

Planning Commission Meeting Minutes

March 26th, 2018 – 7:00pm

I. Call to order

Chairperson Marilyn McCain called to order the regular meeting of the Planning Commission at 7:05pm on March 26th, 2018 at 5047 Union Street, Union City, GA 30291 – Council Chambers.

II. Attendees

The following persons were in attendance: Marilyn McCain, Jo Croom, Linda Johnson, Trevor Cason and Robert Potts.

III. Approval of minutes from last meeting

Chairman, Marilyn McCain asked for a motion to defer the minute's approval for incompleteness until the April 30th, 2018 meeting.

The motion passed unanimously.

IV. Open issues

- a) No open issues.

V. New business

- a) To rezone 101.79 acres of land at the intersection of South Fulton Parkway and Highway 92 (Campbellton-Fairburn Road) from GC General Commercial to TCMU Town Center Mixed Use.

Staff Recommendation

- Planning Director, Ellis Still gave the staff presentation showing the proposed development and presented a recommendation of approval with conditions as agreed upon with the applicant; Parcel 1 to be developed into a gas station, 1.5 acres of land to be dedicated to the City of Union City, GA to be developed into a park space and to maintain a undisturbed 75 foot buffer along the frontages of the property and to berm and plant areas where the buffer cannot maintain the 75 foot buffer.

The public hearing was opened.

Jullie L. Sellers (Pursley Friese Torgrimson) was present to speak on behalf of the applicant Doug Dillard (client).

Ms. Sellers, spoke about the greenspace and citizen concerns in regards to this application. She said that the most important factor is that out of the 101 acres, 45 acres would remain greenspace; she stated that was significant and the development is three football field lengths away from the Southwind Golf Course. She stated the 75 foot buffer exceeds the requirements that is proposed. Sellers talked about the traffic improvements. Sellers, also went into detail about another development in McDonough, Georgia to show the comparison of the building in regards to what is being proposed to be built in Union City. Sellers stated having an ecommerce building would not affect the quality of life. The potential tenant would bring 600+ jobs. It was also stated that this development would fit in the future land use plan. Sellers stated that this project did go through a DRI review and was completed in February.

Discussion from Chair & Commissioners:

Commissioner Cason: Asked about housing developments across from Tory Burch facility in McDonough, GA

Petitioner: Stated the information is in the informational packets and pointed it out to the Commissioners

Commissioner Potts: Asked were the homes in that area in the 250,000-350,000 range.

Petitioner: Ms. Sellers stated yes and commented that when development is done in an upscale fashion, it increases the home values according to their data.

Commissioner Cason: Asked Director Still about the home values being affected as listed in the staff report.

Director Still: Stated that the development could affect the builders, the design and the traffic. On the other hand, there could be an increase in homes sales due to the number of people working in the facility.

Chairperson Marilyn McCain called for any persons at the meeting in opposition of the rezoning case. All citizens were given 2 minutes to speak in opposition of the case.

The following people were not opposed or for the rezoning case:

1. John Taylor – 5512 Rosewood Place, UC – Stated that they have met with the petitioner and have meetings planned.

Chairwoman McCain asked has he met with Director Still and Community Development. Mr. Taylor stated they had not and have had conversations with the Mayor and some City Council person.

Mr. Potts asked Mr. Taylor if he could tell his major concerns with the project.

Mr. Taylor stated he congestion at the intersection and cut through their neighborhood; air quality, environmental, amount of cars, quality of life, security concerns, and property values.

The following people spoke in opposition of the rezoning case:

1. Wanda Mosley – 4689 Creekside Cove, COSF– Ms. Mosley stated the facility was extremely large and take up a lot of natural resources. Inconsistent with the Community Plan; concerns about property values. Ms. Mosley stated she would like to see the traffic study and other concerns about the wildlife.
2. Jonathan Davis - 5960 Raventree Court, COSF – Mr. Davis stated the proposed development is disrespectful to the community and doesn't think it will be beneficial to the area. He stated all change is good and will increase taxes. He is fine with homes going there. He stated if you don't live in the community, you wouldn't know how it feels.
3. Councilwoman Niama Gilyard - Rayhawk Way, COSF – Councilwoman Gilyard her views on the DRI process and stated it's a handoff approach; the people that live in Southwind will be sandwiched in between MAC IV and the proposed development. She stated her concerns were health, noise, air, lighting and safety and stated it was disrespectful. She asked about the South Fulton Parkway Plan that was developed in 2010; it did not include industrial development.
4. Councilwoman Helen Willis -5040 Buckeye Place – Councilwoman Willis stated that COSF is a new city and they would not do this to Union City. She stated that UC needs to consider increasing buffers and advised the project starts it will be much harder to sit down and talk with anyone.
5. Nick Byers - 5675 Highway 92, UC – Mr. Byers stated that there are some things missing in the pictures and the dock doors were not shown; he spent 16 years trying to promote quality development and stated this isn't the place for industrial development. The ARC worked with them and created MOU's that they would work together to create.
6. Mark Cole -6634 Gresham Street, UC – Mr. Cole stated that he heard the same stories when Fulton Industrial was being developed and he doesn't want this to be Fulton Industrial. There are 3 churches in the area and they don't want big trucks on their lots.

7. Bruce Moody - 4620 Jones Road, COSF – Mr. Moody stated concerns about the comments of “we are getting what we need” and “we are going to bring jobs”. He always had concerns about the jobs created would be for people other than residents of UC.
8. Dwight Parker - 7955 Snapwell Drive, COSF – Mr Parker stated his thanks for listening to them. He questioned if it is a LEED certified building and what job trainings can they bring to the local schools. He says they don’t need warehouses that will impact their land. He stated that they should consider smart development for the South Side of Atlanta.
9. Kalet Lovelady - 4447 Ravenwood Drive, UC – Ms. Lovelady said she is from NY and they don’t have warehouses. All of the warehouses were in one location and not in the subdivisions and schools.
10. Mel Keaten – 4402 Alice Hill Drive, COSF – Mr. Keaten recommended that Ms. Lovelady move here from NY. He stated that he watched his neighbor die from a car accident due to car traffic, then a week later a kid died in front of the Publix on 92 then another week later, another person died. He also drug a guy out of his car after hitting a tree due to no lights on S. Fulton Parkway. He stated it’s too much truck traffic and the people that are bringing the warehouses are bringing jobs with low wages, making \$7 or \$8 dollars.
11. Chris Ragpin – 5536 Denny Trace, UC – Mr. Ragpin stated that he and his family purchased in Southwind; when common areas have issues they come together and cut the grass in the neighborhood. He stated that they shouldn’t be allowed to come in and destroy the community. He spoke about the voters and asked for the Planning Commission to have their backs on the subject matter.
12. Sandra Rogers – 5870 Fieldwood Road, COSF – Ms. Rogers stated her concern is that anytime you dump warehouses in majority black neighborhood, it is not progressive like the city seal says, its old fashion racism. It was promised that truck traffic would not be going up and down the streets, now UC is suing them for the trucks to come down their residential streets and she doesn’t see UC doing anything. She stated says the city will not be progressive but will be polluted.
13. Tonya Isles - 5147 Raphoe Trail, UC – Ms. Isles spoke in opposition of the rezoning request. Prior to UC annexing 2007, residential subdivisions were placed between cross streets; Highgrove, Parkway

Villages and Creekside. She stated, however the pieces of land in between the subdivisions on South Fulton Parkway remain undeveloped and zoned to permit warehouses. Now businesses are calling on UC to build more warehouses than residential. Now there are 2 warehouses under construction behind those subdivisions. She stated the warehouses have upset residents; denying this rezoning request gives the Planning Commission, the Mayor, City Council and the rest of the UC staff an opportunity to amend the growing tensions between the residents and city officials. She says as a tax paying voter, she urged the UC Mayor and all of the staff to deny the proposed zoning change. It goes against the 2030 comprehensive plan; when making final decisions, they should consider the final UC layout. She also touched on TCMU.

14. Andra Fisheray - 549 Dashiell Lane, UC – Ms. Fisheray stated she purchased her home at the end of Dec 2017 and when she moved in there were trees lining the back of her subdivision, now they have been graded off for the Coca Cola Plant. She stated you can throw a paper airplane from people patios where they graded off for the plant; she cuts through neighborhoods to cut through the traffic to get closer to the highway and the traffic is horrible.
15. Thant Coleman - 115 Solstice Way, COSF – Mr. Coleman stated his backyard cut through is Union City. He agreed that it is time for a change and that the people with the millions of dollars are always getting what they want and where they want it. He also said he purchased in the area because he liked it. He stated that he would like the Planning Commission to just say no.
16. Jay Alexander – 7503 Waverly Loop, COSF – Mr. Alexander stated that they are not against change but they are against mismanagement of resources. It will increase their car insurance, cost of fuel, time to travel outside of that intersection and also impact the wear and tear on the cars; it would impact their quality of life and would like better management of their resources. He stated they don't have medical facilities, so he has to go to Grady. Those little increments with impact how they spend their money and quality of life.
17. Toni Stewart - 5123 Raphoe Trail, COSF – Mr. Stewart stated she wants to appeal to the Councils humanism and they want a nice place that's quiet when they come home and they fight traffic every day and don't want to fight traffic on their residential streets and that it isn't fair. She was opposed to coming to this area from Gwinnett County and her husband convinced her to come to UC because it was very green and secluded. She stated they have only been in their

home for a matter of months and the entire scenery changed and no one notified them; they knocked down millions of trees and they are considering putting the house up for sale. She says no more trucks.

18. Keith Brown – 4959 Raphoe Trail, UC – Mr. Brown stated that he wanted to appeal to the Council and he hasn't had the chance to appeal to the Council because Coca Cola started clearing trees and says Coca Cola started earlier on their project than what was stated on their website. He purchased his house because of the woods and quietness. Also, he stated he can't get the Mayor to email him back and he opposes the warehouses.
19. Glenda Collins – 3740 Morning Creek, UC – Ms. Collins stated that she is opposing the warehouse and questioned the 75 foot buffer because it wasn't left where the Coca Cola Plant is being built. She says that there are many pot holes in Union City and it was a person in the meeting that had to replace tires because she hit potholes in her new car.
20. Lethia Williams – 2185 Dodson Woods Drive, UC – Ms. Williams says she moved to UC 2 years ago because it was quiet and peaceful. Southwind residents may not have a problem but as a resident of Dodson Woods and she has a problem; her number one problem is slider crimes. If you bring outsiders into your neighborhood, there may be some undesirables. In terms of the large fuel, she says if you're going to have it that close to subdivisions, their needs to be some kind of safety plan in action just in case and she hasn't had anyone talk about it. She stated outside investors won't want to bring businesses to UC with all of the warehouses.
21. Sunshine Martin – Unknown Address, COSF – Ms. Martin stated that she moved to COSF, didn't know she would be intertwined with Union City because outside her subdivision on Derrick Rd; all the trees are being cut down but if it was COSF they could say no. Her second point is that she has children and he isn't going to stay around because they aren't going to work \$8 dollars an hour and questioned the kind of jobs they are going to bring.
22. David Bickem – 5990 Raventree Court, COSF – Mr. Bickem stated his home is a mile from the proposed construction and most of the people in the area are just recovering from the great recession with the equity in their homes and it isn't speculative or abstract. He says the most condescending part is that these facilities are creating a profile on the people. The area he is living in is not what he aspires so they are considering moving.

23. Retina Dawson Young – 5108 Alexander Ave, UC –Ms. Young stated she has seen the progress, some have been great and in others a lot to be desired. As a citizen that has been here for 17 years, she doesn't like that it is showing that we aren't being good neighbors and this is a good opportunity to show that we can be good neighbors and turn down people that are trying to take over their community with warehouses and trucks and having no regard for the citizens that are here.
24. Hazel Blackman – (Unknown Address), UC – Ms. Blackman stated that she wanted to be near the airport, downtown and her family in Macon and now she has to pick a time to leave home due to the traffic. She says UC has every kind of auto shop on 138; they have used Peters road like a highway, and stated that she is disappointed and hurt because she had her dream home built 10 years ago and it has changed drastically. They have no good time to go anywhere, it's all the time but she can't live like that.
25. John Little – 6000 McClur Road, COSF – Mr. Little stated he that he doesn't understand why the developer and future tenant want to put a warehouse there when there is plenty of acreage along the corridor, Buffington Road, Oakley industrial, where it is appropriate for warehouses. She says the Mayor in the COSF has stated that they aren't going to be opposed to all warehouses but they will be opposed to put them where they aren't appropriate. He says if it is a 30 ft. entrance, how could it be a 75 ft. buffer along the frontage; the curb cut is too close to 92 and is not in accordance with the traffic study that was done 10 years ago for Union City.
26. Dr. Carter – 5472 Rosewood Place, UC – Dr. Carter says he moved to be close to his grandkids and is opposed to a warehouse being done. In his house he can hear the trucks come by and he has watched the pot holes grow on South Fulton Parkway.
27. Adrienne Sulvy - 6729 Oakhill Place, Fairburn – Mr. Sulvy, stated she can't get in and out of her neighborhood and for the young it is very convenient for them and she is on a fixed income; she objects to the warehouse. She says her health is at risk, no hospitals and she is very opposed and objects to it.
28. Barbara Fontanile – 6700 Oakhill Place, UC – Mr. Fontanile, stated she migrated here 5 years ago from New York for a better quality of life and she moved to McDonough because of the industrial development and decided to build a home in Southwind since 2015. Her travel to home has increased from 15-20 minutes and she is opposed to the warehouse.

29. Victor V – 6700 Oakhill Place, UC – Mr. Victor stated that Barbara is his wife and he works for UHaul and that sometimes they build and sometimes they reuse. He expressed his feelings about the warehouses on the different areas in UC.
30. Cathleen Casses -6000 McClur Road, COSF – Ms. Casses been in South Fulton since 1989 and grew up on the Southside and lived in South Fulton before there was a South Fulton Parkway. She stated that she loves nature and wildlife; she is an urban girl. She wants more for the generations to come in the community.

Chairperson Marilyn McCain allowed Ms. Sellers to come back to the podium for rebuttal after the public's comments.

VI. Motion:

Chairperson Marilyn McCain: Commissioners you have heard the report by Mr. Still, you've heard Ms. Sellers and you've heard the residents of the community speak out. At this time, are there any questions? If there are no questions, at this time I'll entertain a vote.

Commissioner Robert Potts: We need a motion.

Commissioner Jo Croom: Can I ask for clarification? If we make a motion, it's for discussion only. Is that correct?

Assistant City Attorney Patrick Stough: It can be, yes. Now just a reminder, if you make the motion, you can't vote against your own motion. The person who makes the second motion can.

Chairperson Marilyn McCain: Anyone want to make the motion? The motion can be for or against.

Commissioner Jo Croom: I would like to clarify the motion that I'm about to make. I listened to all of the people who spoke and there was a lot of emotion expressed. I'm taking that into consideration but I want to make clear my vote has nothing to do with the emotions of what you have said. As Ms. Sellers stated, my motion is based off the facts of the case and the information that has been presented to us and I am going to vote against this motion for these reasons, and this was stated by the staff. I am going to vote against, and my motion is to deny the rezoning.

Chairperson Marilyn McCain: The motion has been made, is there a second?

Commissioner Trevor Cason: I second that motion.

Chairperson Marilyn McCain: The motion has been made and second, at this time all in favor.

Assistant City Attorney Patrick Stough: It's open for discussion.

Chairperson Marilyn McCain: It's open for discussion.

Commissioner Jo Croom: Okay, I will state the primary reasons that I am voting against it.

- It was stated by the Staff that property can be of reasonable economic use to the general public's safety, health and welfare.
- The proposed development doesn't meet the intent of the Urban Neighborhood Emerging zoning designation expressed in the comprehensive plan.
- An industrial use in this area is not compatible with the surrounding uses.
- The proposed development would set a negative precedence for the area
- The proposed development is not consistent with the Future Development Map or the Comprehensive Plan.

Those are the reasons I am stating for my vote in opposition to deny the change in zoning.

Chairperson Marilyn McCain: We are not finished, we still have to take the vote. Is there any more discussion? Commissioners at this time, the motion has been denied

Assistant City Attorney Patrick Stough: The motion has been made.

Chairperson Marilyn McCain: There is a second and at this time we will take a vote on Ms. Crooms motion to deny this petition.

All in favor of denying the petition please signify by saying I and by a show of hands.

The motion passed unanimously.

Our recommendation as you have heard will be to deny the petition to Mayor and Council. The final decision as I stated earlier will be made by Mayor and Council on April 17th at 7pm. You can come back at that time for the final decision.

VII. Adjournment

Chairperson Marilyn McCain adjourned the meeting at 9:00pm.