

PLANNING COMMISSION MEETING SUMMARY

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

January 4, 2022



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 lillian.lowe@stonecrestga.gov by noon the day of the hearing, January 4, 2022. 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. Call to Order

Chairman Eric Hubbard called the meeting to order at 6:02 PM and wished everyone a *Happy New Year!*

II. Roll Call

Chairman Hubbard called the roll. Ms. Joyce Walker, Ms. Cheryl Moore-Mathis, and Ms. Pearl Hollis were present. Mr. JW Eady joined the meeting late (6:21 PM). There was a quorum.

Planning & Zoning Director Jim Summerbell, Senior Planner Keedra Jackson, and Attorney Alicia Thompson, Fincher Denmark, LLC were present.

III. Approval of Minutes

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

Ms. Mathis stated that the **Approval of the Agenda** had been omitted and motioned to **APPROVE** the Agenda. Chairman Hubbard seconded the motion. The vote was unanimously **APPROVED**.

IV. Presentation: Mr. Jim Summerbell, AICP, Planning and Zoning Director presented department activities and upcoming cases:

City Council 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, until further notice.

January 13 th	Planning Information Meeting/Zoning Summit (Tentatively Scheduled) to review Planning and Zoning activities and upcoming cases with the community.
January 4 th	Deadline for submittal was today, not aware of any rezoning for February other than a text modification to Zoning Ordinance.
February 1 st	Next PC Meeting (first Tuesday of each month)

V. Old Business: None

VI. New Business

1. Public Hearing(s):

LAND USE PETITION: AX-21-003
PETITIONER: Shaw DeKalb Properties, LLC
LOCATION: 2931 and 2939 Miller Road (Parcel ID 16 024 07 004 and 16 009 01 012)

PROPOSED AMENDMENT: Proposed annexation of 9.89 acres and rezoning from Light Industrial and Office-Institutional (M and OI-DeKalb County) to Light Industrial (M-City of Stonecrest) for a Movie Production Studio.

The new Planning & Zoning Senior Planner, Ms. Keedra Jackson, presented **PETITION AX-21-003 (ATTACHMENT I)**. Ms. Jackson has over 16 years of planning experience and is looking forward to working with the City and community.

Ms. Jackson spoke on general information regarding two parcels, one developed and one undeveloped. The studio complex will consist of a 65,760 square-foot sound stage, a 20,000 square-foot mill space, and 67,515 square-feet of office space. The city notified DeKalb County of the proposed annexation (located in DeKalb County's I-20 Overlay District, Tier2) and to date no objections have been raised.

Annexation involves a comprehensive land use change and rezoning. The following topics were discussed: proposed concept plan; boundary survey; existing zoning, the proposed site plan, and Standards of Review (Sec. 7.3.5).

Public participation was available at the Community Planning Information Meeting held on December 15, 2021, at 6 PM when the proposed annexation was discussed in detail (the layout; viewed the 3D tutorial of the subject property amenities; and the parking lot would expand the city's commercial tax base, benefiting the city's budget. The Standards of Annexation Zoning Review (A through H) are located in the Planning & Zoning Staff Report (AX-21-003) on pages 7 – 9 with the answers to:

- A. Whether the proposal is in conformity with policy and intent of the comprehensive plan.
- B. Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property or properties.
- C. Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned.
- D. Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property or properties.
- E. Whether there are other existing or changing conditions affecting the use and development of the property, which gives supporting grounds for either approval or disapproval of the zoning proposal.
- F. Whether the zoning proposal will adversely affect historic buildings, sites, districts, or archaeological resources.
- G. Whether the zoning proposal will result in a use that will or could cause excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.

- H. Whether the zoning proposal adversely impacts the environment or surrounding natural resources.

Staff recommended **APPROVAL of PETITION AX-21-003** with one condition, including **rezoning the parcel to M (Light Industrial), and the charter area designation of Industrial on the Future Land Use Map:**

1. The applicant is subject to comply with the conceptual site plan submitted as part of the annexation application titled “Stonecrest Studios” prepared by Jacob and Hefner Associates, submitted in December 2021, and cited as Figure 6 in the staff report.

At 6:21 PM, the Chairman advised Secretary Lillian Lowe that Mr. Eady had joined the meeting and was now present.

Next, the Chairman turned the floor over to the applicant.

Attorney Michelle Battle, Battle Law, PC, 3562 Habersham at Northlake, Tucker, Georgia 30084, represented the applicant, Mr. Timothy Shaw, Owner of Shaw DeKalb Properties, LLC. Attorney Battle spoke on the purpose of the annexation into Stonecrest, the zoning, and elevations. To the Applicant’s knowledge, there is no wetlands or floodplains on the property. There is a stream but, the proposed movie studio will not encroach into the stream buffer. A slideshow of the NuGround Studios’ 19.01 acres, being in the 5th District, was shown.

Mr. Timothy Shaw spoke on other locations, productions, the quietness, traffic, MARTA, and accessibility.

The Chairman asked if there were any in support. There were none.

The Chairman asked if there were any in opposition. There were none.

The Chairman asked for a motion to close the public hearing before going into discussion.

The Chairman asked for a motion.

The Chairman made a motion to **RECOMMEND AX-21-003 FOR APPROVAL TO THE CITY COUNCIL WITH STAFF RECOMMENDATIONS**. Simultaneously, Mr. Eady and Ms. Hollis seconded the motion to **RECOMMEND AX-21-003 FOR APPROVAL TO THE CITY COUNCIL WITH STAFF RECOMMENDATIONS**. The motion was unanimously **APPROVED**.

VII. Public Comments

Secretary Lowe will only read a comment as it relates to the ITEM(S) on the AGENDA for January 4, 2022. Those in favor or against the application. If the residents have spoken and addressed the concerns, his/her comments will not be read.

The Secretary did not receive any comments for the January 4, 2022, meeting.

VIII. Adjournment


The Chairman motioned to adjourn the meeting. Ms. Mathis seconded the motion.
The vote was carried unanimously to adjourn the meeting at 6:56 PM.

Visit the following link to view the meeting: [14 2022 Planning Commission 6:00pm - YouTube](#)

APPROVED:

 02-01-2022
Chairman Date

ATTEST:

 02-01-2022
Secretary Date



Planning Commission

January 4, 2022

ATTACHMENT 1 AX-21-003

POWERPOINT PRESENTATION

by

Senior Planner, Ms. Keedra Jackson
Planning and Zoning Department



Planning Commission

January 4, 2022

Zoom
Meeting ID: 858 2064 7903
Passcode: 468391

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Presentation on Upcoming Cases

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Upcoming Cases

- City Council 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, until further notice.
- Planning Information Meeting/Zoning Summit tentatively scheduled on January 13 to review Planning and Zoning Activities and upcoming cases with the community.
- Deadline for submittal was today, not aware as of yet of any rezonings for February other than a text modification to Zoning Ordinance.
- Next PC meeting will be held on the first Tuesday of the month, February 1.

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AX-21-003

2931 and 2939 Miller Road
(Parcel ID#s 16 024 07 004 and 16 009 01 012)

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Petition Information AX-21-003

- **APPLICANT:** Battle Law PC. For Shaw DeKalb Properties
- **LOCATION:** 2931 and 2939 Miller Road (16 024 07 004 and 16 009 01 012), Decatur, GA 30035
- **EXISTING ZONING:** Light Industrial (M – DeKalb County) and Office Institutional (OI- DeKalb County), I-20 Highway Overlay District, Tier 2 (DeKalb County)
- **PROPOSED ZONING:** Light Industrial (M – City of Stonecrest)
- **ACREAGE:** 19.01

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AX-21-003 General Information

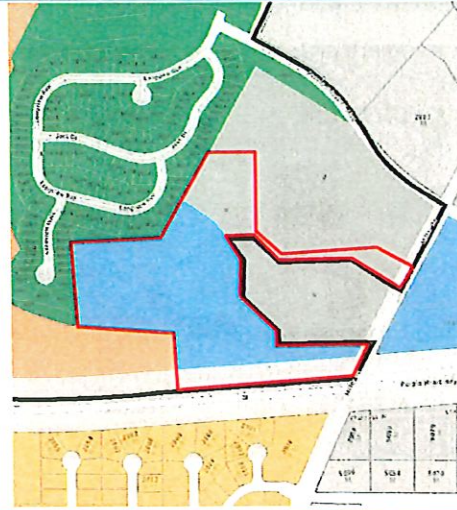
- Existing use – Vacant and undeveloped
- Surrounding uses: Industrial and residential
- City boundary is located along the western edge of the subject property and meets the one-eighth contiguous area requirement for the 100 percent annexation method per state law



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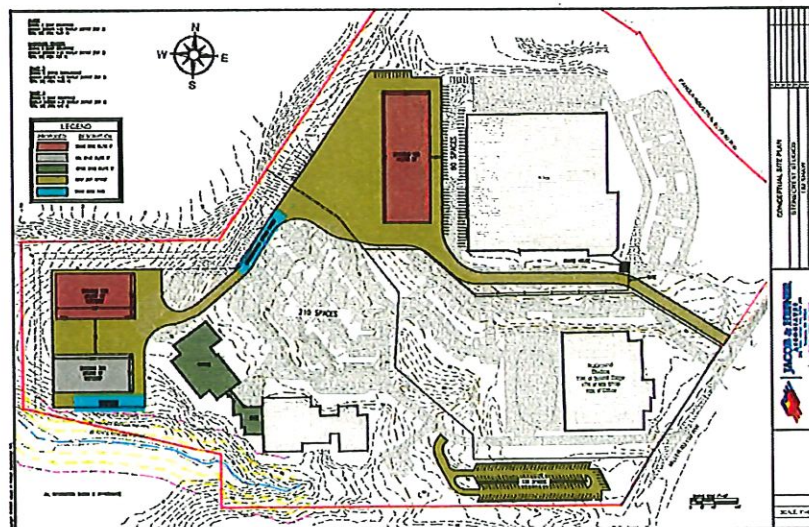
AX-21-003 Existing Zoning

- Existing zoning is Light Industrial (M) and Office-Institutional (OI)
- Surrounding zoning: Light Industrial (M) and Residential (M and M-U4)



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Site Plan, AX-21-003



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STANDARDS OF REVIEW (Sec 7.3.5.)

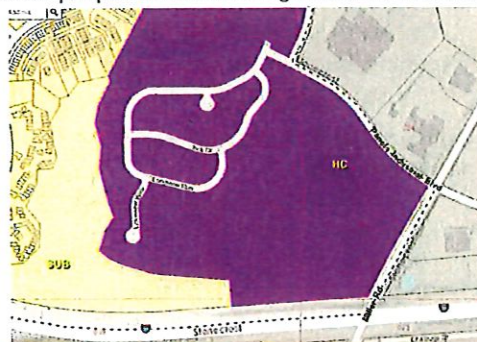
- A. Whether the zoning proposal is in conformity with the policy and intent of the comprehensive plan.
- B. Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property or properties.
- C. Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned.
- D. Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property or properties.
- E. Whether there are other existing or changing conditions affecting the use and development of the property, which gives supporting grounds for either approval or disapproval of the zoning proposal.
- F. Whether the zoning proposal will adversely affect historic buildings, sites, districts, or archaeological resources.
- G. Whether the zoning proposal will result in a use that will or could cause excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.
- H. Whether the zoning proposal adversely impacts the environment or surrounding natural resources.

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Zoning Review

A. Conformity with Policy and Intent of Comp Plan

- Located within the Highway Corridor character area of the DeKalb County Comprehensive Plan. This designation allows for light industrial uses
- The intended use of the site is in keeping with both the proposed City future land use designation of Light Industrial and the existing character of the area.
- The Light Industrial character area designation intends to identify areas that are appropriate for industrial type uses. The location of these areas shall preserve the appeal and appearance of residential and commercial areas from the prospective intrusion of light industrial land uses. These areas consist of areas used in low intensity manufacturing, including wholesale trade, and distribution activities that do not generate excessive noise, vibration, air pollution or other nuisance characteristics.



DeKalb County Future Land Use Map, HC stands for Highway Corridor, and SUB stands for Suburban.

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Zoning Review

B. Suitable in view of the use and development of adjacent and nearby property or properties.

- The area surrounding the site is industrial and residential, and the proposed use is in keeping with the existing development of adjacent and nearby properties in the city.



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Zoning Review

C. Reasonable Economic Use

- The zoning is essentially remaining the same, and so it does have economic use. The applicant is seeking to come into Stonecrest to allow for a movie studio, which is currently not allowed in DeKalb County's Light Industrial (M) zoning, but is in the City's Light Industrial (M) zoning.

D. Affect existing use or usability of nearby properties

- The proposed zoning proposal is not anticipated to have a negative impact on the existing use or usability of adjacent or nearby properties.

E. Conditions giving either approval or disapproval

- The applicant is willing to meet all conditions proposed.

F. Adversely affect environmental and historic sites

- There are currently no historic building, sites, districts or archaeological resources on the subject property.

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Zoning Review

G. Whether the zoning proposal will result in a use that will or could cause excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.

- Due to the low impact nature of the intended use, the proposal will not cause an excessive or burdensome on utilities or have any demands on schools. Road access to the property is existing and no transportation improvements are necessary to accommodate the use.

H. Adversely affect environmental and natural resources.

- If the proposed use is designed and maintained as required by city and state regulations, the use should not have adverse impact on the environment or surrounding resources.

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AX-21-003 Staff Recommendation

Based on the findings and conclusions, staff recommends **Approval of AX-21-003, including rezoning the parcel to M (Light Industrial) and designation of subject property to Light Industrial on the Stonecrest Future Land Use Map.**

1. The applicant is subject to comply with the conceptual site plan submitted as part of the annexation application titled "Stonecrest Studios" prepared by Jacob and Hefner Associates, submitted in December 2021, and cited as Figure 6 in the staff report.

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