

**PLANNING COMMISSION MEETING MINUTES SUMMARY**  
**Stonecrest City Hall- 6:00 PM \*Spoke-in-Person Meeting**  
**August 1, 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](mailto:planning-zoning@stonecrestga.gov) by noon the day of the hearing August 1, 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. **Call to Order:** Chairman Eric Hubbard (District 3) called the Spoke-in-Person meeting to order at 6:00 PM.

II. **Roll Call:** Chairman Hubbard (District 3) called the roll. Commissioner Joyce Walker (District 2), Commissioner Pearl Hollis (District 4), and Commissioner Lemuel Hawkins (District 5) were present. Commissioner Stefanie Brown (District I) was absent.

Planning Director Ray White, Deputy Director Matthew Williams, Senior Planner Tre'Jon Singletary, and Planner Abeykoon Abeykoon were in attendance. Attorney Alicia Thompson, Fincher Denmark, LLC, virtually attended.

III. **Approval of Minutes: The Planning Commission Meeting Minutes Summary dated July 18, 2023.** Chairman Hubbard called for a motion to approve the Planning Commission meeting Minutes Summary dated **July 18, 2023** by Commissioner Hawkins. Commissioner Hollis seconded the motion. The motion was unanimously **APPROVED**.

IV. **Approval of the Agenda:** Chairman Hubbard called for a motion to **APPROVE THE AGENDA**. Commissioner Hawkins motioned to **APPROVE THE AGENDA**. Commissioner Hollis seconded the motion. The motion was unanimously **APPROVED**.

V. **Presentations: Upcoming Cases Presented by: Mr. Ray White, Planning Director and Tre'Jon Singletary, Senior Planner**

- **RZ-23-003**
- **SLUP23-003**

VI. **Old Business:** N/A

VII. **Announcements**

Planning and Zoning Project Viewer

VIII. **Presentations**

*The Senior Planner Tre'Jon Singletary Presented **RZ-23-003** and **SLUP23-003***

**RZ23-003**

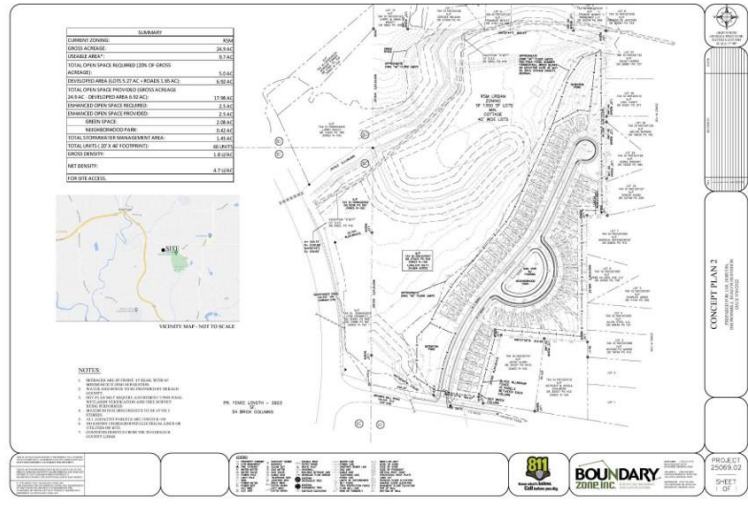
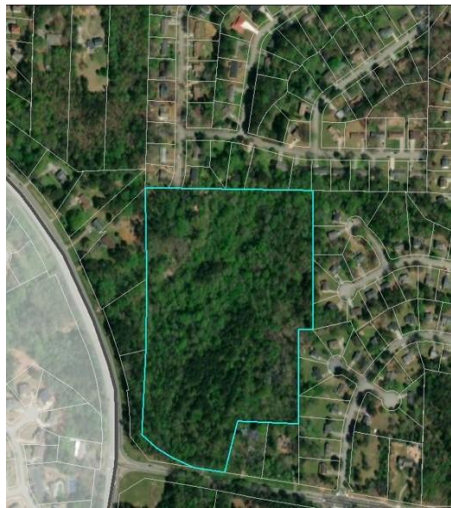
4700 Browns Mill Road

Battle Law PC on behalf of applicant, Ray of Hope Christian Church Disciples of Christ, Inc.

Applicant is seeking a major modification of conditions of the subject property to change the conditions from zoning case number CZ-05-32, to allow for 46 Single-Family Detached Dwellings.

Future Land Use- Suburban Neighborhood

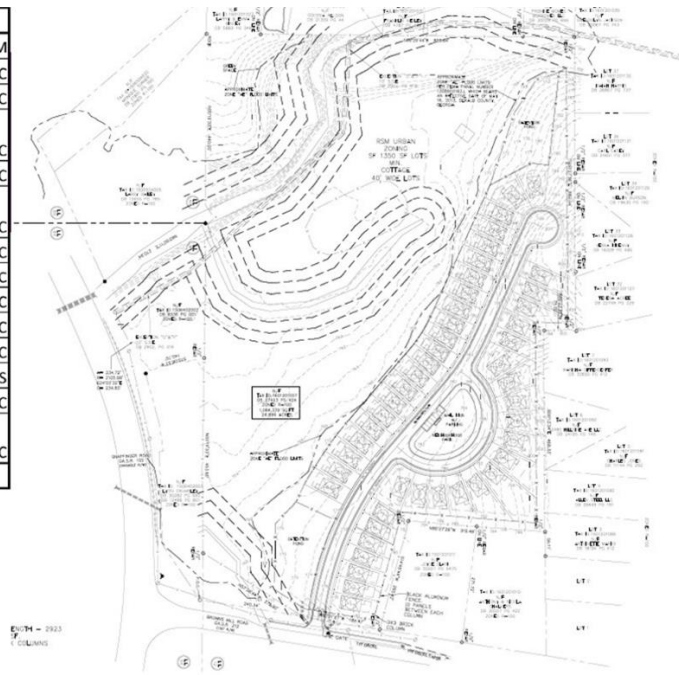
RSM Small Lot Residential Mix



SUMMARY	
CURRENT ZONING:	RSM
GROSS ACREAGE:	24.9 AC
USEABLE AREA*:	9.7 AC
TOTAL OPEN SPACE REQUIRED (20% OF GROSS ACREAGE):	5.0 AC
DEVELOPED AREA (LOTS 5.27 AC + ROADS 1.65 AC):	6.92 AC
TOTAL OPEN SPACE PROVIDED (GROSS ACREAGE 24.9 AC - DEVELOPED AREA 6.92 AC):	17.98 AC
ENHANCED OPEN SPACE REQUIRED:	2.5 AC
ENHANCED OPEN SPACE PROVIDED:	2.5 AC
GREEN SPACE:	2.08 AC
NEIGHBORHOOD PARK:	0.42 AC
TOTAL STORMWATER MANAGEMENT AREA:	1.45 AC
TOTAL UNITS ( 20' X 46' FOOTPRINT):	46 UNITS
GROSS DENSITY:	1.8 U/AC
NET DENSITY:	4.7 U/AC

**NOTES:**

- SETBACKS ARE 20' FRONT, 15' REAR, WITH 10' MINIMUM BUILDING SEPARATION.
- WATER AND SEWER TO BE PROVIDED BY DEKALB COUNTY.
- SITE PLAN MAY REQUIRE ADJUSTMENT UPON FINAL WETLANDS VERIFICATION AND TREE SURVEY BEING PERFORMED.
- MAXIMUM BUILDING HEIGHTS TO BE 45' OR 3 STORIES.
- ALL ADJACENT PARCELS ARE ZONED R-100.
- NO KNOWN UNDERGROUND ELECTRICAL LINES OR UTILITIES ON SITE.
- CONTOURS DERIVED FROM THE 2010 DEKALB COUNTY MAP.



COMM. \_\_\_\_\_  
ITEM NO. H-11 6/14/05  
CLERK'S OFFICE Comm H Johnson

City Of Hope Ministries, Inc.  
Z-05-32  
Rezoning Conditions

1. The maximum number of units shall be 112 single family attached townhome units.
2. The development <sup>shall</sup> ~~will~~ include sidewalks on both sides of <sup>all</sup> ~~internal~~ streets, underground utilities, and streetlights.
3. There shall be no vinyl or aluminum siding used within the development. All buildings shall have exteriors of brick, stucco, stone or other masonry, "Hardi-Plank" clapboards, cedar shake or shingles, or some combination of these materials.
4. The applicant agrees to provide for adequate turn lanes into the development <sup>as determined by</sup> ~~subject to approval of~~ DeKalb and Georgia DOT.
5. Each entrance to the development <sup>County</sup> ~~will~~ have a decorative landscaped entrance. The design plan shall be submitted with the <sup>shall</sup> ~~sketch~~ plat approval application and shall be subject to review <sup>of</sup> ~~the~~ approval by the Planning Commission.
6. The proposed development shall be conditioned upon the concept site plan prepared by James Harwick Partners dated March 3, 2005.
7. Any and all single family attached townhome unit(s) shall have a minimum heated floor area of 700 square feet.
8. There shall be an entrance monument identifying the development, to be constructed out of brick or stacked stone.
9. The roofing materials shall <sup>be</sup> ~~include~~ three dimensional, architectural styled shingles.
10. The entrance to the development shall be gated, and fencing around the community shall be black aluminum with columns of either brick or stacked stone.

including the decorative landscaped entrances

*[Handwritten signature]*

July 11, 2003

VIA EMAIL

Tre'Jon Singletary, Senior Planner  
City of Stonecrest  
3120 Stonecrest Blvd., Suite 190  
Stonecrest, GA 30038

Re: 4700 Browns Mill Road Zoning Condition Amendments

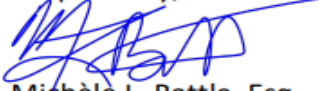
Dear Tre'Jon,

In connection with the Change of Condition Application filed for Ray of Hope, below are the conditions that we would like amended from DeKalb County Board of Commissioners Case No.: CZ-05-32:

1. Condition 1: The maximum number of units shall be 49 single family detached units.
2. Delete Conditions 6 and substitute therefore, the final site plan submitted to the Planning Department prior to the final City Council hearing.
3. Delete Condition 7, and substitute therefore a minimum heated floor area of 1,200 sq. ft.
4. Delete Condition 10. The prior community was to be a multi-family complex with internal driveways. This will be a fee simple single family detached community. There are not enough units to support having a gated entry and fence around the perimeter of the project based on the size of the subject property and the maintenance costs.

Please feel free to contact me should you have any questions.

Respectfully,



Michèle L. Battle, Esq.

Staff recommends the following:

- **APPROVAL** of Modification of Condition 1
- **APPROVAL** of Modification of Condition 6
- **APPROVAL** of Modification of Condition 7
- **APPROVAL** of Modification of Condition 10

**Chairman Hubbard** makes a **motion** to open up public hearing which was **moved** and voted with an **unanimous approval**.

**Josh Mahoney** attorney with Battle Law PC came to the stand speaking on behalf of Ray of Hope Christian Church. This property has been owned by the applicant for over a decade and was rezoned in 2005. Approved for 112 rental town homes due to the conditions, but now they want to do 46 for sale single family detached homes. They believe it better aligns future land use.

They have tried several times with different changes to modify the conditions, but they had to pull applications due to no support from the city.

The city will deprive the applicant of all economic viable option for the property if they cannot get relief with their request

**Commissioner Hawkins** mentioned traffic expansion issues and asked about the entrance being on Browns mill road. He asked if there was an option to enter the property from a interior lots to reduce traffic or if there are other options.

**Josh Mahoney** stated that when he met with the community they opposed the option of an interior entrance. They considered access from Snapfinger Rd, but the location of the property made that option not viable. Right in right out only option to enter and exit neighborhood can reduce back up was recommended by transportation department.

The reduction of townhomes to single family homes should contribute to less traffic.



**Commissioner Hollis** asked about the comments made after meeting with the community.

**Josh Mahoney** stated that traffic was a main concern amongst the community and how residents would be able to exit their properties, and people buying homes to rent them out

**Commissioner Hollis** asked if there will be an HOA and if there will be restrictions pertaining to renting the homes

**Josh Mahoney** stated that there will be an HOA and that there will be a 20 percent rental cap. Only 20% of the homes can be rented out.

**Commissioner Walker** asks if the church had any other options as to what they would do with the property if this project was not approved

**Josh Mahoney** stated No

**Senior Planner Trejon Singletary** read out the previous conditions and the amendments that they are recommending changes for.

**Commissioner Hawkins** asked staff about the next steps for the developer regarding the designs

**Senior Planner Trejon Singletary** informed that the design component is done with staff, the next steps is city council for approval or denial, and for other permits such as LDP is done on the administrative side with planning and zoning land development and engineering.

**Commissioner Hawkins** asked about the designs.

**Josh Mahoney** did not have them with him available, but he could show them when he does

**Ms. Robinson** resident of Stonecrest since 2007 came to the stand to speak on opposition. She believes that the community should be developed before more residents are encouraged to move in. Investors are coming in and buying up housing and selling them for higher prices. Traffic is another concern. More opportunities should be given for citizens.

**James Karr** citizen of Stonecrest of 30 years came to the stand. Asked about a public notice sign that was not up do to a truck knocking it over. He mentions that the intersection in that area can be blocked if there is an accident. Location of housing on the property and worried about people dumping junk on the undeveloped parts of the property.

**Ms. Murry** another Stonecrest resident of 20 years also opposed due to traffic concerns. Stated that she can not get out of her subdivision especially during the school time. There is also beginning to be a dump in that area. She also asked if there will be more lights put up in that area.

**Chairman Hubbard** the city would have to address the light situation with the county and the information will be given to the county commissioner. He also stated that the state of GA is increasing the driving lanes because of the GDOT project that is going on for the bus rapid transit lanes.

**Antionette Marks** a resident for 36 years came to the stand who also stated her concerns about the traffic as well as the ingress and egress proposal option. She also stated that the houses would be flooded if it were to rain. Every week the signs near that area are always destroyed by the accidents that occur often. She also stated that the church was bamboozled into buying the property whose original purpose was to build a church. They went through different proposals all which were not approved.

**Josh Mahoney** attorney with Battle Law PC came back to the stand to respond to the comments. He mentions that a new development will bring in more businesses due to more people being in the area, for the price point it will be in the high 2s and low 3s, the homes will be marketed to the general public, as to the public notice sign it was new news to them, with the concerns about the dumping ground the new development will deter people from using the property in that way, the entire property will be under an HOA, the homes that are being proposed will be outside of the flood zone, a stormwater management facility will be installed on the site, the development may push a GDOT project or traffic light study. They don't really have control over the roadways.

**Camilla Gazelles'** email was read to the participants. She opposed the project due to the business of the area which will lead to a traffic nightmare

**Chairman Hubbard** made a motion to close the public hearing. It was seconded and approved by a unanimous vote.

**Commissioner Hollis** expressed her concern for the public's concern about the traffic. She asked if the county had been notified about these issues and that she did not hear anyone make a comment that they were contacted about this issue.

**Chairman Hubbard** mentioned that is the duty of the council members to notify the county for the citizens and that some of the voices of the people have not been heard. There are currently three services that the city currently provides. There needs to be a discussion as to how the council members would like the money that the city has should be spent for these issues. The elected officials work for the citizens

We need to attract businesses and we have to have rooftops.

**Commissioner Hollis** asked if the applicant is denied the building of the 46 houses will they have to go back to building the 112 townhomes and also how would that affect the overall traffic?

**Chairman Hubbard** stated that they do have the legal option to build the townhomes and there will be more traffic or they can seek out any legal remedies that they see necessary.

The community meeting can allow people to negotiate with the applicant about their project to see if they can take into consideration their ideas and wants

If there is no reason to deny the applicant's request they could take the city to court.

**Commissioner Hollis** asked about the 16 acres of flood zone area and if it could be used as green space which may reduce speeding traffic issues and attract buyers.

**Commissioner Walker** pointed out that the traffic seems to be a big deal amongst many citizens

**Chairman Hubbard** asked the senior planner if there were any discussions about traffic improvement, paying for a traffic study, acceleration and deceleration lanes

**Trejon Singletary Senior Planner** stated that the traffic study is only initiated when there is a threshold that has been met by the developer but this has not happened with this petition and there was not a traffic study submitted.

**Commissioner Hawkins** requested that a traffic study or a smaller study be done and reported to the city council. He would also like to see the architecture, designs or style of the project. It would be hard to make a decision without one.

He also asked if the code states that Stonecrest (City Council/ Commissioner) has to automatically review previously approved public hearing items from Dekalb County Government considering that this applicant's application started before 2017.

**Chairman Hubbard** stated that it is not automatic, but their current proposal is different than it was previously.

**Commissioner Hawkins** asked for the applicant to share designs, the minimum square footage, floor plans, and price points of the homes so the public could be a little more informed about the project and so the council can also have more information that can contribute to making a sound decision on this case

**Chairman Hubbard** reiterated the commissioner's recommendations and made a **motion** to defer the application so that the recommendations could be fulfilled. He also suggested another community meeting so everyone could feel more assured about the project.

The **motion** was **seconded** by Commissioner Hollis. It was **Deferred by Unanimous Vote**.

*Senior Planner Tre'Jon Singletary presented SLUP23-003.*

SLUP23-003

6736 Jojanne Lane

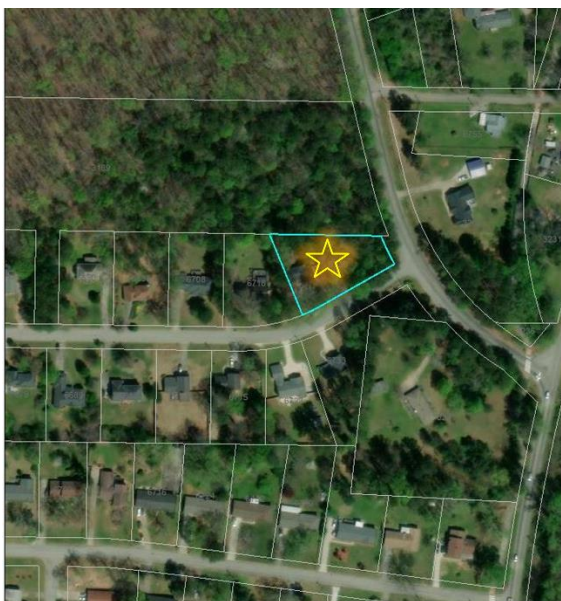
Tahniqua Williams of Qua-Sell LLC

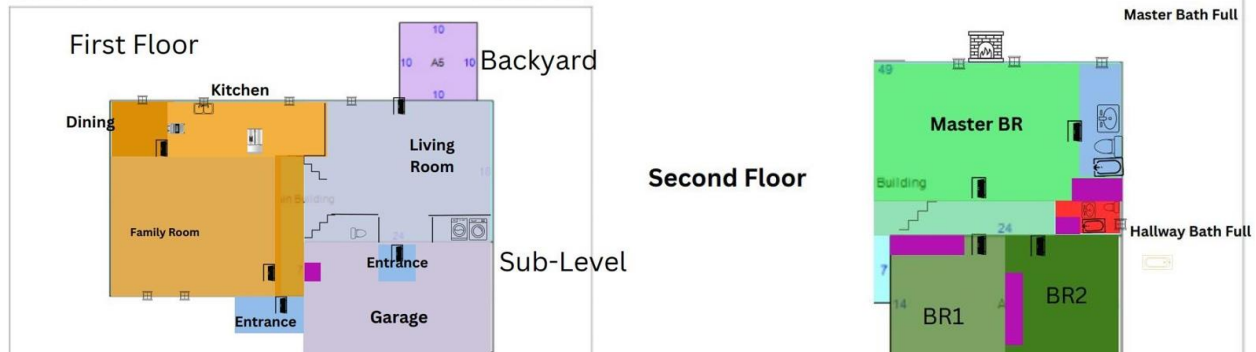
Applicant is seeking a Special Land Use Permit to operate a Personal Care Home, Group.

Future Land Use: Suburban Neighborhood

Zoning: R-100 Residential Medium Lot

Zoning Overlay: Arabia Mountain Conservation





Staff recommends **APPROVAL** with the following condition(s):

1. Applicant must provide two (2) 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. Applicant 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;
3. There shall be at least four parking spaces within a driveway, garage or carport.
4. There shall be no parking on lawn areas.

*Commissioner Walker* asked about the sqft of the house and the number of people that would live there

*Senior Planner Tre'Jon Singletary* stated that the home may be over 800 sqft and they are allowed up to six people

*Commissioner Hollis* asked how close this personal care home is to another one, if it meets the requirements, and if the community has been notified.

*Trejon Singletary* stated that it meets the distance requirements and that the public had been notified. There was also a CPIM meeting held for that petition on July 13<sup>th</sup>, 2023 and the only concern that was stated by the community was that the home had already been operating and that the people who lived there were walking throughout the neighborhood.

*Commissioner Walker* asked who regulates these types of houses to make sure that they are complying

*Trejon Singletary* stated that code enforcement makes sure they are in compliance

*Commissioner Walker* asked if there was anything on anyone who would prohibit people from walking around the neighborhood

*Director Ray White* stated that this is a policing issue if the person is not supposed to be in the neighborhood but as for those who do live in the neighborhood the code does not speak to that

*Commissioner Walker* asked about the age range of who will be living in this home (seniors, teens, etc.)



**Trejon Singletary** stated that the code does not speak to an age requirement

**Director Ray White** stated that the state also has to license this type of operation so they may have additional requirements.

**Chairman Hubbard** made a **motion** to open public hearing, it was **seconded** and **approved** unanimously

**Dysell Swans** owner of this business came to the stand. She has been living here for over 10 years. This was her second time getting a permit under Stonecrest. She has a host home run under DBHDD and DCH which is regulated by them. They come out and do regular checks on the clients. She is not required to have a license to do a host home and she is only allowed to have two clients at her house. She is in compliance with DBHDD, DCH, and HFR (all regulators). She stated that her clients do not walk around the neighborhood and explained the routine of the client. Her current (one)client has been with her for four years. Her house is the first house in the neighborhood. She stated that there is a lot of floating going on in the city at the moment as well as defamation about her personal care home.

She read some of the comments that were said about her business in the letter that is being passed around the neighborhood.

She stated that she has several other jobs, works as a private investigator, foster mom, likes to help her neighbors and her community.

Everything is funded out of her pocket

Hurt by what was said

**Chairman Hubbard** states that if someone is slandering or speaking defamation towards her she can file suit. He is a strong advocate for people with disabilities. He apologized on her behalf

**Dandra Doty** a resident who lives on JoJane Lane and has been there for about 10 years came to the stand. She stated that she has no problems or concerns about this business being in her neighborhood. She had good things to say about Ms. Swans and also mentioned that the people who walk around the street are not her clients. The letter that the petitioner read was also taped to her door and the letter was “ugly”. She is for her business.

**A friend of Ms. Swans** who also operates a personal care home/host home came to the stand. Her nephew is autistic and has been with her for 17 years. Stated that she is a helpful, community-rounded, and very caring person. People who are standing up for the community should not be shut down. We should promote, uplift, and help these types of people.

**Mr. Manuel** another resident of JoJane Lane came to the stand and stated that she should be supported for what she is doing

**Cynthonia Brown** a resident of Stonecrest and close friend of Ms. Swans came to the stand and spoke well of her character she also wanted to speak on what was stated about the clients roaming around the neighborhood and how that is not a problem. When Ms. Swans has to go out of town they have to stay at her house and she usually does not have a problem.

**Chairman Hubbard** asked if there was anyone in opposition.

**Geneva Minor** a resident of Stonecrest of 30 years that lives on JoJane Lane came to the stand in opposition. She witnessed one of her clients try to walk into elders homes. She saw a client try to get away from her and she tried to retrieve the client. There have been multiple young men in the house. No

issue with people with disabilities and has a daughter and nephew with disabilities. Wants to be sure that she is coming with clean hands. She is not sure, considering all of Ms. Swan's occupations and tasks how she can tender to this business as well. She also believes that it will affect property value and lead to an increase in taxes. She is also concerned about space and the safety of the clients. Ms. Swans has not been a good neighbor and just cleaned up her yard when she put out the notice about the business. There is a big satellite dish in her yard and she has never contributed to the upkeep of the neighborhood. She has not been in compliance.

**Dysell Swan** came back to the mic for rebuttal. She stated that everything the previous speaker said was lie. She has talked to her neighbor about beautifying the neighborhood and suggested a book stand. There are family members who come and go they are welcome if they want to come visit. She does have outings at her house. She has never discussed her mother who is deceased or her 22-year-old son. Her garage door is always open. She has done anything the county has asked her to do to operate her business. The applicant invited everyone to come to the house and see it. Turned her personal care license in to work with an agency. The client's bedrooms are upstairs and hers is downstairs

**Chairman Hubbard** made a **motion** to close the public hearing. **Approved** unanimously.

**Commissioner Hollis** stated that it takes a special individual to take care for and love these patients. She has helped a school where people with special needs attend for a day. She mentioned that they can be curious and want to engage with people. Ms. Swan's client was described as docile and she said that they did no wonder around the neighborhood. It seems like the last speaker who came to the mic to oppose just does not want something like that in her neighborhood.

**Chairman Hubbard** stated that if you have a problem and feel that the law is being violated then the police should be called. We like to see people make a difference in the community.

He made a **motion** to **approve** the application with the conditions approved by the planning department.

**Seconded** by Commissioner Hollis. Unanimous **approval** by vote.

#### **IX. Announcements:**

The city of Stonecrest hosted "National Night Out" which was celebrated with he police, first responders, and fire department

Elections are coming out in November. Qualifications for city cancel and mayor are in August

If you have any concerns about any of the services (water, trash, public safety, etc ) in Stonecrest inform your County Commissioner

Community Planning Information Meeting CPIM will be hosted on August 10<sup>th</sup>

Motion to adjourn **Moved**

**The meeting ended at 7:58 PM**

**APPROVED:**

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CHAIRMAN Date

**ATTEST:**

*Cobi Brown* *8/29/2003*  
\_\_\_\_\_  
SECRETARY Date