THE CITY OF STONECREST GEORGIA

Special Land Use Permit Application

Applicant Information

Name: RS Covington Developments, LLC	c/o Julie Sellers Dillard Sellers, LLC	
Address: 1776 Peachtree Street Suite 390-N, Atlanta Ga 30309		
Phone: 404-665-1242	Fax:	Email jsellers@dillardsellers.com

Owner Information

Owner's Name: Lithonia Real Estate Development LLC		
Owner's Address: 1279 Wood Iris Lane, Lawrenceville, GA		
Phone:	Fax:	Email

Property Information

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? O Yes Q No

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

Affiddavit

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 Ordinance.

Applicant's Name: RUSTAM RAHJI

Applicant's Signature: [signature] Date: 6-1-2020

Notary

Sworn to and subscribed before me this 1st Day of June 2020

Notary Public: Shannon D. Zimmerman

Signature: [signature]

My Commission Expires: 8-19-22

SHANNON D. ZIMMERMAN NOTARY PUBLIC FULTON COUNTY, GEORGIA My Commission Expires 08-19-2022

☐ Application Fee ☐ Sign Fee ☐ Legal Fee

Fee: $ | Payment: ☐ Cash ☐ Check ☐ CC | Date:

☐ Approved ☐ Approved with Conditions ☐ Denied | Date:

08-03-2017

THE CITY OF STONECREST GEORGIA

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").

Applicant / Petitioner	Signature:		Date: 6-1-2020
	Address: 5887 Glenridge Dr, Suite 440	City, State: Atlanta Ga	Zip: 30328
	Phone:		
	Sworn to and subscribed before me this 1st day of June, 2020		
	Notary Public: Shannon D. Zimmerman		
Attorney / Agent	Signature:		Date: 6-3-20
	Address: 1776 Peachtree Street, #390-N	City, State: Atlanta, Ga	Zip: 30307
	Phone: (404)665-1242		
	Sworn to and subscribed before me this 3rd day of June, 2020		
	Notary Public: Jennifer R. Taylor		

SHANNON D. ZIMMERMAN MY COMMISSION EXPIRES NOTARY PUBLIC 08-19-2022 FULTON COUNTY, GEORGIA

JENNIFER R. TAYLOR NOTARY PUBLIC EXP. APRIL 25, 2021 COBB COUNTY, GEORGIA

THE CITY OF STONECREST GEORGIA

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.

Property Owner (If Applicable)

Signature: Date: 5-28-20

Address: 1279 Wood Iris Ln City, State: Lawrenceville GA Zip: 30045

Phone: 404-966-5449

Sworn to and subscribed before me this 28 day of May, 20 20

Notary Public:

CARMEN K LOGAN NOTARY PUBLIC GWINNETT COUNTY, GEORGIA EXP. 07/17/2021

7077 Covington Hwy - Madison Investments USA LLC

Property Owner (If Applicable)

Signature: Date: 5-28-20

Address: 1279 Wood Iris Ln City, State: Lawrenceville, GA Zip: 30045

Phone: 404 966 5449

Sworn to and subscribed before me this 28 day of May, 20 20

Notary Public:

CARMEN K LOGAN NOTARY PUBLIC GWINNETT COUNTY, GEORGIA EXP. 07/17/2021

7101 Covington Hwy - Lithonia Real Estate Development LLC

Property Owner (If Applicable)

Signature: Date:

Address: City, State: Zip:

Phone:

Sworn to and subscribed before me this_____day of_____, 20_____

Notary Public:

THE CITY OF STONECREST 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

Applicant / Owner	
	Signature:
	Address: 1279 WOOD IRIS LN LAWRENCEVILLE, GA 30045
	Date: 05-28-20

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

Date	Government Official	Official Position	Description	Amount

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 ~4,000 sq. ft. and the restaurant ~ 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 ~ 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.

June 9, 2020

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

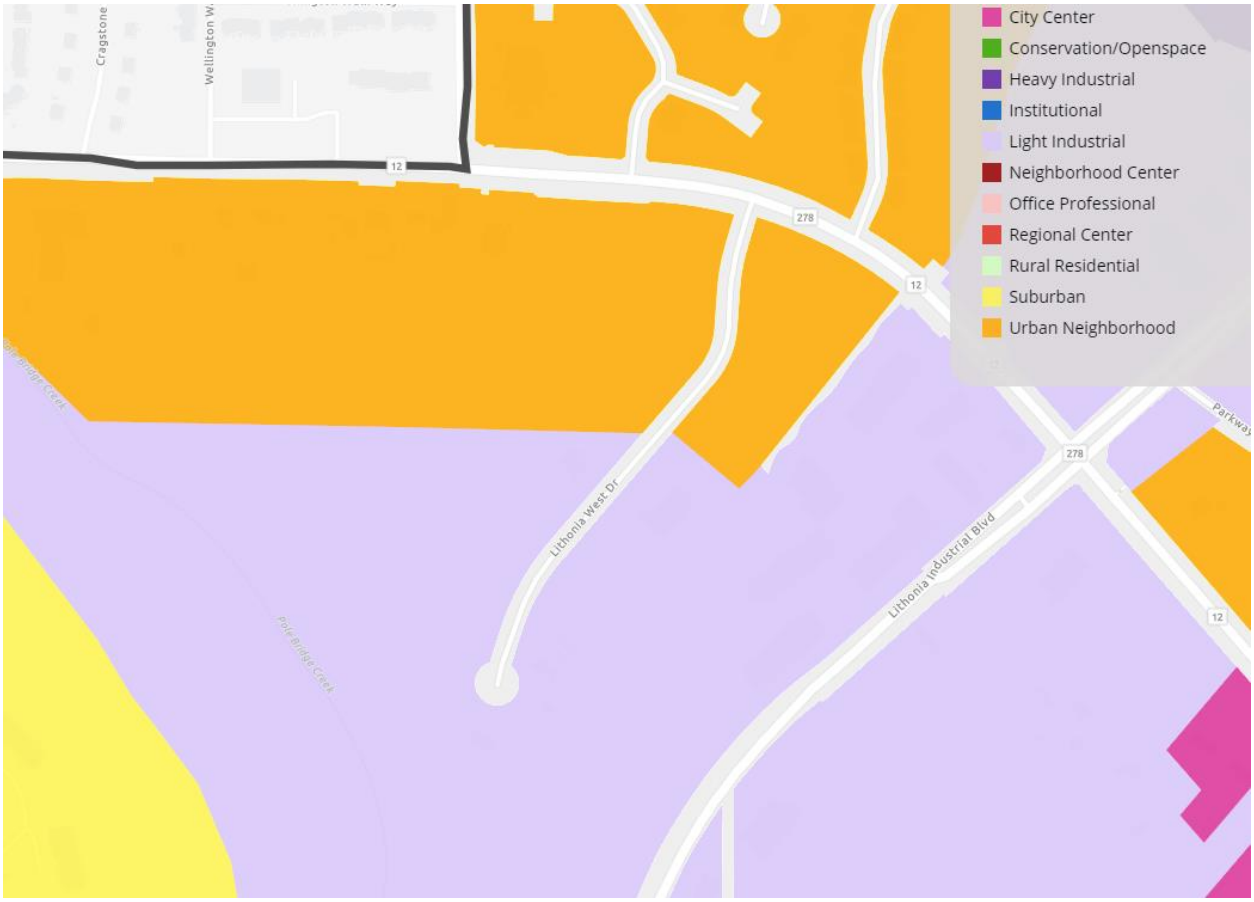
If you have questions about the applications, please contact Julie L. Sellers at (404) 665-1242 or jsellers@dillardsellers.com.

ENVIRONMENTAL SITE ANALYSIS (ESA) FORM

1. Conformance with the Comprehensive Plan

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.

GENERAL NOTES:

1) THIS PLAN IS CONCEPTUAL IN NATURE TO BE USED FOR PLANNING PURPOSES ONLY AND IS SUBJECT TO CHANGE. THE PURPOSE OF THIS PLAN IS TO DEPICT THE PROPOSED LAND USES.

PARKING CALCULATIONS:

C-STORE REQUIRED: 1 SPACE / 500 SF (MIN); 1 SPACE / 150 SF (MAX) = 8 (MIN) AND 27 (MAX)

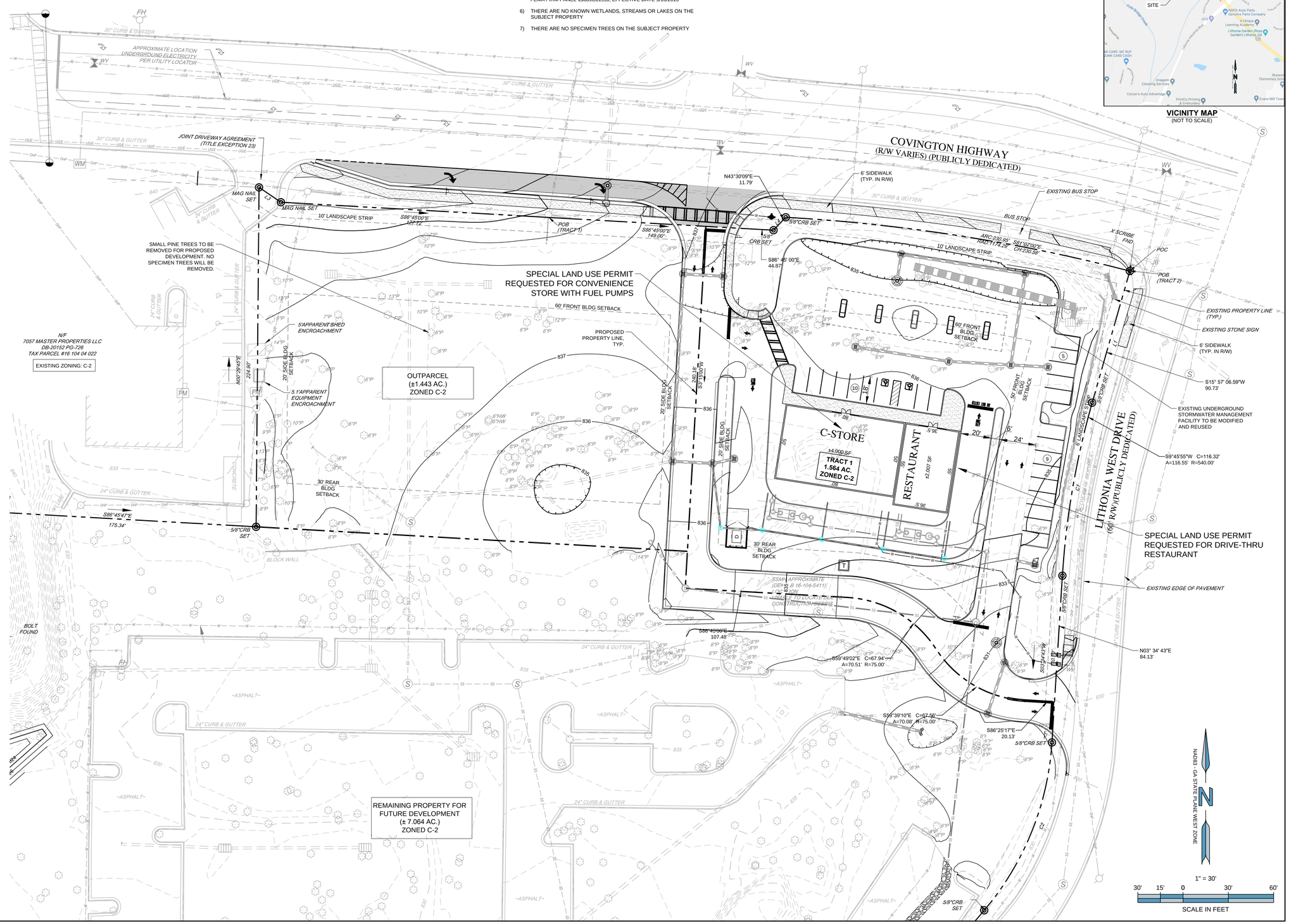
C-STORE PROVIDED: 10 SPACES

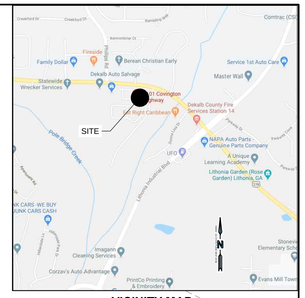
RESTAURANT REQUIRED: 1 SPACE / 150 SF (MIN); 1 SPACE / 75 SF (MAX) = 14 (MIN) AND 27 (MAX)

RESTAURANT PROVIDED: 14 SPACES

PROPERTY DATA:

1) ZONING IS C-2
2) ACREAGE = 1.564 AC
3) PIN:16 104 04 002
4) LAND LOT 104, 16TH COUNTY DISTRICT
5) THIS SITE DOES NOT LIE WITHIN A SPECIAL FLOOD HAZARD AREA PER FEMA FIRM PANEL 13089C0159J, EFFECTIVE DATE 5/16/2013
6) THERE ARE NO KNOWN WETLANDS, STREAMS OR LAKES ON THE SUBJECT PROPERTY
7) THERE ARE NO SPECIMEN TREES ON THE SUBJECT PROPERTY





VICINITY MAP
(NOT TO SCALE)

ENGINEER:

FORESITE group

Foresite Group, LLC
1 Galleria Blvd.
Suite 1931
Metairie, LA 70001

o | 770.368.1399
f | 770.368.1944
w | www.foresitegroup.net

DEVELOPER:

RS COVINGTON DEVELOPMENTS, LLC
1776 PEACHTREE STREET
SUITE 390-N
ATLANTA, GA 30309
404.665.1242

CONTACT: ALEEM RAMJI

PROJECT:

7101 COVINGTON HIGHWAY
STONECREST, DEKALB COUNTY, GA 30058
UNKNOWN AT THIS TIME
PARCEL #:16104040008 & 16104040002, <#########>

SEAL:

REVISIONS	DATE

PROJECT MANAGER:	JMJ
DRAWING BY:	JRH
JURISDICTION:	STONECREST, GA
DATE:	2020-06-02
SCALE:	1" = 30'
TITLE:	

SLUP PLAN

SHEET NUMBER:

C-1

COMMENTS: NOT RELEASED FOR CONSTRUCTION

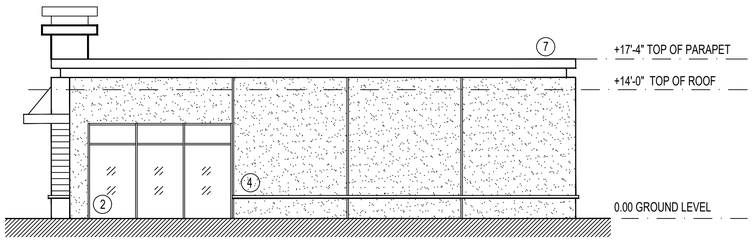
JOB/FILE NUMBER: 1092.003

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:

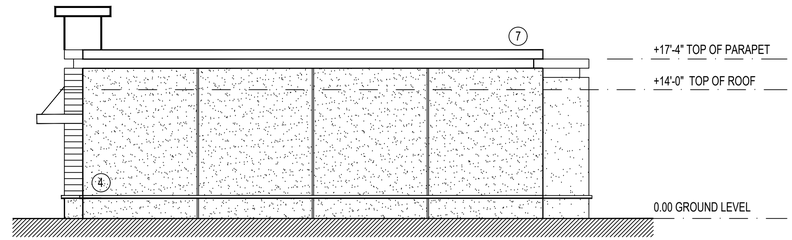
Commencing at a scribed X found at the intersection of the Westerly right of way line of Lithonia West Drive (having a 60-foot publicly dedicated right-of-way) and the Southerly right of way line of Covington Highway (having a variable width publicly dedicated right of way), said X being the TRUE POINT 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.

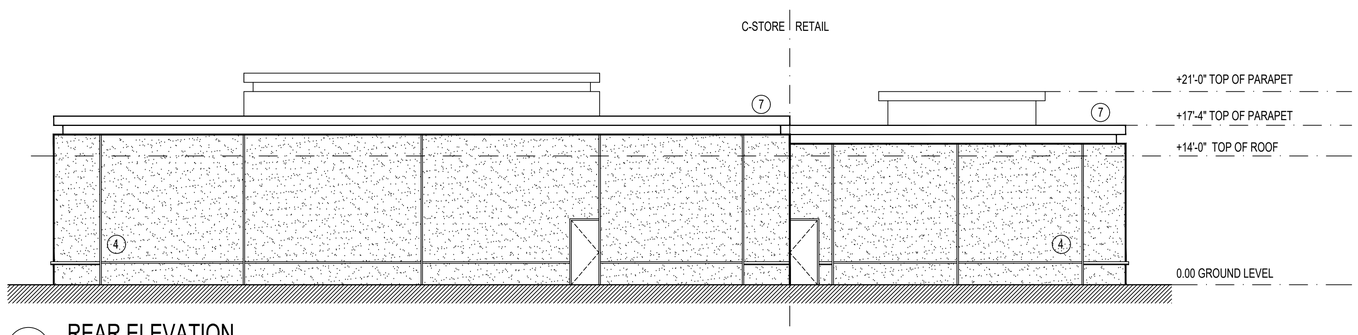
Said tract of land contains 1.564 Acres (68,106 square feet).



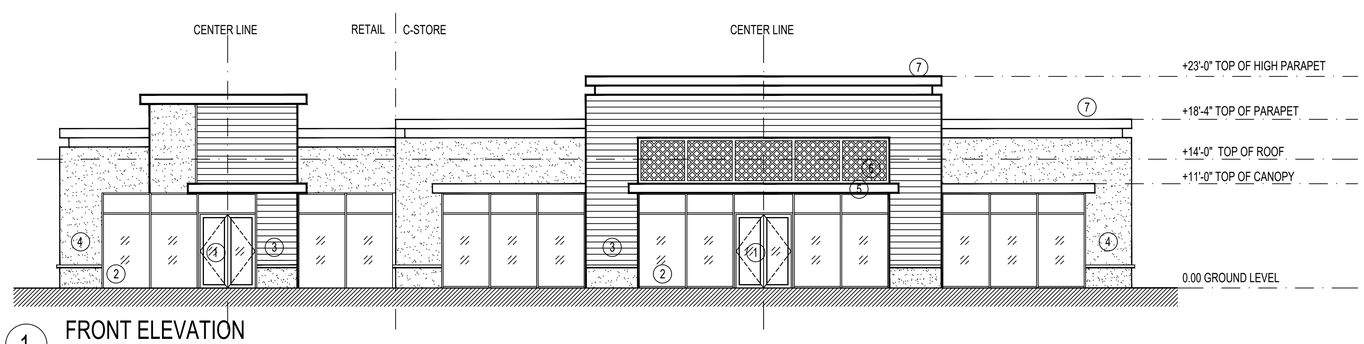
3 SIDE ELEVATION
SCALE: 1/8"=1'-0"



4 SIDE ELEVATION
SCALE: 1/8"=1'-0"



2 REAR ELEVATION
SCALE: 1/8"=1'-0"



1 FRONT ELEVATION
SCALE: 1/8"=1'-0"

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

DATE	REMARKS

C - Store at Lithonia West
7101 COVINGTON HIGHWAY
STONECREST, DEKALB COUNTY
GA 30058

TITLE
BUILDING ELEVATIONS

DRAWN

CHECKED

DATE
06-04-2020

SCALE
1/8" = 1'-0"

JOB NO.

FILENAME

SHEET
A3.1

FORESITE group

3740 Davinci Court, Suite 100
Peachtree Corners, Georgia 30092
o | 770.368.1399
f | 770.368.1944
w | www.fg-inc.net

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

Project Land Use	Density	ITE	Daily			AM Peak Hour			PM Peak Hour		
		LUC	Total	In	Out	Total	In	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