



Legislation Details (With Text)

**File #:** 2020-1542    **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): 2 & 6  
Application of Julie Sellers to request a Special Land Use Permit (SLUP) to allow drive-through restaurant within an existing vacant building in the C-1 (Local Commercial) District in accordance with Section 27-4.2.23 (Supplemental Regulations) of the zoning ordinance, at 3033 N. Druid Hills Road.

**Indexes:**

**Attachments:** 1. Staff Report SLUP-21-1244417, 2. SLUP-21-1244417 Recommended Conditions

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): 2 & 6**

**Application of Julie Sellers to request a Special Land Use Permit (SLUP) to allow drive-through restaurant within an existing vacant building in the C-1 (Local Commercial) District in accordance with Section 27-4.2.23 (Supplemental Regulations) of the zoning ordinance, at 3033 N. Druid Hills Road.**  
**PETITION NO: N10. SLUP-21-1244417 2020-1542**

**PROPOSED USE:** Drive-through restaurant.

**LOCATION:** 3033 North Druid Hills Road, Atlanta, GA 30329

**PARCEL NO. :** 18-112-02-003

**INFO. CONTACT:** Jeremy McNeil, Sr. Planner

**PHONE NUMBER:** 404-371-2155

**PURPOSE:**

Application of Julie Sellers to request a Special Land Use Permit (SLUP) to allow drive-through restaurant within an existing vacant building in the C-1 (Local Commercial) District in accordance with Section 27-4.2.23 (Supplemental Regulations) of the zoning ordinance. The property is located on the west side of North Druid Hills Road opposite Azalea Circle, at 3033 North Druid Hills Road in Atlanta, Georgia. The property has approximately 179 feet of frontage along North Druid Hills Road and contains 0.77 acre.

**RECOMMENDATION:**

**COMMUNITY COUNCIL:** Approval with conditions.

**PLANNING COMMISSION:** Approval with conditions.

**PLANNING STAFF:** Approval with conditions.

**STAFF ANALYSIS:** The C-1 (Local Commercial) Zoning District request or a less intense commercial zoning classification (i.e. NS (Neighborhood Shopping), OI (Office-Institutional), OIT (Office-Institutional-Transitional)) would be consistent with the Comprehensive Plan. Suburban Character Area Policy 3 states, “non-residential development in suburban areas shall be limited to small-scale convenience goods/services to meet the needs of the surrounding residents. Small scale nonresidential development shall be limited to qualifying intersections (collector roadway and above).” C-1 zoning presents a wide latitude of uses, however, lot size and applicable zoning development standards will limit the intensity of most redevelopment options. Moreover, the subject property could be a catalyst for the development of a residential office corridor as other older residential structures along this portion of Covington Highway are converted to commercial use and/or as infill development comes along. Staff recommendation is for “Approval, with conditions”.

**PLANNING COMMISSION VOTE:** **Approval with Conditions 8-1-0.** A. Atkins moved, L. Osler seconded for Approval with conditions, per Staff recommendation. J. West opposed.

**COMMUNITY COUNCIL VOTE/RECOMMENDATION:** **Approval with Conditions 9-0-0.** Approval with the condition that no auto/truck repair, sales, or service; alcohol outlet; convenience store; or gas station uses be allowed.