

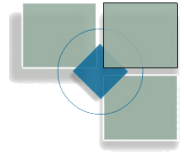


DeKalb County Department of Planning & Sustainability

178 Sams Street Suite 3600

Decatur, GA 30030

(404) 371-2155 / www.dekalbcountyga.gov/planning



Michael Thurmond
Chief Executive Officer

Planning Commission Hearing Date: November 2, 2023

Board of Commissioners Hearing Date: November 16, 2023

STAFF ANALYSIS

Case No.: CZ-23-1246655 **Agenda #:** 2023-1149

Location/Address: 2179 Bouldercrest Road **Commission District:** 03 **Super District:** 06
Atlanta, Georgia.

Parcel ID: 15-083-01-013

Request: Major Modification to condition #1 and #4 pursuant to Z-22-1246088 to remove the use limitations of the property in the M (Light Industrial) District.

Property Owner: Old Fourth Group, LLC

Applicant/Agent: Old Fourth Group, LLC

Acreage: 2.71

Existing Land Use: Vacant building

Surrounding Properties: Vacant Land

Adjacent Zoning: **North:** M **South:** M **East:** R-75 **West:** M

Comprehensive Plan: LIND (Light Industrial) **Consistent** **X** **Inconsistent**

Proposed Density: NA **Existing Density:** NA

Proposed Units/Square Ft.: NA **Existing Units/Square Feet:** Vacant Building

Proposed Lot Coverage: NA **Existing Lot Coverage:** NA

Staff Recommendation: APPROVAL WITH CONDITIONS

The property was rezoned to M (Light Industrial) on November 17, 2022 with five (5) zoning conditions which included limiting the use of the property to a distillery in the existing building and prohibiting *late night*

establishments and *nightclubs*. Due to current market conditions, the applicant indicates that a distillery is no longer a viable use and is requesting that the use restriction be removed. Based on discussion at the District 3 Community Council meeting on October 4, 2023, a local neighborhood group (Southwest DeKalb Neighborhood Alliance) (SDNA) supports removing the use restriction to allow other viable economic uses allowed under the M (Light Industrial) Zoning District that would encourage community gathering spaces and the creation of jobs in the area. Toward that end, the SDNA and the applicant have recommended that several land uses be prohibited (see attached prohibited use list) which are included in Staff’s recommended zoning conditions. Since any proposed land uses would be limited to operating in the existing building as requested by the applicant, it appears that allowing a broad scope of uses permitted in the M district is consistent with the surrounding M (Light Industrial) zoning pattern to the north, west, and south and is appropriate along a major, arterial road (i.e., Bouldercrest Road). Furthermore, it appears that the proposed changes do not impact the rezoning criteria as the request remains consistent with the *DeKalb 2050 Unified Plan*, is not anticipated to cause a burdensome use of existing streets, utilities, or schools, and should not adversely impact surrounding properties or historic buildings and sites. Late night establishments and nightclubs would continue to be prohibited to minimize adverse impacts to residential areas to the east across Bouldercrest Road. Therefore, it is the recommendation of the Planning & Sustainability Department that the request be “Approved with conditions” (proposed deletions of previous zoning conditions are in ~~strikethrough~~ and proposed additions are in bold blue, and include land uses requested by the Planning Commission at the November 2nd public hearing).

1. ~~Use limited to distillery (Alcohol Manufacturing) and accessory uses including tasting room, office, and retail uses.~~ All accessory uses must comply with minimum parking requirements of the *Zoning Ordinance*. ~~No Late Night Establishment or Nightclub use allowed.~~ **The following uses are prohibited:**
 - a. **Late Night Establishment/Nightclub**
 - b. **Salvage Yard (junk yard)**
 - c. **Outdoor storage and/or sales of any kind including equipment, materials, or vehicles**
 - d. **Auto repair**
 - e. **Heavy equipment repair**
 - f. **Crematorium**
 - g. **Service stations**
 - h. **Trailer and RV lots**
 - i. **Heliport**
 - j. **Gas stations**
 - k. **Truckstop or terminal**
 - l. **Sale or repair of firearms and ammunition**
 - m. **Pawn shops**
 - n. **Check cashing establishments**
2. Use shall be limited to the existing building.
3. All parking shall be paved and striped. Expansion of the parking lot is prohibited.
4. ~~Compliance with all county, state and federal regulations relating to Alcohol Manufacturing.~~
5. Provide 6-foot-wide sidewalk and 10-foot-wide landscape strip along Bouldercrest Road with street trees every 50 feet on center prior to the issuance of any certificates of occupancy.

CZ-23-1246655 (2023-1149)

Proposed Prohibited Uses from Community:

From: Alison Clark <alisonmiller@gmail.com>

Sent: Tuesday, October 17, 2023 4:26 PM

To: Reid, John <jreid@dekalbcountyga.gov>

Subject: Re: 2179 Bouldercrest--

Hi John,

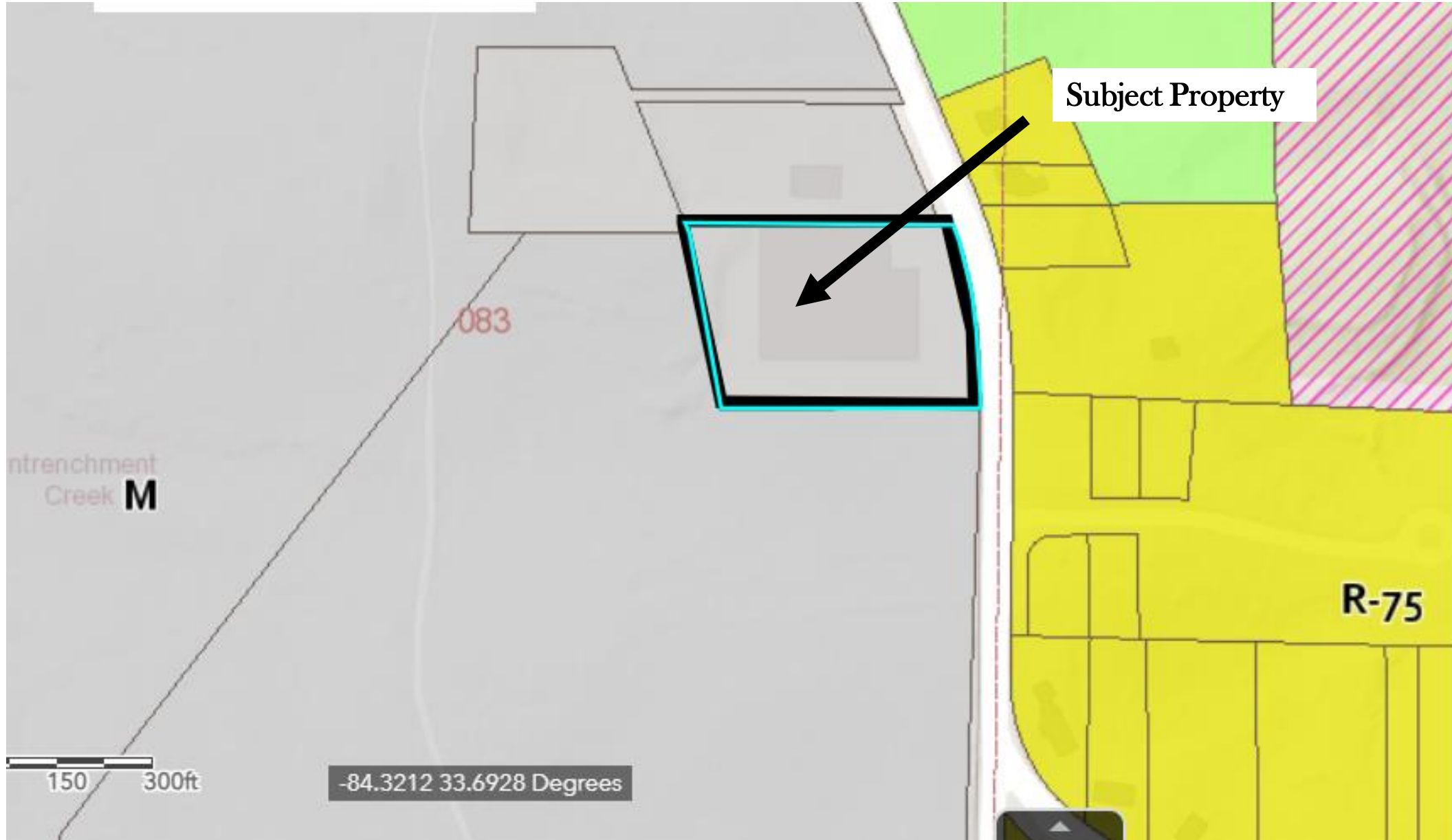
Please accept my apology for the late reply. To-date the community has asked that the following uses not be allowed:

1. Nightclub/late night establishment
2. Salvage yard (junkyard)
3. Outdoor storage of any kind/any category
4. Auto repair/heavy equipment repair (outdoor/visible/audible)
5. Crematorium
6. Service area outdoors
7. Service stations
8. Trailer/RV lot
9. Heliport
10. Truckstop or terminal

We have another community meeting on 10/21 just to make sure we've heard from as many people as are willing to engage. I will report back to you (timely) should there be any updates.

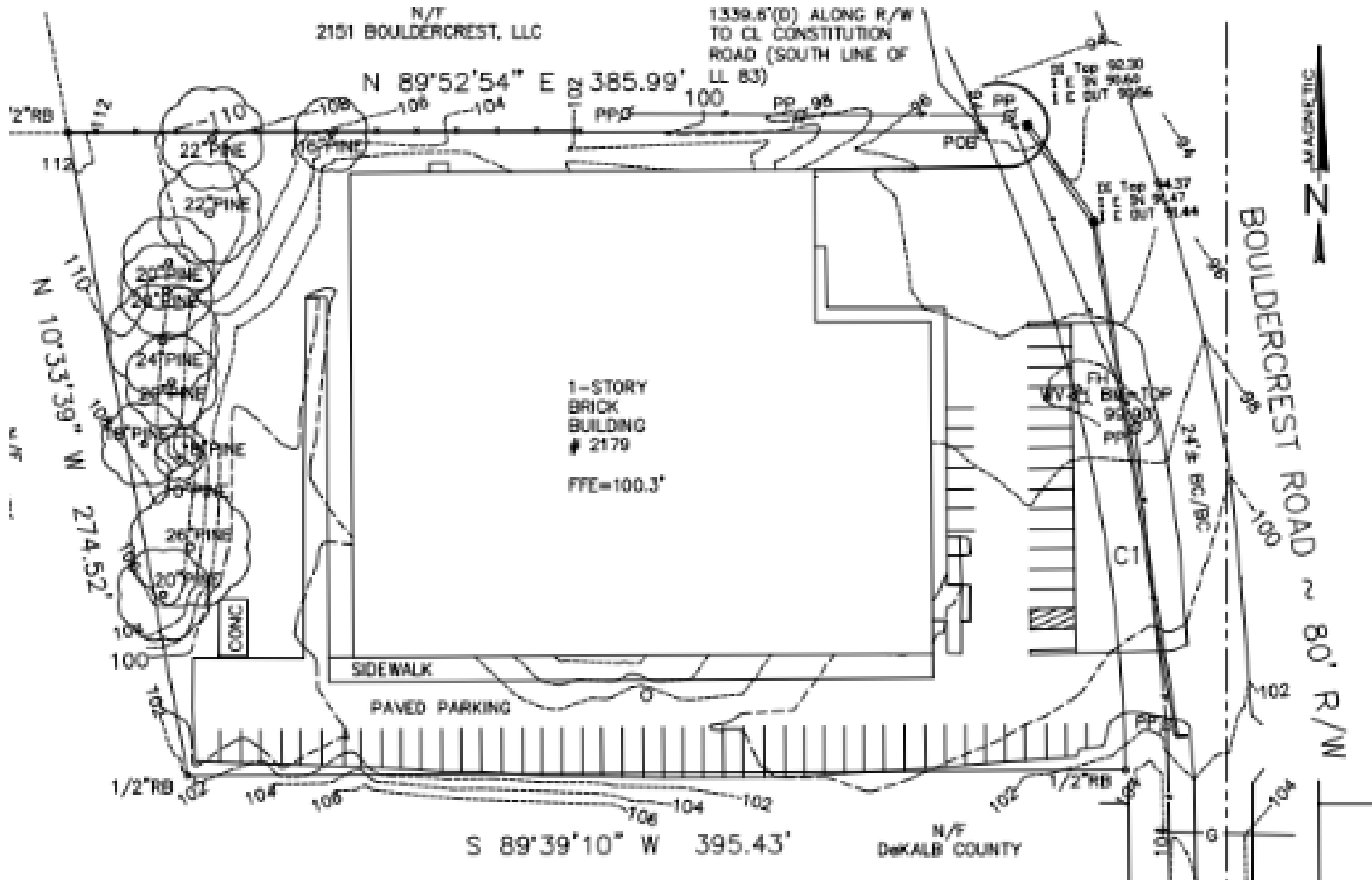
As always, thank you for all you do to look out for our best interests.

-Alison











ZONING CONDITIONS

1. Use limited to distillery (Alcohol Manufacturing) and accessory uses including tasting room, office, and retail uses. All accessory uses must comply with minimum parking requirements of the Zoning Ordinance. No Late Night Establishment or Nightclub use allowed.
2. Use shall be limited to the existing building.
3. All parking shall be paved and striped. Expansion of the parking lot is prohibited.
4. Compliance with all county, state and federal regulations relating to Alcohol Manufacturing.
5. Provide 6-foot wide sidewalk and 10- foot wide landscape strip along Bouldercrest Road with street trees every 50 feet on center prior to the issuance of any certificates of occupancy.

DEPARTMENT OF PLANNING & SUSTAINABILITY

MAJOR MODIFICATION APPLICATION

Date Submitted: 09/07/2023 Case No.: Z-22-1246088

Existing Conditional Zoning No.: z-22-1246088 (2022-2257)

APPLICANT NAME: Craig Moore

Daytime Phone#: 404-821-0067 Fax #: _____ E-mail: toughbook@gmail.com

Mailing Address: 2179 Bouldercrest Road, Atlanta, Georgia 30316

OWNER NAME: Old Fourth Group, LLC - Craig Moore

(If more than one owner, attach contact information for each owner)

Daytime Phone#: 404-821-0067 Fax #: _____ E-mail: toughbook@gmail.com

Mailing Address: 2179 Bouldercrest Road, Atlanta, Georgia 30316
Suite 2

SUBJECT PROPERTY ADDRESS OR LOCATION: 2179 Bouldercrest Road

Atlanta, DeKalb County, GA, 30316

District(s): 15 Land Lot(s): 083 Block(s): 01 Parcel(s): 15 083 01 015

Acreage or Square Feet: 2.71 acres Commission District(s): 3 & 6 Existing Zoning: M

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

Signature of Applicant: 

Printed Name of Applicant: Craig Moore

Craig Moore
Old Fourth Group, LLC
2179 Bouldercrest Road
Atlanta, Georgia 30316

September 7, 2023

Cedric Hudson, Interim Director
DeKalb County, Georgia
Department of Planning and Sustainability
330 West Ponce de Leon Avenue,
Decatur, Georgia 30030

Dear Interim Director Hudson,

Old Fourth Group, LLC ("Applicant"), owns that certain real property located at and known as 2179 Bouldercrest Road, Atlanta, DeKalb County, Georgia 30316 (Tax Parcel Id No. 15 083 01 013) (the "Property").

The Property consists of 2.71 acres with 276.67' frontage along Bouldercrest Road to the north of the intersection of Bouldercrest Road with Constitution Road. The property currently consists of a single-story brick building.

The Property is zoned M (Light Industrial) District with an Existing Land Use classification as Commercial Redevelopment corridor (CRC) based upon the 2050 Comprehensive Plan. The Property is not within any Overlay District. The adjacent and adjoining properties on and along Bouldercrest Road to the north, south and west are currently zoned as M (Light Industrial) District. The parcels to the south and west are designated as COS (Conservation/Open Space). Parcels to the north are a mix of Suburban (SUB) and COS. Parcels to the east, across Bouldercrest Road are zoned 01 (Office-Institutional) District. Parcels to the east have a future land use designation of SUB. However, the properties to the south and west designated as COS are the parcels recently subject to the Land Exchange with Backhall Studios, and while intended to be developed as a studio complex, development plans are unclear at this time.

Applicant is fee simple owner of the property.

A. SUMMARY OF PROPOSED REZONING

Current zoning includes the following condition which the Applicant seeks to remove with consideration of new conditions as discussed with the community:

“Use limited to distillery (Alcohol Manufacturing) and accessory uses including tasting room, office, and retail uses. All accessory uses must comply with minimum parking requirements of the Zoning Ordinance. No Late Night Establishment or Nightclub use allowed.”

Applicant requests the removal of the condition limiting the use to a distillery while retaining the portion of the same restriction that prohibits late night establishments or nightclubs. Additionally, Applicant agrees to conditions that prohibit auto repair, junkyard, outdoor storage, or other undesirable uses.

A pre-application community conference was held on July 13, 2023 and a Pre-submittal community meeting was held on August 29, 2023. Applicant will continue to work with the greater community and has requested additional community meetings to review the proposed major modification and desired conditions.

B. DOCUMENTED IMPACT ANALYSIS UNDER SEC. 27-7.3.5

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

The Property has an Existing Land Use classification as Commercial Redevelopment Corridor (CRC) based upon the Comprehensive Land Use Map. The proposed major modification does not require an amendment to the Comprehensive Land Use Map.

2. 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 proposed major modification of the property will permit development of a commercial business that is suitable in view of the use and development of adjacent and nearby properties.

The Property is less than one mile from the commercial developments and uses at the intersection of Interstate 285 and Bouldercrest Road and within the Bouldercrest Cluster identified within the Comprehensive Land Use Map. Surrounding properties beyond the commercial and industrial districts at the intersection of Interstate 285 and Bouldercrest Road is traditional single family, with a mix of R-75 (Residential Medium Lot-75), R-100 (Residential Medium Lot-100) and RSM (Small Lot Residential Mix) properties.

The proposed major modification allows for the commercial development and use of the existing building on the Property in a manner that is consistent with the surrounding community.

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

The property as currently zoned is consistent with the surrounding zoning and has a reasonable economic use with the removal of the condition restricting the use to a distillery.

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

As detailed in Sections A and B above, the proposed major modification does not seek to change the zoning district or land use; the proposal seeks only to remove the condition restricting the use to a distillery. This will not adversely affect the existing use or usability of adjacent and nearby properties. The proposed modification of the Property presents an opportunity to provide a community hub in line with the DeKalb County Comprehensive Plan's stated strategic plan to develop and revitalize commercial corridors like the Bouldercrest Cluster identified in the Comprehensive Land Use Map.

5. 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 Property is improved with a warehouse on the property suitable for the existing Industrial Zoning. The distillery initially planned for the property has been sold and therefore will not be located at the property. Absent a distillery, no accessory uses can exist under the current zoning conditions. The approval of the condition removal is necessary to allow the property to be used.

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

The proposed major modification will not adversely affect historic buildings, sites, districts, or archaeological resources.

7. 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 proposed major modification will not result in excessive or burdensome use of existing streets, transportation facilities, utilities, or schools. The Property is well served by existing streets, transportation facilities, and utilities within the immediate surrounding areas located at the intersection of Interstate 285 and Bouldercrest Road. The existing infrastructure is more than sufficient to support the proposed modification.

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

The proposed major modification will not adversely impact the environment or surrounding natural resources. Instead, the proposed development is placed ideally between

Intrenchment Creek to the east and Sugar Creek to the west while lying outside the stream buffer of both.

ZONING CONDITIONS

1. Use limited to distillery (Alcohol Manufacturing) and accessory uses including tasting room, office, and retail uses. All accessory uses must comply with minimum parking requirements of the Zoning Ordinance. No Late Night Establishment or Nightclub use allowed.
2. Use shall be limited to the existing building.
3. All parking shall be paved and striped. Expansion of the parking lot is prohibited.
4. Compliance with all county, state and federal regulations relating to Alcohol Manufacturing.
5. Provide 6-foot wide sidewalk and 10- foot wide landscape strip along Bouldercrest Road with street trees every 50 feet on center prior to the issuance of any certificates of occupancy.

C. ADDITIONAL SUPPORTING DOCUMENTATION

Applicant includes as additional support for its Application the following:

1. Application for Major Modification;
2. Zoning Conditions
3. Board of Commissioner's meeting minutes November 17, 2023
4. Pre-submittal community meeting notice and Zoom Recording Link
5. Campaign Disclosure Statement
6. Limited Warranty Deed, dated May 2011, 2020;
7. Legal Descriptions of the Property;
8. CZ-12-18049, dated September 25, 2012;
9. Zoning Map of the Property;
10. Land Use Map of the Property;

11. Aerial Photograph of the Property and Surrounding Area;
12. Streetscape Photograph of the Property; and
13. Plat of Property prepared by Survey Systems & Associates, Inc .. dated June 11th 2012.

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

Sincerely,



Craig Moore
Old Fourth Group, LLC.

Encl.



PUBLIC NOTICE OF MAJOR MODIFICATION
VIRTUAL COMMUNITY MEETING

August 11, 2023

Re: Major Modification at 2179 Bouldercrest Road, Atlanta, Georgia 30316

Dear Property Owner,

We would like for you to join our Zoom meeting on Tuesday, August 29, 2023 at 6:30pm to discuss a proposed Major Modification for the property located at 2179 Bouldercrest Road, Atlanta, Georgia 30316. Old Fourth Group, LLC. is seeking to change conditions for the property to remove the condition limiting the property use to a distillery.

Below are the meeting instructions. There are multiple ways for you to join the meeting, including via your computer, tablet or cell phone, with or without video. If you are unable to join the meeting, but would like to learn more, please send an email to Bcooper@CORatl.com for a summary.

You are invited to a Zoom meeting.

When: Aug 29, 2023 06:30 PM Eastern Time (US and Canada)

Register in advance for this meeting:

<https://us06web.zoom.us/join/register/tZAucuippzssHNRlmSxJ39IwFdtHl1eyBI5z>

After registering, you will receive a confirmation email containing information about joining the meeting.

Meeting ID: 843 5119 0660

Passcode: 005992

Pre-submittal Community meeting:

Below you will find the link to the recorded Pre-submittal Community Meeting held on August 29, 2023.

[Zoom Recording Link](#)

Passcode: &gXB2#R1

Attendee Report

Topic: Old Fourth Group Major Modification Community Meeting

Actual Start Time: 8/29/2023 18:32

Leave Time: 8/29/2023 19:14

Actual Duration: 42 minutes

Attendee List:

Alison Clark

Sherry Williams

Mary Irving

Shaun Billingslea

Patrick Laughln

Pat Culp

Godwin Onohwosa

Stacey Armstrong

Theresa Renfro

Wayne Powell

321-960-1810

DEPARTMENT OF PLANNING & SUSTAINABILITY

IMPACT ANALYSIS

(Please respond to the following standards and factors on a separate sheet.)

Section 27-7.3.5. 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.
- B. Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby properties.
- C. Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned.
- D. Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby properties.
- E. Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the zoning proposal.
- F. Whether the zoning proposal will adversely affect historic building, sites, districts, or archaeological resources.
- G. Whether the zoning proposal will result in a use which will or could cause excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.
- H. Whether the zoning proposal adversely impacts the environment or surrounding natural resources.

DEPARTMENT OF PLANNING & SUSTAINABILITY

DISCLOSURE OF CAMPAIGN CONTRIBUTION

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

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

Yes X 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 to the Board of Commissioners of DeKalb County, 1300 Commerce Drive, Decatur, GA 30030.



Notary



Signature of Applicant /Date

Check one: Owner _____ Agent X

1/21/23

Expiration Date/ Seal



*Notary seal not needed if answer is "no".

2020078946 DEED BOOK 28345 Pg 372
Filed and Recorded: 5/27/2020 4:22:00 PM
Recording Fee: \$25.00
Real Estate Transfer Tax: \$1,500.00
Prepared By:
7006579064
7067927936

Return to:

GANEK PC

D. Mark Seib, Esq.
197 Fourteenth Street, NW
Suite 300
Atlanta, Georgia 30318
Phone: (404) 892-7300
Fax: (404) 892-7246
File No.: MT200477

Parcel ID: 15-083-01-013

LIMITED WARRANTY DEED

STATE OF GEORGIA

COUNTY OF FULTON

THIS INDENTURE, made the 20th day of May, in the year Two Thousand Twenty (2020), between **EAST ATLANTA LOFTS, LLC, a Georgia limited liability company**, as party or parties of the first part, hereinafter called Grantor, and **OLD FOURTH GROUP, LLC, a Georgia limited liability company**, as party or parties of the second part, hereinafter called Grantee (the words, "Grantor" and "Grantee" to include their respective heirs, successors and assigns where the context requires or permits).

WITNESSETH that: Grantor, for and in consideration of the sum of TEN AND NO/100 AND OTHER GOOD AND VALUABLE CONSIDERATION ----- (\$10.00) DOLLARS in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, has granted, bargained, sold, aliened, conveyed and confirmed, and by these presents does grant, bargain, sell, alien, convey and confirm unto the said Grantee,

All that tract or parcel of land lying and being in Land Lot 83 of the 15th District, DeKalb County, Georgia, being more particularly described in Exhibit "A" attached hereto and made a part hereof by reference.

This conveyance is made subject to those matters set forth in Exhibit "B" attached hereto and made a part hereof by reference.

TO HAVE AND TO HOLD the said tract or parcel of land, with all and singular rights, members and appurtenances thereof, to the same being, belonging, or in anywise appertaining, to the only proper use, benefit and behoof of the said Grantee forever in FEE SIMPLE.

AND THE SAID Grantor will warrant and forever defend the right and title to the above-described property unto the said Grantee against the claims of all persons claiming by, through or under Grantor.

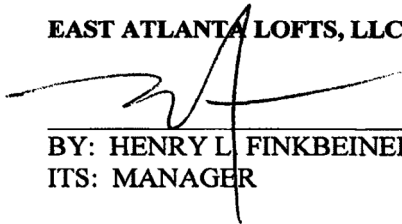
IN WITNESS WHEREOF, the Grantor has signed and sealed this deed, the day and year above written.

Signed, sealed and delivered
this 20th day of May, 2020,
in the presence of:

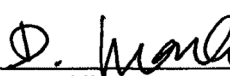
EAST ATLANTA LOFTS, LLC



Witness



BY: HENRY L. FINKBEINER (SEAL)
ITS: MANAGER



Notary Public
My Commission Expires:

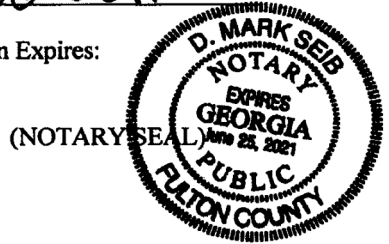


EXHIBIT "A"

All that tract or parcel of land lying and being in Land Lot 83 of the 15th District, DeKalb County, Georgia, being shown on a plat of survey prepared for Architectural Image Manufactures, Inc. and William Bloodworth by East Metro Surveyors Incorporated and being more particularly described as follows:

To find the true Point of Beginning, begin at the intersection of the centerline of Constitution Road (which is the south line of Land Lot 83) with the west right of way line of West Side Place (if said right of way were projected to intersect the centerline of Constitution Road); thence north along the west right of way line of West Side Place and the west right of way line of Bouldercrest Road a distance of 1339.6 feet to an iron pin found at the Point of Beginning; thence from said true Point of Beginning, south 89 degrees 39 minutes 00 seconds west a distance of 395.46 feet to an iron pin found; thence north 10 degrees 31 minutes 17 seconds west a distance of 274.39 feet to an iron pin found; thence north 89 degrees 51 minutes 32 seconds east a distance of 385.99 feet to an iron pin found on the westerly right of way line of Bouldercrest Road; thence in a generally southerly direction along the westerly right of way line of Bouldercrest Road and following the curvature thereof an arc distance of 276.67 feet to an iron pin (said arc having a chord bearing south 12 degrees 31 minutes 02 seconds east a distance of 274.84 feet); said point being the true Point of Beginning.

Debra DeBerry
Clerk of Superior Court
DeKalb County, Georgia

EXHIBIT "B"

1. Taxes and assessments for the year 2020 and subsequent years, not yet due and payable.
2. Any defects, liens, encumbrances, adverse claims or other matters, if any, created, first appearing in the public records or attaching prior to the date property acquired.
3. Any encroachments, easements, measurements, variations in area or content, party walls or other facts which a correct survey of the premises would show.
4. Right of Way Easement from Lanham Machinery Company to Georgia Power Company, undated, filed for record September 19, 1967, recorded in Deed Book 2242, page 559, DeKalb County, Georgia records.

PROPERTY DESCRIPTION

2179 Bouldercrest Road, Atlanta, DeKalb County, GA 30316

Tax Parcel ID #: 15 083 01 013

All that tract or parcel of land lying and being in Land Lot 83 of the 15th District, Dekalb County, Georgia, being shown on a plat of survey prepared for Architectural Image Manufactures, Inc. and William Bloodworth by East Metro Surveyors Incorporated and being more particularly described as follows:

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DEKALB COUNTY

ITEM NO. N. 5

BOARD OF COMMISSIONERS

HEARING TYPE:
PUBLIC HEARING

ZONING AGENDA / MINUTES

ACTION TYPE:
ORDINANCE

MEETING DATE: September 25, 2012

SUBJECT: Rezoning – Z-12-18049 – Henry Finkbeiner

COMMISSION DISTRICTS: 1 & 6

DEPARTMENT: Planning & Sustainability

PUBLIC HEARING: YES NO

ATTACHMENT: YES No
PAGES:

INFORMATION CONTACT: Marian Eisenberg, Zoning Administrator
PHONE NUMBER: (404) 371-2155

PETITION No: Z-12-18049

PROPOSED USE: Mixed Residential and Live-Work Development

LOCATION: 2179 (a.k.a. 2177) Bouldercrest Road

PARCEL No.: 15-083-01-013

PURPOSE: To rezone property from M (Industrial) to PC-2 (Pedestrian Community) to allow conversion of an existing industrial building into a mixed-use development.

RECOMMENDATIONS:

COMMUNITY COUNCIL: APPROVAL.

PLANNING COMMISSION: APPROVAL WITH CONDITIONS.

PLANNING STAFF: APPROVAL WITH CONDITIONS.

PLANNING COMMISSION MEETING (9/6/12): On September 6, 2012, the Planning Commission recommended "Approval With Conditions" as recommended by Staff.

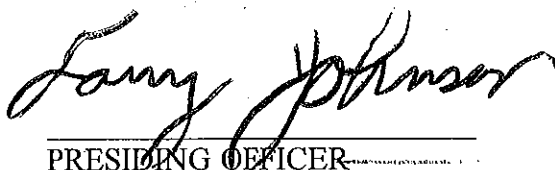
PLANNING STAFF ANALYSIS: As a redevelopment project that will offer live work spaces and loft-type residential units in a vacant, formerly industrial building, the zoning proposal is consistent with the following policies of the 2025 Comprehensive Plan: "Identify and encourage the development of priority areas for new infill or redevelopment" (LUP1); "Locate development in areas with direct access to existing infrastructure." (LUS1); and "Encourage a variety of home styles, densities and price ranges in locations that are accessible to jobs and services to ensure housing for individuals and families of all incomes and age groups." (LUS12). The applicant has requested, pursuant to LP-12-18050, a land use map amendment from SUB (Suburban) to (NC) Neighborhood Commercial, which is consistent with the PC-2 classification. The proposed development will be compatible with adjoining and nearby land uses and would add vitality and security to the edge of a residential neighborhood that is located to the southeast. There has been no indication that street capacity, the public infrastructure, or public services would be insufficient to serve the proposed development. Therefore, the Department of Planning & Sustainability recommends "Approval With Conditions".

FOR USE BY COMMISSION OFFICE/CLERK ONLY

ACTION : 2012-09-25 N 5 Henry Finkbeiner Z-12-18049

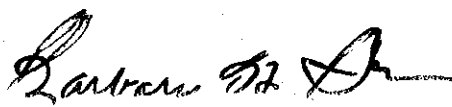
MOTION was made by Larry Johnson, seconded by Sharon Barnes Sutton and passed 5-1-0-1 to approve with staff's conditions, the rezoning -Z-12-18049-Henry Finkbeiner. Commissioner Gannon opposed and Commissioner Boyer was absent and not voting.

ADOPTED: SEP 25 2012
(DATE)



PRESIDING OFFICER
DEKALB COUNTY BOARD OF
COMMISSIONERS

CERTIFIED: SEP 25 2012
(DATE)



CLERK,
DEKALB COUNTY BOARD
OF COMMISSIONERS

MINUTES:

Allen Hoss, 1383 Spring Street, Atlanta, Ga. 30309, Hal Felds, 2610 Candace Lane, Atlanta, Georgia 30316, spoke in support of the application.

No one spoke in opposition.

FOR : Jeff Rader, Larry Johnson, Sharon Barnes Sutton, Lee May, Stan Watson

AGAINST : Kathie Gannon

ABSTAIN : None

ABSENT : Elaine Boyer

September 18, 2012

PLANNING COMMISSION VOTE:

Approval 5-0-0. T. Snipes moved and J. West seconded for approval with conditions as recommended by Staff.
The motion passed unanimously.

COMMUNITY COUNCIL VOTE/RECOMMENDATION:

Approval 6-0-0. The development is appropriate and will be an asset to the area.

RECOMMENDED CONDITIONS

PC-2

1. A minimum 5-foot wide sidewalk shall be constructed along the Bouldercrest Road street frontage.
2. Commercial and live-work units shall operate from 8:30 A.M. to 6:00 P.M. to avoid unnecessary night traffic.
3. Upon leasing the live-work units, the property manager shall provide tenants with the zoning regulations contained in Section 27-649.15(b)(7), which regulate the use, hours of operation, maximum number of employees, and square footage of such units.

R-75

MU-5

Multiple Zoning - refer to zoning case

M

083

Intranchment Creek

084

R-75

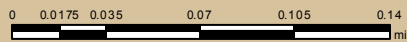
Bouldercrest Rd

West Side Pl

Sylvester Baptist Church



DeKalb County Parcel Map

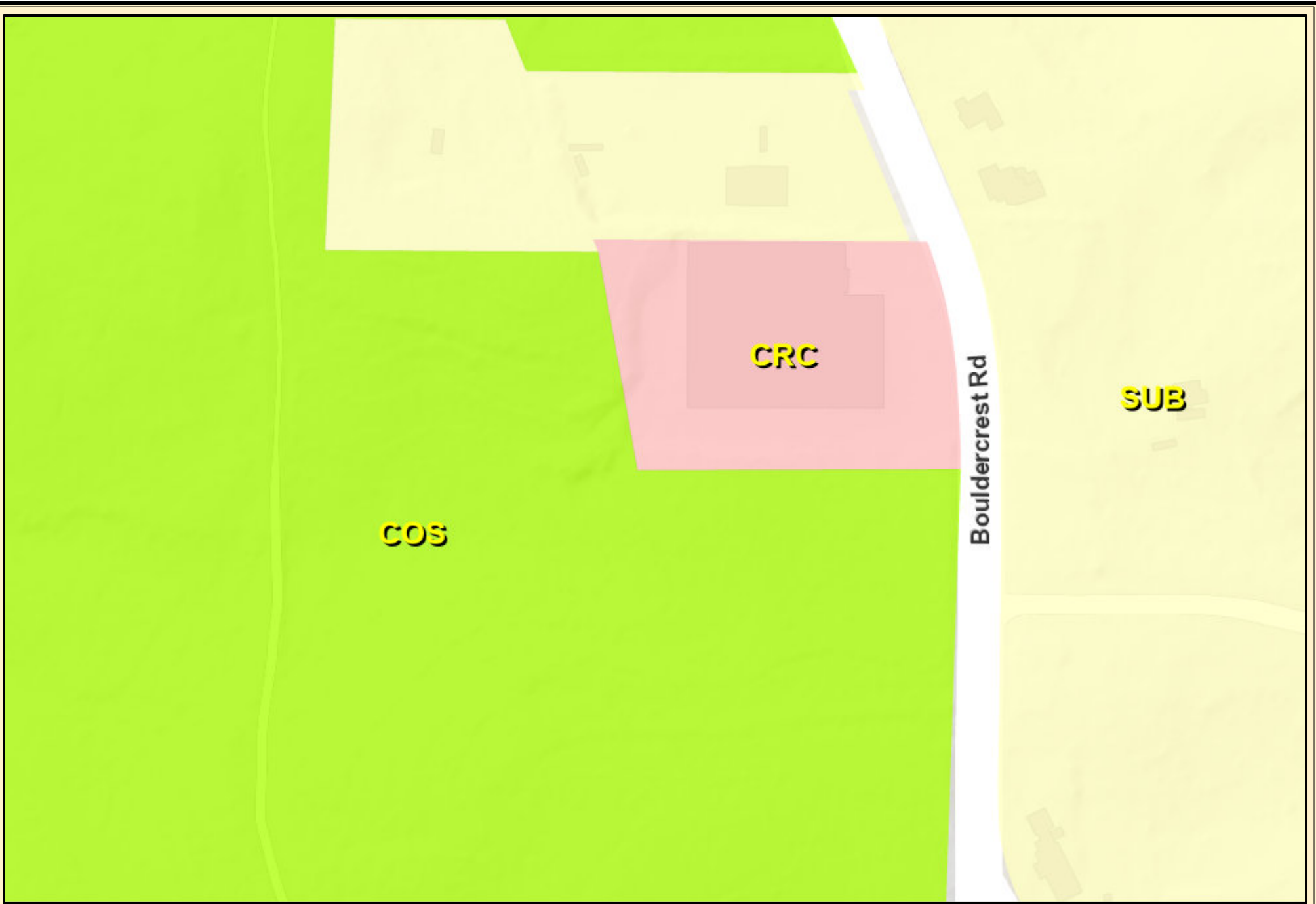


Date Printed: 6/1/2022

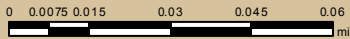


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DeKalb County Parcel Map

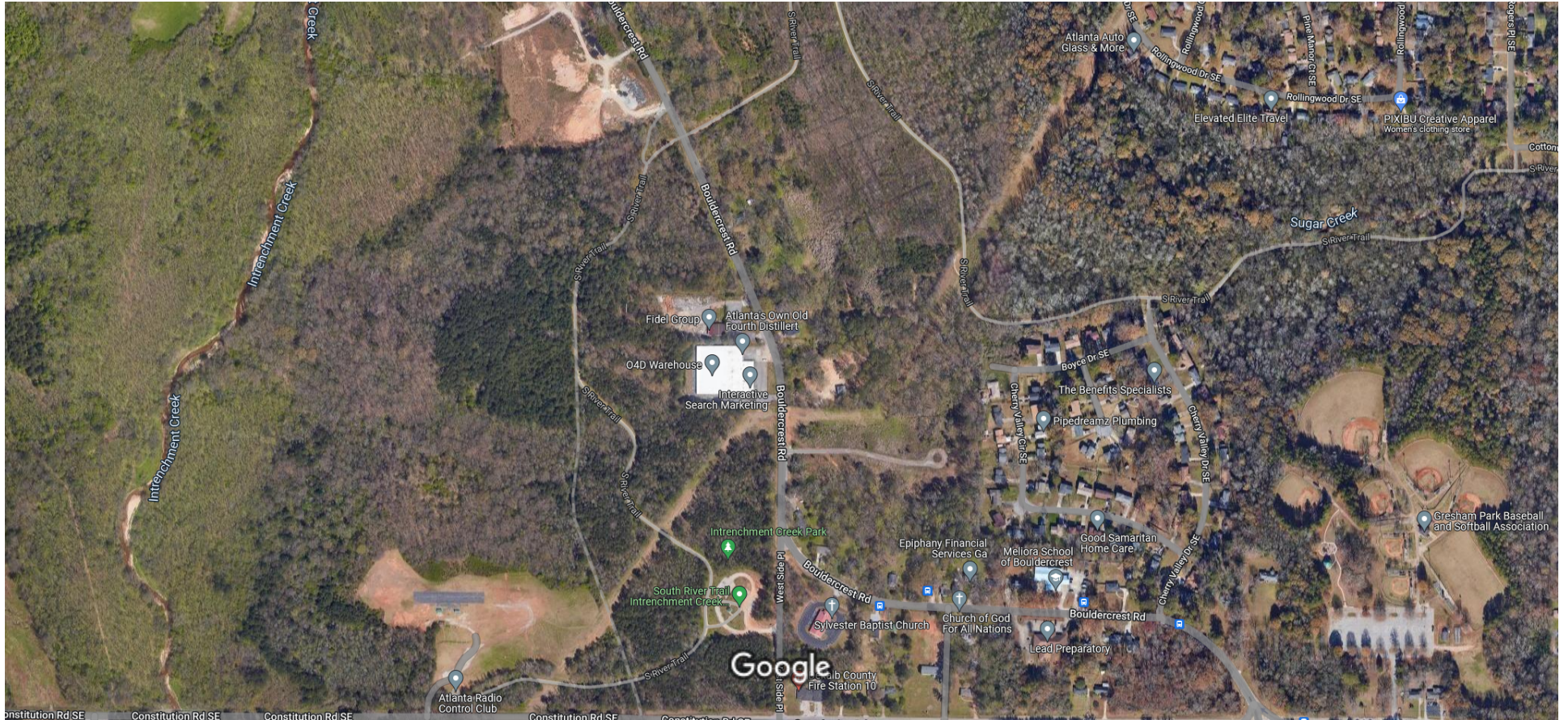


Date Printed: 9/7/2023



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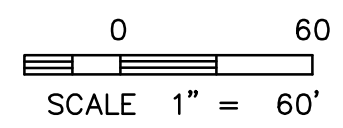


Imagery ©2022 CNES / Airbus, Maxar Technologies, U.S. Geological Survey, USDA/FPAC/GEO, Map data ©2022 200 ft



PROPERTY ADDRESS:
2179 BOULDERCREST ROAD
ATLANTA, GA

LAND AREA:
107736 SF
2.473 AC



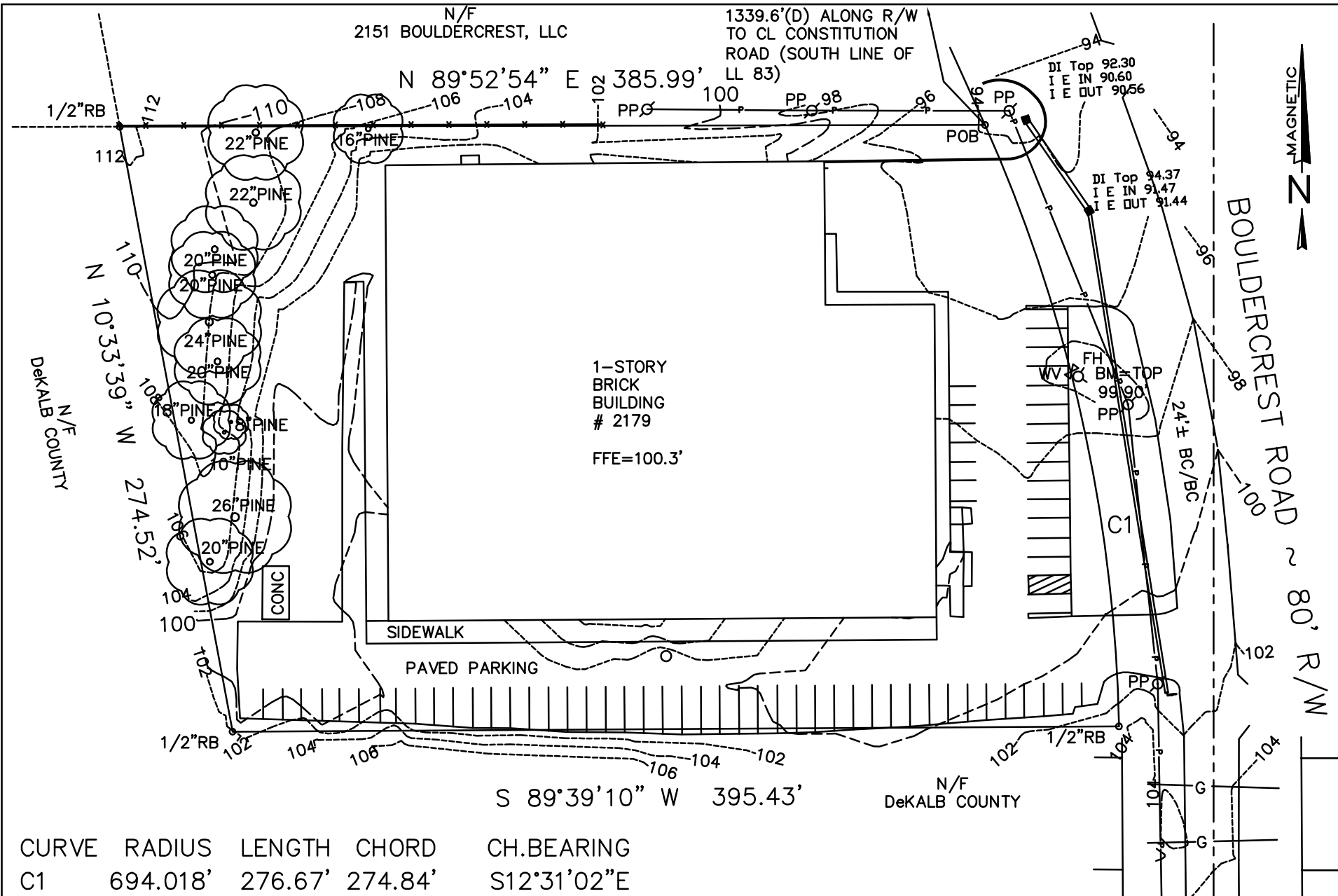
*** LEGEND ***

- NOTE: ALL ITEMS IN THIS LEGEND MAY NOT APPEAR ON THIS PLAT.
- | | |
|--------------------------|------------------------------|
| IP IRON PIN FOUND | POB POINT OF BEGINNING |
| IPS IRON PIN SET | LLL LAND LOT LINE |
| OTP OPEN TOP PIPE FOUND | MH MAN HOLE |
| CTP CRIMP TOP PIPE FOUND | -S- SANITARY SEWER LINE |
| RB REINFORCING BAR FOUND | CB CATCH BASIN |
| RBS REINFORCING BAR SET | JB JUNCTION BOX |
| MAG MAGNETIC READING IP | DI DRAINAGE INLET |
| AI ANGLE IRON FOUND | YI YARD INLET |
| CP CALCULATED POINT | HW HEAD WALL |
| -X-X FENCE | PP POWER POLE |
| CLF CHAIN LINK FENCE | PW POWER LINE |
| WDF WOOD FENCE | SSE SANITARY SEWER EASEMENT |
| WRF WIRE FENCE | DE DRAINAGE EASEMENT |
| FC FENCE CORNER | UE UTILITY EASEMENT |
| BL BUILDING LINE | AE ACCESS EASEMENT |
| R/W RIGHT-OF-WAY | TB TOP OF BANK |
| PL PROPERTY LINE | CMP CORRUGATED METAL PIPE |
| PC PROPERTY CORNER | RCP REINFORCED CONCRETE PIPE |
| CL CENTER LINE | APP AS PER PLAT |
| CPT CARPORT | APD AS PER DEED |
| BR BRICK | APR AS PER RECORD |
| FR FRAME | APF AS PER FIELD |
| WD WOOD | BC BACK OF CURB |
| P PLAT | EP EDGE OF PAVEMENT |
| D DEED | EB ELECTRIC POWER BOX |
| R RECORD | -G- GAS LINE |
| F FIELD | WM WATER METER |
| N NEIGHBOR'S | OH OVERHANG |
| N/F NOW OR FORMERLY | OU OWNERSHIP UNCLEAR |

ALL MATTERS OF TITLE ARE EXCEPTED. THIS PLAT IS SUBJECT TO ALL LEGAL EASEMENTS AND RIGHT-OF-WAYS PUBLIC OR PRIVATE.

NOTE: PROPERTY LINES SHOWN ON THIS SURVEY/PLAT REPRESENT PHYSICAL FIELD CONDITIONS BY EVIDENCE OF APPARENT POSSESSION (IRON PINS FOUND, OLD & ESTABLISHED FENCE LINES, OLD WALL LINES, SHRUB & HEDGE LINE, HOUSE LOCATIONS, ETC.) THEY MAY DIFFER AND BE IN CONTENTION FROM EVIDENCE FOUND AT THE APPLICABLE COUNTY COURTHOUSE. THEY MAY ALSO DIFFER FROM OTHER SURVEYOR OPINIONS AND/OR NEIGHBORS SURVEYS/PLATS. A FULL LAND TITLE REPORT OPINION ON ALL PROPERTIES, INCLUDING ADJACENT AND CONTIGUOUS PROPERTIES MAY BE NEEDED TO RESOLVE ALL POSSIBLE PROPERTY LINE DISPUTES OR DISCREPANCIES.

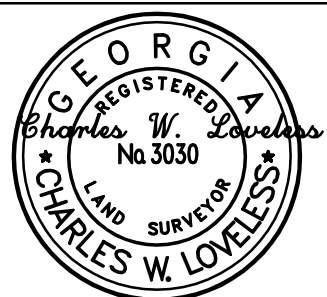
THIS SURVEY WAS MADE WITHOUT THE BENEFIT OF A CURRENT TITLE COMMITMENT. EASEMENTS AND ENCUMBRANCES MAY EXIST WHICH BENEFIT AND BURDEN THIS PROPERTY. THIS SURVEY IS SUBJECT TO REVISIONS AND UPDATE UPON RECEIPT OF SAID TITLE COMMITMENT.



CURVE	RADIUS	LENGTH	CHORD	CH.BEARING
C1	694.018'	276.67'	274.84'	S12°31'02"E

PLAT PREPARED FOR:
CRM CENTRAL PROPERTIES, LLC

LOT	BLOCK	UNIT	SUBDIVISION
LAND LOT 83	15th DISTRICT		SECTION
DeKALB COUNTY, GEORGIA		FIELD DATE 06/06/2012	
CREW RD DRAWN RD & CL CHKD NB		DRAWN DATE 06/11/2012	
PLAT BOOK	PAGE	ALL MATTERS PERTAINING TO TITLE ARE EXCEPTED	
DEED BOOK 22236	PAGE 99		

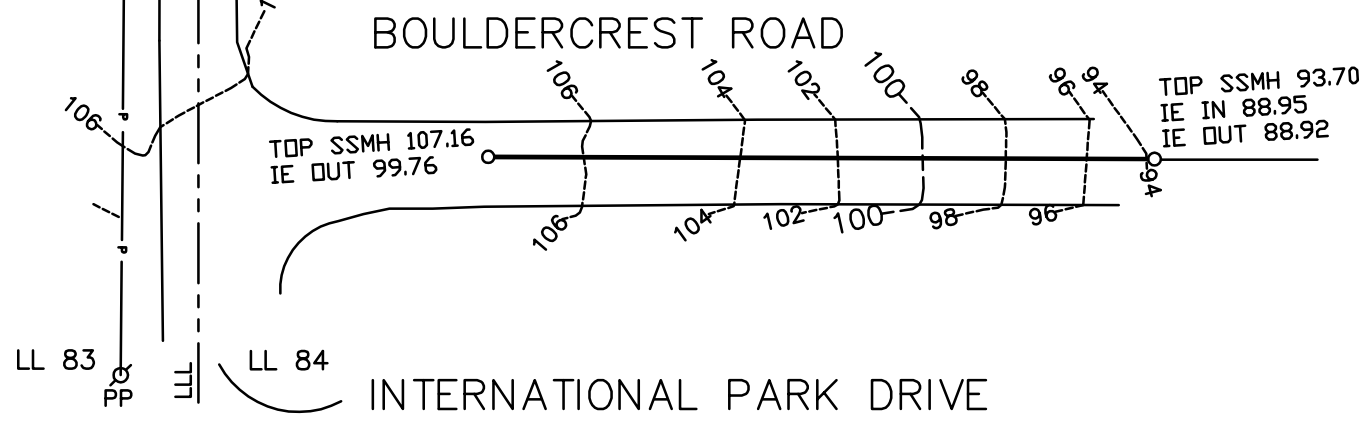


IN MY OPINION, THIS PLAT IS A CORRECT REPRESENTATION OF THE LAND PLATTED AND HAS BEEN PREPARED IN CONFORMITY WITH THE MINIMUM STANDARDS AND REQUIREMENTS OF LAW.

THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE OF 1 FOOT IN 30,000+ FEET, AN ANGULAR ERROR OF 05 SECONDS PER ANGLE POINT AND WAS ADJUSTED USING THE LEAST SQUARES METHOD. THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND FOUND TO BE ACCURATE TO 1 FOOT IN 100,000+ FEET. AN ELECTRONIC TOTAL STATION AND A 100' CHAIN WERE USED IN THE PREPARATION OF THIS PLAT. NO STATE PLANE COORDINATE MONUMENT FOUND WITHIN 500' OF THIS PROPERTY.

SURVEY SYSTEMS & ASSOC., INC.
PHONE (770)558-7895
FAX (404)760-0011
INFO@SURVEYSYSTEMSATLANTA.COM

JOB 2179 BOULDERCREST ROAD
TUCKER, GA 30085



Chief Executive Officer
Michael Thurmond

DEPARTMENT OF PLANNING & SUSTAINABILITY

Interim Director
Cedric Hudson

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

Applicant Name: _____ Phone: _____ Email: _____

Property Address: _____

Tax Parcel ID: _____ Comm. District(s): _____ Acreage: _____

Existing Use: _____ Proposed Use: _____

Supplemental Regs: _____ Overlay District: _____ DRI: _____

Rezoning: Yes ____ No ____

Existing Zoning: _____ Proposed Zoning: _____ Square Footage/Number of Units: _____

Rezoning Request: _____

Land Use Plan Amendment: Yes ____ No ____

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

Special Land Use Permit: Yes ____ No ____ Article Number(s) 27- _____

Special Land Use Request(s): _____

Major Modification:

Existing Case Number(s): _____

Condition(s) to be modified:

WHAT TO KNOW BEFORE YOU FILE YOUR APPLICATION

Pre-submittal Community Meeting: _____ Review Calendar Dates: _____ PC: _____ BOC: _____
 Letter of Intent: _____ Impact Analysis: _____ Owner Authorization(s): _____ Campaign Disclosure: _____
 Zoning Conditions: _____ Community Council Meeting: _____ Public Notice, Signs: _____
 Tree Survey, Conservation: _____ Land Disturbance Permit (LDP): _____ Sketch Plat: _____
 Bldg. Permits: _____ Fire Inspection: _____ Business License: _____ State License: _____
 Lighting Plan: _____ Tent Permit: _____ Submittal Format: NO STAPLES, NO BINDERS PLEASE

Review of Site Plan

Density: _____ Density Bonuses: _____ Mix of Uses: _____ Open Space: _____
 Enhanced Open Space: _____ Setbacks: front _____ sides _____ side corner _____ rear _____
 Lot Size: _____ Frontage: _____ Street Widths: _____ Landscape Strips: _____
 Buffers: _____ Parking Lot Landscaping: _____ Parking - Auto: _____ Parking - Bicycle: _____
 Screening: _____ Streetscapes: _____ Sidewalks: _____ Fencing/Walls: _____
 Bldg. Height: _____ Bldg. Orientation: _____ Bldg. Separation: _____ Bldg. Materials: _____
 Roofs: _____ Fenestration: _____ Façade Design: _____ Garages: _____ Pedestrian Plan: _____
 Perimeter Landscape Strip: _____
 Possible Variances: _____

Comments: _____

Planner: _____ Date: _____

FILING FEES

REZONING:	RE, RLG, R-100, R-85, R-75, R-60, MHP, RSM, MR-1	\$500.00
	RNC, MR-2, HR-1, HR-2, HR-3, MU-1, MU-2, MU-3, MU-4, MU-5	\$750.00
	OI, OD, OIT, NS, C1, C2, M, M2	\$750.00
LAND USE MAP AMENDMENT		\$500.00
SPECIAL LAND USE PERMIT		\$400.00