CITY OF STONECREST, GEORGIA

Planning Commission Meeting Minutes
Summary
February 5, 2019, 6:00 P.M.
Stonecrest City Hall's Chambers | 3120 Stonecrest Blvd., Suite 155 | Stonecrest, Georgia 30038 |
(770) 224-0200 | www.stonecrestga.gov

The Planning Commission met on Tuesday, February 5, 2019 at 6:04 p.m. in Stonecrest City Hall's Chamber in Stonecrest, Georgia.

I. Call to Order

The Chairman read the Rules and Procedures for the Planning Commission Meetings and Public Hearings and completed the roll call for the City of Stonecrest, Georgia. There was a quorum.

II. Roll Call

Present:

Mr. J.W. Eady	District 1
Vacant	District 2
Mr. Eric Hubbard	District 3
Ms. Lisa Wright	District 5

Staff Present:

Mrs. Nicole Dozier	Community Development Director
Mr. Chris Wheeler	City Planner
Mrs. Emily Macheski-Preston	City Attorney

Absent:

Ms. Pearl Hollis	District 4

III. Minutes: Approval of the Planning Commission Meeting Minutes Summary dated January 3, 2019

Commissioner Lisa Wright motion to approve the Planning Commission Meeting Minutes Summary dated January 3, 2019. Commissioner J.W. Eady seconded the motion. **The motion was unanimously carried**.

IV. Old Business: None

V. New Business:

1. Public Hearing(s):

LAND USE PETITION:	RZ-19-001
PETITIONER:	Blue River Development, c/o Battle Law, P.C.
LOCATION:	3898-4001 Panola Road
CURRENT ZONING:	R-100 (Residential Med Lot) District
PROPOSED DEVELOPMENT:	Request to change subject property zoning to R-75 for the construction of 115 single-family unit subdivision.

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Mr. Chris Wheeler advised the Planning Commissioners that the applicant requested that the advertised **Petition RZ-19-001 | Blue River Development, c/o Battle Law, P.C. | 3898-4001 Panola Road** be deferred in order to meet with the community and complete a traffic study. **Petition RZ-19-001** was moved to the March 5, 2019, Planning Commission public hearing meeting.

The Chairman opened the public hearing and asked the applicant, Blue River Development, c/o Battle Law, P.C., to come forth.

Ms. Michele Battle came forth and stated that the attempt to have a community meeting was unsuccessful. Post card error was made by Ms. Battle's Staff. There was some confusion as to where the property is located. The property is currently zoned R-100, 53 acres. Asking for R-75 and decrease in lot size. The homes are in the $300s and Staff asked for a traffic study. Ms. Battle stated that the traffic study was not required but, the applicant agreed to complete a traffic study in the next couple of weeks.

The Chairman asked the Commissioners and Staff if there were questions. There were none.

The Chairman opened the floor to those in **support** of **Petition RZ-19-001**. There were none.

The Chairman opened to the floor to those in **opposition** of **Petition RZ-19-001**.

1. Ms. Felicia Collins was not present but, sent an email dated February 4, 2019 expressing disapproval and traffic concerns. Prior to the meeting, the Secretary included a copy of Ms. Collins' email in the packets given to the Commissioners and Staff.
2. *Submitted a Public Comments - Rules card:* Mr. Wilbert V. Payne lives at 4171 Sandy Lake Drive in the Sandy Shore Subdivision and stated he was not aware of what this plan is. Mr. Payne stated he observed significant development occurring in the area and had three concerns: 1) Over development and quality of the lot size; and 2) Footprint of what will be development; and 3) traffic adding to the congestion. Mr. Payne is opposed.
3. *Submitted a Public Comments - Rules card:* Mr. Roderick White lives in the Miners Creek Subdivision and stated that in the actual application posted online -- there were missing pages online. Mr. White asked for Flat Rock School capacity; requested that materials be dated and clearer information to digest – to better understand what is going on. Mr. White stated that when rezoning, the demographic structure already exists; and the he had walked the property and identified different animals – asked for a study on the wildlife in the area. Mr. White is opposed.
4. Ms. (?) has lived at 4209 and 4217 Panola Road since 1989 and stated, "What is the difference in the number of homes if they just maintain the current zoning R100? The developers are being greedy -- keep with the same space…"
5. Ms. Stephanie Love, lives at 3938 Button Gate Court, stated that the surveyors were out in the area; a community meeting would be very good. Ms. Love stated that there is Panola Park and wildlife enjoyed; the traffic is terrible; this is a lot of dwellings (115 homes) on that land and area. Ms. Love is opposed.
6. *Did not speak. Submitted a Public Comments - Rules card:* N. Fowler lives on Button Gate Court and spoke on efforts to control animals from entering/existing property that borders the proposed community; and stopping water run-offs. Fowler is opposed.
7. *Did not speak. Submitted a Public Comments - Rules card:* Ms. Coffield lives at 3261 Chaparral Way and is opposed.

The Chairman asked for a deferral for **Petition RZ-19-001** in order to meet with the community and complete a traffic study. **The motion was unanimously passed**.

Attorney Macheski-Preston stated that **Petition RZ-19-001** will go to the City Council to be held

on February 25, 2019 with recommendation to defer and go back to the Planning Commission.

LAND USE PETITION:	TMOD 19-0002
PETITIONER:	Community Development Department
LOCATION:	City Wide
PROPOSED AMENDMENT:	Revision to the Home Occupation- Sec. 4.2.31. Child and Personal Care Home – Sec 4.2.41 regulations and Definitions Article 9

The Chairman asked Mrs. Nicole Dozier to come forth to present **Petition TMOD 19-0002**.

Mrs. Dozier advised the Planning Commissioners that **Petition TMOD 19-0002** may have come up in discussions with Staff, Mayor, and City Council. Mrs. Dozier stated in order to clear up concerns and confusions, Staff have modified regulations and home occupation rules to get appropriate business license. Staff recommends 1) Child and Personal Care Homes are considered **home occupations**; 2) the owner/operator must reside on premise; and 3) Personal Care Homes are defined as **up to 6 persons** and the home must be a **minimum of 1800 square feet**.

In addition, Child Care Homes are defined as **up to 5 children** and **a fenced outdoor space** is required for child care homes and facilities with children ages 3-15. Greater than five (5) children or more than six (6) persons is considered a "**facility**."

Ms. Dozier stated that the Building Official requested the number of spaces for 3-15 year old must have fenced yards to play; reducing noise and freedom to run. See **TMOD 19-0002**, Page 12 [2194192/1], new text and definitions for Child Care Facility and Child Care Home. See Pages 41-42 [2194192/1]. See Pages 30-31[4.2.31; 4.2.41]; Page 36[4.2.41(a)(b); and Page 37(c)(d)(e)(f). The **4.1 Use Table** [2525219/1] was modified, Child Caring Facility, will require a Special Land Use Permit (SLUP).

The Chairman asked those in **support** to come forth. There were none.

The Chairman asked those in **opposition** to come forth.

1. *Submitted a Public Comments - Rules card:* Ms. Coffield lives at 3261 Chaparral Way and asked, "Why do we always have this conversation about groups homes and child facilities in predominately black communities? We allow personal care homes in residential areas." Ms. Coffield spoke on owner-occupied property; the abundance of commercial properties; the three (3) criteria for buying her home: 1) a wooded lot; 2) at the back of subdivision; and 3) away from neighbors. Ms. Coffield is opposed.
2. *Submitted a Public Comments - Rules card:* Mr. David Marcus lives at 6501 Rockland Road and agrees with Ms. Coffield; sees property value going down; spoke on 50' sf for each child; and is opposed.
3. *Submitted a Public Comments - Rules card:* Ms. Peaches Moss lives at 5842 Lake View Circle and spoke on code enforcement issues.
4. *Submitted a Public Comments - Rules card:* Ms. Marty Garrison lives in the Cove Lake Subdivision and spoke on the four (4) group homes, vans, by-laws; and is asking for help and advisement from the Commissioners.

   The Chairman suggested that Ms. Garrison contact the Code Enforcement. Mr. Wheeler stated he would speak with Ms. Garrison after the public hearing. Mrs. Dozier stated that what is coming into the community -- there are provisions in place to work with the community.

The Chairman asked if there were questions before closing public hearing **TMOD 19-0002**.

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The Chairman asked for a motion for **TMOD 19-0002**. Commissioner Wright motion to approve **TMOD 19-0002 with modifications and increase outdoor space for children** for the Revision to the Home Occupation- Sec. 4.2.31. Child and Personal Care Home – Sec 4.2.41 regulations and Definitions Article 9. Commissioner Eady seconded the motion to approve **TMOD 19-0002**. The motion was unanimously passed.

VI. Adjournment

There being no further business, Commissioner Wright moved to adjourn. Commissioner Eady seconded the motion. The vote was carried unanimously to adjourn the meeting at 7:01 p.m.

Approved:

_____

Chairman

_____

Date

Attest:

_____

Secretary

_____

Date

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