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VIA HAND DELIVERY

Honorable Mayor Barbara Bender
Mayor Pro Tem Norman Carter
Councilmember Kerry Hetherington
Councilmember Shaunt'e Jermaine Pitt
Councilmember Richelle Brown
Councilmember Catherine Hardrick
2342 Oak Road
Snellville, Georgia 30078

Re: Daniels RE Investments, LLC
Application for Change in Conditions and Special Use Permit
Property Address: 3005 Lenora Church Road, Bldgs. B&C, Snellville,
Georgia 30078 (the "Subject Property")
Parcel No. R5029 096

Dear Mayor Bender and Members of the City Council:

This law firm has the pleasure of representing Daniels RE Investments, LLC. My client is the owner of the property located at 3005 Lenora Church Road, Buildings B & C, Snellville, Georgia 30078 (the "Property"). The Property consists of 2.268 acres of land and contains two (2) commercial buildings approximately 6,750 square feet and 11,775 square feet in size, respectively. The property is presently zoned Civic/Institutional (CI). My client seeks a change of existing zoning conditions and approval of a Special Use Permit to allow for the establishment of a behavioral health facility providing inpatient treatment and counseling services for adults suffering from mental health disorders and conditions including depression, anxiety and post-traumatic stress disorder.

Since 2010, the Property has been occupied and used by various churches and religious organizations as houses of worship and accessory applications. Prior to such uses, the Property once housed a behavioral health treatment facility, but when the Property was rezoned in 2010, such uses became prohibited until the City's zoning regulations. Incidentally, when the Property was rezoned for church purposes in 2010, the City Council imposed a condition of zoning restricting any use on the Property to churches and accessory applications. This condition has now become unsuitable in light for redevelopment in the area and imposes significant limitations on the utility of the Property, its marketability to prospective tenants that would be permitted on other

CI zoned properties, and on the ability to redevelop the Property to its highest and best use. For these reasons, my client now asks the City Council to change the 2010 conditions of zoning to remove this “single, permissible use” condition.

On July 13, 2026, the City Council adopted an amendment to the City’s Unified Development Ordinance (“UDO”) making Behavioral Health Facilities special uses w/ithin the CI zoning district. My client has negotiated a prospective lease for the larger of the two buildings (Building C”). The tenant will operate an inpatient, mental health treatment facility under the trade name High Point Behavioral Health providing comprehensive psychotherapeutic and counseling services designed to treat such mental disorders as depression, bipolar disorder, schizophrenia, and post-traumatic stress disorder. The facility will maintain normal, commercial hours of operation Monday through Friday from 8:00am-6:00pm with limited staffing during non-business hours. Clients will typical stay in the facility anywhere from 3 days up to three (3) or (4) weeks with no client staying longer than thirty (30) days. The facility will be licensed by the State of Georgia and will be subject to regular inspections to ensure the facility is clean, safe, and in compliance with all state regulations for such treatment facilities. Building B is currently occupied by a religious organization, and no change to that use is proposed use of that at this time.

As important as it is to describe what the High Point Behavioral Health does, it is equally important to understand what the proposed facility **will not be**. High Point Behavioral Health is not, and will not be, a halfway house or a drug or alcohol treatment facility. No such services will be offered at this location. It also is not a long-term stay facility or mental health hospital where patients are held through involuntarily commitment. All patients of the facility will be admitted voluntarily and will be free to leave the facility at any time. The facility will all not be an emergency facility that will receive patients from ambulance or police personnel. This facility will be a true mental health/counseling center, and not a place for emergency stabilization. My client does not propose any alterations or modifications to the exterior of the building of the common areas, thus, neighbors will not detect any difference between the proposed use and the existing use of the Property.

In support of its application, my client would note that the need for such mental health services has never been greater in our community. Live Healthy Gwinnett recently published the 2026 results of the Conduent Healthy Communities Institute Mental Health Index, which measures socioeconomic and health factors correlated with self-reported poor mental health. On a scale of 1 to 5, Snellville and the southern portions of Gwinnett County scored between 3 and 4 in 2026, which indicates the presence of significant social determinants for mental health disorders. Tragically, Gwinnett County has experienced an upward trend in suicide rates and instances of self-harm associated with mental health disorders. Based on the tenant’s current treatment facilities, the majority of patients receiving services at such facility overwhelmingly comes from local residents and individuals living in close proximity.

The proposed use would also be consistent with the City’s current Future Land Use Map and Future Character Area. The proposal also meets all the criteria associated with granting a special use permit. The Future Land Use Map calls for the property to remain zoned as CI and the calls for public and civic uses which expressly includes health treatment businesses. Sec. 103-

9.4.B.10 and/or Sec. 103-9.4.C.11 of the UDO outlines the criteria the City Council should consider when deciding requests for special uses. Those criteria are set forth below:

A. Whether the proposed use would consistent with the needs of the neighborhood or community as a whole and would not be in conflict with policies and objectives of the Comprehensive Plan; and

As noted above, the proposed use is both consistent with the present needs of the community and is conformance with the mandates of the Comprehensive Plan and Future Land Use Map. Additionally, the applicant would note that this property previously housed a mental health treatment facility indicating such use is appropriate with the existing neighborhood.

B. Whether the proposed use has adverse impacts on the surrounding area, especially with regard to but not limited to traffic, storm drainage, land values and compatibility of land use activities;

The proposed use would not have any negative impacts with the surrounding area. The operations of the facility are significantly less burdensome than other commercial businesses and the nature of the services do not lend themselves to significant daily traffic counts. Visits to the facility will be irregular except for employees. The facility is well suited for the surrounding neighborhood, who will notice no appreciable increase in activity as distinguished from the current church uses.

C. Whether the proposed use is desired for development and a more intensive zoning district which contains that use as a use by right would not be appropriate for the property; or

The proposed use is consistent with the Comprehensive Plan and future land use projections of the City of Snellville. No rezoning to a more intense zoning classification is required and the proposed use and change of conditions will not result in an expansion to more intense uses that are presently occurring in the area, including the physical rehabilitation facility located directly across the street.

D. Whether a proposed use is desired for development and no zoning district contains that use as a use by right; or

The only reason such a facility is permissible in the City is because of the recent amendments to the UDO, which make such use a special use only in the CI zoning district. No other zoning classification allows Behavioral Health Facilities as a matter of right.

E. Whether a unique use not addressed in any zoning district is desired for development and is not likely to be duplicated within the City; or

The City presently contains very few CI zoned properties where the proposed use could occur. While rezoning is certainly possible, the available locations where such a facility could be established are presently limited, meaning this location is particularly suitable and appropriate for the proposed use.

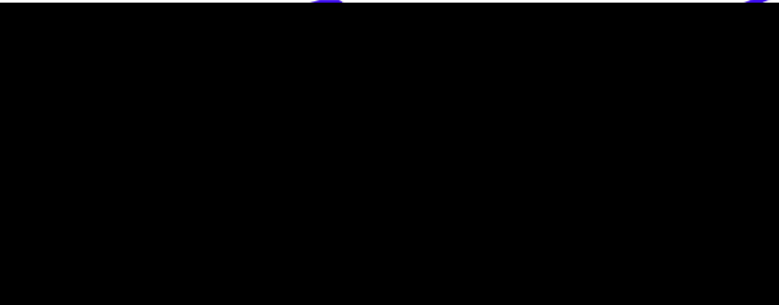
F. Whether the density of development may be affected by the height of a building.

Not applicable. No changes to the exterior of the building are proposed.

In closing, we believe that the denial of this proposed change of conditions and special use permit will result in substantial economic loss to my client. The existing “single, permissible use” condition on the Property unnecessarily limits the potential uses of the property and unreasonably

limits the prospective class of tenants that could rent the property from my client. The condition impairs the Property from achieving its highest and best use, and the denial of this request will violate the owner's rights of due process and equal protection, procedural and substantive, and violation of Article I, Section I, Paragraphs 1 and 2, and Article I, Section III, Paragraph 1 of the Georgia Constitution and the Fifth and Fourteenth Amendments to the United States Constitution. Denial of the change in condition application and special use permit will destroy owner's property rights without first paying just compensation and would constitute an arbitrary and capricious act by the City of Snellville without any rational basis therefore, constituting an abuse of discretion. Further, a refusal to grant the requested zoning changes so as to permit the highest and best use of the Property consistent with the 2045 Comprehensive Plan Update would be unconstitutional and would discriminate in an arbitrary and capricious and unreasonable manner between the owner and owners' of similarly situated property. These applications meet the prescribed test set out by the Georgia Supreme Court to be used in establishing the constitutional balance between private property rights and zoning as an expression of the government's police power.

My clients look forward to working with the City to bring a valuable member of the business community into the City and provide desperately needed mental health services to the residents of Snellville and the larger southern Gwinnett community. If you have any questions or need any additional information to process this application, please do not hesitate to contact me.



Jody Charles Campbell

CC: Jason Thompson, Director of Planning and Development