

MEMORANDUM

TO: City Council
FROM: Community Development
SUBJECT: **CUP-22-02 for a Place of Worship at 2584/2600 Chestnut Drive + 4461 Tilly Mill Road**
Parcel ID # 18 342 05 002 + 18 342 05 005
DATE: April 18, 2022

ZONING REQUEST

The applicant, Saint Mark Coptic Orthodox Church, represented by Fr. Nathanael Guirguis, seeks a **Conditional Use Permit (CUP)** to operate a **place of worship** in the O-W (Office-Warehouse) and O-I (Office-Institutional) zoning districts.

PROPOSAL

The applicant is proposing a place of worship at the former collision center located at 2584/2600 Chestnut Drive. The primary place of worship would be the existing building at 2584/2600 Chestnut Drive, which is the former location of an automotive collision center. The applicant is attempting to purchase both properties, and their desire was for the CUP to cover both properties.

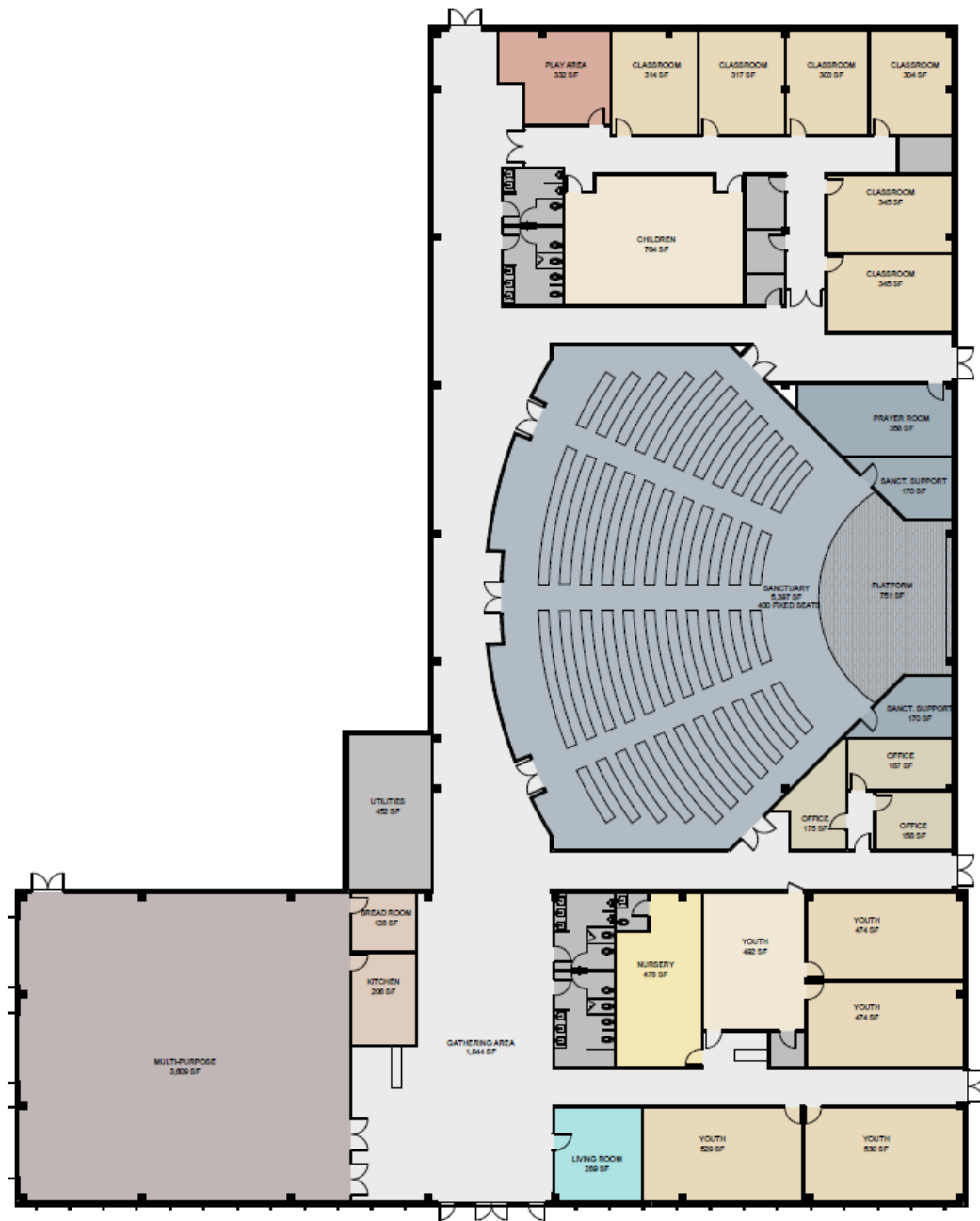
Hours & Manners of Operation

The churches proposed days and hours of operation are listed below:

Service	Day/Time of Week
Vesper Prayers	Saturday, 7-9 pm
Divine Liturgies	Sundays, 8-11 am
The Eight Sunday Service	Sundays, 11 am
Kids @ The Eight	Sundays, 1 pm
Bible Study / Life Groups	Mondays + Wednesdays, 8:30 pm

Interior Layout

The total square footage of the existing building is approximately 27,421 square feet. The property was last occupied by an automotive collision center, which closed its doors several years ago.



Proposed interior layout of the space, broken down by square footage. Submitted 4/11/22.

FINDINGS OF FACT

Property Location

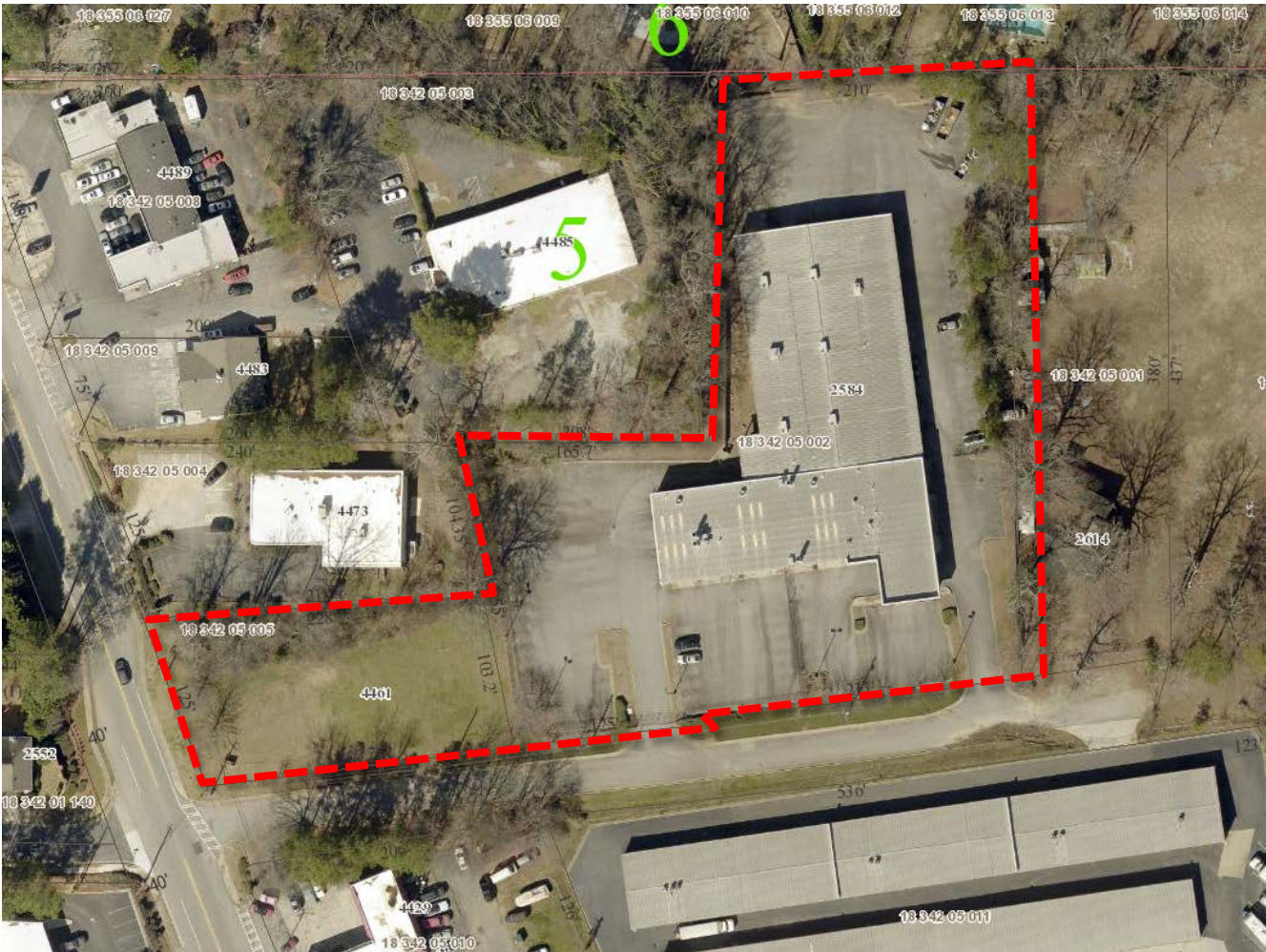
The subject properties are at 2584/2600 Chestnut Drive and 4461 Tilly Mill Road, near the north end of the City. 4461 Tilly Mill Road is located at the corner of Tilly Mill Road and Chestnut Drive, and the other property is located entirely on Chestnut Drive, a short, dead-end street. They are located in land lot 342 of the 18th District of DeKalb County, and in Doraville Council District 1.

Property Characteristics

Only one property (2600 Chestnut Drive) is currently developed. The property fronting Tilly Mill Road was demolished at some point in recent years. According to DeKalb County tax records, the property was first developed in 2001. Until a few years ago, it was home to an automotive collision center. It has been vacant for 2-3 years, since the collision center closed its doors. The total subject properties are approximately 3.19 acres, or 138,956 square feet.

2600 Chestnut Drive has one public road frontage, on Chestnut Drive. The other property has frontages on both Chestnut Drive and Tilly Mill Road.

There is a single existing structure on the property at 2600 Chestnut Drive, totaling approximately 27,421 square feet. The structure is primarily concrete block, stucco and glass. It is partially surrounded by a black chain-link fence. 4461 Tilly Mill Road is entirely undeveloped, save for the remains of curb cuts and stone steps to the former building.



The subject property today, outlined in red.

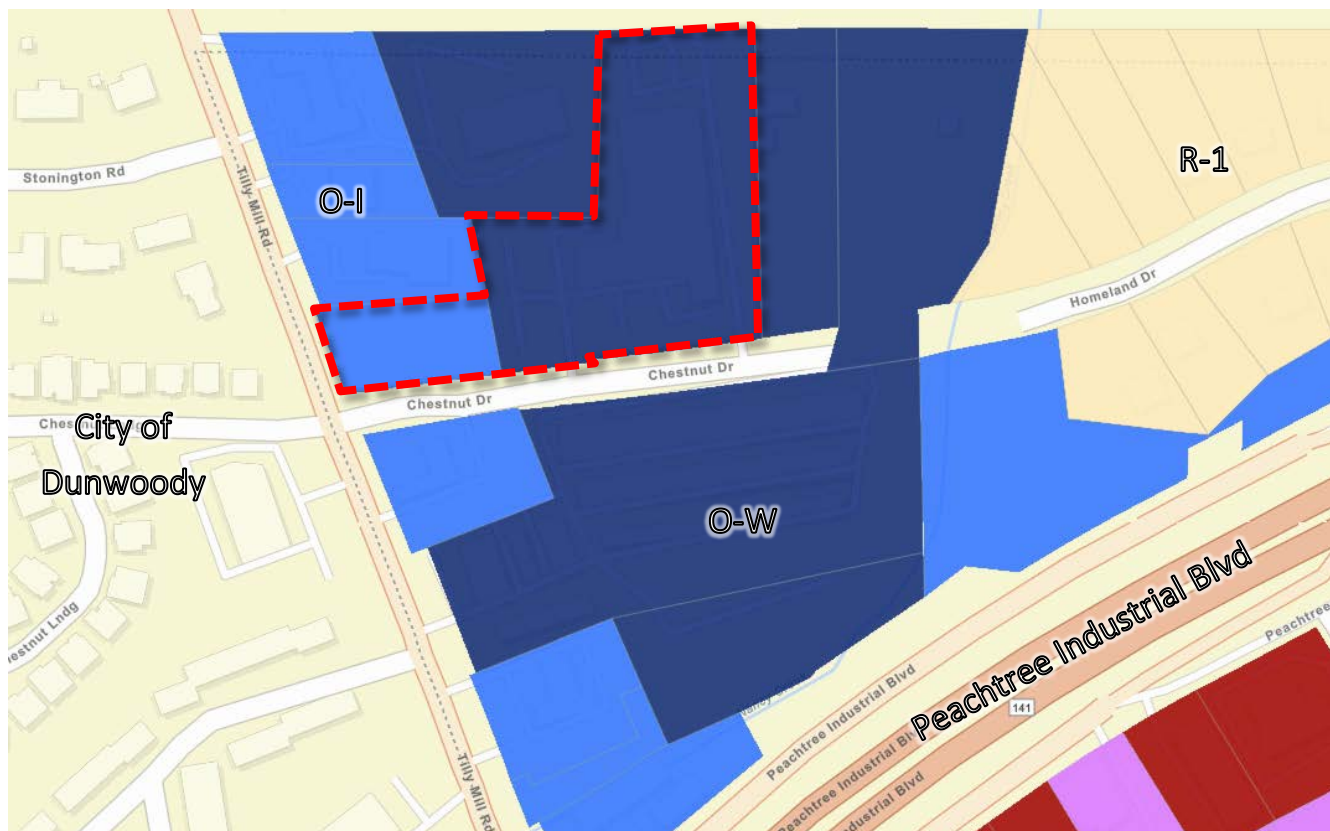
Parking Requirements

	Calculation	Required	Total Provided
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Required	One (1) space per each three (3) seats in main assembly area	350 seats = 117 spaces	135 spaces
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Adjoining Property Characteristics

- **North:** Residential properties in the City of Dunwoody.
- **East:** Vacant land zoned O-W.
- **South:** Commercial and warehouse properties zoned O-W.
- **West:** Commercial properties fronting Tilly Mill Road zoned O-I and O-W.



Nearby zonings. Subject property is outlined in red.

CONDITIONAL USE PERMIT ANALYSIS

The purpose of a conditional use permit (CUP) is to allow the establishment of uses which may be suitable only in certain locations in a zoning district or only when subject to standards and conditions that assure compatibility with adjoining uses. Conditional uses are those uses which are generally compatible with the permitted land uses in a given zoning district, but which require individual review of their proposed location, design and configuration, and the imposition of conditions in order to ensure the appropriateness of the use at a particular location within a given zoning district. Only those uses enumerated as conditional uses in a particular zoning district shall be authorized as conditional uses.

When considering an application for a CUP, the Mayor, City Council, City Community Development Director, and Planning Commission shall evaluate the impact and/or compatibility of the proposed conditional use with surrounding properties and residential areas to ensure the appropriateness of the use at the particular location, and shall consider the extent to which the standards noted below are met. The City Council may attach conditions to the CUP as they deem necessary to mitigate adverse effects of the proposed use and to carry out the spirit and intent of the ordinance.

Conditions and modifications may include, but are not limited to: limitation of building size or height, increased open space, limitations on impervious surfaces, enhanced loading and parking requirements, additional landscaping, curbing, sidewalk, vehicular access and parking improvements, placement or orientation of buildings and entryways, buffer yards, landscaping and screening, signage restrictions and design, maintenance of buildings and outdoor areas, and hours of operation as outlined in Sec. 23-1501 of the Municipal Code.

1. The proposed use at the specified location is consistent with the policies embodied in the adopted comprehensive plan.

The proposed use is consistent with the policies embodied in the comprehensive plan. The proposed use is consistent with the policies embodied in the comprehensive plan. The subject properties are located in the "Neighborhood Preservation District" on the Future Development Map of the *2022-2042 Comprehensive Plan*. The goal of this land use is to preserve or encourage the development of primarily residential development in Doraville. It also recommends certain areas for multifamily development as a transition between areas of lower and higher density or intensity. It also permits things like churches and other places of worship, as they are in keeping with the character and scale of residential areas.

2. The proposed use is consistent with the general purpose and intent of the applicable zoning district regulations.

The proposed use is consistent with the purpose and intent of the O-W zoning district, which permits churches and other places of worship with a Conditional Use Permit.

3. The proposed use is compatible with and preserves the character and integrity of adjacent developments and neighborhoods, and includes improvements either on-site or within the public rights-of-way to mitigate development related adverse impacts, such as traffic, noise, odors, visual nuisances, drainage or other similar adverse effects to adjacent developments and neighborhoods.

The proposed use is compatible with the character of the area. Both properties have been commercial in nature since their development. The applicant contends that the prior uses on the property, especially the collision center, were more intense and more likely to create adverse impacts than the proposed use.

4. The proposed use does not generate pedestrian and vehicular traffic which will be hazardous or conflict with the existing and anticipated traffic in the neighborhood.

The proposed use will not generate hazardous or conflicting pedestrian or vehicular traffic that will conflict with existing and anticipated traffic. The primary traffic hours for the property will be on Sundays, when most of the other commercial businesses are closed. The other regular meetings will be on weekday evenings, outside of typical peak hours.

5. **The proposed use incorporates roadway adjustments, traffic control devices or mechanisms, and access restrictions to control traffic flow or divert traffic as may be needed to reduce or eliminate development generated traffic on neighborhood streets.**

The proposed use does not incorporate any traffic control devices or mechanisms.

6. **The proposed use incorporates features to minimize adverse effects, including visual impacts, of the proposed conditional use on adjacent properties; and the proposed use meets the standards for the zoning district, or to the extent variations from such standards have been requested, that such variations are necessary to render the use compatible with adjoining development and neighborhoods.**

No features are proposed. The use will occupy an existing, vacant building. The applicant is not proposing any exterior development or redevelopment on either property at this time.

7. **The proposed use is based on the site plan in conformity with all space limits, buffers, parking and loading provisions, and other provisions of this article.**

The site offers approximately 135 parking spaces, of which 117 are needed. A 40' buffer is technically required between this site and the adjacent residential properties to the north. The existing buffer does not appear to be 40' in width. However, the property would be grandfathered in its current state.

8. **The proposed use applicant has agreed to any specific limitations or conditions necessary to protect the public interest and assure the continued beneficial use and enjoyment of nearby properties or that no special limitations are necessary to protect the public.**

The applicant requests there be no specific limitations or conditions to be placed on the church for the Conditional Use Permit, however, the applicant also understands that comments brought up by elected officials, city staff, and other concerned parties could result in recommendations that may be considered as conditions of approval for the Conditional Use Permit Application.

PLANNING COMMISSION RECOMMENDATION: APPROVAL WITH STAFF CONDITIONS

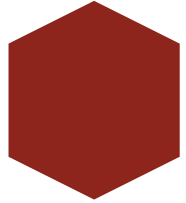
STAFF RECOMMENDATION: APPROVAL WITH CONDITIONS

1. The Conditional Use Permit shall be tied to the existing approved site plan. Any modification or development on undeveloped property shall necessitate a new Conditional Use Permit approved by Council.

CUP-22-02

Conditional Use Permit for a Place of Worship at
2584/2600 Chestnut Drive + 4461 Tilly Mill Road

City Council Meeting
April 18, 2022



CUP-22-02 Request Summary

APPLICANT

Fr. Nathanael Guirguis
Saint Mark Coptic Orthodox Church

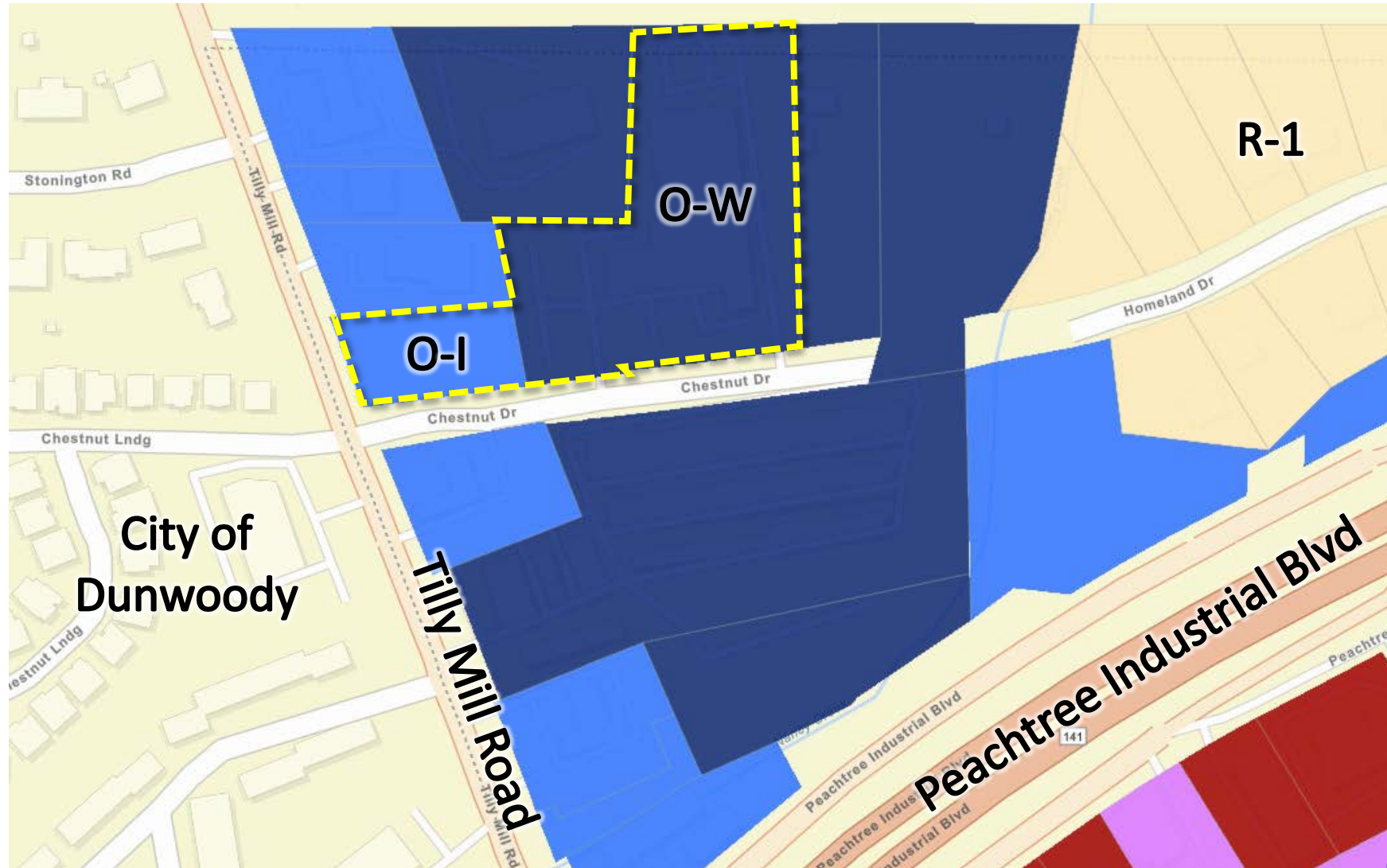
REQUEST

Conditional Use Permit (CUP) for a
place of worship in O-W and O-I.

CUP-22-02: Aerial Map

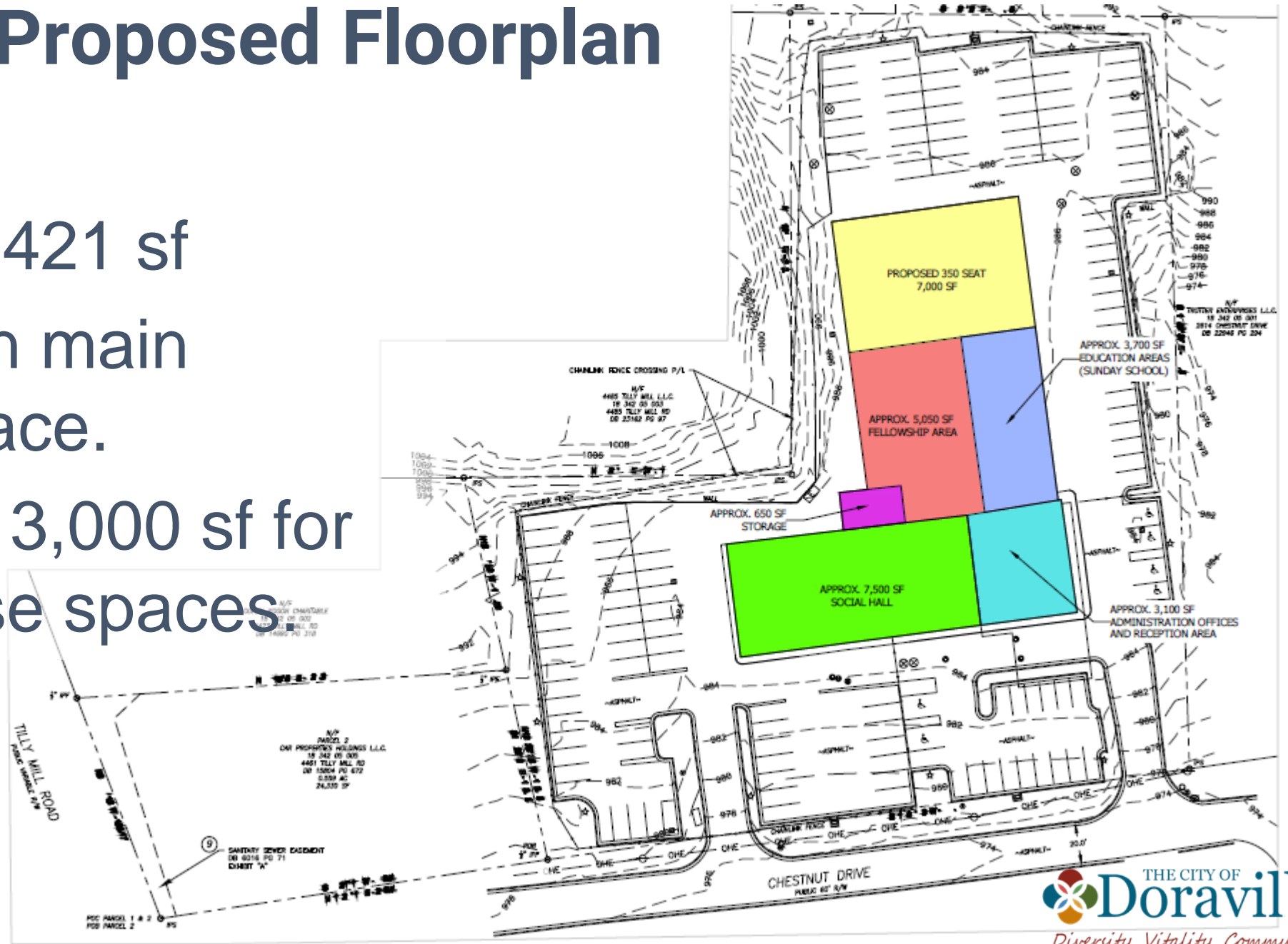


CUP-22-02: Existing Zoning Map

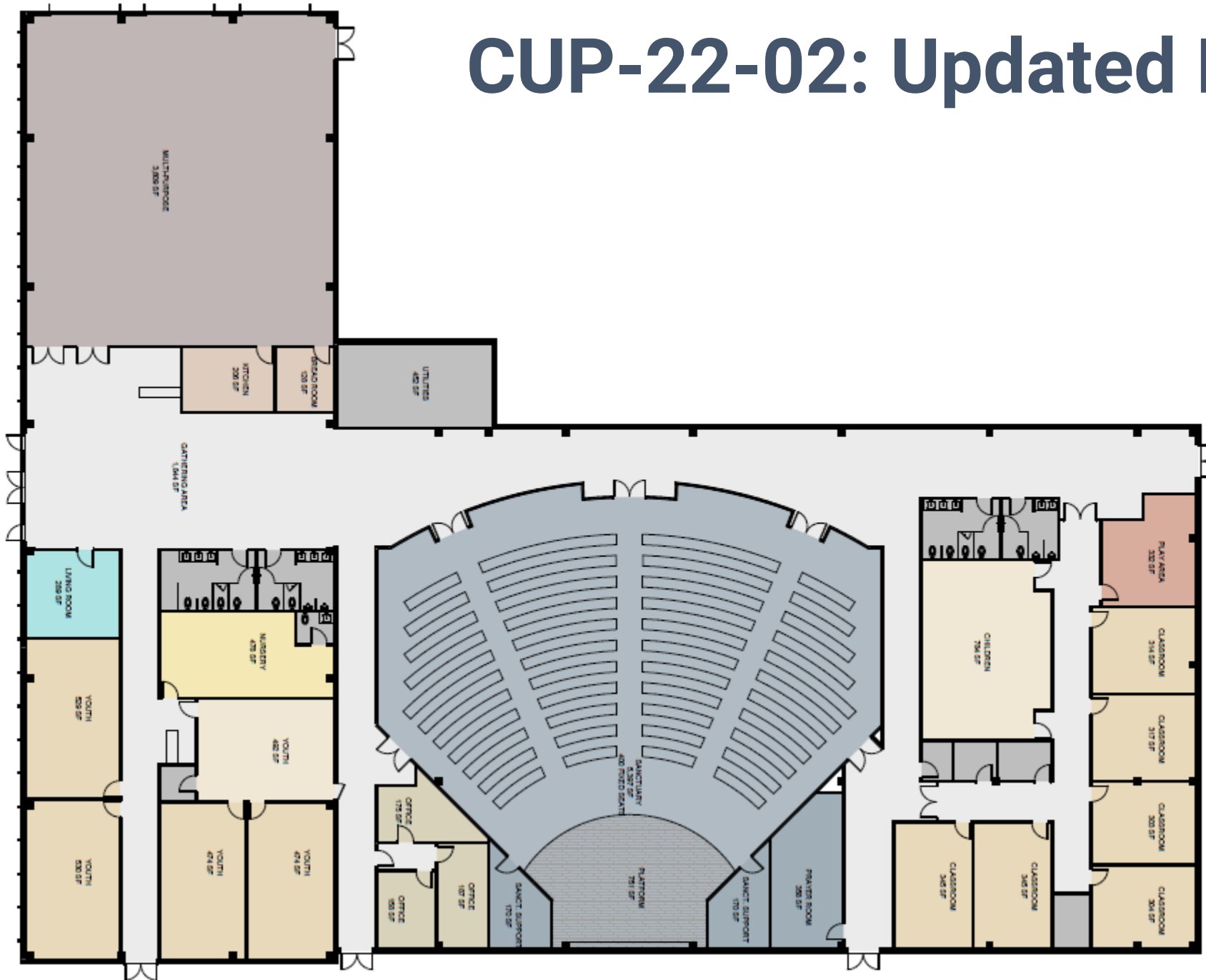


CUP-22-02: Proposed Floorplan

- Approx. 27,421 sf
- 350 seats in main worship space.
- Additional 13,000 sf for multipurpose spaces.



CUP-22-02: Updated Floorplan



CUP-22-02: Conceptual Elevations



Received 4/11/22

CUP-22-02: Conceptual Elevations



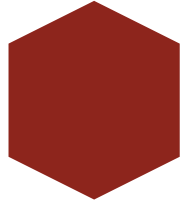
Received 4/11/22

CUP-22-02: Recommendations

Planning Commission: Approval with Conditions

Staff: Approval with Conditions

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CUP-22-02 Manners of Operation

SERVICE DAY AND TIMES

Service	Day/Time of Week
Vesper Prayers	Saturday, 7-9 pm
Divine Liturgies	Sundays, 8-11 am
The Eight Sunday Service	Sundays, 11 am
Kids @ The Eight	Sundays, 1 pm
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CUP-22-02: Existing Images

2584 - 2600 Chestnut Drive
4461 Tilly Mill Road



CUP-22-02: Existing Images



