

# CITY OF STATHAM

## AGENDA

Statham City Hall

327 Jefferson Street, Statham, GA 30666



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**PUBLIC HEARING & WORK SESSION – June 9, 2022**

**6:30 P.M.**

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**CALL TO ORDER:** Mayor Piper called the meeting to order at 6:54 p.m.

### Roll Call

Present: Mayor Piper and Councilmembers Krause, Patterson, Penn, Thrasher and Venable.

Also present: City Accountant April Stephens, City Attorney Jody Campbell, Police Chief Ira Underwood and City Planning Consultant Jerry Weitz.

### PLEDGE OF ALLEGIANCE

Councilmember Venable made a motion to amend the agenda to add discussion for sidewalks, alleys and culverts. Councilmember Krause seconded the motion and the motion passed unanimously. This item is #1 under Discussion items.

### PUBLIC HEARING

City Planning Consultant Jerry Weitz presented public hearing items R-21-06, R-21-07 and C-21-01. He summarized each items' staff reports, which were previously provided to all elected officials. Each application, based on findings within the Unified Development Code and the proposed project use, are recommended for approval with conditions.

Jerry Weitz stated that application R-22-01 is due to an oversight on the zoning map of the City, and the office space has been there for over 16 years. He recommends approval with conditions. Applicant and owner, James Konzelman, stated that he and his wife have been in business for years and the former mayor approved the home to be used for a veterinary clinic as it was not considered a business district at that time. They have invested a lot into the property and business and would like to continue here in this community, and they agree to the conditions recommended.

Burton Morgan, attorney for applicant LDA Partners; Drew Johnson of LDA Partners and owner John Rucker were all present for the public hearing.

After R-21-06, R-21-07 and C-21-01 were presented by Jerry Weitz, Attorney Morgan displayed the City's Future Land Use Map showing that the project conforms to and is in compliance with the future land use map. He summarized R-21-06 stating the proposal for the rezone is for warehouse space, approximately 600,000 sq. ft.

Attorney Morgan stated the site plans are not specific, and reminded council of how much process the plans will be required to go through. The applicant does have constitutional rights, and he hopes the council does not forget that.

Property owner, John Rucker, stated there will be screening and buffers, and the plans are speculative thus far. He stated he understands concerns from citizens and will be available to answer any questions.

Attorney Morgan discussed the conditional use application and stated this application required council approval for the conditional use required. He stated this project is an appropriate place for this use

(along the Highway 316 Corridor); it was submitted to and processed by the Department of Community Affairs via a DRI (Development of Regional Impact); a traffic study was completed, and staff had reviewed each application. The applicant is in agreement with all the conditions suggested in the staff reports, and again reminded the council of the property owner's and applicant's constitutional rights. Attorney Morgan said the proposed travel center is a family-owned business called the Blocstop Travel Center, and they have been in business for 60 years. The applicant stated they have been developing since 1979, and all Blocstop's have 24-hour security, it is kept clean, and they maintain the property's landscaping. He provided images of another Blocstop Travel Center as well as renderings of the proposed warehouse site to the mayor, council and public.

Attorney Morgan stated he understood the public's concerns, but the focus is on rezoning and that they meet the standards including the future land use map, studies have been completed, it will not impact schools, public safety or water, and will agree on the terms regarding the roads and land.

1. **R-21-06:** LDA Partners, LLC, applicant, WM SUB CLY PDL, LLC, property owner, seeks to rezone 62.268 acres (part of Map/Parcel ST 03/003) fronting on the south side of State Route 316 and the north side of Doc McLocklin Road from HB, Highway Business District to LI, Light Industrial District. Proposed use: Warehouses/light industrial.
2. **R-21-07:** LDA Partners, LLC, applicant, WM SUB CLY PDL, LLC, property owner, seeks to rezone 7.958 acres (part of Map/Parcel ST 03/003) fronting on the west side of Bethlehem Road south of the intersection of Doc McLocklin Road and Bethlehem Road from LI, Light Industrial District, to HB, Highway Business District. Proposed use: Commercial.
3. **C-21-01:** LDA Partners, LLC, applicant, WM SUB CLY PDL, LLC, property owner, seeks a conditional use permit for a truck stop/travel center in an HB, Highway Business District for 9.909 acres of property (part of Map/Parcel ST 03/003) fronting on the west side of Bethlehem Road and the north side of Doc McLocklin Road.
4. **R-22-01:** James Konzelman, applicant, Konzco LLC, property owner, seeks rezoning of 0.46 acre fronting on the south side of Atlanta Highway approximately 200 feet east of Pine Street (Map/Parcel ST02/077) (1869 Atlanta Highway, SE) from SR-1 (Suburban Residential – 1) District to HB, Highway Business District. Proposed use: Veterinary hospital and business.

There was a great deal of public interest with approximately 150 or more people in attendance.

Tommy Miller, Barrow County resident and president of the Georgia Club's HOA, spoke on behalf of 1,000 residents who live in the Georgia Club, which is right up the road from the proposed travel center. Mr. Miller and those he represented are opposed of this development as they will be greatly impacted. He stated they are not against development, but against a truck stop and that it does not adhere to the Barrow County Comprehensive Plan. The BCCP considers Highway 316 as an "innovation corridor" to include developments such as biotech, life sciences offices and distribution centers. He also stated that a truck stop initiates a lot of calls for public safety, and whereas he recognized most are minor, they do have to be responded to. Calls regarding pollution, drugs, sex trafficking, prostitution cannot be ignored, and the byproducts of trucks bring contaminates. Moving away from the Comprehensive Plan is jeopardizing the City of Statham, and asks the City bring life sciences to the area just as the plan was designed to do.

The Buhite Family spoke in opposition as their family lives adjacent to the proposed project.

Wes Blakenship, Dan Thomas, Rudy Krause, Lynn McGinsky and Gail Steed spoke in opposition. Several other residents also spoke in opposition.

The McLockin Family, who lives on Doc McLockin Road, fears if one is approved, three will be approved. Mr. McLocklin said he's been a resident for 81 years and asks that council take into consideration the people who live right there. He also asked council to be kind.

Another resident spoke in opposition. They live a half mile away, and are opposed to the trees being removed, the 24/7 noise, lit up at night, lined up trucks, diesel fuel and pollution and no dedicated access roads.

At 8:06 p.m., the mayor and council ended the public hearing.

## **DISCUSSION ITEMS**

### **1. Added Agenda Item: Sidewalks, Culverts and Alleys**

Councilman Venable stated he understands funding these types of projects, however, the City Charter states the City is not responsible for sidewalks but the home owner is. He would like to look at this on a case by case basis because sidewalks, alleys and culverts predate purchases of homes. There are no easements on plats, no drainage in alleyways, and the City should be cleaning and maintaining drainage issues. Councilman Patterson tends to agree, and that the City should clean ditches and take other steps necessary that the City can afford. Councilmember Krause stated that the City needs to take responsibility.

## **CITIZEN INPUT**

Rudy Krause commented on the granting of variances on Sunset Drive and the damage done to the road. Claire Maki commented on sidewalks and ethics. Cheryl Venable commented on alleyways, sidewalk repair at city hall and the City Charter. Gail Steed commented on the FY23 Budget draft, sidewalks and alleyways. Kathy White commented on sidewalks. Dwight McCormic commented on ethics.

## **MINUTE APPROVAL**

Councilman Venable made a motion to accept the May 17, 2022 and May 24, 2022 minutes. Councilman Patterson seconded the motion, and the motion approved unanimously.

1. May 17, 2022 Regular Meeting Minutes (draft minutes provided to mayor and council on May 20, 2022).
2. May 24, 2022 FY23 Budget Workshop Minutes (draft minutes provided to mayor and council on May 31, 2022).

## **ADJOURN**

At 8:39 p.m., Councilmember Krause made a motion to adjourn the meeting. Councilman Venable seconded the motion, and the motion passed unanimously.