

PLANNING COMMISSION MEETING
Stonecrest City Hall - 6:00 PM **In-Person Meeting*
June 7, 2022



A G E N D A

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 their request via email address lillian.lowe@stonecrestga.gov by noon the day of the hearing, June 7, 2022. A 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**
- II. Roll Call**
- III. Approval of the Agenda**
- IV. Presentations** - Presentation by Acting Director/Senior Planner Keedra Jackson, Planning and Zoning Department on department activities and upcoming cases.
- V. Approval of Minutes** - Planning Commission Meeting Minutes Summary dated May 3, 2022
- VI. Old Business:**

1. Public Hearing(s):

LAND USE PETITION: RZ-22-000002
PETITIONER: Nick Faber of IDI Logistics
LOCATION: 2300 2330, 2368, 2376 South Stone Mountain
Lithonia Road and 1801 Coffee Road

PROPOSED DEVELOPMENT: To rezone 205.2 +/- acres of land from M (Light Industrial) and M-2 (Heavy Industrial) to M (Light Industrial) for the amendment of zoning conditions CZ-81143: #7, 10, 11, 14, and 17 to allow for the construction of three- building warehouse development to include truck parking.

LAND USE PETITION: TMOD-22-001
PETITIONER: Planning & Zoning Department
LOCATION: Citywide

PROPOSED AMENDMENT: Amendment to Stonecrest Zoning Ordinance, Chapter 27 to remove inconsistencies in land use terms and definitions, and to clarify and update the uses allowed in each zoning district.

LAND USE PETITION:
PETITIONER:
LOCATION:

TMOD-22-006
Planning & Zoning Department
Citywide

PROPOSED AMENDMENT:

To clarify the terms and definitions used to describe land uses associated with breweries and distilleries found in Article 9, Definitions, Sec 9.1.3 Defined terms and to create Supplemental Regulations for the use.

VII. New Business: None

VIII. Adjournment

PLANNING COMMISSION MEETING MINUTES SUMMARY
Stonecrest City Hall's *Zoom Video* - 6:00 PM
May 3, 2022



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I. Call to Order

Chairman Eric Hubbard (District 3) called the in-person meeting to order at 6:09 PM.

- II. Roll Call:** Chairman Hubbard called the roll. Commissioners Stefanie Brown (District 1), Joyce Walker (District 2), and Pearl Hollis (District 4) were present. Commissioner Cheryl Moore-Mathis (District 5) was absent. There was a quorum.

Acting Director/Senior Planner Keedra Jackson, MPA and Attorney Alicia Thompson, Fincher Denmark, LLC (via Zoom) were present.

- III. Approval of the Agenda:** Chairman Hubbard called for a motion to **APPROVE THE AGENDA**. Ms. Hollis motioned to **APPROVE THE AGENDA**. Ms. Walker seconded the motion. The motion was **unanimously APPROVED**.

- IV. Approval of Minutes:** **The Planning Commission Meeting Minutes Summary dated April 5, 2022.** Chairman Hubbard called for a motion to approve the **Planning Commission Meeting Minutes Summary** dated April 5, 2022. Ms. Hollis motioned to **APPROVE**. Ms. Walker seconded the motion. The motion was **unanimously APPROVED**.

- V. Presentations** - Presentation by Acting Director Keedra Jackson, Planning and Zoning Department on department activities and upcoming cases.

The upcoming cases will be heard in June 2022:

- **TMOD-22-001** – Definitions (Some changes were made to the definitions.)
- **RZ-22-002** - Rezoning for 2300 and 2330 South Stone Mountain Lithonia Road (Concerning IDI Logistics), Development of a warehouse with truck parking.

VI. Old Business:

1. Public Hearing(s):

LAND USE PETITION:
PETITIONER:
LOCATION:

TMOD-22-008
Planning & Zoning Department
City Wide

PROPOSED DEVELOPMENT: Text amendment to modify Articles 4 and 9 of the Zoning Ordinance to address Adult Day Center definitions and use regulations.

Special Note: *The original Staff Report for TMOD-22-008 that was previously included in the May 3, 2022, Agenda Packet and posted to the website, it was replaced by the Staff Report that Ms. Jackson distributed and presented to the Commissioners in tonight's meeting (ATTACHMENT I).*

Ms. Jackson presented **TMOD-22-008** and spoke on the January 21, 2022's directive from the City Council to analyze the Adult Day Center ordinance, definitions, permitted uses, and Supplemental Regulations to **Article 4**. Discussion was on the striking out of the language as shown in *red* during the PowerPoint presentation (**ATTACHMENT II**). Staff recommended **APPROVAL** of the text amendment as drafted by Staff.

Adult Day Care Center and Adult Day Care Facility is now called Adult Day Center (new) to reflect the rules and regulations of the State of Georgia. Staff made some changes to how the zoning ordinance is currently written due to the State of Georgia definition of Adult Day Care. The term or the wording 'Care' was dropped from the term and changed to Adult Day Center as shown below:

“Adult day center” or “center” means a facility serving aging adults that provides adult day care or adult day health services, as defined in paragraphs (d) and (f) of these definitions, for compensation to three or more persons. Adult day centers may operate in more than one location if classified and approved by the Department as a mobile adult day center. This term shall not include a respite care services program. (Ord. of 8-2-2017, §1(4.2.5))

There were updates of terms, some updates to supplemental regulations, distance separation requirement, and updates to the **Use Table 4.1**.

Ms. Jackson continued to speak on **Article 4** Definitions, and the *changes in red*, shown in **Sec. 4.2.4. Supplemental Regulations (A, B, C, and D.1) that are struck out**. Staff added **Sec. 4.2.5. Adult Day Center (four or more adults)**. No Adult Day Center shall be located within 1,000 feet of another Adult Day Center is a new distance requirement in **C**. Persons wishing to operate an Adult Day Center must file an Adult Day Center permit, this is new. Before the change, the code read that the applicant must file an application and did not say what type of application. Staff will create an application for Adult Day Center and will post it on Stonecrest's website. The **Use Table 4.1** was updated to remove Adult Day Care from residential districts (see the *changes in red*). Adult Day Center was adopted from DeKalb County.

There were no comments. There were none in **support** and none in **opposition**.

The Chairman closed the public hearing before going into discussion.

The Chairman asked for a motion. Ms. Hollis motioned to **APPROVE TMOD-22-008 WITH THE CHANGES AS READ AND APPROVE TMOD-22-008 WITH THE OVERALL NECESSARY CHANGES REMOVED**. Ms. Brown seconded the motion. The vote was **unanimously APPROVED**.

LAND USE PETITION: RZ-22-001
 PETITIONER: Planning & Zoning Department
 LOCATION: 3793, 3801, 3817, 3837, 3859, 3879, 3897, 3917, 3935, 3959, 3079, 3990, 3999, 4029 Evans Mill Road; 5912 Salem Rd, 3848, 3922, 3940, 3960 Evans Mill Rd; 6206, 6190, 6174, 6160, 6144, 6130, 6110, 6090, 6070, 6020, 5989, 6023, 6051, 6067, 6085, 6105, 6125, 6145, 6185, 6205 Rock Springs Rd.
 CURRENT ZONING: RSM (Small Lot Residential Mix)
 PROPOSED DEVELOPMENT: Requesting to rezone properties from RSM to R-100

Ms. Jackson presented **PETITION RZ-22-001**, the City’s initiated rezoning from **RSM** to **R-100** for selected properties (within the Arabia Mountain Conservation Overlay) along Evans Mill Road, Salem Road, and Rock Springs Road. These properties (approximately 837 acres) were previously developed as **R-100** or had been zoned to a larger lot, residential zoning category at one point. It is believed that around 2015, with the adoption of the zoning map, the zoning of these properties changed. Many feel that this rezoning to **RSM** was a mistake.

Ms. Jackson believes that some homeowners expressed that to DeKalb County and would like to avert the potential for small lot development. Staff was approached by this situation, looked into it, and felt the need to change the properties back to **R-100**. The lot dimensions for properties along Evans Mill go from 3.66 acres to 12 acres. The lot dimensions for properties along Rock Springs Road, the smallest acreage is 3.3 acres, and it goes up to 11 acres. There are 19 parcels along Rock Springs Road. In the breakdown of lot dimensions with **RSM** and **R-100**, **RSM** starts with a minimum of 5,000 square feet and **R-100** starts at a minimum of 15,000 square feet (see Slide 30 below).

SLIDE 30

RSM & R-100 Lot Dimensions

RSM

- Minimum Lot Area- 5,000/2,000 cottage
- Minimum Lot Width- 25 ft.
- Front Setbacks -20 ft min- 30 ft max
- Side Setbacks – 3 ft w/min 10 ft separation
- Read Setbacks – 20 ft.
- Unit Size Minimum- 800 sf.

R-100

- Minimum Lot Area -15,000 sf.
- Minimum Lot Width- 100 ft.
- Front Setbacks- 35 ft.
- Side Setbacks- 10 ft.
- Rear Setbacks- 40 ft.
- Unit Size Minimum- 2,000 sf.

Staff did a comparison of minimum lot width and setbacks for **RSM** and **R-100**. **RSM** is 800 square feet. **R-100** is well over 2000 square feet. Staff proposed that all of these properties, the 18 parcels along Evans Mill Road, and the 19 parcels along Rock Springs Road be rezoned from **RSM** to **R-100**. Staff recommended a rezone from **RSM** to **R-100**.

There were none in **support**.

There was one in **opposition**: *Spoke-in-person*: Mr. Ken Cox lives at 3891 Evans Mill Road in Stonecrest, GA. Mr. Cox stated that he bought his home in 2013 with the thought to put a cottage in the back. Mr. Cox asked for a better explanation of why it was decided to rezone and why Stonecrest is doing this.

Ms. Jackson responded and stated that **RSM** allows 4 to 8 units per acre. **R-100** has a minimum, about 15,000 square feet, it can be subdivided and have enough width. **R-100** allows for in-law suite permitted use for both zoning districts. Homeowners will not lose the opportunity to do an in-law suite on their property. Just meet the setbacks and allow Planning & Zoning to review the homeowner's site plans. **RSM** is for small lots. **R-100** has a lot of width of 100 feet, and **RSM** has a lot of width of 25 feet.

These properties are more than 25 feet wide. Staff feel that the **R-100** is a better fit. Staff was approached by homeowners, and other members of the community asking what happened to their zoning and can Staff take a look. This was an opportunity for Staff to look into it and after the research, Staff found that there had to be a change when they adopted the new map. Staff could not pinpoint the time exactly when that happened but, suspect it happened in 2015. Staff is seeking to rezone back to the original zoning.

Ms. Walker asked, What are the benefits of rezoning?

Ms. Jackson replied, There are no benefits.

Mr. Cox returned to the podium to ask about RSM ordinance definitions, being grandfathered in.

Ms. Jackson stated, "Yes, for **RSM** you can build 4 to 8 units per acre, and you have to have a minimum lot width of 50 feet to do the cottage and detach. For **R-100**, that district is only for single-family detached homes. To answer Mr. Cox's question about are they grandfathered in, if the zoning were to change to **R-100** and after the Council approved that zoning, and a homeowner wishes to come forward and build cottage homes, they would not be allowed to because they would be proposing an action, after the approval."

The Chairman asked, "What if the homeowners want to control the zoning...let say, I want to build a cottage. I bought this home 22 years ago and it was zoned for it then...I have the right to build it...I am retired. He would have to get a special land use permit to build a cottage or if the city council approves this, that Council cannot grandfather him in?"

Ms. Jackson replied, "...I may have to rely on my attorney but, it is my understanding that if City Council approve this, and he seeks this petition to add cottages to home after City Council has approved it, then he will have to follow today's regulations regarding **R-100**."

There were more discussions on Mr. Cox's questions and the rezoning by Ms. Jackson and the Chairman. Mr. Cox stated that he likes the zoning as is.

The Chairman asked for clarification from the attorney to answer Mr. Cox's questions and asked to get a motion to add more time (10 minutes) to discuss this situation. There was no motion and no vote.

Attorney Thompson (via Zoom) experienced difficulties in trying to join the meeting.

Attorney Thompson stated, "I can hear you but, I cannot... well I am getting a buffer back on the the question..."

The Chairman asked if Mr. Cox presently have **RSM**, on this application, the resident wishes to build a cottage which he can presently do, if we change the text amendment and changes onto **R-100** he will be unable to build a cottage but, because he is living at the home, can he be grandfathered in to still have

the same privileges, Mr. Cox had before the city decided to change the amendment back. If the City Council approves the text amendment, or would he be required to have a special land use permit to do which he desires?

Attorney Thompson summarizes what was said, “The gist of the question or you were saying, if a resident home was under a particular zoning ordinance prior to City Council approval but, once City Council approved the ordinance, it changed the status of what they wanted to do on their home. Should they have to follow the current City Council approved zone ordinance?”

The Chairman replied, “Yes.” Would Mr. Cox have the opportunity to be grandfathered in or would he have to deal with this special land use permit to build a cottage? If approved and would have to seek a special land use permit in order to build the cottage which he seeks.

Attorney Thompson stated that the resident would have to adhere to the current zoning law that is presently in the City. If it is something that has been passed by City Council and is presently the zoning law under a particular zoning district. Then he would have to follow what has been passed by City Council.

Ms. Jackson stated, let say he owns a vacant lot now in his **RSM** and under current **RSM** he wants to do cottage homes. Yes, he can do 4 to 8 units per acre but, once Stonecrest changes the zoning and he comes to the city to petition to build cottages on that property, he will no longer be able to.

The Chairman addressed Ms. Jackson and asked, “If zoning did not change, what would be the rationale for changing back to **R-100** instead of keeping **RSM**? What is the benefit?”

Ms. Jackson replied, “The benefit is that you know if the homeowner decides to demolish the home and decides to build cottages or a home, they will be able to do that in **RSM**. Whereas in **R-100**, they can only build a single-family detached home and the city is not benefiting from this. This change was looked into by Staff based on homeowners coming to us asking what happened to the zoning on my home. Staff looked into it. There is no real explanation as to why. Staff feel that this is a better zoning district. Staff do feel it meets the current lot dimensions that is out there now. You have to ask yourself, if we keep this **RSM** you are opening the door to mixed-use development, you are opening door to townhomes and cottage homes in a single-family characteristic neighborhood. You are opening yourself to those type of developments coming into your neighborhood.

The Chairman asked Ms. Jackson, how many citizens approach the City and asked, “Can you look at changing this? Do you have a number of those?”

Ms. Jackson replied that it was about five that approached her, Staff looked into it, and it was supported. Staff took it to the Work Session and City Council supported it. There is a council member that lives in that neighborhood and he supports it as well stated Ms. Jackson.

The Chairman said, “Okay, you said we have a City Council person who lives in that neighborhood?” “Yes,” replied Ms. Jackson.

The Chairman continued questioning Ms. Jackson. There was more discussion on the zoning of the property, what happened to this domain of my (owners) property (it was once **R-100** and now it is a small lot zoning district). The final question asked Ms. Jackson was, “Before, was it **R-100** when it was unequivocal **RSM** unincorporated DeKalb, it was **R-100** unincorporated DeKalb, then it changed to **RSM** and stayed **RSM** once the city was incorporated?” Ms. Jackson replied, “Yes, it did change to **RSM** in 2015.”

The Chairman addressed the audience and said that he and Ms. Jackson were not going back and forth for rebuttal. They wanted to make sure everything, and everyone was heard. Next, the Chairman opened the floor up for opposition.

Mr. Cox returned and said that he looked at **Section 2.2.5** regarding grandfathering the **RSM**.

Ms. Jackson replied, you are already on the land. If you love your present zoning, and you think that if it is based off what the attorney has stated, if it is changed, now you cannot build that cottage that you want to build.

Mr. Cox stated that the section that he mentioned, actually is right and grandfathered, and ask Ms. Jackson to look at it right.

Ms. Jackson stated that Mr. Cox can still build a cottage at his home, whether the zone is **RSM** or **R-100** but, Mr. Cox can only build one. It is a permitted use, and he will have to submit a site plan for review by the Planning & Zoning Department.

The Chairman closed the public hearing before going into discussion.

The Chairman motioned to **DENY PETITION RZ-22-001, NEED MULTIPLE MEETINGS WITH THE COMMUNITY WHEN WE/STONECREST WANTS TO CHANGE THEIR ZONING**. Ms. Brown seconded the motion to **DENY PETITION RZ-22-001**. The vote was 03-01. The Chairman, Commissioners Walker and Brown voted to **DENY PETITION RZ-22-001**. Commissioner Hollis voted **AGAINST THE MOTION**. The vote was not unanimous.

LAND USE PETITION:	TMOD-22-005
PETITIONER:	Planning & Zoning Department
LOCATION:	City Wide
PROPOSED:	Amendment to the Stonecrest Zoning Ordinance, Chapter 27 to revise supplemental use provisions for Towing and Wreckage Services

Ms. Jackson presented **TMOD-22-005** and stated that this was brought before the Commissioners on March 1, 2022, and **TMOD-22-005** was recommended for an approval. On March 28, 2022, the City Council expressed concerns that some of the information may have been missed, and City Council recommended that it come back to the Commissioners. Staff recommended **APPROVAL** of **TMOD-22-005**.

TMOD-22-005 was presented to the City Council on March 28, 2022. During the presentation it was discovered that some of the language that has been removed from the current ordinance, may change the definition of a towing and wreckage yard. Staff saw concerns and want to revisit this, and City Council sent it back. If the Commissioners' vote is still recommending to approve, Staff is fine with it and will move forward.

There were no comments. There were none in **support** and none in **opposition**.

The Chairman closed the public hearing before going into discussion.

The Chairman asked for a motion. Ms. Hollis motioned to **APPROVE TMOD-22-005 - TOWING AND WRECKAGE SERVICE AS AMENDED BY STAFF AND WITH THE LIMIT OF 14-DAYS THAT A CAR CAN SIT/STAY AT A FACILITY AND ON A PROPERTY.** Ms. Brown seconded the motion. The vote was **unanimously APPROVED.**

VII. New Business: None

VIII. Adjournment: The Chairman adjourned the meeting at 7:32 PM. There was no motion.

The next Planning Commission meeting is scheduled for June 7, 2022, 6:00 PM, in-person.

Follow the LINK to view the meeting: [May 3 Stonecrest Planning Commission - YouTube](#)

APPROVED:

Chairman _____ Date _____

ATTEST:

Secretary _____ Date _____

DRAFT



Planning Commission

May 3, 2022

ATTACHMENT I

The attached document replaces the original
Staff Report for TMOD-22-008

Submitted

by

Keedra Jackson, MPA
Acting Director/Senior Planner
Planning and Zoning Department



REPLACED
COPY

PLANNING & ZONING STAFF REPORT

MEETING DATE: May 3, 2022

GENERAL INFORMATION

Petition Number:	TMOD 22-008
Applicant:	Stonecrest Planning & Zoning Department
Project Location:	City-Wide
Proposed Amendment:	Text amendment to modify Articles 4 and 9 of the Zoning Ordinance to address Adult Day Center definitions and use regulations.

FACTS AND ISSUES

At the January 21, 2022, City Council Meeting. Council directed staff to analyze the Adult Day Center ordinance to offer suggested revisions to be in aligned with the Personal Care Home provisions adopted by Council in 2021. Staff has identified some recommended changes to the Zoning Ordinance to address this issue. These changes include:

- Change the term from Adult Day Care Center and Adult Day Care Facility to Adult Day Center to reflect the rules and regulations of the State of Georgia
- An updated definition of Adult Day Center
- Updated supplemental regulations that require the business owner to be owner-occupied
- Distance separation requirement for Adult Day Center
- Updated the zoning code to mirror the state’s definition of “three or more persons”
- Updated Use Table to remove adult day center from residential districts

PROPOSAL

There has been expressed concerns about the quantity of Adult Day Care Centers in residential zoning districts. The Council has asked staff to update the Adult Day Care provisions, similar to how the personal care home provisions last year. Staff’s impression is that Adult Day Care Centers should be taken out of the home occupation world and treat them more like Child Day Cares. Based on this information, Staff recommend the following changes:

1. *The Rules and Regulations of the State of Georgia only identify “Adult Day Center” (GA R&R 111-8-1-.04 (1) (e) “Adult Day Center”) in the “Rules and Regulations for Adult Day Centers”. The title and type of facility is also reflected in the Georgia Code Title 49 (Social Services), Chapter 6 (Services for the Aging), Article 7 (Licensure of Adult Day Centers). I The*



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title of the land use has been changed to “Adult Day Center” to reflect the state statutes and rules and regulations. Our document identifies two – Adult Day Care Center and Adult Day Care Facility.

2. *The rules and regulations of the state identify the Adult Day Center as “a facility serving aging adults that provides adult day care or adult day health services, as defined in paragraphs (d) and (f) of these definitions, for compensation to three or more persons. Adult day centers may operate in more than one location if classified and approved by the Department as a mobile adult day center. This term shall not include a respite care services program.” The difference here is that state legislation identifies three or more persons, our legislation states four or more. Stonecrest is recommended the legislation to be updated to mirror the state definition.*
3. *As a result of the definition of the state above, I cannot find any reference to “Adult Day Facility” or “Adult Day Care Facility” in state statutes. If this is true, I am not sure if we can differentiate between “up to six” (Adult Day Care Facility) and “seven or more” (Adult Day Center). Jim and/or city attorney should make the final decision on this. My recommendation would be to stick with what the state permits (Adult Day Center which allows 4 or more) and drop the “Adult Day Care Facility”.*

Georgia defines adult day services as a program for providing a safe group environment with coordinated health and social services aimed at stabilizing or improving self-care as well as preventing, postponing, or reducing the need for institutional placement. The purpose of adult day services is to provide support for elderly individuals who do not fully function independently but who do not need 24-hour nursing care. Participants may have physical, social, and/or mental impairments, need assistance with ADLs less than that requiring placement in an institution, or have recently returned home from a hospital or institutional stay.

Use	KEY:		SA - Special administrative permit from Community Development Director	SP - Special land use permit (SLUP)
	P - Permitted use	Pa - Permitted as an accessory use		
	RE			
	RLG			
	R-100			
	R-85			
	R-75			
	R-60			
	RSM			
	MR-1			
	MR-2			
	HR-1,2,3			
	MHP			
	RNC			
	OI			
	OIT			
	NS			
	C-1			
	C-2			
	OD			
	M			
	M-2			
	MU-1			
	MU-2			
	MU-3			
	MU-4.5			
Services				See Section 4.2



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Adult day center—4 or more									P	P	P	P			P	P	P	P	P	P					P	P	P		

~~Sec. 4.2.4. Adult daycare center (seven or more clients).~~

~~Each adult daycare center shall be subject to the following requirements:~~

- ~~A. All outdoor recreation areas shall be enclosed by a fence or wall not less than four feet in height~~
- ~~B. Each adult daycare center shall provide off-street parking spaces as required by the applicable zoning district and an adequate turnaround on the site.~~

(Ord. of 8-2-2017, § 1(4.2.4))

Sec. 4.2.5. Adult Day Center (six four or more clients).

Each Adult Daycare facility Center shall be subject to the following requirements:

- A. All outdoor recreation areas shall be enclosed by a fence or wall not less than four feet in height.
- B. Each Adult Daycare facility Center shall provide off-street parking spaces as required by the applicable zoning district.
- C. No Adult Daycare facility Center shall be located within 1,000 feet of another adult daycare facility.
- D. No Adult Daycare facility Center may be established and operated until a permit to do so has been obtained in accordance with the procedures set forth below.
 - 1. Permit application. Persons seeking to operate an adult daycare facility in the city must file a **Adult Day Center Permit** application with the planning department. Each application shall also be accompanied by the applicant's affidavit certifying the maximum number of adults that will be served simultaneously and that the proposed adult daycare facility will meet and be operated in compliance with all applicable state laws and regulations and with all ordinances and regulations of the city. The planning department may require clarification or additional information from the applicant that is deemed necessary by the city to determine whether the proposed service will meet applicable laws, ordinances and regulations.
 - 2. Notwithstanding the above provisions, if a proposed adult daycare facility is subject to the requirement that the applicant obtain a certificate of registration from the state department of



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human resources, and even though the application may have been approved under the provisions of this section, a permit for the operation of such facility shall not be issued until proof has been submitted by the applicant that the certificate of registration has first been obtained from the state.

3. The rules and regulations of the state identify the Adult Day Center as "a facility serving aging adults that provides adult day care or adult day health services, as defined in paragraphs (d) and (f) of these definitions, for compensation to three or more persons. Adult day centers may operate in more than one location if classified and approved by the Planning Department as a mobile adult day center. This term shall not include a respite care services program."
4. Shall meet requirements to obtain a City of Stonecrest business license.

Article 9 Definitions

~~Adult daycare center means an establishment operated by any person with or without compensation for providing for the care, supervision, and oversight only during day-time hours of seven or more adults who are elderly, physically ill or infirm, physically handicapped, or mentally handicapped. The term "adult daycare center" may also include recreational and social activities for said persons.~~

"Adult day center" or "center" means a facility serving aging adults that provides adult day care or adult day health services, as defined in paragraphs (d) and (f) of these definitions, for compensation to three or more persons. Adult day centers may operate in more than one location if classified and approved by the Department as a mobile adult day center. This term shall not include a respite care services program.

(Ord. of 8-2-2017, § 1(4.2.5))

RECOMMENDED ACTION

The city is recommending to amend the permitted uses from residential districts and keep them in commercial zoned districts. This use is commercial in nature and will be more suitable for a commercial zoning. These updated regulations allow Planning Commission, and City Council more opportunities to review Special Land Use Permits on a case-by-case basis for these uses and allow staff to make the necessary changes to reflect the definitions and regulations as defined by the State of Georgia. The updates also ensure that every part of the Zoning Ordinance referencing these uses are cohesive.

Staff recommends **APPROVAL** of the text amendment as drafted by staff.



Planning Commission

May 3, 2022

ATTACHMENT II

POWERPOINT

Presentation on Upcoming Cases

TMOD-22-008-Adult Day Center

TMOD-22-001-Standardization of Terms and Definitions

TMOD-22-005-Towing and Wreckage Services

Submitted

by

Keedra Jackson, MPA
Acting Director/Senior Planner
Planning and Zoning Department



Planning Commission

May 3, 2022

1



Presentation on Upcoming Cases

2

Upcoming Cases

- TMOD-22-001 – Definitions
- RZ-22-002 Rezoning for 2300 and 2330 S Stone Mountain Lithonia Rd

3



TMOD-22-008
Adult Day Center

4

Facts and Background

- At the January 21, 2022, City Council Meeting, Council directed staff to analyze the Adult Day Center ordinance to offer suggested revisions to be in aligned with the Personal Care Home provisions adopted by Council in 2021.
- Staff’s impression is that Adult Day Care Centers should be taken out of the home occupation provisions and treat them more like Child Day Cares.

5

5

TMOD-22-001 Standardization of Terms and Definitions

Proposed amendment:

Amendment to Adult Day Center definition and permitted uses by district and to add supplemental regulations to Article 4.

Issues being addressed:

- Change the term from Adult Day Care Center and Adult Day Care Facility to Adult Day Center to reflect the rules and regulations of the State of Georgia
- An updated definition of Adult Day Center
- Updated supplemental regulations that require the business owner to be owner-occupied
- Distance separation requirement for Adult Day Center
- Updated the zoning code to mirror the state’s definition of “three or more persons”
- Updated Use Table to remove adult day center from residential districts

6

USE TABLE 4.1

Use	KEY: P - Permitted use Pa - Permitted as an accessory use															SA - Special administrative permit from Community Development Director SP - Special land use permit (SLUP)					See Section 4.2				
	RE	RLG	R-100	R-85	R-75	R-60	RSM	MR-1	MR-2	HR-1,2,3	MHP	RNC	OI	OIT	NS	C-1	C-2	OD	M	M-2		MU-1	MU-2	MU-3	MU-4.5
Services																									
Adult daycare center—7 or more																									
Adult daycare facility—Up to 6-4																									

7

7

Article 9 Definitions

Adult daycare center means an establishment operated by any person with or without compensation for providing for the care, supervision, and oversight only during day-time hours of seven or more adults who are elderly, physically ill or infirm, physically handicapped, or mentally handicapped. The term "adult daycare center" may also include recreational and social activities for said persons.

"Adult day center" or "center" means a facility serving aging adults that provides adult day care or adult day health services, as defined in paragraphs (d) and (f) of these definitions, for compensation to three or more persons. Adult day centers may operate in more than one location if classified and approved by the Department as a mobile adult day center. This term shall not include a respite care services program.

(Ord. of 8-2-2017, § 1(4.2.5))

8

8

SUPPLEMENTAL REGULATIONS

~~Sec. 4.2.4. Adult daycare center (seven or more clients).~~

~~Each adult daycare center shall be subject to the following requirements:~~

~~A. All outdoor recreation areas shall be enclosed by a fence or wall not less than four feet in height~~

~~B. Each adult daycare center shall provide off-street parking spaces as required by the applicable zoning district and an adequate turnaround on the site.~~

(Ord. of 8-2-2017, § 1(4.2.4))

Sec. 4.2.5. Adult Day Center (**six four or more** clients).

Each **Adult Daycare-facility Center** shall be subject to the following requirements:

- A. All outdoor recreation areas shall be enclosed by a fence or wall not less than four feet in height.
- B. Each **Adult Daycare facility Center** shall provide off-street parking spaces as required by the applicable zoning district.
- C. No **Adult Daycare-facility Center** shall be located within 1,000 feet of another adult daycare facility.
- D. No **Adult Daycare-facility Center** may be established and operated until a permit to do so has been obtained in accordance with the procedures set forth below.
 - 1. **Permit application.** Persons seeking to operate an adult daycare facility in the city must file a **Adult Day Center Permit** application with the planning department. Each application shall also be accompanied by the applicant's affidavit certifying the maximum number of adults that will be served simultaneously and that the proposed adult daycare facility will meet and be operated in compliance with all applicable state laws and regulations and with all ordinances and regulations of the city. The planning department may require clarification or additional information from the applicant that is deemed necessary by the city to determine whether the proposed service will meet applicable laws, ordinances and regulations.
 - 2. Notwithstanding the above provisions, if a proposed adult daycare facility is subject to the requirement that the applicant obtain a certificate of registration from the state department of human resources, and even though the application may have been approved under the provisions of this section, a permit for the operation of such facility shall not be issued until proof has been submitted by the applicant that the certificate of registration has first been obtained from the state.
 - 3. The rules and regulations of the state identify the Adult Day Center as "a facility serving aging adults that provides adult day care or adult day health services, as defined in paragraphs (d) and (f) of these definitions, for compensation to three or more persons. Adult day centers may operate in more than one location if classified and approved by the Planning Department as a mobile adult day center. This term shall not include a respite care services program."
 - 4. Shall meet requirements to obtain a City of Stonecrest business license.

Questions? Comments!

11



**Stonecrest City Initiated Rezoning of RSM
zoned property within the Arabia Mountain
Conservation Overlay**

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Stonecrest Overlay Design Guidelines Update

Proposal:

- City initiated rezoning of selected parcels zoned RSM to R-100 in the Arabia Mtn Conservation Overlay covering approximately 837 acres

Issues:

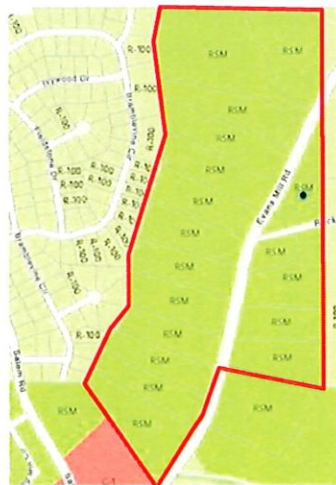
- At the time of incorporation, the City adopted the county zoning map which showed a number of properties within the Arabia Mountain Conservation Overlay as RSM, Residential Small Lot that were previously developed as R-100 or had been zoned to a larger lot residential zoning category
- It is believed that this was the result of a 2015 adoption of a new Zoning Map by the County which the City assumed upon incorporation
- Many feel that this rezoning to RSM was a mistake and would like to advert the potential for small lot infill development

Discussion:

- Staff is seeking guidance from City Council on whether this matter should be presented to the Planning Commission in April

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Evans Mill Road

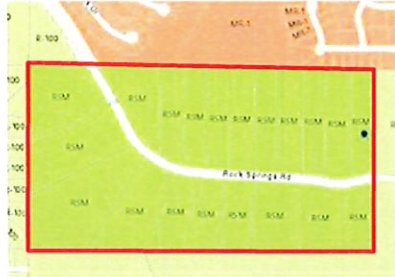


18 parcels, 105 acres

Ref #	Parcel Address (* denotes where owner address = parcel address)	Parcel ID	Owner Name	Acreege	LU
1	3793 Evans Mill Rd *	16 077 010 040	Gwen A. Mitchell	6.79	SUB
2	3801 Evans Mill Rd *	16 077 010 041	Kenneth N. Cox	12.03	SUB
3	3817 Evans Mill Rd	16 077 010 042	Horizon Global Enterprises	5.59	SUB
4	3837 Evans Mill Rd *	16 077 010 043	Major and Ada Sadler Revocable Trust	5.88	SUB
5	3859 Evans Mill Rd. *	16 077 010 044	Sarah J V Frett	5.18	SUB
6	3879 Evans Mill Rd *	16 077 010 045	Austin Mae Francis Dixon	4.93	SUB
7	3897 Evans Mill Rd *	16 077 010 046	Ravenel L Edward	4.71	SUB
8	3917 Evans Mill Rd *	16 077 010 039	Waterton Godfrey	4.60	SUB
9	3935 Evans Mill Rd *	16 077 010 047	Hinton Willie L	5.08	SUB
10	3959 Evans Mill Rd *	16 077 010 048	Charles T. Carter	4.16	SUB
11	3979 Evans Mill Rd	16 077 010 049	Larry G Hunt	4.25	SUB
12	3990 Evans Mill Rd	16 078 01 003	DeKalb County	8.42	
13	3999 Evans Mill Rd *	16 078 02 003	Joseph A. Vernot	4.18	SUB
13	4029 Evans Mill Rd	16 078 02 002	Charles R. Alexander	6.69	SUB
14	5912 Salem Rd.	16 078 02 001	Sam E Thomas	5.00	SUB
15	3848 Evans Mill Rd *	16 077 02 001	Ware Palmer	4.16	RR
16	3922 Evans Mill Rd *	16 077 03 004	Leslie E. Gadsden	5.36	RR
17	3940 Evans Mill Rd	16 077 03 005	Frederick Jackson	3.66	RR
18	3960 Evans Mill Rd *	16 077 03 006	Charlie J Thompson	4.73	RR ¹

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Rock Spring Road



19 parcels, 97 acres, all appear to be owner occupied

Ref #	Parcel Address	Parcel ID	Owner Name	Acreege	LU
23	6206 Rock Springs Rd	16 076 01 008	Thelma Crowder	4.1	SUB
24	6190 Rock Springs Rd	16 076 01 007	Willie Mae Johnson	4.2	SUB
25	6174 Rock Springs Rd	16 076 01 006	Ellis Appling	4.0	SUB
26	6160 Rock Springs Rd	16 076 01 005	Patricia Esther Jones	4.0	SUB
27	6144 Rock Springs Rd	16 076 01 004	Edward Bailey Jr.	4.0	SUB
28	6130 Rock Springs Rd	16 076 01 003	Gamaliel W. Hilson	4.0	SUB
29	6110 Rock Springs Rd	16 076 01 011	Christine L. Hilson	3.9	SUB
30	6090 Rock Springs Rd	16 076 01 010	Keri L. Hilson	3.9	SUB
31	6070 Rock Springs Rd	16 076 01 009	Michael Allen Roberts	3.7	SUB
32	6020 Rock Springs Rd	16 076 01 002	Michael A. Roberts	5.1	SUB
33	5989 Rock Springs Rd	16 076 02 003	Raymond Hill	6.7	SUB
34	6023 Rock Springs Rd	16 076 02 004	Cornelius Flowers	8.0	SUB
35	6051 Rock Springs Rd	16 076 02 005	Walter W. Williams	11.3	SUB
36	6067 Rock Springs Rd	16 076 02 006	Perry Iris Buchanan	6.3	SUB
37	6085 Rock Springs Rd	16 076 02 007	Kathy H Register	3.7	SUB
38	6105 Rock Springs Rd	16 076 02 008	George Turner Jr.	3.6	SUB
39	6125 Rock Springs Rd	16 076 02 009	James Rutledge	3.5	SUB
40	6145 Rock Springs Rd	16 076 02 010	Ellis Wilson	5.1	SUB
41	6185 Rock Springs Rd	16 076 02 011	Andrew Daugett	4.8	SUB
42	6205 Rock Springs Rd	16 076 02 012	Larry Parker	3.0	SUB

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RSM & R-100 Lot Dimensions

RSM

- Minimum Lot Area- 5,000/2,000 cottage
- Minimum Lot Width- 25 ft.
- Front Setbacks -20 ft min- 30 ft max
- Side Setbacks – 3 ft w/min 10 ft separation
- Read Setbacks – 20 ft.
- Unit Size Minimum- 800 sf.

R-100

- Minimum Lot Area -15,000 sf.
- Minimum Lot Width- 100 ft.
- Front Setbacks- 35 ft.
- Side Setbacks- 10 ft.
- Rear Setbacks- 40 ft.
- Unit Size Minimum- 2,000 sf.

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Questions? Comments!

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TMOD-22-005
Towing and Wreckage Services

18

TMOD-22-005 Towing and Wreckage Services

Proposed amendment:

Amendment to the Stonecrest Zoning Ordinance, Chapter 27, Article 4 – Supplemental Use Provisions, including provisions for Towing and Wreckage Services.

Issues being addressed:

- The Zoning Ordinance permits several uses that need further definition and supplemental use criteria for proper administration.
- Towing and Wreckage Services sites should be screened from view similar to how gravel parking lots are to improve community aesthetics

TMOD-22-005 Towing and Wreckage Services

Sec. 4.2.60 Towing Wreckage Service

- A. This provision does not apply to vehicle storage yards, used motor vehicle dealerships, used motor vehicle parts dealerships, or automobile salvage yards.
- B. Records showing the arrival of each vehicle at a tow service property or an automobile recovery and storage facility must be kept by the owner/operator of a business.
- C. All wrecked or inoperable vehicles shall be drained of all liquids, including but not limited to gasoline, diesel, transmission fluid, brake fluid, and engine oil, within forty-eight (48) hours of delivery to tow service properties or automobile recovery and storage facilities.
- D. Any area of the site used for the short-term storage of car shall be screened from view of the public street with an opaque corrugated metal fence or wall minimum of ten feet in height. Chain link and wooden fences along street frontage are prohibited.
- E. The parking area shall be at least 25 feet from the street right-of-way.
- F. A ten-foot-wide evergreen landscape buffer shall be planted around the perimeter of the fence along the public street with at least two rows of trees. All trees shall be a least six feet in height and/or two inches caliber, and shall be regularly maintained and watered as necessary. Dead or dying trees shall be promptly replaced. All surfaces between trees shall be mulched
- G. The soil erosion, sedimentation and pollution requirements of chapter 14, article V of the Code of the City of Stonecrest, Georgia are met.
- H. Minimum standards of the Georgia Stormwater Management Manual are met in terms of stormwater runoff and water quality.

Current Language in the Code

Sec. 4.2.64 Towing Wreckage Service

- A. Vehicles shall not be stored at tow service properties or automobile recovery and storage facilities for a period longer than fourteen (14) days. This provision does not apply to vehicle storage yards, used motor vehicle dealerships, used motor vehicle parts dealerships, or automobile salvage yards. Records showing the arrival of each vehicle at a tow service property or an automobile recovery and storage facility must be kept by the owner/operator of a business.
- B. All wrecked or inoperable vehicles shall be drained of all liquids, including but not limited to gasoline, diesel, transmission fluid, brake fluid, and engine oil, within forty-eight (48) hours of delivery to tow service properties or automobile recovery and storage facilities.
- C. Any area of the site used for the short-term storage of cars shall be screened from view of the public street with an opaque corrugated metal fence or wall minimum of ten feet in height. Chain link and wooden fences along street frontage are prohibited.
- D. The parking area shall be at least 25 feet from the street right-of-way.
- E. A ten-foot-wide evergreen landscape buffer shall be planted around the perimeter of the fence along the public street with at least two rows of trees. All trees shall be a least six feet in height and/or two inches caliber, and shall be regularly maintained and watered as necessary. Dead or dying trees shall be promptly replaced. All surfaces between trees shall be mulched.
- F. The soil erosion, sedimentation and pollution requirements of chapter 14, article V of the Code of the City of Stonecrest, Georgia are met.
- G. Minimum standards of the Georgia Stormwater Management Manual are met in terms of stormwater runoff and water quality.

[TMOD-21-016]

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PLANNING COMMISSION

STAFF REPORT(S)



PLANNING COMMISSION

Planning Commission June 7, 2022 / Mayor and City Council Meeting July 25, 2022

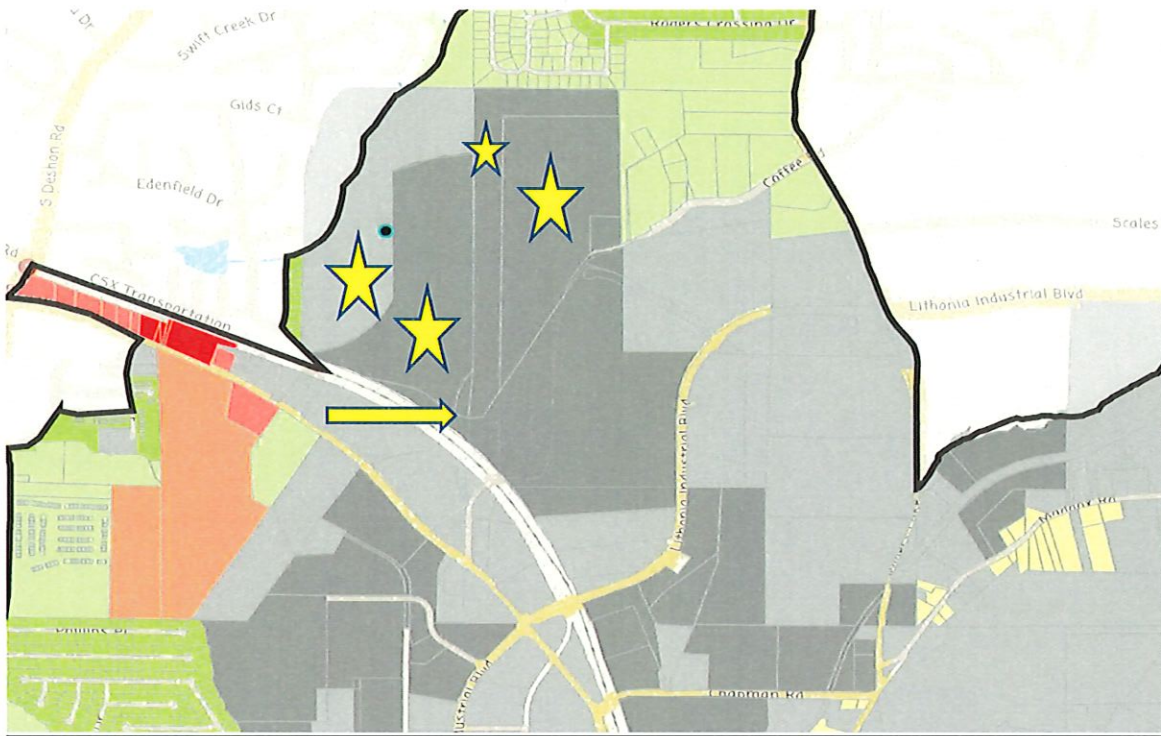
GENERAL INFORMATION

Petition Number:	RZ-22-002
Applicant:	Nick Faber, IDI Logistics
Owner:	James W. Kelly, Jr. and Daniel H. Kelly
Project Location:	2300, 2330, 2368 and 2376 South Stone Mountain Lithonia Rd and 1801 Coffee Rd.
Parcels:	16-125-01-002, 16-125-01-153, 16-124-01-003, 16-132-01-019, and 16-132-01-001).
District:	District 1
Acreage:	205.12 +/- acres
Existing Zoning:	M (Light Industrial) / M-2 (Heavy Industrial)
Proposed Zoning:	M (Light Industrial)
Comprehensive Plan Community Area Designation	HIND (Heavy Industrial)
Proposed Development/Request:	The applicant is requesting to rezone the subject properties from M and M-2 for the development of three warehouse building
Staff Recommendations:	<i>Approval/Conditional</i>
Planning Commission	<i>N/A</i>



PLANNING COMMISSION

Zoning Map



Zoning Case: RZ-22-002

Address: 2300, 2330, 2368, 2376 South Stone Mountain Lithonia Rd and 1801 Coffee Rd.

Current Zoning: M (Light Industrial) and M-2 (Heavy Industrial)

Proposed Zoning: M (Light Industrial)



Subject Property

PLANNING COMMISSION

Aerial Map



PROJECT OVERVIEW

Location

The subject properties are located at 2300, 2330, 2368, 2376 South Stone Mountain Lithonia Road and 1801 Coffee Road (Parcel IDs: 16-125-01-002, 16-125-01-153, 16-124-01-003, 16-132-01-019, and 16-132-01-001). The Subject Property consists of a ±205.12-acre assemblage off five parcels located in Land Lots 124, 125 and 132, 16th District, City of Stonecrest, DeKalb County, Georgia (“Subject Property”).

The property is bounded by Deshon Estates to the west, by The Villas at Rogers Crossing to the north and Home Depot to the southeast. Located to the south is CRX Transportation Services.



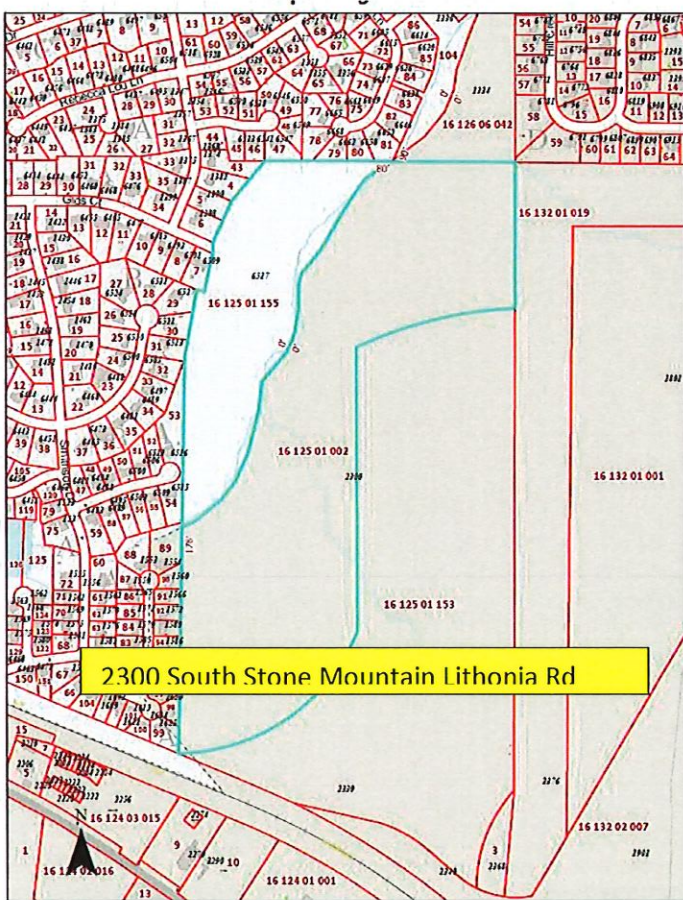
Subject Property



PLANNING COMMISSION

Background:

The applicant is requesting to rezone the 205.12 +/- acres of the subject property from M (Light Industrial) District and M-2 (Heavy Industrial) District to M (Light Industrial) District to allow the development of a three-building warehouse project. Subject Property consisting of three warehouse buildings totaling $\pm 1,932,122$ square feet, parking, and associated site improvements. The Applicant intends to rezone all parcels comprising the Subject Property to the M zoning district to create a uniform zoning for the development and allow the consolidation and replatting of the property in the future. In addition, the Applicant seeks to amend the conditions of zoning to better align with current design practices and to allow the Proposed Development. On May 20, 2022, staff was advised by DeKalb County GIS there was a subdivision of Parcel # 16 125 01 002. Parcel 16 125 01 002 have total of 50.61 AC and newly created parcel 16 125 01 155 total acreage 18.08 AC. This update will cause the legal description to be erroneous and staff has made this advisement to the applicant. The owner of the subject property will need to update the legal description and have it recorded with the DeKalb County Superior Court. Please see the property line update below.



Two of the five total parcels that comprise the Subject Property were rezoned on November 24, 1981, then located in unincorporated DeKalb County, from R-100 (Single Family Residential) to M Light Industrial and M-2 Heavy Industrial



PLANNING COMMISSION

zoning district pursuant to zoning ordinance Z-81143. Although the subject property was incorporated under the jurisdiction of the City of Stonecrest when it was incorporated, this did not eradicate the 1981 Rezoning conditions. Zoning conditions stay with the land.

The 1981 Rezoning was subject to seventeen conditions, the following conditions are what the applicant is seeking to amend:

1. The height of any building located on the site shall not exceed 40 feet. (#7)
2. All buildings shall use earth tone colors the same being defined as colors which shall attempt to blend with the landscape and foliage located on property. (#10)
3. The fronts of all buildings constructed on the property shall use some brick veneer, stone, wood, or a mixture of some of the same. (#11)
4. Access to the site shall be limited to the Stone Mountain-Lithonia Road or Coffey Road and no streets shall be connected to any existing street or future street which runs, or is to run, through any adjacent residentially zoned property. This paragraph does not apply to Coffey Road. (#14)
5. A cyclone fence of not less than 6 feet in height shall be placed on the North and West property lines of said property. (#17)

The applicant is proposing modern warehouse facilities that will exceed 40 feet in height (48 feet). In addition, tilt-up panel construction has become an industry standard for modern warehouse design and concrete block has become less widely used, as envisioned in the 1981 Rezoning conditions. Furthermore, the 1981 Rezoning conditions call for a cyclone fence along the property lines. The Applicant's site design will provide additional landscaped buffers in lieu of the cyclone fence. The applicant will be providing a minimum of a 150-foot of vegetated buffer (the 150-foot buffer will be composed of 75-foot undisturbed and 75-foot landscaped buffers) along the north and west property lines. In areas where the proposed grading will encroach into the 150' buffer the Applicant will replant with landscaping. Lastly, the 1981 Rezoning requires access to South Stone Mountain Lithonia Road and Coffee Road. The applicant is proposing to utilize Stonecrest Industrial Way areas. the Applicant now seeks to modify the above conditions to match the following wording:

7. The height of any building located on the site shall not exceed 50 feet.

10. All buildings shall use colors in general accordance with the concept elevations.

11. The fronts of any and all buildings constructed on the property will be of a tilt-up concrete panel construction with a color in accordance with the elevations referenced in condition.

14. Access to the site shall be limited to the Stonecrest Industrial Way or Coffey Road and no streets shall be connected to any existing street or future street which runs, or is to run, through any adjacent residentially zoned property. This paragraph does not apply to Coffey Road.

7. A 75-foot vegetated landscape strip shall be placed on the North and West property lines as generally depicted on the site plan, dated February 28, 2022.



PLANNING COMMISSION

The applicant is seeking the following Parking requests:

	1,007,900	
BUILDING 1:	SF	
DOCK DOORS	180	
AUTO PARKING	503	
TRAILER		
PARKING	228	(FUTURE 120)
	456,840	
BUILDING 2:	SF	
DOCK DOORS	107	
AUTO PARKING	386	
TRAILER		
PARKING	120	
	467,382	
BUILDING 3:	SF	
DOCK DOORS	94	
AUTO PARKING	379	
TRAILER		
PARKING	99	
Total Auto Parking:	1268	
Total Trailer		
Parking:	447	(FUTURE 120)
Total Loading Docks:	381	

Required Parking (Warehouse)
 Min. 1 space per 2,500 sf of Floor Area
 Max. 1 space per 500 sf of Floor Area

Required Loading (Warehouse)
 3 spaces up to 99,000 sf + 1 space per
 additional 10,000 sf

	Floor Area	Min Parking Req.	Max. Parking
BUILDING 1	1,007,900	403.16	2015.8
BUILDING 2	456,840	182.74	913.68
BUILDING 3	467,382	186.95	934.76

	Floor Area	Min Loading Spaces
BUILDING 1	1,007,900	93.79
BUILDING 2	456,840	38.68
BUILDING 3	467,382	39.74

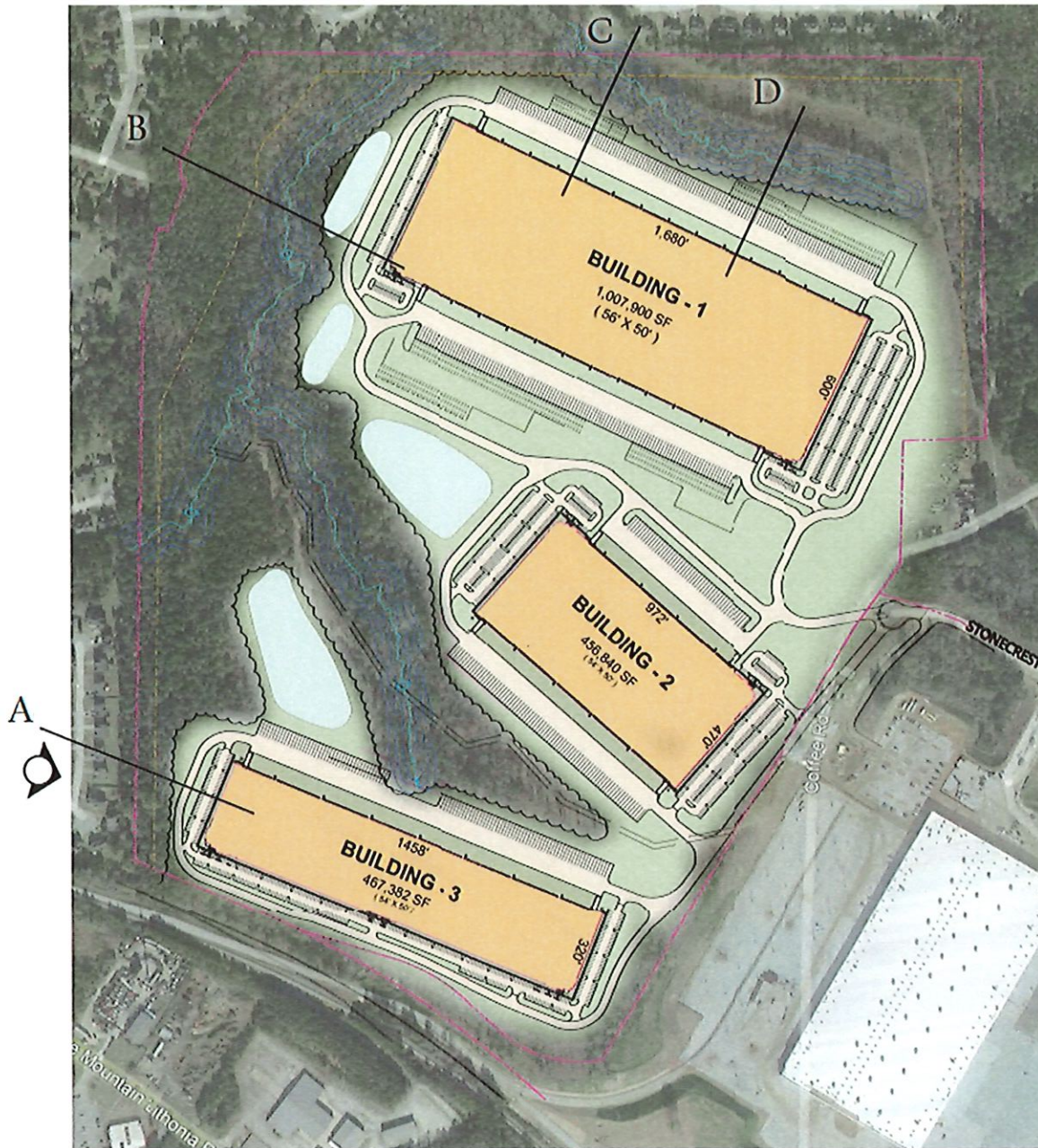


PLANNING COMMISSION

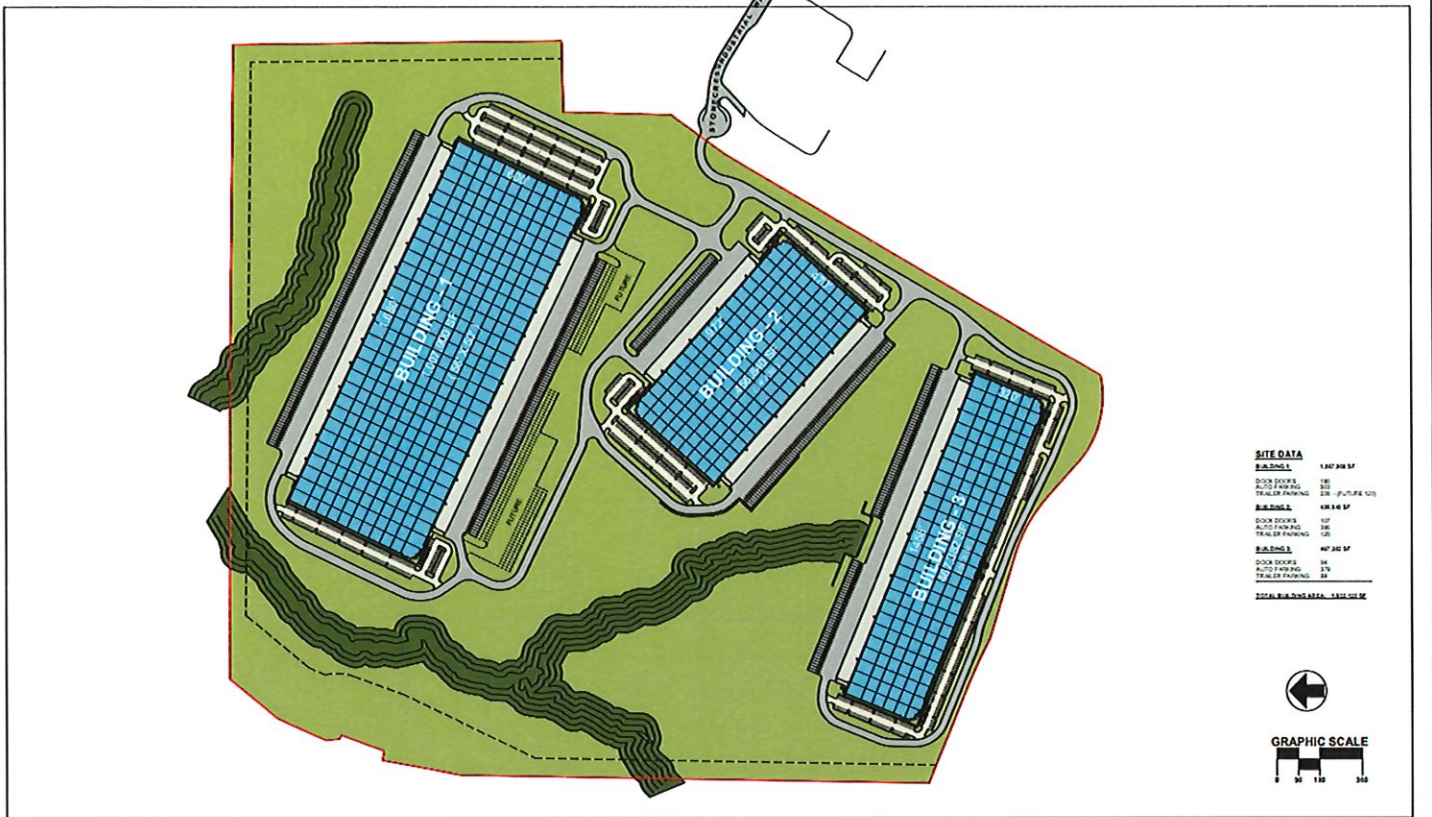
Article 6, Section 6.1.5- "One space for each 500 square feet of floor area"

Conceptual Site Plan

PLANNING COMMISSION



PLANNING COMMISSION



<p>MACGREGOR ASSOCIATES ARCHITECTS 2121 Peach Ferry Road SE Building Ten, Suite 1000 Atlanta, Georgia 30339 770-452-8430</p> <p>Atlanta Region 1127 Peachtree Street NE Building 300, Suite 800 Atlanta, GA 30301 770-868-1108</p> <p>IDI Logistics</p>	<p>PROJECT NUMBER: 3700-008 SCALE: 1" = 100'</p>	<p>STONECREST INDUSTRIAL PARK DEKALB COUNTY, GEORGIA</p>	<p>MP-6 MASTER PLAN 8/28/22</p>
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Public Participation

Community Planning Information Meeting is on May 24, 2022.



PLANNING COMMISSION

STANDARDS OF REZONING REVIEW

Section 7.3.4 of the Stonecrest Zoning Ordinance list eight factors to be considered in a technical review of a zoning case completed by the Community Development Department and Planning Commission. Each element is listed with staff analysis.

- **Whether the proposed land use change will permit uses that are suitable in consideration of the use and development of adjacent and nearby property or properties.**

As shown in the table below, the subject property is surrounded by industrial and residential development. *
Please see the map below table

ADJACENT ZONING AND LAND USE		
	Zoning	Zoning Land Use
Adjacent: North	RSM(Residential Small Lot) District	Single-family (The Villas at Rogers Crossing)
Adjacent: East	M (Light Industrial) District	Industrial (Home Depot Flatbed Distribution)
Adjacent: South	M (Light Industrial) District	Industrial (CSX Transportation)
Adjacent: West	R-100 (Med Residential) District and RSM (Residential Small Lot) District	Residential (Deshong Estates Subdivision)



PLANNING COMMISSION

Zoning Criteria, Analysis and Comments

- **Whether the proposed land use change will adversely affect the existing use or usability of adjacent or nearby property or properties.**

The existing land use is Heavy Industrial and will not adversely affect the existing use or usability of adjacent or nearby property or properties. The current zoning of the property is the recommended zoning classification for the proposed land use and would be similar to adjacent property and properties.

- **Whether the proposed land use change will result in uses which will or could cause excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.**

There is one full-access point proposed on Stonecrest Industrial Way within the cul-du-sac, which it is planned to connect to Lithonia Industrial Boulevard. Lithonia Industrial Boulevard provides connection to the regional truck route Rock Chapel Road which is a Regional Thoroughfare and Regional Truck Route. The project is expected to generate a total of 2,012 daily new car trips and 1,036 daily new truck trips. The Transportation Impact Study does not recommend any roadway improvement conditions of approval.

- **Whether the amendment is consistent with the written policies in the comprehensive plan text and any applicable small areas studies.**

The proposed use of a warehouse facility is in accordance with the written policies in the Stonecrest comprehensive plan. The land use designation for the subject properties is HIND, Heavy Industrial.

- **Whether there are potential impacts on property or properties in an adjoining governmental jurisdiction, in cases of proposed changes near county or municipal boundary lines.**

On March 17, 2022, A DRI review of a proposal to construct 1,904,300 SF of industrial space on a 138.12 site on Stonecrest Industrial Way in the City of Stonecrest in Dekalb County. Currently the entire site is forested with significant stream and wetland areas. Three one-story industrial space buildings are proposed: Building 1 with 445,500 SF; Building 2 with 456,840 SF; and Building 3 with 1,002,000 SF. A total of 1,286 car parking spaces and 780 truck/trailer spaces are included. The local DRI review trigger is an application for a land disturbance permit. There will be one phase with build-out expected in 2024.

The site is currently entirely wooded. Additional retention of existing trees on the site would be desirable and in keeping with regional goals regarding carbon sequestration and climate change/heat island effect mitigation. The project can further support The Atlanta Region's Plan in general by incorporating other aspects of regional policy, including green infrastructure and/or low-impact design, e.g., pervious pavers, rain gardens, vegetated swales, etc., in parking areas and site driveways, and as part of any improvements to site frontages. Approximately 33 acres of the site are shown as not disturbed on the site plan. This includes site boundary buffer and stream buffer



PLANNING COMMISSION

areas. There may be potential opportunities for linking these fragmented undeveloped areas with adjacent undeveloped or protected areas to ensure their maintenance and productive use.

- **Whether there are other existing or changing conditions affecting the use and development of the affected land areas which support either approval or denial of the proposed land use change.**

There are existing conditions affecting the use and development of the proposed warehouse facility as to why the applicant is seeking a rezoning to amend conditions Z-81143. The current zoning of the property (M) is a permitted zoning classification of warehouse and truck parking.

- **Whether there will be an impact on historic buildings, sites, districts or archaeological resources resulting from the proposed change.**

There are currently no historic buildings, sites, districts, or archaeological resources on the subject property, therefore there will be no impact on historic buildings.

STANDARDS OF REZONING REVIEW

Section 7.3.5 of the Stonecrest Zoning Ordinance list eight factors to be considered in a technical review of a zoning case completed by the Community Development Department and Planning Commission. Each element is listed with staff analysis.

- **Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property or properties.**

Yes. The Proposed Development will complement the existing industrial development in the area and will fully mitigate its impacts on the adjacent single family residential to the north and west. Additionally, the Applicant's request will not result in a different use than what is allowed under the current zoning, rather to seek a uniform zoning and to make technical changes to the current conditions to allow an updated design. Also, there is no proposed change in intensity beyond what is allowed under the current M-2 and M zoning districts. In addition, the Applicant is proposing enhanced buffers that are a minimum of 150 feet wide along the northern and western property lines to mitigate any impacts on the adjacent property. See attached as Exhibit 3, the concept sight-line sections illustrating the proposed buffers. As a result, the requested modification will have no bearing on the use and development of adjacent properties and will be a positive improvement in design over what the 1981 Rezoning allows.

- **Whether the zoning proposal is in conformity with the policy and intent of the comprehensive plan.**

The subject property is located within the Heavy Industrial character area of the Stonecrest Comprehensive Plan. The character area intends to lend to both industrial and single-family dwellings in unincorporated DeKalb



PLANNING COMMISSION

County. The proposed zoning change and development of residential development would be in keeping with the policy and intent of the comp plan.

- **Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned.**

The property is currently zoned M, which permits the development of a light industrial use such as warehousing. The property is also located in residential/industrial area where industrial uses are heavily present. The property does have reasonable economic use as currently zoned.

- **Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property or properties.**

The proposed zoning proposal is not anticipated to have a negative impact on the existing use or usability of adjacent or nearby properties. Staff believes the applicant has shown good faith by reaching out to staff several months in advance to discuss the proposed project and has conducted independent meetings with the surrounding community.

- **Whether there are other existing or changing conditions affecting the use and development of the property, which gives supporting grounds for either approval or disapproval of the zoning proposal.**

There are existing conditions affecting the use and development of the property, which give supporting grounds for either approval or disapproval of the zoning proposal. The current zoning is the same proposed zoning classification.

- **Whether the zoning proposal will adversely affect historic buildings, sites, districts, or archaeological resources.**

There are currently no historic buildings, sites, districts, or archaeological resources on the subject property.

- **Whether the zoning proposal will result in a use that will or could cause excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.**

The zoning proposed would not cause excessive burdensome; however limited existing infrastructure in these areas will constrain the amount of additional growth that is possible. Transportation improvements are needed within these Developing Suburbs, but care should be taken not to spur unwanted growth. No EV charging stations are proposed; inclusion of some EV charging stations would be supportive of regional EV infrastructure development plans.

- **Whether the zoning proposal adversely impacts the environment or surrounding natural resources.**

The zoning proposal will not adversely impact the environment or surrounding natural resources.



PLANNING COMMISSION

STAFF RECOMMENDATION

Staff recommends **APPROVAL/CONDITIONS** of RZ-22-002. The conditions are the following:

1. The applicant shall provide a minimum of 250 feet buffer of natural vegetation between the adjacent residential dwellings along the western and northern property line. Said buffer shall be undisturbed
2. The applicant shall dedicate the conservation areas to the City of Stonecrest
3. The applicant shall supply at least 4 EV parking spaces
4. A 50 foot undisturbed, buffer shall be provided along the Western property line South of Lot 31 Block D of Deshong Estates to the Railroad Right-of-way, as shown on said site plan.
5. The applicant shall provide a landscape plan for the entrance at Stonecrest Industrial Way.
6. Any and all roadways, proposed streets, or industrial boulevards found within the site shall be grassed to the edge of the right-of-way, said right-of-way to be not less than 60 feet.
7. All surface water retention facilities shall be designed to 10% above requirements as set forth in the DeKalb County Code.
8. The height of any building shall not exceed 50 feet in height.
9. Rear yard loading and unloading shall be prohibited on all buildings constructed on property which is adjacent to Deshong Estates.
10. No building located on property adjacent to Deshong Estates shall have exposed concrete block.
11. All lighting on buildings located on property adjacent to any existing R-100 zoned property shall be focused and directed toward the building and away from said existing R-100 property.
12. Internal lit signs are prohibited on the property
13. No lights shall be located above the roofline of any building
14. All lights shall be of concealed source type so that the illumination therefrom shall be controlled in a particular direction away from Deshong Estates and Rogers Lake Crossing
15. Signs above the roofline are prohibited
16. Access to the site shall be limited to the Stonecrest Industrial Way and no streets shall be connected to any existing street or future street which runs, or is to run, through any adjacent residentially zoned property.
17. There shall be no discharge of any sewage or wastewater into Swift Creek.
18. There shall be a cyclone fence of not less than 6 feet in height shall be placed on the North and West property lines of said property in addition to the 75 foot vegetation buffer.
19. All truck access shall be through Stonecrest Industrial Way and not through Coffee Road or Rogers Lake Road.
20. All Truck traffic shall be limited to Lithonia Industrial Blvd, through Stonecrest Industrial Way.
21. A plat showing the connection of Stonecrest Industrial Way rights-of-way to the property line for the proposed road shall be provided.
22. Complete any missing sidewalks on Stonecrest Industrial Way to provide pedestrian access to sidewalk on Lithonia Industrial Blvd.



PLANNING & ZONING STAFF REPORT

MEETING DATE: June 7, 2022

GENERAL INFORMATION

- Petition Number:** TMOD 22-001
- Applicant:** Stonecrest Planning and Zoning Department
- Project Location:** City-Wide
- Proposed amendment:** Amendment to Stonecrest Zoning Ordinance, Chapter 27, standardizing land use definitions and terms and to clarify and update the uses allowed in each zoning district.

Facts and Issues:

- So many amendments have been made to the Zoning Ordinance since its original adoption in 2017, that questions often arise as to how the ordinance actually reads, let alone how to interpret it. Even Municode, a service that the city uses to codify the code is not up to date as of the writing of this report. Twelve text amendments alone were adopted in 2021 and none are included on the codified version of the Zoning Ordinance found online.
- To address this problem, staff has prepared two versions of the code in Adobe PDF digital format: (1) A version that includes all known adopted text amendments as of January 24, 2022, and (2) a February 17, 2022 draft version of the Zoning Ordinance that includes this text amendment TMOD-22-001 with all changes denoted by strikethrough and underline.
- For the sake of brevity only the February 17, 2022 version the code is included in the Planning Commission packet. The January 24, 2022 version can be found online on the city website.
- Throughout the adopted zoning ordinance numerous terms are used to describe the same land use, this text modification is an attempt to standardize those terms for the sake of consistency and readability.
- Many terms used in the current Zoning Ordinance are not defined, so additional definitions were added to help with document clarity.



PLANNING & ZONING STAFF REPORT

- In preparing any updated version of the ordinance, several inconsistency and Scribner's errors were discovered which are corrected in this draft text. In short, this text amendment is primarily a much needed housekeeping exercise that should help citizens, developers and city officials all gain a better understanding of what is included in the City's adopted Zoning Ordinance.

Proposal:

- Staff is recommending that TMOD-22-001 be APPROVED as presented in the track changes version of the entire Zoning Ordinance dated February 27, 2022, and as summarized in Attachment 1, TMOD-22-001 Summary of Changes Table
- All of the proposed changes included in TMOD-22-001 are summarized in a 16-page table included in your packet, Attachment 1.
- Note that the table of contents included in PDF of the zoning ordinance is hyperlinked for ease of navigation.

Staff Recommendation: Approval of TMOD-22-001

Planning Commission Recommendation: Planning Commission heard the case on February 1, 2022, and recommends to City Council **a full cycle Deferral** back to the Planning Commission to allow more time to review the proposal.

ATTACHMENTS:

1. TMOD-22-001 Summary of Changes
2. February 27, 2022 Draft Zoning Ordinance – with TMOD-22-001 changes shown in strikethrough and underline.

Track Changes Summary of Proposed Amendments to the Zoning Ordinance related to TMOD-21-017 - Standardization of Definitions

Article	Section	Change
2	2.3.2- RE District	Inserted lists of permitted and special uses
2	2.4.2 – RLG District	Inserted lists of permitted and special uses
2	2.5.2 – R-100 District	Inserted lists of permitted and special uses
2	2.6.2 – R-85 District	Inserted lists of permitted and special uses
2	2.7.2 – R-75 District	Inserted lists of permitted and special uses
2	2.8.2 – R-60 District	Inserted lists of permitted and special uses
2	2.9.2 – MHP District	Inserted lists of permitted and special uses
2	2.10.2 – RNC District	Inserted lists of permitted and special uses
2	2.10.7 – RNC Minimum lot width; minimum lot size; building setback; street width; and private drive width requirements	Removed redundancy between subsections – deleted subsections C and D.
2	2.10.11 RND Off Street Parking Requirements	Updated land use terms for Child care institution, group
2	2.12.2 – RSM District	Inserted lists of permitted and special uses
2	2.12.5 – RSM, density bonus example	Deleted outdated graphic of density bonus example
2	2.13.2 – MR-1 District	Inserted lists of permitted and special uses
2	2.14.2 – MR-2 District	Inserted lists of permitted and special uses
2	2.15.2 – HR-1 District	Inserted lists of permitted and special uses
2	2.16.2 – HR-2 District	Inserted lists of permitted and special uses
2	2.17.2 – HR-3 District	Inserted lists of permitted and special uses
2	2.19.3 – MU-1 District	Inserted lists of permitted and special uses
2	2.19.6 – MU-1, density bonus example	Deleted outdated graphic of density bonus example
2	2.20.2 – MU-2 District	Inserted new section that lists permitted and special uses
2	2.21.2 – MU-3 District	Inserted new section that lists permitted and special uses

Article	Section	Change
2	2.22.2 – MU-4 District	Inserted lists of permitted and special uses
2	2.23.2 – MU-5 District	Inserted lists of permitted and special uses
2	2.25.3 – NS District	Inserted lists of permitted and special uses
2	2.26.2 – C-1 District	Inserted lists of permitted and special uses
2	2.27.2 – C-2 District	Inserted lists of permitted and special uses
2	2.28.2 – OD District	Inserted lists of permitted and special uses
2	2.29.2 – OI District	Inserted lists of permitted and special uses
2	2.30.2 – OIT District	Inserted lists of permitted and special uses
2	2.31.2 – M District	Inserted lists of permitted and special uses
2	2.32.2 – M-2 District	Inserted lists of permitted and special uses
2	2.32.5 – M-2 Solid waste facility/landfill provisions	Deleted outdated section. Landfills are a prohibited use, per TMOD-21-010.
3	3.1.6 – Overlay Use Table	Updated table with new land use terms
3	3.33.5 – Principal uses and structures	Removed Utility structure necessary for the transmission or distribution of services. This was replaced Telecommunications text amendment in 2019, TMOD-19-004.
3	3.4.5 – Arabia Mtn Conservation Overlay	Updated land use terms in the list of prohibited uses, and added clarification of the term net lot area and lot coverage (Sections 3.4.7, 3.4.8, and 3.4.9).
3	3.5.15.2 Stonecrest Area Overlay	Updated land use terms.
3	3.33.5 and 3.33.6 - I-20 Overlay	Updated land use terms.
4	4.1.3.D. Prohibited Uses	Clarified language regarding the disposal or storage of hazardous/toxic solid waste approved as part of TMOD-21-010.
Agricultural		
Agriculture and Forestry		
4	Table 4.1 Use Table	Change “Agricultural” to “Agricultural activities”.
4	Table 4.1 Use Table	Remove “Commercial greenhouse or plant nursery” as it is identified in the Commercial Use list.

Article	Section	Change
4	Table 4.1 Use Table	Change "Temporary or Portable Sawmill" to "Sawmill, Temporary or Portable".
Residential		
Dwellings		
4	Table 4.1 Use Table	Change "Dwelling, multi-family" to "Dwelling, multifamily".
4	Table 4.1 Use Table	Change "High Rise Apartment" to "Dwelling, Apartment".
4	Table 4.1 Use Table	Remove "live/work unit" from light industrial and heavy industrial
Housing and Lodging		
4	Table 4.1 Use Table	Change "Bed and Breakfast, home stay" to "Bed and Breakfast Establishment".
4	Table 4.1 Use Table	Change "Child caring home" to "Child care home".
4	Table 4.1 Use Table	Change "Child caring facility" to "Child care facility".
4	Table 4.1 Use Table	Change "Extended stay hotel/motel" to "Hotel/motel, extended stay".
4	Table 4.1 Use Table	Change "Short term vacation rental" to "Short-term vacation rental".
Institutional/Public		
Education		
4	Table 4.1 Use Table	Remove "club, order or lodge, fraternal, non-commercial" from light industrial
4	Table 4.1 Use Table	Remove "colleges, universities, research and training facilities" from light industrial
4	Table 4.1 Use Table	Remove "places of worship" from light industrial and heavy industrial
4	Table 4.1 Use Table	Change "Private educational services, home occupation" to "Educational use, private"
4	Table 4.1 Use Table	Add "School, public kindergarten, elementary, middle or high schools" under Office Institutional and OIT

Article	Section	Change
4	Table 4.1 Use Table	Change "Specialized School" to "School, Specialty" to match the definition.
4	Table 4.1 Use Table	Change "Vocational School" to "School, Vocational".
Commercial		
Automobile, boat and trailer sales and service		
4	Table 4.1 Use Table	Remove "automobile brokerage" from light industrial
4	Table 4.1 Use Table	Change "Auto recovery, storage" to "Automobile recovery and storage".
4	Table 4.1 Use Table	Remove "Automobile recovery and storage" from heavy industrial
4	Table 4.1 Use Table	Change "Boat sales" to "Recreational vehicle, boat and trailer sales and service".
4	Table 4.1 Use Table	Change "Automobile repair or maintenance, minor" to "Automobile repair, minor"
4	Table 4.1 Use Table	Remove "Automobile repair, minor" from heavy industrial
4	Table 4.1 Use Table	Remove "Automobile sales or trucks sales" from heavy industrial
4	Table 4.1 Use Table	Remove "Automobile service stations" from heavy industrial
4	Table 4.1 Use Table	Remove "Retail automobile parts or tire store" as it will be included under "Retail, 5,000 sf or less" or "Retail, over 5,000 sf."
4	Table 4.1 Use Table	Remove "Trailer or RV salesroom and lots".
Office		
4	Table 4.1 Use Table	Remove "Accounting office" from list as it will be included under "Office, professional"
4	Table 4.1 Use Table	Separate "Building, landscape, heavy construction contractor office" into "Contractor, Landscape business" and "Contractor office, heavy construction".
4	Table 4.1 Use Table	Remove "Engineering or architecture office" as

Article	Section	Change
		it will be included under "Office, professional".
4	Table 4.1 Use Table	Remove "Finance office or banking" as it will be included under "Office, professional".
4	Table 4.1 Use Table	Change "General business office" to "Office, professional".
4	Table 4.1 Use Table	Remove "Insurance office" as it will be included under "Office, professional".
4	Table 4.1 Use Table	Remove "Legal office" as it will be included under "Office, professional".
4	Table 4.1 Use Table	Change "Medical office" to "Office, medical".
4	Table 4.1 Use Table	Remove "Real estate office" as it will be included under "Office, professional".
Recreation and Entertainment		
4	Table 4.1 Use Table	Change "Indoor recreation" to "Recreation, indoor".
4	Table 4.1 Use Table	Change "Outdoor recreation" to "Recreation, outdoor".
Retail		
4	Table 4.1 Use Table	Remove "Apparel or accessories store" as it will be included under "Retail, 5,000 sf or less" or "Retail, over 5,000 sf."
4	Table 4.1 Use Table	Remove "Book, greeting card or stationary store" as it will be included under "Retail, 5,000 sf or less" or "Retail, over 5,000 sf."
4	Table 4.1 Use Table	Remove "Camera or photography" as it will be included under "Retail, 5,000 sf or less" or "Retail, over 5,000 sf."
4	Table 4.1 Use Table	Remove "Computer or computer software store" as it will be included under "Retail, 5,000 sf or less" or "Retail, over 5,000 sf."
4	Table 4.1 Use Table	Remove "Convenience store (see alcohol outlet or fuel pumps accessory) as it will be included under "Retail, 5,000 sf or less".
4	Table 4.1 Use Table	Remove "Farm or garden supply store" as it will be included under "Retail, 5,000 sf or less" or

Article	Section	Change
		"Retail, over 5,000 sf."
4	Table 4.1 Use Table	Remove "Florist" as it will be included under "Retail, 5,000 sf or less" or "Retail, over 5,000 sf."
4	Table 4.1 Use Table	Remove "Specialty food stores" as it will be included under "Retail, 5,000 sf or less" or "Retail, over 5,000 sf."
4	Table 4.1 Use Table	Remove "Gift, novelty or souvenir store" as it will be included under "Retail, 5,000 sf or less" or "Retail, over 5,000 sf."
4	Table 4.1 Use Table	Remove "Gold buying" as it will be included under "Retail, 5,000 sf or less" or "Retail, over 5,000 sf."
4	Table 4.1 Use Table	Remove "Grocery store" as it will be included under "Retail, 5,000 sf or less" or "Retail, over 5,000 sf."
4	Table 4.1 Use Table	Remove "Hardware store or other building materials store" as it will be included under "Retail, 5,000 sf or less" or "Retail, over 5,000 sf."
4	Table 4.1 Use Table	Remove "Hobby, toy or game store" as it will be included under "Retail, 5,000 sf or less" or "Retail, over 5,000 sf."
4	Table 4.1 Use Table	Remove "Jewelry store" as it will be included under "Retail, 5,000 sf or less" or "Retail, over 5,000 sf."
4	Table 4.1 Use Table	Remove "Music or music equipment store" as it will be included under "Retail, 5,000 sf or less" or "Retail, over 5,000 sf."
4	Table 4.1 Use Table	Remove "News dealer or news store" as it will be included under "Retail, 5,000 sf or less" or "Retail, over 5,000 sf."
4	Table 4.1 Use Table	Remove "Office supplies and equipment store" as it will be included under "Retail, 5,000 sf or less" or "Retail, over 5,000 sf."
4	Table 4.1 Use Table	Remove "Pet supply store" as it will be included under "Retail, 5,000 sf or less" or "Retail, over

Article	Section	Change
		5,000 sf.”
4	Table 4.1 Use Table	Remove “Pharmacy or drug store (see alcohol outlet)” as it will be included under “Retail, 5,000 sf or less” or “Retail, over 5,000 sf.”
4	Table 4.1 Use Table	Remove “Radio, television or computer electronics store” as it will be included under “Retail, 5,000 sf or less” or “Retail, over 5,000 sf.”
4	Table 4.1 Use Table	Remove “Specialty store” as it will be included under “Retail, 5,000 sf or less” or “Retail, over 5,000 sf.”
4	Table 4.1 Use Table	Remove “Sporting goods store” as it will be included under “Retail, 5,000 sf or less” or “Retail, over 5,000 sf.”
4	Table 4.1 Use Table	Remove “Thrift, secondhand, antique store” as it will be included under “Retail, 5,000 sf or less” or “Retail, over 5,000 sf.”
4	Table 4.1 Use Table	Remove “Variety store” as it will be included under “Retail, 5,000 sf or less” or “Retail, over 5,000 sf.”
Temporary Commercial Uses		
4	Table 4.1 Use Table	Change “Temporary outdoor events” to “Temporary outdoor sales or event, seasonal”.
Services		
4	Table 4.1 Use Table	Change “Adult day care center” to “Adult Day Center”.
4	Table 4.1 Use Table	Change “Adult day care facility” to “Adult daycare facility”.
4	Table 4.1 Use Table	Change “Kennel, breeding or boarding” to “Kennel, breeding”
4	Table 4.1 Use Table	Remove “Photoengraving, typesetting and electrotyping” as it will be included under “Retail, 5,000 sf or less” or “Retail, over 5,000 sf.”
4	Table 4.1 Use Table	Remove “Photographic studios” as it will be included under “Retail, 5,000 sf or less” or

Article	Section	Change
		"Retail, over 5,000 sf."
4	Table 4.1 Use Table	Remove "Plumbing, HV/AC equipment establishments with no outdoor storage" as it will be included under a new use and definition of "Trade shops".
4	Table 4.1 Use Table	Change "Publishing or printing establishments" to "Printing or publishing establishments".
4	Table 4.1 Use Table	Remove "Quick copy printing store" as it will be included under "Retail, 5,000 sf or less" or "Retail, over 5,000 sf."
Services, Medical and Health		
4	Table 4.1 Use Table	Change "Health services clinic" to "Clinic, health services".
4	Table 4.1 Use Table	Remove "Home healthcare service" as it will be included under a new use and definition of "Personal services establishment".
4	Table 4.1 Use Table	Change "Medical or dental laboratory" to "Laboratory, medical or dental".
Services, Repair		
4	Table 4.1 Use Table	Remove "Furniture upholstery or repair, home appliance repair or service" as it will be included under a new use and definition of "Personal services establishment".
4	Table 4.1 Use Table	Remove "Personal service, repair" as it will be included under "Personal services establishment".
Industrial		
4	Table 4.1 Use Table	Remove "Alcohol or alcoholic beverage manufacturing" as it will be included under "Industrial, light".
4	Table 4.1 Use Table	Remove "Automobile/truck manufacturing" as it will be included under "Industrial, heavy".
4	Table 4.1 Use Table	Add "Brewpub/Beer Growler, Accessory" as it will be included under "Industrial, light".

Article	Section	Change
4	Table 4.1 Use Table	Add "Brewery Craft" as it will be included under "Industrial, light".
4	Table 4.1 Use Table	Add "Brewery Large Scale" as it will be included under "Industrial, heavy".
4	Table 4.1 Use Table	Remove "Brick, clay, tile or concrete products terracotta manufacturing" as it will be included under "Industrial, heavy".
4	Table 4.1 Use Table	Remove "Cement, lime, gypsum, or plaster of Paris manufacturing" as it will be included under "Industrial, heavy".
4	Table 4.1 Use Table	Remove "Compressed gas fuel station" as it will be included under "Industrial, heavy" or "Industrial, light".
4	Table 4.1 Use Table	Remove "Chemical manufacture, organic or inorganic" as it will be included under "Industrial, heavy".
4	Table 4.1 Use Table	Add "Distillery Craft" as it will be included under "Industrial, light".
4	Table 4.1 Use Table	Add "Distillery Large Scale" as it will be included under "Industrial, heavy"
4	Table 4.1 Use Table	Remove "Distillation of bones or glue manufacture" as this use is prohibited.
4	Table 4.1 Use Table	Remove "Dye works" as this use is prohibited.
4	Table 4.1 Use Table	Remove "Explosives manufacture" as this use is prohibited.
4	Table 4.1 Use Table	Remove "Fabricated metal manufacture" as it will be included under "Industrial, heavy".
4	Table 4.1 Use Table	Remove "Fuel dealers, manufactures, or wholesalers" as manufacture is prohibited. "Fuel dealers or wholesalers" will be included under "Industrial, heavy" or "Industrial, light".
4	Table 4.1 Use Table	Remove "Ice manufacturing plant" as it will be included under "Industrial, heavy".
4	Table 4.1 Use Table	Remove "Incineration of garbage or refuse when conducted within an enclosed plant" as

Article	Section	Change
		this use is prohibited.
4	Table 4.1 Use Table	Remove "Leather manufacturing or processing" as it will be included under "Industrial, heavy".
4	Table 4.1 Use Table	Remove "Light malt beverage manufacturer" as it will be included under "Industrial, heavy" or "Industrial, light".
4	Table 4.1 Use Table	Change "Light manufacturing" to "Manufacturing, light".
4	Table 4.1 Use Table	Remove "Paper or pulp manufacture" as this use is prohibited.
4	Table 4.1 Use Table	Remove "Petroleum or inflammable liquids production, refining" as this use is prohibited.
4	Table 4.1 Use Table	Remove "Radioactive materials, utilization, manufacture, processing or emission" as this use is prohibited.
4	Table 4.1 Use Table	Remove "Repair/manufacture of clocks, watches, toys, electrical appliances, electronics" as it will be included under "Industrial, light".
4	Table 4.1 Use Table	Change "Research, experimental or testing laboratories" to "Research and training facilities"
4	Table 4.1 Use Table	Remove "Rubber or plastics manufacture" as this use is prohibited.
4	Table 4.1 Use Table	Remove "Smelting: copper, iron, zing or ore" as this use is prohibited.
4	Table 4.1 Use Table	Change "Storage yard for damaged or confiscated vehicles" to "Storage yard for vehicles".
4	Table 4.1 Use Table	Remove "Sugar refineries" as this use is prohibited.

4	Table 4.1 Use Table	Remove "Tire retreading and recapping" as this use is prohibited.
4	Table 4.1 Use Table	Remove "Transportation equipment manufacture" as it will be included under "Industrial, heavy".

4	Table 4.1 Use Table	Change “Truck stop or terminal” to two uses “Truck stop” and “Truck terminal” as they mean different things.
Communication - Utility		
4	Table 4.1 Use Table	Change “Electric transformer station, gas regulator station or telephone exchange” to “Essential services”.
Article	Section	Change
4	4.2.29 Heavy Industrial Uses	Remove outdated reference to landfills.
4	4.2.49 Solid waste facility regulations	Deleted section, which included outdated reference to landfills which are now prohibited.
4	4.3.5 Temporary outdoor sales or events	Updated terms
6	Table 6.2 Off-street Parking Ratios	Updated terms
7	7.4.7.D. Biomedical waste facility	Removed outdated subsection dealing with prohibited use.
Agricultural		
Animal Oriented Agriculture		
9	9.1.3 Defined Terms	Add the following definition: “Livestock sales pavilion - any place or establishment conducted or operated for compensation or profit consisting of pens, or other enclosures, in which house horses, cattle, mules, burros, swine, sheep, goats and poultry are temporarily received, held, assembled and/or slaughtered for either public or private sale.”
9	9.1.3 Defined Terms	Rename “Riding Stable” to “Riding academies or stables” and change existing definition to “Riding Academies or Stables - a building where horses and ponies are sheltered, fed, or kept and where riding lessons may be provided.”
Residential		
Dwellings		

9	9.1.3 Defined Terms	Rename “Cottage Homes” to “Dwelling, cottage home”.
9	9.1.3 Defined Terms	Rename “Live-work unit” to “Live/work unit”.
Housing and Lodging		
9	9.1.3 Defined Terms	Delete “Home stay bed and breakfast” as it will be considered “Bed and Breakfast Establishment”.
Institutional/Public		
Community Facilities		
9	9.1.3 Defined Terms	Add the following definition: “Government facilities - Buildings or office space utilized for the provision of services by the City of Stonecrest, DeKalb County, the State of Georgia, or the Federal Government including outdoor activities and parking. Such uses include, but are not limited to, the municipal building, fire stations, police stations, government offices, public parks and recreation related facilities and other similar uses.”
9	9.1.3 Defined Terms	Add the following definition: “Swimming pools, commercial – any indoor or outdoor structure, chamber, or tank containing a body of water for swimming, diving, or bathing that is intended to be used for such purposes and is operated for profit through a membership or daily fee.”
Commercial		
Automobile, boat and trailer sales and service		
9	9.1.3 Defined Terms	Change “Automobile repair and maintenance, major” to “Automobile repair, major”.
9	9.1.3 Defined Terms	Change “Automobile repair and maintenance, minor” to “Automobile repair, minor”.
Recreation and entertainment		
9	9.1.3 Defined Terms	Add the following definition: “Commercial entertainment means places of amusement or assembly including but not limited to motion picture theaters or cinemas, live theater, comedy clubs, bowling alleys, dance halls,

		skating rinks, etc. This definition does not include night clubs, party houses or brewpubs.”
Office		
9	9.1.3 Defined Terms	Add the following definition: “Office, building or construction – a temporary structure used as an office or storage for construction operations and is located at the construction site.”
9	9.1.3 Defined Terms	Change the definition of “General business See Office, professional.”
Retail		
9	9.1.3 Defined Terms	Add the following definition: “Trade shops - a building designed and equipped for carrying on the trades of metal working, woodworking, welding, plumbing, HVAC, machine work, electrical work, roofing or siding and glasswork and includes contracting in these trades.”
Temporary Commercial Uses		
9	9.1.3 Defined Terms	Add the following definition “Temporary trailer – a enclosed or unenclosed structure, on wheels, that is used for temporary storage purposes.”
Transportation and Storage		
9	9.1.3 Defined Terms	Add the following definition: “Bus or rail station or terminal – a designated place where a bus or train temporarily stops to embark or disembark passengers. A terminal is the location where the bus or train starts or ends its scheduled route.”
9	9.1.3 Defined Terms	Change “Commercial Parking Lot” to “Parking lot, commercial” and add the following definition: “Parking lot, commercial - means any area designed for temporary storage of motor vehicles by the motoring public in normal operating condition, for profit.
9	9.1.3 Defined Terms	Change “Commercial parking garage” to “Parking garage, commercial”.
Services		
9	9.1.3 Defined Terms	Add the following definition: “Bank, credit unions or other similar financial institutions –

		any building, property or activity of which the principal use or purpose is for federally insured depository purposes and including the provision of financial services such as loans and automated teller machines, but does not include cash advance, check cashing establishments, short-term loan, and pay day lending.”
9	9.1.3 Defined Terms	Change “Check cashing facility to “Check cashing establishment’.
9	9.1.3 Defined Terms	Add the following definition: “Coin Laundry - an establishment with coin-operated clothing washing machines and dryers for public use.”
9	9.1.3 Defined Terms	Add the following definition: “Outdoor storage, commercial - the keeping, in an unenclosed area, of any goods, materials, or merchandise associated for a daily, monthly or annual fee. This term does not include the parking of any vehicles or outdoor display of merchandise.”
Industrial		
9	9.1.3 Defined Terms	Add the following definition: “Heavy equipment repair, service or trade – a building or lot used for the repair, servicing, lease or sale of heavy equipment.”
9	9.1.3 Defined Terms	Add the following definition: “Railroad car classification yard or team truck yard – An area used to separate rail cars onto one of several tracks or reconfigure team trucks into different configurations.”
9	9.1.3 Defined Terms	Modify the definition of “Tow service” to “Towing or wreckage service – a business engaged in the transport or conveyance of vehicles from one point to another, for a fee, by use of a flatbed truck, tow truck or wrecker truck but does not include disposal, permanent disassembly, salvage, or accessory storage of inoperable vehicles.”
9	9.1.3 Defined Terms	Revise the definition of Truck Terminal – “Truck terminal means a building, structure or place at an industrial facility where trucks load and

		unload cargo and freight and where the cargo and freight may be broken down or aggregated into smaller or larger loads for transfer to other trucks or modes of transportation. This is not intended for long term warehousing or storage of inventory or for retail sales, but to serve solely as a transfer facility. ”
9	9.1.3 Defined Terms	Add the following definition: “Warehousing or storage means a business establishment primarily engaged in the indoor or enclosed storage of merchandise, goods, and materials, not including “mini-warehouses”, “self-storage facilities,” or “truck terminals.”
Communication - Utility		
9	9.1.3 Defined Terms	Add the following definition: “Essential services - the erection, construction, alteration, or maintenance by public utilities or City departments of overhead, surface or underground gas, electrical steam, or water, distribution or transmission systems, collection, communication, supply or disposal systems, including mains, drains, sewers, pipes, conduits, tunnels, wires, cables, fire alarm boxes, police call boxes, traffic signals, hydrants, poles, electrical substation, gas regulator stations and other similar equipment and accessories in connection therewith, reasonably necessary for the furnishing of adequate service by such utility or City department or for the public health, safety, or general welfare, shall be exempt from the regulations of this code. The installation shall conform to Federal Communications Commission and Federal Aviation Agency rules and regulations, and those of other authorities having jurisdiction.”
9	9.1.3 Defined Terms	Add the following definition: “Radio or television broadcasting studio - An establishment primarily engaged in the provision of broadcasting and other information relay services accomplished through the use of electronic, fiber optic, satellite, and telephonic mechanisms, including film and sound

		recording, a radio station, television studio or a telegraphic service office.”
9	9.1.3 Defined Terms	Add the following definition: “Radio or television broadcasting transmission facility - is an installation or facility used for transmitting terrestrial radio frequency and video signals for radio, television, wireless communication, broadcasting, microwave link, mobile telephone or other similar purposes.”
Wireless Telecommunication		
9	9.1.3 Defined Terms	<p>Add the following definition: “Wireless Telecommunication Facilities – See Sub-section 4.2.57.B. – Supplemental Uses, Wireless telecommunications for the meaning of terms used in that section, including the following:</p> <ol style="list-style-type: none"> 1. Accessory-equipment (or Equipment) 2. Administrative approval 3. Administrative review 4. Alternative Telecommunication Support Structure 5. Antenna 6. Applicant 7. Application 8. Attached wireless telecommunications facility 9. Carrier on wheels or cell on wheels (COW) 10. Collocate or collocation 11. Commission 12. Distributed antenna systems (DAS) 13. Equipment compound 14. FAA 15. FCC 16. Geographic search area (GSA) 17. Grantee 18. Guyed Structure 19. Height 20. Modification 21. Ordinary maintenance 22. Provider 23. Public Right(s)-of-Way

		<ul style="list-style-type: none">24. Public Street25. Small Cell or Small-Cell Installation26. Substantial increase in size27. Telecommunications Facility28. Telecommunications Service(s)29. Telecommunications Support Structure30. Utility31. Visual Quality
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PLANNING & ZONING STAFF REPORT

MEETING DATE: March 1, 2022

GENERAL INFORMATION

Petition Number: TMOD-22-006

Applicant: Stonecrest Planning and Zoning Department

Project Location: City-Wide

Proposed amendment: Amendment to Stonecrest Zoning Ordinance, Chapter 27, Article 4, revising the supplemental use provisions, regarding Micro-Distilleries, Craft Distilleries, Craft Breweries, Brew Pubs, and Beer Growlers.

Facts and Issues:

- The Zoning Ordinance permits several uses that need further definition and supplemental use criteria for proper administration.
- Distillery and brewery related uses should be defined by scale of operation and type of customer interaction, making distinction between commercial use and industrial use.

Staff Recommendation: Approval of TMOD-22-006

Previous Actions:

- (1) The Planning Commission heard this item previously on December 7, 2021, as part of TMOD-21-016, and the Planning Commission recommended **Deferral**
- (2) The City Council heard this item, again as part of TMOD-21-016, on January 24, 2022, and took action to **Defer the item back to the Planning Commission.**
- (3) The Planning Commission heard this item as TMOD-22-006 on March 1, 2022. The Planning Commission recommended **Approval.**



TMOD-22-006

PLANNING & ZONING STAFF REPORT

Attachment:

1. Revisions to the zoning Ordinance related to Distillery and Brewery related uses

TMOD-22-006

STONECREST ZONING ORDINANCE UPDATE

Revisions to the Zoning Ordinance related to Distillery and Brewery related uses

A. Add definitions of brewery and distillery related uses

Proposal: To clarify the terms and definitions used to describe land uses associated with breweries and distilleries found in Article 9, Definitions, Sec 9.1.3 Defined terms.

Brewpub means any eating establishment which derives at least 50 percent of its total annual gross food and beverage revenue from the sale of prepared meals and food and in which beer or malt beverages are manufactured or brewed subject to the barrel production limits and regulations under state law.

Brewery, Craft (also known as micro-brewery) means a building or group of buildings where beer is brewed, bottled, packaged, and distributed for wholesale and/or retail distribution, and that produces small amounts of beer or malt beverage, less than 12,000 barrels in a calendar year. Much smaller than large-scale corporate breweries, these businesses are typically independently owned. Such breweries are generally characterized by their emphasis on quality, flavor and brewing technique.

Brewery, Large Scale means a building or group of buildings where beer is brewed, bottled, packaged, and distributed for wholesale and/or retail distribution, and that produces more than 12,000 barrels in a calendar year.

Distillery, Craft (also known as micro-distillery) means a building or group of buildings where distilled spirits are manufactured (distilled, rectified or blended), bottled, packaged, and distributed for wholesale and/or retail distribution in small quantity, less than 12,000 barrels per calendar year and in which such manufactured distilled spirits may be sold for consumption on the premises and consumption off premises, subject to the limitations prescribed in O.C.G.A. § 3-5-24.2.

Distillery, Large-scale means a building or group of buildings where distilled spirits are manufactured (distilled, rectified or blended), bottled, packaged, and distributed for wholesale and/or retail distribution in large quantity, more than 12,000 barrels per calendar year.

Growler means a professionally sanitized reusable container not exceeding 64 ounces in volume used to transport draft beer for off-premises consumption.

Growler Store means a retail store that sales growlers

Taproom means an establishment operated by a brewpub or microbrewery for the promotion of a brewpub or microbrewery's malt beverages by providing complimentary samples of malt beverages to the public and for the sale of such malt beverages. Samples of malt beverages can be given free of charge or for a fee.

Tasting room means an outlet operated by a farm winery or microdistillery for the promotion of wine or distilled spirits by providing complimentary samples of wine or distilled spirits to the public and for the sale of such wine or distilled spirits. Samples of wine or distilled spirits can be given free of charge or for a fee.

Micro brewery, see Craft brewery.

B. Revise the Permitted Use Table, Sec. 4.1.3 with regard to brewery and distillery related uses

Brewery and distillery related uses are only permitted with certain commercial, mixed-use and industrial land use categories as shown in the modified use table below. Note brewpubs/Brew Growlers are already listed in the Permitted use table

	NS	C-1	C-2	M	M-2	MU Districts	See Section 4.2
Brewpub/ Beer Growler, accessory	P	P	P	P		P	
Brewery, Craft		P	P	P		SP	✓
Distillery, Craft		P	P	P		SP	✓
Brewery, Large scale					P		
Distillery, Large scale					P		

C. Add supplemental use regulations regarding Craft Distilleries and Craft Breweries

[NEW, Section number is temporary and to be set after adoption]

Sec. 4.2.63 Craft breweries and Craft distilleries

- A. Shall be subject to all regulations of Chapter 4 of the Stonecrest Code of Ordinances concerning alcoholic beverages:
- B. In commercial and mixed-use zoning districts, such facilities shall not exceed 20,000 square feet of gross floor area
- C. No outdoor public address system shall be permitted
- D. Beer and/or wine shall not be sold for consumption on the premises except between the hours of 9:00 a.m. and 1:55 a.m. Monday through Saturday.
- E. Sale of beer, malt beverages, or distilled spirits in tap rooms or tasting rooms, or as carry-out packages, shall be limited to those produced on-site.
- F. Outdoor placement of grain silos shall be allowed, subject to the Director of Planning & Zoning review and approval of their appearance, signage, location and height.
- G. If placed outdoors, containers for spent grain shall be sealed and located in a screened service/dumpster area.
- H. The sale of beer and/or wine on the premises is permitted on Sundays from 11:00 a.m. until 12:00 midnight in: (1) Any licensed establishment which derives at least 50 percent of its total annual gross sales from the sale of prepared meals or food in all of the combined retail outlets of the individual establishment where food is served;(2) Any licensed establishment which derives at least 50 percent of

its total annual gross income from the rental of rooms for overnight lodging;(3) Any publicly owned civic and cultural center capable of serving prepared food with a full service kitchen (a full service kitchen shall consist of a three-compartment pot sink, a stove or grill permanently installed, and a refrigerator, all of which must be approved by the planning and development, health and fire departments), prepared to serve food every hour it is open and deriving at least 70 percent of its total annual gross sales from the sale of prepared meals or foods and recreational, promotional or entertainment or operational activities; or(4)A public stadium, coliseum or auditorium.

- I. Beer and/or wine may be sold for consumption on the premises from 12:00 midnight to 1:55 a.m. on any Monday which is New Year's Day, January 1, of any year.
- J. It shall be unlawful for a business holding a beer and/or wine consumption on the premises license to fail to remove from its retail service area any and all cans, bottles, glasses, mugs, pitchers, cups, or any other container used in the consumption of alcoholic beverages or to otherwise allow the consumption of alcoholic beverages on its premises one hour or more after the business is prohibited from selling, dispensing, or delivering alcoholic beverages to any customer, patron or guest of the business.
- K. A violation of subsection (a), (b) or (e) of this section by a licensee, majority stockholder, general manager or managing partner of the licensee or licensed establishment shall result in license suspension for a period of two days, which shall be scheduled to include a Friday and Saturday in succession.
- L. Any holder of a license for a micro distillery issued pursuant to this chapter is required to apply for and obtain a distillery license from the state before any sales commence. Additionally, county licensees are required to abide by all applicable state regulations and laws.
- M. Outdoor Storage: There shall be no outdoor storage with the exception of solid waste handling which occurs in an enclosure fully screened from adjoining streets.