



Legislation Details (With Text)

File #: 2023-1143 **Version:** 1 **Name:**
Type: Minutes **Status:** Preliminary Item
File created: 9/12/2023 **In control:** Board of Commissioners - Zoning Meeting
On agenda: 11/16/2023 **Final action:**
Title: COMMISSION DISTRICT(S): COMMISSION DISTRICT 05 SUPER DISTRICT 07
Application of QuikTrip Corporation c/o Battle Law P.C. to rezone the subject parcel from C-1 (Local Commercial) zoning district to C-2 (General Commercial) zoning district to develop a new convenience store with fuel pumps, at 4822 Covington Highway.

Indexes:

Attachments: 1. Z-23-1246648 Recommended Conditions - BOC, 2. Z-23-1246648 Nov 2023 BOC Staff Report 4822 Covington Hwy

Date	Ver.	Action By	Action	Result
11/16/2023	1	Board of Commissioners - Zoning Meeting	approved with conditions	Pass
11/2/2023	1	Planning Commission	approved with conditions per staff recommendation	Pass

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

SUBJECT:

COMMISSION DISTRICT(S): COMMISSION DISTRICT 05 SUPER DISTRICT 07
Application of QuikTrip Corporation c/o Battle Law P.C. to rezone the subject parcel from C-1 (Local Commercial) zoning district to C-2 (General Commercial) zoning district to develop a new convenience store with fuel pumps, at 4822 Covington Highway.

PETITION NO: N2-2023-1143 Z-23-1246648

PROPOSED USE: New convenience store with fuel pumps.

LOCATION: 4822 Covington Highway, Decatur, Georgia 30035.

PARCEL NO. : 15-163-01-008

INFO. CONTACT: Lucas Carter, Planner

PHONE NUMBER: 404-371-2155

PURPOSE:

Application of QuikTrip Corporation c/o Battle Law P.C. to rezone the subject parcel from C-1 (Local Commercial) zoning district to C-2 (General Commercial) zoning district to develop a new convenience store with fuel pumps.

RECOMMENDATION:

COMMUNITY COUNCIL: Approval.

PLANNING COMMISSION: Approval with Conditions.

PLANNING STAFF: Approval with Conditions.

STAFF ANALYSIS: QuikTrip Corporation, represented by Battle Law P.C., has submitted an application for rezoning from C-1 (Local Commercial) to C-2 (General Commercial) for a new convenience store with fuel pumps. The intention is to merge the subject property with adjacent parcels at 4810 and 4832, both currently zoned C-2, to facilitate development. The proposal aligns with the Commercial Redevelopment Corridor (CRC) future land use designation with the potential to revitalize an underutilized commercial parcel and provide services to an area in economic decline. It also meets zoning requirements regarding C-2 zoning and supplemental uses for fuel pumps detailed in Section 27-4.2.28. There is potential to enhance the proposed design to more effectively serve the accessibility needs of residents in the adjacent R-75 (Residential Medium Lot-75) and R-85 (Residential Medium Lot-85) zoning districts along Glenwood Road and Covington Highway by improving walkability and multi-modal transportation compatibility. This improvement can be achieved by integrating a pedestrian pathway from the sidewalk leading to the storefront and providing a bike rack. Therefore, Staff is recommending these multi-modal transportation features as part of the recommended zoning conditions. The rezoning would permit a use that harmonizes with adjacent and nearby properties. The subject property, a small C-1 triangle enclosed by larger C-2 parcels, could be brought in line with its surroundings by this change. The presence of similar businesses, primarily auto body shops, auto part stores, car washes, car dealers, and other auto-oriented businesses in the vicinity, further support the compatibility of the intended use within the area. The subject property currently lacks reasonable economic use under its current zoning. Its small size and positioning, near but not at an intersection, present operational challenges. The proposal's negligible impact on nearby properties, historic resources, and the environment suggests that it is well-aligned with local regulations and community goals. Therefore, staff recommends “Approval with the attached recommended conditions”.

PLANNING COMMISSION VOTE: Approval with conditions 7-1-0. Jon West moved, Edward Patton seconded for approval with three (3) conditions, per staff recommendation. Jan Costello opposed. (The 1st motion by Jan Costello to deny, failed due to lack of a second.

COMMUNITY COUNCIL VOTE/RECOMMENDATION: Approval.