PLANNING COMMISSION MEETING MINUTES SUMMARY
STONECREST CITY HALL *ZOOM VIDEO* - 6:00 PM*
March 2, 2021

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).

I. Call to Order

The Chairman called the Planning Commission meeting to order on Tuesday, March 2, 2021 at 6:00 PM via ***ZOOM-Video**** meeting. The Chairman read the Rules and Procedures for Planning Commission Meetings and Public Hearings.

II. Roll Call

Commissioner Eric Hubbard, JW Eady, Joyce Walker, Pearl Hollis, and Lisa Wright were present. There was a quorum. Planning & Zoning Director Chris Wheeler, City Planner Tuyanna Daniels, and Attorney Michael Huening were present.

III. Minutes: The Approval of the *'Special Called'* Planning Commission Meeting Minutes Summary dated February 9, 2021.

Chairman Hubbard called for a motion. Commissioner Lisa Wright motioned to **APPROVE** the *'Special Called'* Planning Commission Meeting Minutes Summary dated February 9, 2021. Commissioner JW Eady seconded the motion. The motion was unanimously **APPROVED**.

IV. Old Business: None

V. New Business:

****Meeting will be held virtually via the www.zoom.com. The Meeting can be view on the City of Stonecrest YouTube page. Citizens wishing to make public comment can come to City Hall. Comments will be made on a laptop running the Zoom application at the podium in Council Chambers or submit questions via email address llowe@stonecrestga.gov.***

1. Public Hearing(s):

Planning & Zoning Director Chris Wheeler requested that **PETITION SLUP-21-001** be heard first. Mr. Wheeler stated that the applicant(s) for **PETITION SLUP-20-007 & SLUP-20-008** was not there and they are trying to locate the applicant(s). The Chairman agreed to proceed with **PETITION SLUP-21-001**.

LAND USE PETITION:	SLUP-21-001
PETITIONER:	Barnacles Restaurant c/o Bernice Monger
LOCATION:	7300 Stonecrest Concourse
CURRENT ZONING:	C-2 (General Commercial) Zoning District
PROPOSED DEVELOPMENT:	Requesting Special Land Use Permit to operate as a late-night establishment

Mr. Wheeler presented the Staff Report and advised the Commissioners that the applicant is requesting to only change the hour of operation, to extend beyond 12:30 am. The current zoning is ***C-1*** and not C-2 as shown above.

Staff recommended ***Approval of SLUP-21-001 with the following conditions:***

1. Allow a late-night establishment at 7300 Concourse Road. Late Night Establishment shall stop serving alcohol, and close doors to new patrons by 2:00 am, and all guests shall be off the premises by no later than 2:30 am.
2. Compliance with the Stonecrest Noise Ordinance.
3. Minimum of one (1) outdoor security officer to provide security until a minimum of 30 minutes after closing.
4. Capacity shall be subject to the approval of the Fire Marshal's Office
5. No dance floor.

The applicant, Ms. Bernice Monger, addressed the Commissioners and stated,"…this location was a previous business and there seen to be an edit to what was required from Stonecrest; have not received any noise complaints; have security in place -police officer in area; have sanitation plan and fire marshal's certificate of approval; is following CDC's COVID-19 guidelines; have shared parking with surrounding businesses – in the lease; no dance floor; is in a zone to be open; have been opened since 2017 and have had no issues; and is trying to follow the rules and regulations to stay open late; discussed the conditions..."

The Chairman stated to Ms. Monger that she may have misconstrued interpretation. The Chairman explained that the Planning department receives the application and make sure everyone is complying. Ms. Monger comply to stay open late. The planning department already have gone through the application and is making recommendations.

The Chairman asked those in support to come forward. There were none in **support of SLUP-21-001.**

The Chairman asked those in opposition to come forward. There was one in **opposition**:

1. *Spoke-in-Person*: Ms. Faye Coffield is a resident of Stonecrest. Ms. Coffield is in opposition and the only concern is a safety issue. The need to have two (2) post-certified police officers or deputy sheriffs on duty and no security guards.

The Chairman closed the public hearing before going into discussion.

Chairman Hubbard called for a motion. Commissioner Eady motioned to **APPROVE PETITION SLUP-21-001.** The Chairman seconded the motion. The motion was unanimously **APPROVED**.

LAND USE PETITION:	SLUP-20-007 & SLUP-20-008
PETITIONER:	Fairington Road Center LLC c/o Brady Hughes, Mahaffey Pickens Tucker, LLP
LOCATION:	5961 Chupp Way
CURRENT ZONING:	M (Light Industrial) Zoning District
PROPOSED DEVELOPMENT:	Requesting Special Land Use Permit for the development of a convenience store with accessory fuel pumps and alcohol outlet.

Mr. Wheeler presented **PETITION SLUP-20-007 & SLUP-20-008.** Applicant requested a permit to develop a 6000 square feet retail center on 2.22 acres. Staff recommended denial. Applicant failed to meet **criteria K and S**:

K. Whether the proposed use is consistent with the policies of the comprehensive plan.
The proposed accessory fuel pump use is not consistent with the policies of the comprehensive plan. Staff believes the accessory fuel pump is not consistent or compatible with the Suburban character area. The Suburban character is intended to provide small scale goods and services, such as drug stores, not fuel pumps.

S. Whether the proposed use would be consistent with the needs of the neighborhood or the community as a whole, be compatible with the neighborhood, and would not be in conflict with the overall objective of the comprehensive plan.
The proposed convenience store with auxiliary fuel pumps would not be consistent with the neighborhood's needs or the community as a whole. Neither would alcohol outlets would not be compatible with the area's requirements.

The Chairman asked the applicant to come forward.

Mr. Brady Hughes apologized for being late, thought meeting started at 7 PM, and addressed the Commissioners. Mr. Hughes spoked on the location of subject's property (Fairington Road and Chupp Way); the intersections; gas station layout; square footage; buffer; landscaping; the sale of beer and wine sales only; zoning before Stonecrest became a city was zoned as Light Industrial; the construction of a 6,000 square foot C-Store; the interchange; feel project will benefit the community; and request approval of application.

The Chairman asked those in support to come forward. There were none in **support** of **SLUP-20-007 & SLUP-20-008.**

The Chairman asked those in opposition to come forward. There were several in **opposition** of **PETITION SLUP-20-007 & SLUP-20-008**:

1. *Spoke-in-Person*: Ms. Faye Coffield was in opposition and spoke on: Stonecrest need to look at all zoning to make sure it is consistent with what is sitting there; the entry to New Birth Church; there is not a need; the picture(s) shown tonight is not accurate; across the street is a strip bar and gas stations; Walmart – and full service stores; narrow streets; gas tankers turning; accidents at the intersection; Black communities; crime; the plans; what else can go there; and asked Commissioners to deny – not conducive.

Mr. Wheeler advised Commissioners there were two (2) minutes remaining for comments.

Secretary Lillian Lowe read the following emailed opposition comments from (**ATTACHMENT I**):
2. Ms. Corliss Burnett is opposed.
3. Ms. Stephie G. is opposed.
4. Ms. Rhonda Care is opposed.
5. Mr. Tony Wise is opposed.

Mr. Wheeler called time. Ms. Lowe stopped reading and stated that all comments received would be included with the minutes. The following emailed comments were *received but not read*: Ms. Kaitlyn Pelham, Ms. Jamie Jackson, and Mr. Jack Clayton are opposed to **PETITION SLUP-20-007 & SLUP-20-008 (ATTACHMENT II)**.

The Chairman closed the public hearing before going into discussion.

Chairman Hubbard called for a motion to **DENY PETITION SLUP-20-007 & SLUP-20-008.** Commissioner Eady seconded the motion to **DENY PETITION SLUP-20-007 & SLUP-20-008 and K and S not being met.** The motion was unanimously **APPROVED**.

LAND USE PETITION:	AX-21-001
PETITIONER:	Nu Ground Studio
LOCATION:	2933 Miller Road
CURRENT ZONING:	M (Light Industrial)
PROPOSED:	Request to annex this parcel into the City of Stonecrest with zoning classification of Light Industrial.

PETITION AX-21-001 was not heard.

VI. Adjournment

The vote was carried unanimously to adjourn the meeting at 7:19 PM. Commissioner Wright motioned to adjourn. Commissioner Eady seconded the motion.

APPROVED:

_____

Chairman

_____

Date

ATTEST:

_____

Secretary

_____

Date

DRAFT

PLANNING COMMISSION MEETING

MARCH 2, 2021

ATTACMENT I

Comments Read
by
Secretary Lillian Lowe

- Ms. Corliss Burnett
- Ms. Stephie Garrison
- Ms. Rhonda Care
- Mr. Tony Wise

DRAFT

Lillian Lowe

From: Lillian Lowe
Sent: Tuesday, March 2, 2021 3:03 PM
To: Corliss Burnett
Cc: Chris Wheeler; Tuyanna Daniel; Megan Reid; Lillian Lowe
Subject: RE: Wellington Manor Resident

Thanks!

Lillian Lowe
PLANNING & ZONING ADMINISTRATIVE ASSISTANT
PLANNING COMMISSIONERS SECRETARY
ZONING BOARD OF APPEALS SECRETARY
City of Stonecrest
direct: 770.224.0173 | **main:** 770.224.0200 | **fax:** 470.299.4214
www.stonecrestga.gov

From: Corliss Burnett <flagirl504@gmail.com>
Sent: Tuesday, March 2, 2021 2:58 PM
To: Lillian Lowe <Lillian.Lowe@stonecrestga.gov>
Subject: Wellington Manor Resident

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Our community do not want a Gas Station/liquor store on Chupp in lithonia ga. We want to vote against it. Do not build in our community!!!

Lillian Lowe

From: Lillian Lowe
Sent: Tuesday, March 2, 2021 3:06 PM
To: Stephie G
Cc: Chris Wheeler; Tuyanna Daniel; Megan Reid; Lillian Lowe
Subject: RE: Application Gas Station/Convenience Store/Liquor Outlet 5961 Chupp Way

Thanks!

Lillian Lowe
PLANNING & ZONING ADMINISTRATIVE ASSISTANT
PLANNING COMMISSIONERS SECRETARY
ZONING BOARD OF APPEALS SECRETARY
City of Stonecrest
direct: 770.224.0173 | main: 770.224.0200 | fax: 470.299.4214
www.stonecrestga.gov

From: Stephie G <stephiegee07@yahoo.com>
Sent: Tuesday, March 2, 2021 8:21 AM
To: Lillian Lowe <Lillian.Lowe@stonecrestga.gov>; Chris Wheeler <cwheeler@stonecrestga.gov>; Jason Lary <JLary@stonecrestga.gov>; Jazzmin Cobble <JCobble@stonecrestga.gov>; Iris Settle <ISettle@stonecrestga.gov>
Subject: Application Gas Station/Convenience Store/Liquor Outlet 5961 Chupp Way

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Greetings,

I regret having to write to you about a proposed gas station within 500 feet of my front door.
I prefer to contact the City of Stonecrest only in praise of an employee or your actions.

Unfortunately, my situation is such that it is necessary for me to for my concerns to you. During the third week of October, I received a letter indicating notice of special land use permit application. The application has been submitted to the City of Stonecrest for land within 500 feet of my front door. This letter was only sent to some of the residents within 500 feet of the proposed site. Our Homeowners Association wasn't notified until after the meeting was held with Brady Hughes and Shane Lanham therefore, attendance consisted of a few residents of Wellington Manor and Tiburon.

The property location is 5961 Chupp Way, Lithonia, GA 30038, The proposed development is for a Convenience Store & Retail with 8 Fuel Pumps & Alcohol. I attended the meeting held via Zoom and was greatly distressed that the City of Stonecrest accepted an application for a business in a residential area. Has anyone from the City of Stonecrest physically visited this location prior to the application to consider rezoning? This is a residential neighbor with one entry and exit which is Fairington Drive.

The following gas stations and liquor stores are in the vicinity of my home:
Nnn Petroleum .5 miles
QuikTrip 1.3 miles
Murphy USA 1.2 miles
BP 1.3 miles
Citgo 1.6 miles
Shell 1.5 miles

Chervon 1.9 miles
Texaco 2.0 miles
Exxon 2.1 miles
*Most recently a QuikTrip is being built on the corner of Covington Hwy & Lithonia Industrial Blvd

State Wine & Liquor 1.3 miles
Fairington Wine and Spirts 1.2 miles
New Era Drive Thru 1.6 miles
Lithonia Package Store 1.9 miles
Panola Package Store 2.0 miles
Salem Package Store 2.1 miles

These establishments are listed to indicate **we do not want a gas station near our home**. I'm concerned with an increase in crime, trash (Fairington Road and Fairington Drive are littered with trash daily), environmental hazards and safety for myself and other community members. This gas station will not increase the value of my home. Within the vicinity of the proposed gas station is a day care. What consideration is given for the safety of the children enrolled in this establishment? Stonecrest is oversaturated with liquor stores, dollar stores, gas stations etc that are not enhancing this vicinity of Stonecrest. If anything, this land should be considered for green space or residential. As a 20+ year resident of Lithonia/Stonecrest I'm distressed greatly that the City of Stonecrest would consider this application for such a business on such a small street/intersection.
I'm requesting that this application isn't approved. I do not want this gas station/convenience store/liquor outlet due to crime, litter, decreasing my property value, and traffic congestion on 5961 Chupp Way, Stonecrest, GA! I care about what happens in my community!

Sincerely,
Stephanie Garrison

Lillian Lowe

From: Lillian Lowe
Sent: Tuesday, March 2, 2021 3:07 PM
To: Rhonda Care
Cc: Chris Wheeler; Tuyanna Daniel; Megan Reid; Lillian Lowe
Subject: RE: Petition to Deny 5961 Chupp Way

Thanks!

Lillian Lowe
PLANNING & ZONING ADMINISTRATIVE ASSISTANT
PLANNING COMMISSIONERS SECRETARY
ZONING BOARD OF APPEALS SECRETARY
City of Stonecrest
direct: 770.224.0173 | main: 770.224.0200 | fax: 470.299.4214
www.stonecrestga.gov

From: Rhonda Care <rhondacare123@gmail.com>
Sent: Monday, March 1, 2021 11:31 PM
To: Tammy Grimes <tgrimes@stonecrestga.gov>; Megan Reid <MReid@stonecrestga.gov>; Chris Wheeler <cwheeler@stonecrestga.gov>; Lillian Lowe <Lillian.Lowe@stonecrestga.gov>; Tuyanna Daniel <TDaniel@stonecrestga.gov>; Jason Lary <JLary@stonecrestga.gov>; George Turner <GTurner@stonecrestga.gov>; Rob Turner <RTurner@stonecrestga.gov>; Jimmy Clanton <JClanton@stonecrestga.gov>; Jazzmin Cobble <JCobble@stonecrestga.gov>
Subject: Petition to Deny 5961 Chupp Way

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Good evening City of Stonecrest,

We Oppose:

LAND USE PETITION: SLUP-20-007 & SLUP-20-008 PETITIONER:
Fairington Road Center LLC c/o Brady Hughes, Mahaffey Pickens Tucker, LLP
LOCATION: 5961 Chupp Way CURRENT ZONING: M (Light Industrial) Zoning District
PROPOSED DEVELOPMENT: Requesting Special Land Use Permit for the development of convenience store with accessory fuel pumps and alcohol outlet.

We **oppose** the Special Land Use Permit. There are too many establishments like this in the area already like Dollar General, Family Dollar, Shell Marathon, BP, Chevron, etc. There is no need for this land use petition to be approved. Gas stations with c-store and alcohol outlets should never be in the heart of our neighborhoods, please drive by this area you will see many living communities, day care, and church. I am humbly asking the City of Stonecrest to deny this petition.

Best Regards,
Rhonda Care

Lillian Lowe

From: Lillian Lowe
Sent: Tuesday, March 2, 2021 3:11 PM
To: Tony Wise
Cc: Chris Wheeler; Tuyanna Daniel; Megan Reid; Lillian Lowe
Subject: RE: Urgent - PETITION - 5961 Chupp Way, Stonecrest, GA

Thanks!

Lillian Lowe
PLANNING & ZONING ADMINISTRATIVE ASSISTANT
PLANNING COMMISSIONERS SECRETARY
ZONING BOARD OF APPEALS SECRETARY
City of Stonecrest
direct: 770.224.0173 | **main:** 770.224.0200 | **fax:** 470.299.4214
www.stonecrestga.gov

From: Tony Wise <tonywise0685@gmail.com>
Sent: Monday, March 1, 2021 9:22 PM
To: Tammy Grimes <tgrimes@stonecrestga.gov>; Megan Reid <MReid@stonecrestga.gov>; Chris Wheeler <cwheeler@stonecrestga.gov>; Lillian Lowe <Lillian.Lowe@stonecrestga.gov>; Tuyanna Daniel <TDaniel@stonecrestga.gov>; Jason Lary <JLary@stonecrestga.gov>; George Turner <GTurner@stonecrestga.gov>; Rob Turner <RTurner@stonecrestga.gov>; Jimmy Clanton <JClanton@stonecrestga.gov>; Jazzmin Cobble <JCobble@stonecrestga.gov>
Subject: Urgent - PETITION - 5961 Chupp Way, Stonecrest, GA

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Good morning to council and members of City of Stonecrest,

Hope everyone is well!

Please imagine yourself in my shoes and waking up to a gas station and a liquor store that you and your kids can see from your window and your doorstep. Please come see this site. This is not safe for our families. There are too many establishments like this in the area already. There is no need for this land use petition to be approved. Gas stations with c-store and alcohol outlets should never be in the heart of our neighborhoods, please drive by this area you will see many living communities, day care, and church. I'm respectfully asking the planning and zoning and the council to deny this petition. Please take this matter into extreme seriousness.

I Oppose:

LAND USE PETITION: SLUP-20-007 & SLUP-20-008 PETITIONER:

Fairington Road Center LLC c/o Brady Hughes, Mahaffey Pickens Tucker, LLP
LOCATION: 5961 Chupp Way CURRENT ZONING: M (Light Industrial) Zoning District
PROPOSED DEVELOPMENT: Requesting Special Land Use Permit for the development of convenience store with accessory fuel pumps and alcohol outlet.

Have a blessed day!

Thank You
Tony William

PLANNING COMMISSION MEETING
MARCH 2, 2021

ATTACMENT II

Comments Not Read
by
Secretary Lillian Lowe

- Ms. Kaitlyn Pelham
- Ms. Jamie Jackson
- Mr. Jack Clayton

DRAFT

Lillian Lowe

From: Kaitlyn Pelham <kaitlynpelham1990@gmail.com>
Sent: Tuesday, March 2, 2021 5:06 PM
To: Megan Reid; Chris Wheeler; Lillian Lowe; Tuyanna Daniel; Jason Lary; George Turner; Rob Turner; Jimmy Clanton; Jazzmin Cobble
Subject: Urgent - LAND USE PETITION - 5961 Chupp Way, Stonecrest, GA
Attachments: 5961 Chupp Way - Petition (1) (1).pdf

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Good afternoon to council and members of City of Stonecrest,

Hope everyone is well!

We would like to iterate this. Please imagine yourself in my shoes and waking up to a gas station and a liquor store that you and your kids can see from your window and your doorstep. We have over 200 signatures and counting for this petition. Please come see this site. This is not a safe nor family safe. The fact this is even proposed is extremely ridiculous from the City of Stonecrest. Please take this matter into extreme seriousness.

Oppose:

LAND USE PETITION: SLUP-20-007 & SLUP-20-008 PETITIONER:
Fairington Road Center LLC c/o Brady Hughes, Mahaffey Pickens Tucker, LLP
LOCATION: 5961 Chupp Way CURRENT ZONING: M (Light Industrial) Zoning District
PROPOSED DEVELOPMENT: Requesting Special Land Use Permit for the development of convenience store with accessory fuel pumps and alcohol outlet.

Please see attached petition to oppose LAND USE PETITION: SLUP-20-007 & SLUP-20-008. We have collected many signatures and are currently collecting more. Please read our documents and below messages on the Zoom call today at Jan 14, 2021 6PM EST.

We **oppose** the Special Land Use Permit. I am a stakeholder in the City of Stonecrest. There are too many establishments like this in the area already. There is no need for this land use petition to be approved. Gas stations with c-store and alcohol outlets should never be in the heart of our neighborhoods, please drive by this area you will see many living communities, day care, and church. I'm respectfully asking the planning and zoning and the council to deny this petition.

Thank You
Kaitlyn Pelham

Lillian Lowe

From: Jamie Jackson <jamiejackson00000@gmail.com>
Sent: Tuesday, March 2, 2021 5:15 PM
To: Tammy Grimes; Megan Reid; Chris Wheeler; Lillian Lowe; Tuyanna Daniel; Jason Lary; George Turner; Rob Turner; Jimmy Clanton; Jazzmin Cobble
Subject: Deny 5961 Chupp Way - UnSafe - Hazardous

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Good evening City of Stonecrest,

Hope all is well!

I am a citizen of the City of Stonecrest and proudly live here. We have an outsider coming in, who does not live here or care for us, wanting to pollute our city with crime and injustice. This is extremely unjust. Please imagine yourself in my kids shoes running into flowing traffic while riding my bike. Put yourself into my shoes to see drunks walking near our neighborhoods. We need to keep our city and area safe. Please reject this petition, as it should have never made its way this far. I am extremely concerned for anyone who says yes to this. Business is one thing and safety of our community is another thing. Please choose the right side as you have an impact on the great good of our community. I appreciate you for reading this and hope we can reside on the right path of this petition.

Oppose:

LAND USE PETITION: SLUP-20-007 & SLUP-20-008 PETITIONER:
Fairington Road Center LLC c/o Brady Hughes, Mahaffey Pickens Tucker, LLP
LOCATION: 5961 Chupp Way CURRENT ZONING: M (Light Industrial) Zoning District
PROPOSED DEVELOPMENT: Requesting Special Land Use Permit for the development of convenience store with accessory fuel pumps and alcohol outlet.

Have a great day!

Thank You
Jamie Jackson

Lillian Lowe

From: Jack Clayton <jackclayton1962@gmail.com>
Sent: Tuesday, March 2, 2021 5:23 PM
To: Tammy Grimes; Megan Reid; Chris Wheeler; Lillian Lowe; Tuyanna Daniel; Jason Lary; George Turner; Rob Turner; Jimmy Clanton; Jazzmin Cobble
Subject: Petition - Reject - LAND USE PETITION - 5961 Chupp Way, Stonecrest, GA

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

The City of Stonecrest,

Please come see this site. This is not a safe nor family safe. The fact this is even proposed is extremely ridiculous from the City of Stonecrest. Please take this matter into extreme seriousness.

We **oppose** the Special Land Use Permit. There are too many establishments like this in the area already. There is no need for this land use petition to be approved. Gas stations with c-store and alcohol outlets should never be in the heart of our neighborhoods, please drive by this area you will see many living communities, day care, and church. I'm respectfully asking the planning and zoning and the council to deny this petition. This gas station and c-store will block our entry in our community and bring in more traffic and congestion. This will increase traffic violations on Chupp Way, will have to increase police patrol in the area, and add traffic signal lights inside Chupp Way. We feel this type of business of selling fuel, beer and wine, and being open late hours, will be a safety and pollution/environmental concern for our children and adult residents. A lot of residents walk, run, and bike in this area. This business will increase traffic, attract additional transients to the area, will encourage loitering, increase crime, and will bring chemical, noise, light, and trash pollution to our neighborhood.

Oppose:

LAND USE PETITION: SLUP-20-007 & SLUP-20-008 PETITIONER:
Fairington Road Center LLC c/o Brady Hughes, Mahaffey Pickens Tucker, LLP
LOCATION: 5961 Chupp Way CURRENT ZONING: M (Light Industrial) Zoning District
PROPOSED DEVELOPMENT: Requesting Special Land Use Permit for the development of convenience store with accessory fuel pumps and alcohol outlet.

Best Regards,
Jack Clayton