



REZONING APPLICATION ANALYSIS

Prepared By: Ramona Eversley, Senior Planner

Petition Number: **RZ24-005**

Applicant: Michele Battle of Battle Law, P.C.
1681 Wellborn Road
Lithonia, GA 30058
mlb@battlelawpc.com

FOR GTB-GHA Coffee Road JV, LLC
50 Glenlake Parkway
Suite 350
Atlanta, GA 30328

Owner: GTB-GHA Coffee Road JV,
50 Glenlake Parkway
Suite 250, Atlanta, GA 30328

Project Location: 1810 Coffee Road, Stonecrest, GA 30058 (Parcel ID # **16 132 02 002**)
6821 Stonecrest Industrial Way Stonecrest, GA 30058 (Parcel ID # **16 132 02 008**)

District: 2- Councilman Terry Faye

Acreage: Tract 1 +/- 1.403 acres; Tract 2 +/- 0.13 acres – Total – 1.53 acres

Existing Zoning: M-2 (Heavy Industrial) District

Future Land Use: Heavy Industrial (HIND)

Overlay District: N/A

Proposed Development/Request: The applicant is seeking a rezoning and map amendment of 1.53 acres from M-2 (Heavy Industrial) district to M (Light Industrial) district to allow truck parking.

CPIM: February 13, 2025

Planning Commission (PC): March 4, 2025

Mayor & City Council: March 24, 2025

Sign Posted/ Legal Ad(s) submitted: January 30, 2025

Staff Recommendations: **DENIAL**

PC Recommendation: **TBD**



PROJECT OVERVIEW

Location

The subject properties are located at 1810 Coffee Rd with a parcel identification of 16 132 02 002 and 6821 Stonecrest Industrial Way parcel identification 16 132 02 008. The subject properties are currently vacant, based on the submitted site plan dated December 3, 2024, entitled 1810 Coffee – Boundary.

The property abuts M (Light Industrial) District to the west, M-2 (Heavy Industrial) to the north, M-2 (Heavy Industrial) to the south and M (Light Industrial) to the east.

Background

The City of Stonecrest Zoning Map has the properties zoned M-2 (Heavy Industrial) District. The properties are heavily wooded and vacant. The applicant's survey indicates that there is wetland area on the property. The applicant is requesting to rezone Tax Parcels 16 132 02 002 (1810 Coffee Road) and 16 132 02 008 (6821 Stonecrest Industrial) from M-2 (Heavy Industrial) to M-1 (Light Industrial).





Adjacent and Surrounding Properties	Zoning (Petition Number)	Land Use
Applicant	M-2 (Heavy Industrial) District	Vacant Land
Adjacent: North	M-2 (Heavy Industrial) District	Truck Parking & Automotive Repair Shop
Adjacent: West	M (Light Industrial)	Vacant
Adjacent: East	M (Light Industrial)	Pepsico
Adjacent: South	M-2 (Heavy Industrial) District	Home Depot Flatbed Distribution

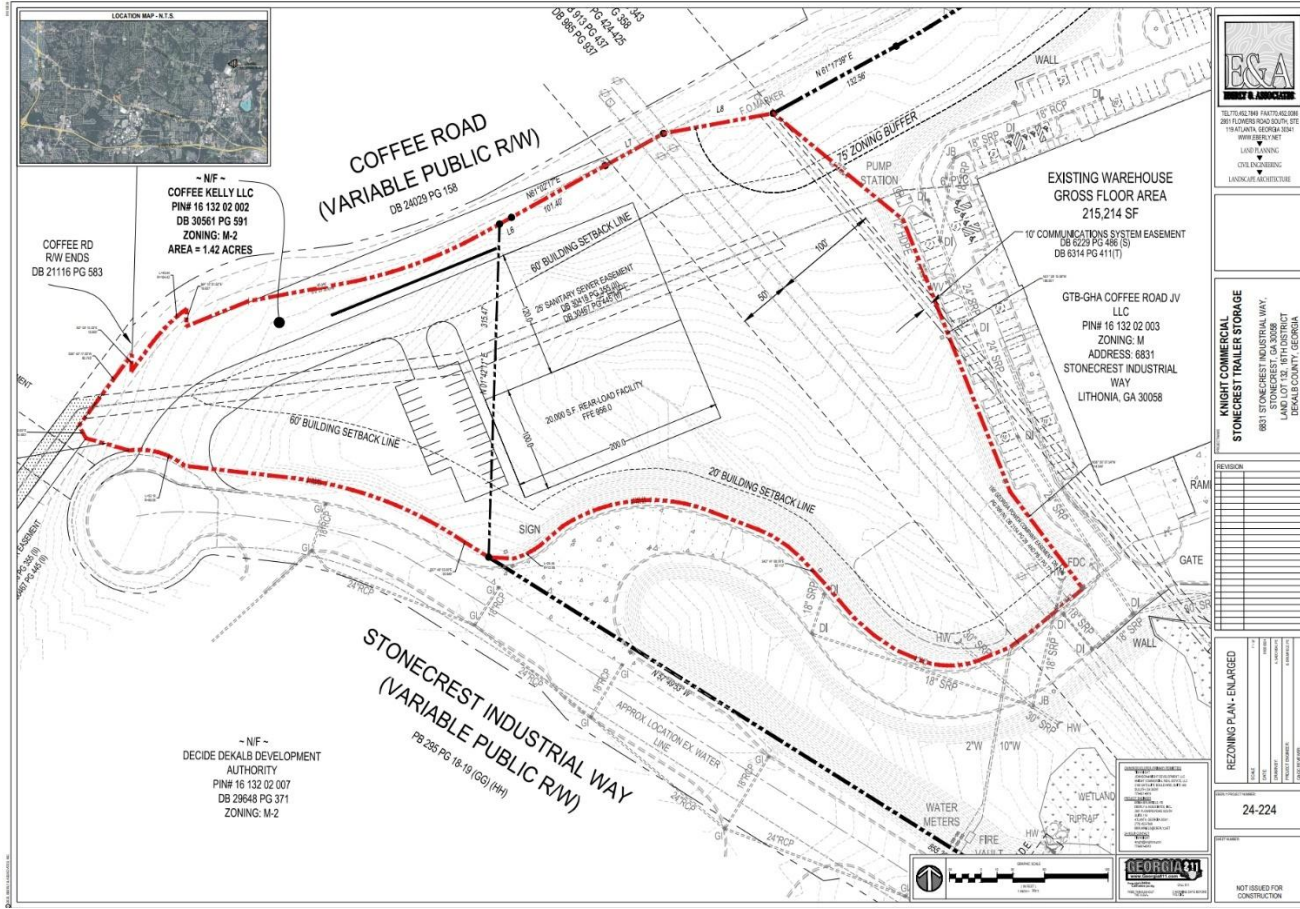
DIVISION 31. - M (LIGHT INDUSTRIAL) DISTRICT

Sec. 2.31.1. - Statement of purpose and intent.

The purpose and intent of the City Council in establishing the M (Light Industrial) District is as follows:

- A. 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;
- B. To provide an environment for light industrial uses that produces no appreciable impact on adjacent properties and preserve the appeal and appearance of residential and commercial areas;
- C. To ensure that all establishments located within the M (Light Industrial) District operate in compliance with the noise standards contained in this chapter and that any negative noise impact resulting from the use of land within the M (Light Industrial) District is contained within the boundaries of said district and does not create noise problems for adjoining residential, office or commercial districts;
- D. To provide an area within City of Stonecrest for recycling and green businesses to locate;
- E. To generate employment opportunities and economic development;
- F. To ensure that M (Light Industrial) Districts are so located that transportation access to thoroughfares and freeways is available;
- G. To allow for the conversion of industrial buildings which are 50 years of age or older to multifamily dwellings so as to promote living and working space as well as historic preservation;
- H. To implement the future development map of the city's most current comprehensive plan.

Rezoning Plan



Close up Pics



RZ24-00005

ADDRESS: **1810 Coffee Road**

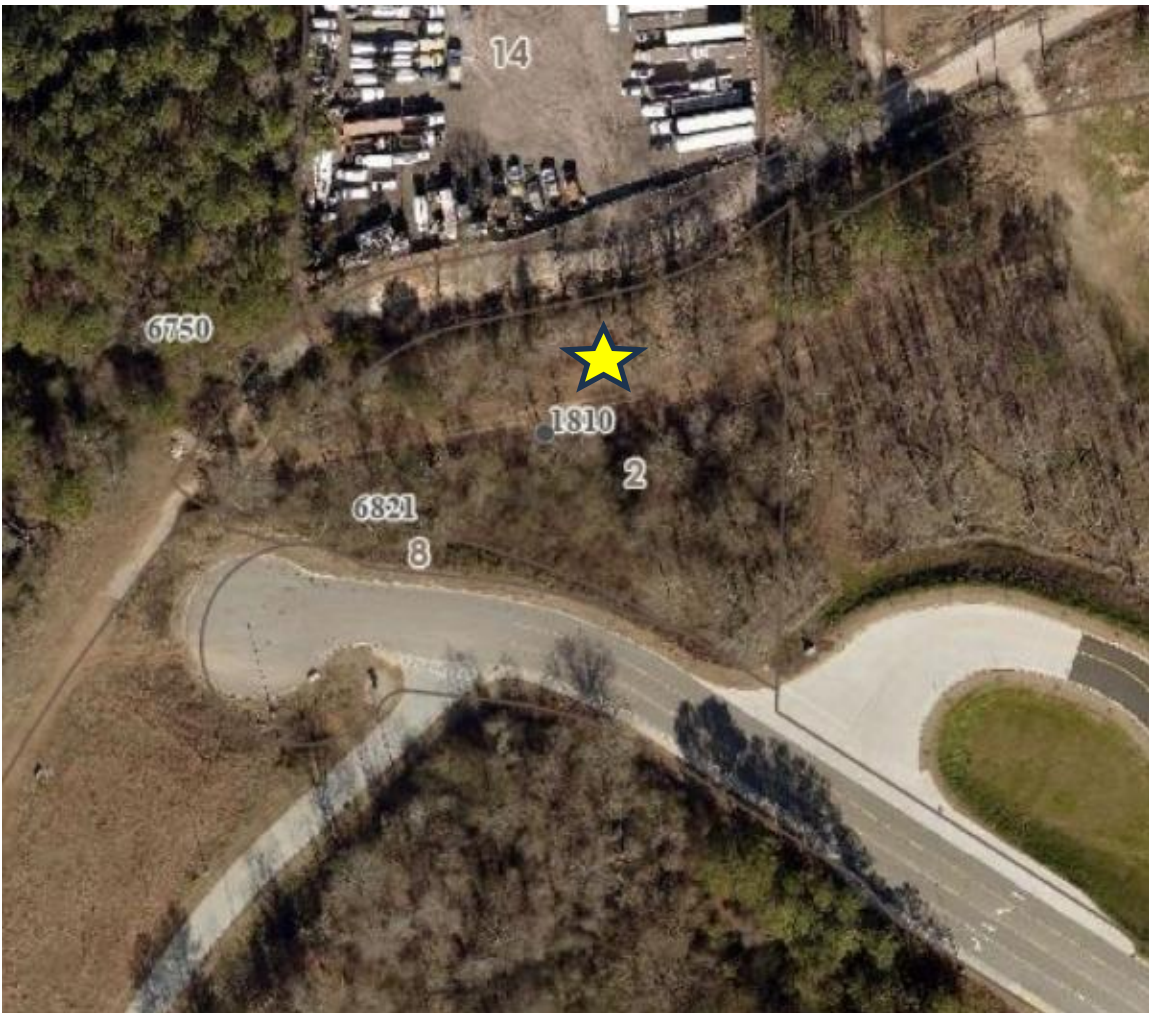
CURRENT ZONING: **M-2 (Heavy Industrial) District**

OVERLAY DISTRICT: **N/A**

FUTURE LAND USE: **Heavy Industrial**

PROPOSED BUILDING LOCATION: 

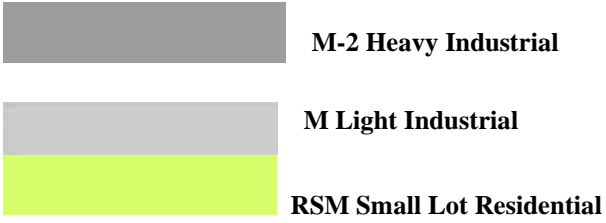
Aerial Map



Zoning Map



Legend



Future Land Use Map



Legend





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CITY OF STONECREST, GEORGIA

STANDARDS OF ZONING MODIFICATION REVIEW

Section 7.3.5 of the Stonecrest Zoning Ordinance list eight factors to be considered in a technical review of a zoning case completed by the Community Development Department and Planning Commission. Each element is listed with staff analysis.

A. Whether the zoning proposal is in conformity with the policy and intent of the comprehensive plan.

The Stonecrest Future Land Use Map within the Comprehensive Plan shows the Subject Property as having a land use designation of Heavy Industrial. The proposed rezoning to M is compatible with the Heavy Industrial land use designation. The current surrounding zoning district is industrial, both light and heavy.

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

The zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby properties. The rezoning of the Subject Property is consistent with the surrounding area and abutting properties which are also located within the Heavy Industrial and Light Industrial Land Use District. The proposed M (Light Industrial) designation allows for a broader range of light manufacturing, warehousing, and distribution activities. The surrounding area is primarily characterized by industrial development, aligning with the proposed Light Industrial zoning. However, the request does not meet the requirement of the TMOD23-001 on distance of 750 feet from residentially zoned property for truck parking.

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

1810 Coffee Road is currently zoned as M-2 (Heavy Industrial). This zoning classification permits various heavy industrial activities, such as manufacturing, processing, and other intense uses. Therefore, the property does have reasonable economic use under its current zoning designation. The proposal to rezone the property to M (Light Industrial) aims to accommodate a broader range of light industrial uses, including warehousing, and truck parking distribution centers, and light manufacturing. This change could potentially enhance the property's marketability and align its use more closely with the surrounding area's development trend.

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

The zoning proposal will adversely affect the existing use or usability of adjacent or nearby property. The proposed rezoning is to develop a truck parking lot which will provide additional noise, fumes and odor to the nearby residential uses. Rezoning from heavy to light industrial would potentially reduce the intensity of permitted uses, which might lessen any adverse effects on adjacent properties however for the proposed use it would not.



CITY OF STONECREST, GEORGIA

E. Whether there are other existing or changing conditions affecting the use and development of the property, which gives supporting grounds for either approval or disapproval of the zoning proposal.

The City of Stonecrest has placed some emphasis on the clean-up of the Lithonia Industrial Park area. The Subject Property has been vacant for well over a decade and another truck parking lot would not align with the intent of what the governing body is intending. Also, there is wetland on the property that appears to be covered over without any plan for mitigation. These factors provide supporting grounds to disapprove the proposed rezoning request.

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

Based on available information, there is no direct indication that the proposed zoning changes for 1810 Coffee Road in Stonecrest, GA, would adversely affect historic buildings, sites, districts, or archaeological resources. The zoning request is primarily for the development of a truck storage lot, which involves adjustments to access points and buffer requirements. It does not involve any construction or land use that would impact historically significant structures or areas.

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

The zoning proposal for 1810 Coffee Road in Stonecrest, GA, is requesting a change from a heavier industrial designation (M-2) to a lighter industrial designation (M), primarily for the development of a truck storage lot. The proposed zoning modification will not have a significant impact on existing streets and transportation facilities. In terms of utilities, transportation facilities, and schools, there aren't any concerns. Industrial uses, particularly those like truck storage, generally have less impact on local school populations than residential developments. Furthermore, utility infrastructure is often designed to handle industrial uses, and the proposed use seems to align with the existing industrial zoning of the area.

H. Whether the zoning proposal adversely impacts the environment or surrounding natural resources.

The zoning proposal for 1810 Coffee Road in Stonecrest, GA, which seeks to change the property's zoning for the development of a truck storage lot, does not immediately suggest a significant adverse impact on the environment or surrounding natural resources. However, a few factors need to be carefully considered during the development process to ensure that environmental impacts are minimized or mitigated: **Stormwater Management:** Industrial developments like a truck storage lot can affect local drainage patterns due to the increase in impervious surfaces. This could potentially lead to increased runoff, flooding, or water quality issues. **Air, Noise Pollution and Lighting:** Truck storage facilities can sometimes generate noise and air pollution due to the operation of trucks, particularly during loading/unloading or when trucks are idling. The applicant states, the proposed use of the Subject Property will not generate any measurable dust, vibrations, odor, glare, emissions, or noise, if any, beyond the Subject Property. The Subject Property is located within an industrial area and is separated from the nearest residential area by a 145ft railroad track right of way. All lighting on the Subject Property must comply with the City's rules and regulations and must be downward facing. **Wildlife and Vegetation:** If the site contains significant natural resources like wetlands, forests, or wildlife habitats, these will need to be protected or mitigated during the development process. The land is relatively undeveloped, it will have to have an environmental assessment to identify any sensitive areas or species that may be impacted. **Soil and Erosion Control:** Erosion control measures will be required to prevent soil erosion.



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STAFF RECOMMENDATION

Staff recommend **DENIAL** of this request due to the use not meeting the distance requirement from a residentially zoned property within 750 feet as set forth in TMOD23-001.

PLANNING COMMISSION (PC) RECOMMENDATION – March 4, 2024.

TBD



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APPLICATION PACKAGE



Battle Law

I. LETTER OF INTENT

GTB GHA Coffee Road JV, LLC (the “Applicant”) is the owner of 1810 Coffee Road and 6821 Stonecrest Industrial Way (collectively, the Subject Property) and 6831 Stonecrest Industrial Way (the “Pepsico Site”). The Pepsico Site is currently zoned M and developed with the Pepsico warehousing and distribution center. The Subject Property is adjacent to the Pepsico Site but is zoned M-2. Both the Subject Property and the Pepsico Site have a land use designation of Heavy Industrial. The Applicant is seeking to submit a lot combination plat for the Subject Property and the Pepsico Site (as combined, the “Master Site”) in order to allow for the development of additional improvements including a parking area and new Light Industrial/Light Manufacturing building on the Master Site. In order to achieve this goal the Pepsico Site and the Subject Property must both have the same zoning designation. Therefore, the Applicant is seeking to rezone the Subject Property from M-2 to M.

This document serves as a statement of intent, analyzes the criteria under the Stonecrest Code of Ordinances, and contains notice of constitutional allegations as a reservation of the Applicant's rights.



Amendment Application

All applications and plans must be submitted through the [Citizenserve Online Portal](#)

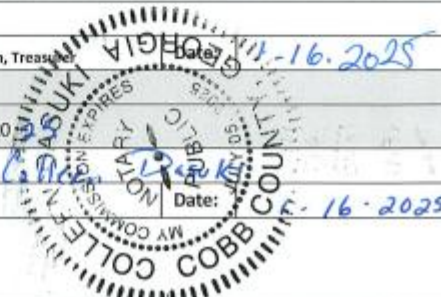
Amendment Application

PROPERTY			
Site Address(es): 1810 Coffee Road Stonecrest, GA		Parcel #: 16-132-02-002	Zip: 30058
Project Name (if applicable):			
Current Zoning	M-2 (Heavy Industrial)	Proposed Zoning	M-1 (Light Industrial)
Current Use	vacant	Proposed Use	(+/-) 20,000 sq. ft. building / 24 parking spaces
OWNER INFORMATION			
Name:	GTB-GHA Coffee Road JV, LLC, C/O BATTLE LAW, P.C.		
Address:	3562 Habersham at Northlake, Bldg. J, Suite 100, Tucker, GA 30084		
Email:	mlb@battlelawpc.com	Phone:	404-723-6266
APPLICANT			
Name:	GTB-GHA Coffee Road JV, LLC, C/O BATTLE LAW, P.C.		
Address:	3562 Habersham at Northlake, Bldg. J, Suite 100, Tucker, GA 30084		
Email:	mlb@battlelawpc.com	Phone:	404-723-6266

AFFIDAVIT

To the best of my knowledge, this 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. I understand that failure to supply all required information (per the relevant Applicant Checklists and Requirements of the Stonecrest Zoning Ordinance) will result in the rejection of this application. I have read the provisions of the Georgia Code Section 36-67A-3 as required regarding Campaign Disclosures. My Signed Campaign Disclosure Statement is included.

Applicant's Name:	GTB-GHA Coffee Road JV LLC BY: GH Apdco, Inc., ITS: Manager		
Applicant's Signature:	<i>Lorraine Ferguson</i>	Lorraine Ferguson, Treasurer	Date: 11-16-2025
NOTARY			
Sworn to and subscribed before me this	16 th	Day of Jan	2025
Notary Public:	<i>Polleen Wasuki</i>		
Signature:	<i>Polleen Wasuki</i>		





Amendment Application

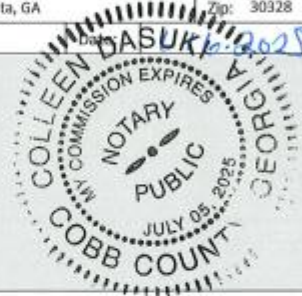
All applications and plans must be submitted through the Citizenserve Online Portal



Property Owner(s) Notarized Certification

The owner and petitioner acknowledge that this amendment 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 amendment(s), and authorization of an applicant or agent to act on their behalf in the filing of the application including all subsequent application amendments.

Property Owner			
Name:	GTB-GHA Coffee Road JV, LLC		
Address:	50 Glenlake Parkway, Suite 350	City, State:	Atlanta, GA
	BY: GH Andco Inc., ITS: Manager	Zip:	30328
Signature:	By: <i>[Signature]</i> Lorraine Ferguson, Treasurer		
Sworn to and subscribed before me this <u>16th</u> day of <u>January</u> , 20 <u>25</u>			
Notary Public:	<i>Colleen Dasuki</i>		



Additional Property Owner (if applicable)			
Name:			
Address:		City, State:	Zip:
Signature:		Date:	
Sworn to and subscribed before me this _____ day of _____, 20____			
Notary Public:			

Additional Property Owner (if applicable)			
Name:			
Address:		City, State:	Zip:
Signature:		Date:	



Amendment Application

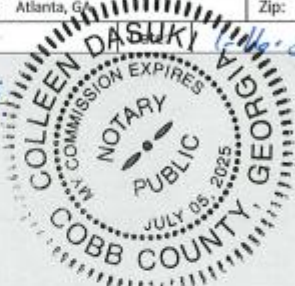
All applications and plans must be submitted through the [Citizenserve Online Portal](#)



Applicant(s) Notarized Certification

The petitioner acknowledged that this amendment application form is correct and complete. By completing this form, all applicant of the subject property certifies authorization of the filing of the application for amendment(s), and authorization of an applicant or agent to act on their behalf in the filing of the application including all subsequent application amendments.

Applicant			
Name:	GTB-GHA Coffee Road JV, LLC		
Address:	50 Glenlake Parkway, Suite 350 BY: GH Apdco, Inc. ITS: Manager	City, State: Atlanta, GA	Zip: 30328
Signature:	By: <i>[Signature]</i> Lorraine Ferguson, Treasurer		
Sworn to and subscribed before me this <u>16th</u> day of <u>January</u> , 20 <u>25</u>			
Notary Public:	<i>Colleen Dasuki</i> <i>Colleen Dasuki</i>		



Applicant (if applicable)			
Name:			
Address:		City, State:	Zip:
Signature:		Date:	
Sworn to and subscribed before me this _____ day of _____, 20____			
Notary Public:			

Applicant (if applicable)			
Name:			
Address:		City, State:	Zip:
Signature:		Date:	



Amendment Application

All applications and plans must be submitted through the [Citizenserve Online Portal](#)




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?

Yes

No

Applicant/Property Owner			
Name:	GTB-GHA Coffee Road JV, LLC 50 Glenlake Parkway, Suite 350		
Address:	BY: GH Andco, Inc. ITS: Manager	City, State:	Atlanta, GA
Signature:	By:  Lorraine Ferguson, Treasurer	Date:	1-16-2025
		Zip:	30328

If the answer above is yes, please complete the following section:

Date	Government Official & Position	Description	Amount



RZ Application


All applications and plans must be submitted through the [Citizenserve Online Portal](#)

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?

Yes

No

Applicant/Property Owner Battle Law, P.C.			
Name:	Michele L. Battle		
Address:	olo Battle Law, P.C., 3562 Habersham at Northlake, Bldg J, Suite 100	City, State: Tucker, GA	Zip: 30084
Signature:		Date:	12/3/2024

If the answer above is yes, please complete the following section:

Date	Government Official & Position	Description	Amount



1. A **Trip Generation Report** shall be submitted as a part of zoning applications for all Non-Residential and Mixed Use developments and for Residential Developments with greater than 10 proposed units. Applicants should follow this sample report:

Land Use (ITE Code)	Intensity	Daily	A.M Peak			P.M. Peak		
		Total	In	Out	Total	In	Out	Total
General Office (710)	50,000 Gross Square Feet	782	95	13	108	23	112	135
Townhouse (230)	200 Units	1,157	15	75	90	71	35	106
TOTAL		1,939	110	88	198	94	147	241

2. A **Traffic Impact Study** shall be submitted as part of the zoning application for developments that produce 100 or more peak hour trips or at the discretion of the Public Works Department based on review of the request at the pre-application meeting.
3. The minimum requirements of the Traffic Impact Study shall be as follows:

Land Use	ITE Code	Variable	Rate Trips/Var	Minimum Size for 100 Peak Hour Trips
Residential				
Single Family Detached	210	Housing Units	1.01	99 Units
Apartment	220	Housing Units	0.62	161 Units
Townhome/Condo	230	Housing Units	0.52	192 Units
Retail				
Shopping Center	820	1000 sf GLA	3.71	26 ksf GLA
Specialty Center	826	1000 sf GLA	5.02	20 ksf GLA
Pharmacy -no drive-thru	880	1000 sf	8.4	11.5 ksf
Pharmacy -w/drive-thru	881	1000 sf	9.91	10 ksf
Services				
Fast Food	934	1000 sf	45.42	2.2 ksf
Sit Down Restaurant	932	1000 sf	10.81	9 ksf
Coffee/Donut Shop	937	1000 sf	100.58	1 ksf
Bank no drive-thru	911	1000 sf	12.13	8 ksf
Bank w/drive-thru	912	1000 sf	24.3	4 ksf
Gas Station	944	Pumps	13.87	7 pumps
Institutional				
Day Care	565	Students	0.81	123 Students
Private School (K-8)	534	Students	0.9	111 Students
Private School (K-12)	536	Students	0.81	123 Students
Office				
General Office	710	1000 sf	1.56	64 ksf
Medical Office	720	1000 sf	3.57	28 ksf
Lodging				
Hotel	310	Rooms	0.6	166 Rooms



CITY OF STONECREST, GEORGIA

City of Stonecrest 2038 Comprehensive Plan 5- Year Update

Industrial Land Uses



Caption: A logistics distribution center located in Stonecrest, GA

Light Industrial (M-LI): The intent of the Light Industrial Character Area is to identify areas that are appropriate for industrial-type uses. The location of these areas shall preserve the appeal and appearance of residential and commercial areas from the prospective intrusion of light industrial land uses. These areas consist of areas used in low-intensity manufacturing, including wholesale trade, and distribution activities that do not generate excessive noise, vibration, air pollution, or other nuisance characteristics.

Use Descriptions: Warehouse Distribution; Wholesale/Trade; Automotive

Maximum Density, Units/Acre: n/a

Permitted Districts: OD, C2, MU 4-5, M



CITY OF STONECREST, GEORGIA

Community Planning Information Meeting (CPIM)

Summary Minutes

February 13, 2025, at 6:00 P.M.

Planning-zoning@stonecrestga.gov

***IN-PERSON MEETING**

[Stonecrest's YouTube Broadcast Link](#)

Citizens wishing to actively participate and comment during the public hearing portion of the meeting may comment in person. You may also submit your request including your full name, address, and position on the agenda item you are commenting on (for or against) via email to Planning-zoning@stonecrestga.gov by 2 p.m. the day before the meeting to be read into the record at the meeting.

- I. CALL TO ORDER AND INTRODUCTIONS:** Deputy Director Ellis Still, Senior Planner Ramona Eversley, Planner Felleshia Blair, Zoning Administrative Technician Abeykoon Abeykoon, and Cobi Brown, Planning Administrative Technician were in attendance.

The meeting was called to order at 6:00 p.m.

- II. REVIEW OF THE PURPOSE AND INTENT OF THE COMMUNITY PLANNING INFORMATION MEETING AND RULES OF CONDUCT – Ramona Eversley**

- III. Item(s) of Discussion:**

PETITION: RZ24-005
PETITIONER: Michele Battle of Battle Law, P.C.
LOCATION: 1810 Coffee Rd
PETITIONER'S REQUEST: The request is for a rezoning and map amendment of the parcel from M-2 (Heavy Industrial) to M (Light Industrial).

Jordan Battle of Battle Law, P.C. came up to speak. It was stated that the rezoning is for the consolidation of two adjacent parcels for the development of a paved truck storage lot. The location is behind the existing PepsiCo building.

Renee Kale a resident asked about the type and amount of trucks that will be that will be parked in the storage area. She stated her concern for the surrounding residents.

Jordan Battle stated that they did not have a set time for the trucks to be parked in one of the twenty proposed spaces that deliver products for the company. It was also stated that the parcel is over 750 feet away from the nearby residential parcels.

PETITION: SLUP24-009
PETITIONER: Leatha Spivey of Peaches and Cream Academy, Inc
LOCATION: 3356 Panola Road
PETITIONER'S REQUEST: The petitioner is seeking a Special Land Use Permit (SLUP) to operate as a Type 2 Home Occupation for a child daycare business.

Thomas Dortch came up to speak for Ms. Spivey. He stated that the business has been in operation for three decades. Countless families have trusted her to take care of their children and many of the students have excelled in higher education as well as careers later in their lives. The academy has also contributed to the community by hosting back-to-school drives and other events. She has been in good standing with the State



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regulations.

Carol Dortch mother of Thomas Dortch stated that Ms. Spivey has done well for many years and she has many testimonials to prove it. She also stated that there was confusion due to Ms. Spivey having an up-to-date state license.

PETITION:	SLUP25-001
PETITIONER:	Rufaro Moyo of Moyo Capital, Inc
LOCATION:	4989 Thompson Mill Road
PETITIONER'S REQUEST:	The petitioner is seeking a Special Land Use Permit (SLUP) to operate as a Type 2 Home Occupation for a personal care home business.

Rufaro Moyo the applicant came up to speak. The proposal will cater to those in the elderly community who are in need of assistance with day-to-day tasks. He stated that the parcel is in a good location considering that Thomspen Mill Rd has minimum traffic and the home is also near several shopping centers, pharmacies, and the hospital.

Samantha Verver a neighbor of the applicant stated that she is in support of the petition and that personal care homes are needed in the community.

Pam Alimanzi a resident also stated that she supports the petition. She has been a CNA for 20 years and from her experience in the industry knows that the proposed use is a need for the community.

IV. ADJOURNMENT The meeting was adjourned at 6:24 p.m.

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.

APPROVED: <i>Ellis Still</i>	2/17/2025
DEPUTY DIRECTOR, PLANNING & ZONING	DATE
ATTEST: <i>Cobi Brown</i>	02/17/2025
SECRETARY	DATE



SPECIAL LAND USE PERMIT ANALYSIS

Prepared By: Felleshia Blair, Planner

Petition Number: SLUP 24-009

Applicant: Carole Dortch
1273 Springhouse Lane
Atlanta, GA 30311
permits@gosolapower.com

Property Owner: Leatha Forehand Spivey – Peaches and Cream Academy
3356 Panola Road
Lithonia, GA 30038
cdelasin@urbanretail.com

Project Location: 3356 Panola Road (Parcel ID 16 043 03 079)

District: 3 – Councilwoman Alecia Washington

Acreage: +/- 1.68 acres

Existing Zoning: R-100 (Residential Medium Lot) District

Overlay: None

Future Land Use: Suburban (SUB)

Proposed Development/Request: The applicant is seeking to operate as a Type 2 Home Occupation for a child daycare business.

CPIM: February 13, 2025

Planning Commission: March 4, 2025

Mayor & City Council: March 24, 2025

Sign Posted/ Legal Ad(s) submitted: January 27, 2025

Staff Recommendations: **Conditional Approval**

Planning Commission: **TBD**

PROJECT OVERVIEW

Location

The subject property is located at 3356 Panola Road, Stonecrest, GA 30038. The property is near the intersection of Panola Road and Rock Springs Road. Panola Road is classified as a Major Arterial and Rock Springs Road is classified as a Collector Road.

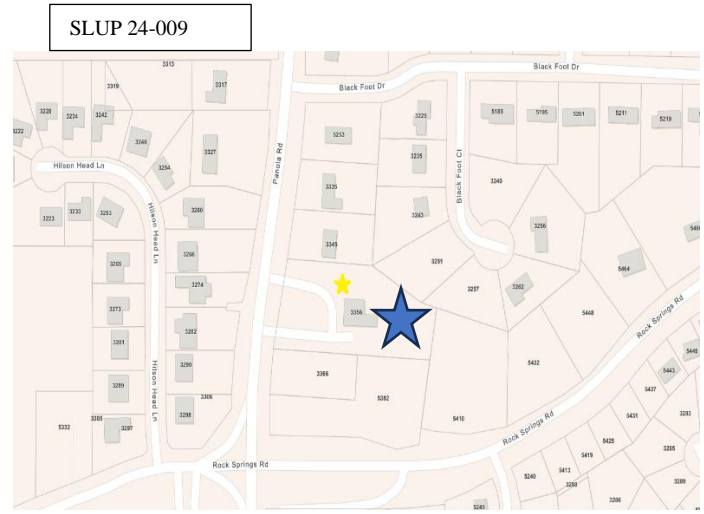
The property zoned R-100 (Residential Med Lot) zoning district, and all of the surrounding properties are zoned R-100 (Residential Me Lot).

Adjacent & Surrounding Properties	Zoning (Petition Number)	Land Use
Adjacent: North	R-100 (Residential Med Lot) District	Residential (Single Family Home)
Adjacent: West	R-100 (Residential Med Lot) District	Residential (Single Family Home)
Adjacent: East	R-100 (Residential Med Lot) District	Residential (Single Family Home)
Adjacent: South	R-100 (Residential Med Lot) District	Undeveloped Land

Background

The subject property zoning classification is R-100 – Residential Med Lot.

The property is developed as a single family home. The property has been used as a residence for the applicant for many year in conjunction to the daycare use. The has been operating, however all of the proper licenses were not acquired from the City of Stonecrest. The proposed request is to bring the daycare use into compliance with the City of Stonecrest’s ordinances and regulations. The applicant has had some approvals from the State of Georgia over the years.



According to [Division 5, Section 2.5.1](#) the purpose and intent of the City Council in establishing the R-100 (Residential Medium Lot-100) District is as follows: A. To provide for the protection of neighborhoods within the city where lots have a minimum area of 15,000 square feet; B. To provide for compatible infill development in neighborhoods; C. To provide "For Sale", Single family detached residential subdivisions and For Sale Communities; D. To provide flexibility in design on the interior of new development while protecting surrounding development; E. To ensure that the uses and structures authorized in the R-100 (Residential Medium Lot-100) District are those uses and structures designed to serve the housing, recreational, educational, religious, and social needs of the neighborhood; F. To provide for appropriately sized accessible and useable open space in new developments for health, recreational and social opportunities for city residents; and G. To implement the future development map of the city's comprehensive plan.



DIVISION 2. - SUPPLEMENTAL USE REGULATIONS

Sec. 4.2.19. - Child daycare facility (up to six children), or child daycare center (seven or more children).

Each child daycare facility and child daycare center shall be subject to the following requirements. A child daycare facility or center may also be a kindergarten or preschool.

- A. Each child daycare facility and child daycare center shall comply with all applicable state daycare requirements for standards, licensing and inspection. A City of Stonecrest business license is required.
- B. Prior to the issuance of a business license for a child daycare facility or child daycare center, the necessary licensing from the State of Georgia shall be obtained, including compliance with all requirements related to minimum area for classrooms, play areas, and fencing. Each child daycare facility and child daycare center shall provide off-street parking spaces as required by the applicable zoning district. Each child daycare center shall provide an adequate turnaround on the site.
- C. The exterior appearance of any child daycare facility located in a residential district shall be maintained as a residential structure, and no signs other than those otherwise authorized within the applicable zoning district shall be erected (no cut-outs, animal characters, or other graphics shall be affixed to the exterior of the structure or displayed upon the premises).
- D. No child daycare facility shall be located within 1,000 feet of another child daycare facility.
- E. See also additional approval criteria in [article 7](#) of this chapter, administration.



Caption: An example Suburban Neighborhood Land Use in Stonecrest, GA

Suburban Neighborhood (SN): The Suburban Neighborhood area recognizes those areas of the city that have developed in traditional suburban land use patterns while encouraging new development to have increased connectivity and accessibility. These areas include those already developed and those under development pressures. Suburban Neighborhood areas are characterized by low-pedestrian orientation, limited transit access, scattered civic buildings, and curvilinear street patterns. The desired density for areas of this type is from 4 to 8 dwelling units per acre.

Use Descriptions: SF detached; Townhomes; Assisted Living facilities; Neighborhood Retail; Schools; Libraries; Parks and Related; Health Care, Civic

Maximum Density, Units/Acre: 4 to 8 du/ac

Permitted Districts: OI, OIT, NS, RSM, R100, R85, R75, R60, RNC

Zoning Classifications Legend

C-1: Local Commercial

C-2 General Commercial

HR-1: High-density Residential 1

HR-1: High-density Residential 2

HR-1: High-density Residential 3

M: Light Industrial

M-2 Heavy Industrial

MR-1: Medium-density Residential 1

MR-2: Medium-density Residential 2

MU-1: Mixed-use Low Density

MU-2: Mixed-use Low-Medium Density

MU-3: Mixed-use Medium Density

MU-4: Mixed-use High Density

MU-5: Mixed-use Very High Density

NS: Neighborhood Shopping

OD: Office-distribution

OI: Office-Institutional

OIT: Office-Institutional Transitional

R-60: Residential Medium Lot-60

R-75: Residential Medium Lot-85

R-85: Residential Medium Lot-85

R-100: Residential Medium Lot-100

RE: Residential Estate

RLG: Residential Large Lot

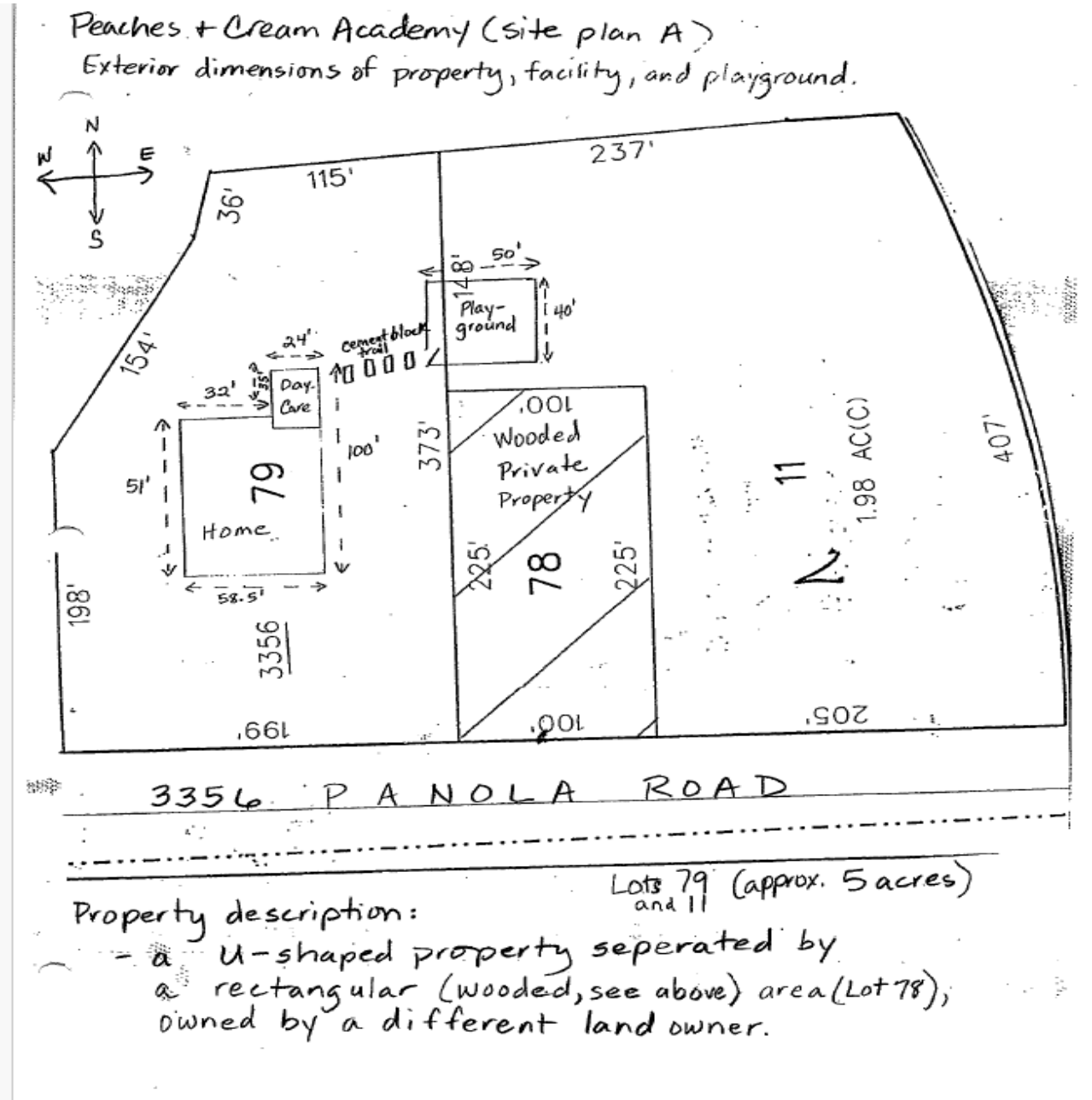
RNC: Residential Neighborhood Conservation

RSM: Small Lot Residential Mix

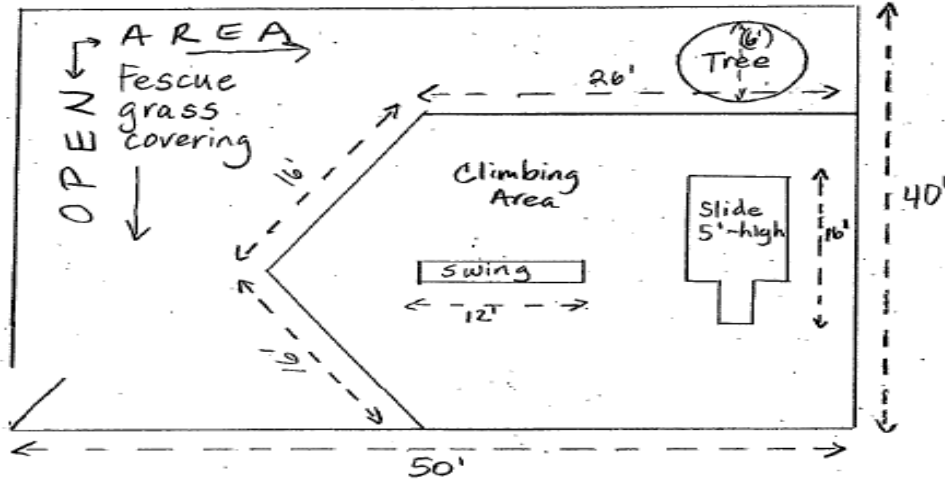
Public Participation

Property owners within 1,000 feet of the subject property were mailed notices of the proposed special land use permit in July. The Community Planning Information Meeting (CPIM) was held on July 7, 2024, at 6:00 pm at city hall. There were no residents in attendance at the meeting to discuss this case.

Proposed Site Plan



Peaches & Cream Academy
Playground (site plan C)



Area - 2000ft²
50' (length) x 40' (width)

Six (6) inches (depth) of wood chips in Climbing Area
5' Fencing, black vinyl-coated chain link



SLUP 24-009

ADDRESS: 3356 Panola Road

CURRENT ZONING: R-100 (Residential Med Lot) District

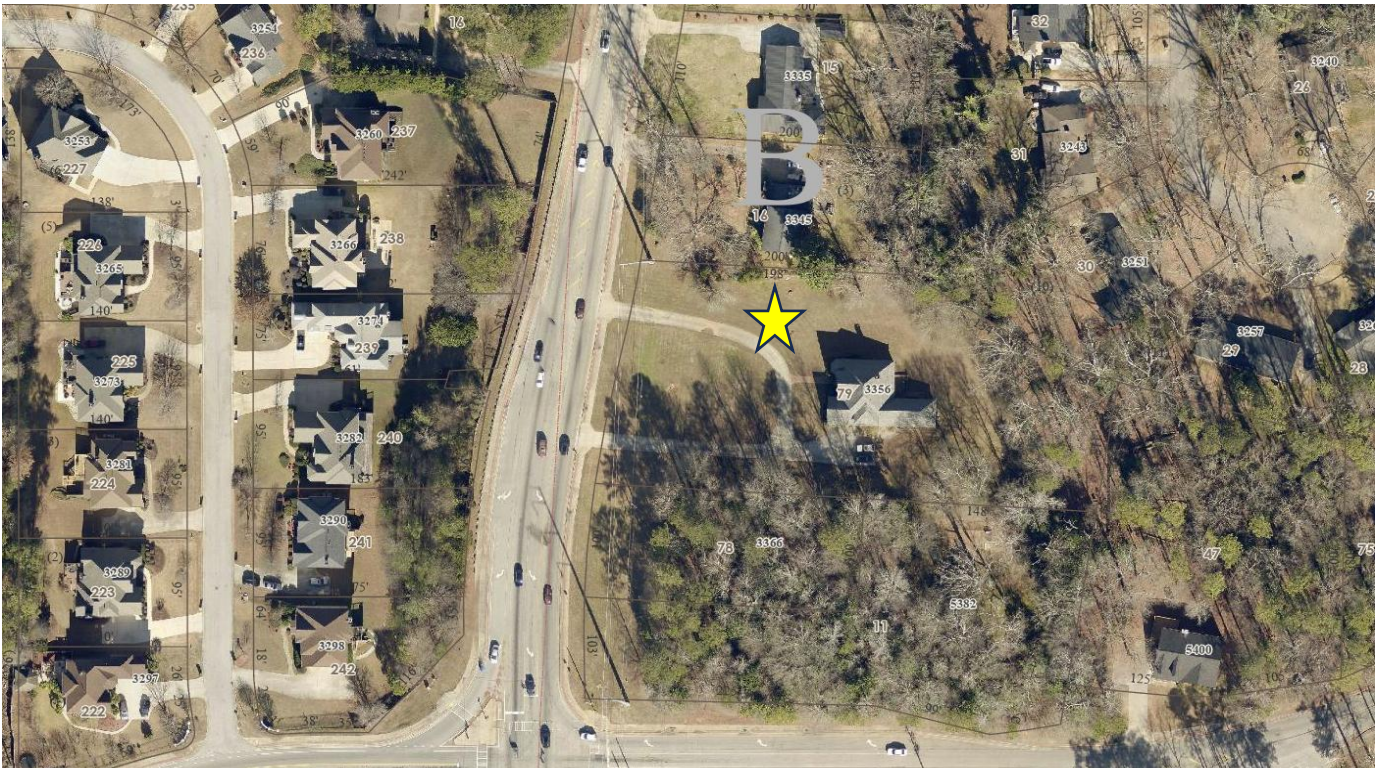
OVERLAY: None

FUTURE LAND USE: Suburban (SUB)

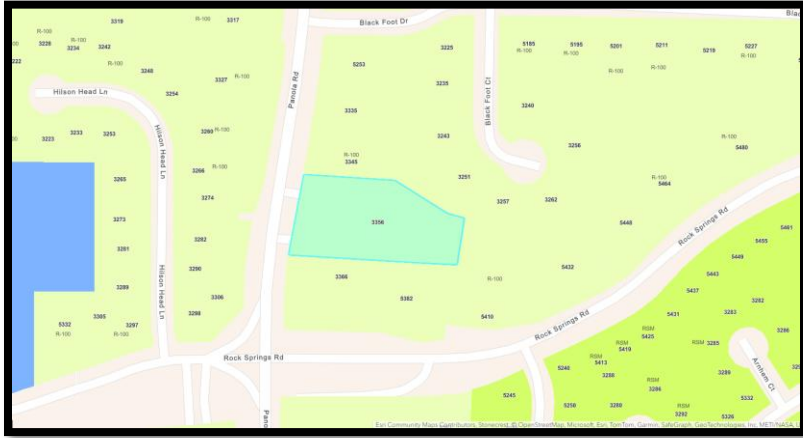


Subject Property

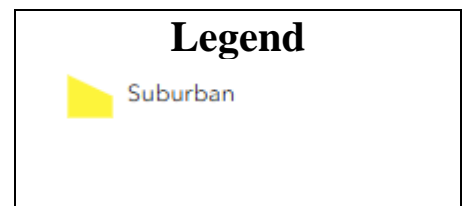
Aerial Map



Zoning Map



Future Land Use Map





STANDARDS OF REZONING REVIEW

Section 7.4.6 of the Stonecrest Zoning Ordinance list nineteen factors to be evaluated in consideration of granting a special land use permit. No application for a special land use permit shall be granted unless satisfactory provisions and arrangements have been made concerning each factor by the Community Development Department, Planning Commission and City Council. Each factor is listed with staff analysis.

A. Adequacy of the size of the site for the use contemplated and whether or not adequate land area is available for the proposed use including 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 property was developed in 1996 with a single-family dwelling. The subject property consists of approximately +/- 1.68 acres of residential zone land. The lot is more than adequate with its size and setbacks exceeding all lot dimensional requirements as per Division 2, Section 2.2.1 – Dimensional Requirements. The lot has appropriate parking for four (4) vehicles. The length of the driveway allows for the flow of the vehicles for one-way in and one-way out ensuring safety of entering and existing vehicles during drop-off/pick-up. A secure 2,000 sq. ft. fenced outdoor play area is provided from public view within the rear side yard area. The house floor plan has 3,847 square feet of enclosed floor space consisting of dedicated learning area, 1/2 bath accommodation of toilet, full kitchen for prep and cooking meals. The conditions of the home and lot as-is don't affect the need or requirements of any interior or exterior alterations or changes to modify the current residential characteristics for the special land use request.

B. Compatibility of the proposed use with adjacent properties and land uses and with other properties and land uses in the district.

The proposal is consistently compatible with the residential zone district and the existing residential developed properties. The site has a single-family dwelling on the land. The proposal for a child daycare facility is permitted, per Section 2.5.2 by Permitted and Special Land Uses that governs the site. Should the applicant propose seven (7) to twelve children the use shall be classified as a child daycare center. Thereby any associated activity will not be compatible with the R-100 Residential Medium Lot District Regulations.

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

The property is located off Panola Road, which is a major arterial street with access to existing developed public facilities and existing utilities.

D. Adequacy of the public street on which the use is proposed to be located and whether or not there is sufficient traffic-carrying capacity for the use proposed so as not to unduly increase traffic and create congestion in the area.

Panola Road is an existing roadway with a varied public right-of-way width. There is adequate traffic-carrying capacity along the roadway.



E. Whether or not existing land uses located along access routes to the site will be adversely affected by the character of the vehicles or the volume of traffic generated by the proposed use.

According to the applicant a “daycare” facility has been operating from this location since 2020. The standard traffic volume for the visits to the site has been daily since such time for operational hours are 7a.m. through 6p.m. Monday – Friday. The existing residential land use located in the area will not be adversely affected by the character of the vehicles or volume of traffic as very little associated traffic changes will occur.

F. Adequacy of ingress and egress to the subject property and to all proposed buildings, structures, and uses thereon, with particular reference to pedestrian and automotive safety and convenience, traffic flow and control, and access in the event of fire or other emergency.

Adequate ingress and egress are provided through two curb cuts along Panola Road onto the site via a u-shaped driveway. There are sidewalks available for pedestrian walkability along the frontage of the subject property. At the nearby intersection a traffic island for cross walk is present for pedestrian and automotive safety, traffic flow and access. The public right-of-way and driveway access is adequate in width and length for emergencies.

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 should not adversely impact adjoining land uses by reason of smoke, odor, dust, or vibration generated for child day care facility. Noise may be a factor to consider during the hours of pick up and drop off along with outdoor activities for the children.

G. 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 hours of operation 7am – 6 pm and should not create adverse impacts upon any adjoining land use. However, consideration should be given to the hours of pick up and drop off along with outdoor activities for the children.

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

The proposed use will not adversely impact any adjoining land use by reason of manner of operation. The property is a single-family dwelling proposing to provide child care service to six or seven children not of school age. Noise may be a factor to consider during the hours of pick up and drop off along with outdoor activities for the children.

I. Whether the proposed use is otherwise consistent with the requirements of the zoning district classification in which the use is proposed to be located.

The proposed use is permitted per Article 4 – Use Regulations Table 4.1 – Use Table. Although this proposed use is permitted, there has not been any similar use developed in the area.



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

The use is consistent with the policies of the comprehensive plan and is permitted by the zoning ordinance with an approved special land use permit. The comprehensive plan states “ *those areas of the city that have developed in traditional suburban land use patterns while encouraging new development to have increased connectivity and accessibility.*” The existing structure was developed as a traditional suburban land use pattern.

K. 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 would be in an existing neighborhood and has adequate required space for the proposed use. The uses in the surrounding neighborhood are all similar in nature.

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

There are currently refuse and services provided at the property. The use would not change any of the current services.

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

The Special Land Use Permit will be granted to the applicant for the requested use and is not transferable. If the uses is discontinued, the permit will expire.

N. 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 size, scale and mass of the proposed development are appropriate in relation to the size of the subject property and in relation to the size and scale of the adjacent and nearby lots and residential structures.

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

At the time of this report, there are no historical buildings or archeological resources that staff are aware of in the area.

P. Whether the proposed use satisfies the requirements contained within the supplemental regulations for such special land use permit.

The proposed use does meet the requirements of the supplemental regulations.

Q. Whether the proposed use will create a negative shadow impact on any adjoining lot or building as a result of the proposed building height.

The proposed use will not create a negative shadow impact on any adjoining lot or building as a result of building height. The building height is not proposing to change with this request.



R. 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 may be a benefit to the community as a whole by producing childcare services for the existing community. The use would be compatible with the neighborhood and not be in conflict with the overall objective of the comprehensive plan.

STAFF RECOMMENDATION

Staff recommends conditional approval with the following conditions;

The child daycare facility and child daycare center shall be subject to the following requirements.

A. The child daycare facility and child daycare center shall comply with all applicable state and local daycare requirements for standards, licensing and inspection before the issuance of a City of Stonecrest business license.

B. A City of Stonecrest business license is required and shall be maintained annually for compliance.

B. Prior to the issuance of a business license for a child daycare facility or child daycare center, the necessary licensing from the State of Georgia shall be obtained, including compliance with all requirements related to minimum area for classrooms, play areas, and fencing.

C. The child daycare facility and child daycare center shall provide off-street parking spaces as required by the applicable zoning district.

D. The child daycare center shall provide an adequate turnaround on the site.

D. The exterior appearance of any child daycare facility located in a residential district shall be maintained as a residential structure, and no signs other than those otherwise authorized within the applicable zoning district shall be erected (no cut-outs, animal characters, or other graphics shall be affixed to the exterior of the structure or displayed upon the premises).

E. No child daycare facility shall be located within 1,000 feet of another child daycare facility.

PLANNING COMMISSION RECOMMENDATION – March 24, 2025

TBD



Attachment(s): SLUP 24-006 Application Materials

Amendment Application

All applications and plans must be submitted through the [Citizenserve Online Portal](#)



Amendment Application

PROPERTY			
Site Address(es): 3356 Panola Road, Stonecrest		Parcel #: 16 043 03 079	Zip: 30038
Project Name (If applicable): R-100-Residential Med. Lot			
Current Zoning		Proposed Zoning	
Current Use	child daycare	Proposed Use	child daycare

OWNER INFORMATION			
Name:	Leatha Forehand Spivey		
Address:	3356 Panola Road, Stonecrest, GA 30038		
Email:	leathaspivey@aol.com	Phone:	770.593.9808

APPLICANT			
Name:	Leatha Forehand Spivey		
Address:	3356 Panola Road, Stonecrest, GA 30038		
Email:	leathaspivey@aol.com	Phone:	404.403.6258

AFFIDAVIT

To the best of my knowledge, this 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. I understand that failure to supply all required information (per the relevant Applicant Checklists and Requirements of the Stonecrest Zoning Ordinance) will result in the rejection of this application. I have read the provisions of the Georgia Code Section 36-67A-3 as required regarding Campaign Disclosures. My Signed Campaign Disclosure Statement is included.

Applicant's Name:	Leatha Forehand Spivey		
Applicant's Signature:	<i>Leatha Forehand Spivey</i>	Date:	11-24-24

NOTARY

Sworn to and subscribed before me this	24 th	Day of	November	2024
Notary Public:	<i>Jewell Grubbs</i>			
Signature:	<i>Jewell Grubbs</i>	Date:	11-24-2024	

Fulton County, GEORGIA
My Commission Expires 05/29/2027



Amendment Application

All applications and plans must be submitted through the [Citizenserve Online Portal](#)



Property Owner(s) Notarized Certification

The owner and petitioner acknowledge that this amendment 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 amendment(s), and authorization of an applicant or agent to act on their behalf in the filing of the application including all subsequent application amendments.

Property Owner

Name:	Leatha Forehand Spivey		
Address:	3356 Panola Road	City, State: Stonecrest, GA	Zip: 30038
Signature:	<i>Leatha Forehand Spivey</i>	Date:	11-24-24
Sworn to and subscribed before me this <u>24th</u> day of <u>November</u> , 20 <u>24</u>			
Notary Public:	<i>Jewell Grubbs</i>	Jewell Grubbs NOTARY PUBLIC Fulton County, GEORGIA My Commission Expires 05/29/2027	

Additional Property Owner (if applicable)

Name:			
Address:		City, State:	Zip:
Signature:		Date:	
Sworn to and subscribed before me this _____ day of _____, 20____			
Notary Public:			

Additional Property Owner (if applicable)

Name:			
Address:		City, State:	Zip:
Signature:		Date:	



Amendment Application

All applications and plans must be submitted through the [Citizenserve Online Portal](#)

Applicant(s) Notarized Certification

The petitioner acknowledged that this amendment application form is correct and complete. By completing this form, all applicant of the subject property certifies authorization of the filing of the application for amendment(s), and authorization of an applicant or agent to act on their behalf in the filing of the application including all subsequent application amendments.

Applicant

Name:	Leatha Forehand Spivey		
Address:	3356 Panola Road	City, State: Stonecrest, GA	Zip: 30038
Signature:	<i>Leatha Forehand Spivey</i>	Date:	11-24-24
Sworn to and subscribed before me this <u>24th</u> day of <u>November</u> , 20 <u>24</u>			
 Jewell Grubbs NOTARY PUBLIC Fulton County, GEORGIA My Commission Expires 05/29/2027			

Applicant (if applicable)

Name:			
Address:		City, State:	Zip:
Signature:		Date:	
Sworn to and subscribed before me this _____ day of _____, 20____			
Notary Public:			

Applicant (if applicable)

Name:			
Address:		City, State:	Zip:
Signature:		Date:	



3356 Panola Road
Stonecrest, GA 30038
leathaspivey@aol.com
770.593.9808
404.403.6258 (mobile)

November 24, 2024

City of Stonecrest
3120 Stonecrest Blvd.
Stonecrest, GA 30038

Re: SLUP for daycare-3356 Panola Road, Stonecrest, GA 30038

To Whom It May Concern:

I am writing on behalf of Peaches and Cream Academy to humbly request your support in allowing us to continue operating within the City of Stonecrest. For over 30 years, Peaches and Cream Academy has been a pillar of this community, providing exceptional care, education, and guidance to the children entrusted to us.

Throughout our three decades of service, we have earned a strong reputation for excellence. Countless families have trusted us to nurture and educate their children, and we take immense pride in the remarkable students who have graduated from our academy. Many of these students have gone on to excel in higher education, careers, and as contributing members of society. Their success is a testament to the foundation they built during their time at Peaches and Cream Academy.

As an active member of Delta Sigma Theta Sorority, Inc., I, Leatha Spivey, have committed myself to uplifting our community not only through education but also through impactful service initiatives. From organizing back-to-school drives to hosting community events, I have worked diligently to ensure that Peaches and Cream Academy is more than just an educational institution—it is a cornerstone of community support and enrichment.

The work we do extends beyond the classroom. We provide a safe, nurturing environment for children, which enables parents to pursue their careers with peace of mind. We also partner with local organizations to foster a sense of unity and purpose among our families.



Page 2

Enclosed with this letter, I have included testimonials from parents, alumni, and community members who have directly benefited from Peaches and Cream Academy. Their words speak volumes about the impact our academy has had on their lives.

It is my sincere hope that the City of Stonecrest will recognize the significant value Peaches and Cream Academy brings to this community and allow us to continue serving families for years to come. I am happy to address any concerns or provide additional documentation as needed. Please do not hesitate to contact me at [phone number] or [email address].

Thank you for your time and consideration. I look forward to your favorable response.

Sincerely,

Leatha F. Spivey
Leatha F. Spivey
Owner and Director
Peaches and Cream Academy

cc: Carole Dortch (404.276.2882)



November 25, 2024

To Whom It May Concern,

I am writing to offer my heartfelt testimony and appreciation for Ms. Leatha Spivey, the caregiver and educator at Peaches & Cream Academy, who has had a profound and lasting impact on my family. Ms. Spivey cared for all three of my children over the years, and I can say without hesitation that her nurturing spirit and dedication to the children in her care are extraordinary.

My journey with Ms. Spivey began when my first child was only six weeks old. From the very beginning, I could see that Ms. Spivey was not only a caregiver but also an educator with a deep commitment to fostering a loving and intellectually stimulating environment for her students. She went above and beyond what one might expect from a daycare teacher, always taking a personalized and thoughtful approach to each child's growth and development.

What truly stands out about Ms. Spivey is her dedication to the children well beyond the walls of Peaches & Cream Academy. She made it a point to attend activities outside of the daycare, such as church events and sports activities, even after my children had aged out of the daycare. Her support for my family extended far beyond just her work as an educator—she became a part of our family.

One of the most remarkable aspects of her teaching was her focus on developing well-rounded individuals. Ms. Spivey had a special passion for teaching etiquette, and I recall her taking small children, including my own, to fine dining restaurants to teach them how to behave in those settings. Her patience was unparalleled—she was never too busy to offer guidance, and she always led with love and a sense of calm.

It was through Ms. Spivey's encouragement and mentorship that my daughter developed the confidence to pursue a career in acting and singing. Her belief in my daughter's potential and her ability to nurture that spark had a lasting influence on my daughter's career path.

Ms. Spivey's influence is rare and lasting. For most of the students she has served, she becomes a member of their extended family. Her love and commitment to her students are unmatched, and she is a true asset to the community. I am so grateful that my children had the privilege of being in her care, and I believe that she is the ideal caregiver and educator that every new parent dreams of.

Sincerely,

Chang Robbins

Chang Robbins, Parent and Educator
Conyers, GA

404-630-2160



November 25, 2024

To Whom It May Concern,

I am writing this letter to offer my heartfelt testimony of Ms. Leatha Spivey, my first teacher and caregiver at Peaches & Cream Academy. From the age of 6 months to 3.5 years old, Ms. Spivey not only provided me with a safe and nurturing environment but also helped lay the foundation for my success in life. Her love, dedication, and exceptional teaching were invaluable, and I am deeply grateful for the profound impact she has had on me.

As a child in her care, I was not only surrounded by warmth but was also challenged intellectually. Ms. Spivey taught me to read at an early age, as well as how to count and add. She was an educator in the truest sense of the word, using a balance of patience and creativity to ensure I developed academically in a way that was both effective and enjoyable. Her passion for learning was contagious, and she instilled in me a lifelong love of knowledge.

But what I remember most about Ms. Spivey was her genuine care and loving support. She became like a second mother to me—always there when I needed guidance or reassurance. To this day, at age 25, I continue to feel her presence in my life. Her mentorship shaped me into the confident, patient, and graceful person I am today.

I am proud to say that I graduated from Clark Atlanta University, and now I live in California where I work in production for Tri Destined Studios, as well as pursue a career in acting and modeling. Much of my success can be attributed to the strong educational and moral foundation that Ms. Spivey provided during my early years at Peaches & Cream Academy in 1999.

Ms. Spivey has supported me through every stage of my life, and I can say with certainty that she is one of the reasons I chose to join my sorority. Her selflessness and dedication to service were qualities I deeply admired. She did not just care for me, but also provided the same nurturing environment for my younger brother and sister, always ensuring that we all received the attention and encouragement we needed.

I can confidently say that Ms. Spivey's influence has been instrumental in shaping my values, work ethic, and commitment to serving others. I owe much of my success to the solid foundation she helped build for me at Peaches & Cream Academy.

With utmost gratitude and respect,

A handwritten signature in black ink, appearing to read "Chara Mekai Robbins".

Chara Mekai Robbins
Clark Atlanta University Graduate
Production Assistant, Tri Destined Studios
California Resident



Tara N. Terrell
3273 Hilson Head Lane
Lithonia, GA 30038

November 25, 2024

To Whom It May Concern,

I am writing this letter to provide a heartfelt and enthusiastic character reference for Leatha Spivey, the owner of Peaches and Cream Academy. Ms. Spivey served as the daycare provider for my children Miles Terrell (2002) and Olivia Terrell (2004), starting at the age of 6 weeks, and both remained with Ms. Spivey until they started elementary school.

Leatha provided exceptional care during the formative years of my children's lives, creating a nurturing and supportive environment where they were able to thrive. She was not just a caregiver; she became a trusted second mother to my children. Her dedication, kindness, and deep concern for the well-being of the children in her care were evident every day.

Both of my children were consistently on the honor roll throughout their elementary, middle, and high school years, a testament to the solid foundation and values Leatha instilled in them. She encouraged their academic and personal growth, fostering a sense of responsibility and a love for learning. It is no exaggeration to say that her influence played a significant role in their success. As a result, both Miles and Olivia went on to attend four-year colleges, and they continue to cherish the lessons and guidance they received from Peaches and Cream Academy.

Even as they have gotten older, Leatha continues to remain an important and cherished figure in their lives. Her continued presence has been a blessing, and I genuinely believe she is like a second mother to them. The bond they continue to share with her is a reflection of her genuine love and care for them.

Peaches and Cream Academy has been a staple in our community for over 25 years and I wholeheartedly recommend Peaches and Cream Academy for any family seeking a safe, caring, and educational environment for their children. Her commitment to her work and the children she cares for is unmatched, and she has had an enduring and positive impact on my family.

If you have any further questions, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "Tara N. Terrell".

Tara N Terrell



Tuesday, November 26, 2024 at 07:25:59 Eastern Standard Time

Subject: Fwd: Letter to Stonecrest

Date: Tuesday, November 26, 2024 at 5:57:25 AM Eastern Standard Time

From: Leatha Spivey

To: Carole Dortch

Begin forwarded message:

From: AT&T Mail <erm80146@aol.com>

Subject: Letter to Stonecrest

Date: November 25, 2024 at 9:32:38 PM EST

To: Leatha Spivey <leathaspivey@aol.com>

4434 Wesleyan Pointe
Decatur, Georgia 30034

Greetings:

Leatha Spivey is the owner and operator of Peaches and Cream Academy. She has been an outstanding pillar in the community for over thirty years. Her business has operated in Dekalb County and is now soliciting your support in allowing her to continue to operate within the City of Stonecrest.

She has a strong reputation for providing excellent care and nurturing for her babies. Many have gone on to elementary school, high school and college. She cared for two of my grandchildren when they were three years and eighteen months old. They were happy, content, and well taken care of.

I have known Ms. Spivey for over twenty years when she sought membership to Delta Sigma Theta Sorority, Inc. She has proven to be a hardworking and dedicated member. She has worked with back-to-school drives, voter registration drives and senior citizen initiatives.

I am pleased to submit this letter of request on behalf of Ms. Letha Spivey who wishes to continue her work in the City of Stonecrest as the owner and operator of Peaches and Cream Academy.

Sincerely,
Arma W. Boyd
770-808-5892



Attachment(s): Community Planning Information Meeting (CPIM) Summary Minutes



CITY OF STONECREST, GEORGIA

Community Planning Information Meeting (CPIM)

Summary Minutes

February 13, 2025, at 6:00 P.M.

Planning-zoning@stonecrestga.gov

***IN-PERSON MEETING**

[Stonecrest's YouTube Broadcast Link](#)

Citizens wishing to actively participate and comment during the public hearing portion of the meeting may comment in person. You may also submit your request including your full name, address, and position on the agenda item you are commenting on (for or against) via email to Planning-zoning@stonecrestga.gov by 2 p.m. the day before the meeting to be read into the record at the meeting.

- I. CALL TO ORDER AND INTRODUCTIONS:** Deputy Director Ellis Still, Senior Planner Ramona Eversley, Planner Felleshia Blair, Zoning Administrative Technician Abeykoon Abeykoon, and Cobi Brown, Planning Administrative Technician were in attendance.

The meeting was called to order at 6:00 p.m.

- II. REVIEW OF THE PURPOSE AND INTENT OF THE COMMUNITY PLANNING INFORMATION MEETING AND RULES OF CONDUCT – Ramona Eversley**

- III. Item(s) of Discussion:**

PETITION: RZ24-005
PETITIONER: Michele Battle of Battle Law, P.C.
LOCATION: 1810 Coffee Rd
PETITIONER'S REQUEST: The request is for a rezoning and map amendment of the parcel from M-2 (Heavy Industrial) to M (Light Industrial).

Jordan Battle of Battle Law, P.C. came up to speak. It was stated that the rezoning is for the consolidation of two adjacent parcels for the development of a paved truck storage lot. The location is behind the existing PepsiCo building.

Renee Kale a resident asked about the type and amount of trucks that will be that will be parked in the storage area. She stated her concern for the surrounding residents.

Jordan Battle stated that they did not have a set time for the trucks to be parked in one of the twenty proposed spaces that deliver products for the company. It was also stated that the parcel is over 750 feet away from the nearby residential parcels.

PETITION: SLUP24-009
PETITIONER: Leatha Spivey of Peaches and Cream Academy, Inc
LOCATION: 3356 Panola Road
PETITIONER'S REQUEST: The petitioner is seeking a Special Land Use Permit (SLUP) to operate as a Type 2 Home Occupation for a child daycare business.

Thomas Dortch came up to speak for Ms. Spivey. He stated that the business has been in operation for three decades. Countless families have trusted her to take care of their children and many of the students have excelled in higher education as well as careers later in their lives. The academy has also contributed to the community by hosting back-to-school drives and other events. She has been in good standing with the State



CITY OF STONECREST, GEORGIA

regulations.

Carol Dortch mother of Thomas Dortch stated that Ms. Spivey has done well for many years and she has many testimonials to prove it. She also stated that there was confusion due to Ms. Spivey having an up-to-date state license.

PETITION:	SLUP25-001
PETITIONER:	Rufaro Moyo of Moyo Capital, Inc
LOCATION:	4989 Thompson Mill Road
PETITIONER'S REQUEST:	The petitioner is seeking a Special Land Use Permit (SLUP) to operate as a Type 2 Home Occupation for a personal care home business.

Rufaro Moyo the applicant came up to speak. The proposal will cater to those in the elderly community who are in need of assistance with day-to-day tasks. He stated that the parcel is in a good location considering that Thompsom Mill Rd has minimum traffic and the home is also near several shopping centers, pharmacies, and the hospital.

Samantha Verver a neighbor of the applicant stated that she is in support of the petition and that personal care homes are needed in the community.

Pam Alimanzi a resident also stated that she supports the petition. She has been a CNA for 20 years and from her experience in the industry knows that the proposed use is a need for the community.

IV. ADJOURNMENT The meeting was adjourned at 6:24 p.m.

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.

APPROVED: <u>Ellis Still</u>	<u>2/17/2025</u>
DEPUTY DIRECTOR, PLANNING & ZONING	DATE
ATTEST: <u>Cobi Brown</u>	<u>02/17/2025</u>
SECRETARY	DATE



SPECIAL LAND USE PERMIT (SLUP) ANALYSIS

Petition Number:	SLUP25-000001
Applicant:	Rufaro Moyo of Moyo Capital, Inc. 4989 Thompson Mill Road Stonecrest, GA 30038 rmkardia@gmail.com
Owner:	Rufaro Edwin Moyo 4989 Thompson Mill Road Lithonia, GA 30038
Project Location:	4989 Thompson Mill Road
District:	2 – Councilman Terry Fye
Acreage:	0.46 acres
Existing Zoning:	R-100 (Residential Medium Lot) District
Future Land Use:	Suburban (SUB)
Overlay District:	N/A
Proposed Development/Request:	The applicant is requesting a Special Land Use Permit (SLUP) to operate Type 2 Home Occupation for a personal care home business.
CPIM:	February 13, 2025
Planning Commission:	March 4, 2025
Mayor & City Council:	March 24, 2025
Sign Posted/ Legal Ad(s) submitted:	January 27, 2025
Staff Recommendations:	Approval
Planning Commission:	TBD



PROJECT OVERVIEW

Location

The subject property is located at 4989 Thompson Mill Road with a parcel identification 16 011 05 069. The dwelling is located within the Miller's Cove Subdivision.

The property abuts RSM (Small Lot Residential Mix) District on the north, south, east, and west.



Adjacent & Surrounding Properties	Zoning (Petition Number)	Land Use
Applicant	R-100 (Residential Med Lot) District	Residential
Adjacent: North	R-100 (Residential Med Lot) District	Residential (Detached Single Family Home)
Adjacent: West	R-100 (Residential Med Lot) District	Residential (Detached Single-Family Home)
Adjacent: East	R-100 (Residential Med Lot) District	Residential (Detached Single Family Home)
Adjacent: South	R-100 (Residential Med Lot) District	Residential (Detached Single Family Home)



The closet Personal Care Home is located at 4921 Hamlet Court, which is approximately 1250ft. from subject property. The property is a single-family detached dwelling. The dwelling was built in 1972 with four (4) bedrooms and three (3) bathrooms. The entire floor area is approximately 2,258 square feet.



DIVISION 5. - R-100 (RESIDENTIAL MEDIUM LOT-100) DISTRICT

Sec. 2.5.1. - Statement of purpose and intent.

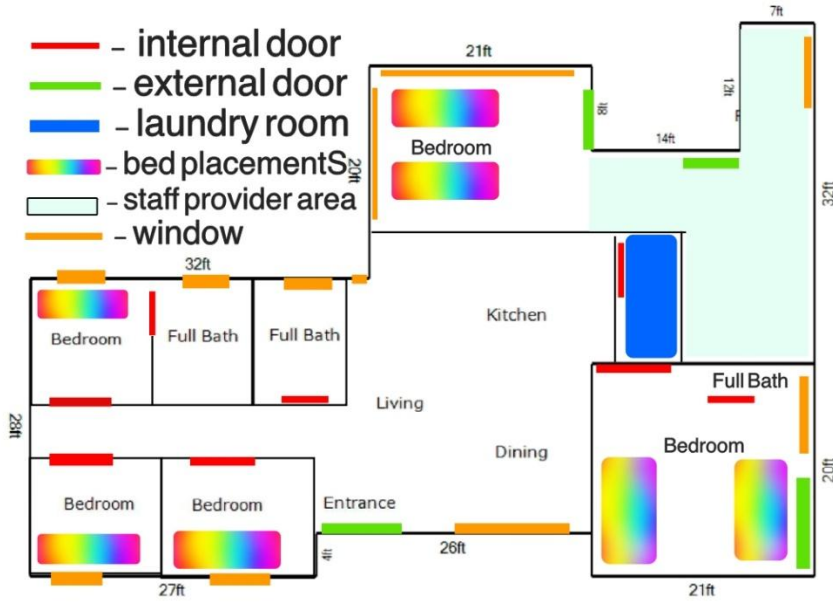
The purpose and intent of the City Council in establishing the R-100 (Residential Medium Lot-100) District is as follows:

- A. To provide for the protection of neighborhoods within the city where lots have a minimum area of 15,000 square feet;
- B. To provide for compatible infill development in neighborhoods;
- C. To provide "For Sale", Single family detached residential subdivisions and For Sale Communities;
- D. To provide flexibility in design on the interior of new development while protecting surrounding development;
- E. To ensure that the uses and structures authorized in the R-100 (Residential Medium Lot-100) District are those uses and structures designed to serve the housing, recreational, educational, religious, and social needs of the neighborhood;
- F. To provide for appropriately sized accessible and useable open space in new developments for health, recreational and social opportunities for city residents; and
- G. To implement the future development map of the city's comprehensive plan.

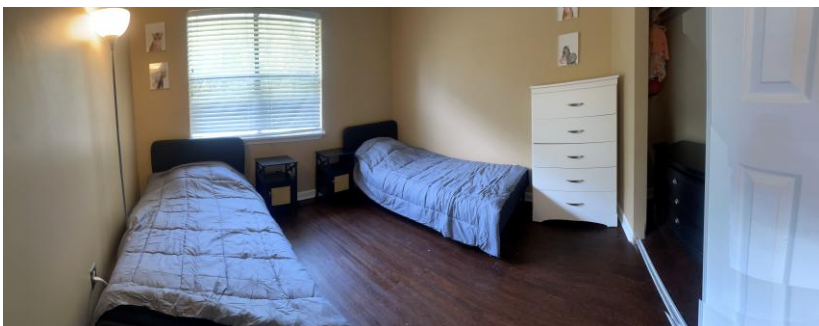
Public Participation

Property owners within 1,000 feet of the subject property were mailed notices of the proposed rezoning in January 2025. The Community Planning Information Meeting (CPIM) was held on February 13, 2025, at 6:00 P.M. at city hall. There were 2 neighbors that spoke in support of the petition.

Floor Layout Plan



Interior Site Photos







SLUP25-000001

ADDRESS: 4989 Thompson Mill Road

CURRENT ZONING: R-100 (Residential Med Lot) District

FUTURE LAND USE: Suburban Neighborhood (SUB)

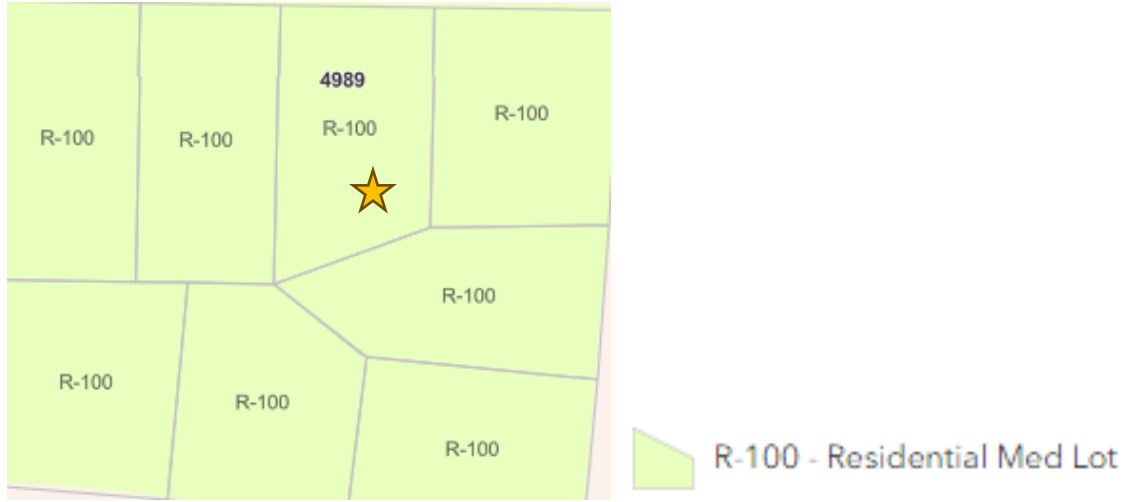


Subject Property

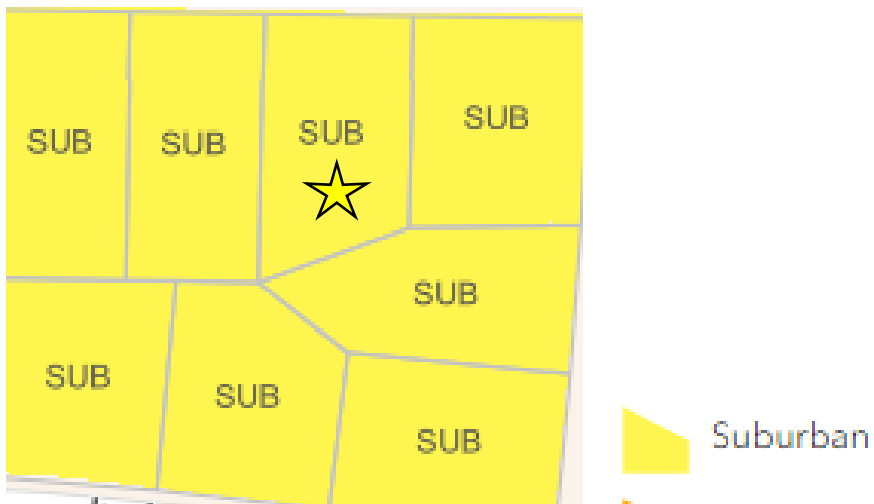
Aerial Map



Zoning Map



Future Land Use Map





STANDARDS OF SPECIAL LAND USE PERMIT REVIEW

Section 7.4.6 of the Stonecrest Zoning Ordinance lists twenty 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. The adequacy of the size of the site for the use contemplated and whether or not the adequate land area is available for the proposed use including the provision of all required yards, open space, off-street parking, and all other applicable requirements of the zoning district in which the use is proposed to be located.**

The property consists of 20,038 square feet, with a lot coverage of 14.58%. It includes sufficient land to meet the required setbacks (front: 25 ft, side: 10 ft, rear: 40 ft) and open space for recreational and landscaping purposes. Off-street parking can be accommodated on the existing driveway or additional paved areas, meeting zoning district requirements [Section 4.2.41 \(Personal care homes and child caring institutions\)](#). The required parking is at least four (4) parking spaces within a driveway, garage, or carport.

- B. Compatibility of the proposed use with adjacent properties and land uses and with other properties and land uses in the district.**

The surrounding area is residential with low-density development, making a personal care home compatible. The single-story structure and quiet environment align with the character of the neighborhood, and the use complements local community needs without introducing disruptive activities.

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

The site is well-supported by existing infrastructure, including water, sewer, electricity, and internet services. Emergency services (fire and police) and nearby healthcare facilities provide sufficient coverage for the proposed use.

- D. Adequacy of the public street on which the use is proposed to be located and whether or not there is sufficient traffic-carrying capacity for the use proposed so as not to unduly increase traffic and create congestion in the area.**

Thompson Mill Rd is a two-lane local road with light to moderate traffic volumes. The anticipated traffic generated by the facility (approximately 10-20 trips/week) will not cause undue congestion or exceed the local road's capacity.

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

The personal care home will generate minimal traffic primarily consisting of staff, visitors, and service vehicles. These are compatible with existing residential traffic patterns and will not adversely affect neighboring properties.



F. Adequacy of ingress and egress to the subject property and to all proposed buildings, structures, and uses thereon, with particular reference to pedestrian and automotive safety and convenience, traffic flow and control, and access in the event of a fire or another emergency.

The property features an existing paved driveway with safe ingress and egress to Thompson Mill Rd. The flat topography ensures easy access for vehicles and emergency responders. There is no anticipated impact on pedestrian safety.

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 nature of a personal care home minimizes disruptive elements. Noise levels will remain low, and no industrial equipment or processes will generate smoke, odor, dust, or vibration. The proposed hours of operation shall be Monday to Friday; and 9:00 A.M. – 5:00 P.M. on Saturdays and Sundays 10:00AM to 5:00PM.

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 facility will not generate activity or noise disruptive to neighboring properties during nighttime hours, as it serves as a residential care home.

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.

Operations involve residential care, with no industrial or high-traffic elements, making the use compatible with neighboring properties.

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

The R-100 zoning classification permits residential care facilities with appropriate permits and aligns with zoning district's lot size, setbacks, and density requirements.

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

The development supports Stonecrest's goals of creating diverse housing and providing services for aging residents. It is consistent with policies encouraging accessibility and community-oriented care facilities.

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.

Setbacks and landscaping provide natural buffer zones, ensuring a smooth transition between the facility and adjacent properties. Additional fencing or plantings could enhance privacy if required.



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

Adequate space exists for refuse storage and service areas on-site, minimizing visual or environmental impact. Regular waste disposal can be managed without disrupting operations.

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

If granted approval, the special land use permit should not be transferable and **only** applicable to the current applicant, operator(s), and homeowner(s).

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 existing single-story structure is appropriately scaled for the property and the surrounding residential neighborhood, ensuring no visual or structural dominance over neighboring lots.

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

No historic or archaeological resources are present on the property or in the immediate vicinity, eliminating the potential for adverse impacts.

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

The proposed use adheres to supplemental regulations, including land area, operational requirements, and neighborhood compatibility standards.

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 single-story design prevents significant shadowing on adjacent lots, ensuring no adverse impact on neighboring properties.

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 personal care home addresses the community's need for elder care services, aligns with the low-density residential character of the area, and supports the goals of the comprehensive plan. It is both compatible with and beneficial to the neighborhood.



STAFF RECOMMENDATION

Staff recommends **approval** due to compliance with the Stonecrest 2038 Comprehensive plan.

PLANNING COMMISSION RECOMMENDATION – March 4, 2025

TBD



Attachment(s): SLU25-000001 Application Materials

Amendment Application

All applications and plans must be submitted through the [Citizenserve Online Portal](#)



Amendment Application

PROPERTY			
Site Address(es): 4989 THOMPSON MILL RD STONECREST GA		Parcel #: 16 011 05 069	Zip:
Project Name (If applicable): THE MOLUX OF STONECREST			
Current Zoning	R-100	Proposed Zoning	
Current Use	RES DIST	Proposed Use	PERSONAL CARE HOME

OWNER INFORMATION

Name:	MOYO RUFARO EDWIN		
Address:	4989 THOMPSON MILL RD STONECREST GA 30038		
Email:	RMKARDIA@GMAIL.COM	Phone:	4046103841

APPLICANT

Name:	MOYO RUFARO EDWIN		
Address:	4989 THOMPSON MILL RD STONECREST GA 30038		
Email:	RMKARDIA@GMAIL.COM	Phone:	4046103841

AFFIDAVIT

To the best of my knowledge, this 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. I understand that failure to supply all required information (per the relevant Applicant Checklists and Requirements of the Stonecrest Zoning Ordinance) will result in the rejection of this application. I have read the provisions of the Georgia Code Section 36-67A-3 as required regarding Campaign Disclosures. My Signed Campaign Disclosure Statement is included.

Applicant's Name:	MOYO RUFARO EDWIN		
Applicant's Signature:	<i>[Signature]</i>	Date:	1/7/25

NOTARY

Sworn to and subscribed before me this	7 th	Day of	January	20	25
Notary Public:	<i>[Signature]</i>				
Signature:			Date:	1/7/2025	



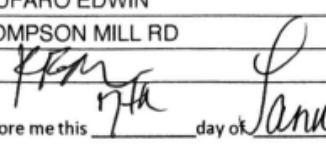

Amendment Application

All applications and plans must be submitted through the [Citizenserve Online Portal](#)

Property Owner(s) Notarized Certification

The owner and petitioner acknowledge that this amendment 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 amendment(s), and authorization of an applicant or agent to act on their behalf in the filing of the application including all subsequent application amendments.

Property Owner

Name:	MOYO RUFARO EDWIN		
Address:	4989 THOMPSON MILL RD	City, State: STONECREST, GA	Zip: 30038
Signature:		Date:	1/7/25
Sworn to and subscribed before me this <u>7th</u> day of <u>January</u> , 20 <u>25</u>			
Notary Public:		<div style="border: 1px solid black; padding: 5px; text-align: center;">RENEE L WOODS Notary Public - State of Georgia Henry County My Commission Expires Mar 27, 2027</div>	

Additional Property Owner (if applicable)

Name:			
Address:		City, State:	Zip:
Signature:		Date:	
Sworn to and subscribed before me this _____ day of _____, 20____			
Notary Public:			

Additional Property Owner (if applicable)

Name:			
Address:		City, State:	Zip:
Signature:		Date:	



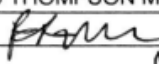

Amendment Application

All applications and plans must be submitted through the [Citizenserve Online Portal](#)

Applicant(s) Notarized Certification

The petitioner acknowledged that this amendment application form is correct and complete. By completing this form, all applicant of the subject property certifies authorization of the filing of the application for amendment(s), and authorization of an applicant or agent to act on their behalf in the filing of the application including all subsequent application amendments.

Applicant

Name:	MOYO RUFARO EDWIN			
Address:	4989 THOMPSON MILL RD	City, State: STONECREST, GA	Zip: 30038	
Signature:		Date:	1/7/25	
Sworn to and subscribed before me this <u>9th</u> day of <u>January</u> , 20 <u>25</u>				
Notary Public:				
<table border="1"><tr><td>RENEE L WOODS Notary Public - State of Georgia Henry County My Commission Expires Mar 27, 2027</td></tr></table>				RENEE L WOODS Notary Public - State of Georgia Henry County My Commission Expires Mar 27, 2027
RENEE L WOODS Notary Public - State of Georgia Henry County My Commission Expires Mar 27, 2027				

Applicant (if applicable)

Name:			
Address:		City, State:	Zip:
Signature:		Date:	
Sworn to and subscribed before me this _____ day of _____, 20____			
Notary Public:			

Applicant (if applicable)

Name:			
Address:		City, State:	Zip:
Signature:		Date:	



Development of Regional Impact (DRI) Review for 4989 Thompson Mill Rd, Stonecrest, GA 30038

Executive Summary

This Development of Regional Impact (DRI) review evaluates the suitability of 4989 Thompson Mill Rd, Stonecrest, GA 30038 for a personal care home. The property's location, surrounding infrastructure, and alignment with community needs make it an ideal site for such a development. The project is anticipated to have minimal regional impact while providing essential services to the aging population.

Property Overview

4989 Thompson Mill Rd is a strategically located property within the city of Stonecrest. Key features include:

- **Zoning:** Residential with allowances for community-oriented facilities.
- **Size:** Adequate to support a small-scale personal care home for seven or more residents.
- **Access:** Served by Thompson Mill Rd, a local road with connectivity to nearby arterials and Interstate 20, located approximately 2.5 miles away.

Proposed Development

The project involves the establishment of a personal care home, offering:

- Housing and care services for elderly or disabled individuals.
- 24-hour staff assistance and supervision.
- On-site amenities and transportation services for residents.

Regional Impact Analysis

1. Land Use Compatibility

The proposed development aligns with the regional and local land-use plans:

- **Stonecrest Comprehensive Plan:** Encourages the development of residential care facilities to address the needs of an aging population.
- **Community Fit:** The project complements the low-density residential character of the surrounding area.

2. Traffic and Transportation

The traffic impact of the proposed facility is minimal:

- **Trip Generation:** The facility is expected to generate approximately 20-30 daily vehicle trips, with 2-5 trips during peak hours (based on ITE Trip Generation Manual, 11th Edition).
- **Roadway Capacity:** Thompson Mill Rd operates below capacity, and nearby intersections maintain Level of Service (LOS) B or better.
- **Transit Access:** Proximity to MARTA bus stops enhances regional accessibility for staff and visitors.

3. Infrastructure and Services

The site is well-supported by existing infrastructure:



- **Utilities:** The property has access to water, sewer, electricity, and internet services, with no upgrades required.
- **Emergency Services:** Located within a 5-mile radius of fire and police stations.
- **Healthcare Proximity:** Nearby medical facilities, including primary care and hospitals, support the needs of residents.

4. Environmental Considerations

Environmental impacts are negligible:

- **Land Disturbance:** The project requires minimal grading or clearing.
- **Flood Risk:** The property is not located in a floodplain.
- **Stormwater Management:** Existing infrastructure is adequate to handle runoff without adverse regional effects.

5. Socioeconomic Benefits

The development provides multiple community benefits:

- **Employment:** Creates 3-8 full-time jobs for local caregivers, administrative staff, and maintenance personnel.
- **Affordable Care:** Addresses the growing demand for cost-effective, high-quality personal care services.
- **Community Value:** Enhances the quality of life for residents and their families.

Alignment with Regional Goals

The development supports the following regional goals:

1. **Housing Diversity:** Expands the availability of specialized housing for vulnerable populations.
2. **Transportation Efficiency:** Minimizes traffic impacts while leveraging existing transit options.
3. **Economic Growth:** Provides local job opportunities and stimulates ancillary businesses (e.g., medical suppliers).
4. **Sustainability:** Maintains low environmental impact while utilizing existing infrastructure.

Conclusion

The proposed personal care home at 4989 Thompson Mill Rd is an ideal project with limited regional impact and significant local benefits. Its alignment with zoning policies, minimal strain on infrastructure, and contributions to socioeconomic well-being highlight its value to the Stonecrest community. Approval of the project is recommended to meet the growing demand for residential care services in the region.



Attachment(s): Comp Plan and Ordinance(s)



Caption: An example Suburban Neighborhood Land Use in Stonecrest, GA

Suburban Neighborhood (SN): The Suburban Neighborhood area recognizes those areas of the city that have developed in traditional suburban land use patterns while encouraging new development to have increased connectivity and accessibility. These areas include those already developed and those under development pressures. Suburban Neighborhood areas are characterized by low-pedestrian orientation, limited transit access, scattered civic buildings, and curvilinear street patterns. The desired density for areas of this type is from 4 to 8 dwelling units per acre.

Use Descriptions: SF detached; Townhomes; Assisted Living facilities; Neighborhood Retail; Schools; Libraries; Parks and Related; Health Care, Civic

Maximum Density, Units/Acre: 4 to 8 du/ac

Permitted Districts: OI, OIT, NS, RSM, R100, R85, R75, R60, RNC



Sec. 4.2.41. Personal care homes and child caring institutions.

A. Personal care homes, general requirements.

1. If owned by a corporation, partnership, Limited Liability Company or any entity other than a natural person, the administrator identified in the state license application must reside in the personal care home. If owned by an individual, the individual owner must reside in the group personal care home.
2. Each personal care home must obtain a city license as well as all license(s) and/or permit(s) required by the State of Georgia before beginning to operate. Each personal care home licensed and/or permitted by the State of Georgia must display its state-issued and city-issued license(s) and/or permit(s) in plain view, visible from the front doorway of the facility.
3. No personal care home may display any exterior signage that violates the sign ordinance in chapter 21 of the Code or the sign provisions in the zoning regulations for the underlying zoning district where the personal care home is located.
4. Personal care homes may apply for an FHA Accommodation Variance as provided for in section 7.5.9 of this chapter.
5. No city permit for the operation of the personal care home shall be transferable.

B. Personal care home, group (up to six persons).

1. Two copies of complete architectural plans for the subject group personal care home, signed or sealed by a registered architect, shall be submitted to the director of planning prior to issuance of a building permit or business license.
2. Each group personal care home must provide at least four parking spaces within a driveway, garage or carport and must comply with any applicable requirements in article 6.
3. The home must be at least 1,800 sq. ft in size.
4. In order to prevent institutionalizing residential neighborhoods, no group personal care home located in a residential zoning district may be operated within 1,000 feet of any other group personal care home. The 1,000-foot distance requirement is measured by a straight line which is the shortest distance (i.e., "as the crow flies") between the property lines of the two tracts of land on which the group personal care homes are located.

C. Personal care home, (seven or more persons).

1. Two copies of complete architectural plans for the subject community personal care home, signed or sealed by a registered architect, shall be submitted to the director of planning prior to issuance of a building permit or business license.
2. Each community personal care home must provide at least one-half parking spaces for each employee and resident and must comply with any applicable requirements in article 6.

D. Child Care Home, and Child Care Facility general requirements.

1. If owned by a corporation, partnership, Limited Liability Company or any entity other than a natural person, the administrator identified in the state license application must reside in the child care home, facility. If owned by an individual, the individual owner must reside in the child care home, or child care facility.
2. No child care home, or child care facility shall be located within 1,500 feet of another child care home or child-care facility. The 1,500-foot distance requirement is measured by a straight line which is the



shortest distance (i.e., "as the crow flies") between the property lines of the two tracts of land on which the child care homes, or child care facilities are located.

3. Each child caring home, and child care facility must obtain all license(s) and/or permit(s) required by the State of Georgia in order to operate. Each child caring institution must display its state-issued and city-issued license(s) and/or permit(s) in plain view, visible from the front doorway of the facility.
 4. Child Care homes and Child Care facilities are not permitted in Multi-family dwellings.
 5. No child caring home, facility may display any exterior signage that violates the sign ordinance in chapter 21 of the Code or the sign provisions in the zoning regulations for the underlying zoning district where the personal care home is located.
 6. Each child care home, facility shall meet the minimum state requirements for playground size, location, and fencing.
- E. *Child Care Homes, (up to five children).*
1. Each group child care home must provide at least four parking spaces within a driveway, garage or carport, and must comply with any applicable requirements in article 6.
- F. *Child Care Facility (six or more children).*
1. Two copies of the complete architectural plans of the subject community child caring institution, signed and sealed by a registered architect, shall be submitted to the director of planning prior to issuance of a building permit or business license.
 2. Each community child caring institution must provide at least one-half parking spaces for each employee and resident and must comply with any applicable requirements in article 6.

(Ord. of 8-2-2017, § 1(4.2.41); Ord. No. 2021-06-04 , § 1(Exh. A), 8-23-2021)



Sec. 4.2.46. Senior housing; independent and assisted living, nursing, and continuing care.

- A. Primary uses. Senior housing facilities shall include either independent living units or assisted living units, or both. The independent living units may be either single-family (detached) residences or multifamily (attached) residences.
- B. Accessory uses. Senior housing facilities shall include one or more of the following accessory uses:
 - 1. Ancillary clinics, personal service, retail (e.g., pharmacy, hair salon, medical offices).
 - 2. Central kitchen and dining facility.
 - 3. Recreation and amenities.
 - 4. Building/clubhouse for classes, meetings, concerts, storytelling, etc.
 - 5. Adult daycare.
- C. The maximum number of unrelated residents living independently (not requiring personal care) and at age 55 or older allowed in an independent living unit is one per bedroom.
- D. Height standards. A senior living facility in which all of the occupied units are occupied by at least one senior aged 55 or older is authorized up to ten stories without a height SLUP in HR, MU-3, MU-4, and MU-5 zoning districts, subject to transitional height plane regulations in article 5 of this chapter.
- E. Accessibility standards. All senior housing shall incorporate accessibility standards that meet certification requirements for easy living or universal design and/or include all of the following minimum features:
 - 1. At least one step free entrance to the main floor at either the front or side of the structure; if only one is provided, it shall not be from a patio or raised deck.
 - 2. Main floor of each unit shall include a kitchen, entertaining area, and master bedroom with full bathroom.
 - 3. Every door on the main floor shall provide a minimum width of 34 inches of clear passage.
 - 4. Blocking shall be installed in the master bath around toilet, tub, and shower for placement or future placement of grab bars.
- F. Assisted living, nursing and continuing care facilities shall provide the following:
 - 1. Primary and secondary support services: Approval for assisted living, nursing or continuing care facilities shall not be granted without documentation of provisions for the following primary and secondary services:
 - a. Primary services: on-site dining facility, 24-hour on-call medical services, on-site licensed practical nurse, on-call registered nurse, linen and housekeeping services, and transportation services.
 - b. Secondary services: physical therapy, medication administration program, care technician services (clothes changing, bathing, etc.), on-site personal care (barber, beauty salon), fitness center, library.
 - c. Access to outdoor seating and walking areas shall be provided as part of every assisted living, nursing or continuing care facility.
- G. A senior housing facility shall only be approved after consideration of the use permit criteria, found in article 7 of this chapter and after consideration of the following:
 - 1. Proximity and pedestrian access to retail services and public amenities.
 - 2. Transportation alternatives.



3. Integration into existing neighborhoods through connectivity and site design.
 4. Diverse housing types.
 5. Site and building design that encourages social interaction.
 6. Building design that meets easy living standards.
- H. In addition, in consideration of the special land use permit or special administrative permit for a senior housing facility, the following criteria shall be evaluated based on the degree to which these elements provide transition from the proposed project to adjacent existing development:
1. Building height.
 2. Landscaping.
 3. Maximum lot coverage.
 4. Setbacks from exterior property lines.
 5. Site size.
 6. Access to thoroughfare.
- I. Submittal requirements. The following documents and information are required for submittals for rezoning, special land use permits, land development permits and building permits associated with proposed senior living facilities:
1. Survey and site plan (per established requirements in article 7 of this chapter).
 2. Landscape and tree plan.
 3. Number and location of residential units.
 4. Types of units.
 5. Amenities.
 6. Institutional/nonresidential services.
 7. Proximity to services such as health care, shopping, recreation, and transit.
 8. Other documents addressing the approval criteria in subsections G. and H. of this section.

(Ord. of 8-2-2017, § 1(4.2.46))



Sec. 6.1.4. Off-street parking ratios.

- A. Minimum on-site parking requirements may be reduced through use of shared parking, in accordance with section 6.1.5.
- B. In residential districts in which garage space is provided, the garage space may count for no more than one required space per 200 square feet of garage space.
- C. Tandem parking is permitted in association with all single-family detached and single-family attached housing types.
- D. Minimum and maximum parking ratios. Unless otherwise regulated elsewhere in this chapter, off-street parking spaces shall be provided for all uses listed are specified in Table 6.2. Unless otherwise noted, the parking requirement shall be based on the gross square footage of the building or buildings devoted to the particular use specified. Maximum parking standards shall not apply to existing uses so long as the building or parking lot is not expanded.
- E. Phased development. Where a project is intended to be developed in phases, the director of planning may approve phased development of a parking lot intended to serve current and future development.
- F. Reduction of minimum parking requirements. The minimum number of required spaces described in Table 6.2 for a particular use may be reduced by ten percent by the director of planning pursuant to an administrative variance in compliance with article 7 of this chapter. If the use is within 1,000 feet of a designated heavy rail, streetcar/light rail or bus rapid transit station, the minimum number of required spaces may be reduced by 25 percent in accordance with article 7 of this chapter.
- G. Carpool/vanpool parking. For office, industrial, and institutional uses where there are more than 20 parking spaces on the site, the following standards shall be met:
 - 1. At least five percent of the parking spaces on-site must be reserved for carpool use.
 - 2. Except as otherwise provided by applicable law, parking lots shall be designed so as to provide the most convenient access to building entrances by persons arriving by vanpools and carpools. In the event of a conflict between the priority described in this subsection and section 6.1.16, this subsection shall prevail.
 - 3. Signs shall be posted identifying spaces reserved for carpool use.

Table 6.2. Off-street Parking Ratios

Minimum and Maximum Parking Spaces		
Use	Minimum Parking Spaces Required	Maximum Parking Spaces Allowed
<i>Residential</i>		
Detached single-family dwelling	Two spaces per dwelling unit.	Four spaces per dwelling unit.
Two-family and three-family dwellings	One space per dwelling unit.	Four spaces per dwelling unit.
Detached single-family condominium	Two spaces per dwelling unit.	Four spaces per dwelling unit.
Attached single-family dwelling	1½ spaces per dwelling unit, plus one-quarter space per dwelling	Three spaces per dwelling unit, plus one-quarter space per



	unit to accommodate guest parking.	dwelling unit to accommodate guest parking.
Attached two-family and three-family dwellings	1½ spaces per dwelling unit, not including garage, plus one-quarter space per dwelling unit to accommodate guest parking.	Three spaces per dwelling unit, not including garage, plus one-quarter space per dwelling unit to accommodate guest parking.
Multifamily dwellings	1½ spaces for every dwelling unit.	Three spaces for every dwelling unit.
Mobile Homes	Two spaces per mobile home lot.	Four spaces per mobile home lot.
Multifamily dwellings, supportive living	One-half space per dwelling unit.	One space per dwelling unit.
Fraternity house or sorority house	One space per bed.	1¼ spaces per bed.
Rooming house or boarding house, shelter	One space per four beds.	One space per 1½ beds.
Senior housing	One-half space per dwelling unit, plus one-quarter space per dwelling unit to accommodate guest parking.	Two spaces per dwelling unit, plus one-quarter space per dwelling unit to accommodate guest parking.
Assisted Living	One-half space per dwelling unit.	One space per dwelling unit.
Personal care home, group	Two spaces.	Four spaces
Personal care home, community	One space for every 3 beds.	One space for every 2 beds.
Child daycare facility	Two spaces.	Four spaces.
Child care institution, group	Two spaces.	Four spaces.
Child care institution, community	One-half space for each employee and resident.	Three-quarters space for each employee and resident.
Live Work dwelling	Two spaces per unit.	Four spaces per unit.
<i>Institutional</i>		
Ambulance service where accessory to a hospital, ambulance services, delivery services and other similar services	One parking space for each fleet vehicle plus one-half space for each administrative or service employee.	One parking space for each fleet vehicle plus three-quarter space for each administrative or service employee.
Child daycare center	One space for each 400 square feet of floor area.	One space for each 300 square feet of floor area.
Convent or monastery	One space for each 400 square feet of floor area.	One space for each 200 square feet of floor area.
Funeral home	One space for each 400 square feet of floor area	One space for each 200 square feet of floor area.
Hospital and similar institutional use	One space per three beds.	No maximum.
Nursing care facility, nursing or convalescent home, and similar institutional use	One-quarter space per bed	One-half space per bed
Kindergarten	One space per 300 square feet of floor area.	One space per 200 square feet of floor area.
Places of assembly with fixed seating, including places of worship, movie theaters, stadiums,	One space for each four seats in the largest assembly room.	One space for each two seats in the largest assembly room.



Attachment(s): Community Planning Information Meeting (CPIM) Summary Minutes



CITY OF STONECREST, GEORGIA

Community Planning Information Meeting (CPIM)

Summary Minutes

February 13, 2025, at 6:00 P.M.

Planning-zoning@stonecrestga.gov

***IN-PERSON MEETING**

[Stonecrest's YouTube Broadcast Link](#)

Citizens wishing to actively participate and comment during the public hearing portion of the meeting may comment in person. You may also submit your request including your full name, address, and position on the agenda item you are commenting on (for or against) via email to Planning-zoning@stonecrestga.gov by 2 p.m. the day before the meeting to be read into the record at the meeting.

- I. CALL TO ORDER AND INTRODUCTIONS:** Deputy Director Ellis Still, Senior Planner Ramona Eversley, Planner Felleshia Blair, Zoning Administrative Technician Abeykoon Abeykoon, and Cobi Brown, Planning Administrative Technician were in attendance.

The meeting was called to order at 6:00 p.m.

- II. REVIEW OF THE PURPOSE AND INTENT OF THE COMMUNITY PLANNING INFORMATION MEETING AND RULES OF CONDUCT – Ramona Eversley**

- III. Item(s) of Discussion:**

PETITION: RZ24-005
PETITIONER: Michele Battle of Battle Law, P.C.
LOCATION: 1810 Coffee Rd
PETITIONER'S REQUEST: The request is for a rezoning and map amendment of the parcel from M-2 (Heavy Industrial) to M (Light Industrial).

Jordan Battle of Battle Law, P.C. came up to speak. It was stated that the rezoning is for the consolidation of two adjacent parcels for the development of a paved truck storage lot. The location is behind the existing PepsiCo building.

Renee Kale a resident asked about the type and amount of trucks that will be that will be parked in the storage area. She stated her concern for the surrounding residents.

Jordan Battle stated that they did not have a set time for the trucks to be parked in one of the twenty proposed spaces that deliver products for the company. It was also stated that the parcel is over 750 feet away from the nearby residential parcels.

PETITION: SLUP24-009
PETITIONER: Leatha Spivey of Peaches and Cream Academy, Inc
LOCATION: 3356 Panola Road
PETITIONER'S REQUEST: The petitioner is seeking a Special Land Use Permit (SLUP) to operate as a Type 2 Home Occupation for a child daycare business.

Thomas Dortch came up to speak for Ms. Spivey. He stated that the business has been in operation for three decades. Countless families have trusted her to take care of their children and many of the students have excelled in higher education as well as careers later in their lives. The academy has also contributed to the community by hosting back-to-school drives and other events. She has been in good standing with the State



CITY OF STONECREST, GEORGIA

regulations.

Carol Dortch mother of Thomas Dortch stated that Ms. Spivey has done well for many years and she has many testimonials to prove it. She also stated that there was confusion due to Ms. Spivey having an up-to-date state license.

PETITION:	SLUP25-001
PETITIONER:	Rufaro Moyo of Moyo Capital, Inc
LOCATION:	4989 Thompson Mill Road
PETITIONER'S REQUEST:	The petitioner is seeking a Special Land Use Permit (SLUP) to operate as a Type 2 Home Occupation for a personal care home business.

Rufaro Moyo the applicant came up to speak. The proposal will cater to those in the elderly community who are in need of assistance with day-to-day tasks. He stated that the parcel is in a good location considering that Thompsom Mill Rd has minimum traffic and the home is also near several shopping centers, pharmacies, and the hospital.

Samantha Verver a neighbor of the applicant stated that she is in support of the petition and that personal care homes are needed in the community.

Pam Alimanzi a resident also stated that she supports the petition. She has been a CNA for 20 years and from her experience in the industry knows that the proposed use is a need for the community.

IV. ADJOURNMENT The meeting was adjourned at 6:24 p.m.

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.

APPROVED: <i>Ellis Still</i>	_____
DEPUTY DIRECTOR, PLANNING & ZONING	2/17/2025 DATE
ATTEST: <i>Cobi Brown</i>	02/17/2025
SECRETARY	DATE