



PLANNING COMMISSION MEETING MINUTES SUMMARY

STONECREST CITY HALL'S **ZOOM-VIRTUAL MEETING**, 6:00 PM

August 4, 2020

I. Call to Order

The Chairman called the Planning Commission meeting to order on Tuesday, August 4, 2020 at 6:11 PM via **ZOOM-Virtual** meeting. 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, Pearl Hollis, and Joyce Walker were present. 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 July 7, 2020 was **unanimously APPROVED**. Commissioner Lisa Wright motioned to approve and Commissioner JW Eady seconded the motion.

IV. Old Business: None

V. New Business:

1. Public Hearing(s):

Mr. Wheeler advised the Commissioners that Staff received notification that the Applicant has **withdrawn LAND USE PETITION: SLUP 20-002** and will be heard in September 2020.

LAND USE PETITION:	SLUP 20-001
PETITIONER:	Tony Martin
LOCATION:	3881 Button Gate Court
CURRENT ZONING:	R-100 (Residential Medium Lot)
PROPOSED DEVELOPMENT:	Applicant is requesting a Special Land Use Permit to operate a personal care home with up to six people.

Planning & Zoning Director Chris Wheeler presented **PETITION SLUP 20-001** and stated that the applicant will house males, ages 19 and above, with mental disabilities. Several residents attended the community meeting held on June 26, 2020, via the www.zoom.com website. The concerns were: number of residents; what individual would live there; and past resident interactions with similar uses. Applicant does not meet all criteria for approval. Staff recommended **Denial of SLUP 20-001 for failing to meet criteria Q and S** (listed in the Staff Report and below).

Q. Whether the proposed use satisfies the requirements contained within the supplemental regulations for such special land use permits.

The proposed appears not to satisfy the requirements contained within the supplemental regulations for the special land use permits. Section 4.2.41- B (3) No personal care home located in R-100 shall be operated within a thousand feet of another personal care home. The existing personal care home is located within

the same subdivision located approximately 980 feet to the southwest of the subject property.

S. Whether the proposed use would result in a disproportionate proliferation of that or similar uses in the subject character area.

The proposed use could result in an excessive proliferation of similar use in the subject character area as several personal care homes already established in the Burlington subdivision, as well as other single families, detached residential subdivision.

Applicant Mr. Tony Martin, Ms. Cristina de Zulueta, Mr. James Young, and Ms. Andrea Langston-Young presented. There is a discretion with the site plan that shows building area as 1588 square feet for the 2-story home but, the building area is over 2000 square feet. Applicant requested to operate a personal care home that is over 2000 square feet. A 2-story home with 4BRs and 2.5Bas, to host males, age 19+ with intellectual disability or related condition.

The Chairman called for those in **support** of **PETITION SLUP 20-001**. There were none.

The Chairman called for those in **opposition** of **PETITION SLUP 20-001**. The following emailed comments were received and read by Secretary Lillian Lowe and Mr. Wheeler.

Read by Ms. Lowe:

1. Mrs. April & Mr. Robert Chapman lives at 3917 Button Gate Court and are opposed to **PETITION SLUP 20-001**.

Read by Mr. Wheeler:

2. Mr. Shawn and Mrs. Teresa Pittman lives at 3835 Button Gate Court and is opposed to **PETITION SLUP 20-001**.
3. Ms. Nakia Fowler is opposed to **PETITION SLUP 20-001**.
4. Mr. Peter and Mrs. Vischelle Durrell lives at 3841 Button Gate Court and is opposed to **PETITION SLUP 20-001**.
5. Ms. Harriett Harris, LPN is opposed to **PETITION SLUP 20-001**.
6. Ms. Earnestine Whisby lives at 3888 Button Gate Court and is opposed to **PETITION SLUP 20-001**.
7. Ms. Eunice Nicholson is opposed to **PETITION SLUP 20-001**.
8. Mr. Olorunlambale Usman is opposed to **PETITION SLUP 20-001**.

The Secretary called time (10 minutes was allotted). Mr. Wheeler requested additional time and advised the Commissioners that there were seventeen (17) more comments for opposition. The comments for opposition will be forwarded to the City Council.

The Chairman called for a motion to extend the time for three (3) additional minutes. Commissioner Wright motioned to extend time for three (3) additional minutes and the Chairman seconded the motion.

Mr. Wheeler continued reading the emailed comments.

9. Ms. Gail Gibson is opposed to **PETITION SLUP 20-001**.
10. Ms. Maldonia Griffin is opposed to **PETITION SLUP 20-001**.
11. Ms. Jewel D. McAshan is opposed to **PETITION SLUP 20-001**.

The Secretary called time (3 minutes was allotted). Mr. Wheeler advised the Commissioners that the rest will be sent over to the City Council for the August 24, 2020 meeting.

The Chairman asked the applicant to come forth with comments.

Ms. Cristina de Zulueta spoke on young men with same disabilities and mental health; security and crime rate; psychological reports; daily support; medical issues; property value; and security control.

Mr. James Young stated that Ms. Cristina de Zulueta covered all details. Mr. Young asked Mr. Wheeler for the address of the other home running a care facility nearby. Mr. Wheeler stated that the address is 4004 Hodge Corner Drive.

The Chairman close the public hearing before going into discussion.

The Chairman asked for a motion.

Commissioner Eady motioned to **DENY SLUP 20-001 with staff recommendations.** Commissioner Joyce Walker seconded the motion. The vote was **unanimously carried.**

VI. Adjournment

The vote was carried **unanimously** to adjourn the meeting at 7:32 PM. Commissioner Wright motioned to adjourn, and Commissioner Pearl Hollis seconded the motion.

APPROVED:

Eric Hubbard, Chairman

Date

ATTEST:

Lillian Lowe, Secretary

Date