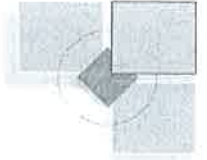




DeKalb County Department of Planning & Sustainability

Michael L. Thurmond
Chief Executive Officer

Andrew A. Baker, AICP
Director



APPLICATION TO AMEND OFFICIAL ZONING MAP OF DEKALB COUNTY, GEORGIA

Z/CZ No. _____

Filing Fee: _____

Date Received: _____ Application No.: _____

Applicant: Kyle Williams E-Mail: kwilliams@williamsteusink.com

Applicant Mailing Address:
309 Sycamore Street, Decatur, GA 30030

Applicant Phone: 404 373 9590 Fax: 404 378 6049

Owner(s): Schneider Resources, Inc. E-Mail: hunling1@schnider.com
(If more than one owner, attach as Exhibit "A")

Owner's Mailing Address:
3101 S. Packerland Driv, Green Bay WI 54313

Owner(s) Phone: 920 592 4054 Fax: _____

Address/Location of Subject Property: 1795 Constiution Road, SE

District(s): 15 Land Lot(s): 077 Block: 01 Parcel(s): 002

Acreage: 5.036 Commission District(s): 3 and 6

Present Zoning Category: M/ Bouldercrest OVD Tier 1 Proposed Zoning Category: M
CZ-90092

Present Land Use Category: LIND

PLEASE READ THE FOLLOWING BEFORE SIGNING

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

Disclosure of Campaign Contributions

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

Have you the applicant made \$250 or more in campaign contributions to a local government official within two years immediately preceding the filing of this application? X Yes No

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

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

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

NOTARY _____

SIGNATURE OF APPLICANT / DATE _____

Check One: Owner Agent ✓

EXPIRATION DATE _____

1/21

330 West Peachtree de Leon Avenue – Suites 100-500 – Decatur, Georgia – 30030
 Phone: (404) 371-2155 – [Planning Fax] (404) 371-4556 [Development Fax] (404) 371-3007
 Web Address <http://www.dekalbcountyga.gov/planning>
 Email Address: planninganddevelopment@dekalbcountyga.gov



R. Kyle Williams
Attorney at Law

404.373.9351 Direct Dial
kwilliams@williamsteusink.com

September 3, 2020

via Electronic Delivery to: aabaker@dekalbcountyga.gov

Andrew A. Baker, AICP
Director, DeKalb County Department of Planning and Sustainability
330 West Ponce de Leon Avenue, 3rd Floor
Decatur, Georgia 30030

Re: **APPLICATION TO AMEND OFFICIAL ZONING MAP**

1795 Constitution Road, SE, Atlanta, DeKalb County, Georgia 30316
Tax Parcel Id No. 15 077 01 002

Dear Director Baker:

I represent Schneider Resources, Inc. (“Schneider”) owner of that certain industrial real property known as and located at 1795 Constitution Road, SE, Atlanta, DeKalb County, Georgia 30316 (the “Property”).

The Property contains a total lot area of 219,340 sq. ft. or 5.036 acres. The Property has 325.04’ of front yard frontage on Constitution Road, SE.

The Property is zoned M (Light Industrial) District, Conditional pursuant to CZ-90092. The two (2) conditions adopted in 1990 as part of CZ-90092 were:

1. A buffer as required by the Zoning Ordinance is established on the east property line prior to conversion of the tract to an industrial use; and,
2. Road improvements are provided on Constitution Road as may be required by Public Work Department.

The Property is classified by the DeKalb County 2035 Comprehensive Plan with a Character Area/Land Use of Light Industrial.

Despite its industrial zoning and classification, the Property is included within the Bouldercrest-Cedar Grove-Moreland Overlay District – Tier 1. The Property is the westernmost and last property fronting Constitution Road that is included in the Bouldercrest-Cedar Grove-Moreland Overlay District.

The adjacent and adjoining properties to the west and south are zoned M (Light Industrial) District, but are not included within the Bouldercrest-Cedar Grove-Moreland Overlay

District – Tier 1 or any overlay. The properties to the east are zoned MR-2 (Medium Density Residential-2) and the properties to the north are zoned a mixture of R-75 (Residential Medium Lot-75) District, C-1 (Local Commercial) District and OI (Office Institutional) District.

A. SUMMARY OF PROPOSED REZONING

Schneider is a premier freight, trucking, and transportation logistic provider. In addition to the Property, Schneider owns the following adjacent and adjoining properties:

- (a) 1760 Continental Way, Atlanta, DeKalb County, Georgia
Tax Parcel Id No. 15 077 01 021;
- (b) 1790 Continental Way, Atlanta, DeKalb County, Georgia
Tax Parcel Id No. 15 077 01 026;
- (c) 1749 Enterprise Court, Atlanta, DeKalb County, Georgia
Tax Parcel Id No. 15 077 01 025; and,
- (d) 3300 International Park Drive, Atlanta, DeKalb County, Georgia
Tax Parcel Id No. 15 077 01 023.

These adjacent and adjoining properties owned by Schneider are similarly zoned M (Light Industrial) District and classified by the DeKalb County 2035 Comprehensive Plan with a Character Area/Land Use of Light Industrial. However, these properties are not included within the Bouldercrest-Cedar Grove-Moreland Overlay District – Tier 1 or any overlay.

Since approximately 2001, Schneider has operated a Schneider National Operating/Training Center at its existing properties providing a full-service truck stop for its drivers, job recruitment and training, and related facilities, services, and uses within the County and servicing the southeast.

On December 19, 2019, Schneider purchased the Property to expand its on-site vocation and specialized job educational and training facilities for its job applicants and drivers associated with CDL Class A Licenses. Schneider intends to redevelop the Property to provide vocational and specialized training for its job applicants and employees in the coupling and uncoupling of a tractor trailer, securing of a freight and a tractor trailer, driving mechanics, parking, and unloading of freight and tractor trailer. There will be no public sales or commercial activities conducted on or from the Property. Any and all parking will only be incidental to and an accessory use to the vocational and specialized training.

Schneider's intended use of the Property is a Permitted Use allowable within M (Light Industrial) District as it qualifies as "Colleges, universities, research and training facilities," and/or "Industrial, light," and/or "Outdoor storage, industrial," and/or "Transportation equipment

storage or maintenance (vehicle),” and/or “Truck stop or terminal,” and/or “Vehicle storage yard,” and/or “Warehousing or Storage” use.

Schneider’s intended use of the Property is arguably a Permitted Use allowable within Tier 1 of the Bouldercrest-Cedar Grove-Moreland Overlay District as it qualifies as “Vocational and specialized schools” use. Notwithstanding, initial Planning Staff review has concluded that Schneider’s intended use is an impermissible “Automobile/truck parking lots or parking garages, commercial” use as opposed to a permissible “Vocational and specialized schools” use. As such, initial Planning Staff review has concluded that that Schneider’s intended use is not allowable within the Tier 1 of the Bouldercrest-Cedar Grove-Moreland Overlay District.

Out of an abundance of caution, Schneider requests rezoning of the Property to remove the Bouldercrest-Cedar Grove-Moreland Overlay District – Tier 1 classification and to remove the outdated and inapplicable holdover conditions from CZ-90092. The proposed rezoning is consistent with the DeKalb County 2035 Comprehensive Plan and does not require any amendment.

B. DOCUMENTED IMPACT ANALYSIS

(a) Whether the zoning proposal is in conformity with the policy and intent of the comprehensive plan.

The proposed rezoning of the Property will permit development of a vocational and specialized training facility that is suitable in view of the use and development of adjacent and nearby property. The Property abuts and adjoins to the west the industrial building known as “Schneider Trucking Facility – Atlanta” and located at Schneider’s adjacent and adjoining properties, which are not within the Bouldercrest-Cedar Grove-Moreland Overlay District – Tier 1 or any overlay. This industrial corridor south of Constitution Road includes additional industrial facilities and uses.

The adjacent and adjoining properties on Constitution Road to the west and south of the Property are zoned M (Light Industrial) District **without** Bouldercrest-Cedar Grove-Moreland Overlay District – Tier 1 zoning. The adjacent and adjoining property to the east of the Property is zoned MR-2 (Medium Density Residential) with Existing Land Use classification of Neighborhood Center (NC) and Bouldercrest-Cedar Grove-Moreland Overlay District – Tier 1 zoning. The Property abuts Constitution Road to the north.

The proposed rezoning will allow for a vocational and specialized training facility that would complement and better the serve the existing light industrial uses. The removal of the Bouldercrest-Cedar Grove-Moreland Overlay District – Tier 1 zoning will allow for a more consistent use of the Property with its neighboring industrial properties. While the Property is inside the boundaries of the overlay district, it is unable to be used in the manner it was zoned for. The proposed rezoning will permit a use of the Property that is more consistent with its current zoning.

(b) Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property or properties.

As detailed in Section (a) above, the proposed rezoning is consistent with and will not adversely affect the existing use or usability of adjacent and nearby properties.

(c) Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned.

The Property does have limited, but not reasonable economic use as currently included in Bouldercrest-Cedar Grove-Moreland Overlay District – Tier 1. As currently zoned, the Property’s prospective uses are greatly curtailed due to the conflict between M (Light Industrial) District and Bouldercrest-Cedar Grove-Moreland Overlay District – Tier 1. Inclusion in the overlay district is inconsistent with the underlying industrial zoning of the Property and its classification under the DeKalb County 2035 Comprehensive Plan.

The proposed rezoning and vocational and specialized training facility will increase employment opportunities offered by Schneider within the County and all it to continue to grow and expand its business operations in the County. Removing the Property from the Bouldercrest-Cedar Grove-Moreland Overlay District – Tier 1 and removing the outdated conditions will bring the Property into conformity with Schneider’s adjacent and adjoining properties and its existing business operations and uses.

(d) Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property or properties.

As detailed in Section (a) above, the proposed rezoning and vocational and specialized training facility is consistent with and will not adversely affect the existing use or usability of adjacent and 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.

As detailed in Section (a) above, the proposed rezoning and vocational and specialized training facility is consistent with and will not adversely affect the existing use or usability of adjacent and nearby properties.

The Property is not located near county or municipal boundary lines. As such, there are no potential impacts on Property or properties in any adjoining governmental jurisdiction. The removal of the Bouldercrest-Cedar-Grove-Moreland Overlay District – Tier 1 is consistent with adjacent and adjoining zoning and uses.

(f) Whether the zoning proposal will adversely affect historic buildings, sites, districts, or archaeological resources..

The proposed rezoning will not result in any historic building, site, district, or archaeological resource being adversely affected.

(g) Whether the zoning proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.

The proposed rezoning will not result in uses which would cause excessive or burdensome uses of existing streets, transportation facilities, utilities, or schools. The Property is well served by existing streets, transportation facilities, and utilities within the immediate surrounding areas located Constitution Road. The proposed vocational and specialized training facility will not impact existing schools, and the existing infrastructure is more than sufficient to support the proposed industrial development. The proposed rezoning and vocational and specialized training facility will increase employment opportunities offered by Schneider and all it to continue to grow and expand its business operations in the County. As currently zoned, the Property's prospective uses are greatly curtailed due to the conflict between M (Light Industrial) District and Bouldercrest-Cedar Grove-Moreland Overlay District – Tier 1. Inclusion in the overlay district is inconsistent with the underlying industrial zoning of the Property and its classification under the DeKalb County 2035 Comprehensive Plan.

C. ADDITIONAL SUPPORTING DOCUMENTATION

Applicant includes as additional support for its Application the following:

1. Application to Amend Official Zoning Map;
2. Rezone Application Authorization;
3. Notarized Authorization by Property Owner for Representation;
4. *Warranty Deed* dated December 19, 2019;
5. Legal Descriptions of the Property;
6. CZ-90092, adopted November 27, 1990;
7. Zoning Map of the Property;
8. Comprehensive Land Use Map of the Property;
9. Aerial Photograph of the Property and Surrounding Area;

10. Aerial Photograph of the Property and Existing Street Zone;
11. Streetscape Photograph of the Property;
12. ALTA/NSPS Land Title Survey (As-Built), prepared by Travis Pruitt & Associates, Inc., dated October 25, 2019; and,
13. Schematic Parcel Site Plan – Atlanta Operating Point Yard Expansion Project (Proposed Site Plan), prepared by Schneider, dated June 3, 2020.

We will submit the application fee electronically or as you otherwise direct.

I appreciate consideration of this request for rezoning. Please do not hesitate to contact me with any questions or request for additional information or documentation.

Sincerely,


R. Kyle Williams

Encl.

RKW/ajs

cc: John Reid, Senior Planner
Emory Morsberger, Metro South CID
Schneider Resources, Inc.

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: Kyle Williams & Williams Teusink LLC Phone: 404-373-9590 Email:
kwilliams@williamsteusink.com

Property Address: 1795 Constitution Road

Tax Parcel ID: 15 077 01 002

Comm. District(s): 3 & 6 Acreage: 5.036

Existing Use: Vacant Building

Proposed Use: Vocational Truck Driver Training area accessory parking

Supplemental Regs: NA (No proposed building) Overlay District: Bouldercrest Overlay Tier 1 DRI:
No

Rezoning: Yes No

Existing Zoning: BOD Tier 1/M Proposed Zoning: M

Square Footage/Number of Units:

Rezoning Request: BOD Tier 1/M to M District, Modify zoning conditions of CZ-90092 to remove all zoning conditions.

Land Use Plan Amendment: Yes No

Existing Land Use: LIND Proposed Land Use: NA Consistent
Inconsistent

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

Special Land Use Request(s)
NA

Major Modification: YES

Existing Case Number(s): CZ-90092 NA

DEPARTMENT OF PLANNING & SUSTAINABILITY

Condition(s) to be modified:

Remove buffer along east property line, road improvements are provided on Constitution Road (already done)

WHAT TO KNOW BEFORE YOU FILE YOUR APPLICATION

Pre-submittal Community Meeting: Review Calendar Dates: PC: BOC:
 Letter of Intent: Impact Analysis: Owner Authorization(s): Campaign
Disclosure: Zoning Conditions: Community Council Meeting: Public
Notice, Signs: 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

Review of Site Plan

Density: na _____ Density Bonuses: na _____ Mix of Uses: na _____ Open Space: x _____
Enhanced Open Space: x _____ Setbacks: front na _____ sides na _____ side corner na _____ rear
 X _____ Lot Size: _____ Frontage: X _____ Street Widths: _____ Landscape Strips: X _____
Buffers: _____ Parking Lot Landscaping: X _____ 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: No sidewalks provided because sidewalks in surrounding area. Potential variance to
buffer. Requirements for streetscapes, sidewalks, parking lot landscaping, perimeter parking lot landscaping,
street trees, street lights, outdoor lighting, and buffers are located in Article 5 of the zoning ordinance.

DEPARTMENT OF PLANNING & SUSTAINABILITY

Comments: The application involves removing the property from the Bouldercrest Overlay District so that the zoning of the underlying District is M. Also to modify the zoning conditions CZ-90092.

Planner: John Reid Date 7/29/2020

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

DeKalb County Officials Disclosure Report

Commissioner Steve Bradshaw - \$250.00 – Campaign Contribution

Commissioner Larry Johnson - \$250.00 – Campaign Contribution

Commissioner Loraine Cochran-Johnson \$250.00– Campaign Contribution

Commissioner Jeff Rader - \$250.00 - – Campaign Contribution

NOTARIZED AUTHORIZATION FOR REPRESENTATION BY PROPERTY OWNER

1795 Constitution Road, SE (Tax Parcel ID No. 15 077 01 002)

I, Glenn Buntin, as Senior Director of Facilities and authorized representative of Schneider Resources, Inc., swears that Schneider Resources, Inc. is the owner of that certain real property located at and known as 1795 Constitution Road, SE, Atlanta, DeKalb County, Georgia 30316 (Tax Parcel ID No. 15 077 01 002)(the "Property), which is the subject matter of the attached Application. I authorize the persons and firm named below to act as Applicant and my representative in pursuit of this Application, in all matters related to zoning, permitting, planning, building, and development.

Name of Applicant: R. Kyle Williams

Name of Firm: Williams Teusink, LLC
Address: The High House
309 Sycamore Street
Decatur, Georgia 30030

Telephone No.: (404) 373-9590

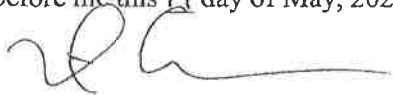
Email: kwilliams@williamsteusink.com

SCHNEIDER RESOURCES, INC.



Glenn Buntin, Senior Director of Facilities

Sworn and subscribed
before me this 19 day of May, 2020.



Notary Public
Commission Expiration Date: NEVER



2020001758 DEED BOOK 28035 Pg 367
Filed and Recorded: 1/7/2020 2:08:00 PM
Recording Fee: \$25.00
Real Estate Transfer Tax: \$1,566.00
Prepared By:
3760043500
7067927936

Tax Parcel No.: 15 077 01 002

~~UPON RECORDING RETURN TO:~~

Schneider Resources, Inc.
3101 S. Packerland Drive
Green Bay, Wisconsin 54306-2545
Attention: Justin E. Baucr

Return To:

Fidelity National Title Group
3301 Windy Ridge Parkway, Suite 300
Atlanta, GA 30339
Attn: Ambreen Shahnawaz 192210GA

LIMITED WARRANTY DEED

STATE OF GEORGIA

COUNTY OF DEKALB

THIS INDENTURE, made as of December 14, 2019, between **BLACKHALL REAL ESTATE PHASE II LLC**, a Delaware limited liability company (herein called "Grantor"), and **SCHNEIDER RESOURCES, INC.**, a Wisconsin corporation (herein called "Grantee"), whose mailing address is c/o Schneider, 3101 S. Packerland Drive, Green Bay, Wisconsin 54306-2545.

WITNESSETH: That Grantor, for and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration, in hand paid at and before the sealing and delivery of these presents, the receipt and sufficiency of which are hereby acknowledged, has granted, bargained, sold, aliened, conveyed and confirmed and by these presents does grant, bargain, sell, alien, convey and confirm unto Grantee all that tract or parcel of land described in Exhibit A, attached hereto and made a part hereof.

TO HAVE AND TO HOLD the said bargained premises, together with all and singular the rights, members and appurtenances thereof, to the same being, belonging or in any wise appertaining, to the only proper use, benefit and behoof of Grantee, forever, **IN FEE SIMPLE**.

This Deed and the warranty of title contained herein are made expressly subject to the items set forth in Exhibit B attached hereto and made a part hereof.

Grantor will warrant and forever defend the right and title to the above described property unto Grantee against the lawful claims of all persons owning, holding or claiming by, through or under Grantor, but not otherwise.

(The words "Grantor" and "Grantee" include all genders, plural and singular, and their respective heirs, successors and assigns where the context requires or permits.)

IN WITNESS WHEREOF, Grantor has signed and sealed this deed, the day and year first above written.

IN WITNESS WHEREOF, Grantor has signed and sealed this deed, the day and year first above written.

Signed, sealed and delivered in the presence of:

BLACKHALL REAL ESTATE PHASE II LLC, a Delaware limited liability company

Manuel Noriega
Unofficial Witness

By: **IRINDA CAPITAL MANAGEMENT, LLC**, a Georgia limited liability company, its Manager

Karen N. Wade
Notary Public

By: **RCM Capital Advisors Inc.**, a Georgia corporation, its sole Member and Manager

My Commission Expires
November 12, 2025



By: *Ryan Millsap*
Name: Ryan Millsap
Title: President

EXHIBIT ALegal Description

All that tract or parcel of land lying and being in Land Lot 77 of the 15th District of DeKalb County and being further described as follows:

Commencing at the intersection of the Southerly right of way of Constitution Road (65 feet from the centerline) and the Easterly right of way of International Park Drive (80 foot right of way) thence in a Northeasterly direction along the Southern right of way of Constitution Road 1,296.21 feet to rebar found, being the True Point of Beginning; thence continuing along said right of way of Constitution Road and running North 88 degrees 58 minutes 40 seconds East a distance of 325.08 feet to a rebar set; thence leaving said right of way line and running South 00 degrees 30 minutes 00 seconds East for a distance of 673.97 feet to an open top pipe found; thence running South 88 degrees 41 minutes 40 seconds West for a distance of 325.10 feet to a rebar set; thence running North 00 degrees 30 minutes 00 seconds West for a distance of 671.58 feet to a rebar found on the Southerly right of way of Constitution Road and the Point of Beginning.

Said tract being improved property containing 5.036+/- acres or 219,347+/- square feet.

2020001758 DEED BOOK 28035 Pg 370
Debra DeBerry
Clerk of Superior Court
DeKalb County, Georgia

EXHIBIT B

Permitted Title Exceptions

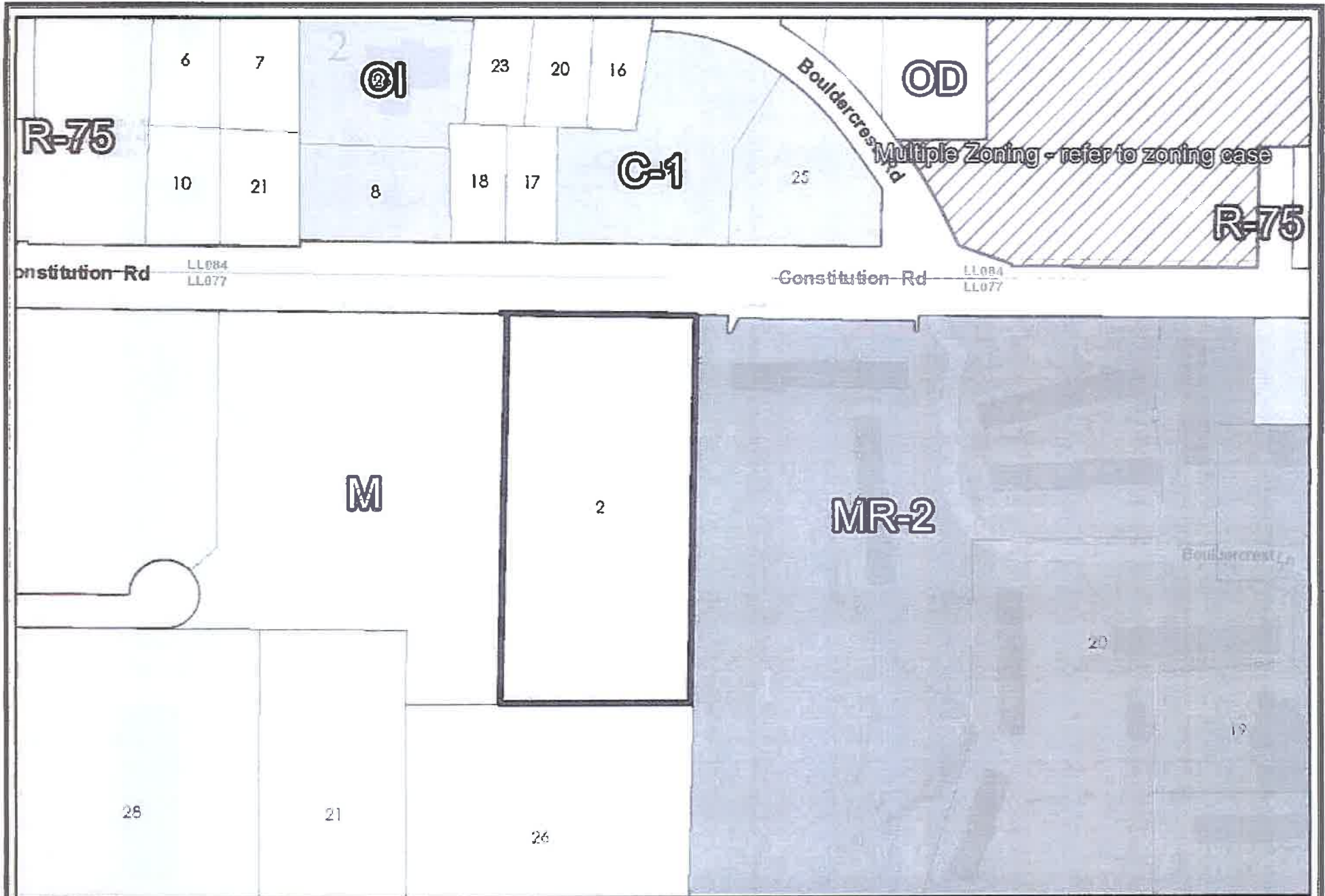
1. Property taxes for the year 2020 and subsequent years, a lien not yet due and payable.
2. Unrecorded Site Lease Agreement as evidenced by that certain Short Form of Lease by and between Herbert A. Mullenix and AT&T Wireless PCS, Inc., a Delaware corporation, dated July 9, 1997, and recorded in Deed Book 9529, Page 93, DeKalb County, Georgia records, as affected by that certain Memorandum of Agreement by and between AT&T Wireless PCS, Inc., a Delaware corporation, acting by and through its agent AT&T Wireless Services, Inc., a Delaware corporation, dated May 6, 1999, and recorded in Deed Book 10824, Page 261, aforesaid records; as assigned by that certain Assignment of Lease dated July 14, 2016 recorded July 18, 2016 in Deed Book 25675, Page 598 in the aforesaid records ; as affected by Assignment of Lease from Genesis Atlanta, LLC, an Arizona limited liability company as Landlord and Assignor and Global Signal Acquisitions IV LLC, a Delaware limited liability company as Assignee, dated July 28, 2016, recorded August 8, 2016 in Deed Book 25715, Page 429, aforesaid records.
3. Easement by and between Genesis Atlanta, LLC and Global Signal Acquisitions IV LLC dated July 28, 2016 and recorded August 8, 2016 in Deed Book 25715, Page 414, in the aforesaid records.
4. Reservation of Payment Rights by Genesis Atlanta, LLC, an Arizona limited liability company dated August 3, 2016 and recorded August 10, 2016 in Deed Book 25722, Page 284 in the aforesaid records.
5. Unrecorded Southern Bell Telephone Easement, DeKalb County Water and Sewer Easements, Atlanta Gas Easement and Overhead Service, to Bouldercrest School, as evidenced by that certain Georgia Power Sketch, being I.O. No. E012-262-74, dated September 20, 1974.
6. All matters that would be disclosed by a current survey of the Property.

EXHIBIT ALegal Description

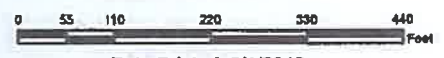
All that tract or parcel of land lying and being in Land Lot 77 of the 15th District of DeKalb County and being further described as follows:

Commencing at the intersection of the Southerly right of way of Constitution Road (65 feet from the centerline) and the Easterly right of way of International Park Drive (80 foot right of way) thence in a Northeasterly direction along the Southern right of way of Constitution Road 1,296.21 feet to rebar found, being the True Point of Beginning; thence continuing along said right of way of Constitution Road and running North 88 degrees 58 minutes 40 seconds East a distance of 325.08 feet to a rebar set; thence leaving said right of way line and running South 00 degrees 30 minutes 00 seconds East for a distance of 673.97 feet to an open top pipe found; thence running South 88 degrees 41 minutes 40 seconds West for a distance of 325.10 feet to a rebar set; thence running North 00 degrees 30 minutes 00 seconds West for a distance of 671.58 feet to a rebar found on the Southerly right of way of Constitution Road and the Point of Beginning.

Said tract being improved property containing 5.036+/- acres or 219,347+/- square feet.



CZ-90092



Date Printed: 2/1/2018



DeKalb County GIS Disclaimer
 The maps and data contained on DeKalb County's Geographic Information System (GIS) are subject to constant change. While DeKalb County strives to provide accurate and up-to-date information, the information is provided "as is" without warranty, representation or guarantee of any kind as to the content, sequence, accuracy, timeliness or completeness of any of the database information provided herein. DeKalb County expressly disclaims all representations and warranties, including, without limitation, the implied warranties of merchantability and fitness for a particular purpose. In no event shall DeKalb County be liable for any special, indirect, or consequential damages whatsoever resulting from loss of use, data, or profits, whether in an action of contract, negligence, or other actions, arising out of or in connection with the use of the maps and/or data herein provided. The maps and data are for illustration purposes only and should not be relied upon for any reason. The maps and data are not suitable for site-specific decision-making nor should it be construed or used as a legal description. The areas depicted by maps and data are approximate, and are not necessarily accurate to surveying or engineering standards.

DEKALB COUNTY
BOARD OF COMMISSIONERS

ITEM NO. 20.

ZONING - AGENDA/MINUTES

MEETING DATE November 27, 1990

PREL.	<u> </u>
ACTION	<u> </u>
PUB. HRG.	<u>X</u>

RESOLUTION	<u> </u>
ORDINANCE	<u>X</u>
PROCLAMATION	<u> </u>

SUBJECT: Rezoning Application - Herbert A. Mullenix

COMMISSION DISTRICT: 3

DEPARTMENT:	<u>Planning</u>
-------------	-----------------

PUBLIC HEARING:	<u>X</u> Yes <u> </u> No
-----------------	-----------------------------

ATTACHMENT:	<u>X</u> Yes <u> </u> No <u>8</u> pp
-------------	---

INFORMATION CONTACT:	<u>Mac Baggett or Charles Coleman</u>
PHONE NUMBER:	<u>371-2155</u>

PURPOSE:

Z-90092 - To consider the application of Herbert A. Mullenix to rezone property located on the south side of Constitution Road, approximately 400' west of Bouldercrest Road, from R-75 to M. The property has frontage of 325' and contains 4.96 acres.

SUBJECT PROPERTY:

15-77-1-2 (0000 Constitution Road).

RECOMMENDATION(s):

PLANNING DEPARTMENT: Approval with conditions. The request is consistent with recommendations of the Comprehensive Plan and compatible with zoning on two sides of the property. Since the past uses of this property have been residential uses, no buffer has been established adjoining the RM-85 development on the east. Staff, therefore, recommends approval of M subject to the following conditions:

1. A buffer as required by the Zoning Ordinance is established on the east property line prior to conversion of the tract to an industrial use.
2. Road improvements are provided on Constitution Road as may be required by the Public Works Department.

PLANNING COMMISSION: Approval as conditioned by staff.

COMMUNITY COUNCIL: Approval.

FOR USE BY COMMISSION OFFICE/CLERK ONLY

ACTION:

MOTION was made by Commissioner Williams, seconded by Commissioner Collins, and passed 7-0-0-0, to approve the application as recommended by the Planning Department.

ADOPTED: NOV 27 '90
(DATE)

CERTIFIED: NOV 27 '90
(DATE)

Robert E. Lanier
PRESIDING OFFICER
DEKALB COUNTY BOARD OF COMMISSIONERS

[Signature]
CLERK,
DEKALB COUNTY BOARD OF COMMISSIONERS

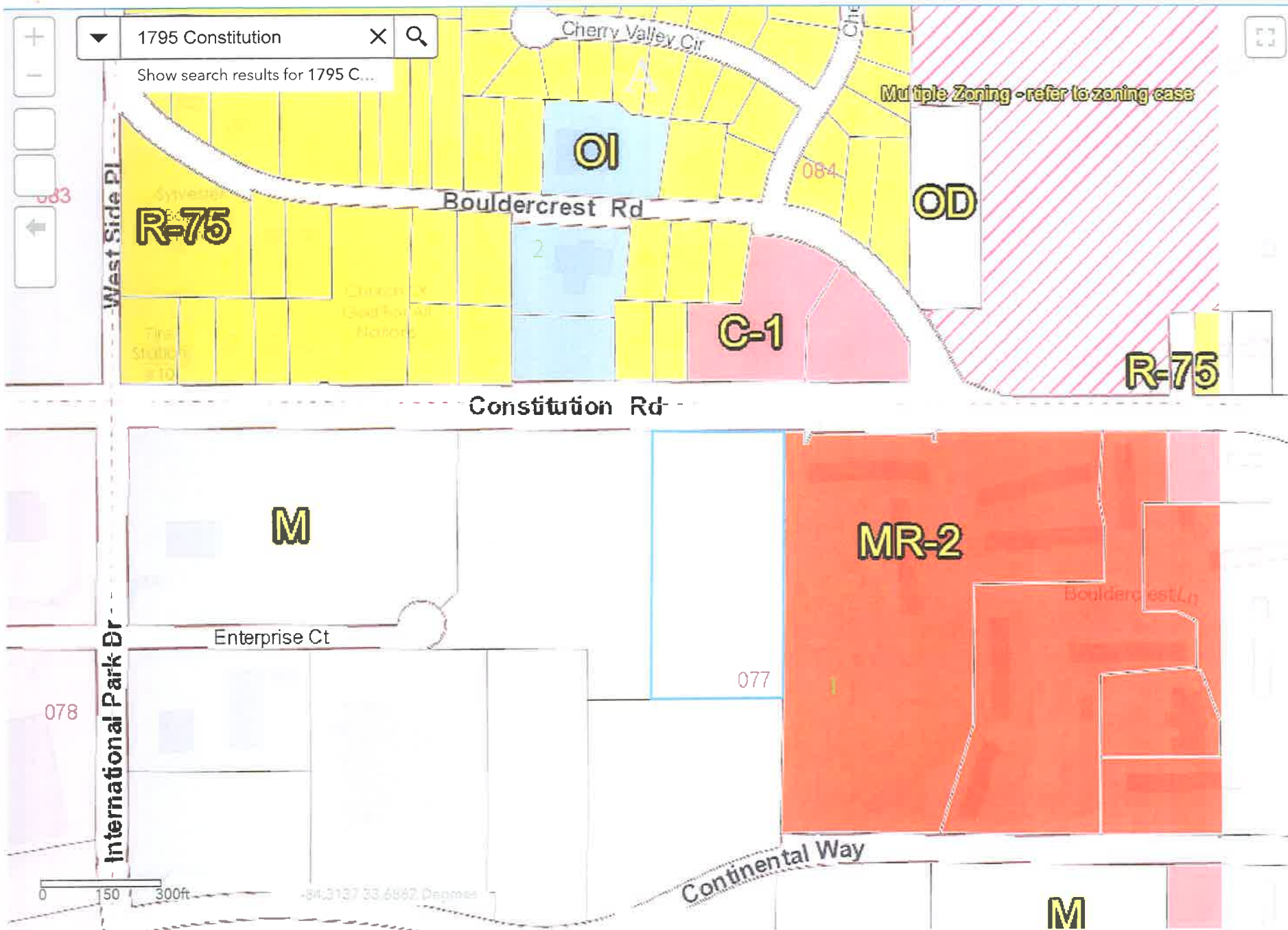
MINUTES:

No one spoke for the application; no one spoke in opposition.

(Ms. Cande Williams, 589 Clairmont Circle, #3, Decatur, Georgia, 30033, was present to represent Mr. Mullenix, but she did not speak.)

ATTACHMENT/

	FOR	AGAINST	ABSTENTION	ABSENT
DISTRICT 1 - Jean Williams	✓	_____	_____	_____
DISTRICT 2 - Sherry Sutton	✓	_____	_____	_____
DISTRICT 3 - Nathaniel Mosby	✓	_____	_____	_____
DISTRICT 4 - Robert J. (Bob) Morris	✓	_____	_____	_____
DISTRICT 5 - John S. Fletcher, Jr.	✓	_____	_____	_____
AT-LARGE - Robert Lanier	✓	_____	_____	_____
AT-LARGE - Annie Collins	✓	_____	_____	_____





DeKalb County Parcel Viewer

Show search results for 1795 C...

083

SUB

084

Sylvester Baptist Church

Church of Good Will for Nations

International Park Dr

Enterprise Ct

078

077

Continental Way

Market Dr

Boulder cre

Whitcomb Dr

0 300 600ft

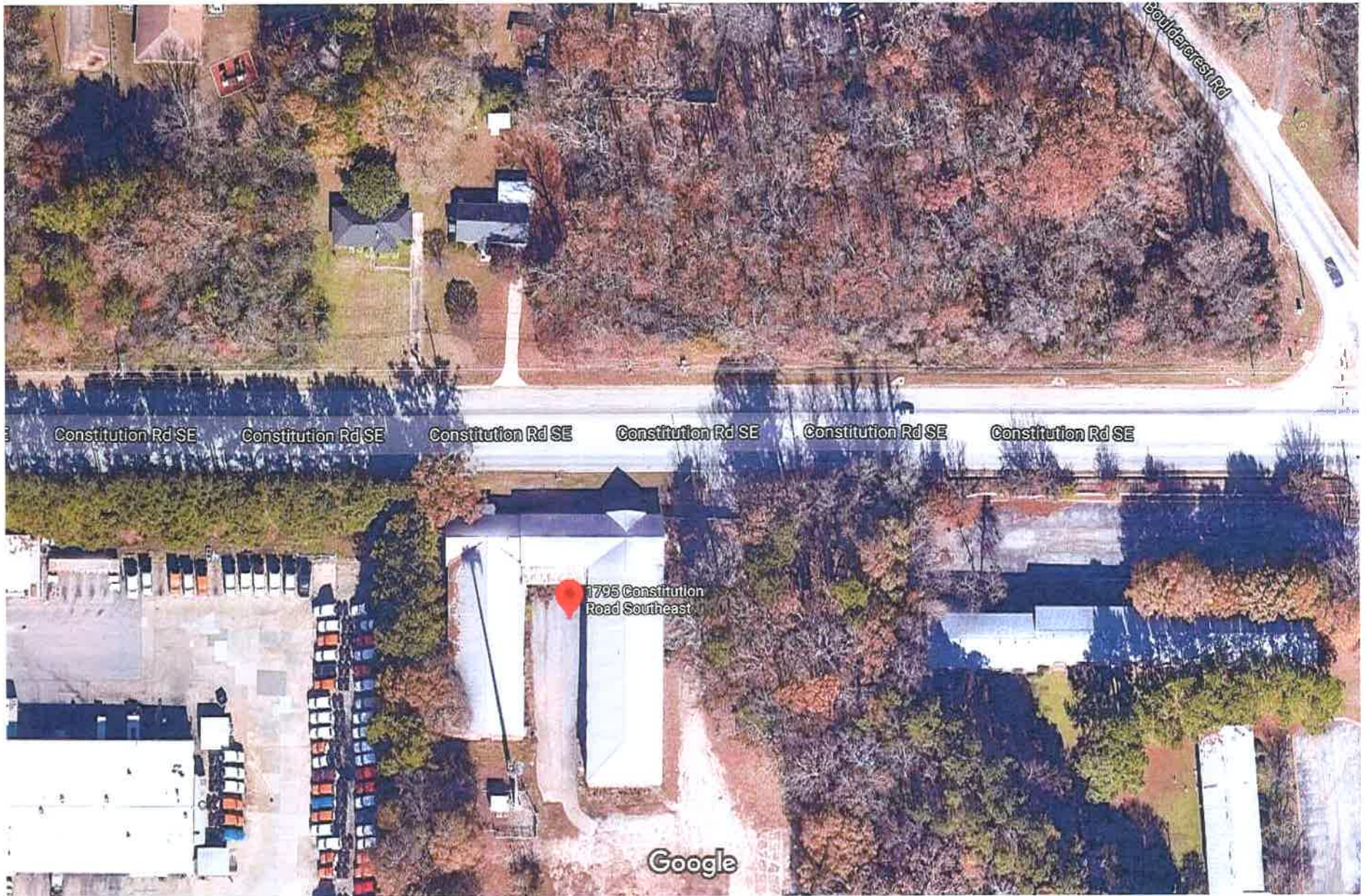
-84.3106 33.6910 Degrees

Layer List

Layers

- Parcels
- Parcel Annotation
- Subdivision
- Land-Use
- Overlay Districts
- Zoning
- Flood
- RoadClassification
- Commissioner Districts





Google Maps

1816 Constitution Rd SE

1795 Constitution Road SE



Google

PRELIMINARY
 This drawing is preliminary and is not to be used for construction purposes. It is subject to change without notice.



FIDELITY NATIONAL AND SCHNIDER NATIONAL TITLE INSURANCE COMPANY
 A MEMBER OF THE FIDELITY NATIONAL GROUP
 10000 WEST 10TH AVENUE, SUITE 1000, DENVER, CO 80202
 (303) 733-1000

AT A CORNER LAND TITLE INSURANCE
 FIDELITY NATIONAL TITLE INSURANCE COMPANY
 10000 WEST 10TH AVENUE, SUITE 1000, DENVER, CO 80202
 (303) 733-1000

Professional Engineer Seal
 FIDELITY NATIONAL TITLE INSURANCE COMPANY
 10000 WEST 10TH AVENUE, SUITE 1000, DENVER, CO 80202
 (303) 733-1000

MEASUREMENTS

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100
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UTILITY STATEMENT
 The utility lines shown on this plan are based on the records of the City and County of Denver, Colorado, and the utility companies. The utility lines are shown as they exist on the date of this plan. The utility lines are shown as they exist on the date of this plan.

PROPERTY DESCRIPTION
 The property described in this plan is located in the City and County of Denver, Colorado. The property is bounded by the following:

TITLE EXEMPTIONS
 The following title exemptions are shown on this plan:

NOTES
 The following notes apply to this plan:

REFERENCE PLATS
 The following reference plats are shown on this plan:

PARKING SUMMARY
 The following parking summary is shown on this plan:

SITE AREA
 The following site area is shown on this plan:



PRELIMINARY
 This drawing is preliminary and is not to be used for construction purposes. It is subject to change without notice.

UTILITY STATEMENT
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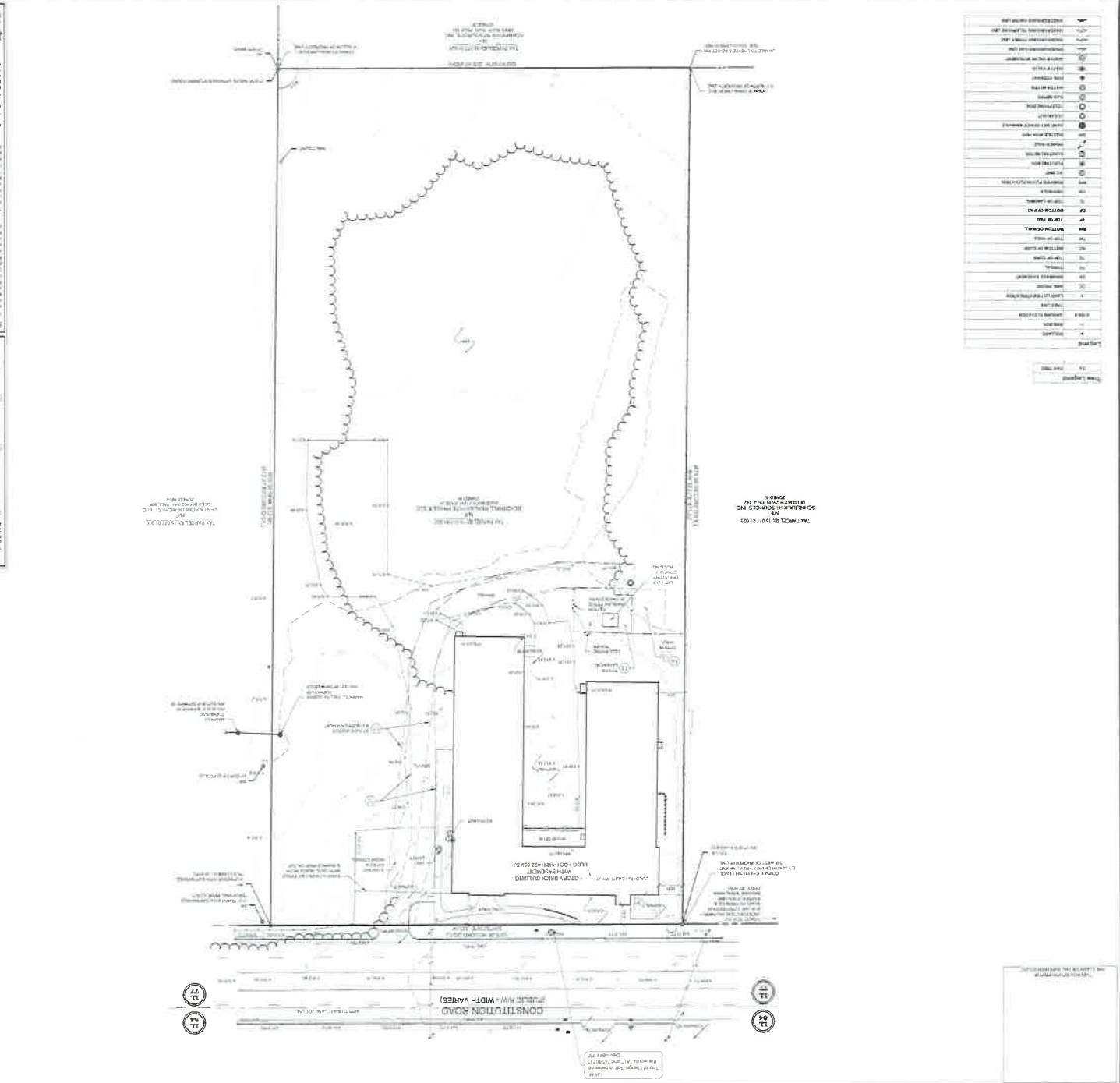
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PARKING SUMMARY
 The following parking summary is shown on this plan:

SITE AREA
 The following site area is shown on this plan:



LEGEND

Symbol	Description
Circle with dot	Center of Building
Square with dot	Center of Parking
Circle with cross	Center of Utility
Circle with horizontal lines	Center of Sewer
Circle with vertical lines	Center of Water
Circle with diagonal lines	Center of Gas
Circle with wavy lines	Center of Storm
Circle with solid fill	Center of Other

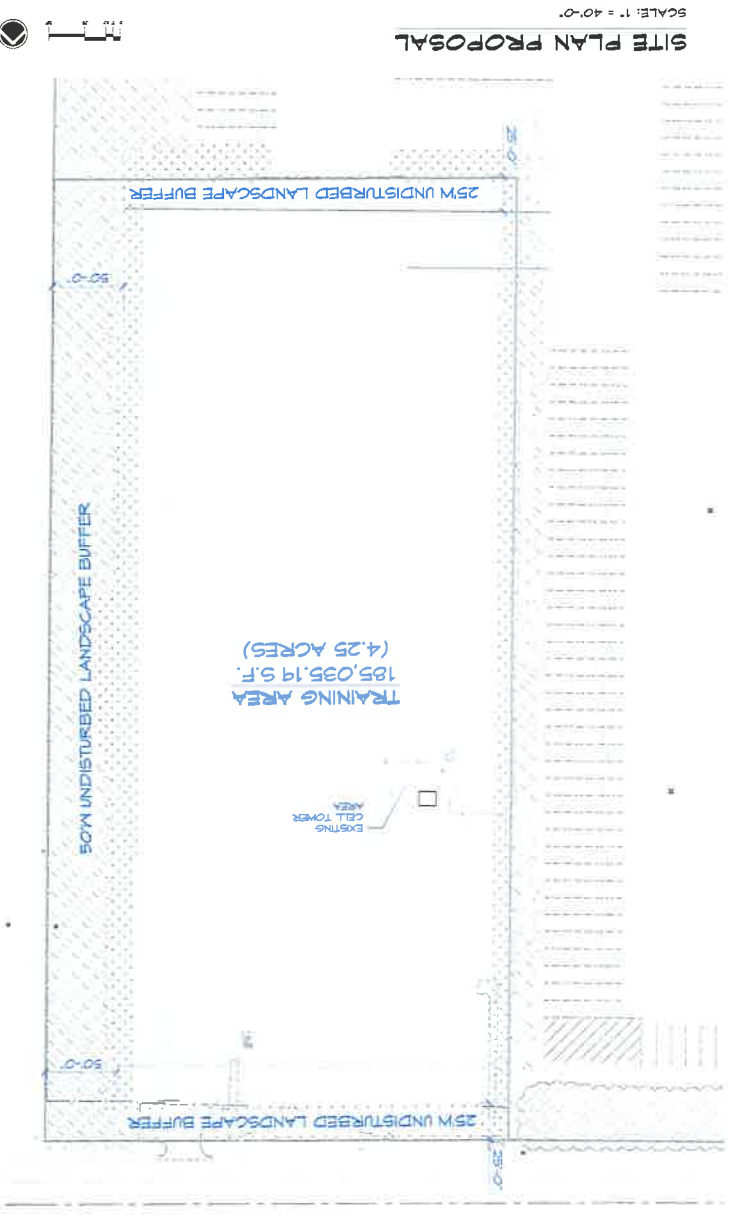
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1795 Constitution Road, SE
 Tax Parcel ID 15-077-01-002.

ZONING ENTITLEMENTS:
 M (Light Industrial) - C2 - 90092
 Character Area/Land Use - Light Industrial
 Bouldercrest - Cedar Grove Moreland Overlay, Tier I

DIMENSIONAL REQUIREMENTS:
 Lot Area: 30,000 Sq. Ft.
 Lot Width: 100'
 Lot Coverage: 80%
 Open Space: 20%

DEVELOPMENT ATTRIBUTES:
 Lot Area: 185,035.19 Sq. Ft.
 Lot Width: 324'
 Lot Coverage: 74%
 Open Space: 26%



SITE PLAN PROPOSAL
 SCALE: 1" = 40'-0"

SC-1

NO.	DATE	DESCRIPTION
1	10/20/20	SCHEMATIC DEVELOPMENT
2	11/10/20	SCHEMATIC DEVELOPMENT
3	12/10/20	SCHEMATIC DEVELOPMENT
4	01/10/21	SCHEMATIC DEVELOPMENT
5	02/10/21	SCHEMATIC DEVELOPMENT

SCHEMATIC PARCEL SITE PLAN
 ATLANTA OPERATING POINT
 YARD EXPANSION PROJECT



1795 CONSTITUTION RD, SE
 ATLANTA, GA
 30316

NO.	DATE	DESCRIPTION
1	10/20/20	SCHEMATIC DEVELOPMENT
2	11/10/20	SCHEMATIC DEVELOPMENT
3	12/10/20	SCHEMATIC DEVELOPMENT
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