



Legislation Details (With Text)

File #: 2022-1473 **Version:** 1 **Name:**

Type: Ordinance **Status:** Preliminary Item

File created: 4/1/2022 **In control:** Board of Commissioners - Zoning Meeting

On agenda: 5/26/2022 **Final action:** 5/26/2022

Title: COMMISSION DISTRICT(S): Commission District 02 Super District 06
Application of Ryan Jones, PE for a Special Land Use Permit (SLUP) to allow a drive-through (medical facility) in the NS (Neighborhood Shopping) District, at 1799 Clairmont Road.

Indexes:

Attachments: 1. SLUP-22-1245550 Staff Report May BOC 2022 1799 Clairmont Rd, 2. 1799 & 1805 Clairmont Rd. Rezoning-SLUP community comments

Date	Ver.	Action By	Action	Result
5/26/2022	1	Board of Commissioners - Zoning Meeting	withdrawn without prejudice	Pass
5/3/2022	1	Planning Commission	deferred for two full cycles	Pass

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

SUBJECT:

COMMISSION DISTRICT(S): Commission District 02 Super District 06
Application of Ryan Jones, PE for a Special Land Use Permit (SLUP) to allow a drive-through (medical facility) in the NS (Neighborhood Shopping) District, at 1799 Clairmont Road.
PETITION NO: N5. SLUP-22-1245550 (2022-1473)

PROPOSED USE: Drive-through medical facility.

LOCATION: 1799 Clairmont Road, Decatur, Georgia 30033

PARCEL NO. : 18-103-03-017, 18-103-03-018

INFO. CONTACT: Brandon White, Planning Manager

PHONE NUMBER: 404-371-2155

PURPOSE:

Application of Ryan Jones, PE for a Special Land Use Permit (SLUP) to allow a drive-through (medical facility) in the NS (Neighborhood Shopping) District. The property is located on the east side of Clairmont Road opposite Mason Mill Road at 1799 and 1805 Clairmont Road in Decatur, Georgia. The property has approximately 200 feet of frontage along Clairmont Road and contains 0.64 acre.

RECOMMENDATION:

COMMUNITY COUNCIL: Denial.

PLANNING COMMISSION: Two-Cycle Deferral.

PLANNING STAFF: Two-Cycle Deferral.

STAFF ANALYSIS: The NS (Neighborhood Shopping) Zoning District request and the proposed use is consistent with the *Comprehensive Plan*. The intent of the Commercial Redevelopment Corridor (CRC) Character Area is to “promote the redevelopment of declining commercial corridors and to improve the function and aesthetic appeal of more stable commercial corridors.” CRC commercial zoning options include: OI (Office-Institutional), OIT (Office-Institutional- Transitional), NS (Neighborhood Shopping), C-1 (Light Commercial), C-2 (General Commercial), and OD (Office- Distribution). The proposed rezoning would facilitate redevelopment of the subject properties and provide medical services that are consistent with the character of uses in the vicinity. Moreover, if approved, the rezoning proposal aligns with a number of CRC character area guidelines including streetscape enhancements along its frontage, improved signage, and contemporary building design. The appropriateness of a drive-through use at this location is unclear at this time. The site may accommodate the proposed use, in a traditional manner, however, a centralized drive-through feature may exacerbate some of the site development challenges that exist. The proposal has a number of zoning compliance deficiencies (buffers, loading/stacking, drive-through supplemental regulations, etc.) that need to be address in conjunction with access management concerns and internal circulation issues. Additionally, stormwater management needs to be contemplated as part of the redevelopment proposal. More details regarding these concerns may alleviate some of the concerns raised by community members. Staff recommendation is for a “Two-Cycle Deferral to the September 2022 zoning agenda”.

PLANNING COMMISSION VOTE: Two-Cycle Deferral 5-0-2. Jana Johnson moved, Gwendolyn McCoy seconded for a Two-Cycle Deferral to the September 2022 zoning cycle, per Staff recommendation. Lauren Blaszyk and Edward Patton abstained.

COMMUNITY COUNCIL VOTE/RECOMMENDATION: Denial 10-0-0. The board voted for denial because the use is "vehicle-based", the site plan does not incorporate buffers, and there were neighborhood concerns about traffic and congestion. 36 members of the public raised their hands in opposition.