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Clayton County
Community Development Department
121 S. McDonough St. Annex 2
Jonesboro, Ga. 30236



PATRICK EJIKE
DIRECTOR

Clayton County Zoning Advisory Group
Minutes of May 2, 2016

The regular meeting of the Zoning Advisory Group was held this date of May 2, 2016 in the Commissioners Board Room, Administration Building 112 Smith Street, Jonesboro, Georgia.

Members present were: Chairman Herman Turner, Vice Chairman Kevin Lewis, Board Member Larry Bussey, Board Member Frenda Norwood, Board Member Addie Whittaker, and Board Member Rae James. Brecca Johnson, LaShawn Gardiner, and Linda Willis were present from Community Development/Planning & Zoning.

Members absent: Board Member KC Watts. Legal counsel was not represented.

The meeting was called to order at 7:00pm by Chairman Herman Turner. The pledge of allegiance was said in unison.

The motion to approve the agenda was made Board Member Larry Bussey and seconded by Board Member Frenda Norwood. The vote was unanimous.

The motion to approve the minutes of April 4, 2016 was made by Board Member Frenda Norwood and seconded by Board Member Larry Bussey. The vote was unanimous.

Chairman Herman Turner asked for recognition of anyone having business with the Zoning Advisory Group. There were none.

Chairman Herman Turner asked if there were any Reports of Committees or Old Business. There were none.

The Procedures for the Clayton County Zoning Advisory Groups' Public Hearings was given by Ms. Linda Willis.

The Chairman called for New Business.

a. CUP-16/03-23

The Applicant, *India Wilmington*, is requesting a Conditional Use Permit (CUP) from Article 3.25 Neighborhood Mixed Use District (NMX) to allow for a Fitness Center. The subject property is located at 6631 Highway 42, Suites 208 and 209, Rex, Georgia, and otherwise known as parcel number 12-121D-C002. The subject property contains approximately 2.6 +/- acres of land and is currently zoned Neighborhood Mixed Use (NMX).

Commissioner District 1 – Sonna Singleton Gregory

The staff report for case CUP-16/03-23 was given by LaShawn Gardiner of Community Development/Planning and Zoning.

LaShawn Gardiner: The Planning & Zoning Staff recognizes that this application does not appear to be detrimental to the general public health, safety or welfare of the surrounding community. Staff recommends **approval** of this application.

Chairman Herman Turner called for the petitioner to present their case.

The petitioner was represented by India Wilmington, located at 5222 Katherine Village Drive, Ellenwood, GA

India Wilmington: This will be a senior group fitness instruction, there will be no machinery. We will be offering classes throughout the day specialized just for seniors over fifty (50) and individuals that need modified workout routines. The space is turnkey ready, there is nothing that needs to be done to the space. We will offer intimate, small class sizes of no more than 10 individuals per class. This will ensure that each customer receives the individual support they need. We will create a well-balanced wellness program that combines physical fitness as well as meal and nutrition planning. This will be a one stop shop for health and wellness.

Chairman Herman Turner called for anyone that was in opposition of the petition. There were none.

Chairman Herman Turner asked if there were any questions from the Board Members.

Board Member Rae James: What is the immediate community in the vicinity of where you want to have this business saying about what you are wanting to do? **India Wilmington:** I haven't had any negative feedback, everybody seem to be pretty excited about it, from the bank to the tenants, to my family. My family inspired me to do this.

Board Member Rae James: What measures were taken to gather this information from that area? **India Wilmington:** I was provided a list of addresses within the proximity by Planning & Zoning.

Board Member Addie Whittaker: How many people will be running this facility? **India Wilmington:** Myself and my husband, we will have three (3) instructors that will be running the classes, and a person at the front desk. At minimum we will have two (2) people there instructing the 10 people doing the class.

Board Member Addie Whittaker: Are you going to be operating 24/7? **India Wilmington:** No. We will have about six (6) classes a day and the classes are an hour long. Classes will start at 7:00am, 10:00am 1:00pm, 3:00pm, and 5:00pm. We will look for feedback from the community as to what times they would prefer.

Board Member Addie Whittaker: Will the employees be certified, and have background checks? **India Wilmington:** Yes. To teach seniors you have to be certified.

Board Member Larry Bussey: In reference to the background checks, do you have to be bonded, and have you applied? **India Wilmington:** Yes, you do have to be bonded, and I do have the insurance lined up, but have not purchased it yet, I am was waiting until I got feedback from you guys if I could move forward.

Board Member Addie Whittaker: How much insurance are you applying for? **India Wilmington:** I have a list of criteria from the landlord. I will be heavily insured.

Vice Chairman Kevin Lewis: Are you coming from a previous location? **India Wilmington:** No.

The motion to **approve** case number CUP-16/03-23 was made by Vice Chairman Kevin Lewis and seconded by Board Member Addie Whittaker. The vote was unanimous.

b. CUP-16/03-24

The Applicant, *Jeff Collins*, on behalf of Southlake Church of Christ, is requesting a Conditional Use Permit (CUP) from Article 3.7 Single Family Residential District (RS-110) to allow for a place of worship. The subject property is located at 2634 Mt. Zion Road, Jonesboro, Georgia, and otherwise known as parcel number 12-085D-A002. The subject property contains approximately 12.7 +/- acres of land and is currently zoned Single Family Residential (RS-110).

Commissioner District 1 – Sonna Singleton Gregory

The staff report for case CUP-16/03-24 was given by LaShawn Gardiner of Community Development/Planning and Zoning.

LaShawn Gardiner: The Planning & Zoning Staff recognizes that this application does not appear to be detrimental to the general public health, safety or welfare of the surrounding community. Staff recommends **approval** of this application.

Chairman Herman Turner called for the petitioner to present their case.

The petitioner was represented by Jeff Collins of Rochester and Associates Inc., located at 286 Highway 314, Fayetteville, GA on behalf of Southside Church of Christ.

Jeff Collins: I am here on behalf of Southside Church of Christ requesting approval for a Conditional Use Permit for a place of worship. Currently the church is approximately 1,100 feet away from the proposed site. What they would like to do on this property is to develop a new facility to house their sanctuary, but also be a community outreach, and build a community outreach program that will be a more versatile facility offering a gym and classrooms which will enable them to do more community outreach functions. In our opinion the Conditional Use Permit for this property will not adversely impact the current zoning of RS-110 surrounding properties to the north and east, and General Business and Commercial Business to the south, and the west is the same zoning as this property. The property is 12.7 acres generally speaking, the development as shown on the plans is a massive plan that will be done long term. The first phase that would be submitted would be the initial 11,000 square foot facility. From a site perspective generally speaking the site drains from the back to front where there is an existing gas easement, from the gas easement toward Mt. Zion Road therefore we will account for a storm water pond through the front location and will capture all that water within the required requirements of the County and not to release more than what is currently releasing. We have been in contact with Transportation and Development Department and we are aware of the future widen project, the timeline is not certain for now, but we will account for right of way and future sidewalks, things of that nature with this development and as we get specific instructions from Transportation and Development Department. This development is consistent with the Future Land Use Map (FLUM) of mixed use and overall I do believe this will be an asset and an enhancement of the welfare of the community as a whole, and hope you guys feel the same.

Chairman Herman Turner called for anyone that was in opposition of the petition.

1. Brad Brownlee, located at 520 Heathmoor Drive, McDonough, GA.

I've been a long time resident of Clayton County since 1990 until last year. My wife owns this land at this time and have lived on it since 1955. I would like to say as far as everybody we have entertained about selling this property, this is the best use, they are down the street and they keep their place immaculately. We've talked to three neighbors across the street and next door and they don't seem to have any problems, they like what's going on down the street. So they think it could only be good for our area.

2. Alice Brownlee, located at 520 Heathmoor Drive, McDonough, GA.

I've lived at 2634 Mt. Zion Road, Jonesboro, GA since I was brought home from the hospital in 1955. It's been a wonderful place to grow up. My parents and brother has been there, my grandparents actually brought the land, so it has a long history. I just think my parents would be very happy that a church was buying it, because they were people of faith. I'm thrilled. Thank you.

3. Vernon Taylor, located at 7850 Amherst Court, Jonesboro, GA

I represent the congregation as the minister. I served there since our beginning back in October 2007. One of the things that we want to do as far as vision is how we look at this property is to be very community sensitive, and to compliment and to serve the community more than just being a place of faith. We wanted to let the Board know how important our mission is and to co-partner and be an asset to the community.

Chairman Herman Turner asked if there were any questions from the Board Members.

Chairman Herman Turner: The pond that you are going to install in the front to catch some of that water, will it be maintained, because it will be right there by the street in front of your building? **Jeff Collins:** Yes. We want to keep it looking nice.

Chairman Herman Turner: Is wetland there, is going to keep water in it or just a place to catch the water as it runs off? **Jeff Collins:** By following standards it will be a retention pond that maintain water.

Vice Chairman Kevin Lewis: I see where the church anticipate building a facility, but Clayton County has a Tree Ordinance as well, will that be maintained? **Jeff Collins:** Absolutely. I should have said earlier that we will comply with all Ordinances.

Vice Chairman Kevin Lewis: I see some aesthetic in your package, but I don't see where you still are maintaining some of the Tree Ordinance Standards? **Jeff Collins:** We haven't submitted landscape plans for that yet, but we will and abide by the Tree Ordinance Standards.

Board Member Larry Bussey: Who will pay for egress I see on the plans on Mt. Zion? **Jeff Collins:** The entrance drive will be part of the development cost. As I mentioned, we have talked with Transportation and Development and we are aware of the future road widening and we will accommodate that.

Board Member Larry Bussey: If this request is approved, what is your projected start? **Jeff Collins:** The design and the architect will have to be done, I haven't talked with the construction folks lately, but I will guess about 4 to 5 months out, but don't quote me on that.

Board Member Rae James: This question is for you and the County. If there is a projection for the widen of the road, at what point is the County investing in that. Will the County invest now or in the future? **Brecca Johnson:** The Mt Zion Road widen will probably be 10 to 15 years out. However, the applicant has met with Transportation and Development Department, and they are required to allocate certain frontage right of way for that widen project. So they would have to adhere to that once they submit plans for review.

Board Member Rae James: So, there will be no cost to the County? **Brecca Johnson:** It will not.

Board Member Larry Bussey: Have they done a traffic plan? **Brecca Johnson:** Well, that is part of the widen project which the County has alright accounted for in SPLOST dollars.

Vice Chairman Kevin Lewis: My question goes back to the pond. I haven't seen a retention pond that was beautiful. Since this is going to be right along the right of way and in front of the church, it does not give a great presentation. I understand you have to put it somewhere, but what is the vision and was there any other alternative areas? **Jeff Collins:** Cost effective ones? From a site standpoint everything flows that way.

Vice Chairman Kevin Lewis: You have the pond in the back, correct? **Jeff Collins:** We do, however, it crosses the gas easement and to do a storm pipe that far we would need to get permission from the gas company. To your point, I agree that in the front it would be very important to make it aesthetic. We all have seen then with mosquito's traps and unkempt and ugly. It would be important that we work with the landscape architect to come up with a plan that both the Church and the County can agree on.

Vice Chairman Kevin Lewis: Is this the only proposal for that pond? **Jeff Collins:** Currently we are open to work with the County for other locations, however, I do think we are limited to that location.

Brecca Johnson: You can suggest some type of condition, whether it's a water feature. I'm not sure what you are looking for as far as to beautify the road access from Mt Zion Road as part of the approval conditions.

Vice Chairman Kevin Lewis: How deep and wide is this pond currently. What is the projection? **Jeff Collins:** That footprint is probably a little be large, start large instead of starting small and getting bigger. Because it is in the front, we try to keep it about a 6 foot range, because of the 4 foot water depth per storm water requirements. The width would probably be more 30 to 40 wide and 60 foot long.

Chairman Herman Turner: Will a fence completely surround it, so you want get any children playing out there and accidently fall in? **Jeff Collins:** Typically it is a requirement of the Ordinances, but I agree and will recommend the same for the same reasons, and I would also recommend some landscape screening.

LaShawn Gardiner: Chairman Turner, in regard to your question, the Zoning Ordinance does require fencing around such ponds as well as landscaping.

Board Member Addie Whittaker: Does that apply to the existing pond in the rear? **Jeff Collins:** No, there is no proposed alteration to the existing pond.

Board Member Larry Bussey: Does it already has fencing? **Jeff Collins:** It does not.

The motion to **approve** case CUP-16/03-24 **with the stipulation that the retention pond be removed from the front of the road** was made by Vice Chairman Kevin Lewis and seconded by Board Member Addie Whittaker. The vote was 5 to 1. Board Member Frenda Norwood opposed.

c. CUP-16/03-25

The Applicant, *Leonard Morgan*, is requesting a Conditional Use Permit (CUP) from Article 3.11 Multiple Family Residential District (RM) to allow for a Residential facility for developmentally disable/mentally ill. The subject property is located at 5930 Highway 85, Riverdale, Georgia, and otherwise known as parcel number 13-107C-C019. The subject property contains approximately 2.2 +/- acres of land and is currently zoned Multiple Family Residential (RM).

Commissioner District 2 – Gail Hambrick

The staff report for case CUP-16/03-25 was given by LaShawn Gardiner of Community Development/Planning and Zoning.

LaShawn Gardiner: Staff recommends **approval** of this application.

Chairman Herman Turner called for the petitioner to present their case.

The petitioner was represented by Leonard Morgan, located at P.O Box 16908, Atlanta, GA 30321.

Leonard Morgan: I am here to request a special zoning permit for this properties. My organization came into Clayton County on September 10, 2016. We went into this property thinking that we were taking over a re-entry program (people coming from being incarcerated), but what we found out that it was a mental health dumping ground. We had to go in and stabilized the situation. They were living in a horrible conditions, they were not eating. I run a Veterans organization under the name VSO (Veterans Service Organization) that serve veterans and that's why we came to this particular property so that we could setup apartments to serve veterans. We found out that they had no licenses to operate in that area in the way we wanted to carry out our mission. The reason we are asking for a mental health facility is because what we do that pertains to veterans whether its substance abuse,

PTSD, or all forms of mental health, that is our platform as far as helping our veterans. That is why we are here is to make sure we bring them in to give the proper care that they need.

Chairman Herman Turner called for anyone that was in opposition of the petition.

1. Bryan McElroy, located at 6030 Highway 85, Riverdale, GA.

We are the property that sits next to this property. We have had multiple problems from this property. We have a commercial rental property with 45 tenants. People are crossing over our property heading toward Riverdale, there are people hit by cars and cars are vandalized. We are not totally opposed, I just want them to maintain the people on their property. We do know some of the people and we try to encourage them because they are disabled, and have employed some.

Board Member Larry Bussey: Looking at the aerial map, where is your property located? **Bryan McElroy** indicated on the map where his property was located.

Chairman Herman Turner asked if there were any questions from the Board Members.

Frenda Norwood: Are the people currently living there Veterans? **Leonard Morgan:** No. We are bring the Veterans with us. In addition, we took over 43 residents that were there, but that number is down to 32 residents due to the fact we were not equipped to handle their needs. We found other places to meet their needs.

Frenda Norwood: What criteria did use to determine who would stay there? **Leonard Morgan:** We perform an assessment to evaluate and determine who would stay.

Frenda Norwood: You will be offering services to those that remain there, in addition to the ones you brought?

Leonard Morgan: That is correct.

Frenda Norwood: Are the residents' medicare/medicaid recipients or do they have health insurance that will pay for these services? **Leonard Morgan:** Most of them have medicare/medicaid or SSI.

Chairman Herman Turner: Where are you coming from to where you are? **Leonard Morgan:** 3707 Main Street, College Park, GA, right next to City Hall.

Chairman Herman Turner: How many full-time employees do you have? **Leonard Morgan:** I have nine (9) full-time employees. They are called residents assistants and case managers.

Chairman Herman Turner: Are you on site? **Leonard Morgan:** Yes, sir.

Board Member Larry Bussey: Will you have someone there to administer medication? **Leonard Morgan:** Yes, it is supervised medication.

Board Member Larry Bussey: What will be the number of veterans/occupants on site? **Leonard Morgan:** Actually we had to downsize because when we first came in we took over twelve units, we are down to six units. Being a Veteran Service Organization (VSO) our main purpose is to serve disable veterans needs and their spouses.

Board Member Larry Bussey: So you work in conjunction with the Veterans Administration Headquarters here in Atlanta? **Leonard Morgan:** Yes we do.

Vice Chairman Kevin Lewis: Your Conditional Use Permit (CUP) is for developmental disabled/mentally ill persons, why did you choose that? **Leonard Morgan:** That was the recommendation that would be closes to what we wanted to do on the property.

Vice Chairman Kevin Lewis: What medical advice are you getting to evaluate your patients so that they would fit your CUP for the developmentally disable/mentally challenged? **Leonard Morgan:** Most of the time they have a doctor that comes with them that tells what their mental and physical capacity is.

Board Member Addie Whittaker: Is there a limit as to how long the patient is there, and do you find other places for them to stay? **Leonard Morgan:** There is two (2) programs that the VA affords. We would like to carry our program up to one year. We are a nonprofit organization that offer services to veterans overall sustainability, and there are other organizations that are connected.

Board Member Addie Whittaker: You stated you will have nine (9) full time employees; will they be housed on the property? **Leonard Morgan:** No, not all. We will have four (4) housed on the property.

Board Member Larry Bussey: Will you be serving veterans of Clayton County only? **Leonard Morgan:** It will be veterans of the Metro County.

Board Member Rae James: Why did you leave College Park? **Leonard Morgan:** We needed housing.

Board Member Rae James: Did you seek housing in College Park? **Leonard Morgan:** Yes.

Vice Chairman Kevin Lewis: The gentleman before you had concerns about veterans coming from your facility, what proposal will you offer to collaborate with him? I know they are tenants and you cannot control them. Will there be a curfew to try and keep these mentally challenged people from getting hurt? **Leonard Morgan:** There is a curfew, which was not originally there. We want to work with the community and the City. The ones that did not fit into our program are no longer there.

Vice Chairman Kevin Lewis: So you are bringing a bright spot to Clayton County? **Leonard Morgan:** Yes sir. We have been visited by many agencies in Clayton County and even by State level. They have all praised what they saw and are sending veterans to us. Previously there were a bad taste in most people mouth based on the previously activities. So it was time for something new in that community.

Vice Chairman Kevin Lewis: Just on a personal standpoint, I want to thank you for what you do? **Leonard Morgan:** Thank you very much, sir.

The motion to **approve** case CUP=16/03-25 was made by Broad Member Frenda Norman and seconded by Vice Chairman Kevin Lewis. The vote was unanimous.

d. RECZ-16/03-28

The Applicant, *Steven Ellis*, on behalf of Hennessey Cadillac, Inc. is requesting a rezoning from Article 3.11 Multiple Family Residential District (RM) to Article 3.21 General Business District. The subject property is located at 1200 Battle Creek Drive, Jonesboro, Georgia, and otherwise known as parcel number 12-080A-A002. The subject property contains approximately 8.60 +/- acres of land and is currently zoned Multiple Family Residential (RM).

Commissioner District 4 – Michael Edmondson

The staff report for case RECZ-16/03-28 was given by LaShawn Gardiner of Community Development/Planning and Zoning.

LaShawn Gardiner: This property also needs a Land Use Amendment (FLUM), which will go before ZAG/BOC on the June, 2016 Agenda. Furthermore, from the Economic Development aspect we will be increasing our commercial footprint, which will include land development and storm water reviews. Also, we received two (2) letters of opposition. The Planning & Zoning Staff recognizes that this application does not appear to be detrimental to the general public health, safety or welfare of the surrounding community. Staff recommends **approval** of this application.

Chairman Herman Turner called for the petitioner to present their case.

The petitioner was represented by Steven T. Ellis, located at 3678 North Peachtree Road, Atlanta, GA, and Ron Sprinkle, located at 2625 Cumberland Pkwy., Atlanta, GA.

Ron Sprinkle: The proposal before you today is for an 8.60 acre property that is surrounded by other GB (General Business) and LI (Light Industrial) properties. In an expansion of Hennessy Cadillac Southlake is to provide additional car storage and used car refurbish. The facility will only be used by employees, and will not be open to the public. There will be no increase in traffic and has a direct connection to Hennessy Southlake. It will provide approximate thirty (30) jobs. We respectfully request that you approve this request this evening.

Chairman Herman Turner called for anyone that was in opposition of the petition. There were none, except for the two letters in opposition.

Chairman Herman Turner asked if there were any questions from the Board Members.

Vice Chairman Kevin Lewis: Will the construction require cutting down some trees? **Ron Sprinkle:** Yes. This a piece of property that was previously developed some years ago, it was a driving range.

Vice Chairman Kevin Lewis: As you know Clayton County has a Tree Ordinance; what is the aesthetic plan for that area? **Ron Sprinkle:** We currently have a variance request, requesting that the trees not be required internally. It is not practical to include trees in areas where they will drop leaves, sap, nuts, etc. on the vehicles.

Vice Chairman Kevin Lewis: Clayton County is trying to maintain greenery. If you remove them will you replace them with trees that do not give off sap? **Ron Sprinkle:** What we typically will do, is plant trees around the area creating a buffer.

Vice Chairman Kevin Lewis: I am trying to put emphasis on the Tree Ordinance, because we have gotten away from it.

Chairman Herman Turner: Is this facility design overall for Hennessy or just Hennessy Southlake? **Ron Sprinkle:** The car storage facility is for Hennessy Southlake.

Board Member Rae James: If not approved, where will you take this facility? **Ron Sprinkle:** I don't know if we would have another location. **Steven Ellis:** If not approved we will try to find another location. It's continuous to our current facility and the business is thriving currently. We would love to remain in Clayton County and keep the jobs here locally.

Board Member Larry Bussey: Will there be any road construction? **Ron Sprinkle:** There will not be any new road construction. There will be a connection between the existing dealership and this property, and there will be an access point off Battle Creek.

Vice Chairman Kevin Lewis: On the board can you indicate where the tree lines will be? **Ron Sprinkle:** Indicate on the board where the tree lines will be, and stated the buffer will remain.

Board Member Rae James: This question is a County question. Brecca staff has recommended approval, but it appears they are taking out a lot of trees because they have a lot of cars they want store in Clayton County. Help me understand the benefits that Clayton County will get from this? **Brecca Johnson:** Well, based on their footprint for what they are trying to do will add jobs in Clayton County, and with the expansion and rezoning it will utilize a piece of property that is not currently utilized, which will add to the tax base.

Board Member Rae James: How will we ensure that these jobs will be Clayton County residents? **Brecca Johnson:** We can ask that Clayton County residents be considered.

The motion to **approve** case RECZ-16/03-28 with the stipulation that the applicant comply to the Tree Ordinance Standards along with the additional trees around the perimeter was made by Vice Chairman Kevin Lewis and seconded by Board Member Addie Whittaker. The vote was unanimous.

e. RECZ-16/03-29

The Applicant, *Aziz Charania*, is requesting a rezoning from Article 3.23 Neighborhood Mixed Use District (NMX) to Article 3.21 General Business District (GB). The subject property is located at 6118 Riverdale Road, Atlanta, Georgia and otherwise known as parcel number 13-120B-A006. The subject property contains approximately 2.24 +/- acres of land and is currently zoned Neighborhood Mixed Use (NMX).

Commissioner District 2 – Gail Hambrick

The staff report for case RECZ-16/03-29 was given by LaShawn Gardiner of Community Development/Planning and Zoning.

LaShawn Gardiner: Staff recommends **approval** of this application.

Chairman Herman Turner called for the petitioner to present their case.

The petitioner was represented by Aziz Charania, located at 4464 Newport View Ct., Lilburn, GA

Aziz Charania: I am requesting a rezoning of this property for a gas station with a convenience store along with two (2) to three (3) rental properties. The property is a raw piece of land. Currently to the south of the property there is no gas station within 2.4 miles. People traveling to the north, have to cross over two (2) lanes to reach the nearest gas station to the north.

Chairman Herman Turner called for anyone that was in opposition of the petition. There were none.

Chairman Herman Turner asked if there were any questions from the Board Members.

Board Member Larry Bussey: Looking at the diagram, is that two (2) gas stations to the north? **Aziz Charania:** Yes.

Vice Chairman Kevin Lewis: Are you familiar with the Clayton County Tree Ordinance? **Aziz Charania:** Not completely. But the fact remains, we have to cut down some trees to develop. There are trees around the perimeter that can remain as is. We will build about 50 to 70 percent of the property and the remainder will stay as is. There is also a 50 foot buffer for the multi-family area.

Vice Chairman Kevin Lewis: Do you have a conceptual design of what the building will look like? **Aziz Charania:** Yes, it's a small one in the package. **Vice Chairman Kevin Lewis:** I was looking for something more aesthetically.

Board Member Addie Whittaker: How soon will you start developing? **Aziz Charania:** October, 2016.

Board Member Addie Whittaker: Why did you decide to develop in Clayton County? **Aziz Charania:** Of course the property, but I once was a resident of Clayton County, I lived on Riverdale Road. The gas station will be a convenience for the community.

Board Member Rae James: How do you expect this convenient store will serve the community? **Aziz Charania:** Because of the location and distance, and also the jobs that it will create.

Brecca Johnson: According to the Ordinance a convenient store is allowed out right, the gas station requires rezoning to be allowed.

Board Member Larry Bussey: How many trees will you be removing, and will your landscaping be attractive
Aziz Charania: We will remove about 30 to 50 trees, and the landscape will be attractive.

Board Member Addie Whittaker: What type of gas will you be bringing in? **Aziz Charania:** We have not decided, but will be talking to several gas companies (Chevron/Shell).

Board Member Addie Whittaker: What is the hours of operation? **Aziz Charania:** 6 to 10 or 11, 7 days a week.

Board Member Frenda Norwood: If this rezoning is not approved, will you still be building the convenient store? **Aziz Charania:** Probably not.

Vice Chairman Kevin Lewis: Are you currently operating in Clayton County or the state of Georgia? **Aziz Charania:** No, not in Clayton County, but in a small place off Highway 78.

The motion to deny case RECZ-16/03=29 was made by Board Member Rae James and seconded by Board Member Frenda Norwood. The vote was unanimous.

f. TXT-16/04-5 – Place of Worship

The Clayton County Community Development Department is requesting an amendment to the Clayton County Zoning Code and Land Use Matrix as it pertains to places of worship (churches and similar religious facilities), theaters, amphitheatres, and assembly/concert halls, within certain non-residential zoning districts; to provide an effective date of this ordinance; and for other purposes. The amendment will require a Conditional Use (CU) permit in accordance with *Article 13, Section 13.16 Conditional Use Process*.

The staff report for proposed text amendment TXT-16/04-5 – Place of Worship was given by Brecca Johnson of Community Development/Planning and Zoning.

Brecca Johnson: As you are aware from our discussion in the pre-meeting, Jack Hancock’s law firm Freeman Mathis & Gary LLP is in the process of drafting a new Zoning Ordinance, which we consider as a Zoning Ordinance Rewrite to get some inconsistencies and language left out of the code to minimize liability to the County. This text amendment before you is to require a Conditional Permit Use for all Place of Worship (POW) in each of the zoning districts within the County. Currently we have a church in a residential area with a Conditional Use Permit and in commercial districts they are allowed out right. Which means that churches could go into strip centers, family mall commercial buildings. But now it would require that every church, not just churches along, but place of worship, assembly, and amphitheatres will all be required to come before this Board and the Board of Commissioners for approval. If you would look at the detail report you will see the revisions to the Articles that will require a Conditional Use Permit as it pertain to places of worship, assembly, and amphitheatres:

Article 3, Zoning District Intent, Uses and Standards

- *Sec. 3.15 Office-Institutional District*
- *Sec. 3.19 Community Business District*
- *Sec. 3.23 Medical Mixed Use District*
- *Sec. 3.27 Regional Mixed Use District*
- *Sec. 3.33 Land Use Matrix Public and Institutional Uses*

Article 6, Development Standards

- *Sec. 6.32 Parking Standards*

Article 7, Sign Regulations

- *Sec. 7.19 Billboards*
- Article 3 amendments will expressly require a Conditional Use Permit within all zoning districts.
- Articles 6 and 7 amendments will replace references to “Churches” with “Places of Worship” to provide consistent language throughout the Code.

As I mentioned to you before, the sections we bring before you we hope not to be piece milled, but we’ll bring them to you as we receive them from the Law Department.

Chairman Herman Turner called for anyone that was in opposition of the petition. There were none.

Chairman Herman Turner asked if there were any questions from the Board Members.

Vice Chairman Kevin Lewis: Unfortunately, I did not get my package until Friday, which is not an issue, but because it is such a detail text amendment, I have not had the chance to go over it, and I don’t feel comfortable making a vote on the contents. I know that the Commissioners are trying get a vote as soon as possible. But, considering I have not had a chance to review it, I will need to sustain from voting.

Board Member Rae James: Unfortunately, as much as I hate to see it pushed back, because the Parking Standards is close to my heart, but I would like to dig into the reading of it as well.

Board Member Addie Whittaker: I would like to read more and find out what is taking place.

Vice Chairman Kevin Lewis: Based on the members of the Board wanting more time to review this, I would like to table this item until our next meeting.

Brecca Johnson: I just wanted to say this will go before the Board of Commissioners, simply because this Board is a recommendation Board .

Chairman Herman Turner: It will have to go without our recommendation, because of the reasonings that have been stated.

Vice Chairman Kevin Lewis: Does the Ordinance allow something that has been tabled by our Board to go forth?

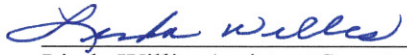
Brecca Johnson: This is a recommending body, so whatever the recommendation is for approval or denial, approval with conditions or tabled, it will still go before the Board of Commissioners.

Vice Chairman Kevin Lewis: I think I read something different, but I might be wrong because they keep changing things.

The motion to **tabled** text amendment # TXT-16/04-5 was made by Vice Chairman Kevin Lewis and seconded by Board Member Addie Whittaker. The vote was unanimous.

There being no further business, the motion to adjourn was made by Vice Chairman Kevin Lewis and seconded by Board Member Addie Whittaker. The vote was unanimous.

The meeting adjourned at 8:45 p.m.



Linda Willis, Assistant Secretary
Zoning Advisory Group
Clayton County, Georgia



Herman Turner, Chairman
Zoning Advisory Group
Clayton County, Georgia