

PLANNING COMMISSION MEETING
Stonecrest City Hall's *Zoom Video* - 6:00 PM
April 5, 2022



A G E N D A

As set forth in the Americans with Disabilities Act of 1990, the City of Stonecrest will assist citizens with special needs given notice (7 working days) to participate in any open meetings of the City of Stonecrest. Please contact the City Clerk's Office via telephone (770-224-0200).

Citizens wishing to actively participate and make a comment during the public hearing portion of the meeting please submit their request via email address lillian.lowe@stonecrestga.gov by noon the day of the hearing, April 5, 2022. A zoom link for the meeting will be sent to you, or you can also submit comments and questions to the same email address by the same deadline to be read into the record at the meeting.

- I. **Call to Order**
- II. **Roll Call**
- III. **Swearing-In by Mayor Pro Tem George Turner:** Stefanie Brown, District 1
- IV. **Election of Officers**
- V. **Approval of the Agenda**
- VI. **Presentations** - Presentation by Senior Planner Ms. Keedra Jackson, Planning and Zoning Department on department activities and upcoming cases.
- VII. **Approval of Minutes:** The Planning Commission Meeting Minutes Summary dated March 1, 2022.
- VIII. **Old Business:**
- IX. **New Business:**
- X. **Adjournment**

PLANNING COMMISSION MEETING MINUTES SUMMARY

Stonecrest City Hall's *Zoom Video* - 6:00 PM

March 1, 2022



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I. Call to Order

Chairman Eric Hubbard called the meeting to order at 6:04 PM.

II. Roll Call

Chairman 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, AICP, Acting Director/Senior Planner Keedra Jackson, MPA, and Attorney Alicia Thompson, Fincher Denmark, LLC were present.

The Agenda was approved.

III. Presentation: Presentation by Acting Director/Senior Planner Keedra Jackson, MPA, on department activities and upcoming cases. Ms. Jackson spoke on:

- a. **Staff Updates** - Mr. Summerbell is now the consultant with the Planning and Zoning Department of the city of Stonecrest. Ms. Jackson is now the acting director. You will still have access to Mr. Summerbell but, the access will be limited. He will still be working with the Planning and Zoning Department on zoning matters.
- b. **Welcome Stefanie Brown!** - Ms. Stefanie Brown has been announced as the new member of the Planning Commission.
- c. **Planning Commission Training – March 31, 2022, Carl Vinson Institute** will be held this month. Staff is in the process of getting that planned and scheduled. Staff will provide more updates and details.
- d. **TMOD-22-001 is coming back** for the April 5th Planning Commission Meeting - that ordinance consists of definition changes in the Stonecrest Zoning Ordinance. In January 2022, the Council defer back to the Planning Commission to allow more time to allow more time to review the document by April 5, 2022.
- e. **Adult Day Care Center Ordinance** – Changes were made to the Zoning Ordinance, the **Adult Day Care Center Ordinance**. Staff brought this before the Council in a work session, at the January 24th meeting. The Council requested that the Staff present to them, at their next work session, the consideration for revisions to the adult day care supplemental use regulations. Staff will be bringing it to the Commission for a vote before it goes back to Council for a final or complete vote.

The Chairman congratulated Ms. Jackson on her new position as Acting Director. Next, the Chairman thanked Mr. Summerbell for his service to the department and stated that Mr. Summerbell will be a great consultant to the City.

IV. Approval of Minutes: The Planning Commission Meeting Minutes Summary dated February 1, 2022.

Chairman Hubbard called for a motion to approve the **Planning Commission Meeting Minutes Summary dated February 1, 2022**. Mr. Eady motioned to **APPROVE**. Ms. Hollis seconded the motion. The motion was **unanimously APPROVED**.

V. **Old Business:** None

1. **Public Hearing(s):**

LAND USE PETITION:	AX-21-002
PETITIONER:	GBG 2 Lithonia Group, LLC on behalf of the property owners Charles M. Bettis and J. Ed Seagraves
LOCATION:	1724 Rogers Lake Rd (Parcel ID 16 157 05 003)
PROPOSED AMENDMENT:	Proposed annexation of 19.28 acres and rezoning from Light Industrial (M-DeKalb County) to Light Industrial (M-City of Stonecrest) for a gravel parking lot.

Ms. Jackson presented **AX-21-002 (ATTACHMENT I)**. Note that the requirements for gravel parking were recently amended as part of TMOD-21-012 and approved by city Council on November 22nd of 2021.

This parking lot, if approved, would have to meet the new requirements of that ordinance. The DeKalb County future land use character is light industrial. The existing use is an undeveloped wooded lot. The surrounding uses is industrial, including a landfill and a waste transfer station. The surrounding zoning of this property is light and heavy industrial. The city boundary is located along the western edge of the subject's property and meets the one-eighth continuous area requirement for the 100 Annexation method of reviews.

Ms. Jackson spoke on the **Standards of Review (Section 7.3.5), specifically:**

- A. Whether the zoning proposal is in conformity with the policy and intent of the comprehensive plan.
- E. Whether there are other existing or changing conditions affecting the use and development of the property which gives supporting grounds for either approval or disapproval of the zoning proposal.
- H. Whether the zoning proposed adversely impacts the environment or surrounding natural resources.

The location of these areas shall preserve the appeal and appearance of residential and commercial areas for the prospective intrusion of light industrial land uses. These areas consist of: areas used in low intensity manufacturing. Including wholesale trade and distribution activities that do not generate excessive noise vibration, air pollution or other nuisances. The applicant is willing to meet all requirements.

If the proposed use is designed and maintained as required by the city and state regulations, the use should not have an adverse impact. The parking lot proposed would simply be under DeKalb County's control rather than the city of Stonecrest's control. Staff suggested that the enforcement record the most stringent enforcement regulations.

Staff recommended **APPROVAL** of AX-21-002 including the rezoning of the parcel to M (Light Industrial) and designation of subject property to Light Industrial on the Stonecrest Future Land Use Map.

See the Location Map for AX-21-002 below:

Location Map, AX-21-002



The subject property and all surrounding parcels are zoned industrial either in DeKalb County or City of Stonecrest. The property to the south is heavy industrial (M-2) while all the other parcels are zoned light industrial (M)

The applicant's representative, Attorney James (Jim) Blum, stated that this was the second time this matter is coming before the Planning Commission and City Council. The first concerns are: Aesthetics in light industrial, no change in the zoning, and it is important to note that some recent requirements by Stonecrest are intensive.

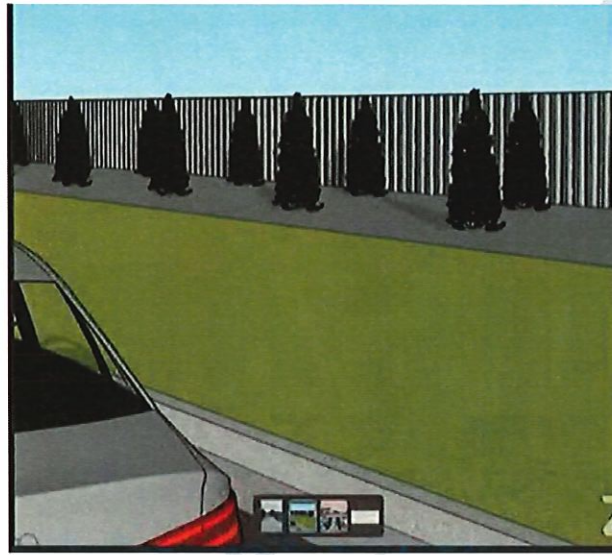
Commissioner Eady pointed out that the trucks parking on the street from the proposed site is not what they want. We agree too but, trucks are already here, small business-owners. The picture shows the trucks are already here. They are parked along the side of the road because they do not have any place to go. This is what we have now:



Ms. Blum stated that there will be 424 parking spaces that will not be filled each day. His client estimate is less than 20% per day. On average, truckers are gone 5 days and are on the road. This is not a daily or an hourly parking lot. Not our business model and this is month-to-month parking only lot. The clients do not run out, make a delivery in the morning, and come back in the afternoon for another delivery.

Mr. Blum shared his screen displaying the three figures below:

Figure 1. Rendering of the proposed parking area is what you will see: two rows of trees, an aluminum fencing, and grass.



Mr. Blum addressed the second concern (too many trucks parking) and provided the following stats: 70% of client's customers live within five miles of the facility in Stonecrest; 95% of the client's customers at the other facility lives within ten miles of this facility. This facility supports citizens in Stonecrest and is giving them a place to stay. The last concern is crime. This is not daily. This is not month to month.

Figure 2. This Ad, see picture below, can be found on the client's website.



Figure 3. The Clauses below is part of the rental contract agreement, regulations:

MAINTENANCE ON PROPERTY: No repairs of any kind are allowed on any of our property. No tire repairs, replacements, no minor repairs such as oil changes, minor or major repairs at any time are permitted. Any person or maintenance company doing work on a vehicle on our property will be asked to leave immediately with all of your vehicles. For maintenance, we suggest you call Advanced Maintenance for repair work. Advanced Maintenance is the only vehicle repair company that we allow on any of our properties. Advanced Maintenance's direct number is (888) 452-9206 . For any other repair company please call us at 470-502-2001 for approval.

SLEEPING ON PROPERTY: No one is allowed to sleep in the vehicle at the facility. The storage facility is strictly for storing your vehicle and equipment. Anyone found to sleep in the vehicle with vehicle running will be asked to leave the property immediately with all of your vehicles and your contract will be terminated immediately.

The Chairman asked if there were any in support. There were none.

The Chairman asked if there were any in opposition. There was one comment (**ATTACHMENT II**).

Spoke-in-person: Ms. Renee Cail had several concerns and spoke on the lot with the 424 parking spots. Ms. Cail stated, "Assuming that there would not be 424 trucks a day, we understand, the concern is that throughout this entire presentation no one has mentioned the residents that live on Rogers Lake Road. There are some subdivisions and townhomes down there. Houses are across from this development and there is a church." Other concerns included climate changes; major contribution to pollution; too close to communities; not suitable – people living there; will impact traffic; and see why DeKalb County did not allow trucks according to the comprehensive plan. Ms. Cail does not believe that this is suitable and in conformity with the comprehensive plan. It is too close to these residents and the environment (wildlife and aquatic life) will be affected by these truck stops. Ms. Cail hopes that either this, does not come or is denied, and stated that more research needs to be done.

Mr. Blum addressed Ms. Cail's comments:

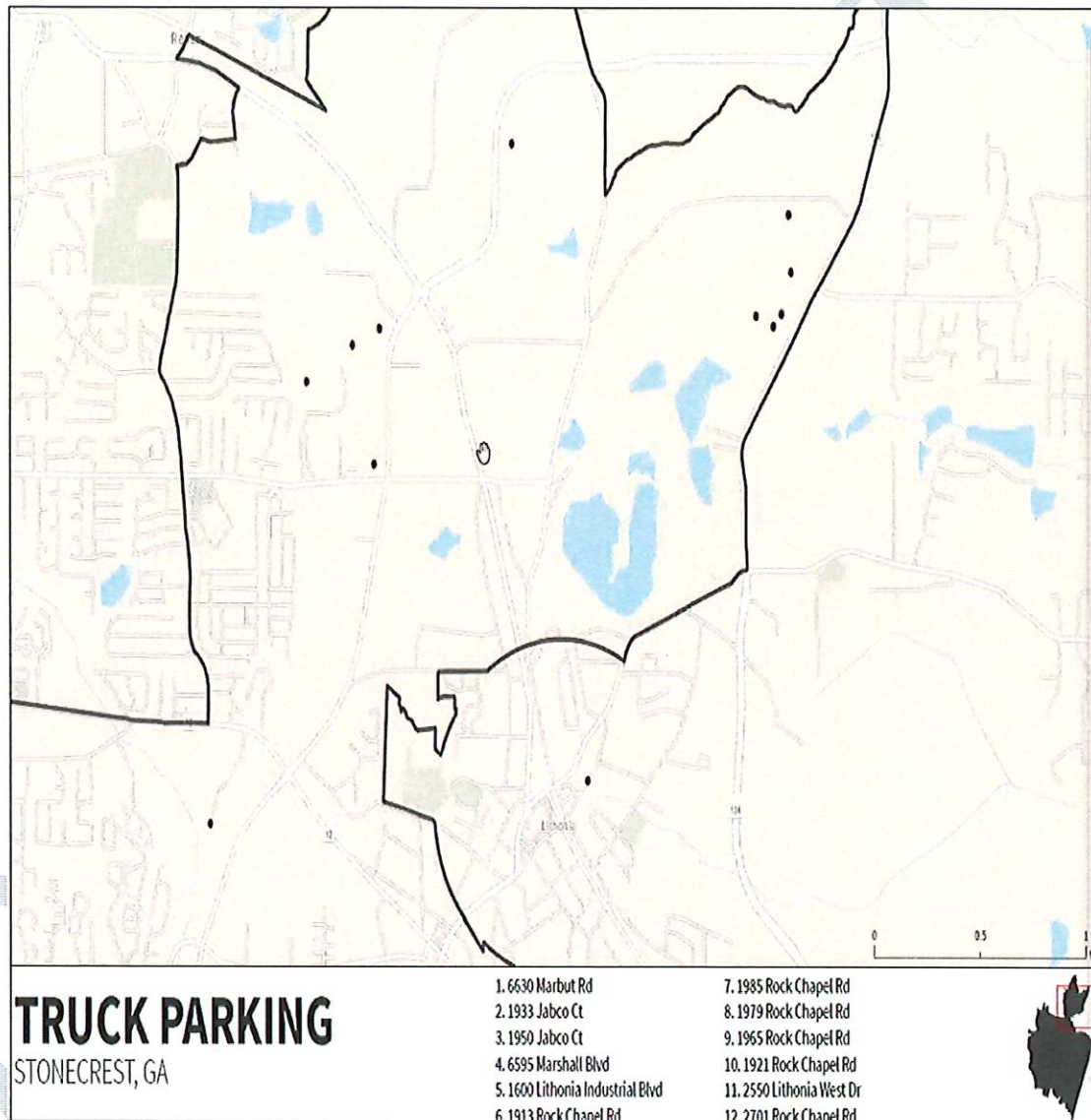
Ms. Cail spoke at the City Council. To be clear, DeKalb County has not rejected this project. The only thing that they would require is that the surface be paved with impervious concrete or asphalt. Mr. Blum said that he did not want the Commission to think that DeKalb County somehow rejected it, that is not correct. The only thing that DeKalb County would allow is the operation of exactly what we want to do but, the only issue we have is to pave it. This is just to clarify what Ms. Cail said.

We are not, unsympathetic to what Ms. Cail is talking about. This property sits in such a unique position between two landfills next to a waste transfer station, and right around the corner from another similar facility. We do think this operation is in keeping with not just the current zoning but the future intended zoning for this property.

The Chairman closed the public hearing before going into discussion.

Ms. Mathis asked, “How many gravel parking lots are in the area?”

The map below, identifying the **Truck Parking** lots located in Stonecrest, was displayed by Mr. Summerbell. This is the latest map from government GIS. It is a little dated (August), and the black dots are where the current locations are located. There are another 12 on this map that are in close proximity.



The Chairman asked for a motion.

The Chairman motioned to **APPROVE AX-21-002 WITH THE RECOMMENDATIONS OF THE PLANNING DEPARTMENT. INCLUDING REZONING THE PARCEL TO M (LIGHT INDUSTRIAL) AND DESIGNATION OF SUBJECT PROPERTY TO LIGHT INDUSTRIAL ON THE STONECREST FUTURE LAND USE MAP.** Mr. Eady seconded the motion. The vote was 04-01 and was **not unanimous**. The chairman, Commissioners Eady, Walker, and Hollis voted yea. Commissioner Mathis voted nay.

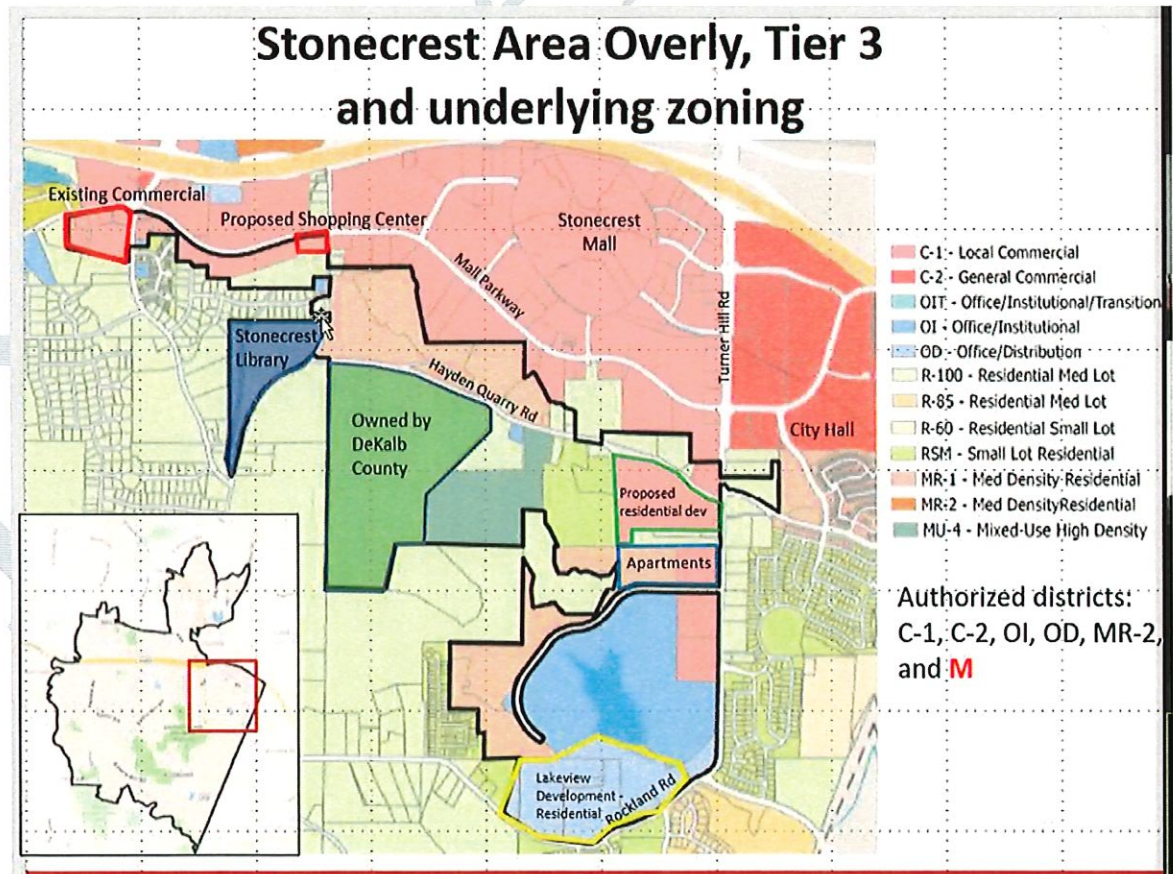
TMOD-21-013 Amendments to Mitigate the potential conflicts between residential and industrial supplemental uses was split into 3 TMODs: TMOD-22-002; TMOD-22-003; and TMOD-22-004.

LAND USE PETITION: TMOD-22-002
 PETITIONER: Planning & Zoning Department
 LOCATION: Citywide

PROPOSED AMENDMENT: Amendment to the Stonecrest Zoning Ordinance, Chapter 27 to remove light industrial uses from Tier 3 of the Stonecrest Area Overlay.

Mr. Summerbell presented **TMOD-22-002 (ATTACHMENT I)**. This is an effort to re-mitigate, help mitigate, the potential impact between residential and industrial uses for the sake of simplicity. Staff decided to split **TMOD-21-013** after it went to the City Council in January 2022. City Council agreed with the Planning Commission’s recommendation to defer it back to the Planning Commission to address several issues particularly revolving around Tier 3, the low-rise and mix-used zone of the Stonecrest Area Overlay. That is why Staff are bringing it back to the Planning Commission.

The proposed zoning is light industrial. The proposed future land use destination is also light industrial; the property is 19.68 acres; the request is for a gravel parking lot. The requirements for gravel parking were recently amended as part of TMOD-21-012 and approved by city council on November 22, 2021. Staff **RECOMMENDED TEXT CHANGES** and **APPROVAL** of **TMOD-22-002**.



TMOD-22-002

Tier 3 of the Stonecrest Area Overlay

Recommended Text Change, TMOD-22-002

Sec. 3.5.15. - Low-rise mixed-use zone (Tier III).

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

1. All uses authorized in the C-1 and C-2 (General Commercial) District, O-I (Office Institutional) District, O-D (Office Distribution) District, ~~M (Light Industrial) District~~, and MR-2 (Medium Density Residential) District except those listed in B., below.

The Chairman asked if there were any in support. There were none.
The Chairman asked if there were any in opposition. There were none.

The Chairman closed the public hearing before going into discussion.

The Chairman asked for a motion. Ms. Mathis motioned to **APPROVE TMOD-22-002 WITH THE RECOMMENDATION THAT STAFF STUDY THE DESIGN GUIDELINES FOR THE STONECREST AREA OVERLAY TO SEE WHAT STEPS CAN BE TAKEN TO POTENTIALLY MITIGATE THE IMPACTS IN COMMERCIAL AND RESIDENTIAL USES. STAFF TO REVISE THE STONECREST DESIGN STANDARDS.** The Chairman seconded the motion. The motion was **unanimously APPROVED.**

LAND USE PETITION:
PETITIONER:
LOCATION:

TMOD-22-003
Planning & Zoning Department
Citywide

PROPOSED AMENDMENT:

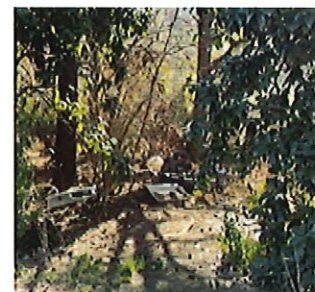
Amendment to the Stonecrest Zoning Ordinance, Chapter 27 to allow for the revision of residentially zoned land rezoned by DeKalb County from industrial that is not used for residential purpose

Mr. Summerbell presented **TMOD-22-003** – Revision of residentially zoned land rezoned by DeKalb County from industrial that is not used for residential purpose. Areas of discussion

included Maddox Road, Roger Lake Road, and Coffee Road. Staff recommended **APPROVAL OF TMOD-22-003 TEXT CHANGES: TO REMOVE THE POTENTIAL FOR A LAND USE CONFLICT BETWEEN RESIDENTIAL AND INDUSTRIAL LAND USES**. Revise Section 3.5.15 – Low-rise mixed-use zone (Tier III) of the Stonecrest Area Overlay as shown.

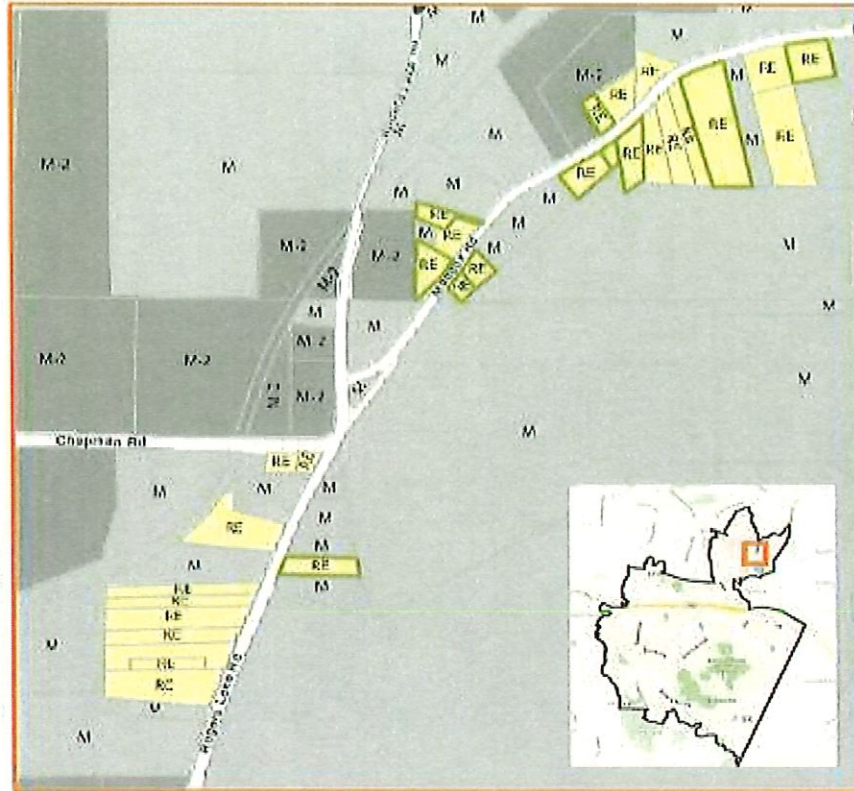
TMOD-22-003: REVERSION ORDINANCE
**MADDOX ROAD PROPERTIES WHICH ARE POTENTIAL
CANDIDATES FOR REVERSION TO INDUSTRIAL**

- 6965 Maddox Road, Parcel 16 156 03 006. Derelict former residence.
- 6964 Maddox Road, Parcel 16 156 02 009. Derelict building.
- 6975 Maddox Road, Parcel 16 156 03 005. House has been destroyed by fire.
- 7045 Maddox Road, Parcel 16 156 03 008. Derelict building.
- 7059 Maddox Road, Parcel 16 156 03 013. Vacant, with no building.
- 7067 Maddox Road, Parcel 16 156 03 010. Vacant, with no building.
- 7117 Maddox Road, Parcel 16 156 03 012. Vacant, with no building.



PLANNING & ZONING STAFF REPORT

Zoning Map of the Maddox Road Area



Key: The parcels outlined in green are not currently being used for residential purposes.

The Chairman asked if there were any in support. There were none.
The Chairman asked if there were any in opposition. There were none.

The Chairman closed the public hearing before going into discussion.

The Chairman asked for a motion. Ms. Hollis motioned to **APPROVE TMOD-22-003**. Mr. Eady seconded the motion. The motion was **unanimously APPROVED**.

LAND USE PETITION:
PETITIONER:
LOCATION:


TMOD-22-004
Planning & Zoning Department
Citywide

PROPOSED AMENDMENT:

Amendment to the Stonecrest Zoning Ordinance, Chapter 27 to require buffers for newly developed or rezoned residential tracts next to industrial uses.

Mr. Summerbell presented **TMOD-22-004 – Buffers for newly developed or rezoned residential tracts next to industrial uses**. Propose adding a new section requiring a Special Land Use Permit (SLUP) for new residential development adjoining to industrial zones. Staff recommended **TEXT CHANGES FOR TMOD-22-004**: To remove the potential for a land use conflict between residential and industrial land uses. Revise **Section 3.5.15 – Low-rise mixed-use zone (Tier III)** of the Stonecrest Area Overlay as shown.

Revisions to the Zoning Ordinance related to SLUP requirement for residential development adjacent to industrial zones is shown below:



TMOD-22-004

PLANNING & ZONING STAFF REPORT

TMOD-22-004

STONECREST ZONING ORDINANCE UPDATE

SLUP requirement for residential development adjacent to industrial zones.

Proposal: Add new section requiring a Special Land Use Permit for new residential development adjoining to industrial.

Reason for Proposal: Locating new residential adjoining to industrial land creates potential conflicts. Moreover, there currently is no public hearing process for the adjoining industrial owner to be notified of the proposed residential development; to be apprised of the plans for the development; and to obtain a public hearing on the merits of the residential development and the potential negative impact on the industrial property and the public welfare. Imposing a SLUP requirement on residential development will require a full, public staff analysis and a full public hearing before City Council, with an opportunity for members of the Stonecrest Community and the adjoining industrial owners to be heard.

RECOMMENDED TEXT CHANGES:

[NEW]

Sec. 4.2.62. – Special Land Use Permit (SLUP) required for residential development adjoining to industrial.

A special land use permit shall be required for any proposed residential development or construction which is adjoining to industrially zoned parcel(s), unless one or more of the following criteria are met:

- A. A one hundred fifty (150) foot undisturbed transitional buffer zone exists or will be observed along the adjoining property line. The buffer zone may be within the residential parcel, the industrial parcel, or both.
- B. The industrial parcel is separated from the residentially zoned parcel by a stream buffer.
- C. The residential parcel is protected by conditions of zoning which were previously imposed on the industrial parcel for the purpose of protecting residential parcels.
- D. The residential parcel was rezoned from industrial to residential at the request of a present or former property owner and conditions of rezoning were imposed on the residential parcel for the purpose of protecting the residential parcel.

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The Chairman asked if there were any in support. There were none.
The Chairman asked if there were any in opposition. There were none.

The Chairman closed the public hearing before going into discussion.

The Chairman asked for a motion. Ms. Mathis motioned to **APPROVE TMOD-22-004 REVISIONS TO THE ZONING ORDINANCE RELATED TO SLUP REQUIREMENT FOR RESIDENTIAL DEVELOPMENT ADJACENT TO INDUSTRIAL ZONES**. Mr. Eady seconded the motion. The motion was **unanimously APPROVED**.

**TMOD-21-016 Supplemental Uses was split into 3 TMODs:
TMOD-22-005; TMOD-22-006; and TMOD-22-007.**

LAND USE PETITION:	TMOD-22-005
PETITIONER:	Planning & Zoning Department
LOCATION:	Citywide
PROPOSED AMENDMENT:	Amendment to the Stonecrest Zoning Ordinance, Chapter 27 to revise supplemental use provisions for Towing and Wreckage Services

Mr. Summerbell presented **TMOD-22-005 - Towing and Wreckage Services**. Staff recommended **APPROVAL of TMOD-22-005, TEXT CHANGES**.

The City Council has already adopted **TMOD-21-010** and **TMOD-21-011** to help mitigate the potential impacts between residential and industrial land uses. The City Council deferred **TMOD-22-005** back to the Planning Commission on January 24, 2022. City Council directed staff to improve the screening requirements for Towing and Wreckage Services sites to improve community aesthetics.

Mr. Summerbell stated that this time, the issue is being addressed to make sure that towing and wreckage services are properly screened from view. This is similar to how truck gravel parking lots are now required to be to improve community aesthetics. Staff have recommended and this is a slight rewording of what you saw back in December. This was a result of discussions with the City Council at their meeting in January. What changed in particular is, Staff split up the original provisions **A**, **B**, and **C**. Staff split up **D** and changed the height requirements depending upon whether or not the site is being used for truck or car, and motor vehicle towing wreckage services.

This is a slight rewording of provisions **A**, and **B**. The provision is not applied to vehicle storage yards, motor vehicle dealerships, use vehicle, auto part dealerships, or auto salvage yards. It also says the record showing the arrival of the vehicles to be kept on the property. It deals with the drainage of the fluids, and all that kind of stuff. Staff added the **D** section, there are different height requirements of the fence.

Revisions to the Zoning Ordinance related to Towing and Wreckage Services is shown below:

TMOD-22-005

STONECREST ZONING ORDINANCE UPDATE

Revisions to the Supplemental Use Regulations related to Towing and Wreckage Services

[NEW, Section number is temporary and to be set after adoption]

Sec. 4.2.64 Towing Wreckage Service

- A. This provision does not apply to vehicle storage yards, used motor vehicle dealerships, used motor vehicle parts dealerships, or automobile salvage yards.
- B. Records showing the arrival of each vehicle at a tow service property or an automobile recovery and storage facility must be kept by the owner/operator of a business.
- C. All wrecked or inoperable vehicles shall be drained of all liquids, including but not limited to gasoline, diesel, transmission fluid, brake fluid, and engine oil, within forty-eight (48) hours of delivery to tow service properties or automobile recovery and storage facilities.
- D. Any area of the site used for the short-term storage of motor vehicles shall be screened from view of the public street with an opaque corrugated metal fence or wall adequate in heights to screen the motor vehicles from view from the public rights-of-way. This would be a minimum of ten feet in height if trucks are being stored on site, and only six feet in height if only cars are be stored on site. Chain link and wooden fences along street frontage are prohibited.
- E. The parking area shall be at least 25 feet from the street right-of-way.
- F. A ten-foot-wide evergreen landscape buffer shall be planted around the perimeter of the fence along the public street with at least two rows of trees. All trees shall be a least six feet in height and/or two inches caliber, and shall be regularly maintained and watered as necessary. Dead or dying trees shall be promptly replaced. All surfaces between trees shall be mulched
- G. The soil erosion, sedimentation and pollution requirements of chapter 14, article V of the Code of the City of Stonecrest, Georgia are met.
- H. Minimum standards of the Georgia Stormwater Management Manual are met in terms of stormwater runoff and water quality.

The Chairman asked if there were any in support. There were none.

The Chairman asked if there were any in opposition. There were none.

The Chairman closed the public hearing before going into discussion.

The Chairman asked for a motion. Mr. Eady motioned to **APPROVE TMOD-22-005**. Ms. Walker seconded the motion. The motion was **unanimously APPROVED**.

LAND USE PETITION:

TMOD-22-006

PETITIONER:

Planning & Zoning Department

LOCATION:

Citywide

PROPOSED AMENDMENT: Amendment to the Stonecrest Zoning Ordinance, Chapter 27 to revise supplemental use provisions for **Distilleries and Breweries**

Mr. Summerbell presented **TMOD-22-006 - Distilleries and Breweries**. Staff added definitions; revised the Permitted Use Table, Sec.4.3.1; added new Supplemental Use Regulations, Sec.4.2.59, 1-4. Staff recommended **APPROVAL of TMOD-22-006, TEXT CHANGES FOR TMOD-22-006.**

The Chairman asked if there were any in support.

Ms. Renee Cail spoke:

- 1) It takes four to five gallons of water to produce one gallon of beer.
- 2) This is a water intensive industry and wondering if this will make our water bills go up and it produces a lot of wastewaters, major wastewater costs.
- 3) Just wanted to give you (Commissioners) something to think about.

The Chairman asked Ms. Cail, “Were you speaking in support of the text amendment?”

Ms. Renee Cail spoke and stated not sure being for or against. I am not sure but, I know that it has a lot to do with wastewater. I need to know more about breweries. I do not know a lot about them, just a little bit.

The Chairman thanked Ms. Cail and asked if there were any citizens who want to speak in support of the text amendment. There were none.

The Chairman asked if there were any in opposition. There were none.

The Chairman closed the public hearing before going into discussion.

The Chairman stated that Ms. Walker got kicked off the line and that Ms. Walker is in the waiting room trying to get back in.

The Chairman asked, “Commissioner Walker are you back on, did you hear the vote?”

The Chairman asked for a motion. Ms. Mathis motioned to **APPROVE TMOD-22-006**. Ms. Hollis seconded the motion. The Chairman and Commissioners Eady, Mathis, and Hollis voted yea. The motion was **unanimously APPROVED**. Commissioner Walker was disconnected; not on the call; and did not vote.

LAND USE PETITION: TMOD-22-007
PETITIONER: Planning & Zoning Department
LOCATION: Citywide

PROPOSED AMENDMENT: Amendment to the Stonecrest Zoning Ordinance, Chapter 27 to revise supplemental use provisions for **Solar Energy**

Mr. Summerbell presented **TMOD-22-007- Solar Energy Systems**. This is part of the **original TMOD-21-016** that the Planning Commission offered back in December 2021, and it is being brought back to the Planning Commission at the requested City Council’s January 2021 meeting. Staff recommended **APPROVAL of TMOD-22-007.**

Solar energy generations and accessory use does not exist actually in the community. Stonecrest’s regulations really do not define it very well. What this is trying to do is define both the overall major scale and large solar energy systems that you see on people's houses. Accessory used to a residence. Staff added definitions for solar energy systems associated with the rooftops as well as the ground mounted ones. Staff have added supplemental use criteria dealing with the principal uses and accessory uses.

The Chairman asked if there were any in support. There were none.
The Chairman asked if there were any in opposition. There were none.

The Chairman closed the public hearing before going into discussion.

The Chairman asked for a motion. Ms. Mathis motioned to **APPROVE TMOD-22-007 WITH THE EXPANSION OF THE ACREAGE TO 20 ACRES INSTEAD OF 15 ACRES**. Mr. Eady seconded the motion. The motion was **unanimously APPROVED**.

VII. New Business: None

VIII. Adjournment

The Chairman stated that this is Commissioner Eady's last meeting with the Planning Commission and recognized Eady’s contributions to the city of Stonecrest.

The Chairman stated, “Commissioner Eady, we have really enjoyed your service and your leadership throughout the beginning of Stonecrest up until now. You will be deeply missed on the commission board but, I know you will still be active in Stonecrest. We look forward to working with your successor Commissioner Stefanie Brown, who will be coming in next month. In the “Chat” you got, a thank you Commissioner Eady, it is from Ms. Renee Cail. You have truly been a statesman. I know we all do not agree on every vote but...you all show up and give your time in order to make the city and to develop this city. I just want to say thank you.”

The Chairman allowed time for others to send Mr. Eady well wishes.

Commissioner Eady was thanked for his service by the other Commissioners and Staff.

Mr. Eady stated, “I enjoyed working with the Planning Commission and have lived in Stonecrest for 14 plus years. This is my retirement home, I am not going to move, and have enjoyed working with the with the city and so forth. Anything that I could do to help the city I am willing to do it. So, thank you for just allowing me to work in this area...”

The Chairman motioned to adjourn the meeting. Ms. Mathis seconded the motion. The vote was carried **unanimously to adjourn** the meeting at 8:16 PM.

Follow the link to view the meeting: [3 1 2022 Planning Commission 6:00pm - YouTube](#)

APPROVED:

Chairman Date

ATTEST:

Secretary Date



Planning Commission

March 1, 2022

ATTACHMENT I

POWERPOINT PRESENTATION
for
TMOD-22-001 – TMO-22-007

by

Keedra Jackson, MPA
Acting Director/Senior Planner

and

Jim Summerbell, AICP
Planning and Zoning Department



Planning Commission

March 1, 2022

1



AX-21-002

1724 Rodgers Lake Rd (Parcel ID 16 157 05 003)

2

Petition Information AX-21-002

APPLICANT:	GBG 2 Lithonia Group, LLC on behalf of the property owners Charles M. Bettis and J. Ed Seagraves
LOCATION:	1724 Rodgers Lake Rd (Parcel ID 16 157 05 003)
PROPOSED ZONING:	Light Industrial (M)
PROPOSED FUTURE LAND USE DESIGNATION:	Light Industrial
ACREAGE:	19.68 acres
OWNER:	Charles M. Bettis and J. Ed Seagraves
REQUEST:	Annexation for a gravel parking lot. Note that the requirements for gravel parking were recently amended as part of TMOD-21-012 approved by City Council on November 22. This parking lot if approved would have to meet the new requirements.

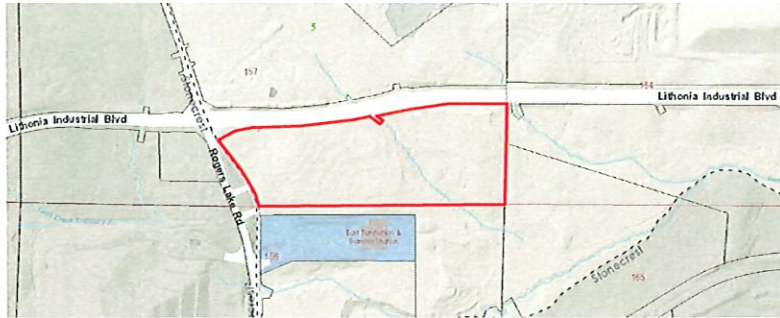
3

AX-21-002 General Information

- Current zoning: Light Industrial (M, DeKalb County)
- DeKalb Future Land Use Character Area: Light Industrial
- Existing use – Undeveloped wooded lot
- Surrounding uses: Industrial, including a landfill and a Waste Transfer Station
- Surrounding zoning: Light and heavy industrial (M and M-2)
- City boundary is located along the western edge of the subject property and meets the one-eight contiguous area requirement for the 100 percent annexation method per state law

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Location Map, AX-21-002



The subject property and all surrounding parcels are zoned industrial either in DeKalb County or City of Stonecrest. The property to the south is heavy industrial (M-2) while all the other parcels are zoned light industrial (M)

5

Site Plan, AX-21-002



6

STANDARDS OF REVIEW

(Sec 7.3.5.)

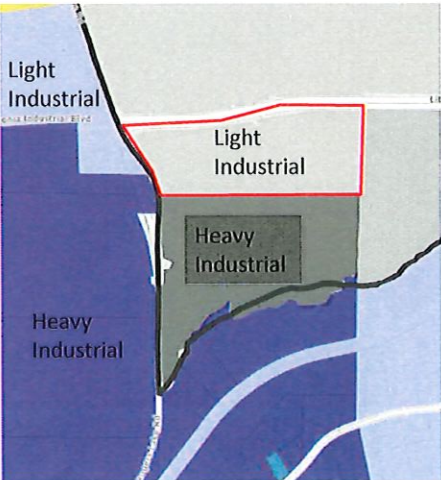
- A. Whether the zoning proposal is in conformity with the policy and intent of the comprehensive plan.
- B. Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property or properties.
- C. Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned.
- D. Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property or properties.
- E. Whether there are other existing or changing conditions affecting the use and development of the property, which gives supporting grounds for either approval or disapproval of the zoning proposal.
- F. Whether the zoning proposal will adversely affect historic buildings, sites, districts, or archaeological resources.
- G. Whether the zoning proposal will result in a use that will or could cause excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.
- H. Whether the zoning proposal adversely impacts the environment or surrounding natural resources.

7

Zoning Review

A. Conformity with Policy and Intent of Comp Plan

- Located within the Light Industrial character area of the DeKalb County Comprehensive Plan. The intended use of the site is in keeping with both the proposed City future land use designation of Light Industrial and the existing character of the area.
- The Light Industrial character area designation intends to identify areas that are appropriate for industrial type uses. The location of these areas shall preserve the appeal and appearance of residential and commercial areas from the prospective intrusion of light industrial land uses. These areas consist of areas used in low intensity manufacturing, including wholesale trade, and distribution activities that do not generate excessive noise, vibration, air pollution or other nuisance characteristics.



City (Purple) and County (Grey)
Future Land Use Maps

8

Zoning Review

B. Suitable in view of the use and development of adjacent and nearby property or properties.

- The area surrounding the site is industrial, and the proposed use is in keeping with the existing development of adjacent and nearby properties.



9

Zoning Review

C. Reasonable Economic Use

- The zoning is essentially remaining the same, and so it does have economic use. The applicant is seeking to come into Stonecrest to allow the building of a gravel parking lot, which is currently not allowed in DeKalb County's Light Industrial (M) zoning, but is in the City's Light Industrial (M) zoning.

D. Affect existing use or usability of nearby properties

- The proposed zoning proposal is not anticipated to have a negative impact on the existing use or usability of adjacent or nearby properties.

E. Conditions giving either approval or disapproval

- The city recently revised it's requirements for gravel parking lots, and the applicant is willing to meet them

F. Adversely affect environmental and historic sites

- There are currently no historic building, sites, districts or archaeological resources on the subject property.

10

Zoning Review

G. Whether the zoning proposal will result in a use that will or could cause excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.

- Due to the low impact nature of the intended use, which contains no housing or requires any water or sewer hookups. The proposal will not cause an excessive or burdensome on utilities or have any demands on schools. Roads access to the property is already designed for truck traffic, and no transportation improvements are necessary to accommodate the use.

H. Adversely affect environmental and natural resources.

- If the proposed use is designed and maintained as required by city and state regulations, the use should not have adverse impact on the environment or surrounding resources.

11

AX-21-002 Staff Recommendation

Based on the findings and conclusions, staff recommends **Approval of AX-21-002, including rezoning the parcel to M (Light Industrial) and designation of subject property to Light Industrial on the Stonecrest Future Land Use Map.**

12



TMOD-22-002
Removal of Light Industrial Uses from
Tier 3 of the Stonecrest Area Overlay

13

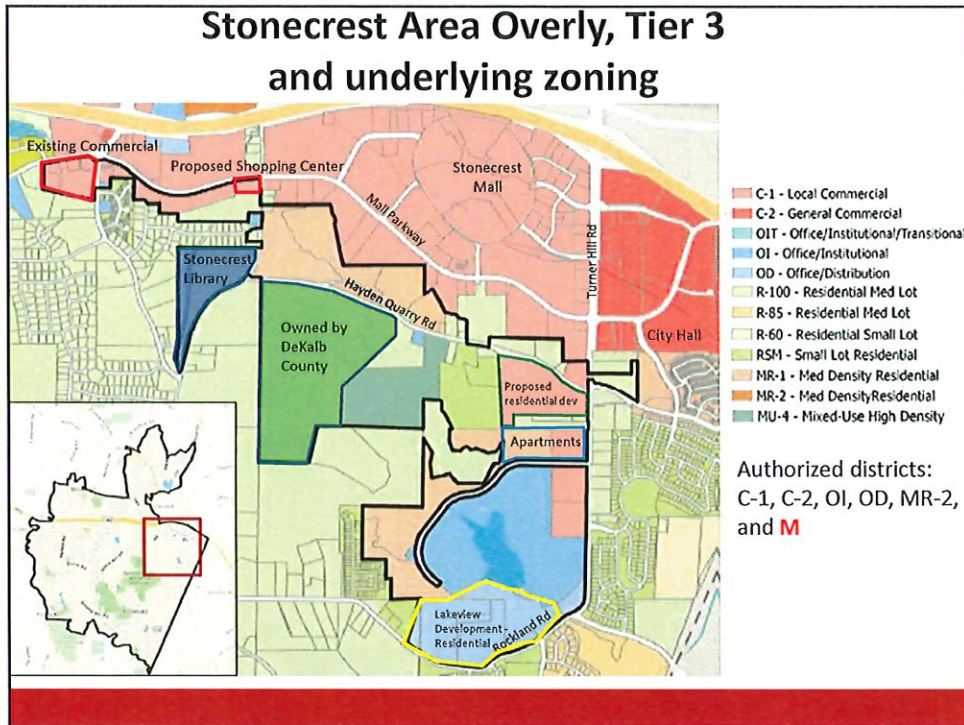
TMOD-22-002
Tier 3 of the Stonecrest Area Overlay

Proposal: Remove light industrial zoning (M) from the list of authorized uses in Tier 3 of the Stonecrest Area Overlay

Reason for the proposal:

- Tier 3 is the Low-Rise Mixed-Use Zone for which Sub-section 3.5.15.A. authorizes all uses allowed in the M –light industrial district to be developed by right, along with all uses allowed in C-1, C-2, O-I, OD, and MR-2
- MR-2, Medium Density Residential District, in particular, allows a variety of residential uses, including single family homes, multi-family homes, and townhouses. And several such residential development have been built or proposed under this authorization.
- No industrial uses have yet to be built in Tier 3, despite the allowance to do so, but certainly could, which could cause potential land use conflict due to noise, truck traffic, and emissions.

14



15

TMOD-22-002 Tier 3 of the Stonecrest Area Overlay

Recommended Text Change, TMOD-22-002

Sec. 3.5.15. - Low-rise mixed-use zone (Tier III).

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

1. All uses authorized in the C-1 and C-2 (General Commercial) District, O-I (Office Institutional) District, O-D (Office Distribution) District, ~~M (Light Industrial) District,~~ and MR-2 (Medium Density Residential) District except those listed in B., below.

16



TMOD-22-003
Reversion of residentially zoned
property back to industrial

17

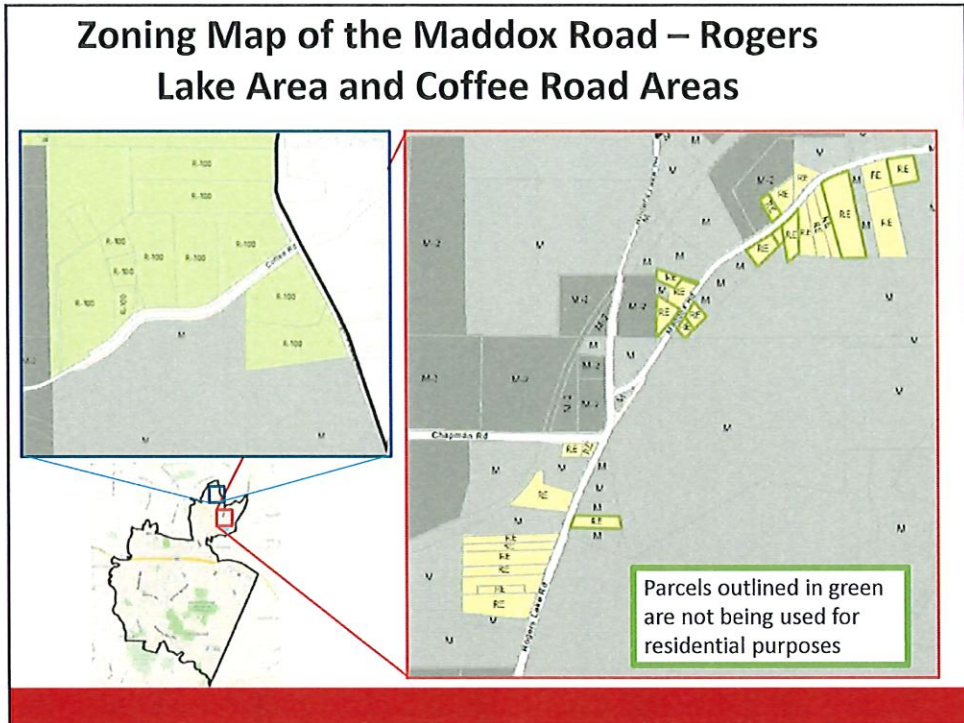
TMOD-22-003
Reversion of previously zoned industrial property

Proposal: Add new section providing that residential parcels which have not been used as residences for twelve months, or which have been used for industrial purposes for twelve months, are deemed to have reverted to industrial zoning if they formerly were rezoned to residential from industrial.

Reason for the proposal:

- Several parcels along Maddox Road, Rogers Lake Road and Coffee Road were spot-zoned from the M (Light Industrial) District to residential in 1979
- The properties remain surrounded by or near Light Industrially zoned properties.
- The rezoning to residential for many of this parcels has failed, either because houses on them are now derelict and abandoned or because the properties are being illegally used for industrial purposes.

18






19

TMOD-22-003: REVERSION ORDINANCE

MADDOX ROAD PROPERTIES WHICH ARE POTENTIAL CANDIDATES FOR REVERSION TO INDUSTRIAL

- 6965 Maddox Road, Parcel 16 156 03 006. Derelict former residence.
- 6964 Maddox Road, Parcel 16 156 02 009. Derelict building.
- 6975 Maddox Road, Parcel 16 156 03 005. House has been destroyed by fire.
- 7045 Maddox Road, Parcel 16 156 03 008. Derelict building.
- 7059 Maddox Road, Parcel 16 156 03 013. Vacant, with no building.
- 7067 Maddox Road, Parcel 16 156 03 010. Vacant, with no building.
- 7117 Maddox Road, Parcel 16 156 03 012. Vacant, with no building.



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Parcels Used Industrially

6978 Maddox Road, Parcel 16 156 02 014.

- Although as seen from the road the property looks more or less like a current residence, heavy-duty equipment parked in the rear yard is visible in aerial views.
- The owner of record is Miller Holdings and Investments.

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Parcels Used Industrially

7056 Maddox Road, Parcel 16 156 02 024.

- A gated, chain link fence covered with opaque material hides the interior of the property.
- Front yard is graveled.
- Rear yard has graveled parking area and trucks.
- The owner of record is Lee Lavonne.



22

Parcels Used Industrially

7157 Maddox Road, Parcel 16 165 03 013

- The entrance is flanked by a chain link fence covered with opaque material and topped with barb wire.
- Heavy-duty vehicles are on the property.
- The owner of record is Ideality Group LLC.



23

TMOD-22-003 Reversion of previously zoned industrial property

Recommended Text Change, TMOD-22-003

[NEW]

Sec. 1.1.17. – Reversion of parcels which were rezoned from industrial to residential.

Any parcel which was rezoned by DeKalb County prior to incorporation from industrial to residential at the request of the owner, and is subsequently vacant for twelve months or is partly or entirely used for industrial purposes for twelve months shall be deemed to have reverted to the prior industrial zoning. Upon determining that a reversion has taken place, the planning director shall notify the property owner and shall begin a city-initiated rezoning of the property back to industrial for Planning Commission recommendation and City Council action.

24



**THE CITY OF
STONECREST
GEORGIA**

TMOD-22-004
**Buffers between residential and
industrially zoned property**

25

TMOD-22-004
**SLUP Requirement for residential development
adjacent to industrial**

Proposal: Add new section requiring a Special Land Use Permit for new residential development adjoining to industrial.

Reason for the proposal:

- Locating new residential adjoining to industrial land creates potential conflicts.
- There currently is no public hearing process for the adjoining industrial owner to be notified of the proposed residential development; to be apprised of the plans for the development; and to obtain a public hearing on the merits of the residential development and the potential negative impact on the industrial property and the public welfare.
- Imposing a SLUP requirement on residential development will require a full, public staff analysis and a full public hearing before City Council, with an opportunity for members of the Stonecrest Community and the adjoining industrial owners to be heard.

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TMOD-22-004 SLUP Requirement for residential development adjacent to industrial

Recommended Text Change, TMOD-22-004

[NEW]

Sec. 4.2.70. – Special land use permit required for residential development adjoining to industrial.

A special land use permit shall be required for any proposed residential development or construction which is adjoining to industrially zoned parcel(s), unless one or more of the following criteria are met:

- A. A one hundred fifty (150) foot undisturbed transitional buffer zone exists or will be observed along the adjoining property line. The buffer zone may be within the residential parcel, the industrial parcel, or both.
- B. The industrial parcel is separated from the residentially zoned parcel by a stream buffer.
- C. The residential parcel is protected by conditions of zoning which were previously imposed on the industrial parcel for the purpose of protecting residential parcels.
- D. The residential parcel was rezoned from industrial to residential at the request of a present or former property owner and conditions of rezoning were imposed on the residential parcel for the purpose of protecting the residential parcel.

27



TMOD-22-005 Towing and Wreckage Services

28

TMOD-22-005 Towing and Wreckage Services

Proposed amendment:

Amendment to the Stonecrest Zoning Ordinance, Chapter 27, Article 4 – Supplemental Use Provisions, including provisions for Towing and Wreckage Services.

Issues being addressed:

- The Zoning Ordinance permits several uses that need further definition and supplemental use criteria for proper administration.
- Towing and Wreckage Services sites should be screened from view similar to how gravel parking lots are to improve community aesthetics

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TMOD-22-005 Towing and Wreckage Services

Sec. 4.2.60 Towing Wreckage Service

- A. This provision does not apply to vehicle storage yards, used motor vehicle dealerships, used motor vehicle parts dealerships, or automobile salvage yards.
- B. Records showing the arrival of each vehicle at a tow service property or an automobile recovery and storage facility must be kept by the owner/operator of a business.
- C. All wrecked or inoperable vehicles shall be drained of all liquids, including but not limited to gasoline, diesel, transmission fluid, brake fluid, and engine oil, within forty-eight (48) hours of delivery to tow service properties or automobile recovery and storage facilities.
- D. Any area of the site used for the short-term storage of motor vehicles shall be screened from view of the public street with an opaque corrugated metal fence or wall adequate in heights to screen the motor vehicles from view from the public rights-of-way. This would be a minimum of ten feet in height if trucks are being stored on site, and only six feet in height if only cars are be stored on site. Chain link and wooden fences along street frontage are prohibited.
- E. The parking area shall be at least 25 feet from the street right-of-way.
- F. A ten-foot-wide evergreen landscape buffer shall be planted around the perimeter of the fence along the public street with at least two rows of trees. All trees shall be a least six feet in height and/or two inches caliber, and shall be regularly maintained and watered as necessary. Dead or dying trees shall be promptly replaced. All surfaces between trees shall be mulched
- G. The soil erosion, sedimentation and pollution requirements of chapter 14, article V of the Code of the City of Stonecrest, Georgia are met.
- H. Minimum standards of the Georgia Stormwater Management Manual are met in terms of stormwater runoff and water quality.

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31

TMOD-22-006
Distilleries and Breweries

Proposed amendment:

Amendment to the Stonecrest Zoning Ordinance, Chapter 27, Article 4 – Supplemental Use Provisions, including provisions for Distilleries and Breweries.

Issues being addressed:

- The Zoning Ordinance permits several uses that need further definition and supplemental use criteria for proper administration.
- Distillery and brewery related uses should be defined by scale of operation and type of customer interaction, making distinction between commercial use and industrial use.

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TMOD-22-006 Distillery and brewery related uses

Proposed amendment with regard to brewery and distillery related uses:

- Add definitions for brewpub, craft brewery, craft distillery, growler, growler store, large-scale brewery, and large-scale distillery
 - Production of 12,000 barrels is the distinction between Craft and Large-Scale Operations
- Revise permitted use table, Section 4.3.1

	NS	C-1	C-2	M	M-2	MU Districts	See Section 4.2
Brewpub/ Beer Growler, accessory	P	P	P	P		P	
Craft Brewery		P	P	P		SP	✓
Craft Distillery		P	P	P		SP	✓
Large scale brewery					P		
Large scale Distillery					P		

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TMOD-22-006 Distillery and brewery related uses

New supplemental use regulations, Sec. 4.2.59 Craft breweries and Craft Distilleries

- (1) Shall be subject to all regulations of Chapter 4 of the Stonecrest Code of Ordinances concerning alcoholic beverages:
- (2) Shall be a maximum of 20,000 square feet.
- (3) No outdoor public address system shall be permitted
- (4) Production space shall be in a wholly enclosed building.

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TMOD-22-007
Solar Energy Systems

35

TMOD-22-007
Solar Energy Systems

Proposed amendment:

Amendment to the Stonecrest Zoning Ordinance, Chapter 27, Article 4
– Supplemental Use Provisions for Solar Energy

Issues being addressed:

- The Zoning Ordinance permits several uses that need further definition and supplemental use criteria for proper administration.
- Solar energy generation as an accessory use does exist in community but there is no definition or regulations regarding their use.

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TMOD-22-007 Solar Energy Systems

- Added new definition, Sec 9.1.3, for Solar Energy System (SES) and associated types of SESs including Integrated Solar Energy System, Rooftop Solar Energy System, and Ground Mounted Solar Energy System
- Added new supplemental use criteria for SES, principal use and SES, accessory use, Sections 4.2.60 and 4.2.61, (See Agenda Packet)
- Added new section to the permitted use table allowing SES in all districts either as permitted (P) accessory uses (Pa), special administrative approval (SA) or special uses subject to SLUP (SP).

SOLAR ENERGY SYSTEMS (SES)																										
	RE	RLG	R-100	R-85	R-75	R-60	RSH	MIR-1	MIR-2	HR 1,2,3	MHP	RNC	OI	OIT	NS	C-1	C-2	OD	M	M-2	MU-1	MU-2	MU-3	MU-4,5	See Section 4.2	
Integrated SES	Pa	Pa	Pa	Pa	Pa	Pa	Pa	Pa	Pa	Pa	Pa	Pa	Pa	Pa	Pa	Pa	Pa	Pa	Pa	Pa	Pa	Pa	Pa	Pa	Pa	✓
Rooftop SES	Pa	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	Pa	SA	SA	SA	SA	SA	SA	Pa	Pa	SA	SA	SA	SA	SA	✓
Ground Mounted SES, Small Scale	Pa	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	Pa	Pa	Pa	Pa	Pa	Pa	P	P	SP	SP	SP	SP	SP	✓
Ground Mounted SES, Intermediate Scale	SP	SP	SP									SP							P	P						✓
Ground Mounted SES, Large Scale	SP	SP										SP							SP	SP						✓



Planning Commission

March 1, 2022

ATTACHMENT II

Public Comment Submitted

for

AX-21-002

1724 Rogers Lake Road

by

Renee Cail

FW: 1724 Rogers Lake Road & IDI and thev1.9 million Square foot warehouse ...



Keedra Jackson

To Lillian Lowe



3/1/2022

You forwarded this message on 3/1/2022 10:13 AM.

From: Renee Cail <disoni7@yahoo.com>

Sent: Monday, February 28, 2022 11:00 AM

To: Janice Allen Jackson <jallenjackson@stonecrestga.gov>; Jonathan Bartlett <jbartlett@stonecrestga.gov>; George Turner <gturner@stonecrestga.gov>; Tara Graves <tgraves@stonecrestga.gov>; Tammy Grimes <tgrimes@stonecrestga.gov>; Jazzmin Cobble <JCobble@stonecrestga.gov>; Sonya Isom <SIsom@stonecrestga.gov>

Subject: 1724 Rogers Lake Road & IDI and thev1.9 million Square foot warehouse project

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

Dear City Officials:

Please deny any permits or zoning change requests for 1724 Rogers Lake Road. This project is detrimental to the residents as the toxic emissions from the diesel trucks will only exacerbate the health problems we are currently facing. Respiratory illnesses and cardiac problems are at an all time high. Property values will suffer and crime will increase. Who will monitor this facility?

IDI has over a billion dollars in assets and builds these warehouses and distribution centers in mdyro areas like ours. Where is the justice for our residents? IDI originated in Europe. They should put their warehouses there.. Would they consider a college for a project or upscale housing? Speak for us city council
We need your advocacy!!!

Sincerely,

Renee Cail