

### **DeKalb County Department of Planning & Sustainability**

330 Ponce De Leon Avenue, Suite 300 Decatur, GA 30030 (404) 371-2155 / plandev@dekalbcountyga.gov

Michael Thurmond<br/>Chief Executive OfficerPlanning Commission Hearing Date: November 05, 2020<br/>Board of Commissioners Hearing Date: November 17, 2020

### **STAFF ANALYSIS**

Case No.:	SLUP-20-1244237		Agenda #: N.5	
Location/Address:	The property is located al east side of Memorial Dri north side of Collingwood 4729, 4731, 4745, 4737, 4 4759, 4761, 4763, 4765, 4 4773, 4775, and 4777 Me Drive in Decatur, Georgia	ve and the d Drive at 4744, 4767, emorial	Commission District: 04	Super District: 06
Parcel ID:	18-012-13-001 thru 013;	18-012-13-0	15 & 18-012-13-021	
Request:	To request a Special Land Use Permit (SLUP) to allow fuel pumps accessory to a QuikTrip convenience store in a C-1 (Local Commercial) District, in accordance with Chapter 27, Article 4, Table 4.1 Use Table and Section 27-4.2.28 - Supplemental Regulations of the DeKalb County Code.			
Property Owner/Agent:	Powell Property Consultants, Inc. a/k/a Powell Properties Consultants			
Applicant/Agent:	Quik Trip Corporation c/o Battle Law, P.C.			
Acreage:	5.32 acres			
Existing Land Use:	Commercial and Retail uses.			
Surrounding Properties/ Adjacent Zoning:	North, south and west are retail and commercial uses zoned C-1 (Local Commercial) District and East are single-family detached residences zoned R-100 (Residential Medium Lot) District.			
Comprehensive Plan:	Neighborhood Center (N	C)	XConsistent	Inconsistent
Proposed Convenience Store Building Sq. Footage: 4,993 Square Feet		<b>Existing</b> Square	g <b>Building Sq. Footage:</b> A Feet	pproximately 32,395
Proposed Lot Coverage: 38	%	Existing	s Lot Coverage: <80%	

#### SUBJECT PROPERTIES AND ZONING HISTORY

The property is located along the east side of Memorial Drive and the north side of Collingwood Drive at 4729, 4731, 4745, 4737, 4744, 4759, 4761, 4763, 4765, 4767, 4773, 4775, and 4777 Memorial Drive in Decatur, Georgia. All sites combined contains approximately 5.32 acres with approximately 655 feet of frontage along Memorial Drive and approximately 365 feet along Collingwood Drive. The surrounding uses to the north, south and west are retail and commercial uses and zoned C-1 (Local Commercial) District. Directly, east are single-family detached residences and are zoned R-100 (Residential Medium Lot) District. The subject properties are zoned C-1 (Local Commercial) District with a land use designation of Neighborhood Commercial (NC).

#### PROJECT ANALYSIS

Based on the submitted materials, the applicant is seeking to obtain a Special Land Use Permit to allow fuel pumps accessory in conjunction with the development of a proposed a 4,993 sq. ft. QuikTrip convenience store, with 10 accessory gas pumps islands (20 fueling stations). Per the applicant, the proposed station will replace the existing QuikTrip store at 3870 Rockbridge Road, Decatur, GA, which is undersized for the volume of traffic at the store..

Per Chapter 27- Article 4.1 Use Table and 4.2.28.D of the DeKalb County Code, fuel pumps associated with a convenience store require a Special Land Use Permit in activity centers and in all other land use character areas unless compliance can be demonstrated to at least three (3) of the following criteria: location within 400 feet of an intersection of a major and minor arterial or within 1,000 feet of an intersection with an interstate highway; accessibility via a direct and secondary access; new facility at least five thousand (5,000) square feet or new facility is part of a major redevelopment; and two (2) bathrooms capable of serving at least three (3) patrons at a time. The subject site is located within a Neighborhood Center (NC) character area designated by the *2035 Comprehensive Plan*. Since this character area is in an Activity Center, a SLUP is required. However, the proposed SLUP request does comply with all other supplemental regulations.

#### **IMPACT ANALYSIS**

Section 27-7.4.6 of the DeKalb County Code states that the following criteria shall be applied in evaluating and deciding any application for a Special Land Use Permit.

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

The approximately 5.32-acre site is adequate for fuel pumps within the redeveloped QuikTrip convenience store.

B. Compatibility of the proposed use with adjacent properties and land uses and with other properties and land uses in the district:

The proposed use for fuel pumps within the QuikTrip convenience store is compatible with nearby commercial and retail developments on Memorial Drive.

C. Adequacy of public services, public facilities, and utilities to serve the contemplated use:

Given that the area along Memorial Drive is developed with various commercial uses, it appears that there are adequate public services, public facilities and utilities to serve the proposed automobile fuel sales on

the site.

D. 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 proposed use, so as not to unduly increase traffic or create congestion in the area:

Given that Memorial Drive is a major arterial, Planning Staff anticipates little or no impact on public streets or traffic in the area.

E. 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.

Given that Memorial Drive is a major arterial with turning lanes, existing land uses along access routes would not be adversely impacted by traffic generated by the fuel pumps within the QuikTrip convenience store.

- F. 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:
- **G.** The proposed redevelopment will have adequate ingress and egress to the subject site. The proposed location will have the fuel pumps to the north side of the store which may assist with pedestrian safety by reducing vehicular/pedestrian conflicts between fuel patrons and retail patrons to near the store entrances. Per the applicant, the fuel trucks will access the site from Memorial drive, while the regular automotive traffic will have access from both Memorial Drive and Collingwood Drive to provide adequate circulation. Whether or not the proposed use would create adverse impacts upon any adjoining land use by reason of noise, smoke, odor, dust, or vibration that would be generated by the proposed use:

The proposed redevelopment should not create adverse impacts upon any adjoining land use by reason of noise, smoke, odor, dust or vibration.

H. Whether or not the proposed use would create adverse impacts upon any adjoining land use by reason of the hours of operation of the proposed use:

The hours of operation should not create adverse impacts upon adjoining land uses.

- I. 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.
- J. The proposed use will not create adverse impact on the adjoining land use by reason of manner of use. While there are residential properties directly to the east of the subject properties, there will be a 50-foot transitional buffer and 75-foot stream buffer (of largely existing vegetation) that separates most of the site from the residential uses to the rear of the subject property. Whether or not the proposed use is otherwise consistent with the requirements of the zoning district classification in which the use is proposed to be located.

Proposed use is a permitted use within the C-1 (Local Commercial) District with a Special Land Use Permit (SLUP).

K. Whether or not the proposed use is consistent with the policies of the comprehensive plan.

The site is located within the Neighborhood Center (NC) by the *DeKalb County 2035 Comprehensive Plan*, the proposed use expansion is consistent with the following area policies: Utilize vacant properties in the neighborhood as an opportunity for infill development of compatible structures.

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

The submitted site plan depicts a required transitional buffer adjacent to residentially zoned properties.

#### M. Whether or not there is adequate provision of refuse and service areas.

Adequate refuse areas will be provided.

- **N.** Whether the length of time for which the special land use permit is granted should be limited in duration: The proposed use is a permanent use and should not be limited to any length of time on the subject site.
- O. Whether or not the size, scale and massing of proposed buildings are appropriate in relation to the size of the subject property and in relation to the size, scale and massing of adjacent and nearby lots and buildings.

The proposed SLUP is compatible in size and massing to adjacent and nearby commercial buildings in the area.

P. Whether the proposed use will adversely affect historic buildings, sites, districts, or archaeological resources.

The proposed SLUP will not adversely affect historic buildings, sites, districts, or archaeological resources.

Q. Whether the proposed use satisfies the requirements contained within the supplemental regulations for such special land use permit.

The proposed SLUP complies with all of the supplemental regulations per Sec.27-4.2.28 of the *DeKalb County Zoning Code*.

R. 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.

The proposed SLUP request does not create a negative shadow impact on any adjoining lot or building.

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

The proposed use would be consistent with the needs of the neighborhood or the community.

#### COMPLIANCE WITH DISTRICT STANDARDS

The site zoned C-1 District must comply with minimum development standards per Article 2 – Table 2.3 Residential Zoning Districts Dimensional Requirements of the DeKalb County Zoning Ordinance.

STANDARD	REQUIREMENT	PROPOSED	COMPLIANCE
LOT WIDTH (C-1)	MININUM OF 100 FEET ON A PUBLIC STREET FRONTAGE	655 FEET	YES
LOT AREA (C-1)	25,000 SQUARE FEET	231,739 SQUARE FEET	YES
LOT COVERAGE	Max. 80%	57%	YES
FRONT BUILDING SETBACK Collingwood Drive	50 FEET	50 Feet	YES
FRONT BUILDING SETBACK ON ARTERIALS Memorial Drive	60 FEET	60 Feet	
TRANSITIONAL BUFFER Table 5.2(a)	50 feet adjacent to Residential Districts	50 FEET	YES YES
HEIGHT	2 stories/35 Feet	1-Story	YES
PARKING Article 6	Minimum 1 space for each 500 square feet of floor area= 10: Max 1 space for each	51 parking spaces	YES
	150 square feet of floor		

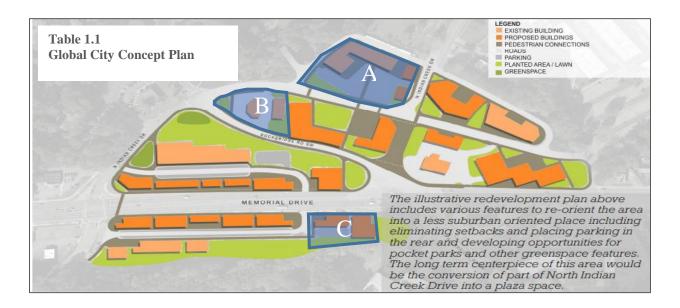
#### STAFF RECOMMENDATION:

The site is located within the Neighborhood Center (NC) by the *DeKalb County 2035 Comprehensive Plan*, the proposed use is consistent with the following area policies: Utilize vacant properties in the neighborhood as an opportunity for infill development of compatible structures. The proposed use is located on a major arterial (Memorial Drive) and should have little impact on traffic.

Also, the subject property is located within the Global City focus area of the Memorial Drive Revitalization Study. The Global City concept explicitly recognizes the opportunity to enhance and express the cultural diversity of the area. The plan also strongly encourages healthy redevelopment along the corridor and within adjacent communities along the corridor. As such, the Long-Range Planning Division supports this project as it aligns with the vision expressed by residents during the Memorial Drive study. Specifically, the relocation of the Quik Trip gas station, which is currently located at the Rockbridge Road and N. Indian Creek Drive node, (reflected in Table 1.1 (B)) has the potential to enhance cultural diversity. Adjacent to (B) in Table 1.1 is a long stand shopping plaza, called Camps Plaza (A). This plaza consists of multiple international businesses, a variety of restaurants, and other goods and services. The removal of the existing Quik Trip and the redevelopment of the location into an open space for public gathering or some form of mixed-use development aligns with the spirit and intent of the Memorial Drive Revitalization Study.

The subject property and the proposed development can be the catalyst needed for development along the corridor. The study encourages the removal, redevelopment or re-purposing of the oldest or least desirable retail spaces into other

uses. The proposed development will prune existing underperforming retail and commercial space through various refinements to the character area and zoning along the corridor.



Therefore, the Department of Planning and Sustainability recommends **"APPROVAL"** of the SLUP request for fuel pumps within the redeveloped QuikTrip on the site subject to the following attached conditions:

- 1. Allow fuel pumps in conjunction with a convenience store as depicted on the site plan, landscape plan and elevations received by the Planning and Sustainability Department on September 3, 2020. The proposed site plan is conceptual and is subject to compliance to C-1 (Local Commercial) District Development standards unless variances are obtained from appropriate regulatory authorities.
- 2. Limit site to 1 curb cut on Collingwood Drive, subject to approval by the Transportation Division of the Department of Public Works. The number of curb cuts along Memorial Drive will be provided, as proposed by the applicant, subject to approval by the Georgia Department of Transportation (GDOT).
- 3. All fuel trucks must access the site from Memorial drive.
- 4. The retail/convenience store building façade shall consist of four (4) sided brick with accent materials.
- 5. Support columns for the pump/canopy island shall be composed of four-sided brick.
- 6. All refuse areas shall be constructed with a combination of brick and wood enclosure to match the building materials of the principal structure.
- 7. Provide outside trash receptacles for patrons at gasoline pumps and along store entrances.
- 8. Outside vending machines are prohibited. This prohibition shall not restrict outside equipment used for the storage and sale of ice or for Amazon lockers.

- 9. No car washing allowed on site.
- 10. Project signage with digital scrolling signage or with changing pictures shall be strictly prohibited.
- 11. All construction work shall be conducted in accordance with the DeKalb County Noise Ordinance.
- 12. The approval of this SLUP application by the Board of Commissioners has no bearing on the requirements for other regulatory approvals under the authority of the Zoning Board of Appeals, or other entity whose decision should be based on the merits of the application under review by such entity.
- 13. This SLUP is being issued to QuikTrip Corporation and shall be non-transferable except to an affiliated entity of QuikTrip Corporation.

Attachments:

- 1. Department and Division Comments
- 2. Application
- 3. Site Plan
- 4. Zoning Map and Land Use Map
- 5. Aerial Photograph/Site Photographs



### DEKALB COUNTY GOVERNMENT PLANNING DEPARTMENT DISTRIBUTION FORM

**NOTE:** PLEASE RETURN ALL COMMENTS VIA EMAIL OR FAX TO EXPEDITE THE PROCESS TO MICHELLE M ALEXANDER <u>mmalexander@dekalbcountyga.gov</u> OR JOHN REID <u>IREID@DEKALBCOUNTYGA.GOV</u>

#### COMMENTS FORM: PUBLIC WORKS WATER AND SEWER

Case No.: \_\_\_\_\_SLUP-20-1244237\_\_\_\_

Parcel I.D. #: 18-012-13-001 thru 013; 18-012-13-015 & 18-012-13-021

Address: 4729, 4731, 4745, 4737, 4744, 4759, 4761, 4765, 4765, 4767, 4773, 4775, and 4777 Memorial Drive

\_Decatur, Georgia

WATER:

Size of existing water main: <u>8" DI &amp; 16" DI Water Main</u>	(adequate/inadequate)
Distance from property to nearest main: <u>Adjacent to Property</u>	mto
Size of line required, if inadequate: <u>N/A</u>	_
~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~	
SEWER:	
Outfall Servicing Project: <u>Indian Creek Basin</u>	
ls sewer adjacent to property: Yes (X) No ( ) If no, distance	to nearest line:
_	
Water Treatment Facility: <u>Snapfinger WTF</u>	adequate () inadequate
Sewage Capacity; _* (MGPD)	Current Flow: 21.77 (MGPD)
COMMENTS:	
* Please note that the sewer capacity has not been reviewed or appro- must be completed and submitted for review. This can be a lengthy pro- temperature of the several sector of the several sever	ved for this project. A Sewer Capacity Request (SCR)
10 53	
	1.2

Signature:



### DEKALB COUNTY GOVERNMENT PLANNING DEPARTMENT DISTRIBUTION FORM

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### COMMENTS FORM: PUBLIC WORKS TRAFFIC ENGINEERING

Case No .: Slup -20-124 437 Parcel I.D. #:	18-012-13-001
Address: 4775 Meinen 11/ DA	
C Colling wood Drive	

Adjacent Roadway (s):

(classification)

(classification)

Capacity (TPD)	Capacity (TPD)
Latest Count (TPD)	Latest Count (TPD)
Hourly Capacity (VPH)	Hourly Capacity (VPH)
Peak Hour. Volume (VPH)	Peak Hour. Volume (VPH)
Existing number of traffic lanes	Existing number of traffic lanes
Existing right of way width	Existing right of way width
Proposed number of traffic lanes	Proposed number of traffic lanes
Proposed right of way width	Proposed right of way width

Please provide additional information relating to the following statement.

According to studies conducted by the Institute of Traffic Engineers (ITE) 6/7<sup>TH</sup> Edition (whichever is applicable), churches actor. Based on the above formula, the \_\_\_\_\_\_square foot place of worship building would generate \_\_\_\_\_\_vehicle trip ends, with approximately \_\_\_\_\_peak hour vehicle trip ends. generate an average of fifteen (15) vehicle trip end (VTE) per 1, 000 square feet of floor area, with an eight (8%) percent peak hour

Single Family residence, on the other hand, would generate ten (10) VTE's per day per dwelling unit, with a ten (10%) percent peak hour factor. Based on the above referenced formula, the \_\_\_\_\_(Single Family Residential) District designation which allows a maximum of \_\_\_\_units per acres, and the given fact that the project site is approximately \_\_\_\_acres in land area, \_\_\_\_daily vehicle trip end, and peak hour vehicle trip end would be generated with residential development of the parcel.

COMMENTS:

Field Ad plane REVIEWED. Klo problem fond Hing would dis pupp Thatic flow

Signature: K y switch has

### DEKALB COUNTY

### Board of Health

10/19/2020

- To: Mr. John Reid, Senior Planner
- From: Ryan Cira, Environmental Health Manager
- Cc: Alan Gaines, Technical Services Manager
- Re: Rezone Application Review

General Comments:

DeKalb County Health Regulations prohibit use of on-site sewage disposal systems for:

- multiple dwellings
- food service establishments
- · hotels and motels
- commercial laundries
- funeral homes
- schools
- nursing care facilities
- personal care homes with more than six (6) clients
- child or adult day care facilities with more than six (6) clients
- residential facilities containing food service establishments

If proposal will use on-site sewage disposal, please contact the Land Use Section (404) 508-7900.

Any proposal, which will alter wastewater flow to an on-site sewage disposal system, must be reviewed by this office prior to construction.

This office must approve any proposed Food Service Operations, Tourist Accommodations, Body Art Studios, Swimming Pools and Water Parks prior to starting construction.

Public health recommends the inclusion of sidewalks to continue a preexisting sidewalk network or begin a new sidewalk network. Sidewalks can provide safe and convenient pedestrian access to a community-oriented facility and access to adjacent facilities and neighborhoods.

For a public transportation route, there shall be a 5ft. sidewalk with a buffer between the sidewalk and the road. There shall be enough space next to sidewalk for bus shelter's concrete pad installation. Recommendation: Provide trash can with liner at each bus stop with bench and monitor for proper removal of waste.

Since DeKalb County is classified as a Zone 1 radon county, this office recommends the use of radon resistant construction.

**DeKalb County Board of Health** 445 Winn Way – Box 987 Decatur, GA 30031 404,294,3700 • www.dekalbhealth.net

### DEKALB COUNTY

### Board of Health

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N.1 SLUP-20-1244121 2020-1166/16-060-03-039 5797 Marbut Road, Lithonia, GA 30058 - Please review general comments.

- N.2 SLUP-20-1244230 2020-1166/16-060-03-039 1880 Singer Way, Lithonia, GA 30058
  - Please review general comments.
- N.3 Z-20-1244231 2020-1167/15-228-01-003; 15-228-01-005; 15-228-01-093; 15-288-01-094 1014 Elder Lane, Stone Mountain, GA 30083 - Please review general comments.
- N.4 SLUP-20-1344236 2020-1169/18-012-13-001,18-012-13-002,18-012-13-003,18-012-13-004,18-012-13-005,18-012-13-006,18-012-13-007,18-012-13-008,18-012-13-009,18-012-13-010,18-012-13-011,18-012-13-013,18-012-13-015,18-012-13-020,18-012-13-021 4775 Memorial Drive, Decatur, Georgia, GA 30032
  - Septic installed on nearby property 4738 Memorial Drive, Decatur, GA on this date of 08/10/1963.
  - Please review general comments.
- N.5 SLUP-20-1244237 2020-1170/18-012-13-001,18-012-13-002,18-012-13-003,18-012-13-004,18-012-13-005,18-012-13-006,18-012-13-007,18-012-13-008,18-012-13-009,18-012-13-010,18-012-13-011,18-012-13-013,18-012-13-015,18-012-13-020,18-012-13-021 4775 Memorial Drive, Decatur, GA 30032
  - Septic installed on nearby property 4738 Memorial Drive, Decatur, GA on this date of 08/10/1963.
  - Please review general comments.
- N.6 Z-20-1244238 2020-117/18-121-02-001,18-121-12-007 4549 Erskine Road, Clarkston, Georgia 30021
  - Septic system installed on nearby property 4479 Erskine Road, Clarkston, Georgia 30021
  - Please review general comments.
- N.7 SLUP-20-1244241 2020-1172/18-191-01-010 1896 Ludovie Lane, Decatur, Georgia
  - Please review general comments.

**DeKalb County Board of Health** 

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### DEKALB COUNTY

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### Board of Health

N.8 SLUP-20-1244242 2020-1174/15-159-09-007,15-159-09-071 2030 Wesley Chapel Road, Decatur, Georgia 30035

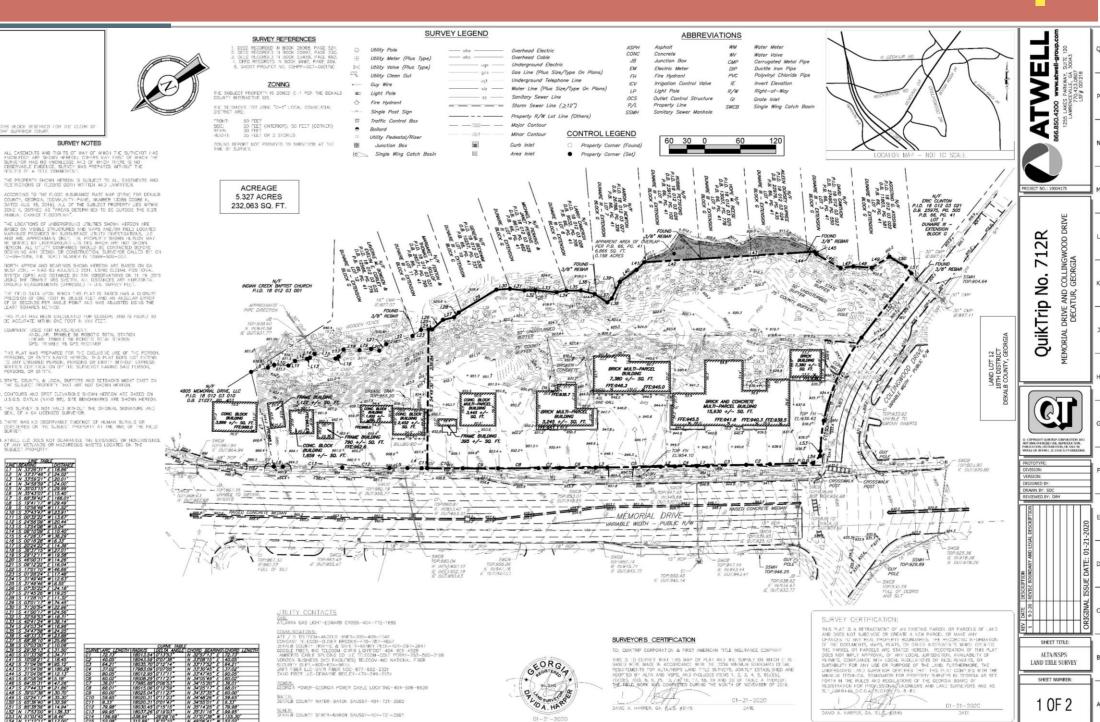
- Septic system on 09/27/1983
- Please review general comments
- N.9 TA-20-1244234 2020-1175

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- N.10 TA-20-1244234 2020-1183
- N.11 TA-20-1244277 2020-1184
- N.12 TA-20-1244271 2020-1188

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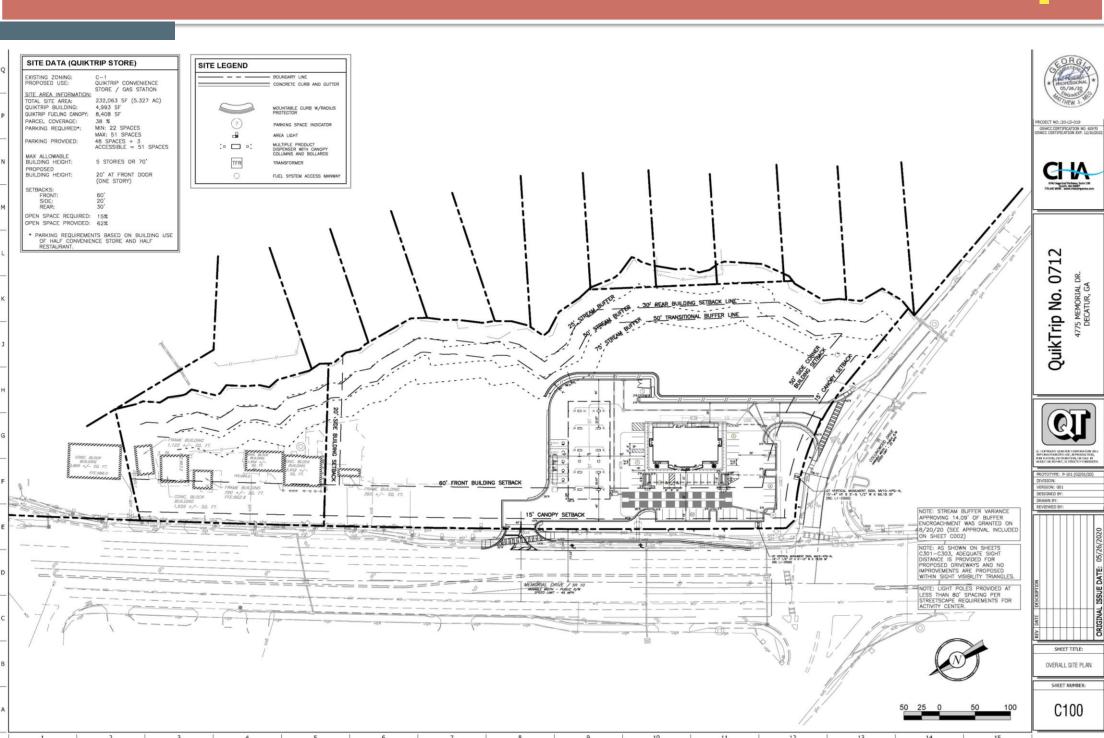
## Survey



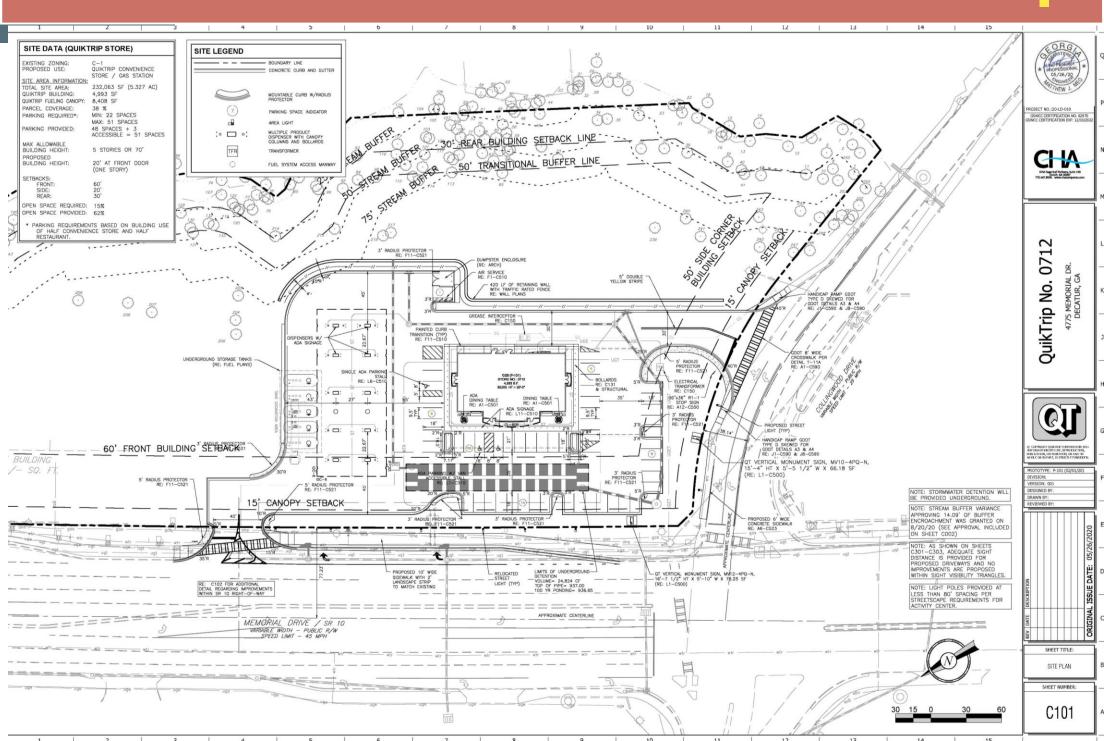
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# SLUP-20-1244237

# **Overall Site Plan**

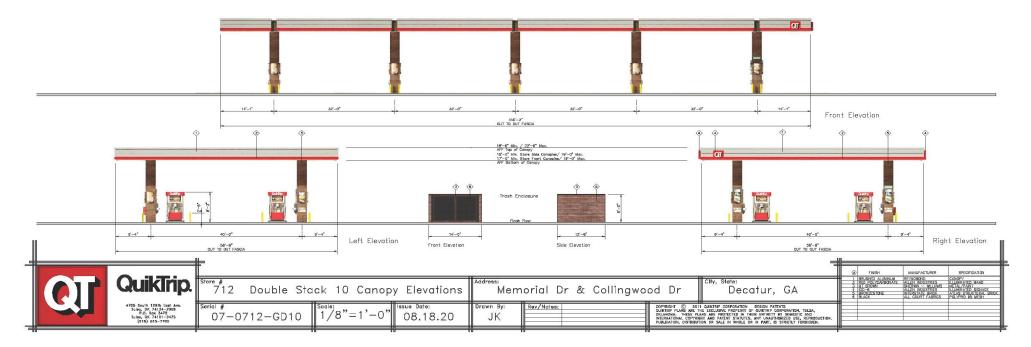


# **Site Plan**



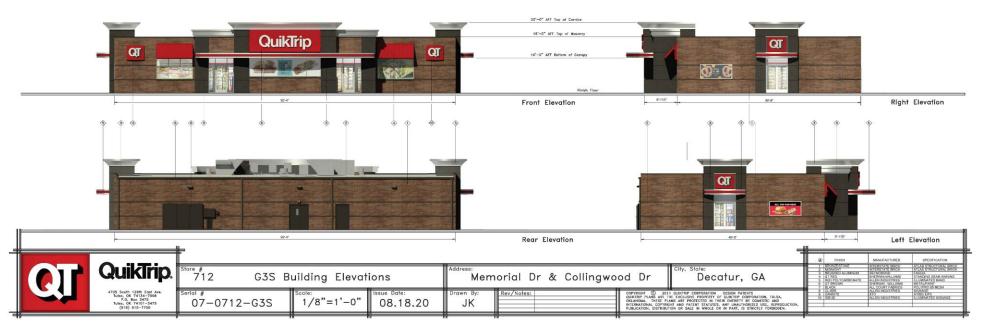
# Gas Pumps & Canopy





# **Site Plan**





# **Site Rendering**





Decatur, GA Date: 08.18.20 By:JK

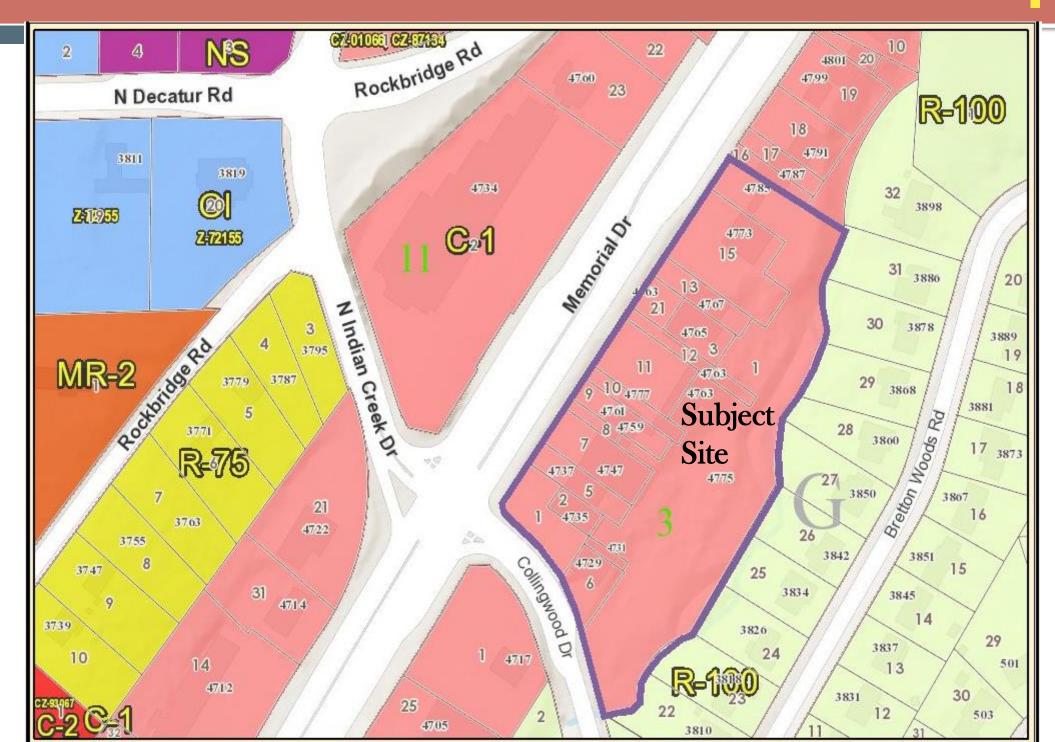


QI Quikīrip.

Store 712

Decatur, GA Date: 08.18.20 By:JK

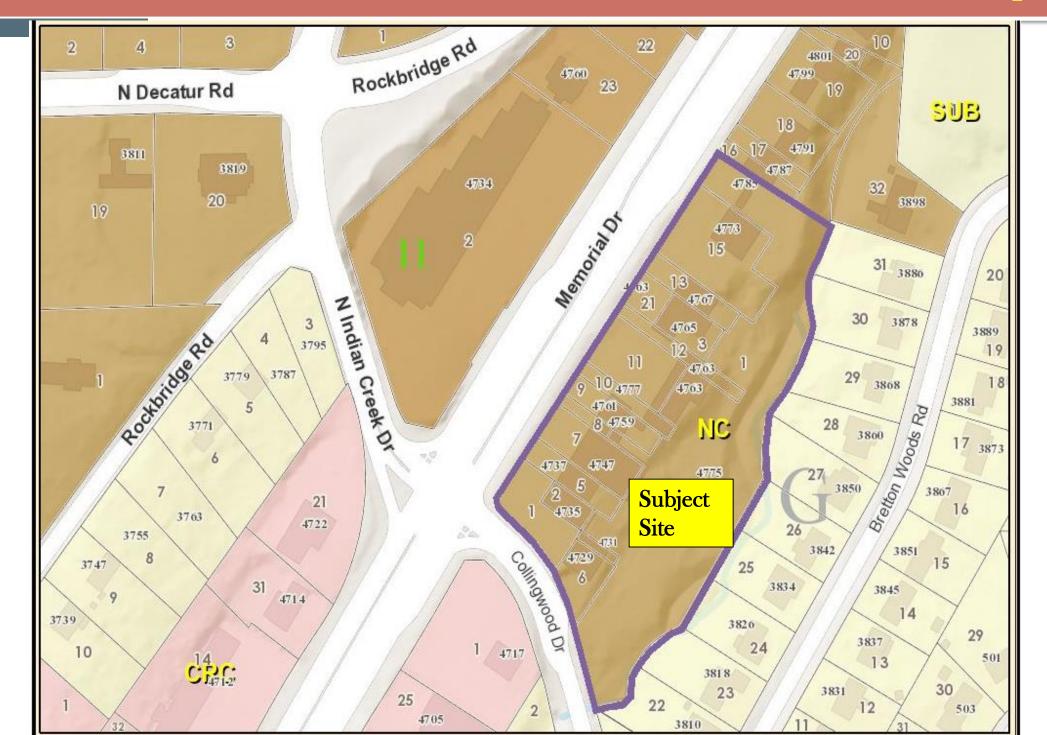
### **Zoning Map**



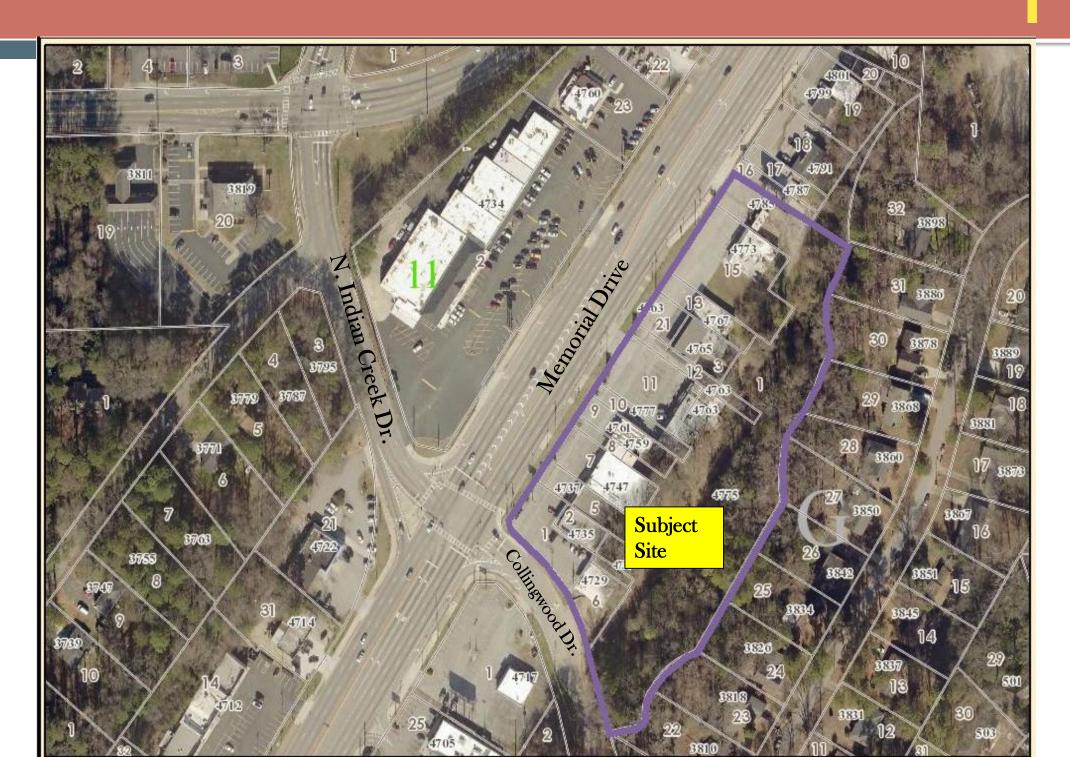
**N.5** 

Future Land Use Map Neighborhood Center

### SLUP-20-1244237



## Aerial



## **Aerial II**

