**Public Hearing: YES** ⊠ **NO** □ **Department:** Planning & Sustainability

#### **SUBJECT:**

COMMISSION DISTRICT(S): Commission District 01 Super District 07

Application of Donna Pittman for a Special Land Use Permit (SLUP) to allow for an alcohol outlet (beer and wine sales) in the C-2 (General Commercial) zoning district, at 2615 Shallowford Road.

PETITION NO: N9-2025-0293 SLUP-25-1247395

PROPOSED USE: Alcohol outlet (beer and wine sales).

LOCATION: 2615 Shallowford Road, Atlanta, Georgia 30345

**PARCEL NO.:** 18 246 02 009

**INFO. CONTACT:** Lucas Carter, Planner

**PHONE NUMBER:** 404-371-2155

#### **PURPOSE:**

Application of Donna Pittman for a Special Land Use Permit (SLUP) to allow for an alcohol outlet (beer and wine sales) in the C-2 (General Commercial) zoning district.

#### **RECOMMENDATION:**

**COMMUNITY COUNCIL: (April 2025)** Approval.

PLANNING COMMISSION: (May 6, 2025) Pending.

**PLANNING STAFF:** Approval.

STAFF ANALYSIS: The applicant is requesting a Special Land Use Permit (SLUP) to allow the sale of beer and wine at an existing convenience store located at 2615 Shallowford Road in the C-2 (General Commercial) zoning district. The subject property is 0.19 acres in size and is currently operating as a convenience store under DeKalb County Business License No. 1244639. The proposed use would allow customers to purchase beer and wine in addition to other retail items already sold at the store. No new construction or expansion of the business footprint is proposed. The site is adequate in size and currently meets all zoning requirements for the C-2 district. The use will remain a convenience store and continue to operate within the same building, maintaining existing off-street parking and buffers. The property has operated under new ownership since 2021 and has been in active use since 2022 without any reported conflicts with adjacent residential properties. Given the minimal physical or operational changes, the site is suitably configured to support the proposed use. The proposed use is compatible with surrounding land uses and is consistent with nearby commercial activity, including a gas station and liquor store directly adjacent to the property, and a major grocery store across the street. The proposed SLUP will not generate additional noise, traffic, or environmental impacts beyond those already present. Furthermore, all utilities, services, and access infrastructure are sufficient to accommodate the existing and proposed use. No changes to the circulation pattern, ingress/egress, or utility demand are anticipated as a result of this request. Staff has reviewed the application in accordance with Section 27-4.2.8 of the DeKalb County Zoning Ordinance and finds that it satisfies the relevant criteria for alcohol sales as an accessory use. Specifically, the location is not within 300 feet of any school, educational facility, college campus, or adult entertainment establishment, nor is it within 600 feet of any State or County-approved substance abuse treatment center, as outlined in subsection (B). Additionally, the applicant has indicated that alcohol sales and storage will occupy less than 20 percent of the gross floor area of the store, consistent with subsection (D). The use aligns with the Comprehensive Plan, which designates the area as a Commercial Redevelopment Corridor (CRC). By permitting beer and wine sales, the business can provide a more complete retail offering to patrons and contribute to the commercial revitalization goals of the corridor. The continued operation under this expanded scope supports neighborhood convenience, enhances customer service, and promotes local economic activity without undermining surrounding residential uses or community character. Staff has reviewed the proposed use in accordance with Section 4.2.8 of the DeKalb County Zoning Ordinance and finds that it satisfies all applicable criteria for a SLUP. The request poses no adverse effects on public health, safety, or welfare, nor does it conflict with historic or environmental resources. Based on the analysis of compatibility, adequacy of services and infrastructure, and alignment with long-range planning objectives, staff recommends "Approval".

PLANNING COMMISSION VOTE: (May 6, 2025) Pending.

COMMUNITY COUNCIL VOTE/RECOMMENDATION: (April 2025) Approval 4-0-0.



#### DEPARTMENT OF PLANNING & SUSTAINABILITY

#### Planning Commission Hearing Date: May 6, 2025 Board of Commissioners Hearing Date: May 22, 2025

#### **STAFF ANALYSIS**

Case No.:	SLUP-25-1247395	File ID #: 2025-0293	
Address:	2615 Shallowford Road Atlanta, GA 30345	Commission District: 01 Super District: 07	
Parcel ID(s):	18 246 02 009		
Request:	Special Land Use Permit (SLUP) to allow for an alcohol outlet (beer and wine sales) in the C-2 (General Commercial) zoning district.		
<b>Property Owner(s):</b>	Vikorant Tupdale, 2615 Shallowford Road, Atlanta, GA 30345		
Applicant/Agent:	Shallowford Grocery Atlanta Inc.		
Acreage:	0.19 acres		
<b>Existing Land Use:</b>	Convenience Store		
Surrounding Properties:	North: C-2 (General Commercial) East: MR-2 (Medium Density Residential) South: C-2 (General Commercial) West: C-1 (Local Commercial)		
Comprehensive Plan:	CRC (Commercial Redevelopment Corridor)	Consistent X Inconsistent	

**Staff Recommendation: Approval** 

The applicant, Shallowford Grocery Atlanta Inc., is requesting a Special Land Use Permit (SLUP) to allow the sale of beer and wine at an existing convenience store located at 2615 Shallowford Road in the C-2 (General Commercial) zoning district. The subject property is 0.19 acres in size and is currently operating as a convenience store under DeKalb County Business License No. 1244639. The proposed use would allow customers to purchase beer and wine in addition to other retail items already sold at the store. No new construction or expansion of the business footprint is proposed.

The site is adequate in size and currently meets all zoning requirements for the C-2 district. The use will remain a convenience store and continue to operate within the same building, maintaining existing offstreet parking and buffers. The property has operated under new ownership since 2021 and has been in active use since 2022 without any reported conflicts with adjacent residential properties. Given the minimal physical or operational changes, the site is suitably configured to support the proposed use.

The proposed use is compatible with surrounding land uses and is consistent with nearby commercial activity, including a gas station and liquor store directly adjacent to the property, and a major grocery store across the street. The proposed SLUP will not generate additional noise, traffic, or environmental impacts beyond those already present. Furthermore, all utilities, services, and access infrastructure are sufficient to accommodate the existing and proposed use. No changes to the circulation pattern, ingress/egress, or utility demand are anticipated as a result of this request.

Staff has reviewed the application in accordance with Section 27-4.2.8 of the DeKalb County Zoning Ordinance and finds that it satisfies the relevant criteria for alcohol sales as an accessory use. Specifically, the location is not within 300 feet of any school, educational facility, college campus, or adult entertainment establishment, nor is it within 600 feet of any state- or county-approved substance abuse treatment center, as outlined in subsection (B). Additionally, the applicant has indicated that alcohol sales and storage will occupy less than 20 percent of the gross floor area of the store, consistent with subsection (D).

The use aligns with the Comprehensive Plan, which designates the area as a Commercial Redevelopment Corridor (CRC). By permitting beer and wine sales, the business can provide a more complete retail offering to patrons and contribute to the commercial revitalization goals of the corridor. The continued operation under this expanded scope supports neighborhood convenience, enhances customer service, and promotes local economic activity without undermining surrounding residential uses or community character.

Staff has reviewed the proposed use in accordance with Section 4.2.8 of the DeKalb County Zoning Ordinance and finds that it satisfies all applicable criteria for a SLUP. The request poses no adverse effects on public health, safety, or welfare, nor does it conflict with historic or environmental resources. Based on the analysis of compatibility, adequacy of services and infrastructure, and alignment with long-range planning objectives, staff recommends **approval.** 



Government Services Center 178 Sams Street Decatur, GA 30030 www.dekalbcountyga.gov/planning 404-371-2155 (o); 404-371-4556 (f)

#### DEPARTMENT OF PLANNING & SUSTAINABILITY

 Chief Executive Officer
 Interim Director

 Lorraine Cochran-Johnson
 Cedric G. Hudson, MCRP

#### **ZONING COMMENTS – MAY 2025**

N1-2025-0283 Z-25-1247358 (1619 Pleasant Hill Trl & 7850 Pleasant Hill Rd: 149 units. Pleasant Hill Trail appears to be an unimproved right of way (not abandoned) in the proposed project area (per GIS Map)- classified as local. Verify ownership. If determined to be an unimproved public right of way, infrastructure improvements noted in in Zoning Code 5.4.3 and Land Development Code 14-190 are required. This project requires 2 access points- ensure phasing meets required access points at any given time since connecting to other developments. Ensure that there are enough access points to service the entire system when all developments are complete (i.e.- this development cannot put the other developments that it is connecting to out of compliance for number of access points). Please refer to the requirements in Zoning Code 5.4.3 and Land Development Code 14-190. All interior streets require a right of way dedication of 55 feet. Requires a 6-foot landscape strip with a 5-foot sidewalk. Requires streetlights. (hefowler@dekalbcountyga.gov). All intersections must meet AASHTO sight distance requirements.

N2-2025-0285 Z-25-1247420 (4743 Flat Shoals Pkwy): 79 Units. 4743 Flat Shoals Parkway. Flat Shoals Parkway is SR 155 and classified as a major arterial. GDOT review and approval is required prior to permitting. (JLivingston@dot.ga.gov) Please refer to the requirements in Zoning Code 5.4.3 and Land Development Code 14-190. Requires a right of way dedication of 50 feet from centerline OR such that all public infrastructure is within right of way, whichever greater. Along all frontage of SR 155: Requires a 10-foot landscape strip with a 6-foot sidewalk and 4-foot bike lane OR (PREFERRED) a 10-foot multiuse path. Requires pedestrian scale streetlights. (hefowler@dekalbcountyga.gov). Interior streets to be private. General: no poles to remain in sidewalk/path. All intersections must meet AASHTO sight distance requirements.

#### N3-2025-0286 CZ-25-1247427 (1816 Candler Road); and N4-2025-0287 Z-25-1247428 (3221 Glenwood Road):

I-20 Overlay District, Tier 2. Seek guidance from the overlay planner for required infrastructure improvements. Candler Road is SR 155 and a major arterial. GDOT review and approval is required prior to permitting. (JLivingston@dot.ga.gov) Where the overlay is silent: Please refer to the requirements in Zoning Code 5.4.3 and Land Development Code 14-190. Requires a right of way dedication of 50 feet from centerline OR such that all public infrastructure is within right of way, whichever greater. Along all frontage of SR 155: Requires a 10-foot landscape strip with a 6-foot sidewalk and 4-foot bike lane OR (PREFERRED) a 10-foot multiuse path. Requires pedestrian scale streetlights. (hefowler@dekalbcountyga.gov). Glenwood Road is classified as a minor arterial. Please refer to the requirements in Zoning Code 5.4.3 and Land Development Code 14-190. Requires a right of way dedication of 40 feet from centerline OR such that all public infrastructure is within right of way, whichever greater. Requires a 10-foot landscape strip with a 6-foot sidewalk and 4-foot bike lane OR (PREFERRED) a 10foot multiuse path. Requires pedestrian scale streetlights. (hefowler@dekalbcountyga.gov). Glenhill Place is classified as a local road. Discussions need to be held about approval of truck entrance on this road. No approval of truck entrance without the direct approval of Planning and Development and the Transportation Division. Would prefer truck traffic from Glenwood Rd or Candler Rd (both truck routes). If permission is granted, the entire roadway section (including pavement section) will need to be brought up to current standards to accommodate truck traffic. Requires a right of way dedication of 55 feet. Requires a 6-foot landscape strip with a 5-foot sidewalk. Requires streetlights. (hefowler@dekalbcountyga.gov). Lane widths and other design factors must be designed for truck traffic. General: no poles to remain in sidewalk/path. All intersections must meet AASHTO sight distance requirements.

N5-2025-0288 Z-25-1247426; and N6-2025-0289 SLUP-25-1247425 (5346 O'Malley Lane): No parking within 100 feet of the intersection.

N7-2025-0291 SLUP-25-1247431 (2667 Candler Woods Court): No on-street parking allowed.

N8-2025-0292 SLUP-25-1247429 (3574 Boring Road): No on-street parking allowed.

#### N9-2025-0293 SLUP-25-1247395 (2615 Shallowford Road): No comments.

#### N10-2025-0295 SLUP-25-1247423; and N11-2025-0296 SLUP-25-1247424:

Memorial Drive is a state route. GDOT review and approval is required prior to permitting. (<a href="Millingston@dot.ga.gov"><u>ILivingston@dot.ga.gov</u></a>). If a land development permit is required: Memorial Drive is a major arterial. Please refer to the requirements in Zoning Code 5.4.3 and Land Development Code 14-190. Requires a right of way dedication of 50 feet from centerline OR such that all public infrastructure is within right of way, whichever greater. Along all frontage of SR 155: Requires a 10-foot landscape strip with a 6-foot sidewalk and 4-foot bike lane OR (PREFERRED) a 10-foot multiuse path. Requires pedestrian scale streetlights. (<a href="majority-negative-nega



#### 3/5/2025

To: Ms. LaSondra Hill, Planning Manager

From: Ryan Cira, Director

Cc: Alan Gaines, Duty 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 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.



N7 2025-0290 Z-25-1247430 15 119 04 046

2667 Candler Woods Court, Decatur, GA 30032

Amendment

- Review general comments
- Note: DeKalb Public Health prohibits use of on-site sewage disposal systems for personal care homes with more than six (6) clients.

N8 2025-0291 SLUP-25-1247431 15 119 04 046

2667 Candler Woods Court, Decatur, GA 30032

Amendment

- Review general comments.
- Note: DeKalb Public Health prohibits use of on-site sewage disposal systems for personal care homes with more than six (6) clients.

N9 2025-0292 SLUP 25-1247429 15 092 03 014

3574 Boring Road, Decatur, GA 30034

Amendment

- Review general comments
- Note: DeKalb Public Health prohibits use of on-site sewage disposal systems for personal care homes with more than six (6)

N10 2025-0293 SLUP-25-1247395 18 246 02 009 2615 Shallowford Road, Atlanta, GA 3034

Amendment

- Review general comments.

445 Winn Way – Box 987 Decatur, GA 30031 404.508.7900 • www.dekalbhealth.net



#### DEKALB COUNTY GOVERNMENT PLANNING DEPARTMENT DISTRIBUTION FORM

*NOTE*: PLEASE RETURN ALL COMMENTS VIA EMAIL TO EXPEDITE THE PROCESS TO JOHN REID <a href="mailto:jreid@dekalbcountyga.gov">jreid@dekalbcountyga.gov</a> AND/OR LASONDRA HILL <a href="mailto:lahill@dekalbcountyga.gov">lahill@dekalbcountyga.gov</a>

ſhe f	ollowing areas below may warrant comments from the Development Division. Please respond accordingly as the issues relate to the
rop	osed request and the site plan enclosed as it relates to Chapter 14. You may address applicable disciplines.
	ELOPMENT ANALYSIS:
•	Fransportation/Access/Row
•	Storm Water Management
	Flood Hazard Area/Wetlands
•	-lood Hazard Area/wetlands
	_andscaping/Tree Preservation
•	-anuscaping/free Freservation
•	Tributary Buffer

Fire Safety			
	 	 	 <del></del>



#### DEKALB COUNTY GOVERNMENT PLANNING DEPARTMENT DISTRIBUTION FORM

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## REZONE COMMENTS FORM:

#### PUBLIC WORKS ROAD AND DRAINAGE

Case No.:	Parcel I.D. #:
Address:	
Drainage Basin:	
Upstream Drainage Area:	
Percent of Property in 100-Year Floodplain:	
Impact on property (flood, erosion, sedimentation) under	er existing zoning:
Required detention facility(s):	
COMMENTS:	
<del>-</del>	

Signature: \_\_Akin A. Akinsola



#### DEKALB COUNTY GOVERNMENT PLANNING DEPARTMENT DISTRIBUTION FORM

NOTE: PLEASE RETURN ALL COMMENTS VIA EMAIL TO EXPEDITE THE PROCESS TO JOHN REID <a href="mailto:ireid@dekalbcountyga.gov">ireid@dekalbcountyga.gov</a> AND/OR LASONDRA HILL <a href="mailto:labill@dekalbcountyga.gov">labill@dekalbcountyga.gov</a>

### COMMENTS FORM: PUBLIC WORKS TRAFFIC ENGINEERING

Case No.: SL Up - 25 - 1247395	Parcel I.D. #s: 18-246-02-009
Address: 2615 Shallowford Rd	Atlanta, Ga 30345
Adja	acent Roadway (s):
(classifica	tion) (classification)
Capacity (TPD)  Latest Count (TPD)	Capacity (TPD)
Hourly Canacity (VPH)	Latest Count (TPD) Hourly Capacity (VPH) Rock Hour Yolyma (VPH)
Peak Hour. Volume (VPH)	Peak Hour, Volume (VPH)
Hourly Capacity (VPH) Peak Hour. Volume (VPH) Existing number of traffic lanes	Peak Hour. Volume (VPH)  Existing number of traffic lanes
Existing right of way width Proposed number of traffic lanes	Existing right of way width  Proposed number of traffic lanes
Proposed right of way width	Proposed right of way width
average of fifteen (15) vehicle trip end (VTE) per 1, 000 square feet of above formula, the square foot place of worship bui peak hour vehicle trip ends.  Single Family residence, on the other hand, would generate ten (10) factor. Based on the above referenced formula, the (Single units per acres, and the given fact that the project site is approximately peak hour vehicle trip end would be generated with residential	ers (ITE) 6/7th Edition (whichever is applicable), churches generate an of floor area, with an eight (8%) percent peak hour factor. Based on the liding would generate vehicle trip ends, with approximately of VTE's per day per dwelling unit, with a ten (10%) percent peak hour the Family Residential) District designation which allows a maximum of simulately acres in land area, daily vehicle trip end, and development of the parcel.
at this time	fic engineering concerns
	Signature: Jerry Whit



# DEKALB COUNTY GOVERNMENT PLANNING DEPARTMENT DISTRIBUTION FORM

NOTE: PLEASE RETURN ALL COMMENTS VIA EMAIL TO EXPEDITE THE PROCESS TO JOHN REID <u>jreid@dekalbcountyga.gov</u> AND/OR LASONDRA HILL <u>lahill@dekalbcountyga.gov</u>

#### 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 inadequa	ite
Sewage Capacity:	(MGPD) Current Flow:	(MGPD)
COMMENTS:		

Signature:



#### MARTA May 2025 Case Comments

#### D1-2024-1496 CZ-25-1246771 4015 Flat Shoals Pkwy:

This development is adjacent to existing service along Columbia Drive and also fronts planned MARTA service along Flat Shoals Parkway. We recommend that a condition for rezoning be that the developer must coordinate with MARTA to ensure proper pedestrian access between the development and existing and planned bus stops.

#### N2-2025-0285 Z-25-1247420 4743 Flat Shoals Pkwy:

This development is adjacent to planned MARTA service along Flat Shoals Parkway. We recommend that a condition for rezoning be that the developer must coordinate with MARTA to ensure proper pedestrian access between the development and planned bus stops.

#### N3-2025-0286 CZ-25-1247427 1816 Candler Road:

This property is adjacent to existing MARTA service as well as the planned Candler Road Arterial Rapid Transit project. While no ART stops are planned in front of this parcel on Candler Road, there will be an increased pedestrian demand for this location due to proximity to improved transit. Sidewalks and driveways for the development should be carefully designed with ped access and safety in mind. Developer should coordinate with MARTA during design phase.

#### N4-2025-0287 Z-25-1247428 3221 Glenwood Road:

This location is adjacent to existing MARTA service for Route 107. Due to this and proximity to the planned Candler Road Arterial Rapid Transit project, there will be an increased pedestrian demand for this location. Sidewalks and driveways for the development should be carefully designed with ped access and safety in mind. Developer should coordinate with MARTA during design phase.



#### DEPARTMENT OF PLANNING & SUSTAINABILITY

#### SPECIAL LAND USE PERMIT APPLICATION

THE A COMPANY OF PRANCING A SECOND

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

Date Received: Application No:
APPLICANT NAME: Shallowford Goroceous Allanta Inc
Daytime Phone: 404-438-3551 E-Mail: Shalloudendgroceory 2615 amail a
Mailing Address: 2615 Shallowford Rd NE, Atlanta GA 30345
Owner Name: Vikoront Typdale (If more than one owner, attach contact information for each owner)
Daytime Phone: 404-438-3551 E-Mail: Shallow Lord goro Ceou 2615 @ Gmail
Mailing Address: 2615 Shallowford Rd NE, Allanda GA 30345
SUBJECT PROPERTY ADDRESS OR LOCATION: 2615 Shallowford Rd, NE, Atlanta  OH 30345  DeKalb County, GA 30345  Parcel ID: Acreage or Square Feet: Commission Districts:
Existing Zoning: <u>C-2</u> Proposed Special Land Use (SLUP): <u>Boot License</u> .
I hereby authorize the staff of the Planning and Sustainable Department to inspect the property that is the subject of this application.
Owner: Agent: Signature of Applicant:
till the same of t

L. Cear placed, signed Pre-application Form Presunce

#### Notice of Special Land Use Permit for Beer License Application Community Meeting > Indox ×





Vikrant Tupdale <shallowfordgrocery2615@gmail.com>

12:29 PM (4 hours ago) ☆ ⓒ ← :

Shallowford Grocery Atlanta Inc. 2615 Shallowford Road NE, Atlanta, GA 30345.

Notice of Special Land Use Permit for Beer License Application Community Meeting

We are planning to apply for a Dekalb County Special Land Use Permit for obtaining Beer License for our Shallowford Grocery Atlanta Inc. You are cordially invited to find out more about the project, ask questions, and voice your opinion at the following community meeting

Location: 2615 SHALLOWFORD RD- SLUP APPLICATION

Option 1: Jan 16th, 2025 11:00 AM - 11:30 AM Eastern Time (US and Canada)

Join Zoom Meeting

https://us06web.zoom.us/j/85298362276

Meeting ID: 852 9836 2276

Option 2: Jan 16th, 2025 3:00 PM - 3:30 PM Eastern Time (US and Canada)

Join Zoom Meeting

https://us06web.zoom.us/j/84650967969

Meeting ID: 846 5096 7969

If you have any questions about the meeting, please call 404-438 3551 or e-mail shallowfordgrocery2615@gmail.com. We look forward to seeing you there! Sincerely,

#### Community Meeting Invitees, attendees and No Objection conveyed by five

S.No.	Name of Invitees	EMAIL IDs	PHONE NUMBER	
1	Donna Pitman	dpittmanj4@gmail.com,	4048456979	Attended Via Zoom
2	Farah H	farahhussain2000@gmail.com	7736795742	Conveyed No Objection via Zoom
3	Aileen Dela Torre	aileen.delatorre@decaturga.com	2407 Sherbrooke Drive NE, Atlanta	
4	Ray	sanmiguel2chamblee@gmail.com	7709869001	Conveyed No Objection via Zoom
5	Briarlake Animal Hospital	info@briarlakevet.com	2566 Shalowford Road NE, Atlanta	
6	Basha Services LLC	info@bashaservices.com	2580 NE Expressway, Atlanta	
7	Fathom Films	info@3rdfathom.com	3395 NE Expressway, Atlanta	
8	Riyaz	shallowfordshell2609@gmail.com	4044383551	Rajoo conveyed No Ojection via Phone
9	Sarosh Hussain	sarosh.a.h@gmail.com	7737578910	Conveyed No Objection via Zoom
10	Victoria Huynh	victoria.huynh@cpacs.org	7709360969	
11	E. Clarkson	eclarkson@chambleega.com	7709865010	
12	Chaiwon Kim	chaiwon.kim@cpacs.org	7709361765	
13	White Ganga	bwhite.te93@gtalumni.org	Tucker Civic Association	
14	Arahn Hawkins	arahn.hawkins@kroger.com	7704965399	
15	Aileen Dela Torre	aileen.delatorre@decaturga.com	2407 Sherbrooke Drive NE, Atlanta	
16	Adele Clements	adele.clements@emory.edu	4045583519	
17	Hansen	artghansen@gmail.com	4047029194	
18	Hood	bluesgrl02@yahoo.com	4043074272	
19	Micheal Tewolde		4049717498	Conveyed No objection via phone

#### **Community Meeting Invitees via UPS**

RIGHT CARS 2626 SHALLOWFORD RD ATLANTA GA 30345

MARTA LLC 2941 NORTHEAST EXPRESSWAY, CHAMBLEE GA 30341

CHOCOLATE COFFEE 2558 SHALLOWFORD RD ATLANTA GA 30345

UHAUL 2951 NORTHEAST EXPRESSWAY, CHAMBLEE GA 30341

TOP COIN LAUNDRY 2691 SHALLOWFORD RD, ATLANTA GA 30341

APOLLON AUTO REPAIR 2727 SHALLOWFORD RD, ATLANTA GA 30341

LA PATRONA MEXICAN RESTAURANT 2714 SHALLOWFORD RD, ATLANTA GA 30341

QUALITY INN ATLANTA NE I-85 2960 NORTHEAST EXPRESSWAY, ATLANTA GA 30341

HISPANO TAXI 2840 NORTHEAST EXPRESSWAY, ATLANTA GA 30345

EL COLORADO 2800 NORTHEAST EXPRESSWAY, ATLANTA GA 30345





# Shallowford Grocery Atlanta Inc.

2615 Shallowford Road, Atlanta, GA 30345.

January 7, 2025.

Dekalb County,
Department of Planning and Sustainability,
Development Services Center,
Decatur, GA 30030.

For the kind attention of Chief Executive Officer

Subject: Letter of SLUP Application and Impact Analysis.

Respected Sir,

We take the liberty of submitting herewith our formal application "Special Land Use Permit" for Beer License for your kind consideration.

The Impact of the approval of the SLUP for "Shallowford Grocery" is Actually and Actuarially nonexistent. This is because of our location surrounded by businesses that sell Beer and Alcohol in various forms. They are the retailers of both packaged Beer and Wine. The businesses range from Publix, located exactly across our location on Shallowford Road. There is Alcohol retailer behind our location and a Convenience Store next to our location. Our desire to sell only Packaged Beer to our Customers of Mexican Grocery and Convenience Store situated at 2615 Shallowford Road NE, Atlanta GA 30345, currently zoned C2 and has been granted Business License No.1244639, Tobacco License No.20269219719, Georgia Lottery Retailer No.155785.

Market research and studies of our Customers clearly show that there is a strong desire to purchase Beer during their visits to our store. We have been good neighbors and supporters of our community and are committed to its health and safety. Our desire is consistent with surrounding area and businesses. We are easily accessible and have adequate ingress and egress to our store. We believe that we will become an even greater asset to our community.

Thanking you

Yours truly,

For: Shallowford Grocery Atlanta Inc.

# Encl:

- 1. Impact Analysis
- 2. Authorization form
- 3. Campaign disclosure statement
- 4. Legal Boundary Survey and Site Plan
- 5. Written Legal description
- 6. Completed, signed Pre-application form
- 7. Documents pertaining to Community meeting.

#### I. <u>LETTER OF INTENT</u>

Shallowford Grocery Atlanta INC (the "Applicant") is operating Convenience Store situated at 2615 Shallowford Road NE, Atlanta, GA 30345 (the "Subject Property"). The Subject Property is currently zoned C2 while the use of the Subject Property is for "Convenience Store" under Dekalb County Business License No.1244639 along with Tobacco License No.20269219719, GA Lottery Retailer No.155785 etc allowed in the C-2 zoning district. The Applicant is seeking a Special Land Use Permit to allow customers to buy Beer along with other merchandise from the same premises. This location has on one side a Liquor shop and on the other side a Shell GS/CS.

This document serves as a statement of intent, analysis of the criteria under the Dekalb County Special Land Use Permit criteria and contains notice of constitutional allegations as a reservation of the Applicant's rights.

#### II. DEKALB COUNTY SPECIAL LAND USE PERMIT CRITERIA

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 current and future operators of the Subject Property will go virtually unchanged being a Convenience Store allowed by-right under the C- 2 zoning. The operators currently comply with all requirements necessary under C-2.

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 current use of the property is the same as the proposed use and no changes are required, except granting of Beer License under SLUP.

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

Since the proposed use does not add to the existing use, merely allowing the customers to buy Beer besides other stuff, no additional need for public or private facilities or utilities will be necessary.

D. Adequacy of the public street on which the use is proposed to be located and whether or not there is sufficient trafficcarrying capacity for the use proposed so as not to unduly increase traffic and create congestion in the area. Since the proposed use does not require any changes to the existing building or traffic plans, flow of traffic or add anything new to the existing use, merely allowing the customers to buy Beer besides other stuff, no additional traffic increase or congestion will be created by granting the requested SLUP permit.

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.

There will not be any increase the current traffic volume. The nature of the business will remain the same, merely allowing the customers to buy Beer besides other stuff. The Subject Property matches with neighboring uses in safety and design, not adding any additional stress to the pedestrian or vehicle infrastructure. Finally, in the case of emergency, the site does not act as an impediment to the lanes of travel on the main road or to the neighboring businesses. Responders have ample land to access any of the surrounding areas and parcels.

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 hours of the proposed operation will be normal commercial business operating hours.

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.

The proposed use is allowed by-right in the C-2 zoning classification. The addition of Beer License subject to obtaining a SLUP will only add convenience to the Customers.

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

The proposed use advances the Comprehensive Plan. As the site is located in a Commercial Redevelopment Corridor, the proposed use places an established business on the Shallowford Road NE that holds high aesthetic and moral standards for operation, priding itself in its level of quality compared to competitors. The new business provides the Corridor a fresh and inviting use of space, without any downsides. The Beer License under SLUP provide efficient service to customers, a valuable addition to the Business that will generate higher economic returns to the County.

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

Because of the limited services available in the business, the small footprint and service area are adequate to house the employees and patrons during operations. There is a small office located which employees may use for breaks.

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

The SLUP should be issued in perpetuity of property ownership.

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 proposed use only utilizes an existing building which is equal or much smaller than the neighboring developments. It is a typical, small scale Grocery Store, similar to many others lining in the neighborhood.

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

No historic buildings, sites, districts, or archaeological resources exist nearby.

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

The proposed use complies with all supplementary regulations required as outlined in Section 4.2.8 of the Zoning Ordinance (Chapter 27) of the Dekalb County Code.

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.

The proposed use of the Subject Property provides a safe, efficient option for the community shopping at this facility. The business owners pride themselves in providing all the basic necessities under one roof in a fast, friendly service. The proposed use will not add to additional traffic, nor detract from the neighborhood character; rather the proposed use revitalizes the neighborhood.

#### III. CONCLUSION

For the foregoing reasons, the Applicant hereby requests that the application for a Special Land Use Permit be approved. The Applicant welcomes any questions and feedback from the planning staff.

#### IV. NOTICE OF CONSTITUTIONAL ALLEGATIONS AND PRESERVATION OF CONSTITUTIONAL RIGHTS

The portions of the Dekalb County Zoning Ordinance, facially and as applied to the Subject Property, which restrict or classify or may restrict or classify the Subject Property so as to prohibit.



#### 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: 01.16.2025	
TO WHOM IT MAY CONCERN:  (I), (WE) Rasheed Vivani  Name of owners(s) (If more than or	ne owner, attach a separate sheet)
Being (owner) (owners) of the subject property descr	ibed below or attached hereby delegate authority to:
Name of Agent or F	Representative
to file an application on (my) (our) behalf.  NJIWANI  NOTARY PUBLIC  Cobb County  State of Georgia  Comm. Expires January 27,2027	ammy
Notary Public	Owner
Notary Public	Owner
Notary Public	Owner
Notary Public	Owner
Notary Public	Owner

# DISCLOSURE OF CAMPAIGN CONTRIBUTION

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

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

3, Has this business ever been operated without a Business License? Yes \* \_\_\_\_\_oM\_\_\_ eaY

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

- 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

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Notary

ALE COLLINS

NAME

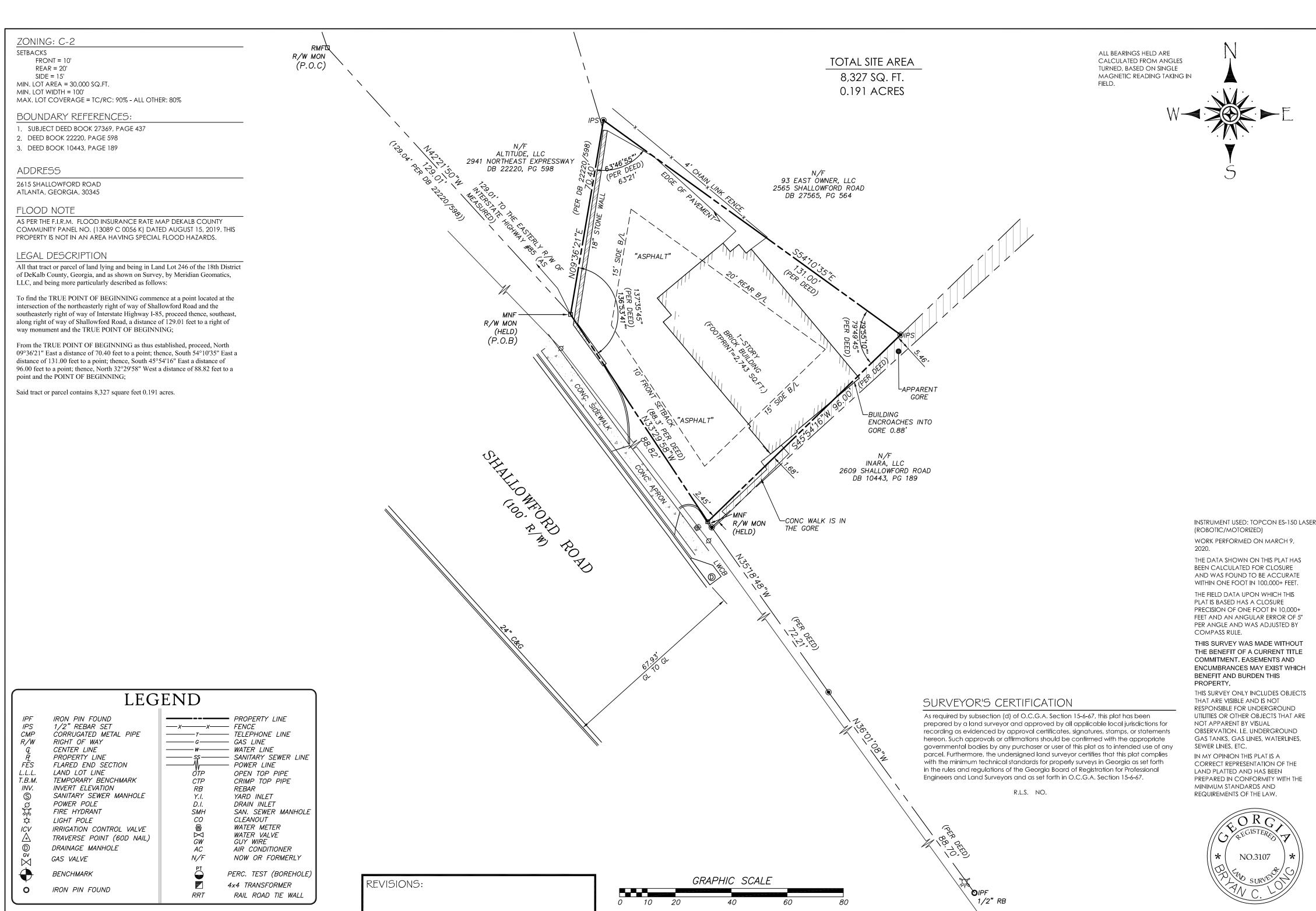
ALE COLLIN

Signature of Applicant /Date

Check one: Owner / Agent\_

Expiration Date/ Seal

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



BOUNDARY SURVEY for

NORTH ATLANTA LAW GROUP, PC., IRON PIN TITLE \$
ABSTRACT, LLC. \$ CHICAGO TITLE INSURANCE COMPANY

2615 SHALLOWFORD ROAD, ATLANTA, GA., 30345

DEED BOOK 27369, PAGE 437 LAND LOT 246 of the 18th DISTRICT DEKALB COUNTY, GEORGIA

SCALE: I"= 20'

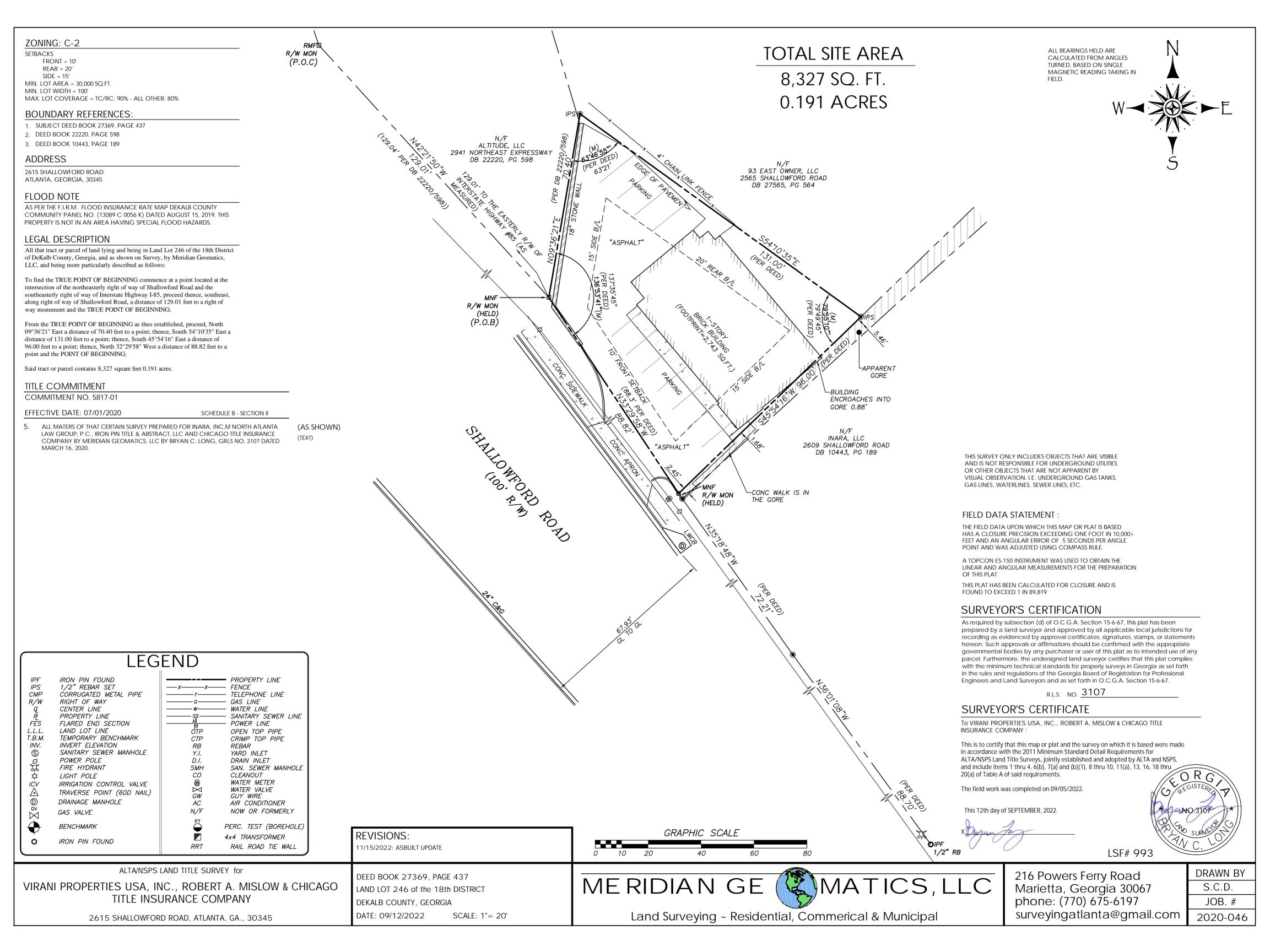
DATE: 03/16/2020

MERIDIAN GE MATICS, LLC
Land Surveying ~ Residential, Commerical & Municipal

216 Powers Ferry Road Marietta, Georgia 30067 phone: (770) 675-6197 surveyingatlanta@gmail.com

DRAWN BY
S.C.D.

JOB. # 2020-046



#### **LEGAL DESCRIPTION**

All that tract or parcel of land lying and being in Land Lot 246 of the 18<sup>th</sup> District of DeKalb County, Georgia, and as shown on Survey, by Meridian Geomatics, LLC, and being more particularly described as follows:

To find the TRUE POINT OF BEGINNING commence at a point located at the intersection of the northeasterly right of way of Shallowford Roadand the southeasterly right of way of Interstate Highway I-85, proceed thence, southeast, along right of way of Shallowford Road, a distance of 129.01 feet to a right of way monument andthe TRUE POINT OF BEGINNING;

From the TRUE POINT OF BEGINNING as thus established, proceed, North 09°36'21" East a distance of 70.40 feet to a point; thence, South54°10'35" East a distance of 131.00 feet to a point; thence, South 45°54'16"East a distance of 96.00 feet to a point; thence, North 32°29'58" West a distance of 88.82 feet to a point and the POINT OF BEGINNING;

Said tract or parcel contains 8,327 square feet 0.191 acres.



Government Services Center 178 Sams Street Decatur, GA 30030 www.dekalbcountyga.gov/planning 404-371-2155 (o); 404-371-4556 (f)

Chief Executive Officer
Michael Thurmond

#### DEPARTMENT OF PLANNING & SUSTAINABILITY

Interim Director Cedric Hudson

# 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:	Phone:	Email:			
Property Address:					
Tax Parcel ID:	Comm. District(s): _	Acreage:			
Existing Use:	Proposed	Use:			
Supplemental Regs:	Overlay District:	DRI:			
Rezoning: Yes No	_				
Existing Zoning:	Proposed Zoning:	_ Square Footage/Number of	Units:		
Rezoning Request:					
Land Use Plan Amendment: Y	es No				
Existing Land Use:	Proposed Land Use:	Consistent	Inconsistent		
Special Land Use Permit: Yes	No Article Number(s)	27			
Special Land Use Request(s):					
<b>Major Modification</b> :					
Existing Case Number(s):					
Condition(s) to be modified:					
		<del></del>			



#### **DEPARTMENT OF PLANNING & SUSTAINABILITY**

#### WHAT TO KNOW BEFORE YOU FILE YOUR APPLICATION

Pre-submittal Community N	Meeting: Revie	w Calendar Dates: _	PC:	BOC:		
Letter of Intent:Impa	act Analysis: Owne	er Authorization(s):_	Campaign	Disclosure:		
Zoning Conditions:	Zoning Conditions: Community Council Meeting: Public Notice, Signs:					
Tree Survey, Conservation:	Land Disturba	nce Permit (LDP):	Sketch	Plat:		
Bldg. Permits: F	ire Inspection: B	usiness License:	State Lic	ense:		
Lighting Plan: Tent	Permit: Submitt	al Format: NO STA	APLES, NO BIN	DERS PLEASE		
	Review	of Site Plan				
Density: Dens	sity Bonuses:	Mix of Uses:	:	Open Space:		
Enhanced Open Space:	Setbacks: front	sides	side corner	rear		
Lot Size: Frontage	: Street Wi	dths: Lan	ndscape Strips:			
Buffers: Parking L	ot Landscaping:	_ Parking - Auto:	Parkin	g - Bicycle:		
Screening: S	Streetscapes: Sid	ewalks:Fenci	ng/Walls:			
Bldg. Height: Bldg.	Orientation: Bldg.	Separation: E	Bldg. Materials: _			
Roofs: Fenestration:	Façade Design:	Garages:	Pedestrian	Plan:		
Perimeter Landscape Strip:						
Possible Variances:						
Comments						
Comments:						
Planner:	Date:	_				
FILING FEES						
· · · · · · · · · · · · · · · · · · ·	00, R-85, R-75, R-60, MHP, R	,	\$500.00			
	HR-1, HR-2, HR-3, MU-1, MU NS, C1, C2, M, M2	-2, MU-3, MU-4, MU-5	\$750.00 \$750.00			
			\$500.00			
LAND USE MAP AMENDMENT SPECIAL LAND USE PERMIT		\$400.00				