

**STATE OF GEORGIA**  
**CITY OF STONECREST**

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION BY THE MAYOR AND COUNCIL OF THE CITY OF STONECREST, GEORGIA TO APPROVE THE PRELIMINARY PLAT FOR CRESTWIND TOWNSHIP LOCATED AT 7259 HAYDEN QUARY ROAD STONECREST, GA 30038; AND FOR OTHER LAWFUL PURPOSES.**

**WHEREAS**, the governing body of the City of Stonecrest (“City”) is the Mayor and City Council (“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 City Council is authorized by O.C.G.A. § 36-35-3 to adopt ordinances relating to its property, affairs, and local government; and

**WHEREAS**, Section 14-88 within DIVISION 2 (PLAT APPROVAL PROCEDURE) Chapter 14 (LAND DEVELOPMENT) requires owners of the land or authorized agents where proposed development is to occur to file a preliminary plat with the Director of Community Development along with an application for approval; and

**WHEREAS**, preliminary plats and applications must contain required information that include existing conditions and proposed features in accordance with Section 14-89; and

**WHEREAS**, in accordance with Section 14-87 the Director of Community Development shall review the preliminary plat within 90 days of a complete application and preliminary plat; and

**WHEREAS**, the preliminary plat shall not be forwarded to the mayor and council until such time that the Director of Community Development certifies that preliminary plat complies with all city zoning, environmental, and subdivision ordinances and regulations and all applicable state and federal laws; and

**WHEREAS**, the City Council shall vote to approve, deny, or defer the preliminary plat based on its compliance with chapter 14 LAND DEVELOPMENT; and

**WHEREAS**, the Director of Community Development has properly reviewed analyzed the application and preliminary plat submitted for Crestwind Township; and

**WHEREAS**, the Director of Community Development certifies that the preliminary plat complies with all city zoning, environmental, and subdivision ordinances and regulations and all applicable state and federal laws; and

**WHEREAS**, the Director of Community Development presents to the City Council the preliminary plat for approval, denial, or deferment attached here as EXHIBIT A.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF STONECREST, GEORGIA, HEREBY RESOLVES**, that the Mayor, on behalf of the City, hereby approves the preliminary plat submitted for Crestwind Township for the development located at 7259 Hayden Quarry Road Stonecrest, GA 30038.

**BE IT FURTHER RESOLVED**, that the preliminary plat and supporting documentation are attached here as EXHIBIT A and shall be considered to be and is hereby incorporated as if fully set out herein.

**BE IT FURTHER RESOLVED**, that the Director of Community Development or her designee is authorized to submit a final plat for final approval and certification.

**BE IT FURTHER RESOLVED**, to the extent any portion of this Resolution is declared to be invalid, unenforceable, or nonbinding, that shall not affect the remaining portions of this Resolution.

**BE IT FURTHER RESOLVED**, all City resolutions are hereby repealed to the extent they are inconsistent with this Resolution.

**BE IT FINALLY RESOLVED**, this Resolution shall take effect immediately.

**SO RESOLVED AND EFFECTIVE** 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 BY:**

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**City Attorney**

## **EXHIBIT A**



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### Staff Analysis of Preliminary Plat

Case Number:	SDP 25-004
Applicant:	M. Chayce Bell
Owner:	RLS Crestview, LLC
Project Location:	7259 Hayden Quarry Road Stonecrest, GA 30038
Parcel(s):	16 171 02 005
City Council District:	Council District 1 Councilwoman Tammy Graves
Acreage:	24.22 +/- acres
Current Zoning:	C-1 – Local Commercial
Overlay District:	Stonecrest Overlay Tier 3
Proposed Zoning:	C-1 – Local Commercial
Future Land Use Area Designation:	Urban Neighborhood
Proposed Development/Request:	The applicant is requesting an approval of a Preliminary Plat for a 192 townhome development to be known as Crestwind Township.
Staff Recommendations:	<b>APPROVAL WITH COMMENTS/CONDITONS.</b>
City Council Recommendations:	<b>TBD</b>

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### CRESTVIEW POINTE PHASE I PRELIMINARY PLAT:

The applicant proposes to construct a 192-townhome development to be known as Crestwind Township. Located at 7259 Hayden Quarry Road, the parcel is currently zoned C-1 – Local Commercial with an Urban Neighborhood future land use designation in the Stonecrest Overlay -Tier 3.

The site is partially developed with a paved road and underground utilities installed, including stormwater, sewer and water lines. New underground utilities were installed, and portions of the existing pipes (stormwater and sewer) were installed to accommodate the proposed site layout.

This development shares inter-parcel access on Byrdhouse Farm Road with Crestview Pointe. The development will be subject to private covenants and by a mandatory homeowners' association. All owners and residents of property within the Crestview & Crestwind master development that are in good standing with the homeowner's association shall have access to the amenities and common areas. The homeowner's association will be responsible for maintaining the clubhouse & cabana, swimming pool, tot lot, soccer field, and walking trails.

### VICINITY MAP

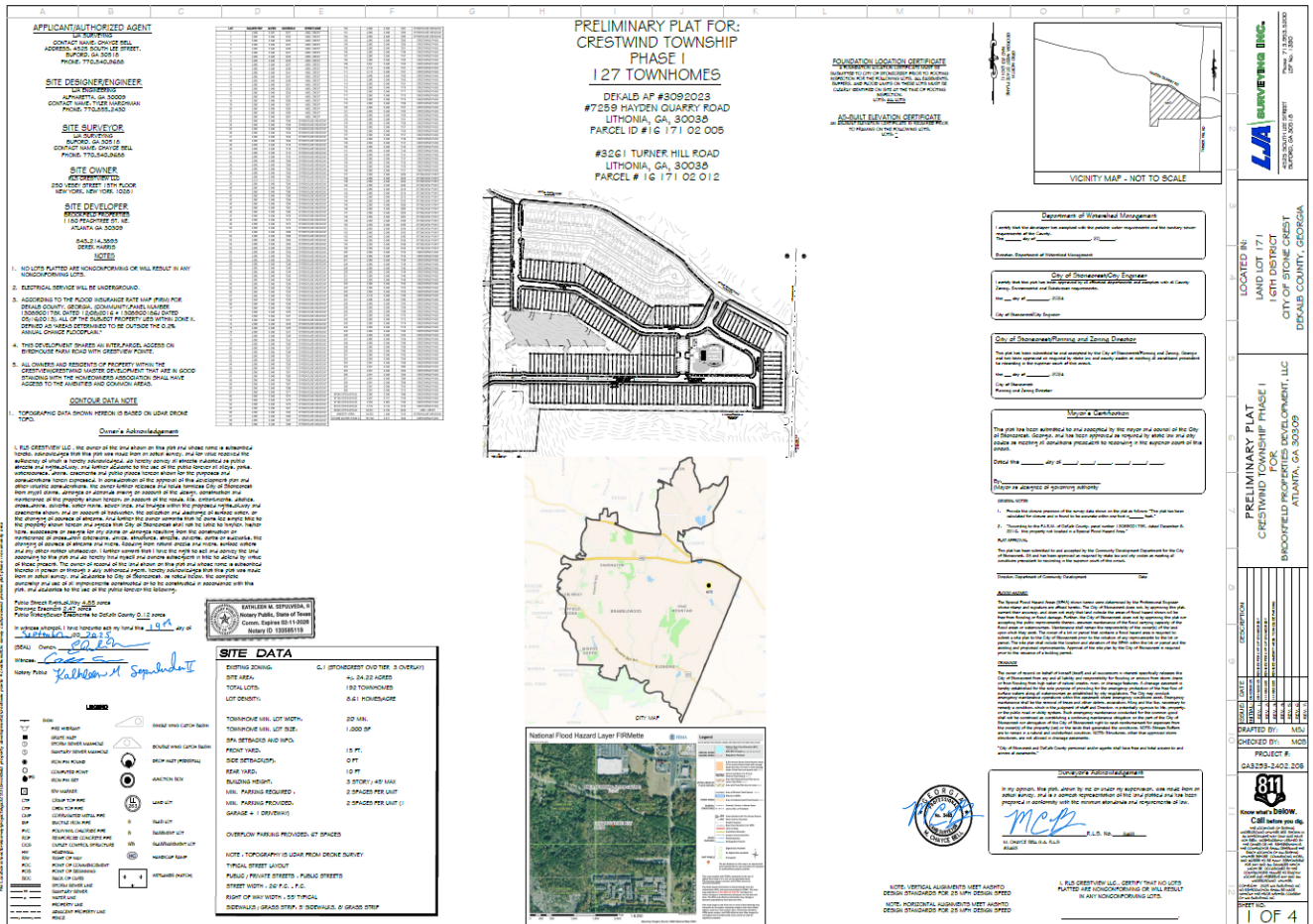


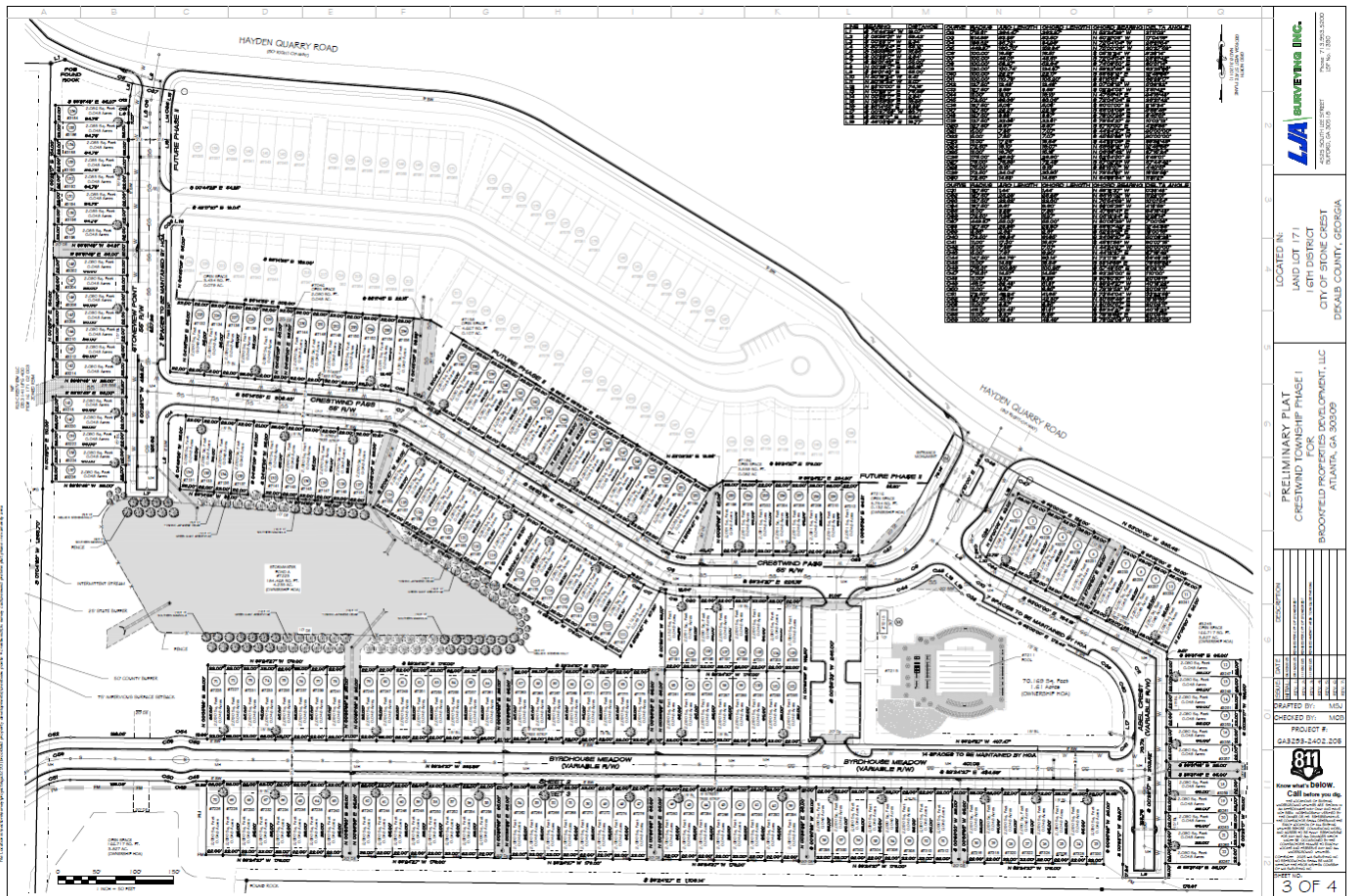


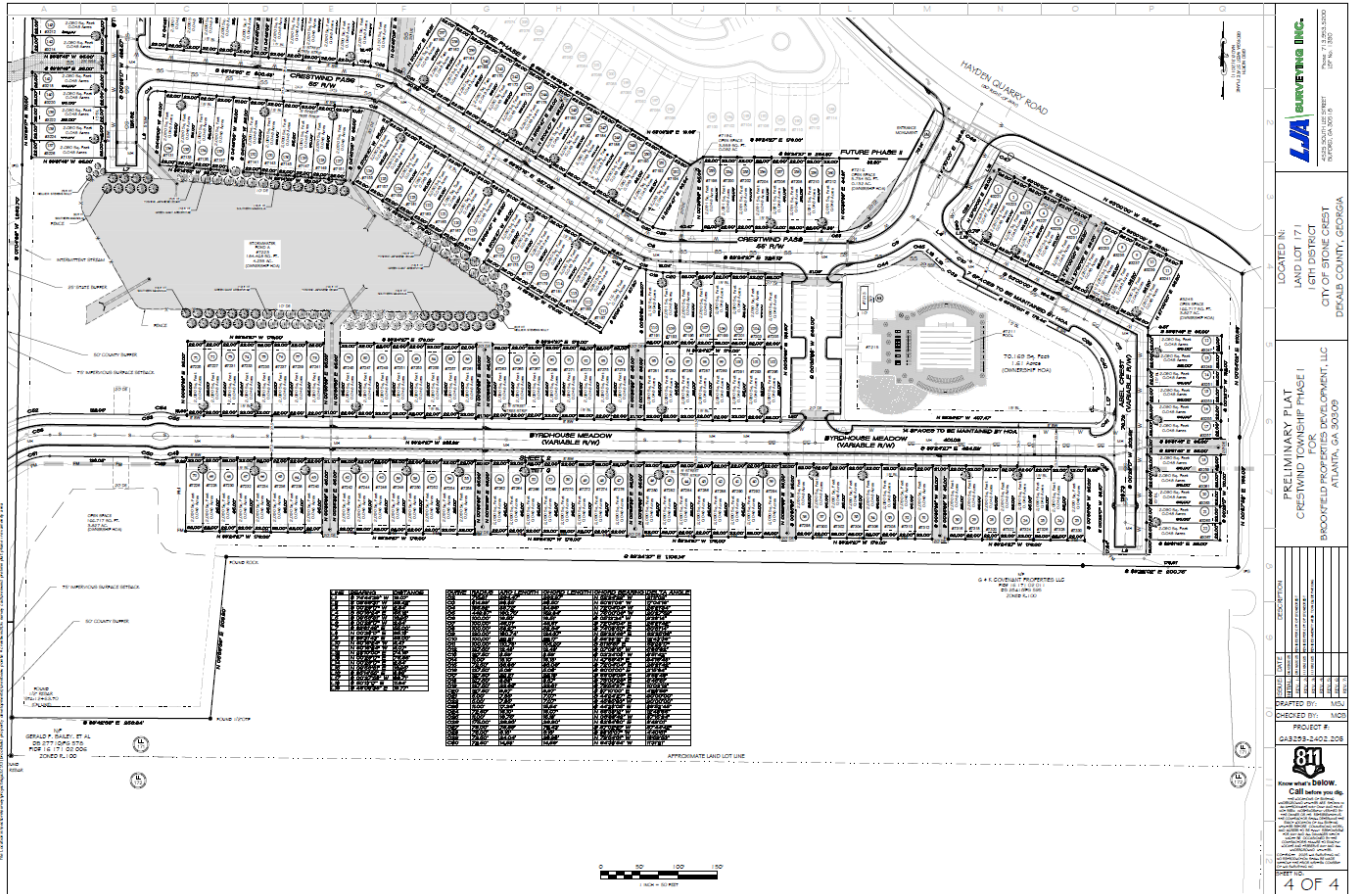
The subject property is predominantly surrounded by residentially zoned property that is mostly vacant. Detail site and architectural plans must be submitted to the Planning & Zoning Department for the Pre-Development Review Team and shall be in substantial conformity with the City of Stonecrest Development Standards.

ADJACENT ZONING AND LAND USE		
	Zoning	Zoning Land Use
Adjacent: North	R-100 (Residential Medium Lot District)	Single-family
Adjacent: East	R-100 (Residential Medium Lot District)	Single-Family (vacant)
Adjacent: South	R-100 (Residential Medium Lot District)	
Adjacent: West	RSM (Small Lot Residential Mix Density)	Single- Family (vacant)













Department of Planning and Zoning  
3120 Stonecrest Boulevard, Suite 190  
Stonecrest, Georgia 30038  
☎ : (770) 224-0200  
✉ : [stonecrestga.gov](mailto:stonecrestga.gov)

April 22, 2024

Battle Law PC on behalf of Parkland Communities, Inc.  
7199 Hayden Quarry Road  
Stonecrest, GA 30038

**RZ 23-002**

Applicant is seeking a major modification of the conditions of the subject property to change the conditions for case number Z-05-01.  
Zoning: RSM (Small Lot Residential Mix)  
Overlay District: Stonecrest Overlay District Tier 3  
Parcel Identification(s): 16 171 02 003 and 16 171 02 010  
Property Owner: Parkland Communities Inc.  
Council District :1 Councilperson Tara Graves

Dear Petitioner,

This letter is to confirm the revised City Council approved conditions for the above referenced request as a result of the public hearing held on July 31, 2023. The conditions are contained from the modification of zoning conditions of CZ-86187 and Z-05-01. Combined the modifications resulted in the attached conditions as RZ-23-002.

**APPROVED ZONING CONDITIONS FOR CZ-05-01 (August 23, 2005)**

**AS AMENDED Case # RZ 23-002 (July 31, 2023)**

7199 Hayden Quarry Road Stonecrest GA 30038

1. The maximum number of units shall be 129 single family detached units. (RZ 23-002 -7.31.23\*)
2. There shall be a mandatory homeowners association ("HOA") which shall own all of the common area located within the project. (Z-05-01 #2 original condition 8.23.05\*\*)
3. All units within the project shall be fee simple units. None of the lots will be marketed to investors as rental property, and the HOA Declaration of Restrictive Covenants shall provide that no more than 15% of the total lots within the subdivision shall be utilized for rental purposes, except for "hardship cases" as provided for in the Declaration. Z-05-01 (#3 original condition 8.23.05\*\*)
4. Each unit shall have the following:
  - a. Two car garages (#4b original condition 8.23.05- Amended condition- RZ 23-002 7.31.23\*)
  - b. Each single-family dwelling must have a patio pad in the backyard; (Z-05-01 #2 original condition 8.23.05. Amended RZ 23-002 7.31.23\*)
  - c. Sidewalks shall be located on both sides of the streets throughout the project; (Z-05-01 #4d original condition 8.23.05.\*\*)
  - d. The front facades shall vary such that two adjacent homes will not be the same: (Z-05-01#4e original condition 8.23.05\*)
  - e. Front facades shall be constructed of brick, stone, or stucco and up to forty percent (40%) Hardi-plank siding; and (Z-05-01 #4f original condition 8.23.05\*)

Planning and Zoning Department  
3120 Stonecrest Blvd. Stonecrest, Georgia 30038 ~ 770.224.0200 ~ [www.stonecrestga.gov](http://www.stonecrestga.gov)



- f. The side and rear facades of the units shall be constructed of brick, stone, stucco, or Hardi-plank siding. The use of vinyl siding shall be strictly prohibited. (*#Z-05-01 4g original condition 8.23.05\*\**)
5. The entrance to the project shall be a brick monument sign and shall be landscaped. (*Z-05-01 #4h original condition 8.23.05\*\**)
6. All detention facilities shall be shielded from view with evergreen trees and a minimum six (6) foot high fence, as provided in the (*DeKalb County*) City of Stonecrest Development Code. (*Z-05-01 4i original condition 8.23.05\*\**)
7. Sidewalks shall be placed along property frontage on Hayden Quarry Road (*Z-05-01 4j original condition 8.23.05\*\**)
8. Underground utilities shall be used throughout the property (*Z-05-01 4k original condition 8.23.05\*\**)
9. The Applicant has provided Staff with a copy of the as-built survey showing that all gas lines are located within the public right of way, with none being located onsite. The Applicant acknowledges that any work to be conducted within the right of way in connection with the tapping into the existing gas lines or other utilities lines within the public right of way, or with installing any required streetscapes shall be done as required by Georgia Natural Gas during any approved land disturbance activity. (*RZ-23-002 added condition 7.31.23\**)
10. The developer must install a 6ft powdered-coated aluminum fence along the Hayden Quarry right of way and rear of lots 126-128 and 118-121. (*RZ-23-002 added condition 7.31.23\**)
11. A playlot shall be installed between and/or adjacent to lots 119-120 of the proposed development. (*RZ-23-002 added condition 7.31.23\**)
12. There shall be a master HOA agreement between the Crestview Pointe\* and Crestwind Township^ communities for use of the following amenities: (*RZ-23-002 added condition 7.31.23.\*\**)
- a. 4,956 sq. ft. Junior Olympic Swimming no more than 5ft deep.
  - b. A cabana or clubhouse.
  - c. 8,866 sq. ft. pool decking area.
  - d. A Tot Lot adjacent to the pool.
  - e. A soccer field in the location shown as the Playfield on the submitted site plan; and
  - f. A mulched walking trail to be located on the subject property with identifying signage showing the entrance to and distance of the trail.

A copy of this modified letter from (*drafted August 2, 2023*) shall be uploaded to the [Citizenserve Online Portal](https://www.citizenserve.com) along with your application for a building permit. Information related to this application may be found online using <https://www.citizenserve.com>.

Thank you in advance for your cooperation and please do not hesitate to contact our office with any questions.

Sincerely,

*Tre'Jon Singletary*

Tre'Jon Singletary  
Senior Planner  
(Amended on 4/19/24 by *SQ-Director Planning and Zoning*)

CC: Raymond White Sr. Director 8.2.23

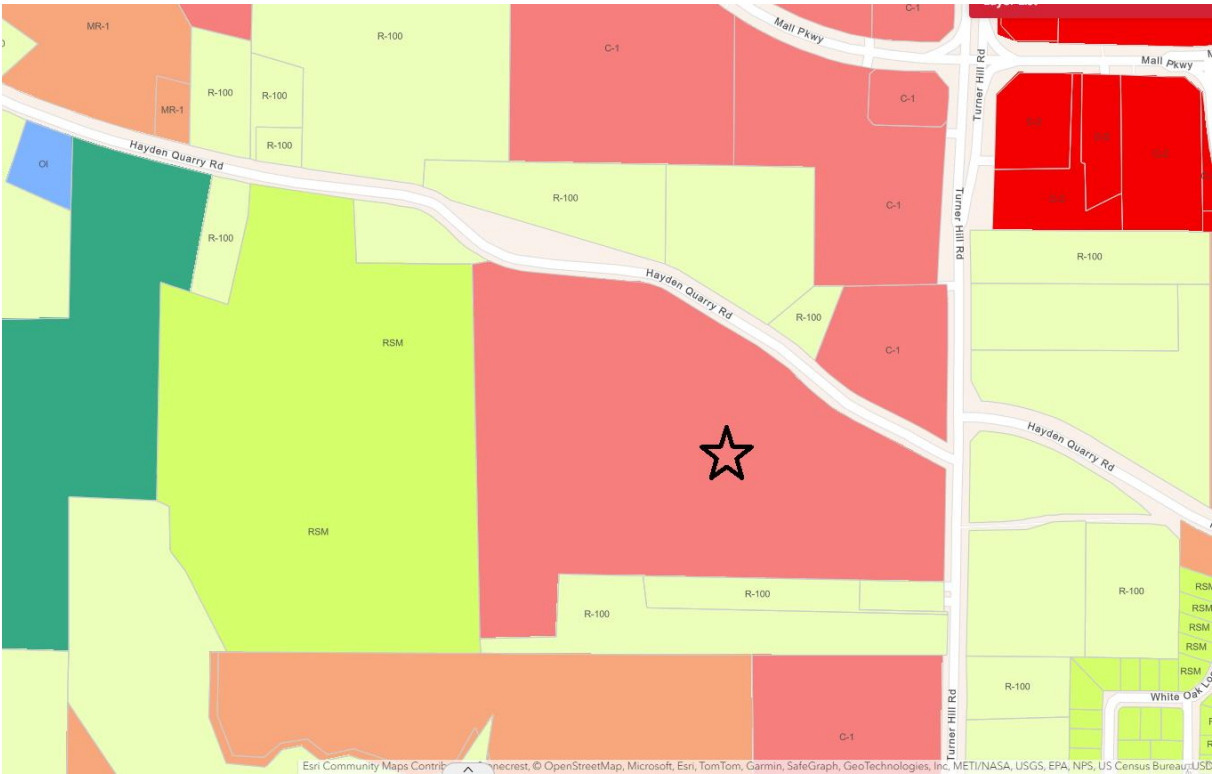
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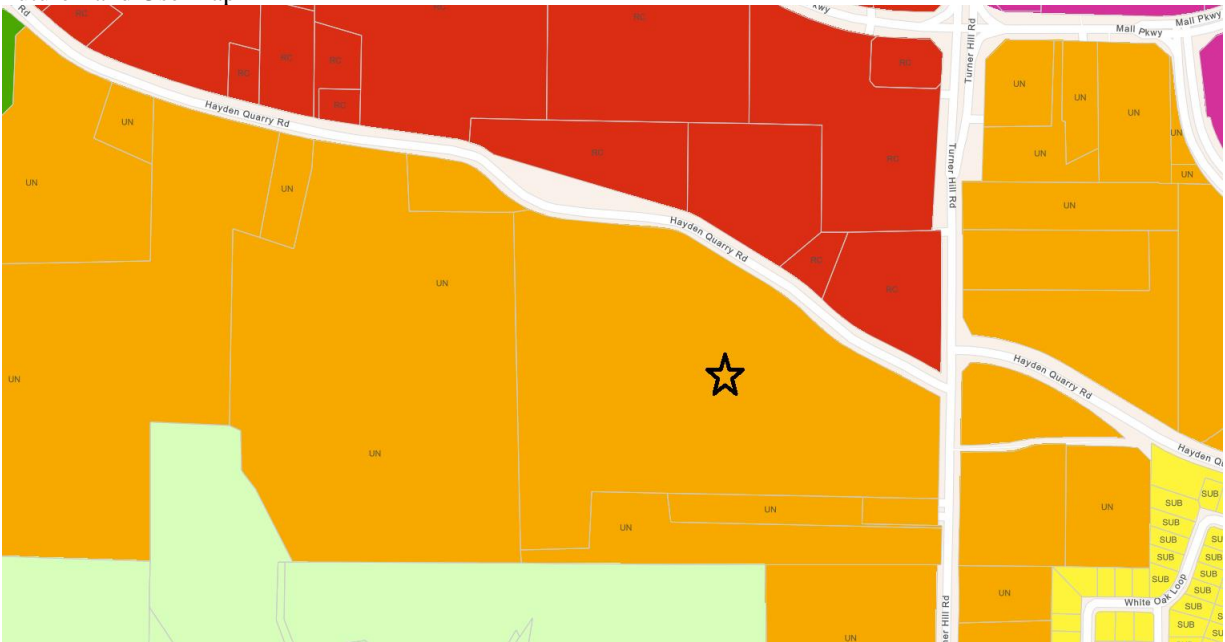




Zoning Map

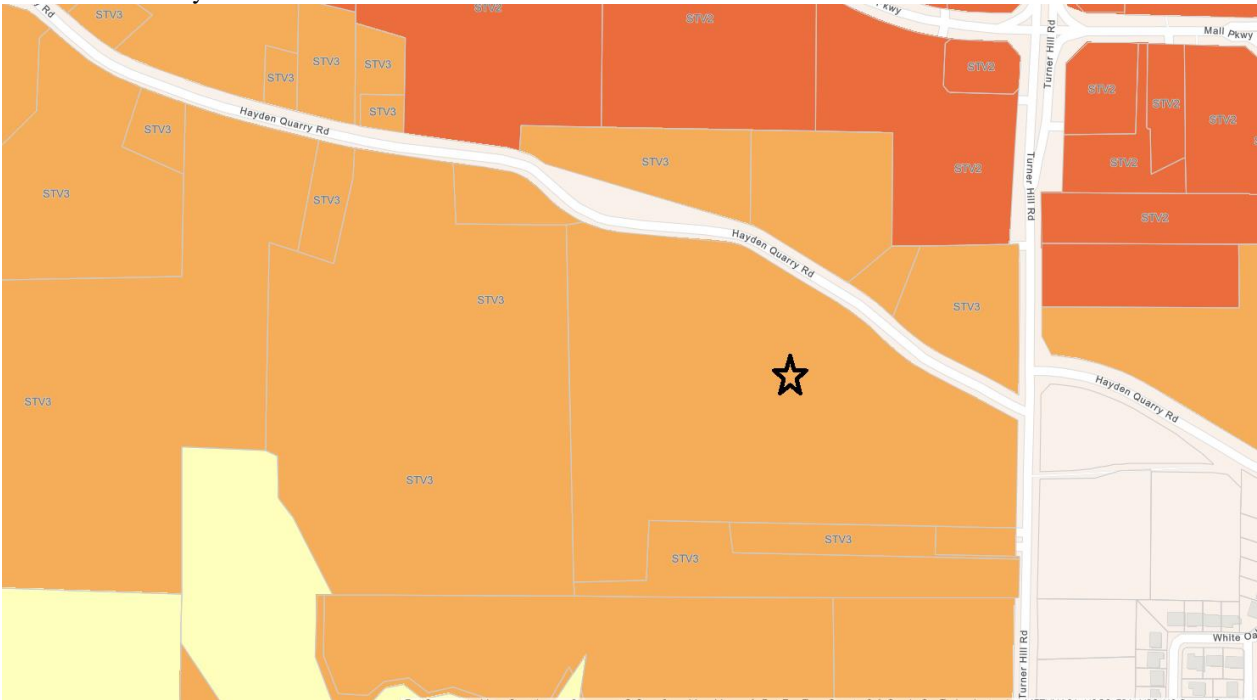


Future Land Use Map





Stonecrest Overlay





- CODE OF ORDINANCES  
Chapter 27 - ZONING ORDINANCE  
ARTICLE 2. - DISTRICT REGULATIONS  
DIVISION 26. C-1 (LOCAL COMMERCIAL) DISTRICT

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***DIVISION 26. C-1 (LOCAL COMMERCIAL) DISTRICT***

**Sec. 2.26.1. Statement of purpose and intent.**

The purpose and intent of the City Council in establishing the C-1 (Local Commercial) District is as follows:

- A. To provide convenient local retail shopping and service areas within the city for all residents;
- B. To provide for quality control in development through materials and building placement;
- C. To ensure that the uses authorized within the C-1 (Local Commercial) District are those uses which are designed to serve the convenience shopping and service needs of groups of neighborhoods;
- D. To implement the future development map of the city's comprehensive plan.

(Ord. of 8-2-2017, § 1(2.26.1); Ord. No. 2021-06-03, § 1(Exh. A, § X), 8-23-2021)

**Sec. 2.26.2. 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. Urban Community Garden, up to 5 acres; see section 4.2.
  - 2. Residential.
    - a. Bed and breakfast establishment; see section 4.2.
    - b. Child care facility, 6 or more.
    - c. Child care home, 5 or less; see section 4.2.
    - d. Child day care center.
    - e. Hotel/motel.
    - f. Live/work unit; see section 4.2.
    - g. Nursing care facility or hospice.
    - h. Personal care home, 6 or less; see section 4.2.
    - i. Personal care home, 7 or more; see section 4.2.
    - j. Shelter for homeless persons, 7—20; see section 4.2.
    - k. Transitional housing facilities, 7—20 persons; see section 4.2.
  - 3. Institutional/Public.
    - a. Club, order or lodge, fraternal, non-commercial.

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- b. Coliseum or stadium/not associated with church or school; see section 4.2.
  - c. Colleges, universities, research and training facilities.
  - d. Funeral home, mortuary.
  - e. Government facilities.
  - f. Library or museum.
  - g. Places of worship; see section 4.2.
  - h. School, private kindergarten, elementary, middle or high schools; see section 4.2.
  - i. School, public kindergarten, elementary, middle or high schools.
  - j. School, specialty; see section 4.2.
  - k. School, vocational; see section 4.2.
  - l. Swimming pools, commercial; see section 4.2.
  - m. Tennis courts, swimming pools, play or recreation areas, community; see section 4.2.
4. Commercial.
- a. Adult daycare center, 7 or more; see section 4.2.
  - b. Adult daycare facility, up to 6; see section 4.2.
  - c. Ambulance service or emergency medical services, private.
  - d. Animal hospital, veterinary clinic; see section 4.2.
  - e. Art gallery.
  - f. Automobile brokerage; see section 4.2.
  - g. Automobile or truck rental or leasing facilities; see section 4.2.
  - h. Automobile or truck sales; see section 4.2.
  - i. Automobile wash/wax service; see section 4.2.
  - j. Automobile repair, minor; see section 4.2.
  - k. Banks, credit unions or other similar financial institutions.
  - l. Barber shop/beauty salon or similar establishments.
  - m. Brewpub/beer growler.
  - n. Building or construction office; see section 4.2.
  - o. Catering establishments.
  - p. Check cashing establishment, accessory; see section 4.2.
  - q. Child day care facility, up to 6; see section 4.2.
  - r. Child day care center (kindergarten), 7 or more.
  - s. Clinic, health services.
  - t. Coin laundry.
  - u. Commercial greenhouse or plant nursery; see section 4.2.

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- v. Dog day care; see section 4.2.
  - w. Dog grooming; see section 4.2.
  - x. Drive-through facilities; see section 4.2.
  - y. Dry cleaning agencies, pressing establishments or laundry pick-up stations.
  - z. Farmer's market, permanent; see section 4.2.
  - aa. Fitness center.
  - bb. Kennel, commercial.
  - cc. Kidney dialysis center.
  - dd. Medical or dental laboratories.
  - ee. Landscape business.
  - ff. Mini-warehouse; see section 4.2.
  - gg. Office, medical.
  - hh. Office, professional.
  - ii. Parking, commercial lot; see section 4.2.
  - jj. Parking, commercial garage.
  - kk. Personal services establishment.
  - ll. Recreation, indoor.
  - mm. Recreational vehicle, boat and trailer sales and service.
  - nn. Restaurants (accessory to hotel/motel).
  - oo. Restaurants (non drive-thru).
  - pp. Retail, 5,000 sf or less (with the exception of small box discount stores).
  - qq. Retail, over 5,000 sf (with the exception of small box discount stores, see also shopping center).
  - rr. Retail warehouses/wholesales providing sales of merchandise with no outdoor storage.
  - ss. Shopping center.
  - tt. Special events facility.
  - uu. Taxi stand.
  - vv. Theaters with live performance, assembly or concert halls, or similar entertainment within enclosed building.
  - ww. Trade shops.
- 5. Communications—Utility.
    - a. Essential services.
    - b. 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. Institutional/Public.
      - a. School, vocational; see section 4.2.
    - 3. 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.
    - 4. 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. Residential.
      - a. Hotel/motel, extended stay; see section 4.2.
      - b. Shelter for homeless persons for no more than 6 persons; see section 4.2.
    - 2. Institutional/Public.
      - a. Cultural facilities.
    - 3. Commercial.
      - a. Alcohol outlet—beer and/or wine store, beer growler, primary; see section 4.2.
      - b. Alcohol outlet—beer and wine, accessory to retail less than 12,000 sf; see section 4.2.
      - c. Alcohol outlet—package store, primary; see section 4.2.
      - d. Automobile service stations; see section 4.2.
      - e. Bus or rail stations or terminals for passengers.
      - f. Crematoriums; see section 4.2.
      - g. Fuel pumps; see section 4.2.
      - h. Heliport; see section 4.2.

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- i. Liquor store (see alcohol outlet); see section 4.2.
        - j. Nightclub or late night establishment; see section 4.2.
        - k. 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. Residential.
        - a. Accessory uses or structures.
        - b. Dormitory.
      - 2. 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. Kennel, breeding.
      - 3. Industrial.
        - a. Recycling collection.

(Ord. of 8-2-2017, § 1(2.26.2); Ord. No. 2022-06-01, § 2(Exh. A), 8-2-2022; Ord. No. 2024-02-04, § 1(Exh. A), 2-26-2024)

#### **Sec. 2.26.3. Dimensional requirements.**

Dimensional requirements for the C-1 (Local Commercial) District shall be as provided in Table 2.24, Nonresidential Zoning Districts Dimensional Requirements.

(Ord. of 8-2-2017, § 1(2.26.3))

#### **Sec. 2.26.4. 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(2.26.4))



- CODE OF ORDINANCES  
Chapter 27 - ZONING ORDINANCE  
ARTICLE 3. - OVERLAY DISTRICT REGULATIONS  
DIVISION 5. STONECREST AREA OVERLAY DISTRICT

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*DIVISION 5. STONECREST AREA OVERLAY DISTRICT*

**Sec. 3.5.1. Scope of regulations.**

This division establishes standards and procedures that apply to any development, use, alteration, height, density, parking, open space, and building on any lot or portion thereof which is in whole or in part contained within the boundaries of the Stonecrest Area Overlay District.

(Ord. of 8-2-2017, § 1(3.5.1); Ord. No. 2019-11-001, § 1, 11-25-2019; Ord. No. 2019-11-03, § 1, 11-25-2019)

**Sec. 3.5.2. Applicability of regulations.**

This division applies to each application for a permit for the development, use, alteration, or modification of any structure where the subject property is in whole or in part contained within the boundaries of the Stonecrest Area Overlay District. The procedures, standards, and criteria herein apply only to that portion of the subject property within the boundaries of the Stonecrest Area Overlay District. When the Stonecrest Area Overlay District and the underlying zoning conflict, the Stonecrest Area Overlay District regulations control absent explicit language to the contrary.

(Ord. of 8-2-2017, § 1(3.5.2); Ord. No. 2019-11-001, § 1, 11-25-2019; Ord. No. 2019-11-03, § 1, 11-25-2019)

**Sec. 3.5.3. Statement of purpose and intent.**

The purpose and intent of the city council in establishing the Stonecrest Area Compatible Use Zone Overlay District is as follows:

- A. To preserve, protect and enhance existing and proposed open space networks that are adjacent to or within the Stonecrest Area;
- B. To enhance the long term economic viability of this portion of City of Stonecrest by encouraging new commercial and residential developments that increase the tax base and provide jobs to the citizens of City of Stonecrest;
- C. To implement the policies and objectives of the comprehensive plan and the policies and objectives of the design guidelines for the Stonecrest Overlay District;
- D. To establish and maintain a balanced relationship between industrial, commercial, and residential growth to ensure a stable and healthy tax base in City of Stonecrest;
- E. To provide a balanced distribution of regional and community commercial and mixed-use office centers;
- F. To support high density housing in office and mixed-use centers which have the appropriate location, access, and infrastructure to accommodate it;
- G. To encourage mixed-use developments that meet the goals and objectives of the Atlanta regional commission's smart growth and livable centers initiatives;

- H. To allow flexibility in development standards in order to encourage the design of innovative development projects that set high standards for landscaping, greenspace, urban design, and public amenities;
- I. To encourage an efficient land use and development plan by forming a live-work-play environment that offers employees and residents the opportunity to fulfill their daily activities with minimal use of single-occupant automobiles;
- J. To allow and encourage development densities and land use intensities that are capable of making productive use of alternative transportation modes such as bus transit, rail transit, ridesharing, bicycling and walking;
- K. To focus and encourage formation of a well-designed, pedestrian-friendly activity centers with high-density commercial and residential development that increases vitality and choices in living environments for the citizens of the City of Stonecrest;
- L. To protect established residential areas from encroachment of uses which are either incompatible or unduly cause adverse impacts on such communities;
- M. To protect the health, safety and welfare of the citizens of the City of Stonecrest;
- N. To promote uniform and visually aesthetic architectural features which serve to unify the distinctive visual quality of the Stonecrest Area Overlay District.

(Ord. of 8-2-2017, § 1(3.5.3); Ord. No. 2019-11-001, § 1, 11-25-2019; Ord. No. 2019-11-03, § 1, 11-25-2019)

#### **Sec. 3.5.4. District boundaries.**

- A. The boundaries of the Stonecrest Area Overlay District composed of Tiers I, II, III, IV, V, and VI described in the subparagraph B below, shall be depicted on the official zoning maps entitled "Official Zoning Map, Stonecrest, Georgia, Stonecrest Area Overlay District" (the "Stonecrest Overlay Maps"). The Stonecrest Overlay Maps are to be adopted contemporaneously with this chapter, together with all explanatory information contained or referenced thereon, is hereby adopted by reference and declared to be a part of this chapter.
- B. The Stonecrest Area Overlay District shall be divided into five [six] development tiers as follows:
  - 1. Tier I: High-Rise Mixed-Use Zone;
  - 2. Tier II: Mid-Rise Mixed-Use Zone;
  - 3. Tier III: Low-Rise Mixed-Use Zone;
  - 4. Tier IV: Transitional Mixed-Use Zone;
  - 5. Tier V: Cluster/Village Mixed-Use Zone ; and
  - 6. Tier VI: Viewshed Zone

The Stonecrest Overlay Maps shall be adopted contemporaneously with this chapter in digital format and contained on a compact disk to be maintained in its original, unedited and unaltered form by the clerk to the city council. A printed copy of the compact disk's contents depicting the Stonecrest Area Overlay maps on the date of its initial adoption shall also be maintained in its original, unedited and unaltered form by the clerk to the city council.

(Ord. of 8-2-2017, § 1(3.5.4); Ord. No. 2019-11-001, § 1, 11-25-2019; Ord. No. 2019-11-03, § 1, 11-25-2019)

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**Sec. 3.5.5. Open space.**

- A. *Open space:* Each lot may provide open space. Open space must be a minimum of 20 percent of the lot. To the extent possible, lands containing streams, lakes, 100-year floodplains, wetlands, slopes over 15 percent shall remain undisturbed and included in open space. Natural open space areas shall form an interconnected and continuous network of paths, greenways, and trails throughout the development within the Stonecrest Area Overlay District. Credit for open space areas may be transferred from one parcel to another within overall developments that remain under unified control of a single property owner or group of owners, but must demonstrate interconnectedness of public areas.
- B. *Maintenance and protection of public space:* Each applicant that chooses to provide for public space shall present as a part of the application for a building permit within the Stonecrest Area Overlay District a legal mechanism under which all land to be used for public space purposes shall be protected. Such legal mechanism may include deed restrictions, property owner associations, common areas held in common ownership or control, maintenance easements, or other legal mechanisms, provided that said legal mechanism shall be approved by the city attorney as assuring each of the following mandatory requirements:
1. That all subsequent property owners within said Stonecrest Area Overlay District be placed on notice of this development restriction through the deed records of DeKalb County Superior Court;
  2. That all public space held in common will be properly maintained and insured with no liability or maintenance responsibilities accruing to the city;
  3. That a legal mechanism exists for notice of deficiencies in maintenance of the public space held in common, correction of these deficiencies, and assessment and liens against the properties for the cost of the correction of these deficiencies by a third-party or the city;
  4. When an applicant for a Stonecrest Area Overlay District chooses to utilize a property owners association in order to comply with the requirements of subsection A above, the applicant, in addition to meeting all of said requirements, shall provide for all of the following:
    - a. Mandatory and automatic membership in the property owners association as a requirement of property ownership;
    - b. A fair and uniform method of assessment for dues, maintenance and related costs;
    - c. Where appropriate, party wall maintenance and restoration in the event of damage or destruction; and
    - d. Continued maintenance of public space held in common and liability through the use of liens or other means in the case of default.

(Ord. of 8-2-2017, § 1(3.5.5); Ord. No. 2019-11-001, § 1, 11-25-2019; Ord. No. 2019-11-03, § 1, 11-25-2019)

**Sec. 3.5.6. Greenspace requirements.**

- A. *Landscape strips:* Landscape strips not less than five feet in width must be provided along all side and rear property lines and on all public streets. The landscape strip along the public street must be a minimum of ten feet in width and must be planted with a row of street trees of at least three and one-half inches in caliper selected from the list of street trees species identified in the design guidelines for the Stonecrest Area Overlay District and planted not less than 75 feet on center. Continuous landscaped strips shall be constructed along public rights-of-way where surface parking lots are adjacent to such sidewalks or public right-of-way except at points of ingress or egress into the facility.



- B. *Ground cover.* Ground cover must also be provided in accordance with the design guidelines for the Stonecrest Area Overlay District in order to protect tree roots and to prevent erosion. Ground cover must consist of evergreen shrubs or groundcover plant material mulched with pine bark mulch, or other similar landscaping material.
- C. Newly planted trees must conform to the design guidelines for the Stonecrest Area Overlay District.
- D. No tree shall be planted closer than two feet from the street or sidewalk, and no closer than five feet from a fire hydrant, sign post, streetlight standard, utility pole, or similar structure.
- E. *Greenspace requirements for parking lots:*
  - 1. Greenspace areas are required in all parking lots and must comprise at least five percent of the total lot area of parking lot.
  - 2. In addition, all parking lots must include at least one tree for every 12 parking spaces provided. Tree planting areas may be included in the required greenspace area. Every three inches in caliper, as measured at a height of 36 inches above the ground level, of an existing tree shall count as one newly planted tree.
  - 3. Greenspace areas must be at least 36 square feet in area.
  - 4. All greenspace areas must be properly maintained in accordance with approved landscape plans. In the event that a tree or any plant material dies, it must be replaced within a reasonable time, so as to meet all requirements of this section and to allow for planting in the appropriate planting season.
  - 5. All trees planted pursuant to the requirements of Section 5.4.4 shall be counted for the purpose of meeting the tree planting and tree replacement requirements imposed by this chapter.

(Ord. of 8-2-2017, § 1(3.5.6); Ord. No. 2019-11-001, § 1, 11-25-2019; Ord. No. 2019-11-03, § 1, 11-25-2019)

#### **Sec. 3.5.7. Transitional buffer zone requirements.**

Any lot within the Stonecrest Area Overlay District, that is contiguous to any lot outside of the Stonecrest Area Overlay District zoned for a residential use, must maintain a 50 foot transitional buffer zone. The transitional buffer zone cannot contain any structures, impervious surfaces, or water retention ponds and cannot be used for permanent parking, loading, or storage. Trees may not be removed from the transitional buffer zone, other than dead, decayed, dying, or hazardous trees. Additional trees and plant material may be added to the transitional buffer zone.

(Ord. of 8-2-2017, § 1(3.5.7); Ord. No. 2019-11-001, § 1, 11-25-2019; Ord. No. 2019-11-03, § 1, 11-25-2019)

#### **Sec. 3.5.8. Street standards.**

Streets within the Stonecrest Area Overlay District may be either public or private streets. Private streets must comply with requirements of public streets found in chapter 14 and all other applicable sections of the City of Stonecrest Code, with the following exceptions:

- A. Streets in the Stonecrest Area Overlay District may be constructed with travel lanes at 11 feet in width, measured inside curb and gutter.
- B. Private or public alleys are permitted to provide secondary or service access within developments consisting of at least four buildings. An alley must provide a continuous connection between two streets. Alleys shall be paved and constructed to the same standards as the connecting streets except that:

1. No alley shall be longer than 400 feet;
2. No alley shall have a slope greater than seven percent;
3. The paved width of an alley must be at least 12 feet;
4. Alleys must be constructed with flush curbs;
5. Alleys must have seven-foot-wide unobstructed shoulders constructed of grass sod or gravel on both sides; and
6. Buildings must be set back at least ten feet from the back curb of an alley.

(Ord. of 8-2-2017, § 1(3.5.8); Ord. No. 2019-11-001, § 1, 11-25-2019; Ord. No. 2019-11-03, § 1, 11-25-2019)

#### **Sec. 3.5.9. Underground utilities.**

All utilities except for major electric transmission lines and substations are required to be placed underground except where the director of planning determines that underground utilities are not feasible due to pre-existing physical conditions, such as conflicting underground structures or utilities, shallow rock, high water table, or other similar geologic or hydrologic conditions.

(Ord. of 8-2-2017, § 1(3.5.9); Ord. No. 2019-11-001, § 1, 11-25-2019; Ord. No. 2019-11-03, § 1, 11-25-2019)

#### **Sec. 3.5.10. Streetlights.**

When necessary for the use and convenience of the occupants or users of a development, streetlights are required and shall conform to the design guidelines for the Stonecrest Area Overlay District.

(Ord. of 8-2-2017, § 1(3.5.10); Ord. No. 2019-11-001, § 1, 11-25-2019; Ord. No. 2019-11-03, § 1, 11-25-2019)

#### **Sec. 3.5.11. Interparcel access.**

To the maximum extent possible, sidewalks and parking lots serving adjacent lots shall be interconnected to provide continuous driveway connections and pedestrian connections between adjoining lots and streets, except that this requirement shall not apply to lots zoned for single family or duplex residential units.

(Ord. of 8-2-2017, § 1(3.5.11); Ord. No. 2019-11-001, § 1, 11-25-2019; Ord. No. 2019-11-03, § 1, 11-25-2019)

#### **Sec. 3.5.12. Multi-modal access plans required.**

Each new application for a development permit within the Stonecrest Area Overlay District must be accompanied by a multi-modal access plan prepared at a scale not greater than one-inch equals 100 feet. The multi-modal access plan must cover the full extent of the proposed development along with public rights-of-way of adjoining streets and any other property lying between the subject property and the nearest public streets on all sides. The purpose of the multi-modal access plan is to demonstrate a unified plan of continuous access to and between all buildings in the proposed development and adjacent properties. Connections to available transportation modes, such as driveways, sidewalks, and bike paths must be shown along adjacent streets and those entering adjoining properties. Safe and convenient pedestrian ways must be provided from sidewalks along streets to each building entrance, including pedestrian access routes across parking lots and between adjacent buildings within the same development. Where an existing or planned public transportation station or stop is within 1,250 feet (straight line distance) from any boundary of the subject property, the access plan must show how pedestrians may safely travel from such station or stop to the subject property. Where an existing or planned

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bike path is located within 1,500 feet of the subject property, the access plan must show how safe, continuous and convenient bicycle access shall be provided to the subject property.

(Ord. of 8-2-2017, § 1(3.5.12); Ord. No. 2019-11-001, § 1, 11-25-2019; Ord. No. 2019-11-03, § 1, 11-25-2019)

**Sec. 3.5.13. High-rise mixed-use zone (Tier I Zone).**

A. *Permitted principal uses and structures.* The principal uses of land and structures allowed in the Tier I: High-Rise Mixed-Use Zone of the Stonecrest Area Overlay District are as provided below:

1. All uses authorized in the C-1 and C-2 (General Commercial) District, O-I (Office Institutional) District, O-D (Office-Distribution) District, and HR-2 (High Density Residential) District except those listed in B., below.

B. *Prohibited uses.* The following principal uses of land and structures are prohibited in Tier I: High-Rise Mixed-Use Zone of the Stonecrest Area Overlay District:

1. Kennels.
2. Tire retreading and recapping.
3. Sexually oriented businesses.
4. Micro Home Community.
5. Outdoor amusement services facilities.
6. Outdoor storage.
7. Farm equipment and supplies sales establishment.
8. Repair, small household appliance.
9. Hotel/motel.
10. Automobile sales.
11. Flea Markets
12. Automobile title loan establishments.
13. Pawn shops.
14. Package stores, except package stores located in mixed-use buildings with at least three stories and one non-retail use, and the package store cannot exceed 25 percent of the total heated floor area of the building
15. Salvage yards.
16. Self-storage facilities. Except multi-story climate controlled self-storage facilities, with a minimum of three stories, located at least 1,500 feet from another self-storage facility subject to the following conditions:
  - a. No storage units can be accessible from interior corridors, no outside storage of any kind allowed, including vehicle leasing;
  - b. All buildings must contain fenestration or architectural treatments that appear like fenestration;
  - c. Storage units may not be used for commercial, residential or industrial uses.
17. Gasoline service stations.



18. Automobile repair and maintenance, major.
  19. Automobile and truck rental and leasing.
  20. Commercial parking lots.
  21. Automobile wash/wax service.
  22. Check cashing facility.
  23. Automobile emission testing facilities.
  24. Small box discount stores.
- C. *Accessory uses and structures.* The following accessory uses of land and structures are permitted in Tier I: High-Rise Mixed-Use Zone of the Stonecrest Area Overlay District:
1. Uses and structures which are customarily incidental and subordinate to the permitted principal uses and structures in this district.
  2. Parking lots and parking garages.
  3. Open space, clubhouse or pool amenity area.
  4. Signs, in accordance with the provisions of chapter 21 and this chapter.
- D. *Building setbacks.* Building setbacks are governed by the MU-3 regulations.
- E. *Height of buildings and structures.* A building or structure in Tier I may exceed the five-story height limit without the necessity of obtaining a special land use permit. A parking deck may exceed five stories in height; however, a parking deck cannot exceed ten stories in height either as a separate deck structure or as part of an office building.
- F. *Density.* No development in Tier I may exceed a FAR of three and one-half, unless it also provides additional public space or other amenities singly, or in combination as provided in subsection G below.
- G. *Bonus density:* In exchange for providing one or more of the amenities shown in Table 3.1 an applicant may receive a density bonus as provided in Table 3.1, not to exceed a total FAR of six (6.00).

**Table 3.1. Bonus FAR: Tier I**

Additional Amenity	Increased FAR
Increase public space to 25 percent while providing connectivity	0.75
Increase public space to 30 percent while providing connectivity	1.50
Mixed-use building that combines office-institutional with commercial retail uses. Each mixed-use building must include one principal use and at least one secondary use. No primary or secondary use can constitute less than ten percent of the gross floor area of the building.	0.25
Mixed-use building that includes multifamily residential units constituting at least 8 units per acre of land, and constructed in the same building with office, institutional, commercial or retail uses.	0.5

- H. *Required parking.* Required parking may be provided through a combination of off-street, on-street, or shared parking provided that all required parking must be located within 700 feet of the principal entrance of the buildings the parking is intended to serve. The minimum number of required parking spaces shall be as provided in article 6, except as follows:

1. Retail uses, personal service uses, and other commercial and general business uses, including food stores: Minimum of four spaces per 1,000 square feet of gross floor area.
  2. Office and clinic uses: Minimum of three spaces per 1,000 square feet of gross floor area.
  3. Hotel and motel uses: Minimum of one space per unit.
  4. Multifamily residential uses: Minimum of one and one-quarter spaces per dwelling unit.
- I. *Sidewalks.* Sidewalks must be provided on all public streets. Sidewalks must be at least five feet in width with the exception of sidewalks along streets and in front of proposed high-rise buildings which must be at least ten feet in width.

(Ord. of 8-2-2017, § 1(3.5.13); Ord. No. 2019-11-001, § 1, 11-25-2019; Ord. No. 2019-11-03, § 1, 11-25-2019; Ord. No. 2024-02-05, § 1(Exh. A), 2-26-2024)

**Sec. 3.5.14. Mid-rise mixed-use zone (Tier II Zone).**

- A. *Permitted principal uses and structures.* The principal uses of land and structures allowed in the Tier II: Mid-Rise Mixed-Use Zone of the Stonecrest Area Overlay District are as provided below:
1. All uses authorized in the C-1 and C-2 (General Commercial) District, O-I (Office Institutional) District, O-D (Office-Distribution) District, and HR-2 (High Density Residential) District except those listed in B., below.
- B. *Prohibited uses.* The following principal uses of land and structures are prohibited in Tier II: Mid-Rise Mixed-Use Zone of the Stonecrest Area Overlay District:
1. Kennels.
  2. Storage yards.
  3. Tire retreading and recapping.
  4. Sexually oriented businesses.
  5. Outdoor storage.
  6. Farm equipment and supplies sales establishment.
  7. Repair, small household appliance.
  8. Hotel/motel.
  9. Automobile sales.
  10. Flea Markets
  11. Automobile title loan establishments.
  12. Pawn shops.
  13. Package stores, except package stores located in mixed-use buildings with at least three stories and one non-retail use, and the package store cannot exceed 25 percent of the total heated floor area of the building.
  14. Salvage yards.
  15. Self-storage facilities. Except multi-story climate controlled self-storage facilities, with a minimum of three stories, located at least 1,500 feet from another self-storage facility subject to the following conditions:

- No storage units can be accessible from interior corridors, no outside storage of any kind allowed, including vehicle leasing;
  - All buildings must contain fenestration or architectural treatments that appear like fenestration;
  - Storage units may not be used for commercial, residential or industrial uses.
16. Automobile repair and maintenance, major and minor.
  17. Gasoline service stations.
  18. Automobile and truck rental and leasing.
  19. Commercial parking lots.
  20. Automobile wash/wax service.
  21. Late-night establishments.
  22. Nightclubs.
  23. Check cashing facility.
  24. Automobile emission testing facilities.
  25. Small box discount stores.
- C. *Accessory uses and structures.* The following accessory uses of land and structures are permitted in Tier II: Mid-Rise Mixed-Use Zone of the Stonecrest Area Overlay District.
1. Uses and structures which are customarily incidental and subordinate to the permitted principal uses and structures in this district.
  2. Parking lots and parking garages.
  3. Open space, clubhouse or pool amenity area.
  4. Signs, in accordance with the provisions of chapter 21 and this chapter.
- D. *Building setbacks.* Building setbacks are governed by the MU-3 regulations.
- E. *Height of buildings and structures.* A building or structure in Tier II can have a maximum height of ten stories. A parking deck may exceed five stories in height; however, a parking deck may not exceed ten stories either as a separate deck structure or as part of an office building.
- F. *Density:* No development in Tier II may exceed a FAR of two and one half, unless it also provides additional public space or other amenities singly, or in combination as provided in subsection G, below.
- G. *Bonus density:* In exchange for providing one or more of the amenities shown in Table 3.2 an applicant may receive a density bonus as provided in Table 3.2, not to exceed a total FAR of four.

**Table 3.2. Bonus FAR: Tier II**

<b>Bonus Floor Area Ratio in Stonecrest Area, Tier II</b>	
<b>Additional Amenity</b>	<b>Increased FAR</b>
Increase public space to 25 percent while providing connectivity	0.75
Increase public space to 30 percent while providing connectivity	1.50
Mixed-use building that combines office-institutional, commercial, or retail uses. Each mixed-use building must include one principal use and at least one secondary use. No primary or secondary use can constitute less than ten percent (10%) of the gross floor area of the building.	0.25

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Mixed-use building that includes multifamily residential units constituting at least 8 units per acre of land, and constructed in the same building with office, institutional, commercial or retail uses.
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0.5
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H. *Required parking.* Required parking may be provided through a combination of off-street, on-street, or shared parking. All required parking must be located within 700 feet of the principal entrance of the building that the parking intended to serve. The minimum number of required parking spaces shall be as provided in article 6, except as follows:

1. Retail uses, personal service uses, and other commercial and general business uses, including food stores: Minimum of four spaces per 1,000 square feet of gross floor area.
2. Office and clinic uses: Minimum of three spaces per 1,000 square feet of gross floor area.
3. Hotel and motel uses: Minimum of one space per unit.
4. Multifamily residential uses: Minimum of one and one-quarter spaces per dwelling unit.

I. *[Parking.]* Parking space area requirements must comply with the provisions of Section 6.1.3.

J. *Sidewalks.* Sidewalks must be provided on all public streets. Sidewalks must be at least five feet in width.

(Ord. of 8-2-2017, § 1(3.5.14); Ord. No. 2019-11-001, § 1, 11-25-2019; Ord. No. 2019-11-03, § 1, 11-25-2019; Ord. No. 2019-11-05, § 1, 11-25-2019)

#### **Sec. 3.5.15. Low-rise mixed-use zone (Tier III).**

A. *Permitted uses and structures.* The principal uses of land and structures allowed in the Tier III: Low-Rise Mixed-Use Zone of the Stonecrest Area Overlay District are as provided below:

1. All uses authorized in the C-1 and C-2 (General Commercial) District, O-I (Office Institutional) District, O-D (Office Distribution) District, M (Light Industrial) District, and MR-2 (Medium Density Residential) District except those listed in B., below.

B. *Prohibited uses.* The following principal uses of land and structures are prohibited in Tier III: Low-Rise Mixed-Use Zone of the Stonecrest Area Overlay District:

1. Kennels.
2. Junkyard.
3. Tire retreading and recapping.
4. Sexually oriented businesses.
5. Outdoor amusement service facility.
6. Outdoor storage.
7. Automobile repair, major and minor.
8. Hotel/motel.
9. Automobile sales.
10. Temporary outdoor sales.
11. Pawn shops.
12. Liquor stores.

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13. Nightclubs.
  14. Late-night establishments.
  15. Car wash.
  16. Self-storage.
  17. Funeral home.
  18. Mortuary.
  19. Crematorium.
  20. Farm equipment and supplies sales establishment.
  21. Repair, small household appliance.
  22. Salvage yard.
  23. Automobile service stations, except automobile service stations over 4,000 square feet with special land use permit.
  24. Commercial parking lot.
  25. Check cashing facility.
  26. Automobile emission testing facilities.
  27. Small box discount stores.
- C. *Accessory uses and structures.* The following accessory uses of land and structures shall be authorized in the Tier III: Low-Rise Mixed-Use Zone of the Stonecrest Area Overlay District:
1. Uses and structures which are customarily incidental and subordinate to the permitted principal uses and structures in this district.
  2. Parking lots and parking garages.
  3. Clubhouses, including meeting rooms or recreation rooms.
  4. Swimming pools, tennis courts, and other recreation areas and similar amenities.
- D. *Building setbacks.* The following building setback requirements shall apply to all structures in the Tier III: Low-Rise Mixed-Use Zone of the Stonecrest Area Overlay District:
1. Minimum front yard setback: 15 feet from right-of-way of public street, except that front-facing garages of residential units shall be set back a minimum of 25 feet from rights-of-way.
  2. Minimum interior side yard: Ten feet. There shall be a minimum of 15 feet between buildings and structures less than two stories in height and a minimum of 20 feet between any two buildings and structures when one of them is greater than two stories in height.
  3. Minimum rear yard: Ten feet.
- E. *Height of buildings and structures.* Maximum height, three stories
- F. *Density:* No development in Tier III may exceed 30 dwelling units per acre and a combined FAR of one and a half, unless it also provides additional public space or other amenities singly, or in combination as provided in subsection G, below.
- G. *Bonus density:* In exchange for providing one or more of the amenities shown in Table 3.3 an applicant may receive a density bonus as provided in Table 3.3, not to exceed a total FAR of three.



**Table 3.3 Bonus FAR: Tier III**

Additional Amenity	Increased FAR
Increase public space to 25 percent while providing connectivity	0.5
Increase public space to 30 percent while providing connectivity	1.0
Mixed-use building that combines office-institutional with commercial or retail uses. Each mixed-use building must include one principal use and at least one secondary use. No primary or secondary use may constitute less than ten percent of the gross floor area of the building.	0.25
Mixed-use building that includes multifamily residential units constituting at least 8 units per acre of land, and constructed in the same building with office, institutional, commercial or retail uses.	0.5

- H. *Required parking.* Required parking may be provided through a combination of off-street, on-street, or shared parking. All required parking must be located within 700 feet of the principal entrance of the building that the parking is intended to serve. The minimum number of required parking spaces must be as provided in article 6, except as follows:
1. Retail uses, personal service uses, and other commercial and general business uses, including food stores: Minimum of four spaces per 1,000 square feet of gross floor area.
  2. Office and clinic uses: Minimum of three spaces per 1,000 square feet of gross floor area.
  3. Hotel and motel uses: Minimum of one space per unit.
  4. Multifamily residential uses: Minimum of one and one-half spaces per dwelling unit.
- I. *Parking space area requirements.* Parking space area requirements must comply with the provisions of section 6.1.3.
- J. *Sidewalks.* Sidewalks must be provided on all public streets. Sidewalks must be at least five feet in width.
- K. *New or used motor vehicle dealers.* New or used motor vehicle dealers are authorized in Tier III of the Stonecrest Overlay District only if they comply with the following requirements:
- New or used motor vehicle dealers must be located on a parcel with a lot area of no less than three acres, and must contain at least 6,000 square feet of building floor space.
- New or used motor vehicle dealers must provide vegetative screening along any automobile display areas that abut a public right-of-way. Said vegetative screening shall be located outside any guard rails or security fencing abutting such public right-of-way. Within three years of planting, the vegetative screening must be of sufficient height to screen all guard rails or security fencing abutting the public right-of-way. Planting materials shall be subject to the approval of the City of Stonecrest Arborist.
- New or used motor vehicle dealers must provide screening of all maintenance areas and storage yards for automobiles stored for service. Such screening shall be sufficient to shield the maintenance areas and storage yards from visibility from any adjacent properties or public rights-of-way. Should vegetative screening be used, planting material shall be subject to the approval of the City of Stonecrest Arborist.
- No overhead bay doors opening into vehicle service areas shall be visible from a public right-of-way.
- (Ord. of 8-2-2017, § 1(3.5.15); Ord. No. 2018-12-01, § 1(3.5.15), 12-1-2018; Ord. No. 2019-11-001, § 1, 11-25-2019; Ord. No. 2019-11-03, § 1, 11-25-2019; Ord. No. 2019-11-05, § 1, 11-25-2019)

