



Legislation Details (With Text)

File #: 2020-1537 **Version:** 1 **Name:**

Type: Ordinance **Status:** Preliminary Item

File created: 11/30/2020 **In control:** Board of Commissioners - Zoning Meeting

On agenda: 1/28/2021 **Final action:**

Title: COMMISSION DISTRICT(S): 3 & 7
Application of Urban Retail LLC c/o Battle Law, P.C. to request a Special Land Use Permit (SLUP) to redevelop the existing gas station with a new convenience store and an accessory alcohol outlet in the C-1 (Local Commercial) District, 4845 Flat Shoals Parkway.

Indexes:

Attachments: 1. N6 SLUP 21 1244389 Recommended Conditions, 2. Urban Retail LLC SLUP 21 1244389 staff report

Date	Ver.	Action By	Action	Result
1/28/2021	1	Board of Commissioners - Zoning Meeting	approved with conditions	Pass
1/5/2021	1	Planning Commission	approved with conditions per staff recommendation	Pass

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

SUBJECT:

COMMISSION DISTRICT(S): 3 & 7

Application of Urban Retail LLC c/o Battle Law, P.C. to request a Special Land Use Permit (SLUP) to redevelop the existing gas station with a new convenience store and an accessory alcohol outlet in the C-1 (Local Commercial) District, 4845 Flat Shoals Parkway.

PETITION NO: N6. SLUP-21-1244389 2020-1537

PROPOSED USE: Convenience store with accessory alcohol outlet.

LOCATION: 4845 Flat Shoals Parkway, Decatur, GA 30034

PARCEL NO. : 15-061-03-012

INFO. CONTACT: John Reid, Sr. Planner

PHONE NUMBER: 404-371-2155

PURPOSE:

Application of Urban Retail LLC c/o Battle Law, P.C. to request a Special Land Use Permit (SLUP) to redevelop the existing gas station with a new convenience store and an accessory alcohol outlet in the C-1 (Local Commercial) District. The property is located on the southwest corner of the Flat Shoals Parkway/Flakes Mill Road intersection, at 4845 Flat Shoals Parkway in Decatur, Georgia. The property has approximately 200 feet of frontage along Flat Shoals Parkway, 200 feet of frontage along Flakes Mill Road and contains 0.93 acre.

RECOMMENDATION:

COMMUNITY COUNCIL: Approval with Conditions.

PLANNING COMMISSION: Approval with Conditions.

PLANNING STAFF: Approval with Conditions.

STAFF ANALYSIS: The proposed request for an alcohol outlet as an accessory use to a convenience store is required to obtain a Special Land Use Permit (SLUP) since it is located in the C-1 (Local Commercial) zoning district. The proposed redevelopment of the existing convenience store on the subject property (see attached conceptual elevations) is consistent with the policies and strategies of the Neighborhood Center (NC) Character Area of the 2035 Comprehensive Plan to promote redevelopment at or near activity centers as a means of reduce vehicle miles traveled (VMT) and to improve street character with consistent signage, lighting, landscaping and other design features (NC Policies #9 and #20). The proposed redevelopment project and submitted conceptual elevations are also consistent with the goals of the Flat Shoals Activity Center Small Area Plan to support architectural standards that allow a variety of styles that require good design and to incorporate access management (Policies B2 and B5). Given that there is an existing convenience store with an accessory alcohol outlet and gas pumps on the subject property, the proposed convenience store with an accessory alcohol outlet should have little impact on traffic, and is compatible with nearby convenience store and commercial developments along Flat Shoals Parkway (Section 27-7.46.B & D). Therefore, it is the recommendation of the Planning Department that the application be “Approved, subject to Staff’s recommended conditions”.

PLANNING COMMISSION VOTE: Approval with Conditions 7-2-0. V. Moore moved, G. McCoy seconded for Approval with Staff’s recommended fifteen (15) conditions. J. Johnson & T. Snipes opposed.

COMMUNITY COUNCIL VOTE/RECOMMENDATION: Approval with Conditions 7-0-1. Approval with the condition that the applicant comply with all local, State, and Federal environmental regulations related to disposal of toxic wastes resulting from operation of the fuel pumps.