



Agenda

Alcohol License and Zoning Public Hearings Special Meeting

- The Honorable khalid kamau, Mayor*
- The Honorable Catherine F. Rowell, District 1*
- The Honorable Carmalitha Gumbs, District 2*
- The Honorable Helen Z. Willis, District 3*
- The Honorable Jaceey Sebastian, District 4*
- The Honorable Keosha B. Bell, District 5*
- The Honorable Natasha Williams-Brown, District 6*
- The Honorable Linda B. Pritchett, District 7*

Tuesday, December 9, 2025

5:00 PM

City Hall

*SOUTH FULTON CITY COUNCIL MISSION STATEMENT:*

*To provide exceptional customer service that sustains a safe, inclusive, innovative, and an economically vibrant city.*

<b>Live-stream:</b>	<b>Public Meeting Portal (Civic Clerk):</b> <a href="https://southfultonga.portal.civicclerk.com">https://southfultonga.portal.civicclerk.com</a>
<b>Public Comment:</b>	<a href="https://www.cityofsouthfultonga.gov/3074/Public-Comment-at-Council-Meetings">https://www.cityofsouthfultonga.gov/3074/Public-Comment-at-Council-Meetings</a>

- I. Meeting Called to Order - Mayor khalid
- II. Roll Call - Corey Adams, City Clerk
- III. Alcohol Licenses, Rezoning, Variance and Modification Cases (For Presentation and Public Hearing Only)
  - A. Case Z25-031/CV25-004: (Public Hearing): An application by Lavarien Grundy Sr. requesting a rezoning from R-3 (Single-Family Dwelling District/Sandtown Overlay District) to R-4A (Single-Family Dwelling District/Sandtown Overlay District) to develop **three single-family residential lots on 1.65 acres at 4865 Campbellton Road (14F0077 LL0558)**. The applicant also requests a concurrent variance from Section 405.01 (b)(2) to eliminate the 100ft buffer. Council District: 1. (This item was deferred at the November 12, 2025 public hearing meeting until the December 9, 2025 public hearing meeting.)  
  
Staff Recommendation: Approval  
Planning Commission Recommendation: Approval
  - B. Case Z25-033/ U25-014/ CDP25-012 (Public Hearing): An application by Anré Washington c/o MK Energy requesting a rezoning from AG-1 (Agricultural District/ Cedar Grove Overlay District) to C-2 (General Commercial/ Cedar Grove Overlay District) and a Special Use Permit to **operate a convenience store with fuel pumps; requesting Future Land Use Amendment** to amend the character area from Rural Neighborhood to Community Work-Live at 0 Campbellton Fairburn Road (Parcel ID: 09F310001401098) **Nearest cross street is Jones Rd and Hall Rd**. Council District: 4.

Staff Recommendation: Denial

Planning Commission Recommendation: Denial All

- C. Case U25-013 (Public Hearing): An application by Earlie Rockette requesting a Special Use Permit to allow **Group Residence for 6-9 Children** in CUP (Community Unit Plan/Old National Highway Overlay) zoning at **120 Cainwood Ct E.** (Parcel ID: 13016300010120) Council District: 6.

Staff Recommendation: Approval Conditional

Planning Commission Recommendation: Denial

**IV. Executive Session, if necessary**

**V. Adjournment of Meeting**

**HONORABLE MAYOR  
& CITY COUNCIL**

KHALID KAMAU  
MAYOR

DR. CATHERINE F. ROWELL  
DISTRICT 1

CARMALITHA GUMBS  
DISTRICT 2

HELEN ZENOBIA WILLIS  
DISTRICT 3

JACEEY SEBASTIAN  
DISTRICT 4

KEOSHA B. BELL  
DISTRICT 5

NATASHA WILLIAMS-BROWN  
DISTRICT 6

LINDA PRITCHETT  
DISTRICT 7

**TO:** City of South Fulton Planning Commission

**FROM:** Department of Community Development and Regulatory Affairs  
Planning & Zoning Division

**SUBJECT:** **Z25-031/CV25-004: 4865 Campbellton Road**

**MEETING DATE:** September 16, 2025

---

Lavarien Grundy Sr. requesting a rezoning from R-3 (Single-Family Dwelling District/Sandtown Overlay District) to R-4A (Single-Family Dwelling District/Sandtown Overlay District) to develop three single family residential lots on 1.65 acres at 4865 Campbellton Road (14F0077 LL0558).

The applicant also requests a concurrent variance from Section 405.01 (b)(2) to eliminate the 100ft buffer.

City Council District: 1.

**STAFF RECOMMENDATION: DENIAL**

---

**APPLICATION INFORMATION**

---

Applicant Information:	Lavarien Grundy Sr.
Status of Applicant:	Applicant
City Council District(s):	1
Parcel ID Number:	14F0077 LL0558
Area of Property:	1.65 acres
Existing Zoning:	R-3 (Single-Family Dwelling District/Sandtown Overlay District)
Current/Past Use of the Property:	There's a single-family home on the property.
Prior Zoning Cases/History:	N/A

---

**SPECIFIC INFORMATION****REQUEST**

The applicant is requesting to rezone to R-4A/Sandtown Overlay District to develop three single-family residential lots. One of the proposed lots will be 12,003.56 sq ft, which qualifies under R-4A, and the second will be 19,416.3 sq ft. The original lot will remain at 40,814.14 sq ft.

**PROPERTY LOCATION**

The property consists of 1.65 total acres located on the eastern side of Campbellton Road being in Land Lot 77 of the 14th District in the City of South Fulton, Fulton County, Georgia and City Council District 1.

**2021 COMPREHENSIVE PLAN LAND USE DESIGNATION**

The subject property has a future land use designation of Suburban I Neighborhood as designated in the 2021 South Fulton Comprehensive Plan, which supports the proposed zoning classification and density.

**ADJACENT ZONING AND LAND USES**

North: City of Atlanta/ Single-Family Dwellings  
South: R-3 (Single-Family Dwelling District/Sandtown Overlay District)/ Single-Family Dwelling  
East: City of Atlanta/ Single-Family Dwellings  
West: R-3 (Single-Family Dwelling District/Sandtown Overlay District) & AG-1 (Agricultural District/Sandtown Overlay District)/ Single-Family Dwellings

## **COMMUNITY AND PROPERTY OWNERS' NOTIFICATION/COMMENTS**

Per the requirements of Section 803.05, a Community Zoning Information Meeting was held on August 4, 2025, at 6:00pm. The applicants presented their rezoning plan to attendees.

Staff placed the required notice of public hearing in the South Fulton Neighbor on August 26, 2025, to notify the public that Case Z25-031/CV25-004 would be heard at the Planning Commission Meeting on September 16, 2025, and at the City Council Public Hearing on October 14, 2025.

The applicant placed a notification sign in front of the subject property on August 26, 2025, to notify the surrounding community of the aforementioned hearing dates.

The Applicant was given the addresses within one mile of the subject property for the purposes of hosting their own community meeting.

## **APPLICABLE CODE REQUIREMENTS**

Sec. 405.01. - Landscape strip and zoning buffer requirements. (B)(2)

- A 100-foot zoning buffer shall be provided for all new residential developments along property boundaries adjacent to or within a municipal jurisdiction adjacent to the City of South Fulton. To the extent possible, the zoning buffer from an adjacent jurisdiction shall remain undisturbed. If it is determined by the City Engineer that preservation of a completely undisturbed zoning buffer is not feasible in a location due to topography, drainage or other factors, a landscape buffer plan (in accordance with the buffer design standards in this Zoning Ordinance) shall be provided and executed following review and approval by the City Engineer and Director of Community Development and Regulatory Affairs.

Table 4-1 Area Regulations for Lots and Principal Buildings.

Sec. 512. - Sandtown Overlay District.

---

### **Standard of review for proposed rezoning (City Code, Appendix C, Sec. 803.06):**

#### **1) The suitability of the subject property for the zoned purposes;**

The proposed zoning district and density is supported by the Future Land Use Map.

#### **2) The extent to which the property values of the subject property are diminished by the particular zoning restrictions;**

The current zoning does not diminish the unimproved property value.

#### **3) The extent to which the destruction of property values of the subject property promotes the health, safety, morals or general welfare of the public;**

The current zoning of R-3 (Single-Family Dwelling District/Sandtown Overlay District) does not diminish the unimproved property value.

**4) The relative gain to the public as compared to the hardship imposed upon the individual property owner;**

Providing a wide diversity of housing types and affordability in the City of South Fulton while preserving the surrounding natural, agricultural, and rural areas is the intention of the Suburban Neighborhood Character Areas. This proposed development divides 4865 Campbellton Road into 2 additional lots while preserving the existing single-family home on the property. Staff does not anticipate any hardship to the property owner.

**5) 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 holds a single-family home that the applicant intends to preserve. Whether this dwelling is vacant is unknown to Staff at this time.

**6) Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property;**

The proposal to develop single-family lots is suitable in view of the use and adjacent and nearby property. Even though many of neighboring properties are within a different municipality, the use of the properties is the same.

**7) Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property;**

The proposal should not adversely affect the use or usability of adjacent properties as the lots will have a similar density to the City of Atlanta subdivision behind them. The applicant requests to eliminate the 100-foot undisturbed zoning buffer required for all new residential developments along property boundaries adjacent to or within a municipal jurisdiction adjacent to the City of South Fulton.

**8) Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned;**

The property does have reasonable economic use as currently zoned.

**9) Whether the zoning proposal will result in a use which will or could cause an excessive burdensome use of existing streets, transportation facilities, utilities, or schools;**

The zoning proposal should not result in a use that will cause an excessive burden to existing infrastructure.

**10) Whether the zoning proposal is in conformity with the policies and intent of the Comprehensive Plan;**

The zoning proposal is in conformity with the comprehensive plan. The property is located in the Suburban I Neighborhood character area, which supports the development of middle-density residential housing.

**11) Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the zoning proposal;**

No other conditions are known to Staff at this time that would affect the use and development of the property.

**12) Whether the zoning proposal will permit a use which can be considered environmentally adverse to the natural resources, environment and citizens of South Fulton.**

This zoning proposal will not permit a use that is environmentally adverse.

---

**VARIANCE CONSIDERATIONS**

Staff is including the specific conditions that must be considered for a variance to be granted to assist the Zoning Board of Appeals in considering the application and its merits. According to our Code, these considerations include:

808.09 Hardship Criteria:

Primary variances shall only be granted by the Zoning Board of Appeals and concurrent variances shall only be granted by City Council upon showing that, owing to special conditions, a literal enforcement of the provisions of this Ordinance would result in unnecessary hardship and such approval will not be contrary to the public interest. A variance from the terms on this Ordinance shall not be granted unless a written application is submitted demonstrating:

- a. The application of the particular provision of the Zoning Ordinance to a particular piece of property, due to extraordinary and exceptional conditions pertaining to that property because of its size, shape, or topography, would create an unnecessary hardship for the owner while causing no detriment to the public;
- b. That special conditions and circumstances exist which are peculiar to the land, structure, sign, or building involved and which are not applicable to other land, structures, or buildings in the same district;
- c. That literal interpretation of the provisions of this Zoning Ordinance would deprive the applicant of rights commonly enjoyed by other properties within the same district under the terms of this Ordinance;
- d. That the special conditions and circumstances do not result from the actions of the appellant;
- e. That granting the variance requested will not confer on the appellant any special privilege that is denied by this Zoning Ordinance to other lands, structures or buildings in the same district;
- f. That the request is limited to the extent necessary to alleviate the unnecessary hardship and not as a convenience to the appellant nor to gain any advantage or interest over similarly zoned properties; and
- g. Relief, if granted, would be in harmony with, or, could be made to be in harmony with, the general purpose and intent of the Zoning Ordinance.

---

**PUBLIC PARTICIPATION**

Staff awaits the public participation report for this case.

---

---

## STAFF RECOMMENDATION

The applicant is proposing to rezone from R-3/Sandtown Overlay District to R-4A/Sandtown Overlay District to develop 2 additional lots on a 1.65-acre property that currently contains a single-family home. In addition to this rezoning, the applicant wants a concurrent variance to eliminate the 100-foot zoning buffer required for all new residential developments along property boundaries adjacent to or within a municipal jurisdiction adjacent to the City of South Fulton. This property borders the City of Atlanta on its Northern and Western property lines.

The R-4A Single-Family Dwelling District is intended to provide land areas devoted to moderate density (12,000 square feet minimum lot size) residential uses and single-family subdivisions, with the option for larger house sizes. The site plan submitted contains 3 lots, with holding the existing single-family home on the property. The square footage of these 3 lots from top to bottom is 12,003.56 square feet, 40,814.14 square feet, and lastly, 19,416.35 square feet. The homes for lots are proposed to be two-story homes with a square footage of 1500-2000 square feet.

The zoning proposal aligns with the City of South Fulton's 2021 Comprehensive Plan and the properties' future land use designation of Suburban I Neighborhood. The purpose of the Suburban Neighborhood Character Areas intends to provide a wide diversity of housing types and affordability in the City of South Fulton while preserving the surrounding natural, agricultural, and rural areas. The Suburban I Neighborhood recommends a gross density of 3 units per acre. This development meets this recommendation with gross density of 1.81 units per acre. The character area also supports the zoning classifications: R-3, R-3A, R-4A, CUP (Community Unit Plan), NUP (Neighborhood Unit Plan), and SH (Senior Housing); Therefore, R-4A is supported by the Suburban I Character Area.

This property is also subject to Sandtown Overlay District guidelines in Section 512 of the City of South Fulton's Zoning Ordinance. This district establishes "a uniform procedure for providing for the protection, enhancement, preservation, unity of design, and use of places, sites, buildings, structures, streets, neighborhoods, and landscape features." Single-family dwelling units are exempt from the requirements of this District, with the exception that compliance with Section 512.11(f) is required. 512.11(f) states "*Prohibited building materials for exterior walls and accents on all residential and nonresidential buildings: metal panel systems, vinyl siding, site-cast smooth concrete masonry or plain reinforced concrete slabs, aluminum siding, pressed-wood panels, plywood panels, mirrored glass, and corrugated steel (exceptions: mechanical penthouse and roof screens). In addition, synthetic stucco and aluminum siding is prohibited on all residential buildings.*"

As stated before, in addition to the rezoning, the applicant is asking to remove the 100-foot zoning buffer required for all new residential developments along property boundaries adjacent to or within a municipal jurisdiction. This buffer would significantly cut into the property leaving much of it not buildable. This buffer would also create a non-conformity on the lot with the existing single-family home. Other properties in this area are similar in lot area to the proposed lots for this development; therefore, it would not create any special privileges to applicant for this variance to be approved. Staff find this variance to meet the hardship criteria in Section 808.09 of the City of South Fulton's municipal code.

The applicant has not met the public participation requirements.

Staff recommends **DENIAL** based on these factors.

---

---

PREPARED BY: Victoria Young, Senior Planner

REVIEWED BY: Reginald McClendon, Director, CDRA

**SURVEYORS NOTES:**

1. STORM SEWER, SANITARY SEWER AND OTHER BURIED UTILITIES MAY HAVE BEEN PAVED OR COVERED OVER. THE LOCATION OF UNDERGROUND UTILITIES AS SHOWN HEREON ARE BASED ON ABOVE GROUND STRUCTURES AND RECORD DRAWINGS PROVIDED TO THE SURVEYOR. LOCATIONS OF UNDERGROUND UTILITIES MAY VARY FROM LOCATIONS SHOWN HEREON. ADDITIONAL BURIED UTILITIES MAY BE ON COUNTRIES. NO DITCHING WORK MADE DURING THE PROCESS OF THIS SURVEY TO LOCATE BURIED UTILITIES. BEFORE CONSTRUCTION ARE BEGUN, CALL THE UTILITIES PROTECTION CENTER FOR ADDITIONAL INFORMATION.
2. SURVEYOR HAS MADE NO INVESTIGATION OR INDEPENDENT SEARCH FOR EASEMENTS OF RECORD, ENCUMBRANCES, RESTRICTIVE COVENANTS, OWNERSHIP TITLE EVIDENCE, OR ANY OTHER FACTS THAT A CURRENT TITLE SEARCH MAY DISCLOSE.
3. THIS PLAT WAS PREPARED FOR THE EXCLUSIVE USE OF THE PERSONAL PERSONS OR ENTITY NAMED HEREON. THIS PLAT DOES NOT EXTEND TO ANY UNNAMED PERSON, FIDUCIARY, OR ENTITY WITHOUT THE EXPRESS INDICATION OF THE SURVEYOR NAMED SUCH PERSON, PERSONS OR ENTITY.
4. BEARINGS SHOWN WERE COMPUTED FROM ANGLES TURNED FROM A SINGLE MAGNETIC OBSERVATION.
5. THIS PROPERTY IS SUBJECT TO CURRENT ZONING REGULATIONS AND RESTRICTIONS.
6. ALL BEARINGS SET AREA 1/2" BEARINGS UNLESS OTHERWISE NOTED.
7. THE EXISTENCE, SIZE AND LOCATION OF ADJACENT RIGHTS ARE SUBJECT TO FINAL DETERMINATION BY THE LOCAL ISSUING AUTHORITY, CITY, OR COUNTY.

**INSTRUMENT USED:**

GEOMAX ZOOM 90 ROBOTIC TOTAL STATION  
REFERENCE USE: 109 FC. 80

**LEGEND**

- P.O.B. POINT OF BEGINNING
- P.O.R. POINT OF REFERENCE
- D.U.P. OVERHEAD POWER LINE
- P.P. POWER POLE
- L.L.L. LAND LOT LINE
- I.P.T. 1/2" IRON PIN FOUND
- I.P.S. 1/2" IRON PIN SET
- O.T.P. OPEN TOP FOUND
- T.L.P. TRAFFIC LIGHT POLE
- C.L. CENTER LINE
- Ⓛ LOT NUMBER
- W.M. WATER METER
- C.W. CURB WIRE
- E.B. ELECTRIC BOX
- T.S. TELEPHONE BOX
- C.B. CABLE BOX
- G.M. GAS METER
- C.T. CURB TOP FOUND
- T.L.P. TRAFFIC LIGHT POLE
- M. ANGLE IRON PEGS

LINE TABLE		
LINE	LENGTH	BEARING
1	350.25	S 89° 12' 00" W
2	125.50	S 70° 45' 11" W
3	488.17	S 08° 27' 49" E
4	508.72	S 49° 17' 00" E
5	125.50	S 70° 45' 11" W
6	488.17	S 08° 27' 49" E
7	508.72	S 49° 17' 00" E
8	350.25	S 89° 12' 00" W

**FLOOD STATEMENT**

NO PORTION OF THIS PROPERTY IS LOCATED IN A FEDERAL FLOOD AREA AS INDICATED BY F.I.A. OFFICIAL FLOOD HAZARD MAP  
PARCEL # 132200333 DATE 8/04/2013

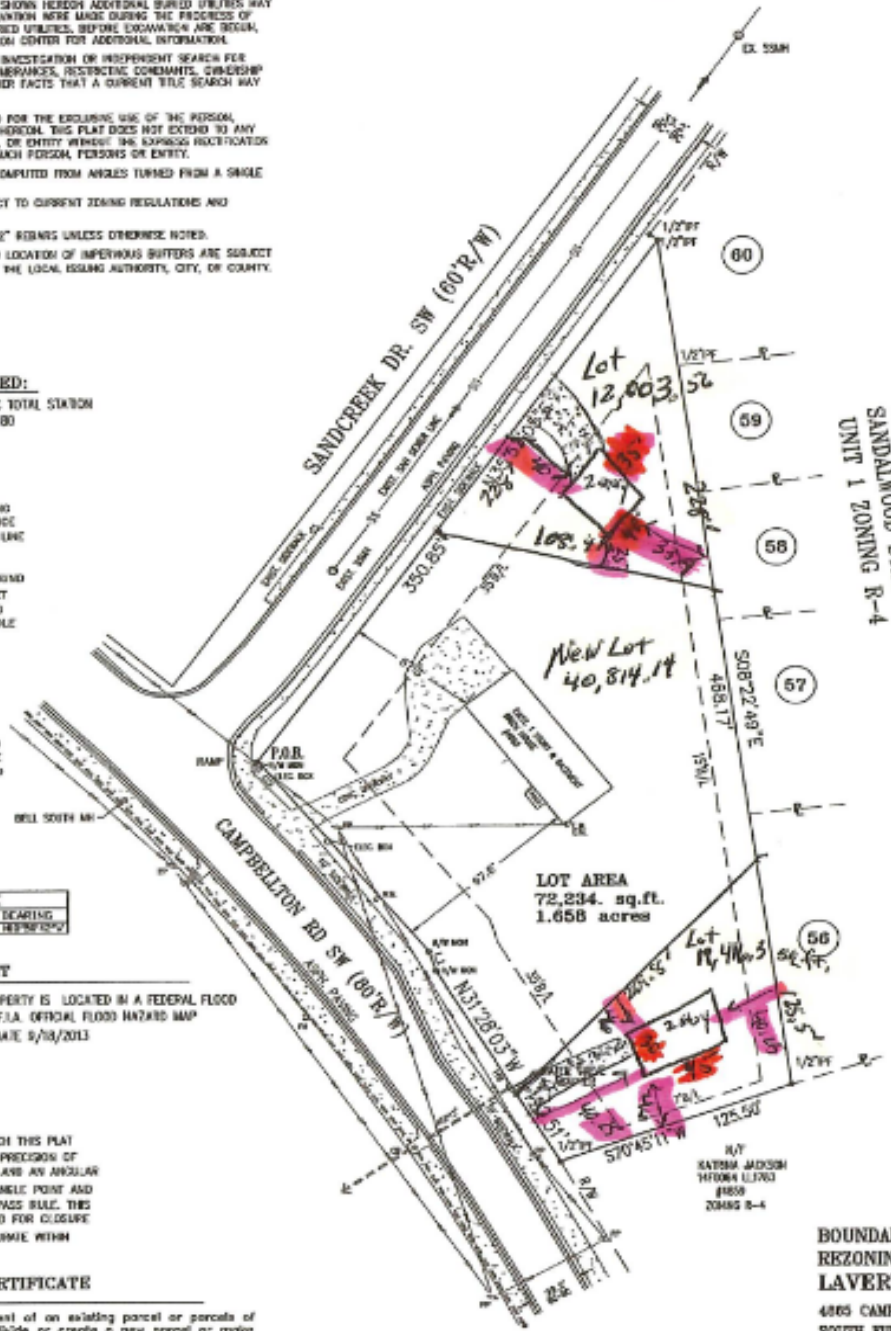
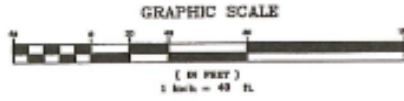
**NOTE:**

THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 65,580 FEET AND AN ANGULAR ERROR OF 00 00/100000 ANGLE POINT AND WAS ADJUSTED USING COMPASS RULE. THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN 1: 176,284 FEET

**SURVEYOR'S CERTIFICATE**

This plat is a retracement of an existing parcel or parcels of land and does not subdivide or create a new parcel or make any changes to any real property boundaries. The recording information of the documents, maps, plats, or other instruments which created the parcel or parcels are stated herein. RECORDATION OF THIS PLAT DOES NOT IMPLY APPROVAL OF ANY LOCAL JURISDICTION, AVAILABILITY OF PERMITS, COMPLIANCE WITH LOCAL REGULATIONS OR REQUIREMENTS, OR SUITABILITY FOR ANY USE OR PURPOSE OF THE LAND. Furthermore, the undersigned land surveyor certifies that this plat complies with the minimum technical standards for property surveys in Georgia as set forth in the rules and regulations of the Georgia Board of Regulation for Professional Surveyors and Land Surveyors and as set forth in O.C.G.A. § 47-1-154.

8/04/2013  
WALTER F. PINNOC Georgia RLS No. 2000 Date



SANDALWOOD STATE SUBD.  
UNIT 1 ZONING R-4

EXIST. ZONING R-4	FRONT YARD SETBACK --- 20 FEET
	SIDE YARD SETBACK --- 7 FEET
	REAR YARD SETBACK --- 15 FEET
PROPOSED ZONING R-4A	FRONT YARD SETBACK --- 20 FEET
	SIDE YARD SETBACK --- 7 FEET
	REAR YARD SETBACK --- 15 FEET
	MIN. LOT AREA 7,500 SQ.FT.
	MIN. FRONTAGE 50 FEET

**BOUNDARY SURVEY  
REZONING APPLICATION FOR:  
LAVERIEN GRUNDY**

4865 CAMPBELLTON RD SW  
SOUTH FULTON ATLANTA 30331  
PARCEL ID: 14F007Y1L4568  
LAND LOT: 77 14th DISTRICT  
FULTON COUNTY, GEORGIA  
DATE: SURVEY PLAT JUNE 4, 2015

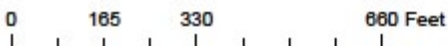
**HURD PRINCE & ASSOCIATES, INC.**  
"Consulting Planners & Surveyors"  
110 MLK SR HERITAGE TRAIL  
STOCKBRIDGE, GEORGIA 30281-3424  
Phone (878)-593-5054 CELL (404) 372-7304

JOB #28456



**4865 Campbellton Road - 14F0077LL0558 - Aerial**

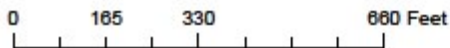
The City of South Fulton provides the data on this map for your personal use "as is". The data is not guaranteed to be accurate, correct, or complete. The feature locations depicted in these maps are approximate and are not necessarily accurate to surveying or engineering standards. The City of South Fulton assumes no responsibility for losses resulting from the use of this data, even if the City of South Fulton is advised of the possibility of such losses.





### 4865 Campbellton Road - 14F0077LL0558 - Zoning

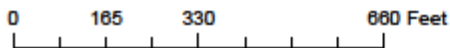
The City of South Fulton provides the data on this map for your personal use "as is". The data is not guaranteed to be accurate, correct, or complete. The feature locations depicted in these maps are approximate and are not necessarily accurate to surveying or engineering standards. The City of South Fulton assumes no responsibility for losses resulting from the use of this data, even if the City of South Fulton is advised of the possibility of such losses.





## 4865 Campbellton Road - 14F0077LL0558 - Future Land Use

The City of South Fulton provides the data on this map for your personal use "as is". The data is not guaranteed to be accurate, correct, or complete. The feature locations depicted in these maps are approximate and are not necessarily accurate to surveying or engineering standards. The City of South Fulton assumes no responsibility for losses resulting from the use of this data, even if the City of South Fulton is advised of the possibility of such losses.



## Suburban Neighborhood

---

The Suburban Neighborhood Character Area intends to provide a wide diversity of housing types and affordability in the City of South Fulton while preserving the surrounding natural, agricultural, and rural areas. The area is further subdivided into two levels, Suburban I and Suburban II, which represent a transitional density from the less intense uses near rural areas to the more intensive suburban uses that are older and have a higher density.

The Suburban Neighborhoods are located closest to urbanized areas and are comprised of medium-density residential housing. Included in this area are the communities of Sandtown, Cascade, Old National, and portions of Cliftondale. Public infrastructure is available. This Character Area has the highest percentage of existing developed land.

Other types of development allowed in Suburban Neighborhood include civic uses such as schools, places of worship, community centers, and facilities. Within the Suburban II Neighborhood, Character mixed-use developments may be allowed to encourage redevelopment of older areas. |



**Gross Density**  
**Suburban I**  
**Up to 3 Units per acre**  
**Suburban II**  
**Up to 8 Units per acre**

**Zoning**  
**Suburban I**  
**R-3,R-3A,R-4A, CUP, NUP, SH**

**Suburban II**  
**R-3,R-3A,R-4, R-4A, R-5.R-5A,TR, MIX, NUP**



**HONORABLE MAYOR  
& CITY COUNCIL**

KHALID KAMAU  
MAYOR

DR. CATHERINE F. ROWELL  
DISTRICT 1

CARMALITHA GUMBS  
DISTRICT 2

HELEN ZENOBIA WILLIS  
DISTRICT 3

JACEEY SEBASTIAN  
DISTRICT 4

KEOSHA B. BELL  
DISTRICT 5

NATASHA WILLIAMS-BROWN  
DISTRICT 6

LINDA PRITCHETT  
DISTRICT 7

**TO:** Planning Commission

**FROM:** Department of Community Development and  
Regulatory Affairs  
Planning & Zoning Division

**SUBJECT:** **Z25-033/U25-014/CDP25-012:  
0 Campbellton Fairburn Road**

**MEETING DATE:** November 19, 2025

---

MK Energy c/o Anré Washington requesting a rezoning from AG-1 (Agricultural District / Cedar Grove Overlay District) zoning to C-2 (General Commercial District/ Cedar Grove Overlay District) zoning with a Special Use Permit to allow a strip shopping center with a convenience store with gasoline pumps. The applicant also requests a Future Land Use Amendment request from Agricultural Neighborhood to Community Work-Live (District 4).

**STAFF RECOMMENDATION: DENIAL**

---

**APPLICATION INFORMATION**

---

Applicant Information: MK Energy c/o Anré Washington

---

Status of Applicant: Applicant

---

City Council District(s): 4

---

Parcel ID Number: 09F310001401098

---

Area of Property: 3.61 acres

---

Existing Zoning: AG-1 (Agricultural/Old National Highway Overlay District)

---

Current/Past Use of the Property: The property is currently vacant.

---

Prior Zoning Cases/History: N/A

---

---

**SPECIFIC INFORMATION****BACKGROUND**

The applicant is requesting a rezoning from AG-1 (Agricultural District/Cedar Grove Overlay District) zoning to C-2 (General Commercial District/Cedar Grove Overlay District) zoning with a Special Use Permit to allow a strip shopping center with a convenience store with gasoline pumps. The applicant also requests a Future Land Use Amendment request from Agricultural Neighborhood to Community Live-Work.

Regarding the proposed development, the applicant is also requesting legislative waiver of the 3-mile radius requirement between gas stations as set forth in Section 302.15(a) of the South Fulton Zoning Ordinance; and a legislative waiver of the 1,000 ft distance requirement between a gas station and residentially zoned property as set forth in Section 302.15(b). In order for the project to proceed, these distance requirements must be waived by the City Council.

**PROPERTY LOCATION**

The property consists of 3.61 acres, lying and being in Land Lot 140 of the 9<sup>th</sup> District of Fulton County, Georgia, formerly Fayette County, Georgia, being Lot 7, Block A, Old Campbell Estates. The property is in Council District 4.

**2021 COMPREHENSIVE PLAN LAND USE DESIGNATION**

The subject property has a future land use designation of Agricultural Neighborhood as designated in the 2021 South Fulton Comprehensive Plan, which does not support the proposed zoning classification. For this reason, the applicant has requested a Future Land Use amendment to change the character area to Community Live-Work.

## **ADJACENT ZONING AND LAND USES**

**North:** AG-1 (Agricultural District/Cedar Grove Overlay District); single-family home

**South:** AG-1 (Agricultural District/Cedar Grove Overlay District); single-family home

**East:** Union City

**West:** AG-1 (Agricultural District/Cedar Grove Overlay District); single-family home

## **COMMUNITY AND PROPERTY OWNERS' NOTIFICATION/COMMENTS**

Per the requirements of Section 803.05, a Community Zoning Information Meeting was held in person on October 6, 2025, at 6:00pm. The applicants presented their rezoning plan to attendees, and staff members discussed concerns regarding the proposed development with the developer.

Staff placed the required notice of public hearing in the South Fulton Neighbor on October 28, 2025 to notify the public that the subject case would be heard at the Planning Commission Meeting on November 19, 2025 and at the City Council Public Hearing on December 9, 2025.

Staff placed a notification sign in front of the subject property on October 28, 2025, to notify the surrounding community of the aforementioned hearing dates.

The Applicant was given the addresses within one mile of the subject property for the purposes of hosting their own community meeting.

## **APPLICABLE CODE REQUIREMENTS**

### **Sec. 507. – Cedar Grove Overlay District.**

**Sec. 207.06. - Use tables. Table 2-4 Principal Use Table: Non-Residential Districts (NAICS Ref. 447110-Gasoline Stations) \*For Convenience Stores, see under Gas Stations**

### **Sec. 302.15. - Gas station.**

- a) Excluding those with frontage on Fulton Industrial Boulevard. gas stations shall be separated by a minimum of three miles from other gas stations. Separation distance shall be measured in a straight line from the property line of said stations.
- b) Gas stations shall not be located within 1,000 ft of residential uses and/or mixed-use districts that include residential development.

Gas Station. An establishment where motor vehicle fuel is sold to retail customers. A gas station may be part of a parcel containing a combination of convenience store and/or fast-food restaurant located inside one structure on the parcel.

### **Sec. 15-4005. - Convenience stores.**

- a) Definitions. The following words, terms and phrases, when used in this section, shall have the following meaning, except where the context clearly indicates a different meaning: Convenience goods means basic food, household and/or pharmaceutical items.

Convenience store means any business that is primarily engaged in the retail sale of convenience goods, or both convenience goods and gasoline, and has less than 10,000 square feet of retail floor space. Convenience store does not include any business where there is no retail floor space accessible to the public.

**Sec. 405.02. - Parking lot landscaping.**

- a) At-grade, non-single-family parking lots shall provide landscaped islands with a minimum of 200 square feet of contiguous soil space.
- b) Required landscaped islands shall be located at both ends of a parking bay, and also after every five parking spaces. A parking bay is a module consisting of one row of parking spaces and the aisle from which motor vehicles enter and leave the spaces.
- c) Such landscaped islands shall include minimum two-inch caliper diameter at breast height (DBH) shade trees from the list of recommended shade trees for parking lots in Appendix K of the South Fulton Tree Preservation Ordinance.
- d) No parking space shall be more than 40 feet from a tree
- e) Landscaping in these islands should preserve and maintain adequate sight lines from the minor lane to the major lane. Alternate methods of landscaping parking lots may be approved whenever the Director of Community Development and Regulatory Affairs determines that the alternate method equals or exceeds this standard.
- f) See also the South Fulton Tree Preservation Ordinance, Appendix J.

**Sec. 602.04. - Electric vehicle parking required.**

- a) New commercial, mixed use, multi-family, and industrial developments which exceed nine off-street parking spaces shall provide dedicated parking spaces for electric vehicles as follows:
  - 1. At least one parking space for electric vehicles shall be provided in parking lots having 10—25 parking spaces; and
  - 2. At least one parking space for electric vehicles shall be provided for each additional 25 parking spaces.
- b) Commercial, mixed use, multi-family, and industrial redevelopments which exceed nine off-street parking spaces shall provide dedicated parking spaces for electric vehicles spaces in accordance with the requirements under subsection (a) above. Compliance with this subsection (b) is required for redevelopment projects where site work and/or repaving of existing parking areas and driveways (greater than nine parking spaces) exceeds 50 percent of the existing impervious surface area.
- c) Electric vehicle parking spaces may be counted toward satisfying minimum off-street parking space requirements of Table 6-1 Minimum Off-Street Parking Spaces Required by Principal Use.
- d) See Section 605.05 below for electric vehicle parking space design requirements.

**Table 6-1 Minimum Off-Street Parking Spaces Required by Principal Use**

Principal Use Group (in alphabetical order)	Example of Types of Use	Minimum Number of Parking Spaces Required
Service stations and automotive repair centers	automotive garages paint and body shops tire centers service stations car care centers	5 per 1,000 sq. ft.
Retail establishments	boutiques shops stores rental services art galleries food stores	5 per 1,000 sq. ft.

**Standard of review for proposed rezoning (City Code, Appendix C, Sec. 803.06):**

**1) The suitability of the subject property for the zoned purposes;**

The Subject Property supports the size and intensity of the proposed use. The proposed zoning district is not supported by the Future Land Use Map; however, the applicants are also requesting an amendment to the Future Land Use Map from Rural Neighborhood to Community Work-Live; therefore if the amendment passes, it will support the proposed rezoning. The proposed C-2 zoning district permits gas stations and convenience stores but does not allow gas stations to be within three-mile radius from other gas stations.

**2) The extent to which the property values of the subject property are diminished by the particular zoning restrictions;**

The current zoning of AG-1 (Agricultural/Cedar Grove Overlay District) does not diminish the unimproved property value.

**3) The extent to which the destruction of property values of the subject property promotes the health, safety, morals or general welfare of the public;**

The current property is undeveloped. The property does not diminish the unimproved property value.

**4) The relative gain to the public as compared to the hardship imposed upon the individual property owner;**

The Community Work-Live Character Area, which is the proposed Future Land Use Designation that the applicant intends to change to, will provide a balanced mix of uses along Old National Highway and other key areas within the City of South Fulton. The Regional Live-Work Character Areas contain the areas of highest density within the City of South Fulton. The applicant intends to develop a new convenience store with gas pumps, which fits into the Regional Live-Work character area, but goes against the special use regulations for gas stations being in a three-mile radius of other gas stations. Staff does not anticipate any hardship to the property owner.

**5) 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;**

Staff has no knowledge of any prior development on the property.

**6) Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property;**

The zoning will not permit a use that is suitable for development of adjacent and nearby properties because abutting properties are zoned and utilized as agricultural and residential.

**7) Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property;**

Adding commercial development in the middle of a residential area will affect the existing use and usability of adjacent properties. The extent of how this project would adversely affect these neighboring properties is unknown to Staff at this time.

**8) Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned;**

The property does have reasonable economic use as currently zoned.

**9) Whether the zoning proposal will result in a use which will or could cause an excessive burdensome use of existing streets, transportation facilities, utilities, or schools;**

The Zoning proposal should not cause any excessive burdensome use of existing street, transportation facilities, utilities, or schools.

**10) Whether the zoning proposal is in conformity with the policies and intent of the Comprehensive Plan;**

The zoning proposal is not in conformity with the comprehensive plan. It is located in the Rural Neighborhood character area, which is characterized by low to medium density residential. The applicant is seeking a future land use amendment to Community Live-Work.

**11) Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the zoning proposal;**

Section 302.15. Gas Station of the City of South Fulton’s Zoning Code states:

“(a) Excluding those with frontage on Fulton Industrial Boulevard, gas stations shall be separated by a minimum of three miles from other gas stations. Separation distance shall be measured in a straight line from the property line of said stations.

(b) Gas stations shall not be located within 1,000 feet of residential uses and/or mixed-use districts that include residential development.”

The proposed gas station is not in compliance with either of these regulations.

**12) Whether the zoning proposal will permit a use which can be considered environmentally adverse to the natural resources, environment and citizens of South Fulton.**

While a gas station could be considered environmentally adverse, the applicant states the gas tanks will be located underground and will not result in any environmentally adverse impact on the surrounding community.

**Standard of review for proposed use permit (City Code, Appendix C, Sec. 803.06):**

**1) Is the proposed use consistent or inconsistent with the Comprehensive Plan?**

The proposed use is not consistent with the Comprehensive Plan. The Comprehensive Plan designates the property as Rural Neighborhood, which supports low to medium density housing. However, the applicant is seeking a future land use amendment to Community Live-Work, which would make the use consistent with the Comprehensive Plan.

**2) Is the proposed use consistent with the supplemental plans adopted by the City Council, such as/or revitalization or economic development plans?**

Not to Staff’s knowledge.

**3) Is the proposed use compatible with the adjacent land uses and zoning districts?**

The proposed use of a gas station may not be compatible with the adjacent land uses and zoning districts as the nearby properties are zoned AG-1 Agricultural and Community Unit Plan.

**4) Does the proposed use violate local, state, and/or federal statutes, ordinances, or regulations governing land development?,**

The proposed use does violate state, and/or federal statutes, ordinances, or regulations governing land development in section 302.15. - gas station, Sec. 602.04. - Electric vehicle parking required and Sec. 405.02.

- Parking lot landscaping. It also violates Section 302.15 of the City of South Fulton's zoning ordinance.

**5) What is the effect of the proposed use on vehicular and pedestrian traffic flow and safety, along adjoining streets?**

The operation of convenience store with gasoline pumps would affect the traffic flow and safety along adjoining streets.

**6) Is the screening adequate to protect adjacent uses from any negative impacts of the proposed use?**

Landscape strips surrounding the proposed use protect the adjacent uses. Thus, this factor will not have any negative impact on the proposed use.

**7) Can outdoor lighting be used so as to not interfere with surrounding uses?**

Outdoor lighting must comply with all local ordinances and not interfere with surrounding uses.

**8) Does ingress and egress to the property reduce negative impacts of the proposed use or enhance safety?**

The property will be accessed by one entrance/exit on Campbellton-Fairburn Road and will be reviewed by the engineering team.

**9) Will the number, size, and type of signs proposed for the site have any negative impact on traffic or surrounding property uses?**

No signs are proposed at this time.

**10) Is the off-street parking space adequate? Will they be properly located to reduce any negative impacts on surrounding property uses?**

The applicant's site plan contains 5,320 square feet of convenience store/gas station and an additional 7,300 square feet of additional retail space configured into 4 separate shops. Both service stations and retail establishments have the same required parking ratio of 5 spaces per 1,000 square feet, amounting to 63 parking spaces, and 70 spaces are provided; therefore parking is more than adequate. However, the spaces require landscaped islands after every five parking spaces as well as electric vehicle parking spaces. The site plan indicates that the landscaped islands are inadequate and there are no electric vehicle parking spaces shown.

**11) Does the use have sufficient space to operate its activities?**

The subject property does have sufficient space to operate a convenience store with gasoline pumps and additional retail spaces.

**12) Are there any negative environmental impacts which should be considered, for example, topography, special geological features, soil, water runoff, air pollution, water pollution or contamination, wetlands, etc?**

No new development is proposed that will incur environmental impacts as the applicants propose underground gas tanks.

**13) Availability of other land suitable for proposed use and effect on balance of land uses;**

The proposed use is within half a mile from another gas station, which violates guidelines for the use set forth in "Section 302.15. - Gas station" of the City's zoning ordinance; However, other land in the City of South Fulton could be utilized for a gas station.

#### **14) Effect on character of the neighborhood;**

The proposed use could affect the character of the neighborhood. Gas stations attract increased traffic, leading to congestion and potential safety concerns for pedestrians, cyclists, and drivers, especially in heavily populated areas. Additionally, the proposed use would create a heavy commercial development amid residential properties.

#### **15) Effect on adjacent property;**

The proposed use is not currently supported by the comprehensive plan and will establish heavy commercial development within a residential area.

#### **16) Economic use of current zoning;**

The AG-1 (Agricultural/Clifftondale Overlay) zoning district has numerous allowed uses that support the economic viability of the subject property.

#### **17) Other Conditions**

Sec. 302.15. - Gas station.

Sec. 15-4005. - Convenience stores.

---

### **PUBLIC PARTICIPATION**

The Public Participation Meeting was held on Wednesday, November 5, 2025, at the Fairfield Inn and Suites, 7775 Ella Lane, Fairburn, GA 30213. A total of six people attended in person, and an additional three people contacted counsel for the applicant by phone. The community expressed general opposition to gas stations but showed interest in other potential uses. The specific issues raised included concerns about potential increases in crime, redundancy of fuel stations, traffic impacts, and whether the proposed use was necessary for the area.

In response, the applicant agreed to seek tenants that would provide fresh food options and micro-grocery concepts as a component of the convenience store. The applicant also committed to working collaboratively with the City of South Fulton Police Department, including potential participation in the Flock Safety Camera System to enhance public safety.

Community members voiced particular concern regarding a nearby fuel station that has experienced ongoing issues with crime, cleanliness, and maintenance. According to residents, that location has failed to make necessary improvements and does not maintain an appropriate aesthetic standard. The applicant emphasized that this project is not limited to fuel pumps but instead proposes five additional commercial tenants designed to address the community's desire for food options and other neighborhood-serving small businesses. Moreover, this project will be developed in full compliance with the Cedar Grove Overlay District, which imposes specific standards for landscaping, architectural materials, and exterior facades. The applicant believes that the best remedy for a poorly maintained business is the presence of a well-run competitor.

Another topic of discussion was the project's potential impact on traffic. The corridor is currently listed by the Georgia Department of Transportation for planned improvements. The applicant does not anticipate any adverse effect on existing traffic patterns but remains open to working with staff to identify measures that could further minimize traffic impacts associated with this development.

By the time of the Planning Commission hearing, the applicant will submit a proposed list of non-permissible uses, a target tenant mix, and examples of comparable developments it operates to demonstrate its ongoing commitment to delivering a high-quality, community-oriented project.

---

---

## STAFF RECOMMENDATION

The applicant is seeking a rezoning, a special use permit, and a future land use amendment with this application. They want to rezone the property to C-2 (General Commercial/Cedar Grove Overlay District) from AG-1 (Agricultural/Cedar Grove Overlay District). The C-2 District is intended to provide locations in which community and regionally oriented retail and service activities conclude a transition, or locations which complement a transition into a more intense activity area. Complimentary noncommercial uses are also permitted.

The applicant wants to obtain a special use permit to operate a gas station that contains 5,320 square feet of convenience store/gas station and an additional 7,300 square feet of additional retail space configured into four separate shops. Gas stations are only allowed in C-2 zoning districts with a special use permit. Additional regulations for this use are located in Section 302.15 of the City's Zoning Ordinance:

- (a) "Excluding those with frontage on Fulton Industrial Boulevard, gas stations shall be separated by a minimum of three miles from other gas stations. Separation distance shall be measured in a straight line from the property line of said stations."
- (b) "Gas stations shall not be located within 1,000 feet of residential uses and/or mixed-use districts that include residential development."

However, the proposed gas station is within a half-mile of another gas station, and the proposed location is abutting residential uses and AG-1-zoned properties, with many other residential uses in the near vicinity.

Finally, the applicant is seeking a future land use amendment from Rural Neighborhood Character Area to Regional Live-Work. The Rural Neighborhood character area intends to preserve the primarily rural residential character of the City of South Fulton. This area represents a transition between the Agricultural and Suburban Neighborhood Character Areas. It is characterized by low to medium density residential houses, with established single-family homes on large lots and newer traditional style subdivisions with larger lots. Estate conservation subdivisions are appropriate. Public infrastructure is available, but service may not be extended to all properties.

The Regional Live-Work Character Area provides a balanced mix of uses along Old National Highway, and other key areas within the City of South Fulton. The Regional Live Work Character Areas contain the areas of highest density within the City of South Fulton. Within the Regional Live-Work Character Areas, vertical and horizontal mixed-use is appropriate and strongly encouraged. This includes high-density housing options, commercial shopping that is developed in a walkable nature is encouraged. Office uses are also encouraged.

The Regional Live-Work Character Area supports the following zoning districts: MIX, C-1, C-2, O-I, and SH. Therefore, the C-2 (General Commercial District) zoning district is supported in the Regional Live-Work Neighborhood Character Area.

This property is also subject to the guidelines of the Cedar Grove Overlay District, and the purpose and intent are as follows:

Sec. 507.02. - Purpose and intent.

(a)The City Council of South Fulton, Georgia hereby declares it to be the purpose and intent of the Cedar Grove Overlay District (District) to establish a uniform procedure for providing for the protection, enhancement, preservation, unity of design, and use of places, sites, buildings, structures, streets, neighborhoods, and landscape features in the Cedar Grove Overlay District in accordance with the provisions herein.

(b)The Cedar Grove Overlay District is adopted as part of a strategy designed to promote the health, safety, order, prosperity, and general welfare of the citizens of South Fulton through the regulation of design, aesthetics, location, bulk, size of buildings and structures, and the density and distribution of population.

(c) This District also seeks to reduce congestion on the streets; to provide safety from fire, flood and other dangers; provide adequate light and open space; protect the natural environment and address other public requirements, in order to provide sustainable development that involves the simultaneous pursuit of economic prosperity, environmental protection and social quality.

(d) This District also seeks, among other things, to promote accepted design principles in areas of new development and redevelopment, to raise the level of community understanding and expectation for quality in the built environment, to protect and enhance local aesthetic and functional qualities, and to stimulate business and promote economic development.

(e) In consideration of the rural character of the Cedar Grove Overlay District, the regulations in this Section 507 are intended to define and monitor the suitability for certain uses, construction and design, prevent functional and visual disunity, promote desirable conditions for community and commerce and protect property against blight and depreciation.

Staff recommends **Denial (Z25-033), Denial (U25-014), and Denial (CDP25-012)** based on these factors.

---

---

PREPARED BY: Karen Tominey, Senior Planner

REVIEWED BY: Reginald McClendon, Managing Director, CDRA



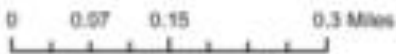
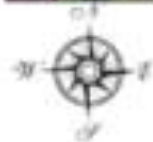


## 0 Campbellton-Fairburn Rd. - Aerial

The City of South Fulton provides the data on this map for your personal use "as is". The data is not guaranteed to be accurate, correct, or complete. The feature locations depicted in these maps are approximate and are not necessarily accurate to surveying or engineering standards. The City of South Fulton assumes no responsibility for losses resulting from the use of this data, even if the City of South Fulton is advised of the possibility of such losses.



### 0 Campbellton-Fairburn Rd. - Future Land Use



The City of South Fulton provides the data on this map for your personal use "as is". The data is not guaranteed to be accurate, correct, or complete. The feature locations depicted in these maps are approximate and are not necessarily accurate to surveying or engineering standards. The City of South Fulton assumes no responsibility for losses resulting from the use of this data, even if the City of South Fulton is advised of the possibility of such losses.



## 0 Campbellton-Fairburn Rd. - Zoning



The City of South Fulton provides the data on this map for your personal use "as is". The data is not guaranteed to be accurate, correct, or complete. The feature locations depicted in these maps are approximate and are not necessarily accurate to surveying or engineering standards. The City of South Fulton assumes no responsibility for losses resulting from the use of this data, even if the City of South Fulton is advised of the possibility of such losses.

# Regional Live-Work

The Regional Live-Work Character Area provides a balanced mix of uses along Old National Highway, and other key areas within the City of South Fulton. The Regional Live Work Character Areas contain the areas of highest density within the City of South Fulton.

Within the Regional Live-Work Character Areas, vertical and horizontal mixed-use is appropriate and is strongly encouraged. This includes high-density housing options, Commercial shopping that is developed in a walkable nature is encouraged. Office uses are also encouraged.

Within these areas, the City of South Fulton will develop small area plans to further guide development that establishes recommendations for the character and vision for each Regional Live-Work Character Area.



**Gross Density Residential**  
Up to 20 units per acre



**Commercial**  
Up to 100,000 square feet per tenant

**Zoning**  
MIX, C-1, C-2, O-I, SH



**HONORABLE MAYOR  
& CITY COUNCIL**

KHALID KAMAU  
MAYOR

DR. CATHERINE F. ROWELL  
DISTRICT 1

CARMALITHA GUMBS  
DISTRICT 2

HELEN ZENOBIA WILLIS  
DISTRICT 3

JACEEY SEBASTIAN  
DISTRICT 4

KEOSHA B. BELL  
DISTRICT 5

NATASHA WILLIAMS-BROWN  
DISTRICT 6

LINDA PRITCHETT  
DISTRICT 7

**TO:** City of South Fulton Planning Commission

**FROM:** Department of Community Development and Regulatory  
Affairs  
Planning & Zoning Division

**SUBJECT:** **U25-013: 120 Cainwood Ct E**

**MEETING DATE:** November 19<sup>th</sup>, 2025

---

The applicant seeks a Special Use Permit to allow Group Residence for Children in CUP (Community Unit Plan/Old National Highway Overlay) zoning at 120 Cainwood Ct E (Parcel ID 13016300010120) Council District 6.

**STAFF RECOMMENDATION: APPROVAL CONDITIONAL**

---

---

**APPLICATION INFORMATION**

---

Applicant Information: Earlie Rockette

Status of Applicant: Applicant

City Council District(s): 6

Parcel ID Number: 13 016300010120

Area of Property: 0.79 acres

Existing Zoning: CUP/Old National Hwy Overlay District

Current/Past Use of the Property: Residential

Prior Zoning Cases/History: 1967Z-0070

---

---

**SPECIFIC INFORMATION****REQUEST**

To obtain a Special Use Permit to allow Group Residence for Children in CUP (Community Unit Plan/Old National Highway Overlay) zoning.

**PROPERTY LOCATION**

The property is located in Land Lots 163 of the 13<sup>th</sup> District, City of South Fulton, Fulton County, Georgia.

**2021 COMPREHENSIVE PLAN LAND USE DESIGNATION**

The subject property has a future land use designation of Suburban II Neighborhood within the 2021 South Fulton Comprehensive Plan.

**ADJACENT ZONING AND LAND USES**

North: CUP (Community Unit Plan/Old National Hwy Overlay District)  
East: A (Medium Density Apartment/Old National Hwy Overlay District)  
South: CUP (Community Unit Plan/Old National Hwy Overlay District)  
West: CUP (Community Unit Plan/Old National Hwy Overlay District)

## **COMMUNITY AND PROPERTY OWNERS' NOTIFICATION/COMENTS**

Per the requirements of Section 803.05, a Community Zoning Information Meeting was held in-person on Monday, October 6<sup>th</sup>, 2025, at 6:00 pm. At this meeting basic information regarding the group home was shared.

Staff placed the required notice of public hearing in The South Fulton Neighbor on October 28<sup>th</sup>, 2025, to notify the public that Case U25-013 would be heard at Planning Commission meeting on November 19<sup>th</sup>, 2025 and at the City Council meeting on December 9<sup>th</sup>, 2025.

Staff placed a notification sign in front of the subject property on October 28<sup>th</sup>, 2025, to notify the surrounding community of the hearing dates.

The Applicant was given the addresses within one mile of the subject property for the purposes of hosting their own community meeting.

---

### **Standard of review for proposed rezoning (City Code, Appendix C, Sec. 803.06):**

**1) Is the proposed use consistent or inconsistent with the Comprehensive Plan?**

The Comprehensive Plan identifies this area as the future land use designation of Suburban II Neighborhood. Group Homes are allowed in residential zoned areas with a special use permit.

**2) Is the proposed use consistent with the supplemental plans adopted by the City Council, such as/or revitalization or economic development plans?**

N/A – no supplemental plans have been adopted by the City Council.

**3) Is the proposed use compatible with the adjacent land uses and zoning districts?**

The proposed Group Home does not change the nature of the existing commercial uses that is on the subject property.

**4) Does the proposed use on violate local, state, and or/federal statues, ordinances, or regulations governing land development?**

The proposed use does not violate local, state, and federal statues, ordinances, and regulations.

**5) What is the effect of the proposed use on vehicular and pedestrian traffic flow and safety, along adjoining streets?**

The operation of the Group Home does not change the current flow of vehicular and pedestrian traffic on the adjoining streets.

**6) Is the screening adequate to protect adjacent uses from any negative impacts of the proposed use?**

N/A

**7) Can outdoor lighting be used so as to not interfere with surrounding uses?**

N/A

**8) Does ingress and egress to the property reduce negative impacts of the proposed use or enhance safety?**

The property is accessed from Cainwood Ct E.

**9) Will the number, size, and type of signs proposed for the site have any negative impact on traffic or surrounding property uses?**

No signs are proposed.

**10) Are off-street parking space adequate? Will they be properly located to reduce any negative impact on surrounding property uses?**

Off-street parking is provided on the subject property.

**11) Does the use have sufficient space to operate its activities?**

The subject property has sufficient space to operate a Group Home.

**12) Are there any negative environmental impacts which should be considered, for example, topography, special geological features, soil, water runoff, air pollution, water pollution or contamination, wetlands, etc.?**

No new development is being proposed to incur environmental impacts.

**13) Availability of other land suitable for proposed use and effect on balance of land uses;**

N/A

**14) Effect on character of the neighborhood;**

There should be minimal effect on the neighborhood.

**15) Effect on adjacent property;**

There should be minimal effect on the adjacent property.

**16) Economic use of current zoning;**

N/A

**17) Other conditions**

Recommended Conditions:

1. That the Special Use Permit is not transferrable.
2. That the permittee is required to maintain a valid South Fulton business license to operate a special use for a Group Home.

---

**PUBLIC PARTICIPATION**

Applicant has had their public participation meeting on October 29<sup>th</sup> at 6pm. Meeting was held at 120 Cainwood Ct. Community members expressed several concerns including, but not limited to, property values, neighborhood safety/youth behavior, traffic/parking impact, prior incident on property, and more. A summary of the public participation has been attached to the end of this staff report. Please view for further information.

---

---

**STAFF RECOMMENDATION: APPROVAL CONDITIONAL**

The Suburban Neighborhood Character Area intends to provide a wide diversity of housing types and affordability in the City of South Fulton while preserving the surrounding natural, agricultural, and rural areas. The CUP District is intended to encourage the development of large tracts of land as planned communities; Encourage flexible and creative concepts in site planning; Preserve the natural amenities of the land by encouraging scenic and functional open areas; Provide for an efficient use of land; Provide a stable residential environment compatible with surrounding residential areas; and Protect neighboring properties by requiring larger peripheral lots adjacent to larger lot developments.

**Recommended Conditions:**

1. That the Special Use Permit is not transferrable.
2. That the permittee is required to maintain a valid South Fulton business license to operate a special use for a convenience store.

---

---

PREPARED BY: Alani Joseph, Planner

REVIEWED BY: Reginald McClendon, Director, CDRA

## Suburban Neighborhood

---

The Suburban Neighborhood Character Area intends to provide a wide diversity of housing types and affordability in the City of South Fulton while preserving the surrounding natural, agricultural, and rural areas. The area is further subdivided into two levels, Suburban I and Suburban II, which represent a transitional density from the less intense uses near rural areas to the more intensive suburban uses that are older and have a higher density.

The Suburban Neighborhoods are located closest to urbanized areas and are comprised of medium-density residential housing. Included in this area are the communities of Sandtown, Cascade, Old National, and portions of Cliftondale. Public infrastructure is available. This Character Area has the highest percentage of existing developed land.

Other types of development allowed in Suburban Neighborhood include civic uses such as schools, places of worship, community centers, and facilities. Within the Suburban II Neighborhood, Character mixed-use developments may be allowed to encourage redevelopment of older areas. |



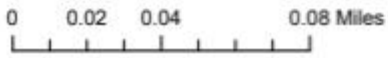
**Gross Density**  
**Suburban I**  
**Up to 3 Units per acre**  
**Suburban II**  
**Up to 8 Units per acre**

**Zoning**  
**Suburban I**  
**R-3,R-3A,R-4A, CUP, NUP, SH**

**Suburban II**  
**R-3,R-3A,R-4, R-4A, R-5.R-5A,TR,**  
**MIX, NUP**



## 120 Cainwood Ct - Zoning

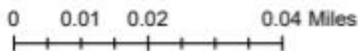


The City of South Fulton provides the data on this map for your personal use "as is". The data is not guaranteed to be accurate, correct, or complete. The feature locations depicted in these maps are approximate and are not necessarily accurate to surveying or engineering standards. The City of South Fulton assumes no responsibility for losses resulting from the use of this data, even if the City of South Fulton is advised of the possibility of such losses.



## 120 Cainwood Ct - Future Land Use

The City of South Fulton provides the data on this map for your personal use "as is". The data is not guaranteed to be accurate, correct, or complete. The feature locations depicted in these maps are approximate and are not necessarily accurate to surveying or engineering standards. The City of South Fulton assumes no responsibility for losses resulting from the use of this data, even if the City of South Fulton is advised of the possibility of such losses.







## PUBLIC PARTICIPATION PLAN REPORT FORM E

Applicant: Earlie Rockette Petition No. U25-013  
Date: 11/3/2025

1. The following parties were notified of the requested rezoning/use permit:  
District 6 Councilwoman Natasha Williams-Brc  
3701+ residents within a 1-mile radius of the 120 Cainwood Court East  
Volunteer Homeowners Association President
  
2. The following meetings were held regarding this petition: (Include the date, time, and meeting location.)  
Public participation meeting held on October 29, 2025, 6-6:30 p.m. at 120 Cainwood Court East
  
3. The following issues and concerns were expressed:  
See attached document for detailed concerns expressed by participants.
  
4. The applicant's response to issues and concerns was as follows:  
See attached document for detailed response information.

Applicants are required to attach copies of sign-in sheets from meetings as well as meeting announcements, i.e., notices, flyers, letters, and any other documentation which supports the opportunity for public input.

*Attach additional sheets as needed.*

**Public Participation Plan Report Summary**  
**Petition No. U25-013**  
**Community Public Hearing and Telephone Engagements**  
**120 Cainwood Court East, South Fulton, Georgia 30349**

This report is being submitted as part of the requirement for a City of South Fulton (COSF) Special Use Permit (SUP) for a proposed Maternity Second-Chance home at 120 Cainwood Court East, South Fulton, Georgia, 30349, Petition No. U25-013. The purpose of this request is to ensure compliance with COSF ordinances related to the number of residents that can occupy the home at any one time. Obtaining permitted use even if the home operates with less than the minimum number required, a Special Use Permit ensures that the facility complies with zoning regulations, safety codes, and that the use does not disrupt the surrounding neighborhood. There will be no signage posted on the property to identify the type residents or proposed use of the home.

In accordance with COSF Municode Sec. 206.1. – Districts, uses, and development standards, generally, the current address is zoned as Residential-5, Community Use Plan (CUP). This zoning designation allows for a “variety of housing types, including single-family and multi-family uses, within a planned community setting.” Sec. 904.07 – G of the code outlines definition of Group Residence for Children as a facility licensed by the Georgia Department of Human Resources as a “child care institution” in which full time care is provided for six (6) or more children through the age of 18 years of age outside of their own home. Fulltime care is referred to as room, board and watchful, oversight (RBWO). A group residence may not serve the purpose of or as an alternative to incarceration.” Care is expected to last more than an eight (8) weeks period following delivery (Sec 904-19 – S). The home provides services including parenting skills, child development, education, job training, transitioning to independent living, family budgeting, health and nutrition, and other skills to promote residents long term independence and the well-being of their children. Federal and state fair housing laws protect group home residents, (women with disabilities, pregnant women, and recovering individual, etc.).

1. Prior to the public participation meeting the following parties were notified of the requested SUP:
  - **District 6, Council Woman** Natasha Williams- Brown (final notice October 27,2025)
  - **Constituent Services Representative:** Merlin Knight (final notice October 27,2025)
  - 3701 postcards were mailed to **residents within a 1-mile radius** of the proposed address (mailed on October 14, 2025)
  - **Kimberly’s Volunteer Home Owner’s Association President:** Marcia Clemendor (October 24, 2025)
  - On July 15,2025 a **Public Notice was placed in the Fulton Neighbor** Newsletter to ensure exposure to residents across multiple counties regarding the proposed home (closing on the property occurred on August 21, 2025)
  
2. On October 29, 2025, a community public participation meeting was held at **120 Cainwood Court East, South Fulton Georgia, 30349 from 6-7:30**. During this meeting, community members engaged in a thoughtful discussion and expressed several

**Public Participation Plan Report Summary**  
**Petition No. U25-013**  
**Community Public Hearing and Telephone Engagements**  
**120 Cainwood Court East, South Fulton, Georgia 30349**

key concerns. The primary topics raised included the potential impact on property values, the selection of this particular neighborhood for the proposed location, parking, contractor incident, and questions regarding how the home would ensure a peaceful and positive relationship with surrounding residents—particularly with respect to the behavior and supervision of youth.

---

### **3. Public Participants Concerns with Responses**

#### **a. Property Values**

Maintaining neighborhood property values is a priority for all residents. Research and case studies from similar programs across the country show that well-managed residential homes, including maternity and transitional programs, do not negatively affect nearby property values when operated with clear oversight and upkeep standards. *The key determinants that impact neighborhood home values are maintenance of the home and integration into the neighborhood, not the occupants or purpose.* The proposed home will be licensed, staffed, and maintained to meet high standards of appearance, safety, and community compatibility. The home will be equipped with a fire and sprinkler system approved by the Georgia Office of the Commissioner of Insurance and Safety Fire. Regular property maintenance, consistent supervision, and professional management will ensure that the home blends seamlessly into the neighborhood and remains an asset rather than a liability.

The goal of the public community meeting was to help address any concerns or misconceptions while being transparent with the community residents. Negative perceptions and misunderstanding about who resides in the home can lead to opposition. *While community perceptions may differ, the empirical evidence does not support the assumption of automatic devaluation purely from the presence of a group home.* Many Cainwood neighbors shared that they were unaware that the property was on the market or had been recently sold because the visible upkeep of the exterior of the property was not reflective of neglect. This is the standard for maintenance of the property that will continue.

A HUD-commissioned report, *“The Impacts of Supportive Housing on Neighborhoods and Neighbors”*, analyzed supportive housing sites and concluded that concerns of negative impacts on property values and crime are not supported by their data. The primary caveat for many of the studies related to supportive/group housing’s impact on property value noted *“well managed and maintained” homes did not demonstrate evidence to support neighborhood home devaluation.*

#### **References:**

**Public Participation Plan Report Summary**  
**Petition No. U25-013**  
**Community Public Hearing and Telephone Engagements**  
**120 Cainwood Court East, South Fulton, Georgia 30349**

1. A HUD (the federal agency responsible for housing policy) commissioned report, “*The Impact of Supportive Housing on Neighborhoods and Neighbors*”, analyzed supportive housing sites and concluded that concerns of negative impacts on property values and crime are not supported by their data.  
[The Impacts of Supportive Housing on Neighborhoods and Neighbors | HUD USER](#)
2. Dole, J. L., Crisanti, A., Page-Reeves, J., Horn, B., Sitti, R., Schwartz, M., Lucero, A., & Perez, M. (2025). A review of the literature on neighborhood impacts of permanent supportive housing (PSH) and emergency shelters for people experiencing homelessness. *Housing, Care and Support*, 28(2), 43-55.  
<https://doi.org/10.1108/HCS-02-2024-0003>
3. Mackenzie-Liu, Mattie, and Michael Pergamit. *Does Supportive Housing Help Child Welfare-Involved Families Move to Better Neighborhoods?* Urban Institute, 2023. *JSTOR*, <http://www.jstor.org/stable/resrep69078>. Accessed 1 Nov. 2025.

**b. Why This Neighborhood?**

The proposed location was selected with thoughtful consideration. Factors included schools in neighborhoods where youth might already be attending, and have established relationships, accessibility to healthcare, educational opportunities, and proximity to community resources that can support young mothers and their infants. The existing lot size (0.79 acre) and square footage (2303 sq feet with 6 bedrooms) of an existing property within a neighborhood zoned for single and multi-family use (CUP) was also taken into consideration. In addition, no other residential home of this nature exists within a 1-mile radius of this address as required by COSF Planning and Zoning.

The neighborhood participants demonstrated strong engagement during our community public hearing meeting, although not all positive, it is still an environment where youth can learn, and grow. Visits to the neighborhood on multiple dates and at various times have shown that neighborhood youth exist and are active. The presence of the maternity second-chance home will provide its youth with meaningful opportunities to interact with their peers fostering positive social connections, community integration, and healthy maturational development.

The Fair Housing Act (Title VIII of the Civil Rights Act of 1968) governs housing discrimination. It prohibits discrimination in housing based on race, color, religion, sex, familial status including pregnant women, disability, and national original. Pregnant women are protected under the FHA as part of the categories of sex and familial status. FHA prohibits excluding or limiting maternity or group home because of **who** will live there and these regulations are enforced by The U.S. Department of Housing and Urban Development (HUD) and the Department of Justice (DOJ). *Based on these regulations, the COSF zoning requirements, and DFCS licensing requirements this location meets the requirements for a licensed Maternity Second Chance Home.*

**Public Participation Plan Report Summary**  
**Petition No. U25-013**  
**Community Public Hearing and Telephone Engagements**  
**120 Cainwood Court East, South Fulton, Georgia 30349**

**c. Neighborhood Safety and Youth Behavior**

Concerns expressed about potential disturbances are understandable and taken seriously. The maternity second-chance home will operate under program guidelines with 24/7 supervision by trained staff. Residents are carefully screened, required to participate in structured educational, and life-skills programs supported by the case management staff. Structured program include education on financial management, anger management, self- and newborn care, cooking, nutrition, healthcare, cleaning, laundry, environmental safety, self-esteem building activities, and other activities that lead to the ability to live independently. *The goal of the home is to create stability – not disruption.* Staff presence 24-hours a day ensures accountability, structure, and respect for neighborhood expectations. Internal policies designate when the youth must be in the home and acceptable behaviors outside of the home not only in the neighborhood but in any public or private location. *Based on my experience and engagement with other group home owners, the youth within the home are not creating chaos in the neighborhood, but may cause disruption within the home.*

Staff will actively work with each resident to promote awareness of their surroundings and help make safe, informed choices. Recognizing that the neighborhood includes areas where unsafe or illegal activities may sometimes occur, staff will provide ongoing guidance, supervision, and education on how to recognize potential risks, avoid unsafe situations, and seek help when needed. Through mentoring and structured life-skills programs, the home will focus on empowering youth to make positive decisions that support their personal growth and contribute to a safe and respectful community environment.

*The home will be licensed by the Georgia Department of Human Service as a residential child caring institute with additional rules and regulations regarding safety, behavior, personal conduct, ongoing status reporting, and level of care requirements.*

**d. Traffic & Parking Impact**

Although there will be a slight increase in traffic with 24/7 staff coming and going, a traffic and parking plan includes keeping up to 4 cars doubled parked in the driveway as do other neighbors in the neighborhood with multiple vehicles. The two (2) car garage is also available to accommodate parking of two (2) additional vehicles. The home will comply with Section. 302.18, Article 6 of the COSF Muni code regarding parking requirements. *The parking plan allows for emergency vehicles and service access with adequate off-street parking. The home is located in a cul-de-sac off the main street thereby reducing safety risk for pedestrians and youth residents.*

Visitors coming to the home will be scheduled so as to minimize any neighborhood disruption. *The home will have visitation policies approved by the Department of Family and Children Services (DFCS) as part of the licensing procedure with boundaries regarding behavior, designated visiting hours, curfew or lights out, and time spent at the*

**Public Participation Plan Report Summary**  
**Petition No. U25-013**  
**Community Public Hearing and Telephone Engagements**  
**120 Cainwood Court East, South Fulton, Georgia 30349**

*home.* Also, youth may visit with family and friends at other locations outside of the home with DFCS approval.

**e. Telephone Community Participation**

Multiple neighborhood residents reached out via phone or email upon receiving the public notification postcard. Interest and participation from callers noted that having additional details on the postcard about the specific proposed use would help reduce confusion and ensure clearer understanding of the request. Below is a summary of the calls received.

**10/21/2025:** Glossydan Pettaway, II, 678-343-5504, inquired about the purpose of the public meeting. Information on the purpose and SUP request for a maternity-second chance home with 4-6 youth was discussed. Mr. Pettaway had no additional questions or concern after hearing that the home was for pregnant or parenting teens in the Department of Family and Children Services (DFCS) custody. He had heard that the home was a domestic violence shelter.

**10/24/2025:** Marcia Clemendor, Kimberly Place's President of the Volunteer Homeowners Association, 404-822-3410, requested additional clarification regarding the SUP request. Ms. Clemendor's questions were aligned with the live participants. She verbalized understanding and support for the request. She indicated she would speak with Sandra Williams, VP of Volunteer HOA, to inform her of the request. On 10/31/2025 I spoke with Ms. Clemendor to get official permission to clean the cul-de-sac roundabout. Again, she verbalized her support of the maternity home and offered to speak with anyone who had concerns.

**10/28/2025:** Toni Oliver, 404-932-5452 (cell), 770-991-6998, contacted me via phone to obtain clarification on the SUP request and ask questions. In addition to our discussion, we also conducted an email exchange which I've attached to this report. After answering her questions, she shared that the clarification was helpful and more detail was needed on the postcard. A copy of the October 6, 2025 Community Zoning Information Meeting (CZIM) SUP Power Point Presentation with photos of the property interior and exterior were sent to Ms. Oliver via email. See attached email exchange.

**f. Contractor Incident**

During the course of property maintenance, a licensed contractor was engaged to remove several trees from the back of the property identified as diseased, dead, or decaying, which posed a potential safety hazard to the home and surrounding area. In the process of removal, a decision was made to temporarily place tree debris within the community roundabout's grassy area. This location was selected to allow access for a larger vehicle required for debris collection.

**Public Participation Plan Report Summary**  
**Petition No. U25-013**  
**Community Public Hearing and Telephone Engagements**  
**120 Cainwood Court East, South Fulton, Georgia 30349**

Following the placement of the debris, several community members expressed concern that the material created an unsightly condition and appeared inconsistent with the level of care expected within the neighborhood. While the decision to utilize the roundabout was made for logistical and safety reasons, it is acknowledged that it was not the most appropriate solution. The debris was subsequently removed within three to five days. Attached are photos of the community landscape before, during, and after the placement of the debris.

To prevent similar incidents in the future, all property maintenance activities, requiring debris removal will include a pre-approved staging and disposal plan developed in coordination with the contractor prior to work beginning. The plan will specify approved locations for temporary debris placement, required protective measure for adjacent public or shared spaces, and a defined timeline for removal.

Additionally, communication protocols will be established to notify the volunteer homeowners' association or city liaison in advance of any large-scale maintenance project that could temporarily impact public or shared areas. These steps will help ensure that all future maintenance work aligns with community standards, environmental care, and neighborhood expectations.

**g. Summary**

Neighborhood input is both valued and respected, and I am committed to addressing any concerns to ensure the home complements the community. *The residents and purpose of the maternity second chance home reflect compassion and growth, not negativity.* I will work to maintain a well-managed, respectful, and harmonious home that supports the neighborhood's progress and success while preserving property values.

Throughout this process, neighbors have expressed not only concern but also a willingness to become part of the solution by offering mentorship, guidance, and "resource mothering" through the donation of clothing and essential items. These gestures reflect the true spirit of this neighborhood—where collective support builds stronger families and safer communities. Together, we can create a coexisting home that enhances the neighborhood's character, contributes to its progress and success, and sustains the value and pride of the community we all share.