

REVISION

Statement of Intent
Speedway Store #100885 – 5448 E. Ponce De Leon Avenue
Special Land Use Permit and Concurrent Variance

CITY OF TUCKER

OCT 24 2017

Speedway has a contract to purchase 3.7 acres at the northwest corner of Mountain Industrial Boulevard and E. Ponce De Leon Avenue from Stone Mountain Industrial Park, Inc. This property is parcel #18-139-04-001 and has an address of 5448 E. Ponce De Leon Avenue in the City of Tucker. The site is currently vacant and is used for a soccer field. The property is zoned C-1 Local Commercial District and is within the Mountain Industrial Boulevard Overlay District.

Speedway proposes to construct a new 4,608 square foot convenience store with ten dispenser islands for passenger vehicle fuel sales under a canopy in front (east) of the store and two commercial fueling lanes with a canopy behind (west) of the store. The store will be open 24 hours daily and will include food service operated by Speedway called Speedy Café. The store will have approximately 15 employment positions and represents approximately a three million dollar investment. A dumpster enclosure is proposed on the south side the store, and underground fuel tanks are proposed on the north side of the store. 31 parking spaces are proposed for the store; no overnight truck parking is proposed. An outside seating area is proposed on the south side of the store. Two ice boxes and one propane tank cage are proposed along the front elevation of the store adjacent to the building, and will be approximately 140 feet from the right-of-way, behind the auto fuel dispenser and canopy and a row of parking spaces. Speedway will utilize energy efficient LED lights and will have cut-off light fixtures, reducing glare while providing safe lighting conditions. A Special Land Use Permit is requested for the sale of fuel and for the sale of alcohol. A Concurrent Variance is requested to allow the ice boxes and propane tank cage in front of the store.

The store will be constructed of masonry (quik-brik) on all four sides with a pitched, shingled roof. There will be a front door on the east elevation facing Mountain Industrial Boulevard and a side door on the south building elevation facing E. Ponce De Leon Avenue. A rear door is provided on the west side of the store for commercial fueling customers. Deliveries are typically made through the front door of the store. Proposed color building elevations have been submitted. The canopies are proposed to be approximately 21 feet tall, including a four foot canopy fascia. A Concurrent Variance is requested to allow an increase in the canopy height from 20 feet to 21 feet.

Access to the site is proposed from new a right-in/right-out driveway on Mountain Industrial Boulevard that will be located approximately 315 feet north of the intersection with E. Ponce De Leon Avenue. This driveway will be for auto customers only. A deceleration lane is proposed for the right-in/right-out driveway. Two driveways are proposed on E. Ponce De Leon Avenue – one driveway for access to the auto fueling and one driveway for the commercial fueling lanes. The proposed circulation is for commercial fueling (truck) customers to enter and exit the site from the E. Ponce De Leon Avenue driveway. A site circulation plan has been provided to demonstrate adequate and safe circulation. Widening is proposed for the curb radius of the intersection of E. Ponce De Leon Avenue and Mountain Industrial Boulevard. Concurrent Variances are requested to allow a total of three driveways for the parcel, to allow a driveway on E. Ponce De Leon Avenue to be less than 245 feet from the intersection (234 feet), and to allow a driveway on Mountain Industrial Boulevard to be less than 245 feet from the an existing driveway to the north (187 feet).

We believe that the proposed use will provide services to the existing traveling public on both streets and in the vicinity, as well as to the extensive manufacturing, warehouse and other businesses in the proximity to the site. We look forward to working with the City of Tucker on this project and to an opportunity to develop this site. We respectfully request approval of the Special Land Use Permit and Concurrent Variances. Thank you for reviewing our application.

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Analysis of Standards and Criteria
Speedway Store #100885 – 5448 E. Ponce De Leon Avenue
Special Land Use Permit - Proposed Fuel Sales

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Special Land Use Permit Criteria (Section 7.4.6) Proposed Fuel Sales

- A. Adequacy of the size of the site for the use contemplated and whether or not adequate land area is available for the proposed use including provision of all required yards, open space, off-street parking, and all other applicable requirements of the zoning district in which the use is proposed to be located.** The site is adequate for the proposed use. The property is 3.7 acres and provides ample space for the proposed use.
- B. Compatibility of the proposed use with adjacent properties and land uses and with other properties and land uses in the district.** The proposed use is compatible with adjacent manufacturing, warehousing and business uses and will provide services to the employees working in the area.
- C. Adequacy of public services, public facilities, and utilities to serve the proposed use.** There are adequate public services, facilities and utilities to support the proposed use. Speedway is working with the County Department of Watershed Management to confirm water and sanitary sewer service.
- D. Adequacy of the public street on which the use is proposed to be located and whether or not there is sufficient traffic-carrying capacity for the use proposed so as not to unduly increase traffic and create congestion in the area.** Mountain Industrial Boulevard is an arterial street and E. Ponce De Leon Avenue is a collector street. The proposed use is primarily a “trip capturer” meaning that most customers that will visit Speedway are already traveling on the roads, and are not making unique trips.
- E. Whether or not existing land uses located along access routes to the site will be adversely affected by the character of the vehicles or the volume of traffic generated by the proposed use.** Adverse effect is not anticipated from traffic generation. Many of the future customers will be vehicles that already use the adjacent roads.
- F. Adequacy of ingress and egress to the subject property and to all proposed buildings, structures, and uses thereon, with particular reference to pedestrian and automotive safety and convenience, traffic flow and control, and access in the event of fire or other emergency.** The site is designed to have commercial fueling customers enter and exit from E. Ponce De Leon Avenue. A separate auto customer entrance/exit will be provided on E. Ponce De Leon Avenue. We believe the proposed traffic flow will be safe for customers, the existing road network and for pedestrians. There will be adequate access for fire and emergency first responders.
- G. Whether or not the proposed use will create adverse impacts upon any adjoining land use by reason of noise, smoke, odor, dust, or vibration generated by the proposed use.** No impacts are anticipated from noise, smoke, odor, dust or vibration.
- H. Whether or not the proposed use will create adverse impacts upon any adjoining land use by reason of the hours of operation of the proposed use.** The proposed store will be open 24 hours. It is expected that these hours will serve the needs of shift workers in the area, as well as other Tucker residents, emergency workers or commuters.
- I. Whether or not the proposed use will create adverse impacts upon any adjoining land use by reason of the manner of operation of the proposed use.** The manner of operation of Speedway will not have an adverse impact on the adjoining land uses.
- J. Whether or not the proposed use is otherwise consistent with the requirements of the zoning district classification in which the use is proposed to be located.** The proposed use complies

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with the requirements for the C-1 District, with the exception of the variances that are being requested concurrent with the special land use permit.

- K. Whether or not the proposed use is consistent with the policies of the comprehensive plan.** The use of the property for convenience and fuel sales is consistent with the designation of the property for industrial use since the proposed Speedway will provide services that are needed for employees and businesses in the vicinity, and will be a complimentary business for the area.
- L. Whether or not the proposed use provides for all required buffer zones and transitional buffer zones where required by the regulations of the zoning district in which the use is proposed to be located.** No buffers are required for the proposed use.
- M. Whether or not there is adequate provision of refuse and service areas.** Refuse areas and services have been planned for on the site. Safe access is provided to trash collection.
- N. Whether the length of time for which the special land use permit is granted should be limited in duration.** No limit in the length of time for the special land use permit is necessary.
- O. Whether or not the size, scale and massing of proposed buildings are appropriate in relation to the size of the subject property and in relation to the size, scale and massing of adjacent and nearby lots and buildings.** The size, scale and massing of the proposed buildings are appropriate for the proposed use and the surrounding uses. A variance is requested to allow a one foot increase in the fuel canopy height.
- P. Whether the proposed use will adversely affect historic buildings, sites, districts, or archaeological resources.** No adverse impact on historic buildings, sites, districts or archaeological resources are anticipated.
- Q. Whether the proposed use satisfies the requirements contained within the supplemental regulations for such special land use permit.** The proposed Speedway will comply with the standards for fuel sales in Section 4.2.28, with a variance requested to allow a one foot increase in the fuel canopy height.
- R. Whether or not the proposed use will create a negative shadow impact on any adjoining lot or building as a result of the proposed building height.** The proposed buildings will not create a negative shadow impact.
- S. Whether the proposed use would result in a disproportionate proliferation of that or similar uses in the subject character area.** The proposed use will provide convenience commercial services to an area with high employment and traffic volumes, and will result in less travel for these customers to obtain such services.
- T. Whether the proposed use would be consistent with the needs of the neighborhood or the community as a whole, be compatible with the neighborhood, and would not be in conflict with the overall objective of the comprehensive plan.** The proposed use will provide convenience commercial services to the area that will benefit the neighborhood as a whole and will not be in conflict with the comprehensive plan.

**Analysis of Standards and Criteria
Speedway Store #100885 – 5448 E. Ponce De Leon Avenue
Special Land Use Permit – Proposed Alcohol Sales**

Special Land Use Permit Criteria (Section 7.4.6) Proposed Alcohol Sales

- A. Adequacy of the size of the site for the use contemplated and whether or not adequate land area is available for the proposed use including provision of all required yards, open space, off-street parking, and all other applicable requirements of the zoning district in which the use is proposed to be located.** The site is adequate for the proposed use. The property is 3.7 acres and provides ample space for the proposed use.
- B. Compatibility of the proposed use with adjacent properties and land uses and with other properties and land uses in the district.** The proposed use is compatible with adjacent manufacturing, warehousing and business uses and will provide services to the employees working in the area.
- C. Adequacy of public services, public facilities, and utilities to serve the proposed use.** There are adequate public services, facilities and utilities to support the proposed use. Speedway is working with the County Department of Watershed Management to confirm water and sanitary sewer service.
- D. Adequacy of the public street on which the use is proposed to be located and whether or not there is sufficient traffic-carrying capacity for the use proposed so as not to unduly increase traffic and create congestion in the area.** Mountain Industrial Boulevard is an arterial street and E. Ponce De Leon Avenue is a collector street. The proposed use is primarily a “trip capturer” meaning that most customers that will visit Speedway are already traveling on the roads, and are not making unique trips.
- E. Whether or not existing land uses located along access routes to the site will be adversely affected by the character of the vehicles or the volume of traffic generated by the proposed use.** Adverse effect is not anticipated from traffic generation. Many of the future customers will be vehicles that already use the adjacent roads.
- F. Adequacy of ingress and egress to the subject property and to all proposed buildings, structures, and uses thereon, with particular reference to pedestrian and automotive safety and convenience, traffic flow and control, and access in the event of fire or other emergency.** The site is designed to have commercial fueling customers enter and exit from E. Ponce De Leon Avenue. A separate auto customer entrance/exit will be provided on E. Ponce De Leon Avenue. We believe the proposed traffic flow will be safe for customers, the existing road network and for pedestrians. There will be adequate access for fire and emergency first responders.
- G. Whether or not the proposed use will create adverse impacts upon any adjoining land use by reason of noise, smoke, odor, dust, or vibration generated by the proposed use.** No impacts are anticipated from noise, smoke, odor, dust or vibration.
- H. Whether or not the proposed use will create adverse impacts upon any adjoining land use by reason of the hours of operation of the proposed use.** The proposed store will be open 24 hours. It is expected that these hours will serve the needs of shift workers in the area, as well as other Tucker residents, emergency workers or commuters.
- I. Whether or not the proposed use will create adverse impacts upon any adjoining land use by reason of the manner of operation of the proposed use.** The manner of operation of Speedway will not have an adverse impact on the adjoining land uses.
- J. Whether or not the proposed use is otherwise consistent with the requirements of the zoning district classification in which the use is proposed to be located.** The proposed use complies

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with the requirements for the C-1 District, with the exception of the variances that are being requested concurrent with the special land use permit.

- K. Whether or not the proposed use is consistent with the policies of the comprehensive plan.** The use of the property for convenience sales is consistent with the designation of the property for industrial use since the proposed Speedway will provide services that are needed for employees and businesses in the vicinity, and will be a complimentary business for the area.
- L. Whether or not the proposed use provides for all required buffer zones and transitional buffer zones where required by the regulations of the zoning district in which the use is proposed to be located.** No buffers are required for the proposed use.
- M. Whether or not there is adequate provision of refuse and service areas.** Refuse areas and services have been planned for on the site. Safe access is provided to trash collection.
- N. Whether the length of time for which the special land use permit is granted should be limited in duration.** No limit in the length of time for the special land use permit is necessary.
- O. Whether or not the size, scale and massing of proposed buildings are appropriate in relation to the size of the subject property and in relation to the size, scale and massing of adjacent and nearby lots and buildings.** The size, scale and massing of the proposed buildings are appropriate for the proposed use and the surrounding uses.
- P. Whether the proposed use will adversely affect historic buildings, sites, districts, or archaeological resources.** No adverse impact on historic buildings, sites, districts or archaeological resources are anticipated.
- Q. Whether the proposed use satisfies the requirements contained within the supplemental regulations for such special land use permit.** The proposed Speedway will comply with the standards for alcohol sales in Section 4.2.8. Speedway has a strict training program on alcohol sales procedures for employees, and intends to comply with local and state regulations.
- R. Whether or not the proposed use will create a negative shadow impact on any adjoining lot or building as a result of the proposed building height.** The proposed buildings will not create a negative shadow impact.
- S. Whether the proposed use would result in a disproportionate proliferation of that or similar uses in the subject character area.** The proposed use will provide convenience commercial services to an area with high employment and traffic volumes, and will result in less travel for these customers to obtain such services.
- T. Whether the proposed use would be consistent with the needs of the neighborhood or the community as a whole, be compatible with the neighborhood, and would not be in conflict with the overall objective of the comprehensive plan.** The proposed use will provide convenience commercial services to the area that will benefit the neighborhood as a whole and will not be in conflict with the comprehensive plan.

Analysis of Standards and Criteria
Speedway Store #100885 – 5448 E. Ponce De Leon Avenue
Concurrent Variance – Sec. 4.2.28 C. Fuel Canopy Height

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Speedway has a contract to purchase 3.7 acres at the northwest corner of Mountain Industrial Boulevard and E. Ponce De Leon Avenue from Stone Mountain Industrial Park, Inc. This property is parcel #18-139-04-001 and has an address of 5448 E. Ponce De Leon Avenue in the City of Tucker. The site is currently vacant and is used for a soccer field. The property is zoned C-1 Local Commercial District and is within the Mountain Industrial Boulevard Overlay District. Speedway proposes to construct a new 4,608 square foot convenience store with ten dispenser islands for passenger vehicle fuel sales under a canopy in front (east) of the store and two commercial fueling lanes with a canopy behind (west) of the store. The store will be open 24 hours daily and will include food service operated by Speedway called Speedy Café. Variances are requested concurrent with the Special Land Use Permit application for the proposed Speedway convenience store with fuel and alcohol sales.

Concurrent Variance Criteria

Below are responses to the variance criteria from Section 7.5.3 for the request for a variance to Section 4.2.28 C. Fuel Pumps to allow a one foot increase in the height of the fuel canopies.

1. **By reason of exceptional narrowness, shallowness, or shape of a specific lot, or by reason of exceptional topographic and other site conditions (such as, but not limited to, floodplain, major stand of trees, steep slope), which were not created by the owner or applicant, the strict application of the requirements of this chapter would deprive the property owner of rights and privileges enjoyed by other property owners in the same zoning district.** Strict application of the zoning requirements would unreasonably limit the height of the proposed fuel canopy. The proposed canopy is designed so that there will be a minimum clearance height under the canopy of 16.5 feet. Speedway is requesting approval to have a height of 21 feet which will allow installation of a 4 foot fascia for the canopies.
2. **The requested variance does not go beyond the minimum necessary to afford relief, and does not constitute a grant of special privilege inconsistent with the limitations upon other properties in the zoning district in which the subject property is located.** The variance requested is the minimum relief possible to provide the relief needed. The proposed one foot in canopy height will have no visible or visual impact on adjacent property or the neighborhood as a whole.
3. **The grant of the variance will not be materially detrimental to the public welfare or injurious to the property or improvements in the zoning district in which the subject property is located.** The granting of the requested variance will not have a negative impact on the surrounding community or be detrimental to the public welfare. The Speedway store will have a pitched roof that will be taller than the proposed canopy, and allowing a one foot increase will have a negligible effect, while allowing consistent branding by Speedway.
4. **The literal interpretation and strict application of the applicable provisions or requirements of this chapter would cause undue and unnecessary hardship.** The literal interpretation of the provisions will result in a modification to the canopy design and corporate branding and identity.
5. **The requested variance would be consistent with the spirit and purpose of this chapter and the Comprehensive Plan text.** The requested variances are consistent with the spirit, purpose and will not violate the intent of the City of Tucker Zoning Ordinance and the Comprehensive Plan.

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Analysis of Standards and Criteria
Speedway Store #100885 – 5448 E. Ponce De Leon Avenue
Concurrent Variance – Sec. 3.40.7 E. Outside Display

Speedway has a contract to purchase 3.7 acres at the northwest corner of Mountain Industrial Boulevard and E. Ponce De Leon Avenue from Stone Mountain Industrial Park, Inc. This property is parcel #18-139-04-001 and has an address of 5448 E. Ponce De Leon Avenue in the City of Tucker. The site is currently vacant and is used for a soccer field. The property is zoned C-1 Local Commercial District and is within the Mountain Industrial Boulevard Overlay District. Speedway proposes to construct a new 4,608 square foot convenience store with ten dispenser islands for passenger vehicle fuel sales under a canopy in front (east) of the store and two commercial fueling lanes with a canopy behind (west) of the store. The store will be open 24 hours daily and will include food service operated by Speedway called Speedy Café. Variances are requested concurrent with the Special Land Use Permit application for the proposed Speedway convenience store with fuel and alcohol sales.

Concurrent Variance Criteria

Below are responses to the variance criteria from Section 7.5.3 for the request for a variance to Section 3.40.7 E. Overlay District Architectural Regulations to allow the display of merchandise in front of the store for two ice boxes and one propane tank cage.

1. **By reason of exceptional narrowness, shallowness, or shape of a specific lot, or by reason of exceptional topographic and other site conditions (such as, but not limited to, floodplain, major stand of trees, steep slope), which were not created by the owner or applicant, the strict application of the requirements of this chapter would deprive the property owner of rights and privileges enjoyed by other property owners in the same zoning district.** The strict application of the outdoor display regulations of the Mountain Industrial Boulevard Overlay District would apply restrictions that do not apply to similar businesses operating convenience stores in the corridor. The proposed ice boxes and propane tank cage will be approximately 140 feet from the right-of-way of Mountain Industrial Boulevard, behind the auto fuel dispensers and canopy, and behind a row of parking spaces.
2. **The requested variance does not go beyond the minimum necessary to afford relief, and does not constitute a grant of special privilege inconsistent with the limitations upon other properties in the zoning district in which the subject property is located.** The variances requested are the minimum relief possible to provide the relief needed. Approval of the variance will allow customary operation of a convenience store and will be consistent with similar business operations in the vicinity.
3. **The grant of the variance will not be materially detrimental to the public welfare or injurious to the property or improvements in the zoning district in which the subject property is located.** The granting of the requested variances will not have a negative impact on the surrounding community or be detrimental to the public welfare. The proposed ice boxes and propane tank cage are appropriate to be located outside and have been positioned for reasonable customer access.
4. **The literal interpretation and strict application of the applicable provisions or requirements of this chapter would cause undue and unnecessary hardship.** The literal interpretation of the provisions will negatively impact the proposed business operation and cause hardship.
5. **The requested variance would be consistent with the spirit and purpose of this chapter and the Comprehensive Plan text.** The requested variances are consistent with the spirit, purpose and will not violate the intent of the City of Tucker Zoning Ordinance and the Comprehensive Plan.

**Analysis of Standards and Criteria
Speedway Store #100885 – 5448 E. Ponce De Leon Avenue
Concurrent Variance – Sec. 14-200 Access Management**

Speedway has a contract to purchase 3.7 acres at the northwest corner of Mountain Industrial Boulevard and E. Ponce De Leon Avenue from Stone Mountain Industrial Park, Inc. This property is parcel #18-139-04-001 and has an address of 5448 E. Ponce De Leon Avenue in the City of Tucker. The site is currently vacant and is used for a soccer field. The property is zoned C-1 Local Commercial District and is within the Mountain Industrial Boulevard Overlay District. Speedway proposes to construct a new 4,608 square foot convenience store with ten dispenser islands for passenger vehicle fuel sales under a canopy in front (east) of the store and two commercial fueling lanes with a canopy behind (west) of the store. The store will be open 24 hours daily and will include food service operated by Speedway called Speedy Café. A variance is requested concurrent with the Special Land Use Permit application for the proposed Speedway convenience store with fuel and alcohol sales.

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Concurrent Variance Criteria

Below are responses to the variance criteria from Section 7-5.3 for the request for a variance to Section 14-200 Access Management to allow a driveway on E. Ponce De Leon Avenue closer than 245 feet from the intersection (227 feet is proposed).

1. **By reason of exceptional narrowness, shallowness, or shape of a specific lot, or by reason of exceptional topographic and other site conditions (such as, but not limited to, floodplain, major stand of trees, steep slope), which were not created by the owner or applicant, the strict application of the requirements of this chapter would deprive the property owner of rights and privileges enjoyed by other property owners in the same zoning district.** Strict application of the zoning requirements would impair site circulation and the ability to separate auto and commercial vehicle (truck) exiting. There are extensive utilities – above ground and underground – along E. Ponce De Leon Avenue limiting the options for driveway placement and spacing. The proposed site circulation provides a traffic flow pattern that encourages exiting vehicles to use E. Ponce De Leon Avenue where access to a traffic signal is available, and thereby limiting the impact on the traffic flow on Mountain Industrial Boulevard.
2. **The requested variance does not go beyond the minimum necessary to afford relief, and does not constitute a grant of special privilege inconsistent with the limitations upon other properties in the zoning district in which the subject property is located.** The variance requested is the minimum relief possible to provide the relief needed. Allowing the auto driveway to be located on E. Ponce De Leon Avenue closer to the intersection removes the need for a driveway for auto-only access on Mountain Industrial Boulevard which is a more highly traveled roadway, and allows the flow of exiting commercial vehicles (trucks) to be separated from auto customers, resulting in increased safety. The provision of three driveways allows for a separate commercial vehicle (truck) exit on E. Ponce De Leon Avenue, and one of the driveways for Speedway is an existing driveway on Mountain Industrial Boulevard that will be shared with the existing property to the north.
3. **The grant of the variance will not be materially detrimental to the public welfare or injurious to the property or improvements in the zoning district in which the subject property is located.** The granting of the requested variance will not have a negative impact on the surrounding community or be detrimental to the public welfare. It is believed that granting the variance will result in an improved traffic circulation pattern.
4. **The literal interpretation and strict application of the applicable provisions or requirements of this chapter would cause undue and unnecessary hardship.** The literal interpretation of the

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provisions will result in an inferior traffic circulation pattern and would result in hardship to the property owner.

- 5. **The requested variance would be consistent with the spirit and purpose of this chapter and the Comprehensive Plan text.** The requested variance is consistent with the spirit, purpose and will not violate the intent of the City of Tucker Zoning Ordinance and the Comprehensive Plan.

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Analysis of Standards and Criteria
Speedway Store #100885 – 5448 E. Ponce De Leon Avenue
Concurrent Variance – Sec. 14-202.3 Driveways

Speedway has a contract to purchase 3.7 acres at the northwest corner of Mountain Industrial Boulevard and E. Ponce De Leon Avenue from Stone Mountain Industrial Park, Inc. This property is parcel #18-139-04-001 and has an address of 5448 E. Ponce De Leon Avenue in the City of Tucker. The site is currently vacant and is used for a soccer field. The property is zoned C-1 Local Commercial District and is within the Mountain Industrial Boulevard Overlay District. Speedway proposes to construct a new 4,608 square foot convenience store with ten dispenser islands for passenger vehicle fuel sales under a canopy in front (east) of the store and two commercial fueling lanes with a canopy behind (west) of the store. The store will be open 24 hours daily and will include food service operated by Speedway called Speedy Café. Variances are requested concurrent with the Special Land Use Permit application for the proposed Speedway convenience store with fuel and alcohol sales.

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CONCURRENT VARIANCE CRITERIA

Below are responses to the variance criteria from Section 7.5.3 for the request for a variance to Section 14-202.3 Driveways to allow 3 driveways on one parcel.

1. **By reason of exceptional narrowness, shallowness, or shape of a specific lot, or by reason of exceptional topographic and other site conditions (such as, but not limited to, floodplain, major stand of trees, steep slope), which were not created by the owner or applicant, the strict application of the requirements of this chapter would deprive the property owner of rights and privileges enjoyed by other property owners in the same zoning district.** Strict application of the zoning requirements would impair site circulation and the ability to separate auto and commercial vehicles (trucks) circulation. There are extensive utilities – above ground and underground – along E. Ponce De Leon Avenue limiting the options for driveway placement and spacing.
2. **The requested variance does not go beyond the minimum necessary to afford relief, and does not constitute a grant of special privilege inconsistent with the limitations upon other properties in the zoning district in which the subject property is located.** The variance requested is the minimum relief possible to provide the relief needed. The provision of three driveways allows for a separate commercial vehicle (truck) driveway on E. Ponce De Leon Avenue, and a right-in/right-out driveway for auto customers on Mountain Industrial Boulevard.
3. **The grant of the variance will not be materially detrimental to the public welfare or injurious to the property or improvements in the zoning district in which the subject property is located.** The granting of the requested variance will not have a negative impact on the surrounding community or be detrimental to the public welfare. It is believed that granting the variances will result in an improved traffic circulation pattern.
4. **The literal interpretation and strict application of the applicable provisions or requirements of this chapter would cause undue and unnecessary hardship.** The literal interpretation of the provisions will result in an inferior traffic circulation pattern and would result in hardship to the property owner.
5. **The requested variance would be consistent with the spirit and purpose of this chapter and the Comprehensive Plan text.** The requested variance is consistent with the spirit, purpose and will not violate the intent of the City of Tucker Zoning Ordinance and the Comprehensive Plan.

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Environmental Site Analysis (ESA)
Speedway Store #100885 – 5448 E. Ponce De Leon Avenue
Special Land Use Permit and Concurrent Variance

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1. **CONFORMANCE WITH THE COMPREHENSIVE PLAN.** Speedway has a contract to purchase 3.7 acres at the northwest corner of Mountain Industrial Boulevard and E. Ponce De Leon Avenue from Stone Mountain Industrial Park, Inc at 5448 E. Ponce De Leon Avenue. The site is currently vacant and is used for a soccer field. The property is zoned C-1 Local Commercial District and is within the Mountain Industrial Boulevard Overlay District. Speedway proposes to construct a new 4,608 square foot convenience store with ten dispenser islands for passenger vehicle fuel sales under a canopy in front (east) of the store and two commercial fueling lanes with a canopy behind (west) of the store. There are no known environmentally sensitive features on the site. The site is designated in the Industrial future land use category. We believe development of this commercially zoned property as proposed will provide needed convenience commercial services to surrounding businesses, employees and the traveling public.

2. **ENVIRONMENTAL IMPACTS OF THE PROPOSED PROJECT.**
 - a. Wetlands – According to the National Wetlands Inventory Wetlands Mapper, the subject property is not located within an area designated as wetlands.
 - b. Floodplain – According to the FIRM Flood Insurance Rate Maps of DeKalb County, Georgia, panel Number 13089C0079 K, no portion of the subject property lies within a special flood hazard area.
 - c. Streams/Stream Buffers – Based on field observation and review by the city engineering department, there are no streams located on the subject property.
 - d. Slopes – The existing soccer fields are terraced with slopes between the fields reaching up to 32%. These slopes are manmade and are of no environmental significance.
 - e. Vegetation – To the applicant's knowledge and based on field observation there are no endangered species located on the subject property.
 - f. Wildlife Species – To the applicant's knowledge and based on field observation there are no wildlife species located on the subject property.
 - g. Archaeological/Historical Site – Based on field observation and the applicant's knowledge, there are no archaeological or historical sites located on the subject property.

3. **PROJECT IMPLEMENTATION MEASURES.**
 - a. Protection of environmentally sensitive areas – There are no environmentally sensitive areas located on the subject property.
 - b. Protection of water quality – Stormwater runoff generated from the site will be adequately treated before discharge in accordance with local requirements.
 - c. Minimization of negative impacts on existing infrastructure – No negative impacts are anticipated to existing infrastructure. Speedway will work with the appropriate city and county staff to ensure that proposed site design will limit impacts on infrastructure.
 - d. Minimization on archeological/historically significant areas – To the applicant's knowledge there are no archaeological or historical sites located on the subject property.
 - e. Minimization of negative impacts on environmentally stressed communities – The proposed uses are compatible with nearby commercial sites, and will not generate dust, vibrations, odor, glare emissions or noise beyond the subject property.

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- f. Creation and preservation of green space and open space – The proposed project will have approximately 51% open space. The amount of impervious lot coverage (49%) is less than the maximum allowed in this zoning district (80%).
- g. Protection of citizens from the negative impacts of noise and lighting – No negative impacts are anticipated from noise from the proposed use. Speedway will utilize energy efficient LED lights with cut-off light fixtures, reducing glare while providing safe lighting conditions.
- h. Protection of parks and recreational green space – The existing property is currently being used as a recreational soccer field, however, the intent of the seller has been to utilize the site for commercial use as it is zoned.
- i. Minimization of impacts to wildlife habitats – No impacts are anticipated on wildlife habitats.