



DeKalb County Department of Planning & Sustainability

**330 Ponce De Leon Avenue, Suite 500
 Decatur, GA 30030
 (404) 371-2155 / plandev@dekalbcountyga.gov**

**Planning Commission Hearing Date: January 4, 2022
 Board of Commissioners Hearing Date: January 27, 2022**

STAFF ANALYSIS

Case No.: SLUP-22-1245311 **Agenda #:** N3

Location/Address: 971 N Hairston Road, Stone Mountain, GA 30083 **Commission District:** 4 **Super District:** 7

Parcel ID: 18-091-01-063

Request: Request for a Special Land Use Permit (SLUP) for an alcohol outlet within an existing shopping center in the C-1(Local Commercial) district, in accordance with Section 27-4.2.8 of the *DeKalb County Zoning Ordinance*.

Property Owner(s): Hairston Investors, LLC.

Applicant/Agent: Salahadin Kazali

Acreage: 8.52 acres

Existing Land Use: Retail Shopping Center

Surrounding Properties: North: Multifamily (zoned MR-1); East and South: Commercial (zoned C-2); West: Detached Single Family Structures (zoned R-85).

Comprehensive Plan: CRC (Commercial Redevelopment Corridor) **Consistent** **Inconsistent**

Proposed Density: N.A. – no new construction proposed	Existing Density: N.A. – no new construction proposed
Proposed Units: N.A. – no new units proposed	Existing Units: N.A. – no new units proposed
Proposed Lot Coverage: N.A. – no change in lot coverage proposed	Existing Lot Coverage: (Estimated) 50%

Zoning History: Based on DeKalb County records, it appears that the C-1 zoning of the property has not changed since adoption of the first *Zoning Ordinance* and map in 1956.

SITE AND PROJECT ANALYSIS

The 8.52-acre project site is located east of Hairston Road, approximately 501 feet northeast of Memorial Drive in Stone Mountain, Georgia. The subject property contains a shopping center in which the food mart is located.

The proposed request is to allow an alcohol outlet (beer and wine sales) within the *Food Mart* grocery store. The subject site has approximately 840 feet of frontage along Hairston Road. Hairston Road is a six-lane, major, arterial

road with curb and gutter, and sidewalks. The existing shopping center has one driveway access to Hairston Road. Since the request is merely to expand the retail offerings of the existing grocery store, no additional traffic impacts are anticipated.

Article 4.2.8 Compliance with Supplemental Regulations (Alcohol Outlet)

STANDARDS	COMPLIANCE
1. Alcohol outlets shall not be located within 300 feet of any school building, school grounds, educational facility, college campus, or adult entertainment establishment.	Yes. The nearest school is 704 feet away from the subject property; the nearest church is 884 feet away from the subject property; and no adult entertainment establishment is nearby.
2. Alcohol outlets shall not be located within 600 feet of a substance abuse treatment center owned, operated, or approved by the state or any county or municipal government.	Yes. Based on applicant’s alcohol survey, the nearest alcohol treatment center is 905 feet away.
3. Alcohol sales as an accessory use to retail shall not exceed 20% of gross floor area.	Yes. The current use a grocery store. Other items are sold such as snack food, soft drinks, and other grocery items.

LAND USE AND ZONING ANALYSIS

Section 27-7.4.6 of the DeKalb County Zoning Ordinance, “Special land use permit; criteria to be applied” states that the following criteria shall be applied in evaluating and deciding any application for a Special Land Use Permit. No application for a Special Land Use Permit shall be granted unless satisfactory provisions and arrangements have been made concerning each of the following factors, all of which are applicable to each application.

- 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, and all other applicable requirements of the zoning district in which the use is proposed to be located:** The size of the site is adequate for the use contemplated. Alcohol outlets are allowed in the C-1 (Local Commercial) Zoning District, subject to approval of a SLUP. There is no new construction proposed.
- B. **Compatibility of the proposed use with adjacent properties and land uses and with other properties and land uses in the district:** Based on the submitted information and site plan, it appears that the proposed retail, accessory use (alcohol outlet) is consistent with the retail, principal use of the existing grocery store (Food Mart) along with other retail and restaurant tenants within the established Hairston Village Shopping Center. Therefore, it appears that the proposed use is compatible with the adjacent and surrounding properties.
- C. **Adequacy of public services, public facilities, and utilities to serve the contemplated use:** There will be no burdensome impacts on schools since the proposed request is for non-residential use. It does not appear that there will be a burdensome use of transportation facilities since the site has frontage along and access to a major arterial (i.e. North Hairston Road) and is part of an established shopping center. Since the request is merely to expand the retail offerings of the existing grocery store, additional traffic impacts should be marginal.
- 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 proposed use, so as not to unduly increase traffic or create congestion in the area:** It appears that the public street on which the proposed use is to be located is adequate. The proposed accessory use should not unduly increase traffic congestion since the alcohol outlet will be located

within an established commercial building within the Hairston Village Shopping Center site with access to a major arterial road (i.e. North Hairston Road). Since the request is merely to expand the retail offerings of the existing grocery store, additional traffic impacts should be marginal.

- E. **Whether or not existing land uses located along access routes to the site would be adversely affected by the character of the vehicles or the volume of traffic to be generated by the proposed use:** See Criteria C and D. Moreover, the character of vehicles associated with the alcohol outlet should be similar to that of the retail market presently.
- F. **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:** See Criteria C, D, and E.
- G. **Whether or not the proposed use would create adverse impacts upon any adjoining land use by reason of noise, smoke, odor, dust, or vibration that would be generated by the proposed use:** There are no anticipated adverse impacts on surrounding properties due to noise, smoke, odor, dust, or vibration generated by the proposed use. Since the request is merely to expand the retail offerings of the existing grocery store, the adverse impacts (listed above) should be minimal or nonexistent.
- H. **Whether or not the proposed use would create adverse impacts upon any adjoining land use by reason of the hours of operation of the proposed use:** The proposed hours of operation are from Sunday through Stare not expected to have an adverse effect on adjoining land uses.
- I. **Whether or not the proposed use would create adverse impacts upon any adjoining land use by reason of the manner of operation of the proposed use:** This request is expected to be operated in a manner that would not have an adverse impact on adjoining land uses.
- J. **Whether or not the proposed plan is otherwise consistent with the requirements of the zoning district classification in which the use is proposed to be located:** Since no new construction is proposed, this consideration is not applicable.
- K. **Whether or not the proposed use is consistent with the policies of the comprehensive plan:** It appears that the proposed use with recommended conditions is consistent with the policies and strategies of the Commercial Redevelopment Corridor (CRC) Character Area, which encourages mix of retail, office, services, and employment along commercial corridors.
- L. **Whether or not the proposed plan provides for all buffers and transitional buffer zones where required by the regulations of the district in which the use is proposed to be located:** Since no new construction is proposed, this consideration is not applicable.
- M. **Whether or not there is adequate provision of refuse and service areas:** Refuse will be deposited in a dumpster that is emptied on a regular basis by the DeKalb County Sanitation Department. This arrangement is satisfactory.
- N. **Whether the length of time for which the special land use permit is granted should be limited in duration:** The alcohol outlet would be within an established grocery store and should not be limited in duration.
- O. **Whether or not 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:** Because no new buildings are proposed, this consideration is not applicable.
- P. **Whether the proposed plan would adversely affect historic building sites, districts, or archaeological resources:** There are no historic building sites, districts, or archaeological resources on the subject property or in the surrounding area.
- Q. **Whether the proposed use satisfies the requirements contained within the supplemental regulations for such special land use permit:** The proposed use meets the requirements contained in the supplemental regulations for an alcohol outlet.

- R. **Whether or not the proposed building as a result of its proposed height, would create a negative shadow impact on any adjoining lot or building:** Because no new buildings are proposed, this consideration is not applicable.
- S. **Whether the proposed use would be consistent with the needs of the neighborhood or of the community as a whole, be compatible with the neighborhood, and would not be in conflict with the overall objectives of the comprehensive plan:** See Criterion K.

STAFF RECOMMENDATION: APPROVAL WITH CONDITIONS.

The proposed use (with the recommended conditions) is consistent with the policies and strategies of the Commercial Redevelopment Corridor (CRC) Character Area of the *DeKalb County Comprehensive Plan*, which calls for a mix of retail, office, services, and employment to serve along commercial corridors. It appears that the proposed retail use (alcohol outlet) is consistent with the retail use of the existing grocery store wherein it will be located (Food Mart) and the other retail and restaurant tenants of the established Hairston Village Shopping Center (Sec 7.4.6.B). Additionally, the Planning Department is recommending as a condition of approval that there be compliance with all supplemental regulations relating to alcohol outlet, to reinforce the regulations themselves. Since the request is merely to expand the retail offerings of an existing grocery store within an established shopping center, no additional traffic impacts are anticipated (Sec 7.4.6.B). Therefore, the Department of Planning and Sustainability recommends approval with the following conditions.


1. Compliance with alcohol license requirements and supplemental zoning regulations of DeKalb County.
2. The alcohol outlet shall be located within the existing 1,500 square foot suite of the Food Mart grocery store within the Hairston Village Shopping Center.
3. The alcohol outlet shall be limited to retail sales of beer and wine only.
4. No consumption of alcohol allowed on the premises.

Attachments:

1. Department and Division Comments
2. Board of Health Comments
3. Application
4. Site Plan
5. Zoning Map
6. Aerial Photograph
7. Site Photographs

NEXT STEPS

Following an approval of this zoning action, one or several of the following may be required:

- **Land Disturbance Permit** *(Required for of new building construction on non-residential properties, or land disturbance/improvement such as storm water detention, paving, digging, or landscaping.)*
- **Building Permit** *(New construction or renovation of a building (interior or exterior) may require full plan submittal or other documentation. Zoning, site development, watershed and health department standards will be checked for compliance.)*
-  **Certificate of Occupancy** *(Required prior to occupation of a commercial or residential space and for use of property for a business. Floor plans may be required for certain types of occupants.)*
- **Plat Approval** *(Required if any parcel is being subdivided, re-parceled, or combined. Issued “administratively”; no public hearing required.)*
- **Sketch Plat Approval** *(Required for the subdivision of property into three lots or more. Requires a public hearing by the Planning Commission.)*
- **Overlay Review** *(Required review of development and building plans for all new construction or exterior modification of building(s) located within a designated overlay district.)*
- **Historic Preservation** *(A Certificate of Appropriateness is required for any proposed changes to building exteriors or improvements to land when located within the Druid Hills or the Soapstone Geological Historic Districts. Historic Preservation Committee public hearing may be required.)*
- **Variance** *(Required to seek relief from any development standards of the Zoning Ordinance. A public hearing and action by the Board of Appeals are required for most variances.)*
- **Minor Modification** *(Required if there are any proposed minor changes to zoning conditions that were approved by the Board of Commissioners. The review is administrative if the changes are determined to be minor as described by Zoning Code.)*
- **Major Modification** *(Required submittal of a complete zoning application for a public hearing if there are any proposed major changes to zoning conditions that were approved by the Board of Commissioner for a prior rezoning.)*
-  **Business License** *(Required for any business or non-residential enterprise operating in Unincorporated DeKalb County, including in-home occupations).*
- **Alcohol License** *(Required permit to sell alcohol for consumption on-site or packaged for off-site consumption. Signed and sealed distance survey is required. Background checks will be performed.)*

Each of the approvals and permits listed above requires submittal of application and supporting documents, and payment of fees. Please consult with the appropriate department/division.



**DEKALB COUNTY GOVERNMENT
PLANNING DEPARTMENT
DISTRIBUTION FORM**

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

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

Case No.: SLUP-22-1245311

Parcel I.D. #: 18-091-01-063

Address: 971 N Hairston Road
Stone Mountain, GA 30083

WATER:

Size of existing water main: 12" adequate (adequate/inadequate)

Distance from property to nearest main: adjacent

Size of line required, if inadequate: _____

SEWER:

Outfall Servicing Project: Upper Snapfinger Creek

Is sewer adjacent to property: Yes () No () If no, distance to nearest line: _____

Water Treatment Facility: Snapfinger Plant () adequate () inadequate

Sewage Capacity: 36 (MGPD) Current Flow: 28.3 (MGPD)

COMMENTS:

Sewer capacity evaluation needed. Area may be restricted

Signature: _____

ZONING COMMENTS – DEC. 2021

N1- No comment

N2. Please see chapter 5 of the zoning code and chapter 14-190 of the land development code for infrastructure requirements. Linecrest Rd is classified as a collector road. Infrastructure Requirements: 35 foot right of way dedication from centerline or such that all public infrastructure is within public right of way, whichever greater, 6 foot sidewalk, 4 foot bike lane (or 10 foot multiuse path in lieu of required bike lanes and 6 foot sidewalk), 10 foot landscape strip and street lights. Verify that the access point meets intersection and stopping sight distance based on AASHTO design guidelines when submitting for permitting. Interior roads require a 27.5 foot right of way dedication from the centerline or such that all public infrastructure is on county right of way. Requires a 6 foot landscape strip, 6 foot sidewalk and street lights. Code Section 14-200 (e): 79 lots require two access points. This will require a variance to the Land Development Code prior to land development permit approval from the Transportation Division at time of permitting.

N3. No Comment.

N4 & N5. Memorial Drive is a State Route. GDOT review and approval required prior to permitting at land development stage.

N6. No comment

N7. No comment

N8. Please see chapter 5 of the zoning code and chapter 14-190 of the land development code for infrastructure requirements. Rockbridge Rd is classified as a minor arterial. Infrastructure Requirements: 40 foot right of way dedication from centerline or such that all public infrastructure is within public right of way, whichever greater, 6 foot sidewalk, 4 foot bike lane (or 10 foot multiuse path in lieu of required bike lanes and 6 foot sidewalk), 10 foot landscape strip and street lights. Verify that the access point meets intersection and stopping sight distance based on AASHTO design guidelines when submitting for permitting. Interior roads require a 27.5 foot right of way dedication from the centerline or such that all public infrastructure is on county right of way. Requires a 6 foot landscape strip, 6 foot sidewalk and street lights. Please note that the top section appears to have more lots per access than the code allows (Code Section 14-200 (e)- more than 75 units requires 2 access points). If access is allowed on Pepperwood- then Pepperwood to Hickory Hills Trail and Hickory Hills Drive to Rockbridge should be resurfaced by the developer and sidewalks added to connect to the new sidewalks in the proposed neighborhood to offset impacts. I would prefer to see the sidewalks added all the way to Rockbridge via Hickory Hills Trail and Hickory Hills Drive to reduce impacts to the existing property owners, if the existing property owners so desire sidewalks, but, at a minimum, the one lot sidewalk gap on Pepperwood should be eliminated.

N9. No comment

12/20/2021

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

General Comments:

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

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

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

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

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

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

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

Since DeKalb County is classified as a Zone 1 radon county, this office recommends the use of radon resistant construction.

DeKalb County Board of Health

404.508.7900 • www.dekalbhealth.net

12/20/2021

N.1

SLUP-22-1245307 2021-3515 16-059-01-227

2038 Mallard Way, Lithonia , GA 30058

Amendment

- Please review general comments

N.2

Z-22-1245310 2021-3516 15-009-01-001, 15-009-01-006, 15-009-01-008

2712 Whitfield Road, Ellenwood, GA 30294

Amendment

- Please review general comments.
- Onsite Septic installed on surrounding property at 2241 Whitfield Drive on 06/29/1972 and 2281 Whitfield Drive on 09/06/1973 on 09/06/1073.

N.3

SLUP-22-1245311 2021-3517 18-091-01-063

971 North Road, Stone Mountain, GA 30083

Amendment

- Please review general comments
- Onsite septic system installed on property 754 North Hairston , Stone Mountain on 12/30/2003 (surrounding location).

N.4

CZ-22-1245311 2021-3518 15-217-04-024

3644 Memorial Drive, Decatur, GA 30032

Amendment

- Please review general comments.
- Onsite septic system installed on property 3232 Memorial Drive on 4/21/1970 indication of possible system within surrounding property.

DeKalb County Board of Health

404.508.7900 • www.dekalbhealth.net

12/20/2021

N.4

SLUP-22-1245321 2021-3519 15-217-04-024

3622 Memorial Drive, Decatur, GA 30032

Amendment

- Please review general comments.
- Onsite septic system installed on property 3232 Memorial Drive on 4/21/1970 indication of possible system within surrounding property.

N.6

SLUP-22-1245322 2021-3520 15-023-01-142

3956 Ambrose Ridge Ct. , Ellenwood, GA 30294

Amendment

- Please review general comments.

N.7

SLUP-22-1245323 2021-3521 15-183-05-015

1691 Candle Road, Decatur, Ga 30032

Amendment

- Please review general comments.
- Onsite septic system installed on property 1888 Candler Road in 01/13/1959 indication of possible system within surrounding property.

N.8

Z-22-1245331 2021-3522 / 18-039-03-027, 18-039-03-029, 18-039-03-038,
18-039-03-039, 18-039-03-040, 18-039-03-041, 18-039-03-044, 18-039-03-
110, 18-039-03-112,

499 Rockbridge Road, Stone Mountain, GA 30083

Amendment

- Please review general comments.
- Onsite septic system installed on property 4995 Rockbridge Road in 05/04/1964 indication of possible system within surrounding property.

DeKalb County Board of Health

404.508.7900 • www.dekalbhealth.net

12/20/2021

N.9

SLUP-22-1245330 2021-3525 /15-061-02-062

3640 Platina Park Court, Decatur, GA 30034

Amendment

- Please review general comments.



DEKALB COUNTY GOVERNMENT PLANNING DEPARTMENT DISTRIBUTION FORM

The following areas below may warrant comments from the Development Division. Please respond accordingly as the issues relate to the proposed request and the site plan enclosed as it relates to Chapter 14. You may address applicable disciplines.

DEVELOPMENT ANALYSIS:

- **Transportation/Access/Row**

Consult the Georgia DOT as well as the DeKalb County Transportation Department prior to land development permit. Verify widths from the centerline of the roadways to the property line for possible right-of-way dedication. Improvements within the right-of-way may be required as a condition for land development application review approval. Safe vehicular circulation is required. Paved off-street parking is required.

- **Storm Water Management**

Compliance with the Georgia Stormwater Management Manual, DeKalb County Code of Ordinances 14-40 for Stormwater Management and 14-42 for Storm Water Quality Control, to include Runoff Reduction Volume where applicable is required as a condition of land development permit approval. Use Volume Three of the G.S.M.M. for best maintenance practices. Use the NOAA Atlas 14 Point Precipitation Data set specific to the site. Recommend Low Impact Development features/ Green Infrastructure be included in the proposed site design to protect as much as practicable the statewaters and special flood hazard areas.

- **Flood Hazard Area/Wetlands**

The presence of FEMA Flood Hazard Area was not indicated in the County G.I.S. mapping records for the site; and should be noted in the plans at the time of any land development permit application. Encroachment of flood hazard areas require compliance with Article IV of Chapter 14 and FEMA floodplain regulations.

- **Landscaping/Tree Preservation**

Landscaping and tree preservation plans for any building, or parking lot must comply with DeKalb County Code of Ordinances 14-39 as well as Chapter 27 Article 5 and are subject to approval from the County Arborist.

- **Tributary Buffer**

State water buffer was not reflected in the G.I.S. records for the site. Typical state waters buffer have a 75' undisturbed stream buffer and land development within the undisturbed creek buffer is prohibited without a variance per DeKalb County Code of Ordinances 14-44.1.

- **Fire Safety**

Plans for land development permit must comply with Chapter 12 DeKalb County Code for fire protection and prevention.



N-3

DEKALB COUNTY GOVERNMENT PLANNING DEPARTMENT DISTRIBUTION FORM

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

COMMENTS FORM: PUBLIC WORKS TRAFFIC ENGINEERING

Case No.: SLUP-22-1245311 Parcel I.D. #: 18-091-01-063

Address: 971
N. Hamstone Rd
STN MTN, GA

Adjacent Roadway (s):

(classification) (classification)

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

Please provide additional information relating to the following statement.

According to studies conducted by the Institute of Traffic Engineers (ITE) 6/7TH 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.

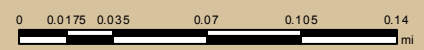
COMMENTS:

Plans and field reviewed. Nothing found that would disrupt traffic flow.

Signature: [Signature]



Aerial Map

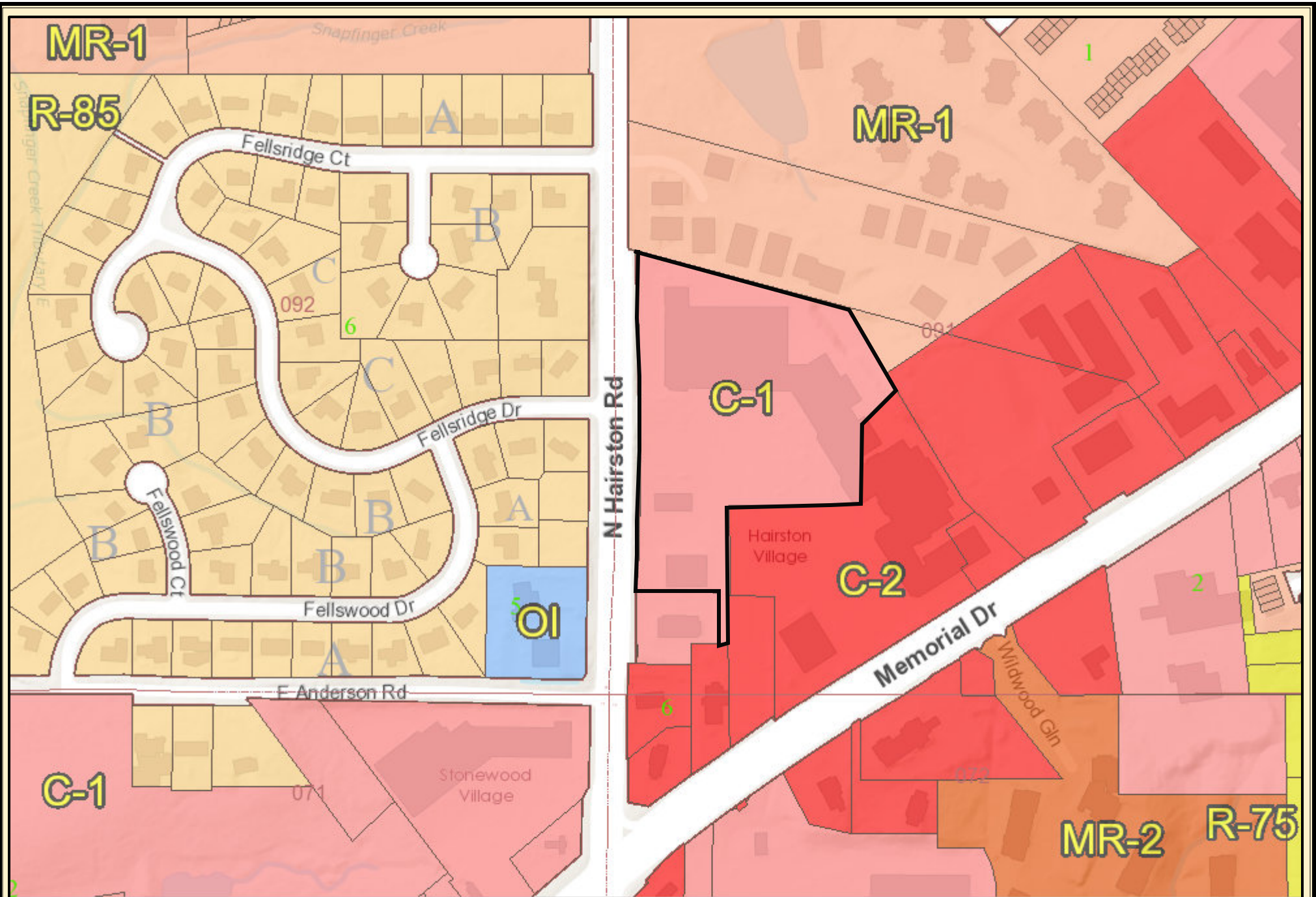


Date Printed: 12/6/2021

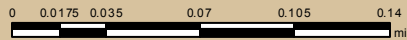


DeKalb County GIS Disclaimer

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



Zoning Map

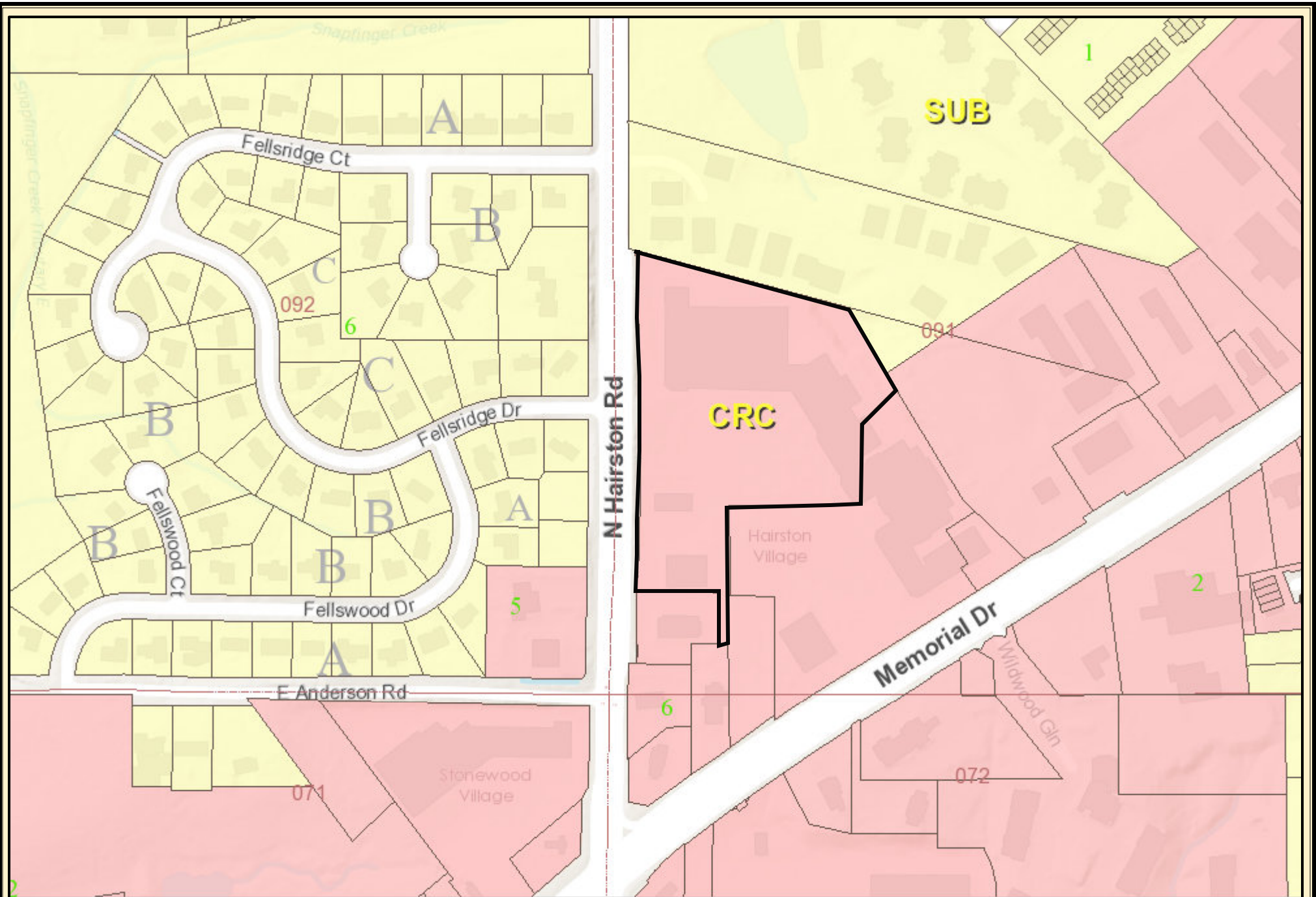


Date Printed: 12/6/2021

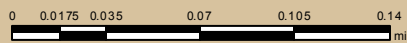


DeKalb County GIS Disclaimer

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



Future Land Use Map



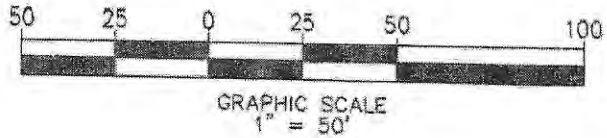
Date Printed: 12/6/2021



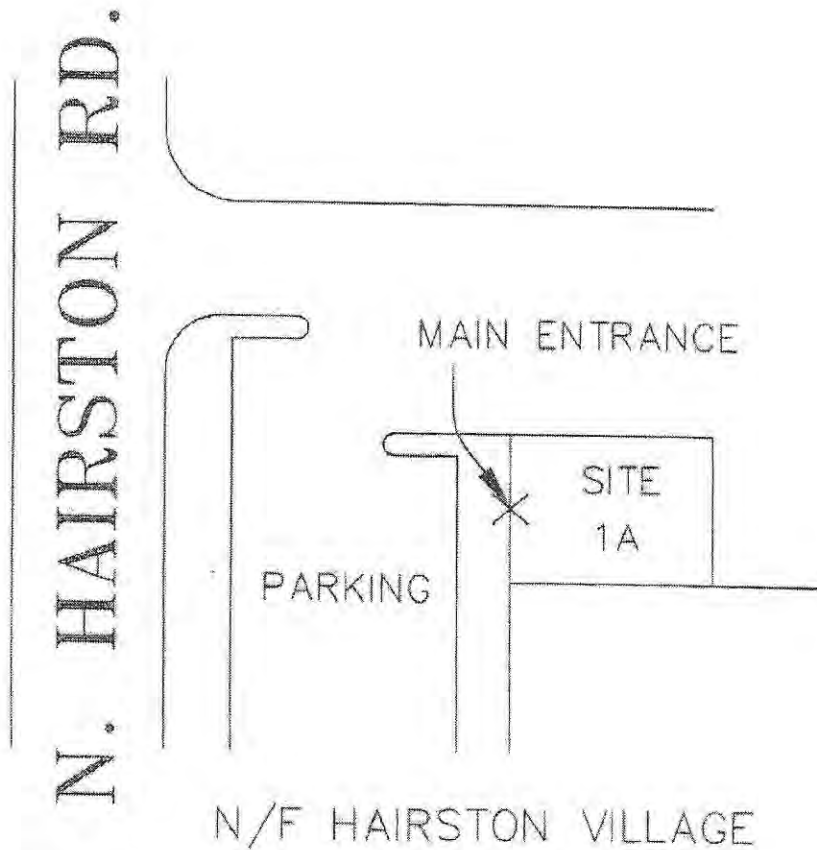
DeKalb County GIS Disclaimer

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

SITE ADDRESS:
 971 N HAIRSTON RD.
 SUITE 1A
 STONE MOUNTAIN, GA 30083
 ZONING: C-2
 TAX PARCEL ID: 18 091 01 063



MAGNETIC



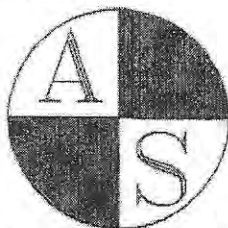
1. CHURCH: 704 YARDS TO VICTORY FOR THE WORLD CHURCH, STONE MOUNTAIN
 1170 N HAIRSTON RD. STONE MOUNTAIN, GA 30083
2. SCHOOL: 880 YARDS TO DEKALB ALTERNATIVE SCHOOL
 5755 MEMORIAL DR. STONE MOUNTAIN, GA 30083
3. ADULT ENTERTAINMENT: NO ADULT ENTERTAINMENT WITHIN 200 YARDS
4. ALCOHOL TREATMENT: 905 YARDS TO PREVENTION INTERVENTION PROGRAM
 5829 MEMORIAL DR. STONE MOUNTAIN, GA 30083



ALL DISTANCES MEASURED IN THE MOST DIRECT ROUTE OF TRAVEL.

Advance Survey, Inc.

634 N. CLAYTON STREET
 LAWRENCEVILLE, GA. 30046
 OFFICE: (770) 995-0938
 FAX: (770) 554-7539

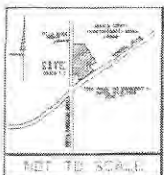


© COPYRIGHT 2021
 ADVANCE SURVEY INC.
 ALL MATTERS OF TITLE EXCEPTED

ALCOHOLIC BEVERAGE SURVEY FOR:

SALAHADIN KAZALI

LAND LOT:	91	SCALE:	1" = 50'
DISTRICT:	18TH	DATE:	1/21/2021
SECTION:	---	DRAWN BY:	LAR
COUNTY:	DEKALB	CHK BY:	GSO PC: GSO
STATE:	GEORGIA	JOB NO:	210029



PARCEL ONE = 15,8019 ACRES (579,619 SF)
 TRACT AREA TRACT 1 = 5,9766 ACRES (259,976 SF)
 TRACT AREA TRACT 2 = 4,7266 ACRES (206,236 SF)
 ADMINISTER TRACT AREA = 14,8446 ACRES (647,252 SF)

- Map Notes:**
1. ALL RIGHTS RESERVED.
 2. THIS PLAN IS SUBJECT TO ALL APPLICABLE ZONING ORDINANCES AND REGULATIONS.
 3. THIS PLAN IS SUBJECT TO ALL APPLICABLE EASEMENTS AND ENCUMBRANCES.
 4. THIS PLAN IS SUBJECT TO ALL APPLICABLE DEEDS AND INSTRUMENTS.
 5. THIS PLAN IS SUBJECT TO ALL APPLICABLE RECORDS AND DOCUMENTS.

NOT A CONTRACT

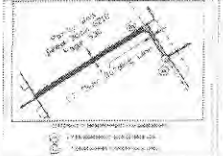
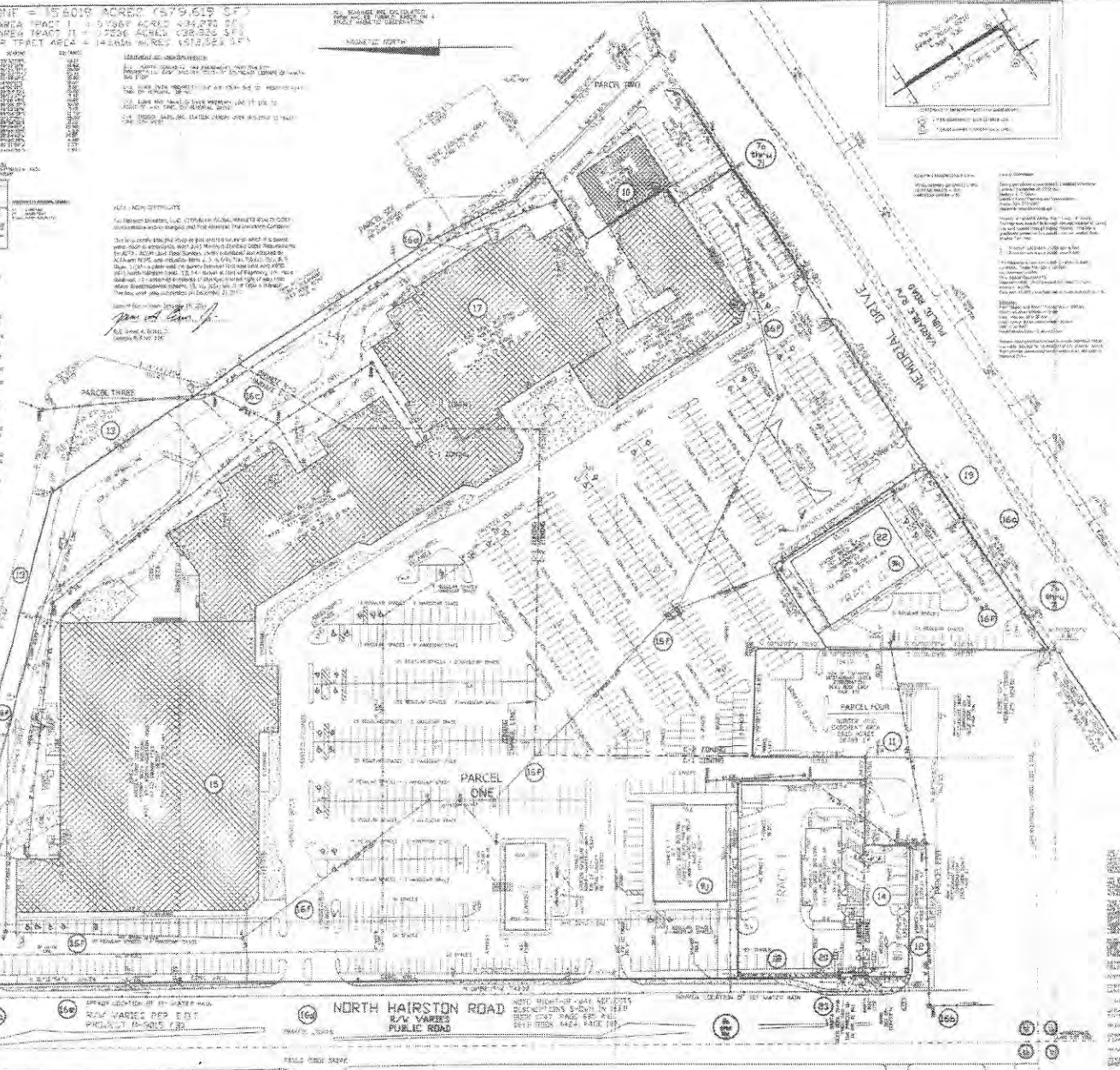
This document is not a contract and does not constitute an offer or solicitation of any kind. It is a preliminary plan and is subject to change without notice. It is not intended to be used as a basis for any legal action or as a basis for any other purpose.

John A. Evans, Inc.
 1000 Peachtree Street, N.E.
 Atlanta, Georgia 30309

THE SURVEYOR'S STATEMENT

I, the undersigned, being duly qualified and licensed as a Professional Surveyor in the State of Georgia, have personally examined the above described property and the records of the State of Georgia and have found that the same are correct and true to the best of my knowledge and belief.

John A. Evans, Inc.
 1000 Peachtree Street, N.E.
 Atlanta, Georgia 30309



LEGAL DESCRIPTION

Parcel One, being a portion of the 15,8019 acre tract described in the plat of the same recorded in the Public Records of DeKalb County, Georgia, Book 12, Page 1234, and being more particularly described as follows: ...

Parcel Two, being a portion of the 15,8019 acre tract described in the plat of the same recorded in the Public Records of DeKalb County, Georgia, Book 12, Page 1234, and being more particularly described as follows: ...

Parcel Three, being a portion of the 15,8019 acre tract described in the plat of the same recorded in the Public Records of DeKalb County, Georgia, Book 12, Page 1234, and being more particularly described as follows: ...

Parcel Four, being a portion of the 15,8019 acre tract described in the plat of the same recorded in the Public Records of DeKalb County, Georgia, Book 12, Page 1234, and being more particularly described as follows: ...

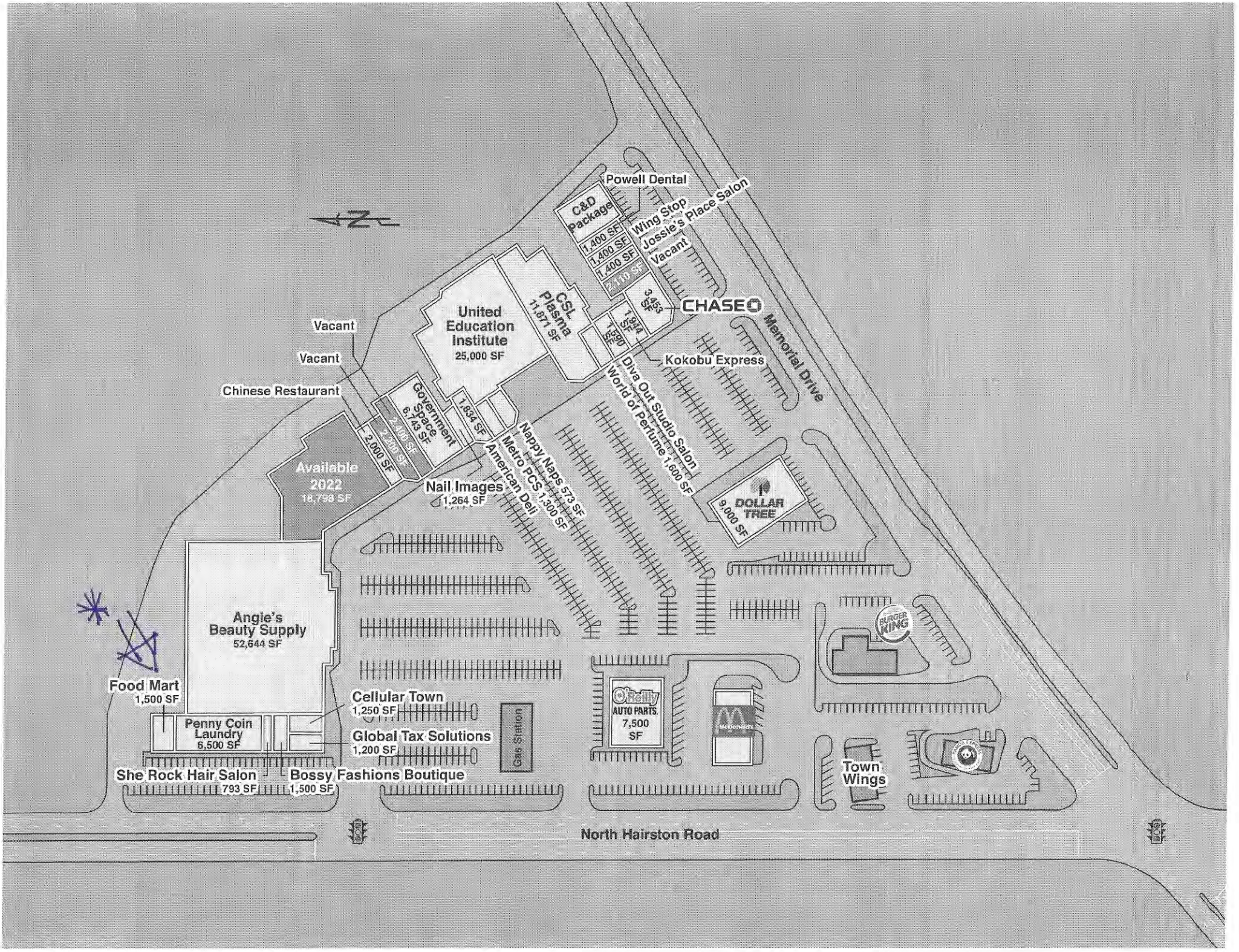
NOTICE TO CONTRACTORS

THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES AND AUTHORITIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY EASEMENTS AND ENCUMBRANCES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY RECORDS AND DOCUMENTS.

GRAPHIC SCALE IN FEET

0 100 200 300 400 500





Powell Dental
C&D Package 1,400 SF
Wing Stop 1,400 SF
Jossie's Place Salon 1,400 SF
Vacant 2,110 SF
3,458 SF
CHASEO
Memorial Drive
United Education Institute 25,000 SF
CSL Plasma 11,871 SF
1,834 SF
1,834 SF
Kokobu Express
Diva Our Studio Salon
World of Perfume 1,500 SF
Nail Images 1,264 SF
Nappy Naps 573 SF
Mero PCS 1,300 SF
American Deli
Government Space 6,743 SF
2,400 SF
2,400 SF
2,000 SF
Available 2022 18,798 SF
DOLLAR TREE 9,000 SF
BURGER KING
McDonald's
Town Wings
Gas Station
O'Reilly AUTO PARTS 7,500 SF
Cellular Town 1,250 SF
Global Tax Solutions 1,200 SF
Penny Coin Laundry 6,500 SF
She Rock Hair Salon 793 SF
Bossy Fashions Boutique 1,500 SF

North Hairston Road

DEPARTMENT OF PLANNING & SUSTAINABILITY

SPECIAL LAND USE PERMIT APPLICATION

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

Date Received: _____ Application No.: _____

APPLICANT NAME: Salahadin Kazali

Daytime Phone #: 770.354.1405 Fax #: _____

Mailing Address: 6237 Thorncrest Rd Tucker GA 30084

E-mail: penny@licensingervicebypenny.com

OWNER NAME: Hairston Investors, LLC c/o Mark Massry (If
more than one owner, attach contact information for each owner)

Daytime Phone #: 732.718.2535 Fax #: _____

Mailing Address: 8 Industrial Way East, Eatontown NJ 07724

E-mail: mark@wrgusa.com

SUBJECT PROPERTY ADDRESS OR LOCATION: 971 North Hairston Rd, Ste 1A,

Stone Mountain, DeKalb County, GA, 30083

District(s): _____ Land Lot(s): _____ Block(s): _____ Parcel(s): _____

Acreage or Square Feet: _____ Commission District(s): _____ Existing Zoning: C-2

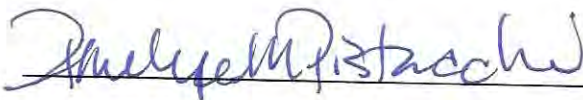
Proposed Special Land Use (SLUP): _____

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

Owner: _____ Agent: _____ **Signature of Applicant:** 
(Check One)

Printed Name of Applicant: Salahadin Kazali

Notary Signature and Seal:







DeKalb County
GEORGIA

404.371.2155 (o)
404.371.4556 (f)
DeKalbCountyGa.gov

Clark Harrison Building
330 W. Ponce de Leon Ave
Decatur, GA 30030

DEPARTMENT OF PLANNING & SUSTAINABILITY

SPECIAL LAND USE PERMIT APPLICATION 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: 8/3/21

TO WHOM IT MAY CONCERN:

(I) (WE), Harkston Investors, LLC
Name of Owner(s)

being (owner) (owners) of the subject property described below or attached hereby delegate authority to
Salahadin Kazali
Name of Applicant or Agent

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

[Signature]
Notary Public
State: New Jersey VICTOR ACOSTA III
County: Morristown NOTARY PUBLIC OF NEW JERSEY
My Commission Expires 7/30/2023

[Signature]
Owner

Mark Massy
Owner

Notary Public Owner

Notary Public Owner



404.371.2155 (o)
404.371.4556 (f)
DeKalbCountyGa.gov

Clark Harrison Building
330 W. Ponce de Leon Ave
Decatur, GA 30030

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: Kazali Salahadin Phone: 404-453-9182 Email: skazail@yahoo.com

Property Address: 971 N. Hairston Rd.... Suite A1

Tax Parcel ID: 18 091 01 -004 Comm. District(s): 4 & 7 Acreage: to be confirmed

Existing Use: Shopping Center Proposed Use Alcohol Outlet (beer and wine sales)

Supplemental Regs: YES Overlay District: NA DRI: NA

Rezoning: Yes No

Existing Zoning: C-2 Proposed Zoning: _____ Square Footage/Number of Units: _____

Rezoning Request: _____

Land Use Plan Amendment: Yes No

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

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

Special Land Use Request(s) Alcohol Outlet (beer and wine sales) within suite A-1

Major Modification:

Existing Case Number(s): NA

Condition(s) to be modified: _____

DEPARTMENT OF PLANNING & SUSTAINABILITY

WHAT TO KNOW BEFORE YOU FILE YOUR APPLICATION

Pre-submittal Community Meeting: Review Calendar Dates: PC: 1/4/22 BOC:
1/27/22 Letter of Intent: Impact Analysis: Owner Authorization(s): Campaign
Disclosure: Zoning Conditions: na Community Council Meeting: 12/14/21 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

Filing Deadline to get on January 2022 agenda cycle is October 28, 2021

**Last day to hold pre-community meeting with 15 day notice to get on January 2022 agenda cycle is
October 27, 2021.**

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: Next step is to set up virtual community meeting and notify surrounding property owners and
HOAs to meet the January 2022 agenda cycle deadlines. Last day to hold community meeting with a 15 day
notice is October 27, 2021 and last day to file SLUP application is October 28, 2021. Applicant will need to
verify parcel number and will need to verify square footage of the suite. Will need to demonstrate compliance
with supplemental regulations for alcohol outlets and also compatibility with surrounding area via Impact



404.371.2155 (o)
404.371.4556 (f)
DeKalbCountyGa.gov

Clark Harrison Building
330 W. Ponce de Leon Ave
Decatur, GA 30030

DEPARTMENT OF PLANNING & SUSTAINABILITY

Criteria A – T which is a part of the SLUP application.

Planner: John Reid

Date 8/12/21

Filing Fees

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

Penny Pistacchio

Subject: SLUP Pre-submittal Community Mtg - Beer Wine Sales - 971 N Hairston Rd Ste A-1 Stone Mtn
Location: Zoom Mtg
Start: Mon 10/25/2021 5:30 PM
End: Mon 10/25/2021 6:00 PM
Recurrence: (none)
Meeting Status: Meeting organizer
Organizer: Penny Pistacchio
Required Attendees: allisongroup40@gmail.com; jarring55@gmail.com; wesleyabrooks@gmail.com; 04corvette@bellsouth.net; legal51996@yahoo.com; conward.jones07@gmail.com; grammymix@gmail.com; ojionwudegu@yahoo.com; evorari@bellsouth.net; richardr_im@yahoo.com; a22stewart@att.net; vic@furiousdreams.com; ahart.vann@gmail.com; brockbeisel@gmail.com; ledmond25@gmail.com; teresitamreid@gmail.com
Optional Attendees: Salahadin Kazali

REMINDER

From: Penny Pistacchio
Sent: Friday, October 8, 2021 5:46 PM
To: allisongroup40@gmail.com; jarring55@gmail.com; wesleyabrooks@gmail.com; 04corvette@bellsouth.net; legal51996@yahoo.com; conward.jones07@gmail.com; grammymix@gmail.com; ojionwudegu@yahoo.com; evorari@bellsouth.net; richardr_im@yahoo.com; a22stewart@att.net; vic@furiousdreams.com; ahart.vann@gmail.com; brockbeisel@gmail.com; ledmond25@gmail.com; teresitamreid@gmail.com
Cc: Salahadin Kazali <skazali@yahoo.com>
Subject: SLUP Pre-submittal Community Mtg - Beer Wine Sales - 971 N Hairston Rd Ste A-1 Stone Mtn

Penny Pistacchio is inviting you to a scheduled Zoom meeting.

Topic: SLUP App - Beer Wine Sales
Time: Oct 25, 2021 05:30 PM Eastern Time (US and Canada)

Join Zoom Meeting

<https://zoom.us/j/97499257506?pwd=MkdIVzBTRERkZTVPdEZaT1pNZmJ1QT09>

Meeting ID: 974 9925 7506

Passcode: 217958

Should you have any questions prior to the Zoom meeting, please reach out.

Thank you,



Licensing Service
BY PENNY

Penny Pistacchio

Licensing Service by Penny LLC

Paralegal/Owner

770.354.1405

October 8, 2021

RE: SLUP – Pre-submittal Community Meeting via Zoom – Oct 25, 2021 at 5:30pm
KZ Food Mart – 971 N Hairston Rd, Ste A1, Stone Mountain GA 30083 (Property)
DeKalb Co, GA

To Community Groups within ½ mile of subject Property & Property Owners within 500 feet of subject Property:

On behalf of TMK Convenience Store LLC d/b/a KZ Food Mart (Applicant), Penny Pistacchio with Licensing Service by Penny LLC is inviting you, along with members of the DeKalb County Community Council 4th District, to a scheduled Zoom meeting to discuss Applicant's request for SLUP to allow the sale of beer & wine products at subject Property.

Join Zoom Meeting

<https://zoom.us/j/97499257506?pwd=MkdjVzBTRERkZTVPdEZaT1pNZmJlOT09>

Meeting ID: 974 9925 7506

Passcode: 217958

We look forward to the opportunity to discuss this matter during this informal platform. Should you have any questions, comments, or concerns, please call me at 770.354.1405 or email at penny@licensingervicebypenny.com.

Sincerely,

Licensing Service by Penny LLC

On behalf of TMK Convenience Store LLC d/b/a KZ Food Mart



Penny Pistacchio
Paralegal

Penny Pistacchio

From: Zell, Stephanie <szell@dekalbcountyga.gov>
Sent: Friday, August 20, 2021 9:16 AM
To: Penny Pistacchio
Subject: FW: Voicemail message
Attachments: 500FtAddresses.xlsx

owners within 500 ft of the store.

Sent from Mail for Windows

From: Matthews, Christine P.
Sent: Thursday, August 19, 2021 4:48 PM
To: Zell, Stephanie
Subject: Voicemail message

Good afternoon,

Penny Pistachio left a voicemail message requesting a perimeter of 500 feet from a commercial property in Dekalb county. She cbr @ 770 354-1405.

Thank you,

Christine

PARCELID	BUILDING UNIT	SITEADDRESS	OWNER/NAME1	OWNER/NAME2	PSTLADDRESS	PSTLCITY	PSTLS	PSTLZIP5
18 091 01 004		933 North Hairston Road Ste 1 Stone Mountain, GA 30083	HAIRSTON INVESTORS LLC		8 INDUSTRIAL WAY E # 2	EATONTOWN	NJ	7724
18 091 01 009		1023 North Hairston Road Stone Mountain, GA 30083	RESERVE AT HAIRSTON LAKE LP		750 COMMERCE DR STE 201	DECATUR	GA	30030
18 091 01 014		6108 Memorial Drive Stone Mountain, GA 30083	T AND S HRS1 INVESTMENT LLC		805 LINKS VIEW DR	SUGAR HILL	GA	30518
18 091 01 044		997 North Hairston Road Stone Mountain, GA 30083	SHADOW TRACE PARTNERS, LLC		1904 MONROE DR NE STE 235	ATLANTA	GA	30324
18 091 01 045		6110 Memorial Drive Stone Mountain, GA 30083	SHADOW TRACE PARTNERS, LLC		1904 MONROE DR NE STE 235	ATLANTA	GA	30324
18 091 01 063		0 North Hairston Road Stone Mountain, GA 30083	HAIRSTON INVESTORS LLC		8 INDUSTRIAL WAY E # 2	EATONTOWN	NJ	7724
18 092 01 101		1066 Fellsridge Court Stone Mountain, GA 30083	MONDIS RICKY D		1066 FELLSDRIDGE CT	STONE MOUNTAIN	GA	30083
18 092 01 102		1076 Fellsridge Court Stone Mountain, GA 30083	ROSS JONATHAN	ROSS JUDY	1076 FELLSDRIDGE CT	STONE MOUNTAIN	GA	30083
18 092 05 008		936 North Hairston Road Stone Mountain, GA 30083	DILLON BETTY S		900 N HAIRSTON RD # B	STONE MOUNTAIN	GA	30083
18 092 05 009		4773 Fellsridge Drive Stone Mountain, GA 30083	DILLON BETTY S		900 N HAIRSTON RD # B	STONE MOUNTAIN	GA	30083
18 092 05 010		4763 Fellsridge Drive Stone Mountain, GA 30083	SIMON ANGELA D		4763 FELLSDRIDGE DR	STONE MOUNTAIN	GA	30083
18 092 05 011		4753 Fellsridge Drive Stone Mountain, GA 30083	HAMILTON TOMMILM		4753 FELLSDRIDGE DR	STONE MOUNTAIN	GA	30083
18 092 05 012		4265 Fellswood Drive Stone Mountain, GA 30083	AHERN WILLIAM	GLATZMAYER HEATHER	4265 FELLSWOOD DR	STONE MOUNTAIN	GA	30083
18 092 06 001		4772 Fellsridge Drive Stone Mountain, GA 30083	ODETTE KABURA		4772 FELLSDRIDGE DR	STONE MOUNTAIN	GA	30083
18 092 06 002		4764 Fellsridge Drive Stone Mountain, GA 30083	MERIDIAN REAL ESTATE VENTURES		4403 MENDIE CT	DECATUR	GA	30024
18 092 06 003		4756 Fellsridge Drive Stone Mountain, GA 30083	SIMMONS JILL RUCKER		3128 WAKEFIELD DR	DECATUR	GA	30034
18 092 06 021		981 Arbour Court Stone Mountain, GA 30083	MCADOO EDWARD S	MC ADDO VERA I	981 ARBOUR CT	STONE MOUNTAIN	GA	30083
18 092 06 022		991 Arbour Court Stone Mountain, GA 30083	MOSENI SAID MARUF	MOSENI MALIKA	4539 LYNKATE DR SW	LILBURN	GA	30047
18 092 06 023		999 Arbour Court Stone Mountain, GA 30083	SFR ATL OWNER 10 LP		4645 HAWTHORNE LN NW	WASHINGTON	DC	20016
18 092 06 024		1067 Fellsridge Court Stone Mountain, GA 30083	HOWELL KELLI		1067 FELLSDRIDGE CT	STONE MOUNTAIN	GA	30083
18 092 06 025		1077 Fellsridge Court Stone Mountain, GA 30083	AHMED ROSA ABBAS	WADAY CHALLY ABBAS	1077 FELLSDRIDGE CT	STONE MOUNTAIN	GA	30083
18 092 06 026		974 North Hairston Road Stone Mountain, GA 30083	BLACK NANAE	BLACK DERRICK G	974 N HAIRSTON RD	STONE MOUNTAIN	GA	30083

Penny Pistacchio

From: Zell, Stephanie <szell@dekalbcountyga.gov>
Sent: Thursday, September 9, 2021 3:45 PM
To: Penny Pistacchio
Subject: RE: Voicemail message
Attachments: Subdivision.xlsx

971 N hairston rd Stone Mountain, ½ mile from address. Subdivision list is attached.

Sent from Mail for Windows

From: Zell, Stephanie
Sent: Friday, August 20, 2021 9:16 AM
To: penny@licensing-service-by-penny.com
Subject: FW: Voicemail message

owners within 500 ft of the store.

Sent from Mail for Windows

From: Matthews, Christine P.
Sent: Thursday, August 19, 2021 4:48 PM
To: Zell, Stephanie
Subject: Voicemail message

Good afternoon,

Penny Pistachio left a voicemail message requesting a perimeter of 500 feet from a commercial property in Dekalb county. She cbr @ 770 354-1405.

Thank you,

Christine

SUBDIV_NAM

HEARTHSTONE #1

COUNTRYSIDE MANOR, PH-4

KENILWORTH EST BLKS 2,3,4

LANCASHIRE COURT CONDOS

COUNTRYSIDE MANOR, PH.3

MOUNTAIN SPRINGS

ADAMS ARBOUR

FELLSRIDGE #2

HEARTHSTONE #4

FELLSRIDGE #3

FELLSRIDGE #1

HIGHGATE TRAIL S/D UNIT 2B-PHASE TWO

HIGHGATE TRAILS UNIT I REV.3

CENTRAL OAKS

HIGHGATE TRAIL UNIT 1-B PHASE 2

HIGHGATE TRAIL UNIT 1-A

HIGHGATE TRAILS UNIT I REV.3

TALL OAKS PLACE

LAUREN PARKWAY

HEARTHSTONE #3

MARINERS VILLAGE CONDOS

HEARTHSTONE #2

OLD SAYBROOK BLOCK C

OLD SAYBROOK BLOCK D

SAYBROOK FOUR,BLOCK A

OLD SAYBROOK BLOCK B

THORNWOOD TOWNHOMES

MOUNTAIN VIEW VILLAGE TOWNHOMES PHASE 2

MOUNTAIN VIEW VILLAGE TOWNHOMES

Deed Book 18104 Pg 757
Filed and Recorded Nov-10-2005 11:28am
2005-0212333
Real Estate Transfer Tax \$4,000.00
Linda Carter
Clerk of Superior Court
DeKalb County, Georgia

Notes to Clerk of Superior Court:
When recorded, please return this document to: Cutler & Schulman, P.C., Attorneys at Law, 1600 South Cobb Drive, Suite 100,
Marietta, Georgia 30060 att PSC 770-429-9242

File # 050628cv

LIMITED WARRANTY DEED

STATE OF GEORGIA,
COUNTY OF COBB

THIS INDENTURE made this 9th day of November, 2005, between
Hairston Village Acquisition, L.L.C., a Georgia limited liability company, as Grantor, and
Hairston Investors, LLC, a Delaware limited liability company, as Grantee.
(In this deed, wherever the context so requires, the masculine gender includes the feminine and/or neuter and
the singular number includes the plural. Wherever herein a verb, pronoun or other part of speech is used in
the singular, and there is more than one Grantor or Grantee, said singular part of speech shall be deemed to
read as the plural and each Grantor shall always be jointly and severally liable for the performance of every
promise and agreement made herein. Wherever herein Grantor or Grantee is used, the name shall be
considered as well to mean the heirs, executors, administrators, successors, representatives and assigns of
the same.)

WITNESSETH: That the GRANTOR, for and in consideration of the sum of TEN DOLLARS AND
OTHER VALUABLE CONSIDERATION, in hand paid at or before the sealing and delivery of these presents,
the receipt of which is hereby acknowledged, has granted, bargained and sold and by these presents does
grant, bargain, sell and convey, unto the said GRANTEE, the following described property:

All that tract or parcel of land lying and being in Land Lots 72 and 91 of the 18th District of DeKalb
County, Georgia, more particularly described in Exhibit 'A', attached hereto and incorporated herein by
this reference.

TO HAVE AND TO HOLD the said tract of land, with all and singular the rights, members and
appurtenances thereof, to the same being, belonging or in any way appertaining to the only proper use, benefit
and behoof of Grantee forever, in Fee Simple.

AND THE SAID GRANTOR, for himself, his heirs, assigns, successors, executors and administrators
will warrant and forever defend the right and title to the above-described property unto the said GRANTEE, his
heirs and assigns against all the lawful claims of all persons claiming by through or under the said GRANTOR
subject to the matters set out in Exhibit 'B' hereto (the "Permitted Exceptions").

Further, Grantor hereby quitclaims to Grantee, and Grantee's successors, successors-in-title, assigns,
heirs and legal representatives, all of Grantor's right, title and interest, if any, in and to any land lying in the bed
of any street, road, alley, avenue or right of way adjoining the property herein conveyed, together with all gaps,
gores, vaults within or contiguous to said property, together with any and all easements serving said property,

to have and hold said property and any and all of the rights, members and appurtenances thereof to the same being, or in anywise appertaining, to the only proper use, benefit and behoof of Grantee and Grantee's successors, successors-in-title, assigns, heirs and legal representatives, free and discharged of any claim of Grantor.

Further, Grantor hereby quitclaims to Grantee, and Grantee's successors, successors-in-title, assigns, heirs and legal representatives, all of Grantor's right, title and interest, if any, in and to the property described in Exhibit 'C', attached hereto and incorporated herein, to have and hold said property and any and all of the rights, members and appurtenances thereof to the same being, or in anywise appertaining, to the only proper use, benefit and behoof of Grantee and Grantee's successors, successors-in-title, assigns, heirs and legal representatives, free and discharged of any claim of Grantor.

IN WITNESS WHEREOF, the said Grantor has herewith set his hand and seal the day and the year first above written.

Signed, Sealed and delivered in the presence of:

HAIRSTON VILLAGE ACQUISITION, L.L.C.
a Georgia limited liability company

BY: Hairston Village Owners, LLC, a Delaware limited liability company, its Manager

BY: [Signature] (LS)
Daniel Massry, Managing Member

[Signature]
Witness
[Signature]
Christy Lios
Notary Public

CHRISTY LIOS
NOTARY PUBLIC
STATE OF NEW JERSEY
My Commission Expires Aug. 5, 2009

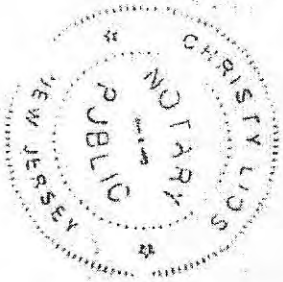


Exhibit 'A'
Record Legal Description

Parcel One

All that tract or parcel of land lying and being in Land Lot 72 and 91 of the 18th District DeKalb County, Georgia, being more particularly described as follows:

TO FIND THE TRUE POINT OF BEGINNING, commence at an iron pin found at the northern right of way of Memorial Drive (right of way varies) which iron pin is located 454.13 feet northeasterly from the corner formed by the intersection of the northern right of way of Memorial Drive with the eastern right of way of North Hairston Road (right of way varies) as measured along the northern right of way of Memorial Drive; thence running North 00 degrees 00 minutes 09 seconds West 6.02 feet to the TRUE POINT OF BEGINNING. From the TRUE POINT OF BEGINNING thus established, thence continuing North 00 degrees 00 minutes 09 seconds West 310.70 feet to an iron pin; thence North 89 degrees 01 minutes 37 seconds West 114.92 feet to an iron pin; thence South 00 degrees 27 minutes 38 seconds East 120.03 feet to an iron pin; thence North 89 degrees 56 minutes 52 seconds West 92.58 feet to a point; thence South 00 degrees 39 minutes 02 seconds East 50.00 feet to an iron pin; thence North 89 degrees 56 minutes 52 seconds West 139.29 feet to a point located on the eastern right of way of North Hairston Road (right of way varies); thence running along the said right of way of North Hairston Road the following courses and distances: North 00 degrees 52 minutes 19 seconds West 637.62 feet to a point; North 01 degrees 15 minutes 54 seconds West 219.74 feet to an iron pin; thence leaving the said right of way of North Hairston Road and running South 75 degrees 53 minutes 39 seconds East 539.01 feet to an iron pin found; thence South 35 degrees 33 minutes 38 seconds East 194.07 feet to a point; thence South 35 minutes 32 seconds 09 minutes East 43.17 feet to an iron pin; thence South 33 degrees 37 minutes 58 seconds East 236.80 feet to an iron pin; thence South 27 degrees 01 minutes 38 seconds East 99.86 feet to an iron pin; thence South 46 degrees 13 minutes 16 seconds East 41.62 feet to a point; thence South 56 degrees 26 minutes 37 seconds West 86.68 feet to a point; thence South 33 degrees 33 minutes 23 seconds East 100.00 feet to a point; thence 56 degrees 26 minutes 37 seconds West 20.50 feet to a point; thence South 33 degrees 32 minutes 23 seconds East 70.00 feet to a point located on the northern right of way of Memorial Drive (115' right of way at this point); thence running along the said right of way of Memorial Drive the following courses and distances: South 56 degrees 26 minutes 37 seconds West 53.41 feet to a point; South 56 degrees 22 minutes 46 seconds West 267.84 feet to a point; South 56 degrees 08 minutes 54 seconds West 291.23 feet to THE TRUE POINT OF BEGINNING, all as per plat of survey for Edens & Avant Investments Limited Partnership, Hairston Village Acquisition, L.L.C., A Georgia Limited Liability Company, CHICAGO Title Insurance Company, American International Life Assurance Company of New York, a New York Corporation and CHICAGO Title Insurance Company by Matthew V. Ingram, GRLS #2288 of Ingram Enterprises, dated November 10, 1988, last revised July 23, 2002.

Parcel Two

Easements for (a) ingress and egress of pedestrian and vehicular traffic, (b) constructing, operating and maintaining and for ingress and egress for such construction, operation and maintenance and (c) water drainage as created and set forth in that certain Agreement recorded June 15, 1967, in Book 5860, page 128, affected by an Agreement recorded August 22, 1988, in Book 6218, page 530, affected by Affidavit Regarding Right of First Refusal, filed March 3, 1994 in Deed Book 8086, Page 393, DeKalb County Official Records.

Parcel Three

Easements for (a) use, maintenance and repair of a retention pond and (b) construction, maintenance and repair of a slope as created and set forth in that certain Easement Agreement by and between VF Hairston Associates, Ltd. and Shadow Trace Apartments of DeKalb County, Ltd., dated 6/6/88, recorded in Deed Book 6198, Page 520, as amended by First Amendment to Easement Agreement between VF Hairston Associates, Ltd. and Shadow Trace Apartments of DeKalb County, Ltd., dated as of 3/23/89, recorded in Deed Book 6398, Page 307, DeKalb County Official Records.

Parcel Four

Easements for (a) ingress and egress of pedestrian and vehicular traffic, (b) parking of motor vehicles and (c) to tap on to, use, inspect, maintain, repair and operate a manhole and sewer line and sanitary sewer as created and set forth in that certain Easement Agreement by and between VF Hairston Associates, Ltd. and Burger King Corporation, dated 11/19/87, recorded in Deed Book 6020, Page 685, DeKalb County Official

Records except as to any portion of the easement lying within the bounds of the land condemned by that certain action entitled State Highway Department of Georgia vs. The Citizens and Southern National Bank, as Executor under the Will of Ottis Aquilla King, filed 8/21/70, Case No. 57620, Superior Court of DeKalb County.

Parcel Five

Easements for (a) ingress and egress of pedestrian and vehicular traffic, as created by that certain Reciprocal Easement Agreement by and between VF Hairston Associates, Ltd. and Volunteer Capital Corporation, dated 10/12/87, recorded in Deed Book 6066, Page 456, aforesaid county record except as to any portion of the easement lying within the bounds of the land condemned by DeKalb County, Georgia Superior Court Case No. 81-4810.

Parcel Six

Easement for construction, installation and maintenance of utility lines, pipes, conduits, etc. from Neal Q. Pope, Jr., et. al., to Hairston Associates, Limited, as recorded at Deed Book 6048, Page 357, aforesaid county records.

Exhibit 'B'
Permitted Exceptions

1. Rights of current tenants as tenants only under unrecorded leases listed on the Schedule of Leases attached hereto, without rights to purchase or rights of first refusal.
2. State and County real property taxes for the calendar year 2006 and subsequent years and any additional taxes for the current year or any prior years as a result of any re-assessment or re-billing of taxes are a lien, but are not yet due and payable.
3. Although the policy when issued may insure the boundaries of the subject property described on Exhibit "A", any calculation or reference to an amount of acreage, square feet or area contained within said boundaries is purely informational, and no insurance as to such calculation and/or reference to area shall be provided.
4. The following matters ancillary to the right of way of Memorial Drive contained in the following instruments:
 - a) Drainage Easements contained in Right-of-Way Deed from W. P. Hadaway to State Highway Board of Georgia, undated, filed 6/14/28, recorded in Deed Book 282, Page 134, aforesaid county records, as shown on the Survey.
 - b) Drainage Easements contained in Right of Way Deed from M. L. Hadaway to State Highway Board of Georgia, undated, filed 6/13/28, recorded in Deed Book 283, Page 337, aforesaid county records, as shown on the Survey.
 - c) Drainage Easements contained in Right-of-Way Deed from W.P. Hadaway to State Highway Board of Georgia, dated October 28, 1937, recorded in Deed Book 462, Page 383, aforesaid county records, as shown on the Survey.
 - d) Drainage Easements contained in Right-of-Way Deed from Milledge L. Hadaway to State Highway Department Board of Georgia, dated 10/28/37, recorded in Deed Book 462, Page 384, aforesaid county records, as shown on the Survey.
 - e) Drainage Easements contained in Right-of-Way Deed from L. T. Y. Nash to State Highway Board of Georgia, dated 6/4/37, filed 3/2/38, recorded in Deed Book 467, Page 433, aforesaid county record, as shown on the Survey.
 - f) Slope easement contained in Right-of-Way Easement (temporary) from Mrs. T. R. Nash to State Highway Department of Georgia, dated 5/24/71, recorded in Deed Book 2659, Page 1, aforesaid county records, as shown on the Survey.
 - g) Slope easement contained in Right-of-Way Easement (Temporary) from James E. Sackett and Andrew R. Sackett to State Highway Department of Georgia, dated 6/22/71, recorded in Deed Book 2662, Page 418, aforesaid county records, as shown on the Survey.
 - h) Slope easement contained in Right-of-Way Easement (Temporary) from Henry C. Ford to State Highway Department of Georgia, dated 7/9/71, recorded in Deed Book 2667, Page 653, aforesaid county records, as shown on the Survey.
 - i) Relinquishment of access rights, except at existing curb cuts, contained in Conveyance of Access Rights from VF Hairston Associates, Ltd. to the Department of Transportation, dated 1/14/88, recorded in Deed Book 6040, Page 439, aforesaid county records, as shown on the Survey.
5. The following matters ancillary to the right of way of North Hairston Road contained in the following instruments:
 - a) Drainage easements contained in Right-of-Way Deed from J. D. Brownlee to DeKalb County, dated 3/4/63, recorded in Deed Book 1747, Page 696, aforesaid county records, as shown on the Survey.
 - b) Drainage easements contained in Right-of-Way Deed from Mary Nell Brownlee to DeKalb County, dated August 19, 1980, filed 2/24/81, recorded in Deed Book 4424, Page 182, aforesaid county records, as shown on the Survey.

6. Easements to Georgia Power Company, as follows:
- a) from W. P. Hadaway, dated 10/30/35, recorded in Deed Book 424, Page 109, aforesaid county records.
 - b) from T. R. Nash, dated 11/18/55, recorded in Deed Book 1156, Page 556, aforesaid county records.
 - c) from J. D. Brownlee, dated 4/9/56, recorded in Deed Book 1163, Page 185, aforesaid county records.
 - d) from Andrew R. Sackett and James E. Sackett, dated 5/19/66, recorded in Deed Book 2117, Page 432, aforesaid county records.
 - e) from W. S. Venable, dated 10/17/63, recorded in Deed Book 1828, Page 753, aforesaid county records.
 - f) from W. S. Venable, dated 11/16/63, recorded in Deed Book 1836, Page 148, aforesaid county records.
 - g) from M. C. Ford, dated 1/17/75, recorded in Deed Book 3292, Page 623, aforesaid county records.
 - h) from Douglas N. McCurdy, dated 4/4/79, recorded in Deed Book 4091, Page 98, aforesaid county records.
 - i) Easement from VF Hairston Associates, Ltd., dated 12/21/87, recorded in Deed Book 6045, Page 88, aforesaid county records.
 - j) from VF Hairston Associates, Ltd., dated 5/27/88, recorded in Deed Book 6269, Page 56, aforesaid county records.
 - k) from VF Hairston Associates, Ltd., dated 9/6/88, recorded in Deed Book 6269, Page 74, aforesaid county records.

NOTE: As per containment letter dated June 18, 2002, Georgia Power Company claims no further interest in the above-mentioned easements except the right to operate, maintain, rebuild and renew its existing facilities within their presently maintained right of way.

7. Easements for access, parking and drainage located on insured premises, and maintenance obligations for same, contained in Agreement for reciprocal easements and other rights between VP Hairston Associates, Ltd., a Georgia limited partnership and Richard D. Ford, dated 6/12/87, recorded in Deed Book 5860, Page 128, DeKalb County Records; as affected by Agreement between the same parties dated 3/14/88, recorded in Deed Book 6218, Page 530, aforesaid county records; as amended by Affidavit Regarding Right of First Refusal (said document releasing said right), filed March 3, 1994 in Deed Book 8086, Page 393, aforesaid county records, as shown on the Survey.

NOTE: All maintenance expenses incumbent upon the Owner in connection with the above Exception #10 are paid and subsequent expenses are not yet due or payable.

8. Easements located on insured premises for driveways, walkways and parking areas, and to tap onto a sanitary sewer located on insured premises, and maintenance obligations for same, contained in Reciprocal Easement Agreement by and between VF Hairston Associates, Ltd. and Burger King Corporation, dated 11/19/87, recorded in Deed Book 6020, Page 685, aforesaid county records, as shown on the Survey.
9. Maintenance obligations for easement area insured in Schedule A as contained in Reciprocal Easement Agreement by and between VF Hairston Associates, Ltd. and Volunteer Capital Corporation, dated 10/12/87, recorded in Deed Book 6066, Page 456, aforesaid county record, as shown on the Survey.
10. Covenants and conditions regarding construction, maintenance and repair of the slope easement insured in Schedule A contained in Easement Agreement by and between VF Hairston Associates, Ltd. and Shadow Trace Apartments of DeKalb County, Ltd., dated 6/6/88, recorded in Deed Book 6198, Page 520, aforesaid records; as amended by First

- Amendment to Easement Agreement between VF Hairston Associates, Ltd. and Shadow Trace Apartments of DeKalb County, Ltd., dated as of 3/23/89, recorded in Deed Book 6398, Page 307, aforesaid county records, as shown on the Survey.
11. Rights of tenant under that certain unrecorded Ground Lease between V. F. Hairston Associates, Ltd., as Landlord, and McDonald's Corporation, as Tenant, dated 6/7/88, as evidenced for record by Memorandum of Lease dated 6/7/88, recorded in Deed Book 6234, Page 749, aforesaid county records.
 12. Rights of tenant under that certain Lease dated June 25, 1999 between American International Life Assurance Company of New York ("Landlord") and The Kroger Co., an Ohio corporation ("Tenant"), recorded at Deed Book 10716, Page 255, DeKalb County, Georgia records.
 13. ALTA/ACSM Survey for Hairston Village Acquisition, L.L.C., a Georgia Limited Liability Company, Hairston Investors, LLC, a Delaware limited liability company, and Commercial Equity Investments, Inc., and its successors and/or assigns, by James A. Evans, Jr. GRLS #2167 of J.A. Evans & Associates, Inc., dated April 11, 2005, last revised _____, 2005 (the "Survey"), discloses the following matters affecting subject property:
 - a) Possible easement rights due to gas lines entering northwestern portion of subject property from North Hairston Road;
 - b) Possible easement rights due to eight inch sanitary sewer line and laterals located in southwestern portion of subject property;
 - c) Possible easement rights due to eight inch sanitary sewer lines and manholes located in northerly and northeasterly portions of subject property;
 - d) Possible easement rights due to power and telephone lines located within the boundaries of subject property;
 - e) Possible easement rights due to various gas, water, utility lines and fire hydrants located throughout the subject property;
 - f) Possible easement rights due to 18", 36" and 48" storm sewer with double wing catch basins and head walls located throughout parking areas on subject property;
 - g) Possible easement rights due to modified weir located near the southwest corner of subject property;
 - h) Possible easement rights due to light poles and power poles with associated overhead lines located at various locations throughout subject property.
 14. Deed to Secure Debt, Assignment of Rents and Leases, Security Agreement and Fixture Filing by Hairston Village Acquisition, L.L.C., a Georgia limited liability company to GMAC Commercial Mortgage Bank, a Utah industrial bank, dated April 19, 2005, filed of record April 20, 2005, recorded in Deed Book 17339, Page 664, DeKalb County, Georgia records; as modified by that certain Modification to Deed to Secure Debt, Assignment of Rents and Leases, Security Agreement and Fixture Filing dated _____, 2005, filed of record _____, 2005, recorded in Deed Book _____, Page _____, aforesaid records.
 15. Assignment of Leases and Rents by Hairston Village Acquisition, L.L.C., a Georgia limited liability company to GMAC Commercial Mortgage Bank, a Utah industrial bank, dated April 19, 2005, filed of record April 20, 2005, recorded in Deed Book 17339, Page 679, DeKalb County, Georgia records; as modified by that certain Modification to Assignment of Leases and Rents dated _____, 2005, filed of record _____, 2005, recorded in Deed Book _____, Page _____, aforesaid records.
 16. UCC Financing Statement by Hairston Village Acquisition, L.L.C. (as Debtor) to GMAC Commercial Mortgage Bank (as Secured Party), dated April 19, 2005, filed of record April 20, 2005, recorded in Deed Book 17339, Page 687, DeKalb County, Georgia records; as modified by that certain UCC 3 Amendment filed of record _____, 2005, recorded in Deed Book _____, Page _____, aforesaid records.

Exhibit C

As-Surveyed Legal Description

ALL THAT TRACT OR PARCEL of land lying and being in Land Lot 72 and 91 of the 18th District DeKalb County, Georgia, being more particularly described on ALTA/ACSM Survey for Hairston Village Acquisition, L.L.C., A Georgia Limited Liability Company and Commercial Equity Investments, Inc., and its successors and/or assigns, by James A. Evans, Jr. GRLS #2167 of J.A. Evans & Associates, Inc., dated April 11, 2005, last revised _____, 2005 as follows:

TO FIND THE TRUE POINT OF BEGINNING, commence at an iron pin found at the northern right of way of Memorial Drive (right of way varies) which iron pin is located 454.13 feet northeasterly from the corner formed by the intersection of the northern right of way of Memorial Drive with the eastern right of way of North Hairston Road (right of way varies) as measured along the northern right of way of Memorial Drive; thence running North 00 degrees 00 minutes 09 seconds West 6.02 feet to the TRUE POINT OF BEGINNING.

From the TRUE POINT OF BEGINNING thus established, thence continuing North 00 degrees 00 minutes 09 second West 310.70 feet to an iron pin; thence North 89 degrees 01 minutes 37 seconds West 114.92 feet to an iron pin; thence South 00 degrees 27 minutes 38 seconds East 120.03 feet to an iron pin; thence North 89 degrees 56 minutes 52 seconds West 92.58 feet to a point; thence South 00 degrees 39 minutes 02 seconds East 50.00 feet to an iron pin; thence North 89 degrees 56 minutes 52 seconds West 139.29 feet to a point located on the eastern right of way of North Hairston Road (right of way varies); thence running along the said right of way of North Hairston Road the following courses and distances: North 00 degrees 52 minutes 19 seconds West 817.81 feet to a point; North 01 degrees 15 minutes 54 seconds West 219.74 feet to an iron pin; thence leaving the said right of way of North Hairston Road and running South 75 degrees 53 minutes 39 seconds East 539.01 feet to an iron pin found; thence South 35 degrees 33 minute 38 seconds East 194.07 feet to a point; thence South 35 degrees 32 minutes 09 seconds East 43.17 feet to an iron pin; thence South 33 degrees 37 minutes 58 seconds East 236.80 feet to an iron pin; thence South 27 degrees 01 minutes 38 seconds East 99.86 feet to an iron pin; thence South 46 degrees 13 minute 16 seconds East 41.62 feet to a point; thence South 56 degrees 26 minute 37 seconds West 86.68 feet to a point; thence South 33 degree 33 minutes 23 seconds East 100.00 feet to a point; thence South 56 degrees 26 minutes 37 seconds West 20.50 feet to a point; thence South 33 degrees 32 minutes 23 seconds East 70.00 feet to a point located on the northern right of way of Memorial Drive (115' right of way at this point); thence running along the said right of way of Memorial Drive the following courses and distances: South 56 degrees 26 minutes 37 seconds West 53.41 feet to a point; South 56 degrees 22 minutes 46 seconds West 267.84 feet to a point; South 56 degrees 08 minutes 54 seconds West 291.23 feet to THE TRUE POINT OF BEGINNING, containing 15.6299 Acres, (680,840 square feet).

TMK Convenience Store LLC
d/b/a KZ Food Mart

October 25, 2021

DeKalb County Planning & Sustainability Development
300 W Ponce de Leon Ave, Ste 300
Decatur GA 30030

RE: SLUP Letter of Application & Criteria: Sec.27-873 A-T Responses
971 N Hairston Rd, Ste 1A, Stone Mountain GA 30083 (Subject Property)

To whom it may concern:

The Subject Property is zoned C-2 which allows for existing use: Convenience Store. The purpose of the SLUP is to allow the sale of beer & wine products. The zoning and intended use will remain the same. Business is exiting with CY business license and has been open for business and serving the community since Oct 2020.

- A. Adequacy of the size of the site for 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, and all other applicable requirements of the zoning district in which the use is proposed to be located:
- Existing building. All requirements above have been met. In addition, alcohol survey supports the distance requirement of the Subject Property to nearest school, church have been met
- B. Compatibility of the proposed use with adjacent properties and land uses and with other properties and land uses in the district:
- Use is compatible with adjacent properties and land uses and with other properties and land uses in the district
- C. Adequacy of public services, public facilities, and utilities to serve the use contemplated:
- All public services, facilities, and utilities is adequate
- 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:

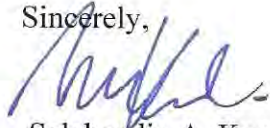
- Sufficient traffic carrying capacity exist and use will not have a negative impact
- E. Whether or not existing land uses located along access routes to the site will be adversely affected by the character of the vehicles or the volume of traffic generated by the proposed use:
- Use will not adversely affect character of vehicles or the volume of traffic generated along access routes to the Subject Property
- F. Ingress and egress to the subject property and to all proposed buildings, structures, and uses thereon, with particular references to pedestrian and automotive safety and convenience, traffic flow and control, and access in the event of fire or other emergency:
- Ingress and egress provide adequate site distance and width to safely meet the needs of vehicular and emergency traffic; sidewalks connect to public right of way which provide safe path for pedestrian traffic
- G. Whether or not the proposed use will create adverse impacts upon any adjoining land use by reason of noise, smoke, odor, dust, or vibration generated by the proposed use:
- Use will have no adverse impacts on the adjoining land uses
- H. Whether or not the proposed use will create adverse impacts upon any adjoining land use by reason of the hours of operation of the proposed use:
- Use will have no adverse impacts on the adjoining land uses
- I. Whether or not the proposed use will create adverse impacts upon any adjoining land use by reason of the manner of operation of the proposed use:
- Use will have no adverse impacts on the adjoining land uses
- J. Whether or not the proposed plan is consistent with all of the requirements of the zoning district classification in which the use is proposed to be located:
- Use meets the requirements of C-2
- K. Whether or not the proposed use is consistent with the policies of the Comprehensive Plan:
- Use is consistent with the policies of the comprehensive plan
- L. Whether or not the proposed plan provides for all required buffer zones and transitional buffer zones where required by the regulations of the district in which the use is proposed to be located:
- Use meets all required buffers

- M. Whether or not there is adequate provision of refuse and service areas:
- Exterior dumpster located onsite provides adequate refuse services
- N. Whether the length of time for which the special land use permit is granted should be limited in duration:
- Use is long term with no limited duration
- O. Whether or not 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 the adjacent and nearby lots and buildings:
- Existing bldg is consistent with adjacent and nearby buildings without negative impact
- P. Whether the proposed plan will adversely affect historic buildings, sites, districts, or archaeological resources:
- Use will not adversely affect historic buildings, sites, districts, or archaeological resources
- Q. Whether the proposed use satisfies the requirements contained within the Supplemental Regulations for such special land use permit:
- Use satisfies the requirements within the Supplemental Regs for such SLUP, i.e. distance requirements to school, church
- R. Whether or not the proposed building as a result of its proposed height will create a negative shadow impact on any adjoining lot or building:
- Use will not negatively shadow adjoining lots or buildings
- S. Whether the proposed use would result in a disproportional proliferation of that or similar uses in the subject character area:
- Use will not result in disproportional proliferation of that or similar uses in subject area
- T. Whether the proposed use would be consistent with the needs of the neighborhood or of the community as a whole, be compatible with the neighborhood, and would not be in conflict with the overall objectives of the comprehensive plan:

- Use is existing and food mart business in operation since Oct 2020 serving the surrounding communities and neighborhoods and welcomed by patrons and is consistent with the needs of the community and neighborhoods, is compatible, and will not be in conflict with the overall objective of the comprehensive plan

Please reach out to discuss any of the above statements in more detail.

Sincerely,



Salahandin A. Kazali
Member/Owner



DeKalb County Department of Planning & Sustainability



ALCOHOLIC BEVERAGE LICENSE SURVEY - RETAIL SALES IN ORIGINAL PACKAGE

To: DeKalb County Business /Alcohol Licensing Office
330 W. Ponce De Leon Avenue
2nd Floor,
Decatur, GA, 30030

Date: 1-21-21

Applicants Name: SALAHADIN KAZALI
Trade Name:
Business Address: 971 W. HAIRSTON RD. STONE MOUNTAIN, GA. 30083

BEER AND/ WINE (100 YARDS MINIMUM)

- 1. 704 Number of yards to the nearest church or place used primarily for religious services at: VICTORY FOR THE WORLD CHURCH- 1170 W. HAIRSTON RD STU. MTN. GA. 30083
2. 880 yards to the nearest school building, school ground, educational facility or college campus; this includes Kindergartens, or churches which have schools or Kindergartens located at the following address: DEKALB ALTERNATIVE SCHOOL- 5755 MEMORIAL DR. STU. MTN. GA. 30083
3. yards to adult entertainment establishment at: NO ADULT ENTERTAINMENT WITHIN 200 YDS.
4. 905 yards (must be at least 200 yards for Beer or Wine) to the nearest alcohol treatment center located at: PREVENTION INTERVENTION PROGRAM- 5429 MEMORIAL DR. STU. MTN. GA. 30083

LIQUOR (200 YARDS MINIMUM)

- 1. yards to the nearest church or other place used primarily for religious services at the following address:
2. yards to the nearest alcohol treatment center or adult entertainment establishment at the following address:
3. yards to private residence (includes houses, apartments, condos & etc.). Give name if other than a house:
4. yards to the nearest school building, school ground and college campus; this includes Kindergartens or churches which have schools or Kindergartens. Give name and address:

LIQUOR STORES (1,000 YARDS)

- 3. yards to the nearest operating liquor store. Give complete name and address:

NOTE: * ALL MEASUREMENTS SHALL BE MEASURED BY THE MOST DIRECT ROUTE OF TRAVEL ON THE GROUND (WALKING OR DRIVING) AND SHALL BE MEASURED IN THE FOLLOWING MANNER*:

- a. From the front door of the structure from which alcoholic beverage is to be sold or served;
b. In a straight line to the nearest sidewalk, street, highway, road or walkway;
c. Along such public sidewalk, street, highway, road or walkway;
d. To the front door of the building, unless you are measuring to an educational facility (schools and school grounds). When measuring to a school, the measurement stops at the nearest property line of the school.

Note: Survey drawing showing distance to the businesses described above must be attached this survey certificate.

The undersigned Surveyor has examined the subject location and has made measurements to determine compliance or non-compliance with the above distance requirements:

Signature of Land Surveyor: [Signature] 1918 State License Number Date: 1-21-21 Official Seal

**Stamp this form with your State Seal. **



SurveyRetail_03302018

TMK Convenience Store LLC
d/b/a KZ Food Mart

October 25, 2021

To whom it may concern:

There have been no campaign contributions to date made to any political official(s) in DeKalb Co or other surrounding counties.

Sincerely,



Salahandin A. Kazali

Member