

Public Hearing: YES ☒ NO ☐

Department: Planning & Sustainability

SUBJECT:

COMMISSION DISTRICT(S): Commission District 04 Super District 06

Application of ModWash, LLC c/o Battle Law P.C. for a request to modify zoning conditions to remove condition #1 pursuant to CZ-06-1241, restricting the use of the property to office and retail uses to allow a car wash in the C-1 (Local Commercial) zoning district, at 1849 Lawrenceville Highway.

PETITION NO: D3-2022-1998 CZ-22-1245934

PROPOSED USE: Car wash.

LOCATION: 1849 Lawrenceville Highway, Decatur, Georgia 30033

PARCEL NO. : 18-063-03-027

INFO. CONTACT: Planning & Sustainability

PHONE NUMBER: 404-371-2155

PURPOSE:

Application of ModWash, LLC c/o Battle Law P.C. for a request to modify zoning conditions to remove condition #1 pursuant to CZ-06-1241, restricting the use of the property to office and retail uses to allow a car wash in the C-1 (Local Commercial) zoning district. The property is located on the southeast quadrant of Lawrenceville Highway and Jordan Lane, approximately 415 feet north of DeKalb Industrial Way, at 1849 Lawrenceville Highway in Decatur, Georgia. The property has approximately 180 feet of frontage along Lawrenceville Highway and 230 feet of frontage along Jordan Lane and contains 1.28 acres.

RECOMMENDATION:

COMMUNITY COUNCIL: (October 2022) Approval w/Condition(s). (August 2022) Full Cycle Deferral.

PLANNING COMMISSION: (November 1, 2022) Pending. (September 6, 2022) Full Cycle Deferral.

PLANNING STAFF: Denial.

STAFF ANALYSIS: The applicant is requesting to modify the current zoning conditions which restrict the use to retail and office to allow a drive-through car wash facility. The request was deferred from the September agenda cycle to allow the applicant time to submit a companion SLUP case (See SLUP-22-1246038) as required by the C-1 district for drivethrough facilities. The site is located within a Town Center (TC) Character Area designated by the DeKalb County 2035 Comprehensive Plan. Moreover, the subject property is included in the Medline LCI Plan study area, but it doesn't provide a definitive recommendation regarding use of the site. A drive-through car wash does not meet the intent and vision of the TC Character Area calling for a pedestrian community focus within a high density mix of residential, office, and commercial uses. Additionally, the proposed auto-oriented drive-through is not consistent with the following policies and strategies of the TC Character Area of the 2035 Comprehensive Plan: 1. Promote new and redevelopment at or near activity centers as a means of reducing vehicle miles traveled (VMT) (TC Land Use "VMT" Policy, page 94); and 2. Design shall be pedestrian oriented with walkable connections between different uses (site plan shows one row of parking in front of the building (TC Land Use "Pedestrian Oriented Design" Policy, page 94). Additionally, more information is needed to verify compliance with stormwater management as the conceptual plan does not indicate location of stormwater facilities (see attached interdepartmental comments from Land Development Division of Public Works). Car wash cleaning chemicals can potentially run off into nearby storm drains and degrade water quality. The applicant has not provided documentation showing compliance with Section 4.2.13.B (Supplemental Regulations for Car Washes)

of the Zoning Ordinance which requires that wastewater from all auto wash services shall be pre-treated in accordance with watershed maintenance standards prior to being drained into public sanitary sewer or into any stormwater structure as may be approved by DeKalb County Watershed Management Department. Therefore, it is the recommendation of the Planning and Sustainability Department that the modification request to allow a drivethrough car wash on the subject site be, respectfully, “Denied”.

PLANNING COMMISSION VOTE: (November 1, 2022) Pending. (September 6, 2022) Full Cycle Deferral 8-0-0. LaSonya Osler moved, Jana Johnson seconded for a full cycle deferral, per Staff recommendation.

COMMUNITY COUNCIL VOTE/RECOMMENDATION: (October 18, 2022) Approval w/Conditions 8-1-0. The Council voted for approval with the recommended conditions and with a requirement for DoT approval. **(August 16, 2022) Full Cycle Deferral 7-0-0.**



DeKalb County Department of Planning & Sustainability

330 Ponce De Leon Avenue, Suite 300

Decatur, GA 30030

(404) 371-2155 / www.dekalbcountyga.gov/planning

Planning Commission Hearing Date: November 1, 2022

Board of Commissioners Hearing Date: November 17, 2022

STAFF ANALYSIS

Case No.: CZ-22-1245934 **Agenda #:** D3

Location/Address: The southeast quadrant of Lawrenceville Highway and Jordan Lane, approximately 415feet north of DeKalb Industrial Way at 1849 Lawrenceville Highway in Decatur, Georgia. **Commission District:** 4 **Super District:** 6

Parcel ID(s): 18 063 03 027

Request: To modify zoning conditions to remove condition #1 pursuant to CZ-06-1241 restricting the use of the property to office and retail uses to allow a drive-through car wash in the C-1 (Local Commercial) zoning district.

Property Owner(s): Karimshah Inc, Sadruddin Ashiq Ali

Applicant/Agent: ModWash LLC c/o Battle Law P.C.

Acreage: 1.28

Surrounding Properties: Surrounding properties include an auto-broker and multi-family apartments across Jordan Lane to the north; single-family detached homes to the northwest across Lawrenceville Highway; wholesale and medical office uses to the south; a parking lot and a vacant property to the east; and retail and restaurant uses to the west across Lawrenceville Highway.

Comprehensive Plan: Town Center (TC) Consistent ☐ Inconsistent ☒

Proposed Density: NA	Existing Density: N.A.
Proposed Units: Drive-through Car Wash	Existing Units: Vacant building
Proposed Lot Coverage: NA	Existing Lot Coverage: N.A.

--	--

STAFF RECOMMENDATION: DENIAL

The applicant is requesting to modify the current zoning conditions which restrict the use to retail and office to allow a drive-through car wash facility. The request was deferred from the September agenda cycle to allow the applicant time to submit a companion SLUP case (See SLUP-22-1246038) as required by the C-1 district for drive-through facilities.

The site is located within a Town Center (TC) Character Area designated by the *DeKalb County 2035 Comprehensive Plan*. Moreover, the subject property is included in the *Medline LCI Plan* study area, but it doesn't provide a definitive recommendation regarding use of the site. A drive-through car wash does not meet the intent and vision of the TC Character Area calling for a pedestrian community focus within a high density mix of residential, office, and commercial uses. Additionally, the proposed auto-oriented drive-through is not consistent with the following policies and strategies of the TC Character Area of the *2035 Comprehensive Plan*: 1. Promote new and redevelopment at or near activity centers as a means of reducing vehicle miles traveled (VMT) (TC Land Use "VMT" Policy, page 94); and 2. Design shall be pedestrian oriented with walkable connections between different uses (site plan shows one row of parking in front of the building (TC Land Use "Pedestrian Oriented Design" Policy, page 94). Additionally, more information is needed to verify compliance with stormwater management as the conceptual plan does not indicate location of stormwater facilities (see attached interdepartmental comments from Land Development Division of Public Works). Car wash cleaning chemicals can potentially run off into nearby storm drains and degrade water quality. The applicant has not provided documentation showing compliance with Section 4.2.13.B (Supplemental Regulations for Car Washes) of the Zoning Ordinance which requires that *wastewater from all auto wash services shall be pre-treated in accordance with watershed maintenance standards prior to being drained into public sanitary sewer or into any stormwater structure as may be approved by DeKalb County Watershed Management Department*. Therefore, it is the recommendation of the Planning and Sustainability Department that the modification request to allow a drive-through car wash on the subject site be, respectfully, "Denied".



**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 AND/OR LASONDRA HILL
lahill@dekalbcountyga.gov**

**COMMENTS FORM:
PUBLIC WORKS WATER AND SEWER**

Case No.: _____

Parcel I.D. #: 18-063-03-027

Address: 1849 Lawrenceville Highway

Decatur GA 30033

WATER:

Size of existing water main: 12" DI & 6" AC (adequate/inadequate)

Distance from property to nearest main: adjacent

Size of line required, if inadequate: unknown

SEWER:

Outfall Servicing Project: South Fork Peachtree Creek

Is sewer adjacent to property: Yes (☒) No () If no, distance to nearest line: _____

Water Treatment Facility: Atlanta - CM Clayton ☒ adequate () inadequate

Sewage Capacity; 40 (MGPD)

Current Flow: 36.6 (MGPD)

COMMENTS:

Will require sewer capacity approval.

Signature: _____

8/15/2022

To: Ms. Andrea Folgherait, Planning and Ms. LaShonda Hill
From: Ryan Cira, Director
Cc: Alan Gaines, Environmental Health Deputy Director
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.

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

DeKalb County Board of Health

404.508.7900 • www.dekalbhealth.net

8/15/2022

N.16

2022-1996 LP-22-1245892 15-220-01-001, 15-220-01-023,15-220-01-024,15-220-01-041

1172 Longshore Drive, Decatur, GA 30032

Amendment

- Please review general comments.

N.17

2022-1997 Z22-1245922 15-220-01-001, 15-220-01-23,15-220-01-024,15-220-01-041

1172 Longshore Drive, Decatur, GA 30032

Amendment

- Please review general comments.

N.18

2022-1988 CZ-22-1245934 18-063-03-027

1849 Lawrenceville Hwy, Decatur, GA 30033

Amendment

- Please review general comments.

Zoning Comments - September 2022

N2. SLUP-22-1245880 - Briarcliff Road is SR 42. GDOT review and approval needed prior to Land Development Permit. (MWilson@dot.ga.gov). The property is within the Druid Hills Historic District. Please see the planner assigned to this district for infrastructure requirements- as the Overlay Districts trump the Zoning Code which trumps the Land Development Code. **Briarcliff Road** is classified as a minor arterial. Where silent the following minimum infrastructure requirements must be met: Right of way dedication of 40 feet from centerline OR such that all public infrastructure is within county right of way, whichever greater, a 6 foot sidewalk (Zoning Code) with a 4 foot bike lane (Land Development Code) OR a 10 foot shared multiuse path (preferred) located 5 feet from back of curb, Pedestrian Scale Street lighting required (Contact Street Light Engineer, Herman Fowler: hefowler@dekalbcountyga.gov), 11 foot travel lanes with curb and gutter. University Drive is classified as a local residential road. Where silent the following minimum infrastructure requirements must be met: Right of way dedication of 27.5 feet from centerline OR such that all public infrastructure is within county right of way, whichever greater, a 12 foot travel lane from centerline, curb and gutter, a 5 foot sidewalk (Zoning Code) located 5 feet from back of curb, Pedestrian Scale Street lighting required (Contact Street Light Engineer, Herman Fowler: hefowler@dekalbcountyga.gov). Concerned about the entrance and the interior intersection being too close and impacting Briarcliff Road. Traffic Study required to include a traffic signal warrant study at main entrance. Traffic operations at access point on University Drive will also need to be considered- as this will be a non-traditional intersection. Interior streets to be private. At time of permitting, verify sight distance at intersection of access points and Briarcliff Road and University Drive.

N3 & N4. Z-22-1245923 & SLUP-22-1245924 - North Decatur Road is classified as a minor arterial. The following minimum infrastructure requirements must be met: Right of way dedication of 40 feet from centerline OR such that all public infrastructure is within county right of way, whichever greater, a 6 foot sidewalk (Zoning Code) with 11 foot travel lane with curb and gutter, a 4 foot bike lane (Land Development Code) OR a 10 foot shared multiuse path (preferred) located 5 feet from back of curb, Pedestrian Scale Street lighting required (Contact Street Light Engineer, Herman Fowler: hefowler@dekalbcountyga.gov). Please see Land Development Code Section 14-200 (5) for the number of access points required by code for 200 units. Please see separation of access points Land Development Code Section 14-200 (6) which applies to both sides of the street. If you are seeking a variance for anything is Code Section 14-200 from the Board of Commissioners, I suggest you do it as part of your zoning.

N5. SLUP-22-1245924 - Shallowford and Briarcliff Roads are classified as a minor arterials. The following minimum infrastructure requirements must be met: Right of way dedication of 40 feet from centerline OR such that all public infrastructure is within county right of way, whichever greater, an 11 foot travel lane from centerline with curb and gutter, a 6 foot sidewalk (Zoning Code) with a 4 foot bike lane (Land Development Code) OR a 10 foot shared multiuse path (preferred) located 5 feet from back of curb, Pedestrian Scale Street lighting required (Contact Street Light Engineer, Herman Fowler: hefowler@dekalbcountyga.gov). Dedicate necessary right of way for the extension of the right turn lane from Briarcliff Road onto Shallowford Road.

N6. SLUP-22-1245925 - No Comment

N7. Z-22-1245928 - Mountain View Drive is classified as a collector street. The following minimum infrastructure requirements must be met: Right of way dedication of 35 feet from centerline OR such that

all public infrastructure is within county right of way, whichever greater, an 11 foot travel lane with curb and gutter, a 6 foot sidewalk (Zoning Code) with a 4 foot bike lane (Land Development Code) OR a 10 foot shared multiuse path (preferred) located 5 feet from back of curb, Pedestrian Scale Street lighting required (Contact Street Light Engineer, Herman Fowler: hefowler@dekalbcountyga.gov). New local public streets have the following minimum requirements: Right of way dedication of 55 feet, 24 feet of pavement with curb and gutter, a 5 foot sidewalk (Zoning Code) located 6 feet from back of curb, Pedestrian Scale Street lighting required (Contact Street Light Engineer, Herman Fowler: hefowler@dekalbcountyga.gov). Please see separation of access points Land Development Code Section 14-200 (6) which applies to both sides of the street. If you are seeking a variance for anything is Code Section 14-200 from the Board of Commissioners, I suggest you do it as part of your zoning.

N8. Z-22-1245935 - Jordan Lane & Reverend D.L. Edwards Drive are classified as local streets have the following minimum requirements: Right of way dedication of 27.5 feet from centerline, 12 foot travel lane from Centerline with curb & gutter, a five foot planting strip and a 5 foot sidewalk (Zoning Code), Pedestrian Scale Street lighting required (Contact Street Light Engineer, Herman Fowler: hefowler@dekalbcountyga.gov). Developer required to pay to relocate traffic calming speed table away from proposed driveways. Driveways need to be at least 33 feet apart (edge of drive to edge of drive) from each other to fit the relocated speed table. May need to flip driveway location on corner lot to accommodate.

N9 & N10. Z-22-1245856 & SLUP-22-1245857 - No comment.

N11. Z-22-1245874 - Clairmont Road is SR 155. GDOT review and approval needed prior to Land Development Permit. (MWilson@dot.ga.gov). Donate right of way necessary for GDOT's project at Clairmont Road project. Briarcliff Road is classified as a minor arterial. Where silent the following minimum infrastructure requirements must be met: Right of way dedication of 40 feet from centerline OR such that all public infrastructure is within county right of way, whichever greater, a 6 foot sidewalk (Zoning Code) with a 4 foot bike lane (Land Development Code) OR a 10 foot shared multiuse path (preferred) located 5 feet from back of curb, Pedestrian Scale Street lighting required (Contact Street Light Engineer, Herman Fowler: hefowler@dekalbcountyga.gov), 11 foot travel lanes with curb and gutter. Additional comments may be warranted after receipt of traffic study.

N12. & N13. LP-22-1245937 & Z-22-1245875 - No comments.

N14. Z-22-1245876 - 1893, 1901 and 1909 are within the I-20 Overlay District, Tier 2. Please see the planner assigned to this district for infrastructure requirements- as the Overlay Districts trump the Zoning Code which trumps the Land Development Code. East Field Street, Glenvalley Dr & Northview Ave are classified as local streets. Improvements required on all frontages. Where the overlay district is silent the following minimum infrastructure requirements must be met: Right of way dedication of 27.5 feet from centerline, 12 foot travel lane from Centerline with curb & gutter, a five foot planting strip and a 5 foot sidewalk (Zoning Code), Pedestrian Scale Street lighting required (Contact Street Light Engineer, Herman Fowler: hefowler@dekalbcountyga.gov). Please note that the required right of way dedication may have significant impacts to your site plans. Please review.

N15. SLUP-22-1245885 - Chamblee Tucker Road is classified a minor arterial. The following minimum infrastructure requirements must be met: Right of way dedication of 40 feet from centerline OR such that all public infrastructure is within county right of way, whichever greater, a 6 foot sidewalk (Zoning Code)

with a 4 foot bike lane (Land Development Code) OR a 10 foot shared multiuse path (preferred) located 5 feet from back of curb, Pedestrian Scale Street lighting required (Contact Street Light Engineer, Herman Fowler: hefowler@dekalbcountyga.gov), 11 foot travel lanes with curb and gutter. If you are seeking a variance for the bike facility requirements, I would do so during zoning. Bolissa Drive is classified as a local road with the following minimum requirements: Right of way dedication of 27.5 feet from centerline, 12 foot travel lane from Centerline with curb & gutter, a five foot planting strip and a 5 foot sidewalk (Zoning Code), Pedestrian Scale Street lighting required (Contact Street Light Engineer, Herman Fowler: hefowler@dekalbcountyga.gov).

N16. & N17. LP-22-1245892 & Z-22-1245922 - Properties are located in the Covington Overlay District. Please see the planner assigned to this district for infrastructure requirements- as the Overlay Districts trump the Zoning Code which trumps the Land Development Code. Redan Road and Longshore Drive are classified as local roads. Where silent the following minimum infrastructure requirements must be met: Right of way dedication of 27.5 feet from centerline, 12 foot travel lane from Centerline with curb & gutter, a five foot planting strip and a 5 foot sidewalk (Zoning Code), Pedestrian Scale Street lighting required (Contact Street Light Engineer, Herman Fowler: hefowler@dekalbcountyga.gov). Interior streets to be private.

N18. CZ-22-1245934 - Lawrenceville Hwy is a State Route. GDOT review and approval needed prior to Land Development Permit. (MWilson@dot.ga.gov). Lawrenceville Hwy is classified as a major arterial. The following minimum infrastructure requirements must be met: Right of way dedication of 50 feet from centerline OR such that all public infrastructure is within county right of way, whichever greater, a 6 foot sidewalk (Zoning Code) with a 4 foot bike lane (Land Development Code) OR a 10 foot shared multiuse path (preferred) located 5 feet from back of curb, Pedestrian Scale Street lighting required (Contact Street Light Engineer, Herman Fowler: hefowler@dekalbcountyga.gov), 11 foot travel lanes with curb and gutter. Jordan Lane is classified as a local road. The following minimum requirements must be met: Right of way dedication of 27.5 feet from centerline, 12 foot travel lane from centerline with curb & gutter, a five foot planting strip and a 5 foot sidewalk (Zoning Code), Pedestrian Scale Street lighting required (Contact Street Light Engineer, Herman Fowler: hefowler@dekalbcountyga.gov). Add pedestrian crossing and ADA ramps to the intersection of Jordan Lane at Lawrenceville Hwy.



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:

- **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 **(sections have been amended recently; please request the amended chapter)**, 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.

Conceptual plan doesn't indicate the location of the stormwater management facility. Location of stormwater management shall be shown or compliance with the County stormwater management regulations shall be explained.

Additional consideration must be given to the 10% downstream analysis.

Runoff Reduction Volume shall be provided, unless technical justification is provided in regard to the unfeasibility. Strongly recommend investigating the site and identify location where RRv can be provided and re-design/revise the layout to comply with the RRv requirement.

- **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.



DEKALB COUNTY GOVERNMENT
PLANNING DEPARTMENT
DISTRIBUTION FORM

N-18

NOTE: PLEASE RETURN ALL COMMENTS VIA EMAIL OR FAX TO EXPEDITE THE PROCESS TO
MICHELLE ALEXANDER mmalexander@dekalbcountyga.gov AND/OR LASONDRA HILL
lahill@dekalbcountyga.gov

COMMENTS FORM:
PUBLIC WORKS TRAFFIC ENGINEERING

Case No.: CZ-22-1245934 Parcel I.D. #: 18-063-03-027

Address: 1849
LAWRENCEVILLE Hwy
DECATUR, GA 30023

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.

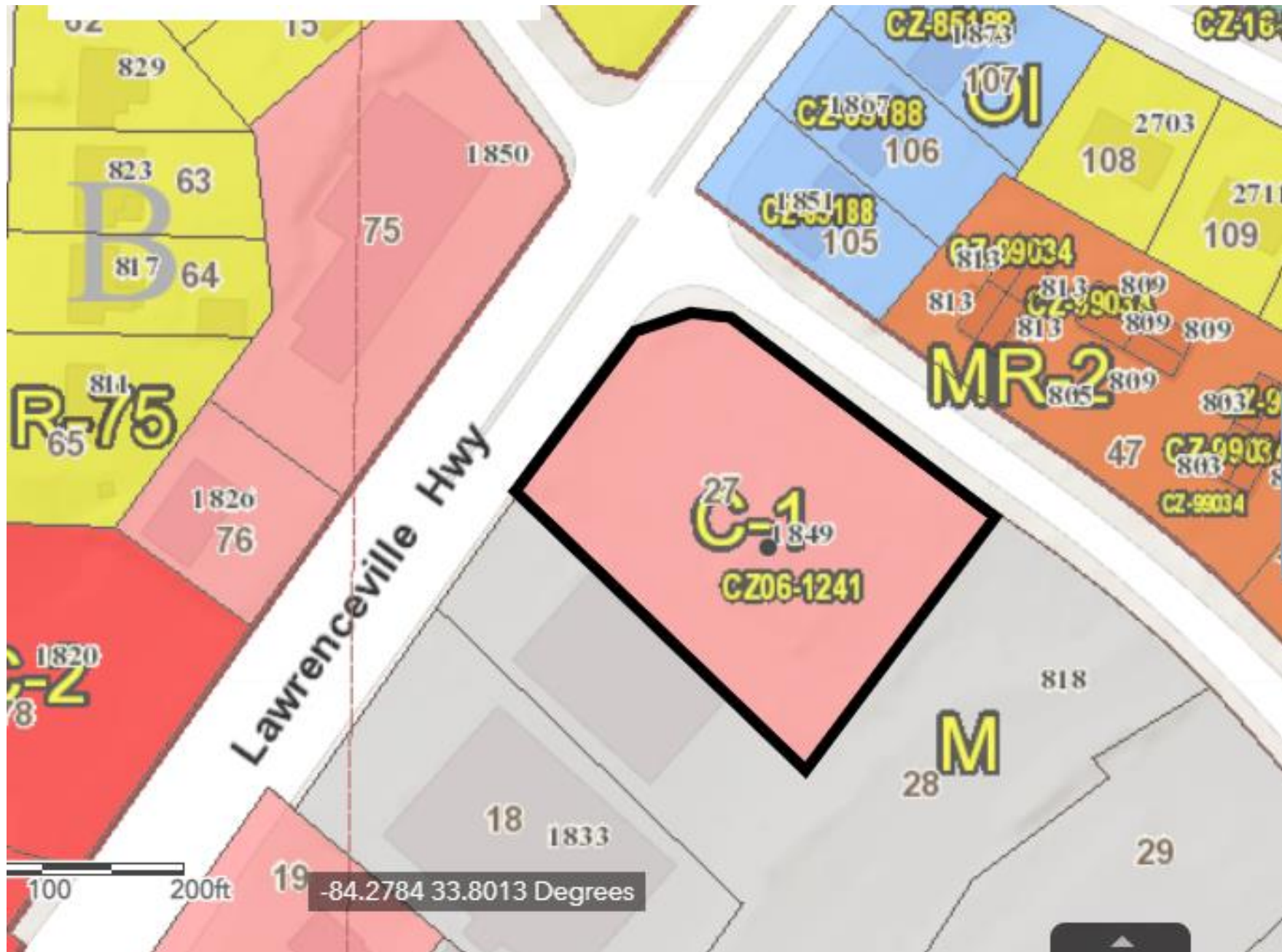
According to studies conducted by the Institute of Traffic Engineers (ITE) 6TH Edition (whichever is applicable), churches generate an average of fifteen (15) vehicle trip end (VTE) per 1,000 square feet of floor area, with an eight (8%) percent peak hour factor. Based on the above formula, the _____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

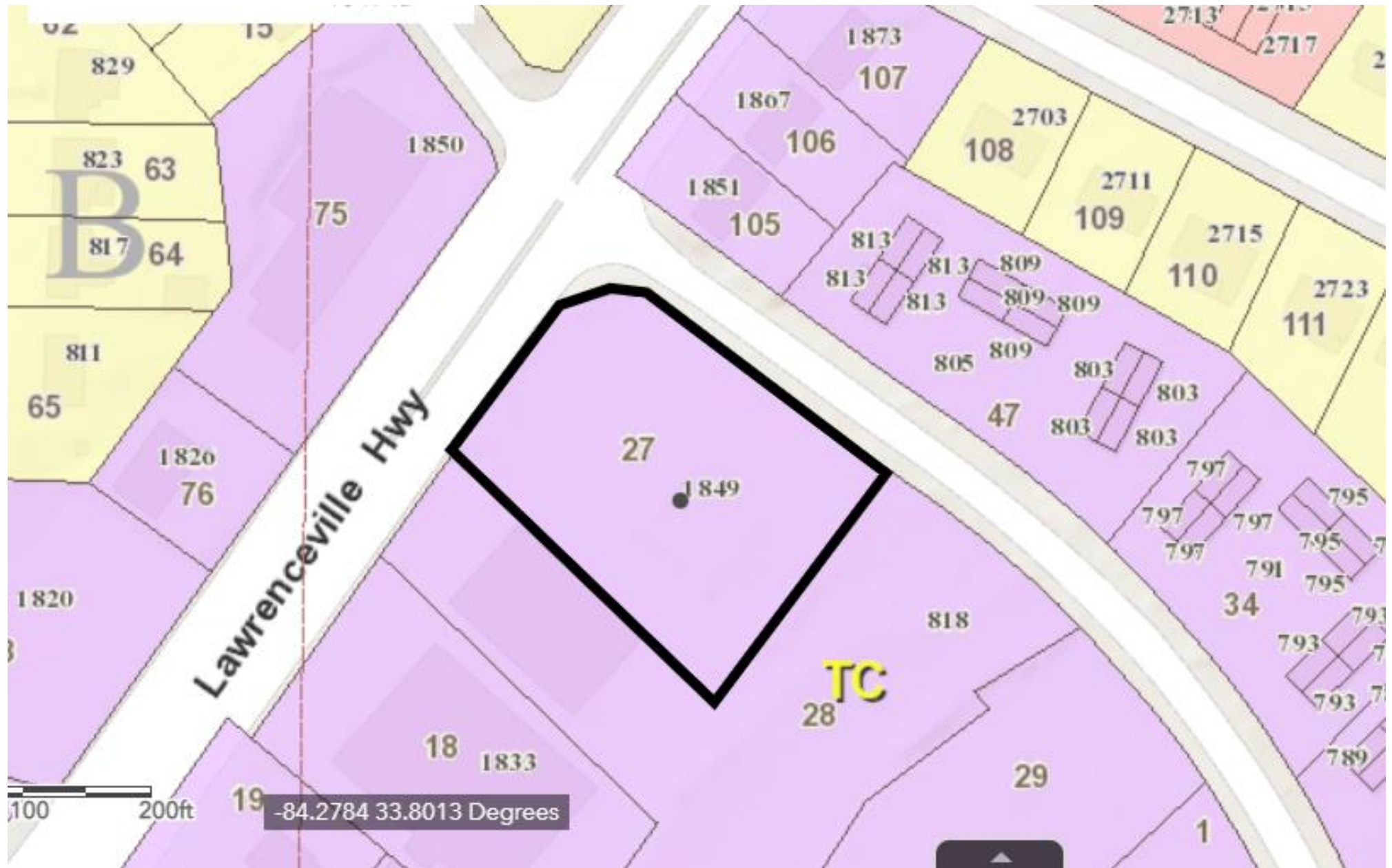
Single Family residence, on the other hand, would generate ten (10) VTE's per day per dwelling unit, with a ten (10%) percent peak hour factor. Based on the above referenced formula, the _____ (Single Family Residential) District designation which allows a maximum of _____ units per acres, and the given 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.

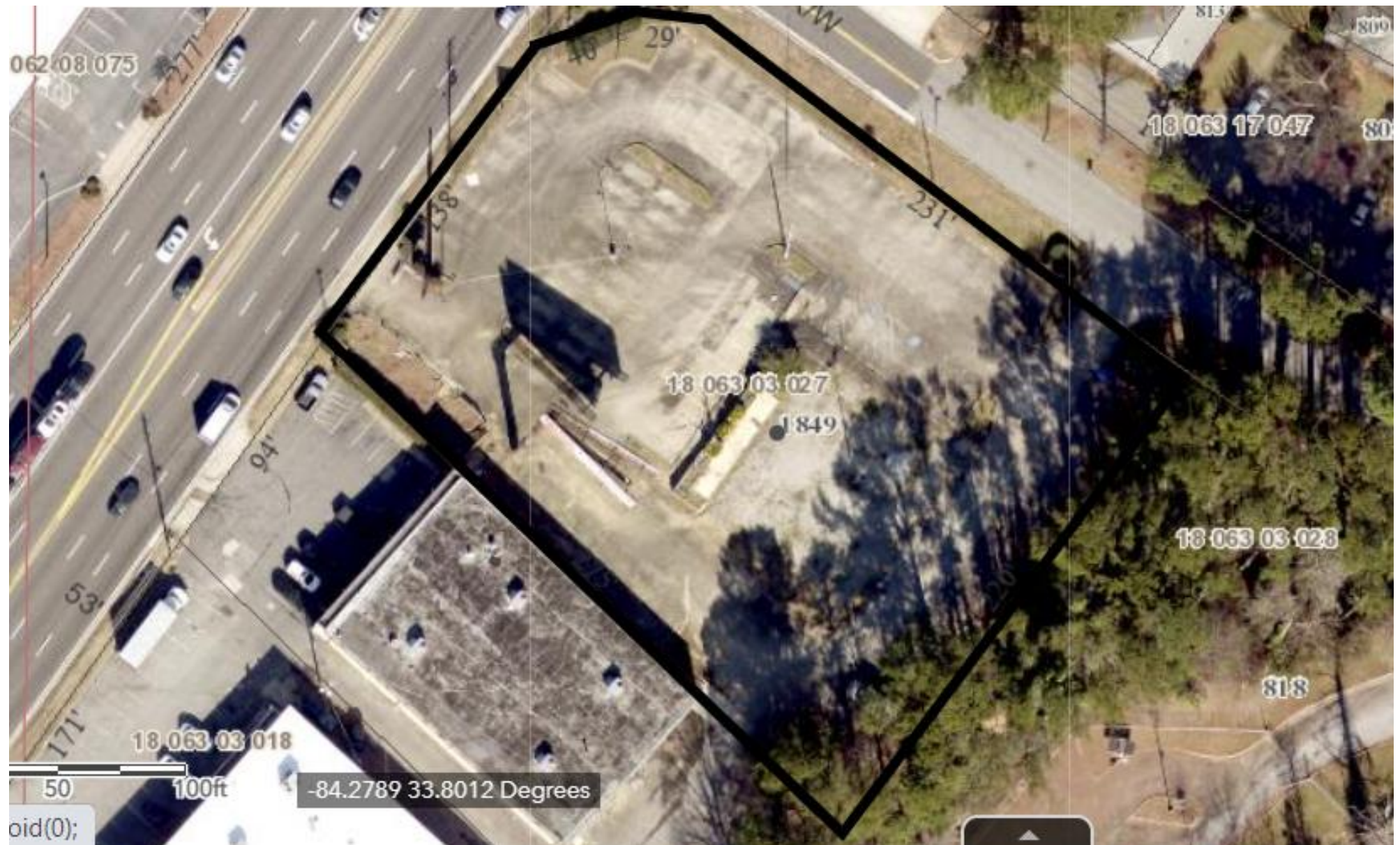
COMMENTS:

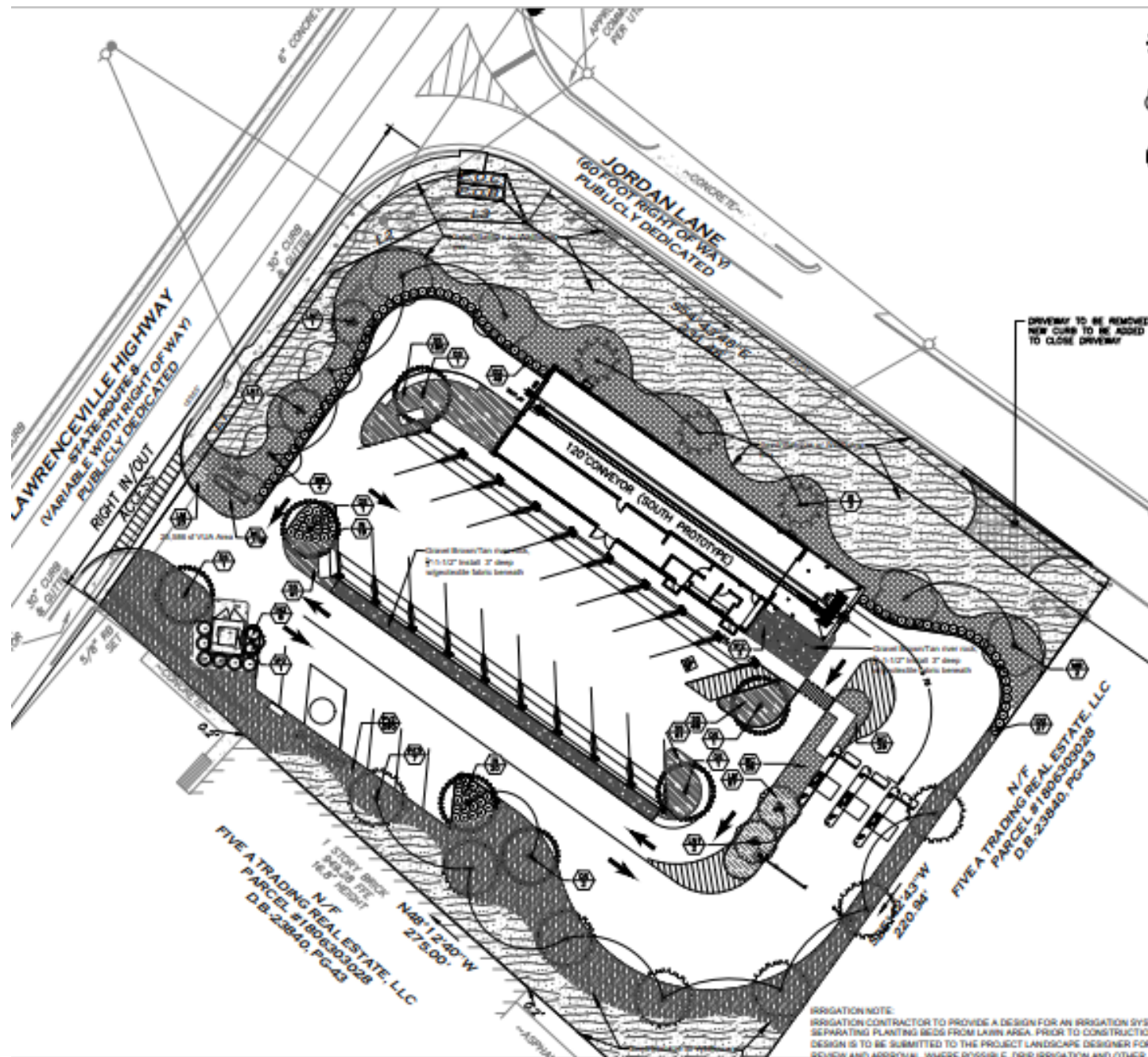
Plans and field reviewed. Found nothing that would disrupt traffic flow.

Signature: [Signature]









DEPARTMENT OF PLANNING & SUSTAINABILITY

MAJOR MODIFICATION APPLICATION

Existing Conditional Zoning No.: CZ06-1241

APPLICANT NAME: ModWash, LLC c/o Battle Law, P.C.

Daytime Phone#: 404-601-7616 Fax #: 404-745-0045 E-mail: mlb@battlelawpc.com

Mailing Address: 3562 Habersham at Northlake Building J, Suite 100 Tucker, Georgia 30084

OWNER NAME: Karimshah Inc, Sadruddin Ashiq Ali (If more than one owner, attach contact information for each owner)

Daytime Phone#: _____ Fax #: _____ E-mail: _____

Mailing Address: 1845 Lawrenceville Highway Decatur, Georgia 30033

SUBJECT PROPERTY ADDRESS OR LOCATION: 1849 Lawrenceville Highway

Decatur, DeKalb County, GA, 30033

District(s): 18 Land Lot(s): 063 Block(s): 03 Parcel(s): 18 063 03 027


Acreage or Square Feet: 1.28 Commission District(s): 4, 6 Existing Zoning: C-1

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

Have you, the applicant, made a campaign contribution of \$250.00 or more to a DeKalb County government official within the two year period that precedes the date on which you are filing this application?

 Yes No If "yes", see page 4. (Conflict of Interest in Zoning Act, O.C.G.A., Chapter 36-67A)

Owner: Agent: X
(Check One)

Signature of Applicant: 

Printed Name of Applicant: ModWash, LLC c/o Battle Law, P.C. **Major Modification Application**

**MAJOR MODIFICATION APPLICATION CHECKLIST (SUBMIT 4 COMPLETE, COLLATED SETS AND PDF
FLASH DRIVE OF APPLICATION DOCUMENTS)**

- _____ 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 **Community Meeting** with surrounding neighborhood associations and residents. Notify staff in advance of date, time, and location of meeting. **Provide documentation** (e.g., 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 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 last ten years by a professional engineer, or land surveyor registered in the State of Georgia and is consistent with the plat(s) on 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. Four copies of site plans:
1. Full-size site plans (at least 11" x 17"): 4 copies, folded.
2. Site plan reduced to 8 ½" x 11". 4 copies
- _____ 7. **Attached approved Conditions**. Include statement of any additional conditions proposed.
- _____ 8. **Letter of Application** identifying the proposed modification to conditions, the reason for the request, the existing and proposed use of the property, and detailed characteristics of the proposed use (e.g., floor area, height of buildings, number of units, mix of unit types, hours of operation, etc
- _____ 9. Written detailed **Impact Analysis** of the anticipated impact of the proposed use and change in conditions, in response to the standards and factors specified in **Section 27-832** of the DeKalb County Zoning Ordinance.
- _____ 10. Campaign disclosure statement, if applicable, to be filed in compliance with State law.
- _____ 11. **Application fee**. Make payable to "DeKalb County". \$250.00

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED.

Chief Executive Officer
Michael Thurmond

DEPARTMENT OF PLANNING & SUSTAINABILITY

Director
Andrew A. Baker, AICP

PRE-APPLICATION FORM
REZONE, SPECIAL LAND USE PERMIT, MODIFICATION, AND LAND USE
(Required prior to filing application: signed copy of this form must be submitted at filing)

Applicant Name: _ Battle Law _ Phone: : 404-601-7616 ext 6 _____ Email: mlb@Battlelawpc.com__

Property Address: _1849 Lawrenceville Hwy_____

Tax Parcel ID: __18 063 03 027-____ _ Comm. District(s): _4 & 6_____ Acreage: 1.26__ _____

Existing Use: _vacant lot_____ Proposed Use__ Car Wash (fancy express car wash)

Supplemental Regs: _X Sec 4.2.13_____ Overlay District: _NA ____ DRI: __NA_____

Rezoning: Yes __ __ No __X__

Existing Zoning: __C-1 with conditions per CZ-06-1241_ _____

Proposed Zoning: _NA

Square Footage/Number of Units: _____

Rezoning Request: _NA_____

Land Use Plan Amendment: Yes_____ No __X__

Existing Land Use: _SUB_____ Proposed Land Use: __CRC_____ Consistent _____
Inconsistent_____

Special Land Use Permit: Yes_ __ No __X__ Article Number(s) 27-

Special Land Use Request(s) __ __

Major Modification:

Existing Case Number(s): __CZ-06-1241_____

Condition(s) to be modified:

_____Condition #1 pertaining to limit use to office and retail so can operate a car wash. Condition #5 require that access to Jordan Road to be closed but it never was...applicant would like to remain open.

DEPARTMENT OF PLANNING & SUSTAINABILITY

WHAT TO KNOW BEFORE YOU FILE YOUR APPLICATION

Pre-submittal Community Meeting: ☒ Review Calendar Dates: ☒ PC: 09/01/22*
BOC: 09/29/22** Letter of Intent: ☒ Impact Analysis: ☒ Owner Authorization(s): ☒
Campaign Disclosure: ☒ Zoning Conditions: ☒ Community Council Meeting: 08/16/22
Public Notice, Signs: ☒ (**Applicant must pick up and post and/or will be done by Staff**)
Tree Survey, Conservation: Land Disturbance Permit (LDP): ☒ Sketch Plat: ☒
Bldg. Permits: ☒ Fire Inspection: ☒ Business License: ☒ State License:
Lighting Plan: Tent Permit: Submittal Format: NO STAPLES, NO BINDERS
PLEASE

***Land Use Amendment applications only heard in March and September and take priority over other cases; if cap is hit then may have to go to November agenda.**

***Deadline for hosting pre-community meeting with 15 days notice for September 2022 agenda cycle would be 06/29/22**

****Filing Deadline for application is 06/30/22**

Review of Site Plan

Density: ☒ Density Bonuses: ☒ Mix of Uses: Open Space: ☒
Enhanced Open Space: ☒ Setbacks: front ☒ sides ☒ side corner rear ☒
Lot Size: ☒ Frontage: ☒ Street Widths: ☒ Landscape Strips: ☒
Buffers: Parking Lot Landscaping: Parking - Auto: ☒ Parking - Bicycle:
☒ Screening: ☒ Streetscapes: ☒ Sidewalks: ☒ Fencing/Walls: ☒
Bldg. Height: ☒ Bldg. Orientation: Bldg. Separation: Bldg. Materials: ☒ Roofs:
☒ Fenestration: ☒ Façade Design: ☒ Garages: ☒ Pedestrian Plan: ☒
Perimeter Landscape Strip:
Possible Variances:

DEPARTMENT OF PLANNING & SUSTAINABILITY

Comments: __. __Applicant will need to justify how the proposed modification to zoning conditions to allow a car wash is consistent with pedestrian-oriented use and connectivity policies of the Town Center (TC) Character Area as well as consistent with adjacent and surrounding uses. Applicant will need to demonstrate compliance with C-1 zoning requirements and the Supplemental Regulations for car washes (Sec 4.2.13). Show compliance with C-1 requirements, including but not limited to required parking, transitional buffers, minimum open space, maximum building height, streetscape improvements, and required density bonus provisions (if applicable), etc. The applicant is encouraged to discuss possible transportation improvements that may be required (if the rezoning is approved by the Board of Commissioners) with the county Transportation Department. The applicant is encouraged to contact Land Development Division of Public Works regarding required storm water management, floodplain, and stream buffer issues.

This only a preliminary review and is not a complete list of zoning requirements, a final and complete review will be done upon official submission of a rezoning application and concept plan.

Planner: __John Reid__ Date __05/05/22__

Filing Fees

REZONING:	RE, RLG, R-100, R-85, R-75, R-60, MHP, RSM, MR-1	\$500.00
	RNC, MR-2, HR-1, HR-2, HR-3, MU-1, MU-2, MU-3, MU-4, MU-5	\$750.00
	OL, OD, OIT, NS, C1, C2, M, M2	\$750.00
LAND USE MAP AMENDMENT		\$500.00
SPECIAL LAND USE PERMIT		\$400.00

Community Meeting Mailing List

MARTINEZ JUDITH B	1618 JACKSON AVE E	OXFORD MS 38655
WELKER JOHN P	2652 WOODRIDGE DR	DECATUR GA 30033
KRUMP MELVIN R	2617 WOODRIDGE DR	DECATUR GA 30033
ROSS JOSHUA H	40 THE LEDGES RD	NEWTON CENTER MA 2459
THOMAS MOLLY MCCABE	824 GARDENIA LN	DECATUR GA 30033
CITRONBERG ROBERT H	3535 RIVER FERRY DR	ALPHARETTA GA 30022
VOL REPAIRS INC	2198 WINDING WOODS DR	TUCKER GA 30084
HAIG DONALD D III	818 WHELCHER DR	DECATUR GA 30033
NGUYEN VIVI	830 WHELCHER DR	DECATUR GA 30033
SATTANY SALEEM	2314 HUNTCRESY WAY	LAWRENCEVILLE GA 30043
FIVE A TRADING REAL ESTATE LLC	1845 LAWRENCEVILLE HWY	DECATUR GA 30033
KARIMSHAH INC	1845 LAWRENCEVILLE HWY	DECATUR GA 30033
FIVE A TRADING REAL ESTATE LLC	810 JORDAN LN	DECATUR GA 30033
MID OHIO SECURITIES CORP	520 EMORY CIR NE	ATLANTA GA 30307
LALANI SHAMSUDDIN	2734 HOLLYWOOD DR	DECATUR GA 30033
WEINHEIMER JOYCE E	2748 HOLLYWOOD DR	DECATUR GA 30033
GENDO KRISNA	2773 ORION DR	DECATUR GA 30033
SMITH AVRION CLOIS	844 CONSTELLATION DR	DECATUR GA 30033
LAKWANI NARESH	840 CONSTELLATION DR	DECATUR GA 30033
WRIGHT TIFFANY CHARISSE	828 CONSTELLATION DR	DECATUR GA 30033
GREENFIELD DAVID	2716 AURORA ST	DECATUR GA 30033
ROWAN MARY ANNE VAUGHN	2710 HARRINGTON DR	DECATUR GA 30033
SHEPHERD CONSTRUCTION CO INC	1800 BRIARCLIFF RD NE	ATLANTA GA 30329
VITTI JENNIFER	777 JORDAN LN 3	DECATUR GA 30033
PATEL VIJAY	781 JORDAN LN # F 1	DECATUR GA 30033
TURNER JAMES JORDAN	797 JORDAN LN UNIT 3	DECATUR GA 30033
DRUID SPRINGS CONDOMINIUM ASSO	2651 REDDING RD NE	ATLANTA GA 30319
DO THUONG D	809 JORDAN LN UNIT 3	DECATUR GA 30033
THOMPSON LAURA	813 JORDAN LN UNIT J1	DECATUR GA 30033
STALLWORTH CLARKE J III	2651 FOX HILLS DR	DECATUR GA 30033
MORGAN KELLY ANN	2674 FOX HILLS DR	DECATUR GA 30033
DECATUR OFFICE PLAZA LLC	1411 LAKESHORE DR	SNELLVILLE GA 30078
WAFFLE HOUSE INC	PO BOX 6450	NORCROSS GA 30091
RODRIGUEZ MALINA	2637 WOODRIDGE DR	DECATUR GA 30033
ROEDER KATHERINE A	2623 WOODRIDGE DR	DECATUR GA 30033
RICHARDS MELISSA	850 GARDENIA LN	DECATUR GA 30033
COZINE ROBERT BARNETT JR	834 WHELCHER DR	DECATUR GA 30033
GERMANI GREGORY T	846 WHELCHER DR	DECATUR GA 30033
WADHWANIYA KASAM	2755 HARRINGTON DR	DECATUR GA 30033
DI PIETRO VINCENZO	2741 HARRINGTON DR	DECATUR GA 30033
BIG ROCK II LP	5390 SILVER HILL TRL	STONE MOUNTAIN GA 30087
ANDERSON CEMETERY	2725 ARBORCREST DR	DECATUR GA 30033
AJ CUBE LLC	3250 PEACHTREE INDUSTRIAL BLVD # 203	DULUTH GA 30096
GILLANI ZAINULABDIN	1970 EMBASSY WALK LN	LILBURN GA 30047
TOWNS AT NORTH DECATUR ASSOCIATION INC	3245 PEACHTREE PKWY STE D242	SUWANEE GA 30024
BRUMFIELD RUSSELL	2767 ORION DR	DECATUR GA 30033
NOLTON LUCY J	2751 ORION DR	DECATUR GA 30033
WILLIAMS CHELSEA	856 CONSTELLATION DR	DECATUR GA 30033
PATEL SEFALI	852 CONSTELLATION DR	DECATUR GA 30033
AMBALAVANAN MANIKANDAN	2710 AURORA ST	DECATUR GA 30033
SAMSUDDIN SHABNAM	84 CONSTELLATION DR	DECATUR GA 30033
NAIK SAMANTHA L	920 SYCAMORE DR	DECATUR GA 30030

Community Meeting Mailing List

WILLIAMS NICHOLAS J	2716 HARRINGTON DR	DECATUR GA 30033
MOEBES MICHAEL R	781 JORDAN LN # F4	DECATUR GA 30033
SCHULTE DYLAN JAMES	785 JORDAN LN UNIT 2	DECATUR GA 30033
BRADFIELD CATHERINE LIVING TRUST	2369 FAIROAKS RD	DECATUR GA 30033
MARSHALL IRENE	795 JORDAN LN UNIT 4	DECATUR GA 30033
BIRRU TESFAYE	1202 GOLDEN CIR	LILBURN GA 30047
WINSTON DONALD B	1101 JUNIPER ST NE 1015	ATLANTA GA 30309
ALI MURAD RAMZAN	771 JORDAN LN UNIT N	DECATUR GA 30033
MCBRIEN JULIA	771 JORDAN LN UNIT P	DECATUR GA 30033
PLANT IMPROVEMENT COMPANY INC	1800 BRIARCLIFF RD NE	ATLANTA GA 30329
DAC HOMES LLC	230 MURPHY ST	BUFORD GA 30518
MILLS ADAM TYLER	823 GARDENIA LN	DECATUR GA 30033
CONNOLLY SEAN M	3131 DEMOCRAT RD	MEMPHIS TN 38118
TIMBERLAKE MARK H	830 ALBERSON CT	DECATUR GA 30033
ANDREWS WILSON JESSICA	823 WHELCHER DR	DECATUR GA 30033
OWENS ALLISON M	817 WHELCHER DR	DECATUR GA 30033
HOOVER MARTIN	2670 BAGLEY RD	CUMMING GA 30041
WE ATLANTIC NORTH DECATUR OWNER LLC	12 COLLEGE RD	MONSEY NY 10952
CHERIANS REAL ESTATE LLC	751 DEKALB INDUSTRIAL WAY	DECATUR GA 30033
GULAMHUSSAIN ALNOOR	170 HARMONY GROVE RD	LILBURN GA 30047
MCCLATCHEY CARL J	2745 HOLLYWOOD DR	DECATUR GA 30033
TOOMSEN ERIC D	2763 HOLLYWOOD DR	DECATUR GA 30033
WOODALL EMILIE A	2756 HOLLYWOOD DR	DECATUR GA 30033
CARR CHARLES A	2782 HOLLYWOOD DR	DECATUR GA 30033
WILKOV JANE	2717 AUROUA ST	DECATUR GA 30033
CHISHOLM TALIBAH	874 CONSTELLATION DR	DECATUR GA 30033
KHOJA NOORALI	834 CONSTELLATION DR	DECATUR GA 30033
SHARP RIANE N	832 CONSTELLATION DR	DECATUR GA 30033
DUBIN JAY L	200 DAVIS GLEN CT	MILTON GA 30004
ALLISON WANDA SMITH	863 CONSTELLATION DR	DECATUR GA 30033
TOWNS AT NORTH DECATUR ASSOCIATION INC	3245 PEACHTREE PKWY TRIPLEX D242	SUWANEE GA 30024
VAN WICK SUSAN M	2992 WOODHAVEN CIR	MACON GA 31204
CHERIAN SOSAMMA	4775 SUMMERSET LN	DUNWOODY GA 30338
RKM GROUP INVESTMENTS LLC	1017 PEARL MIST DR SW	LILBURN GA 30047
BRAMLETTE ANNE WALLACE	809 JORDAN LN UNIT 1	DECATUR GA 30033
KURTZ HAROLD J III	771 JORDAN LN	DECATUR GA 30033
KELLEHER JOAN	771 JORDAN LN UNIT F	DECATUR GA 30033
WILLIAMSON RUTHELEN W	2652 FOX HILLS DR	DECATUR GA 30033
NORTH DEKALB ENTERPRISE LLC	4500 ADMIRAL RIDGE WAY SW	LILBURN GA 30047
WADHWANIYA KASAM	2677 WOODRIDGE DR	DECATUR GA 30033
HALL MARIE MONTANTE	2665 WOODRIDGE DR	DECATUR GA 30033
AIR HOSPITALITY GROUP LLC	P O BOX 3688	LILBURN GA 30048
ATLANTA GAS LIGHT COMPANY	241 RALPH MCGILL BLVD NE DEPT 10081	ATLANTA GA 30308
MITCHELL ALICIA MAE	4691 LUCERNE VALLEY RD	LILBURN GA 30047
KILGORE GERALD RUSSELL	3810 NIKKI LN	LOGANVILLE GA 30052
RANKIN WILLIAM L	2769 HOLLYWOOD DR	DECATUR GA 30033
GULAMHUSSIAN ALNOOR	2723 HOLLYWOOD DR	DECATUR GA 30033
LYONS AMANDA KATE	2739 HOLLYWOOD DR	DECATUR GA 30033
JOLLY KAYLA ALEXANDRA	2709 AURORA ST	DECATUR GA 30033
SHARP RHODA KNOX	2713 AURORA ST	DECATUR GA 30033
BAKER PATRICK DEWAYNE	866 CONSTELLATION DR	DECATUR GA 30033
HARGROVE SHERMIE	860 CONSTELLATION DR	DECATUR GA 30033

Community Meeting Mailing List

KAMALESWARAN RISHIKESAN	849 CONSTELLATION DR	DECATUR GA 30033
KHOJA RAFIQ	855 CONSTELLATION DR	DECATUR GA 30033
ROBINSON WILLIAM E JR	2754 HARRINGTON DR	DECATUR GA 30033
GREEN GAYLA L	2738 HARRINGTON DR	DECATUR GA 30033
SOUTHWELL GARY T	785 JORDAN LN E	DECATUR GA 30033
LAKHAI KAMALUDDIN	1017 PEARL MIST DR SW	LILBURN GA 30047
SHELL EDWARD RANDOLPH JR	793 JORDAN 2 LN UNIT 2	DECATUR GA 30033
OUYANG RONGHUA	3683 EASTBURY DR	JACKSONVILLE FL 32224
LINDER ASHLEY	771 JORDAN LN A	DECATUR GA 30033
SHARMA VIDYA	1953 FISHER TRL NE	ATLANTA GA 30345
ACTON HOLLY M	771 JORDAN LN UNIT J	DECATUR GA 30033
MAILLET REMY OLIVIER	771 JORDAN LN UNIT L	DECATUR GA 30033
GRONBERG ERIC A LIVING TRUST	793 LARRY LN	DECATUR GA 30033
WING BENJAMIN TYLER	833 GARDENIA LN	DECATUR GA 30033
GLASS JASON S	829 GARDENIA LN	DECATUR GA 30033
HIGHT ROSLYNN BATES	820 GARDENIA LN	DECATUR GA 30033
GOOZEE KARLY	839 ALBERSON CT	DECATUR GA 30033
JACQUES CLIFTON MICHAEL	835 ALBERSON CT	DECATUR GA 30033
FARMERY SPENCER S	811 WHELCHER DR	DECATUR GA 30033
HEDRICK JOHN JACKSON IV	806 WHELCHER DR	DECATUR GA 30033
FIVE A TRADING REAL ESTATE LLC	804 JORDAN LN	DECATUR GA 30033
AGA KHAN FOUNDATION U S A	685 DEKALB INDUSTRIAL WAY	DECATUR GA 30033
ADIC INC	133 NEW ST	DECATUR GA 30030
PAPPAS STEPHEN T	2761 ARBORCREST DR	DECATUR GA 30033
MCRA LAURA	5760 MARSHES CT	NORCROSS GA 30071
AIKEN FRAZIER M	2751 HOLLYWOOD DR	DECATUR GA 30033
DEAN NORMA C	2759 HOLLYWOOD DR	DECATUR GA 30033
FARRIS KRISTIN K	2762 HOLLYWOOD DR	DECATUR GA 30033
WILLIAMS ANITA J	2770 HOLLYWOOD DR	DECATUR GA 30033
LALANI SAMEER	872 CONSTELLATION DR	DECATUR GA 30033
MALONE KIMBERLYN	870 CONSTELLATION DR	DECATUR GA 30033
MISJA REBECCA ANN	836 CONSTELLATION DR	DECATUR GA 30033
JENKINS JERRELL D	830 CONSTELLATION DR	DECATUR GA 30033
GIDAY BOOTH SARON	859 CONSTELLATION DR	DECATUR GA 30033
PURVIS ELIZABETH E	861 CONSTELLATION DR	DECATUR GA 30033
DOLAN SEAN ANDREW	773 JORDAN LN # 4	DECATUR GA 30033
LAKHANI KARIM	2208 PACES PARK DR	DECATUR GA 30033
MELISSA G PELHAM IRA	3233 OAKBROOK LN	CLARKSTON GA 30021
LAKHANI KARIM	1017 PEARL MIST DR	LILBURN GA 30047
ZAGRODNY CHRISTOPHER MICHAEL	803 JORDAN LN STE 2	DECATUR GA 30033
CLEVELAND FLORA M	803 JORDAN LN UNIT 3	DECATUR GA 30033
RAJWANI LAILA A	3236 BRIDGE WALK DR	LAWRENCEVILLE GA 30044
GRAMLING TIMOTHY ALLEN	771 JORDAN LN	DECATUR GA 30033
JORDAN KELLY ANN	2662 FOX HILLS DR	DECATUR GA 30033
DECATUR CHURCH PROPERTIES LLC	3520 PIEDMONT RD NE STE 410	ATLANTA GA 30305
LEYRER MICHAEL	2670 WOODRIDGE DR	DECATUR GA 30033
MCKLIN THOMAS E	2646 WOODRIDGE DR	DECATUR GA 30033
JANKE ROBERT MATTHEW	181 AVERY ST	DECATUR GA 30030
JORDAN CLARICE TEAGUE	849 GARDENIA LN	DECATUR GA 30033
WEBER BRIAN L	840 GARDENIA LN	DECATUR GA 30033
GARRISON PROPERTY DEVELOPMENT LLC	5795 CHAUCER CIR	SUWANEE GA 30024
SHERILL ROBERT A III	824 WHELCHER DR	DECATUR GA 30033

Community Meeting Mailing List

MORGAN MONICA	2739 HARRINGTON DR	DECATUR GA 30033
PATEL MAFAT	8110 SAINT LOUIS AVE	SKOKIE IL 60076
GREATER FRIENDSHIP MISSIONARY	PO BOX 33025	DECATUR GA 30033
RUEFLI KATHLEEN	2775 HOLLYWOOD DR	DECATUR GA 30033
AJ CUBE LLC	3250 PEACHTREE INDUSTRIAL BLVD	DULUTH GA 30096
GRANT ROBERT M	806 BRIARCLIFF RD NE APT B	ATLANTA GA 30306
WOO TUCK PROPERTIES LLC	1676 ARROWHEAD TRL NE	ATLANTA GA 30345
DUNCAN THOMAS EUGENE	2715 AURORA ST	DECATUR GA 30033
AYINDE ADEKUNLE REVOCABLE LIVING TRUST	862 CONSTELLATION DR	DECATUR GA 30033
BHIMANI AMAN	846 CONSTELLATION DR	DECATUR GA 30033
RICHARDSON NORMA LATRICE	2714 AURORA ST	DECATUR GA 30033
HENDERSON JERRY JERMAINE	851 CONSTELLATION DR	DECATUR GA 30033
DEKALB COUNTY	1300 COMMERCE DR # 6THF	DECATUR GA 30030
VIRANI ZEENAT	773 JORDAN LN APT 1	DECATUR GA 30033
STORM MANAGEMENT LLC	419 QUINCY ST	BROOKLYN NY 11221
GONZALEZ JUSTIN	785 JORDAN LN UNIT 4	DECATUR GA 30033
SARE KASSIM G	795 JORDAN LN # B1	DECATUR GA 30033
HANFMAN MARK T	P O BOX 15296	ATLANTA GA 30333
ANDERSON MERLE V	809 JORDAN LN # 2	DECATUR GA 30033
PHELPS RUBY M	1459 CAMBRIDGE CMN	DECATUR GA 30033
CHAPMAN CATHERINE H	771 JORDAN LN UNIT K	DECATUR GA 30033
BELLMAN STEPHANIE M CAMPBELL	2661 FOX HILLS DR	DECATUR GA 30033
NORTH DEKALB ONE ENTERPRISES LLC	4500 ADMIRAL RIDGE WAY SW	LILBURN GA 30047
NGUENA GABRIEL	2012 LITTLE RIVER DR	SUWANEE GA 30024
WOODRUFF ABIGAIL ROHDE	2657 WOODRIDGE DR	DECATUR GA 30033
LYNN GREGORY STEVE JR	2631 WOODRIDGE DR	DECATUR GA 30033
LEVY JARED D	846 GARDENIA LN	DECATUR GA 30033
BARGER NATHALIE HUNTER	2605 WOODRIDGE DR	DECATUR GA 30033
FRENCH CLAIRE V	840 WHELCHER DR	DECATUR GA 30033
ZAFARI ABARMARD M	2749 HARRINGTON DR	DECATUR GA 30033
JORDAN LANE INVESTORS LLC	788 JORDAN LN	DECATUR GA 30033
NEW DAIRY GEORGIA LLC	250 FILLMORE ST STE 525	DENVER CO 80206
EL KHALI GEORGES Y	61 ROCKWOOD ST	JAMAICA PLAIN MA 2130
LAKHANI NADIA	2720 HOLLYWOOD DR	DECATUR GA 30033
DAY MATTHEW E	2759 ORION DR	DECATUR GA 30033
PARK WOON YOUNG	698 FREEMAN DR NW	LILBURN GA 30047
MALANI ALIAMMAR	858 CONSTELLATION DR	DECATUR GA 30033
OGLESBY RAE	854 CONSTELLATION DR	DECATUR GA 30033
CHAMBERS DIANE LYNETTE	850 CONSTELLATION DR	DECATUR GA 30033
HATHAWAY CHRISTOPHER	2712 AURORA ST	DECATUR GA 30033
HARRISON ISA	2708 AURORA ST	DECATUR GA 30033
HAWKINS MARLAN WILLIAM	2732 HARRINGTON DR	DECATUR GA 30033
HANDY MARIBEL	4504 CYPRESS MANOR CT	MANVEL TX 77578
SNYDER CODY B	781 JORDAN LN UNIT 3	DECATUR GA 30033
HUMPHREY MARCIA M	14599 SEAFORD CIR # 104	TAMPA FL 33613
WRIGHT LAURIE J	795 JORDAN LN # B3	DECATUR GA 30033
MATHEW CHERIAN	1129 OLD TUCKER RD	STONE MOUNTAIN GA 30087
DIEK GEOFFREY D	4145 N GLOUCESTER PL	ATLANTA GA 30341
RMS PROPERTIES INC	2651 REDDING RD NE	ATLANTA GA 30319
JAMES LASHAN	771 JORDAN LN	DECATUR GA 30033
TOWNHOMES OF DRUID SPRINGS	2888 CARTWRIGHT DR	DECATUR GA 30033
STIVERS REALTY LC	1034 BRENTWOOD BLVD 402	ST LOUIS MO 63117

Community Meeting Mailing List

YORK REGINA H	2036 STANFIELD AVE NW	ATLANTA GA 30318
CRUSE PAIGE L	2639 FOX HILLS DR	DECATUR GA 30033
1795 LAWRENCEVILLE HWY LLC	3139 BRANDY STA	ATLANTA GA 30339
SMITH SHERRY	2660 WOODRIDGE DR	DECATUR GA 30033
HENAO OLGA LUCIA	839 GARDENIA LN	DECATUR GA 30033
HODGE MARY EVELYN	830 GARDENIA LN	DECATUR GA 30033
MAGEE WILLACE D PC	1766 LAWRENCEVILLE HWY	DECATUR GA 30033
BASU NIVEDITA	812 WHELCHER DR	DECATUR GA 30033
FERDINAND AVA	2727 HARRINGTON DR	DECATUR GA 30033
METRO MEDICAL PROPERTIES LLC	11379 SOUTHBRIDGE PKWY # A	ALPHARETTA GA 30022
FIVE A TRADING REAL ESTATE LLC	818 JORDAN LN	DECATUR GA 30033
PONTON MARIKA E	2715 HOLLYWOOD DR	DECATUR GA 30033
SHADINGER LIVING TRUST	2726 HOLLYWOOD DR	DECATUR GA 30033
HAO SHUAI	2781 ORION DR	DECATUR GA 30033
TUCKER DARRELL D	2711 AURORA ST	DECATUR GA 30033
HARP KEISHA SMITH	868 CONSTELLATION DR	DECATUR GA 30033
S AND H FIRST RENTAL LLC	2864 LAURELGATE DR	DECATUR GA 30033
STROUD CRAIG EDWARD II	826 CONSTELLATION DR	DECATUR GA 30033
LORENZE STACIA	847 CONSTELLATION DR	DECATUR GA 30033
PARAYIL EPHREM THOMAS	2746 HARRINGTON DR	DECATUR GA 30033
SHEPHERD JAMES H III	PO BOX 15518	ATLANTA GA 30333
UMBAUGH ELIZABETH A	11 KENSINGTON RD	AVONDALE ESTATE GA 30002
HADDEN BRENDA	781 JORDAN LN # F2	DECATUR GA 30033
MCPEEKS LIVING TRUST	79 SPRINGFIELD DR	NEWNAN GA 30265
VAUGHAN JONATHAN B	793 JORDAN LN # C3	DECATUR GA 30033
DAS SATI	797 JORDAN LN APT 2	DECATUR GA 30033
BAKER RONALD	5541 BIG BOAT DR SW	ATLANTA GA 30331
BURFORD ALICE A	809 JORDAN LN # K4	DECATUR GA 30033
CLOANINGER JANET K	771 JORDAN LN # B	DECATUR GA 30033
WALKER BRIGHAM CODY	1104 ADAMS ST	NEW ORLEANS LA 70118
WINN REBECCA	771 JORDAN LN UNIT M	DECATUR GA 30033
HU YING PING	535 OAKVIEW RD	DECATUR GA 30030
WALKER CHRISTIANE WILSON	869 WINTERGREEN LN	DECATUR GA 30033
LASCANO MAURICIO S	2618 WOODRIDGE DR	DECATUR GA 30033



Battle Law

3562 Habersham at Northlake, Bldg. J, Ste 100
Tucker, Georgia 30084

Zoom Instructions:

Go to <https://www.battlelawpc.com> . On the Home page, please click on “Projects”, then choose “DeKalb County”. Scroll down to the correct “Project Title” and click on “Join Meeting” under the correct meeting date. To join by phone, please dial (646) 558-8656 and enter the Meeting ID and Passcode provided on the web-site.

We encourage you to come out and participate!

Please Note: This meeting is hosted solely by Battle Law, P.C.

For More Information Contact
Brittney Butler at:
Phone: 404-601-7616 ext. 7
Fax: 404-745-0045
Email: btb@battlelawpc.com

CHANGE OF APPROVED CONDITIONS TO ALLOW FOR THE DEVELOPMENT OF AN AUTOMATED CAR WASH

You are invited to a Zoom meeting.

**Project Title: 1849 Lawrenceville
Highway**

When: Wednesday, June 22, 2022

Time: 7:30 PM Eastern (US and Canada)

Register in advance for this meeting:

<https://www.battlelawpc.com>



PROPOSED LOCATION(S):

**1849 Lawrenceville Highway
Decatur, Georgia 30033
Parcel Number**



Battle Law

3562 Habersham at Northlake, Bldg. J, Ste 100
Tucker, Georgia 30084

PLEASE
PLACE
STAMP
HERE

«Name»

«Address»

«City», «State» «Zip»

Community Meeting Sign-In Sheet 6/22/22

First Name	Last Name	Email	Registration Time	Approval Status
Theresia	Snelling	tmsnelling@aol.com	5/31/2022 17:12	approved
Matt	Leatherman	grammymix@gmail.com	6/2/2022 8:03	approved
Virginia	Kevorkian	Ginny.kevorkian@comcast.net	6/5/2022 16:10	approved
Eric	Gronberg	erics.junk@comcast.net	6/6/2022 16:25	approved
Brenda	Hadden	404bhadden@gmail.com	6/8/2022 20:29	approved
Monica	Morgan	monicamorgan180@gmail.com	6/9/2022 8:38	approved
Laurie	Wright	lauriewright13@hotmail.com	6/14/2022 8:42	approved
Jody	Steinberg	jody@jodysteinberg.com	6/15/2022 18:52	approved
Theresa	Same	t_same@bellsouth.net	6/21/2022 19:27	approved
Teresa	Curry	teresacurry@axiscompanies.com	6/22/2022 9:59	approved
Danielle	Wiggins	D.stiner@hotmail.com	6/22/2022 18:50	approved
ayaz		alienterprise87@gmail.com	6/22/2022 19:05	approved
Todd	Ellis	Tellis@naibg.com	6/22/2022 19:17	approved
Alice		a2burf@yahoo.com	6/22/2022 19:19	approved
Emily	Ragan	eragan@hutton.build	6/22/2022 19:23	approved
Joshua	Mahoney	jsm@battlelawpc.com	6/22/2022 19:25	approved
Victoria	Webb	vic@furiousdreams.com	6/22/2022 19:34	approved

DEPARTMENT OF PLANNING & SUSTAINABILITY

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: JUNE 7th 2022

TO WHOM IT MAY CONCERN:

(I), (WE), Karimshah Inc
Name of Owner(s)

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

ModWash, LLC c/o Battle Law, P.C.

Name of Applicant or Representative

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

[Signature]
Notary Public

Karimshah Inc

By: [Signature]

Owner

Notary Public

Owner

Notary Public

Owner

Notary Public

Owner



After recording please return to:
Zain N. Kapadia, Esq.
Kapadia & Naik, Attorney at Law, LLC
7000 Central Pkwy, Suite 1100
Atlanta, Georgia 30328
DeKalb County Tax Parcel ID: 18 063 03 027

STATE OF GEORGIA

COUNTY OF GWINNETT

EXECUTOR'S DEED

THIS INDENTURE is made this 13th day of April, 2022, by and between **AYAZ ALI**, not individually, but as Independent Executor under the Last Will and Testament of Ashiq Ali Vansi a/k/a Ashiq Ali Sadruddin, late of Gwinnett County, Georgia (hereinafter referred to as the "Deceased"), (the aforesaid, as party of the first part, hereinafter called "Grantor"), and **AYAZ ALI**, a Georgia resident, as party of the second part, hereinafter called Grantee (the terms, "Grantor" and "Grantee" to include their respective heirs, successors, successors-in-title, heirs, executors, administrators, legal representatives, and assigns where the context requires or permits).

WITNESSETH:

Grantor, acting under and by virtue of the power and authority contained in the will of the Deceased, it having been duly probated in solemn form on October 26, 2021, in Gwinnett County, Georgia, and subsequently amended to correct the omission of the Deceased's previous surname, and recorded as part of the records of the Probate Court of Gwinnett County, Georgia, on November 3, 2021, **FOR AND IN CONSIDERATION** of the sum of Ten Dollars (\$10.00) in hand paid to Grantor by Grantee at and before the execution, sealing and delivery hereof, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Grantor has granted, bargained, sold, aliened, conveyed and confirmed, and by these presents does grant, bargain, sell, alien, convey and confirm unto Grantee, and the successors, legal representatives and assigns of Grantee, all that certain real property lying and being in DeKalb County, Georgia, being more particularly described on **Exhibit "A"**, attached hereto and incorporated herein by reference, subject only to those matters set forth on **Exhibit "B"**.

TO HAVE AND TO HOLD the said tract or parcel of land unto the said Grantee, its successors and assigns, so that neither the said Grantor nor its heirs, successors or assigns, nor any person claiming under it shall at any time, claim or demand any right, title or interest to the aforesaid described tract or parcel of land or its appurtenances.

{SIGNATURE APPEARS ON THE FOLLOWING PAGE}

IN WITNESS WHEREOF, Grantor has signed and sealed this Executor's Deed as of the day and year first above written.

Signed, sealed and delivered in the presence of:

Munira
 Witness
 Print Name: Munira Goawalla.
Aileen
 Notary Public

(Signature) (SEAL)

AYAZ ALI, not Individually, but as
 Independent Executor under the Last Will and
 Testament of Ashiq Ali Vansi a/k/a Ashiq Ali
 Sadruddin

Commission Expires: 2/16/2025
 (AFFIX NOTARY SEAL)



4/13/2022

EXHIBIT "A"
LEGAL DESCRIPTION

All That Tract of parcel of land lying and being in Land Lot 63 of the 18th District, Dekalb County, Georgia, being more particularly described as follows:

Beginning at a concrete right-of-way monument found at the intersection of the easterly right-of-way (100 feet from centerline) of Lawrenceville Highway and the southerly right-of-way (30 feet from centerline) of Scottdale Road; thence South 54 degrees 25 minutes 09 seconds East 231.28 feet along the southerly right-of-way of Scottdale Road to a 1/2" rebar set; thence South 35 degrees 56 minutes 27 seconds West 220.94 feet to a 1/2" rebar set; thence North 47 degrees 58 minutes 56 seconds West 275.00 feet to a 1/2" rebar set on the easterly right-of-way (56 feet from centerline) of Lawrenceville Highway; thence North 35 degrees 28 minutes 57 seconds East 130.61 feet along said right-of-way to a concrete right-of-way monument (56 feet from centerline); thence continuing along the easterly right-of-way of Lawrenceville Highway North 64 degrees 19 minutes 14 seconds East 40.27 feet to a concrete right-of-way monument found at (75 feet from centerline of Lawrenceville Highway); thence continuing along the southeasterly right-of-way of Lawrenceville Highway South 85 degrees 06 minutes 28 seconds East 29.17 feet to the Point of Beginning; said tract containing 1.27 acres, all according to a plat of survey prepared by Donald W. Harkleroad & Associates, Inc. dated July 21, 1984.

LESS AND EXCEPT SO MUCH OF SAID PROPERTY AS HAS BEEN USED IN WIDENING ANY RIGHT-OF-WAY OF TAKEN BY CONDEMNATION OR CONVEYED BY DEED.

EXHIBIT "B"

TITLE EXCEPTIONS

1. Ad valorem real property taxes for the year 2022 not due and payable.
2. Present and future zoning laws, ordinances, resolutions, orders and regulations of all municipal, county, state or federal governments having jurisdiction over the Property and the use of improvements thereon (including any violations thereof).
3. The lien of any unpaid water charges and sewer rents for the year 2022.
4. The lien of all unpaid assessments encumbering the Property on the date hereof.
5. The lien of all unpaid assessments which first encumber the Property subsequent to the date hereof, and installments thereof.
6. All liens and encumbrances resulting from the investigations by and activities of Grantee or its representatives upon the Property prior to the date hereof.
7. Building codes heretofore or hereafter adopted by any public agency (including any violations thereof).
8. All easements, restrictions, and other matters of record.
9. All matters which would be disclosed by an accurate and current survey and inspection of the Property.
10. That certain billboard lease affecting a portion of the Property dated July 22, 1999, with Lamar Companies as tenant.

After recording please return to:
Zain N. Kapadia, Esq.
Kapadia & Naik, Attorney at Law, LLC
7000 Central Pkwy, Suite 1100
Atlanta, Georgia 30328
DeKalb County Tax Parcel ID: 18 063 03 027

STATE OF GEORGIA

COUNTY OF GWINNETT

LIMITED WARRANTY DEED

THIS INDENTURE is made this 13th day of April, 2022, by and between **AYAZ ALI**, a Georgia resident, (the aforesaid, as party of the first part, hereinafter called "Grantor"), and **KARIMSHAH, INC.**, a Georgia corporation, as party of the second part, hereinafter called Grantee (the terms, "Grantor" and "Grantee" to include their respective heirs, successors, successors-in-title, heirs, executors, administrators, legal representatives, and assigns where the context requires or permits).

WITNESSETH:

FOR AND IN CONSIDERATION of the sum of Ten Dollars (\$10.00) in hand paid to Grantor by Grantee at and before the execution, sealing and delivery hereof, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Grantor has granted, bargained, sold, aliened, conveyed and confirmed, and by these presents does grant, bargain, sell, alien, convey and confirm unto Grantee, and the successors and assigns of Grantee that certain property located in DeKalb County, Georgia, more particularly described on Exhibit "A" attached hereto and incorporated herein by reference (the "**Property**").

TO HAVE AND TO HOLD said Property, together with any and all of the rights, members and appurtenances thereof to the same being, belonging or in anywise appertaining to the only proper use, benefit and behalf of Grantee forever, in fee simple, subject only to those matters set forth on Exhibit "B"; and

GRANTOR SHALL WARRANT and forever defend the right and title to said Property unto Grantee, and the successors and assigns of Grantee, against the claims of all persons whomsoever, claiming by, through or under Grantor, but not otherwise.

IN WITNESS WHEREOF, Grantor has executed and sealed this indenture, and delivered this indenture to Grantee, the day and year first written above.

{SIGNATURE APPEARS ON THE FOLLOWING PAGE}

IN WITNESS WHEREOF, Grantor has signed and sealed this Limited Warranty Deed as of the day and year first above written.

Signed, sealed and delivered in the presence of:

Murina
Unofficial Witness

[Signature]
Notary Public

GRANTOR:

AYAZ ALI,
a Georgia resident

By: [Signature] (SEAL)
Name: Ayaz Ali

My Commission Expires: 2/16/2025

(NOTARIAL SEAL)



4/13/2022

EXHIBIT "A"
LEGAL DESCRIPTION

All That Tract of parcel of land lying and being in Land Lot 63 of the 18th District, Dekalb County, Georgia, being more particularly described as follows:

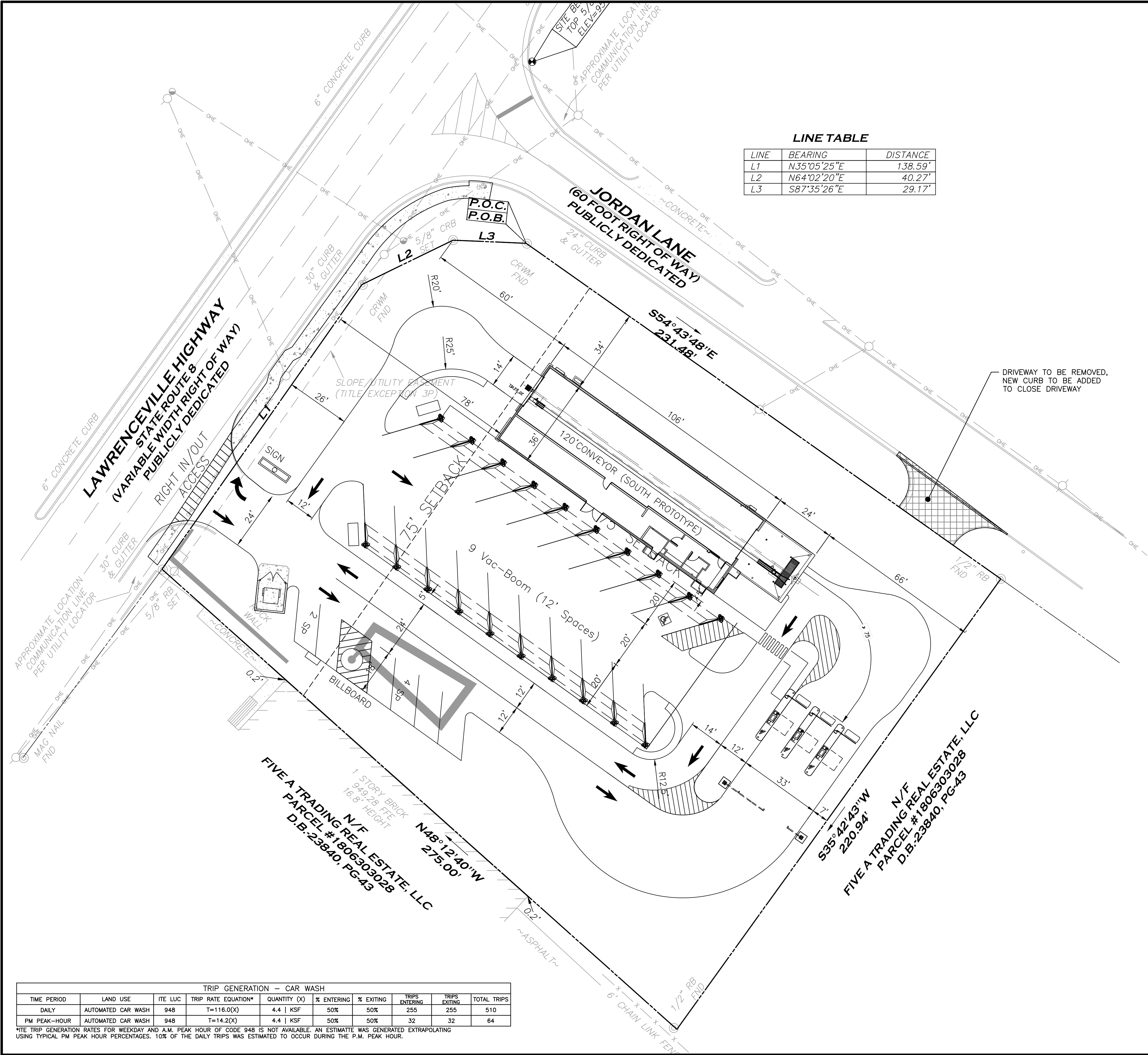
Beginning at a concrete right-of-way monument found at the intersection of the easterly right-of-way (100 feet from centerline) of Lawrenceville Highway and the southerly right-of-way (30 feet from centerline) of Scottdale Road; thence South 54 degrees 25 minutes 09 seconds East 231.28 feet along the southerly right-of-way of Scottdale Road to a 1/2" rebar set; thence South 35 degrees 56 minutes 27 seconds West 220.94 feet to a 1/2" rebar set; thence North 47 degrees 58 minutes 56 seconds West 275.00 feet to a 1/2" rebar set on the easterly right-of-way (56 feet from centerline) of Lawrenceville Highway; thence North 35 degrees 28 minutes 57 seconds East 130.61 feet along said right-of-way to a concrete right-of-way monument (56 feet from centerline); thence continuing along the easterly right-of-way of Lawrenceville Highway North 64 degrees 19 minutes 14 seconds East 40.27 feet to a concrete right-of-way monument found at (75 feet from centerline of Lawrenceville Highway); thence continuing along the southeasterly right-of-way of Lawrenceville Highway South 85 degrees 06 minutes 28 seconds East 29.17 feet to the Point of Beginning; said tract containing 1.27 acres, all according to a plat of survey prepared by Donald W. Harkleroad & Associates, Inc. dated July 21, 1984.

LESS AND EXCEPT SO MUCH OF SAID PROPERTY AS HAS BEEN USED IN WIDENING ANY RIGHT-OF-WAY OF TAKEN BY CONDEMNATION OR CONVEYED BY DEED.

EXHIBIT "B"

TITLE EXCEPTIONS

1. Ad valorem real property taxes for the year 2022 not due and payable.
2. Present and future zoning laws, ordinances, resolutions, orders and regulations of all municipal, county, state or federal governments having jurisdiction over the Property and the use of improvements thereon (including any violations thereof).
3. The lien of any unpaid water charges and sewer rents for the year 2022.
4. The lien of all unpaid assessments encumbering the Property on the date hereof.
5. The lien of all unpaid assessments which first encumber the Property subsequent to the date hereof, and installments thereof.
6. All liens and encumbrances resulting from the investigations by and activities of Grantee or its representatives upon the Property prior to the date hereof.
7. Building codes heretofore or hereafter adopted by any public agency (including any violations thereof).
8. All easements, restrictions, and other matters of record.
9. All matters which would be disclosed by an accurate and current survey and inspection of the Property.
10. That certain billboard lease affecting a portion of the Property dated July 22, 1999, with Lamar Companies as tenant.



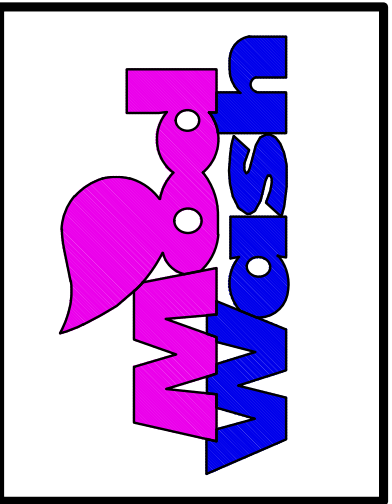
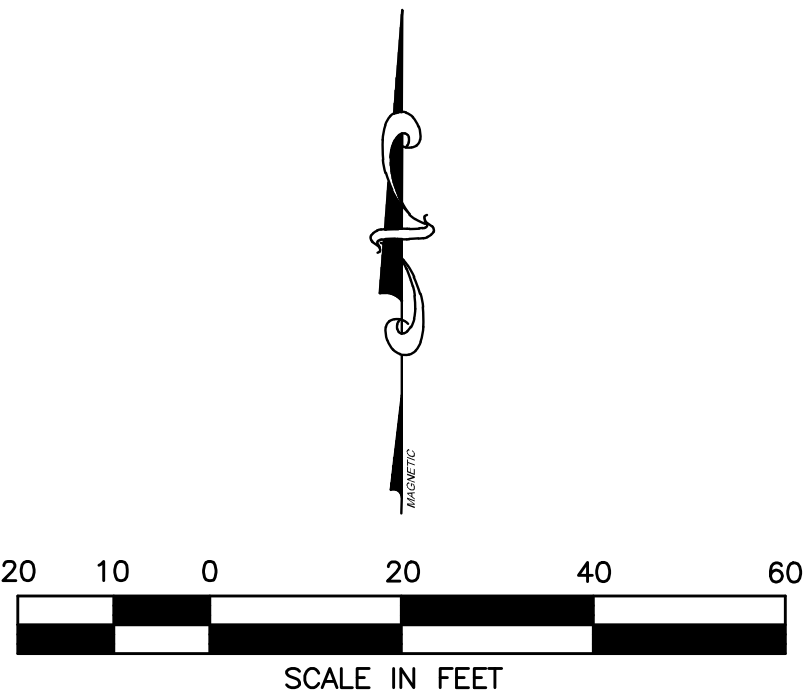
LINE	BEARING	DISTANCE
L1	N35°05'25"E	138.59'
L2	N64°02'20"E	40.27'
L3	S87°35'26"E	29.17'

SITE DATA		
STREET LOCATION: 1849 LAWRENCEVILLE HWY, DECATUR, GEORGIA		
CURRENT SITE AREA: 1.28 A.C. TOTAL		
CURRENT ZONING: C-1 LOCAL COMMERCIAL (FLUM: TC)		
BUILDING TYPE: NEW 120' CONVEYOR		
ZONING REQUIREMENTS	REQUIRED	PROPOSED
BUILDING SETBACKS		
FRONT	20'	>20'
LEFT	15'	>15'
RIGHT	30'	>30'
REAR	20'	>20'
PARKING (MAX.)		
3 STACKING PER LANE	TBD	18 VAC
3 DRYING PER LANE		7 REGULAR
60 DEGREES	9'x17' (14' AISLE)	12'x20'
90 DEGREES	9'x18' (24' AISLE)	-
FAR (MAX.)	90%	8.2%
MIN. OPEN SPACE	15%	34% (0.44 AC.)

HOURS OF OPERATION 8AM TO 8PM

TRIP GENERATION - CAR WASH								
TIME PERIOD	LAND USE	ITE LUC	TRIP RATE EQUATION*	QUANTITY (X)	% ENTERING	% EXITING	TRIPS ENTERING	TRIPS EXITING
DAILY	AUTOMATED CAR WASH	948	T=116.0(X)	4.4 KSF	50%	50%	255	255
PM PEAK-HOUR	AUTOMATED CAR WASH	948	T=14.2(X)	4.4 KSF	50%	50%	32	32

*ITE TRIP GENERATION RATES FOR WEEKDAY AND A.M. PEAK HOUR OF CODE 948 IS NOT AVAILABLE. AN ESTIMATE WAS GENERATED EXTRAPOLATING USING TYPICAL PM PEAK HOUR PERCENTAGES. 10% OF THE DAILY TRIPS WAS ESTIMATED TO OCCUR DURING THE P.M. PEAK HOUR.

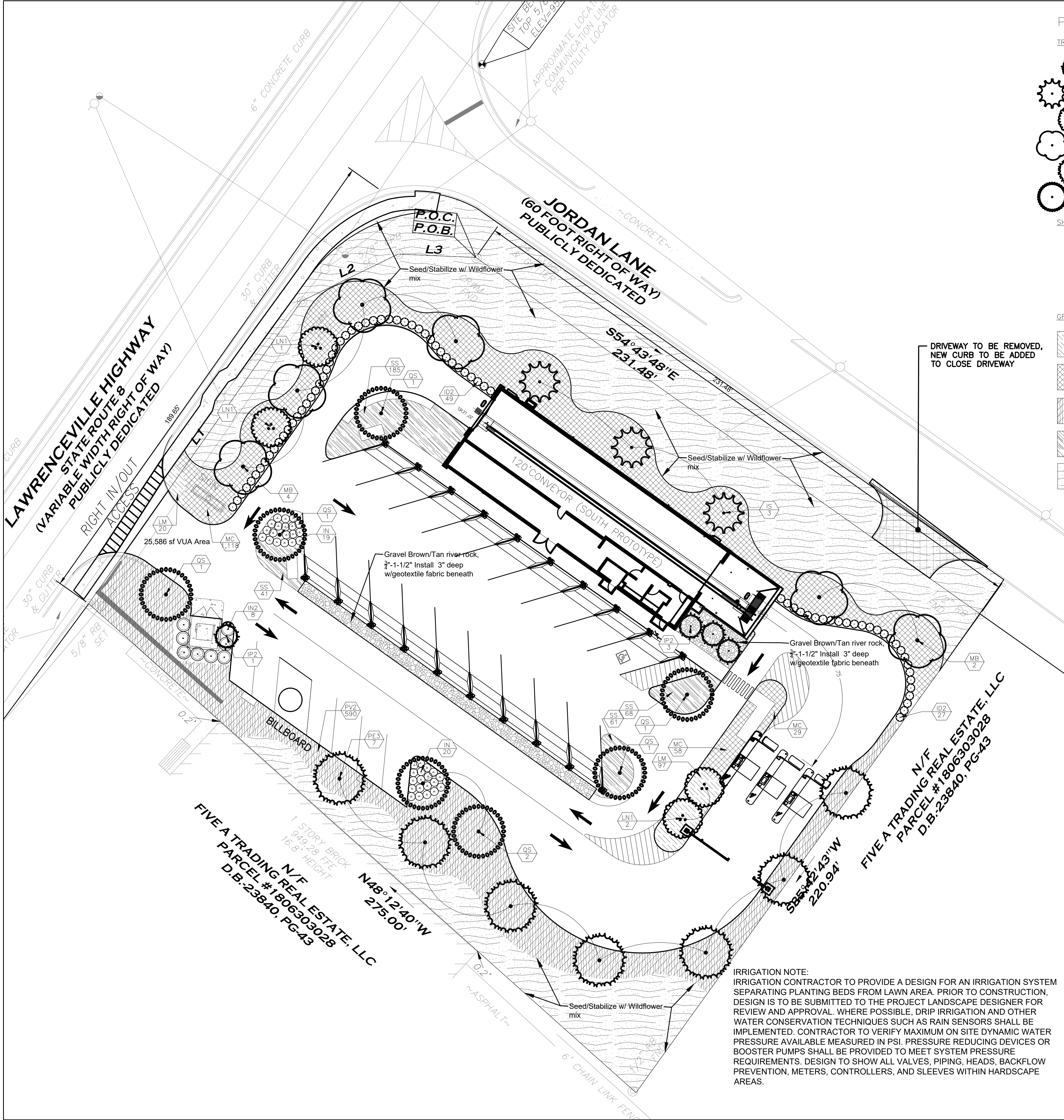


NO.	DATE:	DESCRIPTION	REVISIONS
4			
3			
2			
1			

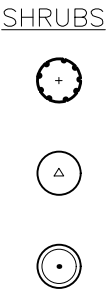
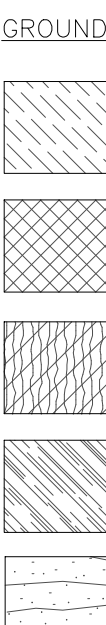


DRAWING TITLE:	
SITE PLAN	
PROJECT NAME:	MODWASH
1849 LAWRENCEVILLE HWY, DECATUR, GEORGIA	
CLIENT:	HUTTON
736 CHERRY STREET, CHATTANOOGA, TENNESSEE 37402	

PROJECT NO.:	PROJ. MGR.:
DATE:	LW
06.07.22	DRWN. BY:
SCALE:	LW
AS NOTED	CHKD. BY:
DRAWING SERIES:	LW
SITE	
SHEET NO.	C-2.0



PLANT_SCHEDULE

	CODE	QTY	BOTANICAL / COMMON NAME	
	IP2	4	Ilex vomitoria 'Pendula' / Weeping Yaupon Holly 7--8' ht. x 4'-5', 1-1/2" CAL., 30 gal	
	IS	3	Ilex x attenuata 'Savannah' / Savannah Holly 10'-12'; ht. x 4'-6' spd. 3' c.t. 2" cal min.	
	LN1	4	LAGERSTROEMIA INDICA 'NATCHEZ' / NATCHEZ CRAPE MYRTLE 6' Ht. 3 - 5 STEMS, 1" CAL. MIN., 3 LARGEST CANES, 30 GAL.	
	MB	6	Magnolia grandiflora 'Brackens Brown Beauty' / Bracken's Beauty Southern Magnolia 12'-14' ht,x 6'-8' spd. 3" cal.	
	PE3	7	PINUS ELLIOTTI / SLASH PINE 12' - 14' HEIGHT, 5' SPREAD MIN., 3" CAL., B & B	
	QS	7	Quercus shumardii / Shumard Oak 14'-16; ht. x 5'-7' spd. 4" cal min.	
SHRUBS	CODE	QTY	BOTANICAL / COMMON NAME	SPACING
	ID2	76	Ilex cornuta 'Dwarf Burford' / Dwarf Burford Holly36" o.c. 18"-24" ht. x 12"-18" spd., 3 gal.	
	IN	39	Ilex vomitoria 'Nana' / Dwarf Yaupon Holly 36" o.c. 12"-16" ht. x 14"-16" spd., 3 gal.	
	IN2	8	Ilex x 'Nellie R Stevens' / Nellie Stevens Holly 60" o.c. 4'-6' ht, x 3'-4' spd. full specimen	
GROUND COVERS	CODE	QTY	BOTANICAL / COMMON NAME	SPACING
	LM	117	Lantana camara 'Gold Mound' / Gold Mound Lantana 24" o.c. Full 1 gallon pots	
	MC	1,205	Muhlenbergia capillaris / Pink Muhly Grass 24" o.c. 12" - 14" ht. x 10"-14" spd., 1 gallon	
	PV2	590	Panicum virgatum / Switch Grass 36" o.c. Full 1 gallon pots	
	SS	355	Schizachyrium scoparium 'Standing Ovation' / Standing Ovation Little Bluestem 24" o.c. Full 1 gallon pots	
Wildflower Seed Georgia Wildflower mix available at Eaden Brothers, 2099 Brevard Road, Arden, N.C. Seed @ 1 lb./12000 s.f.				

-All trees planted to meet tree canopy replacement requirements shall meet ANSI Z60.1 Standards for Nursery Stock and all planting shall be done in accordance with current ANSI A300 Standards for Tree Care Operations, ANSI Z133 Safety Standards and industry best management practices, as well as the administrative standards that accompany this Section.
- Mulch all beds with tan/brown River rock 3/4" x 1-1/2". Install river rock 3 " thick with geotextile cloth beneath.

Modwash - Decatur
Parking lot tree canopy

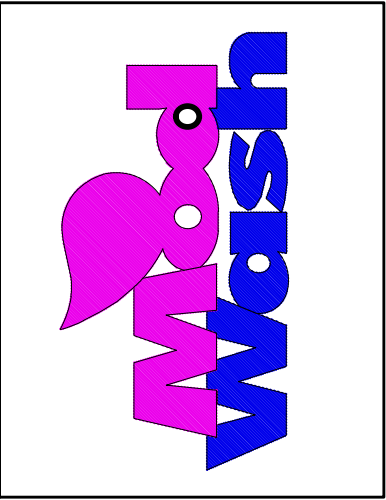
Code	Qty.	Botanical/Common	Remarks	SF Coverage Ea.	SF Coverage Total
IP2	4	Ilex vomitoria 'Pendula' / Weeping Yaupon Holly LAGERSTROEMIA INDICA 'NATCHEZ' /	7-8' ht. x 4'-5', 1-1/2" CAL., 30 gal	150	600
LN1	2	NATCHEZ CRAPE MYRTLE	6' Ht. 3 - 5 STEMS, 1" CAL. MIN., 3 LARGEST	150	300
QS	7	Quercus shumardii / Shumard Oak	14'-16; ht. x 5'-7' spd. 4" cal min.	1600	11200
TOTAL				12100	

VUA GREEN	
VUA	25,586 SF
%GREEN REQUIRED	x 10%
-REQUIRED SF	2,558 SF
-PROVIDED SF	5,073 SF

TREE COVER	
VUA	25,586 SF
%REQUIRED	x 45%
-COVERAGE REQUIRED	11,514 SF
-COVERAGE PROVIDED	12,100 SF

TREES REQUIRED

PERIMETER TREES	Required	Provided
North West 190 lf/40=	5 trees	5 trees
North East 231 lf/40=	6 trees	6 trees
INTERIOR TREES		
PARKING SPACES 24/8 = 3 trees	9 trees	



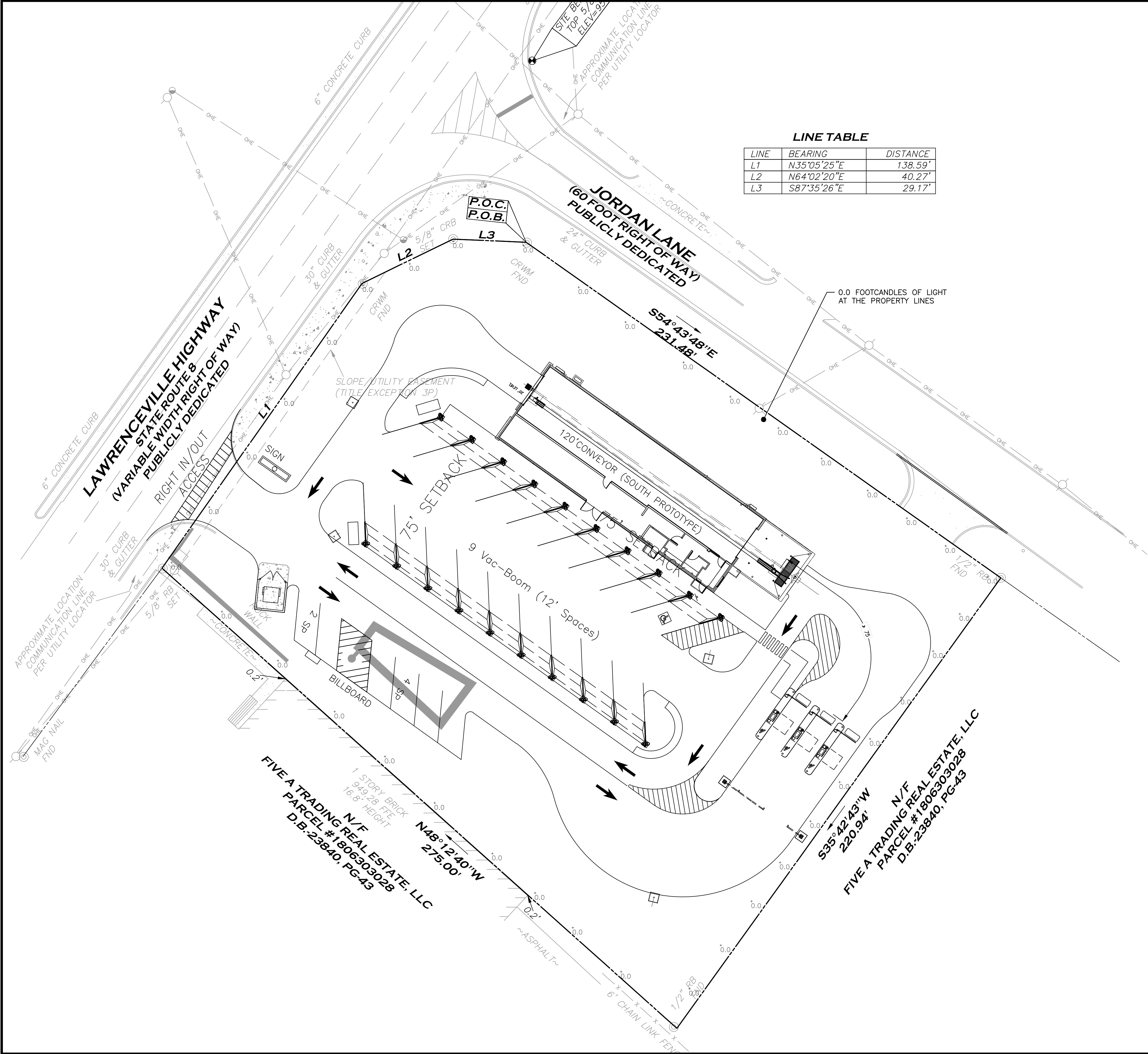
NO.	DATE:	DESCRIPTION
4		
3		
2		
1		



LANDSCAPE PLAN	
PROJECT NAME:	MODWASH
CLIENT:	HUTTON
PROJECT NO.:	1849 LAWRENCEVILLE HWY, DECATUR, GEORGIA
PROJ. MGR.:	7336 CHERRY STREET, CHATTANOOGA, TENNESSEE 37402

PROJECT NO.:	PROJ. MGR.:
DATE:	DRWN. BY:
SCALE:	CHKD. BY:
DRAWING SERIES:	
SHEET NO.	

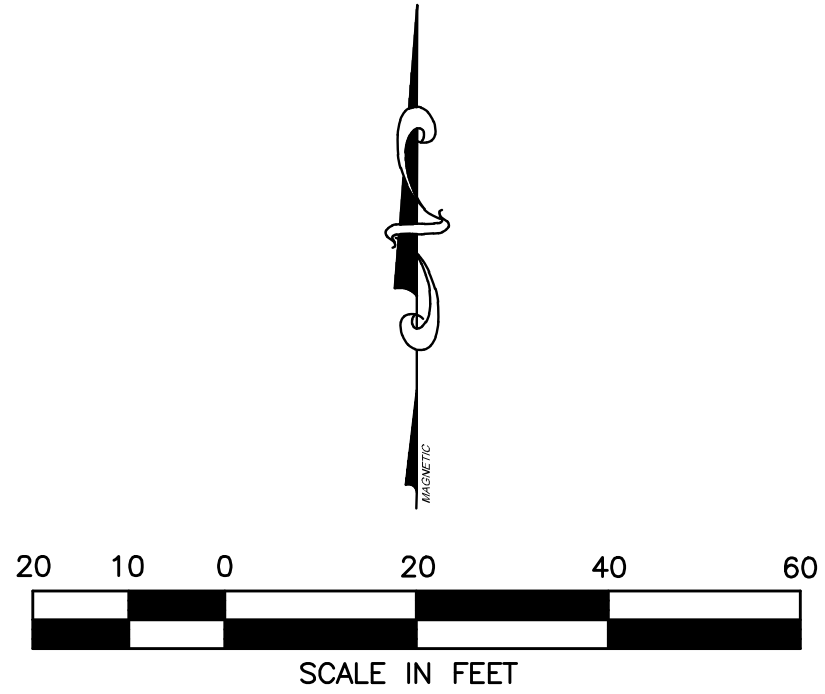
DATE



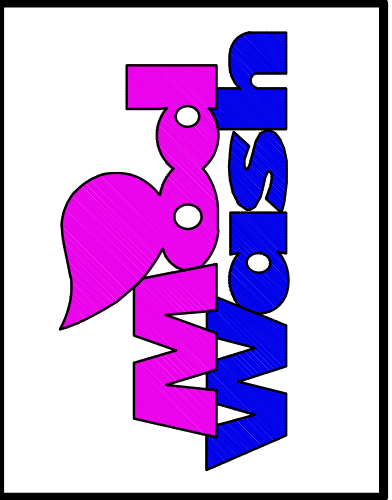
LINE	BEARING	DISTANCE
L1	N35°05'25"E	138.59'
L2	N64°02'20"E	40.27'
L3	S87°35'26"E	29.17'

- LIGHTING NOTES:**
1. LIGHTING IN ALL ZONING DISTRICTS SHALL BE ESTABLISHED IN SUCH A WAY THAT NO DIRECT LIGHT IS CAST UPON OR ADVERSELY AFFECTS ADJACENT PROPERTIES AND ROADWAYS.
 2. LIGHT FIXTURES SHALL INCLUDE GLARE SHIELDS TO LIMIT DIRECT RAYS ONTO ADJACENT RESIDENTIAL PROPERTIES.
 3. ALL LIGHTING FIXTURES (LUMINARIES) SHALL BE CUTOFF LUMINARIES WHOSE SOURCE IS COMPLETELY CONCEALED WITH AN OPAQUE HOUSING. FIXTURES SHALL BE RECESSED IN THE OPAQUE HOUSING. DROP DISH REFRACTORS ARE PROHIBITED.
 4. LIGHT SOURCE SHALL BE LIGHT EMITTING DIODES (LED), METAL HALIDE, OR COLOR CORRECTED HIGH-PRESSURE SODIUM NOT EXCEEDING AN AVERAGE OF FOUR AND ONE-HALF (4.5) FOOT CANDLES OF LIGHT OUTPUT THROUGHOUT THE PARKING AREA. A SINGLE LIGHT SOURCE TYPE SHALL BE USED FOR ANY ONE (1) SITE. FIXTURES MUST BE MOUNTED IN SUCH A MANNER THAT THE CONE OF THE LIGHT IS NOT DIRECTED AT ANY PROPERTY LINE OF SITE.
 5. THE MINIMUM MOUNTING HEIGHT FOR A POLE IS TWELVE (12) FEET. THE MAXIMUM MOUNTING HEIGHT FOR A POLE IS TWENTY-FIVE (25) FEET EXCLUDING A THREE-FOOT BASE.

DEKALB COUNTY REQUIRED LIGHTING LEVELS:			
Location or Type of Lighting	Minimum Level	Average Level	Maximum Level
Non-residential parking lots	0.6	2.40	10.0
Multifamily residential parking Lots	0.2	1.50	10.0
Walkways, access drives and loading/unloading areas	0.2	2.00	10.0
Landscaped areas	0.0	0.50	5.0



DATE

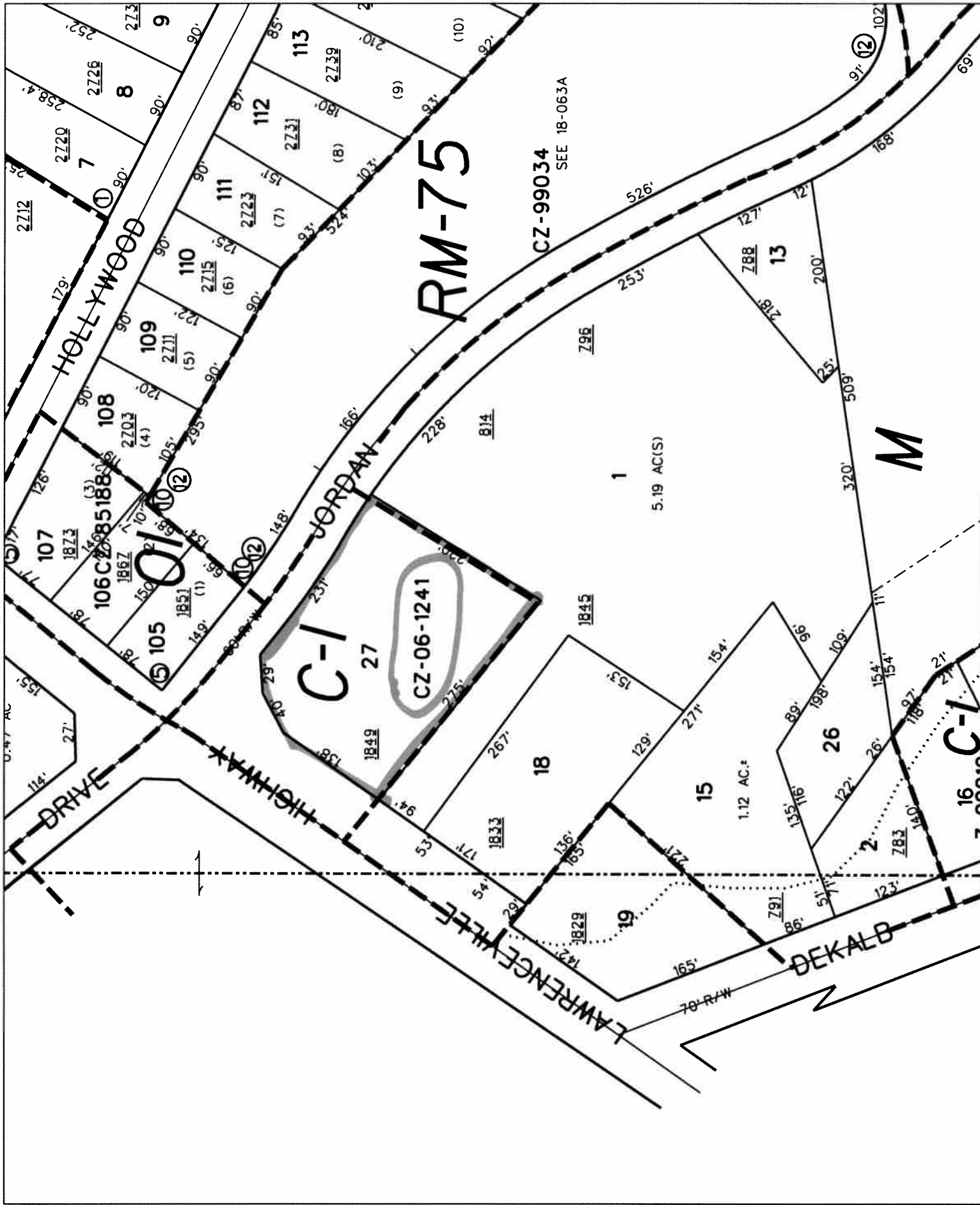


REVISIONS	
NO.	DATE: DESCRIPTION
4	
3	
2	
1	



DRAWING TITLE:	LIGHTING PLAN
	PROJECT NAME:
	CLIENT:
PROJECT NO.:	
DATE:	
SCALE:	
DRAWING SERIES:	
SHEET NO.	

PROJECT NO.:	PROJ. MGR.:
DATE:	DRWN. BY:
SCALE:	CHKD. BY:
DRAWING SERIES:	
SHEET NO.	



DEKALB COUNTY

ITEM NO.

BOARD OF COMMISSIONERS

HEARING TYPE
PUBLIC HEARING

ZONING AGENDA / MINUTES

MEETING DATE: June 27, 2006

ACTION TYPE
ORDINANCE

SUBJECT: Rezone – Chung C. Chang

COMMISSION DISTRICTS: 4 & 6

DEPARTMENT: Planning

PUBLIC HEARING: ☒ YES ☐ NO

ATTACHMENT: ☒ YES ☐ No

INFORMATION CONTACT: Patrick Ejike/Kevin Hunter

PAGES: 19

PHONE NUMBER: (404) 371-2155

Deferred from 5/23/06 for a public hearing.

PURPOSE:

Z-06-1241

Application of Chung C. Chang to rezone property from M to C-1. The property is located on the southeast corner of Lawrenceville Highway and Jordan Lane. The property has approximately 178 feet of frontage on Lawrenceville Highway and approximately 260 feet of frontage on Jordan Lane and contains 1.27 acres.

Subject Property: 18-063

RECOMMENDATION(S):

PLANNING DEPARTMENT:

APPROVAL. Based on the submitted information as well as field investigation of the project site, it appears that the proposed zoning amendment meets the minimum requirements of the zoning ordinance for approval of the zoning proposal. It should be noted that the submitted site plan depicts building setbacks that do not meet building requirements of the zoning ordinance. Therefore, approval cannot be conditioned on the submitted site plan. In any event, it is the recommendation of the Planning and Development Department that this application be "Approved".

PLANNING COMMISSION:

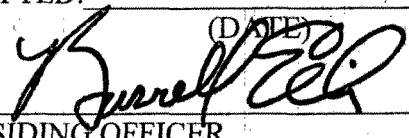
Denial.

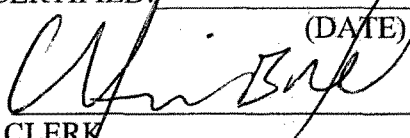
COMMUNITY COUNCIL:

Other (No Quorum)

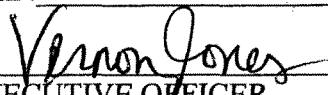
FOR USE BY COMMISSION OFFICE/CLERK ONLY**ACTION: H21**

MOTION was made by Commissioner Gannon, seconded by Commissioner Ellis, and passed 5-0-0-1, to approve with conditions and site plan submitted by Commissioner Gannon for the record, the rezoning application of Chung C. Chang. Commissioner Johnson was out of the room and not voting.

ADOPTED: JUN 27 2006
 (DATE)

 PRESIDING OFFICER
 DEKALB COUNTY BOARD OF COMMISSIONERS

CERTIFIED: JUN 27 2006
 (DATE)

 CLERK,
 DEKALB COUNTY BOARD
 OF COMMISSIONERS

FOR USE BY CHIEF EXECUTIVE OFFICER ONLY

APPROVED: JUL 05 2006

 CHIEF EXECUTIVE OFFICER
 DEKALB COUNTY

VETOED: _____
 CHIEF EXECUTIVE OFFICER
 DEKALB COUNTY

VETO STATEMENT ATTACHED: _____

MINUTES:

Charles Chang, 11020 Black Brook Drive, Duluth, Ga. 30097 and Wanda Moore, 23 Hampton Street, McDonough, Ga. 30252, spoke in support of the application.

No one spoke in opposition of the application.

	FOR	AGAINST	ABSTAIN	ABSENT
DISTRICT 1 - ELAINE BOYER	<u>X</u>			
DISTRICT 2 - GALE WALLDORFF	<u>X</u>			
DISTRICT 3 - LARRY JOHNSON				<u>X</u>
DISTRICT 4 - BURRELL ELLIS	<u>X</u>			
DISTRICT 6 - KATHIE GANNON	<u>X</u>			
DISTRICT 7 - CONNIE STOKES	<u>X</u>			

Z-06-1241
Chang/Ali

~~11/17~~

M → C1

District 4 - 6

To: MR. Chang

Approve with conditions:

COMM.	
ITEM NO. <u>H-21</u>	<u>6/27/06</u>
CLERK'S OFFICE	<u>Com. Jammal</u>

- the the*
1. Conditioned to office and retail uses only.
 2. No drive-thru restaurants or liquor/package stores.
 3. Building to be set back in line with adjacent property
 4. Parking lot to include as many trees as code allows.
 5. Use existing curb cut on Lawrenceville Highway for ingress and egress and close access on Jordan Lane.

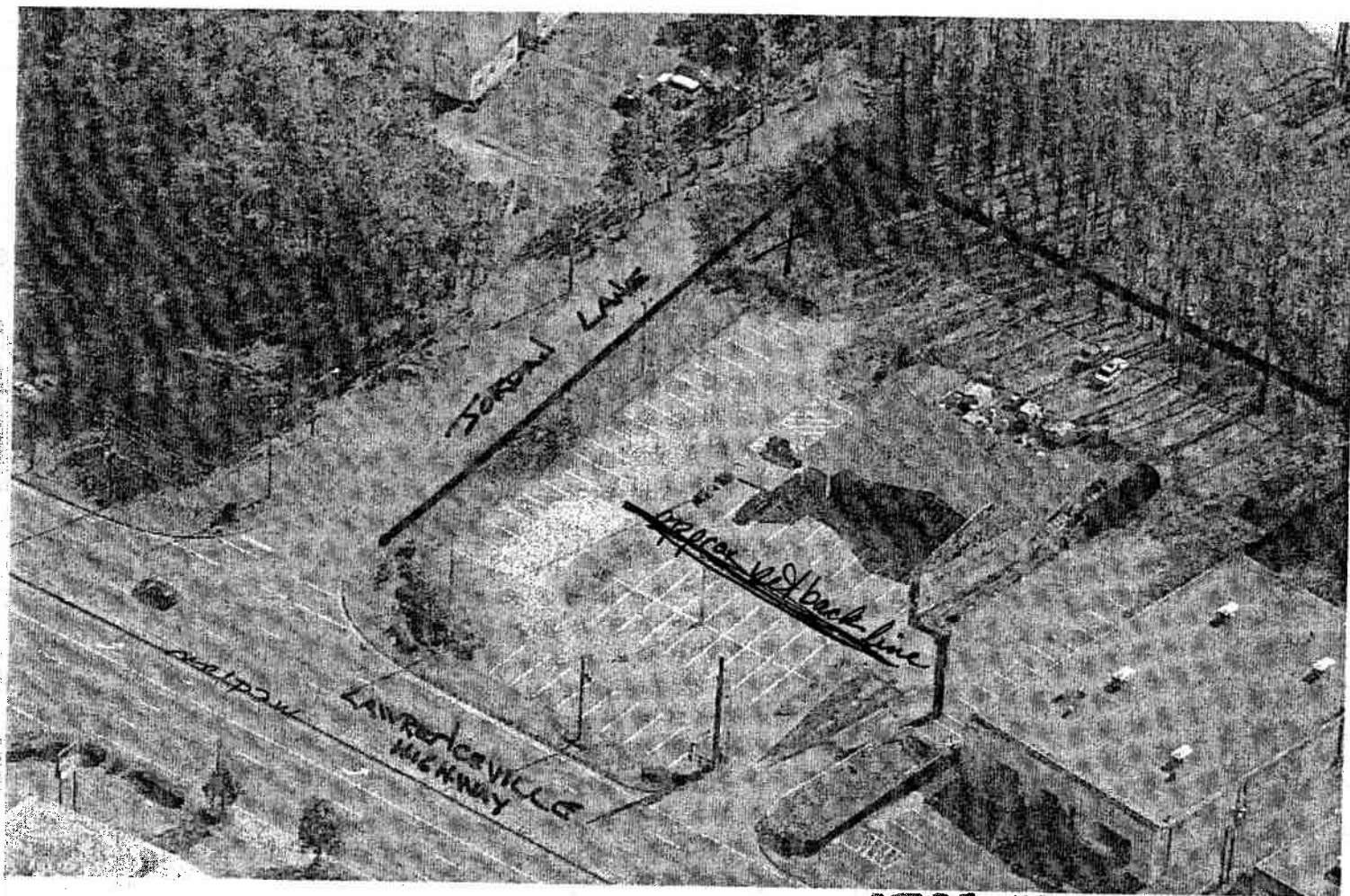
5/23/06

*Public hearing
start about 10AM - 10:30
and you are item
#21*

MR Chang

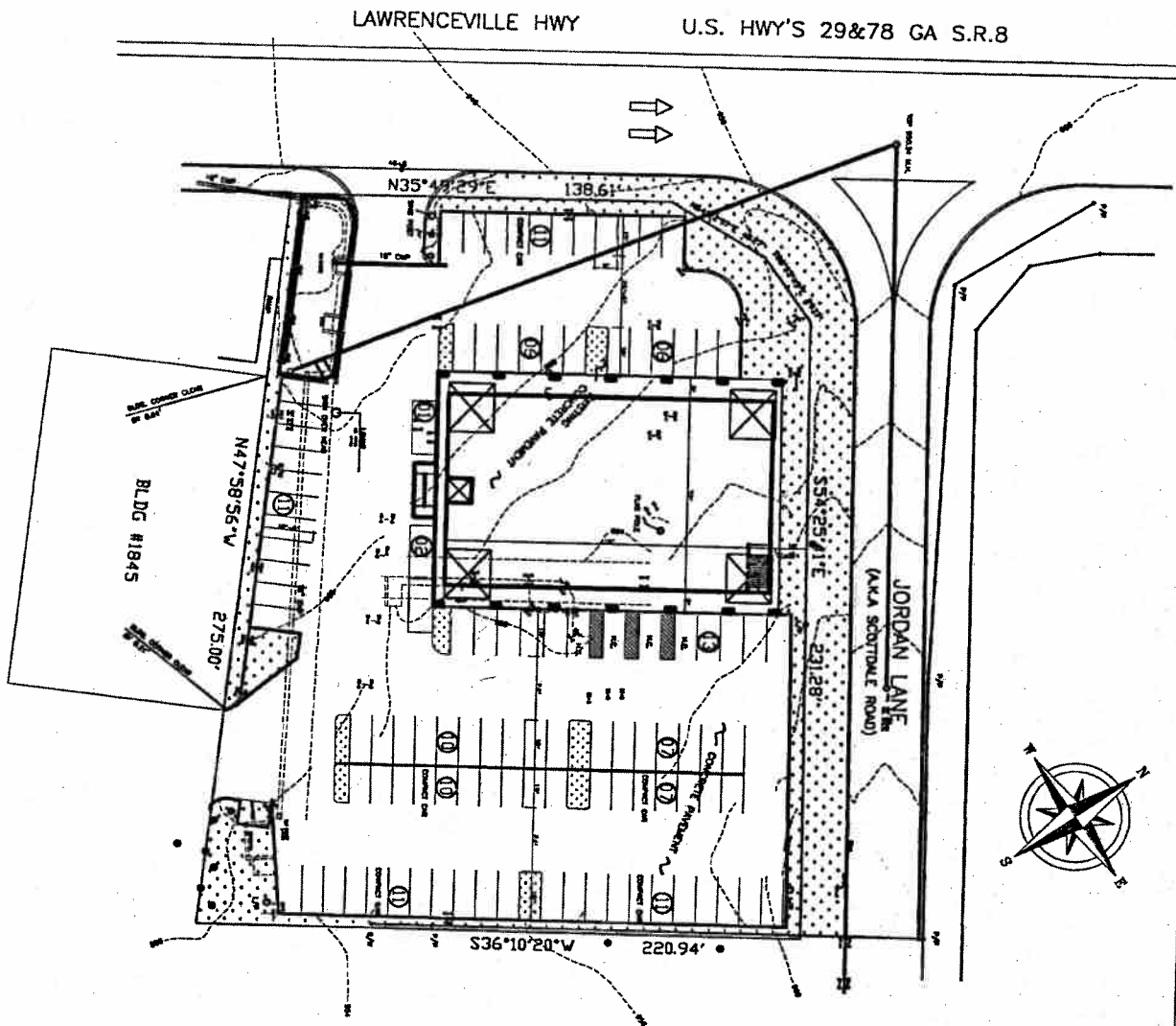
These are the conditions proposed
for Mr Ali's rezoning from
M to C-1 on the morning
of June 27*. Please let
me know if questions

Commissioner GANNON
404-371-4909



BEFORE (c) Copyright 2003, Pictometry International

Z-06-1241



SITE PLAN

1"=50'-0"

TOTAL PARKING: 106 PARKINGS

C1	NO. 1	NO. 2	NO. 3	NO. 4	NO. 5	NO. 6	NO. 7	NO. 8	NO. 9	NO. 10	NO. 11	NO. 12	NO. 13	NO. 14	NO. 15	NO. 16	NO. 17	NO. 18	NO. 19	NO. 20	NO. 21	NO. 22	NO. 23	NO. 24	NO. 25	NO. 26	NO. 27	NO. 28	NO. 29	NO. 30	NO. 31	NO. 32	NO. 33	NO. 34	NO. 35	NO. 36	NO. 37	NO. 38	NO. 39	NO. 40	NO. 41	NO. 42	NO. 43	NO. 44	NO. 45	NO. 46	NO. 47	NO. 48	NO. 49	NO. 50	NO. 51	NO. 52	NO. 53	NO. 54	NO. 55	NO. 56	NO. 57	NO. 58	NO. 59	NO. 60	NO. 61	NO. 62	NO. 63	NO. 64	NO. 65	NO. 66	NO. 67	NO. 68	NO. 69	NO. 70	NO. 71	NO. 72	NO. 73	NO. 74	NO. 75	NO. 76	NO. 77	NO. 78	NO. 79	NO. 80	NO. 81	NO. 82	NO. 83	NO. 84	NO. 85	NO. 86	NO. 87	NO. 88	NO. 89	NO. 90	NO. 91	NO. 92	NO. 93	NO. 94	NO. 95	NO. 96	NO. 97	NO. 98	NO. 99	NO. 100	NO. 101	NO. 102	NO. 103	NO. 104	NO. 105	NO. 106	NO. 107	NO. 108	NO. 109	NO. 110	NO. 111	NO. 112	NO. 113	NO. 114	NO. 115	NO. 116	NO. 117	NO. 118	NO. 119	NO. 120	NO. 121	NO. 122	NO. 123	NO. 124	NO. 125	NO. 126	NO. 127	NO. 128	NO. 129	NO. 130	NO. 131	NO. 132	NO. 133	NO. 134	NO. 135	NO. 136	NO. 137	NO. 138	NO. 139	NO. 140	NO. 141	NO. 142	NO. 143	NO. 144	NO. 145	NO. 146	NO. 147	NO. 148	NO. 149	NO. 150	NO. 151	NO. 152	NO. 153	NO. 154	NO. 155	NO. 156	NO. 157	NO. 158	NO. 159	NO. 160	NO. 161	NO. 162	NO. 163	NO. 164	NO. 165	NO. 166	NO. 167	NO. 168	NO. 169	NO. 170	NO. 171	NO. 172	NO. 173	NO. 174	NO. 175	NO. 176	NO. 177	NO. 178	NO. 179	NO. 180	NO. 181	NO. 182	NO. 183	NO. 184	NO. 185	NO. 186	NO. 187	NO. 188	NO. 189	NO. 190	NO. 191	NO. 192	NO. 193	NO. 194	NO. 195	NO. 196	NO. 197	NO. 198	NO. 199	NO. 200	NO. 201	NO. 202	NO. 203	NO. 204	NO. 205	NO. 206	NO. 207	NO. 208	NO. 209	NO. 210	NO. 211	NO. 212	NO. 213	NO. 214	NO. 215	NO. 216	NO. 217	NO. 218	NO. 219	NO. 220	NO. 221	NO. 222	NO. 223	NO. 224	NO. 225	NO. 226	NO. 227	NO. 228	NO. 229	NO. 230	NO. 231	NO. 232	NO. 233	NO. 234	NO. 235	NO. 236	NO. 237	NO. 238	NO. 239	NO. 240	NO. 241	NO. 242	NO. 243	NO. 244	NO. 245	NO. 246	NO. 247	NO. 248	NO. 249	NO. 250	NO. 251	NO. 252	NO. 253	NO. 254	NO. 255	NO. 256	NO. 257	NO. 258	NO. 259	NO. 260	NO. 261	NO. 262	NO. 263	NO. 264	NO. 265	NO. 266	NO. 267	NO. 268	NO. 269	NO. 270	NO. 271	NO. 272	NO. 273	NO. 274	NO. 275	NO. 276	NO. 277	NO. 278	NO. 279	NO. 280	NO. 281	NO. 282	NO. 283	NO. 284	NO. 285	NO. 286	NO. 287	NO. 288	NO. 289	NO. 290	NO. 291	NO. 292	NO. 293	NO. 294	NO. 295	NO. 296	NO. 297	NO. 298	NO. 299	NO. 300	NO. 301	NO. 302	NO. 303	NO. 304	NO. 305	NO. 306	NO. 307	NO. 308	NO. 309	NO. 310	NO. 311	NO. 312	NO. 313	NO. 314	NO. 315	NO. 316	NO. 317	NO. 318	NO. 319	NO. 320	NO. 321	NO. 322	NO. 323	NO. 324	NO. 325	NO. 326	NO. 327	NO. 328	NO. 329	NO. 330	NO. 331	NO. 332	NO. 333	NO. 334	NO. 335	NO. 336	NO. 337	NO. 338	NO. 339	NO. 340	NO. 341	NO. 342	NO. 343	NO. 344	NO. 345	NO. 346	NO. 347	NO. 348	NO. 349	NO. 350	NO. 351	NO. 352	NO. 353	NO. 354	NO. 355	NO. 356	NO. 357	NO. 358	NO. 359	NO. 360	NO. 361	NO. 362	NO. 363	NO. 364	NO. 365	NO. 366	NO. 367	NO. 368	NO. 369	NO. 370	NO. 371	NO. 372	NO. 373	NO. 374	NO. 375	NO. 376	NO. 377	NO. 378	NO. 379	NO. 380	NO. 381	NO. 382	NO. 383	NO. 384	NO. 385	NO. 386	NO. 387	NO. 388	NO. 389	NO. 390	NO. 391	NO. 392	NO. 393	NO. 394	NO. 395	NO. 396	NO. 397	NO. 398	NO. 399	NO. 400	NO. 401	NO. 402	NO. 403	NO. 404	NO. 405	NO. 406	NO. 407	NO. 408	NO. 409	NO. 410	NO. 411	NO. 412	NO. 413	NO. 414	NO. 415	NO. 416	NO. 417	NO. 418	NO. 419	NO. 420	NO. 421	NO. 422	NO. 423	NO. 424	NO. 425	NO. 426	NO. 427	NO. 428	NO. 429	NO. 430	NO. 431	NO. 432	NO. 433	NO. 434	NO. 435	NO. 436	NO. 437	NO. 438	NO. 439	NO. 440	NO. 441	NO. 442	NO. 443	NO. 444	NO. 445	NO. 446	NO. 447	NO. 448	NO. 449	NO. 450	NO. 451	NO. 452	NO. 453	NO. 454	NO. 455	NO. 456	NO. 457	NO. 458	NO. 459	NO. 460	NO. 461	NO. 462	NO. 463	NO. 464	NO. 465	NO. 466	NO. 467	NO. 468	NO. 469	NO. 470	NO. 471	NO. 472	NO. 473	NO. 474	NO. 475	NO. 476	NO. 477	NO. 478	NO. 479	NO. 480	NO. 481	NO. 482	NO. 483	NO. 484	NO. 485	NO. 486	NO. 487	NO. 488	NO. 489	NO. 490	NO. 491	NO. 492	NO. 493	NO. 494	NO. 495	NO. 496	NO. 497	NO. 498	NO. 499	NO. 500	NO. 501	NO. 502	NO. 503	NO. 504	NO. 505	NO. 506	NO. 507	NO. 508	NO. 509	NO. 510	NO. 511	NO. 512	NO. 513	NO. 514	NO. 515	NO. 516	NO. 517	NO. 518	NO. 519	NO. 520	NO. 521	NO. 522	NO. 523	NO. 524	NO. 525	NO. 526	NO. 527	NO. 528	NO. 529	NO. 530	NO. 531	NO. 532	NO. 533	NO. 534	NO. 535	NO. 536	NO. 537	NO. 538	NO. 539	NO. 540	NO. 541	NO. 542	NO. 543	NO. 544	NO. 545	NO. 546	NO. 547	NO. 548	NO. 549	NO. 550	NO. 551	NO. 552	NO. 553	NO. 554	NO. 555	NO. 556	NO. 557	NO. 558	NO. 559	NO. 560	NO. 561	NO. 562	NO. 563	NO. 564	NO. 565	NO. 566	NO. 567	NO. 568	NO. 569	NO. 570	NO. 571	NO. 572	NO. 573	NO. 574	NO. 575	NO. 576	NO. 577	NO. 578	NO. 579	NO. 580	NO. 581	NO. 582	NO. 583	NO. 584	NO. 585	NO. 586	NO. 587	NO. 588	NO. 589	NO. 590	NO. 591	NO. 592	NO. 593	NO. 594	NO. 595	NO. 596	NO. 597	NO. 598	NO. 599	NO. 600	NO. 601	NO. 602	NO. 603	NO. 604	NO. 605	NO. 606	NO. 607	NO. 608	NO. 609	NO. 610	NO. 611	NO. 612	NO. 613	NO. 614	NO. 615	NO. 616	NO. 617	NO. 618	NO. 619	NO. 620	NO. 621	NO. 622	NO. 623	NO. 624	NO. 625	NO. 626	NO. 627	NO. 628	NO. 629	NO. 630	NO. 631	NO. 632	NO. 633	NO. 634	NO. 635	NO. 636	NO. 637	NO. 638	NO. 639	NO. 640	NO. 641	NO. 642	NO. 643	NO. 644	NO. 645	NO. 646	NO. 647	NO. 648	NO. 649	NO. 650	NO. 651	NO. 652	NO. 653	NO. 654	NO. 655	NO. 656	NO. 657	NO. 658	NO. 659	NO. 660	NO. 661	NO. 662	NO. 663	NO. 664	NO. 665	NO. 666	NO. 667	NO. 668	NO. 669	NO. 670	NO. 671	NO. 672	NO. 673	NO. 674	NO. 675	NO. 676	NO. 677	NO. 678	NO. 679	NO. 680	NO. 681	NO. 682	NO. 683	NO. 684	NO. 685	NO. 686	NO. 687	NO. 688	NO. 689	NO. 690	NO. 691	NO. 692	NO. 693	NO. 694	NO. 695	NO. 696	NO. 697	NO. 698	NO. 699	NO. 700	NO. 701	NO. 702	NO. 703	NO. 704	NO. 705	NO. 706	NO. 707	NO. 708	NO. 709	NO. 710	NO. 711	NO. 712	NO. 713	NO. 714	NO. 715	NO. 716	NO. 717	NO. 718	NO. 719	NO. 720	NO. 721	NO. 722	NO. 723	NO. 724	NO. 725	NO. 726	NO. 727	NO. 728	NO. 729	NO. 730	NO. 731	NO. 732	NO. 733	NO. 734	NO. 735	NO. 736	NO. 737	NO. 738	NO. 739	NO. 740	NO. 741	NO. 742	NO. 743	NO. 744	NO. 745	NO. 746	NO. 747	NO. 748	NO. 749	NO. 750	NO. 751	NO. 752	NO. 753	NO. 754	NO. 755	NO. 756	NO. 757	NO. 758	NO. 759	NO. 760	NO. 761	NO. 762	NO. 763	NO. 764	NO. 765	NO. 766	NO. 767	NO. 768	NO. 769	NO. 770	NO. 771	NO. 772	NO. 773	NO. 774	NO. 775	NO. 776	NO. 777	NO. 778	NO. 779	NO. 780	NO. 781	NO. 782	NO. 783	NO. 784	NO. 785	NO. 786	NO. 787	NO. 788	NO. 789	NO. 790	NO. 791	NO. 792	NO. 793	NO. 794	NO. 795	NO. 796	NO. 797	NO. 798	NO. 799	NO. 800	NO. 801	NO. 802	NO. 803	NO. 804	NO. 805	NO. 806	NO. 807	NO. 808	NO. 809	NO. 810	NO. 811	NO. 812	NO. 813	NO. 814	NO. 815	NO. 816	NO. 817	NO. 818	NO. 819	NO. 820	NO. 821	NO. 822	NO. 823	NO. 824	NO. 825	NO. 826	NO. 827	NO. 828	NO. 829	NO. 830	NO. 831	NO. 832	NO. 833	NO. 834	NO. 835	NO. 836	NO. 837	NO. 838	NO. 839	NO. 840	NO. 841	NO. 842	NO. 843	NO. 844	NO. 845	NO. 846	NO. 847	NO. 848	NO. 849	NO. 850	NO. 851	NO. 852	NO. 853	NO. 854	NO. 855	NO. 856	NO. 857	NO. 858	NO. 859	NO. 860	NO. 861	NO. 862	NO. 863	NO. 864	NO. 865	NO. 866	NO. 867	NO. 868	NO. 869	NO. 870	NO. 871	NO. 872	NO. 873	NO. 874	NO. 875	NO. 876	NO. 877	NO. 878	NO. 879	NO. 880	NO. 881	NO. 882	NO. 883	NO. 884	NO. 885	NO. 886	NO. 887	NO. 888	NO. 889	NO. 890	NO. 891
----	-------	-------	-------	-------	-------	-------	-------	-------	-------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	--------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------

[illegible]



Battle Law

STATEMENT OF INTENT

and

Other Material Required by
DeKalb County Zoning Ordinance
For
A Major Modification of Conditions to allow for
An Express Luxury Car Wash

of

MODWASH, LLC.
c/o Battle Law, P.C.

for

+/-1.26Acres of Land
Being 1849 Lawrenceville Highway
DeKalb County, Georgia and
Parcel Nos. 18 063 03 027

Submitted for Applicant by:

Michèle L. Battle, Esq.
Battle Law, P.C.
Habersham at Northlake, Building J, Suite 100
Tucker, Georgia 300384
(404) 601-7616 Phone
(404) 745-0045 Facsimile
mlb@battlelawpc.com



Battle Law

I. LETTER OF INTENT

ModWash, LLC. (the “Applicant”) is seeking to develop on +/- 1.26 acres of land being Tax Parcel No. 18 063 03 027 having frontage on 1849 Lawrenceville Highway (the “Subject Property”) with an express luxury car wash. The Applicant is seeking a Major Modification of Conditions on the Subject Property to allow for the car wash. Currently, a condition exists limiting the use of the Subject Property to a car dealership, which has ceased all operations. The condition in question arises from zoning case Z-0601241 and is condition number one (1).

This document serves as a statement of intent, analysis of the criteria under the DeKalb County Zoning Ordinance, and contains notice of constitutional allegations as a reservation of the Applicant’s rights.

II. MAJOR MODIFICATION OF CONDITIONS CRITERIA

Whether the zoning proposal is in conformity with the policy and intent of the Comprehensive Plan;

The zoning proposal is in conformity with the policy and intent of the Comprehensive Plan. The future land use designation on the Subject Property is Town Center, which permits the C-1 zoning district and its uses. The zoning proposal does not seek to change the zoning district on the Subject Property. Rather, the zoning proposal seeks to change condition one (1) as laid down in zoning case Z-0601241 which restricts the use of the Subject Property to a car dealership. The car dealership which was originally approved under Z-0601241 has gone out of business and is no longer operating. A change of condition to allow for a new use is required to have anything other than the approved car dealership. The zoning proposal request an express luxury car wash, which is a permitted use under the C-1 district and the Town Center land use designation. Therefore, the zoning proposal is in conformity with the policy and intent of the Comprehensive Plan.

Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby properties;

The zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby properties. The Subject Property is immediately abutted by properties zoned for commercial and industrial uses. So, the nearest neighbors to the Subject Property will be used for similar uses. Across Jordan Lane, there are some residential uses. The community members have indicated that luxury express car wash may be a use they can support so long as there is a suitable lighting



Battle Law

package that does not shine light across the street onto their homes, that the ingress/egress onto Jordan Lane be closed, and that the operation wraps up at a reasonable hour so as not to disturb them late into the evening. The Applicant has agreed to these stipulations and has agreed to plant trees between the proposed car wash and the residential uses in the landscape strip. The trees would serve to screen the use from the residential use. Therefore, the zoning proposal will permit a use that is suitable in view of the adjacent and nearby properties.

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

The Subject Property does not have a reasonable economic use as currently zoned. The original zoning case that placed conditions onto the Subject Property limited its use to “*the office and the retail uses only.*” (Emphasis added). The italicized “the” in the previous sentences were handwritten into the conditions. This seems to suggest that the only use permitted on the Subject Property were the car dealership and accompanying office use that was approved under zoning case Z-0601241. If this is the case, then there is no reasonable economic use for the property so long as that condition remains on the Subject Property because that dealership and office have since gone out of business and have vacated the property. In fact, the buildings from that use no longer exist on the site. Therefore, the Subject Property does not have a reasonable economic use as currently zoned.

Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby properties;

The zoning proposal will not adversely affect the existing use or usability of adjacent or nearby properties.

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

There are other existing or changing conditions affecting the use and development of the property which give supporting grounds for approval of the zoning proposal. The original zoning case Z-0601241 included another condition which required the closure of the ingress/egress onto Jordan Lane. Unfortunately, that ingress/egress was never closed. In meeting with the community, the various community members expressed a great interest in getting that ingress/egress closed. The Applicant has agreed to close off that ingress/egress. Therefore, there are existing or changing conditions affecting



Battle Law

the use and development of the property which give supporting grounds for approval of the zoning proposal.

Whether the zoning proposal will adversely affect historic building, sites, districts, or archaeological resources;

The zoning proposal will not adversely affect historic buildings, sites, districts, or archaeological resources. The Subject Property is not in any historic overlay district and not known historic buildings or archaeological resources are anywhere near the Subject Property.

Whether the zoning proposal will result in a use which will or could cause excessive or burdensome use of existing streets, transportation facilities, utilities, or schools; and

The zoning proposal will not result in a use which will or could cause excessive or burdensome use of existing streets, transportation facilities, utilities, or schools. With proper conditions that limit the use to the proposed car wash, there will be no need to worry about any other commercial uses coming to this site. Any change in the use would require a Major Modification and public hearing process similar to the one the Applicant is currently applying for. This would allow the County and community members oversight in determining whether any other use is welcome on the Subject Property.

Additionally, the proposed use will not cause excessive use of existing streets, transportation facilities, utilities, or schools. The Subject Property fronts on Lawrenceville Highway, which is classified as a Major Arterial street. It is certainly capable of handling any trips generated by this use. Additionally, there will be no impact on schools or transportation facilities. Lastly, the Applicant uses technology to capture as much used water as possible for reuse in washing vehicles. The goal is to use as little water as possible while operating the car wash. This minimizes the impact on water utilities. Therefore, the zoning proposal will not result in a use which will or could cause excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.

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

The zoning proposal will not adversely impact the environment or surrounding natural resources. The Applicant uses technology to capture as much used water as possible



Battle Law

for reuse in washing vehicles. The goal is to use as little water as possible while operating the car wash. This minimizes the impact on water utilities. The Applicant will also be installing solar powered lighting. The lighting plan will be powered entirely by solar energy. Lastly, the Applicant will be planting new trees native to the area in the required landscape strip to both shield the residential uses from the car wash, beautify the area, and enhance the environmental assets in the area. Therefore, the zoning proposal will not adversely impact the environment or surrounding natural resources.

III. CONCLUSION

For the foregoing reasons, the Applicant hereby requests that the application for a Major Modification of Conditions be approved. The Applicant welcomes any questions and feedback from the planning staff.

IV. NOTICE OF CONSTITUTIONAL ALLEGATIONS AND PRESERVATION OF CONSTITUTIONAL RIGHTS

The portions of the DeKalb County Zoning Ordinance, facially and as applied to the Subject Property, which restrict or classify or may restrict or classify the Subject Property so as to prohibit its development as proposed by the Applicant are or would be unconstitutional in that they would destroy the Applicant's property rights without first paying fair, adequate and just compensation for such rights, in violation of the Fifth Amendment and Fourteenth Amendment of the Constitution of the United States and Article I, Section I, Paragraph I of the Constitution of the State of Georgia of 1983, Article I, Section III, Paragraph I of the Constitution of the State of Georgia of 1983, and would be in violation of the Commerce Clause, Article I, Section 8, Clause 3 of the Constitution of the United States.

The application of the DeKalb County Zoning Ordinance to the Subject Property which restricts its use to any classification other than that proposed by the Applicant is unconstitutional, illegal, null and void, constituting a taking of Applicant's Property in violation of the Just Compensation Clause of the Fifth Amendment to the Constitution of the United States, Article I, Section I, Paragraph I, and Article I, Section III, Paragraph I of the Constitution of the State of Georgia of 1983, and the Equal Protection and Due Process Clauses of the Fourteenth Amendment to the Constitution of the United States denying the Applicant an economically viable use of its land while not substantially advancing legitimate state interests.

A denial of this Application would constitute an arbitrary irrational abuse of discretion and unreasonable use of the zoning power because they bear no substantial relationship to the public health, safety, morality or general welfare of the public and substantially harm the Applicant in



Battle Law

violation of the due process and equal protection rights guaranteed by the Fifth Amendment and Fourteenth Amendment of the Constitution of the United States, and Article I, Section I, Paragraph I and Article I, Section III, Paragraph 1 of the Constitution of the State of Georgia.

A refusal by the DeKalb County Board of Commissioners to amend the land use and/or rezone the Subject Property to the classification as requested by the Applicant would be unconstitutional and discriminate in an arbitrary, capricious and unreasonable manner between the Applicant and owners of similarly situated property in violation of Article I, Section I, Paragraph II of the Constitution of the State of Georgia of 1983 and the Equal Protection Clause of the Fourteenth Amendment to the Constitution of the United States. Any MAJOR MODIFICATION OF CONDITIONS of the Property subject to conditions which are different from the conditions requested by the Applicant, to the extent such different conditions would have the effect of further restricting Applicant's utilization of the property, would also constitute an arbitrary, capricious and discriminatory act in zoning the Subject Property to an unconstitutional classification and would likewise violate each of the provisions of the State and Federal Constitutions set forth hereinabove.

A refusal to allow the land use amendment and/or Major Modification of Conditions in questions would be unjustified from a fact-based standpoint and instead would result only from constituent opposition, which would be an unlawful delegation of authority in violation of Article IX, Section II, Paragraph IV of the Georgia Constitution.

A refusal to allow the land use amendment and/or Major Modification of Conditions in question would be invalid inasmuch as it would be denied pursuant to an ordinance which is not in compliance with the Zoning Procedures Law, O.C.G.A Section 36-66/1 et seq., due to the manner in which the Ordinance as a whole and its map(s) have been adopted.

The existing land use designation and/or zoning classification on the Subject Property is unconstitutional as it applies to the Subject Property. This notice is being given to comply with the provisions of O.C.G.A. Section 36-11-1 to afford the County an opportunity to revise the Property to a constitutional classification. If action is not taken by the County to rectify this unconstitutional land use designation and/or zoning classification within a reasonable time, the Applicant is hereby placing the County on notice that it may elect to file a claim in the Superior Court of Fulton County demanding just and adequate compensation under Georgia law for the taking of the Subject Property, diminution of value of the Subject Property, attorney's fees and other damages arising out of the unlawful deprivation of the Applicant's property rights.

Michele L. Battle, Esq.
Attorney for the Applicant

DEPARTMENT OF PLANNING & SUSTAINABILITY

DISCLOSURE OF CAMPAIGN CONTRIBUTION

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


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

Yes _____ No X *

If the answer is yes, you must file a disclosure report with the governing authority of DeKalb County showing:

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

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



Notary

ModWash, LLC

By: 

Signature of Applicant /Date

Check one: Owner _____ Agent X

12/10/2025

Expiration Date/ Seal



*Notary seal not needed if answer is "no".

DEPARTMENT OF PLANNING & SUSTAINABILITY

DISCLOSURE OF CAMPAIGN CONTRIBUTION

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

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

Yes _____ No ☒ *

If the answer is yes, you must file a disclosure report with the governing authority of DeKalb County showing:

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

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



Notary



06/10/2023
Expiration Date/ Seal

Karimshah Inc

By: 

Signature of Applicant /Date

Check one: Owner ☒ Agent _____

*Notary seal not needed if answer is "no".

DEPARTMENT OF PLANNING & SUSTAINABILITY

DISCLOSURE OF CAMPAIGN CONTRIBUTION

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

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

Yes No *

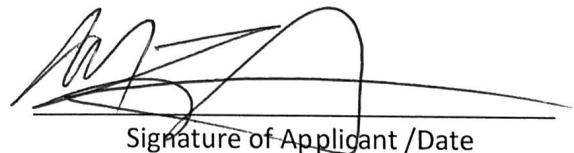
If the answer is yes, you must file a disclosure report with the governing authority of DeKalb County showing:

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

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


Notary




Signature of Applicant /Date

Check one: Owner Agent X

08/18/25
Expiration Date/ Seal


*Notary seal not needed if answer is "no".

Campaign Contribution Disclosure Statements
Last Updated 6/17/2022

CAMPAIGN CONTRIBUTIONS DISCLOSURE STATEMENT

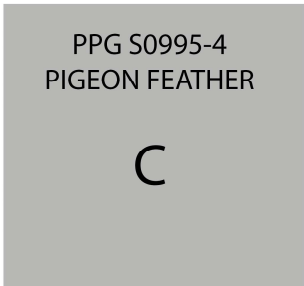
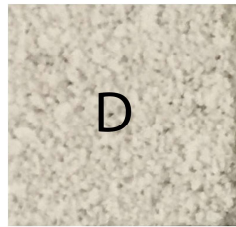
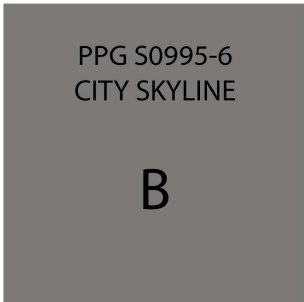
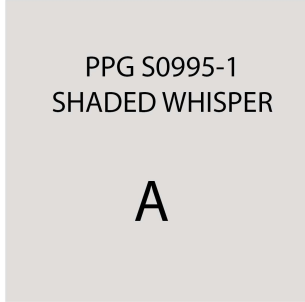
Pursuant to the provisions of 36 O.C.G.A. 67(A), please find below a list of those contributions made by Michèle L Battle or Battle Law, P.C. in the past two years, aggregating \$250.00 or more, to local government officials who will consider this application.

NAME OF GOV'T OFFICIAL	OFFICIAL POSITION	AMOUNT OF CONTRIBUTION
Ted Terry	Commissioner	\$500
Mereda Davis Johnson	Commissioner	\$250
Lorraine Cochran-Johnson	Commissioner	\$750

By: 
Printed Name: Michele L Battle

ModWash CarWash

PINE TOWNSHIP WEXFORD, PA



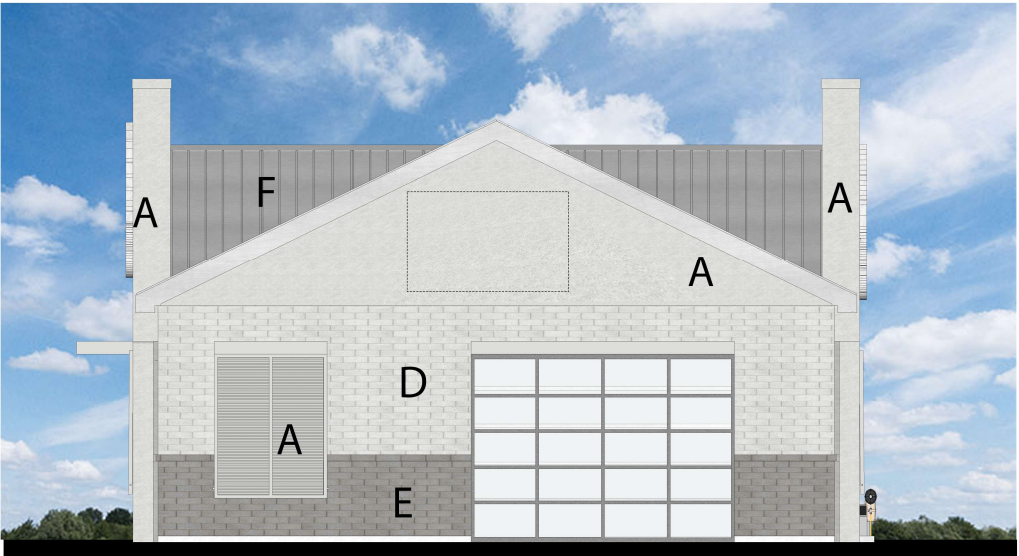
8" x 4"x 16" CMU
INTERGRAL COLORED
SNOW RANGE



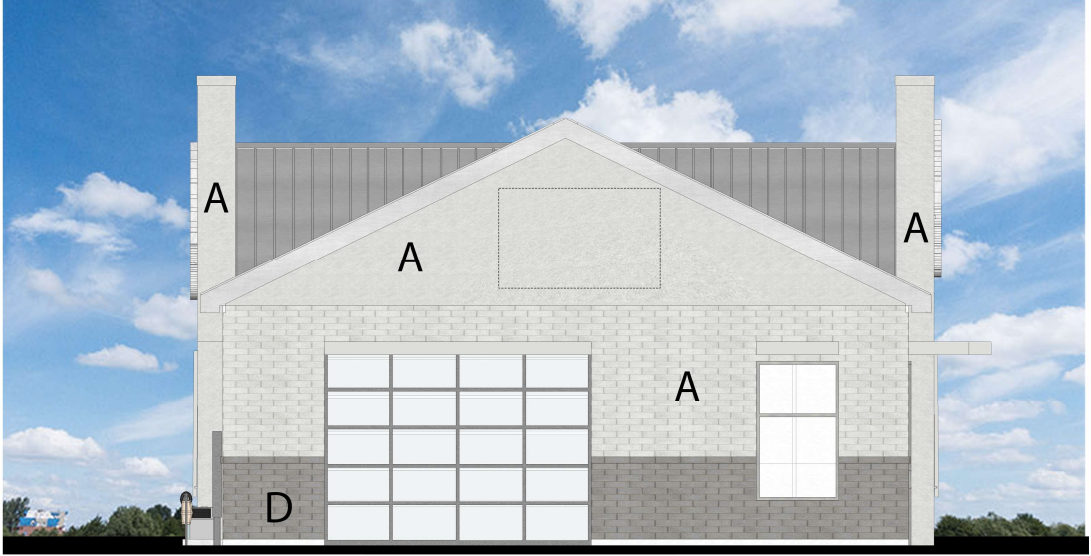
8" x 4"x 16" CMU
INTERGRAL COLORED
OYSTER RANGE



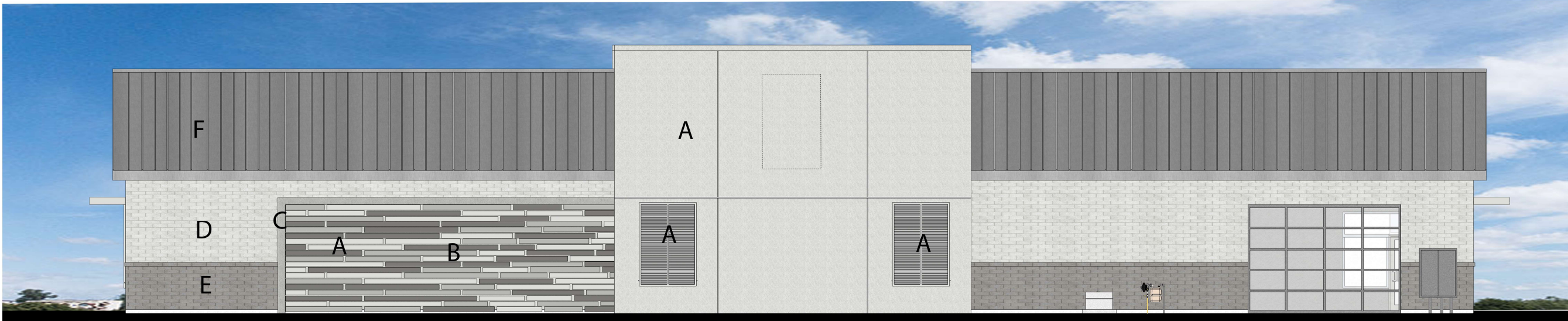
METAL ROOFING
PREWEATHEERED
GALVALUME



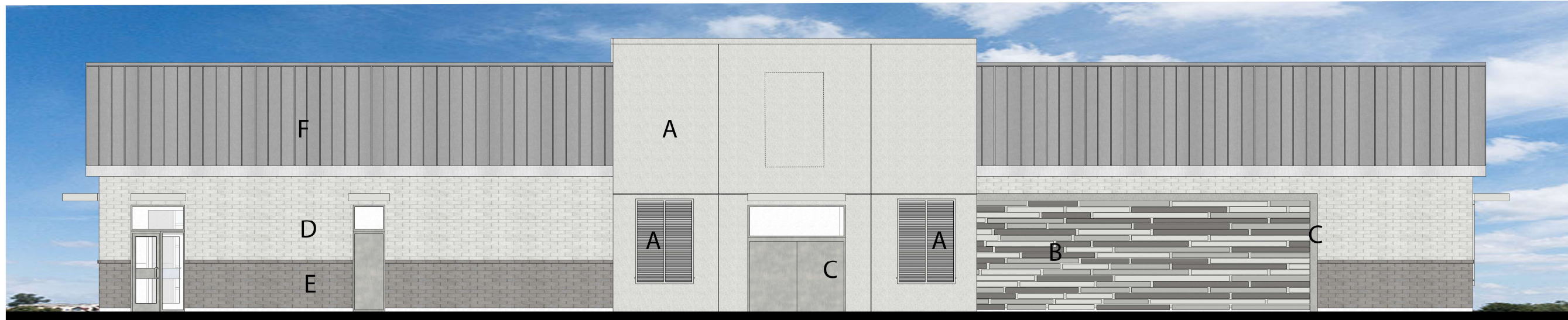
EXIT ELEVATION



ENTRY ELEVATION



TUNNEL ELEVATION



VACUUM ELEVATION