PLANNING COMMISSION MEETING MINUTES SUMMARY

Stonecrest City Hall's ***ZOOM-VIRTUAL MEETING***, 6:00 PM

July 7, 2020

I. Call to Order

The Chairman called the Planning Commission meeting to order on Tuesday, July 7, 2020 at 6:05 PM via ***ZOOM-Virtual*** meeting. The Chairman read the rules and regulations for the Planning Commission Meetings and Public Hearings.

II. Roll Call

Commissioner Eric Hubbard, JW Eady, Joyce Walker, Lisa Wright, and Pearl Hollis were present. There was a quorum.

Planning & Zoning Director Chris Wheeler and Attorney Anamaria Hazard were present.

III. Approval of Minutes

The ***Special Called*** Planning Commission Meeting Minutes Summary dated March 10, 2020 was **unanimously approved**. Commissioner Lisa Wright motion to approve and Commissioner JW Eady seconded the motion.

IV. Old Business: None

V. New Business

1. Public Hearing(s):

Citizens wishing to make public comment came to City Hall and made comments on a laptop running the ZOOM-Virtual application at the podium in the Council Chambers or submitted their questions via email address llowe@stonecrestga.gov.

LAND USE PETITION:	RZ-20-002
PETITIONER:	Baldwin Paving Company Inc.
LOCATION:	6892 Maddox Road
CURRENT ZONING:	M (Light Industrial) Zoning District
PROPOSED DEVELOPMENT:	Applicant is requesting to rezone 52 acres to M-2 (Heavy Industrial) for the operation of an existing Asphalt Plant

Planning & Zoning Director Chris Wheeler presented **PETITON RZ-20-002**. Due to COVID-19 worldwide pandemic, a community meeting was not held for this application by the time the staff report was submitted to the Planning Commissioners.

Subject's property is zoned M (Light Industrial); abuts Hanson Aggregate Southeast, LLC; has kept it original zoning of M (Light Industrial) under Stonecrest Zoning Ordinance; has an existing asphalt plant used by previous operator; the applicant plans is to demolition and construct a new plant to fit the applicant's business model; and the zoning proposal will not cause an excessive or burdensome on utilities or the environment.

Staff recommended **APPROVAL of Petition RZ-20-002 with the following four (4) conditions:**

1. Owner/Developer must obtain all required federal, state, and local permits to operation asphalt plant.
2. Owner/Developer must obtain building permit and land disturbance permit for the construction of proposed asphalt plant.
3. Owner/Developer must notify surrounding property owners within 500 feet subject property when operating ashplant during night and must obtain written approval from Planning and Zoning Director.
4. The following uses are prohibited on the subject property:

    A. Brick, clay, tile, or concrete product terra cotta manufacturing
    B. Cement, lime, gypsum, or plaster of Paris manufacturing
    C. Chemical manufacture, organic or inorganic
    D. Crematoriums
    E. Distillation of bones or glue manufacturer
    F. Explosive manufacture or storage
    G. Fabricated metal manufacture
    H. Fat rendering or fertilizer manufacture
    I. Incineration of garbage or refuse when conducted within an enclosed plant
    J. Leather manufacturing
    K. Manufacturing operations not housed within a building
    L. Petroleum or inflammable liquids production, refining
    M. Radioactive materials: utilization, manufacture processing or emission
    N. Rubber or plastic manufacture
    O. Solid waste, general disposal, and landfill
    P. Smelting: copper, iron zinc or ore
    Q. Storage yard and/or junk and damage vehicles
    R. Transportation manufacture

The Chairman turned the floor over to the applicant.

Mr. Ryan Teague, Co-President/Owner/Chief Legal Officer of Baldwin Paving Company, Inc. presented the rezoning application and discussed the Letter of Intent to address the legal impediment to erect and operate the asphalt plant. Prior to Stonecrest's incorporation, another company operated an asphalt plant at the same site.

Mr. Teague stated he did not know the protocol; an existing asphalt business operated there in the past; has several locations (in Atlanta Airport, Newman, Marietta, Kennesaw, Cummings, etc. in Georgia; business covers road work for Georgia and various counties; has a great tract record; and is willing to meet, sit down, and talk.

The Chairman asked those in **support** of RZ-20-002 to come forth. There were none.

The Chairman asked those in **opposition** of RZ-20-002 to come forth.

1. *Appeared in person - Did not submit a Comment Card*: Ms. Wells lives at 2005 Roger Lake Road and stated that a post card announcing the meet arrived late and had no idea of what was going on and called Stonecrest City Hall. Spoke with Lillian Lowe and got more information – and was directed to the documents on website for the meeting. Ms. Wells opposed RZ-20-002.

The Secretary, Lillian Lowe, read out loud the following two comment(s):

2. *Angela J. Russell's* ***opposition*** *comment was sent via Electronic Mail to Megan Reid:*

FW: RZ-20-002 and RZ-20-003 Petitions

Reply Reply All Forward ...

MR Megan Reid
To Lillian Lowe

Mon 7/6/2020 6:00 PM

You replied to this message on 7/7/2020 10:38 AM

Sent from Mail for Windows 10

From: Angela J Russell
Sent: Monday, July 6, 2020 5:58 PM
To: Megan Reid
Subject: RZ-20-002 and RZ-20-003 Petitions

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

To the city council and planning committee,

I oppose the approval of changing the existing zoning from M1 to M2. That means more development will be done which in turns mean more environmental pollution. Be it in the air and the water. The residents of this area will eventually start to see changes in there health just from the industries already in the area so why would anyone wants to decrease their health and lively hood by building more industry.

The RZ-20-002 petition only states that their permits are to be kept up to date.

The RZ-20-003 petition had started construction without zoning and permits. Is this the only reason the planning commission wants it denied? Neither is good for Stonecrest. We want clean air and clear sky's.

Angela J. Russell

3. *Renee Cail's **opposition** comment was sent via Electronic Mail to Tuyanna Daniel for Chris Wheeler:*

FW: Rezoning Hearing on 7/7/20

Reply Reply All Forward ...

Tue 7/7/2020 5:31 PM

TD Tuyanna Daniel
To: Lillian Lowe

M-2 Stonecrest.docx
17 KB

Please see below.

From: Renee Cail <disoni7@yahoo.com>
Sent: Tuesday, July 7, 2020 4:36 PM
To: Tuyanna Daniel <TDaniel@stonecrestga.gov>
Subject: Rezoning Hearing on 7/7/20

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

Dear Ms: Daniel:

I hope all is well with you.Please see the attached letter.

Regards,

Renee cail
CHASE

Letter To Stonecrest City Officials

Dear Mayor Lary, George Turner, Tammy Grimes, Jazmine Cobble, Rob Turner, Clarence Boone, Jimmy Clanton and Christopher Wheeler:

I as well as many Stonecrest residents are very disturbed that more polluters are trying to rezone Stonecrest areas for M-2 (Heavy industrial). Trust and know that we will not sit by and allow our city to be destroyed by asphalt plants, cement plants, cement manufacturing plants and gas stations in our residential areas.

I hear that DeKalb County is responsible and Dekalb says Stonecrest is responsible. It is crucial that Stonecrest officials step up and speak for the residents and halt the granting of rezoning petitions that are not going to move the city forward with an enhanced Quality of life.not

Please note the reasons for our concerns.

1. We did not move to Stonecrest, formerly Lithonia to live around factories owned by people who have little or no consideration for the residents particularly their health.
2. We already have poor air quality. However, due to the PANDEMIC the air quality has been good to moderate because there are less, trucks, cars, airplanes, and trains in motion.
3. M-2 zoning is NOT a priority in the Stonecrest Comprehensive Plan.
4. M-2 zoning impacts residential communities as follows: M-2 creates noise, home devaluation, dust, toxic fumes, and continuous code violations.
5. Why does Baldwin Paving Company want an asphalt plant in a predominantly African American community? I encourage you to research the 5 other asphalt plant he has in operation. Baldwin asphalt plants are in Newnan, GA, Auburn, GA, Atlanta, GA, SE, Cumming, GA and Marietta, GA.
6. The Petitioner wants to rezone 52 acres? Has anyone discussed building upscale housing with businesses? What about a welcome center for Stonecrest? We need an area that would attract tourists. Perhaps another college?
7. Were any community meetings held for residents to voice concerns and opinions?
8. Were residents properly notified of these projects?

Please deny this rezoning petition and seek development that will make Stonecrest resident proud. Residents deserve a healthy and safe place to reside and raise their families.

Regards,

Renee Cail
CHASE

The Chairman closed the public hearing before going into discussion.

The Chairman asked for a motion for **Petition RZ-20-002.**

Commissioner Lisa Wright motion to approve **Petition RZ-20-002** with the Staff recommended four (4) conditions and added an additional condition: **5. *Hold a community meeting to address residential concerns and questions, and report back to the City.*** Commissioner JW Eady seconded the motion. The vote was 04-01 and **not unanimously approved.** Commissioner Eric Hubbard, JW Eady, Pearl Hollis, and Lisa Wright **voted to APPROVE with conditions.** Commissioner Joyce Walker voted against approval.

LAND USE PETITION:	RZ-20-003
PETITIONER:	Casswell Design Group LLC
LOCATION:	2547 Lithonia West Drive
CURRENT ZONING:	M (Light Industrial) Zoning District
PROPOSED DEVELOPMENT:	Applicant is requesting to rezone 3.0 acres to M-2 (Heavy Industrial) Zoning District for a concrete recycling operation.

Planning & Zoning Director Chris Wheeler presented **PETITON RZ-20-003**. Due to COVID-19 worldwide pandemic, a community meeting was not held for this application by the time the staff report was submitted to the Planning Commissioners.

Subject's property is zoned M; abuts Pole Bridge Creek; has kept it original zoning of M (Light Industrial) under Stonecrest Zoning Ordinance; has a mobile concrete mixing plant and dump trucks; and the staff has significant concerns that the stormwater runoff from the property will adversely impact the water quality of the creek. Staff recommended DENIAL of **Petition RZ-20-003**. However, should the Commission choose to approve the request in whole, staff recommends that approval be subject to the following conditions:

1. The use of the Subject Property for any other use beside the request use shall be strictly prohibited.
2. The owner/Developer must obtain all required federal, state, and local permits to the operation asphalt plant.
3. Owner/Development must obtain a building permit and land disturbance permit for the construction of the proposed mobile concrete plant.
4. Operations hours shall be limited to 7 am – 7 pm.
5. Owner/Developer shall provide detention, water quality, and channel protection in accordance with the Georgia Stormwater Manual. Detention shall be provided for the 1 thru 100-year storm events with no increased runoff. For the purpose of these calculations, the existing runoff rate shall be considered to be a wooded, predeveloped condition.
6. Owner/Developer shall comply with the City of Stonecrest Tree Protection Ordinance concerning tree protection and replacement. A minimum on-site tree density of fifteen (15) units/acre shall be required. Any specimen trees removed during the redevelopment shall require additional tree recompense units as required in the ordinance.

The Chairman turned the floor over to the applicant.

Applicant Mr. Ron Kennebrew, owner of Concrete, LLC. and Ms. Hanna Caswell, LEED AP, presented **Petition RZ-20-003**. The requested rezoning from M (Light Industrial) back to M-2 (Heavy Industrial), is to address the manufacturing and recycling of concrete, and offering localized facility to keep trucks off arterial roads.

The Chairman closed the public hearing before going into discussion.

The Chairman asked for a motion. Commissioner Eric Hubbard motion to approve **Petition RZ-20-003** with the six (6) conditions recommended by Staff. Commissioner JW Eady seconded the motion. The vote was **unanimously APPROVED.**

The Chairman asked those in **support** of RZ-20-003 to come forth. There were none.

The Chairman asked those in **opposition** of RZ-20-003 to come forth.

Mr. Wheeler stated that the two opposition comments read previous by Ms. Lowe applies to RZ-20-003.

Another ***opposition*** *comment was sent via Electronic Mail to Megan Reid*:

FW: Oppose of rezoning for asphalt plant and cement plant

MR Megan Reid
To Lillian Lowe

1:28 PM

You forwarded this message on 7/8/2020 3:16 PM.

From: Tenika Kemp <tturnergrants@yahoo.com>
Sent: Tuesday, June 2, 2020 5:26 PM
To: Megan Reid <MReid@stonecrestga.gov>
Subject: Oppose of rezoning for asphalt plant and cement plant

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

Good afternoon. My name is Tenika Kemp and I live in district 5. I am TOTALLY AGAINST the rezoning of 6892 Maddox road for an asphalt plant and TOTALLY AGAINST the rezoning of 2547 Lithonia West to operate a cement plant. We WANT QUALITY BUSINESSES for our community. I suggest looking for Quality businesses for the Good of the citizens of Stonecrest.

Sent from Yahoo Mail on Android

VI. Adjournment

The Chairman thanked everyone for coming out and asked for a motion to adjourn.

Commissioner Wright motion to adjourn at 7:22 PM and Commissioner Walker seconded the motion. The vote was **unanimously APPROVED**.

APPROVED:

Eric G. Hubbard

Eric Hubbard, Chairman

08/04/2020

Date

ATTEST: Lillian Lowe

Lillian Lowe, Secretary

08-04-2020

Date