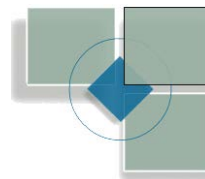




DeKalb County Department of Planning & Sustainability

Michael L. Thurmond
Chief Executive Officer

Andrew A. Baker, AICP
Director



APPLICATION TO AMEND OFFICIAL ZONING MAP OF DEKALB COUNTY, GEORGIA

Z/CZ No. _____
Filing Fee: _____

Date Received: _____ Application No.: _____

Applicant: Mustaq Moosa E-Mail: mustaq@cityviewdb.com

Applicant Mailing Address: 1400 Indian Trail Lilburn Road, Norcross, GA

Applicant Phone: 404 704 6356 Fax: _____

Owner(s): 2020 Partners LLC E-Mail: mansoorqamruddin@gmail.com
(If more than one owner, attach as Exhibit "A")

Owner's Mailing Address: 1132 Gavinwood Pl, Decatur, GA 30033

Owner(s) Phone: 770 356 1321 Fax: _____

Address/Location of Subject Property: 1744 & 1762 Panola Road, Stone Mountain, GA

District(s): 16th Land Lot(s): 37 Block: _____ Parcel(s): 16 037 02 008 and 16 037 02 007

Acreage: 1.38 AC Commission District(s): _____

Present Zoning Category: R 100 Proposed Zoning Category: C-1

Present Land Use Category: _____

PLEASE READ THE FOLLOWING BEFORE SIGNING

This form must be completed in its entirety before the Planning Department accepts it. It must include the attachments and filing fees identified on the attachments. An application, which lacks any of the required attachments, shall be determined as incomplete and shall not be accepted.

Disclosure of Campaign Contributions

In accordance with the Conflict of Interest in Zoning Act, O.C.G.A., Chapter 36-67A, the following questions must be answered:

Have you the applicant made \$250 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 DeKalb County showing:

1. The name and official position of the local government official to whom the campaign contribution was made.
2. The dollar amount and description of each campaign contribution made during the two years immediately preceding the filing of this application and the date of each such contribution.

The disclosure must be filed within 10 days after the application is first filed and must be submitted to the C.E.O. and the Board of Commissioners, DeKalb County, 1300 Commerce Drive, Decatur, Ga. 30030.

NOTARY

Mustaq
SIGNATURE OF APPLICANT / DATE

Check One: Owner _____ Agent ☒

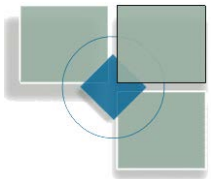
EXPIRATION DATE / SEAL



DeKalb County Department of Planning & Sustainability

Michael L. Thurmond
Chief Executive Officer

Andrew A. Baker, AICP
Director



Section 27-832. Standards and factors governing review of proposed amendments to official zoning maps. The following standards and factors are found to be relevant to the exercise of the County's zoning powers and shall govern the review of all proposed amendments to the official zoning maps:

- A. Whether the zoning proposal is in conformity with the policy and intent of the Comprehensive Plan.
- B. Whether the zoning proposal will permit a use that is 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.
- D. Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby properties.
- E. 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.
- F. Whether the zoning proposal will adversely affect historic buildings, sites, districts, or archaeological resources.
- G. Whether the zoning proposal will result in a use which will or could cause excessive or burdensome use of existing streets, transportation facilities, utilities or schools.

Section 27-833. Conditions. Conditions may be requested by an applicant, recommended by the Planning Department and Planning Commission, and imposed by the Board of County Commissioners, as a part of any proposed change to the official zoning map, in accordance with the following requirement:

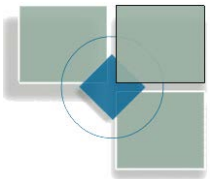
- A. Conditions may be imposed so as to ameliorate the effect(s) of the proposed developmental change for the protection or benefit of neighboring persons or properties consistent with the purpose and intent of the district(s) involved, and the goals and objectives of the Comprehensive Plan and state law. No condition shall be imposed which reduces the requirements of the district(s) involved. All conditions shall be of sufficient specificity to allow lawful and consistent application and enforcement. All conditions shall be supported by a record that evidences the relationship between the condition in the form of a development exaction for other than a project improvement shall be imposed within the meaning of the Georgia Development Impact Fee Act, as amended.
- B. The Board of Commissioners shall not impose any condition on a proposed amendment to the official zoning map that was not previously reviewed by the Planning Commission unless said condition has been reviewed by the Law Department, Planning Department, and the Public Works Department for legality, enforceability, and recommendation. The Board of County Commissioners may defer final action on any such proposed amendment for up to 60 days to allow for this review and may take action without referral back to the Planning Commission.
- C. Once imposed, conditions shall become an integral part of the approved amendment and shall be enforced as such. Changes to approved conditions shall be authorized only pursuant to Section 27-845 of this chapter.



DeKalb County Department of Planning & Sustainability

Michael L. Thurmond
Chief Executive Officer

Andrew A. Baker, AICP
Director



Filing Fees

Filing fees shall not be refunded at any time following the zoning schedule deadline date.

District	Filing Fee
R-200, R-150, R-30, 000, R-20, 000, R-100, R-85 R-75, R-60, TND, R-A5, R-50, R-A8, R-DT, MHP, RM-100, RM-150, CH (4-12 du/acre)	\$500.00
R-200, R-150, R-30, 000, R-20, 000, R-100, R-85, R-75, R-60, R-A8, R-DT, MHP, TND, RM-150, RM-100, RM-85, RM-75, CH, RM-HD, O-I (high-rise apts.) (18 up du/acre)	\$750.00
O-I, O-D, OCR, OIT, NS, CH, C-1, C-2, M, M-2	\$750.00
Applicants requiring more than one zoning district shall be charged the highest of the applicable fee.	



404.371.2155 (o)
404.371.4556 (f)
DeKalbCountyGa.gov

Clark Harrison Building
330 W. Ponce de Leon Ave
Decatur, GA 30030

Chief Executive Officer
Michael Thurmond

DEPARTMENT OF PLANNING & SUSTAINABILITY

Director
Andrew A. Baker, AICP

REZONE APPLICATION AUTHORIZATION

Completion of this form is required if the individual making the request is **not** the owner of the property.

DATE: Dec 21, 2020

CHECK TYPE OF APPLICATION:

- () LAND USE PLAN
(☒) REZONE
() MINOR MODIFICATION

TO WHOM IT MAY CONCERN:

(I) (WE), 2020 Partners LLC
(Name of owner(s))

being (owner)/(owners) of the property described below or attached hereby delegate authority to

Mustaq Moosa
(Name of Applicant or Agent Representing Owner)

to file an application on (my) (our) behalf



Amia Muhammad
Notary Public

[Signature]
Owner (2020 Partners LLC signed by Manager)

Notary Public

Owner

Notary Public

Owner

From: Jeffrey Smith
To: **Planning and Zoning
Department – Dekalb
County Ga.**

Intent Title: Request for Land Use Change for Cityview to Allow Beer and Wine Sales
Location: 1762 & 1744 Panola Road and Young Road Corner

This letter is a request to the Dekalb County Planning and Zoning Department to please grant us a land use change that would allow us to sell beer and wine at a proposed convenience store with gas pumps in on the corner of 1762 & 1744 Panola Road and Young Road.

The existing site is on a triangle parcel of land and would be a convenient site for this use. Cityview and request a rezoning from R100 to C1 for this use as well. The location is currently an undeveloped wooden lot that would probably not be developed into a residential site because of its shape and location surrounded by major streets.

The store will be of high quality design, with nice finishes, and property will be lit with LED lighting to avoid unwanted people from gathering around for no reason. Management does not want this type of gas station. This is considered more of a high end gas station convenience store for the community.

Sincerely,



Jeffrey Smith (Representative for Cityview)

From: Jeffrey Smith
To: **Planning and Zoning
Department – Dekalb
County Ga.**

Intent Title: Letter of Impact on property
Location: 1762 & 1744 Panola Road and Young Road Corner

This letter is a description of factors needed to meet the Special Land Use approval

- A. The combination of both of these parcels works perfectly for the requested use. A gas pump layout as shown on our plans and the convenience store take up the central part of the site, and allows for easy access into and out of the site, and keeps buffers against residential.
- B. Compatibility with adjoining uses works well. The Residential to the north east will be blocked by an existing 50' vegetative buffer, and roads surround the other 2 sides on the corner.
- C. There is plenty of adequate public services, facilities and utilities available at this site.
- D. The shape of this corner lot allows for easy traffic flows and won't create congestion.
- E. Existing land use will not impact the character or volume of vehicles in the area.
- F. The shape of the lot and the use proposed will work perfectly on this site, allowing access from both sides with ability to add decel lanes if needed.
- G. This use will not create adverse impacts on adjoining land uses by reason of noise, smoke, odor, dust or vibration. This property will adhere by all codes for property storage of gas tanks to avoid smells. Noise will not be an issue with this use.
- H. This use will not create adverse impacts on the adjoining land uses by reason of hours of operation. All lighting will be directly lit downward, with no off site spread. Management will not allow large groups to gather outside on property. The use will be a high use for local police and will be visible by many to help keep safe. The hours will adhere to local laws.
- I. This use will not create any adverse impacts to adjoining land uses by reason of the manner of operation. This is for gas fill ups, and retail purchases indoors with no loitering allowed per county ordinances.
- J. The proposed plan is consistent with all zoning requirements of this district and will abide by all codes.
- K. The proposed plan does fit within the context of the comprehensive plan for this area.
- L. The proposed plan is designed specifically to adhere to all buffer zones required, and was designed to retain the natural buffers along the north east side. All landscape strips are added per code as well.
- M. This proposed plan allows for adequate refuse and service areas.
- N. This proposed plan will adhere to a timely duration for implementation.
- O. The size, scale and massing of the proposed building and gas canopy are designed to not to impact the neighborhood aesthetics. It is a single story building with very nice finishes. The size and massing will not affect the look of the surrounding area.
- P. This proposed use will not adversely affect any historic buildings, sites, districts, or archaeological resources.
- Q. The proposed use satisfies the requirements for such special uses.

- R. The proposed single story height of the building pulled back 50' from the street will not be a negative impact.
- S. This proposed use will be more of a boutique gas station convenience store and will not disproportionately proliferate similar uses in the area.
- T. The proposed use is consistent with the needs of the community. Atlanta is such a vehicular community and having a convenience store with gas station on a major corner with residential nearby will be popular use by all. It will not conflict with overall comprehensive plan of the area.

Sincerely,



Jeffrey Smith (Representative for Cityview)

Legal Description

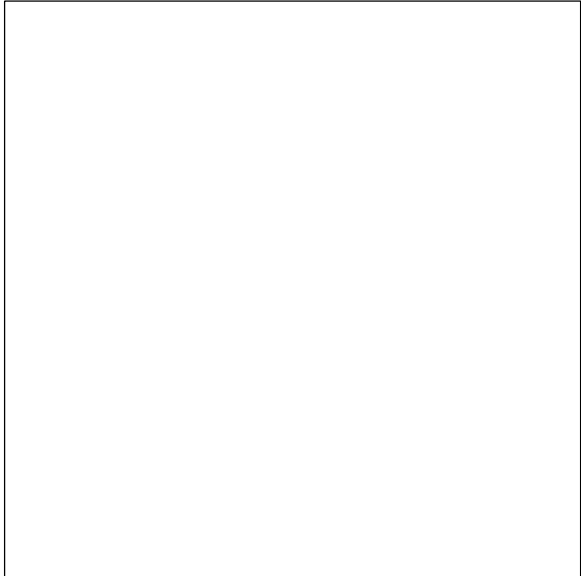
All that tract or parcel of land lying and being in Land Lot 37 of the 16th Land District, Dekalb County, Georgia and being more particularly described as follows:

BEGINNING at a point at the northern most intersection of the southerly right-of-way line of Panola Road (variable r/w) and the mitered right-of-way line between Panola Road and Young Road (variable r/w), said point being the TRUE POINT OF BEGINNING;

thence along said right-of-way line of Panola Road, N 33°34'10" E a distance of 347.47 feet to a point, thence leaving said right-of-way line, S 63°42'43" E a distance of 53.59 feet to a point, thence S 23°36'17" E a distance of 255.28 feet to a point on a curve on said northerly right-of-way line of Young Road, said curve having a radius of 794.44 feet, thence along said right-of-way along the arc of a said curve a distance of 343.91 feet to a point, said arc subtended by a chord bearing S 71°25'26" W, a distance of 341.23 feet to a point on the mitered right-of-way line, thence along said mitered right-of-way line, N 18°08'10" W a distance of 29.66 feet to a point, thence N 11°17'40" W a distance of 49.62 feet to a point, and the TRUE POINT OF BEGINNING.

Said property contains 60,229 square feet or 1.38 acres, more or less.

A new legal description was created for the combination of the two tracts, and the record legal descriptions went to the centerline of road less and except the current right-of-ways. And, because the survey is on the grid north bearing base.



THIS BLOCK IS RESERVED FOR
THE CLERK OF SUPERIOR COURT

NOTES:

THE PROPERTY IS ZONED R-100. SITE AREAS 60,229 SF FT OR 1.38 ACRES.

CURRENT MIN. BLDG. SETBACKS: PER COUNTY COUNTY MUNICODE FRONT+40' or 50', SIDE+10', REAR+40'

THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A RELATIVE POSITIONAL PRECISION OF 0.03', AND WAS ADJUSTED USING A LEAST SQUARES ADJUSTMENT.

A PRECISION FORCUS 35 TOTAL STATION WAS USED TO OBTAIN LINEAR AND ANGULAR MEASUREMENTS. LINEAR DISTANCES SHOWN ARE GROUND HORIZONTAL DISTANCES.

THIS MAP OR PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS ACCURATE WITHIN ONE FOOT IN 1,000,000+ FEET.

FIELD WORK WAS COMPLETED ON AUGUST 24, 2020.

ELEVATIONS ESTABLISHED ARE BASED ON NAVD88 DATUM AND WERE ESTABLISHED USING GPS EQUIPMENT ON eGPS REFERENCE STATIONS.

BEARINGS AND DISTANCES SHOWN HEREON WERE FIELD MEASURED AND ARE IN SUBSTANTIAL AGREEMENT WITH THE DESCRIPTION UNLESS OTHERWISE NOTED HEREON.

SPG SURVEYING, LLC DOES NOT WARRANT THE EXISTENCE OR NONEXISTENCE OF ANY WETLANDS OR HAZARDOUS WASTE IN THE SURVEY AREA.

NO PART OF THIS PROPERTY IS LOCATED WITHIN A SPECIAL FLOOD HAZARD AREA (ZONE AE) AS DEFINED BY FIRM COMMUNITY PANEL NUMBER 13089C0156J, EFFECTIVE DATE OF MAY 16, 2013, DEKALB COUNTY, GEORGIA, AND UNINCORPORATED AREAS.

UNLESS STATED OTHERWISE HEREON, ONLY EVIDENCE OF EASEMENTS OR STRUCTURES THERETO WHICH ARE READILY APPARENT FROM A CASUAL ABOVE GROUND VIEW OF THE PREMISES ARE SHOWN. THE PREMISES SHOWN AND DESCRIBED HEREON ARE SUBJECT TO ANY EXISTING EASEMENTS, RIGHT-OF-WAYS, RESTRICTIONS, AND SETBACK LINES WHETHER OR NOT THEY ARE SHOWN ON THE PLAT HEREON OR WHETHER OR NOT RECORDED IN THE PUBLIC RECORDS. NO LIABILITY IS ASSUMED BY THE UNDERSIGNED FOR LOSS THAT MAY BE ASSOCIATED WITH THE EXISTENCE OF ANY EASEMENTS.

REPRODUCTIONS OF THIS PLAT ARE NOT VALID UNLESS SEALED AND SIGNED WITH AN ORIGINAL SIGNATURE.

INFORMATION REGARDING THE REPUTED PRESENCE, SIZE, CHARACTER & LOCATION OF EXISTING UNDERGROUND UTILITIES AND STRUCTURES IS SHOWN HEREON AND WAS BASED ON VISIBLE ABOVE GROUND EVIDENCE SUCH AS MANHOLES, CATCH BASINS, FIRE HYDRANTS, WATER METERS, ETC. THERE IS NO CERTAINTY OF THE ACCURACY OF THIS INFORMATION AND IT SHALL BE CONSIDERED IN THAT LIGHT BY THOSE USING THIS DRAWING. THE LOCATION AND ARRANGEMENT OF UNDERGROUND UTILITIES AND STRUCTURES SHOWN HEREON MAY BE INACCURATE AND UTILITIES AND STRUCTURES NOT SHOWN MAY BE ENCOUNTERED. THE OWNER, HIS EMPLOYEES, HIS CONSULTANTS AND HIS CONTRACTORS SHALL HEREBY DISTINCTLY UNDERSTAND THAT THE SURVEYOR IS NOT RESPONSIBLE FOR THE CORRECTNESS OR SUFFICIENCY OF THIS INFORMATION.

NO EVIDENCE OF RECENT EARTH MOVING WORK, BUILDING CONSTRUCTION, OR BUILDING ADDITIONS OBSERVED DURING THE PROCESS OF CONDUCTING THE FIELDWORK.

NO EVIDENCE OF RECENT STREET OR SIDEWALK CONSTRUCTION OR REPAIRS OBSERVED DURING THE PROCESS OF CONDUCTING THE FIELDWORK.

NO WETLAND MARKERS WERE OBSERVED DURING THE PROCESS OF CONDUCTING THE FIELDWORK.

NO OBSERVED EVIDENCE, IN THE PROCESS OF CONDUCTING THE FIELDWORK, OF CEMETERIES OR BURIAL GROUNDS.

NO ENCHROACHMENTS EXIST ON THIS PROPERTY.

SURVEY NOTES:

PARCELS #1 & #2 - LEGAL DESCRIPTION HAS VAGUE CALLS AND DESCRIPTIONS CALL FOR PARCELS TO THE CENTERLINE OF ROADS, LESS AND EXCEPT THE PORTIONS LYING WITHIN THE RIGHTS OF WAYS OF PANOLA AND YOUNG ROADS.

CAN'T READ THE RIGHT OF WAY PLAN DRAWINGS BY CDDT. PRINT IS TOO SMALL SENT BY CLIENT. USED GRAPHICS FROM CDDT PLANS.

TITLE NOTES:

TITLE INFORMATION SUPPLIED BY CLIENT ON JULY 27, 2020.

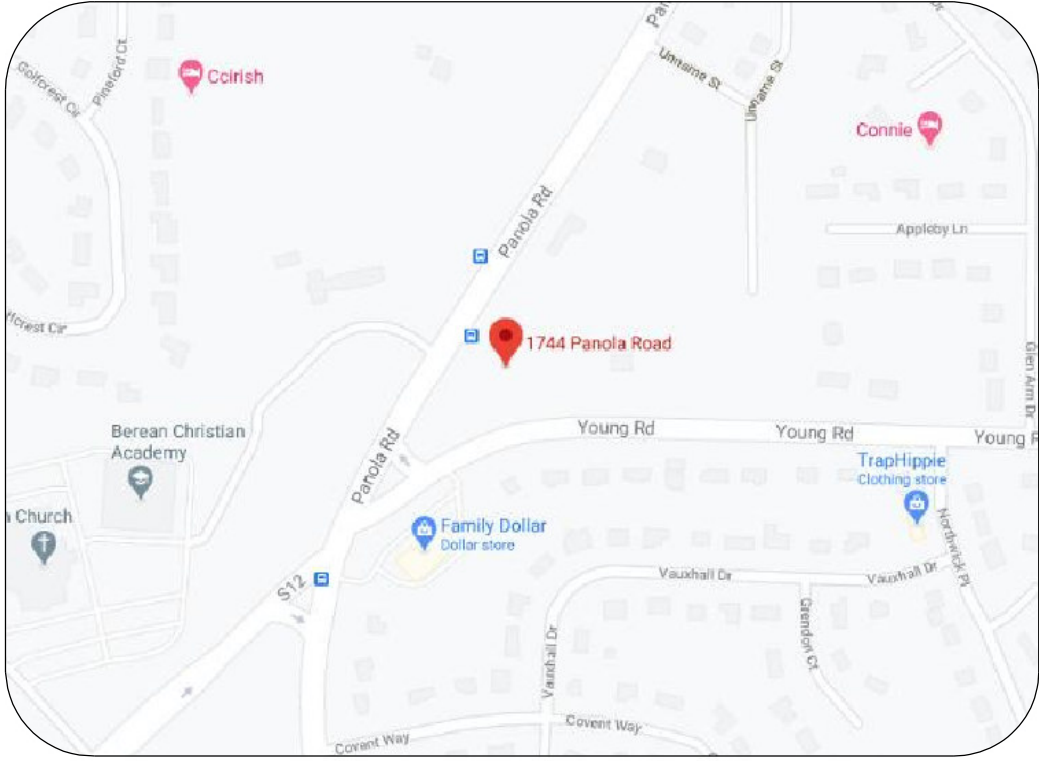
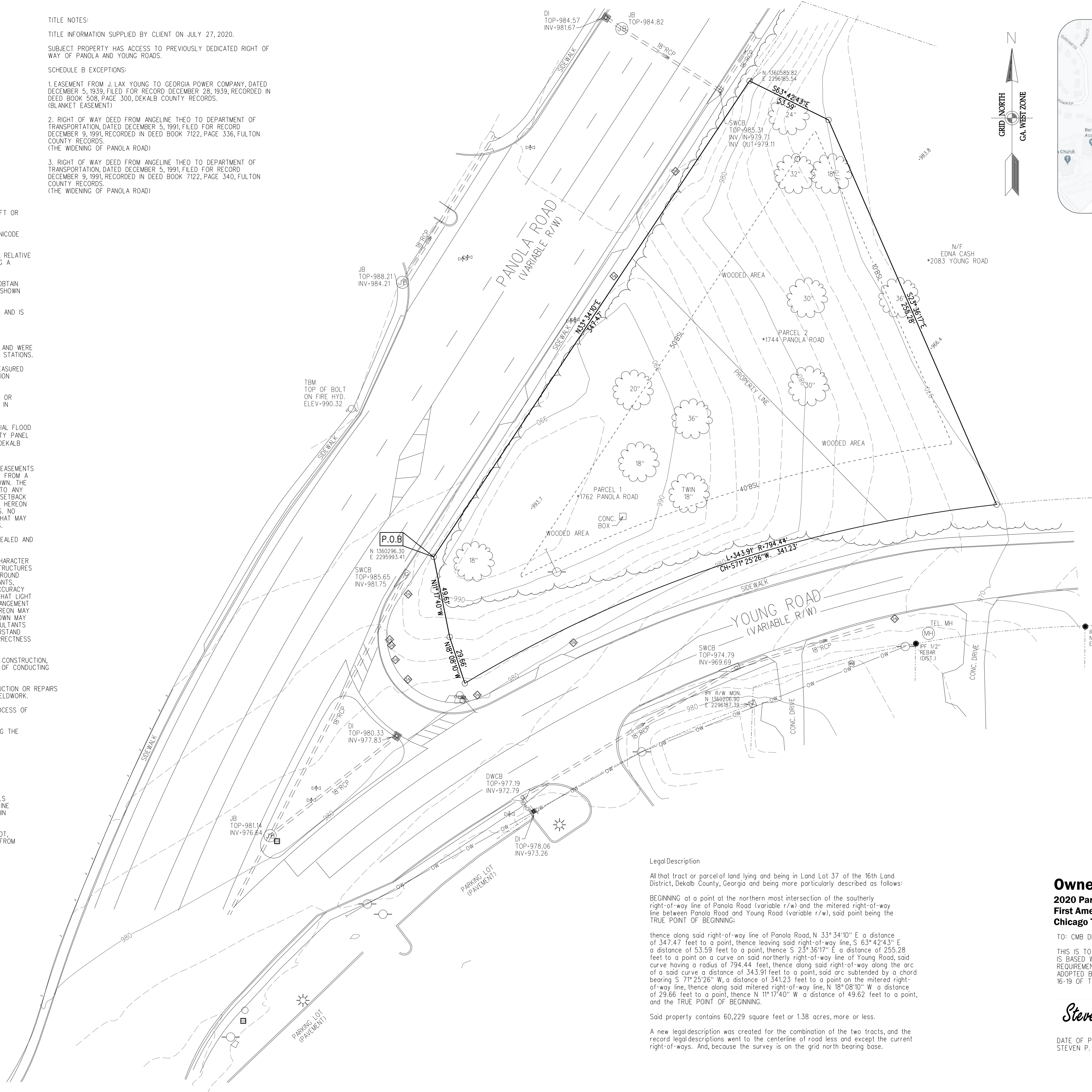
SUBJECT PROPERTY HAS ACCESS TO PREVIOUSLY DEDICATED RIGHT OF WAY OF PANOLA AND YOUNG ROADS.

SCHEDULE B EXCEPTIONS:

1. EASEMENT FROM J LAX YOUNG TO GEORGIA POWER COMPANY, DATED DECEMBER 5, 1939, FILED FOR RECORD DECEMBER 28, 1939, RECORDED IN DEED BOOK 508, PAGE 300, DEKALB COUNTY RECORDS. (BLANKET EASEMENT)

2. RIGHT OF WAY DEED FROM ANGELINE THEO TO DEPARTMENT OF TRANSPORTATION, DATED DECEMBER 5, 1991, FILED FOR RECORD DECEMBER 9, 1991, RECORDED IN DEED BOOK 7122, PAGE 336, FULTON COUNTY RECORDS. (THE WIDENING OF PANOLA ROAD)

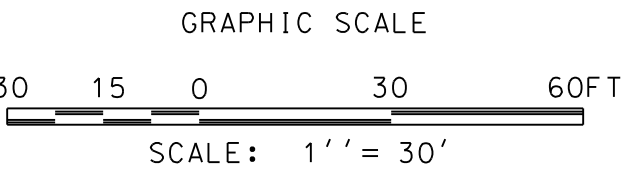
3. RIGHT OF WAY DEED FROM ANGELINE THEO TO DEPARTMENT OF TRANSPORTATION, DATED DECEMBER 5, 1991, FILED FOR RECORD DECEMBER 9, 1991, RECORDED IN DEED BOOK 7122, PAGE 340, FULTON COUNTY RECORDS. (THE WIDENING OF PANOLA ROAD)



VICINITY MAP
NOT TO SCALE

LEGEND

- IPF IRON PIN FOUND
- LL LAND LOT
- LLL LAND LOT LINE
- (MH) MANHOLE
- POB POINT OF BEGINNING
- N/F NOW OR FORMERLY
- BSL BUILDING SETBACK LINE
- (JB) JUNCTION BOX
- DI DROP INLET
- DOUBLE WING CATCH BASIN
- HEADWALL
- SINGLE WING CATCH BASIN
- DE DRAINAGE EASEMENT
- SS SANITARY SEWER LINE
- SSE SANITARY SEWER EASEMENT
- W- WATER MAIN
- WM WATER METER
- WV WATER VALVE
- FH FIRE HYDRANT
- G- GAS LINE
- FO- FIBER OPTIC
- T- UNDERGROUND TEL.
- UE- UNDERGROUND ELEC
- OW- OVERHEAD ELEC
- UP UTILITY POLE
- SIGN
- HARDWOOD
- PINE



Owners:
2020 Partners LLC
First American Bank and Trust
Chicago Title Insurance Company

TO: CMB DESIGN GROUP

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2016 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 2-5, 7(a), 8, 9, 10(a)&(b), 11, 13, 14, 16-19 OF TABLE A THEREOF. THE FIELDWORK WAS COMPLETED ON AUGUST 25, 2020.

Steven P Griggs



DATE OF PLAT OR MAP: AUGUST 26 2020
STEVEN P. GRIGGS, RLS NO. 2845

ALTA/NSPS Land Title Survey of
#1744 & 1762 Panola Road

Land Lot 37, 16th District, Dekalb County, GA

For:
CMB Design Group

BY:

REVISIONS

DATE:

File No. 202006.01

Drawn By: SG

Approved By: SG

Reviewed By: SG

Date: 08/24/2020

Project No. 202006.001

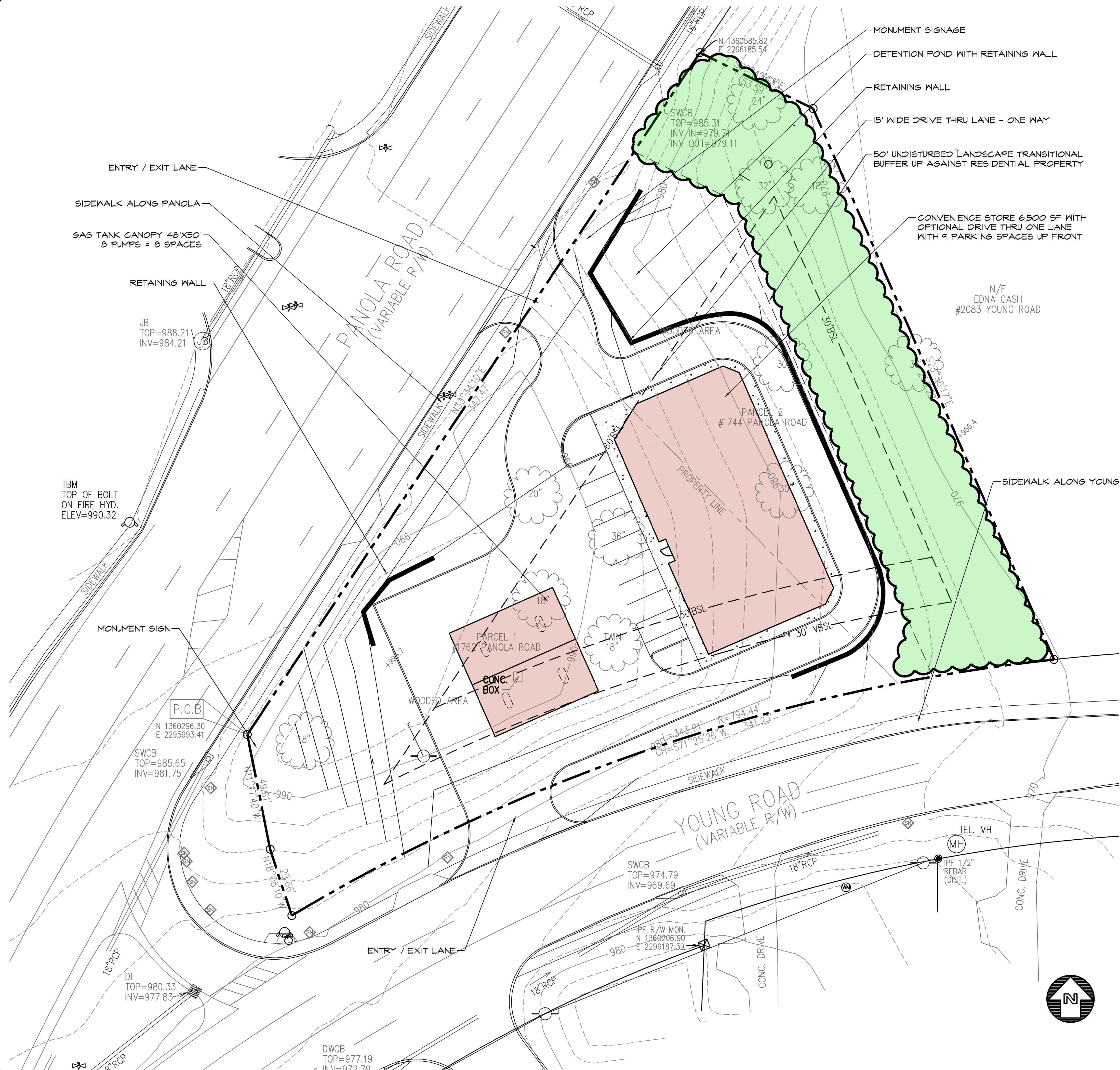
CMB Design Group, LLC
11877 Douglas Rd
Suite 102
Johns Creek, GA 30005

www.CMB

DESIGNGROUP.COM

cmandb@bellsouth.net





SITE SUMMARY TABLE

AREA	
TOTAL PROPERTY AREA:	1.30 AC
TRACT ONE:	0.72 AC
TRACT TWO:	0.58 AC
BUILDING AREA:	6,500 SF
IMPERVIOUS AREA:	0.63 AC (49%)
ZONING	
OVERLAY:	NONE
EXISTING PROPERTY ZONING:	R100
ADJACENT ZONING:	C3 (SOUTH ACROSS STREET); R100 (EAST) C1 (WEST ACROSS STREET)
PROPOSED ZONING	
PROPERTY ZONING:	C1
EXISTING ZONING BUILDING SETBACKS	
PANOLA RD FRONT YARD :	50' WITH R100
YOUNG RD FRONT YARD:	40' WITH R100
SIDE/REAR YARD:	10' WITH R100
C1 BUILDING SETBACKS	
PANOLA RD FRONT YARD :	60'
YOUNG RD FRONT YARD:	50'
REQUESTED VARIANCE TO YOUNG RD FRONTAGE:	30'
SIDE/REAR YARD:	30'
BUFFER / LANDSCAPE STRIPS	
PANOLA RD:	10' LANDSCAPE STRIP
YOUNG RD FRONT YARD:	10' LANDSCAPE STRIP
SIDE/REAR YARD:	50' CLASS C BUFFER AGAINST RESIDENTIAL
PARKING:	
MINIMUM (1 PER 500 SF):	6400 / 500 = 13 SPACES
PROPOSED:	16 (INCLUDING 2 HC SPACES & 8 PUMP SPACES)

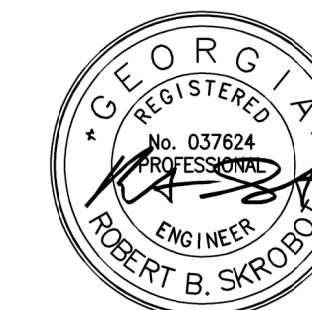
CONCEPTUAL SITE PLAN

FOR:

1762 & 1744 PANOLA ROAD

STONE MOUNTAIN, GA.
DOUGLAS COUNTY, GA

PARCELS: 16 037 02 008, 16 037 02 007



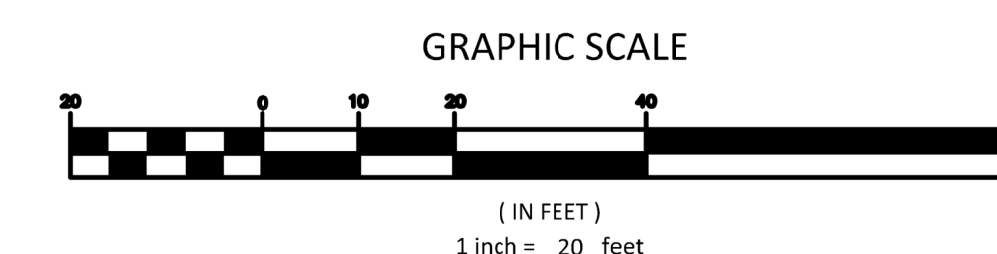
No.	Revision/Issue	Date

RASK
CIVIL ENGINEERING
409 ROSE LANE
WOODSTOCK, GA 30188
(404) 226-6795

OWNER/DEVELOPER:
2020 PARTNERS LLC

CONTACT:

Project	Sheet
Date: 11/3/20	C0.0
Scale: 1"=20'	







MATERIAL LEGEND

1. GLASS STOREFRONT
2. ENTRANCE PIERS CLAD IN BRICK
3. FRONT AND SIDE FAÇADE CLAD IN BRICK
4. METAL CANOPY
5. METAL COPING
6. SPACE FOR SIGNAGE
7. LANDSCAPING AT THE BUILDING
8. OUTDOOR SEATING