



PLANNING COMMISSION MEETING
Stonecrest City Hall - 6:00 PM ****In-Person Meeting***
May 3, 2022

PLANNING COMMISSION MEETING
Stonecrest City Hall's *Zoom Video* - 6:00 PM
May 3, 2022



A G E N D A

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 their request via email address lillian.lowe@stonecrestga.gov by noon the day of the hearing, May 3, 2022. A 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. Call to Order**
- II. Roll Call**
- III. Approval of the Agenda**
- IV. Presentations** - Presentation by Acting Director/Senior Planner Keedra Jackson, Planning and Zoning Department on department activities and upcoming cases.

V. Approval of Minutes

The Planning Commission Meeting Minutes Summary dated April 5, 2022

VI. Old Business:

1. Public Hearing(s):

LAND USE PETITION:	TMOD-22-008
PETITIONER:	Planning & Zoning Department
LOCATION:	City Wide
PROPOSED DEVELOPMENT:	Amendment to Stonecrest Zoning Ordinance, Chapter 27 to amend Section 4.1.3 (Table of Uses), Section 30 4.2.31 (Home Occupations and Private Education Uses), Article 9 (Definitions), and Section 4.2.41 31 (Adult Day Care), and inserting the provisions set form in Exhibit 32 A attached hereto and made a party by reference.

LAND USE PETITION:	RZ-22-001
PETITIONER:	Planning & Zoning Department
LOCATION:	3793, 3801, 3817, 3837, 3859, 3879, 3897, 3917, 3935, 3959, 3079, 3990, 3999, 4029 Evans Mill Road; 5912 Salem Rd, 3848, 3922, 3940, 3960 Evans Mill Rd; 6206, 6190, 6174, 6160, 6144, 6130, 6110, 6090, 6070, 6020, 5989, 6023, 6051,

CURRENT ZONING:	6067, 6085, 6105, 6125, 6145, 6185, 6205 Rock Springs Rd.
PROPOSED DEVELOPMENT:	RSM (Small Lot Residential Mix) Requesting to rezone properties from RSM to R-100
LAND USE PETITION:	TMOD22-005
PETITIONER:	Planning & Zoning Department
LOCATION:	City Wide
PROPOSED:	Amendment to the Stonecrest Zoning Ordinance, Chapter 27 to revise supplemental use provisions for Towing and Wrecking Services

VII. New Business: None

VIII. Adjournment

PLANNING COMMISSION MEETING MINUTES SUMMARY

Stonecrest City Hall's *Zoom Video* - 6:00 PM

April 5, 2022



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I. Call to Order: Chairman Eric Hubbard (District 3) called the meeting to order at 6:02 PM.

II. Roll Call

Chairman Hubbard called the roll. Commissioners Stefanie Brown (District 1), Joyce Walker (District 2), Pearl Hollis (District 4), and Cheryl Moore-Mathis (District 5), were present. There was a quorum.

Acting Director/Senior Planner Keedra Jackson, MPA, and Attorney Alicia Thompson, Fincher Denmark, LLC were present.

III. Swearing-In by Mayor Pro Tem George Turner: Stefanie Brown, District 1

The Chairman stated a change in the Agenda because Commissioner Stefanie Brown was sworn in by Mayor Pro Tem at the City Council meeting held in March 2022.

IV. Approval of the Agenda

Chairman Hubbard called for a motion to approve the **Agenda**. Ms. Mathis motioned to **APPROVE THE AGENDA, MINUS THE SWEARING-IN OF COMMISSIONER BROWN BECAUSE IT HAS ALREADY HAPPENED, AND THE REST OF THE AGENDA AS PRINTED**. Ms. Walker seconded the motion. The motion was **unanimously APPROVED**.

V. Approval of Minutes: The Planning Commission Meeting Minutes Summary dated March 1, 2022.

Chairman Hubbard called for a motion to **approve the Planning Commission Meeting Minutes Summary dated March 1, 2022**. Ms. Hollis motioned to **APPROVE**. Ms. Walker seconded the motion. The motion was **unanimously APPROVED**.

VI. Election of Officers: Chairman and Vice Chairman

Chairman Hubbard asked for a nomination to **elect a Chairman for the Planning Commission**. Ms. Hollis nominated Mr. Eric Hubbard. Mr. Hubbard accepted the nomination. There were no other nominees, and none opposed. The nomination was **unanimously CONFIRMED**.

Chairman Hubbard asked for a nomination to **elect a Vice Chairman for the Planning Commission**. Ms. Walker nominated Ms. Pearl Hollis. Ms. Hollis accepted the nomination. There were no other nominees, and none opposed. The nomination was **unanimously CONFIRMED**.

VII. Presentations: Upcoming Cases Presented by Ms. Keedra Jackson

Ms. Jackson spoke on:

- Starting **April 25th** - All public hearings will be in-person at City Hall. The May 3rd Planning Commission Meeting, at 6:00 PM, will be in-person. If there are questions regarding the in-person meeting, reach out to kjackson@stonecrestga.gov or Lillian.Lowe@stonecrestga.gov.
- **Adult Day Care Ordinance** – Staff made some changes to how the zoning ordinance is currently written due to the State of Georgia definition of Adult Day Care. The term or the wording ‘Care’ will be dropped from the term and changed to Adult Day Center. There will be some supplemental regulations coming with this ordinance.
- **City Initiated Rezoning from RSM to R-100** for properties along Rock Springs Road and Evans Mill Road. These properties are from 3 to 5 acres, and some go up to 8 acres. Those properties, in Staff’s opinion, are incorrectly zoned and need to match the minimum lot dimensions for that zoning district.
- **TMOD-22-005 Towing and Wreckage Yard** – Is coming back to the Planning Commission in May. This was presented to the City Council on March 28, 2022. During the presentation it was discovered that some of the language that has been removed from the current ordinance, may change the definition of a towing wreckage yard. Staff saw concerns and want to revisit this, and City Council sent it back. One of the questions that was asked at the hearing was, “Did anyone read the ordinance?” Ms. Jackson stated that she was unable to answer the question, and if the Commissioners still support the ordinance as the way it was presented at the March 1st hearing, it is the Commissioners’ decision to vote the same.

VIII. Old Business: None

IX. New Business: None

X. Adjournment

The Chairman motioned to adjourn the meeting. Ms. Mathis seconded the motion. The vote was carried **unanimously to adjourn** the meeting at 6:20 PM.

The Chairman wished everyone a Happy Easter Holiday.

The Commissioners and Staff congratulated the newly elected officers, Chairman Eric Hubbard, and Vice Chairman Pearl Hollis.

The next Planning Commission meeting is scheduled for May 3, 2022, 6:00 PM.

Follow the link to view the meeting: [4 5 2022 Planning Commission 6:00pm - YouTube](#)

APPROVED:

Chairman	Date

ATTEST:

Secretary	Date



PLANNING COMMISSION

STAFF REPORT(S)



PLANNING & ZONING STAFF REPORT

MEETING DATE: May 3, 2022

GENERAL INFORMATION

Petition Number:	TMOD 22-008
Applicant:	Stonecrest Planning & Zoning Department
Project Location:	City-Wide
Proposed Amendment:	Text amendment to modify Articles 4 and 9 of the Zoning Ordinance to address Adult Day Center definitions and use regulations.

FACTS AND ISSUES

At the January 21, 2022, City Council Meeting. Council directed staff to analyze the Adult Day Center ordinance to offer suggested revisions to be in aligned with the Personal Care Home provisions adopted by Council in 2021. Staff has identified some recommended changes to the Zoning Ordinance to address this issue. These changes include:

- Change the term from Adult Day Care Center and Adult Day Care Facility to Adult Day Center to reflect the rules and regulations of the State of Georgia
- An updated definition of Adult Day Center
- Updated supplemental regulations that require the business owner to be owner-occupied
- Distance separation requirement for Adult Day Center
- Updated the zoning code to mirror the state’s definition of “three or more persons”
- Updated Use Table to remove adult day center from residential districts

PROPOSAL

There has been expressed concerns about the quantity of Adult Day Care Centers in residential zoning districts. The Council has asked staff to update the Adult Day Care provisions, similar to how the personal care home provisions last year. Staff’s impression is that Adult Day Care Centers should be taken out of the home occupation world and treat them more like Child Day Cares. Based on this information, Staff recommend the following changes:

1. *The Rules and Regulations of the State of Georgia only identify “Adult Day Center” (GA R&R 111-8-1-.04 (1) (e) “Adult Day Center”) in the “Rules and Regulations for Adult Day Centers”. The title and type of facility is also reflected in the Georgia Code Title 49 (Social Services), Chapter 6 (Services for the Aging), Article 7 (Licensure of Adult Day Centers). I The*



PLANNING & ZONING STAFF REPORT

title of the land use has been changed to “Adult Day Center” to reflect the state statutes and rules and regulations. Our document identifies two – Adult Day Care Center and Adult Day Care Facility.

2. The rules and regulations of the state identify the Adult Day Center as “a facility serving aging adults that provides adult day care or adult day health services, as defined in paragraphs (d) and (f) of these definitions, for compensation to three or more persons. Adult day centers may operate in more than one location if classified and approved by the Department as a mobile adult day center. This term shall not include a respite care services program.” The difference here is that state legislation identifies three or more persons, our legislation states four or more. Stonecrest is recommended the legislation to be updated to mirror the state definition.
3. As a result of the definition of the state above, I cannot find any reference to “Adult Day Facility” or “Adult Day Care Facility” in state statutes. If this is true, I am not sure if we can differentiate between “up to six” (Adult Day Care Facility) and “seven or more” (Adult Day Center). Jim and/or city attorney should make the final decision on this. My recommendation would be to stick with what the state permits (Adult Day Center which allows 4 or more) and drop the “Adult Day Care Facility”.

Georgia defines adult day services as a program for providing a safe group environment with coordinated health and social services aimed at stabilizing or improving self-care as well as preventing, postponing, or reducing the need for institutional placement. The purpose of adult day services is to provide support for elderly individuals who do not fully function independently but who do not need 24-hour nursing care. Participants may have physical, social, and/or mental impairments, need assistance with ADLs less than that requiring placement in an institution, or have recently returned home from a hospital or institutional stay.

	KEY: P - Permitted use Pa - Permitted as an accessory use	SA - Special administrative permit from Community Development Director SP - Special land use permit (SLUP)
Use	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	See Section 4.2
Services		



PLANNING & ZONING STAFF REPORT

MEETING DATE: May 3, 2022

GENERAL INFORMATION

Petition Number: RZ-22-001

Applicant: Stonecrest Planning & Zoning Department

Project Location: 3793, 3801, 3817, 3837, 3859, 3879, 3897, 3917, 3935, 3959, 3079, 3990, 3999, 4029 Evans Mill Road; 5912 Salem Rd, 3848, 3922, 3940, 3960 Evans Mill Rd; 6206, 6190, 6174, 6160, 6144, 6130, 6110, 6090, 6070, 6020, 5989, 6023, 6051, 6067, 6085, 6105, 6125, 6145, 6185, 6205 Rock Springs Rd.

Proposal: Requesting to Requesting to rezone properties from RSM (Small Lot Residential Mix) to R-100 (Residential Medium Lot)

FACTS AND ISSUES

At the time of incorporation, the City adopted the DeKalb County zoning map which showed a number of properties within the Arabia Mountain Conservation Overlay as RSM, Residential Small Lot that were previously developed as R-100 (Residential Medium Lot) or had been zoned to a larger lot residential zoning category. It is believed that this was the result of a 2015 adoption of a new Zoning Map by the County which the City assumed upon incorporation. Many feel that this rezoning to RSM was a mistake and would like to advert the potential for small lot infill development. City initiated rezoning of selected parcels zoned RSM to R-100 in the Arabia Mtn Conservation Overlay covering approximately 837 acres. The subject properties range from a minimum of 3 acres to over 10 acres in area.

Element	R-100	RSM
Lot area (square foot)	15,000 sf.	5,000/2,000 cottage
Lot width	100 ft.	60 ft.
Front setback	20 ft.	20 ft.
Side setback	10 ft.	10 ft for interior
Rear setback	40 ft	20 ft.



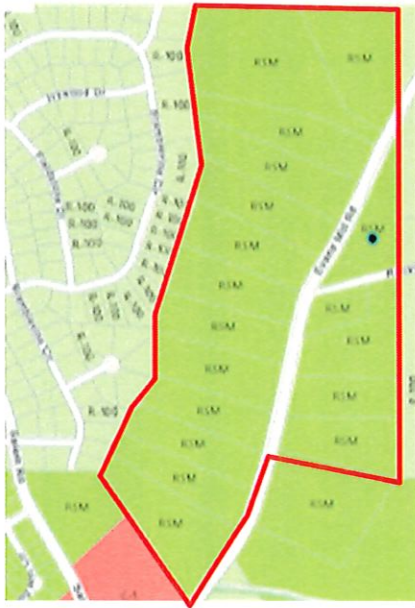
PLANNING & ZONING STAFF REPORT

The subject properties are located on along Evans Mill and Rock Springs Rd and one vacant parcel on Salem Rd. The rezoning of the subject properties are in alignment with the comprehensive plan and does not require an amendment.

PROPOSAL

Staff is recommending a rezone from the RSM (Residential Small Lot) to R-100 (Residential Medium Lot).

Evans Mill Road



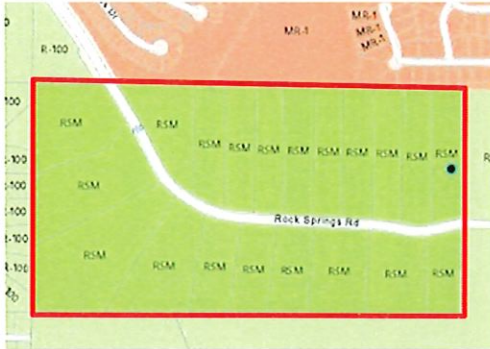
18 parcels, 105 acres

Ref #	Parcel Address (* denotes where owner address = parcel address)	Parcel ID	Owner Name	Acreage	LU
1	3793 Evans Mill Rd *	16 077 010 040	Gwen A. Mitchell	6.79	SUB
2	3801 Evans Mill Rd *	16 077 010 041	Kenneth N. Cox	12.03	SUB
3	3817 Evans Mill Rd	16 077 010 042	Horizon Global Enterprises	5.59	SUB
4	3837 Evans Mill Rd *	16 077 010 043	Major and Ada Sadler Revocable Trust	5.88	SUB
5	3859 Evans Mill Rd. *	16 077 010 044	Sarah J V Frett	5.18	SUB
6	3879 Evans Mill Rd *	16 077 010 045	Austin Mae Francis Dixon	4.93	SUB
7	3897 Evans Mill Rd *	16 077 010 046	Ravenel L Edward	4.71	SUB
8	3917 Evans Mill Rd *	16 077 010 039	Waterton Godfrey	4.60	SUB
9	3935 Evans Mill Rd *	16 077 010 047	Hinton Willie L	5.08	SUB
10	3959 Evans Mill Rd *	16 077 010 048	Charles T. Carter	4.16	SUB
11	3979 Evans Mill Rd	16 077 010 049	Larry G Hunt	4.25	SUB
12	3990 Evans Mill Rd	16 078 01 003	DeKalb County	8.42	
13	3999 Evans Mill Rd *	16 078 02 003	Joseph A. Vernet	4.18	SUB
13	4029 Evans Mill Rd	16 078 02 002	Charles R. Alexander	6.69	SUB
14	5912 Salem Rd.	16 078 02 001	Sam E Thomas	5.00	SUB
15	3848 Evans Mill Rd *	16 077 02 001	Ware Palmer	4.16	RR
16	3922 Evans Mill Rd *	16 077 03 004	Leslie E. Gadsden	5.36	RR
17	3940 Evans Mill Rd	16 077 03 005	Frederick Jackson	3.66	RR
18	3960 Evans Mill Rd *	16 077 03 006	Charlie J Thompson	4.73	RR ¹



PLANNING & ZONING STAFF REPORT

Rock Spring Road



19 parcels, 97acres, all appear to be owner occupied

Ref #	Parcel Address	Parcel ID	Owner Name	Acreage	LU
23	6206 Rock Springs Rd	16 076 01 008	Thelma Crowder	4.1	SUB
24	6190 Rock Springs Rd	16 076 01 007	Willie Mae Johnson	4.2	SUB
25	6174 Rock Springs Rd	16 076 01 006	Ellis Appling	4.0	SUB
26	6160 Rock Springs Rd	16 076 01 005	Patrida Esther Jones	4.0	SUB
27	6144 Rock Springs Rd	16 076 01 004	Edward Bailey Jr.	4.0	SUB
28	6130 Rock Springs Rd	16 076 01 003	Gamallel W. Hilson	4.0	SUB
29	6110 Rock Springs Rd	16 076 01 011	Christine L. Hilson	3.9	SUB
30	6090 Rock Springs Rd	16 076 01 010	Keri L. Hilson	3.9	SUB
31	6070 Rock Springs Rd	16 076 01 009	Michael Allen Roberts	3.7	SUB
32	6020 Rock Springs Rd	16 076 01 002	Michael A. Roberts	5.1	SUB
33	5989 Rock Springs Rd	16 076 02 003	Raymond Hill	6.7	SUB
34	6023 Rock Springs Rd	16 076 02 004	Cornelius Flowers	8.0	SUB
35	6051 Rock Springs Rd	16 076 02 005	Walter W. Williams	11.3	SUB
36	6067 Rock Springs Rd	16 076 02 006	Perry Iris Buchanan	6.3	SUB
37	6085 Rock Springs Rd	16 076 02 007	Kathy H Register	3.7	SUB
38	6105 Rock Springs Rd	16 076 02 008	George Turner Jr.	3.6	SUB
39	6125 Rock Springs Rd	16 076 02 009	James Rutledge	3.5	SUB
40	6145 Rock Springs Rd	16 076 02 010	Ellis Wilson	5.1	SUB
41	6185 Rock Springs Rd	16 076 02 011	Andrew Daugett	4.8	SUB
42	6205 Rock Springs Rd	16 076 02 012	Larry Parker	3.0	SUB

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The city is recommending to amend the permitted uses from residential districts and keep them in commercial zoned districts. This use is commercial in nature and will be more suitable for a commercial zoning. These updated regulations allow Planning Commission, and City Council more opportunities to review Special Land Use Permits on a case-by-case basis for these uses and allow staff to make the necessary changes to reflect the definitions and regulations as defined by the State of Georgia. The updates also ensure that every part of the Zoning Ordinance referencing these uses is cohesive.

RECOMMENDED ACTION

Staff recommends Approval of the proposed rezoning.



PLANNING & ZONING STAFF REPORT

MEETING DATE: May 3, 2022

GENERAL INFORMATION

- Petition Number:** TMOD-22-005
- Applicant:** Stonecrest Planning and Zoning Department
- Project Location:** City-Wide
- Proposed amendment:** Amendment to Stonecrest Zoning Ordinance, Chapter 27, Article 4, revisions to supplemental use provisions for Towing and Wreckage Services.

Facts and Issues:

- The City Council directed staff to improve the screening requirements for Towing and Wreckage Services sites to improve community aesthetics.
- The idea is to screen them similar to how the code currently requires the screening of gravel parking lots.

Staff Recommendation: Approval of TMOD-22-005

Previous Actions:

- (1) The Planning Commission heard this item previous on December 7, 2021 as part of TMOD-21-016, and the Planning Commission recommended **Deferral**.
- (2) The City Council heard this item, again as part of TMOD-21-016, on January 24, 2022, and took action to defer the item back to the Planning Commission.
- (3) Planning Commission recommended approval on March 1, 2022
- (4) The City Council recommended this item to return to Planning Commission again to ensure vote on March 25th.

ATTACHMENTS:



TMOD-22-005

PLANNING & ZONING STAFF REPORT

1. Revisions to the Zoning Ordinance related to Towing and Wreckage Services

TMOD-22-005

STONECREST ZONING ORDINANCE UPDATE

Revisions to the Supplemental Use Regulations related to Towing and Wreckage Services

[NEW, Section number is temporary and to be set after adoption]

Sec. 4.2.64 Towing Wreckage Service

- A. This provision does not apply to vehicle storage yards, used motor vehicle dealerships, used motor vehicle parts dealerships, or automobile salvage yards.
- B. Records showing the arrival of each vehicle at a tow service property or an automobile recovery and storage facility must be kept by the owner/operator of a business.
- C. All wrecked or inoperable vehicles shall be drained of all liquids, including but not limited to gasoline, diesel, transmission fluid, brake fluid, and engine oil, within forty-eight (48) hours of delivery to tow service properties or automobile recovery and storage facilities.
- D. Any area of the site used for the short-term storage of motor vehicles shall be screened from view of the public street with an opaque corrugated metal fence or wall adequate in heights to screen the motor vehicles from view from the public rights-of-way. This would be a minimum of ten feet in height if trucks are being stored on site, and only six feet in height if only cars are be stored on site. Chain link and wooden fences along street frontage are prohibited.
- E. The parking area shall be at least 25 feet from the street right-of-way.
- F. A ten-foot-wide evergreen landscape buffer shall be planted around the perimeter of the fence along the public street with at least two rows of trees. All trees shall be a least six feet in height and/or two inches caliber, and shall be regularly maintained and watered as necessary. Dead or dying trees shall be promptly replaced. All surfaces between trees shall be mulched
- G. The soil erosion, sedimentation and pollution requirements of chapter 14, article V of the Code of the City of Stonecrest, Georgia are met.
- H. Minimum standards of the Georgia Stormwater Management Manual are met in terms of stormwater runoff and water quality.