



PLANNING COMMISSION / MAYOR AND CITY COUNCIL STAFF REPORT

SLUP-21-001

Planning Commission March 2nd, 2021 / Mayor and City Council Meeting March 22nd, 2021

GENERAL INFORMATION

Petition Number:	SLUP-21-001
Applicant:	Bernice Monger
Owner:	Lithonia Properties
Project Location:	7300 Stonecrest Concourse
District:	District 1
Acreage:	2.22 acres
Existing Zoning:	C-1 (Local Commercial) District
Proposed Request:	Special Land Use Permit to operate as late night establishment
Comprehensive Plan Community: Area Designation	Regional Center
Proposed Development/Request:	The applicant is requesting a Special Land Use Permit to operate as a late night establishment per Sec. 4.2.32 of the Stonecrest Zoning Ordinance.
Staff Recommendations:	<i>Approval with conditions</i>

Aerial Map



ZONING CASE: **SLUP-21-001**

ADDRESS: **7300 Stoncrest Concourse**

CURRENT ZONING: **C-1 (Local Commercial) Zoning District**

FUTURE LAND USE: **Regional Center**



Subject Property

0 0.0125 0.025 mi

Zoning Map



ZONING CASE: **SLUP-21-001**

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Subject Property





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PROJECT OVERVIEW

Location

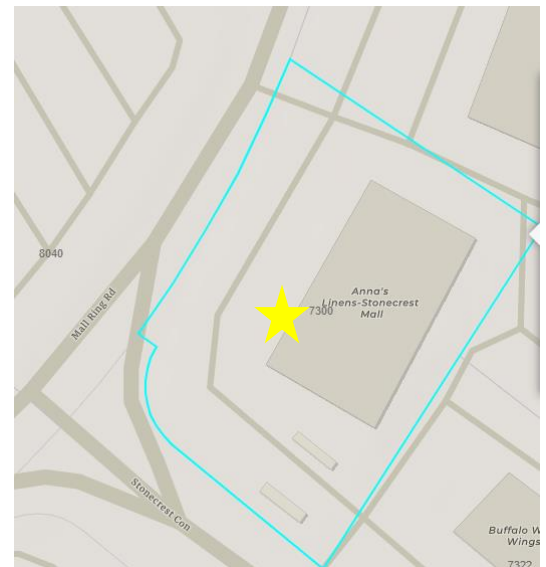
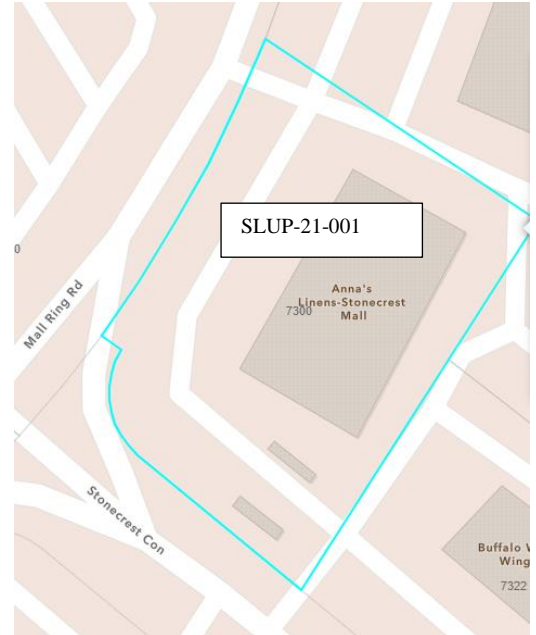
The subject property is located at 7300 Concourse. The subject property is located in multiparcel commercial development located to east of the Mall of Stonecrest.

The property is bounded By Mall Ring to the west and Stonecrest Concourse to the south. The AEI Startup Factory is located to the north of the subject property and Belinda Restaurant to the east of the subject property.

Background

Currently, the property has kept its original zoning classification of C-1 (Local Commercial) under Stonecrest Zoning Ordinance. The property was developed in part of a plan development for the Mall of Stonecrest.

The existing building is a multi-tenant building with several business located in different suites. The property is even throughout.



Elevations





Public Participation

Property owners within 500 feet of subject property were mailed notices of the proposed rezoning in October. The community meeting was held on October 30th, 2020, at 11:00 am at via zoom.com. No one was in attendance.



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CRITERIA OF REVIEW

Section 7.4.6 of the Stonecrest Zoning Ordinance list nineteen factors to be considered in a technical review of a special land use permit completed by the Community Development Department and Planning Commission. Each criterion is listed with staff analysis.

- A. Adequacy of the size of the site for the use contemplated and whether or not the adequate land area is available for the proposed use, including the 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 5,000 square foot suite on 1.64 acres is adequate for the operation of a late-night establishment. The use will meet all other applicable requirements of the zoning district in which the usage is proposed.

- 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 of late-night establishments is located in a commercial development corridor with other commercial services. The proposed use will be compatible with other properties and land uses in the district.

- C. Adequacy of public services, public facilities, and utilities to serve the proposed use.**

There are adequate public services, public facilities, and utilities to serve the proposed use.

- 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.**

Stonecrest Concourse is classified as a local street, the staff does have concern the public road may not have enough traffic capacity for the proposed use and may cause traffic and congestion in the area.

- E. Whether existing land uses located along access routes to the site will be adversely affected by the vehicles' character or the volume of traffic generated by the proposed use.**

The existing land use located along the access routes to the site would not be adversely affected by the vehicles' character or the volume of traffic generated by the proposed use. Stonecrest Concourse is designed to handle a large volume of traffic.

- 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 a fire or another emergency.**

The site's existing commercial structure is accessed by vehicles via a current curb cut with a driveway on Stonecrest Concourse and Mall Ring Road. Emergency vehicles can access the site from the existing driveways.



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G. Whether 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.

The proposed use will not create an adverse impact upon any adjoining land use by reason of noise, smoke, odor, dust, or vibration generated by the proposed use. The use will not change as the applicant is operating as a restaurant.

H. Whether 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 use is not expected to create an adverse impact upon any adjoining land use because of the hours of operation. The property sits in an existing commercial development where many businesses will be closed if the extended hours are approved.

I. Whether the proposed use will create adverse impacts upon any adjoining land use by reason of the manner of operation of the proposed use.

The proposed use will not create an adverse impact upon any adjoining land use because of the manner of operation. The existing use as a restaurant will not change, only the hours of operation will be extended.

J. Whether 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 is consistent with the zoning district classification requirement in which the use is proposed to be located.

K. Whether the proposed use is consistent with the policies of the comprehensive plan.

The proposed use of late-night establishment is a use consistent with the policies of the comprehensive plan. Located in the Regional Center character area, the character area policy states entertainment as appropriate land use.

L. Whether 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.

The proposed use will not require a buffer zone and transitional buffer zone.

M. Whether there is adequate provision of refuse and service areas.

The applicant will provide an adequate refuse and service area.

N. Whether the length of time for which the special land use permit is granted should be limited in duration.

Staff believes there is not a compelling reason to limit the special land use duration as the applicant



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- O. Whether 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 proposed use will not change any exterior design of the existing building. The current building is the appropriate size for the subject property and in relation to the size, scale, and massing of the nearby buildings.

- P. Whether the proposed use will adversely affect historic buildings, sites, districts, or archaeological resources.**

This use will not adversely affect any historic buildings, sites, districts, or archaeological resources.

- Q. Whether the proposed use satisfies the requirements contained within the supplemental regulations for such special land use permits.**

The proposed use submitted to Staff has met all the requirements within the supplemental regulation Sec 4.2.32 set forth by the zoning ordinance.

- R. Whether 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 development would not exceed the height of nearby residential structures. The existing building would be similar to the building height abutting the property located in the immediate area. There will be no negative shadow impact on any adjoining lot.

- S. 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 is compatible with the surrounding area and would not conflict with the overall objective of the comprehensive plan.



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STAFF RECOMMENDATION

Base on the findings and conclusions, it appears the applicant does meet all the criteria for approval. Therefore, Staff recommends *Approval of SLUP-21-001 with the following condition:*

1. Allow a late-night establishment at 7300 Concourse Road. Late Night Establishment shall stop serving alcohol, and close doors to new patrons by 2:00 am, and all guest shall be off the premises by no later than 2:30 am
2. Compliance with the Stonecrest Noise Ordinance.
3. Minimum of one (1) outdoor security officer to provide security until a minimum of 30 minutes after closing.
4. Capacity shall be subject to the approval of the Fire Marshal's Office
5. No dance floor.