



Legislation Details (With Text)

File #: 2019-3840 **Version:** 1 **Name:**
Type: Ordinance **Status:** Preliminary Item
File created: 6/4/2019 **In control:** Board of Commissioners - Zoning Meeting
On agenda: 7/23/2019 **Final action:** 7/23/2019
Title: COMMISSION DISTRICT(S): 4 & 7
 Application of Xandria Branch to request a Special Land Use Permit (SLUP) to allow a 4,500 square foot lounge (Glowbar ATL) within the Stonebridge Village shopping center to operate beyond 12:30 a.m. as a Late-Night Establishment within the C-1 (Local Commercial) District, at 8002 Rockbridge Road.

Indexes:

Attachments: 1. N1 SLUP 19 1243160 Xandria Branch, 2. RECOMMENDED CONDITIONS SLUP 19 1243160

Date	Ver.	Action By	Action	Result
7/23/2019	1	Board of Commissioners - Zoning Meeting	approved	Pass
7/9/2019	1	Planning Commission	approved with conditions per staff recommendation	Pass

Public Hearing: YES NO **Department:** Planning & Sustainability

SUBJECT:

COMMISSION DISTRICT(S): 4 & 7
Application of Xandria Branch to request a Special Land Use Permit (SLUP) to allow a 4,500 square foot lounge (Glowbar ATL) within the Stonebridge Village shopping center to operate beyond 12:30 a.m. as a Late-Night Establishment within the C-1 (Local Commercial) District, at 8002 Rockbridge Road.
PETITION NO: N1. SLUP-19-1243160

PROPOSED USE: Late Night Establishment

LOCATION: 8002 Rockbridge Road

PARCEL NO. : 16 193 04 006

INFO. CONTACT: Marian Eisenberg

PHONE NUMBER: 404-371-4922

PURPOSE:

Application of Xandria Branch to request a Special Land Use Permit (SLUP) to allow a 4,500 square foot lounge (Glowbar ATL) within the Stonebridge Village shopping center to operate beyond 12:30 a.m. as a Late-Night Establishment within the C-1 (Local Commercial) District in accordance with Chapter 27, Article 4, Table 4.1 Use Table and Article 4.2.32 Supplemental Regulations of the DeKalb County Code. The property is located on the north side of Rockbridge Road at the intersection of Rockbridge Road and Rock Chapel Road, approximately 136 feet west of The Trace at 8002 Rockbridge Road. The property has approximately 520 feet of frontage along Rockbridge Road and contains 17.37 acres.

RECOMMENDATION:

COMMUNITY COUNCIL: APPROVAL WITH CONDITIONS

PLANNING COMMISSION: APPROVAL WITH CONDITIONS

PLANNING STAFF: APPROVAL WITH CONDITIONS

STAFF ANALYSIS: The proposed late-night establishment is required to obtain a Special Land Use Permit (SLUP) since the establishment will serve alcohol after 12:30 a.m. within 1,500 feet of property zoned for residential use. The nearest residential zoning is the RSM (Small Lot Residential Mix) district which abuts the western property line of the subject property. Based on the submitted survey and information, and field investigation of the project site and surrounding area, it appears that the SLUP proposal for a late-night establishment with recommended conditions is compatible with adjacent properties, and will not create adverse impacts upon adjoining land uses by reason of hours of operation or by noise, smoke, odor or vibration (Section 27-873 B, G, & H). The proposed late-night establishment is surrounded by established retail, personal services, and office uses existing in the Stonebridge Village Shopping Center. There are no anticipated adverse impacts on surrounding properties since the site is within an established commercial building, has access to a major thoroughfare road (Rockbridge Road), and has ample parking. A major thoroughfare road (Rockbridge Road) separates the single-family residential uses to the south from the proposed late-night establishment. Furthermore, the proposed tenant space is located 460 feet away from the nearest residential area to the west (Forest Cove Subdivision), and there is a creek, a hill, significant mature vegetation, and an eight foot tall wooden fence to provide an appropriate separation from the proposed late night establishment. Therefore, it is the recommendation of the Planning Department that the application be "Approved, subject to Staff's recommended conditions".

PLANNING COMMISSION VOTE: Approval with conditions 6-2-0. V. Moore moved, G. McCoy seconded for approval with Staff's conditions, with an added condition that the SLUP be "non-transferrable". J. West and T. Snipes opposed.

COMMUNITY COUNCIL VOTE/RECOMMENDATION: Approval with conditions 9-2-0. Council recommended approval with the condition that the SLUP be non-transferrable, so that any change in ownership of the establishment would require a new SLUP.