval by the Transportation Division of the Department of Public Works.
3. All refuse areas shall be located to the rear of the site and screened from public view with fencing or similar building materials to match the primary structure.

Attachments:

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

NEXT STEPS

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

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

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

NEXT STEPS

- ✓ **Business License** *(Required for any business or non-residential enterprise operating in Unincorporated DeKalb County, including in-home occupations).*

Alcohol License *(Required permit to sell alcohol for consumption on-site or packaged for off-site consumption. Signed and sealed distance survey is required. Background checks will be performed.)*

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



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.



DEKALB COUNTY GOVERNMENT
PLANNING DEPARTMENT
DISTRIBUTION FORM

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

COMMENTS FORM:
PUBLIC WORKS TRAFFIC ENGINEERING

Case No.: 2-19-1243279 Parcel I.D. #: 18-026-04-090

Address: 7231
S. Deshon Road
STONE MOUNTAIN GA.

Adjacent Roadway (s):

_____	_____
(classification)	(classification)

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

Please provide additional information relating to the following statement.

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

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

COMMENTS:

PLANS AND Field-REVIEWED, NO problem that
WOULD INTERFERE with traffic flow.

Signature: Jerry Whit



R. LAWTON JORDAN III
ATTORNEY AT LAW

404.373-9590
LJORDAN@WILLIAMSTEUSINK.COM

April 15, 2019

Realty Income Corporation
PO Box 3475
Tulsa OK 14101

Re: Community Meeting for rezoning of 7231 Rockbridge Road, Lithonia, GA 30058

Dear Sir or Madam:

You are invited to attend a community meeting at 6:00 PM on Tuesday, April 30th at Redan-Trotti Library, located at 1569 Wellborn Road, Lithonia, GA 30058 regarding a proposed rezoning of 7231 Rockbridge Road, Lithonia, GA 30058. The meeting will be held at 6:00 PM

As you may be aware, this property, located near the intersection of Wellborn Road and Redan Road, is currently occupied by PNC Bank, and is adjacent to the QuikTrip gas station at the corner of that intersection. Under the current zoning (Small Lot Residential Mix District), the only commercial use allowed for this property is as a bank. The owner seeks to rezone the property to C-1 so that it may be utilized for additional commercial uses.

To be clear, this rezoning application does not include your property and this notice does not require that you take any action, only that you be notified of such meeting and invited to attend. We welcome your attendance at this meeting, and should you be unable to attend and/or have questions about this matter, you may call our office at the number above and either speak with the undersigned or with Sam Artopoeus. In accordance with DeKalb County Code Section 7.2.4(C), this notice is provided to all residents within a 500 ft. radius of the subject property and to members of the community council that deals with land use decisions in this area.

Sincerely,

/s/ R. Lawton Jordan

R. Lawton Jordan, III, Esq.

MEETING SIGN-IN SHEET

Project: 7231 Rock date

Meeting Date: 4/30/19

Facilitator: Sam Artopoulos

Location: Redan - Tr. Hi.

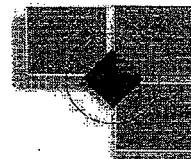
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DeKalb County Department of Planning & Sustainability

Michael L. Thurmond
Chief Executive Officer

Andrew A. Baker, AICP
Director



APPLICATION TO AMEND OFFICIAL ZONING MAP OF DEKALB COUNTY, GEORGIA

Z/CZ No. _____

Filing Fee: _____

Date Received: _____ Application No.: _____

Applicant: R. Lawton Jordan, Esq. E-Mail: ljordan@williamsteusink.com

Applicant Mailing Address: 309 Sycamore Street, Decatur, GA 30030

Applicant Phone: 404 373 9590 Fax: 404 378 6049

Owner(s): Paul Wishney E-Mail: cdenisepete@aol.com
(If more than one owner, attach as Exhibit "A")

Owner's Mailing Address: 34481 Via GomezDana Point, CA 92624

Owner(s) Phone: 949-257-9100 Fax: _____

Address/Location of Subject Property: 7231 Rockbridge Road, Lithonia, GA 30058

District(s): 18 Land Lot(s): 026 Block: 04 Parcel(s): 090

Acreage: .83 Commission District(s): 4 and 7

Present Zoning Category: RSM Proposed Zoning Category: C-1

Present Land Use Category: Non-Conforming

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.

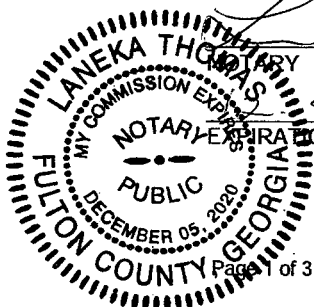
The disclosure must be filed within 10 days after the application is first filed and must be submitted to the C.E.O. and the Board of Commissioners, DeKalb County, 1300 Commerce Drive, Decatur, Ga. 30030.

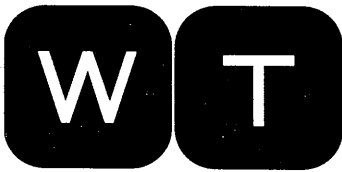
SIGNATURE OF APPLICANT / DATE

Check One: Owner ☐ Agent ☒

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

Revised 1/1/17





**WILLIAMS
TEUSINK**

SAM ARTOPOEUS
LEGAL ASSISTANT

SARTOPOEUS@WILLIAMSTEUSINK.COM
404.373.9590

April 19, 2018

via Hand Delivery

Andrew Baker
Director
DeKalb County, Georgia
Department of Planning and Sustainability
330 West Ponce de Leon Avenue,
Decatur, Georgia 30030

Re: **APPLICATION FOR REZONING**

7231 Rockbridge Road, Lithonia, GA 30058

Dear Director Baker:

I represent Peter E. Wishney as Trustee for the Peter E. Wishney Family Trust, u/t/d 4/19/1996 ("Owner"). Owner is in possession of that certain real property known as and located at 7231 Rockbridge Road, Lithonia, GA 30058 (the "Property"). The Property is currently zoned RSM (Small Lot Residential Mix). Mr. Wishney as Trustee respectfully submits this application to rezone the Property to C-1 zoning district.

A. SUMMARY OF PROPOSED REZONING

Applicant requests rezoning of 7231 Rockbridge Road, Lithonia, GA 30058 (the "Property") from RSM to C-1 zoning district to allow for greater freedom of use as commercial property. The rezoning is necessary due to the fact that the current zoning is for single family development and is out of character for the neighboring properties.

Applicant purchased the Property on September 15th, 2014 pursuant to *Grant Deed* filed and recorded in Deed Book 24572, Page 343 in the Real Estate Records of DeKalb County, Georgia, a copy of which is enclosed here.

The Property is improved with a one-story commercial building that consists of approximately three thousand three hundred fifty square feet (3,350 sq. ft.) of interior heated space, and an approximate lot size of thirty-five thousand seven hundred nineteen square feet (35,719 sq. ft.).

Currently the property is developed and has served as a bank, Single Family zoning is out of character for the neighborhood and intersection of Rockbridge Rd. SW and North and South Deshon Road this area serves as a commercial corridor. The surrounding properties also zoned majority RSM with some C-1 are currently developed as C-1 properties. With McDonald's (370 N Deshon Rd.) CVS (7207 Rockbridge Rd SW) and Metro by T-Mobile

7245 Rockbridge Rd. SW, Suite 700) surrounding the intersection and as neighboring properties.

B. DOCUMENTED IMPACT ANALYSIS

- (a) **Whether the proposed land use change will permit uses that are suitable in consideration of the use and development of adjacent and nearby property or properties.**

Commercial zoning is in keeping with the nature of the surrounding area. The surrounding area is a collection of small commercial properties. Rezoning will correct the error made by converting formerly Residential Commercial District ("RCD") zoned properties to RSM properties in 2015.

- (b) **Whether the proposed land use change will adversely affect the existing use or usability of adjacent or nearby property or properties.**

The proposed land use will not adversely affect the existing developments, nor will it reduce the usability of those developments. The land in questions is currently developed as a commercial property, rezoning will allow property owner greater flexibility in leasing the property and will provide the community with much needed commercial zoning in the surrounding area.

- (c) **Whether the proposed land use change will result in uses which will or could cause excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.**

The proposed land use will not place an undue burden on the surrounding facilities, utilities or schools. The roads and utilities in the area are constructed for high capacity and will be in keeping with the purpose of Neighborhood Center land use that is currently designated.

- (d) **Whether the amendment is consistent with the written policies in the comprehensive plan text.**

The proposed rezoning would be in keeping with the land use sought by the County. Currently zoned Neighborhood Center ("NC") the development of small commercial enterprises would allow greater access to the surrounding neighborhoods.

(e) Whether there are potential impacts on property or properties in an adjoining governmental jurisdiction, in cases of proposed changes near county or municipal boundary lines.

The Property is situated approximately one (1) mile from the boundary of Gwinnett County. No change in impact is anticipated as property has been commercial for around 20 years.

(f) Whether there are other existing or changing conditions affecting the use and development of the affected land areas which support either approval or denial of the proposed land use change.

The property has functioned as a commercial business for about 20 years. The rezoning of the property would allow greater flexibility beyond the grandfathered use of a bank. The lack of commercial development in the area means residents regularly travel as far as Snellville for purposes of dining, shopping and professional services.

(g) Whether there will be an impact on historic buildings, sites, districts or archaeological resources resulting from the proposed change.

There is no impact to historical buildings, sites, districts or archaeological resources.

C. ADDITIONAL SUPPORTING DOCUMENTATION

Applicant includes as additional support for its Application the following:

1. Zoning Application;
2. Pre Application Meeting Form;
3. Community Meeting Sign in sheet;
4. Authorization by Property Owner;
5. *Grant Deed*, recorded September 15th, 2014, recorded in Deed Book 24234 Page 583, DeKalb County real estate records;
6. Legal Description of the Property;
7. Zoning Map of the Property;

8. Survey of Property performed by GeoSurvey Ltd., dated April 29, 2019

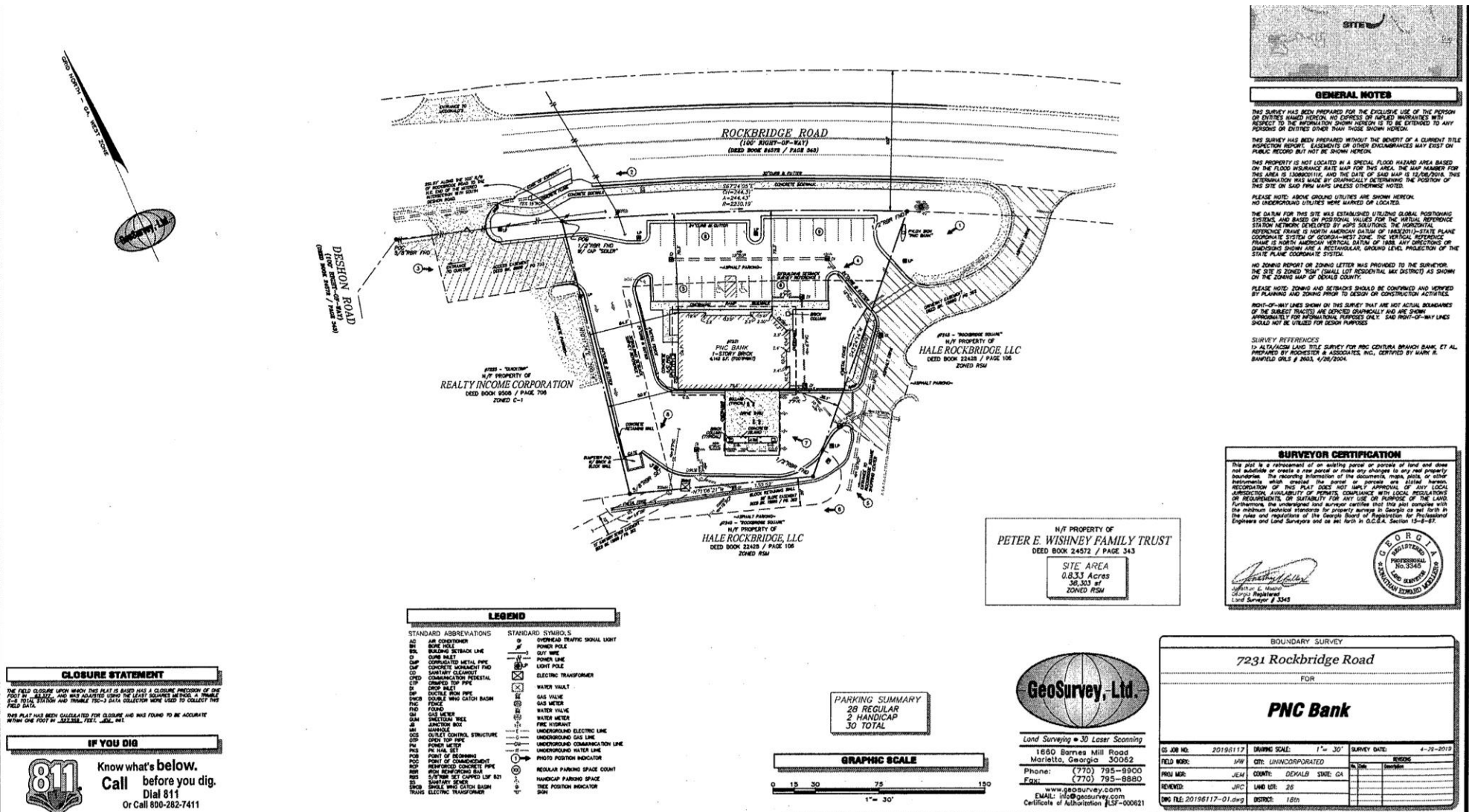
I appreciate consideration of this request for rezoning. Please do not hesitate to contact me with any questions or request for additional information or documentation.

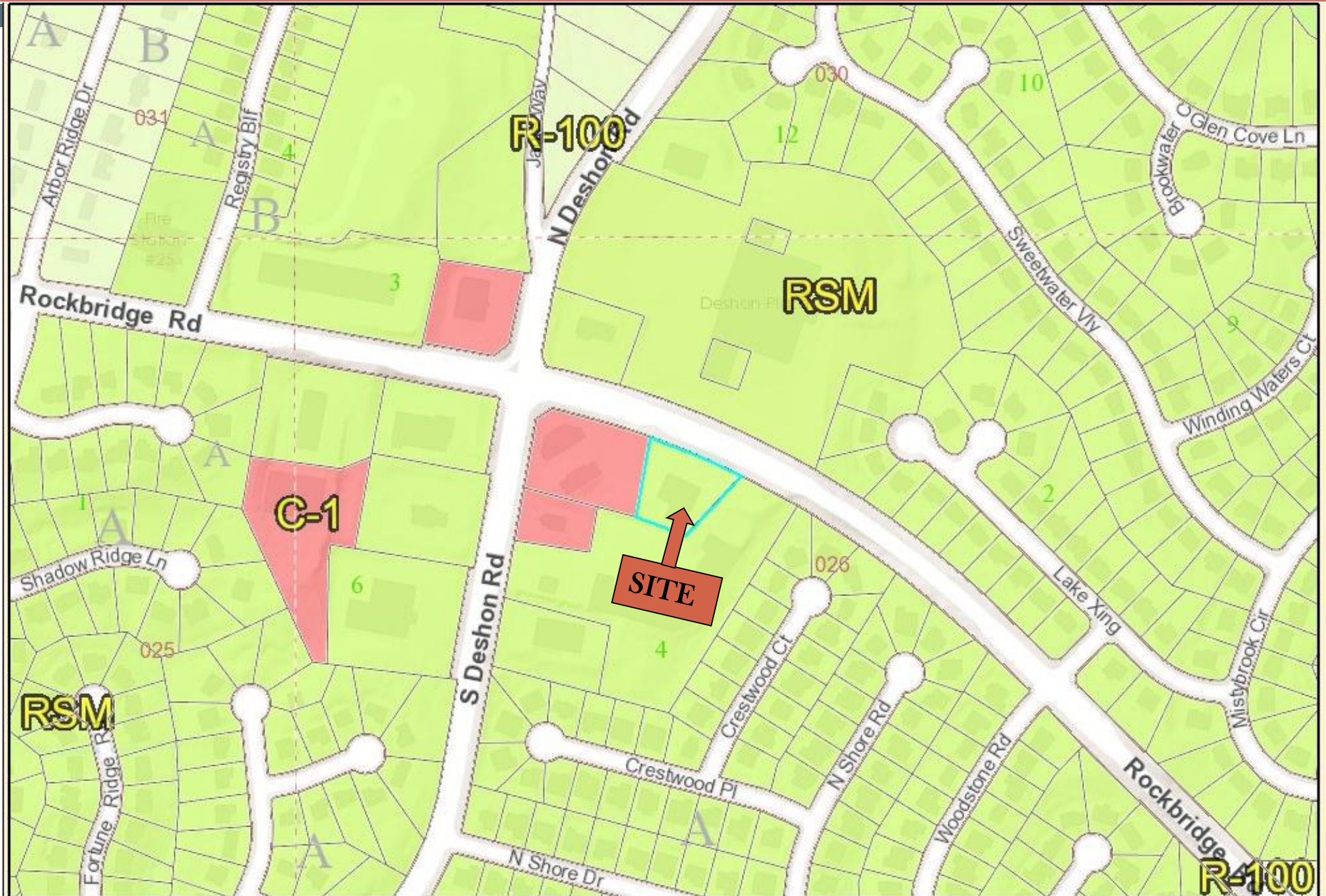
Sincerely,

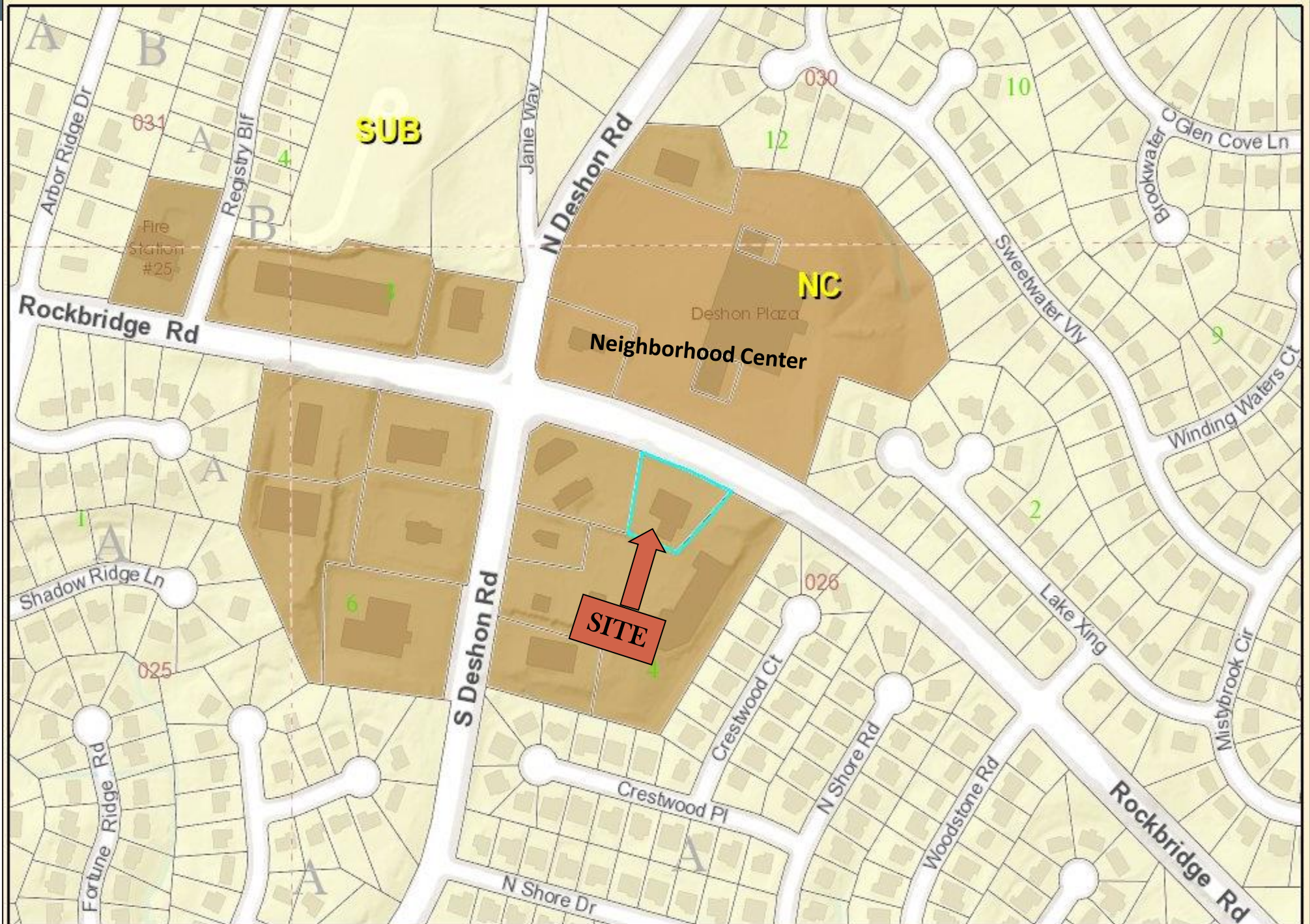
A handwritten signature in black ink, appearing to read 'Sam Artopoulos', with a stylized, flowing script.

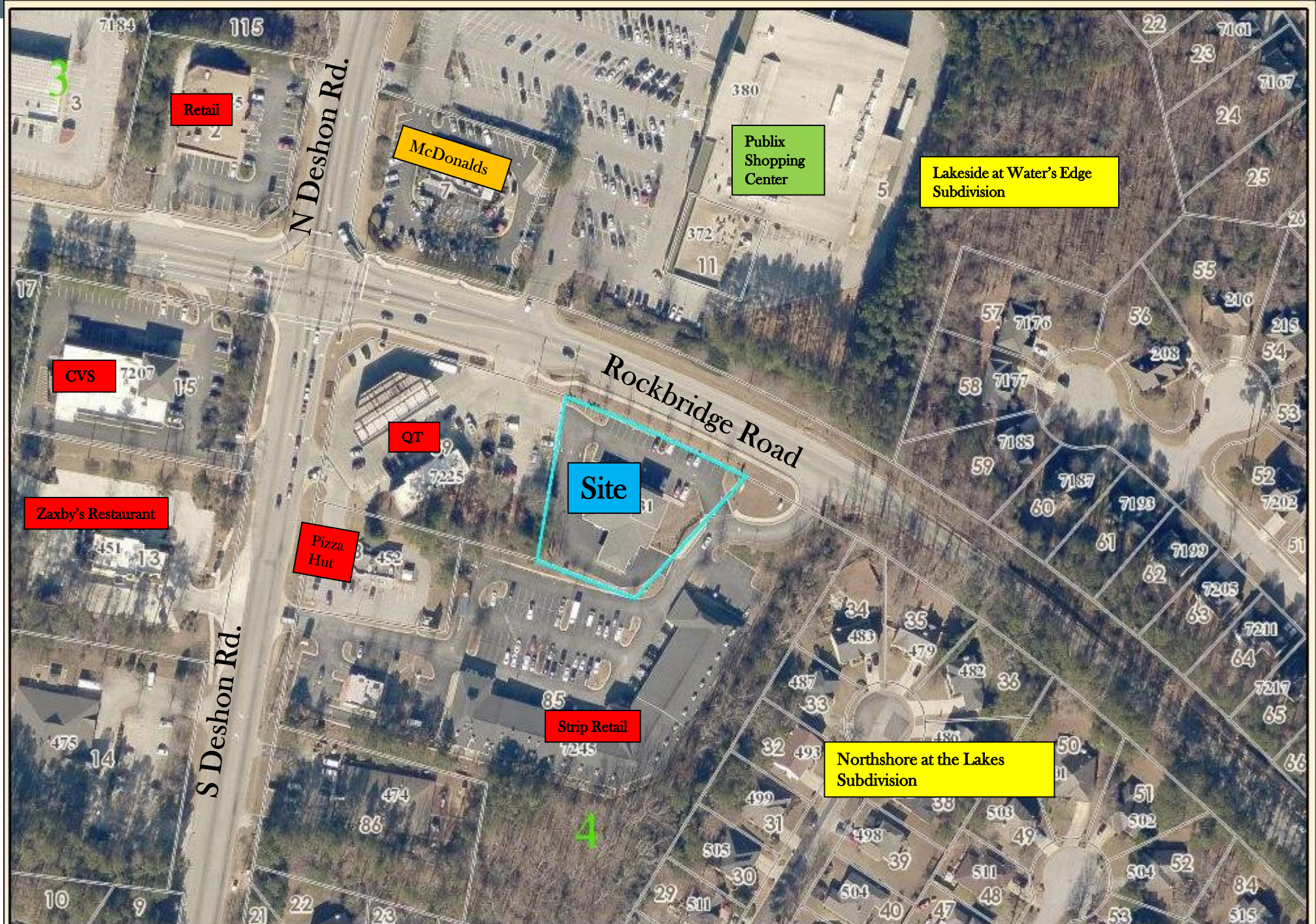
Sam Artopoulos

Site Survey











View from Rockbridge Road



Interior side view
from Rockbridge
Square Shopping
Center



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