



REZONING APPLICATION ANALYSIS

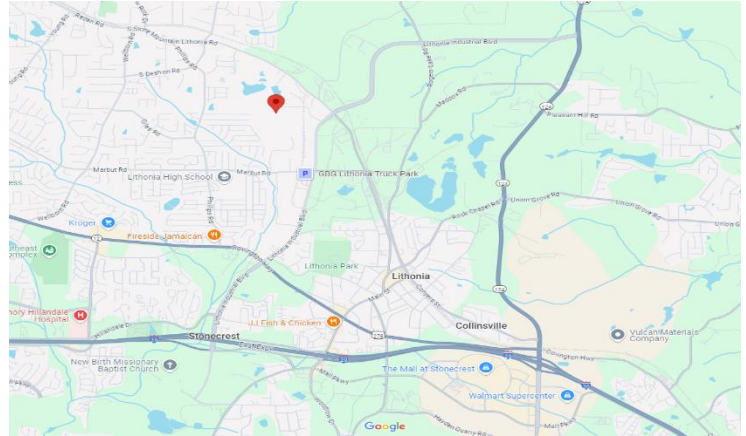
Prepared By:	Ellis Still, Deputy Director of Planning and Zoning
Petition Number:	ZM24-002
Applicant:	George H. Booker 1681 Wellborn Road Lithonia, GA 30058 gb.general@bellsouth.net FOR Amer Madanat Low Price Auto Glass Project 1540 Hernrico Road Conley, GA 30288
Owner:	NNN Reit, LP 450 South Orange Avenue Suite 900 Orlando, FL 32801 jill.fussell@nnnreit.com
Project Location:	6513 Marshall Boulevard, Stonecrest, GA
District:	1 – Councilwoman Tara Graves
Acreage:	+/- 32.04 acres
Existing Zoning:	M-2 (Heavy Industrial) District
Future Land Use:	Heavy Industrial (HIND)
Overlay District:	N/A
Proposed Development/Request:	The applicant is seeking to remove a zoning condition that was approved by a DeKalb County Special Land Use Permit (SLUP) that restricts any additional uses on the property. The applicant is seeking to construct a building for the use of a windshield repair business.
CPIM:	September 12, 2024
Planning Commission (PC):	October 1, 2024
Mayor & City Council:	October 28, 2024
Sign Posted/ Legal Ad(s) submitted:	August 7, 2024
Staff Recommendations:	CONDITIONAL APPROVAL
PC Recommendation:	CONDITIONAL APROVAL

PROJECT OVERVIEW

Location

The subject property is located at 6513 Marshall Boulevard with a parcel identification of 16 123 01 019. The subject property is a currently existing Pull A Part, based on the submitted site plan dated April 6, 2007, entitled Preliminary Site Plant # 2R Part.

The property abuts RSM (Small Lot Residential) District to the west, M (Light Industrial) to the north, M (Light Industrial) and M-2 (Heavy Industrial) to the south and M-2 (Heavy Industrial) to the east.



Background

The City of Stonecrest Zoning has the property is zoned M-2 (Heavy Industrial) District. The property has a stream along the western property lines including some floodway or floodplain. The property is currently operating as an automobile parts salvage yard (Pull-A-Part). The applicant is requesting to amend a zoning condition placed on the parcel in 2007 by a DeKalb County Special Land Use Permit (SLUP) that restricts any additional uses on the property.

ZM24-002



Adjacent and Surrounding Properties	Zoning (Petition Number)	Land Use
Applicant	M-2 (Heavy Industrial) District	Vacant Land
Adjacent: North	M & M-2 (Light & Heavy Industrial) District	Design Packaging Inc./Vacant
Adjacent: West	RSM (Small Lot Residential) District	The Woods of Redan and Laurel Post Close Subdivisions
Adjacent: East	M & M-2 (Light & Heavy Industrial) District	C&S Truck & Trailer
Adjacent: South	M-2 (Heavy Industrial) District	True Love Christian Ministries Church/Vacant



DIVISION 32. - M-2 (HEAVY INDUSTRIAL) DISTRICT

Sec. 2.32.1. - Statement of purpose and intent.

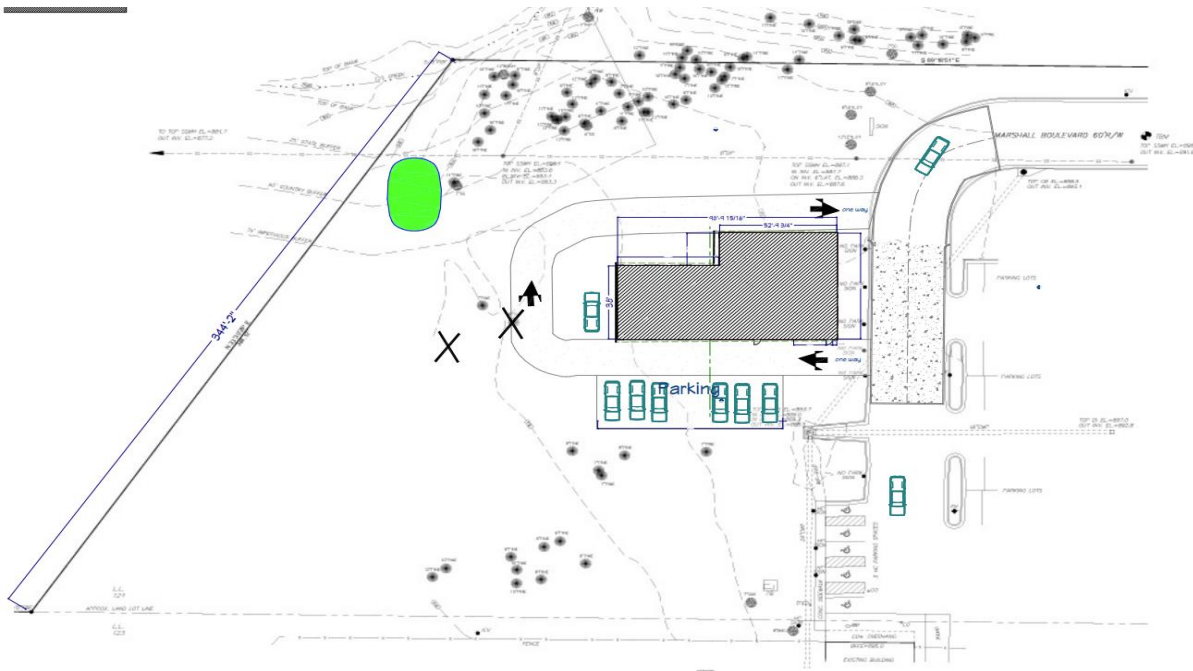
The purpose and intent of the City Council in establishing the M-2 (Heavy Industrial) District is as follows:

- A. To provide areas for manufacturing, warehousing and distribution facilities at locations so designated in the comprehensive plan;
- B. To provide for a location for intense industrial uses that do not require and may not be appropriate for a nuisance free environment;
- C. To provide for a location that allows nuisances such as noise, vibration and other impacts which cannot be contained on-site;
- D. To ensure that all businesses located within the M-2 (Heavy Industrial) District operate in compliance with the noise standards contained in this chapter and that any negative noise impact resulting from the use of land within the M-2 (Heavy Industrial) District is contained within the boundaries of said district and does not create noise problems for adjoining residential, office or commercial districts;
- E. To ensure that industrial districts are so located that transportation access to thoroughfares and freeways is available;
- F. To implement the future development map of the city's most current comprehensive plan.

Public Participation

Property owners within 1,000 feet of the subject property were mailed notices of the proposed rezoning in August 2024. There was a Community Planning Information Meeting (CPIM) held on September 12, 2024, at 6:00 p.m. at city hall. There were no attendees that spoke on the request.

Submitted Site Plans



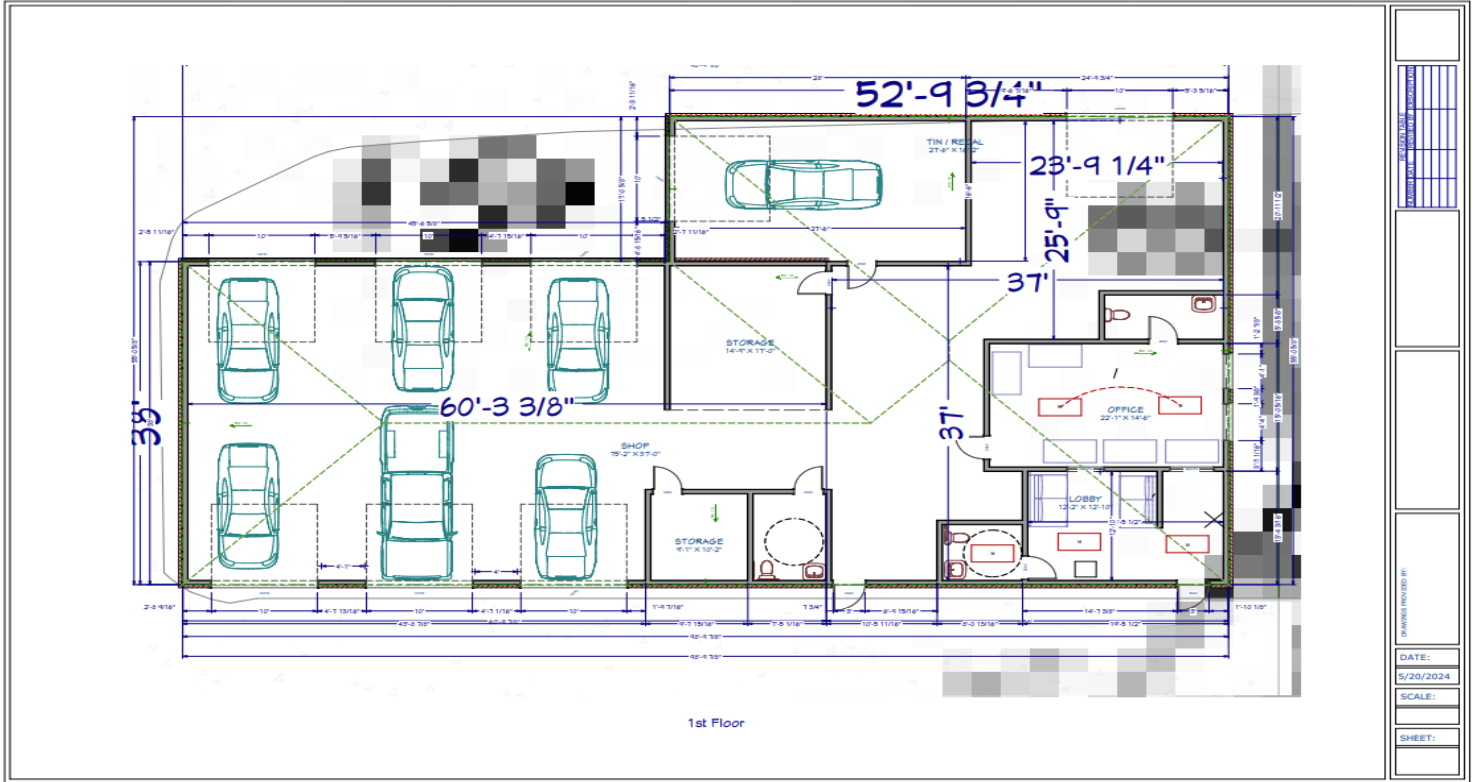
Site plan / scale 1"=20'

PROJECT TITLE	
DATE	
SCALE	
SHEET	
Project Overview	
DRAWINGS PROVIDED BY:	
DATE:	5/20/2024
SCALE:	
SHEET:	

Building Elevation



Floor Plan



Streetview



ZM 24-002

ADDRESS: **6513 Marshall Blvd, Stonecrest, GA**

CURRENT ZONING: **M-2 (Heavy Industrial) District**

OVERLAY DISTRICT: **N/A**

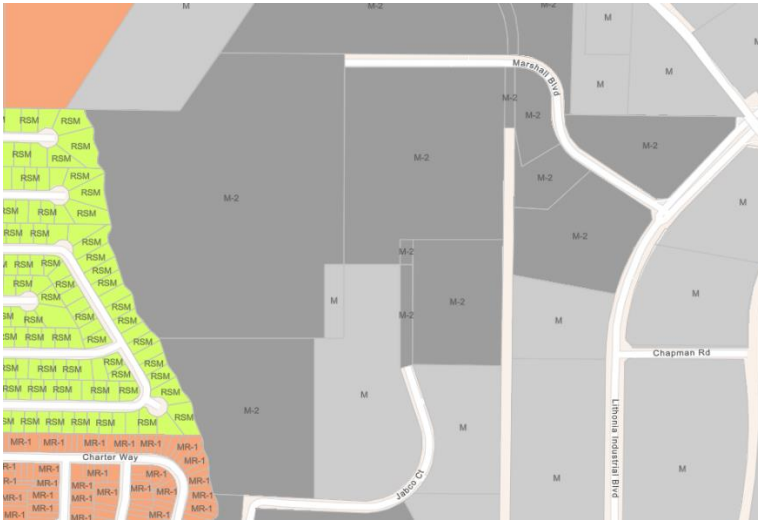
FUTURE LAND USE: **Heavy Industrial**

PROPOSED BUILDING LOCATION: 

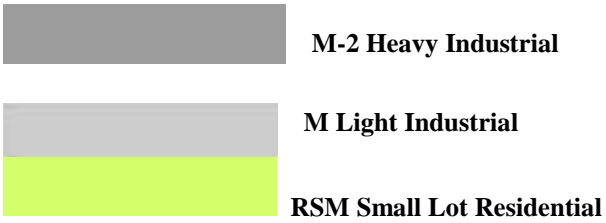
Aerial Map



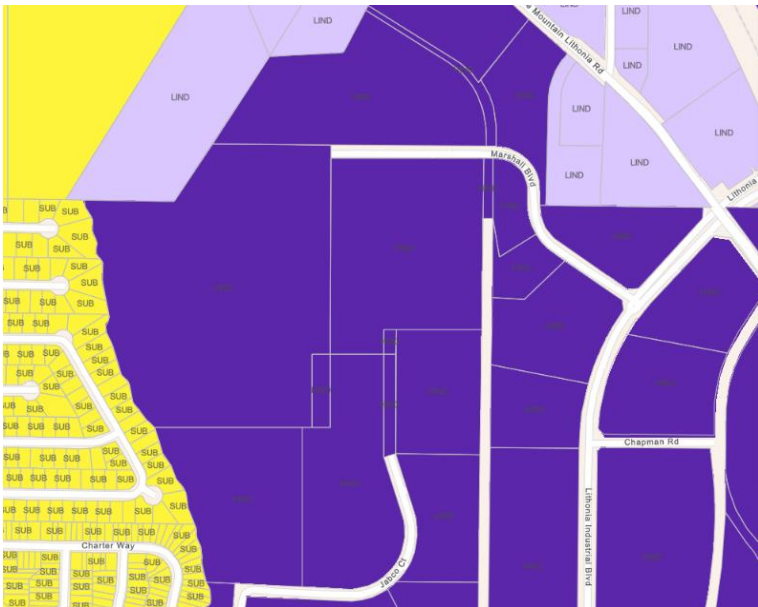
Zoning Map



Legend



Future Land Use Map



Legend





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STANDARDS OF ZONING MODIFICATION REVIEW

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

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

The subject property is located within the Heavy Industrial character area of the 2038 Stonecrest Comprehensive Plan and is consistent with the following Plan Policies and Strategies: The intent of the Industrial Character Area is to identify areas that are appropriate for more intense land uses that are industrial related. This designation consists of heavy and light industrial classifications. These uses shall be located as such to protect residential and commercial areas from potential disturbances +generated by industrial land uses. This designation consists of land uses for warehouse distribution, manufacturing, wholesale/trade and automotive.

The current surrounding zoning district is industrial, both light and heavy. The zoning modification request to remove a condition to allow for the automotive windshield repair is in alignment with the industrial zoning districts listed in the Heavy Industrial Future Land Use Destination.

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

The existing zoning is M-2 (Heavy Industrial) and is proposed use is permitted in this zoning district. The proposed use is suitable in view of the existing industrial uses located on and surrounding Marshal Blvd. The proposed use is for an automotive glass repair shop. This proposed use is requesting to co-exist on the property with an existing auto salvage business and would be suitable in view of the use and development of adjacent and nearby properties.

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

Currently zoned M-2 (Heavy Industrial) District, the site has a more than reasonable economic use a presently zoned. The current land use is an automobile salvage business. The proposed use is to add an automotive glass repair (shop) use on the property. However, there is an existing condition that prevents any additional uses on the property based on a prior zoning request.

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

The property has an existing salvage yard business that is located on the +/-34.02-acre parcel. The proposed use would not adversely affect the existing use or usability of the adjacent or nearby properties. The size of the parcel would allow the construction of an automotive glass repair business with minimum impact on adjacent and nearby properties. The residential development to the west of the property would not be affected due to the proposed use being located more than 750 feet away and is separated by a stream with adherence to the stream buffer.



E. Whether there are other existing or changing conditions affecting the use and development of the property, which gives supporting grounds for either approval or disapproval of the zoning proposal.

The applicant is requesting to locate on a parcel that has an existing automotive salvage business. There is an opportunity for both business owners to work collaboratively. The removal of a zoning condition will allow the opportunity for both business owners to ensure that the use is developed in a manner that is consistent with current development practices. These factors provide supporting grounds to approve the proposed zoning modifications. With no maximum of the number of additional structures on this parcel, respective of the zoning.

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

There are no known historic buildings, sites, districts, or archaeological resources near or on the subject site that would be affected by the zoning modification request at the time of this application.

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

The proposed zoning modification should not have a significant impact on existing streets and transportation facilities given the proposed use will be located on a property with access to an existing business. The nature of the use does not require customers to stay for extended periods of time and therefore should not produce a significant increase in traffic or overnight parking. This request will not have an impact on area schools. The applicant shall seek approval for all permitting through the City of Stonecrest with required reviews by external agencies (DeKalb County.)

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

The proposed use should not adversely impact the environment or surrounding natural resources due to the nature of the business. This is an automotive glass repair shop, and all discarded materials will be required to be disposed of in the proper manner meeting all local and state requirements, where applicable. There are no proposed references by the applicant that will reference odor, dust or chemicals that expressed in this application associated with this use.

STAFF RECOMMENDATION

Staff recommends **APPROVAL with conditions.**

- 1. No additional curb cuts shall be allowed on Marshall Blvd. Access shall be from the existing drive of Marshall Blvd used by the current business.**
- 2. No overnight parking or storage of repaired vehicles on the property.**
- 3. Must adhere to the all-applicable stream buffer and setback requirements (as applicable.)**

PLANNING COMMISSION (PC) RECOMMENDATION – October 1, 2024.

Planning Commission recommends **APPROVAL with (staff) conditions.**

- 1. No additional curb cuts shall be allowed on Marshall Blvd. Access shall be from the existing drive of Marshall Blvd used by the current business.**
- 2. No overnight parking or storage of repaired vehicles on the property.**
- 3. Must adhere to the all-applicable stream buffer and setback requirements (as applicable.)**



APPLICATION PACKAGE



RZ Application

All applications and plans must be submitted through the [Citizenserve Online Portal](#)

Amendment Application

PROPERTY			
Site Address(es): 6513 Marshall Boulevard Lithonia GA. 30058		Parcel #: 16 123 01019	Zip: 30058
Project Name (if applicable):			
Current Zoning		Proposed Zoning	
Current Use		Proposed Use	

OWNER INFORMATION	
Name:	
Address:	
Email:	Phone:

APPLICANT	
Name:	George H. Booker
Address:	1681 Wellborn Rd. Lithonia GA. 30058
Email:	gb-general@bellsouth.net
Phone:	678-613-8902



AFFIDAVIT
To the best of my knowledge, this application form is correct and complete. If additional materials are determined to be necessary, I understand that I am responsible for filing additional materials as specified by the City of Stonecrest Zoning Ordinance. I understand that failure to supply all required information (per the relevant Applicant Checklists and Requirements of the Stonecrest Zoning Ordinance) will result in the rejection of this application. I have read the provisions of the Georgia Code Section 36-67A-3 as required regarding Campaign Disclosures. My Signed Campaign Disclosure Statement is included.

Applicant's Name:	George H. Booker
Applicant's Signature:	[Signature]
Date:	5-24-2024

NOTARY	
Sworn to and subscribed before me this 24 th day of MAY 2024	
Notary Public:	Kendall Grey
Signature:	[Signature]
Date:	5/24/24



RZ Application


All applications and plans must be submitted through the Citizenserve Online Portal

Applicant(s) Notarized Certification

The petitioner acknowledged that this amendment application form is correct and complete. By completing this form, all applicant of the subject property certifies authorization of the filing of the application for amendment(s), and authorization of an applicant or agent to act on their behalf in the filing of the application including all subsequent application amendments.

Applicant

Name:	George H. Becker		
Address:	11681 Westboro Rd.	City, State:	Lithonia GA. Zip: 30058
Signature:	<i>[Signature]</i>	Date:	5-24-2024
Sworn to and subscribed before me this <u>24th</u> day of <u>May</u> , 20 <u>24</u>			
Notary Public:	<i>[Signature]</i> KENDALL GREY		



Applicant (if applicable)

Name:			
Address:		City, State:	Zip:
Signature:		Date:	
Sworn to and subscribed before me this _____ day of _____, 20____			
Notary Public:			

Applicant (if applicable)

Name:			
Address:		City, State:	Zip:
Signature:		Date:	



RZ Application

All applications and plans must be submitted through the [Citizenserve Online Portal](#)



Property Owner(s) Notarized Certification

The owner and petitioner acknowledge that this amendment 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 amendment(s), 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

Name:	Ross Kagon		
Address:	6513 MARS HILL BLVD.	City, State:	STONECREST, GA Zip: 30058
Signature:		Date:	5/24/24

Sworn to and subscribed before me this 24 day of May, 2024

Notary Public:

Additional Property Owner (if applicable)

Name:			
Address:		City, State:	Zip:
Signature:		Date:	

Sworn to and subscribed before me this 24 day of May, 2024

Notary Public:

Additional Property Owner (if applicable)

Name:			
Address:		City, State:	Zip:
Signature:		Date:	



RZ Application

All applications and plans must be submitted through the [Citizenserve Online Portal](#)

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/Property Owner			
Name:	George H. Booker		
Address:	1681 Wellborn Rd.	City, State:	Lithonia Ga. Zip: 30058
Signature:		Date:	5-23-2024

If the answer above is yes, please complete the following section:

Date	Government Official & Position	Description	Amount



Planning and Zoning Department of Stonecrest
3120 Stonecrest Blvd Suite 190
Stonecrest, GA 30038

Re: Low Price Auto Glass Project
1540 Henrico Road
Conley, GA 30288
Phone:404-243-9989

Dear Planning and Zoning Department of Stonecrest,

The purpose of this letter of intent is to inform you that we would like to build a new glass repair shop at 6513 Marshall Blvd Lithonia, Ga 30058. I, Amer Madanat, George Booker (GB General Contracting), and Pull A Part would like to petition an amendment file SLU-07-13560 for a zoning modification.

With over 25 years of experience in the auto glass repair industry, partnership alongside Pull-A-Part, our family-owned business has proudly served the Greater Atlanta area with unparalleled expertise and dedication.

We take pride in offering swift and efficient auto glass repair services, with a commitment to completing each job within a 45-minute timeframe. Our emphasis on promptness and quality craftsmanship has earned us a reputation as the go-to destination for customers seeking reliable and expedited auto glass repairs.

In addition to our efficient service model, we prioritize delivering exceptional customer experiences. Our knowledgeable staff members are trained to provide personalized attention to each customer, ensuring their needs are met with professionalism and courtesy at every interaction. We understand the importance of earning and maintaining customer trust, and we go above and beyond to exceed expectations with every repair job.

Thank you for considering this proposal, and we look forward to the opportunity.

Sincerely,

Amer Madanat



City of Stonecrest 2038 Comprehensive Plan 5- Year Update



Caption: An example of Heavy Industrial activity located in Stonecrest, GA

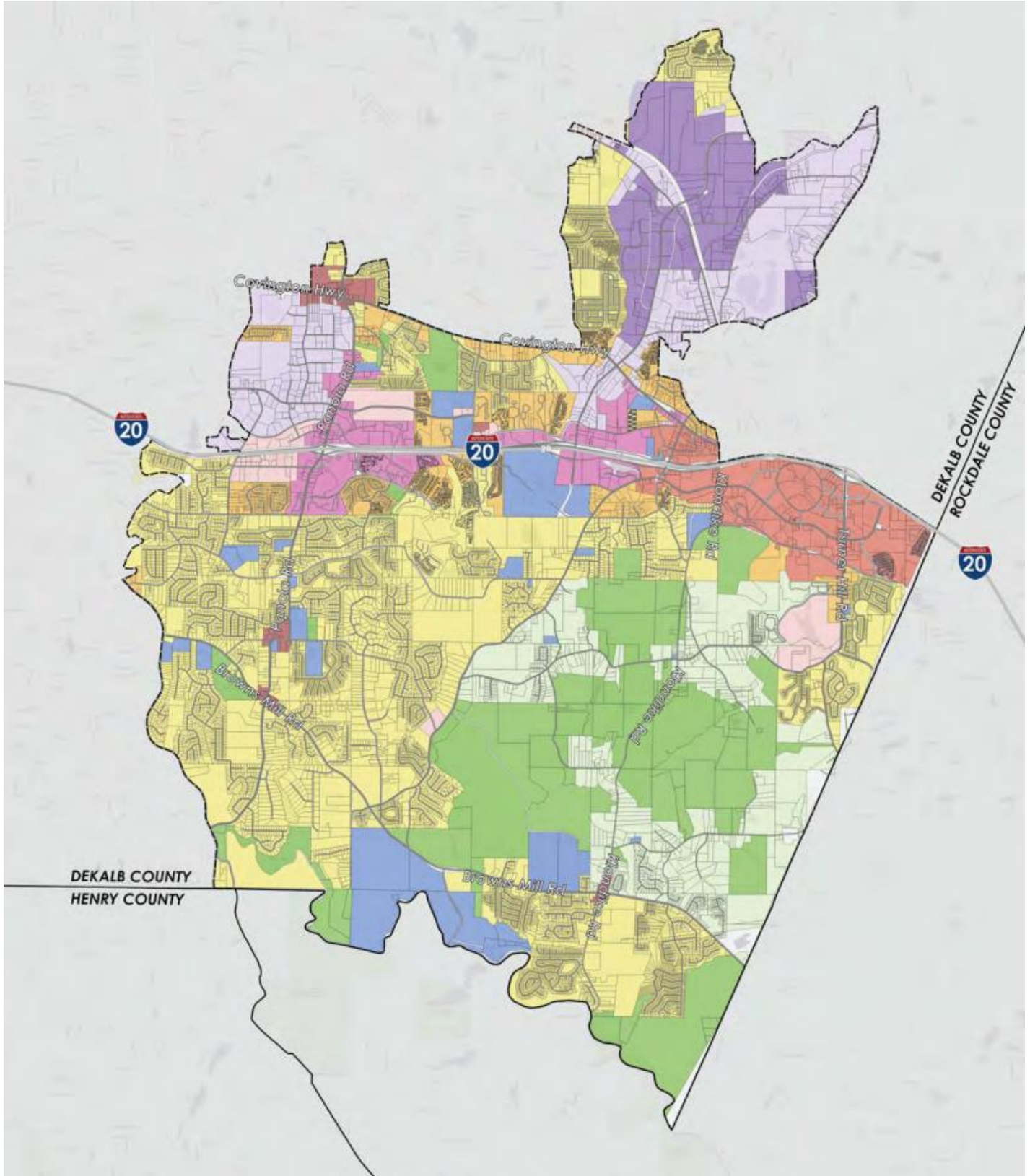
Heavy Industrial (M-HI): The intent of the Industrial Character Area is to identify areas that are appropriate for more intense land uses that are industrial-related. This designation consists of heavy and light industrial classifications. These uses shall be located to protect residential and commercial areas from potential disturbances generated by industrial land uses. This designation would consist of land used for warehousing, distribution, manufacturing, assembly, and processing. Where these types of uses generate odors, noise, vibration, air pollution, or other nuisances, the Heavy Industrial Land Use Designation would be appropriate.

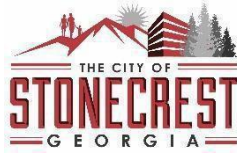
Use Descriptions: Manufacturing; Warehouse Distribution; Wholesale/Trade; Automotive

Maximum Density, Units/Acre: n/a

Permitted Districts: OD, C2, M, M2

FUTURE LAND USE MAP





CITY OF STONECREST, GEORGIA

DEKALB COUNTY CONDITIONS SLUP #07-13560



GEORGIA STATE BOARD OF REGISTRATION OF USED MOTOR VEHICLE DEALERS
 & USED MOTOR VEHICLE PARTS DEALERS
 237 COLISEUM DRIVE
 MACON, GA 31217
 478.207.2440
 FAX 866.888.8026
 www.sos.ga.us/plb/usedcar

ZONING CERTIFICATION

THIS IS TO CERTIFY THAT

PULL A PART
 DEALERSHIP NAME

PULL A PART c/o GREG COHEN, SR VP of MARKETING AND NEW VENTURES
 OWNER(S)

6513 MARSHALL BLVD
 STREET ADDRESS

LITHONIA
 CITY

GA
 STATE

30058
 ZIP CODE

IS PROPERLY ZONED TO OPERATE THE PROPOSED USED MOTOR VEHICLE DEALER/BROKER
 ESTABLISHMENT IN THE COUNTY/CITY OF

DEKALB

AND THAT CURRENT ZONING

STANDARDS WILL ALLOW A PERMANENT SIGN ON THE PROPERTY THAT APPRISES CONSUMERS OF THE
 DEALERSHIP.

- Signs must comply with Ch. 21 of the County Code (the "Sign Ordinance")
- See attached conditions.

Melora Furman
 SIGNATURE OF ZONING COMMISSIONER

Melora Furman
 PRINT NAME OF ZONING COMMISSIONER

SWORN TO AND SUBSCRIBED BEFORE ME THIS

16th DAY OF December, 2013

[Signature]
 NOTARY PUBLIC

MY COMMISSION EXPIRES 4-4-17

NOTARY SEAL



DEKALB COUNTY

ITEM NO.

BOARD OF COMMISSIONERS

ZONING AGENDA / MINUTES

MEETING DATE: July 24, 2007

HEARING TYPE
PUBLIC HEARING

ACTION TYPE
ORDINANCE

SUBJECT: Special Land Use Permit – Pull-A-Part, LLC c/o The Battle Law Group

COMMISSION DISTRICTS: 5 & 7

DEPARTMENT: Planning

PUBLIC HEARING: YES NO

ATTACHMENT: YES No

PAGES: 22

INFORMATION CONTACT: Patrick Ejike/Kevin Hunter

PHONE NUMBER: (404) 371-2155

PURPOSE:
SLUP-07-13560

Application of Pull-A-Part, LLC c/o The Battle Law Group to request a special land use permit to allow for a used automobile parts/retailer. The property is located on the north side of Jabco Court, north of its intersection with Marbut Road. The property has 50 feet of frontage along Jabco Court, 60 feet along Marshall Boulevard and contains 33.58 acres.

Subject Property: 16-123-01-019

RECOMMENDATION(S):

PLANNING DEPARTMENT:

Approval w/conditions (Revised 7/13/07). Based on the submitted site plan and information, as well as field investigation of the project site, it appears that the proposed project meets all of the requirements of the Zoning Ordinance for approval of a Special Land Use Permit. Therefore, it is the recommendation of the Planning Department that the application be approved, subject to the following conditions:

1. The 200 foot Transitional Buffer shall be maintained in a natural state.
2. Approval shall be based on the submitted site plan dated April 6, 2007, entitled Preliminary Site Plan #2R, prepared by Planners and Engineers Collaborative, with the construction of an eight (8) foot high metal (painted sound) wall, subject to approval of the Planning and Development Department.
3. Noise levels shall be in strict compliance to the DeKalb County Code of Ordinance.

PLANNING COMMISSION:

Approval w/conditions.

COMMUNITY COUNCIL:

Approval.



FOR USE BY COMMISSION OFFICE/CLERK ONLY

ACTION: H21

MOTION was made by Commissioner May, seconded by Commissioner Stokes, and passed 5-0-0-2, to approve with conditions, the special land use permit of Pull-A-Part, LLC c/o The Battle Law Group. Commissioner Ellis was out of the room and not voting and Commissioner Boyer was absent and not voting.

ADOPTED: JUL 24 2007
 (DATE)
[Signature]
 PRESIDENT OFFICER
 DEKALB COUNTY BOARD OF COMMISSIONERS

CERTIFIED: JUL 24 2007
 (DATE)
[Signature]
 CLERK,
 DEKALB COUNTY BOARD
 OF COMMISSIONERS

FOR USE BY CHIEF EXECUTIVE OFFICER ONLY

APPROVED: AUG 06 2007
[Signature]
 CHIEF EXECUTIVE OFFICER
 DEKALB COUNTY

VETOED: _____
 CHIEF EXECUTIVE OFFICER
 DEKALB COUNTY

VETO STATEMENT ATTACHED: _____

MINUTES:

Michael Battle, 999 Peachtree Street, Atlanta, Ga. 30309, spoke in support of the application. Ms. Battle submitted a list of conditions for the record.

No one spoke in opposition of the application.

	FOR	AGAINST	ABSTAIN	ABSENT
DISTRICT 1 - ELAINE BOYER				
DISTRICT 2 - JEFF RADER	X			X
DISTRICT 3 - LARRY JOHNSON	X			
DISTRICT 4 - BURRELL ELLIS				
DISTRICT 5 - LEE MAY	X			X
DISTRICT 6 - KATHIE GANNON	X			
DISTRICT 7 - CONNIE STOKES	X			

