



PLANNING COMMISSION MEETING MINUTES SUMMARY

STONECREST CITY HALL'S *ZOOM-Video MEETING*, 6:00 PM

December 7, 2021

I. Call to Order

The Chairman called the Planning Commission Meeting to order on Tuesday, December 7, 2021, at 6:00 PM via *ZOOM-Video* meeting. The Chairman read the Rules and Procedures for the Planning Commission Meetings and Public Hearings.

II. Roll Call

Chairman Hubbard called the roll. Commissioners JW Eady, Joyce Walker, Pearl Hollis, and Cheryl Moore-Mathis were present. There was a quorum.

Planning & Zoning Director Jim Summerbell and Attorney Alicia Thompson were present.

III. Approval of the Agenda

Chairman Hubbard called for a motion. Commissioner Mathis motioned to **APPROVE** the Agenda for the December 7, 2021, Planning Commission Meeting. Commissioner Walker seconded the motion. The motion was unanimously **APPROVED**.

IV. Presentations - Presentation by Jim Summerbell, AICP, Planning and Zoning Director on department activities and upcoming cases included:

The City Council has extended the local state of emergency due to the COVID-19 pandemic to the end of January 2022. All meetings will continue to be held virtually.

- December 15th – Planning Information Meeting (Tentatively Scheduled) to review Planning and Zoning Activities and upcoming cases with the community.
- January 4th – Planning Commission Meeting (usually first Tuesday of the month)
- Deadline for submittal was today for one case, AX-21-003, Stonecrest Studios (a movie production studio off of Miller Road. Adjacent to the annexation approved in April AX-21-001.

V. Public Comments – Per Secretary Lillian Lowe, there were no general public comments submitted but, one comment was received for SLUP-21-005.

VI. Approval of Minutes: The Planning Commission Meeting Minutes Summary dated November 9, 2021.

Chairman Hubbard called for a motion. Commissioner Eady motioned to **APPROVE** the Planning Commission Meeting Minutes Summary dated November 9, 2021. Commissioner Walker seconded the motion to **APPROVE** the Planning Commission Meeting Minutes Summary dated November 9, 2021. The motion was unanimously **APPROVED**.

VII. Old Business: None

VIII. New Business

1. Public Hearing(s):

LAND USE PETITION: AX-21-002
PETITIONER: GBG 2 Lithonia Group, LLC on behalf of the property owners Charles M. Bettis and J. Ed Seagraves
LOCATION: 1724 Rogers Lake Rd (Parcel ID 16 157 05 003)
PROPOSED AMENDMENT: Proposed annexation of 19.28 acres and rezoning from Light Industrial (M-DeKalb County) to Light Industrial (M-City of Stonecrest) for a gravel parking lot.

Planning & Zoning Director Jim Summerbell presented **PETITION AX-21-002**. Spoke on the proposed annexation general information; the future land use designation of light industrial; the intended use; the proposed gravel parking lot; the undeveloped wooded lot; the site plan and zoning review; the stream on the north side of the development; and the development to be located on the south side. Mr. Summerbell discussed the aerial map showing view of the use and development of adjacent nearby properties and the landfill is seen in the southwest corner and there is another landfill up to the northeast a little further away from the transfer stations.

The main reason they are seeking annexation is because, the county does not allow gravel parking lots like this. We do not think that this will have any negative impact on existing uses or usability around them. The City recently revised its requirements for a gravel parking lot so, conditions for approval have really tightened up.

The most recent text amendment (TMOD-21-012 was approved by the City Council on November 22, 2021), requirements for a gravel parking lot are requiring that every year, when they see business license renewal for this kind of use, they have to show proof of an inspection, a third party, applicant's inspector. Also added to the requirements is a corrugated metal fence around it, as well as a large tree buffer. Staff recommended **APPROVAL OF PETITION AX-21-002, including rezoning the parcel to M (Light Industrial) and designation of subject property to light Industrial on the Stonecrest Future Land Use Map.**

Mr. Summerbell turned the floor over to Attorney Jody Campbell, the applicants representative.

Attorney Campbell spoke on behalf of the property owners Charles M. Bettis and J. Ed Seagraves, business owners in Stonecrest, and operating a gravel parking lot near the intersection of Lithonia Industrial Boulevard and Rogers Lake Road. The proposal is a gravel parking lot that is consistent with the uses that are already in the area.

Attorney Campbell continued to speak on the proposed concept plan; the gravel parking lot; curb concrete cuts; the new requirements; landscape; fencing; and annual inspections. The Commissioners were encouraged to go and view the facility, and that currently inspections via third party inspector to ensure compliance with all of the requirements. If requirements are not kept, the City has the ability to deny the renewal of a business license.

Attorney Campbell spoke on impervious surfaces (from a stormwater perspective; from a runoff perspective; and from an environmental perspective). Additionally, DeKalb County does not have anywhere near as robust a regulation as far as fence screening, landscape buffering, and inspections. Frankly, if we are under Stonecrest's regulations, this has a much greater likelihood of being something that the city can be proud of and that is aesthetically pleasing; is not an eyesore or a burden on the neighboring property owners. We think that it would benefit the City to allow this project to come in, and for us to develop this in compliance with the requirements. In addition to that, bringing in industrial property is a win-win for the City. Bringing in almost 20 acres of new industrial property, it enhances the tax base and then allows the City to be more creative and more flexible in terms of redeveloping

other industrial and commercial properties without sacrificing that tax base. I know that redevelopment is one thing the City wants to do.

The Chairman opened the public hearing for those in **support**. There were none in support.

The Chairman opened the public hearing for those in **opposition**. There were none in opposition.

The Chairman closed the public hearing before going into discussion.

The Chairman motioned to **RECOMMEND APPROVAL OF AX-21-002 TO THE CITY COUNCIL**. Commissioner Eady seconded the motion to **RECOMMEND APPROVAL OF AX-21-002 TO THE CITY COUNCIL**. The motion was unanimously **APPROVED**.

LAND USE PETITION: RZ-21-009
PETITIONER: City of Stonecrest (on behalf of the property owner Marie Colson)
LOCATION: 6547 Chupp Road (Parcel ID 16 120 02 004)
PROPOSED AMENDMENT: Proposed rezoning from Stonecrest Area Overlay, Tier 6, Viewshed to Stonecrest Area Overlay Tier 2, Mid-Rise Mixed-Use Zone

Planning & Zoning Director Jim Summerbell presented **PETITION RZ-21-009**. Spoke on general information; the 2020 Aerial map and Underlying map. Tier 2 (prohibited uses); the 2008 Stonecrest Area Overlay Map; the 2019 Stonecrest Area Overlay; standards of review; zoning review; and staff recommendations. Staff recommended **APPROVAL OF PETITION RZ-21-009 TO REVERT THE ZONING OF THE PROPERTY BACK TO LIGHT INDUSTRIAL (M), STONECREST AREA OVERLAY, TIER 2**.

The applicant, Ms. Marie Colson, lives in District 5 and spoke on being grateful and having a dream for over seventeen years to open an affordable senior housing community.

The Chairman opened the public hearing for those in **support**. There were one in support:

1. *Spoke-in-person:* Mr. Bernard Knight stated that Ms. Colson is laboring under some misapprehensions. There was no thought given to trying to hurt her in any way or damage her interests, it's a matter of record that whenever the advisory committee revised the Stonecrest overlay a couple of years ago was asked to remove property from the overlay. My clients, the Kelly's are right next door to Ms. Colson and supports her application to be put over in Tier 2.

The Chairman opened the public hearing for those in **opposition**. There were none in opposition.

The Chairman closed the public hearing before going into discussion.

The Chairman asked for a motion. Commissioner Mathis offered a motion to **DEFER PETITION RZ-21-009 to the city council for further deliberation and decision in lieu of the fact that it does impact not only Ms. Colson but, other industrial areas as well**.

Attorney Alicia Thompson interjected and stated that you can defer decisions to another meeting. But, if you want it to be heard by the city council, the commission still needs to approve or deny. The matter today is to defer to another meeting. You do not refer to another meeting.

Commissioner Mathis stated to follow through with the motion.

The Chairman stated that we have a motion to **DEFER**, is there a second to the motion to **DEFER**? The motion to **DEFER** the question went once, twice, and three times. The motion died. There was not a second to **DEFER the motion**.

The Chairman motioned to recommend **APPROVAL OF PETITION RZ-21-009 WITH THE CONDITIONS RECOMMENDED BY THE PLANNING DEPARTMENT AND THAT THERE WOULD BE A BUFFER ZONE WHICH WAS AGREED UPON BY THE APPLICANT**.

Mr. Summerbell interjected and advised the Chairman that staff did not recommend any conditions as part of this.

Commissioner Eady seconded that motion.

The Chairman stated that in the motion we also will have a buffer between the properties as agreed upon by Ms. Colson ,and she had no problem putting the buffer between her project and her next-door neighbor's property.

The Chairman stated that it has been moved and properly seconded that we recommend approval of the application to the City Council, based off of the planning department's recommendation, and the agreements of a buffer by the applicant and Ms. Colson all, in favor of the vote. The vote was not unanimously **APPROVED**. The vote was 04 – 01. The Chairman, Commissioners Eady, Walker, and Hollis voted for **APPROVAL OF PETITION RZ-21-009**. Commissioner Mathis' vote was an abstention.

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|----------------------------|--|
| LAND USE PETITION: | SLUP-21-005 |
| PETITIONER: | Courageous Care Home LLC, c/o business and property owner Chantelle Morrison |
| LOCATION: | 4460 Idlewood Park |
| PROPOSED AMENDMENT: | Special Land Use Permit for an Adult Day Care Facility in a Small Lot Residential District (RSM) within the Arabia Mountain Conservation Overlay District. |

Planning & Zoning Director Jim Summerbell presented **PETITION SLUP-21-005**. Spoke on the general information; current zoning; protection of a stable neighborhood; zoning provisions for an adult day care; outdoor recreation areas; street parking; the 1000 feet from another adult day care facility; and fencing. Staff's review and recommendations are:

- In reviewing the standards of review of a Special Land Use Permit, staff found that the proposed use met each of the criteria with the exception of Item Q, which asks whether the proposed use satisfies the requirements contained with the supplemental regulations for such a use.
- The one issue on the site, which the exterior photos of the site point out, is the absence of a fence, as required in Section 4.2.5 of the Stonecrest Zoning Ordinance, which states the following: "Each adult day care facility shall be subject to the following requirements:

"All outdoor recreation areas shall be enclosed by a fence or wall not less than four feet in height."

- A. Based on these findings and conclusions, staff recommends **APPROVAL OF PETITION SLUP-21-005 for an Adult Day Care Facility with the condition that a backyard be fenced in, by an at least six-foot-high wood privacy fence to allow outdoor recreation opportunities for the clients.**

The applicant, Ms. Chantelle Morrison, spoke on wanting to operate an elderly day care; education; and schooling.

The Chairman opened the public hearing for those in **support**. There were none in support.

The Chairman opened the public hearing for those in **opposition**. There were two (2) in opposition:

1. *Spoke-in-person*: Ms. Sharon Harris spoke in **opposition**, and on the need for a fence; safety; traffic; located across from a school; and signage.
2. *Spoke-in-person*: Ms. Marie Obas spoke in **opposition**, and there is no gate on property, department of health approval and fire department; the age range; type of illness do they have. Stated that day care centers deal with Alzheimer and dementia patients; hours of operation; school bus pickup for kids; and health hazard not knowing what conditions these patients have right now; safety; traffic; located across from a school; and signage.

The secretary read the comment submitted for **PETITION SLUP-21-005 (ATTACHMENT D)**:

1. Mr. Lucas Obas is opposed to opening an adult day care in a residential neighborhood.

The applicant, Ms. Morrison, addressed the comments.

The Chairman closed the public hearing before going into discussion.

The Chairman asked for a motion. Commissioner Eady motioned to **APPROVE SLUP-21-005 WITH STAFF'S RECOMMENDATIONS**. Commissioner Hollis seconded the motion to **APPROVE SLUP-21-005**. The motion was unanimously **APPROVED**.

| | |
|----------------------------|--|
| LAND USE PETITION: | TMOD-21-013 |
| PETITIONER: | Planning & Zoning Department |
| LOCATION: | Citywide |
| PROPOSED AMENDMENT: | Amendments to the Stonecrest Zoning Ordinance, Chapter 27, to mitigate the potential conflicts between residential and industrial land uses. |

Planning & Zoning Director Jim Summerbell presented **PETITION TMOD-21-013**. Spoke on the Stonecrest Area Overlay:

Part 1 – Tier 3 Underlying Zoning and Recommended Text Changes

Part 2 – Reversion of previously zoned industrial property zoning map of Maddox Road.

Part 3 – SLUP Requirement for Residential Development adjacent to Industrial; and add new section

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Sec. 4.2.70 – SLUP required (A-D).

Staff recommended **APPROVAL OF PETITION TMOD-21-013 TO THE CITY COUNCIL THE STONECREST AREA OVERLAY: PART 1, PART 2, AND PART 3:**

1. Removal of M from the list of authorized uses in Tier 3 of the Stonecrest Area Overlay.
2. Reversion of parcels which were rezoned from industrial to residential.
3. Requirement for a SLUP for residential development adjacent to industrial zoning if adequate buffers are not in place.

The Chairman opened the public hearing for those in **support**. There was one in support.

1. *Spoke-in-person*: Mr. Bernard Knight was in support.

The Chairman opened the public hearing for those in **opposition**. There was one in opposition.

1. *Spoke-in-person*: Ms. Renee Cail was in opposition.

The Chairman closed the public hearing before going into discussion.

The Chairman motioned to **DEFER PETITION TMOD-21-013 TO THE NEXT 30-DAY CYCLE IN ORDER TO GIVE THE DIRECTOR AND CITY COUNCIL THE CHANCE TO INVESTIGATE THE MATTER FURTHER**. Commissioner Eady seconded the motion. The motion was unanimously **DEFERRED**.

LAND USE PETITION: TMOD-21-014
PETITIONER: Planning & Zoning Department
LOCATION: Citywide
PROPOSED AMENDMENT: Amendment to Stonecrest Zoning Ordinance, Chapter 27, Article 7 – Administration concerning the actions by the Planning Commission.

Planning & Zoning Director Jim Summerbell presented **PETITION TMOD-21-014**. This came up in a recent work session with the council. It was requested that provisions of article seven (Sec. 7.3.7) dealing with the actions taken by the planning commission be clarified and cleaned up to remove this ambiguity that we are having. Like, “What kind of action can the Planning Commission make to the City Council? What role does that play?” Mr. Summerbell shared his screen and presented the following Recommended Changes:

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TMOD-21-014 Recommended Changes

Sec. 7.3.7. Action by the planning commission.

The secretary of the planning commission shall provide the members of the planning commission complete information on each proposed application requiring a public hearing by the planning commission, including a copy of the application and all supporting materials. The planning commission, after conducting a public hearing with prior public notice as required by this article, shall consider the proposal and vote on its recommendation to the city council. Any recommendation of deferral of an application by the planning commission shall not be binding on the city council. The planning commission may recommend approval of the application, recommend approval to a less intense zoning district or land use category than that requested by the applicant, recommend approval of the application with conditions, recommend denial of the application, recommend deferral of the application, or, upon request of the applicant, recommend withdrawal of the application without prejudice. In its recommendation of any application, the planning commission may recommend the imposition of conditions in accordance with section 7.3.9. All findings and recommendations of the planning commission relating to amendments to the official zoning map shall be made based on each of the standards and factors contained in section 7.3.5. All recommendations of the planning commission relating to amendments to the comprehensive plan maps shall be made based on each of the standards and factors contained in section 7.3.4. The secretary of the planning commission shall make and maintain a written record of the planning commission's consideration and recommendations, which shall be public record.

Proposing a fairly simple, straightforward text amendment that is dealing with that development, and that the planning commission is a recommending body. TMOD-21-014 is trying to clarify this language that clarifies what actions can be taken; and trying to clarify the rules. Hope that agrees with the planning commission's understanding of what powers there are as a planning commission and the role in supporting the actions of the city.

The Chairman opened the floor for those in **support**. There were none in support.

The Chairman opened the floor for those in **opposition**. There were none in opposition.

The Chairman and Commissioners went into discussion.

The Chairman motioned to recommend **DENIAL OF TMOD-21-014**. Commissioner Walker seconded the motion to recommend **DENIAL OF TMOD-21-014**. The vote was 04 – 01. The Chairman, Commissioners Eady, Walker, and Hollis voted to recommend **DENIAL OF TMOD-21-014**. Commissioner Mathis' vote was against the **DENIAL**. The vote was not unanimously **DENIED**.

LAND USE PETITION:

TMOD-21-015

PETITIONER:

Planning & Zoning Department

LOCATION:

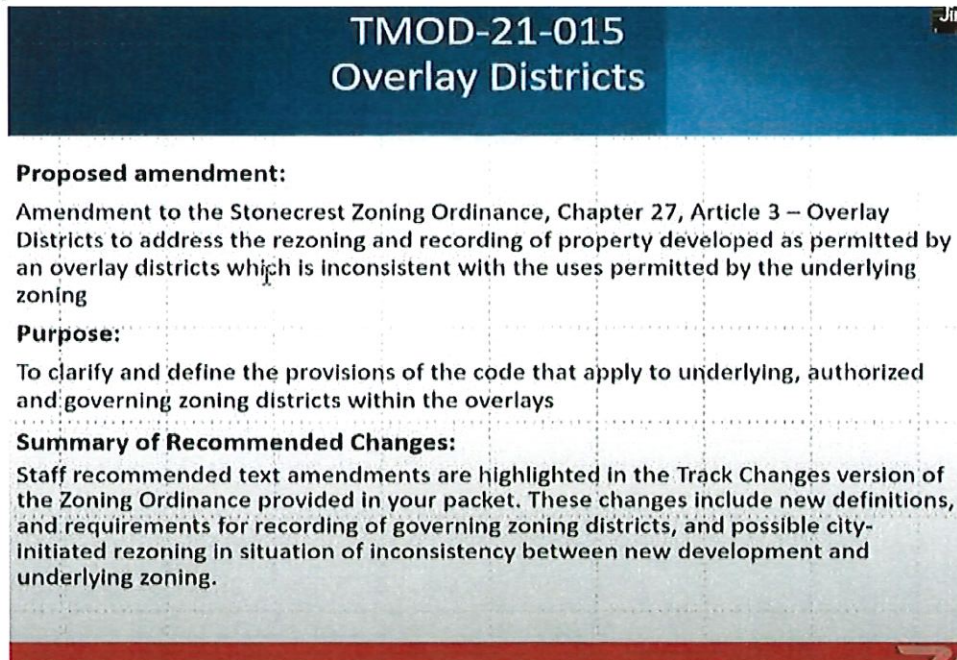
Citywide – Overlay Districts

PROPOSED AMENDMENT:

Amendment to Stonecrest Zoning Ordinance, Chapter 27, Article 3, Overlay Districts to address the rezoning and recording of property developed as permitted by an overlay district which is inconsistent with the uses permitted by the underlying zoning.

Planning & Zoning Director Jim Summerbell presented **PETITION TMOD-21-015**. Spoke on the administrative concerns to clarify and define the provisions of the code that apply to underlying authorized and governing zoning districts within the overlays. Mr. Summerbell presented Slides 56-60:

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**TMOD-21-015
Overlay Districts**

Proposed amendment:
Amendment to the Stonecrest Zoning Ordinance, Chapter 27, Article 3 – Overlay Districts to address the rezoning and recording of property developed as permitted by an overlay districts which is inconsistent with the uses permitted by the underlying zoning

Purpose:
To clarify and define the provisions of the code that apply to underlying, authorized and governing zoning districts within the overlays

Summary of Recommended Changes:
Staff recommended text amendments are highlighted in the Track Changes version of the Zoning Ordinance provided in your packet. These changes include new definitions, and requirements for recording of governing zoning districts, and possible city-initiated rezoning in situation of inconsistency between new development and underlying zoning.

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TMOD-21-015 New Definitions

District, zoning – Any district delineated on the official zoning map under the terms and provisions of this ordinance, or which may be created after the enactment of this ordinance for which regulations governing the area, height, use of buildings, or use of land, and other regulations related to development or maintenance of uses or structures are uniform.

District, base zoning– see Underlying District

District, underlying zoning – Any zoning district that lies within or under the boundaries of an overlay zoning district, also known as base zoning district.

District, overlay zoning – a zoning district where certain additional requirements are superimposed upon an underlying or base zoning district and where the requirements of the underlying or base district may or may not be altered.

District, authorized zoning – a zoning district other than the base or underlying zoning district that is called out in the provisions of an overlay zoning district to describe what uses are permitted or authorized to be developed within that overlay zoning district.

District, governing zoning – an underlying or authorized zoning district within an overlay zoning district by which the design and dimensional standards of any existing or proposed development must adhere to. Also used to determine site requirements on adjacent properties, such as buffers

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TMOD-21-015 Overlay Districts, Issues being addressed

1. The Overlay Zones allow uses to be constructed that are inconsistent with the underlying zoning district.
 - For example, Tier 1 of the Stonecrest Area Overlay allows the construction of uses permitted in C1, C2, OI, OD, and HR-2, regardless of the underlying zoning.
 - C1, C2, OI, OD and HR-2 would be considered authorizing districts, since all land uses authorized in these districts are permitted within the Tier unless they are strictly prohibited by the Tier.
2. Sec. 3.1.1 states “All development and building permits for lots located, in whole or in part, within any overlay district shall meet all of the regulations of the underlying zoning district in which they are located as well as all of the regulations of the applicable overlay district.” This means that besides the uses permitted by the authorizing district, the uses allowed by the underlying district are permitted as well.

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TMOD-21-015 Overlay Districts, Issues being addressed

Jim S

3. Sometimes development is requested that is authorized but neither the underlying zoning nor the regulations of the overlay district offer guidance as to how they should be designed.
 - For example, there have been situations where the underlying zoning is C-1, but the authorized use is townhomes or single-family homes, which are permitted under HR-2. One would assume the development standards of HR-2 would be controlling, but it is not stated in the code.
4. Another issue is that there have been legal authorized uses built that do not conform to the underlying zoning, so the base zoning does not reflect the existing use on the property.
 - This creates an issue when a provision of the zoning ordinance is triggered by the presence of a neighboring district, the best example of which is a buffer requirement.

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TMOD-21-015 Overlay Districts

Pea

Recommended text changes

Sec 3.1.1. Overlay districts generally

[New subsections]

- H. When a plan package for a proposed development is submitted for conceptual plan review or a final design package approval for a land disturbance or building permit application, the governing district related to design or dimensional standards by which the development will be reviewed under must be clearly stated. That governing district standards must be associated with either the underlying zoning district, or an authorized district as permitted by the applicable Overlay Tier at the time of application submittal;
- I. If the governing district does not match the existing underlying district, the city may initiate a rezoning of the underlying property to the governing district, with property owner approval, at any point after final plat approval or the issuance of a Certification of Occupancy.

Sections 3.1.3, 3.1.4 and 3.1.5 – insertion of statements requiring a statement of which governing district standards will be applied in conceptual plan review or final design package approval, including final plat. **See track changes in packet.**

Commissioners Walker thanked Mr. Summerbell for the much-needed information.

Commissioner Eady asked Mr. Summerbell, “What you presented to us, why can’t we get that a little bit earlier so, I have a better chance of reading it over before we get here? Because, trying to follow you here is a little difficult but, if I had this in front of me a week or three or four days earlier, I would be able to follow right through the questions and then be able to have questions to ask you about it. But right now, I can't ask any questions because, I need to read it a little bit more deeply.”

Mr. Summerbell replied, “I understand. I hope you all understand. I am dealing with a situation where I am literally drinking from a fire hose every day. I am short staff right now and particularly, now, we are in this transitional period...thought I sent it out I think it was last Friday or Saturday and then I found out a lot of your emails were bouncing back for some reason. So, I was asking the city clerk and staff over the weekend hey how did you get this out quicker because I realized that you all did not get it earlier as early as I thought you...for some reason you guys have my email blocked...I do apologize, I really wish it was early...I am recommending to the City Council that the planning commissioners have an email like @stonecrestgov.com...”

The Chairman opened the public hearing for those in **support**. There were none in support.

The Chairman opened the public hearing for those in **opposition**. There were none in opposition.

The Chairman closed the public hearing before going into discussion.

The Chairman motioned to **APPROVE TMOD-21-015 FOR RECOMMENDATION TO THE COUNCIL**. Commissioner Hollis seconded the motion to **APPROVE TMOD-21-015 FOR RECOMMENDATION TO THE COUNCIL**. The vote was unanimously **APPROVED**.

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| LAND USE PETITION: | TMOD-21-016 |
| PETITIONER: | Planning & Zoning Department |
| LOCATION: | Citywide |
| PROPOSED AMENDMENT: | Amendment to Stonecrest Zoning Ordinance, Chapter 27, Article 4, revisions to supplemental use provisions, including the provisions for Solar Energy, Distilleries, Breweries, and Towing and Wreckage Services. |

Planning & Zoning Director Jim Summerbell presented **PETITION TMOD-21-016**. This amendment is to add to the supplemental use provisions for several uses that really are not addressed right now, in the current code.

Sec.4.2.60 Towing Wreckage Service includes the supplemental uses, distillery, breweries, a towing and wrecking service, and solar energy (see Slide 62-66 below):

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TMOD-21-016 Supplemental Uses

Jim

Proposed amendment:

Amendment to the Stonecrest Zoning Ordinance, Chapter 27, Article 4 – Supplemental Use Provisions, including provisions for Solar Energy, Distilleries and Breweries, and Towing and Wreckage Services.

Issues being addressed:

- The Zoning Ordinance permits several uses that need further definition and supplemental use criteria for proper administration.
- Distillery and brewery related uses should be defined by scale of operation and type of customer interaction, making distinction between commercial use and industrial use.
- Towing and Wreckage Services sites should be screened from view similar to how gravel parking lots are to improve community aesthetics
- Solar energy generation as an accessory use does exist in community but there is no definition or regulations regarding their use.

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TMOD-21-016 Distillery and brewery related uses

Jim S

Proposed amendment with regard to brewery and distillery related uses:

- Add definitions for brewpub, craft brewery, craft distillery, growler, growler store, large-scale brewery, and large scale distillery
- Revise permitted use table, Section 4.3.1

| | HS | C-1 | C-2 | M | M-2 | MU Districts | See Section 4.3.1 |
|----------------------------------|----|-----|-----|---|-----|--------------|-------------------|
| Brewpub/ Beer Growler, accessory | P | P | P | P | | P | |
| Craft Brewery | | P | P | P | | SP | ✓ |
| Craft Distillery | | P | P | P | | SP | ✓ |
| Large scale brewery | | | | | P | | |
| Large scale Distillery | | | | | P | | |

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TMOD-21-016 Distillery and brewery related uses

New supplemental use regulations, Sec. 4.2.59 Craft breweries and Craft Distilleries

- (1) Shall be subject to all regulations of Chapter 4 of the Stonecrest Code of Ordinances concerning alcoholic beverages:
- (2) Shall be a maximum of 20,000 square feet.
- (3) No outdoor public address system shall be permitted
- (4) Production space shall be in a wholly enclosed building.

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TMOD-21-016 Towing and Wreckage Services

Sec. 4.2.60 Towing Wreckage Service

- A. Vehicles shall not be stored at tow service properties or automobile recovery and storage facilities for a period longer than fourteen (14) days. This provision does not apply to vehicle storage yards, used motor vehicle dealerships, used motor vehicle parts dealerships, or automobile salvage yards. 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.
- B. 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.
- C. Any area of the site used for the short-term storage of car shall be screened from view of the public street with an opaque corrugated metal fence or wall minimum of ten feet in height. Chain link and wooden fences along street frontage are prohibited.
- D. The parking area shall be at least 25 feet from the street right-of-way.
- E. 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.
- F. The soil erosion, sedimentation and pollution requirements of chapter 14, article V of the Code of the City of Stonecrest, Georgia are met.
- G. Minimum standards of the Georgia Stormwater Management Manual are met in terms of stormwater runoff and water quality.

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TMOD-21-016 Solar Energy Systems

Jim Sumi

- Added new definition, Sec 9.1.3, for Solar Energy System (SES) and associated types of SESs including Integrated Solar Energy System, Rooftop Solar Energy System, and Ground Mounted Solar Energy System
- Added new supplemental use criteria for SES, principal use and SES, accessory use, Sections 4.2.60 and 4.2.61, (See Agenda Packet)
- Added new section to the permitted use table allowing SES in all districts either as permitted (P) accessory uses (Pa), special administrative approval (SA) or special uses subject to SLUP (SP).

| SOLAR ENERGY SYSTEMS (SES) | | RE | RUG | R-100 | R-85 | R-75 | R-60 | RSM | NR1 | MR2 | MR3,2,3 | MHP | RNC | CI | DT | NS | CJ | C2 | OD | M | M-2 | MU-3 | MU-2 | MU-3 | MU-4,5 | See Section 4.2 | |
|--|----|----|-----|-------|------|------|------|-----|-----|-----|---------|-----|-----|----|----|----|----|----|----|----|-----|------|------|------|--------|-----------------|---|
| Integrated SES | Pa | Pa | Pa | Pa | Pa | Pa | Pa | Pa | Pa | Pa | Pa | Pa | Pa | Pa | Pa | Pa | Pa | Pa | Pa | Pa | Pa | Pa | Pa | Pa | Pa | Pa | ✓ |
| Rooftop SES | Pa | SA | SA | SA | SA | SA | SA | SA | SA | SA | SA | SA | Pa | SA | SA | SA | SA | SA | SA | SA | Pa | Pa | SA | SA | SA | SA | ✓ |
| Ground Mounted SES, Small Scale | Pa | SP | SP | SP | SP | SP | SP | SP | SP | SP | SP | SP | SP | Pa | Pa | Pa | Pa | Pa | Pa | P | P | SP | SP | SP | SP | SP | ✓ |
| Ground Mounted SES, Intermediate Scale | SP | SP | SP | | | | | | | | | | SP | | | | | | | P | P | | | | | ✓ | |
| Ground Mounted SES, Large Scale | SP | SP | | | | | | | | | | | SP | | | | | | | SP | SP | | | | | ✓ | |

The Chairman opened the public hearing for those in **support**. There were none in support.

The Chairman opened the public hearing for those in **opposition**. There were none in opposition.

The Chairman closed the public hearing before going into discussion.

The Chairman asked for a motion.

Commissioner Mathis motioned to **APPROVE TMOD-21-016 WITH THE OMISSION OF PROVISION A** (*Vehicles shall not be stored at tow service properties or automobile recovery and storage facilities for a period longer than fourteen (14) days. This provision does not apply to vehicle storage yards, used motor vehicle dealerships, used motor vehicle parts dealerships, or automobile salvage yards.*). **THE FIRST SENTENCE SHOULD BE REMOVED, THE REST OF THE CONDITIONS SHOULD STAY. 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.**

Commissioner Hubbard seconded the motion to **APPROVE TMOD-21-016 WITH THE OMISSION OF PROVISION A, AND THE 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. THE VOTE WAS UNANIMOUSLY APPROVED.**

IX. Public Comments - The Secretary, Lillian Lowe, did not receive any public general comments but, read the comment submitted for **PETITION SLUP-21-005** from Mr. Lucas Obas.

X. Adjournment

The vote was carried unanimously to adjourn the meeting at 9:17 PM. Commissioner Mathis motioned to adjourn. Commissioner Walker seconded the motion. The vote was unanimous.

The meeting can be viewed on Stonecrest YouTube Live Channel.

APPROVED: *Eric G. Falkner* 01-04-2022
Chairman Date

ATTEST: *Lillian Lowe* 01-04-2022
Secretary Date



PLANNING COMMISSION MEETING

December 7, 2021

ATTACHMENT I

SLUP-21-005

In Opposition: Read by the Secretary, Lillian Lowe

1. Mr. Lucas Obas (Comments Submitted)

Lillian Lowe

From: Luc Obas <lobas@maxairmech.com>
Sent: Tuesday, December 7, 2021 10:48 AM
To: Lillian Lowe
Subject: 4460 idlewood park Land petition adult Day Care
Attachments: Public-Comments-Form-1 copy.pdf

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

I don't approve of this business in a residential Nabor hood. 2 much traffic

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Public Comment Rules

The purpose of public comments is to allow residents of Stonecrest or other members of the public to voice their city related concerns, requests, and opinions. The Public Comments portion of meetings is reserved exclusively for comments from the public, and not for immediate reply. Audience members shall respect the rights of the speakers to be heard and be aware that Stonecrest's "Decorum Rules for Public Meetings" are still in effect during public comments.

In order to respect the rights of all citizens, the following rules will control the public comments portion of Stonecrest's meetings:

1. Handouts and displays should be approved by the City Clerk prior to the meeting.
2. Prior to speaking, each speaker will complete a speaker card and present it to the clerk before the beginning of the public comment portion of the meeting. The public comments portion of the meeting will last 30 minutes, and speaker cards will be accepted on a first come, first-served basis.
3. Each speaker will be allotted three (3) minutes to speak, and will identify themselves by name, address and, if applicable, their organization, before beginning their presentation.
4. In order to respect the time of each speaker and the rights of all citizens who wish to speak, neither the Mayor nor any Council member, nor any city of Stonecrest staff, shall cut a speaker's time by engaging in dialogue, answering questions, or responding to individual issues, concerns or questions raised by the speaker.
5. Only after all speakers have been heard, and the public comments portion of the meeting has been closed, will the Mayor and Council be able to address any concerns raised by speakers.
6. Any member of the public who does not get an opportunity to speak will be allowed to speak first at a subsequent meeting, and the clerk will hold their speaker card until the date they choose to return.
7. Please initial the 'Acknowledgement of Rules' below confirming your understanding and adherence to these rules.

Acknowledgement of Rules: Yes

Public Comment Card

Date: 12/7/2021
MM/DD/YYYY

Comment Card Instructions:

1. Complete the card including the Agenda Item, Zoning Case Number, your name, address and phone number.
2. Submit the card to the City Clerk prior to the start of the meeting.
3. When your name is called, approach the podium and speak directly into the microphone stating your name and address for the record. Public comments are limited to 3 minutes

Agenda Item/Zoning Case#: Soup-21-005 land petition SUPPORT OPPOSE

Question/Comment: Location 4460 Idlewood park. Why would u want too open an adult day care in a Residential Naborhood. I don't need Radom car drop off and ambulance drop off and pick ups. Property value going down.. just need my privacy. Find a commercial front.

Name: Lucas

Address: 4456 Idlewood park/next door

Phone: 6783588560

Email: Ductman1.lg@gmail.com District#: _____

| | | |
|----------------------------------|---|-----------------------------|
| I am a Stonecrest resident | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |
| I am a Stonecrest business owner | Yes <input type="checkbox"/> | No <input type="checkbox"/> |

Note: Within the (2) years immediately preceding the filing of this zoning petition have you as the applicant or opponent for the rezoning petition, or an attorney or agent of the applicant or opponent for the rezoning petition made any campaign contributions aggregating \$250.00 or more or made gifts having an aggregate value of \$250.00 to the Mayor or any member of the City Council. Check what may apply: Yes No