

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: Jim 'N Nick's Management LLC		
Address: 10 Inverness Center Parkway, Suite 250		
City: Birmingham	State: AL	Zip: 35242
Contact Name: Sandi LeBlanc, Processor		
Phone: 804.389.9449	Email: Sandif@Ldreeves.com	
OWNER INFORMATION		
Name: Corinth Properties		
Address: 4645 N. Central Exp.		
City: Dallas	State: TX	Zip: 75205
Contact Name: Frank Mihalopoulos		
Phone: 214.628.7160	Email: Frank@corinthproperties.com	
PROPERTY INFORMATION		
Property Address: Northlake Mall 4800 Briarcliff Rd Tucker GA		
Present Zoning District(s): NL-1	Requested Zoning District(s):	
Present Land Use Category: Local Commercial	Requested Land Use Category:	
Land District:	Land Lot(s):	Acreage:
Proposed Development: Jim 'N Nick's Community BBQ Restaruant		
Concurrent Variance(s): Two (2): Maximum front setback under code Sec. 46-1036; Storefront fenestration under code Sec. 46-1040		
RESIDENTIAL DEVELOPMENT		
No. of Lots/Dwelling Units:	Dwelling Unit Size (Sq. Ft.):	Density:
NON-RESIDENTIAL DEVELOPMENT		
No. of Buildings/Lots: 1	Total Building Sq. Ft.: 4,800SF	Density:

City of Tucker
 Received
 By
 Planning & Zoning
 2-26-24
 SLUP-24-0002,
 CV-24-0001, CV-24-0002

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.

[Handwritten Signature]

2/26/2024

Signature of Applicant

Date

Sandi LeBlanc - Processor

Type or Print Name and Title

[Handwritten Signature]

2/26/24

exp 8/31/25

Signature of Notary Public

Date

Notary Seal

CYNTHIA L. BERGAMINI
NOTARY PUBLIC
REGISTRATION # 369291
COMMONWEALTH OF VIRGINIA

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, FRANK MIHALOPOULOS, authorize, Jim N Nicks Management LLC,
(Property Owner) (Applicant)

to file for SLUP and CV, at Northlake Mall, 4800 Briarcliff Road Tucker, GA
(RZ, CA, SLUP, M, CV) (Address)

on this date FEBRUARY 13th, 2024
(Month) (Day)

- 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.

[Signature]
Signature of Property Owner

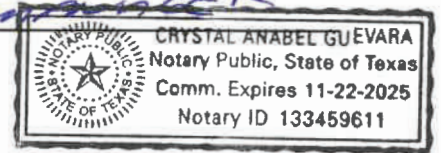
2/13/2024
Date

FRANK MIHALOPOULOS
Type or Print Name and Title

17's manager

[Signature]
Signature of Notary Public

2/13/2024
Date



Notary Seal

City of Tucker
Received
By
Planning & Zoning
2-26-24

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)

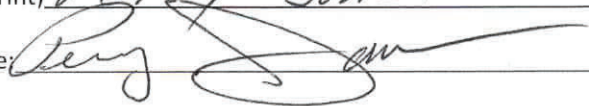
2. List all individuals or business entities which have an ownership interest in the property which is the subject of this rezoning petition:

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) Percy Jones
 Signature:  Date: 2-14-24

City of Tucker
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 By
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 2-26-24

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Name (print) FRANK MIHALOPOULOS

Signature: *Frank Michalopoulos* Date: 2/13/2024

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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.

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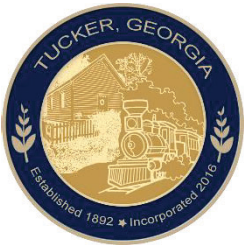
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Name (print) Sandi LeBlanc

Signature: *S. LeBlanc*

City of Tucker
Received Date: 2/22/24
By
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2-26-24

SLUP-24-0002, CV-24-0001, CV-24-0002



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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 ½" x 11" Legal Description	<input checked="" type="checkbox"/>
Boundary Survey and Proposed Site Plan (See Page 9 for Requirements)	• Five (5) Full-Size (24" x 36") Copies of each • One (1) 8 ½" 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 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 x's 2 = \$600.00	<input checked="" type="checkbox"/>
Public Notice Sign Fee	\$80 (per required sign)	<input type="checkbox"/>

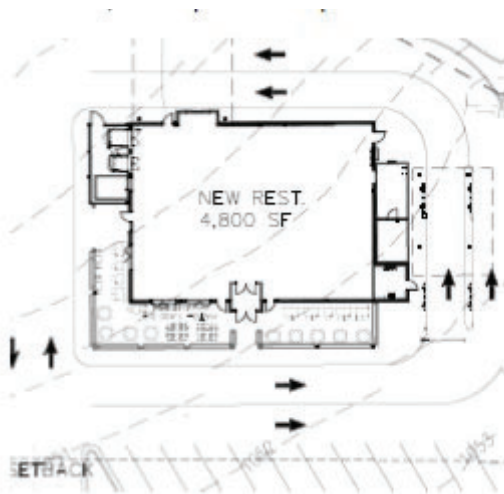
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Legal Description for Proposed Jim 'N Nicks Community BBQ Site

BEING an approximately 35,000 square foot portion of “Tract 4,” said Tract 4 being commonly identified as Parcel ID 18 209 02 028, and being legally described as follows:

All that tract or parcel of land lying and being in Lot 209 of the 18th District, City of Tucker, DeKalb County, Georgia, being known as Tract 4, per Subdivision Plat for Northlake Mall, recorded in Plat Book 287, Pages 70 through 72, DeKalb County, Georgia records.

Said 35,000 square foot portion of Tract 4 is depicted below:



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Letter of Intent

Jim N Nicks Management LLC is interested in opening a new location at Northlake Mall, 4800 Briarcliff Road, Tucker, GA. We are submitting a request for a Special Land Use Permit (SLUP) and two concurrent variances to do so. Our proposed plan includes the addition of restaurant drive-thru lanes and a variation to the front setback and storefront fenestration.

The SLUP request is to add a double drive-thru service for our patrons to allow additional service options without leaving one's vehicle. We will abide by the conditions set forth to operate a drive-through in compliance with Ordinance Sec 46-1166 and the Northlake Zoning District Sec. 46-1045.

We are requesting two (2) variances to the Northlake Zoning District High-Intensity Commercial Ordinance NL-1 code:

1. We request relief to code Sec 46-1036, which requires a maximum front setback of 20'. We seek a front setback of 35' to accommodate the addition of a double-lane drive-thru and emergency service lane.
2. We request relief to code Sec 46-1040, which requires a minimum fenestration percentage of 65 percent window glass coverage to the storefront along Briarcliff Road. Our restaurant floor plans include restrooms and a back-of-the-house kitchen area, which prevents us from adding additional windows to cover the entire storefront.

We have made numerous design revisions to meet the Northlake Design requirements, and we hope that our request for relief to the above requirements and the allowance of a drive-thru for a future Jim 'N Nick's Restaurant will be approved.

Sincerely,

Special Land Use Permit Criteria

Request for Drive-Thru

Section 46-1594 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.

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.
 - a. The proposed Jim 'N Nick's site is adequate to handle the proposed development of the 4,800 SF restaurant, parking, and double drive-thru lanes. All required open spaces, landscaping, utilities, and parking within the Northlake zoning district requirements will be represented per the code.
2. Compatibility of the proposed use with adjacent properties and land uses and with other properties and land uses in the district.
 - a. The proposed restaurant use is compatible with the surrounding mixed-use restaurant, retail, and office uses.
3. Adequacy of public services, public facilities, and utilities to serve the proposed use.
 - a. Public transit is located within walking distance of the proposed restaurant and public utilities are serving the site.
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.
 - a. The existing traffic infrastructure is adequate to handle the additional traffic, which will not create congestion in the area due to the proposed double drive-through concept.

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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.
 - a. The existing traffic infrastructure is adequate to handle the additional traffic, which will not create congestion in the area due to the proposed double drive-through concept.

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.
 - a. All ingress and egress exist on the property and no modifications have been planned. Additional drive-thru access lanes proposed will reduce any traffic issues and allow emergency vehicles to move around the building with ease.

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.
 - a. The proposed restaurant will not cause any adverse impacts to the adjoining retail / mixed-used areas; the Smoker used for cooking uses very little wood in the smoking process, in addition when the smoker is in operation there is no visible smoke emitted.

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.
 - a. The proposed hours of operation are Monday- Sunday 10:30 am to 9:00 pm with possible hours until 10 pm on the weekends. This is similar hours to the adjacent properties.

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.
 - a. The proposed restaurant will not cause any adverse impacts upon any adjoining land uses and will likely bring additional patrons to their location.

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10. Whether or not the proposed use is consistent with the requirements of the zoning district classification in which the use is proposed to be located.
 - a. The proposed restaurant use is by right under the current zoning designation. Jim 'N Nicks' is requesting the additional use of a drive-thru.

11. Whether or not the proposed use is consistent with the policies of the comprehensive plan.
 - a. The proposed restaurant use is consistent with the comprehensive plans and the proposed redevelopment of the area.

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.
 - a. The proposed restaurant does not have any buffer zone requirements and will follow all zoning regulations required for the site.

13. Whether or not there is adequate provision of refuse and service areas.
 - a. A separate refuse service area will be created for the restaurant's use within an enclosed area listed on the site plan.

14. Whether the length of time for which the special land use permit is granted should be limited in duration.
 - a. If the special land use is granted it should be indefinite for the proposed Jim 'N Nicks' use. If the proposed use for the site changes or the property is vacant for more than 1 year the SLUP should be reviewed.

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.
 - a. The size, scale, and massing of the proposed building are in appropriate relation to the adjacent/nearby lots and buildings at 4,800SF.

16. Whether the proposed use will adversely affect historic buildings, sites, districts, or archaeological resources.
 - a. The proposed building is not within a historical site, districts, or an archaeological resource site.

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17. Whether the proposed use satisfies the requirements contained within the supplemental regulations for such special land use permit.
 - a. The proposed request to allow the addition of the Drive-Thru use to the Restaurant 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.
 - a. The building height is 18 feet and will not create a negative shadow on the adjoining lot.

19. Whether the proposed use would result in a disproportionate proliferation of that or similar uses in the subject character area.
 - a. Within the City of Tucker there are other fast-food restaurants with a dual drive-thru in use, therefore the proposed Jim 'N Nick's will not cause any disproportionate proliferation.

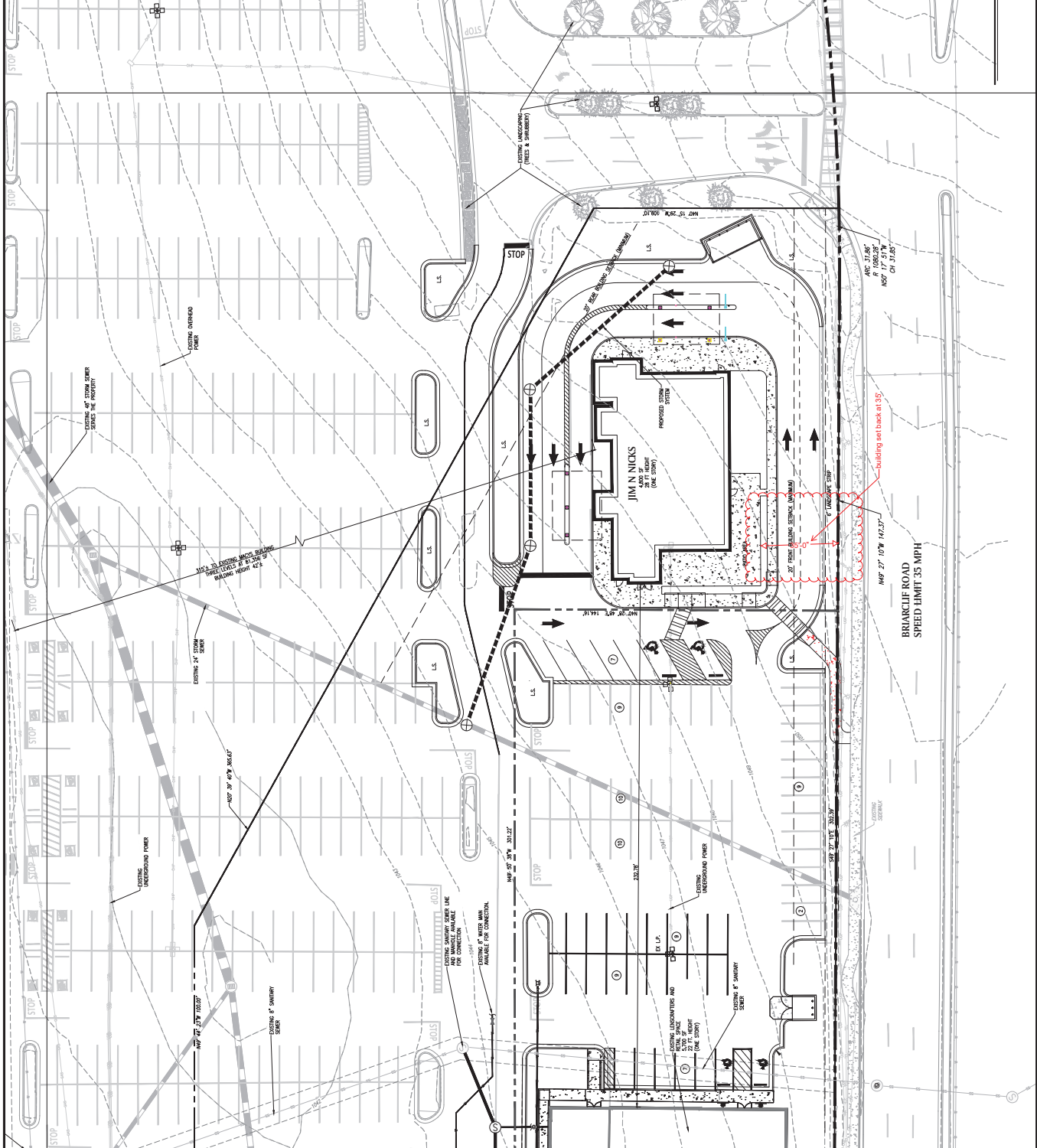
20. Whether the proposed use would be consistent with the needs of the neighborhood or the community as a whole, be compatible with the neighborhood, and would not be in conflict with the overall objective of the comprehensive plan.
 - a. The proposed Jim 'N Nick's Community BBQ is very proud of the word COMMUNITY in our name. We love serving great Bar-B-Q, but we're just as enthusiastic about supporting our local communities. Our business has grown over the years, but our philosophy remains the same — give back to those who need it the most. Jim 'N Nick's BBQ is confident we are compatible with the neighborhood and overall objective of the comprehensive plan.

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VICINITY MAP
 SCALE: AS SHOWN

- SITE NOTES:**
1. ALL UTILITIES SHOWN ARE BASED ON RECORD DRAWINGS AND FIELD SURVEY DATA. VERIFY ALL UTILITIES PRIOR TO CONSTRUCTION.
 2. THERE ARE NO LAKES, STREAMS, WATERS OF THE STATE OR WETLANDS ON THE SITE.
 3. THIS PROPERTY DOES NOT LIE WITHIN A 100-YEAR FLOOD HAZARD ZONE AS SHOWN ON FEMA FLOOD INSURANCE RATE MAP OF DEKALB COUNTY 132100102C, DATED APRIL 16, 2013.
 4. PROPERTY IS CURRENTLY ZONED N-1.
 5. BUILDING SETBACKS: FRONT - 20' MAXIMUM SIDE - 10' MINIMUM REAR - 25' MINIMUM.
 6. TOTAL AREA = 28.94 AC.
 7. PARALLEL DRIVEWAYS: MINIMUM WIDTH OF 22' ON PROPERTY AVAILABLE FOR CONNECTION TO MAIN ROAD. MINIMUM WIDTH OF 20' HANDICAP REQUIRED - 2' PROVIDED.
 8. THERE ARE NO PROPOSED STREETS ON THE SITE.
 9. THERE ARE NO UNPROPOSED STREETS ON THE SITE.
 10. THIS ANALYSIS WAS CONDUCTED BY A LICENSED PROFESSIONAL ENGINEER AND IS SUBJECT TO THE PROVISIONS OF THE PROFESSIONAL ENGINEERING ACT AND THE RULES AND REGULATIONS OF THE BOARD OF PROFESSIONAL ENGINEERS OF THE STATE OF GEORGIA.
 11. ALL STORM LINES ARE PART OF A STORM SYSTEM AS SHOWN ON THE RECORD DRAWINGS. THE STORM LINES TO A CENTRALIZED DETENTION POND. THE POND IS LOCATED TO THE NORTH OF THE PROPERTY. THE POND SHALL BE RELOCATED TO AVOID CONTACT WITH NEW CONSTRUCTION.
 12. EXISTING LIGHT POLES IN PARKING AREA SHALL BE RELOCATED TO AVOID CONTACT WITH NEW CONSTRUCTION.



SITE PLAN

GRANT SHEPHERD & ASSOCIATES, INC.
 735 LONGLEAF BOULEVARD, SUITE A LAWRENCEVILLE, GA 30046
 PHONE: 770.418.9823 FAX: 770.418.9289
 www.gsasurveying.com
 Land Surveying • Civil Engineering
 Surveying • Site Planning

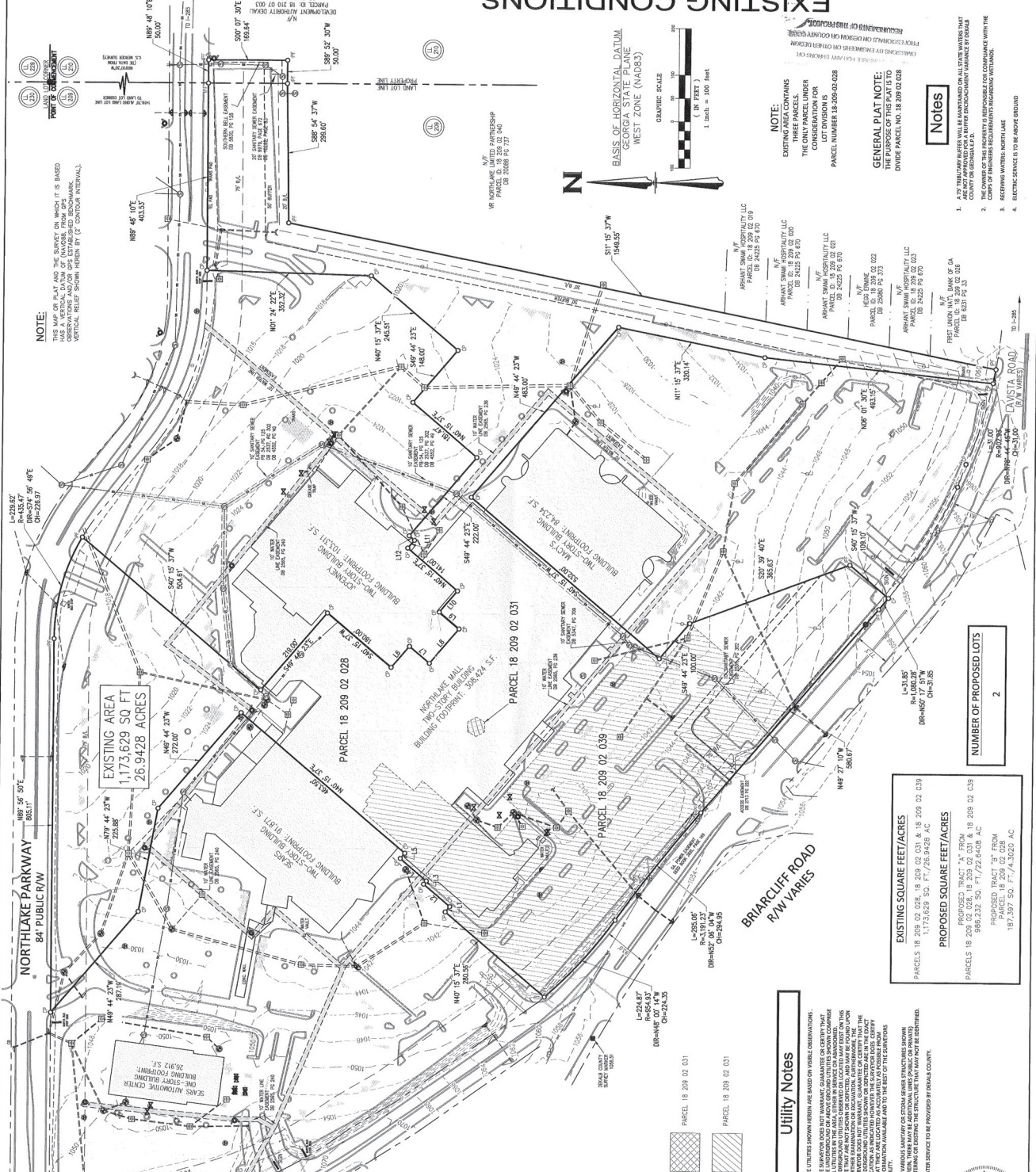
COA/LSF 000459

LOT DIVISION OF:
 NORTHLAKE MALL
 4800 Briarcliff Road
 LAND LOT 209 & 210 OF THE 18TH LAND DISTRICT
 DEKALB COUNTY, GA

Parcel No. 18 209 02 028
 18-09-500
 Drawn By / Field Crew
 SCM Crew No. 1 N/A

Sheet / Drawing Scale
 Unless Otherwise Noted
 GSA Project No.
 18-09-500

Sheet No. 02 of 03



Parcel Line Table

Line #	Length	Direction
L1	15.00'	S49° 44' 23"E
L2	74.00'	N40° 12' 37"E
L3	9.00'	S49° 44' 23"E
L4	74.00'	N40° 12' 37"E
L5	15.00'	S49° 44' 23"E
L6	60.00'	S49° 44' 23"E
L7	58.00'	S49° 15' 37"W
L8	88.00'	S49° 44' 23"E
L9	58.00'	N40° 12' 37"E
L10	60.00'	S49° 44' 23"E
L11	22.00'	S49° 44' 23"E
L12	15.00'	N40° 12' 37"E

- Legend of Symbols & Abbreviations**
- POWER POLE
 - TRAFFIC SIGNAL BOX
 - SWITCHY MANHOLE
 - LIGHT POLE
 - SOIL LIGHT POLE
 - OUT WIRE
 - INLET
 - SMALL SPOT
 - ELECTRIC METER
 - TRANSFORMER
 - FLAME POLE
 - WATER VALVE
 - TELEPHONE MANHOLE
 - TELEPHONE RESTAL

Field Observation Notes

- A VISUAL SURVEY WAS CONDUCTED ON OCTOBER 20, 2019. THE SURVEY WAS CONDUCTED IN THE PRESENCE OF THE PROPERTY OWNER AND HIS REPRESENTATIVE. THE SURVEY WAS CONDUCTED IN THE PRESENCE OF THE PROPERTY OWNER AND HIS REPRESENTATIVE. THE SURVEY WAS CONDUCTED IN THE PRESENCE OF THE PROPERTY OWNER AND HIS REPRESENTATIVE.
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Utility Notes

- THE UTILITIES SHOWN HEREIN ARE BASED ON PUBLIC OBSERVATIONS.
- THE SURVEYOR DOES NOT WARRANT THE ACCURACY OF THE UTILITIES SHOWN HEREIN. THE SURVEYOR DOES NOT WARRANT THE ACCURACY OF THE UTILITIES SHOWN HEREIN. THE SURVEYOR DOES NOT WARRANT THE ACCURACY OF THE UTILITIES SHOWN HEREIN.
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Map or Plat Certification

I, the undersigned, being a duly licensed Professional Engineer in the State of Georgia, do hereby certify that the foregoing is a true and correct copy of the original map or plat as shown to me by the person or persons claiming to be the owner or user of the land shown thereon.

 Date of last Revision: 10/20/19

Map or Plat Certification

I, the undersigned, being a duly licensed Professional Engineer in the State of Georgia, do hereby certify that the foregoing is a true and correct copy of the original map or plat as shown to me by the person or persons claiming to be the owner or user of the land shown thereon.

 Date of last Revision: 10/20/19

THIS BLOCK REFERRED TO BY THE CLERK OF THE SUPERIOR COURT

Line #	Length	Direction
L14	15.00'	S89°44'23"E
L15	74.00'	N40°15'27"E
L16	8.00'	S89°44'23"E
L17	74.00'	N40°15'27"E
L18	15.00'	S89°44'23"E
L19	60.00'	S89°44'23"E
L20	98.00'	S89°44'23"E
L21	56.00'	N40°15'27"E
L22	80.00'	S89°44'23"E
L23	20.00'	S89°44'23"E
L24	15.00'	N40°15'27"E

Legend of Symbols & Abbreviations

☐	POWER POLE	☐	TRUNK SIGNAL BOX
○	LIGHT POLE	☐	SEWER MANHOLE
○	UTILITY POLE	☐	CLEAN OUT
○	SEWER MANHOLE	☐	SEWER LIGHT POLE
☐	ELECTRIC MANHOLE	☐	SEWER VALVE
☐	ELECTRIC METER	☐	SEWER VALVE
☐	TRUNK	☐	UNDEVELOPED PARKING
☐	BOX (AS NOTED)	☐	WATERED DRAIN SECTION
☐	WATER METER	☐	BENCHMARK
☐	TRANSFORMER	☐	RECORD
☐	44' CONDUIT UNIT	☐	AS BUILT
☐	RESPONSE POINT	☐	CALCULATED
☐	RESPONSE METER	☐	VOID VOLUME
☐	TRUNK SIGNAL BOX	☐	BACKLASH PREVENTER
☐	SEWER MANHOLE	☐	WATER METER
☐	SEWER DRAIN NUT	☐	WELL HEAD
☐	SEWER TAP	☐	P.B. FOOT BOX
☐	BARBER	☐	POINT OF ACCESS
☐	POINT OF ACCESS	☐	PT. - 100% FIN. ROAD

Field Observation Notes

- THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED IS CLASSIFIED AS A FIELD SURVEY. THE SURVEY WAS CONDUCTED ON THE DATE NOTED ON THE TITLE. THE SURVEYOR HAS CONDUCTED A VISUAL INSPECTION AND HAS FOUND THE SURVEY TO BE CORRECT AND ACCURATE. THE SURVEYOR HAS FOUND THE SURVEY TO BE CORRECT AND ACCURATE. THE SURVEYOR HAS FOUND THE SURVEY TO BE CORRECT AND ACCURATE.
- THE FIELD DATA FROM WHICH THIS SURVEY MAP OR PLAT AND THE SURVEY THEREON WERE DERIVED IS BASED ON THE SURVEYOR'S OWN FIELD MEASUREMENTS AND NOT ON ANY OTHER SURVEY. THE SURVEYOR HAS FOUND THE SURVEY TO BE CORRECT AND ACCURATE.
- THERE WAS NO OBTAINABLE EVIDENCE OF EARLY RECORDING, BUILDINGS, OR OTHER STRUCTURES THAT WOULD CONTRADICT THE SURVEY DATA. THE SURVEYOR HAS FOUND THE SURVEY TO BE CORRECT AND ACCURATE.
- THERE WAS NO OBTAINABLE EVIDENCE OF CHANGES IN THE SURVEY DATA. THE SURVEYOR HAS FOUND THE SURVEY TO BE CORRECT AND ACCURATE.
- THERE WAS NO OBTAINABLE EVIDENCE OF EYE BEING USED AS A TOOL TO OBTAIN FIELD DATA.

Map or Plat Certification

I, the undersigned, being a duly qualified and licensed Professional Engineer in the State of Georgia, do hereby certify that the above described plat is a true and correct copy of the original as filed with me, and that the same complies with the provisions of the Georgia Code, and that the same is a true and correct copy of the original as filed with me.

 4/14/19
 Registered Professional Engineer, No. 3138
 Date of Plat or Survey: April 14, 2019
 Date of Last Renewal: April 14, 2019

Utility Notes

- THE UTILITIES SHOWN HEREIN WERE BASED ON VISUAL OBSERVATIONS.
- THE UNDERGROUND AND ABOVE GROUND UTILITIES SHOWN ON THIS SURVEY MAP OR PLAT AND THE SURVEY THEREON ARE BASED ON THE SURVEYOR'S OWN FIELD MEASUREMENTS AND NOT ON ANY OTHER SURVEY. THE SURVEYOR HAS FOUND THE SURVEY TO BE CORRECT AND ACCURATE.
- AT VARIOUS SPACES ON EXISTING POWER STRUCTURES SHOWN HEREIN, THE SURVEYOR HAS FOUND THE UTILITIES TO BE CORRECT AND ACCURATE.
- WATER SERVICE TO BE PROVIDED BY DEKALB COUNTY.

EXISTING SQUARE FEET/ACRES
PARCELS 18 209 02 028, 18 209 02 031, & 18 209 02 039 117,569 SQ. FT./2.6428 AC
PROPOSED SQUARE FEET/ACRES
PROPOSED TRACT "A" FROM 986,232 SQ. FT./22.6408 AC
PARCELS 18 209 02 028, 18 209 02 031, & 18 209 02 039 PROPOSED TRACT "B" FROM 187,394 SQ. FT./4.3020 AC

NUMBER OF PROPOSED LOTS

2



1 inch = 100 feet

Parcel A

986,232 SQ FT
22.6408 ACRES

Parcel B

187,394 SQ FT
4.3020 ACRES

Parcel No.: 18 209 02 028
 4800 Briarcliff Road
 NORTHLAKE MALL
 LOT DIVISION OF:
 LAND AND LOT 209 & 210 OF THE 18TH LAND DISTRICT
 DEKALB COUNTY, GA

Sheet / Drawing Scale
 GSA Project No.: 18-09-500
 Drawn By / Field Crew: SCM / NVA
 Sheet No.: 03 of 03

PROPOSED CONDITIONS

NOTE: THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED IS A FIELD SURVEY. THE SURVEY WAS CONDUCTED ON THE DATE NOTED ON THE TITLE. THE SURVEYOR HAS CONDUCTED A VISUAL INSPECTION AND HAS FOUND THE SURVEY TO BE CORRECT AND ACCURATE. THE SURVEYOR HAS FOUND THE SURVEY TO BE CORRECT AND ACCURATE. THE SURVEYOR HAS FOUND THE SURVEY TO BE CORRECT AND ACCURATE.

GENERAL PLAT NOTE:
 THE PURPOSE OF THIS PLAT IS TO
 DIVIDE PARCEL NO. 18 209 02 028

NOTES:
 1. A 1" TRUNCATED BUFFER WILL BE MAINTAINED ON ALL EXISTING WATER RIGHTS THAT ARE SHOWN ON THIS PLAT AND THE SURVEY THEREON.
 2. THE OWNER OF THIS PROPERTY IS RESPONSIBLE FOR COMPLIANCE WITH THE CORPS OF ENGINEERS REQUIREMENTS REGARDING WETLANDS.
 3. RECEIVING WATERS: NORTH LAKE
 4. ELECTRIC SERVICES TO BE ABOVE GROUND

735 LONGLEAF BOULEVARD, SUITE A LAWRENCEVILLE, GA 30046
 PHONE 770.418.9823 FAX 770.418.9289
 www.gsaassociates.com
 GSA ASSOCIATES, INC.
 Contracting Surveyors & Land Development
 1000 W. Peachtree Street, N.W. Atlanta, GA 30309



HAINES GPSON & ASSOCIATES
Civil - Structural - Bridge

JIM NICK'S
COMMUNITY
BAR-B-Q

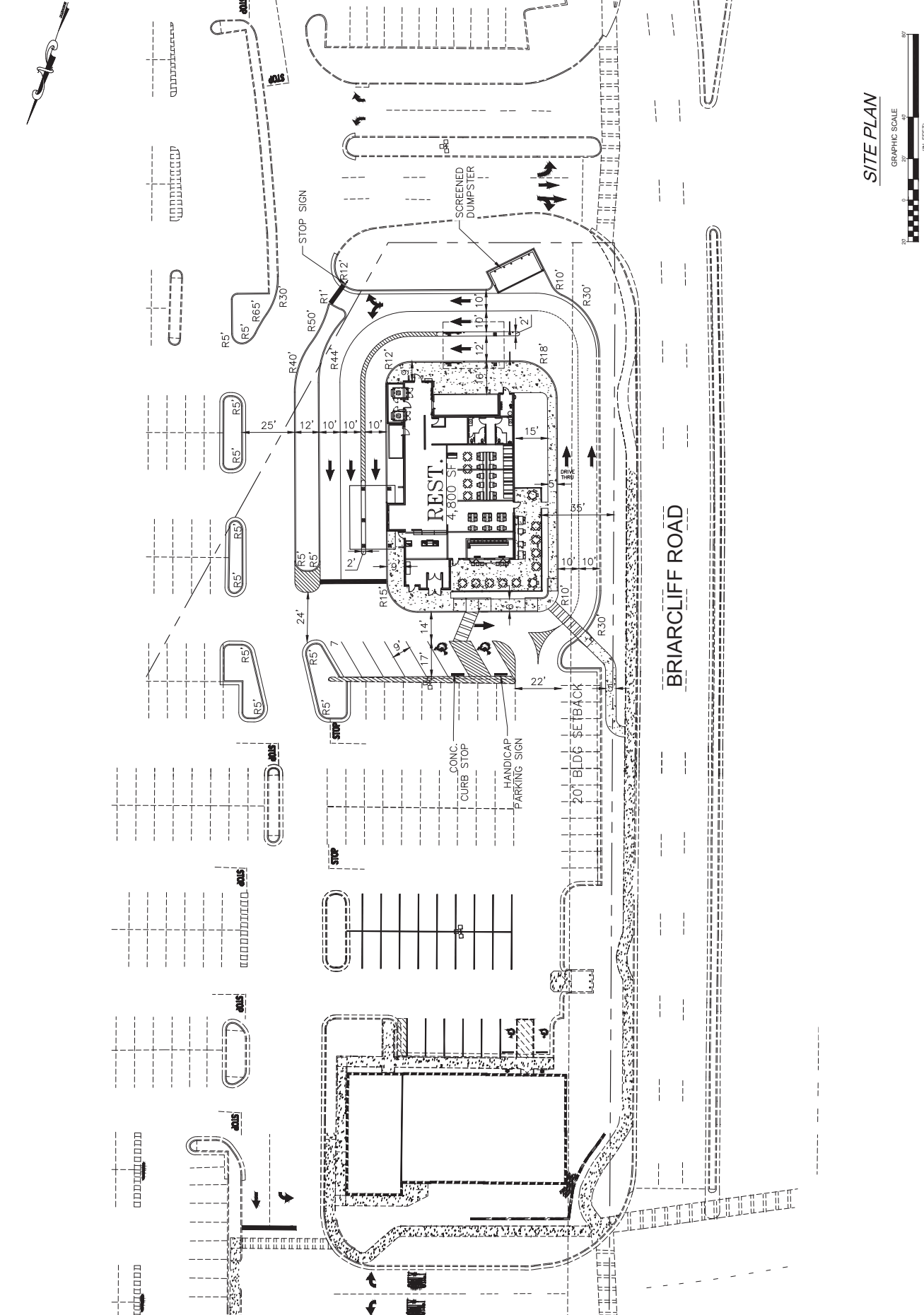
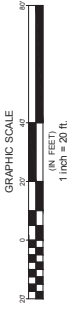
JIM NICK'S NORTHLAKE
4880 Briarcliff Road NE Atlanta, GA 30345

A PROJECT OF:
4880 Briarcliff Road NE Atlanta, GA 30345

NO.	BY	DATE	DESCRIPTION

ISSUED FOR PERMIT: FOR RECORD: REVISED:
DATE: 01/11/2024
SHEET NUMBER: PLAN
SHEET TITLE: SITE PLAN

SITE PLAN



10/11/2023
 10:30 AM
 10/11/2023
 10:30 AM

JIM 'N NICK'S

OWNER:
 JIM 'N NICK'S
 10 INGRES CENTER PARKWAY
 BIRMINGHAM, AL 35242

JIM 'N NICK'S
 DOCUMENT DATE:
 JOB#:
 170910.03

DRAWN BY:
 Andy Simpson

1	10/11/2023
2	10/11/2023
3	10/11/2023
4	10/11/2023
5	10/11/2023

ID.01
 Exterior elevation



C1 - Cementitious Side



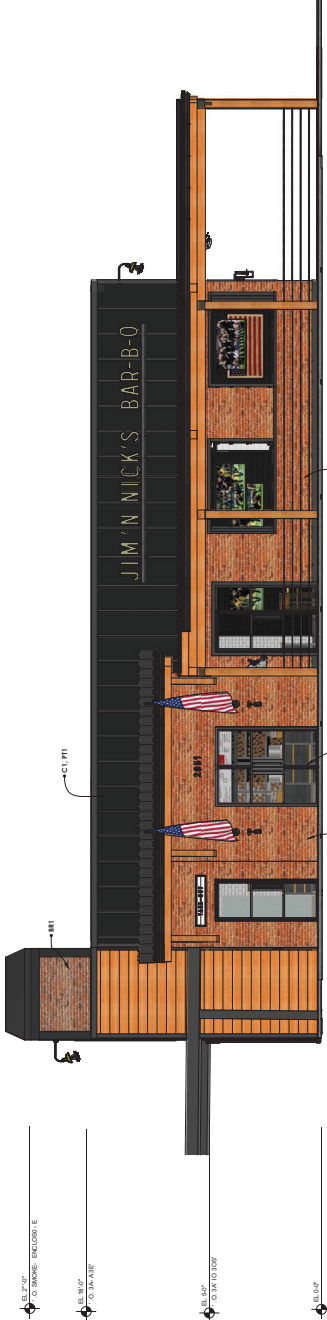
BR1 - Cherokee Brick Old New Orleans



WD1 - Stained Wood Cedar Post and Beam



PT1 - BM Wrought Iron



30% Penetration required on this elevation
 Wall elevation total from Height of finished floor to wall plate : \$58 sf
 Total Glass provided: 173 sf
 As percentage 32.2%

1 NORTHWEST ELEVATION
 A2.1 1/4" = 1'-0"

COLORED ELEVATIONS, CONSTRUCTION
 DETAILS AND FURTHER INFORMATION ARE
 CONTAINED ON THE ARCHITECTURAL
 DOCUMENTS
 SHEETS A2.1, A2.2 AND FINISH SCHEDULE
 ON ID.05



65% Penetration required on this elevation
 Wall elevation total from Height of finished floor to wall plate : 1002 sf
 Total Glass provided: 185 sf
 As percentage 18.5%
 Glass / windows are on all areas not in kitchen or restrooms.

2 BRIARCLIFF ROAD / SOUTHEAST ELEVATION
 A2.1 1/4" = 1'-0"

1000 W. 10th St.
 Suite 250
 Birmingham, AL 35242
 Tel: 205.933.1111
 www.resoluteid.com



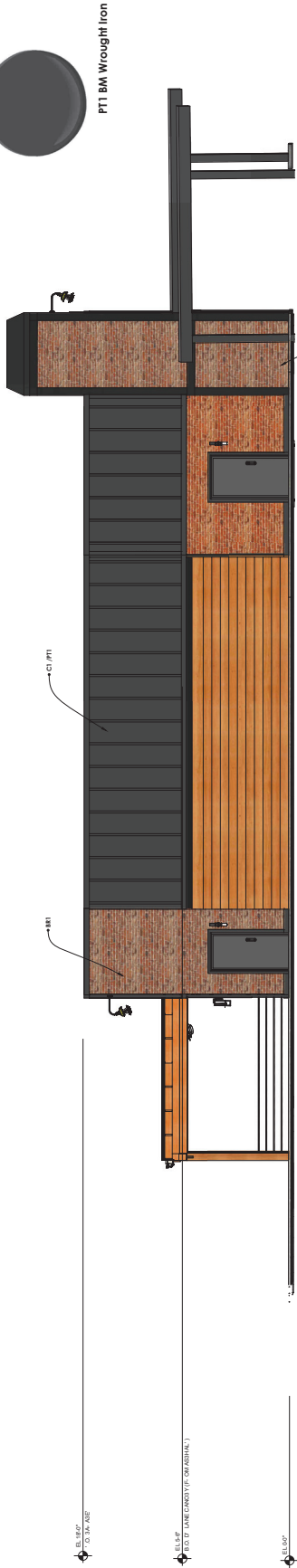
C1 - Cementitious Side



BR1 - Cherokee Brick Old New Orleans



WD1 Stained Wood Cedar Post and Beam



1. SOUTHEAST ELEVATION
 A2.2 1/4" = 1'-0"

Note: This entire elevation is the Litchen of the restaurant.

COLORED ELEVATIONS, CONSTRUCTION DETAILS AND FURTHER INFORMATION ARE CONTAINED ON THE ARCHITECTURAL DOCUMENTS SHEETS A2.1, A2.2 AND FINISH SCHEDULE ON ID.05

JIM N. NICK'S

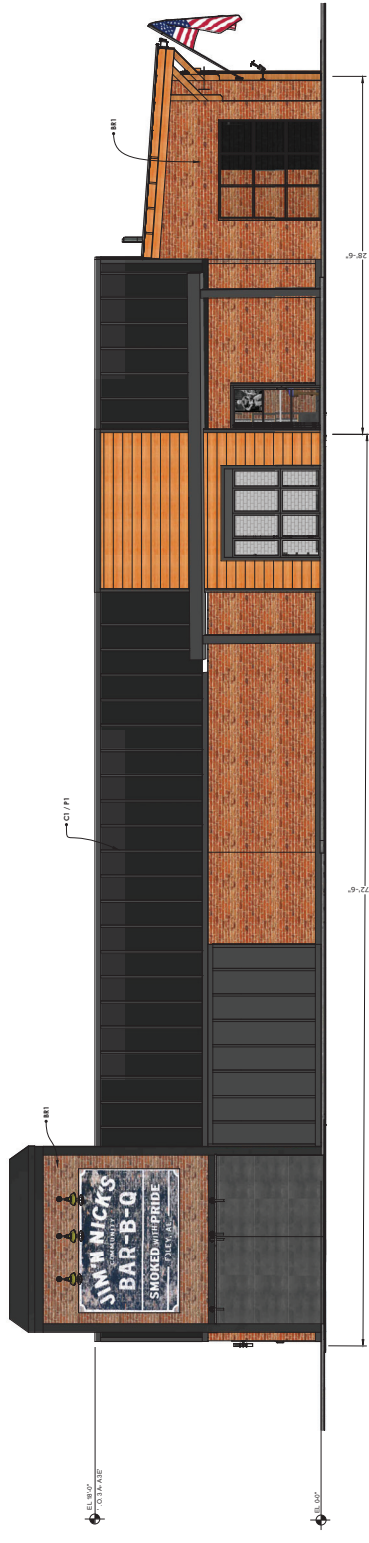
OWNER:
 JIM N. NICK'S
 10 INGRESS CENTER PARKWAY
 SUITE 250
 BIRMINGHAM, AL 35242
 170910.03

JIM N. NICK'S
 DOCUMENT DATE:
 JOB#:
 170910.03

DRAWN BY:
 Andy Simpson

△	01.11.2023
△	02.12.2023
△	
△	
△	

ID.02
 Exterior Elevation

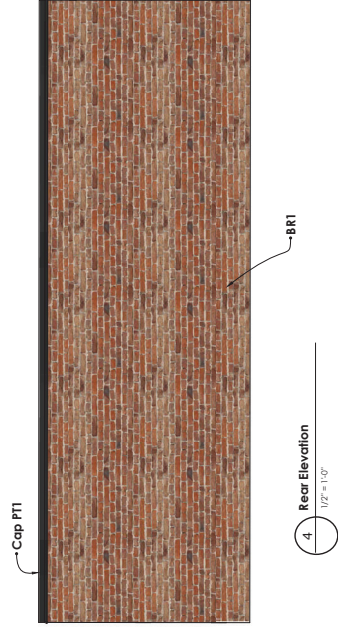
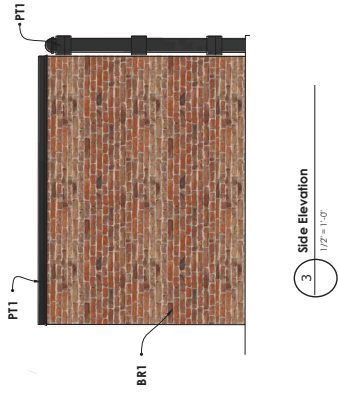
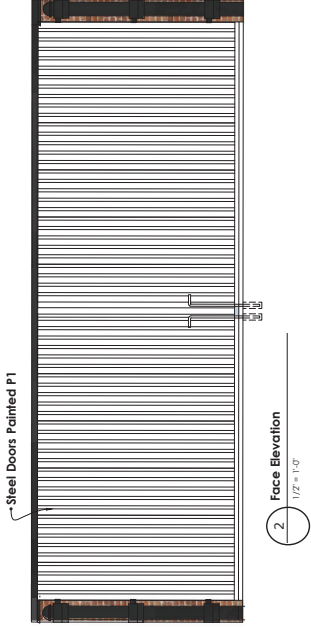
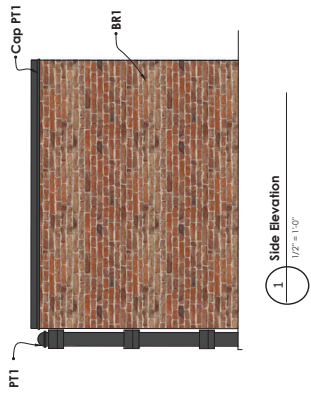


2. NORTHEAST ELEVATION
 A2.2 1/4" = 1'-0"

Note: This area is the restaurant Litchen.

Public area.

TRASH STRUCTURE



CONCURRENT VARIANCE CRITERIA

Increased setback request to 35'

Section 46-1633 of the City of Tucker Zoning Ordinance lists specific criteria the board shall use in determining whether or not to grant a variance. The applicant shall provide a written analysis of how the request complies with these criteria if they are requesting a concurrent variance.

Variances from the provisions or requirements of this division other than variances described in [section 46-1634](#) shall be authorized only upon making all of the following findings in writing:

1. 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.
 - a. No impact on the proposed variance request.
2. 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.
 - a. The proposed request to extend the front setback from a maximum of 20ft to 35ft is to meet the requirements for a drive-thru established within zoning Ordinance Sec 46-1166 and the Northlake Zoning District sec.46-1045.
 - i. All drive-through facilities shall include a bypass lane with a minimum width of 10ft.
3. 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.
 - a. The proposed building will meet all other design guidelines and provide an additional bypass lane for emergencies. The overall building design is harmonious with the surrounding/adjacent properties.

City of Tucker
Received
By
Planning & Zoning
2-26-24
SLUP-24-0002, CV-24-0001,
CV-24-0002

4. The literal interpretation and strict application of the applicable provisions or requirements of this division would cause undue and unnecessary hardship.
 - a. The request for the variance is to meet the overall business model of a faster service to restaurant customers by allowing service via drive-thru and walk-in customers; This will allow all persons of the City to be able to gain faster service. Without the variance request, we would not be able to meet the requirements of the drive-through ordinances.

5. The requested variance would be consistent with the spirit and purpose of this division and the comprehensive plan text.
 - a. The requested variance is consistent with the comprehensive plans for the redevelopment of Northlake Mall.

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By
Planning & Zoning
2-26-24
SLUP-24-0002, CV-24-0001,
CV-24-0002

CONCURRENT VARIANCE CRITERIA

Reduce Fenestration Requirements

Section 46-1633 of the City of Tucker Zoning Ordinance lists specific criteria the board shall use in determining whether or not to grant a variance. The applicant shall provide a written analysis of how the request complies with these criteria if they are requesting a concurrent variance.

Variances from the provisions or requirements of this division other than variances described in [section 46-1634](#) shall be authorized only upon making all of the following findings in writing:

1. 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.
 - a. No impact on the proposed variance request.
2. 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.
 - a. The proposed request to reduce the fenestration minimum percentage of window glass coverage will not constitute a grant of special privilege since the required fenestration within the Northlake Design area relates to retail business; The restaurant has back-of-house kitchens and restrooms which prevent the use of window glass. Various designs were introduced to maximize the use of glass.
3. 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.
 - a. The proposed building will meet all other design guidelines and provide glass windows and doors in all pedestrian access locations. The overall building design is harmonious with the surrounding/adjacent properties.

City of Tucker
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2-26-24
SLUP-24-0002, CV-24-0001,
CV-24-0002

4. The literal interpretation and strict application of the applicable provisions or requirements of this division would cause undue and unnecessary hardship.
 - a. Restaurant use requires public restrooms and kitchen/ back of house if the variance request were not approved the hardship would cause the business to seek other locations within the surrounding counties to open and operate.

5. The requested variance would be consistent with the spirit and purpose of this division and the comprehensive plan text.
 - a. The requested variance is consistent with the comprehensive plans for the redevelopment of Northlake Mall; The Jim 'N Nick's is also providing additional pedestrian/patron use with the proposed outdoor patio area.

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2-26-24
SLUP-24-0002, CV-24-0001,
CV-24-0002

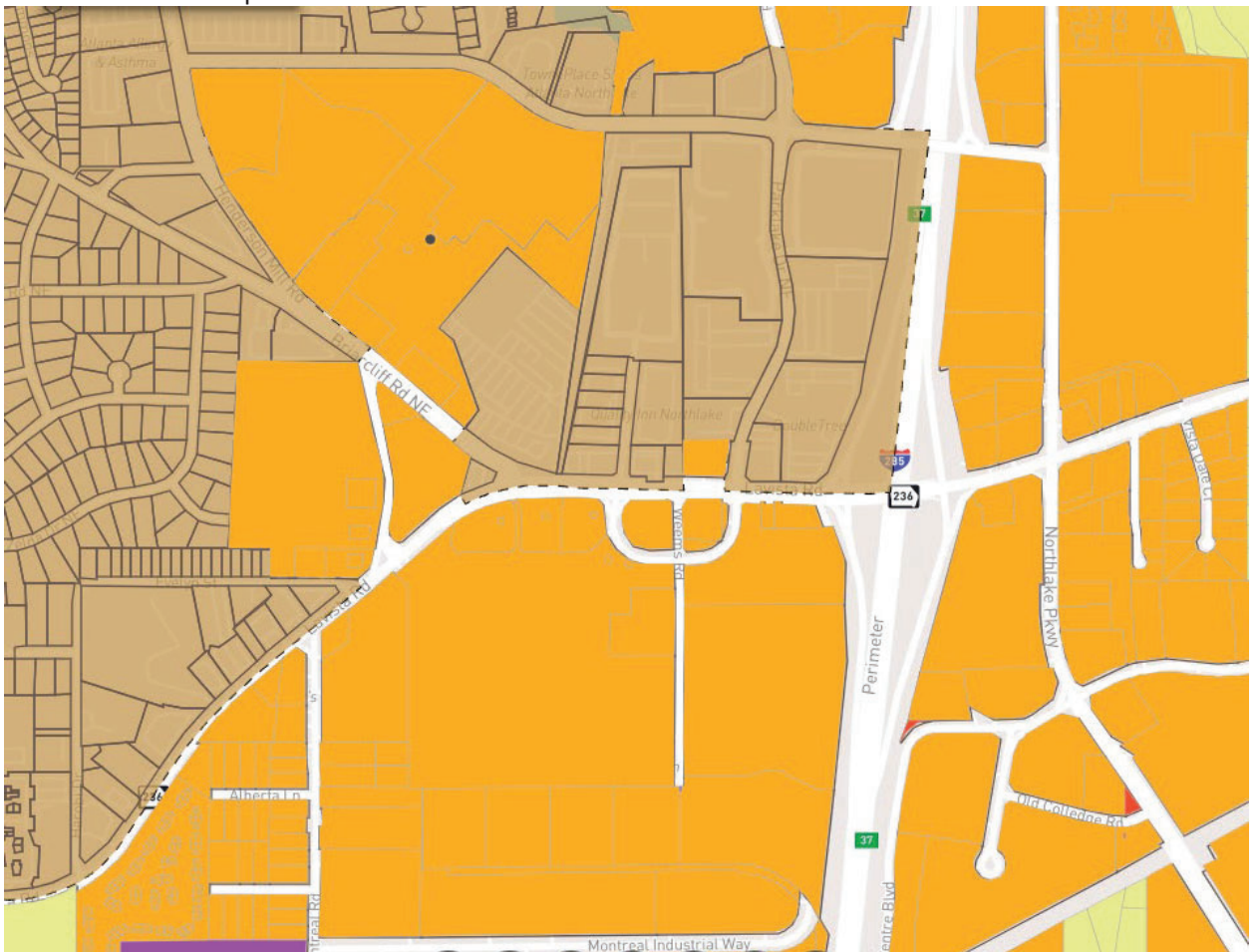
ENVIRONMENTAL SITE ANALYSIS FORM

1. CONFORMANCE WITH THE COMPREHENSIVE PLAN.

The proposed construction of the Jim ‘N Nicks’ BB’Q restaurant within the NorthLake Mall conforms with the Town Center redevelopment opportunities at the Northlake mall site and the future employment growth opportunities provided by the restaurant. The Northlake mall retail area is one of the Cities largest Industries within the City.

The proposed restaurant will be adding additional sidewalk access to the site to increase the Tucker-Northlake walkable downtown, also the outdoor patio will bring additional pedestrian-oriented attraction/use to the site.

Future Land Use Map- Town Center



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SLUP-24-0002, CV-24-0001, CV-24-0002

2. **ENVIRONMENTAL IMPACTS OF THE PROPOSED PROJECT**

- a. Wetlands
 - Absent or no wetlands on the property
- b. Floodplain
 - Absent or no floodplain within the property
- c. Streams/stream buffers
 - Absent or no stream/stream buffers are found within property
- d. Slopes exceeding 25 percent over a 10-foot rise in elevation
 - Slopes do not exceed 25% within a 10-foot rise in elevation.
- e. Vegetation
 - Additional vegetation will be added to the proposed site within the Landscape plans proposed.
- f. Wildlife Species (including fish)
 - There will be no impact on the 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**

- a. Protection of environmentally sensitive areas, i.e., floodplain, slopes exceeding 25 percent, river corridors.
 - The proposed building is not in sensitive areas such as floodplains, slopes exceeding 25% percent, river corridors, etc.
- b. Protection of water quality
 - The existing building is not in sensitive areas such as floodplains, slopes exceeding 25% percent, river corridors, etc.
- c. Minimization of negative impacts on existing infrastructure
 - The proposed site is a vacant undeveloped pad, there is no negative impacts.
- d. Minimization of archeological/historically significant areas
 - The proposed building is not in archeological/ historically significant areas.
- 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

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By
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- The proposed building construction was on of the master plan for the development. No adverse conditions or stress are to be placed on the un-development parcel.
- f. Creation and preservation of green space and open space
 - Additional vegetation will be added to the proposed site within the Landscape plans proposed.
- g. Protection of citizens from the negative impacts of noise and lighting
 - Additional vegetation will be added to proposed site within the Landscape plans proposed to add screening from drive thru and increase setbacks has been requested.
 - The proposed location is not within a residential area and all lighting will be screened.
- h. Protection of parks and recreational green space
 - The proposed building isn't located near parks or recreational green spaces.
- i. Minimization of impacts to wildlife habitats
 - There will be no impact to wildlife habitats.

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Planning & Zoning
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SLUP-24-0002, CV-24-0001, CV-24-0002



Proposed Land Use 934 Fast Casual Restaurant with Drive Thru

What is a fast casual restaurant type?

Fast casual restaurant concepts offer the convenience of fast food without the full service of fine dining. Fast casual dining consists of a more inviting sit-down ambiance, and often, the ability to build your own meal. The menu consists of better-quality ingredients that can be found at most fast-food establishments.

TRIP GENERATION

The results of the site-generated traffic analysis for the proposed development are shown in Table 1 below.

**TRAFFIC IMPACT STUDY
SCOPING/METHODOLOGY STATEMENT**

TABLE 1

Land Use	Land Use Code ⁽¹⁾	Size	Daily Trips	Period	Peak Hour Trips			Pass by ⁽²⁾			Primary		
					In	Out	Total	In	Out	Total	In	Out	Total
Fast Food restaurant with Drive thru	934	4,989 SF	2,350	AM	102	99	201	50	49	99	52	50	102
				PM	85	78	163	43	39	82	42	39	81

(1) Based on the Institute of Transportation Engineers Trip Generation, 10th Edition
(2) Pass-By rates of 49% for the AM Peak Hour and 50% for the PM Peak Hour were extracted from the ITE Trip Generation Handbook, 3rd Edition

Based on a Fast Casual Restaurant with Drive Thru lane with an average of 10 vehicle stacking and average wait time of 8 minutes.

City of Tucker
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By
Planning & Zoning
2-26-24
SLUP-24-0002, CV-24-0001, CV-24-0002



Public Participation Plan Report

Project Name: Jim 'N Nick's Community Bar-B-Q – Tucker

Contact Name: Perry Jones

Meeting Date: January 29, 2024

Meeting Location: Northlake Mall, 4800 Briarcliff Rd., Suite 1019

Meeting Start Time: 12:00 p.m.

Meeting End Time: 12:30 p.m.

Number of people in attendance: 7

Date of Filing of Land Use Petition Application: February 22, 2024

General Introduction:

The purpose of this meeting was to share information about the proposed Jim 'N Nick's restaurant with members of the local community and to address any questions or concerns those members have about our business. A letter, which included a description of Jim 'N Nick's origin and the type of food served, along with the proposed site plan and color elevation drawings, was sent to all residents who live within 500 ft. of the proposed location. The letter included the date, time and location of the meeting and an invitation to attend. Two representatives from Jim 'N Nick's conducted the meeting: Perry Jones, VP of Real Estate & Development and Donna Sharp, Sr. Project Manager of Restaurant Development. The meeting was a Q&A format where Mr. Jones provided an overview of Jim 'N Nick's as a company and answered questions, while Ms. Sharp displayed images of the proposed site plan, elevations, and renderings on a TV screen that all of the attendees could see.

Summary of Concerns & Issues:

1. What are your hours of operation?

Applicant response: We're open 7 days per week. We open for lunch at 11 a.m. and close at 9 p.m. on weekdays. Some locations close at 9 p.m. on weekends also but most locations are open until 10 p.m. on Fridays and Saturdays.

2. Where will your restaurant be located?

Applicant response: It will be located at the southeast corner of the [Northlake] mall, adjacent to the Lens Crafters building. (Jones pointed to an image of the proposed site plan displayed on a large TV in the meeting space)



3. Do you have other new locations in Georgia?

Applicant response: Yes we have several locations in Georgia. We just opened a new one in Statesboro last week and in Augusta a couple of weeks before that. We also recently opened new locations in Covington, Athens, and Rome.

4. So you are moving in from Alabama?

Applicant response: Yes, Alabama is where we were founded but we've built 6-7 new restaurants in Georgia in the past 5 months or so and we'd like to build about 15 more. We also have locations in Marietta, Suwanee and Smyrna that have been open for several years now.

5. Do you still have your location in Destin [Florida]?

Applicant response: No, I unfortunately had to close that one about a year ago; it had some issues during COVID. We do have a location in Niceville, Florida nearby but that one is drive-thru only.

6. But this one [proposed Tucker location] will be eat-in?

Applicant response: Yes, we'll have about 90 seats inside and about 50-60 outside on the patio.

7. Will the menu be similar to the other places?

Applicant response: Yes, this menu will be the exact same as our other locations.

8. How many restaurants do you have open right now?

Applicant response: We have 45. We have 6 in the Atlanta area.

9. Are all the restaurants owned by the same company?

Applicant response: Yes we're owned by a group called Roark Capital.

10. And you have a bar?

Applicant response: Yes we have a full bar.

11. And what days are you open again?

Applicant response: Seven days a week.

12. Tell me again, are you going to be located out front (Participant points towards main entrance of the mall)?

Applicant response: (Pointing to the site plan on the TV screen) Yes ma'am we will be in front of the mall and opposite of Lens Crafters.



13. So to clarify the flow of traffic, it will come from Northlake Parkway, into the mall, and to the left, and then you'll come around the building (while pointing at site plan)?

Applicant response: Correct, there are two entrances here (points at site plan) into the mall that will both take you to the restaurant and then the drive-thru traffic will flow around the building and then exits here (Jones uses site plan to show drive-thru traffic).

14. Is this a sidewalk here? (Participant points to sidewalk shown on site plan)

Applicant response: Yes ma'am this is a sidewalk that runs along here (traces finger along sidewalk next to building) and then there will be an accessible ramp, about 5' long, that runs down into the parking lot.

15. How tall is the front of your store in relevance to Lens Crafters & the credit union? Same or taller?

Applicant response: No, our building will not be as tall as the Lens Crafters building. (Points to elevations drawing) The tallest part of our building is the smoker tower which is 20'.

16. How does a double drive-thru work?

Applicant response: (Displays the rendering which shows cars in the drive-thru) There are two car lanes that wrap around the building. Each lane has its own menu board, and the lanes are separate from enter to exit. It's the same as most Chick-fil-A drive thru's and has helped us increase our speed in getting orders out to our customers.

17. What made you want to build in Tucker?

Applicant response: The Atlanta market is an important market to Jim 'N Nick's. One of the main reasons I joined the company was to expand our locations within the Atlanta area. Looking at the map of our locations in Atlanta, there was an obvious "hole" in this area. Our market research of the area showed that Tucker would be a favorable location for us to build. Also, I have had past business deals with the owners of the mall on some of their other properties which were positive, so all of these factors combined makes us believe we can be successful here.

18. When do you think you will open?

Applicant response: We have a few more steps to complete with the application process. We have a couple of variances we need to gain approval for as well as the special land use permit for the drive-thru. We are hoping to receive a permit by early summer and begin building in July or August. If we are able to begin building then, we would be looking at an early 2025 opening. If you all don't mind sending us your email addresses, we would love to invite all of you to our Pre-Grand Opening event, a.k.a. 'Friends & Family Weekend' so you can try our food at no cost and experience our brand before everyone else!



City of Tucker

Public Participation Plan Report

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.

SLUP 2/22/24
Signature of Applicant or Authorized Representative Date

Sandi LeBlanc 2/22/24
Type or Print Name of Applicant or Authorized Representative Date

Commonwealth of Virginia
City/County of Prince George

Sworn to and subscribed before me on
the 22 day of February, 2024

Cynthia L. Bergamini
Notary Public's Signature
My Commission # 369291 Expires Aug 31, 2025

CYNTHIA L. BERGAMINI
NOTARY PUBLIC
REGISTRATION # 369291
COMMONWEALTH OF VIRGINIA

City of Tucker
Received
By
Planning & Zoning
2-26-24
SLUP-24-0002, CV-24-0001,
CV-24-0002



Dear Neighbors of Northlake Mall,

Jim N Nicks Management LLC is interested in developing at 4800 Briarcliff Road for a new Jim N' Nick's BBQ restaurant. The request requires a Special Land Use Permit (SLUP) for the drive-thru with concurrent variances to the Northlake Zoning Design requirements.

Who is Jim N' Nicks BBQ? It all started in 1985 when Jim and his son reclaimed an old pizza parlor in Birmingham, AL. It would be the very first Jim 'N Nick's Bar-B-Q, an authentic bar-b-q restaurant with chefs and pitmasters. No freezers, no microwaves, and no shortcuts. 12-hour slow-smoked pork and beef but served real fast with our double drive-thru windows concept in addition to our sit-down dining. Since then, we've grown to become a Southern institution, with 45 restaurants in six states.

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 within 500' of our project. We hope you will be able to meet with us at the following time:

Meeting Date/Time: **January 29, 2024, at 12:00pm**

Meeting Location: **Northlake Mall 4800 Briarcliff Road Suite 1019 Tucker, GA**

We've included a site plan of our current proposal in which we look forward to discussing with you and getting feedback on January 29, 2024. If you are unable to attend or wish to reach out beforehand, we can be reached at jimnicks.tucker@gmail.com or 205-484-0008.

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

Sincerely,

Perry Jones
Jim N Nick's Community BBQ
Vice President Real Estate & Development

10 Inverness Center Parkway, Suite 250, Birmingham. AL 35242

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CV-24-0002



Land Use Petition Process for Rezoning, Special Land Use Permits, and Comprehensive Plan Amendments

1

Before filing, the applicant must host a neighborhood meeting per our Public Participation Plan requirements. The point of this meeting is for the potential applicant to discuss the proposal with neighbors and get feedback or requests for changes. More information can be found here: tuckerga.gov/ppp

2

The applicant files an application with the City of Tucker. Deadlines are listed in the Land Use Petition Application.

3

Staff completes a technical analysis of the application based on the City of Tucker Zoning Ordinance and Comprehensive Plan. This report includes a staff recommendation.

4

The City holds Public Meetings

- Planning Commission
 - Staff presentation of the staff report and staff recommendation
 - Public Hearing, which includes the applicant's presentation and a chance for the public to speak for or against the application
 - The Planning Commission votes on a recommendation to forward to City Council
- Mayor & City Council – 1st Read
 - Staff presentation of the staff report and staff recommendation
 - Public Hearing, which includes the applicant's presentation and a chance for the public to speak for or against the application
- Mayor & City Council – 2nd Read
 - Staff presentation of the staff report and staff recommendation
 - Public Hearing, which includes the applicant's presentation and a chance for the public to speak for or against the application
 - City Council can take a vote for final action on the request

Decisions on applications are based on the criteria that is set forth in the zoning ordinance.

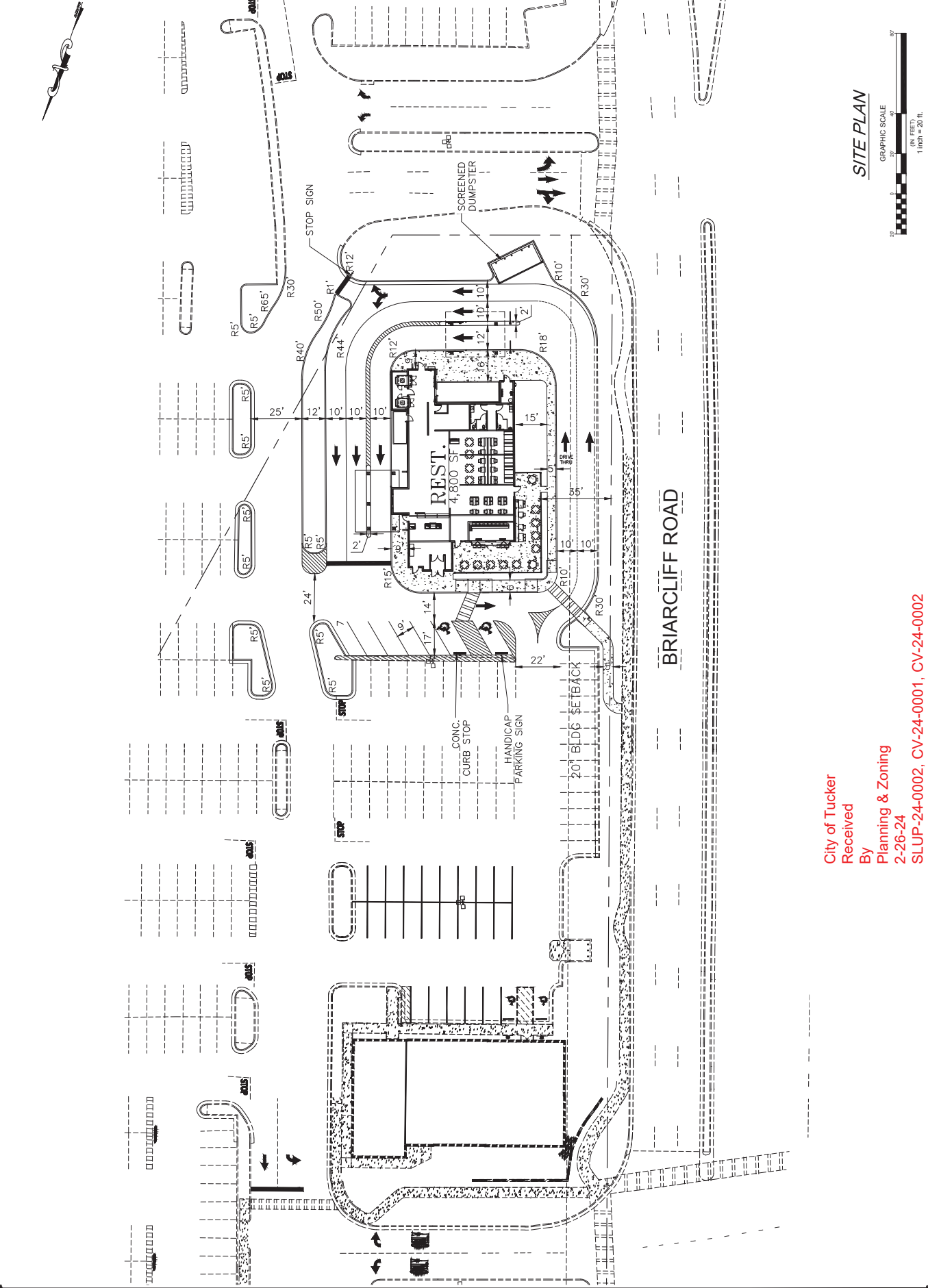
The criteria is located here: tuckerga.gov/landusecriteria

Please note that some applications, such as those that meet the Development of Regional Impact (DRI) standards, will have additional steps between filing an application and the Public Hearing.

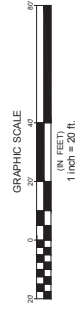
For information about current land use petitions, including application information and public meeting dates, please visit: tuckerga.gov/landusepetitions

NO.	BY	DATE	DESCRIPTION

NO.	BY	DATE	DESCRIPTION



SITE PLAN



City of Tucker
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Business	Care of	Address	City	State	ZIP
NM OFFICE OWNER LLC		4645 N CENTRAL EXPWY STE 300	DALLAS	TX	75205
NORTHLAKE ATRCORINTH PARTNERS LLC		4645 N CENTRAL EXPWY STE 300	DALLAS	TX	75205
4816 BRIARCLIFF PAD 1 LLC		4645 N 4645 N. CENTRAL EXPRESSWAY STE 200	DALLAS	TX	75205
COX BROADCASTING INC	NORTHLAKE FESTIVAL LLC	P O BOX 260888	PLANO	TX	75026
KAMRYN B ALFONSO		2304 HENDERSON MILL CT NE	ATLANTA	GA	30345
CARL CAMANN	MARGO L EDEN-CAMANN	2315 HENDERSON MILL CT NE	ATLANTA	GA	30345
ELIZABETH A SCHERR LIVING TRUST ELIZABETH A SCHERR TRUSTEE		2317 NORTHLAKE CT NE	ATLANTA	GA	30345
STEPHEN WILLIAMS C		2313 NORTHLAKE CT NE	ATLANTA	GA	30345
ATLANTA GSA CIS LLC		P.O. BOX 13470	RICHMOND	VA	23235
BEL NORTHLAKE LLC		2 INTERNATIONAL PL	BOSTON	MA	2110
LOCAL SANDY GA LLC		777 BRICKELL AVE STE 630	MIAMI	FL	33131
COX BROADCASTING INC	NORTHLAKE FESTIVAL LLC	P O BOX 260888	PLANO	TX	75026
TRIANGLE PARTNERS LLC		5415 REDFIELD DR	DUNWOODY	GA	30338
GARY ANTHONY UHL		2321 NORTHLAKE CT NE	ATLANTA	GA	30345
2 BARAKA LLC		1948 DAY DR	DULUTH	GA	30096
NORTHLAKE PAD 2 LLC		4645 N CENTRAL EXPRESSWAY STE 300	DALLAS	TX	75205
PLAZA LIMITED PARTNERSHIP	ROBERT S GRIFFITH	PO BOX 790830	SAN ANTONIO	TX	78279
JAMES B SMITH		2305 HENDERSON MILL CT NE	ATLANTA	GA	30345
BOXER F2 LP		720 N POST OAK RD 500	HOUSTON	TX	77024
DAN DAUGHERTY	LEIGH DAUGHERTY	2312 NORTHLAKE CT	ATLANTA	GA	30345
PATRICIA J DAY		2319 NORTHLAKE CT	ATLANTA	GA	30345
2200 ATLANTA INVESTORS LLC		710 PEACHTREE ST NE STE 10	ATLANTA	GA	30308
PRITI ENTERPRISE INC		2155 RANCHWOOD DR NE	ATLANTA	GA	30345
2 BARAKA LLC		1948 DAY DR	DULUTH	GA	30096
2 BARAKA LLC		1948 DAY DR	DULUTH	GA	30096
DEVELOPMENT AUTHORITY OF DEKALB COUNTY		P. O. BOX 3018	OPELIKA	AL	36803
IRINA BABKINA		2829 GLADE DALE DR SE	CONYERS	GA	30094
JAMES M COX		2308 NORTHLAKE CT NE	ATLANTA	GA	30345
ATLANTA NORTHLAKE CO		2700 CUMBERLAND PKWY SE # 350	ATLANTA	GA	30339
BETH E JOHNSON		2330 NORTHLAKE CT NE	ATLANTA	GA	30345
ATLANTA NORTHLAKE CO		2700 CUMBERLAND PKWY SE # 350	ATLANTA	GA	30339
2 BARAKA LLC		1948 DAY DR	DULUTH	GA	30096
MACYS EAST INC		7 W 7TH ST	CINCINNATI	OH	45202
MALAKSHMI LLC		3338 PEACHTREE RD NE 3503	ATLANTA	GA	30326
SABIE PROPERTIES LLC		5925 PEACHTREE CORS E	NORCROSS	GA	30071
COX BROADCASTING CORP	PROPERTY TAX SERV CO	1400 LAKE HEARN DR NE	ATLANTA	GA	30319
BENJAMIN ALLIN		2320 NORTHLAKE CT	ATLANTA	GA	30345
DENELL A DAVIS		1595 VALLEY CLUB DR	LAWRENCEVILLE	GA	30044
CAMERON REID		2305 NORTHLAKE CT	ATLANTA	GA	30345
BERKSHIRE CONDO ASSOC		PO BOX 98309	ATLANTA	GA	30359
NORTHLAKE ATRCORINTH PARTNERS LLC		4645 CENTRAL EXPWY STE 300	DALLAS	TX	75205
NORTHLAKE ATRCORINTH PARTNERS LLC		4645 N CENTRAL EXPWY STE 300	DALLAS	TX	75205
REGENCY RETAIL PARTNERSHIP LP		PO BOX 790830	SAN ANTONIO	TX	78279
COX BROADCASTING INC		6205 PEACHTREE DUNWOODY RD	ATLANTA	GA	30328
JOSEPH B LANFORD		2330 HENDERSON MILL CT NE	ATLANTA	GA	30345
WILLARD LEE BOYD	LORA ELIZABETH BOYD	2322 HENDERSON MILL CT	ATLANTA	GA	30345
NORTHLAKE OUTPARCEL LLC		400 MALL BLVD STE M	SAVANNAH	GA	31406
FDS GEORGIA I LLC		271 17TH ST N STE 575	ATLANTA	GA	30363
2 BARAKA LLC		1948 DAY DR	DULUTH	GA	30096
4840 BRIARCLIFF PAD JCP LLC		4645 N CENTRAL EXPY STE 300	DALLAS	TX	75205
NM OFFICE OWNER LLC		4645 N CENTRAL EXPWY STE 300	DALLAS	TX	75205
GERARD M MARTIN TRUSTEE	BARRY M PORTNOY TRUSTEE	PO BOX 696583	SAN ANTONIO	TX	78269
SUZANNE BOOTH	MARY F GIACOMA	2314 HENDERSON MILL CT NE	ATLANTA	GA	30345
VICTOR S & MARY A COLEMAN	JOHN R COLEMAN JR	2325 HENDERSON MILL CT	ATLANTA	GA	30345
ANAND INC		0 P O BOX 3018	OPELIKA	AL	36803
AMANDA SPARKS		2304 NORTHLAKE CT NE	ATLANTA	GA	30345
MARIE MILLER		2315 NORTHLAKE CT NE	ATLANTA	GA	30345
FRONT ROW CENTER PROPERTIES LLC		17179 STRAWBERRY DR	ENCINO	CA	91436
NORTHLAKE ATRCORINTH PARTNERS LLC		12700 PARK CENTRAL DR STE 110	DALLAS	TX	75251
REGENCY RETAIL PARTNERSHIP LP		PO BOX 790830	SAN ANTONIO	TX	78279
REGENCY RETAIL PARTNERSHIP LP		PO BOX 790830	SAN ANTONIO	TX	78279
NORTHLAKE ASSOCIATES L P		400 MALL BLVD STE M	SAVANNAH	GA	31406
DHAN SINGH		2316 NORTHLAKE CT NE	ATLANTA	GA	30345
HARRIET N CHAKNIS		2324 NORTHLAKE CT NE	ATLANTA	GA	30345
HAROLD R WILLIAMSON JR		2311 NORTHLAKE CT NE	ATLANTA	GA	30345
MARGARET WHITELOCK		2307 NORTHLAKE CT	ATLANTA	GA	30345

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2.	NM OFFICE OWNER LLC 4645 N CENTRAL EXPWY STE 300 DALLAS, TX 75205				
3.	COX BROADCASTING INC NORTHLAKE FESTIVAL LLC P O BOX 260888 PLANO, TX 75026				
4.	ELIZABETH A SCHERR LIVING TRUST ELIZABETH A SCHERR TRUSTEE 2317 NORTHLAKE CT NE ATLANTA, GA 30345				
5.	BEL NORTHLAKE LLC 2 INTERNATIONAL PL BOSTON, MA 2110			City of Tucker Received By Planning & Zoning 2-26-24	
6.	TRIANGLE PARTNERS LLC 5415 REDFIELD DR DUNWOODY, GA 30338			SLUP-24-0002 CV-24-0001, CV-24-0002	



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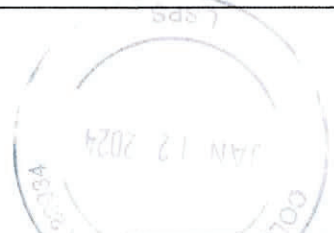
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7.		MARGARET WHITELOCK 2307 NORTHLAKE CT ATLANTA, GA 30345				
8.		DHAN SINGH 2316 NORTHLAKE CT NE ATLANTA, GA 30345				
9.		NORTHLAKE ASSOCIATES L P 400 MALL BLVD STE M SAVANNAH, GA 31406				
10.		HAROLD R WILLIAMSON JR 2311 NORTHLAKE CT NE ATLANTA, GA 30345				
11.		REGENCY RETAIL PARTNERSHIP LP PO BOX 790830 SAN ANTONIO, TX 78279			City of Tucker Received By Planning & Zoning 2-26-24	
12		HARRIET N CHAKNIS 2324 NORTHLAKE CT NE ATLANTA, GA 30345			SLUP-24-0002, CV-24-0001, CV-24-0002	



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<p>13.</p>	<p>Address (Name, Street, City, State, and ZIP Code™)</p> <p>JOSEPH B LANFORD 2330 HENDERSON MILL CT NE ATLANTA, GA 30345</p>		<p>Postage</p> <p>Fee</p> <p>Special Handling</p> <p>Parcel Airlift</p>
<p>14.</p>	<p>FDS GEORGIA FILC 271 17TH ST N STE 575 ATLANTA, GA 30303</p>		
<p>15.</p>	<p>NM OFFICE OWNER LLC 4645 N CENTRAL EXPWY STE 300 DALLAS, TX 75205</p>		
<p>16.</p>	<p>VICTOR S & MARY A COLEMAN JOHN K COLEMAN JR 2325 HENDERSON MILL CT ATLANTA, GA 30345</p>		
<p>17.</p>	<p>REGENCY CAPITAL PARTNERSHIP LP PO BOX 790830 SAN ANTONIO, TX 78279</p>		
<p>18</p>	<p>MARIE MILLER 2315 NORTHLAKE CT NE ATLANTA, GA 30345</p>		



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<p>USPS® Tracking Number Firm-specific Identifier</p>	<p>Address (Name, Street, City, State, and ZIP Code™)</p>					
19.	<p>AMANDA SPARKS 2304 NORTHLAKE CT NE ATLANTA, GA 30345</p>					
20.	<p>NORTHLAKE ATRICORINTH PARTNERS LLC 12700 PARK CENTRAL DR STE 110 DALLAS, TX 75251</p>					
21.	<p>MACYS EAST INC 7 W 7TH ST CINCINNATI, OH 45202</p>					
22	<p>COX BROADCASTING CORP PROPERTY TAX SERV CO 1400 LAKE HEARN DR NE ATLANTA, GA 30319 CAMERON REID 2305 NORTHLAKE CT ATLANTA, GA 30345</p>					
23.	<p>NORTHLAKE ATRICORINTH PARTNERS LLC 4645 N CENTRAL EXPWY STE 300 DALLAS, TX 75205</p>					
24						



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<p>USPS® Tracking Number Firm-specific Identifier</p>	<p>25.</p>	<p>Address (Name, Street, City, State, and ZIP Code™)</p> <p>DENELLA DAVIS 1595 VALLEY CLUB DR LAWRENCEVILLE, GA 30044</p>	<p>Parcel Airlift</p>
	<p>26</p>	<p>NORTHLAKE ATRCORINTH PARTNERS LLC 4645 CENTRAL EXPWY STE 300 DALLAS, TX 75205</p>	
	<p>27</p>	<p>COX BROADCASTING INC 6205 PEACHTREE DUNWOODY RD ATLANTA, GA 30328</p>	
	<p>28</p>	<p>NORTHLAKE OUTPARCEL LLC 400 MALL BLVD STE M SAVANNAH, GA 31406</p>	
	<p>29</p>	<p>4840 BRIARCLIFF PAD JCP LLC 4645 N-CENTRAL-EXPY-STE-300 DALLAS, TX 75205</p>	
	<p>30</p>	<p>SUZANNE BOOTH MARY F GIACOMA 2314 HENDERSON MILL CT NE ATLANTA, GA 30345</p>	



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31	<p>2 BARAKA LLC 1948 DAY DR DULUTH, GA 30096</p>					
32	<p>GERARD M MARTIN TRUSTEE BARRY M PORTNOY TRUSTEE PO BOX 696583 SAN ANTONIO, TX 78269</p>					
33	<p>ANAND INC O P O BOX 3018 OPELIKA, AL 36803</p>					
34	<p>FRONT ROW CENTER PROPERTIES LLC 17179 STRAWBERRY DR ENGING, CA 91436</p>					
35	<p>2 BARAKA LLC 1948 DAY DR DULUTH, GA 30096</p>					
36	<p>SABIE PROPERTIES LLC 5925 PEACHTREE CORSE NORCROSS, GA 30071</p>					



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<p>L. D Reeves & Assoc. 16321 Chinook Drive S. Chesterfield, VA 23803</p> <p>City of Tucker Received By Planning & Zoning 2-26-24 SLUP-24-0002, CV-24-0001, CV-24-0002</p>	<p>Postmaster, per (name of receiving employee)</p>	<p>BETH E JOHNSON 2330 NORTHLAKE CT NE ATLANTA, GA 30345</p> <p>MALAKSHMI LLC 3338 PEACHTREE RD NE 3503 ATLANTA, GA 30326</p> <p>BENJAMIN ALLIN 2320 NORTHLAKE CT ATLANTA, GA 30345</p> <p>BERKSHIRE CONDO ASSOC PO BOX 98309 ATLANTA, GA 30359</p> <p>REGENCY RETAIL PARTNERSHIP LP PO BOX 790830 SAN ANTONIO, TX 78279</p> <p>WILLARD LEE BOYD LORA ELIZABETH BOYD 2322 HENDERSON MILL CT ATLANTA, GA 30345</p>					
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<p>USPS® Tracking Number Firm-specific Identifier</p>		<p>Postmaster, per (name of receiving employee)</p>				
43		<p>Address (Name, Street, City, State, and ZIP Code™)</p> <p>COX BROADCASTING INC NORTHLAKE FESTIVAL LLC P O BOX 260888 PLANO, TX 75026 2 BARAKA LLC 1948 DAY DR DULUTH, GA 30096</p>				
44		<p>JAMES B SMITH 2305 HENDERSON MILL CT NE ATLANTA, GA 30345</p> <p>PATRICIA J DAY 2319 NORTHLAKE CT ATLANTA, GA 30345</p> <p>2 BARAKA LLC 1948 DAY DR DULUTH, GA 30096</p>				
45		<p>IRINA BABKINA 2829 GLADE DALE DR SE CONYERS, GA 30094</p>				
46						
47						
48						



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<p>L. D Reeves & Assoc. 16321 Chinook Drive S. Chesterfield, VA 23803</p> <p><i>City of Tucker</i> <i>Received</i> <i>By</i> <i>Planning & Zoning</i> <i>2-26-24</i> <i>SLUP-24-0002, CV-24-0001, CV-24-0002</i></p>	<p>Postmaster, per (name of receiving employee)</p>		
<p>USPS® Tracking Number Firm-specific Identifier</p>		<p>Address (Name, Street, City, State, and ZIP Code™)</p>	<p>Postage</p>
49		<p>PRITI ENTERPRISE INC 2155 RANCHWOOD DR NE ATLANTA, GA 30345</p>	<p>Fee</p>
50		<p>DEVELOPMENT AUTHORITY OF DEKALB COUNTY P. O. BOX 3018 OPELIKA, AL 36803</p>	<p>Special Handling</p>
51		<p>ATLANTA NORTHLAKE CO 2700 CUMBERLAND PKWY SE # 350 ATLANTA, GA 30339</p>	<p>Parcel Airlift</p>
52		<p>4816 BRIARCLIFF PAD 1 LLC 4645 N 4645 N. CENTRAL EXPRESSWAY STE 200 DALLAS, TX 75205 CARL CAMANN</p>	
53		<p>MARGO L EDEN-CAMANN 2315 HENDERSON MILL CT NE ATLANTA, GA 30345</p>	
54		<p>ATLANTA GSA CIS LLC P.O. BOX 13470 RICHMOND, VA 23235</p>	



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<p>L. D Reeves & Assoc. 16321 Chinook Drive S. Chesterfield, VA 23803</p> <p><i>City of Tucker</i> <i>Received</i> <i>By</i> <i>Planning & Zoning</i> <i>2-26-24</i> <i>SLUP-24-0002, CV-24-0001, CV-24-0002</i></p>	<p>Postmaster, per (name of receiving employee)</p>		Postage	Fee	Special Handling	Parcel Airlift
<p>USPS® Tracking Number Firm-specific Identifier</p>		<p>Address (Name, Street, City, State, and ZIP Code™)</p>				
55		<p>KAMRYN B ALFONSO 2304 HENDERSON MILL CT NE ATLANTA, GA 30345</p>				
56		<p>STEPHEN WILLIAMS C 2313 NORTHLAKE CT NE ATLANTA, GA 30345</p>				
57		<p>GARY ANTHONY UHL 2321 NORTHLAKE CT NE ATLANTA, GA 30345</p>				
58		<p>LOCAL SANDY GA LLC 777 BRICKELL AVE STE 630 MIAMI, FL 33131</p>				
59		<p>PLAZA LIMITED PARTNERSHIP ROBERT S GRIFFITH PO BOX 790830 SAN ANTONIO, TX 78279</p>				
60		<p>DAN DAUGHERTY LEIGH DAUGHERTY 2312 NORTHLAKE CT ATLANTA, GA 30345</p>				



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USPS® Tracking Number Firm-specific Identifier	Address (Name, Street, City, State, and ZIP Code™)	Postage	Fee	Special Handling	Parcel Airlift	
61	NORTHLAKE PAD 2 LLC 4645 N CENTRAL EXPRESSWAY STE 300 DALLAS, TX 75205					
62	BOXER F2 LP 720 N POST OAK RD-500 HOUSTON, TX 77024					
63	2200 ATLANTA INVESTORS LLC 710 PEACHTREE ST NE STE 10 ATLANTA, GA 30308					
64	2 BARAKA LLC 1948 DAY DR DULUTH, GA 30096					
65	JULIA P S INC JAMES M COX 2308 NORTHLAKE CT NE ATLANTA, GA 30345					
66	NORTHLAKE ATRICORINTH PARTNERS LLC 4645 N CENTRAL EXPWY STE 300 DALLAS, TX 75205					



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Product	Cty	Unit Price	Price
STOM - Firm - Domestic	49		\$27.93
J.S. Flag	7	\$0.66	\$4.62
STOM - Firm - Domestic	17		\$9.69
JS Flag Bkit/20	3	\$13.20	\$39.60

Grand Total: \$81.84

Debit Card Remit \$81.84

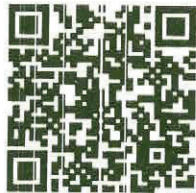
Card Name: VISA
 Account #: XXXXXXXXXXXXX7123
 Approval #: 043404
 Transaction #: 922
 Receipt #: 057117
 Debit Card Purchase: \$81.84
 AID: A000000980840 Contactless
 AL: US DEBIT

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JFN: 512069-0834
 Receipt #: 840-52300539-1-7407087-2
 Clerk: 10

City of Tucker
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