

Agenda Item

File ID: 2024-1443

Substitute 6/10/2025

Public Hearing: YES ☒ NO ☐

Department: Planning and Sustainability

SUBJECT:

Commission District(s): Commission District 03 Super District 06

Application of Hollingshead Materials, LLC c/o Brian Hercules to rezone properties from M (Light Industrial) and M-2 (Heavy Industrial) zoning districts with conditions to M-2 (Heavy Industrial) zoning district to allow for an asphalt plant (concrete, ready-mix facility), at 3298 and 3272 Fayetteville Road.

Petition No.: D3-2024-1443 Z-25-1247293

Proposed Use: An asphalt plant (concrete, ready-mix facility).

Location: 3298 & 3272 Fayetteville Road, Atlanta, Georgia 30316

Parcel No.: 15 080 05 002 & 15 080 05 013

Information Contact: John Reid, Sr. Planner

Phone Number: 404-371-2155

PURPOSE:

Application of Hollingshead Materials, LLC c/o Brian Hercules to rezone properties from M (Light Industrial) and M-2 (Heavy Industrial) zoning districts with conditions to M-2 (Heavy Industrial) zoning district to allow for an asphalt plant (concrete, ready-mix facility).

RECOMMENDATION:

COMMUNITY COUNCIL: (Dec. 2024) Approval w/condition.

PLANNING COMMISSION: (January 2025) Two-Cycle Deferral.

STAFF RECOMMENDATION: Approval with Conditions (revised 05.13.2025).

PLANNING STAFF ANALYSIS: Staff originally recommended “Approval of the rezoning, with 17 recommended conditions” (see Planning Commission Staff Report attached) at the January 7, 2025 Planning Commission public hearing. However, after that Planning Commission meeting the Atlanta Regional Commission (ARC) indicated that the project would have to proceed through the Development of Regional Impact (DRI) review process since the project was within one mile of public facilities including the South River Trail and the proposed Atlanta Police Training Center, which caused the item to be deferred until the May 22nd Board of Commissioners meeting. The applicant met with the ARC on March 3rd, and it was determined at that meeting that the project would proceed through an “expedited review and limited trip memorandum”. The ARC and the Georgia Regional Transportation Authority (GRTA) have completed the DRI review, and GRTA has recommended approval as outlined in their recommended staff report (see attached) and issued a final Notice of Decision on May 2, 2025 (see attached). Key points of the GRTA Final Notice of Decision include: Construct a single 30’ wide commercial driveway with proper deceleration lane to access the site; (see attached site plan approved by GRTA). Coordinate with the DeKalb County to meet the design standards of the site access for frequent heavy truck use. In accordance with GRTA DRI Procedures, if traffic volumes exceed 3,000 daily trips per the ITE Trip Generation Manual, the applicant, must submit a new Non-Expedited DRI Transportation Impact Study for review and approval by GRTA.; Applicant to coordinate with the DeKalb County to meet the design

standards of the site access for frequent heavy truck use; and In light of the planned Bus Rapid Transit (BRT) service in the area, coordinate with DeKalb County and MARTA to explore opportunities for enhancing local pedestrian and transit infrastructure, including potential crosswalk improvements to the MARTA Bus Station on Bailey Street. Key comments from the ARC's regional review finding (see attached) are as follows: The project is generally aligned with applicable Established Suburbs growth policy recommendations which emphasize the importance of preserving established single-family neighborhoods with appropriate infill development. This project proposes infill industrial development on a mostly previously developed site within a larger industrial park development. The project is largely consistent with ARC's Metropolitan Transportation Plan. Existing buffer of natural space with trees along edges of the site should be retained to the greatest extent possible. The project lies within the Metro South CID and any improvements external to the site should be coordinated with the CID. There are several nearby MARTA bus stops and MARTA should be included in the design of any roadway improvements affecting these stops. The project is expected to generate approximately 236 daily vehicle trips. Also included as part of the DRI packet are the GRTA Letter of Understanding, the DRI Methodology packet which includes the approved concept plan., and the ARC Regional Review Finding. The subject site consists of two properties zoned M (Light Industrial) and M-2 (Industrial) with zoning conditions limited to a vehicular storage yard. There is also a companion Special Land Use Permit (SLUP) application to allow an asphalt plant (Ready-mix plant) in the heavy industrial (M-2) zoning district. The proposed asphalt plant (Ready-mix plant) is consistent with the light and heavy industrial (M & M-2) zoning pattern in the surrounding area which is developed with industrial uses, truck storage yards, vacant land, and an asphalt plant (HEH Paving). The Comprehensive Plan designates this site and the surrounding industrial (M and M-2) zoned properties within a Light Industrial (LIND) Character Area designated by the 2050 Comprehensive Land Use Plan Map, and the proposed use is consistent with the following plan strategies: Protect existing and zoned industrial lands from unnecessary intrusion by conflicting land uses and minimize the rezoning of light industrial properties to residential uses (2050 Comprehensive Plan, Light Industrial, page 281). The applicant has submitted a letter from an environmental engineering firm (Penta Tech) which indicates how any potential air, water, noise, odor, and dust will be mitigated so that there are no adverse impacts on adjacent or surrounding properties (See attached letter dated November 21st, 2024 from Penta Engineering Company) which is summarized as follows: **Air and Dust:** The applicant will be required to obtain and maintain compliance with a Georgia Air Quality Permit from the Georgia Environmental Protection Department (EPD) which is a proposed condition by Staff. In addition to the requirements of the air quality permit, Staff is recommending a condition which requires a dust management plan, confinement of outside storage areas within three-sided concrete bins, all conveyor belts and delivery trucks to be covered after loading and during transport, and an eight-foot-high fence and a 50-foot-wide buffer with existing and new trees along Fayetteville Road, Fleetwood Drive, and the southeastern property line. **Water:** Regarding water quality, the Georgia EPD requires that the applicant must file a Notice of Intent for coverage under the Georgia National Pollutant Discharge Elimination System (NPDES) for Industrial Activity Permit with the Georgia Environment Protection Division of the Georgia Department of Natural Resources and maintain compliance with NPDES requirements. Staff is also recommending as a condition of approval a detailed hydrology study and approval of a Storm Water Pollution Prevention Plan (SWPPP) by the Department of Public Works to address any potential water quality impacts from the asphalt plan and outdoor storage areas prior to the issuance of any land development permits. **Odor:** The ready-mix plant does not produce any odors or fumes during mixing or the reaction process of curing. Ready-mix uses roughly 1 part cement, 2 parts sands, and 3 parts aggregate stone. **Noise:** Hours of operation are standard business hours between 7:00 a.m. and 5:00 p.m. Monday – Friday, and on Saturdays on an as needed emergency basis between 7:00 a.m. and 5:00 p.m., with no operations allowed on Sunday. Additionally, the facility will have to comply with the DeKalb County Noise Ordinance. Staff is also recommending a condition of approval a 50-foot-wide buffer with existing and new trees along Fayetteville Road, Fleetwood Drive, and the southeastern property line. Based on the predominate industrial zoning pattern, the existing asphalt plant across Fleetwood Drive (HEH Paving), the completed DRI review and final letter of recommendation by the Atlanta Regional Commission (see attached), and the Comprehensive Plan's LIND Character area calling for future industrial uses in the surrounding area, it appears that the proposed asphalt plant (Ready-mix plant) with recommended conditions would be suitable for the subject property (Section 27-873 (B)). Therefore, Staff recommends ***"Approval with the attached conditions"***.

PLANNING COMMISSION VOTE: (January 7, 2025) Two-Cycle Deferral 9-0-0. Jon West moved, Vivian Moore seconded for a two-cycle deferral to the May 2025 zoning agenda to allow the applicant time to see if a DRI and an ARC review will be required.

COMMUNITY COUNCIL VOTE/RECOMMENDATION: (December 2024) Approval w/conditions (6-2-0) that the SLUP is non-transferrable.

SLUP-25-1247295 (2024-1444)
Recommended Conditions
June 10, 2025 - BOC
3298 & 3272 Fayetteville Road

1. Use shall be restricted to a concrete Ready-mix plant and all structures shall comply with minimum building setback requirements.
2. If required, proof of issuance of an air quality permit from the Environmental Protection Division of the Georgia Department of Natural Resources shall be required prior to the issuance of certificate of occupancy or completion.
3. That Ready-mix plant must use a dust collection system technology for loading operations.
4. Applicant must file a Notice of Intent for coverage under the Georgia National Pollutant Discharge Elimination System (NPDES) for Industrial Activity Permit with the Georgia Environment Protection Division of the Georgia Department of Natural Resources and maintain compliance with NPDES requirements. Applicant shall hire a third-party engineer and consultant for storm water evaluation and permitting. This will ensure a stormwater plan that will operate within the guild lines and compliance for Georgia EPD and EPA standards.
5. Compliance with Chapter 14 (Environmental) of the DeKalb County Code, including but not limited to Section 14-40 (Storm Water Management) and Section 14-42 (Storm Water Quality Control) of the DeKalb County Code of Ordinances as approved by the Storm water Management Division of Public Works and the Land Development Division of the Planning and Sustainability Department. A detailed hydrology study is required as part of the land disturbance permit application for a storm water mitigation plan for the area of development. Approval of a Storm Water Pollution Prevention Plan (SWPPP) by the Department of Public Works is required to address any potential water quality impacts from the Ready-mix plant and outdoor storage areas prior to the issuance of any land development permits.
6. Prior to issuance of a Certificate of Occupancy, a Dust Management Plan shall be submitted to and approved by the Environmental Inspections Division of the Department of Planning and Sustainability. The Plan shall specify dust control methods, treatment frequency, and reporting procedures. Acceptable methods include sprinkler systems, water trucks, vacuum systems, or other Division-approved measures. The approved Plan shall be shared with the District and Super District Commissioners. The Facility Manager and staff shall ensure compliance to prevent fugitive dust from leaving the site. Conveyor belts shall be covered during operations. Outdoor storage shall be contained within three-sided block or concrete walls. Trucks transporting materials shall be covered to minimize dust impacts on surrounding areas.
7. Any fueling of trucks associated with the Ready-mix plant shall only occur on areas that will collect any residual oils or liquid spills.

8. Compliance with the DeKalb County Noise Ordinance shall be maintained and comply with OSHA safety standards. Hours of normal operation for the Ready-mix plant shall be limited to 7:00 am to 5:00 p.m. on weekdays and Saturdays. The Ready-mix plant shall be closed on Sundays, with exceptions based on emergency cases. To minimize noise impacts and preserve the quiet enjoyment of adjacent properties, the use of horns to signal truck movements shall be minimized. An alternative visual signaling system, such as a light-based alert system, shall be implemented in its place.
9. Provide compliance with the DeKalb County Transportation Department inter-governmental comments including but not limited to right-of-way and easement dedication, sidewalks, and streetscaping along Fayetteville Road and Fleetwood Drive consistent with transportation plans prepared on 8/16/2024 and approved by GDOT on 01/27/2025.
10. Approval from the DeKalb County Fire Marshall regarding fire safety plans shall be required prior to the issuance of any building permits or land disturbance permits. Outdoor storage areas must have a dedicated all weather access drive around the piles for fire equipment access for fire safety.
11. Any outdoor lighting shall be designed so that no direct light is cast upon or adversely affects adjacent properties and roadways and meets “Dark Sky Lighting” standards (see attachment).
12. A six to eight-foot-high fence and a 25-foot-wide buffer with existing and new trees along Fayetteville Road, Fleetwood Drive, and the southeastern property line shall be provided. Existing trees within the buffer shall be preserved and supplemented with the planting of new trees and a six to eight (8) foot tall chain link fence with screening materials (such as a tarp) to provide an effective visual screen as approved by the County Arborist. For buffer areas to supplement the existing mature vegetation, the planting of evergreen trees with a minimum height of six feet at planting shall be required or an appropriate alternative as approved by the County Arborist. Detention areas shall not be within the provided buffer areas. Structural exceptions inside the 25- foot buffer include the following: utilities, drainage systems, pavement, property accesses, fencing, signage, curbs, or devices intended for safety or security purposes.
13. Primary identification ground signs shall be limited to monument style signs with a base and framework made of brick or stone.
14. The Applicant shall post contact information during and after construction for a of a designated contact person who shall be available to receive calls during business hours. An emergency contact that can be reached twenty-four (24) hours a day, seven (7) day a week, will be provided to the fire and police departments.
15. If any spill occurs on-site that requires notification of the Georgia EPD, the owner/operator will also notify the County Planning Department.
16. G/EPA finds the owner/operator in violation of their G/EPD air quality permit, the owner/operator shall cease immediately and shall not resume until full compliance is restored. An air quality monitor will be installed for community monitoring of air quality.

17. Comply with Notice of Decision for Expedited Review of DeKalb concrete plan (DRI #4378) relating to required conditions in Attachments A, B, & C as approved by the Georgia Regional Transportation Authority (GRTA).