



DeKalb County Department of Planning & Sustainability

330 Ponce De Leon Avenue, Suite 500

Decatur, GA 30030

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

Planning Commission Hearing Date: November 1, 2018, 6:30 P.M.

Board of Commissioners Hearing Date: November 13, 2018, 6:30 P.M.

STAFF ANALYSIS

Case No.: Z-18-1235215 **Agenda #:** N. 7

Location/Address: 2606 Whites Mill Road, Decatur **Commission District:** 3 **Super District:** 6

Parcel ID(s): 15-118-06-002

Request: To rezone property from R-75 (Medium Density Residential-75) to O-I (Office-Institutional) to allow use of an existing building for an adult day care center.

Property Owner(s): Sheryl Campbell

Applicant/Agent: Sheryl Campbell

Acreage: 3.3 acres

Existing Land Use: Unoccupied place of worship

Surrounding Properties: To the northeast and east: Laurel Mill Apartment Homes. To the southeast, south, southwest, west, and northwest: single-family residential. To the north: The Woodridge Apartment Homes.

Adjacent Zoning: **North:** MR-2, I-20 Overlay District **South:** RSM **East:** MR-2, I-20 Overlay District **West:** R-75 **Northeast:** MR-2, I-20 Overlay District **Northwest:** R-75 **Southeast:** R-75 **Southwest:** R-75

Comprehensive Plan: SUB (Suburban) **Consistent** **Inconsistent**

Proposed Square Ft.: 3,477 s.f.	Existing Units/Square Feet: 3,477 s.f.
Proposed Lot Coverage: Information to be provided.	Existing Lot Coverage: (Estimate) 40%

PROJECT ANALYSIS

The subject property is a 3.3-acre parcel located on the southeast side of Whites Mill Road, a local street. The property is located approximately 525 feet from the Interstate 20 right-of-way. It is developed with a two-story, brick building that was formerly occupied by a Jehovah's Witness Church and a 37-space asphalt parking lot. The property is enclosed by a wrought-iron fence.

The property is surrounded by residential land uses: single-family residential on the opposite side of Whites Mill Road and to the south; and multifamily residential to the northwest and northeast. A single-family subdivision to the south is zoned RSM (Residential Small Lot Mix, but the majority of nearby single-family neighborhoods are zoned R-75.

The applicant, Sheryl Campbell, has requested that the property be rezoned to allow use for an adult day care center for adults with developmental disabilities. While an adult day care facility with up to seven clients is allowed in the R-75 district with a Special Land Use Permit, a center requires multifamily or non-residential zoning. The application states that the hours of operation are proposed to be from 8:00 A.M. to 2:00 P.M. and that the center will have 10-12 employees. Ms. Campbell has stated that she expects to have approximately 20 clients. The clients would be transported to and from the center by two "wheelchair" buses. The application states, "Downstairs will have a library, theater room, different areas set up for sensory stimulation and also laundry facilities." (The laundry facilities are used to train the clients in this basic life skill.)

LAND USE AND ZONING ANALYSIS

Section 27-832 of the Zoning Ordinance, "Standards and factors governing review of proposed amendments to the official zoning map" states that the following standards and factors shall govern the review of all proposed amendments to the zoning maps.

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

The proposal is consistent with 2035 Comprehensive Plan policies that encourage the provision of support services for at-need residents.

B. Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby properties:

The proposed adult day care center is not expected to have any greater impacts on nearby properties than its former use. Most of the activities will take place indoors. Apart from some traffic in and out of the site, the center will probably be unnoticeable to nearby residents.

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

It appears that the property has economic use under its current R-75 zoning; however, this conclusion does not negate the suitability of the proposed use.

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

The proposed adult day care center is not expected to have an adverse affect on adjoining or nearby properties. The thickly growing trees on the majority of the property provide a substantial screen for residential properties to the east and southeast, and the property is separated from residential properties to the west by the 50-foot right-of-way of Whites Mill Road.

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:

It is in the best interest of the County and the community to have the former Jehovah’s Witness Church building occupied.

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

No historic buildings, sites, districts, or archaeological resources are located on the property or in the surrounding area.

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

Use of the buses to transport clients will limit the number of trips to and from the site, and the proposed use is not expected to excessively burden the surrounding street system. Traffic Engineering staff has commented that plan and field reviews revealed “no problems that would disrupt traffic”. Impacts on utilities is not expected to be significantly greater than those of the place of worship that formerly occupied the property, and there would be no impact on the school system.

H. Whether the zoning proposal will adversely impact the environment or surrounding natural resources:

The proposal is not expected to have any adverse impacts on the environment or surrounding natural resources.

Zoning Compliance

O-I STANDARD		REQUIRED/ALLOWED	PROVIDED/PROPOSED	COMPLIANCE
MIN. LOT AREA		20,000 s.f.	3.3 acres	Yes
MIN. LOT WIDTH		100 ft.	590 feet	Yes
MAX. LOT COVERAGE		80%	(Estimate) 40%	Yes
MIN. OPEN SPACE		No enhanced open space required	Not applicable	N.A.
YARD SETBACKS	FRONT	Min. 50 ft.	46.46 feet	The setback is legally nonconforming.
	INTERIOR SIDE	Min. 20. ft.	East side – 73.42 ft. Southwest side –310 ft.	Yes
	REAR	Min. 20 ft.	Approximately 370 ft.	Yes
PARKING		Min. 1 space/400 s.f. = 9 spaces Max. 1 space/300 s.f. = 12 spaces	37 spaces	The parking lot was constructed for a place of worship and is legally nonconforming.

Supplemental Regulations -- Sec. 4.2.4. - Adult daycare center (seven or more clients).

Each adult day care center shall be subject to the following requirements:

A. All outdoor recreation areas shall be enclosed by a fence or wall not less than four (4) feet in height.

The property is surrounded by a six-foot wrought-iron fence.

B. Each adult day care center shall provide off-street parking spaces as required by the applicable zoning district and an adequate turnaround on the site.

The property has a parking lot with 37 spaces. It exceeds the maximum allowed number of spaces; however this condition is legally nonconforming. There is adequate space in the parking lot for vehicular turning and turnaround movements.

Staff Recommendation: APPROVAL WITH CONDITIONS.

The proposal is consistent with 2035 Comprehensive Plan policies that encourage the provision of support services for at-need residents. The proposed adult day care center is not expected to have a negative impact on the surrounding neighborhood, due to the proposed hours of operation (8:00 AM to 2:00 PM, Monday thru Friday), and the relatively small number of clients on a 3.3-acre lot and in a building that was originally constructed for use by a greater number of people. In addition, the thickly growing trees on the majority of the property provide a substantial screen for residential properties to the east and southeast, and the property is separated from residential properties to the west by the 50-foot right-of-way of Whites Mill Road. Therefore, the Planning and Sustainability Department recommends "Approval" with the following conditions:

1. The adult day care center shall operate between the hours of 8:00 A.M. and 2:00 P.M., Monday through Friday. Hours for the center's office and administrative functions shall not be limited.
2. The existing fence that encloses the property shall be maintained in place for as long as the adult day care center is operated on the subject property.

Attachments:

1. Department and Division Comments
2. Board of Health Comments
3. Board of Education Comments
4. Application
5. Site Plan
6. Zoning Map
7. Land Use Plan Map
8. Aerial Photograph
9. 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.



**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, if one becomes necessary. 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. Recommend Low Impact Development features and Green Infrastructure be included in the proposed site design to protect as much as practicable.

- **Flood Hazard Area/Wetlands**

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

- **Landscaping/Tree Preservation**

Landscaping and tree preservation plans for any building, or parking lot must comply with DeKalb County Code of Ordinances 14-39 as well as Chapter 27 Article 5 and are subject to approval from the County Arborist.

- **Tributary Buffer**

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

- **Fire Safety**

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

COMMENTS FORM:

PUBLIC WORKS TRAFFIC ENGINEERING

Case No.: 218-1255215

Parcel I.D. #: 15-118-06-02

Address: 2606

Whites Mill Rd
Decatur, GA

Adjacent Roadway (s):

(classification)

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

Capacity (TPD) _____
Latest Count (TPD) _____
Hourly Capacity (VPH) _____
Peak Hour. Volume (VPH) _____
Existing number of traffic lanes _____
Existing right of way width _____
Proposed number of traffic lanes _____
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) 67TH 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:

Field AND plans REVIEWED. Found NO problems that would disrupt traffic.

Signature: [Handwritten Signature]

Furman, Melora L.

From: Furman, Melora L.
Sent: Thursday, October 18, 2018 5:51 PM
To: Furman, Melora L.

From: Keeter, Patrece
Sent: Monday, October 15, 2018 5:52 PM
To: Hill, LaSondra <lahill@dekalbcountyga.gov>
Cc: Eisenberg, Marian <meisenberg@dekalbcountyga.gov>; Furman, Melora L. <mlfurman@dekalbcountyga.gov>
Subject: RE: Request for Inter-Departmental Comments

N1. No Comment

N2 & N3- Dedicate 27.5 feet of right of way from the centerline of Pine Mountain Road. Bring road up to current county standards at time of any land disturbance permits from the intersection of Bruce Street to northern property line.

N4, N5 & N6- Lawrenceville Hwy is state route 8. All access points on Lawrenceville Hwy are require GDOT review and approval required prior to submitting any land development permits to DeKalb County. Extend sidewalks along Lawrenceville Hwy within the current right of way to the intersection of Harrington Dr (+/- 200 feet), including any necessary ADA ramps. Restripe Orion Drive from Lawrenceville Hwy to the bridge. Upgrade the traffic signal at the intersection of Orion Drive and Lawrenceville Hwy to include pedestrian features. Street Lights required.

~~N7~~ No Comment

N8- Flake Mill Road is a minor arterial. Requires right of way dedication of 40 feet from centerline of roadway, 6 foot sidewalks, 5 foot landscape strip, streetlights on back of sidewalk and bike lanes. Line up future access points with Boxwood Lane or the required offset of 245 feet centerline to centerline, as required in Section 14-200 (6) of the land development code. Build sidewalk from Catalpa Lane to River Road on west side of road.

N9. No Comment

N10. Covington Hwy is State Route 10. GDOT review and approval is required prior to any land development permits by DeKalb County. Add sidewalks along the frontage. No parking vehicles within the state right of way.

N11. No Comment



404.371.2155 (o)
404.371.4556 (f)
DeKalbCountyGa.gov

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

DEPARTMENT OF PLANNING & SUSTAINABILITY

Rezoning Application to Amend the Official Zoning Map of DeKalb County, Georgia

Date Received: _____ Application No: _____

Applicant Name: SHERYL CAMPBELL

Applicant E-Mail Address: TPCAREHOMES@GMAIL.COM

Applicant Mailing Address: 313 WHITNEY LN
MCDONOUGH GA 30253

Applicant Daytime Phone: 404-593-6386 Fax: _____

Owner Name: SHERYL CAMPBELL

If more than one owner, attach list of owners.

Owner Mailing Address: 313 WHITNEY LN MCDONOUGH GA 30253

Owner Daytime Phone: 404-593-6386

Address of Subject Property: 2606 WHITES MILL RD
DECATUR GA 30034

Parcel ID#: 15-118-06-002

Acreage: 3.3 Commission District: 3:6

Present Zoning District(s): R75

Proposed Zoning District: OI

Present Land Use Designation: SUB

Proposed Land Use Designation (if applicable): _____

Notice Date: 8/14/18

PUBLIC NOTICE

To

REQUEST For REZONING

Filed by: Sheryl Campbell / Tranquility Homes

Located at : 2606 White Mill Rd, Decatur GA, 30034

Current Use - Church (Vacant)

Proposed Use - Adult Day Program

Hours of Operation

Current: (Vacant) **Proposed:** Monday - Friday, 8AM - 2PM

Capacity: No Change

PRE-SUBMITTAL COMMUNITY MEETING TO TAKE PLACE AT:

Location: 2606 White Mill Rd, Decatur GA, 30034

Date & Time: Wednesday, August 29, 2018 at 7:00pm

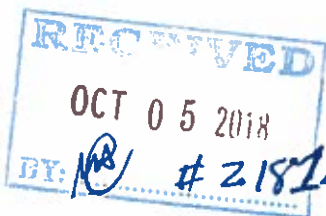
Letter of Application

The proposed zoning classification is O-I (Office & Institutions). The reason for the rezoning request is the current use is R-75 and was used as a Church and the proposed use is to operate an Adult Day Program for Adults with Developmental Disabilities.

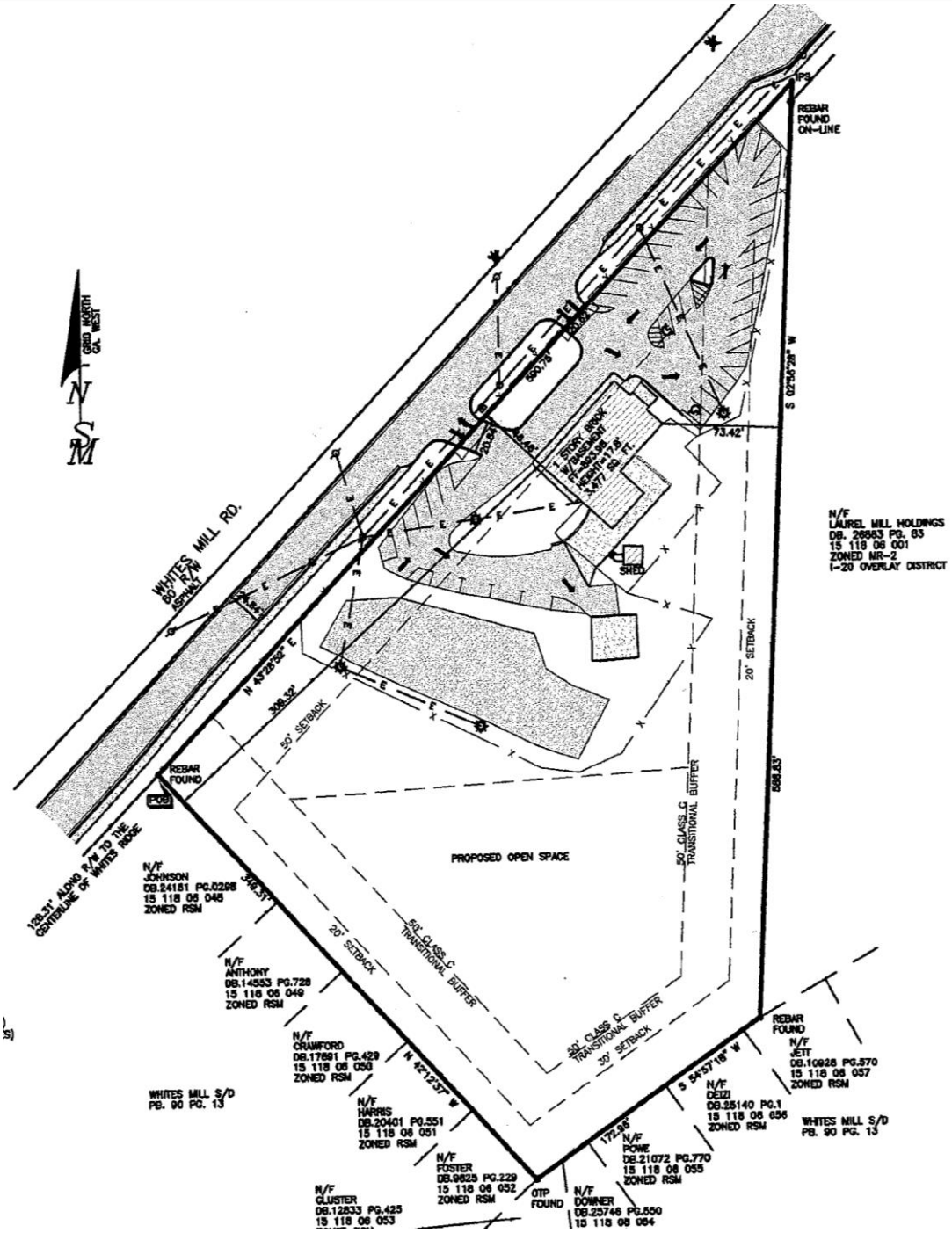
The hours of operation will be from 8am - 2pm with about 10-12 employees. The Upstairs will facilitate the higher functioning individuals with a computer room. Downstairs stairs will have a Library, Theatre Room, different areas set up for the sensory stimulation and also Laundry facilities.

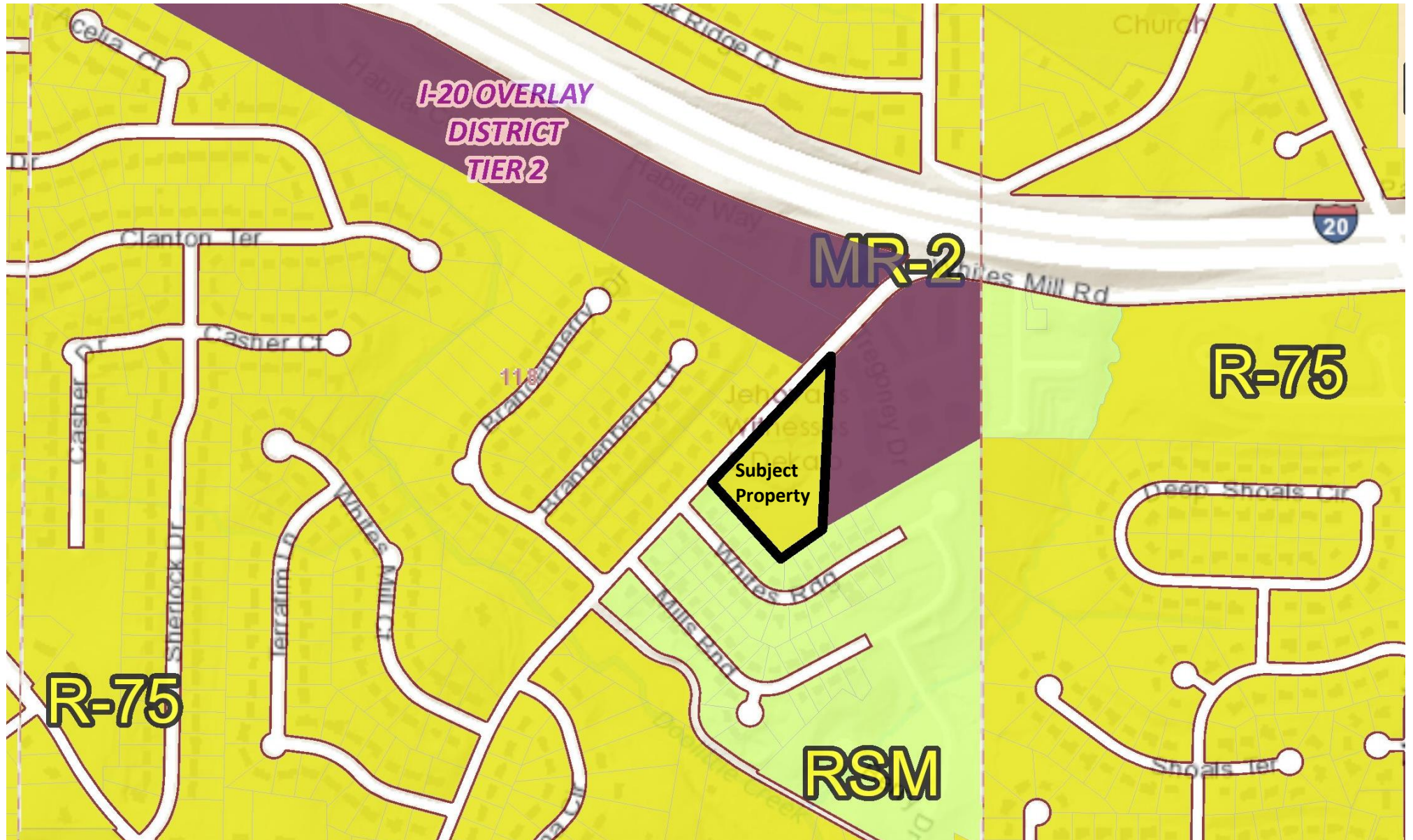
IMPACT ANALYSIS ANSWERS

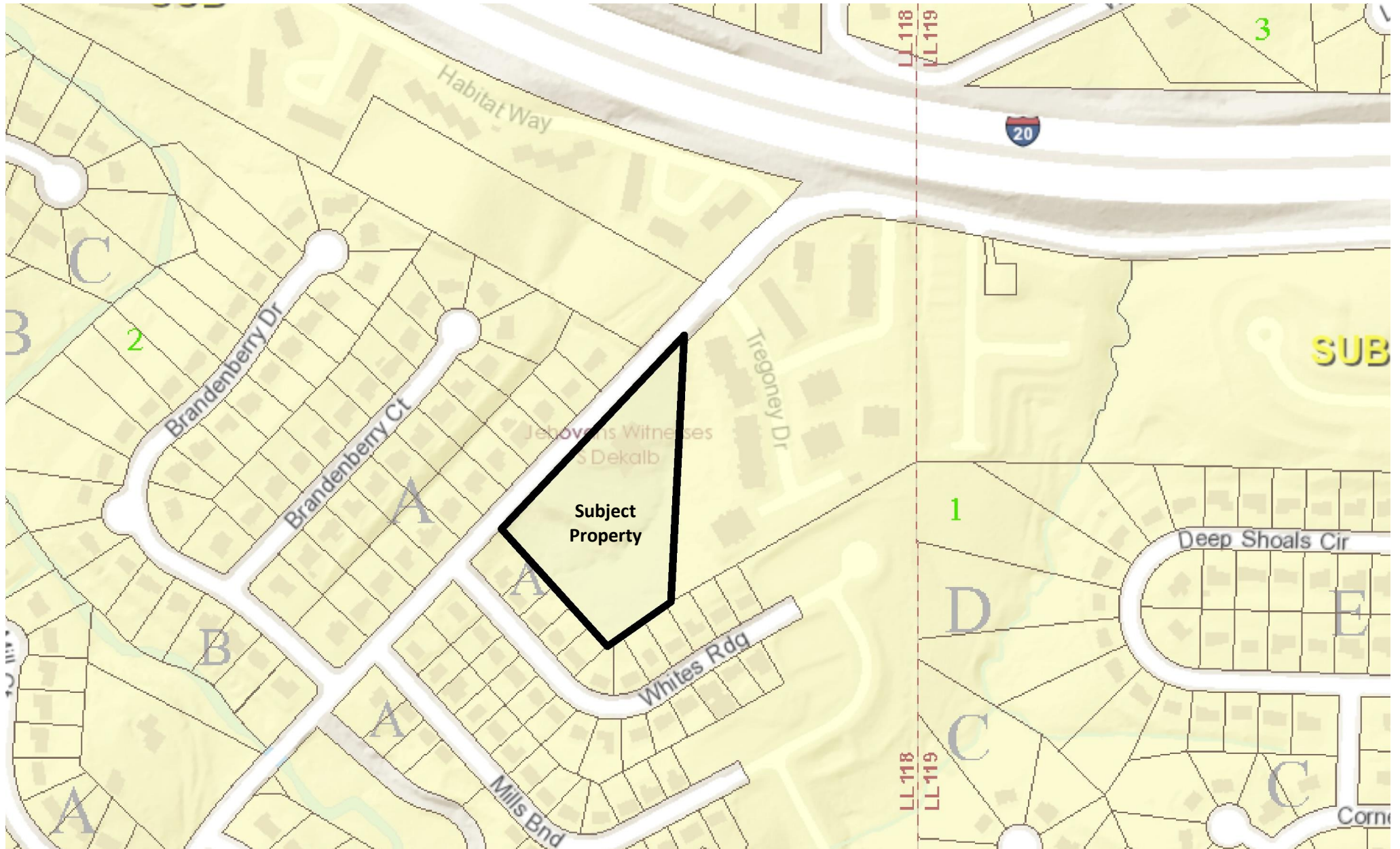
- A. Yes the zoning proposal is in conformity with the policy and intent of the Comprehensive Plan.
- B. Yes the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby properties.
- C. Yes the property to be affected by the zoning proposal has a reasonable economic use as currently zoned.
- D. The zoning proposal will not adversely affect the existing use or usability of adjacent or nearby properties.
- E. There are no 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. The zoning proposal will not adversely affect historic building, sites, districts, or archaeological resources.
- G. The zoning proposal will not result in a use which will or could cause excessive or burdensome use of existing streets, transportation facilities, utilities, or schools



2604 Whites Mill













(left) Subject Property

(right) Homes on the opposite side of Whites Mill Road.

