

CITY OF STONECREST, GEORGIA

Planning Commission Meeting Minutes

Summary

July 10, 2018, 6:00 P.M.

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

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The Planning Commissioners met on Tuesday, July 10, 2018 at 6:00 p.m. in Stonecrest City Hall's Chamber in Stonecrest, Georgia.

I. The meeting was called to order by the 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. Lisa Wright	District 5

Staff Present:

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

Staff Absent:

Ms. Pearl Hollis	District 4
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The Chairman completed the roll call and read the Rules and Procedures for the Planning Commission Meetings and Public Hearings for the City of Stonecrest, Georgia. There was a quorum.

The Chairman asked for a motion to amend the Agenda to allow the New Business items to be moved to the forefront of the Agenda's Old Business.

Ms. Lisa Wright motion to amend the Agenda and move the New Business items to the forefront of the Agenda's Old Business. Mr. Wanda McNeal seconded the motion. The motion was approved. The vote was unanimously carried.

III. New Business:

1. The Chairman asked for a motion to accept the Planning Commission Meetings Minutes Summary dated June 5, 2018.

Ms. Wright motion to approve the Planning Commission Meetings Minutes Summary dated June 5, 2018. Mr. Eady seconded the motion. The motion was approved. The vote was unanimously carried.

2. The Chairman called for a vote to change the 2018 meeting date from the 6th of November to the 7th of November for the Planning Commission Meetings Calendar.

The Secretary, Ms. Lillian Lowe, stated that the change was based on the United States, Election Day set by law for general elections "...the Tuesday next after the first Monday in the month of November" or "the first Tuesday after November 1".

Ms. Wright stated that the day of Wednesday was incorrect for September 11, 2018. The correct day is Tuesday, September 11, 2018. The Secretary acknowledged Ms. Wright's comments and will make the correction.

The Chairman asked for a motion to approve the updated 2018 Planning Commission Meetings calendar with the following corrections: 1) change the 6th of November to the 7th of November and 2) change Wednesday to Tuesday, September 11, 2018.

Ms. Wright motion to accept the changes to the 2018 Revised Planning Commission Meetings Calendar. Ms. McNeal seconded the motion. The motion was approved. The vote was unanimously carried.

IV. Old Business:

1. Public Hearing(s):

The following Petition(s) located within the city of Stonecrest was presented by City Planner Mr. Chris Wheeler for Public Hearing.

LAND USE PETITION:	SLUP-18-002 (Deferred by the City Council)
PETITIONER:	Pawanjit Kavr
LOCATION:	6721 Covington Hwy, Stonecrest, GA 30038
CURRENT ZONING:	Local Commercial (C-1) District
PROPOSED ZONING:	Local Commercial (C-1) District
PROPOSED DEVELOPMENT:	The applicant is requesting a Special Land Use Permit (SLUP) to construct a Liquor Store in Neighborhood Center, in accordance with Chapter 27-Article 4.1 Use Table and Sections 4.2.23 of Stonecrest Zoning Code.

Mr. Wheeler read the Staff Report out loud and stated that the applicant is requesting to construct a liquor store, a 21,600' square foot office and retail development, to be "located" in unincorporated DeKalb County, 6721 Covington Highway, in the Neighborhood Center.

This application was originally heard at the May 1, 2018 Planning Commission Meeting and was denied. This application was later heard at the May 21, 2018 City Council hearing and was referred (back) to the Planning Commission. A revised Site Plan was submitted to the City Planner. The Staff recommended approval of SLUP 18-002 with conditions. There are eleven (11) conditions:

1. Access on Covington Highway to be approved by Georgia Department of Transportation.
2. No access to Hillvale Road.
3. Deceleration lane on Covington Highway if required by Georgia Department of Transportation.
4. Install an eight (8') foot privacy fence along the eastern property line adjacent to the women shelter.
5. The additional landscape buffer along the privacy fence between the woman shelter located to the east of the proposed commercial development.
6. Compliance with the city of Stonecrest alcohol and liquor license requirement.
7. No consumption of alcohol or liquor shall be allowed on the premises. No tables or chairs for customers shall be provided.
8. The following uses shall be prohibited: restaurant with drive-through lanes, automobile, boat and trailer sales and services, car wash, late-night establishments, hotel and motels, adult entertainment, pawn shop, title pawns, check cashing, and flea markets.
9. No outside storage and display of products are prohibited.
10. Architectural accents, where utilized, shall consist of non-reflective glass, glass block, natural stone, pre-cast concrete, brick, terra cotta, stucco.
11. Refuse or trash can area shall not be visible from the public street. The enclosures shall match the building material of the principal structure.

Mr. Wheeler stated that a meeting was held with Ms. Michelle Battle, et al regarding the revised Staff Analysis.

The Chairman asked the applicant to come forth.

Ms. Michelle Battle, representing the applicant, stated that State's wine and liquor is already selling at the current location. The intent is to go from a renter to moving into Stonecrest. The applicant has already acquired this property and wants to relocate the liquor store to the other side. The site plan revisions include (1) allows for a landscape buffer, on the eastern boundary line and (2) Staff recommendation of an eight foot (8') high fencing along the property line, to beef-up the visual buffer. Ms. Battle stated, "We are creating a barrier with the building and landscape. There is no activity on the back of the property. The front of property faces the west. The new retail component of 6,000'square feet is fine with the Staff recommendations and is abiding with the 50' setback to the rear of property. We have tried to have conversations with adjacent properties owners to address questions and feels there is commonality. We are extending the sidewalks up to the driveway and will be added to the front of property. Request recommendation of approval. Somethings we still need to work out."

The Chairman asked those in support to come forth.

- 1) Mr. _____ (?) stated that he lives in the community and supports this store. This is good for the city.
- 2) Mr. John Patterson stated that he supports the building of the package store. This will be a first-class package store, run by first-class people. The community will be very proud of this package store.
- 3) Mr. Jerry _____ (?) stated that jobs would be brought to the community.

- 4) Submitted Stonecrest Public Comments Card: Ms. Cassandra Cooper lives at 5810 Treeline Terrace, Lithonia, Georgia 30058. Ms. Cooper stated, "As an employee and residents of the community, I supports this and with their work ethics, I will make sure the same people will work there. We will take pride in what we do for the community and you will receive our tax earnings in the community. We will bring much to the plate hear in relocating into the community."

Ms. Dozier interjected and asked public speakers to state their name and address for the records. For those already spoken and did not provide an address, they were told to speak with Ms. Lowe.

- 5) Mr. Samuel Robinson lives at 2496 Meadow Springs Drive, Stonecrest, Georgia. Mr. Robinson stated, "I am in support of the new package store and think these are good people. A good place for us to shop. Currently the location is okay but could use better lighting. We are focused on making Stonecrest stays as good as it is."
- 6) Mr. Will Boyd lives at 6800 Parkview Trail, Lithonia, Georgia. Mr. Boyd stated that he is an employee at State One. It is a safe and positive environment. He sees regular customers come in everyday and he tries to put a smile on their faces. Mr. Boyd is thankful to work there and stated that he moved here from South Carolina and wants something to put a smile on faces.
- 7) Mr. Doug _____ (?) lives at 4809 Parsley Place (?) in Stone Mountain, Georgia, stated he works there as well and support this.
- 8) Ms. Rhonda White lives at 5676 Miller Grove Road for five (5) years and is in support. Ms. White stated that they are family and very good people.
- 9) Mr. Allen Mathis (?) lives at 2800 Field Spring Drive in Lithonia, Georgia and supports the store.

The Chairman asked those in opposition to come forth.

- 1) Ms. Barbara Gibson lives at 6745 Covington Highway and stated, "I have reservations and would like to see more support for the community. Jobs are important but, think the initial recommendations do not fit the needs of this community and we need to be cognitive of, and remind ourselves of. We have some reservations around safety, quality of life, and the neighborhood. We are in conversations with the applicants and would like to get reservations resolved before the next meeting."
- 2) Ms. Ellen Jilene (?) is going-on twenty (20) years in residency and is opposed to building this new facility, the old business being relocated. The location is not a good. There is congestion on the streets and traffic is not good. Ms. Jilene (?) stated, "I counted ten (10) liquor stores between Panola Road and Turner Hill (does not include the side streets), Stonecrest, Georgia. Appreciate the jobs and do not think it is a benefit to the community. Think there could be a better location for it."
- 3) Ms. Jean Douglas(?), executive director of a domestic violence center stated, "I felt safe in the past 17 years. Took great pains to maintain confidentiality. Concern about the what a larger store and clients next door will bring to our homes and community. Want to feel safer. We do oppose."

The Chairman asked for a motion to closed Public Hearing SLUP 18-002. Mr. Eady motion to closed Public Hearing SLUP 18-002. Ms. Wright seconded the motion. The motion was approved. The vote was unanimously carried.

Commissioners went into the discussion.

The Chairman asked for a motion for SLUP 18-002. Mr. Eady motion to approve SLUP 18-002 with Staff recommendations. The Chairman seconded the motion. The motion was approved.

Ms. Wright motion to amend the conditions for SLUP 18-002 with two (2) additional compensations: (1) Installation of surveillance cameras be mounted on building(s) and property and (2) Connect sidewalk and driveway to the women's shelter. Ms. McNeal motion to accept and approve amendment proposed by Ms. Wright.

The Chairman called for a vote as to whether, or not, the motion should be amended. Mr. Eady motion to accept the amendments as read. Ms. McNeal seconded the motion. The motion was approved. The vote was unanimously carried.

The Chairman asked for a motion for SLUP 18-002.

Ms. Wright motion to approve SLUP 18-002 with the eleven (11) conditions Staff recommended and with the two (2) additional conditions: (1) Installation of surveillance cameras to be mounted on building(s) and property and (2) Connect sidewalk and driveway to the women's shelter. The Chairman seconded the motion. The motion was approved. The motion unanimously passed.

The Chairman asked for a motion for SLUP 18-002. Ms. Wright motion to approved SLUP 18-002 with the Staff recommendations plus the two (2) additional conditions. The two (2) additional conditions are: 1) Installation surveillance cameras to be mounted on building(s) and property and 2) Connect sidewalk and driveway to the women's shelter. Mr. Eady seconded the motion. The motion was approved. The vote was unanimously carried.

Instead of eleven (11) conditions, there are now thirteen (13) conditions listed for SLUP 18-002. The conditions are:

1. Access on Covington Highway to be approved by Georgia Department of Transportation.
2. No access to Hillvale Road.
3. Deceleration lane on Covington Highway if required by Georgia Department of Transportation.
4. Install an eight (8') foot privacy fence along the eastern property line adjacent to the women shelter.
5. The additional landscape buffer along the privacy fence between the woman shelter located to the east of the proposed commercial development.
6. Compliance with the city of Stonecrest alcohol and liquor license requirement.
7. No consumption of alcohol or liquor shall be allowed on the premises. No tables or chairs for customers shall be provided.
8. The following uses shall be prohibited: restaurant with drive-through lanes, automobile, boat and trailer sales and services, car wash, late-night establishments, hotel and motels, adult entertainment, pawns shop, title pawns, check cashing, and flea markets.
9. Outside storage and display of products are prohibited.

10. Architectural accents, where utilized, shall consist of non-reflective glass, glass block, natural stone, pre-cast concrete, brick, terra cotta, stucco.
11. Refuse area shall not be visible from the public street. The enclosures shall match the building material of the principal structure.
12. Installation of surveillance cameras to be mounted on building(s) and property.
13. Connect sidewalk and driveway to the women's shelter.

The following Text Amendment(s) located within the city of Stonecrest were presented by the City Attorney Emily Macheski-Preston.

TEXT AMENDMENT:	TMOD 18-0003 (Deferred by the City Council)
PETITIONER:	City Staff
LOCATION:	City-Wide
PROPOSED AMENDMENT:	Discussion of the regulation and location of short-term vacation rentals within the City. Amendment to Article IX, Section 9.1.3 to add a definition for "Short Term Vacation Rental."

The Chairman asked the applicant to come forth.

The City Attorney read out loud the definitions and stated that the Staff recommends approval of the ordinance to add a definition for "Short Term Vacation Rental."

The City Attorney distributed an updated copy of the Amending Chapter 27, Article IV Adding Supplemental Use Regulations for Short Term Vacation Rentals to the Commissioners and public. Specifically, **Section 1: The Code of the city of Stonecrest, Georgia, is hereby amended by adding Chapter 27, Article IV, Section 4.2.58 – Short Term Vacation Rental**, which reads as follows:

The following applies to all Short Term Vacation Rentals ("STVR"):

- A. No individual renting the property shall stay for longer than 30 consecutive days.
- B. The STVR shall not be operated in such a way as to change the residential character of the neighborhood in which it is located and shall comply with the noise ordinance.
- C. In every dwelling of two (2) or more rooms, every room occupied for sleeping purposes by one (1) occupant shall contain not less than 70 square feet of floor area and every room occupied for sleeping purposes by more than one (1) occupant shall contain at least fifty (50) additional square feet of floor area. Maximum occupancy limits for any overnight guests must not exceed two (2) guests for every bedroom located in the STVR.
- D. Every bedroom shall have a window facing directly and opening to the outdoors.
- E. Every bedroom shall have access to not less than one water closet and lavatory without passing through another bedroom. Every bedroom in an STVR shall have access to not less than one water closet and lavatory located in the same story as the bedroom or an adjacent story.
- F. Maximum occupancy for an STVR at any point in time shall not exceed the occupancy as determined by one person per every one hundred and fifty (150') square feet of floor area for the first occupant thereof and at least one hundred (100) additional square feet of floor area per additional occupant, or the occupancy limits set by the fire code adopted by the City, whichever is less.

- G. There shall also be provided at least one (1) off-street parking space for each bedroom used as part of the STVR.
- H. No signs or advertising are permitted to identify or advertise the existence of the STVR, beyond those otherwise allowed for the residential property.
- I. All STVR units shall be furnished with a telephone that is connected to a landline or similar type connection, including a voice over internet protocol, in order that 911 dispatch may be able to readily identify the address and /or location from where the call is made when dialed.
- J. A diagram depicting two evacuation routes shall be posted on or immediately adjacent to every required egress door.
- K. No individual renting a STVR shall use the STVR for a special event, party, or temporary outdoor event. No owner or operator of a STVR shall permit a STVR to be used for a special event, party, or temporary event.
- L. It shall be unlawful to establish, operate, or cause to be operate a STVR in the city within 500 feet of another STVR, bed and breakfast, boarding house, Home stay bed and breakfast residence, hotel/motel, hotel/motel extended stay, personal care home, child caring institutions. Measurements for this subsection shall be made in a straight line without regard to intervening structures or objects, between the closet points on the property lines of the two uses.

The Chairman asked those in support to come forth and state name and address.
There were none in support.

The Chairman asked those in opposition to come forth and state name and address.
There were none in opposition.

The Chairman closed the public hearing for TMOD 18-0003 and went into the discussion.

The Chairman asked for a motion for TMOD 18-0003. Ms. Wright motion to approve TMOD 18-0003, STVR definitions. Mr. Eady seconded the motion. The motion was approved. The vote was unanimously carried.

TEXT AMENDMENT:	TMOD 18-0004 (Deferred by the City Council)
PETITIONER:	City Staff
LOCATION:	City-Wide
PROPOSED AMENDMENT:	Amend IV, Table 4.1 Use Table as to the permitted locations of Short Term Vacation Rentals, Amend Article IV, Section 4.2.5.8 to provide supplemental regulations for Short Term Vacation Rentals, Amend and Adopt.

The Chairman asked the applicant to come forth.

The City Attorney read out loud parts of Table 4.1 Use Table and stated that the Staff recommends approval of Table 4.1 Use Table for "Short Term Vacation Rental."

The Chairman asked those in support to come forth and state name and address.
There were none.

The Chairman asked those in opposition to come forth and state name and address.
There were none.

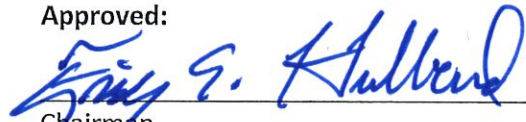
The Chairman closed TMOD 18-0004 public hearing and went into the discussion.

The Chairman asked for a motion for TMOD 18-0004. Ms. Wright motion to approve TMOD 18-0004 for the updated Table 4.1 Use Table and Supplemental Regulations for Short Term Vacation Rentals as stated. Mr. Eady seconded the motion. The motion was approved. The vote was unanimously carried.

V. Adjournment

There being no further business, Mr. Eady moved to adjourn. Ms. McNeal seconded the motion. The vote was carried unanimously to adjourn the meeting at 6:58 p.m.

Approved:


Chairman

08-07-2018

Date

Attest:


Secretary

08-07-2018

Date