

DEPARTMENT OF PLANNING & SUSTAINABILITY

Chief Executive Officer
Michael Thurmond

Interim Director
Cedric Hudson

Planning Commission Hearing Date: September 12th, 2024

Board of Commissioners Hearing Date: September 26th, 2024

STAFF ANALYSIS

Case No.:	Z-24-1246999	Agenda #: 2024-0630	
Address:	1422 Rock Chapel Road, Lithonia, GA 30058	Commission District: 05	Super District: 07
Parcel ID(s):	16-189-01-003		
Request:	Rezone the subject site from R-100 (Residential Medium Lot-100) zoning district to C-1 (Local Commercial) zoning district to allow for an administrative office associated with a landscaping business.		
Property Owner(s):	Persiah Bedward		
Applicant/Agent:	Valrie Kong-Quee		
Acreage:	5.23		
Existing Land Use:	Single Family Residence and Rock Quarry in the rear.		
Surrounding Properties:	North: R-100 (Residential Medium Lot-100) East: R-100, M-2 (Heavy Industrial) South: R-100 West: R-100, M (Light Industrial)		
Comprehensive Plan:	Suburban (SUB)	Consistent X	Inconsistent

Staff Recommendation: Denial.

The applicant, Valrie Kong-Quee, is seeking to rezone from R-100 (Residential Medium Lot-100) to C-1 (Local Commercial) Zoning District to allow for an administrative office associated with a landscaping business. *Enviro Express Property Management, LLC* has a total of eighteen (18) employees, two (2) of which work in the building located at the subject site performing administrative operations from 6:30 AM to 6:30 PM Monday through Friday. In 2023, a Rezone and Land Use Amendment application was filed for 1422 and 1450 Rock Chapel Road to rezone the properties from R-100 (Residential Medium Lot -100) to M (Light Industrial) to operate a landscaping company, upgrade and expand the existing building, and add additional parking. These applications were *Withdrawn without Prejudice* by the Board of Commissioners on April 25th, 2023.

The site was paved (56,454 square feet of asphalt pavement) by the previous owner to store dump trucks and highway construction materials. Since the land is zoned single-family R-100, these illegal uses were discovered because of a complaint to DeKalb County Code Compliance. Even if this rezoning is approved, outdoor storage of trucks and/or landscaping equipment, and landscaping materials would *not* be permitted. The existing zoning of R-100 may be inconsistent with adjacent and surrounding land uses consisting of low density rural residential, an active land fill, and industrial businesses. It may be more viable for the applicant to consider rezoning to OI (Office Institutional) to operate as an office use. OI is permitted in SUB Character Areas and limits the type of uses the subject site would permit, minimizing adverse impacts of spot zoning specific to a desired use and protecting the surrounding SUB Character area from the higher intensity uses allowed by right in C-1. Ideally, an appropriate transition of zoning would be between the industrial uses to the east and west and single-family residential uses to the north and south. According to the *2050 Unified Plan*, SUB character areas allow for commercial service uses at major intersections which provide increased connectivity and accessibility. The proposal and subject site do not appear to support this intent since there are no major intersections in the immediate vicinity.

This application was deferred from the July 25th Board of Commissioner meeting. Since that time, the applicant has addressed some of Staff's concerns including a submission of an accurate surveyed site plan titled "*Rock Chapel Road Improvements*" (see enclosed) which shows the proposed improvements on the five (5) acre site. The plan shows that the existing paved area in the northwest and southwest corners encroach into the required 50-foot transitional buffer. The applicant has stated their intent to remove these encroachments. The applicant has incorporated four (4) parking spaces as required by *Section 6.1.4 Off Street Parking Ratios* of (Office, Professional) one (1) space for each five hundred (500) square feet of floor area and provides compliance with *Section 5.4.4. Site and parking area landscaping (D 1-10)*. The site plan also shows the required 5-foot landscape strip and 10-foot multiuse path along Rock Chapel Road per GDOT (Georgia Department of Transportation) requirements. Furthermore, the applicant has addressed compliance with Supplemental Regulations A. and B. listed in *Section 4.2.16 Building and Construction Office, Landscape Contractors*. The existing building appears to comply with *the C-1 zoning district requirements of the Non-Residential Dimensional Requirements (Section 2.24.1)*. The applicant has stated there is no proposed new site development or new construction to the existing building or grounds. Interdepartmental Comments are enclosed.

While the proposed office use and existing building comply with the requirements of the C-1 zoning district, the revised plan does present site deficiencies. Additionally, since there are no major intersections within the immediate vicinity, the proposal and site do not appear to be consistent with the policies and strategies of the SUB Character Area to allow for commercial uses at major intersections. Furthermore, it appears the proposal may detract from the SUB character area goals to protect established residential areas and support "spot zoning" that may be inconsistent with the surrounding R-100 zoning and may cause adverse impacts on adjacent and surrounding properties by permitting higher intensity uses allowed by right in C-1. Therefore, upon review of *Section 7.3.5 (A, B, D, and H) of the Zoning Ordinance*, Staff recommends a *denial*. However, should the Board of Commissioners seek approval, Staff recommends the following conditions:

1. The use of the building is limited to "Office Use" within the existing building and not to be expanded.
2. The subject property shall be developed in a manner generally consistent with the surveyed site plan "*Rock Chapel Road Improvements*" submitted to Staff on 8/19/2024. Should there be any conflicts between the Site Plan and the Zoning Ordinance, the Zoning Ordinance shall prevail.
3. Any permit and/or business license shall be withheld until all landscape and site developments come into compliance with *Section 4.2.16 Building and Construction Office, Landscape Contractors, Section 2.24.1 C-1 zoning district requirements of the Non-Residential Dimensional Requirements, Section*

5.4.3 Streetscape Elements and Dimensions, and Section 5.4.4. Site and parking area landscaping (D 1-10), or appropriate variances are granted by the Zoning Board of Appeals.

4. The approval of this Rezone 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.

ZONING COMMENTS – JUNE 2024

N1. 911 Mountain View Drive. Mountain View Drive is classified as a collector 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 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 multiuse path. Requires pedestrian scale streetlights. (hefowler@dekalbcountyga.gov). Mountain View Circle and Mountain Springs Way are classified as local roads. 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). No poles may remain within the limits of the path/sidewalk on any street. Only one access point allowed on Mountain View Drive. Refer to Code Section 14-200 (6) for driveway spacing. Consider the circulation loop having access off Mountain View Circle. No parking allowed on the right of way. Verify that all access points have intersection and stopping sight distance as described by AASHTO.

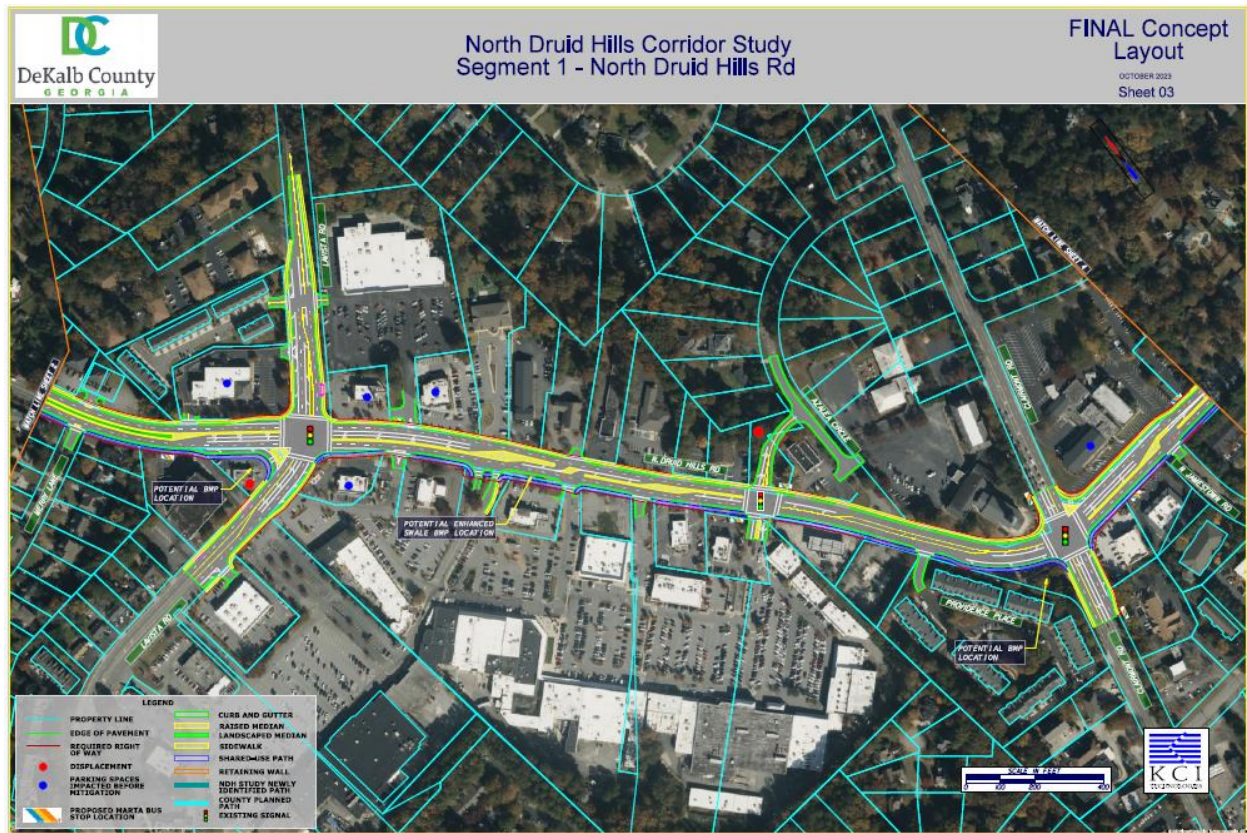
N2. 498 Crestwood Ct: No comment.

N3. 6061 Redan Road. Redan Road is classified as a minor arterial. 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 multiuse path. Requires pedestrian scale streetlights. (hefowler@dekalbcountyga.gov). Young Road is classified as a collector 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 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 multiuse path. Requires pedestrian scale streetlights. (hefowler@dekalbcountyga.gov). Verify that all access points have intersection and stopping sight distance as described by AASHTO. Provide a direct pedestrian connection between the public infrastructure/right of way to the building. One right in/left in/right out access point on Redan Road. Install physical barrier to prevent left turns and include a no left turn signage. Only one access point allowed on Young Road- away from the signalized intersection as possible. Update pedestrian striping and ADA ramps at traffic signal. Bring curb and gutter up to current standards along property frontage. No poles may remain within the limits of the path/sidewalk on any street.

N4. 1422 Rock Chapel Road. Rock Chapel Road is state route 124. GDOT review and approval is required prior to permitting. (JLivingston@dot.ga.gov) Rock Chapel Road is classified as a major arterial. 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 50 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 multiuse path. Requires pedestrian scale streetlights. (hefowler@dekalbcountyga.gov). If applicant is seeking a variance from the above infrastructure requirements, it is suggested to seek during the zoning process. Verify that all access points have intersection and stopping sight distance as described by AASHTO. No poles may remain within the limits of the path/sidewalk on any street.

N5. No comment

N6. 2933 N Druid Hills Rd. Additional coordination is required with the PW- Transportation Division on related to the North Druid Hills Study Section 1B. The Transportation Division has applied for federal funds to design and construct this project. Dedicate necessary right of way for the project. Recommend variance for all other infrastructure improvements until the project is delivered during zoning process. Please note the final position of access points. Verify that all access points have intersection and stopping sight distance as described by AASHTO.



N7. 5370, 5384, 5378 Flat Shoals Parkway. Flat Shoals Parkway is SR 155. GDOT review and permits required prior to permitting. (JLivingston@dot.ga.gov) Flat Shoals Parkway is classified as a major arterial. 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 50 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 multiuse path. Requires pedestrian scale streetlights. (hewfowler@dekalbcountyga.gov). Verify that all access points have intersection and stopping sight distance as described by AASHTO. No poles may remain within the limits of the path/sidewalk on any street. Private roads must be built to public road standards. All interior roads are to be private and maintained by a Homeowner’s Association. Verify the distance between the garage door and sidewalk is long enough to accommodate a vehicle without blocking the sidewalk. Make sure that sidewalk/pedestrian paths meet ADA requirements at driveways. If street is less than 24 feet wide, no on street parking allowed. Add no parking signs and include parking restrictions in neighborhood covenants.

N8. 1850 Lawrenceville Hwy. Lawrenceville Hwy is SR 8. GDOT review and permits required prior to permitting. (JLivingston@dot.ga.gov) Lawrenceville Hwy is classified as a major arterial. 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 50 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 multiuse

path. Requires pedestrian scale streetlights. (hefowler@dekalbcountyga.gov). Verify that all access points have intersection and stopping sight distance as described by AASHTO. No poles may remain within the limits of the path/sidewalk on any street. If seeking a variance from infrastructure improvements: At a minimum, add an 8-foot sidewalk for connection to South Fork Peachtree Creek Multiuse Trail along frontage and dedicate right of way needed.



6/14/2024

To: LaSondra H. Hill
From: Ryan Cira, Environmental Health Director
Cc: Alan Gaines, Deputy Director
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.

DeKalb Public Health

445 Winn Way – Box 987

Decatur, GA 30031

404.508.7900 • www.dekalbhealth.net



N.1 - 2024-0626

Z-24-1246990/ 18 091 03 035

911 Mountain View Road, Stone Mountain, GA 30083

Amendment

- Please review general comments.
- Property is indicated to operate on septic.

N.2 - 2024-0628

SLUP-24-1246990 18 026 04 039

498 Crestwood Court, Lithonia, GA 30058

Amendment

- Please review general comments.

N.3 - 2024-0629

CZ-24-1246996 16 068 02 018

6061 Redan Road, Lithonia, GA 30058

Amendment

- Please review general comments.
- This property is indicate to have a septic system installed.

N.4 - 2024-0630

Z-24-1246999 16 189 01 003

1422 Rock Chapel Road, Lithonia, GA 30058

Amendment

- Please review general comments.

DeKalb Public Health
445 Winn Way – Box 987
Decatur, GA 30031
404.508.7900 • www.dekalbhealth.net



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.

1246999 Review disposition comment: Land disturbing activity will require compliance with Chapter 14. No objection.

Andrew for DeKalb Co.

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 any land development application review approval. Safe vehicular circulation is required. Paved off-street parking is required.

- **Storm Water Management**

Compliance with the DeKalb County Code of Ordinances 14-40 for Stormwater management and water quality control and Georgia Stormwater Management Manual is required as a condition of land development permit approval. Stormwater discharge must comply with 14-40.(e)(6).

- **Flood Hazard Area/Wetlands**

The presence of FEMA Flood Hazard Area, local floodplain, or local flood prone areas 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.

- **Landscaping/Tree Preservation**

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

- **Tributary Buffer**

State water possibly with buffer was reflected in the DeKalb County 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.



**DEKALB COUNTY
GOVERNMENT PLANNING
DEPARTMENT DISTRIBUTION
FORM**

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

**COMMENTS FORM:
PUBLIC WORKS WATER AND SEWER**

Case No.: _____ Parcel I.D. #: _____

Address: _____

WATER:

Size of existing water main: _____ (adequate/inadequate)

Distance from 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 ____ inadequate ____

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

COMMENTS:

Signature: _____



**DEKALB COUNTY
GOVERNMENT PLANNING
DEPARTMENT DISTRIBUTION
FORM**

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

**COMMENTS FORM:
PUBLIC WORKS TRAFFIC ENGINEERING**

Case No.: Z-24-1246999 Parcel I.D. #: 16-189 01 003
 Address: 1422 Rock Chapel Road
Lithonia, Georgia 30058

Adjacent Roadway (s):

(classification) (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) 6/7th Edition (whichever is applicable), churches generate an average of fifteen (15) vehicle trip end (VTE) per 1, 000 square feet of floor area, with an eight (8%) percent peak hour factor. Based on the above formula, the _____ square foot place of worship building would generate _____ vehicle trip ends, with approximately _____ peak hour vehicle trip ends.

Single Family residence, on the other hand, would generate ten (10) VTE's per day per dwelling unit, with a ten (10%) percent peak hour factor. Based on the above referenced formula, the _____ (Single Family Residential) District designation which allows a maximum of _____ units per acres, and the given fact that the project site is approximately _____ acres in land area, _____ daily vehicle trip end, and _____ peak hour vehicle trip end would be generated with residential development of the parcel.

COMMENTS: Did not see any traffic engineering concerns
at this time.

Signature: Joseph F. Wood



**DEKALB COUNTY GOVERNMENT
PLANNING DEPARTMENT
DISTRIBUTION FORM**

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

**REZONE
COMMENTS FORM:**

PUBLIC WORKS ROAD AND DRAINAGE

Case No.: _____ Parcel I.D. #: _____

Address: _____

Drainage Basin: _____

Upstream Drainage Area: _____

Percent of Property in 100-Year Floodplain: _____

Impact on property (flood, erosion, sedimentation) under existing zoning: _____

Required detention facility(s): _____

COMMENTS:

Signature: Akin A. Akinsola

REZONING APPLICATION CHECKLIST

Email one (1) copy of your application as one (1) PDF file to Planner. Submit application through our online portal

www.epermits.dekalbcountyga.gov

You MUST email us that you've submitted the application online. For questions, email: plansustain@dekalbcountyga.gov

1. Schedule a mandatory **Pre-Application Conference** with Planning & Sustainability staff by appointment. Obtain Pre-Application form (to be completed in pre-application meeting). Please email lahill@dekalbcountyga.gov for appointment.
2. Hold a **Pre-Submittal Community Meeting** with surrounding neighborhood associations and residents. Provide documentation of the meeting (**meeting notice and sign in sheets**). Letter(s) from homeowners' association(s) may also be provided.
3. Submit **Application** (Email to planner and submit online permits.dekalbcountyga.gov Please assemble materials in the following order).

A. Application form with name and address of applicant and owner, and address of subject property;

B. Pre-submittal community meeting notice and sign-in sheet and other documentation of meeting, if any;

C. Letter of application and impact analysis

1. **Letter of application** identifying a) the proposed zoning classification, b) the reason for the rezoning or special use or modification request, c) the existing and proposed use of the property, d) detailed 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), d)(optional) statement of conditions discussed with the neighborhood or community, if any.
2. **Impact analysis** of the anticipated impact of the proposed use and rezoning on the surrounding properties in response to the standards and factors specified in Article 7.3 of the DeKalb County Zoning Ordinance, as attached. If a Major Modification, please include previously approved conditions and Board of Commissioner meeting minutes.

D. Authorization Form, if applicant is not the owner. Must be signed by all owners of the subject property and notarized. Authorization must contain the mailing address and phone number of any applicant or agent who is authorized to represent the owner(s) of the subject property. Please include warranty deed, if property ownership is less than 2 years.

E. Campaign disclosure statement (required by State law).

- F. Legal boundary survey** of the subject property, (showing boundaries, structures, and improvements), prepared and sealed within the last year by a professional engineer or land surveyor registered in the State of Georgia. *Survey signed by registered surveyor is provided.* (If survey shows property on opposite sides of a public street right-of-way, file a separate application for each property.)

G. Site Plan, printed to scale, folded, of any existing and or proposed development/redevelopment. For projects larger than 1 acre, site plan should be at least 1:50 scale. The site plan must include the following:

- ✓ a. complete boundaries of subject property;
- ✓ b. dimensioned access points and vehicular circulation drives;
- ✓ c. location of all existing and proposed buildings, structures, setbacks and parking;
- * d. location of 100-year floodplain and any streams; *N/A, No flood plain on the site*
- ✓ e. notation of the total acreage or square footage of the subject property;
- * f. landscaping, tree removal and replacement, buffer(s); and *Tree & Landscape plan will be presented during LDP application*
- ✓ e. site plan notes of building square footages, heights, density calculations, lot coverage of impervious surfaces, parking ratios, open space calculations, and other applicable district standards.

H. Written Legal Description of metes and bounds of the subject property (can be printed on site plan or survey).

I. Building Form Information. Elevation (line drawing or rendering), or details of proposed materials, in compliance with Article 5 of the Zoning Ordinance.

J. Completed, signed Pre-application Form (Provided at pre-application meeting.)



DEPARTMENT OF PLANNING & SUSTAINABILITY

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

Date Received: _____ Application No: _____

Applicant Name: Valrie Kong-Quee

Applicant E-Mail Address: enviroexpressinc@yahoo.com

Applicant Mailing Address: 4122

Applicant Daytime Phone: 404-867-9592 Fax: _____

Owner Name: Persiah Bedward

If more than one owner, attach list of owners.

Owner Mailing Address: 1422 Rock Chapel Road Lithonia GA 30058

Owner Daytime Phone: 404-227-6042

Address of Subject Property: 1422 Rock Chapel Road Lithonia GA. 30058

Parcel ID#: 1618901003

Acreage: 5.23 Commission District: 5

Present Zoning District(s): R100

Proposed Zoning District: C1

Present Land Use Designation: Recreational

Proposed Land Use Designation (if applicable): Business

LETTER OF APPLICATION

1422 ROCK CHAPEL ROAD,
LITHONIA GA 30058

RE: DEKALB COUNTY PLANNING COMMISSION

My name is Persiah Bedward. I purchased 1422 Rock Chapel Rd, Lithonia GA 30058 January 11, 2019 with the intention to rehab this property as an investment rental property.

The property was never able to rent as a home. Reasons are the busyness and speeding along rock chapel and 124. The rock quarry was also a huge concern to the families who viewed the property to rent as a home. It was too dangerous for children and elderly people. One feared even checking their mailbox of getting hit by speeding vehicles. After having the property for so long with no income revenue and after many approaches by young entrepreneurs regarding starting a small business at this location as the property sits without a purpose, I decided to use it for my own office. Therefore,

I am applying for a change from the current zoning to a C1. I believe such zoning would boost economic development and create jobs. As I am an employer of 20 plus employees. I would like you to know I would deeply appreciate your recommendations to make this happen.

Thank you for your consideration,

Persiah Bedward

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: 3/20/2024


TO WHOM IT MAY CONCERN:


(I) (WE) Persiah Bedward
Name of owner(s)


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

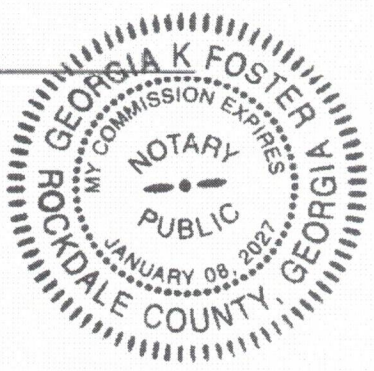
Valrie Kong-Quee
Name of Agent or Representative


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



Notary Public Georgia Foster
Rockdale County, GA
Exp: January 08, 2027

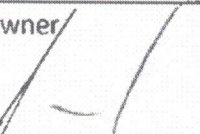
Notary Public

Notary Public



Notary Public

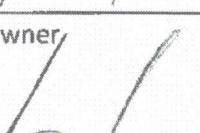


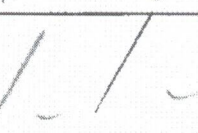

Owner

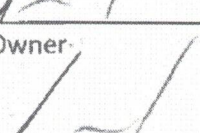

Owner

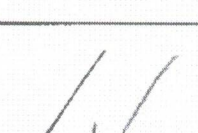

Owner


Owner


Owner


Owner


Owner


Owner

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?

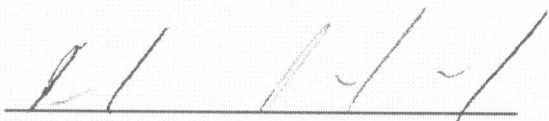
Yes ___ No *

If the answer is yes, you must file a disclosure report with the governing authority of DeKalb County showing:

1. The name and official position of the local government official to whom the campaign contribution was made.
2. The dollar amount and description of each campaign contribution made during the two years immediately preceding the filing of this application and the date of each such contribution.

The disclosure must be filed within 10 days after the application is first filed and must be submitted to the C.E.O. and to the Board of Commissioners of DeKalb County, 1300 Commerce Drive, Decatur, GA 30030.

Notary



Signature of Applicant /Date

Check one: Owner Agent

Expiration Date/ Seal

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

LEGAL DESCRIPTION

1422 Rock Chapel Road

All that tract or parcel of land lying and being and land lot 189 of the 16th District of DeKalb County, Georgia and being more particularly described as follows:

Begin at the point formed by the intersection of the Southeastern right of way of Rock Chapel Road (200' apparent r/w) and the Northern Land Lot Line of Land Lot 189; said point being the POINT OF BEGINNING;

thence along the Northern Land Lot Line of Land Lot 189: North 88 degrees 57 minutes 15 seconds East a distance of 623.48 feet to a point;

thence South 25 degree 13 minutes 15 seconds West a distance of 467.44 feet to a point;

thence North 76 degrees 44 minutes 44 seconds West a distance of 97.68 feet to a point;

thence North 77 degrees 17 minutes 31 seconds West a distance of 490.68 feet to a point on the right-of-way of Rock Chapel Road;

thence along said right-of-way on a curve to the left an arc distance of 187.72 feet being subtended by a chord distance of 187.59 feet, a bearing of North 27 degrees 16 minutes 23 seconds East and a radius of 1,452.13 feet to a point;

thence North 29 degrees 03 minutes 35 seconds East a distance of 130.91 feet to a point; and the POINT OF BEGINNING.

Said tract containing 220,850 square feet (5.070 acres) as shown on rezoning exhibit survey prepared for Vincent Beward Persiah G by Boundary Zone, Inc. dated December 12, 2018.

Sign in Sheet

To Whom it May Concern,

We, the residents of the Rock Chapel / Stephenson Rd / Rock Mountain Rd area, do attest by signature below that we are in full support of this section of land being rezoned as Commercial Property. These few residential plots are on a peninsula of land surrounded by commercial and industrial properties. Traffic in the area is unsafe for families, children, and pets and the quarry and cement plants make our air unsafe as well. We hereby request this area be rezoned as Commercial.

RESIDENT:

STREET ADDRESS:

- | | |
|----------------------------|---------------------------------------|
| 1. <u>Melanie Hill</u> | <u>1204 Rock Chapel Rd.</u> |
| 2. <u>Mary J. Smith</u> | <u>1192 Rock Chapel Rd.</u> |
| 3. <u>JAMES Low</u> | <u>1971 Stephenson</u> |
| 4. <u>Devon H Lynch</u> | <u>2200 Stephenson rd</u> |
| 5. <u>Demonte Hill</u> | <u>2005 Stephenson rd</u> |
| 6. <u>Alexander Babkin</u> | <u>1216 Rock Chapel Rd</u> |
| 7. <u>Persich Bedward</u> | <u>1422 Rock Chapel Rd</u> |
| 8. <u>U. Brigg</u> | <u>1310 Rock Chapel Rd</u> |
| 9. <u>Jim Parkman</u> | <u>1362 & 1332 Rock Chapel Rd</u> |
| 10. <u>Touman Price</u> | <u>1400 Rock Chapel Rd</u> |
| 11. _____ | _____ |
| 12. _____ | _____ |
| 13. _____ | _____ |
| 14. _____ | _____ |
| 15. _____ | _____ |
| 16. _____ | _____ |
| 17. _____ | _____ |
| 18. _____ | _____ |
| 19. _____ | _____ |
| 20. _____ | _____ |
| 21. _____ | _____ |
| 22. _____ | _____ |
| 23. _____ | _____ |
| 24. _____ | _____ |
| 25. _____ | _____ |

IMPACT ANALYSIS

1. Whether the proposed land use change will permit uses that are suitable in view of the use and development of adjacent and nearby properties.

The proposed use is a small office that will not attract significant traffic or create excessive noise to disturb the adjoining neighbors. No activities on this property will affect the development potential of nearby properties.

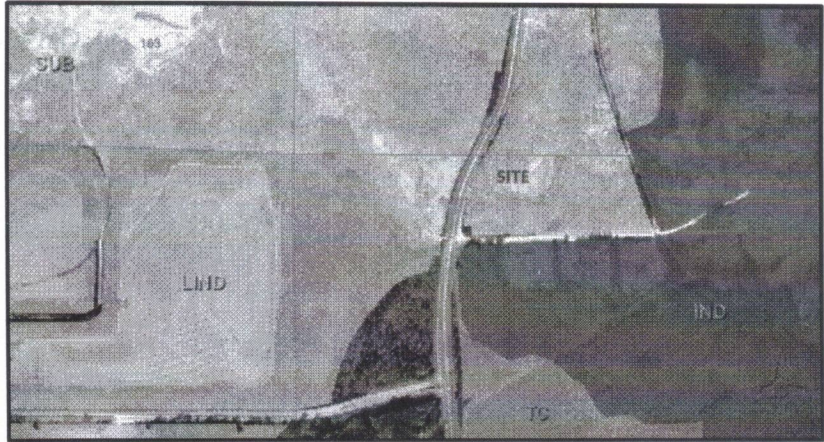
2. Whether the proposed land use change will adversely affect the existing use or suitability of adjacent or nearby properties

The proposed improvement will be limited to renovation of the existing structure to make it suitable for office use. There will be no expansion of the existing building footprint nor any improvements to cause discomfort to the adjacent properties.

3. Whether the proposed land use change will result in uses which will or could cause excessive or burdensome use of existing streets, transportation facilities, utilities or schools.

The proposed use is offices for conducting staff meetings and staff training. The number of vehicles entering or leaving the property will not have any adverse impact on the normal traffic flow.

4. Whether the amendment is consistent with the written policies in Comprehensive Plan text.
Whether the zoning proposal is in conformity with the policy and intent of the Comprehensive Plan.



Based on the future land use map of the subject site, the Comprehensive Plan identifies this site as Suburban (SUB). However, as indicated in the diagram, the subject site is surrounded by intense industrial use with future land use designations of Industrial (IND, LIND). To the west of the subject site there is a coal mining operation, and to the east of the site there is also a quarry operation company that is a major supplier of building materials such as aggregates, cement, ready mixed concrete and asphalt. There is also a trucking company and concrete plant located to the south of the subject site. The subject site is currently zoned as residential and we are proposing a rezoning to light industrial (M). The existing residential zoning is not compatible due to surrounding industrial activities making this area not suitable for residential activity due to the possible exposure to noise, dust, heavy vehicular traffic just to name a few. The rezoning to light industrial will be compatible with surrounding use as this area of the county consists of existing large scale industrial activities.

5. Whether there are environmental impacts or consequences resulting from the proposed change.

The subject site is currently operating as a landscaping company, the rezoning will allow for expansion to allow for a more favorable environment such as dust free parking, additional landscape buffer, easy access in and out of the property. Also, the subject site will be consistent with the Dekalb County Code to ensure there will be no adverse environmental impact to surrounding lots.

6. Whether there are impacts on properties in an adjoining governmental jurisdiction in cases of proposed changes near county boundary lines.

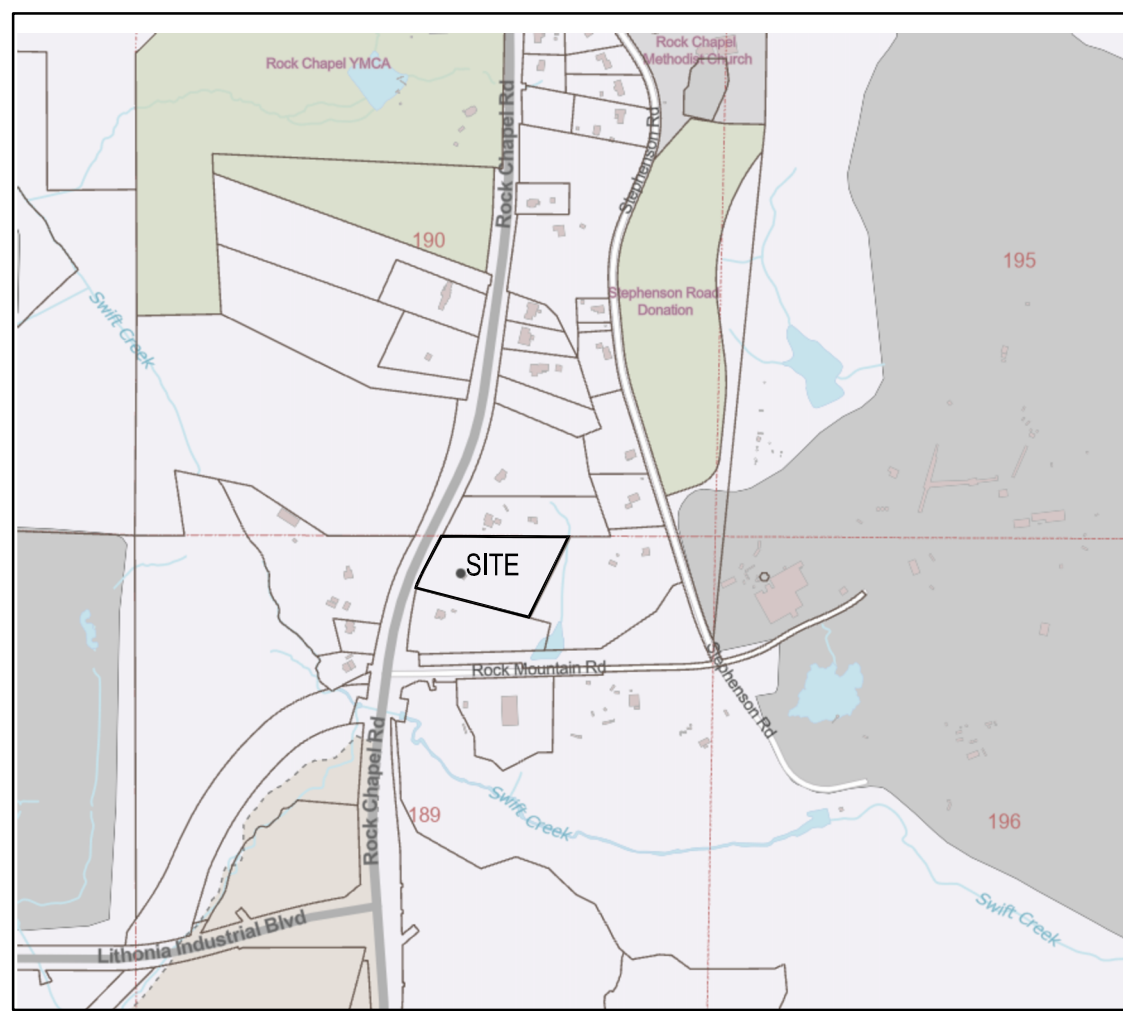
Propose change does not anticipate any impacts to adjoining governmental jurisdiction.

7. Whether there are other existing or changing conditions affecting the use and development of the affected land areas which support either approval or denial of the proposed land use change.

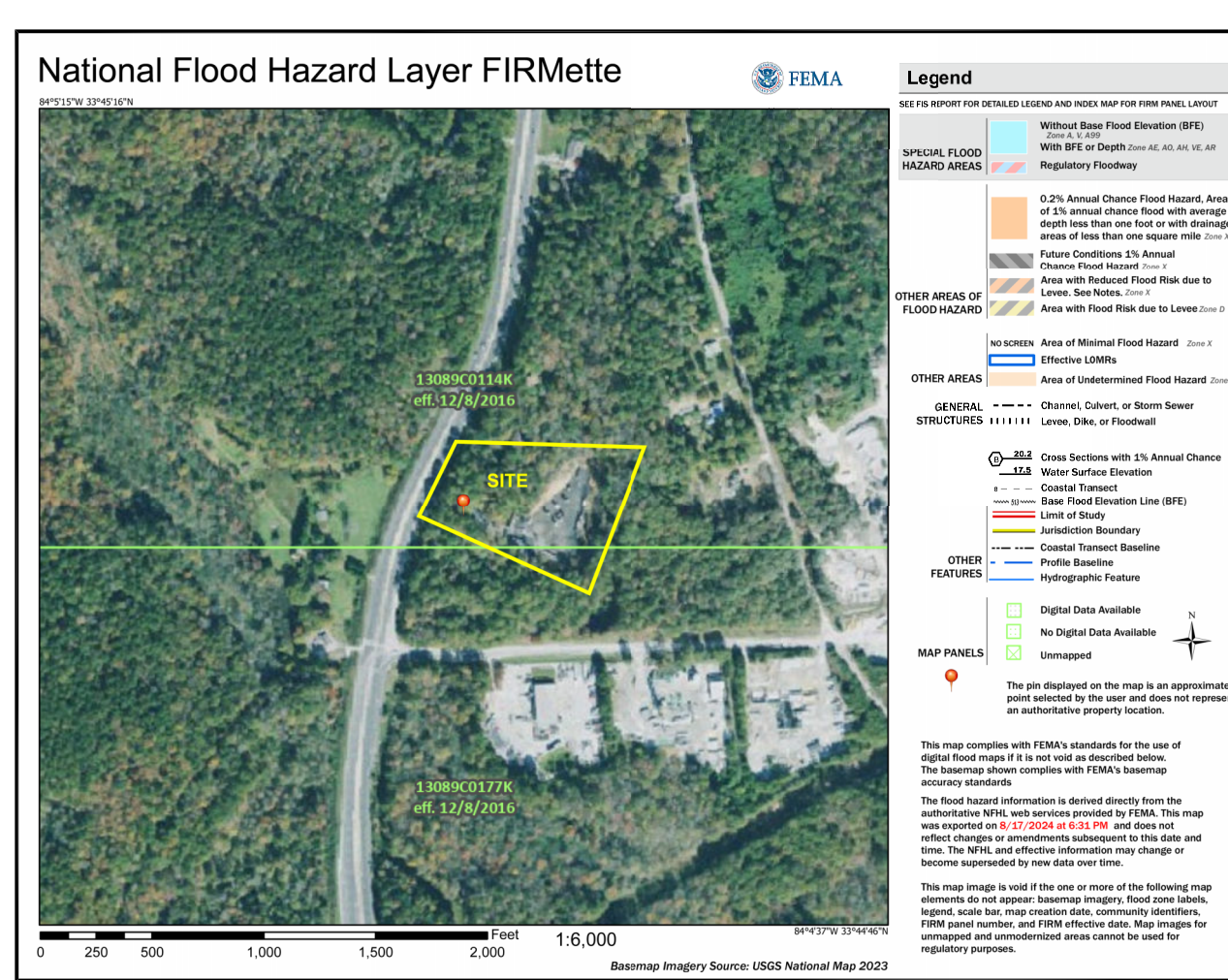
The existing residential zoning is not compatible due to surrounding industrial activities making this area not suitable for residential activity due to the possible exposure to noise, dust, heavy vehicular traffic just to name a few. The rezoning to light industrial will be compatible with surrounding use as this area of the county consists of existing large scale industrial activities.

8. Whether there are impacts on historic buildings, sites, districts or archaeological resources resulting from the proposed change.

The Rock Chapel Historic cemetery is located just north of the subject site, within a mile. There are no other known historical buildings, sites or archaeological resources on this site or within close proximity, there are no known anticipated adverse impact to these resources.

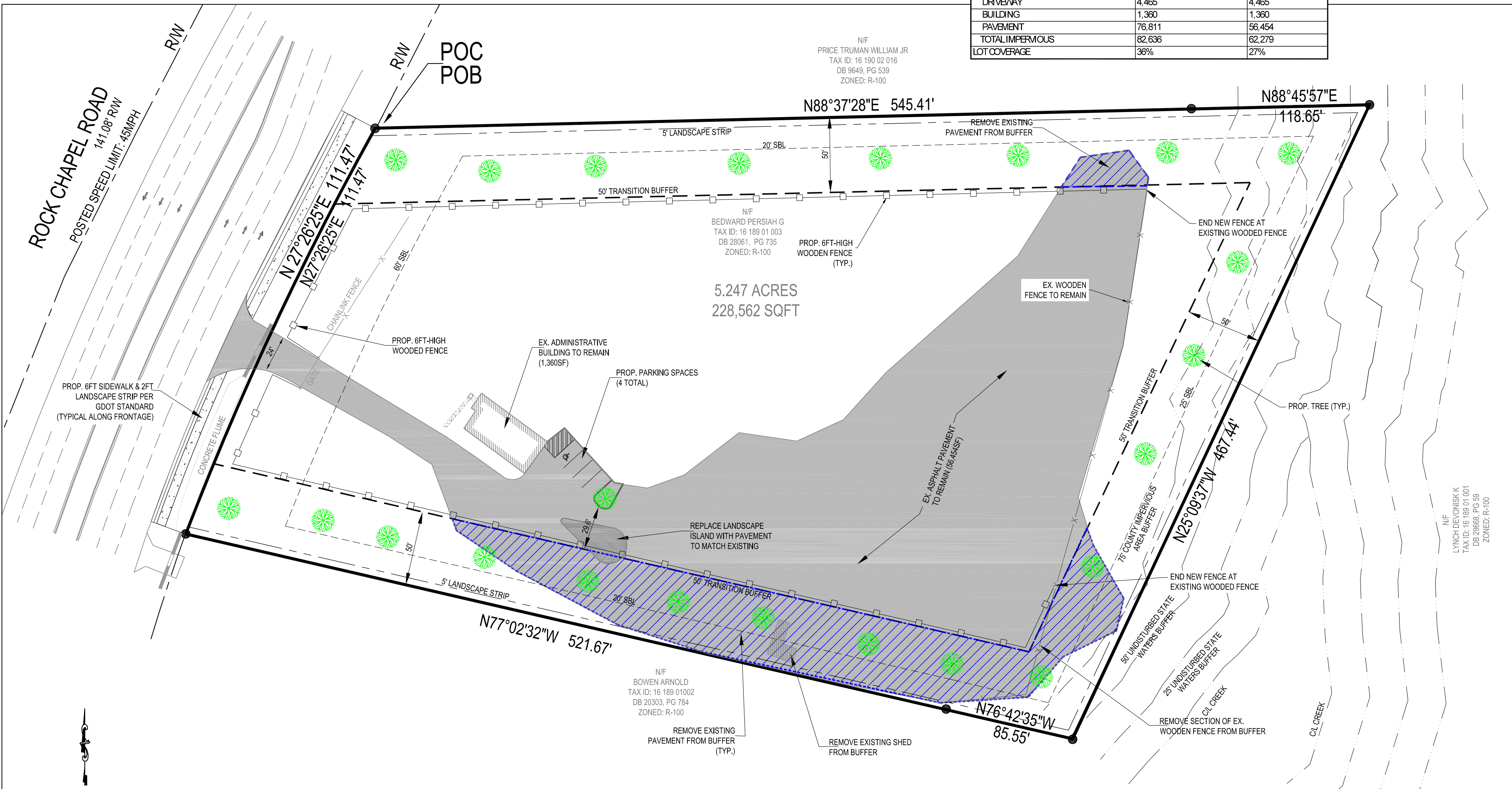


SITE LOCATION MAP
N.T.S.



FEMA MAP
N.T.S.
ACCORDING TO FLOOD INSURANCE RATE MAP NUMBER 13089C0114K, DATED DECEMBER 8, 2016, THIS SITE DOES NOT LIE IN A DESIGNATED FEMA FLOOD PLAIN

PARCEL INFORMATION AND DEVELOPMENT CONTROLS		
PROPERTY ADDRESS	1422 ROCK CHAPEL ROAD, LITHONIA, GA 30058	
PARCEL ID	16 189 01 003	
COMMISSION DISTRICT	5	
COMMISSION SUPER DISTRICT	7	
PARCEL AREA	5.247AC	
EXISTING ZONING	R-100	
PROPOSED ZONING	C-1	
WATER	PUBLIC - DEKALB COUNTY	
SEWER	SEPTIC	
LAND USE	OFFICE AND LANDSCAPING CONSTRUCTION	
EXISTING IMPROVEMENTS	1,360SF ADMINISTRATIVE BUILDING, PAVED DRIVEWAY, PAVED PARKING	
	REQUIRED/ ACTUAL	ACTUAL
LOT SIZE	20,000 SF	228,562 SF
LOT WIDTH	100FT/ 111FT	
SETBACK - FRONT	60 FT	60 FT
SETBACK - SIDE	20 FT	20 FT
SETBACK - REAR	25 FT	30 FT
OPEN SPACE	N/A, Site has less than 5,000SF	
LOT COVERAGE CALCULATIONS		
	EXISTING	PROPOSED
IMPERVIOUS AREA (SF)		
DRIVEWAY	4,465	4,465
BUILDING	1,360	1,360
PAVEMENT	76,811	56,454
TOTAL IMPERVIOUS	82,636	62,279
LOT COVERAGE	36%	27%



PARKING CALCULATIONS

BUILDING AREA =	1,360 SF
REQUIRED PARKING @ 1 SPACE/500SF	3 SPACES
ADA SPACE PROVIDED =	1
REGULAR SPACES PROVIDED =	3
TOTAL SPACES PROVIDED =	4

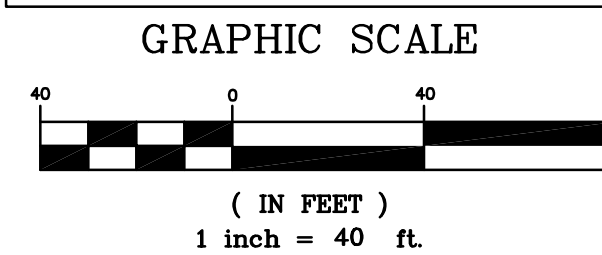
FENCE SCREENING NOTE

THE BUILDING(S) MUST COMPLY WITH THE FOLLOWING REQUIREMENTS FROM DEKALB ORDINANCE SECTION 4.2.16:

- (1) STORAGE OF EQUIPMENT AND/OR MATERIAL SHALL BE LOCATED IN THE REAR YARD AND SCREENED FROM VIEW FROM ADJOINING PROPERTIES AND THE PUBLIC STREET WITH A FENCE OF SIX (6) FEET IN HEIGHT
- (2) PARKING OF VEHICLES SHALL BE LOCATED IN THE SIDE YARD OR REAR YARD ONLY.

STORMWATER NOTE

THIS PROJECT IS A REDEVELOPMENT THAT WILL NOT ADD ANY NEW IMPERVIOUS AREAS, BUT INSTEAD WILL REDUCE THE EXISTING PAVEMENT SUBSTANTIALLY FROM 82,636SF TO 62,279SF, WHICH WILL RESULT IN REDUCED PEAK FLOWS FROM THE SITE. ALSO, REVEGETATION OF THE BUFFERS WILL ALSO ENHANCE THE STORMWATER QUALITY FROM THE SITE TO THE RECEIVING CREEK LOCATED ADJACENT TO THE EASTERN PROPERTY LINE.



OWNER/DEVELOPER:
PERSIAH G BEDWARD
1422 ROCK CHAPEL ROAD, LITHONIA, GA 30058
TEL: 404-227-6042
EMAIL: XXXXXXXX

ENGINEER:
CIVTECH CONSULTING LLC
2302 PARKLAKE DRIVE, SUITE 650
ATLANTA, GA 30345
CONTACT: SAMUEL MCINTOSH, P.E.
TEL: 404-227-6042
EMAIL: smcintosh@civtechconsulting.com

DATE	REV. NO.	REVISION

CIVTECH CONSULTING, LLC
2302 PARKLAKE DR., N.E., SUITE 625
ATLANTA, GA 30345
TEL: 770-756-1270

ROCK CHAPEL ROAD IMPROVEMENTS
1422 ROCK CHAPEL ROAD
LITHONIA, GA 30058



DESIGNED BY: MT
DRAWN BY: MT
CHECKED BY:
CHECKED BY:
APPROVED BY: SMC
DATE: 8/19/2024

SHEET NO.
C-100

SITE PLAN

NOT RELEASED FOR CONSTRUCTION

Samuel McIntosh

From: Folgherait, Andrea K <akfolgherait@dekalbcountyga.gov>
Sent: Thursday, August 8, 2024 10:47 AM
To: Samuel McIntosh; valrie kongquee
Cc: Bragg, Rachel L.
Subject: 1422 Rock Chapel- Surveyed Site Plan Feedback and Requirements
Attachments: REZONE APPLICATION FORM_updated 4.3.2023_Fillable (1).pdf

Hi Samuel and Valrie,

Please see attached surveyed site plan list (Letters F and G):

To be addressed:

- ✓ The existing truck parking area in the southwestern corner appears to encroach into the required 50-foot transitional buffer ([Sec. 5.4.5. - Transitional buffers](#))
- ✓ This parking area must be paved, and striped and have required landscape islands. The site plan also fails to display parking spaces provided/required per [Section 6.1.4 Off Street Parking Ratios of \(Office, Professional\) one \(1\) space for each five hundred \(500\) square feet of floor area](#) or meet [Section 5.4.4. Site and parking area landscaping \(D 1-10\)](#). The site plan does not show the 5-foot landscape strip and the 10-foot multiuse path along Rock Chapel Road per GDOT (Georgia Department of Transportation) requirements.
GDOT typically requires a 2ft grass strip and a 6ft sidewalk along the property frontage. This is shown on the Site Plan.
- ✓ Compliance with **Supplemental Regulations A. and B. listed in [Section 4.2.16 Building and Construction Office, Landscape Contractors](#). See the "FENCE SCREENING NOTE" on the Site Plan.**

Please let me know if you have any questions.

Thank you,
Andrea



Government Services Center
178 Sams Street
Decatur, GA 30030

Andrea K. Folgherait

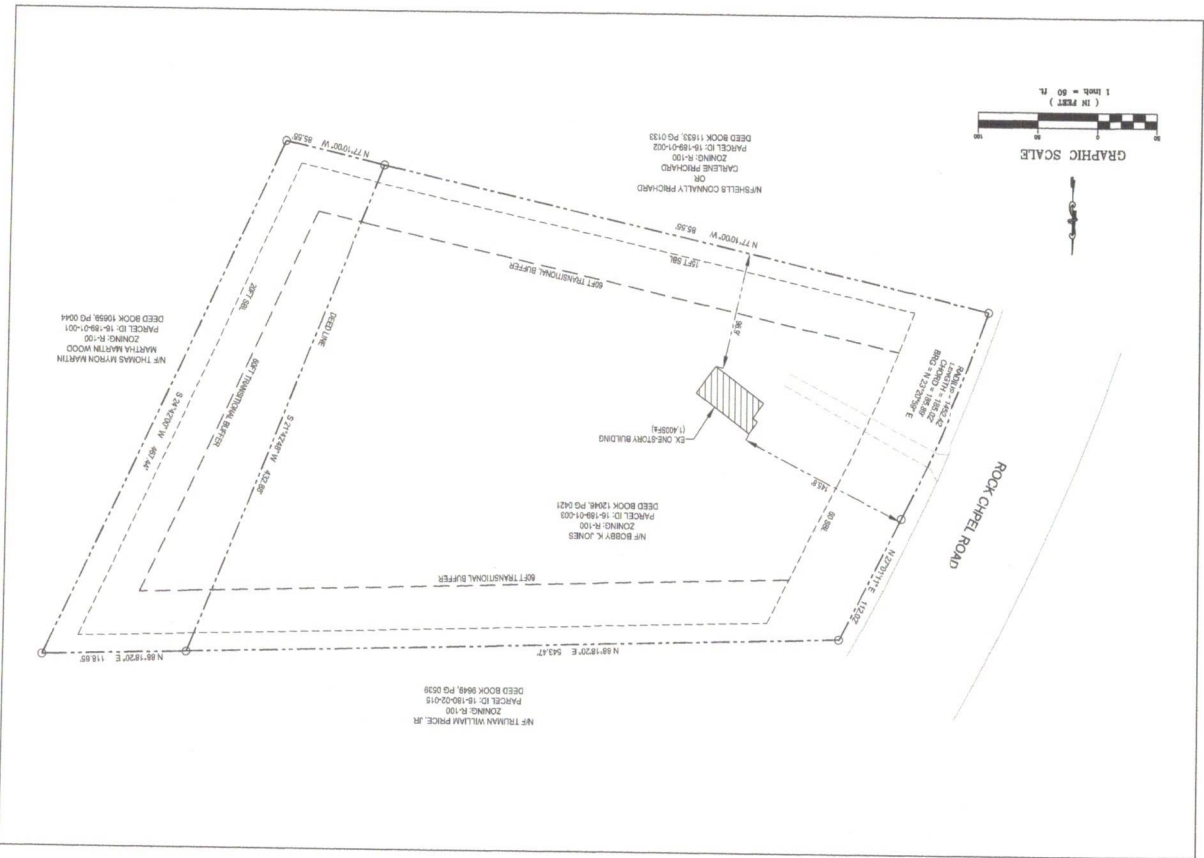
(she/her)
Planner - Public Meetings - Zoning Cycle
Planning & Sustainability Department

Current Planning Division
akfolgherait@dekalbcountyga.gov
470.421.0196



DeKalbCountyGa.gov/planning

PROPERTY ADDRESS: 1422 ROCK CHAPEL ROAD, LITHONIA, GA 30058
 CURRENT ZONING: R-100
 PROPOSED ZONING: C-1
 SETBACK - FRONT: 80 FT
 SETBACK - SIDE: 15 FT
 SETBACK - REAR: 20 FT
 MINIMUM FRONTAGE: 100 FT
 MINIMUM LOT SIZE: 20,000 SF
 TRANSITIONAL BUFFER: 50 FT



SITE PLAN

C-100

DATE	1/17/2024
DESIGNED BY	
CHECKED BY	
DATE	
DESIGNED BY	
CHECKED BY	



1422 ROCK CHAPEL IMPROVEMENTS
 1422 ROCK CHAPEL ROAD
 LITHONIA, GA 30058

CITECH CONSULTING, INC.
 2302 PARKWAY N.E., SUITE 625
 ATLANTA, GA 30329
 TEL: 770-756-1270

DATE	REV. NO.	REVISION



Planning Commission Meeting

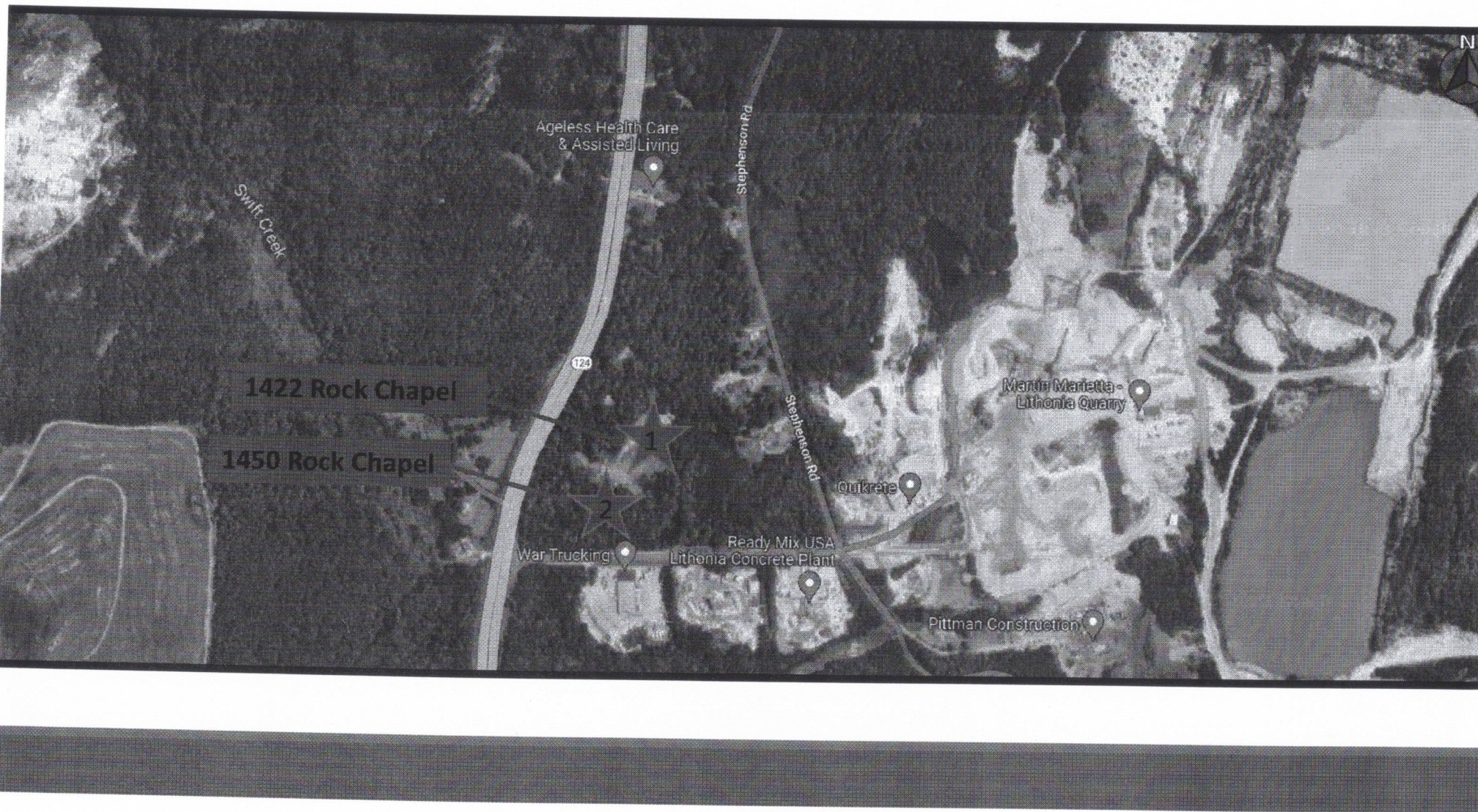
Site 1 – 1422 Rock Chapel Road

Site 2 – 1450 Rock Chapel Road

LOCATION MAP



EXISTING SURROUNDING USES



**#1
NEW CASES:**

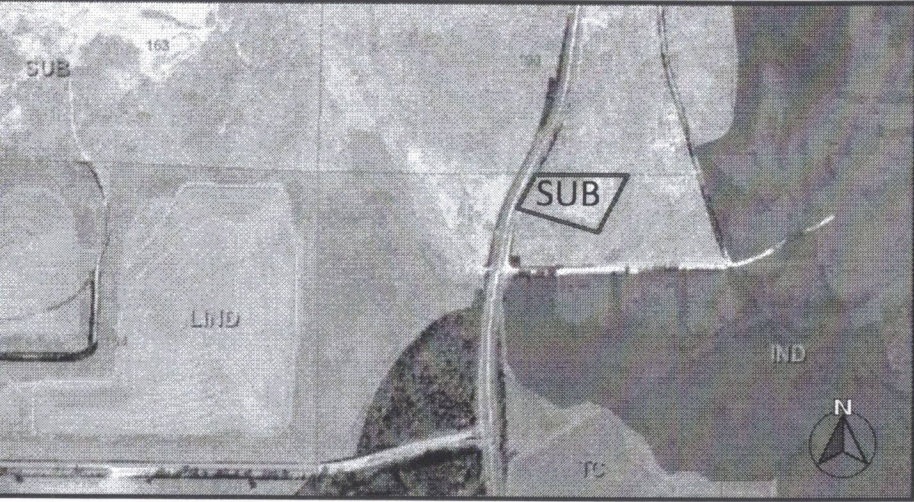
**N1-2023-0064 LP-23-1246239
16-189-01-003
1422 ROCK CHAPEL RD, LITHONIA, GA 30058**

Commission District 05 Super District 07

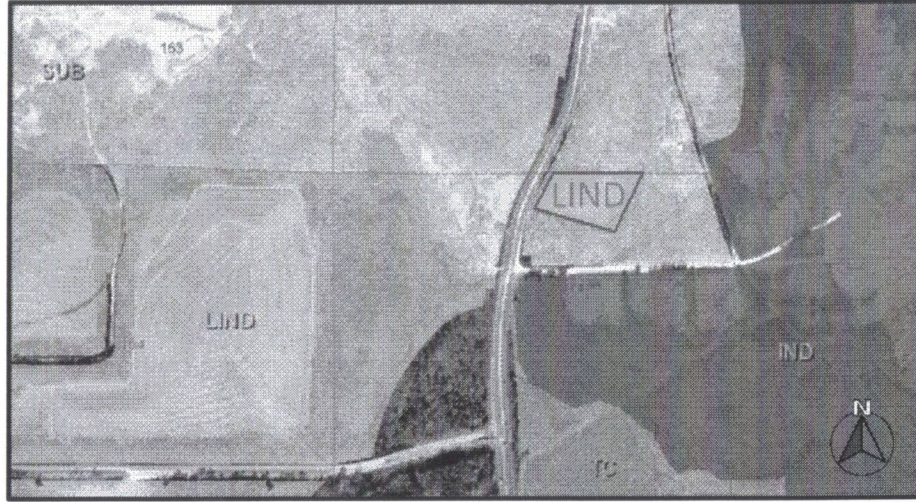
**1422 Rock Chapel Road
Lithonia, GA
5.23 acres
Land Use Map Amendment
SUB to LIND**

Application of Land Engineering and Surveying Inc to amend the Future Land Use Plan from Suburban (SUB) character area to Light Industrial (LIND) character area to accommodate an existing landscape company, upgrade and expand the building, and add additional parking. The property is located on the east side of Rock Chapel Road, approximately 285 feet north of Rock Mountain Road at 1422 Rock Chapel Road, Lithonia, Georgia. The property has approximately 300 feet of frontage along Rock Chapel Road and contains 5.23 acres.

SUBURBAN, SUB



LIGHT INDUSTRIAL, LIND



Propose Use – Landscaping Company

#2

N2-2023-0065

Z-23-1246238

16-189-01-003

1422 ROCK CHAPEL RD, LITHONIA, GA 30058

Commission District 05 Super District 07

1422 Rock Chapel Road Lithonia, GA 30058

5.23 acres

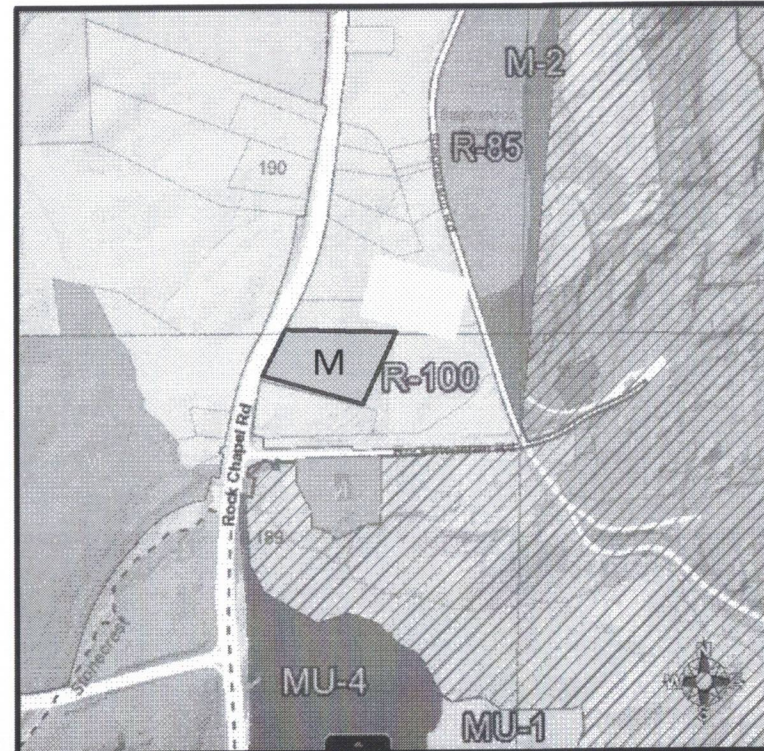
Rezone

R-100 to M

Application of Land Engineering and Surveying, Inc. to rezone property from R-100 (Residential Medium Lot) zoning district to M (Light Industrial) zoning district to accommodate an existing landscaping company, upgrade and expand the building, and add additional parking. The property is located on the east side of Rock Chapel Road, approximately 285 feet north of Rock Mountain Road, at 1422 Rock Chapel Road, Lithonia, Georgia. The property has approximately 300 feet of frontage along Rock Chapel Road and contains 5.23 acres.

Residential (R-100)

Light Industrial (M)



JUSTIFICATION OF APPROVAL

- Area is surrounded by industrial use
- Heavy vegetation located between residential activity and subject site
- Proposed Use is anticipated to have less environmental impact compared to other existing uses
- Subject site is located on a major arterial road for the transportation of goods
- Not pose a health and safety concerns





Dog play pen in front of the subject property.



Subject property.

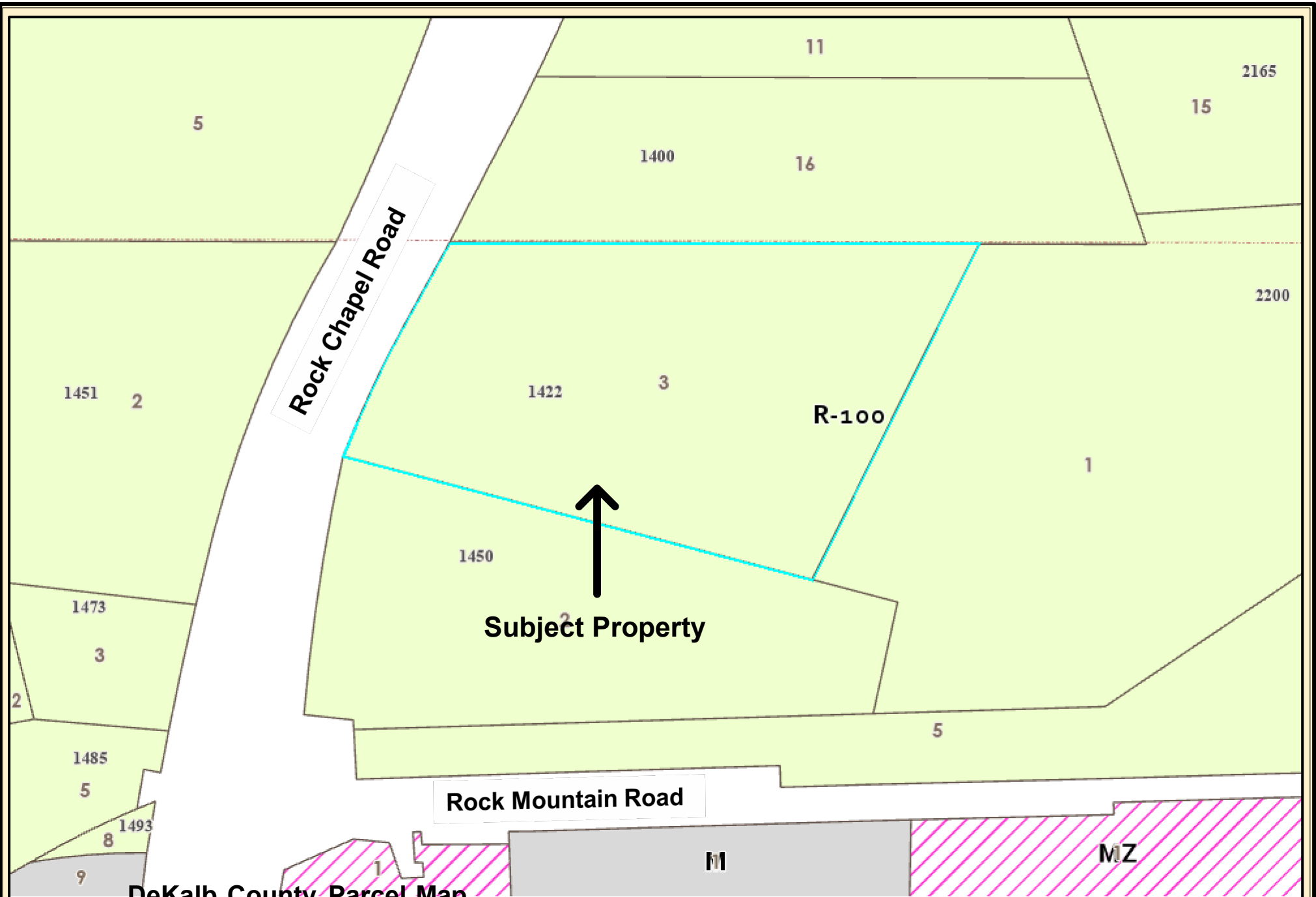


Front/side yard parking area and entrance to the rear parking area.

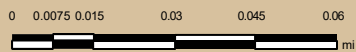


3 Photos show the rear Parking lot area.





DeKalb County Parcel Map

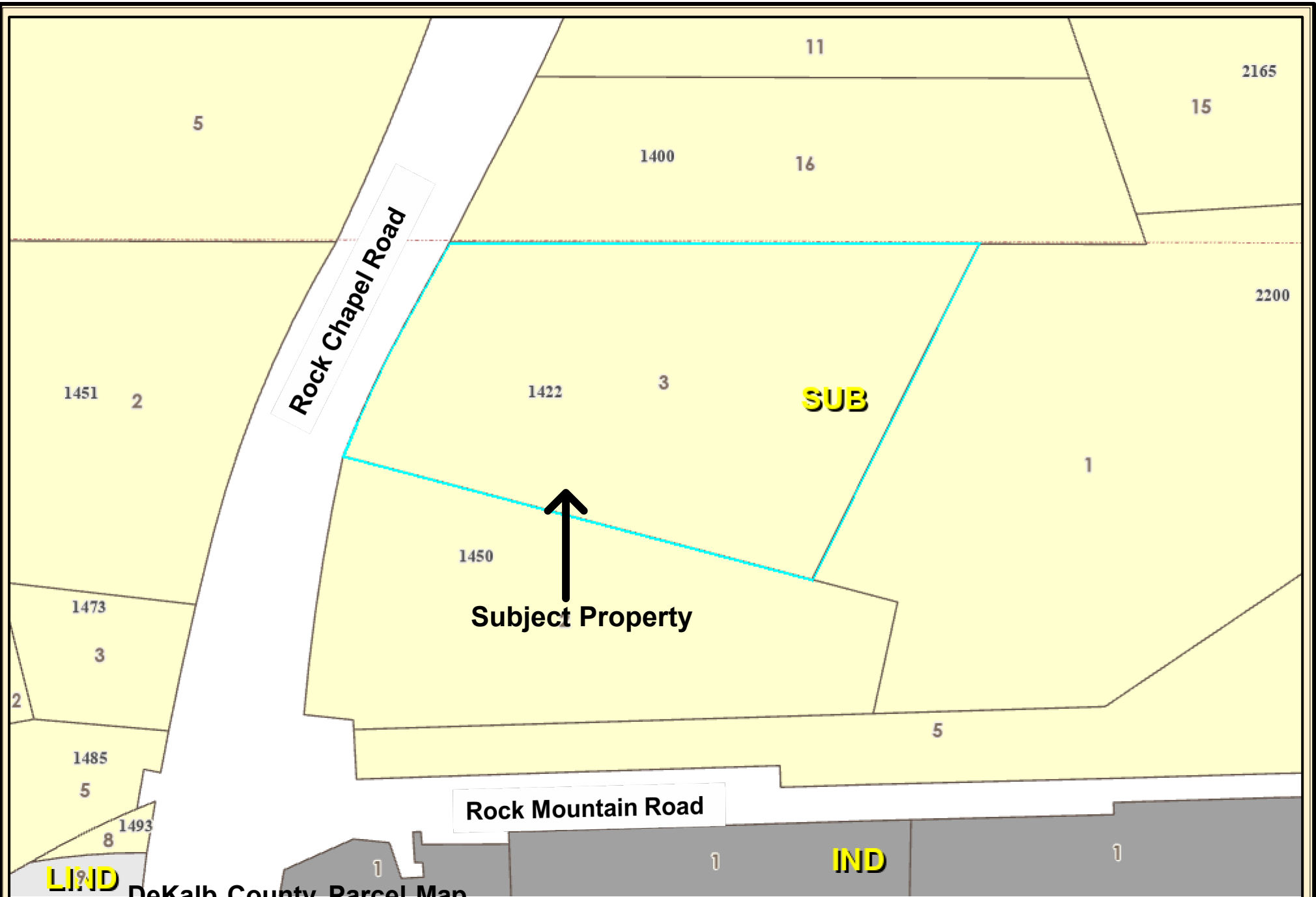


Date Printed: 5/22/2024

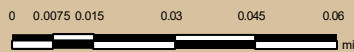


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DeKalb County Parcel Map



Date Printed: 5/22/2024



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Rock Chapel Road

Subject Property

1422

5

13

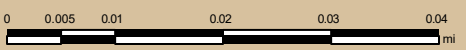
3

1

14



DeKalb County Parcel Map



Date Printed: 5/22/2024



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