



Legislation Details (With Text)

File #: 2020-1169 **Version:** 1 **Name:**
Type: Ordinance **Status:** Public Hearing
File created: 9/24/2020 **In control:** Board of Commissioners
On agenda: 2/23/2021 **Final action:** 2/23/2021
Title: COMMISSION DISTRICT(S): 4 & 6
A Special Land Use Permit (SLUP) to allow an alcohol outlet within a new 4,993 square foot convenience store (Quik Trip) within the C-1 (Local Commercial) District, in accordance with Chapter 27 Article 4, Table 4.1 Use Table and Section 4.2.8 Supplemental Regulations of the DeKalb County Code. .

Indexes:

Attachments: 1. 2021 02.23 Item 2020-1169, 2. SLUP-20-1244236 Recommend Conditions (Alcohol Outlet), 3. SLUP-20-1244236 Staff Report (Alcohol Outlet)

Date	Ver.	Action By	Action	Result
2/23/2021	1	Board of Commissioners	approved substitute	Pass
1/28/2021	1	Board of Commissioners - Zoning Meeting	deferred for 30 days	Pass
1/7/2021	1	Planning Commission	No recommendation	Pass
11/19/2020	1	Board of Commissioners - Zoning Meeting	Full cycle deferral	Pass
11/5/2020	1	Planning Commission	approved with conditions per staff recommendation	Pass

Substitute

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

SUBJECT:

COMMISSION DISTRICT(S): 4 & 6

A Special Land Use Permit (SLUP) to allow an alcohol outlet within a new 4,993 square foot convenience store (Quik Trip) within the C-1 (Local Commercial) District, in accordance with Chapter 27 Article 4, Table 4.1 Use Table and Section 4.2.8 Supplemental Regulations of the DeKalb County Code. .

PETITION NO: SLUP-20-1244236 2020-1169

PROPOSED USE: Gas station with a convenience store and sale of beer and wine.

LOCATION: 4729, 4731, 4745, 4737, 4744, 4759, 4761, 4763, 4765, 4767, 4773, 4775, and 4777 Memorial Drive .

PARCEL NO. : 18-012-13-001 thru 013; 18-012-13-015 & 18-012-13-021

INFO. CONTACT: Brandon White, Current Planning Manager

PHONE NUMBER: 470-464-1077

PURPOSE:

The applicant is seeking to obtain a Special Land Use Permit for a proposed alcohol outlet (beer and wine only) in conjunction with the development of a proposed a 4,993 sq. ft. QuikTrip convenience store, with 10 accessory gas pumps islands (20 fueling stations). Per the applicant, the proposed station will replace the existing QuikTrip store at 3870 Rockbridge Road, Decatur, GA, which is undersized for the volume of traffic at the store.

RECOMMENDATION:

COMMUNITY COUNCIL: (12/15/2020) Denial. (10/20/2020) Denial.

PLANNING COMMISSION: (1/7/2021) No Recommendation. (11/5/2020) Approval with Conditions.

STAFF RECOMMENDATION: Approval with Conditions.

PLANNING STAFF ANALYSIS: The site is located within the Neighborhood Center (NC) character area per the *DeKalb County 2035 Comprehensive Plan*. The proposed use is consistent with the following area policies: Each neighborhood center shall include a medium high-density mix of retail, office, services, and employment to serve neighborhood. The proposed use is located on a major arterial (Memorial Drive), should have little impact on traffic.

PLANNING COMMISSION VOTE: (1/7/2021) No Recommendation. 1st Motion: L. Osler moved, A. Atkins seconded for Approval with Staff's thirteen (13) conditions, with amendments to condition #2. The motion failed due to a tie vote. J. Johnson, V. Moore, J. West and E. Patton opposed.

2nd Motion: J. West moved, J. Johnson seconded for Denial. The motion failed 3-5-0. A. Atkins, T. Snipes, L. Osler, E. Patton and P. Womack, Jr. opposed. **This item moves forward to the BOC with No Recommendation.** (11/5/2020) Approval with Conditions 7-0-1. L. Osler moved, A. Atkins seconded for Approval, with Staff's recommended thirteen (13) conditions. J. Johnson abstained.

COMMUNITY COUNCIL VOTE/RECOMMENDATION: (12/15/2020) Denial 8-4-1. The Council recommended denial due to a potential conflict with the Memorial Drive Revitalization Small Area Plan which calls for a "Global City" concept encouraging potential multi-story buildings with restaurants, offices, and retail uses that reflect local community culture and the relocation of a nearby convenience store is not necessarily consistent with those objectives. **(10/20/2020) Denial 9-1-1.** The Council recommended denial due to a potential conflict with the Memorial Drive Revitalization Small Area Plan which calls for a "Global City" concept encouraging potential multi-story buildings with restaurants, offices, and retail uses that reflect local community culture and the relocation of a nearby convenience store is not necessarily consistent with those objectives. Additionally, the proposed convenience store will disrupt an existing business owner who operates a business on the site. It was suggested that the applicant look at design alternatives to allow the existing business owner to remain open.