

CITY OF STONECREST, GEORGIA

Planning Commission Meeting Minutes

Summary

April 3, 2018, 6:00 P.M.

Stonecrest City Hall's Chambers | 3120 Stonecrest Blvd., Suite 155 | Stonecrest, Georgia 30038 | (770) 224-0200 | www.stonecrestga.gov

The Planning Commission met on Wednesday, April 3, 2018 at 6:05 p.m. in Stonecrest City Hall's Chamber in Stonecrest, Georgia.

I. The meeting was called to order by Chairman Eric Hubbard.

II. Roll Call - The Members

Present:

Mr. J.W. Eady	District 1
Ms. Wanda McNeal	District 2
Mr. Eric Hubbard	District 3
Ms. Pearl Hollis	District 4 (arrived late; join platform at 6:53 PM)
Ms. Lisa Wright	District 5

Staff Present:

Mrs. Nicole Dozier	Community Development Director
Mrs. Emily Macheski-Preston	City Attorney
Mr. Chris Wheeler	City Planner
Mr. Ken Hildebrandt	City Engineer

III. The Honorable Mayor Jason Lary, Sr. administered the Oath of Office to Ms. Pearl Hollis, District 4, at 6:51 p.m. Ms. Hollis read and signed a copy of the Oath of the Office.

Chairman Eric Hubbard completed the roll call and read the Rules and Procedures for Planning Commission Meetings and Public Hearings for the City of Stonecrest, Georgia. There was a quorum.

IV. Old Business:

1. Public Hearing(s)

LAND USE PETITION:	SLUP-17-0002 (Deferred on February 6, 2018)
PETITIONER:	Alfie Igbadume
LOCATION:	3185 Evans Mills Road
CURRENT ZONING:	R-100 (Residential Med Lot) District
PROPOSED ZONING:	R-100 (Residential Med Lot) District
PROPOSED DEVELOPMENT:	Request Special Land Use Permit to operate child care institution.

Mr. Chris Wheeler stated that SLUP 17-0002 was heard at the Planning Commission meeting held on February 6, 2018 and was deferred to the City Council. On February 19, 2018 the City Council heard SLUP 17-0002 and voted to defer so more information could be provided by the applicant. Code Enforcement conducted a site visit to verify claims that the applicant was operating the child care institution. Code Enforcement could not confirm the operation of said child care institution. Staff reached out to DeKalb County Police who informed staff that eight (8) calls, in-the-course of four (4) months, had been placed for the subject's property.

The applicant is requesting a Special Land Use Permit (SLUP) to operate a child care home for four-to-six (4-6) residents within a R-100 (Residential Medium Lot) District, in accordance with Chapter 27-Article 4.1 Use Table and Sections 4.2.41. D & E of Stonecrest Zoning Code. The said property on 3185 Evans Mill Road is 1,810 square foot single-family, brick ranch style, 3 bedrooms with 2 baths. Staff recommended approval of SLUP 17-0002.

The Chairman asked the applicant, Mr. Igbadume, to come forth.

Mr. Igbadume stated, "The last time we were here. We reached out to every home to let them know exactly what we were going to do. Three big signs were posted and each time the signs were taken down, removed. We did all that was required of us. Again, I want to thank Mr. Christopher Wheeler for the thorough job he did. I want to go back to the police reports. I put a lot of money in there. Why was the police present? I made a mistake renting to a temporary family, a wife and three (3) children. Unfortunately, it did not go well. I had no idea police was called."

The Chairman said to go back to the police report(s). A handout was given to the Chairman by Mr. Igbadume.

Mr. Igbadume stated that the handout was the report of 19 standards, requirements, for approval of a Special Land Use Permit that must be consider, Sec. 7.4.1.

Mr. Igbadume stated, "We cannot base on emotion, fear, and intimidation. Let go back, we are here to support Stonecrest. To add value to the community. Whatever you recommend making things better, we are all for it. We stress to you, this building we are talking about has been approved before by DeKalb City Planning Commission for the same program. The owners ran the business for years, until we brought it."

Mr. Igbadume stated, "When they, previous owner, were seeking approval from DeKalb County, went through the same process. All the fears they have today, and fears keep talking about never happened. I plea with you to go back to the law of the land, the provisions, before you make decision. Also, Mr. Shelton, owner of a personal care home, went through the same thing in getting approval for his personal care home. DeKalb County Commissioners final approve parcel for him. That is now one of the best building and the sky has not fallen. He is adding value."

Mr. Igbadume stated, "Commissioners, I plea to you, we must not approve base on emotion, fear, and intimidation. How can you have a policy of exclusion and on the same token you complain you do not have businesses in the community. Again, we are here to work and help

the development of Stonecrest City. I thank you and the Mayor. We pray you will look at the merit of this application and you approve it for us."

The Chairman asked for those in favor of a child care institution to come forth and state name and address.

- 1) Mr. John Greer, an investor, stated that he purchased the said property two years ago, with the same intentions to open a child care. He was assured the facility was a child care facility before.

With two (2) minutes remaining, the applicant advised the Commissioners that he will reserved the two (2) minutes.

The Chairman asked for those in opposition of a child care institution to come forth and state name and address.

- 1) Ms. Faye Coffield came forth and stated that, "Unlike the applicant or previous owner, I have been an owner there for twenty-two (22) years. So, I know the neighborhood. There may have been a day care in that location but, it was a child day care that did not require approval. It was like people keeping one (1) or (2) children in their home. We are talking about a very serious thing.

Ms. Coffield stated she notice they did not talk about the two residential houses on the SE and NW corner, they might not have seen it because they are behind trees. There are two (2) residential units there. We live in a residential area. One of the things Ms. Coffield had a complaint about is, I saw the sign up for only one (1) day. If people were taking the sign(s), then Stonecrest should have come back out, it was a Stonecrest sign, to put the sign(s) back up. The sign supposes to stay up until at least 5:59 PM the night of the hearing so the neighborhood would know. I asked a lot of people if they knew about it and they said they did not know about anything going on or the meeting. Ms. Coffield stated that she has pictures and made a video tape of the location.

Ms. Coffield stated that we, Stonecrest, must be sure they, the applicants, are honest from the beginning. The last time he was here, he said nobody had occupied the building from the time he brought, it until now. And when he realized we had police reports, I think you should go over the reports, he now says he rented to a family with several children. Why did not he tell that before?

Ms. Coffield stated that, "Stonecrest need to go over the police reports. If you want to know what happened, ask DeKalb County Planning what they approved the property for. Yes, we what to improvement our neighborhood and keep our neighborhood a single family residential area. What is it to "stop" now you are going to approve this or what is it to "stop" the houses down the block from saying that, 'Yes, we want to now put something else here because, he put something here.' This is a solid residential area. It is R-100 all the way back to Brown Mills Road, the exception of a group home, there for at least 25 years. It is troubling when these things come into the neighborhood. Our neighborhood is designed for residential, mixed-use or commercial."

Ms. Coffield continued and said that another person wants to speak, and that they actual have a police report.

Ms. Coffield stated that, " Before you make decision, he said that he reached out to many people, I did not know this was coming back up. How can you reach out to the neighborhood when the sign was there for one-day? When I came back the next morning, the sign was gone. I go that way three (3) to four (4) times a day. The community was not notified and did not know it was coming back up. It was still Stonecrest's property and he should have called and said the sign was taken down. This is a solid R-100, need to remain a R-100, and the neighborhood needs to be protected. I am not a person just come in to do business. I have lived here for twenty-five (25) years."

City Planner Chris Wheeler stated that the applicant was notified by the City, via email, that the sign was not posted. The applicant purchased a second sign and reposted it. That sign was taken too. The staff decided it would be unfair for Mr. Igbadume to paid \$50 to replace stolen sign and keep posting.

Attorney Preston stated that the ordinance does not require signs to be posted continuously or fifteen (15) days or today's date.

- 2) Mr. Albert Edward stated that he lives next door and distributed police report(s) to the Commissioners. Mr. Edward stated that the police report includes physical abuse and stabbing of one of his dog. He, Mr. Igbadume, has been there illegally from September to October. They have no control over them. Area not zoned for that type of facility, this a single-family area.
- 3) Ms. Sharon Simpson stated that she lives three (3) blocks away from this place. Ms. Simpson stated that she had called about shootings. Not sure where they came from, she called the police department. Said she do not want facility in neighborhood that she has lived there twenty-three (23) years. Not acceptable.
- 4) Mr. Arthur Larkins(?) said that he lives at 3153 Evan Mills Road, one (1) door down from the said property. Mr. Igbadume basically calling all of them a lair. Last time here in February's meeting, I mention it was a Halloween evening and kids ringing the doorbell – the house supposed to been empty. I never saw kids prior to then. I do not celebrate Halloween. I asked him where he lived? Up the street, the kid replied. There were three (3) other kids standing outside. We are not talking about kids but, teenagers.

Mr. Larkins(?) added that he spoke with a neighbor who reported that kids were poking at dog with knife. Another neighbor told him that the kid asked him what you are doing beating on a can, like he was angry, with a baseball bat and asked kid(s) to stop. They did not and started over again, doing the same thing. Mr. Larkins(?) stated that he has lived there about twenty-five (25) years. Never known of an established child care there. We do not need this kind of problem. This community is in harmony and do not need this.

The applicant, Mr. Igbadume, had two (2) minutes remaining and returned to the podium to speak: "The kids we are approved for...I have said it from before...I did have somebody...You know, I spent so much money in this place... staying there temporarily, there was someone

there with three (3) children. For you to run a child care institution, the State of Georgia will come and there are three (3) different kind of walk-throughs to get approval. I am, allowed to rent that place out to somebody. That is what I was trying to do. When I saw my building been torn down, I cannot apologize for the tenant that I had there...doing the wrong things. That was not our problem. Our problem is security, the State will prescribe for you what you need to do and how many staff. Have oversight twice a month for the child care institution."

The Chairman asked Mr. Igbadume, "We were reading over the police reports. You said that you had a family that is renting the house. That family, are the family still there renting?" Mr. Igbadume replied, "No, they were there three (3) months."

The Chairman asked Mr. Igbadume, "At no time before this, you had not operated your facility?" Mr. Igbadume replied, "No."

Commissioner Wright asked, "Which period did you have rented, the home? What is date? Months?" Mr. Igbadume replied, "Working on renovations...probably finished around June – July ...August...three-four months."

Commissioner Wright asked, "Are you still currently operating your Cobb County group home?" Mr. Igbadume replied, "Yes."

Commissioner Wright asked, "I thought when he read his report, he read, it was confirmed you were there."

City Planner interjected and stated that the Code Enforcement could not confirmed he was or was not there. Commissioner Wright stated it was not a "yes or no" and that she wanted to clarify because the City Planner said it was confirmed that Mr. Igbadume was not there.

Commissioner Wright asked, "I was reviewing some police reports and it is referencing group homes and juveniles so, can you help me get clarification on what these police are referencing? Because in September...you did renovations in June, September, and October. I read through quickly."

Mr. Igbadume replied, "June, July, and August we probably finished renovations...around mid-October...we left."

Commissioner Wright stated, "That is not my question. That is not my question. My question is, "On the police report, it is referencing the group home and running-away juveniles. Can you clarify this for me?"

Mr. Igbadume replied, "I have not seen the police report. I do not know. I know for sure no group home there. I will have my staff, the Director, and everybody will be there. I have no idea what it says. I know people there did a lot of horror. I must clarify myself."

Commissioner Wright stated, "My concern is on the police report, referenced group home. That is not residential."

Mr. Igbadume replied, "No." Mr. Igbadume stated again that he never saw police reports.

Commissioner Wright stated that the police reference “group home.” In the past, we asked the same question. Originally, you stated no. Why has the police put in the report if it is not a group home? An incident report referenced a Georgia Mental Health report and said a youth.

Mr. Igbadume stated that, “Unfortunately, I have no idea. I did not due diligence. My mistake was made to allow someone to come in there... and not sure if she did in his name. I knew twice that police came. I saw a lot of different things going on in this house. “

The Chairman asked the Planning Commissioners for a motion on this matter. McNeal motion to deny SLUP-18-002. Ms. Wright seconded the motion. Motion was unanimously carried. The Chairman stated that the motion to deny SLUP 18-0002 was approved.

At 6:50 PM, the Attorney addressed the Chairman and stated it would be appropriate now to give motion to adjust the Agenda for the swearing-in of Ms. Pearl Hollis.

At 6:51 PM, the Honorable Mayor Jason Lary asked Ms. Hollis to cone forth and was sworn-in. At 6:53 PM, Ms. Hollis joined the Commissioners.

The Chairman asked the audience to silence all phones.

V. New Business:

1. The Chairman asked the Planning Commissioners for a motion to accept and approve the Planning Commission Meeting Minutes Summary dated February 6, 2018.

Commissioner Wright motion to accept and approve the Planning Commission Meeting Minutes Summary dated February 6, 2018. Commissioner Eady seconded the motion. The motion was unanimously carried. The February 6, 2018 Planning Commission Meeting Summary were approved.

2. The Chairman opened the floor for the Public Hearings by asking City Planner, Mr. Chris Wheeler, to begin the presentations.

The following Public Hearings SLUP 18-001, RZ-18-001, and TMOD 18-0002 were presented to the Planning Commissioners.

Mr. Wheeler presented SLUP-18-001:

LAND USE PETITION:	SLUP 18-001
PETITIONER:	Nicole Harris
LOCATION:	5951 Fairington Farms Lane, Stonecrest, GA 30038
CURRENT ZONING:	R-100 (Residential Med Lot) District
PROPOSED ZONING:	R-100 (Residential Med Lot) District
PROPOSED DEVELOPMENT:	Request Special Land Use Permit to operate personal care home.

Mr. Wheeler stated that, "The applicant is requesting a Special Land Use Permit (SLUP) to operate a child care institution for four-to-six (4-6) residents within a MR-1 (Medium Density Residential) District, in accordance with Chapter 27-Article 4.1 Use Table and Sections 4.2.41. D & E of Stonecrest Zoning Code. Staff recommendations is denial of SLUP 18-001."

Mr. Wheeler read out loud the Staff Report's Project Overview, Standards of Review, Analysis, and Recommendation.

Mr. Wheeler asked the Planning Commissioners if there were questions. There were no questions from the Planning Commissioners.

The Chairman asked the applicant, Ms. Nicole Harris, to come forth.

Ms. Harris asked for a contingency and stated that her Board and DFAC was not here. Ms. Harris said that she would like to make corrections: 1) We do not have rotating shifts; and 2) It is 6 bedrooms with 4.5 baths.

Mr. Wheeler advised Commissions that the applicant, Ms. Harris, has nine (9) minutes left and would and asked if she would like to reserve for later? Ms. Harris stated that she would like to reserve the time for future use.

The Chairman asked the Planning Commissioners if there were questions.

The Chairman asked all in favor to come forth. There were none.

The Chairman asked if there were questions or oppositions if so, to come forth.

- 1) Received a *City of Stonecrest Public Comments Card* from Mr. David Walker who stated he has lived in the Fairington Farm area for fourteen (14) years and the neighborhood had/has a strict convenient and by-laws. This type of facility will not help property value, it will lower them.
- 2) Ms. S. Edwards opposed this business and said it is not a good thing. Sometimes the kids are on the streets. This is a residential area. This is a loving community is not zoned for this. Please do not rezone. They told us they have five (5) kids at this home. I purchased my home in 2003 and moved in 2005. Keep the neighborhood the way it is.
- 3) Ms. Rochelle Riley lives at 5770 Fairington Farm Court, a realtor agent, said that allowing other things can come in and our value goes down. Want to keep a family neighborhood and not commercial. Do not need this in our neighborhood.
- 4) Received a *City of Stonecrest Public Comments Card* from Ms. Anita Merkersen at 2973 Fairton Trail, a retired nurse. Ms. Merkersen stated that, "Opposes conversion to commercial zone. Need to maintain residential property." Ms. Merkersen stated that she sees police activities; this is residential area...and group home are good but, wrong location.

- 5) Ms. (?) at 5959 Fairington Drive lives in a 3100' square feet home. In 2015 one resident broke into husband's car and he did not press charges. The incident was not documented. Do not approve mixed use in this neighborhood.
- 6) Mr. David (?), lives at 6484 Fairington Way Lane, states consider the streets near our homes. Will damage our community. Will increase traffic and speed bumps. Please deny this. Do not want in community.
- 7) Ms. Barbara (?), lives on 630 Fairington Lane, said she has lived there fourteen (14) years. She brought into a single family residential area. The ill-formed sign was not erected in advance. The big concern is that the residents in the home are troubled. There have been over sixty (60) concerns, including suicide, missing persons, vandalism, psychiatry intervention. Applicant does not reside in community. Between 2015-2018, as recently two (2) weeks ago. Applicant does not live in the area.
- 8) Received a *City of Stonecrest Public Comments Card* from Ms. Glenn Clayton-Hodges at 5987 Fairington Farm Lane. Ms. Hodges stated that, "I have lived there for fourteen and a half (14 ½) years. I oppose to this zoning due to the following: 1) I Oppose the rezoning from residential to Commercial; 2) Increase police activity and property values at risk; and 3) Will disrupt the harmony, safety, and the peace in the neighborhood." She stated that she installed camera(s); kids looking into the home at night, we have kids. Applicant does not live in community and does not care. Please decline this application."

The Attorney advised the Planning Commissioners that the way the zoning ordinance is written, they have the option at the end of a public hearing to recommend approval, denial or deferral. There is no other option. If deferral, petition will go before the City Council.

The Chairman asked the Ms. Nicole Harris to return to the podium.

Ms. Harris returned to the podium and stated that she is a licensed social worker and has been in this business for thirteen (13) years. She stated that, "Our children are autistic, not delinquent with behavioral issues; and there are five (5). We are invested, willing to work, and partner with the community. It is not our desire to go over five (5) children. There will be two (2) people there at all time. No swing shifts. There are over seventy (70) foster parents. Our children have activities and have partnership with DeKalb County Police (have a non-emergency number) and great partnership with schools. DFAC ask us to take in children."

Ms. Harris stated that, "There are a lot a day cares in the sub-division. They reside there. This is not a facility. They are washing cars, keeping cars, and cutting grass in the sub-division. My child, daughter, graduated from Miller Grove High School and now works there as a Social Worker. I continue to pay home association fees. We are vested in the children (even though DFAC asked us to have six (6) children). I have been a social worker for thirty (30) years. DFAC is asking us to go through the process. We had two (2) vehicles stolen too. There is vandalism in the community."

Ms. Harris ended her statement by saying. "We have a staff that is amazing. They have been there since our opening. Moving out of Lithonia had nothing to do with the community. Had to take care of my parents. We must support the children."

The Chairman asked Ms. Harris if there were any other comments. "Yes, would like a board member to take my place," Ms. Harris replied.

- 1) Ms. Kimberly Underdo(?), a board member, stated that since 1984 she has lived at 6100 Dobson(?) Drive, Stonecrest, Georgia 30328 and do not live in the sub-division. Ms. Underdo(?) stated that she is a licensed clinical social worker and have known Ms. Harris for going on fifteen (15) years. I can attest that Ms. Harris' program is one of top foster care agency in the State of Georgia. I want to say to the community, I am glad they are so invested in our children. Ms. Underdo(?) stated that over half of the children comes from Fulton County and DeKalb County. Ms. Underdo(s) said where are we going to put our DeKalb County children? We are shipping our children to Augusta, Muscogee, Columbus, Savannah and Chatham County. Just because these children are in foster care, these children should not be deemed as delinquents or I do not want them in our community. Nelson Mandela and Jamie Foxx...and Steve (?), they all grew up in foster care and look at the impact they made in their community. These are children that want to thrive and have excelled.
- 2) Ms. April Varner(?), assistant director of a group home, came forth and stated that she is a senior investigator and surveyor for the State of Georgia. State office of licensing and regulate group homes. Ms. Varner (?) stated that the child care home established by Ms. Harris' group home runs circles around others and that Ms. Harris has taken her own personal home and opened it up to provide for the children. Services provided is impeccable. They teach them skills. Case manager makes sure their school work is done and that their grades are improving. They are not just taken from the home. Things are being put in place. This not a typical facility. Grades are improving. There is a sense of normalcy and things are put in place. We would love for people to see what we are doing.

The Planning Commissioners went into discussion.

Mrs. Dozier addressed the Commissioners and stated that, in the DeKalb County it was originally approved. When the applicant came to Stonecrest with application to increase the number of children from five (5) to six (6) the requirements in the ordinance was in place prior to Stonecrest becoming a city. Mrs. Dozier wanted to make it clear to the Commissioners.

Commissioner Wright stated that in the review of the letter included in their package, regarding trespassing, can you address the incidents over a 3-year period?

Ms. Harris answered I have not seen that letter and that DFAC has protocol in place. That if there is a child that mention of suicide, DeKalb must be called. We must call the non-emergency number that DeKalb County provided for us.

Commissioner Hollis asked Ms. Harris if she had reached out to the homeowners in the neighborhood?

Ms. Harris replied that when she first moved into the neighborhood and she spoke with the President. Ms. Harris stated that, "He has my cell and that I am available. My daughter is a social worker, there every day, and that she is vested in the community. DFAC protocol that I must abide by. The children are in DFAC custody."

Commissioner Wright stated that on March 21, 2018 event.

Ms. Harris replied that she was recovering from surgery. Before this was brought to Stonecrest, DFAC asked us to go through this process. In the sub-division, our house was broken into. It was not our children.

Commissioner Wright asked if other group home facilities were, located, in the area? Ms. Harris stated no other group facility in area.

Commissioner McNeal referenced the facility downtown. "Is that not a facility in the downtown area?"

Ms. Harris stated that her office is located downtown.

The Chairman asked if there were any questions from the Planning Commissioners. There were none.

The Chairman asked for motion on SLUP 18-002. Commissioner McNeal motion to deny Petition SLUP-18-002. Commissioner Hollis seconded the motion. The motion was 03-02. Commissioners Wright, McNeal, and Hollis voted to deny SLUP 18-002. Commissioners Eady and Hubbard was in favor of SLUP 18-002. SLUP 18-002 was denied.

The Chairman asked the presenter of the next application to come forth.

Mr. Wheeler presented RZ-18-001:

LAND USE PETITION:	RZ-18-001
PETITIONER:	Bernard Knight
LOCATION:	TRACT "A" 1882 Coffee Road
CURRENT ZONING:	M (Light Industrial) District
PROPOSED ZONING:	M-2 (Heavy Industrial) District Conditional
PROPOSED DEVELOPMENT:	Request rezoning property to M-2 Conditional

Mr. Wheeler stated that, "The applicant is requesting) to rezone the subject property to M-2. Staff recommendations approval with the following conditions of RZ 18-001:

- 1) Access to and from Tract "A" of 1882 Coffee Road (Parcel 16 132 02 003) shall be limited to Lithonia Industrial Boulevard.
- 2) A fifty-foot (50') wide undisturbed buffer along the Coffee Road frontage of Tract "A" of 1882 Coffee Road (Parcel 16 132 02 003).
- 3) A maximum of one emergency access (1) curb cut on Coffee Road, shall be provided and maintained."

Mr. Wheeler read out loud the Staff Report's Project Overview, Standards of Review, Analysis, and Recommendation.

Mr. Wheeler asked the Planning Commissioners if there were questions. There were no questions from the Planning Commissioners.

The Chairman asked the applicant, Mr. Bernard Knight, to come forth.

Mr. Knight stated that he was a part of the Steering Committee and representing clients, the Kelly family, have worked very hard. The said 345 acres property is a split parcel and is vacant. Negative impact. Mr. Knight asked, "Why do we want to combine?" It will add an increase by 7% percent. The property is in Councilman Clanton's District 1. Mr. Walker lives at 1843 and is 1700 feet away. There will be access to Coffee Road and a 50' buffer. Mr. Knight said he agrees with the staff report and asked that the Planning Commissioners approve the petition.

The applicant, Mr. Knight, had 2:19 minutes left on the clock and returned to the podium and asked to view the slide(s) displaying Tract 4 from Lithonia Industrial Boulevard.

The Chairman asked if there were any comments. There was none.

Commissioner Eady motion to approve RZ 18-001 amendment with the conditions amended by Mr. Knight: 1) Access to and from Tract "A" of 1882 Coffee Road, limited to Lithonia Industrial Boulevard; 2) A fifty-foot (50') wide undisturbed buffer along the Coffee Road frontage of Tract "A" of 1882 Coffee Road; 3) A maximum of one emergency access (1) curb cut on Coffee Road, shall be provided and maintained. Commissioner Wright seconded the motion with the above conditions by Mr. Knight. The motion was unanimously carried and approved.

The Chairman asked the presenter of the next application to come forth.

Mrs. Nicole Dozier presented TMOD-18-0002:

TEXT AMENDMENT:	TMOD 18-0002
PETITIONER:	City Council
PROPOSED AMENDMENT:	Amendment to (Industrial) "Parking Regulations" District." Chapter 27 Article VI Section 6.1.3

The Chairman asked the presenter of the next application to come forth.

Community Development Director Mrs. Nicole Dozier stated that Amendment to (Industrial) "Parking Regulations" District, Chapter 27 Article VI Section 6.1.3. The Mayor and City Council has concerns with environmental impact and want to modify the Parking Regulations to address industrial parking areas. Zoning M and M-2 are permitted and must meet certain criteria. Driveway isle must be paved. Received a letter addressed to the Mayor and City Council members opposing unpaved parking and its effects on the environment and run-offs. DeKalb County's ordinance states that all parking lots and spaces shall be paved and have continuous paved access to public and provide streets. The Staff seeks neat, uniform and well-maintained parking lots throughout the city of Stonecrest.

City Engineer Ken Hildebrandt stated that City of Stonecrest is promoting an environmental to avoid run off. Using gravel where heavy trucks travels will cause dust and drainage issues. Cannot stripe. The propose recommendation is to allow gravel parking but, require parking isle shall be hard surface. Feel this a fair compromise.

The Chairman asked if there were oppositions to come forth.

- 1) Mr. Bernard Knight said that he opposed the draft presented by the City of Stonecrest and stated that looking at the background, the satellite shows that fifteen (15) gravel surfaced parking were approved by DeKalb County within the last three (3) years for The Kellies and Jack Phillips, the same wording as we have now. The parking Ordinance has a lot of demand for this and it is expensive to pave. We do not want this there forever. We have a draft and Councilman Clanton to sponsor. We thought staff would reach out and we had meeting with Mr. Hildebrandt.

Mr. Knight stated that the Kelly Paving Company has been in existing since 1959. There are three (3) factors: 1) Appearance, 2) Environment quality, and 3) Durable surface material(s) – this one is the kicker. We came up with a draft and want to get into a dialogue with Stonecrest staff. We suggest referral for more examination of adequate standards and compliance.

- 2) Received a *City of Stonecrest Public Comments Card* from Mr. Bill Wikle of Lee & Associates at 3500 Lenox Road, Atlanta, GA. Mr. Wikle stated, "I support gravel parking as someone who does business in the area. I would like to see the currently proposed language deferred to broaden the possibility of its use." Mr. Wikle said that he was in the gravel business for fifteen (15) years. Large gravel lots looks good; renewable surface; most cost effective; run-offs and of dust; way to do it; good for he environment. Florida prefer it. Do not think they will work.
- 3) With 1:10 seconds remaining, Mr. Knight said that Kelly made a point to say we are blessed to have had two (2) quarries here, and that it depends on the quality of the base of the stone. Mined, crushed, and produced here. We want to take advantage of that.

Mrs. Dozier stated that the language from DeKalb County is very clear, "All Parking must be paved. We are reinforcing the ordinance in place. We are willing to work with our client. The compromise is to have gravel and hard surfaces. We did look at the original documents submitted by Mr. Knight. Was thinking about adding criteria."

Commissioner Eady motion to defer Public Hearing for TMOD 18-0002. Commissioner Wright seconded the motion. The motion to defer TMOD 18-0002 was passed. The vote was unanimously carried.

There being no further business, Commissioner Wright moved to adjourn the meeting. Ms. McNeal seconded the motion. The vote was carried unanimously to adjourn the meeting at 8:20 PM.

Approved:

Vice Chairman

Date

L W Early
5/01/18

Attest:

Secretary

Date

Lillian Lowe
05-01-18