



PLANNING COMMISSION / MAYOR AND CITY COUNCIL STAFF REPORT

RZ-20-003

Planning Commission July 7th, 2020 / Mayor and City Council Meeting July 27th, 2020

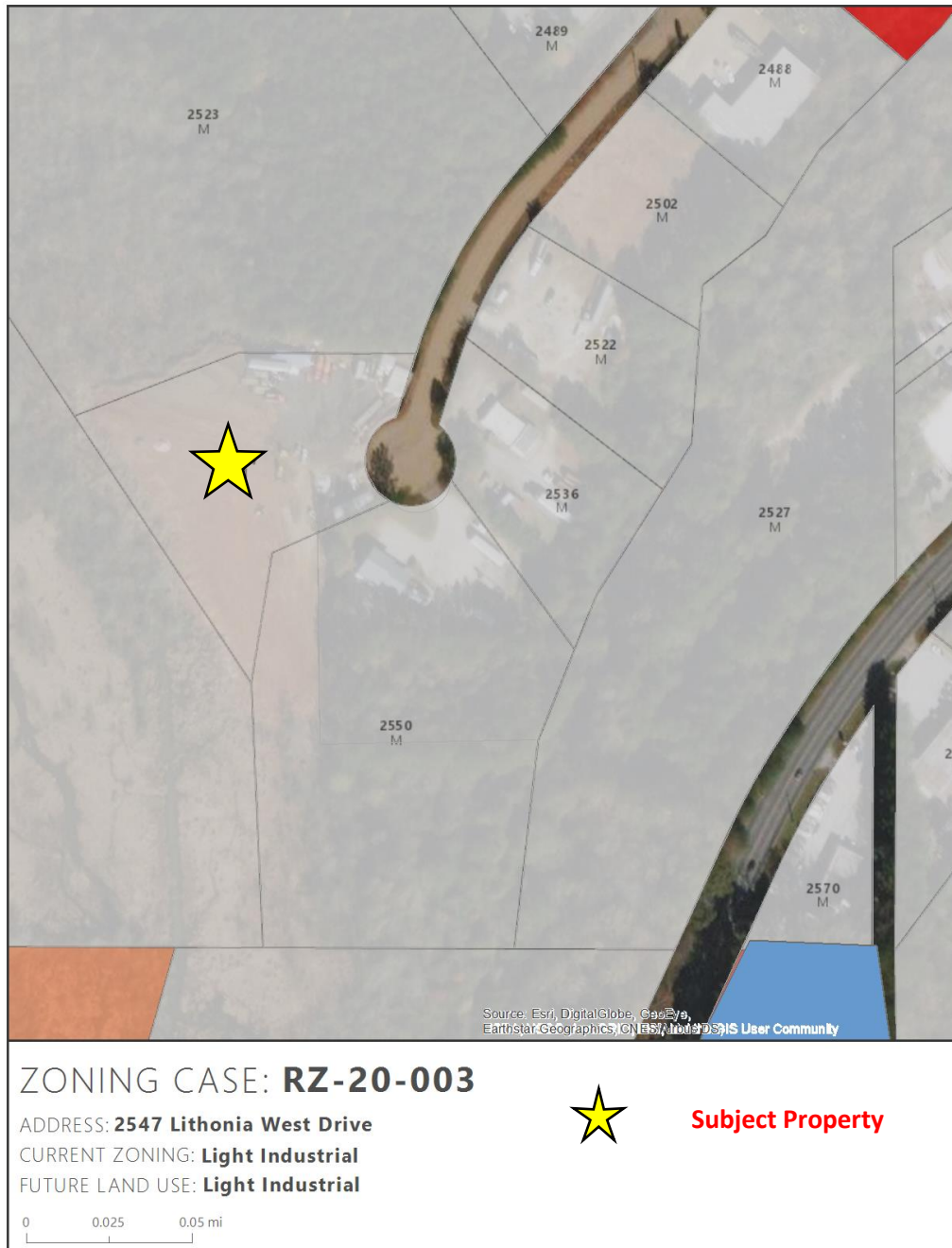
GENERAL INFORMATION

Petition Number:	RZ-20-003
Applicant:	Concrete, LLC
Owner:	Ron Kennebrew
Project Location:	2547 Lithonia West Drive
District:	District 2
Acreage:	2.12
Existing Zoning:	M (Light Industrial)
Proposed Zoning:	M-2 (Heavy Industrial)
Comprehensive Plan Community: Area Designation	Light Industrial
Proposed Development/Request:	The applicant is requesting to rezone the subject property from M (Light Industrial) to M-2 (Heavy Industrial) for concrete mix plant
Staff Recommendations:	Denial

Aerial Map



Zoning Map





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PROJECT OVERVIEW

Location

The subject property is located at 2547 Lithonia West Drive.

The subject property abuts Pole Bridge Creek to the west and south, undeveloped land to the north and southeast. A small light industrial use development is located to the east of the property.

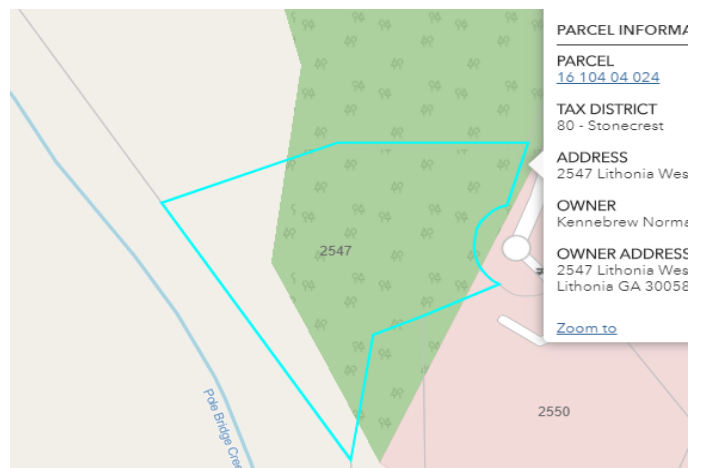


Background

This is an after the fact request, as the applicant developed the property without correct zoning and proper permit. The property has kept its original zoning classification of M (Light Industrial) under Stonecrest Zoning Ordinance.

Currently the property has an mobile concrete mixing plant and several dump truck located on the property.

Under the Stonecrest Zoning Ordinance a concrete plant is only permitted in M-2 (Heavy Industrial) zoned properties.



Rezoning Request

The applicant is requesting to rezone the 2.2 acres of the subject property from M (Light Industrial) to M-2 (Heavy Industrial) for the operation of a mobile concrete mixing plant.

This application is after the fact request as the applicant had begun operation of the concrete mixing plant before given approval from the city council. After being contacted by the land development division, the applicant submitted a rezoning application and land disturbance permit for the operation of mobile concrete mixing plant.



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Public Participation

Due to the recent worldwide pandemic for COVID-19, a community meeting was not held for this application by the time the staff report was submit to the Planning Commission

STANDARDS OF REZONING REVIEW

Section 7.3.5 of the Stonecrest Zoning Ordinance list eight factors to be considered in a technical review of a zoning case completed by the Community Development Department and Planning Commission. Each element is listed with staff analysis.

- **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.**

As shown in the table below, the subject property is surrounded by industrial uses. * Please see the map below table

Adjacent & Surrounding Properties	Zoning (Petition Number)	Land Use	Density Non-Residential (SF/Acre) Residential (Units/Acre)
Applicant	Proposed: M-2	Industrial	n/a
Adjacent: North	M (Light Industrial) District	Undeveloped Land (Industrial)	n/a
Adjacent: West	M (Light Industrial) District	Undeveloped Land (Pole Bridge Creek)	n/a
Adjacent: East	M (Light Industrial) District	Small Industrial parcels	n/a
Nearby: South	M (Light Industrial) District	Undeveloped Land	n/a

The proposed change in zoning would not permit a use that would be suitable in view and development of the nearby properties. The surrounding uses are strictly light industrial uses.

- **Whether the zoning proposal is in conformity with the policy and intent of the comprehensive plan.**

The subject property is located within the Light Industrial character area of the Stonecrest Comprehensive Plan. The proposed zoning change and development of development would not be in keeping with the policy and intent of the comp plan.

- **Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned.**



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The property is currently zoned M, which permits the development of Light Industrial uses such as warehousing and manufacturing. The property does have reasonable economic use as currently zoned.

- **Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property or properties.**

The proposed zoning proposal is not anticipated to have a negative impact on the existing use or usability of adjacent or nearby properties. Staff believes the suggested zoning for the property would be a compliment to the surrounding area.

- **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.**

Existing conditions are affecting the use and development of the property, which give supporting grounds for disapproval for zoning request. The subject property was undeveloped and was zoned for an light industrial use while the existing use is light industrial.

- **Whether the zoning proposal will adversely affect historic buildings, sites, districts, or archaeological resources.**

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

- **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.**

Access to the property is via Lithonia West Drive, which is a collector road that staff believes would have the traffic capacity to handle the volume of traffic generated by the zoning change and will not cause excessive or burdensome use of the existing street or transportation.

- **Whether the zoning proposal adversely impacts the environment or surrounding natural resources.**

The subject property abuts Pole Bridge Creek to the southwest and is a majority tributary that drains south river. The applicant has indicated the property will have stormwater detention on the property; however, the staff has significant concerns the stormwater runoff from the property will adversely impact the water quality of the creek.



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STAFF RECOMMENDATION

Staff recommends **DENIAL** of 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.