



DeKalb County GEORGIA

Chief Executive Officer
Lorraine Cochran-Johnson

DEPARTMENT OF PLANNING & SUSTAINABILITY

404.371.2155 (o) | Government Services Center
DeKalbCountyGa.gov | 178 Sams Street
Building A, Suite 300
Decatur, GA 30030

Director

Juliana A. Njoku

Special Land Use Permit (SLUP) Application

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

Applicant Name: Scope Builders, Inc c/o Battle Law P.C.

Applicant Mailing Address: _____

Applicant Phone Number: _____ Applicant Email: _____

Owner Name: Local Sandy GA LLC c/o CVS

(if more than one owner, attach list of owners and contact information)

Owner Mailing Address: **PO BOX 1818, GLEN ELLYN, IL 60132**

Owner Phone Number: [REDACTED] Owner Email: [REDACTED]

Subject Property Address: 3820 N Decatur Rd, Decatur, GA 30032 and 3828 N Decatur Rd, Decatur, GA 30032

Parcel ID Number(s): 18 012 10 004 and 18 012 10 003

Acreage: ~~0.65~~ 1.66 Commission District(s): 4 Super District(s): 6

Existing Zoning District(s): NS Proposed Zoning District(s): n/a

Proposed Zoning District(s): n/a

Existing Land Use Designation(s): TC Proposed Land Use Designation(s): n/a

Proposed Land Use Designation(s): **n/a**

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

Owner Agent

Applicant/Agent Signature

Date _____

Zoning Meeting

A new project is proposed near you...

Please join Battle Law for a Community Meeting to discuss this project and what it means for the community. To register for the ZOOM please use the QR code below.

If you would like the information emailed to you, please send an email to projects@battlelawpc.com to request the information.



Zoom Meeting Info:
Meeting ID: 831 5766 0806
Password: 104636
<https://otago.zoom.us/join>



participants_83157660806_2025_12_05_1_

Name (original name)	Email	Total duration (minutes)
Jan Dunaway	[REDACTED]	65
Valerie Dalton	[REDACTED]	28
don weston	[REDACTED]	62
Grant Pfeifer	[REDACTED]	38
Josh Mahoney	[REDACTED]	81
Dave Dawson	[REDACTED]	59
[REDACTED]	[REDACTED]	56
Martha Perusek	[REDACTED]	30
Michele Battle	[REDACTED]	19
Barbara McGuire	[REDACTED]	52
SP	[REDACTED]	62
Shelia Harkleroad	[REDACTED]	53
Marla Lampert	[REDACTED]	63
Kother Maru	[REDACTED]	62
Paul Duhe	[REDACTED]	59
Will Thompson	[REDACTED]	59
Brent Ferricci	[REDACTED]	23
Kayla Barnett	[REDACTED]	58
Victoria Webb	[REDACTED]	58
Elise	[REDACTED]	50
Tamara Chastain	[REDACTED]	46
Valerie Handley	[REDACTED]	60
Erica Hayes	[REDACTED]	61
Dial Heights - Rebecca (Rebecca Runyon)	[REDACTED]	63
Brigette Riley	[REDACTED]	80
Wilfred Best	[REDACTED]	55
Victoria Wojcinski	[REDACTED]	65
Alexis Perry	[REDACTED]	2
Wendy Collins	[REDACTED]	29
Kathleen Andres	[REDACTED]	72
Joe jean Borowski	[REDACTED]	67
Fran Mohr	[REDACTED]	57
Amy Wall	[REDACTED]	71
Jennifer Kapner	[REDACTED]	64
Bonnie Babcock	[REDACTED]	63



Battle Law

STATEMENT OF INTENT

and

Other Material Required by
DeKalb County Zoning Ordinance
For

A Rezoning from NS to C-1 and Two Special Land Use Permits to Allow for a Convenience
Store with Fuel Pumps, A Drive-Thru Pharmacy, and Retail Space

of

**Scope Builders, Inc.
c/o Battle Law, P.C.**

for

+/-1.66 Acres of Land
Being 3820 and 3828 North Decatur Road
DeKalb County, Georgia and
Parcel Nos. 18 012 10 003 and 18 012 10 004

Submitted for Applicant by:

Michèle L. Battle, Esq.
Joshua S. Mahoney, Esq.
Battle Law, P.C.
Habersham at Northlake, Building J, Suite 100
Tucker, Georgia 300384
(404) 601-7616 Phone
(404) 745-0045 Facsimile
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jsm@battlelawpc.com



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I. LETTER OF INTENT

Scope Builders, Inc. (the “Applicant”) is seeking to develop on +/- 1.66 acres of land being tax parcel numbers 18 012 10 003 and 18 012 10 004 having frontage on 3820 and 3820 North Decatur Road (the “Subject Property”) with a convenience store with fuel pumps, a drive-thru pharmacy, and retail space. The Applicant is seeking a rezoning from NS to C-1 and two special land use permits. The special land use permits are for the fuel pumps and drive-thru portion of the pharmacy respectively.

This document serves as a statement of intent, analysis of the criteria under the DeKalb County Code of Ordinances and contains notice of constitutional allegations as a reservation of the Applicant’s rights.

II. DEKALB COUNTY REZONING CRITERIA

A. Whether the zoning proposal is in conformity with the policy and intent of the comprehensive plan.

The Subject Property is within the Town Center future land use designation, which is described on page thirty-three (33) of the DeKalb County 2050 Comprehensive Plan. The intent of the Town Center is “to promote the concentration of higher intensity residential and commercial uses, which serve communities surrounding the center, in order to reduce automobile travel, promote walkability and increased transit usage.” This zoning proposal seeks to rezone the Subject Property from NS to C-1. The Subject Property is the only property zoned NS at the Rockbridge Road and North Indian Creek Drive intersection. Other surrounding properties are zoned C-1, OI, MR-2, and R-75. The C-1 zoning district is a specifically permitted zoning district under the Town Center land use designation as evidenced by the abundant C-1 zoning in the area.

Furthermore, the proposed plan combined several commercial uses on one site which can reduce the number of vehicle trips taken by residents in the area. Residents can travel to the Subject Property for both fuel, pharmaceutical needs, and to visit the proposed retail rather than traveling around to various properties to accomplish the same thing.

Therefore, the Subject Property is in conformity with the policy and intent of the comprehensive plan.

B. Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property or properties.

The zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property. The Subject Property was a CVS pharmacy prior to the CVS closing. Across North Indian Creek Drive there used to be a QuikTrip gas station which has since closed and moved. This zoning proposal seeks to provide the uses that were lost. So, the proposed use will be just as suitable as the two uses that were in the area before.



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C. Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned.

The Subject Property does not have a reasonable economic use as currently zoned.

D. Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property or properties.

This zoning proposal will not adversely affect the existing use or usability of adjacent or nearby properties. The development will be contained to the Subject Property and will use the existing building as much as possible. The building will maintain its distance from the residentially zoned property to the north, which complies with the transitional buffer requirements for C-1 next to R-75.

E. Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the zoning proposal.

The CVS that was once operating on the Subject Property has closed. The QuikTrip across North Indian Creek Drive has closed and moved. This zoning proposal seeks to return those uses to the area.

Furthermore, the Applicant is attempting to bring Mosaic Health to the site. Mosaic Health is a healthcare provider that is established in the City of Clarkston. Mosaic Health would be a fantastic amenity for the surrounding community members.

F. Whether the zoning proposal will adversely affect historic buildings, sites, districts, or archaeological resources.

The zoning proposal will not adversely affect historic buildings. The Subject Property is not within a historic district or site. The Applicant is not aware of any archaeological resources on the Subject Property.

G. Whether the zoning proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.

The zoning proposal will not result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools. The burden streets, transportation facilities, and utilities will match the burden when CVS and QuikTrip were at the intersection. There will be no impact on schools.

H. Whether the zoning proposal adversely impacts the environment or surrounding natural resources.



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The zoning proposal includes fuel pumps. While some have expressed concern surrounding the potential impact on the environment, the Applicant has confirmed that they will be following all EPA. Additionally, the zoning proposal will include electric vehicle charging stations. The stations will empower the surrounding community to purchase and use an electric vehicle rather than a fossil fuel vehicle. This will help to reduce air pollution and contribute to the public health for those living in the area.

III. DEKALB COUNTY SPECIAL LAND USE PERMIT DECISION CRITERIA – FUEL PUMPS

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 site plan included with this zoning proposal shows that the Subject Property has adequate land area available for the proposed uses. The proposal will take advantage of the existing building and add fuel pumps. This will involve moving parking spots around to make room for the fuel pumps and adding asphalt on the west side of the Subject Property to make room for the electric vehicle charging stations. However, even with this rearrangement, there is room for the proposed development.

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 proposed fuel pumps are appropriate given surrounding properties. The fuel pumps will replace those that were on the property across the street. QuikTrip has since moved, so this will bring a fuel station back to the area.

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

There are adequate public services, facilities, and utilities to serve the proposed use.

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.

There is sufficient traffic-carrying capacity for the proposed fuel pumps.



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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.

The site has adequate ingress and egress and all buildings and structures will have adequate pedestrian and automotive safety. There will be adequate traffic flow and control.

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 proposed fuel pumps will not create adverse impacts upon any adjoining land uses by reason or manner of hours of operation.

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

This zoning proposal, taken in its entirety, will result in a use that is consistent with the C-1 zoning classification.

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

The proposed use advances the policies of the comprehensive plan by combining several commercial uses onto one parcel. This reduces the amount of required vehicular trips to visit several places that offer the same kind of services. Residents will be able to travel to this one location to meet several needs.

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

There is adequate provision of refuse and service areas.

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

The length of time the special land use permit should be granted should not be limited.

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 size, scale, and massing of the proposed fuel pumps 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.



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

The Subject Property is not within a historic district and is not located on a historic site. There are no historic buildings on the site. The Applicant is not aware of any archaeological resources on the Subject Property.

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

The proposed fuel pumps satisfies the supplemental regulations.

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 fuel pumps would return a use that once existed across the street. So, the use is consistent with the needs of the neighborhood.

IV. DEKALB COUNTY SPECIAL LAND USE PERMIT DECISION CRITERIA – DRIVE-THRU PHARMACY

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.

There is adequate land for the proposed drive-thru lane and window including all required, yards, open space, off-street parking, transitional buffer zones, and all other applicable requirements of the C-1 zoning district.

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 proposed drive-thru will be on the west side of the Subject Property. West of the Subject Property is only vacant land. The drive-thru pharmacy will not create adverse impacts upon any adjoining land by reason of traffic, noise, smoke, odor, dust, or vibration.

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

There are adequate public services, facilities, and utilities to serve the proposed drive-thru pharmacy.



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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.

There is sufficient traffic-carrying capacity for the proposed drive-thru pharmacy. The CVS building on site had a drive-thru pharmacy that was supported adequately by the public street.

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 are adequate ingress and egress points on the Subject Property to support the drive-thru pharmacy. The ingress and egress supported the drive-thru pharmacy when CVS operated on site and will support the drive-thru pharmacy under this zoning proposal.

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 proposed drive-thru pharmacy will not create adverse impacts on adjoining land uses by reason of the manner and hours of operation.

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

The zoning proposal, taken in its entirety, is consistent with the C-1 zoning district classification.

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

The proposed drive-thru pharmacy and other combined uses advances the policies of the comprehensive plan by combining several commercial uses onto one parcel. This reduces the amount of required vehicular trips to visit several places that offer the same kind of services. Residents will be able to travel to this one location to meet several needs.

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

There is adequate provision of refuse and service areas.

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

The length of time for which the special land use permit is granted should not be limited in duration.



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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 size, scale, and massing of the proposed fuel pumps 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.

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

The Subject Property is not within a historic district and is not located on a historic site. There are no historic buildings on the site. The Applicant is not aware of any archaeological resources on the Subject Property.

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

The proposed use satisfies the requirements contained within the supplemental regulations.

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 drive-thru pharmacy would return a use that once existed on the Subject Property. So, the use is consistent with the needs of the neighborhood.

V. CONCLUSION

For the foregoing reasons, the Applicant hereby requests that the application for a rezoning and two special land use permits to allow for a convenience store with fuel pumps, a drive-thru pharmacy, and retail space 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 its development as proposed by the Applicant are or would be unconstitutional in that they would destroy the Applicant's property rights without first paying fair, adequate and just compensation for such rights, in violation of the Fifth Amendment and Fourteenth Amendment of the Constitution of the United States and Article I, Section I, Paragraph I of the Constitution of the



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State of Georgia of 1983, Article I, Section III, Paragraph I of the Constitution of the State of Georgia of 1983, and would be in violation of the Commerce Clause, Article I, Section 8, Clause 3 of the Constitution of the United States.

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

A denial of this Application would constitute an arbitrary irrational abuse of discretion and unreasonable use of the zoning power because they bear no substantial relationship to the public health, safety, morality or general welfare of the public and substantially harm the Applicant in violation of the due process and equal protection rights guaranteed by the Fifth Amendment and Fourteenth Amendment of the Constitution of the United States, and Article I, Section I, Paragraph I and Article I, Section III, Paragraph 1 of the Constitution of the State of Georgia.

A refusal by the DeKalb County Board of Commissioners to amend the land use and/or rezone the Subject Property to the classification as requested by the Applicant would be unconstitutional and discriminate in an arbitrary, capricious and unreasonable manner between the Applicant and owners of similarly situated property in violation of Article I, Section I, Paragraph II of the Constitution of the State of Georgia of 1983 and the Equal Protection Clause of the Fourteenth Amendment to the Constitution of the United States. Any Rezoning and Two Special Land Use Permits to Allow for a Convenience Store with Fuel Pumps, A Drive-Thru Pharmacy, and Retail Space of the Property subject to conditions which are different from the conditions requested by the Applicant, to the extent such different conditions would have the effect of further restricting Applicant's utilization of the property, would also constitute an arbitrary, capricious and discriminatory act in zoning the Subject Property to an unconstitutional classification and would likewise violate each of the provisions of the State and Federal Constitutions set forth hereinabove.

A refusal to allow the land use amendment and/or rezoning and two special land use permits in question would be unjustified from a fact-based standpoint and instead would result only from constituent opposition, which would be an unlawful delegation of authority in violation of Article IX, Section II, Paragraph IV of the Georgia Constitution.

A refusal to allow the land use amendment and/or rezoning and two special land use permits in question would be invalid inasmuch as it would be denied pursuant to an ordinance which is not in compliance with the Zoning Procedures Law, O.C.G.A Section 36-66/1 et seq., due to the manner in which the Ordinance as a whole and its map(s) have been adopted.

The existing land use designation and/or zoning classification on the Subject Property is unconstitutional as it applies to the Subject Property. This notice is being given to comply with



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the provisions of O.C.G.A. Section 36-11-1 to afford the County an opportunity to revise the Property to a constitutional classification. If action is not taken by the County to rectify this unconstitutional land use designation and/or zoning classification within a reasonable time, the Applicant is hereby placing the County on notice that it may elect to file a claim in the Superior Court of Fulton County demanding just and adequate compensation under Georgia law for the taking of the Subject Property, diminution of value of the Subject Property, attorney's fees and other damages arising out of the unlawful deprivation of the Applicant's property rights.

Michele L. Battle, Esq.
Attorney for the Applicant

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.

12/05/2025

Date

TO WHOM IT MAY CONCERN:

I/We Local Sandy GA, LLC

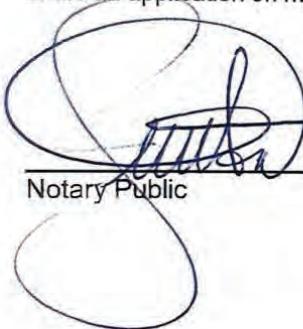
Name of Owner(s)

being owner of the above-mentioned subject property hereby delegate authority to:

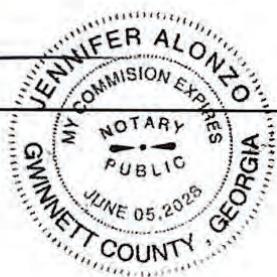
Scope Builders, Inc. c/o Battle Law, P.C.

Name of Agent or Representative(s)

to file an application on my/our behalf.



Notary Public




Owner 12/5/2025

Date

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 contributions 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:

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

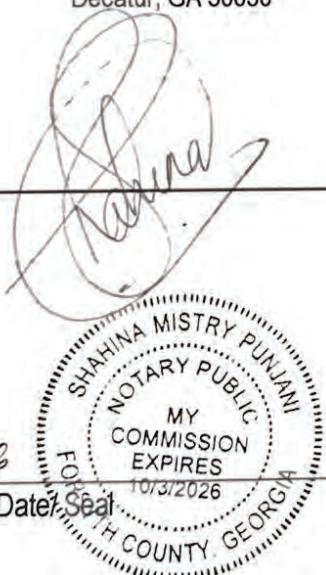
1. The name and official position of the local government official to whom the campaign contribution was made.
2. The dollar amount and description of each campaign contribution made during the two years immediately preceding the filing of this application and the date of each such contribution.

The **Disclosure** must be filed within 10 days after the application is first filed and must be submitted to:

CEO Lorraine Cochran-Johnson
1300 Commerce Drive
Decatur, GA 30030

DeKalb County Board of Commissioners
1300 Commerce Drive
Decatur, GA 30030

Notary



Signature of Applicant

Date

Check one: Owner Agent

10/3/2026

Expiration Date/Seal

DEPARTMENT OF PLANNING & SUSTAINABILITY

Director
Juliana A. Njoku

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 contributions to a local government official within two years immediately preceding the filing of this application?

Yes No

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

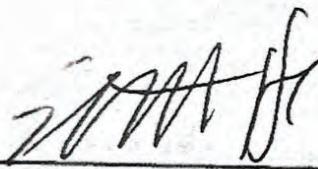
*Notary seal not needed if answer is "No"

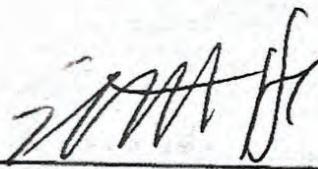
1. The name and official position of the local government official to whom the campaign contribution was made
2. The dollar amount and description of each campaign contribution made during the two years immediately preceding the filing of this application and the date of each such contribution.

The Disclosure must be filed within 10 days after the application is first filed and must be submitted to:

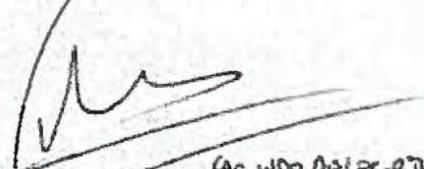
CEO Lorraine Cochran-Johnson
1300 Commerce Drive
Decatur, GA 30030

DeKalb County Board of Commissioners
1300 Commerce Drive
Decatur, GA 30030


Notary


Expiration Date/ Seal

Check one: Owner Agent


12/01/2025

Signature of Applicant LOCAL MANAGER LLC

Date 12-5-25



DEPARTMENT OF PLANNING & SUSTAINABILITY

Director
Juliana A. Njoku

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 contributions 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:

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

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.

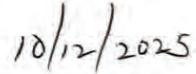
The **Disclosure** must be filed within 10 days after the application is first filed and must be submitted to:

CEO Lorraine Cochran-Johnson
1300 Commerce Drive
Decatur, GA 30030

DeKalb County Board of Commissioners
1300 Commerce Drive
Decatur, GA 30030


Notary


Signature of Applicant


Date

Check one: Owner Agent





DeKalb County
GEOGRAPHIA

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 **XX** 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

Signature of Applicant /Date

Check one: Owner _____ Agent **XX**



Expiration Date/ Seal

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

EXHIBIT "A"
LEGAL DESCRIPTION

REAL PROPERTY IN THE CITY OF DECATUR, COUNTY OF DEKALB, STATE OF GEORGIA,
DESCRIBED AS FOLLOWS:

ALL THAT CERTAIN PIECE, PARCEL OR TRACT OF LAND SITUATE, LYING AND BEING IN
LAND LOT 12 OF THE 18TH DISTRICT OF DEKALB COUNTY, STATE OF GEORGIA. CONTAINING
1.544 ACRES ACCORDING TO AN "ALTA/ACSM LAND TITLE SURVEY FOR COMMONWEALTH LAND
TITLE INSURANCE COMPANY, 3820 NOR TH DECATUR ROAD, LAND LOT 12, 18TH DISTRICT,
DEKALB COUNTY, DECATUR, GEORGIA, (CVS PHARMACY)", DATED NOVEMBER 11, 2002,
PREPARED BY SITE DESIGN, INC. WITH THE FOLLOWING METES AND BOUNDS TO WIT:

BEGINNING AT AN OLD 5/8 INCH REBAR IRON PIN LOCATED ON THE NORTHERN RIGHT OF
WAY OF NORTH DECATUR AT THE JOINT CORNER OF THE DEKALB COUNTY BOARD OF EDUCATION
PROPER TY NOW OR FORMERLY, SAID IRON PIN ALSO BEING 1,085.3± FEET FROM THE
INTERSECTION OF THE WEST LINE OF LAND LOT 12 WITH ITS INTERSECTION OF SAID
NORTHERN RIGHT OF WAY; THENCE LEAVING SAID RIGHT OF WAY AND RUNNING ALONG THE
LINE OF SAID DEKALB COUNTY BOARD OF EDUCATION PROPERTY NOR TH 02 DEGREES 14
MINUTES 16 SECONDS WEST 205.02 FEET TO AN OLD 5/8 INCH REBAR IRON PIN ON THE
SOUTHERN LINE OF LOT 10, DIAL HEIGHTS SUBDIVISION; THENCE TURNING AND RUNNING
ALONG SAID SOUTHERN LINE OF LOTS THROUGH 15 OF DIAL HEIGHTS SUBDIVISION SOUTH
89 DEGREES 25 MINUTES 30 SECONDS E AST 383.76 FEET TO AN OLD 5/8" REBAR IRON
PIN LOCATED ON THE WESTERN RIGHT OF WAY OF NOR TH INDIAN CREEK DRIVE (FORMERLY
COLLINGWOOD DRIVE), CROSSING OVER AN OLD 1/2 INCH REBAR IRON PIN AT 37.87 FEET;
THENCE TURNING AND RUNNING ALONG SAID RIGHT OF WAY AND ALONG A CURVE TO THE
LEFT HAVING A RADIUS OF 813.69 FEET AND A CHORD BEARING AND DISTANCE OF SOUTH
20 DEGREES 44 MINUTES 47 SECONDS WEST 189.66 FEET TO A POINT IN A CONCRETE
SIDEWALK; THENCE SOUTH 48 DEGREES 57 MINUTES 29 SECONDS WEST 23.59 FEET TO
POINT IN A CONCRETE SIDEWALK LOCATED ON THE NORTHERN RIGHT OF WAY OF NORTH
DECATUR ROAD; THENCE TURNING AND RUNNING ALONG SAID NORTH RIGHT OF WAY SOUTH 88
DEGREES 11 MINUTES 09 SECONDS WEST 290.79 FEET TO THE POINT OF BEGINNING,
CROSSING OVER AN OLD 5/8 INCH REBAR IRON PIN AT 10.85 FEET.





DEPARTMENT OF PLANNING & SUSTAINABILITY

Chief of Executive Officer
Lorraine Cochran-Johnson

Director
Juliana A. Njoku

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(s) Name: Joshua Mahoney

Phone: [REDACTED] Email: [REDACTED]

Property Address: 3820 North Decatur Road, Decatur 30032

Tax Parcel ID: 18 012 10 004 Comm. District(s): 4 & 6 Acreage: 0.65

Existing Use: _____ Proposed Use: **Fuel pumps**

Supplemental Regs: _____ Overlay District: **No**

Rezoning: Yes No Existing Zoning: **NS** Proposed Zoning: _____

DRI: _____ Square Footage/Number of Units: _____

Rezoning Request: _____

Land Use Plan Amendment: Yes No Existing Land Use: **TC**

Proposed Land Use: _____ Consistent _____ Inconsistent _____

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

Special Land Use Request(s): **Fuel pumps for retail center with a convenience store.**

Major Modification: Yes No Existing Zoning Conditions: **None**

Major Modification Request: **n/a**

Condition(s) to be modified: **n/a**

WHAT TO KNOW BEFORE YOU FILE YOUR APPLICATION

Pre-submittal Community Meeting: _____

Calendar Dates: CC: _____

PC: _____

BOC: _____

Letter of Intent: _____ Impact Analysis: _____ Owner Authorization(s): _____ Campaign Disclosure: _____

Public Notice, Signs: _____ Tree Survey, Conservation (if applicable): _____

Submittal Format:

ONE (1) COMBINED, PDF DOCUMENT UPLOAD via OUR ONLINE PORTAL.

Site Plan Checklist, if applicable:

* Density	* Frontage	* Sidewalks
* Density Bonuses	* Street Width	* Fencing/Walls
* Mix of Uses	* Landscape Strips	* Building Height
* Open Space	* Parking - Auto	* Building Separation
* Enhanced Open Space	* Parking – Bicycle	* Building Orientation
* Pedestrian Plan	* Screening	* Streetscapes
* Lot Size	* Perimeter Landscapes	* Garages
* Setbacks: front, sides, side corner, rear	* Bldg Materials: Roof, Fenestration, Façade Design	

Possible Variances: Variances may be sought dependent on final design. 50-foot transitional must be maintained along the northern boundary line.

Comments: The Applicant may need to apply for two SLUPS - Fuel Pumps in a TC and the continued operation of a drive-thru pharmacy. There may be the potential to keep the drive-thru, however, the Applicant will have to show no lapse in business. Something to consider is the two vehicular uses (fuel pumps and drive thru) on one (smaller) parcel and within a TC and NS (promote walkability and uses to serve the surrounding community).

Applicant may consider moving fuel pumps to the northwest portion of the property to lessen visibility from the street or consider no fuel option, as the pumps would be new. The building is existing and will serve 4 retail shops (pharmacy, convenience/gas store, and two undisclosed retail shops. Applicant should note the site is within the Memorial Drive SAP, which provides goals for the Corridor and surrounding neighborhoods. Supplemental Regs in Section 4.2.23 and 4.2.28 should be addressed in the Application.

Planner: Andrea Folgherait, Sr. Planner

Date: November 25, 2025