



**'SPECIAL CALLED'**  
**PLANNING COMMISSION MEETING MINUTES SUMMARY**  
**STONECREST CITY HALL'S ZOOM-VIRTUAL MEETING, 6:00 PM**  
**February 9, 2021**

**I. Call to Order**

The Chairman called the Planning Commission meeting to order on Tuesday, February 9, 2021 at 6:01 PM via **ZOOM-Video\*** meeting. The Chairman read the Rules and Procedures for Planning Commission Meetings and Public Hearings.

**II. Roll Call**

Commissioner Eric Hubbard, JW Eady, Lisa Wright, Joyce Walker, and Pearl Hollis (joined call at 6:22 PM) were present. There was a quorum. Planning & Zoning Director Chris Wheeler and Attorney Michael Huening were present.

**III. Minutes:**

Approval of the Planning Commission Meeting Minutes Summary dated February 2, 2021. Chairman Hubbard called for a motion. Commissioner Lisa Wright motioned to **APPROVE** the Planning Commission Meeting Minutes Summary dated February 2, 2021. Commissioner JW Eady seconded the motion. The motion was unanimously **APPROVED**.

**IV. Old Business: None**

**V. New Business**

**1. Public Hearing(s): City of Stonecrest Zoning Ordinance Update – Draft Recommendation**

Planning & Zoning Director Chris Wheeler advised the Commissioners that the City Council wanted the City's Zoning reviewed. Tonight's draft recommendations is for *1st Read*. The City of Stonecrest Zoning Ordinance Update has track changes highlighted in 'RED' to show the reorganizing and reformatting data for easy reading.

Ms. Michelle Alexander and Ms. Nicolette Washington were the presenters of the City of Stonecrest Zoning Ordinance Update – Draft Recommendation.

Ms. Alexander stated that tonight's meeting is a walk-through of the results and will focus on the Substantive Topic Summary. Some of the topics covered included:

- Gas Stations Concerns and Changes (allow but, require all to go through public hearing)
- Heavy Uses – MI (directed to Zoning Code)
- New Use Regulations (Hookah/Tobacco)
- Clean-up Language for Personal Care Homes
- Public Notice – *Add* Community Meeting to Code
- Public Notice – *Add* Increase Distance to 1000'

Ms. Alexander spoke on the location where everything is located on the City of Stonecrest's website link ([stonecrestga.gov/PlanningZoning.aspx](http://stonecrestga.gov/PlanningZoning.aspx)) to *Planning Ordinance Update* and *Recent Updates*; the results of the Substantive Topic Summary; and Work Plan for Establishing Community Councils.

After reaching the website click **Zoning Ordinance Update**. Located there are the **Recent Updates**:

December 3, 2020 – Stonecrest Zoning Code Update  
November 9, 2020 – Stonecrest Zoning Code Update  
October 22, 2020 – Community Meeting Presentation  
October 22, 2020 – Community Meeting Summary  
October 22, 2020 – Community Meeting Survey Results

The **First Read Package** includes:

- Clean First Read Use Table
- Final Report with Attachments
- Track Changes with Use Table

Ms. Alexander spoke on the work plan for establishing Community Councils and the need for more discussion.

Ms. Washington spoke on the cleanup of definitions on Page 15 & 17 of 96; and **Uses and Supplement Regulations Recommendations**.

There were none in support of the City of Stonecrest Zoning Ordinance Update.

There was one in opposition of the City of Stonecrest Zoning Ordinance Update. Mr. Bernard Knight's comments (**ATTACHMENT 1**) were received February 9, 2021 at 6:31 PM and was read by Mr. Wheeler.

The Chairman closed the Public Hearing before the Commissioners went into discussion.

Commissioners Eady, Wright, and the Chairman stated the need for more time to digest information and asked for a copy of the Update. The Chairman motioned to **DEFER to another cycle**. Commissioner Wright seconded the motion. The motion was unanimously **DEFERRED**.

Commissioner Wright asked for a physical copy of all meeting materials.

#### VI. Adjournment

The Chairman called a motion to adjourn. Commissioner Eady motioned to adjourn. Commissioner Wright seconded the motion. The vote was carried unanimously to adjourn the meeting at 6:48 PM.

APPROVED:

  
Chairman

03-02-2021

Date

ATTEST:

  
Secretary

03-02-2021  
Date

**ATTCHMENT I**

***‘SPECIAL CALLED’***

**PLANNING COMMISSION MEETING**

**FEBRUARY 9, 2021**

Comments

by

Mr. Bernard Knight  
Attorney at Law

Attorney for  
Dan, Jim & Judy Kelly



## **Lillian Lowe**

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**From:** Bernard Knight <bknightattorney@att.net>  
**Sent:** Tuesday, February 9, 2021 6:31 PM  
**To:** Lillian Lowe; Lillian Lowe  
**Cc:** Megan Reid; Sonya Isom; Chris Wheeler; Tuyanna Daniel; Plez Joyner  
**Subject:** Opposition to requiring SLUPs and administrative permits for M and M-2 in the Draft Stonecrest Zoning Code Update

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

Re: Opposition to requiring SLUPs and administrative permits for M and M-2 in the Draft Stonecrest Zoning Code Update

Ms. Lowe:

I'd appreciate your reading the following to the Planning Commission during the "opposition" comments section of the Stonecrest Planning Commission, tonight, February 9, 2021.

On behalf of my clients, Dan, Jim and Judy Kelly, I hereby object to requiring special land use permits and /or administrative permits for uses in the light and heavy industrial zoning districts. Requiring such permits would be contrary to law and the Charter of Stonecrest; ultra vires; and outside the legal authority of the Mayor and City Council to impose, and would violate the due process and equal protection rights of my clients under the United States and Georgia Constitutions.

Thanks.

Bernard Knight  
Attorney at Law  
(404) 247-8614  
bknightattorney@att.net

Attorney for  
Dan, Jim & Judy Kelly