



Planning and Zoning
1975 Lakeside Parkway, Suite 350
Tucker, GA 30084
Phone: 678-597-9040
Website: www.tuckerga.gov

Land Use Petition Application Checklist

FOR ALL REZONINGS, COMPREHENSIVE PLAN AMENDMENTS, SPECIAL LAND USE PERMITS,
MODIFICATIONS, AND CONCURRENT VARIANCES

| REQUIRED ITEMS | NUMBER OF COPIES | CHECK <input checked="" type="checkbox"/> |
|---|---|---|
| One (1) digital copy of all submitted materials | • One (1) flash drive or CD in JPEG, .PDF format * | <input checked="" type="checkbox"/> |
| Pre-Application Meeting Form | • One (1) Copy | <input checked="" type="checkbox"/> |
| Public Participation Report | • One (1) Copy | <input checked="" type="checkbox"/> |
| Application, Signature Pages, Disclosure Form | • One (1) Copy each | <input checked="" type="checkbox"/> |
| Written Legal Description | • One (1) 8 1/2 "x 11" Legal Description | <input checked="" type="checkbox"/> |
| Boundary Survey and Proposed Site Plan (See Page 9 for Requirements) | • One (1) Full-Size (24" x 36") Copy of each • One (1) 8 1/2 "x 11" or 11x17 Site Plan of each | <input checked="" type="checkbox"/> |
| Building Elevations (renderings or architectural drawings to show compliance with Article 5) | • One (1) Copy | <input checked="" type="checkbox"/> |
| Letter of Intent | • One (1) Copy | <input checked="" type="checkbox"/> |
| Analysis of Standards/Criteria (See page 5) | • One (1) Copy | <input checked="" type="checkbox"/> |
| Environmental Site Analysis Form | • One (1) Copy | <input checked="" type="checkbox"/> |
| Trip Generation Letter (ITE Trip Generation Manual) | • One (1) Copy | <input checked="" type="checkbox"/> |
| THE FOLLOWING ITEMS MAY BE REQUIRED | | |
| Traffic Impact Study (See Sec. 46-1309) | • One (1) Copy | <input checked="" type="checkbox"/> |
| Development of Regional Impact Review Form | • Three (3) Copies | <input type="checkbox"/> |
| Environmental Impact Report | • One (1) Copy | <input type="checkbox"/> |
| Noise Study Report | • One (1) Copy | <input type="checkbox"/> |
| Meeting with GDOT if impact to I-285 Eastside Express Lanes | • One (1) Copy | <input type="checkbox"/> |
| Other items required per the Zoning Ordinance | • One (1) Copy | <input type="checkbox"/> |
| LAND USE PETITION FEE SCHEDULE | | |
| Residential Rezoning | \$500 | <input type="checkbox"/> |
| Multifamily/Non-Residential Rezoning | \$750 | <input type="checkbox"/> |
| Special Land Use Permit | \$400 | <input checked="" type="checkbox"/> |
| Comprehensive Plan Amendment | \$1000 | <input type="checkbox"/> |
| Modification | \$250 | <input type="checkbox"/> |
| Variance (includes Concurrent Variance) | \$300 | <input checked="" type="checkbox"/> |
| Public Notice Sign Fee | \$85 (per required sign) | <input checked="" type="checkbox"/> |

<https://rhudspeth.sharefile.com/home/shared/fode5505-8bae-4dba-88bd-54f1c7f2f45b>

RECEIVED
CITY OF TUCKER

12/16/2024

PLANNING & ZONING
DEPARTMENT



Public Participation Plan Report Project Name:

Contact Name: Joseph G. Wilburn, Attorney, Reginald A. Hudspeth, LLC;

1325 Satellite Blvd., Bldg. 100, Suite 101, Suwanee, GA 30024;

Office Phone: 770-925-1400, Direct Line: 770-864-1403, Fax: 770-925-8190

Meeting Date: September 5, 2004

Meeting Location: 2101 Northlake Pkwy, Tucker GA 30084

Meeting Start Time: 7:00 PM

Meeting End Time: 7:40 PM

Number of people in attendance: 2 (and Applicant)

Date of Filing of Land Use Petition Application: December 16, 2024 (Revised Application)

General Introduction: please include information about who you reached out to for the meeting, communication outreach methods (letters, facebook, emails, etc), what you were proposing at the time of the neighborhood meeting, the meeting format (ppt, q&a, display boards, etc), and who attended the meeting on behalf of the applicant (engineers, attorney, developer, property owner, etc). Additional information that you feel is important to include is welcomed.

Summary of concerns and issues raised at the meeting: (please list and respond to each one individually; include as many items that were discussed).

1. List question/concern/comment/request for changes to the proposed plans

Applicant Response: No substantive concerns or requests were raised.

2. List question/concern/comment/request for changes to the proposed plans

Applicant Response: No substantive concerns or requests were raised.

The following must be submitted at time of application submittal:

- o Copy of the letter that was mailed to neighbors
- o Copy of address list for mailing

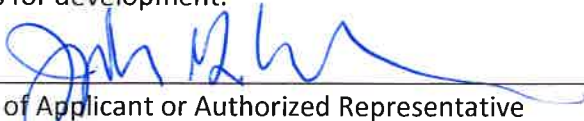
RECEIVED
CITY OF TUCKER

12/16/2024


PLANNING & ZONING
DEPARTMENT

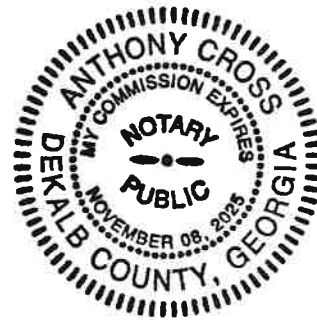
- Meeting sign-in sheet (ATTACHED)
- Meeting minutes (ATTACHED)
- Copy of the plan that was presented at the neighborhood meeting (ATTACHED)

I, the undersigned, as the applicant or an authorized representative of the applicant do solemnly swear and attest that the information provided is true and accurate. I have included a complete record of the neighborhood meeting, as well as an honest response regarding the intentions for development.

 12/16/2024
Signature of Applicant or Authorized Representative Date

Joseph G. Wilburn
Type or Print Name of Applicant or Authorized Representative Date

 12/16/24
Signature of Notary Date Notary Seal



RECEIVED
CITY OF TUCKER

12/16/2024

PLANNING & ZONING
DEPARTMENT

Sign-In Sheet for City of Tucker Public Participation Meeting

MEETING DETAILS:

Date: 09.05.24 Time: 7 PM

Location: 2101 Northlake Pkwy
Tucker, GA 30084

| Name | Ph# | Email |
|----------------|------------|------------------|
| MICHAEL THOMAS | 7-314-7072 | |
| Joseph Wilburn | 7-864-1403 | joe@rhudspen.com |

RECEIVED
CITY OF TUCKER

12/16/2024

PLANNING & ZONING
DEPARTMENT

Minutes of THE LUXE INTERIORS AND EVENTS LLC, a Georgia limited liability company

Time and Place of Meeting:

A Special Meeting of the The Luxe Interiors & Events LLC (the "Company") was held at 2101 Northlake Parkway Tucker Georgia 30084, at 7:00 PM September 5, 2024, pursuant to a Notice submitted to the Neighboring Land Owners, in furtherance of a Special Land Use Permit application being submitted on behalf of the Company.

Presiding office was the Manager of the Company, Cheryl Adams.

Attending the Meeting was Michael Thomas of the City of Tucker and Joseph Wilburn, attorney for the Applicant.

The Meeting was called to order at 7:00 PM. Shortly thereafter Ms. Adams introduced herself to Mr. Thomas, and Mr Thomas indicated that he was there on behalf of the City. No Neighboring attended the meeting.

Ms. Adams on behalf of the company described the activities of the Company and took Mr. Adams and Mr Wilburn on a tour of the facilities. At approximately 7:40 the Meeting was concluded.

There were no substantive concerns or requests for changes to the proposed plans raised at the Meeting. The preceding Minutes shall be maintained in the official records of the Company.

Given this 16th day of December 2024.

By: _____

Joseph G. Wilburn, as attorney for Applicant

RECEIVED
CITY OF TUCKER

12/16/2024

PLANNING & ZONING
DEPARTMENT

REGINALD A. HUDSPETH, LLC

ATTORNEYS AT LAW
1325 Satellite Blvd.
Bldg. 100, Suite 101
Suwanee, Georgia 30024
(770) 925-1400
Facsimile (770) 925-8190

REGINALD A. HUDSPETH

JOSEPH G. WILBURN, JR.

August 21, 2024

VIA 1ST CLASS US MAIL

Planning & Zoning
1975 Lakeside Parkway, Ste 350
Tucker, GA 30084

Dear Neighbors of 2101 Northlake Pkwy, Tucker GA 30084:

Luxe Interiors and Events LLC d/b/a Luxe Events is interested in using the property at 2101 Northlake Pkwy, Tucker GA 30084 ("Property") for a Special Events Facility. The request requires a Special Land Use Permit ("SLUP") because the use of the Property as a Special Events Facility in the Northlake High-Intensity Commercial District requires a SLUP.

The first step in the process is to hold a Public Participation (neighborhood) meeting with the community to discuss our proposal with you and receive feedback. This meeting is required before we can submit our application for a SLUP to the city. You are receiving this letter as you own property (your property:) within 500' of our project. We hope you will be able to meet with us at the following time:

Meeting Date/Time: Thursday, September 5, 2024 at 6:00 PM

Meeting Location: 2101 Northlake Pkwy, Tucker GA 30084

In addition to the SLUP the Applicant intends to file concurrent variances, as follows:

- a. Concurrent Variance to Sec. 46-1205(4) to permit a Special Events Facility within 1,500 feet from the boundary line of the Property to property zoned or used for residential purposes; and
- b. Concurrent Variance as to Sec. 46-1145(5) to allow for the use of two accessory buildings located on the Property with respect to a variance in the exterior construction material; and
- c. Concurrent Variance as to Sec. 46-1451(g) to allow the area comprising approximately nine (9) Parking spaces for the location of the accessory structures (shown on attached Site Plane) to store furniture and equipment used by the Special Events Facility.

The Applicant has no plans to change anything structurally on the Property but will only make cosmetic updates; so, there is no construction or remodeling required.

We've included a site plan of our current proposal in which we look forward to discussing with you and getting feedback on September 5, 2024. If you are unable to attend or wish to reach out beforehand, we can be reached at joe@rhudspeth.com or (770) 864-1403.

A flyer outlining the land use petition process in the City of Tucker is also included. Any questions relating to city matters can be addressed to info@tuckerga.gov.

Sincerely,

Joseph G Wilburn

Joseph G. Wilburn for Luxe Interiors and Events LLC

Enclosures

RECEIVED
CITY OF TUCKER

12/16/2024

PLANNING & ZONING
DEPARTMENT

| | Charge | If Registered | Value | If COD | Fee | Fee | Fee | Fee |
|---|--------|---|--------|--|-----|-----|-----|-----|
| 1. HLS PROPERTIES LLC 2142 VISTADALE CT TUCKER, GA 30084 | | | \$0.63 | | | | | |
| 2. STALLION INVESTMENT II LLC 3378 LAWRENCEVILLE HWY TUCKER, GA 30084 | | | \$0.63 | | | | | |
| 3. EXECUTORY LLC 5325 NORTHSIDE DR NW ATLANTA, GA 30327 | | | \$0.63 | | | | | |
| 4. KAY SEM LLC 4303 LAVISTA RD TUCKER, GA 30084 | | | \$0.63 | | | | | |
| 5. STALLION INVESTMENTS LLC 3378 LAWRENCEVILLE HWY TUCKER, GA 30084 | | | \$0.63 | | | | | |
| 6. HNS PROPERTIES LLC 2133 LAVISTA EXEC PARK DR TUCKER, GA 30084 | | | \$0.63 | | | | | |
| 7. MACLEOD HARRY L 2125 LAVISTA EXEC PARK DR TUCKER, GA 30084 | | | \$0.63 | | | | | |
| 8. LAVISTA EXECUTIVE PROPERTIES LLC 2109 LAVISTA EXECUTIVE PARK DR TUCKER, GA 30084 | | | \$0.63 | | | | | |
| Total Number of Pieces Listed by Sender 8 | | Total Number of Pieces Received at Post Office | | Postmaster: Per (Name of receiving employee) | | | | |

PS Form 3877, February 2002 (Page 1 of 2)

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|--|--|--|-----------------|----------------------------|---------------|-------------------|--------|--------|--------|--------|
| Name and Address of Sender Reginald A. Hudspett 1325 Sate Blvd Bldg 100, Ste 101 Suwanee, GA 30024 | Check type of mail or service: <input type="checkbox"/> Certified <input type="checkbox"/> COO <input type="checkbox"/> Delivery Confirmation <input type="checkbox"/> Express Mail <input type="checkbox"/> Insured <input type="checkbox"/> Recorded Delivery (International) <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Signature Confirmation | Affix Stamp Here (If issued as a certificate of mailing, or for additional copies of this bill) | | Date of Receipt | | | | | | |
| | | Postage | Handling Charge | Actual Value If Registered | Insured Value | Due Sender If COD | DC Fee | SC Fee | SH Fee | RD Fee |
| Article Number | Addressee (Name, Street, City, State, & ZIP Code) | | | | | | | | | |

Name and Address of Sender
Reginald A. Hudspett
1325 Satellite Blvd
Bldg 100, Ste 101
Suwanee GA 30024

Check type of mail or service.

- ☐ Certified
☐ COO
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☐ Express Mail
☐ Insured
☐ Recorded Delivery (International)
☐ Registered
☐ Return Receipt for Merchandise
☐ Signature Confirmation

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or for ac
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Article Number

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Addressee(Name, Street, City, State, & ZIP Code)

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1.

OGLETHORPE POWER CORP
2100 E EXCHANGE PL
TUCKER, GA 30084

\$0.63

2.

TUCKER LANDINGS LLC
12895 SW 132ND ST STE 202
MIAMI, FL 33186

\$0.63

3.

5500 JIMMY CARTER BLVD LLC
2500 DALLAS HWY STE 202-316
MARIETTA, GA 30064

\$0.63

4.

MLBM HOLDINGS COMPANY LLC
2089 NORTHLAKE PKWY
TUCKER, GA 30084

\$0.63

5.

ASHIRWAD LLC
2081 NORTHLAKE PKWY
TUCKER, GA 30084

\$0.63

6.

K&C DEVELOPMENT GROUP LLC
P O BOX 669604
MARIETTA, GA 30066

\$0.63

7.

SELIG ENTERPRISES INC
1110 SPRING ST NW # 550
ATLANTA, GA 30309

\$0.63

8.

GEORGIA STUDENT FINANCE AUTH
2082 E EXCHANGE PL # 200
TUCKER, GA 30084

\$0.63

Total Number of Pieces
Listed by Sender 8
Received at Post Office
PS Form 3875, February 2002 (Page 1 of 2)

Postmaster, FBI (Name of receiving employee)

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Check type of mail or service.

- ☐ Certified
☐ Recorded Delivery (International)

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CITY OF TUCKER
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PS Form 3877, February 2002 (Page 1 of 2)

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Date

Insured

Article Number

Addressee(Name, Street, City, State, & ZIP Code)

Postage

\$0.63

TCW INC
1572 SPRING BROOK DR
DECATUR, GA 30033

HAO T HUYNH & HUNG Q NGUYEN
1619 STEPSTONE WAY
LAWRENCEVILLE, GA 30043

DREPUNG LOSELING MONASTERY INC
1781 DRESDEN DR NE
ATLANTA, GA 30319

LAVISTA EXECUTIVE PROPERTIES LLC
2109 LAVISTA EXECUTIVE PARK DR
TUCKER, GA 30084

2104 VISTADALE LLC
2104 VISTADALE CT
TUCKER, GA 30084

OLGA MARINA CONTRERAS &
2112 VISTA DALE CT
TUCKER, GA 30084

BERNARD AIME & DAWN MARIE AIME
1545 MOUNTAIN SHADOW TRL
STONE MOUNTAIN, GA 30087

GRACE HAN & PETER HAN
2696 COSMOS DR NE
ATLANTA, GA 30345

Postmaster, Per (Name of receiving employee)

See Privacy Act Statement on Reverse

Total Number of Pieces
Labeled by Sender 8
Received at Post Office

PS Form 3877, February 2002 (Page 1 of 2)

Complete by Typewriter, Ink, or Ball Point Pen

Name and Address of Sender

Reginald A. Hudspelt
1325 Satellite Blvd
Bldg 100, Suite 101
Suwanee, GA 30024

Article Number

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or for additional
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Postmark and
Date of Receipt

Check type of mail or service:

☐ Certified ☐ Recorded Delivery (International)
☐ COO ☐ Registered
☐ Delivery Confirmation ☐ Return Receipt for Merchandise
☐ Express Mail ☐ Signature Confirmation
☐ Insured

Addressee(Name, Street, City, State, & ZIP Code)

Postage

Fee

Handling

Actual Value

Insured

Due Sender

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12/16/2024

PLANNING & ZONING
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Bldg 100, Ste 101
Suwanee GA 30024

Article Number

☐ COO
☐ Delivery Confirmation
☐ Express Mail
☐ Insured

☐ Registered
☐ Return Receipt for Merchandise
☐ Signature Confirmation

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copies
Postage

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DULUTH, GA
30096
AUG 21, 24
AMOUNT



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\$5.20
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Fee

Postage

\$0.63

BMB REAL ESTATE HOLDINGS LLC
1873 SKYBROOKE LN
HOSCHTON, GA 30548

\$0.63

BFS RETAIL COMMERCIAL OPERATI
9001 AIRPORT FWY # 700
FT WORTH, TX 76180

\$0.63

JOLLY FISHERMAN ASSOCIATES
1401 MCKINNEY ST # 1200
HOUSTON, TX 77010

\$0.63

FREEDOM GROUP LLC
2130 MOUNTAIN LN
STONE MOUNTAIN, GA 30087

\$0.63

VISTA DALE PROPERTIES LLC
2127 VISTA DALE CT
TUCKER, GA 30084

\$0.63

FORMISANO NICHOLAS
2761 DOVER RD NW
ATLANTA, GA 30327

\$0.63

ABMS LTD CO
5788 MUSKET LN
STONE MOUNTAIN, GA 30087

\$0.63

FURIN PROPERTIES LLC
2105 VISTA DALE CT
TUCKER, GA 30084

Total Number of Pieces
Listed by Sender 8
Total Number of Pieces
Received at Post Office 8

Postmaster, Per (Name of receiving employee)

[Signature]

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PS Form 3877, February 2002 (Page 1 of 2)

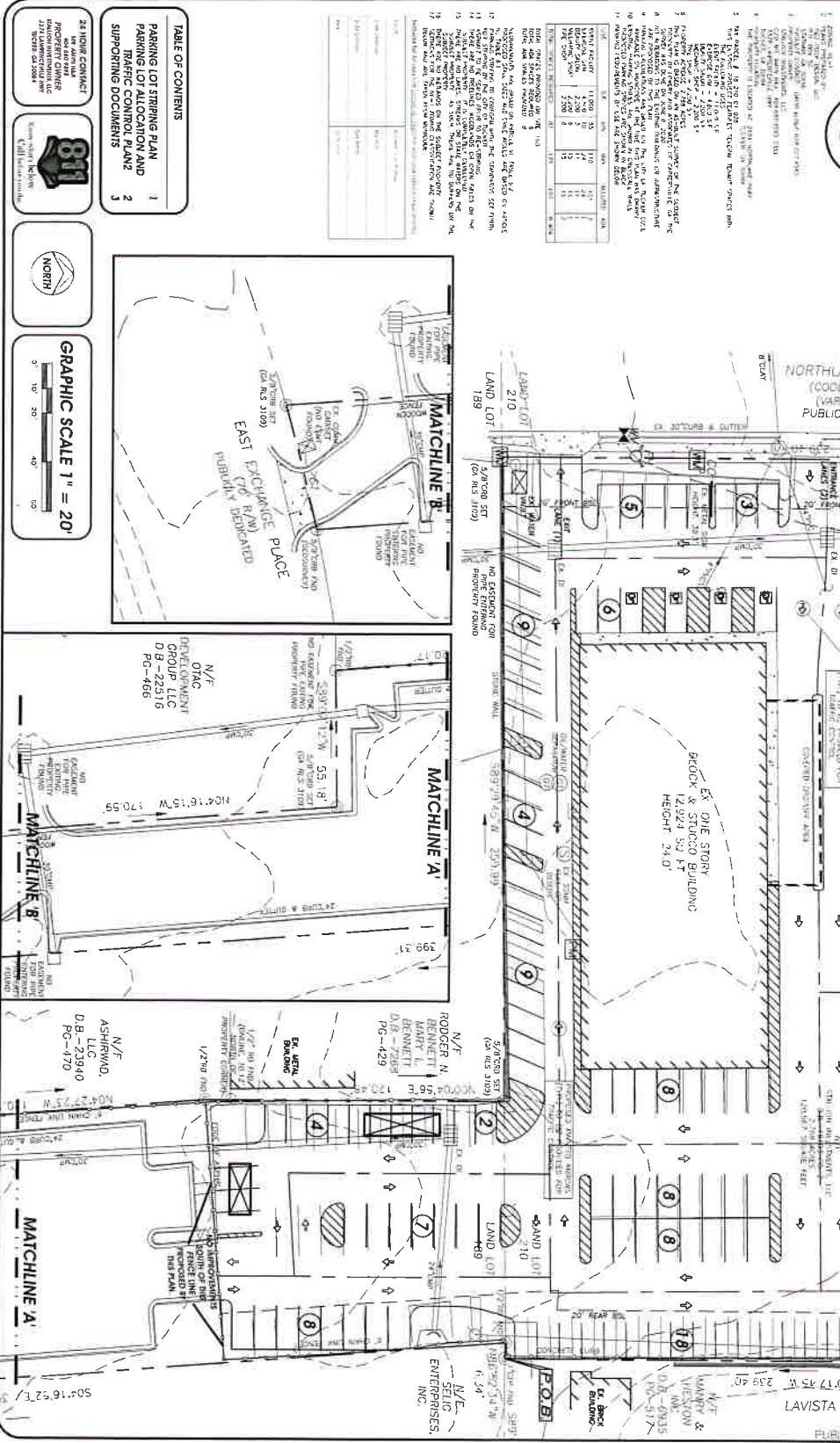
Received
CITY OF TUCKER
12/11/2024
Name and Address of Sender
Reginald A. Judsperth
1325 Satellite Blvd
Bldg 100, Ste 101
Suwanee GA 30024

Complete by Typewriter, Ink, or Ball Point Pen

Check type of mail or service:

☐ Certified
☐ COO
☐ Delivery Confirmation
☐ Express Mail
☐ Recorded Delivery (International)
☐ Registered
☐ Return Receipt for Merchandise
☐ Signature Confirmation

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or for additional
copies of this bill)
Postmark and



REVISIONS

| NO. | DATE | DESCRIPTION |
|-----|----------|----------------------------------|
| 1 | 08/20/24 | REVISED PER TUCKER CITY COMMENTS |
| 2 | 08/20/24 | REVISED PER TUCKER CITY COMMENTS |

DATE
08/20/24

DATE
08/20/24

DATE
08/20/24

2101 NORTHLAKE PARKWAY

TUCKER, GA 30084

CITY OF TUCKER

2.766 ACRES

TAX PARCEL #: 18 210 01 028

ZONED: NL-1

NORTHLAKE HIGH-INTENSITY COMMERCIAL

RED ROCK DESIGN

670227 15955 1st Floor 15/17 Addition 12/20/24

vol@redrockdesign.com

TABLE OF CONTENTS

1. PARKING LOT STRIPING PLAN

2. PARKING LOT ALLOCATION AND TRAFFIC CONTROL PLAN

3. SUPPORTING DOCUMENTS

GRAPHIC SCALE 1" = 20'

0' 10' 20' 40' 60'



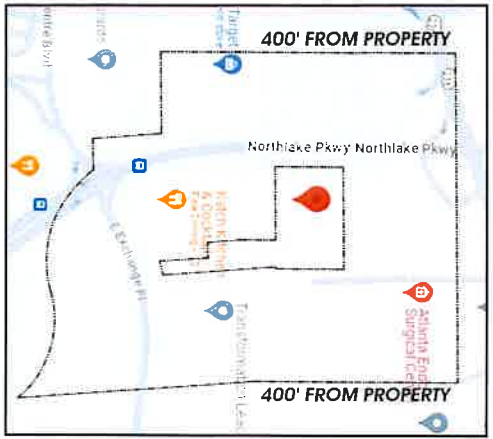
**2101 NORTHLAKE
PARIKWAY**
TUCKER, GA 30084
CITY OF TUCKER
2.768 ACRES
TAX PARCEL # : 18 210 01 028
ZONED: NL-1
NORTHLAKE HIGH-INTENSITY
COMMERCIAL

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DATE
08/20/24

**PARKING LOT
ALLOCATION AND
TRAFFIC CONTROL
PLAN**

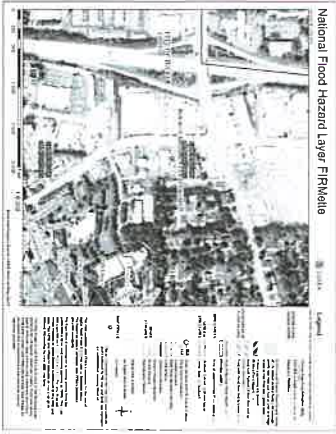
SHEET
2 OF 3



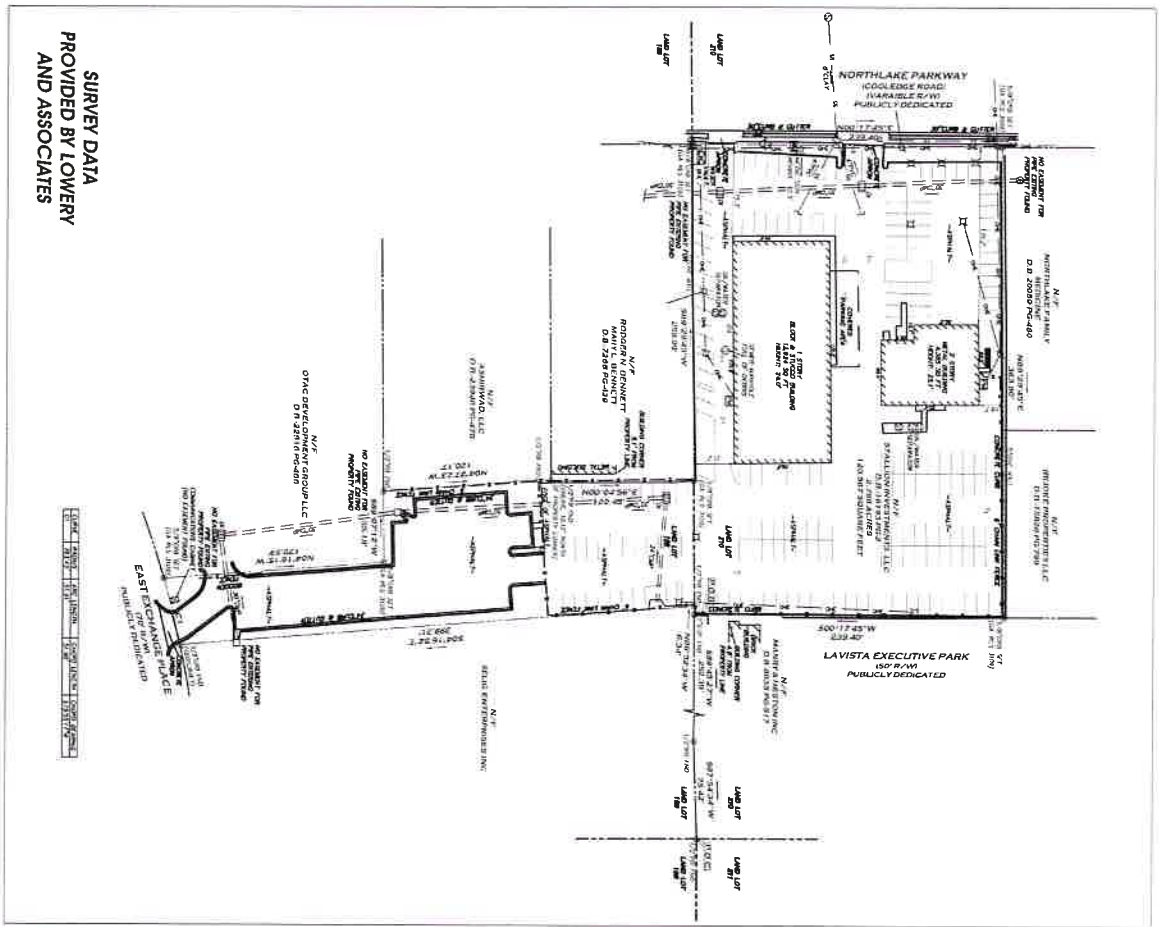
**BUILDINGS WITHIN 400' OF THE
SUBJECT PROPERTY**



FEMA FLOOD DATA



**SURVEY DATA
PROVIDED BY LOWERY
AND ASSOCIATES**



**RECEIVED
CITY OF TUCKER**
12/16/2024
RED ROCK DESIGN
PLANNING & ZONING
DEPARTMENT

**2101 NORTHLAKE
PARKWAY**

TUCKER, GA 30084
CITY OF TUCKER
2.768 ACRES
TAX PARCEL #: 18 210 01 028
ZONED: NL-1
NORTHLAKE HIGH-INTENSITY
COMMERCIAL

| REVISIONS | DATE |
|--------------------------|----------|
| REV 001: INITIAL COMMENT | 10-22-24 |
| REV 002: INITIAL COMMENT | 10-29-24 |



DATE
08/20/24

**SUPPORTING
INFORMATION**

SHEET
3 OF 3



Planning and Zoning
1975 Lakeside Parkway, Suite 350
Tucker, GA 30084
Phone: 678-597-9040
Website: www.tuckerga.gov

Land Use Petition Application

Type of Application: ☐ Rezoning ☐ Comprehensive Plan Amendment ☒ Special Land Use Permit
☒ Concurrent Variance ☐ Modification

| APPLICANT INFORMATION | | |
|---|--------------------------------|-----------------|
| Applicant is the: <input type="checkbox"/> Property Owner <input checked="" type="checkbox"/> Owner's Agent <input type="checkbox"/> Contract Purchaser | | |
| Name: Joseph G. Wilburn | | |
| Address: Reginald A. Hudspeth, LLC, 1325 Satellite Blvd, Bldg 100, Suite 101 | | |
| City: Suwanee | State: GA | Zip: 30024 |
| Contact Name: Joseph G. Wilburn | | |
| Phone: 770-864-1403 | Email: joe@rhudspeth.com | |
| OWNER INFORMATION | | |
| Name: STALLION INVESTMENTS LLC | | |
| Address: 3378 LAWRENCEVILLE HWY | | |
| City: TUCKER | State: GA | Zip: 30084 7138 |
| Contact Name: Aziz Haji | | |
| Phone: 770-329-6598 | Email: azizhajiusa@gmail.com | |
| PROPERTY INFORMATION | | |
| Property Address: 2101 NORTHLAKE PKWY, TUCKER, 30084 | | |
| Present Zoning District(s): NL-1 | Requested Zoning District(s): | |
| Present Land Use Category: Commercial | Requested Land Use Category: | |
| Land District: 18 | Land Lot(s): 210 and 189 | Acreage: 2.768 |
| Proposed Development: Special events facility | | |
| Concurrent Variance(s): | | |
| RESIDENTIAL DEVELOPMENT | | |
| No. of Lots/Dwelling Units: | Dwelling Unit Size (Sq. Ft.): | Density: |
| NON-RESIDENTIAL DEVELOPMENT | | |
| No. of Buildings/Lots: One | Total Building Sq. Ft.: 12,924 | Density: |

LAND USE PETITION APPLICATION - REVISED 01082024

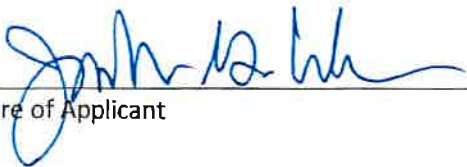
RECEIVED
CITY OF TUCKER

12/16/2024

PLANNING & ZONING
DEPARTMENT


APPLICANT'S CERTIFICATION

THE UNDERSIGNED BELOW STATES UNDER OATH THAT THEY ARE AUTHORIZED TO MAKE THIS APPLICATION. THE UNDERSIGNED IS AWARE THAT NO APPLICATION OR REAPPLICATION AFFECTING THE SAME LAND SHALL BE ACTED UPON WITHIN 24 MONTHS FROM THE DATE OF LAST ACTION BY THE MAYOR AND CITY COUNCIL.

 11/19/2024
Signature of Applicant Date

Joseph G. Wilburn

Type or Print Name and Title

 11/19/2024
Signature of Notary Public Date Notary Seal



RECEIVED
CITY OF TUCKER

12/16/2024

PLANNING & ZONING
DEPARTMENT

PROPERTY OWNER'S CERTIFICATION

I do solemnly swear and attest, subject to criminal penalties for false swearing, that I am the legal owner, as reflected in the records of DeKalb County, Georgia, of the property identified below, which is the subject of the attached Land Use Petition before the City of Tucker, Georgia. As the legal owner of record of the subject property, I hereby authorize the individual named below to act as the applicant in the pursuit of the Application for Rezoning (RZ), Comprehensive Plan Amendment (CA), Special Land Use Permit (SLUP), Modification (M) & Concurrent Variance (CV) in request of the items indicated below.

I, Aziz Haji, as Manager of Stallion Investments, LLC, authorize, Joseph G. Wilburn,
(Property Owner) (Applicant)

to file for SLUP, at 2101 NORTHLAKE PKWY, TUCKER 30084
(RZ, CA, SLUP, M, CV) (Address)

on this date July 22, 2024.
(Month) (Day) (Year)

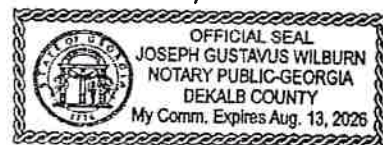
- I understand that if a rezoning is denied or assigned a zoning classification other than the classification requested in the application, then no portion of the same property may again be considered for rezoning for a period of twenty-four (24) months from the date of the mayor and city councils' final decision.
- I understand that if an application for a special land use permit affecting all or a portion of the same property for which an application for the same special land use was denied shall not be submitted before twenty-four (24) months have passed from the date of final decision by the mayor and city council on the previous special land use permit.
- I understand that failure to supply all required information (per the relevant Applicant Checklists and requirements of the Tucker Zoning Ordinance) will result in REJECTION OF THE APPLICATION.
- I understand that preliminary approval of my design plan does not authorize final approval of my zoning or signage request. I agree to arrange additional permitting separately, after approval is obtained.
- I understand that representation associated with this application on behalf of the property owner, project coordinator, potential property owner, agent or such other representative shall be binding.

A-Haji 7/22/24
Signature of Property Owner Date

Aziz Haji, as Manager

Type or Print Name and Title

[Signature] 7/22/2024
Signature of Notary Public Date



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LAND USE PETITION APPLICATION - REVISED 01/08/2024

12/16/2024

PLANNING & ZONING
DEPARTMENT

DISCLOSURE REPORT FORM

WITHIN THE (2) YEARS IMMEDIATELY PRECEDING THE FILING OF THIS ZONING PETITION HAVE YOU, AS THE APPLICANT OR OPPONENT FOR THE REZONING PETITION, OR AN ATTORNEY OR AGENT OF THE APPLICANT OR OPPONENT FOR THE REZONING PETITION, MADE ANY CAMPAIGN CONTRIBUTIONS AGGREGATING \$250.00 OR MORE OR MADE GIFTS HAVING AN AGGREGATE VALUE OF \$250.00 TO THE MAYOR OR ANY MEMBER OF THE CITY COUNCIL.

CIRCLE ONE: YES (if YES, complete points 1 through 4);

NO (if NO, complete only point 4)

1. CIRCLE ONE: **Party to Petition** (If party to petition, complete sections 2, 3 and 4 below)

In Opposition to Petition (If in opposition, proceed to sections 3 and 4 below)

2. List all individuals or business entities which have an ownership interest in the property which is the subject of this rezoning petition:

| | |
|----------|----------|
| 1. _____ | 5. _____ |
| 2. _____ | 6. _____ |
| 3. _____ | 7. _____ |
| 4. _____ | 8. _____ |

3. CAMPAIGN CONTRIBUTIONS:

| Name of Government Official | Total Dollar Amount | Date of Contribution | Enumeration and Description of Gift Valued at \$250.00 or more |
|-----------------------------|---------------------|----------------------|--|
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |

4. The undersigned acknowledges that this disclosure is made in accordance with the Official Code of Georgia, Section 36-67A-1 et. seq. Conflict of interest in zoning actions, and that the information set forth herein is true to the undersigned's best knowledge, information, and belief.

Name (print) _____

Signature: _____

Date: 11/19/2020

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12/16/2024

EXHIBIT A

LEGAL DESCRIPTION

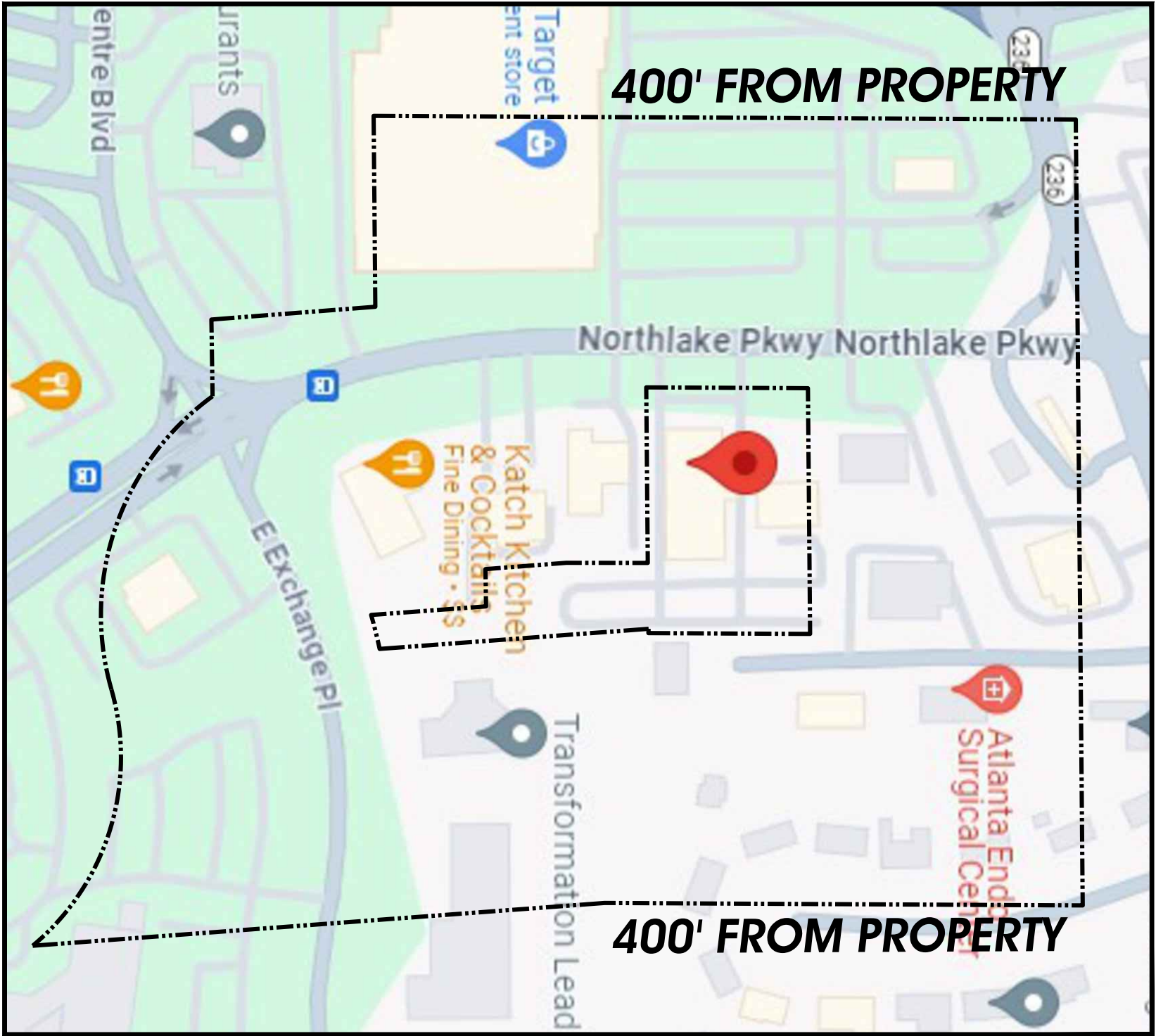
All that tract or parcel of land lying and being in Land Lots 189 and 210 of the 18th District of DeKalb County, Georgia being more particularly described as follows:

Commence at the corner common to Land Lots 188, 189, 210 and 211, aforesaid District and County; proceed thence along the Land Lot Line common to Land Lots 189 and 210 the following courses and distances: (i) South 87 degrees 10 minute 26 seconds West a distance of 75.42 feet to a point marked by an iron pin found; and (ii) South 89 degrees 01 minute 19 seconds West a distance of 252.39 feet to a point, said point being the TRUE POINT OF BEGINNING; proceed thence South 88 degrees 45 minutes 00 seconds West a distance of 6.23 feet to a point; leaving said common Land Lot Line, proceed thence South 05 degrees 01 minute 00 seconds East a distance of 398.90 feet to a point on the northerly margin of the right-of-way of East Exchange Place; proceed thence along said right-of-way margin along the arc of a curve to the left (said arc having a radius of 763.43 feet and being subtended by a chord having a bearing of South 75 degrees 10 minutes 32 seconds West and a length of 51.90 feet) an arc distance of 51.91 feet to a point; leaving said right-of-way margin, proceed thence North 05 degrees 01 minute 00 seconds West a distance of 170.59 feet to a point; proceed thence South 88 degrees 45 minutes 00 seconds West a distance of 56.00 feet to a point; proceed thence North 05 degrees 01 minute 00 seconds West a distance of 120.26 feet to a point; proceed thence North 00 degrees 27 minutes 00 seconds West a distance of 120.01 feet to a point; proceed thence South 88 degrees 45 minutes 00 seconds West a distance of 259.99 feet to a point on the easterly margin of the right-of-way of Northlake Parkway a/k/a Cooledge Road (variable width right-of-way); proceed thence along said right-of-way margin North 00 degrees 27 minutes 00 seconds West a distance of 239.40 feet to a point; leaving said right-of-way margin, proceed thence North 88 degrees 45 minutes 00 seconds East a distance of 363.90 feet to a point; proceed thence South 00 degrees 27 minutes 00 seconds East a distance of 239.40 feet to a point on the Land Lot Line common to Land Lots 189 and 210, aforesaid District and County, said point being the TRUE POINT OF BEGINNING; containing 2.77 acres, more or less, and being described according to a certain Survey for Robert S. Rush, dated March 18, 1992, prepared by Morris L. Smith, P.E., and bearing the seal of Russell L. Shreeve, Jr., Georgia Registered Land Surveyor No. 2157, which survey is incorporated herein by this reference and made a part hereof.

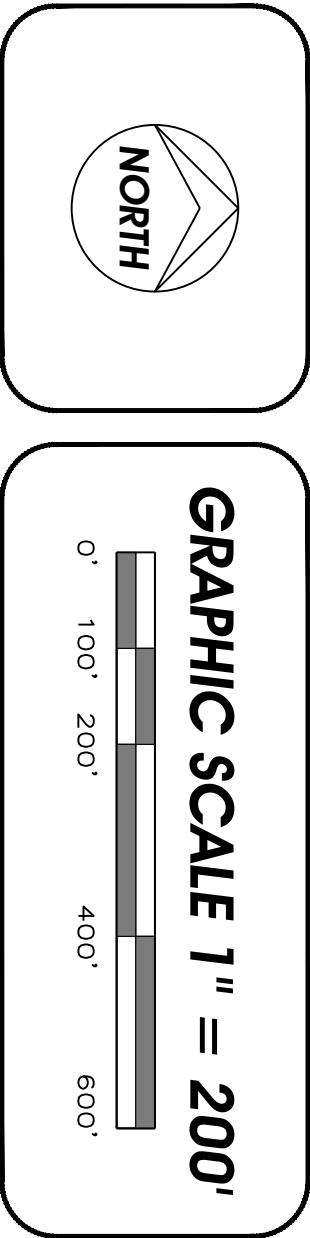
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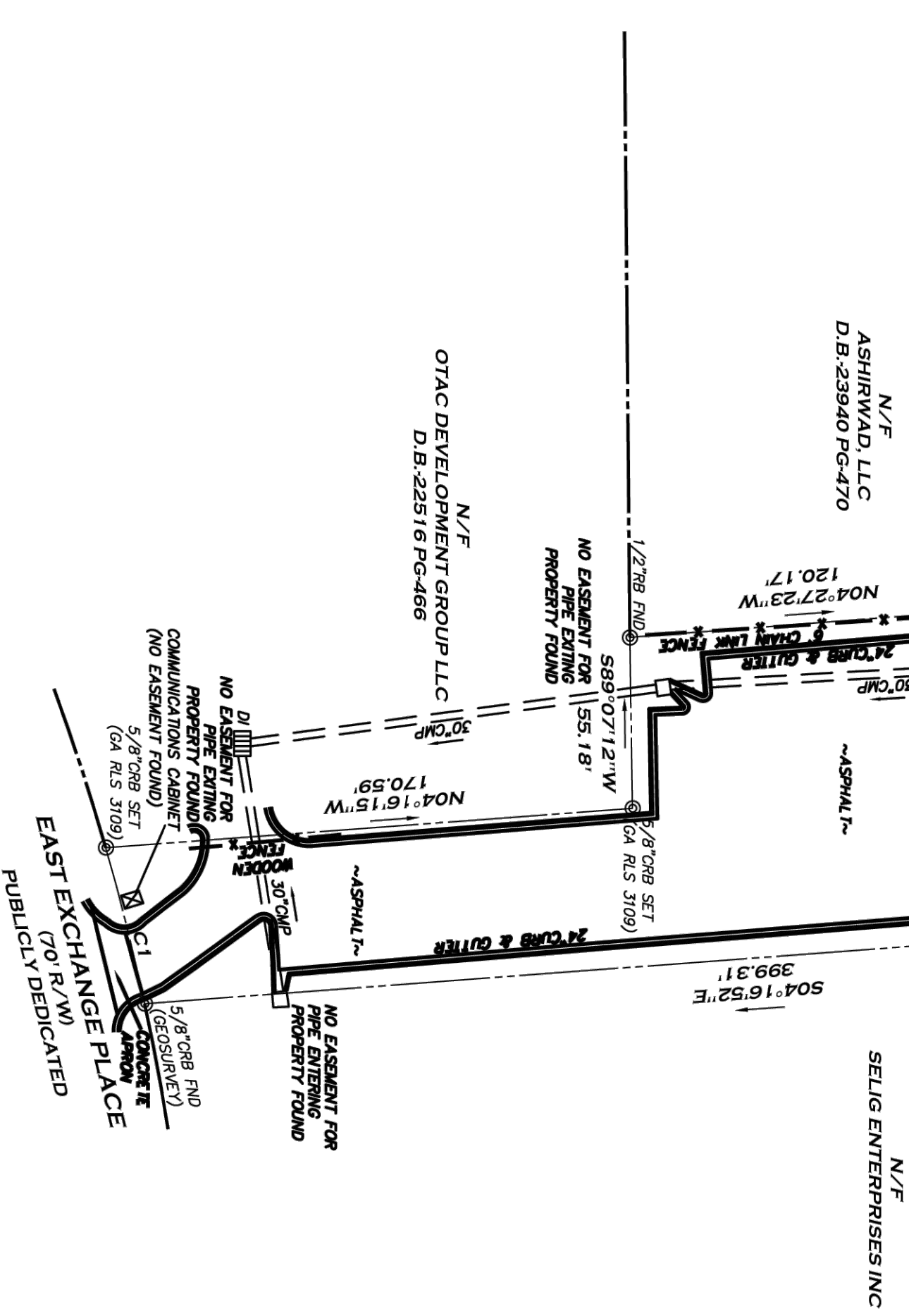
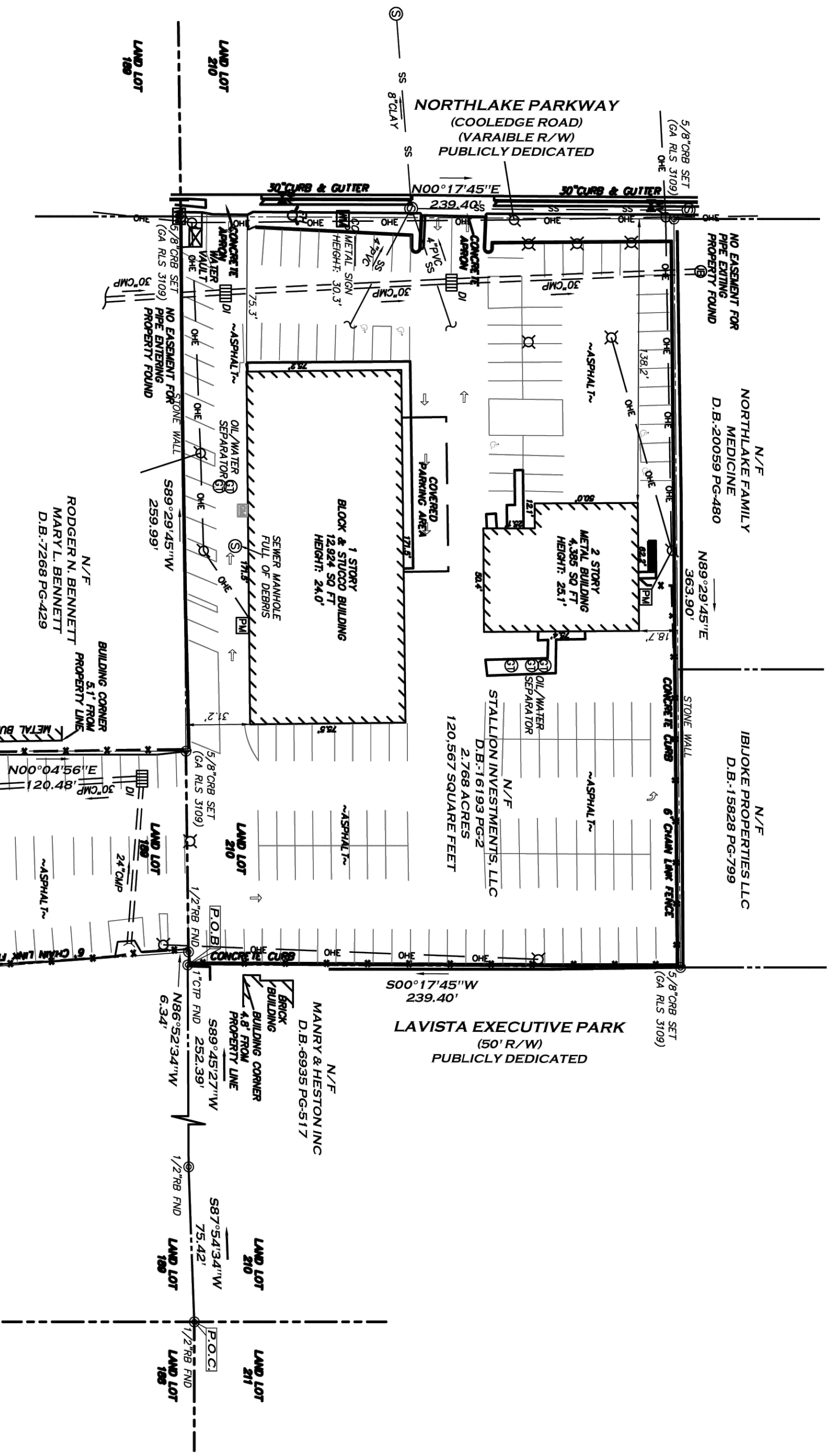
PLANNING & ZONING
DEPARTMENT



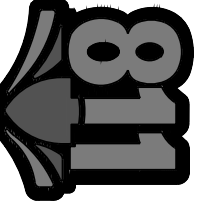
BUILDINGS WITHIN 400' OF THE
SUBJECT PROPERTY



FEMA FLOOD DATA



SURVEY DATA
PROVIDED BY LOWERY
AND ASSOCIATES



Know what's below.
Call before you dig.

24 HOUR CONTACT

MR. AMY HALL
PROJECT OWNER
STALLION INVESTMENTS, LLC
3378 LAWRENCEVILLE HWY
TUCKER, GA 30084



land planning engineering

678.227.4545 po box 50 / address ga 30666

volunteers2020@gmail.com

2101 NORTHLAKE
PARKWAY
TUCKER, GA 30084
CITY OF TUCKER
2.768 ACRES
TAX PARCEL #: 18 210 01 028
ZONED: NL-1
NORTHLAKE HIGH-INTENSITY
COMMERCIAL

| REVISIONS | DATE |
|--------------------------------|----------|
| REV. PER REDLINE COMMENTS | 04/22/24 |
| REV. PER REPAIRED COMMENTS | 08/20/24 |
| REV. TO COORDINATE SIGHT AREAS | 10/15/24 |

ANY CHANGES OR ALTERATIONS MADE TO THESE PLANS SHALL BE THE RESPONSIBILITY OF THE CLIENT. THE PROJECT ARCHITECT OR RED ROCK DESIGN, LLC, DOES NOT SEAL, VERIFY, OR ENDORSE ANY CHANGES MADE TO THESE PLANS. ANY CHANGES SHALL BE MADE IN WRITING AND SIGNED BY THE PROJECT ARCHITECT OR RED ROCK DESIGN, LLC, AND SHALL BE ASSOCIATED WITH THE PROJECT ARCHITECT'S SEAL AND LICENSE NUMBER. ANY CHANGES MADE TO THESE PLANS SHALL BE THE RESPONSIBILITY OF THE CLIENT.



DATE
10/15/24

SUPPORTING
INFORMATION

A-1 Front Elevation

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A-2 Front Elevation

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A-3 Side Elevation

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A-4 Rear Elevation

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A-5 Side Elevation

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DEPARTMENT



REGINALD A. HUDSPETH, LLC

ATTORNEYS AT LAW
1325 Satellite Blvd,
Bldg. 100, Suite 101
Suwanee, Georgia 30024
(770) 925-1400

REGINALD A. HUDSPETH

JOSEPH G. WILBURN

December 16, 2024

Planning and Zoning Department
1975 Lakeside Parkway, Suite 350
Tucker, GA 30084
Phone: 678-597-9040

RE: **Letter of Intent – Special Land Use Petition Application** (*Revised*)
Special Events Facility ("Requested Use")
2101 Northlake Parkway ("Site")
Tucker, GA 30084

Dear Planning and Zoning Department:

Please find attached our Special Land Use Petition Application for the Site, along with a Concurrent Variance Application for your review. We are seeking approval to operate a Special Events Facility at this location for Luxe Interiors and Events, LLC.

Historically, prior to the City of Tucker's recent change in zoning designation, the Site has functioned as a special events venue. We believe that the Requested Use is in alignment with the character of the surrounding area and will positively contribute to the community. Special event centers create job opportunities and provide safe, comfortable spaces for social gatherings. Luxe Interiors and Events, LLC will be providing a high-quality experience with comprehensive services, including event planning, catering, and hosting, ensuring that each event is executed seamlessly.

We are also requesting three (3) Concurrent Variances, which are variances:

- (i) as to Section 46-1145(5) -- to permit the installation and utilization of two (non-conforming) storage facilities in the rear parking lot; and
- (ii) as to Section 46-1451(2)(g) -- to permit certain parking spaces to be used for the long-term storage of certain furniture and equipment; and
- (iii) as to Section 46-1205(4) -- to operate the facility within 1500 feet of residential development.

With respect to Section 46-1145(5), the majority of the interior space of the Special Event's Facility is comprised of the event ballroom and space dedicated for events. The storage space in the Special Events Facility is limited. These storage units are essential for housing furniture and supplies used in the operation of the events facility. To store furniture and equipment off-site and deliver it and remove it from the site with each event would be cumbersome, increase traffic, and be inefficient. They are located in areas of the parking lot which are shielded from view from the public rights-of way of Northlake Parkway and East Exchange Place. We are requesting a variance to allow the long term outdoor storage facilities to remain in place.

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December 16, 2024

Planning and Zoning Department

December 16, 2024

Page 2


With respect to Section 46-1451(2)(g), the aforementioned storage facilities are located on striped parking spaces in the parking lot of the Special Events facility. Even with the elimination of these parking spaces, the site has adequate spaces allocated to the tenants for parking, which complies with the City of Tucker's parking ordinance. This is shown on the Survey and the parking allocation attached thereto. We are requesting a variance to allow the long term outdoor storage facilities to remain on the striped parking spaces as depicted on the attached survey.

With respect to Section 46-1205(4), although separated by vegetation, a public right of way (Lavista Executive Park Dr), and commercial buildings, there is a subdivision to the east, (which subdivision includes attorneys' offices) that is within 1500 feet ("Distance") of the Eastern Boundary of the Site. The operators are diligent in insisting that all events terminate as of midnight, which is the same time or earlier than the closing hour of nearby bars along Northlake Parkway) and any exterior noise is maintained at a minimum level. Furthermore, the operators and fee title owners have never received any complaints from the neighboring residents regarding the operation of the special events facility. We are requesting a variance to allow the Requested Use within the Distance.

We respectfully request that the City of Tucker approve both the Special Land Use Petition and the Concurrent Variances to facilitate the continued operation and success of this special events venue.

Please feel free to contact me with any questions or concerns. Thank you for your consideration.

Best regards,



Joseph G. Wilburn
Owner's Attorney

Enclosures: Special Land Use Petition Application, Concurrent Variance Application

ANALYSIS OF STANDARDS/CRITERIA

SPECIAL LAND USE PERMIT CRITERIA

Section 46-1594 and 46-1595 of the City of Tucker Zoning Ordinance lists specific criteria that shall be considered by the planning and zoning department, the planning commission, and the mayor and city council in evaluating and deciding any application for a special land use permit. No application for a special land use permit shall be granted by the mayor and city council unless satisfactory provisions and arrangements have been made concerning each of the following factors, all of which are applicable to each application, and the application is in compliance with all applicable regulations in Article 4. The applicant shall write a detailed written analysis of criteria as it relates to their proposed project.

The following criteria shall be considered by the planning and zoning department, the planning commission, and the mayor and city council in evaluating and deciding any application for a special land use permit. No application for a special land use permit shall be granted by the mayor and city council unless satisfactory provisions and arrangements have been made concerning each of the following factors, all of which are applicable to each application, and the application is in compliance with all applicable regulations in article IV of this chapter:

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

The subject property is located on a tract of approximately 2.768 acres (being DeKalb County APN 18 210 01 028). For the proposed use as a special events facility on the subject property, all setbacks, buffers, off-street parking, drives, utilities, and other applicable requirements as set forth in the zoning ordinances for the applicable zoning district will be met. The Special Events facility is 11,000 square feet, and with respect to parking requirements, Park Requirements Table 6.2, Parking Ratios, in Code Section 46-1452 stipulates a minimum of one parking space for each 200 square feet of space used for such activity, and a maximum of one parking space per each 100 square feet of floor area.

At 11,000 square feet, the Special Events Facility requires a minimum of Fifty-five (55) parking spaces and is permitted a maximum of One Hundred and Ten (110) parking spaces. The site plan shows that One Hundred and One (101) spaces, including one (3) ADA spaces close to the building. Valet Parking services will not be utilized at the Special Events Facility.

There are two curb cuts along the right-of-way of Northlake Parkway. All ingress from Northlake Parkway to the parking lot of the Special Events Center shall be through the northern curb cut. All egress from the parking lot of the Special Events Facility into Northlake Parkway shall be through the southern curb cut. The Owner is resealing and restriping the parking lot in pursuant to the site plan.

- (2) *Compatibility of the proposed use with adjacent properties and land uses and with other properties and land uses in the district.*

The subject property is located on eastern side of Northlake Parkway, across the street from the Target Shopping Center, in the Northlake High-Intensity Commercial Zoning District. The proposed use as a special events facility is compatible with the surrounding mixed-use restaurant, retail, and office uses. The site has previously been used as special events facility for many years, and its continued use as such now is compatible with the land uses of other properties in the district.

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(3) *Adequacy of public services, public facilities, and utilities to serve the proposed use.*

The proposed use on the subject property will not differ from the use in prior years and the current public services, public facilities and utilities that have served the subject property in the past are adequate to served the subject property and the proposed use as a special events facility.

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

The subject property is located in close proximity to the rights-of-way of I-285 and Lavista Road; the property is accessible on Northlake Parkway from Lavista (on the north) or Lawrenceville Highway (on the south), which are major arteries. The proposed use at the subject property will not differ from the use in prior years and the current will not have a significant impact on traffic or cause congestion in the area. Furthermore, special events, such as wedding receptions, are typically held on weekends and at times when other businesses in the district, including retail and offices are not busy or active. The Applicant has obtained a Trip Generation Letter prepared by A&R Engineering, Inc. which is attached to this Petition.

(5) *Whether or not existing land uses located along access routes to the site will be adversely affected by the character of the vehicles or the volume of traffic generated by the proposed use.*

The proposed use will not significantly increase the number the vehicles or the volume of traffic generated by the proposed use and will not adversely affect existing land uses located along access routes to the site. The trips generated by the Event Center during weekday peak hours (AM and PM) will be negligible as stated in the Trip Generation Report. Total Weekend Trips for a 24-hour period generated by the Special Events facility will be 130.

(6) *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 are are two curb cuts and driveways accessing the subject property to and from the right-of-way of Northlake Parkway, and the attached plans show the such ingress and egress points. The northern Curb cut will be limited to Ingress from Northlake Parkway, The southern curb cut will be solely for egress from the parking area to Northlake Parkway. Striping and signage will be installed to indicate these directional. For the proposed use, pedestrian and automotive safety and convenience, traffic flow and control, and access in the event of fire or other emergency services on the subject property are adequate.

(7) *Whether or not the proposed use will create adverse impacts upon any adjoining land use by reason of noise, smoke, odor, dust, or vibration generated by the proposed use.*

The proposed use on the subject property as a special events facility will not cause any adverse impacts, including of noise, smoke, odor, dust, or vibration, upon the adjoining land use which adjoining land use retail and office. The Special Event Facility will not operate beyond 12:30 AM. Noise will be minimal as the events at the Special Events facility will be held within the building at the Site.

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- (8) *Whether or not the proposed use will create adverse impacts upon any adjoining land use by reason of the hours of operation of the proposed use.*

The proposed use on the subject property will not create adverse impacts upon any adjoining land use by reason of the hours of operation of the proposed use. The Special Event Facility will not operate beyond 12:30 AM. Noise will be minimized as the events will be held within the building at the Site. The closest neighboring property are commercial buildings and they provide a buffer, along with existing vegetation between the Special Events

- (9) *Whether or not the proposed use will create adverse impacts upon any adjoining land use by reason of the manner of operation of the proposed use.*

The proposed use on the subject property will not create adverse impacts upon any adjoining land use by reason of the manner of operation of the proposed use. Since such a special events facility is "destination" type of business, the proposed use may have a beneficial impact on nearby retailers by bringing patrons to the site who may not otherwise visit the area.

- (10) *Whether or not 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 land use as a special use facility is generally compatible with the uses authorized in the Northlake High-Intensity Commercial District, which allows for the most intense mixed-use development in the City of Tucker. This special Events facility is in close proximity to I-285, Lavista Road and Lawrenceville Highway.

- (11) *Whether or not the proposed use is consistent with the policies of the comprehensive plan.*

In the City's Comprehensive Plan the subject property is located within the Northlake "Town Center" Area which serve surrounding communities surrounding. The proposed use will provide for a special event facility providing a safe and convenient destination not only for persons located outside of Tucker but also for residents in nearby communities. One of the primary uses proposed for the Town Center area is "entertainment." The Special Event facility will comport with this primary use.

- (12) *Whether or not the proposed use provides for all required buffer zones and transitional buffer zones where required by the regulations of the zoning district in which the use is proposed to be located.*

The subject property is surrounded by commercial properties, and the uses on the adjoining parcels are compatible with the proposed use on the subject property. The proposed site is in compliance with require buffers and transitional buffer zones.

- (13) *Whether or not there is adequate provision of refuse and service areas.*

There is adequate provision of refuse and service areas, as depicted on the attached plan. There is an abundance of space in the parking area to provide for the delivery of supplies or equipment to be used at the Events facility. In the parking lot there is a dumpster located in the rear of the parking lot for refuse generated at the Site.

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

It is the intent of the owner of the land and the current operator of the special events facility that this use of the subject property shall be used as such for the foreseeable future and for an extended period of time. Furthermore, the use of the subject property as a special events facility is consistent with Tucker's long range plans as a Town Center in this area, and the attendant uses thereof. For these reasons, the length of time for this special land use permit should not be limited.

- (15) *Whether or not the size, scale and massing of proposed buildings are appropriate in relation to the size of the subject property and in relation to the size, scale and massing of adjacent and nearby lots and buildings.*

The building which houses the special events facility has been in place for many years. The subject property and structures thereon are in compliance with the Northlake High-Intensity Commercial land use regulations with respect relation of the subject property to the size, scale and massing of nearby lots and buildings.

- (16) *Whether the proposed use will adversely affect historic buildings, sites, districts, or archaeological resources.*

The subject property is neither located near historic buildings or sites nor within a historic district. There are no known archeological resources nearby that would be adversely affect by the proposed use.

- (17) *Whether the proposed use satisfies the requirements contained within the supplemental regulations for such special land use permit.*

The proposed request to for the subject property's use as a special events facility meets all of the additional regulations for the special land use permit.

- (18) *Whether or not the proposed use will create a negative shadow impact on any adjoining lot or building as a result of the proposed building height.*

No changes are contemplated to the building on the subject land and the structure, thereon which will serve as the special events center is 24 feet in height, and does not create a negative shadow impact on adjoining lots or buildings.

- (19) *Whether the proposed use would result in a disproportionate proliferation of that or similar uses in the subject character area.*

There are very few dedicated special events centers of this size and capacity in the area – the proposed use serves and an otherwise underserved need.

- (20) *Whether the proposed use would be consistent with the needs of the neighborhood or the community as a whole, be compatible with the neighborhood, and would not be in conflict with the overall objective of the comprehensive plan.*

The subject property's location and its past use as a special events facility makes it ideal for for this use. The proposed use is compatible with the neighborhood and would not be in conflict with the overall objective of the comprehensive plan.

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Additional criteria for specified uses.

In addition to the criteria contained in section 46-1594, for which each applicant for a special land use permit is required to provide information, the following additional criteria shall apply to specific uses.

A traffic control plan to ensure an orderly and safe arrival, parking, and departure of all vehicles and to ensure that traffic will not back-up or block private easement, city, county, or state roads:

The owner of the Site is resealing and restriping the Parking lot and driveways of the Site. Proposed striping for the driveway and parking lot is shown on the "Parking Lot Striping Plan for 2101 Northlake Parkway" (the "Plan"), dated October 15, 2024, prepared by Red Rock Design engineers. The striping that is depicted on the Plan will be implemented upon the restriping.

The Plan shown all ingress into the site coming through the northern curb cut on Northlake Parkway. The traffic will flow along, behind and around the building housing the Special Events facility (the "Building"). There is ample parking in front of, to the south of, and behind the Building. The front door of the special events facility (which is located on the northern end of the Building) where attendees may be dropped off is more than 80 feet from the right-of-way of Northlake Parkway. There should be no traffic backing up on Northlake Parkway of arrival to the special Events facility. As stated, the traffic will flow across drives and parking areas across the front, sides, and rear of the Building. The southern curb cut will be for egress only from the parking lot into Northlake Parkway. The southern curb cut is more than 100 feet from the northern curb cut. Egress from the parking lot into the right-of-way should not negatively affect ingress from Northlake Parkway into the Parking Area.

In addition to restriping -- the owners will be installing directional signage to control traffic flow to and from the site.

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Parking and Traffic Control

As Depicted on that certain PARKING LOT STRIPING PLAN, for 2101 NORTHLAKE PARKWAY

by Red Rock Design, certified by Kevin D. White Georgia P.E. No. 30460 ("Survey")

The Site on which the Special Events Facility is located is a mixed use development. The other uses on the site are : an Exercise Gym, a Beauty Salon, a Mechanic's Shop, and a Tire Shop. These uses would tend to not be active during peak times of the Special Events Facility.

The Parking Spaces required and allotted for all of the uses as depicted on the Survey and is as follows:

| USE | Approx Sq Ft | Min Parking Spaces | Max Parking Spaces | Parking Spaces Allotted | ADA |
|-------------------------------|--------------|--------------------|--------------------|-------------------------|-----|
| Special Events Facility | 11,000 | 55 | 110 | 101 | 3 |
| Exercise Gym | 4,800 | 10 | 24 | 24 | 1 |
| Mechanic's Shop | 2,295 | 11 | 11 | 11 | 1 |
| Beauty Salon | 2,295 | 15 | 15 | 15 | 1 |
| Tire Shop | 2,295 | 15 | 15 | 15 | 2 |
| Total Space Required/Allotted | | 82 | 175 | 166 | 8 |

With respect to traffic Control. The northern curb cut is being assigned as an "Entrance Only."

Traffic will flow through this curb cut into the parking lot. A "Entrance Only" signs will be placed at this curb cut and directional arrows will be painted on the surface.

The Southern curb cut will be assigned as an "Exit Only." Signage facing Northlake Parkway will show this as an "Exit Only." Directional Arrows will be painted on the surface showing this is an exit to Northlake Parkway. Signage will be included in the parking lot directing traffic to the southern curb cut to exit.

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PLANNING & ZONING
DEPARTMENT

CONCURRENT VARIANCE CRITERIA
(Concurrent Variance as to Section 46-1451(2)(g))

Section 46-1633 of the City of Tucker Zoning Ordinance lists the specific criteria that to be considered by the planning and zoning department, the planning commission, and the mayor and city council in evaluating and deciding whether or not to grant a variance. The following is a detailed written analysis of criteria as it relates to this proposed project.

Applicant is requesting a concurrent variance as to Section 46-1451(2)(g), which Section provides:

(g) No parking space, driveway or parking lot shall be used for the sale, repair, dismantling, servicing, or long-term storage of any vehicle or equipment, unless located within a zoning district which otherwise permits such use.

The special events facility utilized storage structures with are of approximately 10'x30' and 10'x 20'. These storage facilities are essential for the efficient and safe operation of the as they are used to store furniture, equipment and supplies used for special events and the Special events facility does not have storage space adequate to store these items. Applicant is requesting a variance to Section 46-1145(5)

Criteria for variance approval are provided in Section 46-1633 of the City of Tucker Zoning Ordinance as follows:

CONCURRENT VARIANCE CRITERIA

- a. By reason of exceptional narrowness, shallowness, or shape of a specific lot, or by reason of exceptional topographic and other site conditions (such as, but not limited to, floodplain, major stand of trees, steep slope), which were not created by the owner or applicant, the strict application of the requirements of this division would deprive the property owner of rights and privileges enjoyed by other property owners in the same zoning district.

The nature of the proposed use, a special events facility, requires a substantial amount of varied supplies in order to meet the varying needs of different types of events. For example, while some events would require many tables or many chairs, others would require a large interior open space with relatively few tables and chairs. The building which houses the special events facility does not have storage space adequate to allow the storage of supplies not in use by certain events.

These storage facilities are located on approximately eight (8) striped parking spaces located in the rear parking lot. The Parking lot contains an abundance of striped parking spaces. Allotted for the five (5) uses on the development are 166 spaces. The City's Code provides at a maximum number of spaces (for the uses) 175 parking

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spaces and a minimum of 82. The parking lot – even with the loss of the eight (8) spaces is within the requirements of the City’s parking ordinance.

For that reason, the Storage Structures, which are adequately screened from public street view and will be used for such storage are situated on the parking spaces. These conditions were not created by the applicant and a strict application of the requirements would deprive the applicant of rights and privileges enjoyed by other property owners in the same zoning district.

- b. The requested variance does not go beyond the minimum necessary to afford relief, and does not constitute a grant of special privilege inconsistent with the limitations upon other properties in the zoning district in which the subject property is located.

We do not believe the requested variance goes beyond the minimum necessary to afford relief and does not constitute a grant of special privilege inconsistent with other properties in the NL-1 District in which the subject property is located.

- c. The grant of the variance will not be materially detrimental to the public welfare or injurious to the property or improvements in the zoning district in which the subject property is located.

We do not believe the granting of the variance will be materially detrimental to the public welfare or injurious to the property. The structures and storage of materials therein is not visible by the public as the structures are shielded from Northlake Parkway, East Exchange Place, and Lavista Road by permanent structures and natural vegetation.

- d. The literal interpretation and strict application of the applicable provisions or requirements of this division would cause undue and unnecessary hardship.

Literal interpretation and strict application would cause undue and unnecessary hardship due to the reasons stated above.

- e. The requested variance would be consistent with the spirit and purpose of this division and the comprehensive plan text.

The purpose and intent of the Northlake High Intensity Commercial overlay District is to allow for an intense mixed-use development. The Proposed use of a special events facility is in concert with the purpose and intent of the District. To facilitate such use the temporary structures which will provide storage for the supplies used in the facility. The temporary structures utilize a portion of the rear parking lot and do not significantly diminish the number of parking spaces available for the businesses located on the parcel. However, the structures, which are well-shielded from view from the rights-of-way, provide a suitable and alternative use of a small portion of the parking area. The overall design is in the spirit and purpose of the code.

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CONCURRENT VARIANCE CRITERIA
(Concurrent Variance as to Section 46-1145(5))

Section 46-1633 of the City of Tucker Zoning Ordinance lists the specific criteria that to be considered by the planning and zoning department, the planning commission, and the mayor and city council in evaluating and deciding whether or not to grant a variance. The following is a detailed written analysis of criteria as it relates to this proposed project.

A requested concurrent variance as to Section 46-1145(5), which Section provides:

- (a) Accessory buildings or structures greater than 200 square feet in floor area shall be constructed out of a material similar to the principal structure.
- (b) All accessory structure materials shall comply with section 46-1416. -- to permit the installation and utilization of two (non-conforming) storage facilities in the rear parking lot; and

The Storage structures are painted corrugated aluminum prefabricated structures and are not constructed of the material similar to the principal structures. They are out buildings of approximately 10'x30' and 10'x 20'. These storage facilities are essential for the efficient and safe operation of the as they are used to store furniture, equipment and supplies used for special events and the Special events facility does not have storage space adequate to store these items. Applicant is requesting a variant to Section 46-1145(5)

Criteria for variance approval are provided in Section 46-1633 of the City of Tucker Zoning Ordinance as follows:

CONCURRENT VARIANCE CRITERIA

- a. By reason of exceptional narrowness, shallowness, or shape of a specific lot, or by reason of exceptional topographic and other site conditions (such as, but not limited to, floodplain, major stand of trees, steep slope), which were not created by the owner or applicant, the strict application of the requirements of this division would deprive the property owner of rights and privileges enjoyed by other property owners in the same zoning district.

The nature of the proposed use, a special events facility, requires a substantial amount of varied supplies in order to meet the varying needs of different types of events. For example, while some events would require many tables or many chairs, others would require a large interior open space with relatively few tables and chairs. The building which houses the special events facility does not have storage space adequate to allow the storage of supplies not in use by certain events.

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For that reason, the Storage Structures, which are adequately screened from public street view, will be used for such storage. These conditions were not created by the applicant and a strict application of the requirements would deprive the applicant of rights and privileges enjoyed by other property owners in the same zoning district.

- b. The requested variance does not go beyond the minimum necessary to afford relief, and does not constitute a grant of special privilege inconsistent with the limitations upon other properties in the zoning district in which the subject property is located.

We do not believe the requested variance goes beyond the minimum necessary to afford relief and does not constitute a grant of special privilege inconsistent with other properties in the NL-1 District in which the subject property is located.

- c. The grant of the variance will not be materially detrimental to the public welfare or injurious to the property or improvements in the zoning district in which the subject property is located.

We do not believe the granting of the variance will be materially detrimental to the public welfare or injurious to the property. The structures and storage of materials therein is not visible by the public as the structures are shielded from Northlake Parkway, East Exchange Place, and Lavista Road by permanent structures and natural vegetation.

- d. The literal interpretation and strict application of the applicable provisions or requirements of this division would cause undue and unnecessary hardship.

Literal interpretation and strict application would cause undue and unnecessary hardship due the reasons stated above.

- e. The requested variance would be consistent with the spirit and purpose of this division and the comprehensive plan text.

The purpose and intent of the Northlake High Intensity Commercial overlay District is to allow for an intense mixed-use development. The Proposed use of a special events facility is in concert with the purpose and intent of the District. To facilitate such use the temporary structures which will provide storage for the supplies used in the facility is key

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Exhibit CV-1



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CONCURRENT VARIANCE
(Variance as to Section 46-1205(4))

Section 46-1633 of the City of Tucker Zoning Ordinance lists the specific criteria that to be considered by the planning and zoning department, the planning commission, and the mayor and city council in evaluating and deciding whether or not to grant a variance. The following is a detailed written analysis of criteria as it relates to this proposed project.

Applicant is requesting a concurrent variance as to Section 46-1205(4), which Section provides:

Special event facilities shall be subject to all of the following standards:

(4)No special event facility boundary line shall be located within 1,500 feet from the boundary line of property zoned or used for residential purposes.

Directly to the east of the eastern boundary line of the Special Events Facility lies the Right of way of Lavista Executive Park. Along this right of way are commercial properties, including a brake and oil change store and office buildings. To the east of those establishments are properties along the right-of-way of Vistadale Road. Section 46-1205(4) provides that the boundary line of a Special Events facility shall not be located within 1,500 feet from the boundary line of property zoned or used for residential purposes.

The eastern boundary line of this Special Events Facility is located within 1,500 feet from the boundary line properties located on on Vistadale Court, and although some of the properties on Vistadale Court are used as offices, some of these properties are used residentially.

A concurrent variance is requested to allow the boundary line of this Special Events Facility to be located within 1,500 feet of the boundary line property being utilized for residential use. Applicant is requesting a variance to Section 46-1205(4).

Criteria for variance approval are provided in Section 46-1633 of the City of Tucker Zoning Ordinance as follows:

CONCURRENT VARIANCE CRITERIA

- a. By reason of exceptional narrowness, shallowness, or shape of a specific lot, or by reason of exceptional topographic and other site conditions (such as, but not limited to, floodplain, major stand of trees, steep slope), which were not created by the owner or applicant, the

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strict application of the requirements of this division would deprive the property owner of rights and privileges enjoyed by other property owners in the some zoning district.

This site is on the eastern end of the Northlake High Intensity District. It is also within the eastern side of the Town Center area per the Comprehensive Plan. This site has been used as a Special Events facility for many years. The parcels to the east of this site are commercial - office/retail. Further to the ester shielded by vegetation are residential parcels. The use of this site as a Special Events facility comports with the use that it has enjoyed for many years. Its use is in concert with other commercial properties in the area. The strict application of the requirements of Section 46-1205(4)s would deprive the property owner of rights and privileges enjoyed by other property owners in the same zoning district

- b. The requested variance does not go beyond the minimum necessary to afford relief and does not constitute a grant of special privilege inconsistent with the limitations upon other properties in the zoning district in which the subject property is located.

This site has been used for many years as a Special Events facility. This use of the site as such has been without complaints or issues from residential property owners/residents to the east of the land. The use has been consistent with other commercial uses in the area. The requested variance does not go beyond the minimum necessary to afford relief and does not constitute a grant of special privilege inconsistent with the limitations upon other properties in the zoning district in which the subject property is located.

- c. The grant of the variance will not be materially detrimental to the public welfare or injurious to the property or improvements in the zoning district in which the subject property is located.

The grant of the variance will not be materially detrimental to the public welfare or injurious to the property or improvements in the zoning district in which the subject property is located. As stated this property is within the Northlake High Intensity zoning district. This use is in concert with other uses in this district. The hours of operation of this Special Events Facility will not be beyond 12:30 AM (per the Code) on any given day, and they will primarily be operating on weekends, Any noise, such as music, that will be generated by the Special Events facility will be minimal to surrounding properties as it in will be inside the building. As to surrounding properties, although there are residential properties to the east within 1500 feet, there is a buffer

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of permitted commercial properties and vegetation between the site and the closest residential properties.

- d. The literal interpretation and strict application of the applicable provisions or requirements of this division would cause undue and unnecessary hardship.

As stated this site has been used as a Special Events facility for many years. The Building and fixtures therein have been improved as such and function very well as a Special Events facility. This use is the highest and best use for this parcel. The literal interpretation and strict application of the applicable provisions or requirements of this division would cause undue and unnecessary hardship.

- e. The requested variance would be consistent with the spirit and purpose of this division and the comprehensive plan text.

The Comprehensive Plan for Tucker (the "Plan") calls for this area to be within the Town Center area, which area is to promote the concentration of higher intensity residential and commercial uses, which serve several communities surrounding the center, in order to reduce automobile travel, promote walkability and increased transit usage. A Primary Land Use of this area pursuant to the Plan is as "Entertainment facilities", which the Special Events facility will provide, as well as, a private recreational use. The requested variance would be consistent with the spirit and purpose of this division and the comprehensive plan text.

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ENVIRONMENTAL SITE ANALYSIS FORM

Analyze the impact of the proposed rezoning and provide a written point-by-point response to Points 1 through 3:

1. **CONFORMANCE WITH THE COMPREHENSIVE PLAN.** *Describe the proposed project and the existing environmental conditions on the site. Describe adjacent properties. Include a site plan that depicts the proposed project. Describe how the project conforms to the Comprehensive Land Use Plan. Include the portion of the Comprehensive Plan Land Use Map which supports the project's conformity to the Plan. Evaluate the proposed project with respect to the land use suggestion of the Comprehensive Plan as well as any pertinent Plan policies.*

Property owner is seeking a special land use permit ("SLUP") to use the subject parcel as a Special Events Facility. The proposed SLUP conforms to the Comprehensive Land Use Plan. The Comprehensive Plan Land Use Map shows this parcel is in an area labeled "Town Center." (see ES-1 attached) As to future use, the Town Cent area is designed with a "Primary Use" as "entertainment and cultural facilities." As a Special Events facility this use will be suitable as a Entertainment facility. The area is currently within the Northlake High Intensity zoning district. Nearby and adjacent properties are used as commercial, office and retail shopping. Environmental conditions are stable. The proposed use will not negatively impact the environment.

2. **ENVIRONMENTAL IMPACTS OF THE PROPOSED PROJECT.** For each environmental site feature listed below, indicate the presence or absence of that feature on the property. Describe how the proposed project may encroach or adversely affect an environmental site feature. Information on environmental site features may be obtained from the indicated source(s).

- a. Wetlands
 - Wetlands are not located on the Site
- b. Floodplain
 - The subject property is not within a flood plain per the Federal Emergency Management Agency maps.
- c. Streams/stream buffers
 - Absent or no stream/stream buffers are found within the subject property
- d. Slopes exceeding 25 percent over a 10-foot rise in elevation
 - Slopes do not exceed 25 percent over a 10-foot rise in elevation on the subject property
- e. Vegetation
 - Absent or no applicable vegetation is found within the subject property
- f. Wildlife Species (including fish)
 - The proposed use will have no effect on any wildlife species.
- g. Archeological/Historical Sites
 - This site is not a historical site nor are there any archaeological finding on the property.

3. **PROJECT IMPLEMENTATION MEASURES.** Describe how the project implements each of the measures listed below as applicable. Indicate specific implementation measures required to protect environmental site features that may be impacted.

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ENVIRONMENTAL SITE ANALYSIS FORM (CONTINUED)

- a. *Protection of environmentally sensitive areas, i.e., floodplain, slopes exceeding 25 percent, river corridors.*

This measure is inapplicable as the subject property is void of sensitive areas such as floodplains, slopes exceeding 25% percent, river corridors, etc.

- b. *Protection of water quality*

This measure is inapplicable as the subject property is void of sensitive areas such as floodplains, slopes exceeding 25% percent, river corridors, etc.

- c. *Minimization of negative impacts on existing infrastructure*

The building on the subject property has been in place for many years and for several years heretofore the subject property was utilized as a special event facility; so, this proposed use will have no additional or negative impact on existing infrastructure.

- d. *Minimization on archeological/historically significant areas*

The subject property is not in a archeological/ historically significant area.

- e. *Minimization of negative impacts on environmentally stressed communities where environmentally stressed communities are defined as communities exposed to a minimum of two environmentally adverse conditions resulting from public and private municipal (e.g., solid waste and wastewater treatment facilities, utilities, airports, and railroads) and industrial (e.g., landfills, quarries, and manufacturing facilities) uses*

There is no evidence of negative impacts as described above. There are no adverse conditions to the subject property that will be caused by the proposed use. All waste, water, and fire needs will be subject to County or City requirements. .

- f. *Creation and preservation of green space and open space*

No open space or green space will be impacted or created by the requested use.

- g. *Protection of citizens from the negative impacts of noise and lighting*

All noise generated by this use will be within the building located on the site. All activities at the Special Events facility shall terminate before 12:30 AM and will primarily occur on weekends. Surrounding uses are commercial/office, and should not be affected by the proposed use.

- h. *Protection of parks and recreational green space*

There will be no adverse effect on parks and recreational green space by the proposed use.

- i. *Minimization of impacts to wildlife habitats*

There will be no activities conducted outside of the building on the site and there will be no adverse effects on parks and recreational green space by the proposed use.

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A&R Engineering, Inc.



Memorandum

To: Aziz Haji
Stallion Investments, LLC
From: Abdul Amer, PE
Date: October 14, 2024
Subject: Trip Generation Memorandum for commercial development at 2101 Northlake Parkway, City of Tucker, Dekalb County, Georgia | A&R 24-196

The purpose of this memorandum is to estimate the trip generation that will result from the commercial development at 2101 Northlake Parkway, City of Tucker, Georgia. The development includes an Event Center (11,000) along with Health Fitness Club (4,800 SF), Tire Shop (2,295 SF), Hair salon (2,295 SF) and Automobile Care Center (2,295 SF). The event center mostly operates over the weekend to host weddings and celebrations. During the week the event center will operate as an office space for customers to come in and set up reservations. The trips for the weekday for the event center will be estimated using 2,000 SF office space.



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METHODOLOGY

Trip generation estimates for the project were based on the rates and equations published in the 11th edition of the Institute of Transportation Engineers (ITE) Trip Generation Manual. This reference contains traffic volume count data collected at similar facilities nationwide. The trip generation referenced is based on the following ITE Land Uses: 492 – Health Fitness Club, 848 – Tire Store, 918 – Hair Salon and 942 – Automobile Care Center.

Land Use: 492 – Health Fitness Club: A health/fitness club is a privately-owned facility that primarily focuses on individual fitness or training. It typically provides exercise classes, fitness equipment, a weight room, spa, lockers rooms, and a small restaurant or snack bar.

Land Use: 848 – Tire Store: The primary business associated with a tire store is the sale of tires for automotive vehicles. Services offered by these stores usually include tire installation and repair, as well as other automotive maintenance or repair services and customer assistance. These stores generally do not contain large storage or warehouse areas

Land Use: 918 – Hair Salon: A hair salon is a facility that specializes in cosmetic and beauty services including hair cutting and styling, skin and nail care, and massage therapy. A hair salon may also contain spa facilities.

Land Use: 942 – Automobile Care Center: An automobile care center houses numerous businesses that provide automobile-related services, such as repair and servicing, stereo installation, and seat cover upholstery.

Land Use: 712 – Small Office Building: A small office building is the same as a general office building (Land Use 710) but with less than or equal to 10,000 square feet of gross floor area. The building typically houses a single tenant. It is a location where affairs of a business, commercial or industrial organization, or professional person or firm are conducted.

**This land use is used to estimate the number of trips during the week at the event center for business operation related tasks.*

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TRIP GENERATION

The results of the analysis for weekday and weekend of the development are shown in Table 1 and table 2, below.

TABLE 1 – TRIP GENERATION FOR DEVELOPMENT (WEEKDAY)

| Land Use | Size | AM Peak Hour | | | PM Peak Hour | | | 24 Hour |
|--|----------|--------------|-----------|-----------|--------------|-----------|-----------|------------|
| | | Enter | Exit | Total | Enter | Exit | Total | Total |
| ITE 492 – Health Fitness Club | 4,800 SF | 3 | 3 | 6 | 19 | 14 | 33 | 328 |
| ITE 712 – Small Office Building (Event Center) | 2,295 SF | 3 | 1 | 4 | 2 | 3 | 5 | 33 |
| ITE 848 – Tire Store | 2,295 SF | 4 | 2 | 6 | 4 | 5 | 9 | 64 |
| Pass-by Trips (0%) 25% | | 0 | 0 | 0 | -1 | -1 | -2 | -16 |
| ITE 918 – Hair Salon | 2,295 SF | 1 | 2 | 3 | 1 | 2 | 3 | 33 |
| ITE 942 – Automobile Care Center | 2,295 SF | 3 | 2 | 5 | 8 | 9 | 17 | 174 |
| Total Trips without Reductions | | 14 | 10 | 24 | 34 | 33 | 67 | 632 |
| Total Trips with Reductions | | 14 | 10 | 24 | 33 | 32 | 65 | 616 |

TABLE 2 – TRIP GENERATION FOR DEVELOPMENT (WEEKEND)

| Land Use | Size | Weekend | | | 24 Hour |
|---------------------------------------|-----------|------------|-----------|------------|------------|
| | | Enter | Exit | Total | Total |
| ITE 492 – Health Fitness Club | 4,800 SF | 8 | 7 | 15 | 153 |
| Event Center | 11,000 SF | 100 | 10 | 100 | 130 |
| ITE 848 – Tire Store | 2,295 SF | 5 | 7 | 12 | 116 |
| Pass-by Trips (0%) 25% | | -1 | -2 | -3 | -29 |
| ITE 918 – Hair Salon | 2,295 SF | 4 | 8 | 12 | 117 |
| ITE 942 – Automobile Care Center | 2,295 SF | 6 | 5 | 54 | 52 |
| Total Trips without Reductions | | 143 | 56 | 199 | 506 |
| Total Trips with Reductions | | 142 | 54 | 186 | 458 |

Since there is no ITE land use that includes weekend generated trip for the event center. It was assumed that three people would arrive per vehicle on average. The event center has a maximum seating of 300 seats; therefore 100 trips will be arriving at the event during the weekend peak hour. ITE only provides 24-hour total for land use 942. It was assumed that the weekend per hour was 20% of the daily trips.

Based on trip generation rates published in the Institute of Transportation Engineers Trip Generation Manual, 11th edition, the mixed-use development generates 24 new external two-way trips in the AM peak hour, 65 new external two-way trips in the PM peak hour, and 616 new external two-way trips in a 24-hour duration. During the weekend peak hour, the mixed-use development generates 142 entering trips and 54 exiting trips. Based on the number trips that are generated by the development and the site plan the number of vehicles arriving/exiting correlates with the number of available parking spots.