



City of Stone Mountain  
875 Main Street  
Stone Mountain, GA 30083

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## STAFF ANALYSIS AND REPORT

**OWNER/APPLICANT:** Victor Landen – Preferred Parking Service, LLC

**LOCATION:** CSX right-of-way on the western side of Main Street between the Train Depot and West Mountain Street

**CURRENT ZONING/USE:** Unzoned right-of-way/Parking Lot

**PROPOSED ZONING/USE:** Unzoned right-of-way/ Paid Paring Services

**REQUEST:** Special use permit to allow paid parking services with the CSX right-of-way on the western side of Main Street between the Train Depot and West Mountain Street.

**ZONING/ADJACENT LAND USE:**

North	VCM & CSX right-of-way
South	OPI & CSX right-of-way
West	GS – city property
East	VCM

**Comprehensive Plan:**  
Future Land Use Designation: Parks/Recreation/Conservation

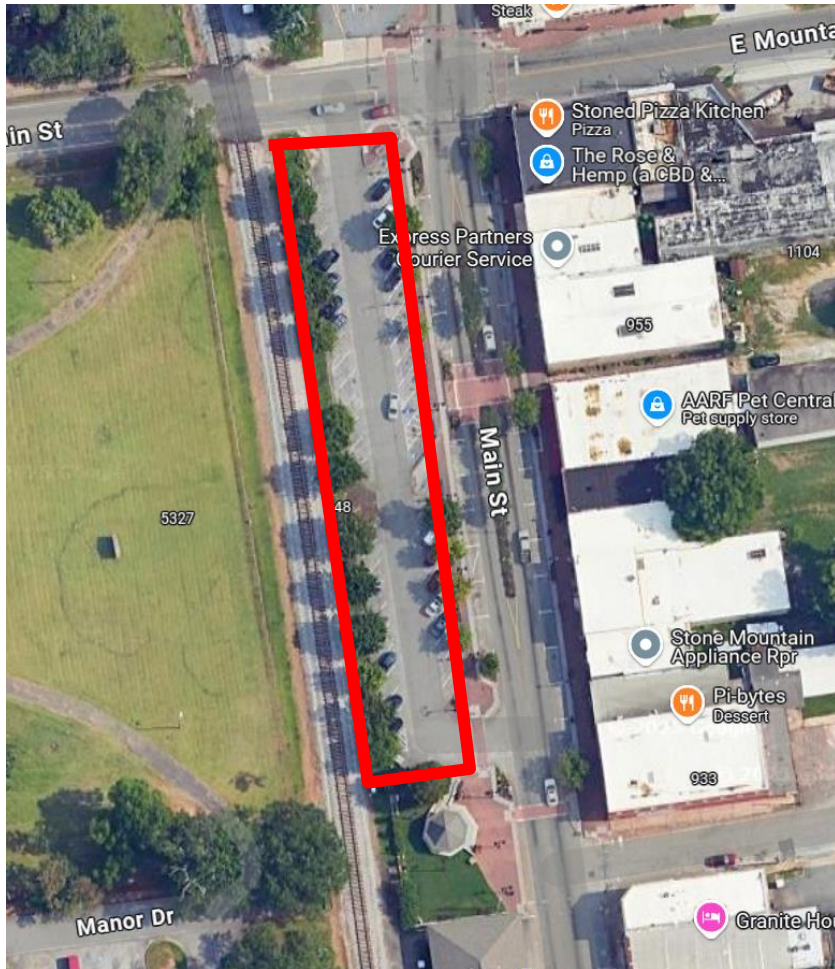
**MEETING INFORMATION:**

Planning & Zoning Commission:	02/17/2025 – 6:30 P.M.
City Council Public Hearing:	04/01/2025 – 6:30 P.M.

**RECOMMENDATION:** Approval with conditions.

## **BACKGROUND:**

**Background:** The existing site is approximately 0.51 acres and consists of the property 25-feet from the centerline of the CSX railroad tracks. The applicant is proposing to use the existing parking lot for a paid parking services use. There are 44 non-handicap parking spaces and 2 handicap spaces within this area.



**Analysis:** Pursuant to Article II of the City of Stone Mountain Zoning Ordinance, Staff has reviewed the rezoning request in accordance with the required review criteria.

**A. Whether or not there will be a significant adverse effect on the neighborhood or area in which the proposed use will be located.**

The infrastructure for a parking facility is existing and the applicant is not requesting any changes to the existing parking lot. There is not any anticipated significant adverse effect on the neighborhood or area in which the proposed use would be located. The only change is that the applicant is requesting paid parking services instead of free parking services.

**B. Whether or not the use is compatible with the neighborhood.**

The proposed use does appear to be compatible with the surrounding uses in the neighborhood. The downtown area has limited parking and there is a need for parking for the downtown retail shops and restaurants.

**C. Whether or not the proposed use will constitute a nuisance as defined by state law.**

It is not anticipated that the proposed use will constitute a nuisance.

**D. Whether or not property values of surrounding property will be adversely affected.**

Adjacent property values are not anticipated to be adversely affected through the establishment of the requested use, as no new development is being proposed.

**E. Whether or not adequate provisions are made for parking and traffic considerations.**

It is not anticipated that the proposed use will cause a burden on traffic. This is an existing parking lot within the city's downtown area.

**F. Whether or not the site or intensity of the use is appropriate.**

The use appears to be appropriate for the site and intensity, as the use is already existing. The only change is that the applicant is requesting paid parking services instead of free parking services.

**G. The location or proximity of other similar uses (whether conforming or non-conforming).**

Staff is not aware of any paid parking services within the city.

**H. Whether or not adequate controls and limits are placed upon commercial deliveries.**

It is not anticipated that any commercial deliveries will take place on the property.

**I. Whether or not adequate landscaping plans are incorporated to ensure appropriate transition.**

The proposed use is within an existing development that has existing landscaping.

**J. Whether or not the public health, safety and welfare of the surrounding neighborhoods will be adversely affected.**

It is not anticipated that this use will have any adverse effects on the public health, safety, nor welfare of the surrounding neighborhoods.

**K. Whether it is consistent with the Comprehensive Plan.**

The existing parking lot is within the Parks/Recreation/Conservation Future Land Use Category. These categories call for a variety of passive and active recreational uses and the conservation of unique and sensitive natural resources. This request is not aligned with the Comprehensive Plan. However, this is an existing use on the site and no new development is proposed. The only change is that the applicant is requesting paid parking services instead of free parking services.

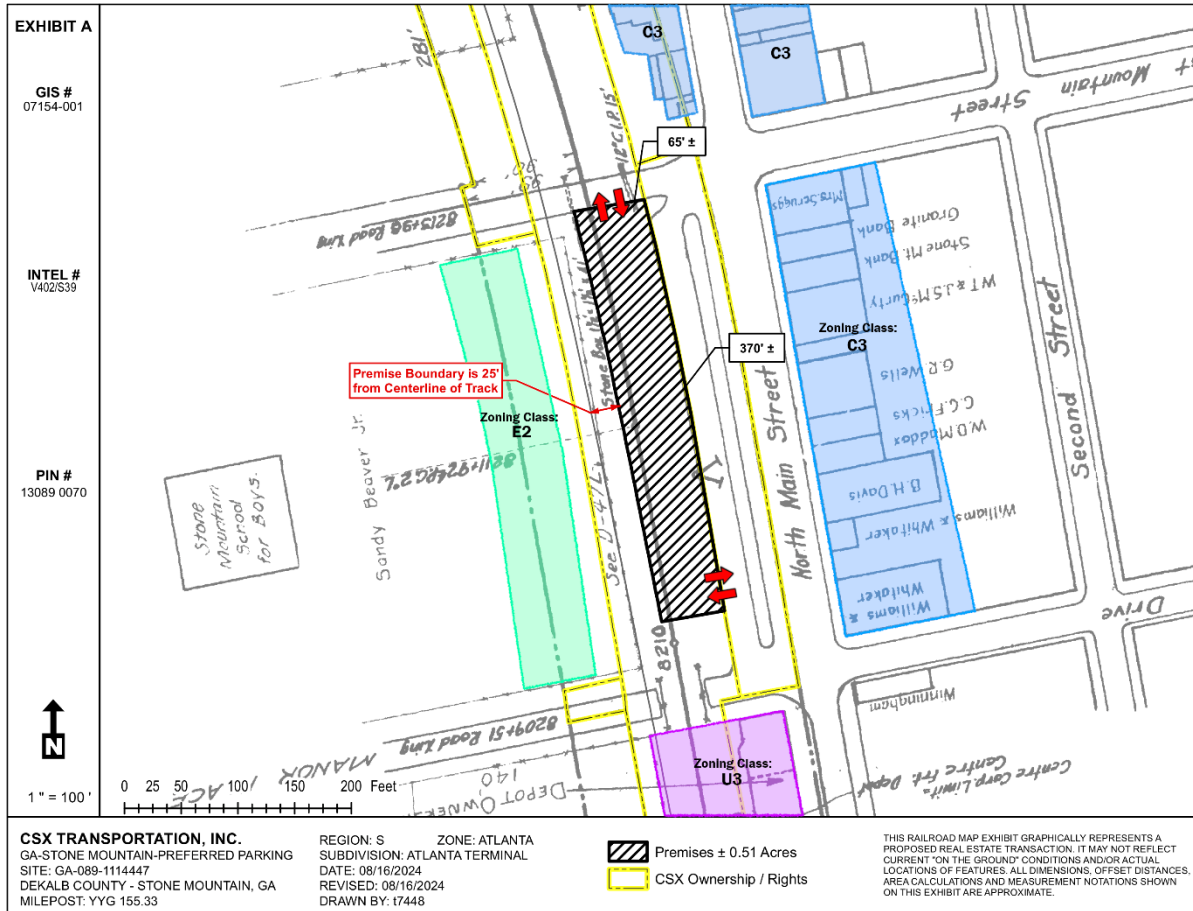
**STAFF RECOMMENDATION:**

Staff recommends APPROVAL of the special use permit with the following conditions:

1. A parking demand analysis shall be conducted prior to the use being activated to analyze factors like surrounding land use, traffic patterns, and peak usage times to inform pricing decisions. A parking demand analysis shall be conducted at least every five (5) years and submitted to the City Manager.
2. The parking area shall be maintained in a good state of repair including but not limited to paving, striping, curbing, and stormwater runoff, as determined by the City Engineer.
3. Paving and curbing shall be consistent with the surrounding downtown materials and design, as determined by the City Engineer.
4. Clear signage shall be posted with parking rates and enforcement procedures pursuant to Chapter 23 – Signs of the Code of Ordinances.

The Planning Commission voted to recommend denial of the request with a vote of 3-2.

Stone Mountain – lot @ Main St. & Mountain st. Site Plan



C:\Users\17448\OneDrive - CSX\Desktop\Working\GA-089-1114447\Exhibit A - GA-089-1114447.mxd

**Proposed zoning land use classification:** Unknown, commercial parking lot.

**Present zoning classification:** None.

**Present zoning classification of adjacent parcels:** Color coded in above diagram.

**Proposed location of any existing and proposed buildings:** None.

**Location of all driveways and entry/exit points:** Marked on above diagram via red arrows.

**Location of required off-street parking including handicapped spaces:** 44 non-handicapped spaces, 2 handicapped spaces.

**Setbacks for all existing and proposed buildings:** No existing or proposed buildings.

**Required buffer areas, depicting extent of natural vegetation:** No natural vegetation.

required buffer areas, depicting extent of natural vegetation

**SECTION II**

**OWNER/PETITIONER**

**NOTICE: Part 1 and/or Part 2 below must be signed and notarized when the petition is submitted. Please complete Section IV as follows:**

- a) If you are the sole owner of the property and not the petitioner complete Part 1.
- b) If you are the petitioner and not the sole owner of the property complete Part 2.
- c) If you are the sole owner and petitioner complete Part 1.
- d) If there are multiple owners each must complete a separate Part 1 and include it in the application.

**Part 1. Owner states under oath that he/she is the owner of the property described in the attached legal description, which is made part of this application.**

Damien D'Anna  
 TYPE OR PRINT OWNER'S NAME *ON BEHALF OF CSX TRANSPORTATION, INC.*

500 Water Street  
 ADDRESS

Jacksonville, Florida 32202  
 CITY & STATE ZIP CODE

*[Signature]*  
 OWNER'S SIGNATURE

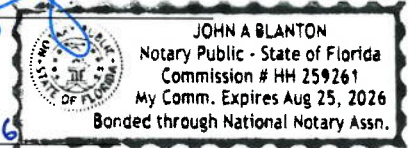
damiendanna@csx.com  
 EMAIL ADDRESS

Sworn to and subscribed before me this the

3 Day of February 2025

NOTARY PUBLIC

904-279-3646  
PHONE NUMBER



**PART 2. Petitioner states under oath that: (1) he/she is the executor or Attorney-in-fact under a Power-of-Attorney for the owner (attach a copy of the Power-of-Attorney letter and type name above as "Owner"); (2) he/she has an option to purchase said property (attach a copy of the contract and type name of owner above as "Owner"); or (3) he/she has an estate for years which permits the petitioner to apply (attach a copy of lease and type name of owner above as "Owner").**

\_\_\_\_\_  
 TYPE OR PRINT PETITIONER'S NAME

\_\_\_\_\_  
 ADDRESS

\_\_\_\_\_  
 CITY & STATE ZIP CODE

\_\_\_\_\_  
 PETITIONER'S SIGNATURE

\_\_\_\_\_  
 EMAIL ADDRESS

Sworn to and subscribed before me this the

\_\_\_\_ Day of \_\_\_\_\_ 20\_\_\_\_

\_\_\_\_\_  
NOTARY PUBLIC

\_\_\_\_\_  
PHONE NUMBER

**SECTION V**

**ATTORNEY / AGENT**

Check One:  Attorney  Agent

\_\_\_\_\_  
 TYPE OR PRINT ATTORNEY / AGENT NAME

\_\_\_\_\_  
 SIGNATURE OF ATTORNEY / AGENT

\_\_\_\_\_  
 ADDRESS

\_\_\_\_\_  
 CITY & STATE ZIP CODE

\_\_\_\_\_  
EMAIL ADDRESS

\_\_\_\_\_  
PHONE NUMBER

\_\_\_\_\_  
PETITIONER'S SIGNATURE



# PRE-APPLICATION INFORMATION FORM

*This page must be completed by the Applicant.*

## APPLICANT

Victor Landen

Name

Preferred Parking Service, LLC

Company

128 S. Tryon St.

Suite 1560

Charlotte, NC

28202

Mailing Address

980-316-0682

N/A

Suite/Apt. #

City, State

Zip Code

victorl@preferredparking.com

Primary Phone #

Alternate Phone #

E-mail

## PROJECT SUMMARY

None- previously Municipal Parking Lot @ corner of Main St. & W Mountain St.

Address of Project

Name of Project

Special Use Permit

Application Type (Rezoning, Special Use Permit, Conditional Use Permit, Variance, Subdivide Land, Other)

0.55

Total Project Acreage

## Detailed Description (Include Proposed Use(s) and Square Footage of Floor Area for each use):

We're proposing to use the property as a paid public parking lot. The property will remain unchanged from it's current form other than new signage denoting the paid nature of the lot, violations, possibility of vehicle immobilization or tows, and methods of payment.

Additionally, we're working on a system for parking validation such that local business can validate parking for patrons.

Date: 01 / 24 /

Applicant Signature

**NOTE:** This form must be signed by staff and submitted with your application.

*For Internal Use Only:*

Pre-Application Meeting Date: \_\_\_\_\_

Staff Printed Name: \_\_\_\_\_ Signed: \_\_\_\_\_



## USE PERMIT CONSIDERATIONS

Applicant: Victor Landen

Analyze the impact of the proposed use permit with the following questions:

1. Compatibility with land uses and zoning districts in the vicinity of the property for which the use permit is proposed? Compatibility with land uses? Yes, as a parking lot the property will serve nearby land uses. Compatibility with zoning districts? Unclear as the use of parking is unaddressed in city zoning code.
2. What is the extent to which property values are diminished by their particular zoning restrictions? Unclear as the property is not zoned.
3. What is the extent to which the possible reduction of property values of the subject property promotes health, safety, morals or general welfare of the public? The property will be well maintained for cleanliness and function and ensure a tidy and monitored central parking location for local inhabitants & business owners.
4. What is the relative harm to the public as compared to the hardship imposed upon the individual property owner? Paying parking fees creates no harm to the public- it simply provides a service that has an associated value for the owner's property.
5. What is the suitability of the subject property for the zoning proposed? Extremely suitable- the property has been developed as a parking lot & has been used as such under the city's lease for many years.
6. What is the length of time the property has been vacant as zoned, considered in the context of land development in the area in the vicinity of the property? The property has not been vacant, but has been utilized for public parking without collection of parking fees for years. No redevelopment is intended for this property.
7. Will the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property? Yes. The property is well developed already & has been in use.



8. Will the zoning proposal adversely affect the existing use or usability of adjacent or nearby property?  
\_\_\_\_\_  
No. No changes are planned on the property that would impact nearby properties.  
\_\_\_\_\_  
\_\_\_\_\_
9. Does the property affected by the zoning proposal have a reasonable economic use as currently zoned?  
In it's current state, the property has no zoning nor has it been monetized.  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
10. Does the zoning proposal result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools? \_\_\_\_\_  
No. As it has been a parking lot already and will continue with negligible changes, the impact on local infrastructure will be minute.  
\_\_\_\_\_  
\_\_\_\_\_
11. Is the zoning proposal is in conformity with the policy and intent of the comprehensive plan and future development map? \_\_\_\_\_  
Yes.  
\_\_\_\_\_  
\_\_\_\_\_
12. Are there any 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 is no change nor any impeding change in the condition affecting the property. The property was utilized as parking in previous years and will continue the same use.  
\_\_\_\_\_  
\_\_\_\_\_
13. What is the impact upon the appearance of the city? \_\_\_\_\_  
Only the change of signage at the entrances of the lot. No other changes will be made to the property.  
\_\_\_\_\_  
\_\_\_\_\_
14. What is the anticipated impact upon the provision of water, sewage, transportation and other urban services? \_\_\_\_\_  
Possibly more available parking downtown as individuals opt out of paying to park.  
\_\_\_\_\_  
\_\_\_\_\_
15. What is the anticipated impact upon population density and the potential for overcrowding and urban sprawl? \_\_\_\_\_  
None. Subject property will not be hostel or residential use.  
\_\_\_\_\_  
\_\_\_\_\_
16. What is the anticipated impact upon thoroughfare congestion and traffic safety \_\_\_\_\_  
None. Subject property will be functionally unchanged, no or negligible effect on traffic.  
\_\_\_\_\_  
\_\_\_\_\_
17. What measures are being taken to protect the property against blight and depreciation? \_\_\_\_\_  
The property will be observed, with maintenance needs reported and handled by relevant staff and/or vendors.  
\_\_\_\_\_  
\_\_\_\_\_



## DISCLOSURE REPORT

**Office use only:**

USE PERMIT PETITION #: \_\_\_\_\_ CITY COUNCIL MEETING DATE: \_\_\_\_\_

Within the (2) years immediately preceding the filing of this zoning petition have you, as the applicant, owner and/or opponent for the use permit petition, or an attorney or agent of the applicant or opponent for the use permit petition, made any campaign contributions aggregating \$250.00 or more or made gifts having an aggregate value of \$250.00 to a member of City Council.

**CHECK ONE:**     YES         NO

If the answer is *YES*, proceed to sections 1 through 4.  
 If the answer is *NO*, complete only section 4.

1. **CHECK ONE:**     Party to Petition                       In Opposition to Petition

If party to petition, complete sections 2, 3, and 4 below.  
 If in opposition, proceed to sections 3 and 4 below.

2. List all individuals or business entities which have an ownership interest in the property which is the subject of this use permit petition: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

3. CAMPAIGN CONTRIBUTIONS:

Name of Government Official	Total Dollar Amount	Date of Contribution	Enumeration and Description of Gift Valued at \$250.00 or more

4. The undersigned acknowledges that this disclosure is made in accordance with the Official Code of Georgia, Section 36-67A-1 et. seq. Conflict of interest in zoning actions, and that the information set forth herein is true to the undersigned's best knowledge, information and belief.

Name (print) Victor Landen

Signature:  Date: 1/24/25