REZ-17-03

CITY OF CLARKSTON
where possibilities grow

REZONING APPLICATION

Form # 200-RZ

This page must be completed by the Applicant. Please see Applicant Instructions for full requirements.

SUBMITTAL CHECKLIST

Your application must include the following items, or it will not be considered complete:

- ☐ Conceptual Site Plans to scale (see checklist for requirements) (survey boundary required component of conceptual plans)
- ☑ Written Legal Description of Property
- ☑ Property Deed
- ☐ Recorded Plat of Property (seven (7) copies)
- ☑ Campaign Contribution Disclosure Form
- ☑ Filing Fee (payable to The City of Clarkston) $750.00
- ☒ N/A Check here if applicant seeks to annex the listed property into the City limits

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):

____ Rezoning (type(s)) _____ (Fee) _____

APPLICANT INFORMATION

ROBERT BUCKLER — Applicant Name
RBM DECATUR, LLC — Company
2692 MABRY RD — Mailing Address
Suite/Apt. #
ATLANTA, GA — City, State
30329 — Zip Code
404-697-1942 — Primary Phone #
Alternate Phone #
Fax #
BOBBYBUCKLER7@YAHOO.COM — Email Address

PROJECT SUMMARY

Name of Project

Detailed Project Description (Include proposed use(s) and square footage of floor area for each use): NR-3

Total Number of Parcels Involved: _____ Total Project Acreage: _____

Total Number of Buildings: _____ Total Estimated Cost of Planned Improvements: _____

☐ Development of Regional Impact (see table for thresholds that trigger DRI review)

☐ 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.

Pre-Application Date: _____ **City Plnr/Engr Project #**_____ Rev. 05/01/12

Case # REZ-17-03

CITY OF CLARKSTON
where possibilities grow

REZONING APPLICATION

Form # 200-RZ

Robert H. Brooks — June 5, 2017

Applicant Signature — Date

☑ Property Owner ☐ Owner's Agent

CITY OF CLARKSTON
where possibilities grow

REZONING APPLICATION

Form # 200-RZ

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.

PROPERTY # 2 OF 2 TOTAL

801 GLENDALE ROAD CLARKSTON, GA

PARCEL (PROPERTY) INFORMATION

3449 CHURCH STREET CLARKSTON, GA

Property Address/Location | Suite/Apt. # | City, State | Zip Code

18065060 31 / 18065060 32

Parcel ID/Property Tax Identification Number

Total Acreage: 1

N/A

Present Use(s)

Present Zoning (Official Zoning Map)

Townhomes - $250,000 - $300,000

Proposed Use(s)

PROPERTY OWNER

RBM DECATUR LLC

Owner (Person, Firm, Corporation, or Agency) | Company Name

2692 MABRY RD ATLANTA, GA 30319

Mailing Address | Suite/Apt. # | City, State | Zip Code

404-697-1942

Primary Phone # | Alternate Phone # | Fax #

bobbybuckler7@yahoo.com

Email Address

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

ROBERT BUCKLER

Name and Company (Owner's Agent or Attorney)

2692 MABRY RD. ATLANTA, GA 30319

Mailing Address | Suite/Apt. # | City, State | Zip Code

404-697-1942

Primary Phone # | Alternate Phone # | Fax #

Bobbybuckler7@yahoo.com

Email Address

AUTHORIZATION FOR AGENT (If applicable)

Robert Buckler

Owner Signature

June 5, 2017

Date

ROBERT BUCKLER

Print Name

Subscribed and sworn before me this 5 day of JUNE, 20 17.

Signature of Notary Public in the State of Georgia

NOTARY SEAL

BRENDON MCLEOD NOTARY PUBLIC EXP. Jan. 05, 2019 FULTON COUNTY, GA

EXHIBIT A
Legal Description of the Property

Tract I

All that tract or parcel of land lying and being in Land Lot 65 of the 18th District of DeKalb County, Georgia, and being more particularly described as follows:

Beginning at iron pin set at the corner formed by the intersection of the southeasterly right-of-way line of Church Street (said right-of-way being located 149 feet southeasterly of and parallel to the centerline of the Georgia Railroad track) with the northeasterly right of way line of Glendale Drive (an apparent 40 foot right-of-way); running thence North 47 degrees 52 minutes 50 seconds East along the southeasterly right of way line of Church Street, 409.88 feet to a point; thence leaving the southeasterly right-of-way line of Church Street and running South 31 degrees 46 minutes 20 seconds East, 572.90 feet to a point; running thence South 58 degrees 13 minutes 40 seconds West, 402.01 feet to a point located on the northeasterly right-of-way line of Glendale Drive; running thence North 31 degrees 54 minutes 36 seconds West along the northeasterly right-of-way line of Glendale Drive, 499.28 feet to the iron pin found at the corner formed by the intersection of the southeasterly right of way line of Church Street and the northeasterly right-of-way line of Glendale Drive, which is the point of beginning; and being a tract or parcel of land containing 4.955 acres designated as "Lease Parcel Area - 4.955 acres", according to a plat of survey entitled "Boundary Survey, I-285 Industrial Park" prepared by Hornbeck & Associates, Inc., dated May 11, 1982.

Tract II

All that tract or parcel of land lying and being in Land Lot 65 of the 18th District of DeKalb County, Georgia, and being more particularly described as follows:

Beginning at a point on the northeasterly right-of-way line of Glendale Drive (a 40-foot right-of-way), 499.8 feet southeasterly, as measured along the northeasterly right of way line of Glendale Drive, from the corner formed by the intersection of the southeasterly right of way line of Church Street (said right-of-way being located 149 feet southeasterly of and parallel to the centerline of the Georgia Railroad track) with the northeasterly right of way line of Glendale Drive; running thence South 33 degrees 16 minutes 44 seconds East along the northeasterly right-of-way line of Glendale Drive, 68.70 feet to a point; thence leaving the northeasterly right-of-way line of Glendale Drive and running North 58 degrees 49 minutes 44 seconds East; 44.89 feet to a point; running thence North 01 degree 41 minutes 08 seconds West, 86.39 feet to a point; running thence South 53 degrees 40 minutes 30 seconds West, 90.38 feet to the point of beginning; and being more particularly shown on and described in accordance with a plat of survey prepared by Gudger Surveying, Inc. dated June 13, 2005.

Less and Except property set forth in Right of Way Deed between Charles Z. Borochoff Marital Trust and DeKalb County, a political subdivision of the State of Georgia, dated February 15, 2006, recorded in Deed Book 19603, Page 794, DeKalb County, Georgia records.

Please return to: MCMANAMY MCLEOD HELLER, LLC
3520 PIEDMONT ROAD, STE 110
ATLANTA, GA 30305
File # 14-07-0001

2014133851 DEED BOOK 24597 Pg 395

Filed and Recorded:
10/2/2014 11:16:23 AM
Debra DeBerry
Clerk of Superior Court
DeKalb County, Georgia

Real Estate Transfer Tax $449.00

STATE OF MINNESOTA
COUNTY OF RAMSEY

LIMITED WARRANTY DEED

THIS INDENTURE made this 22 day of September, 2014 between

Ceradyne, Inc., a Delaware corporation

as party or parties of the first part, hereinafter called Grantor, and

RBM Decatur, LLC, a Georgia Limited Liability Company,

as party or parties of the second part, hereinafter called Grantee (the words "Grantor" and "Grantee" to include their respective heirs, successors and assigns where the context requires or permits).

WITNESSETH that: Grantor, for and in consideration of the sum of TEN DOLLARS and other good and valuable consideration ($10.00) in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, has granted, bargained, sold, aliened, conveyed and confirmed, and by these presents does grant, bargain, sell, alien, convey and confirm unto the said Grantee, the following described property:

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 65 OF THE 18TH DISTRICT OF DEKALB COUNTY, GEORGIA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT IRON PIN SET AT THE CORNER FORMED BY THE INTERSECTION OF THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF CHURCH STREET (SAID RIGHT-OF-WAY BEING, LOCATED 149 FEET SOUTHEASTERLY OF AND PARALLEL TO THE CENTERLINE OF THE GEORGIA RAILROAD TRACK) WITH THE NORTHEASTERLY RIGHT OF WAY LINE OF GLENDALE DRIVE (AN APPARENT 40' RIGHT-OF-WAY); RUNNING THENCE NORTH 47 DEGREES 52 MINUTES 50 SECONDS EAST ALONG THE SOUTHEASTERLY RIGHT OF WAY LINE OF CHURCH STREET, 409.88 FEET TO A POINT;II THENCE LEAVING THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF CHURCH STREET AND RUNNING SOUTH 31 DEGREES 46 MINUTES 20 SECONDS EAST, 572.90 FEET TO A POINT; RUNNING THENCE SOUTH 58 DEGREES 13 MINUTES 40 SECONDS WEST, 402.01 FEET TO A POINT LOCATED ON THE NORTHEASTERLY RIGHT-OF-WAY LINE OF GLENDALE DRIVE; RUNNING THENCE NORTH 31 DEGREES 54 MINUTES 36 SECONDS WEST ALONG THE NORTHEASTERLY RIGHT-OF-WAY LINE OF GLENDALE DRIVE, 499.28 FEET TO THE IRON PIN FOUND AT THE CORNER FORMED BY THE INTERSECTION OF THE SOUTHEASTERLY RIGHT OF WAY LINE OF CHURCH STREET AND THE NORTHEASTERLY RIGHT-OF-WAY LINE OF GLENDALE DRIVE, WHICH IS THE POINT OF BEGINNING; AND BEING A TRACT OR PARCEL OF LAND CONTAINING 4.956 ACRES DESIGNATED AS "LEASE PARCEL AREA - 4.955 ACRES", ACCORDING TO A PLAT OF SURVEY ENTITLED "BOUNDARY SURVEY, I-285 INDUSTRIAL PARK" PREPARED BY HORLBECK & ASSOCIATES, INC,, DATED MAY 11, 1982.

TRACT II

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 65 OF THE 18TH DISTRICT OF DEKALB COUNTY, GEORGIA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE NORTHEASTERLY RIGHT-OF-WAY LINE OF GLENDALE DRIVE (A 40-FOOT RIGHT- OF-WAY), 499.0 FEET SOUTHEASTERLY, AS MEASURED ALONG THE NORTHEASTERLY RIGHT OF WAY LINE OF GLENDALE DRIVE, FROM THE CORNER FORMED BY THE INTERSECTION OF THE SOUTHEASTERLY RIGHT OF WAY LINE OF CHURCH STREET (SAID RIGHT-OF-WAY BEING LOCATED 149 FEET SOUTHEASTERLY OF AND PARALLEL TO THE CENTERLINE OF THE GEORGIA RAILROAD TRACK) WITH THE NORTHEASTERLY RIGHT OF WAY LINE OF GLENDALE DRIVE; RUNNING THENCE SOUTH 33 DEGREES 16 MINUTES 44 SECONDS EAST ALONG THE NORTHEASTERLY RIGHT-OF-WAY LINE OF GLENDALE DRIVE, 68.70 FEET TO A POINT; THENCE LEAVING THE NORTHEASTERLY RIGHT-OF-WAY LINE OF GLENDALE DRIVE AND RUNNING NORTH 56 DEGREES 49 MINUTES 44 SECONDS EAST, 44,89 FEET TO A POINT; RUNNING THENCE NORTH 01 DEGREE 41 MINUTES 08 SECONDS WEST, 86,39 FEET TO A POINT; RUNNING THENCE SOUTH 53 DEGREES 40 MINUTES 30 SECONDS WEST, 90.38 FEET TO THE POINT OF BEGINNING; AND BEING MORE PARTICULARLY SHOWN ON AND DESCRIBED IN ACCORDANCE WITH A PLAT OF SURVEY PREPARED BY GUDGER SURVEYING, INC., DATED JUNE 13, 2005.

LESS AND EXCEPT PROPERTY SET FORTH IN RIGHT OF WAY DEED BETWEEN CHARLES Z. BOROCHOFF MARITAL TRUST AND DEKALB COUNTY, A POLITICAL SUBDIVISION OF THE STATE OF GEORGIA, DATED FEBRUARY 15, 2006, RECORDED IN DEED BOOK 19603, PAGE 794, DEKALB COUNTY, GEORGIA RECORDS.

BEING THE SAME PROPERTY AS CONVEYED BY LIMITED WARRANTY DEED BETWEEN BOROCHOFF TRANSITION, LLC, A GEORGIA LIMITED LIABILITY COMPANY AND CERADYNE, INC., A DELAWARE CORPORATION, DATED AUGUST 3, 2007, DEED BOOK 20188, PAGE 269, DEKALB COUNTY, GEORGIA RECORDS; AS ALSO CONVEYED BY QUIT CLAIM DEEDS AT 18338/622, 18338/625, 18338/628 AND 18338/631, DEKALB COUNTY, GEORGIA RECORDS;

MAP PARCEL ID#1806506031
MAP PARCEL ID#1806506032

TO HAVE AND TO HOLD the said tract or parcel of land, with all and singular the rights, members and appurtenances thereof, to the same being, belonging, or in anywise appertaining, to the only proper use, benefit and behoof of the said Grantee forever in FEE SIMPLE.

AND THE SAID Grantor will warrant and forever defend the right and title to the above-described property unto the said Grantee against the claims passing by or through Grantor.

IN WITNESS WHEREOF, Grantor has hereunto set grantor's hand and seal this first day and year first above written.

Signed, sealed and delivered in the presence of:

Witness

Notary Public
My commission expires January 31, 2015

JOCYNE E SEELEY
Notary Public
Minnesota
My Commission Expires January 31, 2015

Ceradyne, Inc.

BY:
Kimberly M. Torseth
Assistant Treasurer

EXHIBIT "B"

1. Such matters as would be disclosed by an accurate and current survey and inspection of the Property.

2. All easements and rights-of-way of record.

3. Taxes for the 2014 and subsequent years.

4. All subdivision plats of record and declarations and restrictive covenants pertaining to the Property.

5. All utility service easements of record.

6. Rights of all tenants or persons in possession of the Property.

7. Unrecorded claims for liens for labor and material furnished for improvements of the Property.

8. All zoning ordinances, regulations and conditions.

9. All building regulations.

10. Easement from Wendell C. Kennedy to Georgia Power Company dated March 27, 1950, filed for record April 5, 1950, and recorded in Deed Book 809, Page 47, aforesaid records.

11. Indian Creek Area Sewer Easement from Borochoff Properties, Inc. to Dekalb County, Georgia, dated July 1, 1964, filed for record September 1, 1964, and recorded in Deed Book 1917, Page 268, aforesaid records.

12. Easements as conveyed in the certain Warranty Deed from Lance M. Borochoff and Lynn B. Gould, as Trustee of the Charles Z. Borochoff Martial Trust, under the Last Will and Testament of Charles Z. Borochoff, deceased, to Decatur Paint & Body, Inc., a Georgia corporation, dated July 18, 2005, filed for record July 22, 2005, and recorded in Deed Book 17686, Page 786, aforesaid records.

13. Parking and Landscape Easement from Lance M. Borochoff and Lynn B. Gould, as Trustees of the Charles Z. borochoff Marital Trust to Mike Cushwa and Angi Cushwa, dated June21, 2005, filed for record July 22, 2005, and recorded in Deed Book 17687, Page 9, aforesaid records.

14. Easements as conveyed in Right-of-Way Deed from Charles Z. Borochoff Marital Trust to Dekalb County, a political subdivision of the "State of Georgia" dated February 15, 2006, filed for record January 25, 2007, and recorded in Deed Book 19603, Page 794, aforesaid records.

15. Easement recorded on January 1, 1964 in Deed Book 1883, Page 264, aforesaid records.

16. Right-of-Way Easement recorded on July 10, 1967, in Deed Book 2214, Page 642, aforesaid records.

17. Easement recorded January 16, 1968 in Deed Book 2774, Page 110, aforesaid records.

18. Easement recorded December 19, 1991, in Deed Book 7131, Page 318, aforesaid records.

CITY OF CLARKSTON
where possibilities grow

Disclosure of Campaign Contributions

Pursuant to OCGA, Section 36-67A-3(a), the following disclosure is mandatory when an applicant or any representative has made campaign contributions aggregating $250.00 or more to a local government within two (2) years immediately preceding the filing of this application.

It shall be the duty of the applicant and the attorney representing the applicant to file a disclosure with the governing authority of the respective local government. The following questions **must** be answered:

Have you, the applicant, made $250.00 or more in campaign contributions to a **local** government official within two years immediately preceding the filing of this application?

Yes ☐ No ☑

If the answer is **yes**, you must file a disclosure report with the governing authority of City of Clarkston showing:

1. The name and official position of the local governing authority in City of Clarkston to whom the campaign contribution was made.

   _____
   Name and official position of the applicant/representative (Please Print)

2. The dollar amount and description of each campaign contribution made during the two (2) years immediately preceding the filing of this application and the date of each such contribution was made.

   _____ $_____
   Description of Campaign Contribution (Please Print) — Dollar Amount

This disclosure must be filed within ten (10) days after the application is first filed and must be submitted to the City of Clarkston, 3921 Church Street, Clarkston, GA 30021.

Robert H. Beckler — June 6, 2017
Signature (choose one) Applicant ☑ Owner ☐ — Date

LaStacia Evans — June 6, 2017
Notary Signature — Date and Seal

LaStacia Evans
COMMISSION EXPIRES
NOTARY PUBLIC
Nov. 17, 2019
DEKALB COUNTY, GEORGIA

LEGEND

M.H. - MANHOLE
J.B. - JUNCTION BOX
C.B. - CATCH BASIN
D.I. - DROP INLET
S.S.E. - SANITARY SEWER EDMT
D.E. - DRAINAGE EASEMENT
U.E. - UTILITY EASEMENT
I.P.F. - IRON PIN FOUND
I.P.S. - IRON PIN SET
C.T.P. - CRIMP TOP PIPE
O.T.P. - OPEN TOP PIPE
R.B. - RE-BAR
F.H. - FIRE HYDRANT
B/L - BUILDING LINE
R/W - RIGHT OF WAY
P/P - POWER POLE
℄ - CENTER LINE
G.M. - GAS METER

TOTAL AREA OF TRACT I & TRACT II
5.1102 AC.
222,600 SQ. FT.

EQUIPMENT USED : LEICA TC805

THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE PRECISION OF 1 FT. IN >/= 30,000 FT. AND AN ANGULAR ERROR OF >/= 5 SEC. PER ANGLE.

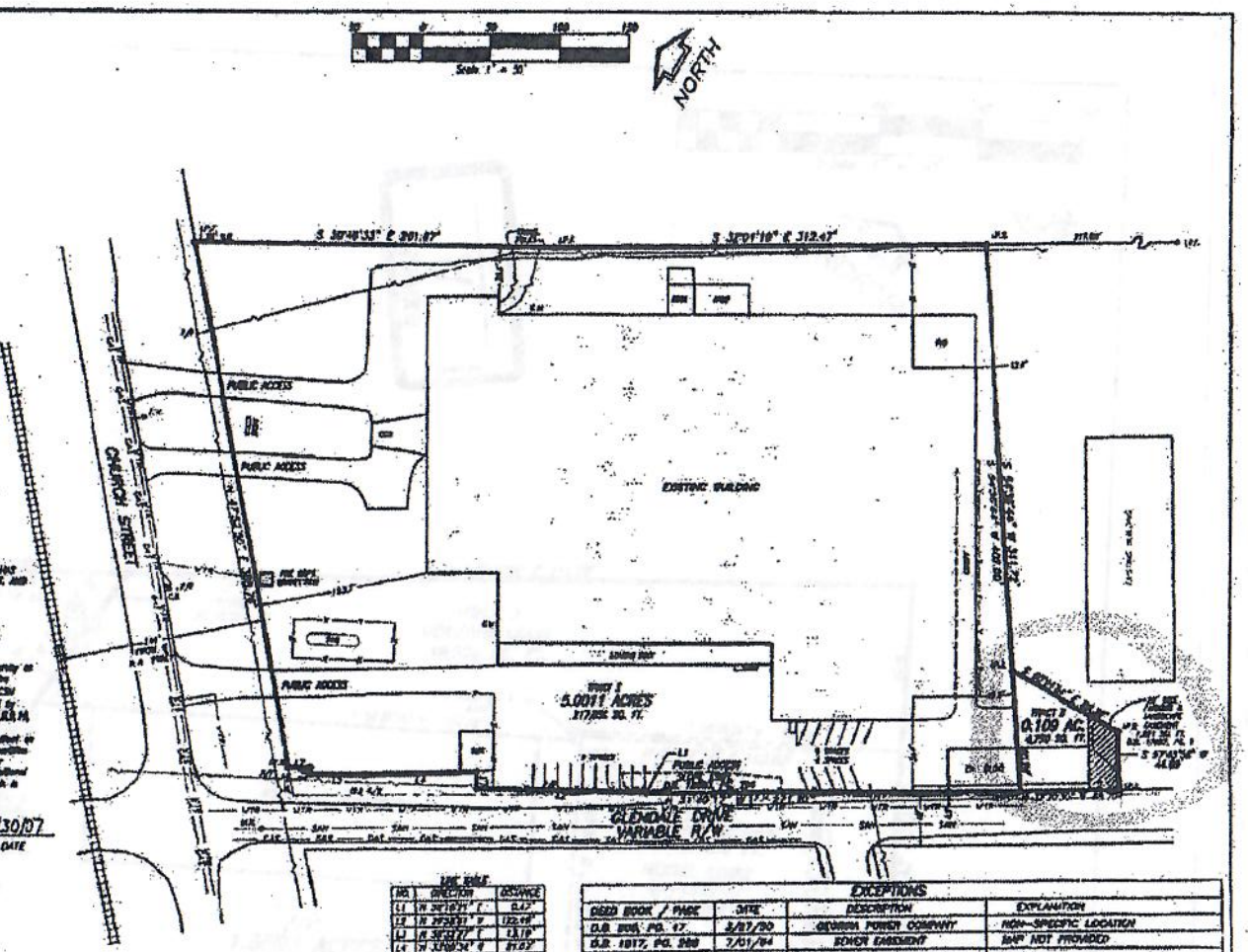
In Cerapdyne, Inc., a Delaware corporation, and First American Title Insurance Company:

This is to certify that this map or plat and the survey on which it is based were made in accordance with the "Minimum Standard Detail Requirements for ALTA/ACSM Land Title Surveys," jointly established and adopted by ALTA and NSPS in 2005, and includes Items 1,2,4,6,8,9, 11a of Table A thereof. Pursuant to the Accuracy Standards as adopted by ALTA and NSPS and in effect on the date of this certification, undersigned further certifies that in my professional opinion, as a land surveyor registered in the State of Georgia, the relative positional accuracy of the survey does not exceed that which is specified therein.

7/30/07
RONALD E. DUDGER R.L.S. # 2089 DATE

FLOOD ZONE DESIGNATION - "X"

FLOOD STATEMENT
THIS PROPERTY IS NOT LOCATED IN A FLOOD HAZARD AREA ACCORDING TO F.I.R.M. PANEL #13089C0081 H LAST REVISED ON MAY 1, 2001.



LINE TABLE

NO.	DIRECTION	DISTANCE
L1	N 30°18'51" E	0.47'
L2	N 32°01'10" W	122.49'
L3	N 30°03'17" E	13.13'
L4	N 32°00'34" W	51.03'
L5	N 30°03'08" E	15.12'
L6	N 32°01'10" W	4.25'
L7	N 30°40'33" E	15.47'

EXCEPTIONS

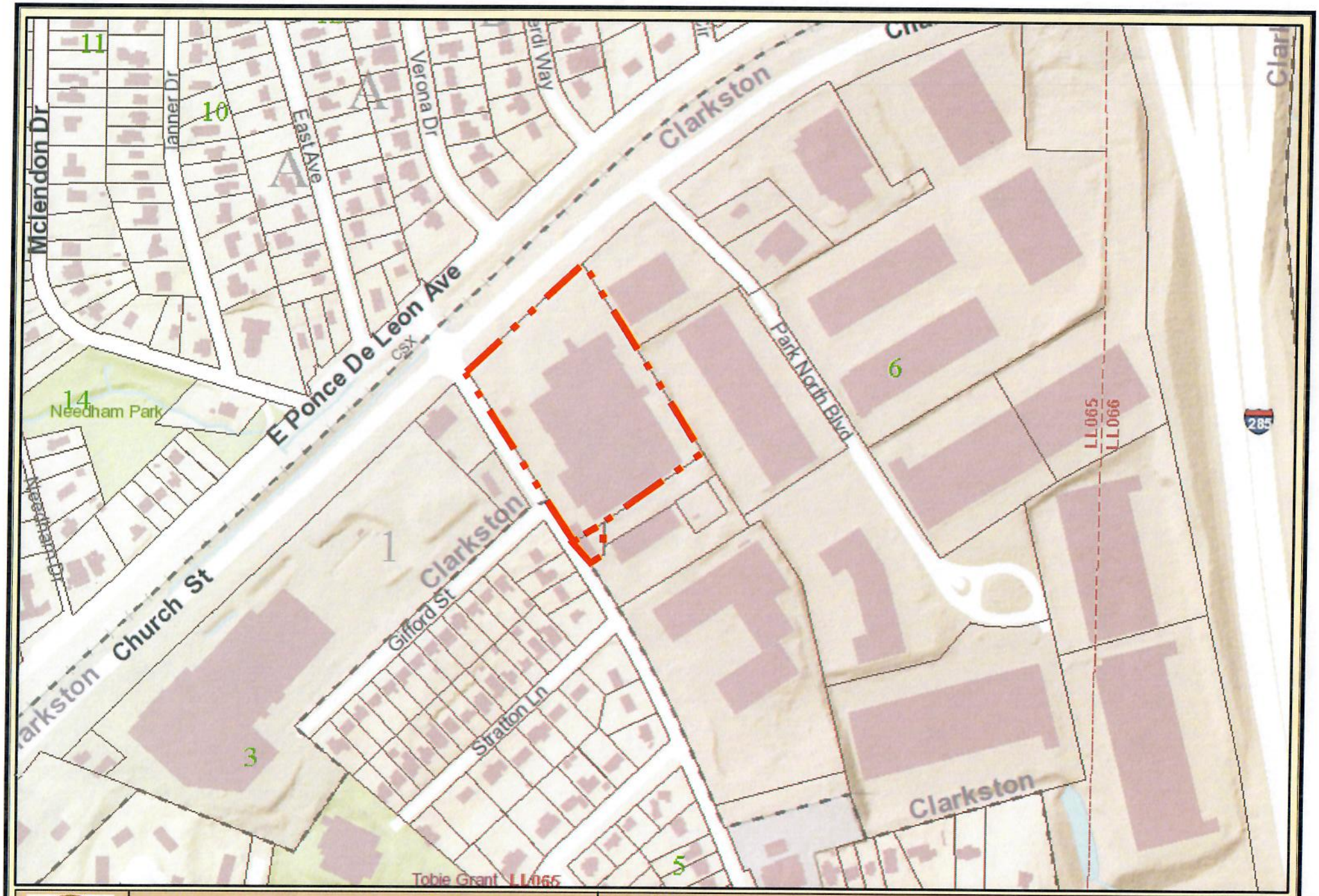
DEED BOOK / PAGE	DATE	DESCRIPTION	EXPLANATION
D.B. 806, PG. 17	3/27/30	GEORGIA POWER COMPANY	NON-SPECIFIC LOCATION
D.B. 1817, PG. 308	7/01/94	SEWER EASEMENT	MAP NOT PROVIDED
D.B. 17897, PG. 9	6/21/05	PARKING/LANDSCAPE EASEMENT	AS SHOWN
D.B. 17698, PG. 769	7/18/05	DECATUR PARK & BOOT, INC DEED	DOES NOT AFFECT SUBJECT PROPERTY
D.B. 18903, PG. 794	2/15/06	R/W & SLOPE EDMT. TO DEKALB COUNTY	AS SHOWN
D.B. 18954, PG. 346	7/18/06	SPECTRASITE LEASE AND EASEMENTS	DOES NOT AFFECT SUBJECT PROPERTY

SURVEYOR: Jm
CALCULATED: JDG
FILE: Church Hill
DATE: FEB. 18, 2007

QUDGER SURVEYING INC.
LAND & HYDROLOGIC SURVEYS
2000 PEACHTREE-DUNWOODY ROAD
BUILDING 8, SUITE 250
ATLANTA, GEORGIA 30346
PH (770)396-9111 FAX (770)396-9979

SURVEY OF
CERAPDYNE, INC.
(A DELAWARE CORPORATION)
FIRST AMERICAN TITLE INSURANCE COMPANY
3449 CHURCH STREET
L.L. 85, DISTRICT 18
DEKALB COUNTY, GEORGIA

REV.	DATE	REVISION
8		
7		
6		
5		
4	7/31/07	ADDED S/B AND A SLOPE EDMT
3	7/26/07	REVISED PARCEL TO PROPERTY LINE
2	3/21/07	UPDATED SURVEY TO TOPO SITE STANDARDS
1		REVISION



3449 Church St./ 801 Glendale Ro

0 87.5 175 350 525 700 Feet

Date Printed: 8/9/2017

N

DeKalb County GIS Disclaimer

The maps and data, contained on DeKalb County's Geographic Information System (GIS) are subject to constant change. While DeKalb County strives to provide accurate and up-to-date information, the information is provided "as is" without warranty, representation or guarantee of any kind as to the content, sequence, accuracy, timeliness or completeness of any of the database information provided herein. DeKalb County explicitly disclaims all representations and warranties, including, without limitation, the implied warranties of merchantability and fitness for a particular purpose. In no event shall DeKalb County be liable for any special, indirect, or consequential damages whatsoever resulting from loss of use, data, or profits, whether in an action of contract, negligence, or other actions, arising out of or in connection with the use of the maps and/or data herein provided. The maps and data are for illustration purposes only and should not be relied upon for any reason. The maps and data are not suitable for site-specific decision-making nor should it be construed or used as a legal description. The areas depicted by maps and data are approximate, and are not necessarily accurate to surveying or engineering standards.

3449 Church St./ 801 Glendale Ro

0 87.5 175 350 525 700 Feet

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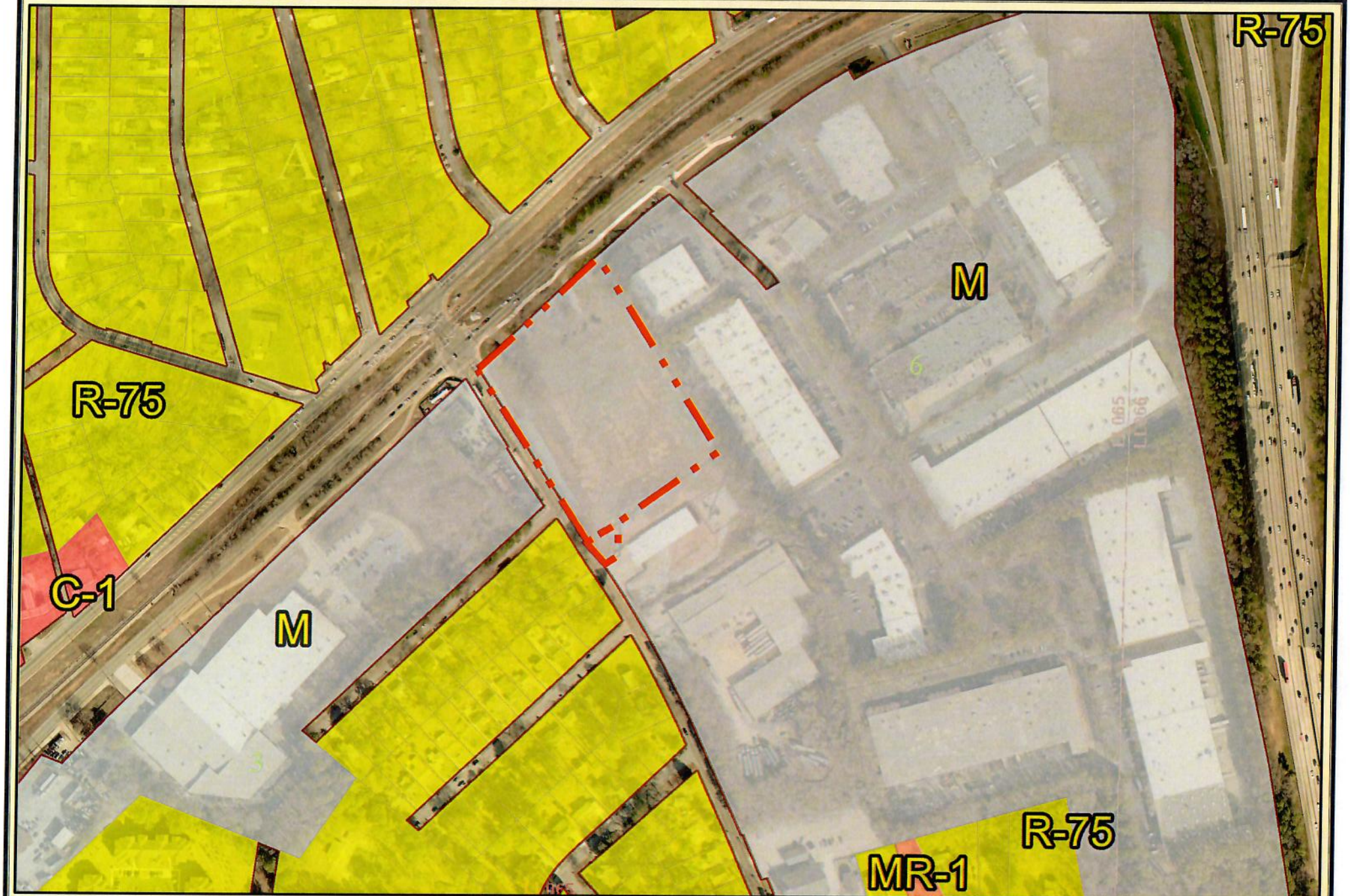

3449 Church St./ 801 Glendale Rd

0 87.5 175 350 525 700 Feet

Date Printed: 8/9/2017

N

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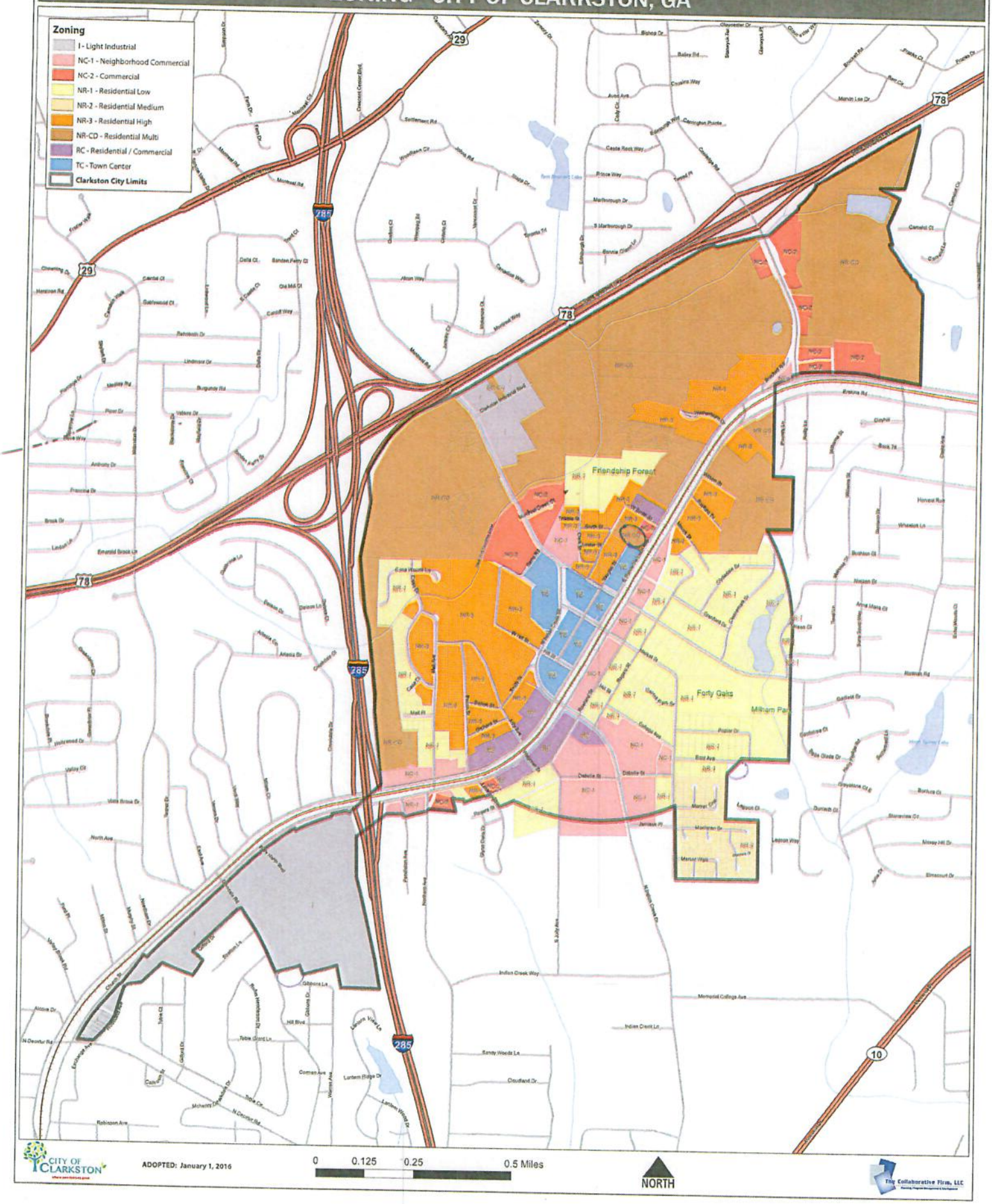
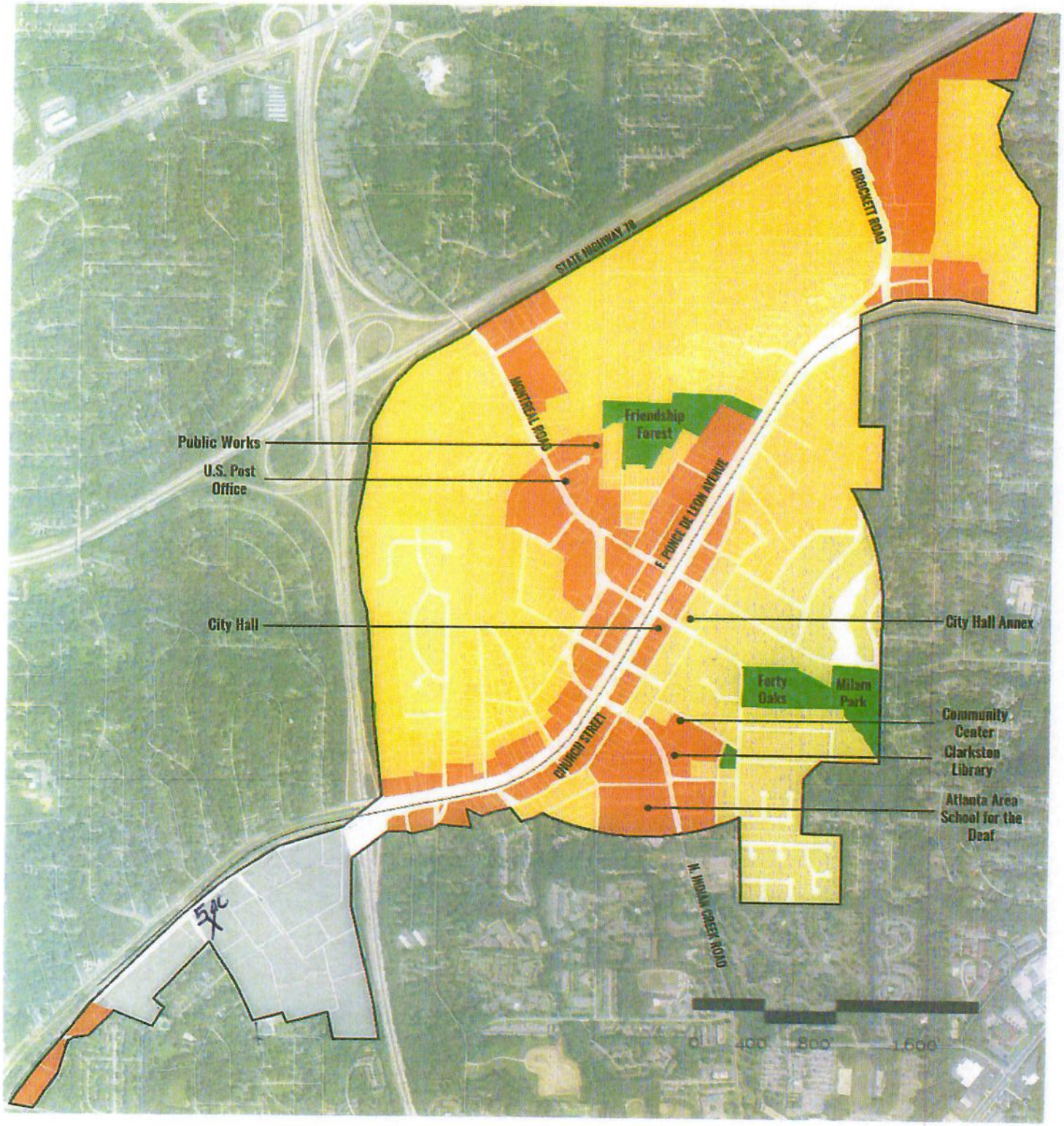
ZONING - CITY OF CLARKSTON, GA





FUTURE LAND USE //

Legend

- Mixed-Use
- Traditional Neighborhood Development
- Single Family Home Areas
- Industrial
- Parks/Open Space
- Clarkston City Limits

PLANNING & ZONING BOARD MEETING

CITY OF CLARKSTON
where possibilities grow

MINUTES

August 15, 2017 7:00 PM
City Hall
3921 Church Street

A. CALL TO ORDER: The meeting was called to order @ 7pm.

B. ROLL CALL: P&Z Chairman Vinh Glover, Felicia Weinert, Charles McFarland, Birendra Dhakal, P&D Manager Shawanna Qawiy and Secretary Melissa Foster.

C. APPROVAL OF JULY MEETING MINUTES: Mr. McFarland made a motion to approve the July minutes. Ms. Weinert gave a second and the motion passed 3/0.

D. NEW BUSINESS

1. Public Hearing: Proposed text amendment to **Appendix A, Article III-Administration- To not require a site plan for every rezoning application; To eliminate zoning reversion when property is not developed in one year: To provide for zoning of annexed property; To repeal conflicting ordinances; and for other purposes.** Ms. Qawiy gave an overview of the proposed amendment and the public hearing was opened. Robert Buckler-RBM Decatur spoke in favor of the amendment. Doris Berry-Glen Oaks Drive and Amy Medford-Rowland Street spoke in opposition to the amendment. Ms. Berry wants a site plan to be required and the time limit for development kept at one year. Ms. Medford had concerns regarding elimination of the site plan because there is no way for P&Z to make sure an application supports the plans that have been set forth for Clarkston in the 2040 Comprehensive Plan. She suggested that perhaps redefining what a site plan is could be a reasonable compromise. She wants new development in Clarkston planned for with thought and intent. She also requested clarification from the Board referencing zoning reversion if a developer requested an extension of a project that has not started. Ms. Qawiy made reference to Section 306-Conditions to rezonings (2) and explained that currently in the ordinance if an extension is requested by the developer based on the reversion of zoning, the allowable maximum extension currently in the zoning ordinance is six (6) months. Ms. Qawiy also clarified that a conceptual site plan will need to be submitted to Planning and Zoning and City Council for any planned unit developments, over two (2) buildings on a parcel. The public hearing was closed. Mr. Dhakal made a motion to approve the proposed text amendment to Appendix A, Article III-Administration-To not require a site plan for every rezoning application; To eliminate zoning reversion when property is not developed in one year: To provide for zoning of annexed property; To repeal conflicting ordinances; and for other purposes. Ms. Weinert gave a second and the motion passed 3/0.

2. Rezoning request from Robert Buckler d/b/a RBM Decatur, LLC to **rezone properties located at 3449 Church Street and 801 Glendale Road from I-Light Industrial to NR-3 High Density Neighborhood Residential.** Ms. Qawiy gave an overview of the rezoning request, citing that when any request is made for a change in the zoning for any parcel of property, or when an amendment is requested to the zoning map, the following criteria points must be reviewed as follows; Criteria 1) The effect upon the health, safety, morals or general welfare of the public compared to any hardship imposed upon the individual property owner seeking rezoning should rezoning be denied;

   Criteria 2&3) Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property; whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property;
   Criteria 4) whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned;
   Criteria 5) whether the zoning proposal will result in a use that may cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools;
   Criteria 6) Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the zoning proposal;
   Criteria 7&8) Whether the zoning proposal is compatible with the principles of the city's long range plan as set forth in the Conceptual Master Land Use and Connectivity Plan for the City of Clarkston, a part of the Clarkston Livable Centers Initiative Study as adopted in March 2005, adopted as the city's comprehensive plan; Whether the zoning proposal is compatible with the most current adopted version of the Future Development Map of the Clarkston Comprehensive Plan.

   There were two (2) staff recommendations:
   (1) Staff recommended denial of the rezoning request due to an incomplete application that requires a conceptual site plan to be included in the rezoning application submittal packet.
   (2) Staff recommended approval of the rezoning requests and to amend the zoning map to reflect the final approval of the rezoning of the properties located at 3449 Church Street, Clarkston and 801 Glendale Road, Scottdale from I-light Industrial to NR-3 High Density Neighborhood Residential subject to the proposed text amendment to Section 302 of the zoning ordinance being approved at the 8/15/17 Planning and Zoning meeting and the 9/5/17 City Council meetings, that would allow certain rezoning applications to proceed without a conceptual/site plan.

   The public hearing was opened and Chairman Glover asked if there were any attending the meeting in favor of the rezoning request;
   Amy Medford-Rowland Street- is in favor of the rezoning and wants to make certain there would be a homeowners association for the development and that traffic flow is considered since traffic tends to back up at the railroad crossing.

Robert Buckler-RBM Decatur – Applicant-stated that the property is the gateway to Clarkston and has more value as a residential development. He also stated that Ms. Medford's concerns would be addressed by the developer.
Brian Medford-Rowland Street – stated that development is coming our way and this is a good chance to promote sustainable development in Clarkston. He asked if the property was environmentally safe and Mr. Buckler said a Brownfield study had been done and that the property is certified by the state to be safe.
Doris Berry-Glen Oaks Drive- stated that she has been a resident of the City of Clarkston for many years and was delighted to see development happening at the old 3M site. She is all for a committed development plan that will benefit the community.
Joe Gargiulo-Glendale Road – is pleased with the rezoning and asked if the zoning includes apartments (Chairman Glover stated it does not) and how many units are allowed per acre in the NR-3 Zoning classification. Ms. Qawiy stated it could be 8 units or more, but it depends on the layout during the site plan review.

Chairman Glover asked if there were any attending the meeting in opposition of the rezoning request;
Warren Hadlock-W. Smith Street- stated that he was not in favor of a townhome development and would like to see the lot developed as mixed use.
Ted Terry-Casa Woods Lane- stated that he only found out about the rezoning request yesterday and issued a statement about the size and readability of the signs. Chairman Glover confirmed with the Planning and Development Manager that the signs were posted 30 days ago and had been advertised in the newspaper for the legally required limit. He questioned why the rezoning request seems to be on the fast track. Mr. Terry asked the Board to table the rezoning request so that he and the Council would have time to review the text amendment further before making a final decision about the rezoning request. Mr. Glover stated that P&Z can only make a recommendation to the Council and that the Council will make a final decision. Mr. Terry again suggested that P&Z table the rezoning and noted that the Comprehensive Plan for the industrial part of Clarkston was to attract light manufacturing and to create jobs. Mr. Glover suggested that Mr. Terry have that conversation with the City Council. He stated his concerns about this development not being affordable housing. Mr. Glover stated that this was not a forum for that discussion and that the City Council could certainly table the rezoning request.
Melvic Smith-Rainey Apparel Manufacturing spoke in opposition and explained how this location should remain light industrial since his company is seeking additional space for his apparel business. Mr. Glover suggested they stop by City Hall to introduce themselves to the city. Mr. Smith said the property did not appear suitable to him as high density residential.
Laura Hopkins-Poplar St. asked about making the property mixed-use, so that it could be car-free and sustainable.
The public hearing was closed.

Mr. McFarland made a motion to approve the rezoning requests and to amend the zoning map to reflect the final approval of the rezoning of the properties located at 3449 Church Street, Clarkston 30021 and 801 Glendale Road, Scottdale 30079 from I-Light Industrial to the NR-3 High Density Neighborhood Residential as a recommendation to the City Council. Ms. Weinert gave a second and the motion passed 3/0.

A. SIGN PERMITS

1. PS-42-2017; Fikir Melaku d/b/a Ponce Sports Lounge, 3924 E. Ponce de Leon Ave. - Wall Signs. Tesfam Aiym was present to speak for the permit. Ms. Qawiy read the staff recommendation, which was for conditional approval. Ms. Weinert made a motion to approve the request to erect 2 LED illuminated single sided wall signs with the following conditions:
   - both signs must be attached with four 3/8" bolts to wall of building facing E. Ponce De Leon Avenue and Mell Avenue.
   - Each sign must not exceed the maximum wall height of ten feet.
   -Applicant must follow all provisions as outlined in the Sign Ordinance for Section 15.5-4-Illumination, Section 15.5-65 Wall Signs and awning signs, and Section 15.5-66 Projecting signs (d) as compliance to the permanent sign permit request.

   -Applicant must submit updated sign images detailing compliance to the conditions before the signs can be erected.
   Mr. McFarland gave a second and the motion passed 3/0.

E. OTHER BUSINESS-none.

F. ADJOURNMENT: A motion for adjournment was made at 8:22PM by Mr. McFarland. Ms. Weinert gave a second and the motion passed 3/0.

Respectfully submitted,
Melissa M. Foster
Secretary