STATE OF GEORGIA

CITY OF STONECREST

ORDINANCE NO.	-
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AN ORDINANCE BY THE MAYOR AND CITY COUNCIL OF THE CITY OF STONECREST, GEORGIA TO REZONE PROPERTY LOCATED AT 3893 PANOLA ROAD (PARCEL ID 16 019 01 010) FROM R-100 (RESIDENTIAL MEDIUM LOT) DISTRICT TO C-1 (LOCAL COMMERCIAL) 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, the Mayor and City Council desire to rezone 3893 Panola Road (Parcel ID 16 019 01 010) FROM R-100 (Residential Medium Lot) District TO C-1 (Local Commercial) 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 conditional approval of a rezoning for property located at 3893 Panola Road; 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; and

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

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

Section 1. That the Zoning Ordinance of the City of Stonecrest be amended, and the official zoning map established in connection therewith be changed so that the following property located at 3893 Panola Road (Parcel ID 16 019 01 010) or as described on the zoning maps and associated site plan attached as Exhibit A from R-100 (Residential Medium Lot) District to C-1 (Local Commercial) District and for other purposes.

Section 2. That the rezoning will be approved with the following conditions.

Approval of the rezoning request and official zoning map amendment from R (Residential Medium Lot) to C-1 (Local Commercial.)

- 2. Project shall conform to the conceptual site plan submitted with cases RZ-23-011 and RZ 23-012 and comply with all Local Commercial (C-1) zoning and development standards.
- 3. Any deviations from the approved conceptual site plan to final plan approval shall be resubmitted to the Planning and Zoning Department for review and final approval by City Council.
 - 4. Applicant/developer shall submit and follow all requirements for lot combination
- 5. Applicant/developer must submit approval of any/all roadway improvements from the Georgia Department of Transportation.
- 6. Applicant/developer shall provide a 5FT sidewalk for the entire parcel frontage of the proposed development.
- 7. Applicant/developer shall submit a Land Disturbance Permit (LDP) for approval prior to any groundwork.
- 8. The proposed development shall include the following: Interactive greenspace amenities.

A minimum of one (1) rooftop dining area.

Adequate lighting throughout development per an approved lighting plan.

An adequate waste management plan to ensure consistent cleanliness of the development as approved by staff.

9. The list of prohibited uses shall include; Package/Liquor store or similar use(s). Smoke shops or similar.

Convenience stores with fuel pumps/alcohol sales or similar use(s).

10. Planning Commission 7/2/24: Approval with staff recommendations with an additional condition to create an advisory board.

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

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

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

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

<u>Section 5.</u> 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	dav of	, 2024.
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[SIGNATURES ON FOLLOWING PAGE]

	CITY OF STONECREST, GEORGIA
	Jazzmin Cobble, Mayor
ATTEST:	
City Clerk	
APPROVED AS TO FORM:	
City Attorney	





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REZONING ANALYSIS

Petition Number: RZ 23-012

Applicant: Ihsan Sharif D/B/A Advance Business Solutions

Kemp White and Associates, Inc.

Info@theabsnetwork.com

Property Owner: Panola Road Group Holdings, LLC

1420 Peachtree Street, Suite 100

Atlanta, GA 30309

Info@theabsnetwork.com

Project Location: 3893 Panola Road (Parcel ID 16 019 01 010)

District: 4 – Councilman George Turner, Jr

Acreage: +/- 5.95 acres

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

Proposed Zoning: C-1 (Local Commercial) District

Overlay: N/A

Future Land Use: Suburban Neighborhood (SN)

Proposed Development/Request: The applicant is seeking a rezoning and map amendment of the parcel

from R-100 (Residential Medium Lot) to C-1 (Local Commercial) for a

commercial business development.

CPIM: May 9, 2024

Planning Commission: June 4, 2024 July 2, 2024

Mayor & City Council: June 26, 2024 July 22, 2024

Sign Posted/Legal Ad(s) submitted: April 23, 2024

Staff Recommendations: Conditionally Approved

Planning Commission: Deferral until the July 2, 2024 PC Meeting.

July 2, 2024-Approved with staff recommendations with an additional condition.



Location

The subject property is located at 3893 Panola Road, Stonecrest, GA 30058. The property currently has one (1) access point on Panola Road. Panola Road is classified as a major arterial road and is maintained by Dekalb County.

The property abuts C-1 (Local Commercial) zoning district to the north and R-100 (Residential Medim Lot) zoning district to the east.

Adjacent & Surrounding Properties	Zoning (Petition Number)	Land Use
Adjacent: North	C-1 (Local Commercial) District	Undeveloped Land
Adjacent: West	R-100 (Residential Med Lot) District	Undeveloped Land
Adjacent: East	R-100 (Residential Med Lot) District	Single-Family Residential Dwelling
Adjacent: South	R-100 (Residential Med Lot) District	Single-Family Residential Dwelling

Background

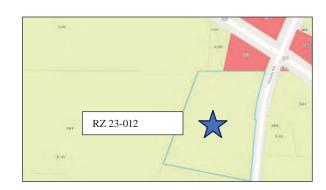
The subject property zoning classification is R-100 - Residential Med Lot.

The property is undeveloped land and heavily wooded with no display of any floodway nor floodplain on the subject property. The proposed project envisions combining these parcels into a unified development. The revised plan includes six (6) proposed buildings, featuring High-End Restaurants, a Medical Facility, Financial Institution, Business Center, and a Sports Shop, in addition to alternative uses. According to the applicant, the development will showcase a comprehensive approach, incorporating a mix of amenities and services. The central feature is a high-end, environmentally conscious development that adheres to the U.S. Department of Energy's Net Zero energy model.

Traffic and Environmental Assessment

The applicant submitted a traffic study and an environmental assessment that's included this application packet.

PROJECT OVERVIEW





According to <u>Division 5</u>, <u>Section 2.5.1</u>, the purpose and intent of the city council in establishing R-100 is to provide for the protection of neighborhoods within the city where lots have a minimum area of 15,000 square feet; to provide for compatible infill development in neighborhoods.

According to <u>Division 26</u>, <u>Section 2.26.1</u>, the purpose and intent of the city council in establishing C-1 is to provide convenient local retail shopping and service areas within the city for all residents; to provide for quality control in development through materials and building placement, 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, and to implement the future development map of the city's comprehensive plan.



- CODE OF ORDINANCES Chapter 27 - ZONING ORDINANCE ARTICLE 2. - DISTRICT REGULATIONS DIVISION 5. R-100 (RESIDENTIAL MEDIUM LOT-100) DISTRICT

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

Sec. 2.5.1. Statement of purpose and intent.

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

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

(Ord. of 8-2-2017, § 1(2.5.1); Ord. No. 2022-10-03, § 2(Exh. A), 10-24-2022)

Stonecrest, Georgia, Code of Ordinances (Supp. No. 3)

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

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;
- 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.

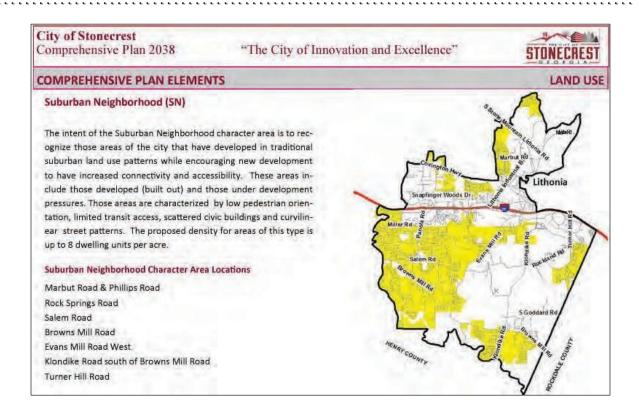
(Ord. of 8-2-2017, § 1(2.26.1); Ord. No. 2021-06-03, § 1(Exh. A, § X), 8-23-2021)

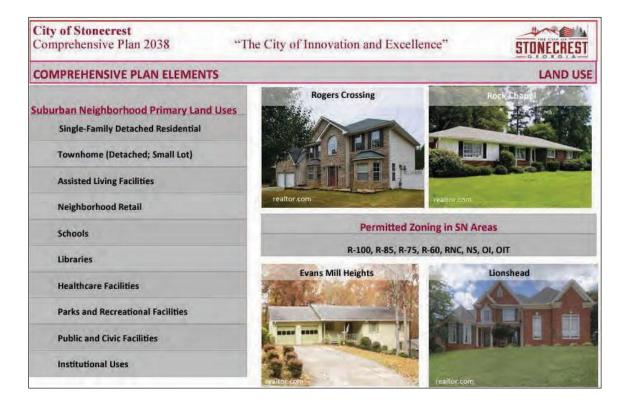
Stonecrest, Georgia, Code of Ordinances (Supp. No. 3)

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Page 1 of 1









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Public Participation

Property owners within 1,000 feet of the subject property were mailed notices of the proposed rezoning in April. The Community Planning Information Meeting (CPIM) was held on May 9, 2024, at 6:00 pm at city hall. There were numerous residents that spoke in support. Those who spoke in support were in favor of the proposed development, however, had additional questions and comments. The questions and comments include funding, timeline, percentage of each proposed use, buildable land, and sidewalk/infrastructure update.

Proposed Site Plan





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RZ 23-012

ADDRESS: 3893 Browns Mill Road

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

OVERLAY: N/A

FUTURE LAND USE: Suburban Neighborhood (SN)



Subject Property

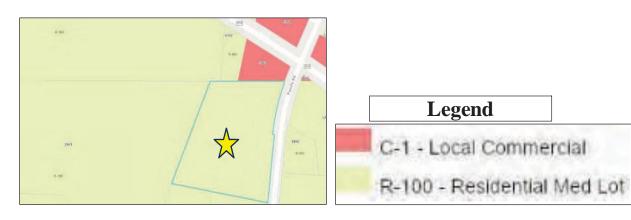
Aerial Map



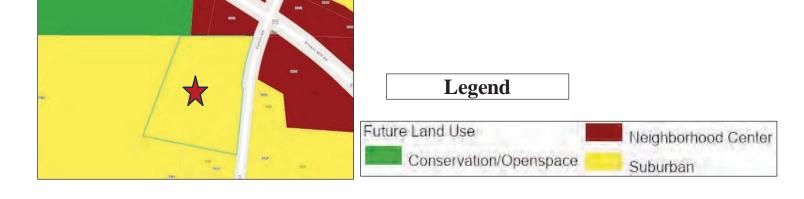


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Zoning Map



Future Land Use Map





STANDARDS OF REZONING 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 subject property is located within the Suburban Neighborhood character area of the 2038 Stonecrest Comprehensive Plan. The intent of the Suburban Neighborhood is to recognize those areas of the city that have developed in traditional suburban land use patterns while encouraging new development to have increased connectivity and accessibility. These areas include those developed (built out) and those under development pressures. Those areas are characterized by low pedestrian orientation, limited transit access, scattered civic buildings and curvilinear street patterns. The proposed density for areas of this type is up to 8 dwelling units per acre. The proposed zoning is in an area that is primarily medium density residential. The rezoning request does not align with the permitted zoning districts listed for City Center Future Land Use Destination.

The proposed zoning is in an area that is primarily medium density residential zoned parcels. The rezoning request does align with the permitted zoning districts listed for Suburban Neighborhood Future Land Use Destination. However, the applicant submitted an additional application to amend the future land use destination.

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 proposed rezoning of C-1 (Local Commercial) will permit a use that is suitable in view of existing commercial uses of the service stations at the intersection of Panola Road and Browns Mill Road. The development proposes uses and services of retail, restaurant, a medical care facility, a financial institution, and amenities that are conveniently accessible to support health care and needs of the local neighborhoods within the community. The development of adjacent and nearby property or properties can develop existing lots in accordance to the zoning requirements of land.

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

Currently zoned R-100 (Residential Medium Lot) District, the site may have a reasonable economic use a presently zoned. R-100 (Residential Medium Lot) District maxim density. The current zoning classification allows development of one single family dwelling only. Consequently, to develop the lot under the current zoning classification R-100 (Residential Medium Lot) for its maximum economic value requires subdivision of the land with an approved preliminary and final plat at the maximum density of 17 lots.

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

The zoning proposal to the C-1 (Local Commercial) District will not adversely affect the existing use or usability of adjacent and nearby commercial zoned properties along Browns Mill Road and Panola Road. The development

RZ-23-012 3893 Panola Road 8



installation of sidewalks along its frontage will enhance the accessibility to existing commercial developments near the intersection providing pedestrian friendly pathway for walkability where there is none currently.

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.

There are no changing conditions affecting the use and development of the property, which give supporting grounds for either approval or disapproval of the zoning proposal. Currently, there are no active land development construction projects, and no additional discussion with the Planning & Zoning Department for this area.

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

There are no known historic buildings, sites, districts, or archaeological resources near or on the subject site that would be affected by the rezoning proposal to the C-1 (Local Commercial) District.

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 proposed rezoning of the C-1 (Local Commercial) District should not have a major impact on existing streets and transportation facilities given that Browns Mill and Panola Road are major thoroughfares. The request for commercial development will not have an impact on area schools. The developer is actively communicating with GDOT encouraging its commencement with improvement of the state roadway for expansion, alignment, and approval of a decel lane for management of the traffic flow at the intersection of Browns Mill and Panola Rd.

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

The applicant submitted an environmental assessment that elaborates on the environmental conditions of the subject property and the proposed development. A tree plan will be required that minimizes the removal of trees and to ensure the required tree density coverage through replanting. Additionally, the project will incorporate greenspace that's useable and open space for an environmentally sustainable development which decreases impervious surfaces.

RZ-23-012 3893 Panola Road 9



<u>STAFF RECOMMENDATION</u> ·

Staff recommend **CONDITIONAL APPROVAL** of the rezoning request with the following conditions:

- 1. Approval of the rezoning request and official zoning map amendment from R-100 (Residential Medium Lot) to C-1 (Local Commercial).
- 2. Project shall conform to the conceptual site plan submittal with cases RZ-23011 and RZ 23-012 and comply with all Local Commercial (C-1) zoning and development standards.
- 3. Any deviations from the approved conceptual site plan to final plan approval shall be resubmitted to the Planning and Zoning Department for review and final approval by City Council.
- 4. Applicant/developer shall submit and follow all requirements for lot combination.
- 5. Applicant/developer must submit approval of any/all roadway improvements from the Georgia Department of Transportation.
- 6. Applicant/developer shall provide a 5ft sidewalk for the entire parcel frontage of the proposed development.
- 7. Applicant/Developer shall submit a Land Disturbance Permit (LDP) for approval prior to any groundwork.
- 8. The proposed development shall include the following:
 - I. Interactive greenspace amenities.
 - II. A minimum of one (1) rooftop dining area
 - III. Adequate lighting throughout development per an approved lighting plan.
 - IV. An adequate waste management plan to ensure consistent cleanliness of the development.
- 9. The list of prohibited uses shall include:
 - *I. Package/Liquor store or similar use(s).*
 - II. Smoke shops or similar.
 - *III.* Convenience stores with fuel pumps/alcohol sales or similar use(s).

PLANNING COMMISSION RECOMMENDATION – June 4, 2024

Deferral until the July 2, 2024 Planning Commission Meeting.

July 2, 2024- Approval with staff recommendations with an additional condition to create an advisory board.



Attachment(s): RZ 23-012 Application Materials

LETTER OF INTENT

APPLICATION FOR REZONING CITY OF STONECREST, GEORGIA

Kemp White and Associates, Inc. dba Advanced Business Solutions (the "Applicant") hereby submits a request for the Rezoning of properties 3893 Panola Rd (Parcel Identification Number 16 019 01 010), and 5137 Browns Mill Rd (Parcel Identification Number 16 020 03 006). This request seeks to change the zoning from R100 and R100 to C1, with the intention of modifying the zoning conditions to allow for a Commercial Development.

The current status of the properties comprises vacant lots, predominantly zoned for residential use. The proposed project envisions combining these parcels into a unified development. The revised plan includes six (6) proposed buildings, featuring High-End Restaurants, a Medical Facility, Financial Institution, Business Center, and a Sports Shop, in addition to alternative uses. Please refer to the attached renderings for comprehensive details. Pedestrian and vehicular access will be facilitated from the north and west sides of the properties, with sidewalks seamlessly connecting to storefronts and a recreational park situated at the heart of the development.

Renamed as The Kemps at Stonecrest, the development will showcase a comprehensive approach, incorporating a mix of amenities and services. The central feature is a high-end, environmentally conscious development that adheres to the U.S. Department of Energy's Net Zero energy model. This approach aligns with the BREEAM method for construction, ensuring an eco-friendly and sustainable system governs the entire built environment.

Given these alterations and the alignment of the requested Rezoning with the stipulations outlined in Section 2.19.1 of the City of Stonecrest Zoning Ordinance, as detailed in the enclosed Zoning Impact Analysis, the Applicant respectfully urges the City Manager and City Council of the City of Stonecrest to approve the Rezoning as presented.

Sincerely,

Kemp White and Associates, Inc. dba Advanced Business Solutions

Ihsan Sharif

Amendment Application

All applications and plans must be submitted through the <u>Citizenserve Online Portal</u>



Amendment Application

PROPERTY					
Site Address(es): 5137 Bro 30038	wns Mill Rd. Stonecrest, GA	Parcel#:		Zip:	
Project Name (If applicable):		•			
Current Zoning	Residential	Proposed Zoning	Commercial		
Current Use	Single Family House	Proposed Use	Commercial Bu	usiness Center	
OWNER INFORMATION					
OWNER INFORMATION Name:	Elliot Marlon				
Address:	Linet Marion				
Email:	Derrickelliot49@aol.com		Phone: 1(404) 84	14-6899	
APPLICANT	-		, ,		
ıvame:	Kemp White & Associates, Inc	cFranklin Kemp)		
Address:	1420 Peachtree St. Suite 100	Atlanta, GA 30309			
Email:	Info@theabsnetwork.com		Phone: 1(404) 4	18-8116	
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 Stor, ecrest 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: Applicant's Signature: NOTARY	Franklin Kemp		Date: 3 \	QQ_\ 3	
Sworn to and subscribed bef	ore me this 31 Day of Q(:\-	- 20'23			
Notary Public:	Ashley Rahinsing				
Signature:	ashley & Le		Date: 3	OC+23	

Ashley Robinson 1.tf\TADV PI IRI Ir.

Upda d pttmber 2023

A endment Application

All pplications and plans must be submittedthrough the e Online Portal



Property Owner(s) Notarized Certification

Theowner and petitioner acknowledge that this amendment application form is correct and complete. BY completing this form, all owners of the subj ctpropertVcertify authorization of thefiling of the application for amendment(s), and authorization of an applicant or agent to act on their behalfin the filing of the applicaliol'\including all subsequent applicationa,mendments.

Property owner	er .		
Name:	Marlon Derrick Elli	0+1	Crest 52 Zip: 30058
Address:	40.86 Windermere, DI	City, State: 5+ch/C	11 20 0-12
	1 CILL		Date: 10 - 29 - 2003
Signature:	Marina PLEA 200 CO	J-10-23	
Sworn to and s		ctober 2023	
-Mainta 275	4 195 MAIN		
	S NOTARY S		
Notary Public:	10 10	0 000	0
	PUBLIC PUBLIC	Vin Pleasa	*
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	To COUNTY INTERNATIONAL PROPERTY OF THE PROPER		
	Manual Ma		
A J Hallana I Dua			
-324	operty Owner (if applicable)		
Name:	this wette cille	City, State: Stone	crest 6A Zip: 30038
Address:	408 le windermere de	City, State:	Date: 10-29-23
Signature	Olntometro What		Date: 10-21-23
	Manufacture M. Oc	Hober ,23	
Sworn to and s	subscribed before the E45 day of	, 2003	
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	O NOTARY &		
Notary Public:	10 10	0	
	DI PUBLIC 12	0 (96)	0
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	COUNTY		
<u>-</u>	"Manney		
	operty Owner (if applic:ablet		
Name;			-
Address:	-	City, State:	Zip:
Signature:			oate:
Sworn to and	subscribed before me this day of	20	
	•		
Nota,y Public:	:		
RZ 23	3-011 5137	7 Browns Mill Road	14

Amendment Application

Applicant

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



Applicant(sl Notarized Certification

7he 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.

Name:	Kemp White & Associate	s, Inc.			
Address:	1420 Peachtree St. Suite	e 100	City, state: A	tlanta, GA	zip: 30309
Signature:	[-J '"M, ,, ,			Date:	
Sworn to and su	ubscribed before me this 3\	$_{ m dayof}$ 0 C_+	<u>20 o23</u>		
Nota,vPublicc				Ashley Robin NOTARY PUB Gwinnett County. G My Commission Expires	LIC EORGIA
Applicant (if ap	plicable)				
Name:					
Address:			City, State:		Zip:
Signature:				Date:	
Sworn to and so	ubscribed before methis	day of	20_		
Notary Public:					
Applicant (if ap	plicable)				
Name:					
Address:			j City, State:		Zip:
Signature:				Date:	
Sworn to and su	ubscribed before me this	day of	20_		
Notary Public:					
R7 23-0	011	5137 Brown	ns Mill Road		15

Amendment Application

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



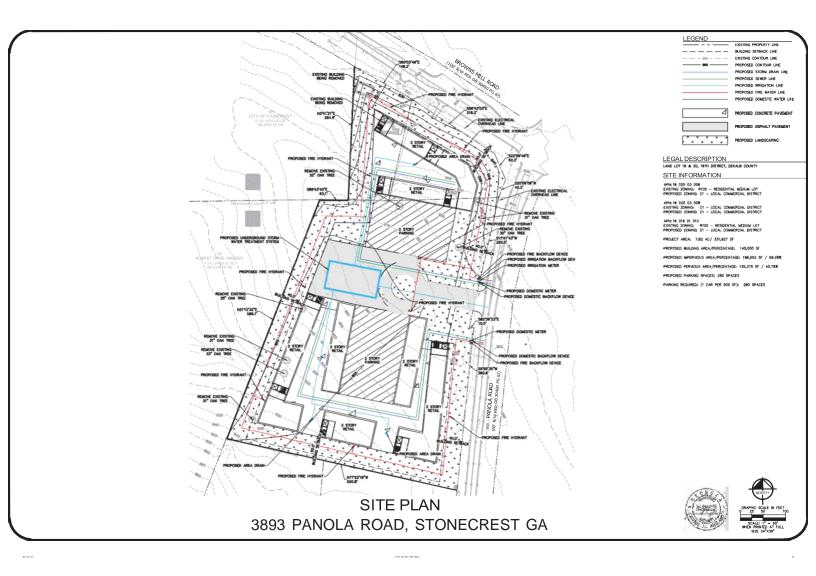
Campaign Disclosure Statement

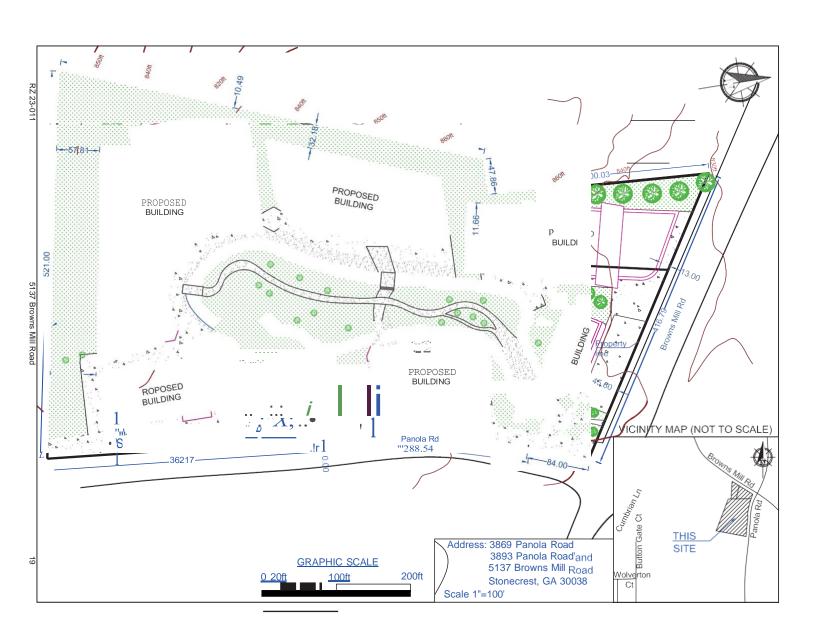
application, ma	n the two years immediately preceding the filing of this decampaign contributions aggregating \$250.00 or ber of the City of Stonecrest City Council or a member onecrest Planning Commission?	Voc			✓ No
Applicant/Property Owner					
Name:	Kemp White & Associates, inc.				
Address:	1420 Peachtree St. Suite 100	City, State: Atlanta,	GA		Zip : 30309
Signature:	Malla		Date:	10/31	1/2023

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

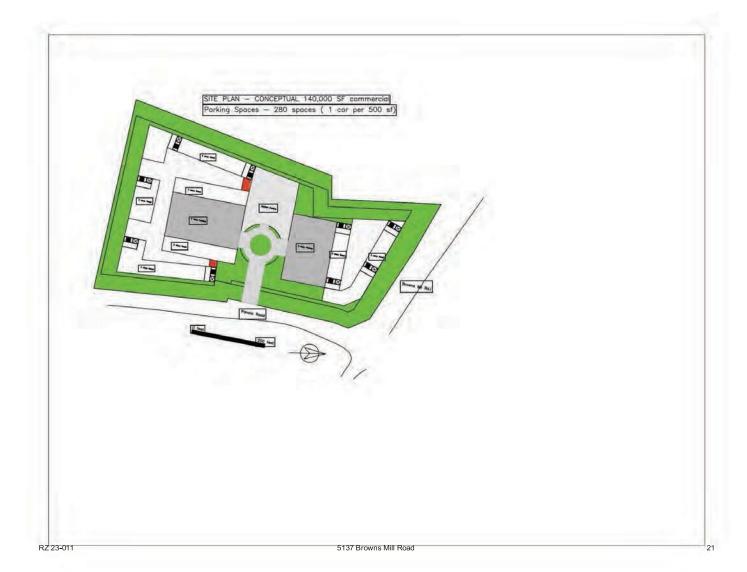
Date	Government Official & Position	Description	Amount

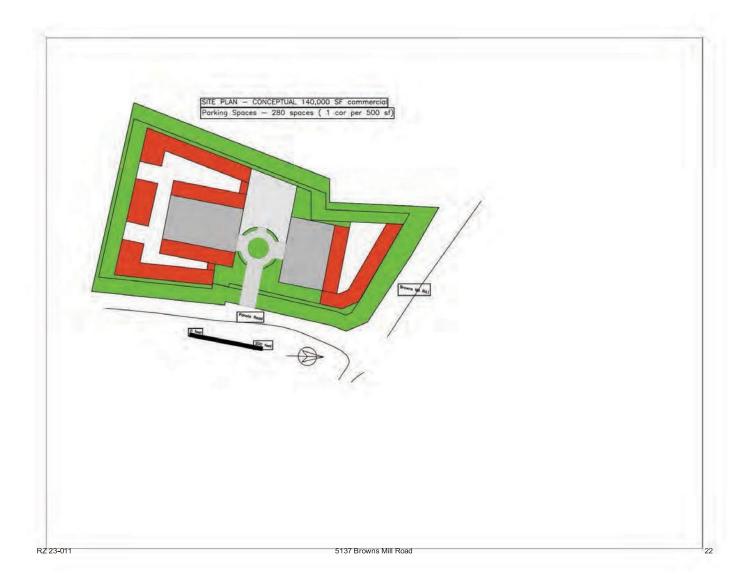
UpdB = 2023 5137 Browns Mill Road 16

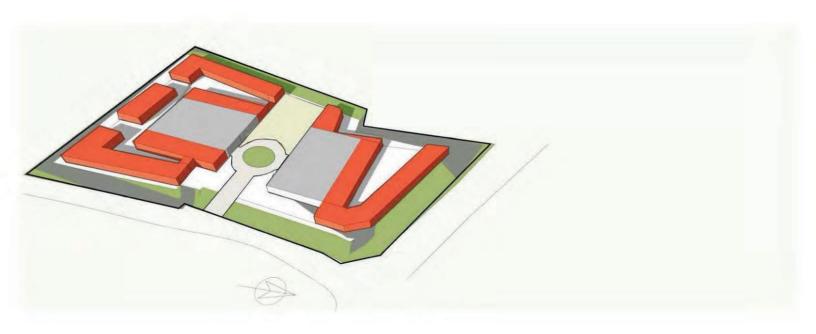












Multifamily Housing (Low-Rise)

(220)

Vehicle Trip Ends vs: Dwelling Units
On a: Weekday

Setting/Location: General Urban/Suburban

Number of Studies: 29 Avg. Nurn. of Dwelling Units: 168

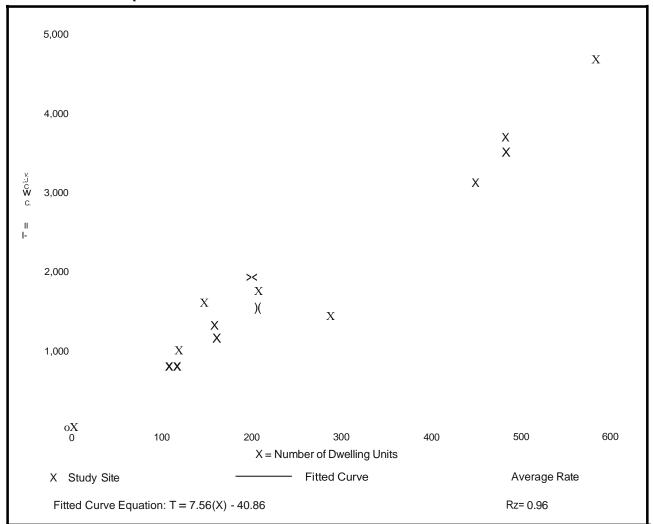
Directional Distribution: 50% entering, 50% exiting

Vehicle Trip Generation per Dwelling Unit

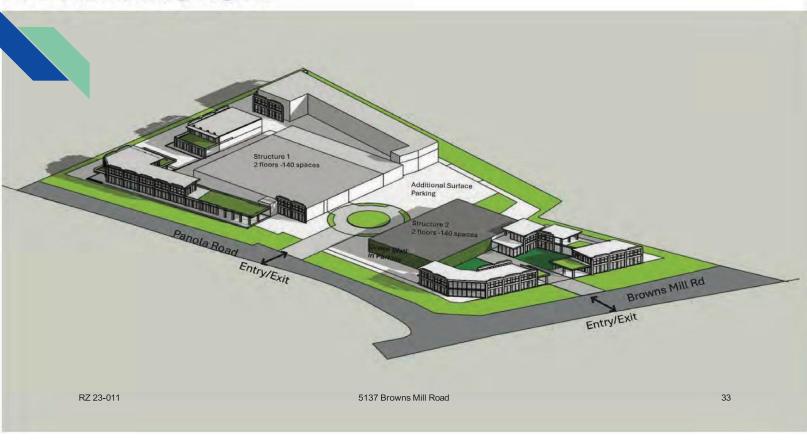
Average Rate Range of Rates Standard Deviation

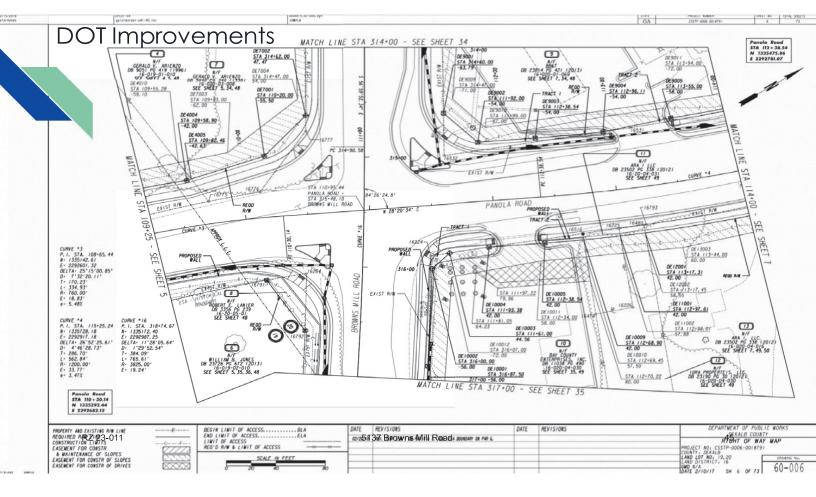
7.32 4.45 - 10.97 1.31

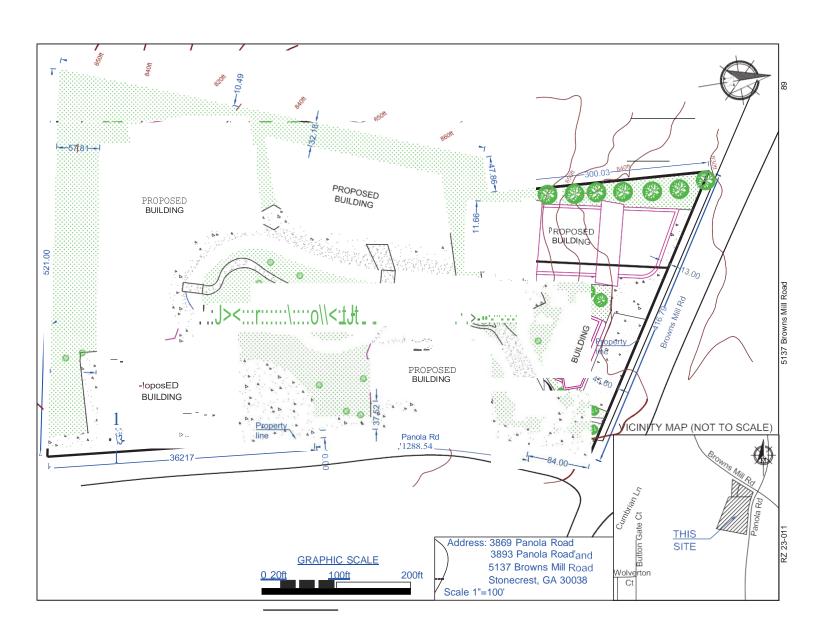
Data Plot and Equation



Conceptual Massing Diagram







Photographic Record



Photo 1: Northern adjoining property.

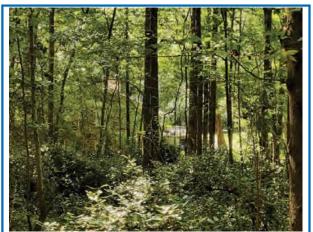


Photo 3: Southern adjoining properties.



Photo 2: Eastern adjoining property.



Photo 4: Western adjoining property.

Photographic Record



Photo 5: Large pile of tires dumped on the Project Site.



Photo 7: Former location of Martin's Grocery on the Project Site.



Photo 6: Solid waste on the Project Site.



Photo 8: Single-family home located on the Project Site.

ADBUS-21-GA-05644-01

Photographic Record



Photo 9: Empty rusted 55-gallon drums located on the Project Site.



Photo 10: Chevron Food Mart and Quick Cleaners adjoining the Project Site.

City of Stonecrest

Comprehensive Plan 2038

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COMPREHENSIVE PLAN ELEMENTS

LAND USE

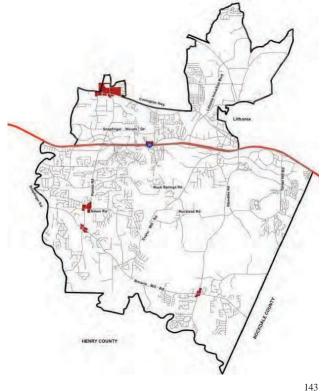
Neighborhood Center (NC)

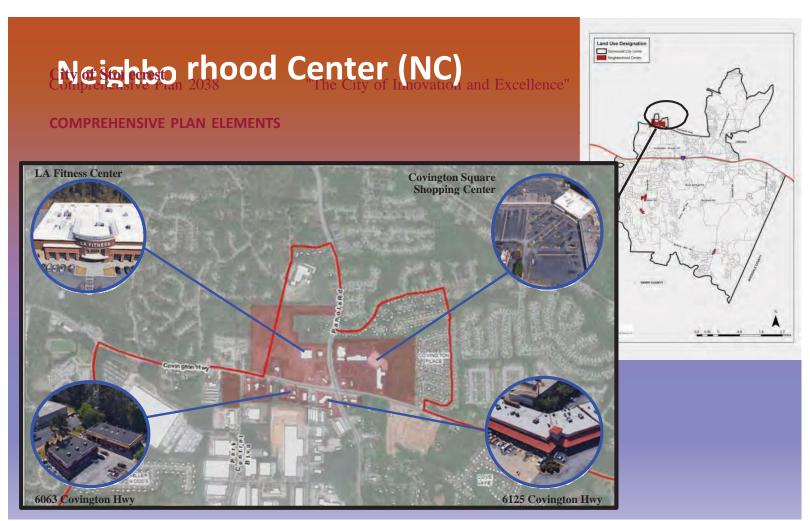
The intent of the Neighborhood Center Character Area is to identify areas that can serve everyday local neighborhood needs, for goods and services. These areas shall complement the character of neighborhoods and have locations that promote walkability, reduce automobile travel, and increase transit usage. These areas should consist of a neighborhood focal point with a concentration of activities such as general retail, neighborhood services, professional office, higher-density housing in the suggested range, and appropriate public open spaces that are easily accessible by pedestrians. The proposed density for the Neighborhood Center Character Area is up to 24 dwelling units per acre.

Neighborhood Center Character Area Locations

- Covington Hwy and Panola Road
- Salem and Panola Roads
- Browns Mill and Panola Roads
- Browns Mill and Klondike Roads

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COMPREHENSIVE PLAN ELEMENTS





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COMPREHENSIVE PLAN ELEMENTS

LAND USE

Neighborhood Center Primary Land Uses

Townhouses

4-8 Story Condominiums and Lofts

Healthcare Facilities

Small scale Retail and Commercial

Office

Institutional Uses

Entertainment and Cultural Facilities

Parks and Small Scale Recreation Facilities

Public and Civic Facilities





Permitted Zoning in NC Areas

RSM, MR-1, MR-2, MU-1, MU-2, MU-3, NS, C-1, OI, OIT





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City of Stonecrest

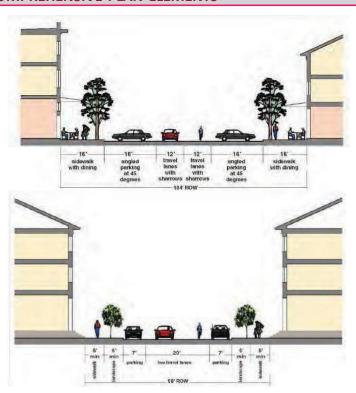
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COMPREHENSIVE PLAN ELEMENTS

LAND USE



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Design Guidelines

- Setbacks Greater setbacks shall be required when adjacent to lower density residential uses and transitional buffers shall be required.
- Buffers Development shall incorporate enhanced buffers in an effort to protect single family neighborhoods.
- Heights Proposed development shall consider and implement staggered heights when adjacent to single family residential neighborhoods.

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RZ 23-011 5137 Browns Mill Road 287

Neighborhood Center Development Policies

- I. Maximum Density-Encourage the maximum density of residential in mixed use projects not to exceed 24 dwelling units per acre, with the most intense development located towards the commercial and/or of ce core of the Neighborhood C enter. Properties located along the outer edges of the Neighborhood Center shall be sensitive to the building height and density of adjacent single family residential.
- 2. **Retrofitting** Foster retrofitting for conformity with traditional neighborhood principles.
- 3. **Pedestrian Scale Development** Create pedestrian scale communities that focus on the relationship between the street, buildings, streetscaping and people.
- 4. **Mixed Use Development** Create compact mixed use districts and reduce automobile dependency and travel to obtain basic services.
- 5. **Transitional Buffers** Require greater setbacks and/or transitional buffers for developments when located adjacent to lower density residential uses.
- 6. **Staggered Heights** Require the consideration of staggered height implementation when developments are adjacent to single family residential neighborhoods.
- 7. **Streetscaping** Improve street character with consistent signage, lighting, landscaping and other design features.
- 8. **Pocket Parks** Create focal points through the use of existing pocket parks and squares for community activities.
- 9. Parking Clearly define road edges by locating buildings near the

roadside with parking in the rear.

- 10. Open Space and linkages Encourage development and redetive lopment in neodess to provide open space and/or contribute to
 the public realm with wider public sidewalks, pedestrian linkages and other design features.
- II. **Healthy Neighborhoods** Promote healthy living in neighborhoods by incorporating a pedestrian environment that encourages socialization, walking, biking and connectivity.
- I2. **Pedestrian Enhancements** Create pedestrian-friendly environment, by adding sidewalks that link neighborh<u>ood amenities.</u>
- 13. Traffic Calming Organize circulation patterns through traffic calming techniques and access management. Add traffic calming improvements, sidewalks, and increased street interconnections to increase safety and improve walkability.
- 14. Pedestrian Oriented Design Design shall be pedestrianoriented with walkable connections between different uses
- I5. **VMT** Promote new and redevelopment at or near development nodes as a means of reduce vehicle miles traveled {VMT}.
- I6. Preferred Uses Each Neighborhood Center shall include a medium- high density mix of retail, office, services, and employment to serve neighborhoods.

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

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.

- 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.
- I. 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/was service; see section 4.2.
- j. Automobile repair, minor; see section 4.2.
- k. Banks, credit unions or other similar financial institutions.
- I. 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.
- II. 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.

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- 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. Temporary outdoor retail sales; see section 4.2.
 - c. Temporary outdoor sales; seasonal; see section 4.2.
 - d. Temporary outdoor sales or events, seasonal; see section 4.2.
 - e. Temporary produce stand; see section 4.2.
 - f. 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.
 - 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.
 - 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.
 - Recycling collection.

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

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))



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



CITY OF STONECREST, GEORGIA

Community Planning Information Meeting (CPIM)

Summary Minutes

May 9, 2024, at 6:00 P.M.

Planning-zoning@stonecrestga.gov

*IN-PERSON MEETING

Stonecrest's YouTube Broadcast Link

Citizens wishing to actively participate and comment during the public hearing portion of the meeting may comment in person. You may also submit your request including your full name, address, and position on the agenda item you are commenting on (for or against) via email to Planning-zoning@stonecrestga.gov by 2 p.m. the day before the meeting, May 8, 2024, to be read into the record at the meeting.

I. CALL TO ORDER AND INTRODUCTIONS: Cobi Brown, Planning Administrative Technician, Director of Planning and Zoning Shawanna Qawiy, Deputy Director Ellis Still, and Planner Fellisha Blair 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

A review was given by staff.

III. Item(s) of Discussion:

PETITION: Draft -City of Stonecrest Comprehensive Plan 5-Year Update

PETITIONER: City of Stonecrest/SIZEMORE Group

LOCATION: City-Wide

REQUEST: Public Hearing: Review of the *draft* City of Stonecrest

Comprehensive Plan 5-Year Update.

Director Shawanna Qawiy informed the attendees that the Draft City of Stonecrest Comprehensive 5 - Year Plan updated is available for review.

Dave Marcus a resident made comments on the Plan and referenced density, the future land use map updates, cost estimates of the work program projects and the general fund, the establishment of a city police/public safety department, patrol officers, better response time from DeKalb County police, the historical elements and beaches.



CITY OF STONECREST, GEORGIA

Larry Kaiser representing the Stonecrest Industrial Council referenced Roger Lake and Maddox Road not listed on the roadway functional classification map. Roger Lake and Maddox Road listed as light Industrial and not heavy industrial.

CASE Nos. RZ 23-011/ RZ 23-012/ RZ 23-014
PETITIONER: KEMP WHITE AND ASSOCIATES, INC. D/B/A ADVANCED BUSINESS SOLUTIONS

RZ-23-011 5137 Browns Mill Road, Stonecrest, GA

The applicant is seeking a rezoning and map amendment of the parcel from R-100 (Residential Medium Lot) to C-1 (Local Commercial) for a commercial business development

RZ-23-012 3893 Panola Road, Stonecrest, GA

The applicant is seeking a rezoning and map amendment of the parcel from R-100 (Residential Medium Lot) to C-1 (Local Commercial) for commercial business development.

RZ - 23-014 3893 Panola Road, Stonecrest, GA

The applicant is seeking a future land use map amendment to change the land use of the parcel from SUB (Suburban Neighborhood) to NC (Neighborhood Center) for a commercial business development

The applicant(s) presented all cases under one presentation.

Ihsan Sharif, the applicant spoke. He stated that the proposal is a comprehensive development that will be used to increase property values by improving the diminishing area. The (development) team representative stated that he and his team have had several meetings with the community where they solicited a list of what the locals support and did not support. They will partner with BREEAM for this project to incorporate sustainable.

Herman Howard, the architect, spoke. His goal is to make sure the site is a quality-built development focused on working, shopping, and playing. Parking will be provided for 300 cars with the decks being covered with garden walls. They also wanted to make sure that access was provided from Browns Mill and Panola Rd. The type of materials ample open space is priority.

Franklin Kemp, the CEO of Advanced Business Solutions spoke. He stated that his team has been working on this project for four (4) years and during those years met with the community for input. He stated that the community's priorities are to gain a financial institution, public safety in the area, upscale restaurants, urgent care facility, business center, offices, parking deck, and a Sky Zone. He explained their solution for traffic concerns with proposed GDOT improvements.

The following attendees made comments, questions, and/or stated their concerns.

Julie Taylor Cobb, a resident, spoke. She stated that her property value has increased since she bought her home. She liked the idea of the proposal and said that potential traffic issues have been addressed. She gave ideas for the open space and asked about how businesses will be sustained.

Bola Tolesa a resident, spoke. She asked about funding for the development and maintaining the longevity of the commercial businesses. She also asked about soil testing to determine the amount of buildable land that is available. She also inquired about the percentage makeup of the proposed uses, sidewalks, overlay districts, and the projected timeline for the development.



CITY OF STONECREST, GEORGIA

Anita Aaron, a resident, came to speak. She wanted to address lighting and security. She also stated that the property values have increased in the area and asked about the type of businesses that will come. Traffic is a concern.

Dave Marcus, a resident asked if the developer would accept zoning conditions one including that the land will not be cleared until they have received commitments from businesses that will satisfy the community. He also asked about the effect potential competitors would have on these proposed developments.

Renee Kale, a resident asked about the push for the cleanliness of the area and waste management.

Director Qawiy assisted with facilitating the comments, questions and concerns from the public at this time.

Franklin Kemp the CEO of Advanced Business Solutions responded to the comments, questions, and concerns. He stated that they have a partnership with Foris for financing and they expect Phase one (1) to be completed in 18 months. The proposed office spaces will be for medical facilities, retail and dining. Questions about crime, sidewalks, topography, traffic studies, sustaining businesses, and zoning conditions were addressed. The property owners stated that they do not plan to sell the 140,000 square feet upscale development once completed.

ADJOURNMENT The meeting was adjourned at 7:17 p.m. I.

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.

Respectfully submitted by Cobi Brown

APPROVED:

Shawanna Qawiy

May 16, 2024

DIRECTOR, PLANNING & ZONING DATE

ATTEST:

DATE