

**Planning Commission Hearing Date: November 2, 2023**  
**Board of Commissioners Hearing Date: November 16, 2023**

**STAFF ANALYSIS**

<b>Case No.:</b>	SLUP-23-1246658	<b>Agenda #:</b> 2023-1151
<b>Address:</b>	2536 Snapfinger Road	<b>Commission District:</b> 03 <b>Super District:</b> 07
<b>Parcel ID(s):</b>	15-126-10-023	
<b>Request:</b>	Special Land Use Permit (SLUP) to build and operate fuel pumps accessory to convenience store within a C-2 (General Commercial) zoning district and within Tier 3 of the I-20 Overlay District.	
<b>Property Owner(s):</b>	Karim Surani	
<b>Applicant/Agent:</b>	Dillard Seller	
<b>Acreage:</b>	1.98	
<b>Existing Land Use:</b>	Vacant Parcel	
<b>Surrounding Properties:</b>	North: C-1, C-2 East: C-1, C-2 South: R-100, C-1 West: C-1	
<b>Comprehensive Plan:</b>	Town Center	
	Consistent	Inconsistent <b>X</b>

**Staff Recommendation: Applicant has requested Withdrawal without Prejudice as of 11/01/2023.**

The applicant, Karim Surani c/o Dillard Seller, is seeking a special land use permit (SLUP) to build and operate eight (8) fuel pumps within a C-2 (General Commercial) zoning district and Tier 3 of the I-20 Overlay District. The applicant has also filed a companion application SLUP-23-1246659 to build a convenience store with an alcohol outlet. Currently, the subject site is two (2) acres of undeveloped heavily forested land. Given that the application conflicts with the goals and strategies of the *2050 Unified Plan* and community feedback, Staff is recommending denial of this application.

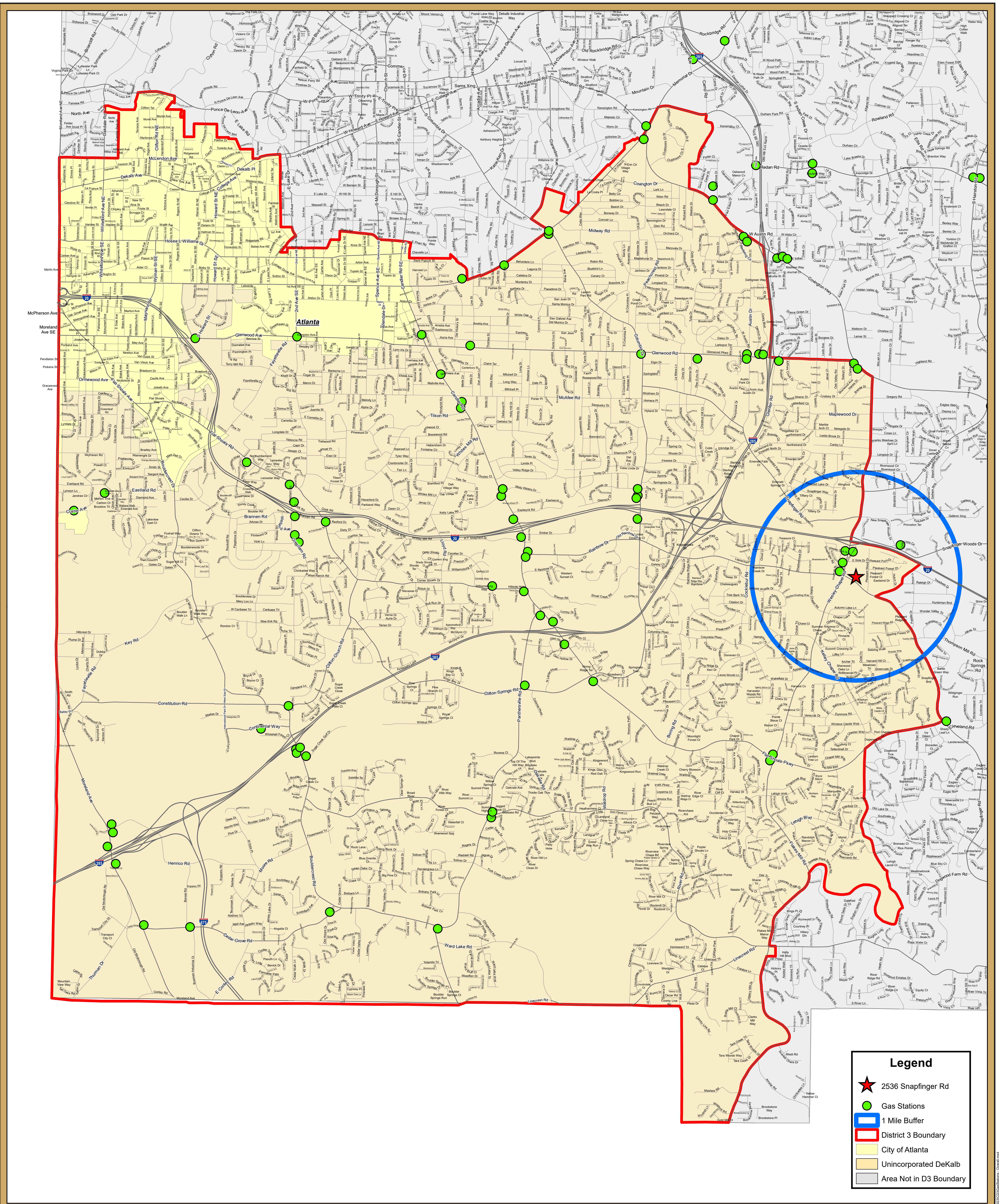
The applicant's requests and development are consistent with the property's current C-2 zoning as well as the surrounding commercial uses. However, there may be an over-saturation of this commercial and accessory use. Immediately west of the proposed site there are three (3) existing gas stations, including a Chevron, Shell, and QuikTrip along Wesley Chapel Road. Staff has also collected data on active gas stations within the vicinity of the subject property. See attached. The I-20 Overlay Tier 3 is defined as a lower-intensity area which provides transition between a higher density of uses and single-family neighborhoods. The site of the requested proposal is a key transitional parcel between the high traffic intersection of Wesley Chapel Road/Snapfinger Road and single-family neighborhoods. While the site

plan itself proposes pedestrian oriented development, the use primarily targets automobile usage.

The proposed use may undermine the future land use intent for this community. The site is located within a Town Center (TC) character area and the *Wesley Chapel Activity Center Livable Centers Initiative* (LCI) study area. The *2050 Unified Plan* specifies the primary land use of a Town Center as a concentration of moderate to high intensity residential and commercial uses that act as a focal point to serve several surrounding communities to reduce automobile travel (pg.33). The *2050 Unified Plan* also shows the subject property is not located at the “edge” of this TC Character Area. The site lies within the Core/Intermediate development zone (pg.33). The LCI encourages a design that captures the needs of all generations by promoting multimodal access, diverse housing options, and desirable community spaces (pg.93).

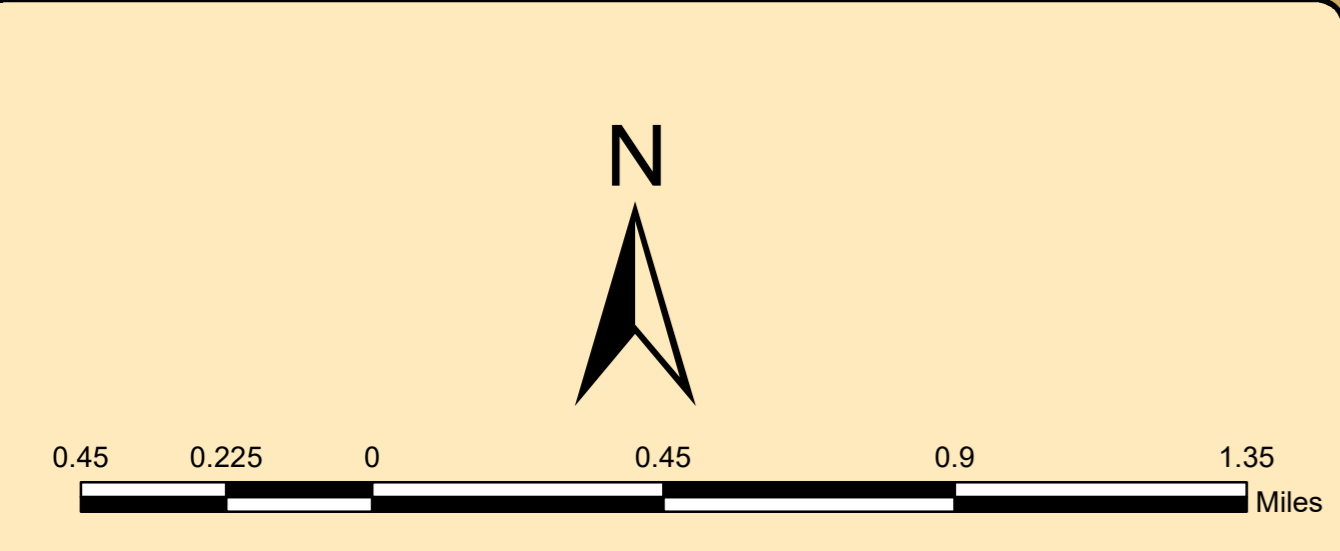
The site plan, dated 8/31/23, proposes multiple points for pedestrians to access the store and greenspace on site. There are six (6) access points for pedestrians to safely travel along internal paths from the public sidewalk along Snapfinger Road and Post Office Drive to the convenience store. Furthermore, the proposal appears to comply with the regulations of the Tier 3 I-20 Overlay set forth in *Section 3.33.9* (dimensional requirements, minimum parking requirement, open space). Additionally, the site plan meets the supplemental requirements set forth in *Section 4.2.28* - Fuel pumps associated with large retail, convenience stores, gas stations, service stations. However, the applicant did not address all supplemental regulations for the companion application (SLUP-23-1246659 alcohol outlet), specifically *Section 4.2.8 B.1* - Alcohol Outlets. There were no major site-specific comments from DeKalb County Planning Sustainability Divisions in connection with the proposal (general comments enclosed).

The proposal may undermine the intent of the *2050 Unified Plan* and the *Wesley Chapel Town Center Character Area* to provide a high intensity mix of residential and commercial uses. Furthermore, the subject property is not located at the “edge” of this TC Character Area where auto-oriented uses may warrant consideration. Given the existing gas stations within the vicinity, there is a greater potential for the subject property to be used as a more desirable community space. Additionally, the applicant needs to provide the documentation for the companion application (SLUP-23-1246659 alcohol outlet) addressing Supplemental Regulation B1. Therefore, upon review of *Section 7.4.6* (B, M, N, G, & H) of the *Zoning Ordinance*, Staff recommends denial.

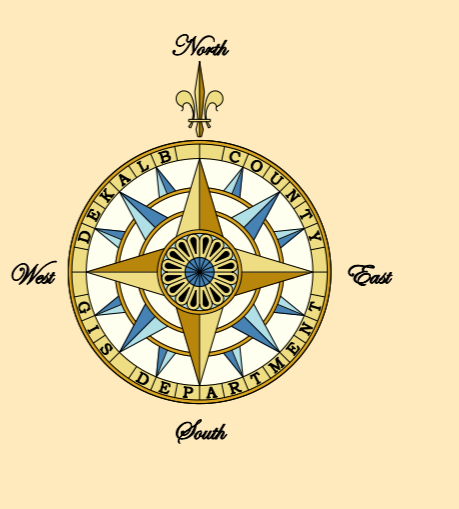


**Legend**

- 2536 Snapfinger Rd
- Gas Stations
- 1 Mile Buffer
- District 3 Boundary
- City of Atlanta
- Unincorporated DeKalb
- Area Not in D3 Boundary



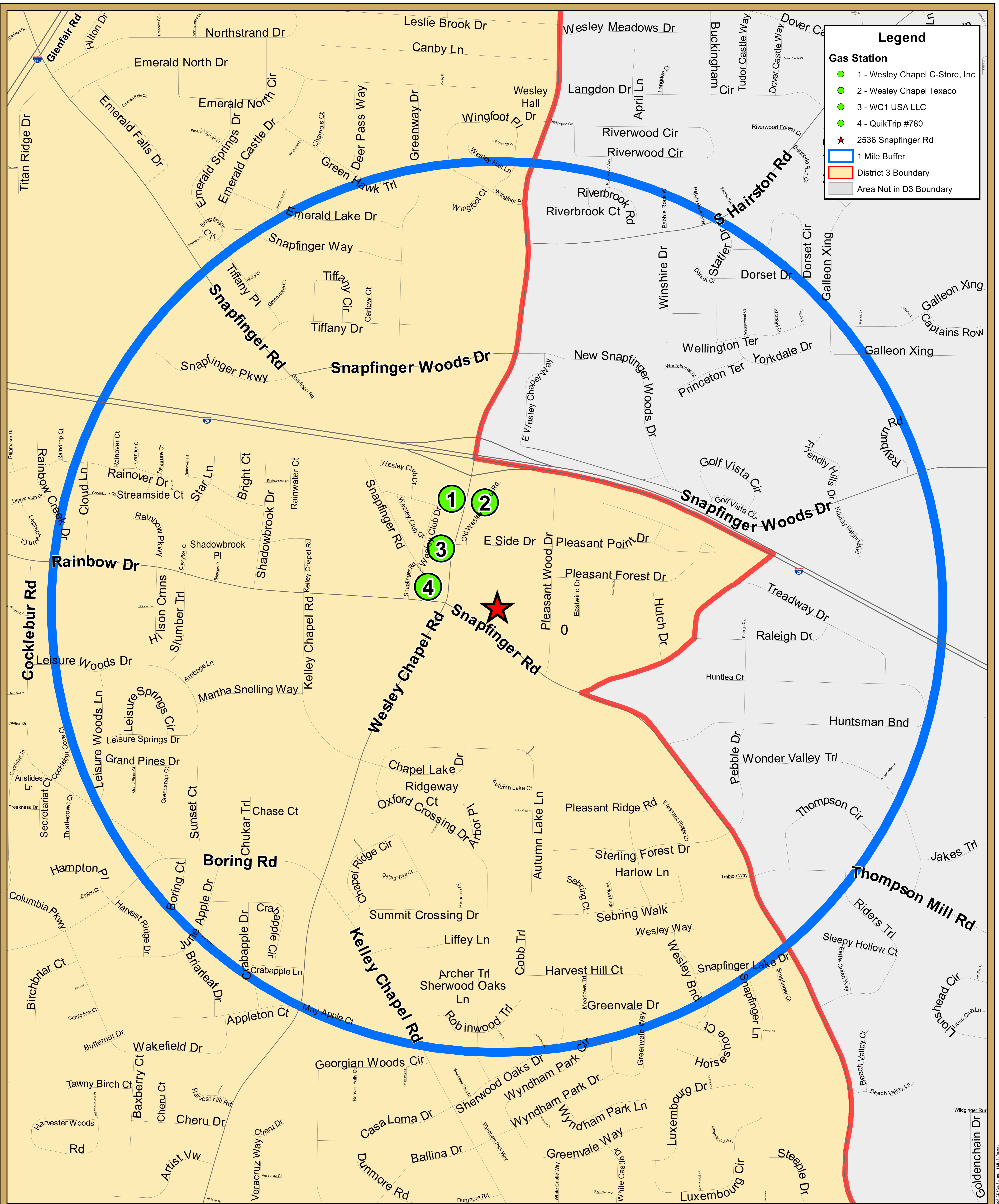
# Commission District 3 Gas Stations



Map produced by the GIS Department

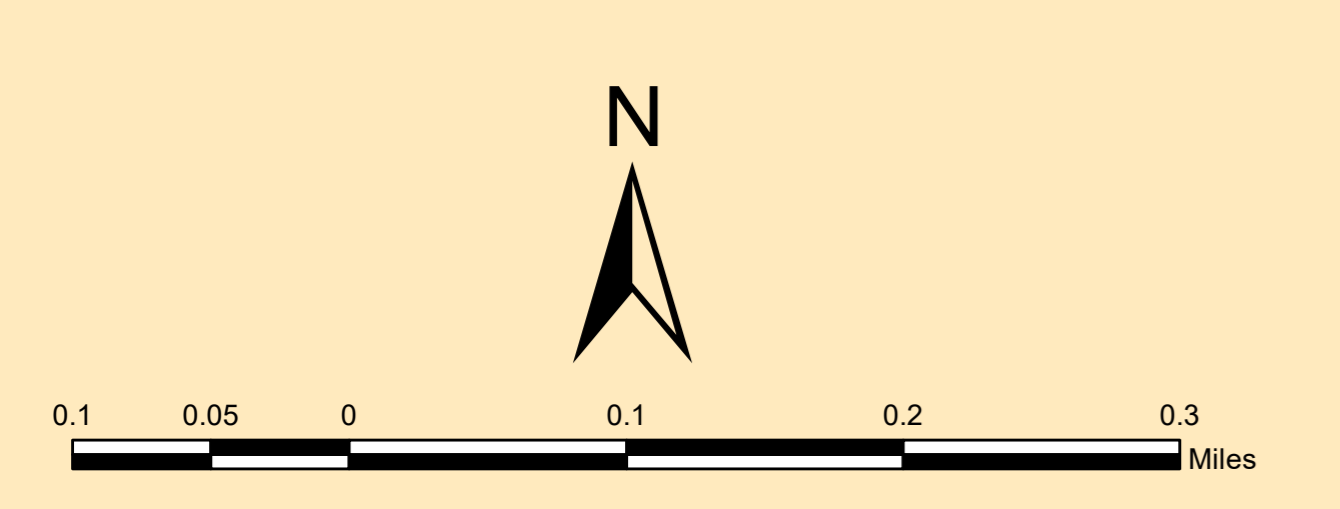
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Date Printed: 10/30/2023    Data Source:

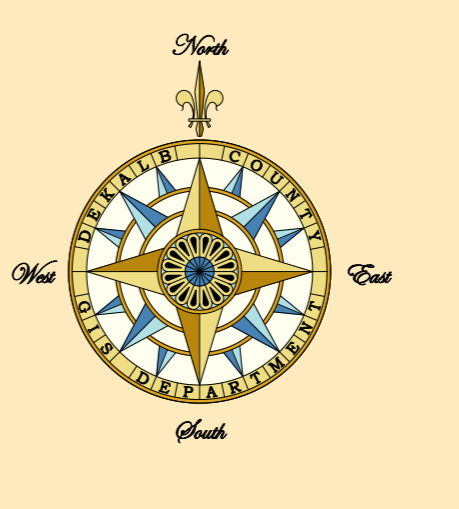


### Legend

- Gas Station**
  - 1 - Wesley Chapel C-Store, Inc
  - 2 - Wesley Chapel Texaco
  - 3 - WC1 USA LLC
  - 4 - QuikTrip #780
  - ★ 2536 Snapfinger Rd
- 1 Mile Buffer
- District 3 Boundary
- Area Not in D3 Boundary



# Commission District 3 Gas Stations



Map produced by the GIS Department

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Date Printed: 11/1/2023 Date Source:

R. Baxter Russell  
404.665.1224

Email:  
brussell@dillardsellers.com

November 1, 2023

**Via e-mail: akfolgherait@dekalbcountyga.gov**

DeKalb County Planning & Sustainability Department  
c/o Andrea Folgherait, Planner  
178 Sams Street  
Decatur, Georgia 30030

**Re: Withdrawal Request for Applications SLUP-23-1246658 and  
SLUP-23-1246659, 2536 Snapfinger Road**

Dear Andrea:

Please accept this letter on behalf of my client, Karim Surani, the Applicant in the above-referenced Special Land Use Permit applications for 2536 Snapfinger Road. By this letter, Applicant requests withdrawal without prejudice of the above-referenced Special Land Use Permit requests related to accessory fuel pumps and an alcohol outlet use for a convenience store in the C-2 zoning district and within Tier 3 of the I-20 Overlay District.

Please confirm receipt of this request and let us know if you have any additional questions.

Sincerely,

DILLARD SELLERS



Julie L. Sellers  
R. Baxter Russell  
*Attorneys for Applicant*

cc: Rachel L. Bragg, Zoning Administrator  
John Reid, Senior Planner



**DEKALB COUNTY  
GOVERNMENT PLANNING  
DEPARTMENT DISTRIBUTION  
FORM**

**NOTE: PLEASE RETURN ALL COMMENTS VIA EMAIL TO EXPEDITE THE PROCESS TO JOHN REID [jreid@dekalbcountyga.gov](mailto:jreid@dekalbcountyga.gov) AND/OR LASONDRA HILL [lahill@dekalbcountyga.gov](mailto:lahill@dekalbcountyga.gov)**

**COMMENTS FORM:  
PUBLIC WORKS TRAFFIC ENGINEERING**

Case No.: SLUP-23-1246658 Parcel I.D. #s: 15-126-10-023

Address: 2536 SNAPFINGER Rd, Decatur, GA 30034

Adjacent Roadway (s):

(classification) (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) 6/7<sup>th</sup> Edition (whichever is applicable), churches generate an average of fifteen (15) vehicle trip end (VTE) per 1,000 square feet of floor area, with an eight (8%) percent peak hour factor. Based on the above formula, the \_\_\_\_\_ square foot place of worship building would generate \_\_\_\_\_ vehicle trip ends, with approximately \_\_\_\_\_ peak hour vehicle trip ends.

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

COMMENTS: Plans and field reviewed. No problem that would interfere with Traffic flow.

Signature: Jerry White



**DEKALB COUNTY  
GOVERNMENT PLANNING  
DEPARTMENT DISTRIBUTION  
FORM**

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**COMMENTS FORM:  
PUBLIC WORKS TRAFFIC ENGINEERING**

Case No.: SLUP-23-1246659 Parcel I.D. #: 15-126-10-023

Address: 2536 Snapfinger Rd, Decatur, GA. 30034

Adjacent Roadway (s):

(classification) (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 \_\_\_\_\_

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 Latest Count (TPD) \_\_\_\_\_  
 Hourly Capacity (VPH) \_\_\_\_\_  
 Peak Hour. Volume (VPH) \_\_\_\_\_  
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COMMENTS: Plans and field reviewed. No problem that would interfere with Traffic flow.

Signature: Jerry White

10/16/2023

To: Mr. John Reid, Senior Planner  
From: Ryan Cira, Director, Division of Environmental Health  
Cc: Alan Gaines, Environmental Health Deputy Director  
Re: Rezone Application Review

General Comments:

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

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

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

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

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

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

For a public transportation route, there shall be a 5ft. sidewalk with a buffer between the sidewalk and the road. There shall be enough space next to the 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.



N5-2023-1148

SLUP-23-1246653 / 16-193-04-004, 16-193-04-005

8070 and 8080 Rockbridge Road, Stone Mountain, GA 30087

- Septic 1000 gallons indicated on 8070 Rockbridge Road, installed on 03/17/1981.
- Please review general comments

N6-2020-1149

CZ-23-1246655 / 15-083-01-013

2179 Bouldercrest Road, Atlanta, GA 30316

- Septic indicated on 2179 Bouldercrest Road, installed on 09/30/1967
- Please review general comments.

N7-2023-1150

CZ-23-1246656 / 16-197--03-006, 16-197-03-012,16-219-01-004,16-219-01-006,16-220-01-004,16-220-01-007 & 16-220-01-009

1716 Pleasant Hill Trail and 7956, 7890, 8024, 7788, 7900 & 7860 Pleasant Hill Road

- Please review general comments.

N8-2023-1151

SLUP-23-1246658 / 15-126-10-023

2536 Snapfinger Road, Decatur, GA 30034

- Septic indicated on surrounding properties.
- Please review general comments.

N9-2023-1154

SLUP-23-1246659 / 15-126-10-023

2536 Snapfinger Road, Decatur, GA 30034

- Septic indicated on surrounding properties.
- Please review general comments.

N10-2023-1153

Z-23-1246660 /15-183-22-007, 15-183-22-035

2569 and 2573 Dusty Lane, Decatur, GA 30032

- Septic indicated on surrounding properties.
- Please review general comments.
- Note properties acreage .37 and .4.

N11-2023-1249

Z-23-1246698 / 18-100-04-006

3823 North Druid Hills Road, Decatur, GA 30033

- Please review general comments.

N12-2023-1154

SLUP-23-1246661 / 18-100-04-006

3823 North Druid Hills Road, Decatur, GA 30033

- Please review general comments.



**DEKALB COUNTY GOVERNMENT  
PLANNING DEPARTMENT  
DISTRIBUTION FORM**

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**The following must be added as conditions on the approval**

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**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:**

1. 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, 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 state waters and special flood hazard areas.
2. The county codes require the hydrology study to model the existing conditions as wooded
3. Runoff Reduction Volume shall be provided unless technical justification is provided regarding the unfeasibility. Strongly recommend investigating the site and identifying the location where RRv can be provided and re-designing/revising the layout to comply with the RRv requirement.
4. The presence of FEMA Flood Hazard Area was 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 requires compliance with Article IV of Chapter 14 and FEMA floodplain regulations
5. 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.
6. The state water buffer was 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.

- **Fire Safety**

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**DEKALB COUNTY GOVERNMENT  
PLANNING DEPARTMENT  
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**REZONE  
COMMENTS FORM:  
PUBLIC WORKS ROAD AND DRAINAGE**

**Case No.:** SLUP-23-1246658\_

**Parcel I.D. #:** 15-126-10-023

**Address:** 2536 Snapfinger Road, Decatur, GA 30034

**Drainage Basin:** Snapfinger Creek

**Upstream Drainage Area:** N/A

**Percent of Property in 100-Year Floodplain:** 0%

**Impact on property (flood, erosion, sedimentation) under existing zoning:** Flood impact is not different from that of the neighboring properties as the property is currently undeveloped. Erosion and sedimentation activities are also limited due to the relatively gentle topography.

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**Required detention facility(s):** Yes. Detention/retention facilities would be required for stormwater management per section 14-40 of DeKalb County codes of ordinance.

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**COMMENTS:**

The proposed SLUP will result in stormwater hotspot and a highly visible pollutant source which requires additional BMPs to safeguard our MS4 infrastructures. Compliance with the requirements of Georgia Stormwater Management Manual on stormwater hotspots and the County codes on water quality (Sec. 14-42) and Sec. 22.5-23 on Illicit discharges. Erosion and sedimentation and pollution control measures will be required for the proposed development and use.

**Signature:** \_\_\_\_\_



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PLANNING DEPARTMENT  
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**Signature:** \_\_\_\_\_



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GOVERNMENT PLANNING  
DEPARTMENT DISTRIBUTION  
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**COMMENTS FORM:  
PUBLIC WORKS WATER AND SEWER**

Case No.: \_\_\_\_\_ Parcel I.D. #: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

**WATER:**

Size of existing water main: \_\_\_\_\_ (adequate/inadequate)

Distance from property to nearest main: \_\_\_\_\_ Size of line required, if inadequate: \_\_\_\_\_

\_\_\_\_\_

**SEWER:**

Outfall Servicing Project: \_\_\_\_\_

Is sewer adjacent to property: Yes \_\_\_\_ No \_\_\_\_ If no, distance to nearest line: \_\_\_\_\_

Water Treatment Facility: \_\_\_\_\_ adequate \_\_\_\_ inadequate \_\_\_\_

Sewage Capacity: \_\_\_\_\_ (MGPD) Current Flow: \_\_\_\_\_ (MGPD)

**COMMENTS:**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Signature: \_\_\_\_\_



DEPARTMENT OF PLANNING & SUSTAINABILITY

SPECIAL LAND USE PERMIT APPLICATION

Amendments will not be accepted after 5 working days after the filing deadline.

Date Received: 09/ 7 /2023 Application No:

APPLICANT NAME: Karim Surani c/o Dillard Sellers

Daytime Phone: 404.665.1224 E-Mail: brussell@dillardsellers.com

Mailing Address: 1776 Peachtree Street NW Suite 415 South, Atlanta GA 30309

Owner Name: Ware County Realty, LLC (If more than one owner, attach contact information for each owner)

Daytime Phone: E-Mail:

Mailing Address: 3214 Forest Park Road, Atlanta GA 30354

SUBJECT PROPERTY ADDRESS OR LOCATION: 2536 Snapfinger Road

DeKalb County, GA 30034

Parcel ID: 1512610023 Acreage or Square Feet: 1.98 Commission Districts: District 3/Super District 7

Existing Zoning: C-2 Proposed Special Land Use (SLUP): Convenience store with (i) fuel pumps and (ii) alcohol outlet uses

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

Owner: Agent: X Signature of Applicant: Karim Surani c/o Dillard Sellers

(see attached Applicant Signature page)



DeKalb County  
GEORGIA

DEPARTMENT OF PLANNING & SUSTAINABILITY

SPECIAL LAND USE PERMIT APPLICATION

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Date Received: 09/ 7 /2023 Application No: \_\_\_\_\_

APPLICANT NAME: Karim Surani c/o Dillard Sellers

Daytime Phone: 404.665.1224 E-Mail: brussell@dillardsellers.com

Mailing Address: 1776 Peachtree Street NW Suite 415 South, Atlanta GA 30309

Owner Name: Ware County Realty, LLC  
(if more than one owner, attach contact information for each owner)

Daytime Phone: \_\_\_\_\_ E-Mail: \_\_\_\_\_

Mailing Address: 3214 Forest Park Road, Atlanta GA 30354

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DeKalb County, GA 30034

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

Owner: \_\_\_\_\_ Agent: X

Signature of Applicant: Karim Surani  
c/o Dillard Sellers



Julie L. Sellers  
404.665.1242

Email:  
jsellers@dillardsellers.com

August 10, 2023

Dear Property Owner and/or Community Member:

You are invited to a Zoom Video meeting to discuss an application for a special land use permit for the development of the property located at 2536 Snapfinger Road, Decatur Georgia 30034. Our client is seeking approval of a special land use application to develop the property for a convenience store with fuel pumps and drive-thru restaurant use. We invite you to attend to learn more about the application and provide feedback to us. The meeting information is below:

**Date:** August 29, 2023  
**Time:** 6:00 p.m. (will end by 7:00 p.m. or earlier based on participation)  
**Location:** Zoom Meeting. You can join the meeting from your phone or computer:

By Internet access:

<https://us06web.zoom.us/j/85193032283?pwd=SEJIVEhLWDczYkFrU05qbUpIOHhpQT09>

or

by Dial In (305) 224-1968

After accessing Zoom, please use the following:

Meeting ID: 851 9303 2283  
Passcode: 440869

If you are unable to attend the meeting and would like information regarding the development, please do not hesitate to contact me.

Sincerely,

Dillard Sellers, LLC



Julie L. Sellers

**From:** DS Administrative  
**To:** Julie Sellers; Baxter Russell  
**Bcc:** "adrianez.reatly@gmail.com"; "albertajordan@bellsouth.net"; "barnesve@yahoo.com"; "bcpa2@gmail.com"; "berrylfreda227@gmail.com"; "bethbond@bellsouth.net"; "bjavnt@gmail.com"; "carolyn.jones818@yahoo.com"; "christinedennis@bellsouth.net"; "csanders@eastmetrocid.com"; "dbonino1@aol.com"; "dlocks1019@aol.com"; "edsan@bellsouth.net"; "elitedesignsatl@yahoo.com"; "ericastewart2009@gmail.com"; "ericwschwartz@gmail.com"; "frank@golleyrealty.com"; "hjpreston23@gmail.com"; "info@greshamhills.org"; "jacquelynbuiebrown@gmail.com"; "jgross@stickybusiness.net"; "k1776usa@yahoo.com"; "linn.jeff@gmail.com"; "mfunk64@att.net"; "mkirkwood73@outlook.com"; "naacpdek@comcast.net"; "nahwash4ms@aol.com"; "NettieJackson@me.com"; "norfley@yahoo.com"; "parkviewcivicclub@gmail.com"; "pat.lawrencecraig@gmail.com"; "phthompson3@msn.com"; "ppculp@att.net"; "president@naacpdekalb.org"; "rachelbarber4@gmail.com"; "rbarrow@comcast.net"; "regeniariobertsone@gmail.com"; "rigel.cable@gmail.com"; "robroadark@allsouthwarehouse.com"; "samandbettysmith@bellsouth.net"; "sbhouston@bellsouth.net"; "sls1289@gmail.com"; "tolip209@gmail.com"; "tommyt4dekalb@gmail.com"; "wazulamor@aol.com"; "wmtoliver7@gmail.com"; "jackson.gloria1@gmail.com"; "loue738@gmail.com"; "info@destinedevents.com"  
**Subject:** Community Meeting Invitation  
**Date:** Thursday, August 10, 2023 10:05:00 AM  
**Attachments:** [image001.png](#)  
[image002.png](#)

---

To: District 3 Community Council members and Neighborhood Registry participants

You are invited to a Zoom Video meeting to discuss an application for a special land use permit for the development of the property located at 2536 Snapfinger Road, Decatur Georgia 30034. Our client is seeking approval of a special land use application to develop the property for a convenience store with fuel pumps and drive-thru restaurant use. We invite you to attend to learn more about the application and provide feedback to us. The meeting information is below:

**Date:** August 29, 2023  
**Time:** 6:00 p.m. (will end by 7:00 p.m. or earlier based on participation)  
**Location:** Zoom Meeting. You can join the meeting from your phone or computer:

By Internet access:

[https://us06web.zoom.us/j/85193032283?  
pwd=SEJIVEhLWDCzYkFrU05qbUpIOHhpQT09](https://us06web.zoom.us/j/85193032283?pwd=SEJIVEhLWDCzYkFrU05qbUpIOHhpQT09)

or

by Dial In (305) 224-1968

After accessing Zoom, please use the following:

Meeting ID: 851 9303 2283  
Passcode: 440869

If you are unable to attend the meeting and would like information regarding the development, please do not hesitate to contact me at (404) 665-1242 or [jsellers@dillardsellers.com](mailto:jsellers@dillardsellers.com).

Thank you,

**Sophia Weckerle**



**d** (678) 705-1084 **e** [dsadmin@dillardsellers.com](mailto:dsadmin@dillardsellers.com)

**New Mailing Address:** P.O. Box 250271, Atlanta, GA 30325

Office Address: 1776 Peachtree Street, NW, Suite 415-South, Atlanta, GA 30309

**DILLARDELLERS.COM**



Dillard Sellers LLC  
P.O. Box 250271  
Atlanta, Georgia 30325

TUCKER FEDERAL SAVINGS  
130 S JEFFERSON ST STE 300  
CHICAGO IL 60601



SNAPPINGER PLAZA II LLC  
800 HAUNTED LN  
BENSALEM PA 19020



GRIMAUD HOLDINGS LLC  
804 OLD FORGE RD  
CHAPIN SC 29036



GREENLEAF NNN N012 LLC  
3081 HOLCOMB BRIDGE RD STE A2  
NORCROSS GA 30071



Dillard Sellers LLC  
P.O. Box 250271  
Atlanta, Georgia 30325



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Dillard Sellers LLC



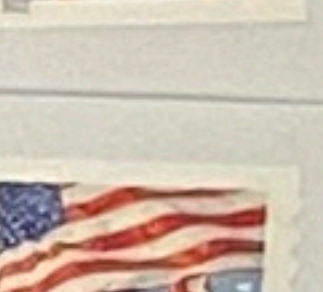
Dillard Sellers LLC



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Dillard Sellers LLC  
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Atlanta, Georgia 30325



GREENLEAF NNN N012 LLC  
3081 HOLCOMB BRIDGE RD STE A2  
NORCROSS GA 30071

**Pre-Submittal Community Meeting Sign-In Sheet  
Meeting via Microsoft Teams (videoconference)  
August 29, 2023 at 6:00pm**

Attendees for Applicant

- Baxter Russell
- Julie Sellers
- Williams Cripps

Community Attendees

- Michael Spain
- Edwina Clanton
- Mac

**Letter of Intent and Impact Analysis**

**DeKalb County**

**Special Land Use Permit  
“SLUP” Application**

**Applicant:**

Karim Surani  
c/o Dillard Sellers

**Property:**

2536 Snapfinger Road  
Decatur, Georgia 30034

**Parcel ID No.**

15 126 10 023

**Submitted for Applicant by:**

Julie Sellers  
R. Baxter Russell  
DILLARD SELLERS  
1776 Peachtree Street NW, Suite 415-S  
Atlanta, Georgia 30309  
(404) 665-1224  
brussell@dillardsellers.com

## **I. Introduction**

The subject property is approximately +/- 1.98 acres of land located at 2536 Snapfinger Road in unincorporated DeKalb County and more specifically identified as Parcel ID No. 15 126 10 023 (the “Property”). The Property is currently zoned C-2 (General Commercial District) in the I-20 Corridor Compatible Use Overlay District. The property is a wooded lot that is vacant and undeveloped. Karim Surani (the “Applicant”) seeks to develop the Property and to operate a convenience store with fuel pumps and accessory alcohol outlet use.

Applicant’s development plan seeks to build a +/- 8,500 square foot convenience store with attached commercial space for a restaurant or other commercial use. Approximately 5,000 square feet will be dedicated to the convenience store use, including sales of beer and wine under the alcohol outlet accessory use. The convenience store also includes fuel pumps with fuel pump canopy adjacent to the primary store building.

Unlike many existing stores in south DeKalb County, Applicant seeks to develop a best-in-class convenience store featuring high-quality design, pedestrian engagement, and ample greenspace. As demonstrated in the application materials, the store building features an attractive design with brick, stone, and glass. The building and site design include multiple points for pedestrians to access the store and engage with greenspace on the Property. The site plan provides six access points for pedestrians to travel along internal paths from the public sidewalk along Snapfinger Road and Post Office Drive to the convenience store. These internal paths allow safe access to the building via designated parking lot crosswalks and give pedestrians a walkway through the site’s greenspace past seating benches and other features. Applicant’s design also significantly reduces the amount of parking typically associated with convenience store and fuel pump uses. By reducing parking, the Property maintains +/- 0.87 acres as open space (approximately 44% of the site), representing substantial open space in excess of code requirements. In addition to the pedestrian pathways, the open space includes abundant trees, shrubs, and other plantings throughout the greenspace areas adjacent to the parking lot, in the parking lot, and along the public street frontages.

Applicant now submits two requests in this special land use permit (“SLUP”) application in order to develop and establish this convenience store use: (i) a SLUP for alcohol outlet use accessory to the convenience store, and (ii) a SLUP for fuel pumps accessory to the convenience store. Applicant’s requests and development are consistent with the Property’s current commercial zoning, as well as the commercial uses and commercial zoning on surrounding properties. The convenience store with fuel pumps and alcohol outlet shall comply with the regulations of the existing C-2 zoning and the overlay district and satisfy the supplemental regulations for the requested accessory uses. Furthermore, Applicant’s development is consistent with the commercial policies of the Town Center character area associated with the Property, including the Welsey Chapel LCI Plan. The site has been uniquely designed to support a productive and beneficial commercial use with enhanced pedestrian-oriented engagement and connectivity throughout the Property. Applicant’s requests should be approved as the proposed



development will benefit and promote the public health and general welfare by providing a new, high quality convenience store use in DeKalb County. Applicant's development is consistent with the County's vision, and the approval of these requests allows the Applicant to develop a vacant and unused parcel. For all these reasons, and satisfaction of the criteria below, Applicant respectfully requests that SLUP applicant and SLUP requests be approved by the Board.

## **II. Impact Analysis**

The Applicant satisfies the standards for approving the special land use permit ("SLUP"), as set forth in the Zoning Ordinance of DeKalb County ("Zoning Ordinance"), Section 27-7.4.6. For this reason, these requests should be granted as described by the Applicant.

### **A. Adequacy of the size of the site for the use contemplated and whether or not adequate land area is available for the proposed use including provision of all required yards, open space, off-street parking, transitional buffer zones, and all other applicable requirements of the zoning district in which the use is proposed to be located.**

The Property is an appropriate size and shape to accommodate Applicant's convenience store with accessory fuel pumps and alcohol outlet. Property and site design contain adequate land area to accommodate all dimensional requirements. Applicant designed open space in excess of code requirements in order to provide additional greenspace and landscaping throughout the site.

### **B. Compatibility of the proposed use with adjacent properties and land uses and with other properties and land uses in the district, and whether the proposed use will create adverse impacts upon any adjoining land use by reason of traffic volume/congestion, noise, smoke, odor, dust, or vibration generated by the proposed use.**

The Property's current C-2 zoning and Applicant's convenience store use with accessory fuel pumps and alcohol outlet are consistent with the C-1/C-2 zoning and commercial uses on adjacent properties. The Applicant's proposed use and SLUP request are compatible with nearby commercial uses in the adjacent shopping center and along Welsey Chapel Road, including such uses as automobile services, retail, drive-thru uses, and other convenience stores with fuel pumps. Applicant's new store will not create any adverse impacts on adjacent properties. Applicant's use will operate as the only convenience store with fuel pumps on Snapfinger Road at the Wesley Chapel Road intersection.

### **C. Adequacy of public services, public (or private) facilities, and utilities to serve the proposed use.**

The Property is adequately served by public services and utilities require to develop and operate the requested uses. The new store will have no negative impact on these utilities and services, and the Applicant will work with planning staff or service operators should any concerns arise.

**D. Adequacy of the public street on which the use is proposed to be located and whether or not there is sufficient traffic-carrying capacity for the use proposed so as not to unduly increase traffic and create congestion in the area.**

The Property fronts on Snapfinger Road, a four-lane arterial road divided by a raised median. The Property is also bordered by Post Office Drive along the side and rear yards. The Property is connected to sufficient public street access to accommodate all traffic and ingress/egress for the new store. Based on available public street access, neither adjacent properties nor the surrounding area will feel negative impacts from traffic generated by Applicant's uses.

**E. Adequacy of ingress and egress to the subject property and to all proposed buildings, structures, and uses thereon, with particular reference to pedestrian and automotive safety and convenience, traffic flow and control, and access, in the event of fire or other emergency.**

Applicant's convenience store is designed to accommodate automobile traffic and promote enhanced pedestrian access. The Property and site design create adequate and safe ingress and egress for both automobiles and pedestrians across the site. For automobiles, the Property offers three points of ingress/egress along both Snapfinger Road and Post Office Drive with sufficient off-street parking for customers. Pedestrians may access the site from public sidewalks along both Snapfinger Road and Post Office Drive. The site plan includes multiple safe and direct paths for pedestrian customers to access the building. These pedestrian paths connect the public sidewalks to the convenience store building and provide designated crosswalks at the pathway crossings in the parking lot and driveways.

**F. Whether the proposed use will create adverse impacts upon any adjoining land use by reason of the manner and hours of operation of the proposed use.**

The Property is adjoined by commercially zoned properties with active commercial uses. Applicant's convenience store use and requested accessory uses will not create any adverse impacts, particularly any negative effects from the uses' commercial manner or hours of operation.

**G. Whether the proposed use is otherwise consistent with the requirements of the zoning district classification in which the use is proposed to be located.**

Yes, Applicant's convenience store with fuel pumps and alcohol outlet is consistent with the Property's C-2 zoning classification and commercial use designation. The use and site design is consistent with all related requirements.

**H. Whether the proposed use is consistent with, advances, conflicts, or detracts from the policies of the comprehensive plan.**

Applicant's convenience store with fuel pumps and alcohol outlet is consistent with both the policies of the Property's Town Center character area and the Wesley Chapel LCI Plan. As shown on the site plan and in the application materials, Applicant designed the site to significantly increase pedestrian accessibility and promote walkability on and around the Property.

Understanding that the Property's C-2 zoning and proposed commercial use are consistent with both the Town Center and LCI commercial designations, Applicant designed a unique convenience store layout to accommodate both the commercial use elements of the gas station and the desire for increase pedestrian access. As a result, the site plan demonstrates a creative design for safe pedestrians and automobile customer service. Based on these intentional choices and design elements, Applicant's SLUP requests are consistent with the Property's comprehensive plan designation and the County's policies for greater pedestrian access and connectivity.

**I. Whether there is adequate provision of refuse and service areas.**

Yes, Applicant's convenience store and accessory uses provide adequate space for refuse and service areas. The site complies with all loading regulations. The site plan features a designated space for the external dumpster enclosure.

**J. Whether the length of time for which the special land use permit is granted should be limited in duration.**

Applicant's requested SLUP approval for accessory alcohol outlet and fuel pump uses should not be limited in duration. Applicant's development of the convenience store and associated accessory uses are long-term investments in the Property and community. The development is not a seasonal or short-term benefit to the community, but rather a permanent enhancement of the Property.

**K. Whether the size, scale and massing of proposed buildings are appropriate in relation to the size of the subject property and in relation to the size, scale and massing of adjacent and nearby lots and buildings; and whether the proposed use will create any shadow impact on any adjoining lot or building as a result of the proposed building height.**

The current site design of the Property and convenience store building, including the size, scale and massing of the proposed building, are appropriate in relation to the uses and building designs on surrounding commercial properties and commercial buildings. Both the convenience store building and gas canopy will have little to no shadow impact on adjacent properties or buildings. The convenience store building and gas station canopy will be developed in conformance with the current zoning regulations.

**L. Whether the proposed use will adversely affect historic buildings, sites, districts, or archaeological resources.**

The convenience store with accessory alcohol outlet and fuel pumps will have no adverse impact on any historical buildings, sites, districts or archaeological resources.

**M. Whether the proposed use satisfies the requirements contained within the supplemental regulations for such special land use permit.**

Applicant's requests satisfy the supplemental regulations and requirements for approval of both the alcohol outlet and fuel pump accessory uses. Based on both the satisfaction of these supplemental regulations and the SLUP criteria, Applicant respectfully requests approval of this application by the Board of Commissioners.

**N. Whether the proposed use would be consistent with the needs of the neighborhood or the community as a whole, as expressed and evidenced during the review process.**

Applicant submits this request in order to develop a new high-quality convenience store that is consistent with the existing uses on surrounding properties, the current zoning in the area, and the future planning recommendations for this Property. Applicant's store will benefit surrounding property owners and the community as a whole. At this time of application filing, Applicant has not received any comments of concern from neighbors or the community. During the Pre-Submittal Community Meeting held prior to submission, Applicant received only positive feedback and remarks from those persons in attendance. Applicant looks forward to any additional comments and feedback from the neighborhood and community during the complete application review process. Applicant will sufficiently address any future feedback as it arises.

**III. Conclusion**

For the foregoing reasons, Applicant Karim Surani respectfully requests that the DeKalb County Board of Commissioners approve the Special Land Use Permit as requested. If there are any questions about this request, you may contact me at 404-665-1224 or [brussell@dillardsellers.com](mailto:brussell@dillardsellers.com)

Sincerely,  
DILLARD SELLERS

*/s/ R. Baxter Russell*  
Julie Sellers  
R. Baxter Russell  
*Attorney for the Applicant*

## **Exhibit A**

### **Required Constitutional and Ante Litem Notice**

Georgia law and the procedures of DeKalb County require the Applicant to raise Federal and State constitutional objections during the public hearing process. While the Applicant anticipates a smooth application process, failure to raise constitutional objections at this stage may mean that the Applicant will be barred from raising important legal claims later in the process. Accordingly, the following constitutional objections are stated:

The portions of the DeKalb County Zoning Ordinance, facially and as applied to the Property, which restrict the Property to any uses, conditions, land use designations, development standards, or to any zoning district other than that proposed by the Applicant are unconstitutional in that they would destroy the Applicant's property rights without first paying fair, adequate and just compensation for such rights, in violation of Article I, Section I, Paragraph I and Section III, Paragraph I of the Constitution of the State of Georgia of 1983, and the Due Process Clause of the Fourteenth Amendment to the Constitution of the United States.

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

A denial of this application would be unconstitutional under the Takings Clause of the Fifth Amendment to the Constitution of the United States and the Just Compensation Clause of Article I, Section III, Paragraph I of the Constitution of the State of Georgia of 1983. A refusal by DeKalb County to grant the application as requested would constitute a taking of the Applicant's property. Because of this unconstitutional taking, DeKalb County would be required to pay just compensation to the Applicant.

A denial of this application would constitute an arbitrary and capricious act by DeKalb County without any rational basis therefore constituting an abuse of discretion in violation of Article I, Section I, Paragraph I and Section III, Paragraph I of the Constitution of the State of Georgia of 1983, and the Due Process Clause of the Fourteenth Amendment to the Constitution of the United States. A refusal to grant the requested special land use permit and other concurrent requests would lack objective justification and would result only from neighborhood opposition, which would constitute an unlawful delegation of the zoning power to non-legislative bodies in violation of the Georgia Constitution, Article IX, Section II, Paragraph 4.

A refusal by DeKalb County to grant the special land use permit and other concurrent requests for the Property in accordance with the criteria as requested by the Applicant would be unconstitutional and discriminate in an arbitrary, capricious and unreasonable manner between the

Applicant and owners of the similarly situated property in violation of Article I, Section I, Paragraph II of the Constitution of the State of Georgia of 1983 and the Equal Protection Clause of the Fourteenth Amendment to the Constitution of the United States. Any approval of the requests subject to conditions which are different from the conditions requested by the Applicant, to the extent such different conditions would have the effect of further restricting Applicant's utilization of the Property, would also constitute an arbitrary, capricious and discriminatory act in zoning the Property to a unconstitutional classification and would likewise violate each of the provisions of the State and Federal Constitutions set forth hereinabove.

A denial of this application would be unconstitutional. This notice is being given to comply with the provisions of O.C.G.A. § 36-33-5 to afford the County an opportunity to approve the special land use permit and other concurrent requests as requested by the Applicant. If action is not taken by the County to approve the application within a reasonable time, a claim will be filed in the Superior Court of DeKalb County demanding just and adequate compensation under Georgia law for the taking of the Property, inverse condemnation, diminution of value of the Property, attorney's fees and other damages arising out of the unlawful deprivation of the Applicant's property rights.

#### Standing Objection

The Applicant further objects to the standing of each and every surrounding resident to challenge, whether before the Board or any court of competent jurisdiction, any zoning decision by the Board in that he/she has not shown, nor can show, that he/she will suffer special damages within the meaning of Georgia law as a result of said decision. The Applicant raises this objection before the Board and requests the Board to determine the standing of any individual who challenges or objects to the Board's decision to act on these zoning requests. Applicant further raises this objection before the Board to preserve said objection on appeal, if any, to any court of competent jurisdiction.

#### Evidence Objection

Applicant objects to the testimony and documentary evidence proffered by anyone opposed to the Application based on relevancy, inadmissibility, hearsay, lack of foundation and any other applicable evidentiary objection.

We respectfully request that the County grant the aforementioned zoning requests including the special land use permit and other concurrent requests by approving the Application. Should the County have any questions, suggestions and/or concerns, we ask that you bring these to our attention so they can be timely addressed.

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: 9-7-2023

TO WHOM IT MAY CONCERN:

(I), (WE) Ware County Realty, LLC Robert Davis Robert Davis  
Name of owners(s) (If more than one owner, attach a separate sheet)

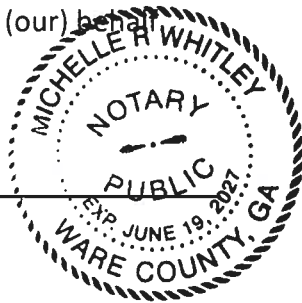
Being (owner) (owners) of the subject property described below or attached hereby delegate authority to:

Karim Surani c/o Dillard Sellers

Name of Agent or Representative

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

Michelle Whitley  
Notary Public



Robert Davis  
Owner

Notary Public

Owner

Notary Public

Owner

Notary Public

Owner

Notary Public

Owner

DEPARTMENT OF PLANNING & SUSTAINABILITY

DISCLOSURE OF CAMPAIGN CONTRIBUTION

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

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

Yes X No \_\_\_\_\_ \* *See attached.*

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

Jeffrey S. Haymore  
NOTARY PUBLIC  
Cobb County  
State of Georgia  
My Comm. Expires 07/26/2025

 (R. Barber Russell) 09/6/2023  
\_\_\_\_\_  
Signature of Applicant /Date

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

*Attorneys For Applicant (Diland Sellers)*

Expiration Date/ Seal

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



## Disclosure Report for Campaign Contributions

R. Baxter Russell for Dillard Sellers (Attorneys for Applicant)  
SLUP Application by Applicant Karim Surani  
2536 Snapfinger Road, Parcel ID 15 126 10 023

<b>Name of Official</b>	<b>Position</b>	<b>Description</b>	<b>Value</b>	<b>Date</b>
Larry Johnson	Commissioner, District 3	Friends of Larry Johnson	\$250	9/6/2021
Michelle Long Spears	Commissioner, District 2	Michelle Long Spears	\$250	5/12/2022
Robert Patrick	Commissioner, District 1	Robert Patrick for Commissioner	\$250	6/28/2023

**DEPARTMENT OF PLANNING & SUSTAINABILITY**

**DISCLOSURE OF CAMPAIGN CONTRIBUTION**

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Yes \_\_\_\_\_ No   *P*   \*

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

 09/ 6/2023  
\_\_\_\_\_  
Signature of Applicant /Date

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

\_\_\_\_\_  
Expiration Date/ Seal

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

**SPECIAL NOTES**

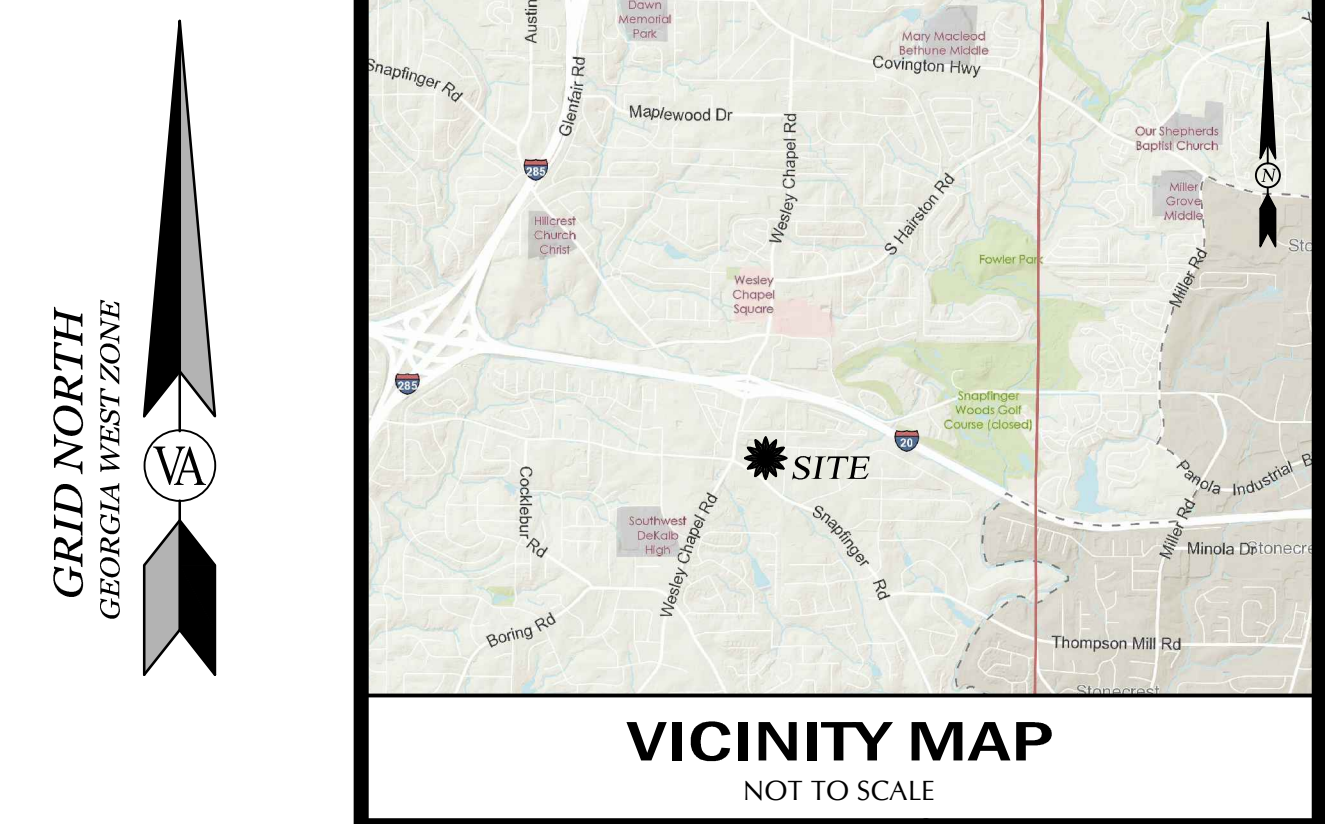
- 1) CERTIFICATION AND DECLARATION IS MADE TO THE ENTITIES AS LISTED IN THE TITLE BLOCK AND/OR CERTIFICATIONS. THE CERTIFICATIONS AND DECLARATIONS ON THIS PLAT ARE NOT TRANSFERABLE TO ADDITIONAL INSTITUTIONS OR SUBSEQUENT OWNERS.
2) SUBSURFACE AND ENVIRONMENTAL CONDITIONS WERE NOT EXAMINED OR CONSIDERED AS A PART OF THIS SURVEY. NO STATEMENT IS MADE CONCERNING THE EXISTENCE OF UNDERGROUND OR OVERHEAD CONTAINERS OR FACILITIES THAT MAY AFFECT THE USE OR DEVELOPMENT OF THIS PROPERTY.
3) THE UNDERSIGNED SURVEYOR HAS MADE NO INVESTIGATION OR INDEPENDENT SEARCH FOR EASEMENTS OF RECORD ENCUMBRANCES, RESTRICTIVE COVENANTS, OWNERSHIP TITLE EVIDENCE, OR ANY OTHER FACTS THAT AN ACCURATE AND CURRENT TITLE SEARCH MAY DISCLOSE.
4) PURSUANT TO RULE 1806-09 OF THE GEORGIA STATE BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND SURVEYORS, THE TERM "CERTIFICATION" RELATING TO PROFESSIONAL ENGINEERING AND LAND SURVEYING SERVICES SHALL MEAN A SIGNED STATEMENT BASED UPON FACTS AND KNOWLEDGE KNOWN TO THE REGISTRANT AND IS NOT A GUARANTEE OR WARRANTY, EITHER EXPRESSED OR IMPLIED.

**GENERAL NOTES**

- 1) THIS SURVEY WAS DONE UNDER MY SUPERVISION USING A TOPCON GTS-23HW TOTAL STATION WITH AN ANGULAR ERROR OF 1 SECOND PER STATION. THE TRAVERSE UPON WHICH THIS PLAT IS BASED, HAS BEEN CALCULATED FOR CLOSURE BY THE LEAST SQUARES RULE AND THE RELATIVE POSITIONAL ACCURACY IS 0.007 FEET. THE ADJUSTED ACCURACY OF THIS PLAT IS ONE FOOT IN 221,315 FEET.
2) ACCORDING TO THE F.E.M.A. FLOOD INSURANCE RATE MAP, COMMUNITY PANEL NUMBER 13089C0154, DATED MAY 16, 2013 FOR DEKALB COUNTY, GEORGIA THIS PROPERTY DOES NOT LIE WITHIN A 100 YEAR FLOOD HAZARD ZONE AS DEFINED BY F.E.M.A.
3) CURRENT ZONING ACCORDING TO DEKALB COUNTY IS LISTED AS C-2. GENERAL COMMERCIAL DISTRICT. INTERSTATE 20 CORRIDOR OVERLAY DISTRICT (IBR). DEKALB COUNTY ZONING DEPARTMENT MUST BE REFERENCED FOR ALL REQUIREMENTS UNDER THIS ZONING.
BUILDING SETBACKS:
MINIMUM FRONT SETBACK = 0 FEET (WHERE PROPERTY LINE IS A MINIMUM OF 15 FEET BEHIND CURB);
MINIMUM SIDE SETBACK = 10 FEET;
MINIMUM REAR SETBACK = 10 FEET;
MAXIMUM BUILDING HEIGHT IS 4 STOREYS.
4) HORIZONTAL AND VERTICAL REFERENCE SHOWN HEREON WAS TAKEN FROM REAL-TIME ADJUSTED GPS OBSERVATIONS. (NAD 83 / NAVD 88)
5) ALL DISTANCES SHOWN HEREON ARE "GROUND" DISTANCES, UNLESS OTHERWISE STATED AS "GRID" DISTANCES.

**ALTA NOTES**

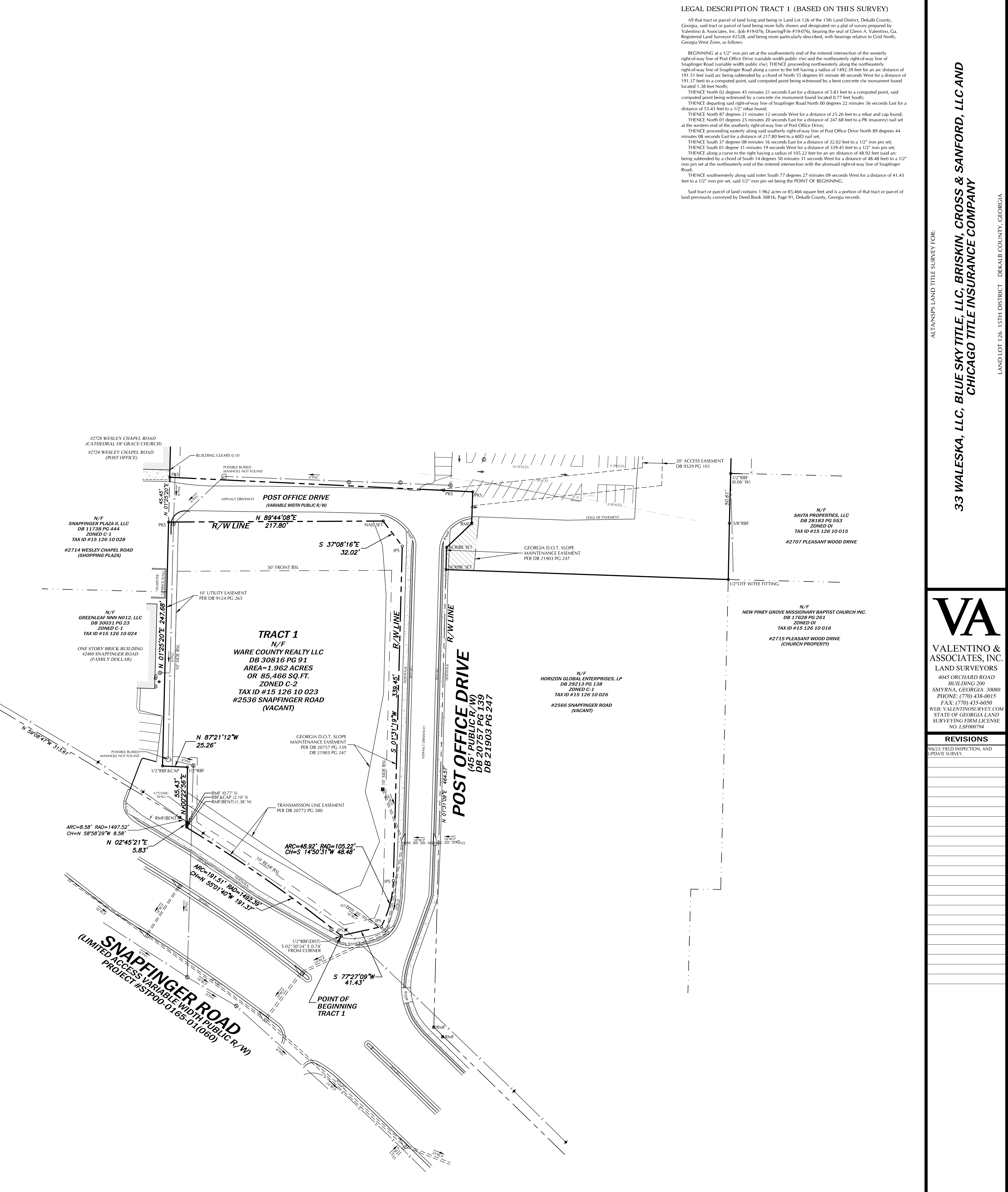
- 1) THERE IS NO OBSERVABLE EVIDENCE OF CURRENT EARTH MOVING WORK, BUILDING CONSTRUCTION OR BUILDING ADDITIONS WITHIN THE SUBJECT PROPERTY.
2) THIS SURVEYOR IS NOT AWARE OF ANY PROPOSED CHANGES IN STREET RIGHT OF WAY LINES, AND THERE IS NO OBSERVABLE EVIDENCE OF RECENT STREET OR SIDEWALK CONSTRUCTION OR REPAIRS NEAR THE SUBJECT PROPERTY.
3) THERE IS NO OBSERVABLE EVIDENCE OF SITE USE AS A SOLID WASTE DUMP, SLUMP OR SANITARY LANDFILL.
4) THERE ARE NO DESIGNATED WETLAND AREAS WITHIN THE SUBJECT PROPERTY.
5) THIS SURVEYOR OBSERVED NO EVIDENCE OF ANY CEMETERIES OR BURIAL REMAINS WITHIN THE SITE.
6) THE SUBJECT PROPERTY HAS UNRESTRICTED ACCESS TO POST OFFICE DRIVE (A VARIABLE WIDTH PUBLIC RW).
7) THE SURVEYED PROPERTY IS CONTIGUOUS WITH THE PUBLIC STREETS AND THERE ARE NO GAPS OR GORES BETWEEN THE SUBJECT PROPERTY AND THE PUBLIC STREETS.
8) SITE ADDRESS: 2536 SNAPPINGER ROAD, DECATUR, GEORGIA 30034



**RECORDING BLOCK**

**LEGEND**

- BROKEN LINE NOT TO SCALE
FENCE LINE
CURB/RAIL
UNDERGROUND GAS LINE
OVERHEAD ELECTRIC LINE
OVERHEAD TELEPHONE LINE
SANITARY SEWER LINE
UNDERGROUND ELECTRIC LINE
UNKNOWN UNDERGROUND UTILITY LINE
WATER LINE
WETLANDS AREA
CATCH BASIN SINGLE WING
CATCH BASIN DOUBLE WING
COMPUTED POINT
BORING HOLE
CLEANOUT
COMMUNICATION BOX
ELECTRIC BOX
ELECTRIC LINE MARKER
ELECTRIC MANHOLE
ELECTRIC METER
ELECTRIC OUTLET
ELECTRIC SWITCH
FIBER OPTIC BOX
FIBER OPTIC LINE MARKER
FIRE HYDRANT
FLARED END SECTION
GAS LINE MARKER
GAS METER
GAS VALVE
GROUND LIGHT
GUY POLE
GUY WIRE
HEADWALL
HEATING/AC CONDITIONING UNIT
IRRIGATION CONTROL VALVE
LIGHT POLE
POST INDICATOR VALVE
POWER POLE
SANITARY SEWER MANHOLE
SIGN POST
STORM WATER DROP INLET
STORM WATER JUNCTION BOX
STORM WATER YARD INLET
TELEPHONE MANHOLE
TELEPHONE POLE
TRAFFIC SIGNAL BOX
TRAFFIC SIGNAL POLE
WATER MANHOLE
WATER METER
WATER VALVE
WATER VALVE LINE MARKER
BOLLARD
CONCRETE MONUMENT FOUND
CRIMPED TOP PIPE FOUND
ELECTRIC PANEL
FINISHED FLOOR ELEVATION
IRRIGATION BOX
IRON PIN FOUND
1/2" IRON PIN SET
MAIL BOX
OPEN TOP PIPE FOUND
PK NAIL FOUND
PK NAIL SET
REBAR FOUND
RIGHT-OF-WAY MONUMENT FOUND
RAILROAD SIGNAL BOX
STUB OUT
BUILDING SETBACK LINE
CURB & GUTTER
CONCRETE PAD
CHAIN LINK FENCE
CORRUGATED METAL PIPE
DIED BOOK & PAGE
DUCTILE IRON PIPE
HEADER CURB
HIGH DENSITY POLYETHYLENE PIPE
INVERT ELEVATION
OUTLET CONTROL STRUCTURE
PLAT BOOK & PAGE
PLASTIC PIPE
REINFORCED CONCRETE PIPE
TEMPORARY BENCHMARK
SPOT ELEVATION
REFERENCE TO TITLE EXCEPTION ITEM
REFERENCE TO ENCROACHMENT ITEM



LEGAL DESCRIPTION TRACT 1 (BASED ON THIS SURVEY)
All that tract or parcel of land lying and being in Land Lot 126 of the 15th Land District, DeKalb County, Georgia, said tract or parcel of land being more fully shown and designated on a plat of survey prepared by Valentino & Associates, Inc. (Job #19-076; Drawing #19-076), bearing the seal of Glenn A. Valentino, GA Registered Land Surveyor #2528, and being more particularly described, with bearings relative to Grid North, Georgia West Zone, as follows:
BEGINNING at a 1/2" iron pin set at the southeasterly end of the intersected intersection of the westerly right-of-way line of Post Office Drive (variable width public r/w) and the northeasterly right-of-way line of Snappinger Road (variable width public r/w); THENCE proceeding northeasterly along the northeasterly right-of-way line of Snappinger Road along a curve to the left having a radius of 1492.39 feet for an arc distance of 191.51 feet (said arc being subtended by a chord of North 55 degrees 01 minute 40 seconds West for a distance of 191.37 feet) to a computed point, said computed point being witnessed by a bent concrete r/w monument found located 1.38 feet North;
THENCE North 02 degrees 45 minutes 21 seconds East for a distance of 5.83 feet to a computed point, said computed point being witnessed by a concrete r/w monument found located 0.77 feet South;
THENCE departing said right-of-way line of Snappinger Road North 00 degrees 02 minutes 56 seconds East for a distance of 55.43 feet to a 1/2" rebar found;
THENCE North 87 degrees 21 minutes 12 seconds West for a distance of 25.26 feet to a rebar and cap found;
THENCE North 01 degrees 25 minutes 20 seconds East for a distance of 247.68 feet to a PK (masonry) nail set at the western end of the southerly right-of-way line of Post Office Drive;
THENCE proceeding easterly along said southerly right-of-way line of Post Office Drive North 89 degrees 44 minutes 08 seconds East for a distance of 217.80 feet to a 60D nail set;
THENCE South 17 degrees 08 minutes 16 seconds East for a distance of 32.02 feet to a 1/2" iron pin set;
THENCE South 01 degree 31 minutes 19 seconds West for a distance of 339.45 feet to a 1/2" iron pin set;
THENCE along a curve to the right having a radius of 105.22 feet for an arc distance of 48.92 feet (said arc being subtended by a chord of South 14 degrees 50 minutes 31 seconds West for a distance of 48.48 feet) to a 1/2" iron pin set at the northeasterly end of the intersected intersection with the aforesaid right-of-way line of Snappinger Road;
THENCE southeasterly along said miter South 77 degrees 27 minutes 09 seconds West for a distance of 41.43 feet to a 1/2" iron pin set, said 1/2" iron pin set being the POINT OF BEGINNING.
Said tract or parcel of land contains 1.962 acres or 85,466 square feet and is a portion of that tract or parcel of land previously conveyed by Deed Book 30816, Page 91, DeKalb County, Georgia records.

ALTA/NSPS LAND TITLE SURVEY FOR:
33 WALESKA, LLC, BLUE SKY TITLE, LLC, BRISKIN, CROSS & SANFORD, LLC AND CHICAGO TITLE INSURANCE COMPANY

VA VALENTINO & ASSOCIATES, INC. LAND SURVEYORS
4045 ORCHARD ROAD BUILDING 200 SMYRNA, GEORGIA 30080
PHONE: (770) 438-0015 FAX: (770) 435-0050
WEB: VALENTINOSURVEY.COM STATE OF GEORGIA LAND SURVEYING FIRM LICENSE NO. LS000794

**REVISIONS**

Table with 2 columns: No., Description. Row 1: 0023 - FIELD INSPECTION, AND UPDATE SURVEY.

**UTILITY WARNING**

INFORMATION REGARDING THE REPUTED PRESENCE, SIZE, CHARACTER, AND LOCATION OF EXISTING UNDERGROUND UTILITIES AND STRUCTURES IS SHOWN HEREON. THERE IS NO CERTAINTY OF THE ACCURACY OF THIS INFORMATION AND IT SHALL BE CONSIDERED IN THAT LIGHT BY THOSE USING THIS DRAWING. THE LOCATION AND ARRANGEMENT OF UNDERGROUND UTILITIES AND STRUCTURES SHOWN HEREON MAY BE INACCURATE AND UTILITIES AND STRUCTURES NOT SHOWN MAY BE ENCOUNTERED. THE OWNERS, THEIR EMPLOYEES, THEIR CONSULTANTS, THEIR CONTRACTORS, AND/OR THEIR AGENTS SHALL HEREBY DISTINCTLY UNDERSTAND THAT THE SURVEYOR IS NOT RESPONSIBLE FOR THE CORRECTNESS OR SUFFICIENCY OF THE UNDERGROUND UTILITY INFORMATION SHOWN HEREON.



**ENCROACHMENT NOTE**

THERE ARE NO SIGNIFICANT ENCROACHMENTS WHICH AFFECT THE SUBJECT PROPERTY.

**PLAT REFERENCES**

- 1) \*THE GEORGIA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP\* DATED 03/07/2008, LAST REVISED 02/27/2012, PROJECT: SNAPPINGER ROAD IMPROVEMENTS, STP090165-01(060), DEKALB COUNTY.

**ALTA/NSPS CERTIFICATION**

TO: 33 WALESKA, LLC, BLUE SKY TITLE, LLC, BRISKIN, CROSS & SANFORD, LLC AND CHICAGO TITLE INSURANCE COMPANY
THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2016 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 1, 2, 3, 4, 6A, 6B, 7A, 7B, 7C, 8, 9, 13, 15, 16, & 19 OF TABLE THEREOF. THE FIELD WORK WAS COMPLETED ON 9/4/2023.

DATE OF PLAT OR MAP: 10/15/2019, LAST REVISED 9/7/2023 BY: GLENN A. VALENTINO, GEORGIA REGISTERED SURVEYOR #2528

**STATE OF GEORGIA PLAT ACT CERTIFICATION**

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.

GLENN A. VALENTINO - GA R.L.S. #2528
DATE OF EXPIRATION: 12/31/2024



Table with 2 columns: Field, Value. SCALE: 1" = 40'. DATE: 10/15/2019. JOB NUMBER: 19-076. FILE NUMBER: 19-076. PLOTTED: 9/7/2023.

ALTA/NSPS LAND TITLE SURVEY SHEET 1 OF 1

ORIGINAL FIELD DATES: 10/03/19 - 10/11/19
FIELD DATE (THIS UPDATE): 9/04/23



## Legal Description

2536 Snapfinger Road, Parcel ID 15 126 10 023

### **LEGAL DESCRIPTION TRACT 1 (BASED ON THIS SURVEY)**

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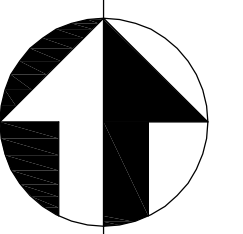
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PLAN NORTH

ISSUED FOR CONSTRUCTION

NEW CONVENIENCE STORE DESIGN

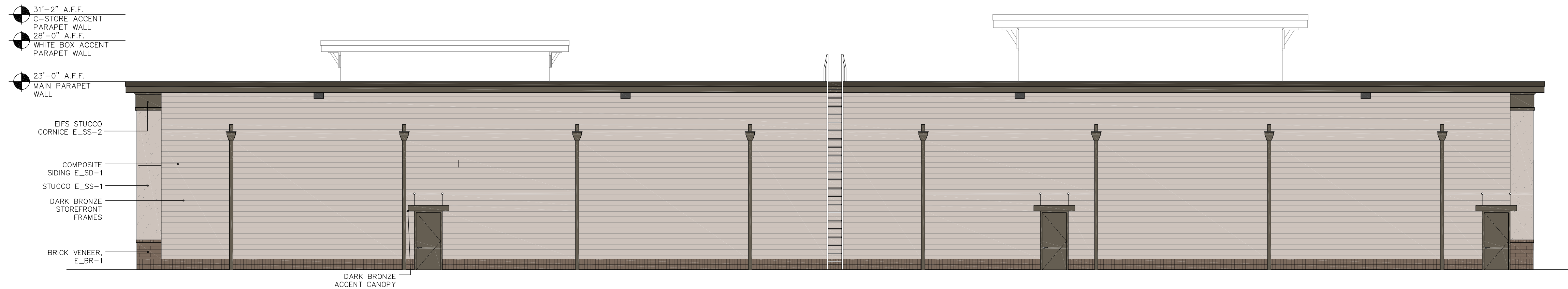
2536 SNAPPINGER RD.,  
DECATUR, GA 30034



FRONT FACADE STOREFRONT LENGTH CALCULATIONS:  
OVERALL BUILDING LENGTH: 170 FEET= 100%  
MIN STOREFRONT LENGTH REQUIRED: 75%= 127.5 FEET  
PROPOSED STOREFRONT LENGTH: 128.2 FEET

1 FRONT BUILDING ELEVATION

SCALE: 1/8"=1'-0"

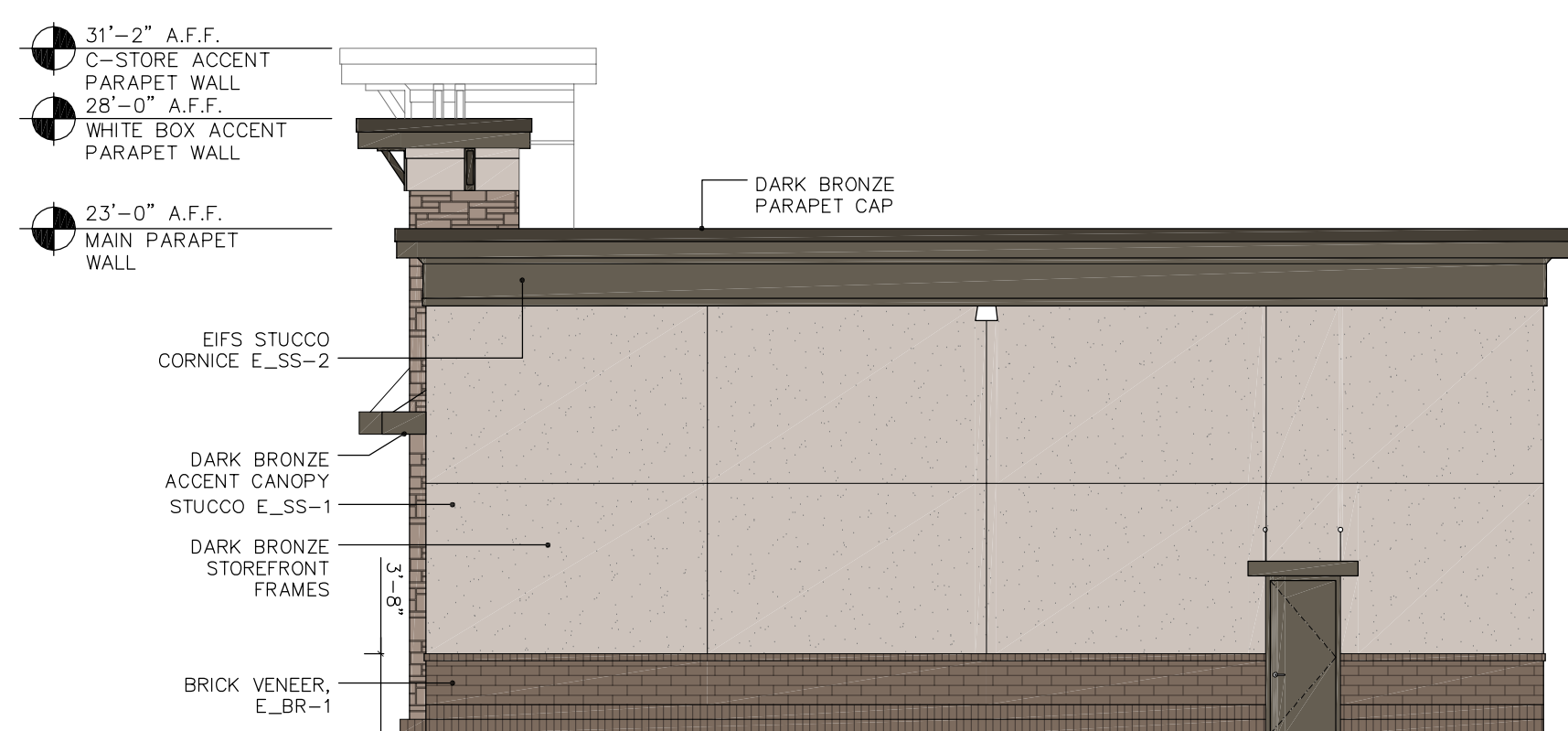


FINISH SCHEDULE

KEY	ITEM	MANUFACTURER	DESCRIPTION
E_ST-1	STONE VENEER	HORIZON STONE	HANDCRAFTED STONE, COLOR HARBOR BUFF
E_PT-1	EXTERIOR PAINT	SHERWIN WILLIAMS	SW 6071 POPULAR GRAY
E_PT-2	EXTERIOR PAINT	SHERWIN WILLIAMS	SW 7048 URBANE BRONZE
E_BR-1	DARK BRICK	TRIANGLE BRICK	FORT MILL, QUEEN SIZE, . GROUT: COLOR BOND, COLOR: SOUTHERN FROSTY
E_SS-1	1" EIFS WITH HARD COAT STUCCI	TBD	COLOR TO MATCH E_PT-1
E_SS-2	1" EIFS WITH HARD COAT STUCCI	TBD	COLOR TO MATCH E_PT-2
E_SD-1	COMPOSITE SIDING	HARDIE	COLOR TO MATCH E_PT-1
ML-1	METAL CANOPIES & STOREFRONT COLOR	TBD	DARK BRONZE

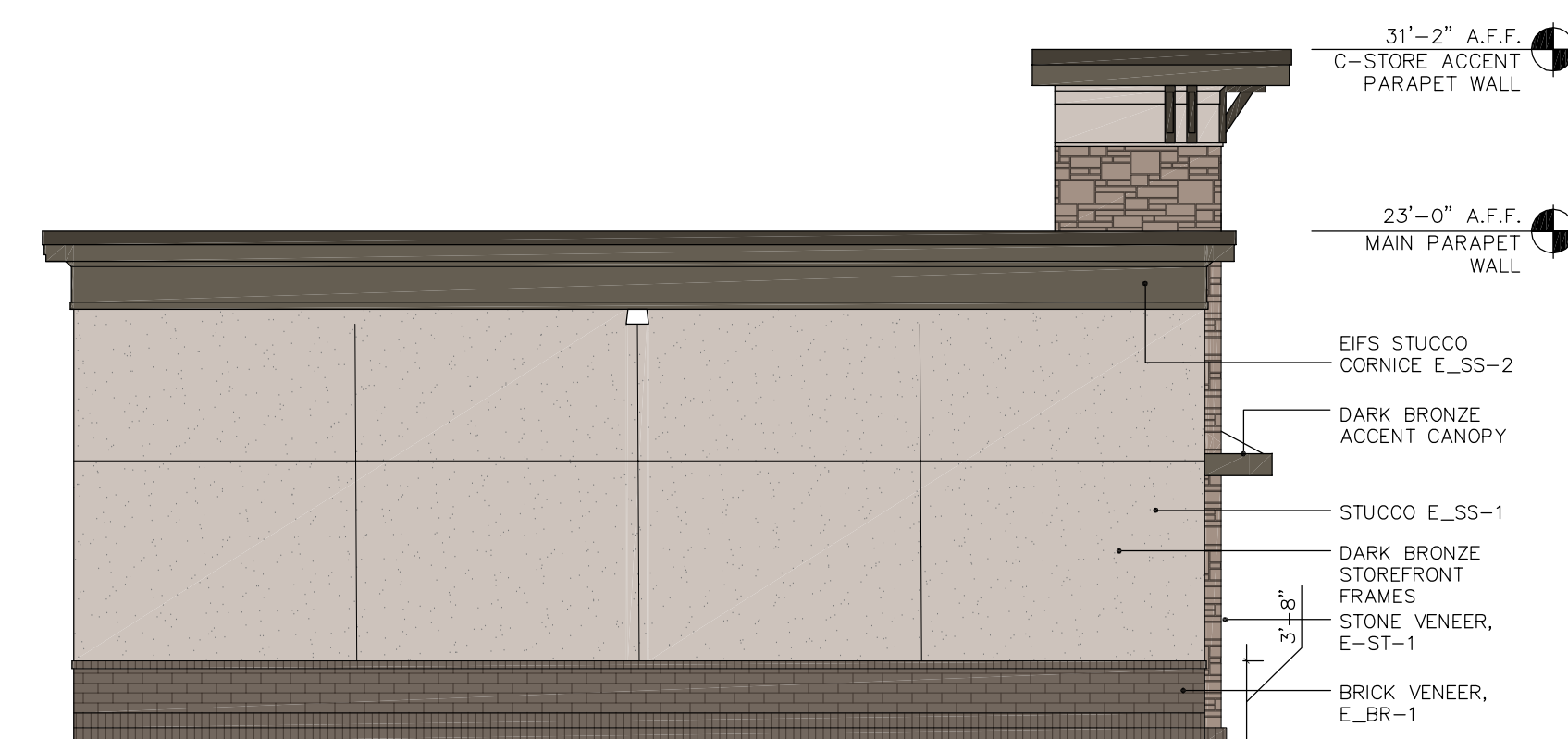
2 BACK BUILDING ELEVATION

SCALE: 1/8"=1'-0"



3 RIGHT BUILDING ELEVATION

SCALE: 1/8"=1'-0"



4 LEFT BUILDING ELEVATION

SCALE: 1/8"=1'-0"



5 EXTERIOR FINISHES SCHEDULE

No.	Date	Issue For	Remarks
1.	08.30.23	ISSUE FOR REVIEW	



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DESIGN TODAY 2005

DRAWING TITLE:  
EXTERIOR BUILDING ELEVATIONS

ISSUE DATE:

DRAWN BY:  
DT

SHEET NUMBER:

A4.00

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: Julie Sellers Phone: 404-665-1242 Email: jsellers@dilliardsellers.com

Property Address: 2536 Snapfinger Road

Tax Parcel ID: 15 126 10 023 Comm. District(s): 3 & 7 Acreage: 1.98

Existing Use: Vacant Land Proposed Use Convenience Store with fuel and quick serve drive-through restaurant

Supplemental Regs: Yes—Sec (4.2.8 alcohol outlet)...Yes (4.2.28 fuel pumps) Yes (4.2.23 Drive-Through Restaurant) Overlay District: Yes—I-20 Overlay NA DRI: NA

**Rezoning:** Yes      No X

Existing Zoning: I-20 Overlay Tier 3/C-2 Proposed Zoning: NA Square Footage/Number of Units:     

Rezoning Request:     

**Land Use Plan Amendment:** Yes      No X

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

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

Special Land Use Request(s) —appears there would be 3 SLUPs—1. Alcohol Outlet, 2. Fuel Pumps, and 3 Drive-through restaurant     

**Major Modification:** NA

Existing Case Number(s):     

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: 11/02/23 \_\_\_\_\_ BOC:  
\_11/16/23 \_\_\_\_\_ Letter of Intent:  Impact Analysis:  Owner Authorization(s): \_\_\_\_\_ Campaign  
Disclosure:  Zoning Conditions:  Community Council Meeting: \_\_\_\_\_ 10/4/23 \_\_\_\_\_ 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

**\*Deadline for hosting pre-community meeting with 15 days notice for November 2023 agenda cycle would be 08/30/23**

**\*\*Filing Deadline for application is 09/07/23**

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: \_\_\_\_\_

Comments: \_Applicant to demonstrate how proposed land uses are compatible with surrounding area, and show compliance with Supplemental Regs for Alcohol Outlet (4.2.8 ) Fuel Pumps (4.2.28) and Drive-through Restaurant (4.2.23—).. Also show compliance with I-20 overlay and C-2 zoning requirements including but not limited to building materials, maximum building height, building setbacks, open space and transitional



**DEPARTMENT OF PLANNING & SUSTAINABILITY**

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buffers, etc.

Applicant will need to justify how the proposed drive-through restaurant and fuel pumps is consistent with pedestrian-oriented use and connectivity policies of the Town Center (TC) Character Area as well as consistent with adjacent and surrounding uses. The applicant is encouraged to discuss possible transportation improvements that may be required (if the rezoning is approved by the Board of Commissioners) with the county Transportation Department. The applicant is encouraged to contact Land Development Division of Public Works regarding required storm water management, floodplain, and stream buffer issues.

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

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Planner: John Reid Date 08/16/23

Filing Fees

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

Planning Commission  
DeKalb County Planning & Sustainability Department

CC: Commissioner Lorraine Cochran Johnson, Super District 7  
Mr. Jonathan "J.P." Phillips, Constituent Liaison, Super District 7  
Commissioner Larry Johnson, District 3

Good afternoon, Commissioners, Planning Department members, and staff,

I live off Snapfinger Road approximately one mile from the proposed development at 2536 Snapfinger Road, and I would like to register my strong opposition to this application. First and foremost, there are already four gas stations within an approximate half-mile radius of 2536 Snapfinger Road, gas stations that have brought increased crime and congestion to the Wesley Chapel/Snapfinger Road corridor. There is no need for a fifth, especially one that proposes to include an alcohol outlet. There are existing issues with vagrants and homeless individuals in the adjacent shopping center that houses the post office, as well as in the surrounding area. This development would simply create even more potential for panhandling and more serious crimes against residents and customers. As an example, I would highlight the BP gas station and shopping center built at the corner of Klondike Road and Browns Mill Road and the increased violent crime, including murders, that property and area has experienced since then.

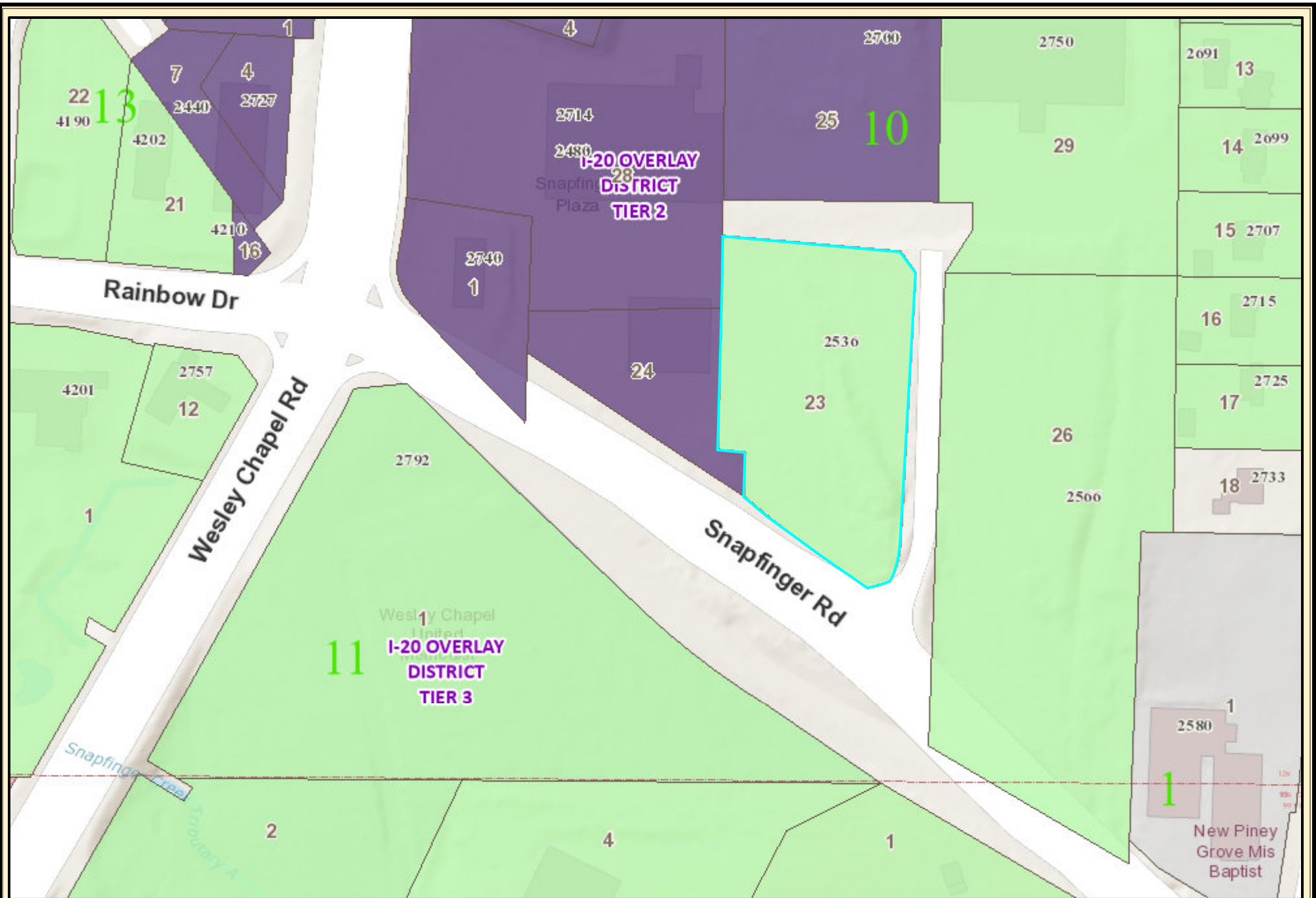
Secondly, the existing land is a welcome oasis of greenspace in the area. A gas station development would require razing the land, digging into the ground to install tanks for gasoline, and destroying a visually pleasing space to add further chaos and noise to the area. This property is next to a church and a local roller rink enjoyed by families and teens, and across from a historic cemetery and a shopping center that houses a small private school. A gas station in this location would detract from these valued community components by creating additional traffic and opportunity for crime.

Last, the volume of traffic on Snapfinger is already a cluster of nightmare proportions, especially for vehicles on Snapfinger waiting to turn right onto Wesley Chapel. It's extremely common for cars to back up past Treadway Drive during rush hour. There is a fire station located on Pleasantwood Drive approximately a quarter of a mile from the proposed development, and the increased traffic from vehicles using this development could significantly affect response times by blocking the road and wasting precious time, further jeopardizing safety of community members in need.

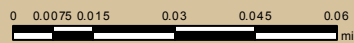
Our community needs thoughtful, responsible development that encourages local engagement and contributes to safety and resident wellbeing. This proposed development of a gas station with drive-through restaurant and alcohol attachments would only degrade our community and further enhance the perception that our elected leaders don't care about South Dekalb and the people who live here. I strongly encourage you to deny this application.

Thank you for your time.

Sara Williams



# DeKalb County Parcel Map

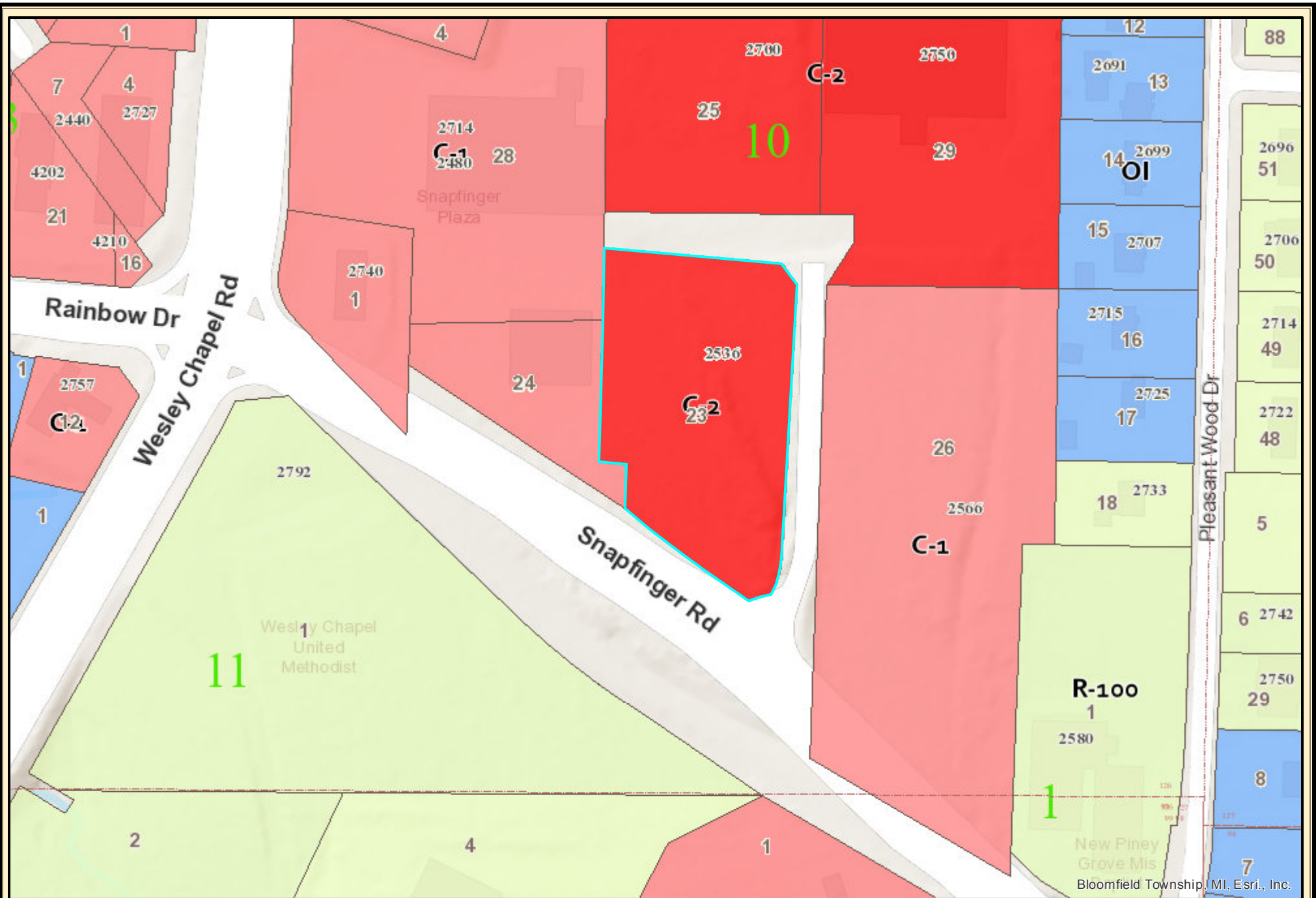


Date Printed: 10/23/2023

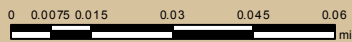


### DeKalb County GIS Disclaimer

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# DeKalb County Parcel Map



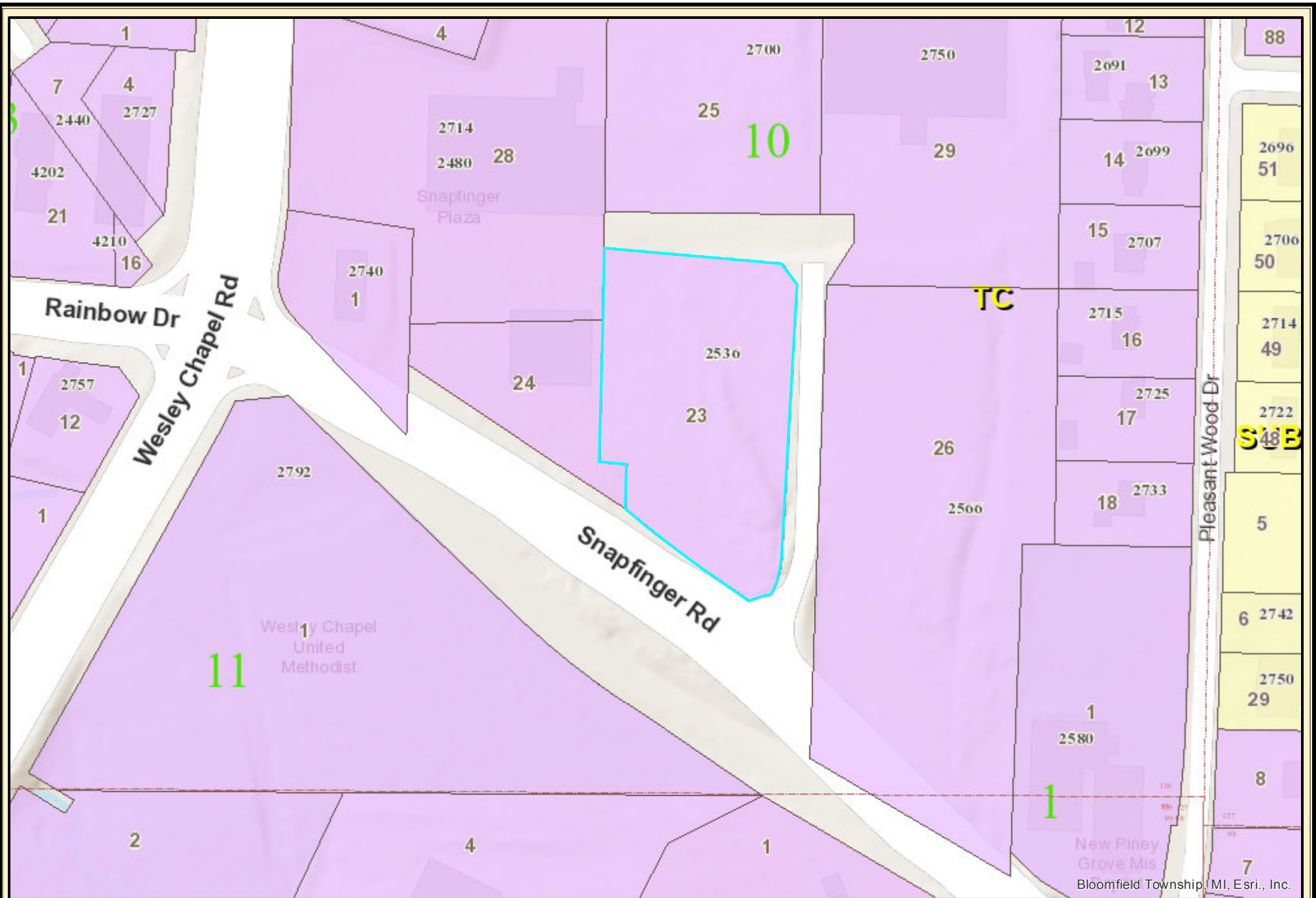
Date Printed: 10/23/2023



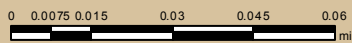
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New Piney Grove Mis  
Bloomfield Township, MI, Esri., Inc.



# DeKalb County Parcel Map



Date Printed: 10/23/2023



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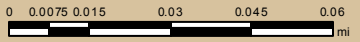
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