

COMMUNITY PLANNING INFORMATION MEETING MINUTES SUMMARY
Stonecrest City Hall- 6:00 PM **Spoke-in-Person Meeting*
August 10, 2023

As set forth in the Americans with Disabilities Act of 1990, the City of Stonecrest will assist citizens with special needs given notice (7 working days) to participate in any open meetings of the City of Stonecrest. Please contact the City Clerk's Office via telephone (770-224-0200)

Citizens wishing to actively participate and make a comment during the public hearing portion of the meeting please submit a request via email address planning-zoning@stonecrestga.gov by noon the day of the hearing August 10, 2023. The Zoom link for the meeting will be sent to you, or you can also submit comments and questions to the same email address by the same deadline to be read into the record at the meeting.

- I. **Introductions:** Director Ray White, Deputy Director Matthew Williams, Planner Abeykoon Abeykoon, and Planning Administrative Technician Cobi Brown were in attendance.

- II. **Presentations:** Upcoming Cases Presented by Deputy Director Matthew Williams, Planner Abeykoon Abeykoon, and Planning Administrative Technician Cobi Brown
 - **SLUP22-016**
 - **SLUP23-007**
 - **SLUP23-008**
 - **V23-005**
 - **TMOD23-004**

III. **Presentations**

*Deputy Director Matthew Williams, Planner Abeykoon Abeykoon, and Planning Administrative Technician Cobi Brown Presented **SLUP22-016, SLUP23-007, SLUP23-008, V23-005, and TMOD23-004***

Purpose and Intent

An informational meeting that allows staff and applicants to inform the public of upcoming developments/projects;

Allow the citizens, business owners, and developers of Stonecrest opportunities to review all petitions, ask questions of all applicants, and express any preliminary concerns.

Bridge the relationships between developers, residents, and staff

Occurrence

Every 2nd Thursday of each month

Announcements

Visit the City of Stonecrest's Planning and Zoning website to access the *Project Viewer*.

SLUP22-016 presented by Cobi Brown

SLUP22-016

1352 Regal Heights Drive

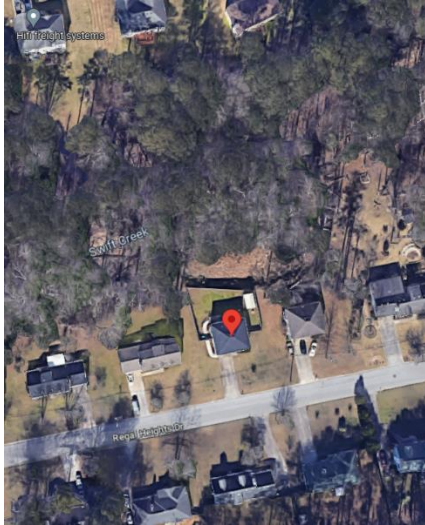
Stella Akolade

Petitioner is seeking a Special Land Use Permit (SLUP) to operate a Personal Care Home for up to three (3) persons.

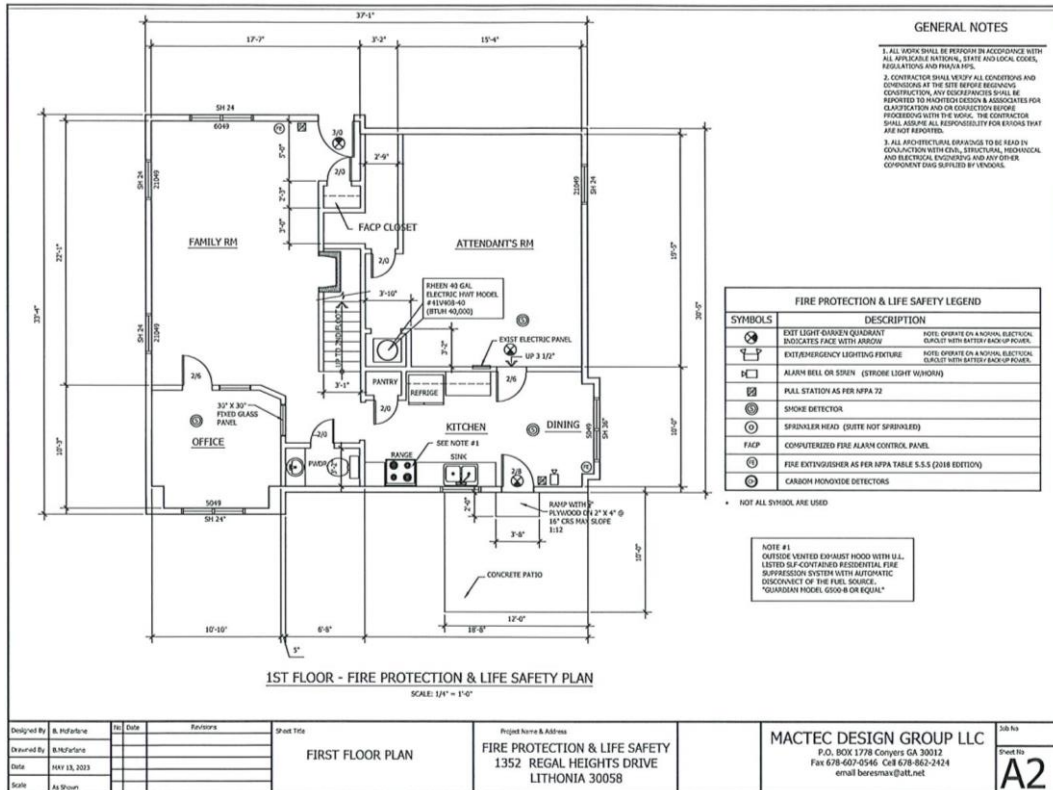
Future Land Use- Suburban Neighborhood (SN)

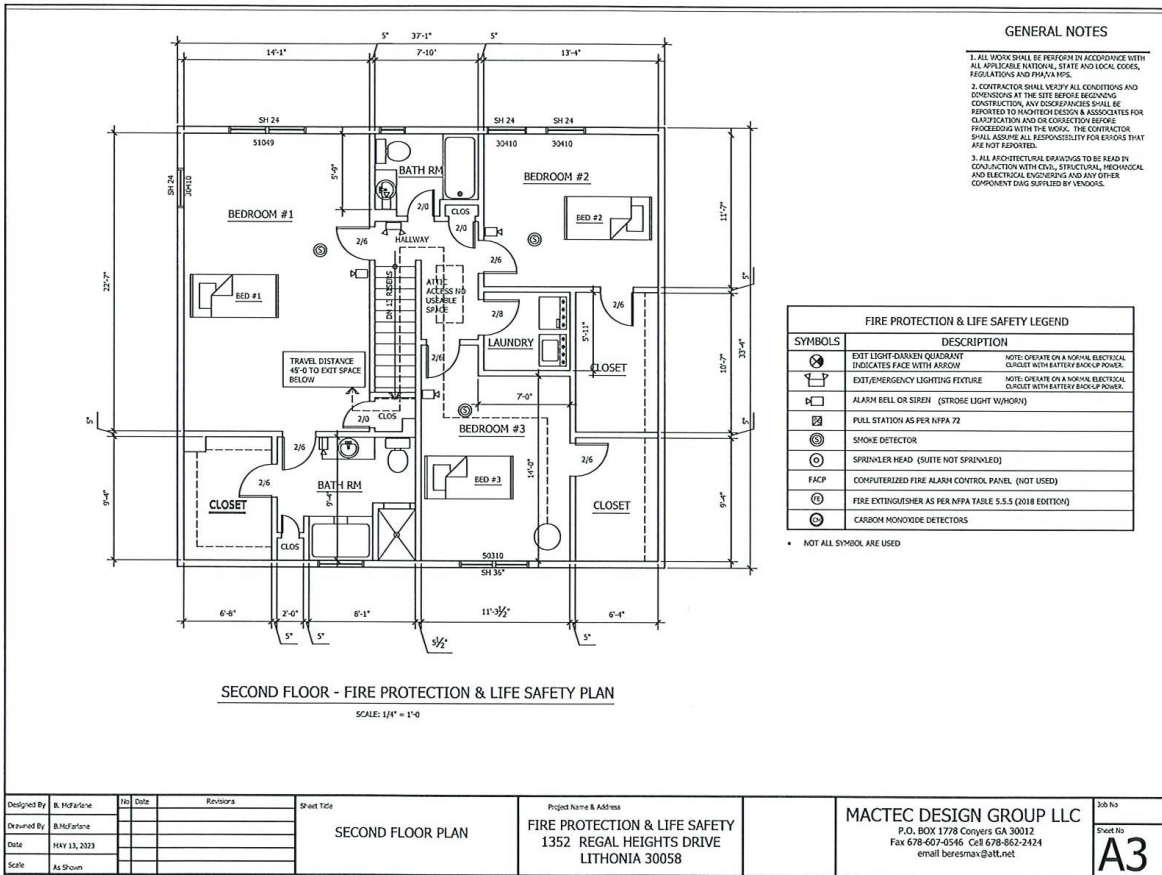
Zoned- R-100 Residential Medium Lot

Aerial Map and Submitted Photo-



Submitted Floor Layouts-





Sec. 4.2.41. – Personal Care Homes & Child Caring Institutions

A. Personal care homes, general requirements.

1. If owned by a corporation, partnership, limited liability company or any other entity other than a natural person, the administrator identified in the state license application must reside in the personal care home. If owned by an individual, the individual owner must reside in the personal care home.
2. Each personal care home must obtain a city license as well as all license(s) and/or permit(s) required by the State of Georgia before beginning to operate. Each personal care home licensed and/or permitted by the State of Georgia must display its state-issued and city-issued license(s) and/or permit(s) in plain view, visible from the front doorway of the facility.
3. No personal care home may display any exterior signage that violates the sign ordinance in [chapter 21](#) of the Code or the sign provisions in the zoning regulations for the underlying zoning district where the personal care home is located.
4. Personal care homes may apply for an FHA Accommodation Variance as provided for in [section 7.5.9](#) of this chapter.
5. No city permit for the operation of the personal care home shall be transferable.

B. Personal care home, group (up to six persons).

1. Two copies of complete architectural plans for the subject group personal care home, signed or sealed by a registered architect, shall be submitted to the director of planning prior to issuance of a building permit or business license.
2. Each group personal care home must provide at least four parking spaces within a driveway, garage or carport and must comply with any applicable requirements in [article 6](#).
3. The home must be at least 1,800 sq. ft in size.
4. In order to prevent institutionalizing residential neighborhoods, no group personal care home located in a residential zoning district may be operated within 1,000 feet of any other group personal care home. The 1,000-foot distance requirement is measured by a straight line which is the shortest distance (i.e., "as the crow flies") between the property lines of the two tracts of land on which the group personal care homes are located.

Stella Akolade the applicant came to the stand. She stated that this will be a personal care home for people with developmental disabilities that the government encourages to integrate into the community. You cannot easily tell that these people have a disability.

Malika Wells resident of Stonecrest came to the stand. She asked if the applicant was currently living in the home and the length of time she stayed there.

Stella Akolade stated that she does and that she has been there since 2021. Once the business is established it will be her primary residence.

SLUP23-007 Presented by Abeykoon Abeykoon

SLUP23-007

2547 Lithonia West Drive

Hanna Casswell of Casswell Design Group, LLC

Petitioner is seeking a Special Land Use Permit (SLUP) to operate an Asphalt Plant.

Future Land Use- Light Industrial (M)

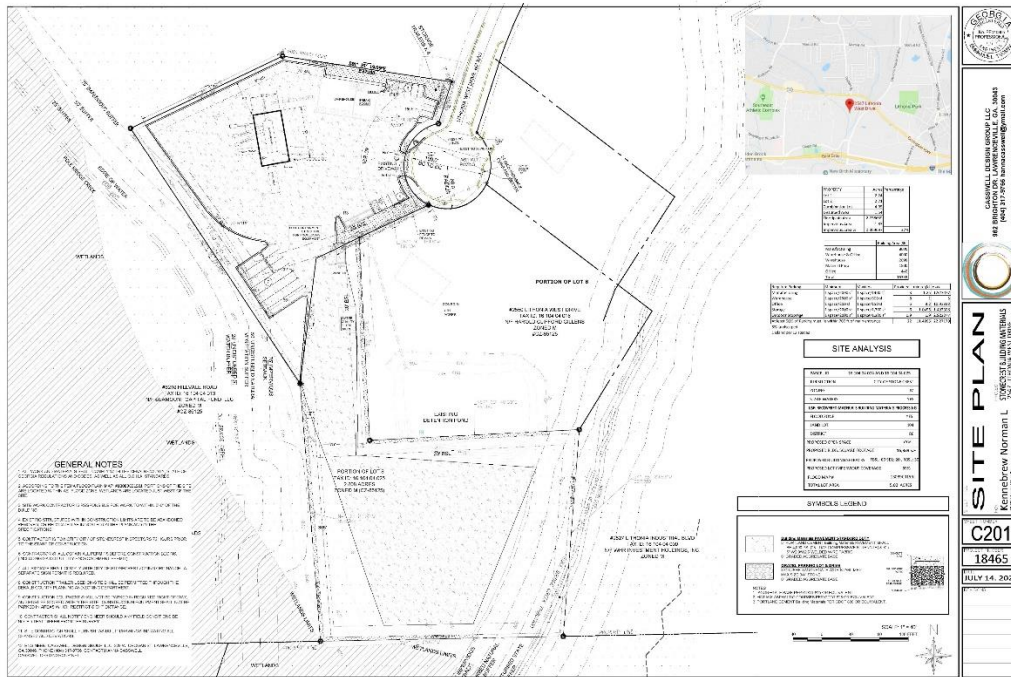
Zoned- M – Light Industrial

Aerial Map and Submitted Photo-





Submitted Floor Layout-



Hannah Caswell the applicant and representative for the company came to the stand.

Renee Kale a resident of District Four came to stand. She asked about the amount of asphalt/concrete produced per year

Hannah Caswell referred to the owner to answer some of the questions and also stated that the owner gets materials from repurposed buildings and recycles them.

Renee Kale asked if it was a concrete or asphalt plant and stated that both are dangerous for the community and our lungs. She listed some of the harmful chemicals that can be found in the materials.

Malika Wells a district four resident came to the stand. She asked for further clarification of what type of business is conducted on the site.

Ron Kennebrew the owner answered that they manufacture concrete.

Malika Wells also asked why they need a special land use permit

Matthew Williams the Deputy Director stated that it is required by code

Malika Wells asked if it was a new use

Ray White the Director stated that it is the same use and that the reason why we have the SLUP is that certain uses require certain other factors to be considered to make sure that those factors are considered essentially going forward such as making sure that they adhere to all the state and federal regulations that if there are environmental concerns those things are addressed and that the applicant has those certifications as it relates to federal state regulations

Bernie Knight chairman of Stonecrest Industrial Council came to the stand. He stated that the applicant originally tried to rezone from light to heavy industrial and wanted to know what happened to that application.

Ray White stated that the application was withdrawn.

Bernie Knight asked if the property would be leased to a third party or if the owner would operate the plant himself

Hannah Caswell stated that the owner plans to operate the plant.

Bernie Knight believes that this is a bad location for the business reasons being the area is transitioning and there are residential neighborhoods there. Does not support application.

SLUP23-008 Presented by Abeykoon Abeykoon

SLUP23-008

6419 Rockland Road

Joel Burkholder

Petitioner is seeking a Special Land Use Permit (SLUP) to construct a Short-Term Vacation Rental.

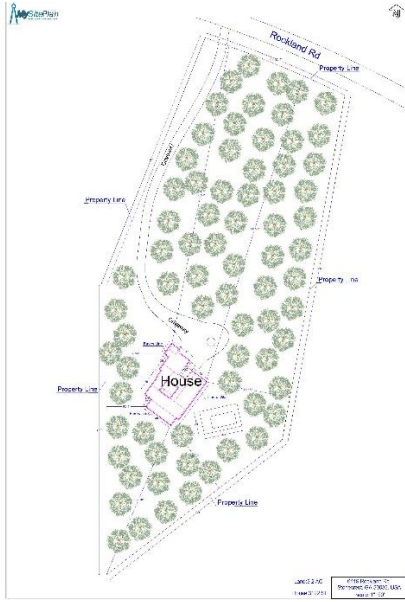
Future Land Use- Rural Residential (RR)

Zoned- R-100 – Residential Medium Lot

Overlay Zoning- Arabia Mountain

Aerial Map and Site Plan-





**Joel Buckholder
Customer #316430**



Sec. 4.2.58. – Short Term Vacation Rental

- A. No individual renting the property shall stay for longer than 30 consecutive days.
- B. The STVR shall not be operated in such a way as to change the residential character of the neighborhood in which it is located and shall comply with the noise ordinance.
- C. In every dwelling of two or more rooms, every room occupied for sleeping purposes by one occupant shall contain not less than 70 square feet of floor area, and every room occupied for sleeping purposes by two occupants shall contain at least 120 square feet of floor area. Maximum occupancy limits for any overnight guests must not exceed two guests for every bedroom located in the STVR.
- D. Every Bedroom shall have a window facing directly and opening to the outdoors.
- E. Every bedroom shall have access to not less than one water closet and lavatory without passing through another bedroom. Every bedroom in an STVR shall have access to not less than one water closet and lavatory located in the same story as the bedroom or an adjacent story.
- F. There shall also be provided at least one off-street parking space for each bedroom used as a part of the STVR.
- G. No signs or advertising are permitted to identify or advertise the existence of the STVR, beyond those otherwise allowed for the residential property.
- H. All STVR units shall be furnished with a telephone that is connected to a landline or similar type connection, including a voice over internet protocol, in order that 911 dispatch may be able to readily identify the address and/or location from where the call is made when dialed.
- I. A diagram depicting two egress routes shall be posted on or immediately adjacent to every required egress door.
- J. No individual renting a STVR shall use the STVR for a special event, party, or temporary outdoor event. No owner or operator of a STVR shall permit a STVR to be used for a special event, party, or temporary event.
- K. It shall be unlawful to establish, operate, or cause to be operated a STVR in the city within 500 feet of another STVR, bed and breakfast, boarding house, Home stay bed and breakfast residence, hotel/motel, hotel/motel extended stay, personal care home, or child caring institution. Measurements for this subsection shall be made in a straight line without regard to intervening structures or objects, between the closest points on the property lines of the two uses.

The applicant was not present at this meeting. There were no attendees to speak for or against the petitioner.

V23-005 Presented by Matthew Willaims

V23-005

2375 Panola Road

Battle Law P.C. on behalf of Atlanta Residential Investors LLC

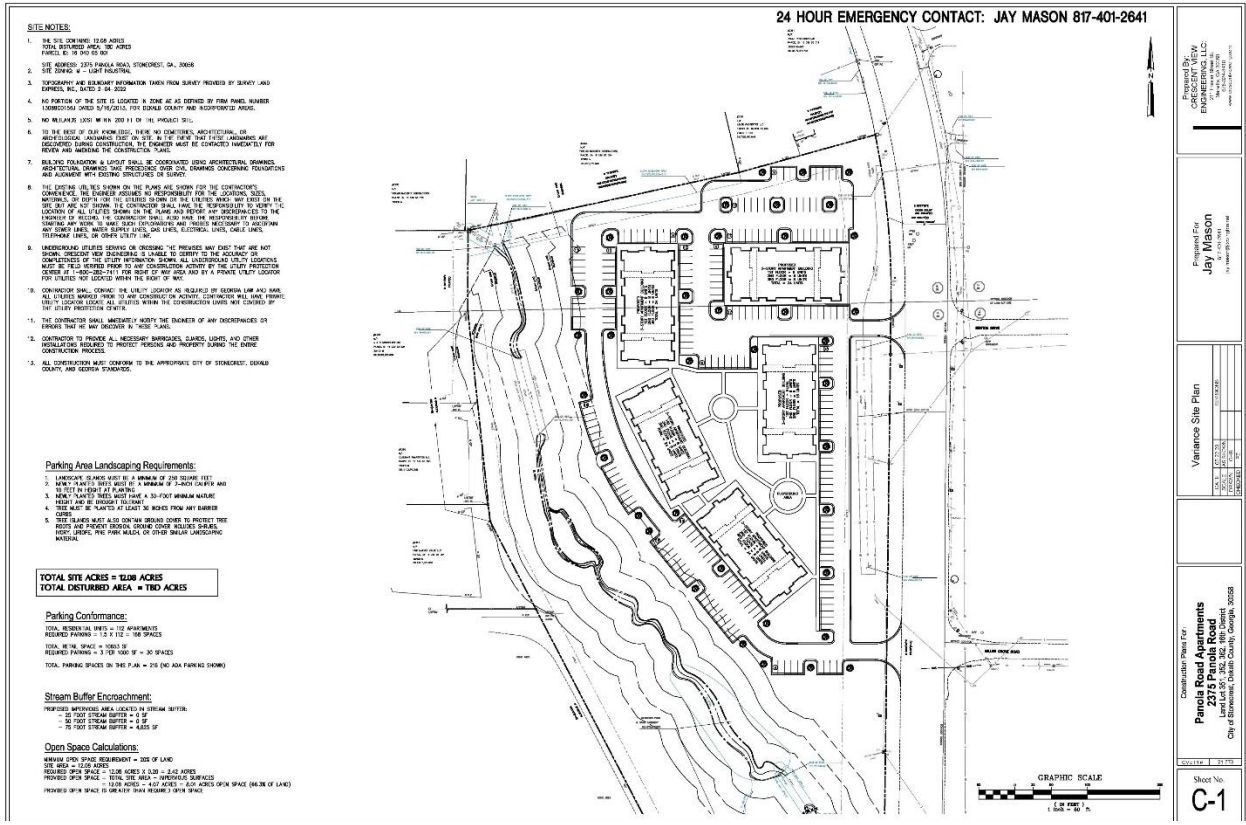
Petitioner is seeking a Variance to reduce stream buffer from seventy-five (75) feet to fifty (50) feet.

Future Land Use- Light Industrial (M)

Zoned- M – Light Industrial

Overlay Zoning District- I-20 Tier 2

Aerial Map and submitted site plan-



Chapter 14 (Land Development) – Article 7 (Stream Buffer) – Sec. 14-543 (Minimum Stream Buffer Requirements)

- (a) Stream buffers are established along all perennial and intermittent streams in the City. These required stream buffers begin at the stream bank and extend 75 feet away from the stream. The buffers must remain undisturbed except as otherwise provided in [section 14-544](#).
- (b) Any new stormwater discharge crossing a stream buffer or state buffer zone must be designed to ensure that sheet flow is established through the stream buffer and to prevent channelized flow through the stream buffer.
- (c) Piping of streams is not allowed in required stream buffers unless a variance is granted.

Michelle Battle with Battle Law came to the stand.

Angela Ash resident of district four came to the stand. She asked about the state-federal requirement and if there will be any negative effects.

Michelle Battle stated that for the 75-foot stream buffer, the first 25 feet is required by the state of Georgia with regards to protecting the stream bank. You cannot encroach into that area without a permit from the state and the remaining 50 feet of the 75 feet is regulated by the city. This particular stream buffer request is at the rear of the site and in her opinion, there is no negative impact on the stream caused by the reduction of the stream buffer by 25 feet. They will have water quality system as well as detention on the site.

Malika Wells district four resident asked what will be on the site

Michelle Battle stated that they would like to develop apartments.

Malika Wells asked why the site plan touches on the buffer line

Michelle Battle She believes they could request the variance because of the shape of the parcel and the fact that the stream buffer takes up the entire rear portion of the site. They looked at different designs for the site but chose this one to include all the required parking and keep the site aesthetically pleasing. They believe that they can still protect the stream and put in a design that is visually acceptable along with the parking that is necessary to meet the code requirements.

Angela Ash resident of district four stated that stream buffers protect the water bodies from the impacts of human activities. She does not think that the variance should be granted. Stated that we need quality projects that are going to enhance Economic Development

Mia Harper a resident asked if there were any additional studies to help support Battle's opinion that there were no environmental impacts and she asked why the city established the 50 ft buffer.

Michelle Battle stated that they are providing for both water quality and detention on the site. There will be a tree study done for the site.

Ray White answered that the variance request are not taken likely and the final decision will be made at the Zoning Board of Appeals

TMOD23-004 Presented by Matthew Williams

TMOD23-004 Food Truck/Vending

City-Wide

Stonecrest Planning and Zoning Department

Petitioner is seeking to make amendments and updates to Article 19 (Mobile Food Venders) of Chapter 15 (Licenses, Permits and Miscellaneous Business Regulations) and Article 4 (Use Regulations), Article 9 (Definitions/Maps) of Chapter 27 (Zoning Ordinance) regarding Food Trucks/Vending..

Amendments to Chapter 15 (Licenses, Permits and Miscellaneous Business Regulations)

Article 19 – Mobile Food Vendors

Division 1. – Generally

Sec. 15.19.1. – Definitions.

~~Food truck means any motor vehicle used for vending of prepared food items to the public from designated food truck areas.~~

~~Food truck shall mean a business based in a motor vehicle or trailer with a mobile or full-service kitchen which temporarily establishes itself on an existing property to sell prepared, prepackaged or cooked food on-site and which meets all state and local regulations regarding food service and preparation.~~

~~Vending cart means a vending cart at which prepared food, prepared non-alcoholic beverages, pre-packaged food and non-alcoholic pre-packaged beverages may be offered for sale.~~

~~Vending/Food cart means a pushcart which is designed to be readily movable from which food items are dispensed.~~

What Changed?

- Food Truck
 - Removed existing definition and implemented a new definition
- Vending Cart
 - Removed existing definition and implemented a new definition

Amendments to Chapter 15 (Licenses, Permits and Miscellaneous Business Regulations)

~~Sec. 15.19.4. – Vending operational rules: Reserved~~

~~(a) Hours of operation shall be between 7:00 a.m. and 6:00 p.m., or as previously approved by the City Manager or his designee in connection with a special event permit.~~

~~(b) Any and all signage must comply with the City of Stonecrest Code of Ordinances, chapter 21.~~

~~(c) Vendors may offer items permissible for sale only.~~

~~(d) All vendors shall display their valid vending permits, photo identification card, and any required copies of licensing agreements at the valid vendor location.~~



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Planning and Zoning Department

~~• All vendors must maintain an auditable point-of-sale system to track and report on sales revenue and appropriate taxation in accordance with the requirements of section 15-19-3.~~

~~(f) Vending operations may not obstruct vehicular traffic flow except for up to 15 minutes to load and unload vending carts and merchandise.~~

~~(g) Vending operations, including, but not limited to, the display of merchandise and may not exceed the approved operating area.~~

~~(h) Vending carts and/or food trucks shall not be left unattended or stored at any time in the operating area when vending is not taking place or during restricted hours of operation.~~

~~(i) Vending carts and/or food trucks should not occupy more than one standard parking space.~~

~~(j) Vending carts and/or food trucks shall not operate on vacant or undeveloped lots.~~

~~(k) Vending carts and/or food trucks shall be located within 100 yards of the principal structure of the lot upon which it intends to vend.~~

~~(l) Vending carts and/or food trucks are allowed to stay at any one place of operation for a maximum of four hours.~~

~~(m) Vendors offering prepared food shall obtain the proper authorization and permits from the DeKalb County Board of Health or the comparable department of another municipality.~~

~~(n) Vendors offering pre-packed food and prepackaged beverages shall obtain the proper authorization from the Georgia Department of Agriculture.~~

What Changed?

- Removed vending operations rules from Chapter 15 (Licenses, Permits and Miscellaneous Business Regulations)

Amendments to Chapter 27 (Zoning Ordinance)

Article 4. – Use Regulations

Division 1. – Overview of Use Categories and Use Table



TMOD-23-004

Planning and Zoning Department

Sec. 4.1.3. – Use Table.

Use	KEY: P - Permitted use Pa - Permitted as an accessory use									SA - Special administrative permit from Community Development Director SP - Special land use permit (SLUP)										See Section 4.2					
	RE	RLG	R-100	R-85	R-75	R-60	RSM	MR-1	MR-2	HR-1,2,3	MHP	RNC	OI	OIT	NS	C-1	C-2	OD	M		M-2	MU-1	MU-2	MU-3	MU-4.5
COMMERCIAL																									
Recreation and Entertainment																									
Food Trucks, Mobile Vending/ Food Carts													SA			SA	SA	SA	SA	SA					✓

What Changed?

- Added Food Trucks, Mobile Vending/Food Carts to the Use Table
- Permits Food Trucks, Mobile Vending/Food Carts in the following zoning districts with an approved Special Administrative Permit (SA):
 - OI – Office Institutional
 - C-1 – Local Commercial
 - C-2 – General Commercial
 - OD – Office Distribution
 - M – Light Industrial
 - M2 – Heavy Industrial

Amendments to Chapter 27 (Zoning Ordinance)

Division 2. – Supplemental Use Regulations

Sec. 4.2.67. – Food Trucks, Mobile Vending/Food Cart.

All Food Trucks shall comply with the following:

A. Permit.

1. All Food Trucks, Mobile Vending/Food Carts require a Special Administrative Permit to operate within the city.
2. The Food Truck, Mobile Vending/Food Cart Permit shall be valid for a period of one – calendar year after issuance and applicable to the approved site only.
3. Any condition of zoning or provision of the Stonecrest and Dekalb County's zoning ordinance that prohibits a food truck use on a property shall supersede this section.



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Planning and Zoning Department

4. Food Trucks, Mobile Vending/Food Carts shall maintain and display plainly all current city, Dekalb County, State of Georgia, and federal licenses and shall follow all laws of the state and county health departments, or any other applicable laws.

B. Permitted locations.

1. Allowable districts: OD, OI, C-1, C-2, M, M-2, and accessory to institutional uses, such as a place of worship or a school, or for the benefit of community interest; determined by Planning and Zoning Department.
2. Food Trucks, Mobile Vending/Food Carts shall be required to park on paved surfaces.

C. Restricted locations.

1. No Food Trucks, Mobile Vending/Food Carts shall be located within 250 feet of a residential structure(s).
2. All Food Trucks, Mobile Vending/Food Carts shall be located a minimum of 200 feet from any eating establishment and 100 feet from any retail store that sell food unless both the property owner(s) (as they appear on the current tax records of Dekalb County as retrieved by the County's Geographic Information System (GIS) or if the current ownership has recently changed and does not match the GIS record the applicant may provide a copy of the new deed as proof of ownership) and lease holder(s) of said eating establishment/retail store grant written notarized permission for the Food Trucks, Mobile Vending/Food Cart to be located closer than this minimum setback.
3. Food Trucks, Mobile Vending/Food Carts' vendors shall not be located within 25 feet of any right-of-way, entryway, curb-cut or driveway.
4. Sales near Schools. No person shall dispense any item, at any time, including food, from an ice cream truck parked or stopped within 500 feet of the property line of a school between 7:30 a.m. and 4:00 p.m. on regular school days; unless granted with written notarized permission from current school's Principal.

Amendments to Chapter 27 (Zoning Ordinance)

D. Hours of operation.

1. The hours of operation shall be between the hours of 7:00 a.m. to 8:00 p.m., Sunday through Thursday and between the hours of 7:00 a.m. to 10:00 p.m., Friday through Saturday.
2. Food Trucks, Mobile Vending/Food Carts shall not operate on any private property without the prior consent of the property owner(s). The applicant shall provide a notarized written permission statement of the property owner(s) as they appear on the current tax records of Dekalb County as retrieved by the County's Geographic Information System (GIS). If the current ownership has recently changed and does not match the GIS record the



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Planning and Zoning Department

applicant may provide a copy of the new deed as proof of ownership. A 24-hour contact number of the property owner(s) shall be provided along with permit application.

E. Parking.

1. Food Trucks, Mobile Vending/Food Carts should not occupy more than two standard parking spaces.
2. No Food Truck, Mobile Vending/Food Cart shall be housed or stored within a residential zoning district.

F. Signage.

1. Any and all signage must comply with the City of Stonecrest Code of Ordinances, chapter 21.

G. Lighting/Noise.

1. Food Trucks, Mobile Vending/Food Carts shall not emit sounds, outcry, speaker, amplifier, or announcements.

H. Waste Disposal.

1. Food Trucks, Mobile Vending/Food Carts are responsible for the proper disposal of waste and trash associated with the operation. Food Trucks, Mobile Vending/Food Carts shall remove all generated waste and trash from their approved location at the end of each day or as needed to maintain the public health and safety. No liquid waste or grease is to be disposed of in tree pits, storm drains, sanitary sewers, onto the sidewalks, streets or other public or private space. A written waste management plan indicating plans for waste handling, sanitation, litter collection/prevention, recycling, and daily cleanup procedures shall be submitted with the Special Administrative Permit application.

What Changed?

- Added supplemental regulations for Food Trucks, Mobile Vending/Food Carts

Amendments to Chapter 27 (Zoning Ordinance)

Article 9. – Definitions/Maps

Sec. 9.1.3. – Defined terms.

Food truck means a business based in a motor vehicle or trailer with a mobile or full-service kitchen which temporarily establishes itself on an existing property to sell prepared, prepackaged or cooked food on-site and which meets all state and local regulations regarding food service and preparation.

Vending means vending activity as permitted on privately-owned commercial or industrial property under the jurisdiction of the City of Stonecrest and in specifically designated city-owned parks or property. Vending shall only be permitted in city-owned parks or property where such activity is associated with a special event and/or subject to regulation under a more specific permit.

What Changed?

- Added definitions for Food trucks and Vending

Amendments to Appendix A – (Schedule of Fees)

PROPOSED 90 DAY FOOD TRUCK PERMIT			PROPOSED TEMPORARY FOOD TRUCK PERMIT		
Permit Fee	\$350.00	Inside and Outside jurisdiction.	Permit Fee	\$250.00	Inside and Outside jurisdiction.
Approved Period	90 Days	These are 90 designated consecutive days.	Approved Period	3 Days	These are 3 designated consecutive days.
Number of Locations	3	Food Truck can serve up to 3 locations during days of operation.	Number of Locations	2	Food Truck can serve up to 2 locations during days of operation.
Operational Restrictions	3 Days	Food Truck can only operate a maximum of 3 days per week.	Operational Restrictions	3 Days	Food Truck can only operate a maximum of 3 days per week.
Permit Amendments	\$115.00	Updating permit to remove or add a new location.	Permit Amendments	\$115.00	Updating permit to remove or add a new location.

Matthew Williams explained the difference between inside and outside jurisdiction. “Outside” refers to the food trucks that are outside of the city in unincorporated Dekalb County and the surrounding counties that are interested in doing business within the city and “inside” refers to the food truck owners that are originally based in the city.

They will only be permitted in C1-local commercial, C2- general commercial, OI- office institutional, OD- office distribution, M- light industrial, and M2- Heavy Industrial.

Malika Wells, a resident of the city came to the stand. She asked about the 90 day period for the permit and if there were any changes made to Chapters 15 and 27. She also asked if food trucks will be provided with a list of approved locations for their services as well as what will be done if traffic occurs if a food truck is popular.

Matthew Williams stated that in the Special Administrative Permit process a site plan is required, addresses they have in mind, and a document stating the property owner's permission. Certain locations are off-limits and there are also distance requirements.

He also stated that the permit is valid up to one year and an applicant is approved for 90 consecutive days.

Glenda Jordan a resident of district one came to the stand. She stated that the permit does not give an applicant a right to use the permit occasionally and did not agree with the fees.

An Attendee asked who determines the prices

Matthew Williams stated that the planning and zoning department works with the finance department.

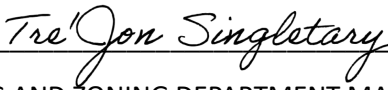
Rakia Murphey came to the stand to state that a doable plan should be made if the city wants vendors to conduct business here. The city should not be greedy, and the money will eventually come.

Upcoming Meetings

- Public Hearing will be held for presented items during:
 - Planning Commission
 - September 9, 2023
 - 6 PM
 - Council Chambers
 - Mayor & Council
 - September 25, 2023
 - 6 PM
 - Council Chambers
 - Zoning Board of Appeals
 - September 19, 2023
 - 6:30 PM
 - Council Chambers


Meeting ended at 7:11 p.m.

APPROVED:


01/02/2024

 PLANNING AND ZONING DEPARTMENT MANAGER Date

ATTEST:


12/7/2023

 SECRETARY Date