

Honorable Mayor Jason Lary, Sr.

Council Member Jimmy Clanton, Jr. - District 1

Council Member Rob Turner- District 2

Council Member Jazzmin Cobble – District 3

Council Member George Turner- District 4

Council Member Tammy Grimes – District 5

Budget Hearing

VIRTUAL MEETING October 26, 2020 at 6:00 p.m. Citizen Access: URL

- I. CALL TO ORDER: Mayor Jason Lary
- II. Public Hearing for 2021 Budget
- III. ADJOURNMENT

Americans with Disabilities Act

The City of Stonecrest does not discriminate on the basis of disability in its programs, services, activities and employment practices.



Honorable Mayor Jason Lary, Sr.

Council Member Jimmy Clanton, Jr. – District 1 Coun

Council Member Rob Turner- District 2

Council Member Jazzmin Cobble – District 3

Council Member George Turner- District 4

Council Member Tammy Grimes – District 5

CITY COUNCIL WORK SESSION

VIRTUAL MEETING October 26, 2020 at 6:00 p.m. Citizen Access: URL

- I. CALL TO ORDER: Mayor Jason Lary
- II. AGENDA ITEMS:
 - 1. Covid Cares Plan
- III. ADJOURNMENT

Americans with Disabilities Act

The City of Stonecrest does not discriminate on the basis of disability in its programs, services, activities and employment practices.



Honorable Mayor Jason Lary, Sr.

Council Member Jimmy Clanton, Jr. – District 1

Council Member Rob Turner- District 2

Council Member Jazzmin Cobble – District 3

Council Member George Turner- District 4

Council Member Tammy Grimes – District 5

CITY COUNCIL MEETING AGENDA

VIRTUAL MEETING October 26, 2020 7:00 p.m.

Citizen Access: URL

- I. CALL TO ORDER: Mayor Jason Lary
- II. ROLL CALL: Megan Reid, City Clerk
- III. INVOCATION
- IV. PLEDGE OF ALLEGIANCE

V. MINUTES:

- a. Approval of the September 28, 2020 City Council Meeting Minutes
- b. Approval of the October 12, 2020 City Council Meeting Minutes
- c. Approval of the October 14, 2020 Special Called Meeting Minutes

VI. PRESENTATIONS:

a. Stonecrest Police Feasibility Study

VII. APPOINTMENTS:

a. Acting City Manager

VIII. PUBLIC COMMENTS

(this meeting will be conducted virtually, the public comments received via email in advance of the meeting will be read into the minutes by the City Clerk)

IX. PUBLIC HEARINGS:

- a. **Rezoning Application (RZ-20-004)- 2654 DeKalb Medical Parkway** The applicant requested to rezone subject to HR-1 (High Density Residential) and FLU character to Neighborhood Center for existing senior housing development.
- b. Rezoning Application (RZ-20-005)- 6251 Rock Springs Road and 3810 Evans Mill Road The applicant requested is requesting a withdrawal of the application to rezone subject to RSM.
- c. Special Land Use Permit (SLUP-20-005) application / 2831 Hillvale Cove Drive To operate a personal care home for three individuals.
- d. Special Land Use Permit (SLUP-20-006) application 6763 Hill Creek Cove To operate a personal care home for three to six individuals.

(since this meeting will be conducted virtually, only those public hearing comments received via email in advance of the meeting will be read by the City Clerk)

X. OLD BUSINESS:

a. Approve Special Land Use Permit (SLUP-20-003) application / 7101
 Covington Hwy - Convenience Store with accessory fuel pumps and restaurant with a drive-thru

XI. NEW BUSINESS:

- a. Decision for Rezoning Application (RZ-20-004)- 2654 DeKalb Medical Parkway- The applicant requested to rezone subject to HR-1 (High Density Residential) and FLU character to Neighborhood Center for existing senior housing development.
- b. Decision for Rezoning Application (RZ-20-005)- 6251 Rock Springs Road and 3810 Evans Mill Road The applicant requested is requesting a withdrawal of the application to rezone subject to RSM.
- c. Decision for Special Land Use Permit (SLUP-20-005) application / 2831 Hillvale Cove Drive To operate a personal care home for three individuals.
- d. Decision for Special Land Use Permit (SLUP-20-006) application 6763 Hill Creek Cove To operate a personal care home for three to six individuals.
- e. Codification of COVID-19 Program Name

XII. EXECUTIVE SESSION:

Americans with Disabilities Act

The City of Stonecrest does not discriminate on the basis of disability in its programs, services, activities and employment practices.

(when an executive session is required, one will be called for the following issues: 1) Personnel, 2) Litigation, 3) Real Estate)

- XIII. CITY MANAGER COMMENTS
- XIV. CITY ATTORNEY COMMENTS
- XV. MAYOR AND COUNCIL COMMENTS
- XVI. ADJOURNMENT

Americans with Disabilities Act

The City of Stonecrest does not discriminate on the basis of disability in its programs, services, activities and employment practices.



Honorable Mayor Jason Lary, Sr.

Council Member Jimmy Clanton, Jr. - District 1

Council Member Rob Turner- District 2

Council Member Jazzmin Cobble - District 3

Council Member George Turner- District 4

Council Member Tammy Grimes - District 5

CITY COUNCIL MEETING AGENDA

VIRTUAL MEETING September 28, 2020 7:00 p.m. Citizen Access: URL

- I. CALL TO ORDER: Mayor Jason Lary
- II. ROLL CALL: Megan Reid, City Clerk
- III. INVOCATION- Council Member Rob Turner led the invocation.
- IV. PLEDGE OF ALLEGIANCE
- V. APPROVAL OF THE COUNCIL AGENDA

Motion 1 – made by Council Member Rob Turner to approve the agenda with removal of Item C. Zoning Ordinance Revision Update under presentations and adding Item C. Discussion of Public Input during Public Hearings on Zoom under New Business and was seconded by Council Member Jazzmin Cobble.

Motion passed unanimously.

VI. MINUTES:

a. Approval of Council Meeting Minutes September 14, 2020

Motion 2 – made by Council Member Rob Turner to approve the September 14, 2020 Council Meeting Minutes. Seconded by Council Member Tammy Grimes.

Motion passed unanimously.

VII. PRESENTATIONS:

a. October is National Code Compliance Month

Code Enforcement Director Alejandro Ferrell gave a presentation on National Code Compliance Month

b. Georgia Rock the Vote – October 24, 2020

Chief of Staff Iris Settle let everyone know about an upcoming event to promote Voter Registration and the General Election.

VIII. APPOINTMENTS OR PERSONNEL:

None.

IX. PUBLIC COMMENTS

(this meeting will be conducted virtually, the public comments received via email in advance of the meeting will be read into the minutes by the City Clerk)

--

Concerned CitizensInGa <u>stopmetrogreen@yahoo.com</u> Good evening,

This is just a reminder that South Dekalb residents are still watching what is happening, or NOT happening, with Stonecrest and Metro Green. Please do not think we are going away. We also would like to see some type of update in your meetings. We understand that there is ongoing litigation. However, there could still be some type of update provided to the community especially since you all refused to place a Stop Work Order on that site.

Please be advised we are not taking our eyes, or our voices, off of this toxic dump site on Miller Road. We will continue to hold every one of you accountable if you are not ACTIVELY fighting against Metro Green Recycling. We have not forgotten.

Thank you,

Concerned Citizens in South Dekalb

Americans with Disabilities Act

The City of Stonecrest does not discriminate on the basis of disability in its programs, services, activities and employment practices.

Sent from Mail for Windows 10

--

Alexis Morris alexismorris1972@gmail.com

Good afternoon!

This letter comes with continued disappointment in our Government's leadership. Once again, there are items on the agenda which affect the community that has not been shared nor discussed with the citizens. I understand that the city has contracted with the Collaborative Firm to revise the city ordinances. This is taking place without any input from the citizens. There has been no town-hall meetings, surveys, calls, or post to find out what ordinances need to be revised. As it stands at present, the council and mayor need to be replaced as they have shown a reckless disregard for the citizen's health and well-being. So how dare you attempt to move forward with revising ordinances when some of you don't even know what is in the City's Charter? The Charter needs to be revised before we can move forward with any ordinance changes.

There are several issues that are still on the table. To date, Stonecrest Governing Board refuses to address or update the citizens about the City's position regarding Metro Green Recycling Plant. So until we resolve the current issues, the entire council familiarize themselves with the charter, and Jason Lary is removed from being Mayor, I strongly oppose any revisions to any ordinances.

I can be reached at 404-670-3184 if any of you care to discuss this matter further. I am open to a candid and healthy conversation in the pursuit of what is in the best interest of the citizens of Stonecrest.

Concerned Resident Alexis B. Morris

--

Dave Marcus dmarcus 123@gmail.com

Good evening Mr. Mayor and council members. Ms. Cobble, it is especially nice to see you where you belong tonight.

Americans with Disabilities Act

The City of Stonecrest does not discriminate on the basis of disability in its programs, services, activities and employment practices.

My comment is about Stonecrest 2020 Paving Project - Phase 2

My understanding is that you are being asked to vote on whether to increase the amount of an existing contract by slightly more than two million dollars. I am not qualified to judge whether this is legally proper or not and will leave that to lawyers in the room. But please keep in mind that it seems that different lawyers have voiced different opinions about this and--if another vendor sues--what will it cost the city in legal fees? And in reputation? Developers lurk everywhere and they judge the attractiveness of the city by many things. Now that we are over the recent unpleasant attempt to remove Ms. Cobble from her seat, perhaps having a goal of 12 months without an embarrassing lawsuit might be a good idea.

What I do want to ask is that you take these things four things into consideration as you are deciding:

- 1. The prices of asphalt goes up and down. We are at the end of the paving season. If it is lower than it was when the original contract was signed, does that mean we could get a better deal from another company?
- 2. Will your vote remove an opportunity to work with other vendors? For instance, there is a gentleman who is trying to start an asphalt and paving operation in Stonecrest. If he had succeeded in getting approval for the first location he wanted, a vote to no-bid this two million would be a vote to exclude him a local, minority-owned company.
- 3. Will you vote imply that next spring the contract with Snell should again be increased? If it is worth doing now, and is legal, what prevents you from doing it again and again?
- 4. Is this an emergency? Are these all extremely poor roads that really need the work? I drove over two of them this week and they did not seem like really bad situations. But others may be much much worse.

So in your vote, please balance the need to fix really bad roads with shutting out other vendors; with having the squeaky-clean appearance that we need but don't quite have; and whether we will get the best deal. I am not sure there is a clear-cut answer.

Americans with Disabilities Act

The City of Stonecrest does not discriminate on the basis of disability in its programs, services, activities and employment practices.

And, after you vote, please ask the question, "Why are you put in the position of making this choice?". Was it that the two million dollars just appeared? Was it that no one told you that the money would be available when the fixed-price contract was signed earlier in the year? I would have thought that phase II contracting would have been started as soon as the phase 1 contract was signed. There might be some good reasons that you are being forced at this late date to figure out the best choice. But if the city knew earlier that not all the budgeted money was going to be spent in round one, why didn't the administration start round two early enough to allow for a competitive process? That is the appearance that people may complain about.

Thank you.

--

Pyper Green greenpyper@yahoo.com

To the Mayor & Council:

Once again we are concerned about the activities of this administration. We are concerned with the Zoning Code update. The Metro Green disaster, created by this group, should lead you to involve the citizens before you all do anything. The citizens are the ones suffering because of the lack of REAL Zoning regulations in Stonecrest. Please allow the public to have major input prior to implementing any type of Zoning changes. Please remember your job is to PROTECT and ENHANCE the community. Metro Green shows that serious Zoning ordinances need to be in place to protect the community against toxic businesses. Citizens deserve to receive actual notifications of any businesses coming to our area & not signs put up on a desolate back road like you allowed with Metro Green. We need Stonecrest to NOT bypass Dekalb County's waste management plan like you did with Metro Green. We need Stonecrest officials to realize this is not a dictatorship, but a democracy FOR the people. We need you to LISTEN to the community. We need you to INFORM the community as well. Had Council members actually provided real updates to the community, Metro Green would not be building in our backyards.

We want real Zoning ordinances put in place that will never allow a Baldwin Asphalt to operate. We want Zoning ordinances that will never allow a Metro Green to be built in the backyards of taxpaying VOTERS. We want Zoning ordinances that protect our community, and not make South Dekalb an industrial wasteland. We want Zoning that will allow for green space and not more warehouses.

Americans with Disabilities Act

The City of Stonecrest does not discriminate on the basis of disability in its programs, services, activities and employment practices.

Do better for South Dekalb.

Pyper Bunch

Sent from Mail for Windows 10

--

Zay zay1071@yahoo.com

My name is Xavier bolton, I'm a resident of miller woods subdivision. We would all of the council members to do all that they can to help us in this fight to stop metro green recycling. We as a community would also like to know what the council discovered in there investigation into permits for metro green. Lastly, I hope these revisions of ordnance's does not allow more companies like metro green to enter our community. Elected officials please do what is right for our community and it's residents.

Sent from my iPhone

--

Elaine Berry rosiebeel1@yahoo.com

Mayor Lary,

I understand the city has contracted with the Collaborative Firm to revise the the city ordinances. There has been no collaboration with the citizens of Stonecrest. What ordinances are you going to revise? Will you allow more polluting industries in the residential areas of Stonecrest and unincorporated Dekalb county? Or perhaps more gas stations? Why haven't the citizens seen the revisions? PLEASE DON"T make the city of STONECREST another Flint, Michigan. We care about our community and deserve much better.

Concern Citizen of Stonecrest,

Elaine McCants

--

Americans with Disabilities Act

The City of Stonecrest does not discriminate on the basis of disability in its programs, services, activities and employment practices.

Renee Cail disoni7@yahoo.com

Good Evening Mayor Jason Lary:

It would be great if you would begin advocating more for the residents of Stonecrest, GA. How can you in good faith allow a Collaborative Firm to revise our zoning ordinances without notifying the citizens? What meetings have they initiated with the community? What codes will be revised? As we read the current ordinances it seems as many of they favor industries, large corporations, and landowners who do not reside here nor have they one concern those about those who pay taxes here, reside here and support the businesses here.

We are exhausted with hush, hush attitude of your administration. Who or what gives you the right to chart our destiny? Are there any areas that have been targeted as Opportunity Zones? If so, why weren't we informed? Did anyone inform the city council members? Oftentimes, they don't seem to have been informed of critical matters or they have been given information without adequate notice to review the documents.

We are inundated with SLUP requests, applications for housing in areas that currently have the zoning they need, we have industries trying to move in residential areas which are beautiful, peaceful and thriving, more unwanted gas stations (incidentally electric cars are sustainable and new energy) not to mention unwanted CELL towers in residential areas. Last but not least a recycling center being constructed in an established neighborhood. Really????

The major corporations nationally and globally only come here to get richer. Trammell Crow??? Have you noticed the tax incentives they will get for building the Home Depot Warehouse in our predominantly African American Community? Its cheaper for them to come here!!!!!!

Americans with Disabilities Act

The City of Stonecrest does not discriminate on the basis of disability in its programs, services, activities and employment practices.

We tried to meet with you early this year to develop a strong community engagement component to no avail. We are still open to creating a healthy dialogue with our city officials.

Sincerely,

Renee Cail

Citizens for a Healthy and Safe Environment CHASE)

X. PUBLIC HEARINGS:

a. SLUP-20-002 (6623 Housworth Lane) - to operate a childcare home up to five children

Motion 3- was made by Mayor Jason Lary to open the Public Hearing for SLUP-20-002 (6623 Housworth Lane) - to operate a childcare home up to five children and was seconded by Council Member Rob Turner.

Motion passed unanimously.

Presentation by Applicant.

Motion 4- was made by Council Member Rob Turner to close the Public Hearing and was seconded by Council Member George Turner.

Motion passed unanimously.

b. SLUP-20-003 (7101 Covington Hwy) - to operate a convenience store with accessory fuel pumps and restaurant with a drive-thru

Motion 5- was made by Council Member Rob Turner to open the public hearing for SLUP-20-003 (7101 Covington Hwy) - to operate a convenience store with accessory fuel pumps and restaurant with a drive-thru and was seconded by Council Member George Turner.

Motion passed unanimously.

Presentation by Applicant.

Americans with Disabilities Act

The City of Stonecrest does not discriminate on the basis of disability in its programs, services, activities and employment practices.

Motion 6- was made by Council Member George Turner and was seconded by Council Member Tammy Grimes.

Motion passed unanimously.

XI. OLD BUSINESS:

a. Adopt Parks & Recreation Master Plan

Presented by Lisa Wolff

Motion 7- was made by Council Member Tammy Grimes to adopt the Parks & Recreation Master Plan and was seconded by Council Member Rob Turner.

Motion passed unanimously.

b. Approve COVID-19 Relief Funding Plan Resolution

Motion 8- was made by Council Member Rob Turner to defer the decision until Thursday, October 1, 2020 and was seconded by Council Member Tammy Grimes.

Motion was withdrawn by Council Member Rob Turner after much discussion.

Motion 9- was made by Council Member Rob Turner to approve the Covid-19 Relief Funding Plan Resolution with changes to adding "or designee" to be added to the last paragraph after City Manager and was seconded by Council Member Jazzmin Cobble.

Motion passed 5-0 with Mayor Lary absent.

c. Approve Stonecrest 2020 Paving Project- Phase 2

Motion 10- was made by Council Member Jazzmin Cobble to deny the Stonecrest 2020 Paving Project- Phase 2 and was seconded by Council Member Tammy Grimes.

Motion passed 4-1 with Council Member Jimmy Clanton voting nay and Mayor Lary was absent.

XII. NEW BUSINESS:

a. Approve **SLUP-20-002** (6623 Housworth Lane) - to operate a childcare home up to five children

Americans with Disabilities Act

The City of Stonecrest does not discriminate on the basis of disability in its programs, services, activities and employment practices.

Motion 11- was made by Council Member Tammy Grimes to approve SLUP-20-002 (6623 Housworth Lane) - to operate a childcare home up to five children and was seconded by Council Member Rob Turner.

Motion passed 5-0 with Mayor Lary absent.

b. Approve **SLUP-20-003** (7101 Covington Hwy) - to operate a convenience store with accessory fuel pumps and restaurant with a drive-thru

Motion 12- was made by Council Member Rob Turner to defer the decision until October 12, 2020 of SLUP-20-003 with accessory fuel pumps and was seconded by Council Member Tammy Grimes.

Motion passed 5-0 with Mayor Lary absent.

Motion 13- was made by Council Member Rob Turner to defer the decision until October 12, 2020 of SLUP-20-003 to operate a restaurant with a drive-thru and was seconded by Council Member Tammy Grimes.

Motion passed 5-0 with Mayor Lary absent.

c. Discussion of Public Input during Public Hearings on Zoom

Council Member George Turner would like to investigate Public Hearing processes on Zoom.

XIII. EXECUTIVE SESSION

None.

(when an executive session is required, one will be called for the following issues: 1) Personnel, 2) Litigation, 3) Real Estate)

XIV. CITY MANAGER COMMENTS

Deputy City Manager Plez Joyner- Get out and Vote!

Americans with Disabilities Act

The City of Stonecrest does not discriminate on the basis of disability in its programs, services, activities and employment practices.

City Clerk Megan Reid- None

XV. CITY ATTORNEY COMMENTS

None

XVI. MAYOR AND COUNCIL COMMENTS

Council Member Jimmy Clanton/District 1 – Get out and vote and complete your Census!

Council Member Rob Turner/District 2 –Please be careful, wear masks and stay safe. Get out and vote and complete your Census!

Council Member Jazzmin Cobble/District 3 – Please be careful, wear masks and stay safe. Get out and vote and complete your Census! Thanked everyone for their support.

Council Member Tammy Grimes/District 5 – Reiterated everyone sentiments. Also said to remember to say Brionna Taylor's name!

Council Member George Turner/District 4 - Remember the Census and get those who are unaccounted for to complete the Census! Keep the Mayor in your prayers he left the meeting early due to an illness.

XVII. ADJOURNMENT

Motion 15 – made by Council Member Rob Turner to adjourn the City Council Meeting. Seconded by Council Member Tammy Grimes.

Motion passed unanimously.

Americans with Disabilities Act

The City of Stonecrest does not discriminate on the basis of disability in its programs, services, activities and employment practices.



Honorable Mayor Jason Lary, Sr.

Council Member Jimmy Clanton, Jr. - District 1

Council Member Rob Turner- District 2

Council Member Jazzmin Cobble - District 3

Council Member George Turner- District 4

Council Member Tammy Grimes – District 5

CITY COUNCIL MEETING MINUTES

VIRTUAL MEETING
October 12, 2020
7:00 p.m.

Citizen Access: URL

- I. CALL TO ORDER: Mayor Jason Lary
- II. ROLL CALL: Megan Reid, City Clerk
- III. INVOCATION- Council Member Rob Turner led the invocation.
- IV. PLEDGE OF ALLEGIANCE
- V. APPROVAL OF THE COUNCIL AGENDA

Motion 1 – made by Mayor Jason Lary to approve the agenda with removal of Item a. Executed Contracts 1. Sean de Palma and ii..Brenda Cornelius- External liaison Consultant and adding Item a. Create Job Description and advertise for Finance Director under New Business and was seconded by Council Member Jimmy Clanton.

Motion failed 3-3 with Council Member Jazzmin Cobble, Council Member George Turner and Council Member Tammy Grimes voting nay.

MEETING ADJOURNED BY MAYOR LARY AT 7:48 PM



Honorable Mayor Jason Lary, Sr.

Council Member Jimmy Clanton, Jr. - District 1

Council Member Rob Turner- District 2

Council Member Jazzmin Cobble – District 3

Council Member George Turner- District 4

Tammy Grimes – District 5

SPECIAL CALLED MEETING

VIRTUAL MEETING

October 14, 2020 at 6:00 p.m. Citizen Access: URL

I. CALL TO ORDER: Mayor Jason Lary

II. AGENDA ITEMS:

- 1. Contract Management
 - Sean de Palma-Parks and Recreation Consultant
 Mayor agreed to supply council with letter ending Sean DePalma's contract at the end of the year, to the next meeting.
 - ii. Brenda Cornelius-External Liaison Consultant

 Mayor made recommendation to stay where we are today and continue to
 move forward with the 6 month contract.

Motion 1 – made by Mayor Jason Lary to continue to move forward with contract with Cornelius Group. Seconded by Council Member Jimmy Clanton.

Motion denied - No votes.

Motion 2 – Amended motion made by Mayor Jason Lary to ratify the contract of the Cornelius Group. Seconded by Council Member Jimmy Clanton.

Motion denied 2-4 – Nay/Council Members Rob Turner, Jazzmin Cobble, George Turner, Tammy Grimes

Motion 3 – made by Mayor Jason Lary to ratify the contract of Sean DePalma. Seconded by Council Member Jimmy Clanton.

Motion denied – Nay/ Council Members Rob Turner, Jazzmin Cobble, George Turner, Tammy Grimes.

Motion 4 – made by Council Member Jazzmin Cobble to move that the contract for Sean DePalma is cancelled. Seconded by Council Member George Turner.

Motion passed 4-2 – Nay/Mayor Jason Lary, Council Member Jimmy Clanton

2. Contract with an external auditing firm to conduct a comprehensive audit of the government purchasing/credit cards

Motion 5 – made by Council Member Jazzmin Cobble to contract with an external auditing firm to conduct a comprehensive audit of the government purchasing/credit cards. Seconded by Council Member Rob Turner.

No votes.

Motion 6 – to withdraw previous motion to contract with an external auditing firm to conduct a comprehensive audit of the government purchasing/credit cards. Seconded by Council Member Tammy Grimes.

Motion passed unanimously.

Motion 7 - made by Council Member Jazzmin Cobble to contract with an external auditing firm to conduct a comprehensive audit of the government purchasing/credit cards for years 2017-2020, that should be executed within 30 days of affirmative action of council. Seconded by Council Member Rob Turner.

Motion passed 4-1. Nay/Council Member Jimmy Clanton

Motion 8 – substitute motion made by Council Member Jimmy Clanton to amend previous motion and that there will be no single point of contact for the comprehensive audit but to add the entire city council as points of contact.

Motion denied with no 2nd motion.

3. Create job descriptions and advertise for Finance Director and Internal Auditor

Motion 9 – made by Council Member Jazzmin Cobble asking staff to create a job description and advertise for both Finance Manager and Internal Auditor. Seconded by Council Member Tammy Grimes.

No votes.

Motion 10 – substitute motion made by Council Member Jazzmin Cobble asking staff to create job descriptions and advertise for Finance Director and Internal Auditor and noting that both positions are City Council approved positions and should be kept independent of current Jacobs contract. Seconded by Council Member Tammy Grimes.

Motion passed 4-1. Nay/Council Member Jimmy Clanton

4. Approve Georgia Outdoor Stewardship Program Resolution

Motion 11 – made by Council Member Rob Turner to approve Georgia Outdoor Stewardship Program Resolution. Seconded by Jimmy Clanton.

Motion passed unanimously.

Motion 12 – made by Council Member Jazzmin Cobble to cancel the contract for the Cornelius Group. Seconded by Council Member Tammy Grimes.

Motion passed 4-1. Nay/Council Member Jimmy Clanton.

ADJOURNMENT

| , 2020. | |
|---------|------------------|
| | |
| | Mayor Jason Lary |
| TEST: | |





Contents

| List of Tables | 3 |
|---|----|
| Executive Summary | 4 |
| Background | 6 |
| Approach to the Study | 7 |
| Preliminary Considerations | 8 |
| Level of Service | 8 |
| Capital and Operational Expenditures | 8 |
| E911 Operations | 8 |
| Risk Management | 8 |
| Importance of Staffing Levels | 9 |
| Estimating the Costs of a Municipal Police Department | 9 |
| Method 1: Share of the DCPD Workload and Cost | 10 |
| Tasks and Assumptions of the Share of the DCPD Workload Method | 10 |
| Estimate of Full-Service Stonecrest Police Service Expenditures | 12 |
| Estimate of Basic Stonecrest Police Service Expenditures | 13 |
| Method 2: Built Budgets: Cost Per Officer Methods | 13 |
| International Association of Chiefs of Police Staffing Methodology | 14 |
| Officer Counts Based on Proportionate Share of DCPD Officers | 16 |
| Assessing the Estimates | 17 |
| Build-a-Budget Method: Police Operational Costs Per Officer – Including Operational Capital and General Fund Department Support | |
| Build-a-Budget Method: Police Operational Costs Per Officer (Excluding Operational Capital an General Fund Department Support) | |
| DCPD Adjusted Per Officer Costs | 20 |
| Police Nonfacilities Capital and General StartUp | 21 |
| Experience of Newly Established Police Departments | 22 |
| Facilities Costs | 23 |
| Total Departmental Costs: All Methods | 24 |
| Estimate of an Equivalent Department-Only Cost Estimate Based on the Share of DCPD | |
| Expenditures Method | |
| Revenues | 26 |

| State Court -Traffic Court | 27 |
|--|----|
| Millage Rate Needed to Generate Additional Revenue to Support a Police Department | 27 |
| Other Benefits of In-House Provision of Police Services | 28 |
| Conclusion | 29 |
| Appendix A: Calculations of Adjustments to DCPD Expenditures for Replacement Capital a | |
| Appendix B. Budgeting for a Police Department | |

List of Tables

| Table 1. Range of Total Departmental Cost Estimates | 5 |
|--|----|
| Table 2. Stonecrest Traffic Court Net Impact | 5 |
| Table 3. Mills Needed to Generate the Revenue to Support a Stonecrest Police Department | 6 |
| Table 4. Estimated Percentage of DCPD Resources Stonecrest Utilizes | 13 |
| Table 5. Stonecrest Police Services Expenditure Estimates | 13 |
| Table 6. Stonecrest Basic Police Services Expenditure Estimates | 13 |
| Table 7. Service Call Reported Time Analysis | 15 |
| Table 8. Service Call Analysis | 15 |
| Table 9. Average Calls per Resident Analysis | 15 |
| Table 10. Calculation of Estimate of Number of DCPD Officers Providing Basic Services | 16 |
| Table 11. Officer Estimate based on Population Share of Full-Service DCPD Staffing | 17 |
| Table 12. Officer Estimate based on Population Share of Basic Service DCPD Staffing | 17 |
| Table 13. Officer Estimate based on Stonecrest's Resource Demands on DCPD's Uniform Division | 17 |
| Table 14. Officer Estimate based on Stonecrest's Resource Demands on DCPD's Uniform Division | 17 |
| Table 15. Low-end Cost Estimate | |
| Table 16. High-end Cost Estimate | |
| Table 17. DCPD Adjusted Per Officer Costs | 20 |
| Table 18. Dunwoody Expenditures Per Officer and Employee | 21 |
| Table 19. Brookhaven Expenditures Per Officer and Employee | 21 |
| Table 20. Low-end Cost Estimate58 Officers | 21 |
| Table 21. High-end Cost Estimate93 Officers | |
| Table 22. Estimation of Startup Capital Costs Per Officer | 23 |
| Table 23. Low- and High-Cost Startup Capital Cost Estimates | 23 |
| Table 24. Low-end Estimate of Facility Costs | 24 |
| Table 25. High-end Estimate of Facility Costs | 24 |
| Table 26. Total Costs: Low-Cost EstimateBuilt Budget Method | 25 |
| Table 27. Total Costs: High-Cost EstimateBuilt Budget Method | |
| Table 28. DCPD Share MethodFacility Costs | 26 |
| Table 29. Total Cost Estimate for Adjusted DCPD Share Method | |
| Table 30. Range of Total Departmental Cost Estimates | 26 |
| Table 31. Stonecrest Traffic Court Revenue | 27 |
| Table 32. Stonecrest Traffic Court Net Impact | 27 |
| Table 33. Additional Revenue Needed and Mills Needed to Generate the Revenue | 28 |

Executive Summary

In the spring of 2020, the City of Stonecrest engaged the University of Georgia's Carl Vinson Institute of Government to explore the issues, challenges, and potential benefits and costs of the city providing police service in-house. These services are currently being provided by the DeKalb County Police Department (DCPD) through provisions set out in the DeKalb County Service Delivery Strategy Agreement and state legislation.

Institute of Government researchers collected and analyzed data in order to estimate the following:

- Number of sworn officers currently serving the city (by DeKalb County) and the number needed to serve the city if it were to establish its own police department (estimated using a population-based workload assessment and a time-on-task workload assessment)
- Operational costs per officer and total departmental operational costs
- Startup capital costs per officer and total department startup costs
- Facilities needed and total facilities costs
- Direct and implied City of Stonecrest contributions for police services currently being delivered by DeKalb County
- Net revenue surplus that could be generated by the Stonecrest Municipal Court if a
 police force sends traffic violations cases to the Stonecrest Municipal Court as opposed
 to the DeKalb County Traffic Court

Based on these data points and an analysis of the current workload of the DCPD in the Stonecrest service area, the research team estimated a range of costs for establishing a new police department.

To derive a midrange cost estimate, the research team used weighted measures of the resources needed to address different types of police service calls as well as service call data and a detailed analysis of the DCPD expenditures by different service units (e.g., uniform, criminal investigations, and special operations).

To produce low-end and high-end cost estimates, the research team used a "build-a-budget" approach based on estimates of the number of sworn officers Stonecrest would need as well as the annual cost per officer. The research team examined several staffing need estimates and combined these with three cost-per-officer estimates based on expenditure data on the DeKalb County, City of Brookhaven, and City of Dunwoody police departments. These base cost estimates were department-specific; that is, they did not include general fund administrative costs, startup cost, replacement capital costs, or facilities costs.

For the final estimates, the research team estimated startup costs, replacement capital costs, and facilities costs based on the low-end and high-end estimates of the number of needed officers for these scenarios. The team also estimated facilities costs.

For the low-end cost estimate, the research team used the International Association of Chiefs of Police staffing method to estimate the number of officers needed to provide adequate response to service calls. This staffing estimate was combined with a cost per officer based on an adjusted cost per officer in the DCPD.

For the high-end cost estimate, the number of officers needed was calculated based on the estimate of the percentage of the DCPD uninform division workload that was found to be attributed to responding to calls for service in the Stonecrest area. This staffing estimate was combined with a cost per officer in the Dunwoody Police Department.

Table 1. Range of Total Annual Departmental Cost Estimates

| Low-End Cost Estimate | \$7,938,855 |
|-------------------------|--------------|
| Mid-Range Cost Estimate | \$11,459,145 |
| High-End Cost Estimate | \$15,400,874 |

The research team also estimated the amount of net new revenue that a Stonecrest Municipal/Traffic Court could generate.

Table 2. Stonecrest Traffic Court Net Revenue

| Estimated Revenue | \$872,837 |
|----------------------------------|-----------|
| Estimated Expenses | \$557,219 |
| Net Revenue from Municipal Court | \$315,618 |

Finally, Institute of Government researchers estimated the real property tax millage rate that would need to be levied to generate the additional revenue needed to support the range of service delivery options and costs. This analysis represents the impact on taxpayers of providing a municipal police force. Note that the city may choose to generate the needed revenue in any number of ways, so the millage rates identified are for illustration purposes only. For example, if the insurance premiums tax funds collected by the city are used to support police services, the property tax revenue needed would decrease accordingly. Given the total cost of a police department, however, the city would likely need to levy a property tax of some amount.

Table 3. Millage Rate Needed to Generate the Revenue to Support a Stonecrest Police Department

City Millage Rate Needed

| Low Cost Additional Revenue Need | 4.92 |
|-------------------------------------|-------|
| Middle Cost Additional Revenue Need | 7.191 |
| High Cost Additional Revenue Need | 9.735 |

If the city chose to withdraw from the county special police services district, the special district millage rate of 4.775 would no longer be levied. The city could impose a property tax to fund the department. Keep in mind that in DeKalb County, although the county millage rate and a municipal millage rate operate in the same way, they can generate different amounts of revenue when levied on the same property. This is due to residential homestead tax exemptions that only apply to county property taxes. Thus, the municipal millage rates above would generate more revenue than equivalent county rates imposed in the same area. If the insurance premiums tax funds collected by the city are used to support police services, the property tax revenue needed would decrease accordingly.

A Stonecrest police force may not be as large or provide the same specialized services and skills as the DCPD force currently servicing the city. Such a force would likely require more revenue than if the city goes with the low-cost service option.

In recent years, new cities that have established their own municipal police departments in DeKalb County (e.g., Brookhaven and particularly Dunwoody) tend to spend more liberally on their respective forces than has DeKalb County. The higher cost-per-officer figures for these cities suggests they have recruited and hired more experienced officers to establish and maintain a high-quality police force. The entrance of the City of Stonecrest into the already tight market for experienced police officers would likely be a challenge.

Finally, the report identifies a number of benefits of providing police services in-house.

Background

In the spring of 2020, the City of Stonecrest engaged with the University of Georgia's Carl Vinson Institute of Government to explore the issues, challenges, and potential benefits and costs of the city providing police service in-house. This report explores current trends, standards, and best-practices associated with planning for and establishing a local government policing service provision. This research examines the characteristics of the policing services

currently provided by DeKalb County as well as the costs associated with establishing a police department within the jurisdiction of the City of Stonecrest. Specifically, this research involved

- analyzing the nature of service arrangements with DeKalb County for law enforcement,
- identifying an appropriate size for a City of Stonecrest police department based on an approximated level of service and current provision by DeKalb County Police Department (DCPD), and
- calculating the costs associated with providing a police force of the size estimated.

When the City of Stonecrest was incorporated in November 2016, it chose not to establish its own police department. Legislative provisions enable the city to have police services provided by the DeKalb County, specifically by the DCPD. These provisions (outlined in local legislation creating special service and tax districts within DeKalb County) set forth two types of police services: basic and non-basic. Basic services include the uniform division, traffic units, park patrol, and criminal and crime scene investigations. Non-basic services include SWAT, K-9, bomb squad, gang and drug task forces, and emergency management. Cities in DeKalb County can choose to receive basic, non-basic, or both types of services. Currently, the City of Stonecrest receives both basic and non-basic services from the DCPD.

The DeKalb special district legislation also established special service districts for all the cities in DeKalb and for the unincorporated area and defined how a millage rate would be set in each special service district to pay for police services provided by DeKalb County. Finally, the special district legislation allows municipalities to decline any of the defined services and to have its millage rate adjusted in accordance.

This report estimates the value of the current provision of police services by the DCPD and explores the costs associated with establishing a Stonecrest police department.

Approach to the Study

The Institute of Government research team used the following research methods to investigate current and ideal departmental organization and operations:

- Stakeholder interviews with City of Stonecrest personnel, DeKalb County Police
 Department command staff, DeKalb County E911 personnel, and additional subject matter experts
- Identification of the characteristics of comparable units of government to be used for benchmarking capital and operational needs for local government policing services

¹ See House Bill 1508, adopted by the Georgia General Assembly in 2010.

- Standardized examples based on best practices and standards from the International City/County Management Association and International Association of Chiefs of Police
- Reviews of professional and academic literature illustrating specific methods of calculating operational and capital needs associated with establishing local government– based policing services

Because each local government has a distinct culture, governing environment, and orientation of service and strategic priorities, no one-size-fits-all approach for planning, organizing, and developing services can be used.² Therefore, this report identifies several best practices and principles that Stonecrest leaders can consider when making decisions regarding operational investment, organizational schematics, and operations for the establishment of policing services. Estimations of optimal department size and related costs are provided.

PRELIMINARY CONSIDERATIONS

Level of Service

Currently, the City of Stonecrest receives both basic and non-basic police services from DeKalb County. Some of these non-basic services may not be necessary for the City of Stonecrest to deliver the style and level of police services desired by residents.

Capital and Operational Expenditures

With DeKalb County providing policing services, the City of Stonecrest is currently not financially responsible for managing human resources, risk management (liability), purchasing, fleet management, and other similar operational areas. Thus, these factors are included in the analysis.

E911 Operations

The research team assumed that if Stonecrest were to establish a municipal police force, the current operational interaction with the DeKalb County E911 center would continue. Based on discussions with the E911 director, an additional dedicated E911 operator would be needed. The Stonecrest police department would continue to have access to the recording system, computer-aided dispatch system, radio network, E911 personnel, the Georgia Crime Information Center, and the other services provided by the DeKalb County E911 center.

Risk Management

The establishment of a Stonecrest police department would also entail some additional risk management services. The Institute research team considered the liability associated with the addition of employees responsible for carrying and using service weapons, the potential for these employees to become injured (workers' compensation), the operation of city-owned motor

² Gregory Streib. 2003. Applying decision-making in local government. In Douglas Watson and Wendy Hassett (Eds.), *Local Government Management: Current Issues and Best Practices* (pp. 322–333). Armonk, NY: American Society for Public Administration.

vehicles, legal actions associated with violation of rights, property damage, prisoner transfers, and accidents.

Importance of Staffing Levels

Objective methods of establishing, organizing, and managing policing operations are designed to maximize police efficiencies and effectiveness. The key is to match resources to needs so that the jurisdiction neither expends too little nor too much on police services.

Because policing is a highly labor-intensive activity, the management of policing resources tends to focus on appropriate staffing levels. This analysis centers on the traditional method of policing that employs standard patrol units, response to calls, and the more commonly accepted measurements of performance.

Note that other models of service provision such as problem-oriented policing or community policing may require different staffing levels. These policing models use different benchmarks to assess overall performance and can also vary with regard to needed capital expenditures, such as for vehicles and facilities. This study does not attempt to cost out policing services under these alternative models.

Estimating the Costs of a Municipal Police Department

The Institute of Government research team used two methods to estimate the cost of operating a police force in the City of Stonecrest: one based on a share of the DCPD workload, and another based on a cost per officer needed.

The first method focuses on the share of DCPD resources that are consumed in the Stonecrest area. Specifically, the research team calculated current total expenditures being made by the DCPD in the Stonecrest area. The researchers used service call data to estimate the share of the DCPD workload in this area.

The second method uses some of the same underlying service call data. Instead of directly allocating DCPD expenditures, for this method the research team first estimated the number of sworn officers needed in the Stonecrest service area and then calculated a cost per officer to arrive at a total cost estimate. Because this method begins with an estimate of the number of officers needed and then applies this officer count to a variety of cost-per-officer metrics, it requires a build-a-budget approach.

Estimating the cost of establishing and operating a proposed Stonecrest Police Department using this approach involves the following steps:

Estimating the number of sworn officers needed to serve the city

- o The Institute research team relied primarily on the workload method originally set forth by the International Association of Chiefs of Police. The key data needed for this method are E911 calls for law enforcement services.
- Estimating the operational costs per officer and total department operational costs
- Estimating startup capital costs per officer and total department startup costs
- Estimating facilities needs per employee and total facilities costs

METHOD 1: SHARE OF THE DCPD WORKLOAD AND COST

DeKalb County 911 supplied nine months of geocoded service call data for this analysis. These data were then extrapolated to 12 months to arrive at an estimate of annual service call counts. DeKalb County also supplied the actual amount of time spent by patrol officers on service calls.

Note that the workload approach is designed to identify the number of officers needed to provide patrol services only. For other staffing needs, such as for administration, criminal investigations, internal affairs, evidence management, training, and crime scene investigation, the Institute research team used a range of proportions of patrol staffing to estimate the number of support staff needed.

Tasks and Assumptions of the Share of the DCPD Workload Method

To identify the share of the DCPD workload that occurred in the Stonecrest area, Institute researchers examined both service requests and caseload data. (Note that a small percentage off these data did not include sufficient location information to allow for an allocation of the workload share to specific areas.)

In preparation for the workload analysis, the research team

- collected both service call and case/activity data from the DCPD/E911,
- worked with the DCPD to identify an appropriate way to translate case/service call data into meaningful workload measures,
- identified approximately 90 service call codes that tend to be associated with more serious incidents, and
- had DCPD division managers rate each of these codes/call types for the amount of resources each would likely require. From this rating process the more serious calls were assigned weights for use in an assessment of the police service workload.

Service Calls/Incidents and Resource Demands Analysis Assumptions

When analyzing service calls and associated resource demands, Institute of Government researchers made the following assumptions:

 The workload and resource demand on the Uniform Division generally reflect the distribution of service calls among the various service jurisdictions.

- The workload and resource demand on the Criminal Investigations Division and the Crime Scene and Intelligence Units generally reflect the distribution of more serious incidents or service calls.
- The workload and resource demand on the special service units generally reflect the distribution of incidents.
- Because the Uniform Division is responsible for investigation of property crimes, some portion of the workload and resource demands on this division are reflected in the distribution of more serious incidents or service calls.
- The workload and resource demand on all other units of the DCPD (administration, support, training and recruiting, permits, and records) reflect the workload and resource demands placed on the direct services divisions, i.e., Uniform, CID, and special services units, in proportion to the expenditures made by these units.

Identifying the Workload of the Criminal Investigations Division and Associated Units

The allocation of the workload of criminal investigations is based on the distribution of the weighted serious service calls to the areas of interest. While the CID includes some special service units such as Narcotics, Gangs, and a K-9 unit, the geographical information about the location of these units' services was not detailed enough to allow the research team to allocate specific services, events, or activities to specific jurisdictions, such as Stonecrest. Consequently, these activities are considered part of the overall workload of the CID and are allocated to Stonecrest based on the distribution of service calls weighted for their level of seriousness.

Identifying the Workload of the Uniform Division

Because the Uniform Division performs some criminal investigations, its workload would best be measured through a combination of the overall number of service call requests and the number of more serious calls for service, which would likely demand the services of a criminal investigator.³ The research team assumed that the workload weight for general service calls versus more serious service calls would generally track the distribution of general uniform officers to officers and staff assigned to criminal investigations. According to the DCPD, the Uniform Division has a total of 349 officers, 38 of which are detectives. These numbers do not include supervisors. The division has four investigative aides (one for each precinct investigative unit). Based on these figures, the criminal investigations workload represents approximately 12% of the total workload for the Uniform Division. Based on this estimate, the

³ The precincts investigate all robbery events, including pedestrian, residential, and commercial types. Precinct detectives also investigate all burglary events, commercial, residential or other. Precinct detectives are assigned a variety of additional cases. Precinct detectives are assigned entering auto, felony shoplifting, all elder abuse cases involving theft/fraud, felony theft, identity theft (suspect known or alleged), forgery/fraud, trailer theft, auto theft if the vehicle was taken by deception or conversion, vehicle thefts involving motors less than 49cc, located or found property, felony criminal damage, misdemeanor criminal damage if the suspect is known, and domestic events if property is damaged.

Institute research team established a weight of 7.3 for general service calls and a weight of 1 for more serious service calls.

Identifying the Workload of the Special Units

The Special Operations Division includes a Bomb Unit, an SO-K9 Unit, a SWAT Unit, and an Aerial Unit. DCPD data show the locations of the services, events, and activities of these units. To the degree possible, Institute of Government researchers geocoded these services, events, and activities and determined how many fell within the Stonecrest area, with a couple of adjustments necessary. First, because some of resources used by the Aerial Unit come from the general fund, these costs were added to the Aerial Unit expenditures and subtracted from the general fund reimbursement amount. Second, the Bomb Unit's services were primarily provided to either the City of Atlanta (to sweep the Mercedes-Benz Stadium) or to DeKalb County in its general countywide governance capacity (to sweep the locations where the DeKalb Board of Commissioners met); thus, the research team decided to treat the Bomb Unit services as a general support service.

Based on these assumptions, the research team allocated shares of the key police services expenditures to the Stonecrest service area under two conditions:

- 1. The provision of the full set of services that the DCPD currently provides to the Stonecrest area
- 2. The provision of a basic set of services that excludes the following service units: ⁴ Bomb, SWAT, Aerial within Special Operations, K-9, Aerial outside of Special Operations, and Homeland Security

Estimate of Full-Service Stonecrest Police Service Expenditures

Table 4 shows the shares of the DCPD police service units' workload allocated to the Stonecrest area.⁵

⁴ Note that the division of the full set of services and that of a basic set of services outlined in this analysis differs in part from the delineation of basic and non-basic services set out in the special district legislation. This is the case for a couple of reasons: (1) the expenditure data available did not allow for a clear allocation of basic and non-basic, and(2) some of the service units included in what at face value appears to be a non-basic service within the existing budget documents (e.g., certain traffic enforcement services and permit issuance) would likely be essential to a City of Stonecrest police department.
⁵ Note that in this analysis, both the Bomb Unit and Homeland Security are included as part of the

support expenditures for the direct police service units. As such, a share of these support expenditures is allocated to the direct service units in proportion to direct service unit expenditures.

Table 4. Estimated Percentage of DCPD Resources Stonecrest Utilizes

| Halfana Omitan | 01447 | W 0 | Accident | Criminal Investigations, Crime Scene, |
|------------------|-------|--------|----------|---------------------------------------|
| Uniform Services | SWAT | K-9 | Aerial | Intelligence |
| 12.98% | 3.64% | 12.41% | 13.57% | 14.00% |

Table 5 presents expenditure estimates for the provision of police services in the Stonecrest area. These estimates were generated by applying the percentages in Table 4 to both the direct and indirect expenditures (according to the assumptions discussed above).

Table 5. Stonecrest Police Services Expenditure Estimates

| Type of Expenditure | Amount | |
|--|--------------|--|
| Criminal Investigations, Crime Scene, Intelligence | \$2,683,336 | |
| Uniform Division | \$9,916,660 | |
| Special Operation Units | \$579,686 | |
| SWAT | \$99,596 | |
| K-9 | \$185,447 | |
| Aerial | \$294,643 | |
| Grand Total | \$13,179,682 | |

Estimate of Basic Stonecrest Police Service Expenditures

Table 6 shows that with a more limited set of services, Stonecrest would be able to operate a police department with expenditures of nearly \$800,000 less than in the case of full-service police operations.

 Table 6. Stonecrest Basic Police Services Expenditure Estimates

| Type of Expenditure | Amount |
|--|--------------|
| Criminal Investigations, Crime Scene, Intelligence | \$2,643,134 |
| Uniform Division | \$9,768,088 |
| Total | \$12,411,222 |

METHOD 2: BUILT BUDGETS: COST PER OFFICER METHODS

The analysis in the previous section used DCPD expenditure data, which includes all costs (except facility costs), to estimate the full cost of operating a police department designed to service the City of Stonecrest. The analysis in this section takes a build-a-budget approach, starting with estimates of the number of police officers needed and applying various cost estimates per officer. Note that these estimates are for police operations only and do not include

general fund administrative costs and capital costs. The analysis encompasses costs estimates from other jurisdictions in DeKalb County as well as revisiting the DCPD expenditures after adjusting for administrative costs and capital costs.

The following methods were used to estimate the number of police officers needed to serve the Stonecrest area:

- Officer need estimate made by applying the International Association of Chiefs of Police (IACP) staffing methodology to service call data
- Officer need based on Stonecrest's share of the DCPD service area population applied to the DCPD's full-service officer count
- Officer need based on Stonecrest's share of the DCPD service area population applied to the DCPD's basic-service officer count
- Officer need based on Stonecrest's share of the DCPD Uniform Division's resources applied to the DCPD's full-service officer count
- Officer need based on Stonecrest's share of the DCPD Uniform Division's resources applied to the DCPD's basic-service officer count

International Association of Chiefs of Police Staffing Methodology

According to studies conducted by the IACP, one-third of an officer's time should be spent handling calls for service, one-third on preventative patrol, and the final third on planning, reporting, investigation, administration, and court time needed to have an effective and efficient force. In addition to responding to calls for service, the methodology also accounts for the time required for arresting and booking suspects, with greater weight given to arrests for more serious crimes.

According to the IACP, officers spend an average of 45 minutes (or .75 hours) per call. Based on the DeKalb County E911 data, the average officer time spent per call in the Stonecrest area was 37 minutes, which is comparable to the 45-minute IACP average. Nevertheless, as with all 911 call statistics, the accuracy of reported data and the actual time that officers spend responding to service calls or service needs is uncertain. Consequently, the Institute team used three approaches to address potential anomalies in the service call data: The analysis in Table 7 uses the reported time spent on calls in the Stonecrest area to estimate the need for officers. Table 8 uses the IACP estimated average time on service calls and the reported number of service calls to estimate the need for officers. Table 9 uses the average reported service call need among Stonecrest residents (i.e., 1 call per capita) combined with the IACP estimated average time on service calls to estimate the need for officers.

A total of 2,920 hours is required to staff one basic one-officer patrol unit for one year (8 hours a day × 365 days). Because no one works every day, a relief factor is used to account for days an officer would be unavailable due to things such as days off, sick days, vacation, training, and

court days. The analyses in Tables 7–9 use a relief factor of 1.84, which is based on a review of average police department personnel benefits conducted by the IACP.

Finally, the estimates are adjusted to include law enforcement officers in supervisory roles as well as administrators, crime analysts, and criminal investigators.

Table 7. Service Call Reported Time Analysis: Estimate Based on Reported Time Spent on Calls in the Stonecrest Area

| Annual Calls | 38,989 |
|---|--------|
| Time Spent on Calls in Hours | 24,044 |
| Divided by 2,920 to Convert to Officers | 8.23 |
| Multiplied by 3 to Account for Administration and Other Tasks | 24.7 |
| Multiplied by 1.84 to Account for Days Off | 45.5 |
| Inflated by 10% for Supervisors | 50.0 |
| Inflated by 15% for Administration & Investigations | 57.5 |

Table 8. Service Call Analysis: Estimate Based on the Number of Calls × National Average of Time Spent per Call

| Annual Calls | 38,989 |
|--|--------|
| Estimated Time Spent on Service Calls in Hours @ 45 Minutes per Call | 29,242 |
| Divided by 2,920 to Convert to Officers | 10.01 |
| Multiplied by 3 to Account for Administration and Other Tasks | 30.0 |
| Multiplied by 1.84 to Account for Days Off, etc. | 55.3 |
| Inflated by 10% for Supervisors | 60.8 |
| Inflated by 15% for Administration & Investigations | 69.9 |

Table 9. Average Calls Per Resident Analysis

| Analysis Assuming 1 Call Per |
|--------------------------------|
| Resident with 50,190 Residents |
| 50 190 |

| Estimated Annual Calls | 50,190 |
|---|---------|
| Multiplied by .75 of an Hour | 37,643 |
| Multiplied by 3 to Account for 1/3 of Time Spent on Calls | 112,928 |
| Divided by 2,920 to Convert to Officers | 38.7 |
| Multiplied by 1.84 to Account for Days Off | 71.2 |
| Inflated by 10% for Supervisors | 78.3 |
| Inflated by 15% for Administration & Investigations | 90.0 |

Officer Counts Based on Proportionate Share of DCPD Officers

Full versus Basic Services

This section reports officer need estimates based on the current count of DCPD officers. Also included is an estimate of the number of officers DCPD employs in providing a basic level of service, exclusive of some of the more specialized service units that the City of Stonecrest may choose not to include in a police services package.

Table 10 shows the calculation used to sum expenditures made by specialized units of the DCPD. These expenditures, including related indirect costs, are excluded from the total DCPD expenditures, and the percentage of total expenditures represented by expenditures on basic services is applied to the DCPD officer count to derive an estimate of the number of officers employed in delivering basic police services.

Table 10. Calculation of Estimate of Number of DCPD Officers Providing Basic Services

| Item | Amount |
|---|-----------------|
| Bomb | \$787,367.21 |
| SWAT | \$2,035,275.82 |
| Aerial within Special Operations | \$715,737.63 |
| K-9 | \$1,110,561.31 |
| Aerial Outside of Special Operations | \$897,584.02 |
| Homeland Security | \$740,399.79 |
| Total Special Services | \$6,286,925.78 |
| Special Services as % of Direct Services | 0.082966063 |
| Total Direct Services | \$75,777,077.59 |
| Total Indirect (Minus Admin GF Charge) | \$16,393,019.13 |
| Special Services Share of Indirect | \$1,360,064.26 |
| Total Special Services Adjustment | \$7,646,990.04 |
| Special Services as % of Direct Services | 7.50% |
| Estimated Officers Supplying Basic Services | 662.8 |

Officer Count Estimates Based on Population

Table 11 shows the sworn officer count for a Stonecrest police department offering the full set of services if the city employed police officers in proportion to its share of the DCPD service area population. Table 12 shows the same analysis if Stonecrest were to offer only basic police service.

Table 11. Officer Estimate Based on Population Share of Full-Service DCPD Staffing

| | I |
|--------------------------------|--------|
| DCPD Officers | 716.5 |
| Stonecrest Share of Population | 10.46% |
| Officer Estimate | 75 |

Table 12. Officer Estimate Based on Population Share of Basic Service DCPD Staffing

| DCPD Officers | 662.8 |
|--------------------------------|--------|
| Stonecrest Share of Population | 10.46% |
| Officer Estimate | 69 |

Tables 13 and 14 show officer estimates based on resources currently expended in the Stonecrest area by DCPD. Table 13 shows estimates for a full-service department, and Table 14 shows the basic service scenario.

Table 13. Officer Estimate Based on Stonecrest's Resource Demands on DCPD's Uniform Division (Full Service)

| DCPD Officers | 716.5 |
|---------------------------------------|--------|
| Stonecrest Share of Uniform Resources | 12.98% |
| Officer Estimate | 93 |

Table 14. Officer Estimate Based on Stonecrest's Resource Demands on DCPD's Uniform Division (Basic Service)

| | , |
|---------------------------------------|--------|
| DCPD Officers | 662.8 |
| Stonecrest Share of Uniform Resources | 12.98% |
| Officer Estimate | 86 |

Assessing the Estimates

The estimates of the number of officers needed in Stonecrest range from a low of 57.3 in the Table 7 analysis of actual time on service calls to a high of 93, based on Stonecrest's current resource demand. Despite being far lower than many other estimates, the Table 7 figure does not necessarily represent an understaffed department as a department of this size appears to meet IACP staffing standards.

Some of the higher staffing estimates are based on current DCPD practices and operations, reflecting staffing needs if the City of Stonecrest wants to maintain the same level and types of services that the area currently receives from the DCPD. Alternatively, Stonecrest could choose

not to provide some of the more specialized or non-basic services. Note that some of these specialized services (e.g., gangs and narcotics) cannot be entirely eliminated and a Stonecrest police force would likely need some officers who could provide some of these specialized services.

Note that there is no one number of officers that represents the exact number needed. Rather, local contextual issues often dictate the number that a community will require. Figure 1 presents contextual issues that have been cited as factors in staffing levels.

Figure 1. Contextual Factors that May Affect Police Staffing Levels



Source: A Performance-Based Approach to Police Staffing and Allocation, 2012.

One key issue likely to affect police staffing needs is the level of patrol services and traffic control Stonecrest city leaders would like to see on I-20, which cuts across the city.

Build-a-Budget Method: Police Operational Costs Per Officer – Including Operational Capital and General Fund Department Support

To estimate police operational expenditures for the proposed City of Stonecrest police force, the Institute of Government team used DCPD expenditure data for fiscal year (FY) 2018. The

dataset reflects regionally specific costs and competitive salary conditions, and includes capital and administrative costs that have been annualized. In many local government budgets, capital costs are not annualized. Capital costs tend to be lumpy (and therefore not captured in either a single year or even in multiple years of municipal budgets), making them difficult to predict. Based on the DCPD expenditure data, the research team estimated that the cost per employed officer was approximately \$142,321.73, which includes the cost of support staff, administration, equipment, vehicles, training, crime scene investigation capability, recruitment, and evidence management, as well as the specialized equipment used by the bomb, gang, aerial, SWAT, and narcotics units. It also includes the indirect charges to the department for services such as human resources, accounting, purchasing, finance, and the like that are provided by general fund departments.

No jail costs are included in this analysis, as it was assumed that a new city would not maintain its own jail and would enjoy a similar arrangement with the DeKalb County Sheriff as do other cities in the county. Municipal prisoners would only be those awaiting adjudication or serving a sentence imposed by the city's municipal court.

Tables 15 and 16 present the low- and high-end estimates for a Stonecrest Police Department, respectively, based on the range of needed officer staffing.

Table 15. Low-End Cost Estimate

| Estimate of Number of Officers Needed | 58 |
|---------------------------------------|-------------|
| Cost Per Sworn Officer | \$142,322 |
| Estimated Annual Operational Cost | \$8,254,676 |

Table 16. High-End Cost Estimate

| Estimate of Number of Officers Needed | 93 |
|---------------------------------------|--------------|
| Cost Per Sworn Officer | \$142,322 |
| Estimated Annual Operational Cost | \$13,235,946 |

Build-a-Budget Method: Police Operational Costs Per Officer (Excluding Operational Capital and General Fund Department Support)

Municipal police department budgets do not always incorporate operational capital costs or the indirect expenditures by administrative departments that support direct police services. This stripped-down approach to departmental budgeting can help leaders decide whether a city can afford a police department. For example, if the city already has the capacity to provide general fund administrative support to a newly established police department, any estimate that includes these costs would be an overestimate. Similarly, where a special-purpose local-option

sales tax (SPLOST) can be used to supply operational capital (in lieu of allocated funds in the operations budget for this capital), any inclusion of these capital costs would also represent an overestimate of the true cost of establishing a new police department.

To create a stripped-down cost estimate for Stonecrest, the Institute research team conducted a three-part analysis that combines the officer need estimates with three different per-officer cost estimates: one based on DCPD data and the other two based on costs for two cities in DeKalb County that have recently established their own police departments.

The first of these per officer cost estimates was derived from detailed adjustments to the DCPD expenditure data. Specifically, the research team calculated the percentage of the total budget that represented indirect support expenditures and operational capital expenditures. The calculations for these operations can be found in Appendix A. The other two per officer cost estimates were based on examination of the budget documents for the cities of Dunwoody and Brookhaven. The research team also communicated with the finance directors of these cities to confirm that capital costs and indirect charges to other general fund support departments were not part of the police departments' budgets.

By having three cost-per-officer figures, City of Stonecrest decision makers can better understand the underlying wage competition that drives these costs.⁶ Obviously, the city can staff a new police department in any number of ways with regard to officer experience, education, and skill level. More experience, of course, costs more.

DCPD Adjusted Per Officer Costs

Table 17. DCPD Adjusted Per Officer Costs

| Nonadjusted Expenditures Per Officer | \$142,322 |
|---|-----------|
| Adjustment for Indirect Cost Allocation | \$13,591 |
| Adjustment for Replacement Capital | \$8,834 |
| Adjusted Expenditures Per Officer | \$119,897 |

_

⁶ The research team examined the salary range for a basic patrol officer for several police departments in the Stonecrest area market. These are presented in Appendix B. These data do not show substantial differences in the starting salaries of beginning patrol officers. However, the per-officer cost differences identified above suggest that the City of Dunwoody is likely competing on quality and experience rather than hiring new police academy candidates.

Table 18. Dunwoody Expenditures Per Officer and Per Employee

| Sworn Officers | 64 |
|---------------------------|-------------|
| Nonsworn Staff | 14 |
| 2019 Amended Expenditures | \$9,511,756 |
| Cost per Employee | \$121,946 |
| Cost per Sworn Officer | \$148,621 |

Table 19. Brookhaven Expenditures Per Officer and Per Employee

| Sworn Officers | 74 |
|---------------------------|-------------|
| Nonsworn Staff | 14 |
| 2019 Adopted Expenditures | \$8,985,585 |
| Cost per Employee | \$102,109 |
| Cost per Sworn Officer | \$121,427 |

Based on these per-officer cost estimates, Tables 20 and 21 show, respectively, how the low-end and high-end officer need estimates translate into total departmental operations costs for the three jurisdictions.

Table 20. Low-End Cost Estimate - 58 Officers

| Cost Basis | DeKalb County Police | Dunwoody Police | Brookhaven Police |
|-----------------------------------|-------------------------|--------------------|----------------------|
| Cost Per Sworn Officer | \$119,897 | \$148,621 | \$121,427 |
| Estimated Annual Operational Cost | \$6,954,026 | \$8,620,018 | \$7,042,766 |

Table 21. High-End Cost Estimate – 93 Officers

| Cost Basis | DeKalb County Police | Dunwoody Police | Brookhaven Police |
|--------------------------------------|-------------------------|--------------------|----------------------|
| Cost Per Sworn Officer | \$119,897 | \$148,621 | \$121,427 |
| Estimated Annual Operational Cost | \$11,150,421 | \$13,821,753 | \$11,292,711 |

POLICE NONFACILITIES CAPITAL AND GENERAL STARTUP

If Stonecrest were to establish its own police force, it would need to equip the officers (vehicles, uniforms, firearms) and would incur some general startup costs for furniture, software, and miscellaneous equipment. Because the DCPD expenditure data used in the analysis in the Share

of DCPD Workload Method section of this report include nonfacility capital replacement costs, there would seem to be no need for a separate accounting of these costs.

While DeKalb County incorporates replacement capital into its operational budget, not all local governments do so. Documenting capital costs separately can be helpful when creating a budget, so the Institute research team explored two ways of doing so: (1) extracting capital costs from the DCPD expenditure data and (2) using the historical experience of two newly established police departments.

The calculation of per-officer replacement capital was addressed earlier in this report (and is calculated in Appendix A). While this calculation is useful, it may not include all the capital that a department needs when starting up, particularly capital for information technology and communications. While this method can provide a fair estimate of the ordinary capital costs for a patrol officer, it does not account for all items used by the more specialized police units such as crime scene investigations, evidence management, bomb units, and the like. Moreover, when establishing a new police department, the cost for capital may have a lifespan of five years and so would likely need to be financed. If so, the city would incur additional costs for interest on this debt.

To more thoroughly address the issues of startup capital, the research team examined the experience of newly established police departments.

Experience of Newly Established Police Departments

Although establishing a new police department is relatively rare, two cities in DeKalb County—Dunwoody and Brookhaven—have done so in the last 11 years. Table 22 shows the capital costs for police in these cities during their first year of operations. These costs for equipping a police officer include expenses such as a vehicle, furniture, radio, firearm, and other similar needs. The startup capital investment for a police department is calculated based on the average cost per officer. Because Dunwoody started its police department in 2009 and Brookhaven in 2013, the Institute researchers used the US Bureau of Labor Statistics Consumer Price Index to adjust these cities' expenditures to 2019 dollars. The per-officer costs for these two cities were then averaged and applied against the estimate of the number of officers needed for Stonecrest based on the workload analysis in the previous section to arrive at a total officer police capital cost estimate.

Police capital costs and general startup costs figured per capita for the study area were added together and assumed to be financed over five years on similar terms to those used by Dunwoody to finance these same expenses.

Table 22. Estimation of Startup Capital Costs Per Officer

| City and Fiscal Year Budget | Budget | Cost Per Officer |
|--|-------------|------------------|
| Dunwoody – FY 2009 Police Start-up | \$2,674,000 | \$66,850 |
| Dunwoody Inflation Adjusted Cost Per Officer | | \$81,361 |
| Brookhaven – FYs 2013 & 2014 Police Start-up | \$2,821,824 | \$49,506 |
| Brookhaven Inflation Adjusted Cost per Officer | | \$55,245 |
| Average Startup Capital Costs Per Office (inflation adjusted to Dec. 2019) | | \$68,303 |

Table 23. Low-End and High-End Startup Capital Cost Estimates⁷

| | Low Cost | High Cost |
|--|-------------|-------------|
| Number of Officers Estimated for Study Area | 58 | 93 |
| Study Area Expenditure Estimate | \$3,961,574 | \$6,352,179 |
| Amortized over 5 Years at 2.26% Interest Rate | \$838,669 | \$1,344,761 |

FACILITIES COSTS

To estimate the cost of a police department facility, the Institute research team first determined the amount of square footage needed per officer and other employees. The researchers assumed that the proposed department would employ additional nonsworn staff to support the work of the department and that these nonsworn employees would represent approximately 20% of the sworn officers employed.

Local governments typically allocate between 125 and 225 square feet per employee. Police departments tend to be on the lower end of this estimate because officers work in shifts and most spend at least part of their shifts in vehicles. However, police departments must have meeting space and evidence and records storage as well as interview rooms. Thus, the Institute research team used 150 square feet per employee as the basis for facility cost estimates.

_

⁷ The City of Dunwoody had 40 officers in 2009 per the city's FYs 2009 and 2010 comprehensive annual financial reports (CAFRs). Source for budget: Dunwoody financial reports and confirmed with the city's Finance Office. The City of Brookhaven had 57 officers in 2013 per the city's FY 2015 CAFR. Source for budget: Brookhaven FY 2016 budget. Capital expenses for FYs 2013 and 2014 are summed because of the significant capital expenditures in 2014, reflecting a continued investment in startup costs. This interest rate was quoted by the Georgia Municipal Association's Financing Unit 2.26% with standard disclaimer on February 6, 2020.

A survey of the asking rent for lease space in the study area showed a range, with many available office buildings running between \$12 and \$20 per square foot per year and a median of \$13 to \$15. Tables 14 and 15 show facilities cost estimates using a \$14 per square foot yearly rental cost. Note that the City of Stonecrest may already have a facility that could be used by a police department, or it may choose to build such a facility rather than lease one. However, the estimated lease cost is still useful as it shows the opportunity cost that the government would incur if it were to already have a facility, that is, the uncollected rent value of not leasing out (or selling) such a facility. Similarly, while the government may eventually build its own facility, such an option is typically not possible during the first few years of operation of a new department. During this time, the government would likely need to rent. Finally, lease costs tend to be fairly closely related to the cost of ownership, so they represent a simplified and easily annualized cost measure that can be easily integrated with the other annualized expenditures estimated in the analyses.

Table 24. Low-End Estimate of Facility Costs

| Estimated Sworn Officers | 58 |
|------------------------------------|-----------|
| Estimated Nonsworn | 11.6 |
| Total Staff | 69.6 |
| Square Feet Per Employee | 150 |
| Annual Cost Per Square Foot | \$14.00 |
| Estimated Annual Cost for Facility | \$146,160 |

Table 25. High-End Estimate of Facility Costs

| Estimated Sworn Officers | 93 |
|------------------------------------|-----------|
| Estimated Nonsworn | 18.6 |
| Total Staff | 111.6 |
| Square Feet Per Employee | 150 |
| Annual Cost Per Square Foot | \$14.00 |
| Estimated Annual Cost for Facility | \$234,360 |

Total Departmental Costs: All Methods

Tables 26 and 27 present total departmental cost estimates based on a minimum of 58 officers and a maximum of 93 officers. For comparison purposes, the research team also adjusted the cost estimate derived from the share of DCPD workload (exclusive of general fund indirect costs, but including DCPD's replacement capital) method to provide an estimate using this method that is equivalent to the 'build a budget' methods. In this analysis, the research team used the basic services (rather than full services) estimated cost.

The low-cost estimate is based on the operational DCPD cost per officer, exclusive of capital and general fund administrative costs. The high-cost estimate is based on the Dunwoody Police Department's cost per officer.

Table 26. Total Costs: Low-End Cost Estimate – Build-a-Budget Method

| Operational Cost Estimate (58 Officers) | \$6,954,026 |
|---|-------------|
| Estimated Annual Cost for Facility | \$146,160 |
| Annualized Start-up Capital | \$838,669 |
| Total Estimated Cost | \$7,938,855 |

Table 27. Total Costs: High-End Cost Estimate – Build-a-Budget Method

| Operational Cost Estimate (93 Officers) | \$13,821,753 |
|---|--------------|
| Estimated Annual Cost for Facility | \$234,360 |
| Annualized Startup Capital | \$1,344,761 |
| Total Estimated Cost | \$15,400,874 |

Estimate of an Equivalent Department-Only Cost Estimate Based on the Share of DCPD Expenditures Method

To derive an equivalent department-only cost estimate using the Share of DCPD Expenditures Method, the Institute research team had to make two adjustments: (1) an adjustment for the fact that this method uses expenditure data that include indirect costs for the services of general fund departments such as human resources (HR), finance, purchasing, risk management, and the like, and (2) an adjustment for the fact that the data used for this method do not include facilities costs as these facilities are already built.

Adjustment of General Fund Administrative Costs

An analysis of the DCPD expenditure data found that about 9.55% of total DCPD expenditures were made in support the of general fund indirect administrative costs. This translates to approximately \$13,591 per officer. Based on an officer estimation of 86 (assuming a basic level of service and the workload analysis proportion of the Uniform Division's resources, see Table 14 for details), the Institute research team calculated an adjustment of general fund administrative costs of \$1,168,826.

Adjustment for Facilities Cost

Using the same assumption about the number of officers, the facility cost estimate calculation is presented in Table 28.

Table 28. DCPD Share Method – Facility Costs

| Estimated Sworn | 86 |
|------------------------------------|-----------|
| Estimated Nonsworn | 17.2 |
| Total Staff | 103.2 |
| Square Feet Per Employee | 150 |
| Annual Cost Per Square Foot | \$14.00 |
| Estimated Annual Cost for Facility | \$216,720 |

Finally, Table 29 presents a total estimate for department-only, basic service level cost using the DCPD share of resources method can be calculated as shown in.

Table 29. Total Cost Estimate for Adjusted DCPD Share Method

| Cost of Service Inclusive of GF Admin. Costs | \$12,411,223 |
|--|---------------|
| Adjustment for GF Indirect Cost Allocation | (\$1,168,798) |
| Subtotal | \$11,242,425 |
| Annual Facility Cost | \$216,720 |
| Total Estimated Cost | \$11,459,145 |

Because the total cost estimate for the adjusted DCPD share method is in between the low- and high-cost estimate, it is referred to as the mid-range estimate.

Table 30. Range of Annual Total Departmental Cost Estimates

| Low-End Cost Estimate | \$7,938,855 |
|-------------------------|--------------|
| Mid-Range Cost Estimate | \$11,459,145 |
| High-End Cost Estimate | \$15,400,874 |

Revenues

The City of Stonecrest collects revenue from a variety of sources, most of which could potentially be used to support a new police department. However, given that these revenue sources are already being spent for services other than police, the city would likely need to collect additional revenue to support a police department. While Stonecrest could choose to raise revenue needed for a police department from any variety of taxes, fees, charges, and permits, for the purposes of this study, the research team focused on two potential revenue sources: traffic court fines and property taxes. The city may be able to collect some revenue through police-specific charges and fees (e.g., for background checks, fingerprinting, etc.), but

these revenue sources generally collect only small amounts of money and depend on ordinances that the city has not yet passed.

STATE COURT -TRAFFIC COURT

A local government's revenue collection for traffic citations is directly tied to police enforcement of traffic laws. The workload of DeKalb County's Traffic Court is linked to the number of moving violations tickets that county police issue. Because the exact location of every ticket is unknown (and therefore associated revenues and expenditures), the research team looked at percentages based on population. The City of Stonecrest represents 10.46% of the county's population and thus 10.46% of the DCPD workload or 10.46% of revenue currently collected by DeKalb County Traffic Court (see Table 31).8 If Stonecrest were to provide its own police services, then an estimated \$872,837 in traffic court revenue would likely follow. These revenues, for the purposes of this study, are assumed to be collected by a City of Stonecrest traffic or municipal court.

Table 31. Stonecrest Traffic Court Revenue

| Revenue | DeKalb | Stonecrest |
|-----------------------|-------------|------------|
| Traffic Court Revenue | \$8,348,081 | \$872,837 |

Using a similar method to calculate expenses, based on population, the annual cost of operating a traffic court would be approximately \$557,219. Thus, if Stonecrest were to provide its own police services and municipal court, the city would see an estimated net revenue gain of \$315,618 from traffic court.⁹

Table 32. Stonecrest Traffic Court Estimated Net Revenue

| | Estimated Dollars |
|---------------------------|-------------------|
| Revenue | \$872,837 |
| Operating Expense | \$557,219 |
| Traffic Court Net Revenue | \$315,618 |

MILLAGE RATE NEEDED TO GENERATE ADDITIONAL REVENUE TO SUPPORT A POLICE DEPARTMENT

To determine the amount of additional revenue that would be needed to finance a police department with low-end, high-end, and mid-range cost estimates, the research team first subtracted the anticipated net revenue from a City of Stonecrest traffic court (Table 32) from the

 $^{^8}$ 50,189 / 480,023 = 10.46%. Includes the entire unincorporated area plus the cities of Tucker and Stonecrest.

cost estimates of each of these scenarios. Table 33 shows the additional revenue needed and the respective millage rates for each estimate.

Table 33. Additional Revenue Needed and Millage Rate Needed to Generate the Revenue

| | Property Tax | Mills Needed |
|-------------------------------------|--------------|--------------|
| Low Cost Additional Revenue Need | \$7,623,237 | 4.92 |
| Middle Cost Additional Revenue Need | \$11,143,527 | 7.191 |
| High Cost Additional Revenue Need | \$15,085,256 | 9.735 |

^{*}Based on the 2019 City of Stonecrest Net M&O Digest on file with the Georgia Department of Revenue.

It is worthy of note that the City of Stonecrest began collecting insurance premiums taxes in 2019; prior to 2019, those funds had been used by DeKalb County to support police services in the city. According to the 2019 city budget, this amount or revenue was approximately \$3,820,000. Were the city to appropriate these funds toward police services, it could help reduce the property tax millage needed to fund police services.

Other Benefits of In-House Provision of Police Services

Cities that provide and operate their own police departments can potentially capture the following additional benefits:

- The ability to strategically control and program police activities. Be it community policing, hot spot crime containment, or enhanced traffic enforcement, cities that have their own police departments can typically respond rapidly to community demand for a particular style of law enforcement services. While the same level of control and style of programming can be obtained through a service contract with another government or agency, the city would typically need to have skills in contract development, management, and monitoring and enforcement of the contract terms. In most cases, these skills are rarer than basic organizational management skills.
- The ability to set priorities and manage response times. Cities that operate their own departments can more easily set operational policies such as demanding faster response times to certain types of calls for service.
- The ability to manage human resources. Cities providing their own services can set HR policies that more closely fit the needs and desires of the community. For example, they can demand a more educated police force and require particular types of training such as in the use of nonlethal conflict management techniques. Similarly, the city can work towards having a police force that is representative of the community demographics.

- The ability to more efficiently benefit from fixed costs and use slack resources. For many cities, indirect service costs for such things as purchasing, finance, payroll, and HR tend to be provisioned in a set amount of staffing for even a relatively small workload. For example, it may be necessary to employ a full-time payroll clerk in a city that has 100 employees. However, if this clerk could actually support payroll services for up to 175 employees, there are economies of scale to be captured by having a larger number of employees. In this case, a city would become more efficient in using indirect service resources by providing for an in-house police department. Similarly, if the city has unused space in a facility that cannot be rented out, having an in-house police force could potentially make effective use of this currently idle resource.
- The ability to make synergetic use of resources through organizational development. Some local governments have been able to achieve significant economies through innovative service delivery. For example, some communities have created public safety departments that provide for multiple services such as fire, police, and emergency medical services. Such organizational efficiencies can only be captured if the government is directly providing these services, particularly police services.

Conclusion

The City of Stonecrest can establish and maintain a police department for an annual cost somewhere between the low-end and mid-range estimates provided in this analysis. Such a police force, however, will not be as large or provide the same specialized services and skills as the DCPD, which currently services the Stonecrest area. To establish and maintain such a force will likely require additional funds.

The new cities in DeKalb County that have that have established their own municipal policies forces (e.g., Brookhaven and particularly Dunwoody) have tended to spend more liberally than has DeKalb County on their respective forces. The higher cost-per-officer figures for these municipal police departments suggest these cities have recruited and hired more experienced officers to establish and maintain a higher quality police force. The entrance of the City of Stonecrest into the already tight market for high-quality police officers could be challenging.

Nevertheless, most cities in DeKalb County have chosen to provide these services in house, most likely for reason outlined in the previous section of this report. It may, therefore, make sense for Stonecrest to seek inclusion in the county non-basic police services special district. This option has been used by several other cities in DeKalb that wish to maintain access to DCPD specialized services.

Appendix A: Calculations of Adjustments to DCPD Expenditures for Replacement Capital and General Fund Indirect Cost Allocation

To calculate a per officer adjustment to the per officer cost estimate for the purposes of excluding replacement capital costs that are included in the DCPD budget, the research team examined the expenditures for capital item in the two largest DCPD divisions—Uniform and Criminal Investigations. Because replacement capital costs varied between these two a standardized per officer cost was calculated that took the proportional size of these two divisions into account.

Calculation of Replacement Capital Cost Adjustment

| | Uniform Division | CID |
|-------------------------------------|-------------------------|-----------|
| 551105 – Vehicle Replacement Charge | \$3,004,560 | \$457,884 |
| 531101 – Operating Supplies | \$88,579 | \$1,539 |
| 531107 – Uniforms & Clothing | \$575,550 | \$27,932 |
| 531601 – Tools & Small Equipment | \$305,045 | |
| Officers | 426 | 79 |
| Total Capital Cost | \$3,973,734 | \$487,355 |
| Generic Total | \$4,461,089 | |
| Standardized Per Officer | \$8,833.84 | |

Per Officer Calculation of Adjustment for General Fund Indirect Cost Allocation

| Admin Charges GF | \$9,737,721 |
|------------------------------|-------------|
| DCPD Officers | 716.5 |
| Admin Charges GF per Officer | \$13,590.68 |

Appendix B. Budgeting for a Police Department

Base Salaries for Patrol Officers in Stonecrest Market Area

Cities

| Year | Jurisdiction | Population | Job Title | Starting Salary | Maximum Salary | Pay Basis | Scheduled Hours | Full-Time Employees |
|------|--------------|------------|--|----------------------|-------------------|--------------|--------------------|------------------------|
| 2018 | Clarkston | 12,742 | Patrol Officer, Police Department | 19.00 | 25.00 | Hourly | 42 | 13 |
| 2018 | Decatur | 22,813 | Patrol Officer, Police Department | 20.93 | 34.31 | Hourly | 40 | 26 |
| 2018 | Dunwoody | 48,884 | Patrol Officer, Police Department | 19.78 | 29.67 | Hourly | 42 | 34 |
| 2018 | Brookhaven | 52,444 | Patrol Officer, Police Department | 20.39 | 32.62 | Hourly | 40 | 45 |
| 2018 | Douglasville | 33,252 | Patrol Officer, Police Department | 17.60 | 28.17 | Hourly | 40 | 42 |
| 2018 | Conyers | 15,919 | Patrol Officer, Police Department | 37,065.60 (17.82) | 41,975.28 | Annual | 40 | 28 |

Counties

| Year | Jurisdiction | Population | Job Title | Starting Salary | Maximum Salary | Pay Basis | Scheduled Hours | Full-Time Employees |
|------|--------------|------------|---|--------------------|-------------------|--------------|--------------------|------------------------|
| 2018 | DeKalb | 753,253 | Patrol Officer, Police Department | 19.68 | 30.51 | Hourly | 40 | 50 |
| 2018 | Henry | 225,813 | Patrol Officer, Police Department | 17.56 | 26.34 | Hourly | 40 | 124 |



CITY COUNCIL AGENDA ITEM

SUBJECT: Land Use Petition RZ-20-004 (2654 Dekalb Medical Parkway)

| () POLICY | () STATUS REPORT |
|----------------|---------------------------|
| () RESOLUTION | (X) OTHER |
| Work Section: | Council Meeting: 10/26/20 |
| | () RESOLUTION |

SUBMITTED BY: Christopher Wheeler, Planning and Zoning Director.

PURPOSE: Land Use Petition RZ-20-004 (2654 Dekalb Medical Parkway)

FACTS AND ISSUES: The subject property has existing senior housing development, with a zoning of M (Light Industrial) District and Future Land Use Character designation of Office Professional.

HISTORY: This item was heard at the October 6th, 2020, Planning Commission Meeting. The applicant requested to rezone subject to HR-1 (High Density Residential) and FLU character to Neighborhood Center for existing senior housing development. The Planning Commission recommended approval of the application with conditions.

OPTIONS: Approve; Deny; or make Alterative conditions

RECOMMENDED ACTION:

Planning Commission recommended Approval of RZ-20-004 at the October 6th meeting.

ATTACHMENTS:

- # 1 10/21/20 Staff Report
- # 2 10/21/20 Rezoning Application
- # 3 10/21/20 Power Point Presentation



LETTER OF INTENT

| Check | one: |
|----------|--|
| \times | Zoning |
| | Variances |
| | Administrative Variances |
| | Special Administrative Permit |
| Write a | a description for the questions below: |
| 1) | What is the purpose of this business? The purpose of the business is to provide safe, quality, affordable housing to seniors within the city of Stonecres |
| 2) | How will this business serve the Community? |
| | It will provide excellent housing options to seniors and locate them near health care providers. |
| Submit | t the Letter of Intent with your application or permit to: |
| | City of Stonecrest ATTN: Chris Wheeler, Director Planning & Zoning Department 3120 Stonecrest Blvd. Stonecrest, GA 30038 |
| I, | Edrick Harris owner/applicant/petitioner acknowledge that this {Print Name} |
| Letter | of Intent is an accurate description of the business purpose and it will serve the community. |
| G | 8/21/2020 |
| Applica | int Signature Date |
| | |



Rezoning Application

This application applies to:

- · Comprehensive plan amendments
- · Zoning map amendments
- Major amendments/modifications to one or more conditions attached to previously approved zoning map amendments

If an applicant needs to further relax the dimensional standards of the Zoning Ordinance for a specific property for the purpose of construction, they can request a variance to the text of the Zoning Ordinance. Such a request might seek to modify the strict terms of lot coverage, placement, setback, yard, buffer, landscape strip, parking and loading or other regulations, but these applications will not occur concurrently, and the approval of one does not indemnify the approval of the other. The City Council, following recommendation by the planning commission, shall determine whether the proposed amendment meets the applicable requirements.

The amendment process for the City of Stonecrest involves two public meetings:

The first meeting, a public hearing, is in front of the Planning Commission, where the item will be heard and a recommendation will be made that goes in front of the City Council. The Planning Commission meets the first Tuesday of each month at 6:00 P.M. in the Stonecrest City Hall Chamber, located at 3120 Stonecrest Blvd., Suite 155, Stonecrest, GA 30038.

Following the Planning Commission public hearing, the application will be heard in front of the City Council for a final decision based on the applicant's submittal information, the report generated by city staff, and the non-binding recommendation from the Planning Commission.

To initiate a request for a Rezoning within the City of Stonecrest, an applicant must schedule and hold a pre-application meeting with the city Planning & Zoning staff which must take place by the deadline of 4:00 P.M. on the Friday preceding the application submission deadline. These meetings are scheduled as-needed and the purpose of the pre-application meeting is to establish an expectation on the part of both staff and the applicant for the rezoning process. The applicant shall provide preliminary/finalized site plans, a letter of intent regarding the request, and/or other illustrative documents as necessary at the time of the pre-application meeting. The applicant will then provide an overview of their proposed application and their reasoning for why the application is necessary. Staff can then inform the applicant of the City's process to affect the proposed change and offer a preliminary analysis of the feasibility of the proposal, including ways upon which the proposal may need improvements or revisions.

Following the pre-application meeting, applicants can submit their application and required supplemental materials (detailed in the following checklist) by the deadline to:

City of Stonecrest Planning & Zoning Department 3120 Stonecrest Blvd. Stonecrest, GA 30038

Public notification of the pending action is the responsibility of the City for all Public Hearings; however, all costs associated with the noticing is the responsibility of the applicant. In all cases, legal advertisements in the City's legal organ (currently On Common Grounds) shall be placed by the City no more than 45 days prior to the Mayor and City Council meeting, and not less than 15 days prior to the Planning Commission meeting.

All application revisions and other documentation related to a petition from the applicant and/or the public must be submitted 2 weeks prior to any meeting date to be included in the package that will be distributed to the board.



Rezoning Application Checklist

(Incomplete applications will not be accepted)

| Pre-application meeting (A staff-signed pre-application form must be submitted with application) |
|---|
| Completed application with all applicable information |
| Letter of intent |
| Public Participation Plan |
| Environmental Site Analysis Form |
| Complete and detailed site plan of the proposed use prepared, signed and sealed by an architect, |
| landscape architect or engineer licensed in the State of Georgia, showing the following, as relevant: |
| All buildings and structures proposed to be constructed and their location on the property; |
| Height of proposed building(s); |
| Proposed use of each portion of each building; |
| All driveways, parking areas, and loading areas; |
| Location of all trash and garbage disposal facilities; |
| Setback and buffer zones required in the district in which such use is proposed to be located; |
| Landscaping plan for parking areas; and |
| All additional requirements outlined under page 4 (Site Plan Checklist) |
| Written legal description which includes a narrative of the metes and bounds of the property matching the site plan |
| Building elevations (attached residential & non-residential). |
| Signed and notarized affidavits of all owners. Use attached sheet. |
| Signed and notarized affidavits of all applicants. Use attached sheet. |
| Electronic version of the entirety of your application submittal, saved as a single PDF. |
| |

Please respond to the following criteria based on the nature of your request, as required by state law and City of Stonecrest Zoning Ordinance (use additional pages where necessary).

Comprehensive Plan Land Use Map Amendments

Analyze the impact of the proposed rezoning and provide a written point-by-point response to the following questions:

- a. Whether the proposed land use change will permit uses that are suitable in view of the use and development of adjacent and nearby property;
- b. Whether the proposed land use change will adversely affect the existing use or usability of adjacent or nearby property;
- c. Whether the proposed land use change will result in uses that will or could cause excessive or burdensome use of existing streets, transportation facilities, utilities or schools;
- d. Whether the amendment is consistent with the written policies in the comprehensive plan text;
- e. Whether there are environmental impacts or consequences resulting from the proposed change;
- f. Whether there are impacts on properties in an adjoining governmental jurisdiction in cases of proposed changes near city boundary lines;
- g. Whether there are other existing or changing conditions affecting the use and development of the affected land areas that support either approval or denial of the proposed land use change; and
- h. Whether there are impacts on historic buildings, sites, districts or archaeological resources resulting from the proposed change.



Zoning Map Amendments

Analyze the impact of the proposed rezoning and provide a written point-by-point response to the following questions:

- a. Whether the zoning proposal is in conformity with the policy and intent of the comprehensive plan;
- b. Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby properties;
- c. Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned;
- d. Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property;
- e. Whether there are other existing or changing conditions affecting the use and development of the property that provide supporting grounds for either approval or disapproval of the zoning proposal;
- f. Whether the zoning proposal will adversely affect historic buildings, sites, districts, or archaeological resources; and
- g. Whether the zoning proposal will result in a use that will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.

The following items may be required:

(Review provided thresholds for applicability)

| | Traffic Impact Study |
|---|--|
| _ | Development of Regional Impact Review |
| | Environmental Impact Report |
| | DeKalb County Department of Watershed Management Capacity Letter |
| | Dekalb County School Capacity Letter (for 10 residential dwellings/units or more |

SPECIAL NOTE TO ALL APPICANTS:

An incomplete application will <u>AUTOMATICALLY</u> be rejected, and <u>NO</u> refund will be issued to the applicant(s).



1. A <u>Trip Generation Report</u> shall be submitted as a part of zoning applications for all Non-Residential and Mixed-Use developments and for Residential Developments with greater than 10 proposed units. Applicants should follow this sample report:

| Land Use (ITE Code) | Intensity | Daily | A.M Peak | | | P.M. Peak | | | |
|----------------------|--------------------------|-------|----------|-----|-------|-----------|-----|-------|--|
| | | Total | In | Out | Total | ln | Out | Total | |
| General Office (710) | 50,000 Gross Square Feet | 782 | 95 | 13 | 108 | 23 | 112 | 135 | |
| Townhouse (230) | 200 Units | 1,157 | 15 | 75 | 90 | 71 | 35 | 106 | |
| | TOTAL | 1,939 | 110 | 88 | 198 | 94 | 147 | 241 | |

- 2. A <u>Traffic Impact Study</u> shall be submitted as part of the zoning application for developments that produce 100 or more peak hour trips or at the discretion of the Public Works Department based on review of the request at the pre-application meeting.
- 3. The minimum requirements of the Traffic Impact Study shall be as follows:

| Land Use | ITE Code | Variable | Rate Trips/ Var | Minimum Size for 10 Peak Hour Trips |
|-------------------------|----------|---------------|--------------------|--|
| | D | esidential | | |
| Challe Frank Barrata A | | | | |
| Single Family Detached | 210 | Housing Units | 1.01 | 99 Units |
| Apartment | 220 | Housing Units | 0.62 | 161 Units |
| Townhome/Condo | 230 | Housing Units | 0.52 | 192 Units |
| | | Retail | | |
| Shopping Center | 820 | 1000 sf GLA | 3.71 | 26 ksf GLA |
| Specialty Center | 826 | 1000 sf GLA | 5.02 | 20 ksf GLA |
| Pharmacy -no drive-thru | 880 | 1000 sf | 8.4 | 11.5 ksf |
| Pharmacy -w/drive-thru | 881 | 1000 sf | 9.91 | 10 ksf |
| | | Services | | |
| Fast Food | 934 | 1000 sf | 45.42 | 2.2 ksf |
| Sit Down Restaurant | 932 | 1000 sf | 10.81 | 9 ksf |
| Coffee/Donut Shop | 937 | 1000 sf | 100.58 | 1 ksf |
| Bank no drive-thru | 911 | 1000 sf | 12.13 | 8 ksf |
| Bank w/drive-thru | 912 | 1000 sf | 24.3 | 4 ksf |
| Gas Station | 944 | Pumps | 13.87 | 7 pumps |
| | Ins | titutional | | |
| Day Care | 565 | Students | 0.81 | 123 Students |
| Private School (K-8) | 534 | Students | 0.9 | 111 Students |
| Private School (K-12) | 536 | Students | 0.81 | 123 Students |
| | | Office | | |
| General Office | 710 | 1000 sf | 1.56 | 64 ksf |
| Medical Office | 720 | 1000 sf | 3.57 | 28 ksf |
| | | Lodging | - | |
| Hotel | 310 | Rooms | 0.6 | 166 Rooms |



Public Participation Plan & Report

General Requirements

The Public Participation Program consists of a two-part process designed to enhance dialogue between applicants and communities which may be impacted by a proposed development.

<u>Part 1</u> of the process is the Public Participation Plan which is required with all rezoning, amendments to the comprehensive plan and/or special land use permit applications. The plan must be filed simultaneously with the application. The minimum standards for the plan are as follows:

- Applicant shall provide a mailing list identifying all property owners within 500-feet of the subject property including the name, street address, and tax parcel identification.
 (Staff would suggest also including homeowners' associations, environmentally stressed communities, political jurisdictions, and any other public agencies or organizations which may be affected by an application)
- Applicant shall provide a copy of the letter to be mailed to affected parties identifying the date, location within
 the City of Stonecrest, and time of the information meeting to be scheduled no later than the first business day
 of the month preceding the Planning Commission hearing date.

<u>Part 2</u> of the Public Participation Program is the Public Participation Report which is required to be submitted to the Community Development Department no later than the last day of the business week of which the information meeting was held. The report shall include the following information/documentation:

- Provide a sign-in sheet of meeting attendees.
- A summary of concerns of issues expressed by interested parties.
- A summary of the applicant's response to concerns and issues expressed.

The requirement for a Public Participation Plan does not give communities decision making powers or force a consensus on issues. Applicants are not obligated to make any concessions or changes based upon input from citizens. Non-attendance at a community information meeting, by those on the mailing list, does not mean that an applicant fails to meet the requirements of the Public Participation Plan.



Environmental Site Analysis

Analyze the impact of the proposed rezoning and provide a written point-by-point response to Points 1 through 3:

1. Conformance to the Comprehensive Plan:

- a. Describe the proposed project and the existing environmental conditions on the site.
- b. Describe adjacent properties. Include a site plan that depicts the proposed project.
- c. Describe how the project conforms to the Comprehensive Land Use Plan.
- d. Include the portion of the Comprehensive Plan Land Use Map which supports the project's conformity to the Plan.
- e. Evaluate the proposed project with respect to the land use suggestion of the Comprehensive Plan as well as any pertinent Plan policies.

2. Environmental Impacts of The Proposed Project

For each environmental site feature listed below, indicate the presence or absence of that feature on the property. Describe how the proposed project may encroach or adversely affect an environmental site feature. Information on environmental site features may be obtained from the indicated source(s).

a. Wetlands

- U. S. Fish and Wildlife Service, National Wetlands Inventory (http://wetlands.fws.gov/downloads.htm)
- Georgia Geologic Survey (404-656-3214)
- Field observation and subsequent wetlands delineation/survey if applicable

b. Floodplain

- Federal Emergency Management Agency (http://www.fema.org)
- Field observation and verification

c. Streams/stream buffers

· Field observation and verification

d. Slopes exceeding 25 percent over a 10-foot rise in elevation

- United States Geologic Survey Topographic Quadrangle Map
- · Field observation and verification
- e. Vegetation United States Department of Agriculture, Nature Resource Conservation Service
 - Field observation

f. Wildlife Species (including fish)

- United States Fish and Wildlife Service
- Georgia Department of Natural Services, Wildlife Resources Division, Natural Heritage Program
- Field observation

g. Archeological/Historical Sites

- Historic Resources Survey
- Georgia Department of Natural Resources, Historic Preservation Division
- · Field observation and verification



3. Project Implementation Measures

Describe how the project implements each of the measures listed below as applicable. Indicate specific implementation measures required to protect environmental site feature(s) that may be impacted.

- a. Protection of environmentally sensitive areas, i.e., floodplain, slopes exceeding 25 percent, river corridors.
- b. Protection of water quality
- c. Minimization of negative impacts on existing infrastructure
- d. Minimization on archeological/historically significant areas
- e. Minimization of negative impacts on environmentally stressed communities where environmentally stressed communities are defined as communities exposed to a minimum of two environmentally adverse conditions resulting from public and private municipal (e.g., solid waste and wastewater treatment facilities, utilities, airports, and railroads) and industrial (e.g., landfills, quarries and manufacturing facilities) uses.
- f. Creation and preservation of green space and open space
- g. Protection of citizens from the negative impacts of noise and lighting
- h. Protection of parks and recreational green space
- i. Minimization of impacts to wildlife habitats

Dekalb County School District Capacity Letter

To obtain your school capacity letter please contact the Dekalb County School District:

Attention: David Yoke
Operation Division
1780 Montreal Rd
Tucker, GA 30084
(678) 676 – 1329
David_s_yoke@dekalbschoolsga.org



Site Plan Checklist

(All items must be included on the Site Plan; separate sheets may be used)

| Key and/or legend and site location map with North arrow Boundary survey of subject property which includes dimensions along property lines that match the metes and bounds of the property's written legal description and clearly indicates the point of beginning. |
|--|
| Acreage of subject property |
| Location of land lot lines and identification of land lots |
| Existing, proposed new dedicated and future reserved rights-of-way of all streets, roads, and railroads adjacent |
| to and on the subject property |
| Proposed streets on the subject site |
| Current zoning of the subject site and adjoining properties |
| Existing buildings with square footages and heights (stories), wells, driveways, fences, cell towers, and any other |
| structures or improvements on the subject property |
| Existing buildings' locations and heights (stories), wells, driveways, fences, cell towers, and any other structures |
| or improvement on adjacent properties within 200 feet of the subject property. |
| Location of proposed buildings with total square footage |
| Layout and minimum lot size of proposed single-family residential lots |
| Topography on the subject site and adjacent property up to 200 feet as required to assess runoff effects |
| Location of overhead and underground electrical and pipeline transmission/conveyance lines |
| Required and/or proposed setbacks. |
| 100-year flood plain horizontal limits and flood zone designations as shown on survey or FEMA FIRM maps. |
| Required landscape strips, undisturbed buffers, and any other natural areas as required or proposed. |
| Required and proposed parking spaces; Loading and unloading facilities. |
| Lakes, streams, wetlands, and Waters of the State and associated buffers. |
| Proposed stormwater management facilities. |
| Community wastewater facilities including preliminary areas reserved for septic drain fields and points of |
| access. |
| Availability of water system and sanitary sewer system. |
| Location of existing trees and trees to be removed, or a statement that there are none, and whether the trees |
| identified are specimen trees. (A specimen tree is any hardwood (oak, hickories, poplars, etc.) or softwood |
| (pines, evergreens, etc.) tree with a diameter at breast height (DBH) of 30 inches and larger, or a small tree |
| (dogwoods, redbuds, sourwoods, etc.) with a DBH of 10 inches and larger. If no specimen trees exist on the site, |
| note their absence on the plans. If a specimen tree is to be removed, provide a calculation for recompense at 1.5x |
| the diameter.) |



Amendment Application

| c | Owner's Name: Manor DeKalb Medical I. | LP | | |
|----------|---|--|--|--|
| d | Owner's Address: 3715 Northside Parkway | , Bldg 200, Suite 175, Atlanta, GA 30327 | | |
| | hone: 404-949-3870 Fax: | Email: edrick@prestwickcompanies.com | | |
| - | | rkway, Lithonia, GA 30058 Parcel Size: 6.83 acres | | |
| | Parcel ID: 16 088 01 001 | raite size. Sist doiso | | |
| | | strial | | |
| | current Zoning Classification: M - Light Indus | SUIAI | | |
| R | equested Zoning Classification: HR-1 | | | |
| 1 | Name: Edrick Harris | | | |
| - | Address: 3715 Northside Parkway, Bldg 200, Suite | 175, Atlanta, GA 30327 | | |
| | Phone: 678-705-0738 | Fax: | | |
| 9 | Cell: | Email: edrick@prestwickcompanies.com | | |
| | | entives or tax abatement through the City of Stonecrest or any entit | | |
| th | at can grant such waivers, incentives, and/or abate | ements? ☐ Yes ☑ No | | |
| _ | | | | |
| 1. | 1. Will the zoning proposal permit a use that is suitable in view of the use and development of adjacent and nearby properties? | | | |
| Is th | oper des: | | | |
| Υe | es, it is in line with the land use of the o | comprehensive plan and similar to adjacent uses. | | |
| 2. | Will the affected property of the zoning proposal | have a reasonable economic use as currently zoned? | | |
| N | o, there is a zoning classification on the | e property that is not in line with the current use. | | |
| | | ing use or usability of adjacent or nearby property? | | |
| NI. | | JA15 11 | | |
| INC | o, the property's existing use is as a mi | uitiramily development. | | |
| | | | | |
| 4. | Are other existing or changing conditions affecting | g the existing use or usability of the development of the property | | |
| wl | hich give supporting grounds for either approval o | r disapproval of the zoning proposal? | | |
| - | | | | |
| Yes | s, the development was completed under the I-20 overlay | district from DeKalb that was not adopted by Stonecrest | | |
| 5. | Will the zoning proposal adversely affect historic b | buildings, sites, districts, or archaeological resources? | | |
| NI/ | o, no historically significant sites will be | affected | | |
| - | 5, no mistorically significant sites will be | s allected. | | |
| | | | | |
| 6. | Will the zoning proposal result in a use which will | or could cause an excessive or burdensome use of existing streets, | | |
| tra | ansportation facilities, utilities or schools? | , and a second s | | |
| No | o, the development is already completed. | | | |



| Applicant's Name: Edrick Harris | | | |
|--|----------------|---------------|---------------|
| Applicant's Signature: | , | Date: | |
| Sworn to and subscribed before me this | 24th Day of Au | 8/24/202 | 20 2020 |
| | | | |
| Notary Public: Mescan Rell | | | EGAN A |
| Signature: Munch Be | 20 | , in | MEGAN BE |
| My Commission Expires: | | = = = = | S MOTARY |
| 3-27-2024 | | = 5 | 1 |
| Application Fee Sign Fee | Legal Fee | = | 2 3 0000 |
| | | 2 | G 2CH 27, 202 |
| | Payment: Cas | h M Check Day | C. OLINITY. |
| Fee: \$ 000 | CC | Circuit _ Da | |

^{*}One sign is required per street frontage and/or every 500 feet of street frontage



Property Owner(s) Notarized Certification

The owner and petitioner acknowledge that this Zoning Map Petition application form is correct and complete. By completing this form, all owners of the subject property certify authorization of the filing of the application for zoning amendment, and authorization of an applicant or agent to act on their behalf in the filing of the application including all subsequent application amendments.

| | Signature: | | Data | 8/24/2020 | |
|-----------------|--|--------------------------|-------|--------------|--------------------------------|
| | 3715 Northside Parkway Address: Bldg 200, Suite 175 | City, State: Atlanta, GA | Zip: | 30327 | |
| | Phone: 678-705-0738 | | | | Million. |
| 15ke) | Sworn to and subscribed before me this | 24 day of AUG | ust | . 20 20 MILE | GAN BE |
| (if Applicable) | Notary Public: WYUGON | Bell | 3 | = 0: | GAN BE MISSION ET NOTARL |
| | Signature: | | Date | 11.10 | ACH 27, 202 |
| | Address: | City, State: | Zip: | 1111 | DUNT |
| [a | Phone: | | | | |
| (If Applicable) | Sworn to and subscribed before me thisday of | | | | |
| (If Ap) | Notary Public: | | | | |
| | Signature: | | Date: | | |
| | Address: | City, State: | Zip: | | |
| able) | Phone: | | | | |
| (If Applicable) | Sworn to and subscribed before me thisday of | | | 20 | |
| | Notary Public: | | | | |



Applicant/Petitioner Notarized Certification

Petitioner states under oath that: (1) he/she is the executor or Attorney-In-Fact under a Power-of- Attorney for the owner (attach a copy of the Power-of-Attorney letter and type name above as "Owner"); (2) he/she has an option to purchase said property (attach a copy of the contract and type name of owner above as "Owner"); (3) he/she has an estate for years which permits the petitioner to apply (attach a copy of lease and type name of owner above as "Owner").

| 3715 Northside Parkway Bldg 200, Suite 175 Phone: 678-705-0738 | | City, State: Aflanta, GA | Date: 8/24/2020 Zip: 30327 | |
|--|------------------|--------------------------|-------------------------------|------------------------|
| Sworn to and subscribed b | efore me this 34 | day of AUGUST | 20 <u>20 1 N</u> | GAN BE |
| Notary Public: LVVQC | jan Bell | | AULD | AUBLIC PCH 27, 2021 |
| ignature: | | | Date: | OCH 27, 202 |
| Address: | City, Stat | e: | Zip: | COUNTY: |
| year test L. Tempelod a | | | | Transmitt. |
| hone: | | | | |
| | efore me this | day of | , 20 | |



Campaign Disclosure Ordinance

Campaign Disclosure Ordinance

Please read the law and complete the Campaign Disclosure Statement on the following page if you are requesting a Rezoning, Concurrent Variance, or Conditional Use.

GA Citation/Title

GA Code 36-67A-3, Disclosure of campaign contributions *38069 Code, 36-67A-3

CODE OF GEORGIA TITLE 36. LOCAL GOVERNMENT PROVISIONS APPLICABLE TO COUNTIES AND MUNICIPAL CORPORATIONS CHAPTER 67A. CONFLICT OF INTEREST IN ZONING ACTIONS (Current through 2000 General Assembly)

36-67 Disclosure of campaign contributions.

- a) When any applicant for rezoning action has made, within two years immediately preceding the filing of that applicant's application for the rezoning action, campaign contributions aggregating \$250.00 or more to a local government official who will consider the application, it shall be the duty of the applicant to file a disclosure report with the governing authority of the respective local government showing:
 - The name and official position of the local government official to whom the campaign contribution was made; and
 - 2) The dollar amount and description of each campaign contribution made by the applicant to the local government official during the two years immediately preceding the filing of the application for the rezoning action and the date of each such contribution.
- b) The disclosures required by subsection (a) of this Code section shall be filed within ten days after the application for the rezoning action is first filed.
- c) When any opponent of a rezoning action has made, within two years immediately preceding the filing of the rezoning action being opposed, campaign contributions aggregating \$250.00 or more to a local government official of the local government which will consider the application, it shall be the duty of the opponent to file a disclosure with the governing authority respective local government showing:
 - The name and official position of the local government official to whom the campaign contribution was made; and
 - 2) The dollar amount and description of each campaign contribution made by the opponent to the local government official during the two years immediately preceding the filing of the application for the rezoning action and the date of each such contribution.
- d) The disclosure required by subsection (c) of this Code section shall be filed at least five calendar days prior to the first hearing by the local government of any of its agencies on the rezoning application.

(code 1981, 36-67A-3, enacted by Ga. L. 1986, p. 1269, 1; Ga. L. 1991, p. 1365, 1; Ga. L. 1993, p. 91, 36.)

Official Code of Georgia Annotated Copyright 1982 - 2000 State of Georgia.



Campaign Disclosure Statement

Have you, within the two years immediately preceding the filing of this application, made campaign contributions aggregating \$250.00 or more to a member of the City of Stonecrest City Council or a member of the City of Stonecrest Planning Commission?

| Yes | ☑ No | | |
|--------------------|------------|--|--|
| 1 | Signature | EQ / | |
| Applicant Owner | Address: | 3715 Northside Parkway, Bldg 200, Suite 175, Atlanta, GA 30327 | |
| ₹ | Date: 8/24 | 4/2020 | |

If you answered yes above, please complete the following section:

| Date | Government Official | Official Position | Description | Amount |
|------|---------------------|-------------------|-------------|--------|
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |



Thresholds for Additional Studies, Reports & Forms

The Department of Community Affairs has formulated development thresholds as listed on the next page. When a development meets or exceeds the thresholds, the Atlanta Regional Commission (ARC) and the Georgia Regional Transportation Authority (GRTA) shall review the project concurrently. Applicants shall first file the rezoning/use permit request with the City of Stonecrest. After the ARC/GRTA findings are completed, the rezoning/use permit request will be placed on the next available appropriate agenda. It is the applicant's responsibility to contact and follow all ARC and GRTA review procedures. For details, contact the ARC at http://www.dca.ga.gov/DRI and GRTA at http://www.grta.org/dri or at 404-463-3000.

| Type of Development | Metropolitan Region |
|--|--|
| Office | Greater than 400,000 square feet |
| Commercial | Greater than 300,000 square feet |
| Wholesale & Distribution | Greater than 500,000 square feet |
| Hospitals and Health Care | Greater than 300 new beds; or generating more than 375 peak hour vehicle trips per day |
| Housing | Greater than 400 new lots or units |
| Industrial | Greater than 500,000 gross square feet; or employing more than 1,600 workers; or covering more than 400 acres |
| Hotel | Greater than 400 rooms |
| Mixed Use | Gross square feet greater than 400,000 (with residential units calculated at 1,800 sq. ft.) per unit toward the total gross sq. ft.); or covering more |
| Airports | All new airports, runways and runway extensions |
| Attractions and Recreational Facilities | Greater than 1,500 parking spaces or a seating capacity of more than 6,000 |
| Post-Secondary Schools | New school with a capacity of more than 2,400 students; or expansion by at least 25% of capacity |
| Waste Handling Facilities | New facility or expansion of use of existing facility by 50% or more |
| Quarries, Asphalt and Cement Plants | New facility or expansion of existing facility by 50% |
| Wastewater Treatment Facilities | New facility or expansion of existing facility by 50% |
| Petroleum Storage Facilities | Storage greater than 50,000 barrels if within 1,000 feet of any water supply; otherwise storage capacity greater than 200,000 barrels |
| Water Supply Intakes/Reservoirs | New facilities |
| ntermodal Terminals | New facilities |
| Truck Stops | A new facility with more than three diesel fuel pumps; or containing a half acre of truck parking or 10 truck parking spaces |
| Any other development types not identified above (includes parking facilities) | 1,000 parking spaces |

Environmental Impact Report

Projects having any appreciable impact on the environment—either on site or in the region—as a result of this proposed action may be required to submit an Environmental Impact Report detailing the impact as a result of the proposed project, and the attenuation measures (Erosion/Sediment Control Plan, water quality devices, noise & lighting barricades, etc.) proposed.



DeKalb County Department of Watershed Management Capacity Letter

It is recommended that all applicants for land use petitions request a Capacity Letter from the DeKalb County Department of Watershed Management early in the process to ensure that potential issues can be addressed early on. Applicants should provide the following information to the County contact listed below as soon as possible:

- 1. Gross square footage and/or total number of units proposed
- 2. Anticipated gallons per day using the following methodology:

| Use Type | Gallons per Day [GPD] |
|--|---|
| Residential | |
| Single Family Residence | 320 GPD/house |
| Apartment & Condominium | 320 GPD/unit |
| Mobile Home Park | 300 GPD/space |
| Nursing Home | 125 GPD/bed plus 25 GPD/employee |
| Hotel/Motel | 100 GPD/room |
| Non-Residential | |
| Auditorium/Assembly Hall/Convention Center | 10 GPD/person (maximum) |
| Bar/Tavern¹ | 50 GPD/seat plus 25 GPD/employee |
| Barber Shop | 54 GPD/chair |
| Beauty Shop | 333 GPD/chair with sink |
| Bowling Alley ¹ | 125 GPD/land plus 25 GPD/employee |
| Car Wash | |
| Self-serve w/ wand | 41.60 GPD/bay |
| Automatic | 4,160 GPD/unit |
| Church ² | 25 GPD/seat (maximum) |
| Coin Laundry | Requires letter from owner stating 1) number of machines, 2) estimated number of washes per day per machine, and 3) manufacturers specifications on gallons per wash OR 210 GPD/machine |
| Convenience Store | 100 GPD/1,000 square feet |
| Daycare Center | and at my minor and again their |
| With meals served | 17.60 GPD/child |
| No meals | 13.20 GPD/child |
| Garage | 100 GPD/1,000 square feet |
| Hospital | 200 GPD/bed |
| Manufacturing ¹ | Requires letter from owner stating 1) product manufactured, 2) estimated gallons returned to sewer daily, 3) number of employees, and 4) if shower facilities provided. 25 GPD/employee plus gallons of effluent/day returned to sewer |
| Office ³ | 10 GPD/employee (if shower provided) 175 GPD/1,000 square feet of net leasable space |
| OTHER | TYD PROVI ODD SQUARE TEST OF USE MESSAGE SDACE |



| Office/Warehouse ¹ | 175 GPD/1,000 square feet of office space plus 25 GPD/1,000 square feet of warehouse space | |
|-------------------------------|--|--|
| Restaurant (full service) | If estimated gallons of water returned to sewer daily is known, use gallons of effluent/day returned to sewer, otherwise use: | |
| | 45 GPD/seat plus 25 GPD/employee plus 10 GPD/seat (if garbage disposal used) | |
| Restaurant (fast food) | 22.4 GPD/seat plus 25 GPD/employee | |
| Restaurant (sandwich shop) | 16 GPD/seat 22.4 GPD/seat 100 GPD/1,000 square feet of retail space | |
| Restaurant (deli) | | |
| Retail ² | | |
| School ³ | 12 GPD/student plus 4 GPD/student (if cafeteria) plus 1 GPD/student (if garbage disposal used) plus 4 GPD/student (if gymnasium) | |
| Service Station | 25 GPD | |
| Theater | | |
| Regular | 5 GPD/seat | |
| Drive-in | 8 GPD/car space | |
| Veterinarian | 175 GPD/1,000 square feet of office space | |
| Warehouse ¹ | 25 GPD/1,000 square feet of warehouse space | |

Usage from other installations, which do not fall into a specific category, will require a letter from the owner stating anticipated usage with manufacturer's data if available.

- 1 Food service not included; if included, add fee calculated for sandwich shop or restaurant.
- 2 If daycare and/or school provided, add fee calculated for daycare and/or school.
- 3 If daycare or afterschool care provided, add fee calculated for daycare.

Contact:

DeKalb County Department of Watershed Management Clark Harrison Building, Suite 200 330 W. Ponce de Leon Avenue Decatur, GA 30040 (404) 371-4918

Once an application has been filed the City will also request comments from Watershed Management; however, due to the possible 30 to 60 days turnaround for the Capacity Letter the City recommends that this process be started well ahead of the land use petition submittal.



Stonecrest Planning & Zoning Fee Schedule

| Rezoning | |
|---|---|
| (from any district/major modification) | Type text here. |
| RE District | 111000000000000000000000000000000000000 |
| 0 to 5 acres | \$500.00 |
| 5+ to 10 acres | \$700.00 |
| 10+ to 20 acres | \$1000.00 |
| 20+ to 100 acres | \$1500.00 |
| 100+ acres | \$2,500 plus an additional \$40 per acre for any portion thereof over 100 acres. Max fee = \$10,000 |
| RLG, R-100, R-85, R-75, R-60 | |
| 0 to 5 acres | \$300.00 |
| 5+ to 10 acres | \$700.00 |
| 10+ to 20 acres | \$1000.00 |
| 20+ to 100 acres | \$1500.00 |
| 100+ acres | \$2,500 plus an additional \$40 per acre for any portion thereof over 100 acres. Max fee = \$10,000 |
| MHP, RNC, Medium and High-Density Residential Districts, Non-Residential, Mixed-Use Districts. | |
| 0 to 5 acres | \$500.00 |
| 5+ to 10 acres | \$1000.00 |
| 10+ to 20 acres | \$1500.00 |
| 20+ to 100 acres | \$2,000.00 |
| 100+ acres | \$2,500 plus an additional \$20 per acre for any portion thereof over 100 acres. Max fee = \$10,000 |
| Special Land Use Permit | \$400.00 |
| Uses Permit (other than Special Land Use Permit) | |
| General | \$100.00 |
| Mobile Home | \$100.00 |
| Variances | |
| Residential Single-Family Zoning Districts | \$250 plus \$50 for each additional variance on the same piece of property (maximum of three (3) variance at any one time) |
| Medium and High Density Residential, Mixed-Use Districts, Non-Residential and Commercial Uses in Residential Districts | \$350 plus \$100 for each additional variance on the same piece |
| All Signs | of property (maximum of three (3) variance at any one time) \$350 plus \$100 for each additional variance on the same piece of property (maximum of three (3) variance at any one time) |
| Minor Modification | \$30.00 |
| Major Modification | \$250.00 |
| Zoning Certification | \$250.00 |
| GIS Maps >11x17 | \$5.00 |
| Revisions | ψ3.00 |
| Rezoning or Use Permit | \$100.00 for each submittal of a revision |
| Modification | \$100.00 for each submittal of a revision |



Stonecrest Planning & Zoning Fee Schedule

| Special Administrative Permit | |
|--|-------------------------|
| Festival/Event (horseshow, music festival, etc.) | \$50 plus \$10 per day |
| Events, Outdoors Seasonal (Christmas tree, pumpkinseed) | \$50.00 |
| Roadside Vendor | \$50 plus \$10 per day |
| Roadside Produce Stand | \$50 |
| Temporary Structure | \$150 |
| Swimming Pool | \$50.00 |
| Sexually Oriented Business | \$50.00 |
| All other Administrative Permits | \$25.00 |
| Public Notice | |
| All Land Use & Variances and Administrative Appeal Petitions (expect Adr | ministrative and Minor) |
| Signs | \$80.00 |
| Advertising | \$50.00 |
| Sign Permit Fees | |
| Directional Sign/Wayfinding Signs | \$100.00 |
| Special Event Sign (per sign) | \$100.00 |
| All other sign permits | \$100.00 |
| Banner | \$25.00 |
| Wall Signs | |
| Under 50 square feet | \$50.00 |
| 50 to 100 square feet | \$75.00 |
| Over 100 square feet | 100.00 |
| Banner | \$25.00 |
| Ground Signs | |
| Under 50 square feet | \$100.00 |
| 50 to 100 square feet | \$150.00 |
| | |



2020 Variance Deadlines

| DEADLINE | BOARD OF ZONING APPEALS |
|-----------|-------------------------|
| 8/9/2020 | 9/15/2020 |
| 9/5/2020 | 10/20/2020 |
| 10/3/2020 | 11/17/2020 |
| 11/7/2020 | 12/15/2020 |

2020 Rezoning/SLUP Deadlines

| DEADLINE | EADLINE NEIGHBORHOOD MEETING | | MAYOR & CITY COUNCIL | |
|-----------|------------------------------|------------|-------------------------|--|
| 8/9/2020 | 9/7/2020 | 10/6/2020 | 10/16/2020 | |
| 9/5/2020 | 10/5/2020 | *11/4/2020 | 11/20/2020 | |
| 10/3/2020 | 11/9/2020 | 12/1/2020 | TBD | |



To whom it may concern:

Manor Dekalb Medical I, LP, the owner of 2654 Dekalb Medical Parkway in Stonecrest is seeking to rezone the property to the High Density Residential-1 zoning category. The development was originally approved under the DeKalb County zoning I-20 Overlay District, which was not adopted when the city of Stonecrest was incorporated.

The Public Informational Meeting will be held virtually on Zoom (Meeting ID: 885-854-8290) on October 5, 2020 at 7:00 PM ET.

We look forward to seeing you at the meeting.

Sincerely,

Edrick Harris

Partner - Senior Vice President

Rezoning Mailing List

16 073 01 002 Dekalb Hospital Authority 5900 Hillandale Drive, Lithonia, GA 30058

16 073 01 007 Dekalb Hospital Authority 2745 Dekalb Medical Parkway, Lithonia, GA 30058

16 088 01 003 Belle Vista LP 100 Camelia Ln, Lithonia, GA 30058

16 088 04 112 Somerset Condominium Association Inc 2750 Somerset Parkway, Lithonia, GA 30058

16 088 01 007 Kamor I Frank 6086 Hillandale Drive, Lithonia, GA 30058

16 088 01 009 Sams III James Mac 6100 Hillandale Drive, Lithonia, GA 30058

16 088 02 008 Hillandale Dialysis LLC 6085 Hillandale Drive, Lithonia, GA 30058

16 088 02 002 AR Barksdale Inc 6039 Hillandale Drive, Lithonia, GA 30058

16 088 02 009 Hillandale Center LLC 6033 Hillandale Drive, Lithonia, GA 30058

16 088 02 001 Selman Family Revocable Living Trust 5999 Hillandale Drive, Lithonia, GA 30058

16 088 02 005 Selman Family Revocable Living Trust 6029 Hillandale Drive, Lithonia, GA 30058

16 088 02 006 Selman Family Revocable Living Trust 5991 Hillandale Drive, Lithonia, GA 30058

Environmental Site Analysis

1. Conformance to the Comprehensive Plan

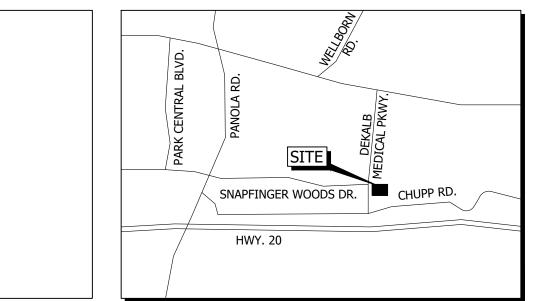
- a. Describe the proposed project and the existing environmental conditions on the site. The development has been completed. It is a senior housing development. It is in line with the Dekalb Future Land Use Map. The applicant is seeking a Special Land Use Permit. The proposed use is in line with the adjacent properties.
- b. **Describe the adjacent properties.** There is a multifamily community to the north, a hospital system to the west, medical commercial building to the south, and an undeveloped parcel to the east. **Include a site plan that depicts the proposed project.** A site plan that depicts the project is attached.
- c. Describe how the project conforms to the Comprehensive Land Use Plan. The development has been completed. It is a senior housing development. It is in line with the Dekalb Future Land Use Map. The applicant is seeking a Special Land Use Permit. The proposed use is in line with the adjacent properties.
- d. Evaluate the proposed project with respect to the land use suggestion of the Comprehensive Plan as well as any pertinent Plan policies. The development has been completed. It is a senior housing development. It is in line with the Dekalb Future Land Use Map. The applicant is seeking a Special Land Use Permit. The proposed use is in line with the adjacent properties.

2. Environmental Impacts of the Proposed Project.

a. There are no wetlands, floodplains, streams, slopes exceeding 25 percent over a 10-foot rise, wildlife species, or historical significance on the site.

3. Project Implementation Measures

- a. Protection of environmentally sensitive areas, i.e., floodplain, slopes exceeding 25 percent, river corridors. There are no environmentally sensitive areas required to be protected. The development has already been completed
- b. Protection of water quality. The development has already been completed.
- c. **Minimization of negative impacts on existing infrastructure.** The development has already been completed.
- d. **Minimization of archeological/historically significant areas.** The development is not in an area of archeological/historically significant area. The development has already been completed.
- e. Minimization of negative impacts on environmentally stressed communities where environmentally stressed communities are defined as communities exposed to a minimum of two environmentally adverse conditions resulting from public and private municipal (e.g., solid waste and wastewater treatment facilities, utilities, airports, and railroads) and industrial (e.g., landfills, quarries and manufacturing facilities) uses. There are no negative impacts on this community. The development has already been completed.
- f. Creation and preservation of green space and open space. The development has created green space and outdoor amenities at the property.
- g. Protection of citizens from the negative impacts of noise and lighting. The property is at all times below the noise level of 65 decibels. The development has already been completed.
- h. Protection of parks and recreational green space. The development has created recreational green space when it was previously wooded.
- Minimization of impacts to wildlife habitats. The development has not harmed any wildlife habitats.



THIS BLOCK RESERVED FOR THE CLERK OF THE SUPERIOR COURT.

VICINITY MAP (N.T.S.)

GENERAL NOTES:

- THIS DRAWING WAS CREATED ELECTRONICALLY. THIS MEDIA SHOULD NOT BE CONSIDERED A CERTIFIED DOCUMENT UNLESS IT HAS BEEN PROPERLY SEALED AND ORIGINALLY SIGNED BY A REGISTERED LAND SURVEYOR OF LAND ENGINEERING, INC. AUTHORITY OF O.C.G.A. 43-15-22.
- . ONLY INFORMATION PROVIDED IN THE TITLE COMMITMENT WAS ADDRESSED HEREON. EASEMENTS OF RECORD OR OTHER TITLE MATTERS AFFECTING THE SUBJECT PROPERTY MAY EXIST. LAND ENGINEERING, INC. AND THE LAND SURVEYOR WHOSE SEAL IS AFFIXED HEREON DO NOT GUARANTEE THAT ALL EASEMENTS WHICH MAY AFFECT THIS PROPERTY ARE SHOWN.
- THIS MAP OR PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO E ACCURATE WITHIN ONE FOOT IN 391,183 FEET. A LEICA TS 12 ROBOTIC TOTAL STATION WAS USED TO OBTAIN THE LINEAR AND ANGULAR MEASUREMENTS USED IN TH PREPARATION OF THIS PLAT. THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE OF ONE FOOT IN 13,810 FEET AND AN ANGULAR ERROR OF 8" PER ANGLE POINT AND WAS ADJUSTED USING THE METHOD OF LEAST SQUARES. ALL DISTANCES SHOWL HEREON ARE SURFACE DISTANCES. THE HORIZONTAL DATUM REFERENCED HEREON IS REFERENCED TO THE N.A.D.83, GEORGIA WEST ZONE STATE PLANE COORDINATE SYSTEM A LEICA GPS900 WAS USED TO PERFORM A NETWORK-ADJUSTED REAL TIME KINEMATICS G.N.S.S. SURVEY REFERENCED TO THE EGPS C.O.R.S. NETWORK.
- I. THE LOCATION AND DEPICTION OF UNDERGROUND UTILITIES IS BEYOND THE TO TRACE, MARK, OR SURVEY THE LOCATION OF UNDERGROUND UTILITIES UNDERGROUND SHOWN ARE BASED ON THE DESIGN PLANS. UNDERGROUND UTILITIES NOT OBSERVED OR LOCATED MAY EXIST ON THIS SITE, BUT NOT BE SHOWN, AND MAY BE FOUND UPON EXCAVATION. VERIFICATION OF EXACT UNDERGROUND UTILITY LOCATIONS SHOULD BE MADE PRIOR TO ANY CONSTRUCTION ACTIVITIES.
- . THE SUBJECT PROPERTY IS CURRENTLY OWNED BY MANOR DEKALB MEDICAL LP, TAX PARCEL NUMBER 16 088 01 001. THE EXISTING OWNERSHIP SHOWN HEREON IS BASED UPON INFORMATION OBTAINED FROM THE DEKALB COUNTY TAX ASSESSORS OFFICE AS OF 9/11/19.
- . ALL MONUMENTS FOUND ARE AS INDICATED ON DRAWING. MONUMENTS PLACES ARE EITHER A 5/8" REBAR WITH CAP (INSCRIBED LSF0946) OR A NAIL WITH WASHER (INSCRIBED LSF0946).
- THIS SURVEY WAS PREPARED BY LAND ENGINEERING, INC.
- 1601 S ZACK HINTON PARKWAY, MCDONOUGH, GEORGIA 30253 OFFICE: (678) 814-4346 FAX: (678) 814-4348 WWW.LAND.ENGINEERING
- 8. THE LAST DAY OF FIELD WORK FOR THIS SURVEY WAS SEPTEMBER 11, 2019.



1) APARTMENT BUILDING & ASPHALT PARKING LOT



FENCED IN AREA CONTAINING UTILITY BUILDING, POWER GENERATOR, & TRANSFORMER

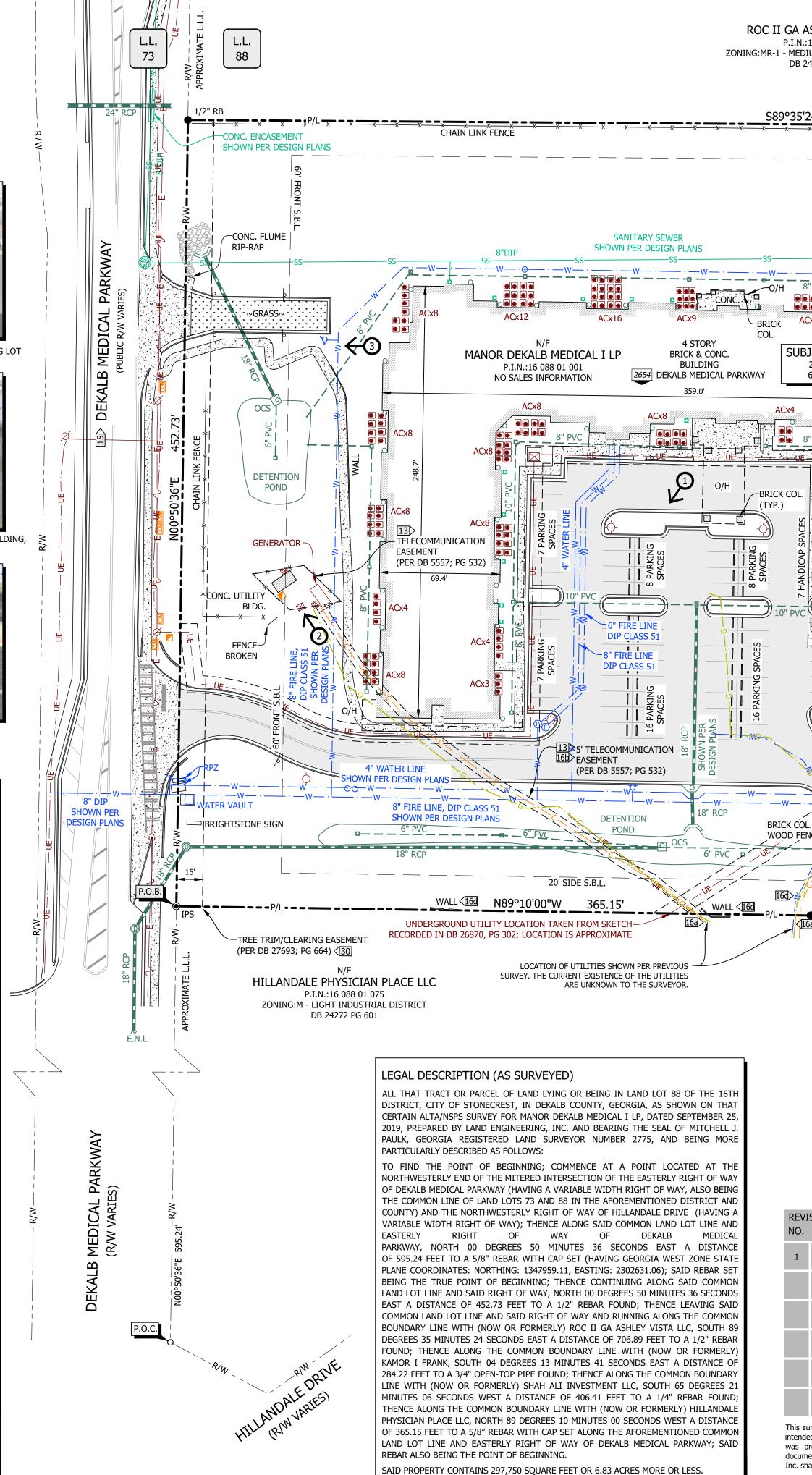


GRASS AREA & CONCRETE SIDEWALK

EXCEPTIONS CONTAINED IN SCHEDULE B - SECTION 2 OF FIRST AMERICAN TITLE INSURANCE COMPANY TITLE COMMITMENT NO.: 9.1623-O, DATED: AUGUST 2, 2019

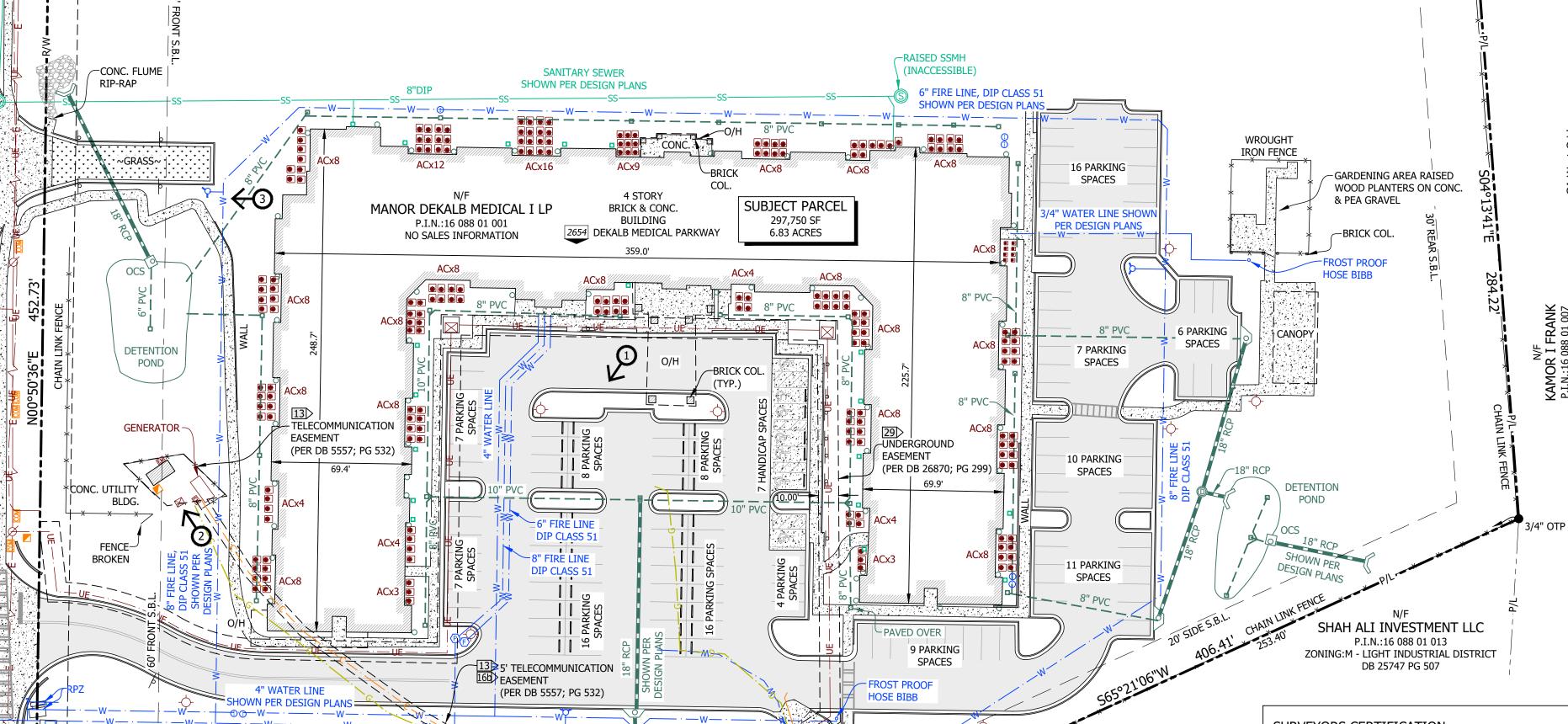
- 12. Easement from ABCO Builders, Inc. to Georgia Power Company, dated December 8, 1977, filed April 27, 1978 and recorded in Deed Book 3788, Page 119, aforesaid records. May burden property, and is blanket in nature. Easement is to construct, operate, and maintain service from Georgia Power. The document refers to a property address that no longer exists.
- Easement from ABCO Builders, Inc., and First National Bank of Atlanta to Southern Bell Telephone and Telegraph Company, dated August 15, 1986, filed August 18, 1966 and recorded in Deed Book 5557, Page 532, aforesaid records. Burdens property and is shown on survey as 30' x 30' telecommunication <u>easement</u> <u>together</u> <u>with</u> <u>a</u> <u>5'</u> <u>cable</u> <u>easement.</u> <u>The</u> <u>cable</u> easement shown on this survey is based on the existing underground cable line, as located by others.
- Easement from ABCO Builders, Inc. to Georgia Power Company, dated October 1, 1986, filed October 16, 1986 and recorded in Deed Book 5618, Page 693, aforesaid records. May burden property, and is blanket in nature. Easement is to construct, operate, and maintain service from Georgia Power. The document refers to a property address that no longer exists.
- INTENTIONALLY DELETED
- The following matters shown on ALTA/NSPS Survey for 2654 DeKalb Medical Parkway prepared by Long Engineering, Inc., dated May II, 2017, last revised, 2017, bearing the seal of Mitchell J. Paulk, GRLS No. 2775 (the "Survey"):
 - (a) Underground communications line intersecting, in two (2) locations, the boundary line of the property denoted to North 89 degrees 10 minutes 00 West a distance of 365.15 feet;
 - (b) Telecommunication easement referencing exception 5 above located in the portion of the property;
 - (c) Water line intersecting the boundary line of the property denoted as North 89 degrees 10 minutes 00 West a distance of 365.15 feet; and
 - (d) Wall intersecting, in two (2) locations, the boundary line of the property denoted as North 89 degrees 10 minutes 00 West a distance of 365.15 feet.
- Declaration of Land Use Restrictive Covenant for Low Income Housing Tax Credits dated November 21, 2017, by and between Manor DeKalb Medical I, LP and the Georgia Housing and Finance Authority, recorded at Deed Book 26612, page 623, aforesaid records. Burdens property. The premises is subject to the terms and conditions therein.
- Deed to Secure Debt, Assignment, Security Agreement and Fixture Filing dated November 21, 2017 from Manor DeKalb Medical I, LP to the Housing Authority of the County of DeKalb, Georgia, recorded at Deed Book 26612 page 623, DeKalb County, Georgia Records, as assigned to Regions Bank by Assignment of Mortgage and Loan Documents dated November 21, 2017, recorded at Deed Book 26612, page 648, aforesaid records. Not applicable to survey.

- Assignment of Leases and Rents dated November 21, 2017 from Manor DeKalb Medical I, LP to Regions Bank, recorded in Deed Book 26612, Page 653 DeKalb County, Georgia records. Not applicable to survey.
- 20. Deed to Secure Debt and Security Agreement dated November 21, 2017 from Manor DeKalb Medical I, LP to Georgia Housing and Finance Authority, recorded in Deed Book 26612, Page 669, aforesaid records. Not applicable to survey.
- Assignment of Leases, Rents and Security Deposits from Manor DeKalb Medical I, LP to Georgia Housing and Finance Authority, dated Novembor 21, 2017, recorded in Deed Book 26612, Page 685, aforesaid records. Not applicable to survey.
- Land Use Restriction Agreement dated November 21, 2017 by and between Manor DeKalb Medical I, LP to Georgia Housing and Finance Authority, recorded at Deed Book 26612, Page 696, aforesaid records. Burdens property. The premises is subject to the terms and conditions therein.
- 23. UCC Financing Statement naming as Debtor therein Manor DeKalb Medical I, LP and Secured Party Regions Bank, filed November 22, 2017, recorded at Deed Book 26612, Page 666, aforesaid records. Not applicable to survey.
- UCC Financing Statement naming as Debtor therein Manor DeKalb Medical I, LP and Secured Party Georgia Housing and Finance Authority, filed November 22, 2017, recorded at Deed Book 26612, Page 691, aforesaid records. Not applicable to
- UCC Financing Statement naming as Debtor therein Manor DeKalb Medical I, LP and Secured Party Regions Bank, filed November 27, 2017, being file number 0442017005462 aforesaid records. Not applicable to survey.
- UCC Financing Statement naming as Debtor therein Manor DeKalb Medical I, LP and Secured Party Georgia Housing and Finance Authority, filed November 27, 2017, being file number 0442017005462, aforesaid records. Not applicable to survey.
- 27. Land Use Restriction Agreement by and between Housing Authority of the County, Georgia, Manor DeKalb Medical I, LF and Regions Bank, dated November 21, 2017, recorded at Deed Book 26612, page 562, aforesaid records. Burdens property. The premises is subject to the terms and conditions therein.
- Subordination Agreement dated November 21, 2017 by and between Regions Bank and Georgia Housing and Finance Authority, recorded at Deed Book 26612, page 713, aforesaid records. Not applicable to survey.
- Underground Easement from Manor DeKalb Medical I, LP to Georgia Power Company, dated February 15, 2018, recorded at Deed Book 26870, page 299, aforesaid records. Burdens property; Shown on survey. Said easement gives rights to Georgia Power Company to construct, maintain, repair, operate, and rebuild continuously upon and under the easement area. The easement area is defined as any portion of the property located within 10' of the centerline of the underground distribution lines and related equipment.
- Tree Trim/Clearing Easement from Manor DeKalb Medical I, LP to Georgia Power Company, recorded at Deed Book 27693, page 664, aforesaid records. Burdens property; Shown on survey. Said easement gives rights to Georgia Power Company to cut, trim, remove, clear and keep clear any and all trees and other obstructions located in the easement area.



ROC II GA ASHLEY VISTA LLC P.I.N.:16 088 01 003 ZONING:MR-1 - MEDIUM DENSITY RESIDENTIAL 1 DB 24206 PG 338

CHAIN LINK FENCE



BRICK COL. & 479

WOOD FENCE

20' SIDE S.B.L.

LOCATION OF UTILITIES SHOWN PER PREVIOUS

ARE UNKNOWN TO THE SURVEYOR

SURVEY. THE CURRENT EXISTENCE OF THE UTILITIES

RIGHT OF WAY OF DEKALB MEDICAL

SANITARY SEWER MANHOLE CLEAN OUT STORM DRAIN MANHOLE DROP INLET ROOF DRAIN YARD DRAIN (1'x1') FIRE HYDRANT IRRIGATION CONTROL VALVE FIRE DEPARTMENT CONNECTION POST INDICATOR VALVE UTILITY POLE LIGHT POLE ELECTRIC BOX TRANSFORMER ELECTRIC METER AIR CONDITIONER UNIT TELEPHONE PEDESTAL COMMUNICATION VAULT SIGN (SINGLE POST) # PHOTOGRAPH MARKER

IRON PIN SET (5/8" REBAR)

LEGEND

ABBREVIATIONS A.K.A ALSO KNOWN AS BLDG BUILDING CURB INLET CORRUGATED METAL PIPE CONCRETE CRIMP TOP PIPE DEED BOOK DROP INLET DUCTILE IRON PIPE DISTURBED JUNCTION BOX LAND LOT NOW OR FORMERLY NOT TO SCALE OPEN TOP PIPE PLAT BOOK P.O.B. POINT OF BEGINNING P.O.C. POINT OF COMMENCEMENT PARCEL IDENTIFICATION NUMBER PROPERTY LINE POLYVINYL CHLORIDE PIPE REINFORCED CONCRETE PIPE RIGHT OF WAY SETBACK LINE SQUARE FEET SANITARY SEWER MANHOLE TYPICAL # TITLE EXCEPTION

SURVEYORS CERTIFICATION

(iii) This plat is a retracement of an existing parcel or parcels of land and does not subdivide or create a new parcel or make any changes to any real property boundaries. The recording information of the documents, maps, plats, or other instruments which created the parcel or parcels are stated hereon. RECORDATION OF THIS PLAT DOES NOT IMPLY APPROVAL OF ANY LOCAL JURISDICTION, AVAILABILITY OF PERMITS, COMPLIANCE WITH LOCAL REGULATIONS OR REQUIREMENTS, OR SUITABILITY FOR ANY USE OR PURPOSE OF THE LAND. Furthermore, the undersigned land surveyor certifies that this plat complies with the minimum technical standards for property surveys in Georgia as set forth in the rules and regulations of the Georgia Board of Registration for Professional Engineers and Land Surveyors and as set forth in O.C.G.A. Section 15-6-67.

ALTA/NSPS CERTIFICATION

To Manor DeKalb Medical I, LP, STCC DeKalb Medical, LLC, CDC Special Limited Partner, L.L.C., Georgia Fund 2017 XI LLC, & First American Title Insurance Company, Suntrust Bank; and their respective successors and/or assigns:

This is to certify that this map or plat and the survey on which it is based were made in accordance with the 2016 Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes Items 1, 2, 3, 4, 6(b), 7(a), 8, 9, 11, 13, 14, 16, 17, & 20 of Table A thereof. The field work was completed on September 25, 2019.

Date of Plat or Map: September 25, 2019

This property is designated Other Areas - Zone X (areas determined to be outside the 0.2% annual chance flood plain) and is not located in a special flood hazard area per F.I.R.M. map number 13089C0159J, effective date May 16, 2013.



Mitchell J. Paulk, Ga. R.L.\$. 2775



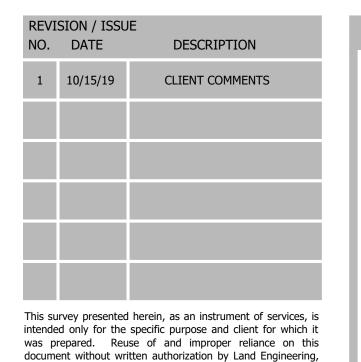


Prepared for:

Manor Dekalb Medical I, LP

Land Lot 88, 16th Land District City of Stonecrest, Dekalb County, Georgia

| DRAWN BY: AJB | CKD BY: CTM | SCALE: 1" = 40' | SHEET: |
|---------------------|----------------|---------------------------|-----------------|
| PROJ. NO.: 2007-093 | DATE: 9/25/19 | ONE INCH AT FULL SCALE | TOTAL SHEETS: 1 |



Inc. shall be without liability to Land Engineering, Inc.

1601 S Zack Hinton Parkway McDonough, Georgia 30253 www.land.engineering 678.814.4346

GA LSF #0946

PREPARED BY:

(0.43' NORTHWEST

Graphic Scale in Feet

1'' = 40'

OF LINE)

**NO ZONING REPORT WAS PROVIDED TO THE SURVEYOR

CHAIN LINK-

HEIGHT (MAXIMUM WITHOUT A SPECIAL LAND USE PERMIT (SLUP))**

** FIRE DEPARTMENT AND RESCUE SERVICES MUST APPROVE OVER 3 STORIES TO ASSURE

WWW.STONECRESTGA.GOV/PDF/ORDINANCES/ORDINANCE TO ADOPT CHAPTER 27

SHAH ALI INVESTMENT LLC

P.I.N.:16 088 01 002

ZONING:M - LIGHT INDUSTRIAL DISTRICT

DB 25747 PG 507

CURRENT ZONING: M (LIGHT INDUSTRIAL)

ADEQUACY OF FIRE PROTECTION FACILITIES.

ZONING_AND_OFFICIAL_ZONING_MAPS.PDF

* REFER TO TABLE 6.2: OFF-STREET PARKING RATIOS LOCATED AT:

MINIMUM SETBACK REQUIREMENTS:

STONECREST ZONING

FRONT SETBACK: 60 FEET

SIDE SETBACK: 20 FEET

REAR SETBACK: 30 FEET

PARKING REQUIREMENTS:

VARIES DEPENDING ON USE

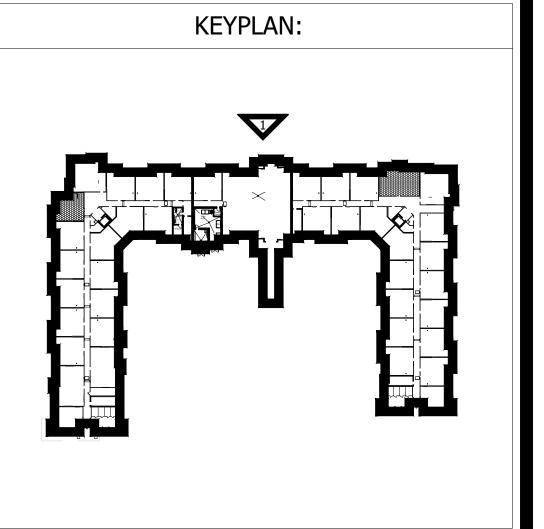
LEGAL DESCRIPTION (AS SURVEYED)

ALL THAT TRACT OR PARCEL OF LAND LYING OR BEING IN LAND LOT 88 OF THE 16TH DISTRICT, CITY OF STONECREST, IN DEKALB COUNTY, GEORGIA, AS SHOWN ON THAT CERTAIN ALTA/NSPS SURVEY FOR MANOR DEKALB MEDICAL I LP, DATED SEPTEMBER 25, 2019, PREPARED BY LAND ENGINEERING, INC. AND BEARING THE SEAL OF MITCHELL J. PAULK, GEORGIA REGISTERED LAND SURVEYOR NUMBER 2775, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

TO FIND THE POINT OF BEGINNING: COMMENCE AT A POINT LOCATED AT THE NORTHWESTERLY END OF THE MITERED INTERSECTION OF THE EASTERLY RIGHT OF WAY OF DEKALB MEDICAL PARKWAY (HAVING A VARIABLE WIDTH RIGHT OF WAY, ALSO BEING THE COMMON LINE OF LAND LOTS 73 AND 88 IN THE AFOREMENTIONED DISTRICT AND COUNTY) AND THE NORTHWESTERLY RIGHT OF WAY OF HILLANDALE DRIVE (HAVING A VARIABLE WIDTH RIGHT OF WAY); THENCE ALONG SAID COMMON LAND LOT LINE AND EASTERLY RIGHT OF WAY OF DEKALB MEDICAL PARKWAY, NORTH 00 DEGREES 50 MINUTES 36 SECONDS EAST A DISTANCE OF 595.24 FEET TO A 5/8" REBAR WITH CAP SET (HAVING GEORGIA WEST ZONE STATE PLANE COORDINATES: NORTHING: 1347959.11, EASTING: 2302631.06); SAID REBAR SET BEING THE TRUE POINT OF BEGINNING: THENCE CONTINUING ALONG SAID COMMON LAND LOT LINE AND SAID RIGHT OF WAY, NORTH 00 DEGREES 50 MINUTES 36 SECONDS EAST A DISTANCE OF 452.73 FEET TO A 1/2" REBAR FOUND; THENCE LEAVING SAID COMMON LAND LOT LINE AND SAID RIGHT OF WAY AND RUNNING ALONG THE COMMON BOUNDARY LINE WITH (NOW OR FORMERLY) ROC II GA ASHLEY VISTA LLC, SOUTH 89 DEGREES 35 MINUTES 24 SECONDS EAST A DISTANCE OF 706.89 FEET TO A 1/2" REBAR FOUND: THENCE ALONG THE COMMON BOUNDARY LINE WITH (NOW OR FORMERLY) KAMOR I FRANK, SOUTH 04 DEGREES 13 MINUTES 41 SECONDS EAST A DISTANCE OF 284.22 FEET TO A 3/4" OPEN-TOP PIPE FOUND; THENCE ALONG THE COMMON BOUNDARY LINE WITH (NOW OR FORMERLY) SHAH ALI INVESTMENT LLC, SOUTH 65 DEGREES 21 MINUTES 06 SECONDS WEST A DISTANCE OF 406.41 FEET TO A 1/4" REBAR FOUND: THENCE ALONG THE COMMON BOUNDARY LINE WITH (NOW OR FORMERLY) HILLANDALE PHYSICIAN PLACE LLC, NORTH 89 DEGREES 10 MINUTES 00 SECONDS WEST A DISTANCE OF 365.15 FEET TO A 5/8" REBAR WITH CAP SET ALONG THE AFOREMENTIONED COMMON LAND LOT LINE AND EASTERLY RIGHT OF WAY OF DEKALB MEDICAL PARKWAY; SAID REBAR ALSO BEING THE POINT OF BEGINNING. SAID PROPERTY CONTAINS 297,750 SQUARE FEET OR 6.83 ACRES MORE OR LESS.

| TOP OF DOOR & WINDOW LEGEND: | | | | | | | | |
|------------------------------|--|-------------------|------------------|--------------------|---------------------|--------------------|--|--|
| LOCATION | DOORS @ CORRIDORS | DOORS @ PATIOS | DOORS @ DECKS | WINDOWS | WINDOWS @ PATIOS | WINDOWS @ DECKS | | |
| GROUND FLOOR | 6'-8" A.F.F. | 6'-8" A.F.F. | | 6'-8" A.F. DECKING | 6'-8" A.F.F. | | | |
| UPPER FLOORS | UPPER FLOORS 6'-8" A.F.F. 6'-8" A.F.F. 6'-8" A.F. DECKING 6'-8" A.F.F. | | | | | | | |

NOTE: ABOVE FINISHED FLOOR (A.F.F.) INDICATES TOP OF SLAB AND TOP OF GYP-CRETE POUR.



| 1 | CEMENT FIBER PANELS W/ 1x4 CEMENT FIBER BATTENS |
|----|---|
| 2 | ALUM. GUTTER |
| 3 | HARDIE FIBER CEMENT 6" LAP SIDING EXPOSURE |
| 4 | NOT USED |
| 5 | FIBER CEMENT TRIM |
| 6 | NOT USED |
| 7 | NOT USED |
| 8 | BRICK |
| 9 | BRICK SOLDIER |
| 10 | BRACKET, SEE 3/A8-6 |
| 11 | RAILING AT BALCONY |
| 12 | ASPHALT SHINGLE ROOF |
| 13 | VINYL WINDOWS |
| 14 | NOT USED |
| 15 | ALUM. DOWNSPOUT |

POP-UP BRG. 32'-4 7/8"

ROOF TRUSS BRG. 30'-4 7/8"

THIRD FLOOR
21'-3 3/4"
TOP OF PLATE

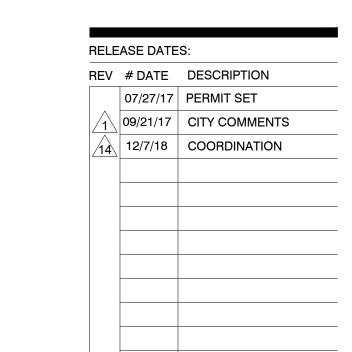
SECOND FLOOR 10'-7 7/8"

TOP OF PLATE 9'-1 1/8"

FIRST FLOOR 0'-0"

TOP OF PLATE -1'-6 3/4"









CLIENT:
PRESTWICK COMPANIES
3715 NORTHSIDE
PARKWAY, NW
BLDG 200, SUITE 175
ATLANTA, GA 30327

BRIGHTSTONE AT DEKALB
MEDICAL PARKWAY
2654 DEKALB MEDICAL PKY
LITHONIA, GA 30058

DRAWING TITLE:
BUILDING
ELEVATIONS

| DRAWN BY: | CHECKED BY: |
|-----------------|-------------|
| SCALE: | DATE: |
| AS NOTED | 07/27/17 |
| PROJECT NUMBER: | : |
| DRAWING NUMBER | : |

A5-1
ISSUED FOR CONSTRUCTION



| TOP OF DOOR & WINDOW LEGEND: | | | | | | | | |
|------------------------------|--|-------------------|------------------|--------------------|---------------------|--------------------|--|--|
| LOCATION | DOORS @ CORRIDORS | DOORS @ PATIOS | DOORS @ DECKS | WINDOWS | WINDOWS @ PATIOS | WINDOWS @ DECKS | | |
| GROUND FLOOR | 6'-8" A.F.F. | 6'-8" A.F.F. | | 6'-8" A.F. DECKING | 6'-8" A.F.F. | | | |
| UPPER FLOORS | UPPER FLOORS 6'-8" A.F.F. 6'-8" A.F.F. 6'-8" A.F. DECKING 6'-8" A.F.F. | | | | | | | |

NOTE: ABOVE FINISHED FLOOR (A.F.F.) INDICATES TOP OF SLAB AND TOP OF GYP-CRETE POUR.

POP-UP BRG. 32'-4 7/8"

ROOF TRUSS BRG
30'-4 7/8"

THIRD FLOOR 21'-3 3/4"

TOP OF PLATE
19'-9"

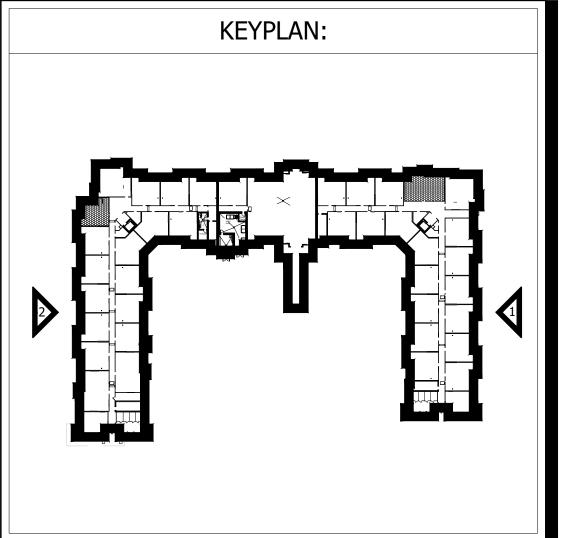
SECOND FLOOR 10'-7 7/8"

TOP OF PLATE 9'-1 1/8"

FIRST FLOOR
0'-0"

TOP OF PLATE -1'-6 3/4"

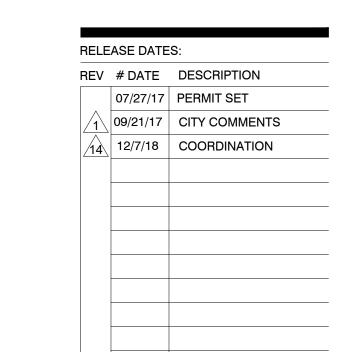
TERRACE LEVEL -10'-7 7/8"



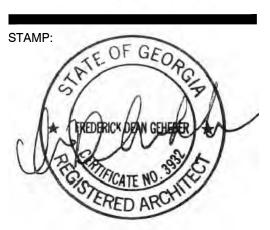
8

| 1 | CEMENT FIBER PANELS W/ 1x4 CEMENT FIBER BATTEN |
|----|--|
| 2 | ALUM. GUTTER |
| 3 | HARDIE FIBER CEMENT 6" LAP SIDING EXPOSURE |
| 4 | NOT USED |
| 5 | FIBER CEMENT TRIM |
| 6 | NOT USED |
| 7 | NOT USED |
| 8 | BRICK |
| 9 | BRICK SOLDIER |
| 10 | BRACKET, SEE 3/A8-6 |
| 11 | RAILING AT BALCONY |
| 12 | ASPHALT SHINGLE ROOF |
| 13 | VINYL WINDOWS |
| 14 | NOT USED |
| 15 | ALUM. DOWNSPOUT |









CLIENT:
PRESTWICK COMPANIES
3715 NORTHSIDE
PARKWAY, NW
BLDG 200, SUITE 175
ATLANTA, GA 30327

BRIGHTSTONE AT DEKALB
MEDICAL PARKWAY
2654 DEKALB MEDICAL PKY
LITHONIA, GA 30058

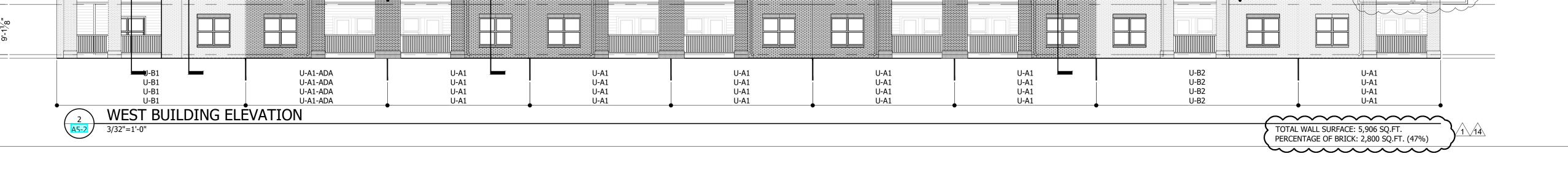
DRAWING TITLE:
BUILDING
ELEVATIONS

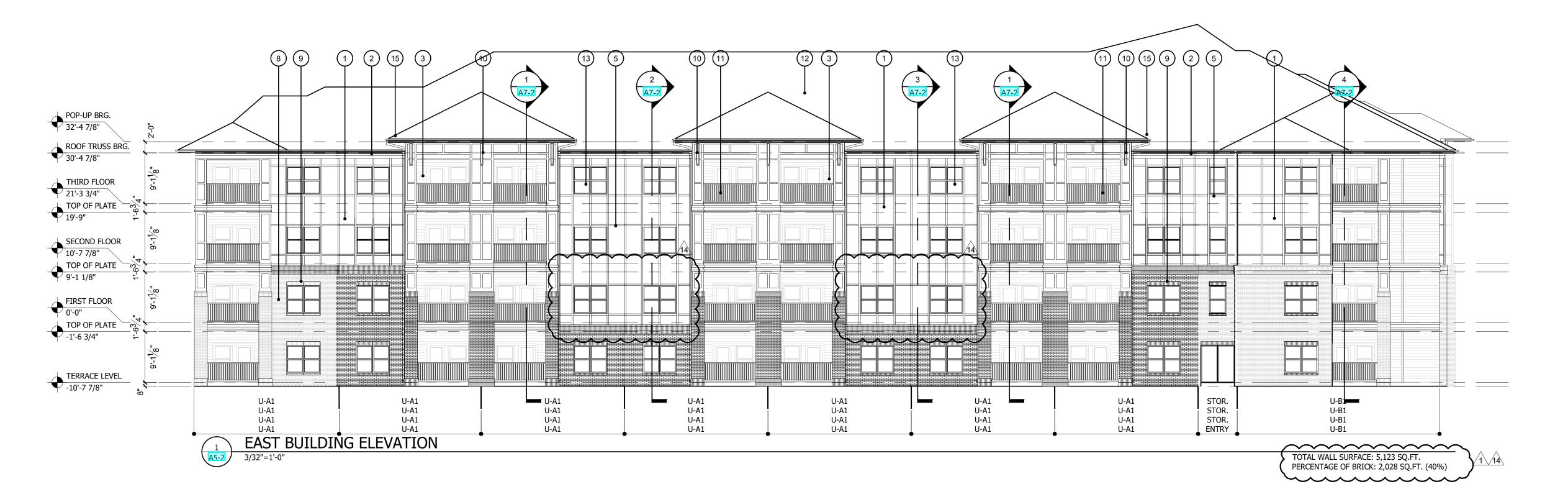
| DRAWN BY: | CHECKED BY: |
|----------------------|----------------|
| SCALE: AS NOTED | DATE: 07/27/17 |
| PROJECT NUMBER: 1622 | |
| DRAWING NUMBER: | |

AWING NUMBER:

A5-2

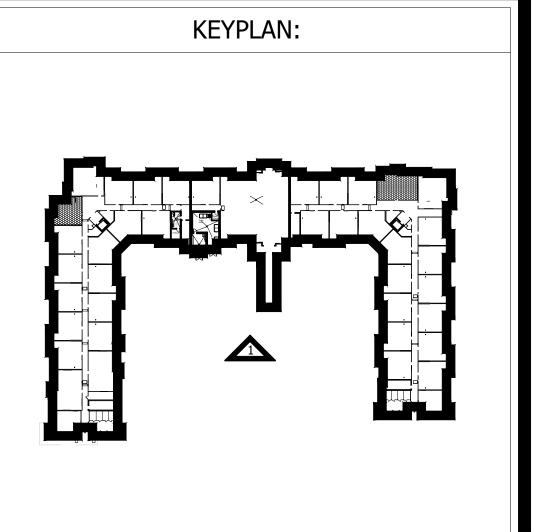
ISSUED FOR CONSTRUCTION





| TOP OF DOOR & WINDOW LEGEND: | | | | | | | | |
|------------------------------|--|-------------------|------------------|--------------------|---------------------|--------------------|--|--|
| LOCATION | DOORS @ CORRIDORS | DOORS @ PATIOS | DOORS @ DECKS | WINDOWS | WINDOWS @ PATIOS | WINDOWS @ DECKS | | |
| GROUND FLOOR | 6'-8" A.F.F. | 6'-8" A.F.F. | | 6'-8" A.F. DECKING | 6'-8" A.F.F. | | | |
| UPPER FLOORS | UPPER FLOORS 6'-8" A.F.F. 6'-8" A.F.F. 6'-8" A.F. DECKING 6'-8" A.F.F. | | | | | | | |

NOTE: ABOVE FINISHED FLOOR (A.F.F.) INDICATES TOP OF SLAB AND TOP OF GYP-CRETE POUR.



| 1 CEMENT FIBER PANELS W/ 1x4 CEMENT FIBER BATTENS 2 ALUM. GUTTER 3 HARDIE FIBER CEMENT 6" LAP SIDING EXPOSURE 4 NOT USED 5 FIBER CEMENT TRIM 6 NOT USED 7 NOT USED 8 BRICK 9 BRICK SOLDIER 10 BRACKET, SEE 3/A8-6 11 RAILING AT BALCONY 12 ASPHALT SHINGLE ROOF 13 VINYL WINDOWS 14 NOT USED 15 ALUM. DOWNSPOUT | | ELEVATION KEYNOTES: |
|---|----|---|
| 3 HARDIE FIBER CEMENT 6" LAP SIDING EXPOSURE 4 NOT USED 5 FIBER CEMENT TRIM 6 NOT USED 7 NOT USED 8 BRICK 9 BRICK SOLDIER 10 BRACKET, SEE 3/A8-6 11 RAILING AT BALCONY 12 ASPHALT SHINGLE ROOF 13 VINYL WINDOWS 14 NOT USED | 1 | CEMENT FIBER PANELS W/ 1x4 CEMENT FIBER BATTENS |
| 4 NOT USED 5 FIBER CEMENT TRIM 6 NOT USED 7 NOT USED 8 BRICK 9 BRICK SOLDIER 10 BRACKET, SEE 3/A8-6 11 RAILING AT BALCONY 12 ASPHALT SHINGLE ROOF 13 VINYL WINDOWS 14 NOT USED | 2 | ALUM. GUTTER |
| 5 FIBER CEMENT TRIM 6 NOT USED 7 NOT USED 8 BRICK 9 BRICK SOLDIER 10 BRACKET, SEE 3/A8-6 11 RAILING AT BALCONY 12 ASPHALT SHINGLE ROOF 13 VINYL WINDOWS 14 NOT USED | 3 | HARDIE FIBER CEMENT 6" LAP SIDING EXPOSURE |
| 6 NOT USED 7 NOT USED 8 BRICK 9 BRICK SOLDIER 10 BRACKET, SEE 3/A8-6 11 RAILING AT BALCONY 12 ASPHALT SHINGLE ROOF 13 VINYL WINDOWS 14 NOT USED | 4 | NOT USED |
| 7 NOT USED 8 BRICK 9 BRICK SOLDIER 10 BRACKET, SEE 3/A8-6 11 RAILING AT BALCONY 12 ASPHALT SHINGLE ROOF 13 VINYL WINDOWS 14 NOT USED | 5 | FIBER CEMENT TRIM |
| 8 BRICK 9 BRICK SOLDIER 10 BRACKET, SEE 3/A8-6 11 RAILING AT BALCONY 12 ASPHALT SHINGLE ROOF 13 VINYL WINDOWS 14 NOT USED | 6 | NOT USED |
| 9 BRICK SOLDIER 10 BRACKET, SEE 3/A8-6 11 RAILING AT BALCONY 12 ASPHALT SHINGLE ROOF 13 VINYL WINDOWS 14 NOT USED | 7 | NOT USED |
| 10 BRACKET, SEE 3/A8-6 11 RAILING AT BALCONY 12 ASPHALT SHINGLE ROOF 13 VINYL WINDOWS 14 NOT USED | 8 | BRICK |
| 11 RAILING AT BALCONY 12 ASPHALT SHINGLE ROOF 13 VINYL WINDOWS 14 NOT USED | 9 | BRICK SOLDIER |
| 12 ASPHALT SHINGLE ROOF 13 VINYL WINDOWS 14 NOT USED | 10 | BRACKET, SEE 3/A8-6 |
| 13 VINYL WINDOWS 14 NOT USED | 11 | RAILING AT BALCONY |
| 14 NOT USED | 12 | ASPHALT SHINGLE ROOF |
| | 13 | VINYL WINDOWS |
| 15 ALUM. DOWNSPOUT | 14 | NOT USED |
| | 15 | ALUM. DOWNSPOUT |

POP-UP BRG. 32'-4 7/8"

ROOF TRUSS BRG. 30'-4 7/8"

THIRD FLOOR 21'-3 3/4"

TOP OF PLATE
19'-9"

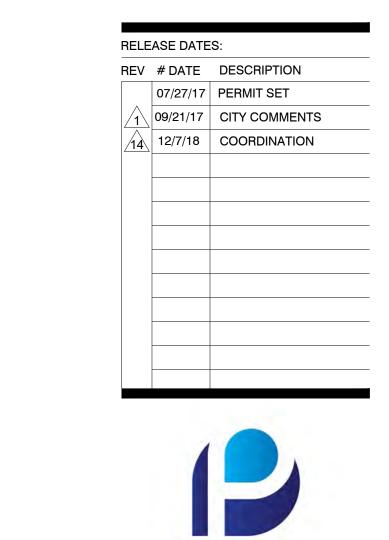
SECOND FLOOR 10'-7 7/8" TOP OF PLATE

FIRST FLOOR 0'-0"

TOP OF PLATE -1'-6 3/4"

TERRACE LEVEL -10'-7 7/8"







PRESTWICK COMPANIES 3715 NORTHSIDE PARKWAY, NW BLDG 200, SUITE 175 ATLANTA, GA 30327

PROJECT: BRIGHTSTONE AT DEKALB MEDICAL PARKWAY 2654 DEKALB MEDICAL PKY LITHONIA, GA 30058

DRAWING TITLE: BUILDING **ELEVATIONS**

| DRAWN BY: | CHECKED BY: |
|-----------------|-------------|
| SCALE: | DATE: |
| AS NOTED | 07/27/17 |
| PROJECT NUMBER: | : |
| DRAWING NUMBER | : |

ISSUED FOR CONSTRUCTION



U-A1 U-A1 U-A1

| TOP OF DOOR & WINDOW LEGEND: | | | | | | |
|--|----------------------|-------------------|------------------|--------------------|---------------------|--------------------|
| LOCATION | DOORS @ CORRIDORS | DOORS @ PATIOS | DOORS @ DECKS | WINDOWS | WINDOWS @ PATIOS | WINDOWS @ DECKS |
| GROUND FLOOR | 6'-8" A.F.F. | 6'-8" A.F.F. | | 6'-8" A.F. DECKING | 6'-8" A.F.F. | |
| UPPER FLOORS 6'-8" A.F.F. 6'-8" A.F.F. 6'-8" A.F. DECKING 6'-8" A.F.F. | | | | | | |

STAIR STOR.
STAIR STOR.
STAIR STOR.
STAIR STOR.
STAIR STOR.
STAIR STOR.
U-B2
U-B2
U-B2
EAST COURTYARD BUILDING ELEVATION

NOTE: ABOVE FINISHED FLOOR (A.F.F.) INDICATES TOP OF SLAB AND TOP OF GYP-CRETE POUR.

POP-UP BRG. 32'-4 7/8"

ROOF TRUSS BRG. 30'-4 7/8"

THIRD FLOOR 21'-3 3/4"

TOP OF PLATE
19'-9"

SECOND FLOOR 10'-7 7/8"

TOP OF PLATE 9'-1 1/8"

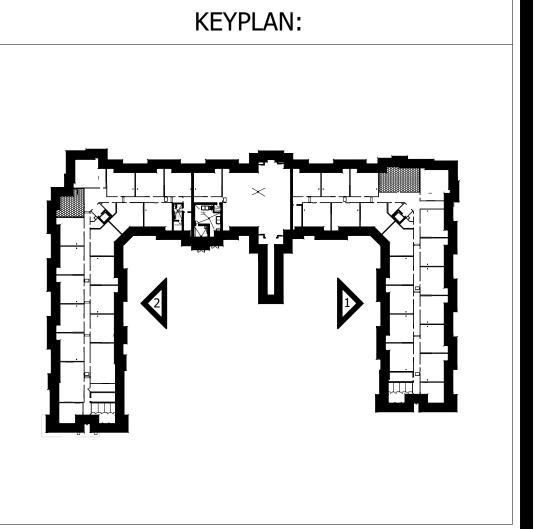
FIRST FLOOR
0'-0"

TOP OF PLATE -1'-6 3/4"

TERRACE LEVEL -10'-7 7/8"

U-A1 U-A1 U-A1

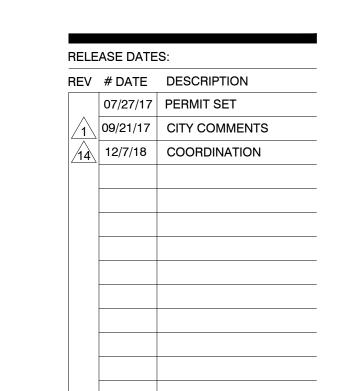
STORAGE



| 1 | CEMENT FIBER PANELS W/ 1x4 CEMENT FIBER BATTEN |
|----|--|
| 2 | ALUM. GUTTER |
| 3 | HARDIE FIBER CEMENT 6" LAP SIDING EXPOSURE |
| 4 | NOT USED |
| 5 | FIBER CEMENT TRIM |
| 6 | NOT USED |
| 7 | NOT USED |
| 8 | BRICK |
| 9 | BRICK SOLDIER |
| 10 | BRACKET SEE 3/A8-6 |
| 11 | RAILING AT BALCONY |
| 12 | ASPHALT SHINGLE ROOF |
| 13 | VINYL WINDOWS |
| 14 | NOT USED |
| 15 | ALUM. DOWNSPOUT |











CLIENT:
PRESTWICK COMPANIES
3715 NORTHSIDE
PARKWAY, NW
BLDG 200, SUITE 175
ATLANTA, GA 30327

BRIGHTSTONE AT DEKALB
MEDICAL PARKWAY
2654 DEKALB MEDICAL PKY
LITHONIA, GA 30058

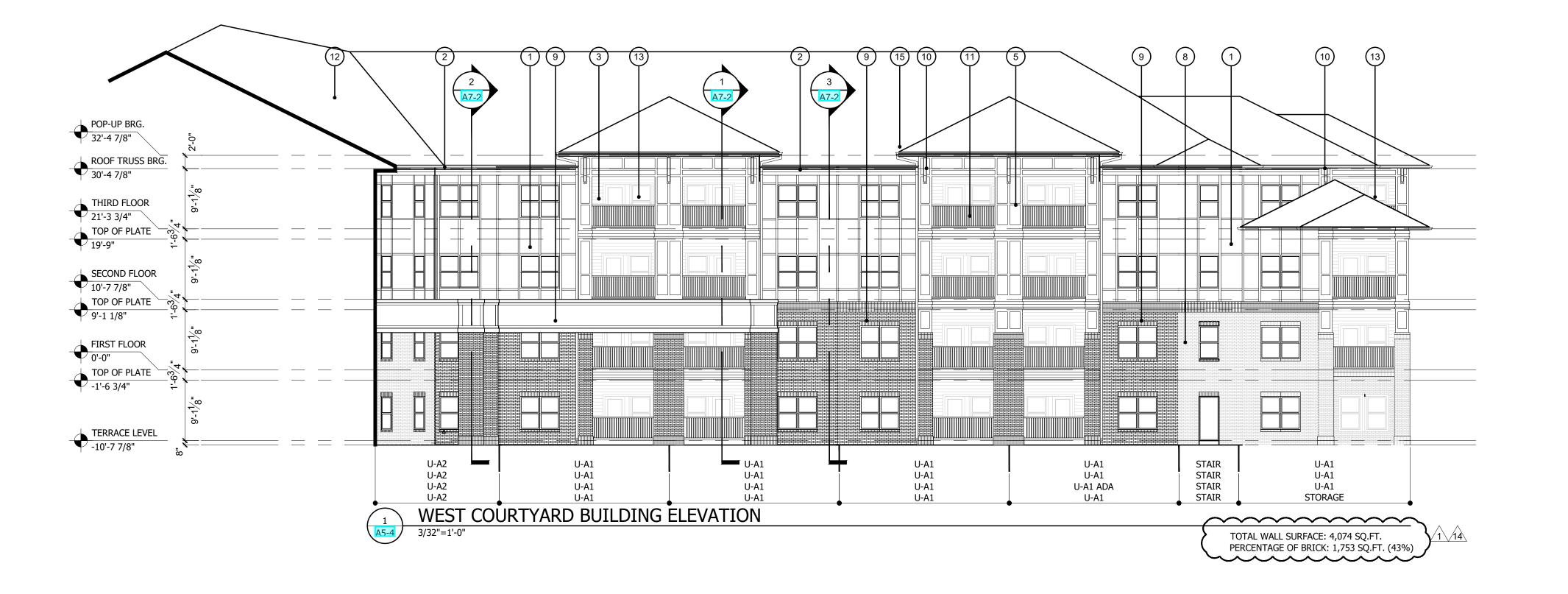
DRAWING TITLE:
BUILDING
ELEVATIONS

| DRAWN BY: | CHECKED BY: |
|---------------|-------------|
| | |
| SCALE: | DATE: |
| AS NOTED | 07/27/17 |
| PROJECT NUMBE | R: |
| 1622 | |
| | |

DRAWING NUMBER:

A5-4

ISSUED FOR CONSTRUCTION



U-A1 U-A1 U-A1

U-A1

U-A1 U-A1 U-A1

U-A1

U-A1 U-A1 U-A1 U-A2 U-A2

U-A2

TOTAL WALL SURFACE: 4,723 SQ.FT.
PERCENTAGE OF BRICK: 2,109 SQ.FT. (45%)





| Applicant's Name: Edrick Harris | | |
|---|-------------------------------|-----------------------|
| Applicant's Signature: | | Date: |
| Sworn to and subscribed before me this | 24th Day of August | 8/24/2020 20 2020 |
| | | |
| Notary Public: Mescan Rell | | , III'EGAN |
| Signature: Munch Ro | QQ | MEGAN Z COMMISSION |
| My Commission Expires: | | PAION SIE |
| | | = 5 |
| 3-27-2024 | | |
| 3-27-2024 Application Fee ☐ Sign Fee ☐ | Legal Fee | 7.3 |
| 3-27-2024 M Application Fee □ Sign Fee □ | | 7 ARCH 27, 200 |
| 3-27-2024 | Legal Fee Payment: ☐ Cash ☑ C | Check Date: OUNTY |

^{*}One sign is required per street frontage and/or every 500 feet of street frontage



Property Owner(s) Notarized Certification

The owner and petitioner acknowledge that this Zoning Map Petition application form is correct and complete. By completing this form, all owners of the subject property certify authorization of the filing of the application for zoning amendment, and authorization of an applicant or agent to act on their behalf in the filing of the application including all subsequent application amendments.

| | Signature: | | Date | 8/24/2020 | |
|-----------------|--|--------------------------|-------|-------------|--------------|
| | 3715 Northside Parkway Address: Bldg 200, Suite 175 | City, State: Atlanta, GA | Zip: | 30327 | |
| | Phone: 678-705-0738 | | | | Million. |
| Die) | Sworn to and subscribed before me this | 24 day of AUG | ust | 20 20 WILLE | GAN BE |
| (if Applicable) | Notary Public: UNLOYOU | Bell | | 20_20_1111E | NOTARL |
| | Signature: | | Date: | 1170 | PACH 27, 202 |
| | Address: | City, State: | Zip: | 1111 | TOUNT |
| - Cu | Phone: | | | | |
| (If Applicable) | Sworn to and subscribed before me this_ | day of | | 20 | |
| (If Ap | Notary Public: | | | | |
| | Signature: | | Date: | | |
| | Address: | City, State: | Zip: | | |
| able) | Phone: | | | | 1 |
| (If Applicable) | Sworn to and subscribed before me this_ | day of | , | 20 | |
| | Notary Public: | | | | |



Applicant/Petitioner Notarized Certification

Petitioner states under oath that: {1} he/she is the executor or Attorney-In-Fact under a Power-of- Attorney for the owner (attach a copy of the Power-of-Attorney letter and type name above as "Owner"); (2) he/she has an option to purchase said property (attach a copy of the contract and type name of owner above as "Owner"); (3) he/she has an estate for years which permits the petitioner to apply (attach a copy of lease and type name of owner above as "Owner").

| 3715 Northside Parkway Address: Bldg 200, Suite 175 | | City State: Aflanta, GA | Date: 8/24/2020 Zip: 30327 | |
|--|-------------------|-------------------------|-------------------------------|---------------|
| Phone: 678-705-0738 | | | | William, |
| worn to and subscribed l | before me this 34 | day of AUGUST | 20 201 N | GAN BE |
| | gan Bell | | PAULD | A. C |
| ignature: | | | | 100017 211-00 |
| ignature: ddress: | City Star | te: | Date: | COUNTY. |
| | City, Stat | Be: | Zip: | COUNTY |
| ddress: | | day of | Zip: | OUNTY |



RZ-20-004

Planning Commission October 6th, 2020 / Mayor and City Council Meeting October 26th, 2020

GENERAL INFORMATION

Petition Number: RZ-20-004

Applicant: Prestwick Companies c/o Edrick Harriss

Owner: Manor Dekalb Medical I LP

Project Location: 2654 Dekalb Medical Parkway

District: District 2

Acreage: 6.83

Existing Zoning: M (Light Industrial) / OP (Office Professional)

Proposed Zoning: HR-1 (High Density Residential) / NC Neighborhood Center

Comprehensive Plan Community:

Area Designation

Office Professional

Proposed Development/Request: The applicant is requesting to rezone the subject properties from M to

HR-1 and Future Land Use Character to Neighborhood Center for

existing Senior Housing Development.

Staff Recommendations: Approval

Planning Commission Approval



RZ-20-004

Aerial Map



ADDRESS: 2654 DeKalb Medical Parkway CURRENT ZONING: M (Light Industrial) District

FUTURE LAND USE: Office Professional

0.025 0.05 mi

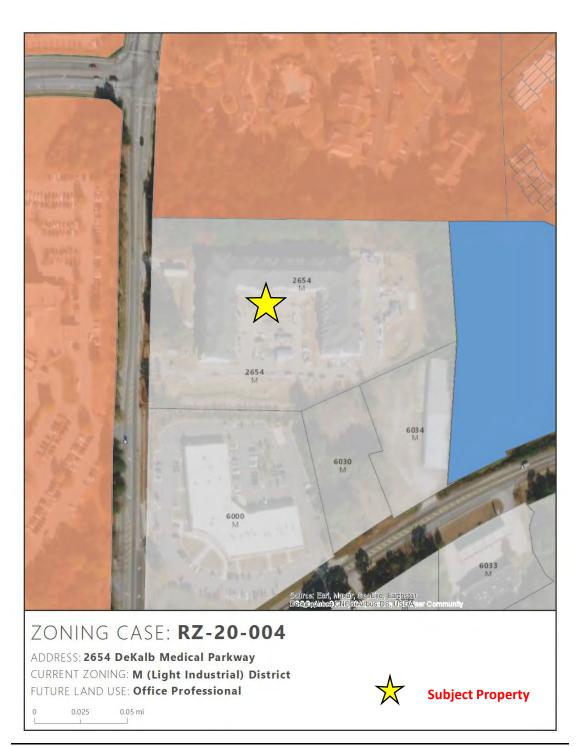


Subject Property



RZ-20-004

Zoning Map





RZ-20-004

PROJECT OVERVIEW

Location

The subject properties are located at 2654 DeKalb Medical Parkway. The property is approximately 700 feet north of Dekalb Medical Parkway and Hillandale intersection.

The property is bounded by Dekalb Medical Parkway to the west, by Bella Vista Apartment to the north and an undeveloped parcel to the east. Located to the south is medical complex.

RZ-20-004

Background

Currently, the property has kept its original zoning classification of M under Stonecrest Zoning Ordinance per Dekalb County Zoning case Z-75036. The property was under the Stonecrest Overlay District Tier 2, however the property was removed from the district when overlay was updated..

The property currently is being used for Senior Housing Complex which was developed and approved in 2017.

The topography of the property is characterized as being slightly elevated toward Dekalb Medical Parkway and then being even throughout the property.



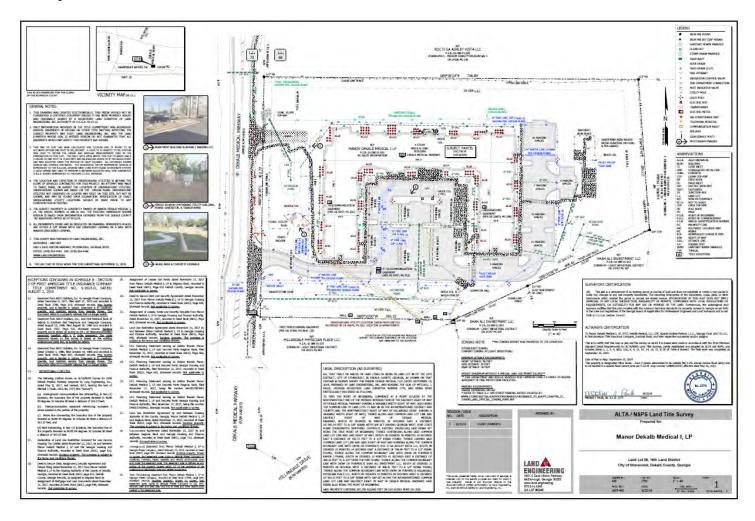
Rezoning Request

The applicant is requesting to rezone the 6.83 acres of the subject property from M (Light Industrial) District to HR-1 (High Residential Density) District and future land use character from Office Professional to Neighborhood for Center for an existing senior housing complex. Under the Stonecrest Overlay senior housing could be developed in M district, however once the overlay was removed the property became nonconforming use, hence the need for the rezoning request.



RZ-20-004

Conceptual Site Plan





RZ-20-004

Proposed Elevations



Public Participation

No public community meeting was held as the property is already being used for its intended purpose.



RZ-20-004

STANDARDS OF REZONING REVIEW

Section 7.3.4 of the Stonecrest Zoning Ordinance list eight factors to be considered in a technical review of a zoning case completed by the Community Development Department and Planning Commission. Each element is listed with staff analysis.

• Whether the proposed land use change will permit uses that are suitable in consideration of the use and development of adjacent and nearby property or properties.

As shown in the table below, the subject property is surrounded by medium density housing. * *Please see the map below table*

| Adjacent & Surrounding Properties | Zoning (Petition Number) | Land Use | Density Non-Residential (SF/Acre) Residential (Units/Acre) |
|---|---|--|--|
| Applicant | Proposed: HR-1 | Residential | 24 units/acre |
| Adjacent: North | MR-1 (Med Residential Density) District | Multi-family (Bella Vista Apartments) | 12 units/acre |
| Adjacent: East | M (Light Industrial) District | Industrial (Undeveloped parcel) | n/a |
| Nearby: South | M (Light Industrial) District | Office-Institutional (Hillandale Center) | 7,500 square feet/acre |
| Nearby: West | MR-1 (Med Residential) District | Institutional (Emory Hospital) | n/a |

The proposed land use change would permit a use that would be suitable in view and development of the nearby properties as majority of the property surrounding the property are multi-family developments. The applicant proposed use would be suitable.

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

The proposed land use change will not adversely affect the existing use or usability of adjacent of nearby property or properties. The current zoning of the property is the recommend zoning classification for the proposed land use and would be similar to the property and properties.

 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.



RZ-20-004

The propose land use change will not cause an excessive or burdensome on utilities. The proposed land use change will not cause an excessive or burdensome use of existing streets or schools

• Whether the amendment is consistent with the written policies in the comprehensive plan text and any applicable small areas studies.

The amendment is consistent with the written polices in the Stonecrest comprehensive plan. The surrounding properties have the same FLU designation as the proposed change which allow the property to be more consistent with the Stonecrest Comp Plan.

• Whether there are potential impacts on property or properties in an adjoining governmental jurisdiction, in cases of proposed changes near county or municipal boundary lines.

There is no potential impact on property or properties in ad adjoining governmental jurisdiction in case of the proposed changes near county or municipal boundary lines.

• 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.

There are existing conditions affecting the use and development of the affected land area which supports the approval of the land use change. The current zoning of the property (M) is a not a permitted zoning classification in Office Professional, therefore changing the FLU character would make the property consistent with the Stonecrest Comp Plan.

• Whether there will be an impact on historic buildings, sites, districts or archaeological resources resulting from the proposed change.

There are currently no historic buildings, sites, districts, or archaeological resources on the subject property, therefore there will be no impact on historic

STANDARDS OF REZONING REVIEW

Section 7.3.5 of the Stonecrest Zoning Ordinance list eight factors to be considered in a technical review of a zoning case completed by the Community Development Department and Planning Commission. Each element is listed with staff analysis.

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

As shown in the table below, the subject property is surrounded by low to medium density housing. * *Please see the map below table*



RZ-20-004

| Adjacent & Surrounding Properties | Zoning (Petition Number) | Land Use | Density Non-Residential (SF/Acre) Residential (Units/Acre) |
|---|---|--|---|
| Applicant | Proposed: HR-1 | Residential | 24 units/acre |
| Adjacent: North | MR-1 (Med Residential Density) District | Multi-family (Bella Vista Apartments) | 12 units/acre |
| Adjacent: East | M (Light Industrial) District | Industrial (Undeveloped parcel) | n/a |
| Nearby: South | M (Light Industrial) District | Office-Institutional (Hillandale Center) | 7,500 square feet/acre |
| Nearby: West | MR-1 (Med Residential) District | Institutional (Emory Hospital) | n/a |

The proposed change in zoning would permit a use that would be suitable in view and development of the nearby properties. The high residential density district is intended development for the Neighborhood Center Character area. The proposed density would be like other developments in the area.

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

The subject property is located within the Neighborhood character area of the Stonecrest Comprehensive Plan. The character area intends to general retail neighborhood services and Townhomes; Multi-family developments. The proposed zoning change and development of residential development would be in keeping with the policy and intent of the comp plan.

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

The property is currently zoned M, which permits the development of an light industrial use such as warehousing. The property is also located in residential/institutional area where industrial uses would not be a good fit. The property does not have reasonable economic use as currently zoned.

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

The proposed zoning proposal is not anticipated to have a negative impact on the existing use or usability of adjacent or nearby properties. Staff believes the suggested zoning for the residential development would not adversely affect the existing use of the property as the applicant is essentially asking for the same zoning classification.



RZ-20-004

• 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.

There are existing conditions affecting the use and development of the property, which give supporting grounds for either approval or disapproval of the zoning proposal. The current zoning is the same proposed zoning classification. The applicant is asking for increase in density which would still be consistent with the area.

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

There are currently no historic buildings, sites, districts, or archaeological resources on the subject property.

• Whether the zoning proposal will result in a use that will or could cause excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.

The propose land use change will not cause an excessive or burdensome on utilities. The proposed land use change will not cause an excessive or burdensome use of existing streets or schools

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

The zoning proposal will not adversely impact the environment or surrounding natural resources.

STAFF RECOMMENDATION

Staff recommends APPROVAL of RZ-20-004 (2654 DeKalb Medical Parkway)

PLANNING COMMISSION

On Tuesday October 6, 2020 the Planning Commission recommends APPROVAL of RZ-20-004



CITY COUNCIL AGENDA ITEM

SUBJECT: Land Use Petition RZ-20-004 (2654 Dekalb Medical Parkway)

| () ORDINANCE | () POLICY | () STATUS REPORT |
|--------------------------|----------------|---------------------------|
| () DISCUSSION ONLY | () RESOLUTION | (X) OTHER |
| Date Submitted: 10/21/20 | Work Section: | Council Meeting: 10/26/20 |

SUBMITTED BY: Christopher Wheeler, Planning and Zoning Director.

PURPOSE: Land Use Petition RZ-20-005

(6251 Rock Springs Road and 3810 Evans Mill Road)

FACTS AND ISSUES: The subject properties are undeveloped, with a zoning of R-100 (Med Lot) District and Future Land Use Character designation of Suburban.

HISTORY: This item was heard at the October 6th, 2020, Planning Commission Meeting. The applicant requested a withdrawal of their application. The Planning Commission recommended approval of the withdrawal.

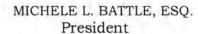
OPTIONS: Approve or Deny

RECOMMENDED ACTION:

Planning Commission recommended approval of the withdrawal of RZ-20-005 at the October 6th meeting.

ATTACHMENTS:

- # 1 10/21/20 Letter of Withdrawal
- # 2 10/21/20 Rezoning Application
- # 3 10/21/20 Power Point Presentation





October 6, 2020

VIA: E-MAIL

Chris Wheeler City of Stonecrest Planning and Sustainability 3120 Stonecrest Boulevard Stonecrest, Georgia 30038

RE: Request for Withdrawal Without Prejudice of Rezoning Application (RZ-20-005) for 6251 Rock Springs Road & 3810 Evans Mill Road, Stonecrest, Georgia 30038

Dear Mr. Wheeler.

On behalf of the applicant, Parkland Communities, I am hereby requesting a withdrawal without prejudice of Rezoning Application (RZ-20-005) for 6251 Rock Springs Road & 3810 Evans Mill Road, Stonecrest, Georgia 30038. Feel free to contact me with any questions regarding this request.

All

Michèle L. Battle



WICHELE L. BATTLE, ESQ. Presiden.

October 6, 2020

TIA: E-MAIL

Chris Whatlers

City of Stanceros: Planning and Sustainability

1120 Stoneurest Boulevand

Stonecrest, Georgia 30038

Request for Withdrawal Without Prejudice of Rezoning Application (RZ-20-905) for 6251 Rock Springs Road & 3810 Evans Mill Road, Stonscress, Georgia 30038

Dear Mr. Whyeler

On behalf of the applicant, Parkland Communities, I am hereby requesting a villedrawal without prejudice of Rezoning Application (RZ-20-005) for 6251 Rock Springs Road & 3810 Evans Mill Road. Stoncerest, Georgia 30038. Feel free to contact me with any questions regarding this request.

THE STATE OF THE S

Michele L. Bank



Rezoning Application

| Owner's Name: Bramblevine Property, LLC | | | | | |
|---|---|--|--|--|--|
| Owner's Address: 305 Beauregard Blvd, Fayettev | ille, GA 30214 | | | | |
| Phone: 770.486.7774 Fax: Property Address: 6251 Rock Springs Road & 3810 E Parcel ID: 16 076 02 002 & 16 085 02 003 | Email: | | | | |
| Property Address: 6251 Rock Springs Road & 3810 Evans Mill Road Lithonia GA 30038 Parcel Size: | | | | | |
| Parcel ID: 16 076 02 002 & 16 085 02 003 | | | | | |
| Current Zoning Classification: R-100 | | | | | |
| Requested Zoning Classification: RSM | | | | | |
| Name: Parkland Communities, Inc, c/o Battle Law | / P.C. | | | | |
| Address: One West Court Square, Suite 750 Decat | · | | | | |
| Phone: 404.601.7616 | Fax: 404.745.0045 | | | | |
| Cell: | Email: mlb@battlelawpc.com | | | | |
| | entives or tax abatement through the City of Stonecrest or any entity | | | | |
| that can grant such waivers, incentives, and/or abate | ements? ☐ Yes ☒ No | | | | |
| | 2 165 | | | | |
| 1. Will the zoning proposal permit a use that is suital | ble in view of the use and development of adjacent and nearby | | | | |
| properties? | | | | | |
| Please see attached Statement of Intent | | | | | |
| 2. Will the affected property of the zoning proposal | have a reasonable economic use as currently zoned? | | | | |
| Please see attached Statement of Intent | | | | | |
| 3. Will the zoning proposal adversely affect the exist | ing use or usability of adjacent or nearby property? | | | | |
| Please see attached Statement of Intent | | | | | |
| 4. Are other existing or changing conditions affecting which give supporting grounds for either approval or | | | | | |
| 4. Are other existing or changing conditions affecting | g the existing use or usability of the development of the property | | | | |
| which give supporting grounds for either approval of | r disapproval of the zoning proposal? | | | | |
| | | | | | |
| Please see attached Statement of Intent | | | | | |
| 5. Will the zoning proposal adversely affect historic b | ouildings, sites, districts, or archaeological resources? | | | | |
| | | | | | |
| Please see attached Statement of Intent | | | | | |
| 6. Will the zoning proposal result in a use which will transportation facilities, utilities or schools? | or could cause an excessive or burdensome use of existing streets, | | | | |
| transportation facilities, utilities of schools? | | | | | |



| Affidavit | to the best of my knowledge, this zoning application form is correct and complete. to be necessary, I understand that I am responsible for filing additional materials a Zoning Ordinance. | | | |
|-----------|---|------------------|--|--|
| | Applicant's Name: | | | |
| | Parkland Communities, Inc. c/o Battle Law, P.C. | | | |
| | Applicant's Signature: | Date: 07/07/2020 | | |
| | Sworn to and subscribed before me this Day of Day of | 20 🛂 | | |
| ary | | WAY FERD | | |
| Notary | Notary Public Truethy Stobbs | SIM COMMISSION | | |
| | Signature: A: 4: | NOTAN SOLUTION | | |
| | My Commission Expires: | TO SELIC SO | | |
| | | CO SER 26, 200 | | |
| | ☐ Application Fee ☐ Sign Fee ☐ Legal Fee | WATE GEOMINA | | |
| Fee | Fee: \$ Payment: Cash Check | Date: | | |
| | | Date: | | |
| | | | | |
| | | | | |

^{*}One sign is required per street frontage and/or every 500 feet of street frontage



Property Owner(s) Notarized Certification

The owner and petitioner acknowledge that this Zoning Map Petition application form is correct and complete. By completing this form, all owners of the subject property certify authorization of the filing of the application for zoning amendment, and authorization of an applicant or agent to act on their behalf in the filing of the application including all subsequent application amendments.

| | Signature: Katee Pace Quali | Dore | Date: 06.29.2020 |
|-----------------------------------|---|-------------------------------|--|
| | Address: 305 Beauregard Blvd | City, State: Fayetteville, GA | Zip: 30214 |
| | Phone: 770-486-7774 | | |
| hwner able) | Sworn to and subscribed before me this_ | 29th day of June | SANE AKE |
| Property Owner (If Applicable) | Notary Public: | | CARDINAISSION CA |
| | Signature: Caroline Oke | man | BLY COULAN LOCA OS |
| | Address: 210 Lang Drive | | Zip: SOUNTY GV. |
| | Phone: 678-873-2549 | | or Fixe Will E court |
| y Own | Sworn to and subscribed before me this_ | day of | , 20 |
| Property Owner (If Applicable) | Notary Public: | | |
| | Signature: | | Date: |
| | Address: | City, State: | Zip: |
| wner ble] | Phone: | | |
| Property Owner (If Applicable) | Sworn to and subscribed before me this_ | day of | , 20 |
| Pro | Notary Public: | | |



Applicant/Petitioner Notarized Certification

Petitioner states under oath that: (1) he/she is the executor or Attorney-In-Fact under a Power-of- Attorney for the owner (attach a copy of the Power-of-Attorney letter and type name above as "Owner"); (2) he/she has an option to purchase said property (attach a copy of the contract and type name of owner above as "Owner"); (3) he/she has an estate for years which permits the petitioner to apply (attach a copy of lease and type name of owner above as "Owner").

| Parkland Communities, Inc. | | |
|--|---|--------------------|
| Signature: 14 | uhi | Date: 07/07/2020 |
| Address: 299 South Main Street Ste. A | City, State: Alpharetta, GANN | 126130009 |
| Address: 299 South Main Street Ste. A Phone: | est INO | MI VERRE |
| Sworn to and subscribed before me this | day of July | NOTAZO CO |
| Notary Public: | bbs Eggs | BBS BBS |
| Notary Public: 21 + 1 | THOUNT THE THE | K GEORGIA |
| Signature: | | Date: 07/07/2020 |
| Address: One West Court Square, Ste 750 | City, State: Decatur, GA | Zīp: 30030 |
| Phone: 404.601.7616 | A CONTRACT OF THE PROPERTY OF | |
| | 7th day of July | . 20.20 |
| Notary Public and anis | JANET JENNING | GS 3 |
| | Notary Public, Cobb Co., My Commission Expires 5 | Georgia -6-2024 |
| | WWW.AAAAAAAAAAAAAAAAAAAAAAAAAAAAAAAAAA | |



Yes

Campaign Disclosure Statement

Have you, within the two years immediately preceding the filing of this application, made campaign contributions aggregating \$250.00 or more to a member of the City of Stonecrest City Council or a member of the City of Stonecrest Planning Commission?

| arkland Communities | Ine | | |
|---------------------|---------------------|----------------------------|----------------------------|
| 1 James | 1) Janal | | |
| 9 | arkland Communities | Parkland Communities, Inc. | Parkland Communities, Inc. |

If you answered yes above, please complete the following section:

Date: 07/07/2020

| Date | Government Official | Official Position | Description | Amount |
|------|---------------------|-------------------|-------------|--------|
| | | | | |
| | | | | |
| | | | 1 | |
| | | | | |
| | | / | | |
| | | | | |
| | | | | |
| | | | | |
| - | | | | |
| | | | | |
| | | | | |
| | | | | |

STATEMENT OF INTENT AND IMPACT ANALYSIS

and

Other Material Required by
City of Stonecrest Zoning Ordinance
for the
Application to Amend Official Zoning Map

of

PARKLAND COMMUNITIES, INC.

for

+/-178.10 Acres of Land located in Land Lots 76 & 85, 16th District, DeKalb County 3810 Evans Mill Road and 6251 Rock Springs Road

From R-100 to RSM

Submitted for Applicant by:

Michèle L. Battle, Esq.
Battle Law, P.C.
One West Court Square, Suite 750
Decatur, Georgia 30030
(404)601-7616 Phone
(404)745-0045 Facsimile
mlb@battlelawpc.com

I. LETTER OF INTENT

The Applicant, Parkland Communities, Inc., is seeking to acquire and develop 178.10 acres of land located at 3810 Evans Mill Road and 6251 Rock Springs Road (the "Subject Property") for the development of a 367 mixed residential community. The Subject Property has a land use designation of Suburban and is currently zoned R-100. In order to develop the Subject Property as contemplated, the Applicant is seeking to rezone the Subject Property to RSM at a maximum gross density of 2.06 units per acre, and a net density of 2.94, excluding the 50.217 acres of floodplain existing on the Subject Property.

The proposed development will consist of the following unit mixed, based upon the RSM building dimensional requirements:

| GROSS ACRES: | 178.01 AC. | | | |
|--------------------------------------|--|------------|--|--|
| FLOOD PLAIN AREA: | +/- 50.217 ACRES | | | |
| | | | | |
| EXISTING ZONING: | R100 | | | |
| PROPOSED ZONING: | RSM / CITY OF STONECREST | | | |
| TOTAL UNITS: | +/- 367 HOMES | | | |
| 95 - 75' X 135' SINGLE FAMILY HOMES | | | | |
| 156 - 50' X 135' SINGLE FAMILY HOMES | | | | |
| 116 - 24' X 60' TOWNHOMES | | | | |
| GROSS DENSITY: +/- 2.06 U/A | | | | |
| | | | | |
| SINGLE FAMILY LOT WIDTH: | 50' TYPICAL & 75' TYPICAL | | | |
| TOWNHOME UNIT WIDTH: | 22' X 60' TYPICAL | | | |
| MIN. UNIT HEATED AREA: | 1,800 SF. (SINGLE FAMILY) / 1,500 SF. (TOW | NHOMES) | | |
| | | | | |
| SETBACKS 75' SINGLE | FAMILY 50' SINGLE FAMILY | TOWNHOMES | | |
| FRONT: 25 | FRONT: 20' (20' MIN DRIVEWAYS) | FRONT: 20' | | |
| REAR: 20 | REAR: 20' | REAR: 15' | | |
| | | | | |
| | | | | |

The Subject Property is heavily forested and has both floodplain and overlapping wetlands areas which traversed North to South through the center of the Subject Property following various branches of Pole Bridge Creek. As a result of these environmental features it is the Applicant's contention that the only reasonable way to develop the Subject Property is to rezone the Subject

Property to allow for smaller lot development in order to preserve as much of the areas surrounding the environmentally sensitive areas as possible.

This document is submitted both as a Statement of Intent regarding this Application, a preservation of the Applicant's constitutional rights, and the Impact Analysis of this Application as required by the City of Stonecrest. A surveyed plat and conceptual site plan of the Subject Property controlled by the Applicant has been filed contemporaneously with the Application, along with other required materials.

II. IMPACT ANALYSIS

Α.

THE ZONING PROPOSAL IS IN CONFORMITY WITH THE POLICY AND INTENT OF THE COMPREHENSIVE PLAN

The Subject Property is designated Suburban under the Stonecrest Comprehensive Plan through 2035. It is the Applicant's contention that the proposed rezoning:

- Promotes new communities that feature greenspace and neighborhood parks, pedestrian circulation transportation options, and appropriate mix of uses and housing types:
- 2. Protects environmentally sensitive areas including wetlands, floodplains, water supply watersheds and stream corridors
- 3. Encourages the preservation of open space, farmland, natural and critical environmental areas
- 4. Implements zoning tools that preserve open space, natural resources and the environment

5. Preserve trees and other natural resources to protect the environment and aesthetically enhance communities.

B.

THE PROPOSED REZONING PERMITS A USE THAT IS SUITABLE IN VIEW OF THE USE AND DEVELOPMENT OF ADJACENT AND NEARBY PROPERTY.

The proposed rezoning to RSM will permit the continued development of single-family housing along the Rock Springs Road corridor. The lots abutting the Subject Property along Rock Springs Road are all zoned unconditional RSM, which allows for development at up to 8 units per acre with density bonuses. The Rock Springs Road corridor has a mixture of housing types and price ranges which supports the proposed development, including the Fairington Enclave townhome community developed at a density of 4.33 units per acre back in 2006, and the Fairington Farms single family detached community at a density of 2.70 units per acre built in 2004 with minimum lot sizes of 6,000 sq. ft., both are which communities are zoned MR-1. Unlike these communities, the Subject Property has environmental challenges which support smaller lot development which is in the best interest of the surrounding community to reduce the amount of disturbance within the environmentally sensitive areas located on the Subject Property. Removal of trees in the tree save area, as well as developing larger lots to achieve density, would have a negative impact on the surrounding community, particularly for those living along Rock Springs Road.

THE SUBJECT PROPERTY DOES NOT HAVE A

REASONABLE ECONOMIC USE AS PRESENTLY ZONED.

The Subject Property as currently zoned has marginal value, due to the costs associated with the development of the Subject Property in its entirety to achieve a marketable lot yield. The Applicant and the owners respectfully submit that the Zoning Ordinance of the City of Stonecrest, Georgia, as amended from time to time and known as the "Stonecrest Zoning Ordinance deprives the current owner of any alternative reasonable use and development of the Subject Property. Additionally, all other zoning classifications, including ones intervening between the existing classification and the one requested herein, would deprive the current owner of any reasonable use and development of the Subject Property. Further, an attempt by the Stonecrest City Council to impose greater restrictions upon the manner in which the Subject Property will be developed than presently exist, such as by way of approving the zoning district requested but limiting development to standards allowed under more stringent zoning classifications, would be equally unlawful.

The Applicant submits that the current zoning classification and any other zoning of the Subject Property save for what has been requested by it as established in the Stonecrest Zoning Ordinance constitute an arbitrary and unreasonable use of the zoning and police powers because they bear no substantial relationship to the public health, safety, morality or general welfare of the public and substantially harm the Applicant. All inconsistent zoning classifications between the existing zoning and the zoning requested hereunder would constitute an arbitrary and unreasonable use of the zoning and police powers because they bear or would bear no substantial relationship to the public health, safety, morality or general welfare of the public and would substantially harm the Applicant. Further, the existing inconsistent zoning classifications constitute, and all zoning

and plan classifications intervening between the existing inconsistent zoning classification and that required to develop this project would constitute a taking of the owner's private property without just compensation and without due process in violation of 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 I of the Constitution of the State of Georgia and the Due Process Clause of the Fourteenth Amendment of the United States Constitution and the Equal Protection Clause of the Fourteenth Amendment to the Constitution of the United States.

Further, the Applicant respectfully submits that the Stonecrest City Council's failure to approve the requested zoning change would be unconstitutional and would discriminate in an arbitrary, capricious and unreasonable manner between the Applicant and owners of similarly situated property in violation of Article I, Section III, Paragraph I of the Constitution of the State of Georgia and the Equal Protection Clause of the Fourteenth Amendment of the Constitution of the United States.

The Applicant respectfully submits that the Stonecrest City Council cannot lawfully impose more restrictive standards upon the development of the Subject Property than presently exist as to do so not only would constitute a taking of the Subject Property as set forth above, but also would amount to an unlawful delegation of their authority, in response to neighborhood opposition, in violation of Article IX, Section IV, Paragraph II of the Georgia Constitution.

Finally, the Applicant protests any action which would prohibit development of the Subject Property as requested inasmuch as the Zoning Ordinance was adopted in violation of or in other respects does not comply with the Zoning Procedures Law, O.C.G.A. § 36-66-1 et seq. and minimum procedural due process standards guaranteed by the Constitutional provisions set forth above.

This Application meets favorably the prescribed test set out by the Georgia Supreme Court to be used in establishing the constitutional balance between private property rights and zoning and planning as an expression of the government's police power, <u>Guhl vs. Holcomb Bridge Road</u>, 238 Ga. 322 (1977).

D.

THE PROPOSED REZONING WILL NOT ADVERSELY AFFECT THE EXISTING USE OR USABILITY OF ADJACENT OR NEARBY PROPERTY

The proposed rezoning will not adversely affect the existing use or usability of adjacent or nearby property. As noted above, development patterns in the area are entirely consistent with the proposed use for the Subject Property.

E.

OTHER EXISTING OR CHANGING CONDITIONS AFFECTING THE USE AND DEVELOPMENT OF THE PROPERTY

The area in which the Subject Property is a residential community. The Subject Property has been undeveloped for decades due to the environmental challenges with the Subject Property. The currently required 15,000 sq. ft. lots will only serve to support urban sprawl, and have damaging impact on the environmentally sensitive areas on the Subject Property.

F.

THE ZONING PROPOSAL WILL NOT ADVERSELY AFFECT HISTORIC BUILDINGS, SITES, DISTRICTS OR ARCHAEOLOGICAL RESOURCES

The Applicant knows of no historic buildings, sites, districts, or archaeological resources

either on the Subject Property or located in the immediate vicinity that would suffer adverse impacts from the rezoning requested.

G.

THE REQUESTED REZONING WILL NOT RESULT IN A USE WHICH WILL OR COULD CAUSE EXCESSIVE OR BURDENSOME USE OF EXISTING STREETS, TRANSPORTATION FACILITIES, UTILITIES, OR SCHOOLS

The Applicant is submitting the required Traffic Study with this Application and will address any required road improvements along Rock Springs Road which are a result of the additional traffic that will be generate by the proposed subdivision. Sidewalks, curb and gutter will be installed along the frontage of the Subject Property. Additionally, overhead lights will also be installed. There is no questions that improvements need to be made by the City of Stonecrest along Rock Springs Road. It is this type of development, however, that can be the catalyst for the improvements needed, as Rock Springs has only been improvement in connection with the new developments. In this case, the build out of the proposed subdivision will take between 5 to 7 years to be completed. As a result, there is amply time for the City of Stonecrest to place Rock Springs Road on its transportation plan to make the improvements that have been needed for decades but ignored by DeKalb County. This is the benefit of having a new City that can respond to anticipated projects and work cooperatively with developers to make certain that needed improvements are made. As for the schools in the area, while there is capacity at Lithonia Middle School and Lithonia High School, there is over enrollment at Flat Shoals Elementary. This project, however, gives the DeKalb County School Board ample time to anticipate and plan for the new development coming into the areas. So, that schools can grow sufficiently as development grows.

IV. CONCLUSION

For the foregoing reasons, the Applicant respectfully requests that the Rezoning Application at issue be approved. The Applicant also invites and welcomes any comments from Staff or other officials of the City of Stonecrest so that such recommendations or input might be incorporated as conditions of approval of this Application.

This 6th July, 2020.

Respectfully submitted,

Michèle L. Battle

Attorney For Applicant

ADDITIONAL CONSTITUTIONAL ALLEGATION

The existing zoning classification on the Subject Property is unconstitutional as it applies to the Subject Property. 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 Subject Property to a constitutional classification. If action is not taken by the County to rectify this unconstitutional zoning classification within a reasonable time, a claim will be filed by the Applicant in the Superior Court of DeKalb County demanding just and adequate compensation under Georgia law for the taking of the Subject Property, diminution of value of the Subject Property, attorney's fees and other damages arising out of the unlawful deprivation of the Applicant's property rights.

Environmental Site Analysis (ESA)

1. Conformance with the Comprehensive Plan. The Subject Property is a 178.10 assembled tract of land located at 3810 Evans Mill Road and 6251 Rock Springs Road in the City of Stonecrest. The Stonecrest Comprehensive Land Use Map shows the Subject Property as having a land use designation of Suburban. The proposed rezoning to RSM is consistent with the Suburban land use designation.

2. Environmental Impacts of the Proposed Project.

- (a) **Wetlands.** According to the National Wetlands Inventory Wetlands Mapper, there are wetlands on portions of the Subject Property as shown on Attachment 1 to this ESA.
- (b) **Floodplain.** According to the FEMA National Flood Hazard interactive mapping system, portions of the Subject Property are designated AE and Floodway, Zone AE as shown on Attachment 2 to this ESA.
- (c) **Streams/stream buffers.** Based on fields observation and verification by the Applicant's surveyor, Pole Bridge Creek crosses through the Subject Property as shown on the submitted survey.
- (d) **Slopes exceeding 33 percent over a 10-foot rise in elevation.** Based on fields observation and verification by the Applicant's surveyor, there are no slopes exceeding 33 percent over a 10-foot rise in elevation on the Subject Property.
- (e) **Vegetation (including endangered species).** The Subject Property is heavily wooded, however, to the Applicant's knowledge, based on field observation there are no endangered species located on the Subject Property.
- (f) Wildlife Species (including fish and endangered species). Based on field observation, to the Applicant's knowledge, there are no endangered species located on the Subject Property.
- (g) **Archeological/Historical Sites.** Based on field observation, to the Applicant's knowledge, there are no archeological or historical sites located on the Subject Property.

3. Project Implementation Measures

- (a) **Protection of environmentally sensitive areas.** The Applicant is seeking to protect the environmentally sensitive areas on the Subject Property by developing the site in a manner which minimize the impact on the wetlands, stream and floodway areas located on the Subject Property.
- (b) **Protection of water quality.** All stormwater runoff generated from a site shall be adequately treated before discharge in accordance with Section 25-363 of the DeKalb County Code of Ordinances.
- (c) Minimization of negative impacts on existing infrastructure. The existing infrastructure surrounding the Subject Property will not be negatively impacted by the development of the proposed project. It is the Applicant's intent to comply with all City of Stonecrest development regulations, and to connect into the existing utilities in the area in order to minimize disturbance.

- (d) **Minimization on archeological/historically significant area.** To the Applicant's knowledge, there are no archeological/historically significant areas located on or near the Subject Property.
- (e) **Minimization of negative impacts on environmentally stressed communities.** The proposed uses in the proposed project will be for residential uses which are generally compatible with nearby communities, as the use will be contained and to the knowledge of Applicant, will not generate any measurable dust, vibrations, odor, glare, emissions or noise beyond the Subject Property.
- (f) Creation and preservation of green space and open space. The proposed project will result in the removal of trees from the Subject Property. There will, however, be significant open space areas preserved on the Subject Property, and enhanced green space pocket parks will be as shown on the site plan.
- (g) **Protection of citizens from the negative impacts of noise and lighting.** All lighting on the Subject Property will be in compliance with the City rules and regulations, and there will be no negative impact from the noise generated by a typical residential subdivision.
- (h) **Protection of parks and recreational green space.** To the Applicant's knowledge, there are no parks or recreational green spaces in the area, or on the Subject Property.
- (i) **Minimization of impacts to wildlife habitats.** To the Applicant's knowledge, there are no wildlife habitats on or near the Subject Property.

Environmental Impact Report

- 1. Environmental Adverse Uses. There will not be any environmentally adverse uses located on the Subject Property.
- 2. Impact on noise levels of the surrounding area. The use of the Subject Property will be in compliance with the City rules and regulations regarding noise levels. As the use on the Subject Property will be wholly contained within the proposed improvements with adequate and required noise buffering, there should be no impact on the surrounding area from the proposed use of the Subject Property.
- 3. Impact on air quality of surrounding area. As previously stated, the proposed project will not generate any measurable dust, vibrations, odor, glare, emissions or noise beyond the Subject Property.
- **4. Impacts of water quality/resources.** All stormwater runoff generated from a site shall be adequately treated before discharge in accordance with the City of Stonecrest Land Development Ordinance.
- 5. Impacts on vegetation, fish and wildlife species. The Applicant will be preserving over 50 acres of area in which vegetation, and any fish or wildlife, will be able to remain in tact and undisturbed.
- 6. Impacts of thermal and explosive hazards on the surround areas. The Subject Property will be used for the development of a residential community. Currently there is no intent for thermal or explosive hazards to be located on the Subject Property or used in connection with the development of the Subject Property, but to the extent that any such materials are needed in connection with the development of the proposed subdivision, they will be used in accordance with all Federal, State and local laws and regulations.
- 7. Impacts of hazardous wastes on the surrounding area. The Subject Property will be used for a residential community, and to the extent that any hazardous waste is generated in connection development of the community, such waste shall be disposed of in accordance with all Federal, State and local laws and regulations.
- **8. Minimization of negative impacts on environmentally stressed communities.** The proposed use is compatible with nearby residential communities. Furthermore, to the best of the Applicant's knowledge, there are no environmental stressed communities within the general vicinity of the Subject Property.



178.10 Acre Rock Springs & Evans Mill Situ



July 6, 2020

Wetlands

Estuarine and Marine Deepwater

Estuarine and Marine Wetland

Freshwater Pond

Freshwater Forested/Shrub Wetland

Freshwater Emergent Wetland

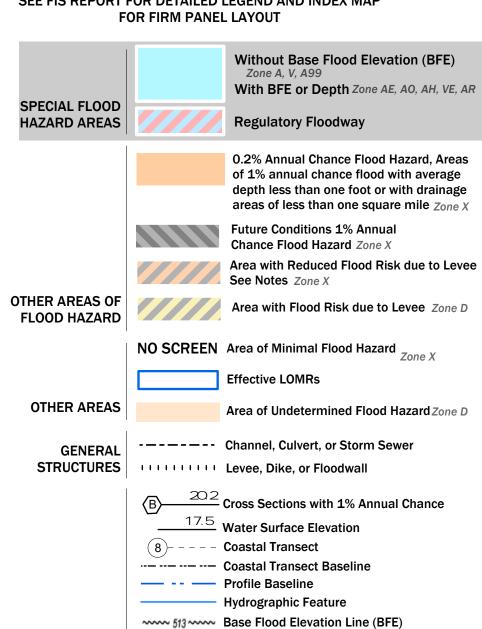
Lake

Other Riverine

This map is for general reference only. The US Fish and Wildlife Service is not responsible for the accuracy or currentness of the base data shown on this map. All wetlands related data should be used in accordance with the layer metadata found on the Wetlands Mapper web site.

FLOOD HAZARD INFORMATION

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP



Limit of Study

Jurisdiction Boundary

OTHER

FEATURES

NOTES TO USERS

For information and questions about this Flood Insurance Rate Map (FIRM), available products associated with this FIRM, including historic versions, the current map date for each FIRM panel, how to order products, or the National Flood Insurance Program (NFIP) in general, please call the FEMA Map Information eXchange at 1-877-FEMA-MAP (1-877-336-2627) or visit the FEMA Flood Map Service Center website at https://msc.fema.gov. Available products may include previously issued Letters of Map Change, a Flood Insurance Study Report,

and/or digital versions of this map. Many of these products can be ordered or obtained directly from the website.

Communities annexing land on adjacent FIRM panels must obtain a current copy of the adjacent panel as well

as the current FIRM Index. These may be ordered directly from the Flood Map Service Center at the number

listed above. For community and countywide map dates, refer to the Flood Insurance Study Report for this jurisdiction.

To determine if flood insurance is available in this community, contact your Insurance agent or call the National Flood Insurance Program at 1-800-638-6620.

Basemap information shown on this FIRM was provided in digital format by USDA, Farm Service Agency (FSA). This information was derived from NAIP, dated April 11, 2018.

This map was exported from FEMA's National Flood Hazard Layer (NFHL) on 7/7/2020 9:03 AM and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time. For additional information, please see the Flood Hazard Mapping Updates Overview Fact Sheet at https://www.fema.gov/media-library/assets/documents/118418

This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards. This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date.

SCALE

Map Projection: GCS, Geodetic Reference System 1980; Vertical Datum: NAVD88 For information about the specific vertical datum for elevation features, datum

Insurance Study (FIS) Report for your community at https://msc.fema.gov 1 inch = 500 feet 1:6,000 250 500 1,000 1,500 2,000 Meters 300 0 50 100 200 400

conversions, or vertical monuments used to create this map, please see the Flood

National Flood Insurance Program **Panel Contains:** NOWE X

NATIONAL FLOOD INSURANCE PROGRAM

FLOOD INSURANCE RATE MAP

PANEL 167 OF 201

COMMUNITY

CITY OF STONECREST

NUMBER **PANEL** 130268 0167

MAP NUMBER 13089C0167J **EFFECTIVE DATE** May 16, 2013

FIRST AMERICAN TITLE INSURANCE COMPANY ATLANTIC CAPITAL BANK, N.A.; BEVAINE CIRCLE LLC; ALTA/NSPS LAND TITLE SURVEY **KEVISIONS** (22, B/M / LB 155' LG 15) TIONZGVLE CONBL APPROXIMATE LAND LOT LINE NO0.00, \$\dagger \text{L} \text{28} \text{E} APPROXIMATE LAND LOT LINE G. 313 10 041 9th 18 19 89 89 05 HUNTER'S HILL DRIVE (50' R/W / P.B. 77, PG. 100) BLOCK "A" HUNTER'S CHASE E P.B. 92, PG. FOX DE. Georgia West Zone h: $\array/2016\ projects/16-580\ evans\ mill\ rd/data/drawings/16580\ alta.dwg$ M9/13/2016 12:04:34 PM **bhamilton**

EXHIBIT "A"

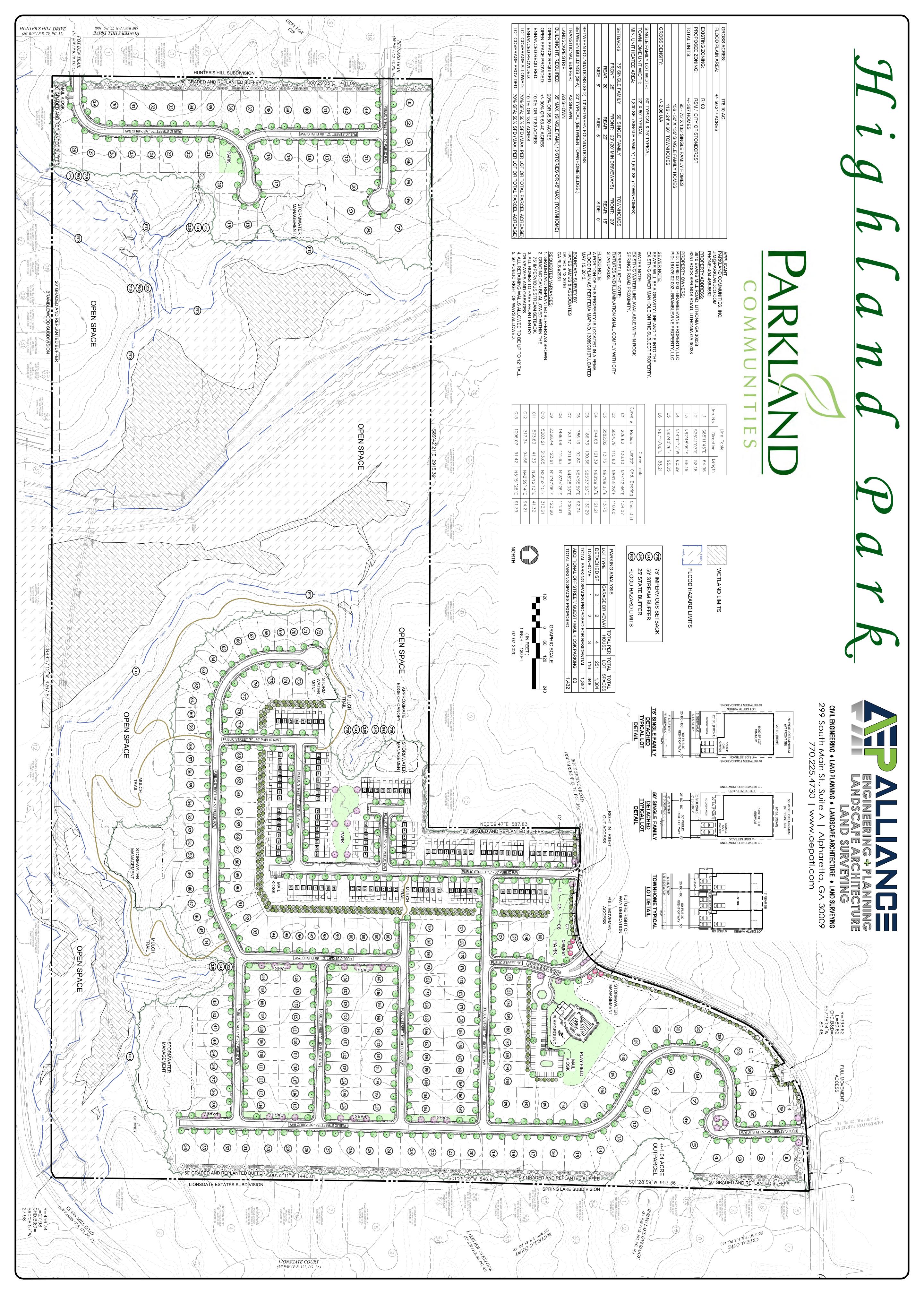
Evans Mill Road 178.10 Acres

All that tract or parcel of land lying and being in Land Lots 76 and 85 of the 16th District, DeKalb County, Georgia and being more particularly described as follows:

BEGINNING at 1/2" rebar set at the southwestern corner of land lot 76 being the corner of Land Lots 52, 53, 76 and 77 THENCE from said point of beginning along western line of Land Lot 76 North 00 degrees 29 minutes 05 seconds East a distance of 1481.09 feet to 1/2" rebar, THENCE leaving the western line of Land Lot 76 South 89 degrees 42 minutes 21 seconds East a distance of 2915.39 feet to 1/2" rebar set at the western line of Land Lot 85; THENCE following said western line of Land Lot 85 North 00 degrees 09 minutes 47 seconds East a distance of 587.83 feet to 1/2" rebar set at the intersection the western line of Land Lot 85 and the southern right of way of Rock Springs Road (right of way varies); THENCE following said southern right of way of Rock Springs Road (right of way varies) the following courses: along a curve to the right with a radius of 644.68 feet and an arc length of 121.39 feet, said curve having a chord bearing of North 88 degrees 29 minutes 36 seconds East and a chord distance of 121.21 feet to a point; THENCE South 85 degrees 11 minutes 45 seconds East a distance of 64.96 feet to a point; THENCE along a curve to the left with a radius of 1186.73 feet and an arc length of 130.36 feet, said curve having a chord bearing of South 85 degrees 37 minutes 53 seconds East and a chord distance of 130.29 feet to a point; THENCE along a curve to the left with a radius of 786.13 feet and an arc length of 92.80 feet, said curve having a chord bearing of North 84 degrees 55 minutes 59 seconds East and a chord distance of 92.74 feet to a point; THENCE along a curve to the left with a radius of 183.37 feet and an arc length of 211.65 feet, said curve having a chord bearing of North 48 degrees 25 minutes 03 seconds East and a chord distance of 200.09 feet to a point; THENCE along a curve to the right with a radius of 1486.08 feet and an arc length of 111.63 feet, said curve having a chord bearing of North 18 degrees 34 minutes 26 seconds East and a chord distance of 111.61 feet to a point; THENCE along a curve to the right with a radius of 2368.44 feet and an arc length of 123.61 feet, said curve having a chord bearing of North 17 degrees 47 minutes 06 seconds East and a chord distance of 123.60 feet to a point; THENCE along a curve to the right with a radius of 5283.21 feet and an arc length of 313.65 feet, said curve having a chord bearing of North 23 degrees 52 minutes 15 seconds East and a chord distance of 313.61 feet to a point; THENCE along a curve to the right with a radius of 573.83 feet and an arc length of 41.33 feet, said curve having a chord bearing of North 30 degrees 12 minutes 13 seconds East and a chord distance of 41.32 feet to a point; THENCE along a curve to the right with a radius of 317.34 feet and an arc length of 94.56 feet, said curve having a chord bearing of North 42 degrees 59 minutes 14 seconds East and a chord distance of 94.21 feet to a point; THENCE along a curve to the right with a radius of 1096.07 feet and an arc length of 91.42 feet, said curve having a chord bearing of North 51 degrees 51 minutes 28 seconds East and a chord distance of 91.39 feet to a 1/2" rebar set on the aforesaid right of way; THENCE leaving said right of way South 25 degrees 41 minutes 07 seconds East a distance of 52.18 feet to 1/2" rebar set; THENCE North 62 degrees 48 minutes 09 seconds East a distance of 68.19 feet to 1/2" rebar set; THENCE North 14 degrees 32 minutes 13 seconds West a distance of 60.89 feet to 1/2" rebar set on the southern right of way of Rock Springs Road (right of way varies); THENCE following said right of way along a curve to the right with a radius of 226.62 feet and an arc length of 136.10 feet, said curve having a chord bearing of North 74 degrees 42

minutes 46 seconds East and a chord distance of 134.07 feet to a point; THENCE North 85 degrees 40 minutes 26 seconds East a distance of 95.05 feet to a point; THENCE North 87 degrees 16 minutes 08 seconds East a distance of 83.21 feet to a point; THENCE along a curve to the right with a radius of 5854.79 feet and an arc length of 110.60 feet, said curve having a chord bearing of North 86 degrees 55 minutes 28 seconds East and a chord distance of 110.60 feet to a point; THENCE along a curve to the right with a radius of 3582.82 feet and an arc length of 13.75 feet, said curve having a chord bearing of North 87 degrees 09 minutes 37 seconds East and a chord distance of 13.75 feet to 1/2" rebar set; THENCE leaving the aforesaid right of way South 01 degrees 28 minutes 59 seconds West a distance of 953.36 feet to 1/2" rebar; THENCE South 01 degrees 25 minutes 29 seconds West a distance of 546.95 feet to axle; THENCE South 00 degrees 32 minutes 11 seconds West a distance of 1440.01 feet to 1/2" rebar set on the northern right of way Evans Mill Road (right of way varies); THENCE following said northern right of way Evans Mill Road (right of way varies) along a curve to the right with a radius of 456.34 feet and an arc length of 27.98 feet, said curve having a chord bearing of South 60 degrees 08 minutes 57 seconds West and a chord distance of 27.98 feet to 1/2" rebar set at the intersection of the northern right of way Evans Mill Road (right of way varies) and the southern line of land lots 85 and 76; THENCE following said southern line of land lots 85 and 76 North 89 degrees 57 minutes 12 seconds West a distance of 4267.87 feet to 1/2" rebar set at the common corner of Land Lots 52, 53, 76, and 77; said 1/2" rebar being the TRUE POINT OF **BEGINNING.**

Said tract contains 7758216 square feet or 178.10 acres.



Highland Park

TOWNHOMES

CHARACTER IMAGES





Highland Park

75' WIDE LOTS CHARACTER IMAGES









Highland Park



55' WIDE LOTS

CHARACTER IMAGES









CITY COUNCIL AGENDA ITEM

SUBJECT: Special Land Use Petition SLUP-20-005 (2831 Hillvale Cove Drive)

| Date Submitted: 10/21/20 | Work Section: | Council Meeting: 10/26/20 |
|--------------------------|----------------|---------------------------|
| () DISCUSSION ONLY | () RESOLUTION | (X) OTHER |
| () ORDINANCE | () POLICY | () STATUS REPORT |

SUBMITTED BY: Christopher Wheeler, Planning and Zoning Director.

PURPOSE: Special Land Use Petition SLUP-20-005

(2831 Hillvale Cove Drive)

HISTORY: The subject property sits in an existing single-family residence, with a zoning of RSM (Small lot residential Mix) and located in the Hillvale Commons Subdivision.

FACTS AND ISSUES: This item was heard at the October 6th, 2020, Planning Commission Meeting. The applicant requested a Special Land Use Permit to operate a personal care home for three individuals. The Planning Commission recommended approval of the application with conditions.

OPTIONS: Approve; Deny; or make Alterative conditions

RECOMMENDED ACTION:

Planning Commission recommended Approval of SLUP-20-005 at the October $6^{\rm th}$ meeting.

ATTACHMENTS:

- # 1 10/21/20 Staff Report
- # 2 10/21/20 Rezoning Application



MEETING DATE: October 6th, 2020 / October 26th, 2020

GENERAL INFORMATION

Petition Number: SLUP 20-005

Applicant: Tomika Turner

Owner: Tomika Turner

Project Location: 2831 Hillvale Cove Drive Stonecrest Ga 30038

District: District 2

Acreage: 0.2 Acres

Existing Zoning: Small Lot Residential Mix (RSM)

Proposed Zoning: Small Lot Residential Mix (RSM)

Proposed Development/Request: The applicant is requesting a Special Land Use Permit (SLUP) to operate

a Personal Care Home up to six (6) residents within in an R-100 (Medium Lot Residential) District, in accordance with Chapter 27-Article 4.1 Use Table and Sections 4.2.41. B of Stonecrest Zoning Code.

Staff Recommendations: Approval with Conditions

Planning Commission Approval with Conditions



Zoning Map





Aerial Map



ZONING CASE: SLUP-20-005

ADDRESS: 2831 Hillvale Cove Drive

 $\hbox{\tt CURRENT ZONING: Small Lot Residential Mix}$

FUTURE LAND USE: Suburban

0 0.0125 0.025 mi



Subject Site



PROJECT OVERVIEW

Location

The subject property, 2831 Hillvale Cove Drive, is in the Hillvale Cove Subdivision. The subject site sits existing single-family residence. Access is available via the existing driveway on Hillvale Cove Drive. The subject property is surround by single-family homes.

Background

Currently, the property maintains its original zoning RSM (Small Lot Residential mix) classification and the property has 2,689 square foot single story frame house. The property can be characterized as even across the property.











Special Land Use Permit Request

The applicant is requesting a Special Land Use Permit to a personal care home. The subject location will house three individuals with an applicant living in the home. The applicant will provide active daily living and recreational activities for the residents.



Neighborhood Meeting

Property owners within 500 feet of the subject property were mailed notices of the propose special land use permit application. The community meeting was held August 16th at 4:30 pm via zoom link. No one attended the meeting.

STANDARDS OF REVIEW

A. Adequacy of the size of the site for the use contemplated and whether or not the adequate land area is available for the proposed use including the provision of all required yards, open space, off-street parking, and all other applicable requirements of the zoning district in which the use is proposed to be located.

The approximately 2,689 square foot residence on 0.5 acres is adequate for the operation of the personal care home.

B. Compatibility of the proposed use with adjacent properties and land uses and with other properties and land uses in the district.

The proposed personal care home for three (3) person is compatible with another single-family residence. There will be no outside physical changes to the existing single-family structure or signage indicating the use is personal care home.

C. Adequacy of public services, public facilities, and utilities to serve the proposed use.

The subject property is located in an established single-family residential neighborhood, it appears that there are adequate public services, public facilities, and utilities to serve the proposed personal care home.

D. Adequacy of the public street on which the use is proposed to be located and whether or not there is sufficient traffic-carrying capacity for the use proposed so as not to unduly increase traffic and create congestion in the area.

Hillvale Cove Drive is a local road, the Planning Staff believes little or no impact on the public streets or traffic in the area.

E. Whether existing land uses located along access routes to the site will be adversely affected by the character of the vehicles or the volume of traffic generated by the proposed use.

The traffic of the vehicles generated by the proposed use will not adversely impact existing land uses along access routes to the sites.



F. Adequacy of ingress and egress to the subject property and to all proposed buildings, structures, and uses thereon, with particular reference to pedestrian and automotive safety and convenience, traffic flow and control, and access in the event of a fire or another emergency.

The existing residential structure on the site is accessed by vehicles via existing curb cut with a driveway on Hillvale Cove Drive. Emergency vehicles can access the site from the existing driveway.

G. Whether the proposed use will create adverse impacts upon any adjoining land use by reason of noise, smoke, odor, dust, or vibration generated by the proposed use.

The proposed use may not create an adverse impact upon any adjoining single-family land uses by reason of noise, smoke, odor, dust or vibration,

H. Whether the proposed use will create adverse impacts upon any adjoining land use by reason of the hours of operation of the proposed use.

Per the information submitted with the application, the applicant intends to run an adult care facility with three residents.

I. Whether the proposed use will create adverse impacts upon any adjoining land use by reason of the manner of operation of the proposed use.

The operation of the personal care home of three (3) residents will not affect the adjoining single-family residence on Hillvale Cove Drive. The site will operate basically as a single-family residence with the owner/operator is required to reside at the property.

J. Whether the proposed use is otherwise consistent with the requirements of the zoning district classification in which the use is proposed to be located.

The proposed use is otherwise consistent with the requirement of the zoning district classification in which the use is proposed to be located.

K. Whether the proposed use is consistent with the policies of the comprehensive plan.

The subject property is in the Suburban Neighborhood Character area designated by the 2035 Comprehensive Land Use Plan. The proposed use is listed as primary land use and is consistent with the policies of the character area specifically policy H-20.

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

Transitional buffers are not required.

M. Whether there is adequate provision of refuse and service areas.



An adequate refuse area will be provided.

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

Staff believes there isn't a compelling reason to limit the special land use duration as the applicant appears to be the only personal care home within the vicinity,

O. Whether the size, scale, and massing of proposed buildings are appropriate in relation to the size of the subject property and in relation to the size, scale, and massing of adjacent and nearby lots and buildings.

The personal care home would be in an existing residential structure which is consistent in size, scale and massing with adjacent surrounding single-family residence in the area.

P. Whether the proposed use will adversely affect historic buildings, sites, districts, or archaeological resources.

This use will not adversely affect any historic buildings, sites, districts, or archaeological resources.

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

The proposed use satisfies the requirement contatined in Sec.4.2.31 and Sec 4.2.41 (A) and (B) of the Stonecrest Zoning Ordinance.

R. Whether the proposed use will create a negative shadow impact on any adjoining lot or building as a result of the proposed building height.

Adjacent and surrounding residential properties are one-story frame structures which are the same as the existing residence on the site. There will be no negative show impact on any adjoining lot.

S. Whether the proposed use would result in a disproportionate proliferation of that or similar uses in the subject character area.

The proposed use would not result in an excessive proliferation of similar use in the subject character area as there are no other personal care homes already established in the Hillvale Cove subdivision.

T. Whether the proposed use would be consistent with the needs of the neighborhood or the community as a whole, be compatible with the neighborhood, and would not be in conflict with the overall objective of the comprehensive plan.

The proposed use would be consistent with the needs of the community as a whole, as it appears there are no immediate personal care homes within the immediate area.



RECOMMENDATION

Base on the findings and conclusions, it appears the applicant does meet all the criteria for approval. Therefore, staff recommends **APPROVAL** of **SLUP-20-005** with the following conditions;

- 1. Limit the use of personal care home only to three (3) persons.
- 2. Access shall be limited to the existing curb cut off Hillvale Cove Drive.
- 3. All refuse containers shall be screened from public view except during pick up.
- 4. No identification sign for personal care home shall be posted on the property.
- 5. Owner/Operator must live on the property according to the supplemental regulations cited in the Stonecrest Zoning Ordinance Sec. 4.2.31 and 4.2.41.
- 6. The applicants shall secure the necessary certification by the State of Georgia and the necessary business license, building permits and certification of occupancy for three people from the city of Stonecrest.
- 7. The Special Land Use Permit shall be issued to Tomika Turner (operator) for the operation of a personal care home and shall not be transferable.

PLANNING COMMISSION

On Tuesday October 6, 2020 the Planning Commission recommends **APPROVAL** of **SLUP-20-005** with the following conditions;

- 1. Limit the use of personal care home only to three (3) persons.
- 2. Access shall be limited to the existing curb cut off Hillvale Cove Drive.
- 3. All refuse containers shall be screened from public view except during pick up.
- 4. No identification sign for personal care home shall be posted on the property.
- 5. Owner/Operator must live on the property according to the supplemental regulations cited in the Stonecrest Zoning Ordinance Sec. 4.2.31 and 4.2.41.
- 6. The applicants shall secure the necessary certification by the State of Georgia and the necessary business license, building permits and certification of occupancy for three people from the city of Stonecrest.
- 7. The Special Land Use Permit shall be issued to Tomika Turner (operator) for the operation of a personal care home and shall not be transferable.



Applicant/Petitioner Notarized Certification

Petitioner states under oath that: (1) he/she is the executor or Attorney-In-Fact under a Power-of-Attorney for the owner (attach a copy of the Power-of-Attorney letter and type name above as "Owner"); (2) he/she has an option to purchase said property (attach a copy of the contract and type name of owner above as "Owner"); (3) he/she has an estate for years which permits the petitioner to apply (attach a copy of lease and type name of owner above as "Owner").

| | Signature: Jamil Imran, CEO Juit Town | Date: 6-17-2020 |
|------------------------|---|-----------------|
| ıer | Address: 1761 Bonar Hall Trace, City, State Duluth, GA | Zip: 30097 |
| itior | Phone: 404-587-8500 | |
| Applicant / Petitioner | Sworn to and subscribed before me this 17 day of June | , 20 <u>20</u> |
| Appli | Notary Public: Kathleen R. Horales | |
| | Signature: Kathleen R. Horales | Date: (4-17-27) |
| i, | Address: 3275 Crestwood Pk.oy City, State: Duluth GA | Zip: 30076 |
| Agent | Phone: 770-817-7575 | |
| Attorney / | Sworn to and subscribed before me this 1740 day of full | ATHLEEN A MOR |
| Ā | Notary Public: Kathleen R. Horales | TANK TO THE ST |
| | | COUNTY, GEORGE |



Property Owner(s) Notarized Certification

The owner and petitioner acknowledge that this Land Use Petition application form is correct and complete. By completing this form, all owners of the subject property certify authorization of the filing of the application and authorization of an applicant or agent to act on their behalf in the filing of the application including all subsequent application amendments.

| | Signature: Tomika Turner | 1 | Date: 6-17-2020 | | |
|--|---|-----------------------------|-------------------------------------|--|--|
| | Address: 3431 Park Glenn Lane | City, State: Snellville, GA | Zip: 30078 | | |
| ner e) | Phone: 678-682-1787 | | | | |
| Property Owner (If Applicable) | Sworn to and subscribed before me this | 17 day of June | , 20 🔿 🔾 | | |
| Propel (If Ap | Notary Public: | | LATHLEEN A TOMMISSION OF THE NOTARY | | |
| | Kathleen R Moralos | | | | |
| | Signature: Kalhleen R Mc | | Date: | | |
| | Address: 3675 Crestwood PKW | City, State: Duluth GA | Zip: 30000UNTY GE | | |
| | | | | | |
| 5 <u>18</u> | Sworn to and subscribed before me this 17 day of June , 20 20 | | | | |
| erty Indi | Sworn to and subscribed before me this | day of June | , 20 | | |
| Property Uwne (If Applicable) | Notary Public: | day of Jone | | | |
| Property Uwner (If Applicable) | | day of Jone | | | |
| Property (If Appli | Notary Public: | City, State: | | | |
| | Notary Public: Signature: | | Date: | | |
| | Notary Public: Signature: Address: Phone: | City, State: | Date: | | |
| Property Owner (II Applicable) (If Appli | Notary Public: Signature: Address: Phone: | City, State: | Date: Zip: | | |



G E O R G I A
3120 Stonecrest Blvd. • Stonecrest, Georgia 30038 • (770) 224-0200 • www.stonecrestga.gov

Application

| Түре | Special Administrative Permit | | | | |
|------------------------|---|-------------------------------------|--|--|--|
| 0 | Name: Jamil Imran, CEO | | | | |
| Applicant Mormation | Address: 2831 Hillvale Cove Drive | | | | |
| Áppl Jforn | Phone: 404-587-8500 | Fax: | | | |
| Ē | Cell: 404-587-8500 | Email:jimran2@hotmail.com | | | |
| | | | | | |
| | Name: Tomika Turner | | | | |
| | Address: 3431 Park Glenn Lane | | | | |
| Owner | Phone: 678-682-1787 | Fax: | | | |
| Ó | Cell: 678-682-1787 | Email: tturner.mshomecare@gmail.com | | | |
| Affidavit | To the best of my knowledge, this special administrative permit application form is correct and complete. If additional materials are determined to be necessary, I understand that I am responsible for filing additional materials as specified by the City of Stonecrest Zoning Ordinance. I understand that failure to supply all required information (per the relevant Applicant Checklists and Requirements of the Stonecrest Zoning Ordinance) will result in the rejection of this application. I have read the provisions of the Georgia Code Section 36-67A-3 as required regarding Campaign Disclosures. My Signed Campaign Disclosure Statement is included. | | | | |
| | Applicant's Name: Jamil Imran, CEO | | | | |
| | Applicant's Signature: June | Date: 6-12,2020 6 | | | |
| | Sworn to and subscribed before me this Day | of June 200 Mission Op | | | |
| λ | Notary Public: Kathleen R Morales | NOTAN CASTER OF THE STREET | | | |
| Notary | Signature: Kathleen R Monales | Z Z SUBLIC " | | | |
| | Date: (- 1 - 20 | 7 3CH 29 202h | | | |
| | Application Received By: | OUNTY, GO | | | |
| | Date: | | | | |
| Fee | Fee: \$ 25 | nt: ☑ Cash ☐ Check ☐ CC Date: | | | |
| | ☐ Approved ☐ Approved with Conditions ☐ Denie | Date: | | | |







DRIVER'S LICENSE



DL NO. 050247918 DOB 05/24/1985 EXP 06/24/2025 CLASSIC TURNER TURNER

SUZAMITICIAN DE STORE WITH CAN COUNTY OPEN DESCRIPTION

Readvictions & End NONE INF 06/29/2017 Core SPO

max 5-07" year -215.30 DOI:172530604415043964





The Fryer Law Firm, PC ALTA Universal ID 70 Lenox Pointe, NE Atlanta, GA 30324

File No./Escrow No.:

2020-00390

Print Date & Time:

March 20, 2020 at 04:22 PM

Officer/Escrow Officer: THE FRYER LAW FIRM

Settlement Location:

Property Address:

2831 Hillvale Cove Drive

Lithonia, GA 30058

Borrower:

Tomika D. Turner

Seller:

Shirann Bradford and Mark Bradford

Lender:

CrossCountry Mortgage LLC

Settlement Date: Disbursement Date: March 20, 2020 March 20, 2020

| Seller | Description | Borrow | Borrower/Buyer | |
|--|---|---------------|----------------|--|
| Debit Credit | | Debit | Credit | |
| A CONTRACTOR OF THE CONTRACTOR | Financial | | | |
| \$ 178,500.00 | Sale Price of Property | \$ 178,500.00 | | |
| | Deposit | | \$ 1,000.0 | |
| | Loan Amount | | \$ 175,266.0 | |
| \$ 2,500.00 | Seller Credit | | \$ 2,500.0 | |
| | Prorations/Adjustments | | | |
| \$ 112.13 | 2020 HOA DUES | \$ 112.13 | | |
| | 03/20/20-01/01/21 | | | |
| \$ 407.10 | County Taxes | | \$ 407.1 | |
| | 01/01/20 to 03/20/20 | | | |
| | Loan Charges to CrossCountry Montg | gage LLC | | |
| | % of Loan Amount (Points) | \$ 3,589.45 | | |
| | PROCESSING | \$ 599.00 | | |
| | UNDERWRITING | \$ 895.00 | | |
| | APPRAISAL FEE | | | |
| | POC \$ 500.00 Paid by Borrower before closing | | | |
| | CREDIT REPORT | \$ 80.00 | | |
| | FLOOD | \$ 8.00 | | |
| | MTG INS | \$ 3,014.41 | | |
| | Prepaid Interest | \$ 172.92 | | |
| | \$14.41 per day from 03/20/20 to 04/0 | 1/20 | | |
| - Carrier - Carr | Other Loan Charges | 40-C-2-00 | Alexander | |

| Seller | | | | Borrower/Buyer | | |
|--|--|---|-------------------|--|---------------------------|--|
| Debit Credit | | | | Debit | Credit | |
| | Impounds | **** | - marine | - Total Control Contro | | |
| | Homeowner's Insurance | 100 | 400 | \$ 208.71 | | |
| | 3 mo @ \$69, | 57 /mo | | *U0050000 | | |
| | Property Taxes | | | \$ 1,100.19 | | |
| | 7 mo @ \$ 157. | 17 /mo | | 4 654.54 | | |
| | Aggregate Adjustment | | | \$ -556.56 | | |
| The state of the s | Title Charges & Escro | w / Settlem | ent Charg | es | | |
| | Title - Lender's Title Insu | ırance | | \$ 503.80 | | |
| | to Neighborhood | Title Group, I | nc. | () T. (0) A. | | |
| | Coverage: \$ 175,26 | | | | | |
| | Premium: \$50. | | | | | |
| | Title - Attorney Fee | to The Fry | er Law | \$ 550.00 | | |
| | The state of the s | Firm, PC | | 7, 7, 7, 7, 7, | | |
| | Title - CPL | to Chicago | Title | \$ 50.00 | | |
| | | Insuran | ce | | | |
| | | Compan | У | | | |
| | Title - Pkg handling Fee | to Neighbo | rhood | \$ 55.00 | | |
| | | Title Gro | oup, Inc. | | | |
| | Title - Tax Report | to Neighbo | rhood | \$ 25.00 | | |
| | | Title Gro | oup, Inc. | | | |
| | Title - Title Binder | to Neighbo | rhood | \$ 65.00 | | |
| | | Title Gro | oup, Inc. | | | |
| | Title - Title Examination | to Tradition | nal Title | \$ 150.00 | | |
| | | Services | | , | | |
| | Commission | | e mantail | | | |
| \$ 4,462.50 | Commission | to The Rea | I Estate | | | |
| 6 5 255 00 | And the second of | Compan | У | | | |
| \$ 5,355.00 | Commission | to King Rea | | | | |
| | | Group, I | LC | | | |
| | Government Recordin | g and Trans | fer Charg | es | , migra | |
| | Recording Fees | to Clerk of Court | Superior | \$ 50.00 | | |
| | Deed:\$25.00 Mortgag | | | | | |
| | GA Intangibles Tax | to Clerk of | Superior | \$ 526.50 | | |
| | GA Transfer Tax | Court to Clerk of | Superior | \$ 178.50 | | |
| | OA HOLDIEL LOV | Court | Saberrol | ₽ 1/0.3U | | |
| | GRMA Fee | to CrossCo | | \$ 10.00 | | |
| | | Mortgag | e LLC | | | |
| Land Colonia C | Payoffs | | - 111- 101 | | | |
| regregionality as | Missalla | | | and the second s | | |
| | Miscellaneous | 100 100 100 100 100 100 100 100 100 100 | When the transfer | -cut-lou | Manual Production Control | |
| \$ 141.15 | WATER BILL | to DEKALB | | | | |

| | Seller | | | | Borrov | wer/Buyer |
|--------------------------------|---------------|--|----|--|---------------|-------------------------------|
| Debit | Credit | | | | Debit | Credit |
| | | | | COUNTY WATERSHED DEPARTMENT | | |
| \$ 256.00 | | CLOSING LETTER | to | Neighborhood Title Group, Inc. | | |
| s 50.00 | | INITIATION FEE | to | HILLVALE COMMONS HOMEOWNERS ASSOCIATION | \$ 100.00 | |
| \$ 262.42 | | CURRENT DUES | to | HILLVALE COMMONS HOMEOWNERS ASSOCIATION | | |
| | | Homeowner's Insurance Premium (mo.) | to | **NEED** | \$ 834.81 | |
| \$ 14,326.67 | \$ 178,612.13 | Subtotals Balance Due FROM | | 3,000,00 | \$ 190,821.86 | \$ 179,173.10 \$ 11,648.76 |
| \$ 164,285.46 \$ 178,612.13 | \$ 178,612.13 | Balance Due TO TOTALS | | | \$ 190,821.86 | \$ 190,821.86 |

SUBSTITUTE FORM 1099 SELLER STATEMENT: The information contained herein is important tax information and is being furnished to the Internal Revenue Service. If you are required to file a return, a negligence penalty or other sanction will be imposed on you if this item is required to be reported and the IRS determines that it has not been reported. The Contract Sales Price described above constitutes the Gross Proceeds of this transaction.

ACKNOWLEDGEMENT AND RECEIPT OF SETTLEMENT STATEMENT

LENDER:

CrossCountry Mortgage LLC

DATE: 03/20/20

PURCHASER/BORROWER: Tomika D. Turner

SELLER:

Shirann Bradford and Mark Bradford

PROPERTY ADDRESS:

2831 Hillvale Cove Drive, Lithonia, GA 30058

Purchaser and Seller acknowledge that each has received, reviewed, and approved the entries appearing on the Settlement Statement, and each acknowledge receipt of a copy of the same. Purchaser acknowledges receipt of a copy of the Truth in Lending Disclosures, if any, prior to consummation of the loan transaction. Purchaser further acknowledges receipt and disbursement on his behalf of the loan proceeds in full. Seller acknowledges receipt and payment in full of the proceeds due Seller from the settlement. Seller warrants the correctness of all payoff amounts for outstanding liens and encumbrances; if any deficiency occurs, Seller shall promptly remit the same to the settlement agent.

If the proration of taxes and assessments was made based on estimated amounts prior to receipt of current actual bills, Purchaser and Seller agree to adjust the prorations shown on the Settlement Statement between themselves when current actual bills are received. The payment of all outstanding taxes and assessments not paid at settlement are assumed by Purchaser.

Purchaser and Seller acknowledge that settlement agent and Lender make no representations as to the status of any outstanding or past due water, sewerage or other utility bills applicable to the property. The status of such items shall be determined by and are the responsibility of the Purchaser and Seller.

Purchaser and Seller agree that should any inadvertent errors or omissions later be discovered in any documents executed at settlement, they shall promptly execute such corrective documents and remit such sums as may be required to adjust or correct such errors or omissions.

Purchaser hereby acknowledges that a real property tax return and application for homestead exemption is required by law and is to be filed with the county tax collector in which the property lies, and that such filings are the sole responsibility of Purchaser. Seller warrants that all required tax returns and applicable exemption applications have been filed for the current tax year. Seller further agrees to reimburse Purchaser for any penalties caused by Seller's failure to file a proper and timely tax return.

Any condition or stipulation not fulfilled at time of closing shall survive the closing, execution and delivery of the Warranty Deed until such time as said conditions or stipulations are fulfilled.

SHIRANN BRADFORD BY SHEILA

PALOMINO, AS HER ATTORNEY IN FACT

OMIKA D. TURNER

MARK BRADFORD BY SHEILA

PALOMINA, AS HIS ATTORNEY IN FACT

THE FRYER LAW FIRM

BY:

The Fryer Law Firm, PC

Letter of Intent

2831 Hillvale Cove Drive, Lithonia GA 30058

The intent use of property is to have community living arrangement office behind home to operate the day to day operations and business for Mofazzal Suraiya, LLC serving the Dekalb County area.

The two rooms to the left will be for residents and the other room is for storage of PPE supplies. Office will be in the back of home where all files will be stored. There will be no more than two rooms for residents in home. No contact of customers will be at this location there is a main corporate office at 3675 Crestwood Parkway, Duluth, GA 30096.

If you have any question, please feel free to contact at 678-682-1787. Thank you.

Jamil Irman

Tomika Turner

LEGAL DESCRIPTION

BEGINNING at a point located on the Southeasterly Right-of-Way of Hillvale Cove Drive (55 foot right-of-way), said point being located 504.71 feet as measured in a generally Southern direction along the Easterly 55 foot right-of-way of Hillvale Cove Drive from its intersection with the Southerly right-of-way of Hillvale Road (variable right-of-way, 30 feet from centerline at this point of intersection); thence leaving said 55 foot Easterly right-ofway South 64 degrees 13 minutes 39 seconds East, a distance of 4.24 feet to a reinforcing bar found; thence South 1 degree 17 minutes 12 seconds West, a distance of 159.63 feet to a point (said line having a reinforcing bar found located South 01 degrees 17 minutes 12 seconds West, 111.35 feet and 0.21 feet West of said line as measured from the aforementioned reinforcing bar found); thence North 88 degrees 42 minutes 48 seconds West, a distance of 109.82 feet to a point located on the Easterly right-of-way of Hillvale Cove Drive (said point also being located 260 feet North as measured along said Easterly right-of-way from a reinforcing bar found located on said Easterly right-of-way); thence Northeasterly along a curve of said 55 foot Easterly right-of-way and following the curvature thereof for an arc distance of 108.05 feet to a point (said arc being subtended by a chord of North 29 degrees 39 minutes 00 seconds East, 104.58 feet with a radius to the Southeast of 122.51 feet) to a point; thence continuing along said Easterly 55 foot right-ofway Northeasterly and following the curvature thereof for an arc distance of 90.29 feet (said arc being subtended by a chord of North 40 degrees 20 minutes 32 seconds East, 89.32 feet with a radius to the Northwest of 177.50) to a point and the POINT OF BEGINNING.

Said tract or parcel of land containing 0.242 acres or 10,520 square feet, more or less.

(39.37 INCHES = 1 METER)

EQUIPMENT USED:
THEODOLITE READING DIRECTLY TO 02 SECONDS,

ELECTRONIC DISTANCE METER READINGS DIRECTLY

TO .005 FEET.

THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A HORIZONTAL CLOSURE OF 1 FOOT IN 31,938 FEET. THIS SURVEY HAS BEEN CALCULATED FOR CLOSURE BY LATITUDE AND DEPARTURE AND IS FOUND TO BE

THIS PROPERTY HAS BEEN FIELD SURVEYED.

ACCURATE WITHIN 1 FOOT IN 217,693 FEET.

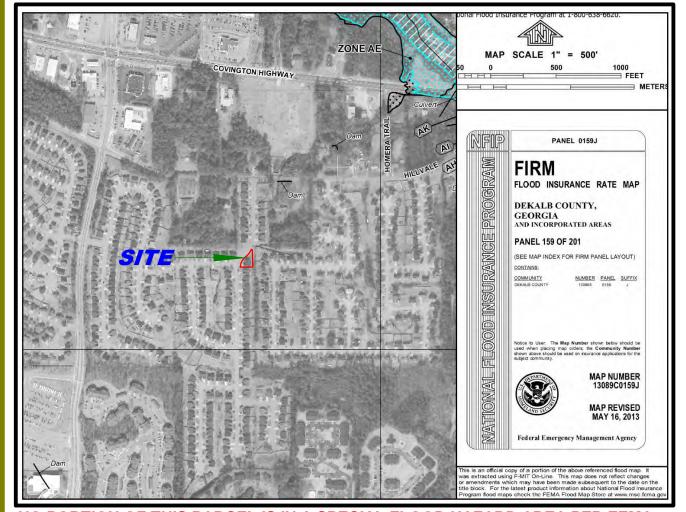
THIS PLAT WAS PREPARED WITHOUT THE BENEFIT OF A TITLE EXAMINATION AND MAY BE SUBJECT TO OTHER EASEMENTS AND ENCUMBRANCES NOT SHOWN THAT MAY OR MAY NOT BE OF RECORD.



THIS SPACE RESERVED FOR

THE CLERK OF COURT

LOCATION MAP NOT TO SCALE



NO PORTION OF THIS PARCEL IS IN A SPECIAL FLOOD HAZARD AREA PER FEMA FLOOD INSURANCE RATE MAP NUMBER 13089C0159J PANEL 159 OF 201 COVERING DEKALB COUNTY, GEORGIA DATED MAY 16, 2013.

REBAR FOUND OR SET (RBF) (RBS)
 CORNER CALCULATED OR SET (IPS)
 LIGHT POLE (LP) / POWER POLE (PP)
 WATER METER (WM)
 GAS METER (GM)

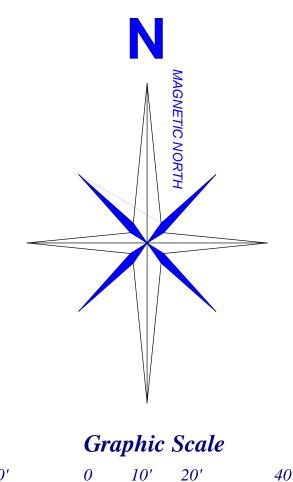
SITE REFERENCES:
1) DEED BOOK 28193 PAGE 262
2) DEED BOOK 26110 PAGE 300
3) PLAT BOOK 114 PAGE 61
4) TAX MAPS AND TAX DATA AVAILABLE ONLINE FROM THE DEKALB COUNTY

LOT AREA 0.242 ACRES +/-10,520 SQ.FT. +/-

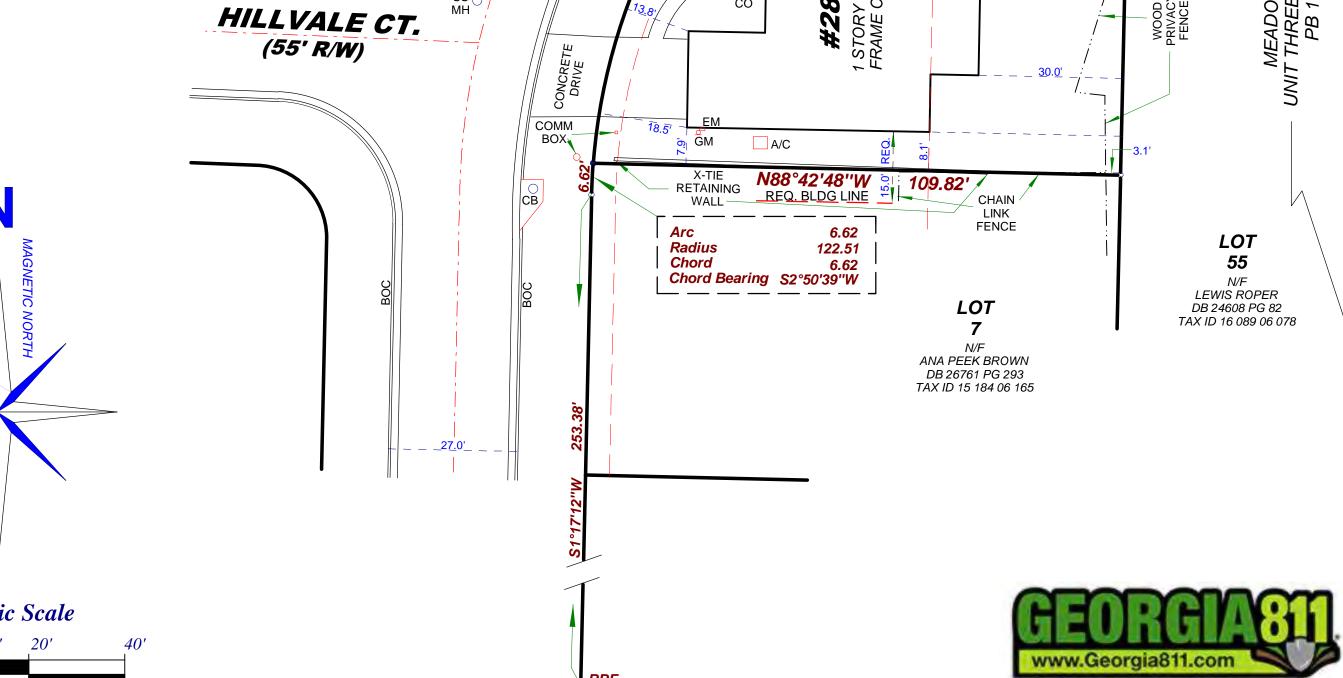
WEB SITE.

IMPERVIOUS AREA 2659 SQ.FT. OR 25.3% OF LOT

9 SQ.FT. OR 3% OF LOT



1'' = 20'



CONC.

UNIT ONE, PHASE ONE

AS RECORDED IN

PLAT BOOK 114 PAGE 61

TAX ID 16 089 06 164

UNDERGROUND UTILITY DISCLAIMER

Information regarding the reputed presence, size, character and location of existing underground utilities and structures is shown hereon. There is no certainty of the accuracy of this information as it relates to underground facilities and it shall be considered in that light by those using this drawing. The location and arrangement of underground utilities and structures shown hereon may be inaccurate and such underground utilities and structures not shown may be encountered. The Owner, his employees, his consultants and his contractors shall hereby distinctly understand that the surveyor is not responsible for the correctness or sufficiency of the information shown hereon as it relates to underground utilities and structures. The limitations as to accuracy contained in this paragraph shall not apply to the utilities and/or structures of any kind which are visible from the surface. All such above ground utilities and/or structures have been field located and are accurately depicted hereon.

KATRINA D. DONALDSON

DB 26412 PG 28

TAX ID 16 089 06 163

LOT

56

CHARLES E. ZACKERY, JR.

TAX ID 16 089 06 079

COMM

BOX

DAWN STRING

DB 22847 PG 394 TAX ID 15 184 06 039

WEST

=*= PLAT CERTIFICATION NOTICE =*=

THIS PLAT HAS BEEN PREPARED FOR THE EXCLUSIVE USE OF THE PERSON, PERSONS OR ENTITY NAMED HEREON. THIS PLAT DOES NOT EXTEND TO ANY UNNAMED PERSON, PERSONS OR ENTITY WITHOUT EXPRESS RECERTIFICATION BY THE SURVEYOR HEREON RENAMING THE PLAT TO SAID OTHER PERSON, PERSONS OR ENTITIES.

STATE WATERS NOTE

THIS SURVEYOR HAS MADE NO DETERMINATION OR JUDGEMENT AS TO THE EXISTENCE OF ANY STATE WATERS THAT MAY BE ON OR ADJACENT TO THE PROPERTY SHOWN ON THIS SURVEY. PRIOR TO ANY CONSTRUCTION OR OTHER WORK THE PROPERTY OWNER AND/OR THEIR CONTRACTOR SHOULD VERIFY WITH THE LOCAL AND/OR STATE AGENCIES AS TO THE EXISTENCE OF STATE WATERS THAT MAY IMPACT THIS PROPERTY. AN INDEPENDENT ENVIRONMENTAL ASSESSMENT MAY BE REQUIRED.

ACCORDING TO THE CITY OF STONECREST RECORDS THIS SITE IS ZONED RSM.

NOTE THAT ANY BUILDING SETBACKS SHOWN ARE SUBJECTIVE AND HAVE BEEN INTERPROLATED FROM ZONING INFORMATION OR PLATS OF RECORD. THESE BUILDING SETBACKS MAY CHANGE WHEN REVIEWED BY THE LOCAL GOVERNING AUTHORITY.

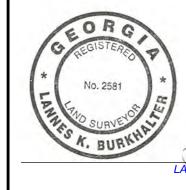
PURSUANT TO THE OFFICIAL CODE OF GEORGIA ANNOTATED SECTION 44-1-15 IT IS UNLAWFUL FOR ANY PERSON WILLFULLY AND KNOWINGLY TO REMOVE, DESTROY, INJURE, OR DISPLACE ANY PROPERTY CORNER MONUMENT EXCEPT UNDER THE AUTHORITY OF A REGISTERED LAND SURVEYOR.

CURVE TABLE

Curve Radius Arc Chord Chord Bearing 1 122.51 108.05 104.58 N29°39'00"E 2 177.50 90.29 89.32 N40°20'32"E

SURVEYORS CERTIFICATION

This plat is a retracement of an existing parcel or parcels of land and does not subdivide or create a new parcel or make any changes to any real property boundaries. The recording information of the documents, maps, plats, or other instruments which created the parcel or parcels are stated hereon. RECORDATION OF THIS PLAT DOES NOT IMPLY APPROVAL OF ANY LOCAL JURISDICTION, AVAILABILITY OF PERMITS, COMPLIANCE WITH LOCAL REGULATIONS OR REQUIREMENTS, OR SUITABILITY FOR ANY USE OR PURPOSE OF THE LAND. Furthermore, the undersigned land surveyor certifies that this plat complies with the minimum technical standards for property surveys in Georgia as set forth in the rules and regulations of the Georgia Board of Registration for Professional Engineers and Land Surveyors and as set forth in O.C.G.A. Section 15-6-67.



LANNES K. BURKHALTER GA. R.L.S. #2581



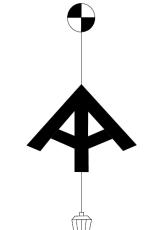
MATTERS OF TITLE ARE EXCEPTED
C COPYRIGHT AARROW SURVEYING 2020

BOUNDARY/ASBUILT SURVEY FOR:

TOMIKA D. TURNER

LOCATED AT:

#2831 HILLVALE COVE DRIVE LAND LOT 89 OF THE 16TH DISTRICT CITY OF STONECREST, DEKALB COUNTY, GEORGIA





Contact 811 before you dig.

2245 COUNTRY WALK SNELLVILLE, GEORGIA 30039 PH. AND FAX 770-982-9900 HEET O1 OF O

REVISIONS



CITY COUNCIL AGENDA ITEM

SUBJECT: Special Land Use Petition SLUP-20-006 (6763 Hill Creek Cove)

| () ORDINANCE | () POLICY | () STATUS REPORT |
|--------------------------|----------------|---------------------------|
| () DISCUSSION ONLY | () RESOLUTION | (X) OTHER |
| Date Submitted: 10/21/20 | Work Section: | Council Meeting: 10/26/20 |

SUBMITTED BY: Christopher Wheeler, Planning and Zoning Director.

PURPOSE: Special Land Use Petition SLUP-20-005

(6763 Hill Creek Cove)

HISTORY: The subject property sits in an existing single-family residence, with a zoning of RSM (Small lot residential Mix) and located in the Hill Creek Subdivision.

FACTS AND ISSUES: This item was heard at the October 6th, 2020, Planning Commission Meeting. The applicant requested a Special Land Use Permit to operate a personal care home for three or six individuals. The Planning Commission recommended approval of the application with conditions.

OPTIONS: Approve; Deny; or make Alterative conditions

RECOMMENDED ACTION:

Planning Commission unanimously recommended Approval of SLUP-20-006 at the October 6th meeting.

ATTACHMENTS:

- # 1 10/21/20 Staff Report
- # 2 10/21/20 Rezoning Application
- # 3 10/21/20 Power Point Presentation



RZ-20-004 2654 DeKalb Medical Parkway, Stonecrest GA 30058

Petition Information

• APPLICANT: Prestwick Companies c/o Edrick Harris

• LOCATION: 2654 Dekalb Medical Parkway

• ACREAGE: 6.83 acres

• REQUEST: The applicant is requesting to rezone the subject properties from M to HR-1 and Future Land Use Character to Neighborhood Center for existing Senior Housing Development.

General Information

- Current zoning: M(Light Industiral) District
- Future Land Use Character Area: Office Professional
- Policies / Intent for this area emphasize:
 - Focus high density redevelopment along major transportation corridors and in areas with alternate transit options.
 - Create compact mixed-used developments and reduce auto mobile dependency and travel to obtain basic services.
- Surrounding uses: Residential / Institutional
- Surrounding zoning: MR-1 (Medium Density Residential) District and M (Light Industrial) District

Background Information

Currently, the property has kept its original zoning classification of M under Stonecrest Zoning Ordinance per Dekalb County Zoning case Z-75036. The property was under the Stonecrest Overlay District Tier 2, however the property was removed from the district when overlay was updated..

The property currently is being used for Senior Housing Complex which was developed and approved in 2017.

The topography of the property is characterized as being slightly elevated toward Dekalb Medical Parkway and then being even throughout the property.



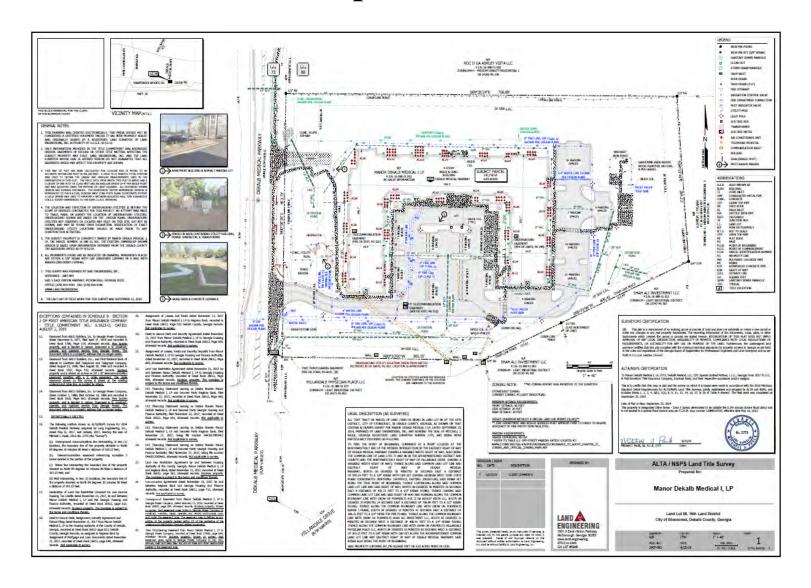
Zoning Map



FLU Map



Conceptual Site Plan



Proposed Elevations



STANDARDS OF REVIEW (Land Use)

- Whether the proposed land use change will permit uses that are suitable in consideration of the use and development of adjacent and nearby property or properties.
- Whether the proposed land use change will adversely affect the existing use or usability of adjacent or nearby property or properties.
- 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.
- Whether the amendment is consistent with the written policies in the comprehensive plan text and any applicable small areas studies.
- Whether there are potential impacts on property or properties in an adjoining governmental jurisdiction, in cases of proposed changes near county or municipal boundary lines.
- 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.
- Whether there will be an impact on historic buildings, sites, districts or archaeological resources resulting from the proposed change.

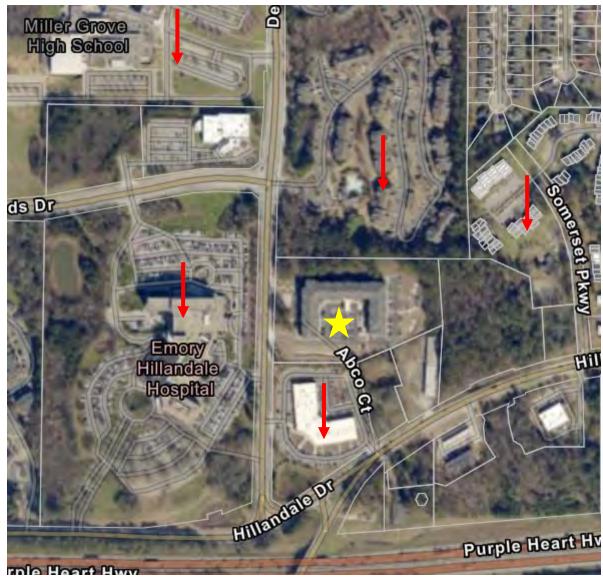
STANDARDS OF REVIEW (Zoning)

- Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property or properties.
- Whether the zoning proposal is in conformity with the policy and intent of the comprehensive plan.
- Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned.
- Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property or properties.
- 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.
- Whether the zoning proposal will adversely affect historic buildings, sites, districts, or archaeological resources.
- Whether the zoning proposal will result in a use which will or could cause excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.
- Whether the zoning proposal adversely impacts the environment or surrounding natural resources.

Zoning Review-Permit a use that is suitable in view of the useand development







Zoning Review- Conformity with Policy and Intent of Comp Plan



- The subject property is located within the Neighborhood Center character area of the Stonecrest Comprehensive Plan. The character area intends to limit small scale goods and Townhomes; Multifamily developments.
- The proposed zoning change and development of residential development would be in keeping with the policy and intent of the comp plan.

Zoning Review

Reasonable Economic Use

• The property is currently zoned M, which permits the development of an light industrial use such as warehousing. The property is also located in residential/institutional area where industrial uses would not be a good fit. The property does not have reasonable economic use as currently zoned.

Adversely affect environmental and historic sites

- There are currently no historic building, sites, districts or archaeological resources on the subject property.
- The zoning proposal will not adversely impact the environment or surrounding natural resources. The applicant will have to provide for the management of stormwater according to the City's regulations and state regulations.

Zoning Review

Conditions giving either approval or disapproval

• There are existing conditions affecting the use and development of the property, which give supporting grounds for either approval or disapproval of the zoning proposal. The current zoning is the same proposed zoning classification. The applicant is asking for increase in density which would still be consistent with the area

• Affect existing use or usability of nearby properties

• The proposed zoning proposal is not anticipated to have a negative impact on the existing use or usability of adjacent or nearby properties. Staff believes the suggested zoning for the residential development would not adversely affect the existing use of the property as the applicant is essentially asking for the same zoning classification

Zoning Review- Excessive use of streets, transportation, utilities and schools.



Staff Analysis

Therefore Staff recommends *APPROVAL* of RZ-20-004.



August 6th2019

Planning Commission
Public Hearing



Special Land Use Permit Application

| U. | Name: Indito Collionirae. | | | | |
|----------------------|--|--|--|--|--|
| = | Name: Judith Gowbourne | | | | |
| Ę. | Tyrell Carty | 1.11 | T- | | |
| nformation | Address: 6763 HIII Creek Cove | Lithonia, GA 30058 | | | |
| orr | Phone: 678 - 464 - 5682 | Fax: | Email jgoulbournel@ychoo.cen | | |
| Inf | Owner's Name: Tyrell Carty Judith | Goulbourne | 3 | | |
| | Owner's Address: 10763 Hill Creek CO | ve, Lithonia, GA 30055 | 7 | | |
| | Phone: 678-464 - 5682 | Fax: | I Small of a Marine of A. A. | | |
| B | W13 101 | | Email jgoulbourne 1@yahoo a | | |
| B | Property Address: 6763 Hill Creek Cove | , Lithonia, GA Acreage: 0.34 | - acres | | |
| | Parcel ID: 10 131 03 050 | | | | |
| lon | Current Zoning Classification: ROSIADDLIAL A | single family resid | polist home | | |
| nati | 1.051aciiiia, a | | entra nome | | |
| Tormation | Proposed Use of Property: PENSONAL Care Hom | | | | |
| | Is this development and/or request seeking any incentives or | tax abatement through the City of Stonecrest | or any entity that can grant such waivers, incentives | | |
| 1 | and/or abatements? O Yes No | | | | |
| | | | | | |
| ľ | Property Information: Ovanouslas and | . Kwa a la | ^ ' | | |
| | Property Information: Property is a | Wrently a single- | family residential | | |
| ion | | | | | |
| mai | | of four bedro | 0m and 3 bathroom | | |
| nformation | The home is located i | with the Rogers | Crossing subdivision | | |
| _ | | | 1 3000000 | | |
| 2 | In lithoppin (A DON allo | Comme | | | |
| u . | In Lithonia, GA, DeKalb | County. | <i>y</i> | | |
| ul . | In Lithonia, GA, DeKalb | County. | | | |
| ul . | In Lithonia, GA, DeKalb | County. | | | |
| ul | , | | e. If additional materials are determined | | |
| ui . | To the best of my knowledge, this variance appropriate to be necessary, I understand that I am response | plication form is correct and complet | e. If additional materials are determined specified by the City of Stonecrest Zonin | | |
| ul | To the best of my knowledge, this variance app | plication form is correct and complet | e. If additional materials are determined specified by the City of Stonecrest Zonin | | |
| | To the best of my knowledge, this variance app to be necessary, I understand that I am respon Ordinance. | plication form is correct and complet isible for filing additional materials as | e. If additional materials are determined specified by the City of Stonecrest Zonin | | |
| | To the best of my knowledge, this variance app to be necessary, I understand that I am respon Ordinance. | plication form is correct and complet isible for filing additional materials as | e. If additional materials are determined specified by the City of Stonecrest Zonin | | |
| | To the best of my knowledge, this variance app to be necessary, I understand that I am respon Ordinance. Applicant's Name: | plication form is correct and complet isible for filing additional materials as | s specified by the City of Stonecrest Zonin | | |
| | To the best of my knowledge, this variance app to be necessary, I understand that I am respon Ordinance. | plication form is correct and complet isible for filing additional materials as | e. If additional materials are determined specified by the City of Stonecrest Zonin Date: | | |
| | To the best of my knowledge, this variance app to be necessary, I understand that I am respon Ordinance. Applicant's Name: | plication form is correct and complet isible for filing additional materials as | s specified by the City of Stonecrest Zonin | | |
| | To the best of my knowledge, this variance appropriate to be necessary, I understand that I am response Ordinance. Applicant's Name: Applicant's Signature: Sworn to and subscribed before me this | polication form is correct and complete is ible for filing additional materials as the following additional materials and the f | Date: Date: 20 OTA | | |
| | To the best of my knowledge, this variance app to be necessary, I understand that I am respon Ordinance. Applicant's Name: Applicant's Signature: | polication form is correct and complete is ible for filing additional materials as the following of the pay of the property of the pay of the property of the pay of | Date: Date: 20 AOTAR SouldX Tumo ON | | |
| y Affiddavit | To the best of my knowledge, this variance approximate to be necessary, I understand that I am responsion Ordinance. Applicant's Name: Applicant's Signature: Sworn to and subscribed before me this Notary Public: Signature: Signature: Signature: Signature: Signature: To the best of my knowledge, this variance approximate the series of the se | polication form is correct and complete is ible for filing additional materials as the following of the pay of the property of the pay of the property of the pay of | Date: Date: 20 AOTAR SouldX Tumo ON | | |
| y Affiddavit | To the best of my knowledge, this variance appropriate to be necessary, I understand that I am responsion Ordinance. Applicant's Name: Applicant's Signature: Sworn to and subscribed before me this Notary Public: Signature: 2/35/30 | polication form is correct and complete is ible for filing additional materials as the following of the pay of the property of the pay of the property of the pay of | Date: Date: 20 AOTAR SouldX Tumo ON | | |
| Notary Affiddavit In | To the best of my knowledge, this variance approximate to be necessary, I understand that I am responsion Ordinance. Applicant's Name: Applicant's Signature: Sworn to and subscribed before me this Notary Public: Signature: Signature: Signature: Signature: Signature: To the best of my knowledge, this variance approximate the series of the se | polication form is correct and complete is ible for filing additional materials as the following of the pay of the property of the pay of the property of the pay of | Date: Date: 20 AOTAR SouldX Tumo ON | | |
| y Affiddavit | To the best of my knowledge, this variance appropriate to be necessary, I understand that I am response Ordinance. Applicant's Name: Applicant's Signature: Sworn to and subscribed before me this Notary Public: Signature: Applicant's Signature: Notary Public: Signature: Applicant's Signature: Notary Public: Signature: Applicant's Signature: Applicant's Signature: Notary Public: Signature: Applicant's Signature: Applicant's Signature: Applicant's Signature: Notary Public: Signature: Applicant's Signature: App | polication form is correct and complete is ible for filing additional materials as the following of the pay of the property of the pay of the property of the pay of | Date: Date: 20 AOTAR SouldX Tumo ON | | |
| y Afriddavit | To the best of my knowledge, this variance appropriate to be necessary, I understand that I am response Ordinance. Applicant's Name: Applicant's Signature: Sworn to and subscribed before me this Notary Public: Signature: Applicant's Signature: Notary Public: Signature: Applicant's Signature: Notary Public: Signature: Applicant's Signature: Applicant's Signature: Notary Public: Signature: Applicant's Signature: Applicant's Signature: Applicant's Signature: Notary Public: Signature: Applicant's Signature: App | polication form is correct and complete is ible for filing additional materials as the following of the pay of the property of the pay of the property of the pay of | Date: Date: Date: COUNTY. COUNTY. | | |

08-03-2017



Property Owner(s) Notarized Certification

The owner and petitioner acknowledge that this Land Use Petition application form is correct and complete. By completing this form, all owners of the subject property certify authorization of the filing of the application and authorization of an applicant or agent to act on their behalf in the filing of the application including all subsequent application amendments.

| | | e city, State: Lithonia, GA | Date: 7/9/2020 Zip: 30058 | | | |
|---------------------------|---|-------------------------------------|---------------------------|--|--|--|
| y Owner licable) | Phone: 1678 - 464 - 5682 Sworn to and subscribed before me this | 9 day of 7/1/c/ | 20 OTA | | | |
| Property (If Appli | SHAMEKA YVETTE T NOTARY PUE Notary Public: Gwinnett Cou State of Geor My Comm. Expires Febr | OMLINSON BLIC Inty Ola Shinela Yiet | S. Zouth | | | |
| | Signature: Was | | Date: 7/9/2020 | | | |
| | Address: 6763 Hill Creek Cove | city, State: Lithonia, GA | zip: 30058 | | | |
| Owner able) | Phone: 954 - 242 - 9555 | | | | | |
| | Sworn to and subscribed before me this 9 day of July 20 20 section. | | | | | |
| Property (If Appli | SHAMEKA YVETTE TO NOTARY PUBLI Notary Public: Gwinnett Coun State of Georgi My Comm. Expires Februa | Janulin er Brand Grand Grand CO | | | | |
| | Signature: | | Date: GEORGI | | | |
| | Address: | City, State: | Zip: | | | |
| | Phone: | | | | | |
| mer | Sworn to and subscribed before me this | day of | , 20 | | | |
| Property Ov Applicable | Notary Public: | | | | | |
| | | | | | | |



Applicant/Petitioner Notarized Certification

Petitioner states under oath that: (1) he/she is the executor or Attorney-In-Fact under a Power-of-Attorney for the owner (attach a copy of the Power-of-Attorney letter and type name above as "Owner"): (2) he/she has an option to purchase said property (attach a copy of the contract and type name of owner above as "Owner"); (3) he/she has an estate for years which permits the petitioner to apply (attach a copy of lease and type name of owner above as "Owner").

| Signature: // | 1 the | 5 | Date: 7 9 20 |
|--|--|---------|--|
| Address: | City | State: | Zip: |
| Phone: | | | WETTE TO THE |
| Sworn to and sut | oscribed before me this9 | _day of | Zip: Zip: |
| Address: Phone: Sworn to and sut Notary Public: | SHAMEKA YVETTE TOMLINSON NOTARY PUBLIC Gwinnett County State of Georgia My Comm. Expires February 28, 2021 Vietta January | | PUBLIC STATE COUNTY GEOLIGIA |
| Signature: | Joeca Sumerica | | COUNTY, GENERAL |
| Address: | City, State: | | Zip; |
| Phone: | | | |
| | oscribed before me this | _day of | . 20 |
| Notary Public: | | | |

Judith Goulbourne and Tyrell Carty 6763 Hill Creek Cove Lithonia, GA 30058

Christopher Wheeler Planning & Zoning Director City of Stonecrest 3120 Stonecrest Blvd Stonecrest, GA 30038

Dear Mr. Wheeler,

My name is Judith Goulbourne, my husband, Tyrell Carty and I are proposing to open and operate a Personal Care Home for no more than six residents. Currently the property is located at 6763 Hill Creek Cove and is a single-family residential home located in Dekalb County, Lithonia, GA. Please accept this letter as my intent to acquire a Special Land Use Permit in order to operate a Personal Care Home.

Between us, my husband and I have worked in geriatric healthcare for over fifteen years now, respectively. We have experience in various aspects of senior healthcare ranging from assistive care to hospice care. Over the years we have personally seen the struggle that many families face in trying to care for their elderly loved ones as they begin to need more assistance. We have seen an array of circumstances where patients and residents are mistreated or abandoned by a facility that their families have had to place them in. With that on our hearts and mind, we recognize that there is a need for the services we want to offer.

Our intention is to not only provide a safe, comfortable and enriching environment but a place for our residents to call home while providing their families peace of mind. Our Personal Care Home will offer each of our residents with individualized care and experiences that is unique to them. We intend to provide exceptional care to the growing elderly population in today's society and would greatly appreciate the opportunity to do so.

Thank you for your consideration.

Sincerely,

Judith Goulbourne and Tyrell Carty

Nannie's Personal Care Home 6763 Hill Creek Cove Lithonia, GA 30058

Greeting Neighbor,

My name is Judith Goulbourne, my husband, Tyrell Carty and I are interested in opening and operating a Personal Care Home in our home. We will be hosting a meeting to discuss our plans with all of you. Due to the current state of COVID-19 our meeting date will be determined at a later date, please be on the lookout for another notice from us as we'd love to answer any questions you may have and address any concerns.

Thank you so much in advance.

Judith Goulbourne and Tyrell Carty

Sign-In Sheet

Date: TBD

1.

2.

3.

4.

5.

6.

7.

8.

9.

10.

- a) Adequacy of the size of the site for the use contemplated and whether or not adequate land area is available for the proposed use including provision of all required yards, open space, off-street parking, and all other applicable requirements of the zoning district in which the use is proposed to be located; The proposed personal care home is 2,362 Sq. Ft., is on 0.3 acres and has suitable off-street parking. The site is adequate for all requirements.
- b) Compatibility of the proposed use with adjacent properties and land uses and with other properties and land uses in the district;

The proposed personal care home is compatible with the adjacent properties and land uses in the district.

- c) Adequacy of public services, public facilities, and utilities to serve the use contemplated; The proposed personal care home is located within the residential neighborhood of Rogers Crossing; there is adequate access to public services, public facilities and all utilities.
- d) Adequacy of the public street on which the use is proposed to be located and whether or notthere is sufficient traffic-carrying capacity for the use proposed so as not to unduly increase traffic and create congestion in the area;

The proposed personal care home is located on Hill Creek Cove; Hill Creek Cove is local street and there should be no impact on the traffic patterns.

- e) Whether or not existing land uses located along access routes to the site will be adversely affected by the character of the vehicles or the volume of traffic generated by the proposed use;

 The proposed will not affect any preexisting sites or land uses along the route to the site.
- f) Ingress and egress to the subject property and to all proposed buildings, structures, and uses thereon, with particular reference to pedestrian and automotive safety and convenience, traffic flow and control, and access in the event of fire or other emergency;

The proposed is safely accessed by automotive vehicles, access is convenient as there is no problem with traffic flow and control; access during any emergency event such as fire is open.

- g) Whether or not the proposed use will create adverse impacts upon any adjoining land use by reason of noise, smoke, odor, dust, or vibration generated by the proposed use; The proposed personal care home will not create any adverse impacts on any adjoining land by noise, smoke, odor, dust, or vibration generated by the use of the proposed.
- h) Whether or not the proposed use will create adverse impacts upon any adjoining land use by reason of the hours of operation of the proposed use;

Although the proposed personal care home will be operated continuously to provide 24-hour care it will not create adverse impacts on any adjoining land because all care will be conducted inside the home.

- i) Whether or not the proposed use will create adverse impacts upon any adjoining land use by reason of the manner of operation of the proposed use;
 - The proposed personal care home will no create any adverse impacts on any adjoining land use due to the manner of operation.

j) Whether or not the proposed plan is otherwise consistent with the requirements of the zoning district classification in which the use is proposed to be located;

The proposed personal care home is zone in a RCD - RES COMM DEV DIST. This district allows a personal care home at this site for up to 6 residents with a Special Land Use Permit.

- k) Whether or not the proposed use is consistent with the policies of the comprehensive plan;
 - The proposed personal care home will be consistent with policies of the 'Stonecrest Comprehensive Plan 2038'; the comprehensive plan states GOAL H-4, "Support housing options for special needs populations", in which the corresponding policy (H-17) states, "Work with agencies, private developers and non- profit organizations to locate housing to serve Stone- crest's special needs populations, particularly those with challenges related to age, health or disability". The proposed personal care home will provide housing and care to residents who need assistant due to their age, health and/or disability.
- I) Whether or not the proposed plan provides for all required buffer zones and transitional buffer zones where required by the regulations of the district in which the use is proposed to be located; Buffer zones and transitional buffer zones are not required for the location of the proposed personal care home due to the proposed being located in a residential district.
- m) Whether or not there is adequate provision of refuse and service areas;

Adequate provision of refuse and service areas will be provided to the proposed personal care home.

n) Whether the length of time for which the special land use permit is granted should be limited in duration;

The length of time in which the Special Land Use Permit is granted should not be limited in duration.

o) Whether or not the size, scale and massing of proposed buildings are appropriate in relation to the size of the subject property and in relation to the size, scale and massing of adjacent and nearby lots and buildings;

The proposed personal care home is an existing building therefore it is of an appropriate size, scale and massing with all adjacent buildings and lots.

p) Whether the proposed plan will adversely affect historic buildings, sites, districts, or archaeological resources;

The proposed plan will not adversely affect any historic buildings, sites, districts, or archaeological resources.

q) Whether the proposed use satisfies the requirements contained within the supplemental regulations for such special land use permit;

The proposed building satisfies the requirements due to it being a residential building that will be converted into a personal care home.

r) Whether or not the proposed building as a result of its proposed height will create a negative shadow impact on any adjoining lot or building;

The proposed building is a one-story building and does not create a negative shadow impact on any adjoining lot or building.

s) Whether the proposed use would result in a disproportionate proliferation of that or similar uses in the subject character area; and

The proposed should not result in a disproportionate proliferation of this similar service.

t) Whether the proposed use would be consistent with the needs of the neighborhood or to the community as a whole, be compatible with the neighborhood;

The proposed personal care home would be consistent with the needs of the neighborhood and community as a whole, the personal care home would provide a needed service to residents who need assistance with their daily activities.

EXHIBIT "A"

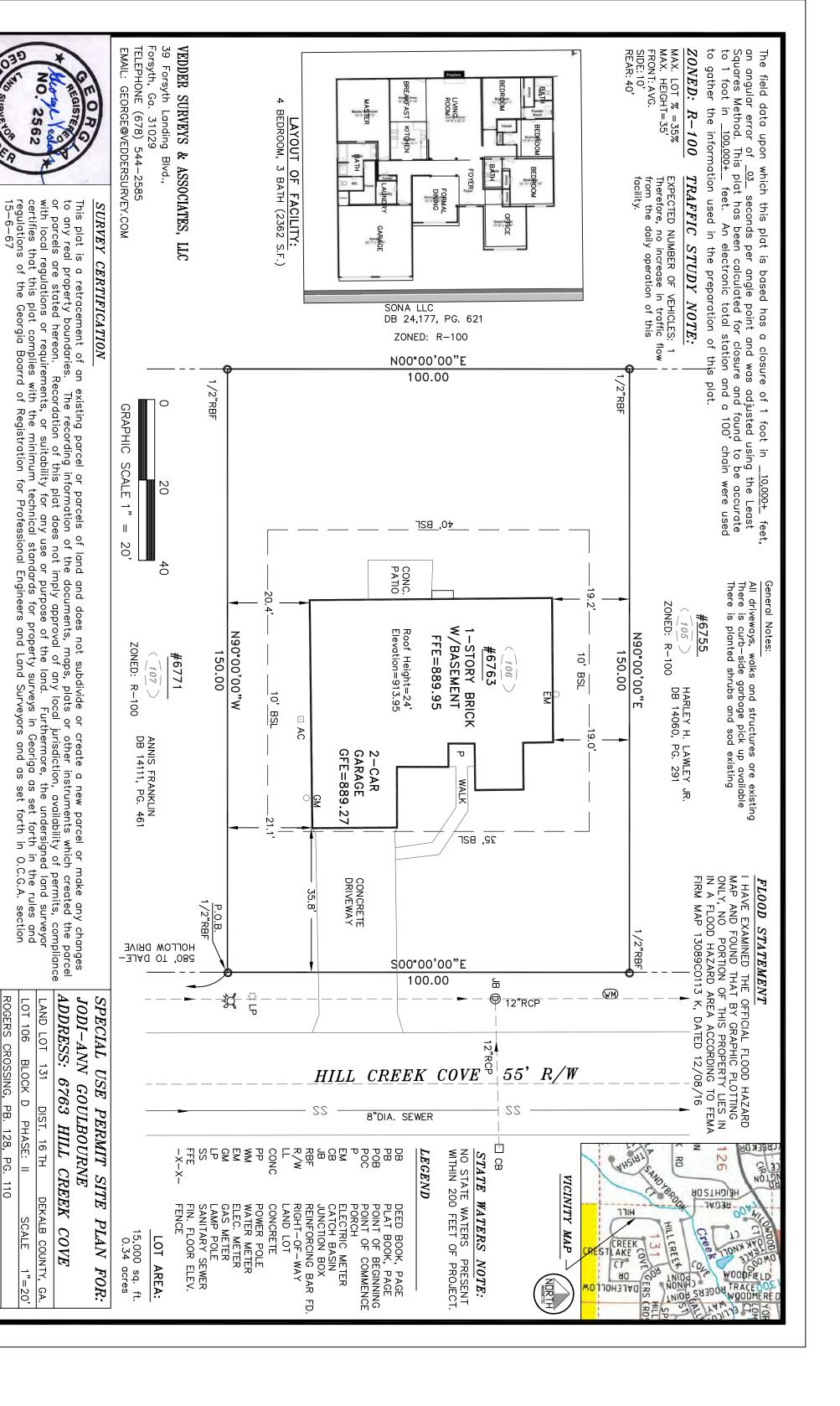
ALL THAT TRACT OR PARCEL OF LAND lying and being in Land Lot 131 of the 16th District; of Dekalb County, Georgia, City of Stonecrest, and being more particularly described as follow:

BEGINNING at a point on the West side of Hill Creek Cove, 580 feet Northeasterly from the Southeasterly corner of Hill Creek Cove and Dalehollow Drive, thence the following bearings and distances to describe the parcel.

N 90°00'00" W for a distance of 150.00 feet to a point, thence N 00°00'00" E for a distance of 100.00 feet to a point, thence N 90°00'00" E for a distance of 150.00 feet to a point, thence

S 00°00'00" E for a distance of 100.00 feet to a point and THE POINT OF BEGINNING.

This parcel containing 15,000 sq.ft. known as 6763 Hill Creek Cove, Lithonia, Ga. according to the house numbering system of City of Stonecrest Ga., and being more particularly shown on a Special Use Permit Site Plan for Jodi-Ann Goulbourne by George E. Vedder, Ga. R.L.S. #2562, dated 3-15-2020



SHOR

2562

M

VEDD

George Ł.

Vedder,

GA Z C

2562

Date

 \sim

RVEY

3/15/20

CITY

OF STONECREST

R

GERS CROSSING,

128,

PG.

110

OT 106

BLOCK 131

O PB.

PHASE:

SCALE

1"=20'

AND LOT

DIST. 16 TH

DEKALB COUNTY, GA.













MEETING DATE: October 6th, 2020 / October 26th, 2020

GENERAL INFORMATION

Petition Number: SLUP 20-006

Applicant: Judith Goulbourne

Owner: Judith Goulbourne

Project Location: 6763 Hill Creek Cove Stonecrest Ga 30038

District: District 1

Acreage: 0.3 Acres

Existing Zoning: Residential Med Lot (R-100)

Proposed Zoning: Residential Med Lot (R-100)

Proposed Development/Request: The applicant is requesting a Special Land Use Permit (SLUP) to operate

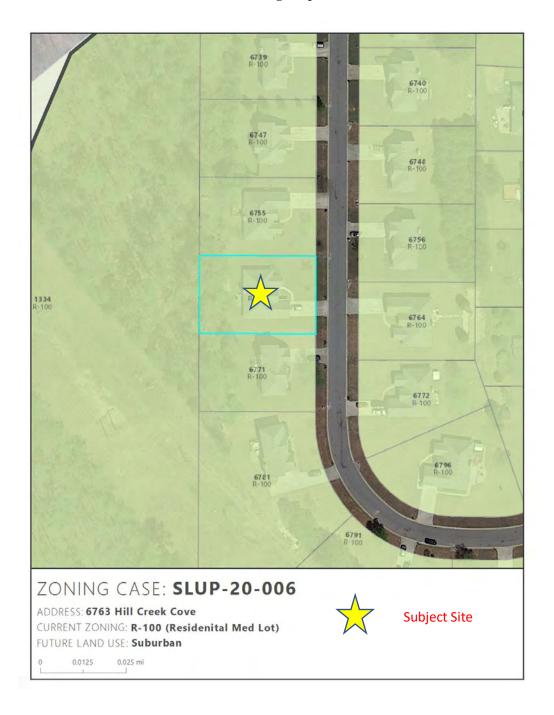
a Personal Care Home up to six (6) residents within in an R-100 (Medium Lot Residential) District, in accordance with Chapter 27-Article 4.1 Use Table and Sections 4.2.41. B of Stonecrest Zoning Code.

Staff Recommendations: Approval with Conditions

Planning Commision: Approval with Conditions



Zoning Map





Aerial Map

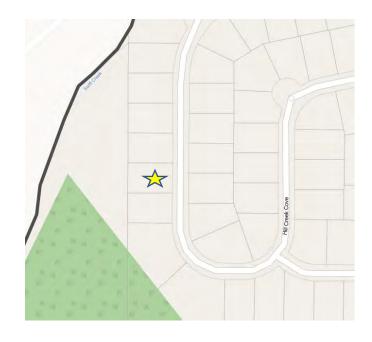




PROJECT OVERVIEW

Location

The subject property, 6763 Hill Creek Cove, is in the Rogers Crossing Subdivision. The subject site sits existing single-family residence. The subject property is approximately 0.7 mile south of Rogers Lake and S. Deshon intersection. Access is available via the existing driveway on Hill Creek Cove Road. The subject property is surround by single-family homes.



Background

Currently, the property maintains its original zoning R-100 (Med Lot) classification and the property has 2,831 square foot single story frame house. The property and the surrounding area were developed in 2009 as part of a planned community. The property can be characterized as even across the property.





Existing Elevations



Special Land Use Permit Request

The applicant is requesting a Special Land Use Permit to a personal care home. The subject location will house three individuals with an applicant living in the home. The applicant will provide active daily living and recreational activities for the residents.



Neighborhood Meeting

Property owners within 500 feet of the subject property were mailed notices of the propose special land use permit application. The community meeting was held July 1ST at 6:30 pm at the subject property. The main concerns of the residents were the amount of traffic the use will generate and what type of residents would live at the property.

STANDARDS OF REVIEW

A. Adequacy of the size of the site for the use contemplated and whether or not the adequate land area is available for the proposed use including the provision of all required yards, open space, off-street parking, and all other applicable requirements of the zoning district in which the use is proposed to be located.

The approximately 2,831 square foot residence on 0.5 acres is adequate for the operation of the personal care home.

B. Compatibility of the proposed use with adjacent properties and land uses and with other properties and land uses in the district.

The proposed personal care home for three (4) person is compatible with another single-family residence Panola Road. There will be no outside physical changes to the existing single-family structure or signage indicating the use is personal care home.

C. Adequacy of public services, public facilities, and utilities to serve the proposed use.

The subject property is located in an established single-family residential neighborhood, it appears that there are adequate public services, public facilities, and utilities to serve the proposed personal care home.

D. Adequacy of the public street on which the use is proposed to be located and whether or not there is sufficient traffic-carrying capacity for the use proposed so as not to unduly increase traffic and create congestion in the area.

Hill Creek Cove is a local road, the Planning Staff believes little or no impact on the public streets or traffic in the area.

E. Whether existing land uses located along access routes to the site will be adversely affected by the character of the vehicles or the volume of traffic generated by the proposed use.

The traffic of the vehicles generated by the proposed use will not adversely impact existing land uses along access routes to the sites.



F. Adequacy of ingress and egress to the subject property and to all proposed buildings, structures, and uses thereon, with particular reference to pedestrian and automotive safety and convenience, traffic flow and control, and access in the event of a fire or another emergency.

The existing residential structure on the site is accessed by vehicles via existing curb cut with a driveway on Hill Creek Cove Road. Emergency vehicles can access the site from the existing driveway.

G. Whether the proposed use will create adverse impacts upon any adjoining land use by reason of noise, smoke, odor, dust, or vibration generated by the proposed use.

The proposed use may not create an adverse impact upon any adjoining single-family land uses by reason of noise, smoke, odor, dust or vibration,

H. Whether the proposed use will create adverse impacts upon any adjoining land use by reason of the hours of operation of the proposed use.

Per the information submitted with the application, the applicant intends to run an adult care facility with three residents.

I. Whether the proposed use will create adverse impacts upon any adjoining land use by reason of the manner of operation of the proposed use.

The operation of the personal care home of three (4) residents will not affect the adjoining single-family residence on Hill Creek Cove Road. The site will operate basically as a single-family residence with the owner/operator is required to reside at the property.

J. Whether the proposed use is otherwise consistent with the requirements of the zoning district classification in which the use is proposed to be located.

The proposed use is otherwise consistent with the requirement of the zoning district classification in which the use is proposed to be located.

K. Whether the proposed use is consistent with the policies of the comprehensive plan.

The subject property is in the Suburban Neighborhood Character area designated by the 2035 Comprehensive Land Use Plan. The proposed use is listed as primary land use and is consistent with the policies of the character area specifically policy H-20.

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

Transitional buffers are not required.

M. Whether there is adequate provision of refuse and service areas.



An adequate refuse area will be provided.

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

Staff believes there isn't a compelling reason to limit the special land use duration as the applicant appears to be the only personal care home within the vicinity,

O. Whether the size, scale, and massing of proposed buildings are appropriate in relation to the size of the subject property and in relation to the size, scale, and massing of adjacent and nearby lots and buildings.

The personal care home would be in an existing residential structure which is consistent in size, scale and massing with adjacent surrounding single-family residence in the area.

P. Whether the proposed use will adversely affect historic buildings, sites, districts, or archaeological resources.

This use will not adversely affect any historic buildings, sites, districts, or archaeological resources.

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

The proposed use satisfies the requirement contatined in Sec.4.2.31 and Sec 4.2.41 (A) and (B) of the Stonecrest Zoning Ordinance.

R. Whether the proposed use will create a negative shadow impact on any adjoining lot or building as a result of the proposed building height.

Adjacent and surrounding residential properties are one-story frame structures which are the same as the existing residence on the site. There will be no negative show impact on any adjoining lot.

S. Whether the proposed use would result in a disproportionate proliferation of that or similar uses in the subject character area.

The proposed use would not result in an excessive proliferation of similar use in the subject character area as there are no other personal care homes already established in the Hill Creek subdivision.

T. Whether the proposed use would be consistent with the needs of the neighborhood or the community as a whole, be compatible with the neighborhood, and would not be in conflict with the overall objective of the comprehensive plan.

The proposed use would be consistent with the needs of the community as a whole, as it appears there are no immediate personal care homes within the immediate area.



RECOMMENDATION

Base on the findings and conclusions, it appears the applicant does meet all the criteria for approval. Therefore, staff recommends **APPROVAL** of **SLUP-20-06** with the following conditions;

- 1. Limit the use of personal care home only to three (3) persons.
- 2. Access shall be limited to the existing curb cut off Hill Creek Cove Drive.
- 3. All refuse containers shall be screened from public view except during pick up.
- 4. No identification sign for personal care home shall be posted on the property.
- 5. Owner/Operator must live on the property according to the supplemental regulations cited in the Stonecrest Zoning Ordinance Sec. 4.2.31 and 4.2.41.
- 6. The applicants shall secure the necessary certification by the State of Georgia and the necessary business license, building permits and certification of occupancy for three people from the city of Stonecrest.
- 7. The Special Land Use Permit shall be issued to Judith Goulbourne (operator) for the operation of a personal care home and shall not be transferable.

PLANNING COMMISSION

On Tuesday October 6, 2020 the Planning Commission recommends **APPROVAL** of **SLUP-20-06** with the following conditions;

- 1. Limit the use of personal care home only to three (3) persons.
- 2. Access shall be limited to the existing curb cut off Hill Creek Cove Drive.
- 3. All refuse containers shall be screened from public view except during pick up.
- 4. No identification sign for personal care home shall be posted on the property.
- 5. Owner/Operator must live on the property according to the supplemental regulations cited in the Stonecrest Zoning Ordinance Sec. 4.2.31 and 4.2.41.
- 6. The applicants shall secure the necessary certification by the State of Georgia and the necessary business license, building permits and certification of occupancy for three people from the city of Stonecrest.
- 7. The Special Land Use Permit shall be issued to Judith Goulbourne (operator) for the operation of a personal care home and shall not be transferable



CITY COUNCIL AGENDA ITEM

SUBJECT: Ordinance for Special Land Use Permit SLUP-20-003 (7101 Covington Hwy)

| (X) ORDINANCE | () POLICY | () STATUS REPORT |
|-------------------------|-----------------|--------------------------|
| () DISCUSSION ONLY | () RESOLUTION | () OTHER |
| Date Submitted: 9/22/20 | Work Section: C | Council Meeting: 9/28/20 |

SUBMITTED BY: Christopher Wheeler, Planning and Zoning Director

PURPOSE: Obtain Special Land Use Permits for construction of 6,000 square foot convenience store with accessory fuel pumps and drive thru per Sec. 4.2.23 and 4.2.28

HISTORY: The subject property sits along Covington Hwy and has been partially been developed.

FACTS AND ISSUES: This application was heard at the September 16th, 2020 Planning Commission Meeting. The applicant requested to a special land use permits to construct a 6,000 square foot convenience store with the accessory fuel pump and drive thru. Planning Commission recommend approval of the application, with conditions.

OPTIONS: Approve; Deny; or make Alternative conditions

RECOMMENDED ACTION:

Planning Commission recommended approval of petition SLUP-20-003 at the September 16th, 2020 meeting with conditions.

ATTACHMENTS:

- # 1 9/22/20 Staff Report
- # 2 9/22/20 Power Point Presentation

3 9/22/20 Supplemental Information



September 16th, 2020

Planning Commission
Public Hearing



SLUP-20-002 6623 Housworth Lane, Stonecrest, GA 30038

Petition Information

• APPLICANT: Angaleque Crawford-Fowler

• LOCATION: 6623 Hosuworth Lane

• ACREAGE: 0.3 Acres

• REQUEST: The applicant is requesting a Special Land Use Permit (SLUP) for the operation of childcare home up to six (6) children.

General Information

- Current zoning: (R-85) Residential Medium Lot District
- Future Land Use Character Area: Suburban Residential
- Policies for this area emphasize:
 - Protect stable neighborhoods from incompatible development that could alter established single-family residential development pattern and density.
 - Encourage residential development to conform with traditional neighborhood development principles including improved pedestrian vehicular activity.
- Surrounding uses: Residential.
- Surrounding zoning: R-85 (Residential Med Lot) District

Aerial Map



ZONING CASE: SLUP-20-002

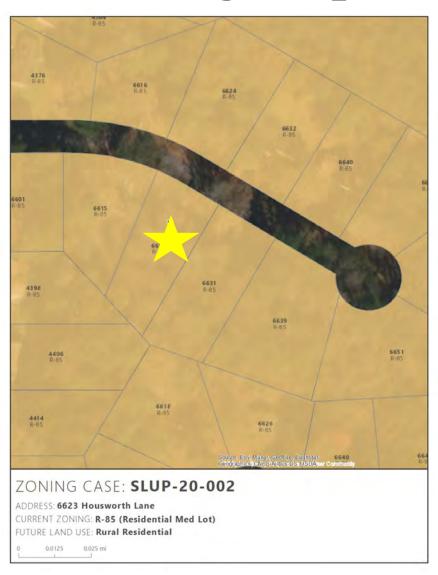
ADDRESS: 6623 Housworth Lane

CURRENT ZONING: R-85 (Residential Med Lot)

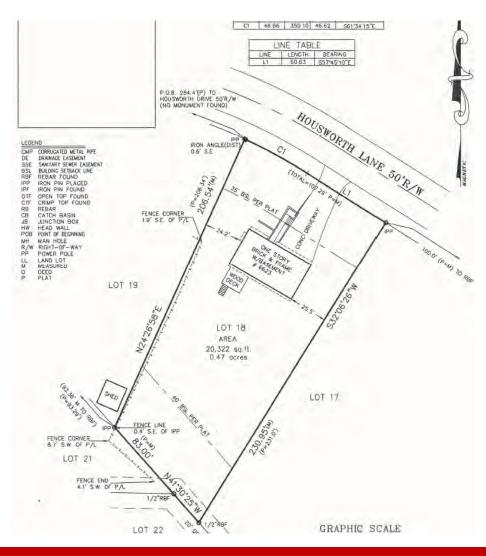
FUTURE LAND USE: Rural Residential

0.0125 0.02

Zoning Map



Survey of Proposed Child Care Home



Elevation of subject property





STANDARDS OF REVIEW

- A. Adequacy of the size of the site for the use contemplated and whether or not the adequate land area is available for the proposed use including the provision of all required yards, open space, off-street parking, and all other applicable requirements of the zoning district in which the use is proposed to be located
- B. Compatibility of the proposed use with adjacent properties and land uses and with other properties and land uses in the district.
- C. Adequacy of public services, public facilities, and utilities to serve the proposed use.
- D. Adequacy of the public street on which the use is proposed to be located and whether or not there is sufficient trafficcarrying capacity for the use proposed so as not to unduly increase traffic and create congestion in the area.
- E. Whether existing land uses located along access routes to the site will be adversely affected by the character of the vehicles or the volume of traffic generated by the proposed use.
- F. Adequacy of ingress and egress to the subject property and to all proposed buildings, structures, and uses thereon, with particular reference to pedestrian and automotive safety and convenience, traffic flow and control, and access in the event of a fire or another emergency.
- G. Whether the proposed use will create adverse impacts upon any adjoining land use by reason of noise, smoke, odor, dust, or vibration generated by the proposed use.
- H. Whether the proposed use will create adverse impacts upon any adjoining land use by reason of the hours of operation of the proposed use.
- I. Whether the proposed use will create adverse impacts upon any adjoining land use by reason of the manner of operation of the proposed use.
- J. Whether the proposed use is otherwise consistent with the requirements of the zoning district classification in which the use is proposed to be located.

STANDARDS OF REVIEW

- K. Whether the proposed use is consistent with the policies of the comprehensive plan.
- L. Whether the proposed use provides for all required buffer zones and transitional buffer zones where required by the regulations of the zoning district in which the use is proposed to be located.
- M. Whether there is adequate provision of refuse and service areas.
- N. Whether the length of time for which the special land use permit is granted should be limited in duration.
- O. Whether the size, scale, and massing of proposed buildings are appropriate in relation to the size of the subject property and in relation to the size, scale, and massing of adjacent and nearby lots and buildings.
- P. Whether the proposed use will adversely affect historic buildings, sites, districts, or archaeological resources
- Q. Whether the proposed use satisfies the requirements contained within the supplemental regulations for such special land use permits.
- R. Whether the proposed use will create a negative shadow impact on any adjoining lot or building as a result of the proposed building height.
- S. Whether the proposed use would result in a disproportionate proliferation of that or similar uses in the subject character area.
- T. Whether the proposed use would be consistent with the needs of the neighborhood or the community as a whole, be compatible with the neighborhood, and would not be in conflict with the overall objective of the comprehensive plan.

Staff Analysis

Base on the findings and conclusions, it appears the applicant meets all the criteria for approval. Therefore, staff recommends **APPROVAL** of **SLUP-20-002** the following conditions;

- 1. Limit the use of childcare homes only to five (5) persons.
- 2. Access shall be limited to the existing curb cut off Housworth Lane.
- 3. All refuse containers shall be screened from public view except during pick up.
- 4. No identification sign for childcare home shall be posted on the property.
- 5. Owner/Operator must live on the property according to the supplemental regulations cited in the Stonecrest Zoning Ordinance Sec. 4.2.31 and 4.2.41.
- 6. The applicants shall secure the necessary certification by the State of Georgia, and the license of business required building permits and certificates of occupancy from the city of Stonecrest.
- 7. The Special Land Use Permit shall be issued to Angaleque Fowler (operator) to operate a childcare home and shall not be transferable.



SLUP-20-003 7101 Covington Hwy, Stonecrest, GA 30038

Petition Information

• APPLICANT: RS Covington Development c/o Julie Sellers

• LOCATION: 7101 Covington Hwy

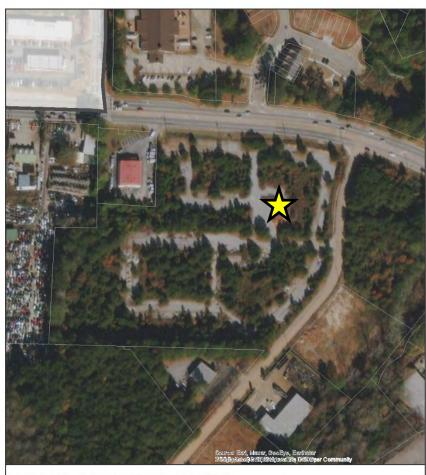
• ACREAGE: 1.6 Acres

• REQUEST: The applicant is requesting a special land use permits to construct a 6,000 square foot convenience store with the accessory fuel pump and drive thru per Sec 4.2.23 and Sec.4.2.28

General Information

- Current zoning: (C-1) Local Commercial District
- Future Land Use Character Area: Urban Neighborhood
- Policies for this area emphasize:
 - Protect stable neighborhoods from incompatible development that could alter established single-family residential development pattern and density.
 - Promote street design that fosters traffic calming including narrower residential streets, on-street parking and the additional of bicycle and pedestrian facilities.
- Surrounding uses: Commercial and Industrial.
- Surrounding zoning: C-1 and M (Light Industrial) District

Aerial Map



ZONING CASE: SLUP-20-003

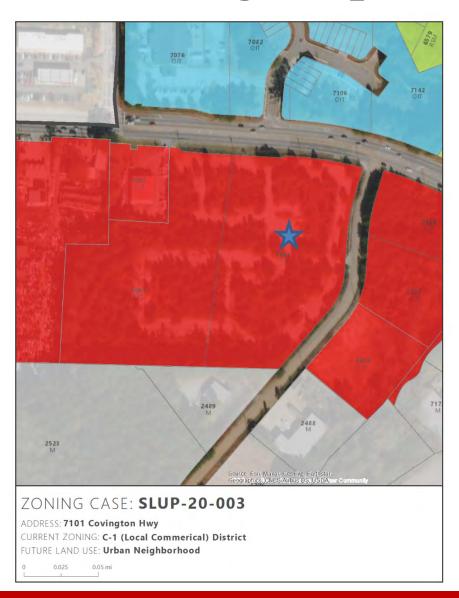
ADDRESS: 7101 Covington Hwy

CURRENT ZONING: C-1 (Local Commerical) District

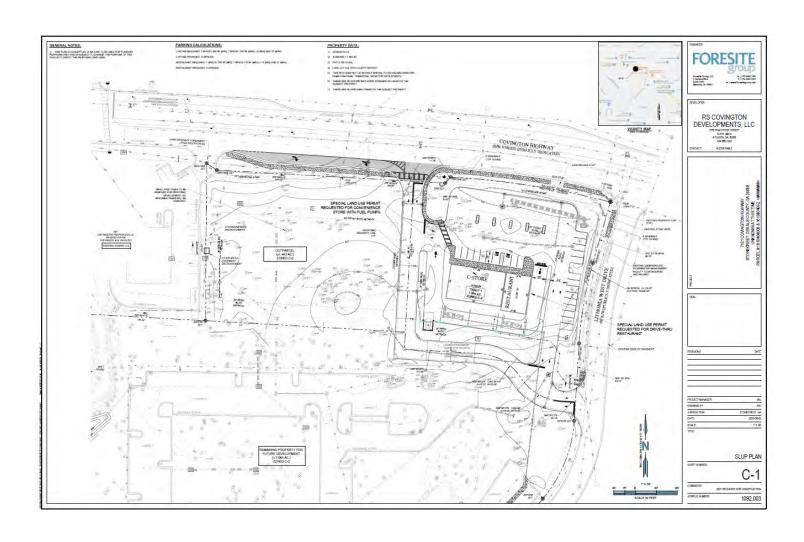
FUTURE LAND USE: Urban Neighborhood

0.025 0.05 n

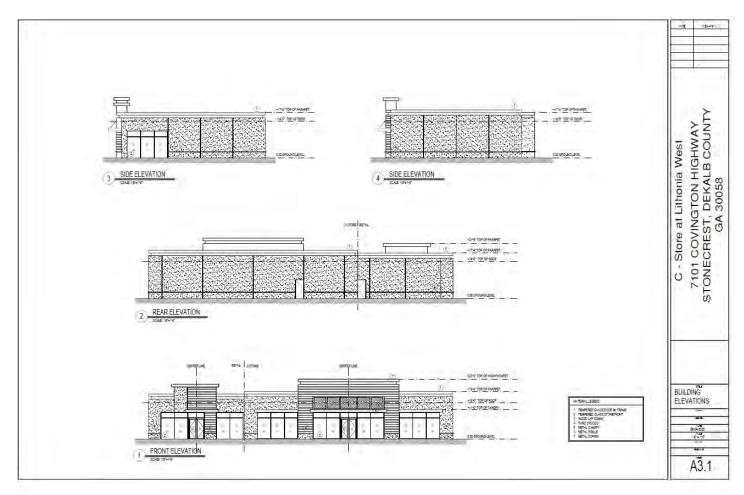
Zoning Map



Site Plan for Proposed Development



Elevation of Commercial Development



STANDARDS OF REVIEW

- A. Adequacy of the size of the site for the use contemplated and whether or not the adequate land area is available for the proposed use including the provision of all required yards, open space, off-street parking, and all other applicable requirements of the zoning district in which the use is proposed to be located
- B. Compatibility of the proposed use with adjacent properties and land uses and with other properties and land uses in the district.
- C. Adequacy of public services, public facilities, and utilities to serve the proposed use.
- D. Adequacy of the public street on which the use is proposed to be located and whether or not there is sufficient trafficcarrying capacity for the use proposed so as not to unduly increase traffic and create congestion in the area.
- E. Whether existing land uses located along access routes to the site will be adversely affected by the character of the vehicles or the volume of traffic generated by the proposed use.
- F. Adequacy of ingress and egress to the subject property and to all proposed buildings, structures, and uses thereon, with particular reference to pedestrian and automotive safety and convenience, traffic flow and control, and access in the event of a fire or another emergency.
- G. Whether the proposed use will create adverse impacts upon any adjoining land use by reason of noise, smoke, odor, dust, or vibration generated by the proposed use.
- H. Whether the proposed use will create adverse impacts upon any adjoining land use by reason of the hours of operation of the proposed use.
- I. Whether the proposed use will create adverse impacts upon any adjoining land use by reason of the manner of operation of the proposed use.
- J. Whether the proposed use is otherwise consistent with the requirements of the zoning district classification in which the use is proposed to be located.

STANDARDS OF REVIEW

- K. Whether the proposed use is consistent with the policies of the comprehensive plan.
- L. Whether the proposed use provides for all required buffer zones and transitional buffer zones where required by the regulations of the zoning district in which the use is proposed to be located.
- M. Whether there is adequate provision of refuse and service areas.
- N. Whether the length of time for which the special land use permit is granted should be limited in duration.
- O. Whether the size, scale, and massing of proposed buildings are appropriate in relation to the size of the subject property and in relation to the size, scale, and massing of adjacent and nearby lots and buildings.
- P. Whether the proposed use will adversely affect historic buildings, sites, districts, or archaeological resources
- Q. Whether the proposed use satisfies the requirements contained within the supplemental regulations for such special land use permits.
- R. Whether the proposed use will create a negative shadow impact on any adjoining lot or building as a result of the proposed building height.
- S. Whether the proposed use would result in a disproportionate proliferation of that or similar uses in the subject character area.
- T. Whether the proposed use would be consistent with the needs of the neighborhood or the community as a whole, be compatible with the neighborhood, and would not be in conflict with the overall objective of the comprehensive plan.

Staff Analysis

Base on the findings and conclusions, it appears the applicant does not meet all the criteria for approval. However, since the applicant has the right to construct a convenience store with fuel pumps without the special land use permit by meeting three of four criteria in Sec 4.2.23 of the zoning ordinance. The Staff believes the convince store with fuel pumps and restaurant with a drive, though, would be a better fit for the city than the standalone convenience store. Therefore, Staff recommends, **subject to the following conditions:**

- 1. The use of the Subject Property for any of the following shall be strictly prohibited:
 - a. A child's daycare center and/or kindergarten.
 - b. Barbershop / Beauty Salon or similar establishments.
 - c. Gold-Buying establishment. .
 - d. Nightclub.
 - e. Skating rink; and
 - f. indoor and/or outdoor recreation.
- 2. The site shall be developed in general conformance with the site plan received by the City on June 6, 2020.
- 3. Exterior elevations shall be similar to the elevations received by the City on June 6. Final elevations shall be subject to review and approval of the Planning and Zoning Director.
- 4. Owner/Developer shall install a five-foot (5') wide sidewalk along the entire frontage of Covington Hwy.
- 5. Owner/Developer shall obtain all permits required by the City of Stonecrest in accordance with the development of the subject property.

Planning Commission Recommendation



Special Land Use Permit

Application Name: RS Covington Developments, LLC c/o Julie Sellers Dillard Sellers, LLC Address: 1776 Peachtree Street Suite 390-N, Atlanta Ga 30309 Phone: Fax: Email jsellers@dillardsellers.com Owner's Name: Lithonia Real Estate Development LLC Owner's Address: 1279 Wood Iris Lane, Lawrenceville, GA Phone: Fax: Email Property Address: 7101 Covington Highway Acreage: Parcel ID: 16 104 04 002 Current Zoning Classification: C-2 Proposed Use of Property: Convenient store with Fuel pumps as accessory Is this development and/or request seeking any incentives or tax abatement through the City of Stonecrest or any entity that can grant such waivers, incentives, and/or abatements? Property Information: Development of the corner of Covington Highway and Lithonia West Drive for use as a convenience store with fuel pumps and a restaurant drive through facility as more particularly described in the letter of intent To the best of my knowledge, this variance application form is correct and complete. If additional materials are determined to be necessary, I understand that I am responsible for filing additional materials as specified by the City of Stonecrest Zoning Ördinance. Applicant's Name: RUSTAM RA-UJI Applicant's Signature: Date: Sworn to and subscribed before me this Day of Wink **Notary Public:** Signature: My Commission Expires: Application Fee Sign Fee Legal Fee Payment: Cash Check CC Approved Approved with Conditions Denied Date:

08-03-2017



Applicant/Petitioner Notarized Certification

Petitioner states under oath that: (1) he/she is the executor or Attorney-in-Fact under a Power-of-Attorney for the owner (attach a copy of the Power-of-Attorney letter and type name above as "Owner"); (2) he/she has an option to purchase said property (attach a copy of the contract and type name of owner above as "Owner"); (3) he/she has an estate for years which permits the petitioner to apply (attach a copy of lease and type name of owner above as "Owner").

| Signatural Russilla | > | Date: 6 1-2020 |
|---|----------------------------------|---|
| Address: 5887 Glenridge Dr, Suite 440 | City, State: Atlanta Ga | Zip: 30328 |
| Phone: | WILLIAM D. ZWAN | |
| Sworn to and subscribed before me this_ | 14 Jacob To Vale to 1 | , 20 20 |
| Address: 5887 Glenridge Dr., Suite 440 Phone: Sworn to and subscribed before me this Notary Public: Shawan D. Re | NOTAL POPULE | |
| Notary Public: Showen Digit | 2 (0.19-201) | |
| Signature XVVV | ON E K. | Date: 6.3.20 |
| Address: 1776 Peachtree Street, #390-N | City, State: Atlanta, Ga William | Zip: 30307 |
| Phone: (404)(665-1242 | HILL E | 1. O. |
| Phone: (404)(665 r 1242 Sworn to and subscribed before me this_ | 3rd day of Juane | RY ,20 20 |
| | | 12 X |
| Notary Public: | Temes O PUBI | 100 CE |
| St. St. C. | A MILLIANS COUNTY | T's GELINE |
| | William III | mum |



Property Owner(s) Notarized Certification

The owner and petitioner acknowledge that this Land Use Petition application form is correct and complete. By completing this form, all owners of the subject property certify authorization of the filing of the application and authorization of an applicant or agent to act on their behalf in the filing of the application including all subsequent application amendments.

| , | | | <u> </u> |
|-----------------------------------|--|------------------------------|--|
| | Signature: Kurau | | Date: 5-28-20 |
| | Address: 1279 WOOD IRIS W | City, State: LAW KENGUILLELI | 17ip: 30045 |
| _ | Phone: 404-966-5 | | |
| Property Owner (If Applicable) | Sworn to and subscribed before me this | - 399/1349/ | ,20 20 |
| pert) App | | SOTAPITE | |
| Pro (If | Notary Public: | 10 A | |
| | | OTINTO O | La Live Ad disca la vector entre l'SA LL |
| | | CONLYO (Aconing) | ton Hwy - Madison Investments USA LL |
| | Signature: | | Date: 5-28-20 |
| | Address: 1279 Wows EKIS W | City, State: | Zip: 30045 |
| vner | Phone: 404 966 1 | | WITHINITY CALL |
| Ö Å | Sworn to and subscribed before me this_ | | 20 20 J |
| oper | M 11 2 | | 70.12 |
| a - | Notary Public: | | VBLV & |
| | 1 | 7101 Covington H | COUNTY, COUNTY |
| | | 7 TOT COMMERCIAL | MA - Milouid Mass Estate Development |
| | Signature: | | Date: |
| | Address: | City, State: | Zip: |
| (of | Phone: | , <u></u> | |
| mer | Sworn to and subscribed before me this_ | day of | , 20 |
| ð | | | |
| pert | Notary Public: | | |
| P | A Company of the Comp | | |
| | • | | |
| | | | |



Campaign Disclosure Statement

Have you, within the two years immediately preceding the filing of this application, made campaign contributions aggregating \$250.00 or more to a member of the City of Stonecrest City Council or a member of the City of Stonecrest Planning Commission?

| ⊔ Yes 🖈 | No | | |
|--------------------------------------|----------------|----|-----------------------|
| Signature: | Qua | | |
| Applicant Owner Value Address: | 1279 Word IRIS | ٢٧ | LAWRENCEWER, LA 30045 |
| Date: | 05-28-20 | | • |

If you answered yes above, please complete the following section:

| Government Official | Official Position | Description | Amount |
|---------------------|---------------------|---------------------------------------|---|
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| — | | | |
| | | | |
| | | | |
| | Government Official | Government Official Official Position | Government Official Official Position Description |

LETTER OF INTENT AND IMPACT ANALYSIS

City of Stonecrest

Special Land Use Permit Application For Fuel Pumps

Applicant:

RS Covington Developments, LLC

Property:

7101 Covington Highway

Parcel ID No:

16 104 04 002

Submitted for Applicant by:

Julie L. Sellers
DILLARD SELLERS
1776 Peachtree Street NW, Suite 390N
Atlanta, Georgia, 30309
(404) 665-1242
jsellers@dillardsellers.com

Introduction

Applicant, RS Covington Developments, LLC, requests approval of a Special Land Use Permit for the property located at 7101 Covington Highway, Stonecrest, Georgia (tax parcel no. 16 104 04 002) (the "Property"). The Property is approximately +/- 1.56 acres of land located at the corner of Covington Highway and Lithonia West Drive. The Property is zoned C-2, General Commercial.

The Applicant plans to develop a one-story building for use as a convenience store with fuel pumps and a restaurant with a drive-thru facility on the Property. The architecture of the building and development of this vacant parcel will positively contribute to this area once envisioned as the Lithonia West Industrial Park. As shown on the attached site plans, the building will include both a convenience store and a restaurant use with a drive-thru. There are two access points into the Property providing safe and convenient vehicular access. This new development will also add landscaping and improved streetscaping. The proposed development is consistent with the current C-2 zoning district.

The City's Zoning Code allows fuel pumps without the requirement of a Special Land Use Permit if certain criteria can be met as set forth in Section 4.2.28(D). As such, the Applicant is entitled to use the Property for a convenience store and fuel pumps with a new building at least 5,000 square feet. Here, the convenience store portion of the building proposed is \sim 4,000 sq. ft. and the restaurant \sim 2,008 sq. ft. Applicant is proposing a building that while exceeding the 5,000 square foot minimum would include both the convenient store and a restaurant. As such, this application requests approval of the fuel pumps as an accessory to the \sim 4,000 sq. ft. convenience store. A separate application is being submitted for the drive-thru.

The new development with accessory fuel pumps will operate in accordance with all provisions of the City's Zoning Code Sec. 4.2.28. The proposed use is consistent with the City's Future Land Use Map, which designates the Property as Urban Neighborhood. The surrounding area is characterized as a combination of commercial, residential and light industrial uses. Additionally, the proposed use is consisted with the adjacent general commercial properties and local commercial uses along Covington Highway.

As set forth below, the Applicant satisfies the City's requirements for a special land use permit for accessory fuel pumps. For these reasons, the Applicant respectfully requests its application be granted as submitted.

Documented Impact Analysis

The Applicant's application satisfies the applicable criteria set forth in sections 7.4 and 4.2.28 of the City of Stonecrest's Zoning Code.

A. Adequacy of the size of the site for the use contemplated and whether or not adequate land area is available for the proposed use including provision of all required yards, open space, off-street parking, and all other applicable requirements of the zoning district in which the use is proposed to be located:

The size of the site is adequate for the contemplated use. All required yards, open space, off-street parking, and all other applicable requirements required by the C-2 zoning district are satisfied. The proposed development is an approximate +/- 1.56 acre site with all requirements being met.

B. Compatibility of the proposed use with adjacent properties and land uses and with other properties and land uses in the district:

The accessory fuel pumps are compatible with the surrounding area and land use within the district.

C. Adequacy of public services, public facilities, and utilities to serve the use contemplated:

Adequate public services, facilities, and utilities exist to serve the accessory fuel pumps.

D. Adequacy of the public street on which the use is proposed to be located and whether or not there is sufficient traffic-carrying capacity for the use proposed so as not to unduly increase traffic and create congestion in the area:

Covington Highway is a minor arterial road. There is sufficient capacity to support a convenience store with accessory fuel pumps, and there will be little impact on the public streets or traffic in the area.

E. Whether or not existing land uses located along access routes to the site will be adversely affected by the character of the vehicles or the volume of traffic generated by the proposed use:

No, traffic generated by the accessory fuel pumps will not adversely impact existing land uses along access routes to the site.

F. Adequacy of Ingress and egress to the subject property and to all proposed buildings, structures, and uses thereon, with particular reference to pedestrian and automotive safety and convenience, traffic flow and control, and access in the event of fire or other emergency:

There is adequate ingress and egress to the subject property. Fire and other emergency vehicles will be able to access the property if there is an emergency.

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

No, the accessory fuel pumps will not create adverse impacts upon any adjoining land use by reason of noise, smoke, odor, dust or vibration.

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

No, the accessory fuel pumps will not create adverse impacts upon any adjoining land use by reason of hours of operation.

I. Whether or not the proposed use will create adverse impacts upon any adjoining land use by reason of the manner of operation of the proposed use:

No, the accessory fuel pumps will not create adverse impacts upon any adjoining land use by reason of the manner of operation.

J. Whether or not the proposed plan is otherwise consistent with the requirements of the zoning district classification in which the use is proposed to be located:

Yes, the accessory fuel pumps are consistent with the requirements of the C-2 Zoning Classification.

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

Yes, the accessory fuel pumps are consistent with the policies of the City's comprehensive plan.

L. Whether or not the proposed plan provides for all required buffer zones and transitional buffer zones where required by the regulations of the district in which the use is proposed to be located:

Yes, the site plan includes all required buffer zones and transitional buffer zones.

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

Yes, there will be adequate provision of refuse and service areas.

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

No, the length of time for the SLUP should not be limited in duration.

O. Whether or not the size, scale and massing of proposed buildings are appropriate in relation to the size of the subject property and in relation to the size, scale and massing of adjacent and nearby lots and buildings:

The size, scale, and massing of the proposed convenience store and accessory fuel pumps are appropriate in relation to the size of the subject property and in relation to the size, scale and massing of adjacent and nearby lots and buildings.

P. Whether the proposed plan will adversely affect historic buildings, sites, districts, or archaeological resources:

No, there are no known historic buildings, sites, districts, or archaeological resources at the Property.

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

Yes, the accessory fuel pumps will satisfy the requirements of the supplemental regulations, specifically Zoning Code Sec. 4.2.28.

R. Whether or not the proposed building as a result of its proposed height will create a negative shadow impact on any adjoining lot or building:

No, the single-story building with accessory fuel pumps will not create a negative shadow impact on any adjoining lot or building.

S. Whether the proposed use would result in a disproportionate proliferation of that or similar uses in the subject character area:

No, the accessory fuel pumps will not result in a disproportionate proliferation of that or similar uses in the subject character area.

T. Whether the proposed use would be consistent with the needs of the neighborhood or to the community as a whole, be compatible with the neighborhood:

Yes, the accessory fuel pumps will provide a service for the neighborhood and to the community as a whole by a new, attractive and convenient location for fuel.

CONCLUSION

For the foregoing reasons, the Applicant respectfully requests that this application be granted as requested by the Applicant. If there are any questions about this request, you may contact me at 404-665-1242 or jsellers@dillardsellers.com.

Public Participation Plan

In light of the COVID-19 physical distancing recommendations from local and state governmental agencies, the Applicant will conduct a community meeting via video conference. We will post signs on the Property with the information. In addition, the enclosed letter will also be sent to the owners within 500 feet of the Property.

The Applicant is working with the staff to obtain the addresses for the owners within 500 feet because as of now the GIS information available to the Applicant does not include the Property within the City and we have not been able to pull the addresses for submittal. We contacted and have been working with the City's Planning Director and anticipate sending the attached letter on June 9th to allow sufficient time for notice.

In addition, the Applicant and representative will be available via phone, email or video conference to discuss the development plans, the specific SLUP applications, receive feedback and address any questions or concerns from the Community.

Dear Property Owner:

Please take notice that a Special Land Use Permit Application has been submitted to the City of Stonecrest for development located within 500 feet of your property. Please be advised of the following information pertaining to the Application and public hearings:

APPLICANT NAME: RS Covington Developments, LLC

REQUEST: Special Land Use Permit Application

STREET LOCATION: 7101 Covington Highway

(Parcel ID No. 16 104 04 002)

PROPOSED DEVELOPMENT: Development of a convenience store with fuel pumps and a

restaurant drive-thru facilities

COMMUNITY MEETING June 30, 2020 6:30pm

PLANNING COMMISSION HEARING August 4, 2020 6:00pm

> CITY COUNCIL HEARING August 10, 2020 7:00pm

Due to the COVID-19 outbreak and in accordance with social distancing guidelines, please take notice that the Community Meeting will be held by videoconference through online access:

GoTo Meeting

https://global.gotomeeting.com/join/579870141

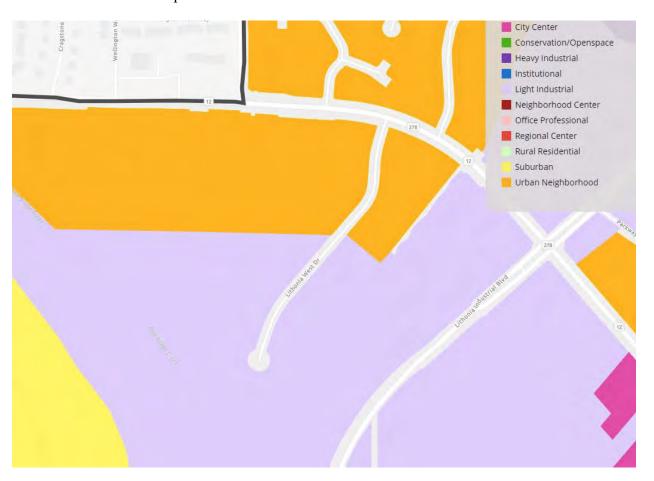
If you have questions about the applications, please contact Julie L. Sellers at (404) 665-1242 or jeellers@dillardsellers.com.

ENVIRONMENTAL SITE ANALYSIS (ESA) FORM

1. <u>Conformance with the Comprehensive Plan</u>

The development of the Property as proposed is consistent with the Urban Neighborhood designation of the Future Land Use Map and Comprehensive Plan. The adjacent properties are vacant and surrounding properties are industrial, commercial with some residential on the opposite side of Covington Highway.

The Future Land Use Map:



The proposed use is consistent with the Comprehensive Plan.

2. Environmental Impacts of the Proposed Project

a. Wetlands

None

b. Floodplain

None

c. Streams/stream buffers

None.

d. Slopes exceeding 25 percent over a 10-foot rise in elevation

None.

e. Vegetation

None.

f. Wildlife Species (including fish)

None.

g. Archeological/Historical Sites

None.

3. Project Implementation Measures

a. Protection of environmentally sensitive areas, i.e., floodplain, slopes exceeding 25 percent, river corridors.

None on site.

b. Protection of water quality.

Measures will be taken to ensure water quality meets or exceeds the City's requirements.

c. Minimization of negative impacts on existing infrastructure

No negative impact to existing infrastructure is anticipated.

d. Minimization of archeological/historically significant areas

None on site.

e. Minimization of negative impacts on environmentally stressed communities where environmentally stressed communities are defined as communities exposed to a minimum of two environmentally adverse conditions resulting from public and private municipal (e.g., solid waste and wastewater treatment facilities, utilities,

airports, and railroads) and industrial (e.g., landfills, quarries and manufacturing facilities) uses.

Not applicable. This area is not an environmentally stressed community, but rather the commercial corridor in the City.

f. Creation and preservation of green space and open space

Open space will meet the City's requirements and the development will include landscaping not currently present on the vacant Property.

g. Protection of citizens from the negative impacts of noise and lighting

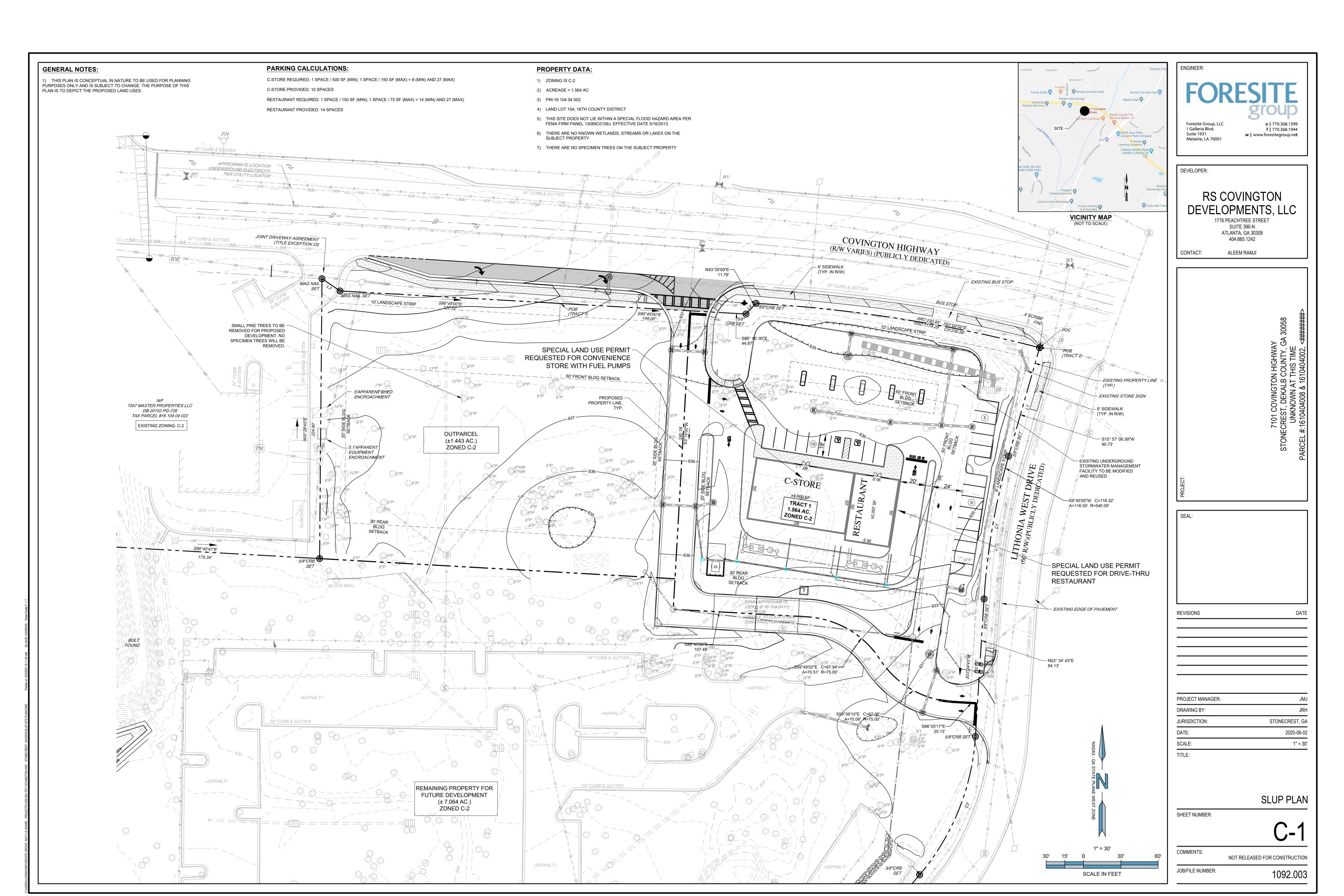
No negative impact from light or noise is anticipated.

h. Protection of parks and recreational green space

There are no parks or recreational green space adjacent to the Property.

i. Minimization of impacts to wildlife habitats

None on site.

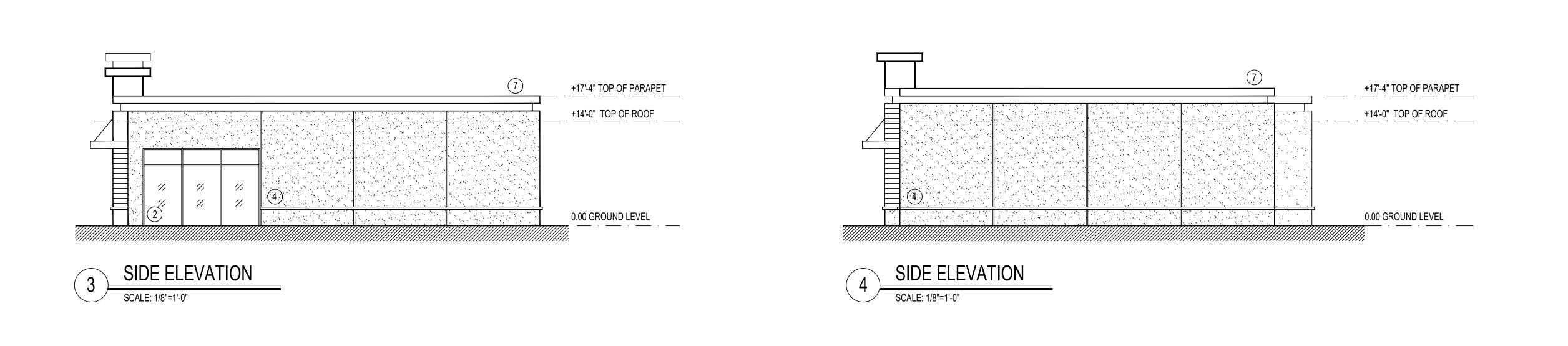


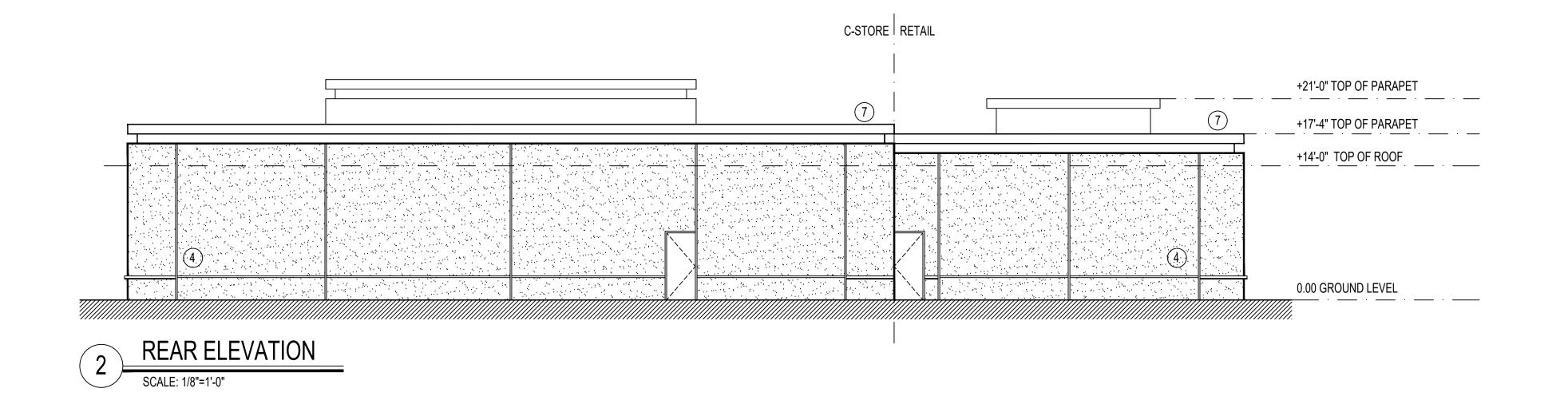
All that tract or parcel of land lying and being in Land Lot 104, of the 16th District, of Dekalb County, Georgia, and being more particularly described as follows:

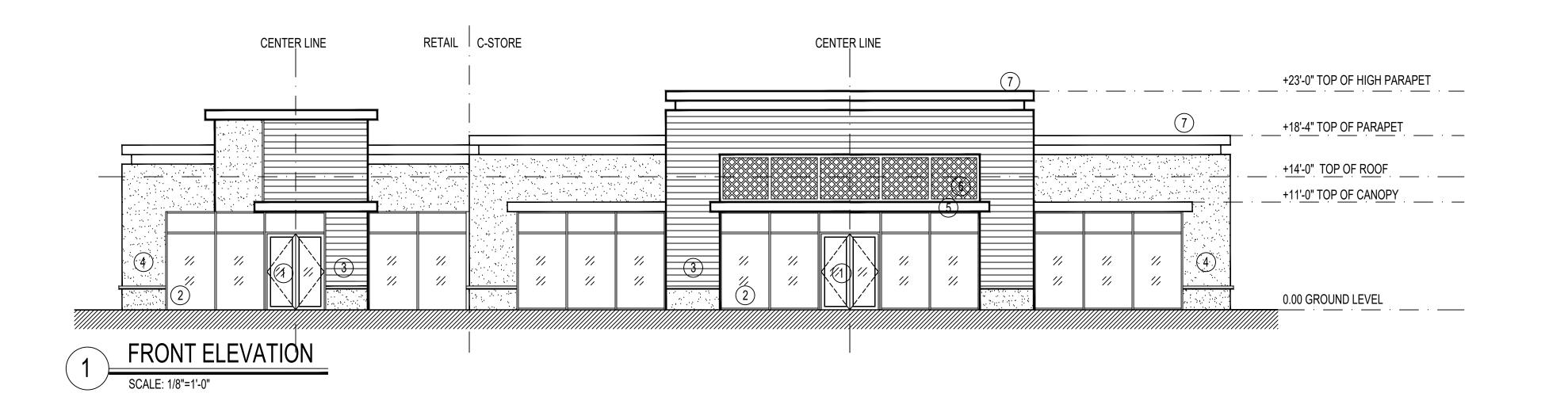
Commencing at a scribed X found at the intersection of the Westerly right of way line of Lithonia West Drive (having a 60-foot publicly dedicated right-of-way) and the Southerly right of way line of Covington Highway (having a variable width publicly dedicated right of way), said X being the TRUE POINT OF BEGINNING.

Thence leaving said Southerly right of way line of Covington Highway and following said Westerly right of way line of Lithonia West Drive the following courses and distances: South 15 degrees 57 minutes 07 seconds West a distance of 90.73 feet to a 5/8-inch capped rebar set; along a curve to the left, said curve having a radius of 540.00 feet, with an arc distance of 116.55 feet, with a chord bearing of South 09 degrees 45 minutes 55 seconds West and a chord length of 116.32 feet to a 5/8-inch capped rebar set; South 03 degrees 34 minutes 43 seconds West a distance of 84.13 feet to a 5/8-inch capped rebar set; Thence leaving said Westerly right of way line of Lithonia West Drive North 86 degrees 25 minutes 17 seconds West a distance of 20.13 feet to a 5/8-inch capped rebar set; Thence along a curve to the right, said curve having a radius of 75.00 feet, with an arc distance of 70.08 feet, with a chord bearing of North 59 degrees 39 minutes 10 seconds West and a chord length of 67.56 feet to a 5/8-inch capped rebar set; Thence along a curve to the left, said curve having a radius of 75.00 feet, with an arc distance of 70.51 feet, with a chord bearing of North 59 degrees 49 minutes 02 seconds West and a chord length of 67.94 feet to a 5/8-inch capped rebar set; Thence North 86 degrees 45 minutes 00 seconds West a distance of 107.48 feet to a 5/8-inch capped rebar set; Thence North 03 degrees 15 minutes 00 seconds East a distance of 24.54 feet to a 5/8-inch capped rebar set; Thence North 03 degrees 15 minutes 00 seconds East a distance of 215.64 feet to a to a 5/8-inch capped rebar set on the Southerly right of way line of Covington Highway; Thence following said Southerly right of way line of Covington Highway the following courses and distances: South 86 degrees 45 minutes 00 seconds East a distance of 44.87 feet to a 5/8-inch capped rebar set; North 43 degrees 30 minutes 09 seconds East a distance of 11.79 feet to a 5/8-inch capped rebar set; along a curve to the right, said curve having a radius of 1174.29 feet, with an arc distance of 230.95 feet, with a chord bearing of South 81 degrees 07 minutes 00 seconds East and a chord length of 230.58 feet to a scribed X found, said X being the TRUE POINT OF BEGINNING.

Said tract of land contains 1.564 Acres (68,106 square feet).







MATERIAL LEGEND

- 1 TEMPERED GLASS DOOR W/ FRAME
- 2 TEMPERED GLASS STOREFRONT
 3 WOOD LAP SIDING
 4 HARD STUCCO

- 5 METAL CANOPY
- 6 METAL GRILLE 7 METAL COPING

A3.1

ithonia

DATE

REMARKS

BUILDING **ELEVATIONS**

DATE 06-04-2020

SCALE \frac{1}{8}" = 1'-0" JOB NO.



Trip Generation Memo - June 2, 2020:

To: RS Covington Developments, LLC 1776 Peachtree Street Suite 390-N Atlanta, GA 30309

Re: Gas Station + Restaurant, Covington Hwy – Stonecrest, GA

A development consisting of a 4,000-SF gas station with convenience market with 10 fueling pumps and a 2,008-SF fast-food restaurant with a drive-through window is proposed at 7101 Covington Hwy in the City of Stonecrest in Dekalb County. The project trips for the proposed development were calculated using equations contained in the Institute of Transportation Engineers' (ITE) latest *Trip Generation Manual*, 10th Ed, 2017. Table 1 summarizes the trip generation for the proposed development.

Table 1: Trip Generation

| Businest Land Has | Donalto. | ITE | Daily | | AM Peak Hour | | | PM Peak Hour | | | |
|--|------------|-------|-------|-------|--------------|-------|----|--------------|-------|-----|-----|
| Project Land Use | Density | LUC | Total | In | Out | Total | ln | Out | Total | In | Out |
| Gasoline/Service Station with Convenience Market | 10 Pumps | 945 | 1,524 | 762 | 762 | 93 | 47 | 46 | 140 | 71 | 69 |
| Fast-Food Restaurant with Drive-Through Window | 2,008 S.F. | 934 | 946 | 473 | 473 | 81 | 41 | 40 | 66 | 34 | 32 |
| Total Trips | | | 2,470 | 1,235 | 1,235 | 174 | 88 | 86 | 206 | 105 | 101 |
| Reductions for Pass-By Trips | | | 1,374 | 687 | 687 | 98 | 49 | 49 | 112 | 57 | 55 |
| Total Net New Project Trips | | 1,096 | 548 | 548 | 76 | 39 | 37 | 94 | 48 | 46 | |

The proposed development is anticipated to generate 1,096 net new daily trips (548 inbound and 548 outbound) with the PM peak being the highest with the 94 net new trips (48 inbound and 46 outbound). There are 76 net new trips anticipated in the PM peak (39 inbound and 37 outbound).

Please contact me at 770-368-1399 if you have any questions or need additional information. Thank you for your time and consideration.

Sincerely,

FORESITE GROUP, LLC

Stevie Berryman, PE Project Manager



Planning Commission September 16th, 2020 / Mayor and City Council Meeting September 28th, 2020

GENERAL INFORMATION

Petition Number: SLUP-20-003

Applicant: RS Covington Development c/o Julie Sellers

Owner: Lithonia Real Estate Development

Project Location: 7101 Covington Hwy

District: District 2

Acreage: 2.75 acres

Existing Zoning: C-1 (Local Commercial) District

Proposed Zoning: C-1 (Local Commercial) District

Comprehensive Plan Community:

Area Designation

Urban Neighborhood

Proposed Development/Request: The applicant is requesting a special land use permits to construct a

6,000 square foot convenience store with the accessory fuel pump and

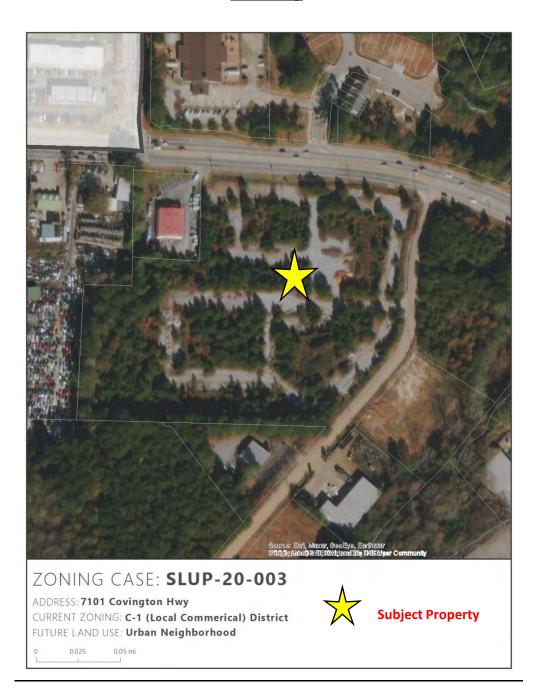
drive thru per Sec 4.2.23 and Sec.4.2.28

Staff Recommendations: Approval with Conditions

Planning Commission: Approval with Conditions



Aerial Map





Zoning Map





PROJECT OVERVIEW

Location

The subject property is located at 7101 Covington Hwy. The property is approximately 1,650 feet west of Covington Hwy and Lithonia Industrial Blvd intersection.

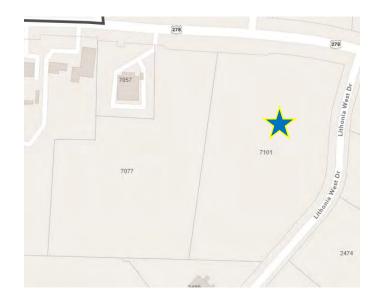
The property is bounded by Covington Hwy to the north, by an industrial zoned property to the south, an undeveloped parcel to the east and commercial zoned property to the west.

Background

Currently, the property has kept its original zoning classification of C-1 (Local Commercial) under Stonecrest Zoning Ordinance but original was in the Stonecrest Tier IV Overlay. The property was removed during the November 25th City Council Meeting.

The property has been partially been developed with paved road existing on the property and sewer pipes. The topography of the property is characterized as being even throughout.





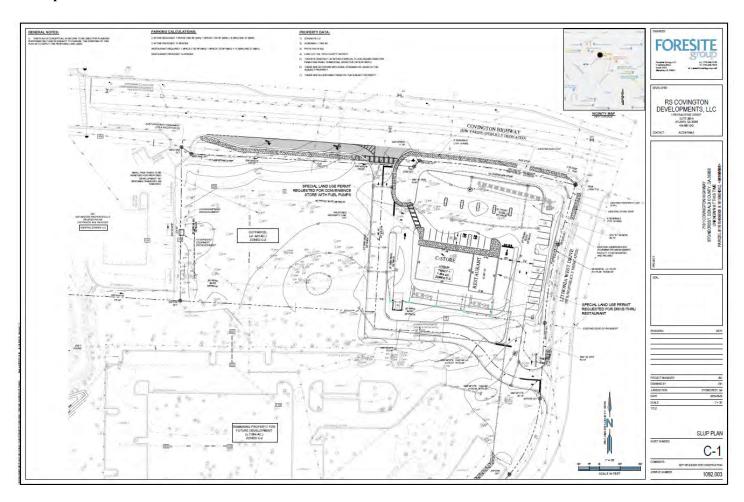


Rezoning Request

The applicant is requesting special land use permits the subject property to construct a 6,000 commercial convenience store and drive through. It should be noted the applicant can build the convince store with accessory fuel pumps without a SLUP per Sec.4.2.28 Stonecrest Zoning Ordinance. The applicant indicated it would prefer to develop the property with the restaurant drive, though than just a standalone convenience store.

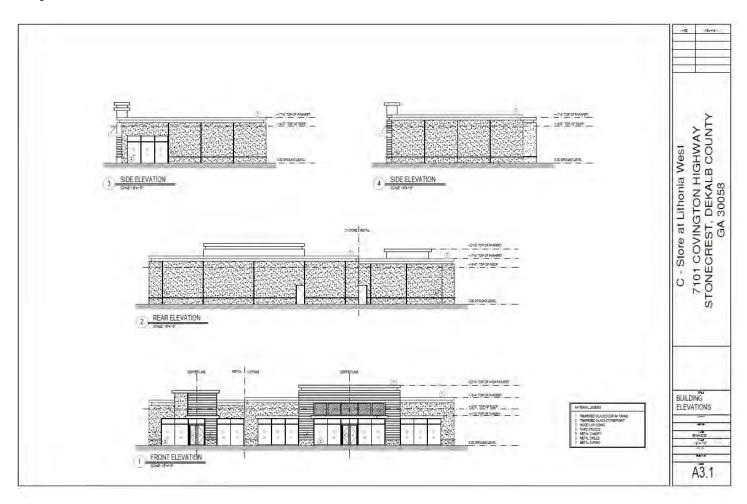
The first (A) request for the convenience store with accessory fuel pumps will be a total of 4,000 square feet, and the second (B) request is for the restaurant with a drive-through that will be 2,000 square feet. The applicant has provided a conceptual site plan and proposed elevations for review;

Conceptual Site Plan





Proposed Elevations



Public Participation

Property owners within 500 feet of subject property were mailed notices of the proposed rezoning in January. The community meeting was held on August 4[,] 2020, at 6:00 pm via the global meeting web application. Several residents attended the community meeting regarding special land use permit applications. There were several concerns from residents regarding traffic and type of business at the subject property.



CRITERIA OF REVIEW

Section 7.4.6 of the Stonecrest Zoning Ordinance list nineteen factors to be considered in a technical review of a special land use permit completed by the Community Development Department and Planning Commission. Each criterion is listed with staff analysis. *

A. Adequacy of the size of the site for the use contemplated and whether or not the adequate land area is available for the proposed use including the provision of all required yards, open space, off-street parking, and all other applicable requirements of the zoning district in which the use is proposed to be located.

The approximately 4,000 square foot commercial space on 1.5 acres is adequate for the operation of a retail convenience store with accessory fuel pumps and 2,000 square feet for the restaurant drive through

B. Compatibility of the proposed use with adjacent properties and land uses and with other properties and land uses in the district.

Both the proposed convenience store with accessorily fuel pumps and restaurant drive through is compatible with the adjacent properties and land uses in the district Staff believes a convenience store with fuel pumps and restaurant with a drive through retail would be with the surrounding business in the immediate area.

C. Adequacy of public services, public facilities, and utilities to serve the proposed use.

There are adequate public services, public facilities, and utilities to sever the for both uses.

D. Adequacy of the public street on which the use is proposed to be located and whether or not there is sufficient traffic-carrying capacity for the use proposed so as not to unduly increase traffic and create congestion in the area.

Covington Hwy classified as minor arterial, and the Planning Staff believes little or no impact on the public streets or traffic in the area for both uses.

E. Whether existing land uses located along access routes to the site will be adversely affected by the character of the vehicles or the volume of traffic generated by the proposed use.

The existing land use located along the access routes to the site would not be adversely affected by the character of the vehicles of the volume traffic generated by the proposed uses. Covington Hwy is a minor arterial road that is designed to handle a commercial development.

F. Adequacy of ingress and egress to the subject property and to all proposed buildings, structures, and uses thereon, with particular reference to pedestrian and automotive safety and convenience, traffic flow and control, and access in the event of a fire or another emergency.



The existing subject property can be accessed by vehicles via an existing curb cut with a driveway on Covington Hwy and secondary access via Lithonia West Drive. Emergency vehicles can access the site from the existing driveway.

G. Whether the proposed use will create adverse impacts upon any adjoining land use by reason of noise, smoke, odor, dust, or vibration generated by the proposed use.

The proposed use will not create an adverse impact upon any adjoining land use by reason of noise, smoke, odor, dust, or vibration generated by the proposed use. The adjoining property is zoned commercial.

H. Whether the proposed use will create adverse impacts upon any adjoining land use by reason of the hours of operation of the proposed use.

The proposed uses will not create an adverse impact upon any adjoining land use by reason of the hours of operation of the proposed uses. The adjoining property is undeveloped.

I. Whether the proposed use will create adverse impacts upon any adjoining land use by reason of the manner of operation of the proposed use.

The proposed uses will not create an adverse impact upon any adjoining land use by reason of the manner of operation of the proposed uses. The adjoining property is undeveloped

J. Whether the proposed use is otherwise consistent with the requirements of the zoning district classification in which the use is proposed to be located.

The proposed use is otherwise consistent with the requirement of the zoning district classification in which the use is proposed to be located.

K. Whether the proposed use is consistent with the policies of the comprehensive plan.

The proposed use is consistent with the policies of the comprehensive plan. Staff believes the convenience store with accessory fuel pumps and restaurant with a drive-through is intended for small-scale convenience goods or services meant for the area. There are several similar business places along Covington Hwy.

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

The proposed uses do not require buffer and transitional buffers required by the zoning district.

M. Whether there is adequate provision of refuse and service areas.

An adequate refuse and service area will be provided by the applicant.

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



Staff believes there is not a compelling reason to limit the special land use duration as the applicant.

O. Whether the size, scale, and massing of proposed buildings are appropriate in relation to the size of the subject property and in relation to the size, scale, and massing of adjacent and nearby lots and buildings.

The proposed convenience store with accessory fuel pumps and restaurant with drive through has the appropriate structure, which is consistent in size, scale, and massing with adjacent and surrounding buildings in the area.

P. Whether the proposed use will adversely affect historic buildings, sites, districts, or archaeological resources.

This use will not adversely affect any historic buildings, sites, districts, or archaeological resources.

Q. Whether the proposed use satisfies the requirements contained within the supplemental regulations for such special land use permits.

The proposed use submitted site plan submitted to Staff has met all the requirements within the supplemental regulation Sec 4.2.23 and Sec 4.2.28 set forth by the zoning ordinance.

R. Whether the proposed use will create a negative shadow impact on any adjoining lot or building as a result of the proposed building height.

The proposed uses will not exceed the height of nearby residential structures. The proposed building would be similar to the height of other commercial developments in the area. There will be no negative show impact on any adjoining lot.

S. Whether the proposed use would result in a disproportionate proliferation of that or similar uses in the subject character area.

The proposed use of a convenience store with fuel pumps would result in excessive proliferation of similar use in the subject character area as there are no other existing convenience stores. The proposed use of restaurant with a drive-through would not result in a disproportionate proliferation.

T. Whether the proposed use would be consistent with the needs of the neighborhood or the community as a whole, be compatible with the neighborhood, and would not be in conflict with the overall objective of the comprehensive plan.

The proposed convenience store with auxiliary fuel pumps would not be consistent with the needs of the neighborhood or the community as a whole, and the restaurant drive-through would be consistent with the needs of the neighborhood and compatible with the neighborhood and is not in conflict with the overall objective of the comprehensive plan.



STAFF RECOMMENDATION

Base on the findings and conclusions, it appears the applicant does not meet all the criteria for approval. However, since the applicant has the right to construct a convenience store with fuel pumps without the special land use permit by meeting three of four criteria in Sec 4.2.23 of the zoning ordinance. The Staff believes the convince store with fuel pumps and restaurants with a drive, though, would be a better fit for the city than the standalone convenience store. Therefore, Staff recommends, **subject to the following conditions:**

- 1. The use of the Subject Property for any of the following shall be strictly prohibited:
 - a. A child's daycare center and/or kindergarten.
 - b. Barbershop / Beauty Salon or similar establishments.
 - c. Gold-Buying establishment. .
 - d. Nightclub.
 - e. Skating rink; and
 - f. indoor and/or outdoor recreation.
- 2. The site shall be developed in general conformance with the site plan received by the City on June 6, 2020.
- 3. Exterior elevations shall be similar to the elevations received by the City on June 6. Final elevations shall be subject to review and approval of the Planning and Zoning Director.
- 4. Owner/Developer shall install a five-foot (5') wide sidewalk along the entire frontage of Covington Hwy.
- 5. Owner/Developer shall obtain all permits required by the City of Stonecrest in accordance with the development of the subject property.

PLANNING COMMISSION RECOMMENDATION

On Wednesday, September 16, the Planning Commission recommends **Approval** of **SLUP-20-003** with the following conditions;

- 1. The use of the Subject Property for any of the following shall be strictly prohibited:
 - a. A child's daycare center and/or kindergarten.
 - b. Barbershop / Beauty Salon or similar establishments.
 - c. Gold-Buying establishment. .
 - d. Nightclub.
 - e. Skating rink; and
 - f. indoor and/or outdoor recreation.
- 2. The site shall be developed in general conformance with the site plan received by the City on June 6, 2020.
- 3. Exterior elevations shall be similar to the elevations received by the City on June 6. Final elevations shall be subject to review and approval of the Planning and Zoning Director.



- 4. Owner/Developer shall install a five-foot (5') wide sidewalk along the entire frontage of Covington Hwy.
- 5. Owner/Developer shall obtain all permits required by the City of Stonecrest in accordance with the development of the subject property