

# CITY OF SMYRNA

## COMMUNITY DEVELOPMENT

### MEMORANDUM

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To: Mayor and City Council

From: Rusty Martin, AICP, Community Development Director  
Caitlin Crowe, Planner I

Date: July 30, 2021

**RE: VARIANCE CASE V21-081**  
**2579 South Cobb Drive – Reduce the required distance from a school from 600 feet to 220 feet for new wine and malt beverage pouring licenses**

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#### **BACKGROUND**

The applicant is requesting to reduce the required distance from a school for new wine and malt beverage pouring licenses at 2579 South Cobb Drive. The previous Vittles restaurant is being remodeled for a new restaurant called Kay's Cuisine. Section 6-118 of the City's Code of Ordinances controls the minimum required distances for alcohol licenses.

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#### **ANALYSIS**

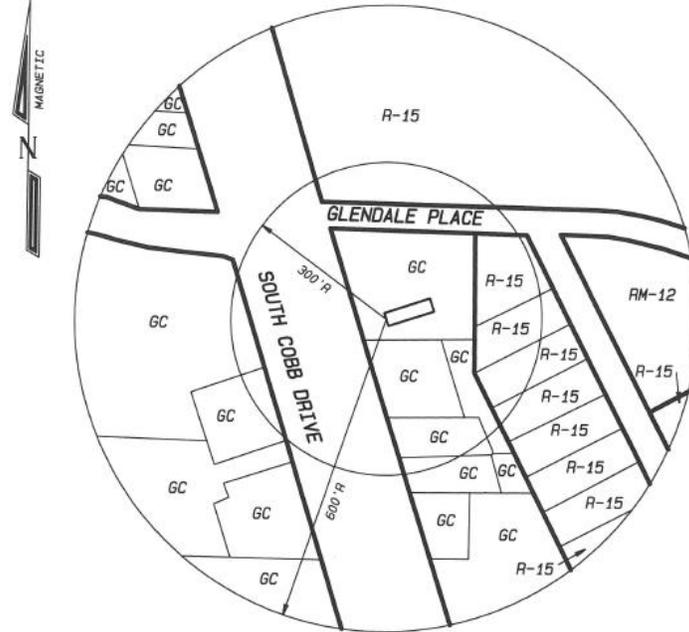
The subject parcel is on a 1.44-acre lot located on the southeast corner of the intersection of South Cobb Drive and Glendale Place (see Figure 1). The subject parcel and adjacent parcels to the south and west are zoned GC (General Commercial) and are occupied by various commercial uses. The adjacent property to the north, across Glendale Place, is zoned R-15 and is occupied by the Belmont Hills Elementary School. The adjacent properties to the east are zoned R-15 and are occupied by the single-family detached homes within the Birch Subdivision.

The subject property is currently occupied by two commercial buildings- the 3,864 square foot former Vittles restaurant and a 3,600 square foot tattoo parlor to the north. The applicant is proposing to remodel the existing restaurant building to create Kay's Cuisine, which will specialize in African food. Per the applicant, African foods often go hand in hand with alcohol due to its spicy nature. The previous Vittles location, which had existed since 1996, did not serve alcohol at the location. Since there had not been an alcohol license at the premises previously and due to the location so close to a school (220 feet from Belmont Hills Elementary School), the applicant requires a variance to reduce the required distance for wine and malt beverage pouring licenses.

The alcohol survey the applicant provided shows the restaurant 185 feet from the closest residence. However, after staff went onsite and looked at the site conditions, the restaurant backs up to a steep slope, overgrown shrubs and ivy, as well as wooden privacy fences. Thus, a person would need to walk around Glendale Place to go from the restaurant to the home, roughly measuring 340 feet, which would not require a distance reduction.



**Figure – 2  
Alcohol Survey**



**ALCOHOL LICENSE SURVEY NOTES:**

- NEAREST RESIDENCE 185' @ 2570 BIRCH STREET.
- NEAREST CHURCH 573' - FAITH DELIVERANCE KINGDOM NOW @ 2524 SOUTH COBB DRIVE.
- NEAREST PARK 876' - BURGER PARK @ 680 GLENDALE PLACE.
- NEAREST PUBLIC SCHOOL 220' - BELMONT HILLS ELEMENTARY SCHOOL.
- NEAREST PUBLIC BUILDING 3745' TO SMYRNA PUBLIC HEALTH CENTER @ 3001 SOUTH COBB DRIVE.
- NEAREST LIBRARY 5869' - SMYRNA PUBLIC LIBRARY @ 100 VILLAGE GREEN CIRCLE.
- NEAREST DRUG & ALCOHOL TREATMENT CENTER: 5122 -SOBER SOLUTIONS  
PAT MELL ROAD

**Figure – 3  
Subject Property**



**Figure – 4**  
**Alcohol Notifications**



**Figure – 5**  
**Rear of Subject Property**



**Figure – 6**  
**Adjacent Property to the South**



**Figure – 7**  
**Adjacent Properties across South Cobb Drive**

