



City of Stone Mountain
875 Main Street
Stone Mountain, GA 30083

STAFF ANALYSIS AND REPORT

CASE NUMBER: SUP2026-1808927003

OWNER: KONO's Weigh LLC

APPLICANT: LeRon Furr

LOCATION: 977 Main Street

PARCEL: 18 089 27 003

CURRENT ZONING: Village Center Mixed Use (VCM)

REQUEST: Special use permit for a Micro distillery and Smoke Shop

ZONING/ADJACENT LAND USE:

North	Village Center Mixed Use (VCM)
South	Village Center Mixed Use (VCM)
West	CSX Railroad
East	Village Center Mixed Use (VCM)

COMPREHENSIVE PLAN:
Future Land Use Designation: Mixed Use

MEETING INFORMATION:

Planning & Zoning Commission:	04/20/2026 – 6:30 P.M.
1 st Read – City Council	05/19/2026 – 6:30 PM
Public Hearing – City Council	06/2/2026 – 6:30 P.M

RECOMMENDATION: **Staff recommend approval of the Special Use Permit to allow micro distillery with Conditions.**

Staff recommend denial of the smoke shop.

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I. SUMMARY

The applicant has requested a special use permit for a microdistillery and a smoke shop located at 977 Main Street (Parcel ID 18 089 27 003). The proposal seeks to use the property to provide coffee service, light food, an indoor micro-distillery, retail, and a smoke shop. Alcohol will be served, but only on-site. The name of the business will be Kultural Koffee and Kocktail House, and at the time, there are no planned structural improvements for this property, as presented as part of this application.

II. ZONING REQUIREMENTS

- Accommodates moderate to high-density residential development and ground-floor commercial uses with residential units above.
- Allows for a diverse range of uses, structures, densities, and open spaces, provided they are not in conflict with existing and permitted land uses on abutting properties.
- Promotes a more efficient use of land and a smaller network of utilities and natural resources than conventional land development.
- Encourages the preservation of functional open space in and around the village center
- Provides the opportunity for the application of innovative site planning concepts through the creation of aesthetically pleasing environments for living, shopping, and working on properties of adequate shape, size, and location that conventional land development may allow for;
- Encourages high pedestrian use, accessibility, and transportation alternatives
- Uses are limited to multifamily dwellings, two-family dwellings, mixed-use residential, and commercial and professional complementary uses intended primarily to provide services to the entire city.

III. ZONING HISTORY

The subject property is currently zoned Village Center Mixed Use (VCM) according to the 2008 Stone Mountain Zoning Map. This parcel does not have a prior zoning history.

IV. EXISTING SITE CONDITIONS

The subject property is located on Main Street, which is classified as a minor arterial road connecting E Ponce De Leon Avenue to the north with Rockbridge Road to the south. The Georgia Department of Transportation's (GDOT) Traffic Analysis and Data Application (TADA) indicates that the Average Annual Daily Traffic at Main Street, north of Rockbridge, is 18,200 vehicles. The principal structure on the property was constructed in 1975 and encompasses a gross floor area of 1,075 square feet, according to the Property Appraiser Database. The structure, located within the City's Historic Preservation District, has been designated as a historic structure. While the Georgia Natural Archaeology Historic Resource GIS, which contains survey information on historic properties throughout Georgia, the platform does not specify an original construction date for this building, it is likely that the structure dates back to as early as 1857, as noted in the National Register of Historic

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Places Continuation Sheet (NPS Form 10-900-a), as it previously contained granite, which was synonymous for buildings along Main Street at that time. According to the USGS TOPO map, the property has an elevation of 1,046 feet. Several existing commercial establishments border the property: 979 Main Street to the north, 975 Main Street to the south, and 5368 East Mountain Street to the east. The site does not have designated parking facilities, except for some parallel parking along Main Street, located just north and south of East Mountain Street. Furthermore, there are no designated Americans with Disabilities Act (ADA) parking spaces. Sidewalks along Main Street provide access to the primary structure's entrances. These sidewalks connect to the MARTA 117 and 118 bus lines, which serve Main Street and East Mountain, located less than one block south of the subject property.

V. ZONING AND DEVELOPMENT STANDARDS

The following is a summary of applicable District Development Regulations in accordance with Section 5-5.5 Village Center Mixed Use (VCM), 5-5.3 (13) Microdistillery Requirements, and 5-5.3(18) Smoke Shop Requirements, and Article VII – Off Street Parking and Loading Requirements of the City of Stone Mountain Code of Ordinances.

Table 1. 5-5.5 Village Center Mixed Use (VCM) Development Standards

STANDARD	REQUIRED	PROPOSED	EXISTING	MET?
Minimum Lot Size	None	Not Required	Not Required	NOT REQUIRED
Minimum Lot Width	60 Feet	24 Feet	24 Feet	NO
Minimum Road Frontage	40 Feet	24 Feet	24 Feet	NO
Minimum Side Yard	None	None	None	NO
Minimum Rear Yard	20 feet	20 feet	20 feet	NO
Maximum Height	50 feet	Not Provided	Not Provided	NOT KNOWN
Maximum Floor Area	2,400 SF	1,536 SF	1,536 SF	YES
Minimum Floor Area	600 SF	Not Provided	None	YES
Minimum Buffer Area	None	None	None	Not Applicable

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Minimum Separation between buildings	None	None	None	NO
Maximum Lot Coverage	80 percent/20 percent for off street	98 Percent	98 Percent	NO

Development Standards. The proposal is exempt from meeting the above requirements. The structure is characterized as a historic structure, designed and constructed prior to the City of Stone Mountain Code of Ordinances. The structure, situated within the City’s Historic Preservation District, has been officially designated as a historic resource. Although the Georgia Natural Archaeology Historic Resource Geographic Information System (GIS) provides survey data on historic properties throughout Georgia, it does not specify an original construction date for this building. However, it is plausible that the structure dates back to as early as 1857, as indicated in the National Register of Historic Places Continuation Sheet (NPS Form 10-900-a) for structures along Main Street. Based on property records the site was vacant from 2008 to 2009, where the property was foreclosed in April 2008 and purchased in November 2009. The definition of non-conforming per Article III is as follows:

Nonconforming use: Any building or land lawfully occupied by a use at the time of passage of the ordinance or amendment thereto which does not conform after the passage of this ordinance or amendment thereto with the use regulations of the district in which it is situated. Existing improvements which do not meet required parking and loading regulations, height regulations, area regulations, and residential floor area regulations for the district in which they are located are not nonconforming uses as defined above.

According to section 6-1.2(A)(2), if a building has been unused for more than six months, it must comply with current zoning regulations. However, since this structure was built before the zoning ordinance was implemented, as stated in section 6-12(A)(8), and the applicant does not plan to expand or reconstruct the building, retrofitting is not required. This code section specifies that to prevent undue hardship, nothing in the zoning ordinance shall require changes to the plans, construction, or designated use of any building for which actual construction began lawfully before the effective date of the adoption or amendment of this zoning ordinance. Therefore, the above requirements where physical reconstruction is necessary to meet code, is not required.

Table 2. 5-5.3 (13) Microdistillery Requirements

STANDARD	REQUIRED	PROPOSED	EXISTING	MET?
Maximum FloorArea	4000 SF	1,536 SF	1,536 SF	YES
Outdoor Speakers	NOT PERMITTED	NONE	NONE	YES
Production Location	WITHIN BUILDING	WITHIN BUILDING	WITHIN BUILDING	YES

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Outdoor Equipment	PERMITTED WITH SCREENING	None	None	YES
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Microdistillery Requirements. The application meets the requirements of a microdistillery per the Stone Mountain Code of Ordinances.

Table 3. 5-5.3(18) Smoke Shops

STANDARD	REQUIRED	PROPOSED	EXISTING	MET?
Distance from Sensitive Land Use	200 Yards	128.8 Yards	128.8 Yards	NO
Distance from Smoke Shop	500 Yards	NONE	NONE	YES
Maximum Square Feet	2000	1,536 SF	1,536 SF	YES
Hours of Operation	6AM to 10 PM including deliveries	NONE	NONE	NO

Smoke Shop Requirements. The proposal does NOT meet the requirements of a smoke shop with regards to distance from sensitive land used as defined in 5-5.3(18). If recommended for approval by Planning Commission, and approved by City Council, the application would be required at minimum to impose hours of operation from 6AM to 10 PM.

Table 4. 5-5.6 Additional District Development Regulations

STANDARD	REQUIRED	PROPOSED	EXISTING	MET?
Maximum Density	20 Dwelling Units Per Acre	NO CHANGE	NO CHANGE	NOT APPLICABLE
Minimum Density	8 Dwelling Units Per Acre	NO CHANGE	NO CHANGE	NOT APPLICABLE
Setback Mixed Use	0 to ten feet Retail/dining	NO CHANGE	NO CHANGE	YES
Lighting	Dark Sky Compliant (If Provided)	NONE	NONE	NOT APPLICABLE

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Trash Disposal	Screened Trash Disposal Areas	NOT SHOWN	NOT SHOWN	NO
Connectivity and Site Design	Multimodal/ Interconnections	EXISTING SIDEWALKS/ TRANSIT ACCESS	EXISTING SIDEWALKS/ TRANSIT ACCESS	YES

Additional Development Regulations. To comply with Section 5-5.6 of the Additional District Development Regulations, screened trash disposal is required. The current site lacks sufficient coverage for on-site trash disposal. Non-Conforming Use does not exempt trash disposal requirements.

Table 5. 5-5.7 Minimum Parking Requirements and Article VII Off Street Parking and Loading

STANDARD	REQUIRED	PROPOSED	EXISTING	MET?
Off Street Loading	Per Article VII	NONE	NONE	NO
Decorative Separation for Surface Parking	Fences, Walls, Plantings, Berms to Screen Street visibility	NONE	NONE	NOT APPLICABLE
Surface Lot	Located in Rear	NONE	NONE	NOT APPLICABLE
ADA	Up to 25 Spaces = 1 ADA Spaces	NONE	NONE	NOT APPLICABLE

Minimum Parking Requirements: The parcel does not have designated off-street loading or parking areas due to a lack of available space. Behind the building is 5368 East Mountain Street, an existing commercial building that accesses 2nd Street. Given the limited access and space, combined with the existing building directly abutting the parcel at the rear, there are no opportunities for surface parking on this site. However, despite the existing state, the code does not require construction to meet the current zoning if the structure was built prior to the code of ordinances being adopted, the use meets the underlying zoning per 6-1.2, the structure is not being expanded or enlarged. Thus, parking retrofit is not required per 6-1.2(7). The application proposes the use of existing parking, and shared parking arrangements with nearby establishments. Where such shared parking will be utilized, approval from the city and the owner of the parking facility is required per 7-3.1(6). Any spaces designated for use by this facility should provide at least one ADA parking, with space requirements meeting 7-1.3 Design Standards in Article VII Off Street Parking and Loading.

Table 6. 5-5.8 Streetscape Requirements

STANDARD	REQUIRED	PROPOSED	EXISTING	MET?
Sidewalks Streetscape	5 Feet Minimum/ 10 feet Clear Zone	NONE	5 Feet Minimum/ 10 feet Clear Zone	YES

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Street Tree	1 Street Tree Per 40 LF	NONE	24 LF	YES
Pedestrian Amenities	Street Furniture or Litter Receptacles	NONE	Street Furniture Trash Receptacle	YES

Streetscape Requirements: Approximately 15 feet of sidewalk and streetscape currently exists along the lot frontage. However, due to the fact that the property's frontage measures less than 40 feet, it does not comply with the requisite 40-foot width necessary for the planting of a street tree. Furthermore, an existing trash receptacle is currently located in front of the structure, thereby meeting all stipulated streetscape requirements.

Table 7. Section 7-1.2 General Requirements Design Standards

STANDARD	REQUIRED	PROPOSED	EXISTING	STANDARDS MET?
Required Dimensions of Parking	9 Feet Wide/ 24 Feet Long	NONE	NONE	NO
Interior Driveways	90 Degree/ 45 Degree Parking	NONE	NONE	NO
Surface Drainage, Lighting	Paved, Lit Off Street Parking/No Glare	NONE	NONE	NO
Sharing Offstreet Parking	Shared Off Street Spaces per 7-1.3	NONE	NONE	NO
Off Street Loading	10 Feet Wide 30 feet Long	NONE	NONE	NO
Parking (Restaurant)	1 Space per 100 SF of Gross Floor Area OR 15 Spaces (1,536/100)	NONE	NONE	NO

General Requirements. The parcel does not have designated off-street loading or parking areas due to the structure occupying 98% of the lot. Behind the building is 5368 East Mountain Street, an existing commercial building that accesses 2nd Street. Given the limited access and space, combined with the existing building directly abutting the parcel at the rear, there are no opportunities for surface parking on this site or meet the minimum parking requirement of 15 spaces. However, despite the existing state, the code does not require construction to meet the current zoning if the structure was built prior to the code of ordinances being adopted, further, as the use meets the underlying zoning per 6-1.2, the nonconformity is not being expanded or enlarged, parking retrofit is not required per 6-1.2(7).

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IV. ANALYSIS PURSUANT TO ZONING ORDINANCE

Pursuant to **Article II of the City of Stone Mountain Zoning Ordinance**, staff have reviewed the special use permit application in accordance with the following review criteria per 2-1.5 Review Standards for Zoning Proposals.

1. The existing uses and zoning of nearby property;

The property is zoned VCM, allowing for both residential and commercial use. The surrounding areas to the north, east, south, and west are also designated as VCM.

2. The extent to which property values are diminished by their particular zoning restrictions;

There is no anticipated diminishment of property values due to zoning restrictions.

3. The extent to which the possible reduction of property values of the subject property promotes the health, safety, morals or general welfare of the public;

There is no anticipated diminishment of property values due to the subject special use permit proposal.

4. The relative harm to the public as compared to the hardship imposed upon the individual property owner;

No relative harm is anticipated by the subject special use permit proposal

5. The suitability of the subject property for the zoning proposed;

The subject proposal is not requesting new zoning – not applicable.

6. The length of time the property has been vacant as zoned, considered in the context of land development in the area in the vicinity of the property;

According to the Property Appraiser records, the site was in foreclosure from 2008 to 2009 and was assumed to be vacant during that period.

7. Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property;

The proposed microdistillery use is appropriate in light of adjacent properties. There is an existing microbrewery located to the rear of the subject property 5368 E Mountain Street. However, the smoke shop is situated less than 200 feet from sensitive land uses, which may make it unsuitable for this zoning district according to regulations.

8. Whether the zoning proposal will adversely affect the existing use or usability of adjacent

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or nearby property;

The proposed smoke shop is located within 200 feet of a sensitive land use, specifically the Stone Mountain Methodist Church, and does not comply with the regulations necessary for special use permit approval.

9. Whether the property to be affected by the zoning proposal has reasonable economic use as currently zoned;

The current zoning will remain unchanged. There is no evidence provided with the current proposal that the application would not have reasonable economic use.

10. Whether the zoning proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools;

It is not anticipated that this use will have any adverse effects on the public health, safety, nor welfare of the surrounding neighborhoods.

11. Whether the zoning proposal is in conformity with the policy and intent of the comprehensive plan and future development map;

The proposal is in compliance with the comprehensive plan.

12. 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;

The proposed microdistillery use is compatible with the existing zoning district, as the proposal satisfies all regulatory requirements, and abuts compatible uses. However, the proposed smoke shop is located within 200 feet of a sensitive land use, the Stone Mountain Methodist Church.

13. The impact upon the appearance of the city;

Not applicable

14. The impact upon the provision of water, sewage, transportation and other urban services;

See item #10

15. The impact upon population density and the potential for overcrowding and urban sprawl;

Not applicable.

16. The impact upon thoroughfare congestion and traffic safety; and

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Not applicable.

17. The protection of property against blight and depreciation.

Not applicable.

V. ANALYSIS GEORGIA ZONING PROCEDURES LAW

Pursuant to **36-67-3 of the Georgia Zoning Procedures Law**, Staff has reviewed the rezoning request in accordance with the required review criteria.

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

The proposed microdistillery use is compatible with the existing zoning district, as the proposal satisfies all regulatory requirements, and abuts compatible uses. However, the proposed smoke shop is located within 200 feet of a sensitive land use, specifically the Stone Mountain Methodist Church, and does not comply with the regulations necessary for special use permit approval.

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

The smoke shop is located within 200 feet of a sensitive land use, specifically the Stone Mountain Methodist Church.

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

The current zoning will remain unchanged. There is no evidence provided with the current proposal that the application would not have reasonable economic use.

4. Whether the zoning proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools;

This proposal is not anticipated to cause excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.

5. If the local government has an adopted land use plan, whether the zoning proposal is in conformity with the policy and intent of the land use plan; and

The proposed zoning proposal is in conformity with the adopted land use plan, and its intent.

6. Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or

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disapproval of the zoning proposal.

The proposed microdistillery use is compatible with the existing zoning district, as the proposal satisfies all regulatory requirements, and abuts compatible uses. However, the proposed smoke shop is located within 200 feet of a sensitive land use, specifically the Stone Mountain Methodist Church.

VI. STAFF RECOMMENDATION:

1. Staff recommends APPROVAL of the special use permit for microdistillery with the following conditions:
 - A. The site will not expand or become enlarged. If such conditions do occur, the applicant will be required to apply for a change in condition approval from City Council, following review of the proposal by Planning Commission, within six (6) months of any Historic Preservation Approvals to change the footprint of the principle structure, if the proposal is approved by City Council.
 - B. The site is not permitted to function as a night club, or cocktail lounge.
 - C. Any shared parking agreement obtained by the owner to permit its patrons to park on adjacent parking sites must comply with 7-3.1(6), of the Stone Mountain Code of Ordinances, which requires a written shared parking agreement between all affected parties, be submitted to the City of Stone Mountain for approval. Such agreements must be provided to the city for review prior to execution.
 - D. Trash disposal areas are required per 5-5.6 Additional District Development Regulations. If approved by City Council, locations should be designated, or a plan for trash disposal should be provided to the Planning and Zoning Department within 6 months of any City Council special use permit approvals.
2. Staff recommend DENIAL of the special use permit for the smoke shop.

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VII. SITE PHOTOS

977 MAIN STREET (FRONT)



FROM 2ND STREET (REAR)



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EXISTING RECEPTICLES (FRONT OF PROPERTY)



STREETSCAPE DIMENSIONS



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REQUEST: SPECIAL USE PERMIT
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TREE REQUIREMENTS – LESS THAN 40 LF

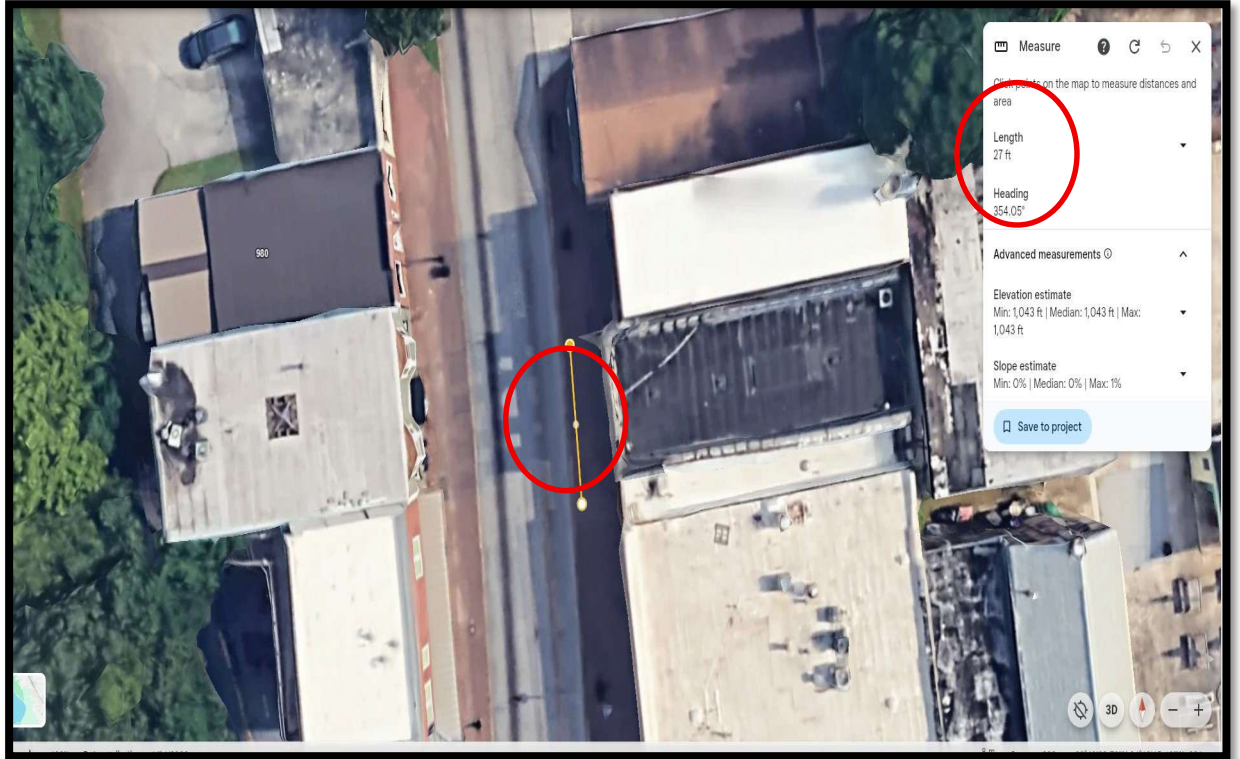
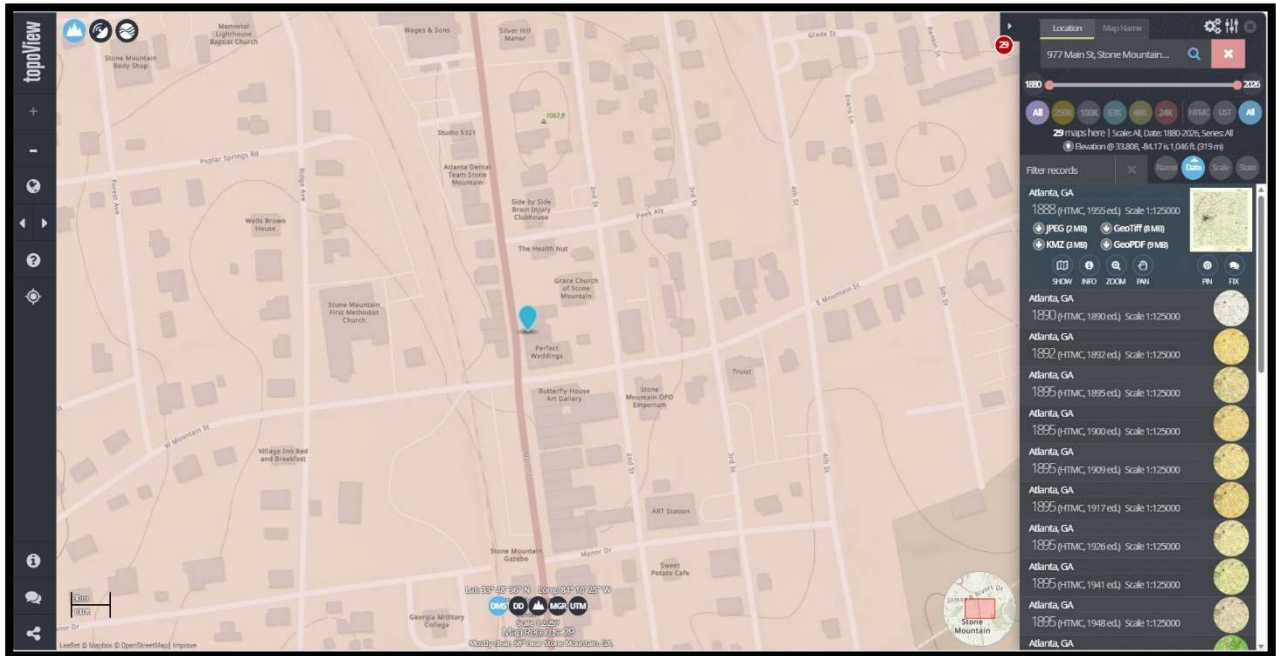


FIGURE 1. USGS TOPO MAP



CASE NUMBER: SUP2026-1808927003
SITE ADDRESS: 977 MAIN STREET
REQUEST: SPECIAL USE PERMIT
PARCEL ID: 18 089 27 003

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FIGURE 2. DEKALB COUNTY PROPERTY APPRAISER MAP

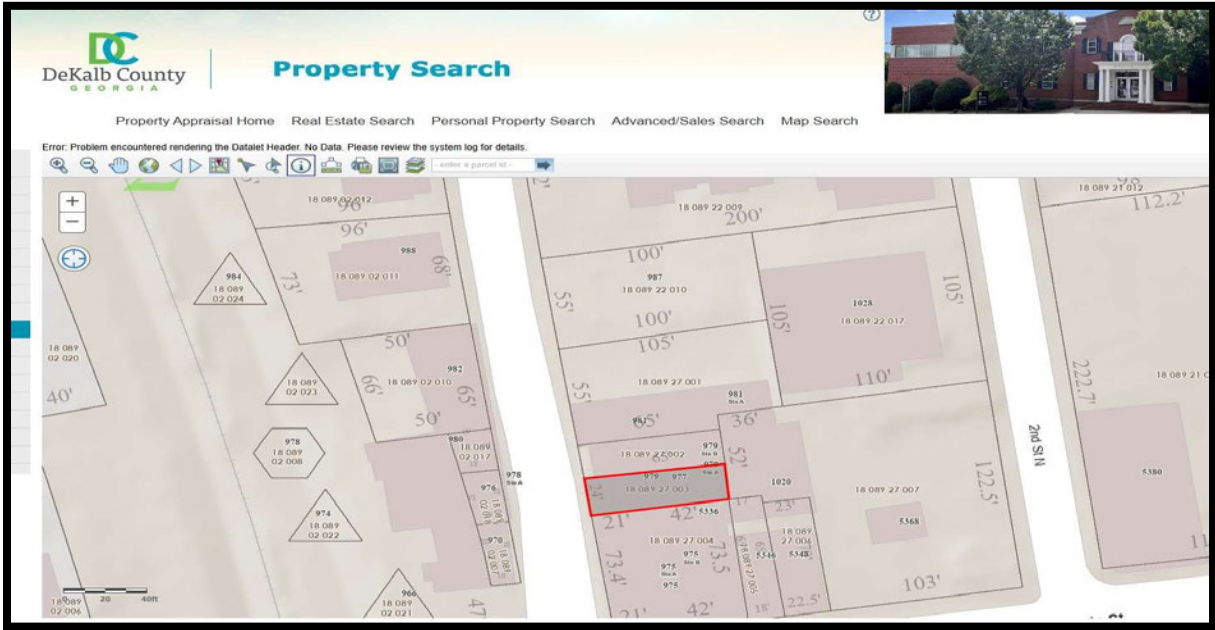
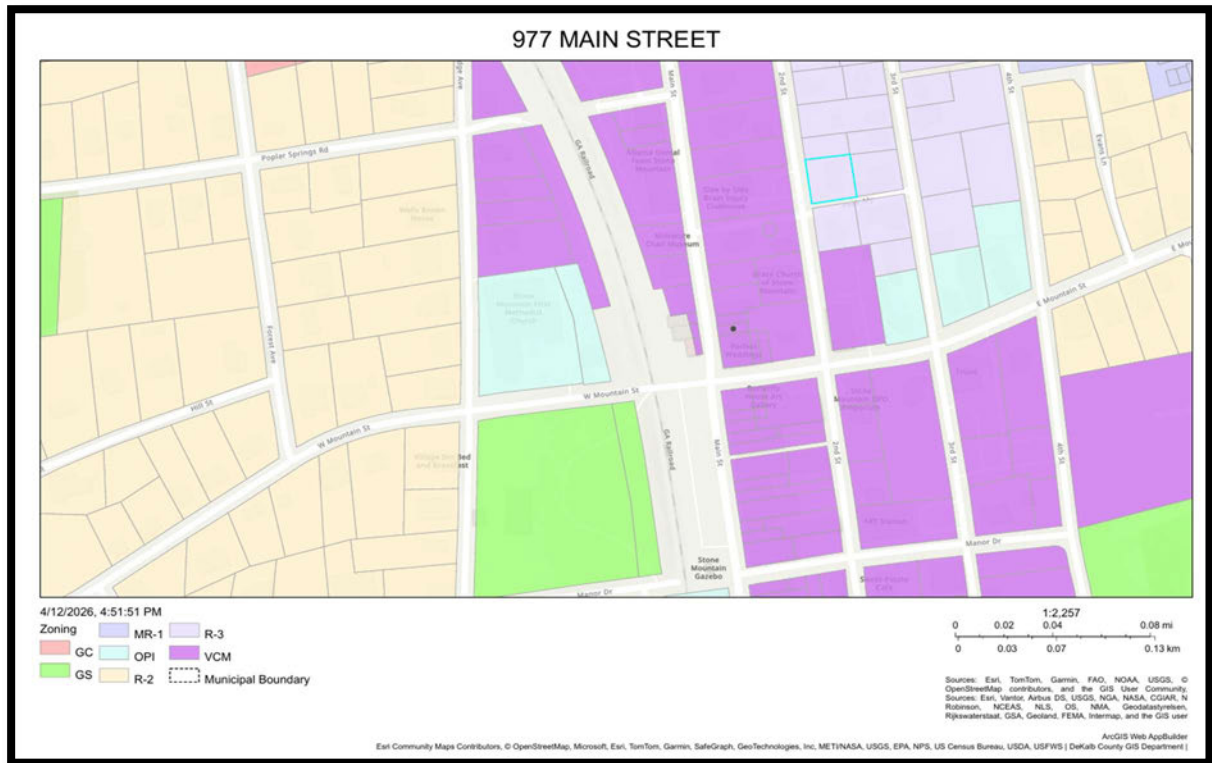


FIGURE 3. CITY OF STONE MOUNTAIN ZONING MAP



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