



PLANNING COMMISSION / MAYOR AND CITY COUNCIL STAFF REPORT

AX-21-001

Planning Commission April 6th, 2021 / Mayor and City Council Meeting April 26th, 2021

GENERAL INFORMATION

Petition Number:	AX-21-001
Applicant:	Nu Ground Studio / Dennis Carter
Owner:	Nu Ground Holdings LLC
Project Location:	2935 Miller Road
District:	N/A
Acreage:	7.4
Existing Zoning:	M (Light Industrial) District
Proposed Zoning:	M (Light Industrial) District
Comprehensive Plan Community: Area Designation	Light Industrial
Proposed Development/Request:	The applicant is requesting to annex 7.4 acres in the city limits of Stonecrest and rezone the property to Light Industrial.
Staff Recommendations:	Approval

Aerial Map



ZONING CASE: **AX-21-001**

ADDRESS: **2935 Miller Rd**

CURRENT ZONING: **Light Industrial (M)**

FUTURE LAND USE: **Highway Corridor (HC)**



Subject Property

0 0.025 0.05 mi

Zoning Map





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PROJECT OVERVIEW

Location

The subject property is located at 2935 Miller Road. The property currently sits outside the western city limits in unincorporated DeKalb County. The property is surrounded by primarily industrial uses, both in city and the county.



Background

Currently, the property has kept its original zoning classification of M (Light Industrial) District under Dekalb County Ordinance. The topography of the property is characterized as being uneven throughout the property. Currently 56,000 square foot movie production studio sits on the property.



Rezoning Request

The applicant is requesting to annex and rezone the 7.4 acres of the subject property from unincorporated Dekalb County to M (Light Industrial) District. The applicant has indicated they will still operate as a movie production studio.

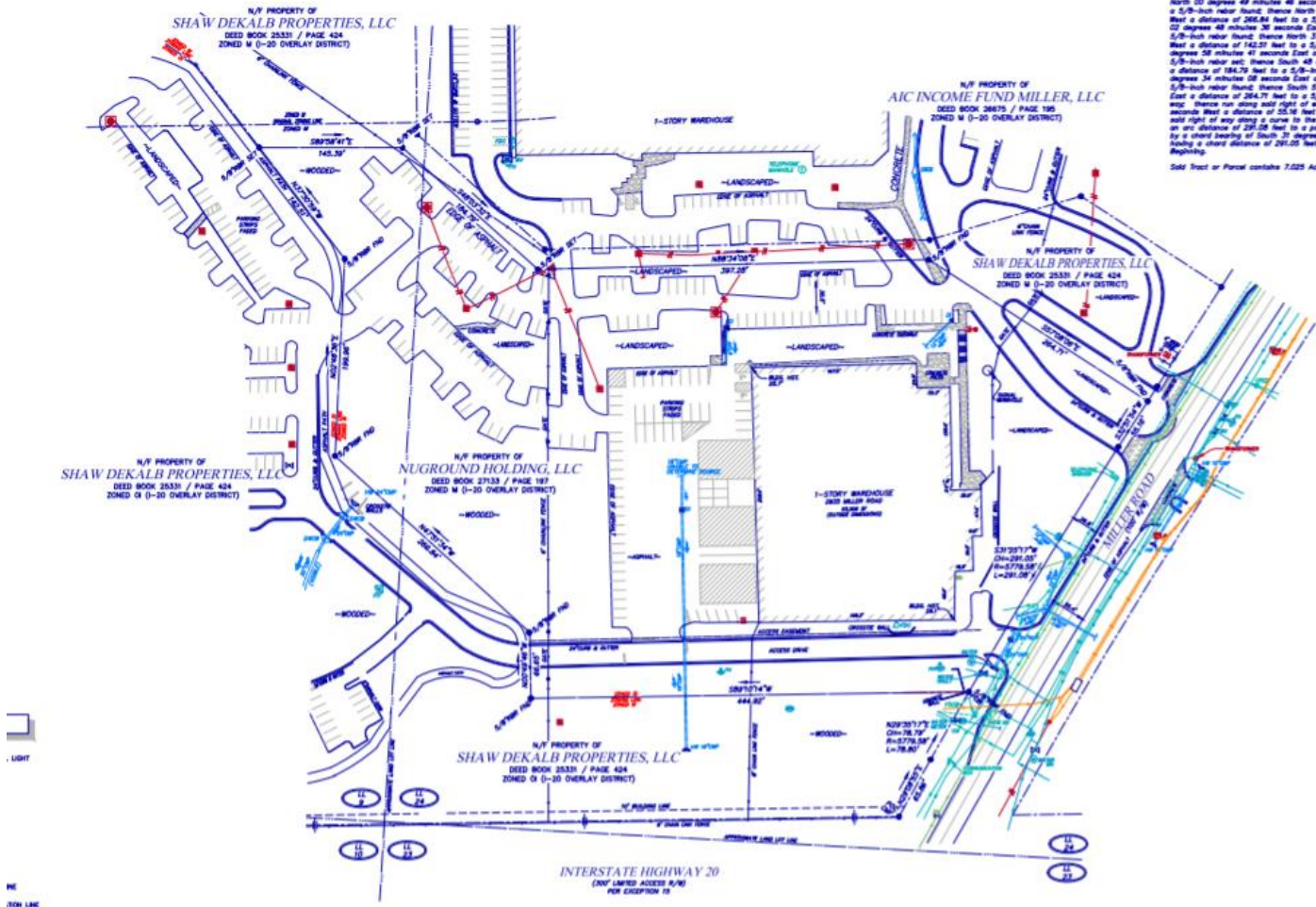
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Legal Survey

with the northerly right-of-way or near most (right-of-way), thence run along said northerly degree 02 minutes 55 seconds East, a distance of 3779.58 feet to the right, an arc curve having a radius of 5779.58 feet, with a feet, of North 29 degree 23 minutes 17 seconds East and bearing said right of way and run South 89 degrees 02 minutes 41 seconds East a distance of 444.82 feet to a 5/8-inch near found, thence North 47 degrees West a distance of 266.84 feet to a 5/8-inch near found, thence North 37 degrees 48 minutes 36 seconds East a distance of 142.57 feet to a 5/8-inch near found, thence North 17 degrees 30 minutes 08 seconds East a distance of 184.79 feet to a 5/8-inch near found, thence South 48 degrees 53 minutes 34 seconds East a distance of 284.71 feet to a 5/8-inch near found, thence South 57 degrees 08 minutes 08 seconds East a distance of 221.08 feet to a point, with the by a street bearing of South 31 degrees 25 minutes having a street distance of 231.05 feet with said p. Beginning.

Sold Tract or Parcel contains 7.025 Acres.





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Building Elevations





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STANDARDS OF REZONING REVIEW

Section 7.3.5 of the Stonecrest Zoning Ordinance list eight factors to be considered in a technical review of a zoning case completed by the Community Development Department and Planning Commission. Each element is listed with staff analysis.

- **Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property or properties.**

As shown in the table below, the subject property is surrounded by residential use and some commercial uses.

* Please see the map below table

Adjacent & Surrounding Properties	Zoning (Petition Number)	Land Use	Density Non-Residential (SF/Acre) Residential (Units/Acre)
Applicant	Proposed: M	Industrial	53,206 sqft
Adjacent: North	M (Light Industrial) District	Industrial	645,999 sqft
Adjacent: West	OI (Office-Institutional) District	Office	n/a
Adjacent: East	M (Light Industrial) District	Industrial	n/a
Nearby: South	OI (Office-Institutional) District	Office	n/a

The proposed change in zoning would permit a use that would be suitable in view and development of the nearby properties. The surrounding uses are strictly light industrial uses. The existing use falls into the light industrial uses category.

- **Whether the zoning proposal is in conformity with the policy and intent of the comprehensive plan.**

The zoning proposal is in conformity with the policy and intent of the comprehensive plan. Light Industrial uses such as warehousing is a primary land use in the Future Land Use for this area.

- **Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned.**

The property is currently zoned M (Light Industrial), which permits the light industrial uses such as storage and warehousing. The property does have reasonable economic use as currently zoned.



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- **Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property or properties.**

Part of this property is in Dekalb County. As per this approval the entire site will be moved into the City of Stonecrest limits. The proposed use will not adversely affect the existing use or usability of adjacent or nearby property. The adjacent Dekalb property is zoned residential on the northern portion and Commercial to the southern part.

- **Whether there are other existing or changing conditions affecting the use and development of the property, which gives supporting grounds for either approval or disapproval of the zoning proposal.**

There are existing conditions affecting the use and development of the property, which give supporting grounds for approval of the zoning proposal. The existing building and use of the property which is allowed in light industrial give supporting grounds for approval of the zoning proposal.

- **Whether the zoning proposal will adversely affect historic buildings, sites, districts, or archaeological resources.**

There are currently no historic buildings, sites, districts, or archaeological resources on the subject property.

- **Whether the zoning proposal will result in a use that will or could cause excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.**

Access to the property is via Miller Road, which is a collector road that staff believes would have the traffic capacity to handle the volume of traffic generated by the zoning change and will not cause excessive or burdensome use of the existing street or transportation.

- **Whether the zoning proposal adversely impacts the environment or surrounding natural resources.**

The subject property will not adversely impact the environment or surrounding natural resources as the property is not undeveloped. There is an existing movie production studio on the property.

STAFF RECOMMENDATION

Base on the findings and conclusions, it appears the applicant does meet all the criteria for approval and the supplemental regulations. Therefore, staff recommend **Approval** of AX-21-001.



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