



PLANNING COMMISSION MEETING `MOTIONS` STONECREST CITY HALL'S **ZOOM 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 includes:

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 Rodgers 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 general information; proposed gravel parking lot; the undeveloped wooded lot; the site plan and zoning review; stream on the north side of the development; and the development to be located on the south side. 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.**

The applicants were represented by Attorney Jody Campbell. Attorney Campbell spoke on the proposed concept plan; the gravel parking lot; curb concrete cuts; the new requirements; landscape; fencing; and annual inspections.

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.

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

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

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 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 question went once, twice, and three times. The motion died. There was not a second for the motion to defer.

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 it has been moved and properly seconded that we recommend approval of the application to the Council based off of the planning department's recommendation and the agreements of a buffer by the applicant, Ms. Colson. 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.

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 adult day care; outdoor recreation areas; street parking; the 1000 feet from another adult daycare facility; and fencing.

Staff recommended **APPROVAL OF PETITION SLUP-21-005 to RSM with the condition that a backyard fence be added.**

The applicant, Ms. Chantelle Morrison, spoke on wanting to operate an elderly daycare; 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.
2. *Spoke-in-person*: Ms. Marie Obas spoke in opposition.

The secretary read the one comment submitted for **PETITION SLUP-21-005**:

1. Mr. Lucas Obas is opposed to opening an adult daycare 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 – 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.**

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.

2. *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 DAYS 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 7,** dealing with the actions taken by planning commission, be clarified, and cleaned up to remove this ambiguity. Like what kind of action can planning commission make to the city council. What role does that play?

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.

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...”

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 last Friday or Saturday...and then I found out a lot of your emails were bouncing back for some reason...I do apologize...”

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**.

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, and 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. Includes solar energy distillery, breweries, a towing, and wreckage service.

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. The first sentence that has the 14-day term, should be removed, the rest of the conditions should stay**. Commissioner Hubbard seconded the motion to **APPROVE TMOD-21-016 WITH THE OMISSION OF PROVISION A**. 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. 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](#).