

MEMORANDUM

To: Planning Commission
 From: Allegra DeNooyer, Planner II
 Date: August 11, 2025
 Subject: SLUP 25-03 – 4515 Chamblee Dunwoody Road, Parcel ID # 18 345 10 023

REQUEST

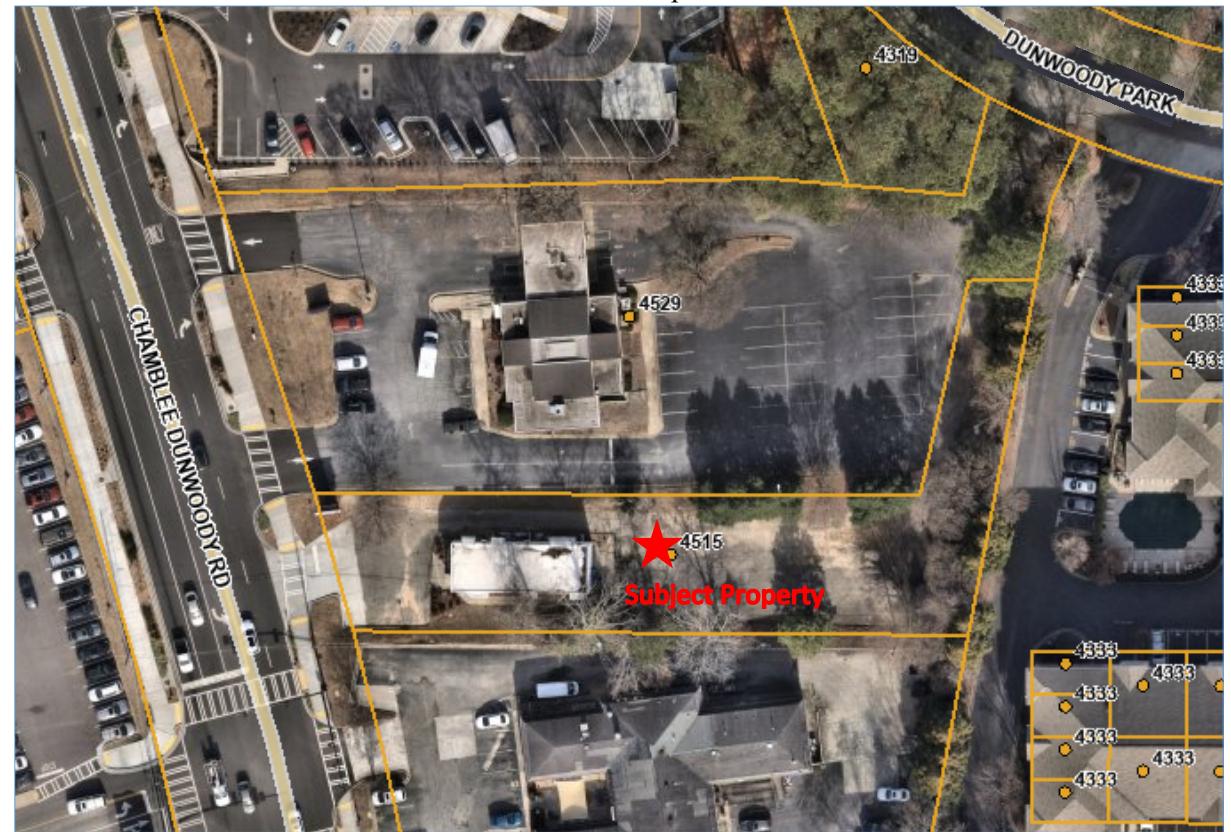
The applicant, Toxaway Automotive Group, c/o The Galloway Law Group LLC, requests a Special Land Use Permit to allow the construction of a drive-through oil change facility. The applicant also requests two concurrent variances: one from Sec. 27-73 to allow relief from the building setback requirements and one from Sec. 27-211(e) to allow relief from the stacking lane setback requirements.

PLANNING COMMISSION, 6.10.25

The Planning Commission held a public hearing regarding the subject case on June 10, 2025. There was one public comment against the project, citing concerns around potential conflicts with the trail improvements in the Georgetown Area. Following a discussion around curb cuts, site design, hours of operation, and property access, the Planning Commission voted unanimously (5-0) to recommend denial for SLUP 25-03. Commissioners Brown, Edmundson, Gordon, O'Brien, and Shin voted.

BACKGROUND & PROPOSED DEVELOPMENT

Aerial Map



The subject property, 4515 Chamblee Dunwoody Road, is 0.49 acres and is zoned C-1 (Local Commercial). The Georgetown shopping center is located across the street to the west, a Truist Bank branch is located to the north, the Terraces of Dunwoody condominiums are located to the east, and there is another small shopping center to the south. There is one building currently on the subject property – it was previously used as a hair salon and an insurance agency but is currently vacant.

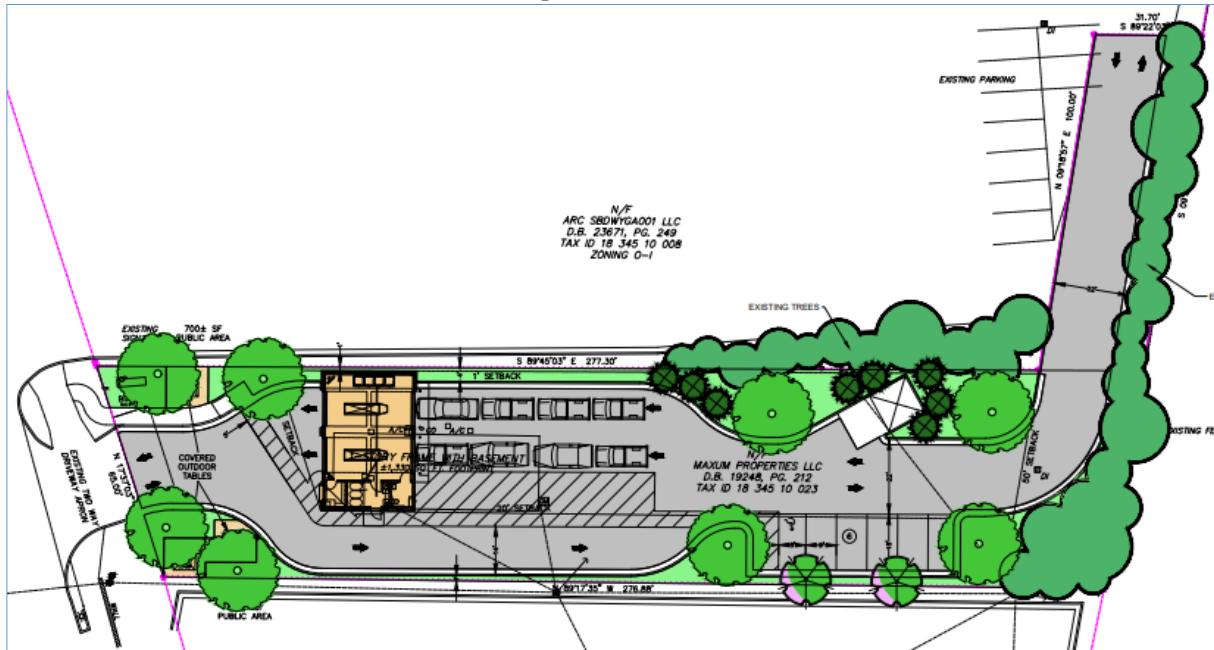
Toxaway Automotive Group proposes to replace the abandoned building with a drive-through Take 5 quick oil change facility with two service bays. In October 2023, the City of Dunwoody adopted an ordinance requiring new drive-through facilities to get a Special Land Use Permit, necessitating this application.

In addition to the Special Land Use Permit request, the applicant also requests two concurrent variances:

1. To allow the proposed oil change facility to encroach into the 20-foot north side building setback by 19 feet.
2. To allow the stacking lanes to encroach into the 25-foot north side stacking lane setback by 21 feet.

SITE PLAN ANALYSIS

Proposed Site Plan



The proposed one-story 1,330 SF oil change facility will operate two drive-through lanes with 4 stacking spaces each, for a total of 8 stacking spaces, located to the rear of the building. The proposed number of stacking spaces meets the City of Dunwoody code requirements. The project will be set back approximately 50 feet from the property edge. Staff requested that the front setback be reduced and the applicant declined to do so. The building materials will be primarily brick. The project will also include 6 parking spaces to the rear of the building, which meets the maximum allowed per City of Dunwoody code based on building size and use. As part of the redevelopment, the applicant will create two approximately 700 square feet pocket parks with covered outdoor seating and bike racks next to

the entrance on Chamblee Dunwoody Road. Due to the location, the limited size of the two pocket parks, and the lack of adjacent supportive land uses, staff does not think that these pocket parks will be successful public spaces. If not well-maintained by the applicant and subsequent owners, staff fears the parks may become poorly maintained areas for anti-social behavior.

The project will include a pedestrian walkway from the parking spaces at the rear of the property to the curb cut on Chamblee Dunwoody Road. The pedestrian circulation system regulations dictate that the pedestrian walkway, where parallel to a vehicular travel lane, must be raised above the vehicle travel surface and equipped with accessible curb ramps.

The main vehicular access to the site is via the entrance on Chamblee Dunwoody Road. The applicant also proposes to use an existing driveway connection to Dunwoody Park at the rear of the property to have a second point of ingress and egress. For arterial streets with a speed limit of 35 mph (such as Chamblee Dunwoody Road), the minimum distance between vehicular access points is 245 feet per the City's land development regulations. The existing ingress/egress on Chamblee Dunwoody Road does not meet this requirement from either the Truist Bank entrance to the north, which is approximately 26 feet away, or the shopping center entrance to the south, which is approximately 58 feet away.

Driveways in close proximity are considered unsafe due to the increase in the number of conflict points, especially on busy and high-speed streets. Chamblee Dunwoody Road is on the City's High Injury Network and is listed in the City's Road Safety Plan as a priority street. Staff therefore recommends that the access on Chamblee Dunwoody Road be right-in, right-out only for access management and traffic safety purposes.

Proposed Elevations



SURROUNDING LAND ANALYSIS

The table below summarizes all of the nearby zoning districts and land uses:

Direction	Zoning	Future Land Use	Current Land Use
N	O-I (Office-Institution)	Commercial	Truist Bank
S	NS (Neighborhood Shopping)	Commercial	Shopping Center
E	O-I (Office-Institution)	Commercial	Terraces of Dunwoody Condominiums
W	C-1 (Local Commercial)	Commercial	Georgetown Shopping Center

SPECIAL LAND USE PERMIT REVIEW AND APPROVAL CRITERIA

Chapter 27, Section 27-359 identifies criteria for evaluating applications for special land use permits. No application for special land use permit shall be granted by the City Council unless satisfactory provisions and arrangements have been made concerning each of the following factors, all of which are applicable to each application:

- (1) Whether the proposed use is consistent with the policies of the comprehensive plan;
- (2) Whether the proposed use complies with the requirements of this zoning ordinance;
- (3) Whether the proposed site provides adequate land area for the proposed use, including provision of all required open space, off-street parking and all other applicable requirements of the subject zoning district;
- (4) Whether the proposed use is compatible with adjacent properties and land uses, including consideration of:
 - a. Whether 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;
 - b. Whether the proposed use will create adverse impacts upon any adjoining land use by reason of the hours of operation of the proposed use;
 - c. Whether the proposed use will create adverse impacts upon any adjoining land use by reason of the manner of operation of the proposed use;
 - d. Whether the proposed use will create adverse impacts upon any adjoining land use by reason of the character of vehicles or the volume of traffic generated by the proposed use;
 - e. Whether the size, scale and massing of proposed buildings are appropriate in relation to the size of the subject property and in relation to the size, scale and massing of adjacent and nearby lots and buildings; and
 - f. Whether the proposed plan will adversely affect historic buildings, sites, districts, or archaeological resources.
- (5) Whether public services, public facilities and utilities—including motorized and nonmotorized transportation facilities—are adequate to serve the proposed use;
- (6) Whether adequate means of ingress and egress are proposed, with particular reference to nonmotorized and motorized traffic safety and convenience, traffic flow and control and emergency vehicle access;

- (7) Whether adequate provision has been made for refuse and service areas; and
- (8) Whether the proposed building as a result of its proposed height will create a negative shadow impact on any adjoining lot or building.

The drive-through oil change facility is proposed on a property that is zoned C-1 and would be classified as a minor vehicle repair shop in the Zoning Ordinance. Such a use is allowed within the C-1 zoning district by right, and a drive-through is allowed provided a Special Land Use Permit is approved. The subject site is not historically significant, and staff is not aware of any archaeological resources. The proposed building is in line with the scale of other buildings in the nearby shopping centers, and adequate provision appears to have been made for refuse and service areas.

The proposed site is somewhat small, prompting the two concurrent variance requests to allow relief from the building setback requirements and the stacking lane setback requirements. The small width of the site raises serious concerns about the proposed access to the site. The existing entrance on Chamblee Dunwoody Road is 26 and 58 feet away, respectively, from the adjacent driveways for Truist Bank and the shopping center to the south. This is significantly less than the required 245 feet minimum spacing requirement, which presents potential safety and mobility issues as driveways in close proximity are considered unsafe. Chamblee Dunwoody Road is a congested road close to its maximum capacity for traffic volume and every driveway represents a potential conflict point for motorists, pedestrians, and cyclists. The non-compliant lot width, resulting in the variance requests, will worsen the traffic safety situation at the curb cut. A wider lot would be better able to accommodate wider driveway spacing.

The proposed oil change facility is located along the portion of the Dunwoody Trailway along Chamblee Dunwoody Road. Dunwoody's Trail Master Plan prioritizes providing safe and enjoyable multi-use trails to improve pedestrian and cyclist connectivity and safety. Additionally, both the City's Comprehensive Plan and the Georgetown Master Plan have stated goals of improving connectivity and walkability through increased bicycle and pedestrian facilities. The Georgetown Master Plan specifically mentions the need for access management strategies to limit the number of curb cuts and potential conflict areas along Chamblee Dunwoody Road.

Overall, the purpose of requiring a Special Land Use Permit for a drive-through is to ensure the appropriate use for the area and maintain high design standards to mitigate adverse impacts. The proposed oil change facility has the potential for adverse impacts, such as increased traffic posing a safety threat to pedestrians and cyclists using the multi-use path, and conflicts with the access management requirements and the City's goals of increasing connectivity in the Georgetown area. The staff finds that the parcel, due to its location and limited width, does not adequately accommodate the proposed use.

VARIANCE REVIEW AND APPROVAL CRITERIA

Chapter 27, §27-397 identifies the following criteria for evaluation that should be examined when determining the appropriateness of a variance:

- (1) The grant of the variance will not be detrimental to the public health, safety or welfare or injurious to property or improvements;
- (2) The variance request is based on conditions that (1) are unique to the subject property (2) are not generally applicable to other properties in the same zoning district and (3) were not created by the owner or applicant;

- (3) Because of the particular conditions, shape, size, orientation or topographic conditions, the strict application of the requirements of this zoning ordinance would deprive the property owner of rights and privileges enjoyed by other similarly situated property owners;
- (4) 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 similarly situated properties;
- (5) The literal interpretation and strict application of the applicable provisions or requirements of this zoning ordinance would cause undue hardship or practical difficulty, as distinguished from a mere inconvenience; and
- (6) The requested variance would be consistent with the spirit and purpose of this zoning ordinance and the comprehensive plan.

The applicant requests two concurrent variances:

1. To allow the proposed oil change facility to encroach into the 20-foot north side building setback by 19 feet.
2. To allow the stacking lanes to encroach into the 25-foot north side stacking lane setback by 21 feet.

The subject property is zoned C-1, which has a minimum lot frontage requirement of 100 feet. The existing lot frontage width of the property is 65 feet, and after the building setbacks are applied, the buildable area is approximately 20 feet wide. This restriction is unique to the subject property, and the building setbacks present a practical difficulty for redevelopment. However, this concurrent variance is included as part of the Special Land Use Permit request, and staff finds that overall, the proposed drive-through oil change facility is not consistent with the spirit and purpose of the comprehensive plan and could be detrimental to public safety due to access management and traffic safety concerns.

The subject property has an existing lot frontage width of 65 feet, and after the stacking lane setbacks are applied, the buildable area for stacking lanes is approximately 15 feet. Stacking spaces must be a minimum of 9 feet wide, so this does not allow for two stacking lanes without encroachment into the stacking lane setbacks. The subject property's limited buildable area is unique and presents a practical difficulty for the applicant. However, this concurrent variance is included as part of the Special Land Use Permit request, and staff finds that overall, the proposed drive-through oil change facility is not consistent with the spirit and purpose of the comprehensive plan and could be detrimental to public safety due to access management and traffic safety concerns.

DEPARTMENT OF COMMUNITY DEVELOPMENT RECOMMENDATION

Staff does not find the proposed oil change drive-through facility to be consistent with the policies and intent of the Comprehensive Plan and finds that it does not meet the review and approval criteria necessary for approval.

If the City Council should choose to recommend approval of the Special Land Use Permit request and the two concurrent variance requests, staff recommends the following exhibits and conditions:

Exhibit A: Site Plan, prepared by SDG Engineering and dated January 7, 2025

Exhibit B: Elevations, prepared by Align Design Associates and dated March 25, 2025

1. The owner shall develop the site in general conformity with "Exhibit A" and Exhibit "B." Minor changes as defined by Section 27-337(b) or necessary changes to meet conditions of zoning or land development requirements shall be reviewed by the Community Development Director if made necessary by actual field conditions at the time of development.

2. The entrance on Chamblee Dunwoody Road shall be right-in, right-out only and shall be shown on the land disturbance permit site plan prior to issuance of the land disturbance permit. It shall be the applicant's responsibility to pay for and install the right-in, right-out entrance and any median divider subject to the Public Works Director's approval. Designs for a physical divider and appropriate signage shall be submitted to the Community Development Director for approval during the permitting process.
3. The proposed pedestrian walkway shall be in compliance with the pedestrian circulation regulations and shall be installed prior to issuance of a Certificate of Occupancy.
4. The existing ground sign shall be removed prior to issuance of a Certificate of Occupancy and any new signage on the property shall conform to the City of Dunwoody's Sign Code.

ATTACHMENTS

- Exhibit A: Site Plan, prepared by SDG Engineering and dated January 7, 2025
- Exhibit B: Elevations, prepared by Align Design Associates and dated March 25, 2025
- SLUP 25-03 Application



SLUP 25-03: 4515 Chamblee Dunwoody Road

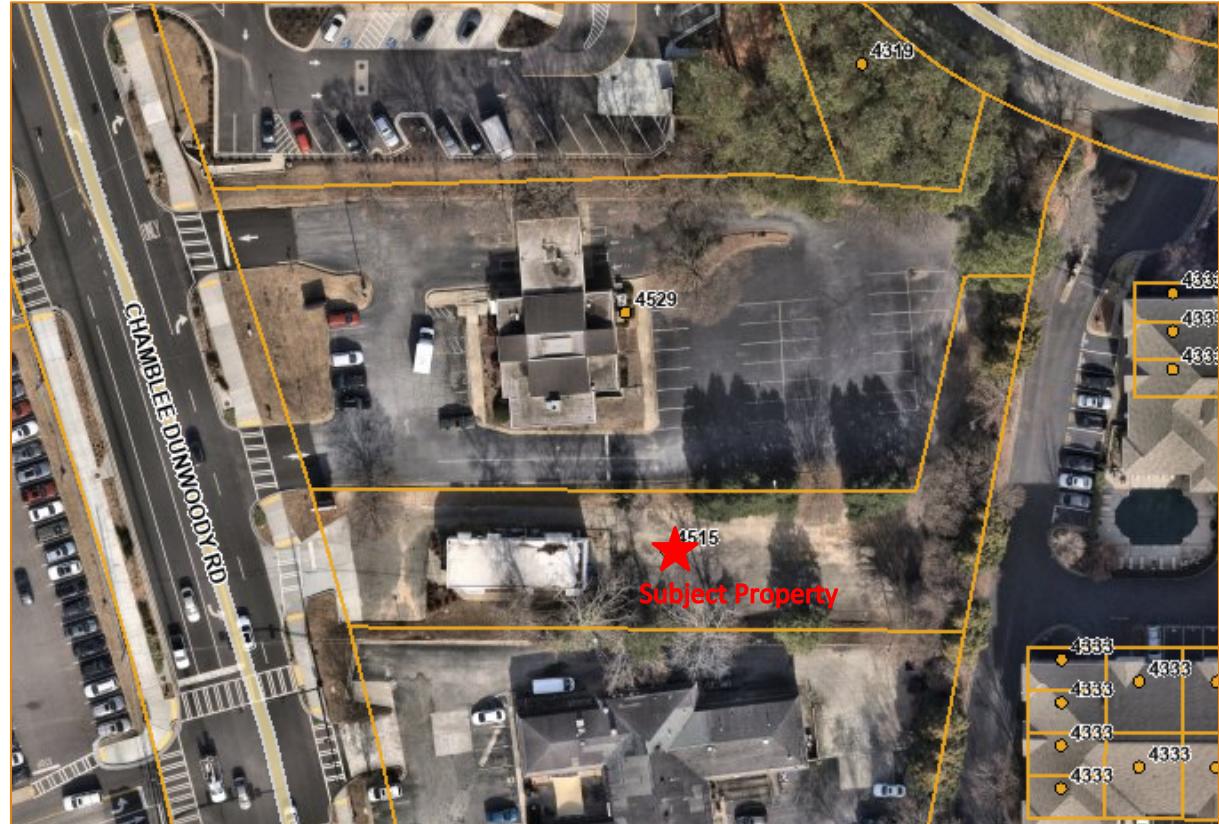
August 11, 2025

Summary

- Toxaway Automotive Group, c/o The Galloway Law Group LLC, requests a Special Land Use Permit to allow the construction of a drive-through oil change facility.
- The applicant also requests two concurrent variances:
 - One from Sec. 27-73 to allow the proposed oil change facility to encroach into the 20-foot north side building setback by 19 feet
 - One from Sec. 27-211(e) to allow the stacking lanes to encroach into the 25-foot north side stacking lane setback by 21 feet

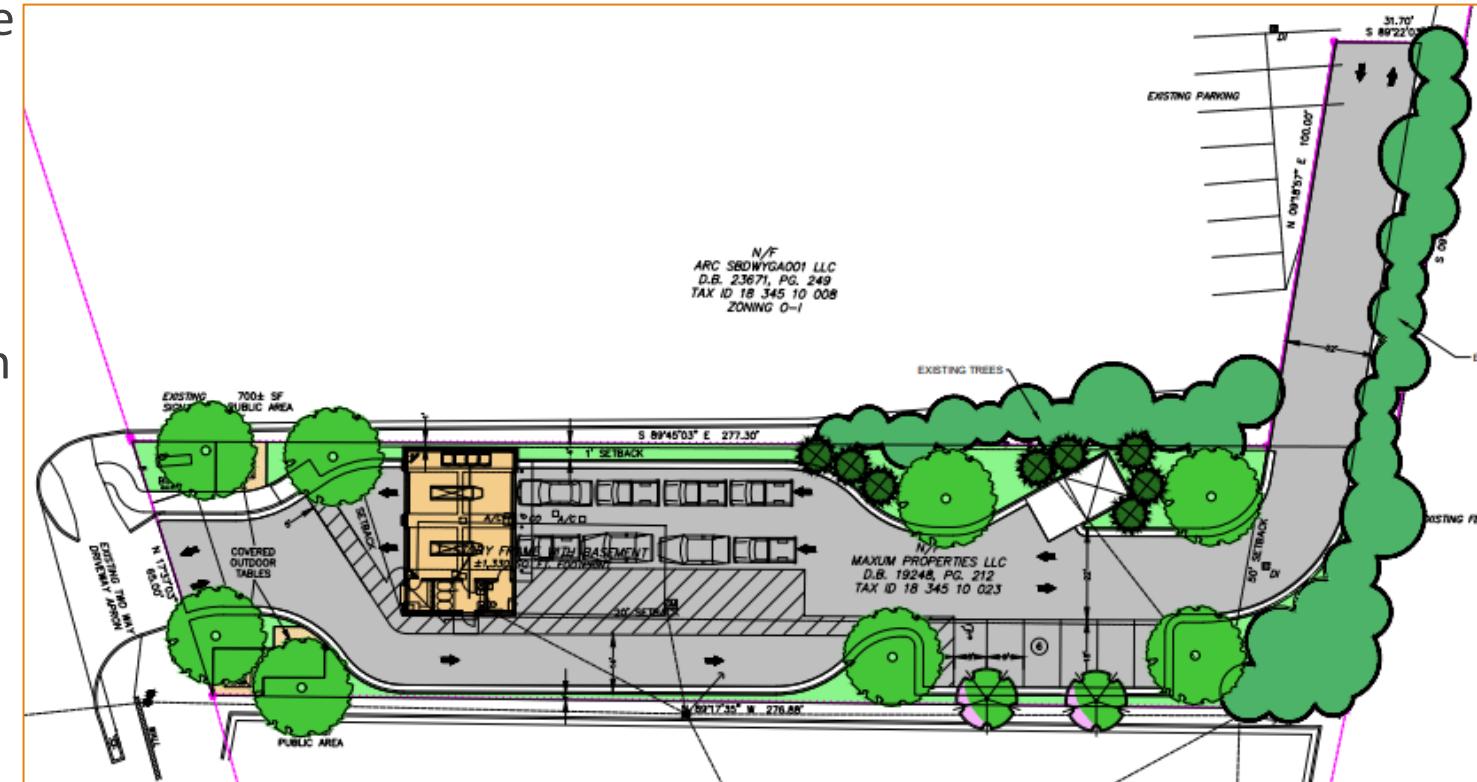
Background

- 0.49-acre property with one building – currently vacant, was previously hair salon and insurance agency
- Zoned C-1 (Local Commercial)
- Mostly surrounded by commercial businesses (shopping centers to the west and south, Truist Bank to the north) and Terraces of Dunwoody condominiums to the east



Proposed Development

- One-story 1,330 SF drive-through Take 5 quick oil change facility
- Two drive-through lanes with 4 stacking spaces each located to the rear of the building
- 6 parking spaces to the rear and pedestrian walkway to the curb cut on Chamblee Dunwoody Road
- 2 700-SF pocket parks with covered outdoor seating and bike racks
- Project will be set back approximately 50 feet from the property edge
- Main vehicular access is via Chamblee Dunwoody Road and there is also an existing driveway connection to Dunwoody Park at the rear of the property



Proposed Elevations



Review and Approval Criteria - SLUP

- **Whether the proposed use is consistent with the policies of the comprehensive plan**
 - Comprehensive Plan, Trail Master Plan, and Georgetown Master Plan all have goals of improving connectivity and walkability through increased bicycle and pedestrian facilities (such as the multi-use trail along Chamblee Dunwoody Road)
 - Georgetown Master Plan specifically mentions the need for access management strategies to limit the number of curb cuts and potential conflict areas along Chamblee Dunwoody Road

Multi-Use Trail along Chamblee Dunwoody Road



Review and Approval Criteria - SLUP

- Whether the proposed use complies with the requirements of this zoning ordinance
- Whether the proposed site provides adequate land area for the proposed use, including provision of all required open space, off-street parking and all other applicable requirements of the subject zoning district
 - The small width of the site (prompting two concurrent variances) raises concerns about proposed access to the site
 - The existing entrance on Chamblee Dunwoody Road is in close proximity to the adjacent driveways, presenting potential safety and mobility issues

Review and Approval Criteria - SLUP

- Whether the proposed use is compatible with adjacent properties and land uses, including consideration of:
 - a. Whether 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;
 - b. Whether the proposed use will create adverse impacts upon any adjoining land use by reason of the hours of operation of the proposed use;
 - c. Whether the proposed use will create adverse impacts upon any adjoining land use by reason of the manner of operation of the proposed use;
 - d. Whether the proposed use will create adverse impacts upon any adjoining land use by reason of the character of vehicles or the volume of traffic generated by the proposed use;
 - e. Whether the size, scale and massing of proposed buildings are appropriate in relation to the size of the subject property and in relation to the size, scale and massing of adjacent and nearby lots and buildings; and
 - f. Whether the proposed plan will adversely affect historic buildings, sites, districts, or archaeological resources.
- Chamblee Dunwoody Road is a congested road close to its maximum capacity for traffic volume and every driveway represents a potential conflict point for motorists, pedestrians, and cyclists
- Drive-through businesses generate increased traffic, and the proposed project would worsen the traffic safety situation at the curb cut

Review and Approval Criteria - SLUP

- Whether public services, public facilities and utilities—including motorized and nonmotorized transportation facilities—are adequate to serve the proposed use
- Whether adequate means of ingress and egress are proposed, with particular reference to nonmotorized and motorized traffic safety and convenience, traffic flow and control and emergency vehicle access
 - The minimum distance requirement between curb cuts is 245 feet – the existing ingress/egress on Chamblee Dunwoody Road is ~26 feet away from the curb cut to the north and ~58 feet away from the curb cut to the south
 - Chamblee Dunwoody Road is on the City's High Injury Network and is listed in the City's Road Safety Plan as a priority street

Review and Approval Criteria - SLUP

- **Whether adequate provision has been made for refuse and service areas**
 - Adequate provision appears to have been made for refuse and service areas
- **Whether the proposed building as a result of its proposed height will create a negative shadow impact on any adjoining lot or building.**
 - The proposed building is in line with the scale of other buildings nearby

Review and Approval Criteria – Building Setback Variance

- Existing lot frontage width is 65 feet, which is less than the minimum required by code (100 feet)
- Buildable area is approximately 20 feet wide after building setbacks are applied, presenting a practical difficulty for redevelopment
- Concurrent variance is included as part of the SLUP request and staff finds that, overall, the proposed drive-through oil change facility is not consistent with the spirit and purpose of the comprehensive plan

Review and Approval Criteria – Stacking Lane Setback Variance

- Existing lot frontage width is 65 feet, and after the stacking lane setbacks are applied, the buildable area for stacking lanes is approximately 15 feet
- Stacking spaces must be a minimum of 9 feet wide, so this doesn't allow for two stacking lanes without encroachment – presents a practical difficulty
- Concurrent variance is included as part of the SLUP request and staff finds that, overall, the proposed drive-through oil change facility is not consistent with the spirit and purpose of the comprehensive plan

Public Comment

- 1 in support
 - Citing a desire to see the building redeveloped to increase tax revenue
- 6 in opposition
 - Citing concerns about traffic congestion and safety, and expressing that an oil change facility is not a good fit for the area given recent beautification efforts (especially the trail)

Staff Recommendation, SLUP 25-03

Staff does not find the proposed oil change drive-through facility to be consistent with the policies and intent of the Comprehensive Plan and finds that it does not meet the review and approval criteria necessary for approval.

If the City Council should choose to recommend approval of the Special Land Use Permit request and the two concurrent variance requests, staff recommends the following exhibits and conditions:

Exhibit A: Site Plan, prepared by SDG Engineering and dated January 7, 2025

Exhibit B: Elevations, prepared by Align Design Associates and dated March 25, 2025

1. The owner shall develop the site in general conformity with "Exhibit A" and Exhibit "B." Minor changes as defined by Section 27-337(b) or necessary changes to meet conditions of zoning or land development requirements shall be reviewed by the Community Development Director if made necessary by actual field conditions at the time of development.
2. The entrance on Chamblee Dunwoody Road shall be right-in, right-out only and shall be shown on the land disturbance permit site plan prior to issuance of the land disturbance permit. It shall be the applicant's responsibility to pay for and install the right-in, right-out entrance and any median divider subject to the Public Works Director's approval. Designs for a physical divider and appropriate signage shall be submitted to the Community Development Director for approval during the permitting process.
3. The proposed pedestrian walkway shall be in compliance with the pedestrian circulation regulations and shall be installed prior to issuance of a Certificate of Occupancy.
4. The existing ground sign shall be removed prior to issuance of a Certificate of Occupancy and any new signage on the property shall conform to the City of Dunwoody's Sign Code.

Planning Commission – 6/10/2025

- One public comment against the project, citing concerns around potential conflicts with the trail improvements in the Georgetown Area
- Discussion around curb cuts, site design, hours of operation, and property access
- Planning Commission voted unanimously (5-0) to recommend denial for SLUP 25-03
- Commissioners Brown, Edmundson, Gordon, O'Brien, and Shin voted

**STATE OF GEORGIA
CITY OF DUNWOODY**

ORDINANCE 2025-XXXX

**AN ORDINANCE TO ALLOW A DRIVE THROUGH OIL CHANGE FACILITY AT
LOT PARCEL NUMBER 18 345 10 023, IN CONSIDERATION OF SPECIAL LAND
USE PERMIT CASE SLUP 25-03 (4515 CHAMBLEE DUNWOODY ROAD,
DUNWOODY, GA 30338);**

WHEREAS, the applicant, Toxaway Automotive Group, requests a Special Land Use Permit to allow a drive-through oil change facility at 4515 Chamblee Dunwoody Road; and

WHEREAS, the Mayor and City Council find that the proposed use aligns with the Dunwoody Comprehensive Plan; and

WHEREAS, notice to the public regarding said modification to conditions of zoning has been published in *The Dunwoody Crier*, the Official News Organ of the City of Dunwoody; and

WHEREAS, a public hearing was held by the Mayor and City Council of the City of Dunwoody as required by the Zoning Procedures Act.

NOW THEREFORE, THE MAYOR AND CITY COUNCIL OF THE CITY OF DUNWOODY, GEORGIA HEREBY **ORDAIN AND APPROVE** the Special Land Use Permit 25-01 subject to the following conditions:

Exhibit A: Site Plan, prepared by SDG Engineering and dated January 7, 2025

Exhibit B: Elevations, prepared by Align Design Associates and dated March 25, 2025

1. The owner shall develop the site in general conformity with "Exhibit A" and Exhibit "B." Minor changes as defined by Section 27-337(b) or necessary changes to meet conditions of zoning or land development requirements shall be reviewed by the Community Development Director if made necessary by actual field conditions at the time of development.
2. The entrance on Chamblee Dunwoody Road shall be right-in, right-out only and shall be shown on the land disturbance permit site plan prior to issuance of the land disturbance permit. It shall be the applicant's responsibility to pay for and install the right-in, right-out entrance and any median divider subject to the Public Works Director's approval. Designs for a physical divider and appropriate signage shall be submitted to the Community Development Director for approval during the permitting process.
3. The proposed pedestrian walkway shall be in compliance with the pedestrian circulation regulations and shall be installed prior to issuance of a Certificate of Occupancy.
4. The existing ground sign shall be removed prior to issuance of a Certificate of Occupancy and any new signage on the property shall conform to the City of Dunwoody's Sign Code.

**STATE OF GEORGIA
CITY OF DUNWOODY**

ORDINANCE 2025-XXXX

SO ORDAINED AND EFFECTIVE, this the ____ day of _____, 2025.

Approved by:

Approved as to Form and Content

Lynn P. Deutsch, Mayor

City Attorney

Attest:

Sharon Lowery, City Clerk

SEAL

Application Form

Purpose of Application (check all that apply):

- Comprehensive Plan Land Use Map Amendment
- Zoning Ordinance Text Amendment
- Zoning Map Amendment
- Special Land Use Permit
- Major Modification of Zoning Conditions



Community Development
4800 Ashford Dunwoody Road
Dunwoody, GA 30338
Phone: (678) 382-6800
dunwoodyga.gov

Application Information

Company Name: Toxaway Automotive Group, c/o The Galloway Law Group LLC

Contact Name: Laurel David, Partner

Address: 4062 Peachtree Rd. NE, Suite A330, Atlanta, GA 30319

Phone: 404-965-3669 Email: laurel@glawgp.com

Pre-Application Conference Date: Jan. 16, 2025

Owner Information Check here if same as applicant

Owner's Name: 4515 CD, LLC

Owner's Address: 1835 Savoy Drive, Suite 101, Atlanta, GA 30341

Phone: 7703932006 Email: rgoldstein@rg-re.com

Property Information

Property Address(es): 4515 Chamblee Dunwoody Rd.

Parcel ID #(s): 18 345 10 023

Total Acreage: 0.493 Current Zoning Classification: C-1 Current Use: commercial

Project Information

Proposed Zoning Classification: same Proposed Use: quick oil change with service bays

Project Details:

Applicant proposes a Take 5 with service bays that require a SLUP for "drive-through" to allow customers to stay in cars during service. Two variances are also requested.

Applicant Affidavit

I hereby certify that to the best of my knowledge, this amendment application form is correct and complete. If additional materials are determined to be necessary, I understand that I am responsible for filing additional materials as specified by the City of Dunwoody Zoning Ordinance. I certify that I, the applicant (if different), am authorized to act on the owner's behalf, pursuant to this application and associated actions.

Applicant's Name: Woodrow Weston Miller

Applicant's Signature: [Signature]

Date: 3-17-25

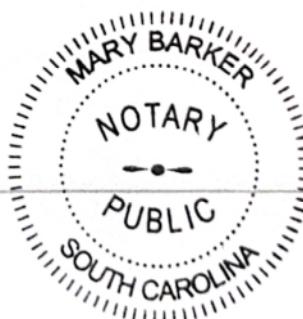
Notary:

Sworn to and subscribed before me this 17th Day of March, 2025

Notary Public: Mary Barker

Signature: Mary Barker

My Commission Expires: 11/5/29



VARIANCE APPLICATION

Community Development

4800 Ashford Dunwoody Road | Dunwoody, GA 30338
Phone: (678) 382-6800 | Fax: (770) 396-4828

Project #: _____ Date Received: _____

Type:

Type of Request: Chapter 16-Streams Chapter 16-Other Chapter 20-Signs Chapter 27-Zoning

Code section from which variance is sought: Section 27-73 and Section 27-211(e)

Nature of Request: to reduce the north side building setback from 20 feet to one foot (27-73) and to reduce the north side stacking lane setback from 25 feet to 4 feet

Project:

Name of Project / Subdivision: _____	Zoning: C-1		
Property Address / Location: 4515 Chamblee Dunwoody Road			
District: _ 18	Land Lot: _ 345	Block: 10	Property ID: _ 023

Owner Information:

Owner's Name: 4515 CD, LLC		
Owner's Address: _____		
Phone: _ 770-393-2006	Fax: _	Email: rgoldstein@rg-re.com

Applicant Information: Check here if same as Property Owner

Contact Name: Toxaway Automotive Group, c/o Laurel David, The Galloway Law Group		
Address: _____		
Phone: _ 404-965-3669	Fax: _	Email: laurel@glawgp.com

Terms & Conditions:

I hereby certify that to the best of my knowledge, this application form is correct and complete. If additional materials are determined to be necessary, I understand that I am responsible for filing additional materials as specified by the City of Dunwoody Zoning Ordinance. I understand that failure to supply all required information (per the relevant Applicant Checklists and Requirements of the Dunwoody Zoning Ordinance) will result in the rejection of this application.

Applicant's Name: Laurel David on behalf of Applicant and pursuant to concurrent notarized SLUP application

Applicant's Signature: Laurel David Date: _____

Notary:

Sworn to and subscribed before me this _____ Day of _____, 20_____
 Notary Public: _____
 Signature: _____
 My Commission Expires: _____

Office Use:

Application Fee Paid Public Notice Fee Paid (\$450) Fee: \$_____
 Payment: Cash Check CC Date: _____
 Approved Approved w/ Conditions Denied Date: _____



Property Owner(s) Notarized Certification

Community Development
4800 Ashford Dunwoody Road
Dunwoody, GA 30338
Phone: (678) 382-6800
dunwoodyga.gov

Property Owner:

Owner Name: 4515 CD LLC

Signature:

Date: 3/18/25

Address: 1835 Savoy Drive, Suite 101, Atlanta, GA 30341

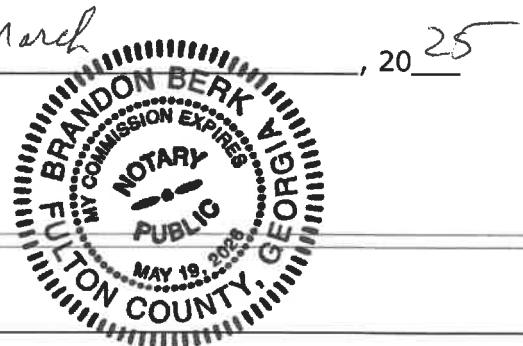
Phone: 770-393-2006 Email: rgoldstein@rg-re.com

Notary Public: Brandon BERK

Sworn to and subscribed before me this 18 Day of March, 2025

Notary Signature:

My Commission Expires: May 19, 2026



Property Owner:

Owner Name: _____

Signature: _____

Date: _____

Address: _____

Phone: _____ Email: _____

Notary Public: _____

Sworn to and subscribed before me this _____ Day of _____, 20____

Notary Signature: _____

My Commission Expires: _____

Property Owner:

Owner Name: _____

Signature: _____

Date: _____

Address: _____

Phone: _____ Email: _____

Notary Public: _____

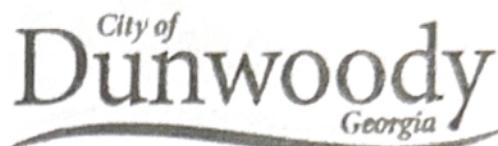
Sworn to and subscribed before me this _____ Day of _____, 20____

Notary Signature: _____

My Commission Expires: _____

Applicant Notarized Certification

I hereby certify that to the best of my knowledge, this application form is correct and complete. If additional materials are determined to be necessary, I understand that I am responsible for filing additional materials as specified by the City of Dunwoody Zoning Ordinance. I certify that I, the applicant (if different), am authorized to act on the owner's behalf, pursuant to this application and associated actions.



Community Development
4800 Ashford Dunwoody Road
Dunwoody, GA 30338
Phone: (678) 382-6800
dunwoodyga.gov

Applicant:

Name: Toxaway Automotive Group, c/o The Galloway Law Group LLC

Signature: _____ Date: _____

Address: _____

Phone: _____ Email: _____

Notary Public: _____

Sworn to and subscribed before me this _____ Day of _____, 20____

Notary Signature: _____

My Commission Expires: _____

Applicant:

Name: Woodrow Preston Willard

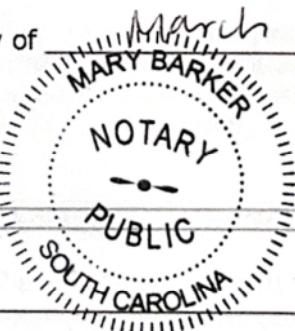
Signature: Date: 3-17-25

Address: 5040 Furman Ave Columbia SC 29208

Phone: 803-510-5800 Email: pwillard@toxawayag.com

Notary Public: Mary Barker

Sworn to and subscribed before me this 17th Day of March, 2025



Notary Signature:

My Commission Expires: 11/5/29

Applicant:

Name: _____

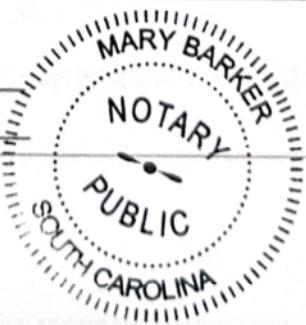
Signature: _____ Date: _____

Address: _____

Phone: _____ Email: _____

Notary Public: _____

Sworn to and subscribed before me this _____ Day of _____, 20____



Notary Signature: _____

My Commission Expires: _____

Campaign Disclosure Ordinance

Please read the law and complete the Campaign Disclosure Statement on the following page if you are requesting an amendment.

GA Citation/Title

GA Code 36-67A-3, Disclosure of campaign contributions
 *38069 Code, 36-67A-3

CODE OF GEORGIA TITLE 36. LOCAL GOVERNMENT PROVISIONS APPLICABLE TO COUNTIES AND MUNICIPAL CORPORATIONS CHAPTER 67A. CONFLICT OF INTEREST IN ZONING ACTIONS
 (Current through 2000 General Assembly)

36-67A-3 Disclosure of campaign contributions.

- a) When any applicant for rezoning action has made, within two years immediately preceding the filing of that applicant's application for the rezoning action, campaign contributions aggregating \$250.00 or more to a local government official who will consider the application, it shall be the duty of the applicant to file a disclosure report with the governing authority of the respective local government showing:
 - 1) The name and official position of the local government official to whom the campaign contribution was made; and
 - 2) The dollar amount and description of each campaign contribution made by the applicant to the local government official during the two years immediately preceding the filing of the application for the rezoning action and the date of each such contribution.
- b) The disclosures required by subsection (a) of this Code section shall be filed within ten days after the application for the rezoning action is first filed.
- c) When any opponent of a rezoning action has made, within two years immediately preceding the filing of the rezoning action being opposed, campaign contributions aggregating \$250.00 or more to a local government official of the local government which will consider the application, it shall be the duty of the opponent to file a disclosure with the governing authority respective local government showing:
 - 1) The name and official position of the local government official to whom the campaign contribution was made; and
 - 2) The dollar amount and description of each campaign contribution made by the opponent to the local government official during the two years immediately preceding the filing of the application for the rezoning action and the date of each such contribution.
- d) The disclosure required by subsection (c) of this Code section shall be filed at least five calendar days prior to the first hearing by the local government of any of its agencies on the rezoning application.

(Code 1981, 36-67A-3, enacted by Ga. L. 1986, p. 1269, 1; Ga. L. 1991, p. 1365, 1; Ga. L. 1993, p. 91, 36.)

Official Code of Georgia Annotated Copyright 1982 – 2000 State of Georgia.

Campaign Disclosure Ordinance



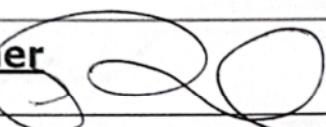
Community Development

4800 Ashford Dunwoody Road
Dunwoody, GA 30338
Phone: (678) 382-6800
dunwoodyga.gov

Have you, within the two years immediately preceding the filing of this application, made campaign contributions aggregating \$250.00 or more to a member of the City of Dunwoody City Council or a member of the City of Dunwoody Planning Commission?

[] YES NO

Applicant/Owner

Signature: 

Date: 3.17.25

Address: Toxaway Automotive Group, 3715 Northside Parkway, Building 100, Suite 500, Atlanta, GA 30327

If the answer above is yes, please complete the following section:

Date	Government Official	Official Position	Description	Amount



Campaign Disclosure Ordinance

Community Development
4800 Ashford Dunwoody Road
Dunwoody, GA 30338
Phone: (678) 382-6800
dunwoodyga.gov

Have you, within the two years immediately preceding the filing of this application,
made campaign contributions aggregating \$250.00 or more to a member of the
City of Dunwoody City Council or a member of the City of Dunwoody Planning Commission?

[] YES [x] NO

Applicant/Owner

Signature:

Date: 3/18/25

Address: 4515 CD, LLC, 1835 Savoy Drive, Suite 101, Atlanta, GA 30341

If the answer above is yes, please complete the following section:

Date	Government Official	Official Position	Description	Amount

Campaign Disclosure Ordinance

Have you, within the two years immediately preceding the filing of this application,
made campaign contributions aggregating \$250.00 or more to a member of the
City of Dunwoody City Council or a member of the City of Dunwoody Planning Commission?

YES NO

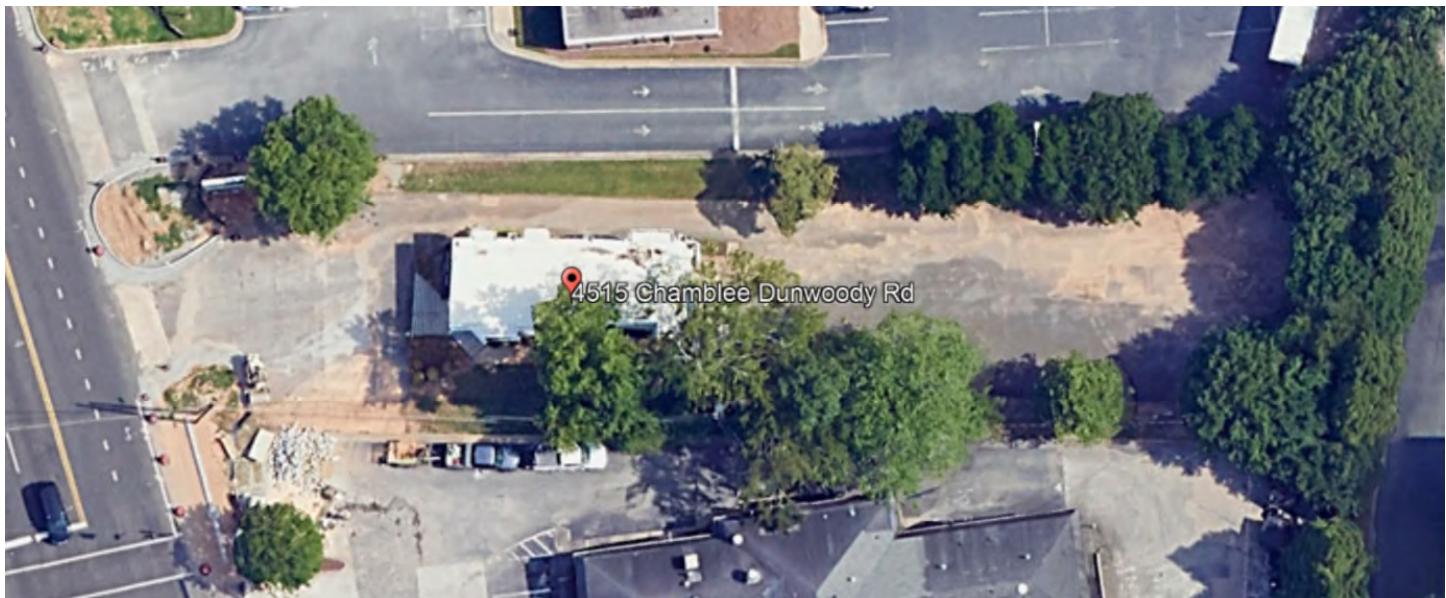
Applicant/Owner

Signature: Laurel David Date: 3/24/25

Address: Laurel David, Galloway Law Group (representative), 4062 Peachtree Rd. NE, Suite A330, Atlanta, GA 30319

If the answer above is yes, please complete the following section:

Date	Government Official	Official Position	Description	Amount



SURVEY LEGAL DESCRIPTION

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 345,
DISTRICT 18, CITY OF DUNWOODY, DEKALB COUNTY, GEORGIA; AND BEING MORE
PARTICULARLY DESCRIBED AS FOLLOWS:

TO FIND THE POINT OF BEGINNING, COMMENCE AT THE SOUTHWEST CORNER OF THE
MITERED INTERSECTION OF THE EAST RIGHT OF WAY OF CHAMBLEE DUNWOODY
ROAD (100' R/W) WITH THE SOUTH RIGHT OF WAY OF DUNWOODY PARK (60' R/W);
THENCE TRAVELING SOUTHERLY ALONG THE EAST RIGHT OF WAY OF CHAMBLEE
DUNWOODY ROAD FOR A DISTANCE OF 319.60 FEET TO AN IRON PIN SET, SAID
POINT BEING THE POINT OF BEGINNING;

THENCE LEAVING SAID RIGHT OF WAY SOUTH 89 DEGREES 45 MINUTES 03 SECONDS
EAST FOR A DISTANCE OF 277.30 FEET TO A PK NAIL FOUND; THENCE NORTH 09
DEGREES 18 MINUTES 57 SECONDS EAST FOR A DISTANCE OF 100.00 FEET TO A
PK NAIL FOUND; THENCE SOUTH 89 DEGREES 22 MINUTES 03 SECONDS EAST FOR
A DISTANCE OF 31.70 FEET TO A POINT; THENCE SOUTH 09 DEGREES 59 MINUTES
57 SECONDS WEST FOR A DISTANCE OF 165.00 FEET TO A 1/2" REBAR FOUND;
THENCE NORTH 89 DEGREES 17 MINUTES 35 SECONDS WEST FOR A DISTANCE OF
276.88 FEET TO A CAPPED REBAR FOUND ON THE EAST RIGHT OF WAY OF
CHAMBLEE DUNWOODY ROAD; THENCE TRAVELING ALONG SAID RIGHT OF WAY
NORTH 17 DEGREES 37 MINUTES 03 SECONDS WEST FOR A DISTANCE OF 65.00
FEET TO THE POINT OF BEGINNING.

SAID TRACT OR PARCEL OF LAND CONTAINS 0.493 ACRES AND IS DEPICTED ON
THAT CERTAIN ALTA/NSPS LAND TITLE SURVEY PREPARED BY LANDPRO SURVEYING
& MAPPING, INC., SEALED AND CERTIFIED BY JAMES H. RADER, GRLS NO. 3033,
DATED JULY 5, 2024.

LETTER OF INTENT
APPLICATION FOR SLUP WITH CONCURRENT VARIANCES

The Applicant, Toxaway Automotive Group (“Toxaway”), requests a Special Land Use Permit and concurrent Variances for approximately 0.49 acres of land located at 4515 Chamblee Dunwoody Road (the “Property”). The Property is zoned C-1 and has one building that was last used as a hair salon, but is currently vacant. Toxaway proposes to redevelop the Property and construct a Take 5 quick oil change facility with two service bays. The proposed building will be constructed with a brick exterior and will set back 50 feet from Chamblee Tucker Rd. The redevelopment will also include the creation of two pocket parks with covered outdoor seating and bicycle parking in the front setback adjacent to the new multi-use streetscape that will be accessible to the general public. The Applicant proposes to use an existing drive connection at the rear of the property that would allow employees and patrons to exit the Property and gain direct access to Dunwoody Park, providing a secondary point of ingress and egress. Existing healthy trees along the rear boundary between the Property and adjacent residential multi-family buildings will remain.

The Dunwoody Zoning Ordinance defines a *Drive-through facility* as “a facility at which a customer queues in a stacking lane and is served while sitting in a vehicle.” Customers of Take 5 queue in a stacking lane and are serviced in the bays while sitting in their vehicles. Strictly speaking the Take 5 meets the definition of a “drive-through,” although it typically means restaurants, banks, pharmacies, and dry cleaners. As a result, the Applicant is submitting this request for a SLUP for a “drive-through” to allow customers to stay in cars during oil-change service. Two variances are also requested concurrently with this application: 1) to reduce the north side building setback of 20 feet (Section 27-73) to one foot adjacent to neighbor’s drive lanes; and 2) to reduce the north side stacking lane setback of 25 feet (Section 27-211) to four feet from the Property’s lot line adjacent to neighbor’s drive lanes.

The SLUP Request

The Applicant responds to the following criteria for the granting of SLUPS:

(1) Whether the proposed use is consistent with the policies of the comprehensive plan;

The 2020-204 Comprehensive Plan designates the Property as Commercial. Georgetown is identified as a targeted redevelopment area and recognizes that any new growth will have to take the form of redevelopment of existing buildings and should accommodate a denser mix of uses. Allowing the Applicant’s proposed use and redevelopment would fulfill several goals of the CDP’s vision statement, such as: 1) fostering a business friendly climate with ready access to services, such as regular vehicular maintenance; 2) redeveloping a property in a targeted area with an auto care use not available in the area that also includes high quality design and amenities in the form of two publicly accessible pocket parks with covered outdoor seating; 3) promoting connectivity and choice for all modes of travel by creating a service for vehicles, while also promoting walking and biking by filling a gap in the existing bike/ped network with publicly available amenities; 4) expanding parks and greenspace with its pocket parks; and 5) strengthening the City’s commitment to sustainable practices

by providing a service for vehicle maintenance that leads to less harmful emissions and greater fuel efficiency and by supporting a business that regularly partners with organizations that recycle and process used motor oil sustainably. In addition, Take 5 Oil Change actively supports local communities by raising funds for children's hospitals and organizations supporting military personnel, veterans, and their families.

The CDP also designates Georgetown as a Character Area and includes the Georgetown-Shallowford Master Plan. Generally, its goal is to encourage redevelopment with a mix of uses and pedestrian- and bicycle-oriented activities. Redevelopment should incorporate functional open space and greenways and provide adequate buffering to adjacent residential uses. It also encourages more intense development towards I-285. The proposed facility is a new use for the area, includes pocket parks for pedestrian and bicycle users, proposes less lot coverage and more landscaping near residential uses at its rear, and is approx. 0.1 miles, or approx. 530 feet from the entrance to I-285. The Applicant's proposal conforms to the Master Plan's recommended future development form as follows: 1) the site design includes public pocket parks to "take advantage of the area's walkability"; 2) its height, density and landscaping provides appropriate transitions and buffering to adjacent multi-family residential uses fulfilling several development form goals; 3) "Public functional green space and connectivity" is incorporated into the site design; 4) "bicycle oriented features", such as public bicycle parking and outdoor seated rest areas are included; 5) "high quality and long lasting materials" will be used, namely brick; and 6) it constitutes an appropriate redevelopment that includes "a mix of quality, public space" (pocket-parks) and commercial uses.

(2) Whether the proposed use complies with the requirements of this zoning ordinance;

The proposed use complies with the zoning ordinance with the exception of the proximity of the building and stacking lanes to the northern side interior property line. The buildable area of the Property is approximately 60 feet wide. The zoning ordinance requires side interior setbacks to be 20 feet, which would leave approximately 20 feet of developable area on the Property. The bank adjacent to the north is separated from its southern property line by a two-way driveway. The Applicant proposes to place its new building next to the bank's two-drive lanes. Please see Applicant's responses to the variance criteria below.

(3) Whether the proposed site provides adequate land area for the proposed use, including provision of all required open space, off-street parking and all other applicable requirements of the subject zoning district;

The proposed site does not provide adequate land area for many commercial uses. The Property is zoned C-1, which requires a minimum lot frontage of 100 feet. However, the existing lot frontage is 65 feet. After the provision of interior side setbacks, the buildable area is approximately 20 feet wide. This severely hampers most redevelopment options and is a hardship that justifies the variance requests. A Take 5 has a small building footprint and is appropriate for this site, which is near I-285 and on a major corridor. The proposal meets the 4-car stacking minimum for drive-throughs and the 6-car parking maximum required for this use. The Applicant proposes reducing the existing impervious area from 77.1% to 75.1% by removing existing paving and adding landscaping. This includes creating additional open space in the form of public pocket parks in the front setback.

(4) Whether the proposed use is compatible with adjacent properties and land uses, including consideration of:

a. Whether 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 will not produce noise, smoke, odor, dust or vibration that will have adverse impacts. The site is designed to place car stacking lanes next to two adjacent car drive aisles. The nearest stacking lanes will begin approximately 135 feet from the eastern boundary adjacent to a residential multifamily use. Parking is proposed in an area where there is already a parking lot. All vehicle service will be conducted within an enclosed building.

b. Whether the proposed use will create adverse impacts upon any adjoining land use by reason of the hours of operation of the proposed use;

The hours of use are typically 7am to 8pm with shorter hours on Sundays and are compatible with adjacent uses.

c. Whether the proposed use will create adverse impacts upon any adjoining land use by reason of the manner of operation of the proposed use;

The manner of operation is similar to other commercial uses and will not create adverse impacts.

d. Whether the proposed use will create adverse impacts upon any adjoining land use by reason of the character of vehicles or the volume of traffic generated by the proposed use;

The character of the vehicles that will use the site are typical of commercial uses and the proposal will not generate a volume of traffic that would create adverse impacts.

e. Whether the size, scale and massing of proposed buildings are appropriate in relation to the size of the subject property and in relation to the size, scale and massing of adjacent and nearby lots and buildings; and

As discussed at length above, the width of the subject property is an existing condition, and its lot frontage is narrower than what is required. The Applicant has designed the site and building with appropriate size, scale, and massing despite this condition.

f. Whether the proposed plan will adversely affect historic buildings, sites, districts, or archaeological resources.

The Applicant is unaware of any historic buildings, sites, districts or archaeological resources on the Property.

(5) Whether public services, public facilities and utilities—including motorized and nonmotorized transportation facilities—are adequate to serve the proposed use;

There are adequate public services, facilities and utilities to service the site.

(6) Whether adequate means of ingress and egress are proposed, with particular reference to nonmotorized and motorized traffic safety and convenience, traffic flow and control and emergency vehicle access;

The site will be served by a curb-cut from Chamblee Dunwoody Rd. that is more than adequate. The width of this access point currently is and will remain approximately 26 feet wide at the Property boundary with the right-of-way. An additional secondary access to Dunwoody Park is also provided from the rear of the Property.

(7) Whether adequate provision has been made for refuse and service areas; and

Adequate provision has been made for a dumpster onsite that will be approximately 60 feet from the eastern property line.

(8) Whether the proposed building as a result of its proposed height will create a negative shadow impact on any adjoining lot or building.

The Applicant proposes a one-story building that will not create negative shadow impacts.

The Variance Requests

The Applicant responds to the following criteria for the granting of SLUPS:

(1) The grant of the variances will not be detrimental to the public health, safety or welfare or injurious to property or improvements;

If granted, the variances will not create a use or manner of operation that will be detrimental.

(2) The variance request is based on conditions that (1) are unique to the subject property (2) are not generally applicable to other properties in the same zoning district and (3) were not created by the owner or applicant;

The Property is zoned C-1, which requires a minimum lot frontage of 100 feet. The existing lot frontage width of the Property is 65 feet. After the provision of interior side setbacks, the buildable area is approximately 20 feet wide. This condition is an existing condition, was not created by the owner or Applicant, is unique to this property and is not generally applicable.

(3) Because of the particular conditions, shape, size, orientation or topographic conditions, the strict application of the requirements of this zoning ordinance would deprive the property owner of rights and privileges enjoyed by other similarly situated property owners;

As stated above, the imposition of side setbacks would deprive the property owner of approximately 2/3 of the width of its property. This deprives the owner of rights and privileges enjoyed by other similarly situated owners.

In addition, the 25-foot setback for stacking lanes for a drive-through appears to have been created to address fast-food restaurants that have a much larger volume of traffic or other types of drive-throughs that use loud-speakers to communicate with the drivers. This is not the case here.

Patrons will be personally met by a customer service representative that will discuss their car maintenance needs at their car window.

(4) 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 similarly situated properties;

The Applicant's requests do not go beyond the necessary to afford minimum relief given the narrowness of the site and lack of available buildable area.

(5) The literal interpretation and strict application of the applicable provisions or requirements of this zoning ordinance would cause undue hardship or practical difficulty, as distinguished from a mere inconvenience; and

The strict application of the zoning requirements would cause undue hardship given the narrowness of the site and lack of available buildable area.

(6) The requested variance would be consistent with the spirit and purpose of this zoning ordinance and the comprehensive plan.

The requested variances would be consistent with the spirit and purpose of this zoning ordinance and the comprehensive plan. The primary purposes of the C-1 district are as follows: To provide convenient local retail shopping and service areas within the city; To provide for the development of new local commercial districts; and To accommodate uses designed to serve the convenience shopping and service needs of groups of neighborhoods. The proposed use will provide a new and convenient oil change service in an area where there currently is none to fulfill the service needs of adjacent and nearby residents. For a more thorough discussion of the consistency of the request to the CDP, please see the above response to the SLUP criteria.

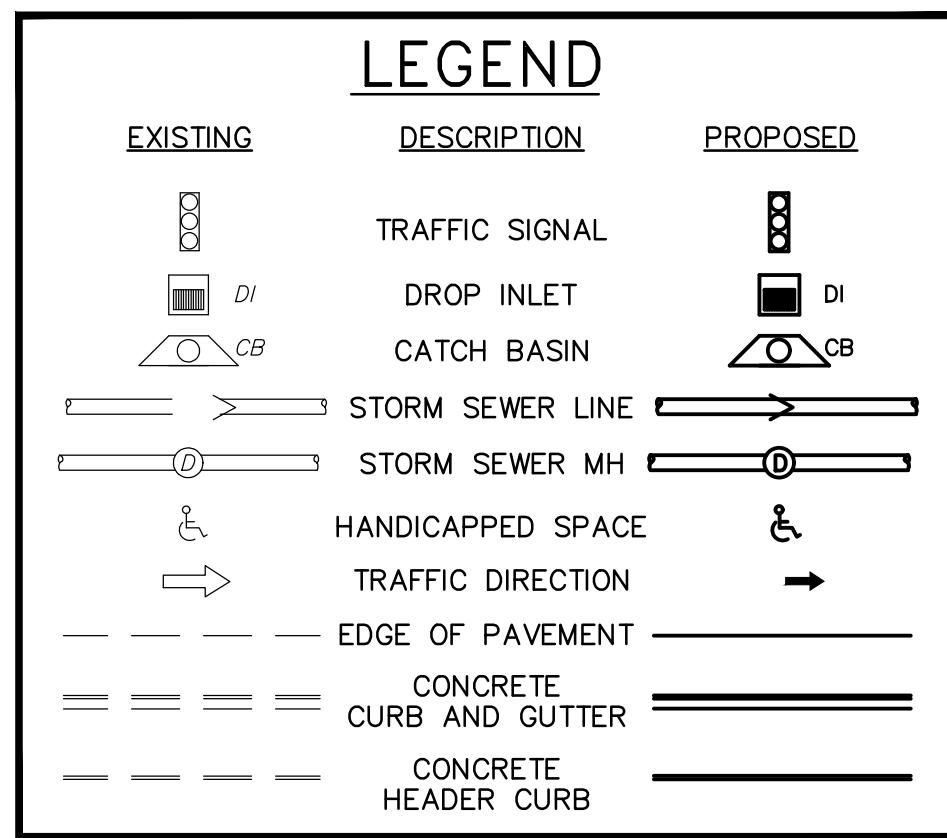
Because this application request is consistent with the foregoing standards, the Applicant respectfully asks that the Mayor and City Council of the City of Dunwoody grant this SLUP and the Variances as requested.

Sincerely,

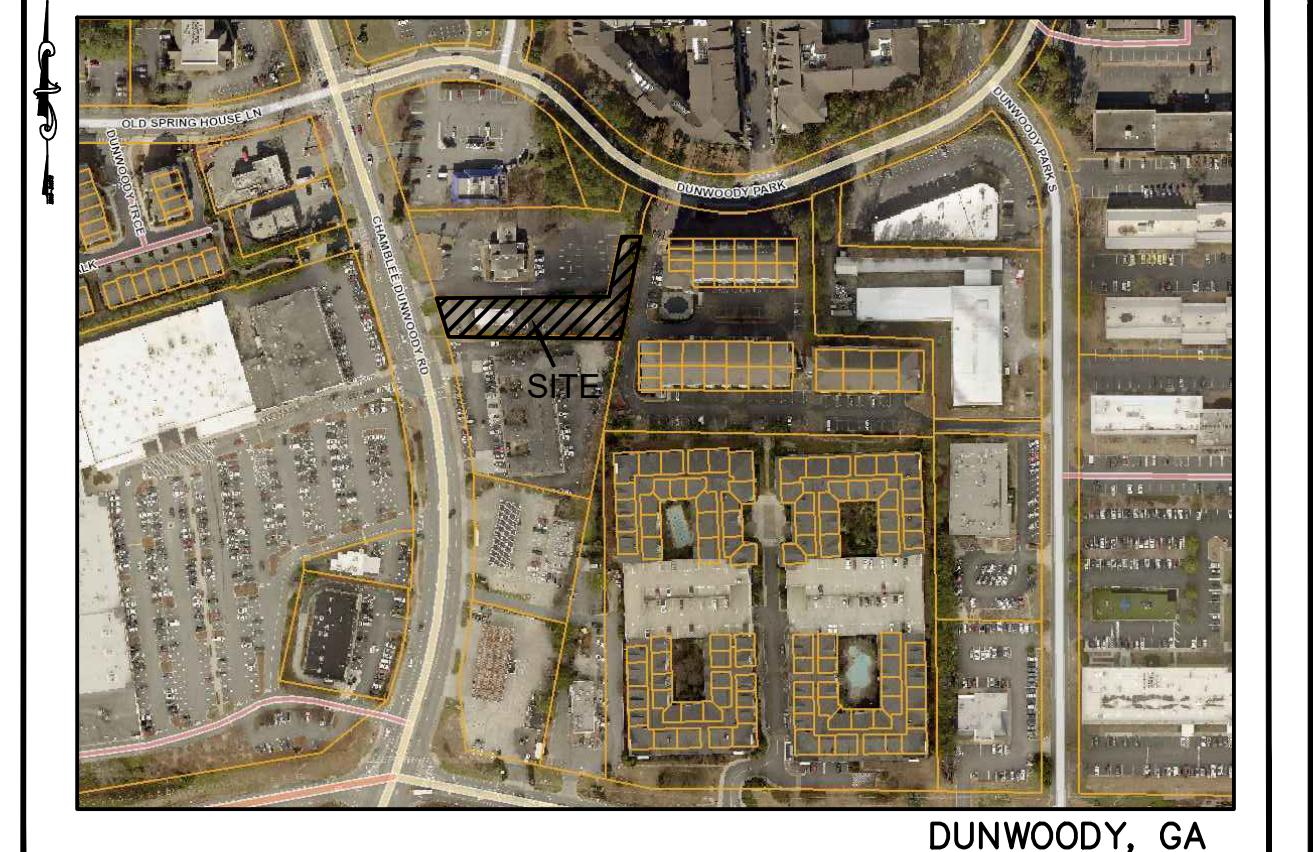
THE GALLOWAY LAW GROUP, LLC

Laurel A. David
[via electronic signature]

4062 Peachtree Road, NE, Suite A330
Atlanta, Georgia 30319
(404) 965-3669

SITE SUMMARY

ZONING: C-1
 PROPOSED USE: QUICK LUBE SERVICE
 SERVICE BAY DRIVE-THROUGHS (SLUP REQUIRED)
 SITE AREA: 0.493 ACRES
 EXISTING IMPERVIOUS AREA: 0.38 ACRES (77.1%)
 PROPOSED IMPERVIOUS AREA: 0.37 ACRES (75.1%)
 FRONT SETBACK: 50 FEET
 REAR SETBACK: 30 FEET
 SIDE INTERIOR (SOUTH): 20 FEET
 SIDE INTERIOR (NORTH): 1 FOOT (VARIANCE REQUIRED)
 PARKING MAXIMUM: 3 SP/BAY = 6 SPACES ADA VAN SPACES)



Vicinity Map
Not To Scale

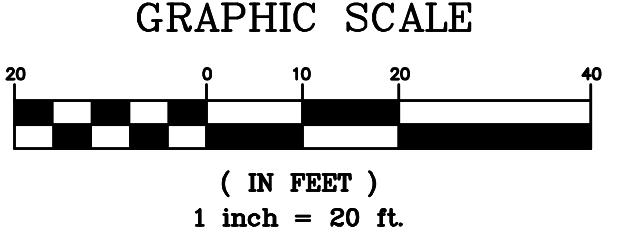
SDG ENGINEERING
P.O. BOX 680963
MARIETTA, GEORGIA 30068-0017
678-560-4161



CLIENT NAME
TOXAWAY AUTOMOTIVE GROUP
3715 NORTHSIDE PARKWAY
BUILDING 100, SUITE 500
ATLANTA, GA 30327

PROJECT TITLE
TAKE FIVE OIL CHANGE
4515 CHAMBLEE DUNWOODY RD
DUNWOODY, GA 30338

DATE 01-07-25
 PROJECT NO. 24534
 DRAWN BY JDR
 SCALE 1"=20'
 DRAWING TITLE SITE PLAN
C1



CURRENT OWNER
MAXUM PROPERTIES, LLC
4515 CHAMBLEE DUNWOODY RD.
DUNWOODY, GA 30338

DEVELOPER
TOXAWAY AUTOMOTIVE GROUP
3715 NORTHSIDE PARKWAY
BUILDING 100, SUITE 500
ATLANTA, GA 30327
864-590-5860

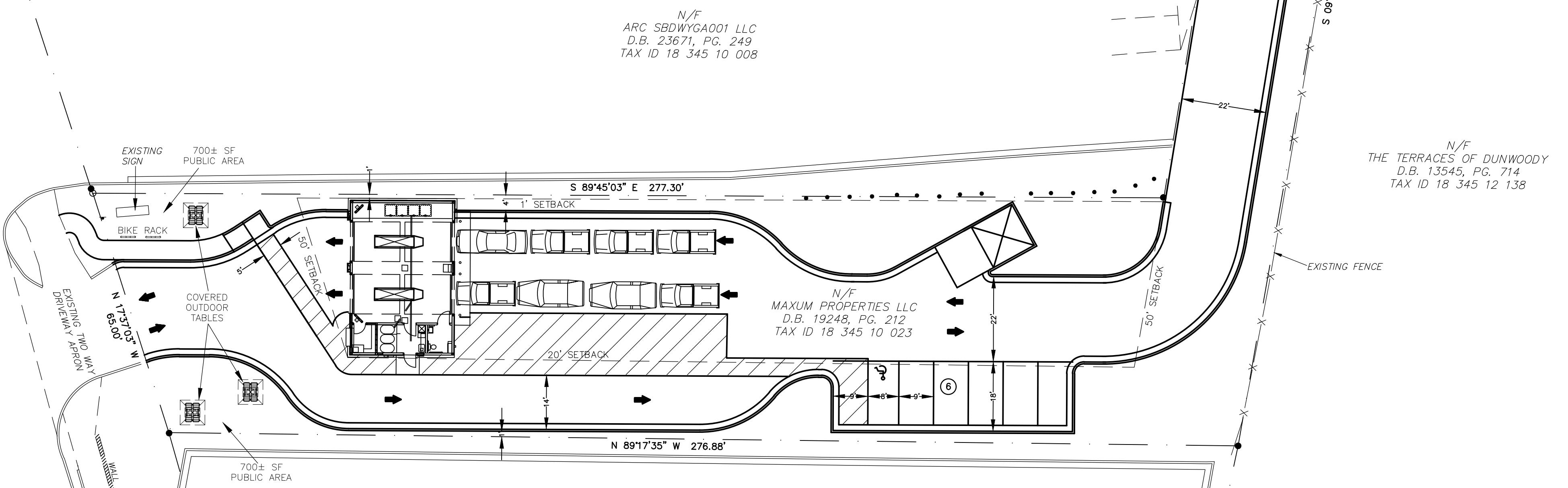
SURVEYOR
LAND PRO
305 CREEKSTONE RIDGE
WOODSTOCK, GA 30188
404-386-2170

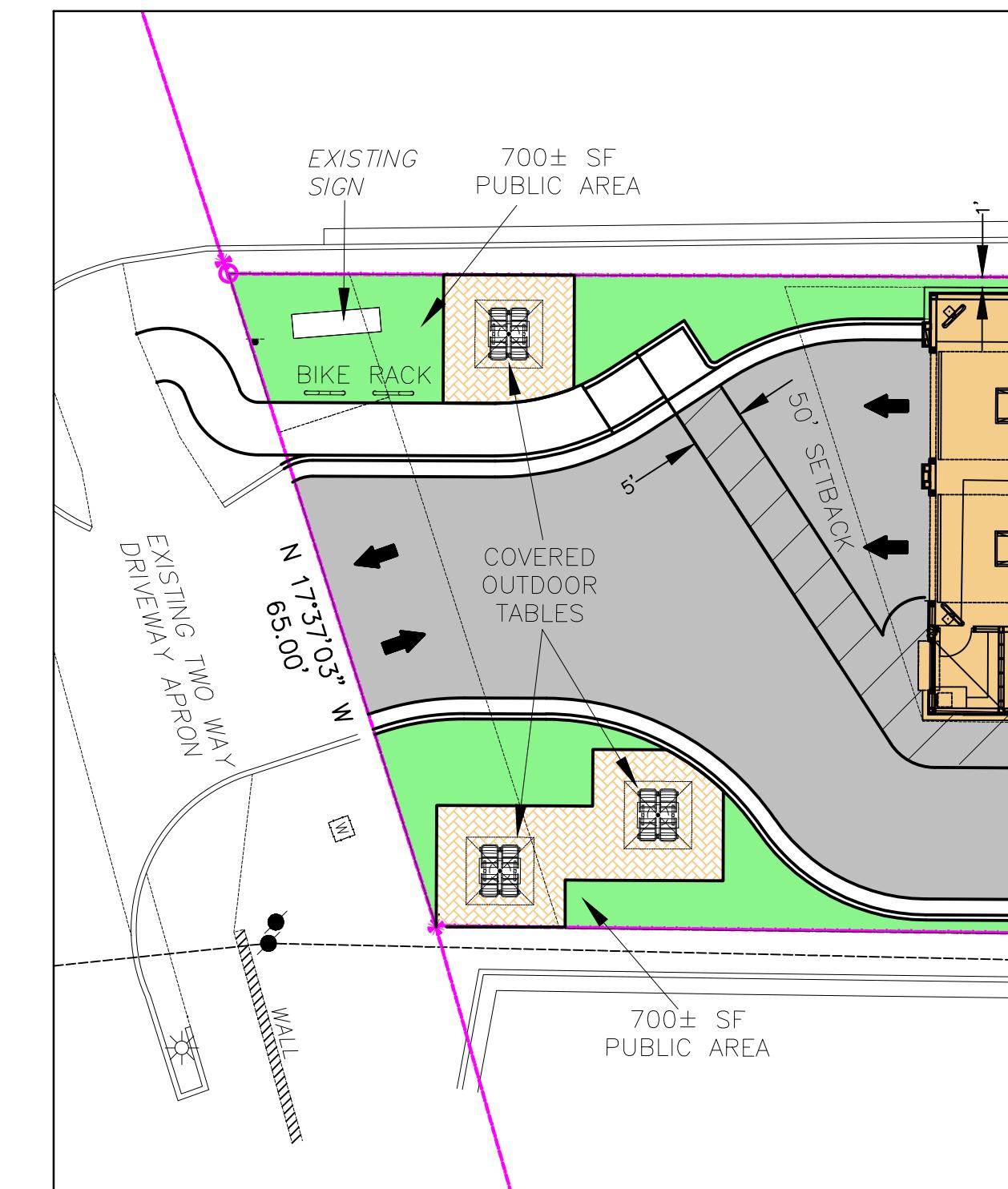
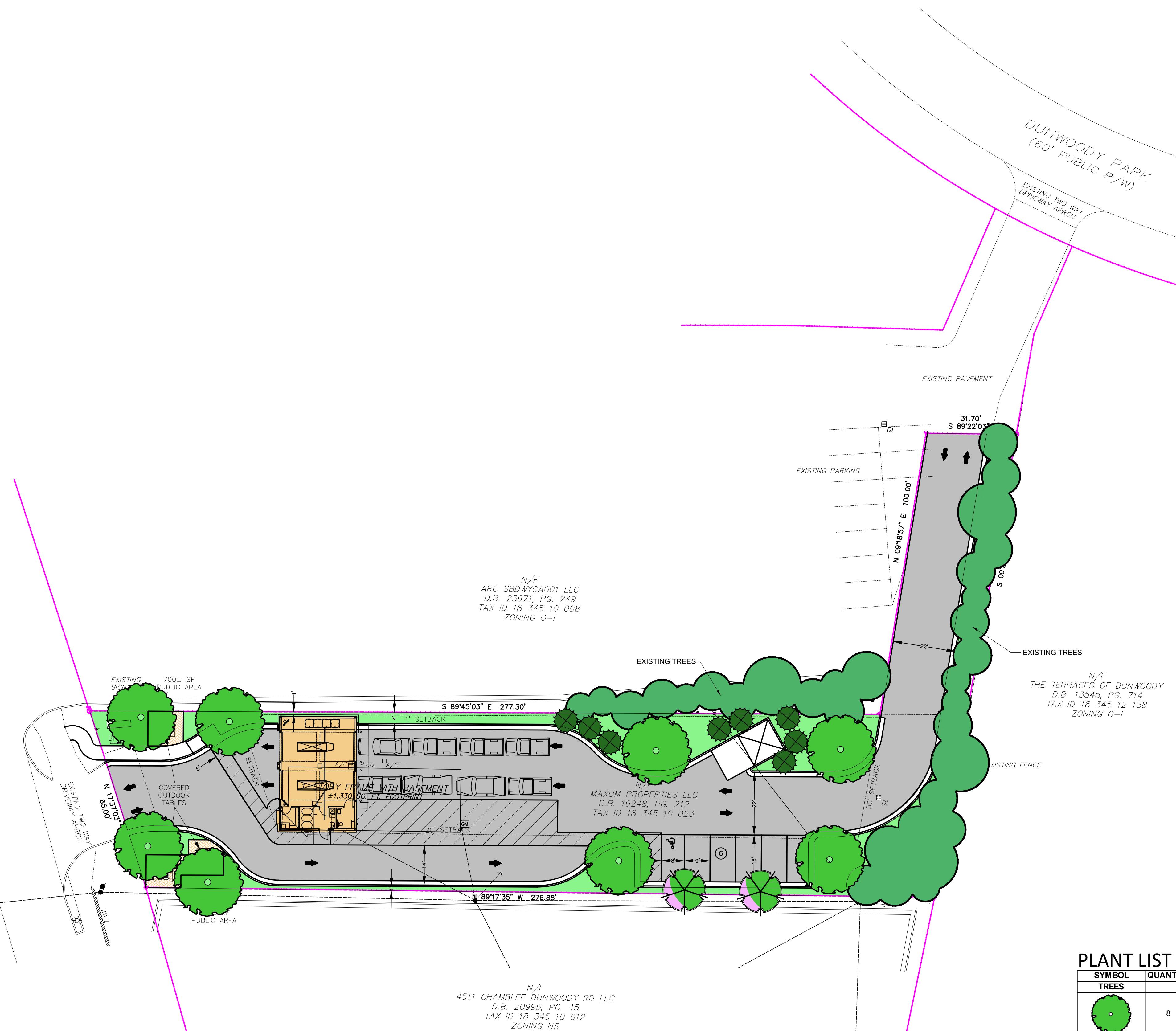
CIVIL ENGINEER
SDG ENGINEERING
PO BOX 680963
MARIETTA, GEORGIA 30068
678-560-4161

24 HOUR CONTACT
PRESTON WILLARD
864-590-5860



Know what's below.
Call before you dig.





PROPOSED PAVER PATIOS AND TABLES

CITY OF DUNWOODY REQUIREMENTS

PARKING LOT REQUIREMENTS – EXEMPT
(LESS THAN 8 PARKING SPACES)

PARKING LOT PERIMETER PARKING SPACES – ADJACENT TO R.O.W.
REQUIRED: (30) SHRUBS PER 100 LF, 7.5 MIN. DEPTH
LENGTH OF FRONTAGE 65 LF MINUS DRIVEWAY 33.4 LF = 31.6 LF
 $31.6/100 = .316 \times 30 = 9.48$ SHRUBS REQUIRED
(10) EVER RED FRINGE FLOWER PROVIDED

TRANSITION YARDS: N/A

TREE DENSITY CALCULATIONS

TDF= TREE DENSITY FACTOR
RTF= REMAINING TREE FACTOR
RRD= REQUIRED REPLACEMENT DENSITY

PROPERTY ACREAGE = 0.49 ACRE
0.49 AC X 20 UNITS PER ACRE = 9.8 RRD

REQUIRED REPLACEMENT DENSITY PROVIDED = 9.8 UNITS
SEE PLAT LIST FOR CALCULATIONS

PLANT LIST

SYMBOL	QUANTITY	BOTANICAL NAME	COMMON NAME	SIZE	SPACING	COMMENTS	UNIT	TOTAL
TREES								
	8	QUERCUS SHUMARDII	SHUMARD OAK	4'-4 1/2" CAL., 12'-14' HT.	AS SHOWN	MATCHED, WELL BALANCED HEAD	0.7	5.6
	8	ILEX CORNUTA 'NELLIE R. STEVENS'	NELLIE R. STEVENS HOLLY	6'-8' HT.	8' O.C.	MATCHED, FULL TO GROUND	0.4	3.2
	2	LAGERSTROMIA INDICA 'NATCHEZ'	NATCHEZ CRAPÉ MYRTLE	12'-14' HT.	AS SHOWN	3-5 CANES MINIMUM, TREE-FORM, MATCHED	0.5	1
SHRUBS								
	10	LOROPETALUM CHINENSIS 'EVER RED'	EVER RED FRINGE FLOWER	30" HT AT PLANTING	3' O.C.	MATCHED, FULL TO GROUND		
								TOTAL 9.8

REVISIONS

SDG ENGINEERING
P.O. BOX 680963
MARIETTA, GEORGIA 30068-0017
678-560-4161



CLIENT NAME

TOXAWAY AUTOMOTIVE GROUP
3715 NORTHSIDE PARKWAY
BUILDING 100, SUITE 500
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PROJECT TITLE

TAKE FIVE OIL CHANGE
4515 CHAMBLEE DUNWOODY RD
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DATE 01-07-25

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DRAWN BY JDR

SCALE 1"-20'

DRAWING TITLE SITE PLAN

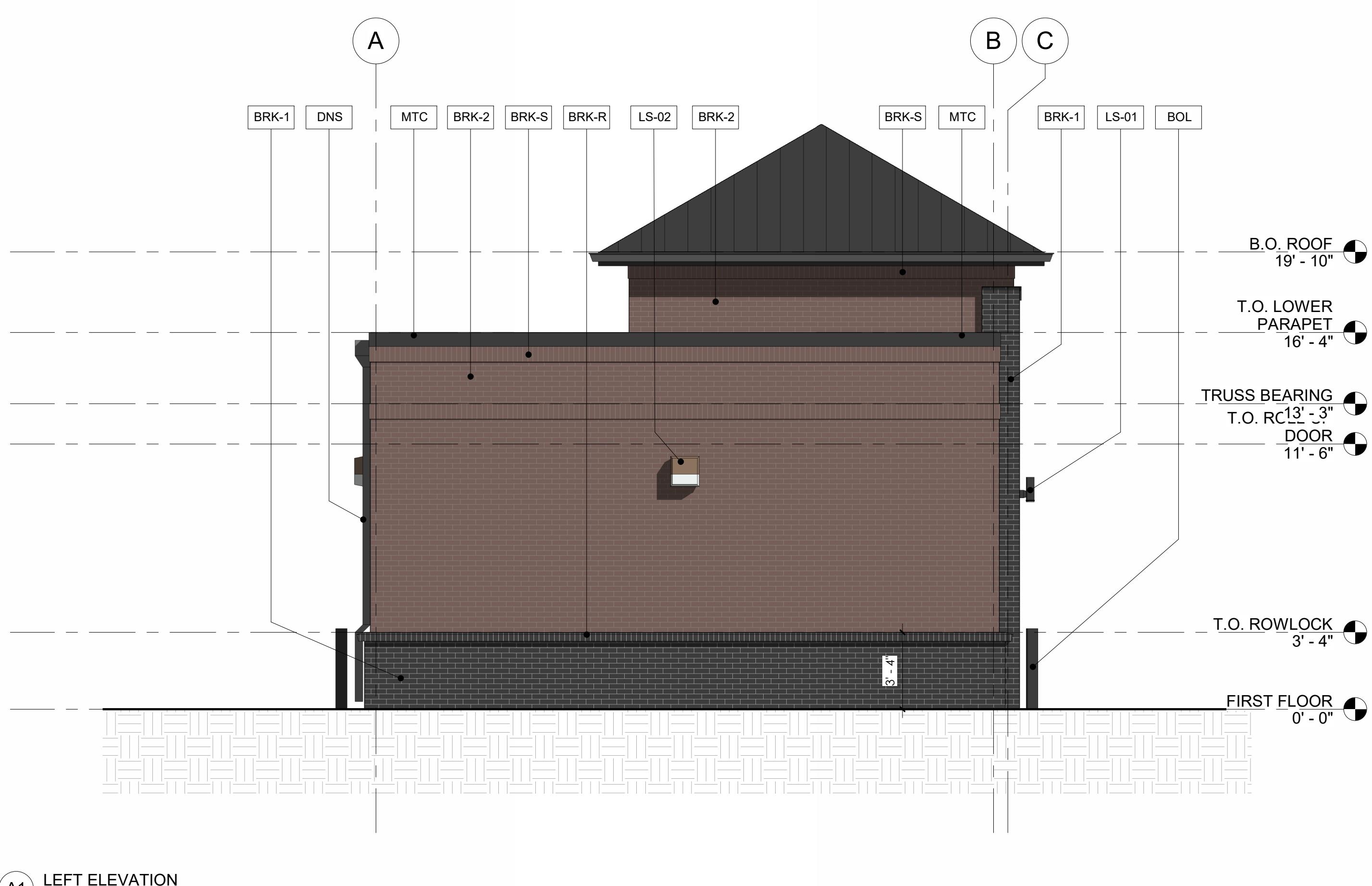
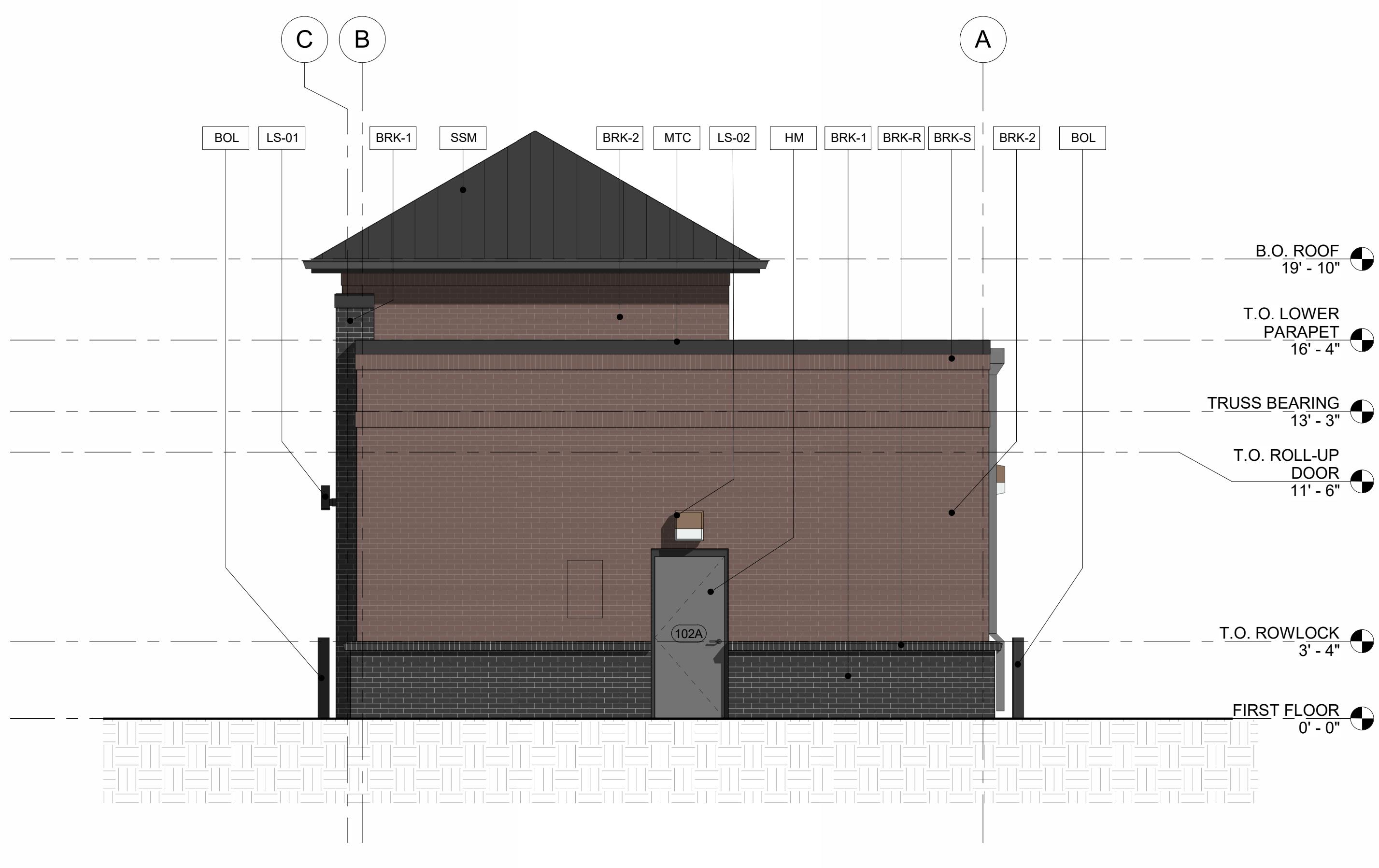
C1



EXTERIOR MATERIAL LEGEND		
BOL	CONCRETE SAFETY BOLLARD	PAINED
BRK-1	FULL DEPTH BRICK; BLACK VELOUR	MORTAR COLOR: BUFF BRICK SIZE: MODULAR
BRK-2	THIN DEPTH BRICK; MAROON VELOUR	MORTAR COLOR: BUFF BRICK SIZE: MODULAR
BRK-R	BRICK ROWLOCK	MATCH ADJACENT BRICK COLOR AND STYLE
BRK-S	BRICK SOLDIER COURSE	MATCH ADJACENT BRICK COLOR AND STYLE
DNS	SCUPPER WITH DOWNSPOUT	FACTORY PAINTED ALUMINUM FINISH TO MATCH SW6097 STURDY BROWN
HMD	HOLLOW METAL EXTERIOR DOOR	REFER TO DOOR SCHEDULE FOR FURTHER INFORMATION
LS-01	WALL CYLINDER UP/DOWN LIGHT	FINISH TO MATCH SW6097 STURDY BROWN
LS-02	WALL PACK LIGHT	FINISH TO MATCH SW6097 STURDY BROWN
MTC	METAL COPING	SW6871 POSITIVE RED
OHD	OVERHEAD SERVICE DOOR	CONFIRM SPECIFICATION AND COLOR WITH OWNER
SFR	STOREFRONT	SOLARBAN 60 (OR EQUIVALENT) DOUBLE PANE INSULATED GLASS WITH 2' MULLIONS, FRAME TO MATCH SW6097 STURDY BROWN
SSM	STANDING SEAM METAL ROOFING	FACTORY PAINTED



EXTERIOR MATERIAL LEGEND		
BOL	CONCRETE SAFETY BOLLARD	PAINTED
BRK-1	FULL DEPTH BRICK; BLACK VELOUR	MORTAR COLOR: BUFF BRICK SIZE: MODULAR
BRK-2	THIN DEPTH BRICK; MAROON VELOUR	MORTAR COLOR: BUFF BRICK SIZE: MODULAR
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HM	HOLLOW METAL EXTERIOR DOOR	REFER TO DOOR SCHEDULE FOR FURTHER INFORMATION
LS-01	WALL CYLINDER UP/DOWN LIGHT	FINISH TO MATCH SW6097 STURDY BROWN
LS-02	WALL PACK LIGHT	FINISH TO MATCH SW6097 STURDY BROWN
MTC	METAL COPING	SW6871 POSITIVE RED
OHD	OVERHEAD SERVICE DOOR	CUSTOM SPECIFICATION AND COLOR WITH OWNER
SFR	STOREFRONT	SOLARBAN 60 (OR EQUIVALENT) DOUBLE PANE INSULATED GLASS WITH 2" MULLIONS, FRAME TO MATCH SW6097 STURDY BROWN
SSM	STANDING SEAM METAL ROOFING	FACTORY PAINTED





F1 BUILDING - FRONT LEFT



F9 BUILDING - FRONT RIGHT



A1 BUILDING - BACK LEFT



A9 BUILDING - BACK RIGHT

PUBLIC PARTICIPATION REPORT APPLICATION FOR REZONING

Toxaway Automotive Group (“Toxaway”), requests a Special Land Use Permit and concurrent Variances for approximately 0.49 acres of land located at 4515 Chamblee Dunwoody Road (the “Property”). In accordance with Section 27-306 of the Dunwoody Zoning Ordinance, Toxaway hosted a Public Information Meeting on Wednesday, March 26, 2025, from 6:00-7:15 P.M. at the Property. Toxaway advertised this meeting by submitting a classified ad to The Dunwoody Crier (see attached). Toxaway also mailed approximately 609 letters to owners of residentially zoned property within 1,000 feet of the Property using a mailing list provided by the Dunwoody Community Development (see letter and mailing list attached). Three people attended the meeting, and all are in support of the application.

Below is a brief summary of the discussion:

1. The reason a SLUP is required is because the Take 5 will be a facility at which a customer queues in a stacking lane and is served while sitting in a vehicle.
2. Attendees acknowledged that this use makes sense at this location.
3. Attendees acknowledged that the building has changed tenants many times and were glad that a reputable, stable tenant will take over the Property and clean it up. They indicated people currently dump trash at the rear of the Property.
4. Attendees appreciated Toxaway providing additional landscaping and the pocket parks.
5. There was acknowledgement that the building was small in keeping with the width of the Property and appreciation for the dark brick exterior.
6. The building will be accessible from Chamblee Dunwoody Rd. Applicant also confirmed that the building will be accessible from a rear entrance from Dunwoody Park and there was no objection.
7. There was discussion about the customer’s experience, ie the oil change takes about ten minutes, and payment is made after the service. Take 5 will also change windshield wiper blades and oil filters but does not offer auto repair or overnight storage of vehicles.
8. The Applicant confirmed that the oil removed from vehicles is recycled
9. The hours of operation are typically 7am to 8pm with shorter hours on Sundays.
10. There will be security cameras on-site to monitor the Property after hours.

Sincerely,

THE GALLOWAY LAW GROUP, LLC



Laurel A. David
[via electronic signature]

COMMUNITY MEETING SIGN-IN SHEET

Project:	4515 Chamblee Dunwoody Road	Date:	Friday, November 22, 2019
Applicant:	Toxaway Automotive Group	Place:	4515 Chamblee Dunwoody Road

Name	Address	E-Mail / Phone
Mark Bum	4333 Dunwoody Pkwy Dunwoody, GA 30338	mr.mattb13@gmail.com 770-804-1685
J Robins	1852 Point Place Ave 30338	404-409-3236
Tom ARIAIL	1577 Chateau Dr.	(770) 823-7590

DUNWOODY

CRIER

See Proof on Next Page

AFFIDAVIT OF PUBLICATION

March 17, 2025

PUBLISHER'S AFFIDAVIT

Laurel David
4062 Peachtree Ave, Suite A330
(404) 965-3669

STATE OF GEORGIA
COUNTY OF FULTON-, GA

State of Pennsylvania, County of Lancaster, ss:

Rebecca Bikul, being first duly sworn, deposes and says: That (s)he is a duly authorized signatory of Column Software, PBC, duly authorized agent of Appen Media Group, Inc. publishers of the Dunwoody Crier, a printed newspaper published in Alpharetta, Georgia, in said county and state, and that the publication of which the annexed is a true copy, Chamblee Dunwoody info meeting, was published in said newspapers as provided by law on the following dates:

Mar. 13, 2025

in said county and state.

Commonwealth of Pennsylvania - Notary Seal
Nicole Burkholder, Notary Public
Lancaster County
My commission expires March 30, 2027
Commission Number 1342120

(Signed) Rebecca Bikul

State of Pennsylvania
County of Lancaster

Subscribed in my presence and sworn to before me on this: 03/17/2025

Nicole Burkholder

Notary Public
Notarized remotely online using communication technology via Proof.

NOTICE OF COMMUNITY MEETING
4515 Chamblee Dunwoody Rd.

Applicant: Toxaway Automotive Group

Reason for meeting: Special use permit to allow drivers to remain in their cars during oil change

Location of Meeting: 4515 Chamblee Dunwoody Rd., Dunwoody, GA 30338

Date and Time: March 26, 2025 at 6:00-7:00 P.M.

INFORMATION MEETING CONCERNING PROPERTY LOCATED AT
4515 CHAMBLEE DUNWOODY ROAD, DUNWOODY, GEORGIA

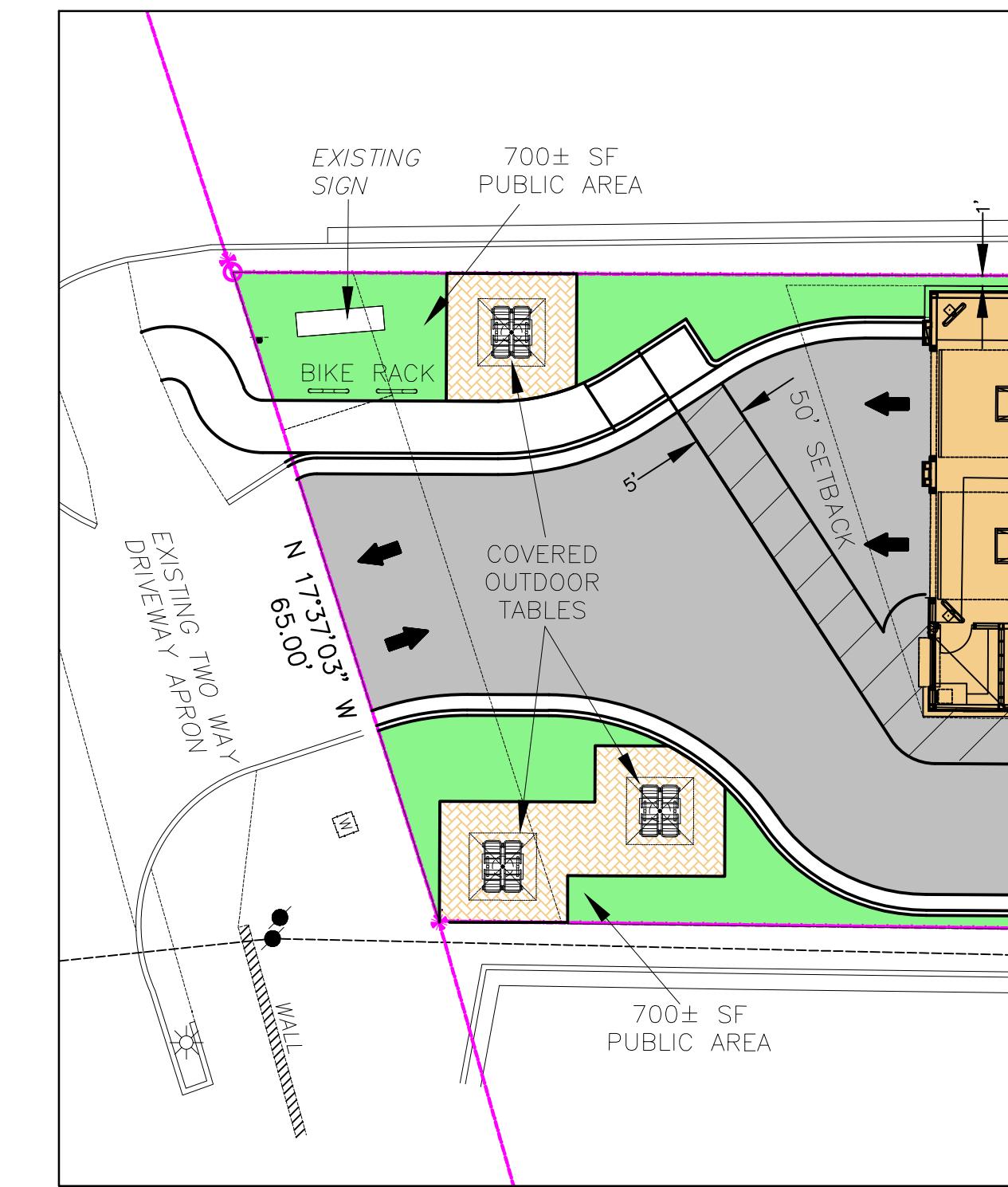
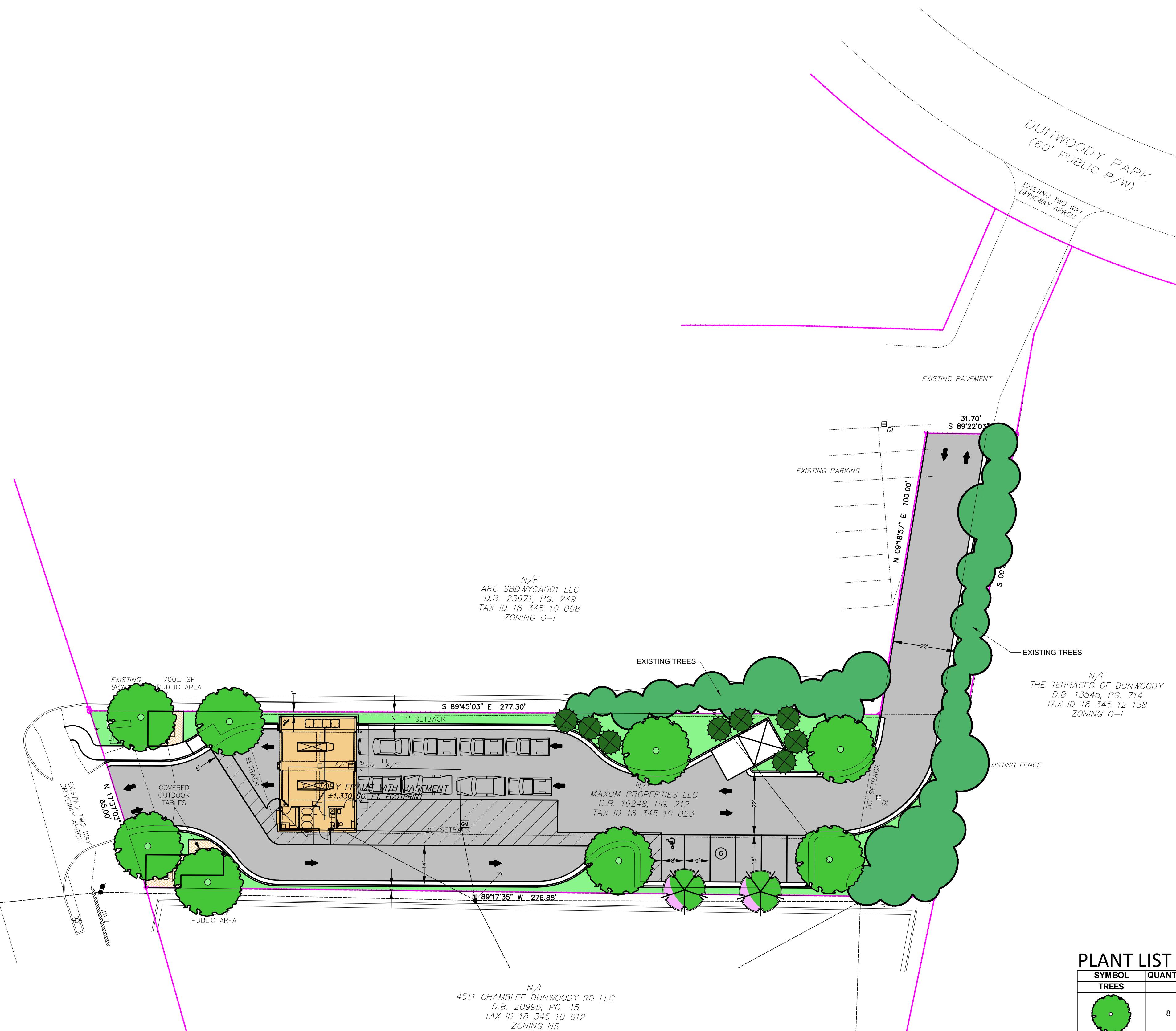
We are notifying all owners of nearby residential zone property of an informational meeting open to the public to discuss a special use permit and variances application for the property listed above. The purpose of the special use permit is to allow a Take 5 quick oil change facility. As patrons will drive into the service bays and remain in their cars during the quick oil change, the use technically requires approval of a drive-through but will not be for a drive-through restaurant. The purpose of the variances is to reduce the side setbacks. The meeting will take place on Wednesday, March 26, from 6:00 P.M. to 7:00 P.M. and will be held in the existing building at 4515 Chamblee Dunwoody Rd. Please feel free to attend this meeting should you have any questions. If you are unable to attend but would like to obtain information, please contact The Galloway Law Group at laurel@glawgp.com or (404) 965-3669.

Sincerely,

THE GALLOWAY LAW GROUP, LLC

18 345 10 008 4529 Chamblee Dunwoody Road Dunwoody, GA 30338	ARC SBDWYG001 LLC	PO BOX 26665	RICHMOND	VA	23261
18 345 03 009 4530 Chamblee Dunwoody Road Dunwoody, GA 30338	YAKUBOV SOSAN	8043 190TH ST	HOLLIS	NY	11423
18 345 03 016 4532 Chamblee Dunwoody Road Dunwoody, GA 30338	WAFFLE HOUSE INC	5986 FINANCIAL DR	NORCROSS	GA	30071
18 345 03 010 4536 Chamblee Dunwoody Road Dunwoody, GA 30338	GEOGETOWN SHOPPING CENTER LLC	3715 NORTHSIDE PKWY NW BLDG 400 100	ATLANTA	GA	30327
18 345 10 017 4537 Chamblee Dunwoody Road Dunwoody, GA 30338	BURGER KING COMPANY LLC	5707 BLUE LAGOON DR	MIAMI	FL	33126
18 345 01 015 4545 Chamblee Dunwoody Road Dunwoody, GA 30338	BANK SOUTH CORPORATION	101 N TRYON ST	CHARLOTTE	NC	28255
18 345 03 021 4545 Old Spring House Lane Dunwoody, GA 30338	SCCN INC	1745 OLD SPRING HOUSE LN # 400	ATLANTA	GA	30338
18 345 07 004 4546 Chamblee Dunwoody Road Dunwoody, GA 30338	FORTE AND ROSSETTI LLC	88 W RIDGEWOOD AVE	RIDGEWOOD	NJ	7450
18 345 01 003 4549 Chamblee Dunwoody Road Dunwoody, GA 30338	JEWISH FAMILY AND CAREER SERVICES INC	4549 CHAMBLEE DUNWOODY RD	ATLANTA	GA	30338
18 345 07 009 4584 Chamblee Dunwoody Road Dunwoody, GA 30338	SAM PATRICK M	4584 CHAMBLEE DUNWOODY RD	ATLANTA	GA	30338

Packet page:...



PROPOSED PAVER PATIOS AND TABLES

CITY OF DUNWOODY REQUIREMENTS

PARKING LOT REQUIREMENTS – EXEMPT
(LESS THAN 8 PARKING SPACES)

PARKING LOT PERIMETER PARKING SPACES – ADJACENT TO R.O.W.
REQUIRED: (30) SHRUBS PER 100 LF, 7.5 MIN. DEPTH
LENGTH OF FRONTAGE 65 LF MINUS DRIVEWAY 33.4 LF = 31.6 LF
 $31.6/100 = .316 \times 30 = 9.48$ SHRUBS REQUIRED
(10) EVER RED FRINGE FLOWER PROVIDED

TRANSITION YARDS: N/A

TREE DENSITY CALCULATIONS

TDF= TREE DENSITY FACTOR
RTF= REMAINING TREE FACTOR
RRD= REQUIRED REPLACEMENT DENSITY

PROPERTY ACREAGE = 0.49 ACRE
0.49 AC X 20 UNITS PER ACRE = 9.8 RRD

REQUIRED REPLACEMENT DENSITY PROVIDED = 9.8 UNITS
SEE PLAT LIST FOR CALCULATIONS

PLANT LIST

SYMBOL	QUANTITY	BOTANICAL NAME	COMMON NAME	SIZE	SPACING	COMMENTS	UNIT	TOTAL
TREES								
	8	QUERCUS SHUMARDII	SHUMARD OAK	4'-4 1/2" CAL., 12'-14' HT.	AS SHOWN	MATCHED, WELL BALANCED HEAD	0.7	5.6
	8	ILEX CORNUTA 'NELLIE R. STEVENS'	NELLIE R. STEVENS HOLLY	6'-8' HT.	8' O.C.	MATCHED, FULL TO GROUND	0.4	3.2
	2	LAGERSTROMIA INDICA 'NATCHEZ'	NATCHEZ CRAPÉ MYRTLE	12'-14' HT.	AS SHOWN	3-5 CANES MINIMUM, TREE-FORM, MATCHED	0.5	1
SHRUBS								
	10	LOROPETALUM CHINENSIS 'EVER RED'	EVER RED FRINGE FLOWER	30" HT AT PLANTING	3' O.C.	MATCHED, FULL TO GROUND		
								TOTAL 9.8

REVISIONS

SDG ENGINEERING
P.O. BOX 680963
MARIETTA, GEORGIA 30068-0017
678-560-4161



CLIENT NAME

TOXAWAY AUTOMOTIVE GROUP
3715 NORTHSIDE PARKWAY
BUILDING 100, SUITE 500
ATLANTA, GA 30327

PROJECT TITLE

TAKE FIVE OIL CHANGE
4515 CHAMBLEE DUNWOODY RD
DUNWOODY, GA 30338

DATE 01-07-25

PROJECT NO.
24534

DRAWN BY
JDR

SCALE 1"-20'

DRAWING TITLE
SITE PLAN
C1



EXTERIOR MATERIAL LEGEND		
BOL	CONCRETE SAFETY BOLLARD	PAINED
BRK-1	FULL DEPTH BRICK; BLACK VELOUR	MORTAR COLOR: BUFF
BRK-2	THIN DEPTH BRICK; MAROON VELOUR	BRICK SIZE: MODULAR
BRK-R	BRICK ROWLOCK	MATCH ADJACENT BRICK COLOR AND STYLE
BRK-S	BRICK SOLDIER COURSE	MATCH ADJACENT BRICK COLOR AND STYLE
DNS	SCUPPER WITH DOWNSPOUT	FACTORY PAINTED ALUMINUM FINISH TO MATCH SW6097 STURDY BROWN
HMD	HOLLOW METAL EXTERIOR DOOR	REFER TO DOOR SCHEDULE FOR FURTHER INFORMATION
LS-01	WALL CYLINDER UP/DOWN LIGHT	FINISH TO MATCH SW6097 STURDY BROWN
LS-02	WALL PACK LIGHT	FINISH TO MATCH SW6097 STURDY BROWN
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SSM	STANDING SEAM METAL ROOFING	FACTORY PAINTED



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