



## GLPC AGENDA ITEM # 3

JANUARY 30, 2023

### Special Exception Request by BoValdosta LLC File #: HA-2023-01

BoValdosta LLC is requesting Special Exception (SE) approval of a proposed gasoline station with more than 8 pumps, to be located within the Hahira Gateway Corridor Overlay District. The subject property consists of 2.64 acres is located at 940 GA Highway 122 West. This is along the north side of the road about 400 feet east of the Union Road intersection. This is next door to the existing Robinson Family Dental clinic and diagonally across the street from the new Wendy's restaurant. The subject property is currently vacant, but has been partially cleared recently. The applicant is proposing to develop it as a combination gasoline station, and a convenience store with internal Bojangles restaurant (total building area about 6,700-sf) The Hahira Zoning Ordinance has provisions for the Gateway Corridor Overlay District which requires that any gas station with more than 8 pumps must receive a SE approval from the City Council. The applicant is proposing a gasoline station component with 16 pumps (8 service islands with 2 pumps each). The applicant is also requesting certain Variances from general development requirements of the Overlay District as well, and these are being processed separately under file # HA-2023-02. (all or part of Tax Parcel 0026-033).

The subject property is located within a **Community Activity Center (CAC)** Character Area on the Future Development Map of the Comprehensive Plan.

Gasoline stations in C-H zoning with 8 pumps or less are a Permitted Use throughout the Overlay District, and there is no Special Exception (SE) requirement. Larger facilities with more pumps (and hence a larger fuel canopy, more maneuvering areas, more traffic, etc...) require the special review process on a case-by-case basis. The intent of this "more than 8 pumps" threshold of the Overlay is to protect the less-intensive developed areas of the District from uses that may be too great in magnitude, and may be deemed incompatible (or less compatible) with the overall development patterns of the immediate area as well as the Overlay's stated purpose and goals. [refer to Purpose statements of Section 4-5.1 in the Overlay District provisions --- on Page 4 herein).

The Overlay District boundaries stretch along the entire GA Highway 122 West corridor, from the railroad crossing near downtown westward past the Exit 29 interchange. The intensity level and scale of development along this corridor, ranges from the least intensive (small lot, small building, pedestrian scale) patterns at the eastern end, to the more intensive (large parcels/sites, I-75 commerce scale) patterns at the western end which are not pedestrian focused. The subject property is within the middle area of (or transition between) these two extremes. The applicant's proposal is for a gas station that is literally TWICE the size of the special review threshold. It is staff's opinion that such a use is clearly on the more intensive side of the Corridor spectrum, and it should instead be located in closer proximity to Exit 29 (i.e. west of the Union Road intersection). Staff's concern is only that of size and magnitude --- in this location. If the proposed use were reduced to 8 pumps, it would not require a SE approval and would instead be a Permitted Use.

It should also be noted that there is a difference in "definitions" being used by the staff and the applicant. When the applicant was designing their proposed site, they believed that having 8 refueling "islands" (each accommodating 2 vehicles at the same time, utilizing separate "dispensers") was the same as "8 pumps" and therefore did not trigger the SE review process. However, it is staff opinion and interpretation of the Ordinance (& agreed to by the City Manager and City Attorney) that having 8 refueling islands with 2 sets of dispensers each – accommodating up to 16 vehicles at one time --- is equal to "16 pumps" under the terms and intent of the Ordinance. (Staff will be discussing the official interpretation of this, when this SE request goes before Hahira City Council.)

#### **Staff Recommendation:**

Find the Special Exception "inconsistent" with the Comprehensive Plan, and the Special Exception review criteria, and recommend **DENIAL** to the Hahira City Council.