

Public Hearing: YES ☒ NO ☐

Department: Planning & Sustainability

SUBJECT:

COMMISSION DISTRICT(S): Commission District 04 Super District 07

Application of Mahek Virani to rezone property from R-100 (Residential Medium Lot) zoning district to C-1 (Local Commercial) zoning district to allow the construction of a convenience store, at 8067 Rockbridge Road.

PETITION NO: N11-2022-2261 Z-22-1246091

PROPOSED USE: Convenience store.

LOCATION: 8067 Rockbridge Road, Lithonia, Georgia 30058

PARCEL NO. : 16-193-03-011

INFO. CONTACT: Planning & Sustainability

PHONE NUMBER: 404-371-2155

PURPOSE:

Application of Mahek Virani to rezone property from R-100 (Residential Medium Lot) zoning district to C-1 (Local Commercial) zoning district to allow the construction of a convenience store. The property is located on the southwest corner of Rockbridge Road and The Trace, at 8067 Rockbridge Road in Lithonia, Georgia. The property has approximately 200 feet of frontage along Rockbridge Road, 86 feet of frontage along The Trace and contains 0.4 acre.

RECOMMENDATION:

COMMUNITY COUNCIL: Denial.

PLANNING COMMISSION: Denial.

PLANNING STAFF: Withdrawal without Prejudice.

STAFF ANALYSIS: Since the November 1, 2022 Planning Commission hearing, the applicant has requested to withdraw this application. The Planning and Sustainability Department supports this request and, therefore, our amended recommendation is for “Withdrawal without Prejudice”.

PLANNING COMMISSION VOTE: Denial 8-0-0. Jon West moved, LaSonya Osler seconded for denial, per Staff recommendation.

COMMUNITY COUNCIL VOTE/RECOMMENDATION: Denial 7-1-0.

From: Mahek Virani <invest@maheksv.com>

Sent: Wednesday, November 2, 2022 3:37 PM

To: Reid, John <jreid@dekalbcountyga.gov>; Bragg, Rachel L. <RLBragg@dekalbcountyga.gov>; Karam <develop@maheksv.com>

Subject: Formal Withdrawal Request

Hello,

I would like to withdraw 8067 Rockbridge Rd Lithonia GA, from the rezoning application. I will still attend the next meeting.

Please let me know if there is anything else I need to do.

Best Regards,
Mahek Virani



DeKalb County Department of Planning & Sustainability

178 Sams Street,
Decatur, GA 30030

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

Planning Commission Hearing Date: November 1, 2022

Board of Commissioners Hearing Date: November 17, 2022

STAFF ANALYSIS

Case No.:	Z-22-1246091	Agenda #: 2022-2261
Location/Address:	8067 Rockbridge Road	Commission District: 04 Super District: 07
Parcel ID(s):	16-193-03-011	
Request:	Rezone from R-100 (Residential Medium Lot-100) Zoning District to C-1 (Local Commercial) Zoning District to allow the construction of a convenience store.	
Property Owner(s):	Subhans Venture, LLC	
Applicant/Agent:	Mahek Virani	
Acreage:	0.38 acres	
Existing Land Use:	Undeveloped	
Surrounding Properties:	North: C-1 East: R-100 South: R-100 West: R-100	
Comprehensive Plan:	SUB <input type="checkbox"/> Consistent	<input checked="" type="checkbox"/> Inconsistent

Staff Recommendation: Disapproval.

The applicant is requesting a rezoning from the R-100 (Residential Medium Lot-100) Zoning District to the C-1 (Local Commercial) Zoning District “to develop this vacant land into a convenience store with a gas station and alcohol outlet.” The requested rezoning to C-1 is consistent with the *Comprehensive Plan*. The subject property is located in the Suburban (SUB) future land use character area, which includes C-1 as a permissible zoning district (pg. 116) and lists “neighborhood retail” as a primary land use (pg. 115).

Conversely, the subject property is nearly surrounded by residential uses and is included as “Lot 1” within the Horseshoe Bend Subdivision. Additionally, there is a neighborhood center activity center directly north across Highway 124 (i.e., Stonebridge Village Shopping Plaza). While the shopping plaza suffers from a similar decline as many other suburban shopping plazas, its future land use designation as an activity center is where new commercial activity is preferred. Moreover, there is a liquor store and a gas station/convenience store within 1,000 feet of the subject property. Overall, this location is less than ideal for the proposed uses.

Upon review of the proposed site plan, at approximately 16,362 square feet (0.38 acres), the subject property would be smaller than the C-1 minimum lot area of 20,000 square feet. The development plans do not include the proper minimum setback requirements (50ft-front & side corner, 20ft-interior side, 30ft-rear). The lot would not support the proposed commercial use and the minimum 50-foot transitional buffer adjacent to residentially zoned lots. Furthermore, the subject property was designed as a residential lot, therefore, its primary frontage is along The Trace; not Highway 124.

The Department of Public Works does not recommend commercial access from The Trace. Also, the property is situated along a curve, which further complicates ingress/egress and vision clearance. On-site stormwater detention has not been addressed. This site may not be adequate for the proposed zoning and uses.

Therefore, upon review of Section 7.3.5. (A, B, D, and E) of the *Zoning Ordinance*, staff recommends disapproval of the rezoning request.



**DEKALB COUNTY GOVERNMENT
PLANNING DEPARTMENT
DISTRIBUTION FORM**

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

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

Case No.: Z-22-1246091
Parcel I.D. #: 16-193-03-011
Address: 8067 ROCKBRIDGE RD
LITHONIA, GA 30058

WATER:

Size of existing water main: 16" DIP (adequate/inadequate)
Distance from property to nearest main: adjacent
Size of line required, if inadequate: unknown

SEWER:

Outfall Servicing Project: Yellow River
Is sewer adjacent to property: Yes () No (X) If no, distance to nearest line: none
Water Treatment Facility: Pole Bridge () adequate () inadequate
Sewage Capacity: 20 (MGPD) Current Flow: 7.8 (MGPD)

COMMENTS:

Signature: Yola Lewis



10/17/2022

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

General Comments:

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

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

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

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

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

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

For a public transportation route, there shall be a 5ft. sidewalk with a buffer between the sidewalk and the road. There shall be enough space next to sidewalk for bus shelter's concrete pad installation.

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

404.508.7900 • www.dekalbhealth.net

10/17/2022

N9 2022-2259

CZ-22-1246089 15-179-06-062

211 South Howard Street, Atlanta, GA 30317

☐ Amendment

- Please review general comments.

N10 2022-2260

CZ-22-1246090 18-083-01-010

1347 Bermuda Road, Stone Mountain, GA 30087

☐ Amendment

- Please review general comments
- Note: This property may be on septic. Based on our records several surrounding properties have septic system installed. Our office does not have records that indicates installation.

N11 2022-2261

Z-22-1246091 16-193-03-011

8067 Rockbridge Road, Lithoina, GA 30058

☐ Amendment

- Please review general comments.
- Note: This property may be on septic. Based on our records several surrounding properties have septic system installed. Our office does not have records that indicates installation.

N12 2022-2261

Z-22-1246091 16-193-03-011

1065 Fayetteville Road, Atlanta, GA 30316

☐ Amendment

- Please review general comments.
- Note: This property may be on septic. Based on our records several surrounding properties have septic system installed. Our office does not have records that indicates installation.

Zoning Comments – October 2022

- N1.** No package to review.
- N2. 1845 Lawrenceville Hwy.** Lawrenceville Hwy is a state route. GDOT review and approval required prior to permitting. Lawrenceville Hwy is classified as a major arterial. Requires a right of way dedication of 50 feet from centerline OR such that all public infrastructure is within right of way, whichever greater. Add ADA Ramps and a pedestrian crossing across Jordan Lane. Requires a 5-foot landscape strip with a 10 foot multi-use path. No poles may remain within the limits of the path. Requires pedestrian scale streetlights. Jordan Lane is classified as a local road. Requires a right of way dedication of 27.5 feet from centerline OR such that all public infrastructure is within right of way, whichever greater. Requires 12-foot travel lane from centerline with curb and gutter. Requires a 5-foot landscape strip with a 5-foot sidewalk. Requires pedestrian scale streetlights. No poles may remain within the limits of the sidewalk. Driveway on Jordan Lane cannot be relocated without Transportation approval- proposed location acceptable.
- N3. 1251 Robinwood Rd.** Build 5 foot sidewalks in front of the subject property and extend to Lawrenceville Hwy within the current right of way. Robinwood Rd is classified as a local road. Requires a right of way dedication of 27.5 feet from centerline OR such that all public infrastructure is within right of way, whichever greater. Requires 12 foot travel lane from centerline with curb and gutter. Requires a 5 foot landscape strip with a 5 foot sidewalk on right of way. Requires pedestrian scale streetlights. Street parking within the right of way must be approved by Roads & Drainage prior to permitting. No poles may remain within the limits of the sidewalk. Interior streets/alleys must be private.
- N4. 3458 Mountain Drive.** Mountain Drive is a state route and requires GDOT review and approval prior to permitting. Requires traffic study to determine required number of lanes and queue lengths at entrances. The study will also determine the need for left turn lanes into the development. Mountain Drive is classified as a collector road. Requires a right of way dedication of 35 from centerline OR such that all public infrastructure is within right of way, whichever greater. Requires a 5 foot landscape strip with a 10 foot multi-use path. No poles may remain within the limits of the path. Requires pedestrian scale streetlights. Speed Limit is 45 mph (per plans). Watch minimum driveway separation spacing in Sec 14-200(6). Speed Limits between 36 to 45mph requires 245 feet of separation between driveways. Developments with 151-300 residential units require 3 access points (Land development Code Sec 14-200(5).) Suggest that if you are seeking a variance that you do it within the zoning process. Interior street must be private.
- N5. 6168 Marbut Rd.** No parking allowed on Marbut Road.
- N6/N7. 2179 Bouldercrest Road.** Bouldercrest Road is classified as a major arterial. Requires a right of way dedication of 50 from centerline OR such that all public infrastructure is within right of way, whichever greater. Replace curbing along property frontage. Requires a 5 foot landscape strip with a 10 foot multiuse path. No poles may remain within the limits of the path. Requires pedestrian scale streetlights. No Parking allowed within the right of way.
- N8. 3507 Memorial Drive.** Memorial Drive is a state route. GDOT review and approval required prior to permitting. No comment. Based on the plan, this site is interior to the property and not adjacent to a right of way.

- N9. 311 South Howard St.** (They have the wrong address on the application. It is 211 South Howard Street.) Memorial Drive is a state route within the City of Atlanta. Both agencies will have to review and approve the requirements prior to permitting. For DeKalb: Memorial Drive requires a right of way dedication of 50 foot from centerline OR such that all public infrastructure is within right of way, whichever greater. Requires a 5 foot landscape strip with a 10 foot mulituse path. No poles may remain within the limits of the path. Requires pedestrian scale streetlights. DeKalb Transportation will defer to the City of Atlanta comments for right of way improvements. South Howard St is classified as a collector street. South Howard Street requires a right of way dedication of 35 feet from centerline OR such that all public infrastructure is within right of way, whichever greater. Requires a 5 foot landscape strip with a 10 foot mulituse path. No poles may remain within the limits of the path. Requires pedestrian scale streetlights. Access point must remain at the southern property line on South Howard St. Interior private alley (instead of a shared drive for permitting) must be private. Shared drives not allowed for 6 lots, private alley in this case is allowed.
- N10. 1347 Bermuda Road.** By Code- shared driveways can only be for 2 lots. A variance will be necessary to have 6 lots on a shared driveway. Suggestion: widen to 24 feet and make it a private road. Bermuda Road is classified as a collector road. requires a right of way dedication of 35 from centerline OR such that all public infrastructure is within right of way, whichever greater. Requires a 5 foot landscape strip with a 10 foot mulituse path. No poles may remain within the limits of the path. Requires pedestrian scale streetlights. Watch minimum separation of drives/roads in section 14-200(6) based on the speed limit of the road.
- N11. 8067 Rockbridge Road.** No Access on The Trace. Rockbridge Road is classified as a major arterial. Requires a right of way dedication of 50 feet from centerline OR such that all public infrastructure is within right of way, whichever greater. Requires a 5 foot landscape strip with a 10 foot mulituse path. No poles may remain within the limits of the path. Requires pedestrian scale streetlights. The Trace is classified as a local road. Requires a right of way dedication of 27.5 feet from centerline OR such that all public infrastructure is within right of way, whichever greater. Requires a 5 foot landscape strip with a 5 foot sidewalk path. No poles may remain within the limits of the sidewalk. Requires pedestrian scale streetlights. This property is within the interior of a curve. Intersection sight distance exiting the property (based on AASHTO guidance and sealed by a professional engineer) must be met prior to permitting. Guardrail resign must also take place by a professional engineer along the Rockbridge frontage.
- N12. 1065 Fayetteville Rd.** Fayetteville Road is classified as a collector road. Requires a right of way dedication of 35 feet from centerline OR such that all public infrastructure is within right of way, whichever greater. Requires a 5 foot landscape strip with a 10 foot mulituse path. No poles may remain within the limits of the path. Requires pedestrian scale streetlights. Graham Circle is classified as a local road. Requires a right of way dedication of 27.5 feet from centerline OR such that all public infrastructure is within right of way, whichever greater. Requires a 12 foot travel lane from centerline of road. Requires a 5 foot landscape strip with a 5 foot sidewalk path. No poles may remain within the limits of the sidewalk. Requires pedestrian scale streetlights. Interior streets are shown on site plan as private. If they become public: Requires a right of way dedication of 55 feet. Requires a 5 foot landscape strip with a 6 foot sidewalk. No poles may remain within the limits of the sidewalk. Requires pedestrian scale streetlights.
- N13. 2255, 3375, 3395 Northeast Expressway.** All access is from GDOT right of way. GDOT review and permits required. Further discussions required around the Peachtree Greenway Trail connection. All public infrastructure must be on right of way.
- N14. 1602 Scott Blvd.** Scott Blvd is a state route. GDOT review and approval required prior to permitting. Scott Blvd is classified as a major arterial. Requires a right of way dedication of 50 feet from centerline OR such that all public infrastructure is within right of way, whichever greater. Requires a 5 foot landscape strip with a 10 foot mulituse path. Extend Path to and along Blackmon Drive frontage. No poles may remain within the limits of the path. Requires pedestrian scale streetlights. All interior streets to be private. No access allowed on Blackmon Drive Right in right out only allowed on Scott Blvd- with proper design to prohibit restricted movements.
- N15. 2739 Craigie Ave.** No comment.
- N16. 1259 Sheppard Ct.** No comment.

N17/N18. Not in package to review.

N19. No comment.



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.

The discharge from the stormwater facility/detention pond must discharge into an outfall that has adequate capacity to accommodate the runoff from the development. If the connecting downstream system is not able to accommodate the allowable design flows from the site, then the design engineer must design drainage facilities with the capacity to over-detain flows so they can be accommodated by the existing downstream conveyance structures whereby allowing the existing downstream system to operate correctly. If downstream easements are needed to extend the drainage system to an adequate outfall, the developer shall obtain these easements.

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

Runoff Reduction Volume shall be provided unless technical justification is provided regarding 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.

However, a state water determination request must be submitted to the County to confirm that the ditch that is running through the property is not a creek/state water with buffer; before moving forward.



DEKALB COUNTY GOVERNMENT
PLANNING DEPARTMENT
DISTRIBUTION FORM

N-11

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

COMMENTS FORM:
PUBLIC WORKS TRAFFIC ENGINEERING

Case No.: Z-22-1246091 Parcel I.D. #: 16-193 03-011
Address: 8067 Rockbridge Road
Lithonia, Ga. 30058

Adjacent Roadway (s):

(classification) _____

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

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

Please provide additional information relating to the following statement.

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

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

COMMENTS:

Did not see any traffic engineering concerns at
this time.

Signature: _____

[Handwritten Signature]

DEPARTMENT OF PLANNING & SUSTAINABILITY

Rezoning Application to Amend the Official Zoning Map of DeKalb

RECEIVED

By Rachel Bragg at 1:00 pm, Aug 31, 2022

Date Received: _____ Application No: _____

Applicant Name: Mahek Virani

Applicant E-Mail Address: develop@maheksv.com

Applicant Mailing Address: 4512 Timber Hill Ct Lilburn GA 30047

Applicant Daytime Phone: 404 913 4797 Fax: _____

Owner Name: Shubans Venture

If more than one owner, attach list of owners.

Owner Mailing Address: 4512 Timber Hill Ct Lilburn GA 30047

Owner Daytime Phone: 404-966-8915

Address of Subject Property: 8067 Rockbridge Rd Lithonia GA 30058

Parcel ID#: 16 193 03 011

Acreage: 0.4 acre lot Commission District: 4 & 7

Present Zoning District(s): R-100 (Single-family)

Proposed Zoning District: C-1 (Local Commercial)

Present Land Use Designation: SUB

Proposed Land Use Designation (if applicable): _____

Chief Executive Officer
Michael Thurmond

DEPARTMENT OF PLANNING & SUSTAINABILITY

Director
Andrew A. Baker, AICP

REZONING APPLICATION CHECKLIST

Submit **4 printed, collated sets** of the complete application (no staples, no binders) and a PDF version on a **flash drive**

_____ 1. Schedule a mandatory **Pre-Application Conference** with Planning & Sustainability staff by appointment. Obtain **Pre-Application form** (to be completed in pre-application meeting). Please call 404-371-2155 for appointment.

_____ 2. Hold a **Pre-Submittal Community Meeting** with surrounding neighborhood associations and residents. Provide documentation of the meeting (**meeting notice and sign in sheets**). Letter(s) from homeowners association(s) may also be provided.

_____ 3. Submit **Application** (Submit 4 printed, collated sets and a PDF version on a flash drive. Please assemble materials in the following order.)

_____ **A. Application form** with name and address of applicant and owner, and address of subject property;

_____ **B. Pre-submittal community meeting notice and sign-in sheet** and other documentation of meeting, if any;

_____ **C. Letter of application and impact analysis**

1. **Letter of application** identifying a) the proposed zoning classification, b) the reason for the rezoning or special use or modification request, c) the existing and proposed use of the property, d) detailed characteristics of the proposed use (e.g. floor area, height of building(s), number of units, mix of unit types, number of employees, manner and hours of operation), d)(optional) statement of conditions discussed with the neighborhood or community, if any.

2. **Impact analysis** of the anticipated impact of the proposed use and rezoning on the surrounding properties in response to the standards and factors specified in Article 7.3 of the DeKalb County Zoning Ordinance, as attached. If a Major Modification, please include previously approved conditions and Board of Commissioner meeting minutes.

_____ **D. Authorization Form**, if applicant is not the owner. Must be signed by all owners of the subject property and notarized. Authorization must contain the mailing address and phone number of any applicant or agent who is authorized to represent the owner(s) of the subject property. Please include warranty deed, if property ownership is less than 2 years.

_____ **E. Campaign disclosure statement** (required by State law).

_____ **F. Legal boundary survey** of the subject property, (showing boundaries, structures, and improvements), prepared and sealed within the last year by a professional engineer or land surveyor registered in the State of Georgia. *(If survey shows property on opposite sides of a public street right-of-way, file a separate application for each property.)*

_____ **G. Site Plan**, printed to scale, folded, of any existing and or proposed development/redevelopment. For projects larger than 1 acre, site plan should be at least 1:50 scale. The site plan must include the following:

- _____ a. complete boundaries of subject property;
- _____ b. dimensioned access points and vehicular circulation drives;
- _____ c. location of all existing and proposed buildings, structures, setbacks and parking;
- _____ d. location of 100 year floodplain and any streams;
- _____ e. notation of the total acreage or square footage of the subject property;
- _____ f. landscaping, tree removal and replacement, buffer(s); and
- _____ g. site plan notes of building square footages, heights, density calculations, lot coverage of impervious surfaces, parking ratios, open space calculations, and other applicable district standards.

_____ **H. Reduced Site Plan**, reduced to 8.5" x 11".

_____ **I. Written Legal Description** of metes and bounds of the subject property (can be printed on site plan or survey).

_____ **J. Building Form Information**. Elevation (line drawing or rendering), or details of proposed materials, in compliance with Article 5 of the Zoning Ordinance.

_____ **K. Completed, signed Pre-application Form** (Provided at pre-application meeting.)

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: Mahek Salim Virani Phone: : (404) 966 8915 Email: maheksalimvirani@gmail.com

Property Address: 8067 Rockbridge Rd

Tax Parcel ID: 16 193 03 011 Comm. District(s): 4 & 7 Acreage: .41

Existing Use: Vacant land Proposed Use Gas station and alcohol sales (beer and wine)

Supplemental Regs: Yes-- Sec 4.2.28 for Gas stations...4.2.8 for alcohol outlets Overlay District: NA
DRI: NA

Rezoning: Yes ☒ No ☐

Existing Zoning: R-100 (Single-family)

Proposed Zoning: C-1 (Local Commercial)

Square Footage/Number of Units: _____

Rezoning Request: R-100 to C-1 for a convenience store with gas station and alcohol outlet

Land Use Plan Amendment: Yes ☐ No ☒

Existing Land Use: SUB Proposed Land Use: _____ Consistent ☐ Inconsistent ☐

Special Land Use Permit: Yes ☒ No ☐ Article Number(s) 27-

Special Land Use Request(s) one SLUP for gas station and one SLUP for alcohol sales

Major Modification:

Existing Case Number(s): NA

Condition(s) to be modified:

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 take priority on for September agenda and only 4 rezone cases allowed; 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: Applicant will need to provide justification as to why proposed C-1 district and proposed SLUP for gas station and alcohol outlet is appropriate and compatible with surrounding residential area. Show compliance with C-1 requirements, including but not limited to minimum lot area and lot width, required parking, parking lot landscaping, minimum open space, maximum building height, streetscape

DEPARTMENT OF PLANNING & SUSTAINABILITY

improvements (sidewalks/street trees/street lighting), building materials, etc. Applicant to show compliance with the supplemental regulations for fuel pumps and for alcohol sales. The applicant is encouraged to discuss possible transportation improvements that may be required (if the rezoning is approved by the Board of Commissioners) with the county Transportation Department. The applicant is encouraged to contact Land Development Division of Public Works regarding required storm water management, floodplain, and stream buffer issues.

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

Planner: John Reid _____ Date 05/19/22 _____

Filing Fees

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

DEPARTMENT OF PLANNING & SUSTAINABILITY

IMPACT ANALYSIS

(Please respond to the following standards and factors on a separate sheet.)

Section 27-7.3.5. The following standards and factors are found to be relevant to the exercise of the county's zoning powers and shall govern the review of all proposed amendments to the Official Zoning Map:

- A. Whether the zoning proposal is in conformity with the policy and intent of the Comprehensive Plan.
- B. Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby properties.
- C. Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned.
- D. Whether the zoning proposal will adversely affect the existing use of usability of adjacent or nearby properties.
- E. Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the zoning proposal.
- F. Whether the zoning proposal will adversely affect historic building, sites, districts, or archaeological resources.
- G. Whether the zoning proposal will result in a use which will or could cause excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.
- H. Whether the zoning proposal adversely impacts the environment or surrounding natural resources.

Impact analysis

The zoning proposal is set to be aligned with the regulations, policy and intent of the area's comprehensive plan. The rezoning request will give the owner the chance to develop this vacant land into a convenience store with a gas station and alcohol outlet. This usage of land is permitted and suitable for the area and nearby properties. The rezoning request would change the zoning of the land from residential to local commercial which would translate to a viable economic value which cannot happen without changing the rezoning status.

All the conditions around this request indicate that the area would benefit from this rezoning request. The project would turn vacant land into a project of great importance to the area. It will provide essential services to the residential areas around it. In addition, it would be a vital stop point for drivers and road users crossing the area and in need of gas and basic items. This project would contribute to revitalising the area and reflect positively on the community of the area. Creating this project would make basic services like gas, groceries and basic items more accessible to the members of the community all day. This project would have a positive impact on the homes prices of the area. The project in no way affects historic buildings or heritage sites and integrates well with its natural and built surroundings.

DEPARTMENT OF PLANNING & SUSTAINABILITY

DISCLOSURE OF CAMPAIGN CONTRIBUTION

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

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

Yes _____ No X *

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

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

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

Notary

29/08/2022

Signature of Applicant /Date

Check one: Owner _____ Agent _____

Expiration Date/ Seal

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

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: 29/08/2022

TO WHOM IT MAY CONCERN:

(I) (WE) Shubans Venture
Name of owner(s)

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

Mahek Virani
Name of Agent or Representative

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

Notary Public

Owner

Notary Public

Owner

Notary Public

Owner

Notary Public

Owner

DEPARTMENT OF PLANNING & SUSTAINABILITY

FILING FEES

At the time of submittal, a filing fee shall accompany each application as follows:

<u>Rezoning</u>	<u>FEE</u>
RE, RLG, R-100, R-85, R-75, R-60 MHP, RNC, RSM, MR-1, MR-2	\$500.00
HR-1, HR-2, HR-3 MU-1, MU-2, MU-3, MU-4, MU-5 O-I, OD, OIT, NS, C-1, C-2, M. M-2	\$750.00

If the application is a request to rezone to more than one zoning district, the higher fee will apply.

Applications for non-contiguous property (separated by a street) must be filed separately. A separate fee will be charged for each application. Applications deferred “full cycle” do not require additional fees. An application that is withdrawn and later re- filed will be treated as a new case and will require a new fee.

Pre-submittal community meeting notice:

Dear Property Owner,

We would like to invite you to join our Zoom Video Meeting on June 25th at 12pm to discuss the proposed rezoning of the property at 6087 Rockbridge Rd to allow for the development of a convenience and gas station.

Below are the meeting instructions. There are multiple ways for you to join the meeting, including via your computer, tablet, or cell phone, with or without video. If you are unable to make it but would like to learn more, please contact our office via email at invest@maheksv.com and we will send you a summary of the meeting.

Best Regards,
Mahek Virani

Mahek Virani is inviting you to a scheduled Zoom meeting.

Topic: Proposed Rezoning of 6087 Rockbridge Rd
Time: Jun 25, 2022 12:00 PM Eastern Time (US and Canada)

Join Zoom Meeting
<https://us06web.zoom.us/j/87119244961?pwd=NUNrNlgrZ1lzVmF0Z0Q0MFFKRmM3QT09>

Meeting ID: 871 1924 4961
Passcode: 979086
One tap mobile
+16465588656,,87119244961#,,,,*979086# US (New York)
+13017158592,,87119244961#,,,,*979086# US (Washington DC)

Dial by your location
+1 646 558 8656 US (New York)
+1 301 715 8592 US (Washington DC)
+1 312 626 6799 US (Chicago)
+1 720 707 2699 US (Denver)
+1 253 215 8782 US (Tacoma)
+1 346 248 7799 US (Houston)

Rezoning Petition _____

LCTM-Parcel _____

REZONING APPLICATION



Campaign Contribution Form Disclosure Form As required By O.C.G.A. 36-67A-3

To be submitted with the rezoning application:

Rezoning Petition
Number:

Name of Owner:

Shubans Venture

Property ID:

LCTM 16 193 03 011

In accordance with O.C.G.A. 36-67A-3 and as an APPLICANT or an ☐ OPPONENT of the above referenced rezoning petition, I hereby affirm that ☐ I HAVE or ☒ I HAVE NOT made within two (2) years immediately preceding the filing of this rezoning petition made campaign contributions in the amount of \$ 250.00 or more to a local government official who will consider this rezoning petition.

List below the names of local government authority officials to whom campaign contributions were made within two (2) years preceding the filing of the rezoning application which campaign contributions total \$ 250.00 or more or to whom gifts were made having a total value of \$ 250.00 or more.

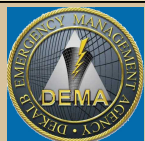
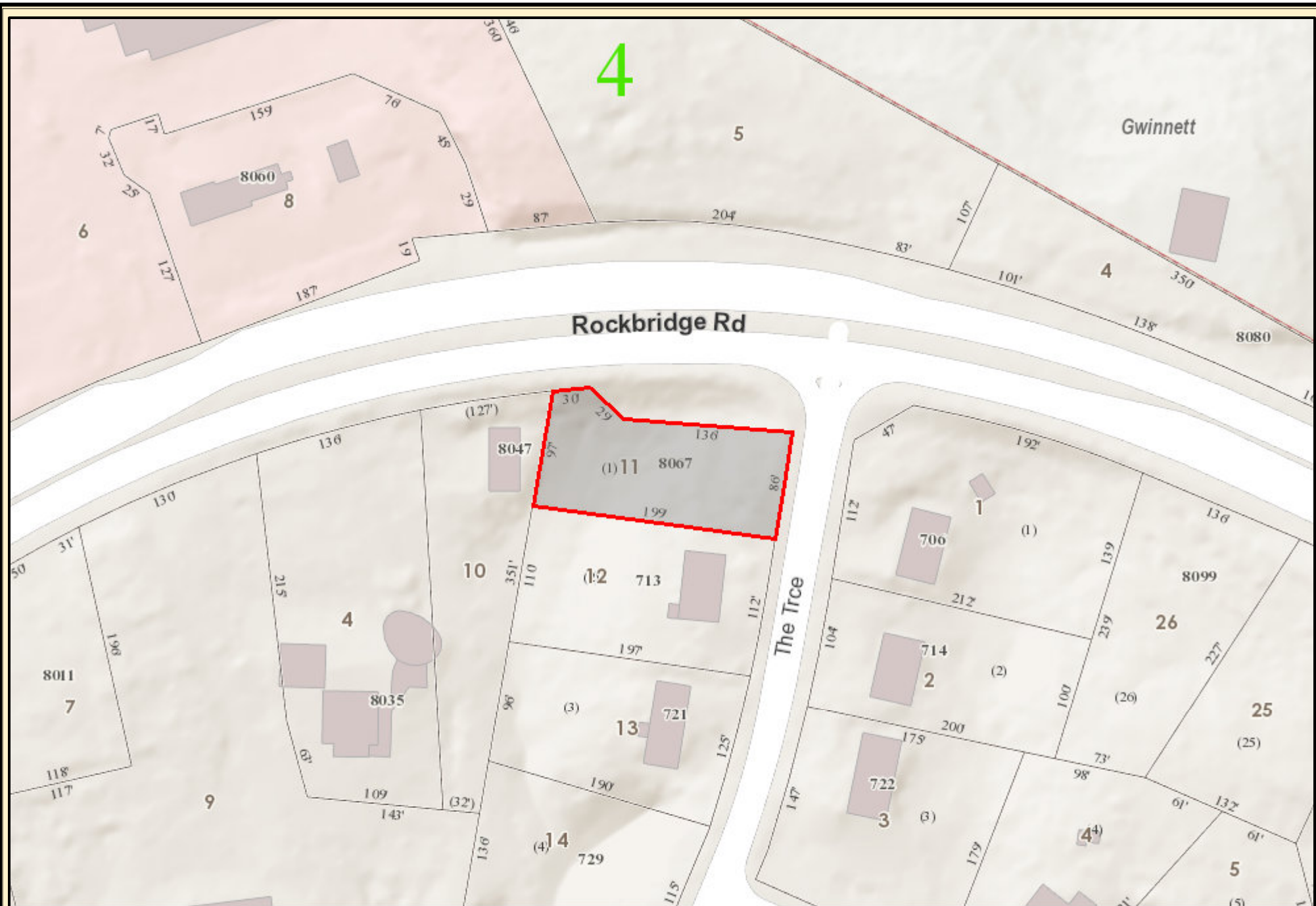
Name	Amount	Description of Gifts

I swear or affirm that the above information is true and correct to the best of my knowledge and belief.

28/08/2022

Date

Property owner's signature



DEMA Response Map



Date Printed: 1/12/2021



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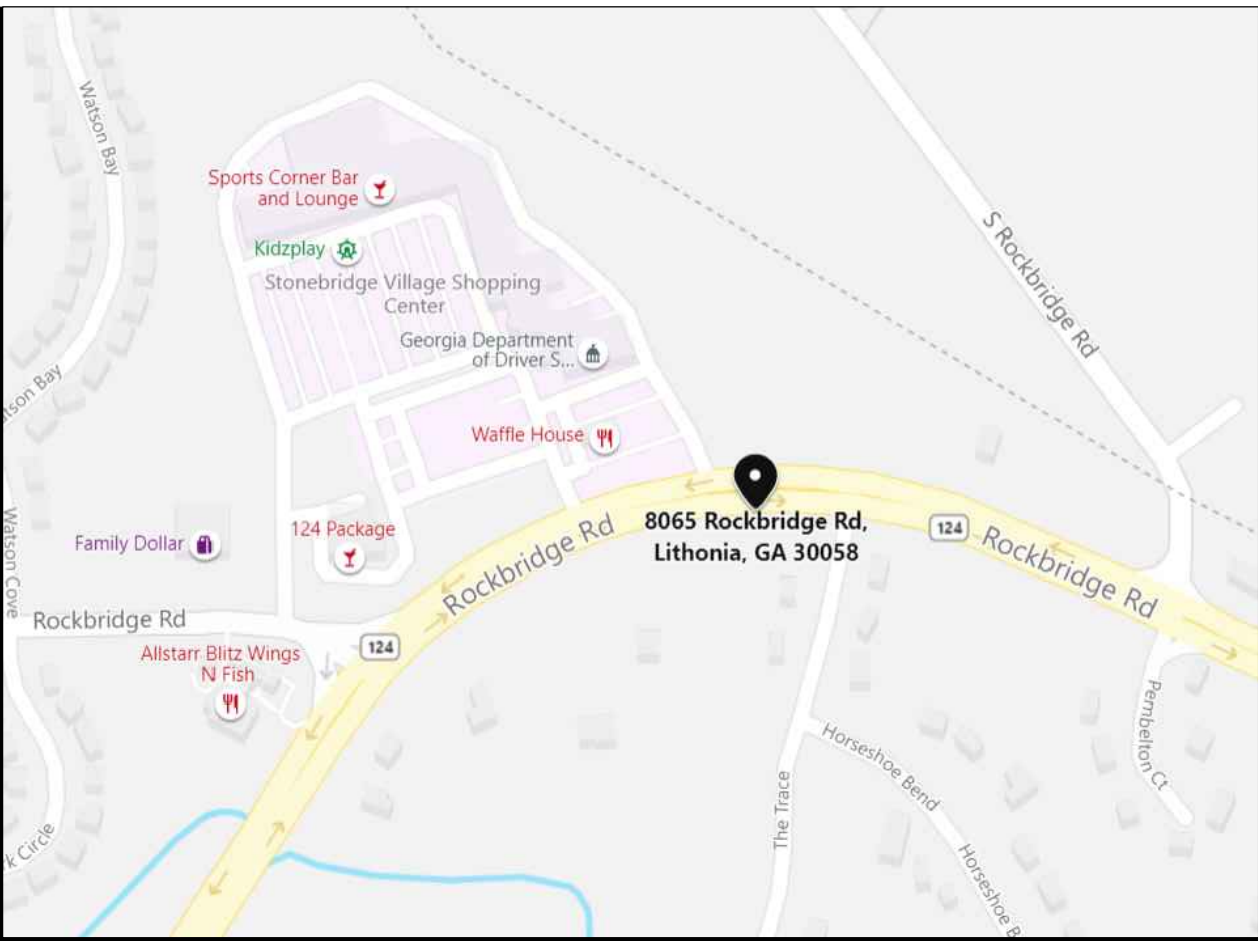
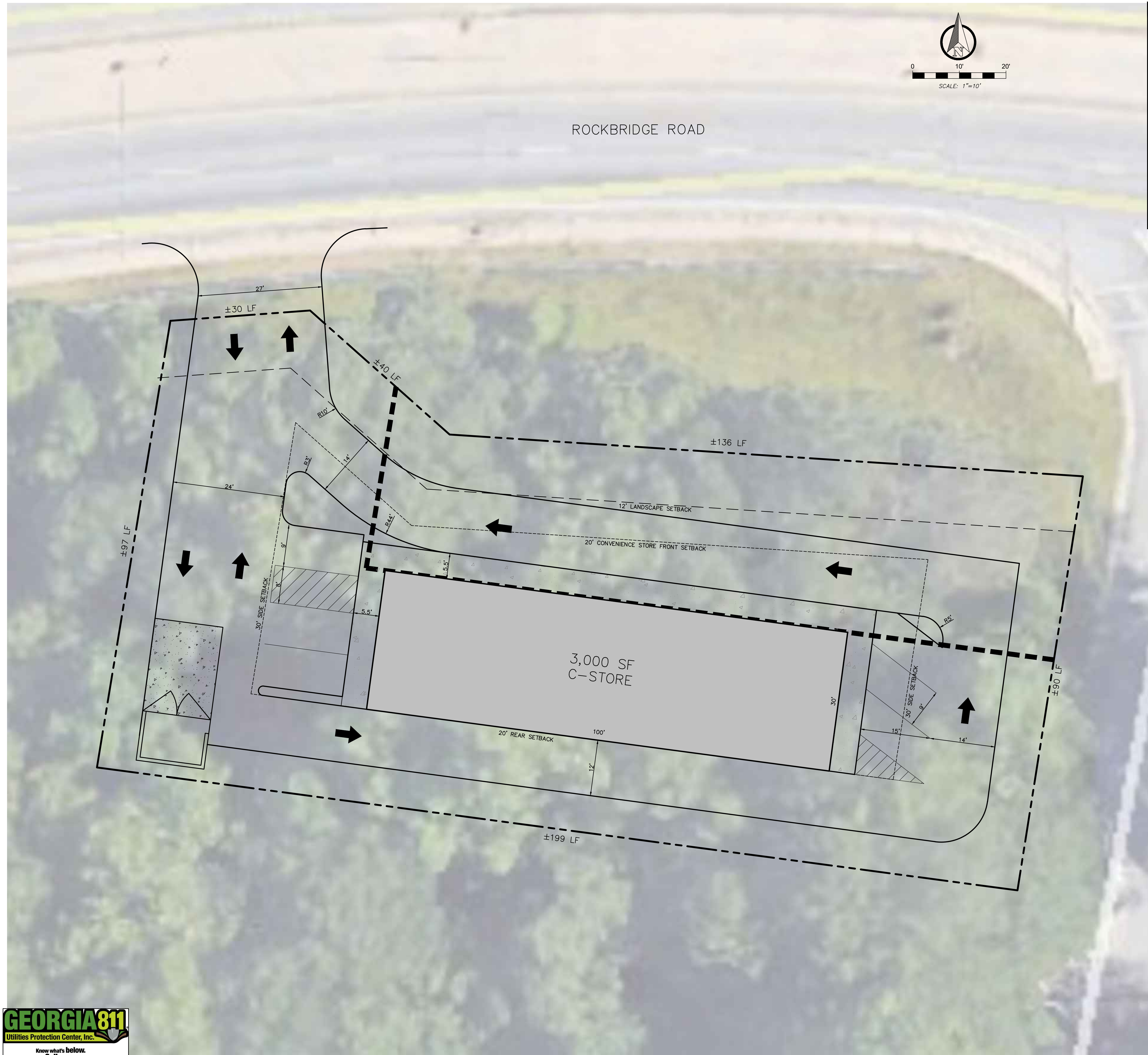
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Rockbridge Topography



01/22/2020

C:\USERS\CONTINEO17\DROPBOX (CONTINEO-MASTER)\CONTINEO-MASTER\PROJECTS\2021\21-129 - MAHEK - 8067 ROCKBRIDGE RD LITHONIA\DRAWINGS



VICINITY MAP
N.T.S.

- LEGEND**
- PV PAVEMENT
 - TS TOP OF SIDEWALK
 - BS BOTTOM OF SIDEWALK
 - ME MATCH EXISTING
 - TC TOP OF CURB
 - BC BOTTOM OF CURB
 - X 100.00 EXISTING SPOT ELEVATION
 - 100.00 PROPOSED SPOT ELEVATION
 - LIMITS OF CONSTRUCTION
 - HANDICAP STALL
 - HANDICAP SIGN
 - PROPOSED WHEEL STOP
 - PROPOSED ASPHALT OVERLAY, CONTRACTOR TO SAW-CUT ASPHALT FOR SMOOTH TIE-IN BETWEEN NEW AND EXISTING PAVEMENT
 - PROPOSED CONCRETE SIDEWALK
 - PROPOSED CONCRETE PAVEMENT

- ADDITIONAL REQUIREMENTS TO MEET CODE:
- PROPERTY REQUIRES REZONING FROM R-100 TO C-1 FOR COMMERCIAL USE
 - SLUP REQUIRED FOR CONVENIENCE STORE USE
 - VARIANCE REQUIRED FOR REDUCTION/REMOVAL OF 50' TRANSITIONAL BUFFER

CONTINEO GROUP
755 COMMERCE DRIVE
SUITE 800
DECATUR, GA 30030
404.556.7721
www.fcengineer



EASY INVESTMENTS, INC.

MAHEK VIRANI
4512 TIMBER HILL COURT
LILBURN, GEORGIA 30047
404-966-8915

8067 ROCKBRIDGE ROAD

ISSUED FOR: CONCEPT
JURISDICTION: DEKALB COUNTY
LOCATION: 8067 ROCKBRIDGE ROAD, LITHONIA, GEORGIA

#	DATE	REVISIONS

DRAWN: KH	CHECK: RTC
JOB NO: 21-129	DATE: 02/26/21

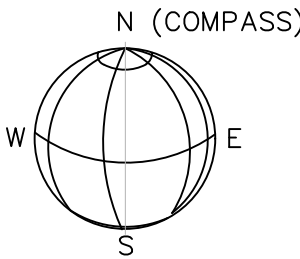
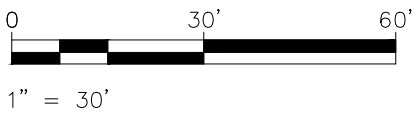
CONCEPT

SHEET C01

These drawings are the property of the Contineo Group and are not to be reproduced, stored, or transmitted in any form or by any means, electronic, mechanical, photocopying, recording, or by any information storage and retrieval system, without the prior written consent of the Contineo Group. The Contineo Group is not responsible for any errors or omissions in these drawings.

GENERAL NOTES:
1: This Plat has been prepared without the benefit of a current title report. Easements or encumbrances may exist that are not shown on this plat.
2: This plat is subject to any restrictions, easements, covenants or restrictions that may exist either written or unwritten.
3: Underground utilities not shown hereon may exist. The Surveyor does not take responsibility for absence or presence of any such utilities.
4: No Geodetic monuments were found within 500 feet of this site
5: This Plat has been prepared for the exclusive use of the person(s) or entities named hereon.

This plat is a retracement of an existing parcel or parcels of land and does not subdivide or create a new parcel or make any changes to any real property boundaries. The recording information of the documents, maps, plats, or other instruments which created the parcel or parcels are stated hereon.
RECORDATION OF THIS PLAT DOES NOT IMPLY APPROVAL OF ANY LOCAL JURISDICTION, AVAILABILITY OF PERMITS, COMPLIANCE WITH LOCAL REGULATIONS OR REQUIREMENTS, OR SUITABILITY FOR ANY USE OR PURPOSE OF THE LAND. Furthermore, the undersigned land surveyor certifies that this plat complies with the minimum technical standards for property surveys in Georgia as set forth in the rules and regulations of the Georgia Board of Registration for Professional Engineers and Land Surveyors and as set forth in O.C.G.A. Section 15-6-67.



LEGEND

- | | | |
|--|--------------|-------------------------|
| | EOP | EDGE OF PAVEMENT (CURB) |
| | PP | POWER POLE |
| | R/W | RIGHT OF WAY |
| | IPF | IRON PIN FOUND |
| | IPS | 1/2" REBAR SET |
| | SW | SIDE WALK |
| | BOLLARD | BOLLARD |
| | OHP | OVERHEAD POWER |
| | FH | FIRE HYDRANT |
| | CB | CATCH BASIN |
| | MH | MANHOLE |
| | WM | WATER METER |
| | WV | WATER VALVE |
| | GV | GAS VALVE |
| | GM | GAS METER |
| | LP | LIGHT POLE |
| | CONCRETE PAD | CONCRETE PAD |

TREE SYMBOLS
X = DIAMETER IN INCHES

- | | |
|--|----------------|
| | OAK |
| | HARDWOOD |
| | SWEETGUM |
| | PINE |
| | MAPLE |
| | POPLAR |
| | MAGNOLIA |
| | DOGWOOD |
| | HICKORY |
| | CREPE MYRTLE |
| | PECAN |
| | CEDAR |
| | BEECH |
| | CYPRESS |
| | JAPANESE MAPLE |



FOR
DEKALB SURVEYS, INC.
407 WEST PONCE DE LEON AVENUE
SUITE B
DECATUR, GEORGIA 30030
404.373.9003



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REPRODUCED, PUBLISHED OR
USED IN ANY WAY WITHOUT THE
WRITTEN PERMISSION OF THIS
SURVEYOR

REFERENCE: DEED BOOK 24699 PG 147
PLAT BOOK 70 PG 116 (PLAT DOES NOT CLOSE)

FLOOD HAZARD NOTE: THIS PROPERTY IS NOT LOCATED IN A FLOOD
HAZARD AREA AS DEFINED BY FIRM MAP OF DEKALB COUNTY,
GEORGIA 13089C0114K EFFECTIVE DATE DECEMBER 8, 2016

SURVEY DATA:

TYPE OF SURVEY: RETRACEMENT
SOURCE OF TITLE DESCRIPTION FOR SUBJECT
PROPERTY: DB 24699 PG 147
PROPERTY OWNER AT TIME OF SURVEY:
EASY INVESTMENTS, INC
PARCEL NUMBER: 16-193-03-011

BEARING BASIS IS A SINGLE COMPASS READING &
ANGLES TURNED; VERTICAL DATUM ASSUMED FROM
DEKALB COUNTY GIS

TOTAL AREA: 16,362 SQ FT, 0.38 AC

CALCULATED PLAT CLOSURE: 1:136,362

FIELD DATA:

DATE OF FIELD SURVEY 3-2-2021

THE CALCULATED POSITIONAL TOLERANCE BASED ON
REDUNDANT LINEAR MEASUREMENTS OF OBSERVED
POSITIONS WAS FOUND TO BE 0.015 FEET.

BOUNDARY & TOPOGRAPHIC SURVEY FOR
MAHEK VIRANI
P/O LOT 1, BLOCK A, HORSESHOE BEND SUBDIVISION

8067 ROCKBRIDGE ROAD

DEKALB COUNTY, GEORGIA
LAND LOT 193, DIST 16
DATE: MARCH 5, 2021

Mapcheck 1: jonny
Closure Summary
Precision, 1 part in: 136280.47'
Error distance: 0.00'

Grantor: TAX COMMISSIONER AND
EX OFFICIO SHERIFF OF DEKALB COUNTY

2014161661 DEED BOOK 24699 Pg 147


Grantee: EASY INVESTMENTS INC

Real Estate Transfer Tax \$0.00

Filed and Recorded:

12/11/2014 4:01:55 PM

Debra DeBerry

Clerk of Superior Court
DeKalb County, Georgia

Taxpayer: ALLEN JOHNSON
DIONE JOHNSON

CLAUDIA G. LAWSON
DEKALB COUNTY TAX COMMISSIONER
4380 MEMORIAL DRIVE, SUITE 100
DECATUR, GA. 30032

2014-R22468723-NOV



**STATE OF GEORGIA
DEKALB COUNTY**

4380 Memorial Drive, Suite 100, Decatur, GA 30032

TAX DEED

THIS INDENTURE, made this **11/4/2014**, between the Tax Commissioner and Ex Officio Sheriff of DeKalb County, GRANTOR, and **EASY INVESTMENTS INC**, AS GRANTEE.

WITNESSETH: That, WHEREAS, in obedience to writ(s) of Fieri Facias issued against **ALLEN JOHNSON, DIONE JOHNSON** the Taxpayer(s) and Defendant(s) in Fieri Facias, for unpaid School, State, County and Municipal taxes for the year (s) **2009, 2010, 2011, 2012, 2013**, said Tax Commissioner and Ex Officio Sheriff of DeKalb County did on **9/10/2014**, levy on the within described property, serve notice, and, after the same being duly advertised agreeable to law, expose the said property within the legal hours of sale, at public outcry before the Courthouse door in DeKalb County on **11/4/2014**, offering the whole said lot for sale, at which time the GRANTEE herein was the best and highest bidder of said property.

NOW, THEREFORE, in consideration of the sum of \$ **2,721.45** DOLLARS, receipt of which is hereby acknowledged, the said GRANTOR, the Tax Commissioner and Ex Officio Sheriff of DeKalb County, does grant, bargain, sell and convey, so far as the Office of Ex Officio Sheriff authorizes her, unto the said GRANTEE, heirs and assigns,

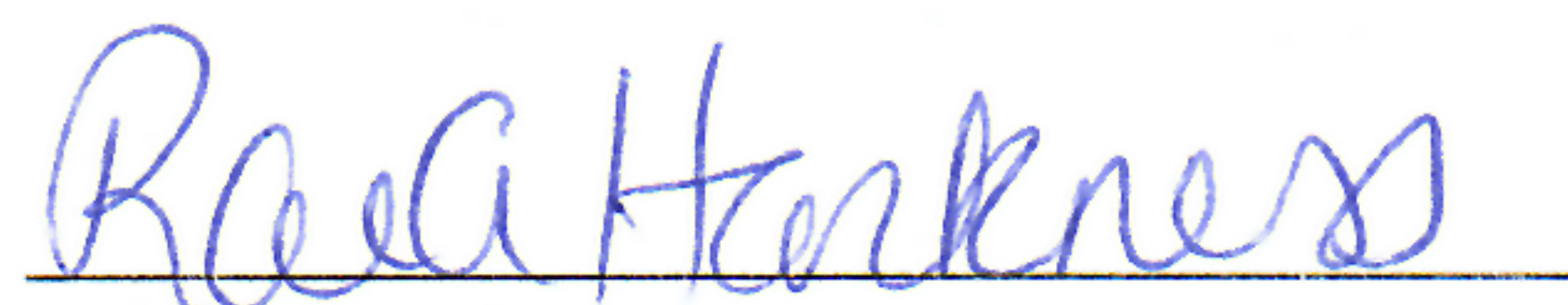
ALL THAT PARCEL OF LAND BEING IN DEKALB COUNTY DESCRIBED AS FOLLOWS:

DISTRICT 16, LANDLOT 193, DEED BOOK 8770, PAGE 559
PLAT AND DEED ARE A PART HEREOF, EXCLUDING RIGHTS OF WAY AND EASEMENTS.
IMPROVED PROPERTY KNOWN AS **8067 ROCKBRIDGE RD**
AND PARCEL **16 193 03 011** PER RECORDS OF THE TAX COMMISSIONER AND TAX ASSESSORS.
LESS AND EXCEPT: ALL PARCELS OTHER THAN **16 193 03 011**.

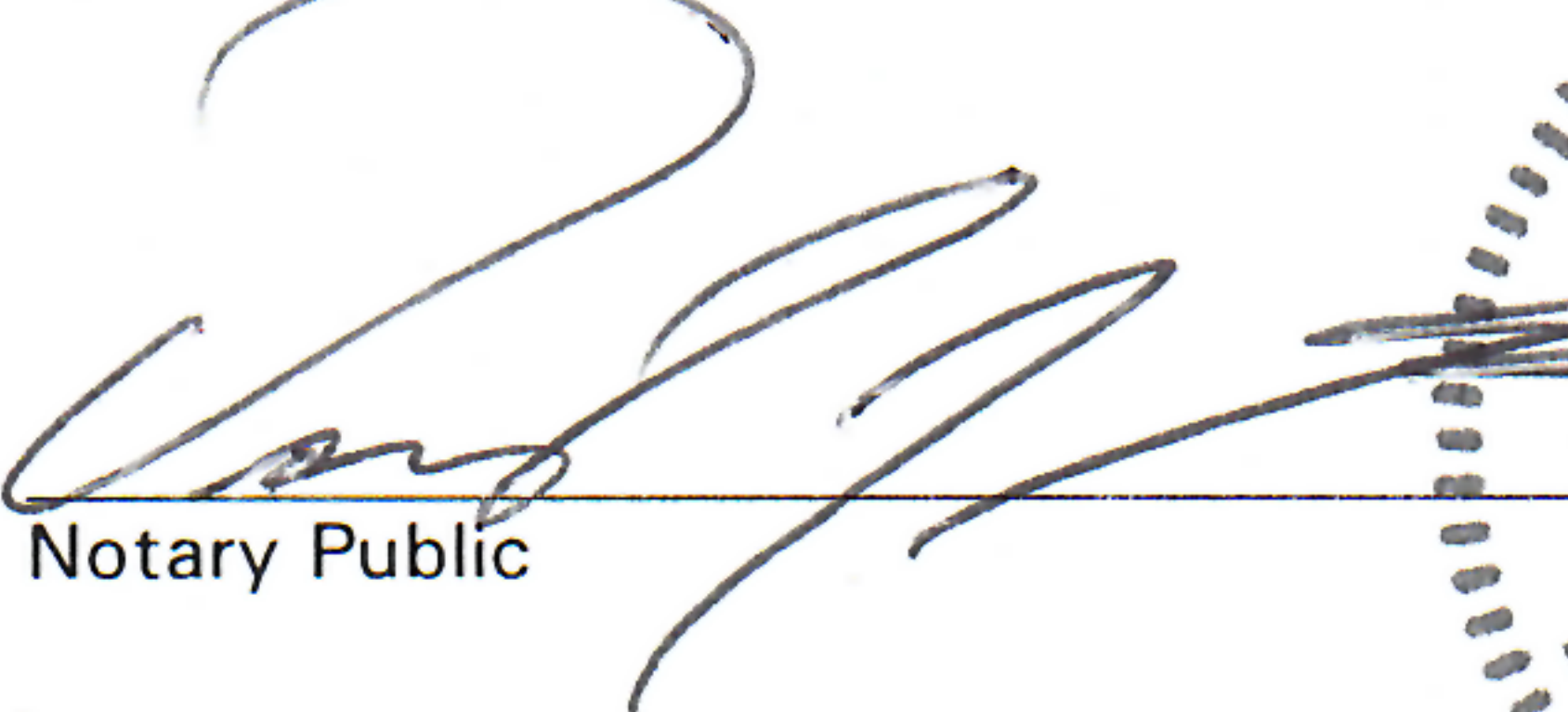
TO HAVE AND TO HOLD the said described premises, together with all the rights, members and appurtenances thereof; and, also, all the estate, right, title, interest, claim or demand of the said Taxpayer and Defendant in Fieri Facias, heirs and assigns, legal, equitable or otherwise whatsoever, in and to the same, unto the said GRANTEE, heirs and assigns, subject to the right of redemption as provided by law.

IN WITNESS WHEREOF, the said Tax Commissioner and Ex Officio Sheriff of DeKalb County, has set her hand and affixed her seal hereto, the day and year first above written.

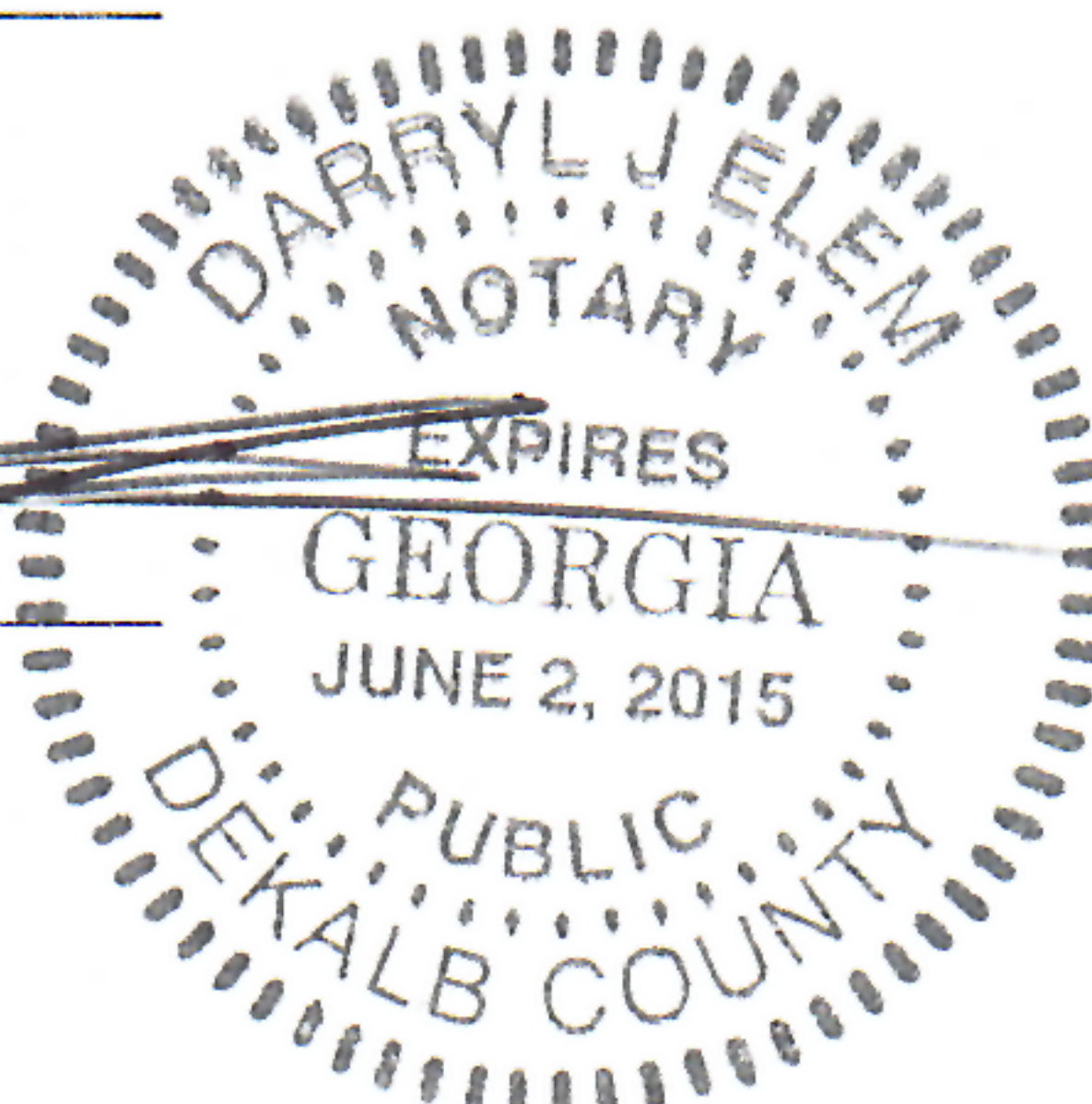
Signed, Sealed and delivered
in the presence of:

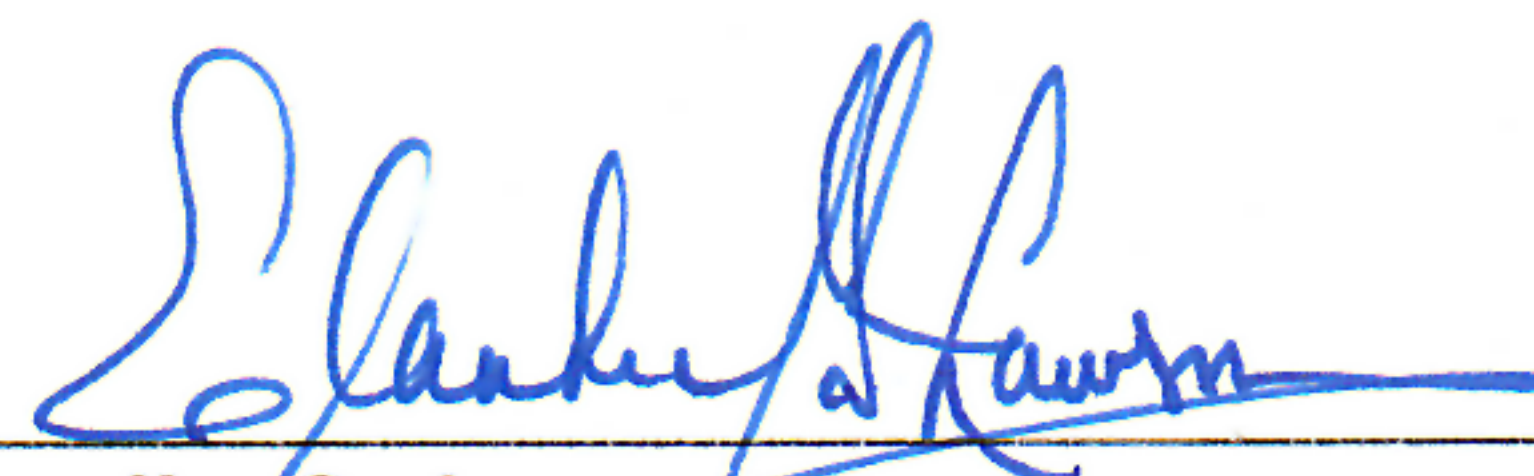


Unofficial Witness

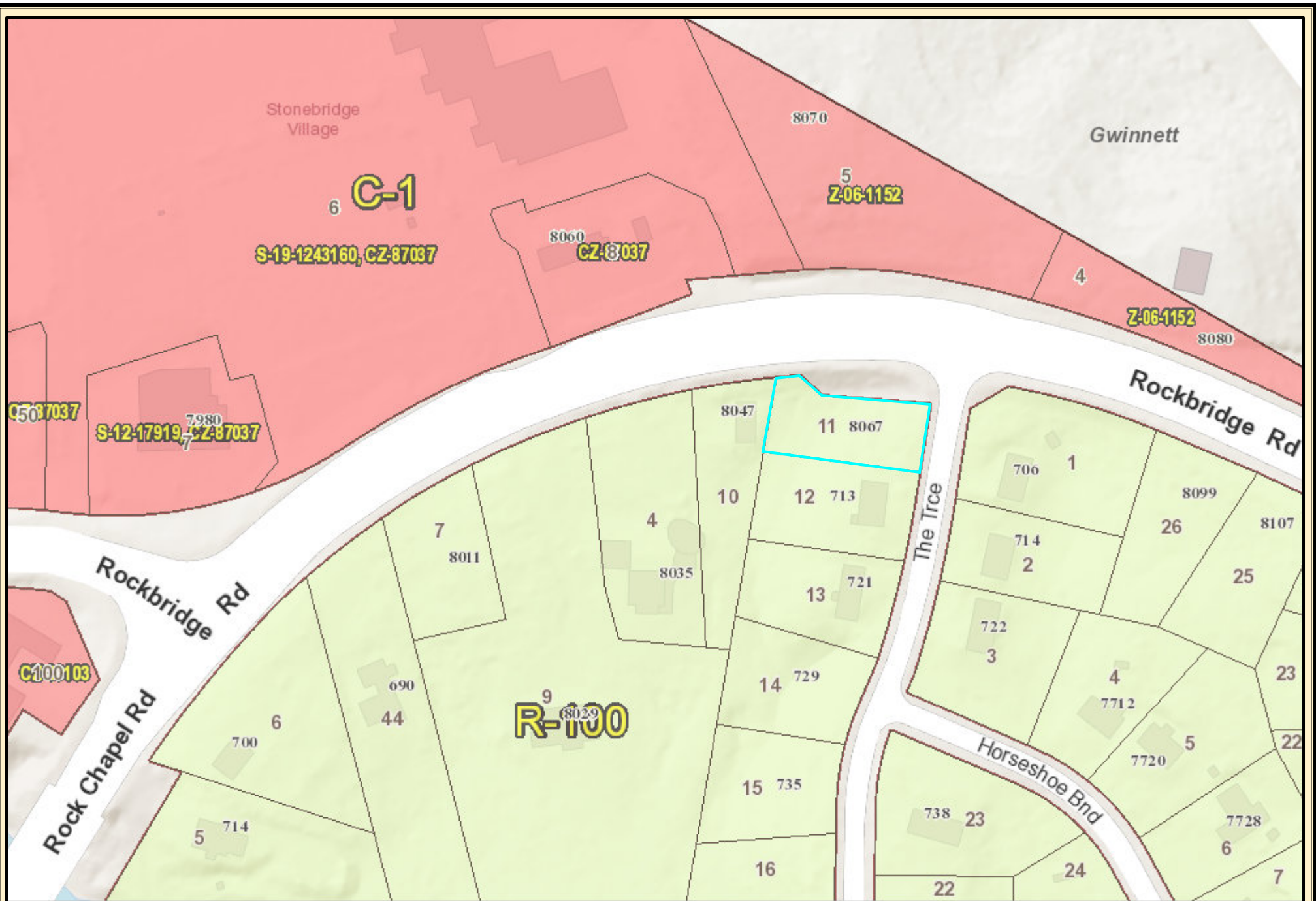


Notary Public





Claudia G. Lawson,
AS TAX COMMISSIONER & EX OFFICIO SHERIFF OF
DEKALB COUNTY, GEORGIA
4380 MEMORIAL DRIVE, SUITE 100
DECATUR, GA. 30032



8067 Rockbridge Z Map

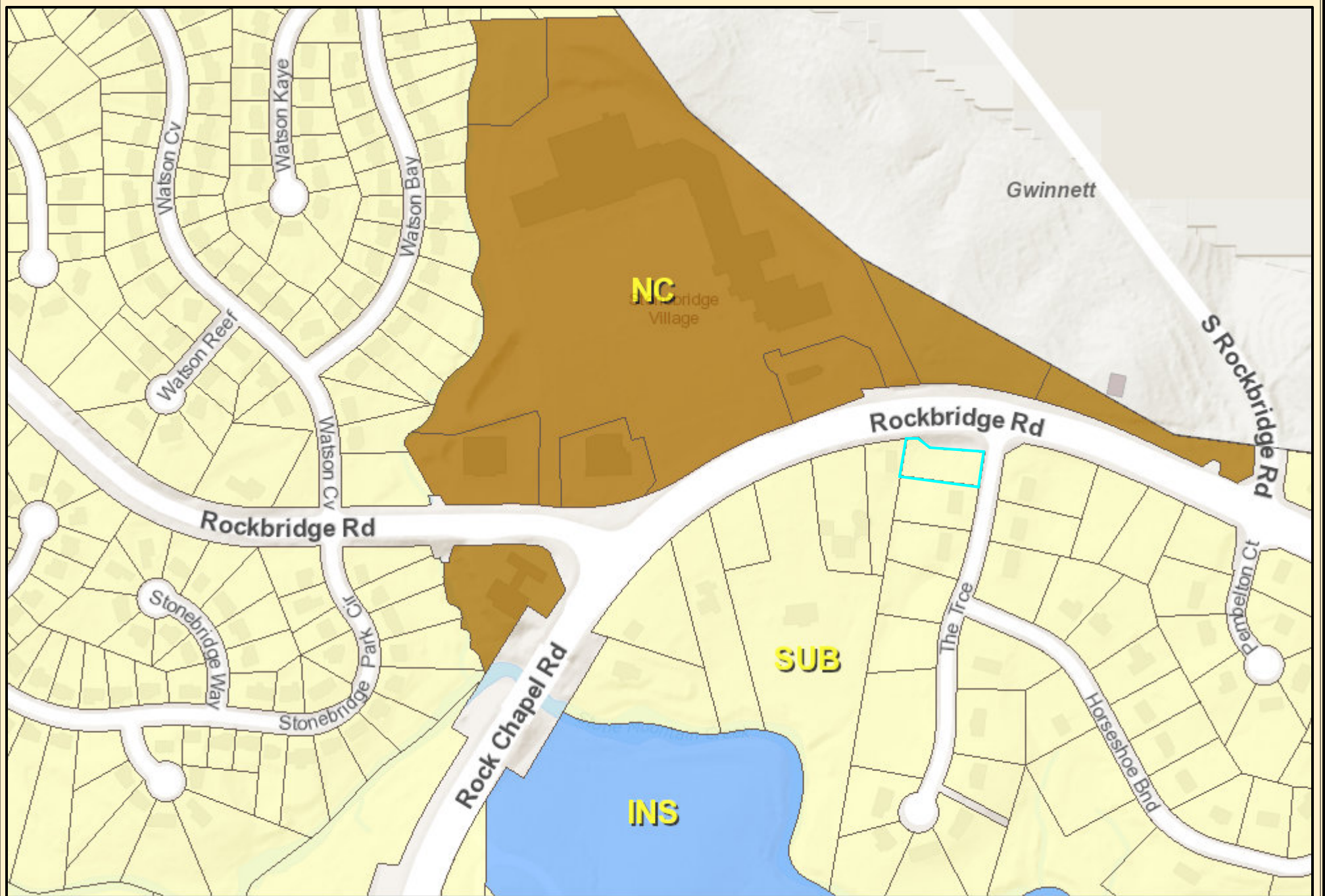
0 0.0075 0.015 0.03 0.045 0.06 mi

Date Printed: 10/27/2022



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8067 Rockbridge FLU Map

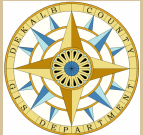
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mi

Date Printed: 10/27/2022



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8067 Rockbridge Aerial Map

0 0.0075 0.015 0.03 0.045 0.06
mi

Date Printed: 10/27/2022



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