

DeKalb County Department of Planning & Sustainability

330 Ponce De Leon Avenue, Suite 500 Decatur, GA 30030 (404) 371-2155 / plandev@dekalbcountyga.gov



Michael Thurmond Chief Executive Officer

Planning Commission Hearing Date:July 8, 2021Board of Commissioners Hearing Date:July 29, 2021

STAFF ANALYSIS

Case No.:	SLUP-21-1244895		Agenda #: N5
Location/ Address:	The west side of Candler Road a Road in Decatur, Georgia.	t 2445 Candler	Commission District: 3 Super District: 6
Parcel ID:	15-137-03-028		
Request:	For a Special Land Use Permit (SLUP) to allow a transitional housing facility for up to 12 residents within Tier 2 of the I-20 Corridor Compatible Use Overlay District and the MR-2 (Medium Density Residential-2) District		
Property Owner:	Human Learning Systems, LLC.		
Applicant/Agent:	Benji Williams		
Acreage:	0.3 acres		
Existing Land Use:	Vacant building		
Surrounding Properties:	Multi-family apartments (Whispering Pines Apartments) to the west; medical office buildings to the north; vacant building and Circle K convenience store/gas station to the south; and a motel (Discover Inn), Chevron convenience store/gas station, and CVS pharmacy to the east across Candler Road.		
Adjacent Zoning:	North: Tier 2/C-1 South: Tier 2/C-1 East: Tier 2/C-1 West: Tier 2/MR-2		
Comprehensive Plan:	CRC (Comm. Redev. Corridor)	Consistent 2	Inconsistent
Proposed Density: NA Proposed Units/Square Ft. for up to 12 residents in exi Proposed Lot Coverage: Na		Existing Densit Existing Units/ building Existing Lot Co	Square Feet: 2,500 s.f. vacant

Staff Recommendation: APPROVAL WITH CONDITIONS

The proposed request for a transitional housing facility to locate within an existing medical office building is required to obtain a Special Land Use Permit (SLUP) since the property falls within a medium density residential district (MR-2 Medium Density Residential). The subject property has frontage along and access to a four-lane major arterial

(Candler Road). Based on the submitted information, the request is consistent with the policies and strategies of the Commercial Redevelopment Corridor (CRC) character area to focus development on parcels that abut or have access to the designated Commercial Redevelopment Corridor (CRC policy # 18). It appears that the request is consistent with the commercial and office uses to the north, east, and south including convenience stores/gas stations, a CVS drug store, medical office buildings, and a motel, and is appropriate along a major arterial road located only .3 miles (1,858 feet) from Interstate 20. The mature trees along the west property line should continue to provide an appropriate visual screen for the adjacent multi-family apartments to the west. Based on the submitted information, it appears that the request is in compliance with the Supplemental Regulations relating to Transitional Housing Facilities. Therefore, it is the recommendation of the Planning and Sustainability Department that the application be "Approved" with the following conditions:

- 1. Use limited to transitional housing facility within the existing building for up to 12 residents. No other land use shall occupy the property. Building shall not be expanded.
- 2. All refuse areas shall be completely screened from view of the Candler Road right-of-way and pedestrian areas.
- 3. Should a new sign be constructed, it shall be a monument style ground sign consistent with the I-20 Overlay District Regulations.
- 4. Prior to issuance of a Certificate of Occupancy, applicant shall provide documentation that there is compliance with all applicable DeKalb County building, housing, and fire codes, including maximum occupancy requirements, and shall fully comply with O.C.G.A., §§ 30-3-1, et seq.
- 5. The loss of any state license or permit shall result in an automatic revocation of that county issued permit or license.
- 6. The approval of this SLUP application by the Board of Commissioners has no bearing on the requirements for other regulatory approvals under the authority of the Zoning Board of Appeals, or other entity whose decision should be based on the merits of the application under review by such entity.
- 7. This SLUP shall be issued to Benji Williams and shall not be transferable.

ZONING HISTORY

The subject property has been zoned MR-2 (Medium Density Residential) since the adoption of the *Zoning Ordinance* on September 1, 2015. The property has been zoned Tier 2, I-20 Overlay District since the adoption of the Interstate 20 Overlay District on January 8, 2008.

PROJECT ANALYSIS

The subject property comprises 0.3 acres and contains a vacant building that was previously used as a dentist office.

The property currently has frontage and one curb cut along Candler Road (a four-lane major arterial road) with sidewalks, curb, and gutter and a center turn-lane. The applicant is proposing to use the existing building as a Transitional Housing Facility for up to 12 residents.

Supplemental Requirements: The proposed request appears to comply with the following Transitional Housing Facility Supplemental Regulations of the Zoning Ordinance based on the submitted information. Section 27-4.2.48 requires the following for Transitional Housing Facilities:

- A. No shelter for homeless or battered persons and no transitional housing facility shall be designed to exceed a capacity of twenty (20) persons, unless accessory to a place of worship. *Based on the submitted information, the proposed facility will accommodate no more than 12 residents.*
- B. Prior to issuance of any approvals for operation of a shelter for homeless or battered person or transitional housing facility, the applicant for such approval shall disclose, in writing, the capacity and floor plan of the facility. The applicant has submitted a floor plan of the facility. A recommended condition of approval by the Planning Department will require that the applicant provide documentation regarding compliance with maximum occupancy requirements of county building and fire codes prior to the issuance of a certificate of occupancy.
- C. Such shelters shall comply with all applicable DeKalb County building, housing, and fire codes and shall fully comply with O.C.G.A., §§ 30-3-1, et seq. before a certificate of occupancy can be issued. The loss of any state license or permit shall result in an automatic revocation of that county issued permit or license. Based on the submitted information there would be in compliance. Additionally, the Planning Department is requiring this as a recommended condition of approval.
- D. There shall be no use on the property other than the shelter, unless accessory to place of worship. *Based on the submitted information there is compliance. Additionally, the Planning Department is requiring this as a recommended condition of approval.*
- E. No new shelter or transitional housing facility shall be located within one thousand (1,000) feet of an existing shelter or transitional housing facility. Based on the submitted information, the applicant has indicated there is compliance. Additionally, based on a search of county Hansen records and using the measurement tool on the county GIS map, there are no licensed transitional housing facilities within 1000 feet of the subject property.
- F. Shelters for homeless or battered persons and transitional housing facilities may apply for an FHA Accommodation Variance as provided for in Section 7.5.9 if the residents would constitute disabled persons under the FHA. N/A

LAND USE AND ZONING ANALYSIS

Section 27-7.4.6 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 site plan and information, as well as field investigation of the project site, it appears that the size of the site is adequate for the use contemplated since the proposed transitional housing facility will be located within the existing building and there are no proposed modifications to the existing building or project site. The *Zoning Ordinance* does not require a minimum lot size for institutional uses in the MR-2 district, and the

site contains 0.3 acres. The *I-20 Overlay District* does not require a front building setback. The required side yard building setback is ten (10) feet, and the existing building complies since it is located eleven (11) feet (estimated) from the side property line. The *I-20 Overlay District* requires a rear building setback of ten (10) feet, and the existing building complies since it is located 28 feet (estimated) from the rear property line. The *Zoning Ordinance* requires a minimum of three (3) parking spaces for the proposed transitional housing land use (1 parking space for every 4 beds; 12 beds divided by 4 = 3 parking spaces), and the existing site complies since there are six (6) striped parking spaces in front of the existing building.

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, it appears that the request is consistent with the commercial and office uses to the north, east, and south including convenience stores/gas stations, a CVS drug store, medical office buildings, and a motel. The subject property is appropriately sited along a major arterial road. The mature trees along the western property line should continue to provide an appropriate visual screen for the adjacent multi-family apartments to the west.

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 generally adequate to service the use contemplated since the site has frontage along and access to a major arterial road (Candler Road). Since the proposed land use will serve adult clients, there will be no adverse impacts on the county school system. The applicant will need to obtain a sewer capacity letter from the Department of Watershed Management to verify if sewer capacity is adequate.

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 appears to be generally adequate since the proposed transitional housing facility will be located in an existing building and will have access to a major arterial road (Candler Road) that is .3 miles (1,858 feet) from Interstate 20.

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 does not appear that the existing land uses located along access routes to the site would be adversely affected by the volume of traffic generated by the proposed use. The proposed use is limited to a maximum of twelve (12) residents, will be located in an existing building, and has access to a major arterial road (Candler Road) which is located only .3 miles (1,858 feet) from Interstate 20.

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:

Based on the submitted site plan, as well as field investigation of the project site, it appears that ingress and egress to the subject property is adequate. The existing 15 foot wide private drive (estimated) along the south side of the building complies with the minimum 11-foot driveway aisle width for parking lots. There are existing sidewalks along the site's Candler Road frontage which provide pedestrian access to other buildings, structures, and uses.

No comments have been received from reviewing agencies that indicate there are ingress/egress or safety issues with changing the proposed use of the existing building to a transitional housing facility.

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:

Based on submitted site plan and information, and field investigation of the project site, no external impacts are anticipated. It appears that the request is consistent with the commercial and office uses to the north, east, and south including convenience stores/gas stations, a CVS drug store, medical office buildings, and a motel, and is appropriate long a major arterial road. The mature trees along the west property line should continue to provide an appropriate visual screen for the adjacent multi-family apartments to the west.

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, it does not appear that the proposed use would create adverse impacts on adjoining land uses by reason of hours of operation. This is a low impact residential health facility on a commercial corridor.

I. Whether or not the proposed use would create adverse impacts upon 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:

See criterial "A".

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

Based on the submitted information, it appears that the request is consistent with the polices and strategies of the Commercial Redevelopment Corridor (CRC) character area to focus development on parcels that abut or have access to the designated Commercial Redevelopment Corridor (CRC policy # 18).

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 the site is currently zoned Tier 2/MR-2 and abuts MR-2 (multi-family) and commercial (C-1) zoned properties. The mature trees along the west property line should continue to provide an appropriate visual screen for the adjacent multi-family apartments to the west.

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

Based on the submitted information, ample refuse and service areas will be provided behind the existing building.

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

This is a permanent development and should not be limited in duration.

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:

Since the proposed use will be located within an existing one-story building, there will be no impacts on the size, scale, and massing of adjacent and nearby buildings.

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 the submitted information, it appears that the proposed use satisfies the Supplemental Regulations for Transitional Housing Facilities (see "Supplemental Regulations" under the "Project Analysis" section of the report for additional clarification.

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:

Since the proposed use will be located within an existing one-story building, there should be no negative shadow impacts on any adjoining lot or building.

S. 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:

See criterion K.

Planning and Sustainability Department Recommendation: APPROVAL WITH CONDITIONS

Attachments:

- 1. Public Works Department Comments
 - a. Land Development Division
 - b. Traffic Engineering Division
- 2. Watershed Management Department Comments
- 3. Board of Health Comments
- 4. Board of Education Comments
- 5. Application
- 6. Site Plan
- 7. Zoning Map
- 8. Aerial Photograph
- 9. Photographs



DEKALB COUNTY GOVERNMENT PLANNING DEPARTMENT DISTRIBUTION FORM

NOTE: PLEASE RETURN ALL COMMENTS VIA EMAIL OR FAX TO EXPEDITE THE PROCESS TO MICHELLE M ALEXANDER <u>mmalexander@dekalbcountyga.gov</u> OR JOHN REID <u>IREID@DEKALBCOUNTYGA.GOV</u>

COMMENTS FORM: PUBLIC WORKS WATER AND SEWER

Parcel I.D. #: <u>15-137-03-028</u>

Address: 2445 Candler Road

Decatur, Georgia

WATER:

Size of existing water main: _	8" CI and 24" DI Water Main	(adequate/inadequate)
--------------------------------	-----------------------------	-----------------------

Distance from property to nearest main: <u>Adjacent to Property</u>

Size of line required, if inadequate: <u>N/A</u>

SEWER:

Outfall Servicing Project: <u>Dolittle Creek Basin</u>

Is sewer adjacent to property: Yes () No (X) If no, distance to nearest line: <u>Approximately 332 feet Southwest of property</u>

Water Treatment Facility: <u>Snapfinger WTF</u> () adequate () inadequate

Sewage Capacity; <u>*</u> (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.

No SCR submitted. T)ry weather capacity
No SCR submitted. T restriction possible i	n this area. J
	W Taylor

Signature: Larko

Zoning Comments

N1 & N2 (Z-21-1244885 & SLUP-21-1244886) - North Druid Hills is classified as a major arterial. Required to add a left turn lane onto Birch. Drive on North Druid Hills limited to Right in/right out only. Please see chapter 5 of the zoning code and chapter 14-190 of the land development code for infrastructure requirements. Requires 10 foot landscape strip, bike lanes and 6 foot sidewalks or 10 foot multiuse path (preferred), street lighting on back of sidewalk. Right of way dedication of 50 feet from centerline or such that all public infrastructure is within county right of way, whichever greater. Birch Road is classified as a local street. Requires a 27.5 foot right of way dedication from the centerline or such that all public infrastructure is on county right of way. Due to the proximity of the mall, potential for redevelopment and connectivity the residential areas- a 10 foot multiuse trail to be included in the sight design along Birch. Requires a 6 foot landscape strip. Streetlights required on back of path.

N3. (Z-21-1244892) Flakes Mill Road is classified as a minor arterial. Access point on Flakes Mill Road must meet intersection sight distance prior to permitting and verified prior to occupancy by the engineer of record. Please see chapter 5 of the zoning code and chapter 14-190 of the land development code for infrastructure requirements. Requires 10 foot landscape strip, bike lanes and 6 foot sidewalks or 10 foot multiuse path (preferred), street lighting on back of sidewalk. Right of way dedication of 40 feet from centerline or such that all public infrastructure is within county right of way, whichever greater. New residential streets will be local with a right of way of 55 feet, 24 feet of pavement, curb and gutter, 6 foot landscape strip, a 6 foot sidewalk, street lighting required behind sidewalk.

N4. (Z-21-1244893) Norman Road is classified as a collector road. Please see chapter 5 of the zoning code and chapter 14-190 of the land development code for infrastructure requirements. Requires 10 foot landscape strip, bike lanes and 6 foot sidewalks or 10 foot multiuse path (preferred), street lighting on back of sidewalk. Right of way dedication of 35 feet from centerline or such that all public infrastructure is within county right of way, whichever greater. New residential streets will be local with a right of way of 55 feet, 24 feet of pavement, curb and gutter, 6 foot landscape strip, a 6 foot sidewalk, street lighting required on back of sidewalk. Continue at least 2 traffic calming features (splitter islands) similar to the ones installed in the City of Clarkton along frontage.

N5. (SLUP-21-1244895) No comment

N6. (SLUP-21-1244899) No comment

DEKALB COUNTY

Board of Health

HE Y By AS

06/21/2021

......

- To: Mr. John Reid, Senior Planner
- From: Ryan Cira, Environmental Health Manager
- Cc: Alan Gaines, Technical Services Manager
- Re: Rezone Application Review

General Comments:

DeKalb County Health Regulations prohibit use of on-site sewage disposal systems for

- multiple dwellings
- food service establishments
- · hotels and motels
- commercial laundries
- funeral homes
- schools
- nursing care facilities
- personal care homes with more than six (6) clients
- child or adult day care facilities with more than six (6) clients
- residential facilities containing food service establishments

If proposal will use on-site sewage disposal, please contact the Land Use Section (404) 508-7900.

Any proposal, which will alter wastewater flow to an on-site sewage disposal system, must be reviewed by this office prior to construction.

This office must approve any proposed food service operation or swimming pool prior to starting construction.

Public health recommends the inclusion of sidewalks to continue a preexisting sidewalk network or begin a new sidewalk network. Sidewalks can provide safe and convenient pedestrian access to a community-oriented facility and access to adjacent facilities and neighborhoods.

For a public transportation route, there shall be a 5ft. sidewalk with a buffer between the sidewalk and the road. There shall be enough space next to sidewalk for bus shelter's concrete pad installation. Recommendation: Provide trash can with liner at each bus stop with bench and monitor for proper removal of waste.

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

DeKalb County Board of Health 445 Winn Way – Box 987 Decatur, GA 30031 404,294,3700 • www.dekalbhealth.net

DEKALB COUNTY

Board of Health

- N.1 Z-21-1244885 2021-2678/18-100-04-019 District 02 Super District 06 3795 North Druid Hills Road, Decatur, GA 30033 Acres: 1.04
 - Please review general comments.
 - NS to C-1

......

- N.2 SLUP-21-1244886 2021-2638/18-100-04-019 District 02 Super District 06 3795 North Druid Hills Road, Decatur, GA 30033 Acres: 1.04
 - Please review general comments.
 - SLUP to allow drive through facility through in Town Center Character area.
- N.3 Z-21-1244892 2021-2640/12-253-03-002 District 03 Super District 07 5035 Flakes Mills Road, Ellenwood, GA 30294 Acres: 27
 - Septic system installed on several surrounding properties in the past.
 - Please review general comments.
 - R-100 to R-60
- N.4 Z-21-1244893 2021-2641/18-095-03-005, 18-095-03-006, 18-095-03-008, 18-095-03-009, 18-095-03-090, 18-095-03-094 District 04 Super District 06 3943 Norman Road, Stone Mountain, GA 30083 Acres: 35
 - Septic system installed on several surrounding properties in the past.
 - Please review general comments.
 - R-85 to RSM
- N.5 SLUP-21-1244895 2021-2641/15-137-03-028 District 03 Super Districts 06 2445 Candler Road, Decatur, GA 30032 Acres: 0.3
 - Dental Building at time septic installed on 12/4/1962.
 - Please review general comments.
 - SLUP to Housing Facility

DeKalb County Board of Health 445 Winn Way – Box 987 Decatur, GA 30031 404,294,3700 • www.dekalbhealth.net

DEKALB COUNTY

Board of Health

- N.6 SLUP-21-1244899 2021/2643/15-084-05-068 District 03 Super District 06 3008 Rollingwood Lane, Atlanta, GA 30316 Acres: 0.35
 - Septic system installed 8/19/1960.
 - Please review general comments.
- N.7 TA-21-1244945 2021-2644 Districts 03 & 05 Super District 07

.....

- Please review general comments.
- N.8 TA-21-1244999 2021-2645 Districts 03 & 05 Super District 07
 - Please review general comments.

DeKalb County Board of Health 445 Winn Way – Box 987 Decatur, GA 30031 404,294,3700 • www.dekalbhealth.net



DEKALB COUNTY GOVERNMENT PLANNING DEPARTMENT **DISTRIBUTION FORM**

NOTE: PLEASE RETURN ALL COMMENTS VIA EMAIL OR FAX TO EXPEDITE THE PROCESS TO MICHELLE ALEXANDER mmalexander@dekalbcountyga.gov AND/OR LASONDRA HILL lahill@dekalbcountyga.gov

COMMENTS FORM: PUBLIC WORKS TRAFFIC ENGINEERING

Case No .: SLUP- 21-1244895	Parcel I.D. #: 15-137-03-02-6
Address: 2445	
CANdler Kd	
DECATUR 67	
	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) 6/7711 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.

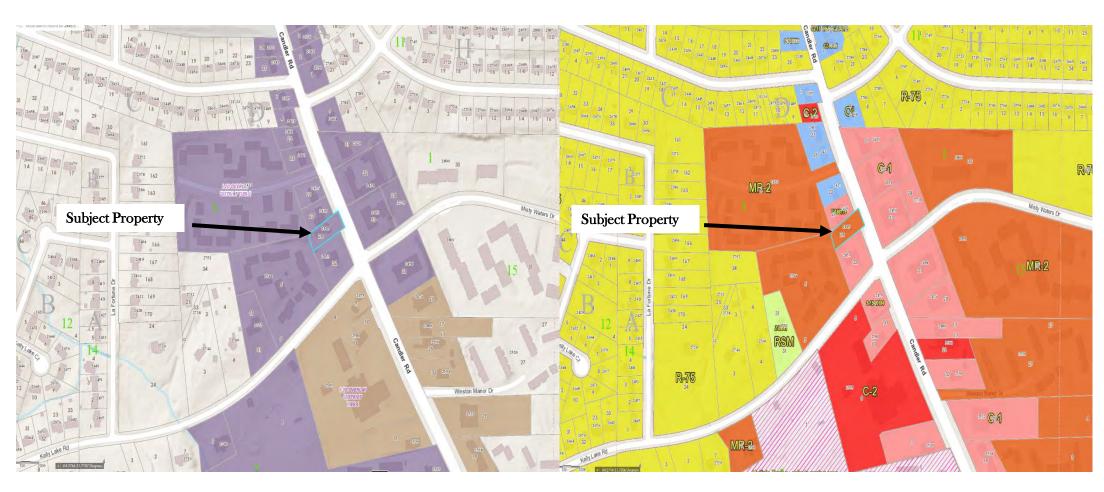
Single Family residence, on the other hand, would generate ten (10) VTE's per day per dwelling unit, with a ten (10%) percent peak hour factor. Based on the above referenced formula, the _____(Single Family Residential) District designation which allows a maximum of ____units per acres, and the given 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:

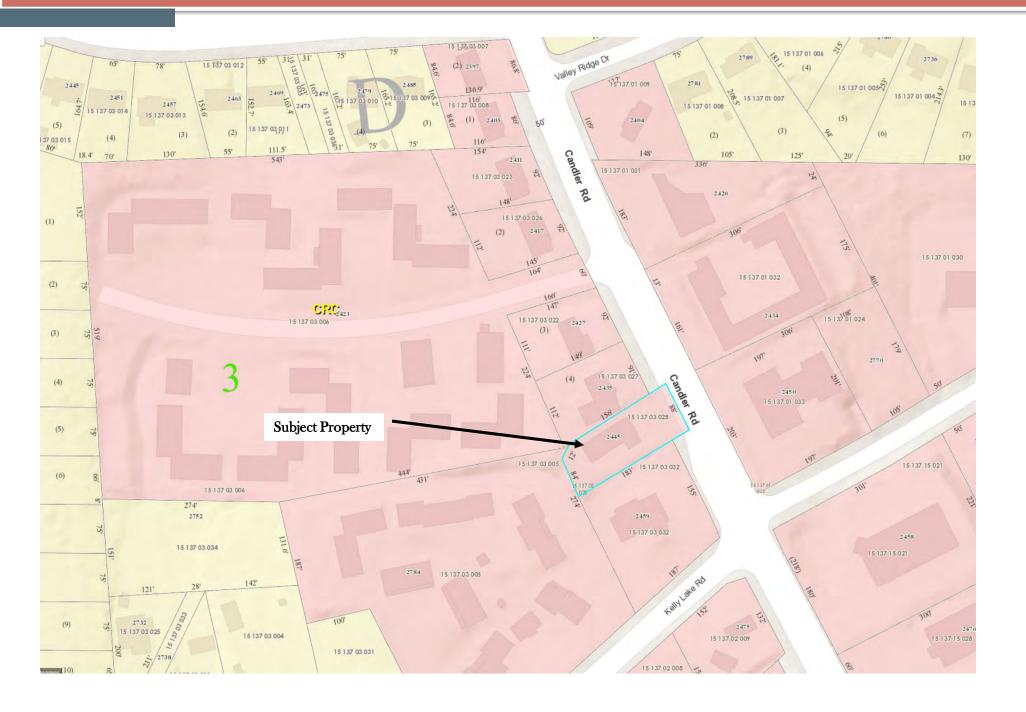
Plane and did field Realieus. Aluthing Hay would dispuped Throffic flow	found

Signature:





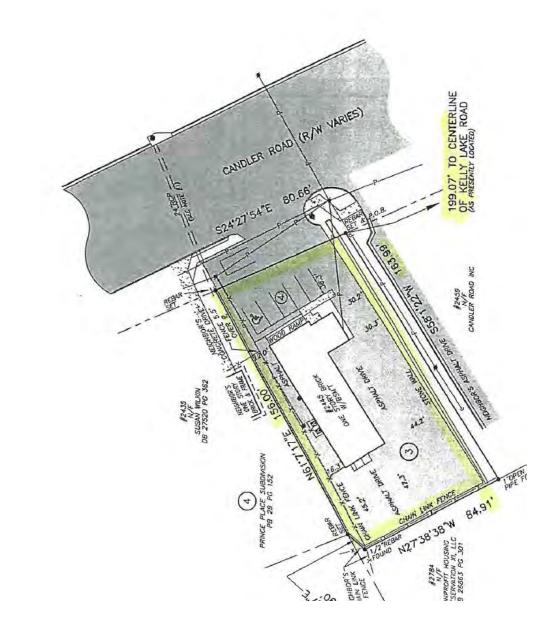
Future Land Use Map



Aerial Map



Site Plan



N5 SLUP 21 1244895

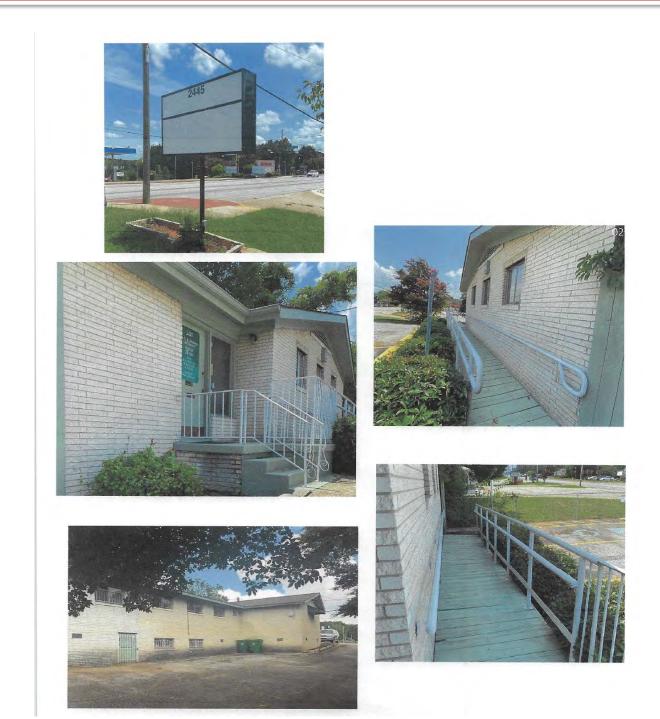
SITE PHOTO





N5 SLUP 21 1244895

SITE PHOTO



SPECIAL LAND USE PERMIT APPLICATION
Amendments will not be accepted after 5 working days after the filing date.
Date Received: 4282081 Application No.:
APPLICANT NAME: BENTIE Williams
Daytime Phone #: 404-545-0949 Fax #:
Mailing Address: 2445 CANDLER ROAD, DECATUR, GA 30032
E-mail: humans barning @ Ard. Com
OWNER NAME: BENJIE Williams
Daytime Phone #: 404-545-0949 Fax #:
Mailing Address: 2445 CANDLER ROAD, DECATIN, GA 30032
E-mail:
SUBJECT PROPERTY ADDRESS OR LOCATION: 2445 CANDLER RD, DE ATW GA DeKalb County, GA, 3003.
District(s): 1) FKalb Land Lot(s): 137 Block(s): Parcel(s): 15-137-03-02
Acreage or Square Feet: 14,031 Commission District(s): 3 Existing Zoning: MR-2
Proposed Special Land Use (SLUP): MR-2 with SLUP Approval
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: beny is Will wins
Notary Signature and Seal:
330 West Ponce de Leon Alveride - Suitos 100-500 - Decatur, Georgia - 30030 [voice] 404.371.2155 - [Planning Fax] (404) 371-4556 [Development Fax] (404) 371-3007 Web Address <u>http://www.dekalbcountyca.gov/planning</u>
Page 2 of 4 Revised 2/1/11

THE COUNTROL	DeKalb County Department	of Planning & Sustainability	
1022	Lee May Interim Chief Executive Officer	Andrew A. Baker, AICP Director	5

SPECIAL LAND USE PERMIT APPLICATION

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

Date Received: <u>H2X2081</u> Application No.:
APPLICANT NAME: BENJIE Williams
Daytime Phone #: 404-545-0949 Fax #:
Mailing Address: 2445 CANDLER ROAD, DECATUR, GA 30032
E-mail: hum ANS LEARNING @ ANL. COM
OWNER NAME: BENJIE Williams (If more than one owner, attach contact information for each owner)
Daytime Phone #:
Mailing Address: 2445 CANDLER ROAD, DECATIN, GA 30032
E-mail:
SUBJECT PROPERTY ADDRESS OR LOCATION: 2445 CANDLER RD, DEC ATU GA
District(s): DEKalb Land Lot(s): 137 Block(s): Parcel(s): 15-137-03-028
Acreage or Square Feet: 14,031 Commission District(s): 3 Existing Zoning: MR-2
Proposed Special Land Use (SLUP): MR-2 with SLUP Approval
I hereby authorize the staff of the Planning and Development Department to inspect the property that is the subject of this application. Owner: Agent:
Notary Signature and Seal: EXPIRES GEORGIA 07-21-2024 330 West Ponce de Leon Al/enide ¹¹ Suites 100-500 – Decatur, Georgia – 30030 [Voicel 404 371 2155 – [Planning Fad (404) 271 4556 [Davalament Fad (404) 074 0007
[voice] 404.371.2155 – [Planning Fax] (404) 371-4556 [Development Fax] (404) 371-3007 Web Address <u>http://www.dekalbcountyga.gov/planning</u> Email Address: <u>planninganddevelopment@dekalbcountyga.gov</u>



Telephone 404.545.0949 404.212.7312 (fax) Web www.humanlearningsystems.com humanslearning@aol.com Address 1900 Bouldercrest, Rd S.E. Atlanta, Georgia 30316

March 31, 2021

RE: Rezoning Project-2445 Candler Rd, Decatur, Georgia 30032

Dear Property Owner,

We would like to invite you to join a Zoom Video Meeting on Tuesday, April 20, 2021 from 6:00pm -7:00 pm to discuss a proposed Special Land Use Permit project. Human Learning Systems, LLC is seeking to get a Special Land Use Permit for the operation of transitional housing for individuals receiving behavioral healthcare services, for property located at 2445 Candler Rd, Decatur, Georgia 30032.

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.

To Join the Meeting:

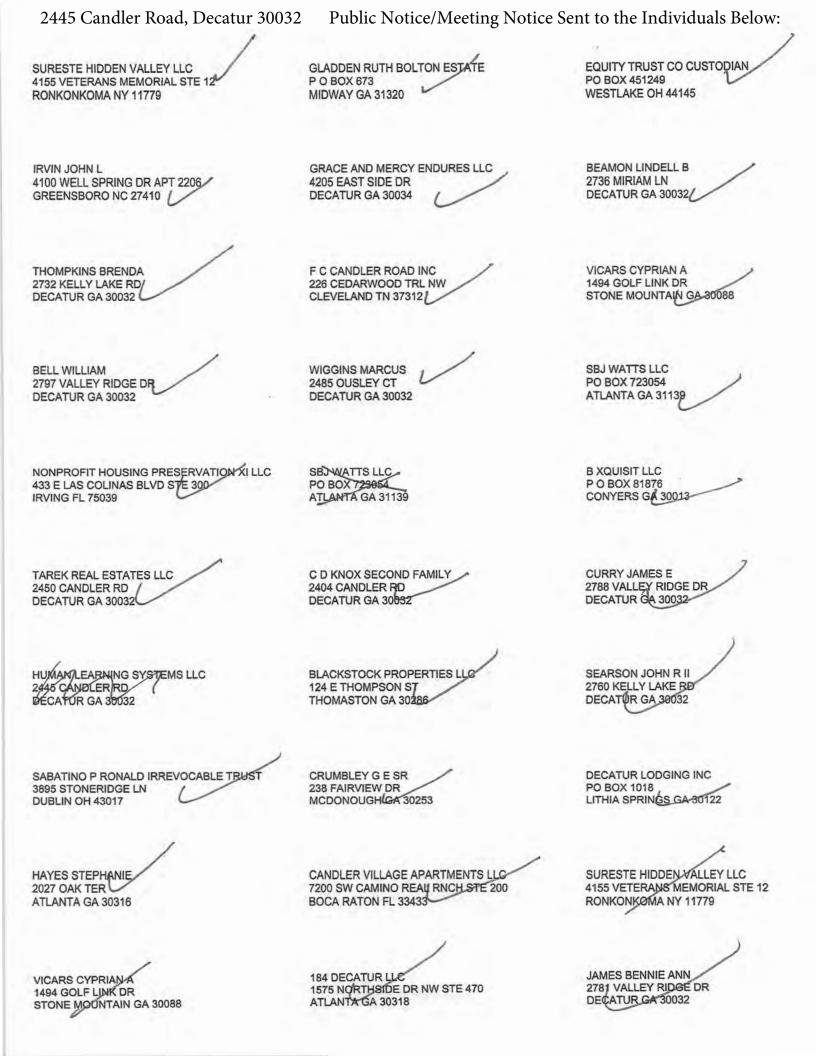
www.zoom.com

Use Meeting ID: 766 159 5212

Sincerely,

Benjie Williams, President/CEO Human Learning Systems, LLC 2445 Candler Rd Decatur, Georgia 30032 benjie.williams@humanlearningsystems.com Human Learning Systems, LLC (HLS) is classified as a small business, Black owned, Veteran owned company. DUNS # 968055938. NAICS: 611519

From Where You Are, To Where You May Grow



U HAUL REAL ESTATE COMPANY PO BOX 29046 PHOENIX AZ 85038

PYE LEON G 2427 CANDLER RD DECATUR GA 30032

ALLEN CARLTON ANDERSON SR 2740 MIRIAM LN DECATUR GA 30032

> e la MMTEREZ ACTEX 77: 194 ATLAN (ACTE) 11: y

POWERS OF IT

TUNED AND DE VALLEY FLOOD IN DELATION (N. T.

REARIN ION TO A

DECATUM LODY ME THE POBLE IN THE POBLE INTERNATION

DELLER FRI HERDEN FRI H

IAMES BENNIE AND 2734 WALLEY RUGE DR DIGGA THE CARDOLS

- COULAN RULE ST

A CONTRACTOR

WIGGINS MARCUS

SUPPORTES LLC

C D KNON SECOND FAMILY 2404 CANSLER 90 DECATUR GA 3062

BLACKSTOCK FRUBEINUS / S 124 F THOMPSON ST 124 F THOMPSON SA

> CRUMBLEY & ESR THE FARVIEW DR MODULIQUO KONST

CALCER VILLAGE APPRIMENTS 7208 SW GAMING REAL PRODUCTS 8000 RATOR R. 33433

161 (1) (1)

Helian a stal

Read Land Graphs and the second secon

ANAL TYPEING A

Return To: GANEK PC

197 14th Street NW, Suite 300 Atlanta, GA 30318 Phone: (404) 892-7300 Fax: (404) 892-7246 MT201377-IT Tax Parcel ID: 15 137 03 028

LIMITED WARRANTY DEED

STATE OF GEORGIA

COUNTY OF FULTON

THIS INDENTURE, made the 21st day of December, 2020 between CURTIS M. DILWORTH, D.D.S. a/k/a CURTIS M. DILLWORTH D.D.S., as party or parties of the first part, hereinafter called Grantor, and HUMAN LEARNING SYSTEMS, LLC, 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 137 of the 15th District of DeKalb County, Georgia, according to a survey made for J. Scott Hendry, by William R. Probst, Registered Land Surveyor, dated April 7, 1961, and being more particularly described as follows:

Beginning at an iron pin set on the southwesterly right of way of Candler Road, 155.0 feet northwesterly from the intersection of the southwesterly side of Candler Road with the northwesterly side of Kelly Lake Road (60' R/W); running thence northwesterly along the southwesterly side of Candler Road, 80.0 feet to an iron pin set; running thence southwesterly 176.0 feet to an iron pin found; running thence southwesterly, but more westerly, 12.9 feet to an iron pin set; running thence northeasterly, 84.8 feet to an iron pin set; running thence northeasterly 188.0 feet to an iron pin set on the southwesterly right of way of Candler Road and the point of beginning. Being improved property known as 2445 Candler Road, according to the present system of numbering houses in DeKalb County, Georgia.

LESS AND EXCEPT any portion of caption property lying within the Right of Way of Candler Road as recorded in Deed Book 1700, page 85, DeKalb County, Georgia records.

Which currently has the address of: 2445 Candler Road, Decatur, GA 30032

This conveyance is made subject to the following:

1. Ad Valorem real property taxes and assessments for 2021 not yet due and payable and subsequent years.

2. All easements and restrictions of record.

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.

[SIGNATURE PAGE FOLLOWS]

IN WITNESS WHEREOF, the Grantor will, subject to the exceptions, warrant and forever defend the right and title to the premises unto the Grantee against the claims of all persons claiming by, through or under Grantor, but not otherwise.

IN WITNESS WHEROF, Grantor has hereunto set Grantor's hand and seal this day and year first above written.

Signed, sealed and delivered this 21st day of December, 2020

in the presence of: Witness

Notary Public My Commission Expires: 01 31 2023

Seal)

Curtis Dilworth, D.D.S. a/k/a Curtis M. Dilworth, D.D.S.

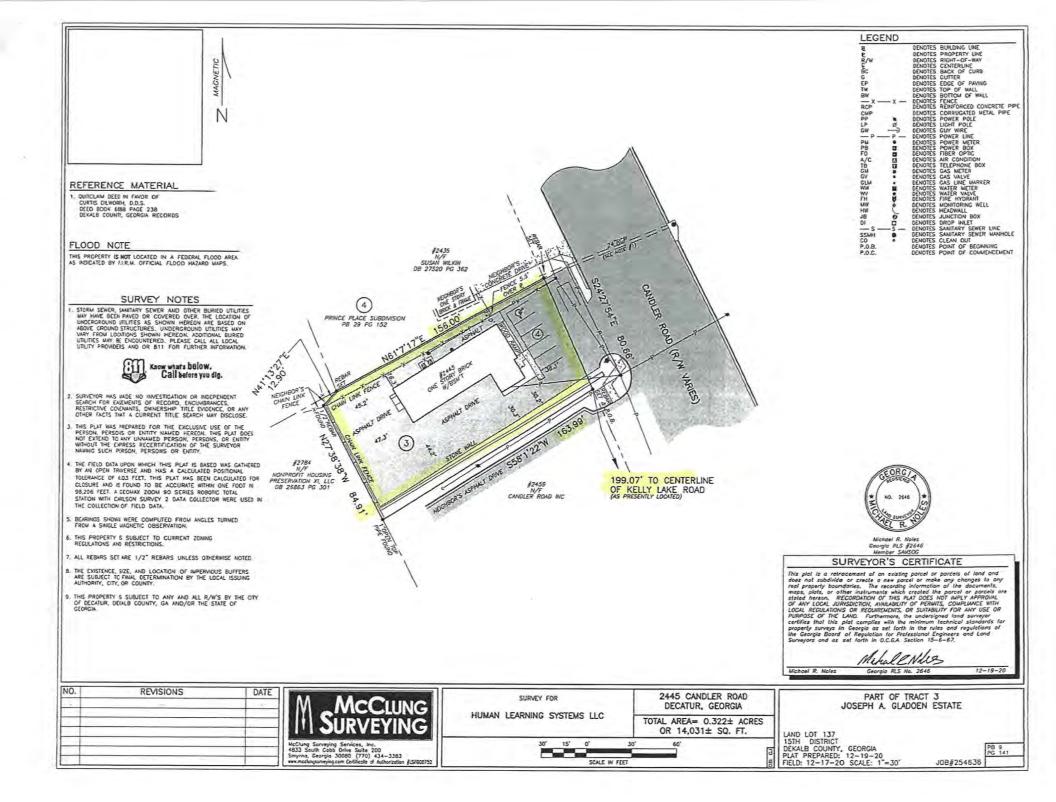


Exhibit "A" (Legal Description – Quitclaim Deed)

All that tract or parcel of land lying and being in Land Lot 137 of the 15th District of Dekalb County, Georgia and being designated as Part of Tract 3, Joseph A. Gladoen Estate, as recorded in Plat Book 9, page 141, Dekalb County, Georgia record and being more particularly described as follows:

To reach the Point of Beginning, start at a point located at the intersection of the Southwesterly Right-of-Way of Candler Road (R/W Varies) and the Centerline of Kelly Lake Road (As Presently Located). Thence running Northwesterly along the Southwesterly Right-of-Way of Candler Road a distance of 199.07 feet to a rebar set and the POINT OF BEGINNING; thence from said Point of Beginning and leaving said right-of-way and running South 58° 01' 22" West a distance of 163.99 feet to a 1" open top pipe found; thence running North 27° 38' 38" West a distance of 84.91 feet to a 1/2" rebar found; thence running North 41°13'27" East a distance of 12.90 feet to a rebar set; thence running North 61° 07' 17" East a distance of 156.00 feet to a rebar set located along the Southwesterly Right-of-Way of Candler Road; thence running South 24°27'54" East along said Right-of-Way a distance of 80.66 feet to said rebar set and the POINT OF BEGINNING; being more particularly shown on that on a Plat of Survey for Human Learning Systems, LLC by McClung Surveying Services, Inc., Michael R. Noles, (G.R.L.S. 2646), dated December 12, 2020.

Said tract or parcel of land containing 0.322± acres or 14,031± square feet.





Telephone 404.545.0949 404.212.7312 (fax) Web www.humanlearningsystems.com humanslearning@aol.com Address 1900 Bouldercrest, Rd S.E. Atlanta, Georgia 30316

April 28, 2021

Letter of Application for Special Land Use Permit For:

Property Located At: 2445 Candler Road, Decatur, Georgia 30032

Land Lot: 137

District: 15th District of Dekalb County

Tract: Part of Tract 3 - 0.322 acres 14,031 square feet

Current Zoning: MR-2

Proposed Zoning: MR-2 (Special Land Use Permit - SLUP) Approval Requested

Existing Use: Medical Office Dental Building

Proposed Use: Residential Housing (10-12) Individuals

Building: One (1) Story

Units/Building Capacity: One building with - 11 Individual 9X9 Living Spaces (currently spaces for separate dentist chairs and spaces) with spaces for Large Lounge area, 3 restroom, washer and dryer area, kitchen and dining area.

Characteristics Of Proposed Use:

Human Learning Systems is a new establishment and owner of the property located at 2445 Candler Road, Decatur, Georgia 30032. It is our understanding that the property is currently zoned MR-2; however, because the MR-2 zoning code is not listed in the I-20 overlay zoning district – therefore we are requesting a Special Land Use Permit (SLUP) approval for the 2445 Candler Rd property.

Our purpose for the property is to provide a short-term living option for individuals who will be receiving Behavioral Health Services at our out-patient clinic, which will be located at 2358 Candler Rd, (one block away). Individuals who participate in our Behavioral Healthcare program will receive short-term services from 4 weeks-to-3 months. Our objective for 2445 Candler Road is to be able to offer a short-term option for individuals who choose to live away from home, while receiving outpatient treatment, i.e., counseling therapies, addiction diseases, depression, at 2358 Candler Rd. Services for these individuals will be private pay, or through medical insurance provider.

From Where You Are, To Where You May Grow



Telephone 404.545.0949 404.212.7312 (fax) Web www.humanlearningsystems.com humanslearning@aol.com Address 1900 Bouldercrest, Rd S.E. Atlanta, Georgia 30316

Individuals receiving care at the Behavioral Health Services Clinic (2358 Candler Rd), and residing at the property located at 2445 Candler Rd, while receiving out-patient treatment, will be expected to be drug and alcohol free and be involved in a 12 Step Recovery Program or other drug treatment education program. They must be committed to attending therapeutic services via outpatient treatment, demonstrate independent living skills, be able to practice safe and healthy decision-making skills, and have a commitment to treatment and recovery.

The existing building is suited perfectly for our intended use as residential housing (10-12 residents), it does not require any proposed development, redevelopment projects, new building, or new structures. The building (14,031 sq. ft) was established as a Medical Office for many years and served as a dental office for up to 7 dentists at one time. The building is configured into eleven (11), 9X9 sq. ft living spaces, 3 restrooms, a kitchen, laundry area, a large common lounge area, and several additional office spaces, perfectly suited for professional staff. It is located on 0.322 acres with front and rear parking capacity. We have attached a copy of the building as-is lay-out.

The property will be staffed with a full-time Residential Living Coordinator responsible for managing the dayto-day aspects of the facility. All necessary clinical, counseling, or medical supports will take place at the Behavioral Health Services Clinic (2358 Candler Rd), which is in walking distance from the community home.

Sincerely,

Benjie Williams, President/CEO benjie.williams@humanlearningsystems.com Human Learning Systems, LLC 1900 Bouldercrest Rd., SE Atlanta, Georgia 30316

Human Learning Systems, LLC (HLS) is classified as a small business, Black owned, Veteran owned company. DUNS # 968055938. NAICS: 611519

Impact Analysis for Special Land Use Permit

2445 Candler Road, Decatur Georgia 30032

Property Located At:

Parcel ID:

Current Use:

Proposed Use

Medical/Dental Office

15-137-03-028

Private Community Living facility to support Healthcare Services Clinic.

The request to DeKalb County Zoning Ordinance Section Sec. 27-873 for a Special Land Use Permit-

A. The size of the site (14.031 Sq. Ft) relative to its proposed new use has been studied and found to be adequate for the footprint for living accommodations. Provision of all required yards, open space, off-street parking, and other applicable requirements of the zoning district *in* which the use is proposed. This property does not require any proposed new development or redevelopment, or proposed new buildings.

B. The adjacent properties along Candler Road are a mix of commercial buildings, i.e., Apartment homes, CVS Pharmacy, Texaco Gas Station, Hotel, Medical Offices, Dental Offices, U-Haul Center, restaurants, some private residences, and private dwellings that have been converted into miscellaneous service type businesses (hair salons, tax preparer). This property sits on .322 acres the use of this property is compatible with the properties and uses, both adjacent and within the district.

C. Public services, public facilities, and utilities are adequate to serve the use of a living facility.

D. Candler Road is an adequate public street and has sufficient traffic to carry the capacity of a facility with up to twelve (12) occupants. This will not unduly increase traffic and create congestion in the area.

E. The character of vehicles and volume of traffic generated will not adversely affect the existing land use located along Candler Road.

F. Ingress and egress to the property and to the building, is designed to promote pedestrian and automotive safety and convenience, traffic flow and control, and access in the event of fire, or other emergency.

G. The proposed project will not create adverse impacts upon any adjoining land use by reason of noise, smoke, odor, dust, or vibration generated by the proposed use.

H. The hours of operation will not create adverse impacts upon any adjoining land use by reason of the hours of operation of the proposed use.

I. The manner of operating the living unit will not adversely impact any adjoining land use by reason of the manner of operation of the proposed use.

J. The proposed plan is consistent with the requirements of the zoning district classification (MR-2) in which the living facility will be located.

K. The proposed use is consistent with the policies of the Comprehensive Plan, and there is no proposed redevelopment to this area.

L. The proposed plan provides for all required buffer zones and transitional buffer zones where required by the regulations of the district in which the use is proposed to be located.

M. Adequate provision is in place for refuse and service areas.

N. The special land use permit, if granted, should not be limited in duration.

0. The size, scale and massing of proposed building is appropriate in relation to the size. scale and massing of the adjacent and nearby lots and buildings within the Candler Road overlay.

P. There are no known historic buildings, sites, districts, or archaeological resources in the area that would be adversely affected.

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

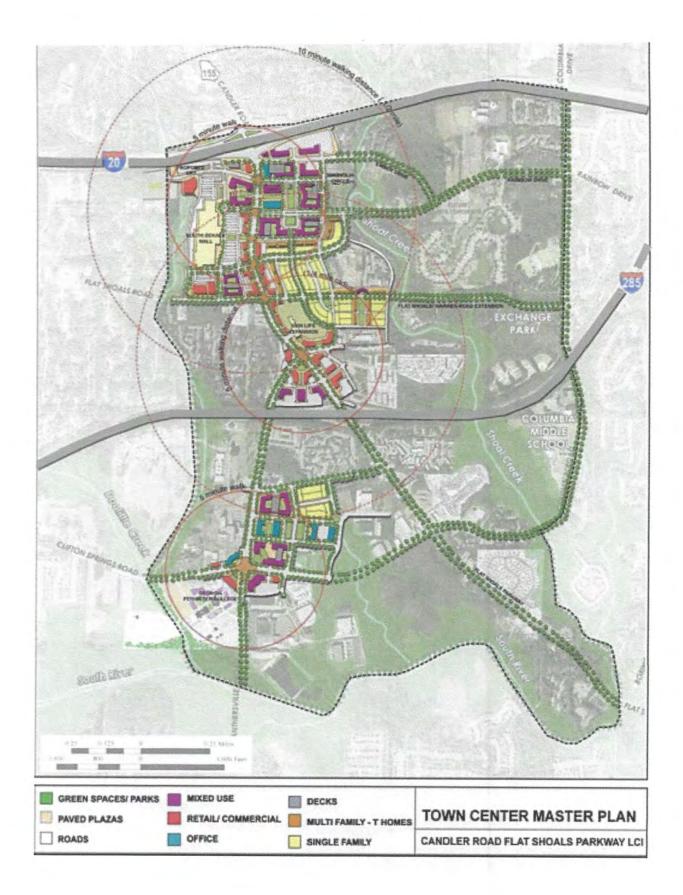
R. The proposed height is the existing height and does not create a shadow impact on any adjoining lot or building.

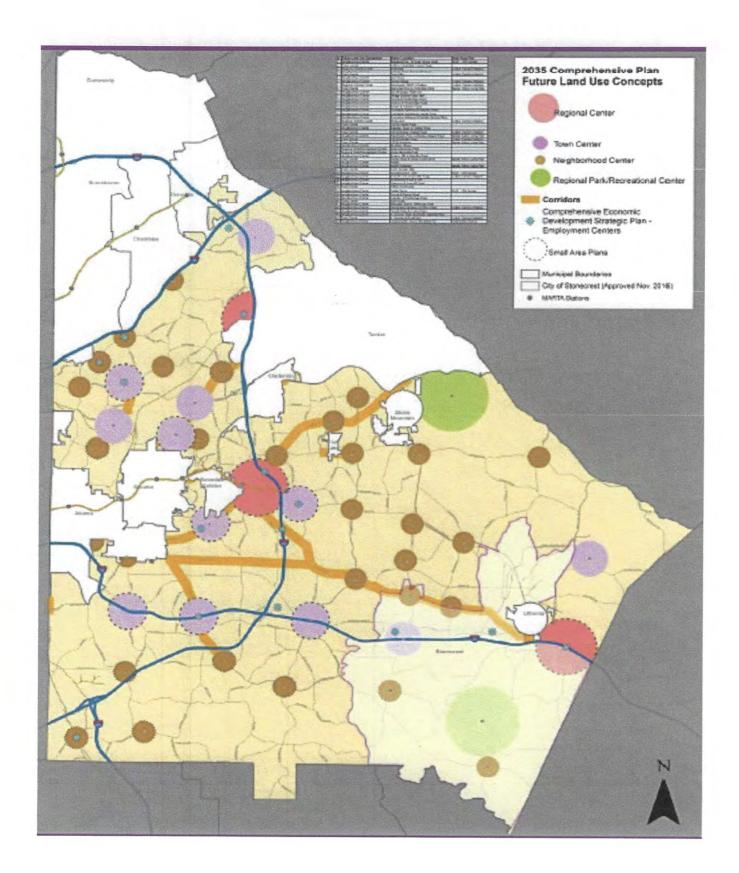
S. The proposed use will not result in a disproportional proliferation of that or similar uses in the subject's character area.

The proposed project is consistent with the needs of the neighborhood and the community as a whole, and would be compatible with the neighborhood, and would not be in conflict with the overall objectives of the comprehensive plan.

í.



















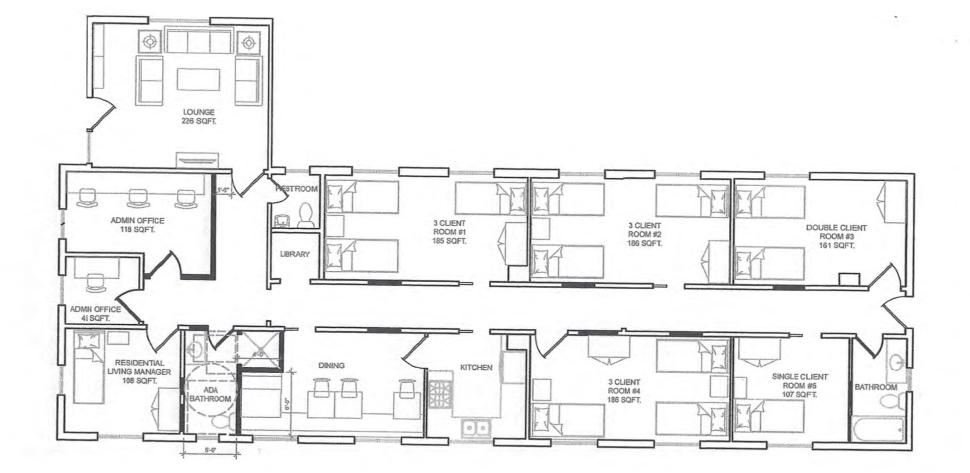












HUMAN LEARNING SYSTEMS RESIDENTIAL LIVING CENTER 2445 CANDLER ROAD DECATUR, GEORGIA	DATE 04.27.2021 DWN. REE SCALE3 13" = 1'-0"
--	--

- X-

Г

.