



DeKalb County Government

Manuel J. Maloof Center
1300 Commerce Drive
Decatur, Georgia 30030

Legislation Details (With Text)

File #: 2021-2906 **Version:** 1 **Name:**
Type: Ordinance **Status:** Preliminary Item
File created: 7/23/2021 **In control:** Board of Commissioners - Zoning Meeting
On agenda: 9/30/2021 **Final action:**
Title: COMMISSION DISTRICT(S): Commission District 02; Super District 06
Application of Nuts n Berries c/o Kevin Parker for a Special Land Use Permit (SLUP) to allow an accessory alcohol outlet within an existing retail store in the C-1 (Local Commercial) District, at 2118 North Decatur Road.

Indexes:

Attachments: 1. SLUP-21-1245065 2021-2906 Recommended Conditions 2118 N. Decatur Rd, 2. SLUP-21-1245065 Staff Report Sept. 2021 2118 N. Decatur Rd.

| Date | Ver. | Action By | Action | Result |
|-----------|------|---|---|--------|
| 9/30/2021 | 1 | Board of Commissioners - Zoning Meeting | | |
| 9/9/2021 | 1 | Planning Commission | approved with conditions per staff recommendation | Pass |

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

SUBJECT:

COMMISSION DISTRICT(S): Commission District 02; Super District 06

Application of Nuts n Berries c/o Kevin Parker for a Special Land Use Permit (SLUP) to allow an accessory alcohol outlet within an existing retail store in the C-1 (Local Commercial) District, at 2118 North Decatur Road.

PETITION NO: N5. SLUP-21-1245065 (2021-2906)

PROPOSED USE: Accessory alcohol outlet.

LOCATION: 2118 N. Decatur Road, Decatur, Georgia 30033

PARCEL NO. : 18-051-09-003

INFO. CONTACT: Rachel Bragg, Sr. Planner

PHONE NUMBER: 404-371-2155

PURPOSE:

Application of Nuts n Berries c/o Kevin Parker for a Special Land Use Permit (SLUP) to allow an accessory alcohol outlet within an existing retail store in the C-1 (Local Commercial) District in accordance with Section 27-4.1.3, Table 4.1 of the Zoning Ordinance. The property is located on the northeast corner of Clairmont Road and North Decatur Road at 2118 North Decatur Road in Decatur, Georgia. The property has approximately 338 feet of frontage along Clairmont Road and 376 feet of frontage along North Decatur Road and contains 3.34 acres.

RECOMMENDATION:

COMMUNITY COUNCIL: Approval.

PLANNING COMMISSION: Approval with Conditions.

PLANNING STAFF: Approval with conditions.

STAFF ANALYSIS: The approval of a SLUP application is necessary to sell beer, malt beverages, hard cider and/or wine for off-site consumption (alcohol outlet) as an accessory use to the existing retail store. Based on the submitted application and documentation, this proposal is consistent with the *DeKalb County 2021 Comprehensive Plan 5-Year Update*, including the goals and policies associated with the Town Center land use of the property, “The areas consist of a focal point for several neighborhoods with a variety of activities such as general retail, commercial, professional office, higher-density housing, and appropriate public and open space uses that are easily accessible by pedestrians.” It appears that the proposed accessory retail use (alcohol outlet) is consistent with the retail use of the existing store wherein it will be located (Nuts ‘n Berries) and the other retail and restaurant tenants of the established shopping center (Sec 7.4.6.B). Additionally, the Planning Department is recommending as a condition of approval that there be compliance with all supplemental regulations relating to alcohol outlet, to reinforce the regulations themselves. Since the request is merely to expand the retail offerings of an existing grocery store within an established shopping center, no additional traffic impacts are anticipated (Sec 7.4.6.B). Therefore, Staff’s recommendation is for “Approval with conditions”.

PLANNING COMMISSION VOTE: Approval with Conditions 8-1-0. Gwendolyn McCoy moved, April Atkins seconded for Approval with four (4) conditions, per Staff recommendation. Tess Snipes opposed.

COMMUNITY COUNCIL VOTE/RECOMMENDATION: Approval 8-0-0.