



PLANNING COMMISSION MEETING MINUTES SUMMARY

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

September 7, 2021

I. Call to Order

The Chairman called the Planning Commission meeting to order on Tuesday, September 7, 2021, at 6:02 PM via **ZOOM-Video** meeting. The Chairman read the Rules and Procedures for Planning Commission Meetings and Public Hearings.

II. Roll Call

Chairman Eric Hubbard called the roll. Commissioners JW Eady, Joyce Walker, Pearl Hollis, and Cheryl Moore-Mathis were present. There was a quorum. Planning & Zoning Director Jim Summerbell and City Planner Tuyanna Daniels were present. Attorney Andy Clark, Fincher & Denmark, was not present.

The Chairman explained the **Agenda** format. Mr. Summerbell will do the **Presentations**. The **Public Comments** will be read by the Planning Commission Secretary, Ms. Lillian Lowe after each case is heard.

III. Approval of the Agenda

Chairman Hubbard asked the Commissioners if they agreed with the said Agenda. The Commissioners were unanimously in **AGREEMENT**.

The Chairman turned the meeting over to Mr. Summerbell.

IV. Presentations - Presentation by Jim Summerbell, AICP, Planning and Zoning Director on department activities and upcoming cases. The upcoming cases include:

September 17th (Tentatively Scheduled) Staff & City Council to Discuss Zoning Ordinance

Text Amendments:

- Community Council Establishment
- Arabia Mountain Conservation Overlay
- Supplemental Use Provision for Special Event Facilities and Associated Premises
- Updates to the permitted Use Table & Supplemental Use Regulations

September 18th (Tentatively Scheduled) Planning Information Meeting

Zoning Case(s) currently being reviewed by the Planning Commission is on the September 7th Agenda includes:

- **RZ-21-007**, City initiated rezoning to expand the Arabia Mtn Conservation Overlay District to the east side of Plunkett Road.
- **RZ-21-008**, 2241 S. Stone Mountain Lithonia Road. Rezoning part of 4 acres C-1 zoned to MR-1 for a townhome development to the west side at 2261 S. Stone Mountain Lithonia Road.

V. Public Comments – Not read at this time. The Chairman instructed the Planning Commission Secretary Lillian Lowe to read the public comments submitted, after each case is presented.

VI. Approval of Minutes: The Planning Commission Meeting Minutes Summary dated August 3, 2021.

Chairman Hubbard called for a motion to approve the August 3, 2021, Planning Commission Meeting Minutes Summary. Commissioner Mathis motioned to approve the August 3, 2021, Planning Commission Meeting Minutes Summary. Commissioner Walker seconded the motion. The motion was unanimously **APPROVED**.

VII. Old Business

- 1. WITHDRAWALS** – On August 19, 2021, the following two (2) cases were requested to be withdrawn by the Applicant. Mr. Harold Buckley Jr. from Duke Realty Corporation sent an email to Mr. Summerbell. Staff recommended **ACCEPTANCE OF APPLICANT'S WITHDRAWAL (ATTACHMENT I)**:

LAND USE PETITION: CP-21-001
PETITIONER: Duke Realty
LOCATION: SE Corner of Lithonia Industrial Blvd and I-20 (official address of 2975 Evans Mill Rd and 6378 East Glen Rd)

PROPOSED AMENDMENT: Proposed amendment to the 2038 Stonecrest Comprehensive Plan, amending the Future Land Use Map from City Center to Light Industrial.

LAND USE PETITION: RZ-21-004
PETITIONER: Duke Realty
LOCATION: SE Corner of Lithonia Industrial Blvd and I-20 (Official address of 2975 Evans Mill Rd and 6378 East Glen Rd)

PROPOSED AMENDMENT: Proposed rezoning from R-100 (Residential Medium Lot-100) Stonecrest Overlay Tier 4 to OD (Office/ Distribution) for the development of 329,280 sf Distribution Center. The rezoning would remove the subject property from the Stonecrest Overlay District.

2. Public Hearing:

LAND USE PETITION: RZ-21-003
PETITIONER: APEX Land Company, LLC
LOCATION: 3177 Panola Road and 5207 Thompson Mill Road

PROPOSED AMENDMENT: Proposed rezoning from NS (Neighborhood Shopping) and R-100 (Residential Medium Lot-100) to RSM (Small Lot Residential Mix) for the development of a 76-unit townhome community.

Planning & Zoning Director Jim Summerbell presented **PETITION RZ-21-003**. The Planning Commission heard the case on August 3, 2021 and **DEFERRED PETITION RZ-21-003** in hope that the applicant would reach back out to the community; hold another community meeting; and do a traffic study. A public information meeting was set for September 1. The Applicant did not prepare a traffic study. Instead, reduced the scale of development from 76 to 65 housing units. Staff recommends **APPROVAL OF PETITION RZ-21-003 with the following conditions:**

1. The future development of the site shall be for a maximum of 65 townhome units, and in general conformity with conceptual plan submitted with this rezoning application amendment prepared by Contineo Group for Apex Land Company and dated 8/27/21.
2. The roof line for each building shall be varied.
3. Exterior building materials shall comply with the Article 5 standards of the Stonecrest Zoning Ordinance. The front façade of the units shall incorporate multiple textures and materials similar to the elevations submitted to the Stonecrest Planning Department.
4. A 20ft undisturbed buffer, along with a 10ft landscape strip, shall be in place along the southern boundary line of the Subject Property.
5. Opaque privacy fencing shall be placed along or near the perimeter of the southern boundary line of the property adjacent to the Panola Mills subdivision.
6. There shall be a Mandatory Homeowner's Association which shall own and maintain the common areas, and enforce the covenants placed on the townhome community.
7. The maximum height of the units shall be 2 stories or 35ft in height.
8. Prior to the issuance of any land disturbance permit, the Applicant must provide evidence of a legal mechanism under which all land to be held in common and used for greenspace purposes within the development shall be protected in perpetuity. Such legal mechanism shall include a declaration of restrictive covenants and the formation of a Homeowner's Association, which assure in perpetuity each of the following mandatory requirements:
 - a. That all land held in open space will remain undivided and shall not be subdivided or removed from joint access or benefit in perpetuity;
 - b. That all subsequent property owners in the development will be placed on notice of this development restriction through the deed records filed with the Superior Court of DeKalb County;
 - c. That all land held as greenspace will be properly maintained and that no liability or maintenance responsibilities for the land held as greenspace shall accrue to the City of Stonecrest (the "City");
 - d. That a legal entity exists for notice of deficiencies in maintenance of the land held as greenspace, correction of these deficiencies, and assessment of liens against the properties for the cost of the correction of these deficiencies by a third party or the City;
 - e. That the legal mechanism will become effective and enforceable prior to or at the time of recording the final plat and the sale of any individual properties within the Subject Property; and
 - f. That all requirements of the legal mechanism used to comply with the regulations of this condition will be specified on the final plat to be recorded with the Clerk of Superior Court of DeKalb County.
 - g. Equal access and right of use to all greenspace by all homeowners;
 - h. Mandatory and automatic membership in the Homeowner's Association for all homeowners and their successors;
 - i. A fair and uniform method of assessment and collection/payment for dues, maintenance and related costs;
 - j. Homeowner's Association lien authority to ensure the collection of dues from all members;
 - k. Perpetual and continued maintenance and liability by the Homeowner's Association of land held as greenspace; and
 - l. Filing of all required covenants, declarations, and restrictions with the Clerk of the Superior Court of DeKalb County.
 - m. The recorded covenants shall contain a 15% rental restriction, which rental restriction shall be enforced solely by the Homeowner's Association to the extent permitted by law, with an exception for active military personal that are required to relocate. THE CITY WILL VERIFY THAT THE 15% RENTAL RESTRICTION IS IN THE DECLARATION OF RESTRICTIVE COVENANTS RECORDED

SIMULTANEOUSLY WITH THE FINAL PLAT FOR THE COMMUNITY, HOWEVER, THE CITY HAS NO ABILITY TO ENFORCE THE RENTAL RESTRICTION AND DOES NOT EXPRESS ANY OPINION AS TO THE ENFORCEABILITY OF RENTAL RESTRICTIONS IN RESIDENTIAL COMMUNITIES.

9. Each unit shall have either a 1 or 2 car garage with each unit having a pad in front for two cars. Additionally, the development shall provide a minimum of 29 guest parking spaces.
10. The access on Panola Road shall be a right in-right out only, and a deceleration lane shall be installed.
11. A 5ft sidewalk and minimum 6ft landscape strip shall be installed along the property frontage on Thompson Mill Road and Panola Road. Additionally, the sidewalk on Panola Road shall connect offsite into the existing sidewalk in front of the Panola Mill Subdivision.
12. The development shall provide a minimum of 20% enhanced open space.

Per Mr. Summerbell, Attorney Michelle Battle of Battle Law, PC, representing the applicant, submitted an alternative set of proposed conditions which will be presented as part of the applicant's presentation.

The Chairman turned the floor over to the Applicant.

Attorney Battle from Battle Law Firm, 3562 Habersham at Northlake, Tucker, GA addressed the Commissioners. A PowerPoint presentation was shown. Attorney Battle discussed the zoning map; why they did not do a traffic study; proposed conditions; maintenance of property; mandatory Homeowners' Association; Panola Road corridor, and recent construction. Attorney Battle requested a recommendation of approval.

There were none in **support of PETITION RZ-21-003.**

There were two in **opposition (ATTACHMENT II):**

1. *Spoke-in-person:* Ms. Betty Sykes is in opposition.

Comment was read by the Secretary:

2. Ms. Marcia White Laster is in opposition.

Attorney Battle returned to give a rebuttal and closing remarks. Believe this project to be appropriate for the area. Respectfully request recommendation of approval to the City Council.

The Chairman closed the public hearing before going into discussion.

Chairman Hubbard asked for a motion. Commissioner Mathis motioned to **DENY PETITION RZ-21-003 . The motion was not carried.**

The Chairman asked for another motion for **PETITION RZ-21-003.** Commissioner Eady motioned to **APPROVE PETITION RZ-21-003 WITH STAFF RECOMMENDED CONDITIONS.** Commissioner Hollis seconded the motion. The motion was not unanimous. The vote was 04-01. The Chairman and Commissioners Eady, Walker, and Hollis voted for the **APPROVAL OF PETITION RZ-21-003.** The Chairman recognized Commissioner Mathis' abstention.

VIII. New Business

1. Public Hearings:

LAND USE PETITION: RZ-21-005
PETITIONER: WSM Associates, LLC c/o Battle Law, P.C.
LOCATION: 6301 Browns Mill Rd
PROPOSED AMENDMENT: Proposed rezoning from R-100 (Residential Medium Lot-100) to RSM (Small Lot Residential Mix) for the development of a 31 single family detached house community. The subject property is within and is proposed to remain within the Arabia Mountain Overlay District.

Planning & Zoning Director Jim Summerbell presented **PETITION RZ-21-005**. Staff recommends **APPROVAL OF PETITION RZ-21-005 with the following conditions:**

1. The site plan must be revised and approved by the Planning & Zoning Director to reflect the intent and purpose of the Arabia Mountain Conservation Overlay District prior to permits being issued.
2. The applicant must submit a tree save and landscaping plan to the Director prior to receiving building or land development permits.
3. There shall be a Mandatory Homeowner's Association which shall own and maintain the common areas, and enforce the covenants placed on the community.
4. Prior to the issuance of any land disturbance permit, the Applicant must provide evidence of a legal mechanism under which all land to be held in common and used for greenspace purposes within the development shall be protected in perpetuity.
5. A minimum 5-foot sidewalk shall be installed along the property frontage on Browns Mill Road.

Attorney Michelle Battle, Battle Law Firm, 3562 Habersham at Northlake, Tucker, GA addressed the Commissioners. A PowerPoint presentation was shown. Attorney Battle discussed the site plan; walking trails; stated that this is an older project; the lot size is smaller; the buffer is not required; does not believe it is out of line; a tree survey was not required; believes this is usable use; and will address the water issues. Proposing to route water release slowing from the retention pond to the address the community concerns. Attorney Battle requested a recommendation of approval.

There were none in **support of PETITION RZ-21-005**. There were none in **opposition**.

The Chairman closed the public hearing before going into discussion.

Chairman Hubbard called for a motion. Commissioner Hollis motioned to **CONDITIONALLY APPROVE PETITION RZ-21-005 WITH THE MODIFICATION OF THE SITE PLAN TO SHOW THE SETBACK AND TRANSITIONAL BUFFER BEING ADDED TO THE SITE PLAN**. Commissioner Eady seconded the motion. The motion was unanimously **APPROVED**.

LAND USE PETITION: RZ-21-006
PETITIONER: Ray of Hope Christian Church Disciples of Christ, Inc
c/o Battle Law, P.C.
LOCATION: 4700 Browns Mill Rd
PROPOSED AMENDMENT: Proposed change in zoning conditions, rezoning from RSM (Residential Medium Lot-100) with conditions to RSM (Small Lot Residential Mix) with other conditions for the development of a 73-townhome community with park amenities.

Planning & Zoning Director Jim Summerbell stated that DeKalb County held cases in 2005; had a hard time finding the conditions of that zoning; and not really sure of the full details of what is required. The parcel is wooded and remains vacant. The site is not required to have a traffic study. It is less than 200 units. There will not be an adverse impact on the environment or surrounding natural resources. The development is going to meet the state and local laws regarding the stormwater. The Homeowner's Association will maintain the common areas and enforce the covenants placed on the community. Staff recommended **APPROVAL OF PETITION RZ-21-006 with the following conditions:**

1. The property shall be developed in general conformance with the site plan submitted with this application, dated 8/06/2021.
2. There shall be a Mandatory Homeowner's Association which shall own and maintain the common areas, and enforce the covenants placed on the community.
3. Prior to the issuance of any land disturbance permit, the Applicant must provide evidence of a legal mechanism under which all land to be held in common and used for greenspace purposes within the development shall be protected in perpetuity.
4. The applicant must submit a tree save and landscaping plan to the Director prior to issuance of building or land development permits.
5. The city Engineer shall review and approve driveway location prior to the issuance of building or land development permits.

At the end of Mr. Summerbell's conclusion of the presentation for **PETITION RZ-21-006**, Commissioner Mathis interrupted the meeting at approximately 7:40 PM.

Commissioner Mathis addressed the Chairman and asked that the motion for **PETITION RZ-21-005** be re-read. Did it state with conditions the staff recommended?

The Secretary read, "Commissioner Hollis motioned to **CONDITIONALLY APPROVE WITH THE MODIFICATION OF THE SITE PLAN TO SHOW THE SETBACK AND TRANSITIONAL BUFFER BEING ADDED TO THE SITE PLAN.**" Conditions were not mentioned, stated the Secretary.

Commissioner Hollis asked to amend the previous motion. The Chairman stated that the motion had been voted on and passed.

The Secretary asked the Chairman, if Attorney Andy Clark was on board.

Commissioner Mathis addressed the Chairman and said, "I'm also hearing that people are trying to get on and unable to get in on the Zoom meeting."

The Secretary advised the Chairman that, "If I did not receive an email request before 12 noon today, they were not given the link. The legal ad stated, must be submitted by Noon."

The Chairman thanked Ms. Lowe for the clarification. Commissioner Mathis said, "So, Mr. Chair, I understand what Ms. Lowe is saying and I know that is known. However, you did ask for anyone else wanted to speak for or against, right?"

The Chairman and Commissioner Mathis believes the breakdown was people were not able to get in to make their comments and were not able to get into the meeting.

The Chairman apologized that if someone wanted to speak for the application and they did not get the opportunity to speak. Things being virtual, it appears that we had a hiccup for those people that could not get on the zoom call .

Commissioner Hollis asked if the Attorney was on the zoom call?

The Chairman asked if the City of Stonecrest Attorney was on the call to answer the question. There was no answer.

The Chairman stated that the Commissioners will come back to the question asked by Commissioner Mathis and Hollis. The Chairman suggested that the Communication Team reach out to Attorney Clark and get him on the line.

The Chairman asked Commissioner Eady what was his motion? I seconded the motion, replied Commissioner Eady. The Secretary stated, Commissioner Eady said "I seconded the motion."

The Chairman continued the public hearing for **PETITION RZ-21-006**.

Mr. Summerbell made another point. Had some concerns raised by the residents regarding **PETITION RZ-21-006**. Residents did not have, were not allowed, the opportunity for adequate public input. The community information meeting that was held was lightly attended. Recommend **DEFER** or at least recommend another public meeting be held before it goes to the City Council. Staff recommend that we approve **PETITION RZ-21-006** with the following conditions:

The Chairman turned the floor over to Attorney Battle for rebuttal.

Attorney Battle stated, "I have been involved with this project for the church about 10-15 years. I've been working with Dr. Hale and the Ray of Hope Church. This property was actually owned -- entitled in The City of Hope; which was their 501-C company during some development related things in DeKalb County; and this is when this property was rezoned back in 2000 or 2005 for this site plan. Columbia Residential was the perspective developer, but unfortunately never bought the property.

The church was very much interested in providing senior housing in the area; this property I believe it may have been donated to them; at one point they have been sitting on the property; decided to develop and were looking to do a senior project near South DeKalb Mall. We tried repeatedly over the last 15 years to get somebody to buy this project to develop it in this manner, and it didn't happen. The church has other missions they have other desires.

Dr. Hale is very committed to continuing the ministry of the church and we had an opportunity to market this property for sale for townhomes. We believe that that was a natural offshoot of what had already been proposed. We are not really changing the build in a sense,

we are changing some of the building configuration, but the concept of having townhomes on this property has already been approved. The only difference here is that this will serve just a regular community and it will not be limited to seniors occupying the space.

So, we don't have a builder currently on the site; we have been approached by different companies with regards to the development for townhomes; and the church felt that it was in their best financial interest to do this themselves to maximize their return. Believe the proposal that is presented is one that is reasonable at 73 units...well below the density that was previously approved, below what is allowed under the RSM district regulations.

We are only at 2.9 units per acre because of the amount of floodplain that we have on this site. Everything is kind of leaning towards one side. We tried to make use of this space with the walking trails which are actually encouraged within these floodplain and wetland areas..."

The church is not the builder and would not be looking to build but is looking to put this property in a position that allows the church to market. As their legal representative, placing conditions on here to ensure that it will be a quality project but, I did provide staff with a copy of the conditions. The church cannot locate the letter and Attorney Battle said the County Clerk may have a copy of that letter.

Mr. Summerbell indicated correctly that there was a very light crowd at the public meeting and a deferral is acceptable. We have no problem if we need to do that in order to give the community an opportunity to meet with us and to express any concerns." Attorney Battle respectfully requested recommendation of approval.

There were none in **support of PETITION RZ-21-006.**

There were several in **opposition of PETITION RZ-21-006**

The Secretary read comments submitted via email from (**ATTACHMENT III**):

1. Mr. Franklin D.R. Wesley asked, "How can the county allow this project to go forward in this flooding area?" Is in opposition.
2. Ms. Joy Graham wrote to express opposition to land use **PETITION RZ-21-006.**
3. Mr. Kenneth Roberts is in opposition.
4. Mr. Stanley Williams is in opposition.

The Chairman stated that a **Mr. Tony Marks** wanted to speak in opposition:

5. *Spoke-in-person:* Mr. Marks said he lives in the Woodstream Subdivision and his property is in the back of the proposed petition. Lived here since 1987 and attended all of the meetings that were held at the New Birth Church and now Ray of Hope. The reason they couldn't build the church on that property - there is an underground spring that is protected by the EPA.

They decided to do a senior living facility. That was also turned down because they were going to build more units than they were allowed too. It was not to their advantage to develop it. The traffic on Browns Mill and Snapfinger Road is a nightmare! The only way they could get out of that property, would be to build a road out onto Browns Mill. There is no way that could help the traffic situation.

At least once or twice a week, there are traffic accidents there every month. They are replacing the turn signal that gives you the amount of time that you have before the light turns red. They are constantly replacing that light and you don't have to take my word for it. All you got to do is to look at what's going on at that intersection. It is a floodplain. The spring is underground. Anytime I go out my subdivision, in fall and winter you can see the water running on the street -- it's going downstream. I am opposed to this and like I said, we

did call. Its almost 20 years ago. It looks like you all are passing everything but, I got a postcard.

My property backs up to it, and on that postcard, it said Zoom Meeting but, it did not give a zoom number to get into the meeting. I had to call today to get the information from Marla Green. I mean it had, attend meeting at www.zoom.com and it also then tell you that your questions had to be in at a certain time." We were not notified properly, and I just got this postcard but, the first time this past Thursday. I didn't know anything about an August 6th meeting so, yes, I am opposed. We have been talking in Next Door Neighbor. There are a lot of people that are opposed to it. They did not know what was going on here and this is not fair. You all are approving everything but, you're not taking into consideration how the neighborhood feels."

The Chairman stated that a **Ms. Joy Graham** wanted to speak in opposition:

6. *Spoke-in-person:* Ms. Graham stated, "She (the Secretary) already read my comments. I have listened to some of the things that were said. I'm here with my neighbor. Involved in those previous meetings and they don't feel like it was passed before. Mr. Summerbell mentioned some history around the documentation. Even just looking at that preliminary, I guess site plan -- at this point turning left into a subdivision, that is a recipe for disaster. Quite honestly, I never looked at the elevations that were provided today. You want to put some single car garage. No rental restrictions. The buildable land, already been shared and discussed, is on a floodplain. So, there's only so much of the land is buildable. I would really like to know how many units are actually on the buildable land not necessarily on the overall 24.9 acres. You can't use it so, it's not usable.

I agree with someone else who said, maybe we should do a housing or a feasibility study in his community to find out what's reasonable around here and what's not. So, I oppose. I request that you deny. Would you like to hear from my neighbor? She didn't write in but, she is here."

The Chairman acknowledged the following speakers:

7. *Spoke-in-person:* Ms. Joyce said that she lives on Browns Mill Road and, "I was one of them that went to that meeting at New Birth in 2005. We oppose the house and still oppose putting anything there. This morning, there was an accident right in front of my house, the traffic here is ridiculous. Unless you live around this area, you don't know what going wrong in this area. So, I oppose."
8. *Spoke-in-person:* Mr. Stanley stated listening to this rezoning and what everybody else said about the traffic conditions. A child was hit by a car and killed in front of this subdivision after exiting the school bus. Mr. Stanley lives in the Salem West Subdivision and requested some clarity on trying to cut a road through the back of the 4700's address, in order to come through via Moravia Drive. Mr. Stanley is in total opposition.
9. *Spoke-in-person:* Ms. Carolyn Talley - I would like to oppose this. Also, just like Mr. Tony Marks, we can look out our back door and see where we're going. When we come out of the subdivision, they are coming down the hill, from the school, so fast. We have to really fly out to get on the road. There is no room for us to merge right and get on Browns Mill Road. It is just too much going on there. People don't live over here. They do not understand. We know what's going on and love our property. We don't want that over here. I object this project.
10. *Spoke-in-person:* Ms. Annie Jackson lives in this area, the Burlington Subdivision, and stated, "I echo what everyone has said, especially about the traffic. It is very hard on a Friday

afternoon or anytime the traffic is high, to make a left-hand turn to go out on Browns Mill Road. So, many times to make a right-hand turn, I go all the way around in order to get out. Just like the lady just said, the traffic is coming down so fast and there have been several accidents right in front of the subdivision. People just take that chance. On that corner, the traffic on a Friday afternoon or weekends, is always backed up. I oppose this project at this time."

11. *Spoke-in-person*: Mr. Stanley Williams returned and asked for clarification, "Will there be a road coming through our Salem West Subdivision from that 4700 Browns Mill location?"

Attorney Battle returned and spoke on the approval in 2005 by the DeKalb County Board's letter; spoke on the water issues and retention pond; building within 12 acres of usable land; traffic issue; and happy to have meetings with the community.

The Chairman closed the public hearing before going into discussion.

Chairman Hubbard called for a motion. Commissioner Mathis motioned to **DEFER PETITION RZ-21-006; ALLOW APPLICANT TO MEET WITH THE COMMUNITY; RETURN BACK TO THE PLANNING COMMISSION TO HEAR THE FINDINGS; AND APPROVE PETITION RZ-21-006 WITH THE CONDITIONS RECOMMENDED BY THE STAFF**. Commissioner Eady seconded the motion. The motion was unanimously **DEFERRED**.

Commissioner Mathis asked if the motion for **RZ-21-005** can be rescinded at this time. To make sure that the recommendations of the planning department were included in the motion. Which was given as part with the transitional buffer. It was just assumed that the staff recommendations were included but, it was never stated.

The Chairman stated that with a point of clarification, Commissioner Hollis is the author of that motion and Commissioner Eady seconded that motion.

Attorney Clark was on the call earlier. The Chairman said a notification was received that Attorney Clark had an emergency and left the call.

The Commissioners moved forward with **PETITION RZ-21-005**.

Mr. Summerbell said it is an amended motion.

Commissioner Hollis stated trying to do initially amend the motion.

The Chairman stated not sure if that was legally the correct way to do it, and when we called to see if the attorney was online, he was not. Not sure of what the legality of that but, we can amend the initial motion for **PETITION RZ-21-005** to include the staff recommendations in addition to a transitional buffer which must be shown on the site plan.

The Chairman told Commissioners that there was a question posed by Commissioner Hollis. Does she need to repeat? Discussion took place on how to legally rescind and/or amend the motion for **PETITION RZ-21-005**, in order to add, "**APPROVED WITH THE STAFF RECOMMENDED CONDITIONS**."

The Chairman called for a motion to **AMEND PETITION RZ-21-005**. Commissioner Hollis motioned to **APPROVE PETITION RZ-21-005 WITH ALL THE STAFF RECOMMENDED**

CONDITIONS AND IN ADDITION, THE TRANSITIONAL BUFFER MUST BE SHOWN ON THE SITE PLAN(S). Commissioner Eady seconded the motion. The motion was unanimously **APPROVED**.

LAND USE PETITION: TMOD-21-007
PETITIONER: Stonecrest Planning & Zoning Dept
LOCATION: Citywide

PROPOSED AMENDMENT: Amendment Stonecrest Code of Ordinances, Chapter 7 – Building and Construction. Adoption of the GMA model ordinance for Private Permitting Prequalification for review and inspection.

Planning & Zoning Director Jim Summerbell presented **TMOD-21-007**. Recommending adoption of the GMA model ordinance for Private Permitting Prequalification for review and inspection. House Bill 493 was signed by the Governor and made effective July 1, 2019. Model GMA Ordinance was modified for Stonecrest. TMOD was renumbered from TMOD-21-010 as presented to the City Council at the Special Called Work Session on August 13, 2021, to maintain sequential numbering with previously adopted text amendments. Staff recommended **APPROVAL OF TMOD-21-007 TO THE CITY COUNCIL**.

There were none in **support of TMOD-21-007**. There were none in **opposition**.

The Chairman closed the public hearing before going into discussion.

Chairman Hubbard motioned to **ACCEPT TMOD-21-007**. Commissioner Mathis seconded the motion. The motion was unanimously **ACCEPTED TMOD-21-007**.

LAND USE PETITION: TMOD-21-008
PETITIONER: Planning & Zoning Department
LOCATION: Citywide

PROPOSED AMENDMENT: Amendments to Stonecrest Zoning Ordinance, Chapter 27 Article 7 – Administration regarding application procedures, training requirements for commission and board members, and public notification of the rezoning and building activity.

Planning & Zoning Director Jim Summerbell presented **TMOD-21-008**. Regarding all administrative codes. Includes recommendations to training requirements for commissions and boards; application procedures; as well as public notification of rezoning building activity.

Mr. Summerbell spoke on the draft Zoning Ordinance presented to the City Council in March 2020 (prepared by the Collaborative Firm). Amendments were later presented to the City Council at the Special Called Work Session held on August 13, 2021. Council members were very much in favor of the draft. Some modifications were part of the original text amendments. We have modified it slightly and included it in the September 7th meeting packet for consideration.

Clarification regarding the training and education of board and commissioners referenced **Sec. 7.1.2 – Governing Bodies, B. Training and Education of Boards and Commissions**. Members must attend one (1) training by the 365th day of their term of appointment or reappointment or one or more classes or courses seminars (Sec.2.6.17.b).

Also, saying that the education training opportunities not included/limited to any organized training activities that is the opinion of the Planning & Zoning Director are relevant activities, operations, and duties of said board or commission (Sec.2.6.17.e). Again, this is already required for training in Article 7. - Administration, Section 7.2.2. - Applications, B.2.

Mr. Summerbell discussed housekeeping matters:

1. No application shall be processed by the Planning and Zoning Director unless it complies with the procedure requirements of this division and is found to be a complete application. We are trying to make sure that when we receive applications, everything is in place before it goes further to council and commission.
2. Section 7.2.4 C.1 – Public Hearings. This would increase the distance from the subject's property. When we send out mail notifications, right now it is 250 feet, we would like to extend that to property within 1000 feet.
3. We added a new in Section 7.2.5, A.2. - Community Impact Notification. This includes any development or building project with aggregate 12,000 square feet of construction or any other similar work requiring a building permit within the next 24 months.
4. Lastly, Mr. Summerbell discussed Section 7.2.5. B. – Requirements, how the community is notified and an effort to be transparent with the community about what is happening on any development or building project with average of 12,000 square foot of warranty.

Officials shall notify or shall provide notification to the pertinent district council members. The Posting Notice by the applicant shall place one or more signs in a conspicuous location on the property. Each sign shall contain the location, nature of the proposed project, and web address to access and the view plans. Written notice shall be emailed or by first class mail by the applicant to all owners of property within 1,000 feet of boundaries and some subject property. Statin state the location and nature of the proposed development.

Staff recommends **APPROVAL OF TMOD-21-008 TO THE CITY COUNCIL.**

Chairman asked the Commissioners if there were questions for Mr. Summerbell.

There were none in **support of TMOD-21-008**. There were none in **opposition**.

The Chairman closed the public hearing before going into discussion.

Chairman Hubbard asked for a motion. Commissioner Mathis motioned to **DEFER TO THE CITY COUNCIL AND COME BACK TO MR. SUMMERBELL**. The Chairman seconded the motion. The vote was unanimously **DEFERRED**.

IX. Adjournment

The vote was carried unanimously to adjourn the meeting at 8:38 PM. Commissioner Mathis motioned to adjourn. Commissioner Hubbard seconded the motion.

SPECIAL NOTE:

All comments received are included in the September 7, 2021, Planning Commission Meeting Minutes Summary.

Visit the following link to view the meeting: [9 7 2021 Planning Commission - YouTube](#)

APPROVED:

Chairman

Date

ATTESTED:

Secretary

Date





**Planning Commission Meeting
September 7, 2021**

ATTACHMENT I

CP-21-001 & RZ-21-004

EMAILED WITHDRAWAL REQUEST

From: Mr. Harold Buckley, Jr.
Duke Zoning

Date: August 19, 2021

Lillian Lowe

From: Harold Buckley <hbuckley@wbilegal.com>
Sent: Thursday, August 19, 2021 6:23 PM
To: Jim Summerbell
Cc: janiceallenjackson@stonecrestga.gov; Jim Nichols; Lillian Lowe; David Sprinkle; Natalie Tyler-Martin; Wes Hardy; Larry M. Dingle; associatehubbard@yahoo.com; Tammy Grimes; Jazzmin Cobble; Tuyanna Daniel
Subject: Duke Zoning Withdrawal Request

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Hi Jim,

I am reaching out to let you know that, after careful consideration, Duke has decided to withdraw its zoning application without prejudice. Duke remains convinced that the proposed warehouse is fully consistent with the city's land use policies/standards and that it would be an asset to Stonecrest. Nevertheless, Duke does not think it would be productive to move forward with its zoning application for the following reasons:

1. There is a good bit of mudslinging going on that could be interpreted as intellectual untruthfulness.
2. The mudslinging has resulted in media reports that mischaracterized Duke Realty's high integrity.
3. The instability of Stonecrest's past, present and potentially future staff, as reflected by the extraordinarily high city staff turnover since Duke submitted its application.

Please let me know if there is anything further that I need to do to perfect this withdrawal request.

Harold Buckley, Jr., AICP
Partner
WILSON BROCK & IRBY, L.L.C.
Overlook I, Suite 700
2849 Paces Ferry Road
Atlanta, Georgia 30339
mail to: hbuckley@wbilegal.com

Tel: 770-803-3707 (Direct)
404-853-5050 (Main)
Fax: 404-853-1812

Please think about the environment before you print this e-mail.

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**Planning Commission Meeting
September 7, 2021**

ATTACHMENT II

**EMAILED COMMENTS FOR
RZ-21-003**

Read by

Secretary Lillian Lowe

Lillian Lowe

BZ-21-003

From: Betty Sykes <bjsykes38@gmail.com>
Sent: Monday, September 6, 2021 4:34 PM
To: Jim Summerbell; Lillian Lowe; Tuyanna Daniel; cobble@stonecrestga.gov; Jason Lary; George Turrier; Jimmy Clanton; Tammy Grimes
Subject: Opposition to the rezoning of Panola RD
Attachments: Opposition to Rezoning.docx

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Please enter the following letter into record for the rezoning meeting for panola Rd and Thompson Mill Road scheduled for 9/7/2021. I have requested a zone code for the meeting, however, I have not received a response.

Sept.3, 2021

To Commissioner Clanton ,

I am writing to you to express my strong opposition to the proposed rezoning of the property located at 3177 Panola Road and 5207 Thompson Mill Road. My family and I have been residents of the Panola Mill Subdivision for 21 years. As you are aware the Panola Mill subdivision is located directly behind the properties that are under consideration for rezoning. The potential development of 76 town homes would have negative impact on the quality of life for the residents of Panola Mill, Glen Croft, Haven wood and Wood Grove subdivisions. These subdivisions are already surrounded by two apartment complexes and the residents are faced with the daily challenge of navigating in and out of heavy traffic along Panola Rd. Our homes which are one of our largest financial investments will be adversely affected by this proposed development. Increased traffic, a sagging and inadequate infrastructure, crime and increase in population density are just a few of the problems and challenges that this townhouse community will exacerbate. This development will have a negative impact on the entire community.

As a concerned citizen and longtime resident, I have to ask why would the city of Stonecrest seek to add townhomes to an area where the roads, traffic lights and services do not support the current homeowners and businesses? In addition, take into account the schools in the area. Has any one completed a study to see how this community would impact the schools in the area? Our schools on this end of the county are dealing with overcrowding, struggling students, a high teacher to student ratio and a lack of parental involvement. Is the developer willing to contribute financially to build additional classrooms for our schools?

There are currently several townhome developments on Covington Highway, Chupp Road and Phillips Road being built at this time, this includes the home or townhomes being built along Rock Spring Road. There appears to be a desire to saturate an area with little regards for the individuals who live in the area, particularly the tax paying home owners. We are concerned with what these community will look like four to five years from now. We can see the results of dilapidated and abandoned townhouses on Snap finger Road near Miller Road which are an eye sore to the community. We do not want to see this happen in our community, I am concerned that our property values will plummet due to the fact that multi-family homes or townhomes over a period of time may not be maintained. While I see some business development in the area, there is simply not enough quality restaurants, stores and services in the to support additional growth. I am asking that the city of Stonecrest focus on keeping this area as a green space.

In closing, I urge you to deny the proposed rezoning and from talking with my neighbors I know many share my opinion. The infrastructure in the area is not designed to support a 76-unit townhome community. Please support the homeowners of Stonecrest who are supporting the city with their tax dollars. Do not sell us out.

Sincerely ,

Betty Sykes

Lillian Lowe

RZ-21-003

From: Marcia White Laster <mwhitelaster@gmail.com>
Sent: Friday, September 3, 2021 7:39 AM
To: Jim Summerbell
Cc: Lillian Lowe
Subject: Rezoning of land at Thompson Mill Road & Panola Road for Townhomes

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Greetings Mr. Summerbell,

I am writing today to first thank you for serving as the Planning Director for Stonecrest. Secondly, I want to bring to your attention the request to rezone the land at the corner of Thompson Mill Rd and Panola Rd to accommodate the building of a townhome development.

This part of Stonecrest is the most heavily trafficked and that specific corner has been the site of many traffic accidents as the area has become more congested. The townhome development would create even more congestion and add to the traffic and accidents in that area. There is already so much traffic on Panola Rd that people living in the Panola Mill subdivision have trouble entering and leaving the subdivision as a traffic light is sorely needed there. This proposed townhome development would only add to the congestion on Panola Rd as the subdivision is within close proximity of the proposed development. There is also a stream that runs through this land. The stream coupled with the congestion concerns make the current infrastructure insufficient to accomodate building townhomes there.

Those of us who own homes in the area did so expecting a quiet suburban environment. This development would put many townhomes on a small plot of land and would not support a suburban environment. It would invariably help reduce current homeowners property values and invite an unwelcome element into our community.

Lastly, the properties involved in the rezoning request are being sold by East Metro Brokers, LLC whose registered agent is Edwina Clanton, the wife of District 1 Councilman, Jimmy Clanton. I do find this to be a conflict of interest. It would benefit them while harming the community at large. We know we cannot keep this land wooded forever, but this is the wrong development for this area.

Please do not pass this rezoning request. Your service as Planning Director for Stonecrest is appreciated.

Sincerely,
Marcia White Laster
5100 Panola Mill Drive
Stonecrest, Ga



**Planning Commission Meeting
September 7, 2021**

ATTACHMENT III

**EMAILED COMMENTS FOR
RZ-21-006**

Read by

Secretary Lillian Lowe

Lillian Lowe

RZ-21-DD6

From: Franklin D.R. Wesley, I <fwesley@bellsouth.net>
Sent: Tuesday, September 7, 2021 11:13 AM
To: Lillian Lowe; sandra s roberts mrs.; john webb; larry2 mincey
Cc: stanley williams mr
Subject: Re: Floodplain map for this property.

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

Folks please contact Ms. LOWE , before noon today to get on list to speak about road coming thru our Subdivision, and any other problem we have with this project. Send her an email.

Sent from AT&T Yahoo Mail on Android

On Thu, Sep 2, 2021 at 2:34 PM, Franklin D.R. Wesley, I <fwesley@bellsouth.net> wrote:

Ms.lowe: How can the county allow this project to go forward in this Flooding area? Thanks.

Sent from AT&T Yahoo Mail on Android

Lillian Lowe

From: Joy Graham <joygraham@outlook.com>
Sent: Thursday, September 2, 2021 9:27 PM
To: Lillian Lowe
Subject: Planning Commission Meeting -- Public Comment

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

Dear Councilmembers,

I am writing to express opposition to **Land Use Petition RZ-21-006** for the following reasons:

1. As other Stonecrest residents have expressed on previous City Council meetings, we do not want an influx of dense/multi-family housing in this area. The current zoning conditions for the property at 4700 Browns Mill Road (Residential Medium Lot-100) is aligned with the other houses in this area -- with the smallest adjacent property being .42 acres. Allowing Small Lot Residential Mix conditions here would devalue the surrounding properties, even more so if Land Use Petition RZ-21-003 passes and townhouses are also built at Panola and Thompson Mill roads.
2. There is already a considerable amount of traffic at the intersection of Browns Mill Road and Highway 155, with the turning lane regularly backing up to the Family Dollar that was unnecessarily erected last year. There have also been quite a few accidents at the intersection as people attempt to make the light out of frustration. Adding 73 townhouses here would only amplify and exacerbate the traffic challenges -- risking both lives and properties.
3. This Petition has been presented to the City before and did not pass. The Stonecrest residents who opposed it then, still oppose it now, along with some newer homeowners. If the petitioner, Ray of Hope Christian Church Disciples of Christ, Inc., is truly interested in developing a townhouse community, they have 17+ acres -- directly across the street from their church, outside of the City boundaries -- where traffic does not bottleneck and their neighbors likely welcome their growth and development.

I will be viewing the live meeting and am happy to elaborate further if needed.

Thank you for considering the concerns, needs and desires of Stonecrest residents,
Joy Graham

Lillian Lowe

RZ-21-006

From: noreply@salesforce.com on behalf of City of Stonecrest
<cityofstonecrest@jacobs.com>
Sent: Tuesday, September 7, 2021 11:36 AM
To: Tuyanna Daniel; lvelys.lipsey@jacobs.com; Jim Summerbell; Lillian Lowe;
sharon.flint@jacobs.com; julie.macker@jacobs.com
Subject: City of Stonecrest Case Number: 00075236 - Planning and Zoning - ref:_00D6gsr8d._
5005b1EwgIE:ref

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Case Details:

Initial Date & Time: 9/7/2021, 11:24 AM EDT

Case Subject: Planning and Zoning

Method of Contact: Phone

Priority: Medium

Description: The caller stated he received a notice about a change in zoning for property 4700 Browns mill rd. He stated they are going to build some townhomes there but it has severe flooding there. He stated this will only make it worse.

Issue Address: 4700 Browns Mill Road

Cross St:

Business Name and Address:

Citizen Information:

Customer's Name: Kenneth Roberts

Phone: 7709873667 Ext.

Cell Phone:

Email Address:

Citizen Address: 3392 Herrenhut Rd

Activity History:

Comments: I advised the caller I will get the information over to planning and zoning.

Completed Date & Time: 9/7/2021, 11:36 AM EDT

To update this case, please reply to this email. This will ensure the case is automatically updated. Please allow one (1) business day for processing.

*For urgent assistance, please contact Sharon Flint
sharon.flint@jacobs.com, Citizen Responder, and Ivelys Lipsey
ivelys.lipsey@jacobs.com, Operations Manager.*

ref:_00D6gsr8d._5005b1EwgiE:ref

Lillian Lowe

From: Stanley Williams <safehunter2@yahoo.com>
Sent: Tuesday, September 7, 2021 11:57 AM
To: Lillian Lowe
Subject: Opposing rezoning petition: RZ-21-006

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Reason being due to excessive traffic on Moravia dr/Fetter st. A child was hit by car and killed exiting school bus. She lived on Moravia dr. I would like to make a comment tonight.

Stanley Williams

Sent from Yahoo Mail on Android



Planning Commission Meeting September 7, 2021

EMAILED COMMENTS RECEIVED
AFTER 12 NOON

Not Read by

Secretary Lillian Lowe

Lillian Lowe

From: Dave Marcus <dmarcus123@gmail.com>
Sent: Tuesday, September 7, 2021 4:50 PM
To: Lillian Lowe
Cc: mathis3181@yahoo.com; Jim Summerbell; Eric Hubbard
Subject: Public Comment in Oppositions to RZ-21-005 / 6301 Browns Mill Rd

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Good evening Commissioners,

I like almost everything about the proposal for this development.

HOWEVER, I ask you to either defer it due to the site plan being out of conformance with the Arabia Mountain Overlay District or to approve it with two conditions: First, that no variances may be applied for. Second, that the zoning change will be void if a variance is applied for.

Worth noting is that at the first public meeting about this, we were told that no variance would be needed. Yet the site plan does not include the required buffer between the property to be developed and other properties.

I understand that the developer's argument is that a buffer should not be needed where the adjacent property is protected green space. This is contrary to what the overlay district requires. There is nothing that says buffer is required only when there is an adjacent residence.

The purpose of buffer is not to ensure only green space for the sake of the residents of the houses being built. It is also for the sake of the users of the adjacent property. In this case, if a trail is built or extended to be near the proposed development, it will not be as shielded as it would be if the overlay district requirements were met. And residents would not be as shielded from green space users.

I believe that the proposed houses are very attractive, and their size and price point is appropriate. I am in favor of this development. HOWEVER, I believe that the site plan needs to be modified to conform to the overlay district BEFORE the rezoning is approved. Either that or the approval should be contingent on the developer creating a site plan that is in conformance with the current zoning, including the overlay district.

Thank you,

Dave Marcus
6501 Rockland Road

Lillian Lowe

From: Marla Greene
Sent: Tuesday, September 7, 2021 5:30 PM
To: Jim Summerbell; Lillian Lowe
Cc: Toni Marks; Marla Greene
Subject: Re: Zoning Petition RZ-21-006 Ray of Hope

Jim,

Per our conversation, please see Ms. Marks questions.

Thanks,

Marla

Sent from my iPhone

> On Sep 7, 2021, at 4:59 PM, Toni Marks <tmaks0822@gmail.com> wrote:
>
> CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.
>
> Ms Greene,,
>
> My question to the zoning panel.
> Have you considered how the traffic will be impacted f the petition is approved? There are at least 2 to 3 accidents at the corner of 155 and 212 every month. The signal that tell how many seconds are left before the light changes has to be replaced at least once a month due to accidents.
>
> Please at least take this into account when making your decisions.
>
> Concerned citizen and resident,
>
> Antoinette Marks
>
>
>
>
> Sent from my iPad

Lillian Lowe

From: Ken Taylor <kentaylor701@gmail.com>
Sent: Tuesday, September 7, 2021 7:06 PM
To: Lillian Lowe
Cc: George Turner; Jim Summerbell
Subject: Re: RZ-21-006 - 4700 Browns Mill Rd.
Attachments: RZ-21-006 - Public Comment Card.pdf

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Please see attached my public comment form for the subject rezoning request that is being held tonight. I understand it is common practice to submit the form prior to the meeting but I was not aware of the Zoom meeting until late this afternoon...

Thank you

On Tue, Sep 7, 2021 at 6:00 PM Ken Taylor <kentaylor701@gmail.com> wrote:

Just heard from a neighbor that the meeting is being held via Zoom and you had to request a link by noon today to view. Gentlemen, my sole and simple request in regard to this matter is to have a community meeting that is openly communicated to residents that will be impacted by this project. That community meeting should take place prior to any decision by your Planning & Zoning Commission or the city council.

Thanks for your consideration of this request and the community's right to know about development projects that impact residents.

Ken Taylor

On Tue, Sep 7, 2021 at 5:06 PM Jim Summerbell <jsummerbell@stonecrestga.gov> wrote:

A public hearing will be held tonight, but we will have to see what the recommendation of the Planning Commission is with regard to matter. You are correct in that ultimate decision does rest with the city council.

Jim Summerbell, AICP | Planning & Zoning Director | 470-727-0069



From: George Turner <GTurner@stonecrestga.gov>
Sent: Tuesday, September 7, 2021 5:02 PM
To: Jim Summerbell <jsummerbell@stonecrestga.gov>; Ken Taylor <kentaylor701@gmail.com>
Subject: RE: RZ-21-006 - 4700 Browns Mill Rd.

We need a conference on this matter. It has been my understanding that once an item has been advertised for public hearing, it was obligated to public hearing. While the PC can recommend a deferral, the ultimate decision rest with the city council.

From: Jim Summerbell <jsummerbell@stonecrestga.gov>
Sent: Tuesday, September 7, 2021 9:40 AM
To: Ken Taylor <kentaylor701@gmail.com>
Cc: George Turner <GTurner@stonecrestga.gov>
Subject: RE: RZ-21-006 - 4700 Browns Mill Rd.

The case has been advertised, so a public hearing will be held tonight, but I am working with the Chairman of the PC to see if they will defer the case to allow more time for public input.

Jim Summerbell, AICP | Planning & Zoning Director | 470-727-0069



From: Ken Taylor <kentaylor701@gmail.com>
Sent: Tuesday, September 7, 2021 9:26 AM
To: George Turner <GTurner@stonecrestga.gov>; Jim Summerbell <jsummerbell@stonecrestga.gov>
Subject: Fwd: RZ-21-006 - 4700 Browns Mill Rd.

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Good morning, Mr. Turner and Mr. Summerbell. You may recall I spoke to both of you about this subject last Thursday. You assured me that something could be done to arrange another community meeting to properly inform area residents about this project. I hope that at the very least the item can be deferred on the agenda of the Planning and Zoning Commission meeting which is scheduled for later today. Please advise...

Thank you,

Ken Taylor

----- Forwarded message -----

From: Ken Taylor <kentaylor701@gmail.com>

Date: Thu, Sep 2, 2021 at 10:18 AM

Subject: RZ-21-006 - 4700 Browns Mill Rd.

To: Lillian Lowe <Lillian.Lowe@stonecrestga.gov>, cc: George Turner <GTurner@stonecrestga.gov>, Jim Summerbell <jsummerbell@stonecrestga.gov>, Mafe, Rosie <Rosie.Mafe@jacobs.com>, Tuyanna Daniel <TDaniel@stonecrestga.gov>

Cc: Mal Parker <President1erb@gmail.com>, <Treasurer1erb@gmail.com>, <businessmanager1erb@gmail.com>, <cmeertin@gmail.com>, <vicepresident1erb@gmail.com>, Michele Battle <mlb@battlelawpc.com>

Ladies and Gentlemen: This email is in reference to the community meeting that was held on August 18, 2021 via Zoom to discuss the subject rezoning request. The City of Stonecrest referred me to this meeting after I noticed a sign posted on the property this past weekend mentioning a Planning & Zoning Commission meeting for decisioning on September 7 and one for a final hearing before the Stonecrest City Council on September 27.

Earlier this week, I viewed the community meeting on the recorded Zoom call that discussed the project. The meeting covered both the subject rezoning request and a second request (RZ-21-005 at [6301 Browns Mill Rd.](#)). It is unfortunate that there were very few residents who participated in the August 18 meeting to offer feedback on the rezoning request. In fact and as you probably know, there were only two or perhaps three residents in total who were on the call. Bottom line, the community was not given adequate, effective or direct notice of the date of the community meeting. Someone on the call for the August 18 meeting even stated that there was little "proactive notification" to the community of the meeting. I later learned that only those who were signed up for "alerts" for the City of Stonecrest were given notice of the meeting or perhaps there was some other communication of the meeting of which I am unaware.

Regardless, the community meeting held on August 18 did not provide or represent a fair opportunity for the community to provide input on the project due to the fact there was not adequate notice of the date of the meeting given to the community. After listening to the call there were a number of issues, questions and concerns relative to the RZ-21-006 project that (in my mind) were not adequately covered or explored that I believe are important to the community and must be addressed *prior* to the Planning & Zoning Commission meeting scheduled for September 7.

Therefore, I respectfully request that another community meeting be scheduled that will give the community a more robust opportunity to evaluate the subject project and address specific issues, questions and concerns that were not addressed on the August 18th Zoom call. Furthermore, I respectfully request that consideration of the subject rezoning request be withdrawn from the agenda for the Planning & Zoning Commission meeting scheduled for September 7. This should allow adequate time to reschedule a community meeting to address the subject rezoning request and provide proper and adequate notice to the community to attend or participate in that meeting in whatever format that the City of Stonecrest determines is most appropriate.

As you know, both of the projects discussed and presented during the August 18th community meeting are fairly substantial in scope and will impact a sizable portion of community residents in the area. It is only fair, reasonable and prudent on the part of the City of Stonecrest to give those residents ample opportunity to review these projects and weigh in on whether they will be suitable and desirable for the community. Please respond to this communication at your earliest convenience.

Thank you,

Ken Taylor

Lillian Lowe

From: Mal Parker <president1erb@gmail.com>
Sent: Tuesday, September 7, 2021 7:26 PM
To: Lillian Lowe
Subject: Planning Commission 09072021

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Good Evening Ms. Lowe

Regarding the project requested at the intersection of Browns Mill and Snapfinger (155), there was not sufficient Public Notice to the neighboring communities. I ask that the commission defer the vote until there is an additional public hearing for the community.

Thank You in Advance,

Mal Parker

Lillian Lowe

From: Ken Taylor <kentaylor701@gmail.com>
Sent: Tuesday, September 7, 2021 10:47 PM
To: Lillian Lowe; Jim Summerbell; Mafe, Rosie; Tuyanna Daniel; George Turner; ehubbard@stonecrestga.gov
Cc: Mal Parker; Treasurer1erb@gmail.com; businessmanager1erb@gmail.com; cmeertin@gmail.com; vicepresident1erb@gmail.com; jg2mason; fwesley; Michele Battle; staceythibodeaux; Lila B Lucas; DAVID TANKS JR.
Subject: RZ-21-006 - 4700 Browns Mill Rd. (Deferral of Application)

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To: Officials Addressed at City of Stonecrest

As you know, a hearing for the Planning and Zoning Commission for the City of Stonecrest was held earlier tonight to address the subject rezoning application. The Commission voted to defer consideration of the application to allow a community information meeting to convene to give residents in the area an opportunity to review the subject request and determine if the project proposed is suitable and acceptable for their community. I understand it may take time to determine the date and time of this meeting and arrange the necessary logistics to conduct it. Speaking on behalf of the large swath of residents that will be directly impacted by the outcome of this application, I'd like to ensure that the City of Stonecrest will make a transparent and good faith effort to communicate the date and logistics of the community meeting to ensure maximum participation by those residents.

As such, I respectfully request that you reveal the process and manner in which you will communicate the date and logistics of the community meeting and the medium or media you will use to communicate that information.

I make this request in order to ensure that residents affected by the proposed rezoning and project will be given ample time and notice of the community meeting including its date, time and logistics. As you saw from the hearing this evening, there seemed to be some degree of confusion and even misinformation about the scheduling and logistics of the previous August 18 community meeting and even the commission meeting held earlier tonight. I believe that partially explains the dearth of residents who were able to vocally participate on the call. Residents need and deserve clear, accurate and transparent notice on matters of rezoning as they relate to residential and commercial development that affect their interests. Such notice on the subject rezoning request in particular will allow residents to review the information presented on the Zoom call earlier tonight, fully analyze and evaluate the impact the proposed project will have on the community, consult with independent professionals (if necessary) regarding appropriate and preferred land use at the subject location, and discuss the project amongst themselves prior to the community meeting.

Again and to summarize, please outline where and how citizens can access information on the date, time and logistics for the community information meeting to be held to discuss the subject rezoning request and application. My plan is to share that information immediately with citizens residing within a one mile radius of the subject location for their preparatory and planning purposes.

Respectfully yours,
Ken Taylor

[For communication efficiency and documentation purposes, please copy all parties mentioned on this email in your response]

PLANNING COMMISSION MEETING SCHEDULE

Meets on the 1st Tuesday of each month at 6:00 PM unless otherwise stated.



2022

January						
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January 4th

February 1st

March 1st

April						
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April 5th

May 3rd

June 7th

July						
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August						
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September						
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*July 5th

August 2nd

*September 6th

October						
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November						
Su	Mo	Tu	We	Th	Fr	Sa
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30			

December						
Su	Mo	Tu	We	Th	Fr	Sa
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

October 4th

November 8th

December 6th

Holiday Week*

DRAFT 10-5-21/LL

Federal holidays 2022					
Jan 1	New Year's Day	Jul 4	Independence Day	Nov 11	Veterans Day
Jan 17	Martin Luther King Day	Sep 5	Labor Day	Nov 24	Thanksgiving Day
Feb 21	Presidents' Day	Oct 10	Columbus Day	Dec 25	Christmas Day
May 30	Memorial Day			Dec 26	Christmas Day (obs.)