

**STATE OF GEORGIA**

**CITY OF STONECREST**

**ORDINANCE NO. \_\_\_\_ - \_\_\_\_\_**

**AN ORDINANCE BY THE MAYOR AND CITY COUNCIL OF THE CITY OF STONECREST, GEORGIA TO DENY THE REZONING OF PROPERTY LOCATED AT 1810 COFFEE ROAD (PARCEL ID 16 132 02 002) FROM M-2 (HEAVY INDUSTRIAL) DISTRICT TO M (LIGHT INDUSTRIAL) DISTRICT; TO PROVIDE SEVERABILITY; TO PROVIDE FOR REPEAL OF CONFLICTING ORDINANCES; TO PROVIDE FOR AN ADOPTION AND EFFECTIVE DATE; AND TO PROVIDE FOR OTHER LAWFUL PURPOSES.**

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

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

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

**WHEREAS**, a request to rezone property located at 1810 COFFEE ROAD (PARCEL ID 16 132 02 002) FROM M-2 (HEAVY INDUSTRIAL) DISTRICT TO M (LIGHT INDUSTRIAL) DISTRICT; and

**WHEREAS**, pursuant to Sec. Sec. 7.3.5. of the City’s Zoning Code proposed amendments to the official zoning map shall require an application and public hearings before the planning commission and the Mayor and City Council; and

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

**WHEREAS**, the Planning and Zoning Department recommends denial; and

**WHEREAS**, the matter was heard in the City's Community Planning Information Meeting pursuant to the provisions of the City's Zoning Procedures Law; and

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

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

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

**Section 1.** That RZ24-005, requesting to rezone the parcel from M-2 (HEAVY INDUSTRIAL) DISTRICT TO M (LIGHT INDUSTRIAL) DISTRICT to allow truck parking at 1810 Coffee Road is DENIED.

**Section 2.** The preamble of this Ordinance shall be considered to be and is hereby incorporated by reference as if fully set out herein.

**Section 3.** (a) It is hereby declared to be the intention of the Mayor and Council that all sections, paragraphs, sentences, clauses, and phrases of this Ordinance are or were, upon their enactment, believed by the Mayor and Council to be fully valid, enforceable and constitutional.

(b) It is hereby declared to be the intention of the Mayor and Council that, to the greatest extent allowed by law, each and every section, paragraph, sentence, clause or phrase of this Ordinance is severable from every other section, paragraph, sentence, clause or phrase of this Ordinance. It is hereby further declared to be the intention of the Mayor and Council that, to the greatest extent

allowed by law, no section, paragraph, sentence, clause, or phrase of this Ordinance is mutually dependent upon any other section, paragraph, sentence, clause, or phrase of this Ordinance.

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

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

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

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

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

**ORDAINED this \_\_\_\_\_ day of \_\_\_\_\_, 2025.**

**[SIGNATURES ON FOLLOWING PAGE]**

**CITY OF STONECREST, GEORGIA**

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**Jazzmin Cobble, Mayor**

**ATTEST:**

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**City Clerk**

**APPROVED AS TO FORM:**

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**City Attorney**

## **EXHIBIT A**



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## REZONING APPLICATION ANALYSIS

<b>Prepared By:</b>	Ramona Eversley, Senior Planner
<b>Petition Number:</b>	<b>RZ24-005</b>
<b>Applicant:</b>	Michele Battle of Battle Law, P.C. 1681 Wellborn Road Lithonia, GA 30058 <a href="mailto:mlb@battlelawpc.com">mlb@battlelawpc.com</a>  <b>FOR</b> GTB-GHA Coffee Road JV, LLC 50 Glenlake Parkway Suite 350 Atlanta, GA 30328
<b>Owner:</b>	GTB-GHA Coffee Road JV, 50 Glenlake Parkway Suite 250, Atlanta, GA 30328
<b>Project Location:</b>	1810 Coffee Road, Stonecrest, GA 30058 (Parcel ID # <b>16 132 02 002</b> )
<b>District:</b>	2- Councilman Terry Faye
<b>Acreage:</b>	1.42 acres
<b>Existing Zoning:</b>	M-2 (Heavy Industrial) District
<b>Future Land Use:</b>	Heavy Industrial (HIND)
<b>Overlay District:</b>	N/A
<b>Proposed Development/Request:</b>	The applicant is seeking a rezoning and map amendment of 1.42 acres from M-2 (Heavy Industrial) district to M (Light Industrial) district to allow truck parking.
<b>CPIM:</b>	February 13, 2025
<b>Planning Commission (PC):</b>	March 4, 2025
<b>Mayor &amp; City Council:</b>	March 24, 2025
<b>Sign Posted/ Legal Ad(s) submitted:</b>	January 30, 2025
<b>Staff Recommendations:</b>	<b>DENIAL</b>
<b>PC Recommendation:</b>	<b>FULL CYCLE DEFERRAL</b>

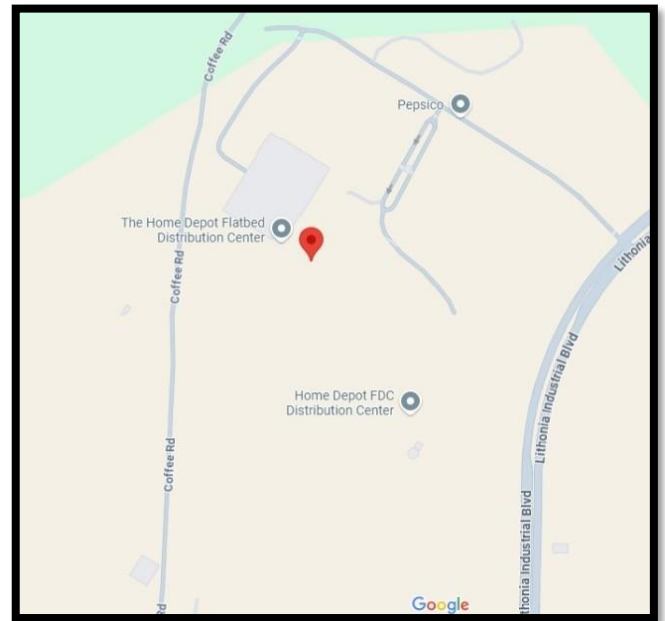
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## PROJECT OVERVIEW

### Location

The subject property is located at 1810 Coffee Rd with a parcel identification of 16 132 02 002. The subject property is currently vacant, based on the submitted site plan dated December 3, 2024, entitled 1810 Coffee – Boundary.

The subject 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 property zoned M-2 (Heavy Industrial) District. The property is 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) from M-2 (Heavy Industrial) to M-1 (Light Industrial).



RZ24-000005

<b>Adjacent and Surrounding Properties</b>	<b>Zoning (Petition Number)</b>	<b>Land Use</b>
<b>Applicant</b>	<b>M-2 (Heavy Industrial) District</b>	<b>Vacant Land</b>
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 32. M-2 (HEAVY INDUSTRIAL) DISTRICT***

**Sec. 2.32.1. Statement of purpose and intent.**

The purpose and intent of the City Council in establishing the M-2 (Heavy Industrial) District is as follows:

- A. To provide areas for manufacturing, warehousing and distribution facilities at locations so designated in the comprehensive plan;
- B. To provide for a location for intense industrial uses that do not require and may not be appropriate for a nuisance free environment;
- C. To provide for a location that allows nuisances such as noise, vibration and other impacts which cannot be contained on-site;
- D. To ensure that all businesses located within the M-2 (Heavy 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-2 (Heavy Industrial) District is contained within the boundaries of said district and does not create noise problems for adjoining residential, office or commercial districts;
- E. To ensure that industrial districts are so located that transportation access to thoroughfares and freeways is available;
- F. To implement the future development map of the city's most current comprehensive plan.

(Ord. of 8-2-2017, § 1(2.32.1))



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## **Sec. 2.32.2. Permitted and special land uses.**

Permitted uses and uses requiring special land use permits shall be as provided below. In cases where a use is permitted but there are supplemental use regulations for that use specified in article 4 of this chapter, such regulations shall also apply and must be complied with.

- A. Permitted Uses. The following uses are permitted as of right under this Code:
1. Agricultural Activities.
    - a. Dairy.
    - b. Livestock sales pavilion; see section 4.2.
    - c. Sawmill; temporary or portable.
    - d. Urban Community Garden, up to 5 acres; see section 4.2.
  2. Institutional/Public.
    - a. Government facilities.
    - b. Places of worship; see section 4.2.
  3. Commercial.
    - a. Animal hospital, veterinary clinic; see section 4.2.
    - b. Animal shelter/rescue center; see section 4.2.
    - c. Automobile brokerage; see section 4.2.
    - d. Automobile recovery and storage.
    - e. Automobile service station; see section 4.2.
    - f. Automobile or truck sales; see section 4.2.
    - g. Automobile upholstery shop.
    - h. Automobile repair, major; see section 4.2.
    - i. Automobile repair, minor; see section 4.2.
    - j. Building or construction office; see section 4.2.
    - k. Check cashing establishment, accessory; see section 4.2.
    - l. Contractor office, landscape; see section 4.2.
    - m. Dog day care; see section 4.2.
    - n. Dog grooming; see section 4.2.
    - o. Drive-in theater; see section 4.2.
    - p. Dry cleaning agencies, pressing establishments or laundry pick-up stations.
    - q. Fairground or amusement park; see section 4.2.
    - r. Farmer's market, permanent; see section 4.2.
    - s. Fitness center.
    - t. Fuel dealers or wholesalers.
    - u. Heliport; see section 4.2.

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- v. Kennel, breeding.
  - w. Kennel, commercial.
  - x. Medical or dental laboratories.
  - y. Landscape business.
  - z. Mini-warehouse; see section 4.2.
  - aa. Outdoor storage, commercial; see section 4.2.
  - bb. Printing or publishing establishments.
  - cc. Retail, 5,000 sf or less (with the exception of small box discount stores).
  - dd. Service area, outdoor; see section 4.2.
  - ee. Sexually oriented businesses; see section 4.2.
  - ff. Taxi, ambulance or limousine service, dispatching or storage; see section 4.2.
  - gg. Taxi stand.
  - hh. Trade shops.
4. Industrial.
- a. Alternative energy production.
  - b. Brewery, Large scale.
  - c. Contractor, general.
  - d. Contractor heavy construction, outside storage.
  - e. Contractor, special trade.
  - f. Crematorium; see section 4.2.
  - g. Distillery, Large scale.
  - h. Fabricated metal manufacturing without EPD Permit Required (Light Manufacturing).
  - i. General aviation airport; see section 4.2.
  - j. Heavy equipment repair service or trade.
  - k. Industrial, heavy.
  - l. Industrial, light.
  - m. Intermodal freight terminal, bus or rail freight or passenger terminal, or truck terminal.
  - n. Manufacturing, heavy; see section 4.2.
  - o. Manufacturing, light.
  - p. Manufacturing operations not housed within a building; see section 4.2.
  - q. Mines or mining operations, quarries, asphalt plants, gravel pits or soil pits; see section 4.2.
  - r. Outdoor storage, industrial; see section 4.2.
  - s. Railroad car classification yards or team truck yards; see section 4.2.
  - t. Recovered materials facility wholly within a building; see section 4.2.
  - u. Recovered materials processing wholly within a building.

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- v. Recycling collection.
  - w. Recycling plant.
  - x. Research and testing facilities.
  - y. Salvage yard (junkyard); see section 4.2.
  - z. Storage yard, except vehicle; see section 4.2
  - aa. Storage yard for vehicles; see section 4.2.
  - bb. Towing or wreckage service; see section 4.2.
  - cc. Transportation equipment storage or maintenance (vehicle); see section 4.2.
  - dd. Truck stop.
  - ee. Truck terminal.
  - ff. Vehicle storage yard.
  - gg. Warehousing or storage.
5. Communications—Utility.
- a. Essential services.
  - b. Radio or television broadcasting studio.
  - c. Radio or television or broadcasting transmission facility.
  - d. Satellite television antenna; see section 4.2.
6. Wireless Telecommunications.
- a. Attached wireless telecommunication facility; see section 4.2.
  - b. Carrier on Wheels (declared emergency); see section 4.2.
- B. Special Administrative Uses. The following uses are permitted only with administrative approval:
- 1. Agricultural.
    - a. Urban, community garden, over 5 acres.
  - 2. Commercial.
    - a. Farmer's market, temporary/seasonal; see section 4.2.
    - b. Food Trucks, Mobile Vending/Food Carts; see section 4.2.
    - c. Temporary outdoor retail sales; see section 4.2.
    - d. Temporary outdoor sales; seasonal; see section 4.2.
    - e. Temporary outdoor sales or events, seasonal; see section 4.2.
    - f. Temporary produce stand; see section 4.2.
    - g. Temporary trailer, as home sales office or construction trailer; see section 4.2.
  - 3. Wireless Telecommunications.
    - a. Carrier on wheels (non-emergency or event, no more than 120 days); see section 4.2.
    - b. New support structure from 50 feet up to 199 feet; see section 4.2
    - c. Small cell installations (new support structures or collocation) on private property or ROW; see section 4.2

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C. Special Land Use Permit. The following uses are permitted only with a special land use permit:

1. Institutional/Public.
  - a. School, specialty; see section 4.2.
  - b. School, vocational; see section 4.2.
2. Commercial.
  - a. Bus or rail stations or terminals for passengers.
  - b. Fuel pumps; see section 4.2.
  - c. Nightclub or late night establishment; see section 4.2.
3. Industrial.
  - a. Fabricated metal manufacturing with EPD Permit Required (Heavy Manufacturing).

D. Permitted Accessory. The following uses are permitted as accessory only to a principal use:

1. Industrial.
  - a. Incidental retail sales of goods produced or processed on the premises.

(Ord. of 8-2-2017, § 1(2.32.2); Ord. No. 2022-06-01, § 2(Exh. A), 8-2-2022; Ord. No. 2024-02-04, § 1(Exh. A), 2-26-2024)

### **Sec. 2.32.3. Dimensional requirements.**

Dimensional requirements for the M-2 (Heavy Industrial) District shall be as provided in Table 2.24, Nonresidential Zoning Districts Dimensional Requirements.

(Ord. of 8-2-2017, § 1(2.32.3))

### **Sec. 2.32.4. Site and building design standards.**

Site and building design standards and regulations to be applied in this zoning district shall be as provided in article 5 of this chapter, site design and building form standards.

(Ord. of 8-2-2017, § 1(2.32.4))

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**Sec. 2.32.5. Reserved.**

Ord. No. 2022-06-01, § 2(Exh. A), adopted August 2, 2022, repealed § 2.32.5, which pertained to solid waste facility/landfill use provisions and derived from Ord. of August 2, 2017, § 1(2.32.5).

*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.

(Ord. of 8-2-2017, § 1(2.31.1))

**Sec. 2.31.2. Permitted and special land uses.**

Permitted uses and uses requiring special land use permits shall be as provided below. In cases where a use is permitted but there are supplemental use regulations for that use specified in article 4 of this chapter, such regulations shall also apply and must be complied with.

- A. Permitted Uses. The following uses are permitted as of right under this Code:
  - 1. Agricultural Activities.
    - a. Dairy.
    - b. Keeping of livestock.
    - c. Keeping of poultry/pigeons.
    - d. Sawmill; temporary or portable.
    - e. Urban Community Garden, up to 5 acres; see section 4.2.

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2. Institutional/Public.
    - a. Colleges, universities, research and training facilities.
    - b. Golf course or clubhouse, public or private; see section 4.2.
    - c. Government facilities.
    - d. Hospital or accessory ambulance service.
    - e. Places of worship; see section 4.2
    - f. Swimming pools, commercial; see section 4.2.
    - g. Tennis courts, swimming pools, play or recreation areas, community; see section 4.2.
  3. Commercial.
    - a. Adult daycare center, 7 or more; see section 4.2.
    - b. Alcohol outlet—package store, primary; see section 4.2.
    - c. Alcohol outlet—beer and/or wine store, beer growler, primary; see section 4.2.
    - d. Alcohol outlet—beer and wine, accessory to retail less than 12,000 sf (see also 4.1.3(F)); see section 4.2.
    - e. Ambulance service or emergency medical services, private.
    - f. Animal hospital, veterinary clinic; see section 4.2.
    - g. Animal shelter/rescue center; see section 4.2.
    - h. Automobile brokerage; see section 4.2.
    - i. Automobile recovery and storage.
    - j. Automobile service station; see section 4.2.
    - k. Automobile or truck rental or leasing facilities; see section 4.2.
    - l. Automobile or truck sales; see section 4.2.
    - m. Automobile upholstery shop.
    - n. Automobile wash/was service; see section 4.2.
    - o. Automobile repair, major; see section 4.2.
    - p. Automobile repair, minor; see section 4.2.
    - q. Banks, credit unions or other similar financial institutions.
    - r. Barber shop/beauty salon or similar establishments.
    - s. Brewery, craft (micro-brewery).
    - t. Brewpub/beer growler.
    - u. Building or construction office; see section 4.2.
    - v. Catering establishments.
    - w. Check cashing establishment, accessory; see section 4.2.
    - x. Check cashing establishment, primary; see section 4.2.
    - y. Child day care center (kindergarten), 7 or more.
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- z. Clinic, health services.
  - aa. Club, order or lodge, fraternal, non-commercial.
  - bb. Commercial greenhouse or plant nursery; see section 4.2.
  - cc. Contractor office, landscape; see section 4.2.
  - dd. Distillery (micro-distillery).
  - ee. Dog day care; see section 4.2.
  - ff. Dog grooming; see section 4.2.
  - gg. Drive-in theater; see section 4.2.
  - hh. Drive-through facilities; see section 4.2.
  - ii. Dry cleaning agencies, pressing establishments or laundry pick-up stations.
  - jj. Fairground or amusement park; see section 4.2.
  - kk. Farmer's market, permanent; see section 4.2.
  - ll. Fitness center.
  - mm. Fuel dealers or wholesalers.
  - nn. Heliport; see section 4.2.
  - oo. Kennel, breeding.
  - pp. Kennel, commercial.
  - qq. Kidney dialysis center.
  - rr. Medical or dental laboratories.
  - ss. Landscape business.
  - tt. Liquor store (see alcohol outlet); see section 4.2.
  - uu. Mini-warehouse; see section 4.2.
  - vv. Outdoor storage, commercial; see section 4.2.
  - ww. Parking, commercial lot; see section 4.2.
  - xx. Parking, commercial garage.
  - yy. Pawn shop, title loan; see section 4.2.
  - zz. Personal services establishment.
  - aaa. Printing or publishing establishments.
  - bbb. Recreational vehicle, boat and trailers sales and service.
  - ccc. Restaurants (non drive-thru).
  - ddd. Retail, 5,000 sf or less (with the exception of small box discount stores).
  - eee. Retail warehouses/wholesales providing sales of merchandise with no outdoor storage.
  - fff. Special events facility.
  - ggg. Taxi, ambulance or limousine service, dispatching or storage; see section 4.2.
  - hhh. Taxi stand.
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- iii. Trade shops.
4. Industrial.
- a. Alternative energy production.
  - b. Building materials or lumber supply establishment.
  - c. Contractor, general.
  - d. Contractor heavy construction, outside storage.
  - e. Contractor, special trade.
  - f. Crematorium; see section 4.2.
  - g. Fabricated metal manufacture without EPD permit required (Light manufacturing).
  - h. General aviation airport; see section 4.2.
  - i. Heavy equipment repair service or trade.
  - j. Industrial, light.
  - k. Manufacturing, light.
  - l. Outdoor storage, industrial; see section 4.2.
  - m. Railroad car classification yards or team truck yards; see section 4.2.
  - n. Recovered materials facility wholly within a building; see section 4.2.
  - o. Recovered materials processing wholly within a building.
  - p. Recycling collection.
  - q. Recycling plant.
  - r. Research and testing facilities.
  - s. Towing or wreckage service.
  - t. Transportation equipment storage or maintenance (vehicle); see section 4.2.
  - u. Truck stop.
  - v. Truck terminal.
  - w. Vehicle storage yard.
  - x. Warehousing or storage.
5. Communications—Utility.
- a. Essential services.
  - b. Radio or television broadcasting studio.
  - c. Radio or television or broadcasting transmission facility.
  - d. Satellite television antenna; see section 4.2.
6. Wireless Telecommunications.
- a. Attached wireless telecommunication facility; see section 4.2.
  - b. Carrier on Wheels (declared emergency); see section 4.2.
- B. Special Administrative Uses. The following uses are permitted only with administrative approval:
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1. Agricultural.
    - a. Urban, community garden, over 5 acres.
  2. Commercial.
    - a. Farmer's market, temporary/seasonal; see section 4.2.
    - b. Food Trucks, Mobile Vending/Food Carts; see section 4.2.
    - c. Temporary outdoor retail sales; see section 4.2.
    - d. Temporary outdoor sales; seasonal; see section 4.2.
    - e. Temporary outdoor sales or events, seasonal; see section 4.2.
    - f. Temporary produce stand; see section 4.2.
    - g. Temporary trailer, as home sales office or construction trailer; see section 4.2.
  3. Wireless Telecommunications.
    - a. Carrier on wheels (non-emergency or event, no more than 120 days); see section 4.2.
    - b. New support structure from 50 feet up to 199 feet; see section 4.2.
    - c. Small cell installations (new support structures or collocation) on private property or ROW; see section 4.2.
- C. Special Land Use Permit. The following uses are permitted only with a special land use permit:
1. Institutional/Public.
    - a. Cultural facilities.
    - b. School, specialty; see section 4.2.
    - c. School, vocational; see section 4.2.
  2. Commercial.
    - a. Bus or rail stations or terminals for passengers.
    - b. Fuel pumps; see section 4.2.
    - c. Nightclub or late night establishment; see section 4.2.
    - d. Recreation, outdoor; see section 4.2.
    - e. Restaurants with a drive-thru configuration; see section 4.2.
- D. Permitted Accessory. The following uses are permitted as accessory only to a principal use:
1. Commercial.
    - a. Fuel pumps, accessory to large scale retail within 1,000 feet of interstate highway interchange measured from ROW to property line; see section 4.2.
    - b. Service area, outdoor; see section 4.2.
  2. Industrial.
    - a. Incidental retail sales of goods produced or processed on the premises.

(Ord. of 8-2-2017, § 1(2.31.2); Ord. No. 2022-06-01, § 2(Exh. A), 8-2-2022; Ord. No. 2024-02-04, § 1(Exh. A), 2-26-2024)

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### **Sec. 2.31.3. Dimensional requirements.**

Dimensional requirements for the M (Light Industrial) District shall be as provided in Table 2.24, Nonresidential Zoning Districts Dimensional Requirements.

(Ord. of 8-2-2017, § 1(2.31.3))

### **Sec. 2.31.4. Site and building design standards.**

Site and building design standards and regulations to be applied in this zoning district shall be as provided in article 5 of this chapter, site design and building form standards.

(Ord. of 8-2-2017, § 1(2.31

### **Sec. 2.31.5. Multifamily use provisions for industrial conversion.**

A. The conversion of industrial buildings to residential use shall be permitted by a special land use permit. The following shall be considered:

1. Whether the building is located on the interior or periphery of an established industrial park or area;
2. Whether the building or area should no longer be used for industrial uses;
3. Adequate parking is provided in accordance with article 6 of this chapter, for multifamily or live- work.

(Ord. of 8-2-2017, § 1(2.31.5))

**Public Participation**

Property owners within 1,000 feet of the subject property were mailed notices of the proposed rezoning in January 2025. There was a Community Planning Information Meeting (CPIM) held on February 13, at 6:00 p.m. at city hall. There was 1 attendee that spoke on the request.

**RZ24-00005**

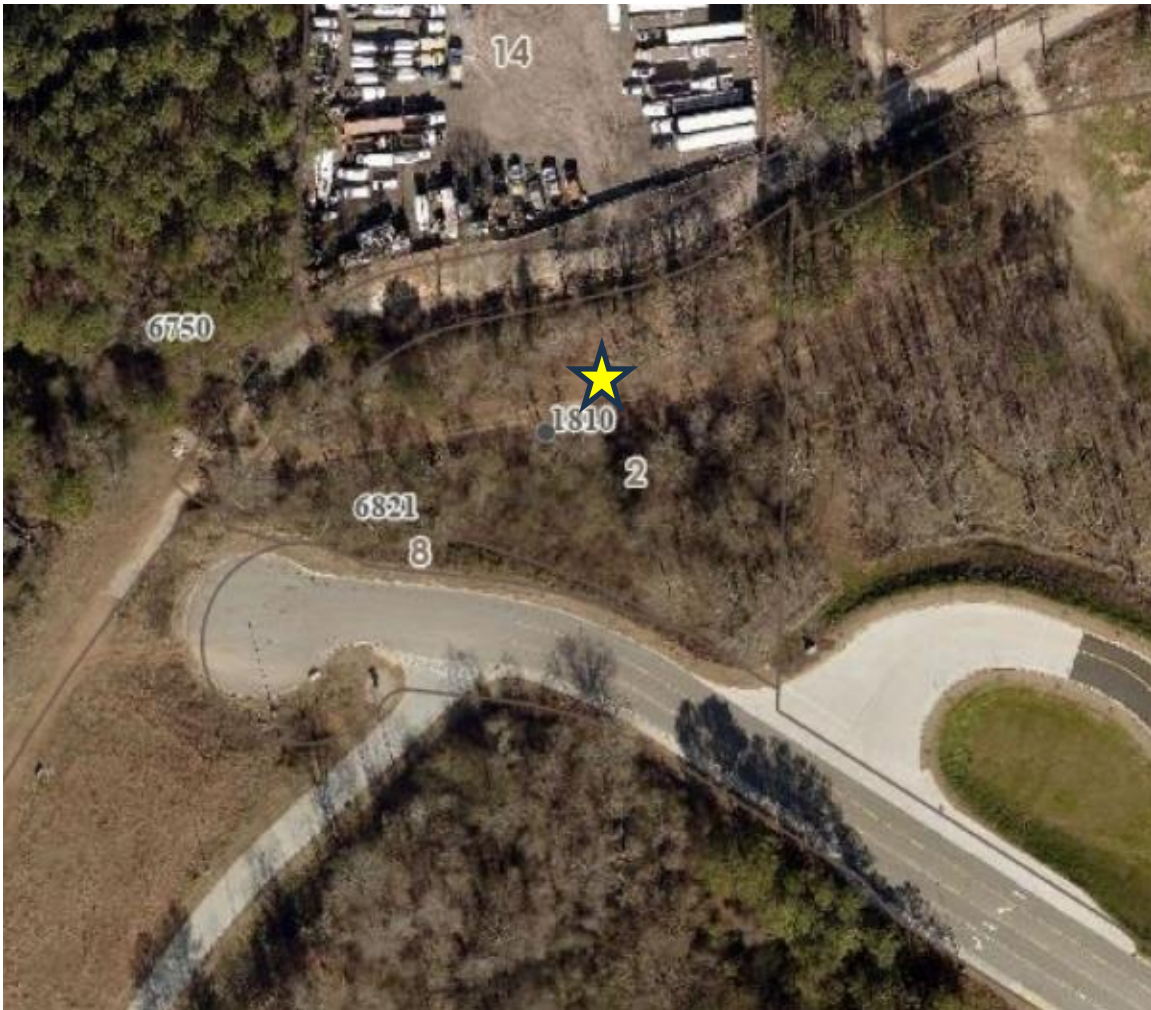
ADDRESS: **1810 Coffee Road**

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

OVERLAY DISTRICT: **N/A**

FUTURE LAND USE: **Heavy Industrial**

PROPOSED BUILDING LOCATION:



**REFERENCE: 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.

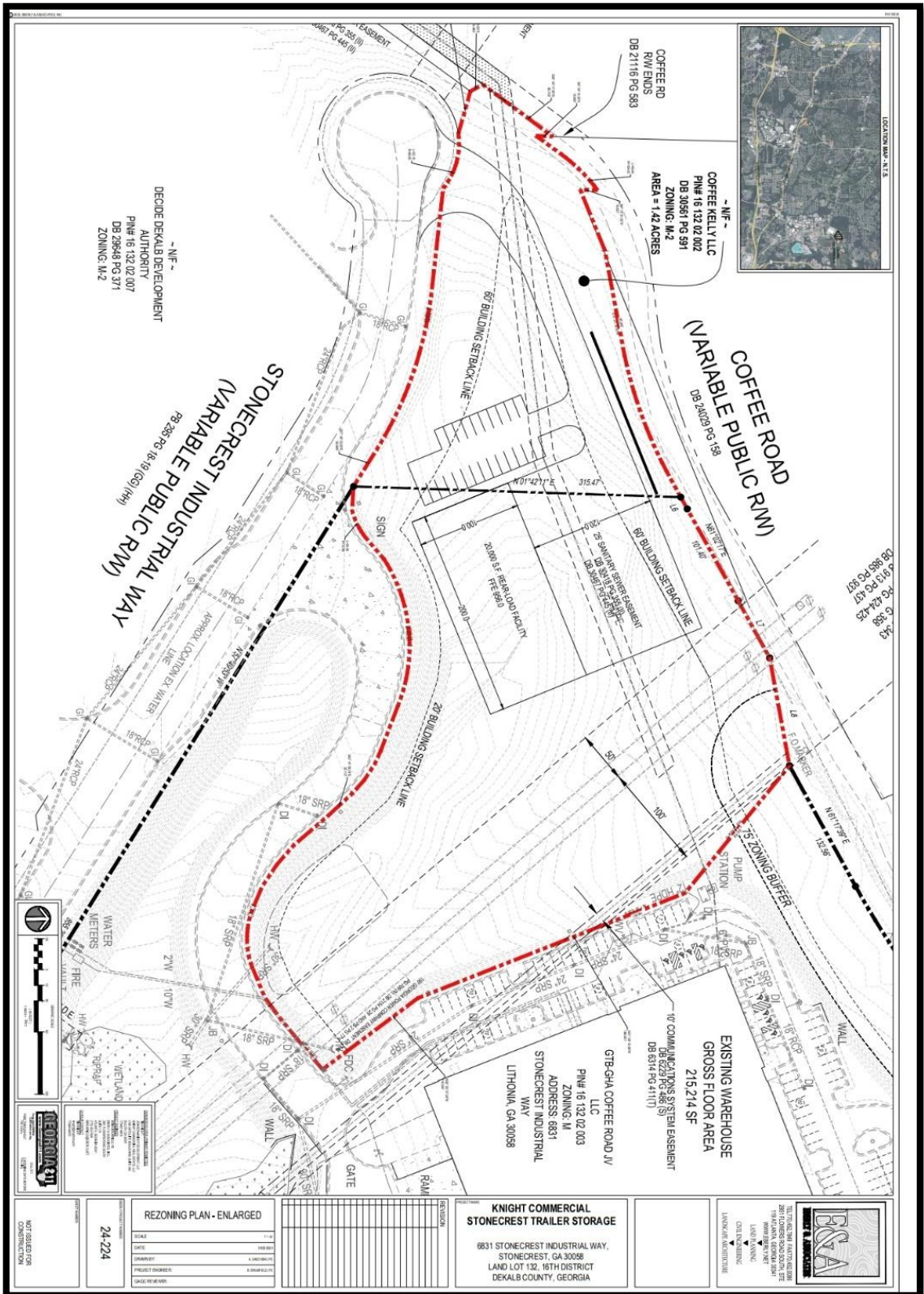
**Use Descriptions:** Warehouse Distribution; Wholesale/Trade; Automotive

**Maximum Density, Units/Acre:** n/a

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









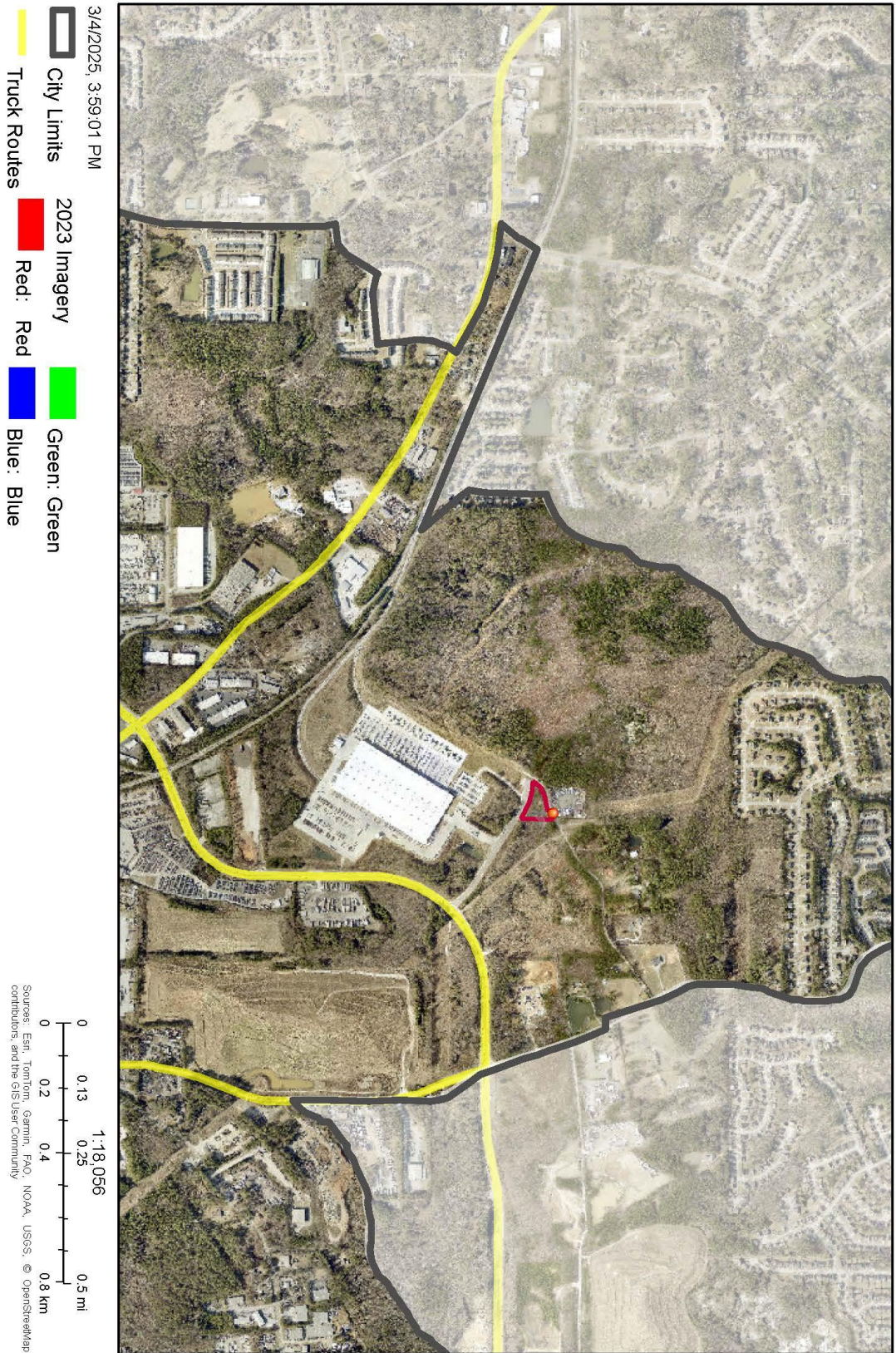








# 1810 Coffee Road and Truck Routes



Esri Community Maps Contributors, Stonecrest, Esri, TomTom, Garmin, SafeGraph, Geotechnologies, Inc., METI/MASA, USGS, EPA, NPS, US Census Bureau, USDA, USFWS

**TRIP GENERATION REPORT**



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
<b>TOTAL</b>		<b>1,939</b>	<b>110</b>	<b>88</b>	<b>198</b>	<b>94</b>	<b>147</b>	<b>241</b>

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
<b>Residential</b>				
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
<b>Retail</b>				
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
<b>Services</b>				
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
<b>Institutional</b>				
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
<b>Office</b>				
General Office	710	1000 sf	1.56	64 ksf
Medical Office	720	1000 sf	3.57	28 ksf
<b>Lodging</b>				
Hotel	310	Rooms	0.6	166 Rooms

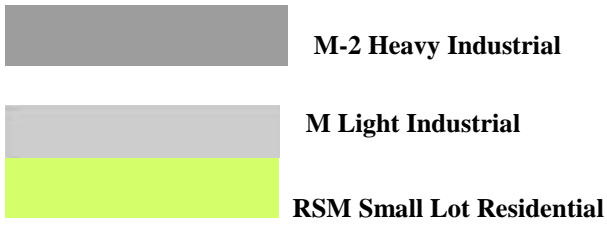




Zoning Map



**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.



## **CITY OF STONECREST, GEORGIA**

### **STAFF RECOMMENDATION**

Staff recommends **DENIAL** of this request due to the use not meeting the distance requirement from a residentially zoned property within 750 feet and not containing the minimum five (5) acres in size as set forth in TMOD23-001-*approved* August 28, 2023.

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

The Planning Commission recommends a **FULL CYCLE DEFERRAL** to include an updated application, site plan, and architectural drawings.





## **CITY OF STONECREST, GEORGIA**

### **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 Andco, Inc., ITS: Manager
Applicant's Signature:	<i>[Signature]</i> Lorraine Ferguson, Treasurer Date: 11-16-2025
NOTARY	
Sworn to and subscribed before me this 16 <sup>th</sup> Day of Jan 2025	
Notary Public:	<i>[Signature]</i> Polleen Wasukli
Signature:	<i>[Signature]</i> Polleen Wasukli Date: 11-16-2025





# Amendment Application

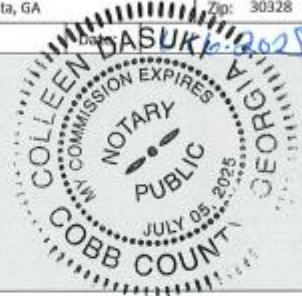
All applications and plans must be submitted through the Citizenserve Online Portal



### 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:	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>16<sup>th</sup></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:	



# CITY OF STONECREST, GEORGIA

## Amendment Application

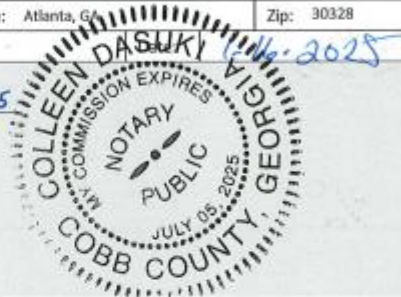
All applications and plans must be submitted through the [Citizenserve Online Portal](#)



### 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>16<sup>th</sup></u> day of <u>January</u> , 20 <u>25</u>			
Notary Public:	<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:	





# CITY OF STONECREST, GEORGIA

## 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

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

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

Date	Government Official & Position	Description	Amount



# CITY OF STONECREST, GEORGIA

## 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

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

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

Date	Government Official & Position	Description	Amount



## CITY OF STONECREST, GEORGIA



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## CITY OF STONECREST, GEORGIA

### *Community Planning Information Meeting (CPIM)*

#### *Summary Minutes*

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

[Planning-zoning@stonecrestga.gov](mailto: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](mailto: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.

<b>PETITION:</b>	SLUP25-001
<b>PETITIONER:</b>	Rufaro Moyo of Moyo Capital, Inc
<b>LOCATION:</b>	4989 Thompson Mill Road
<b>PETITIONER'S REQUEST:</b>	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