

Hearing Date: May 5, 2024
Case Number: SE-25-07
Applicant: N K Patel, LLC
Property Owner: N K Patel, LLC
Property Address: 2059 Central Avenue
Tax Parcel No(s): 044-2-157-00-0
Current Zoning: B-1 (Neighborhood Business)
Fort Eisenhower Notification Required: N/A
Commission District 1: Jordan Johnson
Super District 9: Francine Scott



REQUEST	PROPOSED USE/ACTIVITY	APPLICABLE COMPREHENSIVE ZONING ORDINANCE SECTION(S)
Special Exception	Liquor Store	21-2(c)

SUMMARY OF REQUEST:

This special exception involves a 0.52 acre-tract situated in the B-1 zone, at the corner of Central Avenue and Heard Avenue. Currently, the site contains an existing convenience store and a small canopy containing 3 gas pumps. The request for a special exception is to establish a liquor store next to an already established convenience store under the current zoning.

COMPREHENSIVE PLAN CONSISTENCY:

The subject property is located within the Old Augusta Character Area. Re-development is occurring in many of the well-established neighborhoods of the Old Augusta Character Area. The 2023 Comprehensive Plan's vision for the Old Augusta Character Area will be to continue re-development in some neighborhoods and maintain stability in others, by removing deteriorated and dilapidated structures, construct new or rehabilitate existing single-family housing, as well as new medium and high-density housing, additional commercial and office development, and new civic and institutional facilities. The vision also includes establishing new commercial and office uses, and civic and institutional facilities to allow for more shopping and employment opportunities. Underutilized parcels should be redeveloped in a manner consistent with the overall vision and with respect for existing development patterns and the historic architecture in the area.

FINDINGS:

1. Liquor stores are not allowed by-right in the B-1 zone but may be granted with the approval of a special exception.
2. There is prior zoning actions associated with this property. There is a special exception from 2022 that approved the convenience store to be established with conditions. Those conditions are as follows:

- All applicable regulations set forth in Section 21-2(b) of the Comprehensive Zoning Ordinance of Augusta, Georgia must be met.
 - The development must satisfy the required off-street parking standards.
 - No liquor store shall be allowed on the property. In the event the new business wants to sale or serve liquor, a Special Exception for that express purpose shall be required.
 - New construction and exterior improvements of the existing building must receive approval from the Historic Preservation Commission.
3. On May 22, 2024, the Augusta Georgia Commission considered a similar petition at this location, where the applicant petitioned for a Special Exception to establish a liquor store. The Augusta Commission denied the special exception request.
 4. Section 21-2(c) of the Comprehensive Zoning Ordinance, Liquor stores are permitted by Special Exception in a B-1 (Neighborhood Business) zone if they generally conform to the following criteria:
 - The nature of the surrounding area is not predominantly residential with only a few commercial uses interspersed. ***Non-compliant with this provision, where north of the property located along Heard Avenue and Heard Lane is predominately residential in nature and located in the R-1C (one-family residential) zone.***
 - The property is at the intersection of two arterial streets or within 500 feet of such an intersection. ***Non-compliant with this provision, where Central Avenue is considered a minor arterial street, but Heard Avenue is considered a local street. The nearest arterial intersection is Central Avenue and Troupe Street which is approximately 1332 ft. away.***
 - The property is not within 1,000 feet of a public park or recreation area, school, or library. ***Compliant with this provision, where the closest school is Monte Sano Elementary, and it is approximately 1795 ft. away. The closest public park is Hickman Park, and it is approximately 1373 ft. away. Lastly, the closest public library is Augusta University's Reese Library, and it is approximately 4556 ft. away.***
 5. Adjacent zoning: West: B-1 (Neighborhood Business) | North: R-1C (One-Family Residential)
East: B-1 (Neighborhood Business) | South: B-1(Neighborhood Business)
 6. According to the FEMA Flood Insurance Rate Maps (FIRM) the property is not located within a Special Flood Hazard Area.
 7. According to the Augusta-Richmond County GIS Map Layer there are no wetlands located on the property.
 8. Public water and sewer are presently available at the site.
 9. Public transit is not located along this section of Central Avenue, the nearest route services Wrightsboro Road which measures approximately 974 feet from the property.
 10. According to the Georgia Department of Transportation State Functional Classification Map the adjacent road, Central Avenue, is a minor arterial route.
 11. This special exception is not consistent with the 2023 Comprehensive Plan.
 12. The property is situated in the Summerville Historic District, any new construction or exterior improvements are subject to historic preservation review and approval.
 13. At the time of completion of this report, staff has received several inquiries and 3 letters in opposition regarding the petition as advertised.

ENGINEERING/UTILITIES COMMENTS:

Traffic Engineering Comments:

- None received at this time

Engineering Comments:

- None received at this time

Utilities Comments:

- "Water and sewer are available on Central Ave and Heard Ave for their use."

RECOMMENDATION: The Planning Commission recommends Denial of the Special Exception request as it is not in compliance with section 21-2(c) of the Comprehensive Zoning Ordinance, because the nature of the surrounding area is predominately residential, and the parcel is not located at the intersection of two arterial streets or within 500 feet of such an intersection.

NOTE: This staff report includes the information available approximately two weeks prior to the Planning Commission hearing. It represents an evaluation of the facts presented by the applicant, research done by the staff, and consideration of the relevant factors in the Comprehensive Zoning Ordinance of Augusta, Georgia. New facts may emerge, and staff reserves the right to make a verbal recommendation at the hearing based on all the information available at that time.

Special Exception Letter of Intent

March 20, 2025

Planning Department
535 Telfair Street, Suite 300
Augusta, GA, 30901

Re: Special Exception Letter of Intent
Proposed B1 Special Exception
Central Avenue, Heard Avenue & Heard Lane

Location: Parcel 044-2-157-00-0 @ Central Avenue, Heard Avenue & Heard Lane
Existing Zoning: B-1 (Neighborhood Business)
Proposed Zoning: B-1 Special Exception
Future Land Use: Convenience Store selling Gasoline with an additional use of a liquor store.
Acreage of property to be rezoned: 0.520 Acres

To whom it may concern,

I am requesting a special exception of Parcel 044-2-157-00-0 @ Central Avenue, Heard Avenue & Heard Lane of 0.052 acres from B-1 neighborhood business to B-1 Special Exception. As shown below on existing zoning map.



Special Exception Letter of Intent

If this special exception request is approved, it will increase the profitability of county funds. The special exception will not have a negative impact on the surrounding Historic Summerville neighborhood.

The location conforms with the following criteria under both a convenience store and liquor store as noted below:

Convenience Stores - Convenience stores may be permitted by Special Exception in B-1 zones if they generally conform to the following subjective and objective criteria: 21 - 3 • Hours of operation – the establishment would not be open for business more than 18 hours per day • Illumination – the entire site would not be illuminated as a way to attract attention, but rather to a level consistent with security and identification of the business • Location – the property is located at or within 500 feet of the intersection of arterial streets or within 500 feet of such an intersection • Surrounding area – the nature of the surrounding area is not predominantly residential with only a few commercial uses interspersed • Video games/Amusements - video games/nor similar amusements are to be located on the property

Liquor Store – Liquor stores may be permitted by Special Exception in B-1 zones if they generally conform to the following subjective and objective criteria: • Surrounding area – the nature of the surrounding area is not predominantly residential with only a few commercial uses interspersed; • Location – the property is at the intersection of two arterial streets or within 500 feet of such an intersection; • Proximity to public places – the property is not within 1000 feet of a public park or recreation area, school or library

If you have any questions or concerns, please don't hesitate to reach out.

Thank you,

V. P. Patel

Vaishaliben Patel

Member of N K Patel LLC

706-589-5345

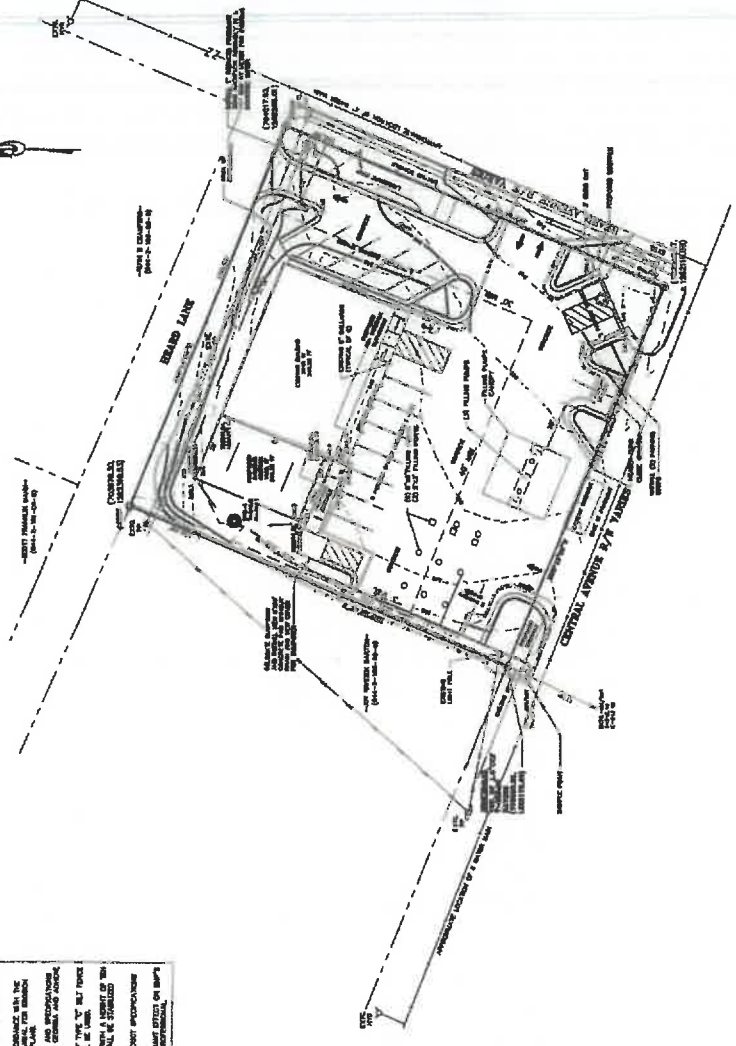
- EROSION SEDIMENTATION AND POLLUTION CONTROL NOTES**
- 1) THE CONTRACTOR SHALL MAINTAIN ALL EROSION SEDIMENTATION CONTROL MEASURES IN PLACE UNTIL THE PROJECT IS COMPLETELY COMPLETED AND THE SITE IS RESTORED TO ITS ORIGINAL CONDITION.
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TEMPORARY EROSION BARRIERS SHALL REMAIN IN PLACE UNTIL DISTURBED AREAS HAVE BEEN PERMANENTLY STABILIZED

REMEDIAL ACTION OF SPILLS OR LEAKS OF PETROLEUM PRODUCTS

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EXISTING CONDITIONS
THE 100% SHALL BE PROVIDED TO THE CONTRACTOR AT THE TIME OF BIDDING. THE 100% SHALL BE PROVIDED TO THE CONTRACTOR AT THE TIME OF BIDDING. THE 100% SHALL BE PROVIDED TO THE CONTRACTOR AT THE TIME OF BIDDING.



NOTES

NO.	DATE	DESCRIPTION
1	10/1/88	100% PLAN
2	10/1/88	100% PLAN
3	10/1/88	100% PLAN
4	10/1/88	100% PLAN
5	10/1/88	100% PLAN
6	10/1/88	100% PLAN
7	10/1/88	100% PLAN
8	10/1/88	100% PLAN
9	10/1/88	100% PLAN
10	10/1/88	100% PLAN

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CENTRAL EXPRESS MART
EROSION, SEDIMENTATION AND POLLUTION CONTROL PLAN
SITE AND DRAINAGE MAP FROM DISCRETE MONITORING POINTS
RICHMOND COUNTY, GEORGIA
OCTOBER 24, 2003

JAMES G. STIFF & ASSOCIATES
CONSULTING ENGINEERS
1000 W. BROADWAY, SUITE 100
RICHMOND, GEORGIA 31803
Phone: (706) 884-4444
Fax: (706) 884-4444
E-mail: jstiff@jstiff.com



APPENDIX B
NORMS TABLE (Supporting Norm Water Fisheries)

WATER QUALITY CLASS	10-15	16-20	21-25	26-30	31-35	36-40	41-45	46-50	51-55	56-60	61-65	66-70	71-75	76-80	81-85	86-90	91-95	96-100
10-15	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
16-20	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
21-25	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
26-30	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
31-35	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
36-40	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
41-45	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
46-50	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
51-55	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
56-60	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
61-65	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
66-70	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
71-75	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
76-80	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
81-85	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
86-90	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
91-95	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
96-100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100

STATE OF GEORGIA
JAMES G. STIFF
CONSULTING ENGINEER
1000 W. BROADWAY, SUITE 100
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Fax: (706) 884-4444
E-mail: jstiff@jstiff.com

Planning Commission
SE-25-07
May 5, 2025

2059 Central Avenue

Aerial

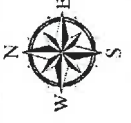
 Subject Property



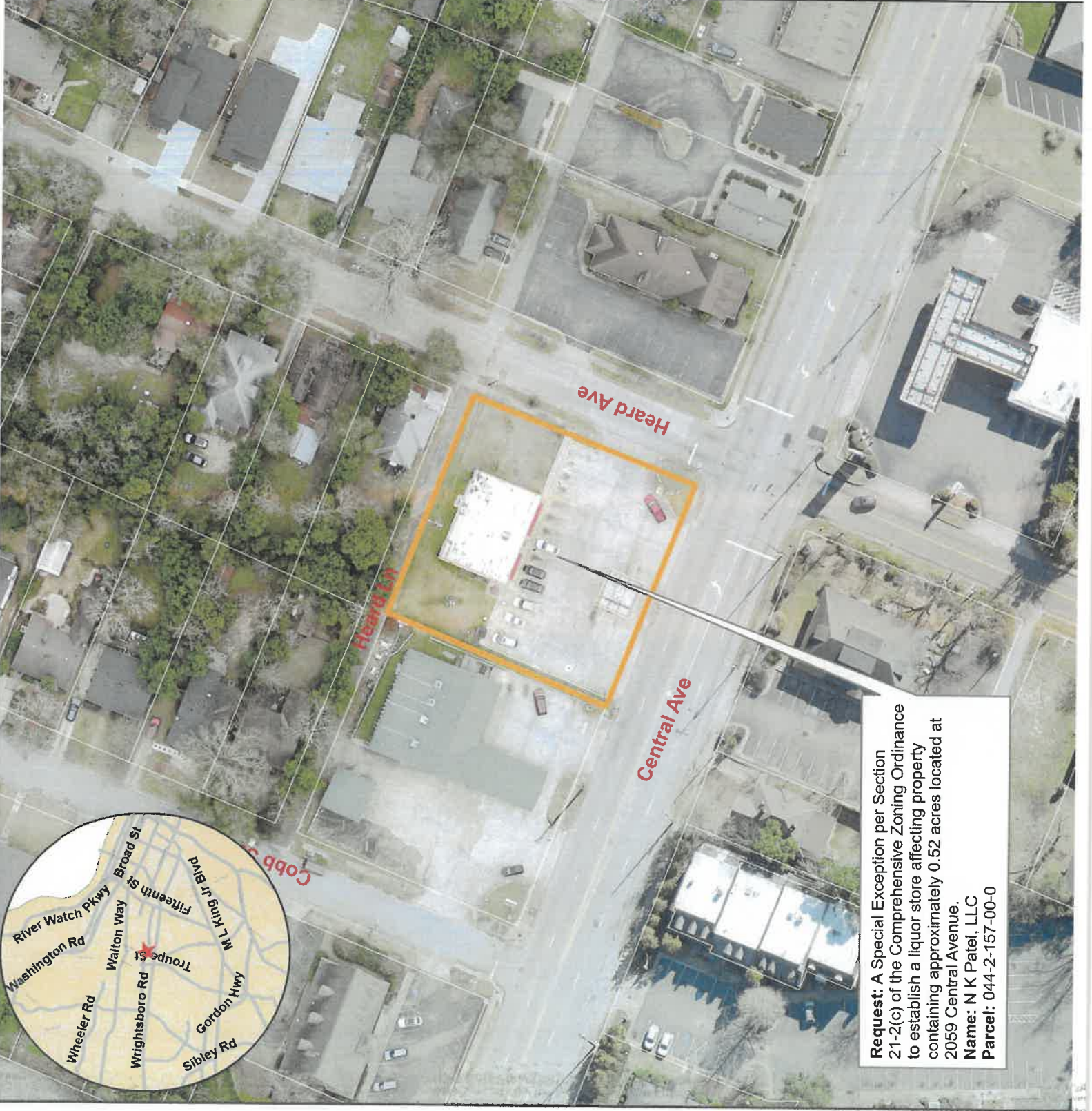
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Planning & Development Department
535 Telfair Street Suite 300
Augusta, GA 30901
4/8/2025 PE22633

Augusta, GA Disclaimer

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0 150 Feet









Request: A Special Exception per Section 21-2(c) of the Comprehensive Zoning Ordinance to establish a liquor store affecting property containing approximately 0.52 acres located at 2059 Central Avenue.
Name: N K Patel, LLC
Parcel: 044-2-157-00-0

Planning Commission
SE-25-07
May 5, 2025

2059 Central Avenue

Current Zoning

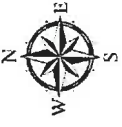
-  Subject Property
-  Zoning Classification
-  B-1: Neighborhood Business
-  P-1: Professional
-  R-1: One Family Residential
-  R-1C: One Family Residential



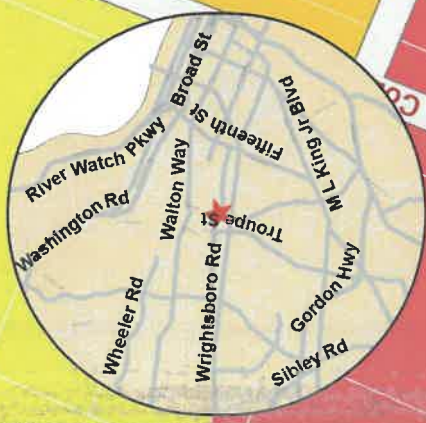
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Request: A Special Exception per Section 21-2(c) of the Comprehensive Zoning Ordinance to establish a liquor store affecting property containing approximately 0.52 acres located at 2059 Central Avenue.
Name: N K Patel, LLC
Parcel: 044-2-157-00-0

