

# GOVERNMENT OF THE CITY OF SOUTH FULTON

TAMMI SADDLER JONES  
CITY MANAGER



SHAYLA REED  
DIRECTOR  
COMMUNITY DEVELOPMENT &  
REGULATORY AFFAIRS

## MEMORANDUM

**TO:** City of South Fulton Mayor and Council  
**FROM:** Planning & Zoning Division  
**SUBJECT:** **M21-001 3850 Flat Shoals Road  
for a Modification of 2016Z-001 (1a)**  
**MEETING DATE:** July 14, 2021

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To consider an amendment to the Zoning Condition **2016Z-001 (1a.)** to allow a barber, beauty, and nail salon.

**STAFF RECOMMENDATION: APPROVAL**

cc: Corey Adams, City Clerk

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## APPLICATION INFORMATION

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Applicant Information:	Pooja C Stores, Inc. Pritesh Patel 5131 Meadowlake Drive Dunwoody, GA 30338
Status of Applicant:	Property owner
City Council District(s):	5
Parcel ID Number:	09F241100820336
Area of Property:	1.41 acres
Current/Past Use of the Property:	This property is currently a gas station with a convenience store and deli.
Prior Zoning Cases/History:	<b>2016Z-001</b> SFC a rezoning from C-1 to C-1. Approved with conditions.  <b>1984Z-0232</b> a rezoning from C-1 to C-1. Approved with conditions.
Surrounding Zoning:	<u>North</u> : C-1 (Commercial) <u>South</u> : Union City, zoning GC <u>East</u> : Union City, zoning GC <u>West</u> : Union City, zoning GC
2035 Future Land Use Designation:	<u>Character Type</u> : Live-Work <u>Land Uses</u> : Live-Work Community, Public, Semi-Public and Institutional. Commercial Office Density: up to 10,000 sf per acre. <u>Zonings</u> : MIX, C-1, C-2, O-I
Compatibility to the Fulton County 2035 Comprehensive Plan:	Yes. The proposed modification does align with the Comprehensive Future Land Use Designation.
Overlay District:	None
Public Utilities:	Water service is provided to these sites by City of Atlanta. Sewer service is available to the site by Fulton County.
Public Services:	Police and Fire services are available to the site by the City of South Fulton.
Transportation:	Street: Flat Shoals Road Classification: Minor Arterial Local Public Transit: MARTA bus is available directly in front of the across the street of the subject site. Bike/Pedestrian Access: Sidewalks are provided on both side of Flat Shoals Road. There are no bike lanes provided.

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**MAPS:****City of South Fulton Zoning and Aerial Map:**

(see attached)

**Proposed Site Plan:**

(see attached)

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**CONDITION(S) TO BE MODIFIED:****2016Z-0001 (1a.) states:**

Retail, service commercial and/or office and accessory uses, excluding indoor amusements, commercial amusements, group residence, free standing liquor/wine/beer/package store, check cashing store, pawn shop (including title pawn), laundromat, massage establishment, nail salon, beauty supply store, barber shop, flea market, discount retail shop roadside vending, roadside produce stand and seasonal vending.

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**PUBLIC PARTICIPATION**

The applicant provided the report and noted that no one showed up to the virtual meeting.

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**STAFF COMMENTS**

Engineering: Requested information, none provided.

Environmental: Requested information, none provided.

Public Works: Requested information, none provided.

Transportation: Requested information, none provided.

MARTA: Requested information, none provided.

Fulton County Health Department: Requested information, none provided.

Fulton County Schools: Requested information, none provided.

Fire: Requested information, none provided.

Legal: Requested information, none provided.

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**PLANNER'S RECOMMENDATION**

There are no beauty and barber salon within a quarter mile of the subject site. This will be a convenient business for the area and is in proximity to the residential neighborhood. Staff's recommendation is **APPROVAL**.

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**PREPARED BY:**

Dana Gray, Planner and Nathan Mai-Lombardo, Planning and Zoning Administrator

**REVIEWED BY:**

Shayla Reed, Director

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**MAYOR & COUNCIL ACTION**

Original hearing date: March 9, 2021

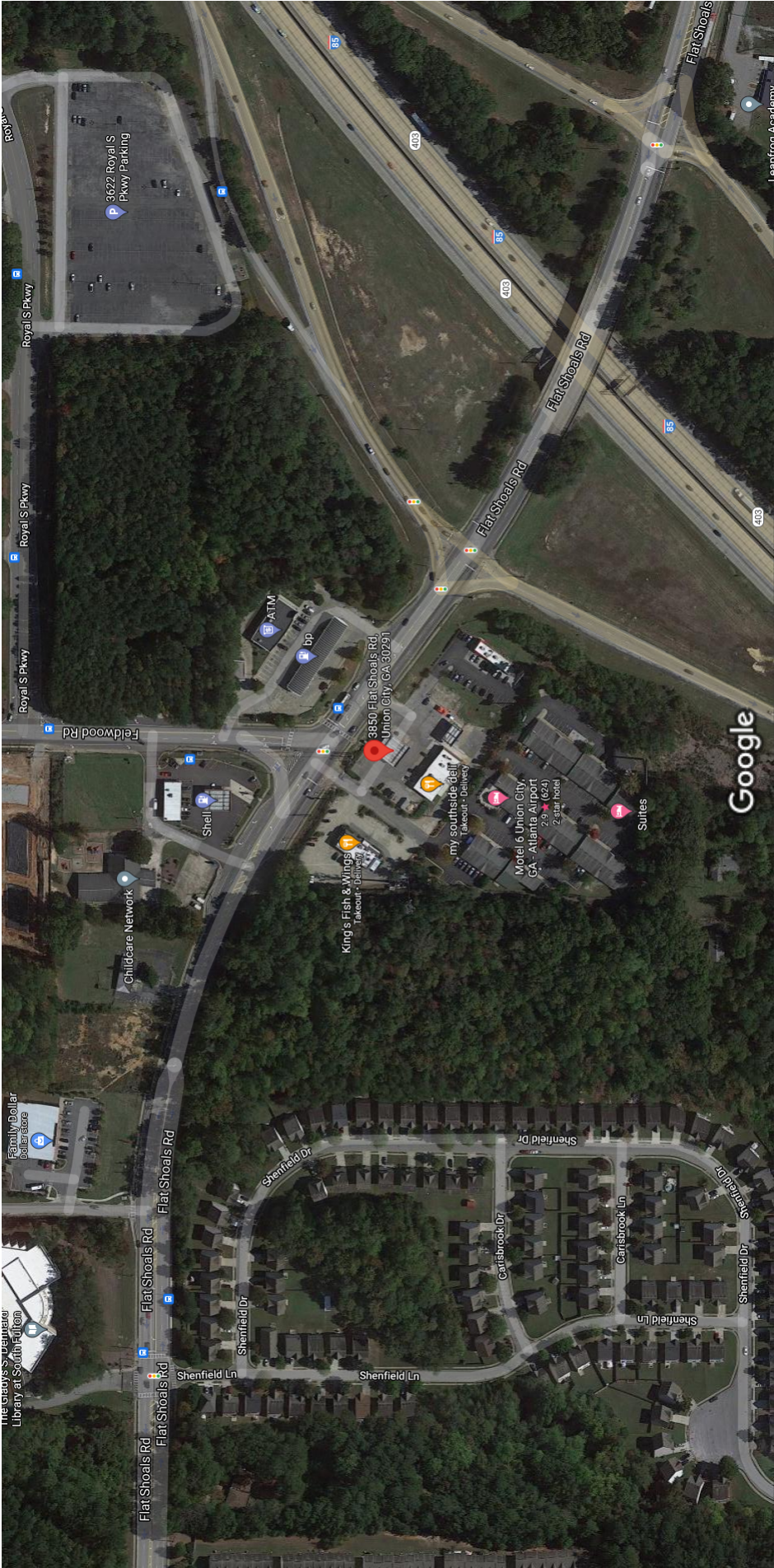
At this meeting, Mayor and Council voted to deny the associated Use Permit for this case, U21-002. However, the case for the Modification was postponed.







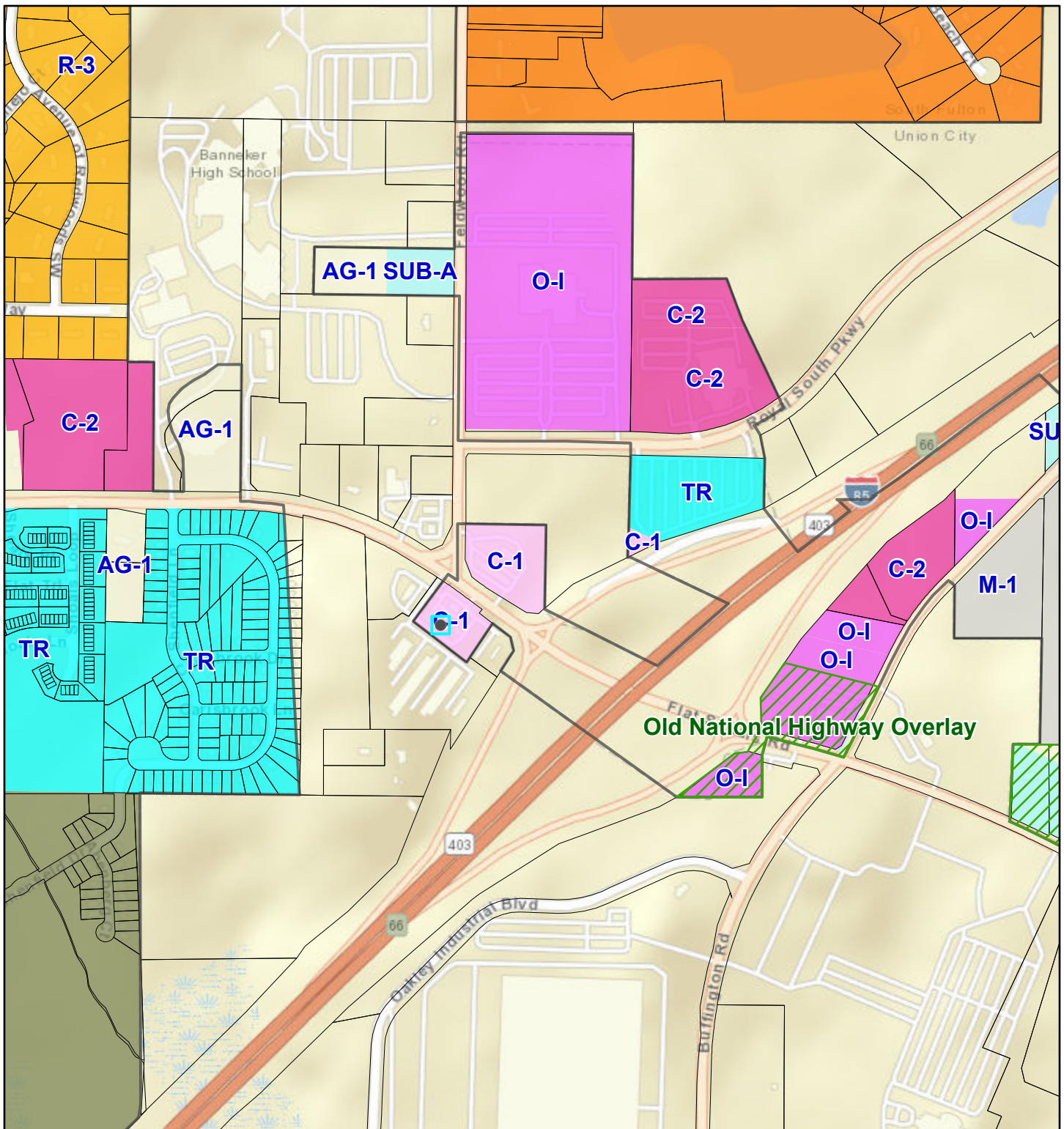
Google Maps 3850 Flat Shoals Rd



Imagery ©2021 Maxar Technologies, U.S. Geological Survey, USDA Farm Service Agency, Map data ©2021 100 ft

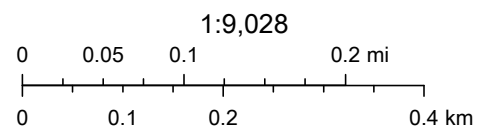


# COSF ArcGIS Web Map



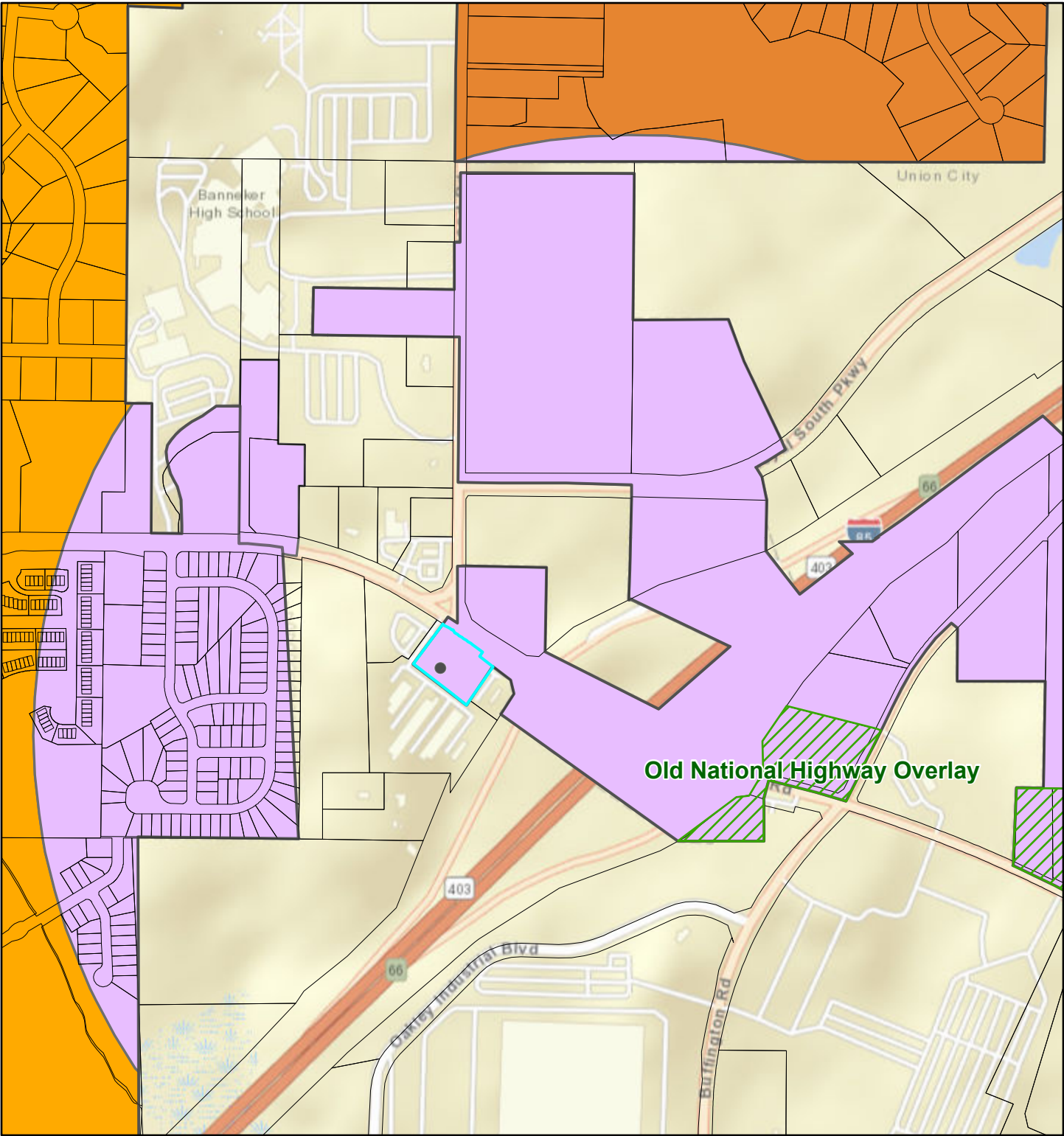
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- |                          |                                |
|--------------------------|--------------------------------|
| Overlay Districts        | M-1 (Light Industrial)         |
| City Limits              | O-I (Office & Institutional)   |
| Tax Parcels from County  | R-3 (Single Family Dwelling)   |
| <b>Current Zoning</b>    |                                |
| AG-1 (Agricultural)      | R-5A (Single Family Dwelling)  |
| C-1 (Limited Commercial) | SUB-A (Single Family Dwelling) |
| C-2 (General Commercial) | TR (Townhouse Residential)     |



Esri, HERE, Garmin, INCREMENT P, Intermap, NGA, USGS

# COSF ArcGIS Web Map



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 Overlay Districts


 City Limits

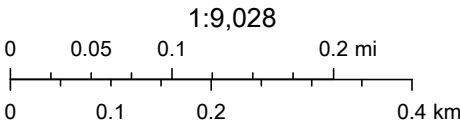
 Tax Parcels from County

2035 Future Land Use

 Community Live Work

 Suburban II Neighborhood

 Suburban Neighborhood

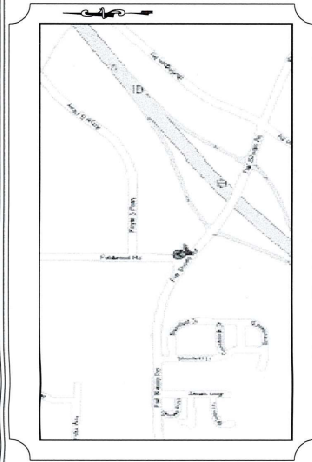


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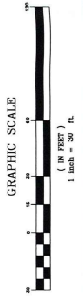
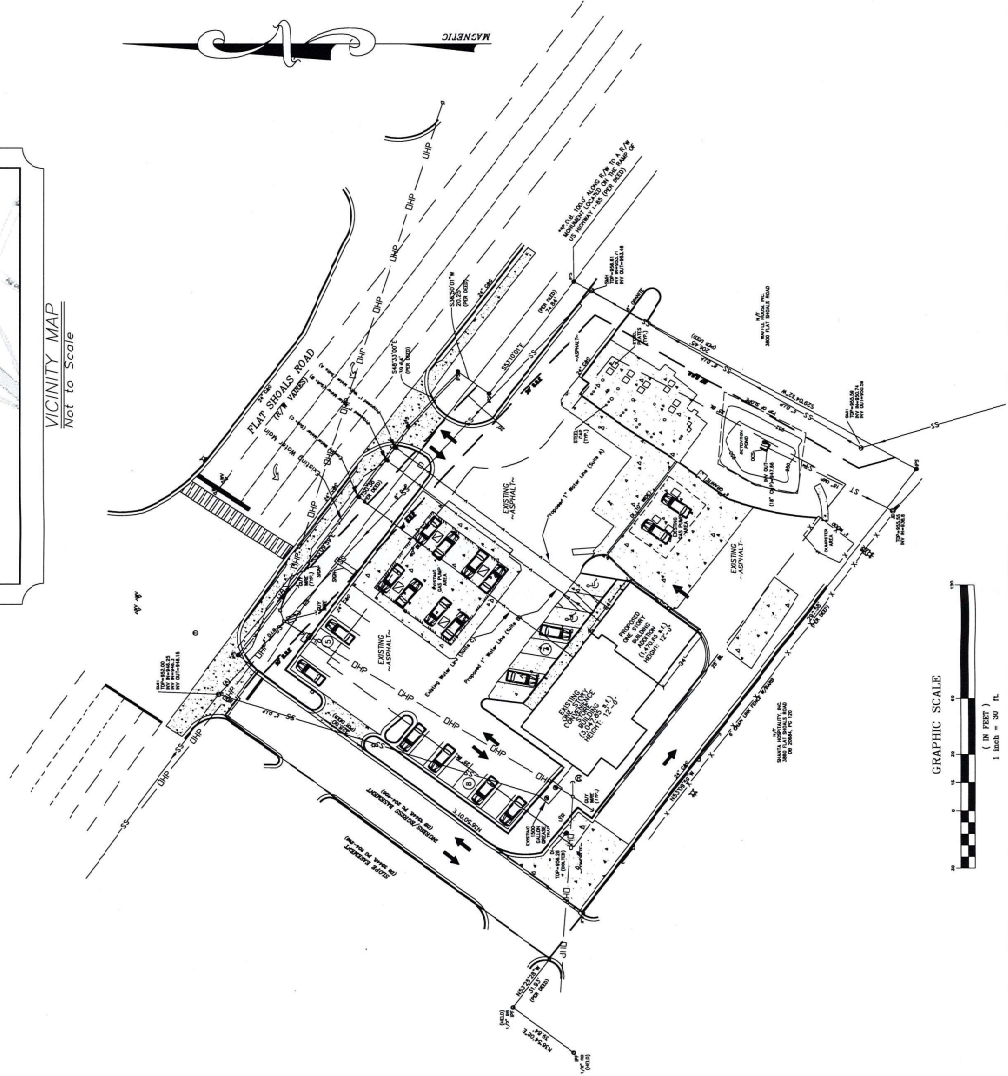


Legend	
CMF	Concrete Monument Found (S/W)
N/P	Now or Formerly
IPF	Iron Pin Found
IPS	Iron Pin Set
R/W	Right of Way
LL	Land Lot
SP	Square Feet
Rkt.	Existing
SBL	Building Setback Line
FPE	Finished Floor Elevation
R	Radius
F/H	Fire Hydrant
-GAS-	Gas Line
-OHP-	Overhead Utility Lines
P/P	Underground Utility Lines
-W-	Water Line
M	Meter
MH	Manhole
SS-	Sanitary Sewer Cleanout
ST-	Sanitary Sewer Line
-100-	Contours - Existing
-1000-	Contours - Proposed
x 100	Spot Elevation - Existing
001000	Spot Elevation - Proposed
-X-	Fence
-XX-	Silt Fence
-O-	Tree Protection Fence
⊙	Tree - Existing
⊙	Tree to be Impacted / Removed
⊙	Tree - Critical Root Zone

<b>PROJECT INFORMATION</b>	
<b>PROJECT DESCRIPTION / SCOPE</b> Proposed building addition and parking lot expansion for additional retail space and a new restaurant. 100,000 sq. ft. of new building space and 100,000 sq. ft. of new parking space. 100,000 sq. ft. of new building space and 100,000 sq. ft. of new parking space.	
<b>OWNER</b> POJA C - Stores, Inc. 3850 Flat Shoals Road Union City, GA 30291 404-229-6909	<b>PROJECT LOCATION</b> Union City, GA 30291
<b>DESIGN FIRM</b> Pechter & Associates, Inc. 1227 North Peachtree Parkway Suite 212 Atlanta, GA 30309 404-229-6909	<b>24-HOUR CONTACT</b> 404-229-6909
<b>ZONING INFORMATION</b> Property Zoned C1 Total Proposed Building Space: 100,000 sq. ft. Total Proposed Parking Space: 100,000 sq. ft.	
<b>LANDSCAPE STRIPS</b> Minimum 10' wide Minimum 10' wide Minimum 10' wide	
<b>LANDSCAPE BUFFERS</b> Minimum 10' wide Minimum 10' wide Minimum 10' wide	
<b>REQUIRED PARKING</b> Total Building Space: 100,000 sq. ft. Total Building Space: 100,000 sq. ft. Total Building Space: 100,000 sq. ft.	



VICINITY MAP  
Not to Scale

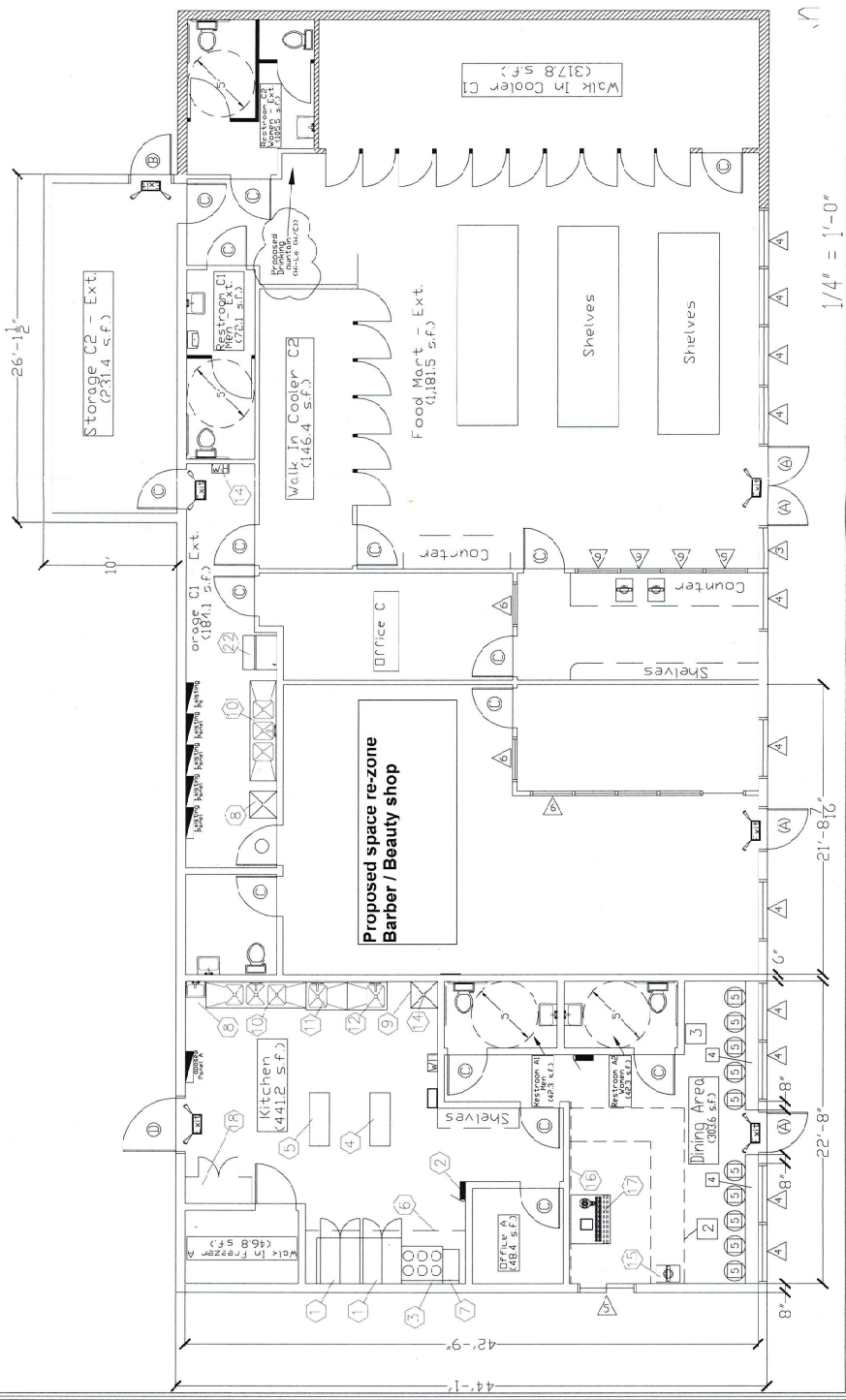


DRAWING NO. P010360.2		SHEET C1.2	
DATE: 11/30/16		SCALE: 1" = 30'	
NO. 1		DESCRIPTION DATE	
REVISIONS		NO. 1	
REVISION 1		DATE 11/27/17	
CHECKED: RH		DESIGNED: RH	
LAND LOT: 92.83		DISTRICT: 9	
LOCATION: Fulton Co., GA			
POJA C - Stores, Inc.		3850 Flat Shoals Road	
Union City, GA 30291		404-229-6909	
BUILDING ADDITION		PROPOSED SITE LAYOUT PLAN	
1227 North Peachtree Parkway		Suite 212	
Peachtree City, Georgia 30269		(678) 858-1879	



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Synthesis Legend	
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## PUBLIC PARTICIPATION PLAN REPORT FORM E

Applicant: Pooja C Stores, Inc / Pritesh Patel Petition No. M21-001 and U21-001\_\_

Date: 2/8/21\_\_\_\_\_

1. The following parties were notified of the requested rezoning/use permit:  
Persons / companies listed in the 1/4 mile list provided by the COSF planning &  
Zoning staff\_\_\_\_\_
2. The following meetings were held regarding this petition: (Include the date, time, and meeting location.)  
The On-Line meeting was held on 2/8/21 6PM\_\_\_\_\_
3. The following issues and concerns were expressed:  
There was no participation from any individuals or entity\_\_\_\_\_
4. The applicant's response to issues and concerns was as follows:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
5. Applicants are required to attach copies of sign-in sheets from meetings as well as meeting announcements, i.e., notices, flyers, letters, and any other documentation which supports the opportunity for public input.

*Attach additional sheets as needed.*



## APPLICATION FOR REZONING & USE PERMIT

City of South Fulton Community Development and Regulatory Affairs  
City of South Fulton City Hall  
5440 Fulton Industrial Boulevard  
Atlanta, GA 30336

DATE: 1/15/21

TAX PARCEL IDENTIFICATION NUMBER(S): 09F-2411-0082-033-6

### SECTION I

### REZONING REQUEST

Office use only:

ZONING CASE #: \_\_\_\_\_ ROAD FRONTAGE: \_\_\_\_\_

PROPERTY ADDRESS (if available): 3850 Flat Shoals Road, Union City, GA 30291

The undersigned, having an interest in the property herein described, respectfully petitions that said property be rezoned from C1 to \_\_\_\_\_

Existing Zoning(s)

Proposed Zoning(s)

### SECTION II

### USE PERMIT REQUEST

Office use only:

USE PERMIT CASE # \_\_\_\_\_ ROAD FRONTAGE: \_\_\_\_\_

Under the provisions of Article XIX of the Zoning Resolution, application is hereby made to obtain a Use Permit as follows:

CURRENT ZONING: C1

USE PERMIT REQUEST: Barber / Beauty / Nail Salon\_

### SECTION IV

### OWNER/PETITIONER

**NOTICE: Part 1 and/or Part 2 below must be signed and notarized when the petition is submitted. Please complete Section IV as follows:**

- If you are the sole owner of the property and not the petitioner complete Part 1.
- If you are the petitioner and not the sole owner of the property complete Part 2.
- If you are the sole owner and petitioner complete Part 1.
- If there are multiple owners each must complete a separate Part 1 and include it in the application.

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~~420-001~~



## PRE-APPLICATION REVIEW FORM

Office use only:

I hereby certify that I have completed a preliminary review of the site plan for this project and determined that it meets the minimum standards specified by Article 28.5.2 of the Fulton County Zoning Resolution.

Staff signature: \_\_\_\_\_ Date: \_\_\_\_\_

Planning Division

Community Development and Regulatory Affairs

Staff printed name: \_\_\_\_\_

The undersigned acknowledges that the site plan is submitted in accordance with Article 28.5.2 of the City of South Fulton Zoning Ordinance and failure to comply shall render my application incomplete which may result in delay in the process of this application.

Applicant signature:  Date: 1/15/21

Applicant printed name: Pritesh Patel \_\_\_\_\_

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~~420-001~~

**Part 1. Owner states under oath that he/she is the owner of the property described in the attached legal description, which is made part of this application.**

Pritesh Patel  
TYPE OR PRINT OWNER'S NAME

5131 Meadowlake Drive  
ADDRESS

Dunwoody, GA 30338  
CITY & STATE ZIP CODE

[Signature]  
OWNER'S SIGNATURE

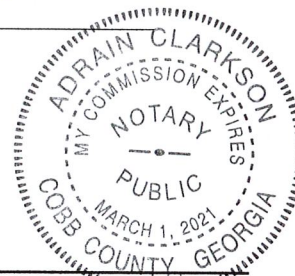
Pritesh@poojainc.biz  
EMAIL ADDRESS

Sworn to and subscribed before me this the

21<sup>st</sup> Day of January 2021

[Signature]  
NOTARY PUBLIC

404-229-6909  
PHONE NUMBER



**PART 2. Petitioner states under oath that: (1) he/she is the executor or Attorney-in-fact under a Power-of-Attorney for the owner (attach a copy of the Power-of-Attorney letter and type name above as "Owner"); (2) he/she has an option to purchase said property (attach a copy of the contract and type name of owner above as "Owner"); or (3) he/she has an estate for years which permits the petitioner to apply (attach a copy of lease and type name of owner above as "Owner").**

\_\_\_\_\_  
TYPE OR PRINT PETITIONER'S NAME

\_\_\_\_\_  
ADDRESS

\_\_\_\_\_  
CITY & STATE ZIP CODE

\_\_\_\_\_  
PETITIONER'S SIGNATURE

\_\_\_\_\_  
EMAIL ADDRESS

Sworn to and subscribed before me this the

\_\_\_\_ Day of \_\_\_\_\_ 20\_\_\_\_

\_\_\_\_\_  
NOTARY PUBLIC

\_\_\_\_\_  
PHONE NUMBER

**SECTION V ATTORNEY / AGENT**

Check One: ☐ Attorney ☐ Agent

\_\_\_\_\_  
TYPE OR PRINT ATTORNEY / AGENT NAME

\_\_\_\_\_  
SIGNATURE OF ATTORNEY / AGENT

\_\_\_\_\_  
ADDRESS

\_\_\_\_\_  
EMAIL ADDRESS

\_\_\_\_\_  
CITY & STATE ZIP CODE

\_\_\_\_\_  
PETITIONER'S SIGNATURE

\_\_\_\_\_  
PHONE NUMBER

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~~120-001~~

EXHIBIT "A", cont'd

TRACT 5 - INGRESS & EGRESS EASEMENT #2:

BEING ALL THAT TRACT OR PARCEL OF LAND lying and being in Land Lot 83 of the 2nd Section, 9th District of Fulton County, Georgia, and being more particularly described as follows:

TO ARRIVE AT THE TRUE POINT OF BEGINNING of the herein described tract of land, begin at a concrete right-of-way monument found at a mitered corner of a ramp leading to I-85 from the right-of-way (65 feet from centerline) of Flat Shoals Road; thence running North 53 degrees 09 minutes 59 seconds West, along said right-of-way of Flat Shoals Road, 174.84 feet to an iron pin set (65 feet from centerline of Flat Shoals Road; thence running North 36 degrees 50 minutes 01 second East 9.94 feet to an iron pin set on the proposed right-of-way of Flat Shoals Road; thence running North 53 degrees 09 minutes 59 seconds West, along said proposed right-of-way of Flat Shoals Road, 189.87 feet to an iron pin and the True Point of Beginning of the herein described tract of land; thence running from said True Point of Beginning, North 53 degrees 09 minutes 59 seconds West 30.00 feet to an iron pin set; thence running North 36 degrees 50 minutes 01 second West 13.5 feet to an iron pin set at the right-of-way (42 feet from centerline) of Flat Shoals Road; thence running South 53 degrees 09 minutes 59 seconds West, along said right-of-way of Flat Shoals Road, 30.00 feet to an iron pin set (42 feet from centerline); thence running South 36 degrees 50 minutes 01 second West 13.5 feet to the True Point of Beginning; containing an area of 405.00 square feet and being identified as INGRESS - EGRESS EASEMENT #2 on Plat of Survey for Globe Oil Company, U.S.A., prepared by Donald W. Harkleroad, Georgia Registered Land Surveyor, dated April 4, 1984.

TRACT 6 - BUFFER ZONE #2 and BUFFER ZONE #3:

ALL THAT TRACT OR PARCEL OF LAND lying and being in Land Lots 82 and 83 of the 2nd Section, 9th District of Fulton County, Georgia, and being more particularly described as follows:

TO ARRIVE AT THE TRUE POINT OF BEGINNING of the herein described tract of land, begin at a concrete right-of-way monument found at the northwesterly mitered corner of a ramp leading to I-85 from the right-of-way (65 feet from centerline) of Flat Shoals Road; thence running South 13 degrees 39 minutes 21 seconds East 68.43 feet to a right-of-way monument, being the southwesterly mitered corner of said intersection, thence running South 31 degrees 53 minutes 34 seconds West 185.51 feet to a the True Point of Beginning of the herein described tract of land; thence running from said True Point of Beginning, South 31 degrees 53 minutes 34 seconds West 50.19 feet to a point; thence running North 53 degrees 09 minutes 59 seconds West 89.47 feet to a point; thence running North 76 degrees 55 minutes 33 seconds West 40.23 feet to a point; thence running North 53 degrees 09 minutes 59 seconds West 341.52 feet to a point; thence running North 36 degrees 50 minutes 01 second East 50.00 feet to a point; thence running South 53 degrees 09 minutes 59 seconds West 331.00 feet to a point; thence running South 76 degrees 55 minutes 33 seconds East 40.23 feet to a point; thence running South 53 degrees 09 minutes 59 seconds East 95.66 feet to the True Point of Beginning; being described as Buffer Zone #2 containing an area of 6,640.636 square feet or 0.152 Acres, and Buffer Zone #3 containing 16,813.065 square feet or 0.386 Acres, as shown on Plat of Survey for Globe Oil Company, U.S.A., prepared by Donald W. Harkleroad, Georgia Registered Land Surveyor, dated April 4, 1984.

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## ENVIRONMENTAL SITE ANALYSIS (ESA) FORM A

Provide a complete Environmental Site Analysis document fully addressing all items as required in sections 1 through 3 below. Attach this Form A to the front of the completed Environmental Site Analysis document (and any subsequent revisions) prior to submission. For additional information and questions, please contact the Fulton County Office of Environmental Affairs at 404-613-0250.

ESA Revision Number: \_\_\_\_\_

Applicant: Pooja C Stores, Inc / Pritesh Patel\_\_\_\_ Phone Number: (404) 229-6909\_\_\_\_\_

1. **CONFORMANCE WITH THE COMPREHENSIVE PLAN.** Describe the proposed project and the existing environmental conditions on the site. Describe adjacent properties. Include a site plan that depicts the proposed project.

Describe how the project conforms to the Comprehensive Land Use Plan. Include the portion of the Comprehensive Plan Land Use Map which supports the project's conformity to the Plan. Evaluate the proposed project with respect to the land use suggestion of the Comprehensive Plan as well as any pertinent Plan policies. Information regarding Fulton County's Comprehensive Plan may be found online at [www.fultoncountyga.gov/fcpcsd-home](http://www.fultoncountyga.gov/fcpcsd-home).

2. **ENVIRONMENTAL IMPACTS OF THE PROPOSED PROJECT.** For each environmental site feature listed below, indicate the presence or absence of that feature on the property. Describe how the proposed project may encroach or adversely affect an environmental site feature. Information on environmental site features may be obtained from the indicated source(s). Cite the source of information regarding the presence or absence of environmental site features (e.g. according to the City of South Fulton website ([www.cityofsouthfultonga.gov](http://www.cityofsouthfultonga.gov)), wetland areas are located on the northwest portion of the site).

a. Wetlands

- U. S. Fish and Wildlife Service, National Wetlands Inventory (<http://www.fws.gov/wetlands/>)
- Georgia Geologic Survey (404-656-3214)
- Fulton County Website ([www.fultoncountyga.gov/fcpcsd-home](http://www.fultoncountyga.gov/fcpcsd-home))
- Field observation and subsequent wetlands delineation/survey if applicable

b. Floodplain

- Federal Emergency Management Agency (<http://www.fema.org>)
- City of South Fulton Website ([www.cityofsouthfultonga.gov](http://www.cityofsouthfultonga.gov))
- Fulton County Community Development Services
- Field observation and verification

JAN 22 2021

c. Streams/stream buffers

- Fulton County Website ([www.fultoncountyga.gov/fcpcsd-home](http://www.fultoncountyga.gov/fcpcsd-home))
- Field observation and verification

PLANNING AND ZONING

U20-002  
~~A20-001~~

- d. Slopes exceeding 33 percent over a 10-foot rise in elevation
  - United States Geologic Survey Topographic Quadrangle Map
  - Field observation and verification
- e. Vegetation (including endangered species)
  - United States Department of Agriculture, Nature Resource Conservation Service
  - Field observation
- f. Wildlife Species (including fish and endangered species)
  - United States Fish and Wildlife Service
  - Georgia Department of Natural Services, Wildlife Resources Division, Natural Heritage Program
  - Field observation
- g. Archeological/Historical Sites
  - Fulton County Historic Resources Survey
  - Georgia Department of Natural Resources, Historic Preservation Division
  - Field observation and verification

3. **PROJECT IMPLEMENTATION MEASURES.** Describe how the project implements each of the measures listed below as applicable. Indicate specific implementation measures required to protect environmental site feature(s) that may be impacted.

- a. Protection of environmentally sensitive areas, i.e., floodplain, slopes exceeding 25 percent, river corridors.
- b. Protection of water quality
- c. Minimization of negative impacts on existing infrastructure
- d. Minimization on archeological/historically significant areas
- e. Minimization of negative impacts on environmentally stressed communities where environmentally stressed communities are defined as communities exposed to a minimum of two environmentally adverse conditions resulting from public and private municipal (e.g., solid waste and wastewater treatment facilities, utilities, airports, and railroads) and industrial (e.g., landfills, quarries and manufacturing facilities) uses.
- f. Creation and preservation of green space and open space
- g. Protection of citizens from the negative impacts of noise and lighting
- h. Protection of parks and recreational green space
- i. Minimization of impacts to wildlife habitats

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U20-002  
~~AA20-001~~





## IMPACT ANALYSIS FORM B

Applicant: Pooja C Stores, Inc/ Pritesh Patel\_\_\_\_\_

Analyze the impact of the proposed rezoning and answer the following questions:

1. Does the zoning proposal permit a use that is suitable in view of the use and development of adjacent and nearby property? yes  
\_\_\_\_\_
2. Does the zoning proposal adversely affect the existing use or usability of adjacent or nearby property?  
No \_\_\_\_\_  
\_\_\_\_\_
3. Does the property to be rezoned have a reasonable economic use as currently zoned? yes  
\_\_\_\_\_
4. Will the zoning proposal result in a use that could cause an excessive or burdensome use of existing streets, transportation facilities, utilities or schools? No \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
5. Is the zoning proposal in conformity with the policies and intent of the land use plan? Yes \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
6. Are there existing or changing conditions that affect the use and development of the property which support either approval or denial of the zoning proposal? No  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
7. Does the zoning proposal permit a use that can be considered environmentally adverse to the natural resources, environment and citizens of City of South Fulton? No  
\_\_\_\_\_  
\_\_\_\_\_

RECEIVED

Attach additional sheets as needed.

JAN 22 2021

PLANNING AND ZONING



## DISCLOSURE REPORT FORM C

Office use only:

REZONING PETITION #: \_\_\_\_\_ CITY COUNCIL MEETING DATE: \_\_\_\_\_

Within the (2) years immediately preceding the filing of this zoning petition have you, as the applicant, owner and/or opponent for the rezoning petition, or an attorney or agent of the applicant or opponent for the rezoning petition, made any campaign contributions aggregating \$250.00 or more or made gifts having an aggregate value of \$250.00 to a member of City Council.

**CIRCLE ONE:**

NO

If the answer is YES, proceed to sections 1 through 4.  
If the answer is NO, complete only section 4.

1. **CIRCLE ONE:**                      Party to Petition                      In Opposition to Petition

If party to petition, complete sections 2, 3, and 4 below.  
If in opposition, proceed to sections 3 and 4 below.

2. List all individuals or business entities which have an ownership interest in the property which is the subject of this rezoning petition: Pooja C Stores, Inc / Pritesh Patel

3. CAMPAIGN CONTRIBUTIONS:

Name of Government Official	Total Dollar Amount	Date of Contribution	Enumeration and Description of Gift Valued at \$250.00 or more

4. The undersigned acknowledges that this disclosure is made in accordance with the Official Code of Georgia, Section 36-67A-1 et. seq. Conflict of interest in zoning actions, and that the information set forth herein is true to the undersigned's best knowledge, information and belief.

RECEIVED

Name (print) Pritesh Patel

Signature: [Signature] Date: 1/15/21

PLANNING AND ZONING

**PUBLIC PARTICIPATION PLAN  
FORM D**

Applicant: Pooja C Stores, Inc / Pritesh Patel

1. The following individuals (property owners within a quarter mile of the property), homeowner's associations, political jurisdictions, other public agencies, etc., will be notified in accordance with the requirements of Article 28.4.7 of the City of South Fulton Zoning Ordinance:

Will mail out quarter mile list to be received from staff

2. The individuals and others listed in 1. above will be notified of the requested rezoning/use permit using the following method(s): (e.g., letters, meeting notices, telephone calls, e-mails, etc.)

3. Individuals and others listed in 1. above will be allowed to participate in the following manner: (At least one meeting at a convenient time and location is required.)

RECEIVED

JAN 22 2021

Attach additional sheets as needed.

PLANNING AND ZONING





## PUBLIC PARTICIPATION PLAN REPORT FORM E

Applicant: Pooja C Stores, Inc / Pritesh Patel Petition No. \_\_\_\_\_

Date: \_\_\_\_\_

1. The following parties were notified of the requested rezoning/use permit:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
2. The following meetings were held regarding this petition: (Include the date, time, and meeting location.)  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
3. The following issues and concerns were expressed:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
4. The applicant's response to issues and concerns was as follows:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
5. Applicants are required to attach copies of sign-in sheets from meetings as well as meeting announcements, i.e., notices, flyers, letters, and any other documentation which supports the opportunity for public input.

*Attach additional sheets as needed.*

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JAN 22 2021

PLANNING AND ZONING



## SITE PLAN CHECKLIST FORM F

Site plans for rezoning and use permit must be folded, drawn to scale, no larger than 30" x 42", and shall, at a minimum, include the following information:

ITEM #	DESCRIPTION	CHECK ✓
1	Key and/or legend and site location map with North arrow	
2	Boundary survey of subject property which includes dimensions along property lines that match the metes and bounds of the property's written legal description and clearly indicates the point of beginning	
3	Acreage of subject property	
4	Location of land lot lines and identification of land lots	
5	Existing, proposed new dedicated and future reserved rights-of-way of all streets, roads, and railroads adjacent to and on the subject property	
6	Proposed streets on the subject site	
7	Posted speed limits on all adjoining roads	
8	Current zoning of the subject site and adjoining properties	
9	Existing buildings with square footages and heights (stories), wells, driveways, fences, cell towers, and any other structures or improvements on the subject property	
10	Existing buildings with square footages and heights (stories), wells, driveways, fences, cell towers, and any other structures or improvements on adjacent properties within 400 feet of the subject site based on the County's aerial photography or an acceptable substitute as approved by the Director	
11	Location of proposed buildings (except single family residential lots) with total square footage	
12	Layout and minimum lot size of proposed single-family residential lots	
13	Topography (surveyed or County) on subject site and adjacent property within 200 feet as required to assess runoff effects; Onsite areas with slopes greater than thirty-three percent (33%) shall be labeled and identified through cross-hatching and/or separate colors.	
14	Location of major overhead and underground electrical and petroleum transmission/conveyance lines	
15	Required and/or proposed setbacks	
16	100-year flood plain horizontal limits and flood zone designations as shown on survey or FEMA FIRM maps	
17	Required landscape strips, undisturbed buffers, and any other natural areas as required or proposed	
18	Required and proposed parking spaces; Loading and unloading facilities	
19	Lakes, streams and other waters on the site and associated buffers	
20	Proposed stormwater management facilities	
21	Community wastewater facilities including preliminary areas reserved for septic drain fields and points of access	
22	Availability of water system and sanitary sewer system	
23	Tree lines, woodlands and open fields on subject site	
24	Entrance site distance profile assuming the driver's eye at a height of 3.5 feet (See Fulton County Subdivision Regulations)	
25	Wetlands shown on the County's GIS maps or survey	
26	Airport noise contours on those properties within the FAR Part 150 Airport Noise Contour Map.	

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JAN 22 2021

PLANNING AND ZONING





# APPLICATION FOR ADMINISTRATIVE OR ZONING MODIFICATIONS

The undersigned, having an interest in the property herein described respectfully request:

## SECTION I

MODIFICATION #: \_\_\_\_\_

(To be assigned by the City of South Fulton)

- ☐ A. **ADMINISTRATIVE MODIFICATION:** A modification of a condition(s) of zoning or Use Permit that does not require a public hearing. A decision will be made by the Director of Community Development & Regulatory Affairs.
- ☒ B. **ZONING MODIFICATION:** A modification of a condition(s) of zoning or Use Permit where public interest has been determined. This requires a public hearing by the City of South Fulton Councilmembers.

If "A" was denied, list previous case number: #M \_\_\_\_\_

- 1) Planner who determined the type of Modification you should file: Dana Gray
- 2) Identify the specific condition(s) being modified as provided by the Planner. State the condition number(s) and letter(s) (e.g. 2-b, 2-e). \_\_\_\_\_; \_\_\_\_\_; \_\_\_\_\_; \_\_\_\_\_; \_\_\_\_\_.
- 3) Petition number of the Zoning or Use Permit to which this application applies 1984Z-0232  
Current zoning district C1
- 4) Attach a copy of Legal Description [must be metes and bounds] or complete the following information if the property is within a recorded subdivision.

SUBDIVISION NAME: C811 UNIT/PHASE: \_\_\_\_\_

LOT NUMBER: 82 & 83 BLOCK DESIGNATION: \_\_\_\_\_ LAND LOT(S): 82 & 83

DISTRICT/SECTION: 5 / \_\_\_\_\_ RECORDED IN PLAT BOOK: 09073 PAGE: 00185

ROAD NAME: Flat Shoals Road

**NOTICE:** Sections III or IV below **MUST** be signed and notarized when application is submitted. If Section III is signed and notarized, applicant need only complete Section IV as "Applicant", notarization of Section IV is not necessary.

**SECTION III:** Owner states under oath that he/she is the owner of property described in the attached legal description, which is made part of this application for a Modification.

Pooja C Stores, Inc. / Pritesh Patel

TYPE OR PRINT OWNER'S NAME  
5131 Meadowlake Drive

ADDRESS  
Dunwoody, GA 30338

CITY & STATE ZIP CODE

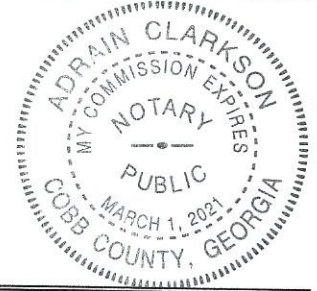
OWNER OF PROPERTY (SIGNATURE)  
(404) 229-6909

PHONE NUMBER  
pritesh@poojainc.biz

EMAIL ADDRESS

Sworn to and subscribed before me this  
21<sup>st</sup> day of January 20 21

Adrian Clarkson  
NOTARY PUBLIC



**SECTION IV:** Applicant, if different from the Owner, states under oath that:

- 1) Applicant is the executor or attorney-in-fact under a Power-of-Attorney for the Owner. Attach copy of Power-of-Attorney and type name of Owner as indicated in Section III; or
- 2) Applicant has an option to purchase said property conditioned upon the property being granted a modification. Attach copy of contract and type name of Owner as indicated in Section III; or
- 3) Applicant has an estate for years which permits the applicant to apply for a modification. Attach a copy of lease and type name of Owner as indicated in Section III.

APPLICANT (SIGNATURE)

TYPE/PRINT NAME OF APPLICANT

ADDRESS

CITY & STATE ZIP CODE

PHONE NUMBER

EMAIL ADDRESS

Sworn to and subscribed before me this

\_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_

NOTARY PUBLIC

Indicate which of the above is applicable: 1 \_\_\_\_\_ 2 \_\_\_\_\_ or 3 \_\_\_\_\_

**SECTION V:** Attorney or Agent, if different from the applicant and/or owner

SIGNATURE OF ATTORNEY/AGENT

CHECK ONE: [ ] ATTORNEY [ ] AGENT

ADDRESS

CITY & STATE ZIP CODE

PHONE NUMBER





## DISCLOSURE REPORT FORM C

Office use only:

REZONING PETITION #: \_\_\_\_\_ CITY COUNCIL MEETING DATE: \_\_\_\_\_

- Within the (2) years immediately preceding the filing of this zoning petition have you, as the applicant, owner and/or opponent for the rezoning petition, or an attorney or agent of the applicant or opponent for the rezoning petition, made any campaign contributions aggregating \$250.00 or more or made gifts having an aggregate value of \$250.00 to a member of the City Council.

**CIRCLE ONE:** YES NO

If the answer is YES, proceed to sections 1 through 4.  
If the answer is NO, complete only section 4.

1. **CIRCLE ONE:** Party to Petition In Opposition to Petition

If party to petition, complete sections 2, 3, and 4 below.  
If in opposition, proceed to sections 3 and 4 below.

2. List all individuals or business entities which have an ownership interest in the property which is the subject of this rezoning petition: Pooja C Stores, Inc. / Pritesh Patel

3. CAMPAIGN CONTRIBUTIONS:

Name of Government Official	Total Dollar Amount	Date of Contribution	Enumeration and Description of Gift Valued at \$250.00 or more
None N			

4. The undersigned acknowledges that this disclosure is made in accordance with the Official Code of Georgia, Section 36-67A-1 et. seq. Conflict of interest in zoning actions, and that the information set forth herein is true to the undersigned's best knowledge, information and belief.

Name (print) Pooja C Stores, Inc. / Pritesh Patel

Signature: [Signature] Date: 1/15/21



## PUBLIC PARTICIPATION PLAN FORM D

Applicant: Pooja C Stores, Inc. / Pritesh Patel

1. The following individuals (property owners within a quarter mile of the property), homeowner's associations, political jurisdictions, other public agencies, etc., will be notified in accordance with the requirements of Article 28.4.7 of the Fulton County Zoning Resolution:

I will mail out notices from the quarter mile list that I received from staff

2. The individuals and others listed in 1. above will be notified of the requested modification using the following method(s): (e.g., letters, meeting notices, telephone calls, e-mails, etc.)

3. Individuals and others listed in 1. above will be allowed to participate in the following manner: (At least one meeting at a convenient time and location is required.)

*Attach additional sheets as needed.*



## PUBLIC PARTICIPATION PLAN REPORT FORM E

Applicant: Pooja C Stores, Inc. / Pritesh Patel Petition No. \_\_\_\_\_

Date: 1/15/21

1. The following parties were notified of the requested modification:

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2. The following meetings were held regarding this petition:  
(Include the date, time and meeting location.)

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---

---

3. The following issues and concerns were expressed:

---

---

---

4. The applicant's response to issues and concerns was as follows:

---

---

---

5. Applicants are required to attach copies of sign-in sheets from meetings as well as meeting announcements, i.e., notices, flyers, letters, and any other documentation which supports the opportunity for public input.

*Attach additional sheets as needed.*

## PRE-APPLICATION REVIEW FORM

Office use only:

I hereby certify that I have completed a preliminary review of the site plan for this project and determined that it meets the minimum standards specified by Article 28.5.2 of the Fulton County Zoning Resolution.

Staff signature: \_\_\_\_\_ Date: \_\_\_\_\_

Planning Division

Community Development & Regulatory Affairs

Staff printed name: \_\_\_\_\_

The undersigned acknowledges that the site plan is submitted in accordance with Article 28.5.2 of the Fulton County Zoning Resolution and failure to comply shall render my application incomplete which may result in delay in the process of this application.

Applicant signature:  Date: 1/15/21

Applicant printed name: Pooja C Stores, Inc / Pritesh Patel

**MC HEARINGS BEGIN AT 7:00 P.M. AT THE SOUTH FULTON SERVICE CENTER (5600 STONEWALL TELL ROAD, COLLEGE PARK, GA 30349)**

**NOTES: DATES ARE SUBJECT TO CHANGE AND MEETINGS MAY BE ADDED AS NEEDED.**