



Legislation Details (With Text)

File #: 2018-1566 **Version:** 1 **Name:**
Type: Ordinance **Status:** Public Hearing
File created: 1/16/2018 **In control:** Board of Commissioners
On agenda: 6/26/2018 **Final action:** 6/26/2018
Title: COMMISSION DISTRICT(S): 2 & 6 D3. Jay Gipson Z-18-22037

Indexes:

Attachments: 1. D3 Z 18 22037 Recommended Conditions, 2. D3 Jay Gipson Z 18 22037 Staff Report

Date	Ver.	Action By	Action	Result
6/26/2018	1	Board of Commissioners	withdrawn without prejudice	Pass
5/22/2018	1	Board of Commissioners - Zoning Meeting	deferred.	Pass
5/1/2018	1	Planning Commission		
3/27/2018	1	Board of Commissioners - Zoning Meeting	deferred for a full cycle	Pass
3/6/2018	1	Planning Commission	denied	Pass

Public Hearing: YES NO **Department:** Planning & Sustainability

SUBJECT:
COMMISSION DISTRICT(S): 2 & 6 D3. Jay Gipson Z-18-22037

PETITION NO: Z-18-22037

PROPOSED USE: Convenience store, auto fuel pumps, alcohol sales, drive-through restaurant & auto repair

LOCATION: Northwest intersection of Briarcliff Road and Clairmont Road

PARCEL NO.: 18-196-04-029, 033, 034, 035, 036, 037, 039, 040 & 041

INFORMATION CONTACT: Marian Eisenberg

PHONE NUMBER: 404-371-4922

PURPOSE:

To rezone property from C-2 (General Commercial) District and C-1 (Local Commercial) District to C-1 (Local Commercial) District to develop a RaceTrac convenience store with accessory auto fuel pumps and alcohol sales; a drive-through restaurant; and minor auto repair in accordance with Section 27-4.1 Use Table of the DeKalb County Code. The property is located on the northwest corner of Briarcliff Road and Clairmont Road at 2778, 2794, 2804, 2806, 2810, and 2814 Clairmont Road and 3068, 3070, and 3080 Briarcliff Road in Atlanta, Georgia. The property has approximately 669 feet of frontage along the west side of Clairmont Road and 324 feet of frontage along the north side of Briarcliff Road and contains 3.68 acres.

RECOMMENDATION:

COMMUNITY COUNCIL: Approval

PLANNING COMMISSION: Denial

PLANNING STAFF: Approval with Conditions

PLANNING STAFF ANALYSIS: The proposed request for C-1 (Local Commercial} District on the subject site for retail use is consistent with existing commercial zonings and uses along Briarcliff Road and Clairmont Road and in the immediate surrounding area. Located within a Neighborhood Center Character Area, the proposed use is consistent with the following plan policies and strategies of the 2035 Comprehensive Plan: Create compact mixed use districts and reduce automobile dependency and travel to obtain basic services; organize circulation patterns through traffic calming techniques and access management; add traffic calming improvements, sidewalks, and increased street interconnections to increase safety and improve walkability. The revised site plan depicts right-of-way dedication to provide a right-turn lane along Clairmont Road to address traffic concerns. Conditions have been added to address right-in and right-only access along Clairmont Road and Briarcliff Road. The proposed commercial development offers a variety of services and provide property upgrades to the existing site. Therefore, the Planning and Sustainability Department recommends “**APPROVAL**” for the rezoning request to the C-1 (Local Commercial) District subject to the following attached conditions:

PLANNING COMMISSION VOTE: 7-1-0. Denial. J. West moved, P. Womack, Jr. seconded for denial. M. Butts opposed.

COMMUNITY COUNCIL VOTE/RECOMMENDATION: Approval 6-0-0. Unanimously voted to approve the rezoning. Six of the 11 council members were present.