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March 18, 2025, 7:00 PM  
3921 Church Street

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## AGENDA

### A. CALL TO ORDER

### B. Roll Call

### C. Approval of the Agenda

### D. Meeting Minutes

1. December 17, 2024 Meeting Minutes
2. February 18, 2025 Meeting Minutes

#### ***PUBLIC HEARING:***

*Any member of the public may address the Planning and Zoning Board, during the time allotted for public hearing. Each attendee will be allowed 3 minutes. If your public comment contains a series of questions, please provide those questions to staff in writing on the Public Comment Card (Staff) prior to the meeting. This will facilitate follow-up by the Board or Staff. The Planning and Zoning Board desires to allow an opportunity for public comment; however, the business of the Board must proceed in an orderly and timely manner.*

### E. Old Business

1. Update on adding parks and green space to the Zoning Map.

### F. New Business

1. CUP2025-001 - proposed conditional use permit to allow a drive-thru eating establishment at 4540 East Ponce de Leon Avenue (parcel ID: 18 142 01 089).
2. VAR2025-002 - proposed variance request from Section 540(a) of the zoning ordinance to not require a 5-foot sidewalk along a local street at 3679 West Smith Street (18 119 05 017).
3. Discussion on proposed Architectural Design Requirements and Guidelines.

### G. Adjournment

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# Planning and Zoning Committee Meeting

## Meeting Minutes

December 17, 2024, at 7:00 P.M.  
Regular Committee Meeting  
1055 Rowland Street, Clarkston, GA 30021

**NOTE:** Jacob Bouie of the Planning and Economic Development Department transcribed this summary of the meeting. The summary is an overview of the meeting and not intended to be a verbatim transcription of the meeting.

The meeting was called to order at 7:02p.m. by Chairperson Chuck McFarland.

The following board members were present: Chairperson Chuck McFarland, Felicia Weinert, Lisa Williams, Amy Medford, and Birendra Dhakal.

Director Felicia W. motioned to approve the October 31, 2024 meeting minutes. The motion was seconded by Lisa W. Vote passed 5:0.

Director Felicia W. motioned to approve the November 19, 2024 Meeting minutes. The motion was seconded by Lisa W. Vote passed 5:0.

Sarah McQuade, with CPL, gave an update on adding parks and green space to the Zoning Map.

Sarah M. conducted a Planning and Zoning training session for the board members as scheduled. No motions were made during this time; the session focused on providing information, answering questions, and facilitating learning.

Director Amy Medford motioned to approve the 2025 Meeting Calendar. The motion was seconded by Biredra D. Vote passed 5:0

Director Amy Medford motioned to adjourn the meeting at 8:28p.m. The motion was seconded by Felecia W. Vote passed 5:0



# Planning and Zoning Committee Meeting

## Meeting Minutes

February 18, 2025, at 7:00 P.M.  
Regular Committee Meeting  
3921 Church St, Clarkston, GA 30021

**NOTE:** Jacob Bouie of the Planning and Economic Development Department transcribed this summary of the meeting. The summary is an overview of the meeting and not intended to be a verbatim transcription of the meeting.

The meeting was called to order at 7:00p.m by Chairperson Chuck McFarland.

The following board members were present: Chairperson Chuck McFarland, Lisa Williams, Amy Medford, and Birendra Dhakal.

Director Amy M. motioned to approve the February 18, 2025, agenda. The motion was seconded by Director Lisa W. and carried unanimously.

Director Amy M. motioned to approve the December 17, 2024, meeting minutes. The motion was second by Director Lisa W and carried unanimously.

### **Old Business**

The board discussed the proposed updates to the zoning map to include additional parks and green spaces. Following deliberation, Director Amy M. motioned to table the discussion. The motion was seconded by Director Birendra D. and was approved unanimously.

The board reviewed the proposed bylaw updates and associated text amendments. After a thorough discussion, Director Lisa W. motioned to approve the changes as presented and to begin the process of updating the zoning map. The motion was seconded by Director Amy M. and carried unanimously.

### **New Business**

The board considered a text amendment to Sec. 403 – Use Table, allowing conditional use application submittals for “Eating and drinking establishments, including drive-thru/drive-in establishments” within the NC-2 zoning district. Following discussion, Director Amy M. motioned to approve the amendment. The motion was seconded by Director Lisa W. and carried unanimously.

The board reviewed a variance request from Sec. 607 – Off-street parking requirements and Sec. 412(b)(3) – Accessory structures and uses, seeking approval to accommodate a dumpster enclosure in the front yard at 3643 Market Street (Parcel ID: 18 096 05 004). After discussion, Director Amy M. motioned to approve the variance request, with conditions. The motion was seconded by Director Lisa W. and carried unanimously.

The board discussed the Architectural Design Requirements and Guidelines. After careful consideration, Director Amy M. made a motion to defer the discussion to a future meeting. The motion was seconded by Director Birendra D. and was carried unanimously.

Director Birendra D. motioned to adjourn the meeting at 8:05p.m. Motion was seconded by Director Amy M and carried unanimously.

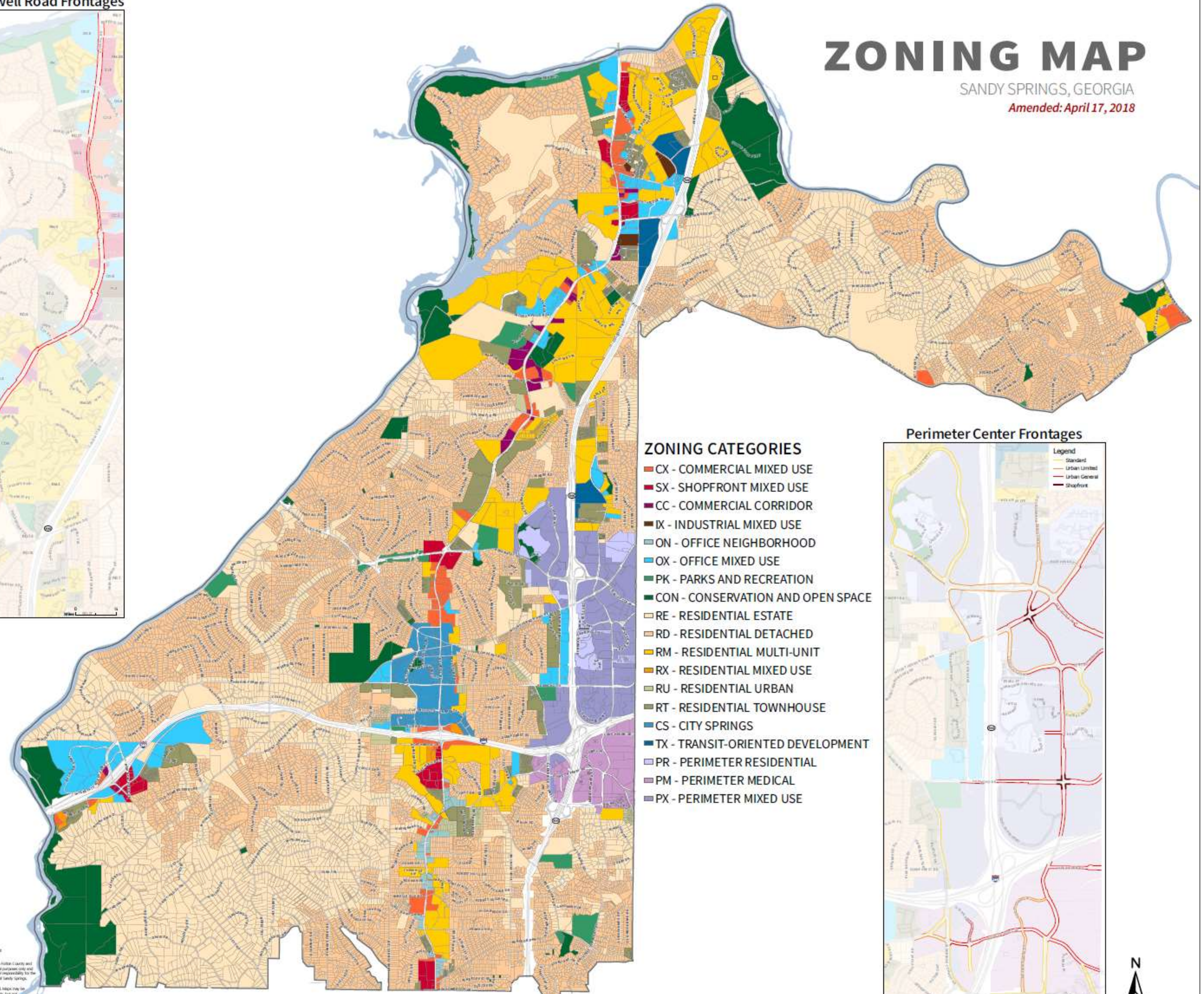
# Zoning Map

## ZONING MAP

SANDY SPRINGS, GEORGIA

Amended: April 17, 2018

### Northern Roswell Road Frontages



### ZONING CATEGORIES

- CX - COMMERCIAL MIXED USE
- SX - SHOPFRONT MIXED USE
- CC - COMMERCIAL CORRIDOR
- IX - INDUSTRIAL MIXED USE
- ON - OFFICE NEIGHBORHOOD
- OX - OFFICE MIXED USE
- PK - PARKS AND RECREATION
- CON - CONSERVATION AND OPEN SPACE
- RE - RESIDENTIAL ESTATE
- RD - RESIDENTIAL DETACHED
- RM - RESIDENTIAL MULTI-UNIT
- RX - RESIDENTIAL MIXED USE
- RU - RESIDENTIAL URBAN
- RT - RESIDENTIAL TOWNHOUSE
- CS - CITY SPRINGS
- TX - TRANSIT-ORIENTED DEVELOPMENT
- PR - PERIMETER RESIDENTIAL
- PM - PERIMETER MEDICAL
- PX - PERIMETER MIXED USE

### Perimeter Center Frontages



Prepared by:  
City of Sandy Springs  
Department of Community Development  
April 23, 2018

This map has been compiled from the most accurate source data from Fulton County and the City of Sandy Springs. However, the map is only for informational purposes and is not to be interpreted as a legal document. The City assumes no legal responsibility for the information shown on this map. For further details contact the City of Sandy Springs.

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0 10 20 30 40 50 Feet

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## Sec. 7.4.2. Recreation and Open Space

- A. **Defined** Uses focusing on natural areas consisting mostly of vegetation, passive or active outdoor recreation areas, and having few structures.
- B. **Cemetery/Mausoleum**
1. **Defined** Any land or structure in the City dedicated to and used for interment of human or pet remains. It may be a burial park for earth interments, a mausoleum for vault or crypt interments, a columbarium for storing urns containing human or pet remains, or a combination of 1 or more of the above.
  2. **Basic Use Standards**
    - a. Permitted curb cut access must only be from a major thoroughfare or nonresidential local street, unless in conjunction with a place of worship.
    - b. No building may be located within 100 feet of a Protected Neighborhood District used for residential purposes.
    - c. Above ground monuments may not be located within 50 feet of any property line.
    - d. All other structures, including earth interments, must meet the minimum setbacks or 10 feet, whichever is greater.
    - e. No parking areas may be located within 50 feet of any Protected Neighborhood District used for residential purposes.
    - f. Buildings must not exceed 35 feet in height.
    - g. Any security lighting must have a controlled footprint and be screened from adjacent residential areas.
    - h. The maximum lot coverage is determined through the Conditional Use Permit process.
    - i. An undisturbed natural vegetative buffer of 25 feet must be located and maintained along all side and rear lot lines.
    - j. Copies of applicable local, state, and federal permits must be provided to the Department prior to the issuance of a Certificate of Occupancy.
- C. **Reserved**
- D. **Conservation Area**
1. **Defined** A tract of land that is protected in order to ensure that natural features, cultural heritage or biota are preserved. May include recreation trails, greenways and nature preserves.
- E. **Golf Course**
1. **Defined** A use of land for playing the game of golf. The term does not include miniature golf, but may include a clubhouse and a driving range as an accessory use.
  2. **Basic Use Standards**
    - a. Permitted curb cut access must be from a major thoroughfare or nonresidential local street, unless shown on the approved preliminary plat of a single unit detached subdivision.
    - b. When located outside of a single unit detached subdivision, where a golf course is located adjacent a Protected Neighborhood District used for residential purposes, Protected Neighborhood Transition standards apply (see Sec. 8.3.6).

- 
- c. When located adjacent to any street right-of-way or Protected Neighborhood District, hours of operation are limited to the hours of 8:00 a.m. and 11:00 p.m.
  - d. The need for any accessory netting associated with a driving range, tee, green, fairway or other course feature that is proposed to exceed the maximum zoning district height must be reviewed by the Director. A report prepared by a qualified engineer or expert documenting that the netting is required based upon a safety hazard caused by the driving range, tee, green, fairway or other course feature must be submitted with the application in support of the proposed height.

F. **Reserved**

G. **Residential Subdivision Amenity**

1. **Defined** Improved areas designed and intended for the playing of a game such as basketball, volleyball or tennis, and indoor or outdoor facilities such as community meeting rooms, picnic areas, swimming pools or playgrounds. These facilities serve dwelling units and are owned and/or controlled by a neighborhood club, homeowner's association, or similar organization. The term "subdivision amenity" includes fences surrounding the recreational amenity and all surface area inside the fences and overhead lighting fixtures (See Sec. 8.5.4) accessory to the same.
2. **Basic Use Standards**
  - a. Use of the subdivision amenity is limited to residents and guests of the neighborhood in which they are located.
  - b. Where subdivision amenity is located adjacent to a Protected Neighborhood District that is not part of the same subdivision or neighborhood, Protected Neighborhood Transition standards apply (see Sec. 8.3.6).
  - c. The need for any accessory netting associated with a driving range, tee, green, fairway or other course feature that is proposed to exceed the maximum zoning district height must be reviewed by the Director. A report prepared by a qualified engineer or expert documenting that the netting is required based upon a safety hazard caused by the driving range, tee, green, fairway or other course feature must be submitted with the application in support of the proposed height.
  - d. All swimming pools must be completely surrounded by an enclosure that meets the requirements of the International Swimming Pool and Spa Code as well as the requirements in Sec. 8.3.10. The enclosure must be in place prior to pool completion. Materials and construction must comply with the regulations administered by the Fulton County Health Department.

H. **Reserved**

I. **Recreational Facility**

1. **Defined** Equipment and areas prepared for use for indoor and outdoor recreational and leisure purposes including, but not limited to playground equipment, including swing sets and climbing structures; recreational courts; swimming pools; recreational fields; community picnic pavilions, including covered facilities with grills or fire rings, and community buildings for recreational events. Trails and bicycle paths through open spaces are not typically considered recreational facilities. Recreational facility does not include public park facilities or subdivision amenities.
2. **Basic Use Standards**
  - a. All swimming pools must be completely surrounded by an enclosure that meets the requirements of the International Swimming Pool and Spa Code as well as the requirements in Sec. 8.3.10. The enclosure must be in place prior to pool completion. Materials and construction must comply with the regulations administered by the Fulton County Health Department.

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- b. The need for any accessory netting associated with a driving range, tee, green, fairway or other course feature that is proposed to exceed the maximum zoning district height must be reviewed by the Director. A report prepared by a qualified engineer or expert documenting that the netting is required based upon a safety hazard caused by the driving range, tee, green, fairway or other course feature must be submitted with the application in support of the proposed height.

(Ord. No. 2023-12-23, § I(Att. A), 12-5-2023)

Adopted on \_\_\_\_\_, 2024

Attested by

\_\_\_\_\_  
City Clerk

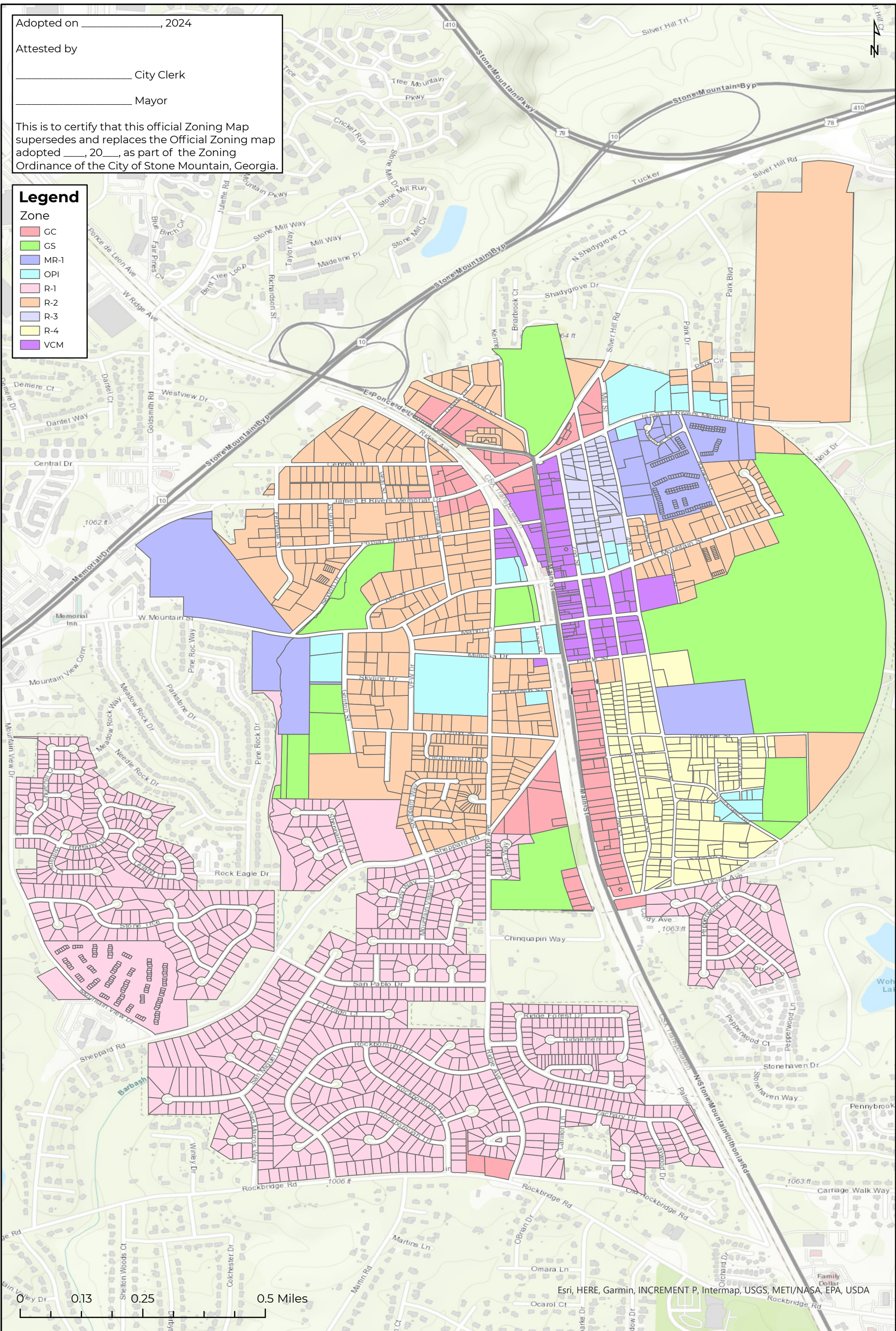
\_\_\_\_\_  
Mayor

This is to certify that this official Zoning Map  
supersedes and replaces the Official Zoning map  
adopted \_\_\_\_, 20\_\_, as part of the Zoning  
Ordinance of the City of Stone Mountain, Georgia.

### Legend

#### Zone

- GC
- GS
- MR-1
- OPI
- R-1
- R-2
- R-3
- R-4
- VCM



Esri, HERE, Garmin, INCREMENT P, Intermap, USGS, METI/NASA, EPA, USDA

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## **Section 5-11. Green space (GS) district.**

*5-11.1 Intent and where permitted.* This district (hereafter referred to as (GS) is intended to control development on certain land and water areas

- To provide for the preservation of undeveloped land.
- To promote environmentally sensitive and efficient uses of the land.
- To preserve in perpetuity unique or sensitive natural resources such as groundwater, floodplains, wetlands, streams, steep slopes, woodlands and wildlife habitat.
- To promote interconnected greenways and corridors throughout the community.
- To promote contiguous greenspace with adjacent jurisdictions.
- To promote construction of convenient landscaped walking trails and bike paths to reduce reliance on automobiles.
- To conserve scenic views.
- To preserve important historic and archaeological sites.
- To provide recreational opportunities both active and passive.
- To discourage encroachment by residential, commercial, industrial or other uses capable of adversely affecting the relatively undeveloped character of the district.

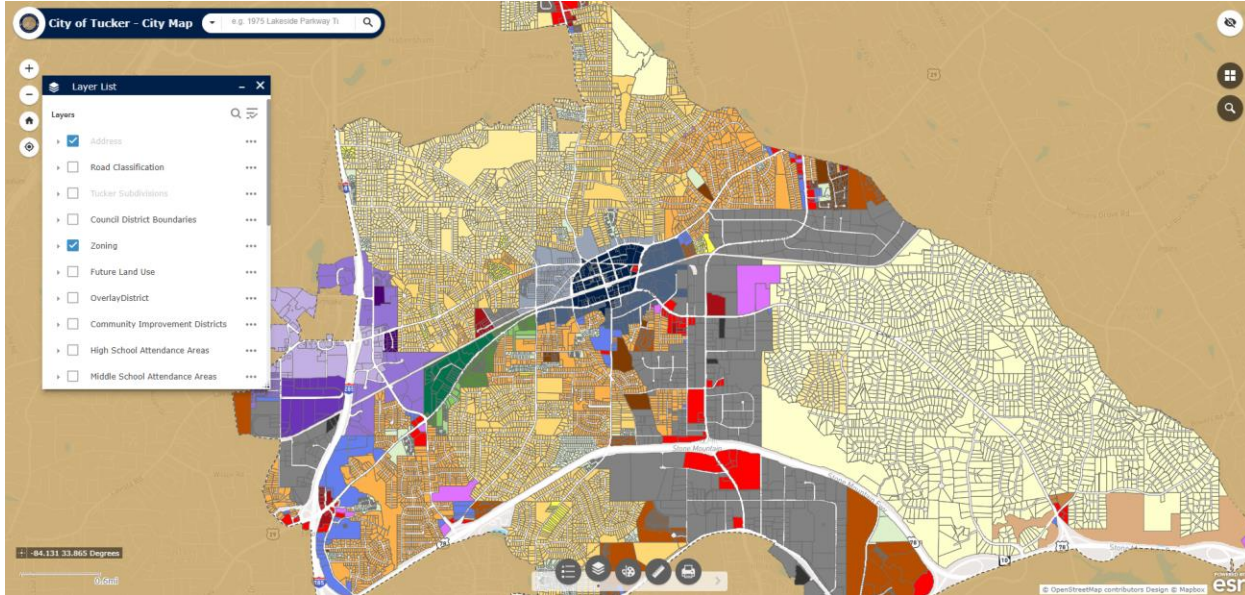
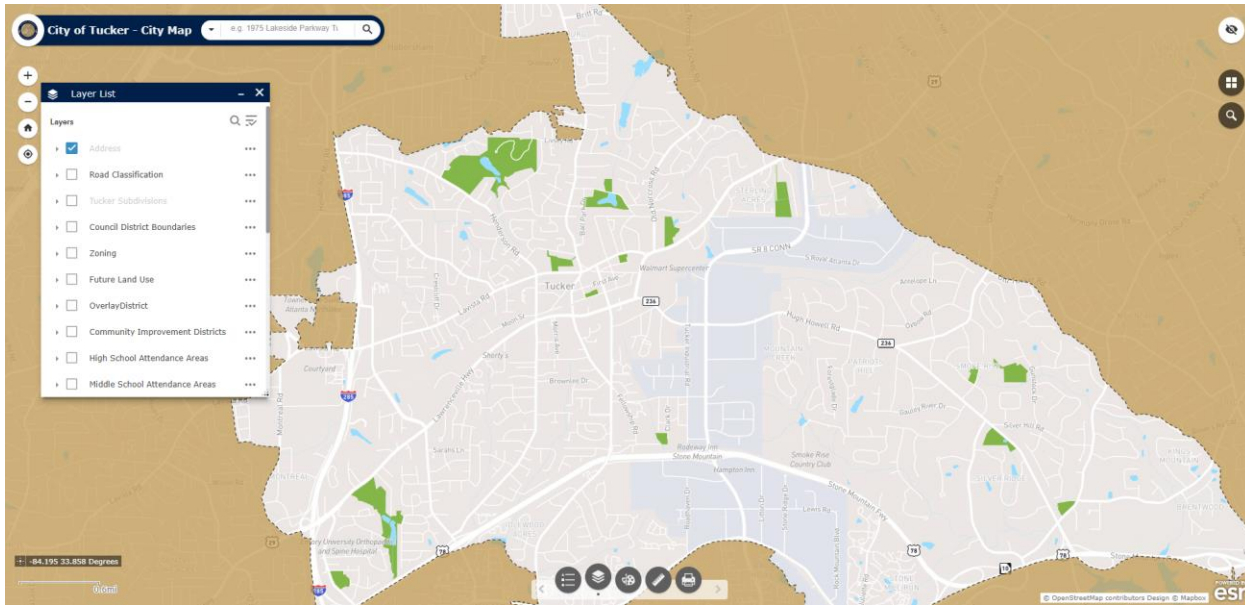
*5-11.2 Permitted uses by right.*

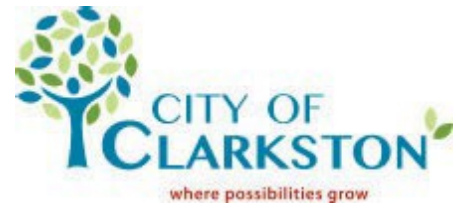
1. Publicly owned building, facility or land as part of a master recreational site plan.
2. Building, facility or land for the distribution of utility services.
3. Building, facility or land for recreation purposes.
4. Unlighted, regulation size or par three golf course.
5. Agriculture, forestry and horticulture.
6. Wildlife refuge

*5-11.3 District development regulations.*

- A. The following contain the development regulations for the GS district. Any exceptions to the following must be approved by the mayor and council upon recommendation from the planning commission.
  1. Maximum building height: 30 feet or two stories.
  2. Maximum lot coverage: 15 percent, including off-street parking.

(Ord. No. 2020-06, Pt. I, 7-7-20)





## STAFF ANALYSIS AND REPORT

**APPLICANT:** Matt Coggin

**LOCATION:** 4540 East Ponce de Leon Avenue  
(Parcel ID: 18 142 01 089)

**ZONING:** NC-2: Moderate Density Neighborhood Commercial District

**REQUEST:** Conditional Use Permit to allow a drive-thru facility at an eating and drinking establishment.

**ZONING/ADJACENT LAND USE:**

North	NC-2: DeKalb County Fire Station
South	CSX Railroad
West	NC-1: Brockett Triangle Retail Space
East	NC-2: Regional Car Wash

**MEETING INFORMATION:**

Planning & Zoning Commission:	03/18/2025 – 7:00 P.M
Mayor & City Council Work Session:	03/25/2025 – 7:00 P.M.
Mayor & City Council Public Hearing:	04/01/2024 – 7:00 P.M.

**RECOMMENDATION:**  
Staff recommends approval.

## **BACKGROUND:**

This property was formerly the KFC/Taco Bell restaurant that closed in 2020 that had a drive-thru facility associated with the use. The current tenant, DBA Tacos and BBQ, opened in 2024 and is unable to utilize the drive-thru facility due to the nonconforming status of the drive-thru facility with the restaurant use. Section 225 of the zoning code states that any use that is discontinued for a continuous period of six (6) months cannot be re-established unless it is compliant with the current zoning code.

The zoning code that was adopted in 2023 did not allow for drive-thru/drive-in facilities anywhere within the City of Clarkston. However, on March 4, 2025, the City Council approved a text amendment that allowed for the submittal of conditional use permits for drive-thru/drive-in facilities in the NC-2 zoning district.

**Analysis:** Pursuant to Article II of the City of Clarkston Zoning Ordinance, Staff has reviewed the conditional use permit request in accordance with the required review criteria.

**1. Would the conditional use be injurious to the use and enjoyment of the environment or of other property in the immediate vicinity or diminish and impair property values within the surrounding neighborhood?**

This use would diminish nor impair property values with the surrounding neighborhood. The structure has an existing drive-thru facility so there will be no construction work associated with the proposed conditional use.

**2. Would the proposed conditional use increase local or state expenditures in relation to cost of servicing or maintaining neighboring properties?**

This use would not increase local or state expenditures in relation to the cost of servicing or maintaining neighboring properties.

**3. Would the establishment of the conditional use impede the normal and orderly development of surrounding property for uses predominant in the area?**

Staff does not anticipate this use impeding the normal and orderly development of surrounding properties. The drive-thru lane, speaker box/menu to the window, can hold approximately five (5) vehicles and the drive aisle on the eastern side of the building can hold approximately (7) vehicles.

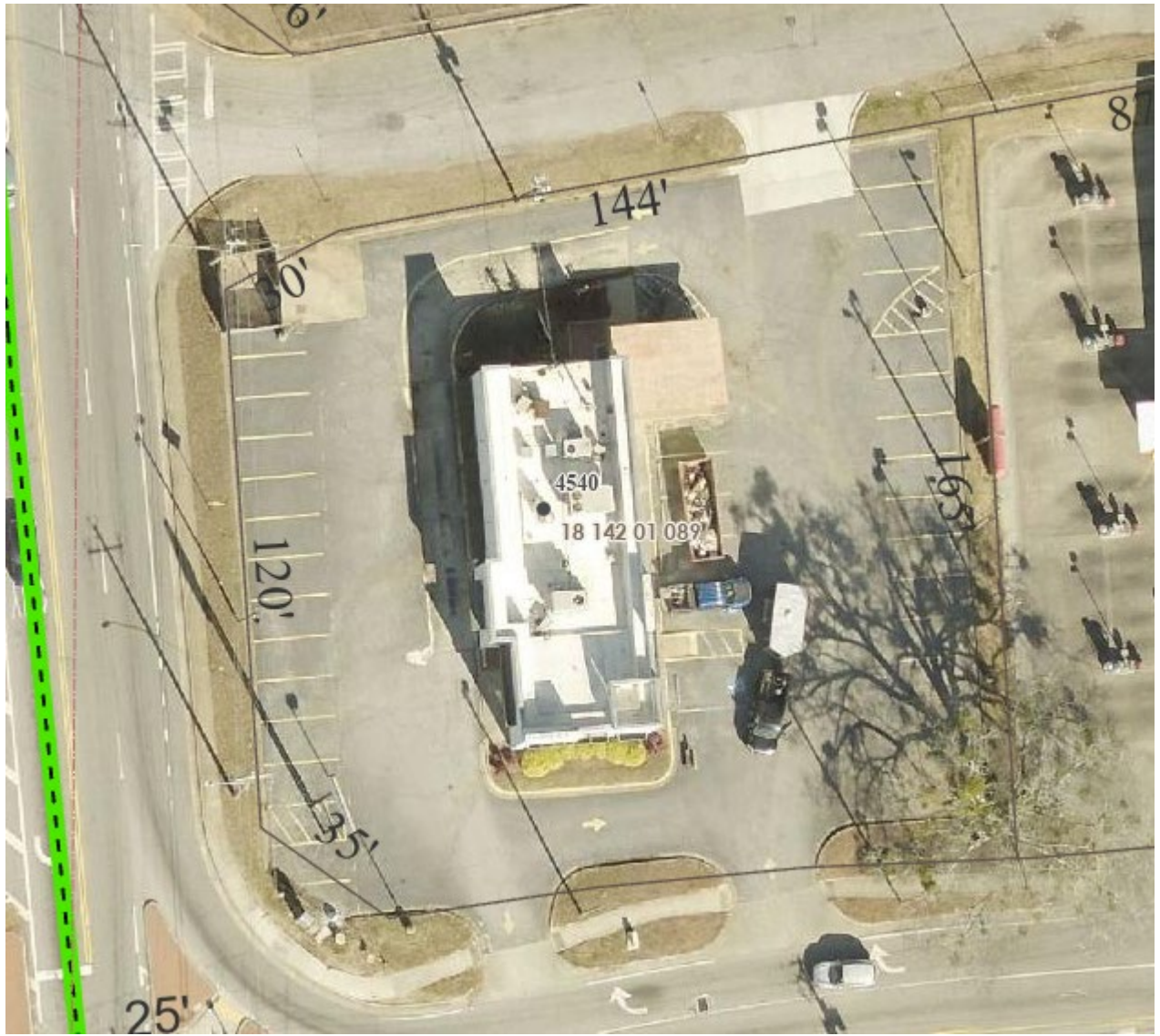
**4. Would the location and character of the proposed conditional use be consistent with a desirable pattern of development for the locality in general?**

The property is located at the intersection of two minor arterials roads that are among the busiest in the city for vehicular traffic. This location is consistent with the pattern of development for this locality.

## **Recommendation:**

Pursuant to Article II of the City of Clarkston Zoning Ordinance, Staff has reviewed the request in accordance with the required review criteria and recommends **APPROVAL** of the conditional use permit for a drive-thru facility at 4540 East Ponce de Leon Avenue.

Aerial of the site

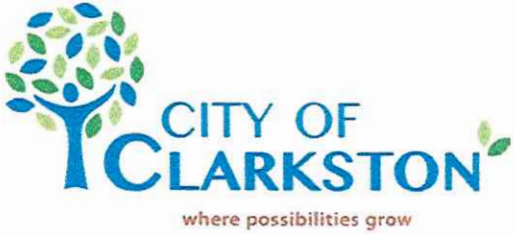


RECEIVED

#1966

NOV 21 2024

CITY OF CLARKSTON



**CITY OF CLARKSTON  
CONDITIONAL USE PERMIT APPLICATION**

Date Received: \_\_\_\_\_

APPLICANT INFORMATION

APPLICANT NAME: Matt Coggin  
 ADDRESS: 1392 Deerwood Dr., Decatur, GA 30030  
 PHONE: 678-429-4169 CELL: 678-429-4169 FAX: \_\_\_\_\_  
 EMAIL ADDRESS: matt@dbabbbq.com

OWNER INFORMATION (If different from Applicant)

OWNER NAME: Usman Gandhi  
 ADDRESS: 3905 Kavista Rd  
 PHONE: 678-691-1818 CELL: 404-630-4761 FAX: \_\_\_\_\_  
 EMAIL ADDRESS: usmangandhi@gmail.com

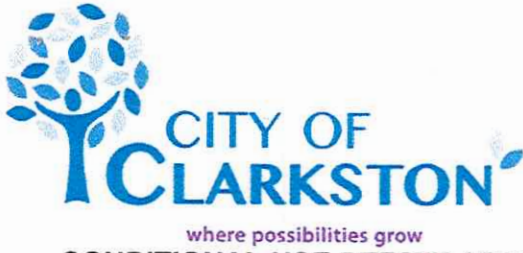
PROPERTY INFORMATION (attach legal description)

ADDRESS: 4540 E Ponce de Leon Ave  
 PARCEL ID#: 18 142 01 089 LAND LOT: 120 DISTRICT: 18

CONDITIONAL USE PERMIT REQUEST

CURRENT ZONING: NC-2 CURRENT LAND USE: Restaurant  
 PROPOSED LAND USE: Restaurant

DESCRIPTION OF USE (ex.: number of employees, details of operation, etc.): Fast Casual, 35 employees  
Monday-Sunday 11:00am-10:00pm. Tacos + BBQ



**CITY OF CLARKSTON  
CONDITIONAL USE PERMIT APPLICATION**

**CONDITIONAL USE PERMIT APPLICATION CHECKLIST**

To be completed when accepting all conditional use applications. Checklist should be attached to the application. All documents are required prior to acceptance of the application.

Required Item	Requirements	Copies	Check/Initial
Application Fee	\$500.00 per request Check or Money Order		
Application Checklist	This application checklist must be submitted with application packet	1	
Application Form	Must be complete, including notarization as indicated	10	
Survey	Accurate, up-to-date certified survey of the property with metes and bounds shown. Existing thoroughfares; existing drainage areas; existing buildings, structures and facilities; existing utilities on or adjacent to the property; and ownership, zoning and uses of all property adjacent to or within 200 feet of the property should also be shown.	10	
Legal Description	Accurate written legal description of the property which matches the metes and bounds shown on the survey.	10	
Warranty Deed	A copy of the recorded Warranty Deed	10	
Lease Agreement	A copy of the lease agreement between the property owner and the applicant, if applicable. Lease must identify party responsible for reclamation of the property.	10	
Letter of Intent	A letter clearly stating the proposed use and development intent.	10	
Conceptual Site Plan	Conceptual site layout indicating the distinctions between the current and proposed site conditions. Should be drawn at a scale of at least 1:20.	10	
Architectural Drawings	Architectural renderings or photographs of the proposed building elevations are helpful, but not required unless the proposed zoning is being conditioned to architectural exhibits submitted.	10	

(For Office Use Only)			
Total Amount Paid \$	Check#	Money Order #	Received by: _____
Application checked by: _____		Date: _____	
Pre-application meeting: _____		Date: _____	

CITY OF CLARKSTON  
PLANNING & DEVELOPMENT DEPARTMENT  
1055 ROWLAND STREET  
CLARKSTON, GA 30021  
(404) 296-6489  
Fax (404) 296-6480

DBA TACO and BBQ, located at 4540 E. Ponce de Leon Ave.

I am requesting the use of the drive thru. The drive-thru is existing from the former tenant. The menu board and speaker have been severely damaged. We will be replacing the existing menu structure, replacing the speaker stand, replacing the clearance bar, and restriping the parking lot to show the traffic flow. We have already replaced all the parking lot lights. We will be closing at 10:00pm. This will not be a late-night drive thru like our predecessor, Taco Bell/KFC. The restaurant only has 52 seats. The loss of the existing drive-thru limits me greatly. It's one of the main reasons that brought me to Clarkston.

On average, drive-thru sales account for about 60-70% of a fast-food restaurant's total revenue. This percentage can vary depending on the restaurant's location, brand, and menu offerings. Factors like ease of access, customer preference for convenience, and a restaurant's drive-thru efficiency can impact this percentage.

DBA is a fast-casual concept. For fast-casual concepts with a drive-thru, the percentage of sales typically ranges from 30-50%. This is generally lower than fast-food drive-thru sales, given that fast-casual establishments often focus more on in-store dining and a slower pace of service. However, the actual percentage can vary depending on the specific restaurant's location, menu, brand positioning, and customer base.

Thank you!



Matt Coggin  
DBA TACOS and BBQ  
678-429-4169  
matt@dbabbq.com

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EXHIBIT "A"

LEGAL DESCRIPTION

PARCEL NO. 1:

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 120 OF THE 18<sup>TH</sup> DISTRICT OF DEKALB COUNTY, GEORGIA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT AN IRON PIN LOCATED AT THE CORNER FORMED BY THE INTERSECTION OF THE NORTHERLY RIGHT-OF-WAY LINE OF EAST PONCE DE LEON AVENUE (A 100 FOOT RIGHT-OF-WAY) WITH THE EASTERLY RIGHT-OF-WAY LINE OF BROCKETT LANE (A 100 FOOT RIGHT-OF-WAY); THENCE NORTH 00 DEGREES 49 MINUTES 05 SECONDS WEST, ALONG THE EASTERLY RIGHT-OF-WAY LINE OF BROCKETT LANE, 164.60 FEET TO AN IRON PIN; THENCE NORTH 83 DEGREES 18 MINUTES 22 SECONDS EAST, 170.60 FEET TO AN IRON PIN; THENCE SOUTH 00 DEGREES 32 MINUTES 30 SECONDS EAST, 165.0 FEET TO AN IRON PIN LOCATED ON THE NORTHERLY RIGHT-OF-WAY LINE OF EAST PONCE DE LEON AVENUE; THENCE WESTERLY, ALONG THE NORTHERLY RIGHT-OF-WAY LINE OF EAST PONCE DE LEON AVENUE, AN ARC DISTANCE OF 170.11 FEET TO AN IRON PIN AND THE POINT OF BEGINNING, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 83 DEGREES 24 MINUTES 50 SECONDS WEST, 169.86 FEET; SAID TRACT CONTAINING 0.6303 ACRES OF LAND AS SHOWN AND DELINEATED ON THAT CERTAIN PLAT OF SURVEY PREPARED FOR K.F.C. NATIONAL MANAGEMENT CO. BY SUNBELT ENGINEERING & SURVEYING, INC., DATED MARCH 28, 1989.

LESS AND EXCEPT THAT PORTION OF THE ABOVE PROPERTY CONVEYED TO DEPARTMENT OF TRANSPORTATION BY RIGHT OF WAY DEED DATED MAY 4, 1993, FILED MAY 10, 1993, RECORDED IN DEED BOOK 7665, PAGE 224, DEKALB COUNTY, GEORGIA RECORDS.

PARCEL NO. 2:

AN EASEMENT FOR SEPTIC TANK AND SEWER LINE AS MORE PARTICULARLY DESCRIBED IN THE SEPTIC TANK AND SEWER EASEMENT FILED SEPTEMBER 10, 1971, RECORDED IN DEED BOOK 2699, PAGE 313, AFORESAID RECORDS.

Prepared by:

Jason D. Stych, Esq.  
Kutak Rock LLP  
8601 North Scottsdale Road, Suite 300  
Scottsdale, AZ 85253-2738

UPON RECORDATION OF THIS  
INSTRUMENT RETURN TO:

LOJON PROPERTY II LLC  
c/o U.S. Realty Advisors, LLC  
1370 Avenue of the Americas  
New York, NY 10019  
Attn: David M. Ledy

Tax Parcel or Map No.: 142-18  
**Tax Parcel or Map No.: 18-142-01-089**

#### QUITCLAIM DEED

For the consideration of TEN AND NO/100 DOLLARS, and other valuable consideration, **LOJON PROPERTY II LLC**, a Delaware limited liability company, ("**Grantor**"), whose address is c/o U.S. Realty Advisors, LLC, 1370 Avenue of the Americas, 21st Floor, New York, New York 10019, Attention: David M. Ledy hereby grants to, **LJ REMAINDER II LLC**, a Delaware limited liability company ("**Grantee**"), whose address is c/o Kimco Realty Corporation, 500 North Broadway, Suite 201, Jericho, New York 11753, all right, title, or interest of Grantor, if any, in the real property described on Exhibit A (the "**Property**").

The Property is hereby quitclaimed to Grantee without any representation, warranty, or covenant whatsoever of ownership, condition, sufficiency, utility, value, or any other matter relating to or respecting the Property, with the Property being quitclaimed "**AS IS, WHERE IS**".


[SIGNATURE ON FOLLOWING PAGE]

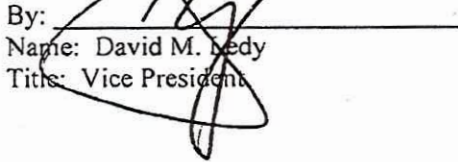
IN WITNESS WHEREOF, Grantor has caused this deed to be executed as of April 21 2021.

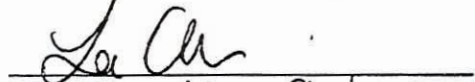
Signed, sealed and delivered on the 16 day of April, 2021 in the presence of:

LOJON PROPERTY II LLC, a Delaware limited liability company

By: LJ EQUITY II LLC, a Delaware limited liability company, its member manager

  
Printed Name: Thomas Chabza  
Unofficial Witness

By:   
Name: David M. Ledy  
Title: Vice President

  
Printed Name: Laura Chabza  
Notary Public

My Commission Expires: 7-20-2023



[AFFIX NOTARIAL SEAL]

EXHIBIT A

LEGAL DESCRIPTION

All that tract or parcel of land lying and being in Land Lot 120 of the 15<sup>th</sup> District of DeKalb County, Georgia, and being more particularly described as follows:

BEGINNING at an iron pin located at the corner formed by the intersection of the northerly right-of-way line of East Ponce de Leon Avenue (a 100 foot right-of-way) with the easterly right-of-way line of Brockett Lane (a 100 foot right-of-way); thence North 00 degrees 49 minutes 05 seconds west, along the easterly right-of-way line of Brockett Lane, 164.60 feet to an iron pin; thence North 83 degrees 18 minutes 22 seconds east, 170.68 feet to an iron pin; thence South 00 degrees 32 minutes 50 seconds east, 165.0 feet to an iron pin located on the northerly right-of-way line of East Ponce de Leon Avenue; thence westerly, along the northerly right-of-way line of East Ponce de Leon Avenue, an arc distance of 170.11 feet to an iron pin and THE POINT OF BEGINNING, said arc being subtended by a chord bearing and distance of South 83 degrees 24 minutes 50 seconds west, 169.86 feet; said tract containing 0.6303 acres of land as shown and delineated on that certain plat of survey prepared for K.F.C. National Management Co. by Sunbelt Engineering & Surveying, Inc., dated March 28, 1989.



THIS BLOCK IS RESERVED FOR THE CLERK OF SUPERIOR COURT

BROCKETT ROAD  
R/W VARIES (PUBLIC)

GINA DRIVE  
(40' DRIVE EASEMENT)

0.613 ACRE  
26,703 SQ. FT.

NF  
URBAN RETAIL LLC  
DB 2006, PG 21  
TP# 18 142 01 089

NF  
BIG JOHN'S CARWASH, INC. AND  
JOHN CORN ENTERPRISES, INC  
DB 8308, PG 238  
TP# 18 142 01 107

10' SANITARY SEWER EASEMENT  
DB 2006, PG 212

E. PONCE DE LEON AVENUE  
100' R/W (PUBLIC)

### ALT/NSPS LAND TITLE SURVEY

PREPARED FOR  
4540 E. PONCE DE LEON AVE.

BEING TAX PARCEL # 18 142 01 089  
LAND LOT 120 - 18TH DISTRICT  
DEKALB COUNTY, GEORGIA



SURVEY PREPARED BY:

**EarthPro**  
LAND SURVEYING

7873 HEDGWAY 172  
CORNER GA 30089  
OFFICE: 678-640-5550  
FAX: 770-910-2510  
EMAIL: info@earthprosurvey.com  
GEORGIA PLS #1103  
GEORGIA COLA LSP #000084

GEORGIA  
LAND SURVEYING  
DICK & HARTY, INC.

APPROVED  
AP 3142968  
DATE 5/17/2024

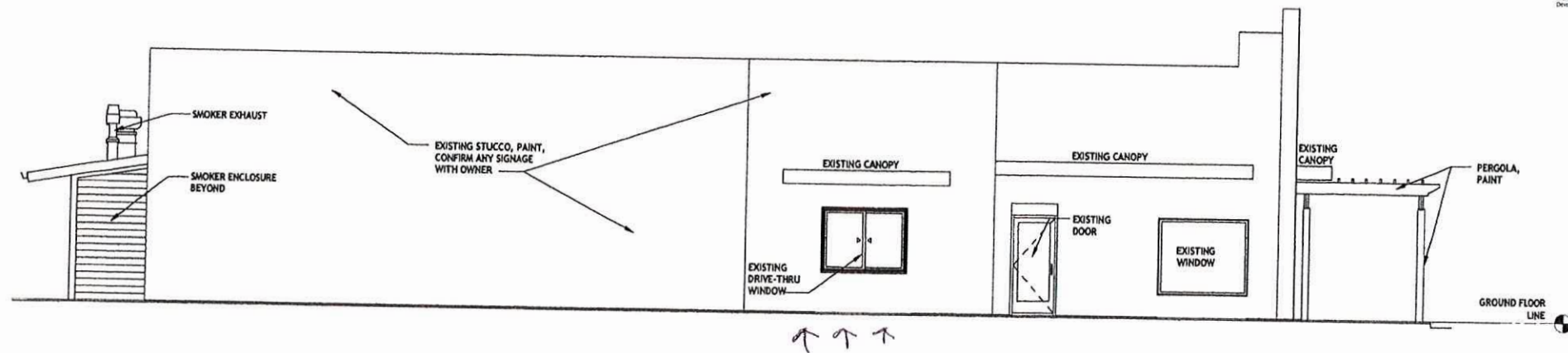
The Department is not responsible for any errors or omissions by engineers or other design professionals on drawings or other documents prepared by the applicant.

The issuance or granting of a permit shall not be construed to be a promise or approval of any condition of any of the provisions of applicable laws or of any other ordinance of the jurisdiction. Persons commencing any work under the permit, or under the provisions of applicable laws or any other ordinance of the jurisdiction shall not be held liable for any violation of any applicable laws or other ordinance of the jurisdiction until after the permit has been issued and the permit holder has received the notice of final approval from the Department.

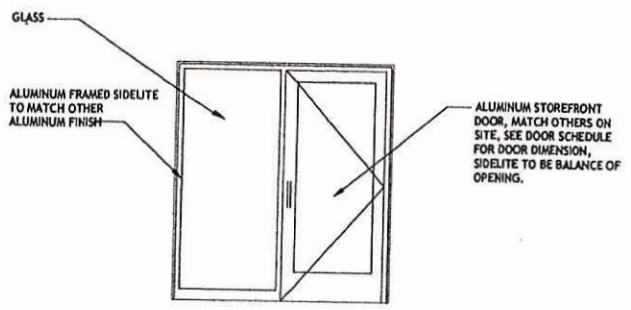
Plumbing, Mechanical, Gas, and Electrical portions of these plans have not been reviewed for compliance with technical codes and will be held unreviewed and unapproved.

A set of these approved plans shall be kept on the premises at all times and shall not be modified or altered without authorization from DeKalb County Development Services.

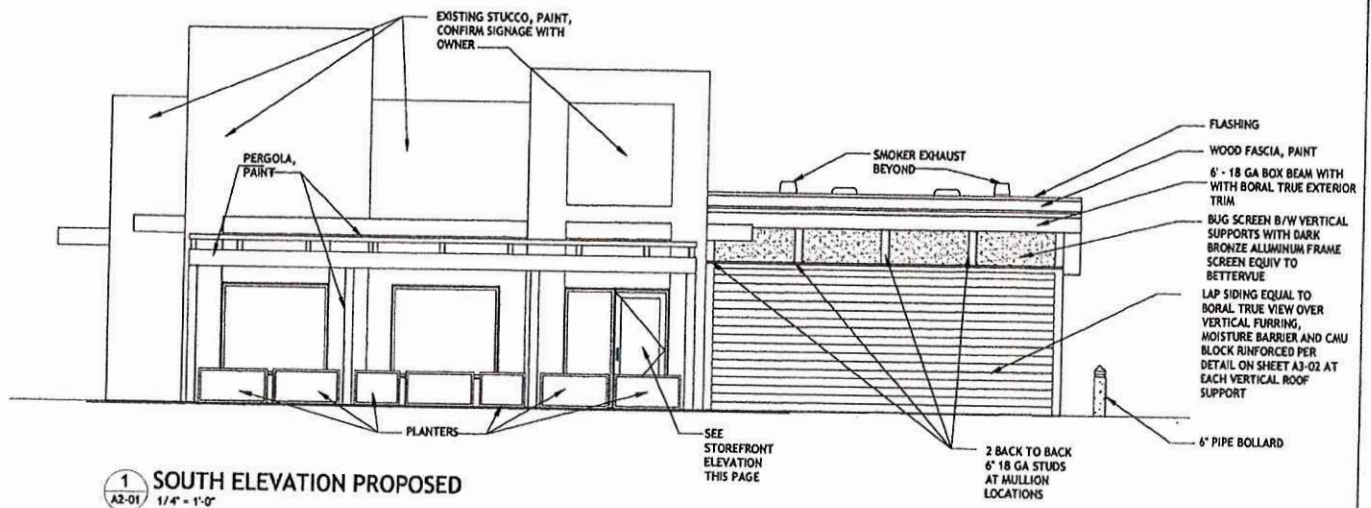
134 Krog Street, #131  
Atlanta, GA 30307  
404-218-8460



2 WEST ELEVATION  
A2-01 1/4" = 1'-0"



3 SOUTH STOREFRONT ELEVATION  
A2-01 1/2" = 1'-0"



1 SOUTH ELEVATION PROPOSED  
A2-01 1/4" = 1'-0"

D B A  
CLARKSTON  
4540 E PONCE DE LEON AVE  
CLARKSTON, GA 30021

STAMP:

The drawing is the property of Wright Gardner Architect, LLC. It is not to be reproduced or used in whole or in part, in any way, without the written consent of Wright Gardner Architect, LLC. It is to be used only for the project and for the specific location and use indicated on the drawing. It is not to be used for any other project, in any other location, or for any other use without the written consent of Wright Gardner Architect, LLC.

revisions

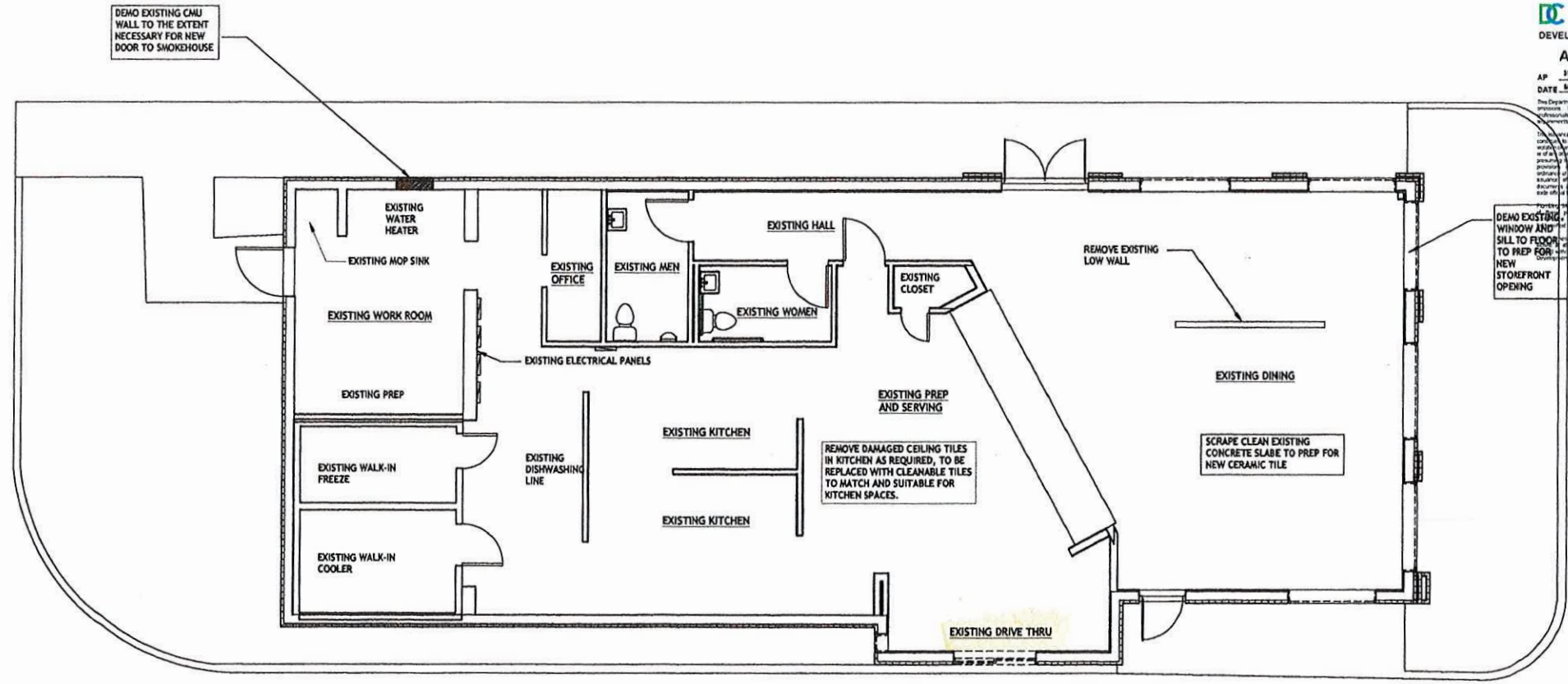
No.	Description	Date

sheet title:  
**EXTERIOR ELEVATIONS**

project number: 13-010  
drawing date: 11.18.2023  
scale: as noted

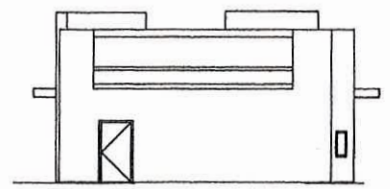
sheet number:  
**A2-01A**

NOT ISSUED FOR CONSTRUCTION  
 ISSUED FOR CONSTRUCTION

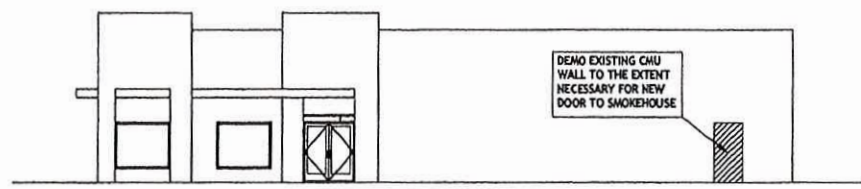


1 FLOOR PLAN - EXISTING/DEMO  
A1.10 1/4" = 1'-0"

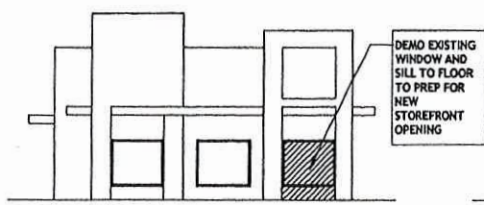
- DEMOLITION GENERAL NOTES**
1. CONTRACTOR TO VERIFY EXISTING CONDITIONS PRIOR TO COMMENCING WORK AND ALERT ARCHITECT OF ANY INACCURATE INFORMATION THAT AFFECTS THE RENOVATION CLEARANCES AND DIMENSIONS.
  2. CONTRACTOR TO DEVELOP PLAN FOR SUPPORTING ANY ELEMENTS WHERE WALL IS BEING REMOVED AND BE RESPONSIBLE FOR MAINTAINING STRUCTURAL INTEGRITY UNTIL NEW SUPPORT IS IN PLACE
  3. SCRAPE SLAB CLEAN OF ALL DEBRIS AND PREPARE FOR NEW CERAMIC TILE IN PUBLIC AREAS AND EPOXY COATING IN THE KITCHEN, PREP AND SMOKER AREA.
  4. REMOVE ALL ABANDONED ELECTRICAL AND OTHER UTILITIES TO SOURCE THAT ARE NOT USED.
  5. IN KITCHEN AND BACK OF HOUSE REMOVE ALL DAMAGED CEILING TILES TO BE REPLACED WITH NEW CLEANABLE VINYL FACED OR STAINLESS AT HOOD.



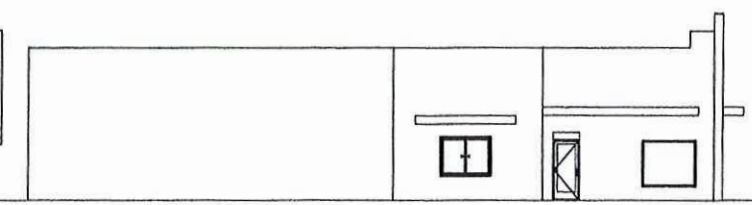
1 NORTH ELEVATION - EXISTING  
A1.10 1/8" = 1'-0"



1 EAST ELEVATION - EXISTING  
A1.10 1/8" = 1'-0"



1 SOUTH ELEVATION - EXISTING  
A1.10 1/8" = 1'-0"



1 WEST ELEVATION - EXISTING  
A1.10 1/8" = 1'-0"

Stamp:

The drawing is the property of WRIGHT GARDNER ARCHITECT, LLC. It may not be reproduced or copied in whole or in part. It shall be the responsibility of the user to verify the accuracy of the information shown on this drawing. The user shall be responsible for obtaining all necessary permits and approvals from the appropriate authorities.

Revision	No.	Description	Date

D B A  
CLARKSTON

This Department is not responsible for any errors or omissions by engineers or other design professionals, or damage or injury to any person or property resulting from the use of any information contained herein.

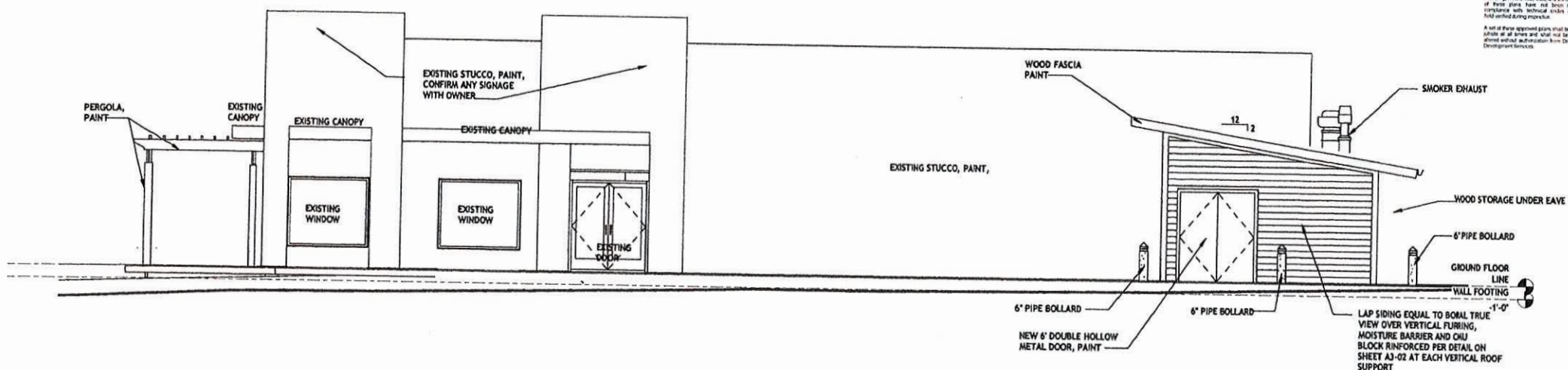
The issuance or granting of a permit shall not be construed to be a guarantee or approval of any condition of any of the provisions of applicable codes or of any other ordinance of the jurisdiction. It is the responsibility of the applicant to obtain and comply with all applicable codes and ordinances. The issuance of a permit does not constitute an endorsement or approval of any product, material, or equipment used in the project. The contractor shall be responsible for obtaining all necessary permits and approvals from the appropriate authorities.

Plumbing, Mechanical, Gas, and Electrical sections of these plans have not been inspected for compliance with technical codes and will be field verified during inspection.

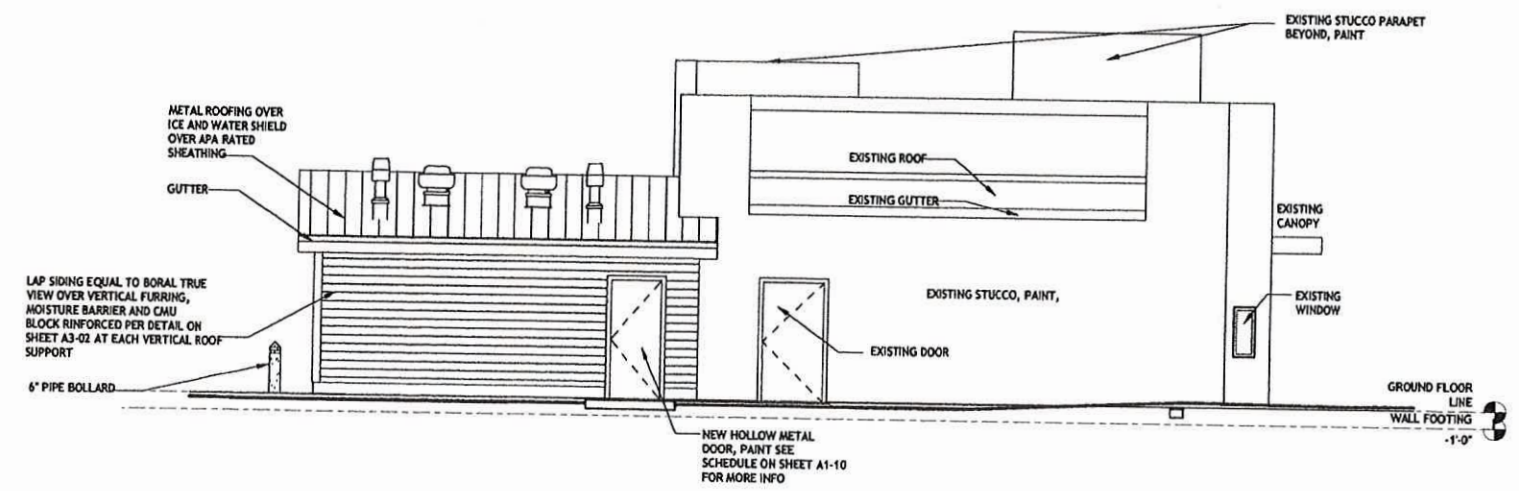
A set of these approved plans shall be kept at the jobsite at all times and shall not be modified or altered without authorization from DeKalb County Development Services.

154 Krog Street, #125  
Atlanta, GA 30307  
404-218-8460

D B A  
CLARKSTON  
4540 E PONCE DE LEON AVE  
CLARKSTON, GA 30021



2 EAST ELEVATION  
A2-02 1/4" = 1'-0"



1 NORTH ELEVATION PROPOSED  
A2-02 1/4" = 1'-0"

stamp:

The Plans are the property of Wright Gardner Architect, LLC. It is to be used only for the project and site specified herein and shall not be used for any other project. It is to be returned upon request.

revisions

No.	Description	Date

sheet title:

EXTERIOR ELEVATIONS

project number: 23-010  
drawing date: 08.28.2023  
scale: as noted

sheet number:

A2-02A

NOT ISSUED FOR CONSTRUCTION  
 ISSUED FOR CONSTRUCTION

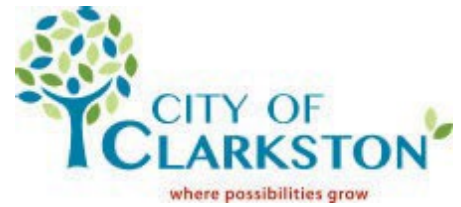
The economics of a drive thru:

My restaurant only has 52 seats. Running a small business is hard. Operating a profitable restaurant is very difficult. Allowing the use of the existing drive thru brings in a lot of revenue.

On average, drive-thru sales account for about 60-70% of a fast-food restaurant's total revenue. This percentage can vary depending on the restaurant's location, brand, and menu offerings. Factors like ease of access, customer preference for convenience, and a restaurant's drive-thru efficiency can impact this percentage.

DBA is a fast-casual concept. For fast-casual concepts with a drive-thru, the percentage of sales typically ranges from 30-50%. This is generally lower than fast-food drive-thru sales, given that fast-casual establishments often focus more on in-store dining and a slower pace of service. However, the actual percentage can vary depending on the specific restaurant's location, menu, brand positioning, and customer base.

The drive thru will become my largest revenue stream. I appreciate your consideration.



## STAFF ANALYSIS AND REPORT

**APPLICANT:** Michael Reinsel – Mission Homes, LLC

**LOCATION:** 3679 West Smith Street  
(Parcel ID: 18 119 05 017)

**ZONING:** NR-3: High Density Neighborhood Residential District

**REQUEST:** Variances from Sec. 540(a) of the zoning ordinance to not require a 5-foot sidewalk along a local street.

**ZONING/ADJACENT LAND USE:**

North	RC: Vacant
South	NR-CD: Carriage Oaks III Apartments
West	NC-2: Dashen Insurance Office
East	NR-3: Residential

**MEETING INFORMATION:**

Planning & Zoning Commission:	03/18/2025 – 7:00 P.M
Mayor & City Council Work Session:	03/25/2025 – 7:00 P.M.
Mayor & City Council Public Hearing:	04/01/2024 – 7:00 P.M.

**RECOMMENDATION:**  
Staff recommends approval.

## **BACKGROUND:**

The property owner is in the process of obtaining permits for the demolition of the existing single-family home and detached garage with plans to construct a new single-family home and accessory dwelling unit. The zoning ordinance requires any construction that exceeds 50% of the replacement cost of the existing structure to be brought into conformance with the provisions of the zoning ordinance. This includes the construction of a 5-foot sidewalk along the frontage of the property.

Currently, there are no sidewalks along West Smith Street.

**Analysis:** Pursuant to Article II of the City of Clarkston Zoning Ordinance, Staff has reviewed the variance request in accordance with the required review criteria.

**1. There are extraordinary and exceptional conditions pertaining to the particular property in question because of its size, shape or topography.**

There are not any extraordinary nor exceptional conditions to the particular property in question due to its size, shape, or topography. However, if the applicant is required to construct the sidewalk, it would be the only section of sidewalk along West Smith Street and dead end at each of the side property lines.

**2. Such conditions are peculiar to the particular piece of property.**

These conditions are not peculiar to this particular piece of property, as all properties along West Smith Street and many other properties throughout the city would be subject to the same regulations if the cost of replacement threshold were to be exceeded.

**3. Such conditions are not the result of the actions of the owner.**

These conditions are not the result of actions by the property owner.

**4. A literal interpretation of the provisions of this ordinance would create an unnecessary hardship.**

A literal interpretation of the provisions of this ordinance would create an unnecessary hardship on the property owners, as the sidewalk would only extend the length of their property.

**5. Relief, if granted, would not cause substantial detriment to the public good nor impair the purposes or intent of this zoning ordinance.**

It is not anticipated that the proposed use would cause detriment to the public good. However, this request does not fall within the intent of the zoning ordinance but this could be considered an unnecessary hardship.

**6. The variance is not a request to permit a structure or use of land not authorized in the applicable district.**

This request is not to permit a structure or use of land not authorized in the applicable zoning district.

## **Recommendation:**

Pursuant to Article II of the City of Clarkston Zoning Ordinance, Staff has reviewed the request in accordance with the required review criteria and recommends **APPROVAL** of variance request from Sec. 540(a) of the Zoning Ordinance to not require a 5-foot sidewalk along a local street.

**APPLICANT INFORMATION**

Michael Reinsel Mission Homes, LLC  
Applicant Name Company  
(404)-431-6360  
Primary Phone # Alternate Phone # Fax #  
michael@missionhomesatl.com  
Email Address

**PROJECT SUMMARY**

3679 W Smith Street Permit # 1960  
Name of Project

RECEIVED

MAR 06 2025

CITY OF CLARKSTON

**Detailed Description of Variance. Include:** Variance needed (code section, square footage or other dimension); Proposed use(s) and square footage of floor area for each use; and written explanation of hardship involved with need for variance (see checklist).

Applying for a variance request to not have a sidewalk ~~at~~ along the frontage of the property at 3679 W Smith Street. Currently there is no sidewalks anywhere on Smith Street or on either adjoining property. If we were to include sidewalks they would terminate at the edges of the property lines and not tie into any other sidewalks essentially manning the sidewalk.

Total Number of Parcels Involved:	<u>1</u>	Total Project Area (acre/sf):	<u>0.45 Acres</u>	Total Disturbed Area:	<u>0.25 Acres</u>
Total Number of Buildings:	<u>2</u>	Total Estimated Construction Cost:	<u>\$450,000</u>		

Project Submittal Checklist and all documents, plans, written analysis, and fees required therein accompany this application form.

I hereby certify that all information provided herein and in the accompanying documents is true and correct.

[Signature] 1/23/25  
Applicant Signature Date  
 Property Owner  Owner's Agent

**FOR OFFICE USE/DETERMINATION**

Review determination and fee: Review fee (payable to *The City of Clarkston*) depends on type of review(s). (See Fee Schedule):

         Variance          (Fee)  
Please indicate if this is an Administrative Variance

**PROPERTY INFORMATION/OWNER AUTHORIZATION**

If more than one parcel is the subject of review, owner applicant shall complete information for each parcel on additional page attachments, authorized agent applicants must complete this page for EACH parcel.

**PARCEL (PROPERTY) INFORMATION**

<u>3679 W Smith Street</u>		<u>Clarkston, GA</u>	<u>30021</u>
Property Address/Location	Suite/Apt. #	City, State	Zip Code
<u>18119 05 017</u>		<u>0.45 Acres</u>	
Parcel ID/Property Tax Identification Number		Total Acreage	
<u>Residential</u>		<u>NR-3</u>	
Present Use(s)		Present Zoning (Official Zoning Map)	
<u>Residential</u>			
Proposed Use(s)			

Indicate here if there are more than one subject parcels (attach information accordingly)

**Legal description** includes: Or:  Indicate here that an exhibit identifying property location is attached.

119

Subdivision Name	Lot #	Block #
------------------	-------	---------

**PROPERTY OWNER**

<u>Faiwa IP</u>			
Owner (Person, Firm, Corporation, or Agency)		Company Name	
<u>4188 Mystic Ct.</u>		<u>San Jose, CA 95124</u>	
Mailing Address		Suite/Apt. #	Zip Code
<u>(408) 761-2986</u>		<u>Ipfamilyxf@gmail.com</u>	
Primary Phone #	Fax #	Email Address	

**PROPERTY OWNER'S AGENT** (If applicable; must match applicant contact information on page #1)

<u>Michael Reinsel, Mission Homes LLC</u>			
Name and Company (Owner's Agent or Attorney)			
<u>4525 Palmetto Lane</u>		<u>Cumming, GA</u>	<u>30041</u>
Mailing Address		Suite/Apt. #	Zip Code
<u>404 431 6360</u>		<u>michael@missionhomesatl.com</u>	
Primary Phone #	Fax #	Email Address #	

**AUTHORIZATION FOR AGENT** (If applicable)

<u>Faiwa IP</u>	<u>2025-02-15</u>
Owner Signature	Date
<u>Faiwa IP</u>	
Print Name	

Subscribed and sworn before me this 15 day of February 2025.

Signature of Notary Public in the State of Georgia

NOTARY SEAL

**SEE ATTACHED NOTARY CERTIFICATE**

**02/15/2025**

# CALIFORNIA JURAT CERTIFICATE

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

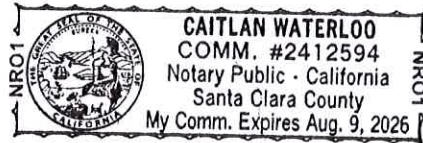
State of California  
County of Santa Clara

Subscribed and sworn to (or affirmed) before me on this 15 day of February,  
2025, by Faiwa Ip-  
proved to me on the basis of satisfactory evidence to be the person(s) who appeared  
before me.

Signature \_\_\_\_\_



(Seal)





**EXHIBIT A**

All that tract or parcel of land lying and being in Land Lot 119 of the 18th District of DeKalb County, Georgia, and being more particularly described as follows:

Beginning at an iron pin found on the Southwesterly right-of-way of West Smith Street (having a 30 foot right-of-way), a distance of 100.30 feet Southeasterly from the intersection of the Southwesterly right-of-way of West Smith Street with the Southeasterly right-of-way of Smith Street (having a 30 foot right-of-way) (abandoned); running thence along the Southwesterly right-of-way of West Smith Street, South 59 degrees 35 minutes 06 seconds East, a distance of 100.02 feet to an iron pin found; thence leaving the Southwesterly right-of-way of West Smith Street and running South 29 degrees 47 minutes 58 seconds West, a distance of 197.00 feet to an iron pin found; running thence North 59 degrees 52 minutes 38 seconds West, a distance of 100.00 feet to an iron pin set; running thence North 29 degrees 47 minutes 39 seconds East, a distance of 197.51 feet to an iron pin found on the Southwesterly right-of-way of West Smith Street and the point of beginning; all as shown on that certain plat of survey prepared for Xuyi Feng by Thomas Edward Peay, III, G.R.L.S. #3261 of Frontline Surveying & Mapping, Inc., dated February 28, 2024.

Being the same property as conveyed in that certain Special Warranty Deed recorded at Deed Book 22355, Page 581, DeKalb County, Georgia records.

**LEGEND:**

IPS	IRON PIN SET	BSL	BUILDING SETBACK LINE
IPF	IRON PIN FOUND	HC	HANDY-CAP
OT	OPEN TOP PIN	BL	BOLLARD
CT	CRIMP TOP PIN	CMF	CONCRETE MONUMENT FOUND
RB	RE-BAR	Z	OVERHEAD UTILITY LINE(S)
CRB	CAPPED RE-BAR	SSMH	SANITARY SEWER MAN HOLE
CL	CENTERLINE	MHT	MAN HOLE TELEPHONE
R/W	RIGHT-OF-WAY	JB	JUNCTION BOX
LLL	LAND LOT LINE	DI	DROP INLET
L	LINE	HW	HEAD WALL
R	RADIUS	CMP	CORRUGATED METAL PIPE
CONC	CONCRETE	CPP	CORRUGATED PLASTIC PIPE
C	CURVE	RCP	REINFORCED CONCRETE PIPE
PP	POWER POLE	SSE	SANITARY SEWER EASEMENT
GV	GAS VALVE	FH	FIRE HYDRANT
GM	GAS METER	DE	DRAINAGE EASEMENT
LP	LAMP POLE	WV	WATER VALVE
SS	SANITARY SEWER	WM	WATER METER
FC	FENCE CORNER	CO C/O	SANITARY SEWER CLEANOUT
AE	ACCESS EASEMENT	POB	POINT OF BEGINNING
PROP	PROPOSED	POC	POINT OF COMMENCEMENT
AC	AIR-CONDITIONER	NTS	NOT TO SCALE
PB	POWER BOX	SWCB	SINGLE WING CATCH BASIN
CATV	CABLE TELEVISION JUNCTION BOX	UE	UTILITY EASEMENT
TE	TELEPHONE JUNCTION BOX	PM	POWER METER
APP	ABANDONED POWER POLE	CLF	CHAIN-LINK FENCE
		CTW	CROSS-TIE WALL
		HCS	HANDY-CAP SIGN

**ZONING/SETBACKS:**

NR-3 ZONING (HIGH-DENSITY NEIGHBORHOOD RESIDENTIAL)

FRONT: 15 FT  
MINOR SIDE: 5 FT  
REAR: 20 FT

MAX HEIGHT: 35 FT  
MIN LOT SIZE: 5,000 SF  
MAX BUILDING COVERAGE: 50%  
FLOOR AREA RATIO(FAR) MAX: 0.4  
MIN RESIDENTIAL UNIT SIZE (FINISHED, HEATED FLOOR AREA): 800 SF

**A RESIDENTIAL SITE DEVELOPMENT**  
**PLAN FOR:**  
**SITE PLAN**  
**EROSION, SEDIMENTATION, & POLLUTION CONTROL PLAN FOR:**  
**XUYI FENG**  
3679 WEST SMITH ST  
LAND LOT 119  
18th DISTRICT  
DEKALB COUNTY, GEORGIA  
CITY OF CLARKSTON  
**EXISTING ZONING: NR-3**  
PIN: 18 119 05 017  
19,727 SQ FT  
0.45 ACRES

TOTAL DISTURBED AREA= 0.25 AC.

NOTE: THERE ARE NO BUFFER ENCROACHMENTS AND A BUFFER VARIANCE IS NOT REQUIRED.  
NOTE: THERE ARE STATE WATERS (CREEK ACROSS STREET) WITHIN 200' OF THIS SITE.  
NOTE: ANY PROPOSED WALLS SHOWN TO BE DESIGNED BY OTHERS.

**EXISTING IMPERVIOUS AREA:**  
MAXIMUM LOT COVERAGE: 50%

EXISTING IMPERVIOUS TO BE REMOVED: 3,640 SF

TOTAL: 3,640 SF

**PROPOSED IMPERVIOUS AREA:**

HOUSE:	2,558 SF
PORCH:	32 SF
DRIVEWAY:	615 SF
ADU:	561 SF
ADU PORCH:	96 SF
TOTAL:	3,862 SF

TOTAL LOT AREA: 19,727 SF

**IMPERVIOUS AREA:**  
TOTAL IMPERVIOUS AREA: 3,862 SF  
TOTAL IMPERVIOUS % OF LOT: 19.6%

BUILDER/OWNER	
XUYI FENG	
4188 MYSTIC CT	
SAN JOSE, CALIFORNIA, 95124	
24 HOUR CONTACT	
XUYI FENG	
408-314-7214	
TERTIARY PERMITEE	
XUYI FENG	
4188 MYSTIC CT	
SAN JOSE, CALIFORNIA, 95124	
408-314-7214	
IPFAMILYXF@GMAIL.COM	

**EROSION AND SEDIMENT CONTROL LEGEND**

(FOR DETAILS SEE MANUAL FOR EROSION AND SEDIMENT CONTROL IN GEORGIA, 2016 EDITION)

**STRUCTURAL PRACTICES**

- (Cd)** CONSTRUCTION EXIT
- (Sd1-S-Alt)** SEDIMENT BARRIER-TYPE SENSITIVE ALTERNATIVE (Sd1-C-POP)
- SF-SF-SF** FABRIC HEIGHT: 28", WOOD POST AT 4' O.C. MAX
- TF-TF-TF** TREE PROTECTION FENCING
- LD-LD-LD** LIMITS OF DISTURBANCE
- (St)** RIPRAP OUTLET PROTECTION
- (Sd2-P)** INLET SEDIMENT TRAP (PIGS IN A BLANKET)
- (Sd1-F)** INLET SEDIMENT TRAP (WITH FENCING)
- (Sd4-C)** TEMPORARY SEDIMENT TRAP
- (Tr)** TREE PROTECTION FENCING
- (SS)** EROSION CONTROL MATTING BLANKETS
- (Su)** SURFACE ROUGHENING
- (CWA)** CONCRETE WASHOUT
- (Re)** RETAINING WALL
- (Cd-Hb)** CHECKDAM HAYBALE
- (DI)** DIVERSION BERM

**VEGETATIVE MEASURES**

- (Du)** DUST CONTROL ON DISTURBED AREAS
- (Ds1)** DISTURBED AREA STABILIZATION (WITH MULCHING)
- (Ds2)** DISTURBED AREA STABILIZATION (WITH TEMPORARY SEEDING)
- (Ds3)** DISTURBED AREA STABILIZATION (WITH PERMANENT VEGETATION)
- (Ds4)** DISTURBED AREA STABILIZATION (PERMANENT WITH SOD)

**CONTOURS / DRAINAGE**

- P-980** PROPOSED CONTOUR
- 980-** EXISTING CONTOUR
- x980 or 980x** SPOT ELEVATION
- x980 HP** HIGH POINT SPOT ELEVATION
- x980 TW** PROPOSED TOP WALL ELEVATION
- x978 BW** PROPOSED BOTTOM WALL ELEVATION
- U-** DRAINAGE FLOW ARROWS

- (D)** DUMPSTER
- (P)** PORTABLE TOILET
- (MS&S)** MATERIAL STORAGE & STOCKPILE

DUMPSTERS AND/OR TEMPORARY SANITARY FACILITIES SHALL NOT BE LOCATED IN STREET OR TREE PROTECTION AREA OR RIGHT OF WAY.

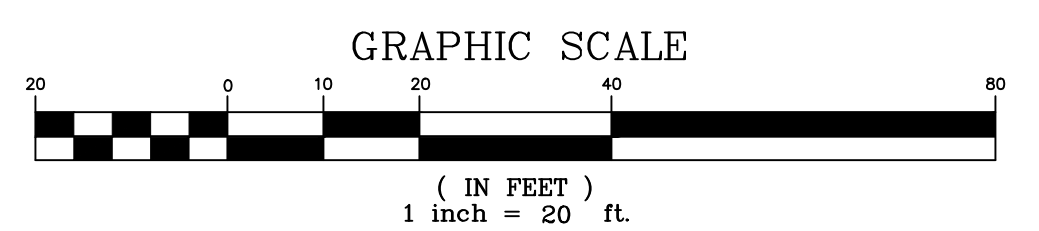
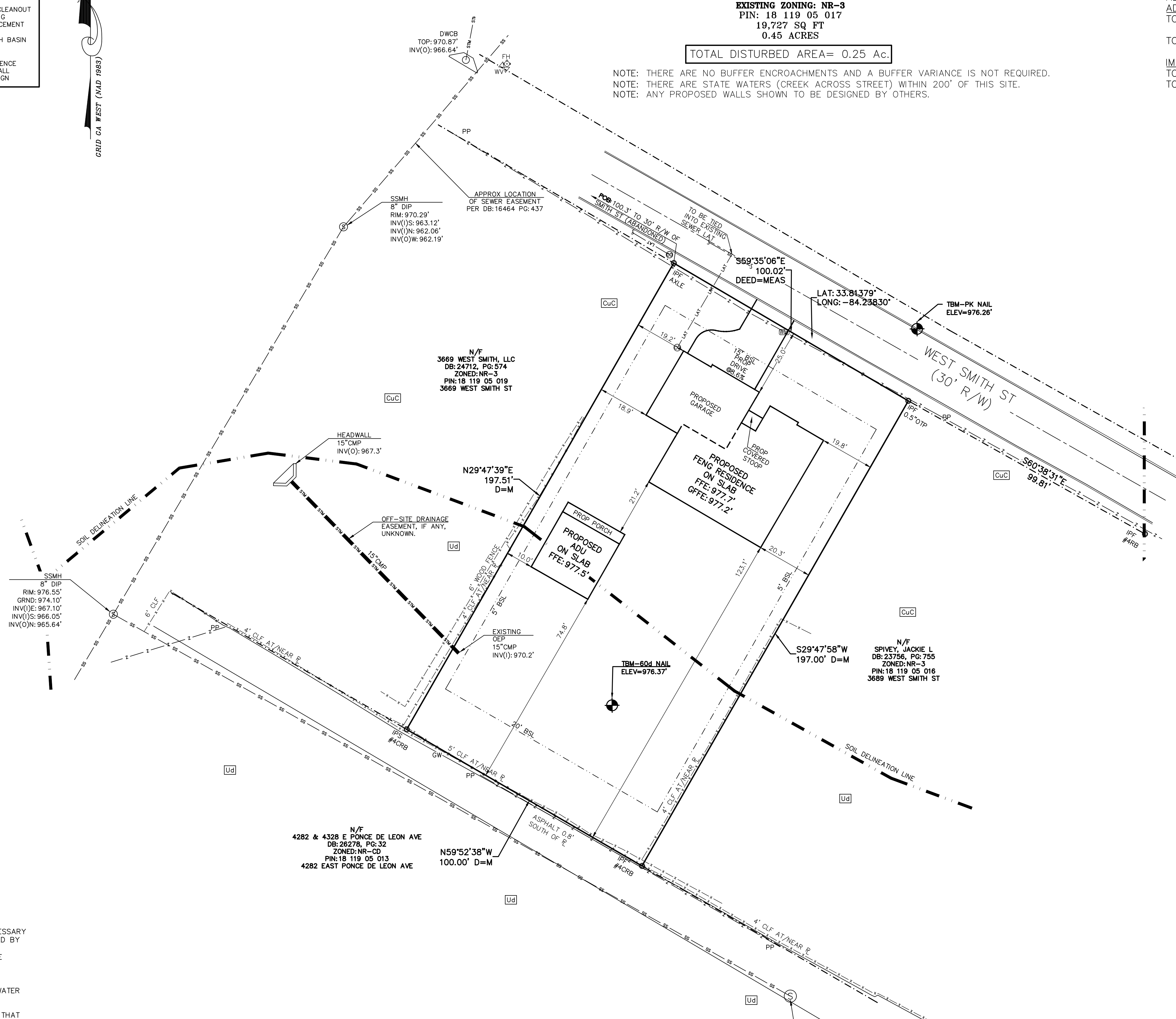
- (A)** 25' STATE WATER BUFFER
- (B)** 50' UNDISTURBED WATER BUFFER
- (C)** 75' IMPERVIOUS WATER BUFFER

NOTE: ALL RETAINING WALLS, STRUCTURAL ELEMENTS, GEOTECHNICAL CONSIDERATIONS, AND SOIL CONDITIONS NECESSARY FOR THE CONSTRUCTION OF THIS HOME ARE TO BE DESIGNED BY OTHERS (APPROPRIATE PROFESSIONALS). THE CONTRACTOR HOLDS RESPONSIBILITY FOR SECURING THE REQUIRED PROFESSIONAL EXPERTISE PERTAINING TO THESE DESIGN COMPONENTS.

NOTE: CONTRACTOR/DEVELOPER IS RESPONSIBLE FOR ALL WATER & SEWER TAPS FOR THE DEVELOPMENT.

NOTE: IT IS THE CONTRACTORS RESPONSIBILITY TO ENSURE THAT THE GRADING IS DONE IN A WAY THAT DOES NOT DIRECT ANY WATER TOWARD THE HOUSE

NOTE: THE CONTRACTOR MUST VERIFY THAT SOILS ARE SUITABLE FOR INFILTRATION OF STORMWATER MANAGEMENT STRUCTURES/DEVICES PRIOR TO INSTALLATION.



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**GSWCC** GEORGIA SOIL AND WATER CONSERVATION COMMISSION

**THOMAS E. PEAY, III**  
LEVEL II CERTIFIED DESIGN PROFESSIONAL

CERTIFICATION NUMBER: 0000004496  
ISSUED: 08/18/2021 EXPIRES: 10/30/2025

SHEET NAME: **SITE PLAN**

SHEET NO: **C 0.3**

3595 Canton Road  
Suite 312 - 272  
Marietta, GA 30066  
Ph. (678) 355-9905  
Fax (678) 355-9805

**FRONTLINE SURVEYING & MAPPING, INC.**

www.frontlinesurveying.com

DATE OF FIELD SURVEY:	02/28/24
SCALE:	1" = 20'
SECTION:	DEKALB COUNTY, GEORGIA
REVISION:	
UNIT:	add u/g sewer service

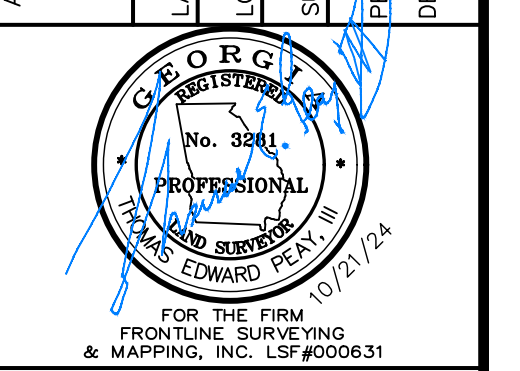
DISTRICT:	18
BLOCK:	
LOT:	119
PHASE:	
MAP ID:	130890078K
EFFECTIVE DATE:	08/15/2019

**XUYI FENG**

LAND LOT 119

FOR THE FIRM:  
**FRONTLINE SURVEYING & MAPPING, INC.** LSP#000631

JOB # **83911**



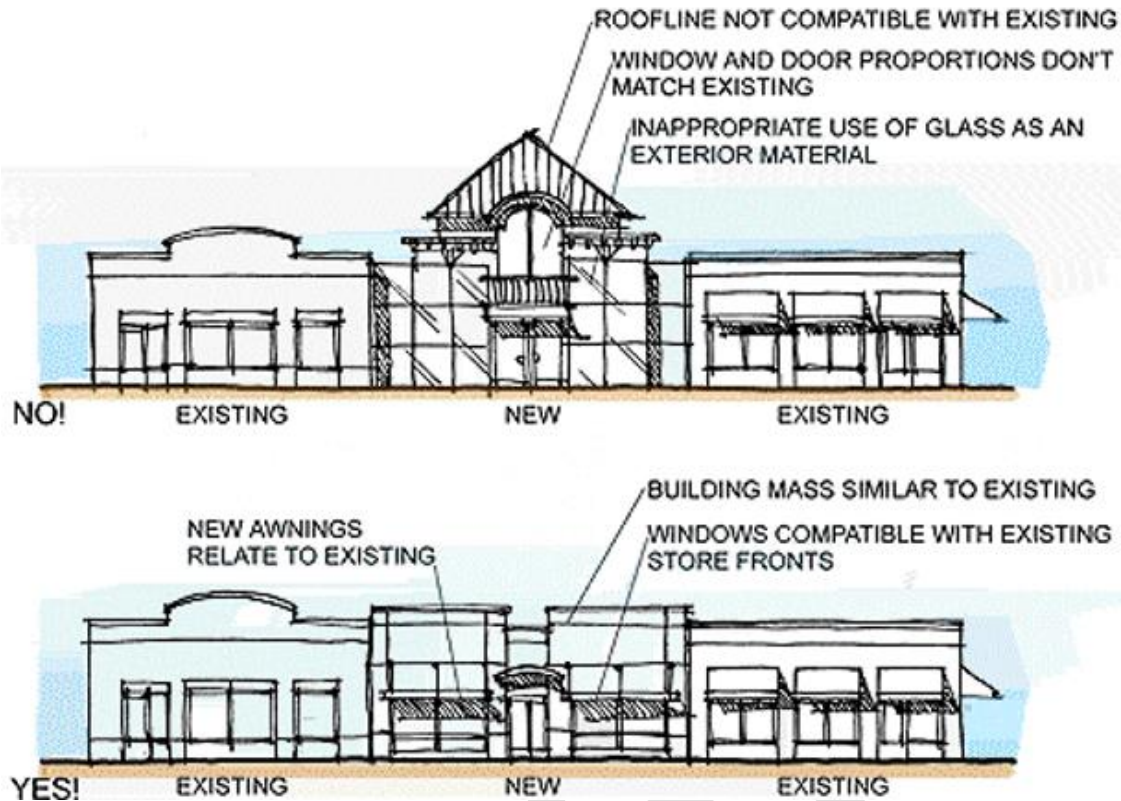
NO U.S. MONUMENT WAS FOUND WITHIN 500 FEET OF THIS PROPERTY. THIS PLAN WAS PREPARED FOR THE EXCLUSIVE USE OF THE PERSONS, PERSONS OR ENTITY NAMED HEREON. THIS PLAN DOES NOT EXTEND TO ANY UNNAMED PERSONS, PERSONS, OR ENTITY WITHOUT EXPRESS REPERIFICATION BY THE SURVEYOR. NO SERVICE REMAINS THE PROPERTY OF FRONTLINE SURVEYING & MAPPING, INC. AND NO PART THEREOF MAY BE USED, COPIED OR REPRODUCED IN ANY FORM WITHOUT WRITTEN PERMISSION OF FRONTLINE SURVEYING & MAPPING, INC. ©2024

## Architectural Design Requirements and Guidelines

### Architectural design compatibility.

Buildings or other improvements should be compatible with the orientation, directional emphasis, shape, volume, massing, proportion, rhythm, scale and materials of the context, setting and streetscape of the site. Architectural design should be compatible with the developing character of the neighboring area. Design compatibility includes complementary building style, form, size, color, materials, and detailing. Determinations of compatibility will consider each of the following contexts as appropriate:

- (a) *Size*: The relationship of the project to its site.
- (b) *Orientation*: The relationship of buildings to streets. Buildings should front directly onto public sidewalks unless site features prohibit such building configuration.
- (c) *Scale*: The relationship of the building to those around it. Efforts to coordinate the height of buildings and adjacent structures are encouraged. This is especially applicable where buildings are located very close to each other. It is often possible to adjust the height of a wall, cornice or parapet line to match that of an adjacent building.
- (d) *Massing*: The relationship of the building's various parts to each other.
- (e) *Fenestration*: the placement of windows and doors. The building may incorporate design that is similar to or links with designs of neighboring buildings. For instance, window lines should be placed in a pattern that reflects the same elements on neighboring buildings.
- (f) *Rhythm*: The relationship of fenestration, recesses and projections.
- (g) *Setback*: Placement in relation to setback of immediate surroundings.
- (h) *Materials*: The compatibility of building materials with those used in the zoning district.
- (i) *Context*: The overall relationship of the project to its surroundings.



**Architectural Character (Nonresidential)**

**Building style.**

- (a) When more than one building is constructed on a development site or within a planned development, all buildings shall reflect a compatible architectural style and create a cohesive visual relationship between the buildings.
- (b) "Theme" or stylized architecture which is characteristic of a particular historic period or trend is not encouraged, unless the existing building or site is historically important to the district or necessary for architectural harmony.
- (c) Franchise architecture will be reviewed for compatibility with surroundings and may require adjustments to be compatible with surrounding buildings in the district.

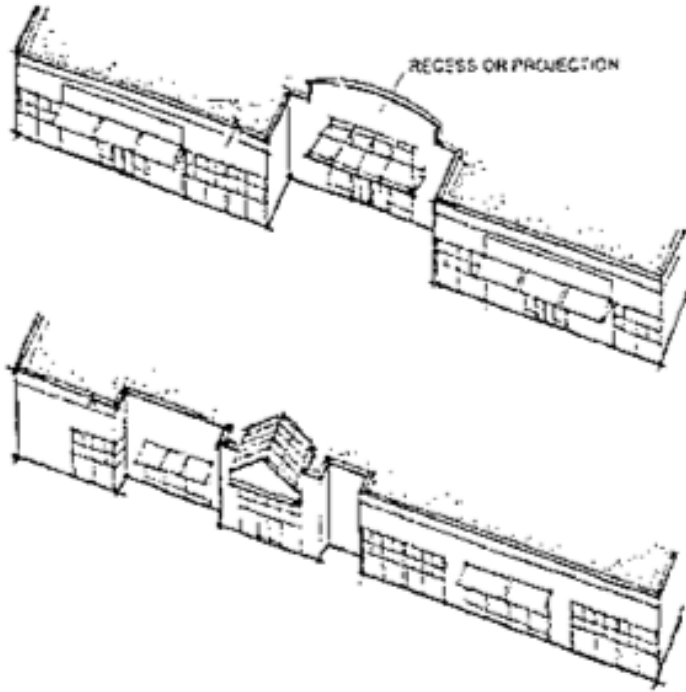
**Building materials.**

- (a) All construction shall be brick, stone, wood, glass in combination with metal or similar, durable architectural materials. Materials found to be other than durable products are specifically prohibited. Side and rear building elevations should be substantially consistent with the front building elevation.
- (b) The following types of building materials shall not be used: highly reflective, shiny, or mirror-like materials; mill-finish (non-colored) aluminum metal windows or door frames; exposed, unfinished foundation walls; exposed plywood or particle board; and exposed, unfinished concrete masonry blocks.

- 
- (c) Buildings with all-metal siding shall not be permitted except in Industrial Zoning Districts. In Industrial Districts, buildings if permitted to be constructed with all-metal siding shall be screened from view from a public or private street.
  - (d) Smooth-faced concrete block, tilt-up concrete panels, or prefabricated steel panels are discouraged and shall only be permitted in Industrial Zoning Districts. Split face (integrated block) materials may be authorized.
  - (e) Non-residential building walls shall consist of or be finished on the exterior with brick, stone, wood, cementitious siding, glass in combination with metal, or other similar, durable architectural materials approved by the community development director.
  - (f) Within the Town Center (TC) Zoning District, the exterior walls of any building that is located within a through road corridor and/or is visible from a through road corridor shall be of masonry (excluding concrete, concrete products or hardiplank and/or stucco-type) construction. These building material finishes shall be applied to all sides of the building.
  - (g) All sides of a building may impact on its surroundings and should be considered for treatment with an architectural finish of primary materials (i.e., brick and stone), unless other materials demonstrating equal or greater quality are used. As a general guide: front and side facades should be at least 50% brick and stone; side facades should be at least 50% brick and stone. Rear facades do not have a minimum suggested standard for primary materials unless they are visible from a public right-of-way. Requirements for brick or stone may be modified to accommodate creatively designed structures as determined by the community development director. Materials used for side and rear building elevations should be substantially consistent with the materials used for the front building elevation.
  - (h) Use of vinyl material in the Town Center (TC) Zoning District is prohibited. See section \_\_\_\_\_ for regulations regarding use of vinyl on exterior walls of dwelling units. Any vinyl material, if authorized during architectural design review, shall be certified under the product certification program as meeting:
    1. The specifications of ASTM D3679 for rigid poly (vinyl chloride) siding with nominal thickness of 0.044 inches or greater that is not laminated and that includes a formed insulation having the same profile as the vinyl panel;
    2. Product and color retention certification approvals by the Vinyl Siding Institute;
    3. Enhanced panel locking system with features to help straighten the wall appearance;
    4. Reinforced nail hem curl or double nail hem designed to increase panel wind load resistance;
    5. Polypropylene sidings; and
    6. 5/8-inch or greater panel projection.

### **Modulation.**

Avoid constructing buildings with blank facades parallel to public rights-of-ways. In pedestrian activity areas, buildings should exhibit more detail and elements appropriate for close range view by the pedestrian. The walls of building facades for office, institutional, commercial, and industrial use shall not extend more than 200 linear feet unless the front facade of the building (including roof) is designed in a way that modulates the building face into discrete architectural elements. This may be accomplished one or a combination of modulation techniques described below.



### Illustrative Recesses and Projections

- (a) Recesses and projections should be used along the front facade to break up long expanses of wall planes (see figure).
- (b) Rooflines can be modulated by alternating dormers, or using stepped roofs, gables, or other roof elements.
- (c) Windows with awnings above the windows can be provided in a repeating pattern or at regular intervals, or bay windows can be used to achieve some modulation.
- (d) The building design can incorporate and feature awnings, canopies, porches, porticos, patios, decks, other covered entries to portions of the facade at the ground level, or in the case of buildings containing 2 or more story, balconies.
- (e) Changes to building materials at a change in building plane can achieve some modulation.



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## Screening of Large Building Walls

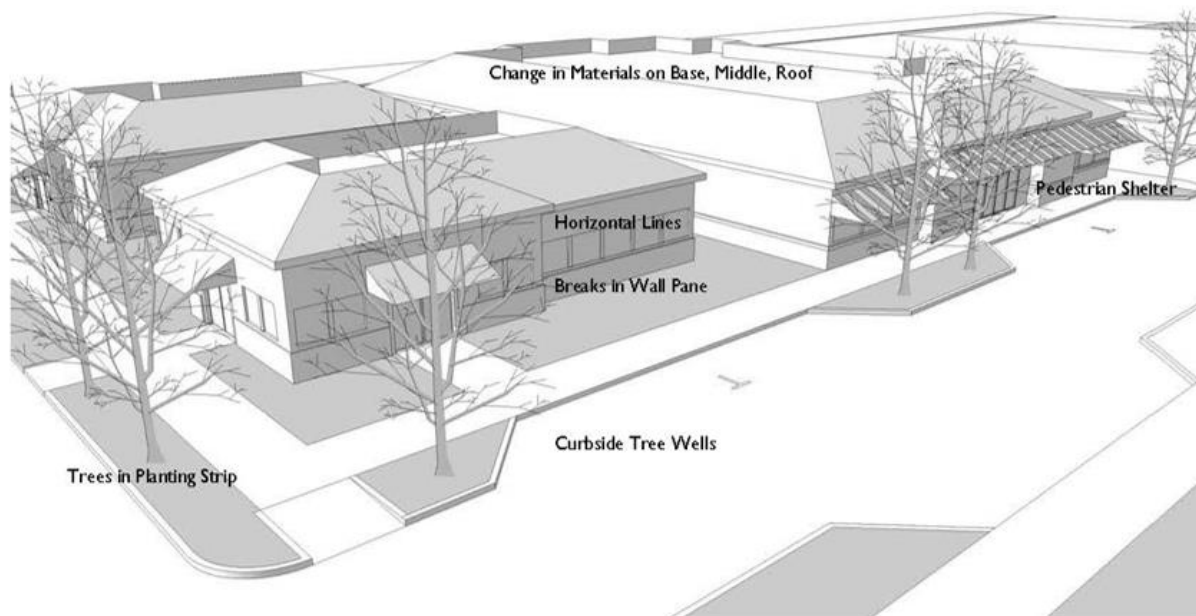
- (f) In addition to building modulation, large, expansive front building facades should be partially screened with landscaping (see figure).
- (g) A horizontal accent stripe (e.g., a foot wide stripe of different color) may be appropriately used to help reduce monotonous color and break up the appearance of large building walls.

## Roofs.

- (a) Flat roofs are discouraged, unless the zoning district includes buildings already developed with flat roofs, or unless such a design is needed for a "green" or "cool" roof.
- (b) Roof planes should be varied to increase visual interest.

## Awnings and canopies.

- (a) Awnings are encouraged for first floor retail uses to provide architectural interest and to encourage pedestrian activity. Where awnings are used, they should be designed to coordinate with the design of the building and any other awnings along the same block face.



## Illustrative Use of Awnings

Source: Oregon Transportation and Growth Management Program, 2012  
Model Development Code & User's Guide for Small Cities, 3<sup>rd</sup>Ed.

- (b) Awnings are recommended to be constructed with a durable frame covered by a canvas material.
- (c) Flameproof vinyl, canvas, or metal awnings and canopies may be appropriate.
- (d) Aluminum and other metal canopies are acceptable in most instances, particularly when integrated into shopping center designs.

- 
- (e) Solid colors are preferred over striped awnings, but striping is permitted if colors compliment the character of the structure or group of buildings.
  - (f) Awnings that are backlit through translucent materials are discouraged if not prohibited altogether.

### Colors.

- (a) The "base" color (used on the majority of the building surface) of buildings and accessory buildings and structures should be harmonious and compatible with colors of other buildings within and immediately adjacent to the zoning district in which the building or structure is located.
- (b) High-intensity colors, metallic colors, black, or fluorescent colors shall not be used.
- (c) Facade colors should be low reflectance, subtle, neutral, or earth tone colors. If a color palette or chart is adopted by the Mayor and City Council and maintained in the office of the community development department, then color selections should be limited to colors so indicated.
- (d) Trim color (used on the window trim, fascia, balustrades, and posts) may be brighter than base color.
- (e) All vents, gutters, downspouts, flashing, electrical conduits, etc., should be painted to match the color of the adjacent surface, unless they are being used expressly as a trim or accent element.
- (f) Accent color may be used with discretion on the building's exterior.

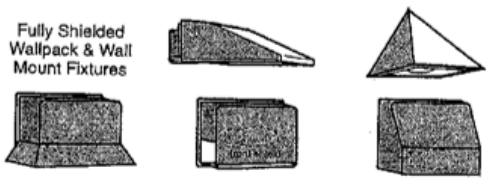
### Architectural lighting.

- (a) Well-designed and distinctive lighting of building facades is one of the best ways to attract attention and make a favorable impression with a minimal investment. Building facade lighting can help enhance the intrinsic charm, beauty, and utility of any given setting. Architectural lighting may include outlining, floodlighting, spotlighting, or any applicable combination of these techniques.
- (b) The discrete lighting of a few key architectural features or details is preferred over uniform floodlighting of the entire building facade. Focal points can also be established through careful floodlighting of major buildings, with the lighting of secondary buildings keyed in turn to these focal points.
- (c) Highly polished surfaces such as glass, marble, glazed tile, glazed brick, porcelain enamel, and various metals can reflect the image of the light source. Designers should avoid lighting these reflective surfaces directly. Glass buildings usually cannot be lighted for nighttime viewing.
- (d) Exterior lighting of the building shall be designed so that light is not directed off the site and the light source is shielded from direct off-site viewing.

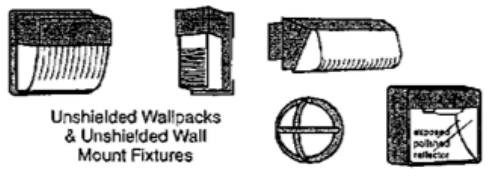


### Security Lighting

- (e) Security lighting, unless activated by motion sensor devices, shall be shielded or cutoff fixtures. Wallpacks are not permitted unless fully shielded.



**Shielded Wallpacks Permitted**



**Unshielded Wallpacks Prohibited**

**Wall Packs**

**Trash and recycling collection facilities.**

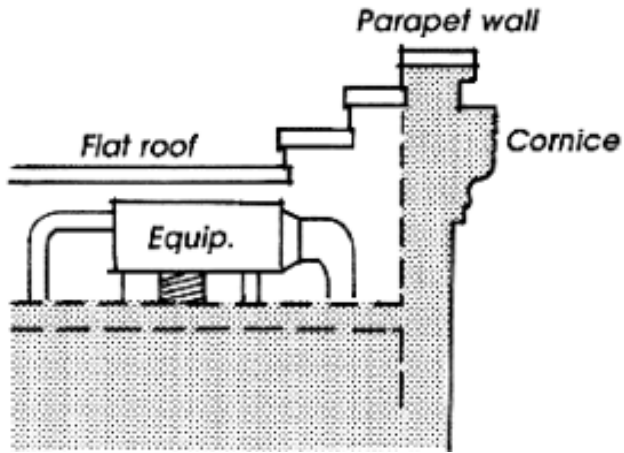
All institutional, commercial, industrial, multi-family residential sites must provide appropriate refuse dumpsters and areas devoted to the storage of waste materials (including grease or oil containers where used). The minimum area for said requirement shall be 36 square feet.



**Recommended Practice for Dumpsters**

All garbage dumpsters and other similar areas devoted to the storage of waste materials and grease or oil containers should be screened on 3 sides of said dumpster or area with a minimum 6' high (8' preferred) wall constructed of materials substantially similar in appearance to the building on site. Dumpster areas must be gated on the fourth side with a material that provides opaque screening, such as a solid, wooden fence matching the height of the surrounding wall.

Temporary dumpsters:



**Roof Top Screening**

### **Mechanical systems.**

Air conditioning units installed at grade should be sited to the rear or side of the building rather than the front of the building. Mechanical systems located on a rooftop shall be screened from view from the front and side lot lines by a parapet wall or other approved architectural feature.

### **Accessory nonresidential storage areas.**

Any accessory use involving the storage of equipment, refuse, or spare parts, or motorized vehicles under repair, shall be kept inside an enclosed building or otherwise fully shielded from public view by a fully opaque fence kept in good repair.

### **Fences and walls.**

- (a) The design of fences and walls shall be compatible with the architecture of the main building(s) and should use similar materials.
- (b) All walls or fences 50' in length or longer, and 4' in height or taller, should be designed to minimize visual monotony through changes in plane, height, material or material texture or significant landscape massing.



***Discouraged Garage Location***

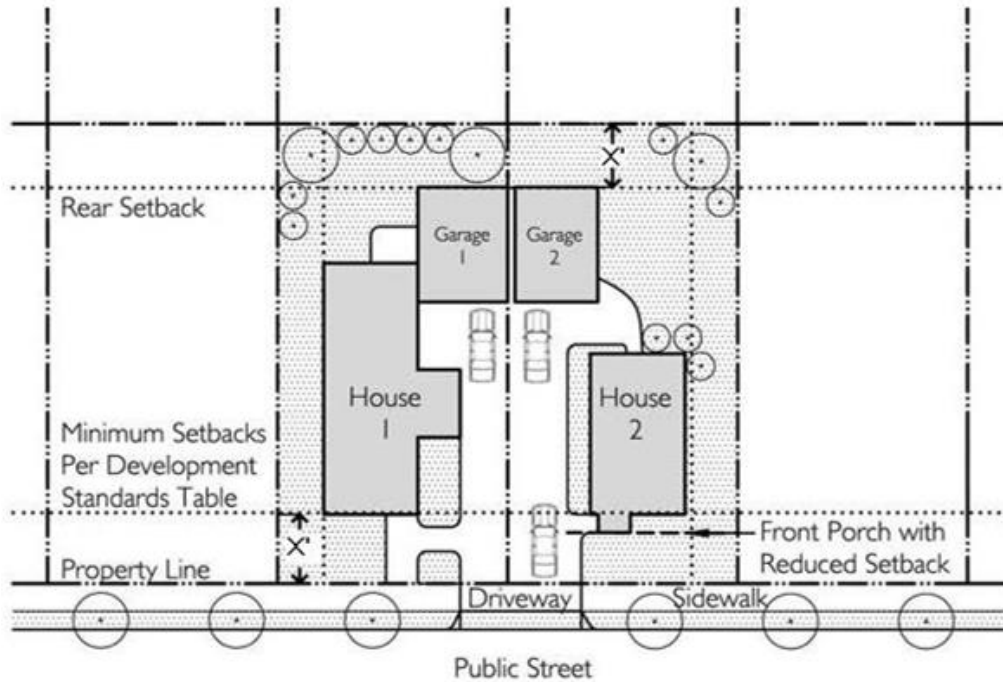
***Source: John Matusik and Daniel Deible. "Grading and Earthwork."***

***Figure 24.23 in Land Development Handbook, 2<sup>nd</sup>ed.***

***New York: McGraw-Hill, 2002, p. 562.***

**Residential garages and carports.**

Garages should be placed in rear yards. If facing the street, garages, whether integrated into residential dwellings or established as a freestanding carport or accessory building, should be set back further into the interior of the lot than the dwelling facade. In no case shall the garage's or carport's facade be allowed to be located closer to the street than the dwelling's facade.



**Encouraged Residential Garage Location**

Source: Oregon Transportation and Growth Management Program, 2012 Model Development Code & User's Guide for Small Cities, 3<sup>rd</sup>Ed.

**Residential unit differentiation.**

In residential development, floor plans and building elevations shall not be repeated at a rate greater than the same plan and elevation once every 5 building lots along the same street frontage, nor any 4 building lots across the street. The units should be further differentiated by varying the selection of architectural materials within the approved elevations. Any residential subdivision, townhome or condominium development and multi-family complex shall be required to submit a copy of the approved plat or site plan denoting or identifying model names or architectural elevations (which must accompany the plat or site plan as attachments) that demonstrates compliance with this section. The designer responsible for preparing this exhibit demonstrating compliance shall also certify that the model names or architectural elevations referenced meet the requirements of sections of the.

**Reserved.**