Public Hearing: YES ⊠ NO □

SUBJECT:

COMMISSION DISTRICT(S): Commission District 04 Super District 07

Application of Maiysha Rashad & Hakim Hilliard for a Special Land Use Permit (SLUP) to allow for an alcohol outlet (beer and wine sales) in the C-1 (Local Commercial) zoning district, at 1101 N. Hairston Road.

PETITION NO: N1-2025-0624 SLUP-25-1247517

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

LOCATION: 1101 North Hairston Road, Stone Mountain, Georgia 30083

PARCEL NO. : 18 091 01 026

INFO. CONTACT: John Reid, Sr. Planner

PHONE NUMBER: 404-371-2155

PURPOSE:

Application of Maiysha Rashad & Hakim Hilliard for a Special Land Use Permit (SLUP) to allow for an alcohol outlet (beer and wine sales) in the C-1 (Local Commercial) zoning district.

RECOMMENDATION:

COMMUNITY COUNCIL: (June 2025) Denial.

PLANNING COMMISSION: (July 8, 2025) Pending.

PLANNING STAFF: Approval with one (1) condition.

STAFF ANALYSIS: The applicant, Hakim Hilliard, is requesting a Special Land Use Permit (SLUP) to allow the sale of beer and wine at an existing convenience store located at 1101 North Hairston Road in the C-1 (Local Commercial) zoning district. The subject property is 0.74 acres in size and is currently operating as a convenience store under DeKalb County Business License No. 1236366. 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-1 district. The use will remain a convenience store and continue to operate within the same building, maintaining existing off-street parking and buffers. Given the minimal physical or operational changes, the site is suitably configured to support the proposed use. The proposed use appears to be compatible with surrounding land uses and is consistent with nearby commercial activity, including a convenience store/gas station to the west across North Hairston Road and a convenience store/gas station to the north across Central Drive. 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, based on confirmation by the applicant, 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 with the attached condition*".

PLANNING COMMISSION VOTE: (July 8, 2025) Pending.

COMMUNITY COUNCIL VOTE/RECOMMENDATION: (June 2025) Denial 9-0-1.

SLUP-25-1247517 (2025-0624) Recommended Conditions – July 2025 1101 N. Hairston Road, Stone Mountain, GA 30083

1. Installation of a 6-foot-tall opaque fence to screen the dumpster on all four sides so that dumpster is not visible from adjacent properties or public streets prior to issuance of any alcohol license.



DeKalb County Government Services Center 178 Sams Street Decatur, GA 30030 404-371-2155

www.dekalbcountyga.gov/planning https://www.dekalbcountyga.gov/planning-and-sustainability/public-hearing-agendas-info

Planning Commission Hearing Date: July 8, 2025 Board of Commissioners Hearing Date: July 24, 2025

STAFF ANALYSIS

CASE NO.:	SLUP-25-1247517	File ID #: 2025-0624		
Address:	1101 N. Hairston Rd, Stone Mtn Georgia	Commission District: 4 Super District: 7		
Parcel ID(s):	18 091 01 026			
Request:	For a Special Land Use Permit (SLUP 1 (Local Commercial) district.	For a Special Land Use Permit (SLUP) to allow an alcohol outlet (beer and wine sales) in the C-1 (Local Commercial) district.		
Property Owner(s):	Sammy Virani			
Applicant/Agent:	Hakim Hilliard			
Acreage:	0.74			
Existing Land Use:	Convenience Store with Fuel Pump	8		
Surrounding Properties:	North: Convenience Store/gas station South: Apartments East: Apartments West: Convenience Store/gas station			
Adjacent Zoning:	North: C-1 South: MR-1 East: M	4R-1 West: C-2		
Comprehensive Plan:	X Co	nsistent Inconsistent		

STAFF RECOMMENDATION: APPROVAL WITH CONDITIONS

The applicant, Hakim Hilliard, is requesting a Special Land Use Permit (SLUP) to allow the sale of beer and wine at an existing convenience store located at 1101 North Hairston Road in the C-1 (Local Commercial) zoning district. The subject property is 0.74 acres in size and is currently operating as a convenience store under DeKalb County Business License No. 1236366. 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-1 district. The use will remain a convenience store and continue to operate within the same building, maintaining existing off-street parking and buffers. Given the minimal physical or operational changes, the site is suitably configured to support the proposed use.

The proposed use appears to be compatible with surrounding land uses and is consistent with nearby commercial activity, including a convenience store/gas station to the west across North Hairston Road and a convenience store/gas station to the north across Central Drive. 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, based on confirmation by the applicant, 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 with the following conditions*":

1. Installation of a 6-foot-tall opaque fence to screen the dumpster on all four sides so that dumpster is not visible from adjacent properties or public streets prior to issuance of any alcohol license.



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

DEPARTMENT OF PLANNING & SUSTAINABILITY

Chief Executive Officer Lorraine Cochran-Johnson Interim Director Cedric G. Hudson, MCRP

ZONING COMMENTS – MAY 2025

N1-2025-0624 SLUP-25-1247517 (1101 N. Hairston Road): N. Hairston Road is classified as a Major Arterial.

N2-2025-0625 Z-25-1247521 (2381 Snapfinger Road): Snapfinger Road is classified as a local roadway. Please refer to the requirements in Zoning Code 5.4.3 and Land Development Code 14-190. Requires a right of way dedication of 27.5 feet from centerline OR such that all public infrastructure is within right of way, whichever greater. Requires a 5-foot landscape strip with a 5-foot sidewalk. Requires pedestrian scale streetlights. (hefowler@dekalbcountyga.gov).

N3-2025-0626 SLUP-25-1247527 (5083 Biffle Road): Biffle Road is classified as local. Please refer to the requirements in Zoning Code 5.4.3 and Land Development Code 14-190. Requires a right of way dedication of 27.5 feet from centerline OR such that all public infrastructure is within right of way, whichever greater. Requires a 5-foot landscape strip with a 5-foot sidewalk. Requires pedestrian scale streetlights. (<u>hefowler@dekalbcountyga.gov</u>). No poles may remain within the limits of the path/sidewalk on any street.

N4-2025-0627 Z-25-1247528 (3803 & 3815 Glenwood Road): Glenwood Road, Roadway classified is Minor Arterial. If a land development permit is required- 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 10-foot multiuse path. Requires pedestrian scale streetlights. Farris Drive is classified as local roads. Please refer to the requirements in Zoning Code 5.4.3 and Land Development Code 14-190. Requires a right of way dedication of 27.5 feet from centerline OR such that all public infrastructure is within right of way, whichever greater. Requires a 5-foot landscape strip with a 5-foot sidewalk. Requires pedestrian scale streetlights. (hefowler@dekalbcountyga.gov).

N5-2025-0628 Z-25-1247529 (3265 Northeast Expressway): Northeast Expressway is classified as a Collector. Land development permit is required- Please refer to the requirements in Zoning Code 5.4.3 and Land Development Code 14-190. Requires a right of way dedication of 35 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 10-foot multiuse path. Requires pedestrian scale streetlights. (hefowler@dekalbcountyga.gov).

N6-2025-0629 Z-25-1247470; and, N7-2025-0630 SLUP-25-1247471 (7566 Union Grove Road): Union Grove Road is classified as a minor arterial. If a land development permit is required- 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) 10-foot multiuse Requires scale streetlights. а path. pedestrian (hefowler@dekalbcountyga.gov).

N8-2025-0631 SLUP-25-1247516 (1816 Enid Drive): Enid Drive is classified as a local roadway.

N9- 2025-0632 SLUP-25-1247522 (3600 Preakness Drive): Preakness Drive is classified as a local roadway.

N10-2025-0633 SLUP-25-1247526 (4106 Creek Court): Creek Court is classified as a local roadway.

N11-2025-0634 SLUP-25-1247530 (2854 Clifton Church Road): Clifton Church Road is classified as a minor arterial.



5/30/2025

To:Mr. John Reid, Senior PlannerFrom:Ryan Cira, Environmental Health Managercc:Alan Gaines, Technical Services ManagerRe: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.

- N1-2025-0624 SLUP-25-1247517: 1101 N. Hairston Road, Stone Mountain, GA 30083 Review general comments
- N2-2025-0625 Z-25-1247521: 2381 Snapfinger Road, Decatur, Ga 30034 See general comments
- N3-2025-0626 SLUP-25-1247527: 5083 Biffle Road, Stone Mountain, GA 30088 See general comments
- N4-2025-0627 Z-25-1247528: 3803 & 3815 Glenwood Road, Decatur, GA See general comments
- N5-2025-0628 Z-25-1247529: 3265 Northeast Expressway, Chamblee, GA 30341 See general comments.
- N6-2025-0629 Z-25-1247470: 7566 Union Grove Road, Lithonia Septic system onsite. Note: DeKalb Public Health prohibit use of on-site sewage disposal systems for personal care homes with more than six (6) clients.
- N7-2025-0630 SLUP-25-1247471: 7566 Union Grove Road, Lithonia, GA 30058 Septic system onsite. Note: DeKalb Public Health prohibit use of on-site sewage disposal systems for personal care homes with more than six (6) clients.
- N8-2025-0631 SLUP-25-1247516: 1816 Enid Drive, Lithonia, GA 30058 Septic system onsite. Note: DeKalb Public Health prohibit use of on-site sewage disposal systems for personal care homes with more than six (6) clients.
- N9-2025-0632 SLUP-25-1247522: 3600 Preakness Drive, Decatur, GA 30034 See general comments
- N10-2025-0633 SLUP-25-1247526: 4106 Creek Court, Stone Mountain, GA 30083 See general comments
- N11-2025-0634 SLUP-25-124753: 2854 Clifton Church Road, Atlanta, GA 30316 See General Comments
- N12-2025-0635 TA-25-1247540: 3221 Glenwood Road, Decatur, GA See general comments



DEKALB COUNTY GOVERNMENT PLANNING DEPARTMENT DISTRIBUTION FORM

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

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

Storm Water Management

• Flood Hazard Area/Wetlands

Landscaping/Tree Preservation

Tributary Buffer

• Fire Safety



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>

REZONE COMMENTS FORM:

PUBLIC WORKS ROAD AND DRAINAGE

Case No.:	Parcel I.D. #:
Address:	
Drainage Basin:	
Upstream Drainage Area:	
Impact on property (flood, erosion, sedimentation	on) under existing zoning:
COMMENTS:	

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 <u>ireid@dekalbcountyga.gov</u> AND/OR LASONDRA HILL <u>labill@dekalbcountyga.gov</u>

COMMENTS FORM: PUBLIC WORKS TRAFFIC ENGINEERING

Case No.:	SLUP-25-1247517	Parcel I.D. #s: 18-091-01-026
Address: _	1101 N. Hairston Rd, Stone	Mountain, Ga 30083

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	Review	ed, No	problem	That	
	INTERFERE						

Joray White Signature:



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/ina	dequate)
Distance from property to nearest main:			_ Size of line r	equired, if inad	equate:
SEWER:					
Outfall Servicing Project:					
Is sewer adjacent to property: Yes No	If no,	distance to	nearest line:		
Water Treatment Facility:	a	dequate	inadequate	e	
Sewage Capacity:	(MGPD)	Current I	Flow:		(MGPD)
COMMENTS:					



MARTA July 2025 Case Comments

N5-2025-0628 Z-25-1247529 2381 Snapfinger Road, Decatur, GA 30034

This property is adjacent to MARTA bus routes on nearby Rainbow Rd and Wesley Chappel Rd. Development should include pedestrian connectivity to these routes.

N4-2025-0627 Z-25-1247528 3803 & 3815 Glenwood Road, Decatur, GA 30032

MARTA supports this rezoning due to proximity to transit access on Glenwood Rd. The constructed development should include direct pedestrian access to Glenwood Rd to ensure residents can take advantage of transit services and should coordinate with MARTA during design.

N5-2025-0628 Z-25-1247529 3265 NE Expressway, Chamblee, GA 30341

MARTA supports this rezoning as this project is located adjacent to MARTA service. However, it is critical that the developer accommodate direct pedestrian access to Northeast Expressway frontage so that residents can access transit service. Developer should coordinate with MARTA to place amenity pad.



DEPARTMENT OF PLANNING & SUSTAINABILITY

SPECIAL LAND USE PERMIT APPLICATION Amendments will not be accepted after 5 working days after the filing deadline.
Date Received: Application No:
APPLICANT NAME: M. Hakin Hilliard S. Virani
Daytime Phone: 4047975525 E-Mail: Miniliard @ Colanfirm. Com
Mailing Address: 1834 That pendence Square atlanta 30338
Owner Name: Sammy Virani
(If more than one owner, attach contact information for each owner)
Daytime Phone: E-Mail:
Mailing Address: 1101 h Haurston Rd Stone Mountain, GA 30083
SUBJECT PROPERTY ADDRESS OR LOCATION: 1101 N. Hauston Rd Aone Mountain 3008
DeKalb County, GA
Parcel ID: Acreage or Square Feet: Commission Districts: 447
Existing Zoning: <u>C1</u> Proposed Special Land Use (SLUP):
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:
m. Hakin pllard

4 1



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 Lorraine Cochran-Johnson

1.

Interim Director Cedric G. Hudson

SPECIAL LAND USE PERMIT (SLUP) APPLICATION CHECKLIST

EMAIL COMPLETED PACKET IN ONE (1) PDF to PLANNER

Schedule a mandatory Pre-Application Conference with Planning & Sustainability staff by appointment. Pre-Application form (to be completed in pre-application meeting). Please email lahill@dekalbcountyga.gov for appointment.

Hold a Pre-Submittal Community Meeting with surrounding neighborhood associations and residents. Provide documentation of the meeting (meeting notice and sign in sheets). Letter(s) from homeowners' association(s) may also be provided.

Submit: Application - Submit 1 complete, combined PDF version via email or flash drive. Please assemble materials in the 3. following order:

A. Application form with name and address of applicant and owner, and address of subject property;

B. Pre-submittal community meeting notice and sign-in sheet and other documentation of meeting, if any;

C. Letter of application and impact analysis

1. Letter of application identifying a) the proposed zoning classification, b) the reason for the rezoning or special use or modification request, c) the existing and proposed use of the property, d) detailed characteristics of the proposed use (e.g., floor area, height of building(s), number of units, mix of unit types, number of employees, manner and hours of operation), d)(optional) statement of conditions discussed with the neighborhood or community, if any.

2. Impact analysis of the anticipated impact of the proposed use and rezoning on the surrounding properties in response to the standards and factors specified in Article 7.3 of the DeKalb County Zoning Ordinance, as attached. If a Major Modification, please include previously approved conditions and Board of Commissioner meeting minutes.

D. Authorization Form, if applicant is not the owner. Must be signed by all owners of the subject property and notarized. Authorization must contain the mailing address and phone number of any applicant or agent who is authorized to represent the owner(s) of the subject property. Please include warranty deed, if property ownership is less than 2 years.

E. Campaign disclosure statement (required by State law).

F. Legal boundary survey of the subject property, (showing boundaries, structures, and improvements), prepared and sealed within the last year by a professional engineer or land surveyor registered in the State of Georgia. (If survey shows property on opposite sides of a public street right-of-way, file a separate application for each property.)

G. Site Plan, printed to scale, folded, of any existing and or proposed development/redevelopment. For projects larger than 1 acre, site plan should be at least 1:50 scale. The site plan must include the following

- a. boundaries of subject property;
- b. dimensioned access points and vehicular circulation drives;
- c. location of all existing and proposed buildings, structures, setbacks and parking;
- d. location of 100-year floodplain and any streams;
- e. notation of the total acreage or square footage of the subject property;
- f. landscaping, tree removal and replacement, buffer(s); and
- g. site plan notes of building square footages, heights, density calculations, lot coverage of impervious surfaces, parking ratios, open space calculations, and other applicable district standards.

H. Written Legal Description of metes and bounds of the subject property (can be printed on site plan or survey).

1. Building Form Information. Elevation (line drawing or rendering), or details of proposed materials, in compliance with Article 5 of the Zoning Ordinance.

J. Completed, signed Pre-application Form (Provided at pre-application meeting.)

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

NOTICE OF SPECIAL LAND USE APPLICATION COMMUNITY MEETING

FOR 1101 N Hairston Road Stone Mountain, Georgia 30083 Special Land Use Permit to reactivate the site for a retail fuel station and convenience store allowing for the sale of beer and wine by the package Submitted for Applicant by: M. Hakim Hilliard, Esq. Maiysha R. Rashad, Esq. Find out more about the project, ask questions, and

voice your opinion at the following community

meeting:

on

April 1, 2025

At 6:00 PM

Clarkston Library

951 N. Indian Creek Drive

Clarkston, GA 30021

(If you have any questions or concerns regarding the application, prior to or after the meeting please email them to <u>dhayley@cglawfirm.com</u>)

11.01 h. Hauston Rol - community Lep. 1/25 UP. Address and 2000 Contact in Fo DUNAW by 4672 Fellsridge Dr. Slath dunaway jd & bellsouth. net 4/1/25 am



1834 Independence Square Atlanta, Georgia 30338 404-233-4171 F 404-261-2842

Hhilliard@cglawfirm.com

April 10, 2025

BY EMAIL ONLY

Department of Planning Dekalb County, Georgia

RE: Letter of Intent to Application for Special Land Use Permit (SLUP) Application for 1101 N. Hariston Rd, DeKalb County

Dear Planning & Sustainability Commission,

Our firm represents Sammy Virani, the owner of 1101 N. Hariston Rd, in seeking a Special Land Use Permit (SLUP) to reactivate the vacant retail fuel station and convenience store with the addition of beer and wine sales by the package. Below is the required information per DeKalb County's SLUP application guidelines:

a) Zoning Classification

The property is located within the **C-1 (Neighborhood Commercial) zoning district**, which permits fuel stations and small retail facilities under 10,000 sq. ft. The SLUP is specifically requested to authorize the sale of beer and wine by the package, which requires special approval under DeKalb County regulations.

b) Reason for SLUP Request

The SLUP is necessary to:

- 1. Reactivate a commercial property that has been vacant for over six months, addressing blight and revitalizing economic activity in the area.
- 2. Obtain approval for beer/wine sales, which are not permitted by right under C-1 zoning.
- 3. Ensure compliance with updated safety and operational standards for fuel stations and retail alcohol sales<u>14</u>.

c) Existing and Proposed Use

- Existing Use: Vacant retail fuel station and convenience store (previously permitted under C-1 zoning).
- **Proposed Use**: Reactivation as a fuel station and convenience store with beer/wine sales by the package.
- d) Detailed Characteristics of Proposed Use
 - Floor Area: 2,400 sq. ft. (existing structure; no expansion proposed).
 - Building Height: 25 feet (conforming to C-1's 40-foot maximum).
 - Fuel Pumps: 8 pumps (existing infrastructure to be modernized).
 - Hours of Operation: 6:00 AM 11:00 PM daily.
 - Employees: 10 full- and part-time staff.
 - Traffic Management: No changes to ingress/egress; existing access via N. Hariston Rd will be maintained. A traffic study is available upon request.
 - Environmental Compliance: Upgraded EPA-compliant fuel storage tanks and vapor recovery systems.

e) Community Engagement

We have initiated discussions with adjacent property owners and community stakeholders to address concerns. Proposed conditions include:

and the second second

- Installation of a 6-foot fence to screen dumpsters.
- Prohibition of outdoor alcohol consumption.
- Participation in neighborhood cleanup initiatives

Conclusion

This SLUP request supports the reactivation of a critical commercial asset while adhering to community needs and zoning standards. We are prepared to provide additional documentation, including a traffic impact analysis and site plans, and welcome further dialogue to ensure a collaborative process.

Sincerely,

M. Hakim Hilliard

Cc: Mr. Sammy Virani

Maiysha Rashid, Esquire File



1834 Independence Square Atlanta, Georgia 30338 404-233-4171 F 404-261-2842

Hhilliard@cglawfirm.com

April 10, 2025

BY EMAIL ONLY

Department of Planning Dekalb County, Georgia

RE: IMPACT ANALYSIS for Special Land Use Permit (SLUP) Application for 1101 N. Hariston Rd, DeKalb County

Dear Planning & Sustainability Commission,

Our firm represents Sammy Virani. the owner of 1101 N. Hairston Road, in seeking a Special Land Use Permit (SLUP) to reactivate the vacant retail fuel station and convenience store with the addition of beer and wine sales by the package. Below is the required information in accordance with DeKalb County's SLUP application guidelines:

A. Site Adequacy

- The 2,400 sq. ft. site provides sufficient space to support the proposed use.
- Yards and Open Space: Complies with C-1 district setback requirements.
- Off-Street Parking: Existing parking meets C-1 standards for retail/fuel operations.
- Transitional Buffers: No adjacent residential zones; surrounding commercial uses render buffers unnecessary.

B. Compatibility with Adjacent Uses

- Surrounding Properties: The site is bordered by a mix of commercial uses (retail, office), ensuring compatibility.
- Adverse Impacts: No smoke, odor, or dust anticipated; fuel systems include vapor recovery. Operations limited to 6 AM–11 PM to minimize noise impacts.

C. Availability of Public Services and Utilities

- Utilities: Water, sewer, and electrical infrastructure are existing and sufficient.
- Fire Safety: Site access accommodates emergency vehicles; no structural modifications proposed.

D. Traffic Capacity

- Ingress/Egress: No changes to existing access points along N. Hairston Road.
- Traffic Patterns: Consistent with prior use; traffic study available upon request.

E. Ingress and Egress Safety

- Automotive Access: Existing access points meet county standards.
- Pedestrian Access: Sidewalks and nearby crosswalks remain clear and accessible.

F. Operational Impacts

- Hours of Operation: Limited to 6 AM-11 PM.
- Alcohol Sales: Restricted to packaged beer and wine; no on-site consumption permitted.

G. Zoning Consistency

- **Permitted Use:** Retail fuel station and convenience store are allowed under C-1 zoning. Alcohol sales require SLUP approval.
- Development Standards: No expansion is proposed; the existing 25-foot building height complies with C-1 limits.

H. Comprehensive Plan Alignment

- **Revitalization:** Supports County objectives for economic development and blight reduction.
- Community Access: Enhances local access to essential retail and fuel services.

I. Refuse and Service Areas

- Waste Management: A 6-foot screened dumpster enclosure is proposed to reduce visual and odor impacts.
- Deliveries: Will utilize existing service lanes.

J. Permit Duration

• **Operational Permanence:** A permanent SLUP is requested, reflecting long-term viability of the commercial use.

K. Building Scale and Shadow Impacts

- Height and Massing: The 25-foot structure is within zoning limits and consistent with neighboring commercial buildings.
- Shadow Impact: None anticipated on adjacent properties.

L. Historic and Archaeological Resources

• No Known Impacts: No historic or archaeological resources are located on or near the site.

M. Supplemental Regulations

- Alcohol Sales: Will comply with all DeKalb County regulations governing packaged alcohol sales, including signage and licensing.
- Fuel Storage: Will include modern, EPA-compliant underground tanks with vapor recovery systems.

N. Community Needs

- Stakeholder Input: Addressed through proposed conditions including noise mitigation, litter control, and restrictions on outdoor alcohol consumption.
- Economic Impact: Reactivation will create 10 local jobs and return a vacant site to productive commercial use.

Conclusion

The proposed SLUP complies with all applicable criteria outlined in § 27-7.4.6 of the DeKalb

Page 3 of 3

County Code and aligns with the County's zoning goals and community development priorities. We respectfully request approval of this application.

Sincerely,

M. Hakim Hilliard

Cc: Mr. Sammy Virani

Maiysha Rashid, Esquire File



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.

AL Date: TO WHOM IT MAY CONCERN: 1101 N. Harriston RD LLC By: Sammy Virary It's Managell I/WE: being owner(s) of the subject property described below or attached hereby delegate authority to: Kim Hilliai Name of Agent or Representative

to file an application on my/our behalf.

Tiple Notary Public

Owner

1101 N. Harriston RD, LIC By: Sammy Virani Its Managel

CYNTHIA VITABLE MY COMMISSION EXPIRES 12/09/2026 NOTARY ID: 12441430-2



DEPARTMENT OF PLANNING & SUSTAINABILITY

DISCLOSURE OF CAMPAIGN CONTRIBUTION

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

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

Yes:

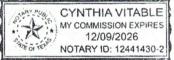
No:

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

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

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

Notary



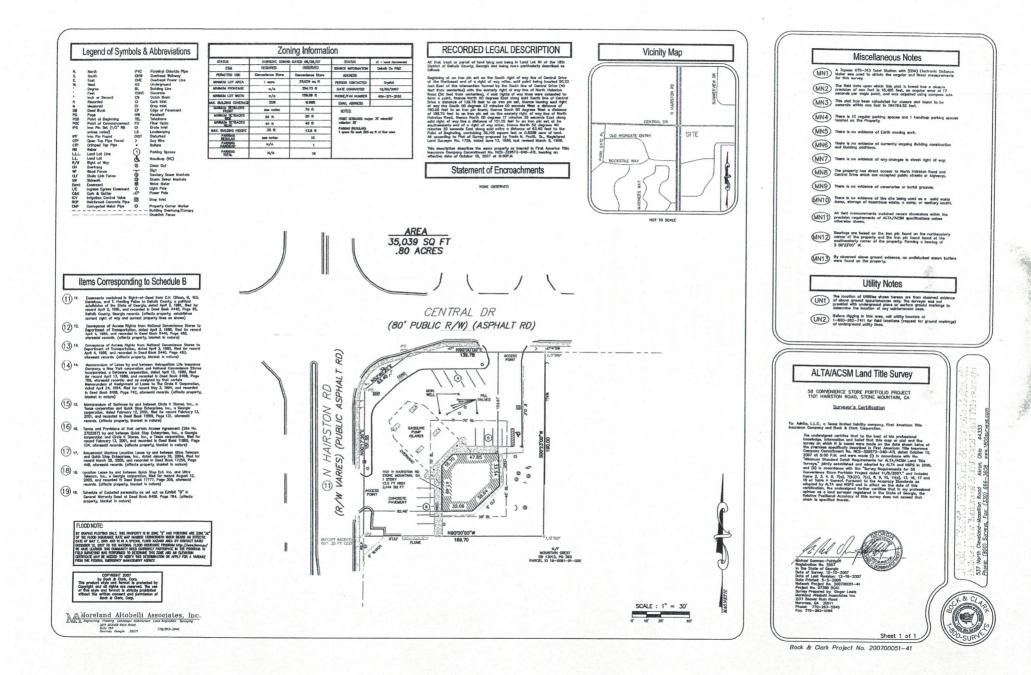
N. Harriston RD LLC Sammy Viranci, 15 managok

Signature of Applicant /Date

Check one: Owner Agent

 $\frac{12-09-2026}{\text{Expiration Date/Seal}}$

*Notary seal not needed if answer is "No".





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	Interim Director
Lorraine Cochran-Johnson		Cedric G. Hudson, MCRI

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:Maiysha Rashad & Hakim Hilliard Phone:404-913-3418 Email: mrashad@cglawfirm.com
Property Address: 1101 North Hairston Road, Stone Mountain 30083
Tax Parcel ID: 18 091 01 026 Comm. District(s): 4 & 7 Acreage: 0.74
Existing Use: Proposed Use: SLUPs for alcohol and fuel??
Supplemental Regs: Overlay District: NO DRI: NA
Rezoning: YesNo X
Existing Zoning: Proposed Zoning: Square Footage/Number of Units:
Rezoning Request:
Land Use Plan Amendment: YesNo X
Major Modification:
Existing Case Number(s): CZ-82076
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: 07/8/25 BOC: 7/24/25
Letter of Intent:Impact Analysis:Owner Authorization(s):Campaign Disclosure:
Zoning Conditions: Community Council Meeting: 6/17/25 Public Notice, Signs:
Tree Survey, Conservation: Land Disturbance Permit (LDP): Sketch Plat:
Bldg. Permits: X Fire Inspection: Business License: X State License:
Lighting Plan: Tent Permit: Submittal Format: NO STAPLES, NO BINDERS PLEASE
Review of Site Plan
Density: Density Bonuses: Mix of Uses: Open Space: X
Enhanced Open Space: Setbacks: front X sides X side corner rear X
Lot Size: X Frontage: Street Widths: Landscape Strips: X
Buffers: Parking Lot Landscaping: Parking - Auto: X Parking - Bicycle:
Screening: Streetscapes: X Sidewalks: X Fencing/Walls:
Bldg. Height: Bldg. Orientation: Bldg. Separation: Bldg. Materials:X
Roofs: Fenestration: Façade Design: Garages: Pedestrian Plan:
Perimeter Landscape Strip:
Possible Variances:
Comments:
for alcohol and fuel pumps. Show compliance with Zoning Ordinance requirements including but not limited to building setbacks, transitoinal
buffers, minimum parking, etc. last day to hold comm meeting with 15 days notice is April 14th, and filing deadline is April 21st.
Planner: John Reid, Sr. Planner Date: 02/13/2025

FILING FEES

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



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

 Chief Executive Officer
 DEPARTMENT OF PLANNING & SUSTAINABILITY
 Interim Director

 Lorraine Cochran-Johnson
 Cedric G. Hudson
 Cedric G. Hudson

PRE-APP FORM ADDITIONAL COMMENT PAGE, IF NEEDED

APPLICANT: Maiysha Rashad & Hakim Hilliard

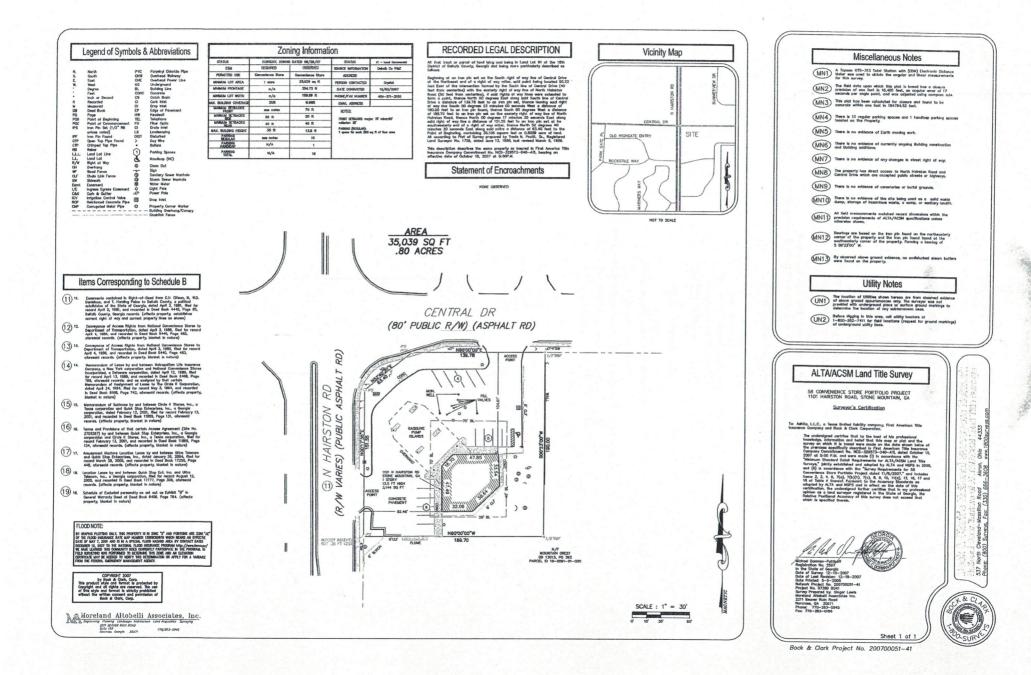
ADDRESS/PARCEL: 1101 North Hairston Road / 18 091 01 026

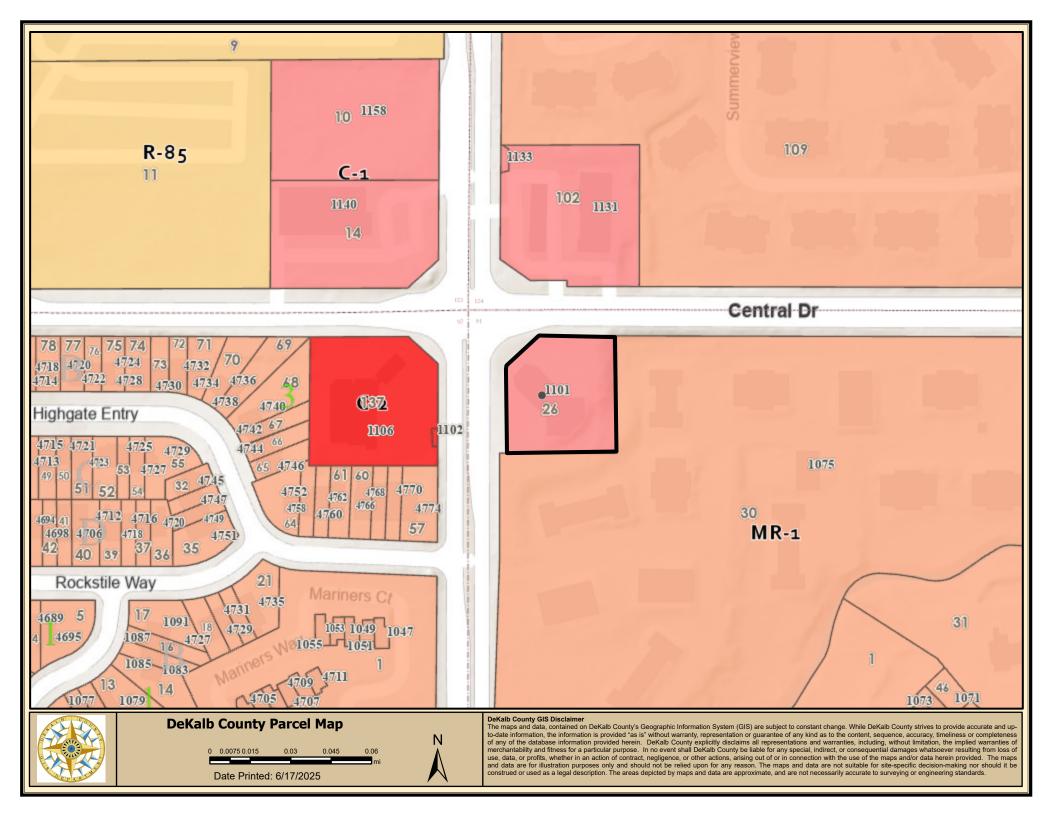
COMMENTS: need to show how project complies with Memorial Drive corridor Small Area Plan. Demonstrate how proposed

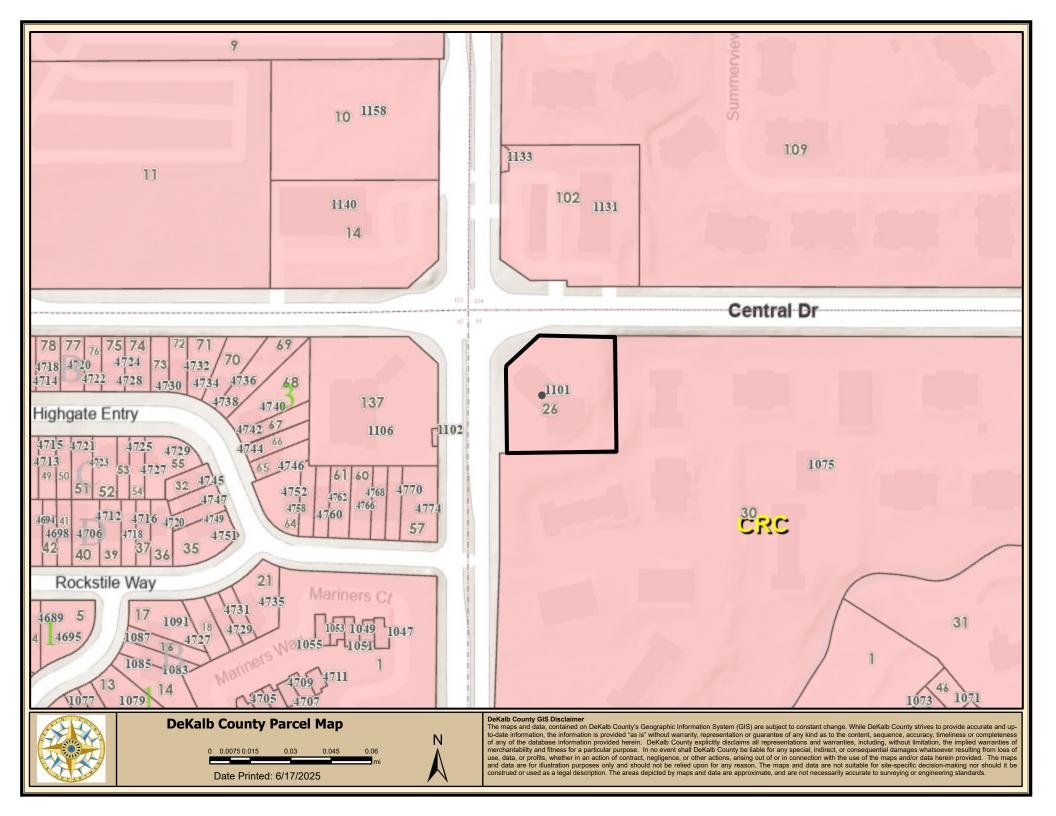
land use is compatible with surrounding area. Show compliance with existing zoning conditions

CZ-82076 which require buffer along two sides of property

PLANNER: John Reid, Sr. Planner









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P P P R THE	

DeKalb	County	Parcel Map	
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0 0.0075 0.015 0.03 0.045 Date Printed: 6/17/2025

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