

**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) Denial. (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) Denial 7-0-1.** LaSonya Osler moved, Jon West seconded for denial, per Staff recommendation. April Atkins, who had just joined the meeting, abstained. **(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](http://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 ☒

|   |  |
|---|--|
| <b>Proposed Density:</b> NA                   | <b>Existing Density:</b> N.A.          |
| <b>Proposed Units:</b> Drive-through Car Wash | <b>Existing Units:</b> Vacant building |
| <b>Proposed Lot Coverage:</b> NA              | <b>Existing Lot Coverage:</b> 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".



May 4, 2022

Site: ModWash  
Wash Info: NCS (Tunnel)  
Subject: Water Usage Information  
To Whom It May Concern:

The PurWater Recovery System has been engineered and designed specifically with the Professional Car Wash Operator in mind and incorporates the same innovative, cutting edge technology the industry has come to expect from PurClean. Modular in design, the PurWater System platform provides a simplified approach that allows the system to be easily adapted to meet the needs and requirements of the targeted wash facility and eliminates the confusion typically associated with water recovery.

**NCS– Tunnel**

It is a commonly used number that you will lose 6 gallons to evaporation and carry out. Using 38.9 gallons total (reclaim, RO, RO reject and freshwater) per vehicle will put you at 75.99% reclaim which should be a good balance of wash quality and conservation. With your chemical applications and final rinse applications at 13.9 gallons per vehicle, all your undercarriage, and all cloth applications running on reclaimed water you will be at 7.9 gallons per vehicle going to sewer.

**Water Use Per Vehicle**

- ◆ evaporation and carry out 6 gallons
- ◆ chemical application and final rinse (RO, RO reject and freshwater) 13.9 gallons
- ◆ undercarriage and wash applications running on reclaim water 25 gallons
- ◆ at maximum going to sewer 7.9 gallons of reclaim water

**Summary**

- ◆ Total of 38.9 gallons of water used per vehicle
- ◆ 13.9 gallons of RO, RO reject and freshwater for chemistry
- ◆ 25 gallons of water for the wash / recycle
- ◆ 6 gallons of water lost to evaporation and carry out
- ◆ 7.9 gallons going to the sewer – calculates to 80.28% reclaim

**Total Gallons to Sewer Daily (estimated at 500 cars per day count)**

- ◆ 7.9 gallons per vehicle going to sewer (estimated 1000 cars per day) total to sewer per day 3,950 gallons

**Total Gallons Freshwater, RO & Reject used (estimated at 500 cars per day count)**

- ◆ 13.9 gallons per vehicle which includes freshwater, RO & RO Reject (estimated 1000 cars per day) total freshwater used per day is 6,950 gallons

Best Regards,

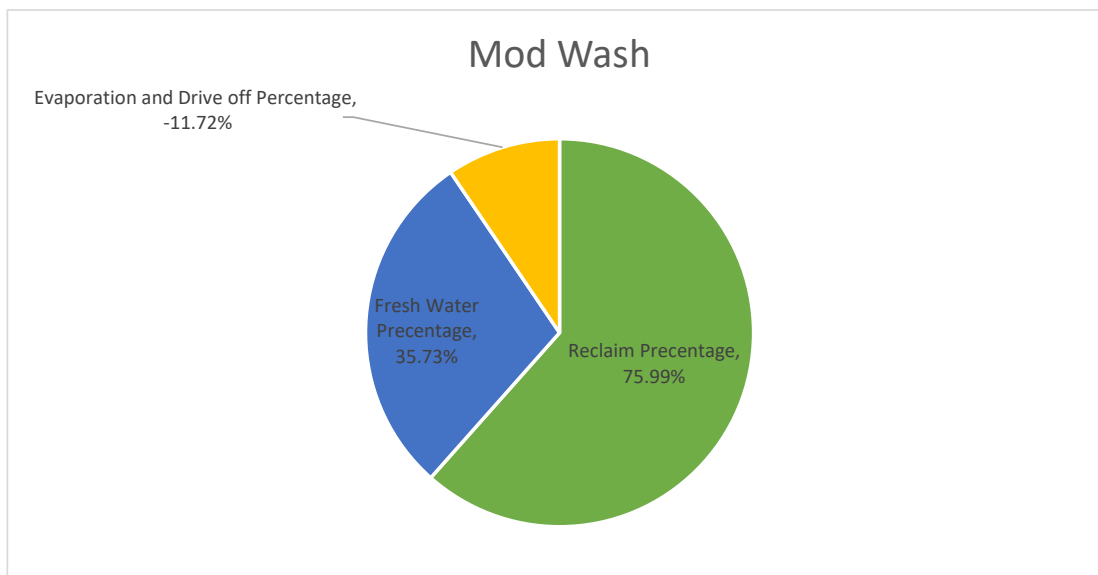
*Steven Samudio*

Steven Samudio  
Technical Sales Manager  
PurClean

# Mod Wash

| Application             | Gallons Used | Fresh/Reclaim |
|-------------------------|--------------|---------------|
| FOAMING APPLICATOR ARCH | 1.5          | Fresh         |
| FOAMY CTA #1            | 0.3          | Fresh         |
| FOAMY CTA #2            | 0.3          | Fresh         |
| TOTAL BATH              | 0.6          | Fresh         |
| WRAP FOAMER #1          | 1            | Fresh         |
| WRAP AROUND WATER #1    | 4            | Reclaim       |
| TRIPLE POLISH           | 0.45         | Fresh         |
| MITTER #1               | 1.33         | Reclaim       |
| WRAP FOAMER #2          | 1            | Fresh         |
| WRAP AROUND WATER #2    | 4            | Reclaim       |
| TOTAL SHINE             | 0.2          | Fresh         |
| SFB21                   | 1.33         | Reclaim       |
| UNDERCARRIAGE           | 1            | Reclaim       |
| OMNI TOP                | 6.67         | Reclaim       |
| OMNI SIDES              | 6.67         | Reclaim       |
| HOT WAX                 | 0.9          | Fresh         |
| 807 MITTER              | 1.33         | Fresh         |
| SFB28                   | 1.33         | Fresh         |
| WATERFALL               | 0.53         | Fresh         |
| TOTAL SEAL              | 0.6          | Fresh         |
| LP MIRROR RINSE         | 1            | Fresh         |
| DRYING AGENT            | 1.33         | Fresh         |
| SEALER WAX              | 0.2          | Fresh         |
| FINAL RINSE             | 1.33         | Fresh         |

|                                      |         |
|--------------------------------------|---------|
| Total                                | 38.9    |
| Evaporation and Drive Off Gallons    | -6.0    |
| Fresh Water Usage Gallons            | 13.90   |
| Reclaim Water Usage Gallons          | 25.0    |
| Reclaim Percentage                   | 75.99%  |
| Fresh Water Percentage               | 35.73%  |
| Evaporation and Drive off Percentage | -11.72% |
|                                      | 100.00% |





June 18, 2018

**Reclaim Effluent Quality Estimate for  
PurWater Reclaim Systems**

Vehicles will attract contaminants predicated on the region of the country, and the roads traveled. These contaminants will consist of soil, road film, tree sap, bird droppings, pollen, insects, oil, and greases. Depending on if the region has snow and ice, then whatever will stick in the snow and ice will also stick to the vehicle. Snow and ice removal materials, which include but are not limited to sand, salt, liquid magnesium chloride which is often applied with a molasses to help it adhere to the road can and will stick to your vehicle as well. All of these contaminants will wash from the vehicle and will end up in the water reclamation tanking system.

The PurWater Reclaim System consists of two primary components ... the underground reclaim tank(s) and the above ground PurWater unit. The below ground tanks are normally supplied by a local concrete vault vendor, with their capacity and lay-out per PurWater specifications. The primary purpose of the reclaim system is to provide quality water to the wash so that the water can be re-used within the wash and still provide a clean car. The re-use of the water allows the operator to minimize the amount of incoming fresh water to the wash and the amount that is discharged from the wash. The reclaim system is not designed to meet a specific effluent quality of the discharge, although in many cases the water discharged from the system goes directly to sewer or a leach field.

As the primary purpose of the PurWater Reclaim System is to provide quality water for re-use within the wash, the system is designed to separate settleable solids (typically sand, grit) and free oils from the water going to the wash. These solids and oils can affect the wash quality, and increase the maintenance on wash pumps, piping, and nozzles. The large settleable solids (60-70 micron and larger) are settled within the underground tanks prior to entering the above ground PurWater unit. The PurWater unit uses high efficiency cyclones to remove down to 5 micron settleable solids prior to the wash. The solids-laden water from the PurWater unit is re-introduced into the reclaim water at the front end of the underground tanks, where some solids settle and some continue with the water phase to be re-treated or go out with the effluent. The free oils (60-70 micron and larger) float to the surface within the underground tanks and are trapped within the tanks. Accumulated settleable solids and free oils are periodically (normally every 3-6 months) removed from the reclaim system by pumping out the underground tanks and replacing with fresh water.

Some amount of water is continuously discharged from the reclaim system in order to satisfy the water balance for the wash. The volume of discharge is dependent on the amount of fresh water used by the wash, less any water that is lost to evaporation and carry-out. Depending upon local municipal requirements, the discharge can be sent directly to sewer or to a leach field, or may require additional treatment before final discharge. As each municipality will have its own discharge requirements, it is important to understand what contaminants the PurWater Reclaim System can and cannot affect.

The PurWater Reclaim system uses two processes to reduce contaminant loading. The first is physical separation using centrifugal force (the cyclones) and gravity settling (the reclaim tanks). Physical separation will directly affect the amount of free oil & grease (FOG) and total suspended solids (TSS) left in the discharge water, and indirectly affect the BOD / COD level as it removes oil & grease. The second process is chemical, oxidation using ozone. Ozone will affect the bacterial count, BOD / COD, total suspended solids (primarily bacterial), and some dissolved oils and chemicals. From field testing and experience, the PurWater Reclaim system has been shown to produce effluent qualities as follows:

CONTINUED NEX PAGE

Total Suspended Solids (TSS): 15-100 ppm  
Free Oil & Grease (FOG): 10-25 ppm  
BOD: 15-50 ppm

TSS, FOG, and BOD are typically the main concerns by municipalities receiving an effluent from a car wash. Given the type of processes used by the PurWater Reclaim system, there is no effect on total dissolved solids (TDS), pH, or temperature. There may also be little to no effect on certain chemicals dissolved in the water, emulsified or dissolved oils, and non-settleable solids.

The above effluent qualities are going to be similar for other types of systems that incorporate physical separation (plate separators, screen / bag filters, media filters, etc.) and chemical oxidation. Biological processes, when operating properly, may produce lower TSS, FOG, and BOD levels than the above, but still will not affect dissolved minerals and some dissolved chemicals in the water.

The above effluent quality estimates are based on normal contaminant loadings seen by car washes. The estimates are not a guarantee of performance. The estimated discharge quality from the PurWater Reclaim System may or may not be acceptable for direct discharge to sewer or a leach field. Local authorities and municipalities should be consulted to determine whether additional treatment is required to meet discharge permits.

If you have any questions or comments on the above, please contact our Sacramento office.

Sincerely,

*Teresa Borchard*

Teresa Borchard  
Director of Technical Sales and Project Management  
New Wave Industries  
PurClean / PurWater





### PurWater Reclaim System Design

The PurWater Reclaim System consists of two primary components the underground reclaim tank(s) and the above ground PurWater unit. The below ground tanks are normally supplied by a local concrete vault vendor, with their capacity and lay-out per PurWater specifications. (See attached drawing.) The primary purpose of the reclaim system is to provide quality water to the wash so that the water can be re-used within the wash and still provide a clean car. The re-use of the water allows the operator to minimize the amount of incoming fresh water to the wash and the amount that is discharged from the wash. The reclaim system is not designed to meet a specific effluent quality of the discharge, although in many cases the water discharged from the system goes directly to sewer or a leach field.

As the primary purpose of the PurWater Reclaim System is to provide quality water for re-use within the wash, the system is designed to separate settleable solids (typically sand, grit) and free hydrocarbons, from fat oil and greases, from the water going to the wash. These solids and hydrocarbons can affect the wash quality, and increase the maintenance on wash pumps, piping, and nozzles. The large settleable solids are settled within the underground tanks prior to entering the above ground PurWater unit. The free hydrocarbons float to the surface within the underground tanks and are trapped within the tanks. Accumulated settleable solids and free hydrocarbons are periodically (normally every 6-12 months) removed from the reclaim system by pumping out the underground tanks and replacing with fresh water. **This is a recommendation only; local regulations may require more frequent service.**

There are two factors we use in determining the size of the reclaim tanks for use with our PurWater Reclaim Units. The first consideration is the size of solid particle we want to separate within the reclaim tanks and the second consideration is how often we treat the water in the tanks using the continuous recirculation. The following will provide details on both of these factors:

- 1) Particle Removal: In the reclaim tank system, we are typically looking to remove solid particles between 60 – 75 microns in size. This ensures large particles are not going through the PurWater unit, which can cause excessive wear and / or plugging. Also, the size of the tanks needed for this removal allows for a relatively large volume for a sludge layer to build so that tanks do not need frequent clean-out. Particle size removal is determined by Stoke's Law:

$$V (R/S) = (g \times (\text{Rho1} - \text{Rho2}) \times D^2) / 18 \text{ Nu}$$

Where:

V (R/S) = Rise or Settling Velocity of a Particle (cm / sec)

g = Acceleration by Gravity (cm / sec<sup>2</sup>)

Rho1 = Density of Medium (g / cm<sup>3</sup>)

Rho2 = Density of Particle (g / cm<sup>3</sup>)

D = Particle Diameter (cm)

Nu = Viscosity of Medium (g / cm / sec)

We assume a water temperature of 68 DegF, which provides a water density of 1.0 g / cm<sup>3</sup> and a viscosity of 1 cp (0.01 g / cm / sec). The solids density we use is 1.2 g / cm<sup>3</sup>, which is typically the lighter solids (silt) found in car washes. The acceleration of gravity is 980 cm / sec<sup>2</sup>.

For a 60 micron (0.006 cm) particle, the settling velocity is 0.039 cm / sec, or 0.93 in / min. For a 75 micron (0.0075 cm) particle, the settling velocity is 0.061 cm / sec, or 1.45 in / min. We now use these velocities to determine the tank volume.

CONTINUED NEXT PAGE

We typically recommend using a tank that is 11 ft long (I.D.) by 5 ft wide (I.D.) with a 4.5 ft water depth. We allow for 1 foot at the bottom to be sludge accumulation, so we assume a solids particle must travel a maximum of 3.5 feet (42 in) to be removed. This leaves us with approximately 1440 gallons per tank of working volume (excluding the sludge layer).

For example, we will assume the maximum flow to the reclaim unit is 90 gpm (our PW300 series). To remove 60 micron particles, it will take a working tank volume of 4065 gallons (90 gpm x 42 in travel distance / 0.93 in per minute settling velocity), or 2.8 tanks (4065 gallons / 1440 gallons per tank of working volume). To remove 75 micron particles, it will take a working tank volume of 2606 gallons, or 1.8 tanks. We typically recommend using three tanks for this flow rate.

- 2) Treatment Frequency: One of the functions of the PurWater system is to continuously recirculate water through the reclaim tanks to provide odor control and to keep the water in the tanks from going stagnant. We recommend treating the entire reclaim tank working volume at least 2-3 times per day. On average, the PurWater unit recirculates water at 12 gpm. Using three tanks (per our example above), the entire working volume will be treated every 6 hours (3 tanks x 1440 gallons per tank / 12 gpm), or 4 times per day. This treatment frequency is well within our guidelines.

Some amount of water is continuously discharged from the reclaim system in order to satisfy the water balance for the wash. The volume of discharge is dependent on the amount of fresh water used by the wash, less any water that is lost to evaporation and carry-out. The discharge is sent to a separate, customer supplied wastewater treatment device, or directly to sewer or a leach field. The PurWater Reclaim System does not treat or affect minerals or chemicals dissolved in the water, emulsified or dissolved oils, non-settleable solids, the BOD / COD content, pH, or temperature of the water that is discharged.

The second component of the reclaim system is the above ground treatment system, which further removes solids from the reclaim water so that it is acceptable for the high pressure pumps and nozzles within the wash. The PurWater reclaim unit has a suction pump that brings water up from the reclaim tank to be treated. The pump speed is controlled by a Variable Frequency Drive (VFD) to either continuously recirculate water (low speed) or to provide water to the wash (high speed). Several pump speeds can be programmed into the VFD to meet various or multiple demands. The PurWater unit uses high efficiency cyclones to remove down to 5 micron settleable solids prior to the wash. The cyclones create nearly 1000 G's of centrifugal force to obtain this fine particle separation. The treated (cleaned) water is sent to the wash and / or back to the reclaim tank as part of its continual recirculation mode. The solids-laden water from the PurWater unit is re-introduced into the reclaim water at the front end of the underground tanks, where some solids settle and some continue with the water phase to be re-treated or go out with the effluent.

The above ground reclaim system also has the function of providing odor control for the reclaim water. Reclaim water is a great environment for growing bacteria which can create plugging and odor problems. Typically, anaerobic bacteria (bacteria that grow in the absence of oxygen) will grow beneath the settled solids in the reclaim water tank. This type of bacteria produces hydrogen sulfide which produces an odor similar to rotten eggs. To control this bacterial growth, the PurWater reclaim system continuously recirculates water through the tanks to keep the water moving so that it does not go septic. The PurWater system also incorporates one of three odor control devices to further keep the bacterial growth in check. The first method uses an Air Sparger, which brings in air as the recirculation water passes through it. This puts oxygen in the water stream and helps control the anaerobic bacteria. The second method adds an enzyme into the recirculation water, plus uses the Air Sparger. The enzyme breaks down the dissolved organic material in the water, which takes away the bacteria's food source to keep their population controlled. The third method used is the addition of ozone, which is a powerful disinfectant similar to chlorine. The ozone kills the bacteria to provide a nearly bacteria free water. Also, ozone oxidizes dyes in the water, so it will remove the color created by wash chemicals (i.e. triple foams).

Attached are spec sheets and drawings of typical underground reclaim tanks and PurWater reclaim systems. If you have any questions or comments on the above, please contact our Sacramento office.

Sincerely,

*Teresa Borchard*

Teresa Borchard

Director of Technical Sales and Project Management

New Wave Industries

PurClean/PurWater



**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](mailto:mmalexander@dekalbcountyga.gov) AND/OR LASONDRA HILL  
[lahill@dekalbcountyga.gov](mailto: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](http://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](mailto: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](mailto: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](mailto: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](mailto: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](mailto: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](mailto: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](mailto: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](mailto: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](mailto: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](mailto: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](mailto: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](mailto: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](mailto: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](mailto: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](mailto: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](mailto: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](mailto: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](mailto:mmalexander@dekalbcountyga.gov) AND/OR LASONDRA HILL  
[lahill@dekalbcountyga.gov](mailto: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.

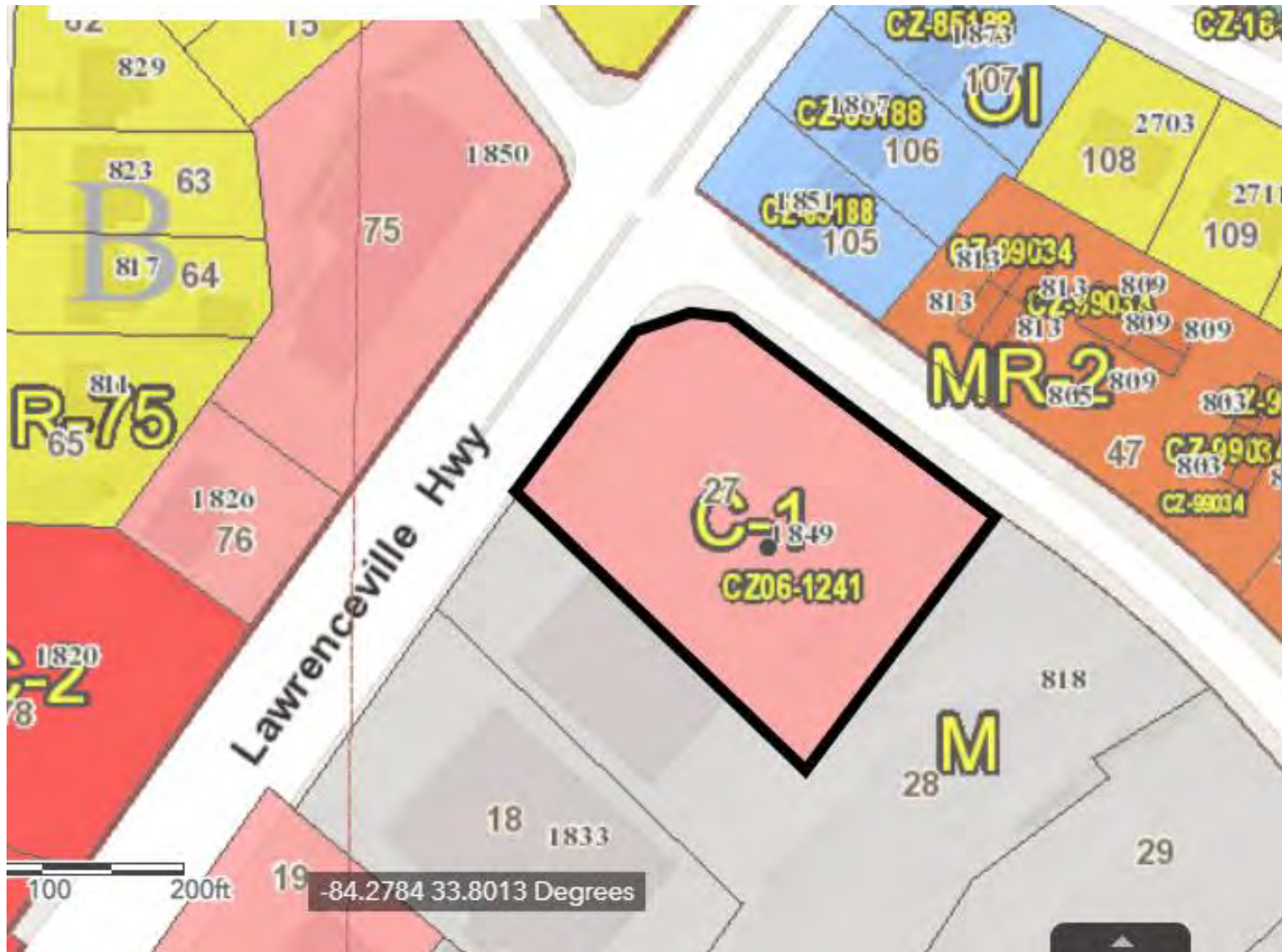
According to studies conducted by the Institute of Traffic Engineers (ITE) 6<sup>TH</sup> Edition (whichever is applicable), churches generate an average of fifteen (15) vehicle trip end (VTE) per 1,000 square feet of floor area, with an eight (8%) percent peak hour factor. Based on the above formula, 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. |
|  |
|  |
|  |
|  |

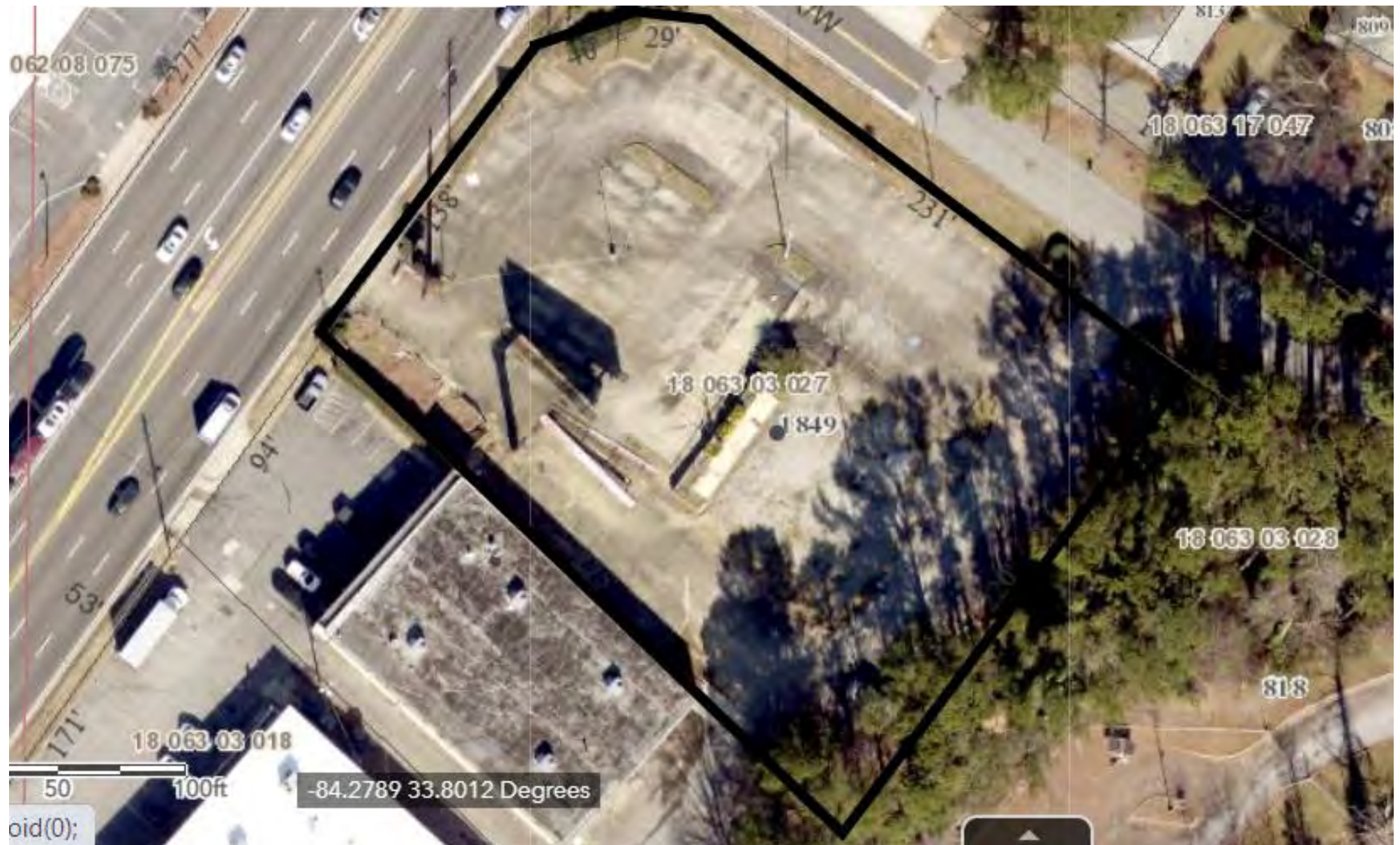
Signature: [Signature]



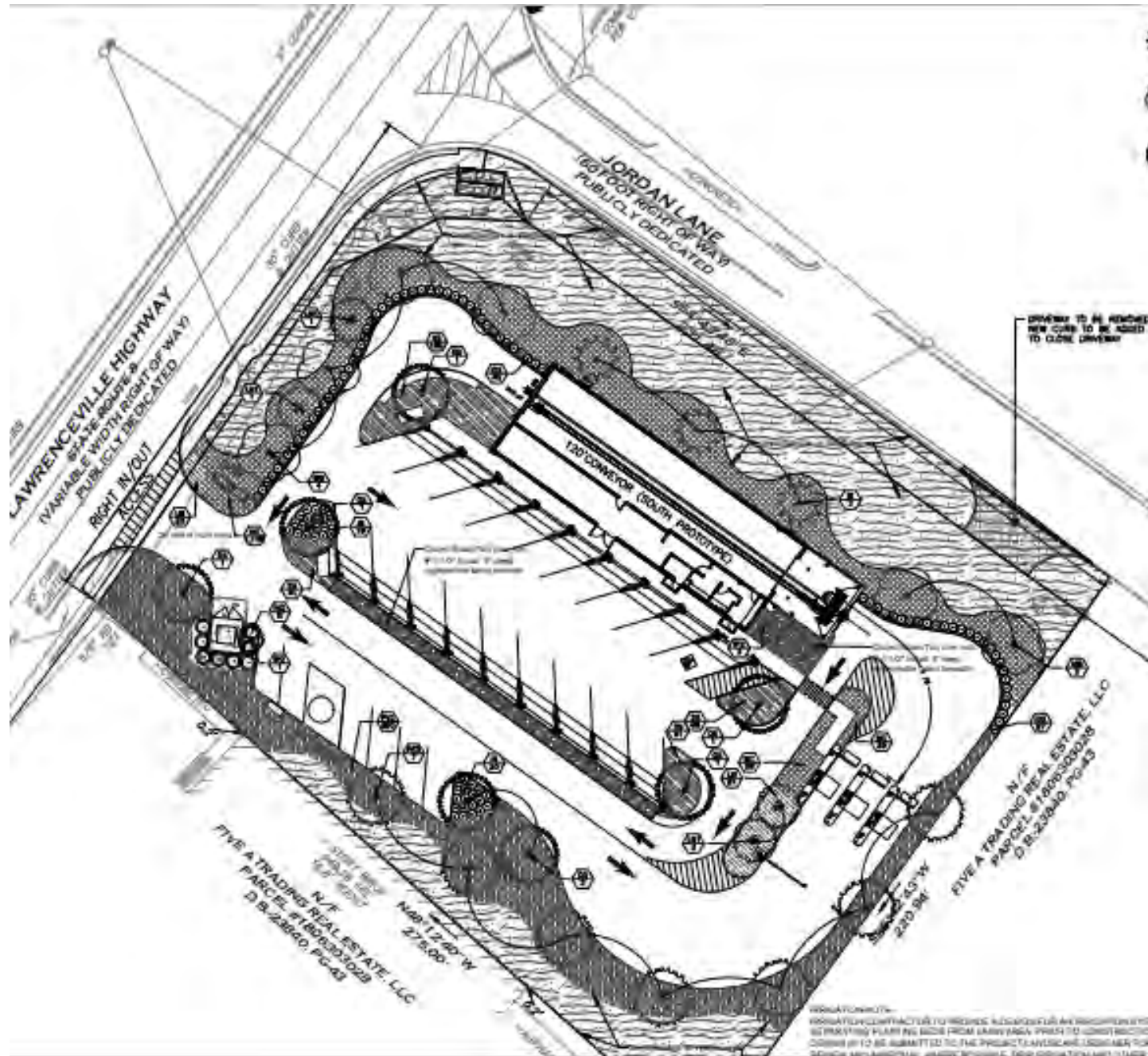












DEPARTMENT OF PLANNING & SUSTAINABILITY

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:

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DEPARTMENT OF PLANNING & SUSTAINABILITY

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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.**

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Planner: \_\_ John Reid \_\_\_\_\_ Date \_\_05/05/22\_\_\_\_\_

Filing Fees

|                                |   |          |
|--------------------------------|---|----------|
| <b>REZONING:</b>               | 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 |
| <b>LAND USE MAP AMENDMENT</b>  |   | \$500.00 |
| <b>SPECIAL LAND USE PERMIT</b> |   | \$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 website.

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](mailto: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.

  
Notary Public

Karimshah Inc  
By:   
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

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**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  
Sadrudin

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 18<sup>th</sup> 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

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**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

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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"**

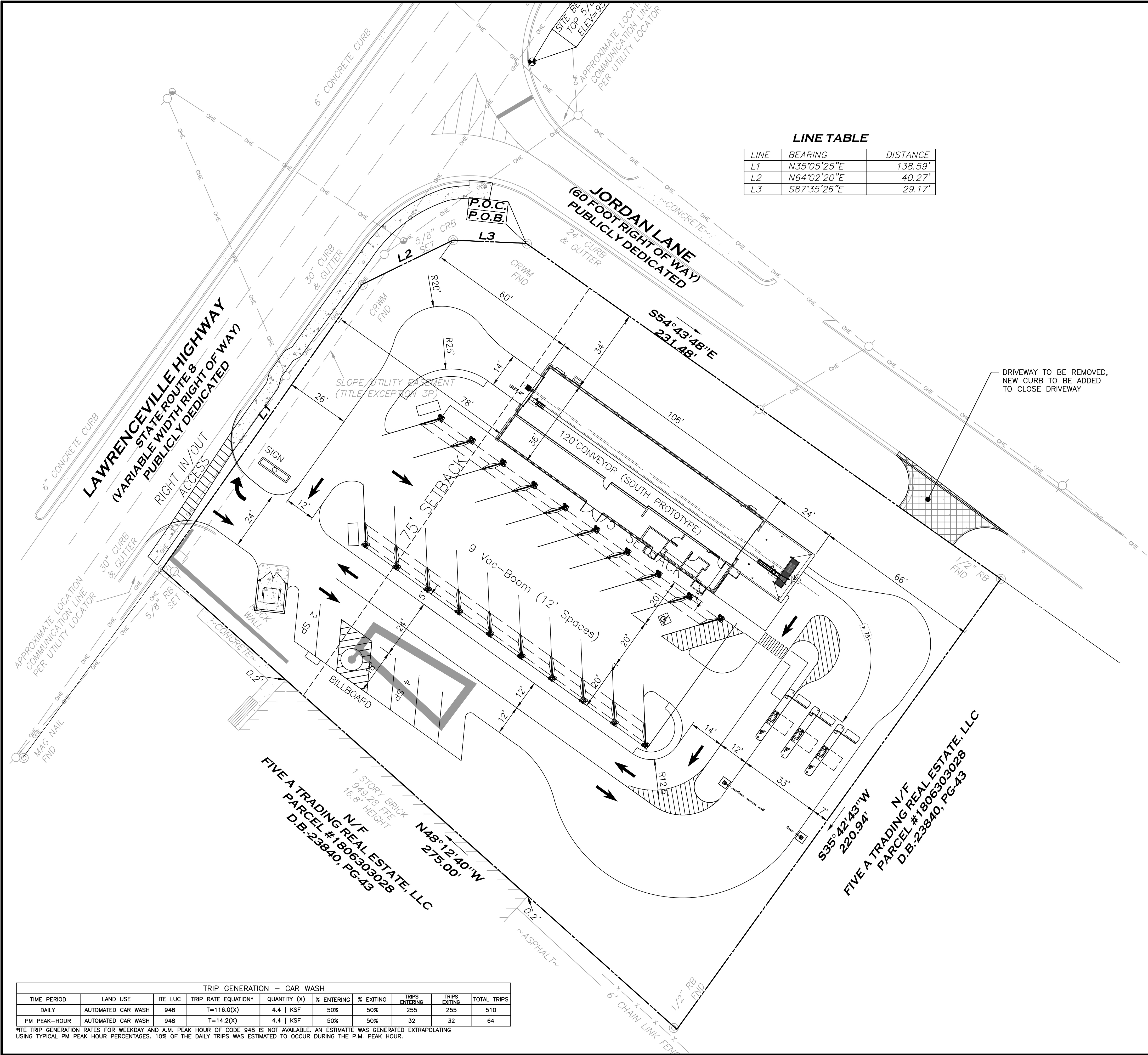
**TITLE EXCEPTIONS**

1. Ad valorem real property taxes for the year 2022 not due and payable.
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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.









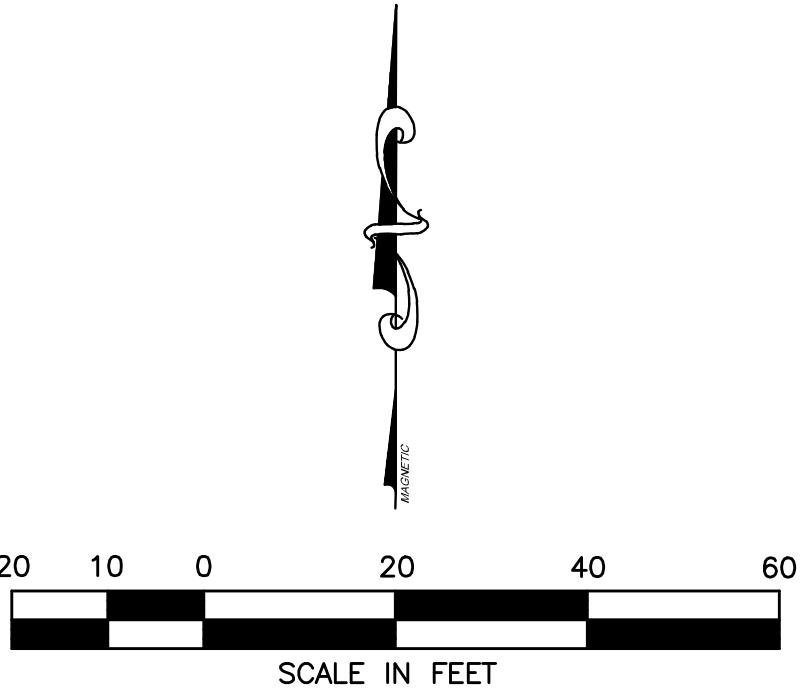
| LINE | BEARING     | DISTANCE |
|------|-------------|----------|
| L1   | N35°05'25"E | 138.59'  |
| L2   | N64°02'20"E | 40.27'   |
| L3   | S87°35'26"E | 29.17'   |

| 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.



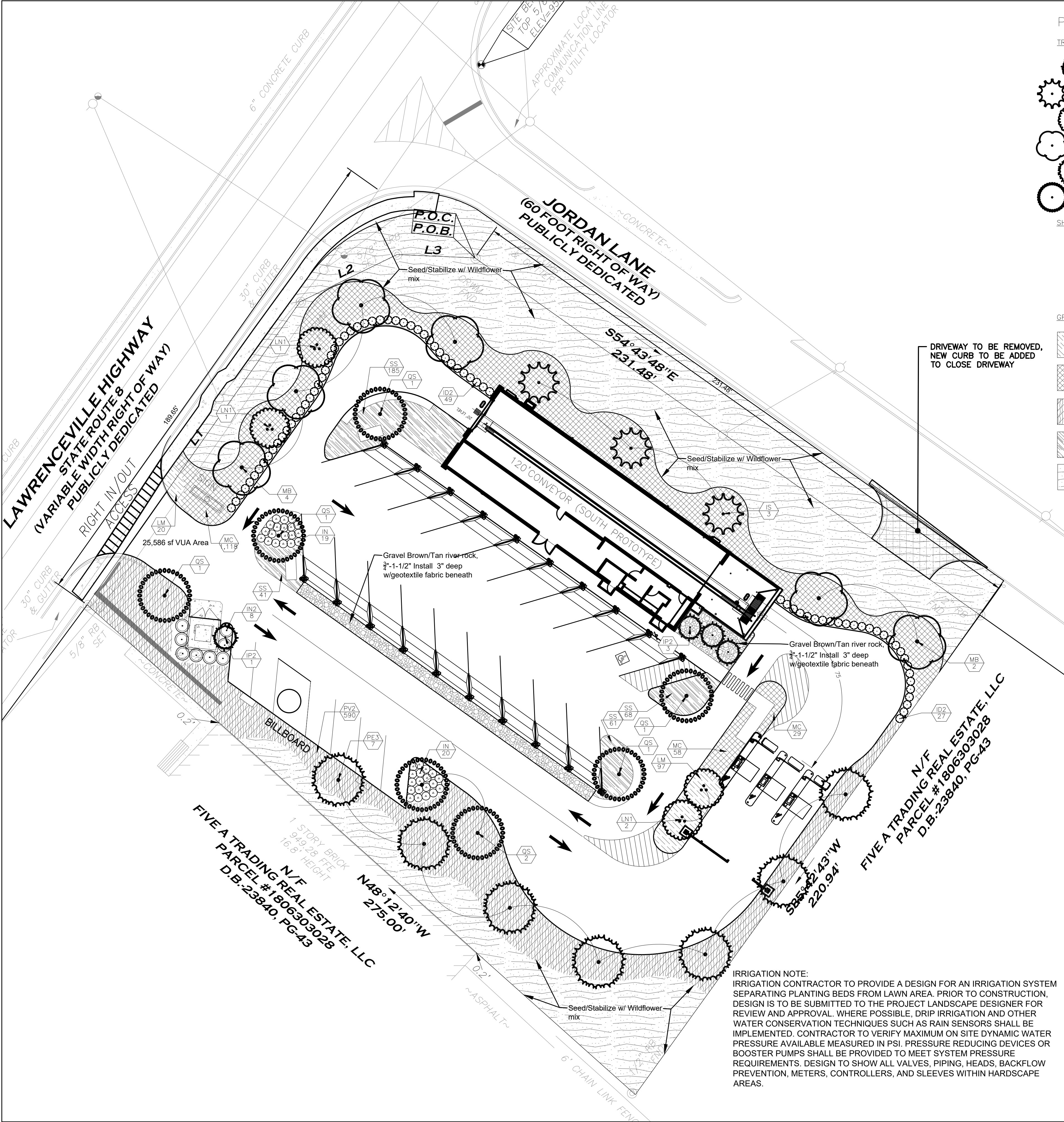
|   |   |   |   |     |       |             |           |
|---|---|---|---|-----|-------|-------------|-----------|
| 4 | 3 | 2 | 1 | NO. | DATE: | DESCRIPTION | REVISIONS |
|   |   |   |   |     |       |             |           |
|   |   |   |   |     |       |             |           |
|   |   |   |   |     |       |             |           |
|   |   |   |   |     |       |             |           |

1111 CAMBRIDGE SQUARE, SUITE C  
ALPHARETTA, GEORGIA 30009  
PHONE: (678) 985-4920

|   |         |
|---|---------|
| 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:   |
|                 | LW          |
| SCALE:          | CHKD. BY:   |
| AS NOTED        | LW          |
| DRAWING SERIES: |             |
| SITE            |             |
| SHEET NO.       | C-2.0       |





PLANT\_SCHEDULE

|               | CODE  | QTY   | BOTANICAL / COMMON NAME  |         |
|---------------|---|-------|--|---------|
|               | IP2   | 4     | Ilex vomitoria 'Pendula' / Weeping Yaupon Holly<br>7--8' ht. x 4'-5', 1-1/2" CAL., 30 gal                            |         |
|               | IS  | 3     | Ilex x attenuata 'Savannah' / Savannah Holly<br>10'-12'; ht. x 4'-6' spd. 3' c.t. 2" cal min.                        |         |
|               | LN1   | 4     | LAGERSTROEMIA INDICA 'NATCHEZ' / NATCHEZ CRAPE MYRTLE<br>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<br>12'-14' ht,x 6'-8' spd. 3" cal. |         |
|               | PE3   | 7     | PINUS ELLIOTTI / SLASH PINE<br>12' - 14' HEIGHT, 5' SPREAD MIN., 3" CAL., B & B                                      |         |
|               | QS  | 7     | Quercus shumardii / Shumard Oak<br>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.<br>18"-24" ht. x 12"-18" spd., 3 gal.                     |         |
|               | IN  | 39    | Ilex vomitoria 'Nana' / Dwarf Yaupon Holly 36" o.c.<br>12"-16" ht. x 14"-16" spd., 3 gal.                            |         |
|               | IN2   | 8     | Ilex x 'Nellie R Stevens' / Nellie Stevens Holly 60" o.c.<br>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.<br>Full 1 gallon pots                                      |         |
|               | MC  | 1,205 | Muhlenbergia capillaris / Pink Muhly Grass 24" o.c.<br>12" - 14" ht. x 10"-14" spd., 1 gallon                        |         |
|               | PV2   | 590   | Panicum virgatum / Switch Grass 36" o.c.<br>Full 1 gallon pots   |         |
|               | SS  | 355   | Schizachyrium scoparium 'Standing Ovation' / Standing Ovation Little Bluestem 24" o.c.<br>Full 1 gallon pots         |         |
|               | Wildflower Seed Georgia Wildflower mix available at Eaden Brothers, 2099 Brevard Road, Arden, N.C.<br>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

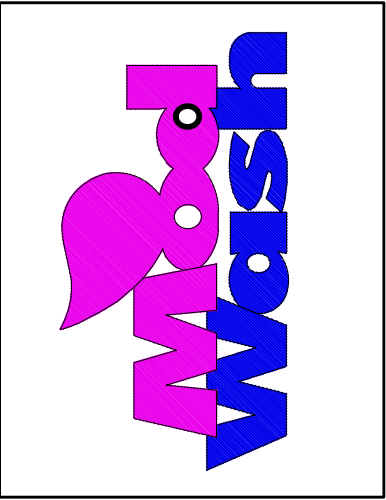
| Code  | Qty. | Botanical/Common                                | Remarks                                     | SF Coverage Ea. | SF Coverage Total |
|-------|------|---|---|-----------------|-------------------|
|       |      |   |   |                 |                   |
| IP2   | 4    | Ilex vomitoria 'Pendula' / Weeping Yaupon Holly | 7-8' ht. x 4'-5', 1-1/2" CAL., 30 gal       | 150             | 600               |
| LN1   | 2    | LAGERSTROEMIA INDICA 'NATCHEZ' /                |   |                 |                   |
| QS    | 7    | NATCHEZ CRAPE MYRTLE                            | 6' Ht. 3 - 5 STEMS, 1" CAL. MIN., 3 LARGEST | 150             | 300               |
|       |      | 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  |          |



| REVISIONS |       | DESCRIPTION |
|-----------|-------|-------------|
| NO.       | DATE: |             |
| 4         |       |             |
| 3         |       |             |
| 2         |       |             |
| 1         |       |             |

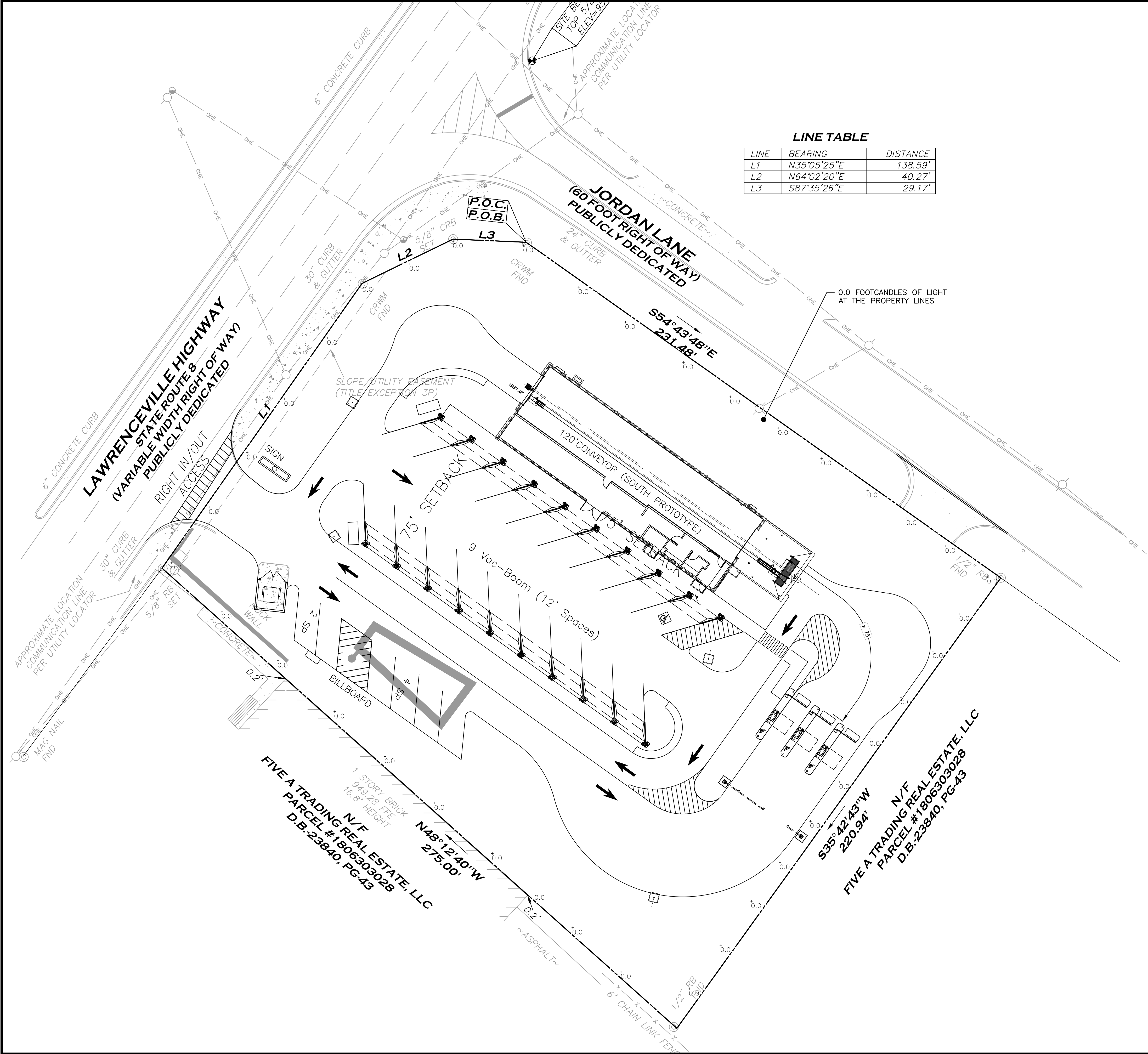


| LANDSCAPE PLAN |  |
|----------------|--|
| PROJECT NAME:  | MODWASH  |
| CLIENT:        | HUTTON   |
| PROJECT NO.:   | 1849 LAWRENCEVILLE HWY, DECATUR, GEORGIA         |
| PROJ. MGR.:    | 7336 CHERRY STREET, CHATTAHOOGA, TENNESSEE 37402 |

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

DATE





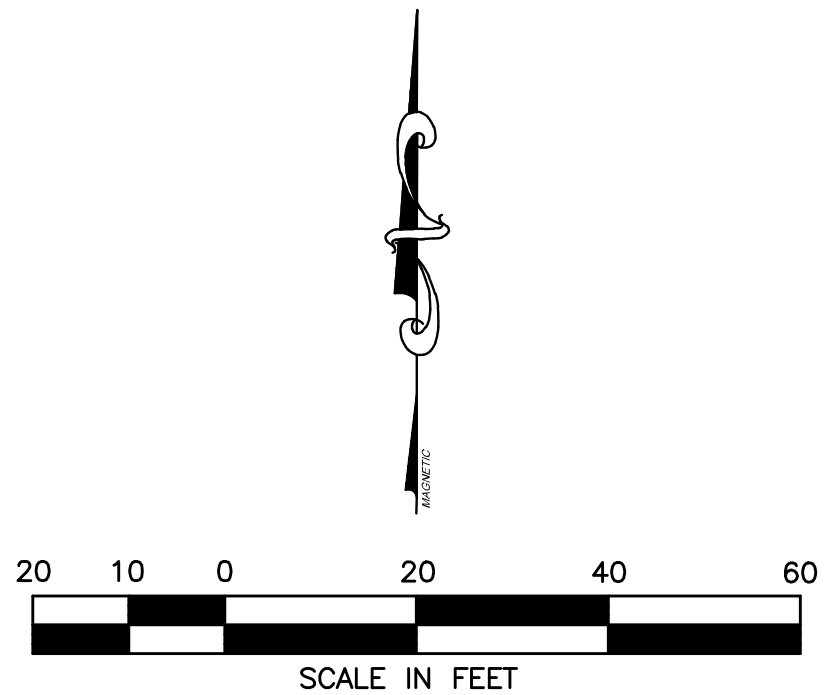
| LINE | BEARING     | DISTANCE |
|------|-------------|----------|
| L1   | N35°05'25"E | 138.59'  |
| L2   | N64°02'20"E | 40.27'   |
| L3   | S87°35'26"E | 29.17'   |

LIGHTING NOTES:

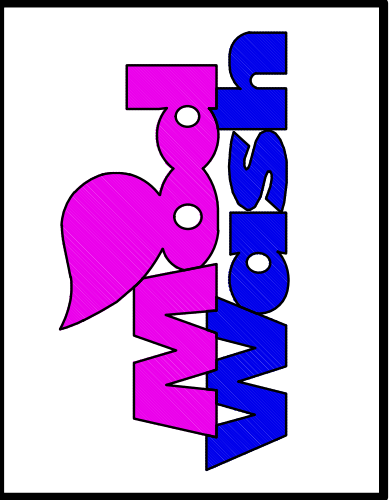
1. LIGHTING IN ALL ZONING DISTRICTS SHALL BE ESTABLISHED IN SUCH A WAY THAT NO DIRECT LIGHT IS CAST UPON OR ADVERSELY AFFECTS ADJACENT PROPERTIES AND ROADWAYS.
2. LIGHT FIXTURES SHALL INCLUDE GLARE SHIELDS TO LIMIT DIRECT RAYS ONTO ADJACENT RESIDENTIAL PROPERTIES.
3. ALL LIGHTING FIXTURES (LUMINARIES) 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          | 19.0          |
| Multifamily residential parking lots                | 0.2           | 1.50          | 10.0          |
| Walkways, access drives and loading/unloading areas | 0.2           | 2.00          | 19.0          |
| Landscaped areas                                    | 0.0           | 0.50          | 5.0           |



DATE

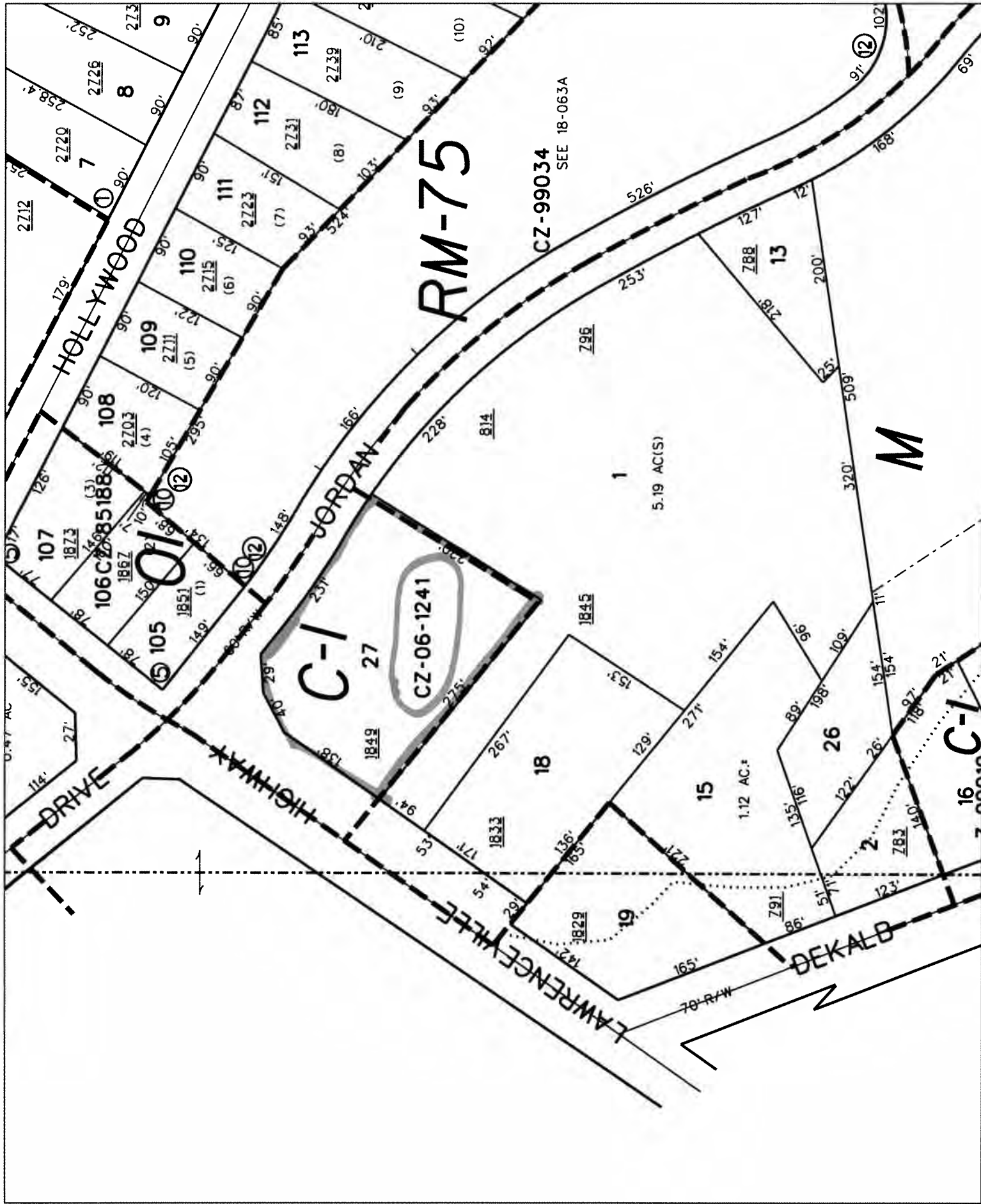


| NO. | DATE: | DESCRIPTION | REVISIONS |
|-----|-------|-------------|-----------|
| 4   |       |             |           |
| 3   |       |             |           |
| 2   |       |             |           |
| 1   |       |             |           |

INFRASTRUCTURE  
1111 CAMBRIDGE SQUARE, SUITE C  
ALPHARETTA, GEORGIA 30009  
PHONE: (678) 985-4820

|                |  |
|----------------|--|
| DRAWING TITLE: | LIGHTING PLAN  |
|                | PROJECT NAME:<br>MODWASH<br>1849 LAWRENCEVILLE HWY, DECATUR, GEORGIA |
|                | CLIENT:<br>HUTTON<br>736 CHERRY STREET, CHATTANOOGA, TENNESSEE 37402 |

|                 |             |
|-----------------|-------------|
| PROJECT NO.:    | PROJ. MGR.: |
| DATE:           | DRWN. BY:   |
| SCALE:          | CHKD. BY:   |
| DRAWING SERIES: | LIGHTING    |
| SHEET NO.       | C-5.0       |





**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:**

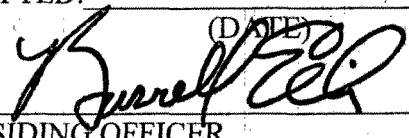
Denial.

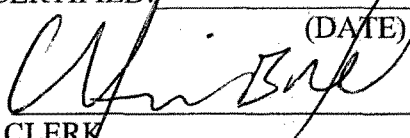
**COMMUNITY COUNCIL:**

Other (No Quorum)

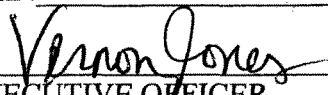
**FOR USE BY COMMISSION OFFICE/CLERK ONLY****ACTION: H21**

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.

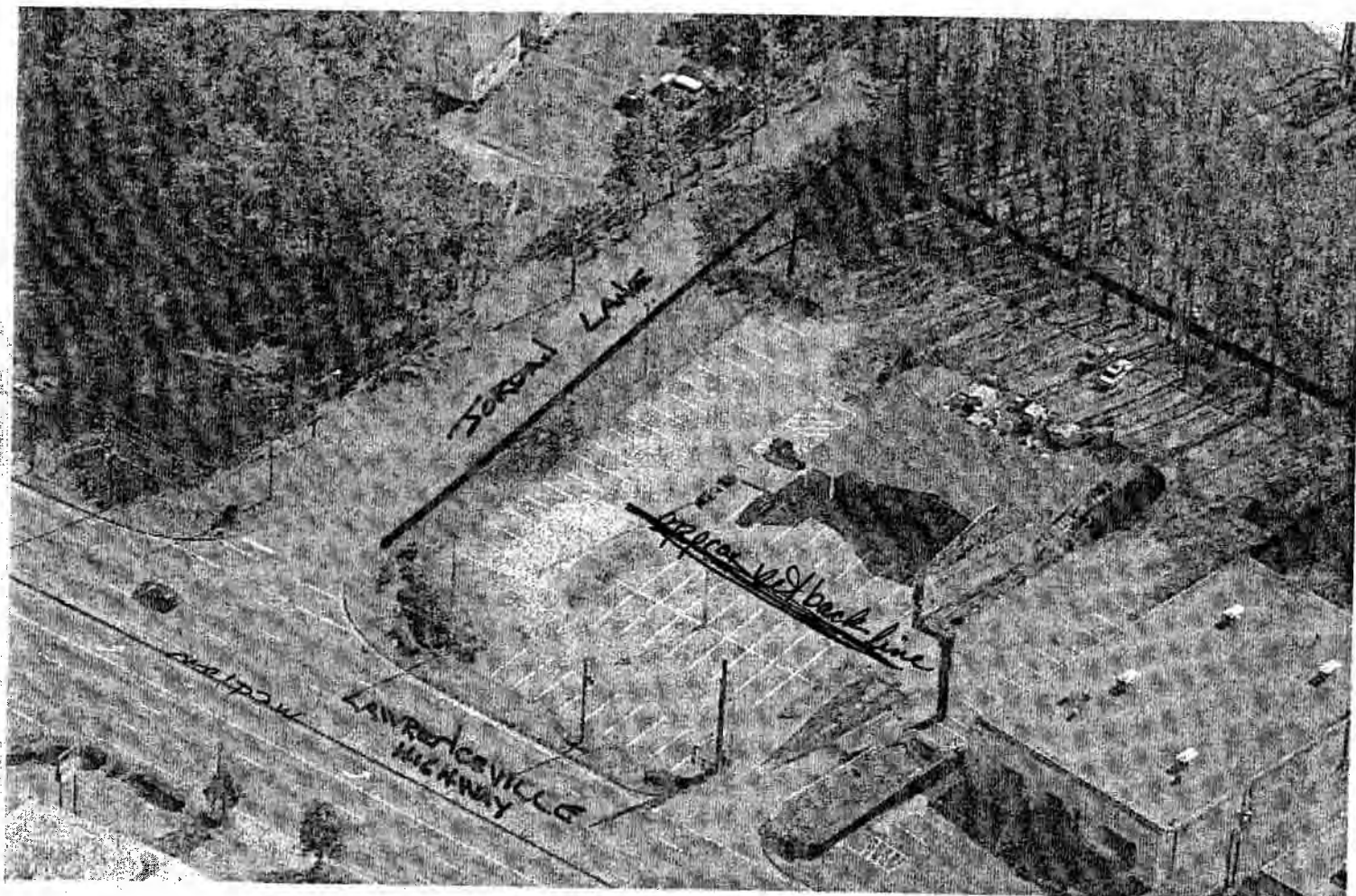
5/23/06

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

MR Chang

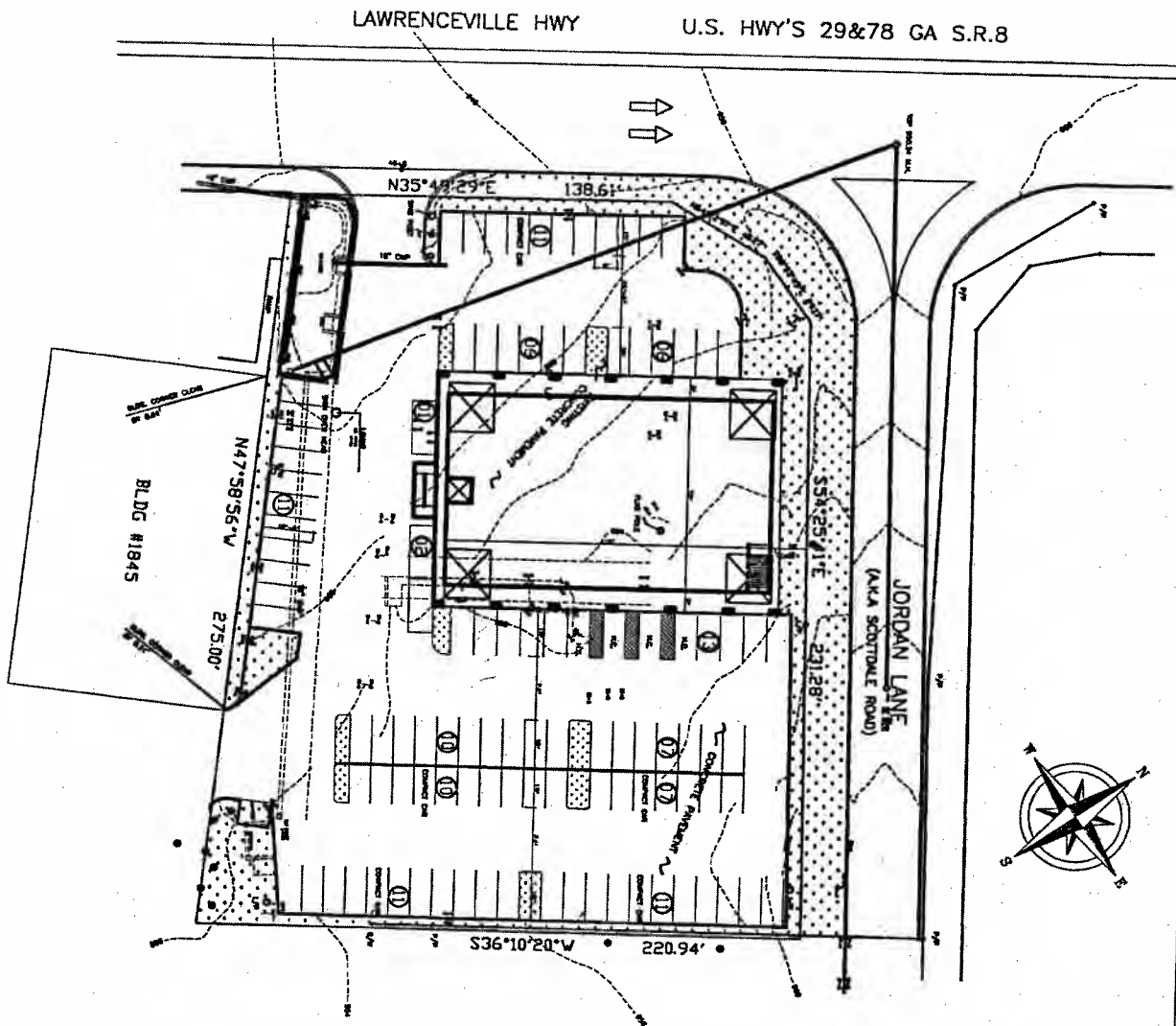
These are the conditions proposed  
for Mr Ali's rezoning from  
M to C-1 on the morning  
of June 27\*. Please let  
me know if questions

Commissioner GANNON  
404-371-4909

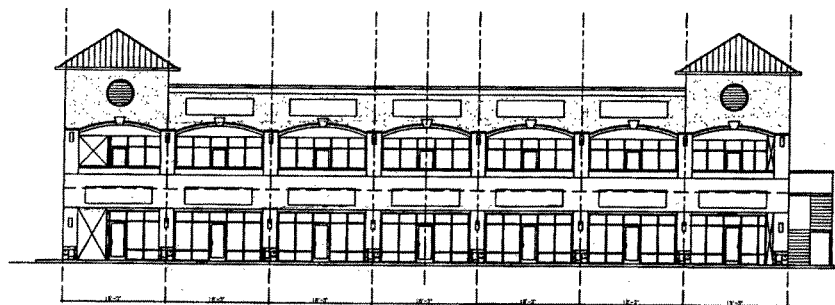


**BEFORE** (c) Copyright 2003, Pictometry International

Z-06-1241



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| C1 |  | SHEET NO. |  | DATE |  | DRAWN BY |  | CHECKED BY |  | AP          |  |           |  |      |  |          |  |            |  |             |  |



ELEVATION  
1/8" = 1'-0"

|   |                    |
|---|--------------------|
| REVISION  | BY                 |
|   |                    |
|   |                    |
|   |                    |
|   |                    |
|   |                    |
|   |                    |
|   |                    |
| CUSTOM DESIGN & DEVELOPMENT CORPORATION<br>1000 10TH AVENUE, SUITE 100<br>DENVER, CO 80202<br>TEL: (303) 733-1111 FAX: (303) 733-1112 |                    |
|   |                    |
| ALL BUILDING  |                    |
| ELEVATION   |                    |
| DRAWN BY<br>CHECKED BY<br>PROJECT NO.<br>DATE: 06/15/2000<br>SHEET  | <b>A1</b><br>TOTAL |





# 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  
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(404) 745-0045 Facsimile  
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# 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.

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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 filing 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.

[Signature]  
Notary



12/10/2025  
Expiration Date/ Seal

ModWash, LLC

By: [Signature]  
Signature of Applicant /Date

Check one: Owner \_\_\_\_\_ Agent X

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

**DEPARTMENT OF PLANNING & SUSTAINABILITY**

**DISCLOSURE OF CAMPAIGN CONTRIBUTION**

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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.
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\_\_\_\_\_  
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?

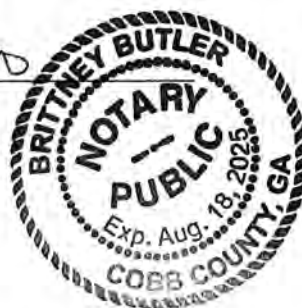
Yes    No    \*

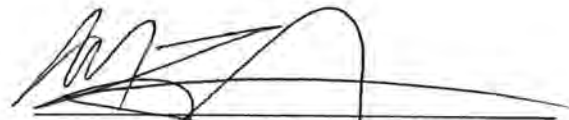
If the answer is yes, you must file a disclosure report with the governing authority of DeKalb County showing:

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.

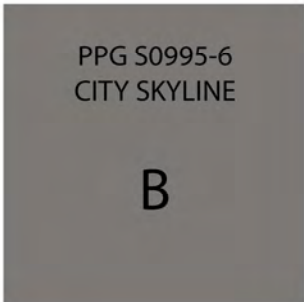
| NAME OF<br>GOV'T OFFICIAL | OFFICIAL<br>POSITION | AMOUNT OF<br>CONTRIBUTION |
|---------------------------|----------------------|---------------------------|
| Ted Terry                 | Commissioner         | \$500                     |
| Mereda Davis Johnson      | Commissioner         | \$250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

By:   
Printed Name: Michele L Battle



ModWash CarWash

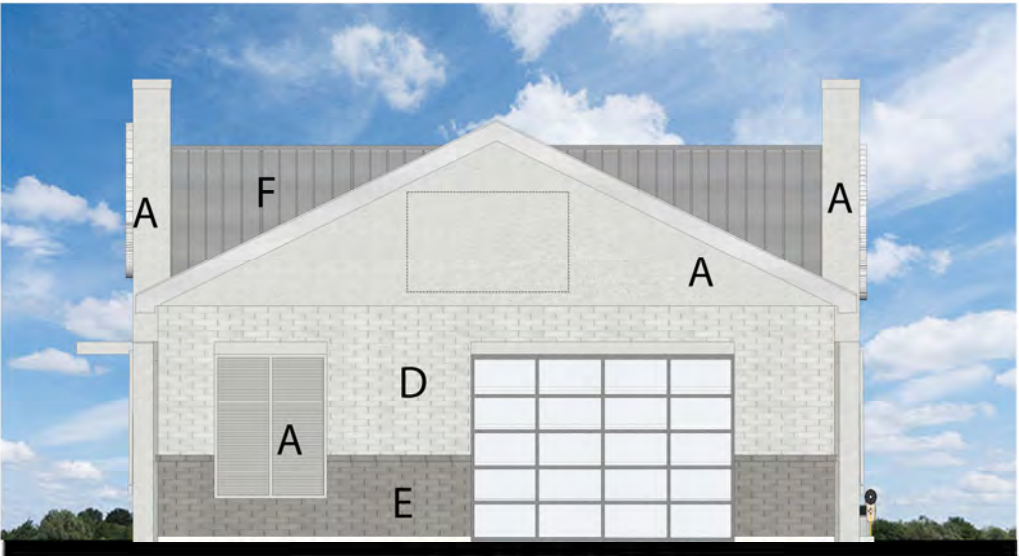
PINE TOWNSHIP WEXFORD, PA



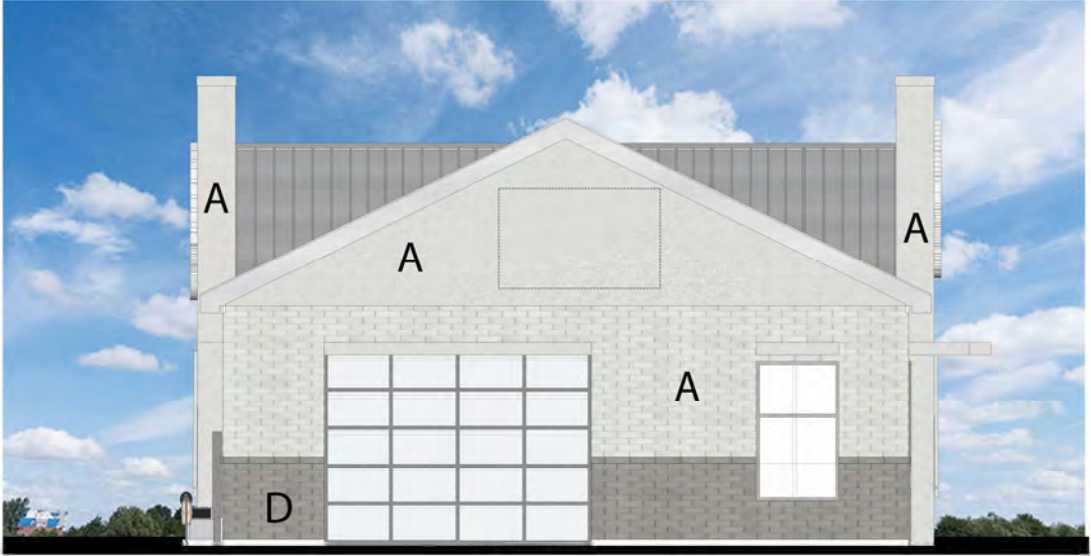
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INTERGRAL COLORED  
OYSTER RANGE



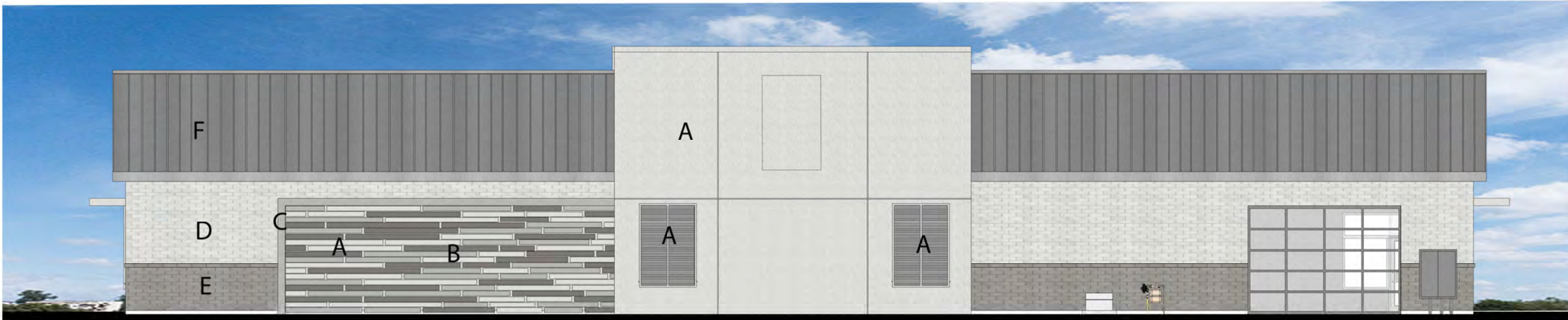
METAL ROOFING  
PREWEATHERED  
GALVALUME



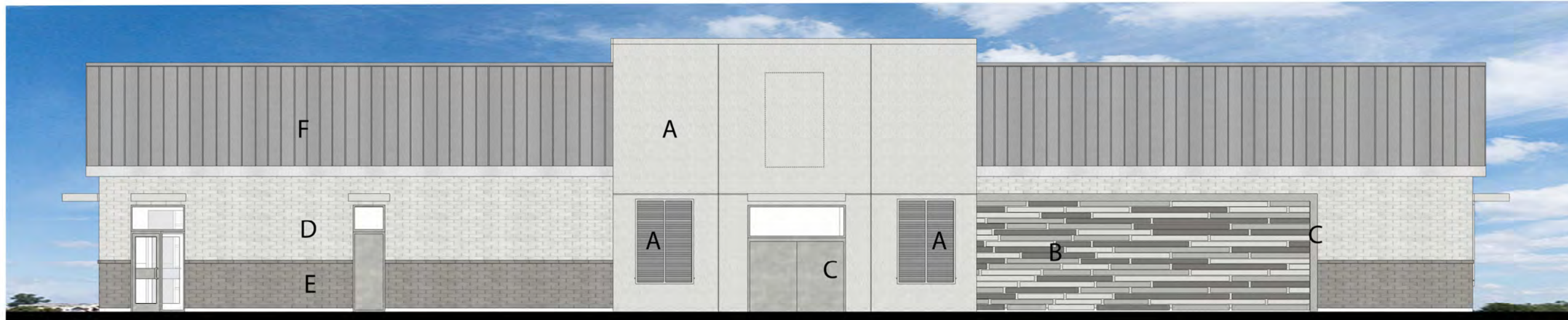
EXIT ELEVATION



ENTRY ELEVATION



TUNNEL ELEVATION



VACUUM ELEVATION