



DeKalb County Department of Planning & Sustainability

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**Planning Commission Hearing Date: July 10, 2018, 6:30 P.M.
Board of Commissioners Hearing Date: July 24, 2018, 6:30 P.M.**

STAFF ANALYSIS

Case No.: SLUP-18-22306 **Agenda #:** N. 4

Location/Address: 1065 Lancaster Road, Atlanta, Georgia **Commission District:** 3 **Super District:** 6

Parcel ID(s): 15 017 02 005

Request: To request a Special Land Use Permit (SLUP) for a Recycling Plant with outdoor activities and storage in Tier 4 of the Bouldercrest Cedar Grove Moreland Overlay District, the Soapstone Historic District, and the M-2 (Heavy Industrial) District in accordance Chapter 27-3.39 and Chapter 27, Article 4, Table 4.1 Use Table of the DeKalb County Code. .

Property Owner(s): ADS Trinity, LLC

Applicant/Agent: ADS Trinity, LLC

Acreage: 8

Existing Land Use: Recycling Plant with outdoor activities and storage

Surrounding Properties: Vacant land and a Georgia Power Easement to the north, south, and west; and a truck terminal to the east.

Adjacent Zoning: North: M South: M-2 East: M West: M

Comprehensive Plan: LIND Consistent Inconsistent

Proposed Density: NA	Existing Density: NA
Proposed Units: Recycling Plant with Outdoor Activities and Storage	Existing Units: Recycling Plant with Outdoor Activities and Storage

Proposed Lot Coverage: NA	Existing Lot Coverage: NA

Zoning History: Based on DeKalb County records, it appears that the industrial (M-2) zoning of the property has not changed since adoption of the first zoning ordinance and map in 1956. On September 15, 2005 the Board of Commissioners approved a Special Land Use Permit (SLUP) request to use this property as a concrete batch plant.

PROJECT ANALYSIS

The subject properties consist of one parcel totaling eight acres with street frontage along the western terminus of Lancaster Drive. Based on the submitted information, the property has been operating a Recycling Plant with outdoor activities and storage for the past several years. A Recycling Plant with outdoor activities requires a Special Land Use Permit (SLUP) approval from the Board of Commissioners. Due to Code Enforcement activity, it was discovered that the applicant did not hold a SLUP or a county business license. Therefore the applicant is formally requesting approval for a SLUP to support operations that have been ongoing for the past several years.

Based on the applicant’s conceptual plan there are no buildings proposed. The applicant only wants to continue to recycle concrete originating from demolition debris and processing it into recycled aggregate. Based on the submitted information, the applicant states the following concerning their operations:

“ADS is a DeKalb County demolition contractor which performs large scale demolitions of commercial and industrial properties in the greater Atlanta area. For years, ADS used the property for part of their demolition operations. Aggregate and other materials and equipment are sorted and distributed at the property for use by ADS at its demolition projects.....This involves separating and crushing concrete into various size stone, rip rap, and sand. Often the separation and crushing of concrete is performed at the demolition site, but sometimes this is not practical. In these circumstances, it is desirable to bring concrete from demolition sites to a property off-site where it can be crushed and processed into the needed forms of aggregate. This keeps concrete debris out of landfills and recycles it into a usable product”.

There are no existing or proposed buildings. There will continue to be one driveway access to the property. The topography of the site is flat. The subject property is surrounded by vacant land and a Georgia Power Easement to the north, south, and west; and a truck terminal to the east.

LAND USE AND ZONING ANALYSIS

Section 27-873 of the DeKalb County Zoning Ordinance, “Special land use permit; criteria to be applied” states that the following criteria shall be applied in evaluating and deciding any application for a Special Land Use Permit. No application for a Special Land Use Permit shall be granted unless satisfactory provisions and arrangements have been made concerning each of the following factors, all of which are applicable to each application.

- 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:**

Based on the submitted information as well as field investigation of the project site, it appears that the size of the property is adequate for the recovered materials center. It appears this land use has been operating at the subject site for the past several years. There is adequate area to park on-site for the two to three employees that work on-site. Therefore, it appears that there is adequate land area available for the proposed use as

there is compliance with all other required yards, lot area, lot width, and other applicable requirements of the Zoning Ordinance.

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

Based on the submitted site plan and information, as well as field investigation of the project site, it appears that the proposed use is compatible with the surrounding industrial uses along this stretch of Lancaster Drive.

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

Based on the submitted information, it appears that public transportation facilities are adequate to service the use contemplated. There will be no impact on schools since the proposed use is nonresidential. There is no burdensome impact anticipated on public utilities since the use has been operating for the past several years. Additionally, very few other businesses use Lancaster Road.

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:

Based on the submitted site plan and information, as well as field investigation of the project site, the public street on which the proposed use is to be located is adequate and will not unduly increase traffic congestion since the use has been operating for the past several years. Additionally, very few other businesses use Lancaster Road.

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

Based on the submitted site plan and information, as well as field investigation of the project site, it appears that the existing land uses located along access routes to the site would not be adversely affected by the character of the vehicles or the volume of traffic generated since the use has been operating on the site for the past several years and there are very few businesses operating along Lancaster Road.

F. 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:

It appears that there is adequate ingress and egress to the subject property as the use has been operating as a recovered materials center for the past several years.

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:

It appears that there should be no adverse impacts on surrounding properties since the site is surrounded by vacant land, a Georgia Power Easement, and a trucking terminal. Based on the submitted information, operations will adhere to all regulations from the Environmental Protection Agency (EPA) and the DeKalb County Code of Ordinances. The applicant will implement best management practices which include the following: 1. Reducing the risk of dust migration by properly maintaining driving surface; 2. Providing wind screens and water spraying if necessary during periods of high wind velocity; 3. Reducing on-site vehicle speeds; 4. Requiring shrouds or tarps on haul trucks as necessary; 5. Reducing noise impacts by not operating during evenings; 6. Minimize the drop height of materials, using chutes and conveyors where possible (instead of heavy equipment).

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:

Based on the submitted information and elevations, it appears that the proposed use would not create adverse impacts on the adjoining land use by reason of the hours of operation since the hours are typical office business hours.

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

See criteria "H".

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

With the exception of the lot width, it appears that the proposed plan is otherwise consistent with the requirements of the M (Light Industrial) zoning district.

K. Whether or not the proposed use is consistent with the policies of the comprehensive plan:

It appears that the proposed recycling plant with outdoor activities would be consistent with the following policies and strategies of the Light Industrial (LIND) Character Area of the DeKalb County Comprehensive Plan: 1) Protect existing and zoned industrial lands from unnecessary intrusion by conflicting land uses (LICAP6); and 2) Locate industrial centers in areas with good access to highway areas (LICAS4).

L. Whether or not the proposed plan provides for all buffers and transitional buffer zones where required by the regulations of the district in which the use is proposed to be located:

No transitional buffers are required since no new construction is proposed. There is an abundance of mature vegetation along the western and southern property lines to provide a visual buffer from surrounding industrial (M) zoned properties.

M. Whether or not there is adequate provision of refuse and service areas:

Based on the submitted information, refuse and service areas appear to be ample and adequate.

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

The proposed use is permanent in nature and has been operating for the past several years. Therefore there should be no expiration for the proposed request.

O. 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:

There are no buildings on the subject site. Therefore it appears that the size, scale, or massing of proposed buildings are appropriate.

P. Whether the proposed plan would adversely affect historic building sites, districts, or archaeological resources:

Based on the submitted site plan and information, as well as field investigation of the project site, it does not appear that the proposed plan would adversely affect historic buildings, sites, districts, or archaeological resources.

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

Based on applicant's submitted information, it appears the proposed use satisfies the supplemental regulations of Section 27-4.2.38 (Outdoor Storage of materials) and Section 4.2.29 (Heavy Industrial Uses) as follows:

- a. Outdoor storage shall be at least 50 feet from the street right-of-way. Based on field investigation and county aerial photos, it appear that the existing outdoor storage areas are approximately 100 feet away from the Lancaster Drive right-of-way.
- b. The outdoor storage area shall be screened so as not to be visible from ground level from any adjoining property or public street. The existing outdoor storage areas are up to 15 feet high and can be seen from Lancaster Drive. However, it appears that the subject site has been operating as a recycling plant with outdoor activities for several years and is a non-conforming use. Since the site is at the western end of Lancaster Drive, is surrounded by mature vegetation to the north, west, and south, and abut an existing truck terminal, there are minimal impacts on adjacent properties.
- c. Sec. 4.2.29.a.1 Detailed description of proposed operations to be performed.

The applicant wants to continue to recycle concrete originating from demolition debris and processing it into recycled aggregate. Hours of operation from 7:00 a.m. Monday through 4:00 p.m. Friday. Operations will be outdoors. Length of time that outdoor materials will be stored on the property will comply with Rule 391-3-4-.04 of the Georgia Department of Natural Resources, Environmental Protection Division requirements that at least 75% of the recovered materials on the property must be processed and recycled within a given calendar year. No hazardous waste will be received on the Property. The operations do not require a solid waste handling permit. Concrete is not considered a hazardous material under the Code or under the rules of the Georgia Department of Natural Resources, Environmental Protection Division. There will be between two and three employees an site at any given time. The property will not be open to the public. All concrete coming to the property will be from ADS demolition operations. Trucks entering and leaving the property are typically dump trucks. The property is located very close to Interstate 285 and Moreland Avenue. Trucks leaving the property will go down Lancaster Road, turn right on Old McDonough Road, before turning left on Moreland Avenue. All drivers coming to and from the property will follow best management practices for covering loads if necessary during transport to avoid dust and debris escaping the trucks. The proposed use does not require a Development of Regional Impact (DRI).

- d. Sec. 4.2.29.B Copies of any required state and/or federal agency data. Applicant's information indicates that no State and/or Federal applications, environmental assessment reports, or related data are required for the proposed use.
- e. Sec 4.2.29.C. Data from reputable industry sources or current industry standards regarding the proposed land use and how the proposed operation will comply with industry standards to ensure surrounding properties are not impacted. Applicant's information indicates operations will adhere to all regulations from the Environmental Protection Agency (EPA) and the DeKalb County Code of Ordinances. Applicant will implement best management practices which include the following: 1. Reducing the risk of dust migration by properly maintaining driving surface; 2. Providing wind screens and water spraying if necessary during periods of high wind velocity; 3. Reducing on-site vehicle speeds; 4. Requiring shrouds or tarps on haul trucks as necessary; 5. Reducing noise impacts by not operating during evenings; 6. Minimize the drop height of materials, using chutes and conveyors where possible (instead of heavy equipment).
- f. Sec 4.2.29.D. For any use requiring a solid waste handling permit, any use utilizing burning, melting, or degasification, any use involving emissions of particulate matter, any use which processes or stores hazardous materials, and any landfill, certification from an environmental professional that the proposed operation will not have any adverse air or water quality impact on surrounding properties. Applicant's information indicates that the proposed use does not require a solid waste handling permit pursuant to Rule 391-4.04 of the Georgia Department of Natural Resources Environmental Protection Division. The proposed use does not involve emissions of particulate matter, nor does it utilize burning, melting, or degasification nor does it involve the processing or storage of hazardous materials. The proposed use is not a landfill.

- g. Sec 4.2.29.E Detailed information on proposed methods to minimize any adverse air/water quality impacts based on current industry standards. Applicant's information indicates Graystone's operations will adhere to all regulations from the Environmental Protection Agency (EPA) and the DeKalb County Code of Ordinances. Applicant will implement best management practices which include the following: 1. Reducing the risk of dust migration by properly maintaining driving surface; 2. Providing wind screens and water spraying if necessary during periods of high wind velocity; 3. Reducing on-site vehicle speeds; 4. Requiring shrouds or tarps on haul trucks as necessary; 5. Reducing noise impacts by not operating during evenings; 6. Minimize the drop height of materials, using chutes and conveyors where possible (instead of heavy equipment).
- h. Sec 4.2.29.F Detailed information on proposed methods to minimize any noise, odor, dust, and vibration on surrounding properties in light of current industry standards. Applicant's information indicates Graystone's operations will adhere to all regulations from the Environmental Protection Agency (EPA) and the DeKalb County Code of Ordinances. Graystone will implement best management practices which include the following: 1. Reducing the risk of dust migration by properly maintaining driving surface; 2. Providing wind screens and water spraying if necessary during periods of high wind velocity; 3. Reducing on-site vehicle speeds; 4. Requiring shrouds or tarps on haul trucks as necessary; 5. Reducing noise impacts by not operating during evenings; 6. Minimize the drop height of materials, using chutes and conveyors where possible (instead of heavy equipment).
- i. Sec 4.2.29.G Detailed information regarding how traffic impacts will be accommodated on the surrounding road network. The traffic associated with the proposed use will not change, as it will be consistent with the existing traffic associated with applicant's operations on the property and of a character consistent with existing trucking traffic in the area.
- j. Sec 4.2.29.H Any data regarding monthly, quarterly, or yearly required inspections by any state or federal agency to ensure compliance with any state or federal permits once use have been approved by DeKalb County. Applicant's information indicates no monthly, quarterly, or yearly inspections are required by any state or federal agency for the proposed use. As part of its best management practices, Graystone will monitor the material coming in and out of the site to ensure compliance with Rule 391-3-4-.04 of the Georgia Department of Natural Resources, Environmental Protection Division.

R. Whether or not the proposed building as a result of its proposed height , would create a negative shadow impact on any adjoining lot or building:

There are no buildings on the subject site. Therefore there are no buildings that would create a negative shadow impact on any adjoining lot or building.

S. Whether the proposed use would result in a disproportional proliferation of that or similar uses in the subject character area:

Based on field investigation of the project site, there are no Recovered Materials Centers in the immediate vicinity of the subject property.

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

Based on the submitted information, it appears that the proposed Recycling Plant with Outdoor Activities and Storage would be consistent with the needs of the community as a whole since it is consistent with the industrial and commercial uses along this stretch of Fleetwood Drive. Additionally, the site is less than one mile from Interstate 285 and has access to a six-lane major thoroughfare road (Moreland Avenue) approximately a half mile to the east via Old McDonough Road and Mason Dixon Lane. It appears that the proposed Recycling Plant with Outdoor Activities and Storage would be consistent with the following policies and strategies of the Light

Industrial (LIND) Character Area of the DeKalb County Comprehensive Plan: 1) Protect existing and zoned industrial lands from unnecessary intrusion by conflicting land uses (LICAP6); and 2) Locate industrial centers in areas with good access to highway areas (LICAS4).

Compliance with M Zoning District Standards:

STANDARD		REQUIREMENT	EXISTING/PROPOSED	COMPLIANCE
LOT WIDTH		100 ft	30 feet along Fleetwood Drive and 592 feet along the Southern Railroad Right-Of-Way	NO (<i>property has been operating for past several years and is legally non-conforming, no variances required</i>)
LOT AREA		30,000 sf	348,480 sf	YES
YARD SETBACKS	FRONT	60 feet	NA—no permanent buildings on site.	YES
	CORNER LOT SIDE	NA	NA	NA
	INTERIOR SIDE	20 feet	NA—no permanent buildings on site.	YES
	REAR	30 feet	NA—no permanent buildings on site.	YES
TRANS. BUFFERS		None Required (Property is surrounded by industrial zoning and industrial/commercial uses)	There is an abundance of mature over-story trees along the western and southern property lines which provide a visual barrier surrounding the outdoor storage areas and recycling operations.	YES
HEIGHT		4 stories	No buildings	YES
FLOOR AREA RATIO		NA	NA	YES
PARKING		None required (no buildings)	There is adequate area to allow for parking for the two to three employees working on-site.	YES

STAFF RECOMMENDATION (REVISED 07/12/18): APPROVAL WITH CONDITIONS

Based on the submitted information, the property has been operating a Recycling Plant with outdoor activities and storage for the past several years. A Recycling Plant with outdoor activities requires a Special Land Use Permit (SLUP) approval from the Board of Commissioners. Due to Code Enforcement activity, it was discovered that the applicant did not hold a SLUP. Therefore the applicant is formally requesting approval for a SLUP to support operations that have been ongoing for the past several years. It appears that the proposed Recycling Plant with

Outdoor Activities and Storage would be consistent with the following policies and strategies of the Light Industrial (LIND) Character Area of the DeKalb County Comprehensive Plan: 1) Protect existing and zoned industrial lands from unnecessary intrusion by conflicting land uses (LICAP6); and 2) Locate industrial centers in areas with good access to highway areas (LICAS4). Based on the submitted information, as well as field investigation of the project site, it appears that the proposed use is compatible with the surrounding industrial zoning and development pattern along this stretch of Lancaster Drive. The site is less than one mile from Interstate 285 and has access to a six-lane major thoroughfare road (Moreland Avenue) approximately a half mile to the east via Old McDonough Road and Mason Dixon Lane. At the July 10th Planning Commission public hearing, the Planning Commission recommended that Condition #2 recommended by Staff be amended to indicate that the business was closed on Saturdays. Therefore, it is the recommendation of the Planning Department that the application be "Approved Conditionally", subject to the following conditions :

- 1) Vehicles delivering materials to and from the site shall be covered to minimize any dust impacts onto adjacent properties and the surrounding area.
- 2) Compliance with the DeKalb County Noise Ordinance shall be maintained. Hours of the crushing operation shall be limited to 7:00am to 4:00p.m. Monday through Friday. The business shall be closed on Saturdays and Sundays.
- 3) Outdoor storage areas must be accessible via an all weather access drive for fire equipment access for fire safety.

Attachments:

1. Department and Division Comments
2. Board of Health Comments
3. Application
4. Site Plan
5. Zoning Map
6. Aerial Photograph
7. Site Photographs

NEXT STEPS

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

- **Land Disturbance Permit** *(Required for of new building construction on non-residential properties, or land disturbance/improvement such as storm water detention, paving, digging, or landscaping.)*
- **Building Permit** *(New construction or renovation of a building (interior or exterior) may require full plan submittal or other documentation. Zoning, site development, watershed and health department standards will be checked for compliance.)*
-  **Certificate of Occupancy** *(Required prior to occupation of a commercial or residential space and for use of property for a business. Floor plans may be required for certain types of occupants.)*
- **Plat Approval** *(Required if any parcel is being subdivided, re-parceled, or combined. Issued “administratively”; no public hearing required.)*
- **Sketch Plat Approval** *(Required for the subdivision of property into three lots or more. Requires a public hearing by the Planning Commission.)*
- **Overlay Review** *(Required review of development and building plans for all new construction or exterior modification of building(s) located within a designated overlay district.)*
- **Historic Preservation** *(A Certificate of Appropriateness is required for any proposed changes to building exteriors or improvements to land when located within the Druid Hills or the Soapstone Geological Historic Districts. Historic Preservation Committee public hearing may be required.)*
- **Variance** *(Required to seek relief from any development standards of the Zoning Ordinance. A public hearing and action by the Board of Appeals are required for most variances.)*
- **Minor Modification** *(Required if there are any proposed minor changes to zoning conditions that were approved by the Board of Commissioners. The review is administrative if the changes are determined to be minor as described by Zoning Code.)*
- **Major Modification** *(Required submittal of a complete zoning application for a public hearing if there are any proposed major changes to zoning conditions that were approved by the Board of Commissioner for a prior rezoning.)*
-  **Business License** *(Required for any business or non-residential enterprise operating in Unincorporated DeKalb County, including in-home occupations).*
- **Alcohol License** *(Required permit to sell alcohol for consumption on-site or packaged for off-site consumption. Signed and sealed distance survey is required. Background checks will be performed.)*

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



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May 3, 2018

Via hand delivery

DeKalb County Department of Planning & Sustainability
330 W. Ponce De Leon Avenue, Suite 500
Decatur, GA 30030

**Re: 1065 Lancaster Road, Conley, Georgia 30288
Special Land Use Permit Application**

**LETTER OF APPLICATION; IMPACT ANALYSIS, SUPPLEMENTAL
REGULATIONS**

To Whom It May Concern,

This firm represents ADS Trinity, LLC d/b/a Atlanta Demolition (“ADS”). ADS is the owner of that certain real property located at 1065 Lancaster Road, Conley, Georgia 30288 (the “Property”). This correspondence is offered in support of ADS’s application for a Special Land Use Permit in order to conduct recycling plant operations on the Property (the “Application”).

ADS is a DeKalb County-based demolition contractor which performs large scale demolitions of commercial and industrial properties in the greater Atlanta area. For years, ADS and its predecessor-in-title used the Property as part of their demolition operations. Aggregate and other materials and equipment are sorted and distributed at the Property for use by ADS at its demolition projects.

The Property is located in southwest DeKalb County at the end of Lancaster Road and near the intersection of Moreland Avenue and Interstate 285. It is zoned M2 (heavy industrial) under the Code of Ordinances of DeKalb County (the “Code”), a designation which allows recycling operations but requires a special land use permit for such use. The Property is classified as “light industrial” under the DeKalb County Comprehensive Plan, a classification which includes the M1 zoning (light industrial) designation which allows recycling operations but also requires a special land use permit for such use. The Property is currently surrounded by adjoining properties also zoned M2 or M1, and these properties are either undeveloped woodland or they contain logistics and heavy trucking operations.

With today’s increased focus on sustainability, and with more developers seeking environmental certifications such as the LEED certification, demolition contractors such as ADS are performing more and more recycling of concrete originating from demolition debris and processing it into recycled aggregate. This involves separating and crushing concrete into various size stone, rip-rap and sand. Often the separation and crushing of the concrete is performed at

the demolition site, but sometimes this is not practical. In these circumstances, it is desirable to bring concrete from demolition sites to a property off-site from the demolition site, where it can be crushed and processed into the needed forms of aggregate. This keeps concrete debris out of landfills and recycles it into a usable product.

In order to lawfully allow for recycling at the Property, and in order to foster the sustainable materials industry in the greater Conley area, ADS seeks a Special Land Use Permit in order to conduct recycling plant operations as part of its demolition work at the Property. The Special Land Use Permit would allow ADS to bring concrete from its demolitions sites to the Property to be processed into recycled aggregate. The Property would not be open to the public, and ADS would not accept concrete debris or other materials from the public or other third-parties. All concrete coming to the Property would only come from ADS demolition sites, and the recycled aggregate produced on the Property would then be used at ADS demolitions sites as well, as it would not be sold to the general public. This "closed loop" ensures that ADS would be able to closely monitor all materials coming in and leaving the Property.

I. IMPACT ANALYSIS

In accordance with Section 27-873 of the Code of Ordinances of DeKalb County, the following criteria shall be applied by the Department of Planning and Sustainability, the Planning Commission, and the Board of Commissioners in evaluating and deciding any application for a special land use permit. No application for a special land use permit shall be granted by the Board of Commissioners unless satisfactory provisions and arrangements have been made concerning each of the following factors, all of which are applicable to each application:

- 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.

The Property is approximately eight (8) acres in size. This size parcel is adequate and appropriate for the proposed use, as it more than allows for compliance with all required yards, open space, off-street parking, and all other applicable requirements of the Property's zoning district.

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

All adjacent properties are zoned M (light industrial) or M-2 (heavy industrial), and are either undeveloped woodland or used to operate a large scale logistics and heavy trucking business. This area of DeKalb County is characterized by industrial operations and large scale commercial properties due to its proximity to important transportation routes. Accordingly, the proposed use is compatible with the use of immediately adjacent properties and in the surrounding District.

- C. Adequacy of public services, public facilities, and utilities to serve the proposed use.

Public services, facilities, and utilities which would serve the proposed use are more than adequate. The proposed use is designed and intended to exert a minimum impact on public services, facilities, and utilities. No buildings or structures are planned or required for the Property, so the utility impact is minimal. As an industrial facility not open to the public, the proposed use will not have a measurable impact on public schools, emergency services and public safety, or other public services and facilities.

- 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 use proposed so as not to unduly increase traffic and create congestion in the area.

The Property opens up directly onto Lancaster Road near the road's termination point, affording excellent road access at a point where there is very low traffic volume and no major intersections. Very few other properties or businesses use Lancaster Road. Accordingly, Lancaster Road is very adequate for the proposed use, there is more than sufficient traffic-carrying capacity for the proposed use, and the proposed use will not unduly increase traffic or create congestion in the area.

- E. Whether 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.

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 use proposed in the Application. Lancaster Road is situated close to Interstate 285 via Moreland Avenue, and the Property is situated in an area with very little residential or commuter traffic. Existing land uses along access routes to the Property consist of industrial and commercial operations that are nearly all logistics and trucking operations which will not be adversely impacted by the character of vehicles and volume of traffic generated by the proposed use.

- 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.

Ingress and egress to the Property 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 is very adequate. The Property opens up directly onto Lancaster Road near the road's termination point, affording excellent road access at a point where there is very low traffic, no major intersections, and no pedestrian crossing zones.

- G. Whether the proposed use will create adverse impacts upon any adjoining land use by reason of noise, smoke, odor, dust, or vibration generated by the proposed use.

The proposed use will not create any adverse impacts upon any adjoining land use by reason of noise, smoke, odor, dust, or vibration generated by the proposed use. All adjoining properties are zoned for industrial land uses, all are either undeveloped woodland or used for operation of a logistics and heavy trucking business, and all are in relatively close proximity to Interstate 285. Moreover, ADS's operations on the Property as a demolition contractor have involved the operation of heavy construction equipment and trucks for years, and these operations have never created any adverse impact upon adjoining landowners or resulted in complaints from neighboring properties.

- H. Whether the proposed use will create adverse impacts upon any adjoining land use by reason of the hours of operation of the proposed use.

The proposed use will not create any adverse impacts upon any adjoining land use by reason of the hours of operation of the proposed use. All adjoining properties are zoned for industrial land use and all are either undeveloped or used for operation of a logistics and heavy trucking business.

- I. Whether the proposed use will create adverse impacts upon any adjoining land use by reason of the manner of operation of the proposed use.

The proposed use will not create any adverse impacts upon any adjoining land use by reason of the manner of operation of the proposed use. All adjoining properties are zoned for industrial land use and all are either undeveloped or used for operation of a logistics and heavy trucking business.

- J. Whether the proposed use is otherwise consistent with the requirements of the zoning district classification in which the use is proposed to be located.

The Property is zoned M-2 (Heavy Industrial) which is intended to provide areas for manufacturing and intense industrial uses. The proposed use of the Property for recycling is entirely consistent with the requirements and intent of the M-2 zoning district.

- K. Whether the proposed use is consistent with the policies of the comprehensive plan.

The proposed use is consistent with the policies of the comprehensive plan in encouraging the growth of new and sustainable industries in the greater Conley area and specifically in the area around the Property. The Property is listed under the light

industrial classification under the comprehensive plan. The light industrial classification allows for recycling plan toperations.

- L. Whether 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 use provides for all required buffer zones and transitional buffer zones in the M2 zoning district.

- M. Whether there is adequate provision of refuse and service areas.

There is currently adequate provision of refuse and service areas at the Property. The Property is already served by DeKalb Sanitation, and the proposed use will not greatly increase sanitary waste or other service needs.

- N. Whether the length of time for which the special land use permit is granted should be limited in duration.

The length of time for which the special land use permit is granted should not be limited in duration. The investment in the Property required for the use sought through the Application requires a long-term time horizon in order to be viable.

- O. Whether 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 Application does not propose any specific buildings, but the proposed use is appropriate to the size of the Property, which is approximately eight (8) acres. Moreover the proposed use is appropriate in relation to the size, scale, and massing of adjacent properties and lots, all of which have industrial zoning and are either undeveloped or which contain large logistics operations.

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

The use proposed by the Application will not adversely affect historic buildings, sites, districts, or archaeological resources, as the proposed use would take place exclusively within the existing development footprint on the Property and does not involve construction, demolition, or use of a structure, and it does not involve excavation or land-disturbing activities.

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

The use proposed by the Application satisfies all requirements contained in the supplemental regulations for such special land use permit. While the proposed use is not considered a heavy industrial use under the Code, in an abundance of caution ADS shows that its proposed use still satisfies all applicable supplemental regulations under Section 4.2.29 as set forth in subparts Q(1) through Q(8) below:

1.

- a. Specific operations to be performed.

ADS will bring concrete from demolition sites to the Property, where it will be processed into recycled aggregate.

- b. Hours of operation.

The hours of operation will generally be from 7 am to 4 pm, Monday through Friday.

- c. Whether operations will be indoors or outdoors.

Outdoors

- d. How long materials will be stored on the property.

Rule 391-3-4-.04 of the Georgia Department of Natural Resources, Environmental Protection division states the at least seventy-five (75%) of recovered materials such as the concrete brought to the Property from demolition sites must be processed and recycled within a given calendar year. ADS will handle concrete brought to the Property in accordance with Rule 391-3-4-.04.

- e. Whether any hazardous wastes will be involved in the operation, including an explanation of how safety measures will ensure that there is no air or water contamination and how the operators will safely dispose of such hazardous materials.

No hazardous waste or hazardous materials will be involved in the operations on the Property. Concrete is not considered a hazardous material under the Code or under the Rules of the Georgia Department of Natural Resources, Environmental Protection Division.

- f. A description of any solid wastes handled, produced, or disposed of, including whether the operations will require a solid waste handling permit.

The operations do not require a solid waste handling permit and will produce only a de minimis amount of solid waste that will be disposed through the standard commercial sanitation service already performed on

the Property by DeKalb County. As a recovered material, concrete brought to the Property from demolition sites is not considered solid waste as long as it meets the criteria set forth in Rule 391-3-4-.04 of the Georgia Department of Natural Resources, Environmental Protection Division.

g. How many employees there will be.

2 – 3 employees.

h. Whether the operation will be open to the public.

The Property will not be open to the public. All concrete coming to the Property is a result of ADS's demolition operations.

i. What types of vehicles will be delivering materials to the property; and, how many and how often, what thoroughfares or major route plan the trucks will take to get to and from the site to minimize any impact on residential area, and whether trucks will be covered to minimize dust/odor impacts on adjacent roadways used to get to the site.

Vehicles delivering or removing materials to the Property are typically dump trucks. ADS expects traffic at the Property will remain consistent with past usage. Based on records from 2017 and 2016, the Property averaged roughly 200 separate truck trips per month (based on arrivals or departures). The Property is located very close to Interstate 285 and Moreland Avenue, and trucks do not cross any residential areas to reach these transportation routes. Trucks leaving the Property will go down Lancaster Road and turn right on Old McDonough Road before turning left onto Moreland Avenue. This route encompasses an industrial area, so there is no impact on any residential area. All drivers coming to and from the Property will follow best management practices for covering loads if necessary during transport to avoid dust and debris escaping the trucks.

j. Whether the proposed use requires the submittal of a development of regional impact (DRI).

The proposed use does not require the submittal of a development of regional impact (DRI).

2. Copies of any required state and/or federal agency applications, requirements, environmental assessment reports, or related data; or, if none have been submitted, an indication as to whether such documentation is required.

No state and/or federal agency applications, requirements, environmental assessment reports, or related data are required for the proposed use.

3. Data from reputable industry sources on current industry standards regarding the proposed land use and how the proposed operation will comply with

industry standards to ensure that surrounding properties are not adversely impacted.

The demolition industry, as well as the construction and concrete industries and regulatory authorities are increasingly recognizing the value of producing and using recycled concrete aggregate. The United States Environmental Protection Agency ("EPA") states on its website that "Construction and Demolition (C&D) materials consist of the debris generated during the construction, renovation and demolition of buildings, roads, and bridges. EPA promotes a Sustainable Materials Management (SMM) approach that identifies certain C&D materials [including concrete] as commodities that can be used in new building projects, thus avoiding the need to mine and process virgin materials" (www.epa.gov)

ADS's operations on the Property will adhere to all applicable statutes and regulations from the EPA, the Georgia Department of Natural Resources, Environmental Protection Division, and the Code. Moreover, to reduce any impact on surrounding properties, ADS will implement best management practices and industry standards common to the construction and demolition industries and promulgated by industry groups such as the National Demolition Association and the National Concrete Pavement Technology Center. Such practices and standards include:

- *Reducing the risk of dust migration by properly maintaining driving surfaces on the Property, providing wind screens and water spraying if necessary during periods of high wind velocity, reducing on-site vehicle speeds, and requiring shrouds or tarps on haul trucks if necessary.*
- *Reducing noise impact by not operating during evenings or on the weekends, minimizing the drop height of materials, using chutes and conveyors where possible (instead of heavy equipment), and encouraging two-way trips for haul trucks where possible.*

4. For any of the following uses, certification by an environmental professional that the proposed operation will not have any adverse air or water quality impacts on surrounding properties:
 1. Any use requiring a solid waste handling permit.
 2. Any use which utilizes burning, melting, or degasification.
 3. Any use which involves the emissions of particulate matter.
 4. Any use which processes or stores hazardous materials.
 5. Any landfill.

The proposed use does not require a solid waste handling permit pursuant to Rule 391-3-4-.04 of the Georgia Department of Natural Resources, Environmental Protection Division. The proposed use does not utilize burning, melting, or degasification, nor does it involve emissions of particulate matter, nor does it involve the processing or storage of hazardous materials. The proposed use is not a landfill.

5. Detailed information on proposed methods to minimize any adverse air/water quality impacts based on current industry standards.

ADS's operations on the Property will be conducted to minimize any adverse air/water quality impact based on current standards in the industry. The Property does not include any state waters and is not located in a floodplain or include any stream buffer areas. Vehicles and heavy equipment operating on the Property will be maintained to operate efficiently and minimize emissions. To further reduce emissions, vehicles and heavy equipment will not be operated unnecessarily.

6. Detailed information on proposed methods to minimize any noise, odor, dust, and vibration on surrounding properties in light of current industry standards.

ADS's operations on the Property will be conducted to minimize any noise, odor, dust, and vibration on surrounding properties based on current standards in the industry. The Property is not adjacent to any residential properties and most of the surrounding properties are either industrial or undeveloped. The Property is located in close proximity to Interstate 285. ADS will reduce any impact from noise and vibration by not operating during evenings or on the weekends, minimizing the drop height of materials, using chutes and conveyors where possible (instead of heavy equipment), and encouraging two-way trips for haul trucks where possible. ADS will reduce the risk of dust migration by properly maintaining driving surfaces on the Property, providing wind screens and water spraying if necessary during periods of high wind velocity, reducing on-site vehicle speeds, and requiring shrouds or tarps on haul trucks if necessary.

7. Detailed information regarding how traffic impacts will be accommodated on the surrounding road network.

The traffic impact associated with the proposed use will be minimal, as it will be consistent with the existing traffic associated with ADS's demolition operations on the Property and of a character consistent with existing trucking and logistics traffic in the area.

8. Any data regarding any monthly, quarterly, or yearly required inspections by any state or federal agency to ensure compliance with any state or federal permits once use has been approved by DeKalb County.

No monthly, quarterly, or yearly inspections are required by any state or federal agency for the proposed use. As part of best management practices, ADS will monitor the material coming in and out of the Property to ensure compliance with Rule 391-3-4-.04 of the Georgia Department of Natural Resources, Environmental Protection Division.

- R. Whether the proposed use will create a negative shadow impact on any adjoining lot or building as a result of the proposed building height.

The use proposed by the Application would not create a negative shadow impact on any adjoining lot or building as a result of the proposed building height, as no buildings or elevated structures are included as part of the Application, planned for the Property, or necessary for the proposed use.

- 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 use would be consistent with the needs of the neighborhood and the community as a whole in that it would allow for a viable business to operate in the area and help foster growth of the sustainability/renewable materials industry in the area. This use is consistent with the comprehensive plan in that it provides for productive industrial use of the area in a way which helps foster economic growth for the Conley community and south DeKalb County.

II. ADDITIONAL SUPPORTING DOCUMENTATION

ADS includes as additional support for the Application the following:

- A. Application Form
- B. May 1, 2018 Community Meeting notice and sign-in sheet
- C. Notarized Authorization Form
- D. *Quitclaim Deed* dated November 15, 2016 and recorded in Deed Book 25936, Page 642 of the Real Estate Records of DeKalb County
- E. Campaign Disclosure Form

F. Boundary Survey/Site Plan of the Property

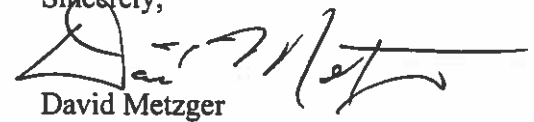
G. Tax Map of the Property

H. Legal Description of the Property

I. Pre-application Form

I appreciate your consideration of this application for a Special Land Use Permit. Please do not hesitate to contact me with any questions or request for additional information or documentation.

Sincerely,



David Metzger



**DEKALB COUNTY GOVERNMENT
PLANNING DEPARTMENT
DISTRIBUTION FORM**

The following areas below may warrant comments from the Development Division. Please respond accordingly as the issues relate to the proposed request and the site plan enclosed as it relates to Chapter 14. You may address applicable disciplines.

DEVELOPMENT ANALYSIS:

- **Transportation/Access/Row**

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

- **Storm Water Management**

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

- **Flood Hazard Area/Wetlands**

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

- **Landscaping/Tree Preservation**

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

- **Tributary Buffer**

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

- **Fire Safety**

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

Reid, John

From: Alexander, Michelle M.
Sent: Monday, June 25, 2018 9:01 AM
To: Reid, John
Subject: FW: Zoning Comments- Transportation

Michelle M. Alexander

mmalexander@dekalbcountyga.gov

Planning Manager

DeKalb County Department of Planning & Sustainability

330 W. Ponce de Leon Avenue
Decatur, GA 30030

 404.371.6283

 404.822.1599

<http://www.dekalbcountyga.gov>




DeKalb County
GEORGIA

From: Keeter, Patrece
Sent: Friday, June 22, 2018 4:54 PM
To: Hill, LaSondra
Cc: Alexander, Michelle M.; Furman, Melora L.; Reid, Robert; Hill, Karen F.
Subject: Zoning Comments- Transportation

N1. Alton Road is classified as a local road. See Chapter 5 of the zoning code Table 5.1 and Chapter 14, Section 190 of the Land Development Code for permit requirements. Street lights are required. New road to be private. Add sidewalks on the existing county right of way between new road and Chamblee Tucker Road. Sight Triangles for access point will be required at Land Development Permit submittal.

N2. Lawrenceville Hwy (SR 8) and North Druid Hills Road are both major arterials and both are on the Bike Network as Second Tier Priority. See Chapter 5 of the zoning code Table 5.1 and Chapter 14, Section 190 of the Land Development Code for permit requirements. Street lights required. Request to comment at a future date when the traffic GRTA/ARC DRI required traffic study is complete and a Notice of Decision is given. Transportation is requesting a deferral, as any action taken by the county prior to NOD may jeopardize federal transportation funding. At a minimum, we want a PATH connection along the southern property line as part of the South Fork Peachtree Creek Trail and a direct, buffered ped/bike connection between the PATH and the neighborhood, crossing at the signal at Mistletoe Road. In addition, the access point on Lawrenceville Hwy just south of NDH will be restricted to right in/right out/left in. Sight Triangles for access point will be required at Land Development Permit submittal. Other comments later once traffic study is received.

N3. See N2.

 N3. Does a recycling plant automatically trigger a DRI? Lancaster Road is classified as a local road. This property is in the Bouldercrest Overlay District Tier 4- verify infrastructure requirements in Code. It appears to be a packed gravel,

unimproved road, not up to current standards with a right of way corridor of only 35 feet. DeKalb County has no current plans to upgrade this road to modern standards. Right of way dedication of 27.5 from centerline is required.

N4. Does a recycling plant automatically trigger a DRI? Fleetwood Drive is classified as a local road. Please note that there is an effort to make the private railroad crossing to the private properties a Quiet Zone- no RR train horns will be sounded. The property owner needs to pave their approach to the crossing to reduce the amount of sediment tracked onto the county road.

N5. Columbia Drive is classified as a minor arterial and on the second tier bike network. Requires right of way dedication of 40 feet from centerline and bike lanes (Land Development Code Section 14-190). In lieu of the bike lane, a 10 foot multiuse path is suggested. Per Zoning Code- Street lights (80' on center- DeKalb County will layout design in Land Development Permit process), 6 foot sidewalk and 10 foot landscape zone are required. Sight Triangles for access point will be required at Land Development Permit submittal.

N6. Memorial Drive is a state route. GDOT review and permits required. Transportation is requesting a traffic study be performed. This development will have a hard time getting thru the land development process. Chapter 14 requires 3 access points. See Chapter 14, Section 14-200 (6) for the requirements of separation of access points. Requests deferral until the traffic study is completed for additional comments. This seems like a large development for such a small parcel. Sight Triangles for access point will be required at Land Development Permit.

N7. See N6.

N8. No Comment.

N9. Mountain Dr is a state route. GDOT review and permits are required. Not enough information to comment about the change in alleys. Public alleys must connect to public street on both ends. Private alleys may end in a turn around. See section 14-195 of the Land Development Code for more information related to alleys.

N10. No comments.

Patrece Keeter

pgkeeter@dekalbcountyga.gov

Engineering Manager

DeKalb County Department of Public Works, Transportation Division

1950 West Exchange Place
Suite 400
Tucker, Georgia 30084



770-492-5281
678-758-3860

<http://www.dekalbcountyga.gov>



DeKalb County
GEORGIA

COMMENTS FORM:

PUBLIC WORKS TRAFFIC ENGINEERING

Case No.: SLW-18-20308

Parcel I.D. #: 15-017, 02 005

Address: 1005 Lancaster Road
Conley, Georgia

Adjacent Roadway (s):

_____	_____
(classification)	(classification)

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

Please provide additional information relating to the following statement.

According to studies conducted by the Institute of Traffic Engineers (ITE) 6/7TH 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:

<u>Did not see any traffic engineering concerns at this time.</u>

Signature: [Handwritten Signature]



DEKALB COUNTY GOVERNMENT
PLANNING DEPARTMENT
DISTRIBUTION FORM

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

COMMENTS FORM:
PUBLIC WORKS WATER AND SEWER

Case No.: SLUP-18-22306

Parcel I.D. #: 15-017-02-005

Address: 1065 Lancaster Road

Conley, Georgia

WATER:

Size of existing water main: 8" DI Water Main (adequate/inadequate)

Distance from property to nearest main: Approximately 1,589 Feet East of the Property

Size of line required, if inadequate: N/A

SEWER:

Outfall Servicing Project: Conley Creek and Constitution Area Basin

Is sewer adjacent to property: Yes () No () If no, distance to nearest line: Approximately 1,067 Feet Southeast of the Property

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

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

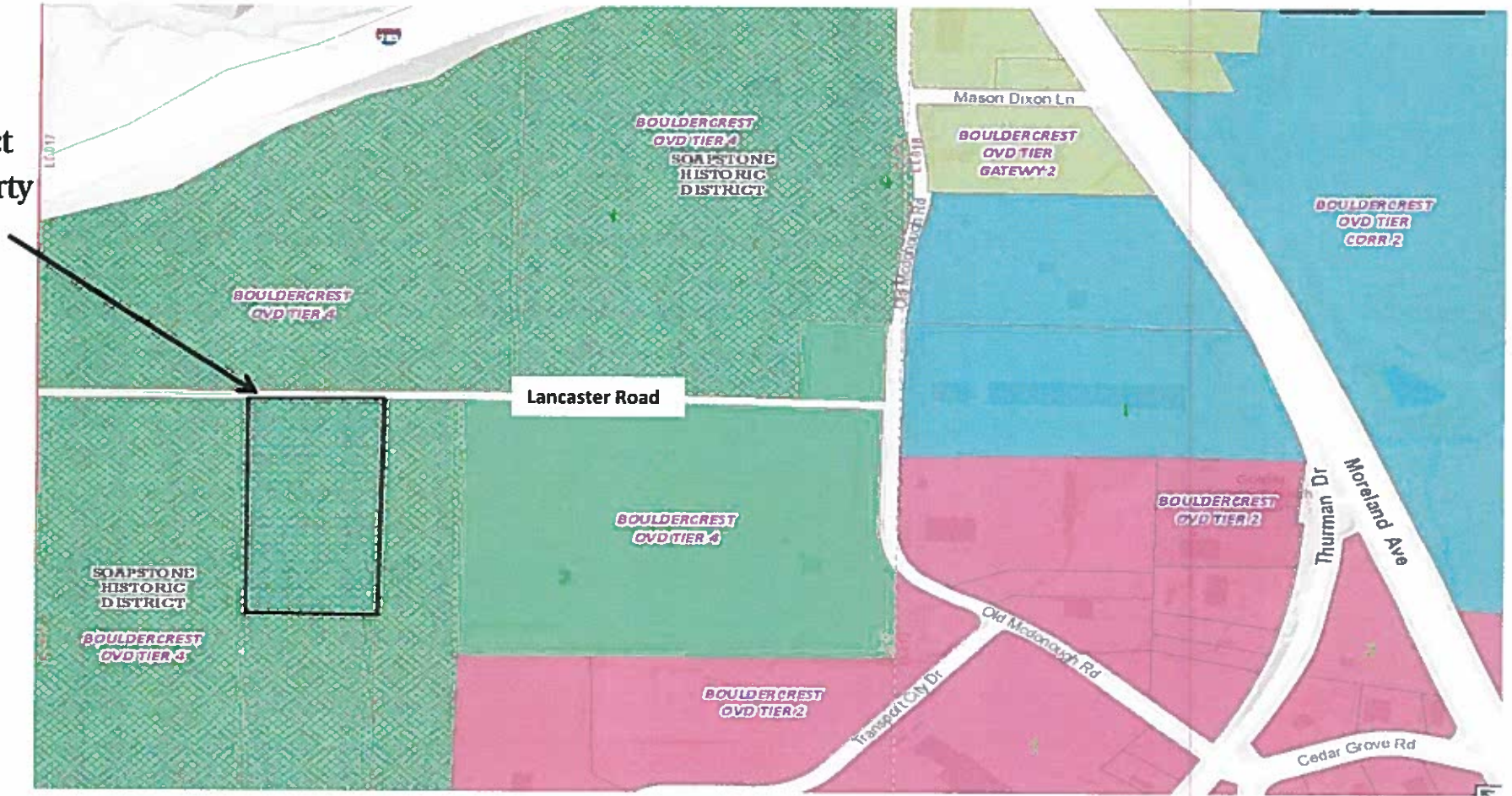
COMMENTS:

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

FKL

Signature: 

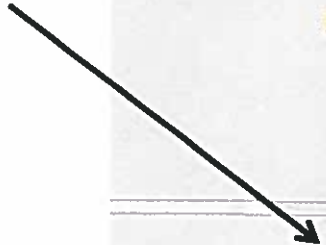
Subject
Property

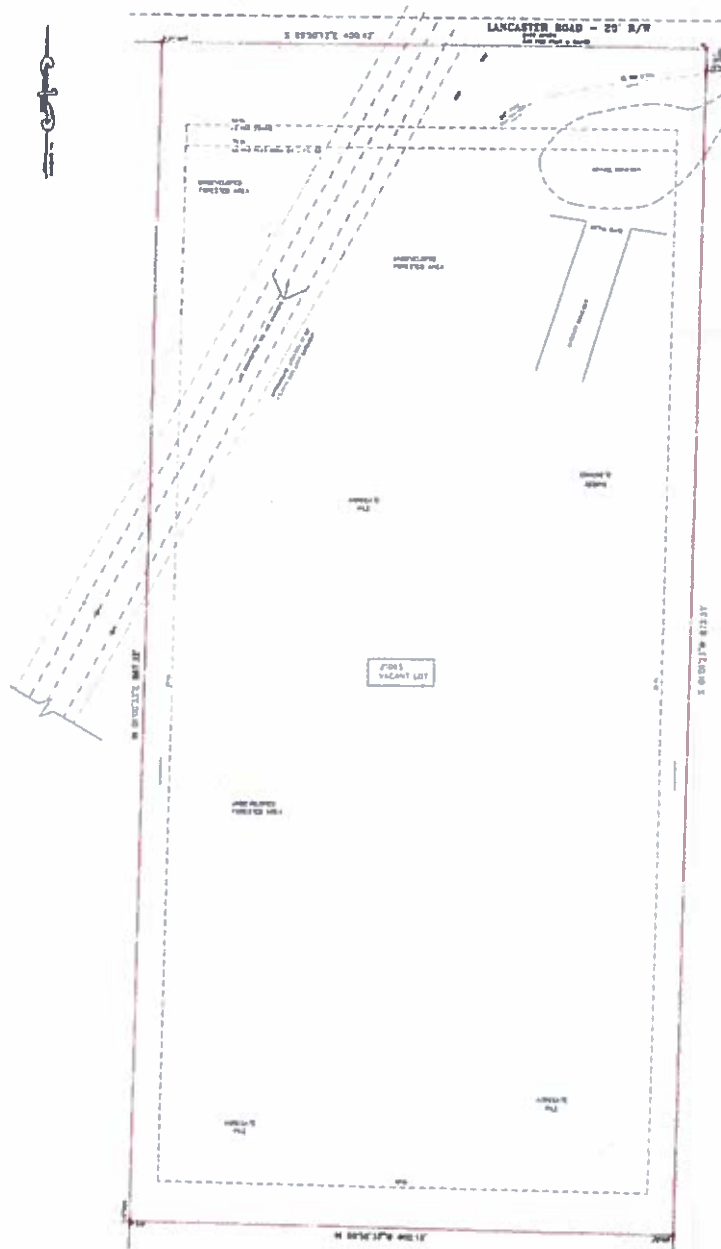


Subject Property



Subject
Property









DEPARTMENT OF PLANNING & SUSTAINABILITY

SPECIAL LAND USE PERMIT APPLICATION

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

Date Received: _____ Application No.: _____

APPLICANT NAME: David Metzger and Williams Tensink, LLC

Daytime Phone #: 404-373-9590 Fax #: 404-378-6049

Mailing Address: 309 Sycamore Street, Decatur, GA 30030

E-mail: dmetzger@williamstensink.com

OWNER NAME: ADS Trinity LLC d/b/a Atlanta Demolition (If more than one owner, attach contact information for each owner)

Daytime Phone #: 404-816-2232 Fax #: 770-454-6673

Mailing Address: 5595 Peachtree Road, Chamblee, GA 30341

E-mail: reception@atlantademolition.com

SUBJECT PROPERTY ADDRESS OR LOCATION: 1065 Lancaster Road
Conley, DeKalb County, GA, 30288

District(s): 15 Land Lot(s): 17 Block(s): 02 Parcel(s): 005

Acreage or Square Feet: 8ac Commission District(s): 386 Existing Zoning: MZ

Proposed Special Land Use (SLUP): Recycling Plant

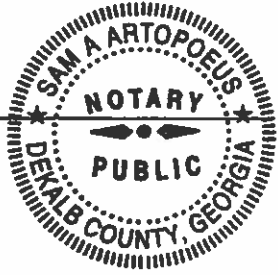
I hereby authorize the staff of the Planning and Development Department to inspect the property that is the subject of this application.

Owner: _____ Agent: Signature of Applicant: [Signature]
(Check One)

Printed Name of Applicant: David Metzger
GA Bar No. 363534

Notary Signature and Seal:

[Signature]
1/21/19



PUBLIC NOTICE

Request for a Special Land Use Permit

Filed by: ADS Trinity, LLC

**For the property located at: 1065 Lancaster Road, Conley,
Georgia 30288**

Current Use: Demolition contractor with recycling of reinforced concrete

**Proposed Use: Continuation of existing use under recycling plant
Special Land Use Permit**

Hours of Operation: No change, generally 7 am to 4 pm.

Capacity: no change

**PRE-APPLICATION COMMUNITY MEETING TO TAKE PLACE
AT: Econo Lodge**

Location: 3140 Moreland Avenue, Conley, GA 30288

Date & Time: Tuesday, May 1, 2018 at 7:00 pm

DEPARTMENT OF PLANNING & SUSTAINABILITY

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: 18 April 2018

TO WHOM IT MAY CONCERN:

(I), (WE) ADS Trinity, LLC d/b/a Atlanta Demolition
Name of owners(s)

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

David Metzger and Williams Tensink LLC
Name of Agent or Representative 309 Sycamore St (404)373-9590
Decatur, GA 30030

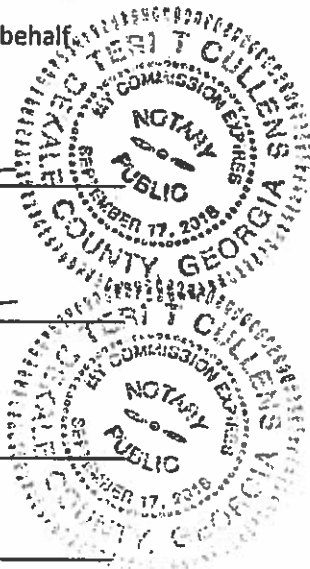
to file an application on (my), (our) behalf

Jeri J. Cullens
Notary Public

Jeri J. Cullens
Notary Public

Notary Public


Notary Public



ADS Trinity, LLC
[Signature]
Owner
Mahd Roman
Owner

Owner

Owner


 DEED BOOK 25936 Pg 642
 Filed and Recorded:
 11/23/2016 4:09:19 PM
 Debra DeBerry
 Clerk of Superior Court
 DeKalb County, Georgia
 Real Estate Transfer Tax \$0.00

After recording, please return to:
 Katherine T. Maynard, Esq.
 The Maynard Law Firm, LLC
 620 Glen Iris Drive, NE, Suite 103
 Atlanta, Georgia 30308

QUITCLAIM DEED

THIS INDENTURE is made as of the ^{15th} day of November, 2016, by and between ATLANTA DISPOSAL SERVICES, L.L.C., a Georgia limited liability company, as party of the first part, hereinafter referred to as "Grantor," and ADS / TRINITY L.L.C., a Georgia limited liability company, party of the second part, hereinafter referred to as "Grantee," the words "Grantor" and "Grantee" to include the neuter, masculine and feminine genders, the singular and the plural.

WITNESSETH:

FOR AND IN CONSIDERATION of the sum of Ten Dollars (\$10.00) in hand paid and other good and valuable consideration delivered to Grantor by Grantee at and before the execution, sealing and delivery hereof, the receipt and sufficiency of which is hereby acknowledged, Grantor has and hereby does grant, bargain, sell and convey unto Grantee and the heirs, legal representatives, successors and assigns of Grantee all that tract or parcel of land in DeKalb County, Georgia, as more particularly described on Exhibit A attached hereto and incorporated herein by this reference (the "Property")

TO HAVE AND TO HOLD the Property, together with any and all of the rights, members and appurtenances thereof, to the same being, belonging or in anywise appertaining to the only proper use, benefit and behoof of the Grantee and the heirs, legal representatives, successors and assigns of Grantee forever **IN FEE SIMPLE**.

DEED BOOK 25936 Pg 643

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

Signed, sealed and delivered in the presence of:

GRANTOR:

ATLANTA DISPOSAL SERVICES, L.L.C.

BARRY G. ROBERTS, Manager

(Seal)

Wendie Hoan
Official Witness
Shirley Rhoads Allen
Notary Public

My Commission Expires



DEED BOOK 25936 Ps 644
Debra DeBerry
Clerk of Superior Court
DeKalb County, Georgia

EXHIBIT A

LEGAL DESCRIPTION

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 17 OF THE 16TH DISTRICT, DEKALB COUNTY, GEORGIA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

TO FIND THE TRUE POINT OF BEGINNING, COMMENCE FROM AN IRON PIN FOUND (1/2" OPEN TOP PIPE) AT THE INTERSECTION OF THE DISTRICT AND COUNTY LINE COMMON TO DEKALB COUNTY & FULTON COUNTY WITH THE LAND LOT LINE COMMON TO LAND LOTS 16 & 17 OF DEKALB COUNTY; THENCE ALONG SAID LAND LOT LINE COMMON TO LAND LOTS 16 & 17, NORTH 09 DEGREES 36 MINUTES 38 SECONDS EAST A DISTANCE OF 682.20 FEET TO AN IRON PIN FOUND (1/2" ROD); THENCE LEAVING SAID LAND LOT LINE NORTH 01 DEGREE 16 MINUTES 25 SECONDS EAST A DISTANCE OF 1,059.68 FEET TO A POINT AND THE TRUE POINT OF BEGINNING; FROM THE TRUE POINT OF BEGINNING AS THUS ESTABLISHED, NORTH 01 DEGREE 15 MINUTES 35 SECONDS EAST A DISTANCE OF 866.34 FEET TO AN IRON PIN SET; THENCE NORTH 09 DEGREE 29 MINUTES 41 SECONDS EAST A DISTANCE OF 400.29 FEET TO AN IRON PIN SET; THENCE SOUTH 01 DEGREE 16 MINUTES 49 SECONDS WEST A DISTANCE OF 869.23 FEET TO A POINT; THENCE SOUTH 00 DEGREE 00 MINUTES 00 SECONDS WEST A DISTANCE OF 400.03 FEET TO A POINT AND THE TRUE POINT OF BEGINNING.

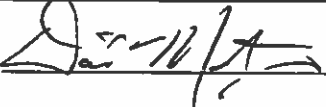
SAID TRACT CONTAINING 7.971 ACRES

CAMPAIGN DISCLOSURE STATEMENT

Ga. Code Ann., § 36-67A-3

- (a) When any applicant for rezoning action has made, within two years immediately preceding the filing of that applicant's application for the rezoning action, campaign contributions aggregating \$250.00 or more to a local government official who will consider the application, it shall be the duty of the applicant to file a disclosure report with the governing authority of the respective local government showing:
 - 1. The name and official position of the local government official to whom the campaign contribution was made; and
 - 2. The dollar amount and description of each campaign contribution made by the applicant to the local government official during the two years immediately preceding the filing of the application for the rezoning action and the date of each such contribution.
- (b) The disclosures required by subsection (a) of this Code section shall be filed within ten days after the application for the rezoning action is first filed.
- (c) When any opponent of a rezoning action has made, within two years immediately preceding the filing of the rezoning action being opposed, campaign contributions aggregating \$250.00 or more to a local government official of the local government which will consider the application, it shall be the duty of the opponent to file a disclosure with the governing authority of the respective local government showing:
 - 1. The name and official position of the local government official to whom the campaign contribution was made; and
 - 2. The dollar amount and description of each campaign contribution made by the opponent to the local government official during the two years immediately preceding the filing of the application for the rezoning action and the date of each such contribution.
- (d) The disclosure required by subsection (c) of this Code section shall be filed at least five calendar days prior to the first hearing by the local government or any of its agencies on the rezoning application.

Applicant: ADS - Trinity, LLC
Application: Special Land Use Permit Request
Address: 1065 Lancaster Road, Conley, GA 30288

Signature:  Date: 5/2/18

Have you, within the two years immediately preceding the filing of this application, made campaign contributions aggregating \$250.00 or more to a member of the DeKalb County Board of Commissioners? Ocg 36-67A-3.

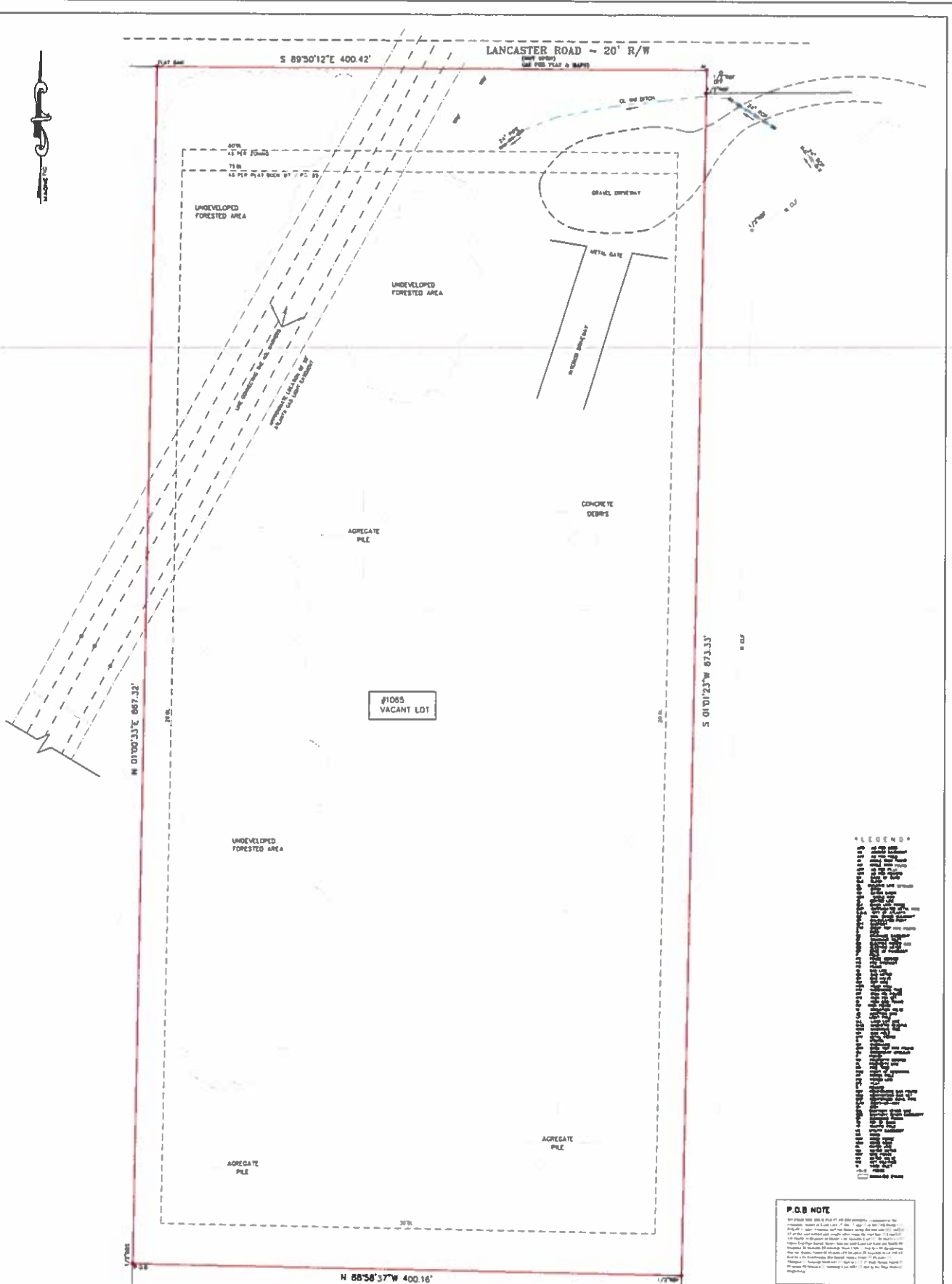
[] Yes / [] No.

Date	Government Official	Position	Description	Amount

CAMPAIGN DISCLOSURE

DAVID METZGER and the law firm of WILLIAMS TEUSINK, LLC, have been retained to represent Applicant before DEKALB COUNTY, GEORGIA. Pursuant to the provisions of O.C.G.A. § 36-76A-3, please find below a list of the contributions made by the above-named individuals, or the law firm of WILLIAMS TEUSINK, LLC in the past two years, aggregating \$250.00 or more, to local government officials who may review this application.

Date	Government Official	Position	Description	Amount
4/26/17	Michael Thurmond	CEO of DeKalb County	Monetary Contribution	\$500.00
1/1/18	Jeff Rader	Board of Commissioners	Monetary Contribution	\$250.00
9/9/16	Steve Bradshaw	Board of Commissioners	Monetary Contribution	\$100.00
1/30/18	Larry Johnson	Board of Commissioners	Monetary Contribution	\$100.00



NO STREAM BUFFERS OR
100 YEAR FLOOD PLAINS ARE
LOCATED ON THE PROJECT SITE.

TOTAL LAND AREA
348365.51 SF / 7.997 AC

- LEGEND**
- Property Boundary
 - Survey Boundary
 - Proposed Boundary
 - Gravel Driveway
 - Metal Gate
 - Concrete Drive
 - Aggregate Pile
 - Undeveloped Forested Area
 - Stream
 - 100 Year Flood Plain
 - Stream Buffer
 - Property Line
 - Survey Line
 - Proposed Line
 - Gravel Driveway
 - Metal Gate
 - Concrete Drive
 - Aggregate Pile
 - Undeveloped Forested Area
 - Stream
 - 100 Year Flood Plain
 - Stream Buffer

P.O.B. NOTE

ON THESE PAGES THE PROPORTION OF THE PROPERTY IS NOT TO SCALE. THE PROPORTION OF THE PROPERTY IS TO BE DETERMINED BY THE SURVEY NOTES. THE PROPORTION OF THE PROPERTY IS TO BE DETERMINED BY THE SURVEY NOTES. THE PROPORTION OF THE PROPERTY IS TO BE DETERMINED BY THE SURVEY NOTES.

SURVEY NOTES

1. THIS SURVEY WAS CONDUCTED IN ACCORDANCE WITH THE SURVEYING ACT OF 1968, AS AMENDED. THE SURVEY WAS CONDUCTED ON THE 15TH DAY OF APRIL, 2010, AT THE LOCATION OF THE PROPERTY DESCRIBED IN THESE SURVEY NOTES. THE SURVEY WAS CONDUCTED BY SURVEY LAND EXPRESS, INC., A PROFESSIONAL SURVEYING FIRM LICENSED UNDER THE SURVEYING ACT OF 1968, AS AMENDED. THE SURVEY WAS CONDUCTED BY SURVEY LAND EXPRESS, INC., A PROFESSIONAL SURVEYING FIRM LICENSED UNDER THE SURVEYING ACT OF 1968, AS AMENDED. THE SURVEY WAS CONDUCTED BY SURVEY LAND EXPRESS, INC., A PROFESSIONAL SURVEYING FIRM LICENSED UNDER THE SURVEYING ACT OF 1968, AS AMENDED.

LOT	BLK	SURVEY/SITE PREPARED FOR:	SHEET 1 OF 1
UNIMPROVED	UNIT	ADS TRINITY, LLC	
LAND LOT 13	15TH DISTRICT	PROPERTY ADDRESS:	
STEARNS COUNTY, GEORGIA	75-187-016-50	1065 LANCASTER ROAD	
FILED WITH DATE MAP IS 2010	PROCESSED/BOOKED APR 08, 2010	CONLEY, GA 30206	
ALL SURVEYS PERFORMED BY SLE ARE CASPERED	PAPER SIZE: 11" x 17"		
DATE OF SURVEY			
DATE OF PLOTTING			
DATE OF PRINTING			
DATE OF RECORDING			

PROPERTY ADDRESS:
1065 LANCASTER ROAD
CONLEY, GA 30206

SURVEY LAND EXPRESS, INC
LAND SURVEYING SERVICES

3115 GARDNER DRIVE
ALBANY, GA 31706
404-838-8888
www.surveylandexpress.com

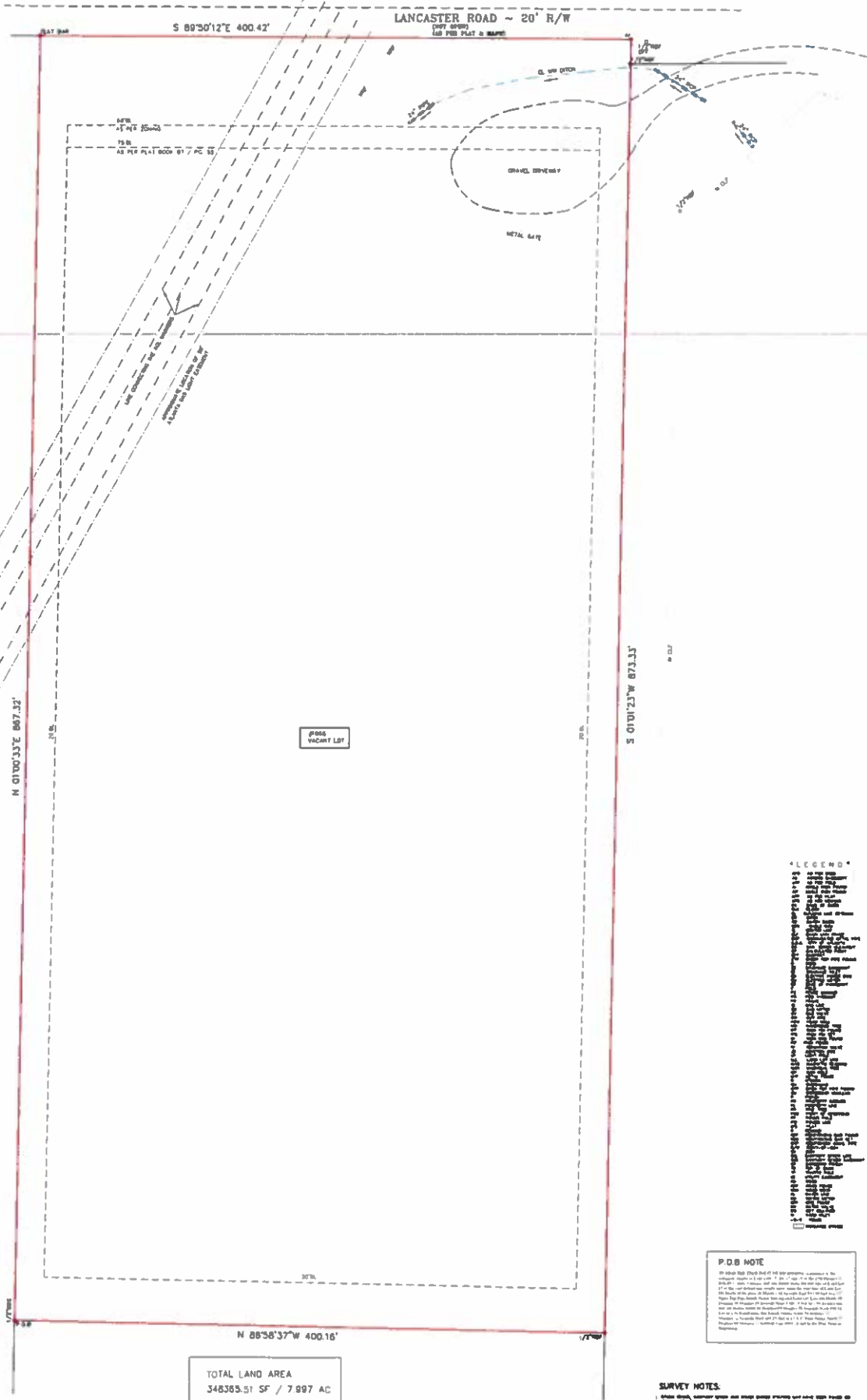
ENCLOSURE

SCALE 1" = 20'

ZONING NOTE:

PROPERTY IS ZONED M2 (COMMERCIAL - 60+)

THIS SURVEY WAS CONDUCTED IN ACCORDANCE WITH THE SURVEYING ACT OF 1968, AS AMENDED. THE SURVEY WAS CONDUCTED ON THE 15TH DAY OF APRIL, 2010, AT THE LOCATION OF THE PROPERTY DESCRIBED IN THESE SURVEY NOTES. THE SURVEY WAS CONDUCTED BY SURVEY LAND EXPRESS, INC., A PROFESSIONAL SURVEYING FIRM LICENSED UNDER THE SURVEYING ACT OF 1968, AS AMENDED. THE SURVEY WAS CONDUCTED BY SURVEY LAND EXPRESS, INC., A PROFESSIONAL SURVEYING FIRM LICENSED UNDER THE SURVEYING ACT OF 1968, AS AMENDED. THE SURVEY WAS CONDUCTED BY SURVEY LAND EXPRESS, INC., A PROFESSIONAL SURVEYING FIRM LICENSED UNDER THE SURVEYING ACT OF 1968, AS AMENDED.



POSS VACANT LOT

TOTAL LAND AREA
348385.51 SF / 7.997 AC

LEGEND

1. BOUNDARY LINE OF ADJACENT PROPERTY AS SHOWN ON PLAT OF 1988 (SEE PLAT NO. 123456789) IS CORRECT AND UNCHANGED.

2. BOUNDARY LINE OF ADJACENT PROPERTY AS SHOWN ON PLAT OF 1988 (SEE PLAT NO. 123456789) IS CORRECT AND UNCHANGED.

3. BOUNDARY LINE OF ADJACENT PROPERTY AS SHOWN ON PLAT OF 1988 (SEE PLAT NO. 123456789) IS CORRECT AND UNCHANGED.

4. BOUNDARY LINE OF ADJACENT PROPERTY AS SHOWN ON PLAT OF 1988 (SEE PLAT NO. 123456789) IS CORRECT AND UNCHANGED.

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7. BOUNDARY LINE OF ADJACENT PROPERTY AS SHOWN ON PLAT OF 1988 (SEE PLAT NO. 123456789) IS CORRECT AND UNCHANGED.

8. BOUNDARY LINE OF ADJACENT PROPERTY AS SHOWN ON PLAT OF 1988 (SEE PLAT NO. 123456789) IS CORRECT AND UNCHANGED.

9. BOUNDARY LINE OF ADJACENT PROPERTY AS SHOWN ON PLAT OF 1988 (SEE PLAT NO. 123456789) IS CORRECT AND UNCHANGED.

10. BOUNDARY LINE OF ADJACENT PROPERTY AS SHOWN ON PLAT OF 1988 (SEE PLAT NO. 123456789) IS CORRECT AND UNCHANGED.

PDS NOTE

THE SURVEYOR HAS REVIEWED THE RECORDS OF THE PLAT BOOKS AND HAS FOUND NO RECORDS OF ANY OTHER PLATS THAT AFFECT THIS PLAT.

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SURVEY NOTES

1. THIS SURVEY WAS CONDUCTED IN ACCORDANCE WITH THE SURVEYING ACT OF 1967 AND THE RULES AND REGULATIONS OF THE BOARD OF SURVEYING AND MAPPING.

2. THE SURVEYOR HAS REVIEWED THE RECORDS OF THE PLAT BOOKS AND HAS FOUND NO RECORDS OF ANY OTHER PLATS THAT AFFECT THIS PLAT.

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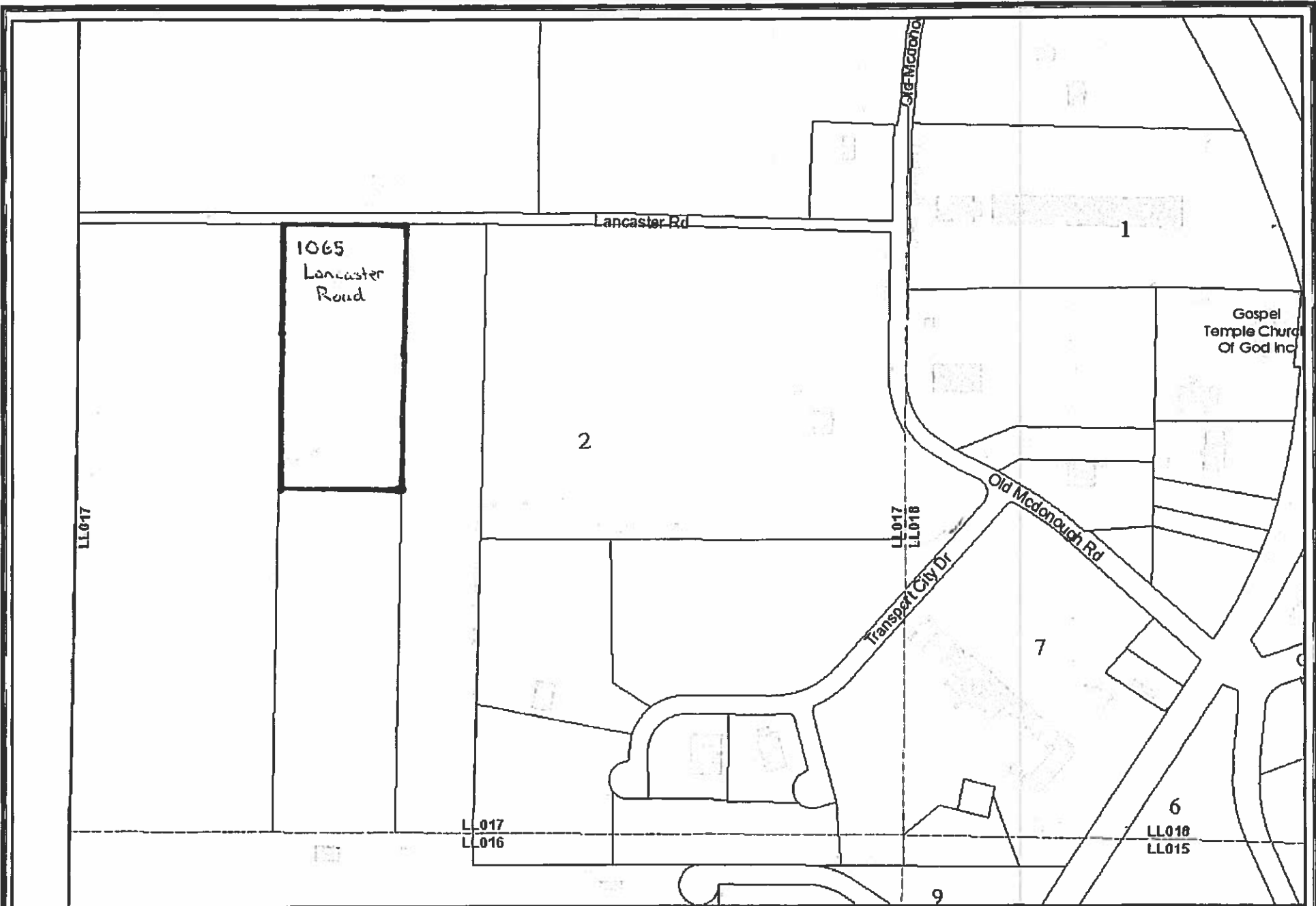
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L&P SUBDIVISION LAND LOT 12 COUNTY CLAYTON FIELD BOOK DATE AND ST. NO. ALL SURVEYS PERFORMED TO THIS DATE EMPLOYED SURVEYOR'S NAME SURVEY LAND EXPRESS, INC. LAND SURVEYING SERVICES	PLAT PREPARED FOR: ADS TRINITY, LLC PROPERTY ADDRESS: 1085 LANCASTER ROAD CONLEY, GA 30208	ZONING NOTE: PROPERTY IS ZONED M2 ZONING DISTRICT MAP OF THE AREA DATE OF THE SURVEY SCALE 1" = 30'
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DeKalb County Parcel Map



Date Printed: 3/17/2018



DeKalb County GIS Disclaimer

The maps and data, contained on DeKalb County's Geographic Information System (GIS) are subject to constant change. While DeKalb County strives to provide accurate and up-to-date information, the information is provided "as is" without warranty, representation or guarantee of any kind as to the content, sequence, accuracy, timeliness or completeness of any of the database information provided herein. DeKalb County explicitly disclaims all representations and warranties, including, without limitation, the implied warranties of merchantability and fitness for a particular purpose. In no event shall DeKalb County be liable for any special, indirect, or consequential damages whatsoever resulting from loss of use, data, or profits, whether in an action of contract, negligence, or other actions, arising out of or in connection with the use of the maps and/or data herein provided. The maps and data are for illustration purposes only and should not be relied upon for any reason. The maps and data are not suitable for site-specific decision-making nor should it be construed or used as a legal description. The areas depicted by maps and data are approximate, and are not necessarily accurate to surveying or engineering standards.

LEGAL DESCRIPTION

1065 Lancaster Road, Conley, Georgia 30341

All that tract or parcel of land lying and being in Land Lot 17 of the 15th District, DeKalb County, Georgia, and being more particularly described as follows:

To find the true point of beginning, commence from an iron pin found (1" open top pipe) at the intersection of the district and county line common to DeKalb County and Fulton County with the land lot line common to Land Lots 16 & 17 of DeKalb County; thence along said land lot line common to Land Lots 16 & 17, North 89 degrees 36 minutes 38 seconds east a distance of 652.20 feet to an iron pin found (1.5" rod), thence leaving said land lot line north 01 degrees 16 minutes 36 seconds east a distance of 1,089.68 feet to a point and the true point of beginning; from the true point of beginning as thus established: North 01 degrees 16 minutes 36 seconds east a distance of 866.32 feet to an iron pin set; thence North 89 degrees 29 minutes 41 seconds east a distance of 400.19 feet to an iron pin set; thence south 01 degrees 16 minutes 49 seconds west a distance of 869.85 feet to a point; thence south 00 degrees 00 minutes 00 seconds west a distance of 400.05 feet to a point and the true point of beginning.

Said tract containing 7.971 acres.



404.371.2155 (o)
404.371.4556 (f)
DeKalbCountyGa.gov

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

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
(Pre-application conference is required prior to filing application: copy must be submitted at filing)

David Metzger

Applicant Name: Williams Teusink LLC Phone: 4/573-9590 Email: dmetzger@williams-teusink.com

Property Address: 1065 Lancaster Rd

Tax Parcel ID: 15-017-02-005 Comm. District: 3 & 6 Acreage: 8 acres

Existing Use: ADST mnty Demolition Contractor Proposed Use: same

Rezoning: Yes No

Existing Zoning: M-2 Proposed Zoning: _____ Square Footage/Number of Units: _____

Rezoning Request: SLUP 05 026 (existing)

Land Use Plan Amendment: Yes No

Existing Land Use: _____ Proposed Land Use: _____ Consistent Inconsistent

Special Land Use Permit: Yes No Article Number(s) 27 Recycling Plant 4.2.29

Special Land Use Request(s) SLUP for existing operation Heavy Ind.

Major Modification:

Existing Case Number(s): _____

Condition(s) to be modified and request:

