

# PLANNING COMMISSION MEETING MINUTES SUMMARY

Stonecrest City Hall - 6:00 PM \*Spoke-in-Person Meeting  
October 4, 2022



*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 a request via email address [lillian.lowe@stonecrestga.gov](mailto:lillian.lowe@stonecrestga.gov) by noon the day of the hearing, June 7, 2022. The 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:** Chairman Eric Hubbard (District 3) called the Spoke-in-Person meeting to order at 6:00 PM.
- II. Roll Call:** Chairman Hubbard called the roll. Commissioners Stefanie Brown (District 1), Joyce Walker (District 2) and Lemuel Hawkins (District 5) were present. Pearl Hollis (District 4) was absent There was a quorum.  
  
Senior Planner Keedra Jackson, MPA, was present. Attorney Alicia Thompson, Fincher Denmark, LLC, virtually attended.
- III. Approval of the Agenda:** Chairman Hubbard called for a motion to **APPROVE THE AGENDA**. Commissioner Hawkins motioned to **APPROVE THE AGENDA**. Commissioner Walker seconded the motion. The motion was unanimously **APPROVED**.
- IV. Approval of Minutes:** **The Planning Commission Meeting Minutes Summary dated August 2, 2022.** Chairman Hubbard called for a motion to approve the Planning Commission Meeting Minutes Summary dated **August 2, 2022**. Ms. Walker motioned to **APPROVE**. Commissioner Lemuel Hawkins seconded the motion. The motion was unanimously **APPROVED**.
- V. Presentations: Upcoming Cases Presented by Ms. Keedra Jackson, Senior Planner**
  - **RZ-22-004** - The property is located at 7301 Stonecrest Concourse, Suite 123 for rezoning from the C-1 Stonecrest Overlay Tier 3 to the C-1, Stonecrest Coffee Road for rezoning- to allow for the construction of three-building warehouse development to include truck parking.
  - **RZ-22-005** - The property is located at 3266 Hayden Quarry Road and 7407 Hayden Quarry Road for rezoning-to develop 55 single-family attached townhomes.
  - **RZ-22-007** – The property is located at 3310, 3320 and 3330 Turner Hill Road for rezoning from R-100 (Single-family medium lot) to C-1 (Local Commercial).
  - **SLU22-009** –The property is located at 1805 Spring Hill Cove for a special land use permit for a personal care home.

- **TMOD-22-009 Winery/Vineyard** – The property is located in the Arabia Mountain Overlay to promote business and agritourism in the city by allowing the development of wineries and associated uses, including vineyards, tasting rooms, wholesale trade and limited retail trade.
- **TMOD-22-010 Agriculture District** - The property is located in the Arabia Mountain Overlay to encourage the continued use of farmland for agricultural production in the Arabia Mountain Overlay. Intended for agricultural activity as well as single-family living in a detached house with a minimum lot size of 5 acre. Lots typically have access to and are served by a public water supply but do not necessarily have access to public sanitary sewer.
- **TMOD-22-013** – This is a City-Wide Ordinance Amending Article 2- District Regulations, Article 4- Permitted Use Table, Article 9- Definitions, and Division 1- Subdivision Ordinance to Provide Descriptions, Purpose, and Revised Standards for Fee Simple and Rental Properties, And for Other Purposes.

**VI. Old Business:**

**Public Hearing(s):**

**LAND USE PETITION:** RZ-22-004

**PETITIONER:** 592 Lounge, LLC – Calvin Chan

**LOCATION:** 7301 Stonecrest Concourse, Suite 123

**PROPOSED AMENDMENT:** To seek a rezoning from the C-1 (Local Commercial Business) Stonecrest Overlay Tier 3 to the C-1, Stonecrest Overlay Tier 1 to allow for a late-night establishment.

Ms. Jackson presented RZ-22-004. “The petitioner is Calvin Chan. The property is located at 7301 Stonecrest Concourse, Suite 123 and is located in Council District 1. The owner is Stonecrest Investments, LLC. The acreage of this property is over four acres and the existing zoning is C1. Stonecrest overlay tier two the applicant is proposing to rezone to C1. The Stonecrest overlay tier one the comprehensive plan for this property is RC Regional Center the proposed development is an existing development. There are no proposed changes to this development. The applicant is simply asking to resume to a different tier to be able to operate a late-night establishment. Staff has recommended approval conditional.”

“The facts and background is that tier 2 prevents a late-night establishment. The applicant is currently doing a bar this property. He wants to be able to stay open past 12:30a.m. Tier 1 will allow him to do that without having to get a special event permit from the planning and zoning department.”

Here is a breakdown of what tier two is currently showing:

RZ-22-004	• <u>Stonecrest Overlay Tier 2 (Section 3.5.14.B - Mid-rise Mixed-Use Zone)</u>
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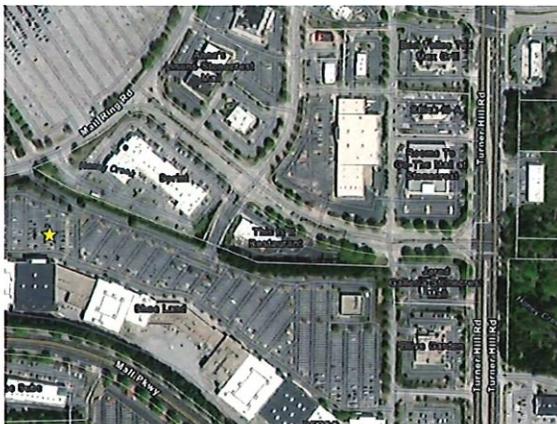
17. Commercial parking lots.
18. Automobile wash/wax service.
19. Late-night establishments.
20. Nightclubs.
21. Check cashing facility.
22. Automobile emission testing facilities.

## Stonecrest Overlay Tier 1 (Section 3.5.13.A- High-rise Mixed-Use Zone)

A. *Permitted principal uses and structures.* The principal uses of land and structures allowed in the Tier 1 High-Rise Mixed-Use Zone of the Stonecrest Area Overlay District are as provided below:

1. All uses authorized in the C-1 and C-2 (General Commercial) District, O-1 (Office Institutional) District, O-D (Office-Distribution) District, and HR-2 (High Density Residential) District except those listed in B., below.

“This is the zoning map of the subject property. It is located on Stonecrest Concourse. There is developments within this development. There is a Plato Closet I believe a nail salon and some other businesses surrounding this aerial view of the property and this is the picture or image of the lounge. So you have Plato's Closet next door and then there on the end are some other establishments on the other side.”



Staff recommends **APPROVAL/CONDITIONS** of RZ-22-004. The conditions are the following:

1. Late-night establishment shall be limited to the subject property only.
2. All lights shall be of concealed source type so that the illumination therefrom shall be controlled in a particular direction away from traffic driving south of Mall Ring Road or east-west along Stonecrest Concourse
3. Security shall be provided from sunset (midnight) to closing
4. The lighting of the parking lot shall be lit to the same standards of hotel and motels.
5. There shall be no parking along in a public right-of-way
6. There shall be no smoking-lounge or
7. Late-night establishment shall not be permitted to be used as an outdoor special event

*Chairman Hubbard* asked the Board of Commissioner did they have any questions for Ms. Jackson.

*Commissions Hawkins* asked about other similar zonings in the area with that C-1 tier 2.

*Ms. Jackson* stated the applicant is asking for Tier1 and is currently zoned Tier2. Ms. Jackson stated, "There are some across this area over here. They were able to operate as a late-night establishment because they are not located in any Tier. However, Tier limits this development as to operating as a late- night establishment. Everyone in this development will be rezoned to Tier 1. The applicant stated he mentioned this to his neighbors, the owner authorizing the rezone and they were fine with it."

*Commissions Hawkins* asked what the difference between late-night establishments and nightclubs is.

*Ms. Jackson* stated, "There is no difference. We may need to do a co-cleanup. If you were to go in the supplemental regulations, it is listed light-night establishment and nightclub so they're essentially the same."

*Commissions Hawkins* asked do the city get feedback from the local police department whenever there is new late-night establishment.

*Ms. Jackson* stated Planning Commission does not send packets to DeKalb County Police Department but that is something they can do in the future.

*Commissions Hawkins* asked has there been any negative responses from public safety agencies like Dekalb Police Department or private firms that troll the area.

*Ms. Jackson* stated there have not been any negative responses but Mr. Chan have had special events in the past. Ms. Jackson stated the police department is aware of this establishment and has visited the location a few times.

*Commissions Walker* asked about any kind of issues from the other establishments currently there.

*Ms. Jackson* stated, “Not to my knowledge. I have not received any negative or criminal type feedback. I believe what brought Mr. Chan to this point is that code enforcement has gone to the property because it was reported that he was operating after hours. That is what brought him to this point today.”

*Chairman Hubbard* asked did the Planning and Zoning Department go over the conditions with the applicant.

*Ms. Jackson* stated, “Not verbatim. After the CPIM meeting, there was some verbal exchange that we will be placing conditions on and mainly because of the comments we were getting at the CPIM meeting. *Ms. Jackson* stated if they were to have an event outdoors, they would have to go through the special event process. That's not the intent of late-night establishment to have outdoor events.”

*Chairman Hubbard* asked the applicant to come forward.

*Spoke-in-Person:* Applicant, Mr. Calvin Chan, owner of 592 Lounge located at 7301 Stonecrest Concourse, Ste, 123 stated *Ms. Jackson* went over everything and did not mind the stipulations needed to open the late-night establishment. Mr. Calvin Chan stated that he has been at the establishment almost three years and really had no type of crime there. Mr. Chan did mention he had an incident with code enforcement regarding the lounge hours of operation.

*Chairman Hubbard* asked the Commissioners did they have any questions for the applicant. There were none.

*Chairman Hubbard* asked those in **support** to speak.

Those in **support**:

*Spoke-in-Person:* Mr. Dave Marcus who resides at 6501 Rockland Road in district 5 stated we need more things to do in Stonecrest. Mr. Marcus stated that late-night establishment will give people something to do in Stonecrest and the applicant agreed to have security. Mr. Marcus stated that Mr. Chan told him he would open from sunset to close and will have hotel grade lighting in the parking lot. Mr. Marcus thought the idea was good and was in support of the late-night establishment. Mr. Marcus stated he did not realize the rezoning would apply to every operation in that block of buildings and wanted Planning Commission to approve with the condition that there can only be one late-night establishment at the address specified for the rezoning.

*Chairman Hubbard* asked those in **opposition** to speak.

Those in opposition:

*Spoke-in-Person:* Mr. Robert Taylor who resides at 3798 Shady Maple Drive, Lithonia, GA 30038 stated his concerns about the late-night establishment and other businesses when it comes to people having weapons. Mr. Taylor stated, "I do not know whether there's a possibility that it needs to be one of the requirements that no weapons of any sort are allowed in the establishment. I do not want anybody to be killed."

*Chairman Hubbard* appreciated Mr. Chan's comments. *Chairman Hubbard* stated he was not being bipartisan but wanted to mention that Governor Kemp signed into law that if you are 18 years of age or older, you can have a weapon and you don't need to have a license. *Chairman Hubbard* discussed how certain establishments will say no weapons allowed on the premise and given notice to that citizen of person. Chairman Hubbard strongly suggested that Mr. Chan get a post certified officer or use the sheriff's department. Chairman Hubbard mentioned that if someone is not a post certified officer, they cannot arrest/detain anyone.

*Spoke-in-Person:* Ms. Faye Cofield who resides at 3261 Chaparral Way, Stonecrest, Georgia stated she is a retired police sergeant from the City of Atlanta, own and operate a security agency and is still certified as a police officer in the State of Georgia. Ms. Cofield stated security is a problem that need to be addressed and that she heard campaign ads, Midtown Atlanta Music Festival and other festivals have refused to come to the City of Stonecrest due to not stopping people from coming to the City of Stonecrest with guns. Ms. Cofield felt like Mr. Chan wants to bring something of quality to the city. Ms. Cofield stated that Georgia armed certified police and the sheriff's department need to be used rather than security officers.

*Spoke-in-Person:* Ms. Brianne Simmons who resides at 3658 Maple Hill Road, Stonecrest, Georgia 30038 stated she was not in opposition and was still learning about the process. Ms. Simmons wanted to second what Ms. Cofield mentioned when it comes to addressing security. Ms. Simmons stated she would welcome Mr. Chan's late-night establishment in the City of Stonecrest but want a nice, safe place and after-hours place to go. Ms. Simmons stated that safe is the key word, crime is on the rise everywhere and she was concerned about post pandemics. Ms. Simmons discussed how the parking spaces seemed a little limited and wanted to make sure parking does not impose on other establishments in the area.

*Spoke-in-Person:* Mr. Calvin Chan, owner of 592 Lounge located at 7301 Stonecrest Concourse, Ste, 123 came forward and stated, "We have security, off duty police officers and everything that comes to the lounge. We have a camera system that surrounds the whole of our building, has night vision, two-way sound effects and detects anyone that comes into the parking lot from driving in to walking out. It could tell you how much time you came to the establishment. There's a monitor company that monitors it. If they see any suspect activities going on, they will automatically call our staff. We have a QR code by the station that staff can scan to see anything that goes on in the parking lot before anyone leaves the establishment. We upgrade our security system to help protect not only our staff but our patrons that comes in and out the lounge. It tells you the age limit of the person, if someone is in the car and how long they have been in the car."

*Chairman Hubbard* stated, “What about the parking situation.”

*Spoke-in-Person:* Mr. Calvin Chan, owner of 592 Lounge located at 7301 Stonecrest Concourse, Ste, 123 came forward and stated every business around his business close at 8pm and have over 200 parking spaces.

*Chairman Hubbard* asked Mr. Chan was he open for post-certified officers and Mr. Chan replied yes.

*Chairman Hubbard* asked Mr. Chan did he send out notices to other businesses or apartments in the area.

*Spoke-in-Person:* Mr. Calvin stated, “Basically, I am like one of the only Lounges that's more upscaling over there. Everyone just comes there as a family. We had signs up and I told everyone about the meeting.”

*Chairman Hubbard* closed the public hearing before going into discussion.

*Commissioner Walker* asked if the late-night establishment gets approved for a rezoning, what is going to happen to the other establishments that are there.

Ms. Jackson stated, “If we approve the rezoning to tier 1, that could open the door for other late-night establishments. We did have a comment by Mr. Marcus suggesting that we place a condition to limit it to one late-night establishment. That is a consideration that you can make for this late-night establishment.”

*Commissioner Hawkins* agreed with others that spoke in support of the late-night establishment. *Commissioner Hawkins* stated that he never seen any issues in the area like loitering, hanging out, or anything that looks like a disturbance to others. He stated that if we rezone the area, other current retail establishments will have the ability to open similar establishments. He agreed with adding the conditions to beef-up security and having Georgia post-certified officers.

*Commissioner Brown* supports the application if Mr. Chan is open to making the concessions that is requested. *Commissioner Brown* stated that she has looked at the reviews for the business online and it is well reviewed. She mentioned her main priority is security to make sure there are not unauthorized weapons on the premises and that the patrons and staff are safe.

*Chairman Hubbard* asked for a motion. *Commissioner Hawkins* motioned to **RECOMMEND APPROVAL OF THE APPLICATION TO CITY COUNCIL WITH CONDITIONS SUBMITTED BY THE PLANNING STAFF AND WITH RECOMMENDATIONS THAT THE ESTABLISHMENT HIRES GEORGIA POST CERTIFIED OFFICERS ON THE PREMISES.** *Chairman Hubbard* seconded the motion. The vote was **unanimously APPROVED.**



## VII. Old Business:

**LAND USE PETITION:** RZ-22-005

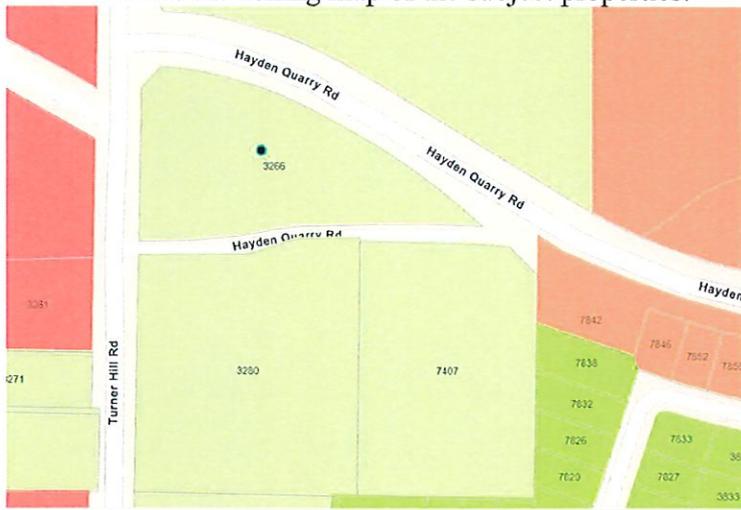
**PETITIONER:** Dossey, LLC, c/o Battle Law PC

**LOCATION:** 3266 Hayden Quarry Road and 7407 Hayden Quarry Road

**PROPOSED AMENDMENT:** Is seeking to rezone the subject properties from R-100 (Residential Medium Lot) to MR-1 (Medium Density Residential) to develop 55 single-family attached townhomes to be owned fee simple on +/- 6.9 acres of land being Tax Parcel Nos. 16 182 03 001 and 16 182 02 003 having frontage on 3266 and 7407 Hayden Quarry Road.

Ms. Jackson presented RZ-22-005. “The petitioner is Dossey, LLC, c/o Battle Law PC. The owner is Thomas W. Pole Jr., Chad D. Johnson and Patricia C. Johnson. The property is located at 3266 Hayden Quarry Road and 7407 Hayden Quarry Road. The parcel numbers are listed in your packet. This property is located in District 1. The acreage of this property track one is showing 20.98 acres and track two is showing over 10 acres. The existing zoning is R-100. The applicant is proposing to rezone this property to MR-1. The comprehensive plan for this property or designation is UN which is urban neighborhood. The proposed development request is to seek a rezoning from R-100 to MR-1 to develop a 55 single family attached Town Home Development. These Town Homes will be fee simple and they front Hayden Quarry Road. Staff’s recommendation is approval.”

Here is the zoning map of the subject properties:



*Ms. Jackson* stated, “The applicant has requested to abandon this road. Currently, this road is not being used so they would like to abandon it to be able to join these properties together. We did put some conditions on the property and they were light conditions.”

*Commissioner Hawkins* stated, “I know that there was a meeting prior to the initial hearing.” Did anyone reached out whether it be the folks who spoke in opposition or to the applicants.”

Chairman Hubbard asked those in **support** to speak.

**Those in support:**

*Spoke-in-Person:* Michelle Battle with Battle Law, P.C. located at 3562 Habersham at Northlake in Tucker, Georgia came forward and presented on behalf of the applicant. Ms. Battle stated “the applicant is seeking to rezone the subject property to allow for 55 fee simple townhomes to be developed on the site. The outline of the property is already indicated by staff. The property is on Turner Hill and Old Hayden Quarry. We are in an area that is immediately south of the overlay District. This portion and the entire Eastern side along Turner Hill were taken out of the Stonecrest overlay district. This is prompting us to have to seek this rezoning. We know that the current Land Use Plan shows this as urban neighborhood, which allows for higher densities on the site than the current R-100. Additionally, the current zoning at our R-100 is not consistent with the overlay or the underlying land use. Again, we are proposing to rezone from R-100 to MR-1.”

*Virtual Zoom:* Ms. Vivian Hudson who resides at 3368 Maple Leaf Court, Stonecrest, Georgia did not have any objections to the development but had concerns about the landscaping that Attorney Battle mentioned. Ms. Hudson stated that if there are existing homes in the area, she feels that Planning Commission has the responsibility to protect the existing homeowners from damage, dust or other things that happens during construction. She stated that clear cutting in Stonecrest was her main concern and removing any of the sticking trees will have a negative effect on the surrounding residents that are already there.

Chairman Hubbard asked those in **opposition** to speak.

**Those in opposition**

*Spoke-in-Person:* Ms. Faye Cofield who resides at 3261 Chaparral Way, Stonecrest, Georgia stated, “Changing the R-100 to allow townhouses is not a workable thing. It brings too much congestion and negative growth. We do not even know what these townhouses are going to look like and that troubles me. We always get the exact same picture of townhouse and then we get something totally different. We need to know exactly what they are going to build. The last time they were here, they could not tell us whether it was going to be a real sale or change their mind and turn them into rental units. I'm opposed to it because I don't believe that we need to have any more townhouses. The houses in the Parks at Stonecrest that are directly behind us are selling and you must remember that townhouses often become the problem in a community. Townhouses are the first thing to go down and the first thing to be rented. I wish you would demand that every townhouse built in Stonecrest have its own individual water meter that is monitored and charged by DeKalb County. Developers who come to Stonecrest with a plan need to show us what it looks like and not something they picked out of a magazine. If they want to build townhouses, then I strongly suggest they go one block outside of Stonecrest to Abbott Road which have some nice townhouses.”

*Spoke-in-Person:* Ms. Brianne Simmons who resides at 3658 Maple Hill Road, Stonecrest, Georgia 30038 wanted to second many of the points Ms. Cofield mentioned. Ms. Simmons stated she is a new resident in the area and her biggest concern is what will be the price points of the townhome units. “We need to make sure we maintain or increase our equity value in the area. Another question, what are the plans for the infrastructure down that road right now. If you are adding 55 units, who knows how many more might get added. What would that look like from a traffic flow standpoint. I just moved here and I see people walking up and down that road to get home or to work. What are the plans from an infrastructure standpoint to build walkways or things like that so people can commute safely. I’m not sure what the transportation is like in this area because I’m still learning. This will be a major concern for me to bring this many new residents to the area with no infrastructure in place to support those residents.”

*Spoke-in-Person:* Ms. Brenda Ausberry who resides at 3311 Dogwood Pass, Stonecrest, Georgia stated, “I would hate to see townhouses in our area. I have to sometimes wait to get out of my driveway to even leave my house. It’s already congested, and we have a number of houses in our area already. I am concerned about how these townhouses would affect the price of our houses that exists right now. Also, I am concerned about rentals. We do not need rentals in our area which is a problem waiting to happen. I am against this. I do not want to see more townhouses. We have townhouses down the street and we don’t even know what these proposed townhomes look like. As a long time resident, here I object to these townhouses.”

*Spoke-in-Person:* Ms. Janice Sears who resides at The Park of Stonecrest on Brook Rose Lane stated, “I oppose of this because I have lived in townhomes. They go down, turn into rental properties, drugs and then it gets even worse with traffic coming in. I am not saying that’s going to happen but I just oppose of this totally. We have so many townhouses and this is a nice area. Once you put those townhouses up, this whole area will go down. I just pray and ask you all to really look at this before you give them the okay to build townhomes.”

*Spoke-in-Person:* Mr. Dave Marcus who resides at 6501 Rockland Road in district 5 had concerns on tree cover and clear cutting. He mentioned that the City of Decatur’s has a goal of a 65-tree canopy and Stonecrest has no goal. Mr. Marcus stated, “Turner Hill Road is due to be widened. It’s listed in the Master Transportation Plan as a future project even though it is not yet funded or scheduled. What happens to buffer or these townhomes. If you were to leave here right now and go on Hayden Quarry turning left on Turner Hill, you are taking your life into your own hands with people speeding with the volume of traffic with no stop sign, red light or anything. This is just going to increase the traffic. I believe we need growth. Maybe we need higher density but we are better off developing Stonecrest according to the zoning that we have rather than cramming it in more.”

*Spoke-in-Person:* Mr. Earlie Clark who resides at 3747 Shady Maple Drive, Stonecrest, Georgia stated, “The Park at Stonecrest is a beautiful neighborhood. When this neighborhood was being developed, my wife and I decided to move out of here from Stone Mountain. This area was supposed to be developed with upscale homes not townhomes. You see townhomes coming up everywhere. What happened to the tax bill in Stonecrest when the property is depreciated in value. Mr. Marcus said we got green space and we are taking out our trees.”

“This area was supposed to have been on the upper bound. That's why I moved and invested out of here. My wife and I have been out here 16 years. We do not want to see it going down but go up. We need to really look at the overlay plan of this community and move forward without all these townhomes.”

*Spoke-in-Person:* Ms. Bertha Thirkill who resides at 7846 White Oak Loop in Stonecrest, Georgia stated, “My house is right there where you all are talking about putting these townhouses. Can you imagine the construction I am going to have to listen to twenty-four seven while they're building these homes. I oppose to it. I would like for you all to stick to your current zoning.”

*Spoke-in-Person:* Michelle Battle with Battle Law, P.C. located at 3562 Habersham at Northlake in Tucker, Georgia came forward and presented on behalf of the applicant. Michelle Battle presented a PowerPoint presentation and states, “Here's the plan that has the landscape plan. Our property kind of sits at a lower elevation than the street bed. So what you're going to see is probably the second story of the units. You will not really see people two stories because of the elevation. What you'll see going down along Turner Hill would be street curves, gutters and sidewalks that we'll have to install on our property on along our frontage. There will be the landscape, a strip, sidewalk and additional landscaping within the right-of-way. We will have fencing, tree planting along the other side and a 15-foot building setback that would have landscaping along the exterior of the site. You can see again here from the topo lines that we are falling into the site and then you can also see the sidewalk that we would be putting along the exterior of the site. There's also sidewalk in the interior of the site. Adjacent to the single-family home is a 30-foot transitional buffer. We won't be able to take any trees out of that area”

“We will have additional plantings within there and then there will be a fence around the perimeter of the site as well. That's all done in order to protect the single family detached homes on the other side. I think it's important you see the types of plantings that we were looking at within the buffer along here, which gives you a sense of that 30-foot planting along the rear with the trees and things that will be within the buffer plus any additional trees that we'll be adding. I think it's important to note again, I understand the community saying we want it to stay R-100. The truth of the matter is R-100 is not consistent with the current land use for the property. There was an intent. Anyone moving into this community, knows that when you first moved in here along that Turner Hill Corridor and along Hayden Quarry Road was the overlay district for Stonecrest. It was always intended that there would be more density built within this area to support the Mall. All that was the rooftops that were going to be needed to entice the types of businesses that we wanted within the Stonecrest Corridor. The property here at this corner is interesting because at an R-100 level is simply not developable.”

“These are intended to be fee simple townhomes. We can condition that they have a rental cap. We are not here looking to develop a rental community. We've agreed whatever the rental cap is to all might propose. We are willing to go by that rental cap. We're saying that we will cap the number of rentals very similar to what you all are doing even on single family detached communities. We are accepting of that because we want it to be clear these townhomes will be selling for over three hundred thousand dollars.

“The single family detached product continues to increase in value making it impossible for some people to own a home. These town homes coming in are fee simple townhomes that will provide another way for people to engage in home ownership with low maintenance. They want to have large yards and things they would have to maintain or take care of.”

Chairman Hubbard closed the public hearing before going into discussion.

*Commissioner Walker* asked was there a rental cap in part of the recommendations and does the city have a certain percentage in mind.

*Ms. Jackson* replied, “We can certainly add that as a condition as well as the condition to the site plan and elevations.” In reference to the rental cap percentage, *Ms. Jackson* stated that the board have the autonomy to cap it.

*Commissioner Brown* stated, “I was just stating 20 percent is high for 55 units. I would say around 10 percent.”

*Commissioner Hawkins* stated to *Ms. Battle*, “At the previous meeting, I did request landscaping plans to be shown and updated architectural drawings. At first glance, I did not believe there was any effort put into the architectural drawings, which they did. They just gave me a photo simulation. The drawing look like the plans that you just pull off the internet but I do see that the townhome in this elevation is depicting the style, shape and form of the townhomes.”

*Ms. Michelle Battle* stated, “Again, these are intended to be a mixture of brick, board, batten and other fiber cementitious materials with the coloring as shown. This is kind of a popular design but the bottom line here is all the developers are not doing the same thing. I represent several different Builders. If I showed you a Horton product, it is going to look different than a Rockland product that's going to look different than a Rockhaven product. We are sticking to this design and whoever comes on board working with the developer will have to stick to that design. We're okay with making that.”

*Commissioner Hawkins* stated, “I understand different builders have different designs. Architects have a style. The city has a zoning ordinance for a reason. I do understand your point of rooftops being needed for Stonecrest to attract x amount of business but I'm going to side with staff that the existing that is already in place should be used to attract the type of businesses that they want. In some instances, there's the thinking that the more rooftops that we add to the city is going to increase but in the past 15 years I've been here that hasn't happened. At some point, we must look out for what we see and listen to the body at large. We have enough folks that showed up in opposition tonight to share their opinions and they are the neighbors in the area. So, I take their opinions with the whole heart and just rest at that. I hear the constituents. In my opinion, I am a stickler for whatever the zoning code says and whatever the current zoning is. If there's not an immediate dire need to change that zone, then we would work with staff to change the zone. As far as townhomes are concerned, it is a needed multi-family use. I see it throughout the city whether it be central DeKalb, north Dekalb and in other counties. I'm just going to close my comments right there and I'll leave it up to Commissioners to vote as they choose.”

*Commissioner Brown* stated that in the last meeting there was a lot of concern about the clear cutting and noise that really was not addressed.

*Ms. Michelle Battle* stated, “We will have to do grading obviously within the site. We are clear that around the perimeter of the site that we will be maintaining those areas to the extent in the open space areas that we're able to save trees. We still must comply with the tree save ordinance for the area. So again, the whole site will not be clear-cut because we do have to maintain the trees within the buffers and around the perimeter of the site. “This property that is currently zoned is not consistent with the land use plan that the city adopted recently along this corridor. R-100 is not looking in terms of the density and the types of development that were designed along this portion of the corridor.”

*Commissioner Walker* stated, “What determines all the townhouses that we see in this area whether you can have it be where your garages from the back the biggest challenge.”

*Ms. Michelle Battle* stated, “On this site, what I have found with my clients is that if you have more of a traditionally shaped lot, it's easier to get those rear entry units You’ve got the sidewalks and depending upon how tight the site is. It's difficult to do that well on our site. It's impossible because we are such an oddly shaped parcel. There's not a lot of depth with a lot of width on the front portion and then on that back portion that goes down is fairly slender as well. To have rear entry, you basically would only have one row of townhomes because the entry would have to be off the back that way. That's why you want see developers on this site and we're not going to be able to do the rear entry on those units.”

Chairman Hubbard asked for a motion. Commissioner Brown motioned to **RECOMMEND THE DENIAL OF THE APPLICATION TO CITY COUNCIL**. Commissioner Hawkins seconded the motion. The vote was **unanimously APPROVED**.

## VIII. New Business:

**LAND USE PETITION:** RZ-22-007

**PETITIONER:** Smith, Gambrell, and Russell, LLC

**LOCATION:** 3310, 3320 and 3330 Turner Hill Road, Stonecrest, GA 30038

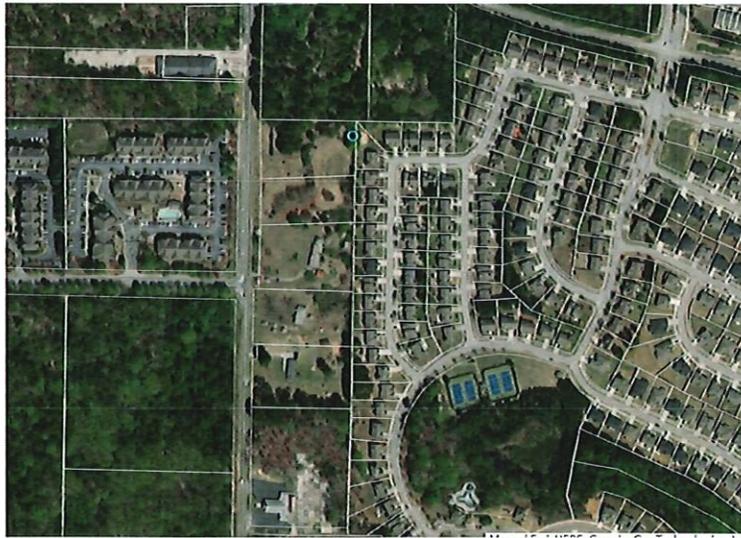
**PROPOSED AMENDMENT:** To seek a rezoning from R-100 (Single-family medium lot) to C-1 (Local Commercial)

“Ms. Jackson presented RZ-22-007 - The petitioner is AG Investments Holdings, LLC c/o Dennis J. Webb Jr., Smith, Gambrell & Russell, LLP. The owner is Ivy Family Trust. The property is located at 3310, 3320 and 3330 Turner Hill Road. The subject property is located in District 1. The acreage is 4.826 +/- acres. The current zoning is R-100 and is located in the Stonecrest Overlay Tier 2. The applicant is seeking a rezoning to C-1 to allow for a development of a neighborhood shopping center. The comprehension plan is UN -Urban Neighborhood. Staff's recommendation is a denial.”

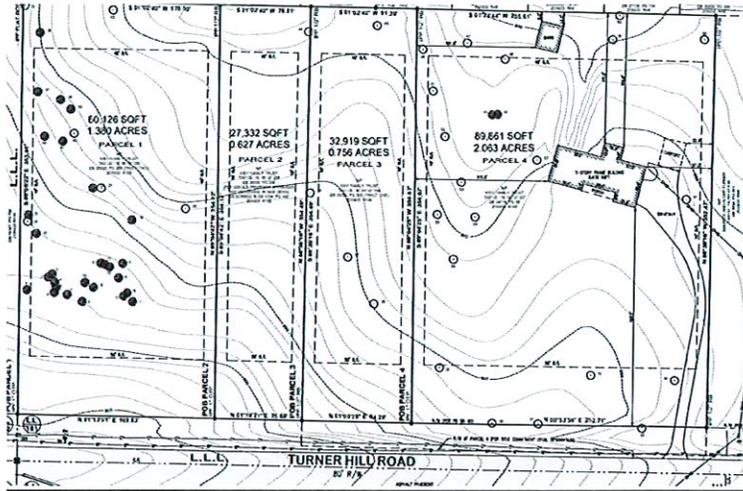
“Here is the zoning map of the subject properties as you can see they're noted with the three yellow stars here across the street you have commercial and in the rear of the subject property. You have RSM development that is the aerial view of the subject property. “



“As you can see, there is an existing structure on the property. There's a house and I believe a shed or a barn that the applicant will seek to demolish those structures to complete the development. Here is a survey of the subject properties.



“There's a proposed retail development over 21,000sqft to your left and right. You have 9 smaller retail shops and a proposed 4,000sqft restaurant. Staff's recommendation is denial of RZ-22-007.”



Commissioner Hawkins asked did the applicant submit with their application an intended occupants of any of the commercial buildings.

*Ms. Jackson* replied “The largest could be a grocery store. I believe that will be determined based on the end user. At this time, I'm not sure if an end user has been selected but that could be the proposed use of that particular area.”

*Commissioner Hawkins* stated, “So this is not a commercial center being developed with a specific anchor in mind.”

*Ms. Jackson* replied, “I would like to say that as correct and the applicant can address your question.”

*Chairman Hubbard* asked the applicant to come forward.

*Spoke-in-Person:* Mr. Alex Brock with Smith, Gambrell & Russell, LLP, 1105 West Peachtree Street, Atlanta, Georgia came forward and presented on behalf of the applicant AG Investments Holdings stated, “We're here tonight for the rezoning of the parcels at 3310 3320 and 3330 Turner Hill Road from R-100 to C-1 to allow the construction of a commercial shopping center. This property is a 4.826-acre property and consists of 4 parcels that's currently developed with a single-family home and several accessory structures sheds in a barn. It's mostly cleared at this point with some grass landscaping. There are a few trees on site and we're planning on redeveloping it for the commercial development. What we are asking for is a C1 zoning and it's commiserated with what is in existence in this area along Turner Hill Road today. It sits on 3 parcels but on the GIS map it shows up as 4. Across the street is C-1 at 6890 Lake Forest Parkway. It's a C1 zone property and currently contains the Westerly Stonecrest Apartments. 3360 Turner Hill Road just to the South is an undeveloped property in its own C1 and 3500 Turner Hill Road is another undeveloped C1 property. We could develop this shopping center as of right across the street.”



“What we are seeking to do is to develop these 3 parcels that we have currently have under contract for sale and that requires a zoning to C1. We are proposing is a neighborhood level shopping center that provides many retail restaurants and other commercial tenants that would be commiserate with the residential area. The largest tenant would be a 21,000 square foot grocery tenant. We are currently in talks with several national brands like Lidl and Whole Foods for a lease of the property. The rest of the shopping center would consist of a mix of retail restaurant and service tenants. The service tenants would be services like an eye doctor, dentist or doctor's office. It is important to note that the grocery tenant that we're showing on the site plan incorporates almost half of the total square footage of the development. Without that, you know the development would be significantly smaller. We feel it's important to include that tenant within the site design because that is an attraction or a benefit for the community since it is residential in the area to bring a grocery tenant within this area. Turner Hill Road is classified as minor arterial which supports the C1 zoning and the amount of traffic that we would have. We are currently proposing two curb cuts onto Turner Hill which would help facilitate traffic flow in and out of the property. We're proposing a separation from the back of our building to the property line of 144 feet with a 50-foot landscape buffer. In addition, it would be closer to 180 feet from the back of our building to the back of the closest residence. The architecture that was handed out to the commissioners consists of Nieto panels which is a fiber cement, stone and brick. It will be a single-story structure and a maximum height of 30 feet.”

*Commissioner Hawkins* stated, “You mentioned a couple of potential tenants for the anchor store. Who were the tenants. Are they in metro Atlanta, State of Georgia or other parts of the country?”

*Mr. Alex Brock* stated, “EG Investments owns several properties around the city of Atlanta. I don't have their specific anchor tenants, but I do know that they are in lease negotiations with the ones that I mentioned, such as Aldi, Lidl and Whole Foods.”

*Commissioner Hawkins* asked about minor uses.

*Mr. Alex Brock* stated, “We have spoken with a number of those, which is on the elevations. Generally, they would be a coffee shop-tenant. We are in lease negotiations, so I don't want to enter that into the public record. This would be a donut shop, restaurant and urgent care facility that we are talking to as well.”

*Commissioner Hawkins* stated, “I understand your situation. You don't want to put any information on public record but one thing you must understand is that the City of Stonecrest believe we are a community of folk that should have the same retail establishments that you find in other parts of metro Atlanta that is lacking this moment. I understand you're in negotiations and it's not nothing you can say considering the staff is recommending denial. I feel that there is a need for this establishment if managed and ran correctly as a true neighborhood, commercial center. I have seen that central or southern part of the Dekalb have this commercial strip center like this and then it just goes to the wayside with some of the standard repeat offenders that we have in the area. We stand as a city and I understand your concern.”

*Mr. Alex Brock* stated, "I think this is a valid concern. It's just unfortunately we're not at liberty to go into the exact tenants because we are in that negotiation phase. We can't include those negotiations until we get through entitlements. We would be willing to accept a condition that would limit certain uses of the property like stores, pawn shops and other detrimental uses to the community. We would be willing to limit those but we just can't name who are of implements at this time. We would be open to a condition tonight that recommend approval based on limiting these certain uses to be approved by City Council."

*Commissioner Walker* asked about the statement of intent.

*Mr. Alex Brock* stated, "In our statement of intent, we typically state our legal and constitutional objections to every zoning case because we must bring before any objections that we have in case this is appealed after City Council. We must state those ahead of time during the administrative process. This is just a standard argument that we make for every zoning application."

*Commissioner Brown* stated, "My main concern was the tenants of the facility and ensuring that they weren't like lower end establishments. Honestly, I don't feel that we need any more medical type facilities in this area. We could use a nice grocery store. I'm not sure if there are certain parameters with getting certain types of grocery stores when it comes to looking at density, area and socioeconomic. I have tried to get some places like Trader Joe's who would not come because the area didn't meet certain requirements. I'm hesitant because I don't want a Food Depot or places like that in this area. Many of us moved to this area because it is a nicer area. We came here to live around people that cared about their where they live. We use to have a lot more options in this area but don't now. We don't really want to start adding additional stores and business."

*Chairman Hubbard* asked those in **support** to speak. There were none.

Chairman Hubbard asked those in **opposition** to speak.

Those in **opposition**:

*Spoke-in-Person*: Ms. Faye Cofield who resides at 3261 Chaparral Way, Stonecrest, Georgia stated the City of Stonecrest has seen before where developers come in and say they're going to build something which end up being something else. The same thing was done to Snapfinger Road and Miller Road with the same plan and is mostly vacant. Ms. Cofield resent the fact somebody coming to the city like they're going to sue when not agreeing to the proposed developments. For example, Lidl just built a store down on Covington Highway and it's not doing that good and Whole Foods has not moved South. Ms. Cofield mentioned how the city need to look at what developers have done to Rock Springs Road and Browns Mill Road. Klondike Road Was promised almost the same identical development but has been a problem as well. Ms. Cofield stated we need quality development in R-100 and the project make no sense in a residential area. Every commercial development that come to the city has brought crime and other problems to the city.

*Spoke-in-Person*: Mr. Earlie Clark who resides at 3747 Shady Maple Drive, Stonecrest, Georgia stated he was in support of everything Ms. Cofield discussed.

*Spoke-in-Person:* Mr. J.W. Edie who resides at 3465 Dogwood Pass, Stonecrest, Georgia stated he has lived in Stonecrest 14 years and sat on the Board of Commissioners in the past. Mr. Edie discussed how he is totally against the proposed development which will be near his backyard. He also stated that he wants quality in the community and a zone change will degrade the property.

*Spoke-in-Person:* Ms. Edwina Clanton who resides at 3624 Dogwood Pass, Stonecrest, Georgia stated she and the community was in support of staff's recommendations for denial to keep the zoning residential. Ms. Clanton stated that she had a petition with 113 signatures from the community and plan on having more by the time City Council meets.

*Spoke-in-Person:* Suzanne Frick who resides in The Parks of Stonecrest stated that she would appreciate if the Planning Commission follow Stonecrest Comprehensive Plan that was put in place. Ms. Frick stated there is lots of commercial open land north of the proposed site which is in the mall area near Mall Parkway. She went on to say that the city needs to keep the residential areas as residential.

*Spoke-in-Person:* Andrea Ford who resides at 2964 Asheborough Drive, Stonecrest, Georgia stated that she would like the Planning Commission to move forward with the recommendation of denying the rezone. She discussed how the proposed property to be rezoned have traffic issues that has recently resulted into a three-car pile-up and a car flipping over the actual.

*Spoke-in-Person:* Mr. Dave Marcus who resides at 6501 Rockland Road in district 5 stated If you approve the rezoning, the developer is free to get anything he wants in there unless you put conditions on it. Mr. Markus went on to say we should think about the neighborhoods and 18-wheeler trucks coming in with supplies on Turner Hill Road.

**Applicant Rebuttal:**

*Spoke-in-Person:* Mr. Alex Brock with Smith, Gambrell & Russell, LLP, 1105 West Peachtree Street, Atlanta, Georgia came forward and presented on behalf of the applicant AG Investments Holdings stated, "One of the opinions that was voiced in the earlier case tonight about townhomes was that the City of Stonecrest wants businesses to come to Stonecrest. We are those businesses. We cannot disclose who the tenants are at this meeting, but we hear the concerns with the community. We would like that opportunity to defer so that we can address some of these concerns that we heard tonight and come back before this body to speak with the community about those concerns."

Chairman Hubbard closed the public hearing before going into discussion.

Commission Hawkins stated that he would like to stay consistent with his remarks from the previous case and with the existing zoning that was put in place by staff. Commission Hawkins stated that the staff has recommended denial but he is open for applicant's request for deferral if they are going to reach out to the community and come back with definite tenants.

Chairman Hubbard asked for a motion. Commissioner Hawkins motioned to **RECOMMEND THE DENIAL OF THE APPLICATION TO CITY COUNCIL**. Commissioner Brown seconded the motion. The vote was **unanimously APPROVED**.

**LAND USE PETITION:** SLU22-009  
**PETITIONER:** Beris and Meveta Henry  
**LOCATION:** 1805 Spring Hill Cove, Lithonia, GA  
**PROPOSED AMENDMENT:** To seek a special land use permit for a personal care home.

Ms. Jackson presented SLU22-009– “The petitioner is Beris and Meveta Henry. The property is located at 1805 Spring Hill Cove, Lithonia, GA. The applicant is seeking a Special Land Use Permit for a personal care home. Staff recommends a deferral because the sign was not posted on the property in a timely manner.”

*Chairman Hubbard* asked the Board of Commissioners did they have any questions for Ms. Jackson.

*Chairman Hubbard* asked did the applicant want to speak. The applicants were not present.

Chairman Hubbard closed the public hearing before going into discussion.

Chairman Hubbard asked for a motion. Commissioner Hubbard motioned to **DEFER THE APPLICATION AT THE RECOMMENDATION OF THE PLANNING DEPARTMENT**. Commissioner Walker seconded the motion. The vote was **unanimously APPROVED**.

**LAND USE PETITION:** TMOD-22-009 Winery/Vineyard  
**PETITIONER:** Planning & Zoning Department  
**LOCATION:** Arabia Mountain Overlay  
**PROPOSED AMENDMENT:** To promote business and agritourism in the City by allowing the development of wineries and associated uses, including vineyards, tasting rooms, wholesale trade and limited retail trade.

Ms. Jackson presented TMOD-22-009. “The TMOD is referencing the Winery Vineyard. The applicant is the Planning and Zoning Department. This project is City-Wide. The proposed amendment is to promote business and agrotourism in the city by allowing the development of Wineries and associated uses including vineyards, tasting rooms, wholesale trade and limited retail trade. The issues that we're facing today is that the city ordinance currently does not directly address the issues of Wineries and Associated uses.

“If you look in our code today it is not a permitted use. We are aware that wineries are becoming popular in the State of Georgia. Any Winery would have to follow the associated laws related to alcohol sales and on-site consumption. Staff noticed in reviewing this type of TMOD is that Wineries depending on their scale of operation include a wide range of land uses, including agriculture (vineyards), industry (fermentation and bottling), warehousing, retail sales, office, and event space to retail sales office event space. Therefore, careful consideration must be made for limitations on scale and appropriate buffers. made regarding the limitations on scale and appropriate buffers. If the City of Stonecrest does not have an AG district, there is a subsequent test amendment that will speak to the AG District that would place this type of use as a permitted. Currently, we do have the RE District which is estate residential that would be ideal for this type of development. However, all our RE districts are located north of I-20 surrounded by industrial uses. Therefore, we would like to create a district that would allow this type of use and it would be in the Arabia Mountain overlay.”

*Chairman Hubbard* stated that he liked the idea of winery in the City of Stonecrest and have seen this idea work in South Georgia. He went on to say that he commends the city for adopting a Winery/Vineyard.

*Chairman Hubbard* asked those in **support** to speak.

Those in **support**:

*Spoke-in-Person*: Ms. Faye Cofield who resides at 3261 Chaparral Way, Stonecrest, Georgia stated that a winery would attract people to the City of Stonecrest. She also stated that the city can tie the AG zoning into the nature trail and the city can continue positive growth when bringing something positive to the city.

*Spoke-in-Person*: Mr. Dave Marcus who resides at 6501 Rockland Road in district 5 stated he would like a Winery/Vineyard to be recommended to City Council for approval but would also recommend that City Council address the concerns about noise. Mr. Marcus discussed how Stonecrest noise ordinance only covers generally from 11 P.M to 7 A.M unless you're doing construction or various specific things.

*Spoke-in-Person*: Ms. Brianne Simmons who resides at 3658 Maple Hill Road, Stonecrest, Georgia 30038 second what Mr. Marcus and Ms. Cofield mentioned about wineries. Ms. Simmons stated that a Winery/Vineyard would add to the value of the community and what we are seeking to accomplish in the Stonecrest area. Ms. Simmons also had concerns about the noise ordinance policy and would like the city to do something like what they did at Wolf Creek Amphitheater where they shut things down at a certain hour to be considerate of the residents in that area.

*Spoke-in-Person*: Ms. Millison Maxwell who resides at 3900 McDaniel Mill Road stated that she is an avid gardener and a volunteer at the vineyards. Ms. Maxwell stated that the Vineyard was an incredible property that is unique and sits way back off the streets. “I can understand the concerns about noise but those concerns have already been really kind of addressed in several meetings as it relates to planning for events with noise canceling products and speaker systems.” Ms. Maxwell stated how the vineyard property would set a model and standard for the community.

“The Winery/Vineyard would teach the community how to grow, create gardens, beautiful landscape inside of their own communities and a gathering place where we can do educational programs.”

*Virtual Zoom:* Ms. Vivian Hudson who resides at 3368 Maple Leaf Court, Stonecrest, Georgia stated the Winery/Vineyard sounds like a wonderful addition to the Stonecrest area and agree with a winery.

Chairman Hubbard asked those in **opposition** to speak. There were none in opposition.

Chairman Hubbard asked for a motion. Commissioner Brown motioned to **RECOMMEND APPROVAL OF THE APPLICATION TO CITY COUNCIL**. Commissioner Hawkins seconded the motion. The vote was **unanimously APPROVED**.

<b>LAND USE PETITION:</b>	TMOD-22-010 Agriculture District
<b>PETITIONER:</b>	Planning & Zoning Department
<b>LOCATION:</b>	Arabia Mountain Overlay
<b>PROPOSED AMENDMENT:</b>	To encourage the continued use of farmland for agricultural production in the Arabia Mountain Overlay. Intended for agricultural activity as well as single-family living in a detached house with a minimum lot size of 5 acre. Lots typically have access to and are served by a public water supply but do not necessarily have access to public sanitary sewer.

Ms. Jackson presented TMOD-011 Agricultural. “This a subsequent to the previous TMOD. We we are introducing a test amendment to allow to use. Now we want to discuss where it can be or what district it can thrive in. The applicant is the Planning and Zoning Department. This project will be Citywide preferably in the Arabia Mountain Overlay. The proposed amendment is to encourage the continued use of farmland for agricultural production in the Arabia Mountain overlay. It's intended for agricultural activity as well as single-family living in a detached house with a minimum lot size of five acres. Lots typically have access to and is served by public water supply but do not necessarily have access to public sanitary soar. We want to continue to encourage Farmland use in the City of Stonecrest and most of those agricultural uses are in the Arabia Mountain Overlay area. so what the AG district will include a wide range of uses and those uses would include single family residential is not intended for a subdivision. It will allow for agricultural uses as well as closely related uses.”

“Here in your packet you have a chart where we created this type of districts. As opposed to the other districts, you will see that AG will be the largest district we have as far as lot area. The lot area would be 5 acres which will encompass 217, 800 sqft of area. As you go down that chart, you will see the lot width requirement that will be the minimum requirement. It goes into the maximum lot coverage which would be 25 percent and then it gives you the setbacks for the AG district.”

Table 2.2. Residential Zoning Districts Dimensional Requirements

<i>Residential Single-Family Zoning Districts</i>									
KEY:									
Housing Types: SF: Single-Family, TF: Two-Family, TRF: Three-Family, MF: Multifamily Character									
Areas: RC: Regional Center, TC: Town Center, NC: Neighborhood Center, SUB: Suburban									
Element	AG	RE	RLG	R-100	R-85	R-75	R-60	MHP	RNC
<i>Lot Dimensions (minimum)</i>									
Lot area (square feet)	217,800 (5 acres)	43,560 (1 acre)	20,000	15,000	12,000	10,000	6,000/3,500 cottage	Parks: 20 acres Lots: 4,000	
Lot width, street frontage (feet)	200	150	65	100	85	75	60	Parks: 400 Lots: 50	
Lot width at building line (feet)	200	150	65	100	85	75	60	N/A	
Lot width fronting cul-de-sac (feet)	N/A	35	35	35	35	35	35	N/A	
Lot coverage (maximum percent)	25	25	30	35	35	35	35	N/A	
<i>Building Setbacks (minimum) Subject to article 5 of this chapter, Averaging Requirement</i>									
Front thoroughfares (feet)	60	60	70	50	50	45	30	Parks: 250 Lots: 10	
Front arterials (feet)	50	50	60	40	40	35	20	150	
Front collector and all other streets (feet)	45	45	55	35	35	30	If RC/TC/NC: 15 If SUB: 20	100	

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Front with alley access (feet)	N/A	N/A	25	25	25	25	10	Parks: N/A Lots: 10	
Side - interior building setback (feet)	25	20	10	10	8.5	7.5	7.5	Parks: 50 Lots: 7.5	
Side - corner lot on public street (feet) --	Same as district indicates front setback, following street type along the corner side property line								
Rear (feet)	50	40	40	40	40	40	30	Parks: 40 Lots: 7.5	
<i>Unit Size, heated living area (minimum)</i>									
Unit size (square feet)	N/A	2,000	2,000	2,000	1,800	1,600	1,200 If cottage: 800—1,200	N/A	
<i>Height (maximum)</i>									
Main building (feet) (Arabia Mountain Overlay = 35 feet)	40	35	35	35	35	35	35	35	
Accessory building (feet)	24	24	24	24	24	24	24	N/A	
<i>Open Space (minimum percent)</i>									
Open space	20 Percent ***	20 percent	20 percent	20 percent	20 percent	20 percent	20 percent	20 percent	20 percent

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*Chairman Hubbard* asked the Commissioners did they have any questions for the applicant. There were none.

*Spoke-in-Person:* Ms. Faye Cofield who resides at 3261 Chaparral Way, Stonecrest, Georgia stated people are going more towards natural and the City of Stonecrest need to separate from the rest of South Dekalb so they can have something that is totally. Ms. Cofield also stated that you would be surprised by the number of people in Stonecrest that have livestock. “The City of Stonecrest need an AG district so it can attract people and have a solid community.” Ms. Cofield supports the winery and people being able to grow and sell.

*Spoke-in-Person:* Mr. Dave Marcus who resides at 6501 Rockland Road in district 5 stated the AG district would be a great addition to the Stonecrest ordinance. Mr. Marcus discussed how the AG district would allow a pig farm if it's not too large and fits on the property and a slaughterhouse for the pigs or cattle. Mr. Marcus stated that he was in favor of TMOD-22-010 Agriculture District if the Planning Department go back and revisit definitions. He also mentioned that water features were not allowed, which will prevent someone from doing ornamental gardens or if they want to put a little waterfall in a koi pond. Mr. Marcus stated, “you're allowed to have a riding ring or a covered riding ring if you have enough property but I have a feeling this does not allow you to give riding lessons. There are monks prohibited uses of petting zoos and there are things in here that I just think are not quite clear enough.”

*Spoke-in-Person:* Ms. Lauren Cox who resides at 3441 Klondike Road, Stonecrest, Georgia stated she was glad to have the opportunity to talk about the Agricultural Overlay. Ms. Cox mentioned that her background is farming and she started farming full-time back in 2011. Ms. Cox stated that she works for a non-profit organization called Georgia Organics that helps farmers across the state and works with the City of Atlanta Agricultural Department. She also stated that she would love the opportunity to talk about the details of Stonecrest Agricultural Overlay. “I look forward to have food grown at the property with my farmer friends to do a cooperative farm stand every weekend.”

*Spoke-in-Person:* Ms. Millison Maxwell who resides at 3900 McDaniel Mill Road stated, “There are about five properties in the Stonecrest community that are all seeking this agricultural exception and this is a beautiful property. I really appreciate that it's another community-minded person who wants to educate and enjoin with the community to make sure that everybody takes ownership of this skill set that she's offering. It's about a mindset, skill set and it is incredible. It's a privilege to be a part of this whole initiative and I want to thank Ms. Jackson for all the background and research work she did because she has done the work to bring this to you in this comprehensive way.”

*Virtual Zoom:* Ms. Vivian Hudson who resides at 3368 Maple Leaf Court, Stonecrest, Georgia stated she was in favor of the Agricultural District and was happy to see the Agricultural District coming to Stonecrest. Ms. Hudson mentioned her parents owned 150 acres of farm when she was a child. She grew up working on the farm and knows the value of growing your own food.



Chairman Hubbard asked those in **opposition** to speak. There were none in opposition.

Chairman Hubbard closed the public hearing before going into discussion.

Chairman Hubbard asked for a motion. Commissioner Hawkins motioned to **RECOMMEND APPROVAL OF THE APPLICATION TO CITY COUNCIL**. Commissioner Brown seconded the motion. The vote was **unanimously APPROVED**.

<b>LAND USE PETITION:</b>	TMOD-22-013
<b>PETITIONER:</b>	Planning & Zoning Department
<b>LOCATION:</b>	City Wide
<b>PROPOSED AMENDMENT:</b>	An Ordinance Amending Article 2- District Regulations, Article 4- Permitted Use Table, Article 9- Definitions, and Division 1- Subdivision Ordinance to Provide Descriptions, Purpose, and Revised Standards for Fee Simple and Rental Properties, And for Other Purposes.

Ms. Jackson presented TMOD-22-013 Rental Ordinance. “The City of Stonecrest would like to put in place some regulations that speak to rental and for sale development. The applicant is Planning and Zoning Department. This is a city-wide project location. The proposed amendment is to create a test amendment to Amend Article 2- District Regulations, Article 4- Permitted Use Table, Article 9- Definitions, and Division 1- Subdivision Ordinance to Provide Descriptions, Purpose, and Revised Standards for Fee Simple and Rental Properties, And for Other Purposes. The first one will be a residential estate and we will be adding the language or the wording for sale communities. The RLG residential large lot we're adding the language to provide for the development of large lot dwelling single family for sale residential subdivisions and for sale communities in that District.”

social needs of the neighborhood; G. To provide for appropriately sized accessible and useable open space in new developments for health, recreational and social opportunities for city residents; H. To implement the future development map of the city's comprehensive plan. (Ord. of 8-2-2017, § 1(2.4.1))

**DIVISION 5. R-100 (RESIDENTIAL MEDIUM LOT-100) DISTRICT** Sec. 2.5.1. Statement of purpose and intent. The purpose and intent of the City Council in establishing the R-100 (Residential Medium Lot-100) District is as follows: A. To provide for the protection of neighborhoods within the city where lots have a minimum area of 15,000 square feet; B. To provide for compatible infill development in neighborhoods; C. To provide ~~protections for existing development as new subdivisions are created~~ “For Sale”, Single family detached residential subdivisions and For Sale Communities; D. To provide flexibility in design on the interior of new development while protecting surrounding development; E. To ensure that the uses and structures authorized in the R-100 (Residential Medium Lot-100) District are those uses and structures designed to serve the housing, recreational, educational, religious, and social needs of the neighborhood; F. To provide for appropriately sized accessible and useable open space in new developments for health, recreational and social opportunities for city residents; and G. To implement the future development map of the city's comprehensive plan. (Ord. of 8-2-2017, § 1(2.5.1))

**DIVISION 6. R-85 (RESIDENTIAL MEDIUM LOT-85) DISTRICT** Sec. 2.6.1. Statement of purpose and intent. The purpose and intent of the City Council in establishing the R-85 (Residential Medium Lot-85) District is as follows: A. To provide for the protection of neighborhoods within the city where lots have a minimum area of 12,000 square feet; B. To provide for compatible infill development in neighborhoods; C. To provide ~~protections for existing development as new subdivisions are created~~ “For Sale”, Single family detached residential subdivisions and For Sale Communities; D. To provide flexibility in design on the interior of new development while protecting surrounding development; E. To ensure that the uses and structures authorized in the R-85 (Residential Medium Lot-85) District are those uses and structures designed to serve the housing, recreational, educational, religious, and social needs of the neighborhood; F. To provide for appropriately sized accessible and useable open space in new developments for health, recreational and social opportunities for city residents; G. To implement the future development map of the city's comprehensive plan. (Ord. of 8-2-2017, § 1(2.6.1))

**DIVISION 7. R-75 (RESIDENTIAL MEDIUM LOT-75) DISTRICT** Sec. 2.7.1. Statement of purpose and intent. The purpose and intent of the City Council in establishing the R-75 (Residential Medium Lot-75) District is as follows: A. To provide for the protection of neighborhoods within the city where lots have a minimum area of 10,000 square feet; B. To provide for compatible infill development in neighborhoods; C. To provide ~~protections for existing development as new subdivisions are created~~ “For Sale”, Single

family detached residential subdivisions and For Sale Communities; D. To provide flexibility in design on the interior of new development while protecting surrounding development; E. To ensure that the uses and structures authorized in the R-75 (Residential Medium Lot-75) District are those uses and structures designed to serve the housing, recreational, educational, religious, and social needs of the neighborhood; F. To provide for appropriately sized accessible and useable open space in new developments for health, recreational and social opportunities for city residents; G. To implement the future development map of the city's comprehensive plan. (Ord. of 8-2-2017, § 1(2.7.1))

DIVISION 8. R-60 (RESIDENTIAL SMALL LOT-60) DISTRICT Sec. 2.8.1. Statement of purpose and intent. The purpose and intent of the City Council in establishing the R-60 (Residential Small Lot-60) District is as follows: A. To provide for the protection of neighborhoods within the city where lots have a minimum area of 6,000 square feet or 3,500 square feet if developed for cottage houses; B. To provide for compatible infill development in neighborhoods; C. To provide protections for existing development as new subdivisions are created "For Sale", Single family detached residential subdivisions and For Sale Communities ; D. To provide flexibility in design within new development while protecting surrounding development; E. To ensure that the uses and structures authorized in the R-60 (Residential Small Lot-60) District are designed to serve the housing, recreational, educational, religious, and social needs of the neighborhood; F. To provide for appropriately sized accessible and useable open space in new developments for the health, recreational and social opportunities for city residents; G. To implement the future development map of the city's comprehensive plan. (Ord. of 8-2-2017, § 1(2.8.1))

DIVISION 9. MHP (MOBILE HOME PARK) DISTRICT Sec. 2.9.1. Statement of purpose and intent. The purpose and intent of the City Council in establishing the MHP (Mobile Home Park) District is as follows: A. To provide For Sale or For Rent residential locations within the city for the location of mobile home parks. B. To provide for the development of accessory uses that are necessary in order to provide appropriate recreational and educational opportunities to residents. (Ord. of 8-2-2017, § 1(2.9.1))

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- **DIVISION 1. – Subdivision Ordinance: GENERALLY**

- **Sec. 14-55. - Title.**

This article shall be known, cited, and referred to as the subdivision regulations of the City of Stonecrest. (Ord. No. 2018-06-03, § 14-55, 6-3-2018)

- **Sec. 14-56. - Effective date.**

These subdivision regulations shall become effective on adoption.

(Ord. No. 2018-06-03, § 14-56, 6-3-2018)

- **Sec. 14-57. - Policies and purposes.**

(a)

Policies.

(1)

It is declared to be the policy of the City of Stonecrest to consider the subdivision of land and the subsequent development of the subdivided land as subject to the control of the city pursuant to the city's official comprehensive plan in order to promote the orderly, planned, efficient, and economical development of the city.

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