

Planning Commission Hearing Date: March 3, 2026
Board of Commissioners Hearing Date: March 26, 2026

STAFF ANALYSIS

Case No.:	LP-26-1247932	Agenda #: 2026-0150
Address:	1690 & 1700 Henrico Road Conley, 30288	Commission Districts: 3 and 6
Parcel ID(s):	15 046 01 001; 15 046 01 005; 15 046 01 006	
Request:	To amend the Future Land Use Map from LIND (Light Industrial) character area to SUB (Suburban) character area.	
Property Owner(s):	7 Stone Capital Llc	
Applicant/Agent:	Tracy Swearington	
Acreage:	36.77 acres	
Existing Land Use:	Light Industrial (LIND)	
Surrounding Properties:	North: LIND East: SUB South: LIND West: LIND	
Comprehensive Plan:	Consistent <input type="checkbox"/> Inconsistent <input checked="" type="checkbox"/>	

Staff Recommendation: Two-Cycle Deferral

The applicant, Battle Law, P.C., is seeking to amend the Future Land Use Map to change the land use character area of two parcels from LIND (Light Industrial) to SUB (Suburban). The applicant has also filed a companion application **Z-26-1247931** to rezone the property from the M (Light Industrial) zoning district to R-100 (Residential Medium Lot-100) zoning district.

The northern lot (15 046 01 001) is bounded to the north and east by the Suburban (SUB) Character Area, and to the south by the Light Industrial (LIND) character area. The west side of the lot is a large interstate right of way, which makes the bordering land uses to the west less relevant here. The southern lot (15 046 01 005) is currently bounded on all four sides by Light Industrial. After the proposed change, the southern lot would be bounded on three sides by industrial land uses, and the rightmost LIND parcel would be left surrounded on three sides by the residential SUB character area, only connected to other Industrial areas via the road right of way to the south. The change would result a significant intermingling of residential land uses and industrial land uses (see Map 1 below). The *DeKalb 2050 Unified Plan* specifies that the location of Light Industrial areas “shall preserve the appeal and appearance of residential and commercial areas from the prospective intrusion of light industrial land uses.” (p. 45) The document, however, does not directly address the issue of the intrusion of *residential* into *industrial* land uses, which means this case will require a weighing of the pros and cons to make a final determination.



Map 1

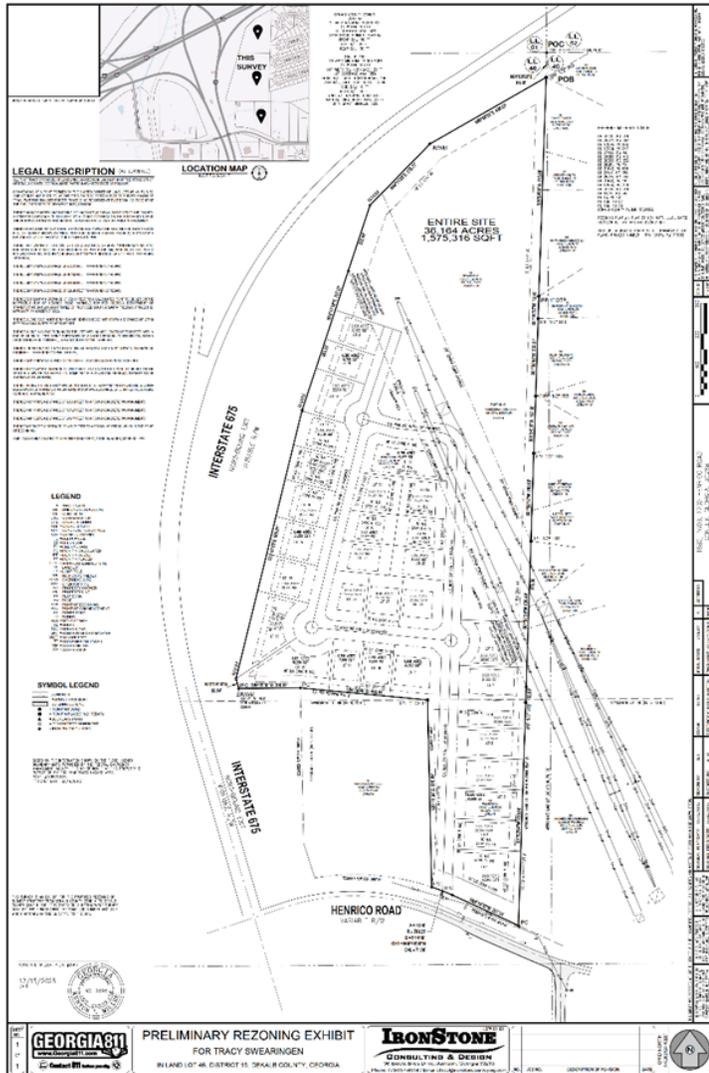
Factors in Support of this Project:

- The proposed residential development in line with the *2050 Comprehensive Land Use Plan*'s goal of "Housing Variety and Choice". This development will help bring in "new and diverse housing types will help the County meet market demands and support continued growth." (P. 14)
- The land use change would provide adjacent residents on Pius Drive, Wanda Way, and Dees Drive with a greater buffer from industrial land use. It would eliminate the potential for a new industrial development to come in directly bordering their properties.

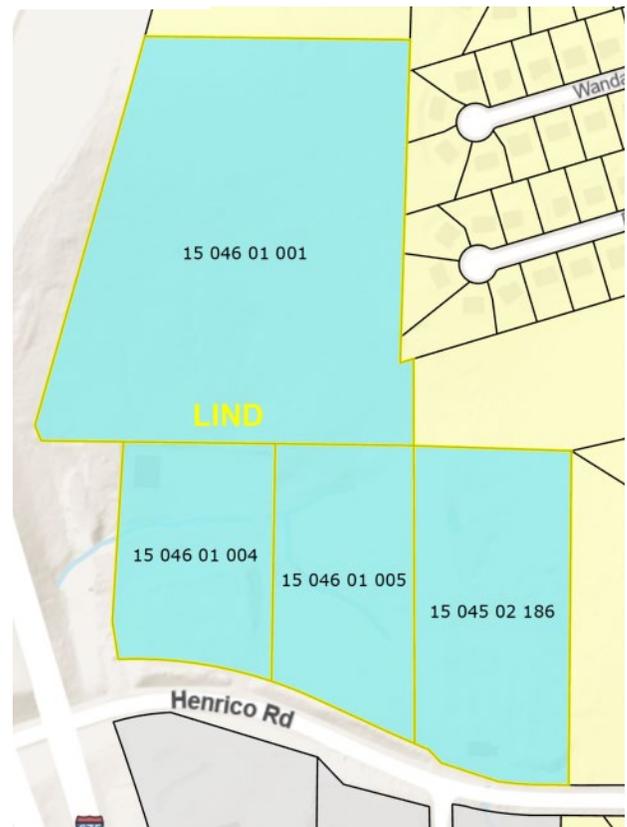
Factors in Opposition to this Project:

- The 2050 Comp Plan directs us to "Focus new development and intensity in existing activity centers, near transit stations, and high-capacity corridors". (UP p. 14) This site not located near either activity centers or transit stations.
- The Comp Plan specifies that new development in the Suburban character area should "Enhance connectivity by providing pedestrian and bicycle infrastructure, high levels of street connectivity, multiple site access points, and connections between adjacent subdivisions, properties, and retail/commercial development." (p. 41) The site plan for the project does none of those things.
- While both parcels in question currently designated as Industrial, the two lots are currently undeveloped and only as part of the right of way for transmission lines. This means that while the amendment would theoretically provide adjacent residential lots a greater buffer from industrial, in reality it would not change anything for them, at least in the short term.
- The two LIND parcels that border the subject properties are currently being used as parking lots for semi-trailer trucks (see the map and photo below). This land use could have potential negative impacts on the health and wellbeing of the future residents of the development. Truck parking is one industrial use is one that can have measurable health impacts on residents. See this link for published research into the topic: <https://escholarship.org/uc/item/7x85h2wx>

- In the proposed site plan for the project (see below), residential lots would be placed right on the border with the adjacent truck parking lot in the bottom right corner. This would put residential uses significantly closer to an industrial use that currently exists on this area. No efforts have been made on this site plan to create any sort of buffer between the residences and the adjacent industrial uses.
- This change could set the precedent for further encroachment of residential development into industrial areas.



Map 2



Due to the number of negative factors associated with this site's Land Use and the proposed site plan, Long-Range Planning staff believes the proposed amendment as it stands is **Inconsistent** with the Comprehensive Land Use Plan. However, staff believes that if the Board were to change the Future Land Use of all four Light Industrial parcels on the north side of Henrico Road (see Map 2 above) to a residential Land Use, then the proposed land use change would be more appropriate, because there would be a physical buffer on all three side between the residential uses and the surrounding Industrial uses: Henrico Road to the south, 675 to the West and I-285 to the north. This would eliminate the potential for direct conflict between the residential and industrial uses. To give the Board the opportunity to consider making this change, Long-Range staff recommends a **"Two-Cycle Deferral"** of this application to the July 2026 zoning agenda.

DEPARTMENT OF PLANNING & SUSTAINABILITY

Chief of Executive Officer
Lorraine Cochran-Johnson

Director
Juliana A. Njoku

Zoning Comments March 2026

N1. Z-26-1247920 (2026-0138) 1437 & 1453 S. Indian Creek Drive:

South Indian Creek is classified as a “Collector” road. All interior streets are to be private, designed to local street standards. Verify there is enough parking provided interior to the site for residents and guests. South Indian Creek Road is classified as a collector road. Land Development permit is required. Please refer to the requirements in Zoning Code 5.4.3 and Land Development Code 14-190. Requires a right of way dedication of 35 feet from centerline OR such that all public infrastructure is within right of way, whichever greater. Requires a 10-foot landscape strip with a 6-foot sidewalk and 4-foot bike lane OR **(PREFERRED)** a 10-foot landscape strip with a 10-foot multi-use path. At least 5 feet of the landscape strip must lie between the back of curb and the multi-use path or sidewalk. Requires pedestrian scale streetlights. (hefowler@dekalbcountyga.gov). All intersections must meet AASHTO sight distance requirements based on speed limit. All poles and other obstructions must be relocated out of the multi-use path.

N2. Z-26-1247923 (2026-0139) 3003 Chamblee-Tucker Road; 2936 Mercer University Drive:

All interior streets must be private. Mercer University Drive is classified as a “Collector” road. Land Development permit is required. Please refer to the requirements in Zoning Code 5.4.3 and Land Development Code 14-190. Requires a right of way dedication of 35 feet from centerline OR such that all public infrastructure is within right of way, whichever greater. Requires a 10-foot landscape strip with a 6-foot sidewalk and 4-foot bike lane OR **(PREFERRED)** a 10-foot landscape strip with a 10-foot multi-use path. At least 5 feet of the landscape strip must lie between the back of curb and the multi-use path or sidewalk. Requires pedestrian scale streetlights. (hefowler@dekalbcountyga.gov). The requirements are for the entire frontage unless a variance is sought. All intersections must meet AASHTO sight distance requirements based on speed limits. All poles and other obstructions must be relocated out of the multi-use path. The access entrance requires reworking due to possible driver confusion and impact to Mercer University Drive. Eliminate the acceleration lane along Mercer University Drive. Chamblee-Tucker Road is classified as a “Minor Arterial” road. If a land development permit is required, please refer to the requirements in Zoning Code 5.4.3 and Land Development Code 14-190. Requires a right of way dedication of 40 feet from centerline OR such that all public infrastructure is within right of way, whichever greater. Requires a 10-foot landscape strip with a 6-foot sidewalk and 4-foot bike lane OR **(PREFERRED)** a 10-foot multi-use path. Requires pedestrian scale streetlights.

N3/N4/N5. Z-26-1247929 (2026-0140); SLUP-26-1247927 (026-0141); SLUP-26-1247928 (2026-0142) 3820 & 3828 North Decatur Road:

Rockbridge Road is classified as a “Minor Arterial” road. Please refer to the requirements in Zoning Code 5.4.3 and Land Development Code 14-190. Requires a right of way dedication of 40 feet from centerline OR such that all public infrastructure is within right of way, whichever greater. Requires a 10-foot landscape strip with a 6-foot sidewalk and 4-foot bike lane OR **(PREFERRED)** a 10-foot landscape strip with a 10-foot multi-use path. At least 5 feet of the landscape strip must lie between the back of curb and the multi-use path or sidewalk. Requires pedestrian scale streetlights. (hefowler@dekalbcountyga.gov). All intersections must meet AASHTO sight distance requirements based on speed limits. All poles and other obstructions (hydrant) must be relocated out of the multi-use path. Site engineer to determine if guardrail along the property is still required

N6. Z-26-1247933 (2026-0143) 2674, 2682 & 2690 Gresham Road:

All interior streets are to be private, designed to local street standards. Gresham Road is classified as a “Collector” road. Land Development permit is required. Please refer to the requirements in Zoning Code 5.4.3 and Land Development Code 14-190. Requires a right of way dedication of 35 feet from centerline OR such that all public infrastructure is within right of way, whichever greater. Requires a 10-foot landscape strip with a 6-foot sidewalk and 4-foot bike lane OR **(PREFERRED)** a 10-foot landscape strip with a 10-foot multi-use path. At least 5 feet of the landscape strip must lie between the back of curb and the multi-use path or sidewalk. Requires pedestrian scale streetlights. (hefowler@dekalbcountyga.gov). All intersections must meet AASHTO sight distance requirements based on speed limits. All poles and other obstructions must be relocated out of the multi-use path.

N7/N8. Z-26-1247935 (2026-0144); SLUP-26-1247934 (2026-0145) 2111 Poplar Falls Road:

The existing road infrastructure approaching this development is not sufficient to support the implementation of the development. Poplar Falls Road is classified as a “Local” road. Please refer to the requirements in Zoning Code 5.4.3 and Land Development Code 14-190. Requires a right of way dedication of 27.5 feet from centerline OR such that all public infrastructure is within right of way, whichever greater. Requires a 6-foot landscape strip and a 5-foot sidewalk. Requires pedestrian scale streetlights. (hefowler@dekalbcountyga.gov). All intersections must meet AASHTO sight distance requirements based on speed limits. All poles and other obstructions must be relocated out of the multi-use path.

N9. SLUP-26-1247921 (2026-0146) 1313 & 1303 Lithonia-Industrial Boulevard:

Lithonia-Industrial Boulevard is classified as a “Minor Arterial” road. Not enough information to properly review. Access points were set based on the Lithonia Industrial Blvd Road Plans. Applicant does not show interior routes on plans. Streetlights will be required on Lithonia-Industrial Boulevard.

N10. Z-26-1247922 (2026-0147) 6136 Shadow Rock Lane:

Shadow Rock Lane is classified as a “Local” road. The existing road infrastructure approaching this development is not sufficient to support the implementation of the development. The entire right of way width of the corridor is 20 feet wide with a +/- 8-foot road/driveway. Please refer to the requirements in Zoning Code 5.4.3 and Land Development Code 14-190. Requires a right of way dedication of 27.5 feet from centerline OR such that all public infrastructure is within right of way, whichever greater. Requires a 5-foot landscape strip with a 5-foot sidewalk. Requires pedestrian scale streetlights. (hefowler@dekalbcountyga.gov).

N11. SLUP-26-1247926 (2026-0148) 4031 Rainbow Drive:

Rainbow Drive is classified as a “Minor Arterial” road. Please refer to the requirements in Zoning Code 5.4.3 and Land Development Code 14-190. Requires a right of way dedication of 40 feet from centerline OR such that all public infrastructure is within right of way, whichever greater. Requires a 10-foot landscape strip with a 6-foot sidewalk and 4-foot bike lane OR **(PREFERRED)** a 10-foot landscape strip with a 10-foot multi-use path. At least 5 feet of the landscape strip must lie between the back of curb and the multi-use path or sidewalk. Requires pedestrian scale streetlights. (hefowler@dekalbcountyga.gov). All intersections must meet AASHTO sight distance requirements based on speed limits. All poles and other obstructions must be relocated out of the multi-use path.

N12. SLUP-26-1247930 (2026-0149) 1890 Week Kirk Road:

Week Kirk is classified as a “Local” road. No comments

N13/N14. LP-26-1247932 (2026-0150); Z-26-1247931 (2026-0151) 1680, 1690, & 1700 Henrico Road:

Henrico Road is classified as a “Collector” road. Please refer to the zoning and land development requirements of Tier 5 of the Bouldercrest Overlay District, Tier 4A within the Soapstone Historic district for development requirements. Concerned about the encroachment of residential into the industrial area and the conflict (truck traffic/noise) that may develop. The two properties on either side of this development are active industrial properties. While overlay infrastructure standards apply. Where silent the Zoning and Land Development Codes are enforced, in respective order. Site plan needs work. At a minimum, the requirements are as follows: Please refer to the requirements in Zoning Code 5.4.3 and Land Development Code 14-190. Prefer internal streets to be private. If public, the internal streets require a right of way dedication of 55 feet (total) OR such that all public infrastructure is within right of way, whichever greater. Requires 24 feet of pavement with curb and gutter. Requires 6-foot landscape strip with a 5-foot sidewalk. Requires streetlights. (hefowler@dekalbcountyga.gov). Internal roundabout must be one-lane, one direction. Please refer to the requirements in Zoning Code 5.4.3 and Land Development Code 14-190. Requires a right of way dedication of 35 feet from centerline OR such that all public infrastructure is within right of way, whichever greater. Requires a 10-foot landscape strip with a 6-foot sidewalk and 4-foot bike lane OR **(PREFERRED)** a 10-foot landscape strip with a 10-foot multi-use path. At least 5 feet of the landscape strip must lie between the back of curb and the multi-use path or sidewalk. All intersections must meet AASHTO sight distance requirements based on speed limits. Concerned about entrance location based on horizontal and vertical curves along the site. All poles and other obstructions must be relocated out of the multi-use path.



Thursday, January 29, 2026

To: Mr. John Reid, Senior Planner
From: Ryan Cira, Director, Division of Environmental Health
Cc: Alan Gaines, Deputy Director, Division of Environmental Health
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.

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

1/29/2026

N13-2026-0150 LP-26-1247932
1680, 1690 & 1700 Henrico Road, Conley, Ga 30288

- Amendment. See general comments.

N14-2026-0151 Z-26-1247931
1680, 1690 & 1700 Henrico Road, Conley, Ga 30288

- See general comments.

Development Review Comments

Submitted to: DeKalb County **Case #:** Z-26-1247932
Parcel #: 15 046 01 001 ; 15 046 01 006 ; 15 046 01 005

Name of Development: Seven Stone Capital LLC
Location: 1680,1690 & 1700 Henrico Road, Conley, GA

Description: Proposed development 31 Single-family detached homes (from site plan).

Impact of Development: When fully constructed, this development would be expected to generate 15 students: 3 at Cedar Grove Elementary School, 2 at Cedar Grove Middle School, 4 at Cedar Grove High School, 5 at other DCSD schools, and 1 at private school. The additional homes are not expected to have a significant impact on the neighborhood schools.

Current Condition of Schools	Cedar Grove Elementary School	Cedar Grove Middle School	Cedar Grove High School	Other DCSD Schools	Private Schools	Total
Capacity	672	1,290	1,271			
Portables	0	0	0			
Enrollment (Oct 2024)	518	700	1,108			
Seats Available	154	590	163			
Utilization (%)	77.1%	54.3%	87.2%			
New students from development	3	2	4	5	1	15

New Enrollment	521	702	1,112
New Seats Available	151	588	159
New Utilization	77.5%	54.4%	87.5%

Calculation Details

Inputs	Unit Type	SF	Proposed Units	31
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		Attend Home School	Attend other DCSD School	Private School	Total
Yield Rates (students per unit based on comparable developments)	Elementary	0.1016	0.0663	0.0101	0.1780
	Middle	0.0633	0.0374	0.0128	0.1136
	High	0.1225	0.0527	0.0190	0.1942
	Total	0.2874	0.1564	0.0419	0.4858
Units x Yield Rates	Elementary	3.15	2.06	0.31	5.52
	Middle	1.96	1.16	0.40	3.52
	High	3.80	1.63	0.59	6.02
	Total	8.91	4.85	1.30	15.06
New Students from Development (rounded result)	Elementary	3	2	0	5
	Middle	2	1	0	3
	High	4	2	1	7
	Total	9	5	1	15

LAND DEVELOPMENT ANALYSIS

NOTE: PLEASE RETURN ALL COMMENTS VIA EMAIL TO EXPEDITE THE PROCESS TO JOHN REID jreid@dekalbcountyga.gov AND/OR LASONDRA HILL lahill@dekalbcountyga.gov

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.

Case # and Address/Parcel: LP-26-1247932 (2026-0150) 1680, 1690 & 1700 Henrico Rd 15 046 01 001, 005 & 006

- **Transportation/Access/Row**

- **Stormwater Management**

There is a stormwater near all 3 properties. For subdivision above ground detention is recommended.

- **Flood Hazard Area/Wetlands**

(1700 Henrico Road) has state water running through the middle of the property 75 and 25 foot buffer will apply. There is no flood hazard.

- **Landscaping/Tree Preservation**

- **Tributary Buffer**

- **Fire Safety**

LAND DEVELOPMENT ANALYSIS

NOTE: PLEASE RETURN ALL COMMENTS VIA EMAIL TO EXPEDITE THE PROCESS TO JOHN REID jreid@dekalbcountyga.gov AND/OR LASONDRA HILL lahill@dekalbcountyga.gov

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.

Case # and Address/Parcel: Z-26-1247931 (2026-0151) 1680, 1690 & 1700 Henrico Road 15 046 01 001, 005 & 006

- **Transportation/Access/Row**

- **Stormwater Management**

Above ground detention system is needed for subdivision

- **Flood Hazard Area/Wetlands**

1700 Henrico has state water going through the middle of the property. 25 and 75 stream buffer will apply. No flood hazards

- **Landscaping/Tree Preservation**

- **Tributary Buffer**

- **Fire Safety**

DEPARTMENT OF PLANNING & SUSTAINABILITY

NOTE: PLEASE RETURN ALL COMMENTS VIA EMAIL TO JOHN REID jreid@dekalbcountyga.gov AND/OR LASONDRA HILL lahill@dekalbcountyga.gov

PUBLIC WORKS – **ROADS & DRAINAGE** - ZONING COMMENTS FORM

Case No.: LP-1247932 & Z-1247931 Parcel ID#: 15 046 01 001; 15 046 01 006; 15 046 01 005

Address: 1680, 1690 & 1700 Henrico Road, Conley 30288

Drainage Basin: South River

Upstream Drainage Area: N/A

Percentage of Property in 100-Year Floodplain: 0%

Impact on property (flood, erosion, sedimentation) under existing zoning: No reported incidence of flood, erosion and sedimentation under existing zoning.

Required detention facility(s): Yes

COMMENTS: New streets and drainage infrastructure will be required to support any proposed development and these must comply with Chapter 14-40, Article II, as it relates to Stormwater management and other applicable County Codes and engineering standards for the street design.

Signature: *Akin Akinsola*

DEPARTMENT OF PLANNING & SUSTAINABILITY

NOTE: PLEASE RETURN ALL COMMENTS VIA EMAIL TO JOHN REID jreid@dekalbcountyga.gov AND/OR LASONDRA HILL lahill@dekalbcountyga.gov

PUBLIC WORKS – TRAFFIC ENGINEERING - ZONING COMMENTS FORM

Case No.: LP-26-1247932 & Z-26-1247931 Parcel ID#: 15 046 01 001; 15 046 01 006; 15 046 01 005

Address: 1680, 1690 & 1700 Henrico Road, Conley 30288

Adjacent Roadway(s):

Classification:

Capacity (TPD): Latest Count (TPD): Hourly Capacity (VPH): Peak Hour Volume (VPH): Existing number of traffic lanes: 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: 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 (latest edition 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: After review, no traffic concerns are identified with the proposed rezoning and special land use permit modification.

Signature: Randell

DEPARTMENT OF PLANNING & SUSTAINABILITY

NOTE: PLEASE RETURN ALL COMMENTS VIA EMAIL TO JOHN REID jreid@dekalbcountyga.gov AND/OR LASONDRA HILL lahill@dekalbcountyga.gov

PUBLIC WORKS – WATER & SEWER - ZONING COMMENTS FORM

Case No.: LP-26-1247932 (2026-0150) Parcel ID#: 15 046 01 001; 15 046 01 006; 15 046 01 005

Address: 1680, 1690 & 1700 Henrico Road, Conley 30288

WATER:

Size of existing water main: _____ adequate _____ inadequate _____

Distance of property to nearest main: _____ Size of line required, if inadequate: _____

SEWER:

Outfall Servicing Project: _____

Is sewer adjacent to property? Yes _____ No _____ If no, distance to nearest line: _____

Water Treatment Facility: _____ Adequate? Yes _____ No _____

Sewage Capacity: _____ (MGPD) Current Flow: _____ (MGPD)

COMMENTS: _____

Signature: _____

DEPARTMENT OF PLANNING & SUSTAINABILITY

NOTE: PLEASE RETURN ALL COMMENTS VIA EMAIL TO JOHN REID jreid@dekalbcountyga.gov AND/OR LASONDRA HILL lahill@dekalbcountyga.gov

PUBLIC WORKS – WATER & SEWER - ZONING COMMENTS FORM

Case No.: Z-26-1247931 (2026-0151) Parcel ID#: 15 046 01 001, 005 & 006

Address: 1680, 1690 & 1700 Henrico Road, Conley 30288

WATER:

Size of existing water main: 8" DIP adequate inadequate

Distance of property to nearest main: adjacent Size of line required, if inadequate:

SEWER:

Outfall Servicing Project: Constitution Area

Is sewer adjacent to property? Yes No If no, distance to nearest line: 800'

Water Treatment Facility: Snapfinger Adequate? Yes No

Sewage Capacity: (MGPD) Current Flow: (MGPD)

COMMENTS: Sewer cap required

Signature: Yola Lewis

DEPARTMENT OF PLANNING & SUSTAINABILITY

APPLICATION TO AMEND COMPREHENSIVE LAND USE (FUTURE DEVELOPMENT) MAP PLAN OF DEKALB COUNTY, GEORGIA

Applicant Name: Tracy T. Swearingen, Sr., J.D.

Applicant Email Address: [REDACTED]

Applicant Mailing Address: [REDACTED]

Applicant Phone Number: [REDACTED]

Owner Name: 7 Stone Capital L.L.C. (Ian Smith, Member)
(if more than one owner, attach list of owners.)

Owner Email Address: [REDACTED]

Owner Mailing Address: [REDACTED]

Owner Phone Number: [REDACTED]

Subject Property Address: 1680 & 1700 Henrico Road
Cowley, GA 30288

Parcel ID Number(s): 1504601001 and 1504601005

Acreage: 20.1 / 3.85 Commission District(s): 3 Super District: 6

Existing Zoning District(s): Tier 4a and M Proposed Zoning District(s): Tier 5 w/R-100 underlying

Existing Land Use Designation(s): LIND Proposed Land Use Designation(s): SUB (if applicable)

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

Owner: _____ Agent: [Signature] _____ Signature of Applicant: [Signature]

Eisenhower Services, Inc.



Notice of: *Proposed Rezoning (from M to R100); and Land Use Map Amendment Application Community Meeting*

To: Homeowner / Community Stakeholder

We are planning to apply for a Dekalb County Proposed Rezoning (from M to R100) Application, and a Land Use Map Amendment Application for both 1680 & 1700 Henrico Road, Conley, GA 30288. Our client, 7 Stone Capital L.L.C. is seeking to change conditions for the property from M (Light Industrial Zoning) to R100 (Residential Single Family), and to amend the Land Use Map for the affected areas to reflect Suburban Future Land Use vs. Light Industrial. Find out more about the project, ask questions, and voice your opinion at the following community meeting:

Date: December 8, 2025

Time: 6:30 pm – 7:30 pm

Location: Zoom meeting ID

Invite Link -

<https://us06web.zoom.us/j/88147476959?pwd=bPfEm0rOacEUYdnrxGM9kthkFyAUlf.1>

Meeting ID - 881 4747 6959

Passcode - 567455

If you have any questions about the meeting, please call 678-357-6238 or e-mail me at eisenhowersvcs@gmail.com. We look forward to seeing you there!

Sincerely,

Tracy

Tracy T. Swearingen, Sr., J.D.

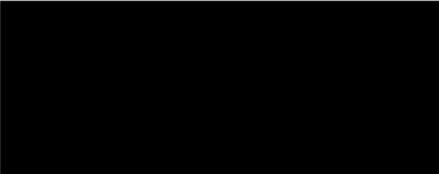
President

Eisenhower Services, Inc.

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:



9590 9402 9843 5266 5691 77

2. Article Number (Transfer from service label)

9589 0710 5270 3071 6828 75

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X Agent Addressee

B. Received by (Printed Name)

C. Date of Delivery

12-5-25

D. Is delivery address different from item 1? Yes No
If YES, enter delivery address below:

DEC 05 2025

3. Service Type

- Adult Signature
- Adult Signature Restricted Delivery
- Certified Mail®
- Certified Mail Restricted Delivery
- Collect on Delivery
- Collect on Delivery Restricted Delivery
- Priority Mail Express®
- Registered Mail™
- Registered Mail Restricted Delivery
- Signature Confirmation™
- Signature Confirmation Restricted Delivery

Mail Mail Restricted Delivery

PS Form 3811, July 2020 PSN 7530-02-000-9053

Domestic Return Receipt

9589 0710 5270 3071 6828 75
 Return Receipt \$4.40
 Tracking #: 9590 9402 4676 8323 2831 41
 Total \$10.48

Grand Total: \$938.36

Credit Card Remit \$938.36

Card Name: VISA
 Account #: XXXXXXXXXXXX1242
 Approval #: 110326
 Transaction #: 255
 AID: A0000000980840 Contactless
 AL: US DEBIT

TO REPORT AN ISSUE
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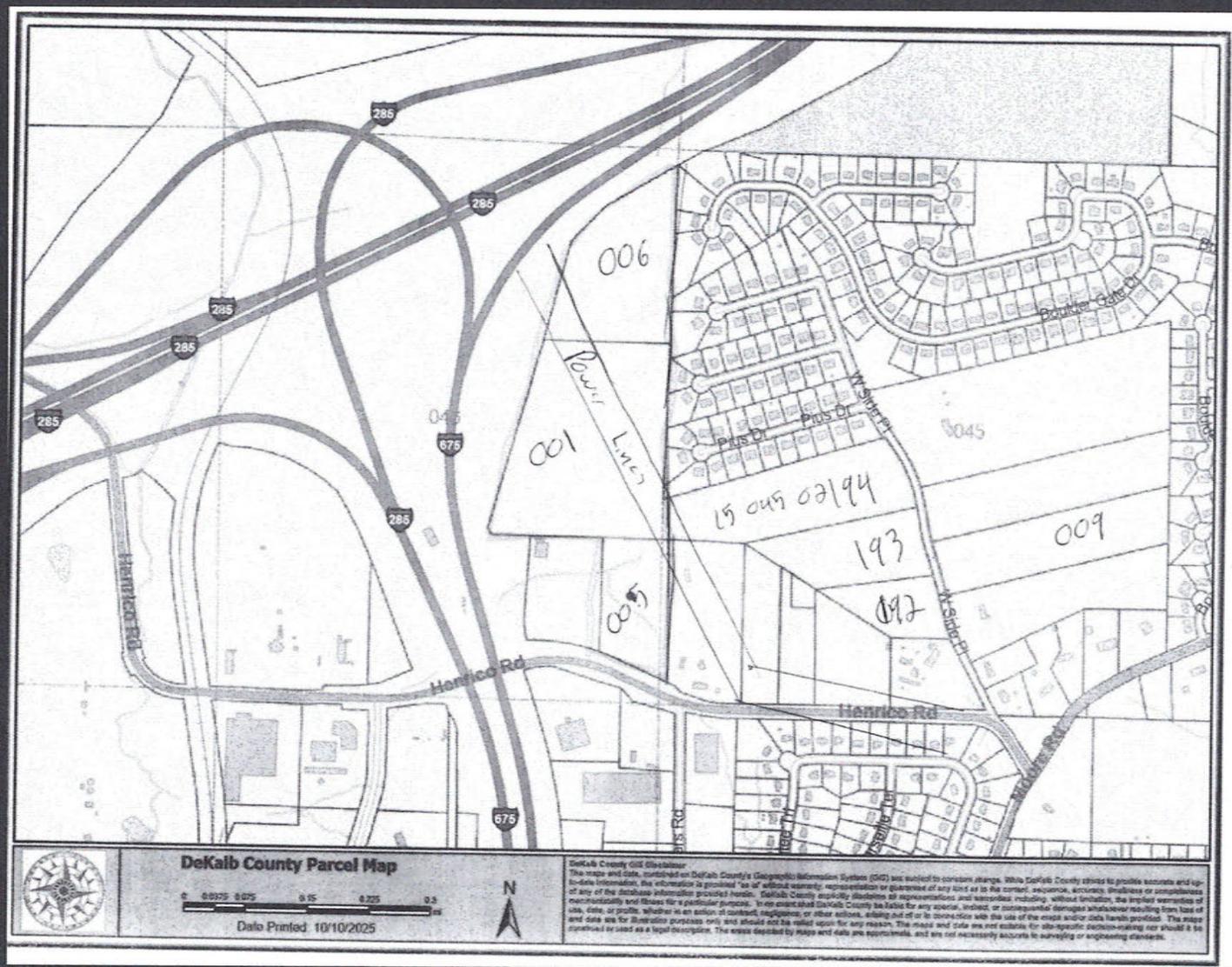
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An older version of this document is available. Received from Ian on 10/10/25

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CC3 Board - Wayne P...

CC3 Board - Wayne Powell



Danielle



Sita Smith

PHOBDY

PHOBDY

LETTER OF APPLICATION

Please identify the following details such as:

- The proposed zoning classification? *Tier 5 with R-100 underlying for single-family.*
- The reason for the rezoning request? *The 2 lots currently (1680 + 1700) abut other currently zoned residential and light commercial properties and owner owns other parcels of residential that abut.*
- The existing and proposed use of the property? *Existing use is M "light commercial and proposed is R-100 single family.*
- Detail characteristics of the proposed use (e.g. floor area, height of building(s), number of units, mix of unit types, number of employees, manner and hours of operation)? *Between 1680 + 1700 Henrico Rd. along with owners other abutting properties that are already zoned R-100 (1690 Henrico Rd. + 3917/3891/3893 West Side Place) are to be jointly (all 6 parcels) used for a proposed 2 phase approximately 243 total single family residences. Each proposed home would likely be on a 2.5 acre lot with a 2 story 2400-3000 sq. ft. home (single-family).*

Eisenhower Services, Inc.



**DEKALB COUNTY IMPACT ANALYSIS FOR 1680 & 1700 HENRICO ROAD,
CONLEY, GA 30288**

- A. Whether the zoning proposal is in conformity with the policy and intent of the Comprehensive Plan?

The 2 Subject Properties have a current future land use designation of Light Commercial; however, the 2 Subject Properties also landlock an additional property (1690 Henrico Rd.) that is also owned by “7 Stone Capital L.L.C.”; 1690 has a future land use of Suburban meaning the intent of 1690’s current zoning is to preserve single family residences. “7 Stone Capital L.L.C.” also owns 3917/3891/3893 West Side Place abutting properties that also have a future land use of Suburban. The Suburban land use designation promotes housing choice and income diversity without sacrificing traditional neighborhood layouts.

- 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 nearby area is predominantly residential and / or zoned residential R-100; thus, the rezoning of the 2 Subject Properties would place them in conformity with the abutting properties and their zoned use of residential single-family use. This would also justify a Comprehensive Plan Amendment for the 2 Subject Properties from Light Commercial to Suburban. This proposed residential development would be in alignment with the residential character of the area by adding additional single family detached housing and conserving a substantial amount of open space for the community.

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

The 2 Subject Properties do not have a reasonable economic use as currently zoned. The existing Tier 4a and M designation present since 2013 with amendment in 2021 have greatly restricted the light industrial uses of the 2 Subject Properties; for example, the property immediately to the left of 1700 Henrico Rd. and immediately below a significant portion of 1680 Henrico Rd. (i.e., 1670 Henrico Rd.) is currently used as commercial truck parking while

1700 & 1680 Henrico Rd. are restricted from the same type of light industrial usage as 1670 Henrico Rd. is afforded due to the afore mentioned 2013 designation and the 2021 more restrictive amendments, thus, creating no viable light industrial use for the 2 Subject Properties. A rezoning to Tier 5 with R-100 underlying for single-family residential development would provide a reasonable economic use for the 2 Subject Properties.

- D. Whether the zoning proposal would adversely affect the existing use or usability of adjacent or nearby properties?

The proposed modification would not 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 gives supporting grounds for either approval or disapproval of the zoning proposal?

The Applicant is not aware of any other existing or changing conditions that give grounds for the approval or disapproval of the zoning proposal.

- F. Whether the Applicant's zoning proposal will adversely affect historic building, sites, districts, or archaeological resources?

The Applicant is not aware of any adverse affect the Applicant's zoning proposal would have on historic building, sites, districts, or archaeological resources on the 2 Subject Properties.

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

The Applicant is not aware of any potential or actual excessive or burdensome use of existing streets, transportation, facilities, utilities, or schools that would likely result from the zoning proposal.

CONCLUSION

For the foregoing reasons, the Applicant hereby requests that the application for a Modification of Zoning Conditions for the 2 Subject Properties from Tier 4a and M to Tier 5 and R-100 be approved. The Applicant welcomes any questions and / or feedback from the planning staff.

NOTICE OF CONSTITUTIONAL ALLEGATIONS AND PRESERVATION OF CONSTITUTIONAL RIGHTS

The portions of the DeKalb County Zoning Ordinance, facially and as applied to the 2 Subject Properties, which restrict or classify or may restrict or classify the 2 Subject Properties so as to prohibit their development as proposed by the Applicant are or would be unconstitutional in that they would destroy the Applicant's property rights without first paying fair, adequate, and just compensation for such rights, in violation of the Fifth Amendment and Fourteenth Amendment of the Constitution of the United States and Article I, Section I, Paragraph I of the Constitution of the State of Georgia of 1983, Article I, Section III, Paragraph I of the Constitution of the State of Georgia of 1983, and would be in violation

of the Commerce Clause, Article I, Section 8, Clause 3 of the Constitution of the United States.

The application of the DeKalb County Zoning Ordinance to the 2 Subject Properties which restricts its use to any classification other than that proposed by the Applicant is unconstitutional, illegal, null, and void, constituting a taking of Applicant's Property in violation of the Just Compensation Clause of the Fifth Amendment to the Constitution of the United States, Article I, Section I, Paragraph I, and Article I, Section III, Paragraph I of the Constitution of the State of Georgia of 1983, and the Equal Protection and Due Process Clauses of the Fourteenth Amendment to the Constitution of the United States denying the Applicant an economically viable use of its land while not substantially advancing legitimate state interests.

A denial of this Application would constitute an arbitrary irrational abuse of discretion and unreasonable use of the zoning power because they bear no substantial relationship to the public health, safety, morality or general welfare of the public and substantially harm the Applicant in violation of the due process and equal protection rights guaranteed by the Fifth Amendment and Fourteenth Amendment of the Constitution of the United States, and Article I, Section I, Paragraph I and Article I, Section III, Paragraph 1 of the Constitution of the State of Georgia.

A refusal by the DeKalb County Board of Commissioners to grant the modification of zoning conditions as requested by the Applicant would be unconstitutional and discriminate in an arbitrary, capricious and unreasonable manner between the Applicant and owners of similarly situated property in violation of Article I, Section I, Paragraph II of the Constitution of the State

of Georgia of 1983 and the Equal Protection Clause of the Fourteenth Amendment to the Constitution of the United States. Any major modification of zoning conditions of the Property subject to conditions which are different from the conditions requested by the Applicant, to the extent such different conditions would have the effect of further restricting Applicant's utilization of the property, would also constitute an arbitrary, capricious and discriminatory act in zoning the 2 Subject Properties to an unconstitutional classification and would likewise violate each of the provisions of the State and Federal Constitutions set forth herein above.

A refusal to allow the modification of zoning conditions in question would be unjustified from a fact-based standpoint and instead would result only from constituent opposition, which would be an unlawful delegation of authority in violation of Article IX, Section II, Paragraph IV of the Georgia Constitution.

A refusal to allow the modification of zoning conditions in question would be invalid inasmuch as it would be denied pursuant to an ordinance which is not in compliance with the Zoning Procedures Law, O.C.G.A Section 36-66/1 et seq., due to the manner in which the Ordinance as a whole and its map(s) have been adopted.

The existing land use designation and/or zoning classification on the 2 Subject Properties is unconstitutional as it applies to the 2 Subject Properties . This notice is being given to comply with the provisions of O.C.G.A. Section 36-11-1 to afford the County an opportunity to revise the Property to a constitutional classification. If action is not taken by the County to rectify this unconstitutional land use designation and/or zoning classification within a reasonable time, the Applicant is hereby placing the County on notice that it may elect to file a claim in the Superior Court of DeKalb County demanding just and adequate compensation under Georgia law for the taking of the 2 Subject Properties , diminution of value of the 2 Subject Properties, attorney's fees, and other damages arising out of the unlawful deprivation of the Applicant's property rights.



Tracy T. Swearingen, Sr., J.D.
President, Eisenhower Services, Inc.
Agent for the Applicant



AUTHORIZATION

The property owner should complete this form or a similar signed and notarized form if the individual who will file the application with the County is not the property owner.

Date: 12-11-2025

TO WHOM IT MAY CONCERN:

I/WE: 7 Stone Capital LLC (Ian Smith / Member)
Name of Owner(s)

being owner(s) of the subject property described below or attached hereby delegate authority to:

Tracy T. Swearingen President, Eisenhower Services, Inc.
Name of Agent or Representative

to file an application on my/our behalf.

[Signature]
Notary Public Comm Expires 8/17/27

[Signature]
Owner Ian Smith / 7 Stone Capital LLC

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: _____ No: X *

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] 12-12-2025
Signature of Applicant /Date

Check one: Owner _____ Agent X

Expiration Date/ Seal

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

**Three Tab Architectural Roof Shingles
on Underlayment and with Continuous Ridge Vents**



Brick Veneer
Front, Left and Right sides Brick
Rear side cement board siding and trim

Front Elevation One of Six
REZONING & LAND USE for
1680 & 1700 HENRICOROAD CONLEY, GEORGIA
1/8" = 1'-0"

Robert Jay Architect



December 29, 2025

**Three Tab Architectural Roof Shingles
on Underlayment and with Continuous Ridge Vents**



**Front Side Board and Batten
Left right and rear sides cement
board siding and trim**

**Front Elevation Two of Six
REZONING & LAND USE for
1680 & 1700 HENRICOROAD CONLEY, GEORGIA
1/8" = 1'-0"**

Robert Jay Architect



December 29, 2025

**Three Tab Architectural Roof Shingles
on Underlayment and with Continuous Ridge Vents**



**Front Side Board and Batten over Brick Veneer. Left, right
and Rear Sides Cement Board Siding and Trim**

**Front Elevation Three of Six
REZONING & LAND USE for
1680 & 1700 HENRICOROAD CONLEY, GEORGIA
1/8" = 1'-0"**

Robert Jay Architect



December 29, 2025

**Three Tab Architectural Roof Shingles
on Underlayment and with Continuous Ridge Vents**



Four Sides Cement Board Siding and Trim

Front Elevation Four of Six

**REZONING & LAND USE for
1680 & 1700 HENRICOROAD CONLEY, GEORGIA**

1/8" = 1'-0"

Robert Jay Architect



December 29, 2025

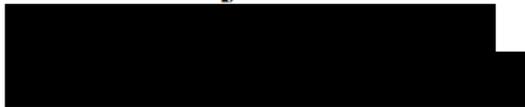
**Three Tab Architectural Roof Shingles
on Underlayment and with Continuous Ridge Vents**



**Front Side Board and Batten Siding over Stucco Finish
System with Trim. Left, right and Rear Sides Cement Board
Siding and Trim**

**Front Elevation Five of Six
REZONING & LAND USE for
1680 & 1700 HENRICOROAD CONLEY, GEORGIA
1/8" = 1'-0"**

Robert Jay Architect



2025

December 29,

**Three Tab Architectural Roof Shingles
on Underlayment and with Continuous Ridge Vents**



Four Sides Cement Board Siding and Trim

**Front Elevation Six of Six
Left, right and Rear Sides Cement Board
Siding and Trim
1/8" = 1'-0"**

Robert Jay Architect



2025

December 29,

DEPARTMENT OF PLANNING & SUSTAINABILITY

Chief of Executive Officer
Lorraine Cochran-Johnson

Director
Juliana A. Njoku

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(s) Name: Tracy Swearingen

Phone: [REDACTED] Email: [REDACTED]

Property Address: 1680 & 1700 Henrico Road, Conley 30288

Tax Parcel ID: 15 046 01 001 & 15 046 01 005 Comm. District(s): 3 & 6 Acreage: Approx

Existing Use: Vacant Proposed Use: Single-Family Residential

Supplemental Regs: Overlay District: Bouldercrest OVD, Tier 4

Rezoning: Yes No Existing Zoning: Tier 4a Proposed Zoning: Tier 5

DRI: NA Square Footage/Number of Units:

Rezoning Request: Rezone both properties to Tier 5 with R-100 underlying for single-family residential development; along with 5 other

Land Use Plan Amendment: Yes No Existing Land Use: LIND

Proposed Land Use: SUB Consistent Inconsistent

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

Special Land Use Request(s): NA

Major Modification: Yes No Existing Zoning Conditions: None

Major Modification Request: n/a

Condition(s) to be modified: n/a

WHAT TO KNOW BEFORE YOU FILE YOUR APPLICATION

Pre-submittal Community Meeting: 12/8/25 w 15 days notice Calendar Dates: CC: 02/11/26

PC: 03/03/26 BOC: 03/26/26

Letter of Intent: X Impact Analysis: X Owner Authorization(s): X Campaign Disclosure: X

Public Notice, Signs: X Tree Survey, Conservation (if applicable):

Submittal Format:

ONE (1) COMBINED, PDF DOCUMENT UPLOAD via OUR ONLINE PORTAL.

Site Plan Checklist, if applicable:

- * Density * Density Bonuses * Mix of Uses * Open Space * Enhanced Open Space * Pedestrian Plan * Lot Size * Setbacks: front, sides, side corner, rear * Frontage * Street Width * Landscape Strips * Parking - Auto * Parking - Bicycle * Screening * Perimeter Landscapes * Bldg Materials: Roof, Fenestration, Façade Design * Sidewalks * Fencing/Walls * Building Height * Building Separation * Building Orientation * Streetscapes * Garages

Possible Variances:

Comments: Calendar dates are tentative until adoption by BOC on 11.20.2025.

Applicant will need to apply for a Land Use Amendment from LIND to SUB, and a rezoning application from Tier 4a and M to Tier 5 and R-100. Applicant to show how proposed use is compatible with surrounding area. Applicant to show how proposal complies with Tier 5 Bouldercrest Overlay and the DeKalb County zoning ordinance regarding minimum building setbacks, max building height, minimum parking, sidewalks, street trees, etc. Applicant will need to show address impact of land use amendment on properties to remain in Tier 4a/M. This is not a complete review. A complete review will occur upon official submission of rezone and land use amendment application

Planner: John Reid, Sr. Planner

Date: November 13, 2025

**Land Use Cases 2026
LP-26-1247932
Aerial Map**

 Tax Parcels



Map Prepared by:
Long Range Planning
DeKalb County Planning and
Sustainability Department



Land Use Cases 2026
LP-26-1247932
Land Use Map

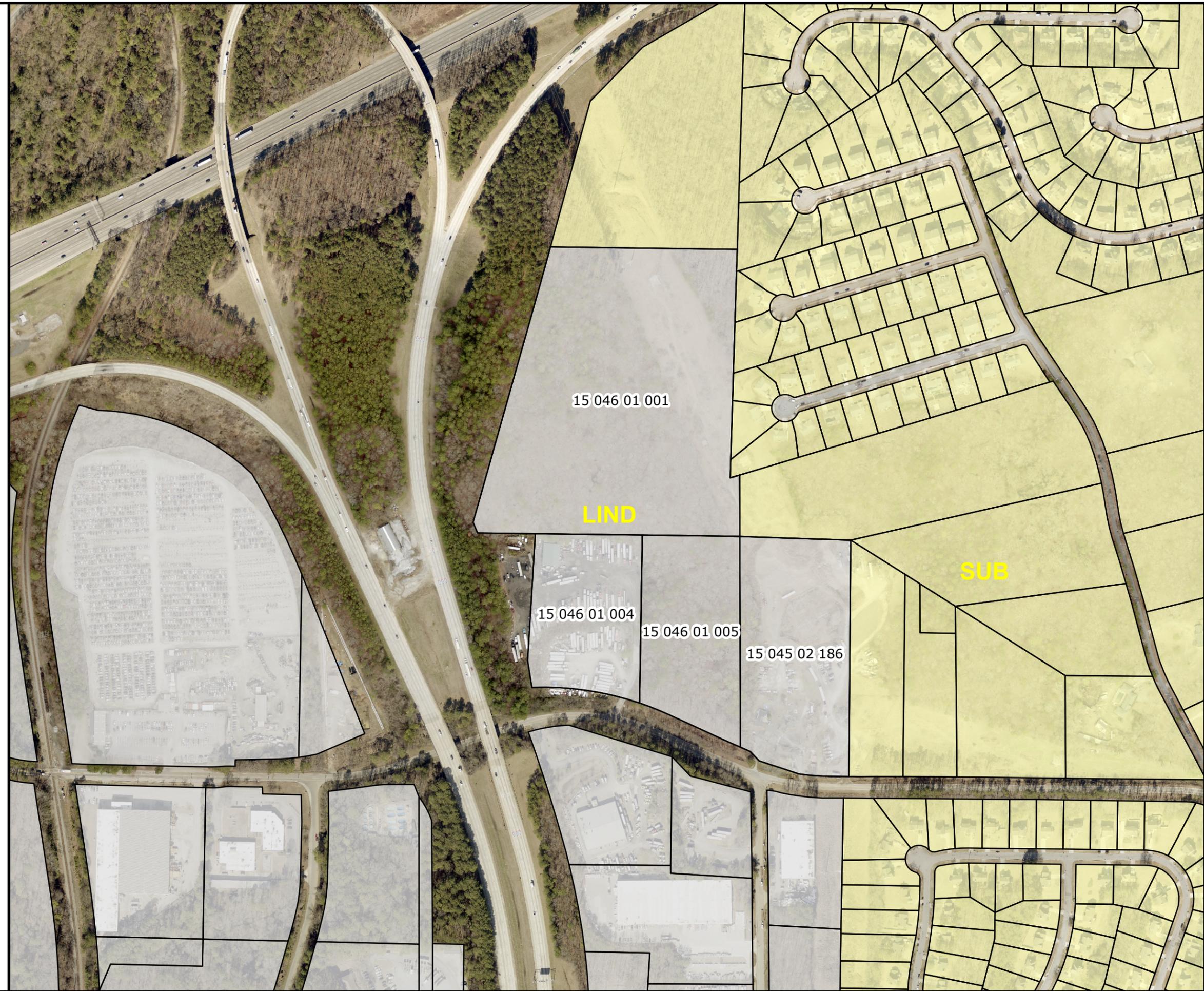
 Tax Parcels

LANDUSE

 Light Industrial LIND

 Suburban SUB

Map Prepared by:
Long Range Planning
DeKalb County Planning and
Sustainability Department



Land Use Cases 2026
LP-26-1247932
Zoning Map

□ Tax Parcels

ZONING

■ M

■ M-2

■ R-100

Map Prepared by:
Long Range Planning
DeKalb County Planning and
Sustainability Department

