

Public Hearing: YES ☒ NO ☐

Department: Planning & Sustainability

SUBJECT:

COMMISSION DISTRICT(S): 5 & 7

Application of Mustaq Moosa for a Special Land Use Permit (SLUP) to allow fuel pumps as an accessory use in the C-1 (Local Commercial) District, at 1762 Panola Road.

PETITION NO: N16. SLUP-21-1244547 2021-2123

PROPOSED USE: Fuel pumps as an accessory use.

LOCATION: 1762 Panola Road, Stone Mountain, Ga.

PARCEL NO. : 16-037-02-007, 16-037-02-008

INFO. CONTACT: John Reid, Sr. Planner

PHONE NUMBER: 404-371-2155

PURPOSE:

Application of Mustaq Moosa for a Special Land Use Permit (SLUP) to allow fuel pumps as an accessory use in the C-1 (Local Commercial) District in accordance with Table 4.1 Use Table. The property is located on the northeast intersection of Panola Road and Young Road, at 1762 and 1744 Panola Road, Stone Mountain. The property has approximately 328 feet of frontage on Young Road, 347 feet of frontage on Panola Road and contains 1.38 acres.

RECOMMENDATION:

COMMUNITY COUNCIL: Denial.

PLANNING COMMISSION: Denial.

PLANNING STAFF: Withdrawal without Prejudice.

STAFF ANALYSIS: The proposed request for fuel pumps as an accessory use to a convenience store is required to obtain a Special Land Use Permit (SLUP) since it is located in the C-1 (Local Commercial) zoning district. Based on the submitted information, the zoning proposal to allow a convenience store with accessory gas pumps at the intersection of a major arterial and collector road is consistent with the following policy of the 2035 Comprehensive Plan: “The non-residential development in suburban areas shall be limited to small-scale convenience goods/services to meet the needs of the surrounding residents. Small scale nonresidential development shall be limited to qualifying intersections (collector roadway and above)” (Sec. 7.4.6.K). It appears that the zoning proposal is consistent with the C-1 zoned property to the west across Panola Road containing an institutional use (Berean Christian Church) and vacant land and the commercial use (Family Dollar Store) across Young Road to the south (Sec 7.4.6.B). A 50-foot undisturbed transitional buffer along the northeast property line abutting residential zoning, along with a recommended condition of zoning approval requiring that all lighting be established so that no direct light is cast upon adjacent properties should provide compatibility with the single-family residential neighborhoods to the east. Based on community input at the Planning Commission meeting on March 4th , the applicant has requested that the rezoning and companion SLUP applications be withdrawn without prejudice (see attached email dated March 9th , 2021). Therefore, it is the recommendation of the Department of Planning and Sustainability that the application be “Withdrawn Without Prejudice”.

PLANNING COMMISSION VOTE: Denial 9-0-0. J. West moved, G. McCoy seconded for denial. A proliferation of gas stations and alcohol outlets in the area, this request is out of character with the area and strong opposition from the community, were reasons given for the Denial.

COMMUNITY COUNCIL VOTE/RECOMMENDATION: Denial 8-0-0. Many community residents spoke in opposition to this project, citing its proximity to Berean Church and school, as well as traffic concerns and concerns about the abundance of similar businesses in the immediate area. Applicant did not attend.

Recommended Conditions if Approved
SLUP-21-1244547
Feb. 24, 2021

1. Not based on submitted site plan. Allow up to eight accessory fuel pumps in conjunction with a convenience store and retail uses.
2. Provide a 50-foot wide undisturbed transitional buffer along the eastern property line. Existing trees within the 50-foot transitional buffer shall be preserved and supplemented with new trees (if necessary) to form an effective visual screen as approved by the County Arborist prior to the issuance of any Certificates of Occupancy.
3. Buildings shall be similar to the submitted conceptual elevations.
4. Provide landscaping, sidewalks, and street trees along Panola Road and Young Road as required by Article 5 of the zoning ordinance. Provide a two (2) foot high masonry wall with landscaping and/or an evergreen hedge to help screen the pumps from view from a public right of way.
5. Canopy height shall not exceed the greater of twenty (20) feet or the height of the principal building.
6. Compliance with all supplemental regulations for fuel pumps.
7. Support columns for the pump/canopy island shall be composed of four-sided brick.
8. Limit site to one (1) curb cut on Panola Road, subject to GDOT (Georgia Department of Transportation) approval. Limit site to one (1) curb cut on Young Road, subject to approval by the Transportation Division of the Department of Public Works.
9. All access points must meet minimum intersection and stopping sight distance requirements per AASHTO Greenbook for 35 mph and presented (signed and sealed by a professional engineer) with the land development permit documents. Access point on Young Road needs to be relocated away from the traffic signal. The developer is required to upgrade the pedestrian features of the traffic signal at Panola Road at Young Road, as identified by the Transportation Division of Public Works. Internal sidewalks shall be provided to connect the building to public sidewalks along Panola and Young Road.
10. All refuse areas shall be constructed with an enclosure to match the building materials of the principal structure.
11. Outside trash receptacles for patrons at gasoline pumps and along store entrances shall be provided.
12. Outside vending machines are prohibited. This prohibition shall not restrict outside equipment used for the storage and sale of ice or for Amazon lockers.
13. No car washing allowed on site.
14. Project signage with digital scrolling signage or with changing pictures shall be strictly prohibited.
15. All construction work shall be conducted in accordance with the DeKalb County Noise Ordinance.
16. The approval of this SLUP application by the Board of Commissioners has no bearing on the requirements for other regulatory approvals under the authority of the Zoning Board of Appeals,

or other entity whose decision should be based on the merits of the application under review by such entity.

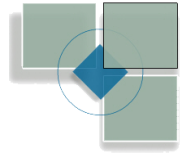
17. Lighting shall be established in such a way that no direct light is cast upon or adversely affects adjacent properties and roadways. An outdoor lighting plan shall be submitted in conjunction with the application for a land disturbance permit and shall meet the standards of Sec. 5.6.1 of the DeKalb County Zoning Code.



Michael Thurmond
Chief Executive Officer

DeKalb County Department of Planning & Sustainability

**330 Ponce De Leon Avenue, Suite 500
Decatur, GA 30030
(404) 371-2155 / plandev@dekalbcountyga.gov**



Planning Commission Hearing Date: March 4, 2021
Board of Commissioners Hearing Date: March 25, 2021

STAFF ANALYSIS

Case No.: SLUP-21-1244547 **Agenda #:** N-16

Location/Address: 1762 and 1744 Panola Road, Stone Mountain, GA. **Commission District:** 5 Super District: 7

Parcel ID: 16-037-02-007, -008

Request: To request a Special Land Use Permit (SLUP) to allow a convenience store with accessory fuel pumps in the C-1 (Local Commercial) District.

Property Owner: 2020 Partners, LLC

Applicant/Agent: Mustaq Moosa

Acreage: 1.38 acres

Existing Land Use: Undeveloped, wooded.

Surrounding Properties: North, Northeast, East, Southeast: Undeveloped, wooded (zoned R-100); South: a Dollar Store retail establishment (zoned C-1); Southwest, West, Northwest: Berean Christian Church (zoned C-1).

Comprehensive Plan: SUB (Suburban) **Consistent** ☒ **Inconsistent** ☐

Proposed Density: NA	Existing Density: NA
Proposed Units/Square Ft.: 6,500 square foot convenience store with fuel pumps.	Existing Units/Square Feet: Vacant land.
Proposed Lot Coverage: NA	Existing Lot Coverage: NA

Companion Applications: The applicant has filed the following companion applications: Z-21-1244544 for a rezoning from R-100 to C-1 to allow for a convenience store with accessory fuel pumps and alcohol outlet, and SLUP-21-1244548 for accessory alcohol sales to a convenience store.

Zoning History: Based on DeKalb County records, it appears that the R-100 zoning of the property has not changed since adoption of the first zoning ordinance and map in 1956.

SUBJECT ANALYSIS

The 1.38-acre project site is located on the northeast intersection of Panola Road and Young Road at 1744 and 1762 Panola Road in Stone Mountain, Georgia. The property is currently vacant and heavily wooded. The subject property is zoned R-100 (Residential Medium Lot) District.

PROJECT ANALYSIS

The proposed request is to construct a 6,500 square foot convenience store with eight accessory fuel pumps. There is a companion rezoning application to rezone from R-100 to C-1 to allow for a convenience store (Z 21 1244544) and a companion Special Land Use Permit (SLUP) application to include an accessory alcohol outlet in the proposed convenience store, should the rezoning to C-1 be approved by the Board of Commissioners (SLUP 21 1244548). The proposed plan appears to comply with all requirements of the zoning ordinance except for the front yard building setback off of Young Road (50 foot required, 30 foot provided). However, the site is a triangle-shaped, double-frontage, corner lot which makes it difficult to comply with all zoning requirements. The *Zoning Ordinance* requires 13 parking spaces for the proposed 6,500 square foot convenience store, and the submitted site plan indicates compliance with 17 parking spaces provided including nine parking spaces in front of the proposed building and eight parking spaces at the proposed fuel pumps. The plan appears to comply with most of the Supplemental Regulations for the proposed accessory fuel pumps and alcohol outlet. For the Supplemental Regulations where the submitted information does not indicate if there is compliance, the Planning Department's recommended conditions of approval will require compliance to be demonstrated before the issuance of any building permits.

The site plan shows a retaining wall to be constructed along the north and eastern portion of the site, but the height of that retaining wall is not indicated. Retaining walls are limited to ten feet in height, unless a variance is obtained by the Board of Zoning Appeals. The site plan also shows an access drive around and behind the proposed building to facilitate safe and convenient ingress and egress within the site. The site plan does not indicate if this access drive will be used as a drive-through lane for a drive-through restaurant in the future. If a drive-through restaurant is proposed in the future, a Special Land Use Permit (SLUP) application shall be required to be submitted and approved by the Board of Commissioners.

The subject site has approximately 328 feet of frontage along Young Road and 347 feet of frontage along Panola Road. There is one proposed curb cut off Panola Road and one proposed curb cut off Young Road. Panola Road is a four-lane major arterial road with a center turn lane, curb and gutter, and no sidewalks. Young Road is a two-lane minor collector road with a center turn lane, curb and gutter, and no sidewalks. The proposed site plan is providing 5-foot wide sidewalks along Panola Road and Young Road. The DeKalb County Transportation Division of Public Works has indicated that the access point on Young Road needs to be relocated away from the traffic signal, and that the developer is required to upgrade the pedestrian features of the traffic signal at Panola Road at Young Road, as identified by the Transportation Division of Public Works. Additionally, internal sidewalks shall be provided to connect the building to public sidewalks along Panola and Young Road.

Additional criteria applicable to the C-1 zoning of the subject property is shown in the table on next page:

STANDARD		C-1 REQUIREMENT	EXISTING/PROPOSED	COMPLIANCE
LOT WIDTH		100 feet	304 feet (Young Road)	YES
LOT AREA		20,000 square feet	60,113 square feet	YES
YARD SETBACKS	FRONT	60 feet (Panola Road) 50 feet (Young Road)	60 feet 30 feet	YES. NO. Non-compliance will necessitate variances from the Board of Zoning Appeals.
	INTERIOR SIDE	20 feet	70 feet (east p/l) 180 feet (west p/l)	YES.
	REAR	30 feet	NA—no rear yard	NA. No rear yard.
MIN. OPEN SPACE		10%	50%	YES
BUILDING MATERIALS		All building facades facing a public street shall consist of at least 80% brick, stone, glass, decorative concrete, fiber cement siding, or hard coat stucco, or combination thereof.	Conceptual elevations appear to demonstrate compliance.	YES.
TRANS. BUFFERS		50 ft buffer required along east property line which abuts R-100 zoning	50 feet	YES
HEIGHT		2 story	1 story	YES
PARKING		13 spaces	17 spaces (includes 9 spaces in front of building and plus 8 spaces at the fuel pumps)	YES

MAX LOT COVERAGE	80%	50%	YES
SIDEWALKS AND STREETSCAPING	6-ft. sidewalk and 10-ft landscape strip along Panola Road and Young Road, with street trees every 50 feet on center. Internal sidewalks required to connect the building to public sidewalks along Panola and Young Road.	Sidewalks are proposed along Panola Road and Young Road. No landscape strips or street trees shown. No internal sidewalks shown on plan.	YES for sidewalks. Undetermined for 10-ft wide landscape strip and street trees 50 feet on center. No internal sidewalks shown on plan. (Non-compliance will necessitate variances)
STREET LIGHTS AND PEDESTRIAN LIGHTS	Street lights along the existing roads shall be at 80 ft on center.	No street lights or pedestrian lights shown.	Undetermined, information not provided. (Non-compliance shall necessitate variances)
PARKING LOT LANDSCAPING	One tree for every 8 parking spaces; one tree island for every 10 parking spaces	No trees or tree islands are shown for the nine proposed parking spaces in front of building.	No. Non-compliance shall necessitate variances.

Article 4.2.28 Compliance with Supplemental Regulations (Fuel Pumps)

<u>STANDARDS</u>	<u>COMPLIANCE</u>
1. Gas station and convenience store design shall comply with the design standards set forth in chapter 27 article 5 of this code.	YES based on submitted information
2. The primary building (i.e., convenience store or automobile service station) shall be exempt from primary building setbacks if located in activity centers	NA—not located in activity center
3. Canopies covering gasoline dispensers shall be set back not less than fifteen (15) feet from all street rights-of-way.	YES. Concept plan shows gas canopy approximately 30 feet from street rights-of-way along Panola and Young Roads
4. Canopy height shall not exceed the greater of twenty (20) feet or the height of the principal building	Undetermined. Information not provided on plan. Non-compliance will necessitate variances.

5. Canopies and their columns shall be complementary to the overall color scheme and building materials scheme of the building façade to which the canopy is accessory.	Undetermined. Information not provided on plan. Non-compliance will necessitate variances.
6. Canopy lighting shall not extend beyond the area immediately beneath the canopy and all fixtures shall be recessed, including any fixture or lens. Lighting shall project inward and downward, shall not have any spillover to adjacent properties, and shall cut off no later than thirty (30) minutes after closure of the facility	Undetermined. Information not provided on plan. Non-compliance will necessitate variances.
7. Automobile service stations with gas sales shall have a capacity to store one (1) car per bay (car area in front of a pump), so as not to interfere with driveway ingress and egress traffic flow.	YES
8. A minimum of thirty (30) feet is required between a gas pump and the nearest property line.	YES. Based on submitted concept plan, the proposed gas canopy that encompasses the gas pumps appear to be 30 feet away from the nearest property line.
9. Owner and operator are responsible for daily litter clean-up to ensure that property remains free of litter, trash, and debris	YES. Applicant will be required to comply.
10. When a separate retail or restaurant use is located on the same property as fuel pumps, there shall be separate and distinct parking spaces for each use.	YES
11. The use of light emitting diodes, neon lights, and illuminated panels placed around the windows or on the outside of the building is prohibited.	Undetermined. Information not provided on plan. Non-compliance will necessitate variances.
12. If reverse frontage design is proposed the primary building shall be located close to the street to define street edge. Pump islands shall not be located between the building and the street, but shall be placed behind or to the side of the primary building. The façade of the primary building located closest to the street shall include architectural features and shall have an active entrance either on the side or rear, with clear unobstructed pedestrian access from the public sidewalk. The street	Not applicable. A reverse design is not being proposed because the site's triangle-shape, double frontage, corner lot configuration would make it un-feasible to comply with building setback requirements.

façade shall have at least twenty-five percent (25%) fenestration or faux fenestration.	
13. Service areas, storage areas, and trash enclosure shall be oriented away from public view and screened from adjacent properties.	YES
14. Facilities must provide a two (2) foot high masonry wall with landscaping and/or an evergreen hedge to help screen the pumps from view from a public right of way	Undetermined. Information not provided on plan. Non-compliance will necessitate variances.

LAND USE AND ZONING ANALYSIS

Section 27-7.4.6 of the DeKalb County Zoning Ordinance, “Special land use permit; criteria to be applied” states that the following criteria shall be applied in evaluating and deciding any application for a Special Land Use Permit. No application for a Special Land Use Permit shall be granted unless satisfactory provisions and arrangements have been made concerning each of the following factors, all of which are applicable to each application.

A. Adequacy of the size of the site for the use contemplated and whether or not adequate land area is available for the proposed use including provision of all required yards, open space, off-street parking, and all other applicable requirements of the zoning district in which the use is proposed to be located:

Based on the submitted site plan and information, as well as field investigation of the project site, it appears that the size of the site is adequate for the use contemplated. Fuel pumps are allowed in the C-1 (Local Commercial) district, subject to approval of a SLUP. The C-1 district requires 20,000 square feet (approx. .46 acres), and the project site contains 1.38 acres. The *Zoning Ordinance* requires 13 parking spaces for the proposed 6,500 square foot convenience store, and the submitted site plan indicates compliance with 17 parking spaces provided including nine parking spaces in front of the proposed building and eight parking spaces at the proposed fuel pumps. The proposed plan appears to comply with all required open space and yard requirements except for the front yard building setback off of Young Road (50 foot required, 30 foot provided). However, the site is a triangle-shaped, double-frontage, corner lot which makes it difficult to comply with all building setback requirements. Additionally, the proposed fuel pumps comply (or will be required to comply per Planning Department recommended conditions of approval) with all Supplemental Regulations for fuel pumps. Therefore, it appears that there is adequate land area available for the proposed use.

B. Compatibility of the proposed use with adjacent properties and land uses and with other properties and land uses in the district:

Based on the submitted information and site plan, it appears that the zoning proposal to allow a convenience store with accessory gas pumps is appropriate at this major arteria/collector intersection and is consistent with the C-1 commercial-zoned property to the west across Panola Road containing an institutional use (Berean Christian Church) and vacant land and the commercial use (Family Dollar Store) across Young Road to the south. A 50-foot undisturbed transitional buffer along the northeast property line abutting residential zoning, along with

a recommended condition of zoning approval requiring that all lighting be established so that no direct light is cast upon or adversely affects adjacent properties should provide compatibility with the single-family residential uses to the east. Additionally, the Planning Department is recommending as a condition of approval that there be compliance with all Supplemental Regulations relating to fuel pumps, to reinforce the zoning regulations..

C. Adequacy of public services, public facilities, and utilities to serve the contemplated use:

There will be no burdensome impacts on schools since the proposed request is for non-residential use. It does not appear that there will be a burdensome use of transportation facilities since the site has frontage along and access to a major arterial and a collector road. The DeKalb County Transportation Division of Public Works has indicated that the access point on Young Road needs to be relocated away from the traffic signal, and that the developer is required to upgrade the pedestrian features of the traffic signal at Panola Road at Young Road, as identified by the Transportation Division of Public Works. Additionally, internal sidewalks shall be provided to connect the building to public sidewalks along Panola and Young Road. The applicant will need to obtain a sewer capacity letter from the Department of Watershed Management to verify if sewer capacity is available.

D. Adequacy of the public street on which the use is proposed to be located and whether or not there is sufficient traffic carrying capacity for the proposed use, so as not to unduly increase traffic or create congestion in the area:

Based on field investigation of the project site, the public street on which the proposed use is to be located is adequate and will not unduly increase traffic congestion since the site accesses a four-lane major arterial road and a two-lane collector road.

E. Whether or not existing land uses located along access routes to the site would be adversely affected by the character of the vehicles or the volume of traffic to be generated by the proposed use:

Based on the submitted site plan and information, as well as field investigation of the project site, it appears that the existing land uses located along access routes to the site would not be adversely affected by the character of the vehicles or the volume of traffic generated since the site accesses a four-lane major arterial road and a two-lane collector road.

F. Ingress and egress to the subject property and to all proposed buildings, structures, and uses thereon, with particular reference to pedestrian and automotive safety and convenience, traffic flow and control, and access in the event of fire or other emergency:

Based on the submitted site plan and information, as well as field investigation of the project site, it appears that ingress and egress to the subject property is adequate since the proposed use will be along a major arterial road and a collector road. Ingress and egress is enhanced with an internal drive behind the building which connects to private drives which access the north curb cut on Panola Road and the south curb cut on Young Road. The DeKalb County Transportation Division of Public Works has indicated that the access point on Young Road needs to be relocated away from the traffic signal, and that the developer is required to upgrade the pedestrian features of the traffic signal at Panola Road at Young Road, as identified by the Transportation Division of Public Works. Additionally, internal sidewalks shall be provided to connect the building to public sidewalks along Panola and Young Road.

G. Whether or not the proposed use would create adverse impacts upon any adjoining land use by reason of noise, smoke, odor, dust, or vibration that would be generated by the proposed use:

There are no anticipated adverse impacts on surrounding properties due to noise, smoke, odor, dust, or vibration generated by the proposed use. Based on the submitted information and site plan, it appears that the zoning proposal to allow a convenience store with accessory gas pumps is appropriate at this major

arterial/collector intersection and is consistent with the C-1 commercial-zoned property to the west across Panola Road containing an institutional use (Berean Christian Church) and vacant land and the commercial use (Family Dollar Store) across Young Road to the south. A 50-foot undisturbed transitional buffer along the northeast property line abutting residential zoning, along with a recommended condition of zoning approval requiring that all lighting be established so that no direct light is cast upon or adversely affects adjacent properties should provide compatibility with the single-family residential uses to the east. Additionally, the Planning Department is recommending as a condition of approval that there be compliance with all Supplemental Regulations relating to fuel pumps, to reinforce the regulations themselves.

H. Whether or not the proposed use would create adverse impacts upon any adjoining land use by reason of the hours of operation of the proposed use:

Based on the submitted information and elevations, it appears that the proposed use would not create adverse impacts on the adjoining land use by reason of the hours of operation. A 50-foot undisturbed transitional buffer along the northeast property line abutting residential zoning, along with a recommended condition of zoning approval requiring that all lighting be established so that no direct light is cast upon or adversely affects adjacent properties should provide compatibility with the single-family residential uses to the east.

I. Whether or not the proposed use would create adverse impacts upon adjoining land use by reason of the manner of operation of the proposed use:

See criteria "H".

J. Whether or not the proposed plan is otherwise consistent with the requirements of the zoning district classification in which the use is proposed to be located:

The proposed plan appears to comply with all required open space, off-street parking, and yard requirements of the C-1 zoning district except for the front yard building setback off of Young Road (50 foot required, 30 foot provided). However, the site is a triangle-shaped, double-frontage, corner lot which makes it difficult to comply with all building setback requirements.

K. Whether or not the proposed use is consistent with the policies of the comprehensive plan:

Based on the submitted information, the zoning proposal to allow a convenience store with accessory gas pumps at the intersection of a major arterial and collector road is consistent with the following policy of the 2035 Comprehensive Plan: "The non-residential development in suburban areas shall be limited to small-scale convenience goods/services to meet the needs of the surrounding residents. Small scale nonresidential development shall be limited to qualifying intersections (collector roadway and above)".

L. Whether or not the proposed plan provides for all buffers and transitional buffer zones where required by the regulations of the district in which the use is proposed to be located:

The proposed plan provides for a required 50-foot undisturbed transitional buffer along the eastern property line abutting residential zoning.

M. Whether or not there is adequate provision of refuse and service areas:

Based on the submitted information, ample refuse and service areas are provided. Recommended conditions of approval by the Planning Department will require that all refuse areas shall be constructed with an enclosure to match the building materials of the principal structure, and that outside trash receptacles for patrons at gasoline pumps and along store entrances be provided.

N. Whether the length of time for which the special land use permit is granted should be limited in duration:

The fuel pumps would be a permanent structure and should not be limited in duration.

O. Whether or not the size, scale, and massing of proposed buildings are appropriate in relation to the size of the subject property and in relation to the size, scale, and massing of adjacent and nearby lots and buildings:

Based on the submitted plan and information, the proposed convenience store would be located in a one-story, 6,500 square foot building and the proposed gas pumps would be located under a canopy no taller than 20 feet or the height of the principal building. Therefore, there are no impacts on the size, scale, and massing of adjacent and nearby lots and buildings.

P. Whether the proposed plan would adversely affect historic building sites, districts, or archaeological resources:

Based on the submitted site plan and information, as well as field investigation of the project site, it does not appear that the proposed plan would adversely affect historic buildings, sites, districts, or archaeological resources.

Q. Whether the proposed use satisfies the requirements contained within the supplemental regulations for such special land use permit:

Based on the submitted information, the proposed use complies with most of the Supplemental Regulations for fuel pumps (Section 4.2.28 of the zoning ordinance) as described in the project analysis. For the Supplemental Regulations where the submitted information does not indicate if there is compliance, the Planning Department's recommended conditions of approval will require compliance to be demonstrated before the issuance of any building permits.

R. Whether or not the proposed building as a result of its proposed height, would create a negative shadow impact on any adjoining lot or building:

Based on the submitted plan and information, as well as field investigation of the project site, the proposed use would be located in a one-story building and should not create a negative shadow impact on any adjoining lot or building. Based on the submitted plan and information, the proposed fuel pumps would be under a canopy that is a maximum of 20 feet tall and will comply with all minimum required building setbacks from the property line. Therefore, the proposed fuel pumps should not, as a result of its proposed building height, create a negative shadow impact on any adjoining lot or building.

S. Whether the proposed use would be consistent with the needs of the neighborhood or of the community as a whole, be compatible with the neighborhood, and would not be in conflict with the overall objectives of the Comprehensive Plan:

Based on the submitted information, the zoning proposal to allow a convenience store with accessory gas pumps at the intersection of a major arterial and collector road is consistent with the following policy of the 2035 Comprehensive Plan: "The non-residential development in suburban areas shall be limited to small-scale convenience goods/services to meet the needs of the surrounding residents. Small scale nonresidential development shall be limited to qualifying intersections (collector roadway and above)". It appears that the zoning proposal to allow a convenience store with accessory gas pumps is appropriate at this major arteria/collector intersection and is consistent with the C-1 properties to the west across Panola Road containing an institutional use (Berean Christian Church) and vacant land, and the commercial use (Family Dollar Store) across Young Road to the south. A 50-foot undisturbed transitional buffer along the northeast property line would screen the development from abutting residentially zoned property, and the recommended condition of zoning approval requiring that all lighting be established so that no direct light is cast upon or adversely affects

adjacent properties, should provide compatibility with the single-family residential neighborhoods to the east. Additionally, the Planning Department is recommending as a condition of approval that there be compliance with all Supplemental Regulations relating to fuel pumps, to reinforce the regulations themselves.

Staff Recommendation: WITHDRAWAL WITHOUT PREJUDICE

The proposed request for fuel pumps as an accessory use to a convenience store is required to obtain a Special Land Use Permit (SLUP) since it is located in the C-1 (Local Commercial) zoning district. Based on the submitted information, the zoning proposal to allow a convenience store with accessory gas pumps at the intersection of a major arterial and collector road is consistent with the following policy of the 2035 Comprehensive Plan: “The non-residential development in suburban areas shall be limited to small-scale convenience goods/services to meet the needs of the surrounding residents. Small scale nonresidential development shall be limited to qualifying intersections (collector roadway and above)” (Sec. 7.4.6.K). It appears that the zoning proposal is consistent with the C-1 zoned property to the west across Panola Road containing an institutional use (Berean Christian Church) and vacant land and the commercial use (Family Dollar Store) across Young Road to the south (Sec 7.4.6.B). A 50-foot undisturbed transitional buffer along the northeast property line abutting residential zoning, along with a recommended condition of zoning approval requiring that all lighting be established so that no direct light is cast upon adjacent properties should provide compatibility with the single-family residential neighborhoods to the east.

Based on community input at the Planning Commission meeting on March 4th , the applicant has requested that the rezoning and companion SLUP applications be withdrawn without prejudice (see attached email dated March 9th , 2021). Therefore, it is the recommendation of the Department of Planning and Sustainability that the application be “Withdrawn Without Prejudice”.

Attachments:

1. Public Works Department Comments
 - a. Land Development Division
 - b. Traffic Engineering Division
2. Watershed Management Department Comments
3. Board of Health Comments
4. Board of Education Comments
5. Application
6. Site Plan
7. Zoning Map
8. Aerial Photograph
9. Photographs

Re: N17 SLUP 21 1244548 alcohol outlet staff report email #3 of three emails

Mustaq Moosa <Mustaq@cityviewdb.com>

Tue 3/9/2021 11:13 AM

To: Reid, John <jreid@dekalbcountyga.gov>

Cc: Williams, Matthew C. <mcwilliams@dekalbcountyga.gov>

Hi John

Thank you for sharing the options available.

At this time, the Owners of the property have decided to completely withdraw all applications without prejudice - this includes the Rezoning application and the 2 SLUPs. While understandable that the matter has to be brought up for discussion as it has been advertised, however, we request that the Commissioners not vote on the application. Please consider this email as the request to withdraw all applications.

I will attend the meeting on March 25 and request if you can send me the details once available. Much gratitude to you and Mathew for your continuous help on this project.
Mustaq

On Tue, Mar 9, 2021 at 9:01 AM Reid, John <jreid@dekalbcountyga.gov> wrote:

Mustaq,

You are correct, if the Board of Commissioners denies a rezoning and/or SLUP application, there is a two year moratorium on re-considering a rezoning or SLUP per Section 7.2.2.H.1 (rezoning) and 7.2.2.H.3 (SLUPS) (see screenshot below).

If you could confirm that you are requesting that all three applications (one rezoning application to C-1 and two SLUP applications for fuel pumps and alcohol outlet) be "withdrawn without prejudice" via email so Staff can change their recommendation to "withdrawal without prejudice" prior to the March 25th Board of Commissioners meeting..

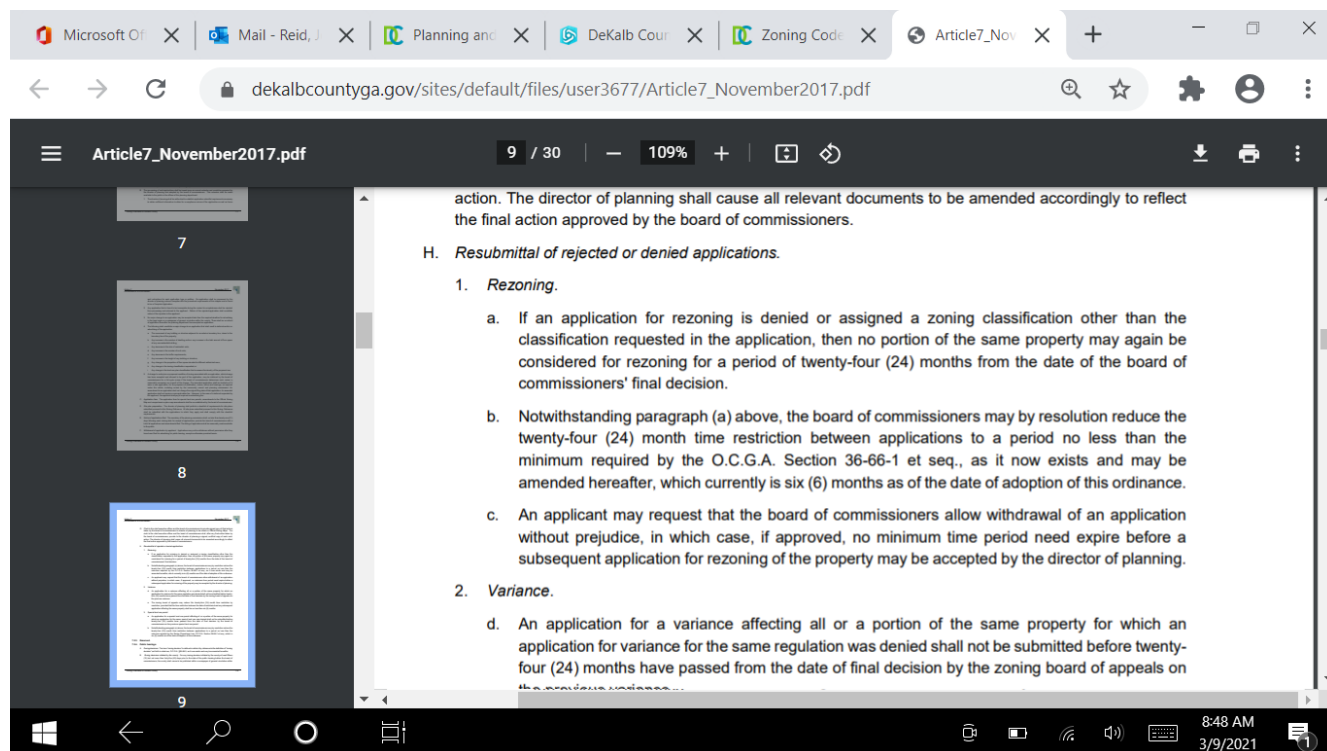
Please realize that the Board of Commissioners still must hear these cases on March 25th because they have been legally advertised, and it would be up to them to support a withdrawal recommendation.

Also please realize that a "withdrawal" recommendation is different from a "deferral" recommendation. If the applications are recommended to be withdrawn by the Board of Commissioners, then you would have to resubmit brand new application(s) and fees and the application(s) would go through the next available agenda cycle based on filing deadlines (however there would be no two year waiting period).

If the application(s) were "deferred" by the Board of Commissioners, then your current application(s) would continue to be considered but would go through another round (or possibly two rounds of community council, planning commission, and board of commissioner public hearings.

I just wanted you to be clear on the various options.

John



From: Mustaq Moosa <Mustaq@cityviewdb.com>

Sent: Friday, March 5, 2021 10:48 PM

To: Williams, Matthew C. <mcwilliams@dekalbcountyga.gov>

Cc: Reid, John <jreid@dekalbcountyga.gov>

Subject: Re: N17 SLUP 21 1244548 alcohol outlet staff report email #3 of three emails

Hi Mathew

As you are aware, our proposal to rezone the property at Panola and Young was denied during the meeting on Mar 4.

I am aware that the final decision will be made on March 25 during the BoC meeting.

I am also given to understand that if the BoC rejects the rezoning request, then there is a 2 year moratorium before reapplying.

Please confirm if this is correct.

If yes, then my Client would like to withdraw the application and not schedule it for voting.

Please let me know if this can be done.

Thank you

Mustaq

On Thu, Mar 4, 2021 at 12:19 PM Mustaq Moosa <Mustaq@cityviewdb.com> wrote:

Hi John, Hi Mathew

Attached is the PPT presentation for the Panola-Young Road project.

This presentation is for the meeting today.

If there are any questions please let me know.

Thank you for all your help.

Mustaq

On Fri, Feb 26, 2021 at 1:05 PM Reid, John <jreid@dekalbcountyga.gov> wrote:

Mustaq,

Please see the attached ZOOM link information for attending the March 4 Planning Commission and March 25th Board of Commissioners meeting at 5:30 p.m.

Also attached are the Planning Department Staff Reports for 1762 Panola Road in three separate emails due to memory issues (N15 Z 21 1244544, N16 SLUP 21 1244547, and N17 SLUP 21 1244548).

Please email Matthew Williams your powerpoint presentations for the PC meeting as soon as possible.

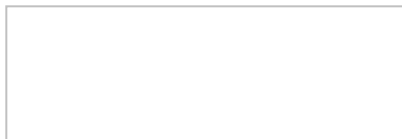
Cordially,

John

--

Mustaq Moosa

404 704 6356

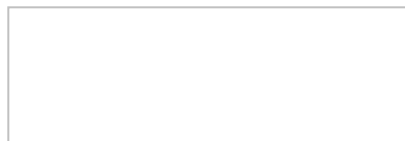


Confidentiality Implied

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Mustaq Moosa

404 704 6356



Confidentiality Implied

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Mustaq Moosa

404 704 6356



Confidentiality Implied



DEKALB COUNTY GOVERNMENT PLANNING DEPARTMENT DISTRIBUTION FORM

The following areas below may warrant comments from the Development Division. Please respond accordingly as the issues relate to the proposed request and the site plan enclosed as it relates to Chapter 14. You may address applicable disciplines.

DEVELOPMENT ANALYSIS:

- **Transportation/Access/Row**

Consult the Georgia DOT as well as the DeKalb County Transportation Department prior to land development permit. Verify widths from the centerline of the roadways to the property line for possible right-of-way dedication. Improvements within the right-of-way may be required as a condition for land development application review approval. Safe vehicular circulation is required. Paved off-street parking is required.

- **Storm Water Management**

Compliance with the Georgia Stormwater Management Manual, DeKalb County Code of Ordinances 14-40 for Stormwater Management and 14-42 for Storm Water Quality Control, to include Runoff Reduction Volume where applicable is required as a condition of land development permit approval. Use Volume Three of the G.S.M.M. for best maintenance practices. Use the NOAA Atlas 14 Point Precipitation Data set specific to the site. Recommend Low Impact Development features/ Green Infrastructure be included in the proposed site design to protect as much as practicable the statewaters and special flood hazard areas.

- **Flood Hazard Area/Wetlands**

The presence of FEMA Flood Hazard Area **was not** indicated in the County G.I.S. mapping records for the site; and should be noted in the plans at the time of any land development permit application. Encroachment of flood hazard areas require compliance with Article IV of Chapter 14 and FEMA floodplain regulations.

- **Landscaping/Tree Preservation**

Landscaping and tree preservation plans for any building, or parking lot must comply with DeKalb County Code of Ordinances 14-39 as well as Chapter 27 Article 5 and are subject to approval from the County Arborist.

- **Tributary Buffer**

State water buffer **was not** reflected in the G.I.S. records for the site. Typical state waters buffer have a 75' undisturbed stream buffer and land development within the undisturbed creek buffer is prohibited without a variance per DeKalb County Code of Ordinances 14-44.1.

- **Fire Safety**

Plans for land development permit must comply with Chapter 12 DeKalb County Code for fire protection and prevention.



DEKALB COUNTY GOVERNMENT
PLANNING DEPARTMENT
DISTRIBUTION FORM

NOTE: PLEASE RETURN ALL COMMENTS VIA EMAIL OR FAX TO EXPEDITE THE PROCESS TO MICHELLE M ALEXANDER mmalexander@dekalbcountyga.gov OR JOHN REID jreid@DEKALBCOUNTYGA.GOV

COMMENTS FORM:
PUBLIC WORKS WATER AND SEWER

Case No.: Z-21-1244544

Parcel I.D. #: 16-037-02-007, 16-037-02-008

Address: 1762 and 1744 Panola Road

Stone Mountain, Georgia

WATER:

Size of existing water main: 8" DI and 16" DI Water Main ~~(adequate)~~ (inadequate) *S.D.*

Distance from property to nearest main: Adjacent to Property

Size of line required, if inadequate: N/A

SEWER:

Outfall Servicing Project: Snapfinger Creek Basin

Is sewer adjacent to property: Yes (X) No () If no, distance to nearest line: Approximately 219 feet South of property

Water Treatment Facility: Snapfinger WTF () adequate () inadequate

Sewage Capacity; * (MGPD)

Current Flow: 21.77 (MGPD)

COMMENTS:

* Please note that the sewer capacity has not been reviewed or approved for this project. A Sewer Capacity Request (SCR) must be completed and submitted for review. This can be a lengthy process and should be addressed early in the process.

Capacity Restricted Area *S.D.*

Signature: *[Signature]*



DEKALB COUNTY GOVERNMENT
PLANNING DEPARTMENT
DISTRIBUTION FORM

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COMMENTS FORM:
PUBLIC WORKS WATER AND SEWER

Case No.: SLUP-21-1244547

Parcel I.D. #: 16-037-02-007, 16-037-02-008

Address: 1762 and 1744 Panola Road

Stone Mountain, Georgia

WATER:

Size of existing water main: 8" DI and 16" DI Water Main adequate/inadequate

Distance from property to nearest main: Adjacent to Property

Size of line required, if inadequate: N/A

SEWER:

Outfall Servicing Project: Snapfinger Creek Basin

Is sewer adjacent to property: Yes (X) No () If no, distance to nearest line: Approximately 219 feet South of property

Water Treatment Facility: Snapfinger WTF () adequate () inadequate

Sewage Capacity; * (MGPD)

Current Flow: 21.77 (MGPD)

COMMENTS:

* Please note that the sewer capacity has not been reviewed or approved for this project. A Sewer Capacity Request (SCR) must be completed and submitted for review. This can be a lengthy process and should be addressed early in the process.

Capacity Restricted Area S-1

Signature: Carlo [Signature]



DEKALB COUNTY GOVERNMENT
PLANNING DEPARTMENT
DISTRIBUTION FORM

NOTE: PLEASE RETURN ALL COMMENTS VIA EMAIL OR FAX TO EXPEDITE THE PROCESS TO MICHELLE M ALEXANDER mmalexander@dekalbcountyga.gov OR JOHN REID jreid@DEKALBCOUNTYGA.GOV

COMMENTS FORM:
PUBLIC WORKS WATER AND SEWER

Case No.: SLUP-21-1244548

Parcel I.D. #: 16-037-02-007, 16-037-02-008

Address: 1762 and 1744 Panola Road

Stone Mountain, Georgia

WATER:

Size of existing water main: 8" DI and 16" DI Water Main ~~(adequate/inadequate)~~ S-1

Distance from property to nearest main: Adjacent to Property

Size of line required, if inadequate: N/A

SEWER:

Outfall Servicing Project: Snapfinger Creek Basin

Is sewer adjacent to property: Yes (X) No () If no, distance to nearest line: Approximately 219 feet South of property

Water Treatment Facility: Snapfinger WTF () adequate () inadequate

Sewage Capacity; * (MGPD)

Current Flow: 21.77 (MGPD)

COMMENTS:

* Please note that the sewer capacity has not been reviewed or approved for this project. A Sewer Capacity Request (SCR) must be completed and submitted for review. This can be a lengthy process and should be addressed early in the process.

Capacity Restricted Area S-1

Signature: [Signature]



N-15

DEKALB COUNTY GOVERNMENT
PLANNING DEPARTMENT
DISTRIBUTION FORM

NOTE: PLEASE RETURN ALL COMMENTS VIA EMAIL OR FAX TO EXPEDITE THE PROCESS TO
MICHELLE ALEXANDER MMALEXANDER@DEKALBCOUNTYGA.GOV OR JOHN REID
JREID@DEKALBCOUNTYGA.GOV

COMMENTS FORM:
PUBLIC WORKS TRAFFIC ENGINEERING

Case No.: Z-21-1244544 Parcel I.D. #: 16-037-02-007

Address: 1742
Panola Rd
Stn Mt, Ga 30086

Young Rd Adjacent Roadway (s): Major
(classification) (classification)

Capacity (TPD) _____	Capacity (TPD) _____
Latest Count (TPD) _____	Latest Count (TPD) _____
Hourly Capacity (VPH) _____	Hourly Capacity (VPH) _____
Peak Hour. Volume (VPH) _____	Peak Hour. Volume (VPH) _____
Existing number of traffic lanes _____	Existing number of traffic lanes _____
Existing right of way width _____	Existing right of way width _____
Proposed number of traffic lanes _____	Proposed number of traffic lanes _____
Proposed right of way width _____	Proposed right of way width _____

Please provide additional information relating to the following statement.

According to studies conducted by the Institute of Traffic Engineers (ITE) 6TH Edition (whichever is applicable), churches generate an average of fifteen (15) vehicle trip end (VTE) per 1,000 square feet of floor area, with an eight (8%) percent peak hour factor. Based on the above formula, the _____ square foot place of worship building would generate _____ vehicle trip ends, with approximately _____ peak hour vehicle trip ends.

Single Family residence, on the other hand, would generate ten (10) VTE's per day per dwelling unit, with a ten (10%) percent peak hour factor. Based on the above referenced formula, the _____ (Single Family Residential) District designation which allows a maximum of _____ units per acres, and the given fact that the project site is approximately _____ acres in land area, _____ daily vehicle trip end, and _____ peak hour vehicle trip end would be generated with residential development of the parcel.

COMMENTS:

Reviewed, Nothing found that would disrupt traffic flow.

Signature: [Signature]



DEKALB COUNTY GOVERNMENT
PLANNING DEPARTMENT
DISTRIBUTION FORM

N-16

NOTE: PLEASE RETURN ALL COMMENTS VIA EMAIL OR FAX TO EXPEDITE THE PROCESS TO
MICHELLE ALEXANDER MMALEXANDER@DEKALBCOUNTYGA.GOV OR JOHN REID
JREID@DEKALBCOUNTYGA.GOV

COMMENTS FORM:
PUBLIC WORKS TRAFFIC ENGINEERING

Case No.: SLIP-21-1244547 Parcel I.D. #: 16-037-02-007

Address: 1762
Panola Rd
SW MTN GA 30086

Adjacent Roadway (s):

_____	_____
(classification)	(classification)

Capacity (TPD) _____	Capacity (TPD) _____
Latest Count (TPD) _____	Latest Count (TPD) _____
Hourly Capacity (VPH) _____	Hourly Capacity (VPH) _____
Peak Hour. Volume (VPH) _____	Peak Hour. Volume (VPH) _____
Existing number of traffic lanes _____	Existing number of traffic lanes _____
Existing right of way width _____	Existing right of way width _____
Proposed number of traffic lanes _____	Proposed number of traffic lanes _____
Proposed right of way width _____	Proposed right of way width _____

Please provide additional information relating to the following statement.

According to studies conducted by the Institute of Traffic Engineers (ITE) 6/7TH Edition (whichever is applicable), churches generate an average of fifteen (15) vehicle trip end (VTE) per 1, 000 square feet of floor area, with an eight (8%) percent peak hour factor. Based on the above formula, the _____ square foot place of worship building would generate _____ vehicle trip ends, with approximately _____ peak hour vehicle trip ends.

Single Family residence, on the other hand, would generate ten (10) VTE's per day per dwelling unit, with a ten (10%) percent peak hour factor. Based on the above referenced formula, the _____ (Single Family Residential) District designation which allows a maximum of _____ units per acres, and the given fact that the project site is approximately _____ acres in land area, _____ daily vehicle trip end, and _____ peak hour vehicle trip end would be generated with residential development of the parcel.

COMMENTS:

Reviewed, nothing found that would disrupt traffic flow

Signature: [Signature]



DEKALB COUNTY GOVERNMENT
PLANNING DEPARTMENT
DISTRIBUTION FORM

N-17

NOTE: PLEASE RETURN ALL COMMENTS VIA EMAIL OR FAX TO EXPEDITE THE PROCESS TO
MICHELLE ALEXANDER MALEXANDER@DEKALBCOUNTYGA.GOV OR JOHN REID
JREID@DEKALBCOUNTYGA.GOV

COMMENTS FORM:
PUBLIC WORKS TRAFFIC ENGINEERING

Case No.: SLUP-21-1244546 Parcel I.D. #: 16-037-02-007

Address: 1762
Panola Rd
STN ALTN, GA 30098

Young Rd Adjacent Roadway (s): Major
(classification) (classification)

Capacity (TPD) _____	Capacity (TPD) _____
Latest Count (TPD) _____	Latest Count (TPD) _____
Hourly Capacity (VPH) _____	Hourly Capacity (VPH) _____
Peak Hour. Volume (VPH) _____	Peak Hour. Volume (VPH) _____
Existing number of traffic lanes _____	Existing number of traffic lanes _____
Existing right of way width _____	Existing right of way width _____
Proposed number of traffic lanes _____	Proposed number of traffic lanes _____
Proposed right of way width _____	Proposed right of way width _____

Please provide additional information relating to the following statement.

According to studies conducted by the Institute of Traffic Engineers (ITE) 6/7TH Edition (whichever is applicable), churches generate an average of fifteen (15) vehicle trip end (VTE) per 1, 000 square feet of floor area, with an eight (8%) percent peak hour factor. Based on the above formula, the _____ square foot place of worship building would generate _____ vehicle trip ends, with approximately _____ peak hour vehicle trip ends.

Single Family residence, on the other hand, would generate ten (10) VTE's per day per dwelling unit, with a ten (10%) percent peak hour factor. Based on the above referenced formula, the _____ (Single Family Residential) District designation which allows a maximum of _____ units per acres, and the given fact that the project site is approximately _____ acres in land area, _____ daily vehicle trip end, and _____ peak hour vehicle trip end would be generated with residential development of the parcel.

COMMENTS:

<u>Reviewed, nothing found that would disrupt</u>
<u>traffic flow.</u>

Signature: [Signature]

N1. No Comment

N2 & N3. Coordinate and provide the required right of way for the GDOT Managed Lanes I-285 East Project prior to permitting. GDOT PM: Tim Matthews at TMatthews@dot.ga.gov. Rockbridge Road is classified as a minor arterial. Please note the infrastructure requirements in Chapter 5 of the Zoning Code and Chapter 14-190 of the Land Development Code. A right of way dedication of 40 from centerline or such that all public infrastructure (sidewalks/streetlights) are within right of way, whichever greater. Required: 10- foot landscape strip, 6-foot sidewalk, bike lanes, streetlights. All access points must meet minimum intersection and stopping sight distance requirements per AASHTO Greenbook for 35 mph and presented (signed and sealed by a professional engineer)with the land development permit documents.

N4 & N5. Covington Hwy is a state route. Review and approval by GDOT District 7 (Justin Hatch at Juhatch@dot.ga.gov) required prior to issuance land development permit. Covington Hwy is classified as a major arterial. Please note the infrastructure requirements in Chapter 5 of the Zoning Code and Chapter 14-190 of the Land Development Code. A right of way dedication of 50 from centerline or such that all public infrastructure (sidewalks/streetlights) are within right of way, whichever greater. Required at a minimum (GDOT may have additional requirements): 10- foot landscape strip, 6-foot sidewalk, bike lanes or multiuse path, streetlights. All access points must meet minimum intersection and stopping sight distance requirements per AASHTO Greenbook for the posted speed limit and presented (signed and sealed by a professional engineer)with the land development permit documents.

N6 & N7. Pine Mountain Road is classified as a local residential. Please note the infrastructure requirements in Chapter 5 of the Zoning Code and Chapter 14-190 of the Land Development Code. A right of way dedication of 27.5 feet from centerline or such that all public infrastructure (sidewalks/streetlights) are within right of way, whichever greater. Required: 6- foot landscape strip, 5-foot sidewalk, streetlights. All access points must meet minimum intersection and stopping sight distance requirements per AASHTO Greenbook for the posted speed limit and presented (signed and sealed by a professional engineer)with the land development permit documents.

Please note that we received complaints about truck traffic on this street and it is posted no trucks. Consideration should be given to how to handle truck access and traffic. Limit all truck access to SR 124 Turner Hill Road. No truck access on Pine Mountain Rd.

N8. No Comment

N9. This development requires a traffic study (337 units) be presented to identify required improvements prior to zoning. I recommend deferral until a traffic study is submitted so that we can incorporate the result of the traffic study into the zoning conditions. Traffic study should address requirements for left turning lanes and right turn lane on North Druid Hills at the Mont Moriah Road and the need for a potential traffic signal. Please confirm the existing right of way on Mount Moriah Road. The county records show a 60 foot right of way and it appears that the development is encroaching on the right of way. The study should also address the lanes needed to accommodate the traffic exiting Mount Moriah Rd at the intersection. Direct pedestrian access is to be provided from the public sidewalks to the proposed development. North Druid Hills Road is classified as a major arterial. Please note the infrastructure requirements in Chapter 5 of the Zoning Code and Chapter 14-190 of the Land Development Code. A right of way dedication of 50 from centerline or such that all public infrastructure

(sidewalks/streetlights) are within right of way, whichever greater. Required at a minimum: 10- foot landscape strip, 6-foot sidewalk, bike lanes or multiuse path, streetlights. All access points must meet minimum intersection and stopping sight distance requirements per AASHTO Greenbook for the posted speed limit and presented (signed and sealed by a professional engineer)with the land development permit documents. Mount Moriah Road is classified as a local road. Please note the infrastructure requirements in Chapter 5 of the Zoning Code and Chapter 14-190 of the Land Development Code. A right of way dedication of 27.5 feet from centerline or such that all public infrastructure (sidewalks/streetlights) are within right of way, whichever greater. Required at a minimum: 6- foot landscape strip, 5-foot sidewalk, streetlights. Mount Moriah Road must be brought up to minimum county standards to include at least 22 feet of pavement along entire property frontage. All access points must meet minimum intersection and stopping sight distance requirements per AASHTO Greenbook for the posted speed limit and presented (signed and sealed by a professional engineer)with the land development permit documents.

N10 & N11. Pine Mountain Road is classified as a local. Please note the infrastructure requirements in Chapter 5 of the Zoning Code and Chapter 14-190 of the Land Development Code. A right of way dedication of 27.5 feet from centerline or such that all public infrastructure (sidewalks/streetlights) are within right of way, whichever greater. Required: 6- foot landscape strip, 5-foot sidewalk, streetlights. All access points must meet minimum intersection and stopping sight distance requirements per AASHTO Greenbook for the posted speed limit and presented (signed and sealed by a professional engineer) with the land development permit documents.

N12. Requesting a traffic study be completed prior to zoning to determine the impacts of the development on the intersection of Rockbridge Road at Mountain Park Trail and the proposed driveway on Rockbridge Road. Only one access point of Mountain Park Trail. The access point on Mountain Park Trail must be shifted to the rear property line away from Rockbridge Road. Please note the minimum driveway/street separation required in Section 14-200 (6). Remove acceleration lane from Rockbridge Road frontage. Provide direct pedestrian access from public right of way to the proposed destinations. Rockbridge Road is classified as a minor arterial. Please note the infrastructure requirements in Chapter 5 of the Zoning Code and Chapter 14-190 of the Land Development Code. A right of way dedication of 40 from centerline or such that all public infrastructure (sidewalks/streetlights) are within right of way, whichever greater. Required: 10- foot landscape strip, 6-foot sidewalk, bike lanes, streetlights. Mountain Park Trail is classified as a local. Please note the infrastructure requirements in Chapter 5 of the Zoning Code and Chapter 14-190 of the Land Development Code. A right of way dedication of 27.5 feet from centerline or such that all public infrastructure (sidewalks/streetlights) are within right of way, whichever greater. Required: 6- foot landscape strip, 5-foot sidewalk, streetlights. All access points must meet minimum intersection and stopping sight distance requirements per AASHTO Greenbook for 35 mph and presented (signed and sealed by a professional engineer)with the land development permit documents.

N13. Northern Ave is classified as a collector road. Please note the infrastructure requirements in Chapter 5 of the Zoning Code and Chapter 14-190 of the Land Development Code. A right of way dedication of 35 from centerline or such that all public infrastructure (sidewalks/streetlights) are within right of way, whichever greater. Required: 10- foot landscape strip, 6-foot sidewalk, bike lanes or multiuse path, streetlights. . All access points must meet minimum intersection and stopping sight

distance requirements per AASHTO Greenbook for the posted speed limit and presented (signed and sealed by a professional engineer)with the land development permit documents.

N14. No comment.

N15, N16 and N17. Panola Road is classified as a major arterial. Please note the infrastructure requirements in Chapter 5 of the Zoning Code and Chapter 14-190 of the Land Development Code. A right of way dedication of 50 feet from centerline or such that all public infrastructure (sidewalks/streetlights) are within right of way, whichever greater. Required at a minimum: 10- foot landscape strip, 6-foot sidewalk, bike lanes or multiuse path, streetlights. All access points must meet minimum intersection and stopping sight distance requirements per AASHTO Greenbook for the posted speed limit and presented (signed and sealed by a professional engineer)with the land development permit documents. Young Road is classified as a collector road. Please note the infrastructure requirements in Chapter 5 of the Zoning Code and Chapter 14-190 of the Land Development Code. A right of way dedication of 35 feet from centerline or such that all public infrastructure (sidewalks/streetlights) are within right of way, whichever greater. Required: 10- foot landscape strip, 6-foot sidewalk, bike lanes, streetlights. All access points must meet minimum intersection and stopping sight distance requirements per AASHTO Greenbook for 35 mph and presented (signed and sealed by a professional engineer)with the land development permit documents. Please note the minimum driveway/street separation required in Section 14-200 (6). Applies to driveways on the opposite side of the road also. Access point on Young Road needs to be relocated away from the traffic signal. The developer is required to upgrade the pedestrian features of the traffic signal at Panola Road at Young Road, as needed, as identified by the Transportation Division of Public Works. A pedestrian connection must be provided from the public sidewalk to the building entrances.

N18. Clairmont Road is a state route. Review and approval by GDOT District 7 required prior to issuance land development permit. Clairmont Road is classified as a major arterial. Only one access point allowed on Clairmont Road located away from the intersection with N Williamsburg Dr. Please note the infrastructure requirements in Chapter 5 of the Zoning Code and Chapter 14-190 of the Land Development Code. A right of way dedication of 50 from centerline or such that all public infrastructure (sidewalks/streetlights) are within right of way, whichever greater. Required at a minimum (GDOT may have additional requirements): 10- foot landscape strip, 6-foot sidewalk, bike lanes or multiuse path, streetlights. All access points must meet minimum intersection and stopping sight distance requirements per AASHTO Greenbook for the posted speed limit and presented (signed and sealed by a professional engineer)with the land development permit documents. N. Williamsburg Drive is classified as a local road. Please note the infrastructure requirements in Chapter 5 of the Zoning Code and Chapter 14-190 of the Land Development Code. A right of way dedication of 27.5 feet from centerline or such that all public infrastructure (sidewalks/streetlights) are within right of way, whichever greater. Required at a minimum: 6- foot landscape strip, 5-foot sidewalk, streetlights. Only one access point allowed on N Williamsburg Road located away from the intersection on Clairmont Road. All access points must meet minimum intersection and stopping sight distance requirements per AASHTO Greenbook for the posted speed limit and presented (signed and sealed by a professional engineer) with the land development permit documents.

N19. No Comment

N20. Clifton Springs Road is classified as a minor arterial. Please note the infrastructure requirements in Chapter 5 of the Zoning Code and Chapter 14-190 of the Land Development Code. A right of way dedication of 40 feet from centerline or such that all public infrastructure (sidewalks/streetlights) are within right of way, whichever greater. Required at a minimum: 10- foot landscape strip, 6-foot sidewalk, bike lanes or multiuse path, streetlights. All access points must meet minimum intersection and stopping sight distance requirements per AASHTO Greenbook for the posted speed limit and presented (signed and sealed by a professional engineer)with the land development permit documents. If interior roads are to public. They will need to meet the requirements for a local road. Please note the infrastructure requirements in Chapter 5 of the Zoning Code and Chapter 14-190 of the Land Development Code. A right of way dedication of 27.5 feet from centerline or such that all public infrastructure (sidewalks/streetlights) are within right of way, whichever greater. Required: 6- foot landscape strip, 5-foot sidewalk, streetlights. All access points must meet minimum intersection and stopping sight distance requirements per AASHTO Greenbook for the posted speed limit and presented (signed and sealed by a professional engineer)with the land development permit documents.

Board of Health

02/15/2021

To: Mr. John Reid, Senior Planner
From: Ryan Cira, Environmental Health Manager
Cc: Alan Gaines, Technical Services Manager
Re: Rezone Application Review

General Comments:

DeKalb County Health Regulations prohibit use of on-site sewage disposal systems for:

- multiple dwellings
- food service establishments
- hotels and motels
- commercial laundries
- funeral homes
- schools
- nursing care facilities
- personal care homes with more than six (6) clients
- child or adult day care facilities with more than six (6) clients
- residential facilities containing food service establishments

If proposal will use on-site sewage disposal, please contact the Land Use Section (404) 508-7900.

Any proposal, which will alter wastewater flow to an on-site sewage disposal system, must be reviewed by this office prior to construction.

This office must approve any proposed food service operation or swimming pool prior to starting construction.

Public health recommends the inclusion of sidewalks to continue a preexisting sidewalk network or begin a new sidewalk network. Sidewalks can provide safe and convenient pedestrian access to a community-oriented facility and access to adjacent facilities and neighborhoods.

For a public transportation route, there shall be a 5ft. sidewalk with a buffer between the sidewalk and the road. There shall be enough space next to sidewalk for bus shelter's concrete pad installation. Recommendation: Provide trash can with liner at each bus stop with bench and monitor for proper removal of waste.

Since DeKalb County is classified as a Zone 1 radon county, this office recommends the use of radon resistant construction.

DeKalb County Board of Health

445 Winn Way – Box 987

Decatur, GA 30031

404.294.3700 • www.dekalbhealth.net

Board of Health

- N.1 **TA-21-1244539 2021-2108**
County-Wide (All District)
36
- N.2 **LP-21-1243933 2021-2109/18-011-06-001,18-011-06-004,18-011-06-005,18-011-06-006,18-011-06-007** District 04 Super District 06
 3581 Rockbridge Road, Stone Mountain, GA 30083
 3605 Rockbridge Road, Stone Mountain, GA 30083
 3611 Rockbridge Road, Stone Mountain, GA 30083
 3599 Rockbridge Road, Stone Mountain, GA 30083
 3593 Rockbridge Road, Stone Mountain, GA 30083
 3581 Rockbridge Road, Stone Mountain, GA 30083
 - **Please review general comments**
 - **Septic system installed on September 23, 1960 for property 3605**
 - **Septic system installed on September 23, 1960 for property 3611**
 Total acres 4.8
- N.3 **Z-21-1243934 2021-2110 / 18-011-06-001, 18-011-06-004,18-011-06-005,18-011-06-006,18-011-06-007** District 04 Super District 06
 3581 Rockbridge Road, Stone Mountain, GA 30083
 3605 Rockbridge Road, Stone Mountain, GA 30083
 3611 Rockbridge Road, Stone Mountain, GA 30083
 3599 Rockbridge Road, Stone Mountain, GA 30083
 3593 Rockbridge Road, Stone Mountain, GA 30083
 3581 Rockbridge Road, Stone Mountain, GA 30083
 - **Please review general comments**
 - **Septic system installed on September 23, 1960 for property 3605**
 - **Septic system installed on September 23, 1960 for property 3611**
 Total acres 4.8
- N.4 **LP-21-1244555 2021-2111 / 15-162-04-008** District 05 Super District 07
 5011 Covington Highway, Decatur, GA 30035
 - Please review general comments
 Total acres 0.61
- N.5 **Z-21-1244408 202102112 / 15-162-04-008** District 05 Super District 07
 5011 Covington Highway, Decatur, GA 30045
 - Please review general comments
 Total acres 0.61
- N.6 **LP-21-1244580 2021-2113 / 16-168-01-008** District 05 Super District 07
 2346 Pine Mountain Street, Lithonia, GA 30058
 - Please review general comments
 Total acres 1.2

DeKalb County Board of Health

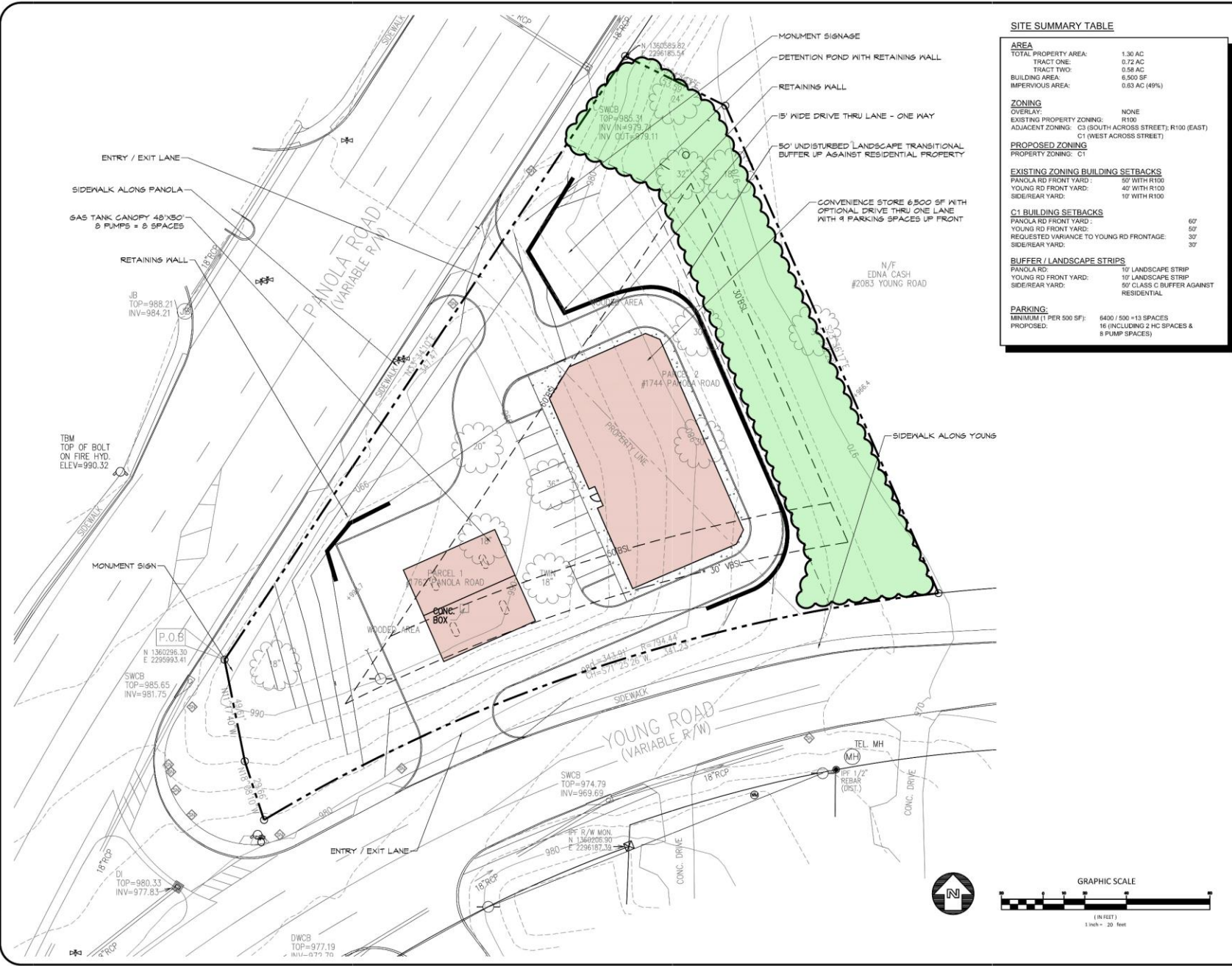
445 Winn Way – Box 987

Decatur, GA 30031

404.294.3700 • www.dekalbhealth.net

Board of Health

- N.7 **Z-21-1244581 2021-2114 / 16-168-01-008** District 05 Super District 07
2346 Pine Mountain Street, Lithonia, GA 30058
- Please review general comments
Total acres 1.2
- N.8 **TA-21-1244599 2021-2115** District 02 Super District 06
North Druid Hills Briarcliff Node, Atlanta, GA 30329
- Please review general comments
Total acres (not stated)
- N.9 **Z-21-1244535 2021-2116 / 18-152-01-005, 18-152-01-006, 18-152-01-054**
District 02 Super District 06
2490 North Druid Hills Road, Atlanta, GA 30329
- Please review general comments
- Several surrounding properties with septic system installed
Total acres 5.6
- N.10 **LP-21-1244541 2021-2117 / 16-167-08-010** District 05 Super District 07
2328 Pine Mountain Street, Lithonia, GA 30058
- Please review general comments
- Several surrounding properties with septic system installed
Total acres 0.79
- N.11 **Z-21-1244542 2021-2118 / 16-167-08-010** District 05 Super District 07
2328 Pine Mountain Street, Lithonia, GA 30058
- Please review general comments
- Several surrounding properties with septic system installed
Total acres 0.79



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:	0.83 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:

Prepared	11/3/20	C.O.O
Scale	1"=20'	

N. 15 Z-21-1241244544
SLUP-21-1244547
SLUP-21-1244548

Building Design Rendering 1



CONCEPTUAL BUILDING VIEW
1744 and 1762 Panola Road, Stone Mountain, Dekalb County

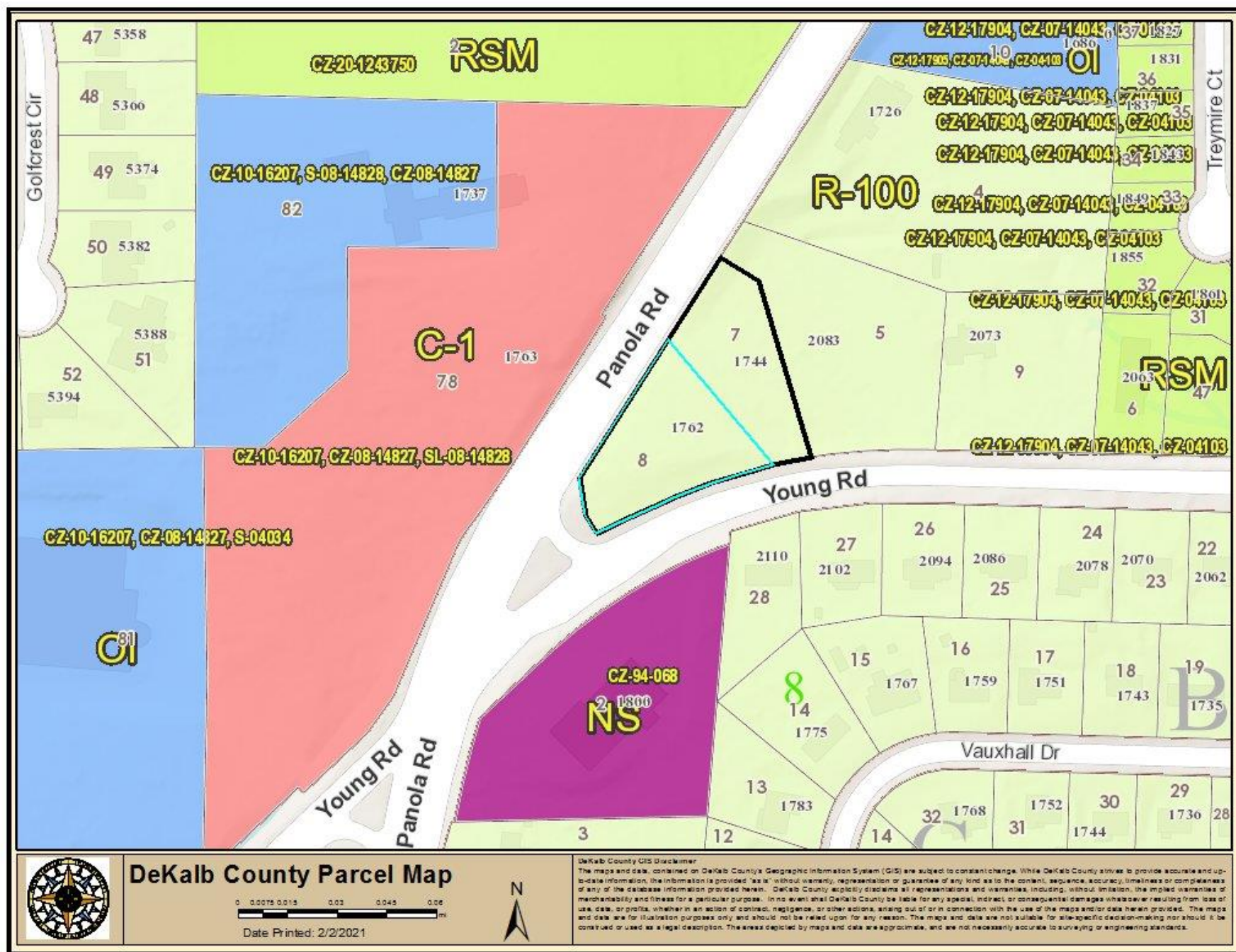


MATERIAL LEGEND

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

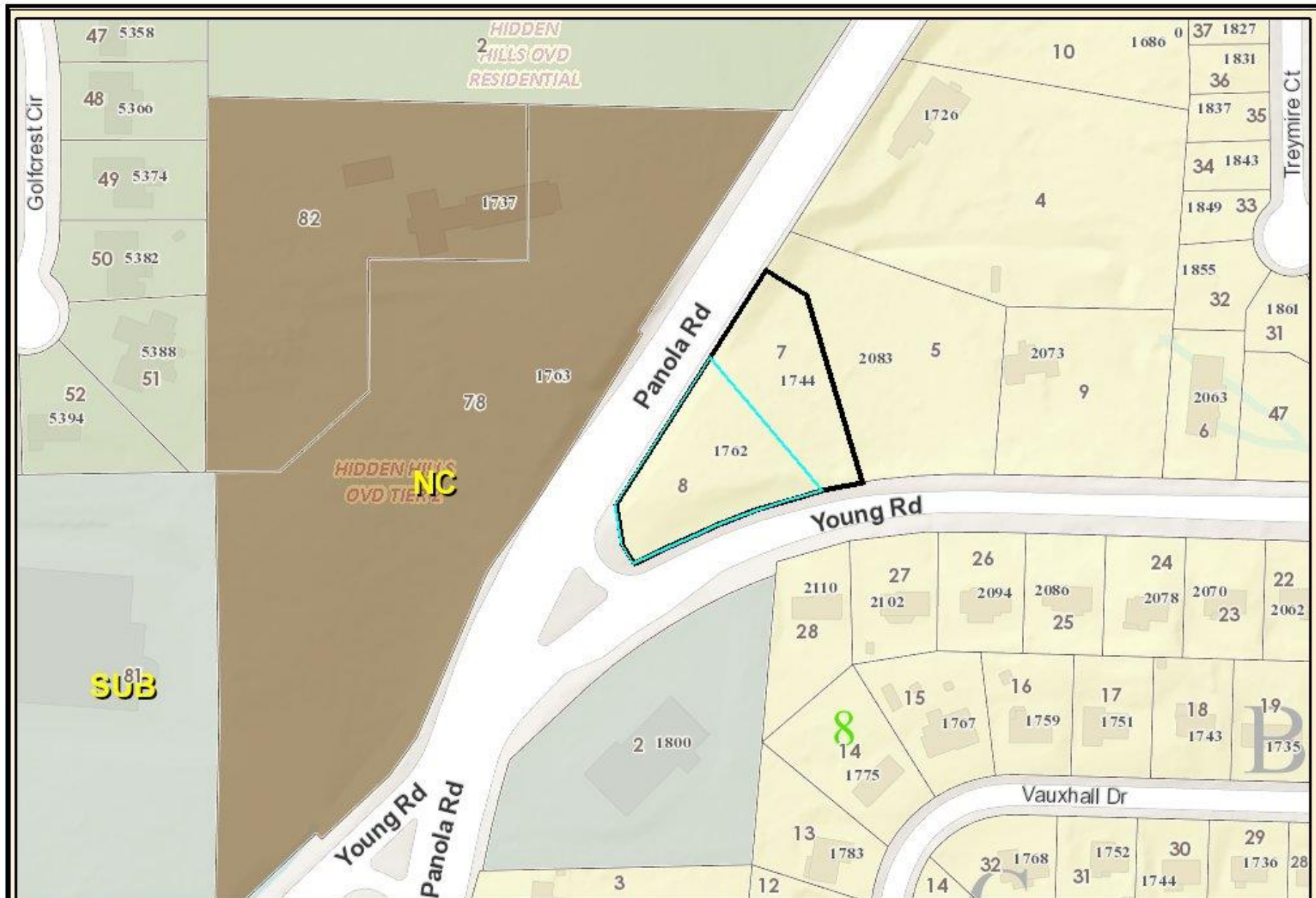
SLUP-21-1244548

Zoning Map



N. 15 Z-21-1241244544
SLUP-21-1244547
SLUP-21-1244548

Land Use Map



DeKalb County Parcel Map

0 0.0075 0.015 0.03 0.045 0.06

Date Printed: 2/2/2021

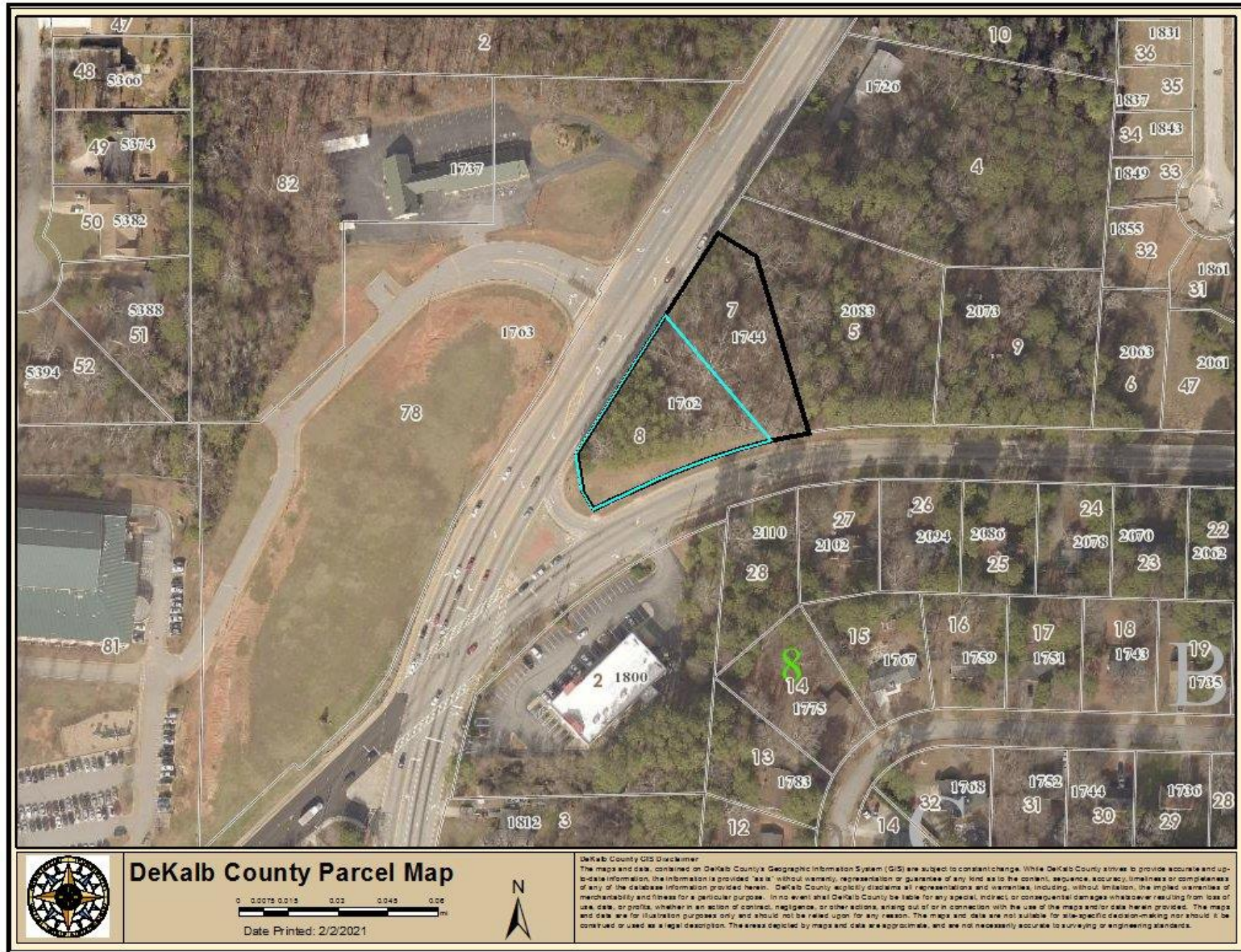


DeKalb County GIS disclaimer

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 they 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.

N. 15 Z-21-1241244544
SLUP-21-1244547
SLUP-21-1244548

Aerial View



DEPARTMENT OF PLANNING & SUSTAINABILITY

SPECIAL LAND USE PERMIT APPLICATION

Amendments will not be accepted after 5 working days after the filing date.

Date Received: _____ Application No.: _____

APPLICANT NAME: Mustaq Moosa

Daytime Phone #: 404 704 6356 Fax #: _____

Mailing Address: 1400 Indian Trail Lilburn Road, Norcross GA

E-mail: mustaq@cityviewdb.com

OWNER NAME: 2020 Partners LLC or

more than one owner, attach contact information for each owner)

Daytime Phone #: 770 356 1321 Fax #: _____

Mailing Address: 1134 Gavinwood Pl, Decatur, GA 30033

E-mail: mansoorqamruddin@gmail.com

SUBJECT PROPERTY ADDRESS OR LOCATION: 1744 & 1762 Panola Road, Stone Mountain,

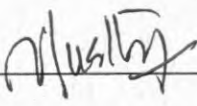
DeKalb County, GA, 30088

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

Acreage or Square Feet: 1.38 AC Commission District(s): _____ Existing Zoning: R 100 / Proposed C-1

Proposed Special Land Use (SLUP): Fuel Pumps (4) with Canopy

I hereby authorize the staff of the Planning and Development Department to inspect the property that is the subject of this application.

Owner: _____ Agent: ☒ **Signature of Applicant:** 
(Check One)

Printed Name of Applicant: Mustaq Moosa

Notary Signature and Seal:





DEPARTMENT OF PLANNING & SUSTAINABILITY

SPECIAL LAND USE PERMIT APPLICATION AUTHORIZATION

The property owner should complete this form or a similar, signed and notarized form if the individual who will file the application with the County is not the property owner.

Date: Dec 21, 2020

TO WHOM IT MAY CONCERN:

(I) (WE), 2020 Partners LLC (contact person: Mansoor Qamruddin)
Name of Owner(s)

being (owner) (owners) of the subject property described below or attached hereby delegate authority to
Mustaq Moosa
Name of Applicant or Agent

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

Amir Muhammad
Notary Public

[Signature]
Owner 2020 Partners LLC / signed by Manager

Notary Public _____ Owner _____

Notary Public _____ Owner _____

Notary Public _____ Owner _____

DEPARTMENT OF PLANNING & SUSTAINABILITY

A. Filing Fee: \$400. Filing fees shall not be refunded at any time following the deadline for amendments.

B. Criteria: Sec. 27-873. Special land use permits; criteria to be applied. The following criteria shall be applied by the Department of Planning and Sustainability, the Planning Commission, and the Board of Commissioners in evaluating and deciding any application for a special land use permit. No application for a special land use permit shall be granted by the Board of Commissioners unless satisfactory provisions and arrangements have been made concerning each of the following factors, all of which are applicable to each application:

A. Adequacy of the size of the site for use contemplated and whether or not adequate land area is available for the proposed use including provision of all required yards, open space, off-street parking, and all other applicable requirements of the zoning district in which the use is proposed to be located;

B. Compatibility of the proposed use with adjacent properties and land uses and with other properties and land uses in the district;

C. Adequacy of public services, public facilities, and utilities to serve the use contemplated;

D. Adequacy of the public street on which the use is proposed to be located and whether or not there is sufficient traffic-carrying capacity for the use proposed so as not to unduly increase traffic and create congestion in the area;

E. Whether or not existing land uses located along access routes to the site will be adversely affected by the character of the vehicles or the volume of traffic generated by the proposed use;

F. Ingress and egress to the subject property and to all proposed buildings, structures, and uses thereon, with particular references to pedestrian and automotive safety and convenience, traffic flow and control, and access in the event of fire or other emergency;

G. Whether or not the proposed use will create adverse impacts upon any adjoining land use by reason of noise, smoke, odor, dust, or vibration generated by the proposed use;

H. Whether or not the proposed use will create adverse impacts upon any adjoining land use by reason of the hours of operation of the proposed use;

I. Whether or not the proposed use will create adverse impacts upon any adjoining land use by reason of the manner of operation of the proposed use;

J. Whether or not the proposed plan is consistent with all of the requirements of the zoning district classification in which the use is proposed to be located;

K. Whether or not the proposed use is consistent with the policies of the Comprehensive Plan;

L. Whether or not the proposed plan provides for all required buffer zones and transitional buffer zones where required by the regulations of the district in which the use is proposed to be located;

M. Whether or not there is adequate provision of refuse and service areas;

N. Whether the length of time for which the special land use permit is granted should be limited in duration;

O. Whether or not the size, scale and massing of proposed buildings are appropriate in relation to the size of the subject property and in relation to the size, scale and massing of the adjacent and nearby lots and buildings;

P. Whether the proposed plan will adversely affect historic buildings, sites, districts, or archaeological resources;

Q. Whether the proposed use satisfies the requirements contained within the Supplemental Regulations for such special land use permit.

R. Whether or not the proposed building as a result of its proposed height will create a negative shadow impact on any adjoining lot or building.

S. Whether the proposed use would result in a disproportional proliferation of that or similar uses in the subject character area.

T. Whether the proposed use would be consistent with the needs of the neighborhood or of the community as a whole, be compatible with the neighborhood, and would not be in conflict with the overall objectives of the comprehensive plan.

C. Additional Criteria is contained in Supplemental Regulations of Zoning Ordinance: Sec. 27-874. Additional criteria for specified uses: "In addition to the criteria contained in Sec. 27-873 and Sec. 27-863 listed above, which each applicant for special land use permit is required to meet, Article IV, Supplemental Regulations of the DeKalb County Zoning Ordinance shall apply to that specific land use being applied for. No application for a Special Land Use permit for the uses specified shall be granted by the Board of Commissioners unless it is determined that all requirements contained within the zoning district in which such property is located, and the criteria contained in Section 27-873 and Article IV, Supplemental Regulations have been met."

Chief Executive Officer
Michael Thurmond

DEPARTMENT OF PLANNING & SUSTAINABILITY

Director
Andrew A. Baker, AICP

SPECIAL LAND USE PERMIT CHECKLIST

(SUBMIT 4 COMPLETE, COLLATED, HARDCOPY SETS AND 1 SET IN PDF FORMAT ON FLASH DRIVE OR CD)

- _____ 1. Mandatory **Pre-Application Conference** with Planning & Sustainability staff. **Pre-Application form** to be completed in pre-application meeting. Please call (404) 371-2155 to schedule pre-app conference.
- _____ 2. Hold a **Pre-Submittal Community Meeting** with surrounding neighborhood associations and residents. Notify staff in advance of date, time, and location of meeting. **Provide documentation** (i.e., meeting notice, sign-in sheets, letter(s) from homeowners associations).
- _____ 3. **Application Form**. Form must be completely filled out and be the first page of the packet.
- _____ 4. Notarized **Authorization Form**, if the applicant is not the owner of the subject property, which
 - _____ a. is signed and notarized by all owners of the subject property;
 - _____ b. contains the mailing address and phone number of any applicant or agent who is authorized to represent the owner(s) of the subject property; and
 - _____ c. includes a warranty deed, if ownership is less than 2 consecutive years.
- _____ 5. **Written Legal Description** of subject property, in metes and bounds.
- _____ 6. **Boundary Survey** (showing existing buildings, structures, and improvements), prepared and sealed within the past ten years by a professional engineer or land surveyor registered in the State of Georgia, consistent with the plat(s) on the Official Tax Record. Applicant shall certify that the Boundary Survey is complete and currently accurate. **Site plans shall be drawn to scale** showing all proposed development or redevelopment projects, proposed buildings, structures, and improvements. Site plans must include the following:
 - _____ a. Complete boundaries of subject property including curb cuts, internal vehicular circulation facilities, and sidewalks;
 - _____ b. Location of buildings, structures, setback lines, buffer lines, and parking;
 - _____ c. Location of any 100-year floodplains, streams, and stream buffer lines;
 - _____ d. Notation of the total acreage or square footage of the subject property;
 - _____ e. Landscaping, trees, open space, and undisturbed buffers;
 - _____ f. Notation of building square footages and heights, residential density calculations, existing and proposed lot coverage, required and proposed parking, and open space calculations;
 - _____ g. Copies of site plans:
 1. Full-size site plans (at least 11" x 17"): 4 copies, folded.
 2. Site plan reduced to 8 1/2" x 11": 4 copies
- _____ 7. **Building Elevations**, renderings or details of materials proposed for compliance to Article 5, Ordinance
- _____ 8. **Letter of Application** identifying the proposed zoning classification, the reason for the rezoning request, the existing and proposed use of the property, and detailed characteristics of the proposed use (e.g., floor area, height of building, number of units, mix of unit types, hours of operation, etc.). Include any statement of conditions agreed upon by the applicant.
- _____ 9. Written documented, detailed analysis of the impact of the proposed zoning map amendment with respect to each of the standards and factors specified in Article 7.
- _____ 10. Campaign disclosure statement, if applicable, to be filed in compliance with State law.
- _____ 11. **Application fee - \$400.00**. Payable to DeKalb County.

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

If subject property is made up of parcels located on opposite sides of a public street, a separate application is required for each parcel.

DEPARTMENT OF PLANNING & SUSTAINABILITY

A. Filing Fee: \$400. Filing fees shall not be refunded at any time following the deadline for amendments.

B. Criteria: Sec. 27-873. Special land use permits; criteria to be applied. The following criteria shall be applied by the Department of Planning and Sustainability, the Planning Commission, and the Board of Commissioners in evaluating and deciding any application for a special land use permit. No application for a special land use permit shall be granted by the Board of Commissioners unless satisfactory provisions and arrangements have been made concerning each of the following factors, all of which are applicable to each application:

A. Adequacy of the size of the site for use contemplated and whether or not adequate land area is available for the proposed use including provision of all required yards, open space, off-street parking, and all other applicable requirements of the zoning district in which the use is proposed to be located;

B. Compatibility of the proposed use with adjacent properties and land uses and with other properties and land uses in the district;

C. Adequacy of public services, public facilities, and utilities to serve the use contemplated;

D. Adequacy of the public street on which the use is proposed to be located and whether or not there is sufficient traffic-carrying capacity for the use proposed so as not to unduly increase traffic and create congestion in the area;

E. Whether or not existing land uses located along access routes to the site will be adversely affected by the character of the vehicles or the volume of traffic generated by the proposed use;

F. Ingress and egress to the subject property and to all proposed buildings, structures, and uses thereon, with particular references to pedestrian and automotive safety and convenience, traffic flow and control, and access in the event of fire or other emergency;

G. Whether or not the proposed use will create adverse impacts upon any adjoining land use by reason of noise, smoke, odor, dust, or vibration generated by the proposed use;

H. Whether or not the proposed use will create adverse impacts upon any adjoining land use by reason of the hours of operation of the proposed use;

I. Whether or not the proposed use will create adverse impacts upon any adjoining land use by reason of the manner of operation of the proposed use;

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L. Whether or not the proposed plan provides for all required buffer zones and transitional buffer zones where required by the regulations of the district in which the use is proposed to be located;

M. Whether or not there is adequate provision of refuse and service areas;

N. Whether the length of time for which the special land use permit is granted should be limited in duration;

O. Whether or not the size, scale and massing of proposed buildings are appropriate in relation to the size of the subject property and in relation to the size, scale and massing of the adjacent and nearby lots and buildings;

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S. Whether the proposed use would result in a disproportional proliferation of that or similar uses in the subject character area.

T. Whether the proposed use would be consistent with the needs of the neighborhood or of the community as a whole, be compatible with the neighborhood, and would not be in conflict with the overall objectives of the comprehensive plan.

C. Additional Criteria is contained in Supplemental Regulations of Zoning Ordinance: Sec. 27-874. Additional criteria for specified uses: "In addition to the criteria contained in Sec. 27-873 and Sec. 27-863 listed above, which each applicant for special land use permit is required to meet, Article IV, Supplemental Regulations of the DeKalb County Zoning Ordinance shall apply to that specific land use being applied for. No application for a Special Land Use permit for the uses specified shall be granted by the Board of Commissioners unless it is determined that all requirements contained within the zoning district in which such property is located, and the criteria contained in Section 27-873 and Article IV, Supplemental Regulations have been met."

Legal Description

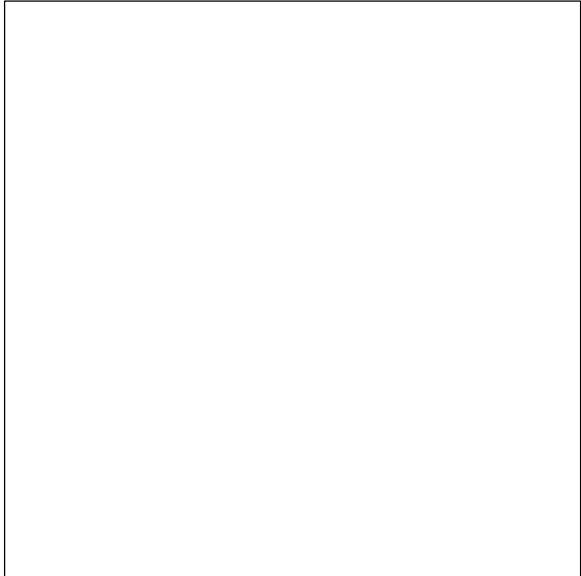
All that tract or parcel of land lying and being in Land Lot 37 of the 16th Land District, Dekalb County, Georgia and being more particularly described as follows:

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.

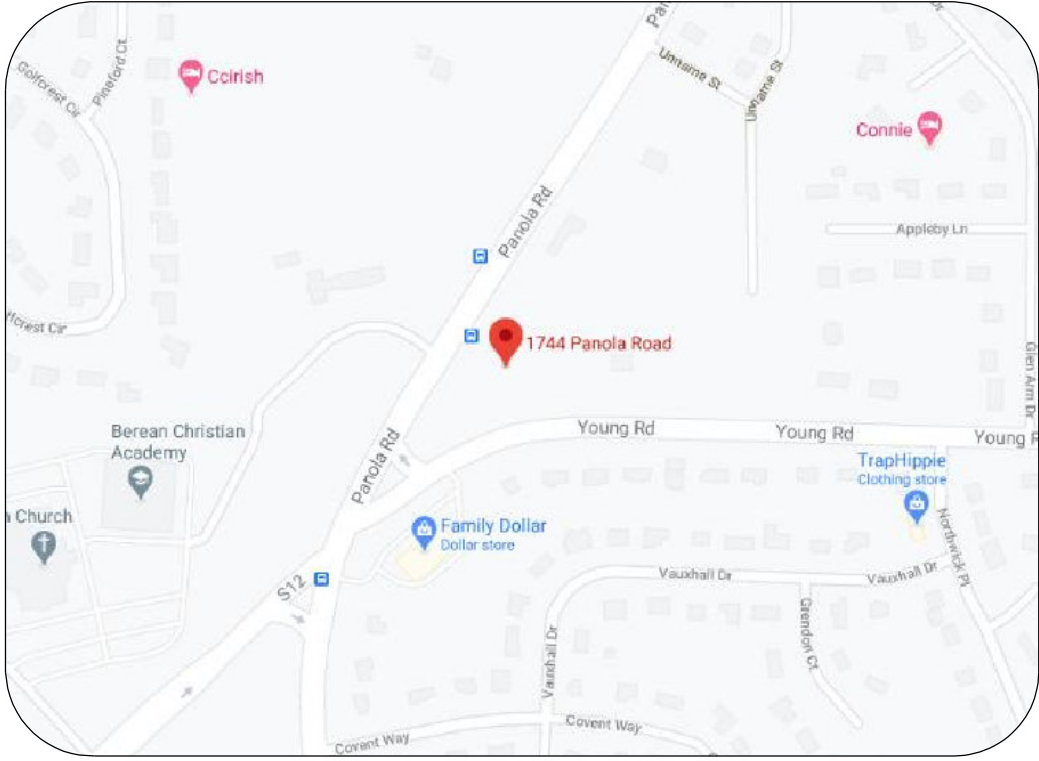
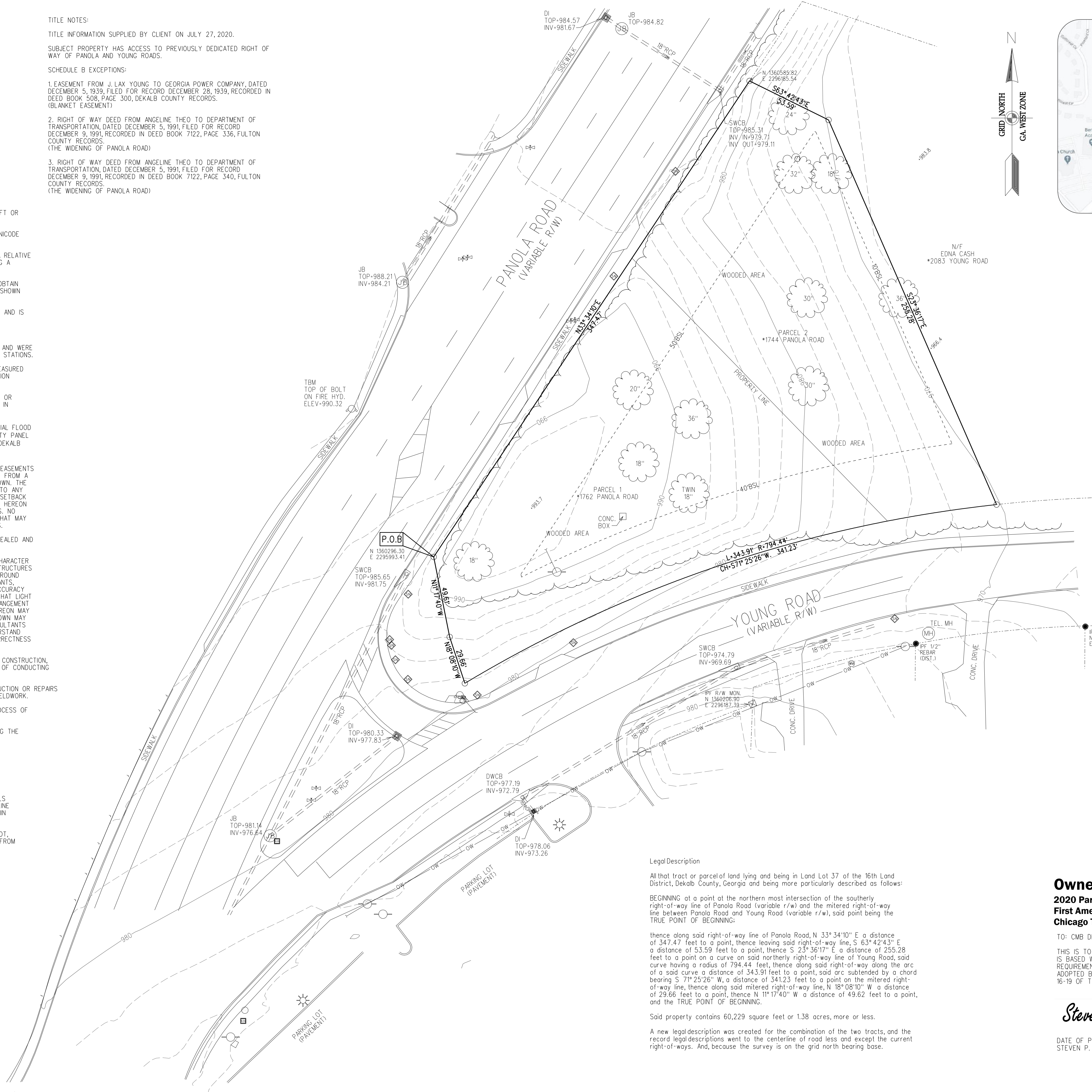
SUBJECT PROPERTY HAS ACCESS TO PREVIOUSLY DEDICATED RIGHT OF WAY OF PANOLA AND YOUNG ROADS.

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)

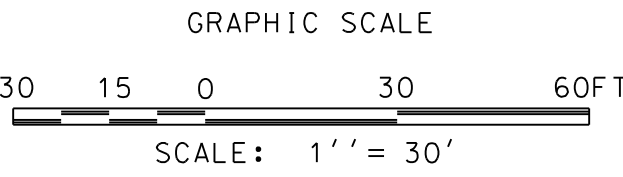
3. RIGHT OF WAY DEED FROM ANGELINE THEO TO DEPARTMENT OF TRANSPORTATION, DATED DECEMBER 5, 1991, FILED FOR RECORD DECEMBER 9, 1991, RECORDED IN DEED BOOK 7122, PAGE 340, FULTON COUNTY RECORDS. (THE WIDENING OF PANOLA ROAD)



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



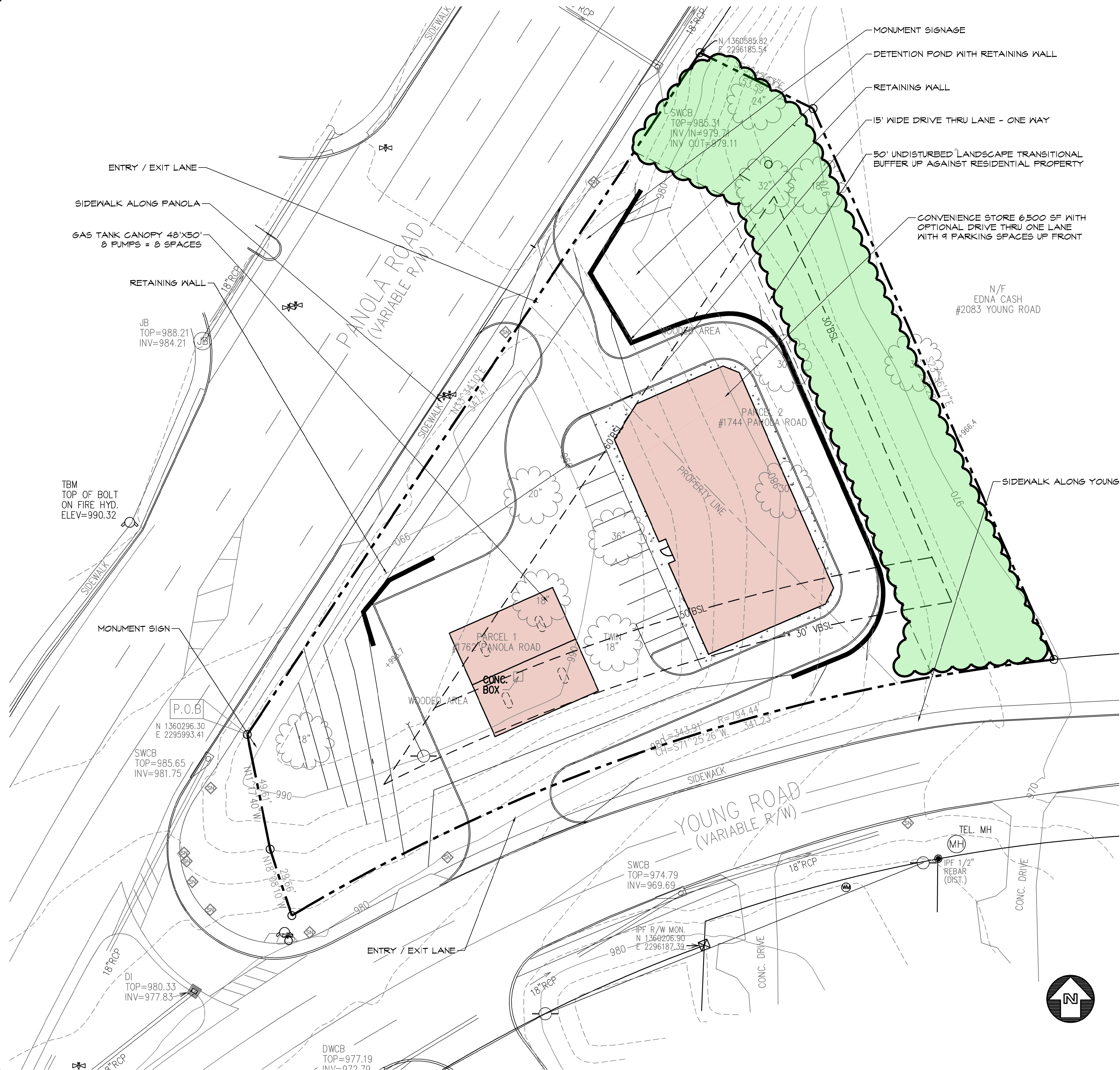
CMB Design Group, LLC
11877 Douglas Rd
Suite 102
Johns Creek, GA 30005
www.CMB
DESIGNGROUP.Com
cmandb@bellsouth.net



ALTA/NSPS Land Title Survey of
#1744 & 1762 Panola Road
Land Lot 37, 16th District, Dekalb County, GA

For:
CMB Design Group

BY:	DATE:	REVISIONS	FILE NO.	DRAWN BY:	APPROVED BY:	REVIEWED BY:	DATE:	PROJECT NO.
			202006.01	SG	SG	SG	08/24/2020	202006.001



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)

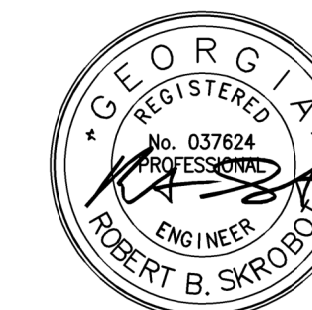
CONCEPTUAL SITE PLAN

FOR:

1762 & 1744 PANOLA ROAD

STONE MOUNTAIN, GA.
DOUGLAS COUNTY, GA

PARCELS: 16 037 02 008, 16 037 02 007



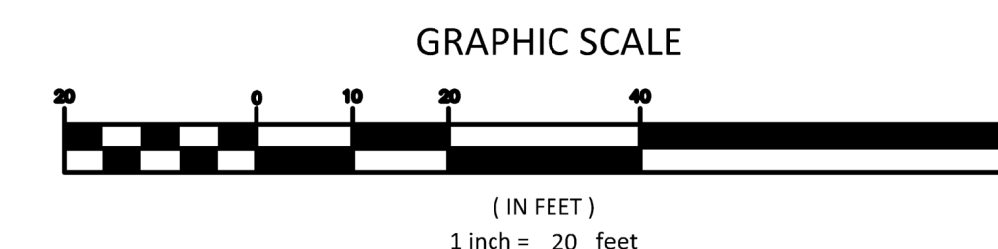
No.	Revision/Issue	Date

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

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)

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)
