



DeKalb County Department of Planning & Sustainability

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Planning Commission Hearing Date: September 6, 2022

Board of Commissioners Hearing Date: October 4, 2022

TEXT AMENDMENT ANALYSIS

AGENDA NO.: D4 **ZONING CASE NO.:** TA-22-1245621 **COMMISSION DISTRICTS:** 2 & 6
(2022-1486)

APPLICANT: Department of Planning & Sustainability

SECTIONS OF ZONING ORDINANCE AFFECTED BY AMENDMENTS: CHAPTER 27-ZONING ORDINANCE, SECTION 3.22 TO ALLOW THE LIMITED SALE OF BEER, WINE, AND SPIRITS AS AN ACCESSORY RETAIL USE FOR OFF-SITE CONSUMPTION AT ANY LOCATION WITHIN THE EMORY VILLAGE OVERLAY DISTRICT.

REASON FOR REQUEST:

Retail liquor stores are current prohibited in the Emory Village Overlay District, however, wine stores are permissible. The text amendment was proposed for consideration of limited retail sale of alcohol as an accessory use (up to 25% of the gross floor area) to principal commercial uses.

Staff has concurrently been engaged with the Emory Village Alliance and neighboring stakeholders regarding significant updates to the permitted and prohibited uses within the overlay district. Based on the timing, it would be more efficient to fold this proposal into the larger community engagement efforts. Thus, staff is seeking a withdrawal of the agenda item.

STAFF RECOMMENDATION: Withdrawal

Section 27-3.22.5 Accessory uses, buildings and structures

Accessory uses, buildings, and structures incidental to any authorized principal use as defined in [article 9](#) shall be permitted, ~~except~~ as established below.

A. Parking lots and parking garages are permitted only if these facilities are accessory uses to principal uses and structures otherwise authorized and permitted in the Emory Village Overlay District.

B. Drive-through facilities or drive-through service windows are not authorized; however, drive-through facilities existing at the time of the adoption of this overlay district shall be allowed to continue operation. If the building/site where the drive-through(s) is currently located is redeveloped, then said drive-through(s) may be replaced so long as they follow the design guidelines.

C. Retail liquor stores, where accessory to any principal use, are prohibited.

D. Sale of beer, wine, and/or spirits as an accessory use to a principal, neighborhood scale market or grocery store, when the square footage devoted to sales and storage of beer, wine and/or spirits constitutes less than twenty percent (20%) of the gross floor area.