



Agenda Item

Meeting Date: March 3, 2026

SUBJECT: AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF STONE MOUNTAIN, GEORGIA, CONCERNING 1008B MAIN STREET TO REMOVE THE PARKING AGREEMENT AS A CONDITION OF APPROVAL FOR A SPECIAL USE PERMIT (SUP) TO ALLOW A TATTOO STUDIO (PARCEL ID: 18 089 02 016) WITH CONDITIONS IN ACCORDANCE WITH APPENDIX A OF THE ZONING ORDINANCE

Item: Second Read

Department: Planning and Zoning

Presented By: Tamaya Huff, Planning Manager

Summary:

This is an Ordinance (this "Ordinance") to amend Appendix A Zoning Code of Ordinances ("Code") of the City of Stone Mountain, Georgia (the "City") enacted by the City to its authority under the laws of Georgia Zoning Procedures Law O.C.G.A. Title 36, Chapter 66. Per the 2-1.19 Stone Mountain Code of Ordinances, Changes in Conditions of Special use permits shall be processed pursuant to other zoning decisions in 2-1. (procedure for amending the zoning ordinance) and 2-1.9 (B) (2-7) additional requirements and procedures.

On December 15, 2025, the City of Stone Mountain Planning Commission (PC), during a regular public meeting, voted 5-0 to recommend approval to remove conditions to provide hours of operation for 40 hours per week, and a parking agreement for a special use permit to allow for a tattoo studio with conditions (Parcel ID: 18 089 02 016). On February 3, 2026, the City Council held a public hearing and voted 6-0 to approve the removal of only the condition for the parking agreement for a special use permit request to allow a tattoo studio with conditions, requiring the condition to provide hours of operation that services customers 40 hours per week to stand.

Resource Impact: None.

Attachments/Exhibits:

- Ordinance for Special Use Permit (SUP)
 - Legal Description
-

Requested Action:

None.

ORDINANCE 2026-0X

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF STONE MOUNTAIN, GEORGIA, CONCERNING 1008B MAIN STREET TO REMOVE THE PARKING AGREEMENT AS A CONDITION OF APPROVAL FOR A SPECIAL USE PERMIT (SUP) TO ALLOW A TATTOO STUDIO (PARCEL ID: 18 089 02 016) WITH CONDITIONS IN ACCORDANCE WITH APPENDIX A OF THE ZONING ORDINANCE

This is an Ordinance (this "Ordinance") to amend Appendix A Zoning Code of Ordinances ("Code") of the City of Stone Mountain, Georgia (the "City") enacted by the City to its authority under the laws of Georgia Zoning Procedures Law **O.C.G.A. Title 36, Chapter 66**;

WHEREAS, the Planning Commission ("Commission") considered and recommended approval with conditions a petition to change conditions for a special use permit ("SUP") on **December 15, 2025**, to remove conditions of approval for a parking agreement and to provide hours of operation that service customers at least 40 hours per week for a tattoo studio located at 1008B Main Street (Parcel ID 18 089 02 016) filed with the Planning Commission requesting an amendment to the Code and to the Zoning Map about the subject property more particularly described in **Exhibit A**; and,

WHEREAS, the Mayor and City Council ("Council") considered and approved with conditions a petition to change conditions for a SUP on **February 3, 2026** to allow a tattoo studio at 1008B Main Street (Parcel ID 18 089 02 016) filed with City Council requesting an amendment to the Code and to the Zoning Map about the subject property more particularly described in **Exhibit A**; and,

WHEREAS, a public meeting was held on **December 15, 2025**, before the Planning Commission, where a recommendation of approval to remove all conditions for the SUP was provided to the Mayor and City Council for consideration in accordance with Section 2-1.3; and,

WHEREAS, a public hearing was held on **February 3, 2026**, before the Mayor and Council, where removal of the parking agreement was approved subject to conditions was established in accordance with Georgia Zoning Procedures Law **O.C.G.A. Title 36, Chapter 66**; and Section 2-4.4 of the Code; and,

WHEREAS Council is subject to the provisions of the Code Section 2-1 concerning any action on this request; and;

NOW, THEREFORE, BE IT RESOLVED that the Council meeting in regular session, that the Code and Zoning Map are hereby amended as follows:

Section 1. Applicability of Ordinance

1. 1008B Main Street (Parcel ID 18 089 02 016) will be governed by the provisions and conditions of this ordinance except as modified, revised, or amended in accordance with Sec 2-1.3 of the Code, where an amendment is presented before the mayor and city council in the form of a public hearing and approved will prevail.
2. The subject property will continue to be governed by the provisions of the underlying zoning district or Village Center Mixed Use (VCM), except as modified, revised, or amended in accordance with Sec 2-1.3 of the Code, where an amendment is presented and granted before the mayor and city council in the form of a public hearing will prevail.
3. The Mayor and City Council ("Council") considered and approved the change in application conditions in accordance with the following conditions:
 - A) Provide hours of operation that service customers at least 40hours each week.
 - B) ADA and parking requirements are met on the site in accordance with the City of Stone Mountain Code of Ordinances.
 - C) If leases, or tenant changes occur, reconsideration of administrative approvals is required.

BE FURTHER RESOLVED that this resolution shall take effect immediately upon its adoption, this 17th day of February 2026.

CITY OF STONE MOUNTAIN, GEORGIA

Approved:

Jelani Linder, Mayor

Attest:

Shavala Ames, City Clerk

Approved as to Form:

Angela Couch, City Attorney

Exhibit "A"**Legal Description**

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 89 OF THE 18TH DISTRICT OF DEKALB COUNTY, GEORGIA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT AN IRON PIN LOCATED AT THE CORNER FORMED BY THE INTERSECTION OF THE WESTERLY SIDE OF MAIN STREET (40-FOOT RIGHT-OF-WAY) WITH THE SOUTHERLY SIDE OF POPLAR STREET; THENCE RUNNING SOUTHERLY ALONG THE WESTERLY SIDE OF MAIN STREET 48.6 FEET TO AN X ON CONCRETE; THENCE SOUTHWESTERLY A DISTANCE OF 108.8 FEET TO AN IRON PIN PLACED LOCATED ON THE EASTERLY SIDE OF THE GEORGIA RAILROAD RIGHT-OF-WAY; THENCE RUNNING NORTHWESTERLY ALONG THE EASTERLY SIDE OF SAID GEORGIA RAILROAD RIGHT-OF-WAY 44.3 FEET TO AN IRON PIN FOUND LOCATED ON THE SOUTHERLY SIDE OF THE AFOREMENTIONED POPLAR STREET; THENCE RUNNING EASTERLY ALONG THE SOUTHERLY SIDE OF POPLAR STREET 121.4 FEET TO AN IRON PIN AND THE POINT OF BEGINNING; THE FOREGOING DESCRIPTION IS MADE IN ACCORDANCE WITH A SURVEY OF SAID PROPERTY FOR JEFFREY F. HALL AND VIRGINIA K. HALL PREPARED BY FRED E. PITTS, REGISTERED LAND SURVEYOR, DATED JANUARY 15, 1986. BEING PROPERTY KNOWN AS 1012 AND 1014 MAIN STREET, STONE MOUNTAIN, GEORGIA.

Record and Return to:
Lueder, Larkin & Hunter, LLC
200 Westpark Drive, Suite 230
Peachtree City, GA 30269
File No.: GA-PC-20-0113-COM

LIMITED WARRANTY DEED

STATE OF GEORGIA
COUNTY OF DEKALB
APN/Parcel ID: 18 089 02 016

THIS INDENTURE, made this 25th day of September, 2020, between

Moon G. Kim

as party or parties of the first part, hereinafter called Grantor, and

Jay Stills

as party or parties of the second part, hereinafter called Grantee (the words "Grantor" and "Grantee" to include their respective heirs, successors and assigns where the context requires or permits).

W I T N E S S E T H: That Grantor, for and in consideration of the sum of TEN AND 00/100'S (\$10.00) Dollars and other good and valuable consideration in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, has granted, bargained, sold, aliened, conveyed and confirmed, and by these presents does grant, bargain, sell, alien, convey and confirm unto the said Grantee, the following described property, to wit:

All that tract or parcel of land lying and being in Land Lot 89 of the 18th District of DeKalb County, Georgia and being more particularly described as follows: Beginning at an iron pin located on the Westerly right of way of Main street 48.6 feet Southeasterly from the intersection of the Westerly side of Main Street (40 foot right of way) with the Southerly side of Poplar Street; thence running Southerly along the Westerly side of Main Street 37.4 feet to an iron pin found; thence Southwesterly a distance of 96 feet to an iron pin found, located on the Easterly side of the Georgia Railroad right of way; thence running Northwesterly along the Easterly side of said Georgia Railroad right of way 48 feet to an iron pin placed; thence running Easterly 108.8 feet to the point of beginning; the foregoing description is made in accordance with a survey of said property for Reina Lyon Kim and Moon G. Kim prepared by Fred E. Pitts, Registered Land Surveyor, dated January 22, 1986.