



CITY OF STONECREST, GEORGIA

CITY COUNCIL SPECIAL CALLED MEETING – AGENDA

3120 Stonecrest Blvd., Stonecrest, GA 30038

Monday, July 31, 2023 at 6:00 PM

Mayor Jazzmin Cobble

Council Member Tara Graves - District 1 Council Member Rob Turner - District 2

Council Member Alecia Washington - District 3 Mayor Pro Tem George Turner - District 4

Council Member Tammy Grimes - District 5

Citizen Access: [Stonecrest YouTube Live Channel](#)

I. CALL TO ORDER: Mayor Pro-Tem George Turner

II. ROLL CALL: City Clerk Sonya Isom

III. PUBLIC HEARING

a. Public Hearing - TMOD 23-003 Public Storage Facilities - *Director of Planning and Zoning Ray White*

b. For Decision - TMOD 23-003 Public Storage Facilities - *Director of Planning & Zoning Ray White*

c. Public Hearing - SLUP 22-012 7173 Covington Highway - *Director of Planning and Zoning Ray White*

d. For Decision - SLUP 22-012 7173 Covington Highway - *Director of Planning and Zoning Ray White*

IV. AGENDA ITEMS

a. For Discussion - ARPA Update - *City Manager Gia Scruggs and Steven Whitney, Berry Dunn*

b. For Decision - TMOD 23-001 Truck Parking Gravel Lots - *Director of Planning & Zoning Ray White*

c. For Decision - RZ 23-002 7199 Hayden Quarry Road - *Director of Planning & Zoning Ray White*

d. For Decision - Purchasing Policy Revision - *City Manager Gia Scruggs*

e. For Decision - Economic Development Plan Steering Committee Membership Adjustment
- *Mayor Pro Tem George Turner*

f. For Decision - Appointment of Director of Finance - *Mayor Pro Tem George Turner*

V. EXECUTIVE SESSION

(When an executive session is required, one will be called for the following issues: 1) Personnel, 2) Litigation, 3) Real Estate)

VI. ADJOURNMENT

Americans with Disabilities Act

The City of Stonecrest does not discriminate on the basis of disability in its programs, services, activities and employment practices.

If you need auxiliary aids and services for effective communication (such as a sign language interpreter, an assistive listening device or print material in digital format) or reasonable modification to programs, services or activities contact the ADA Coordinator, Sonya Isom, as soon as possible, preferably 2 days before the activity or event.



CITY COUNCIL AGENDA ITEM

SUBJECT: TMOD-23-003 - Public Storage Facilities

AGENDA SECTION: *(check all that apply)*

- PRESENTATION PUBLIC HEARING CONSENT AGENDA OLD BUSINESS
 NEW BUSINESS OTHER, PLEASE STATE: Click or tap here to enter text.
-

CATEGORY: *(check all that apply)*

- ORDINANCE RESOLUTION CONTRACT POLICY STATUS REPORT
 OTHER, PLEASE STATE: Click or tap here to enter text.
-

ACTION REQUESTED: DECISION DISCUSSION, REVIEW, or UPDATE ONLY

Previously Heard Date(s): Click or tap to enter a date. & Click or tap here to enter text.

Current Work Session: Click or tap to enter a date.

Current Council Meeting: Monday, July 31, 2023

SUBMITTED BY: Tre'Jon Singletary, Senior Planner

PRESENTER: Ray White, Planning and Zoning Director

PURPOSE: Amendment to Stonecrest Zoning Ordinance, Chapter 27, Article 4, revising the supplemental use provisions, Article 6, Parking and Article 9, Definitions/Maps regarding Public Storages.

FACTS: CPIM was May 11, 2023. Planning Commission was held on June 26, 2023. There are five (5) current self-storages within the City of Stonecrest. The current Zoning Ordinance classifies Public-Storage as mini warehouses. The staff is proposing a change in definition, supplemental regulations, and parking requirements.

OPTIONS: Approve, Deny, Defer Click or tap here to enter text.

RECOMMENDED ACTION: Approval

ATTACHMENTS:

- (1) Attachment 1 - Staff Report
- (2) Attachment 2 - Ordinance



CITY COUNCIL AGENDA ITEM

- (3) Attachment 3 - Click or tap here to enter text.
- (4) Attachment 4 - Click or tap here to enter text.
- (5) Attachment 5 - Click or tap here to enter text.

Raymond White
Director
Planning and
Zoning Department



Matthew
Williams
Deputy Director
Planning and
Zoning
Department

TO: Mayor and Council

FROM: Planning and Zoning Department

SUBJECT: TMOD-23-003

ADDRESS: City-Wide

COUNCIL MEETING DATE: July 24, 2023

Summary: Amendment to Stonecrest Zoning Ordinance, Chapter 27, Article 4, revising the supplemental use provisions, Article 6, Parking and Article 9, Definitions/Maps regarding Self-Storage Facilities.

STAFF RECOMMENDATION: APPROVAL

PLANNING COMMISSION RECOMMENDATION: DENIAL



FACTS & ISSUES

- CPIM
 - May 11, 2023
- Planning Commission
 - June 26, 2023
- There are approximately five (5) current Self-Storages Facilities within the City of Stonecrest
- There are approximately four (4) applicants awaiting the decision of this TMOD to move forward with their development.
- The current Zoning Ordinance classifies Self-Storage as mini warehouses.
- The staff is proposing a change in definition, supplemental regulations, and parking requirements.

Attachment(s) Included:

- **Revisions to the Zoning Ordinance, Chapter 27 regarding Self-Storage Facilities**
- **Examples of Proposed Self-Storage Facilities (Mini & Multi)**
- **Existing Self-Storage Facilities within the City of Stonecrest**



TMOD-23-003

Planning and Zoning Department

TMOD-23-003

STONECREST ZONING ORDINANCE UPDATE

Revision to the Zoning Ordinance, Chapter 27

Article 3. Overlay District Regulations

Division 1. – Overlay Districts.

3.1.6. – Overlay Use Table.

Table 3.1 Overlay Use

Land Use	Stonecrest Area Overlay						Interstate 20 Corridor Overlay*			Arabia Mountain Conservation Overlay*	See Section 4.2
	T1	T2	T3	T4	T5*	T6*	T1	T2	T3		
"Key: P—Permitted use Pa—Permitted as an accessory Use SA—Special administrative permit required SP—Special Land Use Permit (SLUP) required X—Prohibited Use * Note: Uses permitted in Tiers 5 and 6 of the Stonecrest Area Overlay and the Arabia Mountain Conservation Overlay are determined by the underlying zoning district, though the Overlay takes precedence"							In Mixed Use Development	In Mixed Use Development	In Mixed Use Development		
INDUSTRIAL											
Salvage yard (Junkyard)	X	X	X	X	X		X	X	X	X	✓
Self-Storage (mini or multi)	X	X	X	X	X	X				X	✓
Solid waste: general disposal, landfill, private industry disposal, handling facility, thermal treatment technology or hazardous/toxic materials including radioactive materials										X	✓
Smelting: copper, iron, zinc, or ore											
Storage yard, except vehicle											
Storage yard for damaged or confiscated vehicles		X					X	X	X		
Sugar refineries		X									
Tire retreading and recapping	X	X	X	X	X		X	X	X		
Towing or wreckage service			P								
Transportation equipment storage or maintenance (vehicle)										X	✓
Truck stop or terminal										X	
Vehicle storage yard										X	
Warehousing or Storage	P	P	P							X	



TMOD-23-003

Planning and Zoning Department

Article 4. Use Regulations

Division 1. – Overview of Use Categories and Use Table

Sec. 4.1.3. – Use Table.

Use	KEY: P - Permitted use Pa - Permitted as an accessory use										SA - Special administrative permit from Community Development Director SP - Special land use permit (SLUP)											See Section 4.2			
	R E	R L G	R - 1 0 0	R - 8 5	R - 7 5	R - 6 0	R S M	M R- 1	M R- 2	H R- 1, 2, 3	M H P	R N C	O I	O I T	N S	C - 1	C - 2	O D	M	M - 2	M U -1		M U -2	M U -3	M U - 4, 5
INDUSTRIAL																									
Salvage yard (Junk yard)																				P					✓
Self-Storage, Mini													SP					SP	P	P					✓
Self-Storage, Multi																			P	P					✓



TMOD-23-003

Planning and Zoning Department

Article 4. Use Regulations

Division 2. – Supplemental Use Regulations

Sec. 4.2.65. – Self-Storage, Mini

Self-storage, mini shall meet the following requirements:

- A. Maximum of one (1) level/story**
- B. Requires a Special Land Use Permit in OI and OD Zoning District**
- C. The storage facility shall be climate controlled.**
- D. All buildings must have windows or architectural treatments that appear as windows.**
- E. Lot must be a minimum of one (1) acre.**
- F. At least 75 percent of the total on-site storage space shall be contained in individual enclosed stalls containing no more than 500 square feet each and being no more than ten feet high.**
- G. No activities other than the dead storage or transfer of nonvolatile goods or leasing of storage space is allowed. Prohibited uses include but are not limited to miscellaneous sales; fabrication or repair of vehicles, equipment, or other goods; transfer-storage business based on site; residential uses, or any use which creates a nuisance due to noise, odor, dust, light, or electrical interference.**
- H. An on-site manager shall be required and shall be responsible for the operation of the facility in conformance with the conditions of approval.**
- I. Provide a minimum six-foot high, 100 percent opaque solid wooden fence or masonry wall along the entire length (except for approved access crossings) of all property lines. Said fence/wall shall be located outside of any public right-of-way and interior to any required landscape strips or buffers.**
- J. *Lighting.* Exterior lighting for a self-storage facility shall project inward and downward and shall not spillover to adjacent properties.**
- K. *Design.* A combination of the following materials shall be used for self-storage on each building wall: brick, granite, stone, marble, terrazzo, architecturally treated reinforced concrete slabs, either fluted or with exposed aggregate, insulated window wall panels or stainless steel,**



TMOD-23-003

Planning and Zoning Department

porcelain-treated steel, anodized or other permanently finished aluminum.

L. No outside storage shall be allowed.

M. No self-storage facility (mini or multi) shall be within 1,000 feet of a school, church, or daycare.

N. A new or expanded self-storage facility shall be located a minimum of 1,500 feet from the boundary of any other self-storage facility (mini or multi).



TMOD-23-003

Planning and Zoning Department

Article 4. Use Regulations

Division 2. – Supplemental Use Regulations

Sec. 4.2.66. – Self-Storage, Multi

Self-storage, multi shall meet the following requirements:

- A. Minimum of two (2) levels/stories; maximum of four (4) levels/stories.**
- B. Requires a Special Land Use Permit in OI and OD Zoning District**
- C. The storage facility shall be climate controlled.**
- D. All buildings must have windows or architectural treatments that appear as windows.**
- E. Lot must be a minimum of one (1) acre.**
- F. No activities other than the dead storage or transfer of nonvolatile goods or leasing of storage space are allowed. Prohibited uses include but are not limited to miscellaneous sales; fabrication or repair of vehicles, equipment, or other goods; transfer-storage business based on site; residential uses, or any use which creates a nuisance due to noise, odor, dust, light, or electrical interference.**
- G. An on-site manager shall be required and shall be responsible for the operation of the facility in conformance with the conditions of approval.**
- H. *Lighting.* Exterior lighting for a self-storage facility shall project inward and downward and shall not spillover to adjacent properties.**
- I. *Design.* A combination of the following materials shall be used for self-storage on each building wall: brick, granite, stone, marble, terrazzo, architecturally treated reinforced concrete slabs, either fluted or with**



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Planning and Zoning Department

exposed aggregate, insulated window wall panels or stainless steel, porcelain-treated steel, anodized or other permanently finished aluminum.

J. No outside storage shall be allowed.

K. No self-storage facility (mini or multi) shall be within 1,000 feet of a school, church, or daycare.

L. A new or expanded self-storage facility shall be located a minimum of 1,500 feet from the boundary of any other self-storage facility (mini or multi).



Sec. 6.1.4. – Off-street Parking Ratios.

Table 6.2. Off-street Parking Ratios

Minimum and Maximum Parking Spaces		
Use	Minimum Parking Spaces Required	Maximum Parking Spaces Allowed
<i>Industrial</i>		
Heavy and light industrial, manufacturing, and commercial establishments not involving retail sales	One space for each 2,000 square feet of floor area.	One space for each 1,300 square feet of floor area.
Self-Storage (mini or multi)	One space for each 20-storage unit	No maximum
Warehouse, distribution	One space for each 2,500 square feet of floor area.	One space for each 500 square feet of floor area.
Wholesale membership club	One space for each 500 square feet of floor area	One space for each 200 square feet of floor area.
Wholesale trade establishments, distribution establishments, offices in conjunction with showrooms, and similar uses	One space for each 200 square feet of floor area devoted to sales or display, plus one space for each 2,000 square feet of gross storage area.	One space for each 150 square feet of floor area devoted to sales or display, plus one space for each 1,500 square feet of gross storage area.

Article 9. Definition/Maps

Sec. 9.1.3. – Defined terms.

Self-Storage (mini or multi) means a building or group of buildings in a controlled- access and secured compound that contains vary sizes of individual, compartmentalized and controlled-access stalls or lockers for the storage of customers’ goods or wares, and shall be climate-controlled. Noting or pertaining to a warehouse or other facility that rents units to people for storing personal possessions

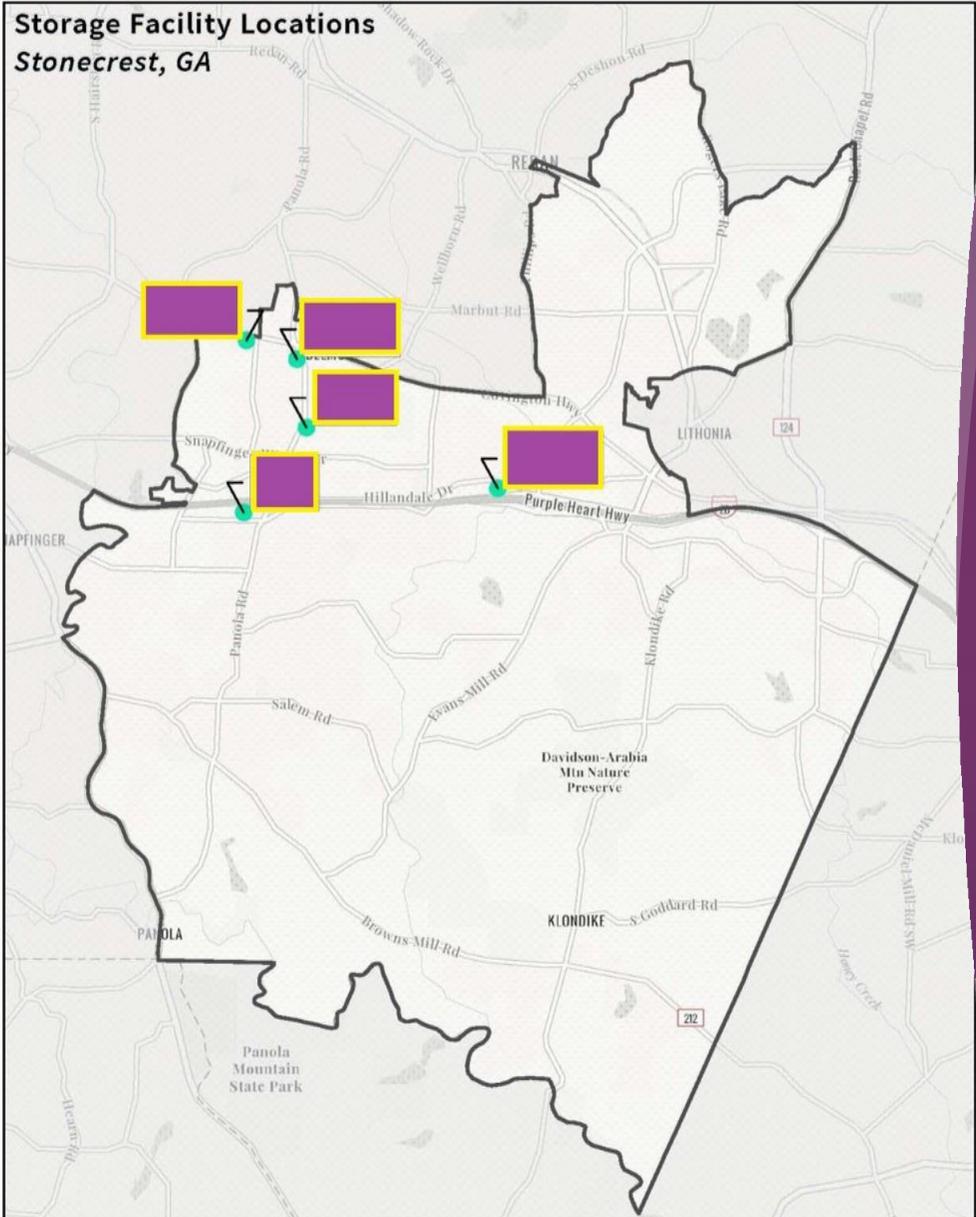


Examples of Proposed Self-Storage Facilities (Mini)



Examples of Proposed Self-Storage Facilities (Multi)





Existing Self-Storage Within Stonecrest

Public Storage (Location 1)

- ▶ Acres
 - ▶ 4.04
- ▶ Overlay District
 - ▶ I-20 Tier 2
- ▶ Future Land Use
 - ▶ Office Professional
- ▶ Zoning
 - ▶ M – Light Industrial
- ▶ District
 - ▶ 3

Public Storage (Location 2)

- ▶ Acres
 - ▶ 5.49
- ▶ Overlay District
 - ▶ Stonecrest Tier 6
- ▶ Future Land Use
 - ▶ City Center
- ▶ Zoning
 - ▶ OD – Office Distribution
- ▶ District
 - ▶ 2

Public Storage (Location 3)

- ▶ Acres
 - ▶ 1.89
- ▶ Overlay District
 - ▶ N/A
- ▶ Future Land Use
 - ▶ City Center
- ▶ Zoning
 - ▶ OD – Office Distribution
- ▶ District
 - ▶ 2

Public Storage (Location 4)

- ▶ Acres
 - ▶ 3.89
- ▶ Overlay District
 - ▶ I-20 Tier 2
- ▶ Future Land Use
 - ▶ Light Industrial
- ▶ Zoning
 - ▶ M – Light Industrial
- ▶ District
 - ▶ 2

Public Storage (Location 5)

- ▶ Acres
 - ▶ 4.96
- ▶ Overlay District
 - ▶ I-20 Tier 2
- ▶ Future Land Use
 - ▶ Light Industrial
- ▶ Zoning
 - ▶ M – Light Industrial
- ▶ District
 - ▶ 2

**STATE OF GEORGIA
DEKALB COUNTY
CITY OF STONECREST**

ORDINANCE NO. ____ - _____

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES, CITY OF STONECREST, GEORGIA ARTICLE III (OVERLAY DISTRICT REGULATIONS), ARTICLE IV (USE REGULATIONS), ARTICLE VI (PARKING) AND ARTICLE VIII WITHIN CHAPTER 27 (ZONING ORDINANCE); TO PROVIDE SEVERABILITY; TO PROVIDE A PENALTY; TO PROVIDE FOR REPEAL OF CONFLICTING ORDINANCES; TO PROVIDE FOR AN ADOPTION AND EFFECTIVE DATE; AND TO PROVIDE FOR OTHER LAWFUL PURPOSES.

WHEREAS, the governing body of the City of Stonecrest (“City”) is the Mayor and City Council thereof; and

WHEREAS, Article IX, Section II, Paragraph IV of the 1983 Constitution of the State of Georgia authorizes the City to adopt plans and exercise the power of zoning; and

WHEREAS, the governing authority of the City is authorized by O.C.G.A. § 36-35-3 to adopt ordinances relating to its property, affairs, and local government; and

WHEREAS, the Mayor and City Council desire to amend ARTICLE III (OVERLAY DISTRICT REGULATIONS), ARTICLE IV (USE REGULATIONS), ARTICLE VI (PARKING) AND ARTICLE VIII WITHIN CHAPTER 27 (ZONING ORDINANCE); and

WHEREAS, from time-to-time amendments may be proposed for public necessity, general welfare, or sound zoning practice that justify such action; and

WHEREAS, the Director of Planning and Zoning recommends approval based on the City Staff Report; and

WHEREAS, a public hearing and recommendation pursuant to the provisions of the Zoning Procedures Law has been provided by the Planning Commission; and

WHEREAS, a public hearing pursuant to the provisions of the Zoning Procedures Law has been properly held by the City Council prior to the adoption of this Ordinance; and

WHEREAS, the health, safety, and welfare of the citizens of the city will be positively impacted by the adoption of this Ordinance.

BE IT AND IT IS HEREBY ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF STONECREST, GEORGIA, and by the authority thereof:

Section 1. The Code of Ordinances of the City of Stonecrest, Georgia is hereby amended by amending ARTICLE III (OVERLAY DISTRICT REGULATIONS), ARTICLE IV (USE REGULATIONS), ARTICLE VI (PARKING) AND ARTICLE VIII WITHIN CHAPTER 27 (ZONING ORDINANCE) by adopting the amendment set forth in Exhibit A attached hereto and made a part hereof by reference.

Section 2. That text added to current law appears in **red and bold** Text removed from current law appears as **red, bold and strikethrough.**

Section 3. The preamble of this Ordinance shall be considered to be and is hereby incorporated by reference as if fully set out herein.

Section 4. (a) It is hereby declared to be the intention of the Mayor and Council that all sections, paragraphs, sentences, clauses, and phrases of this Ordinance are or were, upon their enactment, believed by the Mayor and Council to be fully valid, enforceable and constitutional.

(b) It is hereby declared to be the intention of the Mayor and Council that, to the greatest extent allowed by law, each and every section, paragraph, sentence, clause or phrase of this Ordinance is severable from every other section, paragraph, sentence, clause or phrase of this Ordinance. It is hereby further declared to be the intention of the Mayor and Council that, to the greatest extent allowed by law, no section, paragraph, sentence, clause, or phrase of this Ordinance is mutually dependent upon any other section, paragraph, sentence, clause, or phrase of this Ordinance.

(c) In the event that any phrase, clause, sentence, paragraph, or section of this Ordinance shall, for any reason whatsoever, be declared invalid, unconstitutional, or otherwise unenforceable by the valid judgment or decree of any court of competent jurisdiction, it is the express intent of the Mayor and Council that such invalidity, unconstitutionality or unenforceability shall, to the greatest extent allowed by law, not render invalid, unconstitutional or otherwise unenforceable any of the remaining phrases, clauses, sentences, paragraphs or section of the Ordinance and that, to the greatest extent allowed by law, all remaining phrases, clauses, sentences, paragraphs and sections of the Ordinance shall remain valid, constitutional, enforceable, and of full force and effect.

Section 5. The City Clerk, with the concurrence of the City Attorney, is authorized to correct any scrivener’s errors found in this Ordinance, including its exhibits, as enacted.

Section 6. All ordinances and parts of ordinances in conflict herewith are hereby expressly repealed.

Section 7. The Ordinance shall be codified in a manner consistent with the laws of the State of Georgia and the City of Stonecrest.

Section 8. It is the intention of the governing body, and it is hereby ordained that the provisions of this Ordinance shall become and be made part of the Code of Ordinances, City of Stonecrest, Georgia.

ORDAINED this _____ day of _____, 2023.

[SIGNATURES TO FOLLOW]

CITY OF STONECREST, GEORGIA

Jazzmin Cobble, Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney

EXHIBIT A

TMOD-23-003

STONECREST ZONING ORDINANCE UPDATE

Revision to the Zoning Ordinance, Chapter 27

Article 3. Overlay District Regulations

Division 1. – Overlay Districts.

3.1.6. – Overlay Use Table.

Table 3.1 Overlay Use

Land Use	Stonecrest Area Overlay						Interstate 20 Corridor Overlay*			Arabia Mountain Conservation Overlay*	See Section 4.2
	T1	T2	T3	T4	T5*	T6*	T1	T2	T3		
"Key: P—Permitted use Pa—Permitted as an accessory Use SA—Special administrative permit required SP—Special Land Use Permit (SLUP) required X—Prohibited Use * Note: Uses permitted in Tiers 5 and 6 of the Stonecrest Area Overlay and the Arabia Mountain Conservation Overlay are determined by the underlying zoning district, though the Overlay takes precedence"							In Mixed Use Development	In Mixed Use Development	In Mixed Use Development		
INDUSTRIAL											
Salvage yard (Junkyard)	X	X	X	X	X		X	X	X	X	✓
Self-Storage (mini or multi)	X	X	X	X	X	X				X	✓
Solid waste: general disposal, landfill, private industry disposal, handling facility, thermal treatment technology or hazardous/toxic materials including radioactive materials										X	✓
Smelting: copper, iron, zinc, or ore											
Storage yard, except vehicle											
Storage yard for damaged or confiscated vehicles		X					X	X	X		
Sugar refineries		X									
Tire retreading and recapping	X	X	X	X	X		X	X	X		
Towing or wreckage service			P								
Transportation equipment storage or maintenance (vehicle)										X	✓
Truck stop or terminal										X	
Vehicle storage yard										X	
Warehousing or Storage	P	P	P							X	

Article 4. Use Regulations

Division 1. – Overview of Use Categories and Use Table

Sec. 4.1.3. – Use Table.

	KEY: P - Permitted use Pa - Permitted as an accessory use									SA - Special administrative permit from Community Development Director SP - Special land use permit (SLUP)																
Use	R E	R L G	R - 1 0 0	R - 8 5	R - 7 5	R - 6 0	R S M	M R- 1	M R- 2	H R- 1, 2, 3	M H P	R N C	O I	O I T	N S	C - 1	C - 2	O D	M	M - 2	M U- 1	M U- 2	M U- 3	M U- 4, 5	See Sec tion 4.2	
INDUSTRIAL																										
Salva ge yard (Junk yard)																					P					✓
Self- Stor age, Mini													S P					S P	P	P						✓
Self- Stor age, Multi																			P	P						✓



Article 4. Use Regulations

Division 2. – Supplemental Use Regulations

Sec. 4.2.65. – Self-Storage, Mini

Self-storage, mini shall meet the following requirements:

- A. Maximum of one (1) level/story**
- B. Requires a Special Land Use Permit in OI and OD Zoning District**
- C. The storage facility shall be climate controlled.**
- D. All buildings must have windows or architectural treatments that appear as windows.**
- E. Lot must be a minimum of one (1) acre.**
- F. At least 75 percent of the total on-site storage space shall be contained in individual enclosed stalls containing no more than 500 square feet each and being no more than ten feet high.**
- G. No activities other than the dead storage or transfer of nonvolatile goods or leasing of storage space is allowed. Prohibited uses include but are not limited to miscellaneous sales; fabrication or repair of vehicles, equipment, or other goods; transfer-storage business based on site; residential uses, or any use which creates a nuisance due to noise, odor, dust, light, or electrical interference.**
- H. An on-site manager shall be required and shall be responsible for the operation of the facility in conformance with the conditions of approval.**
- I. Provide a minimum six-foot high, 100 percent opaque solid wooden fence or masonry wall along the entire length (except for approved access crossings) of all property lines. Said fence/wall shall be located outside of any public right-of-way and interior to any required landscape strips or buffers.**
- J. *Lighting.* Exterior lighting for a self-storage facility shall project inward and downward and shall not spillover to adjacent properties.**
- K. *Design.* A combination of the following materials shall be used for self-storage on each building wall: brick, granite, stone, marble, terrazzo, architecturally treated reinforced concrete slabs, either fluted or with exposed aggregate, insulated window wall panels or stainless steel,**



porcelain-treated steel, anodized or other permanently finished aluminum.

L. No outside storage shall be allowed.

M. No self-storage facility (mini or multi) shall be within 1,000 feet of a school, church, or daycare.

N. A new or expanded self-storage facility shall be located a minimum of 1,500 feet from the boundary of any other self-storage facility (mini or multi).



Article 4. Use Regulations

Division 2. – Supplemental Use Regulations

Sec. 4.2.66. – Self-Storage, Multi

Self-storage, multi shall meet the following requirements:

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- C. The storage facility shall be climate controlled.
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L. A new or expanded self-storage facility shall be located a minimum of 1,500 feet from the boundary of any other self-storage facility (mini or multi).

Sec. 6.1.4. – Off-

street Parking

Minimum and Maximum Parking Spaces			
Use	Ratios. Table 6.2.	Minimum Parking Spaces Required	Maximum Parking Spaces Allowed
Off-street Parking Ratios			
Industrial			
Heavy and light industrial, manufacturing, and commercial establishments not involving retail sales		One space for each 2,000 square feet of floor area.	One space for each 1,300 square feet of floor area.
Self-Storage (mini or multi)		One space for each 20-storage unit	No maximum
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Wholesale membership club		One space for each 500 square feet of floor area	One space for each 200 square feet of floor area.
Wholesale trade establishments, distribution establishments, offices in conjunction with showrooms, and similar uses		One space for each 200 square feet of floor area devoted to sales or display, plus one space for each 2,000 square feet of gross storage area.	One space for each 150 square feet of floor area devoted to sales or display, plus one space for each 1,500 square feet of gross storage area.

Article

9.

Definitio

n/Maps

Sec.

9.1.3. –

Defined

terms.

Self-Storage (mini or multi) means a building or group of buildings in a controlled- access and secured compound that contains vary sizes of individual, compartmentalized and controlled-access stalls or lockers for the storage of customers' goods or wares, and shall be climate-controlled.

Noting or pertaining to a warehouse or other facility that rents units to people for storing personal possessions



CITY COUNCIL AGENDA ITEM

SUBJECT: SLUP 22-012 7173 Covington Highway

AGENDA SECTION: *(check all that apply)*

- PRESENTATION PUBLIC HEARING CONSENT AGENDA OLD BUSINESS
 NEW BUSINESS OTHER, PLEASE STATE: Click or tap here to enter text.
-

CATEGORY: *(check all that apply)*

- ORDINANCE RESOLUTION CONTRACT POLICY STATUS REPORT
 OTHER, PLEASE STATE: SLUP
-

ACTION REQUESTED: DECISION DISCUSSION, REVIEW, or UPDATE ONLY

Previously Heard Date(s): Click or tap to enter a date. & Click or tap to enter a date.

Current Work Session: Click or tap to enter a date.

Current Council Meeting: Monday, July 31, 2023

SUBMITTED BY: Director of Planning and Zoning Ray White

PRESENTER: Director of Planning and Zoning Ray White

PURPOSE: Application for a Special Land Use Permit to operate as a late-night establishment.

FACTS: Click or tap here to enter text.

OPTIONS: Approve, Deny, Defer Click or tap here to enter text.

RECOMMENDED ACTION: Approve Click or tap here to enter text.

ATTACHMENTS:

- (1) Attachment 1 - Staff Reports
- (2) Attachment 2 - Ordinance
- (3) Attachment 3 - Click or tap here to enter text.
- (4) Attachment 4 - Click or tap here to enter text.
- (5) Attachment 5 - Click or tap here to enter text.



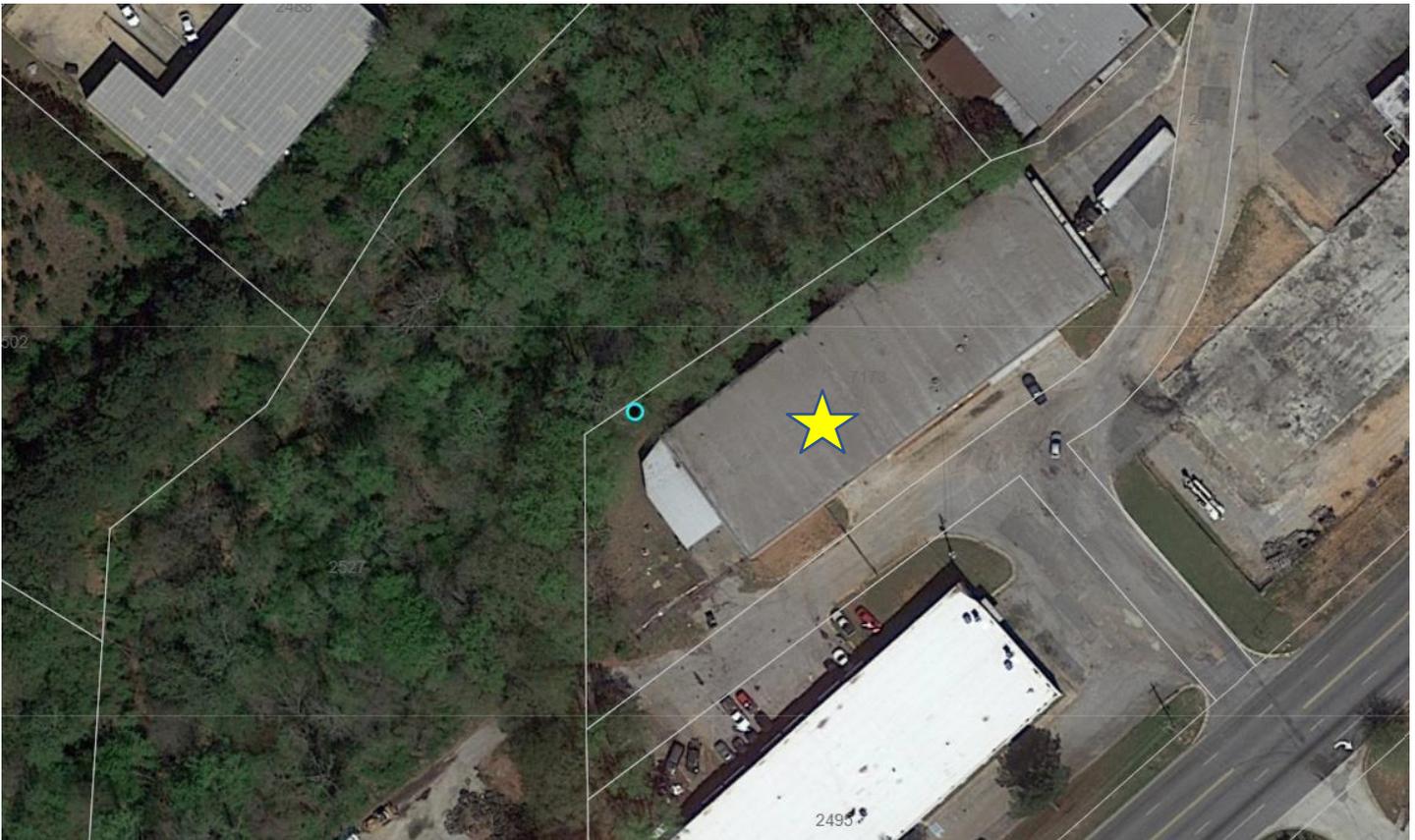
GENERAL INFORMATION

Petition Number:	SLUP-22-012
Applicant:	Dionne Robinson
Owner:	Dionne Robinson
Project Location:	7173 Covington Highway
District:	District 2
Acreage:	1.06 acres
Existing Zoning:	M (Light Industrial) District
Proposed Request:	Special Land Use Permit to operate as a late-night establishment.
Comprehensive Plan Community:	Light Industrial
Area Designation	Light Industrial
Staff Recommendations:	<i>DEFERRAL</i>
Planning Commission:	<i>January 3rd a recommendation of deferral to require applicant to go back before CPIM to allow more time to meet with the community and staff. At the Planning Commission on March 7, 2023 a vote for approval was made.</i>
City Council:	<i>TBD</i>

PLANNING COMMISSION / MAYOR AND CITY COUNCIL STAFF REPORT

SLUP-22-012

Aerial Map



ZONING CASE: SLU-22-012

ADDRESS: 7173 Covington Highway, STONECREST, GA 30058

PARCEL NUMBER: 16 121 03 009

CURRENT ZONING: M (Light Industrial)

FUTURE LAND USE: Light Industrial (LIND)

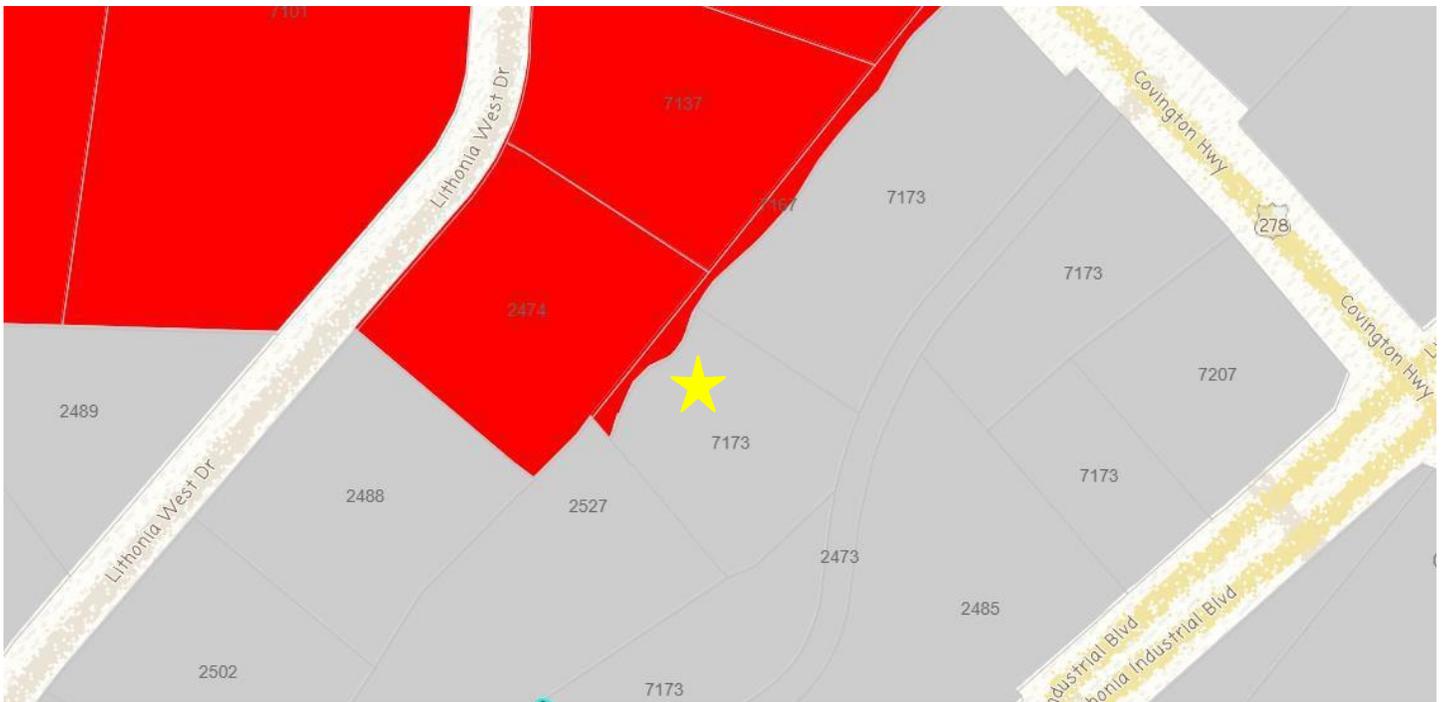


SUBJECT PROPERTY

PLANNING COMMISSION / MAYOR AND CITY COUNCIL STAFF REPORT

SLUP-22-012

Zoning Map



ZONING CASE: SLU-22-007

ADDRESS: 7173 Covington Highway, STONECREST, GA 30058

PARCEL NUMBER: 16 121 03 009

CURRENT ZONING: M (Light Industrial)

FUTURE LAND USE: Light Industrial



SUBJECT PROPERTY

PLANNING COMMISSION / MAYOR AND CITY COUNCIL STAFF REPORT

SLUP-22-012



PROJECT OVERVIEW

Location

The subject property is located at 7173 Covington Highway in the Mini Mall Commercial Complex. The property is bounded by commercial, industrial and residential development on all sides.

Description and Background

The subject property was constructed in 1968 as a warehouse building.

The applicant received a business license for a Special Event facility on September 13, 2021. The intent of a Special Event Facility:

Special events facility means a building and/or premises used as a customary meeting or gathering place for personal social engagements or activities, where people assemble for parties, weddings, wedding receptions, reunions, birthday celebrations, other business purposes, or similar such uses for profit, in which food and beverages may be served to guests.

1.
The term "special events facility" shall not include places of worship.

2.
Small special event facility shall mean assembly and entertainment uses with a seating or occupant capacity of no more than 100 persons.

- 3.

PLANNING COMMISSION / MAYOR AND CITY COUNCIL STAFF REPORT

SLUP-22-012

Interior Floor Plan

The Robinsons have been cited several times by the City of Stonecrest Code Enforcement for violation of the business license permit and operation after 12:30 in “club” like manners. There have been reports of DJs, alcohol being served (no record of an alcohol permit) and noise complaints. After various complaints, staff advised the applicant to obtain a Special Land Use Permit for a late-night establishment due to the manner in which they were operating.

Elevations



PLANNING COMMISSION / MAYOR AND CITY COUNCIL STAFF REPORT

SLUP-22-012



16 121 03 009 11/20/2016



PLANNING COMMISSION / MAYOR AND CITY COUNCIL STAFF REPORT

SLUP-22-012

Public Participation

Property owners within 1000 feet of subject property were mailed notices of the proposed rezoning on November 30th. The community meeting was held on December 13th, 2022, at 6:00 pm at via zoom.com. There were 25 public participants involved in the meeting. Seven (7) people spoke against the application. There were no community participants that spoke in favor. Many of the comments referenced intrusive loud music up until 6am, screeching tires, break-ins, vandalism, etc. Mrs. Robinson stated that she was “forced” by staff to become a late-night establishment and that she rather be a special event facility. Participants requested for staff to deny the request.

CRITERIA OF REVIEW

Section 7.4.6 of the Stonecrest Zoning Ordinance lists 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 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 subject property was formerly used as an industrial warehouse. DeKalb County Tax Assessor’s office is reporting the size as approximately 35,400 sf. This may or may not be accurate. The last permit pulled for this site was in July of 2014. This property is not adequate land use for a late-night establishment.

- 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 a late-night establishment is located adjacent to a residential, industrial, and commercial developments. The proposed use is not 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 there is sufficient traffic-carrying capacity for the use proposed so as not to unduly increase traffic and create congestion in the area.**

The proposed use can produce a traffic-carrying capacity that is not ideal for an industrial park. It has been reported at the Community Planning Information Meeting that the noise, unduly traffic increase and crime has increased since the applicant has come into 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.**



PLANNING COMMISSION / MAYOR AND CITY COUNCIL STAFF REPORT

SLUP-22-012

The existing land use located along the access routes to the site can be adversely affected by the vehicles' character or the volume of traffic generated by the proposed use. The industrial park is designed to handle a low impact volume of traffic.

F. Adequacy of ingress and egress to the subject property and to all proposed buildings, structures, and uses thereon, with 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 industrial structures are accessed by vehicles via a concrete apron cut with driveway on Covington Highway. Emergency vehicles can access the site from the existing driveway. There is another ingress/egress point from Lithonia Industrial Boulevard.

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 has created an adverse impact upon adjacent residential land use by reason of noise, smoke, odor, dust, or vibration generated by the proposed use. As noted above, many residential adjacent property owners have reported noise to Code Enforcement.

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 has created an adverse impact upon any adjoining land use because of the hours of operation. The property is in an existing industrial development.

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 create an adverse impact upon any adjoining land use because of the manner of operation. The existing use is an unauthorized late-night establishment in an industrial park.

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.

Stonecrest Zoning Ordinance was adopted from DeKalb County and is currently undergoing updates. When adopted, a special event facility and late-night establishment were permitted uses in a light industrial zoning district. The intent of light industrial is to provide areas for the establishment of businesses engaged in the manufacturing, processing, creating, repairing, renovating, painting, cleaning, or assembling of goods, merchandise, or equipment and the sale and distribution of such goods, merchandise or equipment in locations so designated in the comprehensive plan. Future uses should adhere to the intent of the zoning district. The proposed use is not consistent with the zoning district classification requirement in which the use is proposed to be located.



PLANNING COMMISSION / MAYOR AND CITY COUNCIL STAFF REPORT

SLUP-22-012

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

The proposed use of late-night establishment is a use not consistent with the policies of the comprehensive plan. Located in the Suburban character area, the character area policy states residential dwelling as an 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 owner/operator 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 shall not be a grant of a special land use permit made due to the historical nature of this use in an industrial setting, adjacent to a residential community.

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 houses.

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 4.2.58 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 subject property is existing and does 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 may be negative impact on any adjoining lot.



PLANNING COMMISSION / MAYOR AND CITY COUNCIL STAFF REPORT

SLUP-22-012

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

STAFF RECOMMENDATION

Staff recommends *DEFERRAL* of *SLUP-22-012*.

**STATE OF GEROGIA
DEKALB COUNTY
CITY OF STONECREST**

ORDINANCE NO. ____ - _____

1 **AN ORDINANCE BY THE MAYOR AND COUNCIL OF THE CITY OF STONECREST,**
2 **GEORGIA TO APPROVE SPECIAL LAND USE PERMIT 22-012 ON PARCEL NUMBER**
3 **16 121 03 009 OF THE 2nd DISTRICT TO ALLOW THE OPERATION OF A LATE-**
4 **NIGHT ESTABLISHMENT AT 7173 COVINGTON HWY; TO PROVIDE**
5 **SEVERABILITY; TO PROVIDE A PENALTY; TO PROVIDE FOR REPEAL OF**
6 **CONFLICTING ORDINANCES; TO PROVIDE FOR AN ADOPTION AND EFFECTIVE**
7 **DATE; AND TO PROVIDE FOR OTHER LAWFUL PUPOSES.**

8
9 **WHEREAS,** the City of Stonecrest (“City”) has advertised and held a public hearing on
10 January 3, 2023 in front of the City’s Planning Commission regarding SLUP 22-012, the request
11 for special land use permit to allow the operation of a late-night establishment at 7173 Covington
12 HWY, Stonecrest, Georgia 30058; and

13 **WHEREAS,** the City of Stonecrest has been vested with substantial powers, rights, and
14 functions to generally regulate the use of real property for the purposes of maintain health, morals,
15 safety, security, peace, and the general welfare of the City; and
16
17

18
19 **WHEREAS,** the health, safety, and welfare of the citizens of the City will be positively
20 impacted by the adoption of this Ordinance.
21

22
23 **BE IT AND IT IS HEREBY ORDAINED BY THE MAYOR AND CITY COUNCIL**

24
25 **OF THE CITY OF STONECREST, GEORGIA, as follows:**
26

27 **Section 1.** SLUP 22-012, a request for special land use permit to operate a short-term
28
29 rental at 7173 Covington HWY, Stonecrest, Georgia 30058, satisfying Section 7.4.6 of Division 4 of
30
31 Article 7 in Chapter 27 of the City of Stonecrest Code of Ordinances, is **APPROVED**.

32
33 **Section 2.** (a) It is hereby declared to be the intention of the Mayor and Council that all
34 sections, paragraphs, sentences, clauses, and phrases of this Ordinance are or were, upon their
35 enactment, believed by the Mayor and Council to be fully valid, enforceable and constitutional.

36 (b) It is hereby declared to be the intention of the Mayor and Council that, to the greatest extent
37 allowed by law, each and every section, paragraph, sentence, clause or phrase of this Ordinance is
38 severable from every other section, paragraph, sentence, clause or phrase of this Ordinance. It is
39 hereby further declared to be the intention of the Mayor and Council that, to the greatest extent
40 allowed by law, no section, paragraph, sentence, clause, or phrase of this Ordinance is mutually
41 dependent upon any other section, paragraph, sentence, clause, or phrase of this Ordinance.

42 (c) In the event that any phrase, clause, sentence, paragraph, or section of this Ordinance shall, for
43 any reason whatsoever, be declared invalid, unconstitutional, or otherwise unenforceable by the
44 valid judgment or decree of any court of competent jurisdiction, it is the express intent of the
45 Mayor and Council that such invalidity, unconstitutionality or unenforceability shall, to the
46 greatest extent allowed by law, not render invalid, unconstitutional or otherwise unenforceable any
47 of the remaining phrases, clauses, sentences, paragraphs or section of the Ordinance and that, to
48 the greatest extent allowed by law, all remaining phrases, clauses, sentences, paragraphs and
49 sections of the Ordinance shall remain valid, constitutional, enforceable, and of full force and
50 effect.

51
52 **Section 3.** The City Clerk, with the concurrence of the City Attorney, is authorized to
53
54 correct any scrivener’s errors found in this Ordinance, including its exhibits, as enacted.
55
56
57
58
59
60
61

62 **Section 4.** All ordinances and parts of ordinances in conflict herewith are hereby
63
64 expressly repealed.

66 **Section 5.** The Ordinance shall be codified in a manner consistent with the laws of the
67
68 State of Georgia and the City of Stonecrest.

69
70 **Section 6.** It is the intention of the governing body, and it is hereby ordained that the
71
72 provisions of this Ordinance shall become and be made part of the Code of Ordinances, City of
73
74 Stonecrest, Georgia.

SO ORDAINED AND EFFECTIVE this _____ day of _____, 2023.

[SIGNATURES TO FOLLOW]

CITY OF STONECREST, GEORGIA

Jazzmin Cobble, Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney



CITY COUNCIL AGENDA ITEM

SUBJECT: ARPA Update

AGENDA SECTION: *(check all that apply)*

- PRESENTATION PUBLIC HEARING CONSENT AGENDA OLD BUSINESS
 - NEW BUSINESS OTHER, PLEASE STATE: Click or tap here to enter text.
-

CATEGORY: *(check all that apply)*

- ORDINANCE RESOLUTION CONTRACT POLICY STATUS REPORT
 - OTHER, PLEASE STATE: Click or tap here to enter text.
-

ACTION REQUESTED: DECISION DISCUSSION, REVIEW, or UPDATE ONLY

Previously Heard Date(s): Click or tap to enter a date. & Click or tap to enter a date.

Current Work Session: Click or tap to enter a date.

Current Council Meeting: Monday, July 31, 2023

SUBMITTED BY: City Manager Gia Scruggs

PRESENTER: Steven Whitney, Berry Dunn & City Manager Gia Scruggs

PURPOSE: To update on the APRA Funds

FACTS: Click or tap here to enter text.

OPTIONS: Discussion only Click or tap here to enter text.

RECOMMENDED ACTION: Choose an item. Click or tap here to enter text.

ATTACHMENTS:

- (1) Attachment 1 - Click or tap here to enter text.
- (2) Attachment 2 - Click or tap here to enter text.
- (3) Attachment 3 - Click or tap here to enter text.
- (4) Attachment 4 - Click or tap here to enter text.
- (5) Attachment 5 - Click or tap here to enter text.



CITY COUNCIL AGENDA ITEM

SUBJECT: TMOD-23-001 Truck Parking Gravel Lots

AGENDA SECTION: *(check all that apply)*

- PRESENTATION PUBLIC HEARING CONSENT AGENDA OLD BUSINESS
 NEW BUSINESS OTHER, PLEASE STATE: Click or tap here to enter text.
-

CATEGORY: *(check all that apply)*

- ORDINANCE RESOLUTION CONTRACT POLICY STATUS REPORT
 OTHER, PLEASE STATE: Click or tap here to enter text.
-

ACTION REQUESTED: DECISION DISCUSSION, REVIEW, or UPDATE ONLY

Previously Heard Date(s): June 28, 2023 & July 24, 2023

Current Work Session: Click or tap to enter a date.

Current Council Meeting: Monday, July 31, 2023

SUBMITTED BY: Senior Planner, Tre'Jon Singletary

PRESENTER: Planning and Zoning Director, Ray White

PURPOSE: The intent of the Gravel Parking Text Amendment, TMOD-23-001, is to provide guidelines, requirements and improve the appearance of parking lots.

FACTS: CPIM was held on May 11, 2023. Planning Commission was June 26, 2023. The staff is proposing changes to the Zoning Ordinance, Chapter 27 as follows: replace “unpaved” with paved, increase residential separation from 150 feet to 750 feet, replace “transportation equipment and storage or maintenance (vehicles)” with “any industrial use for truck parking (commercial parking lot)(Chapter 27, Article 9) and replace 2023 with 2025 for compliance.

OPTIONS: Approve, Deny, Defer Click or tap here to enter text.

RECOMMENDED ACTION: Approval

ATTACHMENTS:

(1) Attachment 1 - Staff Report



CITY COUNCIL AGENDA ITEM

- (2) Attachment 2 - Truck Parking Ordinance
- (3) Attachment 3 - Click or tap here to enter text.
- (4) Attachment 4 - Click or tap here to enter text.
- (5) Attachment 5 - Click or tap here to enter text.

Raymond White
Director
Planning and Zoning
Department



Matthew Williams
Deputy Director
Planning and Zoning
Department

TO: City Council

FROM: Planning and Zoning Department

SUBJECT: TMOD-23-001

ADDRESS: City-Wide

MEETING DATE: July 31, 2023

Summary: The intent of the Gravel Parking Text Amendment, TMOD-23-001, is to provide guidelines, requirements and improve the appearance of truck parking lots.

STAFF RECOMMENDATION: APPROVAL

PLANNING COMMISSION RECOMMENDATION: 30 DAY DEFERRAL



TMOD-23-001

Planning & Zoning
Department

FACTS & ISSUES

- Community Information Meeting (CPIM)
 - May 11, 2023
- Planning Commission
 - July 18, 2023
- Staff is proposing changes to Article 6 (Parking) of Chapter 27 (Zoning Ordinance) as well as TMOD21-012 (Gravel Parking)

Attachment(s) Included:

- **Revisions to the Zoning Ordinance**
- **Adopted Ordinance of TMOD21-012 (Gravel Parking)**

TMOD-23-001
STONECREST ZONING ORDINANCE UPDATE

Revision to the Zoning Ordinance, Chapter 27

Article 6. – Parking

Sec. 6.1.3. – Parking Regulations, off-street parking spaces.

B. All parking lots and spaces shall conform to the following requirements:

10. Notwithstanding any other provisions of chapter 27 or chapter 14, parking areas and/or parking on ~~unpaved~~ **paved** surfaces for **any industrial use for truck parking (commercial parking lot) transportation equipment and storage or maintenance (vehicle), without services provided,** shall be permitted as a principal use on parcels zoned M or M-2, provided that:
 - a. The parking area shall be screened from the view of the public street with an opaque **corrugated metal** fence or wall minimum of **six ten (10)** feet in height. **Chain link and wooden fences along street frontage are prohibited.**
 - b. The parking area shall be at least 25 feet from the street right-of-way.
 - c. A ten-foot-wide evergreen landscape buffer shall be planted around the perimeter of the fence along the public street with at least ~~75 percent evergreens and at least two rows of plants~~ **two rows of trees. All trees shall be at least six (6) feet in height and/or two inches in caliber and shall be regularly maintained and watered as necessary. Dead or dying trees shall be promptly replaced. All surfaces between trees shall be mulched.**
 - d. The soil erosion, sedimentation and pollution requirements of chapter 14, article V of the Code of the City of Stonecrest, Georgia are met;
 - e. Minimum standards of the Georgia Stormwater Management Manual are met in terms of stormwater runoff and water quality; and
 - f. The parking lot has a minimum of one acre.
 - g. All existing parking areas and/or parking on unpaved surfaces for any industrial use for truck parking (commercial parking lot) with an active business license which are permitted as a**

principal use on parcels zoned M and M-2 shall be upgraded to the standards of this Sec. 6.1.3.B.10. no later than the time of business license renewal in 2025.

11. **Unpaved-Paved** parking areas within the M and M-2 zones permitted under subsection B.10. of this section shall comply with the following specifications:
- a. The parking area shall be at least **750 150** feet from the boundaries of a residentially zoned parcel;
 - b. The parking area subgrade must meet a minimum compaction of 95 percent as certified by a registered professional engineer;
 - c. The parking area surface shall be composed of at least eight inches of compacted Graded Aggregate Base;
 - d. The Graded Aggregate Base shall be stabilized and treated to control dust through approved means, which may include but is not limited to, the effective design and operation of the facility, the periodic application of dust suppressant materials such as calcium chloride, magnesium chloride, or lignin sulfonate, reduced operating speeds on unpaved surfaces, or the periodic replenishment of gravel surfaces;
 - e. Parking areas shall be inspected by the City of Stonecrest, **or a third-party inspector approved by the City of Stonecrest** every **two** year to ensure continued compliance with the above specifications. **Proof of inspection and compliance with the Stonecrest Code of Ordinances is required at the time of annual business license renewal, and this inspection report must be approved by the Building Department prior to issuance or renewal of a business license.** Additional maintenance such as grading, Graded Aggregate Base, or surface treatment may be required;
 - ~~f. Parking areas on unpaved surfaces for transportation equipment and storage or maintenance (vehicle) storage with existing unpaved areas shall be considered a nonconforming use under section 8.1.5 exempt from the requirements of subsections B.10. and 11 of this section. if the underlying use of the parcel was issued a business license or Motor Carrier Number valid on December 31, 2017;~~
 - ~~g. All other parcels with existing unpaved areas shall have two years to comply with these specifications with a one time extension up to 12 months.~~

Article 9. – Definitions/Maps

Sec. 9.1.3. – Defined Terms.

Commercial parking lot means an uncovered or unsheltered structure of one or more stories designed, constructed and used for the parking of motor vehicles for profit.

TMOD-21-012
STONECREST ZONING CODE UPDATE
REVISIONS and NEW ORDINANCES

Track changes version of proposed changes.

Sec. 6.1.3. - Parking regulations, off-street parking spaces.

Off-street parking spaces shall be provided in accordance with the following requirements:

- A. Each application for a development permit or building permit, other than for a detached single-family residence, shall be accompanied by a parking plan showing all required off-street parking spaces, driveways, and the internal circulation system for each such parking lot.
- B. All parking lots and spaces shall conform to the following requirements:
 - 1. All vehicles shall be parked on a paved surface that is connected to and has continuous paved access to a public or private street, except as otherwise allowed in this section.
 - 2. Each parking space, except those located on a single-family residential lot, shall comply with the minimum dimensions established in Table 6.1. Each parking lot shall have adequate space for each car to park and exit every parking space and space for internal circulation within said parking lot.
 - 3. Each parking lot, except those parking spaces located on property used for single-family residential purposes, shall comply with section 5.4.4, site and parking area landscaping.
 - 4. All parking lots and parking spaces, except those located on property used for single-family residential purposes, shall conform to the geometric design standards of the Institute of Traffic Engineers.
 - 5. Parking and loading shall not be permitted within the front yard in any MR, HR, O-I, or O-I-T zoning district, except for required handicapped parking. Notwithstanding the previous sentence, parking and loading shall be permitted within the front yard where provision of adequate parking spaces within the rear is impractical and upon issuance of a variance pursuant to article 7 of this chapter.
 - 6. Parking shall not be permitted within the front yard of any property used for single-family residential purposes, except within a driveway, or in a roofed carport or enclosed garage. Within any single-family residential district, not more than 35 percent of the total area between the street right-of-way line and the front of the principal building shall be paved.

7. No parking space, driveway or parking lot shall be used for the sale, repair, dismantling, servicing, or long-term storage of any vehicle or equipment, unless located within a zoning district which otherwise permits such use.
8. The parking of business vehicles on private property located within residential zoning districts is prohibited. This section shall not prohibit:
 - (1) Typical passenger vehicles, with or without logos, including automobiles, pickup trucks, passenger vans, and dually trucks;
 - (2) Vehicles engaged in active farming, construction activities or contractor services on the private property, or the temporary parking (12 hours or less) of vehicles for the purpose of loading/unloading within residential zoning districts; nor
 - (3) The parking of vehicles on property located in residential zoning districts, where such property is used for an authorized nonresidential use such as a church.

Vehicles used in law enforcement are exempt from the restrictions of this subsection.

9. All parking lots shall conform to the requirements of section 6.1.7.

Table 6.1. Minimum Parking Space Dimensions

Minimum Parking Space Dimensions			
Parking Angle	Minimum Stall Width	Minimum Stall Depth	Minimum Parking Aisle Width
Regular-sized vehicles			
90 degrees	9'	18'	24'
75 degrees	9'	19'	21'
60 degrees	9'	17'	14'
45 degrees	9'	15'	11'
Compact vehicles			
90 degrees	8.5'	15'	22'
75 degrees	8.5'	16'	20'

60 degrees	8.5'	15'	14'
45 degrees	8.5'	14'	10'

10. Notwithstanding any other provisions of chapter 27 or chapter 14, parking areas and/or parking on unpaved surfaces for transportation equipment and storage or maintenance (vehicle) storage, without services provided, shall be permitted as a principal use on parcels zoned M or M-2, provided that:
 - a. The parking area shall be screened from view of the public street with an opaque corrugated metal fence or wall minimum of ~~six~~ ten feet in height. Chain link and wooden fences along street frontage are prohibited.
 - b. The parking area shall be at least 25 feet from the street right-of-way.
 - c. A ten-foot-wide evergreen landscape buffer shall be planted around the perimeter of the fence along the public street with at least two rows of trees. All trees shall be a least six feet in height and/or two inches caliber, and shall be regularly maintained and watered as necessary. Dead or dying trees shall be promptly replaced. All surfaces between trees shall be mulched. ~~75 percent evergreens and at least two rows of plants.~~
 - d. The soil erosion, sedimentation and pollution requirements of chapter 14, article V of the Code of the City of Stonecrest, Georgia are met;
 - e. Minimum standards of the Georgia Stormwater Management Manual are met in terms of stormwater runoff and water quality; and
 - f. The parking lot has a minimum of one acre.
 - g. All parking areas and/or parking on unpaved surfaces for transportation equipment and storage or maintenance (vehicle) storage without services provided which are permitted as a principal use on parcels zoned M or M-2 shall be upgraded to the standards of this Sec. 6.1.3.B.10. no later than at the time of business license renewal in 2022.

11. Unpaved parking areas within the M and M-2 zones permitted under subsection B.10. of this section shall comply with the following specifications:
 - a. The parking area shall be at least 150 feet from the boundaries of a residentially zoned parcel;
 - b. The parking area subgrade must meet a minimum compaction of 95 percent as certified by a registered professional engineer;
 - c. The parking area surface shall be composed of at least eight inches of compacted Graded Aggregate Base;

- d. The Graded Aggregate Base shall be stabilized and treated to control dust through approved means, which may include but is not limited to, the effective design and operation of the facility, the periodic application of dust suppressant materials such as calcium chloride, magnesium chloride, or lignin sulfonate, reduced operating speeds on unpaved surfaces, or the periodic replenishment of gravel surfaces;
- e. Parking areas shall be inspected by the City of Stonecrest or a third-party inspector approved by the City of Stonecrest every year ~~two years~~ to ensure continued compliance with the above specifications. Proof of inspection and compliance with the Stonecrest Code of Ordinances is required at time of annual business license renewal, and this inspection report must be approved by the Building Department prior to issuance or renewal of a business license. Additional maintenance such as grading, Graded Aggregate Base, or surface treatment may be required;
- f. ~~Parking areas on unpaved surfaces for transportation equipment and storage or maintenance (vehicle) storage with existing unpaved areas shall be considered a nonconforming use under section 8.1.5 exempt from the requirements of subsections B.10. and 11 of this section. if the underlying use of the parcel was issued a business license or Motor Carrier Number valid on December 31, 2017;~~
- g. ~~All other parcels with existing unpaved areas shall have two years to comply with these specifications with a one time extension up to 12 months.~~

STATE OF GEORGIA

DEKALB COUNTY

CITY OF STONECREST

ORDINANCE NO. ____ - _____

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES, CITY OF STONECREST, GEORGIA ARTICLE IV (USE REGULATIONS), ARTICLE VI (PARKING) AND ARTICLE VIII (DEFINITIONS/MAPS) WITHIN CHAPTER 27 (ZONING ORDINANCE) FOR REVISIONS IMPACTING TRUCK PARKING LOTS; TO PROVIDE SEVERABILITY; TO PROVIDE A PENALTY; TO PROVIDE FOR REPEAL OF CONFLICTING ORDINANCES; TO PROVIDE FOR AN ADOPTION AND EFFECTIVE DATE; AND TO PROVIDE FOR OTHER LAWFUL PURPOSES.

WHEREAS, the governing body of the City of Stonecrest (“City”) is the Mayor and City Council thereof; and

WHEREAS, Article IX, Section II, Paragraph IV of the 1983 Constitution of the State of Georgia authorizes the City to adopt plans and exercise the power of zoning; and

WHEREAS, the governing authority of the City is authorized by O.C.G.A. § 36-35-3 to adopt ordinances relating to its property, affairs, and local government; and

WHEREAS, the Mayor and City Council desire to amend ARTICLE IV (USE REGULATIONS), ARTICLE VI (PARKING) AND ARTICLE VIII (DEFINITIONS/MAPS) WITHIN CHAPTER 27 (ZONING ORDINANCE); and

WHEREAS, from time-to-time amendments may be proposed for public necessity, general welfare, or sound zoning practice that justify such action; and

WHEREAS, the Director of Planning and Zoning recommends approval based on the City Staff Report; and

WHEREAS, a public hearing and recommendation pursuant to the provisions of the City's Zoning Procedures Law has been provided by the Planning Commission; and

WHEREAS, a public hearing pursuant to the provisions of Georgia's Zoning Procedures Law has been properly held by the City Council prior to the adoption of this Ordinance; and

WHEREAS, the health, safety, and welfare of the citizens of the city will be positively impacted by the adoption of this Ordinance.

BE IT AND IT IS HEREBY ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF STONECREST, GEORGIA, and by the authority thereof:

Section 1. The Code of Ordinances of the City of Stonecrest, Georgia is hereby amended by amending ARTICLE IV (USE REGULATIONS), ARTICLE VI (PARKING) AND ARTICLE VIII (DEFINITIONS/MAPS) WITHIN CHAPTER 27 (ZONING ORDINANCE) by adopting the amendment set forth in Exhibit A attached hereto and made a part hereof by reference.

Section 2. That text added to current law appears in **red and bold** Text removed from current law appears as **red, bold and strikethrough**.

Section 3. The preamble of this Ordinance shall be considered to be and is hereby incorporated by reference as if fully set out herein.

Section 4. (a) It is hereby declared to be the intention of the Mayor and Council that all sections, paragraphs, sentences, clauses, and phrases of this Ordinance are or were, upon their enactment, believed by the Mayor and Council to be fully valid, enforceable and constitutional.

(b) It is hereby declared to be the intention of the Mayor and Council that, to the greatest extent

allowed by law, each and every section, paragraph, sentence, clause or phrase of this Ordinance is severable from every other section, paragraph, sentence, clause or phrase of this Ordinance. It is hereby further declared to be the intention of the Mayor and Council that, to the greatest extent allowed by law, no section, paragraph, sentence, clause, or phrase of this Ordinance is mutually dependent upon any other section, paragraph, sentence, clause, or phrase of this Ordinance.

(c) In the event that any phrase, clause, sentence, paragraph, or section of this Ordinance shall, for any reason whatsoever, be declared invalid, unconstitutional, or otherwise unenforceable by the valid judgment or decree of any court of competent jurisdiction, it is the express intent of the Mayor and Council that such invalidity, unconstitutionality or unenforceability shall, to the greatest extent allowed by law, not render invalid, unconstitutional or otherwise unenforceable any of the remaining phrases, clauses, sentences, paragraphs or section of the Ordinance and that, to the greatest extent allowed by law, all remaining phrases, clauses, sentences, paragraphs and sections of the Ordinance shall remain valid, constitutional, enforceable, and of full force and effect.

Section 5. The City Clerk, with the concurrence of the City Attorney, is authorized to correct any scrivener’s errors found in this Ordinance, including its exhibits, as enacted.

Section 6. All ordinances and parts of ordinances in conflict herewith are hereby expressly repealed.

Section 7. The Ordinance shall be codified in a manner consistent with the laws of the State of Georgia and the City of Stonecrest.

Section 8. It is the intention of the governing body, and it is hereby ordained that the provisions of this Ordinance shall become and be made part of the Code of Ordinances, City of Stonecrest, Georgia.

ORDAINED this _____ day of _____, 2023.

[SIGNATURES TO FOLLOW]

CITY OF STONECREST, GEORGIA

Jazzmin Cobble, Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney

EXHIBIT A

TMOD-23-001
STONECREST ZONING ORDINANCE UPDATE

Revision to the Zoning Ordinance, Chapter 27

Article 6. – Parking

Sec. 6.1.3. – Parking Regulations, off-street parking spaces.

B. All parking lots and spaces shall conform to the following requirements:

10. Notwithstanding any other provisions of chapter 27 or chapter 14, parking areas and/or parking on ~~unpaved~~ **paved** surfaces for **any industrial use for truck parking (commercial parking lot) transportation equipment and storage or maintenance (vehicle), without services provided,** shall be permitted as a principal use on parcels zoned M or M-2, provided that:
 - a. The parking area shall be screened from the view of the public street with an opaque **corrugated metal** fence or wall minimum of **six ten (10)** feet in height. **Chain link and wooden fences along street frontage are prohibited.**
 - b. The parking area shall be at least 25 feet from the street right-of-way.
 - c. A ten-foot-wide evergreen landscape buffer shall be planted around the perimeter of the fence along the public street with at least ~~75 percent evergreens and at least two rows of plants~~ **two rows of trees. All trees shall be at least six (6) feet in height and/or two inches in caliber and shall be regularly maintained and watered as necessary. Dead or dying trees shall be promptly replaced. All surfaces between trees shall be mulched.**
 - d. The soil erosion, sedimentation and pollution requirements of chapter 14, article V of the Code of the City of Stonecrest, Georgia are met;
 - e. Minimum standards of the Georgia Stormwater Management Manual are met in terms of stormwater runoff and water quality; and
 - f. The parking lot has a minimum of one acre.
 - g. All existing parking areas and/or parking on unpaved surfaces for any industrial use for truck parking (commercial parking lot) with an active business license which are permitted as a**

principal use on parcels zoned M and M-2 shall be upgraded to the standards of this Sec. 6.1.3.B.10. no later than the time of business license renewal in 2025.

11. **Unpaved-Paved** parking areas within the M and M-2 zones permitted under subsection B.10. of this section shall comply with the following specifications:
- a. The parking area shall be at least **750 150** feet from the boundaries of a residentially zoned parcel;
 - b. The parking area subgrade must meet a minimum compaction of 95 percent as certified by a registered professional engineer;
 - c. The parking area surface shall be composed of at least eight inches of compacted Graded Aggregate Base;
 - d. The Graded Aggregate Base shall be stabilized and treated to control dust through approved means, which may include but is not limited to, the effective design and operation of the facility, the periodic application of dust suppressant materials such as calcium chloride, magnesium chloride, or lignin sulfonate, reduced operating speeds on unpaved surfaces, or the periodic replenishment of gravel surfaces;
 - e. Parking areas shall be inspected by the City of Stonecrest, **or a third-party inspector approved by the City of Stonecrest** every **two** year to ensure continued compliance with the above specifications. **Proof of inspection and compliance with the Stonecrest Code of Ordinances is required at the time of annual business license renewal, and this inspection report must be approved by the Building Department prior to issuance or renewal of a business license.** Additional maintenance such as grading, Graded Aggregate Base, or surface treatment may be required;
 - ~~f. Parking areas on unpaved surfaces for transportation equipment and storage or maintenance (vehicle) storage with existing unpaved areas shall be considered a nonconforming use under section 8.1.5 exempt from the requirements of subsections B.10. and 11 of this section. if the underlying use of the parcel was issued a business license or Motor Carrier Number valid on December 31, 2017;~~
 - ~~g. All other parcels with existing unpaved areas shall have two years to comply with these specifications with a one time extension up to 12 months.~~

Article 9. – Definitions/Maps

Sec. 9.1.3. – Defined Terms.

Commercial parking lot means an uncovered or unsheltered structure of one or more stories designed, constructed and used for the parking of motor vehicles for profit.

TMOD-21-012
STONECREST ZONING CODE UPDATE
REVISIONS and NEW ORDINANCES

Track changes version of proposed changes.

Sec. 6.1.3. - Parking regulations, off-street parking spaces.

Off-street parking spaces shall be provided in accordance with the following requirements:

- A. Each application for a development permit or building permit, other than for a detached single-family residence, shall be accompanied by a parking plan showing all required off-street parking spaces, driveways, and the internal circulation system for each such parking lot.
- B. All parking lots and spaces shall conform to the following requirements:
 - 1. All vehicles shall be parked on a paved surface that is connected to and has continuous paved access to a public or private street, except as otherwise allowed in this section.
 - 2. Each parking space, except those located on a single-family residential lot, shall comply with the minimum dimensions established in Table 6.1. Each parking lot shall have adequate space for each car to park and exit every parking space and space for internal circulation within said parking lot.
 - 3. Each parking lot, except those parking spaces located on property used for single-family residential purposes, shall comply with section 5.4.4, site and parking area landscaping.
 - 4. All parking lots and parking spaces, except those located on property used for single-family residential purposes, shall conform to the geometric design standards of the Institute of Traffic Engineers.
 - 5. Parking and loading shall not be permitted within the front yard in any MR, HR, O-I, or O-I-T zoning district, except for required handicapped parking. Notwithstanding the previous sentence, parking and loading shall be permitted within the front yard where provision of adequate parking spaces within the rear is impractical and upon issuance of a variance pursuant to article 7 of this chapter.
 - 6. Parking shall not be permitted within the front yard of any property used for single-family residential purposes, except within a driveway, or in a roofed carport or enclosed garage. Within any single-family residential district, not more than 35 percent of the total area between the street right-of-way line and the front of the principal building shall be paved.

7. No parking space, driveway or parking lot shall be used for the sale, repair, dismantling, servicing, or long-term storage of any vehicle or equipment, unless located within a zoning district which otherwise permits such use.
8. The parking of business vehicles on private property located within residential zoning districts is prohibited. This section shall not prohibit:
 - (1) Typical passenger vehicles, with or without logos, including automobiles, pickup trucks, passenger vans, and dually trucks;
 - (2) Vehicles engaged in active farming, construction activities or contractor services on the private property, or the temporary parking (12 hours or less) of vehicles for the purpose of loading/unloading within residential zoning districts; nor
 - (3) The parking of vehicles on property located in residential zoning districts, where such property is used for an authorized nonresidential use such as a church.

Vehicles used in law enforcement are exempt from the restrictions of this subsection.

9. All parking lots shall conform to the requirements of section 6.1.7.

Table 6.1. Minimum Parking Space Dimensions

Minimum Parking Space Dimensions			
Parking Angle	Minimum Stall Width	Minimum Stall Depth	Minimum Parking Aisle Width
Regular-sized vehicles			
90 degrees	9'	18'	24'
75 degrees	9'	19'	21'
60 degrees	9'	17'	14'
45 degrees	9'	15'	11'
Compact vehicles			
90 degrees	8.5'	15'	22'
75 degrees	8.5'	16'	20'

60 degrees	8.5'	15'	14'
45 degrees	8.5'	14'	10'

10. Notwithstanding any other provisions of chapter 27 or chapter 14, parking areas and/or parking on unpaved surfaces for transportation equipment and storage or maintenance (vehicle) storage, without services provided, shall be permitted as a principal use on parcels zoned M or M-2, provided that:
 - a. The parking area shall be screened from view of the public street with an opaque corrugated metal fence or wall minimum of ~~six~~ ten feet in height. Chain link and wooden fences along street frontage are prohibited.
 - b. The parking area shall be at least 25 feet from the street right-of-way.
 - c. A ten-foot-wide evergreen landscape buffer shall be planted around the perimeter of the fence along the public street with at least two rows of trees. All trees shall be a least six feet in height and/or two inches caliber, and shall be regularly maintained and watered as necessary. Dead or dying trees shall be promptly replaced. All surfaces between trees shall be mulched. ~~75 percent evergreens and at least two rows of plants.~~
 - d. The soil erosion, sedimentation and pollution requirements of chapter 14, article V of the Code of the City of Stonecrest, Georgia are met;
 - e. Minimum standards of the Georgia Stormwater Management Manual are met in terms of stormwater runoff and water quality; and
 - f. The parking lot has a minimum of one acre.
 - g. All parking areas and/or parking on unpaved surfaces for transportation equipment and storage or maintenance (vehicle) storage without services provided which are permitted as a principal use on parcels zoned M or M-2 shall be upgraded to the standards of this Sec. 6.1.3.B.10. no later than at the time of business license renewal in 2022.

11. Unpaved parking areas within the M and M-2 zones permitted under subsection B.10. of this section shall comply with the following specifications:
 - a. The parking area shall be at least 150 feet from the boundaries of a residentially zoned parcel;
 - b. The parking area subgrade must meet a minimum compaction of 95 percent as certified by a registered professional engineer;
 - c. The parking area surface shall be composed of at least eight inches of compacted Graded Aggregate Base;

- d. The Graded Aggregate Base shall be stabilized and treated to control dust through approved means, which may include but is not limited to, the effective design and operation of the facility, the periodic application of dust suppressant materials such as calcium chloride, magnesium chloride, or lignin sulfonate, reduced operating speeds on unpaved surfaces, or the periodic replenishment of gravel surfaces;
- e. Parking areas shall be inspected by the City of Stonecrest or a third-party inspector approved by the City of Stonecrest every year ~~two years~~ to ensure continued compliance with the above specifications. Proof of inspection and compliance with the Stonecrest Code of Ordinances is required at time of annual business license renewal, and this inspection report must be approved by the Building Department prior to issuance or renewal of a business license. Additional maintenance such as grading, Graded Aggregate Base, or surface treatment may be required;
- f. ~~Parking areas on unpaved surfaces for transportation equipment and storage or maintenance (vehicle) storage with existing unpaved areas shall be considered a nonconforming use under section 8.1.5 exempt from the requirements of subsections B.10. and 11 of this section. if the underlying use of the parcel was issued a business license or Motor Carrier Number valid on December 31, 2017;~~
- g. ~~All other parcels with existing unpaved areas shall have two years to comply with these specifications with a one time extension up to 12 months.~~



CITY COUNCIL AGENDA ITEM

SUBJECT: RZ23 - 002 7199 Hayden Quarry Road

AGENDA SECTION: *(check all that apply)*

- PRESENTATION PUBLIC HEARING CONSENT AGENDA OLD BUSINESS
 NEW BUSINESS OTHER, PLEASE STATE: Click or tap here to enter text.
-

CATEGORY: *(check all that apply)*

- ORDINANCE RESOLUTION CONTRACT POLICY STATUS REPORT
 OTHER, PLEASE STATE:
-

ACTION REQUESTED: DECISION DISCUSSION, REVIEW, or UPDATE ONLY

Previously Heard Date(s): 06/28/23 & 07/24/23

Current Work Session: Click or tap to enter a date.

Current Council Meeting: Monday, July 31, 2023

SUBMITTED BY: Ray White, Director of Planning and Zoning

PRESENTER: Ray White, Director of Planning and Zoning

PURPOSE: Applicant is seeking a major modification of the conditions for the subject property from zoning case Z-05-01.

FACTS: N/A

OPTIONS: Approve, Deny, Defer Click or tap here to enter text.

RECOMMENDED ACTION: Approval of all modifications requests with conditions

ATTACHMENTS:

- (1) Attachment 1 - Staff Report
- (2) Attachment 2 - Ordinance
- (3) Attachment 3 - Click or tap here to enter text.
- (4) Attachment 4 - Click or tap here to enter text.
- (5) Attachment 5 - Click or tap here to enter text.

Raymond White
Director
Planning and Zoning
Department



Matthew
Williams
Deputy Director
Planning and
Zoning
Department

TO: City Council

FROM: Planning and Zoning Department

SUBJECT: RZ-23-002

ADDRESS: 7199 and 7151 Hayden Quarry Road, 3261 Turner Hill Road

COUNCIL MEETING DATE: July 31, 2023

Summary: Applicant is seeking a major modification of the conditions of the subject property to change the conditions from zoning case number Z-05-01.

STAFF RECOMMENDATION: 5 APPROVALS with conditions

PLANNING COMMISSION RECOMMENDATION: 3 APPROVALS AND 2 DENIALS with conditions



RZ-23-002

Planning and Zoning Department

Commissioner District #1: Stephanie Brown

PROPERTY INFORMATION	
Location of Subject Property: 7199 and 7151 Hayden Quarry Road, 3261 Turner Hill Road	
Parcel Number: 16-171-02-003, 16-171-02-005, 16-171-02-012	
Road Frontage: Hayden Quarry Road & Turner Hill Road	Total Acreage: 32.09 +/-
Current Zoning: RSM (Small Lot Residential Mix) / C-1 (Local Commercial)	Overlay District: Stonecrest Tier 3
Future Land Use Map/ Comprehensive Plan: RC (Regional Center)	
Zoning Request: Applicant is seeking a major modification of the conditions of the subject property to change the conditions from zoning case number Z-05-01.	
Zoning History (CZ-05-01): Application of PBT Investments co/ Joseph B. Fitts, Sr. to rezone property located on the south side of Hayden Quarry Road, approximately 2,274.7 feet west of Turner Hill Road, from R-CH (Residential Cluster Housing) to R-A8 (Single Family Residential District).	

APPLICANT / PROPERTY OWNER INFORMATION
Applicant Name: Battle Law P.C.
Applicant Address: 3562 Habersham at North Lake, Building J, Suite 100
Property Owner Name: Parkland Communities Inc.
Property Owner Address: 299 S Main St, Ste A, Alpharetta GA 30009



DETAILS OF ZONING REQUEST

The Applicant, Battle Law P.C., on the behalf of the property’s owner, Parkland Communities LLC, is seeking to develop 129 single-family detached homes and 260 townhomes on the subject parcels. The Applicant is seeking a Major Modification of Conditions of the Subject Property to change the following conditions from zoning case number Z-05-01 to allow for the development: conditions 1, 4a, 4b, 4c, and 4l. The original conditions are listed below with the proposed changes in red.

Condition 1: The maximum number of units shall be ~~129~~ **225 units, with 171 units being developed for townhomes attached by a common wall, and 54 units** being developed ~~for as~~ single-family ~~detached~~ units. ~~attached at the rear of each unit.~~

Condition 4: Each unit shall have the following:

- **4a:** ~~One car garage attached to each townhome unit.~~
- **4b:** Two car garages ~~attached to each single family unit attached at the rear.~~
- **4c:** ~~Patio pad with a privacy fence.~~
- **4l:** ~~The project shall be developed with the following amenities: a swimming pool, and tennis courts.~~

The zone case, **CZ-05-01**, was heard in 2005 when subject parcels were within unincorporated Dekalb County. Application of PBT Investments co/ Joseph B. Fitts, Sr. to rezone property located on the south side of Hayden Quarry Road, approximately 2,274.7 feet west of Turner Hill Road, from R-CH (Residential Cluster Housing) to R-A8 (Single Family Residential District).

The applicant is proposing to add amenities on the parcel with the townhomes, which will cause the amenities from being on the single-family detached homes parcel. The applicant is proposing the following amenities on the subject parcel:

1. Approximately 6.61 acres of green, open space

ADJACENT ZONING & LAND USE

NORTH	Zoning: R-100 (Residential Medium Lot)	Land Use: Undeveloped Land
SOUTH	Zoning: MR-1 (Medium Density Residential)	Land Use: Apartments
EAST	Zoning: R-100 (Residential Medium Lot)	Land Use: Undeveloped Land
WEST	Zoning: R-100 (Residential Medium Lot) & MU-4 (Mixed-Use High Density)	Land Use: Single-Family Dwelling & Undeveloped Land



PHYSICAL CHARACTERISTICS & INFRASTRUCTURE

The site is currently undeveloped with two (2) road frontages (Hayden Quarry Road and Turner Hill Road). There is not flood zones located near the property.

MODIFICATIONS AND CHANGES TO APPROVED CONDITIONS OF ZONING CRITERIA

1. The movement of any building or structure adjacent to an exterior boundary line, closer to the boundary line of the property;
2. Any increase in the number of dwelling units or any increase in the total amount of floor space of any nonresidential building;
3. Any decrease in the size of residential units imposed in the original conditional zoning amendment;
4. Any change in any buffer requirements imposed in the original conditional zoning amendment;
5. Any increase in the height of any building or structure;
6. Any change in the proportion of floor space devoted to different authorized uses; or
7. Any change to conditions, except minor changes, as defined in subsection A. of this section, imposed by the city council when approving any change to the official zoning map, commonly referred to as a rezoning or a zoning amendment.

RECOMMENDATION

Staff recommends the following:

1. **APPROVAL** of Modification of Condition 1
2. **APPROVAL** of Modification of Condition 4a
3. **APPROVAL** of Modification of Condition 4b
4. **APPROVAL** of Modification of Condition 4c
5. **APPROVAL** of Modification of Condition 4l

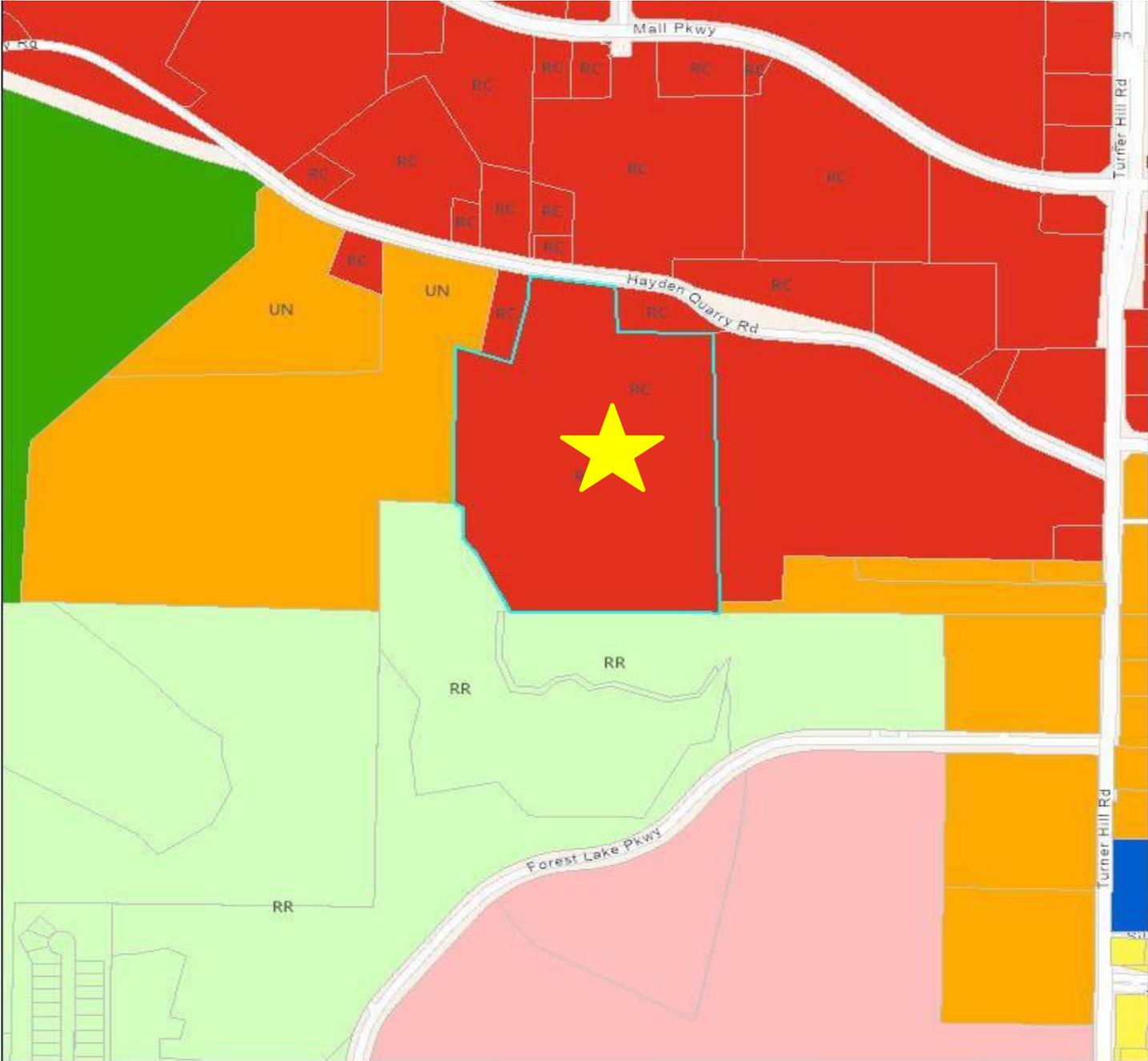
RECOMMENDED CONDITION(S)

1. The Applicant has provided Staff with a copy of the as-built survey showing that all gas lines are located within the public right of way, with none being located onsite. The Applicant acknowledges that any work to be conducted within the right of way in connection with the tapping into the existing gas lines or other utilities lines within the public right of way, or with installing any required streetscapes shall be done as required by Georgia Natural Gas during any approved land disturbance activity.
2. Each single-family dwelling must have a patio pad in the backyard; and
3. The developer must install a 6ft powdered-coated aluminum fence along the Hayden Quarry right of way and rear of lots 126-128 and 118-121.
4. A playlot shall be installed between and/or adjacent to lots 119-120 of the proposed development.
5. There shall be a master HOA agreement between the Crestview Pointe and Crestwind Township communities for use of the following amenities:
 - a. 4,956 sq. ft. Junior Olympic Swimming no more than 5ft deep;
 - b. A cabana or clubhouse;
 - c. 8,866 sq. ft. pool decking area;
 - d. A Tot Lot adjacent to the pool;
 - e. A soccer field in the location shown as the Playfield on the submitted site plan; and
 - f. A mulched walking trail to be located on the subject property with identifying signage showing the entrance to and distance of the trail.

Attachments Included:

- **Future Land Use Map**
- **Zoning Map**
- **Aerial Map**
- **Site Plan/Survey**
- **Rendering/Elevations**
- **Zoning Conditions**
- **Application**
- **Letter of Intent**

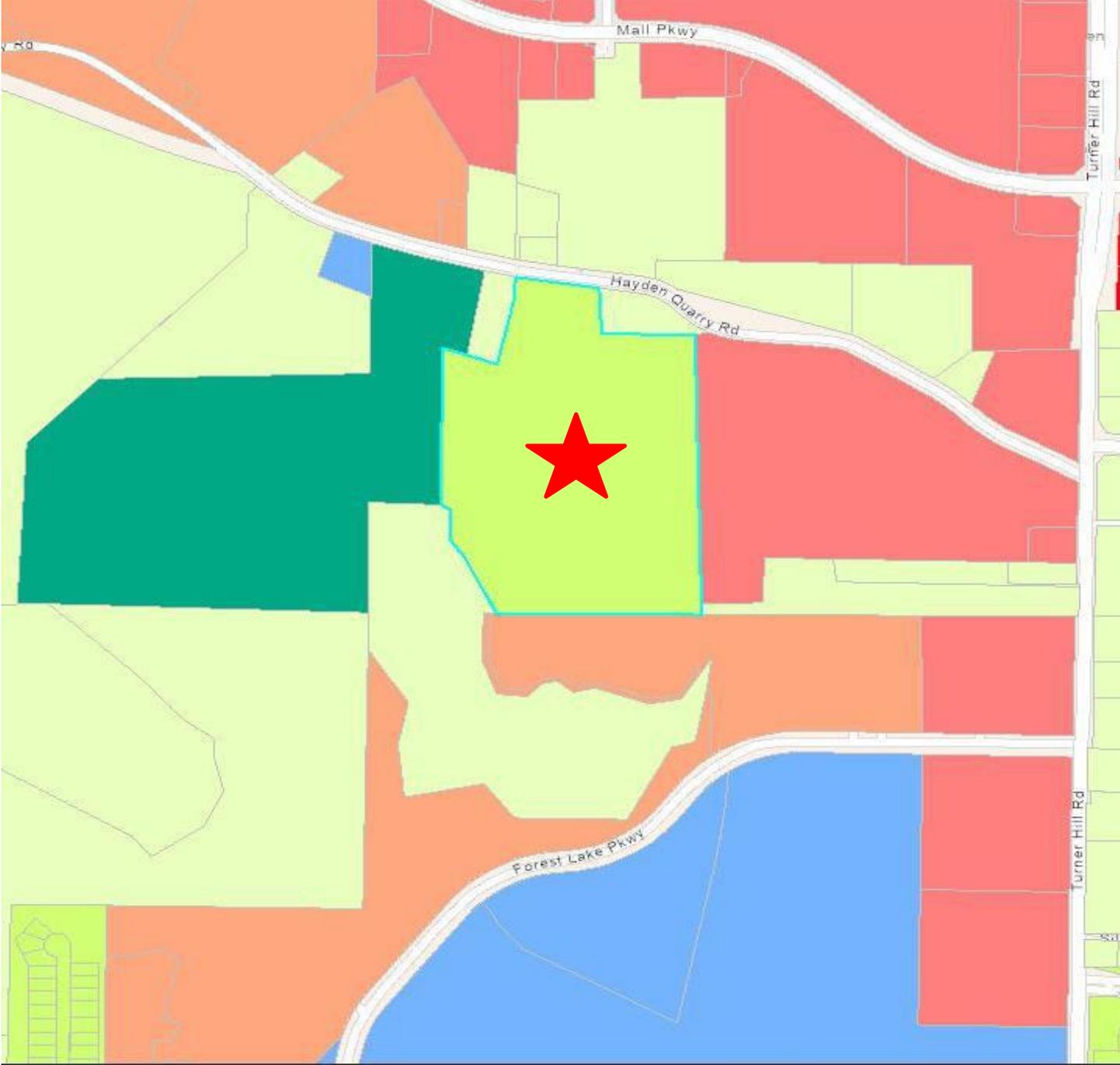
FUTURE LAND USE MAP



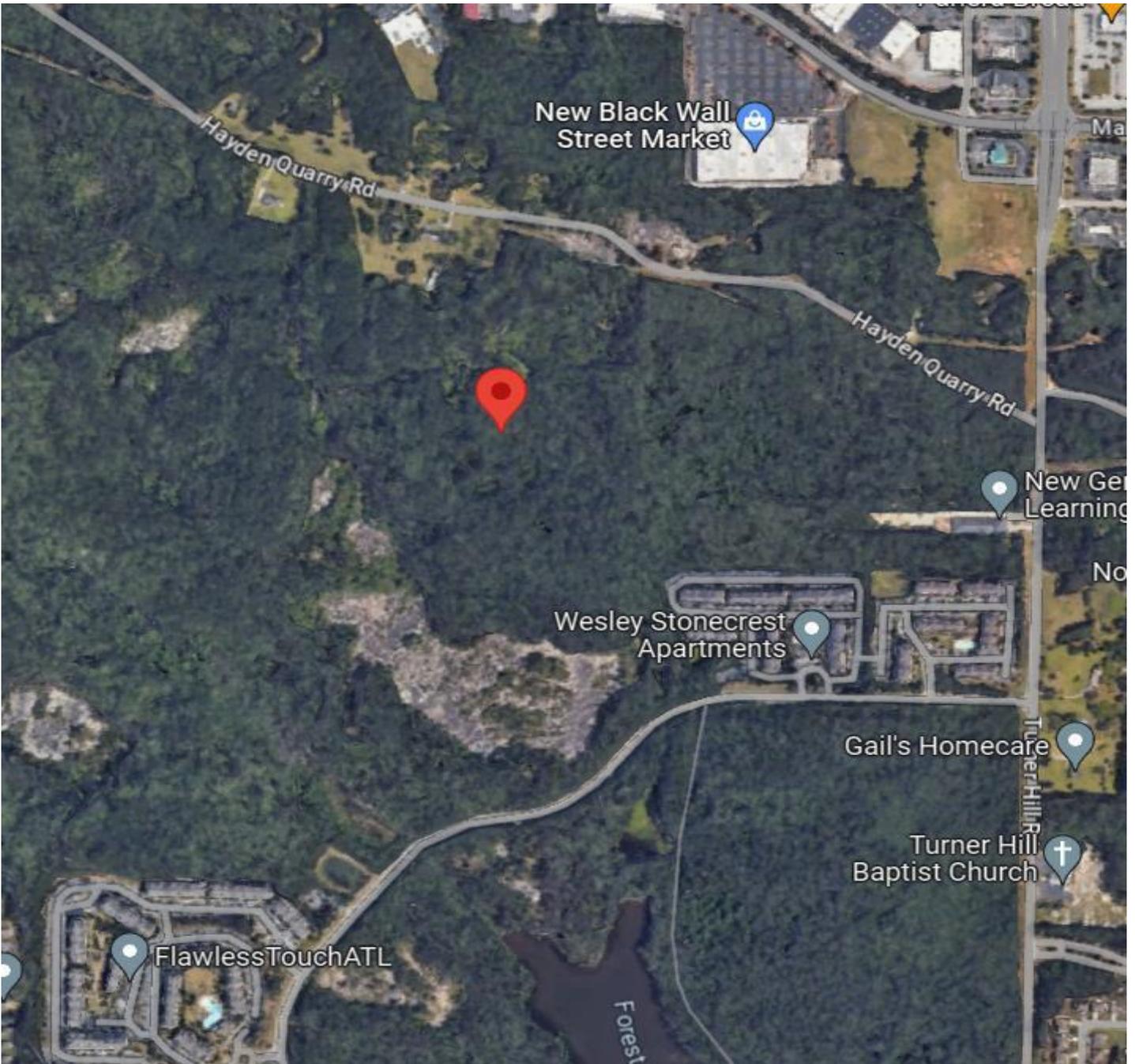
RZ-23-002

Planning and Zoning Department

ZONING MAP



AERIAL MAP



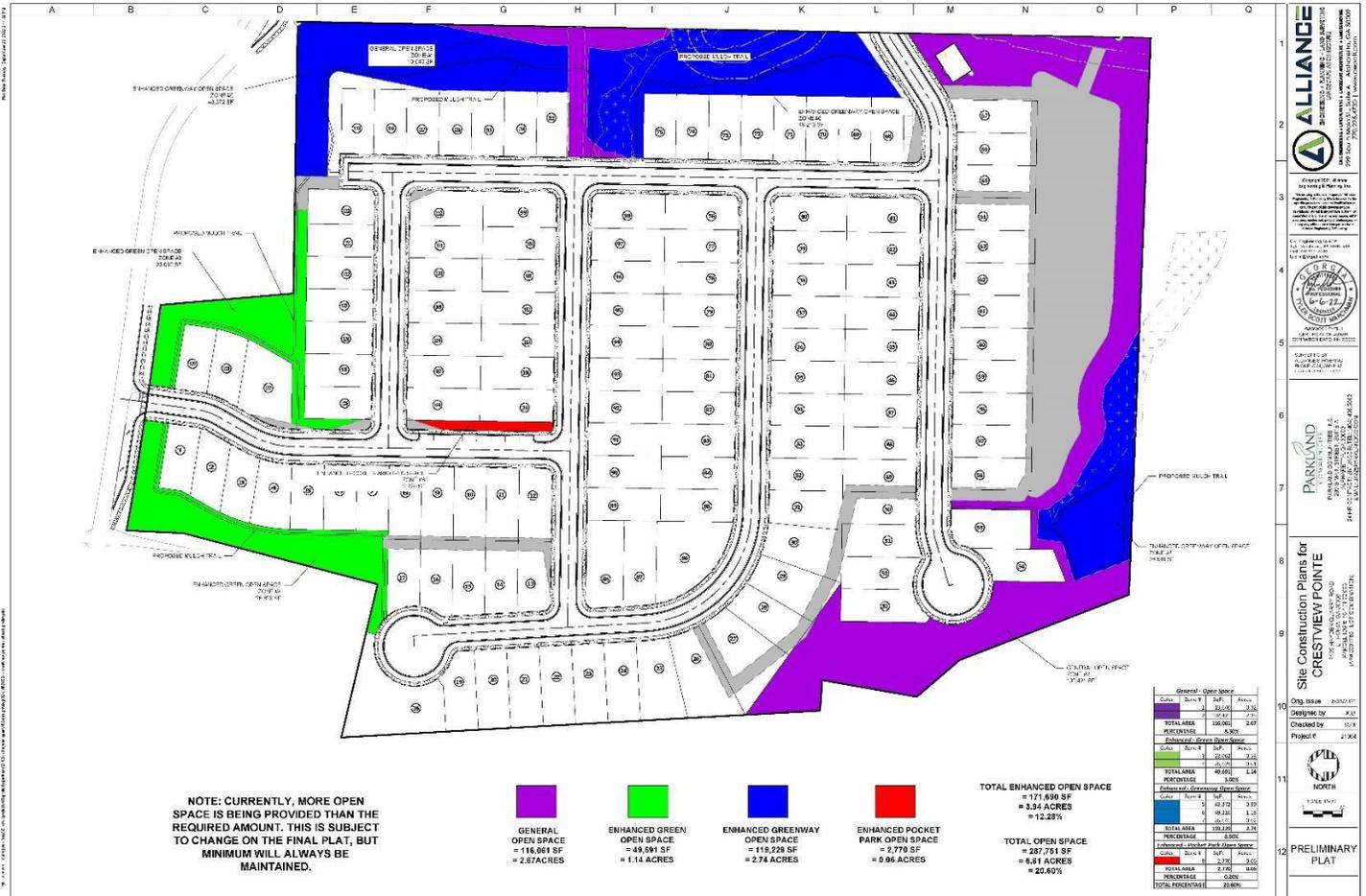
SUBMITTED SITE PLAN



Crestview Point
129 Single Family Lots

PARKLAND
COMMUNITIES

Crestwind Township
260 Townhomes



SUBMITTED ELEVATIONS/RENDERINGS

OAKLEIGH

Character Example of Front Homes Architecture



FRONT ELEVATION



FRONT ELEVATION



FRONT ELEVATION



FRONT ELEVATION

NOTE: Elevations not to exceed 35'0" in height and have exterior materials to be combinations of fiber cement siding, brick veneer and/or stone veneer.



299 S. Main Street, Suite A | Alpharetta, Ga 30009 | Parklandco.com

OAKLEIGH

Character Example of Ranch Style Homes Architecture



FRONT ELEVATION



TYPICAL REAR ELEVATION



TYPICAL LEFT SIDE ELEVATION



TYPICAL RIGHT SIDE ELEVATION

NOTE: Elevations not to exceed 35'0" in height and have exterior materials to be combinations of fiber cement siding, brick veneer and/or stone veneer



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OAKLEIGH

Character Example of Front Entry Homes Architecture



FRONT ELEVATION



TYPICAL REAR ELEVATION



TYPICAL LEFT SIDE ELEVATION



TYPICAL RIGHT SIDE ELEVATION

NOTE: Elevations not to exceed 35'0" in height and have exterior materials to be combinations of fiber cement siding, brick veneer and/or stone veneer



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- I. The number of units shall be 22 units, with 171 units being developed for townhome and 54 units being developed for single-family units; attached at the rear of each unit.
2. There shall be a mandatory home owners association ("HOA"), which shall own all or the common area located within the project
3. All units within the project shall be fee simple units. A portion of the lots will be marketed to investors as rental property, and the HOA Declaration of Restrictions, Covenants and Conditions shall provide that no more than 15% of the total lots within the subdivision shall be utilized for rental purposes, except for hardship cases as provided for in the Declaration.
4. Each unit shall have the following:
 - a. One car garage attached to each townhome unit
 - b. Two car garages attached to each single-family unit attached at the rear
 - c. Patio pad with a privacy fence
 - d. Sidewalks shall be located on both sides of the streets throughout the project
 - e. The front facades shall vary such that two adjacent home will not be uniform.
 - f. Front facades shall be constructed of brick, stone, or stucco and up to forty percent (40%) hardi-plank siding.
 - g. The side and rear facades of the units shall be constructed of brick, stone, stucco or hardi-plank siding. The use of vinyl siding shall be strictly prohibited.
 - h. The entrance to the project shall be a brick monument sign.
 - i. Landscaping facilities shall be provided from view with evergreen trees and a minimum six (6) foot high fence, as provided in the DeKalb County Development Code.
 - j. Sidewalks shall be placed along property frontage on Hayden Quarry Road
 - k. Underground utilities shall be used throughout the property
 - l. The project shall be developed with the following amenities: a swimming pool, and tennis court.



Rezoning Application

Owner Information	Owner's Name: <u>Parkland Communities, Inc.</u>		
	Owner's Address: <u>299 S Main St Suite A, Alpharetta, Georgia 30009</u>		
	Phone: <u>404-999-2897</u>	Fax: <u>N/A</u>	Email: <u>Sherry@parklandco.com</u>
	Property Address: <u>7199 Hayden Quarry Road, 7151 Hayden Quarry Road, 3261 Turner Hill Road</u>		Parcel Size: <u>32.09 acres</u>
	Parcel ID: <u>16 171 02 003, 16 171 02 005, and 16 171 02 012</u>		
	Current Zoning Classification: <u>RSM</u>		
Property Information	Requested Zoning Classification: <u>RSM with a major modification of conditions</u>		
	Name: <u>Parkland Communities, Inc. c/o Battle Law P.C.</u>		
	Address: <u>3562 Habersham at Northlake Building J, Suite 100 Tucker, GA 30084</u>		
	Phone: <u>404-601-7616</u>	Fax: <u>N/A</u>	
	Cell: <u>N/A</u>	Email: <u>mlb@battlelawpc.com</u>	
	Is this development and/or request seeking any incentives or tax abatement through the City of Stonecrest or any entity that can grant such waivers, incentives, and/or abatements? <div style="text-align: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</div>		
	1. Will the zoning proposal permit a use that is suitable in view of the use and development of adjacent and nearby properties?		
	2. Will the affected property of the zoning proposal have a reasonable economic use as currently zoned?		
	3. Will the zoning proposal adversely affect the existing use or usability of adjacent or nearby property?		
	Questionnaire	4. Are other existing or changing conditions affecting the existing use or usability of the development of the property which give supporting grounds for either approval or disapproval of the zoning proposal?	
5. Will the zoning proposal adversely affect historic buildings, sites, districts, or archaeological resources?			
6. Will the zoning proposal result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities or schools?			



Affidavit
Notary
Fee

To the best of my knowledge, this zoning application form is correct and complete. If additional materials are determined to be necessary, I understand that I am responsible for filing additional materials as specified by the City of Stonecrest Zoning Ordinance.

Applicant's Name: Parkland Communities, Inc c/o Battle Law P.C

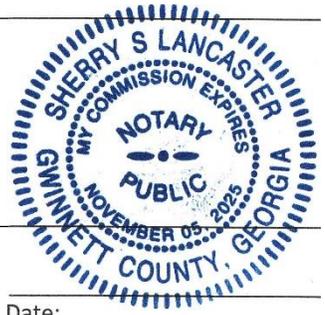
Applicant's Signature: [Signature] Date: 3-4 2023

Sworn to and subscribed before me this 24th Day of March 2023

Notary Public:

Signature: [Signature]

My Commission Expires: 11-05-2025



Application Fee Sign Fee Legal Fee

Fee: \$ _____ Payment: Cash Check CC

Date: _____

Approved Approved with Conditions Denied

Date: _____

***one sign is required per street frontage and/or every 500 feet of street frontage**



Campaign Disclosure Statement

Have you, within the two years immediately preceding the filing of this application, made campaign contributions aggregating \$250.00 or more to a member of the City of Stonecrest City Council or a member of the City of Stonecrest Planning Commission?

D Yes No

Applicant / Owner	Signature: <i>[Handwritten Signature]</i>
	Address: 363 S Main Street, Alpharetta, Georgia 30009
	Date: <i>3.9.2023</i>

If you answered yes above, please complete the following section:

Date	Government Official	Official Position	Description	Amount



Property Owner(s) Notarized Certification

The owner and petitioner acknowledge that this Zoning MAP Petition application form is correct and complete. By completing this form, all owners of the Subject property certify authorization of the filing of the application for zoning amendment, and authorization of a applicant or agent to act on their behalf in the filing of the application including all subsequent application amendments.

Property Owner (If Applicable)	Signature: <u><i>James D. Probi</i></u>	Date: <u>3.9.2023</u>	
	Address: 363 S Main Street	City, State: Alpharetta, Georgia	Zip: 30009
	Phone: 404-456-5562		
	Sworn to and subscribed before me this <u>9th</u> day of <u>March</u> , 20 <u>23</u>		
Property Owner (If Applicable)	Notary Public: <u><i>Sherry S Lancaster</i></u>		
	Signature: _____	Date: _____	
	Address: _____	City, State: _____	Zip: _____
	Phone: _____		
Property Owner (If Applicable)	Sworn to and subscribed before me this _____ day of _____, 20__		
	Notary Public: _____		
	Signature: _____	Date: _____	
	Address: _____	City, State: _____	Zip: _____
Property Owner (If Applicable)	Phone: _____		
	Sworn to and subscribed before me this _____ day of _____, 20__		
	Notary Public: _____		



Battle Law

3562 Habersham at Northlake, Bldg. J, Ste 100
Tucker, Georgia 30084

Zoom Instructions:

Go to <https://otago.zoom.us/join> and Enter the Meeting ID that you have been provided with in the appropriate field and click “Join” . To join by phone, please dial (646) 558-8656. If you are unable to attend or would like to learn more about the proposed project, please call our office at the number below.

We encourage you to come out and participate!

For More Information Contact
Jordan Battle at:
Phone: 404-601-7616 ext. 8
Fax: 404-745-0045
Email: jnb@battlelawpc.com

Item IV. c.

COMMUNITY MEETING TO DISCUSS REZONING APPLICATION TO ALLOW FOR THE DEVELOPMENT OF SINGLE- FAMILY DETACHED HOMES

Project Title: 7151 Hayden Quarry

When: April 19th, 2023

Time: 6:00 PM Eastern (US and Canada)

Register in advance for this meeting:

<https://otago.zoom.us/join>

Meeting ID: 863 3706 9255

Password: 085346

PROPOSED LOCATION(S):
Parcel Nos. 16 171 02 003, 16 171 02 010,
16 171 02 005, and 16 171 02 012



Battle Law

3562 Habersham at Northlake, Bldg. J, Ste 100
Tucker, Georgia 30084

Item IV. c.
HERE

«Name»
«Address»
«City», «State» «Zip»

BOWMAN FREEDOM LLC	535 MARRIOTT DR	NASHVILLE, TN	37214
BUCHSBAUM ESTHER R	2948 SEQUOYAH DR NW	ATLANTA, GA	30327
CARMAX AUTO SUPERSTORE INC	PO BOX 29965	RICHMOND, VA	23242
DEKALB COUNTY	1300 COMMERCE DR FLOOR 3RD	DECATUR, GA	30030
DILLMAN JACKIE L TRUSTEE	615 ROBIN ROAD	COVINGTON, GA	30016
FIRST FINANCIAL ASSOCIATES INC	7079 HAYDEN QUARRY RD	LITHONIA, GA	30038
FOREST LAKE VENTURES LLC	1010 HUNTCLIFF # 2315	ATLANTA, GA	30350
FOREST LAKE VENTURES LLC	1010 HUNTCLIFF # 2315	ATLANTA, GA	30350
FOSTER EMILY	7000 ROCKLAND RD	LITHONIA, GA	30038
G AND K COVENANT PROPERTIES II LLC	3271 TURNER HILL RD	LITHONIA, GA	30038
GADDIS DENISE BAILEY	11255 DONNINGTON DR	JOHNS CREEK, GA	30097
GEORGE RACHEL R	670 COVERED BRIDGE RD	COVINGTON, GA	30016
HAYDEN QUARRY LLC	70 CHEVAUX CT NW	ATLANTA, GA	30342
HUNT JOHNNY A	7210 HAYDEN QUARRY RD	LITHONIA, GA	30038
HUNT JOHNNY A	7210 HAYDEN QUARRY RD	LITHONIA, GA	30038
KAISER FOUNDATION HEALTH	1 KAISER PLZ FLOOR 15	OAKLAND, CA	94612
LANDCORPS INC	PO BOX 1936	MONROE, GA	30655
LO MICHAEL L	4027 SIGNAL RDG SW	LILBURN, GA	30047
MARTA	2424 PIEDMONT RD NE	ATLANTA, GA	30324
PARKLAND COMMUNITIES INC	299 S MAIN ST STE A	ALPHARETTA, GA	30009
PARKLAND COMMUNITIES INC	299 S MAIN ST STE A	ALPHARETTA, GA	30009
QUARRY PARTNERS LLC	1010 HUNTCLIFF # 2315	ATLANTA, GA	30350
QUARRY PARTNERS LLC	1010 HUNTCLIFF # 2315	ATLANTA, GA	30350
QUARRY PARTNERS LLC	1010 HUNTCLIFF # 2315	ATLANTA, GA	30350
RAGSDALE LIMITED PARTNERSHIP	2722 GLENEAGLES DR	TUCKER, GA	30084
REALPRO EQUITY LLC	2727 MOORINGS PKWY	SNELLVILLE, GA	30039
SAQ ENTERPRISE INC	4193 CHAPEL LAKE DR	DECATUR, GA	30034
STONECREST DEVELOPMENT AUTHORITY	3120 STONECREST AVE	LITHONIA, GA	30038
STONECREST PROPERTIES LLC	P.O. BOX 957148	DULUTH, GA	30095
TRACY L SAYERS INVESTMENTS LLC	600 BROOKSTONE CENTRE PKWY	COLUMBUS, GA	31904
TURNER HILL PARTNERS LLC	1010 HUNTCLIFF STE 2315	ATLANTA, GA	30350
TURNER HILL PARTNERS LLC	1010 HUNTCLIFF STE 2315	ATLANTA, GA	30350
WESLEY KENSINGTON PARTNERS LLC	1010 HUNTCLIFF STE 2315	ATLANTA, GA	30350

Environmental Site Analysis

Analyze the impact of the proposed rezoning and provide a written point-by-point response to Points 1 through 3:

1. Conformance to the Comprehensive Plan:

- a. Describe the proposed project and the existing environmental conditions on the site.

The Applicant seeks to develop on +/-32.09 acres of land being Tax Parcel Nos. 16 1714 02 003, 16 171 02 005, and 16 171 02 012 having frontage on 7151 Hayden Quarry Road with single-family detached homes. The Applicant is seeking a Major Modification of Conditions of the Subject Property to change the following conditions of zoning case number Z-05-01 to allow for the development: conditions 1, 4a, 4b, 4c, and 4l. The Applicant proposes the following changes:

Condition 1: The maximum number of units shall be ~~129 225 units, with 171 units being developed for townhomes attached by a common wall, and 54 units~~ being developed ~~for~~ as single-family detached units. ~~attached at the rear of each unit.~~

Condition 4a: Each unit shall have the following: ~~one car garage attached to each townhome unit~~ DELETED

Condition 4b: Each unit shall have the following: two car garages ~~attached to each single family unit attached at the rear~~

Condition 4c: Each unit shall have the following: ~~Patio pad with a privacy fence.~~ DELETED

Condition 4l: Each unit shall have the following: ~~The project shall be developed with the following amenities: a swimming pool, and tennis courts.~~ DELETED

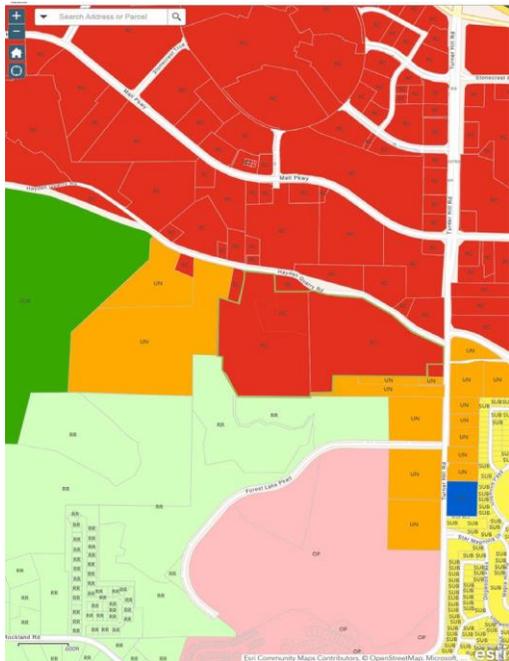
- b. Describe adjacent properties. Include a site plan that depicts the proposed project.

The site plan for the proposed project is attached to this application. The surrounding properties have future land use designations of RC, UN, and RR and are zoned RSM, MU-4, C-1, MR-1, and R-100. The surrounding properties are vacant, single-family homes, various commercial buildings ranging from restaurants and banks to the Stonecrest Mall to the north, and apartments.

- c. Describe how the project conforms to the Comprehensive Land Use Plan.

The zoning proposal is in conformity with the policy and intent of the Comprehensive Plan. The Subject Property has a future land use designation of Regional Center and is on the very edge of those properties with that designation. This zoning proposal does not seek to change the future land use designation, nor does it seek to change the base zoning district. Rather, the proposal seeks to change certain zoning conditions affecting the Subject Property. This zoning proposal does not seek to introduce a use that would otherwise not be permitted, nor does it seek to introduce a zoning district that would not allow for uses uncharacteristic of the uses permitted on the surrounding properties. Therefore, the zoning proposal is in conformity with the policy and intent of the Comprehensive Plan.

- d. Include the portion of the Comprehensive Plan Land Use Map which supports the project's conformity to the Plan.



- e. Evaluate the proposed project with respect to the land use suggestion of the Comprehensive Plan as well as any pertinent Plan policies.

This zoning proposal seeks to change conditions on the Subject Property. The change would eliminate the townhomes, reduce the number of homes on the Subject Property from 225 to 129 and require two car garages. The units will be relatively close together. The Regional Center character area permits 60 units per acre and up. While this development does not reach that number, it does serve as a suitable transition from the higher density uses to the lower density uses to the south of the Subject Property.

2. Environmental Impacts of The Proposed Project

For each environmental site feature listed below, indicate the presence or absence of that feature on the property. Describe how the proposed project may encroach or adversely affect an environmental site feature. Information on environmental site features may be obtained from the indicated source(s).

a. Wetlands

- U. S. Fish and Wildlife Service, National Wetlands Inventory (<http://wetlands.fws.gov/downloads.htm>)
- Georgia Geologic Survey (404-656-3214)
- Field observation and subsequent wetlands delineation/survey if applicable

There are wetlands on the southeastern side of the site. The stormwater management facilities required by City code have been planned for the eastern portion of the site. The stormwater management facilities will protect the wetlands from any stormwater runoff produced by the site. This will provide better protection than what exists today as there is currently no engineered solution to stormwater runoff on the site.

b. Floodplain

- Federal Emergency Management Agency (<http://www.fema.org>)
- Field observation and verification

There are no floodplains on the Subject Property.

c. Streams/stream buffers

- Field observation and verification

There are no streams or stream buffers on the Subject Property.

- d. Slopes exceeding 25 percent over a 10-foot rise in elevation
- United States Geologic Survey Topographic Quadrangle Map
 - Field observation and verification

There are no slopes exceeding 25% over a 10-foot rise in elevation on the site.

- e. Vegetation • United States Department of Agriculture, Nature Resource Conservation Service
- Field observation

According to a field observation and satellite imagery, there are currently trees on the Subject Property. For any development, trees will have to be cut down to accommodate the buildings. However, the Applicant will work closely with the City Arborist to ensure that only the necessary clearing is performed. Dead and diseased trees will be cleared from the site as well.

- f. Wildlife Species (including fish)
- United States Fish and Wildlife Service
 - Georgia Department of Natural Services, Wildlife Resources Division, Natural Heritage Program
 - Field observation

There are no wildlife species that will be adversely affected by the change of conditions application. The Subject Property is already approved for development as a mixture of single-family detached homes and single-family attached townhomes.

- g. Archeological/Historical Sites
- Historic Resources Survey
 - Georgia Department of Natural Resources, Historic Preservation Division
 - Field observation and verification

The Applicant is not aware of any archaeological or historic sites or resources on the Subject Property.



3. Project Implementation Measures

Describe how the project implements each of the measures listed below as applicable. Indicate specific implementation measures required to protect environmental site feature(s) that may be impacted.

- a. Protection of environmentally sensitive areas, i.e., floodplain, slopes exceeding 25 percent, river corridors.

There are no floodplains, slopes exceeding 25%, or river corridors on the site. There are some wetlands on the southeastern portion of the Subject Property. The stormwater management facilities required by City code have been planned for the eastern portion of the site. The stormwater management facilities will protect the wetlands from any stormwater runoff produced by the site. This will provide better protection than what exists today as there is currently no engineered solution to stormwater runoff on the site.

- b. Protection of water quality

The Applicant is installing all required stormwater management facilities that will serve to protect any and all surrounding wetlands/streams from any stormwater runoff generated by the site.

- c. Minimization of negative impacts on existing infrastructure

The impact on existing infrastructure will be minimized.

- d. Minimization on archeological/historically significant areas

The Applicant is not aware of any archeological/historically significant areas on the Subject Property.

- e. Minimization of negative impacts on environmentally stressed communities where environmentally stressed communities are defined as communities exposed to a minimum of two environmentally adverse conditions resulting from public and private municipal (e.g., solid waste and wastewater treatment facilities, utilities, airports, and railroads) and industrial (e.g., landfills, quarries and manufacturing facilities) uses.

Introducing the proposed project will allow the Applicant to engineer a solution to any and all ongoing stormwater runoff issues that may or may not be affecting the surrounding communities. Any stormwater runoff that comes from the site

- f. Creation and preservation of green space and open space

The included site plan shows how green space and open space will be allocated across the site.

- g. Protection of citizens from the negative impacts of noise and lighting

Once constructed, the Subject Property will be single-family homes which will abut apartments, vacant land, and one other single-family home. So, the use of the Subject Property will not have any negative impacts of noise or lighting on the surrounding properties. During construction, the Applicant will work during normal business hours to ensure that there are no noises or lights affecting the surrounding citizens.

- h. Protection of parks and recreational green space

The included site plan shows how green space and open space will be allocated across the site.



i. Minimization of impacts to wildlife habitats

There are no wildlife species that will be adversely affected by the change of conditions application. The Subject Property is already approved for development as a mixture of single-family detached homes and single-family attached townhomes.



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STATEMENT OF INTENT

and

Other Material Required by
The City of Stonecrest Zoning Ordinance
For
A Major Modification of Conditions of
Z-05-01

of

PARKLAND COMMUNITIES, INC.
c/o Battle Law, P.C.

for

+/-32.09 Acres of Land
Being 7151 Hayden Quarry Road,
the City of Stonecrest, Georgia and
Parcel Nos. 16 171 02 003, 16 171 02 005, and 16 171 02 012

Submitted for Applicant by:

Michèle L. Battle, Esq.
Battle Law, P.C.
Habersham at Northlake, Building J, Suite 100
Tucker, Georgia 300384
(404) 601-7616 Phone
(404) 745-0045 Facsimile
mlb@battlelawpc.com



Battle Law

I. LETTER OF INTENT

Parkland Communities, Inc. (the “Applicant”) seeks to develop on +/- 32.09 of land being Tax Parcel Nos. 16 171 02 003, 16 171 02 005, and 16 171 02 012 having frontage on 7151 Hayden Quarry Road (the “Subject Property”) with single-family detached homes. The Applicant is seeking a Major Modification of Conditions of the Subject Property to change the following conditions from zoning case number Z-05-01 to allow for the development: conditions 1, 4a, 4b, 4c, and 4l. The original conditions are listed below with the proposed changes in red.

Condition 1: The maximum number of units shall be ~~129 225 units, with 171 units being developed for townhomes attached by a common wall, and 54 units~~ being developed for as single-family detached units. ~~attached at the rear of each unit.~~

Condition 4a: Each unit shall have the following: ~~one car garage attached to each townhome unit~~
DELETED

Condition 4b: Each unit shall have the following: two car garages ~~attached to each single-family unit attached at the rear~~

Condition 4c: Each unit shall have the following: ~~Patio pad with a privacy fence.~~ DELETED

Condition 4l: Each unit shall have the following: ~~The project shall be developed with the following amenities: a swimming pool, and tennis courts.~~ DELETED

This document serves as a statement of intent, analysis of the criteria under the City of Stonecrest Zoning Ordinance and contains notice of constitutional allegations as a reservation of the Applicant’s rights.

II. MAJOR MODIFICATION OF CONDITIONS CRITERIA

a. 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. The Subject Property has a future land use designation of Regional Center and is on the very edge of those properties with that designation. This zoning proposal does not seek to change the future land use designation nor does it seek to change the base zoning district. Rather, the proposal seeks to change certain zoning conditions affecting the Subject Property. This zoning proposal does not seek to introduce a use that would otherwise not be permitted, nor does it seek to introduce a zoning district that would not allow for uses uncharacteristic of the uses permitted on the surrounding properties. Therefore, the zoning proposal is in conformity with the policy and intent of the comprehensive plan.

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



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The zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby properties. The immediately adjacent properties are either vacant or developed with residential uses. The property nearby, but not immediately adjacent is developed for residential and commercial uses. The Subject Property is near Stonecrest Mall.

The zoning proposal does not seek to change the approved residential use. Rather, the proposal seeks to change the conditions placed on the property to allow for the development of 129 single-family detached homes. The conditions in place allow for townhomes and contemplate certain development standards that apply specifically to townhomes. To develop single family detached homes, the Applicant seeks to change those conditions to be more conducive to a single family detached product. Other single family detached homes are already in the area. Therefore, building new single family detached homes would be suitable in view of the use and development of adjacent and nearby properties.

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

The property to be affected by the zoning proposal does not have a reasonable economic use as currently zoned.

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

The zoning proposal will not adversely affect the existing use or usability of adjacent or nearby property. The zoning proposal will reduce the overall number of approved units on the Subject Property and change the housing product from a mixture of single family detached homes and townhomes to just single family detached homes. This change, along with the various design changes, will have a positive affect on the existing use or usability of adjacent or nearby property by limiting the intensity of the residential use permitted on the Subject Property. Therefore, the zoning proposal will not adversely affect the existing use or usability of adjacent or nearby property.

e. Whether there are other existing or changing conditions the use and development of the property that provide supporting grounds for either approval or disapproval of the zoning proposal;

The Applicant is not aware of other existing or changing conditions that provide supporting grounds for either approval or disapproval of the zoning proposal.

f. Whether the zoning proposal will adversely affect historic buildings, sites, districts, or archaeological resources; and

The zoning proposal will not adversely affect historic buildings, sites, districts, or archaeological resources. The Subject Property does not lie within a historic district, nor near any historic sites.



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The Applicant is not aware of any historic buildings or archaeological resources on the Subject Property. Therefore, the zoning proposal will not adversely affect historic buildings, sites, districts, or archaeological resources.

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

The zoning proposal will not result in a use that will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools. The approved plan for the Subject Property contemplates roughly 100 more units than what this zoning proposal does. So, the Applicant is entitled to build out the property for the 225 approved residential units. Instead, this zoning proposal seeks change the zoning conditions to allow for 129 single family detached homes. This reduction in the number of units will produce far less strain on all City resources, including the existing streets, transportation facilities, utilities, and schools than the approved plan. Therefore, the zoning proposal will not result in a use that will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.

III. CONCLUSION

For the foregoing reasons, the Applicant hereby requests that the application for a Major Modification of Conditions be approved. The Applicant welcomes any questions and feedback from the planning staff.

IV. NOTICE OF CONSTITUTIONAL ALLEGATIONS AND PRESERVATION OF CONSTITUTIONAL RIGHTS

The portions of the City of Stonecrest Zoning Ordinance, facially and as applied to the Subject Property, which restrict or classify or may restrict or classify the Subject Property so as to prohibit its development as proposed by the Applicant are or would be unconstitutional in that they would destroy the Applicant's property rights without first paying fair, adequate and just compensation for such rights, in violation of the Fifth Amendment and Fourteenth Amendment of the Constitution of the United States and Article I, Section I, Paragraph I of the Constitution of the State of Georgia of 1983, Article I, Section III, Paragraph I of the Constitution of the State of Georgia of 1983, and would be in violation of the Commerce Clause, Article I, Section 8, Clause 3 of the Constitution of the United States.

The application of the City of Stonecrest Zoning Ordinance to the Subject Property which restricts its use to any classification other than that proposed by the Applicant is unconstitutional, illegal, null and void, constituting a taking of Applicant's Property in violation of the Just Compensation Clause of the Fifth Amendment to the Constitution of the United States, Article I, Section I, Paragraph I, and Article I, Section III, Paragraph I of the Constitution of the State of Georgia of 1983, and the Equal Protection and Due Process Clauses of the Fourteenth Amendment to the Constitution of the United States denying the Applicant an economically viable use of its land while not substantially advancing legitimate state interests.



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A denial of this Application would constitute an arbitrary irrational abuse of discretion and unreasonable use of the zoning power because they bear no substantial relationship to the public health, safety, morality or general welfare of the public and substantially harm the Applicant in violation of the due process and equal protection rights guaranteed by the Fifth Amendment and Fourteenth Amendment of the Constitution of the United States, and Article I, Section I, Paragraph I and Article I, Section III, Paragraph 1 of the Constitution of the State of Georgia.

A refusal by the City of Stonecrest Mayor and City Council to amend the land use and/or rezone the Subject Property to the classification as requested by the Applicant would be unconstitutional and discriminate in an arbitrary, capricious and unreasonable manner between the Applicant and owners of similarly situated property in violation of Article I, Section I, Paragraph II of the Constitution of the State of Georgia of 1983 and the Equal Protection Clause of the Fourteenth Amendment to the Constitution of the United States. Any Major Modifications of Conditions of the Property subject to conditions which are different from the conditions requested by the Applicant, to the extent such different conditions would have the effect of further restricting Applicant's utilization of the property, would also constitute an arbitrary, capricious and discriminatory act in zoning the Subject Property to an unconstitutional classification and would likewise violate each of the provisions of the State and Federal Constitutions set forth hereinabove.

A refusal to allow the land use amendment and/or Major Modification of Conditions in questions would be unjustified from a fact-based standpoint and instead would result only from constituent opposition, which would be an unlawful delegation of authority in violation of Article IX, Section II, Paragraph IV of the Georgia Constitution.

A refusal to allow the land use amendment and/or Major Modification of Conditions in question would be invalid inasmuch as it would be denied pursuant to an ordinance which is not in compliance with the Zoning Procedures Law, O.C.G.A Section 36-66/1 et seq., due to the manner in which the Ordinance as a whole and its map(s) have been adopted.

The existing land use designation and/or zoning classification on the Subject Property is unconstitutional as it applies to the Subject Property. This notice is being given to comply with the provisions of O.C.G.A. Section 36-11-1 to afford the County an opportunity to revise the Property to a constitutional classification. If action is not taken by the County to rectify this unconstitutional land use designation and/or zoning classification within a reasonable time, the Applicant is hereby placing the County on notice that it may elect to file a claim in the Superior Court of Fulton County demanding just and adequate compensation under Georgia law for the taking of the Subject Property, diminution of value of the Subject Property, attorney's fees and other damages arising out of the unlawful deprivation of the Applicant's property rights.

Michele L. Battle, Esq.
Attorney for the Applicant



CITY COUNCIL AGENDA ITEM

SUBJECT: Purchasing Policy Revision

AGENDA SECTION: *(check all that apply)*

- PRESENTATION PUBLIC HEARING CONSENT AGENDA OLD BUSINESS
 - NEW BUSINESS OTHER, PLEASE STATE: Click or tap here to enter text.
-

CATEGORY: *(check all that apply)*

- ORDINANCE RESOLUTION CONTRACT POLICY STATUS REPORT
 - OTHER, PLEASE STATE: Click or tap here to enter text.
-

ACTION REQUESTED: DECISION DISCUSSION, REVIEW, or UPDATE ONLY

Previously Heard Date(s): Click or tap to enter a date. & Click or tap to enter a date.

Current Work Session: Click or tap to enter a date.

Current Council Meeting: Monday, July 31, 2023

SUBMITTED BY: Gia Scruggs, City Manager

PRESENTER: Gia Scruggs, City Manager

PURPOSE: When the previous version of the Purchasing policy was presented for revisions, there was verbiage “PUBLIC HEARING REQUIRED” in Section VII – Non-Competitive Procurements SubSection E. Real Estate Acquisitions 5. Land Acquisition Procurement Process F needs to be removed. This language should not be contained in the policy.

FACTS: Click or tap here to enter text.

OPTIONS: Approve, Deny, Defer Click or tap here to enter text.

RECOMMENDED ACTION: Approve Click or tap here to enter text.

ATTACHMENTS:

- (1) Attachment 1 - Recommended Policy Revision
- (2) Attachment 2 - Click or tap here to enter text.
- (3) Attachment 3 - Click or tap here to enter text.



CITY COUNCIL AGENDA ITEM

- (4) Attachment 4 - Click or tap here to enter text.
- (5) Attachment 5 - Click or tap here to enter text.



<u>Proposed Amendment Section</u>	<u>Current Language</u>	<u>Proposed Language</u>
Section VII - Non-Competitive Procurements Section E. Real Estate Transactions 5. Land Acquisition Procuremnt Process f.	f. City staff will present the findings of the due diligence on the property to be purchased in executive session and may request a Resolution from the City Council authorizing the City Manager to execute any and all closing documents to complete the purchase of the property. (PUBLIC HEARING REQUIRED).	f. City staff will present the findings of the due diligence on the property to be purchased in executive session and may request a Resolution from the City Council authorizing the City Manager to execute any and all closing documents to complete the purchase of the property. (PUBLIC HEARING REQUIRED).



CITY COUNCIL AGENDA ITEM

SUBJECT: Economic Development Plan Steering Committee Membership Adjustment

AGENDA SECTION: *(check all that apply)*

- PRESENTATION PUBLIC HEARING CONSENT AGENDA OLD BUSINESS
 NEW BUSINESS OTHER, PLEASE STATE: Click or tap here to enter text.
-

CATEGORY: *(check all that apply)*

- ORDINANCE RESOLUTION CONTRACT POLICY STATUS REPORT
 OTHER, PLEASE STATE: Click or tap here to enter text.
-

ACTION REQUESTED: DECISION DISCUSSION, REVIEW, or UPDATE ONLY

Previously Heard Date(s): Click or tap to enter a date. & Click or tap to enter a date.

Current Work Session: Click or tap to enter a date.

Current Council Meeting: Monday, July 31, 2023

SUBMITTED BY: Mayor Po Tem George Turner

PRESENTER: Mayor Pro Tem George Turner

PURPOSE: Click or tap here to enter text.

FACTS: Click or tap here to enter text.

OPTIONS: Approve, Deny, Defer Click or tap here to enter text.

RECOMMENDED ACTION: Choose an item. Click or tap here to enter text.

ATTACHMENTS:

- (1) Attachment 1 - Resolution of Reconstitution of Economic Development Plan Steering Committee
- (2) Attachment 2 - Click or tap here to enter text.
- (3) Attachment 3 - Click or tap here to enter text.
- (4) Attachment 4 - Click or tap here to enter text.
- (5) Attachment 5 - Click or tap here to enter text.

**STATE OF GEORGIA
COUNTY OF DEKALB
CITY OF STONECREST**

RESOLUTION NO. 2023-01-07

A RESOLUTION AUTHORIZING THE RECONSTITUTION OF THE ECONOMIC DEVELOPMENT PLAN STEERING COMMITTEE OF THE CITY OF STONECREST, GEORGIA AND APPOINTING MEMBERS.

WHEREAS, the City of Stonecrest (“City”) was created by Senate Bill 208, passed in the Georgia General Assembly during the 2016 Session and subsequently confirmed by referendum; and

WHEREAS, Senate Bill 208 provided a charter for the City of Stonecrest (the “City Charter”); and

WHEREAS, Senate Bill 21, passed in the Georgia General Assembly during the 2021 Session and subsequently signed into law on April 2, 2021; and

WHEREAS, Section 1.03(b)(42) of the City Charter grants the City the power to exercise and enjoy all other powers, functions and rights necessary or desirable to promote the general welfare of the City and its inhabitants; and

WHEREAS, Section 7 of Senate Bill 21 amended Section 2.11 to read as follows:

*(c)(1) The city council shall have the power by ordinance or resolution to establish oversight, policy, and standing committees of the council; and

WHEREAS, the City Council of the City of Stonecrest determined that it was in the best interest of the City and its citizens to establish the Economic Development Plan Steering Committee of the City of Stonecrest, Georgia, for the purpose of providing input and insights to City staff to ensure the views of the business community are represented; and

WHEREAS, the City desires to reconstitute the Economic Development Plan Steering Committee for 2023.

NOW THEREFORE, BE IT AND IT IS HEREBY RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF STONECREST, GEORGIA, as follows:

SECTION I: ESTABLISHMENT

ESTABLISHMENT OF THE ECONOMIC DEVELOPMENT PLAN STEERING COMMITTEE AND AUTHORIZATION: The City Council of the City of Stonecrest affirms that creating this committee is an opportunity for the City to affect substantive improvements to the City's business community through workforce development, employment opportunities for City residents, increased diversity of businesses, professional offices and services, and a higher quality of life for all residents. To further help accomplish this vision, there is hereby established the Economic Development Plan Steering Committee of the City of Stonecrest, Georgia (hereinafter referred to as the "Economic Development Plan Steering Committee").

SECTION II: MISSION AND DUTIES

The mission of the Economic Development Plan Steering Committee is to support efforts towards diverse and sustainable economic vitality within the community. The purpose of the EDPSC is:

1. To provide a forum for exchanging ideas and information to address the needs of the business community to better serve the City of Stonecrest residents and visitors;
2. To promote business development and provide input and ideas for increasing diversity of businesses and services, and a higher quality of life for all residents;
3. To ensure that each district of the City is represented and has the opportunity to advocate for the views of the business community.

SECTION III: MEMBERSHIP

The Economic Development Plan Steering Committee shall be composed of twelve (12) members, two (2) of which shall be Councilmembers appointed by the City Council to serve as ~~ex-officio~~, ~~non-voting~~ members of the Committee. The City Council shall establish qualifications for members of the Economic Development Plan Steering Committee except that each Economic Development Plan Steering Committee member must be either a resident of the City or a non-resident who are regional partners of the City of Stonecrest. Each committee person shall be nominated and approved by the City Council. Members must attend two-thirds (2/3) of the Economic Development Plan Steering Committee meetings in a calendar year. Failure to do so warrants removal from the Committee. This committee is a ad hoc committee and will schedule meetings on an ad hoc basis based on the availability of the Committee members.

SECTION IV: TERMS

Each member shall serve from January to December of each year or until the purpose of the committee is complete which date comes first. Members filling vacancies shall serve the remainder of the term to which they were appointed. A consecutive appointment is permissible. Members whose terms expire shall continue to serve until a replacement is appointed or a consecutive appointment is made. Any member may be removed with or without cause by the City Council.

SECTION V: COMPENSATION

Economic Development Plan Steering Committee members will serve without compensation. Reasonable expenses for travel may be reimbursed

SECTION VI: QUORUM

A majority of the actual number of Economic Development Plan Steering Committee members establishes a quorum. Any action taken requires a majority of affirmative votes of the quorum present.

SECTION VII: GOVERNANCE

The Economic Development Plan Steering Committee shall adopt its rules of procedure, which shall be substantially similar to the rules of procedure of the City Council. The Economic Development Plan Steering Committee shall set its own meeting schedule and establish the meeting agendas. The date and time of each meeting as well as agenda items to be considered shall be publicized in the same manner as meetings of the City Council. All meetings shall be open to the public and all records maintained by the Economic Development Plan Steering Committee shall be public records unless expressly exempted by a provision of the Georgia Open Records Act. The Economic Development Plan Steering Committee shall keep minutes of its proceedings, showing the vote of each member upon each question, and shall maintain records of its examinations and other official actions all of which shall be filed in the office of the City Clerk. Copies of the minutes shall be sent to the Mayor and each member of the City Council. At each meeting, the public shall be granted time for public comment. The Economic Development Plan Steering Committee shall elect a chairman to conduct meetings and a vice chairman to conduct meetings in the absence of the chairman. Elections shall be held at the first regular meeting of the calendar year. The chairman shall serve for one (1) year or until re-elected or a successor is elected. The vice chairman shall serve for one (1) year or until re-elected or a successor is elected. The Committee shall select one of its members to serve as the secretary. The Economic Development Plan Steering Committee will report either in person or in writing to the Mayor and City Council

at a time to be established by the City Council and the Economic Development Plan Steering Committee.

SECTION VIII: MEMBERS

The current members of the Economic Development Plan Steering Committee are as follows:

1. Joe Coleman
2. Revonda Cosby
3. Andrew Wells
4. Thad Mayfield
5. Dave Marcus
6. Dorian DeBarr
7. Christopher Seabrook
8. Jetha Wagner
9. Mindal Patel
10. Sid Barron
11. Shelbia Jackson

The 2023 members of the Economic Development Plan Steering Committee are as follows:

1. Stonecrest Lithonia Industrial Council EXO	
2. Revonda Cosby	
3. Andrew Wells	
4. Thad Mayfield	
5. Dave Marcus	
6. Dorian Debarr	
7. Chris Seabrook	

8. Jetha Wagner	
9. Minal Patel	
10. Sid Barron	
11. Shelbia Jackson	
12. Will Smith – Exifico	
13. Mayor Jazzmin Cobble - EXO	

SECTION IX: ENFORCEMENT AND SEVERABILITY

(a) It is hereby declared to be the intention of the Mayor and Council that all sections, paragraphs, sentences, clauses and phrases of this Resolution are or were, upon their enactment, believed by the Mayor and Council to be fully valid, enforceable and constitutional.

(b) It is hereby declared to be the intention of the Mayor and Council that, to the greatest extent allowed by law, each and every section, paragraph, sentence, clause or phrase of this Resolution is severable from every other section, paragraph, sentence, clause or phrase of this Resolution. It is hereby further declared to be the intention of the Mayor and Council that, to the greatest extent allowed by law, no section, paragraph, sentence, clause or phrase of this Resolution is mutually dependent upon any other section, paragraph, sentence, clause or phrase of this Resolution.

(c) In the event that any phrase, clause, sentence, paragraph or section of this Resolution shall, for any reason whatsoever, be declared invalid, unconstitutional or otherwise unenforceable by the valid judgment or decree of any court of competent jurisdiction, it is the express intent of the Mayor and Council that such invalidity, unconstitutionality or unenforceability shall, to the greatest extent allowed by law, not render invalid, unconstitutional

or otherwise unenforceable any of the remaining phrases, clauses, sentences, paragraphs or sections of the Resolution and that, to the greatest extent allowed by law, all remaining phrases, clauses, sentences, paragraphs and sections of the Resolution shall remain valid, constitutional, enforceable, and of full force and effect.

SECTION X REPEAL OF CONFLICTING RESOLUTIONS

All resolutions and parts of resolutions in conflict herewith are hereby expressly repealed.

SECTION XI EFFECTIVE DATE OF RESOLUTION

This Resolution shall become effective upon the date of approval and execution by the Mayor and Council of the City of Stonecrest, Georgia.

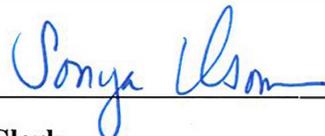
SO RESOLVED, this 31st day of January, 2023.

CITY OF STONECREST, GEORGIA



Jazzmin Cobble, Mayor

ATTEST:



City Clerk



APPROVED AS TO FORM:



City Attorney

**STATE OF GEORGIA
COUNTY OF DEKALB
CITY OF STONECREST**

RESOLUTION NO. _____ - _____

A RESOLUTION TO AMEND THE MEMBERSHIP OF THE ECONOMIC DEVELOPMENT PLAN STEERING COMMITTEE OF THE CITY OF STONECREST, GEORGIA; AND FOR ALL OTHER LAWFUL PURPOSES.

WHEREAS, the City of Stonecrest (“City”) was created by Senate Bill 208, passed in the Georgia General Assembly during the 2016 Session and subsequently confirmed by referendum; and

WHEREAS, Senate Bill 208 provided a charter for the City of Stonecrest (the “City Charter”); and

WHEREAS, Senate Bill 21, passed in the Georgia General Assembly during the 2021 Session and subsequently signed into law on April 2, 2021; and

WHEREAS, Section 1.03(b)(42) of the City Charter grants the City the power to exercise and enjoy all other powers, functions and rights necessary or desirable to promote the general welfare of the City and its inhabitants; and

WHEREAS, Section 7 of Senate Bill 21 amended Section 2.11 to read as follows:
*(c)(1) The city council shall have the power by ordinance or resolution to establish oversight, policy, and standing committees of the council; and

WHEREAS, the City Council of the City of Stonecrest determined that it was in the best interest of the City and its citizens to establish the Economic Development Plan Steering Committee of the City of Stonecrest, Georgia, for the purpose of providing input and insights to City staff to ensure the views of the business community are represented; and

WHEREAS, the City desires to amend the membership of Economic Development Plan Steering Committee by reducing the number of committees from 12 (twelve) to 9 (nine).

NOW THEREFORE, BE IT AND IT IS HEREBY RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF STONECREST, GEORGIA, as follows:

SECTION I: ESTABLISHMENT

ESTABLISHMENT OF THE ECONOMIC DEVELOPMENT PLAN STEERING COMMITTEE AND AUTHORIZATION: The City Council of the City of Stonecrest affirms that creating this committee is an opportunity for the City to affect substantive improvements to the City's business community through workforce development, employment opportunities for City residents, increased diversity of businesses, professional offices and services, and a higher quality of life for all residents. To further help accomplish this vision, there is hereby established the Economic Development Plan Steering Committee of the City of Stonecrest, Georgia (hereinafter referred to as the "Economic Development Plan Steering Committee").

SECTION II: MISSION AND DUTIES

The mission of the Economic Development Plan Steering Committee is to support efforts towards diverse and sustainable economic vitality within the community. The purpose of the EDPSC is:

1. To provide a forum for exchanging ideas and information to address the needs of the business community to better serve the City of Stonecrest residents and visitors;
2. To promote business development and provide input and ideas for increasing diversity of businesses and services, and a higher quality of life for all residents;
3. To ensure that each district of the City is represented and has the opportunity to advocate for the views of the business community.

SECTION III: MEMBERSHIP

The Economic Development Plan Steering Committee shall be composed of nine (9) members, two (2) of which shall be Councilmembers appointed by the City Council to serve as members of the Committee. The City Council shall establish qualifications for members of the Economic Development Plan Steering Committee except that each Economic Development Plan Steering Committee member must be either a resident of the City or a non-resident who are regional partners of the City of Stonecrest. Each committee person shall be nominated and approved by the City Council. Members must attend two-thirds (2/3) of the Economic Development Plan Steering Committee meetings in a calendar year. Failure to do so warrants removal from the Committee. This committee is an ad hoc committee and will schedule meetings on an ad hoc basis based on the availability of the Committee members.

SECTION IV: TERMS

Each member shall serve from January to December of each year or until the purpose of the committee is complete which date comes first. Members filling vacancies shall serve the remainder of the term to which they were appointed. A consecutive appointment is permissible. Members whose terms expire shall continue to serve until a replacement is appointed or a consecutive appointment is made. Any member may be removed with or without cause by the City Council.

SECTION V: COMPENSATION

Economic Development Plan Steering Committee members will serve without compensation. Reasonable expenses for travel may be reimbursed

SECTION VI: QUORUM

A majority of the actual number of Economic Development Plan Steering Committee members establishes a quorum. Any action taken requires a majority of affirmative votes of the quorum present.

SECTION VII: GOVERNANCE

The Economic Development Plan Steering Committee shall adopt its rules of procedure, which shall be substantially similar to the rules of procedure of the City Council. The Economic Development Plan Steering Committee shall set its own meeting schedule and establish the meeting agendas. The date and time of each meeting as well as agenda items to be considered shall be publicized in the same manner as meetings of the City Council. All meetings shall be open to the public and all records maintained by the Economic Development Plan Steering Committee shall be public records unless expressly exempted by a provision of the Georgia Open Records Act. The Economic Development Plan Steering Committee shall keep minutes of its proceedings, showing the vote of each member upon each question, and shall maintain records of its examinations and other official actions all of which shall be filed in the office of the City Clerk. Copies of the minutes shall be sent to the Mayor and each member of the City Council. At each meeting, the public shall be granted time for public comment. The Economic Development Plan Steering Committee shall elect a chairman to conduct meetings and a vice chairman to conduct meetings in the absence of the chairman. Elections shall be held at the first regular meeting of the calendar year. The chairman shall serve for one (1) year or until re-elected or a successor is elected. The vice chairman shall serve for one (1) year or until re-elected or a successor is elected. The Committee shall select one of its members to serve as the secretary. The Economic Development Plan Steering Committee will report either in person or in writing to the Mayor and City Council

at a time to be established by the City Council and the Economic Development Plan Steering Committee.

SECTION VIII: MEMBERS

The current members of the Economic Development Plan Steering Committee are as follows:

- 1. Stonecrest Lithonia Industrial Council EXO
- 2. Revonda Cosby
- 3. Andrew Wells
- 4. Thad Mayfield
- 5. Dave Marcus
- 6. Dorian Debarr
- 7. Chris Seabrook
- 8. Jetha Wagner
- 9. Minal Patel
- 10. Sid Barron
- 11. Shelbia Jackson
- 12. Will Smith – Exifico
- 13. Mayor Jazzmin Cobble - EXO

The new members of the Economic Development Plan Steering Committee shall be:

- 1. Revonda Cosby
- 2. Andrew Wells
- 3. Thad Mayfield
- 4. Dave Marcus
- 5. Chris Seabrook

6. Jetha Wagner
7. Shelbia Jackson
8. Stonecrest Lithonia Industrial Council - EXO
9. Mayor Jazzmin Cobble - EXO
10. Economic Development Director – EXO – non voting

SECTION IX: ENFORCEMENT AND SEVERABILITY

(a) It is hereby declared to be the intention of the Mayor and Council that all sections, paragraphs, sentences, clauses and phrases of this Resolution are or were, upon their enactment, believed by the Mayor and Council to be fully valid, enforceable and constitutional.

(b) It is hereby declared to be the intention of the Mayor and Council that, to the greatest extent allowed by law, each and every section, paragraph, sentence, clause or phrase of this Resolution is severable from every other section, paragraph, sentence, clause or phrase of this Resolution. It is hereby further declared to be the intention of the Mayor and Council that, to the greatest extent allowed by law, no section, paragraph, sentence, clause or phrase of this Resolution is mutually dependent upon any other section, paragraph, sentence, clause or phrase of this Resolution.

(c) In the event that any phrase, clause, sentence, paragraph or section of this Resolution shall, for any reason whatsoever, be declared invalid, unconstitutional or otherwise unenforceable by the valid judgment or decree of any court of competent jurisdiction, it is the express intent of the Mayor and Council that such invalidity, unconstitutionality or unenforceability shall, to the greatest extent allowed by law, not render invalid, unconstitutional or otherwise unenforceable any of the remaining phrases, clauses, sentences, paragraphs or

sections of the Resolution and that, to the greatest extent allowed by law, all remaining phrases, clauses, sentences, paragraphs and sections of the Resolution shall remain valid, constitutional, enforceable, and of full force and effect.

SECTION X REPEAL OF CONFLICTING RESOLUTIONS

All resolutions and parts of resolutions in conflict herewith are hereby expressly repealed.

SECTION XI EFFECTIVE DATE OF RESOLUTION

This Resolution shall become effective upon the date of approval and execution by the Mayor and Council of the City of Stonecrest, Georgia.

SO RESOLVED, this _____ day of _____, _____.

CITY OF STONECREST, GEORGIA

Jazzmin Cobble, Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney



CITY COUNCIL AGENDA ITEM

SUBJECT: Appointment of Director of Finance

AGENDA SECTION: *(check all that apply)*

- PRESENTATION PUBLIC HEARING CONSENT AGENDA OLD BUSINESS
 NEW BUSINESS OTHER, PLEASE STATE: Click or tap here to enter text.
-

CATEGORY: *(check all that apply)*

- ORDINANCE RESOLUTION CONTRACT POLICY STATUS REPORT
 OTHER, PLEASE STATE: **Appointment**
-

ACTION REQUESTED: DECISION DISCUSSION, REVIEW, or UPDATE ONLY

Previously Heard Date(s): Click or tap to enter a date. & Click or tap to enter a date.

Current Work Session: Click or tap to enter a date.

Current Council Meeting: Monday, July 31, 2023

SUBMITTED BY: Mayor Pro Tem George Turner

PRESENTER: Mayor Pro Tem George Turner

PURPOSE: To appoint a Director of Finance

FACTS: Click or tap here to enter text.

OPTIONS: Approve, Deny, Defer Click or tap here to enter text.

RECOMMENDED ACTION: Choose an item. Click or tap here to enter text.

ATTACHMENTS:

- (1) Attachment 1 - Click or tap here to enter text.
- (2) Attachment 2 - Click or tap here to enter text.
- (3) Attachment 3 - Click or tap here to enter text.
- (4) Attachment 4 - Click or tap here to enter text.
- (5) Attachment 5 - Click or tap here to enter text.