



CITY OF STONECREST, GEORGIA

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

January 25, 2021

7:00 p.m.

Citizen Access: Stonecrest YouTube Live Channel

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 November 2, 2020 FY21 Budget Approval Minutes
- b. Approval of the December 14, 2020 City Council Meeting Minutes
- c. Approval of the December 28, 2020 City Council Meeting Minutes

VI. PRESENTATIONS:

- a. ____

VII. APPOINTMENTS:

- a. ____

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. RZ-20-007 (5099 Brownsmill Road) - The applicant is requesting to rezone 15.0 acres to MU-1 (Mixed-Use) Zoning District for a mixed use development
- b. SLUP-20-007 & SLUP-20-008 (5961 Chupp Way) - Requesting Special Land Use Permit for the development of convenience store with accessory fuel pumps and alcohol outlet.

- c. SLUP-21-001 (7300 Stonecrest Concourse) - Requesting Special Land Use Permit to operate as a late-night establishment
- d. RZ-21-001 & SLUP-21-001 (3174 Miller Road) - Requesting to be rezoned to RSM (Small Lot Residential Mix) and Special Land Use Permit to operate a Child Day Care Center

(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. TMOD-20-002 - Sign Ordinance - Free Standing Sign
- b. Budget Retreat Date

XI. NEW BUSINESS:

- a. RZ-20-007 (5099 Brownsmill Road) - The applicant is requesting to rezone 15.0 acres to MU-1 (Mixed-Use) Zoning District for a mixed use development
- b. SLUP-20-007 & SLUP-20-008 (5961 Chupp Way) - Requesting Special Land Use Permit for the development of convenience store with accessory fuel pumps and alcohol outlet.
- c. SLUP-21-001 (7300 Stonecrest Concourse) - Requesting Special Land Use Permit to operate as a late-night establishment
- d. RZ-21-001 & SLUP-21-001 (3174 Miller Road) - Requesting to be rezoned to RSM (Small Lot Residential Mix) and Special Land Use Permit to operate a Child Day Care Center

XII. EXECUTIVE SESSION:

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

Americans with Disabilities Act

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

If you need auxiliary aids and services for effective communication (such as a sign language interpreter, an assistive listening device or print material in digital format) or reasonable modification to programs, services or activities contact the ADA Coordinator, Megan Reid, as soon as possible, preferably 2 days before the activity or event.

XIII. CITY MANAGER COMMENTS

XIV. CITY ATTORNEY COMMENTS

XV. MAYOR AND COUNCIL COMMENTS

XVI. ADJOURNMENT

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CITY OF STONECREST, GEORGIA

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Council Member Rob Turner- District 2

Council Member Jazzmin Cobble – District 3

Council Member George Turner- District 4

Council Member Tammy Grimes – District 5

SPECIAL CALLED MEETING

VIRTUAL MEETING MINUTES

November 2, 2020

6:30PM

I. CALL TO ORDER: Mayor Jason Lary

II. COUNCIL AGENDA ITEMS

1. Approve FY21 Budget

Motion 1 – made by Mayor Jason Lary to approve the FY21 Budget. Seconded by Council Member Jimmy Clanton.

Motion failed.

Yea – Mayor Jason Lary, Council Member Jimmy Clanton

Nay – Council Member Rob Turner

Not Ready – Council Member Jazzmin Cobble, Council Member George Turner, Council Member Tammy Grimes

III. ADJOURNMENT

Mayor Jason Lary ended the meeting at 8:00 p.m.

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CITY OF STONECREST, GEORGIA

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

December 14, 2020

7:00 p.m.

Citizen Access: URL

I. CALL TO ORDER: Mayor Pro Tem George Turner

II. ROLL CALL: Megan Reid, City Clerk

Council Member Jazzmin Cobble was absent, and Mayor Lary was absent and it was excused at a prior meeting.

Motion 1 – was made by Council Member Jimmy Clanton to excuse Council Member Jazzmin Cobble for her absence due to a death in her family and was seconded by Council Member Rob Turner.

Motion passed 4-0.

III. INVOCATION- Council Member Rob Turner led the invocation.

IV. PLEDGE OF ALLEGIANCE

Mayor Pro Tem George Turner asked to add a few items for discussion only under Old Business. The following items are:

- Dispositions of all committees
- Budget Retreat 2021
- Resolution for ending Virtual Meetings

And he also would like to add under Presentations – Program Purpose- Dr. Christopher Griffith and Council Member Tammy Grimes

Motion 2- was made by Council Member Rob Turner to add the above said items to the agenda and was seconded by Council member Tammy Grimes.

Motion passed 4-0.

V. MINUTES:

- a. Approval of Council Meeting Minutes October 26, 2020

Motion 3 – made by Council Member Rob Turner to approve the October 26, 2020 Council Meeting Minutes. Seconded by Council Member jimmy.

Motion passed unanimously.

- b. Approval of Council Meeting Minutes November 2, 2020

Motion 4- was made by Council Member Rob Turner to defer the decision until the next meeting and was seconded by Council Member Tammy Grimes.

Motion passed 4-0.

- c. Approval of Council Meeting Minutes November 23, 2020

Motion 5- was made by Council Member Rob Turner to defer the decision until the next meeting and was seconded by Council Member Tammy Grimes.

VI. PRESENTATIONS:

- a. Program Purpose- Presented by Council Member Tammy Grimes and Dr. Christopher Griffith of Kaiser Permanente in corporation with Arabia Mountain High School

VII. APPOINTMENTS OR PERSONNEL:

None.

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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)

None.

IX. PUBLIC HEARINGS:

X. OLD BUSINESS:

a. Disposition of all committees

b. Budget Retreat

Council discussed setting a date for the Budget Retreat in January 2021.

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.

d. Decision for December 28, 2020 Council Meeting

Council will make a decision by December 23, 2020 via email to City Clerk whether to cancel the meeting or not.

XI. NEW BUSINESS:

a.

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XII. EXECUTIVE SESSION

None.

*(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

Deputy City Manager Plez Joyner- Merry Christmas and Stay Covid Safe!

XIV. CITY ATTORNEY COMMENTS

Merry Christmas and Happy New Year! – City Attorney Winston Denmark

XV. MAYOR AND COUNCIL COMMENTS

Council Member Jimmy Clanton/District 1 – Get out and vote, Merry Christmas and stay safe from Covid!

Council Member Rob Turner/District 2 –Vote like your life depends on it! Enjoy your holiday!

Council Member Jazzmin Cobble/District 3 – Absent- The rest of the Council wished her a happy birthday and sent their condolences to her and her family due to the loss of a family member.

Council Member Tammy Grimes/District 5 – Stay safe and pray for the teachers! Happy Holidays and if anyone would like to donate to Traditions Nursing Home please contact her. They are looking for sweatshirts and sweatpants and things of that nature.

Council Member George Turner/District 4 – Apologized to the citizens for the agenda changes. Wished everyone a Merry Christmas and hopes everyone will be safe and careful over the holidays.

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XVI. ADJOURNMENT

Motion 6 – made by Council Member Rob Turner to adjourn the City Council Meeting.
Seconded by Council Member Tammy Grimes.

Motion passed unanimously.

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CITY COUNCIL AGENDA ITEM

SUBJECT: Ordinance for Rezoning Application
RZ-20-007 (5099 Browns Mill Rd)

☒ **ORDINANCE** ☐ **POLICY** ☐ **STATUS REPORT**
☐ **DISCUSSION ONLY** ☐ **RESOLUTION** ☐ **OTHER**

Date Submitted: 01/21/21 **Work Section:** **Council Meeting: 01/25/21**

SUBMITTED BY: Christopher Wheeler, Planning and Zoning Director

PURPOSE: To change the zoning from R-100 (Residential Med Lot) District to MU-1 (Mixed Use Low Density) District for a residential and commercial/office/retail development.

FACTS AND ISSUES: This application was heard at the January 14th, 2021 Planning Commission Meeting. The applicant requested to change their zoning from R-100 (Residential Med Lot) District to MU-1 (Mixed Use Low Density) District for a residential and commercial/office/retail development. The Planning Commission recommended deferral.

OPTIONS: Approve; Deny; or make Alternative conditions

RECOMMENDED ACTION:

Planning Commission recommended deferral of petition RZ-20-007 at the November 14th, 2021 meeting with conditions.

ATTACHMENTS:

- # 1 01/21/2021 Application
- # 2 01/21/2021 Comments



September 28, 2020

City of Stonecrest
Community Development Department
3120 Stonecrest Blvd.
Stonecrest, GA 30038

Re: Rezoning Letter of Intent

Flat Rock Station – A Green Mixed Use Community at 5099 Browns Mill Rd, Lithonia, GA 30038
Parcel 16 020 01 015

To Whom It May Concern:

We would like to request rezoning from R-100 to MU-1.

5099 Browns Mill Rd will be a mixed use development, designed to provide a commercial/retail space nearest to the roadway and intersection of Browns Mill Rd and Panola Rd for commercial/retail/office areas as well as residential. A portion of the residential is designed as a subdivision for a 55 year and older age group community. Another portion of the property is designed as multi-family condominium units. The developers are local residents and active participants in the community of Stonecrest.

Casswell Design Group, LLC (CDG) feels that the proposed use, providing a thriving and progressive use for the property. The new mixed-use development will also contribute to the local community development and overall growth of the surrounding area. The area is currently residential and adjacent to a property that is zoned C-2, just east of the subject site. The owners plan to be pioneers in bringing the first mixed use development to the City. Within the proposed development, they plan to improve the land by converting the existing wetlands into a recreational pond area for the surrounding community, integrating into nearby Browns Mill Park, and the developers also plan to provide a shuttle to the nearest MARTA bus stop (approximately 2 miles away) which will be available to the entire Flat Rock Station Development.

We feel that the approval of the mixed use development compliments the nearby uses in the community. There are currently no similar developments in the area.

The design team (CDG) is a LEED certified company. Please reach out if you have questions.

Best regards,

Hanna Casswell, LEED AP
Casswell Design Group, LLC
hannacasswell@gmail.com
(404) 317-9766

Casswell Design Group, LLC 279 W. Crogan St, Lawrenceville, GA 30046
404-317-9766



Rezoning Application

Owner Information	Owner's Name: Phillip Lupoe		
	Owner's Address: 5099 Browns Mill Rd, Lithonia, GA 30038		
	Phone: 770-365-7171	Fax: n/a	Email: phillip_lupoe@yahoo.com
	Property Address: 5099 Browns Mill Rd, Lithonia, GA 30038		Parcel Size: +/-15 acres
	Parcel ID: 16 020 01 015		
	Current Zoning Classification: R-100		
Property Information	Requested Zoning Classification: MU-1		
	Name: Phillip Lupoe		
	Address: 5099 Browns Mill Rd, Lithonia, GA 30038		
	Phone: n/a	Fax: n/a	
	Cell: 770-365-7171	Email: phillip_lupoe@yahoo.com	
	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? ☐ Yes ☐ No		
Questionnaire	1. Will the zoning proposal permit a use that is suitable in view of the use and development of adjacent and nearby properties? Yes, the proposed mixed use will include retail, office, multi-family condo units, and a subdivision for 55 and older		
	2. Will the affected property of the zoning proposal have a reasonable economic use as currently zoned? Current residential use does not permit retail and restaurants, which we intend to propose		
	3. Will the zoning proposal adversely affect the existing use or usability of adjacent or nearby property? The nearby property is Brownsmill Park. Our development will provide a convenience of nearby retail and restaurants to the park goers. Our development's residents would greatly enjoy the amenities offered by the Brownsmill Park right across the street.		
	4. Are other existing or changing conditions affecting the existing use or usability of the development of the property which give supporting grounds for either approval or disapproval of the zoning proposal?		
	5. Will the zoning proposal adversely affect historic buildings, sites, districts, or archaeological resources? No historic buildings located on or near site		
	6. Will the zoning proposal result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities or schools?		



Property Owner(s) Notarized Certification

The owner and petitioner acknowledge that this Zoning Map Revision 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:

Phillip Burke

Date:

09/30/2020

Address: 5099 Browns Mill Rd

City/State: Lithonia, GA

Zip: 30038

Phone: 770-365-7171

Sworn to and subscribed before me this

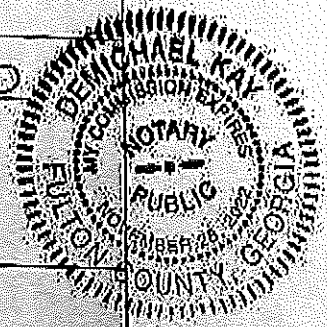
30th

day of

September 2020

Notary Public:

[Signature]



Signature:

Date:

Address:

City/State:

Zip:

Phone:

Sworn to and subscribed before me this

day of

20

Notary Public:

Signature:

Date:

Address:

City/State:

Zip:

Phone:

Sworn to and subscribed before me this

day of

20

Notary Public:



Affidavit	To the best of my knowledge, this zoning 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: Phillip Lupoc		
Notary	Applicant's Signature: <i>Phillip Lupoc</i>		Date: 09/30/2020
	Sworn to and subscribed before me this 30th day of September 2020		
	Notary Public: <i>Demichael Kay</i>		
Fee	Signature: <i>Demichael Kay</i>		
	My Commission Expires: 11/22/2022		
	☐ Application fee ☐ Sign fee ☐ Legal fee		
	Fee: \$ Payment: ☒ Cash ☐ Check ☐ CC Date:		
☒ Approved ☐ Approved with conditions ☐ Denied		Date:	

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



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: <i>Phillip Smith</i>
	Address: 5099 Browns Mill Rd, Lithonia, GA 30038
	Date: 09/25/2020

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

Date	Government Official	Official Position	Description	Amount
	n/a			



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:
 - o All buildings and structures proposed to be constructed and their location on the property;
 - o Height of proposed building(s);
 - o Proposed use of each portion of each building;
 - o All driveways, parking areas, and loading areas;
 - o Location of all trash and garbage disposal facilities;
 - o Setback and buffer zones required in the district in which such use is proposed to be located;
 - o Landscaping plan for parking areas; and
 - o All additional requirements outlined under page 4 (Site Plan Checklist)
 - o Topographic survey with 2' contours encompassing 200' beyond property boundaries
- ☒ 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.



September 28, 2020

City of Stonecrest
Community Development Department
3120 Stonecrest Blvd.
Stonecrest, GA 30038

Re: **Environmental Site Analysis**

Re: Flat Rock Station – A Green Mixed Use Community at 5099 Browns Mill Rd, Lithonia, GA 30038

Parcel 16 020 01 015

To Whom It May Concern:

We would like to request rezoning from R-100 to MU-1. As part of this process, an Environmental Site Analysis is required.

5099 Browns Mill Rd will be a mixed use development, designed to provide a commercial/retail space nearest to the roadway and intersection of Browns Mill Rd and Panola Rd for commercial/retail/office areas as well as residential. A portion of the residential is designed as a subdivision for a 55 year and older age group community. Another portion of the property is designed as multi-family condominium units. The developers are local residents and active participants in the community of Stonecrest. Casswell Design Group, LLC (CDG) feels that the proposed use, providing a thriving and progressive use for the property. The new mixed-use development will also contribute to the local community development and overall growth of the surrounding area. The area is currently residential and adjacent to a property that is zoned C-2, just east of the subject site. The owners plan to be pioneers in bringing the first mixed use development to the City. Within the proposed development, they plan to improve the land by converting the existing wetlands into a recreational pond area for the surrounding community, integrating into nearby Browns Mill Park, and the developers also plan to provide a shuttle to the nearest MARTA bus stop (approximately 2 miles away) which will be available to the entire Flat Rock Station Development.

2. Environmental Impacts of the Proposed Project.

- (a) **Wetlands.** According to the National Wetlands Inventory Wetlands Mapper, the Subject Property area contains areas designated as Wetlands. CDG has coordinated with the local agencies (including the City) and determined that the existing on-site wetlands will be converted back into a lake. The area was once a lake and the last record of the lake that our team has determined was approximately 60 years ago. The City of Stonecrest has shown support and given forward movement to CDG for the conversion of the pond. It appears that the lake became a wetlands area following a plugging of a storm sewer culvert on the north side of Browns Mill Rd.
- (b) **Floodplain.** According to the FEMA National Flood Hazard Interactive mapping system, the Subject Property is in an area of minimal flood hazard Zone X.
- (c) **Streams/stream buffers.** Based on fields observation and the DeKalb County topographic map, there are no streams, creeks, ponds, or other waterways on the Subject Property, with exception of the wetlands/pond described in 2a above.

Casswell Design Group, LLC 279 W. Crogan St, Lawrenceville, GA 30046
404-317-9766



(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 lightly to moderately 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, the only archeological or historical site located on the Subject Property is the cemetery in the southwestern corner of the Subject Property that is to be preserved.

3. Project Implementation Measures

(a) **Protection of environmentally sensitive areas.** All environmentally sensitive areas located on the Subject Property shall be adequately protected with temporary and permanent Erosion Control Measures, as referenced on the CDG civil construction documents.

(b) **Protection of water quality.** All stormwater runoff generated from a site shall be adequately treated before discharge in accordance with the City of Stonecrest. We have conceptually designed 3 planted bioretention areas that stormwater will enter and be filtered before discharging into the proposed converted pond.

(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. In fact, the future development infrastructure will likely be reduced. Mixed use developments require less transportation and utility infrastructure than sprawled developments.

Flat Rock station will utilize on site rainwater harvesting for 100% of its Irrigation needs.

Flat Rock Station will also implement a solar farm to harness power and partner with Southern Company.

Flat Rock Station initiatives include recycling used cooking oil and other types of yellow grease into biodiesel.

1. Conformance to the City of Stonecrest Comprehensive Plan, as related to the latest published Comprehensive Plan 2038

As a mixed use development, Flat Rock Station will be the first of it's type of development in the City of Stonecrest, in the City of Stonecrest. To develop the Subject Property as contemplated it must be rezoned from R-100 to MU-1. This will allow for the mixed use development as described, here within. The subject site and adjacent areas are within the Suburban Area of the Comprehensive Plan 2038. Feedback taken from surveys as provided on the City of Stonecrest website shows that over 60 percent of respondents desire mixed-use developments to influence the shape of Stonecrest. The proposed mixed-use development will provide uses that compliment suburban living. The proposed residential development offers diversity with a 55+ age community, as well as condominium living with a dog park, walking trails, and a recreational pond where modern meets quintessential. The retail is equally diverse, focusing on day-to-day uses such as postal needs, pet needs, spa needs, barber shop, dry cleaner, pizzeria, other restaurants, coffee shop, and other suggestions from the community. Reducing sprawl and building communities where residents live and walk to work reduces car usage, positively impacting the environment. With the incorporation of mixed-use development and smart growth

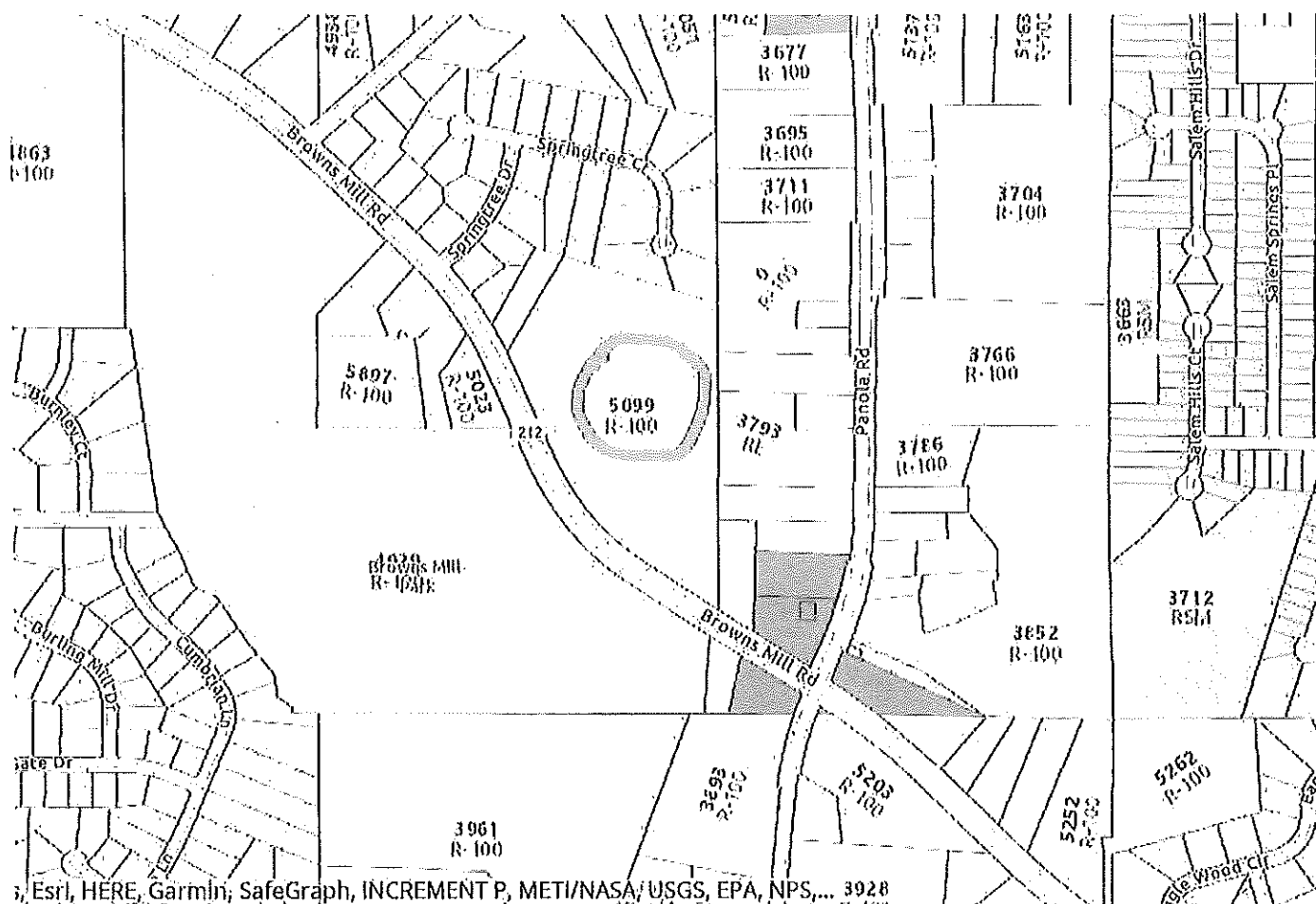


practices, sprawling development patterns will be reduced and quality of life may be enhanced. Undeveloped land, open space, and historic and natural resources could be preserved. Overall transportation and utility infrastructure will be reduced in comparison to larger spread out development.

- a. **Describe the proposed project and the existing environmental conditions on the site.** According to the National Wetlands Inventory Wetlands Mapper, the Subject Property area contains areas designated as Wetlands. CDG has coordinated with the local agencies (including the City) and determined that the existing on-site wetlands will be converted back into a lake. The area was once a lake and the last record of the lake that our team has determined was approximately 60 years ago. The City of Stonecrest has shown support and given forward movement to CDG for the conversion of the pond. It appears that the lake became a wetlands area following a plugging of a storm sewer culvert on the north side of Browns Mill Rd.

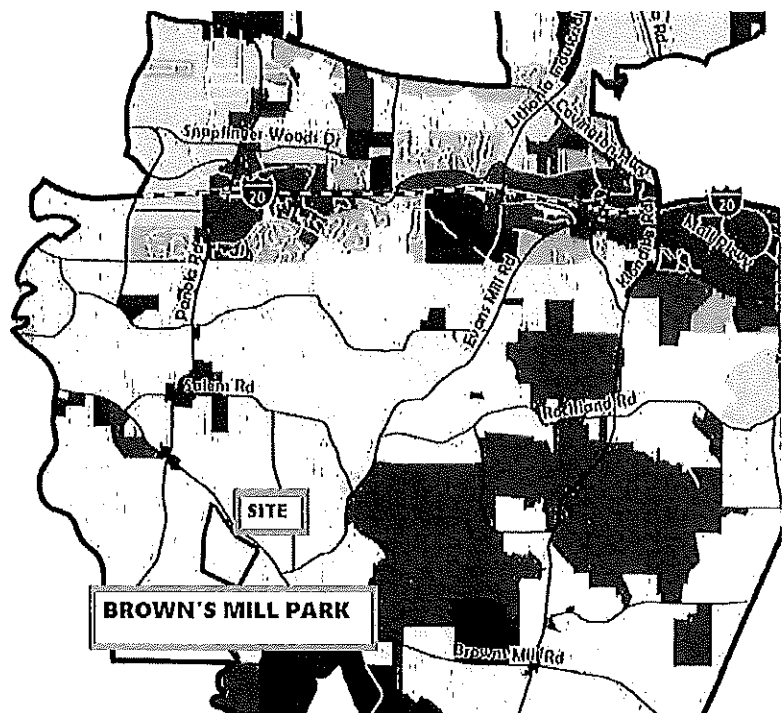
With the incorporation of mixed-use development and smart growth practices, sprawling development patterns will be reduced and quality of life may be enhanced. Undeveloped land, open space, and historic and natural resources could be preserved. Overall transportation and utility infrastructure will be reduced in comparison to larger spread out development.

- b. **Describe adjacent properties. Include a site plan that depicts the proposed project.** Adjacent properties are residential with C-2 zoned gas station on the corner. A C-2 zoned tire shop is adjacent to the corner gas station. A park is across Browns Mill road. A Site plan is included.
- c. **Describe how the project conforms to the Comprehensive Land Use Plan.** The use will be mixed use residential and commercial/retail development
- d. **Include the portion of the Comprehensive Plan Land Use Map which supports the project's conformity to the Plan.** Please see the portion of the plan on the next page that shows the entire property is surrounded by residential



4

- Conservation/Openspace
- Rural Residential
- Urban Neighborhood
- Suburban
- Institutional
- Office Professional
- Neighborhood Center



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** – Wetlands are located on site (see site plan). Buildings and structures are not proposed within wetland area
 - U.S. Fish and Wildlife Service, National Wetlands Inventory N/A(<http://wetlands.fws.gov/downloads.html>)
 - Georgia Geologic Survey (404-656-3214) N/A
 - Field observation and subsequent wetlands delineation/survey if applicable
- b. **Floodplain** The property is not located within floodplain. Wetlands are present and will be converted to previous use, as a lake.
 - Federal Emergency Management Agency (<http://www.fema.org>)
 - **Field observation and verification.** Several Site visits have been made and documented as follows:
- c. **Streams/stream buffers**
 - Field observation and verification
- d. **Slopes exceeding 25 percent over a 10-foot rise in elevation** No slopes exceeding 25% over a 10 foot rise in elevation exist within property lines
 - **United States Geologic Survey Topographic Quadrangle Map** – GIS Topographic provided in lieu
 - **Field observation and verification** – We visited the site as a team with the developers on August 20, 2020. The majority of the site is undeveloped, with the exception of residential structures near Browns Mill Rd. The site topography generally slopes from the west side to the middle of the property and from the east side of the property to the middle of the property. The average slope is 13%.



e. **Vegetation**

- United States Department of Agriculture, Nature Resource Conservation Service
- Field observation

Existing Vegetation is noted and bank vegetation will be improved under the proposed development as part of the landscape perimeter

f. **Wildlife Species (including fish)**

- United States Fish and Wildlife Service N/A
- Georgia Department of Natural Services, Wildlife Resources Division, Natural Heritage Program
- Field observation August 19th, 2020

g. **Archeological/Historical Sites**

- Historic Resources Survey – N/A
- Georgia Department of Natural Resources, Historic Preservation Division
- Field observation and verification August 19th, 2020

The design team (CDG) is a LEED certified company and we are proud to be a part of this exciting project in the thriving community that is the City of Stonecrest . Please reach out if you have questions.

Best regards,

Hanna Casswell, LEED AP
Casswell Design Group, LLC
hannacasswell@ymail.com
(404) 317-9766

**5099 BROWNS MILL ROAD
LITHONIA, GA 30038
BOUNDARY LEGAL DESCRIPTION**

All that tract or parcel of land lying and being in Georgia Militia District 16, Land Lot 20, City of Lithonia, Dekalb County, Georgia and being more particularly described as follows:

BEGINNING at the most Southeastern property pin, located South 50 degrees 05 minutes 16 seconds East a distance of 458.96 feet a distance from the northwest right of way corner of Browns Mill Road and Panola Rd ; said point described as POB on the Retracement Survey prepared by Houston Engineering Inc. dated 07/09/2019.

Thence North 49 degrees 56 minutes 11 seconds West a distance of 287.00 feet to a point;

Thence along a curve to the right with a radius of 904.20 feet and an arc length of 516.49 feet, said curve having a chord bearing of North 33 degrees 34 minutes 18 seconds West and chord distance of 509.50 feet to a point;

Thence North 17 degrees 12 minutes 27 seconds West a distance of 407.67 feet to a point

Thence North 37 degrees 46 minutes 13 seconds East a distance of 121.83 feet to a point;

Thence North 35 degrees 23 minutes 40 seconds East a distance of 300.09 feet to a point;

Thence South 65 degrees 52 minutes 28 seconds East a distance of 113.52 feet to a point,

Thence South 66 degrees 02 minutes 11 seconds East a distance of 326.89 feet to a point,

Thence South 66 degrees 04 minutes 45 seconds East a distance of 165.08 feet to a point,

Thence South 11 degrees 23 minutes 56 seconds West a distance of 120.05 feet to a point,

Thence South 08 degrees 51 minutes 23 seconds West a distance of 313.06 feet to a point,

Thence South 08 degrees 29 minutes 52 seconds West a distance of 313.06 feet to a point,

Thence South 08 degrees 29 minutes 52 seconds West a distance of 130.13 feet to a point,

Thence South 08 degrees 29 minutes 52 seconds West a distance of 312.67 feet to a point, said point being the **TRUE POINT OF BEGINNING**.

Said tract contains 654,960 square feet or 15.04 acres.

The above described property is shown on a Boundary Retracement Survey for Phillip Lupoe, dated 07/09/19, prepared by Houston Engineering, Inc.

Salem
West

Woodstream

**Sheffield
Woods**

Burlington

and

16900

17,500

5,000

16,200

[illegible]



November 5, 2020

Christopher Wheeler
3120 Stonecrest Blvd.
Stonecrest, GA 30038
Office 770.224.0200
www.stonecrestga.gov
cwheeler@stonecrestga.gov

Re: 5099 Browns Mill – Flat Rock Station Community Meeting report

Dear Mr. Wheeler:

We are pleased to offer this summary for the Community meeting was held on:
Thu, Oct 29, 6:00 PM - 7:00 PM via zoom.

Melinda and I were on the call and a signup sheet is attached. We showed a presentation, including building renderings and a site plan of the proposed project and received feedback from the community, which was overall positive.

When we presented the onsite shuttle idea, we received one citizen concern regarding MARTA. The citizen did not want MARTA coming to the area so easily and was worried about the crime and clientele it may attract near her home and to the new development. There were other community members that presented his thoughts that MARTA would cut down on traffic and offer more transportation opportunities to the older community. We assured them that the project is proposing a shuttle going to the nearest MARTA station be provided to citizens and that no bus line would go through Flat Rock station. We also stated that the owners were open to changes to the plan and the shuttle was not a necessity and that it was more of an idea to better the area and offer greater growth and opportunity. Another concern was traffic flow and from the presentation we were able to provide adequate information that the traffic flow will not increase. We discussed possible Right-in/Right-Out only Ingress/egress drives on Browns Mill, guiding traffic toward Salem Rd. Another positive contribution to the traffic solution is the exploration of purchasing additional property that will allow access from Panola Rd, which will also spread out the traffic.

The attendees at the meeting were encouraged to give us their feedback as to what type of stores/restaurants/businesses etc. they would like to see in the proposed development and it was suggested to them to send their thoughts and ideas to Melinda via email. To date, she has received several emails and will plan to share those at the next community meeting (a voluntary follow up community meeting) which will be held on Thursday, December 3rd, 2020 at 6:00 pm via Zoom.

Casswell Design Group, LLC 279 W. Crogan St, Lawrenceville, GA 30046
404-317-9766

We have provided Melinda Castro's contact information on all mailers. She is our office manager for Casswell Design Group, and we included phone number and email address for anyone seeking information

We anticipate that this summary is consistent with your desired request and receives favorable receipt. Please let us know if you have additional questions.

Best regards,

Hanna Casswell LEED AP
Casswell Design Group, LLC
hannacasswell@ymail.com
(404) 317-9766

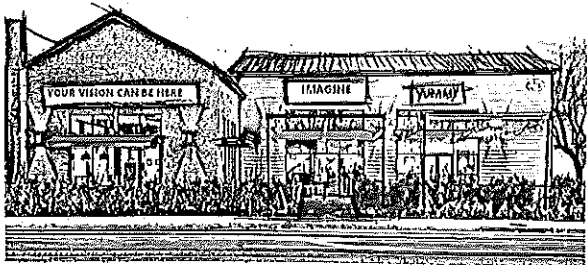
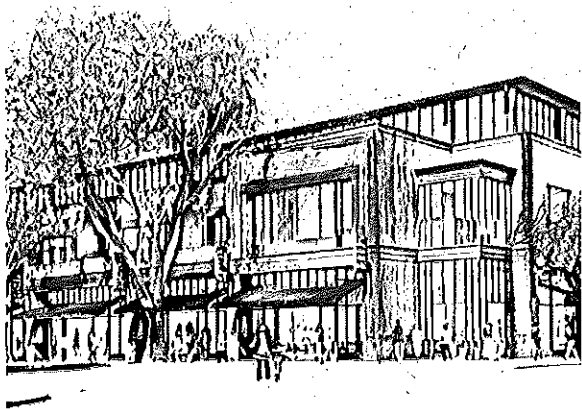
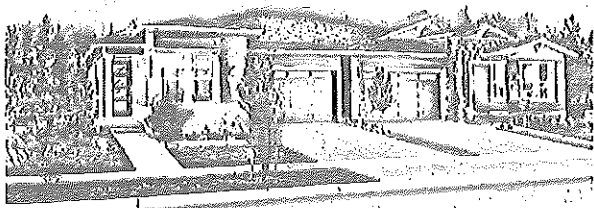
Meeting ID	Topic	Start Time	End Time	Duration (Minutes)
88277558607	Flat Rock Station Development - Community Meeting	10/29/2020 17:58	10/29/2020 19:21	83

Name (Original Name)	User Email
Hanna Casswell	hannacasswell@ymail.com
Phil Lupoe	phillip_lupoe@yahoo.com
Phillip and Gwen LuPoe	
Brianne's iPhone	
Melinda Bradley Castro	melinda@casswelldesigngroup.net
Bola Tolase	tolasegroup@gmail.com
Stacey Thibodeaux	staceythibodeaux@gmail.com
LG K20 PLUS	
gaynell	
Dawn Smart	stardw10@gmail.com
Swain Watters	swainw52@gmail.com
Kelly Jordan	kellyjordan@earthlink.net
Kirk Canty	cantyrve@gmail.com
Dwayne Johnson	dr23@att.net
Chris Wheeler	chriswheeler08@gmail.com
Anita Aaron	tripla.41@gmail.com
Kelly Jordan	kellyjordan@earthlink.net
Rah Lo	
Faye Rashid	fayerashid@me.com

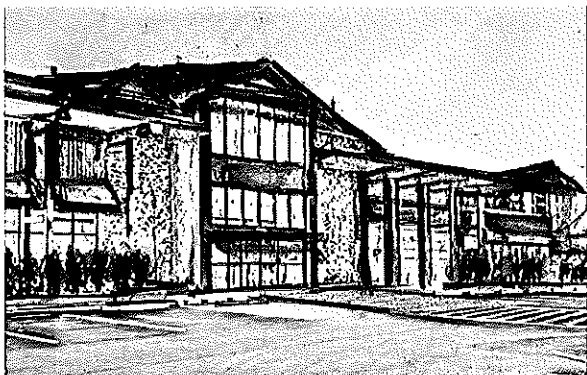


Traffic Impact Study

Proposed Mixed Use Development
5099 Browns Mill Rd
City of Stonecrest, Georgia



December 31, 2020



CASSWELL DESIGN GROUP, LLC



Traffic Impact Study

Flatrock Station Proposed Mixed Use Development

5099 Browns Mill Road
Stonecrest, Dekalb County, GA



www.flatrockstation.com



CDG Project #20063
Casswell Design Group, LLC
279 W, Crogan St
Lawrenceville, GA 30046
(o) 470-282-1875

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Introduction

This study assesses the traffic impact of a proposed mixed use development in the City of Stonecrest, Georgia. The site is located on the north side of Browns Mill Rd, west of the intersection of Browns Mill Rd and Panola Rd, as shown in the location map in Figure 1. The existing site is has approximately 2.3 acres of wetland area and is covered with natural ground cover, vegetation, trees, a single family residential home, and accessory buildings. The entire site will be 14.6 acres after the proposed right of way designation. The existing single family residential home and accessory structures will be demolished for the development plan. Browns Mill Public Park and Aquatic Facility is located across the street. Browns Mill Elementary School is located adjacent west to the park. Single family residential neighborhoods border the western property line, and a portion of the northern property line. Commercial property is located east of the property at the Panola Road intersection. Existing water utilities, fire hydrant and overhead power are present at the intersection. For purposes of this traffic study it was assumed that the site will be developed with 39,390 square feet of retail, 8,400 square feet of restaurant and or bistro/coffee shop space, and a two-story 17,945 square foot office building. Three right-in/right-out (RIRO) access points are proposed along Browns Mill Rd.

The purpose of this traffic impact study is to determine existing traffic operating conditions in the vicinity of the proposed development, to project future traffic volumes, to assess the impact of the subject development, then develop conclusions and recommendations to mitigate the project traffic impact and ensure safe and efficient traffic conditions in the vicinity of the project.

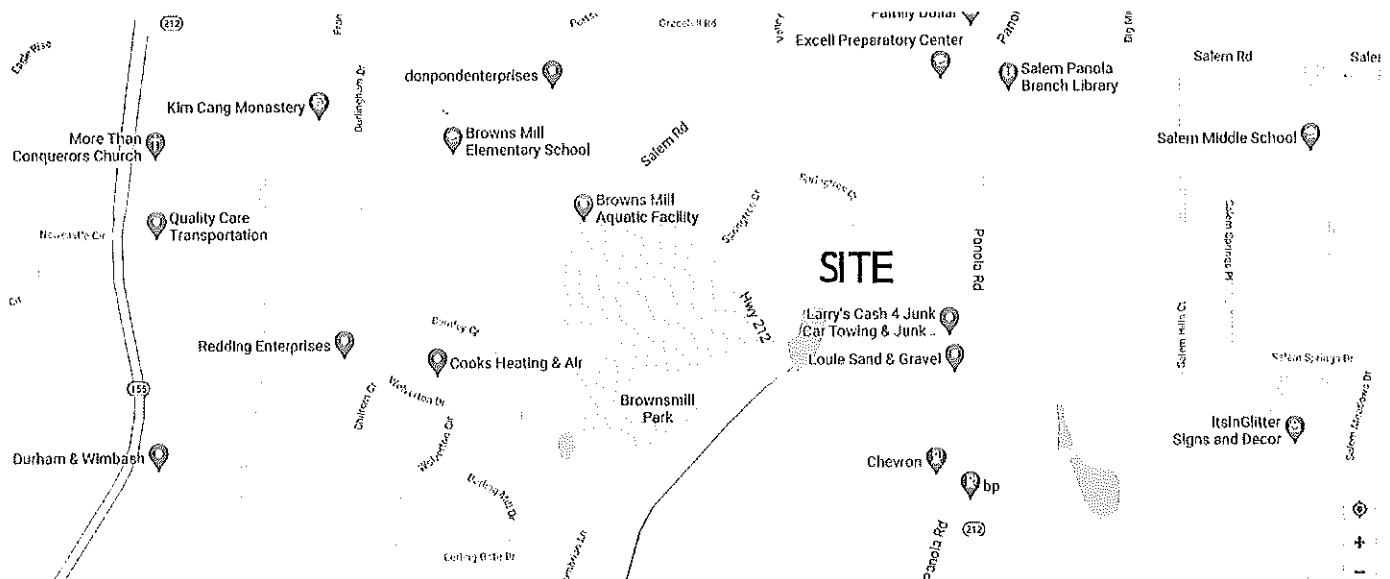


Figure 1 – Site Location Map

Existing Traffic Conditions

Existing traffic operating conditions in the vicinity of the proposed mixed use development were assessed. Considerations were given to the proposed uses of the mixed use development, as guided by the retail, restaurant, office, multifamily, and single family development. The following is a description of existing transportation facilities, traffic volumes, and intersection operations.

Description of Existing Roadways

Browns Mill Rd (US 29, GA 8) is a free flowing, two lane Urban Minor Arterial with two 12 ft travel lanes and right turn lanes at the intersection. The posted speed limit of SR 212 is 45 mph. The typical section near the intersection features a different shoulder on the north and south sides of the road. The north side has a rural section with 4 ft shoulders (2 ft paved shoulders and 2 ft grassed), and a 2 ft ditch. The south side is made up of a 9 ft urban shoulder (2.5 ft curb and gutter, 5 ft sidewalk, 2 ft grassed buffer). The Minor Arterial runs East/West in DeKalb County and has a current AADT of 7325. The nearest signalized intersection is approximately 2855 feet (Panola Road) from Salem Road in the Eastbound direction.

Salem Road is a stop controlled, two lane county road that is an Urban Minor Arterial as well. The speed limit on Salem Road is 45 mph. Salem Road runs North/South in DeKalb County. Salem road's typical section is made up of two 12 ft lanes, 4 ft rural shoulder and a 2 ft ditch. Land uses along Browns Mill Rd include single family residential, with commercial uses to the east at the Panola Rd intersection. The terrain along the adjacent segment of Browns Mill Rd is very gently rolling and the posted speed limit is 45 mph in this area. In 2018 (the latest year for which data was available at the time of this study) the Georgia Department of Transportation (GDOT) recorded an Annual Average Daily Traffic (AADT) volume of 17,500 vehicles per day (vpd) on Browns Mill Rd just north of Browns Mill Rd/Hwy 212. Browns Mill Rd connects Hwy 155/ Snapfinger Rd in Dekalb County (west of the site) to Hwy 20/McDonough Hwy in Rockdale County (east of the site). The road name changes from Browns Mill to Scott Hwy at the County line between Dekalb and Rockdale Counties. At the project site and the study area, Browns Mill Rd has two lanes and is controlled by a traffic signal at Panola Rd and a new roundabout at Salem Rd.

New Roundabout

GDOT project # 0009988 is currently under construction at Browns Mill Rd and Salem Rd. The improvements consist of a single-lane hybrid roundabout with pedestrian activated beacons for pedestrian crossings will be installed at the intersection of SR 212/Browns Mill Road and CR 594/ Salem Road in DeKalb County. Proposed improvements include sidewalks, bike lanes, and lighting (at the roundabout). Additional project information can be found within this report.

Pedestrian, Bicycle, and Transit Accessibility

Sidewalks are currently not provided along either side of Browns Mill Rd in the vicinity of the site. Sidewalks are part of the construction project that is currently underway at the Salem Rd intersection. Crosswalks and pedestrian crossing signals are not provided on the approach at the signalized intersection of Browns Mill Rd / Panola Rd. There are no designated bicycle lanes in this vicinity; however, the roundabout project includes plans for bicycle lanes. A reconstruction project is planned with GDOT Project # 0006880 - CR 5150/Panola Rd FM SR 212/Browns Mill Rd to SR 155/ Snapfinger Rd. The plans for the Browns Mill/Panola Rd intersection are shown in Figure 6. There is no scheduled MARTA bus service in this area. There is a MARTA bus stop approximately 2 miles north of the study area.

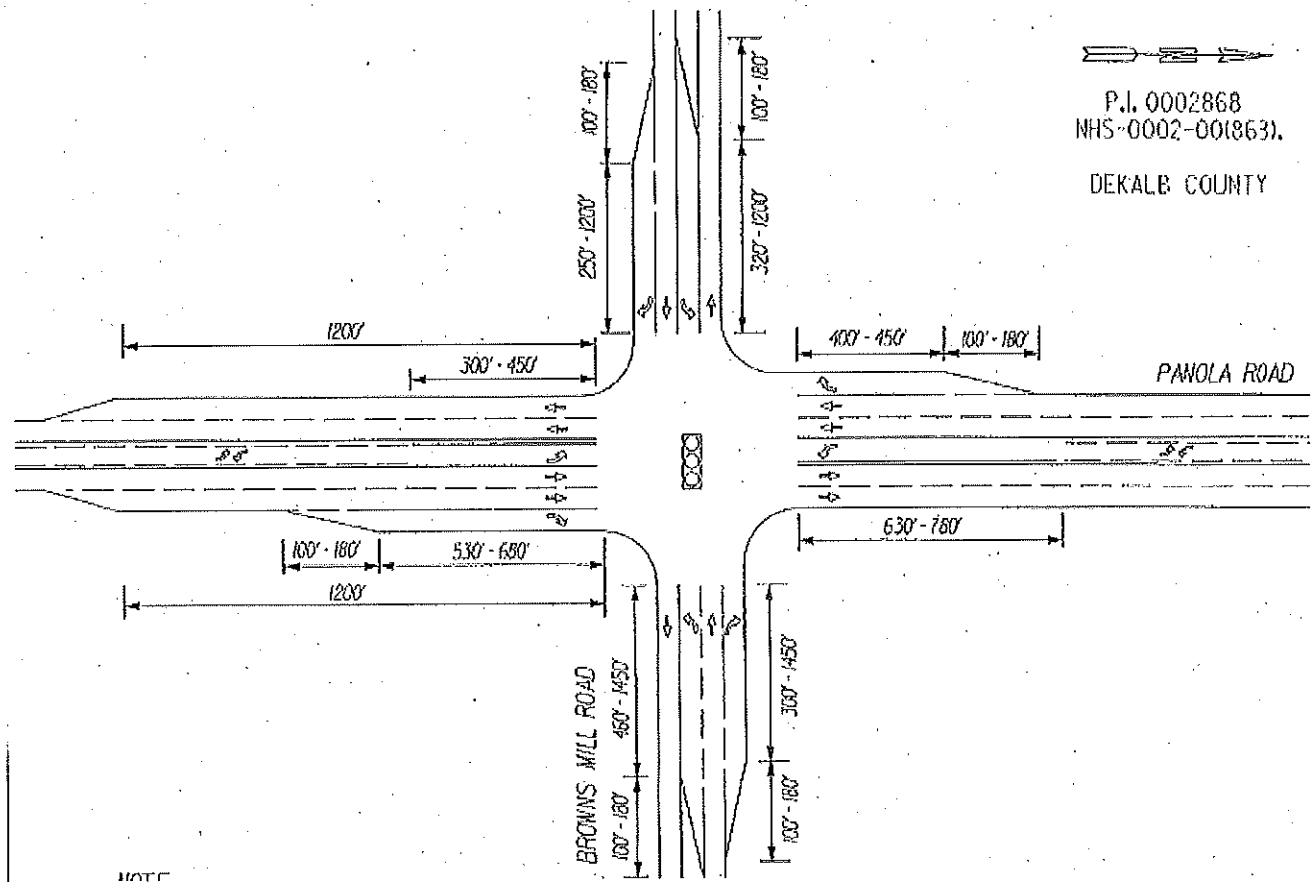


Figure 2—Future Conditions—Road Project GDOT # 0006880

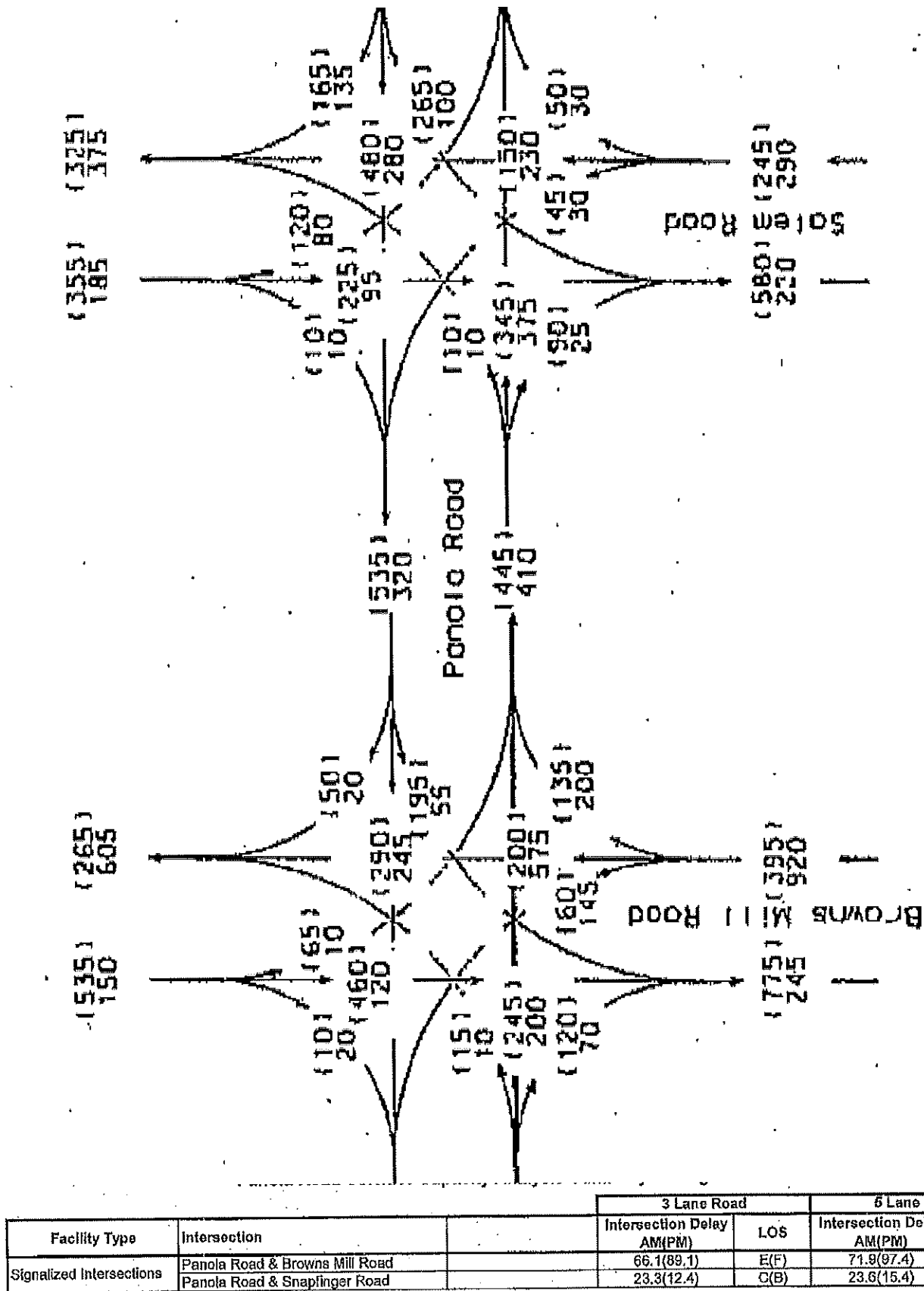
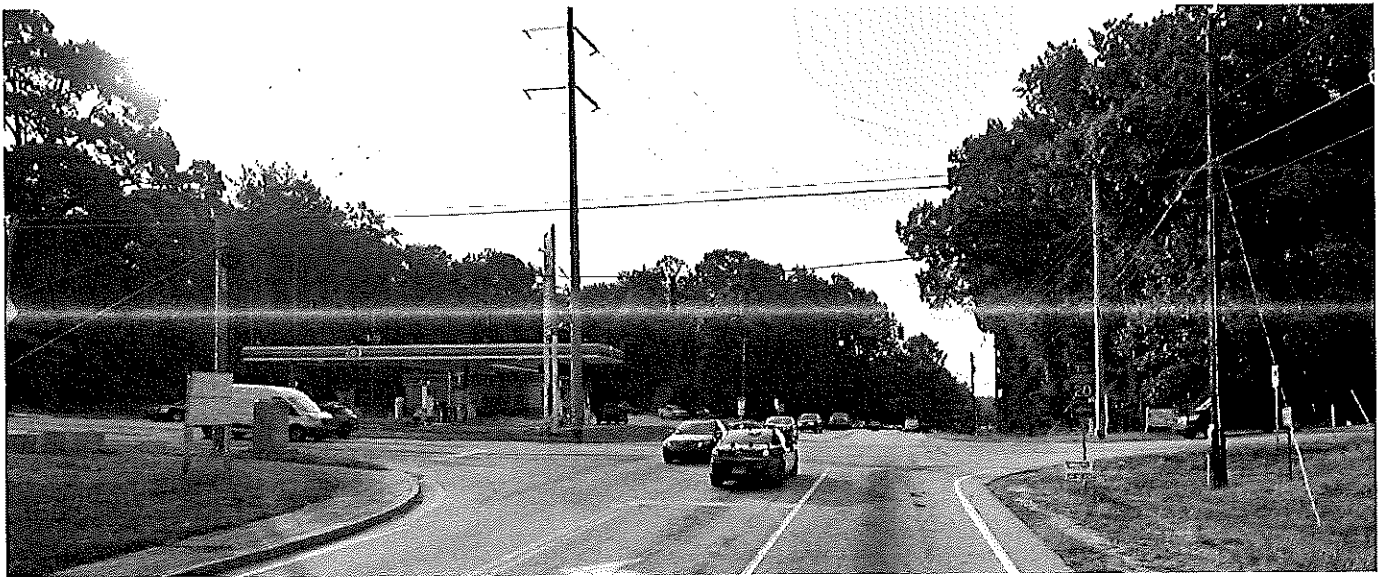


Figure 2—Future Conditions—Road Project GDOT # 0006880



Photograph 1– Browns Mill Rd Facing West at Panola Rd



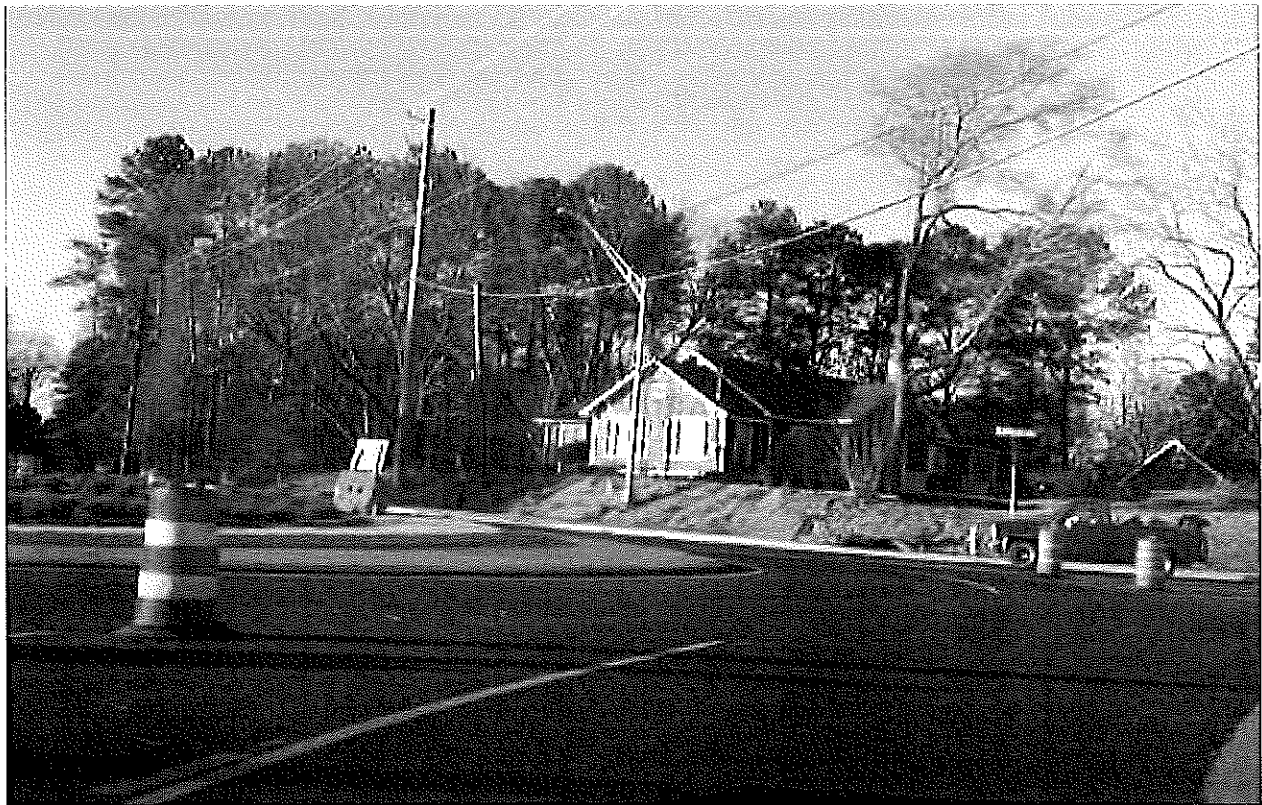
Photograph 2– Browns Mill Rd Facing East at Panola Rd



Photograph 3 – Browns Mill Rd Facing North/West at Salem Rd



Photograph 4 – Browns Mill Rd Facing South/East at Salem Rd



Photograph 5— Salem Rd New Roundabout under construction



Photograph 6— Browns Mill Rd Facing North/East Along Site Frontage (Site to Right)

Existing Traffic Volumes

The following intersections were counted and evaluated in the existing condition:

1. Browns Mill Rd and Panola Rd
2. Browns Mill Rd at Salem Rd

The counts at the Browns Mill Rd intersections were provided by GDOT office of planning and verified in on-site with Casswell Design Group's (CDG) field study. CDG counts were collected on several days in December 2020. The counts were collected at least one weekday for each intersection at the selected peak hour time windows from 6:00 a.m. to 9:00 a.m., 11:00 to 1:00 p.m. and from 3:00 p.m. to 6:00 p.m. Area schools were in standard session on the days on which the counts were recorded; although attendance was lower than previous years, due to the Covid pandemic. The intersection at Salem Rd was under construction as part of a GDOT project to install a new roundabout intersection. From the count data, the highest four consecutive 15-minute interval volumes at each intersection, during each time period, were determined. The eastbound and westbound through volumes on Browns Mill Rd, in the counts collected at the Salem Rd intersection, were adjusted to reflect the GDOT proposed project data, as shown in Figure 2 .

Study Conditions

Intersection: Browns Mill and Salem Road

Date: December 15th & December 16th , 2020

Weather Conditions:

6 am. –9am 47 degrees and rainy

Wednesday, December 16th, 2020

Weather Conditions:

11:00 am – 1pm 49 degrees and sunny

Intersection: Browns Mill Road and Panola Road

Date: December 10th, 2020 Weather Conditions:

Thursday, December 10th, 2020 11:00 am – 1pm

52 degrees and sunny

December 18th , 2020

Weather Conditions: Thursday

Friday, December 18th, 2020

34 degrees and dark

6 am – 9 am

7 am – 34 degrees and sunrise

8 am – 38 degrees and sunny

9 am - 42 degrees and sunny

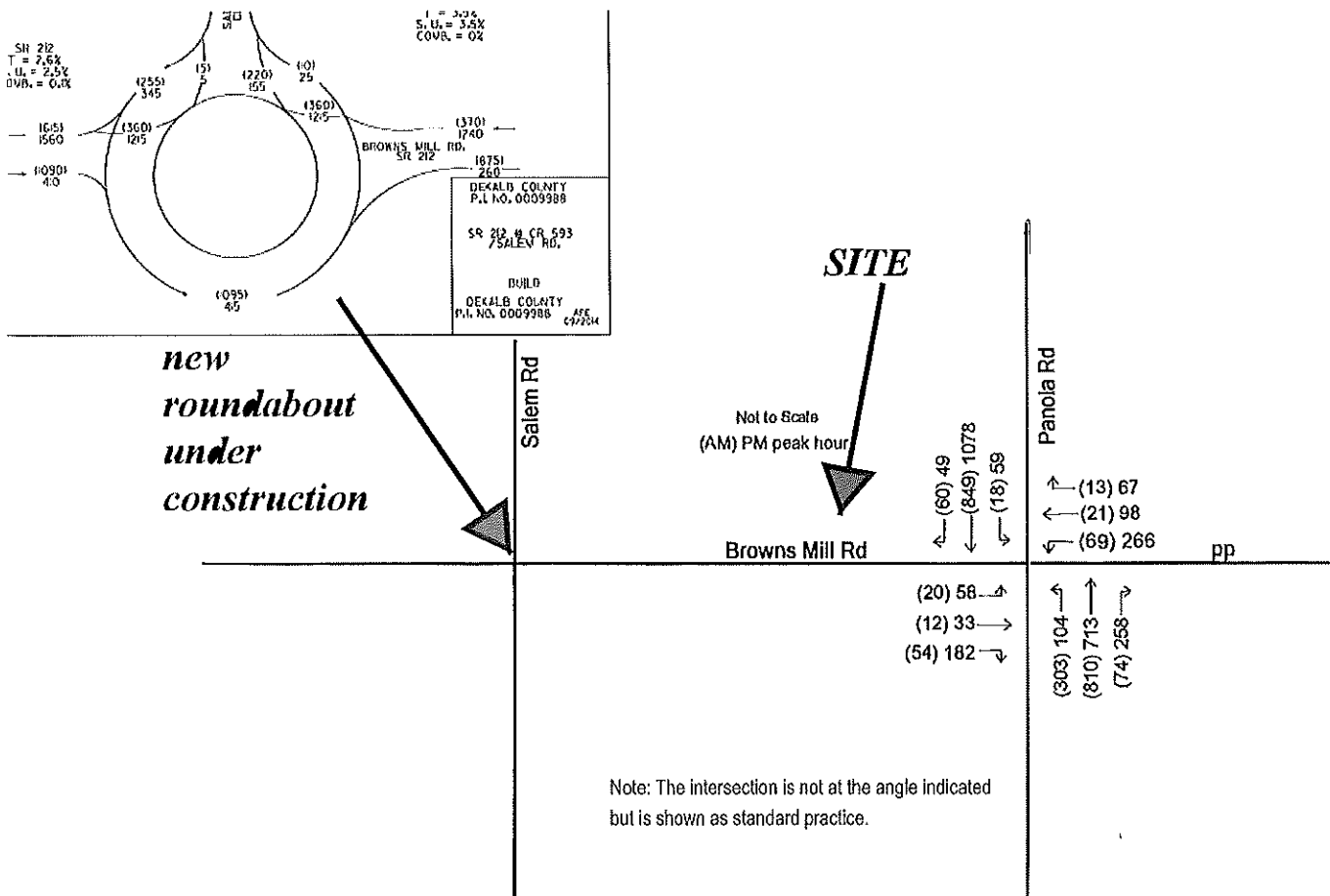


Figure 4– Existing Weekday A.M. and P.M. Peak Hour Traffic Volumes

Georgia DOT AADT volume counts were also obtained on nearby roadways for the five years from 2014 to 2018 (the latest year for which volumes are available). Table 1 presents the historic Georgia DOT counts and the annual growth rates between the counts.

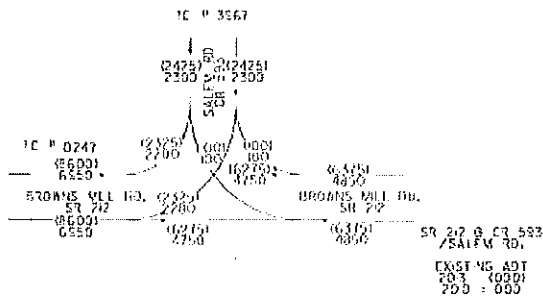
Table 1 – Historic Georgia DOT Traffic Volume Counts and Annual Growth Rates

Year	Panola Rd N of Browns Mill rd	Annual Growth	W of Idlewood	Annual Growth	Lavista W of L'ville	Annual Growth
Station ID	089-3027		089-3025		089-3272	
2014	20,800		25,700		23,300	
2015	21,000	1.0%	26,600	3.5%	25,100	7.7%
2016	21,700	3.3%	25,700	-3.4%	23,200	-7.6%
2017	24,800	14.3%	27,200	5.8%	24,600	6.0%
2018	24,800	0.0%	25,100	-7.7%	24,600	0.0%
avg growth		4.5%		-0.6%		1.4%

Growth in the area has been moderately positive. However, in the last year of data, the count station closest to the site showed no growth, another showed a solid decrease, and another also showed zero growth. This is discussed more when developing future growth projections in the No-Build Traffic Conditions section of this report.

EXISTING ADT

DEKALB COUNTY



EXISTING DHV

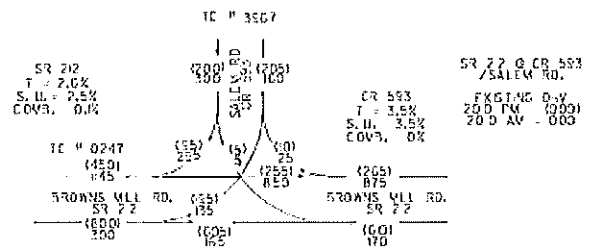


Figure 3– Salem Rd Intersection Counts pre–roundabout construction

PROJECT LOCATION MAP

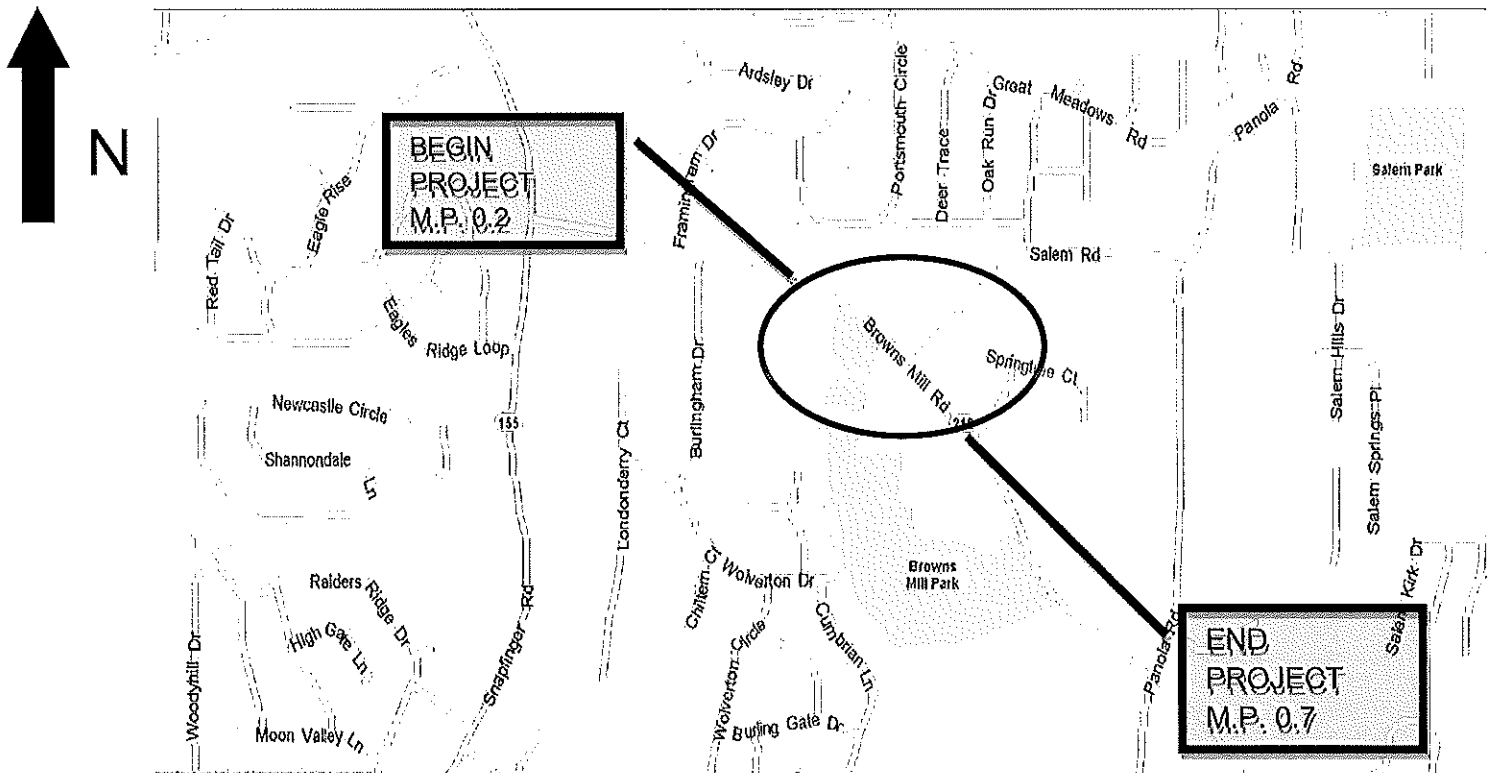
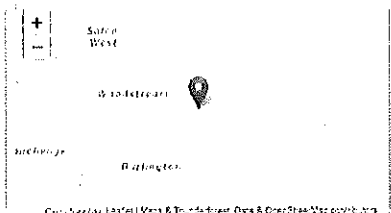


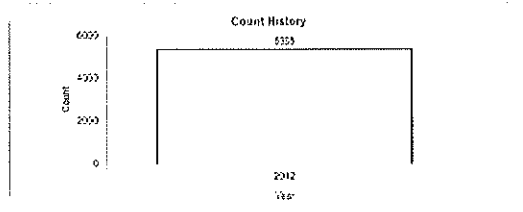
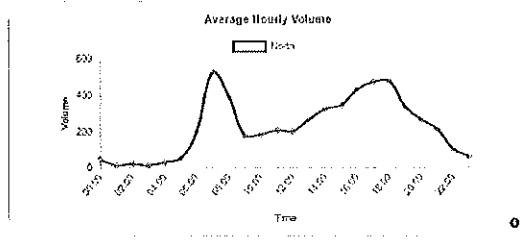
Figure 4 – SR 212//Browns Mill Rd and CR 0594/Salem Rd PI# 0009988, DeKalb County

0000089_3967 - 089-3967
 County: DeKalb
 Route number: 00059300
 LRS section: 0002052300
 Functional class: 4U - Minor Arterial (urban)
 Coordinates: 33 6764 - 84 1833

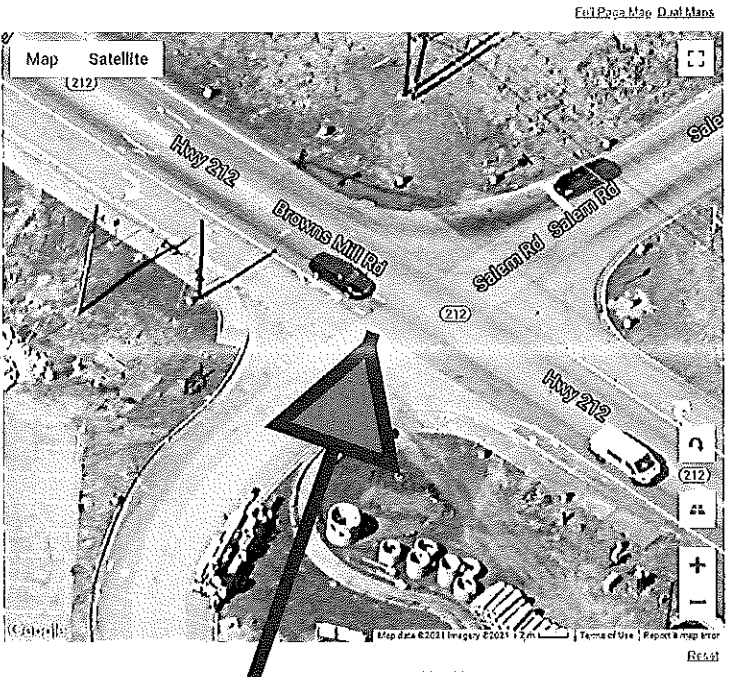
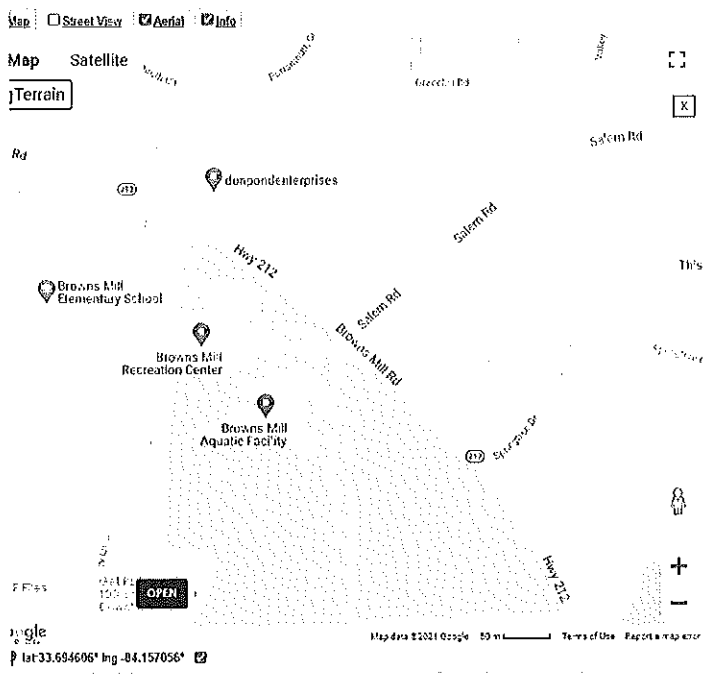
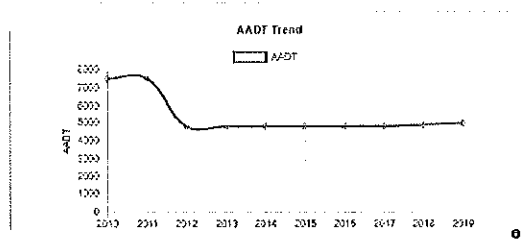
Site Data



Year	Month	Count type	Duration	Count
2012	May	Volume	48 hours	5359



Annual Statistics										
Data Item	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019
Statistical type	-	-	-	-	-	Estimated	Estimated	Estimated	Estimated	Estimated
ADMT	7520	7520	4310	4320	4510	4313	4320	4330	4200	6079
Future ADMT	-	-	-	-	-	-	6520	6150	6150	6338



NEW
 ROUNDABOUT
 PROJECT IS HERE

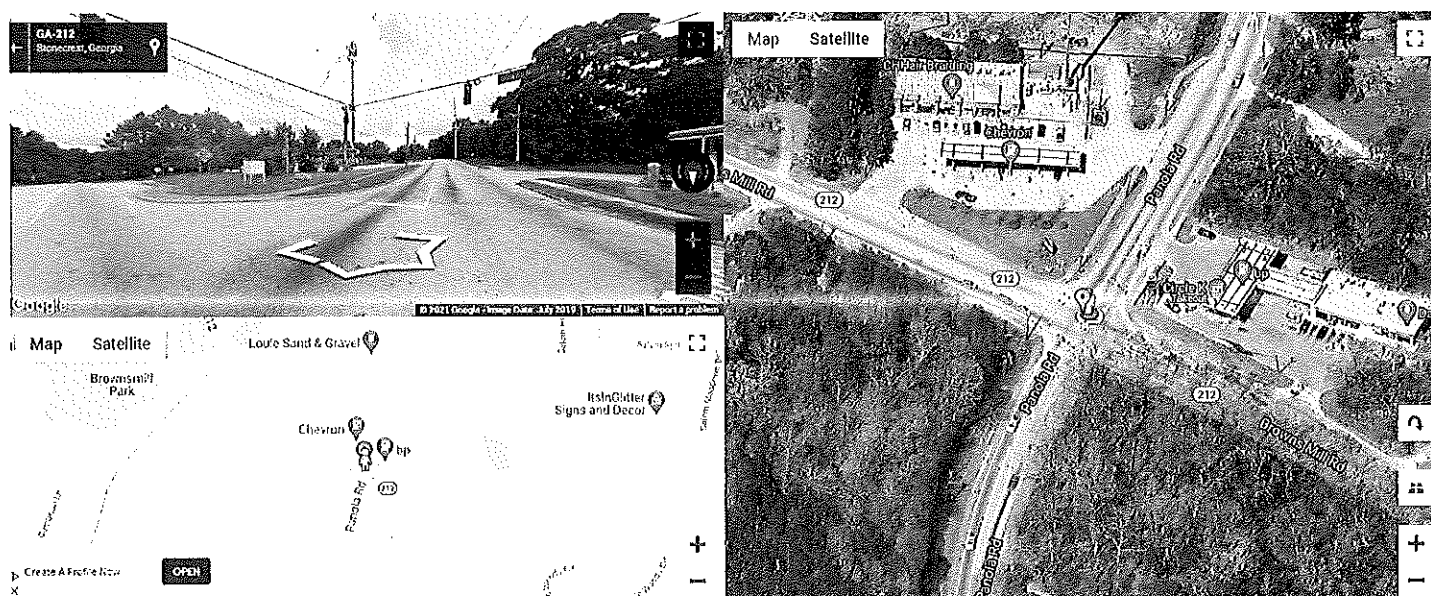
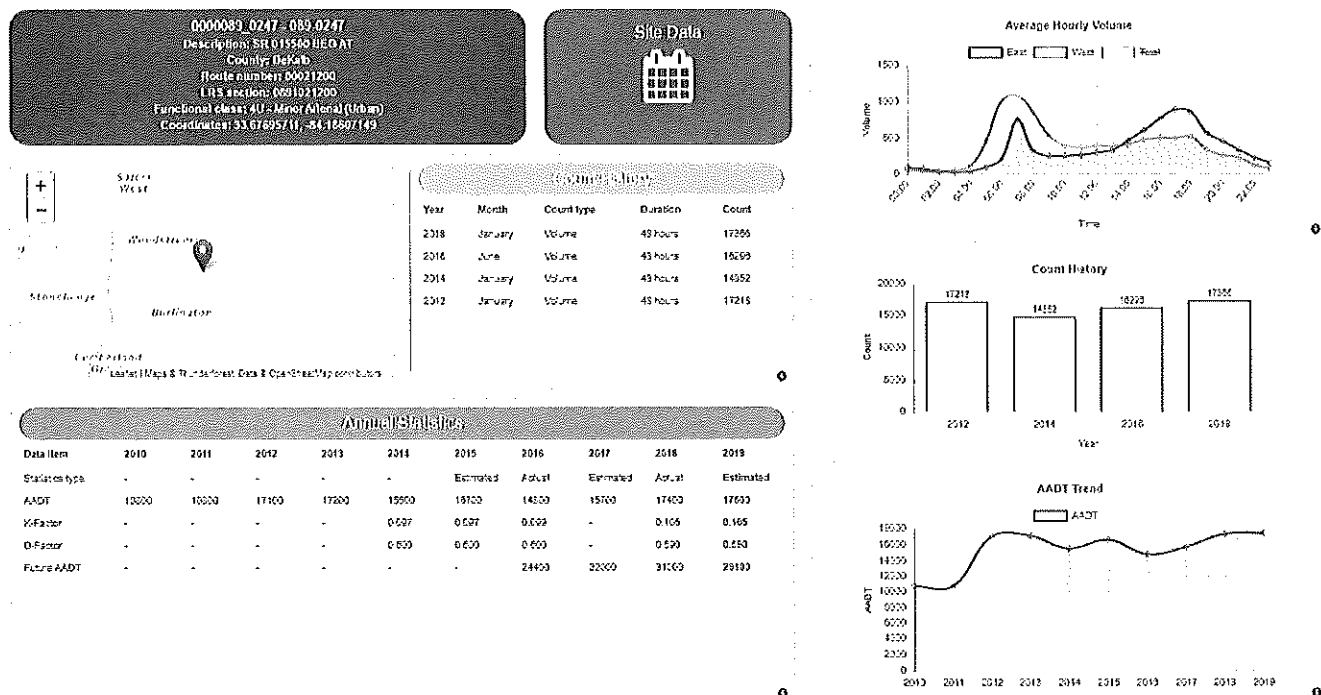


Figure 1 – Site Location Map

Short Title

PANOLA ROAD: SEGMENT 2 OPERATION
IMPROVEMENTS FROM SR 212 (BROWNS MILL ROAD)
TO FAIRINGTON ROAD

GDOT Project No.

0006879

Federal ID No.

CSSTP-0006-00(879)

Status

Programmed

Service Type

Roadway / Operations & Safety

Sponsor

DeKalb County

Jurisdiction

DeKalb County

Analysis Level

Exempt from Air Quality Analysis (40 CFR 93)

Existing Thru Lane

2

LCI

☐

Planned Thru Lane

2

Flex

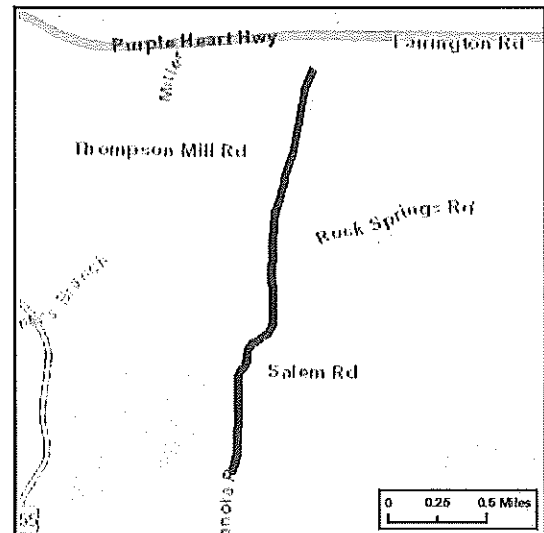
☐

Network Year

TBD

Corridor Length

2.1 miles



Detailed Description and Justification

This segment of Panola Road is from Snapfinger Woods Drive to US 278 (Covington Highway). The proposed typical section will consist of a four 12-foot lanes, a flush center turn lane, 4-foot bike lanes, and curb and gutter with 5-foot sidewalks. For all segments along Panola Road, all crossroad intersections would be improved based on design year traffic data, including improvements to approach lane configurations and turn lane lengths. Roadway widening would generally be symmetrical from existing centerlines; however, asymmetrical widening would be performed where factors such as utility impacts, ROW restrictions, or geometric restrictions dictate. The proposed project would also straighten the alignment of Panola Road at the existing curve located between Salem Drive and Oaktree Trail/Old Panola Road. After construction of the proposed project, traffic signals would be adjusted with an optimized signal timing plan. The traffic signals along the corridor would be interconnected using fiber optic cables, and optimized timing plans would be developed for the morning, midday, afternoon, and weekend rush hour periods.

Phase Status & Funding Information		Status	FISCAL YEAR	TOTAL PHASE COST	BREAKDOWN OF TOTAL PHASE COST BY FUNDING SOURCE			
					FEDERAL	STATE	BONDS	LOCAL/PRIVATE
PE	Local Jurisdiction/Municipality Funds	AUTH	AUTH	\$482,000	\$0,000	\$0,000	\$0,000	\$482,000
PE-OV	STP - Statewide Flexible (GDOT)	AUTH	2011	\$50,000	\$40,000	\$10,000	\$0,000	\$0,000
ROW	Surface Transportation Block Grant (STBG) Program - Urban (>200K) (ARC)	AUTH	2019	\$7,080,000	\$4,800,000	\$0,000	\$0,000	\$2,280,000
UTL	Local Jurisdiction/Municipality Funds		2022	\$4,100,000	\$0,000	\$0,000	\$0,000	\$4,100,000
CST	Local Jurisdiction/Municipality Funds		2022	\$19,414,278	\$0,000	\$0,000	\$0,000	\$19,414,278
				\$31,126,278	\$4,840,000	\$10,000	\$0,000	\$26,276,278

SCP: Scoping PE: Preliminary engineering / engineering / design / planning PE-OV: GDOT oversight services for engineering ROW: Right-of-way Acquisition
UTL: Utility relocation CST: Construction / Implementation ALL: Total estimated cost, inclusive of all phases



For additional information about this project, please call (404) 463-3100 or email transportation@atlantaregional.com.



Existing Intersection Operations

Existing traffic operations were analyzed at the counted intersections using Synchro software, version 10, in accordance with the methodology presented in the Transportation Research Board's 2016 *Highway Capacity Manual (HCM 6)*. This methodology is presented in Appendix B. Computer printouts containing detailed results of the existing analysis are located in Appendix C. Casswell Design Group (CDG) used the ITE Trip Generation Manual, 10th Ed. to estimate the trip generation data for the development. The PM peak hour common trip generation rates are shown on the following pages in Table 1.

TABLE 3

INSTITUTE OF TRANSPORTATION ENGINEERS COMMON TRIP GENERATION RATES (PM Peak Hour)

(Trip Generation Manual, 10th Edition)

Setting/Location						
Code	Description	Unit of Measure	Trips Per Unit	General Urban/ Suburban		Dense Multi- Use Urban
PORT AND TERMINAL						
30	Intermodal Truck Terminal	1,000 SF GFA	1.72			
90	Park-and-Ride Lot with Bus Service	Parking Spaces	0.43			
INDUSTRIAL						
110	General Light Industrial	1,000 SF GFA	0.63			
130	Industrial Park	1,000 SF GFA	0.40			
140	Manufacturing	1,000 SF GFA	0.87			
150	Warehousing	1,000 SF GFA	0.19			
151	Mini-Warehouse	1,000 SF GFA	0.17			
154	High-Cube Transload & Short-Term Storage Warehouse	1,000 SF GFA	0.10			
155	High-Cube Fulfillment Center Warehouse	1,000 SF GFA	1.37			
156	High-Cube Parcel Hub Warehouse	1,000 SF GFA	0.64			
157	High-Cube Cold Storage Warehouse	1,000 SF GFA	0.12			
160	Data Center	1,000 SF GFA	0.09			
170	Utilities	1,000 SF GFA	2.27			
180	Specialty Trade Contractor	1,000 SF GFA	1.57			
RESIDENTIAL						
210	Single-Family Detached Housing	Dwelling Units	0.89			
220	Multifamily Housing (Low-Rise)	Dwelling Units	0.55			
221	Multifamily Housing (Mid-Rise)	Dwelling Units	→ 0.44		0.18	
222	Multifamily Housing (High-Rise)	Dwelling Units	→ 0.36		0.19	
231	Mid-Rise Residential with 1st-Floor Commercial	Dwelling Units	0.36			
232	High-Rise Residential with 1st-Floor Commercial	Dwelling Units	0.21			
240	Mobile Home Park	Dwelling Units	0.46			
251	Senior Adult Housing - Detached	Dwelling Units	0.30			
252	Senior Adult Housing - Attached	Dwelling Units	0.26			
253	Congregate Care Facility	Dwelling Units	0.18			
254	Assisted Living	1,000 SF GFA	0.48			
255	Continuing Care Retirement Community	Units	0.16			
260	Recreation Homes	Dwelling Units	0.28			
265	Timeshare	Dwelling Units	0.63			
270	Residential Planned Unit Development	Dwelling Units	0.69			
LODGING						
310	Hotel	Rooms	0.60			
311	All Suites Hotel	Rooms	→ 0.36		0.17	
312	Business Hotel	Rooms	0.32			
320	Motel	Rooms	0.38			
330	Resort Hotel	Rooms	0.41			
RECREATIONAL						
411	Public Park	Acres	0.11			
416	Campground / Recreation Vehicle Park	Acres	0.99			
420	Marina	Berths	0.21			
430	Golf Course	Acres	0.28			
431	Miniature Golf Course	Holes	0.33			
432 Golf Driving Range						
432	Golf Driving Range	Tees/Driving Positions	1.25			
433	Battling Caves	Caves	2.22			
434 Rock Climbing Gym						
435	Multi-Purpose Recreational Facility	1,000 SF GFA	3.58			
436	Trampoline Park	1,000 SF GFA	1.50			
437	Bowling Alley	1,000 SF GFA	1.16			
440	Adult Cabaret	1,000 SF GFA	2.93			
444	Movie Theater	1,000 SF GFA	6.17			
445	Multiplex Movie Theater	1,000 SF GFA	4.91			
452	Horse Racetrack	Seats	0.06			
454	Dog Racetrack	Attendees	0.15			
460	Arena	1,000 SF GFA	0.47			
462	Professional Baseball Stadium	Attendees	0.15			
465	Ice Skating Rink	1,000 SF GFA	1.33			
466	Show Slt Area	Slopes	26.00			
473 Casino/Video Lottery Establishment						
480	Amusement Park	Acres	3.95			
482	Water Slide Park	Parking Spaces	0.28			
488	Soccer Complex	Fields	16.43			
490	Tennis Courts	Courts	4.21			
491	Racquet/Tennis Club	Courts	3.82			
492	Health/Fitness Club	1,000 SF GFA	3.45			
493	Athletic Club	1,000 SF GFA	6.29			
495	Recreational Community Center	1,000 SF GFA	2.31			
INSTITUTIONAL						
520	Elementary School	1,000 SF GFA	1.37			
522	Middle School / Junior High School	1,000 SF GFA	1.19			
530	High School	1,000 SF GFA	0.97			
534	Private School (K-8)	Students	0.26			
536	Private School (K-12)	Students	0.17			
537	Charter Elementary School	Students	0.14			
538	School District Office	1,000 SF GFA	2.04			
540	Junior / Community College	1,000 SF GFA	1.86			
550	University/College	1,000 SF GFA	1.17			
560	Church	1,000 SF GFA	0.49			
561	Synagogue	1,000 SF GFA	2.92			
562	Mosque	1,000 SF GFA	4.22			
565	Daycare Center	1,000 SF GFA	11.12			
566	Cemetery	Acres	0.46			
571	Prison	1,000 SF GFA	2.91			
575	Fire and Rescue Station	1,000 SF GFA	0.48			
580	Museum	1,000 SF GFA	0.18			
590	Library	1,000 SF GFA	8.16			

INSTITUTE OF TRANSPORTATION ENGINEERS

COMMON TRIP GENERATION RATES (PM Peak Hour)

(Trip Generation Manual, 10th Edition)

Code	Description	Unit of Measure	Trips Per Unit	Setting/Location	
				General Urban/ Suburban	Dense Multi- Use Urban
MEDICAL					
610	Hospital	1,000 SF GFA	0.97		
620	Nursing Home	1,000 SF GFA	0.59		
630	Clinic	1,000 SF GFA	→	3.28	5.18
640	Animal Hospital / Veterinary Clinic	1,000 SF GFA	3.53		
650	Free-Standing Emergency Room	1,000 SF GFA	1.52		
OFFICE					
710	General Office Building	1,000 SF GFA	→	1.15	0.87
712	Small Office Building	1,000 SF GFA	2.45		
714	Corporate Headquarters Building	1,000 SF GFA	0.60		
715	Single Tenant Office Building	1,000 SF GFA	1.74*		
720	Medical-Dental Office Building	1,000 SF GFA	3.46		
730	Government Office Building	1,000 SF GFA	1.71		
731	State Motor Vehicles Department	1,000 SF GFA	5.20		
732	United States Post Office	1,000 SF GFA	11.21		
733	Government Office Complex	1,000 SF GFA	2.82		
750	Office Park	1,000 SF GFA	1.07		
760	Research and Development Center	1,000 SF GFA	0.49		
770	Business Park	1,000 SF GFA	0.42		
RETAIL					
810	Tractor Supply Store	1,000 SF GFA	1.40		
811	Construction Equipment Rental Store	1,000 SF GFA	0.99		
812	Building Materials and Lumber Store	1,000 SF GFA	2.06		
813	Free-Standing Discount Superstore	1,000 SF GFA	4.33		
814	Variety Store	1,000 SF GFA	6.84		
815	Free Standing Discount Store	1,000 SF GFA	4.83		
816	Hardware / Paint Store	1,000 SF GFA	2.68		
817	Nursery (Garden Center)	1,000 SF GFA	6.94		
818	Nursery (Wholesale)	1,000 SF GFA	5.18		
820	Flatrack Station	1,000 SF GFA	3.81	3.81	4.92
823	Factory Outlet Center	1,000 SF GFA	2.29		
840	Automobile Sales (New)	1,000 SF GFA	2.43		
841	Automobile Sales (Used)	1,000 SF GFA	3.75		
842	Recreational Vehicle Sales	1,000 SF GFA	0.77		
843	Automobile Parts Sales	1,000 SF GFA	4.91		
848	Tire Store	1,000 SF GFA	3.98		
849	Tire Superstore	1,000 SF GFA	2.11		
850	Supermarket	1,000 SF GFA	9.24		
851	Convenience Market (Open 24 Hours)	1,000 SF GFA	49.11		
853	Convenience Market with Gasoline Pumps	1,000 SF GFA	49.29		
854	Discount Supermarket	1,000 SF GFA	8.38		
857	Discount Club	1,000 SF GFA	4.18		
860	Wholesale Market	1,000 SF GFA	1.76		
861	Sporting Goods Superstore	1,000 SF GFA	→	2.02	1.65
862	Home Improvement Superstore	1,000 SF GFA	→	2.33	3.35
863	Electronics Superstore	1,000 SF GFA	4.26		

Note: All land uses in the 800 and 900 series are entitled to a "pass-by" trip reduction of 60% if less than 50,000 ft² or a reduction of 40% if equal to or greater than 50,000ft².

*From 9th edition, no PM peak hour in 10th

Code	Description	Unit of Measure	Trips Per Unit	Setting/Location	
				General Urban/ Suburban	Dense Multi- Use Urban
864	Toy/Children's Superstore	1,000 SF GFA	5.00		
865	Baby Superstore	1,000 SF GFA	1.82		
866	Pet Supply Superstore	1,000 SF GFA	3.65		
867	Office Supply Superstore	1,000 SF GFA	2.77		
868	Book Superstore	1,000 SF GFA	15.83		
869	Discount Home Furnishing Superstore	1,000 SF GFA	1.57		
872	Bed and Linen Superstore	1,000 SF GFA	2.22		
875	Department Store	1,000 SF GFA	1.95		
876	Apparel Store	1,000 SF GFA	→	4.12	1.12
879	Arts and Craft Store	1,000 SF GFA	6.21		
880	Pharmacy / Drugstore without Drive-Through Window	1,000 SF GFA	8.51		
881	Pharmacy / Drugstore with Drive-Through Window	1,000 SF GFA	10.29		
882	Marijuana Dispensary	1,000 SF GFA	21.83		
890	Furniture Store	1,000 SF GFA	0.52		
897	Medical Equipment Store	1,000 SF GFA	1.24		
899	Liquor Store	1,000 SF GFA	16.37		
SERVICES					
911	Walk-In Bank	1,000 SF GFA	12.13		
912	Drive-In Bank	1,000 SF GFA	20.45		
918	Hair Salon	1,000 SF GFA	1.45		
920	Copy, Print, and Express Ship Store	1,000 SF GFA	7.42		
925	Drinking Place	1,000 SF GFA	11.36		
926	Food Court Pod	Food Carts	3.08		
930	Fast Casual Restaurant	1,000 SF GFA	14.13		
931	Quality Restaurant	1,000 SF GFA	7.80		
932	High-Turnover (Sit-Down) Restaurant	1,000 SF GFA	→	9.77	9.80
933	Fast Food Restaurant without Drive-Through Window	1,000 SF GFA	28.34		
934	Fast Food Restaurant with Drive-Through Window	1,000 SF GFA	→	32.67	78.74
935	Indoor Seating	1,000 SF GFA	42.65		
936	Coffee/Donut Shop without Drive-Through Window	1,000 SF GFA	36.31		
937	Coffee/Donut Shop with Drive-Through Window	1,000 SF GFA	→	43.38	83.19
938	Indoor Seating	1,000 SF GFA	83.33		
939	Bread / Donut / Bagel Shop without Drive-Through Window	1,000 SF GFA	28.00		
940	Bread / Donut / Bagel Shop with Drive-Through Window	1,000 SF GFA	19.02		
941	Quick Lubrication Vehicle Shop	1,000 SF GFA	8.70		
942	Automobile Care Center	1,000 SF GFA	3.11		
943	Automobile Parts and Service Center	1,000 SF GFA	2.26		
944	Gasoline / Service Station	1,000 SF GFA	109.27		
945	Gasoline / Service Station with Convenience Market	1,000 SF GFA	88.35		
947	Self Service Car Wash	Wash Stalls	5.54		
948	Automated Car Wash	1,000 SF GFA	14.20		
949	Car Wash and Detail Center	Wash Stalls	13.60		
950	Truck Stop	1,000 SF GFA	22.73		
960	Super Convenience Market/Gas Station	1,000 SF GFA	69.28		
970	Winery	1,000 SF GFA	7.31		

No-Build Traffic Conditions

A 2022 no-build condition was developed. This represents the traffic conditions that will exist in the future after the anticipated date of the build of the proposed mixed use development, but not including the project's trips. The purpose of the analysis of this condition is to isolate the traffic impacts of the proposed development from background growth in volumes that are expected to occur in the area while the project is under construction.

In order to develop no-build volumes, a background growth factor was developed using the historic Georgia DOT 24-hour traffic counts that were presented previously in this report, in Table 1. Based on the growth trends identified in Table 1, a 1.0% annual growth factor was applied to the existing volumes when projecting the future no-build volumes. The growth factor was applied for three years, for a total of 3.0% growth that will occur while the proposed development is under construction. The existing traffic volumes were increased by the 3.0% growth factor. The results are the 2022 no-build traffic volumes that will be on the roadway network in the future when the proposed development is built and operational, but excluding the project's trips.

Georgia Department of Transportation

GDOT project #0009988 is currently under construction at SR 212 and CR 594/Salem Rd, as previously discussed in this report. A new single lane roundabout is being constructed at Browns Mill Rd (SR 212) and Salem Rd (SR 594), at the Browns Mill Park entrance.

Programmed Transportation Infrastructure Improvements

The Atlanta Regional Commission's Transportation Improvement Program (TIP) was reviewed for planned or programmed transportation improvements in the vicinity of the proposed development which might impact traffic operations at the study intersections. Roadway infrastructure changes were identified in the vicinity of the subject site.

No-Build Intersection Operations

The no-build condition includes the no-build traffic volumes, as described above. These were entered into the Synchro model and the 2022 no-build traffic operations were analyzed at the study intersections using Synchro 10 software in accordance with the HCM 6 methodology. The results of the no-build analysis are shown in Table 3. Computer printouts containing detailed results of the no-build analysis are located in Appendix D.

Project Traffic Characteristics

This section describes the anticipated traffic characteristics of the proposed commercial development, including a site description, how much traffic the project will generate, and where that traffic will travel.

Project Description

For purposes of this traffic study, it was assumed that the site will be developed with per the Concept Plan provided, with Retail, Office, 55+ age community senior living detached residential, and multifamily town home residential. The town home units will consist of roughly 66 units, 3-stories each unit, and the units will range between 1,350-2,000 square feet. The two proposed sit down and/or coffee/bistro restaurants range from 4,000-4,800 square feet 8,864 ft² of office, 66 townhouse-style condominiums, and 26 senior living detached dwellings. The project will encompass approximately 14.6 acres in the City of Stonecrest, DeKalb County, Georgia. Right-in/right-out (RIRO) driveways will be provided at three access points along Browns Mill Rd, to direct traffic to Salem Rd. This will help divert some of the new traffic away from the intersection of Panola Rd and Browns Mill Rd when the existing development. This Transportation Analysis was prepared in compliance with the requirements of the Georgia Regional Transportation Authority. The Concept site plan is presented in Figure 3. The following is a summary of the recommendations CDG proposes for the proposed conditions:

- 1) At Access A we will provide one exiting lane, restricted to right turns only.with a right in/right out driveway. An accel and decel lane will be provided on Browns Mill Rd Road. One entering and one exiting lane will suffice at all three accesses. The exits should be controlled with side street stop signs.
- 2) At Access B, we will provide one exiting lane, restricted to right turns only.with a right in/right out driveway. An accel and decel lane will be provided on Browns Mill Rd Road. One entering and one exiting lane will suffice at all three accesses. The exits should be controlled with side street stop signs.
- 3) At Access C, we will provide one exiting lane, restricted to right turns only.with a right in/right out driveway. An accel and decel lane will be provided on Browns Mill Rd Road. One entering and one exiting lane will suffice at all three accesses. The exits should be controlled with side street stop signs.
- 4) Sidewalks will be provided along both sides of all internal roadways and along Browns Mill Rd frontage for the extent of the front property line. frontages
- 5) Bicycle lanes are proposed along Browns Mill Rd on the north side for the distance of the frontage of the project. The distance is approximately . Bicycle racks will be provided near commercial uses and the amenities internally within Flatrock Station. The new roundabout is incorporating bicycle lanes with the new construction of project # 0009988 and the goal of Flatrock Station is to integrate the proposed mixed use development with existing and proposed community plans.

Land Uses

The total site acreage is approximately 14.6 acres after the estimated right of way that will be deeded to GDOT for the purposes of roadway improvement. The roadway improvements proposed for the development include lane addition, bicycle lane addition, sidewalks, landscaping, pedestrian lighting. The site is located entirely within the City of Stonecrest. The current zoning is R-100 and the proposed zoning is MU-1. The project will be built in one continuous phase, with build-out expected to begin in 2021. Table 1 presents the land uses and sizes of the subject DRI.

Table 4 – Detail of Proposed Land Uses and Sizes for Flatrock Station

BUILDING AREA		
Retail	Building	SF
Large Retail	1	26990
Road Front Retail	1	
Restaurant	Subtenant Space	4000
		1800
		1800
Restaurant		4800
Total Retail Area		39390
Office (2 Stories)	1	8864
Gym	1	1500
Townhomes	Units	
	20	33000
	8	18000
	4	8000
	8	10800
	18	29700
	8	13200
Total Multifamily Area	66	112700
Single Family 55+	26	26000
Total Square Footage Entire Development		188454

Trip Generation

Trip generation is an estimate of the number of entering and exiting vehicular trips that will be generated by the proposed development. The volume of traffic that will be generated by the project was calculated using the equations and rates in the Institute of Transportation Engineers (ITE) *Trip Generation Manual*, 10th Edition. ITE Land Use 820 – Flatrock Station was chosen as representative of the retail land use. The trip generation of the Restaurant A & B's trip generation was calculated using ITE Land Use 932 – High Turnover (Sit-Down) Restaurant. ITE Land Use 220 –multi-family was used for the townhome development and Land Use 251 – Senior Adult Living Detached was used for the 55+ community.

The raw trips were adjusted to reflect the effect of pass-by trips. These are trips that are already passing the site enroute to their final destination, but will turn into the site for retail shopping or dining, then continue on to their original destination. These trips appear entering and exiting the site driveways, but they are not new trips on the adjacent roadways. Based on the ITE *Trip Generation Handbook*, 3rd Edition, the pass-by percentage identified for the retail is 34% for the p.m. peak hour. The a.m. and 24-hour pass-by percentages were estimated each at 24% based on the p.m. percentage. For a coffee shop type restaurant, the average a.m. pass-by percentage is 43%, the average p.m. percentage is 50%, and the 24-hour percentage was estimated at 49%. For the sit-down restaurant, the average p.m. peak hour pass-by percentage is 43% and the a.m. and 24-hour percentages were estimated each at 33%. Table 4 summarizes the trip generation calculations for the proposed development.

Table 4 – Trip Generation Proposed Development

Land Use	ITE Code	Size	A.M. Peak Hour			P.M. Peak Hour			24-Hour 2-Way
			In	Out	Total	In	Out	Total	
Retail (excluding restaurants)	820	30,590 ft ² *	4	2	6	11	12	23	228
-pass-by trips		24%/34%/24%	<u>-1</u>	<u>-0</u>	<u>-1</u>	<u>-4</u>	<u>-4</u>	<u>-8</u>	<u>-56</u>
New Trips			3	2	5	7	8	15	172
Restaurant A Ca fe **	932	4,000 ft ²	0	0	0	43	40	83	960
-pass-by trips		na/50%/49%	<u>-0</u>	<u>-0</u>	<u>-0</u>	<u>-22</u>	<u>-20</u>	<u>-42</u>	<u>-470</u>
New Trips			0	0	0	21	20	41	490
Restaurant B	932	4,800 ft ²	11	10	21	13	8	21	240
-pass-by trips		33%/43%/33%	<u>-4</u>	<u>-3</u>	<u>-7</u>	<u>-6</u>	<u>-3</u>	<u>-9</u>	<u>-80</u>
New Trips			7	7	14	7	5	12	160
Multi family -	220	111,050 ft ² ,	11	10	21	13	8	21	240
pass-by trips		33%/43%/33%	<u>-4</u>	<u>-3</u>	<u>-7</u>	<u>-6</u>	<u>-3</u>	<u>-9</u>	<u>-80</u>
New Trips			7	7	14	7	5	12	160
Senior Detached	251	26,000 ft ²	11	10	21	13	8	21	240
-pass-by trips		33%/43%/33%	<u>-4</u>	<u>-3</u>	<u>-7</u>	<u>-6</u>	<u>-3</u>	<u>-9</u>	<u>-80</u>
New Trips			7	7	14	7	5	12	160
Total Project Raw Trips			15	12	27	67	60	127	1,428
-pass-by trips			<u>-5</u>	<u>-3</u>	<u>-8</u>	<u>-32</u>	<u>-27</u>	<u>-59</u>	<u>-606</u>
New Trips			10	9	19	35	33	68	822

*trip rates were used due to small square footage

**

see text for explanation of a.m. and 24-hour trip calculations

Mainline Design Features: SR 212/Browns Mill Rd & Salem Rd (Urban Minor Arterials)

Feature	Existing	Standard*	Proposed
Typical Section			
- Number of Lanes	2	N/A	2-4
- Lane Width(s)	12'	10'-12'	12'-14' Roadway & 14'-19' Circulatory
- Median Width & Type	N/A	N/A	0'-35' Raised
- Outside Shoulder or Border Area Width	10'	10'	10'-16'
- Outside Shoulder Slope	2%	2%	2%
- Bike Lanes	N/A	4'-5'	4'
- Sidewalks	5'	5'	5'-8'
Posted Speed	45		45
Design Speed	45	45	45
Min Horizontal Curve Radius	N/A	711'	711'
Maximum Superelevation Rate	4%	4%	4%
Maximum Grade	7%	7%	7%
Access Control	BY PERMIT	BY PERMIT	BY PERMIT
Design Vehicle	N/A	WB-40	WB-67
Pavement Type	ASPHALT	ASPHALT	ASPHALT

*According to current GDOT design policy if applicable

Major Interchanges/Intersections: SR 212/Browns Mill Rd at CR 594/Salem Rd

Design Exceptions to FHWA/AASHTO controlling criteria anticipated: None

Design Variances to GDOT Standard Criteria anticipated: None

Trip Distribution and Assignment

The trip distribution percentages indicate what proportion of the project's trips will travel to and from various directions. The trip distribution percentages for the new trips were developed based on population densities and the distances of those populations to the site. The pass-by trips were assigned to the site driveways and the adjacent intersections based on the existing traffic flows passing the site. The project trips, shown in Table 4, were assigned to the roadway network based on the new trip distribution percentages and pass-by trip percentages. The new trip distribution percentages and the a.m. and p.m. peak hour project trips are shown in Figure 4.

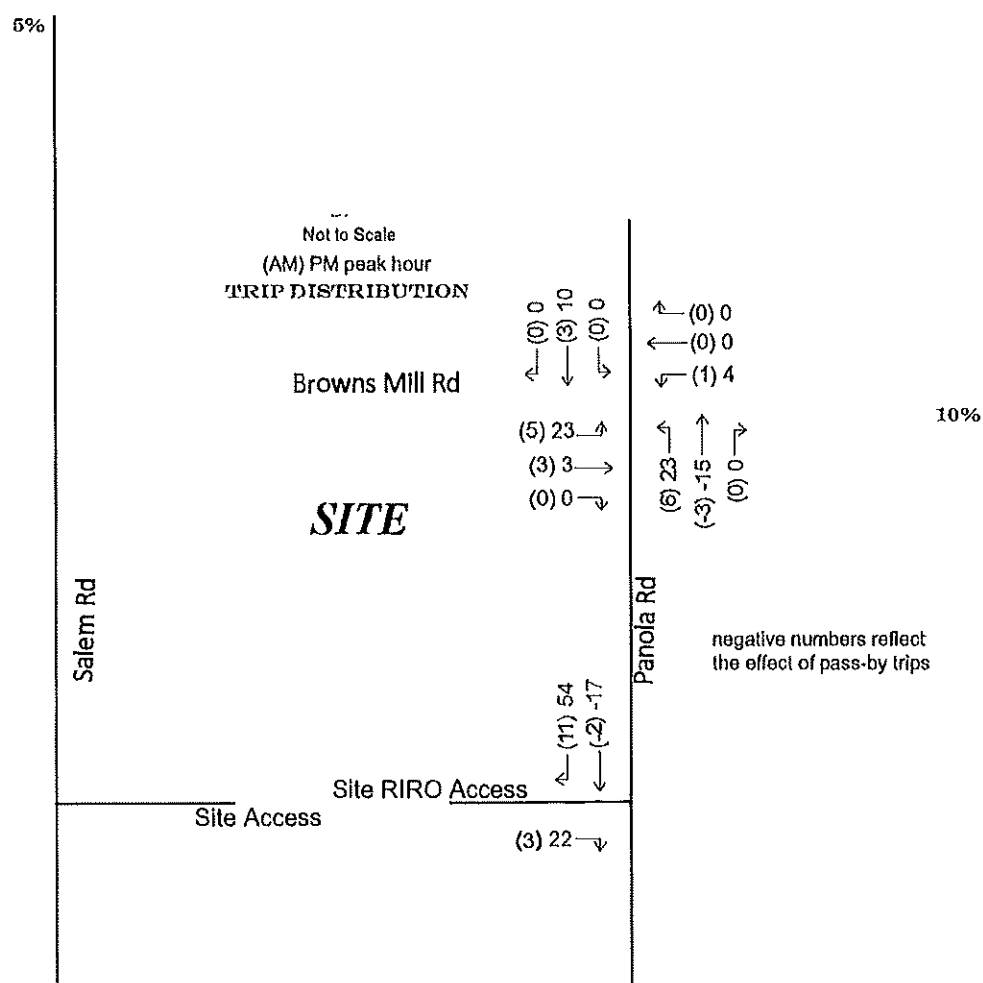
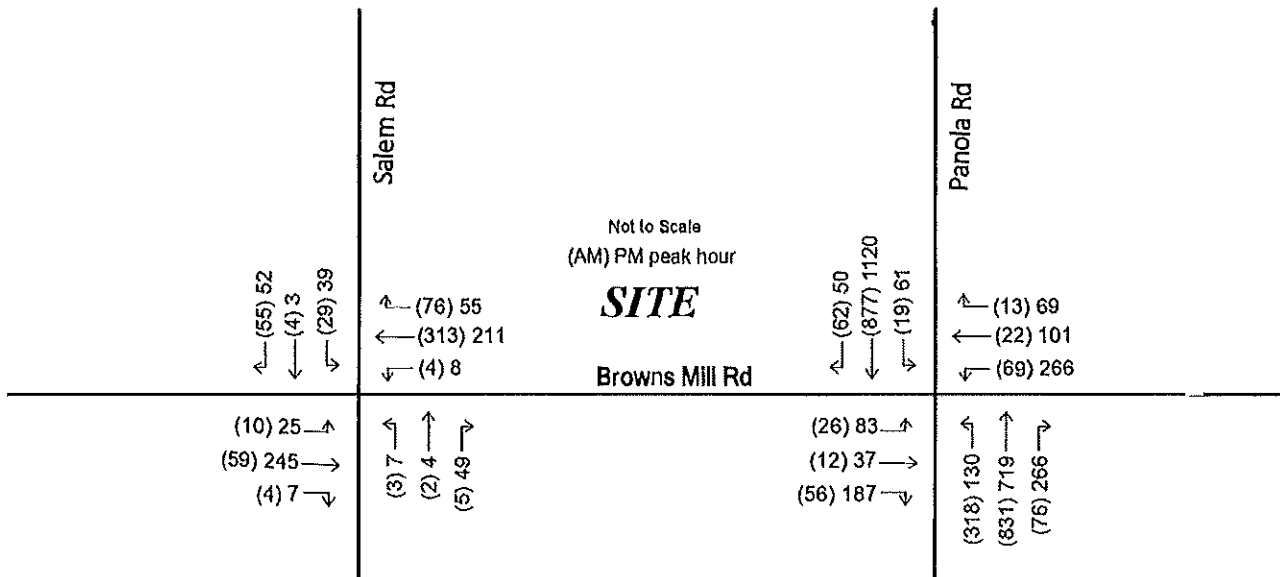


Figure 4 – Weekday A.M. and P.M. Peak Hour Site Trips and Distribution Percentages

Future Traffic Conditions

The future volumes consist of the no-build volumes plus the trips that will be generated by the proposed retail and restaurant development. The future volumes are shown in Figure 5.



Browns Mill Rd is Hwy 212 and therefore the proposed site access on that route requires a permit from the Georgia DOT. Meetings with the community reveals that right in and right out access driveways are most desirable for traffic control, especially nearest Panola Rd intersection. Since the planned movements will be limited to RIRO, a westbound left turn lane may be necessary on Browns Mill Rd at the access closest to Salem Rd. The site engineer should comply with all applicable Georgia DOT design standards at this access, including right turn lane design, sight distance, turn radii, driveway widths, islands, angles with the adjacent roadways, and grades.

Conclusions and Recommendations

This traffic impact study evaluates the impact of a proposed retail and restaurant development in the City of Stonecrest. The site is located on the southwest corner of Lawrenceville Highway and Browns Mill Rd. For this traffic study, it is assumed that the site will be developed with 6,020 square feet of retail, a 2,545 square foot fast food restaurant with drive-through window, and a 2,140 square foot high-turnover restaurant. The fast food restaurant will not open before 10:00 a.m. Three right-in/right-out (RIRO) access will be provided on on Browns Mill Rd. The following are the findings and recommendations of this study:

1. Existing operations at the access points are acceptable.
2. Traffic volume growth in this area has been moderately positive and this is expected to continue into the future.
3. The no-build condition reveals traffic operations comparable to the existing condition with small increases in delays due to background increases in volumes. No mitigation was identified for the no-build condition.
4. The proposed retail and restaurant development will generate 19 new a.m. peak hour trips, 68 new p.m. peak hour trips, and 822 new weekday trips. The project will intercept additional pass-by trips from Panola Rd.
5. With the addition of the project's trips, future operations will continue to be acceptable at the study intersections. No additional mitigation was identified for the future condition at the study intersections.
6. A right turn lane analysis concluded that a westbound exclusive right turn lane will be required by Georgia DOT on Browns Mill rd at the site RIRO access points. The site plan includes this right turn lane.
7. All three site accesses should include one inbound lane and one outbound lane. Each exiting approach should be controlled by side street stop sign and accompanying stop bar.
8. It is recommended that some of the vegetation along the site frontage on Browns mill Rd be cleared to ensure that sufficient sight distance is provided at that proposed site access.
9. The site engineer should comply with all applicable design standards at both site accesses, including turn lane design, sight distance, turn radii, driveway widths, islands, angles with the adjacent roadways, and grades.
10. There is dense vegetation along some portions of the site frontage on Browns Mill rd which somewhat limits sight distance. Clearing of the vegetation will allow for clear lines of sight and this is recommended.

Appendix A

Traffic Count Data and Volume Worksheets

Browns Mill Rd at Panola Rd Commercial Development Traffic Impact Study
City of Stonecrest, Georgia

Weekday A.M. Peak Hour	Northbound Panola Rd				Southbound Panola Rd				Eastbound Browns Mill				Westbound Browns Mill Rd			
	L	T	R	Tot	L	T	R	Tot	L	Rd T	R	Tot	L	T	R	Tot
Counted Volumes (Thursday Dec 10, morning 8am)	383	810	74	1187	18	849	60	927	20	12	54	86	65	21	13	100
Total Annual Background Growth	3.0%	3.0%	3.0%		3.0%	3.0%	3.0%		3.0%	3.0%	3.0%		3.0%	3.0%	3.0%	
No-Build Volumes	312	834	76	1223	19	874	62	955	21	12	56	89	68	22	13	103
Proposed Development New Trips	3	0	0	3	0	3	0	3	3	0	0	3	1	0	0	1
Proposed Development Pass-by Trips	3	-3	0	0	0	0	0	0	2	0	0	2	0	0	0	0
Total Proposed Development Trips	6	-3	0	3	0	3	0	3	5	0	0	5	1	0	0	1
Build Volumes	318	831	76	1226	19	877	62	958	26	12	56	94	69	22	13	104

Weekday P.M. Peak Hour	Northbound Panola Rd				Southbound Panola Rd				Eastbound Browns Mill				Westbound Browns Mill Rd			
	L	T	R	Tot	L	T	R	Tot	L	Rd T	R	Tot	L	T	R	Tot
Counted Volumes (Friday December 18, 6:00 pm)	104	713	158	1075	59	1078	49	1186	58	33	183	273	254	98	67	419
Total Annual Background Growth	3.0%	3.0%	3.0%		3.0%	3.0%	3.0%		3.0%	3.0%	3.0%		3.0%	3.0%	3.0%	
No-Build Volumes	107	734	266	1107	61	1110	50	1222	60	34	187	281	262	101	69	432
Proposed Development New Trips	8	0	0	8	0	10	0	10	10	3	0	13	4	0	0	4
Proposed Development Pass-by Trips	15	-15	0	0	0	0	0	0	13	0	0	13	0	0	0	0
Total Proposed Development Trips	23	-15	0	8	0	10	0	10	23	3	0	26	4	0	0	4
Build Volumes	130	719	266	1115	61	1120	50	1232	83	37	187	307	266	101	69	436

Flatrock Station Eastern Access A

Weekday A.M. Peak Hour

	Northbound Salem Rd				Southbound Retail Access				Eastbound Panola Rd				Westbound Browns Mill Rd			
	L	T	R	Tot	L	T	R	Tot	L	T	R	Tot	L	T	R	Tot
Counted Volumes Browns Mill East of Salem Rd December 2020																
Counted Volumes (Thursday, Dec 10, 2020 8:00-9:00)	1	1	0	2	28	3	53	84	10	38	2	50	4	276	74	354
Counted Volumes Browns Mill Rd East of Salem Rd January 2023																
	1	1	0	2	28	3	53	84	10	57	1	69	4	304	74	381
Total Annual Background Growth	3.0%	3.0%	3.0%		3.0%	3.0%	3.0%		3.0%	3.0%	3.0%		3.0%	3.0%	3.0%	
No-Build Volumes	1	1	0	2	29	3	56	87	10	59	2	71	4	313	76	393
Proposed Development New Trips	2	1	3	6	0	1	0	1	0	0	2	2	0	0	0	0
Proposed Development Pass-by Trips	0	0	2	2	0	0	0	0	0	0	0	0	0	0	0	0
Total Proposed Development Trips	2	1	5	8	0	1	0	1	0	0	2	2	0	0	0	0
Build Volumes	3	2	5	10	29	4	56	88	10	59	4	73	4	313	76	393

Weekday P.M. Peak Hour

	Northbound Salem Rd				Southbound Retail Access				Eastbound Browns Mill Rd				Westbound Browns Mill Rd			
	L	T	R	Tot	L	T	R	Tot	L	T	R	Tot	L	T	R	Tot
Counted Volumes Browns Mill East of Salem Rd May 2018																
Counted Volumes (Friday, Dec 16, 2020, 4:00-5:00)	0	2	21	24	38	1	50	89	24	238	0	262	8	205	53	266
Counted Volumes Browns Mill Rd East of Salem Rd January 2023																
	0	2	21	24	38	1	50	89	24	238	0	262	8	205	53	266
Total Annual Background Growth	3.0%	3.0%	3.0%		3.0%	3.0%	3.0%		3.0%	3.0%	3.0%		3.0%	3.0%	3.0%	
No-Build Volumes	0	2	23	25	39	1	52	92	25	245	0	270	8	211	55	274
Proposed Development New Trips	7	2	13	22	0	2	0	2	0	0	7	7	0	0	0	0
Proposed Development Pass-by Trips	0	0	13	13	0	0	0	0	0	0	0	0	0	0	0	0
Total Proposed Development Trips	7	2	26	35	0	2	0	2	0	0	7	7	0	0	0	0
Build Volumes	7	4	49	60	39	3	52	94	25	245	7	277	8	211	55	274

Flatrock Station Middle R/U/O Access

Weekday A.M. Peak Hour

	Northbound Panola Rd		Southbound Panola Rd			Eastbound Site R/U/O Access	
	Tot		L	R	Tot	R	Tot
Counted Volumes (Thursday Dec 10, 2020, 7:45-8:45)	1187	1187	969		969		
Total Annual Background Growth	3.0%		3.0%				
No-Build Volumes	1223	1223	998		998		
Proposed Development New Trips	2	2	0	6	6	2	2
Proposed Development Pass-by Trips	0	0	-2	5	3	1	1
Total Proposed Development Trips	2	2	-2	11	9	3	3
Build Volumes	1225	1225	996	11	1007	3	3

Weekday P.M. Peak Hour

	Northbound Panola Rd		Southbound Panola Rd			Eastbound Site R/U/O Access	
	Tot		Tot			R	Tot
Counted Volumes (Friday Dec 18, 2020, 5:15-6:15)	1075	1075	1514		1514		
Total Annual Background Growth	3.0%		3.0%				
No-Build Volumes	1107	1107	1559		1559		
Proposed Development New Trips	8	8	0	22	22	8	
Proposed Development Pass-by Trips	0	0	-17	32	15	14	14
Total Proposed Development Trips	8	8	-17	64	37	22	22
Build Volumes	1115	1115	1542	64	1606	22	22

Browns Mill Rd Western Site Access Commercial Development Traffic Impact Study

Weekday A.M. Peak Hour

	Northbound Salem Rd			Southbound Salem Rd			Westbound Site Access		
	T	R	Tot	L	T	Tot	L	R	Tot
Counted Volumes (Thursday, Dec 10, 2020 8:00-9:00)	2		2		9	9			
Total Annual Background Growth	3.0%				3.0%				
No-Build Volumes	2		2		9	9			
Proposed Development New Trips	0	1	1	3	0	3	1	6	7
Proposed Development Pass-by Trips	0	0	0	0	0	0	0	2	2
Total Proposed Development Trips	0	1	1	3	0	3	1	8	9
Build Volumes	2	1	3	3	9	12	1	8	9

Weekday P.M. Peak Hour

	Northbound Salem Rd			Southbound Salem Rd			Westbound Site Access		
	T	R	Tot	L	T	Tot	L	R	Tot
Counted Volumes (Friday, Dec 18, 2020, 4:00-5:00)	24		24		9	9			
Total Annual Background Growth	3.0%				3.0%				
No-Build Volumes	25		25		9	9			
Proposed Development New Trips	0	4	4	9	0	9	3	22	25
Proposed Development Pass-by Trips	0	0	0	0	0	0	0	13	13
Total Proposed Development Trips	0	4	4	9	0	9	3	35	38
Build Volumes	25	4	29	9	9	18	3	35	38

Location: 5099 Browns Mill Rd
City: Stonecrest

Day: Thursday
Date: 12/10/20

Groups Printed - Cars, PU, Vans - Heavy Trucks

	Panola rd Northbound						Panola Rd Southbound						Browns Mill rd Eastbound						Browns Mill rd Westbound								
Start Time	Left	Thru	Rgt	Uturn	Peds	App. Total	Left	Thru	Rgt	Uturn	Peds	App. Total	Left	Thru	Rgt	Uturn	Peds	App. Total	Left	Thru	Rgt	Uturn	Peds	App. Total	Int. Total		
7:00 AM	84	160	17	0	1	261	2	168	13	0	0	183	5	0	4	0	0	9	8	5	6	0	1	19	462		
7:15 AM	71	197	19	0	1	287	3	178	13	0	0	194	5	3	7	0	1	16	12	3	6	0	2	21	617		
7:30 AM	77	212	16	0	0	305	2	178	16	0	0	199	7	3	18	0	0	28	8	6	3	0	1	17	646		
7:45 AM	80	196	12	0	0	288	6	206	16	0	2	229	2	2	15	0	0	19	15	4	6	0	1	24	560		
Total	312	766	64	0	2	1131	13	730	58	0	2	802	19	8	44	0	1	71	43	18	20	0	6	81	2085		
8:00 AM	74	206	19	0	0	299	3	249	14	0	0	266	3	2	11	0	0	16	14	2	3	0	0	19	600		
8:15 AM	73	202	22	0	4	297	6	196	15	0	0	217	5	3	15	0	0	23	21	8	3	0	0	32	669		
8:30 AM	76	206	21	0	0	303	3	198	15	0	1	216	10	6	13	0	0	28	16	7	2	0	3	25	672		
8:45 AM	58	176	24	0	1	257	4	183	11	0	0	199	9	5	11	0	1	25	23	8	2	0	1	33	614		
Total	281	789	86	0	5	1156	16	828	55	0	1	898	27	15	50	0	1	92	74	25	10	0	4	109	2255		
9:00 AM	33	143	20	0	0	196	7	189	13	0	0	209	6	7	8	0	0	21	30	11	3	0	1	44	470		
9:15 AM	48	148	38	0	0	234	8	169	11	0	0	188	2	6	13	0	1	20	23	9	13	0	0	45	487		
9:30 AM	62	127	25	0	0	204	4	167	13	0	1	184	6	4	15	0	0	24	30	12	6	0	1	48	460		
9:45 AM	41	147	33	0	0	221	12	167	18	0	0	187	12	5	19	0	1	39	38	8	6	0	0	52	496		
Total	174	565	116	0	0	855	31	682	66	0	1	768	25	21	55	0	2	101	121	40	28	0	2	189	1913		
BREAK																											
3:00 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0		
3:30 PM	39	180	48	0	3	267	12	223	14	0	0	250	13	12	57	0	0	82	42	18	14	0	1	74	673		
3:45 PM	26	190	56	0	3	272	22	248	9	0	3	279	12	10	41	0	8	63	64	28	15	0	0	107	721		
Total	65	370	104	0	6	539	34	471	23	0	3	529	25	22	98	0	8	145	106	46	29	0	1	181	1394		
4:00 PM	31	217	54	0	1	302	18	238	14	0	1	270	19	12	41	0	4	72	70	14	18	0	1	102	748		
4:15 PM	31	184	61	0	2	276	17	242	6	0	4	265	13	7	43	0	0	63	77	19	15	0	0	111	716		
4:30 PM	38	188	48	0	1	272	20	270	16	0	0	307	17	13	43	0	0	73	44	18	12	0	0	72	724		
4:45 PM	28	206	45	0	0	279	15	233	11	0	0	260	19	12	61	0	1	92	62	15	17	0	0	94	726		
Total	126	796	208	0	4	1129	70	983	47	0	6	1102	68	44	188	0	6	308	253	64	62	0	1	379	2910		
5:00 PM	16	196	51	0	2	263	7	285	5	0	2	297	20	13	44	0	0	77	43	12	15	0	1	70	707		
5:15 PM	26	230	63	0	1	319	13	300	6	0	0	319	15	8	27	0	0	48	59	17	14	0	1	100	786		
5:30 PM	24	122	52	0	1	198	13	261	17	0	2	291	12	9	55	0	1	76	79	31	17	0	2	127	692		
5:45 PM	15	151	77	0	0	243	9	269	8	0	1	286	19	9	46	0	0	74	54	29	17	0	1	100	703		
Total	81	898	243	0	4	1023	42	1115	36	0	5	1193	66	37	172	0	1	275	246	89	63	0	6	397	2888		
6:00 PM	39	210	65	0	1	315	24	248	18	0	1	291	12	9	54	0	0	76	52	21	19	0	0	92	773		
6:15 PM	27	172	70	0	1	269	18	268	13	0	0	299	10	11	30	0	0	51	69	22	17	0	1	108	727		
Total	66	382	136	0	2	584	42	516	31	0	1	590	22	20	84	0	0	126	121	43	36	0	1	200	1500		
Grand Total	1105	4355	957	0	23	6417	248	5323	305		18	5882	252	167	691	0	18	1110	963	325	248	0	19	1636	14945		
Apprch %	17.2	67.9	14.9	0.0	0.4		4.2	90.6	6.2		0.3		22.7	16.0	62.3		1.6		62.7	21.2	16.1	0.0	1.2				
Total %	7.4	29.1	6.4	0.0	0.2	42.9	1.7	35.6	2.0	0.0	0.1	39.4	1.7	1.1	4.6	0.0	0.1	7.4	6.4	2.2	1.7	0.0	0.1	10.3			
Cars, PU, Vans	1105	4311	956	0	23	6372	247	5272	303		18	5828	252	167	686	0	18	1105	962	324	244	0	19	1530	14835		
% Cars, PU, Vans	100.0	99.0	99.9	0.0	100.0	99.3	99.6	99.0	99.3	0.0	100.0	99.1	100.0	100.0	99.3	0.0	0.0	99.5	99.9	99.7	98.4	0.0	100.0	99.6	99.3		
Heavy Trucks	0	44	1	0	0	45	1	51	2	0	0	54	0	0	5	0	0	6	1	1	4	0	0	6	110		
% Heavy Trucks	0.0	1.0	0.1	0.0	0.0	0.7	0.4	1.0	0.7	0.0	0.0	0.9	0.0	0.0	0.7	0.0	0.0	0.5	0.1	0.3	1.6	0.0	0.0	0.4	0.7		

Location: 5099 Browns Mill Rd

PEAK HOURS

Date: 12/10/2012 12/10/2012

AM

Start Time	Panola Rd Northbound					Panola Road Southbound					Browns Mill Rd Eastbound					Browns Mill rd Westbound					Int. Total
	Left	Thru	Rt	Uturn	App. Total	Left	Thru	Rt	Uturn	App. Total	Left	Thru	Rt	Uturn	App. Total	Left	Thru	Rt	Uturn	App. Total	
Peak Hour Analysis from 07:00 AM to 10:00 AM																					
Peak Hour for Entire Intersection Begins at 07:45 AM																					
7:45 AM	60	196	12	0	268	6	206	16	1	229	2	2	15	0	19	15	4	5	0	24	560
8:00 AM	74	206	19	0	299	3	249	14	0	266	3	2	11	0	16	14	2	3	0	19	600
8:15 AM	73	202	22	0	297	6	196	15	0	217	5	3	15	0	23	21	8	3	0	32	569
8:30 AM	76	206	21	0	303	3	198	15	0	216	10	5	13	0	28	16	7	2	0	25	672
Total Volume	303	810	74	0	1187	18	849	60	1	928	20	12	54	0	86	66	21	13	0	100	2301
% App. Total	25.5	68.2	6.2	0.0	100	1.9	91.6	6.6	0.1	100	23.3	14.0	62.8	0.0	100	66.0	21.0	13.0	0.0	100	
PHF	0.979					0.872					0.768					0.781					0.959
Cars, PU, Vans	303	800	74	0	1177	18	837	69	1	915	20	12	53	0	85	65	21	13	0	99	2276
% Cars, PU, Vans	100.0	98.8	100.0	0.0	99.2	100.0	98.6	98.3	100.0	98.6	100.0	100.0	98.1	0.0	98.8	98.5	100.0	100.0	0.0	99.0	98.9
Heavy Trucks	0	10	0	0	10	0	12	1	0	13	0	0	1	0	1	1	0	0	0	1	25
%Heavy Trucks	0.0	1.2	0.0	0.0	0.8	0.0	1.4	1.7	0.0	1.4	0.0	0.0	1.9	0.0	1.2	1.5	0.0	0.0	0.0	1.0	1.1

PM

Panola Rd																					
Start Time	Northbound					Southbound					Browns Mill Rd Eastbound					Browns Mill rd Westbound					Int. Total
	Left	Thru	R	Uturn	App. Total	Left	Thru	R	Uturn	App. Total	Left	Thru	R	Uturn	App. Total	Left	Thru	R	Uturn	App. Total	
Peak Hour Analysis from 03:30 PM to 06:30 PM																					
Peak Hour for Entire Intersection Begins at 05:15 PM																					
5:15 PM	26	230	63	0	319	13	300	6	0	319	15	6	27	0	48	69	17	14	0	100	786
5:30 PM	24	122	62	0	198	13	261	17	0	291	12	9	55	0	76	79	31	17	0	127	692
5:45 PM	15	151	77	0	243	9	269	8	0	286	19	9	46	0	74	54	29	17	0	100	703
6:00 PM	39	210	68	0	315	24	248	18	1	291	12	9	54	0	75	52	21	19	0	92	773
Total Volume	104	713	258	0	1075	59	1078	49	1	1187	58	33	182	0	273	254	88	67	0	419	2954
% App. Total	9.7	66.3	24.0	0.0	100	5.0	90.8	4.1	0.1	100	21.2	12.1	66.7	0.0	100	69.6	23.4	16.0	0.0	100	
PHF	0.842					0.930					0.898					0.825					0.940
Cars, PU, Vans	104	706	258	0	1068	59	1074	48	1	1182	58	33	181	0	272	254	88	66	0	418	2940
% Cars, PU, Vans	100.0	99.0	100.0	0.0	99.3	100.0	99.6	98.0	100.0	99.6	100.0	100.0	99.5	0.0	99.6	100.0	100.0	98.6	0.0	99.6	99.5
Heavy Trucks	0	7	0	0	7	0	4	1	0	5	0	0	1	0	1	0	0	1	0	1	14
% Heavy Trucks	0.0	1.0	0.0	0.0	0.7	0.0	0.4	2.0	0.0	0.4	0.0	0.0	0.5	0.0	0.4	0.0	0.0	1.6	0.0	0.2	0.5



PLANNING COMMISSION MEETING

JANUARY 14, 2021, 6:00PM

ATTACHMENT I

TO: CITY COUNCIL (January 25, 2021)

SUBJECT: PETITION RZ-20-007

RE: PUBLIC COMMENTS RECEIVED

Lillian Lowe

spoke

From: Wilbert Paynes <wp69paynes@yahoo.com>
Sent: Thursday, January 14, 2021 1:20 AM
To: Lillian Lowe; Megan Reid
Cc: George
Subject: Request to speak Topic: RZ 20-007

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

I am requesting to speak on behalf of the Sandstone Shores Homeowners Association to comment on the proposed zoning change, item RZ-20-007. I am also submitting my comments for the record.

a. Very high density of development on the 15 acre property. Currently the developer is proposing to build 13 ranch duplex homes (26 homes), 55 two story townhomes, create a two+ acre lake (appear to be more of a retention pond) and a dedicated commercial area. This would effectively leave approximately 10+ acres (when you subtract road and lake out) to place 81 homes.

b. No assurance that the project would be implemented once the single family zoning is changes to mixed use. Mixed use zoning does not provide for development controls.

c. There is sufficient existing commercial zoned property in our area already. There is ample commercial zoned properties at the more appropriate intersections of Brownsmill and Klondike; at Brownsmill and Panola; at Panola and Salem; and along Panola between Salem and Brownsmill.

d. Results of a traffic impact study has not been shared with the community to understand the impact this proposal would have on traffic on Brownsmill. This area of Brownsmill is

already congested with traffic at certain times of the day. Without major road improvements this area will be more congested.

e. Rezoning to mixed use would adversely impact the adjacent nearby residential single family communities. Adding potential commercial zoned properties or even multi use housing in the middle of single family communities would adversely affect our community.

Wilbert V. Paynes
President of Sandstone Shore HOA

Lillian Lowe

From: vonhand@aol.com
Sent: Thursday, January 14, 2021 11:13 AM
To: Lillian Lowe
Subject: RE: R2-20-007/5099 Brownsmill Rd.

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Thanks for the prompt reply.

George

From: Lillian Lowe <Lillian.Lowe@stonecrestga.gov>
Sent: Thursday, January 14, 2021 9:26 AM
To: vonhand@aol.com
Cc: Lillian Lowe <Lillian.Lowe@stonecrestga.gov>
Subject: RE: R2-20-007/5099 Brownsmill Rd.

Good morning,

You will not be able to join the Zoom meeting. The meeting can be viewed on **Youtube**. Go to Stonecrest Official website.

FYI, City Hall will be open on **Thursday, January 14, 2021** for those wishing to speak in-person at the January 14, 2021 Public Hearing.

Thanks,

Lillian Lowe
PLANNING & ZONING ADMINISTRATIVE ASSISTANT
PLANNING COMMISSIONERS SECRETARY
ZONING BOARD OF APPEALS SECRETARY
City of Stonecrest
direct: 770.224.0173 | main: 770.224.0200 | fax: 470.299.4214
www.stonecrestga.gov

From: vonhand@aol.com <vonhand@aol.com>
Sent: Thursday, January 14, 2021 9:17 AM
To: Lillian Lowe <Lillian.Lowe@stonecrestga.gov>
Subject: R2-20-007/5099 Brownsmill Rd.

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Lillian,

I'm a homeowner at Sandstone Shores on Panola Road. I'm interested in joining the zoom meeting this evening at 6pm. Will you provide the meeting ID and passcode or the link to join.

Thanks,

George Hand

George Hand

Executive Vice President & CFO

ASW Global, LLC

Ph: 330-733-8490

Fax: 770-808-6862

Cell: 330-958-4456

ghand@aswglobal.com

www.aswglobal.com

Lillian Lowe

From: Swain Watters <swainw52@gmail.com>
Sent: Thursday, January 14, 2021 12:12 PM
To: Lillian Lowe
Cc: George Turner
Subject: RZ-20-007 Land Use Petition

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My question and concern is the following.

How does the applicant in conjunction with the State of Georgia DOT, DeKalb County and the City of Stonecrest plan to address the major public safety issue of traffic control and pedestrian safety. Specifically, controlling the speeding that takes place along the frontage of the driveway.

- Is there a design in place for sidewalks to actually make it live, work, play between the public recreational facilities on the opposite side of the road to the proposed development?
- Are there road improvement plans that cover widening or similar for the deep ditch running on the development side of Browns Mill? Sidewalks would have to be where the ditch is now.
- What are the specific plans for crosswalks and pedestrian safety?
- What are the specific plans for through-traffic speed controls? This is not really addressed by deceleration lanes; that's for turning in, coming out of development. It is the cars continuing on Browns Mill that present the danger.

Specifics not conjecture is critical. These issues need to be a firm inclusion of the plans on the front end or conditions for zoning approval. A future promise or good intentions won't get it done. Otherwise, this entire effort misses the mark of creating the desired live, work, play community. We will only have a mess on our hands and regrettably, potentially tragedy and death.

Regards,

Swain

Swain Watters
swainw52@gmail.com
404-307-3200 m

Lillian Lowe

From: Gregory T. Baranco <gtbaranco@baranco.com>
Sent: Thursday, January 14, 2021 3:03 PM
To: Megan Reid; Tuyanna Daniel; Lillian Lowe; turnerg1@comcast.net
Cc: Wilbert Paynes; ehorton; Jim Williams; George Hand; Dr. Ron Stewart; Kate F Bishop Black Black-Wiley; Melvin Williams; Sheila Douglass- Robinson; Gregory And Juanita Baranco; Jean Edwards; Keath Williams; Irma Paynes; Earl Thomas; Charles Benson; Sherman Mckie, Jr; Cornell McBride; Corliss Norman; Boykin Edwards
Subject: R2-20-007 / 5099 Brownsmill Road

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

I am writing to oppose the rezoning request of 5099 Brownsmill Rd. from R100 for two reasons: 1. The resulting increased traffic density created by the Commercial and Townhomes allowed in the Mixed-Use zoning on Brownsmill - a two lane road; and 2. If Townhomes were allowed in a suburban area, they should be single standing/unattached homes. This request is not in the best interest of the safety or wellbeing of the surrounding community.

Gregory T. Baran

O: 404.846.3677



www.mbbuckhead.com



PLANNING COMMISSION MEETING

JANUARY 14, 2021, 6:00PM

ATTACHMENT III

TO: CITY COUNCIL (January 25, 2021)

SUBJECT: PETITION SLUP-21-001

RE: PUBLIC COMMENTS RECEIVED

Lillian Lowe

From: Patricia Edge <PEdge@urbanretail.com>
Sent: Wednesday, January 13, 2021 10:29 AM
To: Lillian Lowe
Cc: Chris Wheeler; Tuyanna Daniel
Subject: SLUP-21-001

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Good morning to all, I would like to submit comments relating to the Barnacles Restaurant permit to operate as a late-night establishment. Please see below comments.

- I have concerns with parking lot activities which could create potential safety/security issues. As such, I would suggest they be required to employ an off duty police officer in the parking lot to monitor the activities and circumvent potential problems.
- If approved, please ensure they are aware the mall's parking lot is not to be used for overflow parking or for any other use.

Thank you for your consideration in my reviewing my concerns and please let me know if you have any questions.

Sincerely,

Patricia Edge
General Manager
The Mall at Stonecrest
Mall Office
2929 Turner Hill Road
Lithonia, GA 30038

URBAN



RETAIL PROPERTIES, LLC

From: Lillian Lowe [mailto:Lillian.Lowe@stonecrestga.gov]
Sent: Wednesday, January 13, 2021 9:12 AM
To: Patricia Edge <PEdge@urbanretail.com>
Cc: Iris Settle <ISettle@stonecrestga.gov>; Chris Wheeler <cwheeler@stonecrestga.gov>; Tuyanna Daniel <TDaniel@stonecrestga.gov>
Subject: [EXTERNAL] Public Hearing Comments

Good morning,

You will not be able to join the zoom link to speak. City Hall will be open on Thursday, January 14, 2021 for those wishing to speak in-person at the Public Hearing.

Also, you can **submit comments via email(s)** to staff: Lillian.Lowe@stonecrestga.gov, Chris.Wheeler@stonecrestga.gov, and Tuyanna.Daniels@stonecrestga.gov.

Please advise if there are additional questions.

Best regards,

Lillian Lowe

PLANNING & ZONING ADMINISTRATIVE ASSISTANT

PLANNING COMMISSIONERS SECRETARY

ZONING BOARD OF APPEALS SECRETARY

City of Stonecrest

direct: 770.224.0173 | main: 770.224.0200 | fax: 470.299.4214

www.stonecrestga.gov

Disclaimer

The information contained in this communication from the sender is confidential. It is intended solely for use by the recipient and others authorized to receive it. If you are not the recipient, you are hereby notified that any disclosure, copying, distribution or taking action in relation of the contents of this information is strictly prohibited and may be unlawful.

This email has been scanned for viruses and malware, and may have been automatically archived by **Mimecast Ltd.** This message is property of Urban Retail Properties LLC.

Lillian Lowe

From: Chris Wheeler
Sent: Tuesday, January 19, 2021 8:24 PM
To: Lillian Lowe
Cc: Tuyanna Daniel
Subject: Fw: Barnacles late night permit objection

Ms. Lillian,

Please include this email in the city council packet.

Christopher Wheeler
Planning and Zoning Director



City of Stonecrest

3120 Stonecrest Blvd.
Stonecrest, GA 30038
Office 770.224.0200
www.stonecrestga.gov
cwheeler@stonecrestga.gov

From: Matt Hampton <matt.hampton@aeiinternational.com>
Sent: Thursday, January 14, 2021 6:28 PM
To: Chris Wheeler <cwheeler@stonecrestga.gov>
Cc: MARIA.HAMPTON@AEIINTERNATIONAL.COM <MARIA.HAMPTON@aeiinternational.com>
Subject: Barnacles late night permit objection

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Mr Wheeler

On behalf of the AEI StartUP Factory located at 7310 stonecrest concourse we would like to express our strongest objection to this application for late night use.

This business has been the cause of additional trash abs liquor bottles on our parking lots w Waldo have had to replace broken windows and clean up blunt guts from their clients

We feel that this designation would increase the bad things that are occurring at this business and we also do not want to continue incurring additional expense to clean up after this applicants clients

We have attempted to resolve this issue by asking the owners of this operation to simply clean up after their guests, they have not resounded and they keep their own property dirty and full of trash.

This is not an operation that should have extended hours.

Matthew Hampton

Matthew E.P. Hampton, Director
Allen Entrepreneurial Institute
501.247.3413
www.aelinternational.com



CITY COUNCIL AGENDA ITEM

**SUBJECT: Special Land Use Petition SLUP-20-007 & SLUP-20-008
(5961 Chupp Way)**

☐ **ORDINANCE** ☐ **POLICY** ☐ **STATUS REPORT**
☐ **DISCUSSION ONLY** ☐ **RESOLUTION** ☒ **OTHER**

Date Submitted: 01/21/21 Work Section: Council Meeting: 01/25/21

SUBMITTED BY: Christopher Wheeler, Planning and Zoning Director

A handwritten signature in black ink, appearing to be "CW", written over the name Christopher Wheeler.

PURPOSE: Request two (2) special land use permits for convenience stores with auxiliary fuel pumps and operates as an alcohol outlet.

FACTS AND ISSUES: This item was heard at the January 14th, 2021, Planning Commission Meeting. The applicant requested a Special Land Use Permit for a convenience store with accessory fuel pumps and an alcohol outlet. The Planning Commission recommended deferral.

OPTIONS: Approve; Deny; or make Alternative conditions

RECOMMENDED ACTION:

Planning Commission unanimously recommended deferral of SLUP-20-007 & SLUP-20-008 at the January 14th meeting.

ATTACHMENTS:

- # 1 01/21/21 Application
- # 2 01/21/21 Comments

**SECOND AMENDMENT TO APPLICATION(S) FOR A SPECIAL LAND USE PERMIT –
CITY OF STONECREST, GEORGIA**

APPLICANT: Fairington Road Center, LLC c/o Mahaffey
Pickens Tucker, LLP

ZONING CASE NUMBER: ⁰⁰⁷ SLU20-000009; ⁰⁰⁸ SLU20-000010

PRESENT ZONING DISTRICT(S): M (Light Industrial)

REQUESTED ZONING DISTRICT(S): N/A

PROPERTY: 2.21 Acres - 5961 Chupp Way, Lithonia, GA
30038 (DeKalb Co. Parcel No. 16 087
01 006)

PROPOSED DEVELOPMENT: Convenience Store w/ Fuel Pumps and
Alcohol Outlets

By submission of this Second Amendment to Application(s) for a Special Land Use Permit (this "Amendment"), Mahaffey Pickens Tucker, LLP, as attorney and representative for the Applicant, Fairington Road Center, LLC, hereby amends the above-captioned Application(s) for a Special Land Use Permit heretofore filed with the Department of Planning & Zoning of the City of Stonecrest, Georgia, as amended by that certain Amendment to Application(s) for a Special Land Use Permit filed January 4, 2021 (the "Application"), by the addition to the Application of the materials attached hereto as Exhibit "A." Except as so modified by this Amendment, the Application shall be unchanged, and shall continue in full force and effect, and is hereby ratified and re-affirmed. To the extent of any inconsistency between the materials attached to this Amendment and those found in the Application, the materials in this Amendment shall control.

This 12th day of January, 2021.

MAHAFFEY PICKENS TUCKER, LLP,

Attorneys for Applicant



W. Brady Hughes

(770) 232-0000

bhughes@mptlawfirm.com

EXHIBIT "A"

Fairington Chupp Convenience Store Stonecrest Traffic Impact Study
[SEE ENCLOSED HEREWITH AND/OR ATTACHED HERETO VIA EMAIL]



Matthew P. Benson
Gerald Davidson, Jr.*
Brian T. Easley
Kelly O. Faber
Christopher D. Holbrook
W. Brady Hughes

Shane M. Lanham
Austen T. Mabe
Jeffrey R. Mahaffey
Steven A. Pickens
Andrew D. Stancell
R. Lee Tucker, Jr.

*Of Counsel

Revised

APPLICANT'S LETTER OF INTENT
FOR SPECIAL LAND USE PERMIT APPLICATION

Mahaffey Pickens Tucker, LLP submits this Letter of Intent and the attached Special Land Use Permit Applications (the "Applications") on behalf of Fairington Road Center, LLC (the "Applicant"). The requested Special Land Use Permits (the "Permits") relate to the proposed development of an approximately 2.21-acre property located at the southeast corner of the intersection of Chupp Way and Fairington Drive, just south of Fairington Road and Interstate 20, in the City of Stonecrest, DeKalb County, Georgia (the "Property"). Although the Permits are being sought simultaneously, the Applications relate individually to separate and distinct accessory uses. Accordingly, this Letter of Intent is offered for the Applications, collectively, to enable the Applicant to develop the Property for a Convenience Store with fuel pumps and alcohol outlets.

The proposed Convenience Store (the "C-Store") is a design customized specifically for development on the Property, and, in addition to fuel and alcohol sales, would include a mix of conventional C-Store and miscellaneous retail space. Current plans include approximately 6,000 square foot of total building space—with 3,500 square feet of C-Store space, and two 1,250 square foot spaces for other retail users—with eight multi-product fuel dispensers, and 33 parking spaces.

With the welcomed input of the City, the Applicant's proposal will feature convenience goods, alcohol, and fuel located within facilities constructed and installed in conformity with the accessory and supplemental use requirements of Sections 4.2.8 and 4.2.28 of the City of Stonecrest Zoning Ordinance (the "Ordinance"). Further, the building, parking, and ancillary improvements will be developed in a manner that complies with the Ordinance and offers attractive small-scale retail to nearby residents. This would include a 75' transitional buffer in

Sugarloaf Office || 1550 North Brown Road, Suite 125, Lawrenceville, Georgia 30043

NorthPoint Office || 11175 Cicero Drive, Suite 100, Alpharetta, Georgia 30022

TELEPHONE 770 232 0000

FACSIMILE 678 518 6880

compliance with Section 5.4.5, as well as architecture and building materials that conform with Section 5.7.1 *et seq.* Also featured would be landscaping, 5' sidewalks, and traditional architectural elements including stacked stone accents and masonry details, with all service, equipment, and trash areas appropriately screened from public view. The resulting product will evoke traditional neighborhood-commercial that blends appropriately with the character of adjacent uses, and will feature convenience retail that services surrounding residents and traffic from nearby thoroughfares.

The Property is located within the "M," light industrial, zoning district. As set forth under Table 4.1 of the Ordinance on permitted and special uses, convenience stores, with accessory alcohol outlets and fuel pumps, are allowed within M upon receipt of permission in the form of the Permits requested hereunder. Further, the uses requested under the Permits would be compatible the uses of nearby properties and the location. The Property is less than 1,000 linear feet from the Interstate-20 right of way, and less than a mile from the Lithonia Industrial Boulevard interchange. All surrounding land is zoned MR-1, medium density residential, and features garden-style multi-family, condominiums, and high-density attached single-family. If permitted, the proposed development would complement the surrounding residential land with modern retail, and support the critical mass of area residents with needed convenience and super-market offerings. Accordingly, the Applicant respectfully submits that the proposed development would permit a use that is compatible with adjacent uses, and, in furtherance thereof, requests, as appropriate, buffer reductions to accommodate development along boundary lines common with adjacent residential uses.

In further support of the Applicant's proposal, the Property is located with the "Suburban Neighborhood" Character Area Designation on the Future Land Use Map of the City of Stonecrest 2038 Comprehensive Plan (the "Comp. Plan"). As indicated in the Comp. Plan, compatible land use types within Suburban Neighborhood include "neighborhood shopping," and encouraged uses include "neighborhood retail." What's more, guiding development policies for Suburban Neighborhood feature allowance of "small-scale convenience goods/services to meet the needs of the surrounding residents," and placement of "small commercial centers at suitable locations within walking distances of residences." The proposed development is compatible with both Suburban Neighborhood's policies and the Comp. Plan's goals. Given the Property's corner-pad location and proximity to high-density residential communities, the

proposed C-Store meets the retail and convenience needs of adjacent residents, and fits within the character area's primarily encouraged non-residential use of "neighborhood commercial."

The Applicant and its representatives look forward to open collaboration with the City to create a design that integrates the proposed development into the City and welcome the opportunity to meet with the staff of the Stonecrest Department of Planning and Development to answer any questions or to address any concerns. The Applicant respectfully requests your approval of this Application.

Respectfully submitted this 21st day of August, 2020.

MAHAFFEY PICKENS TUCKER, LLP

A handwritten signature in black ink, appearing to read 'W. Brady Hughes', is written over the printed name.

W. Brady Hughes
Attorneys for Applicant



Special Land Use Permit Application

Applicant
Information

Name: Fairlington Road Center, LLC	c/o Mahaffey Pickens Tucker, LLP (Attorney for Applicant)	
Address: P.O. Box 1565, Lawrenceville, GA 30046	1650 North Brown Road, Suite 125, Lawrenceville, GA 30043	
Phone: 770.232.0000	Fax: 678.518.6880	Email: bhughes@mpllawfirm.com
Owner's Name: Fairlington Road Center, LLC		
Owner's Address: P.O. Box 1565, Lawrenceville, GA 30046		

Owner
Information

Phone: 770.232.0000	Fax: 678.518.6880	Email: bhughes@mpllawfirm.com
Property Address: 5961 Chupp Way, Lithonia, GA 30038		Acreage: +/- 2.21
Parcel ID: 16 087 01 006		
Current Zoning Classification: M (Light Industrial)		
Proposed Use of Property: Convenience Store & Retail with Alcohol Outlet		
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? ☐ Yes ☒ No		

Property
Information

Property Information: See exhibits and materials attached to this application.

Affidavit

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 filling additional materials as specified by the City of Stonecrest Zoning Ordinance.

Notary

Applicant's Name: W. Brady Hughes, Attorney for Applicant	
Applicant's Signature: <i>W. Brady Hughes</i>	Date: 8-31-2020
Sworn to and subscribed before me this 31 Day of August 2020	
Notary Public: Kathryn White	
Signature: <i>Kathryn White</i>	
My Commission Expires:	
☐ Application Fee ☐ Sign Fee ☐ Legal Fee	
Fee: \$	Payment: ☐ Cash ☐ Check ☐ CC
☐ Approved ☐ Approved with Conditions ☐ Denied	Date:

08-03-2017



PRE-APPLICATION FORM LAND USE PETITIONS AND VARIANCE PETITIONS

Purpose & Process

A Pre-Application Meeting provides you the opportunity to present a conceptual plan and letter of Intent to a representative of the Community Development Department. This meeting benefits you, the applicant, by receiving general comments on the feasibility of the plan, the process(es) procedure(s) and fees required to process and review the application(s). To schedule a meeting contact a member of the Planning and Zoning Department by calling (770) 224-0200. This form will be completed during the pre-application meeting, and must be submitted at the same time you submit your application in order for your submittal to be deemed complete.

Applicant Name: FAIRINGTON ROAD CENTER LLC

Phone: _____

Applicant E-mail: _____

Fax: _____

Representative Name: W. Brady Hughes

Phone: 770 232 0000

Representative E-mail: www.mphlawfirm.com

Fax: 678 518 6000

Site Address: 5961 Chupp way

Parcel Size: _____

Tax Parcel #: 16 087 01 006

City Council District: _____

Existing Zoning and Case Number: _____

Proposed Zoning: _____

Comprehensive Plan Character Area Map Designation: _____

Application Type: ☐ Rezoning ☒ Special Land Use Permit ☐ Variance ☐ Special Exception

Variance Type: ☐ Administrative ☐ Zoning Board of Appeals ☐ Stream Buffer

Overlay District: ☐ I-20 ☐ Stonecrest

Additional Studies: ☐ Trip Generation Report ☐ Traffic Impact Study
☐ Development of Regional Impact Review ☐ Environmental Impact Review

Proposal Description: C-STORE w/ Fuel Pumps

Applicant Signature: [Signature]

Date: 2-21-20

Planner Signature: [Signature]

Date: 2/21/20

ENVIRONMENTAL SITE ANALYSIS FOR SPECIAL USE PERMIT APPLICATIONS

1. Conformance to the Comprehensive Plan

- a. The proposed project is the development construction of a convenience store on a currently vacant/undeveloped property.
- b. The subject property is bordered on the north by Chupp Way, on the east by garden-style multi-family, on the south by vacant county-owned land, and on the west by Fairington Drive. The developed land on all sides of the subject property, both directly adjacent to it and across the right of ways of Chupp Way and Fairington Drive, is currently zoned MR-1, Medium Density Residential. These properties consist of a variety of garden-style apartments, condominiums, and fee-simple townhomes.
- c. The property is within the "Suburban Neighborhood" Character Area on the City of Stonecrest Comprehensive Plan. Encouraged uses with this character area include neighborhood retail, and guiding development policies for this designation include allowance of small-scale convenience goods that service nearby residents. The proposed use is intended to meet this objective.
- d. Comprehensive Plan Future Development Map attached hereto.
- e. The Comprehensive Plan calls for the development of neighborhood retail that provides convenience goods and services to nearby residents within Suburban Neighborhood. The use proposed will meet these goals.

2. Environmental Impacts of the Proposed Project

- a. The subject property does not contain wetlands.
- b. As designated on the flood insurance rate maps of DeKalb County, Georgia community panel number: 13089C0159J effective date May 16, 2013, the subject property is not located in a FEMA Flood Hazard Zone.
- c. The subject property does not contain streams/stream buffers.
- d. The main, developed portion of the subject property does not contain slopes exceeding 25 percent over a 10-foot rise in elevation. Along the eastern boundary line, there are some slopes exceeding 25 percent over a 10-foot rise in elevation, but that portion of the property will remain largely unimproved. A plat featuring topographical information has been submitted herewith. *See also* United States Geological Survey Topographic 2017 Redan Quadrangle Map.
- e. The subject property contains a mix of hard woods and pines. The proposed project will also contain landscaping.
- f. To the best knowledge of the Applicant, the subject property does not contain significant wildlife habitat.
- g. To the best knowledge of the Applicant, the subject property does not contain archaeological or historical sites.

3. Project Implementation Measures

- a. The subject property does not contain such environmentally sensitive areas. The proposed development will adhere to all applicable construction and building regulations regarding protection of environmentally sensitive areas.

- b. The proposed development provides for stormwater detention facilities and other measures including secure fuel storage tanks which contribute to the protection of water quality.
- c. The proposed development will extensively utilize existing infrastructure and will provide an additional driveway to improve vehicular ingress and egress as well as interparcel access.
- d. The subject property does not contain archaeological or historically significant areas.
- e. The subject property is not within an environmentally stressed community.
- f. The proposed development will feature extensive landscaping and unimproved green space.
- g. The proposed development will not result in a use that substantially increases the level of noise emanating from the subject property. The proposed development includes lighting systems and features that minimize light trespass onto adjacent properties.
- h. The proposed development does not create any adverse impacts on parks and recreational green space.
- i. The subject property does not contain significant wildlife habitat. The proposed development will result in minimal or no impact to wildlife habitat.

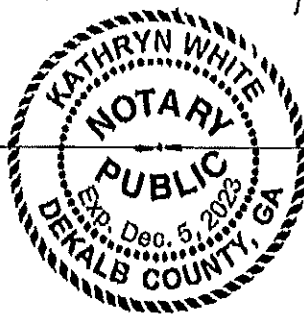
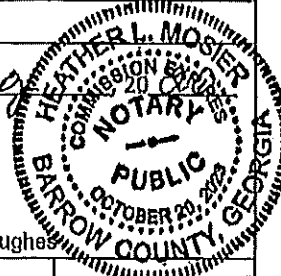


Applicant/Petitioner
Notarized Certification

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").

Fairington Road Center, LLC By: Megan Heath, its Manager

Applicant / Petitioner	Signature: <u>[Signature]</u>	Date: <u>8/24/20</u>
	Address: P.O. Box 1666	City, State: Lawrenceville, GA Zip: 30046
	Phone: 770.232.0000	
	Sworn to and subscribed before me this <u>Aug 24</u> day of <u>Aug</u>	
Attorney / Agent	Notary Public: <u>Heather Mosier</u>	
	Mahaffey Pickens Tucker, LLP, Attorneys for Apploant By: W. Brady Hughes	
	Signature: <u>[Signature]</u>	Date: <u>8-31-2020</u>
	Address: 1660 North Brown Road, Suite 125	City, State: Lawrenceville, GA Zip: 30043
	Phone: 770.232.0000	
	Sworn to and subscribed before me this <u>31</u> day of <u>August</u> , 20 <u>20</u>	
	Notary Public: <u>Kathryn White</u>	



SPECIAL USE PERMIT APPLICANT'S RESPONSE
STANDARDS GOVERNING THE EXERCISE OF THE ZONING POWER

- (A) The subject property has adequate size and land area for the use proposed under this Special Use Permit Application, including all required yards, open space, off-street parking, and all other applicable requirements for the "M," light industrial, zoning district in which the subject property is located.
- (B) The use proposed under this Special Use Permit Application is compatible with adjacent properties and uses of other nearby property. Uses surrounding the subject property are primarily multi-family, and high-density single-family in character.
- (C) The subject property is adequately served by public services, facilities, and utilities for the use proposed. The use proposed will not unduly create traffic and cause congestion.
- (D) Existing land uses located along access routes to the subject property will not be adversely affected by the character of the vehicles or the volume of the traffic generated by the proposed use.
- (E) The use proposed is or will be designed to sufficiently account for pedestrian and vehicular safety and convenience, traffic flow and control and fire/emergency access with respect to the points of ingress and egress to the subject property and all buildings, and structures.
- (F) The use proposed will not create adverse impacts upon any adjoining land use by reason of noise, smoke, odor, dust, vibration, hours of operation, manner of operation.
- (G) The plan under which the use proposed is submitted is consistent with the requirements of the M, light industrial zoning classification in which the subject property is located.
- (H) The use proposed is consistent with the policies of the Suburban Neighborhood character area in which the subject property is located under the City of Stonecrest Comprehensive Plan.
- (I) The plan under which the use proposed is submitted provides or will provide for all required buffer zones and transitional buffer zones where required by the M, light industrial, zoning district in which the subject property is located.
- (J) The use proposed makes adequate provision for refuse and services areas.
- (K) The length of time for which this Special Land Use Permit may be granted should not be limited.
- (L) The size, scale, and massing of the proposed buildings are appropriate in relation to that of the subject property and of adjacent and nearby lots and buildings.
- (M) The use proposed will not adversely affect historic buildings, sites, districts, or archaeological resources.
- (N) The proposed use satisfies the requirements contained with the supplemental requirements for such special land use permit.

- (O) The use proposed will create no negative shadow impact on any adjoining lot or building.
- (P) The proposed use would not result in a disproportionate proliferation of that of similar uses in the area surrounding the subject property.
- (Q) The proposed use is compatible and consistent with the needs of the neighborhood.



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

Fairlington Road Center, LLC, By: Mervin Heath, II Manager

Applicant / Owner	Signature: <u>[Signature]</u>
	Address: P.O. Box 1666, Lawrenceville, GA 30046
	Date: <u>8/25/25</u>

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

Date	Government Official	Official Position	Description	Amount



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

Mahaffey Pickens Tucker LLP, Attorneys for Applicant, By: R. LeTucke, Jr.

Applicant / Owner	Signature:
	Address: 1550 North Brown Road, Suite 125, Lawrenceville, GA 30043
	Date: 8-31-2020

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

Date	Government Official	Official Position	Description	Amount

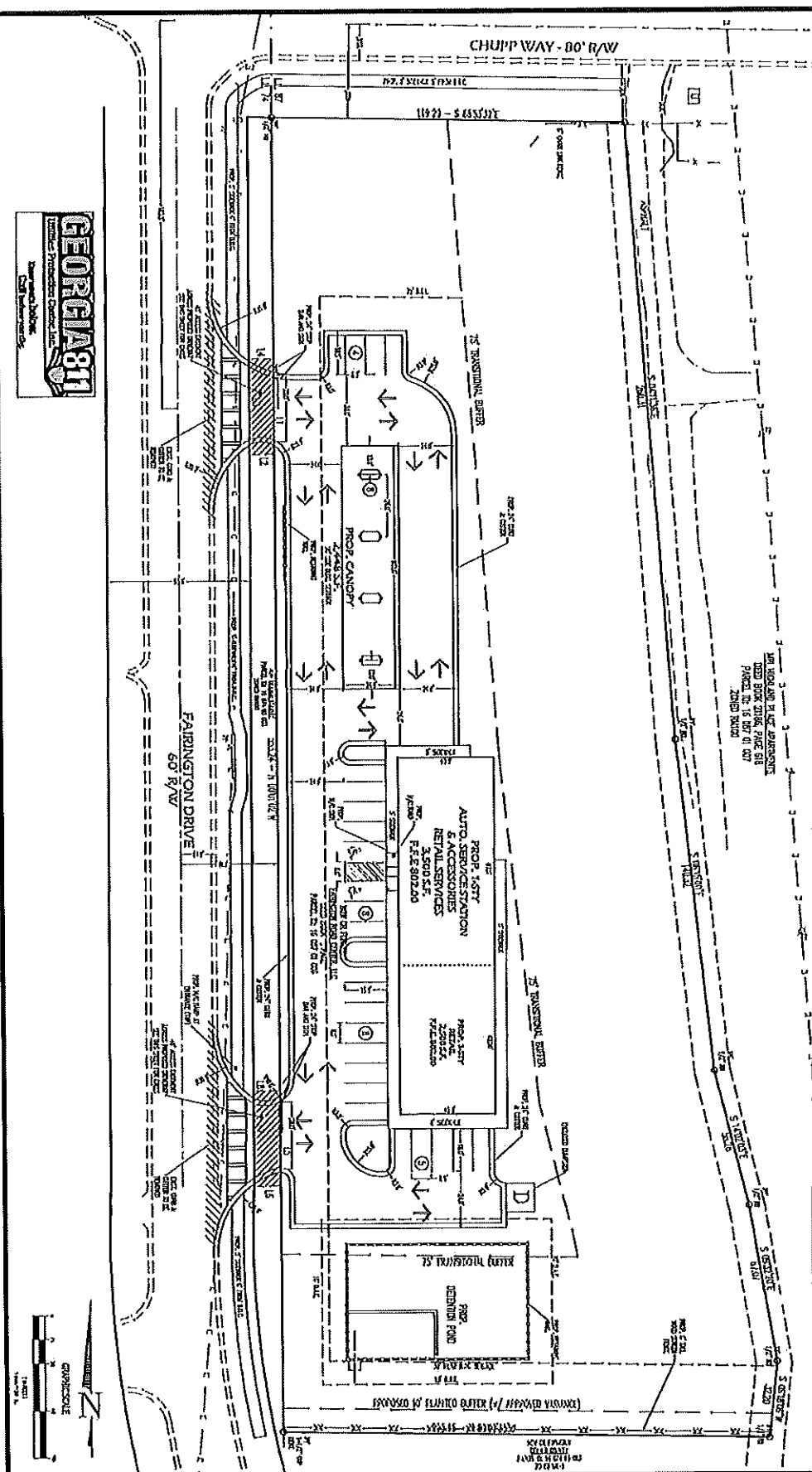
OWNER/DEVELOPER
MARS MARSHALL
710 BRIDGE BUILDING
TULSA, OK (P)
CONTACT: TERRY SWEET
TERRY@TULSA.OCG.COM

24-HR CONTACT
TERRY SWEET
TULSA, OK (P)
TULSA.OCG.COM (P)

ENGINEER
EVANS DESIGN GROUP, INC
4755 SWEET SHINE COURT
BIRMINGHAM, ALABAMA 35217
CONTACT: TERRY (P)
CONTACT: KIM M. EVANS, P.E.

TOTAL SITE AREA
96,482.30 S.F.
2.21 ACRES
CURRENTLY ZONED "M"

1. ANALYZE THE PROBLEM AND IDENTIFY THE PROBLEM AND THE GOALS OF THE PROJECT.
2. DEVELOP A PLAN TO SOLVE THE PROBLEM AND IDENTIFY THE GOALS OF THE PROJECT.
3. IMPLEMENT THE PLAN AND MONITOR THE PROGRESS OF THE PROJECT.
4. EVALUATE THE RESULTS OF THE PROJECT AND IDENTIFY THE GOALS OF THE PROJECT.
5. CONCLUDE THE PROJECT AND IDENTIFY THE GOALS OF THE PROJECT.



GEORGIA 811
Limited Protection Electric Inc.
www.ge811.com
Call today for more info.

A geological cross-section of the Gubbio section. The diagram shows a series of rock layers dipping to the right. The layers are labeled with letters and numbers: 'a' at the top, followed by 'b', 'c', 'd', 'e', 'f', 'g', 'h', 'i', 'j', 'k', 'l', 'm', 'n', 'o', 'p', 'q', 'r', 's', 't', 'u', 'v', 'w', 'x', 'y', 'z'. Below the layers, there are labels for 'GUBBIO' and 'TUSCANY'.

[illegible]

Concept rendering prepared for another site in City of Danvers not proposed to be developed by
MMA's of Farmington Road Company, LLC



LEGAL DESCRIPTION

5961 Chupp Way – DeKalb Co. Parcel No. 16 087 01 066

ALL THAT TRACT OR PARCEL OF LAND lying and being in Land Lot 87 of the 16th District of DeKalb County, Georgia, being known as part of Lot 12 of the M.M. George Property, as shown on plat recorded at Plat Book 10, Page 87, DeKalb County Records and being more particularly described as follows:

Beginning at the point of intersection of the west line of Land Lot 87 with the south right of way of Chupp Way; thence, south 88 degrees 53 minutes 32 seconds east along the south right of way line of Chupp Way 149.29 feet to an iron pin; running thence south 04 degrees 11 minutes 36 seconds east 260.31 feet to a rebar found; running thence south 06 degrees 15 minutes 00 seconds east 140.32 feet to a rebar found; running thence south 14 degrees 02 minutes 03 seconds east 58.28 feet to a rebar found; running thence south 09 degrees 32 minutes 20 seconds east 67.07 feet to a rebar found; running thence south 06 degrees 18 minutes 06 seconds west 32.20 feet to a point; running thence north 89 degrees 02 minutes 30 seconds west 205.15 feet to a point located on the west line of Land Lot 87; running thence north 00 degrees 01 minutes 02 seconds west, 553.24 feet to a point located on the south right of way line of Chupp Way, at the Point of Beginning.

SLUP Application of Fairington Road Center, LLC (c/o Mahaffey Pickens Tucker, LLP)
Public Participation Plan

NOTICE OF SPECIAL LAND USE PERMIT APPLICATION

This letter is to inform you that a Special Land Use Permit Application has been submitted to the City of Stonecrest on a tract of land within 500 feet of your property. Please be advised of the following information pertaining to the request and public hearings:

CASE NUMBER(S):	XXXX-XX-XX-XX
APPLICANT NAME:	FAIRINGTON ROAD CENTER, LLC c/o MAHAFFEY PICKENS TUCKER, LLP
PROPERTY ZONING:	"M," Light Industrial
PROPERTY LOCATION:	5961 Chupp Way, Lithonia, GA 30038
PROPERTY SIZE:	+/- 2.21 Acres
PROPOSED DEVELOPMENT:	Convenience Store with Fuel Pumps
CONTACT PERSON:	W. Brady Hughes
TELEPHONE NUMBER:	(770) 232-0000

PUBLIC INFORMATION & COMMUNITY

MEETING:	<u>XX/XX, 2020 – XX:XX PM</u>
PLANNING COMMISSION PUBLIC HEARING:	<u>XX/XX/2020 – XX:XX PM</u>
MAYOR AND CITY COUNCIL HEARING:	<u>XX/XX/2020 – XX:XX PM</u>

LOCATION OF MEETINGS:	STONECREST CITY HALL, 3120 STONECREST BLVD, STONECREST, GA 30038
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SLUP Application of Fairington Road Center, LLC (c/o Mahaffey Pickens Tucker, LLP)
Public Participation Plan

NEARBY PROPERTY OWNER LIST

Parcel #	Name	Address
16 087 01 007	MPI Highland Place Apartments, LP	Mercy Housing 260 Peachtree Street, Suite 1800 Atlanta, GA 30303
16 087 01 005	MPI Highland Place Apartments, LP	Mercy Housing 260 Peachtree Street, Suite 1800 Atlanta, GA 30303
5277 062	Old Roswell Townhomes, LLC	6845 Shiloh Road E. Suite D2 Alpharetta, GA 30005
16 087 01 031	Renees Realty, LLC	Morgans Academy, Inc. 5949 Fairington Road Lithonia, GA 30038
16 074 06 001	DeKalb Investing, Inc.	2700 Cumberland Parkway, Suite 350 Atlanta, GA 30339
16 074 08 001	DeKalb Investing, Inc.	2700 Cumberland Parkway, Suite 350 Atlanta, GA 30339
16 074 03 010	Fontaine East Owners Association, Ltd.	500 Sugar Mill Road Suite 200B Atlanta, GA 30350
16 074 11 039	Wellington Manor Homeowners Association	2132 Highway 138 NE Conyers, GA 30013
16 074 11 077	Wellington Manor Homeowners Association	2132 Highway 138 NE Conyers, GA 30013
16 174 03 003	DeKalb County	Budget Department 1300 Commerce Drive Decatur, GA 30030
16 074 06 002	Tosha Deacon	5 Tiburon Drive Lithonia, GA 30038
16 074 06 003	Big Dog Towing, LLC	Lionheart Automotive 1650 Wellborn Road Lithonia, GA 30058
16 074 06 005	Jeffrey S. Latham	11 Tiburon Drive Lithonia, GA 30038
16 074 06 006	Bryan K. Latham	13 Tiburon Drive Lithonia, GA 30038
16 074 06 007	Bobby L. Guthrie Cynthia R. Guthrie	553 Edgefield Drive Stone Mountain, GA 30087
16 074 06 008	Cheryl Allen	P.O. Box 747 Conyers, GA 30012
16 074 06 009	Tonie McCoy	19 Tiburon Drive Lithonia, GA 30038
16 074 06 012	Faisal Alkatheri	23 Tiburon Drive Lithonia, GA 30038

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16 074 06 014	Thurman Jones	25 Tiburon Drive Lithonia, GA 30038
16 074 06 016	Tony Smith Angela D. Smith	1702 Creekside Drive Katy, TX 77493
16 074 06 018	Antonette Campbell	76 N. Essex Avenue Orange, NJ 07050
16 074 06 021	Donald B. Norwood	33 Tiburon Drive Lithonia, GA 30038
16 074 06 022	KJH South Building Development	111 180 th Street, Unit 93 Jamaica, NY 11433
16 074 06 023	Teri Thomas	37 Tiburon Drive Lithonia, GA 30038
16 074 06 025	Kim C. Gantt	4395 Palton Drive Dumfries, VA 22025
16 074 06 027	Karen Armstrong	2636 Harris Street East Point, GA 30344
16 074 06 010	Davelle W. Lawson	20 Tiburon Drive Lithonia, GA 30038
16 074 06 011	Raymond S. Diamond	22 Tiburon Drive Lithonia, GA 30338
16 074 06 013	Terrence Pennicooke	24 Tiburon Drive Lithonia, GA 30038
16 074 06 015	Cheryl Allen	1128 Village Trail Stone Mountain, GA 30088
16 074 06 017	Sabrina Barnett	28 Tiburon Drive Lithonia, GA 30038
16 074 06 019	Sherlyn Martin	30 Tiburon Drive Lithonia, GA 30038
16 074 06 020	Jackie Y. Williams	32 Tiburon Drive Lithonia, GA 30038
16 074 06 024	Donald R. Gillette	38 Tiburon Drive Lithonia, GA 30038
16 074 06 026	Priscilla White	40 Tiburon Drive Lithonia, GA 30038
16 074 06 028	Eugene C. West Tamrah J. Mattis West	42 Tiburon Drive Lithonia, GA 30038
16 074 06 029	Sam Dunaway Jr.	44 Tiburon Drive Lithonia, GA 30038
16 074 08 002	Jermiah Perdue	2912 Parc Lorraine Lithonia, GA 30038
16 074 08 003	Yondrell Sanders	2904 Parc Lorraine Lithonia, GA 30038
16 074 08 004	Trenda Stern Gary Stern	P.O. Box 13118 Jersey City, NJ 07303
16 074 08	Sherrie E. Newborn	2329 W. Jefferson BLVD

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005		Los Angeles, CA 90018
16 074 08 009	Realexstate ATL 28, LLC	3834 Jodeco Road McDonough, GA 30253
16 074 08 008	Emanuel Osho	2906 Parc Lorraine Lithonia, GA 30038
16 074 08 007	Betty S. William	2500 Promberry Drive, Apt. 14 Montgomery, AL 36106
16 074 08 006	Shanique Williams	2902 Parc Lorraine Lithonia, GA 30038
16 074 08 010	Karen R. Wade	2926 Parc Lorraine Lithonia, GA 30038
16 074 08 011	Kieyana Grant	2918 Parc Lorraine Lithonia, GA
16 074 08 012	Lydia T. Jones	3376 Wesley Chapel Road Decatur, GA 30034
16 074 08 013	Iris E. Grant	2286 Swan Lake Court Grayson, GA 30038
16 074 08 017	Vershon Jones	2924 Parc Lorraine Lithonia, GA 30038
16 074 08 016	Andre Tafur Roxana Noriega	1904 Mary Lou Lane SE Atlanta, GA 30316
16 074 08 015	Jennifer L. Collins Troy E. Page	2928 Parc Lorraine Lithonia, GA 30038
16 074 08 014	Cynthia Baxter	2920 Parc Lorraine Lithonia, GA 30038
16 074 08 018	Deidre J. Wortham	3880 Berkley View Drive Berkley Lake, GA 30096
16 074 08 019	Nancy H. Wages	2585 Turtle Cove TRWY Monticello, GA 31064
16 074 08 020	Secretary of Housing and Urban Development	40 Marietta Plaza Atlanta, GA 30303
16 074 08 021	Aviva Taman Refael Teman	6300 Wilshire BLVD, Unit 970 Los Angeles, CA 90046
16 074 08 022	Isatu Bangura	2030 Defoor Avenue NW, A3 Atlanta, GA 30318
16 074 08 023	Charles Lyson	611 Ashley Lakes Drive Norcross, GA 30092
16 074 08 024	Federal National Mortgage Association	14221 Dallas Parkway Dallas, TX 75254
16 074 08 025	David Orozco	2035 Montgomery Trail Duluth, GA 30096
16 074 08 033	Ryan M. Johnson	4053 Hill Station Court Sugar Hill, GA 30518
16 074 08 032	Nancy Crotty	2929 High Brook Way SE Conyers, GA 30094

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16 074 08 031	Kenya L. Watkins	P.O. Box 71 Snellville, GA 30078
16 074 08 030	Sover Shamshom Yousef Shamshoum	3851 Holcomb Bridge Road, Unit 300 Norcross, GA 30092
16 074 08 029	Mohammed Houssein Ahmed	3205 Bloomington Avenue South, Unit 2 Minneapolis, MN 55407
16 074 08 028	Lydia Jones	P.O. Box 360875 Decatur, GA 30036
16 074 08 027	GE Adan, LLC	3851 Holcomb Bridge Road, Suite 300 Norcross, GA 30092
16 074 08 026	Karone Wint	1248 E. 101 st Street Brooklyn, NY 11236
16 074 08 034	Carl Millender	2974 Parc Lorraine Lithonia, GA 30038
16 074 08 035	Latreil Jones	130 Vandalia Avenue, Apt 6D Brooklyn, NY 11239
16 074 08 036	Claudette Spencer	94 Becks BLVD Ringoos, NJ 08851
16 074 08 037	Edgardo P. Spencer	2970 Parc Lorraine Lithonia, GA 30038
16 074 08 085	Nathan Smith Steven Hammond	445 Camelot Parkway Jonesboro, GA 30236
16 074 08 084	Hassan A.A. Majd	5125 Forest Run Trace Johns Creek, GA 30022
16 074 08 083	Nathan Smith Steven Hammond	445 Camelot Parkway Jonesboro, GA 30236
16 074 08 082	Ryan Johnson	4053 Hill Station Court Sugar Hill, GA 30518
16 074 08 086	Cheryl D. Hillman	P.O. Box 2053 McDonough, GA 30253
16 074 08 087	David Orozco	2035 Montgomery Trail Duluth, GA 30096
16 074 08 088	Cornelis Oskam	Nieuwe Hoven 68 4205BE Gorinchem, Netherlands
16 074 08 089	Geoffrey Nnadi Ngozi Ndadi	119 Missing Lake Drive Ellenwood, GA 30294
16 074 08 093	Barbara Coppola Revocable Trust	113 Franklin Avenue Harrison, NY 10528
16 074 08 092	Patricia A. Marshall	3078 Parc Lorraine Lithonia, GA 30038
16 074 08 091	Carmel Moreno	3415 Glensford Drive Decatur, GA 30032
16 074 08 090	Yossi Hod	6300 Wilshire BLVD, Unit 970 Los Angeles, CA 90048
16 074 08	Emerald Green Properties, LLC	1244 Beaver Run Road, Unit 301

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078		Norcross, GA 30093
16 074 08 079	Carolyn Thomas	3048 Parc Lorraine Lithonia, GA 30038
16 074 08 080	Malak Property, LLC	3579-A Chamblee Tucker Road, # 942132 Atlanta, GA 31141
16 074 08 081	Double TM Holding, LLC	P.O. Box 2937 Covington, GA 30015
16 074 08 077	Akil Ravariere Malak Property, LLC	3579-A Chamblee Tucker Road, # 942132 Atlanta, GA 31141
16 074 08 076	Willie M. Williams	3050 Parc Lorraine Lithonia, GA 30038
16 074 08 076	Sandra O'Clare Revocable Trust	3054 Parc Lorraine Lithonia, GA 30038
16 074 08 074	Sherwanda Pattillo	3046 Parc Lorraine Lithonia, GA 30038
16 074 11 038	Annie Doris Mays	5936 Trent Walk Drive Lithonia, GA 30038
16 074 11 037	Monica S. Ivory Willie P. Ivory	5934 Trent Walk Drive Lithonia, GA 30038
16 074 11 036	Lior Biton	3851 Holcomb Bridge Road, Suite 300 Norcross, GA 30092
16 074 11 035	FYR SFR Borrower, LLC Havenbrook Homes	3505 Koger BLVD, Suite 400 Duluth, GA 30096
16 074 11 034	Precious Jennings SNH Properties, LLC	5928 Trent Walk Drive Lithonia, GA 30038
16 074 11 033	Patricia A Rhue Kathy E. Rhue	5924 Trent Walk Drive Lithonia, GA 30038
16 074 11 032	Michael Raffington	80 Roosevelt Avenue Dumont, NJ 07628
16 074 11 031	Henri M. Hubbard Lucius Morris	5920 Trent Walk Drive Lithonia, GA 30038
16 074 11 030	Betty Carter	5918 Trent Walk Drive Lithonia, GA 30038
16 074 11 029	Brenda J. Baugh	5916 Trent Walk Drive Lithonia, GA 30038
16 074 11 028	Patricia Montgomery Jada Montgomery	1313 Evergreen Trail Lithonia, GA 30058
16 074 11 027	Warren Maye Marilyn Maye	3621 De Reimer Avenue Bronx, NY 10466
16 074 11 026	Alicia Gosling	5908 Trent Walk Drive Lithonia, GA 30038
16 074 11 025	Rodriguez D. Sawyer	5906 Trent Walk Drive Lithonia, GA 30038
16 074 11 024	HED Properties, LLC	8 Oriole Drive Kirkland, QC H9H 3X3

SLUP Application of Fairington Road Center, LLC (c/o Mahaffey Pickens Tucker, LLP)
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16 074 11 040	Shawntai Jones	5941 Trent Walk Drive Lithonia, GA 30038
16 074 11 041	Colleen Morrison Alexander Geddes	4188 Steeplehill Drive NW Kennesaw, GA 30144
16 074 11	Praise Property Holdings	1660 Saint Julian Street Suwanee, GA 30024
16 074 11 043	Fannie M. Vinson	5935 Trent Walk Drive Lithonia, GA
16 074 11 044	Sandy L. Price	5933 Trent Walk Drive Lithonia, GA 30038
16 074 11 045	Valerie Clark	5931 Trent Walk Drive Lithonia, GA 30038
16 074 11 046	Stephanie W. Garrison	5929 Trent Walk Drive Lithonia, GA 30038
16 074 11 047	Reven Housing Georgia, LLC	P.O. Box 1459 La Jolla, CA 92038
16 074 11 048	Belinda V. Reid	5923 Trent Walk Drive Lithonia, GA 30038
16 074 11 049	Addie Smith	5921 Trent Walk Drive Lithonia, GA 30038
16 074 11 050	51919 Trent Walk Drive	P.O. Box 458 Redan, GA 30074
16 074 11 051	Felicia A. Wyms	5917 Trent Walk Drive Lithonia, GA 30038
16 074 11 052	Brenda F. Ezell Ruth A. Ezell	5915 Trent Walk Drive Lithonia, GA 30038
16 074 11 053	Jackquiline Barnes	808 Treeline Drive Conyers, GA 30094
16 074 11 076	Cornelius Jackson III	5987 Sherwood Trace Lithonia, GA 30038
16 074 11 075	Esmine Sutherland Anthony Flemmings	5985 Sherwood Trace Lithonia, GA 30038
16 074 11 074	Eugen Voloti	4544 Devonshire Road Atlanta, GA 30338
16 074 11 073	Virita L. Sharif	2469 Williams Downs Circle SW Snellville, GA 30078
16 074 11 072	Grinyude, LLC	2556 Fontainebleu Drive Dunwoody, GA 30360
16 074 11 071	Linda P. Cousin	5975 Sherwood Trace Lithonia, GA 30038
16 074 11 070	Frankie Little	5837 Stratwood Manor Lithonia, GA 30058
16 074 11 069	Patricia L. Dunn	5971 Sherwood Trace Lithonia, GA 30038
16 074 11	Margaret Vidal	2072 Cobblefield Circle

SLUP Application of Fairington Road Center, LLC (c/o Mahaffey Pickens Tucker, LLP)
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068	Dornett Atkins	Apopka, FL 32703
16 074 11 067	Jay H. Jackson	7257 Glen Cove Lane Stone Mountain, GA 30087
16 074 11 066	BAF 1, LLC	5001 Plaza on the Lake, Suite 200 Austin, TX 78746
16 074 11 065	Leonard Daniel Inez Daniel	5961 Sherwood Trace Lithonia, GA 30038
16 074 11 064	Gila Marbach	5959 Sherwood Trace Lithonia, GA 30038
16 074 11 063	Kimberly Sharkey	5957 Sherwood Trace Lithonia, GA 30038
16 074 11 062	Antonya Pierce	2028 Channing Drive Conyers, GA 30094
16 074 11 061	Grant Walton	5763 Spring Mill Circle Lithonia, GA 30038

COMMUNITY INFORMATION & INPUT MEETING REPORT

Prospective Rezoning Applicant & Subject Property:

Fairington Road Center, LLC C/o Mahaffey Pickens Tucker, LLC
5961 Chupp Way, Lithonia, GA 30038 (DeKalb County Tax Parcel No. 16 087 01 006)

Application Case Number(s)

SLU20-000009 & SLU20-000010

Meeting Date:

6:15 PM – 7:15 PM, Wednesday, October 28, 2020

Meeting Location:

VIA Zoom

Attached Documentation:

Notification Letter
Certificates of Mailing
Meeting Participant Sheet

Number of Attendees:

8 (not including representative of applicant)

Summary of Concerns, Issues & Problems Expressed by Meeting Attendees:

Introduction:

Representative of the Applicant, W. Brady Hughes of Mahaffey Pickens Tucker, LLP (“Representative”), introduced himself, introduced the Applicant, and its background and experience developing C-stores.

Representative introduced the proposal of a C-store with fuel and alcohol sales, and displayed a rendering of the proposed development.

Finally, Representative described the process for zoning, use permits, and land use decisions with respect to application filing, community meeting, and public hearings, and notified the attendees of the upcoming Planning Commission and Mayor & City Council hearings on November 10 and November 23, respectively.

General Concern for, and Opposition to Applicant's Proposed Development of Convenience Store with Fuel and Alcohol:

Representative provided each meeting attendee the opportunity to speak, one-by-one, and provided brief remarks and comments in between each speaker. Each community member who spoke indicated, generally, that they are opposed to the proposed development as a matter of land use for the subject property. Some speakers questioned the nature of the application (i.e., why the need for the special use permits), and requested further information about the property's zoning.

Representative responded by expressing that the Applicant is the Property owner, that they are allowed certain uses in the subject property's current zoning by right, and that they are allowed other uses with the issuance of a special use permit from the City. Representative also described the property's current industrial zoning, and expressed, generally, what other kinds of uses and developments could otherwise go on this site in lieu of a C-store with fuel. Representative indicated that the Applicant respectfully disagrees that the proposed development is not an appropriate use for the Property, and indicated that the Applicant is excited about this project and about providing a needed use for the area. Representative explained that significant resources and work had gone into the proposal, and that the Applicant hopes to be successful in this project and that it ultimately benefits surrounding residents and property values.

Concern with particular effects resulting from development if approved and constructed:

Some community members expressed particular concerns about undesired consequences flowing from the proposed development, if approved. These remarks included, specifically, concerns about noise, traffic, road capacity and condition, crime and danger to residents and children of residents, trash and litter, and pollution and emissions. Representative responded by indicating that these are common concerns of Convenience Store developments, are concerns that the Applicant has experience in handling, and that such concerns may be handled with modifications to particular aspects of the proposal. In particular, Representative stated that trash and litter could be handled by screening of trash areas, and that noise concerns could be mitigated by designated services areas away from residents' homes. However, Representative indicated that he could not respond with any particular concessions at this time without consultation with the Applicant, and more feedback from the City concerning a recommendation of approval/denial, or proposed conditions.

Concern about notice of the application, giving input at the public hearing, and how a final decision will be made:

Several questions were directed toward Representative about the meeting invite letters, notice of the public hearings, date and time of the public hearings, the public hearing process, and when final approval or denial comes. Representative stated when the application was filed, and that the present meeting was a requirement for Stonecrest land use applicants between filing and public hearings. This was followed by an estimate of the timeline for public hearings, permitting, construction, etc. Representative explained when the meeting was scheduled, when notice letters were sent to meeting attendees (October 20), how they were sent (by regular mail), and how recipients of the letters were selected (all property owners within five hundred of the boundaries of the subject property, as shown on DeKalb County tax assessor records), and that, if it was not already required, Representative will give notice of public hearing dates to all meeting attendees who contact Representative and request it (**Representative provided meeting participants his phone number and email address**). Representative noted, though, that sign-posting and advertisement in a legal organ is required, that date and time of public hearings was shown on the meeting invite letter, and that further information about public hearings can be found on the City of Stonecrest website. Representative gave guidance to meeting attendees as to the format of public hearing, and how community may express support, opposition, or concern to land use authorities at such hearing. Representative stated that project must be either approved or denied as a land use matter by the Mayor and City Council first, and that any appeal must come after such vote of approval or denial, and that land use appeals essentially involve litigation. Representative stated how property fits in the

Community Meeting Report – SLU20-000009 & SLU20-000010
October 28, 2020

area, the needs of the market, with the City's comprehensive plan and future land use map, and that there is substantial justification for approval of the rezoning, but that it is not guaranteed. Approval must be given by the City of Stonecrest Mayor & City Council.

Conclusion of meeting at approximately 7:15 PM.

SLUP Application of Fairington Road Center, LLC (c/o Mahaffey Pickens Tucker, LLP)
Public Participation Plan

NOTICE OF SPECIAL LAND USE PERMIT APPLICATION

This letter is to inform you that a Special Land Use Permit Application has been submitted to the City of Stonecrest on a tract of land within 500 feet of your property. Please be advised of the following information pertaining to the request and public hearings:

CASE NUMBER(S): SLU20-000009; SLU20-000010

APPLICANT NAME: FAIRINGTON ROAD CENTER, LLC c/o MAHAFFEY PICKENS TUCKER, LLP

PROPERTY ZONING: "M," Light Industrial

PROPERTY LOCATION: 5961 Chupp Way, Lithonia, GA 30038

PROPERTY SIZE: +/- 2.21 Acres

PROPOSED DEVELOPMENT: Convenience Store & Retail with Fuel Pumps & Alcohol Outlet

CONTACT PERSON: W. Brady Hughes; Shane Lanham

TELEPHONE NUMBER: (770) 232-0000

EMAIL: amosley@mptlawfirm.com

PUBLIC INFORMATION & COMMUNITY MEETING: October 28, 2020 – 6:00 PM

PLANNING COMMISSION PUBLIC HEARING: November 10, 2020 – 6:00 PM

MAYOR AND CITY COUNCIL HEARING: November 23, 2020 – 7:00 PM

LOCATION OF MEETINGS:

- COMMUNITY MEETING: VIA ZOOM (*Invitation and Meeting information attached*)
- PLANNING COMMISSION PUBLIC HEARING: VIA ZOOM AND STONECREST TV
(*Citizens wishing to make public comment can come to City Hall—at 3120 Stonecrest Blvd., Suite 190, Stonecrest, GA 30038—and make comments on a laptop running the Zoom application at the podium in Council Chambers or submit their questions via email address llowe@stonecrestga.gov*)
- MAYOR AND CITY COUNCIL HEARING: VIA ZOOM AND STONECREST TV

ZOOM MEETING INVITATION AND INFORMATION

Brady Hughes and Shane Lanham are inviting you to a scheduled Zoom meeting.

Topic: SLU20-000009; SLU20-000010 - 5961 Chupp Way - Convenience Store & Retail Development

Time: Oct 28, 2020 06:00 PM Eastern Time (US and Canada)

- **Join Zoom Meeting**

<https://us02web.zoom.us/j/89196571550?pwd=Q0tuTWlHdGhpbTIUQStincVIwbDFFdz09>

Meeting ID: 891 9657 1550

Passcode: 759339

One tap mobile

+13126266799,,89196571550#,,,,,0#,,759339# US (Chicago)

+19292056099,,89196571550#,,,,,0#,,759339# US (New York)

Dial by your location

+1 312 626 6799 US (Chicago)

+1 929 205 6099 US (New York)

+1 301 715 8592 US (Germantown)

+1 346 248 7799 US (Houston)

+1 669 900 6833 US (San Jose)

+1 253 215 8782 US (Tacoma)

Meeting ID: 891 9657 1550

Passcode: 759339

Find your local number: <https://us02web.zoom.us/j/89196571550?pwd=Q0tuTWlHdGhpbTIUQStincVIwbDFFdz09>

Further Information & Notice to Participants and Attendees:

As part of conducting the Public Participation and Community Information Meeting to which you have been invited, the Applicant, or their representative holding the meeting, is required to record the number and name of all participants and community members in attendance. Because, however, this meeting will be conducted via ZOOM, this task presents some logistics challenges.

Accordingly, to begin the meeting, I will request that all those logging in via ZOOM to attend the meeting please clearly state their name and address when called upon. In the interest of time, however, it would be sincerely be appreciated if all those planning to attend the ZOOM meeting would submit their name and address in advance of the meeting to Amanda Mosley, project administrator at Mahaffey Pickens Tucker, LLP, by email at amosley@mpflawfirm.com, using the subject line "STONECREST ZOOM MEETING SIGN-IN SHEET."

COMMUNITY INFORMATION MEETING PARTICIPATION SHEET

SLU20-000009 & SLU20-000010

1. Tenda Stern – 2908 Park Lorraine Circle – Lithonia, GA 30038
2. Audrey Johnson – 131 Tiburon Court, Lithonia, GA 30038
3. Anne Brown – 161 Tiburon Drive, Lithonia, GA 30038
4. Kathy Rhue – 5924 Trent Walk Drive, Lithonia, GA 30038
5. Donald Norwood – 33 Tiburon Drive, Lithonia, GA 30038
6. Lisa G. – would not provide full last name or address
7. Eugene West – 42 Tiburon Drive, Lithonia, GA 30038
8. Stephie Garrison – 5929 Trent Walk Drive, Lithonia, GA 30038

Name and Address of Sender
 Shane Lanham, Esq.
 Mahaffey Pickens Tucker LLP
 1550 N. Brown Road, Suite 125
 Lawrenceville, Georgia 30043

Check type of mail or service:

- ☐ Certified
☐ COD
☐ Delivery Confirmation
☐ Express Mail
☐ Insured
☐ Registered Delivery (International)
☐ Return Receipt for Merchandise
☐ Signature Confirmation

Article Number

Address (Name, Street, City, State, & Zip Code)

Postage

Fee

Actual Value
If Registered

Insurance
Value

IF COD

Fee

Fee

Fee

Fee

Fee

Fee

1.

51919 Treat Walk Drive
 P.O. Box 458
 Redan, GA 30074

2.

Addie Smith
 5921 Treat Walk Drive
 Lithonia, GA 30038

3.

Albi Ravarere Malak Property, LLC
 3579-A Chamber Tucker Road,
 Atlanta, GA 31141

4.

Alicia Gooding
 5908 Treat Walk Drive
 Lithonia, GA 30038

5.

Andre Tafari-Rozana Noriega
 1904 Mary Lou Lane SE
 Atlanta, GA 30316

6.

Amie Doris Mays
 5936 Treat Walk Drive
 Lithonia, GA 30038

7.

Antoinette Campbell
 76 N. Essex Avenue
 Orange, NJ 7050

8.

Antonya Pierce
 2028 Channing Drive
 Conyers, GA 30094

Total Number of Pieces
Listed by Sender

Total Number of Pieces
Received at Post Office

Postmaster, Per (Name of receiving employee)

Greg Wymah

See Privacy Act Statement on Reverse

PS Form 3877, February 2002 (Page 1 of 2)

Completed by Typewriter, Ink, or Ball Point Pen

Affix Stamp Here
 (If issued by a
 Certified Mail Agent
 Or for collection
 Copies of this list
 Postmaster only
 Date of Receipt

BOGGS POST
 OCT 19 2020
 80096 5519

US POSTAGE
 \$ 003.28
 Correction
 02 1P
 0001182006
 OCT 19 2020
 0001182006
 OCT 19 2020
 0001182006
 OCT 19 2020

Name and Address of Sender
 Shane Lantham, Esq.
 Mahaffey Pickens Tucker LLP
 1550 N. Brown Road, Suite 125
 Lawrenceville, Georgia 30043

Check type of mail or service:

- ☐ Certified
☐ COD
☐ Delivery Confirmation
☐ Express Mail
☐ Insured
☐ Recorded Delivery (International)
☐ Registered
☐ Return Receipt for Merchandise
☐ Signature Confirmation

Article Number

Addressee (Name, Street, City, State, & Zip Code)

Postage

Fee

Actual Value Registered

Value

IF COD

Fee

Fee

Fee

Fee

Fee

Fee

1.

Aviva Tamara Rafael Teman
 6300 Wilshire Blvd, Unit 970
 LA, CA 90046

2.

BAF I, LLC
 5001 Plaza on the Lake, Suite 200
 Austin, TX 78746

3.

Barbara Coppola Revocable Trust
 113 Franklin Avenue
 Harrison, NY 10523

4.

Bellinda V. Reid
 5923 Trent Walk Drive
 Lithonia, GA 30038

5.

Betty Carter
 5918 Trent Walk Drive
 Lithonia, GA 30038

6.

Betty S. William
 2500 Promberry Drive, Apt. 14
 Montgomery, AL 36106

7.

Big Dog Towing, LLC
 Lienticart Automotive
 Lithonia, GA 30038

8.

Bobby L. Gulanite (Cynthia R. Gulanite)
 553 Edgefield Drive
 Stone Mtn, GA 30087

Total Number of Pieces Listed by Sender

Postmaster, Per (Name of receiving employee)

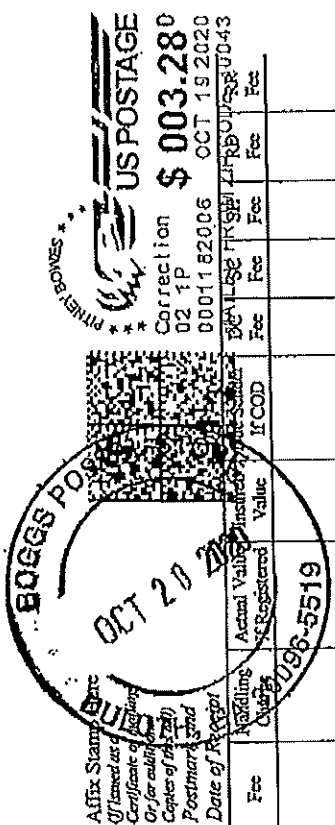
Completed by Typewriter, Ink, or Ball Point Pen

See Privacy Act Statement on Reverse

PS Form 3877, February 2002 (Page 1 of 2)

2

Majors Management (Hewitt, Marvin)
 c/o Mahaffey Pickens Tucker, LLP
 SLUP2020-000009, SLUP2020-000010
 2213-0055



Name and Address of Sender
 Shane Lanham, Esq.
 Mahaffey Pickens Tucker LLP
 1550 N. Brown Road, Suite 125
 Lawrenceville, Georgia 30043

Check type of mail or service:

- ☐ Certified
☐ COD
☐ Delivery Confirmation
☐ Express Mail
☐ Insured
☐ Registered
☐ Return Receipt for Merchandise
☐ Signature Confirmation

Article Number

Addressee (Name, Street, City, State, & Zip Code)

Postage

Handwritten
Change

Actual Value
If Registered

Value

IF COD

Fee

Fee

Fee

1.

Brenda F. Ezell
 5915 Trent Walk Drive
 Lithonia, GA 30038

2.

Brenda J. Baugh
 5916 Trent Walk Drive
 Lithonia, GA 30038

3.

Bryan K. Leibman
 13 Tiburon Drive
 Lithonia, GA 30038

4.

Carl Millender
 2974 Parc Lorraine
 Lithonia, GA 30038

5.

Carmel Moreno
 3415 Glenford Drive
 Decatur, GA 30052

6.

Carolyn Thomas
 3048 Parc Lorraine
 Lithonia, GA 30038

7.

Charles Lysen
 611 Ashley Lakes Drive
 Norcross, GA 30092

8.

Cheryl Allen
 P.O. Box 747
 Conyers, GA 30012

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2.	Cheryl D. Hillman P.O. Box 2053 McDonough, GA 30253										
3.	Claudette Spencer 94 Becks Blvd Ringers, NJ 8851										
4.	Colleen Morrison/Alexander Geddes 4188 Steeplehill Drive NW Kennesaw, GA 30144										
5.	Cornelia Oskam Nieuwe Hoven 68420585 Germaheim, Gorinchem, 0										
6.	Cornelius Jackson III 5987 Sherwood Traces Lithonia, GA 30038										
7.	Cynthia Baxter 2920 Parc Lorraine Lithonia, GA 30038										
8.	Devalle W. Lawson 20 Tiburon Drive Lithonia, GA 30038										

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Actual Value
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Insurance
Value

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Fee

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Fee

Fee

1.

David Orozco
 2035 Montgomery Trail
 Duluth, GA 30096

2.

David Orozco
 2035 Montgomery Trail
 Duluth, GA 30096

3.

Deidre J. Wortham
 3880 Berkeley View Drive
 Berkeley Lakes, GA 30096

4.

DeKalb County
 Budget Department
 Decatur, GA 30030

5.

DeKalb Investing, Inc.
 2700 Cumberland Parkway, Suite 350
 Atlanta, GA 30339

6.

DeKalb Investing, Inc.
 2700 Cumberland Parkway, Suite 350
 Atlanta, GA 30339

7.

Donald E. Norwood
 33 Tiburon Drive
 Lithonia, GA 30038

8.

Donald R. Gillette
 38 Tiburon Drive
 Lithonia, GA 30038

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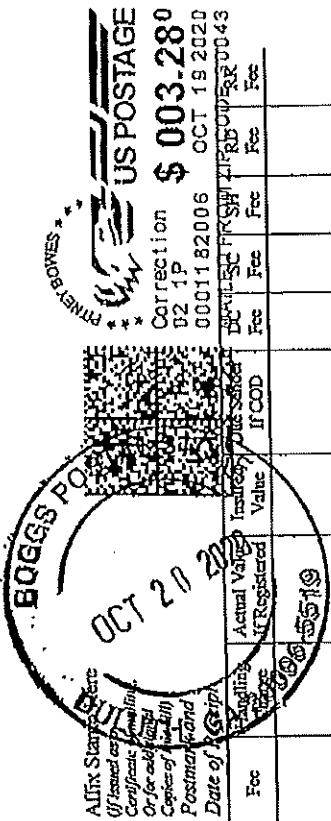
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Double TM Holding, LLC
P.O. Box 2937
Covington, GA 30015

2.

Edgardo P. Spencer
2970 Parc Lorraine
Lithonia, GA 30038

3.

Emanuel Ostro
2906 Parc Lorraine
Lithonia, GA 30038

4.

Emerald Green Properties, LLC
1244 Beaver Run Road, Unit 301
Norcross, GA 30093

5.

Esraue Sutherland/Anthony Flemmings
5985 Sherwood Trace
Lithonia, GA 30038

6.

Eugen Voleri
4544 Devonshire Road
Lithonia, GA 30038

7.

Eugene C. West/Tamara J. Marks West
42 Tiburon Drive
Lithonia, GA 30038

8.

Faisal Alkatheri
23 Tiburon Drive
Lithonia, GA 30038

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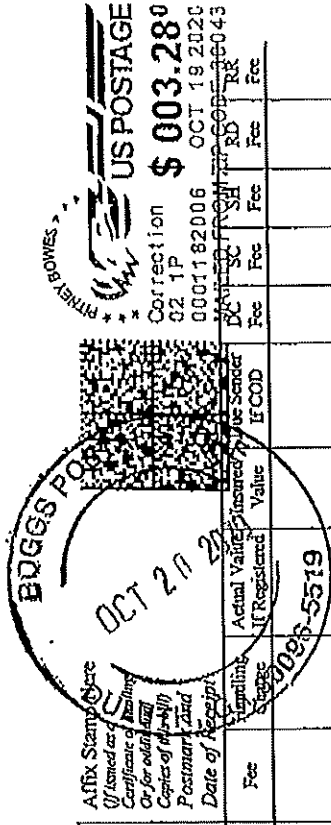
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Insurance

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Fee

1.

Gila Marbach
5959 Sherwood Trace
Lithonia, GA 30038

2.

Grant Walton
5763 Spring Mill Circle
Lithonia, GA 30038

3.

Griyade, LLC
2556 Fountainhead Drive
Dunwoody, GA 30360

4.

Hassan A.A. Majid
5125 Forest Run Trace
Johns Creek, GA 30022

5.

HED Properties, LLC
8 Oriole Drive
Kirkland, QC 0

6.

Henn M. Hubbard/Lucius Morris
5920 Trent Walk Drive
Lithonia, GA 30038

7.

Iris E. Grant
2286 Swan Lake Court
Grayson, GA 30033

8.

Istu Bangura
2030 Debor Avenue NW, AS
Atlanta, GA 30318

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1.	Jackie Y. Williams 32 Tiburon Drive Lithonia, GA 30038												
2.	Jackqueline Barnes 808 Treadline Drive Conyers, GA 30094												
3.	Jay H. Jackson 7257 Glen Cove Lane Stone Mtn, GA 30087												
4.	Jeffrey S. Latham 11 Tiburon Drive Lithonia, GA 30038												
5.	Jennifer L. Collins/Troy E. Page 2923 Parc Lorraine Lithonia, GA 30038												
6.	Jamiah Perdue 2912 Parc Lorraine Lithonia, GA 30038												
7.	Karen Armstrong 2636 Harris Street East Point, GA 30344												
8.	Karen R. Wade 2926 Parc Lorraine Lithonia, GA 30038												

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Karane Wml
1248 E. 101st Street
Brooklyn, NY 11236

Kenya L. Watkins
P.O. Box 71 | Snellville, GA 30078
Snellville, GA 30078

Kieyana Grant
2918 Pare Lorraine
Lithonia, GA 30038

Kim C. Garrit
4395 Palton Drive
Dumfries, VA 22025

Kimberly Sharkey
5957 Sherwood Trace
Lithonia, GA 30038

KJH South Building Development
111 180th Street, Unit 93
Farmina NY 11433

Latrell Jones
130 Vandellia Avenue, Apt 6D
Brooklyn GA 31179

Leonard Daniel [Inez Daniel]
3961 Sherwood Trace Lithonia, GA 30058
Yakima, GA 30058

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Monica S. Ivory/Willie P. Ivory

934 Tremé Walk Drive

Lilienthal GA 30038

AMPI Highland Place Apartments, LP

760 Peachtree Street Suite 1800

Atlanta, GA 30303

Nancy Crony

2929 High Brook Way SE

Convict GA 3009

Nancy H. Wages

2585 Turtle Cove TRWY

Monticello, GA 31064

Nathan Smith | Steven Hammond

445 Camelot Parkway

Jamesboro GA 30236

Nathan Smith | Steven Hammond

445 Camelot Parkway

Tonesham GA 30236

Old Roswell Townhomes, LLC

6845 Shiloh Road E. Suite D21

Alpharetta GA 30005

Patricia A Rhue**Kathy E. Rhue**

5924 Trem Walk Drive

Lilington GA 30038

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Patricia A. Marshall
3078 Pare Lorraine
Lithonia, GA 30038

Patricia L. Dunn
5971 Sherwood Trace
Lithonia, GA 30038

Patricia Montgomery/Jada Montgomery
1315 Evergreen Trail
Lithonia, GA 30038

Prairie Property Holdings
1660 Saint Julian Street
Suwanee, GA 30024

Precious Jennings/SNH Properties, LLC
5928 Treat Walk Drive
Lithonia, GA 30038

Priscilla White
40 Tiburon Drive
Lithonia, GA 30038

Raymond S. Diamond
22 Tiburon Drive
Lithonia, GA 30038

Realstate ATL 28, LLC
3834 Jodero Road
McDonough, GA 30253

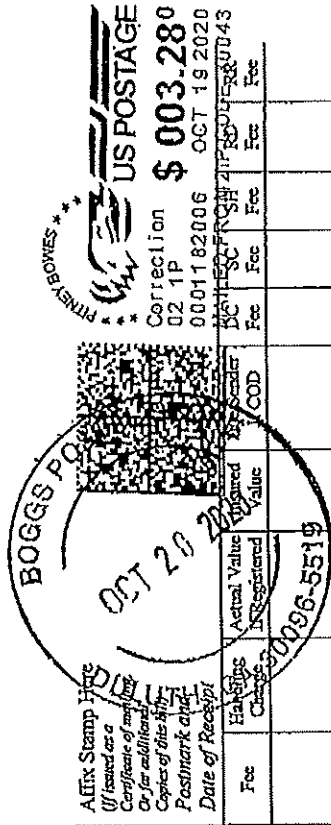
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1.

Renees Realty, LLC

5949 Farmington Road

Lithonia, GA 30058

2.

Reven Housing Georgia, LLC

P.O. Box 1459

La Jolla, CA 92038

3.

Rodriguez D. Sawyer

5906 Trent Walk Drive

Lithonia, GA 30058

4.

Ryan Johnson

4055 Hill Station Court

Sugar Hill, GA 30518

5.

Ryan M. Johnson

4053 Hill Station Court (Sugar Hill, GA 30518

Sugar Hill, GA 30518

6.

Sabrina Barnett

28 Tiburon Drive

Lithonia, GA 30058

7.

Sam Durravey Jr.

44 Tiburon Drive

Lithonia, GA 30058

8.

Sandra O'Clare Revechele Trust

3054 Parc Lorraine

Lithonia, GA 30058

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1.

Sandy L. Price
5933 Trent Walk Drive
Lithonia, GA 30038

2.

Secretary of Housing and Urban Development
40 Marietta Plaza
Atlanta, GA 30303

3.

Shanique Williams
2902 Parc Lorraine
Lithonia, GA 30038

4.

Shawnai Jones
5941 Trent Walk Drive
Lithonia, GA 30038

5.

Sherlyn Martin
30 Tiboret Drive
Lithonia, GA 30038

6.

Sharlie E. Newborn
2329 W. Jefferson BLVD
LA, CA 90018

7.

Shervanda Patisle
3046 Parc Lorraine
Lithonia, GA 30038

8.

Sover Shamshoni/Yousef Shamshoun
3851 Holcomb Bridge Road, Unit 3001 Norcross, GA 30092
Norcross, GA 30092

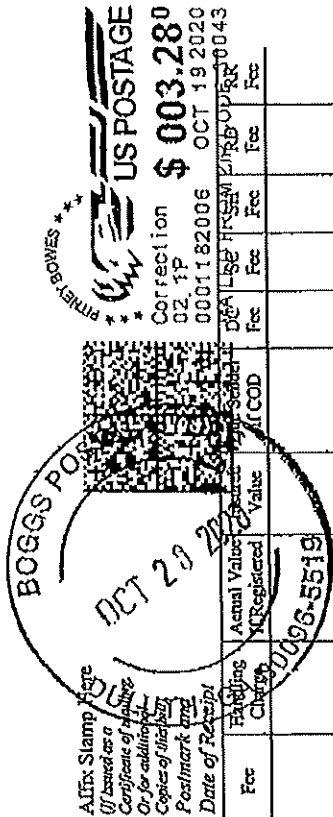
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Postage

1.

Stephanie W. Garrison
5929 Trent Walk Drive
Lithonia, GA 30038

2.

Teri Thomas
57 Tiburon Drive
Lithonia, GA 30038

3.

Terence Parnicoke
24 Tiburon Drive
Lithonia, GA 30038

4.

Thurman Jones
25 Tiburon Drive
Lithonia, GA 30038

5.

Tonite McCoy
19 Tiburon Drive
Lithonia, GA 30038

6.

Tony Smith/Angela D. Smith
1702 Creekside Drive
Katy, TX 77493

7.

Tosha Deacon
5 Tiburon Drive
Lithonia, GA 30038

8.

Trenda Stern/Gary Stern
P.O. Box 13118
Jersey City, NJ 07305

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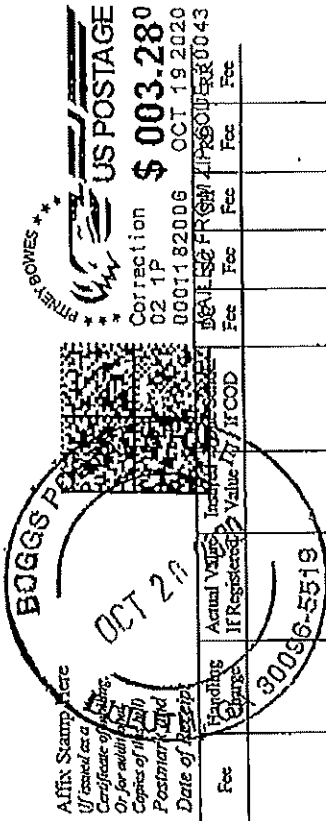
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1.

Valerie Clark
 5951 Trent Walk Drive
 Lithonia, GA 30038

2.

Veronica Jones
 2574 Parc Lorraine
 Lithonia, GA 30038

3.

Virita E. Sharif
 2469 Williams Devins Circle SW
 Snellville, GA 30078

4.

Warren Mays/Marilyn Mays
 3621 De Reimer Avenue
 Bronx, NY 10466

5.

Wellington Manor Homeowners Association
 2152 Highway 138 NE
 Coopers, GA 30013

6.

Willie M. Williams
 3050 Parc Lorraine
 Lithonia, GA 30038

7.

Yondrell Sanders
 2904 Parc Lorraine
 Lithonia, GA 30038

8.

Yossi Hod
 6300 Wilshire BLVD, Unit 970
 LA, CA 90048

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Traffic Impact Study

Proposed Retail Center with Gasoline Pumps
Fairington Drive
City of Stonecrest, Georgia

January 12, 2021

MARC R. ACAMPORA, PE, LLC
TRAFFIC ENGINEERING



Traffic Impact Study

Proposed Retail Center with Gasoline Pumps
Fairington Drive
City of Stonecrest, Georgia

study prepared for:

Evergreen Development and Real Estate Services
475 East Main Street, Suite 132
Cartersville, Georgia 30121

January 12, 2021



MARC R. ACAMPORA, PE, LLC
TRAFFIC ENGINEERING

858 Myrtle Street, NE
Atlanta, Georgia 30308

phone: (678) 637-1763
e-mail: acamporatraffic@comcast.net

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Introduction

This study assesses the traffic impact of a proposed retail center in the City of Stonecrest, Georgia. The site is located in the southeast quadrant of the intersection of Fairington Drive and Chupp Way, as shown in the location map in Figure 1. The project includes a 3,500 square foot auto service station and retail store with eight (8) gasoline fueling positions and an additional 2,500 square foot retail space. Two accesses will be provided on the east side of Fairington Drive.

The purpose of this traffic impact study is to determine existing traffic operating conditions in the vicinity of the proposed retail development, project future traffic volumes, assess the impact of the subject development, then develop conclusions and recommendations to mitigate the project traffic impact and ensure safe and efficient existing and future traffic conditions in the vicinity of the project.



Figure 1 – Site Location Map

Existing Traffic Conditions

Existing traffic operating conditions in the vicinity of the proposed retail development were assessed. The following is a description of existing transportation facilities, traffic volumes, and intersection operations.

Description of Existing Roadways

Fairington Drive is a two lane local street that primarily provides access to residential apartment and townhome developments. The terrain is level to very gently rolling and the road is straight along the site frontage, then curves to the east, south of Parc Lorraine, at the south end of the site. The intersection sight distance from the location of the proposed south site access, to the south, is approximately 190 feet. The speed limit is 25 mph. There are sections of deteriorating pavement on Fairington Drive adjacent to the subject site. A 24-hour bi-directional count was collected on Fairington Drive at the proposed site on Wednesday, December 16, 2020. The northbound volume was 1,367 and the southbound volume was 1,370, for a two-way 24-hour total of 2,737 vehicles.

Chupp Way is an east/west two lane local street that begins at a signalized intersection at Fairington Road and provides access to residential apartment developments and single family subdivisions before terminating as a secondary access to the New Birth Missionary Baptist Church property. The terrain is level to very gently rolling and the posted speed limit is 25 mph.

Fairington Road is an east/west two lane urban minor collector that generally runs parallel to Interstate 20, beginning at Panola Road, to the west (west of which it becomes Minola Drive), then crosses over Interstate 20 (with no interchange) just east of Chupp Way, and terminates at Hillandale Drive. The terrain is gently rolling and the posted speed limit is 40 mph. In 2019 the Georgia Department of Transportation (Georgia DOT) recorded an Annual Average Daily Traffic (AADT) volume of 14,100 vehicles per day (vpd) on Fairington Road west of Chupp Way.

Pedestrian, Bicycle, and Transit Accessibility

There is no sidewalk along Fairington Drive adjacent to the site but there is a well-worn pedestrian path along the west side of the street. Likewise, there is no sidewalk on Chupp Way adjacent to the site and to the west to Fairington Road, but there is a well-worn pedestrian path along the south and west side of the street. There are some segments of sidewalk intermittently on the north or south side of Chupp Way east of the site. There is sidewalk along the north sides of Fairington Road east of Chupp Way, with a missing segment, with a disconcerting missing section just south of the bridge over Interstate 20 that requires pedestrians to walk into the shoulder of the road. West of Chupp Way there is a short section of sidewalk which abruptly ends into the roadway shoulder just west of Chupp Way while on the north side of Fairington Road the sidewalk ends along the frontage to a gasoline station near Chupp Way. There are crosswalks and pedestrian signals on the three approaches of the signalized intersection of Fairington Road at Chupp Way but the pedestrian signal call buttons were not responding at the time of the site visit for this study. There are no designated bicycle lanes in this immediate area. There is MARTA bus service along Fairington Road.

Photographs 1 through 6 show the roadway conditions in the vicinity of the subject site.



Photograph 1 – Chupp Way Facing East at Fairington Drive, Site to Right Past Intersection



Photograph 2 – View to Left (West) Along Chupp Way from Fairington Drive



Photograph 3 – Fairington Drive Facing South from Chupp Way, Site to Left



Photograph 4 – View to Left (South) from Location of South Project Access



Photograph 5 – Deteriorating Pavement on Fairington Drive Adjacent to Site



Photograph 6 – Fairington Road facing East at Chupp Way

Existing Traffic Volumes

Full turning movement peak hour traffic volume counts were collected at the following intersections in the vicinity of the proposed development:

1. Chupp Way at Fairington Drive
2. Fairington Road at Chupp Way

The traffic counts were collected on Wednesday, December 16, 2020 from 7:00 a.m. to 9:00 a.m. and from 4:00 p.m. to 6:00 p.m. Area schools were in session on the day on which the counts were recorded. At the time of the counts, the COVID-19 pandemic was occurring which included a high degree of working from home and partial school instruction from home. Conversely, area roadways, anecdotally, appeared to have recovered a significant level of pre-COVID-19 activity.

Consideration was given to applying an adjustment factor to the counted volumes, but was decided against for several reasons. First, given the dynamic traffic conditions, the magnitude of any such adjustment factor would be highly-speculative. Second, the pandemic may have long-term effects on volumes due to permanently-increased working from home and partial school instruction from home, such that the current traffic counts could be more representative of conditions for the foreseeable future than would volumes that had been adjusted in an attempt to reproduce pre-COVID-19 conditions. Therefore, the counted volumes were used, unadjusted, in this analysis as representative of existing conditions.

From the count data, the highest four consecutive 15-minute interval volumes at each intersection, during each time period, were determined. These volumes make up the typical existing weekday a.m. and p.m. peak hour traffic volumes at each intersection and are shown in Figure 2. The raw count data is found in Appendix A.

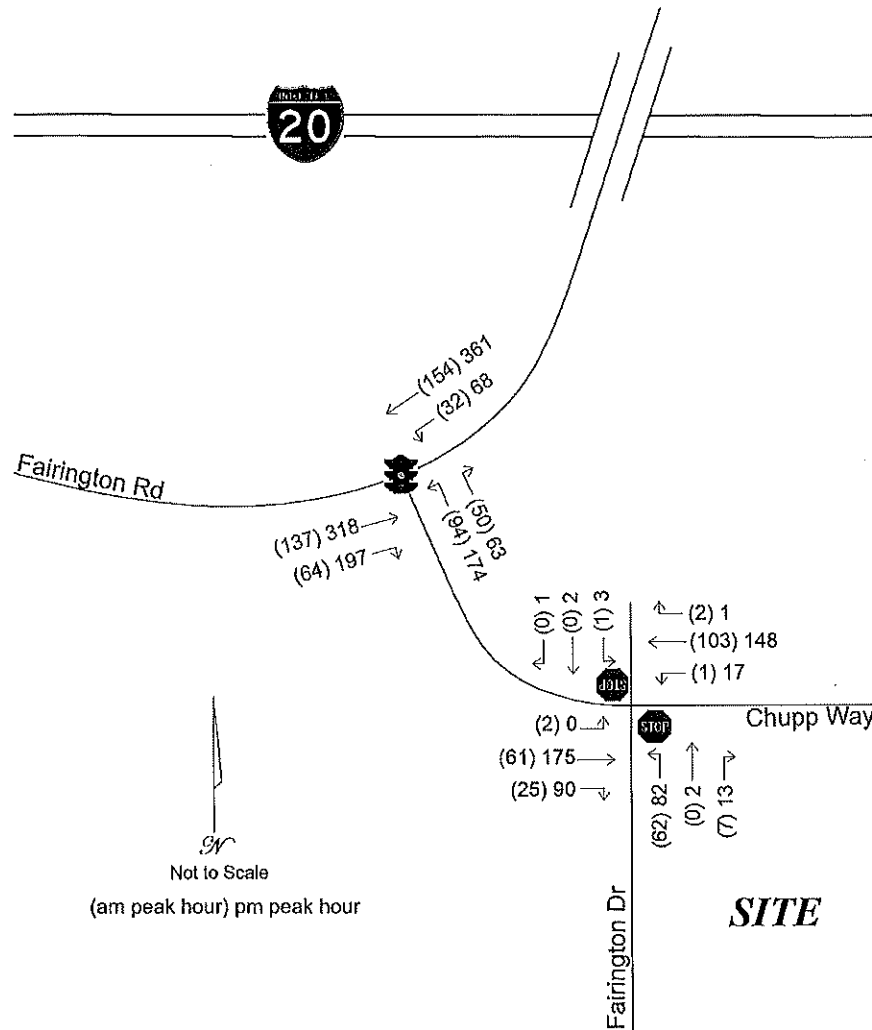


Figure 2 – Existing Weekday A.M. and P.M. Peak Hour Traffic Volumes

Existing Intersection Operations

Existing traffic operations were analyzed at the counted intersections using Synchro software, version 10, in accordance with the methodology presented in the Transportation Research Board's 2016 *Highway Capacity Manual (HCM 6)*. This methodology is presented in Appendix B. The results of the analysis are shown in Table 1. Computer printouts containing detailed results of the existing analysis are located in Appendix C. Levels of service and delays are provided for each overall intersection and for each controlled approach or movement. Locations that operate unacceptably (LOS E or LOS F) are presented in bold type.

Table 1 – Existing Intersection Operations

Intersection / Approach	A.M. Peak Hour		P.M. Peak Hour	
	LOS	Delay (s/veh)	LOS	Delay (s/veh)
1. Chupp Way at Fairington Drive	A	3.1	A	3.4
northbound approach	B	10.4	B	14.2
southbound approach	B	10.0	B	12.2
eastbound left turn	A	7.4	A	0.0
westbound left turn	A	7.4	A	7.9
2. Fairington Road at Chupp Way	B	14.5	B	15.2
northbound approach	B	16.0	C	23.4
eastbound approach	B	14.2	B	13.8
westbound approach	B	13.4	B	12.7

The existing analysis reveals acceptable operating conditions at all study intersections.

Recommendations for the existing condition include:

1. Repair the deteriorating pavement on Fairington Drive adjacent to the subject site.
2. Repair inoperative pedestrian signals at Fairington Road / Chupp Way intersection.
3. Address gaps in pedestrian / sidewalk connectivity in the area.
4. Check signal timing at Fairington Road / Chupp Way intersection and adjust as appropriate to improve signal efficiency.

These improvements should be made whether or not the proposed retail center is constructed and are, therefore, considered system improvements.

No-Build Traffic Conditions

A 2023 no-build condition was developed. This represents the traffic conditions that will exist in the future at the anticipated date of the build-out of the proposed retail center, but not including the project's trips. The purpose of the analysis of this condition is to isolate the traffic impacts of the proposed development from background growth in volumes that are expected to occur in the area while the project is under construction.

Georgia DOT AADT volume counts were obtained on nearby roadways for the five years from 2015 to 2019. Table 2 presents the historic Georgia DOT counts and the annual growth rates between the counts.

Table 2 – Historic Georgia DOT Traffic Volume Counts and Annual Growth Rates

Year	Fairington W of Chupp	Annual Growth	Hillandale E of Concepts 21	Annual Growth	Panola N of Thompson Mill	Annual Growth
Station ID	089-3911		089-3561		089-3549	
2015	11,600		9,190		29,800	
2016	11,900	2.6%	9,410	2.4%	29,200	-2.0%
2017	12,100	1.7%	9,600	2.0%	30,900	5.8%
2018	13,900	14.9%	9,550	-0.5%	29,100	-5.8%
2019	14,100	1.4%	9,740	2.0%	29,300	0.7%
<i>Average Growth</i>		5.0%		1.5%		-0.4%

The volumes in Table 2 show overall growth trends ranging from negative to 5.0%. However, in the most recent year, the growth was 1.4% closest to the site, with the rates ranging from 0.7% to 2.0%. Based on these growth trends, a 2.0% annual growth factor was applied to the existing volumes when projecting the future no-build volumes. The growth factor was applied for three years, for a total of 6.1% growth that will occur while the proposed retail center is under construction.

Programmed Transportation Infrastructure Improvements

According to the City of Stonecrest Transportation Master Plan, dated August 2020, the only infrastructure project identified in the study area in the short-term or mid-term is general traffic signal maintenance or upgrades at the signalized intersection of Fairington Road at Chupp Way. No specific changes to the signal were identified for this intersection.

No-Build Intersection Operations

The no-build volumes were entered into the Synchro model and the 2023 no-build traffic operations were analyzed at the study intersections using Synchro 10 software in accordance with the HCM 6 methodology. The results of the no-build analysis are shown in Table 3. Computer printouts containing detailed results of the no-

build analysis are located in Appendix D. Levels of service and delays are provided for each overall intersection and for each controlled approach or movement. Locations that operate unacceptably (LOS E or LOS F) are presented in bold type.

Table 3 – No-Build Intersection Operations

Intersection / Approach	A.M. Peak Hour		P.M. Peak Hour	
	LOS	Delay (s/veh)	LOS	Delay (s/veh)
1. Chupp Way at Fairington Drive	A	3.1	A	3.5
northbound approach	B	10.5	B	14.9
southbound approach	B	10.1	B	12.5
eastbound left turn	A	7.5	A	0.0
westbound left turn	A	7.4	A	8.0
2. Fairington Road at Chupp Way	B	14.4	B	15.4
northbound approach	B	16.9	C	25.1
eastbound approach	B	13.8	B	13.6
westbound approach	B	13.0	B	12.4

In the future no-build condition, all study intersections and approaches will continue to operate acceptably. No mitigation is identified for the no-build condition.

Project Traffic Characteristics

This section describes the anticipated traffic characteristics of the proposed retail development, including a site description, how much traffic the project will generate, and where that traffic will travel.

Project Description

The project includes a 3,500 square foot auto service station and retail store with eight (8) gasoline fueling positions and an additional 2,500 square foot retail space. Two accesses will be provided on the east side of Fairington Drive. The site plan is presented in Figure 3.

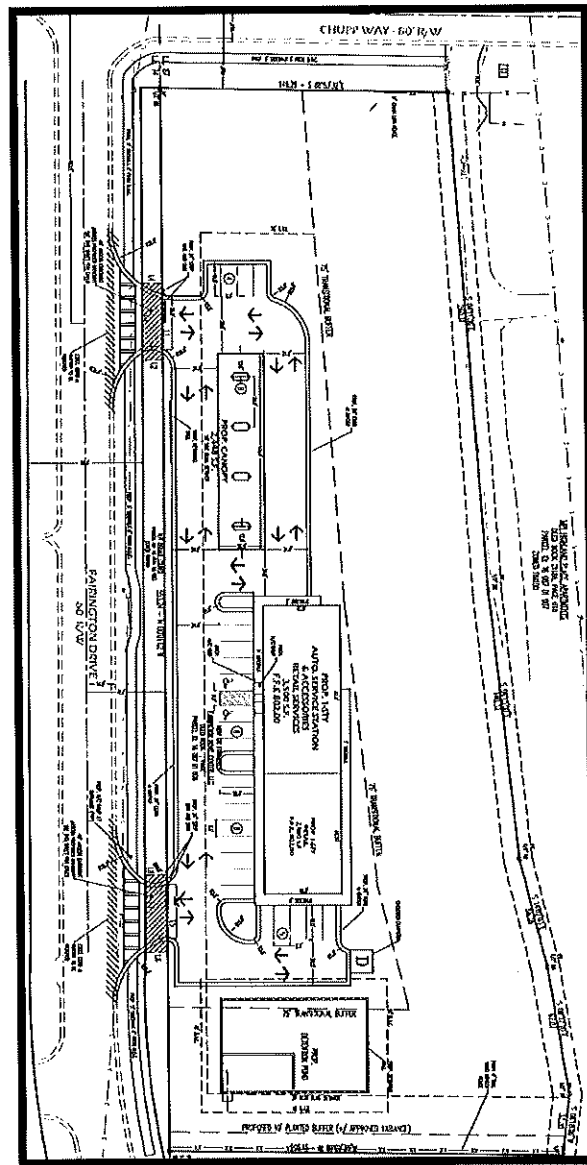


Figure 3 – Site Plan for Proposed Retail Center

Trip Generation

Trip generation is an estimate of the number of entering and exiting vehicular trips that will be generated by the proposed development. The volume of traffic that will be generated by the project was calculated using the average rates and equations in the Institute of Transportation Engineers (ITE) *Trip Generation Manual, 10th Edition with Supplement*. ITE Land Use 944 – Gasoline / Service Station was chosen as representative of the auto service station while ITE Land Use 820 – Shopping Center was chosen for the additional retail space.

The vehicular trips were adjusted (reduced) by 15% to account for the immediate proximity of residential uses where vehicular trips might be replaced by pedestrians, as well as to account for the proximity of MARTA bus service on Fairington Road.

A pass-by adjustment was applied to the project trips to account for trips that are already passing the site in the existing counts, but will be diverted into the site for gasoline purchase or retail shopping, then will continue on their trip to their next destination. Due to the proximity of Fairington Road to the site, it was assumed that some of the pass-by trips would come from Fairington Road (diverted link trips) and some would come from Fairington Drive and Chupp Way. The ITE *Trip Generation Handbook* cites the average pass-by percentage for gasoline / service stations to be 58% in the a.m. and 42% in the p.m. while shopping centers average pass-by percentage is reported as 34% in the p.m. peak hour. The two retail uses are unknown, but it was considered likely that they would be small ancillary shops that would be more likely to attract a higher pass-by proportion than traditional destination-oriented shopping centers. Therefore, a reduced gasoline / service station percentage of 50% in the a.m. and 40% in the p.m. and 24-hour periods were applied to the total trips from the project.

The trip generation for the retail development is presented in Table 4.

Table 4 – Fairington Drive Retail Trip Generation

Land Use	ITE Code	Size	A.M. Peak Hour			P.M. Peak Hour			24-Hour
			In	Out	Total	In	Out	Total	2-Way
Gasoline / Service Station	944	8 fuel positions	41	41	82	56	56	112	1,376
Shopping Center	820	2,500 ft ²	1	1	2	17	18	35	490
Subtotal			42	42	84	73	74	147	1,866
-ped/MARTA adjustment		15%	<u>-6</u>	<u>-6</u>	<u>-12</u>	<u>-11</u>	<u>-11</u>	<u>-22</u>	<u>-280</u>
Subtotal			36	36	72	62	63	125	1,586
-pass-by trips		50%/40%/40%	<u>-18</u>	<u>-18</u>	<u>-36</u>	<u>-25</u>	<u>-25</u>	<u>-50</u>	<u>-634</u>
New Vehicular Trips			18	18	36	37	38	75	952

The proposed retail development will generate 36 new vehicular trips in the a.m. peak hour, 75 new trips in the p.m. peak hour, and 952 new trips in a typical 24-hour weekday.

Trip Distribution and Assignment

The trip distribution percentages indicate what proportion of the project's new trips will travel to and from various directions. The trip distribution percentages were developed based on the locations and proximity of likely trip origins and destinations, primarily residential densities in the area and their distances from the site. The new project trips, shown in Table 4, were assigned to the roadway network based on the distribution percentages. The trip distribution percentages and the a.m. and p.m. peak hour trips expected to be generated by the proposed development are shown in Figure 4. The pass-by trips were assigned to each intersection based on the traffic flows currently passing the site, including the flows on Fairington Road.

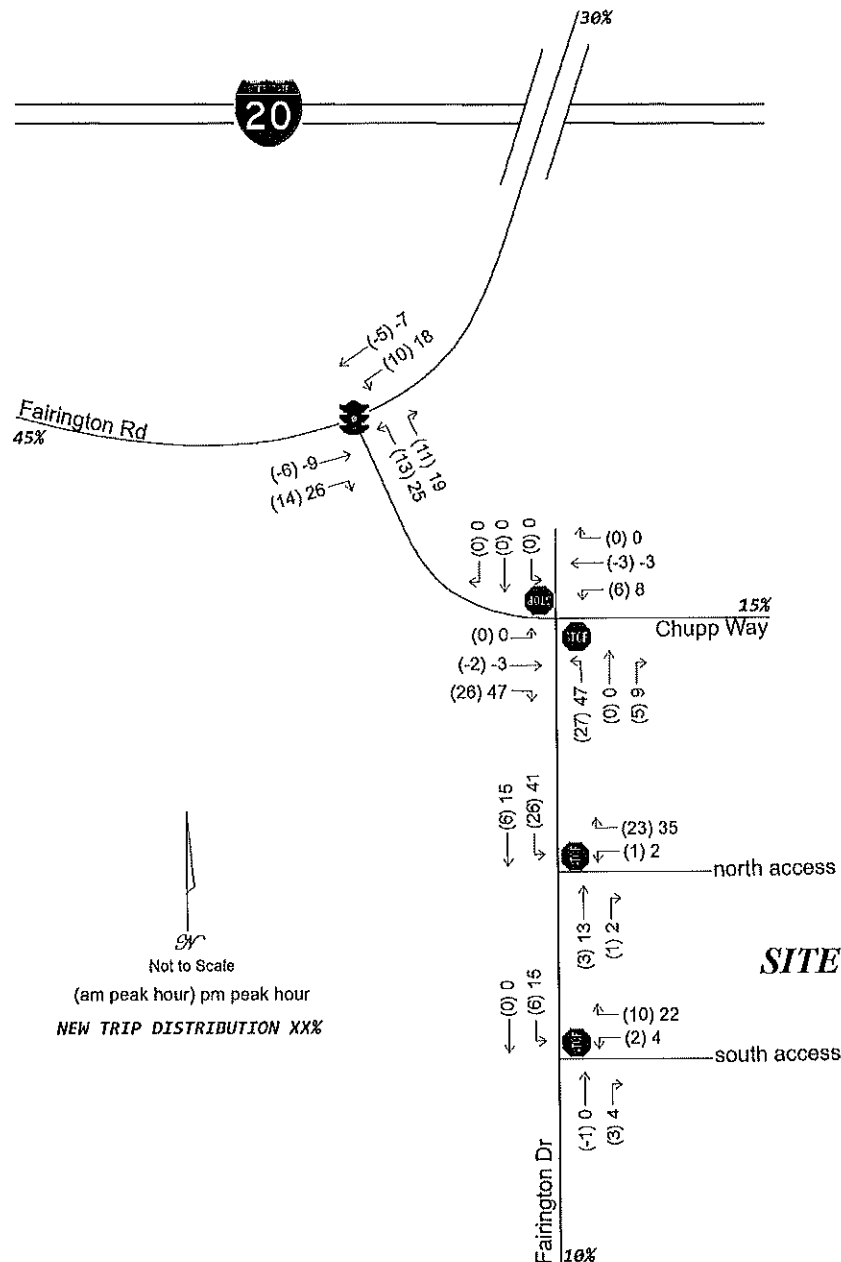


Figure 4 – Weekday A.M. and P.M. Peak Hour Project Trips and Distribution Percentages

Future Traffic Conditions

The future volumes consist of the no-build volumes plus the trips that will be generated by the proposed development. The future volumes are shown in Figure 5.

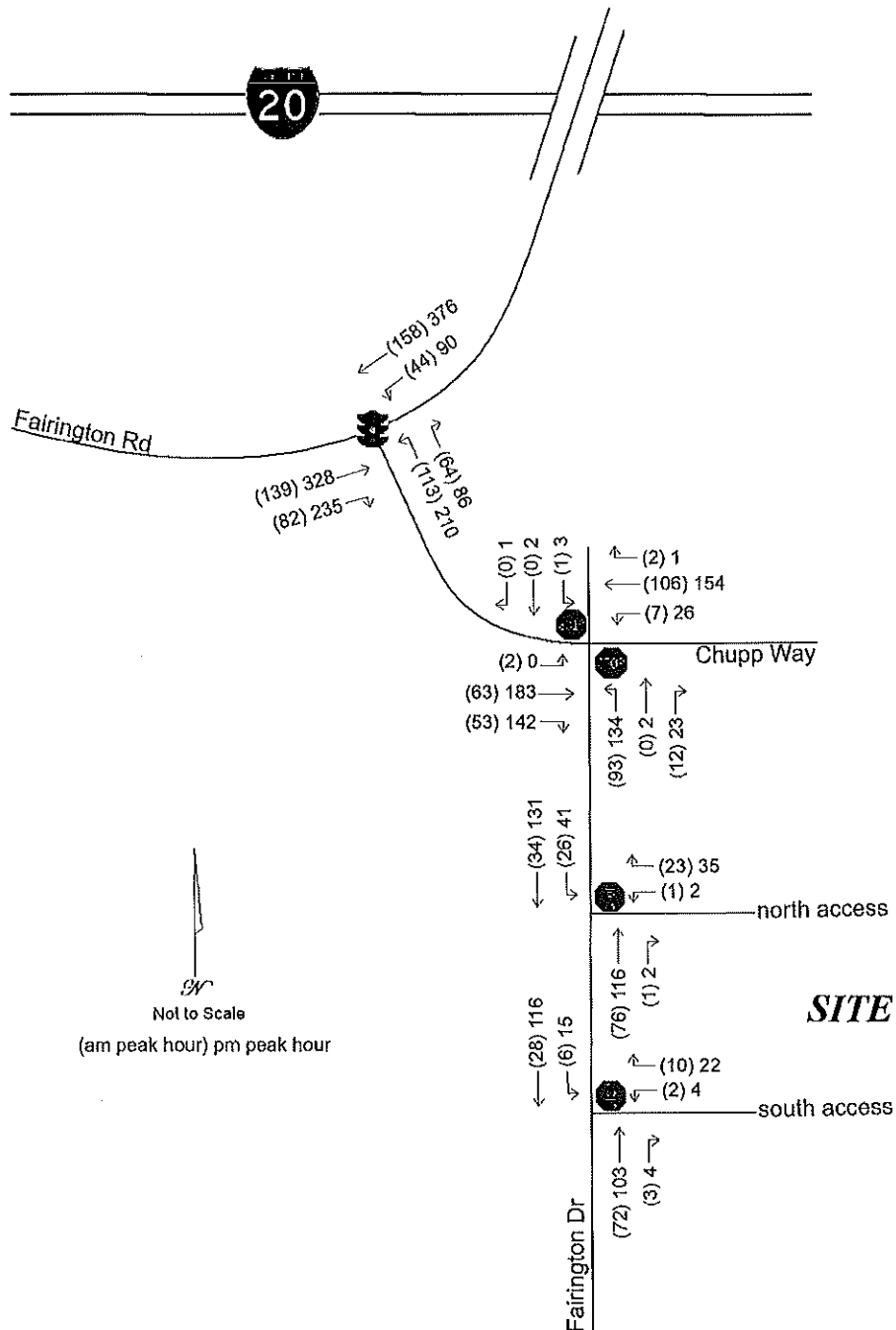


Figure 5 – Future Weekday A.M. and P.M. Peak Hour Volumes

Future Intersection Operations

An operational analysis was performed for the anticipated future project build-out, at the study intersections and the project accesses on Fairington Drive. Table 5 presents the results of the future analysis. Computer printouts containing detailed results of the future analysis are located in Appendix E. Levels of service and delays are provided for each overall intersection and for each controlled approach or movement. Locations that operate unacceptably (LOS E or LOS F) are presented in bold type.

Table 5 – Future Intersection Operations

Intersection / Approach	A.M. Peak Hour		P.M. Peak Hour	
	LOS	Delay (s/veh)	LOS	Delay (s/veh)
1. Chupp Way at Fairington Drive	A	3.9	A	5.5
northbound approach	B	11.2	C	19.0
southbound approach	B	10.3	B	13.3
eastbound left turn	A	7.5	A	0.0
westbound left turn	A	7.5	A	8.1
2. Fairington Road at Chupp Way	B	15.0	B	17.3
northbound approach	B	16.7	C	24.5
eastbound approach	B	14.7	B	15.9
westbound approach	B	13.9	B	14.7
3. Fairington Drive at Project North Access	A	2.6	A	2.1
southbound left turn (entering project)	A	7.5	A	7.6
westbound approach (exiting project)	A	8.9	A	9.5
4. Fairington Drive at Project South Access	A	1.3	A	1.0
southbound left turn (entering project)	A	7.4	A	7.5
westbound approach (exiting project)	A	8.9	A	9.3

The future analysis with the proposed retail development shows continued acceptable traffic operations at all study intersections including the two site accesses on Fairington Drive. No mitigation is identified at any study intersection as a consequence of the proposed development.

This study identified that line of sight is somewhat limited to and from the south on Fairington Drive at the location of the proposed south site access. This limitation is due to a curve in the road and vegetation. It is recommended that the south access be located, and vegetation be cleared, so as to achieve sufficient intersection sight distance.

Each site access should be constructed with one entering and one exiting lane and each exiting approach should be controlled by side street stop sign and accompanying stop bar.

Conclusions and Recommendations

This traffic impact study evaluates the impact of a proposed retail and gasoline station development in the City of Stonecrest. The site is located in the southeast quadrant of the intersection of Fairington Drive and Chupp Way. The project includes a 3,500 square foot auto service station and retail store with eight (8) gasoline fueling positions and an additional 2,500 square foot retail space. Two accesses will be provided on the east side of Fairington Drive. The following are the findings and recommendations of this study:

1. Existing traffic operations at all study intersections and approaches are acceptable. Recommendations for the existing condition include:
 - a. Repair the deteriorating pavement on Fairington Drive adjacent to the subject site.
 - b. Repair inoperative pedestrian signals at Fairington Road / Chupp Way intersection.
 - c. Address gaps in pedestrian / sidewalk connectivity in the area.
 - d. Check signal timing at Fairington Road / Chupp Way intersection and adjust as appropriate to improve signal efficiency.

These improvements should be made whether or not the proposed retail center is constructed and are, therefore, considered system improvements.

2. Traffic volume growth in this area has been positive and moderate and this is expected to continue into the future.
3. The no-build analysis reveals small increases in delays, but all study locations will continue to operate acceptably.
4. The proposed retail development will generate 36 new vehicular trips in the a.m. peak hour, 75 new trips in the p.m. peak hour, and 952 new trips in a typical 24-hour weekday. These trips incorporate a modest adjustment to account for pedestrian trips and the proximity of MARTA bus service.
5. With the addition of the retail project's trips, delays will increase slightly at the study intersections. All delays will continue to be in the acceptable range and no mitigation was identified for the future condition.
6. The line of sight is somewhat limited to and from the south on Fairington Drive at the location of the proposed south site access due to a curve in the road and vegetation. It is recommended that the south access be located, and vegetation be cleared, so as to achieve sufficient intersection sight distance.
7. Each site access should include one inbound lane and one outbound lane. Each exiting approach should be controlled by side street stop sign and accompanying stop bar.
8. The site engineer should comply with all applicable design standards including sight distance, turn radii, driveway widths, islands, angles with the adjacent roadways, and grades.

Appendix A

Traffic Count Data and Volume Worksheets

January 2021

Intersection: 1. Chupp Way at Fairington Drive

Weekday A.M. Peak Hour	Northbound Fairington Drive			Southbound Driveway			Eastbound Chupp Way			Westbound Chupp Way			Tot			
	L	T	R	Tot	L	T	R	Tot	L	T	R	Tot				
Counted Volumes (Wednesday, December 16, 2020, 7:30-8:30) COVID-19 Adjustment Adjusted Existing Fall 2020 Volumes	62	0	7	69	1	0	0	1	2	61	25	88	1	103	2	106
	0%	0%	0%		0%	0%	0%		0%	0%	0%		0%	0%	0%	
	62	0	7	322	1	0	0	322	2	61	25	322	1	103	2	322
	6.1%	6.1%	6.1%		6.1%	6.1%	6.1%		6.1%	6.1%	6.1%		6.1%	6.1%	6.1%	
Total Annual Background Growth No-Build Volumes	66	0	7	73	1	0	0	1	2	65	27	93	1	109	2	112
Proposed Retail New Trips	13	0	3	16	0	0	0	0	0	0	13	13	3	0	0	3
Proposed Retail Pass-by Trips	14	0	2	16	0	0	0	0	0	-2	13	11	3	-3	0	0
Total Proposed Retail Trips	27	0	5	32	0	0	0	0	0	-2	26	24	6	-3	0	3
Build Volumes	93	0	12	105	1	0	0	1	2	63	53	117	7	106	2	115

Weekday P.M. Peak Hour

Weekday P.M. Peak Hour	Northbound Fairington Drive			Southbound Driveway			Eastbound Chupp Way			Westbound Chupp Way			Tot
	L	T	R	L	T	R	L	T	R	L	T	R	
Counted Volumes (Wednesday, December 16, 2020, 7:30-8:30)	82	2	13	3	2	1	0	175	90	17	148	1	166
COVID-19 Adjustment	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
Adjusted Existing Fall 2020 Volumes	82	2	13	3	2	1	0	175	90	17	148	1	322
Total Annual Background Growth	6.1%	6.1%	6.1%	6.1%	6.1%	6.1%	6.1%	6.1%	6.1%	6.1%	6.1%	6.1%	176
No-Build Volumes	87	2	14	3	2	1	0	186	95	18	157	1	176
Proposed Retail New Trips	28	0	6	0	0	0	0	0	28	5	0	0	5
Proposed Retail Pass-by Trips	19	0	3	0	0	0	0	-3	19	3	-3	0	5
Total Proposed Retail Trips	47	0	9	0	0	0	0	-3	47	8	-3	0	5
Build Volumes	134	2	23	3	2	1	0	183	142	26	154	1	181

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Fairington Road Retail Center Traffic Impact Study
City of Stonecrest, DeKalb County, Georgia

January 2021

Intersection: 2. Fairington Road at Chupp Way

Weekday A.M. Peak Hour	Northbound Chupp Way			Eastbound Fairington Road			Westbound Fairington Road		
	L	R	Tot	T	R	Tot	L	T	Tot
Counted Volumes (Wednesday, December 16, 2020, 7:30-8:30)	94	50	144	137	64	201	32	154	186
COVID-19 Adjustment	0%	0%		0%	0%		0%	0%	
Adjusted Existing Fall 2020 Volumes	94	50	322	137	64	322	32	154	322
Total Annual Background Growth	6.1%	6.1%		6.1%	6.1%		6.1%	6.1%	
No-Build Volumes	100	53	153	145	68	213	34	163	197
Proposed Retail New Trips	8	5	13	0	8	8	5	0	5
Proposed Retail Pass-by Trips	5	6	11	-6	6	0	5	-5	0
Total Proposed Retail Trips	13	11	24	-6	14	8	10	-5	5
Build Volumes	113	64	177	139	82	221	44	158	202

Weekday P.M. Peak Hour	Northbound Chupp Way			Eastbound Fairington Road			Westbound Fairington Road		
	L	R	Tot	T	R	Tot	L	T	Tot
Counted Volumes (Wednesday, December 16, 2020, 7:30-8:30)	174	63	237	318	197	515	68	361	429
COVID-19 Adjustment	0%	0%		0%	0%		0%	0%	
Adjusted Existing Fall 2020 Volumes	174	63	322	318	197	322	68	361	322
Total Annual Background Growth	6.1%	6.1%		6.1%	6.1%		6.1%	6.1%	
No-Build Volumes	185	67	251	337	209	546	72	383	455
Proposed Retail New Trips	18	10	28	0	17	17	11	0	11
Proposed Retail Pass-by Trips	7	9	16	-9	9	0	7	-7	0
Total Proposed Retail Trips	25	19	44	-9	26	17	18	-7	11
Build Volumes	210	86	295	328	235	563	90	376	466

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Fairington Road Retail Center Traffic Impact Study
City of Stonecrest, DeKalb County, Georgia

January 2021

Intersection: 3. Fairington Drive at Site North Access

Weekday A.M. Peak Hour	Northbound Fairington Drive			Southbound Fairington Drive			Westbound Site North Access		
	T	R	Tot	L	T	Tot	L	R	Tot
Counted Volumes (Wednesday, December 16, 2020, 7:30-8:30)	69		69		26	26			
COVID-19 Adjustment	0%				0%				
Adjusted Existing Fall 2020 Volumes	69		322		26	322			
Total Annual Background Growth	6.1%				6.1%				
No-Build Volumes	73		73		28	28			
Proposed Retail New Trips	3	1	4	15	1	16	1	13	14
Proposed Retail Pass-by Trips	0	0	0	11	5	16	0	10	10
Total Proposed Retail Trips	3	1	4	26	6	32	1	23	24
Build Volumes	76	1	77	26	34	60	1	23	24

Weekday P.M. Peak Hour	Northbound Fairington Drive			Southbound Fairington Drive			Westbound Site North Access		
	T	R	Tot	L	T	Tot	L	R	Tot
Counted Volumes (Wednesday, December 16, 2020, 7:30-8:30)	97		97		109	109			
COVID-19 Adjustment	0%				0%				
Adjusted Existing Fall 2020 Volumes	97		322		109	322			
Total Annual Background Growth	6.1%				6.1%				
No-Build Volumes	103		103		116	116			
Proposed Retail New Trips	13	2	15	25	8	33	2	21	23
Proposed Retail Pass-by Trips	0	0	0	16	7	23	0	14	14
Total Proposed Retail Trips	13	2	15	41	15	56	2	35	37
Build Volumes	116	2	118	41	131	172	2	35	37

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Fairington Road Retail Center Traffic Impact Study
City of Stonecrest, DeKalb County, Georgia

January 2021

Intersection: 4. Fairington Drive at Site South Access

Weekday A.M. Peak Hour	Northbound Fairington Drive			Southbound Fairington Drive			Westbound Site South Access		
	T	R	Tot	L	T	Tot	L	R	Tot
Counted Volumes (Wednesday, December 16, 2020, 7:30-8:30)	69		69		26	26			
COVID-19 Adjustment	0%				0%				
Adjusted Existing Fall 2020 Volumes	69		322		26	322			
Total Annual Background Growth	6.1%				6.1%				
No-Build Volumes	73		73		28	28			
Proposed Retail New Trips	1	1	2	1	1	2	1	3	4
Proposed Retail Pass-by Trips	-2	2	0	5	-1	4	1	7	8
Total Proposed Retail Trips	-1	3	2	6	0	6	2	10	12
Build Volumes	72	3	75	6	28	34	2	10	12

Weekday P.M. Peak Hour	Northbound Fairington Drive			Southbound Fairington Drive			Westbound Site South Access		
	T	R	Tot	L	T	Tot	L	R	Tot
Counted Volumes (Wednesday, December 16, 2020, 7:30-8:30)	97		97		109	109			
COVID-19 Adjustment	0%				0%				
Adjusted Existing Fall 2020 Volumes	97		322		109	322			
Total Annual Background Growth	6.1%				6.1%				
No-Build Volumes	103		103		116	116			
Proposed Retail New Trips	2	2	4	8	2	10	2	13	15
Proposed Retail Pass-by Trips	-2	2	0	7	-2	5	2	9	11
Total Proposed Retail Trips	0	4	4	15	0	15	4	22	26
Build Volumes	103	4	107	15	116	131	4	22	26

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TMC Data
Fairington Dr @ Chupp Way
Stonecrest, GA
7-9 AM | 4-6 PM

File Name : 44420002
Site Code : 44420002
Start Date : 12/16/2020
Page No : 1

Groups Printed- Cars, Buses and Trucks

Start Time	Fairington Dr Northbound					Private Drwy Southbound					Chupp Way Eastbound					Chupp Way Westbound					Int. Total
	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	
07:00 AM	9	0	2	0	11	0	0	0	0	0	0	8	6	0	14	1	18	0	0	19	44
07:15 AM	14	0	2	0	16	0	0	0	0	0	0	10	4	0	14	0	19	0	0	19	49
07:30 AM	19	0	3	0	22	0	0	0	0	0	0	12	5	0	17	0	29	0	0	29	68
07:45 AM	14	0	1	0	15	0	0	0	0	0	0	15	5	0	20	1	25	1	0	27	62
Total	56	0	8	0	64	0	0	0	0	0	0	45	20	0	65	2	91	1	0	94	223
08:00 AM	14	0	1	0	15	1	0	0	0	1	1	16	6	0	23	0	26	1	0	27	66
08:15 AM	15	0	2	0	17	0	0	0	0	0	1	18	9	0	28	0	23	0	0	23	68
08:30 AM	10	0	2	0	12	0	0	0	0	0	0	13	9	0	22	0	29	0	0	29	63
08:45 AM	14	0	2	0	16	0	0	0	0	0	0	17	7	0	24	2	16	0	0	18	58
Total	53	0	7	0	60	1	0	0	0	1	2	64	31	0	97	2	94	1	0	97	255
*** BREAK ***																					
04:00 PM	14	0	2	0	16	0	0	1	0	1	0	30	21	0	51	2	25	0	0	27	95
04:15 PM	22	1	3	0	26	0	0	0	0	0	0	35	25	0	60	3	44	0	0	47	133
04:30 PM	11	0	1	0	12	0	0	0	0	0	0	34	24	0	58	4	41	0	0	45	115
04:45 PM	16	0	3	0	19	0	0	0	0	0	0	34	21	0	55	5	42	0	0	47	121
Total	63	1	9	0	73	0	0	1	0	1	0	133	91	0	224	14	152	0	0	166	464
05:00 PM	27	1	5	0	33	0	1	1	0	2	0	38	26	0	64	4	35	0	0	39	138
05:15 PM	19	0	3	0	22	1	0	0	0	1	0	58	19	0	77	5	36	1	0	42	142
05:30 PM	20	1	2	0	23	2	1	0	0	3	0	45	24	0	69	3	35	0	0	38	133
05:45 PM	15	1	4	0	20	1	0	1	0	2	0	35	18	0	53	7	27	0	0	34	109
Total	81	3	14	0	98	4	2	2	0	8	0	176	87	0	263	19	133	1	0	153	522
Grand Total	253	4	38	0	295	5	2	3	0	10	2	418	229	0	649	37	470	3	0	510	1464
Apprch %	85.8	1.4	12.9	0		50	20	30	0		0.3	64.4	35.3	0		7.3	92.2	0.6	0		
Total %	17.3	0.3	2.6	0	20.2	0.3	0.1	0.2	0	0.7	0.1	28.6	15.6	0	44.3	2.5	32.1	0.2	0	34.8	

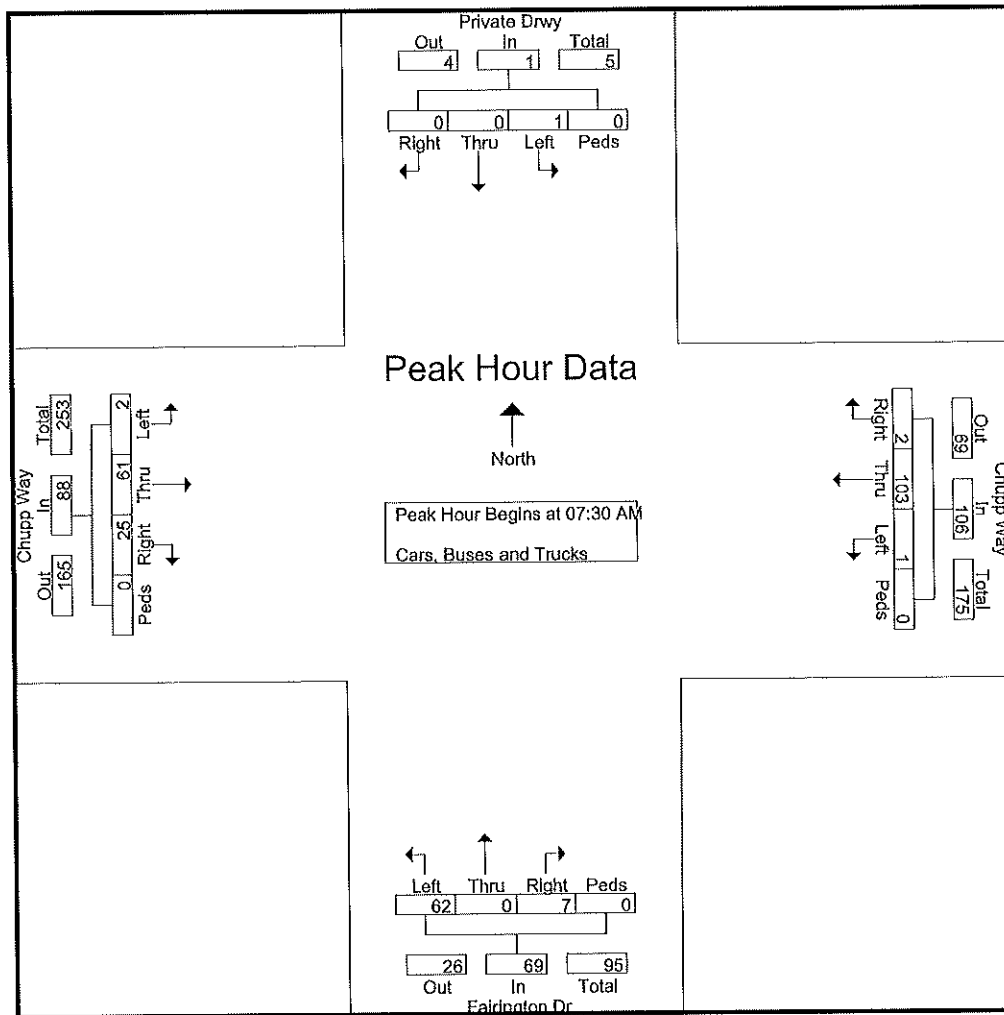
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TMC Data
Fairington Dr @ Chupp Way
Stonecrest, GA
7-9 AM | 4-6 PM

File Name : 44420002
Site Code : 44420002
Start Date : 12/16/2020
Page No : 2

	Fairington Dr Northbound					Private Drwy Southbound					Chupp Way Eastbound					Chupp Way Westbound					
Start Time	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Int. Total
Peak Hour Analysis From 07:00 AM to 08:45 AM - Peak 1 of 1																					
Peak Hour for Entire Intersection Begins at 07:30 AM																					
07:30 AM	19	0	3	0	22	0	0	0	0	0	0	12	5	0	17	0	29	0	0	29	68
07:45 AM	14	0	1	0	15	0	0	0	0	0	0	15	5	0	20	1	25	1	0	27	62
08:00 AM	14	0	1	0	15	1	0	0	0	1	1	16	6	0	23	0	26	1	0	27	66
08:15 AM	15	0	2	0	17	0	0	0	0	0	1	18	9	0	28	0	23	0	0	23	68
Total Volume	62	0	7	0	69	1	0	0	0	1	2	61	25	0	88	1	103	2	0	106	264
% App. Total	89.9		10.1									69.3	28.4				97.2				
PHF	.816	.000	.583	.000	.784	.250	.000	.000	.000	.250	.500	.847	.694	.000	.786	.250	.888	.500	.000	.914	.971



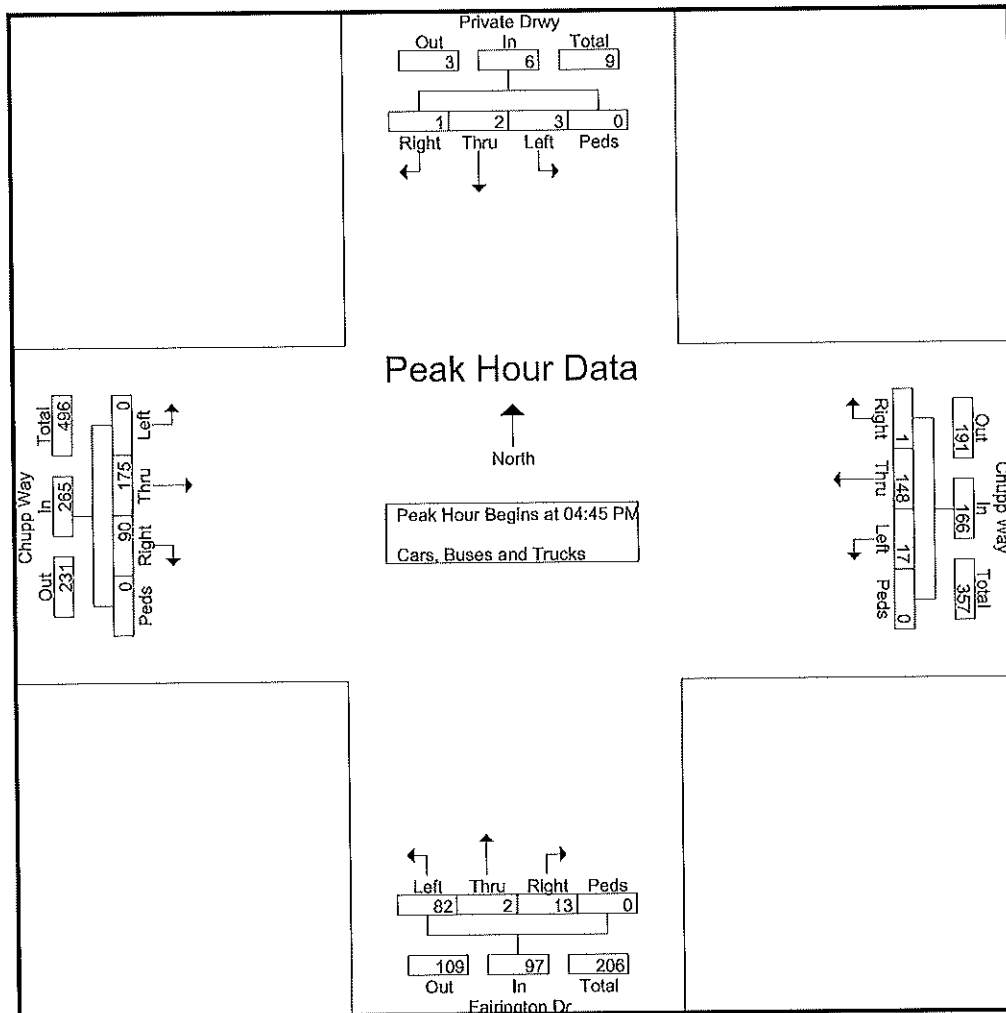
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TMC Data
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File Name : 44420002
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Page No : 3

	Fairington Dr Northbound					Private Drwy Southbound					Chupp Way Eastbound					Chupp Way Westbound					
Start Time	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Int. Total
Peak Hour Analysis From 04:00 PM to 05:45 PM - Peak 1 of 1																					
Peak Hour for Entire Intersection Begins at 04:45 PM																					
04:45 PM	16	0	3	0	19	0	0	0	0	0	0	34	21	0	55	5	42	0	0	47	121
05:00 PM	27	1	5	0	33	0	1	1	0	2	0	38	26	0	64	4	35	0	0	39	138
05:15 PM	19	0	3	0	22	1	0	0	0	1	0	58	19	0	77	5	36	1	0	42	142
05:30 PM	20	1	2	0	23	2	1	0	0	3	0	45	24	0	69	3	35	0	0	38	133
Total Volume	82	2	13	0	97	3	2	1	0	6	0	175	90	0	265	17	148	1	0	166	534
% App. Total	84.5		13.4			33.3	16.7									10.2	89.2				
PHF	.759	.500	.650	.000	.735	.375	.500	.250	.000	.500	.000	.754	.865	.000	.860	.850	.881	.250	.000	.883	.940



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TMC Data
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Stonecrest, GA
7-9 AM | 4-6 PM

File Name : 44420001
Site Code : 44420001
Start Date : 12/16/2020
Page No : 1

Groups Printed- Cars, Buses and Trucks

Start Time	Chupp Way Northbound					Southbound					Fairington Rd Eastbound					Fairington Rd Westbound					Int. Total
	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	
07:00 AM	20	0	5	0	25	0	0	0	0	0	0	19	9	0	28	2	31	0	0	33	86
07:15 AM	22	0	13	0	35	0	0	0	0	0	0	19	10	0	29	5	18	0	0	23	87
07:30 AM	38	0	10	0	48	0	0	0	0	0	0	28	11	0	39	6	30	0	0	36	123
07:45 AM	28	0	11	0	39	0	0	0	0	0	0	27	15	0	42	5	36	0	0	41	122
Total	108	0	39	0	147	0	0	0	0	0	0	93	45	0	138	18	115	0	0	133	418
08:00 AM	30	0	15	0	45	0	0	0	0	0	0	20	15	0	35	7	34	0	0	41	121
08:15 AM	18	0	14	0	32	0	0	0	0	0	0	30	19	0	49	9	41	0	0	50	131
08:30 AM	24	0	13	0	37	0	0	0	0	0	0	40	12	0	52	11	37	0	0	48	137
08:45 AM	22	0	8	0	30	0	0	0	0	0	0	47	18	0	65	5	42	0	0	47	142
Total	94	0	50	0	144	0	0	0	0	0	0	137	64	0	201	32	154	0	0	186	531
*** BREAK ***																					
04:00 PM	29	0	11	0	40	0	0	0	0	0	0	82	39	0	121	16	70	0	0	86	247
04:15 PM	51	0	16	0	67	0	0	0	0	0	0	91	41	0	132	17	75	0	0	92	291
04:30 PM	38	0	15	0	53	0	0	0	0	0	0	81	40	0	121	15	79	0	0	94	268
04:45 PM	45	0	17	0	62	0	0	0	0	0	0	85	38	0	123	13	96	0	0	109	294
Total	163	0	59	0	222	0	0	0	0	0	0	339	158	0	497	61	320	0	0	381	1100
05:00 PM	47	0	16	0	63	0	0	0	0	0	0	86	51	0	137	19	86	0	0	105	305
05:15 PM	44	0	13	0	57	0	0	0	0	0	0	69	59	0	128	15	74	0	0	89	274
05:30 PM	38	0	17	0	55	0	0	0	0	0	0	78	49	0	127	21	105	0	0	126	308
05:45 PM	26	0	19	0	45	0	0	0	0	0	0	76	38	0	114	14	82	0	0	96	255
Total	155	0	65	0	220	0	0	0	0	0	0	309	197	0	506	69	347	0	0	416	1142
Grand Total	520	0	213	0	733	0	0	0	0	0	0	878	464	0	1342	180	936	0	0	1116	3191
Approch %	70.9	0	29.1	0		0	0	0	0		0	65.4	34.6	0		16.1	83.9	0	0		
Total %	16.3	0	6.7	0	23	0	0	0	0	0	0	27.5	14.5	0	42.1	5.6	29.3	0	0	35	

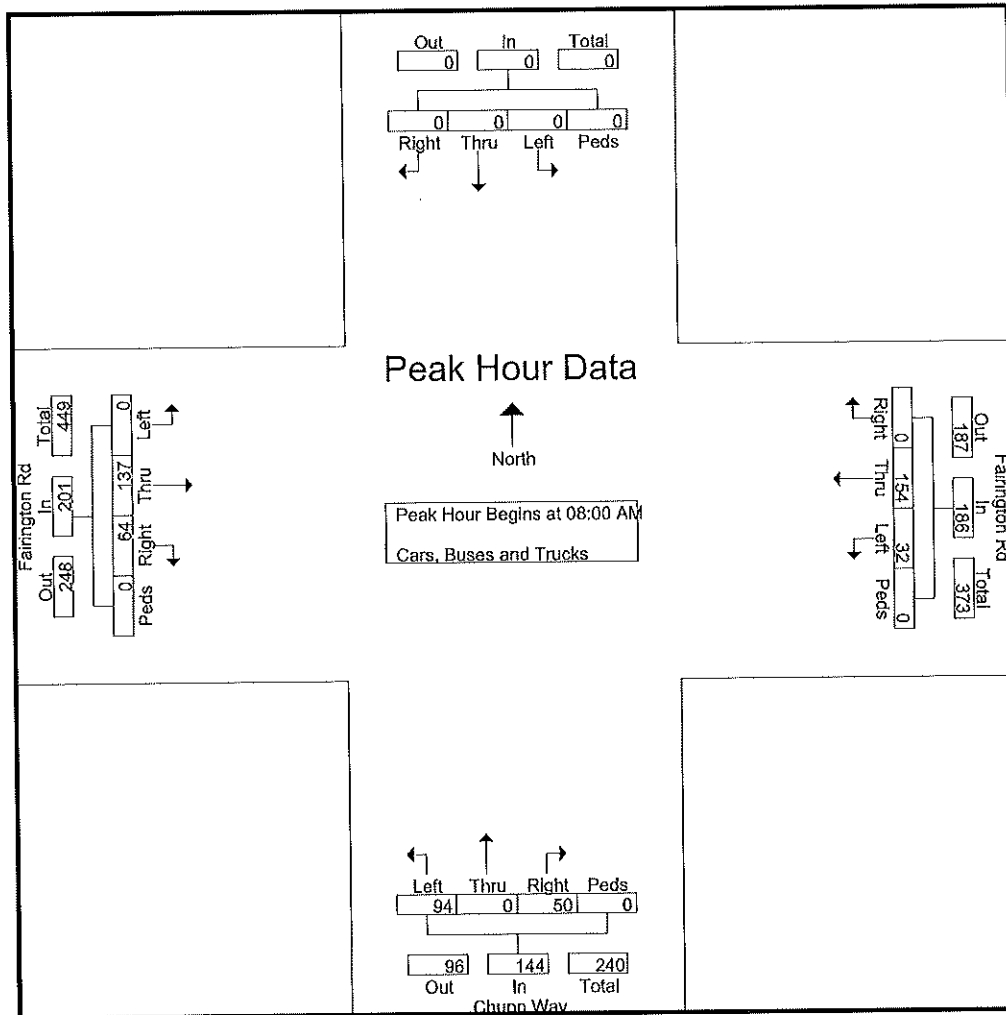
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TMC Data
Fairington Rd @ Chupp Way
Stonecrest, GA
7-9 AM | 4-6 PM

File Name : 44420001
Site Code : 44420001
Start Date : 12/16/2020
Page No : 2

	Chupp Way Northbound					Southbound					Fairington Rd Eastbound					Fairington Rd Westbound					
Start Time	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Int. Total
Peak Hour Analysis From 07:00 AM to 08:45 AM - Peak 1 of 1																					
Peak Hour for Entire Intersection Begins at 08:00 AM																					
08:00 AM	30	0	15	0	45	0	0	0	0	0	0	20	15	0	35	7	34	0	0	41	121
08:15 AM	18	0	14	0	32	0	0	0	0	0	0	30	19	0	49	9	41	0	0	50	131
08:30 AM	24	0	13	0	37	0	0	0	0	0	0	40	12	0	52	11	37	0	0	48	137
08:45 AM	22	0	8	0	30	0	0	0	0	0	0	47	18	0	65	5	42	0	0	47	142
Total Volume	94	0	50	0	144	0	0	0	0	0	0	137	64	0	201	32	154	0	0	186	531
% App. Total	65.3		34.7									68.2	31.8			17.2	82.8				
PHF	.783	.000	.833	.000	.800	.000	.000	.000	.000	.000	.000	.729	.842	.000	.773	.727	.917	.000	.000	.930	.935



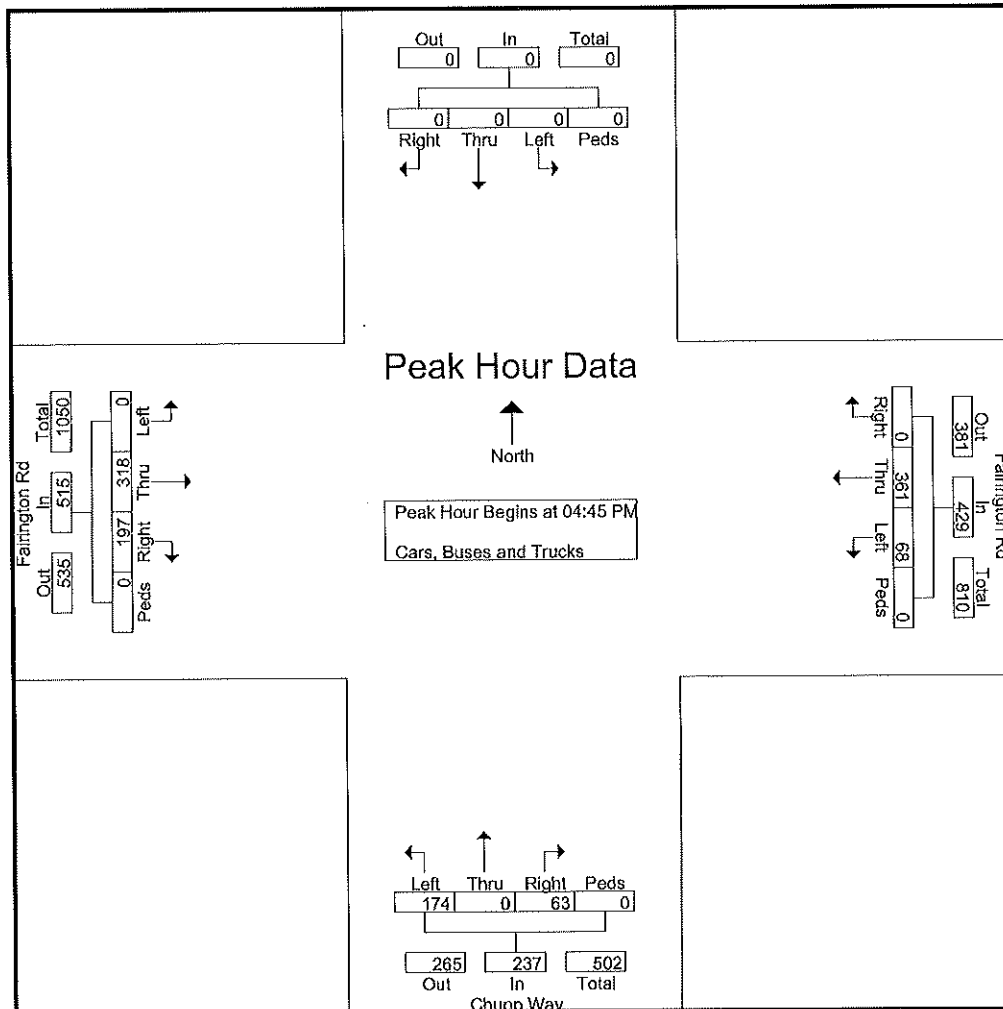
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TMC Data
Fairington Rd @ Chupp Way
Stonecrest, GA
7-9 AM | 4-6 PM

File Name : 44420001
Site Code : 44420001
Start Date : 12/16/2020
Page No : 3

	Chupp Way Northbound					Southbound					Fairington Rd Eastbound					Fairington Rd Westbound					
Start Time	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Int. Total
Peak Hour Analysis From 04:00 PM to 05:45 PM - Peak 1 of 1																					
Peak Hour for Entire Intersection Begins at 04:45 PM																					
04:45 PM	45	0	17	0	62	0	0	0	0	0	0	85	38	0	123	13	96	0	0	109	294
05:00 PM	47	0	16	0	63	0	0	0	0	0	0	86	51	0	137	19	86	0	0	105	305
05:15 PM	44	0	13	0	57	0	0	0	0	0	0	69	59	0	128	15	74	0	0	89	274
05:30 PM	38	0	17	0	55	0	0	0	0	0	0	78	49	0	127	21	105	0	0	126	308
Total Volume	174	0	63	0	237	0	0	0	0	0	0	318	197	0	515	68	361	0	0	429	1181
% App. Total	73.4		26.6									61.7	38.3			15.9	84.1				
PHF	.926	.000	.926	.000	.940	.000	.000	.000	.000	.000	.000	.924	.835	.000	.940	.810	.860	.000	.000	.851	.959



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Page 1

ADT Data

Site Code: 44420101
Fairington Dr south of Chupp Way
Stonecrest, GA

Start Time	16-Dec-20 Wed	Northbound		Hour Totals		Southbound		Hour Totals		Combined Totals	
		Morning	Afternoon	Morning	Afternoon	Morning	Afternoon	Morning	Afternoon	Morning	Afternoon
12:00		3	22			5	19				
12:15		2	19			6	11				
12:30		1	16			5	27				
12:45		5	25	11	82	8	27	24	84	35	166
01:00		4	29			5	16				
01:15		3	22			2	20				
01:30		1	16			2	18				
01:45		1	20	9	87	1	18	10	72	19	159
02:00		2	25			7	24				
02:15		3	17			6	15				
02:30		4	37			5	22				
02:45		4	29	13	108	2	27	20	88	33	196
03:00		0	22			3	14				
03:15		1	27			0	28				
03:30		1	22			5	28				
03:45		4	13	6	84	0	22	8	92	14	176
04:00		2	18			0	24				
04:15		2	20			1	26				
04:30		8	13			2	30				
04:45		6	22	18	73	4	25	7	105	25	178
05:00		3	33			3	31				
05:15		8	23			2	22				
05:30		7	19			4	29				
05:45		12	22	30	97	3	24	12	106	42	203
06:00		10	23			7	27				
06:15		13	17			5	31				
06:30		10	22			5	28				
06:45		6	20	39	82	6	37	23	123	62	205
07:00		11	16			6	31				
07:15		18	14			3	20				
07:30		19	28			6	18				
07:45		15	18	63	76	6	31	21	100	84	176
08:00		18	25			7	24				
08:15		13	17			8	16				
08:30		13	24			8	27				
08:45		18	19	62	85	10	22	33	89	95	174
09:00		18	18			11	23				
09:15		15	15			12	15				
09:30		18	6			12	19				
09:45		19	20	70	59	11	18	46	75	116	134
10:00		15	13			10	14				
10:15		15	8			16	15				
10:30		19	12			13	16				
10:45		17	9	66	42	19	14	58	59	124	101
11:00		28	8			16	5				
11:15		17	5			20	7				
11:30		15	6			22	7				
11:45		16	10	76	29	27	11	85	30	161	59
Total		463	904			347	1023			810	1927
Percent		33.9%	66.1%			25.3%	74.7%			29.6%	70.4%
Grand Total		463	904			347	1023			810	1927
Percent		33.9%	66.1%			25.3%	74.7%			29.6%	70.4%

ADT

ADT 2,737

AADT 2,737

Appendix B

Intersection Analysis Methodology

Intersection Analysis Methodology

The methodology used for evaluating traffic operations at intersections is presented in the Transportation Research Board's *Highway Capacity Manual*, 2016 edition (HCM 6). Synchro 10 software, which emulates the HCM 6 methodology, was used for all analyses. The following is an overview of the methodology employed for the analysis of signalized intersections and roundabouts and stop-sign controlled (unsignalized) intersections. Levels of service (LOS) are assigned letters A through F. LOS A indicates operations with very low control delay while LOS F describes operations with high control delay. LOS F is considered to be unacceptable by most drivers, while LOS E is typically considered to be the limit of acceptable delay.

Signalized Intersections and Roundabouts – Level of service for a signalized intersection and a roundabout is defined in terms of control delay per vehicle. For signalized intersections and roundabouts, a composite intersection level of service is determined. The thresholds for each level of service are higher for signalized intersections and roundabouts than for unsignalized intersections. This is attributable to a variety of factors including expectation and acceptance of higher delays at signals/roundabouts, and the fact that drivers can relax when waiting at a signal as opposed to having to remain attentive as they proceed through the unsignalized intersection. The level of service criteria for signalized intersections and roundabouts are shown in Table A.

Table A – Level of Service Criteria for Signalized Intersections and Roundabouts

Control Delay (s/veh)	LOS
≤ 10	A
> 10 and ≤ 20	B
> 20 and ≤ 35	C
> 35 and ≤ 55	D
> 55 and ≤ 80	E
> 80	F

Source: Highway Capacity Manual 6

Unsignalized Intersections – Level of service for an unsignalized intersection is defined in terms of control delay per vehicle. Control delay is that portion of delay attributable to the control device and includes initial deceleration delay, queue move-up time, stopped delay, and final acceleration delay. The delays at unsignalized intersections are based on gap acceptance theory, factoring in availability of gaps, usefulness of the gaps, and the priority of right-of-way given to each traffic stream. The level of service criteria for unsignalized intersections are presented in Table B.

Table B – Level of Service Criteria for Unsignalized Intersections

Control Delay (s/veh)	LOS
0 – 10	A
> 10 and ≤ 15	B
> 15 and ≤ 25	C
> 25 and ≤ 35	D
> 35 and ≤ 50	E
> 50	F

Source: Highway Capacity Manual 6

Appendix C

Existing Intersection Operational Analysis

Fairington Drive Retail Traffic Impact Study
1: Fairington Drive/apartments access & Chupp Way

existing a.m.

Intersection												
Int Delay, s/veh	3.1											
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations	↕			↕			↕			↕		
Traffic Vol, veh/h	2	61	25	1	103	2	62	0	7	1	0	0
Future Vol, veh/h	2	61	25	1	103	2	62	0	7	1	0	0
Conflicting Peds, #/hr	0	0	0	0	0	0	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Free	Free	Stop	Stop	Stop	Stop	Stop	Stop
RT Channelized	-	-	None	-	-	None	-	-	None	-	-	None
Storage Length	-	-	-	-	-	-	-	-	-	-	-	-
Veh in Median Storage, #	-	0	-	-	0	-	-	0	-	-	0	-
Grade, %	-	0	-	-	0	-	-	0	-	-	0	-
Peak Hour Factor	79	79	79	91	91	91	78	78	78	25	25	25
Heavy Vehicles, %	2	2	2	2	2	2	2	2	2	2	2	2
Mvmt Flow	3	77	32	1	113	2	79	0	9	4	0	0

Major/Minor	Major1			Major2			Minor1			Minor2		
Conflicting Flow All	115	0	0	109	0	0	215	216	93	220	231	114
Stage 1	-	-	-	-	-	-	99	99	-	116	116	-
Stage 2	-	-	-	-	-	-	116	117	-	104	115	-
Critical Hdwy	4.12	-	-	4.12	-	-	7.12	6.52	6.22	7.12	6.52	6.22
Critical Hdwy Stg 1	-	-	-	-	-	-	6.12	5.52	-	6.12	5.52	-
Critical Hdwy Stg 2	-	-	-	-	-	-	6.12	5.52	-	6.12	5.52	-
Follow-up Hdwy	2.218	-	-	2.218	-	-	3.518	4.018	3.318	3.518	4.018	3.318
Pot Cap-1 Maneuver	1474	-	-	1481	-	-	742	682	964	736	669	939
Stage 1	-	-	-	-	-	-	907	813	-	889	800	-
Stage 2	-	-	-	-	-	-	889	799	-	902	800	-
Platoon blocked, %	-	-	-	-	-	-	-	-	-	-	-	-
Mov Cap-1 Maneuver	1474	-	-	1481	-	-	741	680	964	727	667	939
Mov Cap-2 Maneuver	-	-	-	-	-	-	741	680	-	727	667	-
Stage 1	-	-	-	-	-	-	905	811	-	887	799	-
Stage 2	-	-	-	-	-	-	888	798	-	892	798	-

Approach	EB	WB	NB	SB
HCM Control Delay, s	0.2	0.1	10.4	10
HCM LOS			B	B

Minor Lane/Major Mvmt	NBLn1	EBL	EBT	EBR	WBL	WBT	WBR	SBLn1
Capacity (veh/h)	759	1474	-	-	1481	-	-	727
HCM Lane V/C Ratio	0.117	0.002	-	-	0.001	-	-	0.006
HCM Control Delay (s)	10.4	7.4	0	-	7.4	0	-	10
HCM Lane LOS	B	A	A	-	A	A	-	B
HCM 95th %tile Q(veh)	0.4	0	-	-	0	-	-	0

Fairington Drive Retail Traffic Impact Study
2: Chupp Way & Fairington Road

existing a.m.

						
Movement	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations						
Traffic Volume (veh/h)	137	64	32	154	94	50
Future Volume (veh/h)	137	64	32	154	94	50
Initial Q (Qb), veh	0	0	0	0	0	0
Ped-Bike Adj(A_pbT)		1.00	1.00		1.00	1.00
Parking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00
Work Zone On Approach	No			No	No	
Adj Sat Flow, veh/h/ln	1870	1870	1870	1870	1870	1870
Adj Flow Rate, veh/h	178	83	34	166	118	62
Peak Hour Factor	0.77	0.77	0.93	0.93	0.80	0.80
Percent Heavy Veh, %	2	2	2	2	2	2
Cap, veh/h	566	264	511	877	467	245
Arrive On Green	0.47	0.47	0.47	0.47	0.42	0.42
Sat Flow, veh/h	1207	563	1118	1870	1114	585
Grp Volume(v), veh/h	0	261	34	166	181	0
Grp Sat Flow(s),veh/h/ln	0	1769	1118	1870	1709	0
Q Serve(g_s), s	0.0	7.4	1.6	4.1	5.5	0.0
Cycle Q Clear(g_c), s	0.0	7.4	8.9	4.1	5.5	0.0
Prop In Lane		0.32	1.00		0.65	0.34
Lane Grp Cap(c), veh/h	0	829	511	877	716	0
V/C Ratio(X)	0.00	0.31	0.07	0.19	0.25	0.00
Avail Cap(c_a), veh/h	0	829	511	877	716	0
HCM Platoon Ratio	1.00	1.00	1.00	1.00	1.00	1.00
Upstream Filter(I)	0.00	1.00	1.00	1.00	1.00	0.00
Uniform Delay (d), s/veh	0.0	13.2	16.0	12.4	15.1	0.0
Incr Delay (d2), s/veh	0.0	1.0	0.3	0.5	0.8	0.0
Initial Q Delay(d3),s/veh	0.0	0.0	0.0	0.0	0.0	0.0
%ile BackOfQ(50%),veh/ln	0.0	2.8	0.4	1.7	2.2	0.0
Unsig. Movement Delay, s/veh						
LnGrp Delay(d),s/veh	0.0	14.2	16.3	12.9	16.0	0.0
LnGrp LOS	A	B	B	B	B	A
Approach Vol, veh/h	261			200	181	
Approach Delay, s/veh	14.2			13.4	16.0	
Approach LOS	B			B	B	
Timer - Assigned Phs	2		4		8	
Phs Duration (G+Y+Rc), s	38.0		42.0		42.0	
Change Period (Y+Rc), s	4.5		4.5		4.5	
Max Green Setting (Gmax), s	33.5		37.5		37.5	
Max Q Clear Time (g_c+I1), s	7.5		9.4		10.9	
Green Ext Time (p_c), s	0.5		1.5		1.0	
Intersection Summary						
HCM 6th Ctrl Delay	14.5					
HCM 6th LOS	B					

Fairington Drive Retail Traffic Impact Study
 1: Fairington Drive/apartments access & Chupp Way

existing p.m.

Intersection												
Int Delay, s/veh	3.4											
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations	↕			↕			↕			↕		
Traffic Vol, veh/h	0	175	90	17	148	1	82	2	13	3	2	1
Future Vol, veh/h	0	175	90	17	148	1	82	2	13	3	2	1
Conflicting Peds, #/hr	0	0	0	0	0	0	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Free	Free	Stop	Stop	Stop	Stop	Stop	Stop
RT Channelized	-	-	None	-	-	None	-	-	None	-	-	None
Storage Length	-	-	-	-	-	-	-	-	-	-	-	-
Veh in Median Storage, #	-	0	-	-	0	-	-	0	-	-	0	-
Grade, %	-	0	-	-	0	-	-	0	-	-	0	-
Peak Hour Factor	86	86	86	88	88	88	74	74	74	50	50	50
Heavy Vehicles, %	2	2	2	2	2	2	2	2	2	2	2	2
Mvmt Flow	0	203	105	19	168	1	111	3	18	6	4	2

Major/Minor	Major1			Major2			Minor1			Minor2		
Conflicting Flow All	169	0	0	308	0	0	466	463	256	473	515	169
Stage 1	-	-	-	-	-	-	256	256	-	207	207	-
Stage 2	-	-	-	-	-	-	210	207	-	266	308	-
Critical Hdwy	4.12	-	-	4.12	-	-	7.12	6.52	6.22	7.12	6.52	6.22
Critical Hdwy Stg 1	-	-	-	-	-	-	6.12	5.52	-	6.12	5.52	-
Critical Hdwy Stg 2	-	-	-	-	-	-	6.12	5.52	-	6.12	5.52	-
Follow-up Hdwy	2.218	-	-	2.218	-	-	3.518	4.018	3.318	3.518	4.018	3.318
Pot Cap-1 Maneuver	1409	-	-	1253	-	-	507	496	783	501	464	875
Stage 1	-	-	-	-	-	-	749	696	-	795	731	-
Stage 2	-	-	-	-	-	-	792	731	-	739	660	-
Platoon blocked, %	-	-	-	-	-	-	-	-	-	-	-	-
Mov Cap-1 Maneuver	1409	-	-	1253	-	-	496	488	783	481	456	875
Mov Cap-2 Maneuver	-	-	-	-	-	-	496	488	-	481	456	-
Stage 1	-	-	-	-	-	-	749	696	-	795	719	-
Stage 2	-	-	-	-	-	-	772	719	-	720	660	-

Approach	EB	WB	NB	SB
HCM Control Delay, s	0	0.8	14.2	12.2
HCM LOS			B	B

Minor Lane/Major Mvmt	NBLn1	EBL	EBT	EBR	WBL	WBT	WBR	SBLn1
Capacity (veh/h)	521	1409	-	-	1253	-	-	510
HCM Lane V/C Ratio	0.252	-	-	-	0.015	-	-	0.024
HCM Control Delay (s)	14.2	0	-	-	7.9	0	-	12.2
HCM Lane LOS	B	A	-	-	A	A	-	B
HCM 95th %ile Q(veh)	1	0	-	-	0	-	-	0.1

Fairington Drive Retail Traffic Impact Study
2: Chupp Way & Fairington Road

existing p.m.

						
Movement	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations						
Traffic Volume (veh/h)	318	197	68	361	174	63
Future Volume (veh/h)	318	197	68	361	174	63
Initial Q (Qb), veh	0	0	0	0	0	0
Ped-Bike Adj(A_pbT)		1.00	1.00		1.00	1.00
Parking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00
Work Zone On Approach	No			No	No	
Adj Sat Flow, veh/h/ln	1870	1870	1870	1870	1870	1870
Adj Flow Rate, veh/h	338	210	80	425	185	67
Peak Hour Factor	0.94	0.94	0.85	0.85	0.94	0.94
Percent Heavy Veh, %	2	2	2	2	2	2
Cap, veh/h	600	373	394	1040	418	151
Arrive On Green	0.56	0.56	0.56	0.56	0.33	0.33
Sat Flow, veh/h	1079	670	859	1870	1261	457
Grp Volume(v), veh/h	0	548	80	425	253	0
Grp Sat Flow(s),veh/h/ln	0	1750	859	1870	1725	0
Q Serve(g_s), s	0.0	16.2	5.3	10.4	9.2	0.0
Cycle Q Clear(g_c), s	0.0	16.2	21.5	10.4	9.2	0.0
Prop In Lane		0.38	1.00		0.73	0.26
Lane Grp Cap(c), veh/h	0	973	394	1040	571	0
V/C Ratio(X)	0.00	0.56	0.20	0.41	0.44	0.00
Avail Cap(c_a), veh/h	0	973	394	1040	571	0
HCM Platoon Ratio	1.00	1.00	1.00	1.00	1.00	1.00
Upstream Filter(I)	0.00	1.00	1.00	1.00	1.00	0.00
Uniform Delay (d), s/veh	0.0	11.5	18.4	10.2	21.0	0.0
Incr Delay (d2), s/veh	0.0	2.4	1.2	1.2	2.5	0.0
Initial Q Delay(d3),s/veh	0.0	0.0	0.0	0.0	0.0	0.0
%ile BackOfQ(50%),veh/ln	0.0	5.8	1.1	3.9	4.0	0.0
Unsig. Movement Delay, s/veh						
LnGrp Delay(d),s/veh	0.0	13.8	19.6	11.4	23.4	0.0
LnGrp LOS	A	B	B	B	C	A
Approach Vol, veh/h	548			505	253	
Approach Delay, s/veh	13.8			12.7	23.4	
Approach LOS	B			B	C	
Timer - Assigned Phs	2		4		8	
Phs Duration (G+Y+Rc), s	31.0		49.0		49.0	
Change Period (Y+Rc), s	4.5		4.5		4.5	
Max Green Setting (Gmax), s	26.5		44.5		44.5	
Max Q Clear Time (g_c+I1), s	11.2		18.2		23.5	
Green Ext Time (p_c), s	0.7		3.7		2.9	
Intersection Summary						
HCM 6th Ctrl Delay	15.2					
HCM 6th LOS	B					

Appendix D

No-Build Intersection Operational Analysis

Fairington Drive Retail Traffic Impact Study
 1: Fairington Drive/apartments access & Chupp Way

no-build a.m.

Intersection												
Int Delay, s/veh	3.1											
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations	↕			↕			↕			↕		
Traffic Vol, veh/h	2	65	27	1	109	2	66	0	7	1	0	0
Future Vol, veh/h	2	65	27	1	109	2	66	0	7	1	0	0
Conflicting Peds, #/hr	0	0	0	0	0	0	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Free	Free	Stop	Stop	Stop	Stop	Stop	Stop
RT Channelized	-	-	None	-	-	None	-	-	None	-	-	None
Storage Length	-	-	-	-	-	-	-	-	-	-	-	-
Veh in Median Storage, #	-	0	-	-	0	-	-	0	-	-	0	-
Grade, %	-	0	-	-	0	-	-	0	-	-	0	-
Peak Hour Factor	79	79	79	91	91	91	78	78	78	25	25	25
Heavy Vehicles, %	2	2	2	2	2	2	2	2	2	2	2	2
Mvmt Flow	3	82	34	1	120	2	85	0	9	4	0	0

Major/Minor	Major1			Major2			Minor1			Minor2		
Conflicting Flow All	122	0	0	116	0	0	228	229	99	233	245	121
Stage 1	-	-	-	-	-	-	105	105	-	123	123	-
Stage 2	-	-	-	-	-	-	123	124	-	110	122	-
Critical Hdwy	4.12	-	-	4.12	-	-	7.12	6.52	6.22	7.12	6.52	6.22
Critical Hdwy Stg 1	-	-	-	-	-	-	6.12	5.52	-	6.12	5.52	-
Critical Hdwy Stg 2	-	-	-	-	-	-	6.12	5.52	-	6.12	5.52	-
Follow-up Hdwy	2.218	-	-	2.218	-	-	3.518	4.018	3.318	3.518	4.018	3.318
Pot Cap-1 Maneuver	1465	-	-	1473	-	-	727	671	957	722	657	930
Stage 1	-	-	-	-	-	-	901	808	-	881	794	-
Stage 2	-	-	-	-	-	-	881	793	-	895	795	-
Platoon blocked, %	-	-	-	-	-	-	-	-	-	-	-	-
Mov Cap-1 Maneuver	1465	-	-	1473	-	-	726	669	957	713	655	930
Mov Cap-2 Maneuver	-	-	-	-	-	-	726	669	-	713	655	-
Stage 1	-	-	-	-	-	-	899	806	-	879	793	-
Stage 2	-	-	-	-	-	-	880	792	-	885	793	-

Approach	EB	WB	NB	SB
HCM Control Delay, s	0.2	0.1	10.5	10.1
HCM LOS	B		B	

Minor Lane/Major Mvmt	NBLn1	EBL	EBT	EBR	WBL	WBT	WBR	SBLn1
Capacity (veh/h)	743	1465	-	-	1473	-	-	713
HCM Lane V/C Ratio	0.126	0.002	-	-	0.001	-	-	0.006
HCM Control Delay (s)	10.5	7.5	0	-	7.4	0	-	10.1
HCM Lane LOS	B	A	A	-	A	A	-	B
HCM 95th %tile Q(veh)	0.4	0	-	-	0	-	-	0

Fairington Drive Retail Traffic Impact Study
2: Chupp Way & Fairington Road

no-build a.m.

						
Movement	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations						
Traffic Volume (veh/h)	145	68	34	163	100	53
Future Volume (veh/h)	145	68	34	163	100	53
Initial Q (Qb), veh	0	0	0	0	0	0
Ped-Bike Adj(A_pbT)		1.00	1.00		1.00	1.00
Parking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00
Work Zone On Approach	No			No	No	
Adj Sat Flow, veh/h/ln	1870	1870	1870	1870	1870	1870
Adj Flow Rate, veh/h	188	88	37	175	125	66
Peak Hour Factor	0.77	0.77	0.93	0.93	0.80	0.80
Percent Heavy Veh, %	2	2	2	2	2	2
Cap, veh/h	580	271	515	900	452	239
Arrive On Green	0.48	0.48	0.48	0.48	0.41	0.41
Sat Flow, veh/h	1205	564	1103	1870	1113	587
Grp Volume(v), veh/h	0	276	37	175	192	0
Grp Sat Flow(s),veh/h/ln	0	1769	1103	1870	1709	0
Q Serve(g_s), s	0.0	7.7	1.7	4.3	6.0	0.0
Cycle Q Clear(g_c), s	0.0	7.7	9.4	4.3	6.0	0.0
Prop In Lane		0.32	1.00		0.65	0.34
Lane Grp Cap(c), veh/h	0	851	515	900	694	0
V/C Ratio(X)	0.00	0.32	0.07	0.19	0.28	0.00
Avail Cap(c_a), veh/h	0	851	515	900	694	0
HCM Platoon Ratio	1.00	1.00	1.00	1.00	1.00	1.00
Upstream Filter(I)	0.00	1.00	1.00	1.00	1.00	0.00
Uniform Delay (d), s/veh	0.0	12.8	15.6	11.9	15.9	0.0
Incr Delay (d2), s/veh	0.0	1.0	0.3	0.5	1.0	0.0
Initial Q Delay(d3),s/veh	0.0	0.0	0.0	0.0	0.0	0.0
%ile BackOfQ(50%),veh/ln	0.0	2.9	0.4	1.7	2.5	0.0
Unsig. Movement Delay, s/veh						
LnGrp Delay(d),s/veh	0.0	13.8	15.9	12.4	16.9	0.0
LnGrp LOS	A	B	B	B	B	A
Approach Vol, veh/h	276			212	192	
Approach Delay, s/veh	13.8			13.0	16.9	
Approach LOS	B			B	B	
Timer - Assigned Phs	2		4		8	
Phs Duration (G+Y+Rc), s	37.0		43.0		43.0	
Change Period (Y+Rc), s	4.5		4.5		4.5	
Max Green Setting (Gmax), s	32.5		38.5		38.5	
Max Q Clear Time (g_c+I1), s	8.0		9.7		11.4	
Green Ext Time (p_c), s	0.6		1.6		1.0	
Intersection Summary						
HCM 6th Ctrl Delay	14.4					
HCM 6th LOS	B					

Fairington Drive Retail Traffic Impact Study
 1: Fairington Drive/apartments access & Chupp Way

no-build p.m.

Intersection												
Int Delay, s/veh	3.5											
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations	↕			↕			↕			↕		
Traffic Vol, veh/h	0	186	95	18	157	1	87	2	14	3	2	1
Future Vol, veh/h	0	186	95	18	157	1	87	2	14	3	2	1
Conflicting Peds, #/hr	0	0	0	0	0	0	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Free	Free	Stop	Stop	Stop	Stop	Stop	Stop
RT Channelized	-	-	None	-	-	None	-	-	None	-	-	None
Storage Length	-	-	-	-	-	-	-	-	-	-	-	-
Veh in Median Storage, #	-	0	-	-	0	-	-	0	-	-	0	-
Grade, %	-	0	-	-	0	-	-	0	-	-	0	-
Peak Hour Factor	86	86	86	88	88	88	74	74	74	50	50	50
Heavy Vehicles, %	2	2	2	2	2	2	2	2	2	2	2	2
Mvmt Flow	0	216	110	20	178	1	118	3	19	6	4	2

Major/Minor	Major1			Major2			Minor1			Minor2		
Conflicting Flow All	179	0	0	326	0	0	493	490	271	501	545	179
Stage 1	-	-	-	-	-	-	271	271	-	219	219	-
Stage 2	-	-	-	-	-	-	222	219	-	282	326	-
Critical Hdwy	4.12	-	-	4.12	-	-	7.12	6.52	6.22	7.12	6.52	6.22
Critical Hdwy Stg 1	-	-	-	-	-	-	6.12	5.52	-	6.12	5.52	-
Critical Hdwy Stg 2	-	-	-	-	-	-	6.12	5.52	-	6.12	5.52	-
Follow-up Hdwy	2.218	-	-	2.218	-	-	3.518	4.018	3.318	3.518	4.018	3.318
Pot Cap-1 Maneuver	1397	-	-	1234	-	-	486	479	768	480	446	864
Stage 1	-	-	-	-	-	-	735	685	-	783	722	-
Stage 2	-	-	-	-	-	-	780	722	-	725	648	-
Platoon blocked, %	-	-	-	-	-	-	-	-	-	-	-	-
Mov Cap-1 Maneuver	1397	-	-	1234	-	-	475	470	768	460	438	864
Mov Cap-2 Maneuver	-	-	-	-	-	-	475	470	-	460	438	-
Stage 1	-	-	-	-	-	-	735	685	-	783	709	-
Stage 2	-	-	-	-	-	-	760	709	-	704	648	-

Approach	EB	WB	NB	SB
HCM Control Delay, s	0	0.8	14.9	12.5
HCM LOS			B	B

Minor Lane/Major Mvmt	NBLn1	EBL	EBT	EBR	WBL	WBT	WBR	SBLn1
Capacity (veh/h)	501	1397	-	-	1234	-	-	490
HCM Lane V/C Ratio	0.278	-	-	-	0.017	-	-	0.024
HCM Control Delay (s)	14.9	0	-	-	8	0	-	12.5
HCM Lane LOS	B	A	-	-	A	A	-	B
HCM 95th %ile Q(veh)	1.1	0	-	-	0.1	-	-	0.1

Fairington Drive Retail Traffic Impact Study
2: Chupp Way & Fairington Road

no-build p.m.



Movement	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations	↰		↰	↱	↰	
Traffic Volume (veh/h)	337	209	72	383	185	67
Future Volume (veh/h)	337	209	72	383	185	67
Initial Q (Qb), veh	0	0	0	0	0	0
Ped-Bike Adj(A_pbT)		1.00	1.00		1.00	1.00
Parking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00
Work Zone On Approach	No			No	No	
Adj Sat Flow, veh/h/ln	1870	1870	1870	1870	1870	1870
Adj Flow Rate, veh/h	359	222	85	451	197	71
Peak Hour Factor	0.94	0.94	0.85	0.85	0.94	0.94
Percent Heavy Veh, %	2	2	2	2	2	2
Cap, veh/h	615	380	385	1064	403	145
Arrive On Green	0.57	0.57	0.57	0.57	0.32	0.32
Sat Flow, veh/h	1081	669	833	1870	1263	455
Grp Volume(v), veh/h	0	581	85	451	269	0
Grp Sat Flow(s),veh/h/ln	0	1750	833	1870	1725	0
Q Serve(g_s), s	0.0	17.1	5.9	11.0	10.1	0.0
Cycle Q Clear(g_c), s	0.0	17.1	23.0	11.0	10.1	0.0
Prop In Lane		0.38	1.00		0.73	0.26
Lane Grp Cap(c), veh/h	0	995	385	1064	550	0
V/C Ratio(X)	0.00	0.58	0.22	0.42	0.49	0.00
Avail Cap(c_a), veh/h	0	995	385	1064	550	0
HCM Platoon Ratio	1.00	1.00	1.00	1.00	1.00	1.00
Upstream Filter(I)	0.00	1.00	1.00	1.00	1.00	0.00
Uniform Delay (d), s/veh	0.0	11.1	18.6	9.8	22.0	0.0
Incr Delay (d2), s/veh	0.0	2.5	1.3	1.2	3.1	0.0
Initial Q Delay(d3),s/veh	0.0	0.0	0.0	0.0	0.0	0.0
%ile BackOfQ(50%),veh/ln	0.0	6.1	1.2	4.1	4.4	0.0
Unsig. Movement Delay, s/veh						
LnGrp Delay(d),s/veh	0.0	13.6	19.9	11.0	25.1	0.0
LnGrp LOS	A	B	B	B	C	A
Approach Vol, veh/h	581			536	269	
Approach Delay, s/veh	13.6			12.4	25.1	
Approach LOS	B			B	C	
Timer - Assigned Phs	2		4		8	
Phs Duration (G+Y+Rc), s	30.0		50.0		50.0	
Change Period (Y+Rc), s	4.5		4.5		4.5	
Max Green Setting (Gmax), s	25.5		45.5		45.5	
Max Q Clear Time (g_c+I1), s	12.1		19.1		25.0	
Green Ext Time (p_c), s	0.7		4.0		3.1	
Intersection Summary						
HCM 6th Ctrl Delay			15.4			
HCM 6th LOS			B			

Appendix E

Future Intersection Operational Analysis

Fairington Drive Retail Traffic Impact Study
 1: Fairington Drive/apartments access & Chupp Way

future a.m.

Intersection												
Int Delay, s/veh	3.9											
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations	↕			↕			↕			↕		
Traffic Vol, veh/h	2	63	53	7	106	2	93	0	12	1	0	0
Future Vol, veh/h	2	63	53	7	106	2	93	0	12	1	0	0
Conflicting Peds, #/hr	0	0	0	0	0	0	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Free	Free	Stop	Stop	Stop	Stop	Stop	Stop
RT Channelized	-	-	None	-	-	None	-	-	None	-	-	None
Storage Length	-	-	-	-	-	-	-	-	-	-	-	-
Veh in Median Storage, #	-	0	-	-	0	-	-	0	-	-	0	-
Grade, %	-	0	-	-	0	-	-	0	-	-	0	-
Peak Hour Factor	79	79	79	91	91	91	78	78	78	25	25	25
Heavy Vehicles, %	2	2	2	2	2	2	2	2	2	2	2	2
Mvmt Flow	3	80	67	8	116	2	119	0	15	4	0	0

Major/Minor	Major1			Major2			Minor1			Minor2		
Conflicting Flow All	118	0	0	147	0	0	253	254	114	260	286	117
Stage 1	-	-	-	-	-	-	120	120	-	133	133	-
Stage 2	-	-	-	-	-	-	133	134	-	127	153	-
Critical Hdwy	4.12	-	-	4.12	-	-	7.12	6.52	6.22	7.12	6.52	6.22
Critical Hdwy Stg 1	-	-	-	-	-	-	6.12	5.52	-	6.12	5.52	-
Critical Hdwy Stg 2	-	-	-	-	-	-	6.12	5.52	-	6.12	5.52	-
Follow-up Hdwy	2.218	-	-	2.218	-	-	3.518	4.018	3.318	3.518	4.018	3.318
Pot Cap-1 Maneuver	1470	-	-	1435	-	-	700	650	939	693	623	935
Stage 1	-	-	-	-	-	-	884	796	-	870	786	-
Stage 2	-	-	-	-	-	-	870	785	-	877	771	-
Platoon blocked, %	-	-	-	-	-	-	-	-	-	-	-	-
Mov Cap-1 Maneuver	1470	-	-	1435	-	-	696	645	939	678	618	935
Mov Cap-2 Maneuver	-	-	-	-	-	-	696	645	-	678	618	-
Stage 1	-	-	-	-	-	-	882	794	-	868	781	-
Stage 2	-	-	-	-	-	-	865	780	-	861	769	-

Approach	EB	WB	NB	SB
HCM Control Delay, s	0.1	0.5	11.2	10.3
HCM LOS	B		B	

Minor Lane/Major Mvmt	NBLn1	EBL	EBT	EBR	WBL	WBT	WBR	SBLn1
Capacity (veh/h)	717	1470	-	-	1435	-	-	678
HCM Lane V/C Ratio	0.188	0.002	-	-	0.005	-	-	0.006
HCM Control Delay (s)	11.2	7.5	0	-	7.5	0	-	10.3
HCM Lane LOS	B	A	A	-	A	A	-	B
HCM 95th %tile Q(veh)	0.7	0	-	-	0	-	-	0

Fairington Drive Retail Traffic Impact Study
2: Chupp Way & Fairington Road

future a.m.

						
Movement	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations						
Traffic Volume (veh/h)	139	82	44	158	113	64
Future Volume (veh/h)	139	82	44	158	113	64
Initial Q (Qb), veh	0	0	0	0	0	0
Ped-Bike Adj(A_pbT)		1.00	1.00		1.00	1.00
Parking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00
Work Zone On Approach	No			No	No	
Adj Sat Flow, veh/h/ln	1870	1870	1870	1870	1870	1870
Adj Flow Rate, veh/h	181	106	47	170	141	80
Peak Hour Factor	0.77	0.77	0.93	0.93	0.80	0.80
Percent Heavy Veh, %	2	2	2	2	2	2
Cap, veh/h	518	304	488	877	454	257
Arrive On Green	0.47	0.47	0.47	0.47	0.42	0.42
Sat Flow, veh/h	1106	648	1092	1870	1083	615
Grp Volume(v), veh/h	0	287	47	170	222	0
Grp Sat Flow(s),veh/h/ln	0	1754	1092	1870	1706	0
Q Serve(g_s), s	0.0	8.3	2.3	4.2	7.0	0.0
Cycle Q Clear(g_c), s	0.0	8.3	10.6	4.2	7.0	0.0
Prop In Lane		0.37	1.00		0.64	0.36
Lane Grp Cap(c), veh/h	0	822	488	877	714	0
V/C Ratio(X)	0.00	0.35	0.10	0.19	0.31	0.00
Avail Cap(c_a), veh/h	0	822	488	877	714	0
HCM Platoon Ratio	1.00	1.00	1.00	1.00	1.00	1.00
Upstream Filter(I)	0.00	1.00	1.00	1.00	1.00	0.00
Uniform Delay (d), s/veh	0.0	13.5	16.9	12.4	15.5	0.0
Incr Delay (d2), s/veh	0.0	1.2	0.4	0.5	1.1	0.0
Initial Q Delay(d3),s/veh	0.0	0.0	0.0	0.0	0.0	0.0
%ile BackOfQ(50%),veh/ln	0.0	3.2	0.6	1.7	2.8	0.0
Unsig. Movement Delay, s/veh						
LnGrp Delay(d),s/veh	0.0	14.7	17.3	12.9	16.7	0.0
LnGrp LOS	A	B	B	B	B	A
Approach Vol, veh/h	287			217	222	
Approach Delay, s/veh	14.7			13.9	16.7	
Approach LOS	B			B	B	
Timer - Assigned Phs	2		4		8	
Phs Duration (G+Y+Rc), s	38.0		42.0		42.0	
Change Period (Y+Rc), s	4.5		4.5		4.5	
Max Green Setting (Gmax), s	33.5		37.5		37.5	
Max Q Clear Time (g_c+I1), s	9.0		10.3		12.6	
Green Ext Time (p_c), s	0.7		1.7		1.0	
Intersection Summary						
HCM 6th Ctrl Delay	15.0					
HCM 6th LOS	B					

Fairington Drive Retail Traffic Impact Study

3: Fairington Drive & north access

future a.m.

Intersection						
Int Delay, s/veh	2.6					
Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations	↔		↔			↔
Traffic Vol, veh/h	1	23	76	1	26	34
Future Vol, veh/h	1	23	76	1	26	34
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	-	-	-	-
Veh in Median Storage, #	0	-	0	-	-	0
Grade, %	0	-	0	-	-	0
Peak Hour Factor	75	75	78	75	60	60
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	1	31	97	1	43	57

Major/Minor	Minor1	Major1	Major2		
Conflicting Flow All	241	98	0	0	98
Stage 1	98	-	-	-	-
Stage 2	143	-	-	-	-
Critical Hdwy	6.42	6.22	-	-	4.12
Critical Hdwy Stg 1	5.42	-	-	-	-
Critical Hdwy Stg 2	5.42	-	-	-	-
Follow-up Hdwy	3.518	3.318	-	-	2.218
Pot Cap-1 Maneuver	747	958	-	-	1495
Stage 1	926	-	-	-	-
Stage 2	884	-	-	-	-
Platoon blocked, %			-	-	-
Mov Cap-1 Maneuver	725	958	-	-	1495
Mov Cap-2 Maneuver	725	-	-	-	-
Stage 1	926	-	-	-	-
Stage 2	857	-	-	-	-

Approach	WB	NB	SB
HCM Control Delay, s	8.9	0	3.2
HCM LOS	A		

Minor Lane/Major Mvmt	NBT	NBRWBLn1	SBL	SBT
Capacity (veh/h)	-	-	945	1495
HCM Lane V/C Ratio	-	-	0.034	0.029
HCM Control Delay (s)	-	-	8.9	7.5
HCM Lane LOS	-	-	A	A
HCM 95th %tile Q(veh)	-	-	0.1	0.1

Fairington Drive Retail Traffic Impact Study

4: Fairington Drive & south access

future a.m.

Intersection						
Int Delay, s/veh	1.3					
Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations	WT		1			4
Traffic Vol, veh/h	2	10	72	3	6	28
Future Vol, veh/h	2	10	72	3	6	28
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	-	-	-	-
Veh in Median Storage, #	0	-	0	-	-	0
Grade, %	0	-	0	-	-	0
Peak Hour Factor	70	70	75	75	60	60
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	3	14	96	4	10	47

Major/Minor	Minor1	Major1	Major2
Conflicting Flow All	165	98	0
Stage 1	98	-	-
Stage 2	67	-	-
Critical Hdwy	6.42	6.22	-
Critical Hdwy Stg 1	5.42	-	-
Critical Hdwy Stg 2	5.42	-	-
Follow-up Hdwy	3.518	3.318	-
Pot Cap-1 Maneuver	826	958	-
Stage 1	926	-	-
Stage 2	956	-	-
Platoon blocked, %		-	-
Mov Cap-1 Maneuver	820	958	-
Mov Cap-2 Maneuver	820	-	-
Stage 1	926	-	-
Stage 2	949	-	-

Approach	WB	NB	SB
HCM Control Delay, s	8.9	0	1.3
HCM LOS	A		

Minor Lane/Major Mvmt	NBT	NBRWBLn1	SBL	SBT
Capacity (veh/h)	-	-	932	1493
HCM Lane V/C Ratio	-	-	0.018	0.007
HCM Control Delay (s)	-	-	8.9	7.4
HCM Lane LOS	-	-	A	A
HCM 95th %tile Q(veh)	-	-	0.1	0

Fairington Drive Retail Traffic Impact Study
1: Fairington Drive/apartments access & Chupp Way

future p.m.

Intersection												
Int Delay, s/veh	5.5											
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations	↕			↕			↕			↕		
Traffic Vol, veh/h	0	183	142	26	154	1	134	2	23	3	2	1
Future Vol, veh/h	0	183	142	26	154	1	134	2	23	3	2	1
Conflicting Peds, #/hr	0	0	0	0	0	0	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Free	Free	Stop	Stop	Stop	Stop	Stop	Stop
RT Channelized	-	-	None	-	-	None	-	-	None	-	-	None
Storage Length	-	-	-	-	-	-	-	-	-	-	-	-
Veh in Median Storage, #	-	0	-	-	0	-	-	0	-	-	0	-
Grade, %	-	0	-	-	0	-	-	0	-	-	0	-
Peak Hour Factor	86	86	86	88	88	88	74	74	74	50	50	50
Heavy Vehicles, %	2	2	2	2	2	2	2	2	2	2	2	2
Mvmt Flow	0	213	165	30	175	1	181	3	31	6	4	2

Major/Minor	Major1			Major2			Minor1			Minor2		
Conflicting Flow All	176	0	0	378	0	0	535	532	296	549	614	176
Stage 1	-	-	-	-	-	-	296	296	-	236	236	-
Stage 2	-	-	-	-	-	-	239	236	-	313	378	-
Critical Hdwy	4.12	-	-	4.12	-	-	7.12	6.52	6.22	7.12	6.52	6.22
Critical Hdwy Stg 1	-	-	-	-	-	-	6.12	5.52	-	6.12	5.52	-
Critical Hdwy Stg 2	-	-	-	-	-	-	6.12	5.52	-	6.12	5.52	-
Follow-up Hdwy	2.218	-	-	2.218	-	-	3.518	4.018	3.318	3.518	4.018	3.318
Pot Cap-1 Maneuver	1400	-	-	1180	-	-	456	453	743	446	407	867
Stage 1	-	-	-	-	-	-	712	668	-	767	710	-
Stage 2	-	-	-	-	-	-	764	710	-	698	615	-
Platoon blocked, %	-	-	-	-	-	-	-	-	-	-	-	-
Mov Cap-1 Maneuver	1400	-	-	1180	-	-	442	440	743	416	396	867
Mov Cap-2 Maneuver	-	-	-	-	-	-	442	440	-	416	396	-
Stage 1	-	-	-	-	-	-	712	668	-	767	690	-
Stage 2	-	-	-	-	-	-	737	690	-	666	615	-

Approach	EB	WB	NB	SB
HCM Control Delay, s	0	1.2	19	13.3
HCM LOS			C	B

Minor Lane/Major Mvmt	NBLn1	EBL	EBT	EBR	WBL	WBT	WBR	SBLn1
Capacity (veh/h)	469	1400	-	-	1180	-	-	447
HCM Lane V/C Ratio	0.458	-	-	-	0.025	-	-	0.027
HCM Control Delay (s)	19	0	-	-	8.1	0	-	13.3
HCM Lane LOS	C	A	-	-	A	A	-	B
HCM 95th %ile Q(veh)	2.4	0	-	-	0.1	-	-	0.1

Fairington Drive Retail Traffic Impact Study
2: Chupp Way & Fairington Road

future p.m.

	→	↘	↙	←	↖	↗
Movement	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations	↗		↖	↑	↘↗	
Traffic Volume (veh/h)	328	235	90	376	210	86
Future Volume (veh/h)	328	235	90	376	210	86
Initial Q (Qb), veh	0	0	0	0	0	0
Ped-Bike Adj(A_pbT)		1.00	1.00		1.00	1.00
Parking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00
Work Zone On Approach	No			No	No	
Adj Sat Flow, veh/h/ln	1870	1870	1870	1870	1870	1870
Adj Flow Rate, veh/h	349	250	106	442	223	91
Peak Hour Factor	0.94	0.94	0.85	0.85	0.94	0.94
Percent Heavy Veh, %	2	2	2	2	2	2
Cap, veh/h	551	395	339	1017	419	171
Arrive On Green	0.54	0.54	0.54	0.54	0.34	0.34
Sat Flow, veh/h	1014	726	820	1870	1218	497
Grp Volume(v), veh/h	0	599	106	442	315	0
Grp Sat Flow(s),veh/h/ln	0	1740	820	1870	1720	0
Q Serve(g_s), s	0.0	19.2	8.3	11.3	11.8	0.0
Cycle Q Clear(g_c), s	0.0	19.2	27.4	11.3	11.8	0.0
Prop In Lane		0.42	1.00		0.71	0.29
Lane Grp Cap(c), veh/h	0	946	339	1017	591	0
V/C Ratio(X)	0.00	0.63	0.31	0.43	0.53	0.00
Avail Cap(c_a), veh/h	0	946	339	1017	591	0
HCM Platoon Ratio	1.00	1.00	1.00	1.00	1.00	1.00
Upstream Filter(I)	0.00	1.00	1.00	1.00	1.00	0.00
Uniform Delay (d), s/veh	0.0	12.7	22.2	10.9	21.1	0.0
Incr Delay (d2), s/veh	0.0	3.2	2.4	1.4	3.4	0.0
Initial Q Delay(d3),s/veh	0.0	0.0	0.0	0.0	0.0	0.0
%ile BackOfQ(50%),veh/ln	0.0	7.0	1.7	4.3	5.2	0.0
Unsig. Movement Delay, s/veh						
LnGrp Delay(d),s/veh	0.0	15.9	24.6	12.3	24.5	0.0
LnGrp LOS	A	B	C	B	C	A
Approach Vol, veh/h	599			548	315	
Approach Delay, s/veh	15.9			14.7	24.5	
Approach LOS	B			B	C	
Timer - Assigned Phs	2		4		8	
Phs Duration (G+Y+Rc), s	32.0		48.0		48.0	
Change Period (Y+Rc), s	4.5		4.5		4.5	
Max Green Setting (Gmax), s	27.5		43.5		43.5	
Max Q Clear Time (g_c+I1), s	13.8		21.2		29.4	
Green Ext Time (p_c), s	0.9		4.0		2.8	
Intersection Summary						
HCM 6th Ctrl Delay			17.3			
HCM 6th LOS			B			

Fairington Drive Retail Traffic Impact Study
3: Fairington Drive & north access

future p.m.

Intersection

Int Delay, s/veh 2.1

Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations						
Traffic Vol, veh/h	2	35	116	2	41	131
Future Vol, veh/h	2	35	116	2	41	131
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	-	-	-	-
Veh in Median Storage, #	0	-	0	-	-	0
Grade, %	0	-	0	-	-	0
Peak Hour Factor	70	70	74	74	75	75
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	3	50	157	3	55	175

Major/Minor	Minor1	Major1	Major2
Conflicting Flow All	444	159	0
Stage 1	159	-	-
Stage 2	285	-	-
Critical Hdwy	6.42	6.22	-
Critical Hdwy Stg 1	5.42	-	-
Critical Hdwy Stg 2	5.42	-	-
Follow-up Hdwy	3.518	3.318	-
Pot Cap-1 Maneuver	571	886	-
Stage 1	870	-	-
Stage 2	763	-	-
Platoon blocked, %		-	-
Mov Cap-1 Maneuver	546	886	-
Mov Cap-2 Maneuver	546	-	-
Stage 1	870	-	-
Stage 2	730	-	-

Approach	WB	NB	SB
HCM Control Delay, s	9.5	0	1.8
HCM LOS	A		

Minor Lane/Major Mvmt	NBT	NBRWBLn1	SBL	SBT
Capacity (veh/h)	-	-	857	1419
HCM Lane V/C Ratio	-	-	0.062	0.039
HCM Control Delay (s)	-	-	9.5	7.6
HCM Lane LOS	-	-	A	A
HCM 95th %tile Q(veh)	-	-	0.2	0.1

Fairington Drive Retail Traffic Impact Study

4: Fairington Drive & south access

future p.m.

Intersection						
Int Delay, s/veh	1					
Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations	W		T			T
Traffic Vol, veh/h	4	22	103	4	15	116
Future Vol, veh/h	4	22	103	4	15	116
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	-	-	-	-
Veh in Median Storage, #	0	-	0	-	-	0
Grade, %	0	-	0	-	-	0
Peak Hour Factor	92	92	74	74	75	75
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	3	16	139	5	20	155

Major/Minor	Minor1	Major1	Major2			
Conflicting Flow All	337	142	0	0	144	0
Stage 1	142	-	-	-	-	-
Stage 2	195	-	-	-	-	-
Critical Hdwy	6.42	6.22	-	-	4.12	-
Critical Hdwy Stg 1	5.42	-	-	-	-	-
Critical Hdwy Stg 2	5.42	-	-	-	-	-
Follow-up Hdwy	3.518	3.318	-	-	2.218	-
Pol Cap-1 Maneuver	658	906	-	-	1438	-
Stage 1	885	-	-	-	-	-
Stage 2	838	-	-	-	-	-
Platoon blocked, %			-	-		-
Mov Cap-1 Maneuver	648	906	-	-	1438	-
Mov Cap-2 Maneuver	648	-	-	-	-	-
Stage 1	885	-	-	-	-	-
Stage 2	825	-	-	-	-	-

Approach	WB	NB	SB
HCM Control Delay, s	9.3	0	0.9
HCM LOS	A		

Minor Lane/Major Mvmt	NBT	NBRWBLn1	SBL	SBT
Capacity (veh/h)	-	- 854	1438	-
HCM Lane V/C Ratio	-	- 0.022	0.014	-
HCM Control Delay (s)	-	- 9.3	7.5	0
HCM Lane LOS	-	- A	A	A
HCM 95th %tile Q(veh)	-	- 0.1	0	-



PLANNING COMMISSION MEETING

JANUARY 14, 2021, 6:00PM

ATTACHMENT II

TO: CITY COUNCIL (January 25, 2021)

SUBJECT: PETITION SLUP-20-007 & SLUP-20-008

RE: PUBLIC COMMENTS RECEIVED

Lillian Lowe

From: Monica Ivory <monivory@yahoo.com>
Sent: Sunday, January 10, 2021 7:35 PM
To: creativeasf@comcast.net; Arlene FARMER; Chris Wheeler; Lillian Lowe
Cc: Jazzmin Cobble; lcjohnson@dekalbcountyga.gov
Subject: Re: CONFIRMATION: Protest of Application for Special Land Use Permit

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Thanks, for the update sabrena

Sent from Yahoo Mail on Android

On Thu, Jan 7, 2021 at 10:12 AM, Arlene FARMER
<creativeasf@comcast.net> wrote:

Hello Chris Wheeler,

The sign posted on the street said nothing about it being a virtual meeting. And when I called your office they stated (and no I did not get the persons name) that if we wanted to come on the day of the meeting that we had to call beforehand to make sure there was someone there to take comments on a laptop, we had to make sure on a meeting that you all setup.

Even though this is how you've been doing it since March, your advertisement did not state it on the outside posting or we would not have showed up to City Hall on December 1st or December 5th to find out once again the meeting was cancelled. All we are asking for is a little consideration in your postings.

Yes, please read my comments at both meetings. We don't want a liquor store, gas station, convenience store smack dab in our community and we want this area rezoned to be residential or whatever is needed so this will stop happening again.

Sincerely,

A. Sabrena Farmer

Wellington Manor Subdivision

Ninety-nine percent of all failures come from people who have a habit of making excuses.

George Washington Carver

On 01/06/2021 4:02 PM Chris Wheeler <cwheeler@stonecrestga.gov> wrote:

Good afternoon Ms. Farmer,

All the Planning Commission/City Council meeting have been virtual since city hall closed last March. The city administration has allowed for resident to come to city hall and give public

comment when rezoning/slup cases are schedule to be heard. Nothing has changed. You can still come to city hall and give your comment or submit your comment online.

I will read your email at the Jan 14 Planning Commission meeting and Jan 25 City Council meeting.

Sincerely,

Christopher Wheeler
Planning and Zoning Director



City of Stonecrest
3120 Stonecrest Blvd.
Stonecrest, GA 30038
Office 770.224.0200
www.stonecrestga.gov
cwheeler@stonecrestga.gov

From: Arlene FARMER <creativeasf@comcast.net>
Sent: Wednesday, January 6, 2021 3:50 PM
To: Chris Wheeler <cwheeler@stonecrestga.gov>; Lillian Lowe <Lillian.Lowe@stonecrestga.gov>
Cc: Jazzmin Cobble <JCobble@stonecrestga.gov>; lcjohnson@dekalbcountyga.gov <lcjohnson@dekalbcountyga.gov>
Subject: Re: CONFIRMATION: Protest of Application for Special Land Use Permit

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Hello Chris,
WOW!!!! Now the meeting has been moved for a third time, but we can't come to protest because it is now a virtual meeting. I think we had of been better off if there was no city of Stonecrest. Please see my comments below, but to reiterate we do not want a gas station/convenience store/alcohol outlet in the middle of our community. Pass this email

along to your meeting of January 24th for the Planning Commission and your meeting of January 25th for the Mayor & City Council.

A. Sabrena Farmer
The Creative Woman

Ninety-nine percent of all failures come from people who have a habit of making excuses.

George Washington Carver

On 12/07/2020 9:59 AM Chris Wheeler <cwheeler@stonecrestga.gov> wrote:

Good morning Ms. Farmer,

Sorry for not responding to your earlier email concerning the 5691 Chupp Way special land use permit application. It appears I drafted a letter but failed to hit send. Again sorry about that.

Secondly, I apologize if there was some miscommunication regarding the Dec Planning Commission meeting being canceled. I canceled the meeting due to the lack of commissioners being available to attend the meeting. Whom did you speak to in my department who said the December Planning Commission meeting wasn't canceled? I would like to know so I can address the situation. The January 5th date was chosen and approved months in advance by the Planning Commission and approved by City Council. Also, my office doesn't approve special land use permits; we only give recommendations. The city council would be the ones to approved or deny the special land use permit.

I will read this email at the January 5 meeting and include the email in the city council packet and the signed petition.

If you have any more questions, please let me know.

Best,

Christopher Wheeler
Planning and Zoning Director



City of Stonecrest
3120 Stonecrest Blvd.
Stonecrest, GA 30038
Office 770.224.0200

From: Arlene FARMER <creativeasf@comcast.net>
Sent: Wednesday, December 2, 2020 5:15 PM
To: Chris Wheeler <cwheeler@stonecrestga.gov>
Cc: Jazzmin Cobble <JCobble@stonecrestga.gov>
Subject: Fwd: CONFIRMATION: Protest of Application for Special Land Use Permit

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Hello Chris Wheeler,

We are sorry that you all are short staffed and can't seem to carry on the business of the city. It is a shame and a disgrace that your office did not know whether a meeting that you posted on a sign on the corner of Chupp Way and Fairington Drive for yesterday, December 1, 2020 at 6pm was cancelled. We were not notified of a cancellation nor was the sign changed. We came out to the meeting on last night only to see that it was cancelled. Now a friend of mind sends me a facebook post where you are stating it has been changed to January 5th and I will not be in town to attend. What is the reason that this meeting is not only a month away, but it is on election day for the Senate runoff? It would be better to have it on a day when more people could attend. So I am attaching the 35 petitions of residents in our subdivision, Wellington Manor, that do not want this application to be approved.

We are sick and tired of all the liquor stores, gas stations, and five and dime stores that are saturating our community. Now you are considering an application to put a gas station/convenience store/alcohol outlet smack dab in the middle of our community. As the president of the Wellington Manor HOA, I am outraged at the thought of this even being considered. Have you not even surveyed this small street. We have one way out of this community and we don't need an gas station for traffic to be pulled from Fairington Road onto Chupp Way, when Fairington Drive is our only way to get to Fairington Road. Common sense is obvious that this little parcel of land needs to be rezoned and definitely not Light Industrial. This is the second time we have had to fight not to have a gas station on this parcel of land, we had to fight when our subdivision was built some 20 odd years ago. We didn't want it then and we don't want it now.

I want this email read at your meeting on January 5th, because I don't want it to slip through the cracks and an application for this gas station gets approved by your office. We have a monthly cleanup day on our adopted street, Fairington Drive, which is right in front of the Wellington

Manor subdivision and we usually get about 5 - 8 bags full of trash which consist of a lot of beer bottles and liquor bottles so a gas station on this street would be contributing to an already distressed area. Please don't approve this application and don't assume we don't care what goes down in our neighborhood.

By the way, never heard from your office, see emails below.

Sincerely,

A. Sabrena Farmer, President

Wellington Manor HOA (5991 Sherwood Trace, Stonecrest, GA 30038)

wellingtonmembers@yahoo.com

Ninety-nine percent of all failures come from people who have a habit of making excuses.

George Washington Carver

----- Original Message -----

From: "Cochran-Johnson, Lorraine" <LCJohnson@dekalbcountyga.gov>
To: Jazzmin Cobble <JCobble@stonecrestga.gov>, Arlene FARMER <creativeasf@comcast.net>, "cwheeler@stonecrestga.gov" <cwheeler@stonecrestga.gov>, Tuyanna Daniel <TDaniel@stonecrestga.gov>
Cc: "Johnson, Mereda D." <mdjohnson@dekalbcountyga.gov>, Jason Lary <JLary@stonecrestga.gov>
Date: 11/24/2020 11:13 PM
Subject: CONFIRMATION: Protest of Application for Special Land Use Permit

Thank you for the follow-up.

From: Jazzmin Cobble <JCobble@stonecrestga.gov>
Sent: Monday, November 23, 2020 7:11 PM
To: Arlene FARMER <creativeasf@comcast.net>; cwheeler@stonecrestga.gov; Tuyanna Daniel <TDaniel@stonecrestga.gov>
Cc: Johnson, Mereda D. <mdjohnson@dekalbcountyga.gov>; Cochran-Johnson, Lorraine <LCJohnson@dekalbcountyga.gov>; Jason Lary <JLary@stonecrestga.gov>
Subject: RE: Protest of Application for Special Land Use Permit

**** WARNING: The sender of this email could not be validated and may not match the person in the "From" field. ****

Ms. Farmer,

I have copied Chris Wheeler, planning director, on this email who should be able to assist with your request. Chris will be able give more information about the gas station, the SLUP and the right by use.

Chris, please give me a call when you have a chance so we can discuss this application in more detail.

From: Arlene FARMER <creativeasf@comcast.net>
Sent: Monday, November 23, 2020 11:51 AM
To: Jason Lary <JLary@stonecrestga.gov>; Jazzmin Cobble <JCobble@stonecrestga.gov>
Cc: mdjohnson@dekalbcountyga.gov; lcjohnson@dekalbcountyga.gov
Subject: Protest of Application for Special Land Use Permit

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Hello Jason Lary and Jazzmin Cobble,
Your office was called on 10/29/2020 to speak with someone regarding our concerns and we were given a reference number of 9633 expecting to get a call from a Tyanna Daniel, City Planner. We never received that call. We just don't want to see our concerns get swept under the rug. We also sent a letter to you, Mereda Johnson, Lorraine Cochran-Johnson, and Larry Johnson in regards to our objection that a land use permit application should even be permitted on Chupp and Fairington Drive for a gas station.

As stated in our communication this area needs to be rezoned for residential and not light industrial. WE DO NOT WANT A GAS STATION/ALCOHOL OUTLET in this area. Case Number SLU20-00009; SLU20-000010. Applicant Fairington Road Center, LLC c/o Mahaffey Pickens Tucker, LLP. This area is already littered with beer bottles and trash, which we clean up once a month. We do not want added waste in this area and the fact that this is the only street that we can get out of this subdivision onto the main road at Fairington Road is an obvious reason also.

It is appalling that the only one we have heard from is their attorney, W. Brady Hughes and not our own commissioner or city officials after being contacted by letter. So we are sending out this email to complain with 28 signed petitions requesting a denial of this application. We need to hear of your decision asap.

If you need to reach us, please respond back to this email or call us at 770-593-2833.

A. Sabrena Farmer, President

Wellington Manor HOA

5992 Sherwood Trace, Stonecrest, GA 30038

wellingtonmembers@yahoo.com

Ninety-nine percent of all failures come from people who have a habit of making excuses.

George Washington Carver

Lillian Lowe

From: aharristrent58 <aharristrent58@gmail.com>
Sent: Tuesday, January 12, 2021 2:51 PM
To: Lillian Lowe
Subject: Petition SLUP 20 007 and SLUP 20 008

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

This is a protest to the above petition.

I am a 15 year resident in my townhome, located in the Wellington Manor Subdivision, Stonecrest.

The possibility of a gas station being built at 5961 Chupp Way is very disturbing for the following reasons:

1. Chupp Way and Fairington Dr. Is the only way in or out for 3 large Communities. The construction would impede people coming and going as needed, as well as emergency Vehicles.
2. There is a Child Care Center which Is located across the street from the potential gas station site. Should children be subjected to vagrants, Drug dealers, predators and crime?
3. There are 3 gas stations/convenience Stores located within a 2.5 mile radius of Chupp Way and Fairington Dr.

Why would a company Invest in an area where there are already many well established gas stations, and why build in a residential area?

What is the 10 year plan, if any, for this area of Stonecrest.

Respectfully submitted to be
Included in the meetings for
above Special Land Use Permits

Thank you,

Antoinette Harrison

404 312 7014

Sent via the Samsung Galaxy A10e, an AT&T 4G LTE smartphone

Lillian Lowe

From: Audley McIntosh <audley2000@yahoo.com>
Sent: Thursday, January 14, 2021 9:23 AM
To: Lillian Lowe
Subject: Chupp Way Hearing for Gas station

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Good morning Ms Lowe,

I am a long time resident of the Wellington manor Community which is right next to the plot of land being considered for adding a gas station and Corner store. I am totally against this idea because it would bring more crime to our community furthermore there are already 2 gas stations in close proximity. The traffic will be a nightmare because there is only one way out which is already congested. There is also a Day Care Center which will be across from this new development, why would anyone want the sale of alcohol next to a Daycare ? I don't see how this will enhance our community, instead it will be detrimental to the safety and well being. This area should not be for commercial business it should only be approve for residential only because it is situated in a residential area surrounded by apartments and houses. Please send my concerns to the Stonecrest Commissioners for consideration.

Thank you
Audley McIntosh
Treasurer and Board Member
Wellington Manor HOA

Lillian Lowe

From: paulette ross <paulettenf@hotmail.com>
Sent: Thursday, January 14, 2021 11:32 AM
To: Lillian Lowe
Subject: Against gas station in my community

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

To whom it maybe concern

I am against a gas station right in the middle of my community, it will bring more crime and criminal activity. I hear gun shots 3 or 4 Times a week, please I ask that you Stand By us and not allow this to happen, Thank you.

Paulette Ross

Sent from my Galaxy Tab® E

Lillian Lowe

From: Peter Semien <petersemien@yahoo.com>
Sent: Thursday, January 14, 2021 1:26 PM
To: Lillian Lowe
Subject: Gas station/alcohol outlet

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Good afternoon,

I'm writing to express my genuine feelings toward the development of yet another gas station and place to purchase more alcohol. There are several gas stations already within 1-2 miles radius as well as liquor stores. Why put something in a community where there is too much crime and vagrancy? That will only increase the problem. The area where the development is being proposed is too small and over crowded with residents whether in apartments, condos, or townhomes. All too often black communities are preyed upon by the worst of the worst. And at times it appears that our community leaders just don't care because they are so far removed from the struggles average people deal with daily. The last thing we need in this community is another low end retail provider, gas station and liquor store. If you show the people better and provide them with better, maybe in turn they can also be better citizens. As well as, motivate those of us who have experienced better to fight even more for our communities.

Sincerely,
Lenas Peter Semien
5931 Dogwood Manor
Lithonia, GA 30038

Lillian Lowe

From: BRENDA WILLIAMS <williamsbrenda155@gmail.com>
Sent: Thursday, January 14, 2021 3:31 PM
To: Megan Reid; Tammy Grimes; Chris Wheeler; Lillian Lowe; Tuyanna Daniel; Jason Lary; George Turner; Rob Turner; Jimmy Clanton; Jazzmin Cobble
Subject: LAND USE PETITION - 5961 Chupp Way, Stonecrest, GA
Attachments: 5961 Chupp Way - Petition.pdf

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Good afternoon to council and members of City of Stonecrest,

Hope everyone is well!

LAND USE PETITION: SLUP-20-007 & SLUP-20-008 PETITIONER:

Fairington Road Center LLC c/o Brady Hughes, Mahaffey Pickens Tucker, LLP

LOCATION: 5961 Chupp Way CURRENT ZONING: M (Light Industrial) Zoning District

PROPOSED DEVELOPMENT: Requesting Special Land Use Permit for the development of convenience store with accessory fuel pumps and alcohol outlet.

Please see attached petition to oppose LAND USE PETITION: SLUP-20-007 & SLUP-20-008. We have collected many signatures and are currently collecting more. Please See The Attachments .

We oppose the Special Land Use Permit. I am a stakeholder in the City of Stonecrest. There are too many establishments like this in the area already. There is no need for this land use petition to be approved. Gas stations with c-store and alcohol outlets should never be in the heart of our neighborhoods, please drive by this area you will see many living communities, day care, and church. I'm respectfully asking the planning and zoning and the council to deny this petition.

We would like to oppose this petition for many reasons:

- o This gas station and c-store will block our entry in our community and bring in more traffic and congestion. This will increase traffic violations on Chupp Way, will have to increase police patrol in the area, and add traffic signal lights inside Chupp Way.
- o This gas station and c-store is in the heart of our community with surrounding neighborhoods, associations, day-cares, and churches. This is not a safe place to put a gas station and c-store. We have many gas stations, c-stores, Walmart, and Dollar General within 2-mile radius. There are already several fueling stations in the near vicinity, we don't need more gas pollution.
- o We feel this type of business of selling fuel, beer and wine, and being open late hours, will be a safety and pollution/environmental concern for our children and adult residents. A lot of residents walk, run, and bike in this area. This business will increase traffic, attract additional transients to the area, will encourage loitering, increase crime, and will bring chemical, noise, light, and trash pollution to our neighborhood.
- o This land should not be industrial or commercial usage land. It should be residential or multi-family homes usage. The City of Stonecrest needs to permanently deny any further petitions to the usage of this land unless it is for residential

and multi-family usage. This will grow our community and for the safety of our families. Please add a permanent restriction to 5961 Chupp Way Stonecrest, GA for commercial or industrial usage.

Thank You
Brenda Williams

Petition to Petition: SLUP-20-007 & SLUP-20-008

Petition summary and background	Fairington Rd Center LLC is requesting a special use permit on 5961 Chupp Way Stonecrest, GA. This permit will allow development of convenience store with accessory fuel pumps and alcohol outlets. We would like to oppose this petition for many reasons: - This gas station and c-store will block our entry in our community and bring in more traffic and congestion. This will increase traffic violations on Chupp Way, will have to increase police patrol in the area, and add traffic signal lights inside Chupp Way. - This gas station and c-store is in the heart of our community with surrounding neighborhoods, associations, day-cares, and churches. This is not a safe place to put a gas station and c-store. We have many gas stations, c-stores, Walmart, and Dollar General within 2-mile radius. There are already several fueling stations in the near vicinity, we don't need more gas pollution. - We feel this type of business of selling fuel, beer and wine, and being open late hours, will be a safety and pollution/environmental concern for our children and adult residents. A lot of residents walk, run, and bike in this area. This business will increase traffic, attract additional transients to the area, will encourage loitering, increase crime, and will bring chemical, noise, light, and trash pollution to our neighborhood. - This land should not be industrial or commercial usage land. It should be residential or multi-family-homes usage. The City of Stonecrest needs to permanent deny any further petitions to the usage of this land unless it is for residential and multi-family usage. This will grow our community and for the safety of our families. Please add a permanent restriction to 5961 Chupp Way Stonecrest, GA for commercial or industrial usage.		
Action petitioned for	We, the undersigned, are concerned citizens who urge our leaders to act now to stop this petition immediately. The community of Stonecrest does not need another convenience store, fuel pumps, alcohol outlets near our homes, churches, and day cares. Please add permanent restrictions to this property for all commercial usage.		

Printed Name	Signature	Address	Phone Number or Email Address	Date
Kelly Pitts	Kelly Pitts	5016 Chupp Way	678-949-4655	1-12-21

Printed Name	Signature	Address	Phone Number or Email Address	Date
Shawn Pitts	shawn pitts	5028 Chupp Way	678-949-1212	1-12-21
Migori Woods	Migori Woods	5014 Chupp Way	404-283-2010	1-12-21
Kyuan Smith	Kyuan Smith	5034 Chupp Way	678-887-1201	1-12-21
Shaqueta Blair	Shaqueta Blair	5085 Chupp Way	404-287-7615	1-12-21
Ashley Cooper	Ashley Cooper	5105 Chupp Way	678-389-1092	1-12-21
Jonathan Blair	Jonathan Blair	5019 Chupp Way	404-453-5566	1-12-21
Jennifer B. Valentine	Jennifer B.	5056 Chupp Way	404-667-4715	1-12-21
Jamie Barnes	Jamie Barnes	5019 Chupp Way	678-595-2599	1-12-21
Winson Davis	Winson Davis	5058 Chupp Way	678-973-5723	01-12-21
Shelia Jeffery	Shelia Jeffery	5084 Chupp Way	418-838-9645	1-12-21
Sabrina Black	Sabrina Black	3155 Farrington Dr	678-600-3258	1-12-21
Tahira Grier	Tahira Grier	3205 Farrington Dr	404-563-9301	01-12-21
Kelly Kimble	Kelly Kimble	3119 Farrington Dr	770-895-3816	1-12-21
Kyuan Smith	Kyuan	4939 Trent Walk	678-949-4625	1-12-21
Pam Lewis	Pam Lewis	5850 Trent Walk Dr	770-652-1272	1-12-21
Toney Wise	Toney Wise	5832 Trent Walk Dr	678-408-2385	1-12-21

Printed Name	Signature	Address	Phone Number or Email Address	Date
Shaky Williams	Shaky W.	5959 Fairington rd	770-652-9116	1/10/21
Pete Williams	Pete Williams	3011 TIBBIS	404-2453-9972	1/10/21
Samuel W.	Samuel W.	3822 FIELDS DR.	678 253-6910	1/10/20
Nicole Robinson	Nicole Robinson	2401 FIELDS DRIVE	213-4178-5995	1/10/21
Sabrina Reid	Sabrina Reid	3018 FIELDS DR	404-949-6239	1/10/21
Donna Thomas	Donna Thomas	5959 Fairington Rd	678-927-5010	1/10/21
Veronica Hays	Veronica Hays	5959 Fairington Rd	10-790 3490	1/10/21
Meredith Johnson	Meredith Johnson	2410 Athena Lane	404-989-1906	1/10/21
Quinn Barty	Quinn Barty	2900 Athena Lane	754-232-5210	1/10/21
Shondra Lewis	Shondra Lewis	384 FIELDS DR	218-330-0413	1/16/21
Dante Edwards	Dante Edwards	2900 Athena Lane	404-438-6200	1/14/21
Marvin Hays	Marvin Hays	2910 Athena Lane	404-438-6200	1/14/21
Rhonda Carroll	Rhonda Carroll	2900 Athena Lane	404-999-0320	1/10/21
Ellen Turner	Ellen Turner	2900 Athena Lane	678-365-1525	1/10/21
Malik Evans	Malik Evans	5959 Fairington Rd	470-470-1453	1/10/21
Benjamin Lee	Benjamin Lee	5959 Fairington Rd		1-16-21

Petition summary form

Petition for

Printed Name	Signature	Address	Phone Number or Email Address	Date
Steven Williams	Steven Williams	2901 N. 14th St.	464-396-4439	11-10-21
LOST CALIFORNIA	LOST CALIFORNIA	1600 Harrison Pl	770-865-2775	1-10-21
Christ Williams	Christ Williams	1600 Harrison Pl	694-232-3410	1-10-21
Christ Williams	Christ Williams	1600 Harrison Pl	478-712-2387	1/10/21
Christ Williams	Christ Williams	1600 Harrison Pl	478-530-6907	1/10/21
Michelle West	Michelle West	3006 Fields Dr.	404-81-9786	1/10/21
Patricia Allen	Patricia Allen	5017 Fields Dr.	708-341-4150	1/10/21
Patricia Allen	Patricia Allen	5017 Fields Dr.	680-532-0172	1/10/21
Yolanda Allen	Yolanda Allen	3015 Fields Dr.	313-808-8229	1/10/21
Yolanda Allen	Yolanda Allen	2902 Fields Dr.	313-673-9445	1/10/21
Robert Allen	Robert Allen	2402 Fields	244-291-5981	1/10/21
Shilah Ross	Shilah Ross	3015 Fields	464-287-7695	1/10/21
Shilah Ross	Shilah Ross	3015 Fields	678-582-2012	1/10-2021
Shilah Ross	Shilah Ross	3015 Fields	478-368-9012	1-10-2021
Shilah Ross	Shilah Ross	3015 Fields	248-456-3080	1-10-2021
Shilah Ross	Shilah Ross	3015 Fields	478-412-6050	1-10-2021

Petition summary and background

Fairington Rd Center LLC is requesting a special use permit on 5761 Chupp Way Stonecrest, GA. This permit will allow development of convenience store with accessory fuel pumps and alcohol outlets.

We would like to oppose this petition for many reasons:

- o This gas station and c-store will block our entry in our community and bring in more traffic and congestion. This will increase traffic violations on Chupp Way, will have to increase police patrol in the area, and add traffic signal lights inside Chupp Way.
- o This gas station and c-store is in the heart of our community with surrounding neighborhood, We have many gas stations, c-stores, Wal-Mart, and Dollar General within 2-mile radius. There are already several fueling stations in the near vicinity. We don't need more gas pollution.
- o We feel this type of business of selling fuel, beer and wine, and being open late hours, will be a safety and pollution/environmental concern for our children and adult residents. A lot of residents walk, run, and bike in this area. This business will increase traffic, attract additional light, and trash pollution to our neighborhood.
- o This land should not be industrial or commercial usage land. It should be residential or multi-family homes usage. The City of Stonecrest needs to permit any further petitions to the usage of this land unless it is for residential and multi-family usage. This will grow our community and for the safety of our families. Please add a permanent restriction to 5761 Chupp Way Stonecrest, GA for commercial or industrial usage.

Action petitioned for

We, the undersigned, are concerned citizens who urge our leaders to act now to stop this petition immediately. The community of Stonecrest does not need another convenience store, fuel pumps, alcohol outlets near our homes, churches, and day cares. Please add permanent restrictions to this property for all commercial usage.

Printed Name	Signature	Address	Phone Number or Email Address	Date
DIANE LARSEN		5812 TRENT WALK DR	(770) 568-3450	11/9/21
Timmy Bell		5802 TRENT WALK DR	(404) 581-2460	11/9/21

Lillian Lowe

From: Stephie G <stephiegee07@yahoo.com>
Sent: Thursday, January 14, 2021 3:43 PM
To: Lillian Lowe
Subject: Proposed Gas Station

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Greetings,

I regret having to write to you about a proposed gas station within 500 feet of my front door.
I prefer to contact the City of Stonecrest only in praise of an employee or your actions.

Unfortunately, my situation is such that it is necessary for me to for my concerns to you. During the third week of October, I received a letter indicating notice of special land use permit application. The application has been submitted to the City of Stonecrest for land within 500 feet of my front door. This letter was only sent to some of the residents within 500 feet of the proposed site. Our Homeowners Association wasn't notified until after the meeting was held with Brady Hughes and Shane Lanham therefore, attendance consisted of a few residents of Wellington Manor and Tiburon.

The property location is 5961 Chupp Way, Lithonia, GA 30038, The proposed development is for a Convenience Store & Retail with 8 Fuel Pumps & Alcohol. I attended the meeting held via Zoom and was greatly distressed that the City of Stonecrest accepted an application for a business in a residential area. Has anyone from the City of Stonecrest physically visited this location prior to the application to consider rezoning? This is a residential neighbor with one entry and exit which is Fairington Drive.

The following gas stations and liquor stores are in the vicinity of my home:

Nnn Petroleum .5 miles
QuikTrip 1.3 miles
Murphy USA 1.2 miles
BP 1.3 miles
Citgo 1.6 miles
Shell 1.5 miles
Chervon 1.9 miles
Texaco 2.0 miles
Exxon 2.1 miles

*Most recently a QuikTrip is being built on the corner of Covington Hwy & Lithonia Industrial Blvd

State Wine & Liquor 1.3 miles
Fairington Wine and Spirits 1.2 miles
New Era Drive Thru 1.6 miles
Lithonia Package Store 1.9 miles
Panola Package Store 2.0 miles
Salem Package Store 2.1 miles

These establishments are listed to indicate **we do not want a gas station near our home**. I'm concerned with an increase in crime, trash (Fairington Road and Fairington Drive are littered with trash daily), environmental hazards and safety for myself and other community members. This gas station will not increase the value of my home. Within the vicinity of the proposed gas station is a day care. What consideration is given for the safety of the children enrolled in this establishment? Stonecrest is oversaturated with liquor stores, dollar stores, gas stations etc that are not enhancing this vicinity of Stonecrest. If anything, this land should be considered for green space or residential. As a 20+ year resident of Lithonia/Stonecrest I'm distressed greatly that the City of Stonecrest would consider this application for such a business on such a small street/intersection.

I'm requesting that this application isn't approved. I care about what happens in my community.

Sincerely,

Lillian Lowe

From: Chris D <chrisd316@gmail.com>
Sent: Thursday, January 14, 2021 3:46 PM
To: Lillian Lowe
Subject: Questions for Tonight's Zone Commission Meeting

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Ms. Lowe,

I would like to submit a question to tonight's Commission Zoning meeting. Since I will not make the meeting.

It's for : LAND USE PETITION: SLUP-20-007 & SLUP-20-008 PETITIONER: Fairington Road Center LLC c/o Brady Hughes, Mahaffey Pickens Tucker, LLP LOCATION: 5961 Chupp Way CURRENT ZONING: M (Light Industrial) Zoning District PROPOSED DEVELOPMENT: Requesting Special Land Use Permit for the development of convenience store with accessory fuel pumps and alcohol outlet.

My Question: "You have a gas station within feet ..of the proposed new gas station. That gas station is open 24 hours a day, and draws a lot of heavy activity to the area. What security measures will you put into place, to stop the newly proposed gas station, from becoming a hub, for criminal activity, in the neighborhood?"

Thanks,

Chris. D

Lillian Lowe

From: Kathy Rhue <krhue@bellsouth.net>
Sent: Thursday, January 14, 2021 4:15 PM
To: Lillian Lowe
Subject: FW: . We do not want petition: SLUP-20-007 & SLUP-20-008 to come to our community.

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Petition number included

Sent from Mail for Windows 10

From: Kathy Rhue
Sent: Thursday, January 14, 2021 4:07 PM
To: lillian.lowe@stonecrestga.gov
Subject: Protest to Gas Station/Liquor Store in front of our subdivision on Fairington Drive

My name is Kathy Rhue and I have lived in Wellington Manor since 1997. I protest the addition of the gas station and liquor store for the following reasons:

There is a saturation of such stores in the neighborhood already

Additional crime, loitering, traffic congestion, noised and trash it would promote.

In November 2014 a young woman was killed at MARTA bus stop in front of the gas station/convenience store at the corner of Fairington Dr & Chupp Way.

There was a shootout in November 2020 at the Shell gas station and Food Mart at 6039 Hillandale Dr.

Property value would likely decrease.

The store is simply not necessary.

Kathy Rhue

Sent from Mail for Windows 10

Lillian Lowe

From: Jack Clayton <jackclayton1962@gmail.com>
Sent: Thursday, January 14, 2021 4:45 PM
To: Lillian Lowe; Tuyanna Daniel; Chris Wheeler
Subject: Opposing Petition SLUP-20-007 & SLUP-20-008

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Hi Lillian,

Hope you are well!

Please read this statement on my behalf in the Zoom meeting today at 6PM.

I and my family are opposing the Special Land Use Permit. There are too many c-stores in the area. This c-store, fuel pumps, alcohol outlets, are needed in our community causing pollution, waste, loitering, and more. This is not a safe place for c-store, gas station, gas tanks, alcohol, etc. We should not be putting our families, kids, senior citizens in harm's way. This gas station is facing many neighborhoods and it is just not even remotely a safe distance. Please oppose and deny this petition. Please also give my regards to all the members of the City of Stonecrest.

Thank You
Jack Clayton

Lillian Lowe

From: lincou@att.net
Sent: Thursday, January 14, 2021 5:17 PM
To: Lillian Lowe
Subject: Petition SLUP- 20- 007 & 008

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

To whom it may concern:

My question is this. Why is there yet another convenience store being considered in our area AND it's being built in the MIDDLE of a neighborhood ,when there are at least 2 already on/at a major intersection? There is ONE way in and one way out. It would only create MORE traffic not to mention CRIME. Why?

Lillian Lowe

From: Renee Cail <disoni7@yahoo.com>
Sent: Thursday, January 14, 2021 5:40 PM
To: Megan Reid; Lillian Lowe
Subject: 5961 Chupp Way - Proposed Gas Station

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Dear Mr. Wheeler:

I am writing this with the hope that the application for the proposed gas station at 5961 Chupp Way be denied. The designated area is too close to residences and the chemicals from the gas fumes are very toxic to humans. Benzene is a common pollutant that is a known carcinogen to humans.

We want a city that will attract a new businesses, residents and an abundance of tourists. If vacant property in Stonecrest is going to be designated for industries in neighborhoods, gas stations, storage units and liquor/convenience stores how will we have a winning city?

Please deny this application.

Sincerely,

Renee Cail

Lillian Lowe

From: Linda Stokes <smurfett695@gmail.com>
Sent: Thursday, January 14, 2021 6:32 PM
To: Lillian Lowe
Subject: Building a Gas station on farington road

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

I am petitioning against a gas station or any business be built near Trent walk drive and farington road in Stonecrest Ga, that would increase a lot of traffic and increase the crime rate in the community. There is only one way out of this community.

Lillian Lowe

From: Linda Stokes <smurfett695@gmail.com>
Sent: Thursday, January 14, 2021 6:54 PM
To: Lillian Lowe
Subject: Building gas station at farington road and Trent walk drive

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

I'm a resident of wellington manor subdivision for 17 years. I disagree with a gas station in the middle of a residential area. Will cause congestion. we don't need another gas station in this community. there a gas station within 10 ft of this area. This will cause property value to go down!

Thank ms Stokes

Lillian Lowe

From: Chris Wheeler
Sent: Tuesday, January 19, 2021 9:21 PM
To: Lillian Lowe
Subject: Fw: Proposed Development at 5961 Chupp Way

Ms. Lillian,

Please add this email with the other comments for the council packet.

Christopher Wheeler
Planning and Zoning Director



City of Stonecrest

3120 Stonecrest Blvd.
Stonecrest, GA 30038
Office 770.224.0200
www.stonecrestga.gov
cwheeler@stonecrestga.gov

From: lydia jones <terrissitajones@icloud.com>
Sent: Tuesday, December 1, 2020 8:55 PM
To: Chris Wheeler <cwheeler@stonecrestga.gov>
Subject: Proposed Development at 5961 Chupp Way

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Mr. Wheeler,

My name is Lydia T Jones, and I own three properties in the immediate vicinity of this proposed establishment. I am ADAMANTLY opposed to any development of this type (convenience store with alcohol outlet) in this area. We already have at least two of each within walking distance.

I don't see any positives coming from this proposal. I do see an uptick in crime, a downturn in property values, more trash strewn throughout the community, and loitering along a path where many residents walk along.

I implore you to not let this happen in this community.

Lydia T Jones
Fontaine East Property Owner

Lillian Lowe

From: Chris Wheeler
Sent: Tuesday, January 19, 2021 8:27 PM
To: Lillian Lowe
Cc: Tuyanna Daniel
Subject: Fw: **** gas station on chupp way****

Here is another one comment regarding the gas station on Chupp Way Ms. Lillian

Christopher Wheeler
Planning and Zoning Director



City of Stonecrest

3120 Stonecrest Blvd.
Stonecrest, GA 30038
Office 770.224.0200
www.stonecrestga.gov
cwheeler@stonecrestga.gov

From: latoya scott <latoyascott1208@gmail.com>
Sent: Thursday, January 14, 2021 11:40 AM
To: Chris Wheeler <cwheeler@stonecrestga.gov>
Cc: ZeeAnn Parks <zparks@accessmgt.com>; nikii valentine <patricia.upshaw362@gmail.com>
Subject: **** gas station on chupp way****

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

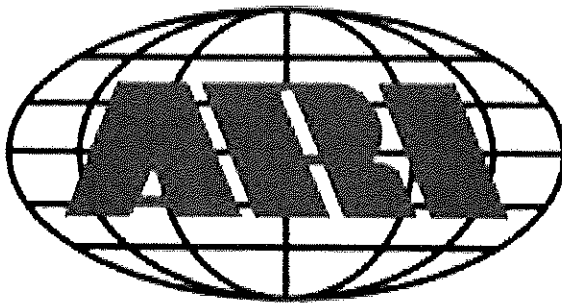
Hello,

My name is LaToya Scott and I am on the HOA for Aladdin townhomes that sits in the back of New birth and behind hills of fairington apartments. We are not approving of a gas station going up in the middle of the neighborhood. There is a gas station directly across the street. Putting up a gas station in the neighborhood would bring inappropriate activity and increase crime that we do not want.

Here In Aladdin we have incorporated cameras to decrease crime and slowly have diminished crime activity within our community. A gas station is also a hazard to homeowners as well due to future homeowners not wanting to purchase in the area.

Please see to it that if this does still move forward

That appropriate greenery gets incorporated and lighting onto chupp way since the area is very dark. There will also need to be sidewalks included if the developer is trying to incorporate a gas station.



ARI FLEET LT
4001 Leadenhall Road
Mount Laurel, NJ 08054

I, THE LESSOR, CERTIFY THAT A FINANCIAL RESPONSIBILITY STATEMENT, INCLUDING SS, FED TAX ID OF THE LESSEE HAS BEEN SIGNED AND IS INCORPORATED IN OUR LEASE

Our records indicate that your company vehicles registration is due for renewal. The power-of-attorney (below) will enable you or the person you designate to renew the registration. The person completing the renewal must sign next to the blue . If the state renewal notice is not enclosed or not already in your possession, the current registration may be used to complete the renewal process. For those states that require it, our Federal I.D. number is **22--3590655**. Remember to comply with any inspection requirements.

If your registration is not due to expire please contact us so that we can correct our records. If you have any questions or comments please feel free to call us at (856) 787-6570.

Licensing Department

Registration Expires: FEBRUARY

Date: 01/21/2021

KNOW ALL MEN BY THESE PRESENTS THAT **ARI FLEET LT**, a new Jersey corporation with its principle place of business in Mount Laurel New Jersey, doth hereby constitute and appoint.

Signature: _____ solely with respect to one following motor vehicle.

(year)	(make)	(vin)	(client no.)	(vehicle no)
2006	FORD	1FAFP24146G163731	0H40	05086

DISTRICT: LITHONIA

COUNTY: DEKALB

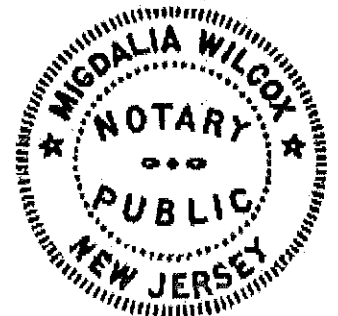
its true and lawful attorney for it and in its name, place and stead to register, reregister, obtain license plates and title in the name of **ARI FLEET LT** said attorney to have full power and authority to do and perform every act necessary to secure the proper vehicle and licensing and registration as aforesaid. In witness whereof, said **ARI FLEET LT** has caused these presents to be signed by its proper corporate officers as of the date hereinabove first appearing.

This power of attorney does not authorize transfer of ownership.

ARI FLEET LT

AUTHORIZED SIGNATURE CARL A. ORTELL

MIGDALIA WILCOX
NOTARY PUBLIC OF NEW JERSEY
My Commission Expires March 26, 2023





CITY COUNCIL AGENDA ITEM

SUBJECT: Special Land Use Petition SLUP-21-001
(7300 Stonecrest Concourse)

☐ **ORDINANCE** ☐ **POLICY** ☐ **STATUS REPORT**
☐ **DISCUSSION ONLY** ☐ **RESOLUTION** ☒ **OTHER**

Date Submitted: 01/21/21 **Work Section:** **Council Meeting: 01/25/21**

SUBMITTED BY: Christopher Wheeler, Planning and Zoning Director. 

PURPOSE: Request a special land use permit for a late-night establishment.

FACTS AND ISSUES: This item was heard at the January 14th, 2021, Planning Commission Meeting. The applicant requested a Special Land Use Permit to operate as a late-night establishment. The Planning Commission recommended deferral.

OPTIONS: Approve; Deny; or make Alternative conditions

RECOMMENDED ACTION:

Planning Commission unanimously recommended deferral of SLUP-21-001 at the January 14th meeting.

ATTACHMENTS:

- # 1 01/21/21 Application
- # 2 01/21/21 Comments

LETTER OF INTENT

Bernice Monger
Barnacles Sport Lounge
7300 Stonecrest Concourse #100
Lithonia, GA 30058
Bmonger1@gmail.com

October 1, 2020

City of Stonecrest
Community Development Department
3120 Stonecrest Blvd.
Stonecrest, GA 30038

To Whom It May Concern:

I am submitting this letter with the intent to officially apply for the Special Land Use Permit, as was required by the zoning department, in order to receive an official signed permit and authorization, which will allow Barnacles Sport Lounge to remain open after midnight in zone C1, which is already approved for late night entertainment.

We are currently open after midnight as permitted in our current zoning, "Zone C1".

There will be no changes to our current operational activities or building structure. This authorization will give us the official documentation needed to remain open as a late night entertainment as we continue to follow set criteria listed in our current Zone C1.

Respectfully,

Bernice Monger



Special Land Use Permit Application

Applicant
Information

Name:	Bernice Monger		
Address:	1460 Appian Way	Lawrenceville, GA	30046
Phone:	678 237 2012	Fax:	Email: bmonger1@gmail.com
Owner's Name:	Bernice Monger		
Owner's Address:	1460 Appian Way Lawrenceville, GA 30046		
Phone:	678 237 2012	Fax:	Email:
Property Address:	7300 Stonecrest Concourse Suite 100	Acreage:	
Parcel ID:	16 17001042		
Current Zoning Classification:	C1		
Proposed Use of Property:	Restaurant/Sport Bar		
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? ☐ Yes ☒ No			

Owner
Information

Property
Information

Property Information: 7300 Stonecrest Concourse Suite 100 Lithonia, GA 30058
Barnacles Sport Lounge 5000 Sqft.

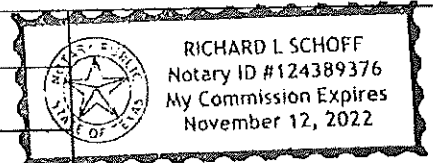
To the best of my knowledge, this variance application form is correct and complete. If additional materials are determined to be necessary, I understand that I am responsible for filing additional materials as specified by the City of Stonecrest Zoning Ordinance.

Affidavit

Applicant's Name: Bernice Monger
Applicant's Signature: *Bernice Monger*
Sworn to and subscribed before me this 28 Day of September 2020
Date: 9/28/2020

Notary

Notary Public: Richard L. Schoff
Signature: *Richard L. Schoff*
My Commission Expires: Nov 12, 2022



☐ Application Fee ☐ Sign Fee ☐ Legal Fee
Fee: \$ Payment: ☐ Cash ☐ Check ☐ CC Date:
☐ Approved ☐ Approved with Conditions ☐ Denied Date:

08-03-2017



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: <i>Bernard Long</i>
	Address: 1460 Appian Way Lawrenceville, GA 30046
	Date: 9/10/2020

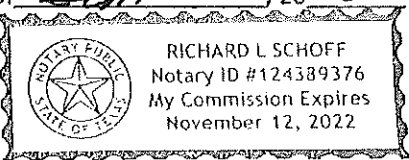
If you answered yes above, please complete the following section:

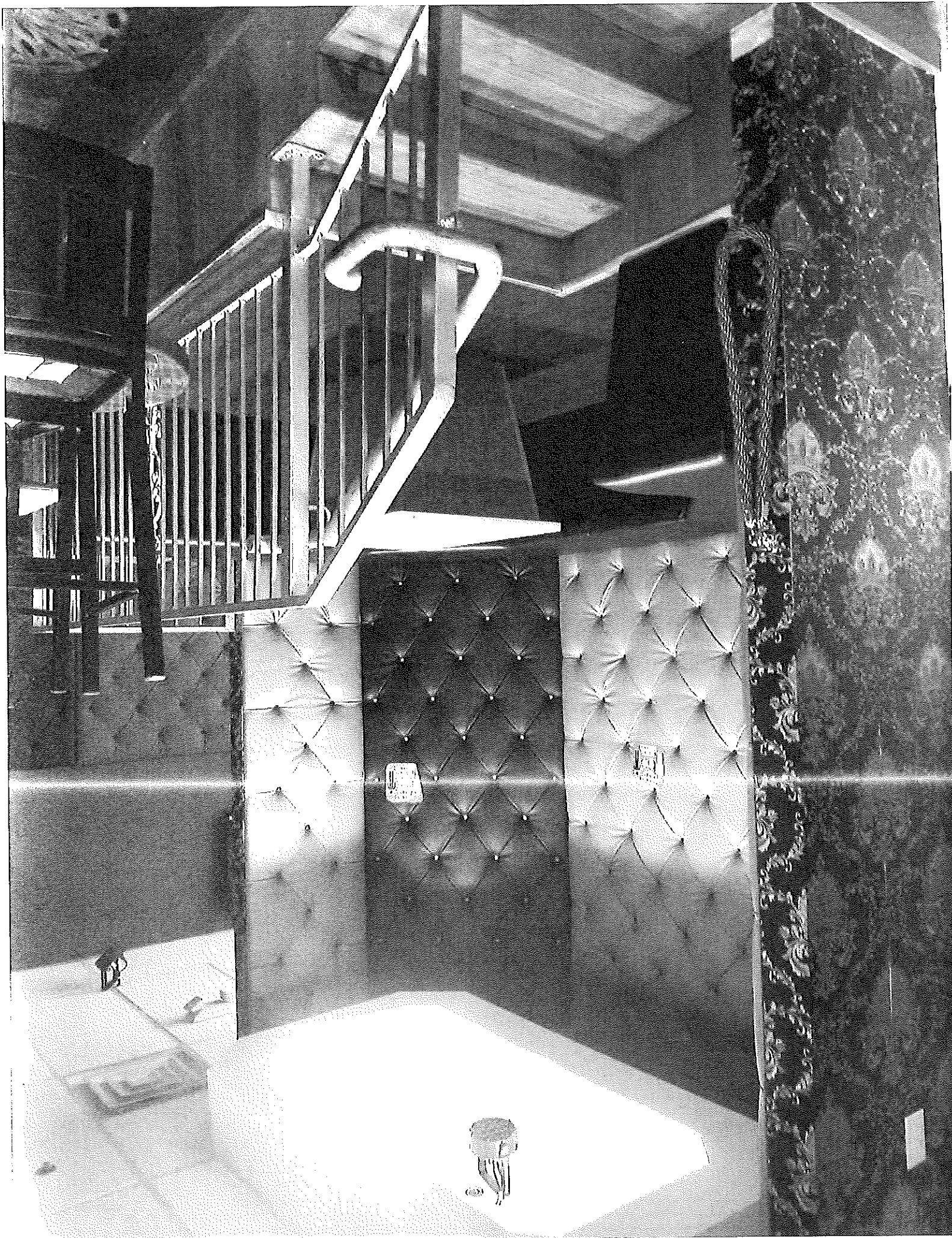
Date	Government Official	Official Position	Description	Amount



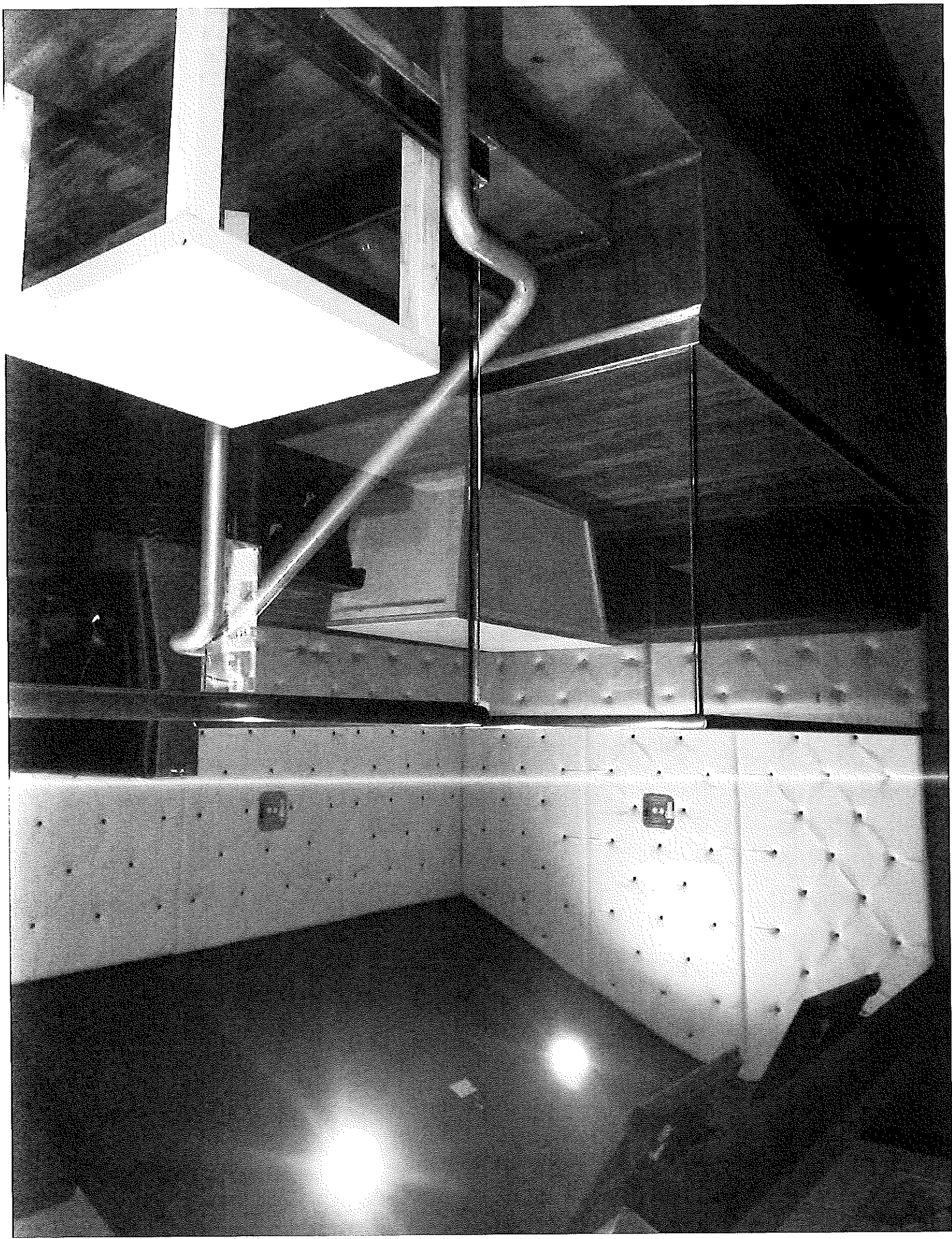
Applicant/Petitioner
Notarized Certification

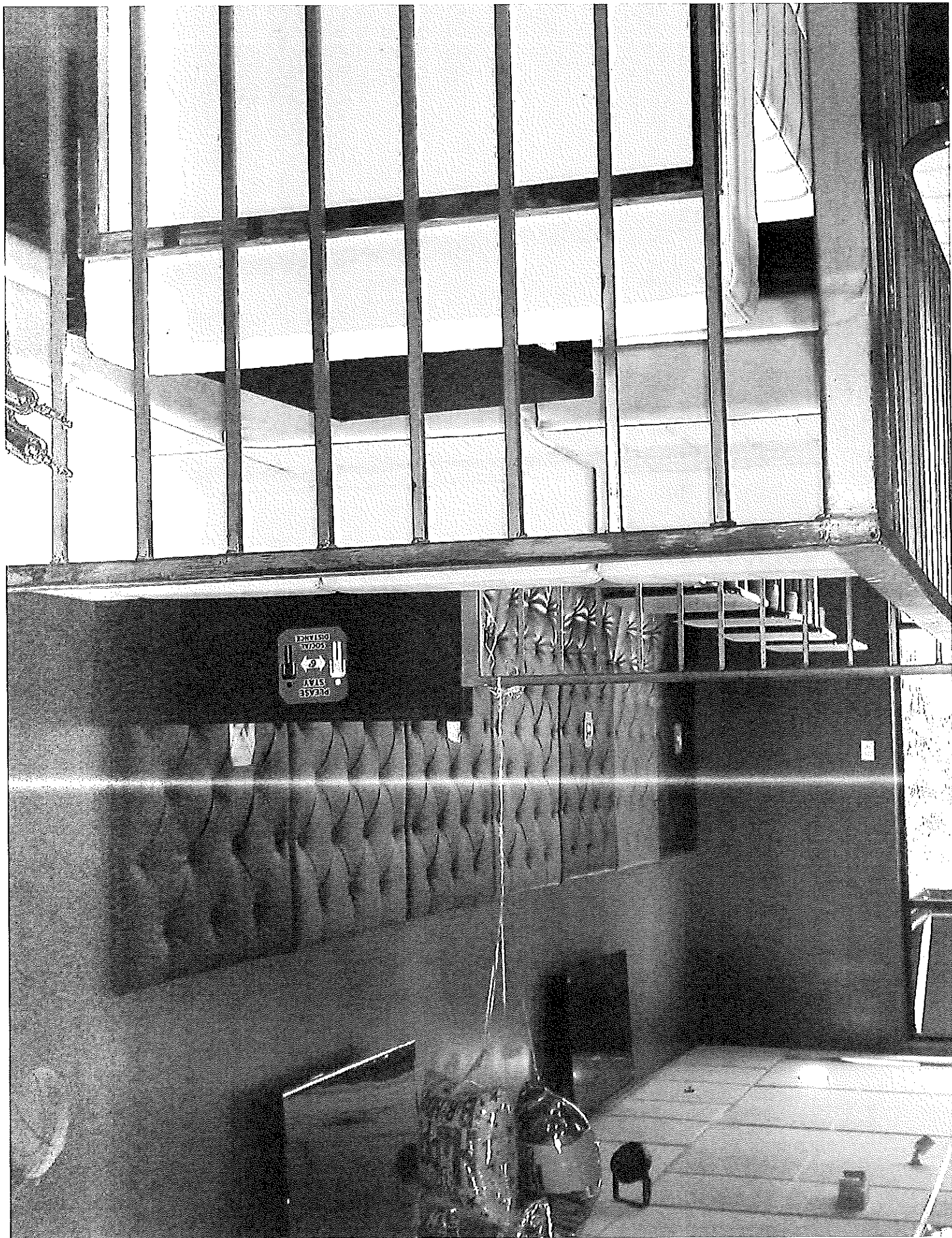
Petitioner states under oath that: (1) he/she is the executor or Attorney-In-Fact under a Power-of-Attorney for the owner (attach a copy of the Power-of-Attorney letter and type name above as "Owner"); (2) he/she has an option to purchase said property (attach a copy of the contract and type name of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

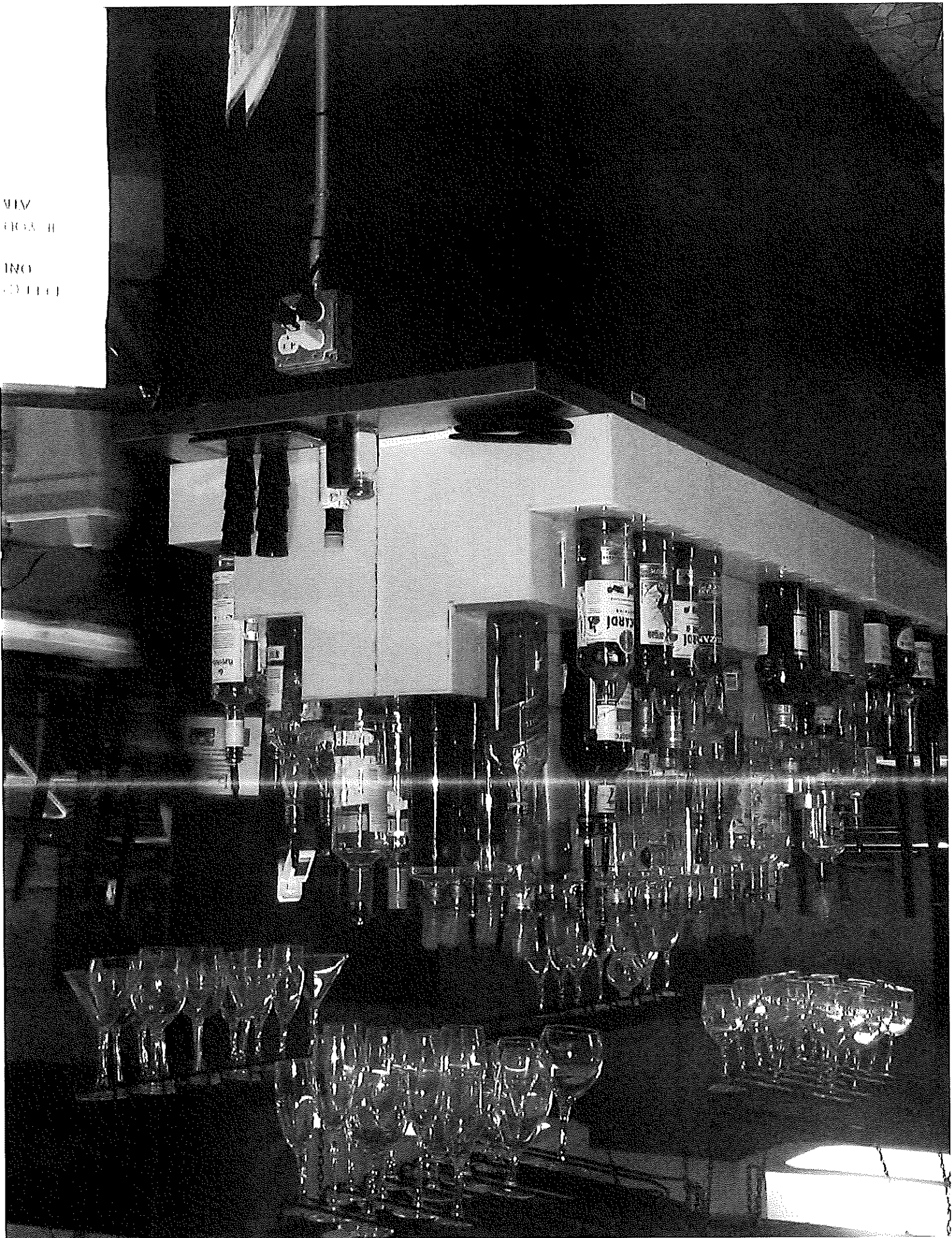
Applicant / Petitioner	Signature: <u>Bernard Long</u>	Date: <u>9/28/2020</u>
	Address: <u>1460 Appian Way</u>	City, State: <u>Lawrenceville, GA</u> Zip: <u>30046</u>
	Phone: <u>678 237 2012</u>	
	Sworn to and subscribed before me this <u>28</u> day of <u>Sept</u> , 20 <u>20</u>	
Attorney / Agent	Notary Public: <u>Richard L Schoff</u>	
	Signature:	Date:
	Address:	City, State: Zip:
	Phone:	
	Sworn to and subscribed before me this _____ day of _____, 20____	
Notary Public:		



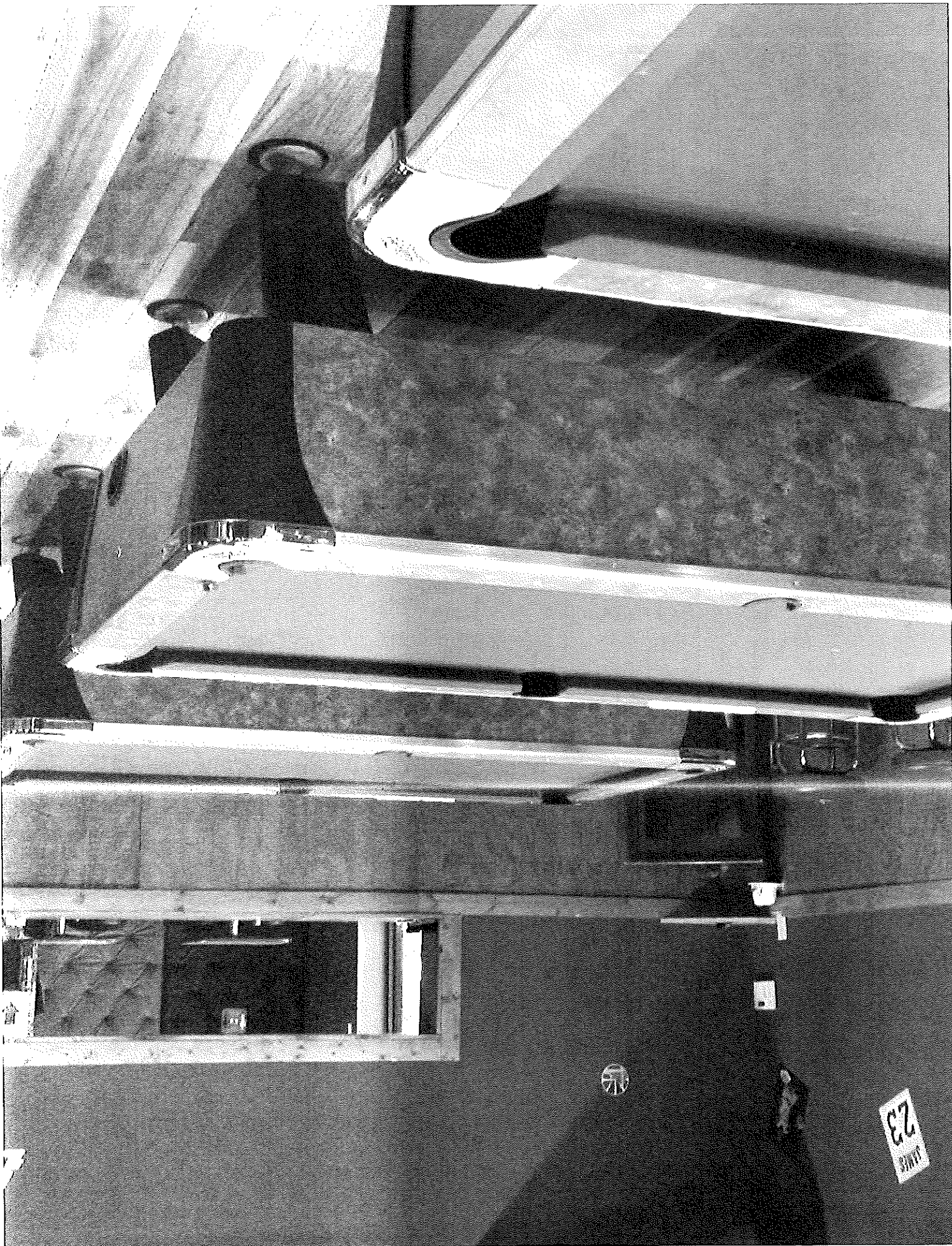




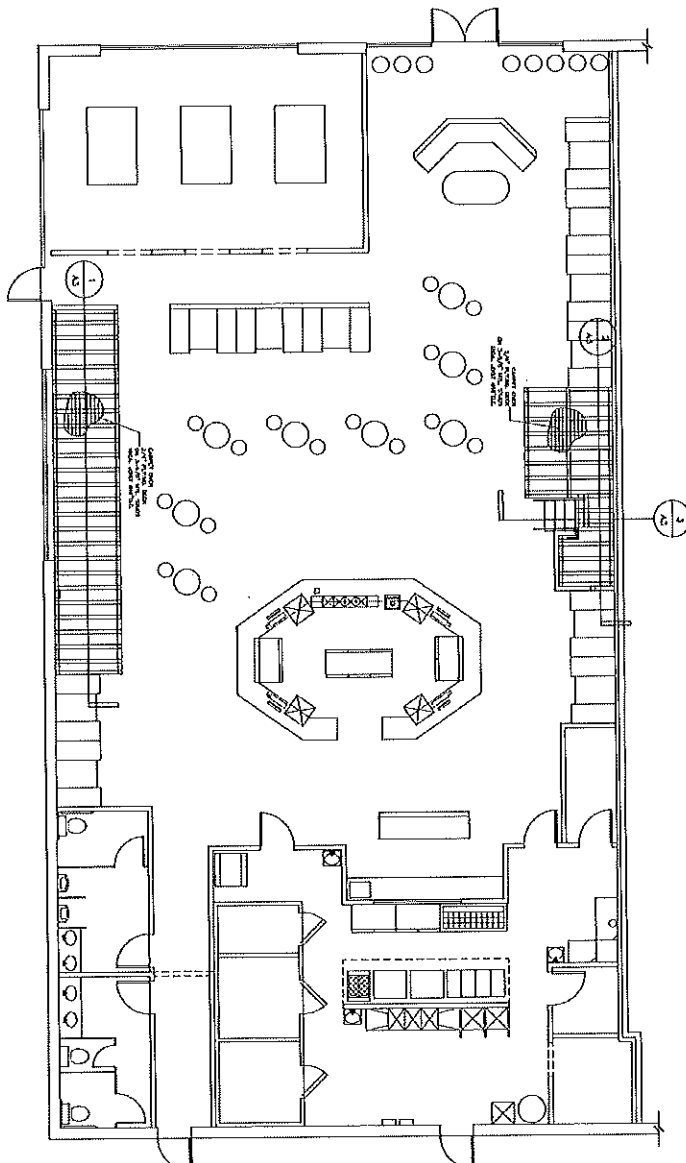




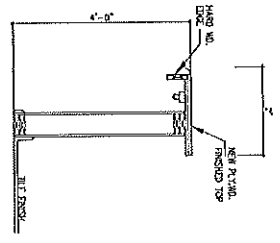
VIA
H. VON
ON
CITY





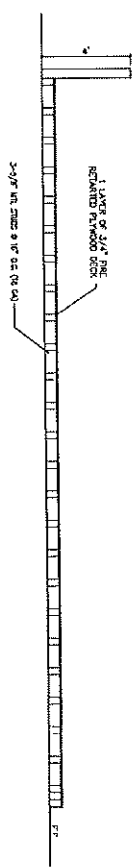


RAISED FLOOR FRAMING PLAN
3/8" = 1'-0"



BANK SECTION
3/8" = 1'-0"

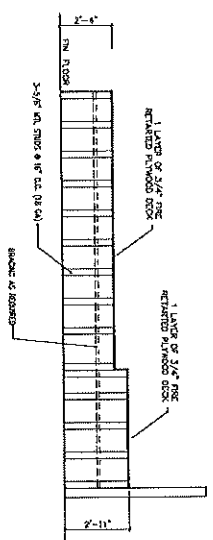
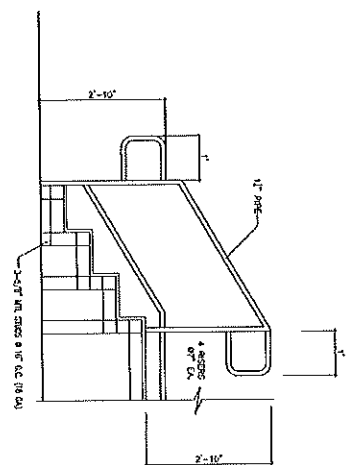
NOTE: ALL WOOD JOBS A FINISH SHALL BE FIRE RESISTANT JOINTS.



1 RAISED FLOOR FRAMING PLAN
3/8" = 1'-0"

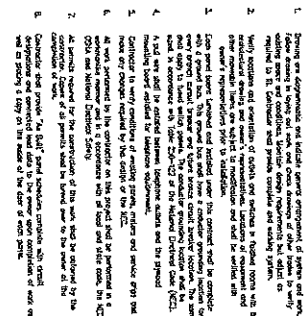
2 STAIR SECTION
3/8" = 1'-0"

NOTES: HAND RAIL HIGH 2'-10" AFF.
NOTES: ALL WOOD TO BE FIRE RATED.



2 RAISED FLOOR FRAMING PLAN
3/8" = 1'-0"

		BARNACLES SPORTS BAR & GRILL 7500 STATEWAY CONCOURSE SUITE # 100 LITTLE ROCK, AR 72616	
DETAILS NOTES & SCHEDULE			
DRAWN BY: CHECKED BY: PROJECT NO: DATE: 04/04/18 SHEET:	CUSTOM DESIGN & DEVELOPMENT CORPORATION 3000 ARCADE BLVD. SUITE 200 LITTLE ROCK, AR 72616 TEL: (501) 222-1111 FAX: (501) 222-1112	17 24	



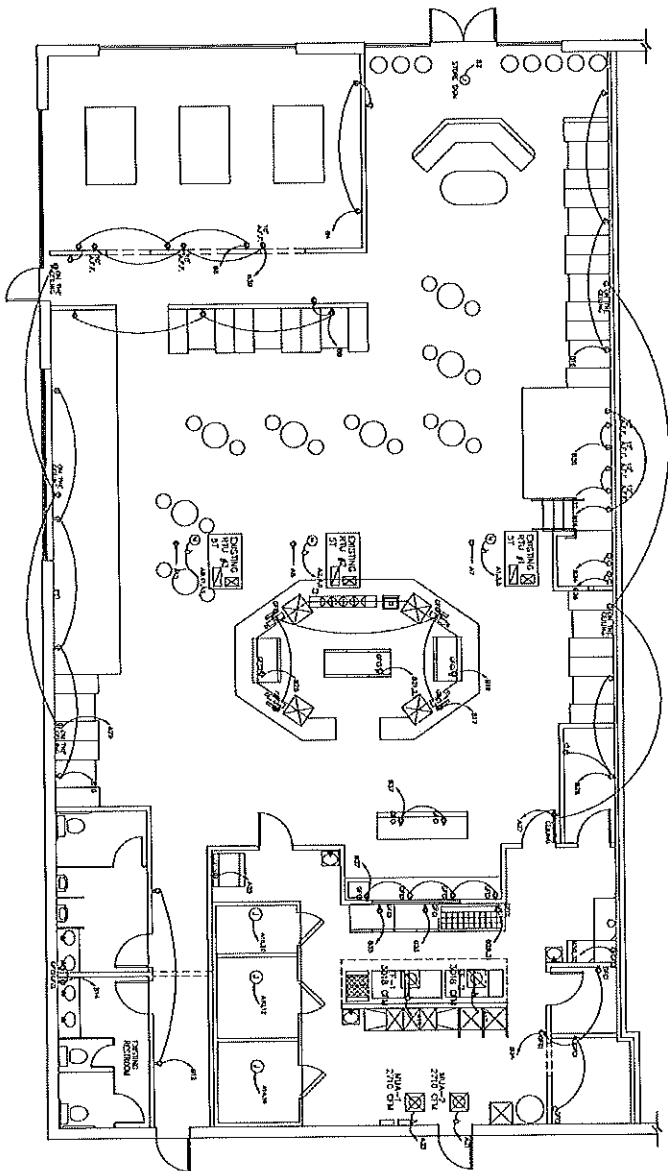
PANELBOARD "B" SCHEDULE

PANELBOARD "B" SCHEDULE											PANEL B 300/125/75 3 in. 1000 ALT.	
CIRCUIT NO.	TO SERVICE	LOAD DATA		300 AMP	W	MILE	CIRCUIT BREAKER		TO SERVICE	CIRCUIT NO.		
		AMP	FEET				TYPE	SIZE				
1	LIGHTS (POWER AREA)	57	207	✓			207	12	207	2		
2	LIGHTS (POWER AREA)	13	207	✓			207	12	207	3		
3	LIGHTS (POWER AREA)	13	207	✓			207	12	207	4		
4	LIGHTS (POWER AREA)	68	207	✓			207	12	207	5		
5	LIGHTS (POWER AREA)	68	207	✓			207	12	207	6		
6	LIGHTS (POWER AREA)	68	207	✓			207	12	207	7		
7	LIGHTS (POWER AREA)	68	207	✓			207	12	207	8		
8	LIGHTS (POWER AREA)	68	207	✓			207	12	207	9		
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10	LIGHTS (POWER AREA)	68	207	✓			207	12	207	11		
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13	LIGHTS (POWER AREA)	68	207	✓			207	12	207	14		
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18	LIGHTS (POWER AREA)	68	207	✓			207	12	207	19		
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20	LIGHTS (POWER AREA)	68	207	✓			207	12	207	21		
21	LIGHTS (POWER AREA)	68	207	✓			207	12	207	22		
22	LIGHTS (POWER AREA)	68	207	✓			207	12	207	23		
23	LIGHTS (POWER AREA)	68	207	✓			207	12	207	24		
24	LIGHTS (POWER AREA)	68	207	✓			207	12	207	25		
25	LIGHTS (POWER AREA)	68	207	✓			207	12	207	26		
26	LIGHTS (POWER AREA)	68	207	✓			207	12	207	27		
27	LIGHTS (POWER AREA)	68	207	✓			207	12	207	28		
28	LIGHTS (POWER AREA)	68	207	✓			207	12	207	29		
29	LIGHTS (POWER AREA)	68	207	✓			207	12	207	30		
30	LIGHTS (POWER AREA)	68	207	✓			207	12	207	31		
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32	LIGHTS (POWER AREA)	68	207	✓			207	12	207	33		
33	LIGHTS (POWER AREA)	68	207	✓			207	12	207	34		
34	LIGHTS (POWER AREA)	68	207	✓			207	12	207	35		
35	LIGHTS (POWER AREA)	68	207	✓			207	12	207	36		
36	LIGHTS (POWER AREA)	68	207	✓			207	12	207	37		
37	LIGHTS (POWER AREA)	68	207	✓			207	12	207	38		
38	LIGHTS (POWER AREA)	68	207	✓			207	12	207	39		
39	LIGHTS (POWER AREA)	68	207	✓			207	12	207	40		
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41	LIGHTS (POWER AREA)	68	207	✓			207	12	207	42		

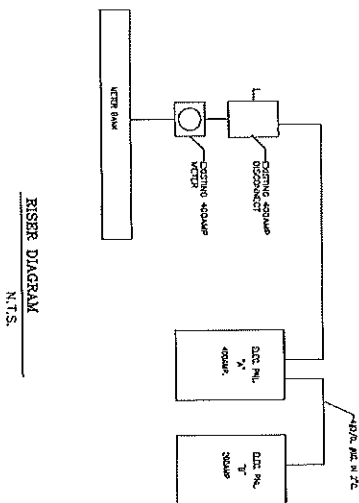
CONNECTED LOAD = 37.9 x 1000 / 125V = 303 A.M.P.

EXISTING PANELBOARD "A" SCHEDULE

[illegible]



POWER PLAN
3/8" = 1'-0"



RISER DIAGRAM
N.T.S.

SYMBOLS

- RECESSED FLUORESCENT FIXTURE
- SURFACE AND FLUORESCENT FIXTURE AND OUTLET
- RECESSED P. FLUORESCENT FIXTURE AND OUTLET
- OUT SINK

WIRING DEVICES

- S SINGLE POLE TOGGLE SWITCH 20A/277V ARROW-HAT 1/2" AF
- SWITCH RECEPTACLE-15A/120V ARROW-HAT 1/2" AF
- OUTLET RECEPTACLE-15A/120V ARROW-HAT 1/2" AF
- 42" AF UNLESS NOTED OTHERWISE
- JUNCTION BOX

POWER

- CONDUIT AND WIRE CONCEALED IN CEILING AND/OR WALL
- CONDUIT AND WIRE CONCEALED IN FLOOR AND/OR UNDERFLOOR
- DISCONNECT SWITCH 30A/277V UNLESS NOTED OTHERWISE
- AFB ABOVE FINISHED FLOOR
- NEMA 3R ENCLOSURE

SIGNAL

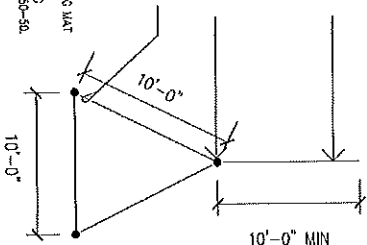
- TELEPHONE OUTLET 1/2" AF - STUD 1" C. OUT ABOVE CEILING GRID

INSTALL GROUND CONDUCTOR
IN SCHEDULE 40 PVC- EXTEND
TO SERVICE EQUIPMENT

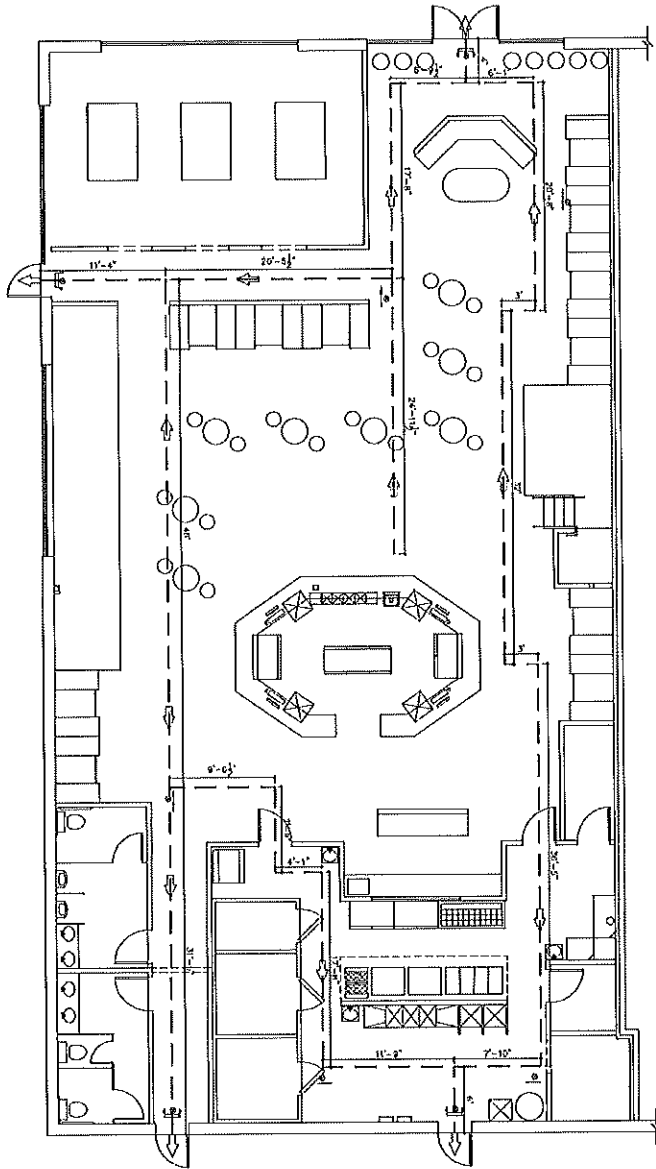
THERMAL WELD #2/0 BARE COPPER
CABLE TO 3/4" x 10'-0" COPPER
-WELD GROUND RODS 2" BELOW
GRADE. THERMAL WELD ALL
CONNECTIONS BELOW GRADE.

ALL WIRE FOR GROUND GRODS SHALL
BE #2/0 AND BARE COPPER

NOTE: IN ADDITION TO THE SCHEDULED MAT
THE CONTRACTOR SHALL PROVIDE A
COMPLETE GROUNDING SYSTEM
ALL REQUIREMENTS OF NEC ARTICLE 250-50.



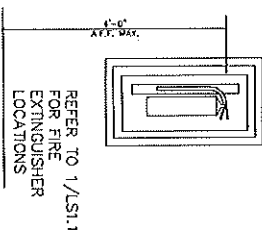
GROUND MAT DETAIL

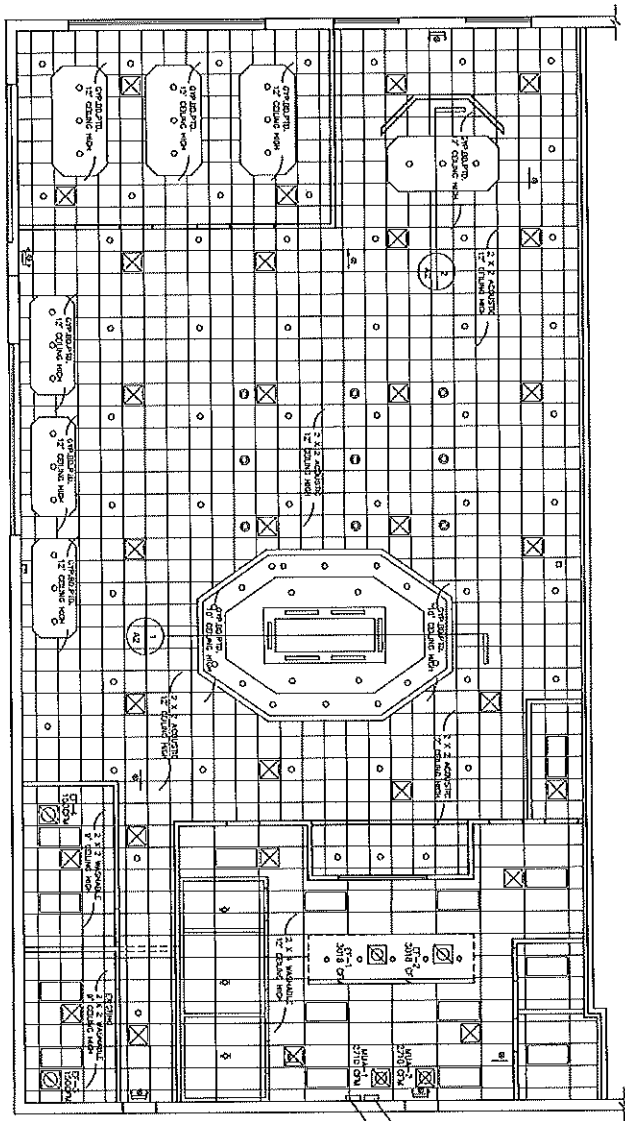


LIFE SAFETY PLAN
 3/18 = 1'-0"
 TOTAL COUNT: 3 AND 20 FT.
 1/8" = 1'-0"

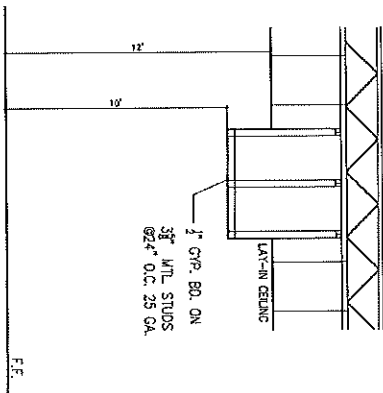
LIFE SAFETY NOTES

- NOTE: EXTINGUISHER LOCATIONS ARE FROM THE 2011 NFPA LIFE SAFETY CODE WITH 2013 AMENDMENTS
- 12.2.1.1 - THE CLEAR WIDTH OF ANY CORRIDOR OR PASSAGEWAY SHALL BE NOT LESS THAN 44 INCHES
- 12.2.1.2 - CORRIDORS NOT LESS THAN 44 INCHES
- 12.2.1.3 - AT LEAST ONE EXTINGUISHER SHALL BE PROVIDED
- 12.2.1.4 - 3 EXITS ARE REQUIRED
- 12.2.1.5 - EXITS SHALL BE LOCATED SEPARATELY FROM EACH OTHER AND SHALL BE MARKED TO INDICATE THE PROPERLY MARKED EXIT AND BE MARKED BY ANY SIGNAGE
- 12.2.1.6 - EXITS ARE LOCATED SEPARATELY FROM EACH OTHER
- 12.2.1.7 - TRAIL DISTANCE TO EXITS, MARKED IN ACCORDANCE WITH SECTION 7.4.1
- 12.2.1.8 - TRAIL DISTANCE TO EXITS SHALL BE ESTABLISHED IN ACCORDANCE WITH SECTION 7.4.1
- 12.2.1.9 - MARKS OF EXITS SHALL BE ESTABLISHED IN ACCORDANCE WITH SECTION 7.4.1
- 12.2.1.10 - EXTINGUISHER LOCATIONS SHALL BE PROVIDED IN ACCORDANCE WITH SECTION 7.4.1
- 12.2.1.11 - MARKS OF EXITS SHALL BE PROVIDED IN ACCORDANCE WITH SECTION 7.4.1
- 12.2.1.12 - MARKS OF EXITS SHALL BE PROVIDED IN ACCORDANCE WITH SECTION 7.4.1

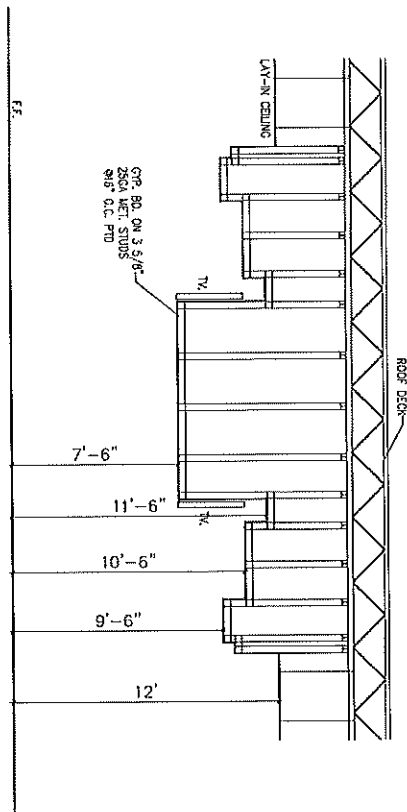




CEILING PLAN
3/8" = 1'-0"



2. DETAIL
3/8" = 1'-0"

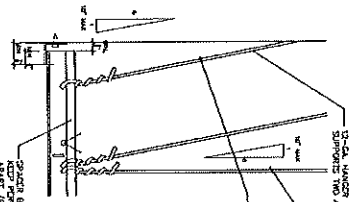


1. DETAIL
3/8" = 1'-0"

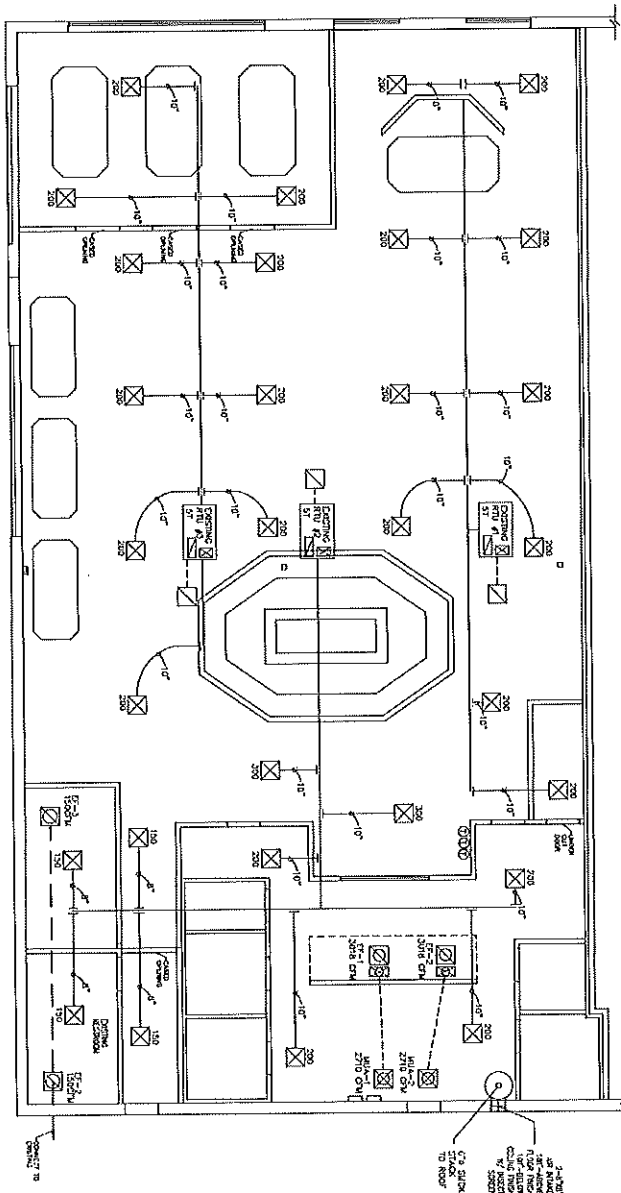
NOTE
1. CEILING LAY - IN 2X2 REGULAR SUPPORT & COUSTICAL PANEL.
2. CEILING LAY - IN 2X4 REGULAR SUPPORT & COUSTICAL PANEL.
3. CEILING LAY - IN 2X6 REGULAR SUPPORT & COUSTICAL PANEL.

SUPPLEMENTAL CEILING AND SYSTEMS DETAIL

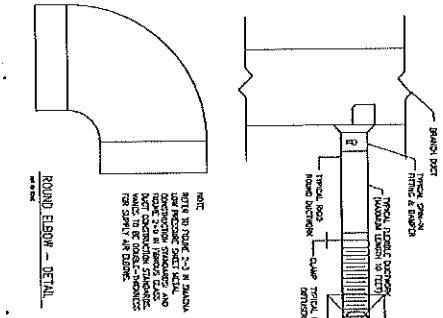
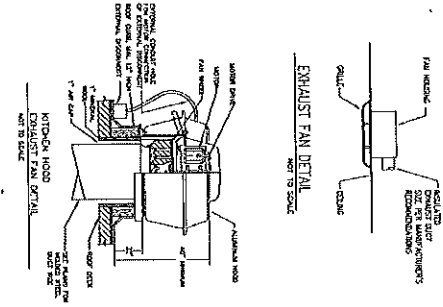
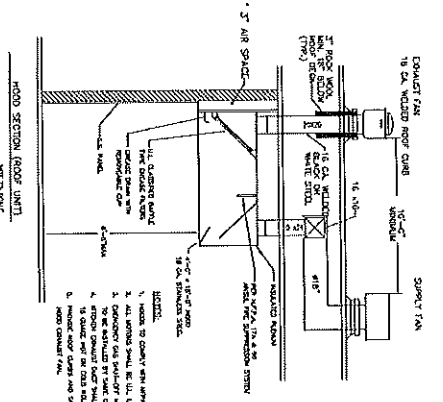
SCALE: NONE



1. 1\"/>



MECHANICAL PLAN
3/16" = 1'-0"



FAN SCHEDULE

MARK	LOCATION	TYPE	CFM	HP	DRIVE	WIND	WIND	WIND
EX-1	KITCHEN	ROOF MOUNT	2018	1.0	DIRECT	1.5	110/1/60	NFPA - 98
EX-2	KITCHEN	ROOF MOUNT	2018	1.0	DIRECT	1.5	110/1/60	NFPA - 98
EX-3	KITCHEN	CEILING MOUNT	150	0.5	DIRECT	1/8	110/1/60	NFPA - 98
EX-4	KITCHEN	CEILING MOUNT	150	0.5	DIRECT	1/8	110/1/60	NFPA - 98
EX-5	KITCHEN	ROOF MOUNT	2710	1.0	DIRECT	1	110/1/60	NFPA - 98
EX-6	KITCHEN	ROOF MOUNT	2710	1.0	DIRECT	1	110/1/60	NFPA - 98

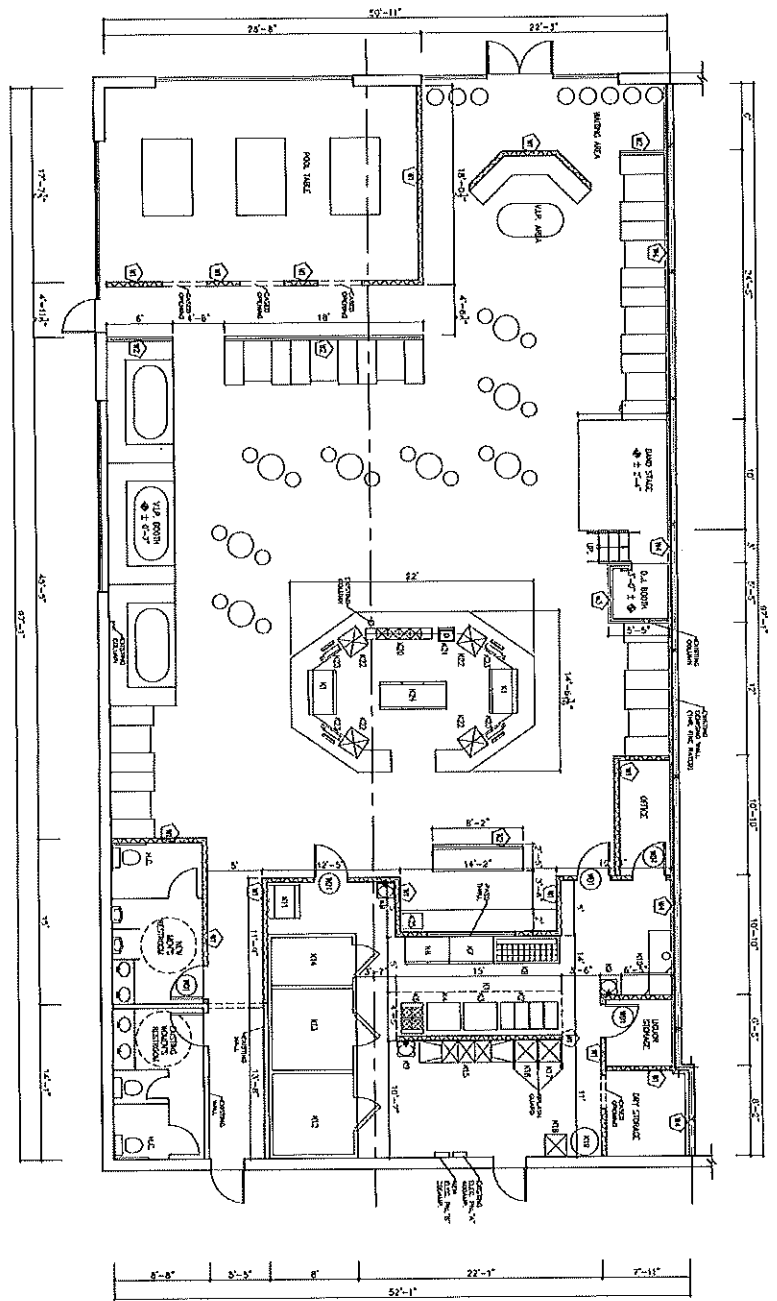
EXISTING ROOF TOP UNIT SCHEDULE

MARK	LOCATION	TYPE	CFM	HP	DRIVE	WIND	WIND	WIND
EX-1	KITCHEN	ROOF MOUNT	2018	1.0	DIRECT	1.5	110/1/60	NFPA - 98
EX-2	KITCHEN	ROOF MOUNT	2018	1.0	DIRECT	1.5	110/1/60	NFPA - 98
EX-3	KITCHEN	CEILING MOUNT	150	0.5	DIRECT	1/8	110/1/60	NFPA - 98
EX-4	KITCHEN	CEILING MOUNT	150	0.5	DIRECT	1/8	110/1/60	NFPA - 98
EX-5	KITCHEN	ROOF MOUNT	2710	1.0	DIRECT	1	110/1/60	NFPA - 98
EX-6	KITCHEN	ROOF MOUNT	2710	1.0	DIRECT	1	110/1/60	NFPA - 98

1. Unapproved contractor shall obtain the mechanical permit for the work.
2. Contractor shall make the existing heating and air conditioning equipment comply with the current code requirements.
3. Contractor shall make the existing heating and air conditioning equipment comply with the current code requirements.
4. Contractor shall make the existing heating and air conditioning equipment comply with the current code requirements.
5. Contractor shall make the existing heating and air conditioning equipment comply with the current code requirements.
6. Contractor shall make the existing heating and air conditioning equipment comply with the current code requirements.

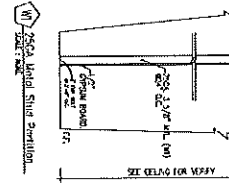
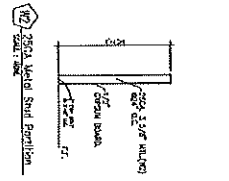
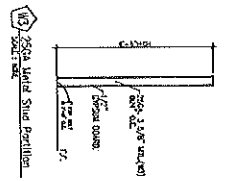
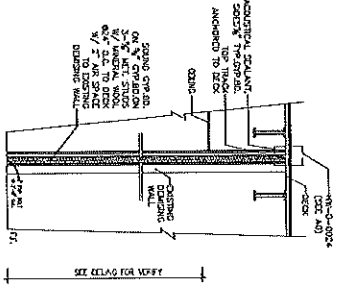
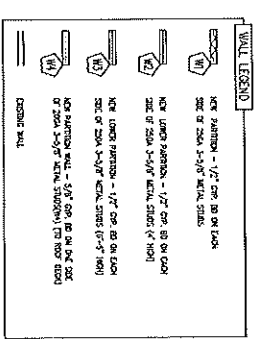
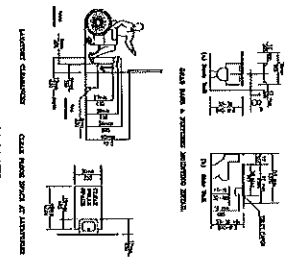
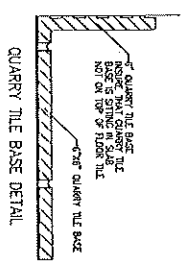
LOCATION	MARK	TYPE	CFM	HP	DRIVE	WIND	WIND	WIND
KITCHEN	EX-1	ROOF MOUNT	2018	1.0	DIRECT	1.5	110/1/60	NFPA - 98
KITCHEN	EX-2	ROOF MOUNT	2018	1.0	DIRECT	1.5	110/1/60	NFPA - 98
KITCHEN	EX-3	CEILING MOUNT	150	0.5	DIRECT	1/8	110/1/60	NFPA - 98
KITCHEN	EX-4	CEILING MOUNT	150	0.5	DIRECT	1/8	110/1/60	NFPA - 98
KITCHEN	EX-5	ROOF MOUNT	2710	1.0	DIRECT	1	110/1/60	NFPA - 98
KITCHEN	EX-6	ROOF MOUNT	2710	1.0	DIRECT	1	110/1/60	NFPA - 98

MARK	LOCATION	TYPE	CFM	HP	DRIVE	WIND	WIND	WIND
EX-1	KITCHEN	ROOF MOUNT	2018	1.0	DIRECT	1.5	110/1/60	NFPA - 98
EX-2	KITCHEN	ROOF MOUNT	2018	1.0	DIRECT	1.5	110/1/60	NFPA - 98
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EX-4	KITCHEN	CEILING MOUNT	150	0.5	DIRECT	1/8	110/1/60	NFPA - 98
EX-5	KITCHEN	ROOF MOUNT	2710	1.0	DIRECT	1	110/1/60	NFPA - 98
EX-6	KITCHEN	ROOF MOUNT	2710	1.0	DIRECT	1	110/1/60	NFPA - 98



FLOOR PLAN
3/16" = 1'-0"

TOTAL SQ. FT. : 1,450 SQ. FT.
⑦ FIRE EXTINGUISHERS

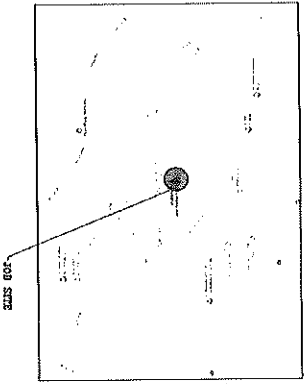


NO.	NAME	REMARKS	QTY	UNIT	PRICE	TOTAL	DATE
1	DRINKS	400	1	DRINK	1.00	400.00	1/1/17
2	FOOD	100	1	FOOD	1.00	100.00	1/1/17
3	BAR	100	1	BAR	1.00	100.00	1/1/17
4	SEATING	100	1	SEATING	1.00	100.00	1/1/17
5	STAIRS	100	1	STAIRS	1.00	100.00	1/1/17
6	TOILETS	100	1	TOILETS	1.00	100.00	1/1/17
7	KITCHEN	100	1	KITCHEN	1.00	100.00	1/1/17
8	STORAGE	100	1	STORAGE	1.00	100.00	1/1/17
9	RECEPTION	100	1	RECEPTION	1.00	100.00	1/1/17
10	BAR	100	1	BAR	1.00	100.00	1/1/17
11	FOOD	100	1	FOOD	1.00	100.00	1/1/17
12	BAR	100	1	BAR	1.00	100.00	1/1/17
13	FOOD	100	1	FOOD	1.00	100.00	1/1/17
14	BAR	100	1	BAR	1.00	100.00	1/1/17
15	FOOD	100	1	FOOD	1.00	100.00	1/1/17
16	BAR	100	1	BAR	1.00	100.00	1/1/17
17	FOOD	100	1	FOOD	1.00	100.00	1/1/17
18	BAR	100	1	BAR	1.00	100.00	1/1/17
19	FOOD	100	1	FOOD	1.00	100.00	1/1/17
20	BAR	100	1	BAR	1.00	100.00	1/1/17
21	FOOD	100	1	FOOD	1.00	100.00	1/1/17
22	BAR	100	1	BAR	1.00	100.00	1/1/17

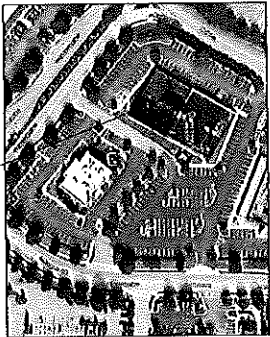
PROJECT NAME

BARNACLES SPORTS BAR & GRILL

7300 STONECREST CONCOURSE
SUITE 100
LITHONIA, CA 95038



SITE PLAN
N.E.



AIR PLAN
N.E.

SCOPE OF WORK

1. THE SCOPE OF WORK FOR THE PROJECT SHALL BE AS SHOWN ON THE DRAWINGS AND SPECIFICATIONS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.

CONTACT LIST

ARCHITECT:
CHUNG CHING CHANG
CHUNG CHING ARCHITECTS
1000 S. GATEWAY BLVD., SUITE 100
LITHONIA, CA 95038
PHONE: 770-222-8888

GENERAL CODES

ALL CODES SHALL BE THE LATEST EDITIONS UNLESS OTHERWISE SPECIFIED. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.

PROJECT CRITERIA

INTERIOR FINISH CODE COMPLIANCE REPORT

DATE OF REVIEW: _____ FILE # _____
NAME OF DOCUMENT: BARNACLES SPORTS BAR & GRILL
LOCATION OF DOCUMENT: 7300 STONECREST CONCOURSE, SUITE 100, LITHONIA, CA 95038
ARCHITECT: CHUNG CHING CHANG PHONE: 770-222-8888
CONTRACTOR: CHUNG CHING ARCHITECTS PHONE: 770-222-8888
A. Fire Protection: _____
B. Smoke Detection: _____
C. Sound Attenuation: _____
D. Total Acoustic Power: _____
E. Floor Area: _____
F. Occupied Occupancy Load: _____
G. Required Minimum Sound Level (PWS): _____

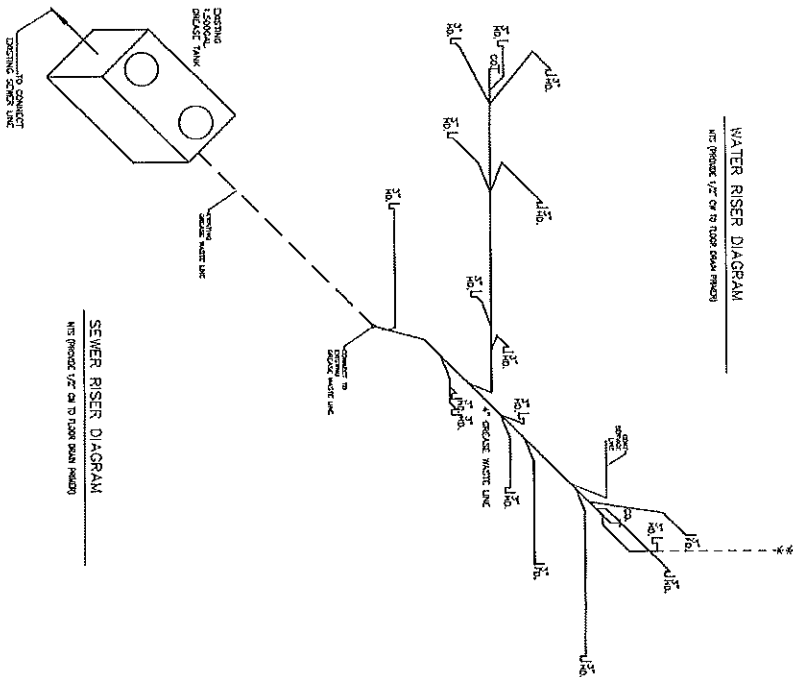
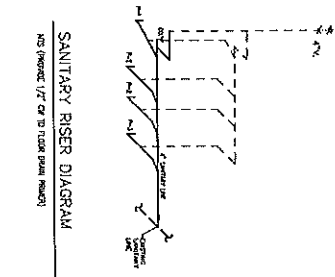
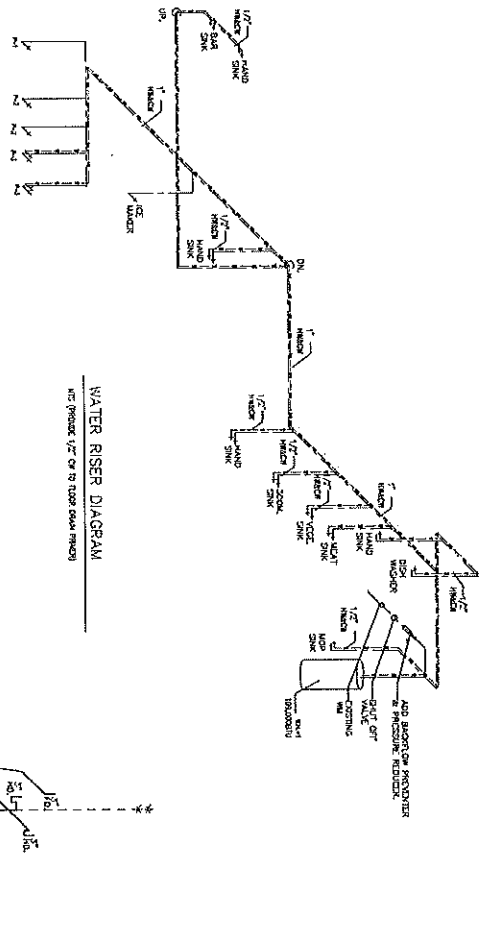
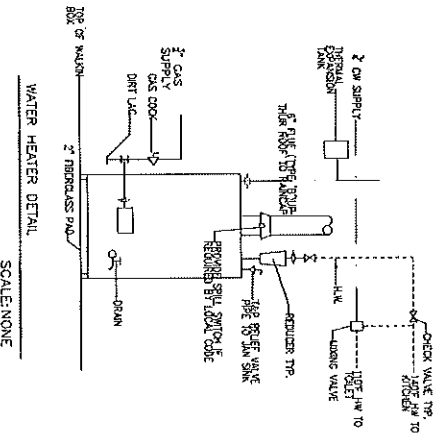
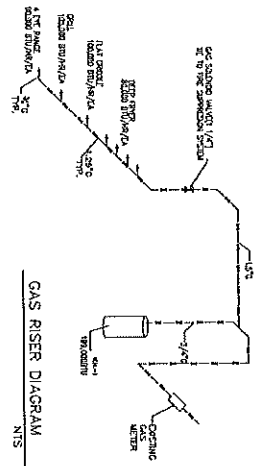
GENERAL NOTE

1. CONSTRUCTION SHALL HAVE A FIRE RESISTANCE RATING EQUAL TO OR GREATER THAN THE FIRE RESISTANCE RATING OF ALL CONSTRUCTION WHEN IT IS EXPOSED TO FIRE. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.

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				CUSTOM DESIGN & DEVELOPMENT CORPORATION 2000 SOUTH 30TH AVENUE, SUITE 100 MAYAGUEZ, PUERTO RICO 00959-3000 TEL: (787) 581-1000 FAX: (787) 581-1001		PLUMBING PLAN NOTES & SCHEDULE		REVISION BY		DATE		PROJECT NO.		DATE: 04/24/2004		PI	
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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: <u>Val El Ketta</u>	Date: <u>10/05/20</u>	
	Address: <u>8060 Preservation Dr</u>	City, State: <u>Alpharetta, GA</u>	Zip: <u>30005</u>
	Phone: <u>585-414-0435</u>		
	Sworn to and subscribed before me this <u>5th</u> day of <u>October</u> , 20 <u>20</u>		
	Notary Public: <u>Elizabeth Flores Nunez</u> <u>Commission exp. March 10, 2024</u> <u>Pulaski County</u>		
Property Owner (if Applicable)	Signature:		Date:
	Address:	City, State:	Zip:
	Phone:		
	Sworn to and subscribed before me this _____ day of _____, 20 _____		
	Notary Public:		
Property Owner (if Applicable)	Signature:		Date:
	Address:	City, State:	Zip:
	Phone:		
	Sworn to and subscribed before me this _____ day of _____, 20 _____		
	Notary Public:		

STATE OF GEORGIA

Secretary of State

Corporations Division

313 West Tower

2 Martin Luther King, Jr. Dr.

Atlanta, Georgia 30334-1530

Annual Registration

Electronically Filed

Secretary of State

Filing Date: 04/06/2020 11:06:49

BUSINESS INFORMATION

BUSINESS NAME : PM Reserve Lithonia, LLC
CONTROL NUMBER : 19144256
BUSINESS TYPE : Foreign Limited Liability Company
JURISDICTION : Delaware
ANNUAL REGISTRATION PERIOD : 2020

BUSINESS INFORMATION CURRENTLY ON FILE

PRINCIPAL OFFICE ADDRESS : 3550 Round Barn Boulevard, Suite 104, Santa Rosa, CA, 95403, USA
REGISTERED AGENT NAME : VCORP AGENT SERVICES, INC
REGISTERED OFFICE ADDRESS : 289 S Culver St, Lawrenceville, GA, 30046-4805, USA
REGISTERED OFFICE COUNTY : Gwinnett

UPDATES TO ABOVE BUSINESS INFORMATION

PRINCIPAL OFFICE ADDRESS : 3550 Round Barn Boulevard, Suite 104, Santa Rosa, CA, 95403, USA
REGISTERED AGENT NAME : VCORP AGENT SERVICES, INC
REGISTERED OFFICE ADDRESS : 289 S Culver St, Lawrenceville, GA, 30046-4805, USA
REGISTERED OFFICE COUNTY : Gwinnett

AUTHORIZER INFORMATION

AUTHORIZER SIGNATURE : Brian Burke
AUTHORIZER TITLE : Authorized Person

LEASE AGREEMENT

THIS LEASE AGREEMENT (the "Lease") is made and entered into this 4th day of December, 2019, between, Lithonia Property, LLC., a Georgia Limited Liability Corporation the "Landlord") and United Entertainment LLC., a Georgia Limited Liability Corporation (the "Tenant").

WITNESSETH:

FOR GOOD AND VALUABLE CONSIDERATION, the receipt, adequacy, and sufficiency, of which is hereby acknowledged, Landlord and Tenant, intending to be legally bound, hereby agree as follows:

ARTICLE I DEFINITIONS AND FUNDAMENTAL PROVISIONS

1.1 Addresses for Bills & Notices:

LANDLORD: Lithonia Property, LLC
12 Mountain Road
Rochester, NY 14625
ATTN: Talb Elkettani
Tel: 585-414-0435
Email: casaproperty.te@gmail.com

TENANT: United Entertainment
LLC.
1460 Appian Way
Lawrenceville GA 30046
ATTN: Bernice P. Monger
Tel: 678-200-0503
Email: Barnaclesduluth@yahoo.com

1.2 Common Areas: Those areas, facilities, utilities, improvements, equipment, and installations, in the Shopping Center which are from time to time designated by Landlord for the nonexclusive use or benefit of Landlord and tenants of the Shopping Center, their employees, agents, customers, licensees and invitees. Common Areas include, but are not limited to, all parking lot areas, aisles, driveways, entrances, exits, walkways, sidewalks, roadways, loading area, service road, landscaped areas, exterior lighting, surface drainage facility, fences, roof gutters, and flat roof surface repair & maintenance.

1.3 Lease Term: Seven Years and Eight Months commencing on the date that the Tenant receives a fully executed lease from the Landlord and is granted full access to the Premises and expiring at 5:00 P.M. (EST) on the last day of the 84th Month of the Initial Term unless renewed as permitted herein. The first (1st) Lease Year shall consist of twelve (12) consecutive full calendar months plus the partial month, if any, caused by the Rental Commencement Date falling on other than the first day of a calendar month.

1.4 Minimum Rent: Initial Rate per Square Foot \$15.00 NNN- Annual escalation of Three (3%) percent per annum commencing on the 37th month after Commencement Date.

<u>Period</u>	<u>Square Footage</u>	<u>Annual Minimum Rent</u>	<u>Monthly Mini Rent</u>	<u>Rate/SF</u>
Months 1-8	5,000	\$0	\$0	\$0.00
Months 9-12	5,000	\$25,000.00	\$6,250.00	\$15.00
Months 13-24	5,000	\$75,000.00	\$6,250.00	\$15.00
Months 25-36	5,000	\$77,000.00	\$6,250.00	\$15.00
Months 37-48	5,000	\$77,250.00	\$6,437.50	\$15.45
Months 49-60	5,000	\$79,567.00	\$6,630.63	\$15.91
Months 61-72	5,000	\$81,954.53	\$6,829.54	\$16.39
Months 73-84	5,000	\$84,413.16	\$7,034.43	\$16.88

First Option Rent:

<u>Period</u>	<u>Square Footage</u>	<u>Annual Minimum Rent</u>	<u>Monthly Min Rent</u>	<u>Rate/SF</u>
Year 1	5000	\$86,945.56	\$7,245.46	\$17.39
Year 2	5,000	\$89,553.92	\$7,462.83	\$17.91
Year 3	5,000	\$92,240.54	\$7,686.71	\$18.45
Year 4	5,000	\$95,007.75	\$7,917.31	\$19.00
Year 5	5,000	\$97,857.99	\$8,154.83	\$19.57

Second Option Rent:

Restaurant/Sports Bar & Grill/Live Entertainment with Dj Music

Without limiting the generality of the immediately-preceding sentence, Tenant shall not use the Premises for any use described on Exhibit C attached hereto. Notwithstanding anything contained in this Lease to the contrary, any breach of this provision which is not cured within five (5) days of written notice from Landlord shall constitute a Tenant default. Landlord's failure to notify or provide notice of such default does not constitute an acceptance of such default and Landlord has the right during the entire term of the Lease and any extension periods to notify the Tenant of any default.

- 1.8 Permitted Trade Name: d/b/a Barnacles Sports Bar & Grill
- 1.9 Premises: That certain space known as Suite 100 of the Shopping Center, consisting 5,000 square feet, as more particularly depicted on the Site Plan attached hereto as Exhibit A (which Site Plan is solely for the purposes of identifying the Premises, and shall not be deemed to be a covenant or representation by Landlord with respect to the configuration of the Shopping Center or any other aspect thereof).
- 1.10 Advance Rent Deposit: Seven Thousand Six Hundred and Forty-Five Dollars and 83/100 (\$7,645.83) to be applied as the first month's Minimum Rent and Operating Expenses first due and payable by Tenant hereunder upon execution of this Lease. The Advance Rent Deposit shall be paid to Landlord concurrently with the execution of this Lease.
- 1.11 Delivery of Possession: Upon full execution of the Lease.
- 1.12 Lease Commencement Date: Upon full execution of the Lease, Delivery and full Possession of the premises by Tenant.
- 1.13 Rental Commencement Date: Two hundred and Forty (240) days following full execution of this Lease Agreement. If the Premises are being leased in "AS IS" condition, then Tenant shall be deemed to have been given possession upon full execution of this Lease.
- 1.13 a. Rental Abatement Period: The Rental Abatement Period consists of a total of Two Hundred and Forty (240) days from the Lease Commencement Date. In the event that Tenant obtains his C.O.O. or opens for business within the Rental Abatement Period, the Tenant shall commence paying the Landlord his share of the C.T.I. expenses (CAM, Tax & Insurance). Rental payment shall start after the 240th day after the Lease Commencement Date.
- 1.14 Security Deposit: The security deposit shall be waived.
- 1.15 Tenant Allowance: An amount not to exceed Eighty-Seven Thousand Five Hundred dollars and no/100's (\$87,500.00) (equating to \$17.50 PSF) to be paid by Landlord to Tenant up on Tenant completing all the premises' improvements and presenting the Landlord with an unconditional Certificate of occupancy and lien waivers from all contractors. Tenant shall provide Landlord with permittable construction documents drawn by registered Architects and/or Engineers depicting the proposed Tenant Improvements for Landlord's approval. Tenant shall obtain the necessary building permits and comply with all applicable municipal codes, at his own cost. Tenant shall then select the various contractors, suppliers and vendors to successfully complete the renovations and open for business.
- 1.16 Shopping Center: That certain shopping center named as Stonecrest Festival and located at 7300 Stonecrest Concourse, Lithonia, GA 30038, DeKalb County, Georgia and more particularly described on Exhibit A-1 attached hereto, as same may be altered, expanded, or reduced, from time to time at the discretion of Landlord.

ARTICLE II DEMISE OF PREMISES

2.1 Lease: Landlord hereby leases and demises to Tenant the Premises together with the nonexclusive right to use the Common Areas subject to the terms of this Lease, and further subject specifically to the Rules and Regulations of the Shopping Center, attached hereto as Exhibit F. Landlord reserves the right to amend the Rules and Regulations from time to time in its reasonable discretion.

2.2 Acceptance of Premises by Tenant: Notwithstanding Exhibit B ("Landlord's Work"), Tenant agrees to accept the Premises in an "AS-IS, WHERE-IS" condition as tendered by Landlord, WITH TENANT AGREEING THAT SUCH CONDITION IS SUITED FOR THE PERMITTED USE. TENANT HAS CONDUCTED ITS OWN INDEPENDENT EXAMINATION OF THE PREMISES, AND HAS NOT RELIED UPON AND WILL NOT RELY UPON, EITHER DIRECTLY OR INDIRECTLY, ANY REPRESENTATION OR WARRANTY OF LANDLORD OR ANY OF LANDLORD'S AGENTS OR REPRESENTATIVES, AND TENANT HEREBY ACKNOWLEDGES THAT NO SUCH REPRESENTATIONS HAVE BEEN MADE. LANDLORD SPECIFICALLY DISCLAIMS, AND NEITHER LANDLORD NOR ANY OTHER PERSON IS MAKING, ANY REPRESENTATION, WARRANTY OR ASSURANCE WHATSOEVER TO TENANT, AND NO WARRANTIES OR REPRESENTATIONS OF ANY KIND OR CHARACTER, EITHER EXPRESS OR IMPLIED, ARE MADE BY LANDLORD OR RELIED UPON BY TENANT WITH RESPECT TO THE MAINTENANCE, REPAIR, CONDITION, OR DESIGN OF THE PREMISES, OR ANY PORTION THEREOF, INCLUDING BUT NOT LIMITED TO (A) ANY IMPLIED OR EXPRESS WARRANTY OF MERCHANTABILITY, (B) ANY IMPLIED OR EXPRESS WARRANTY OF FITNESS FOR A PARTICULAR PURPOSE, (C) ANY IMPLIED OR EXPRESS WARRANTY OF CONFORMITY TO MODELS OR SAMPLES OF MATERIALS, (D) ANY CLAIM BY TENANT FOR DAMAGES BECAUSE OF DEFECTS, WHETHER KNOWN OR UNKNOWN, WITH RESPECT TO ANY IMPROVEMENTS OR

are available for Tenant's work or the date of Lease execution in the event the Premises is accepted in its "AS-IS, WHERE-IS" condition.

2.4 Surrender of Premises: At the expiration, or earlier termination, of the Lease Term, Tenant shall surrender the Premises to Landlord in a good and broom-clean condition, reasonable wear and tear excepted. Tenant shall promptly and at its sole expense repair any damage to the Premises caused by the removal of any furniture, trade fixtures, or other personal property, permitted or required by Landlord to be removed by Tenant from the Premises.

2.5 Renewal Option: Provided Tenant has never been in default under this Lease, Tenant shall have the option to extend the term of this Lease for Two (2) Option Periods of five (5) years each under the same terms and conditions as provided in the original Lease Term except for (a) Minimum Rent, which shall increase as set forth in Section 1.4 herein, and (b) no free rent or any other inducements from Landlord shall be provided with respect to any extension of the Term. To exercise said renewal option, Tenant shall give Landlord written notice of its election to renew the Lease Term not less than one hundred eighty (180) days prior to the expiration of the then-current Lease Term.

ARTICLE III RENT AND OTHER CHARGES

3.1 Minimum Rent: Tenant hereby covenants to pay Minimum Rent, in advance, on a monthly basis on the first day of each calendar month during the Lease Term, without demand, deduction, or setoff whatsoever; it being specifically agreed and understood that the covenants of Tenant to pay Minimum Rent, Additional Rent, and all other Rent set forth in this Lease, are separate and distinct covenants of Tenant, not contingent upon the performance of any other terms or conditions of this Lease. Minimum Rent for any partial calendar month during the Lease Term shall be prorated on a per diem basis.

3.2 Utilities: Tenant shall promptly pay all charges for utilities and other services furnished to the Premises whether by Landlord or the applicable utility company. Landlord shall not be liable for any interruptions or curtailment in utility services whether for alteration, repair, or improvement, of the Premises or the Shopping Center. Tenant shall be solely responsible for any impact fees, tap fees, connection fees or any other fees imposed by any utility company or any governmental authority with respect to the Premises or Tenant's use thereof. In the event any of the Shopping Center's tenants protest the way the water/sewer usage and/or the sanitation charges are applied, due to the nature of the Tenant business, Landlord shall have the right to install a separate dedicated sub-water meter and/or provide the Tenant with a separate dedicated dumpster. In such event, Tenant agrees to pay for the metered water usage and/or the dedicated dumpster through his monthly estimated CAM expenses contribution.

3.3 Operating Expenses: Tenant shall pay to Landlord along with its monthly installment of Minimum Rent, as "Additional Rent", Tenant's monthly share of all costs incurred by Landlord in maintaining the Common Area's, lighting, repairing, maintaining, replacing, operating, cleaning, painting, sweeping, securing, managing, and insuring the portions of the Shopping Center which are the responsibility of Landlord hereunder, including, without limitation, payment of all insurance premiums (including Worker's Compensation insurance and fidelity bonds for personnel of Landlord [it being agreed and understood that Landlord may self-insure or internally perform other functions relating to the Shopping Center included in Operating Expenses, and, in such event, Landlord may include in Operating Expenses the reasonable and competitive cost of such functions performed internally by Landlord]) and taxes and assessments associated with the Shopping Center including Ring Mall charges (collectively, the "Operating Expenses"). Tenant's annual share of Operating Expenses shall be computed by multiplying Operating Expenses by a fraction, the numerator of which shall be the number of square feet of the Premises and the denominator of which shall be the number of square feet of gross leasable area of the Shopping Center with the exception of the water/sewer and sanitation charges which for all practical purposes the Tenant agrees to pay as part of his annual CAM charges any amount above \$1164 per year with respect to the water/sewer services and any amount above \$1584 per year with respect to the sanitation charges. Adjustments to estimates of Tenant's share of Operating Expenses shall be made on an annual basis, and adjustments shall be made as to underpayment or overpayment of Operating Expenses by Tenant upon the annual determination of the actual Operating Expenses for the Shopping Center.

3.4 Security Deposit: Intentionally Deleted

3.5 Rent. As used herein, the term "Rent" shall include Minimum Rent, Additional Rent, Tenant's share of Operating Expenses and all other additional charges or sums payable to Landlord hereunder. All Rent shall be paid without demand, deduction or setoff whatsoever.

3.6 Rent Credit: Landlord and tenant agree that rent is based on the leasable 5000 SF as reflected in paragraph 1.4 of this lease. In the event that said premises is re-measured and the new measurement is not equal to 5000 SF, rent shall be adjusted accordingly. It is further agreed that any rent adjustment shall be done during the lease term on a yearly basis at the time the yearly CAM, Tax and Insurance reconciliation are done. Should the re-measured leased space be 4970 SF as indicated on the existing floor plans, Landlord agrees to credit tenant \$600 per year at the time the CAM, Tax, and Insurance reconciliations are done.

ARTICLE IV PERMITTED USAGE

4.1 Use: Tenant shall use, occupy, and operate in the whole of the Premises solely for the Permitted Use and for no other purpose whatsoever. Tenant covenants to continuously operate in the whole of the Premises solely utilizing the Permitted Use and Trade Name during minimum business hours of 10:00 am to 8:00 pm, Monday through Friday, 10:00 a.m. to 6:00 p.m. on Saturday, and 12:00 p.m. to 6:00 p.m. on Sunday. Tenant shall not, without Landlord's prior written consent, use the Premises for any

4.4 Environmental Compliance. Tenant hereby agrees that: (a) Tenant shall conduct all of its operations at the Premises in compliance with all Environmental Laws, which term shall mean federal, state or local law, regulation, ordinance or the like governing, addressing or relating to Hazardous Substances, as hereinafter defined; (b) Tenant will not permit any Hazardous Substances to be brought into or stored on the Premises, except for the temporary storage in reasonable quantities of materials that are used in the ordinary course of the Permitted Use, provided such materials are properly stored in a manner and location meeting all Environmental Laws and approved in advance in writing by Landlord, provided that Tenant shall have obtained any required permits and shall pay any fees and provide any testing required by any governmental agency in connection therewith, and provided such materials shall be removed and disposed of by Tenant in accordance with all Environmental Laws and any required cleanup procedures shall be diligently undertaken by Tenant pursuant to all Environmental Laws; (c) Tenant will advise Landlord promptly in writing of any claim raised by any private party or governmental agency or relating to any use, discharge, dumping, spill or storage of any Hazardous Substance in any way affecting the Premises or the surrounding area; (d) no portion of the Premises will be used as a landfill or a dump; (e) Tenant will not install any underground or above-ground storage tanks of any type; (f) Tenant will not allow any surface or subsurface conditions to exist or come into existence that constitute, or with the passage of time may constitute a public or private nuisance. Landlord or Landlord's representative shall have the right, but not the obligation, to enter the Premises for the purpose of inspection to ensure compliance with all Applicable Laws, including all Environmental Laws. To the extent that Hazardous Substances are found to exist during any inspection or sampling event, Tenant shall be responsible for the expense of the inspection and sampling, as well as the expense of remediating the Hazardous Substances. Tenant shall indemnify, defend, and hold harmless Landlord from and against all claims, actions, damages, liability, and expense, of any nature whatsoever, foreseen or unforeseen as may result from Tenant's action or non-action with regard to its obligations under this Section or from Tenant's use of dry-cleaning solvents and dry-cleaning equipment at the Premises, including, without limitation, any claims for personal injury, property damage, or environmental damage that may result from Tenant's operation of a dry-cleaning business at the Premises. The costs for which Landlord is indemnified under this provision shall include, without limitation, legal fees, environmental consulting and engineering fees, and other professional or expert fees, which Landlord shall incur. The provisions of this Section 4.4 shall survive the expiration or early termination of this Lease.

As used herein, the term "Hazardous Substances" shall be interpreted broadly to include, but not be limited to, any material or substance that is defined, regulated or classified under federal, state, or local laws, including without limitation, as: (i) a "hazardous substance" pursuant to section 101 of the Comprehensive Environmental Response, Compensation and Liability Act, 42 U.S.C. §9601(14), section 311 of the Federal Water Pollution Control Act, 33 U.S.C. §1321, as now or hereafter amended; (ii) a "hazardous waste" pursuant to section 1004 or section 3001 of the Resource Conservation and Recovery Act, 42 U.S.C. §§6903, 6921, as now or hereafter amended; (iii) a toxic pollutant under section 307(a)(1) of the Federal Water Pollution Control Act, 33 U.S.C. §1317(a)(1); (iv) a "hazardous air pollutant" under section 112 of the Clean Air Act, 42 U.S.C. §7412, as now or hereafter amended; (v) a "hazardous material" under the Hazardous Materials Transportation Uniform Safety Act of 1990, 49 U.S.C. App. §1802(4), as now or hereafter amended; (vi) a toxic or hazardous material or substance pursuant to regulations promulgated now or hereafter under the aforementioned laws or any state or local counterpart to any of the aforementioned laws; (vii) a material or substance presenting a risk to human health or the environment under other applicable federal, state or local laws, ordinances, or regulations, as now or as may be passed or promulgated in the future; or (viii) any substance that after release into the environment and upon exposure, ingestion, inhalation, or assimilation, either directly from the environment or directly by ingestion through food chains, will or may reasonably be anticipated to cause death, disease, behavior abnormalities, cancer, or genetic abnormalities. "Hazardous Substances" specifically includes, but is not limited to, asbestos, polychlorinated biphenyls ("PCBs"), radioactive materials including naturally occurring radionuclides, petroleum and petroleum-based derivatives, and urea formaldehyde.

ARTICLE V ALTERATION, REPAIR, AND MAINTENANCE

5.1 Alterations by Tenant: Tenant shall not make any alterations (including, but not limited to, alterations to the exterior, the storefront, signs, or utility lines or systems within or serving the Premises), nor secure any fixtures, equipment, machinery, or other apparatus, to the Premises without Landlord's prior written approval, and Tenant shall promptly remove upon order from Landlord any decoration or alteration made or installed upon the Premises without Landlord's written consent. Landlord shall have the right to run utility lines, pipes, roof drainage pipes, conduit, wire, ductwork, or sprinkler systems, where necessary, through, in, or beneath, the Premises, and maintain same in a manner which does not unduly interfere with Tenant's use thereof.

5.2 Repairs by Tenant: Tenant shall keep by routine maintenance, repair, at its sole cost and expense, the interior of the Premises, together with the storefront and all door frames, doors, plate glass and windows of the Premises, and all electrical, plumbing, heating, ventilating, air conditioning and any other mechanical installations serving the Premises or located therein, whether or not in or under the floor slab or on the roof of the Premises, in good condition and working order at all times during the Term hereto. Tenant shall contract for any necessary pest control or exterminating services for the Premises. Tenant agrees to employ a suitable licensed contractor to perform Tenant's obligations for maintenance of the heating, cooling and ventilating including at least semiannual inspections and cleaning of the system together with such servicing as each such inspection shall disclose, and shall at all times keep in force an effect a maintenance contract with such contractors with respect to same; and further, Tenant shall keep in force, at Tenant's expense, at all time during the term a contract for the regular service and maintenance of the HVAC equipment serving the Premises. In the event Tenant fails to perform its maintenance, and repair obligations as provided herein, Landlord may, at its option, perform such remedial action on behalf of Tenant, and Tenant agrees to pay to Landlord, as Additional Rent, the cost thereof plus fifteen (15.0%) percent overhead promptly upon demand by Landlord. In the event that an HVAC unit(s) needs to be replaced, and provided that the Tenant has been maintaining the HVAC unit(s) as required per this lease, Landlord shall replace such unrepairable unit(s) at the request of the Tenant and Tenant shall contribute fifty percent (50%) of such replacement cost(s).

maintenance, repairs shall be the sole responsibility of Tenant with respect to Tenant's premises and shall be prorated with respect to the Common Areas. Landlord shall be responsible for the repair of the roof and all leakage before turning over the premises to Tenant.

5.6 Tenant's Work: All work required to prepare the Premises for the Permitted Use ("Tenant's Work") which is not specifically described as Landlord's Work in Exhibit "B" shall be the sole obligation of Tenant and shall be performed at the sole cost of Tenant in accordance with plans and specifications to be approved by Landlord. Tenant agrees to provide Landlord with permissible construction documents drawn by registered Architects and/or Engineers depicting Tenant's Work. Tenant shall also submit to Landlord a copy of the contractor's business license and a Certificate of Insurance from the contractor's insurer naming Landlord as an Additional Insured.

Tenant shall not be allowed to commence any Work until Landlord has approved in writing Tenant's proposed plans and specifications. Landlord and its representatives shall have the right to enter upon the Premises for the purpose of inspecting construction, the progress of the Tenant's Work, and compliance with the approved plans and specifications.

ARTICLE VI CASUALTY AND CONDEMNATION

6.1 Casualty. Landlord shall have the right, upon thirty (30) days prior written notice to Tenant, to terminate this Lease in the event (i) the Premises is damaged by fire or other casualty to the extent of more than ten (10.0%) percent of the replacement cost thereof, (ii) the Shopping Center is damaged by fire or other casualty to the extent of ten (10.0%) percent or more of the replacement cost thereof, (iii) any damage to the Premises cannot, in Landlord's sole discretion, be repaired within ninety (90) days of the date of such damage, or (iv) the Premises is damaged or destroyed during the last thirty (30%) percent of the Lease Term, or during any renewal or extension term of this Lease. If Landlord should elect to repair or rebuild the Premises because of any damage or destruction, Tenant shall at its sole expense replace all work and improvements originally installed or performed by Tenant, with such Tenant's work to be completed within ninety (90) days from Landlord's completion of Landlord's repair work (if any) subsequent to such casualty.

6.2 Condemnation. If the whole of the Premises, or so much thereof as to render the balance unusable by Tenant (as reasonably determined by Landlord), shall be taken under power of eminent domain, or otherwise transferred in lieu thereof, or if any part of the Shopping Center is taken and its continued operation is not in Landlord's sole opinion, economical, this Lease shall automatically terminate as of the date possession is taken by the condemning authority. No award for any total or partial taking shall be apportioned, and Tenant hereby unconditionally assigns to Landlord any award, which may be made in such taking or condemnation. In the event of a partial taking, which does not result in the termination of this Lease, Minimum Rent shall be apportioned according to the part of the Premises remaining usable by Tenant.

ARTICLE VII INSURANCE AND INDEMNIFICATION

7.1 Insurance. Tenant shall maintain at its sole expense, commencing upon the date Tenant open for business or 10 business days thereafter and continuing throughout the Lease Term, commercial general liability insurance covering the Premises in a combined single limit amount of not less than \$1,000,000.00 with a \$2,000,000.00 aggregate limit, naming Landlord and any mortgagee(s) of the Shopping Center as additional insureds thereunder. Tenant shall also keep in force, at its sole expense, plate glass, fire and extended coverage insurance for the full replacement value of Tenant's improvements and Tenant's property, including, but not limited to, 100% of inventory, 100% of trade fixtures, 100% of furnishings and other personal property, naming Landlord and any mortgagee(s) of the Shopping Center as additional insureds thereunder. The fire and extended coverage insurance maintained by Tenant shall be written so as to provide that the insurer waives all right of recovery by way of subrogation against Landlord in connection with any loss or damage covered by the policy (Tenant for itself, its successors and assigns, hereby waives any right of recovery against Landlord, its successors or assigns, by virtue of any casualty to the Premises or the Shopping Center). In addition, Tenant shall keep in force workman's compensation or similar insurance to the extent required by law. Should Tenant fail to effect the insurance called for herein, Landlord may, at its sole option, procure said insurance and pay the requisite premiums, in which event, Tenant shall pay all sums so expended plus fifteen (15.0%) percent as overhead to Landlord, as Additional Rent, immediately upon demand. Each insurer under the policies required hereunder shall agree by endorsement on the policy, or by independent instrument furnished to Landlord, that it will give Landlord at least thirty (30) days prior written notice before any policy or policies affecting the Premises shall be altered or cancelled. Each policy of insurance referred to herein shall name as the insured parties thereunder Landlord (including its agents and other parties designated by Landlord) and Tenant, as their interests may appear. The proceeds of such insurance shall not be used, except with the consent of Landlord, for any purpose other than the repair or replacement of property situated within the Premises, and for any third-party liability. Notwithstanding anything contained herein to the contrary, Tenant shall not be permitted to store, sell or give away any such fermented, alcoholic or other intoxicating liquor or beverage on the Premises unless (a) Landlord shall have specifically consented thereto in writing, (b) such use shall be within the Permitted Use, (c) Tenant shall have obtained all required licenses and permits in connection therewith, and such licenses and permits shall be in full force and effect, and (d) Tenant's insurance covers all claims arising under applicable laws relating to the storage, sale, use or giving away of any fermented, alcoholic or other intoxicating liquor or beverage, which claims could be asserted against Landlord, Tenant or the Premises, in amounts and form reasonably acceptable to Landlord. Tenant shall deliver a copy of said insurance to the Landlord upon obtaining the C.O.O and prior to opening for business. During the renovation period, Tenant's contractor shall carry liability insurance on the said premises and shall name the Landlord as additional insured.

ARTICLE VIII DEFAULT AND REMEDIES

8.1 Events of Default: In the event Tenant (i) fails to pay all or any portion of any sum due from Tenant hereunder or pursuant to any Exhibit hereto as and when such payment is due; (ii) fails to cease all conduct prohibited hereby within two (2) business days upon receipt of written notice from Landlord; (iii) fails within two (2) business days to take actions in accordance with the provisions of written notice from Landlord to remedy Tenant's failure to perform any of the terms, covenants and conditions of this Lease; (iv) fails to conduct business in the Premises as herein required; (v) commits an act in violation of this Lease which Landlord has previously notified Tenant to cease more than once in any Lease Year; (vi) becomes bankrupt, insolvent or files any debtor proceeding, takes or has taken against Tenant any petition of bankruptcy; takes action or has action taken against Tenant for the appointment of a receiver for all or a portion of Tenant's assets, files a petition for a corporate reorganization; makes an assignment for the benefit of creditors, or if in any other manner Tenant's interest hereunder shall pass to another by operation of law (any or all of the occurrences in this subsection being deemed a default on account of bankruptcy for the purposes hereof and such default on account of bankruptcy shall apply to and include any guarantor of this Lease); (vii) commits waste to the Premises; or (viii) is otherwise in breach of Tenant's obligations hereunder and shall not have cured such other default within ten (10) days following written notice from Landlord; then Tenant shall be in default hereunder and Landlord may, at its option and without further notice to Tenant, terminate Tenant's right to possession of the Premises and without terminating this Lease re-enter and resume possession of the Premises and/or declare this Lease terminated, and may thereupon in either event remove all persons and property from the Premises, with or without resort to process of any court, either by force or otherwise. Notwithstanding such re-entry by Landlord, Tenant hereby indemnifies and holds Landlord harmless from any and all loss or damage, which Tenant may incur by reason of the termination of this Lease and/or Tenant's right to possession hereunder. In no event shall Landlord's termination of this Lease and/or Tenant's right to possession of the Premises abrogate Tenant's agreement to pay Rent for the full Lease Term. Following re-entry of the Premises by Landlord, Tenant shall continue to pay all Rent as it becomes due under the terms of this Lease, or at Landlord's option, all Rent for the balance of the Lease Term shall be deemed immediately due and payable by Tenant to Landlord, together with all other expenses incurred by Landlord in regaining possession, including full reimbursement of any and all free rents or abated rents as well as all unamortized, excluding any term associated with free or abated rent, leasing commissions and tenant improvement costs which were incurred by Landlord in connection with this Lease; it being understood that Landlord shall have no obligations to mitigate Tenant's damages by reletting the Premises. Should Landlord relet the Premises, Tenant shall also pay Landlord, as liquidated damages for the failure of Tenant to honor its obligations under this Lease, for each month of the period which would otherwise have constituted the balance of the Lease term, any deficiency between (i) the sum of the monthly installment of Minimum Rent and Additional Rent and other charges which would have been due under this Lease for such month and (ii) the net amount, if any, actually collected on account of the lease of the Premises for such month. In computing such liquidated damages, there shall be added to said deficiency such expenses as Landlord may incur in connection with any reletting, such as court costs, reasonable attorney's fees and disbursements, brokerage fees and expenses for preparing the Premises for reletting. Any such liquidated damages shall be paid in monthly installments by Tenant on the 1st day of each month, and any suit brought to collect the amount of deficiency for any month shall not prejudice the rights of Landlord to pursue similar proceedings regarding subsequent months.

If this Lease is terminated by Landlord as a result of the occurrence of an event of default, Landlord may declare to be due and payable immediately, the present value (calculated with a discount factor of eight percent [8%] per annum) of the difference between (i) the entire amount of Rent and other charges and assessments which in Landlord's reasonable determination would become due and payable during the remainder of the Lease Term determined as though this Lease had not been terminated, and (ii) the then fair market rental value of the Premises for the remainder of the Lease Term. Upon the acceleration of such amounts, Tenant agrees to pay the same at once, together with all Rent and other charges and assessments theretofore due, at Landlord's address as provided herein, it being agreed that such payment shall not constitute a penalty or forfeiture but shall constitute liquidated damages for Tenant's failure to comply with the terms and provisions of this Lease (Landlord and Tenant agreeing that Landlord's actual damages in such event are impossible to ascertain and that the amount set forth above is a reasonable estimate thereof).

8.2 Rights and Remedies: The various rights and remedies herein granted to Landlord shall be cumulative and in addition to any other rights or remedies which Landlord may be entitled to at law or in equity. The exercise of one or more rights or remedies of Landlord shall not impair Landlord's right to exercise any other right or remedy. In all events, Landlord shall have the right, upon notice to Tenant, to cure any breach by Tenant, at Tenant's sole cost and expense, and Tenant shall reimburse Landlord for such costs and expenses plus fifteen (15%) percent as overhead, immediately upon demand.

ARTICLE IX ASSIGNMENT AND SUBLETTING

9.1 Assignment and Subletting: Tenant shall not, either voluntarily or by operation of law, sell, assign, hypothecate or otherwise transfer this Lease, or sublet the Premises or any part thereof (all of the foregoing collectively referred to as a "Transfer"), without the express prior written consent of Landlord. Tenant shall not be released from, and shall remain principally and primarily liable for, the full and prompt performance of each of the terms and provisions of this Lease following any Transfer. The acceptance by Landlord of Rent following any Transfer shall not be deemed to be a consent by Landlord to any such Transfer, nor shall such acceptance of Rent be deemed a waiver of any right or remedy of Landlord hereunder.

9.2 Exclusivity: During the Lease Term, and any extensions thereof, the Landlord shall not lease to any other tenant any unit in the shopping center to engage in any business engaging in a Sports bar or Night Club.

ARTICLE XI
MISCELLANEOUS

- 11.1 Attorney's Fees: If any Rent, Additional Rent, Additional Charges or other charges owing under this Lease are collected by or through an attorney at law, whether or not litigation is actually instigated, the Landlord shall be entitled to recover reasonable attorneys' fees in the amount of 15.00% of such sums due, as well as the other costs of such proceedings.
- 11.2 Late Charges: All Rent, Additional Rent, Additional Charges or other charges owing under this Lease and which are not paid 10 days after its due shall bear a fee of \$150.00 for processing of late payments. In the event that any check, bank draft or other instrument given to Landlord for any payment under this Lease shall be dishonored for any reason whatsoever not attributable to Landlord (i) Tenant shall replace such check with a cashier's check within 48 hours of notice (oral or written) to Tenant by Landlord of the dishonor, and (ii) Landlord shall have the right to elect that the next six (6) subsequent monthly installments of Minimum Rent and Additional Rent be paid by cashier's checks.
- 11.3 Accord and Satisfaction: No payment by Tenant or receipt by Landlord of a lesser amount than the charges herein stipulated shall be deemed to be other than on account of the earliest stipulated charges, nor shall any endorsement or statement on any check or letter accompanying any check or payment be deemed an accord and satisfaction, and Landlord may accept such check or payment without prejudice to Landlord's right to recover the balance of any amounts due hereunder or to pursue any other remedy provided herein.
- 11.4 Time of Essence: TIME IS OF THE ESSENCE OF THIS LEASE.
- 11.5 Holding Over: If Tenant holds over at the end of the Lease Term without the written consent of Landlord, Tenant shall be deemed a tenant-at-sufferance and Tenant shall pay to Landlord, during each month of such holdover period, as liquidated damages, a sum equal to double the highest amount of Rent paid by Tenant to Landlord during any month of the Lease Term; provided, however, acceptance of Rent by Landlord shall not be interpreted as a grant of permission for Tenant to continue in possession of the Premises.
- 11.6 Severability: In the event any provision of this Lease to any extent shall be deemed invalid or unenforceable, the remainder of this Lease shall not be affected thereby, and the Lease and the remaining provisions thereof shall be valid and enforceable to the full extent permitted by law.
- 11.7 Brokers: Tenant indemnifies Landlord, and Landlord indemnifies Tenant, against any claims for brokerage commissions in connection herewith, except for the brokerage commission payable to Schair & Associates, Inc. (the "Broker"). Tenant hereby acknowledges that Schair & Associates, Inc. has served solely as agent for Landlord in connection with this Lease and its commission shall be paid by Landlord in accordance with a separate agreement. Landlord hereby acknowledges that N/A has served solely as agent for Tenant in connection with this Lease and its commissions shall be paid by Landlord in accordance with a separate agreement.
- 11.8 Waiver: No waiver by Landlord of any provision of this Lease shall be deemed to be a waiver of any other provision hereof or of any subsequent breach by Tenant of the same provision. Landlord's consent to, or approval of, any act by Tenant shall not be deemed to render unnecessary the obtaining of Landlord's consent to, or approval of, any subsequent act. No agreement by Landlord to accept Tenant's surrender of the Premises shall be valid unless in writing from Landlord.
- 11.9 Right of Entry: Landlord shall have free access to the Premises at all reasonable times to inspect the Premises and to make such repairs, additions, improvements, changes, or alterations, the Shopping Center, as Landlord may elect. Landlord may also place "For Lease" or "For Sale" signs on the Premises forty-five (45) days before the termination of this Lease. Landlord or its agents or designees, during the Term of this Lease, or any renewal thereof, may enter the Premises at reasonable hours to exhibit same to prospective purchasers or Tenants, or for any other reasonable purpose.
- 11.10 Successors and Assigns: Except as otherwise provided herein, this Lease shall be binding upon and inure to the benefit of the parties hereto and their respective heirs, personal representatives, executors, successors and assigns.
- 11.11 Headings, Captions and References: The Article and Section captions contained in this Lease are for convenience only and do not in any way limit or amplify any terms or provisions hereof. The use of the terms "hereof," "hereunder" and "herein" shall refer to this Lease as a whole, except where noted otherwise.
- 11.12 Survival of Obligations: The provisions of this Lease with respect to any obligation of Tenant, including, without limitation, any indemnities of Tenant contained in this Lease, and Tenant's covenant to pay Rent, shall specifically survive the expiration or earlier termination of this Lease.
- 11.13 Landlord and Tenant Relationship: Nothing herein contained shall be deemed or construed by the parties hereto, nor by any other party, as creating the relationship of principal and agent or of partnership or of joint venture between the parties hereto. No estate shall pass from Landlord to Tenant, and this Lease shall not be subject to levy or sale.
- 11.14 Counterclaim and Jury Trial: In the event that the Landlord commences any summary proceedings or action for nonpayment of Rent or other charges provided for in this Lease, Tenant shall not interpose any counterclaim of any nature or

11.16 Representations: Tenant acknowledges that neither Landlord nor Landlord's agents, employees, or contractors have made any representations or promises with respect to the Premises, the Shopping Center, or this Lease, except as expressly set forth herein.

11.17 Landlord's Liability: In the event of any alleged default of Landlord, Tenant shall not seek to secure any claim for damages or indemnification by any attachment, levy, judgment, garnishment or other security proceedings against any property of the Landlord other than Landlord's equity in the Shopping Center. Landlord as used herein, shall include any assignee or other successor of the original Landlord or its successors or assigns.

11.18 Jurisdiction: The laws of the State in which the Shopping Center is located shall govern the interpretation, validity, performance, and enforcement, of this Lease.

11.19 Compliance with Law and Contracts. Tenant shall, at its expense, comply with and shall cause the Premises and Tenant's employees to comply with all Applicable Laws at all times during the Lease Term. Without limiting the foregoing, Tenant covenants and agrees to (a) conduct its operations on the Premises in a way that does not violate the Applicable Laws, and (b) take promptly, at its expense, whatever corrective measures are required by the Applicable Laws in the event of a violation. Tenant shall also, at its expense, comply with the requirements of all policies of insurance which at any time may be in force with respect to the Premises, and with the provisions of all contracts, agreements and restrictions affecting the Premises or any part thereof or the occupancy or use thereof. In addition, Tenant shall pay, as Rent, any future sales or rent tax or other tax imposed on Rent payments or upon Landlord based upon charges paid by Tenant to Landlord. "Applicable Laws" shall mean all laws, rules, orders, ordinances and regulations of the municipality, county and state in which the Premises are located, of the federal government, of any department or bureau of any of them, and of any other governmental authority having jurisdiction over the Premises, in effect from time to time during the Lease Term, which shall impose any duty on Landlord or Tenant with respect to the use, occupancy or alteration of the Premises, or Tenant's business conducted therein, including Environmental Laws and the Americans with Disabilities Act. Landlord makes no representation to Tenant that the conduct of the Permitted Use is permissible under Applicable Laws or under any private restrictions which are of public record, and Tenant agrees and acknowledges that it is Tenant's obligation to independently confirm same.

11.20 Authority and Good Standing. In the event Tenant hereunder is a corporation, limited liability company, partnership, or any other form of entity other than a natural person, the person(s) executing this Lease on behalf of Tenant hereby covenant and warrant that Tenant has been properly formed, is in good standing and is qualified to do business in the state in which the Shopping Center is located; all forms, reports, fees, taxes, and other documents and charges required to establish and maintain Tenant's good standing, qualification to do business and compliance with applicable laws have been and will continue to be filed and paid by Tenant when due; and such person(s) executing this Lease on behalf of Tenant are duly authorized by the appropriate persons or governing body of Tenant to execute and deliver this Lease on behalf of Tenant.

11.21 Estoppel Certificates: Within Seven (7) days after written request by Landlord, Tenant shall execute, acknowledge, and deliver, to Landlord, and to such other party or parties as may be designated by Landlord, a certificate stating that this Lease is in full force and effect and has not been modified, supplemented or amended in any way, except as indicated in such certificate; that all conditions and agreements hereunder to be performed by Landlord have been satisfied or performed, except as set forth in said certificate; that Tenant is not in default in the payment of Rent or any of the other obligations required of Tenant hereunder; that Tenant has paid Rent as of the date set forth in the certificate; and as to any other factual matter in connection with this Lease as is typically included in such statement of estoppel.

11.22 Entire Agreement: This Lease constitutes the entire agreement between the parties hereto with respect to the subject matter hereof and no subsequent amendment or agreement shall be binding upon either party unless it is signed by each party. The submission of this Lease shall not constitute an offer to Lease by Landlord and this Lease shall not be binding unless and until it is signed by Landlord and Tenant.

11.23 Exhibits and Addenda: All exhibits and addenda attached to this Lease are by this reference incorporated into this Lease. Insofar as such exhibits or addenda conflict with any of the terms or provisions contained in the text of this Lease, the terms and provisions of such exhibit or addenda shall govern and control.

11.24 Monthly and Annual Sales Reports. Intentionally Deleted.

11.26 Lease Valid and Binding. Notwithstanding that the Rent Commencement Date shall occur and the Lease Term shall commence after the date of execution of this Lease, upon complete execution by the parties hereto this Lease shall be and is in full force and effect and valid and binding against the parties in accordance with (but always on and subject to) its terms and conditions, except that this Lease shall terminate if for any reason the Rent Commencement Date shall not have occurred prior to the second anniversary of the date hereof.

11.27 No Representations. Nothing contained in this Lease or any exhibit or rider attached hereto shall be construed, deemed or interpreted to be a warranty, representation or agreement on the part of Landlord that any local, regional or national chain store or any other merchant shall open or remain open for or operate a business, or occupy or continue to occupy any premises in or about the Shopping Center parcel during the Lease Term or any renewal or extensions thereof.

11.28 Errors and Omissions. In the event that any inadvertent or unintentional clerical error(s) are made with respect to this Lease including (without limitation) square footage, operating expense estimates and other clear mathematical error(s) with respect to Minimum Rent or Additional Rent due hereunder whether said errors are in Landlord's or Tenant's favor, then both parties hereto

deemed an accord and satisfaction, and Landlord may accept such check or payment without prejudice to Landlord's right to recover the balance of such rent or pursue any other remedy provided in this Lease.

11.31 Counterparts. This Lease may be executed in one or more counterparts, each of which shall be deemed an original, but all of which together shall constitute one agreement.

11.32 EXHIBITS:

- A. Site Plan
- A-1 Legal Description of the Shopping Center
- B. Landlord's Work
- C. Prohibited Uses
- D. Sign Criteria
- E. Form of Guaranty
- F. Rules and Regulations
- G. Kitchen's work & Out Door Dining Built Out

11.33 Firearms. Tenant shall at all times prominently display signage prohibiting the carrying of firearms within the Premises to the extent same is permissible under applicable law and shall make its commercially reasonable efforts to prohibit the carrying of firearms and to enforce same.

11.34 No Easement for Light, Air, or View. Any elimination or shutting off of light, air, or view by any structure which may be erected on lands adjacent to the Premises shall in no way affect this Lease and Landlord shall have no liability to Tenant with respect thereto.

11.35 No Estate in Land. This contract and Lease shall create the relationship of landlord and tenant between Landlord and Tenant and no estate shall pass out of Landlord; Tenant has only a usufruct which is not subject to levy and sale, and not assignable by Tenant except as herein provided.

11.36 Confidentiality. Tenant hereby acknowledges and agrees with Landlord that the amount of Rent due and payable under this Lease and all other terms of this Lease negotiated between Landlord and Tenant shall be and remain confidential to the parties to this Lease, and Tenant, in consideration of Landlord's entering into this Lease, hereby agrees with Landlord that Tenant shall not disclose in any manner to any third party, except as may be required by law, the amount of the Rent due and payable by Tenant under this Lease or any of the other terms of this Lease; provided, however, that Landlord may disclose the terms of this Lease to potential lenders of Landlord, mortgagees or other parties taking a secured interest in the Premises, any investors, partners, or joint venture participants holding or potentially holding an interest in the Premises, and said parties' accountants, attorneys, and other representatives, and to any other third party with a reasonable need to know the terms of this Lease.

11.37 Landlord Lien. Landlord shall at all times have a valid first lien upon all of the personal property of Tenant situated in the Premises to secure payment of rent and other sums and charges due hereunder from Tenant to Landlord and to secure the performance by Tenant of each of the covenants, warranties, agreements and conditions hereof. Said personal property shall not be removed from the Premises without the consent of Landlord until all arrearage in Rent and other charges, as well as any and all other sums of money due hereunder shall first have been paid and discharged and until this Lease and all of the covenants, conditions, agreements and provisions have been fully performed by Tenant. Tenant shall from time to time execute any financing statements and other instruments necessary to perfect the security interest granted herein, and Landlord shall have the right to file any such financing statements as is necessary to perfect Landlord's security interest herein contained. The lien herein granted may be foreclosed in the manner and form provided by law for the foreclosure of security instruments or chattel mortgages, or in any other manner provided by law. This Lease is intended as and constitutes a security agreement within the meaning of the Uniform Commercial Code, as same is enacted by Governing Law.

11.38 WAIVER OF JURY TRIAL. TO THE EXTENT PERMITTED BY LAW, LANDLORD AND TENANT SHALL, AND THEY DO HEREBY, WAIVE TRIAL BY JURY IN ANY ACTION, PROCEEDING OR COUNTERCLAIM BROUGHT BETWEEN THE PARTIES HERETO OR THEIR SUCCESSORS OR ASSIGNS ON ANY MATTERS ARISING OUT OF, OR IN ANY WAY CONNECTED WITH, THIS LEASE, THE RELATIONSHIP OF LANDLORD AND TENANT, AND/OR TENANT'S USE OF, OR OCCUPANCY OF, THE PREMISES. TENANT SHALL NOT INTERPOSE ANY COUNTERCLAIM OR COUNTERCLAIMS IN A SUMMARY PROCEEDING OR IN ANY ACTION BASED UPON NON-PAYMENT OF RENT OR ANY OTHER PAYMENT REQUIRED BY TENANT HEREUNDER. THIS WAIVER IS MADE FREELY AND VOLUNTARILY, WITHOUT DURESS AND ONLY AFTER EACH OF THE PARTIES HERETO HAS HAD THE BENEFIT OF ADVICE FROM LEGAL COUNSEL ON THIS SUBJECT.

11.39 Lockbox. Landlord may, at its sole option, direct Tenant to pay Rent to a "lockbox" or other depository whereby checks issued in payment of Rent are initially cashed or deposited by a person or entity other than Landlord (albeit on Landlord's authority), then, in such event, for any and all purposes under this Lease: (i) Landlord shall not be deemed to have accepted such payment until ten (10) days after the date on which Landlord shall have actually received such funds, and (ii) Landlord shall be deemed to have accepted such payment if (and only if) within said ten (10) day period, Landlord shall not have refunded (or attempted to refund) any payment not made in strict compliance with this Lease to Tenant. Nothing contained in the immediately preceding sentence shall be construed to place Tenant in default of Tenant's obligation to pay Rent if and for so long as Tenant shall timely pay the entire Rent required pursuant to this Lease in the manner designated by Landlord. Further, upon Tenant's receipt of written notice from Landlord's mortgagee directing Tenant to deliver Rent and other sums due hereunder directly to mortgagee (or to an agent designated by such mortgagee), Tenant shall comply accordingly and is authorized by Landlord to do so.

IN WITNESS WHEREOF, the parties hereto have executed this Lease under seal the day and year first above written. This Agreement may be signed electronically and in multiple counterparts which when assembled shall constitute an original.

LANDLORD: Lithonia Property, LLC., a Georgia Limited Liability Corporation

:

Name: Taib Elkettani
Its: Taib Elkette
Date: 12/6, 2018

TENANT: United Entertainment LLC., a Georgia Limited Liability Corporation

Name: Bernice P. Monger
Its: Bernice P. Monger
Date: 12/6, 2018

Special Land Use Permit Criteria

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

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;

- There is no change being made to the building and business operation. However, there is adequate space as we are currently open on Friday and Saturday after midnight with sufficient parking provided for customers.

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

- Barnacles Sport Lounge has been open for over 2 years and is comparable with surrounding properties and land uses in the district.

c. Adequacy of public services, public facilities, and utilities to serve the use contemplated;

- There is no change being made to the building and business operation. Obtaining the permit will not affect current public services, facilities, and utilities.

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;

- There is no change being made to the building and business operation. There is sufficient public street and this permit will not increase traffic nor create congestion.

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;

- Access route will not be adversely affected by the character of the vehicles or the volume of traffic.

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;

- There is no change being made to the building that will affect pedestrian and automotive safety. The previous approval of entrances and exit route approved by city of Stonecrest planning and zoning remains remain intact with no changes made.

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 permit will not create any additional adverse impact to adjoined land use from noise, smoke, odor, dust, or vibration as there is no changes being made to the building or the business operation.

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;

- The permit will not create any additional adverse impact by 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;

- The permit will not create any additional adverse impact to adjoining land use from 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;

- There is no change being made previously approved site plan, which is consistent with the requirements of the zoning district classification as approved by planning and zoning.

k. Whether or not the proposed use is consistent with the policies of the comprehensive plan;

- The permit is consistent with policies

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;

- Plan does not

m. Whether or not there is adequate provision of refuse and service areas;

- There is adequate vision of refuse and service area

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

- The permit should not be limited in duration due to the fact that the business is located and zoned in the area that is already approved for late night entertainment.

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 are appropriate, there is no change being made to building.

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

- The 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 special land use permit to open after midnight satisfies the requirements of Zone C1.

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;

- There is going to be no physical change to the building therefore creating no 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

- Remain open after midnight will not result in an disproportionate proliferation

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,

- Remaining open after midnight will not provide any changes to the community or neighborhood as Barnacles Sport Lounge is currently located in zone C1 which is apart of the zoning that allow and is approved for late night entertainment per planning and zoning department.



PLANNING COMMISSION MEETING

JANUARY 14, 2021, 6:00PM

ATTACHMENT III

TO: CITY COUNCIL (January 25, 2021)

SUBJECT: PETITION SLUP-21-001

RE: PUBLIC COMMENTS RECEIVED

Lillian Lowe

From: Patricia Edge <PEdge@urbanretail.com>
Sent: Wednesday, January 13, 2021 10:29 AM
To: Lillian Lowe
Cc: Chris Wheeler; Tuyanna Daniel
Subject: SLUP-21-001

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Good morning to all, I would like to submit comments relating to the Barnacles Restaurant permit to operate as a late-night establishment. Please see below comments.

- I have concerns with parking lot activities which could create potential safety/security issues. As such, I would suggest they be required to employ an off duty police officer in the parking lot to monitor the activities and circumvent potential problems.
- If approved, please ensure they are aware the mall's parking lot is not to be used for overflow parking or for any other use.

Thank you for your consideration in my reviewing my concerns and please let me know if you have any questions.

Sincerely,

Patricia Edge
General Manager
The Mall at Stonecrest
Mall Office
2929 Turner Hill Road
Lithonia, GA 30038

URBAN



RETAIL PROPERTIES, LLC

From: Lillian Lowe [mailto:Lillian.Lowe@stonecrestga.gov]
Sent: Wednesday, January 13, 2021 9:12 AM
To: Patricia Edge <PEdge@urbanretail.com>
Cc: Iris Settle <ISettle@stonecrestga.gov>; Chris Wheeler <cwheeler@stonecrestga.gov>; Tuyanna Daniel <TDaniel@stonecrestga.gov>
Subject: [EXTERNAL] Public Hearing Comments

Good morning,

You will not be able to join the zoom link to speak. City Hall will be open on Thursday, January 14, 2021 for those wishing to speak in-person at the Public Hearing.

Also, you can **submit comments via email(s)** to staff: Lillian.Lowe@stonecrestga.gov, Chris.Wheeler@stonecrestga.gov, and Tuyanna.Daniels@stonecrestga.gov.

Please advise if there are additional questions.

Best regards,

Lillian Lowe

PLANNING & ZONING ADMINISTRATIVE ASSISTANT

PLANNING COMMISSIONERS SECRETARY

ZONING BOARD OF APPEALS SECRETARY

City of Stonecrest

direct: 770.224.0173 | main: 770.224.0200 | fax: 470.299.4214

www.stonecrestga.gov

Disclaimer

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This email has been scanned for viruses and malware, and may have been automatically archived by **Mimecast Ltd.** This message is property of Urban Retail Properties LLC.

Lillian Lowe

From: Chris Wheeler
Sent: Tuesday, January 19, 2021 8:24 PM
To: Lillian Lowe
Cc: Tuyanna Daniel
Subject: Fw: Barnacles late night permit objection

Ms. Lillian,

Please include this email in the city council packet.

Christopher Wheeler
Planning and Zoning Director



City of Stonecrest

3120 Stonecrest Blvd.
Stonecrest, GA 30038
Office 770.224.0200
www.stonecrestga.gov
cwheeler@stonecrestga.gov

From: Matt Hampton <matt.hampton@aeiinternational.com>
Sent: Thursday, January 14, 2021 6:28 PM
To: Chris Wheeler <cwheeler@stonecrestga.gov>
Cc: MARIA.HAMPTON@AEIINTERNATIONAL.COM <MARIA.HAMPTON@aeiinternational.com>
Subject: Barnacles late night permit objection

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Mr Wheeler

On behalf of the AEI StartUP Factory located at 7310 stonecrest concourse we would like to express our strongest objection to this application for late night use.

This business has been the cause of additional trash abs liquor bottles on our parking lots w Waldo have had to replace broken windows and clean up blunt guts from their clients

We feel that this designation would increase the bad things that are occurring at this business and we also do not want to continue incurring additional expense to clean up after this applicants clients

We have attempted to resolve this issue by asking the owners of this operation to simply clean up after their guests, they have not resounded and they keep their own property dirty and full of trash.

This is not an operation that should have extended hours.

Matthew Hampton

--

Matthew E.P. Hampton, Director
Allen Entrepreneurial Institute
501.247.3413
www.aelinternational.com



CITY COUNCIL AGENDA ITEM

**SUBJECT: Ordinance for Rezoning Application / Special Land Use
Petition: RZ-21-001 / SLUP-21-002
(3174 Miller Rd)**

☐ ORDINANCE ☐ POLICY ☐ STATUS REPORT
☐ DISCUSSION ONLY ☐ RESOLUTION ☒ OTHER

Date Submitted: 01/21/21 Work Section: Council Meeting: 01/25/21

SUBMITTED BY: Christopher Wheeler, Planning and Zoning Director. 

PURPOSE: Request to rezone property from R-100 to RSM and special land use permit for child daycare center.

FACTS AND ISSUES: This item was heard at the January 14th, 2021, Planning Commission Meeting. The applicant requested to rezone subject property from R-100 to RSM and a Special Land Use Permit to operate as a child daycare center. The Planning Commission recommended deferral.

OPTIONS: Approve; Deny; or make Alternative conditions

RECOMMENDED ACTION:

Planning Commission unanimously recommended deferral of RZ-21-001/ SLUP-21-002 at the January 14th meeting.

ATTACHMENTS:

1 01/21/21 Application



Special Land Use Permit Application Checklist

(Incomplete applications will not be accepted)

- ☒ Pre-application meeting (A staff signed pre-application form must be submitted with application) 11/2/20 w/ whether? Daniels
 - ☒ 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 of the property matching the site plan. "as built survey"
- ☒ Building elevations (attached residential & non-residential). "pictures of front/back side/side"
- ☒ 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):

Special Land Use Permit Criteria

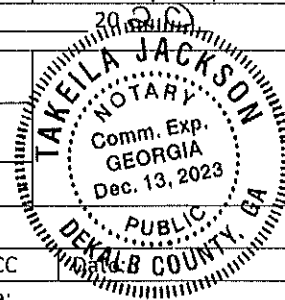
Analyze the impact of the proposed rezoning and provide a written point-by-point response to the following questions:

- 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;
- 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 use contemplated;
- 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;
- 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;
- 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;
- 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;
- 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;



Special Land Use Permit Application

Applicant Information	Name:	Shanteria Vaughn	
	Address:	5259 Winding Glen Drive	Lithonia, GA 30038
	Phone:	404-918-0451	Email: alphakidscc@aol.com
	Owner's Name:	Byron Wilson	
Owner Information	Owner's Address:	3174 Miller Rd. Lithonia, GA. 30038	
	Phone:	678-615-3436	Fax: 678-615-3503
	Property Address:	3174 Miller Road	Acreage: 5 3 acres
	Parcel ID:	1602302031	
Property Information	Current Zoning Classification:	E-100	
	Proposed Use of Property:	Childcare Center / Facility	
	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? ☐ Yes ☒ No		
	Property Information: - The property has obtained its status as a prestigious learning center / academy for 20 plus years. - Spacious - two levels 5,000 sq. ft. on 3 acres		
Affidavit	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:	Shanteria Vaughn	
	Applicant's Signature:	Shanteria Vaughn	
	Sworn to and subscribed before me this	4th	Day of Nov
Notary	Notary Public:	Takeila Jackson	
	Signature:	Takeila Jackson	
	My Commission Expires:	12-13-2023	
	☐ Application Fee ☐ Sign Fee ☐ Legal Fee		
Fee: \$		Payment: ☐ Cash ☐ Check ☐ CC	
☐ Approved ☐ Approved with Conditions ☐ Denied		Date:	



08-03-2017

3174 Miller Road

Stonecrest, GA. 30038

Special Land Use Permit Criteria

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 childcare and learning center is 5,760 Sq. Ft., and has suitable 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 childcare and learning center is compatible with the adjacent properties and land uses.

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

-The proposed childcare and learning center is located within a residential neighborhood, and 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 not there is sufficient traffic-carrying capacity for the use proposed so as not to unduly increase traffic and create congestions in the area;

-The proposed childcare and learning center is located on Miller Road; Miller Road is a 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 childcare and learning center use 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 childcare and learning center 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 childcare and learning center 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;

-The proposed childcare and learning center will operate during the hours of 6AM – 7PM, Monday through Friday, and will not create adverse impacts on any adjoining land because all services will be provided inside the center.

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 childcare and learning center will not 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 childcare and learning center is zoned Residential. A Special Land Use Permit is required for the operation for more than six children.

K. Whether or not the proposed use is consistent with the policies of the comprehensive plan;

-The proposed childcare and learning center will be consistent with policies of the "Stonecrest Comprehensive Plan 2038"; the comprehensive plan state Policy CF-6 "Ensure that community facilities or neighborhood schools that are no longer utilized for their

-The proposed building satisfies the requirements due to it being a residential building that will be converted into a childcare and learning center.

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 childcare and learning center would be consistent with the needs of the neighborhood and community as a whole, the childcare and learning center would provide a needed service to children within the community who deserve a high-quality education.



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: <i>Chantel Naylor</i>
	Address: 5259 Winding Glen Dr. Lithonia, GA. 30038
	Date: 11/04/2020

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

Date	Government Official	Official Position	Description	Amount

Shanteria Vaughn
5259 Winding Glen Drive
Stonecrest, Georgia 30038
(404) 918-0451

Mr. Christopher Wheeler
Planning and Zoning Director
City of Stonecrest
3120 Stonecrest Blvd
Stonecrest, GA 30058

Stonecrest Special Land Use Permit

Re: Letter of Intent

Dear Mr. Wheeler;

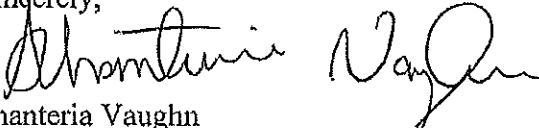
My name is Shanteria Vaughn and I am proposing to open and operate a Childcare Learning Center for more than six children. Currently the property is located at 3174 Miller Road and is zoned residential. The property is located in Dekalb County, Stonecrest, GA. Please accept this letter as my intent to acquire a Special Land Use Permit in order to operate a Childcare Learning Center.

I am an Educator who has worked in the Education Sector for over six years, and have earned my Specialist in Educational Leadership. I have worked with children on various levels and have a sincere passion to help children become the best and brightest learners they can be. As an educator, I have seen first-hand how children who have not received a quality primary education, fall behind once they matriculate to traditional school settings. I endeavor to provide children a firm foundation in their learning, so they are able to achieve continued success. My intention is to immerse the children in Science, Technology, Reading, Engineering, Arts & Mathematics (S.T.R.E.A.M). With a commitment to excellence and knowing what children are required to know once they enter Elementary School, I recognize the need for quality childcare services in the Stonecrest area.

It is my intention to provide a safe, comfortable, and enriching environment for every child enrolled in the Childcare and Learning Center. The Childcare and Learning Center will seek National Accreditation as well as Quality Rated Credentialing to ensure each child is given a successful foundation in our Center. We intend to abide by the State Rules and Regulations as specified by Georgia's Bright From The Start, Department of Early Care and Learning.

Thank you for your time and consideration,

Sincerely,


Shanteria Vaughn

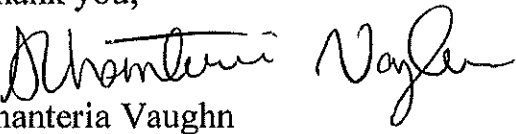
Shanteria Vaughn

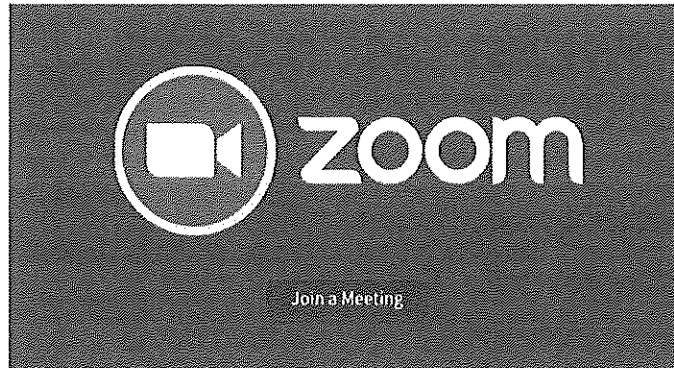
5259 Winding Glen Drive
Stonecrest, Georgia 30038
(404) 918-0451

Greetings Neighbor,

My name is Shanteria Vaughn and I am interested in opening and operating a Childcare Learning Center. I will be hosting a meeting to discuss my plans with all of you. Due to the current state of COVID-19 the meeting will be virtually via zoom. The meeting date will be Monday December 21, 2020 at 7:00 p.m. Please be in attendance as I would love to answer any questions you may have, and address any concerns.

Thank you,


Shanteria Vaughn



Shanteria Vaughn is inviting you to a scheduled Zoom meeting.

Topic: Community Meeting for 3174 Miller Road

Time: Monday Dec 21, 2020 07:00 PM Eastern Time (US and Canada)

Join Zoom Meeting

<https://tinyurl.com/y4yfg73a>

Meeting ID: 374 032 4795

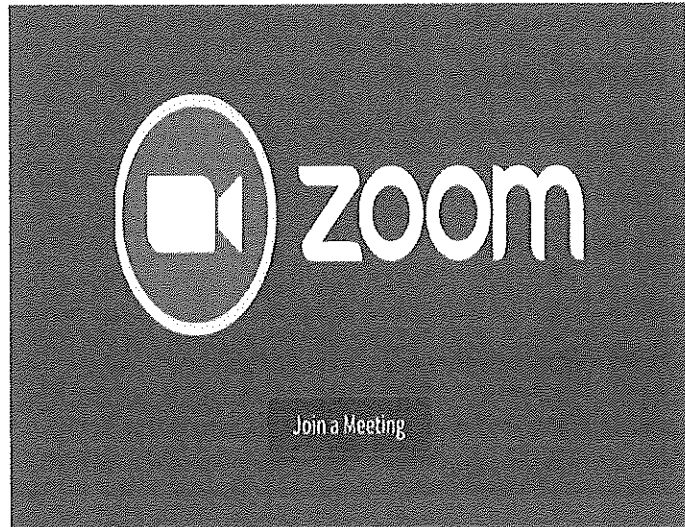
Community Meeting Sign in Sheet

Due to the current state of COVID-19 the Sign in sheet has to be completed electronically. Please use your **smart device to scan the QR Code below** OR sign in via Zoom Community meeting.

<https://tinyurl.com/y4yfg73a>



SCAN ME



Shanteria Vaughn is inviting you to a scheduled Zoom meeting.

Topic: Community Meeting for 3174 Miller Road

Time: Monday Dec 21, 2020 07:00 PM Eastern Time (US and Canada)

Join Zoom Meeting

<https://tinyurl.com/y4yfg73a>

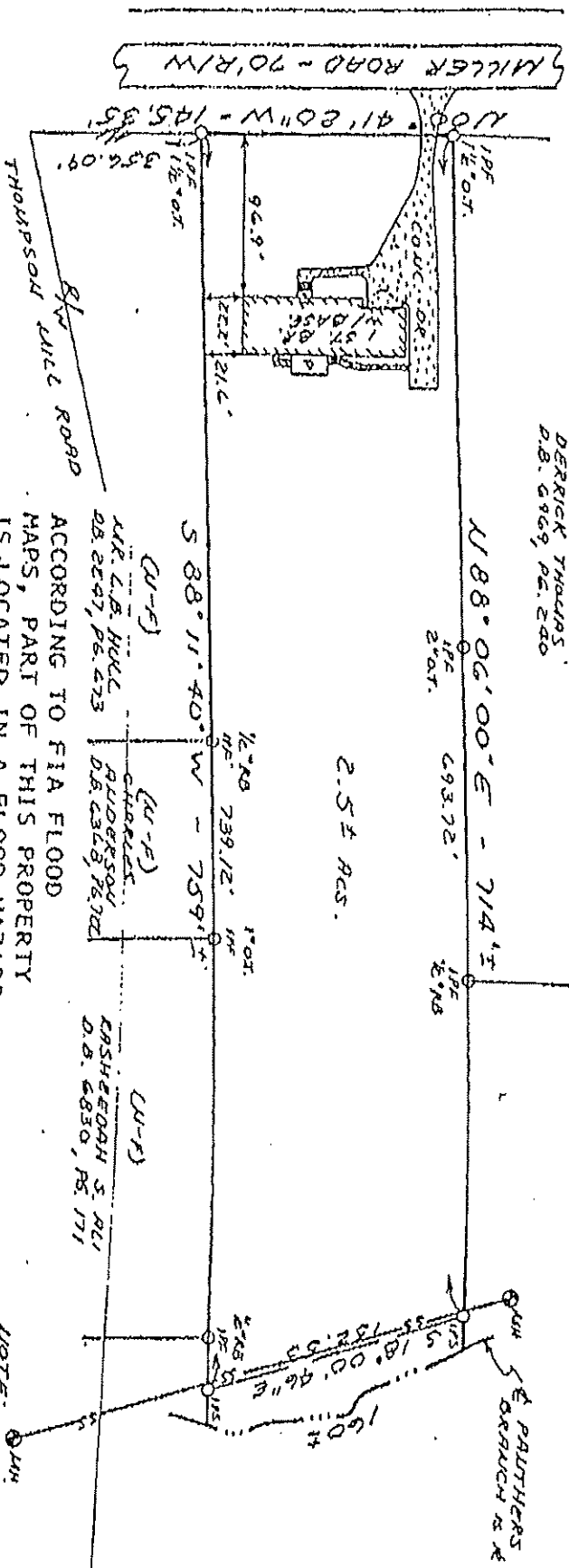
Meeting ID: 374 032 4795

number. 3174 MILLER ROAD
 3174 built survey
 3174 miller road

DERICK THOMAS
D.B. 6969, PG. 240

 $(u-v)$

(N-2)
ROCKDALE INDUSTRIES, INC.
D.B. 49, P.C. 108



ACCORDING TO FIA FLOOD MAPS, PART OF THIS PROPERTY IS LOCATED IN A FLOOD HAZARD AREA. THE DWELLING ON THIS PROPERTY IS NOT LOCATED IN THE FLOOD HAZARD AREA.

NOTE: ① MH.
SANITARY SEWER
ESTIMATE NOT
FOUND.

IN MY OPINION, THIS PLAT IS A CORRECT REPRESENTATION OF THE LAND PLATTED AND HAS BEEN PREPARED IN CONFORMITY WITH THE MINIMUM STANDARDS AND REQUIREMENTS OF THE LAW.

SURVEY FOR:

THE DISCOVERY LEARNING
CENTER, INC.

LOT#: BLOCK:
SUBDIVISION:

LAND LOT(S): 23 Nth. DISTRICT

DEKALB COUNTY, GEORGIA
SCALE: 1" = 100' DATE: 6-29-92

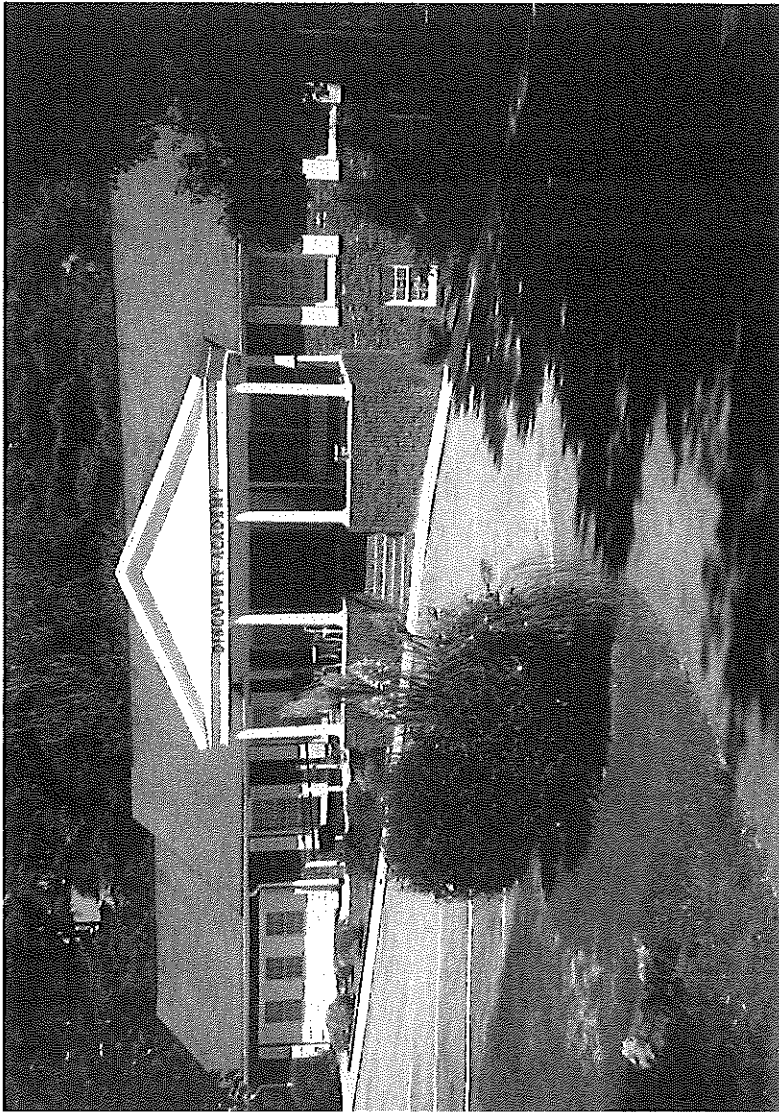
A TOPCON GTS 3-D TOTAL STATION WAS USED TO OBTAIN THE LINEAR AND ANGULAR MEASUREMENTS USED IN THE PREPARATION OF THIS PLAN.

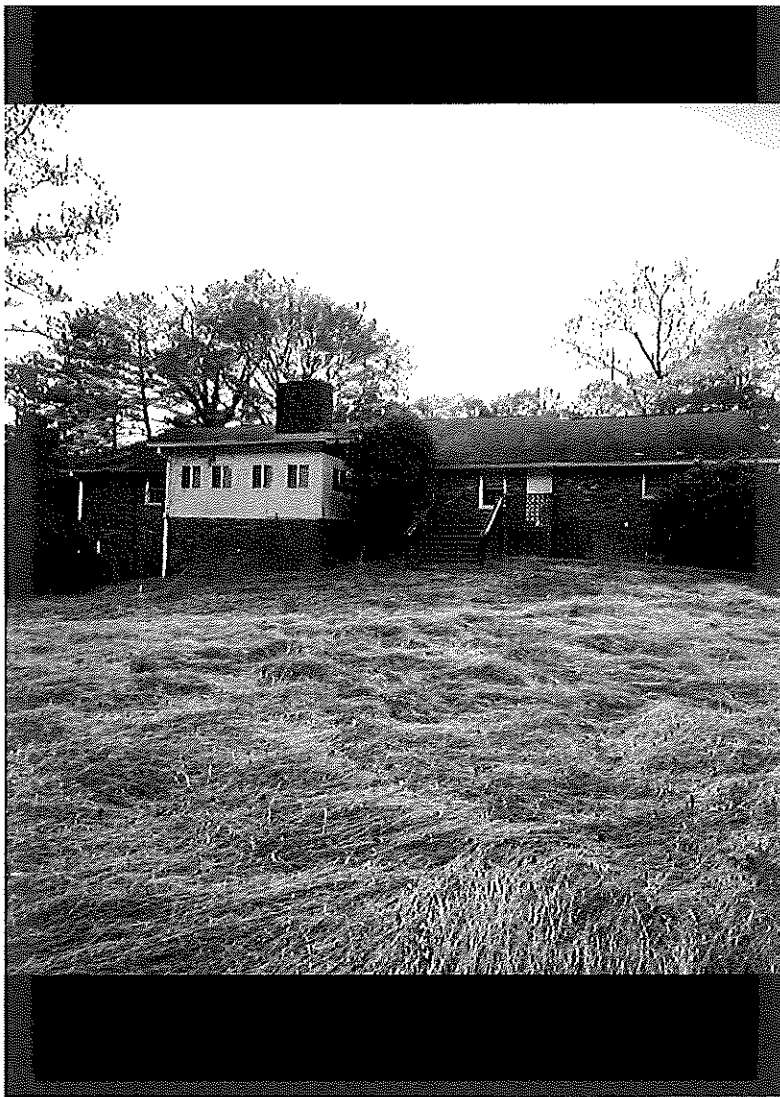
THE FIELD DATA UPON WHICH THIS PLAN IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 45,000 FEET AND AN ANGULAR ERROR OF 0.5 SEC./ANGLE POINT AND WAS ADJUSTED USING THE LEAST SQUARES METHOD.

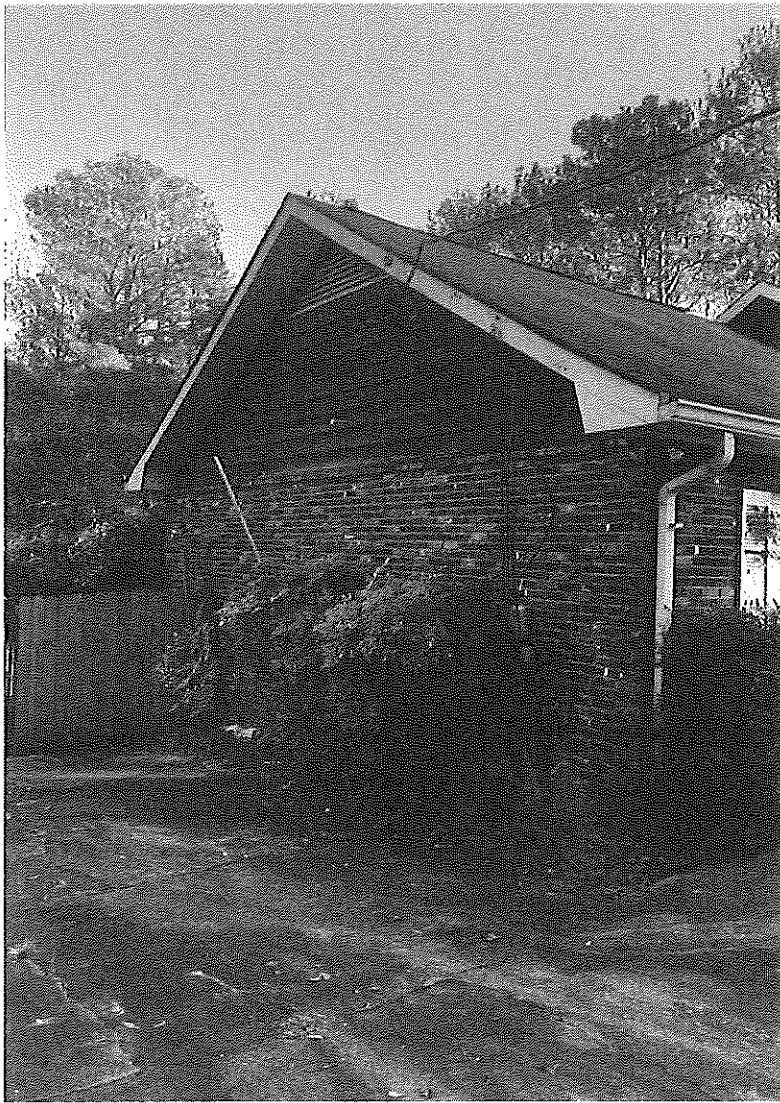
THIS MAP OR PLAN HAS BEEN CALCULATED FOR CLOSURE AND IS MATHEMATICALLY CORRECT.



FILED
NEWYORKS &
SANDERS, INC.
STATE OF GEORGIA
REGISTERED LAND SURVEYOR
R.L.B. #2545











**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.

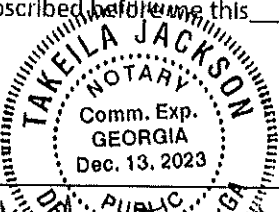
Property Owner (If Applicable)	Signature: <u>[Signature]</u>	Date: <u>1/4/20</u>	
	Address: <u>5174 MILLER RD</u>	City, State: <u>UTAH, GA</u>	Zip: <u>30036</u>
	Phone: <u>678-615-3536</u>		
	Sworn to and subscribed before me this _____ day of <u>November</u> , 20 <u>20</u>		
	Notary Public: <u>[Signature]</u>		
Property Owner (If Applicable)	Signature: _____	Date: _____	
	Address: _____	City, State: _____	Zip: _____
	Phone: _____		
	Sworn to and subscribed before me this _____ day of _____, 20____		
	Notary Public: _____		
Property Owner (If Applicable)	Signature: _____	Date: _____	
	Address: _____	City, State: _____	Zip: _____
	Phone: _____		
	Sworn to and subscribed before me this _____ day of _____, 20____		
	Notary Public: _____		

Notary Seal: A Weeks, Notary Public, DeKalb County, Georgia, My Commission Expires November 4, 2022



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: <u>Shantel Naga</u>	Date: <u>11/4/20</u>
	Address: <u>5259 Winding Glen Dr.</u> City, State: <u>Lithonia, GA</u>	Zip: <u>30038</u>
	Phone: <u>404-918-0451</u>	
	Sworn to and subscribed before me this <u>4th</u> day of <u>Nov</u> , 20 <u>20</u>	
Attorney / Agent	Notary Public: 	
	Signature: <u>Takeila Jackson</u>	Date: <u>11-4-20</u>
	Address: <u>600 South Central</u> City, State: <u>Hapeville GA</u>	Zip: <u>30354</u>
	Phone: <u>470-747-6550</u>	
Sworn to and subscribed before me this <u>4th</u> day of <u>Nov</u> , 20 <u>20</u>		
Notary Public: 		



CITY COUNCIL AGENDA ITEM

**SUBJECT: Ordinance for text amendment
TMOD 20-002**

☒ **ORDINANCE** ☐ **POLICY** ☐ **STATUS REPORT**
☐ **DISCUSSION ONLY** ☐ **RESOLUTION** ☒ **OTHER**

Date Submitted: 01/21/2021 Work Section: Council Meeting: 01/25/2021

SUBMITTED BY: Christopher Wheeler, Planning and Zoning Director 

PURPOSE: Adoption of modification to Sign Ordinance to add a definition for a freestanding sign; To add a new subparagraph

HISTORY: This item was heard at the November 23rd, 2020 City Council Meeting for the first read.

OPTIONS: Approve or Deny

RECOMMENDED ACTION:

Planning Commission recommended approval of TMOD-20-002 at the November 10th meeting.

ATTACHMENTS:

1 1/21/21 Proposed Text

AN ORDINANCE OF THE CITY OF STONECREST, GEORGIA, TO AMEND CHAPTER 21, ARTICLE I, SECTION 21-2 (DEFINITIONS) TO ADD A DEFINITION FOR FREESTANDING SIGN; TO ADD A NEW SUBPARAGRAPH (4) TO CHAPTER 21, ARTICLE III, SECTION 21-65 (RESTRICTIONS IN RESIDENTIAL ZONING DISTRICTS) TO PROHIBIT FREESTANDING SIGNS IN RESIDENTIAL ZONING DISTRICTS; TO AMEND CHAPTER 21, ARTICLE III, TO ADD SECTION 21-85 (FREESTANDING SIGN) TO ESTABLISH REGULATIONS FOR FREESTANDING SIGNS; AND FOR OTHER PURPOSES.

WHEREAS, the City of Stonecrest is authorized to exercise the power of zoning Ga. Const. Art. IX, Section II, ¶ IV, Ga. Const. Art. IX, Section II, ¶¶ I and III, Official Code of Georgia Annotated (O.C.G.A.) § 36-66-1 et seq., the City's Charter, the City's general police powers, and by other powers and authority provided by federal, state and local laws applicable hereto; and

WHEREAS, the City of Stonecrest continues to exercise its zoning powers to provide comprehensive city planning and ensure a safe, healthy, and aesthetically pleasing community; and

WHEREAS, as the City of Stonecrest experiences growth and gains knowledge through the exercise of these powers, it is necessary to and, amend, and/or remove certain requirements in the Zoning Ordinance; and

WHEREAS, the City of Stonecrest would like to allow freestanding signs in commercial and industrial districts for the benefit of commercial and industrial businesses; and

WHEREAS, the City of Stonecrest recognizes necessity of implementing regulations which protect the health, safety and welfare of its citizens; and

WHEREAS, the Zoning Procedures Law, O.C.G.A. § 36-66-1, et seq., provides statutory requirements which must be met by a local government to enact zoning ordinances and make zoning decisions, including, requiring publication of notice and public hearing prior to the enactment of zoning ordinances.

THEREFORE, the Mayor and City Council of the City of Stonecrest, Georgia, hereby ordain as follows:

Section 1: In order to define freestanding sign, The Code of the City of Stonecrest, Georgia, Chapter 21, Article I, Section 21-2 is hereby amended as following definition:

Freestanding sign means a sign not attached to a building or any structure other than its own support, supported by one or more columns, uprights or braces in or upon the ground, and that does not extend over any portion of a building.

Section 2: In order to prohibit freestanding signs in residential districts, Chapter 21, Article III, Section 21-65 of The Code of the City of Stonecrest, Georgia, is hereby amended to read as follows (any deletions are struck through and additions are bolded):

Sec. 21-65. – Restrictions in residential zoning districts.

The following regulations shall pertain to lots located in RE, RLG, R-100, R-85, R-75, R-60, RSM, MR-1, MR-2, HR-1, HR-2, HR-3, MHP, and RNC zoning districts:

- (1) There shall be a maximum of two monument signs per entrance into any residential subdivision or real estate development in a residential district;
- (2) Ground signs are prohibited, with the exception of monument signs;
- (3) No sign in any residentially zoned district may be illuminated, except for monument signs, subject to the provisions of section 21-76. No monument sign may be internally illuminated;
- (4) Monument signs shall not exceed 32 square feet of sign area and shall not exceed six feet in height;
- (5) Reserved; ~~and~~
- (6) No electronic signs are allowed in any residential zoning district if that district is designated by city as an historic district. No electronic signs shall be allowed in any other residential zoning district except one electronic sign per property for a place of worship, private elementary, middle, or high school provided such sign meets all other requirements of this chapter.; ~~and~~

- (7) **Freestanding signs are prohibited**

Section 3: In order to clarify and establish regulations for freestanding signs, Chapter 21, Article III, of The Code of the City of Stonecrest, Georgia, is hereby amended to add Section 21-85. – Freestanding signs. to read as follows:

Sec. 21-85. – Freestanding signs.

- (a) Freestanding signs may be located ten (10) or more feet from the nearest wall of the principle structure. If a building existing before January 2021 is located in such a way that there is no place on the lot more than ten (10) feet from the building and if a freestanding sign would otherwise have been permitted on such lot, then the director shall permit a freestanding sign to be located nearer than ten (10) feet from the building provided that such sign is kept as far as practicable from the building, does not result in an unsafe condition, and otherwise complies with the requirements of this chapter.
- (b) There shall be a maximum of one (1) sign per separate street frontage of each business establishment.

- (c) Freestanding signs shall not exceed twenty-five (25) feet in height or eighty (80) square feet in sign area

Section 5:

1. It is hereby declared to be the intention of the Mayor and City Council that all sections, paragraphs, sentences, clauses and phrases of this Ordinance are and were, upon their enactment, believed by the Mayor and City Council to be fully valid, enforceable and constitutional.
2. It is hereby declared to be the intention of the Mayor and City Council that, to the greatest extent allowed by law, each and every section, paragraph, sentence, clause or phrase of this Ordinance is severable from every other section, paragraph, sentence, clause or phrase of this Ordinance. It is hereby further declared to be the intention of the Mayor and City Council that, to the greatest extent allowed by law, no section, paragraph, sentence, clause or phrase of this Ordinance is mutually dependent upon any other section, paragraph, sentence, clause or phrase of this Ordinance.
3. In the event that any phrase, clause, sentence, paragraph or section of this Ordinance shall, for any reason whatsoever, be declared invalid, unconstitutional or otherwise unenforceable by the valid judgment or decree of any court of competent jurisdiction, it is the express intent of the Mayor and City Council that such invalidity, unconstitutionality, or unenforceability shall, to the greatest extent allowed by law, not render invalid, unconstitutional or otherwise unenforceable any of the remaining phrases, clauses, sentences, paragraphs or sections of the Ordinance and that, to the greatest extent allowed by law, all remaining phrases, clauses, sentences, paragraphs and sections of the Ordinance shall remain valid, constitutional, enforceable, and of full force and effect.
4. All ordinances or resolutions and parts of ordinances or resolutions in conflict herewith are hereby expressly repealed to the extent of the conflict.
5. The within ordinance shall become effective upon its adoption.
6. [The provisions of this Ordinance shall become and be made part of The Code of the City of Stonecrest, Georgia, and the sections of this Ordinance may be renumbered to accomplish such intention.]

SO ORDAINED AND EFFECTIVE this the ____ day of _____, 2020.

Approved:

Jason Lary, Sr., Mayor

STATE OF GEORGIA
COUNTY OF DEKALB
CITY OF STONECREST

ORDINANCE 2020-_____

As to form:

City Attorney

Attest:

Megan Reid, City Clerk

