

SPECIAL LAND USE PERMIT (SLUP) ANALYSIS

Prepared By:	Ellis Still, Deputy Director of Planning and Zoning
Petition Number:	SLUP 24-007
Applicant: Property Owner:	Dean Hodge – Go Solar Power 933 Clint Moore Road Boca Raton, FL 33487 permits@gosolarpower.com Craig Delasin, Chief Executive Officer 2929 Turner Hill Road, Suite 106 Lithonia, GA 30038
	<u>cdelasin@urbanretail.com</u>
Project Location:	8060 Mall Parkway (Parcel ID 16 170 01 002)
District:	1 – Councilwoman Tara Graves
Acreage:	+/- 28.89 acres
Existing Zoning:	C-1(Local Commercial) District
Overlay:	Stonecrest Overlay District – Tier 1
Future Land Use:	Regional Center (RC)
Proposed Development/Request:	The applicant is seeking to install a solar PV roof-mounted system with 592 panels on the roof of the movie theater building.
CPIM:	July 7, 2024 (sign posted June 27, 2024)
Planning Commission:	August 6, 2024
Mayor & City Council:	August 26, 2024
Sign Posted/ Legal Ad(s) submitted:	July 12, 2024
Staff Recommendations:	Conditionally Approved
Planning Commission:	Conditional Approval with staff recommended conditions



PROJECT OVERVIEW

Location

The subject property is located at 8060 Mall Parkway, Stonecrest, GA 30038. The property has access from Mall Ring Road which has multiple access points including Stonecrest Parkway and Stonecrest Concourse which leads to Turner Hill Road. Mall Parkway is classified as a major arterial and is maintained by the City of Stonecrest.

The property and all of the surrounding properties are zoned C-1 (Local Commercial).

Adjacent & Surrounding Properties	Zoning (Petition Number)	Land Use
Adjacent: North	C-1 (Local Commercial) District	Commercial Stonecrest Mall
Adjacent: West	C-1 (Local Commercial) District	Undeveloped Land
Adjacent: East	C-1 (Local Commercial) District	Commercial Stonecrest Mall
Adjacent: South	ljacent: South C-1 (Local Commercial) District	

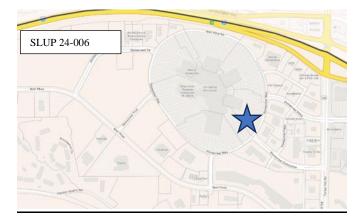
Background

The subject property zoning classification is C-1- Local Commercial.

The property is developed as the Stonecrest Mall which opened in 2002 and consists of 1.2 million square feet. The proposed project is to install 592 solar panel on the roof of the area known as the movie theater building. The movie theater is currently not operating and has been closed since 2021.

Traffic and Environmental Assessment

According to the applicant there will not be a direct impact on traffic based on the proposed project.





According to <u>Division 26, Section 2.26.1</u>, the purpose and intent of the city council in establishing C-1 is to provide convenient local retail shopping and service areas within the city for all residents; to provide for quality control in development through materials and building placement, to ensure that the uses authorized within the C-1 (Local Commercial) District are those uses which are designed to serve the convenience shopping and service needs of groups of neighborhoods, and to implement the future development map of the city's comprehensive plan.

SLUP 24-007



- CODE OF ORDINANCES Chapter 27 - ZONING ORDINANCE ARTICLE 2. - DISTRICT REGULATIONS DIVISION 26. C-1 (LOCAL COMMERCIAL) DISTRICT

DIVISION 26. C-1 (LOCAL COMMERCIAL) DISTRICT

Sec. 2.26.1. Statement of purpose and intent.

The purpose and intent of the City Council in establishing the C-1 (Local Commercial) District is as follows:

- A. To provide convenient local retail shopping and service areas within the city for all residents;
- B. To provide for quality control in development through materials and building placement;
- C. To ensure that the uses authorized within the C-1 (Local Commercial) District are those uses which are designed to serve the convenience shopping and service needs of groups of neighborhoods;
- D. To implement the future development map of the city's comprehensive plan.

(Ord. of 8-2-2017, § 1(2.26.1); Ord. No. 2021-06-03 , § 1(Exh. A, § X), 8-23-2021)

Stonecrest, Georgia, Code of Ordinances (Supp. No. 3) Created: 2023-08-28 12:10:18 [EST]

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City of Stonecrest

Comprehensive Plan 2038

"The City of Innovation and Excellence"

COMPREHENSIVE PLAN ELEMENTS

Regional Center (RC)

The intent of the Regional Center is to promote the concentration of regional service activities to a centralized location that allow for a variety of uses while reducing automobile travel, promoting walkability and increased transit usage. These areas consist of a high intensity of regional commercial, office, employment areas, high density residential and higher-education facilities.

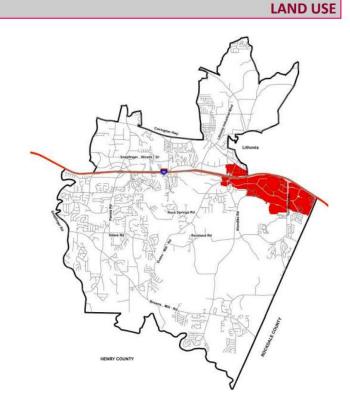
These areas are characterized by high vehicular traffic, and high transit use, including stops, shelters and transfer points. The proposed density for areas of this type allows up to 120 dwelling units per acre. The Regional Center will allow certain permitted zoning districts to help shape the character.

Regional Center Character Area Locations

•Turner Hill & Mall Parkway

•Klondike Road & Mall Parkway

•Evans Mill Road & I-20



STONEC



City of Stonecrest Comprehensive Plan 2038

"The City of Innovation and Excellence"



COMPREHENSIVE PLAN ELEMENTS

Regional Center Primary Land Uses

Stacked Townhouses

8+ Story Condominiums and Lofts

High Rise Apartments

Regional Healthcare Facilities

Large-Scale Retail and Commercial

Regional Corporate Offices

Education and Institutional Uses

Entertainment and Cultural Facilities

Parks, Recreation Facilities, and Sports Complexes

Public and Civic Facilities





Permitted Zoning in RC Areas

HR-1, HR-2, HR-3, MU-1, MU-2, MU-3, MU-4, MU-5, C-1, C-2, OI, OIT



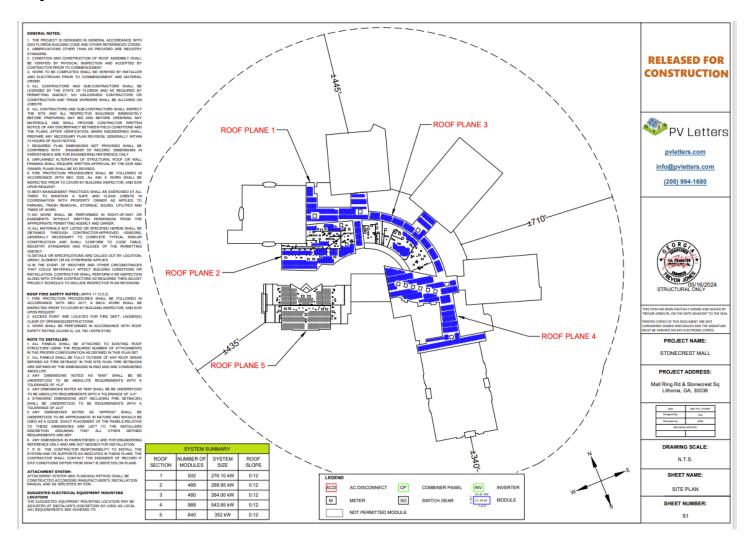




Public Participation

Property owners within 1,000 feet of the subject property were mailed notices of the proposed special land use permit in July 2024. The Community Planning Information Meeting (CPIM) was held on July 7, 2024, at 6:00 pm at city hall. There were no residents in attendance at the meeting.

Proposed Site Plan





<u>Aerial Map</u>

SLUP 24-007

ADDRESS: 8060 Mall Parkway

CURRENT ZONING: C-1 (Local Commercial) District

OVERLAY: Stonecrest Overlay District Tier 1

FUTURE LAND USE: Regional Center (RC)

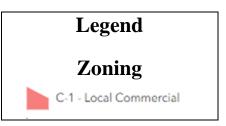






Zoning/Land Use Map











CRITERIA TO BE CONSIDERED

<u>Section 7.4.6</u> of the Stonecrest Zoning Ordinance list nineteen factors to be evaluated in consideration of granting a special land use permit. No application for a special land use permit shall be granted unless satisfactory provisions and arrangements have been made concerning each factor by the Community Development Department, Planning Commission and City Council. Each factor is listed with staff analysis.

A. Adequacy of the size of the site for the use contemplated and whether or not adequate land area is available for the proposed use including provision of all required yards, open space, off-street parking, and all other applicable requirements of the zoning district in which the use is proposed to be located.

The subject property consists of approximately +/-28.89 acres of commercially zoned land. The property was developed in 2001 as Stonecrest Mall. The building (mall) is more than 1.2 million square feet. There is adequate parking, open space, required yards and building roof space available for the proposed project. The request is to install 2274 roof mounted solar panels on the roof of the building. The solar panels system will tie into the mall's electrical system thereby producing energy for the mall. This will not affect the need or requirements for parking or open space and will not change the footprint of the existing development.

B. Compatibility of the proposed use with adjacent properties and land uses and with other properties and land uses in the district.

The proposal is for an alternative energy production (system) which would be an accessory use to the existing shopping center. At the time of this report there are no other alternative energy systems in the area. The proposed use should not have any adverse effect on the compatibility or land use in the area. The use will be on the roof of the building and will be unnoticeable according to the applicant to the general public and neighboring properties.

C. Adequacy of public services, public facilities, and utilities to serve the proposed use.

The property address(es) encompasses Turner Hill Road, which is a major collector, and Mall Parkway which is a minor collector. The area is heavily developed and has all public facilities and utilities in place. The proposed project will be added to the roof of the mall and will not impact the current operations of the public services or public facilities that currently exist. The proposal will connect into the mall's current electrical circuitry to produce electrical energy from a solar source.

D. Adequacy of the public street on which the use is proposed to be located and whether or not there is sufficient traffic-carrying capacity for the use proposed so as not to unduly increase traffic and create congestion in the area.

The proposal is abutting Interstate 20, Turner Hill Road and Mall Parkway. There is adequate traffic-carrying capacity for the proposed use. The use will not affect traffic in the area as it is roof-mounted and will only require limited maintenance and installation requirements based on the codes for the State of Georgia.

E. Whether or not existing land uses located along access routes to the site will be adversely affected by the character of the vehicles or the volume of traffic generated by the proposed use.



The existing land uses located in the area will not be adversely affected by the character of the vehicles or volume of traffic generated by the proposed use. The use will be ancillary to the existing retail (mall) use. There should be minimal traffic associated with this secondary use. Once installed, it is anticipated by the applicant that there will be little maintenance required.

F. Adequacy of ingress and egress to the subject property and to all proposed buildings, structures, and uses thereon, with particular reference to pedestrian and automotive safety and convenience, traffic flow and control, and access in the event of fire or other emergency.

There is adequate ingress and egress to the subject property to the proposed development. There is infrastructure in place related to pedestrian and automotive safety, traffic flow and access in the event of fire or other emergencies. The existing access will not be affected, however the existing fire plan for the current development (Stonecrest Mall) will require amending according to the DeKalb County Fire Marshal's office. Any required changes will be detailed during the plan review process when applicable for a building permit.

G. Whether the proposed use will create adverse impacts upon any adjoining land use by reason of noise, smoke, odor, dust, or vibration generated by the proposed use.

The proposed use should not adversely impact adjoining land uses by reason of noise, smoke, odor, dust, or vibration generated by this use. The solar panels do not create any of the listed nuisances. The applicant(s) shall consider the potential for reflective glare that could possibly adversely impact adjoining land uses. The installation location of all panels shall be taken under consideration by the applicant.

H. Whether the proposed use will create adverse impacts upon any adjoining land use by reason of the hours of operation of the proposed use.

The proposed use is for the installation of solar panels and does not have set hours of operation.

I. Whether the proposed use will create adverse impacts upon any adjoining land use by reason of the manner of operation of the proposed use.

The proposed use will not adversely impact any adjoining land use by reason of manner of operation. The applicant shall take under consideration the installation location of the solar panels that may impact reflective glare on adjacent properties and potential uses.

J. Whether the proposed use is otherwise consistent with the requirements of the zoning district classification in which the use is proposed to be located.

The proposed use is permitted per Article 4 - Use Regulations Table 4.1 - Use Table. Although this proposed use is permitted, there have not been any similar uses developed in the area.



K. Whether the proposed use is consistent with the policies of the comprehensive plan.

The use is listed as a permitted use that requires the approval of a special land use permit. The comprehensive plan states "a centralized location that allows a variety of uses." Though there have not been similar uses in the past, there could be the potential for this type of use in the future.

L. Whether the proposed use provides for all required buffer zones and transitional buffer zones where required by the regulations of the zoning district in which the use is proposed to be located.

The proposed use will be located on the roof of the Mall and should not affect the buffer zones and transitional buffer zones. This use will not change the footprint on the property.

M. Whether there is adequate provision of refuse and service areas.

According to the applicant there are adequate provisions of refuse, and the existing services will not be affected.

N. Whether the length of time for which the special land use permit is granted should be limited in duration.

The applicant indicated that installation of the solar system is anticipated to be 6 to 8 weeks, from the approval date. Staff find no reason the use should be limited in duration.

O. Whether the size, scale and massing of proposed buildings are appropriate in relation to the size of the subject property and in relation to the size, scale and massing of adjacent and nearby lots and buildings.

The size, scale and mass of the proposed development of the solar panels is a concern given the number of solar panels proposed for installation. There is concern about the excessive weight that will be added to the roof structure. There is also concern surrounding fire safety and monitoring in case of emergency.

P. Whether the proposed use will adversely affect historic buildings, sites, districts, or archaeological resources.

The proposed use will not adversely affect historic buildings, sites, districts or archaeological resources. There are no historical buildings or archeological resources that staff is aware of in the area.

Q. Whether the proposed use satisfies the requirements contained within the supplemental regulations for such special land use permit.

There are no required supplemental regulations that would affect this special land use permit.

R. Whether the proposed use will create a negative shadow impact on any adjoining lot or building as a result of the proposed building height.

The proposed use shall not create a negative shadow impact on any adjoining lot or building as a result of building height. There are no other buildings in close enough proximity to be affected by the building height.



S. Whether the proposed use would be consistent with the needs of the neighborhood or the community as a whole, be compatible with the neighborhood, and would not be in conflict with the overall objective of the comprehensive plan.

The proposed use may be a benefit to the community as a whole by producing energy on-site, reducing the amount of energy consumed from traditional sources and providing a place where the community can benefit from this production.

The proposed use is not specifically listed in the comprehensive plan, however, based on public input from the community during the 2038 Stonecrest Comprehensive Plan update, "the City should be more proactive when it comes to sustainability, such as wind, solar, and technology. Additionally, the City should promote and incentivize these businesses to locate in the City." This use would be consistent with the overall objectives of the Comprehensive plan.

STAFF RECOMMENDATION

Staff recommends **CONDITIONAL APPROVAL** of the special land use permit request with the following conditions:

- 1. A current detailed structural analysis report shall be prepared and submitted for review by City Staff during the building permit process to confirm the roof can support the additional weight of the solar panels.
- 2. The proposed use must satisfy all requirements for structural load, installation, wiring and wind testing for the roof of the building.
- **3.** The proposed use must meet all Fire Safety requirements including submitting an updated Fire Safety Plan for the Mall.
- 4. The proposed use and location of the solar panels shall not disrupt any adjacent properties due to reflective glare from the installation of any of the solar panels.

PLANNING COMMISSION RECOMMENDATION - August 6, 2024

Conditional Approval with staff recommended conditions.



Attachment(s): RZ 23-012 Application Materials

	5	pecial Land Use P	citine	
		Application		
æ	Name: Dean Hodge - Go Solar Power			
Applicant	Address: 933 Clint Moore Rd Boca Raton FL 33487			
plic	Phone: 561-228-4483	Fax:	En	nall permits@gosolarpower.com
Ap	Owner's Name: STONECREST MALL SPE II L	LC		P
-	Owner's Address: 2929 Turner Hill Rd Sute# 106	Lithonia GA 30038		
	Phone: 242 470 1702	Fax:	En	nall cdelasin@urbanretail.com
-	312-4/9-1/02			Cuelasinguibanitetail.com
13	Property Address: 2929 TURNER HILL RD LITHON	VIA GA 30038 Acreage:		
-	Parcel ID: 16 170 01 002			
owner nformation	Current Zoning Classification:			
owner formati	Proposed Use of Property: commercial			
ර ද	Is this development and/or request seeking any incentives or tax	abatement through the City of	Stonecrest or any e	entity that can grant such waivers, incentives,
	Property Information: Stonecrest Mall is a regional shonping n	all that features variou	us retailers ire	estaurants, and a movie theater
Property Information	Property Information: Stonecrest Mall is a regional shopping n	nall that features vario	us retailers, re	estaurants, and a movie theater.
	To the best of my knowledge, this variance appli- to be necessary, I understand that I am responsit Ordinance.	cation form is correct and	i complete. If a	dditional materials are determined
	Stonecrest Mall is a regional shopping n To the best of my knowledge, this variance applito be necessary, I understand that I am responsib	cation form is correct and	i complete. If a	dditional materials are determined
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	Stonecrest Mall is a regional shopping n To the best of my knowledge, this variance applito be necessary, I understand that I am responsitor Ordinance. Applicant's Name: Dean Hodge Applicant's Signature: Dean Hodge Sworn to and subscribed before me this Notary Public: Shihchien Yuan	cation form is correct and ble for filing additional ma	l complete. If a aterials as speci	dditional materials are determined ified by the City of Stonecrest Zoning Date: 5/28/2024 2024

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		perty Owner(s) ized Certification	
The owner and o			tion form is correct and complete.
By completing the and authorization	is form, all owners of the subje	t property certify authori	zation of the filing of the application ng of the application including all
Signature:	1 De		Date: 5/28/24
	929 Turner Hyll Rd Ste# 106	City, State: Lithonia, G	
-	312-479-1702		
Phone: Phone: Sworn to an UIL You Kaple	nd subscribed before me this	28 day of	May ,20 24
Signature:	Bani grapino	(Ity states B) (ALA)	Date: 5/28/24 DM,FL Zip: 33432
and the second se	61-702-0427	City, state: 00 UNAN	1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1
Sworn to an	nd subscribed before me this	day of	, 20
Attadog Notary Publ			
Signature:			Date:
		City, State:	Zio:
Address:			
Address: Phone: Sworn to an plusing Address: Phone: Notary Public			

3120 Stonecrest 8lvd. . Stonecrest, Georgia 30058 . (770) 224-0200 . www.stonecrestga.gov

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	Applic	ant/Petitioner		
	Notariz	ed Certification		
for the owner (attach has an option to purch	r oath that: (1) he/she is the a copy of the Power-of-Atto wase said property (attach a has an estate for years which bove as "Owner").	rney letter and type nam copy of the contract and	e above as "(type name of	owner*); (2) he/s owner above a
Signature:	Dean Hodge Dean 7	todge		Date: 5/28/2024
and the second se	3 Clint Moore Rd	City, State: Boc	a Raton, FL	Zip: 33487
Phone: 56	1-228-4483			
Sworn to and	subscribed before me this_	28day of	May	. 2024
Address: 93 Phone: 56 Sworn to and test Notary Public:	SHECHEN Y Notary Public - Stan Carrinistion + If Wy Come. Express Banded through National	e of Fiorida		
Signature:				Date:
Address:		City, State:		Zip:
Phone:				
	subscribed before me this	day of		, 20

3120 Stonecrest Blvd. • Stonecrest, Georgia 30038 • (770) 224-0200 • www.stonecrestga.gov

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Jul 31, 2024

Attn: Cobi Brown, Planning Administrative Technician

Letter of Intent - City of Stonecrest Zoning Review

Dear City of Stonecrest,

We have revised our solar panel design for The Stonecrest Mall installations. We're now installing a Solar PV roof-mounted system with a total of 2,866 panels split between the main mall meter and the movie theater meter. We changed the panel to be used to a higher wattage panel thus causing a reduction in overall panel count.

2,274 - Modules to be installed and connected to 2929 Turner Hill Rd. Meter # VY6674 (Main Mall) 1.353 MW DC

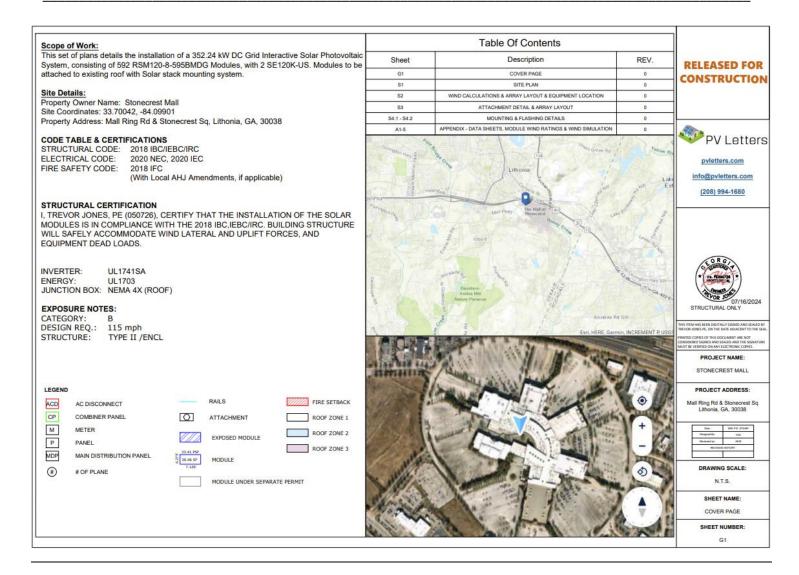
592 - Modules to be installed and connected to 8060 Mall Parkway. Meter # 3138834 (Movie Theater) 353.34 KW DC

The larger system with 2,274 panels will be connected to the mall meter, requiring a shutdown (power disconnect and reconnect).

Evan Pfretzschner

Evan Pfretzechner Director of Commercial Operations Go Solar Power LLC (561) 237-5396







GENERAL NOTES:

THE PROJECT IS DESIGNED IN GENERAL ACCORDANCE WITH 2023 FLORIDA BUILDING CODE AND OTHER REFERENCED CODES.
 ABBREVIATIONS OTHER THAN AS PROVIDED ARE INDUSTRY

ORDER. 5. ALL CONTRACTORS AND SUB-CONTRACTORS SHALL BE LICENSED BY THE STATE OF FLOREA AND AS REQUIRED BY PERMITING AGENCY, NO UNLICENSED CONTRACTORS OR CONSTRUCTION AND TRADE WORKERS SHALL BE ALLOWED ON JOBSTE

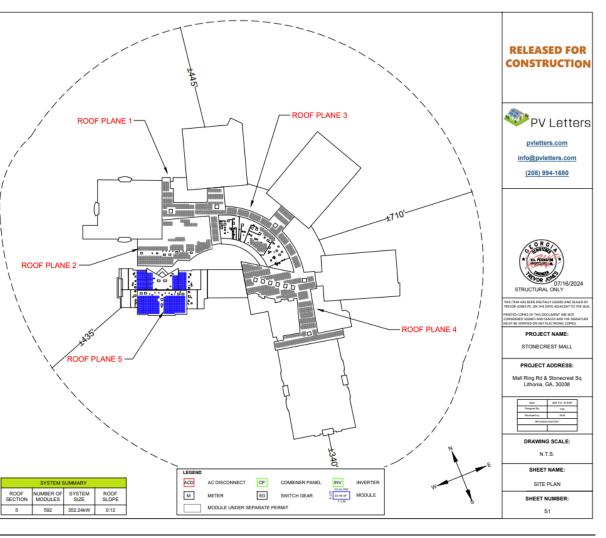
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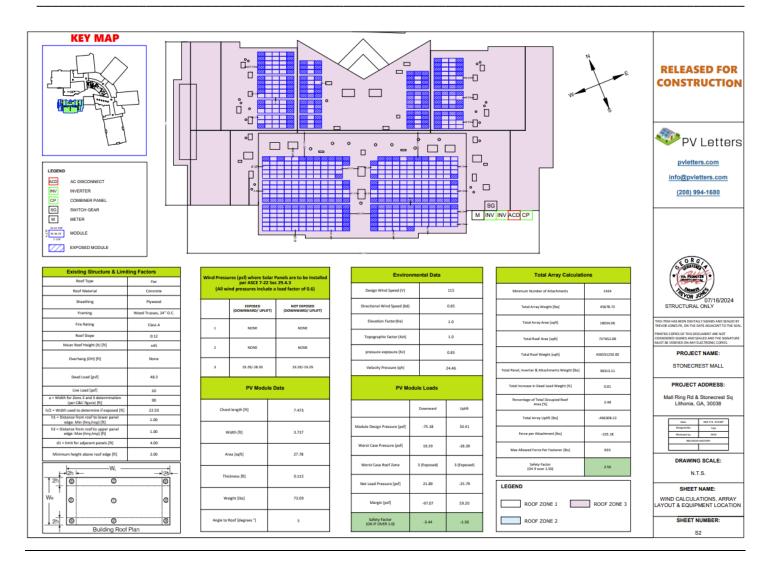
ATTACHMENT SYSTEM: ATTACHMENT SYSTEM AND FLASHING METHOD SHALL BE CONSTRUCTED ACCORDING MANUFACTURER'S INSTALLATION MANUAL AND AS SPECIFIED BY EOR.

SUGGESTED ELECTRICAL EQUIPMENT MOUNTING LOCATION THE SUGGESTED EPHILIPMENT

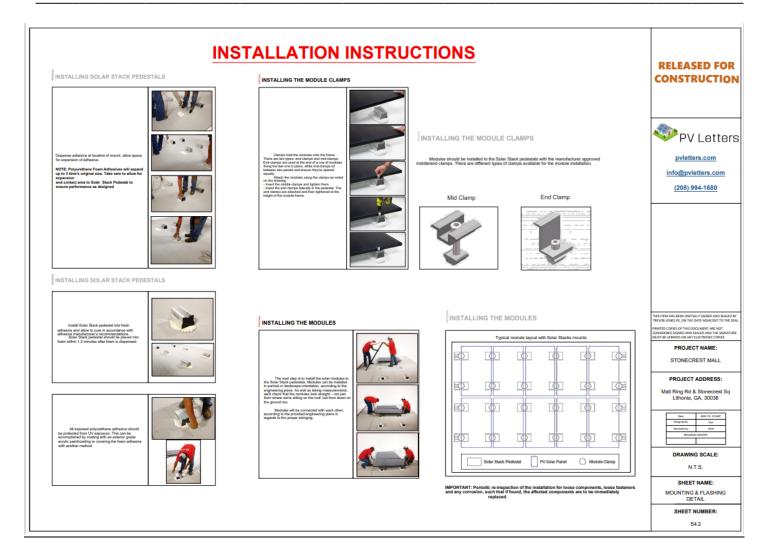
LOCATION THE SUGGESTED EQUIPMENT MOUNTING LOCATION MAY BE ADJUSTED AT INSTALLER'S DISCRETION SO LONG AS LOCAL ANI REQUIREMENTS ARE ADHERED TO



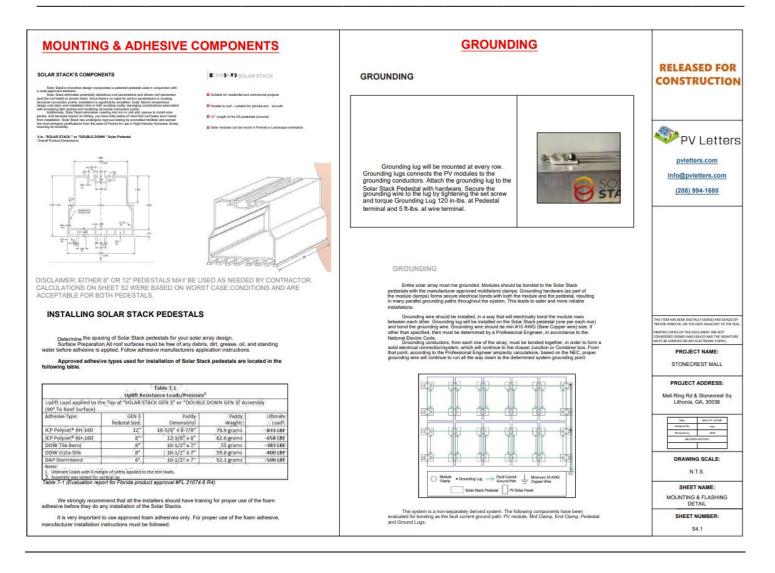














Attachment(s): Community Planning Information Meeting (CPIM) Summary Minutes



CITY OF STONECREST, GEORGIA

Community Planning Information Meeting (CPIM)

July 11, 2024, at 6:00 P.M.

Planning-zoning@stonecrestga.gov

*IN-PERSON MEETING

Stonecrest's YouTube Broadcast Link

Citizens wishing to actively participate and comment during the public hearing portion of the meeting may comment in person. You may also submit your request including your full name, address, and position on the agenda item you are commenting on (for or against) via email to <u>Planning-zoning@stonecrestga.gov</u> by 2 p.m. the day before the meeting, July 10, 2024, to be read into the record at the meeting.

I. CALL TO ORDER AND INTRODUCTIONS: Cobi Brown, Planning Administrative Technician, Director of Planning and Zoning Shawanna Qawiy, Planner Fellisha Blair, and Zoning Administrative Technician Abeykoon Abeykoon were in attendance. Deputy Director Ellis Still was absent.

The meeting was called to order at 6:00 p.m.

II. REVIEW OF THE PURPOSE AND INTENT OF THE COMMUNITY PLANNING INFORMATION MEETING AND RULES OF CONDUCT

An overview was given by staff.

III. Item(s) of Discussion:	
LAND USE PETITION:	SLUP 24-006
PETITIONER:	Dean Hodge D/B/A Go Solar Power
LOCATION:	2929 Turner Hill Rd, Stonecrest, GA
PETITIONER'S REQUEST:	The applicant is seeking is seeking a Special Land Use Permit (SLUP)
-	to install rooftop solar panels.
LAND USE PETITION:	SLUP 24-007
PETITIONER:	Dean Hodge D/B/A Go Solar Power
LOCATION:	8060 Mall Parkway, Stonecrest, GA
PETITIONER'S REQUEST:	The applicant is seeking is seeking a Special Land Use Permit (SLUP) to install rooftop solar panels.

The applicant(s) presented all cases under one presentation.

Evan Pfretzschner and Nataly Lara representatives of Go Solar Power presented their presentation. It was stated that they are proposing to install 2,866 595-watt solar panels on the roof top of the Stonecrest Mall. The installation will include 2,274 panels on the main mall and 592 panels on the movie theater. Installation will take two to three weeks.

Director Shawanna Qawiy asked the applicants if wind testing will be conducted for installation

Evan Pfretzschner stated that all their solar projects go through a process that includes submitted plans being stamped and sealed by state licensed engineers. Wind testing is included during this process.





CITY OF STONECREST, GEORGIA

IV. ADJOURNMENT

The meeting was adjourned at 6:08 p.m.

Americans with Disabilities Act

The City of Stonecrest does not discriminate on the basis of disability in its programs, services, activities, and employment practices.

If you need auxiliary aids and services for effective communication (such as a sign language interpreter, an assistive listening device or print material in digital format) or reasonable modification to programs, services or activities contact the ADA Coordinator, Sonya Isom, as soon as possible, preferably 2 days before the activity or event.

Respectfully submitted by Cobi Brown

awanna

APPROVED:

PLANNING & ZONING

ATTEST:

Pobi Brown

SECRETARY

July 16, 2024

DATE

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DATE