



PLANNING COMMISSION MEETING MOTIONS

STONECREST CITY HALL, SUITE 155, 6:00 PM

February 4, 2020

I. Call to Order

The Chairman called the Planning Commission meeting to order on Tuesday, February 4, 2020 at 6:03 PM in Stonecrest City Hall's Chamber, Stonecrest, Georgia. The Chairman read the Rules and Procedures for the Planning Commission Meetings and Public Hearings.

II. Roll Call

Commissioner Eric Hubbard, JW Eady, Lisa Wright, and Joyce Walker were present. Pearl Hollis was absent. There was a quorum.

Planning & Zoning Director Chris Wheeler and Attorney Anamaria Hazard were present.

III. Approval of Minutes: Planning Commission Meeting Minutes Summary dated January 7, 2020 was **unanimously APPROVED**. Commissioner Lisa Wright motion to approve and Commissioner Joyce Walker seconded the motion.

IV. Old Business: None

V. New Business:

1. Public Hearing(s):

LAND USE PETITION:
PETITIONER:

RZ-19-010 / SLUP-19-009
Browns Mill Enterprises Corporation
c/o Battle Law, P.C.

LOCATION:
CURRENT ZONING:
PROPOSED DEVELOPMENT:

3332 Turner Hill Road
R-100 (Residential Med Lot) Zoning District
Requesting to rezone subject property from R-100 to NS (Neighborhood Shopping) and Special Land Use permit for the development of 16,000' square foot retail center with convenience store with accessory fuel pump and alcohol outlet.

Planning & Zoning Director Chris Wheeler presented a dual-application, **RZ-19-010 / SLUP-19-009**. The applicant has submitted a second application for a special land use permit (SLUP) for accessory fuel pump. The community meeting was held on January 22, 2020 at Stonecrest City Hall and several residents had concerns. Battle Law, P.C. submitted a State of Intent and Impact Analysis and Other Materials Required by City of Stonecrest Zoning Ordinance for RZ-19-010 and SLUP-19-009 for Applicant. Staff recommended **Approval** of Land Use Petition RZ-19-010 with six (6) conditions and **Denial** of Special Land Use Permit SLUP-19-009. The conditions are:

1. The use of the Subject's property for any of the following shall be strictly prohibited:
 - a. A child's daycare center and/or kindergarten.

- b. Barbershop/Beauty Salon or similar establishments.
 - c. Gold-Buying establishment.
 - d. Restaurant with a drive-through.
 - e. Nightclub.
 - f. Skating rink; and
 - g. Indoor and/or outdoor recreation.
2. The site shall be developed in general conformance with the site plan *minus fuel pumps* received by the City on November 5, 2019.
 3. Exterior elevations shall be similar to the elevations received by the City on November 5, 2019. Final elevations shall be subject to review and approval of the Planning and Zoning Director.
 4. Owner/Developer shall install a five foot (5') wide sidewalk along the entire frontage of Turner Hill Road.
 5. Owner/Developer shall dedicate additional right-of-way along the entire frontage of Turner Hill Road to provide a minimum of fifty feet (50') from the road centerline, twelve feet (12') from the back of curb, or two feet (2') from the future back of the sidewalk, whichever is greater.
 6. Owner/Developer shall obtain all permits required by the City of Stonecrest in accordance with the development of the subject property.

Attorney Michelle Battle, Battle Law, P.C., One West Court Square, Suite 750, Decatur, Georgia 30030, representing Brownsmill Enterprises, addressed the Commissioners.

The Chairman closed the Public Hearing before going into discussion.

The Chairman asked for a motion. Commissioner Wright motion to **DENY RZ-19-010**. Chairman Hubbard seconded the motion. **The vote was unanimously DENIED.**

The Chairman asked for a motion. Commissioner Wright motion to **DENY SLUP-19-009 based on the Criteria of Review: B, K, and S** (listed in the Staff Report, *Standards of Rezoning Review, Page 7*). Chairman Hubbard seconded the motion. The vote was **03-to-01** and **not unanimously**. Commissioners Eric Hubbard, Lisa Wright, and Joyce Walker voted to **DENY SLUP-19-009**. Commissioner JW Eady voted against the denial.

VI. Adjournment

The vote was carried **unanimously** to adjourn the meeting at 7:57 PM. Commissioner Wright motion to adjourn and Commissioner Eady seconded the motion.