



## Planning and Zoning Commission AGENDA

Tuesday, June 7, 2022 ♦ 7:00 p.m.

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- **Call to Order**
- **Determination of a Quorum**
- **Public Comments**

Comments to the Planning and Zoning Commission should be limited to no more than two minutes. Groups wishing to address an issue should select one or two spokesperson(s). The time allowed for all issues shall not exceed a total of fifteen minutes. Issues raised at this time are generally referred to the Director of Planning and Zoning for review. Responses will be provided at a later date.
- **Approval of the Meeting Agenda**
- **Approval of the May 3, 2022, Meeting Minutes**
- **Public Hearing**
- **Old Business**
- **New Business**
  - **Concept Plat 2022053 Vickers Point Subdivision**

**Addresses:** 0 Vickers Road (parcel # 09F170100742283, 09F170100742358, 09F170100742374, 09F170100742317, 09F170100742341)  
**Request:** To approve the Vickers Road single-family residential development concept plat [50 detached and 112 attached (townhouse) lots].
  - **Rezoning 2022044 Grind Capital Group**

**Addresses:** 8125 Bohannon Drive (09F010000110654), 8145 Bohannon Road (09F010000110365), 0 Bohannon Road (09F010000110654), 8155 Bohannon Drive (09F010000114227 & 09F010000110100)  
**Request:** To to rezone 32.3 acres from AG (Agriculture) to M-1 (Light Industrial) to develop a 273,000 square feet warehouse with future expansion totaling 401,000 square feet.
  - **Rezoning 2022045 SCP Acquisitions, LLC**

**Address:** 0 Renaissance Pkwy [parcel # 09F020100121204]  
**Request:** To rezone 14.98 acres from C-2 (General Commercial District) to PD (Planned Development) to develop 288 multi-family units, 4,000 square feet of commercial space, and 5.1 acres of conservation open space with a concurrent variance to reduce the number of parking spaces from 2 spaces per unit to 1.50 spaces.
- **Staff Report**
- **Commissioner Comments**
- **Adjournment**

CITY OF FAIRBURN



## PLANNING AND ZONING COMMISSION MEETING MINUTES

City Hall  
56 Malone Street  
Fairburn, GA 30213  
Tuesday, May 3, 2022  
7:00 p.m.

Elizabeth Echols, Chair  
Anthony Stewart, Vice-Chair (*Absent*)  
Tony Smith (*Absent*)  
Jason Jones  
LaVone Deavers  
Michelle James

Director of Planning and Zoning: Tarika Peeks  
City Attorney: Valerie Ross

- I. **MEETING CALLED TO ORDER:** The meeting was called to order at 7:00 p.m. by Tarika Peeks.
- II. **ROLL CALL:** A quorum was determined, and the meeting proceeded.
- III. **PUBLIC COMMENTS:** None
- IV. **APPROVAL OF AGENDA:** Commissioner Jones made a motion to **APPROVE** the agenda. Commissioner Deavers seconded. **THE MOTION CARRIED.**
- V. **APPROVAL OF PREVIOUS MEETING MINUTES:** Commissioner James made a motion to **APPROVE** the March 1, 2022, minutes. Commissioner Jones seconded. **THE MOTION CARRIED.**
- VI. **PUBLIC HEARING:** None
- VII. **OLD BUSINESS:** None
- VIII. **NEW BUSINESS:**

**Rezoning 2022030 Liberty Communities, LLC 6790 Johnson Road-**A request to rezone 46.1 acres from AG (Agriculture) to R-4 (Single-family Residential) to develop a 175-lot single-family residential subdivision.

### **SUMMARY/STAFF PRESENTATION:**

Ms. Peeks provided a detailed description of the rezoning stating the proposed minimum lot size is 6,200 square feet with an average lot size of 6,929 square feet. There are two proposed ingress and egress points to the subdivision on Gullatt Road. An amenity package includes a walking trail, passive

recreational area, and playground with 7.9 acres designated for open space. Ms. Peeks continued by stating the Future Land Use Map has the subject property density category as Rural Residential, and this character area is appropriate for one acre or larger lots to preserve a rural feel. Ms. Peeks further states there are two single-family residential subdivisions in the vicinity of the proposed development, Asbury Park, and Creekwood Village. She lastly stated the lots in the Asbury Park subdivision are 3,800 square feet and Creekwood Village lots are ¼ acre (10,890 square feet), which are larger than the proposed development and based on the proposed development's inconsistency with the 2040 Comprehensive Plan and Future Land use Map, Staff's recommendation is **DENIAL**.

### **SUPPORT:**

***Greg Hecht-Applicant*** - He thanked the board for entertaining the proposal. The location is at Johnson Road and Gullatt Road. Mr. Hecht stated it is Land Lot 158 and 163, approximately forty-six acres. It is presently agricultural, and they are trying to get it changed to Single-family Residential. He stated they meet the ordinance in terms of zoning density. Mr. Hecht said the lot sizes exceed the lot size requirements by over 1,000 square feet. The site plan is provided to the board. From the photos or renderings from the beginning, there is a tremendous opportunity for open/free space for a playground for children and families, nearly 8 acres. There are many walking and biking trails for families to enjoy. There is also a rendering of the types of homes that would be built, and it shows the mixture of materials that would be used on the homes. It also shows the houses would be larger than some of the subdivisions like Asbury and Creekwood (1,800 – 2,300 square feet). The price points are in the \$300-\$400,000 which exceeds some of the housing in the surrounding area and this is the least intense use because it is single-family housing as opposed to industrial and commercial etc. Liberty is in many communities around Georgia and is growing and they appreciate the opportunity to have the ability to meet, live and grow as well in Fairburn. Mr. Hecht stated they think it will be a great family subdivision, providing great green space and great price points. They hope that the Commissioners will approve the rezoning. He stated they appreciate the opportunity and will answer any questions. A community meeting has been held and Liberty want to be positive for the community and they have a history of that. Mr. Hecht understands that a lot of times citizens do not want change, but this is a good project and consistent with the area.

*Some of the audio was unclear* but Mr. Hecht stated they would be happy to have another town hall meeting. *More unclear audio* Mr. Hecht said that the previous owner wanted to put over two hundred lots and they decided not to have that many lots and so they lowered it to 175.

*(Name not captured)* - Are there any corporate rental restrictions? Are they being designed to be sold to homeowners and individuals to be their permanent dwelling or will there be 100 or 50 of these to be sold to Corporations to be rented out, they are not concerned or invested in the community? That is a concern of the community. Mr. Hecht stated they plan to sell the houses to individuals. They do not have any control over if the homeowner's sale or rent to individuals. No restrictions have been applied pertaining to the sale of each home. Mr. Hecht lastly stated there will be an HOA in place and the legal guidance as far as guidelines pertaining to HOAs but no rental restrictions.

### **OPPOSE:**

***Ben Pugh-8850 Gullatt Rd. (Diane Lee)/8830 Gullatt Rd. (Donald Lee)*** - Representing several family members. They object to the project for many reasons that staff has given, including density, access, and the number of homes being built right next to Mr. Lee's property (8830 Gullatt Rd.). There are only two ways to get in and out of the property. The residents are totally against this development. From working in the commercial real estate industry for thirty-plus years, Mr. Pugh stated he is for smart development, but he affirmed this development is dump development with a capital D. This density should not be done on this location. This group is not against new, they are not against development, they are against density. If someone would propose a project that was consistent with the current zoning and enable the people on the property to get out onto Johnson Rd.

as well as Gullatt Rd they might be much more open-minded to that. Lastly, Mr. Pugh stated this is the wrong density, wrong location...period.

**Rita Parker-8955 Gullatt Rd.-** Ms. Parker lives almost directly across from the proposed location and she reinforced the fact of density is not wanted in the area. If the project were like a Serenbe community they would be so happy with the growth but the impact on the roads, the school systems, and the community can not handle it. The exit would be only on and off of Gullatt Road (which the question was asked at the meeting on March 20<sup>th</sup>) puts a lot of traffic right in that area and the roads cannot accommodate it today. Lastly, Ms. Parker stated not the right growth for the community.

**Andrea Corbett-8875 Gullatt Rd. -** Ms. Corbett stated that she agreed with previous neighbors and the congestion with one entrance is awful. Ms. Corbett lastly stated eighteen-wheelers come down, back and forth and it would be too congested. They are against it as well.

**Darcy White- 375 Mann Rd. -** Property backs up to Line Creek. Ms. White would like to echo everything the previous speakers said. She stated this would be the wrong place for it. If it were a Serenbe development, they would absolutely be on board for it. The environmental impact has not been mentioned and they are very focused on that. There is a beautiful wetland in the proposed area and if you have a lot of impervious surfaces right there, they are concerned about what the runoff could be to Line Creek. In addition, to that, whether the current sewer system can support the load the house would bring.

Commissioner James made a motion of **DENIAL** for Rezoning 2022030 Liberty Communities, LLC. Commissioner Deavers seconded. **THE MOTION CARRIED.**

**Rezoning 2022031 Hernan Creek, 7240 Herndon Road -** A request to rezone 26.35 acres from AG (Agriculture) to R-4 (Single-family Residential) to develop a 57-lot single-family residential subdivision.

#### **SUMMARY/STAFF PRESENTATION:**

Ms. Peeks provided a detailed description of the rezoning to develop a 57-lot single-family residential subdivision with frontage on Herndon Road. The proposed lot size is ¼ acre (10,890 square feet). The proposed ingress and egress points to the subdivision are on Herndon Road. An amenity package includes a playground and picnic area and 3.38 acres designated for open space.

The Future Land Use Map has the subject property density category as Medium Residential, and this character area is appropriate for one-fourth acre or smaller lots.

The Durham Lakes Golf and Country Club planned community is located to the east of the subject property. Specifically, the Fairways at Durham Lakes subdivision is adjacent to the subject property. By comparison, the lots in the Fairways at Durham Lakes are of similar, if not smaller, size (between 018 to .25 acre lots) Based on the proposed development's conformity to the 2040 Comprehensive Plan and Future Land Use Map, Staff recommends **APPROVAL CONDITIONAL.**

#### **SUPPORT:**

William (Bill) Diehl (representing the applicant)- They are proposing a residential development with about fifty-seven single-family houses, in a variety of different elevations and a few different housing products. Two elevations were provided and in addition, a ranch-style is being proposed. At least three types of homes will be developed, a variety of structures, and a variety of products available. The property is adjoining the Durham Lakes Community and this community is built with a similar density that is consistent with the comprehensive plan. It is a medium-density character area. They are proposing a lot size that is exactly consistent with what is proposed in the comprehensive plan. Mr. Diehl stated they met with the community on March 11<sup>th</sup>. Some of the concerns from the meeting were in regards to Herndon Road. The project is directly or in close proximity to a school and there would likely be foot traffic in that area. The client has agreed to develop a sidewalk along Herndon



Road (which is reflected in the conditions that the staff has proposed). That would alleviate some of the concerns about foot traffic. Also, they have proposed a landscape strip to help give some distinction between foot traffic and pedestrian traffic in this neighborhood. Some of the other concerns were as to whether there would be an HOA. Mr. Diehl stated there will be an HOA in place. The HOA may be able to propose rent restrictions. The client does not have a restriction, they are for sale. That restriction could be built-in with the HOA. They had some discussions with staff, to find out if there is a history of proposing zoning conditions. The restriction could be addressed in that way. The client intends on selling fee simple houses. Some of the other concerns were about traffic along Herndon Road. They will provide a revised plan that will provide deceleration lanes in accordance with the development ordinance and a turning lane if that is required by the development ordinance.

*(Audio unclear)* Was the price point stated? Mr. Diehl stated the price was not stated but it will be in the low 300s or the mid 300s. It will depend on the market when this project gets developed and they are invested and ready to start the development.

Commissioner Jones asked if the homes are all detached. Mr. Diehl stated yes, they are all detached.

**OPPOSE:**

None

Commissioner Jones made a motion to **APPROVE** Rezoning 2022031 **Hernan Creek**. Commissioner Deavers seconded. **THE MOTION CARRIED.**

**IX. STAFF REPORT:** Ms. Peeks stated this was the first in-person in two years and the next in-person meeting will be at City Hall.

**X. COMMISSIONER COMMENTS:**  
Commissioner Jones thanked all of the community members. He thanked them for taking time out of their day to come to the meeting.

*(Unclear as to who was talking and could not understand what was being said)*

Commissioner Deaver stated I have lived in Fairburn for about 30 years and moved to Fairburn because of the country environment, not a lot of traffic/cars. Her children went to school in Fairburn for Elementary, Middle, and High School and have gone on to be very productive citizens. Change is good but it is the kind of change, and the Commissioners are the ones who can make a difference. She appreciates everyone having those passions because she does.

*(Unclear as to who was talking and could not understand what was being said)*

**XI. ADJOURNMENT:** Commissioner James made a motion to **ADJOURN**. Commissioner Deavers seconded. **THE MOTION CARRIED.**

**MEETING ADJOURNED:** The meeting adjourned at 7:35 p.m.

|  |  |
|--|--|
| <b>Approval Signatures</b>               |  |
| <b>Date Approved</b>                     |  |
| <b>Elizabeth Echols, Chairwoman</b>      |  |
| <b>Tarika Peeks, Recording Secretary</b> |  |



**CITY OF FAIRBURN  
PLANNING AND ZONING COMMISSION  
AGENDA ITEM**

**SUBJECT: CONCEPT PLAT 2022053 VICKERS POINT RESIDENTIAL SUBDIVISION**

( ) AGREEMENT                      ( ) POLICY / DISCUSSION                      ( ) CONTRACT  
( ) ORDINANCE                      ( ) RESOLUTION                      (X) OTHER

**Submitted: 06/07/22**

**Work Session: N/A**

**City Council: N/A**

**DEPARTMENT:** Community Development/Planning and Zoning Office

**BUDGET IMPACT:** N/A

**PUBLIC HEARING:** ( ) Yes      ( X ) No

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**PURPOSE:** For the Planning and Zoning Commission to approve the concept plat for Vickers Road residential development.

**HISTORY:** The rezoning request for the Vickers Point residential development was reviewed by the Planning and Zoning Commission on December 7, 2021, and the recommendation of approval conditional was transmitted to the Mayor and Council on January 24, 2022, at which time it was approved with conditions.

**FACTS AND ISSUES:** The residential development consists of 50 detached lots and 112 attached (townhouse) lots with amenities including 5.33 acres of open space; a passive recreational park, walking trail, dog park, benches, and playground.

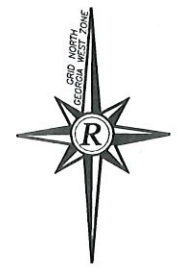
Staff has reviewed the concept plat and believes the plat meets the concept plat subdivision regulations and code of ordinances, such as the minimum lot size, setbacks, and buffer standards.

**RECOMMENDED ACTION:** For the Planning and Zoning Commission to approve the Vickers Point concept plat.

Attachment: Vickers Point Concept Plat



# CONCEPTUAL PLAT



**OWNER:**

AGNES SLACK VICKERS, LLC  
 1377 OLD RIVERSIDE RD  
 ROSWELL, GA 30076

**DEVELOPER:**

LENNAR GEORGIA, INC.  
 1000 HOLCOMB BRIDGE PKWY  
 BLDG 400, SUITE 450  
 ROSWELL, GA 30076  
 (470) 702-1439

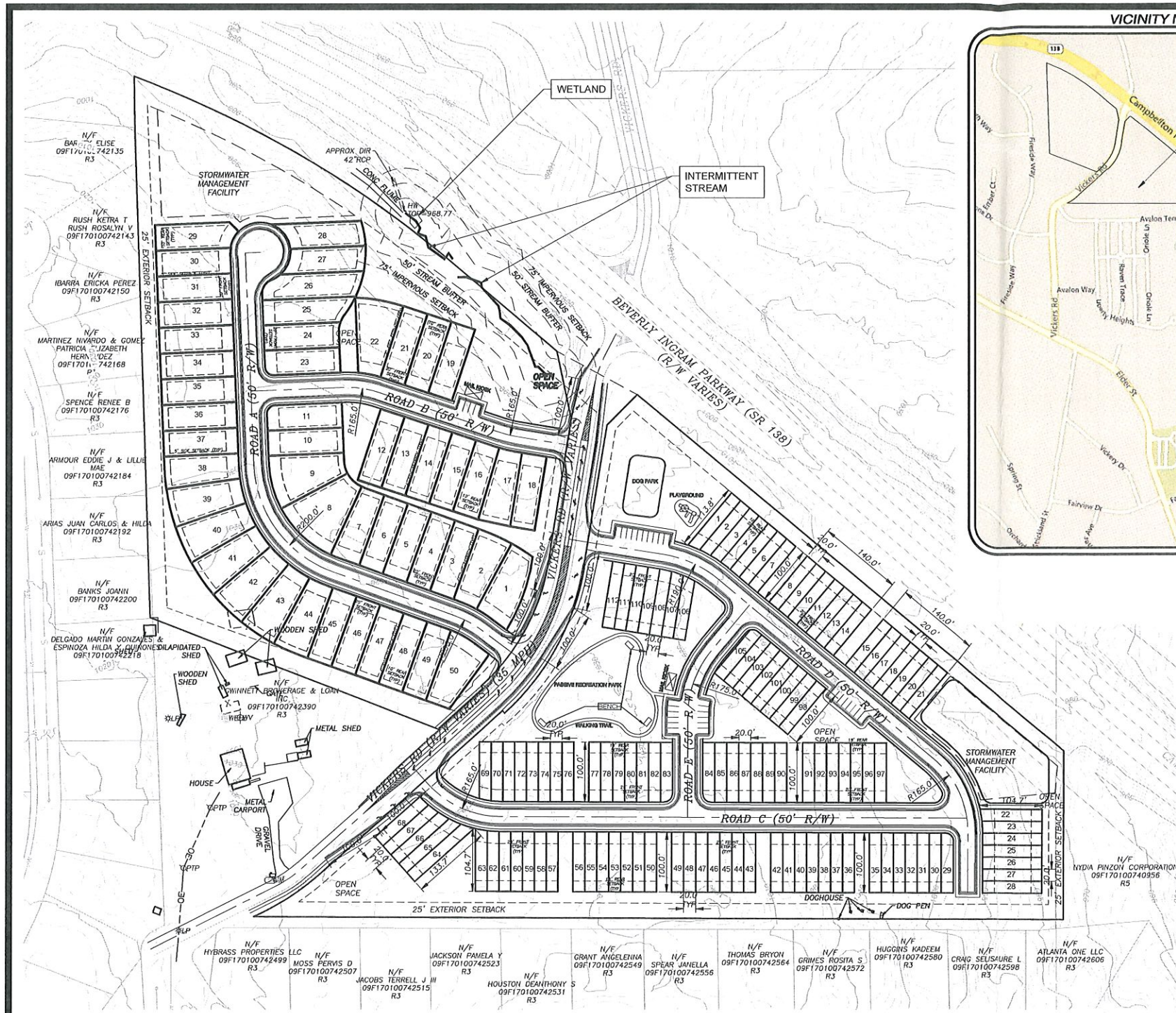
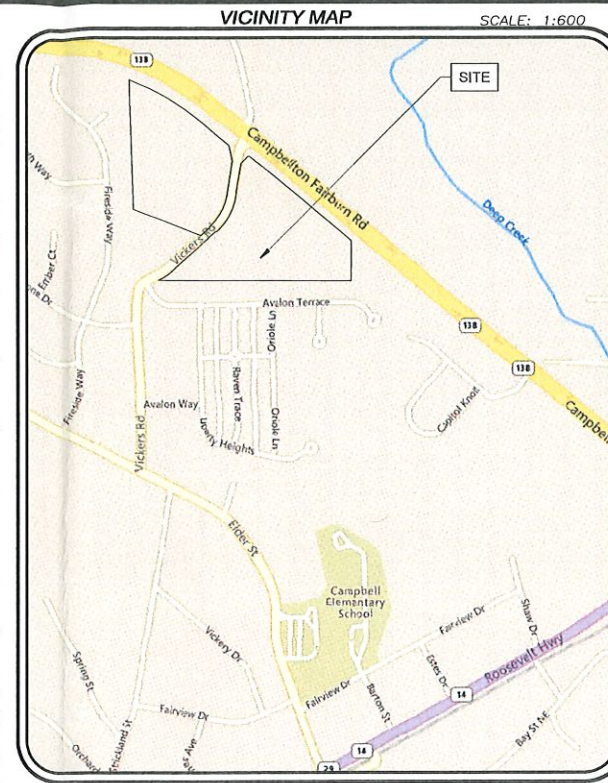
**ENGINEERING CONTACT:**

ROCHESTER & ASSOCIATES, INC.  
 KEDRICK C. SCOTT, PE, P.L.S.  
 (770) 718-0600  
 Email: kcscott@rochester-assoc.com

**SURVEY CONTACT:**

ROCHESTER & ASSOCIATES, INC.  
 RICK MILLARD, P.L.S.  
 (770) 718-0600

ZONING: R-CT  
 SITE AREA: 26.66 AC  
 APPROXIMATE PROPOSED  
 IMPERVIOUS AREA: 8.57 AC



**DETACHED PARCELS**

| LOT # | AREA (SF) |
|-------|-----------|
| 1     | 7111      |
| 2     | 6457      |
| 3     | 5250      |
| 4     | 5250      |
| 5     | 5250      |
| 6     | 5250      |
| 7     | 5725      |
| 8     | 9253      |
| 9     | 7964      |
| 10    | 5250      |
| 11    | 5202      |
| 12    | 5250      |
| 13    | 5250      |
| 14    | 5250      |
| 15    | 5250      |
| 16    | 5384      |
| 17    | 5901      |
| 18    | 5250      |
| 19    | 5250      |
| 20    | 5250      |

**DETACHED PARCELS**

| LOT # | AREA (SF) |
|-------|-----------|
| 21    | 5284      |
| 22    | 7580      |
| 23    | 5208      |
| 24    | 5273      |
| 25    | 5969      |
| 26    | 6566      |
| 27    | 5408      |
| 28    | 5533      |
| 29    | 5671      |
| 30    | 5378      |
| 31    | 5375      |
| 32    | 5375      |
| 33    | 5375      |
| 34    | 5375      |
| 35    | 5375      |
| 36    | 5375      |
| 37    | 5375      |
| 38    | 6042      |
| 39    | 6718      |
| 40    | 6718      |

**ATTACHED PARCELS**

| LOT # | AREA (SF) |
|-------|-----------|
| 1     | 2120      |
| 2     | 2044      |
| 3     | 2006      |
| 4     | 2000      |
| 5     | 2000      |
| 6     | 2000      |
| 7     | 2000      |
| 8     | 2000      |
| 9     | 2000      |
| 10    | 2000      |
| 11    | 2000      |
| 12    | 2000      |
| 13    | 2000      |
| 14    | 2000      |
| 15    | 2000      |
| 16    | 2000      |
| 17    | 2000      |
| 18    | 2000      |
| 19    | 2000      |
| 20    | 2000      |
| 21    | 2000      |
| 22    | 2011      |
| 23    | 2000      |
| 24    | 2000      |
| 25    | 2000      |
| 26    | 2000      |
| 27    | 2000      |
| 28    | 2000      |
| 29    | 1958      |
| 30    | 2000      |
| 31    | 2000      |
| 32    | 2000      |
| 33    | 2000      |
| 34    | 2000      |
| 35    | 2000      |
| 36    | 2000      |
| 37    | 2000      |
| 38    | 2000      |
| 39    | 2000      |
| 40    | 2000      |

**ATTACHED PARCELS**

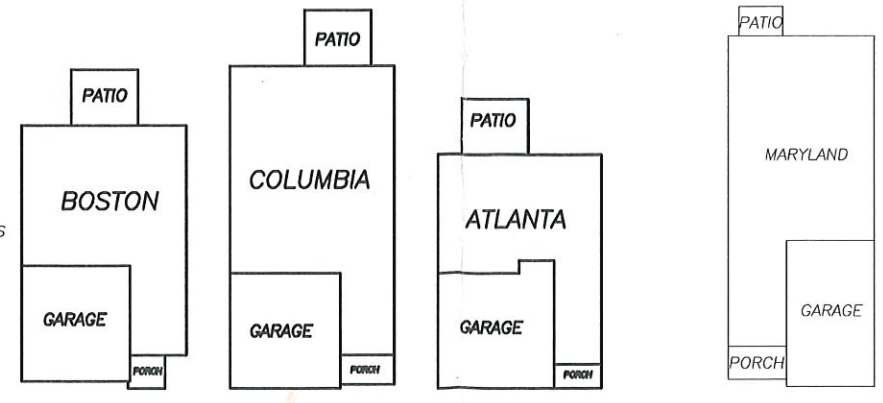
| LOT # | AREA (SF) |
|-------|-----------|
| 41    | 2000      |
| 42    | 2000      |
| 43    | 2000      |
| 44    | 2000      |
| 45    | 2000      |
| 46    | 2000      |
| 47    | 2000      |
| 48    | 2000      |
| 49    | 2000      |
| 50    | 2000      |
| 51    | 2000      |
| 52    | 2000      |
| 53    | 2000      |
| 54    | 2000      |
| 55    | 2000      |
| 56    | 2000      |
| 57    | 2000      |
| 58    | 2000      |
| 59    | 2000      |
| 60    | 2000      |
| 61    | 2000      |
| 62    | 2009      |
| 63    | 2056      |
| 64    | 2392      |
| 65    | 2223      |
| 66    | 2105      |
| 67    | 2033      |
| 68    | 2004      |
| 69    | 1975      |
| 70    | 1999      |
| 71    | 2000      |
| 72    | 2000      |
| 73    | 2000      |
| 74    | 2000      |
| 75    | 2000      |
| 76    | 2000      |
| 77    | 2000      |
| 78    | 2000      |
| 79    | 2000      |
| 80    | 2000      |

**ATTACHED PARCELS**

| LOT # | AREA (SF) |
|-------|-----------|
| 81    | 2000      |
| 82    | 2000      |
| 83    | 1958      |
| 84    | 2000      |
| 85    | 2000      |
| 86    | 2000      |
| 87    | 2000      |
| 88    | 2000      |
| 89    | 2000      |
| 90    | 2000      |
| 91    | 2000      |
| 92    | 2000      |
| 93    | 2000      |
| 94    | 2000      |
| 95    | 2000      |
| 96    | 2000      |
| 97    | 2000      |
| 98    | 2000      |
| 99    | 2000      |
| 100   | 2000      |
| 101   | 2000      |
| 102   | 2000      |
| 103   | 2000      |
| 104   | 2000      |
| 105   | 2000      |
| 106   | 2075      |
| 107   | 2170      |
| 108   | 2214      |
| 109   | 2220      |
| 110   | 2220      |
| 111   | 2220      |
| 112   | 2220      |

TYPICAL SINGLE FAMILY DETACHED FLOOR PLANS

TYPICAL SINGLE FAMILY ATTACHED FLOOR PLAN



**DETACHED PARCELS**


| LOT # | AREA (SF) |
|-------|-----------|
| 41    | 6718      |
| 42    | 6718      |
| 43    | 6718      |
| 44    | 6424      |
| 45    | 5250      |
| 46    | 5250      |
| 47    | 5250      |
| 48    | 5250      |
| 49    | 5250      |
| 50    | 7057      |

**OWNER'S CERTIFICATION:**  
 I HEREBY SUBMIT THIS CONCEPT PLAT AS THE OWNER, OR HIS AUTHORIZED AGENT, OF ALL PROPERTY SHOWN THEREON.

SIGNATURE OF OWNER OR AUTHORIZED AGENT \_\_\_\_\_ DATE \_\_\_\_\_

**MAYOR OR CITY ADMINISTRATOR'S CERTIFICATION:**  
 THIS CONCEPT PLAT HAS BEEN REVIEWED AND APPROVED BY THE CITY IN ACCORDANCE WITH THESE REGULATIONS AND THE OTHER DEVELOPMENT CODES AND ORDINANCES OF THE CITY. THIS APPROVAL EXPIRES IN ONE-YEAR FROM THIS DATE IF THE OWNER/DEVELOPER FAILS TO SECURE PRELIMINARY PLAT APPROVAL BY THAT TIME.

MAYOR OR CITY ADMINISTRATOR \_\_\_\_\_ DATE \_\_\_\_\_



425 Oak Street N.W. • Gainesville, Georgia 30501  
 (770) 718.0600 (770) 718.9990 Fax • www.rochester-assoc.com

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CONCEPT PLAT FOR:  
**VICKERS ROAD**


LAND LOT 74, 9TH DISTRICT  
 CITY OF FAIRBURN  
 FULTON COUNTY, GEORGIA

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| NO. | DATE | DESCRIPTION | REVISIONS |
|-----|------|-------------|-----------|
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|     |      |             |           |


GRAPHIC SCALE

50' 100' 200'



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ALL WORK SHALL BE IN ACCORDANCE WITH THE CITY OF FAIRBURN'S DEVELOPMENT REGULATIONS AND ORDINANCES. THE WRITERS APPROVAL OF THIS CONCEPT PLAT IS LIMITED TO THE INFORMATION PROVIDED HEREON AND ANY LIABILITY ASSOCIATED WITH THIS PROJECT. ORIGINAL DRAWINGS WILL BE FILED FOR VERIFICATION OF ANY CHANGES.



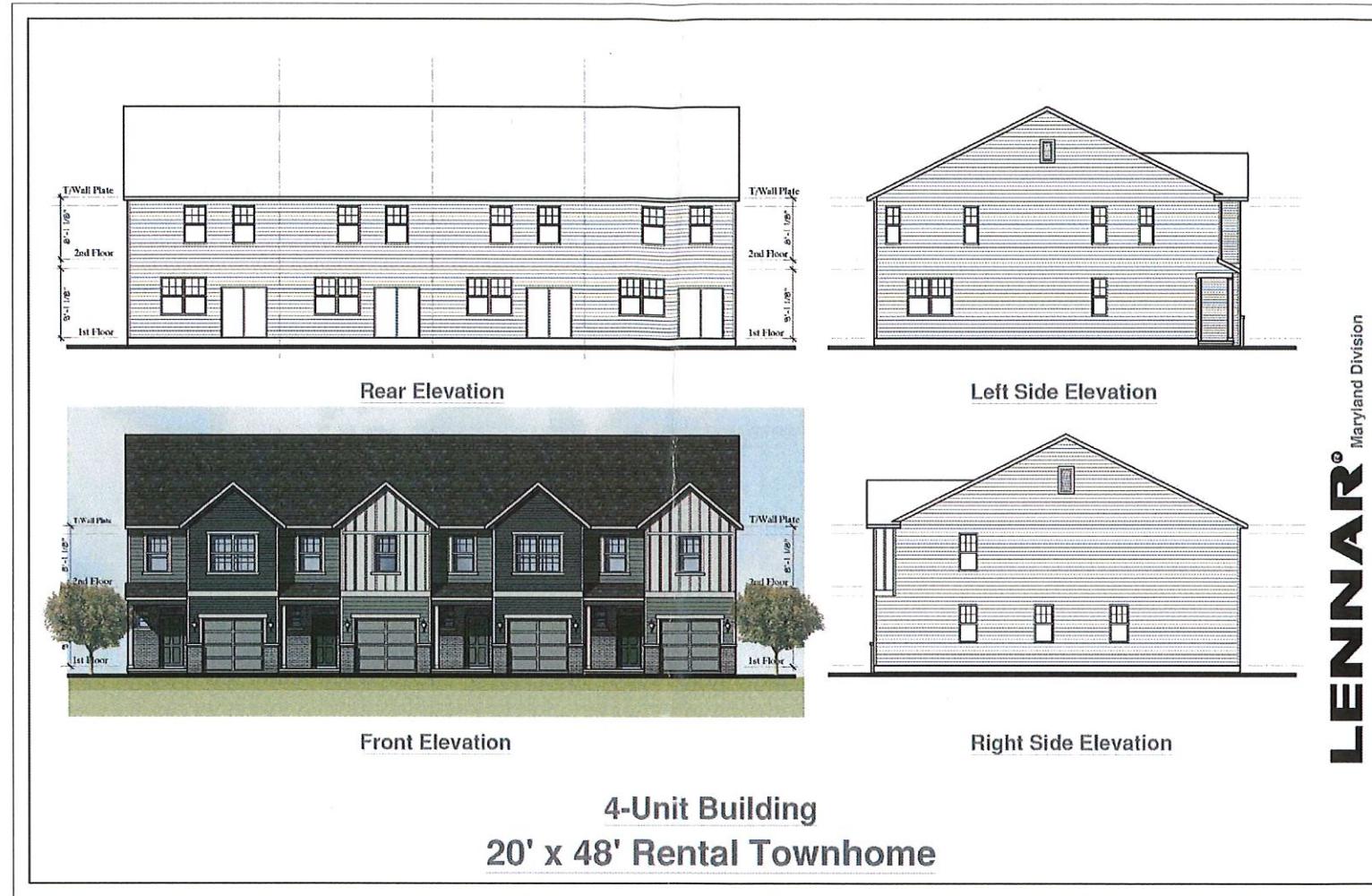

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SHEET **1**  
 OF **3**

DATE: 05/03/22  
 JOB NO: 0221087.LVR  
 DWG NO: 4.WORK.dwg  
 DRAWN BY: CHM



PROPOSED SINGLE FAMILY ATTACHED HOMES ELEVATIONS  
MARYLAND



PROPOSED SINGLE FAMILY DETACHED HOMES ELEVATIONS

ATLANTA

BOSTON

COLUMBIA



**Rochester & Associates, LLC.**  
425 Oak Street N.W. • Gainesville, Georgia 30501  
(770)718.0600 (770)718.9090 Fax • www.rochester-assoc.com

CONCEPT PLAT  
FOR:  
**VICKERS ROAD**  
LAND LOT 74, 9TH DISTRICT  
CITY OF FAIRBURN  
FULTON COUNTY, GEORGIA

| NO. | DATE | DESCRIPTION |
|-----|------|-------------|
|     |      |             |
|     |      |             |
|     |      |             |
|     |      |             |

ANY CHANGES OR ALTERATIONS MADE TO THESE DRAWINGS WITHOUT THE WRITTEN APPROVAL OF ROCHESTER & ASSOCIATES, LLC, VOID. THE SEAL SHOWN WITH THESE DRAWINGS IS THE ORIGINAL DRAWING OF ANY CHANGE.



SHEET  
**2**  
OF  
**3**  
DATE: 05/03/22  
SCALE: 1/8" = 1'-0"  
JOB NO.: 2021-087-LNR  
DWG NO.: 4-WORK-049  
DRAWN BY: CMM



THIS BLOCK RESERVED FOR THE CLERK OF THE SUPERIOR COURT

**LEGEND**

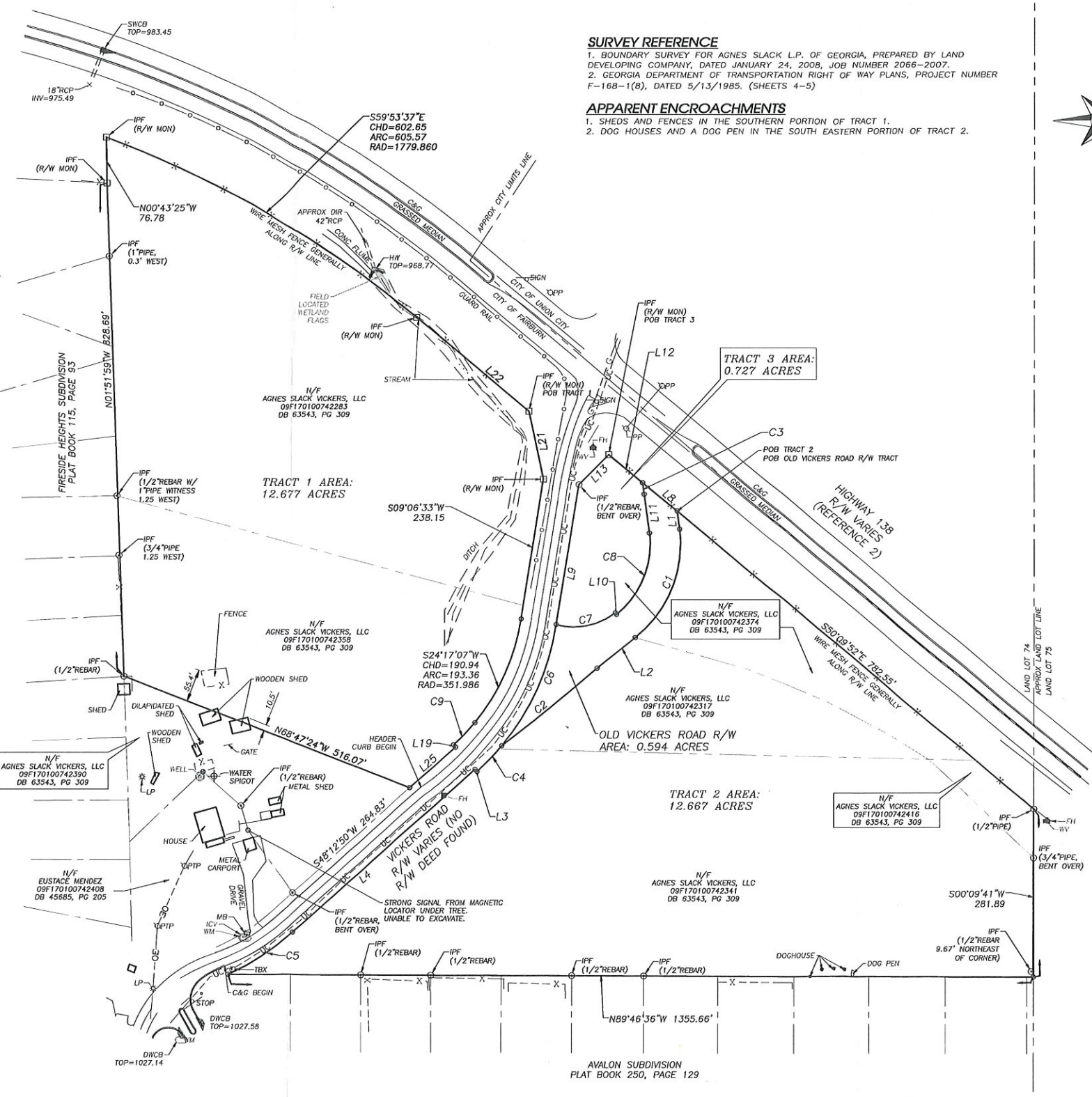
- ATF - ANGLE IRON FOUND
- AKA - ALSO KNOWN AS
- BC - BACK OF CURB
- BL - BUILDING SETBACK LINE
- BNF - BARBED WIRE FENCE
- CCG - CURB & GUTTER
- CBX - CABLE BOX
- CCM - CONCRETE MAIL
- CTP - CRIMP TOP PIPE
- CI - CURB INLET
- CL - CENTER LINE
- CLF - CHAIN LINK FENCE
- CHP - CONCRETE MONUMENT FOUND
- CMP - CORRUGATED METAL PIPE
- CO - CONCRETE
- CONC - CONCRETE
- CTF - CRIMP TOP PIPE FOUND
- DB, PG - DEED BOOK, PAGE
- DE - DRAINAGE EASEMENT
- DI - DRAINAGE INLET
- DIP - DUCTILE IRON PIPE
- DIR - DIRECTION
- DNB - DOUBLE-WING CATCH BASIN
- EP - EDGE OF PAVEMENT
- FES - FLATBED END SECTION
- FF - FINISHED FLOOR ELEVATION
- FH - FIRE HYDRANT
- G - GAS
- GA - GAS LINE
- GM - GAS METER
- GP - GUY POLE
- GT - GREASE TRAP
- GV - GAS VALVE
- GW - GUY WIRE
- H - HANDICAP PARKING SPACE
- HW - HEADWALL
- IPS - IRON PIN SET (1/2" REBAR)
- JB - JUNCTION BOX
- LL - LAND LOT
- LLL - LAND LOT LINE
- LP - LIGHT POLE
- M - MANHOLE
- MON - MONUMENT
- N/F - NOW OR FORMERLY
- DCS - DUCTILE CONTROL STRUCTURE
- PL - POWER LINE
- P/T - POWER & TELEPHONE LINE
- PBX - PIPE FOUND
- PL - PROPERTY LINE
- PN - POWER METER
- POB - POINT OF BEGINNING
- PP - POWER POLE
- PS - PARKING SPACES
- PLP - POWER & LIGHT POLE
- P/TP - POWER & TELEPHONE & LIGHT POLE
- P/P - POWER & TELEPHONE POLE
- PVC - POLYETHYLENE GLYCOL PIPE
- PVMT - PAYMENT
- RF - REBAR FOUND
- RCP - REINFORCED CONCRETE PIPE
- R/W - RIGHT OF WAY
- RS - SANITARY RISER LINE
- SE - SANITARY SEWER EASEMENT
- S/W - SIDEWALK
- SNB - SINGLE-WING CATCH BASIN
- SB - SINGLE-WING CATCH BASIN
- TBM - TEMPORARY BENCHMARK
- TBX - TELEPHONE BOX
- TMH - TELEPHONE MANHOLE
- TP - TELEPHONE POLE
- TPOB - TRUE POINT OF BEGINNING
- TSP - TRAFFIC SIGNAL POLE
- TL - TELEPHONE LINE
- UC - UNDERGROUND COMMUNICATION
- UE - UNDERGROUND ELECTRIC
- UP - UNDERGROUND POWER
- UT - UNDERGROUND TELEPHONE
- WI - WATER INLET
- W - WATER LINE
- WM - WATER METER
- WMH - WATER MANHOLE
- WV - WATER VALVE
- Ⓟ - PARKING SPACE NUMBER

**SURVEY NOTES**

1. THE FIELD DATA DATED 06/17/2021-06/18/2021 UPON WHICH THIS PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 32,895 FEET AND AN ANGULAR ERROR OF 01" SECONDS PER ANGLE AND WAS ADJUSTED USING LEAST SQUARES. A TRIMBLE S-SERIES ROBOTIC TOTAL STATION WAS USED FOR ANGULAR AND LINEAR MEASUREMENTS.
2. THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 173,578+ FEET.
3. THE HORIZONTAL DATUM FOR THIS SURVEY IS THE NORTH AMERICAN DATUM OF 1983 (NAD 83 GEORGIA WEST ZONE) AND THE VERTICAL DATUM USED IS THE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD83) AS DETERMINED BY UTILIZING GPS. THE EQUIPMENT USED TO OBTAIN THIS DATA WAS A DUAL FREQUENCY TRIMBLE R10 GNSS GPS RECEIVER WITH A TRIMBLE TSC7 DATA COLLECTOR RECEIVING RTK CORRECTIONS VIA A WIRELESS NETWORK FROM BASE STATIONS OPERATED BY TRIMBLE NAVIGATION. THE AVERAGE RELATIVE POSITIONAL ACCURACY OBTAINED ON THE POSITIONS UTILIZED IN THIS SURVEY WAS 0.04 FT. HORIZONTAL AND 0.07 FT. VERTICAL. THESE VALUES WERE DERIVED FROM GPS PROCESSING SOFTWARE. THE REMAINDER OF THE FIELD WORK WAS PERFORMED WITH CONVENTIONAL EQUIPMENT AS DESCRIBED ABOVE.
4. THIS PROPERTY MAY BE SUBJECT TO EASEMENTS, RESERVATIONS, RIGHTS OF WAY, OR RESTRICTIONS, WHICH ARE NOT RECORDED OR NOT DISCLOSED BY THE TITLE COMMITMENT OR OTHERWISE UNKNOWN TO THE SURVEYOR; THEREFORE EXCEPTION IS TAKEN TO ANY SUCH ITEMS.
5. THE SURVEYOR MAKES NO GUARANTEE THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED. THE SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES.
6. THE WETLANDS SHOWN ON THIS PLAT ARE UNDER THE JURISDICTION OF THE CORPS OF ENGINEERS. SAID WETLANDS WERE DELINEATED BY OTHERS AND FIELD LOCATED BY ROCHESTER & ASSOCIATES, INC. THE OWNERS MAY BE SUBJECT TO PENALTY OF LAW FOR DISTURBANCE OF THESE WETLAND AREAS WITHOUT PROPER AUTHORIZATION. WETLANDS SHOWN BASED ON FIELD MARKINGS AND A REPORT BY CORBLU ECOLOGY GROUP, DATED JUNE 4, 2021.
7. THE SUBJECT PROPERTY IS LOCATED IN FLOOD HAZARD ZONE "X" (AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOOD PLAIN) AS PER F.E.M.A. INSURANCE RATE MAP OF FULTON COUNTY, GEORGIA, MAP NO. 1312100454F, EFFECTIVE DATE SEPTEMBER 18, 2013.
8. DURING THE FIELD SURVEY PERFORMED ON THIS SITE THERE WERE NO VISIBLE ABOVE GROUND EVIDENCE OF A HUMAN BURIAL AREA OR CEMETERY OBSERVED. HOWEVER, THIS SURVEYOR DID NOT PERFORM A THOROUGH INSPECTION OF THE INTERIOR OF THIS SITE. THEREFORE EXCEPTION IS MADE HEREIN TO ANY HUMAN AREAS OR CEMETERIES THAT MAY EXIST WITHIN THE BOUNDARIES OF THIS SITE.
9. ALL PROPERTY CORNERS REFERENCED AS "IPS" INDICATES A 1/2" REBAR PLACED WITH A YELLOW PLASTIC CAP STAMPED "ROCHESTER-LSF000484", UNLESS OTHERWISE NOTED.
10. THIS PLAT IS FOR THE EXCLUSIVE USE OF THE ENTITIES SHOWN HEREON; ANY USE BY THIRD PARTIES IS AT THEIR OWN RISK.
11. ALL DISTANCES AS SHOWN ARE HORIZONTAL GROUND DISTANCES IN U.S. SURVEY FEET (39.37 INCHES = 1 METER)

NOTES PERTAINING TO CHICAGO TITLE INSURANCE COMPANY TITLE COMMITMENT POLICY NO. 189003-004542-GA COMMITMENT DATE: APRIL 10, 2021 @ 5:00 P.M. SCHEDULE B, SECTION II:

4. Conveyance of Access Rights in favor of the Department of Transportation, dated April 26, 1986, filed for record April 30, 1986, recorded in Book 10076, Page 143, Fulton County, Georgia records. AFFECTS SUBJECT PROPERTY. LIMITS ACCESS TO HIGHWAY 138. UNABLE TO PLOT.
5. Conveyance of Access Rights in favor of the Georgia Department of Transportation, dated April 14, 1986, filed for record April 30, 1986, recorded in Book 10076, Page 148, Fulton County, Georgia records. AFFECTS SUBJECT PROPERTY. LIMITS ACCESS TO HIGHWAY 138. UNABLE TO PLOT.
6. Conveyance of Access Rights in favor of the Department of Transportation, dated May 7, 1986, filed for record June 23, 1986, recorded in Book 10177, Page 215, Fulton County, Georgia records. AFFECTS SUBJECT PROPERTY. LIMITS ACCESS TO HIGHWAY 138. UNABLE TO PLOT.
7. Conveyance of Access Rights in favor of the Department of Transportation, dated August 27, 1987, filed for record August 31, 1987, recorded in Book 11037, Page 172, Fulton County, Georgia records. AFFECTS SUBJECT PROPERTY. LIMITS ACCESS TO HIGHWAY 138. UNABLE TO PLOT.
8. Any right, easement, setback, interest, claim, encroachment, violation, variation, or other adverse circumstance affecting the title disclosed by plat(s) recorded in Plat Book 155, Page 80 and in Plat Book 161, Page 44, Fulton County, Georgia records. APPLICABLE MATTERS SHOWN HEREON.



**SURVEY REFERENCE**

1. BOUNDARY SURVEY FOR AGNES SLACK L.P. OF GEORGIA, PREPARED BY LAND DEVELOPING COMPANY, DATED JANUARY 24, 2008, JOB NUMBER 2066-2007.
2. GEORGIA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY PLANS, PROJECT NUMBER F-168-1(B), DATED 5/13/1985. (SHEETS 4-5)

**APPARENT ENCROACHMENTS**

1. SHEDS AND FENCES IN THE SOUTHERN PORTION OF TRACT 1.
2. DOG HOUSES AND A DOG PEN IN THE SOUTH EASTERN PORTION OF TRACT 2.



**CURVE/LINE TABLE**

| LINE / CURVE # | CHORD BEARING | CHORD LENGTH (FT) | ARC LENGTH (FT) | Radius  |
|----------------|---------------|-------------------|-----------------|---------|
| C1             | N21° 51' 06"E | 196.37            | 205.20          | 200.57  |
| C2             | N51° 05' 12"E | 206.92            | 206.95          | 3622.84 |
| C3             | S07° 43' 36"E | 19.51             | 19.51           | 2207.90 |
| C4             | N44° 14' 48"E | 60.70             | 60.76           | 411.78  |
| C5             | N57° 04' 34"E | 130.15            | 130.66          | 426.19  |
| C6             | N24° 18' 52"E | 223.08            | 225.90          | 411.98  |
| C7             | S78° 52' 58"W | 101.75            | 105.40          | 115.00  |
| C8             | S21° 51' 22"W | 147.29            | 153.92          | 150.35  |
| C9             | S44° 14' 48"W | 51.86             | 51.90           | 351.78  |
| L1             | N07°28'25"W   | 30.84             |                 |         |
| L2             | N51°13'35"E   | 82.02             |                 |         |
| L3             | S41°42'25"E   | 5.00              |                 |         |
| L4             | N48°17'35"E   | 410.66            |                 |         |
| L8             | N50°09'52"W   | 73.87             |                 |         |
| L9             | N09°19'32"E   | 238.35            |                 |         |
| L10            | N37°30'03"W   | 3.18              |                 |         |
| L11            | S07°28'25"E   | 65.63             |                 |         |
| L12            | S50°09'52"E   | 73.86             |                 |         |
| L13            | N44°52'55"E   | 71.01             |                 |         |
| L19            | S39°32'31"E   | 5.00              |                 |         |

**CURVE/LINE TABLE**

| LINE / CURVE # | CHORD BEARING | CHORD LENGTH (FT) | ARC LENGTH (FT) | Radius |
|----------------|---------------|-------------------|-----------------|--------|
| L21            | S12°03'24"E   | 116.48            |                 |        |
| L22            | S50°08'48"E   | 245.67            |                 |        |
| L25            | S48°12'50"W   | 101.89            |                 |        |

**2021 SURVEYORS ALTA CERTIFICATION**

TO LENNAR GEORGIA, INC.  
 THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2021 MINIMUM STANDARD DETAIL REQUIREMENTS FOR THE ALTA/NSPS LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS OF TABLE A THEREOF. THE FIELDWORK WAS COMPLETED ON 6-18-2021.

7/6/2021  
DATE OF PLAT OR MAP

BRANDON C. REGISTER, GEORGIA RLS # 3135  
 bregister@rochester-assoc.com  
 Rochester and Associates, Inc.  
 Certificate of Authorization LSF-000484  
 www.rochester-assoc.com

**SURVEYORS CERTIFICATION**

THIS PLAT IS A RETRACEMENT OF AN EXISTING PARCEL OR PARCELS OF LAND AND DOES NOT SUBDIVIDE OR CREATE A NEW PARCEL OR MAKE ANY CHANGES TO ANY REAL PROPERTY BOUNDARIES. THE RECORDING INFORMATION OF THE DOCUMENTS, MAPS, PLATS, OR OTHER INSTRUMENTS WHICH CREATED THE PARCEL OR PARCELS ARE STATED HEREON. RECORDATION OF THIS PLAT DOES NOT IMPLY APPROVAL OF ANY LOCAL JURISDICTION. AVAILABILITY OF PERMITS, COMPLIANCE WITH LOCAL REGULATIONS, OR REQUIREMENTS, OR SUITABILITY FOR ANY USE OR PURPOSE OF THE LAND. FURTHERMORE, THE UNDERSIGNED LAND SURVEYOR CERTIFIES THAT THIS PLAT COMPLIES WITH THE MINIMUM TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN THE RULES AND REGULATIONS OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN O.C.G.A. SECTION 15-6-67.

7/6/2021  
DATE OF PLAT OR MAP

BRANDON C. REGISTER, GEORGIA RLS # 3135  
 bregister@rochester-assoc.com  
 Rochester and Associates, Inc.  
 Certificate of Authorization LSF-000484  
 www.rochester-assoc.com

**Rochester & Associates, Inc.**

286 GA Hwy 314, Suite A • Fayetteville, Georgia 30214  
 (770)716.8123 Fax • www.rochester-assoc.com

**LENNAR GEORGIA, INC. LENNAR TITLE, LLC  
 CHICAGO TITLE INSURANCE COMPANY**

ALTA/NSPS LAND TITLE SURVEY FOR  
 LAND LOT 74 OF THE 9TH DISTRICT  
 FULTON COUNTY, GEORGIA

**REVISIONS**

| NO. | DATE    | DESCRIPTION     |
|-----|---------|-----------------|
| 1.  | 6/13/21 | REVISED TRACT 1 |

GRAPHIC SCALE

0' 100' 200' 300'

**REGISTERED**

BRANDON C. REGISTER  
 No. 003135  
 LAND SURVEYOR  
 GEORGIA

SHEET  
**3**  
 OF  
**3**

DATE: 6/25/2021  
 SCALE: 1" = 100'  
 JOB NO.: C221087.LN  
 DRAWN BY: BCR  
 DWG NO.: SRW





**CITY OF FAIRBURN  
PLANNING AND ZONING COMMISSION  
AGENDA ITEM**

**SUBJECT: REZONING 2022044 GRIND CAPITAL GROUP**

( ) AGREEMENT ( ) POLICY / DISCUSSION ( ) CONTRACT  
( ) ORDINANCE ( ) RESOLUTION ( X ) OTHER

**Submitted: 06/07/22**

**Work Session: N/A**

**City Council: 07/11/22**

**DEPARTMENT:** Community Development, Planning and Zoning Office

**BUDGET IMPACT:** None

**PUBLIC HEARING:** ( ) Yes ( X ) No

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**PURPOSE:** For the Planning and Zoning commission to make a recommendation to the Mayor and Council on the rezoning of 32.3 acres from AG (Agriculture) to M-1 (Light Industrial).

**HISTORY:** N/A

**FACTS AND ISSUES:** The applicant, Grind Capital Group, is requesting to rezone 32.3 acres from AG (Agriculture) to M-1 (Light Industrial) to develop a 273,000 square foot warehouse, a future expansion totaling 401,000 square feet with frontage on Bohannon Drive/Bohannon Road. There are two proposed ingress and egress points to the site on Bohannon Road. The development includes truck and vehicle parking, landscaping, and an online stormwater management facility.

The Future Land Use Map has the subject property designated as Rural Residential, and this character area is appropriate for one acre or larger lots to preserve a rural feel.

**FUNDING SOURCE:** N/A

**RECOMMENDED ACTION:** Based on the proposed development's inconsistency with the 2040 Comprehensive Plan and Future Land Use Map, staff's recommendation is **DENIAL**.

## APPLICATION INFORMATION

### REZONING 2022040 GRIND CAPITAL GROUP

#### APPLICANT/PETITIONER INFORMATION

|  |  |
|--|--|
| <b>Property Owner</b><br>Brian Dickson, Catherin Benton, and<br>Richard Benton | <b>Petitioner</b><br>Grind Capital Group |
|--|--|

#### PROPERTY INFORMATION

|                   |  |
|-------------------|--|
| <b>Addresses:</b> | 8125 Bohannon Drive (09F010000110654)<br>8145 Bohannon Road (09F010000110365)<br>0 Bohannon Road (09F010000110662)<br>8155 Bohannon Drive (09F010000114227 and<br>09F010000110100) |
|-------------------|--|

|                               |                         |
|-------------------------------|-------------------------|
| <b>Land Lot and District:</b> | Land Lot 11, District 7 |
|-------------------------------|-------------------------|

|                  |                              |
|------------------|------------------------------|
| <b>Frontage:</b> | Bohannon Drive/Bohannon Road |
|------------------|------------------------------|

|                          |            |
|--------------------------|------------|
| <b>Area of Property:</b> | 32.3 acres |
|--------------------------|------------|

|                                 |  |
|---------------------------------|--|
| <b>Existing Zoning and Use:</b> | AG (Agriculture) and Single-family residential |
|---------------------------------|--|

|                          |     |
|--------------------------|-----|
| <b>Overlay District:</b> | N/A |
|--------------------------|-----|

|                                    |     |
|------------------------------------|-----|
| <b>Prior Zoning Cases/History:</b> | N/A |
|------------------------------------|-----|

|   |  |
|---|--|
| <b>2040 Comprehensive Plan and Future<br/>Land Use Map Designation:</b> | Rural Residential/Residential Character Area |
|---|--|

#### MEETING AND HEARING DATES

|   |   |
|---|---|
| <b>Planning and Zoning Commission Meeting</b><br>Tuesday, May 7, 2022 | <b>City Council Public Hearing</b><br>Monday, July 11, 2022 |
|---|---|

#### INTENT

A request to rezone 32.3 acres from AG (Agriculture) to M-1 (Light Industrial) to develop a 273,000 square feet warehouse with a future expansion totaling 401,000 square feet.

#### SURROUNDING ZONING

**North:** M-1 (Light Industrial) and AG (Agriculture)

**South:** AG (Agriculture)

**East:** PD (Planned Development)

**West:** M-1 (Light Industrial)

**ARIEL MAP**



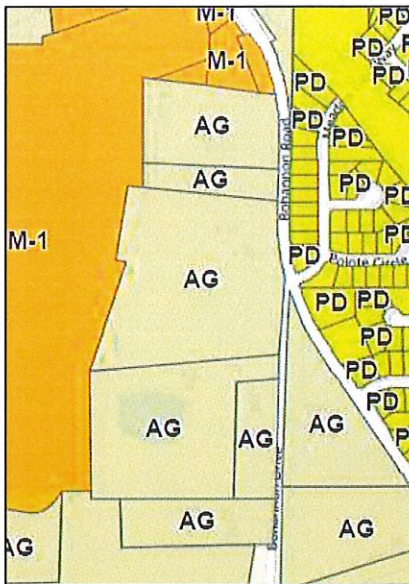
8125 Bohannon Drive  
09F010000110654  
4.20 acres

0 Bohannon Road  
09F010000110662  
1.78 acres

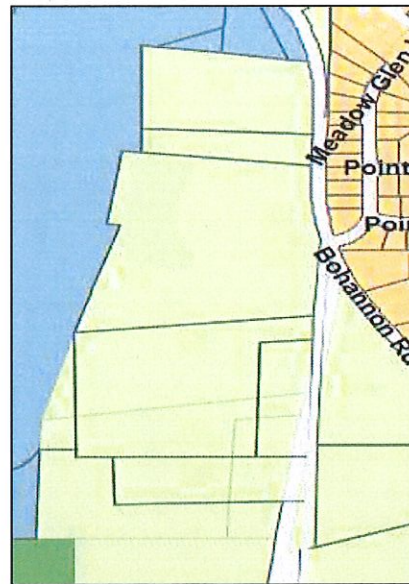
8145 Bohannon Road  
09F010000110365  
12.50 acres

8155 Bohannon Drive  
09F010000114227 - 8.5 acres  
09F010000110100 - 2 acres

**ZONING AND FUTURE LAND USE MAPS**



AG



Rural Residential



## STAFF COMMENTS

### Engineering/Public Works

1. Please note that when property fronting on a city street is to be developed or when the property is to be accessed from a city street, the developer shall cause to be constructed roadway improvements (pavement, signing, striping, curb and gutter and drainage) which are required along the existing road across the entire property frontage at no cost to the city. Required improvements shall not be less than provided in the regulations for the designated street classification. [Sec. 71-37 (a)]
2. On any existing street having a right-of-way less than the minimum which abuts a property being developed, a minimum of one-half of the required width of right-of-way shall be dedicated at no cost to the city along the entire property boundary abutting the existing street. [Sec. 71-36 (b)]
3. The developer shall be responsible for the cost of relocation and/or modifications of public and/or private utilities as necessitated by the required street improvements. [Sec. 71-37 (c)]
4. Neither Bohannon Road (south of Oakley Industrial Boulevard) nor Bohannon Drive is a designated truck route. In order to accommodate the proposed development both roads would be required to be fully upgraded to support truck traffic. Upon completion, these roads or portions thereof, shall be required to be designated as truck routes to allow an industrial business entity to operate lawfully from the proposed location(s). [Sec. 56-92; Sec. 56-93; Sec. 56-94]
5. In the event that a development has access to a substandard street and if that substandard street provides the primary means of access to the development, the substandard street shall be fully upgraded, and the full width of the roadway overlaid with asphaltic concrete surface course along the entire property frontage and continuing to the nearest standard paved road along the route of primary access. [Sec. 71-39]
6. Turning lanes shall be required by the city to meet projected traffic demand and/or safe operations, as determined by the city engineer. When provided, turning lanes shall meet the following criteria:
  - a. Provide not less than 150 feet of storage length for arterial roadways. Provide not less than 100 feet of storage length for collector roadways.
  - b. Provide taper lengths of not less than 100 feet.
  - c. Longer storage and taper lengths may be required when traffic projections indicate they are justified.[Sec. 71-38(4)]
7. Except as indicated, acceleration and deceleration lanes shall be provided for new street and driveway connections to existing streets. The lanes will not be required if the total traffic on the existing roadway is less than 2,000 vehicles per day including traffic projected as a result of the proposed development (count of existing traffic must have been made within one year of the development plan submittal date). [Sec. 71-40]
8. Additional street right-of-way width may be required to be dedicated at intersections or other locations fronting the property where turning lanes, storage lanes, medians, islands, or realignments are required for traffic safety and minimum right-of-way standards would be inadequate to accommodate the improvements. [Sec. 71-36 (c)]
9. All new streets or street widening sections shall be provided with curb and gutter. [Sec. 71-45]
10. All of the materials, methods of construction, and workmanship for street construction shall conform to the latest edition of the state department of transportation Standard Specifications for Road and Bridge Construction, including all amendments. [Sec. 71-42]
11. Sidewalks are required along the entire project frontage from property line to property line and on both side of all internal streets. All sidewalks shall have a minimum width of five feet and shall be constructed to comply with the requirements of the Americans with Disabilities Act (ADA) standards, city's development standards. [Sec. 71-46]
12. Traffic control devices consisting of street name signs, traffic control signs, traffic markings and traffic signals shall be provided by the developer as appropriate to serve each development. All traffic control devices and installation thereof shall conform to the specifications of the Federal Highway Administration publication, Manual on Uniform Traffic Control Devices, current edition and ANSI D6.1e. The minimum

traffic control devices for nonresidential developments shall include those devices for residential developments and lane and centerline markings, stop lines, and parking space markings. Additionally, appropriate other signs and signals shall be provided by the developer. [Sec. 71-47]

13. All stormwater runoff generated from a site shall be adequately treated before discharge. [Sec. 65-112]
14. If existing water mains and/or sanitary sewers must be extended to serve a development, the developer shall install or have installed the necessary extensions at no cost to the city under the existing city policy and procedures at plan approval time. [Sec. 71-74]

#### Fire

No comments at this time.

#### Water and Sewer

1. City of Atlanta water runs along Bohannon Road.
2. Fulton County sewer is located to the southwest of the parcels in consideration. The Fulton County GIS system shows this as a 15-inch line.

### **ZONING IMPACT ANALYSIS**

#### **A. Does the proposal permit a use that is suitable in view of the use and development of adjacent and nearby property?**

The applicant is requesting to rezone five (5) parcels from AG (Agriculture) to M-1 (Light Industrial) to develop a 273,000 square foot indoor modular home manufacturing facility on 32.3 acres. The future build-out totals, 401,000 square feet. The subject properties are located on the west side of Bohannon Drive and south of Oakley Industrial Blvd. The properties in the vicinity of the subject properties range from AG (Agriculture) to PD (Planned Development. Properties zoned AG (Agriculture) are predominately located south on Bohannon Drive, PD (Planned Development) zoned properties are located to the east, which is Meadow Glen subdivision, and M-1 (Light Industrial) zoned properties are located to the west of the subject properties.

There is a single-family residential development adjacent to the subject properties and along Bohannon Road, there are existing single-family residential used properties along Bohannon Drive and Bohannon Road. Based on the existing zoning and use of the surrounding properties, staff believes that the proposed use of the properties for a light industrial warehouse is not suitable for the use and development of adjacent and nearby properties.

#### **B. Does the proposal adversely affect the existing use or usability of adjacent or nearby property?**

Staff is of the opinion that the proposed industrial use is not compatible with the land uses and zoning in the vicinity of the subject properties. The surrounding area consists of the following zoning districts: AG-1 (Agricultural) to the north and south, PD (Planned Development ) to the east, and M-1 (Light Industrial) to the west. The land uses in the area are predominately single-family and rural residential (agricultural). The land uses in the area are predominately single-family and rural residential (agricultural).

#### **C. Does the property have a reasonable economic use as currently zoned?**

Staff is of the opinion that the subject properties have a reasonable economic use as currently zoned.

#### **D. Will the proposal result in a use that could cause excessive or burdensome use of existing streets, transportation facilities, utilities, or schools?**



Staff is of the opinion that the proposed use will significantly result in a use that could cause excessive or burdensome use of the existing streets and transportation facilities due to the narrow width of the road and limited weight capacity of Bohannon Drive and Bohannon Road, neither road is a designated truck route.

### **Traffic Impact & Improvements**

The developer will be required to conduct a traffic study to determine existing traffic operating conditions in the vicinity of the proposed development, project future traffic volumes, assess the impact of the subject development, and develop conclusions and recommendations to mitigate the project traffic impacts and ensure safe and efficient existing and future traffic conditions in the vicinity of the project. The installation of deceleration lanes and left-turn lanes will be required at the proposed entrances to accommodate access to and from the proposed development and to meet projected traffic demand and/or safe operations unless deemed unwarranted by a traffic study. The installation of 5-ft sidewalks along the street frontage (Bohannon Drive) will be required.

### **Impact on Schools**

The proposed development is industrial therefore, an effect on the Fulton County School system is not anticipated.

## **E. Is the proposal in conformity with the policies and intent of the land use plan?**

The subject property is designated as Rural Residential on the Future Land Use Map.

There are three (3) residential density categories in the 2040 Comprehensive Plan which are rural residential, low-density residential, and medium-density residential. The Rural Residential character area is meant to preserve a rural feel and transition to the very low-density uses in the rural areas surrounding the city. One acre or larger lots are appropriate in these areas.

The development strategies for the Residential character area are:

- Stable, safe, well-maintained neighborhoods that maintain their value over time
- Allow for a variety of home styles, materials, and lot sizes
- Accommodating to pedestrians and cyclists to allow for alternative access to Downtown

As stated in the 2040 Comprehensive Plan (page 39), during the Comprehensive Plan planning process the community expressed a desire to preserve larger lots in the southwest portion of the city. The appropriate character areas for industrial uses are Industrial and Office/ Industrial. Staff believes the proposed industrial use is not in conformity with the 2040 Comprehensive Plan and Future Land Use Map.

## **F. Are there existing or changing conditions that affect the use and development of the property which support either approval or denial of the proposal?**

Bohannon Road (south of Oakley Industrial Boulevard) nor Bohannon Drive is a designated truck route, therefore truck traffic is prohibited. To accommodate the proposed development both roads would be required to be fully upgraded to support truck traffic. These roads or portions thereof would be required to be designated as truck routes to allow an industrial business entity to operate lawfully from the proposed location.

## **G. Does the proposal permit a use that can be considered environmentally adverse to the natural resources, environment, and citizens of Fairburn?**

There is a pond located on the southwest portion of the subject property. The pond will be protected with a 75' buffer. Staff is of the opinion that the proposal would not permit a use that could be considered environmentally adverse to the natural resource, environment, or citizens of Fairburn.

**STAFF RECOMMENDATION**

Staff believes the proposed use of the subject property for a 273,000 square feet warehouse with a future expansion, totaling 401,000 square feet is not consistent with the Future Land Use Map, which designates the properties as Rural Residential. The most southern portion of the city is rural in character and the development of a warehouse along Bohannon Road is not consistent with the surrounding properties nor is it consistent with the Future Land Use Map and Comprehensive Plan.

Furthermore, the infrastructure constraints such as the narrow width of the roads (Bohannon Drive and Bohannon Road) and the limited weight capacity of the roads will not support the truck traffic that will be generated by the warehouse development. Therefore, based on these reasons, staff's recommendation is **DENIAL**.

Should the Mayor and Council decide to approve the rezoning request, the staff recommends the conditions listed below. The applicant's agreement to these conditions would not change staff's recommendations. These recommended conditions shall prevail unless otherwise stipulated by the Mayor and Council:

A. To the owner's agreement to restrict the use of the subject property as follows:

- 1. Permitted uses under M-1 (Light Industrial), no more than 401,000 square feet of warehouse space

B. To abide by the following:

The property shall be developed in substantial conformity with the Zoning Site Plan prepared by Barclift Consulting and attached as Exhibit B. Any determination as to "substantial conformity" and deviation from the site plan shall be approved by the Department of Community Development staff. The site plan is conceptual only and must meet or exceed the requirements of the City's regulations prior to the approval of a Land Disturbance Permit.

C. To the following site development standards:

1. Development standards shall be as follows:

a. Building setbacks:

- i. Front: 35 feet
- ii. Side: 20 feet
- iii. Rear: 30 feet

2. To restrict truck traffic south on Bohannon Drive (Bohannon Road, south of Oakley Industrial Boulevard, nor Bohannon Drive is a designated truck route).

3. Building exterior shall be constructed predominately of stone, brick, concrete, glass, or metal. Building walls shall not be clad with vinyl siding.

4. Lighting on the exterior of the building on the subject property shall be directed downward and internal to the property lines. All perimeter lighting shall be directed to the interior of the subject property.
5. A 100-foot vegetated buffer shall be installed to provide a visual buffer between the industrial use and agriculture zoned property. A combination of existing trees and newly planted trees (where insufficient vegetation exists) shall be installed to establish the buffer. New trees shall be 8'-10' in height at the time of installation. Newly planted trees shall consist of one or a combination of the following trees: Leyland Cypress, Easter Red Cedar, Southern Magnolia, Virginia Pine, Arborvitae, Savannah Holly, Nellie R. Stevens Holly. In addition to tree planting, a vegetated earthen berm shall be installed to screen the warehouse from view as much as reasonably possible from the agriculture zoned property (south of the building).
6. Turning lanes shall be required by the city to meet projected traffic demand and/or safe operations, as determined by the city engineer. When provided, turning lanes shall meet the following criteria:
  - a. Provide not less than 150 feet of storage length for arterial roadways. Provide not less than 100 feet of storage length for collector roadways.
  - b. Provide taper lengths of not less than 100 feet.
  - c. Longer storage and taper lengths may be required when traffic projections indicate they are justified.
7. Acceleration and deceleration lanes shall be provided at the proposed driveway connection unless a traffic study demonstrates that the total traffic on the existing roadway is less than 2,000 vehicles per day including traffic projected as a result of the proposed development (count of existing traffic must have been made within one year of the development plan submittal date)
8. Sidewalks are required along the entire frontage on Bohannon Drive from property line to property line. All sidewalks shall have a minimum width of five feet and shall be constructed to comply with the requirements of the Americans with Disabilities Act (ADA) standards.
9. The Developer shall construct roadway improvements (pavement, signing, striping, curb and gutter, and drainage) along the existing road across the entire property frontage where required, at no cost to the city.

## ATTACHMENTS

Letter of Intent  
Site Plan  
Elevations

**STATEMENT OF INTENT**

and

Other Material Required by  
City of Fairburn Zoning Ordinance For  
A Rezoning Application Pursuant to  
City of Fairburn Zoning Ordinance

of

Justin Golshir

for

Property being Tax Parcel Nos.  
09F010000114227, 09F010000110100, 09F010000110365,  
09F010000110662, 09F010000110654  
Fairburn, Georgia

Submitted by:

Justin Golshir  
Grind Capital Group  
950 W. Peachtree Street  
Suite 504  
Atlanta, GA 30309  
(424) 346-4700 Phone  
[justin@grindcap.com](mailto:justin@grindcap.com)

## I. Statement of Intent

The Applicant, Justin Golshir, is seeking to rezone land located on the West side of Bohannon Road, South of Oakley Industrial Boulevard. The Applicant is seeking to rezone the Subject Property from AG-1 to M-1, and to amend the future land use from Rural Neighborhood to Industrial to permit the proposed zoning. The Subject Property is currently zoned AG-1 and is adjacent to M-1 zoned properties to the North and West. Industrial uses in the immediate vicinity include, but are not limited to SC Johnson & Son, XPO Logistics, Samsung Electronics, US Foods, Duracell, Georgia Pacific and Clorox, which are all part of the Oakley Industrial Boulevard Corridor in the City of Fairburn. The proposed light manufacturing modular construction facility would be appropriate given the use of surrounding properties.

The Subject Property is currently developed with single-family detached units and a detached garage which were built in the 1950s. On the Subject Property, the Applicant is seeking to develop a 273,000sf. modular-home, indoor-construction manufacturing facility to help scale the development of sustainable, affordable housing throughout the Atlanta Metropolitan Area.

This document is submitted as a Letter of Intent, Impact Analysis and notice of Applicant's preservation of their constitutional rights. A site plan of the Subject Property has been filed contemporaneously with the Application, along with other required materials.



## II. Impact Analysis

1. *Does the zoning proposal permit a use that is suitable in view of the use and development of adjacent and nearby property?*

a. The zoning proposal does permit a use that is suitable in view of the use and development of adjacent and nearby property. The proposal is for a modular construction manufacturing facility. The Subject Property borders similar industrial developments in the adjacent municipality, and the property to the North and West is zoned identically to what the Applicant is seeking.

2. *Does the zoning proposal adversely affect the existing use or usability of adjacent or nearby property?*

a. The zoning proposal does not adversely affect the existing use or usability of adjacent or nearby property. The proposed future development is in line with what has already been developed in the area. It also borders rural and minimally populated parcels of land.

3. *Does the property to be rezoned have a reasonable economic use as currently zoned?*

a. The property to be rezoned does not have a reasonable economic use as currently zoned. The current zoning of the Subject Property significantly limits its use. The area has already begun to transition into an industrial corridor alongside Oakley Industrial Boulevard.

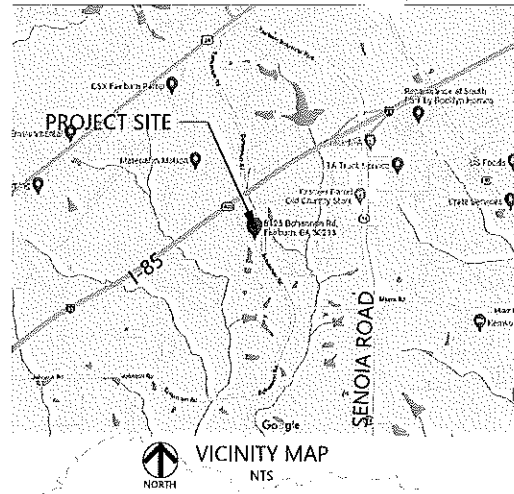
4. *Will the zoning proposal result in a use that could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.*

a. To the Applicant's knowledge, the zoning proposal will not result in a use that could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.

5. *Is the zoning proposal in conformity with the policies and intent of the land use plan?*

a. The zoning proposal is not in conformity with the policies and intent of the land use plan. The Applicant is therefore requesting to amend the future land use to Industrial Character Zone.

6. Are there existing or changing conditions that affect the use and development of the property which support either approval or denial of the zoning proposal?
  - a. To the Applicant's knowledge, there are no existing or changing conditions that affect the use and development of the property which support either approval or denial of the zoning proposal.
7. Does the zoning proposal permit a use that can be considered environmentally adverse to the natural resources, environment, and citizens of City of Fairburn?
  - a. The zoning proposal does not permit a use that can be considered environmentally adverse to the natural resources, environment, and citizens of Fairburn.



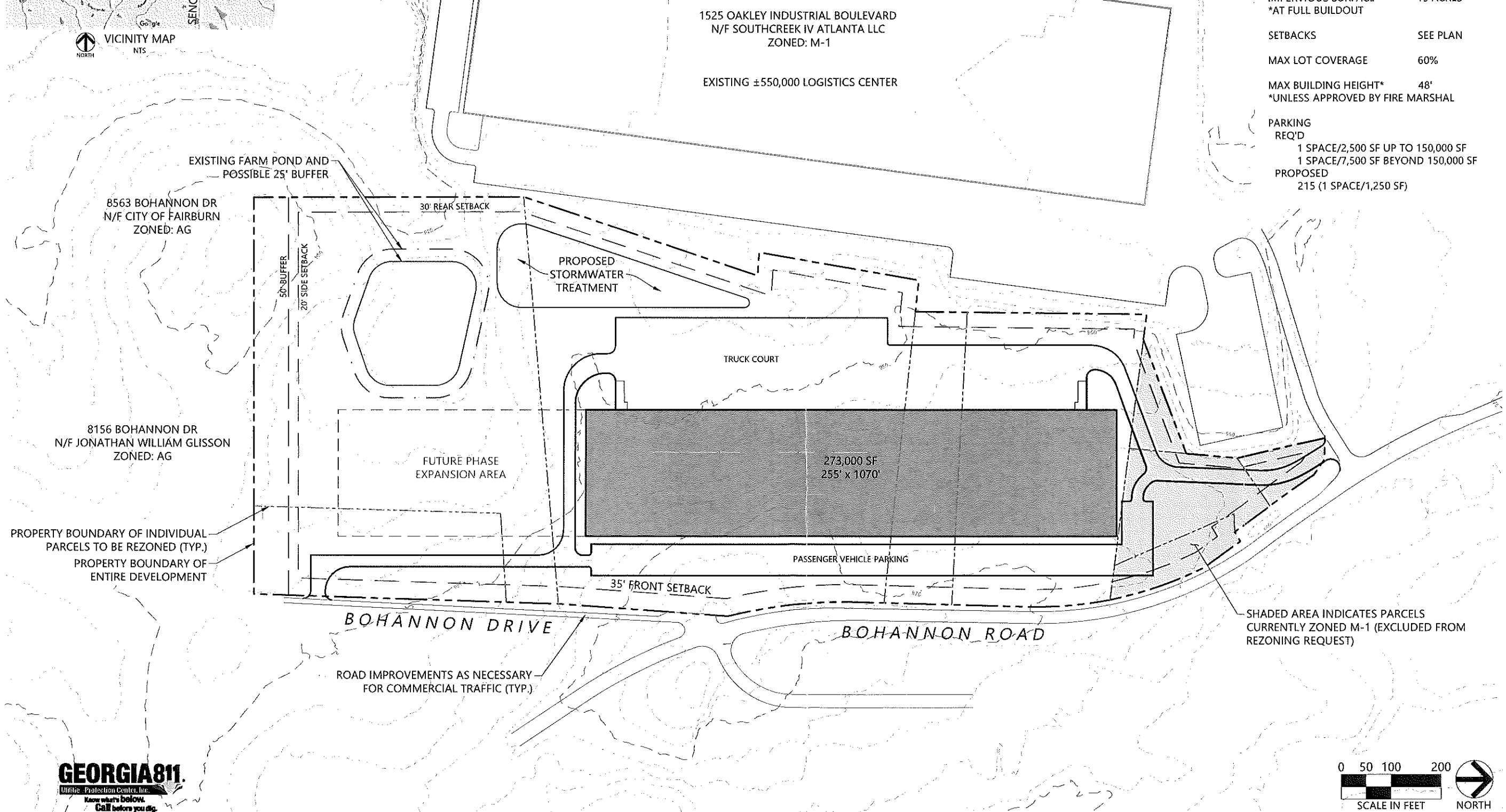
**PARCEL SUMMARY**

| PIN              | Address          | Acreage | Zoning |
|------------------|------------------|---------|--------|
| 09F010000114144* | 0 BOHANNON RD    | 0.30    | M-1    |
| 09F010000114151* | 0 BOHANNON RD    | 0.29    | M-1    |
| 09F010000114136* | 0 BOHANNON RD    | 2.41    | M-1    |
| 09F010000114128* | 0 BOHANNON RD    | 0.34    | M-1    |
| 09F010000110654  | 8125 BOHANNON DR | 4.20    | AG     |
| 09F010000110662  | 0 BOHANNON RD    | 1.78    | AG     |
| 09F010000110365  | 8145 BOHANNON RD | 12.50   | AG     |
| 09F010000114227  | 8155 BOHANNON DR | 8.51    | AG     |
| 09F010000110100  | 8155 BOHANNON DR | 2.00    | AG     |

\*Shown as part of development; not included in rezoning request

**DEVELOPMENT SUMMARY**

|  |                        |
|--|------------------------|
| SITE AREA<br>(TOTAL DEVELOPMENT)                         | ± 32.3 ACRES           |
| EXISTING ZONING  | AG                     |
| PROPOSED ZONING  | M-1                    |
| PROPOSED USE   | WAREHOUSING            |
| DENSITY  |                        |
| PH1  | 273,000 SF             |
| FULL BUILDOUT  | 401,000 SF             |
| IMPERVIOUS SURFACE*<br>*AT FULL BUILDOUT                 | 19 ACRES               |
| SETBACKS   | SEE PLAN               |
| MAX LOT COVERAGE   | 60%                    |
| MAX BUILDING HEIGHT*<br>*UNLESS APPROVED BY FIRE MARSHAL | 48'                    |
| PARKING<br>REQ'D   |                        |
| 1 SPACE/2,500 SF UP TO 150,000 SF                        |                        |
| 1 SPACE/7,500 SF BEYOND 150,000 SF                       |                        |
| PROPOSED   | 215 (1 SPACE/1,250 SF) |

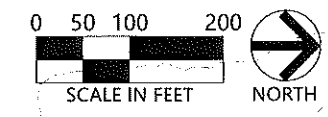


**BARCLIFT CONSULTING**  
Civil Engineering | Site Planning  
404.771.0920  
robert@barcliftconsulting.com  
barcliftconsulting.com  
1227 Wylie Street SE  
Atlanta, GA 30317

**GCG GRIND CAPITAL GROUP**  
404.500.7129  
justin@grindcap.com  
1372 Peachtree Street NE  
Atlanta, GA 30309

REZONING SITE PLAN  
**BOHANNON ROAD INDUSTRIAL**  
FAIRBURN, GA 30213 | FULTON COUNTY  
LAND LOT 11 | 9th DISTRICT

GEORGIA REGISTERED PROFESSIONAL ENGINEER  
ROBERT W. BARCLIFT  
GSWCC LEVEL II #: 80269  
April 4, 2022  
**Z1**  
Sheet Number











**CITY OF FAIRBURN  
PLANNING AND ZONING COMMISSION  
AGENDA ITEM**

**SUBJECT: REZONING [2022045] WITH A CONCURRENT VARIANCE [2022046] - SCP ACQUISITIONS, LLC**

( ) AGREEMENT      ( ) POLICY / DISCUSSION      ( ) CONTRACT  
( ) ORDINANCE      ( ) RESOLUTION      ( X ) OTHER

**Submitted: 06/07/22**

**Work Session: N/A**

**City Council: 07/11/22**

**DEPARTMENT:** Community Development/Planning and Zoning

**BUDGET IMPACT:** None

**PUBLIC HEARING:** ( ) Yes      ( X ) No

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**PURPOSE:** For the Planning and Zoning commission to make a recommendation to the Mayor and Council on the rezoning of 14.98 acres from C-2 (General Commercial) to PD (Planned Development).

**HISTORY:** N/A

**FACTS AND ISSUES:** SCP Acquisitions, LLC seeks to rezone 14.98 acres from C-2 (General Commercial District) to PD (Planned Development) to develop a planned community with 288 multi-family residential units, 4,000 square feet of commercial space, and 5.1 acres of conservation open space with a concurrent variance to reduce the number of parking spaces from 2 spaces per unit to 1.50 spaces. There are two access points to the proposed development from Meadow Glen Pkwy and Renaissance Pkwy.

The proposed development will consist of the following amenities fitness center, resort-style pool, and lounge area, fire pit, gaming areas, bocce ball court, walking/hiking trails, electric car charging stations, dog park, dog spa, package delivery system, outdoor grilling stations, and valet trash pick-up. The unit finishes consist of stainless appliances, granite countertops, washer/dryers, 9' ceilings, curated finishes, tile backsplash, upgraded lighting, and plumbing fixtures, walk-in closets, electronic door locks, and onsite staff during business hours.

The Future Land Use Map has the subject property designated as Highway Mixed-Use, and the proposed planned development is appropriate for this commercial character area.

**FUNDING SOURCE:** N/A

**RECOMMENDED ACTION:** Based on the proposed development's consistency with the 2040 Comprehensive Plan and Future Land Use Map, staff's recommendation is: **APPROVAL CONDITIONAL**



APPLICATION INFORMATION

Rezoning [2020045] with a Concurrent Variance [2020046] SCP Acquisitions, LLC

APPLICANT/PETITIONER INFORMATION

Property Owner: CLG Fairburn; Petitioner: SCP Acquisitions, LLC

PROPERTY INFORMATION

Address: 0 Renaissance Pkwy [parcel # 09F020100121204]

Land Lot and District: Land Lot 12, 13, 26, 27, District 9F

Frontage: Renaissance Pkwy

Area of Property: 14.98 acres

Existing Zoning and Use: C-2 (General Commercial District) and Undeveloped

Overlay District: Highway 74 Overlay District

Prior Zoning Cases/History: SCP Acquisitions, LLC requested to rezone the subject property (0 Renaissance Pkwy [parcel # 09F020100121204]) from C-2 (General Commercial) to RM-12 (Multi-family residential) to develop a 287-unit multi-family residential development. The Planning and Zoning Commission made a recommendation of denial on August 4, 2020, and Mayor and Council denied the rezoning on October 12, 2020.

2040 Comprehensive Plan and Future Land Use Map Designation: Highway Mixed-Use/Commercial Character Area

MEETING AND HEARING DATES

Planning and Zoning Commission Meeting: Tuesday, June 7, 2022; City Council Public Hearing: Monday, July 11, 2022

INTENT

A request to rezone 14.98 acres from C-2 (General Commercial District) to PD (Planned Development) to develop 288 multi-family units, 4,000 square feet of commercial space, and 5.1 acres of conservation open space with a concurrent variance to reduce the number of parking spaces from 2 spaces per unit to 1.50 spaces.

SURROUNDING ZONING

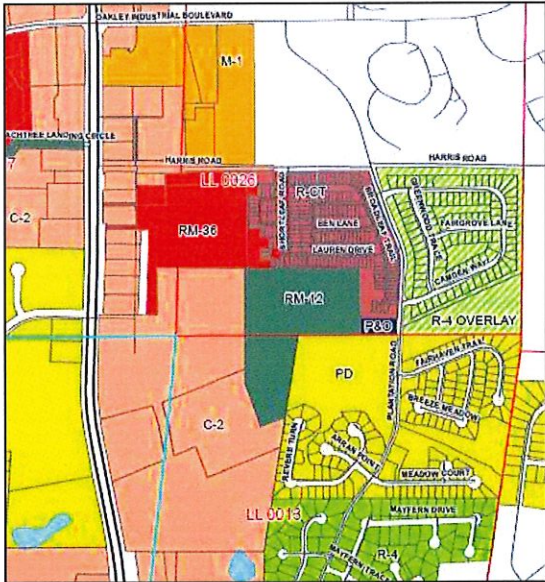
North: RM-36 (Multi-family Residential) and C-2 (General Commercial); South: C-2 (General Commercial); East: RM-12 (Multi-family Residential), R-CT (Residential Condominium/Townhouse), and R-4 Overlay (Single-family Residential); West: C-2 (General Commercial District and PD (Planned Development))

# ARIEL MAP

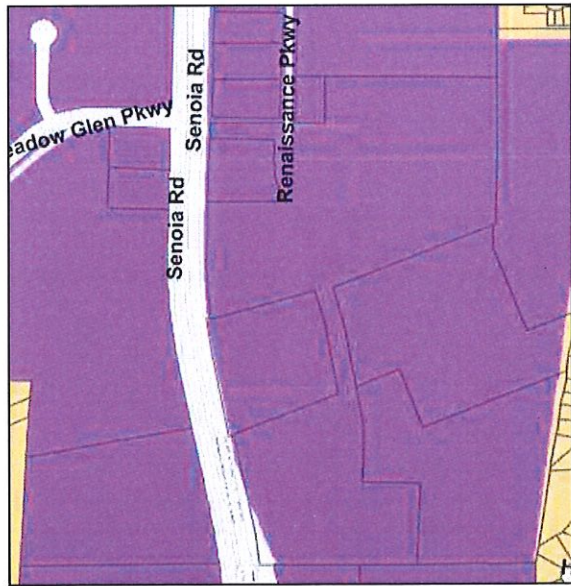


Renaissance Pkwy  
09F020100121204  
14.98 acres

# ZONING AND FUTURE LAND USE MAPS



C-2



Highway Mixed Use

## PUBLIC PARTICIPATION

The applicant held a community meeting on May 9, 2022, at 7:00 p.m. at Fairburn Holiday Inn Express conference room located at 7905 Senoia Road, Fairburn. Property owners within 750 feet of the subject property were notified of the meeting by letter. Based on the meeting attendance sheet, seven (7) property owners were present.

## STAFF COMMENTS

### Engineering/Public Works:

1. When property fronting on a city street is to be developed or when the property is to be accessed from a city street, the developer shall cause to be constructed roadway improvements (pavement, signing, striping, curb and gutter and drainage) which are required along the existing road across the entire property frontage at no cost to the city. Required improvements shall not be less than provided in the regulations for the designated street classification. [Sec. 71-37 (a)]
2. On any existing street having a right-of-way less than the minimum which abuts a property being developed, a minimum of one-half of the required width of right-of-way shall be dedicated at no cost to the city along the entire property boundary abutting the existing street. [Sec. 71-36 (b)]
3. The developer shall be responsible for the cost of relocation and/or modifications of public and/or private utilities as necessitated by the required street improvements. [Sec. 71-37 (c)]
4. In the event that a development has access to a substandard street and if that substandard street provides the primary means of access to the development, the substandard street shall be fully upgraded, and the full width of the roadway overlaid with asphaltic concrete surface course along the entire property frontage and continuing to the nearest standard paved road along the route of primary access. [Sec. 71-39]
5. Turning lanes shall be required by the city to meet projected traffic demand and/or safe operations, as determined by the city engineer. When provided, turning lanes shall meet the following criteria:
  - a. Provide not less than 150 feet of storage length for arterial roadways. Provide not less than 100 feet of storage length for collector roadways.
  - b. Provide taper lengths of not less than 100 feet.
  - c. Longer storage and taper lengths may be required when traffic projections indicate they are justified. [Sec. 71-38(4)]
6. Except as indicated, acceleration and deceleration lanes shall be provided for new street and driveway connections to existing streets. The lanes will not be required if the total traffic on the existing roadway is less than 2,000 vehicles per day including traffic projected as a result of the proposed development (count of existing traffic must have been made within one year of the development plan submittal date). [Sec. 71-40]
7. Additional street right-of-way width may be required to be dedicated at intersections or other locations fronting the property where turning lanes, storage lanes, medians, islands, or realignments are required for traffic safety and minimum right-of-way standards would be inadequate to accommodate the improvements. [Sec. 71-36 (c)]
8. All new streets or street widening sections shall be provided with curb and gutter. [Sec. 71-45]
9. All of the materials, methods of construction, and workmanship for street construction shall conform to the latest edition of the state department of transportation Standard Specifications for Road and Bridge Construction, including all amendments. [Sec. 71-42]
10. Sidewalks are required along the entire project frontage from property line to property line. All sidewalks shall have a minimum width of five feet and shall be constructed to comply with the requirements of the Americans with Disabilities Act (ADA) standards, city's development standards. [Sec. 71-46]
11. Traffic control devices consisting of street name signs, traffic control signs, traffic markings and traffic signals shall be provided by the developer as appropriate to serve each development. All traffic control devices and installation thereof shall conform to the specifications of the Federal Highway Administration publication, Manual on Uniform Traffic Control Devices, current edition and ANSI D6.1e.

The minimum traffic control devices for nonresidential developments shall include those devices for residential developments and lane and centerline markings, stop lines, and parking space markings. Additionally, appropriate other signs and signals shall be provided by the developer. [Sec. 71-47]

12. An undisturbed natural vegetative buffer shall be maintained for 50 feet, measured horizontally, on both banks (as applicable) of the stream as measured from the top of the stream bank.  
An additional setback shall be maintained for 25 feet, measured horizontally, beyond the undisturbed natural vegetative buffer, in which all impervious cover shall be prohibited. Grading, filling and earthmoving shall be minimized within the setback. [Sec. 65-233 (a)(1)(2)]
13. Article V of the City of Fairburn's Code of Ordinances is not intended to interfere with, abrogate or annul any other ordinance, rule or regulation, statute or other provision of law. The requirements of this article should be considered minimum requirements, and where any provision of this article imposes restrictions different from those imposed by any other ordinance, rule, regulation or other provision of law, whichever provisions are more restrictive or impose higher protective standards for human health or the environment shall be considered to take precedence. [Sec. 65-234]
14. If the project is of a type that may result in a disturbance of wetlands and is located within 50 feet of a wetlands protection district boundary, a U.S. Army Corps of Engineers determination shall be required. If the Corps determine that wetlands are present on the proposed development site, the locate permit or permission will not be granted until a section 404 permit or letter of permission is issued. [Sec. 80.111(f)(4)]
15. All stormwater runoff generated from a site shall be adequately treated before discharge. [Sec. 65-112]
16. If existing water mains and/or sanitary sewers must be extended to serve a development, the developer shall install or have installed the necessary extensions at no cost to the city under the existing city policy and procedures at plan approval time. [Sec. 71-74]

Fire: No comments at this time.

Water and Sewer:

City of Fairburn sewer is available towards the rear of the property. This sewer ultimately goes to the Fulton County system. Capacity coordination with Fulton would be necessary. The City of Fairburn water is available at front of the property.

## ZONING IMPACT ANALYSIS

### **A. Does the proposal permit a use that is suitable in view of the use and development of adjacent and nearby property?**

The applicant is requesting to rezone the subject property from C-2 (General Commercial) to PD (Planned Development) for a planned development consisting of 288 multi-family residential units, 4,000 square feet of commercial space, and 5.1 acres of conservation open space with a concurrent variance to reduce the required parking from 2 spaces per unit to 1.50 spaces per unit. There is a multi-family complex adjacent to the proposed site and vacant land to the rear of the site is zone RM-12 (Multi-family Residential).

Staff is of the opinion that the proposed use is suitable in view of the use and development of adjacent and nearby properties. The surrounding area consists of RM-36 (Multi-family Residential) and C-2 (General Commercial Residential) to the north, RM-12 (Multi-family Residential), R-CT (Residential Condominium/Townhouse), and R-4 Overlay (Single-family Residential) to the east, C-2 (General Commercial) to the south, and C-2 (General Commercial District), and PD (Planned Development) to the west.

### **B. Does the proposal adversely affect the existing use or usability of adjacent or nearby property?**

Staff is of the opinion that the proposal if approved will not have an adverse impact on the use or usability of adjacent or nearby properties. The surrounding properties have a variety of uses, including multi-family to the north, single-family residential lots to the east, and commercial to the south and west of the property.

**C. Does the property have a reasonable economic use as currently zoned?**

Staff is of the opinion that the subject property has a reasonable economic use as currently zoned.

**D. Will the proposal result in a use that could cause excessive or burdensome use of existing streets, transportation facilities, utilities or schools?**

**Traffic Impact and Improvements**

A traffic control light located at the intersection of Meadow Glen Pkwy and Senoia Road/Highway 74 will create easier and safer access for vehicles to travel onto Renaissance Pkwy and Senoia Road/Highway 74. Also, the forthcoming I-85 at SR 74/Senoia Road partial cloverleaf interchange project is expected to reduce congestion and provide capacity on the roadway. The project is currently in the right-of-way phase with an anticipated construction start date of Fall 2023.

The developer will be required to conduct a traffic study to determine existing traffic operating conditions in the vicinity of the proposed development, project future traffic volumes, assess the impact of the subject development, and develop conclusions and recommendations to mitigate the project traffic impacts and ensure safe and efficient existing and future traffic conditions in the vicinity of the project. The installation of deceleration lanes and left-turn lanes will be required at the proposed entrances to accommodate access to and from the proposed development and to meet projected traffic demand and/or safe operations unless deemed unwarranted by a traffic study. The installation of 5-ft sidewalks along the street frontage (Renaissance Pkwy) will be required.

**Impact on Schools**

Based on the Fulton County Schools' rezoning impact statement, the home schools for the proposed development are Oakley Elementary, Bear Creek Middle, and Creekside High School. The forecasted data for the 2021-2022 school year and the proposed impact of the multi-family development are as follows:

| HOME SCHOOL       | PROJECTED BASELINE ENROLLMENT | GADOE CAPACITY | EST. # NEW FCS STUDENTS GENERATED | PROJECTED UNDER/OVERCAPACITY |             |
|-------------------|-------------------------------|----------------|-----------------------------------|------------------------------|-------------|
|                   |                               |                |                                   | WITHOUT DEV                  | WITH DEV    |
| Oakley Elementary | 685 to 727                    | 875            | 10 to 73                          | -190 to -148                 | -180 to -75 |
| Bear Creek Middle | 1,110 to 1,178                | 1,075          | 4 to 19                           | 35 to 103                    | 39 to 122   |
| Creekside         | 1,719 to 1825                 | 1,900          | 4 to 49                           | -181 to -75                  | -177 to -26 |
| <b>TOTAL</b>      |                               |                | <b>18 to 141</b>                  |                              |             |

**POSITIVE** values indicate the number of students a facility is over the state capacity and **NEGATIVE** values indicate the number of students a facility is under state capacity. The capacity indicates space. However, due to the number of special programs, portable classrooms or other measures may be needed to accommodate the instructional needs of the school.

**E. Is the proposal in conformity with the policies and intent of the land use plan?**



The subject property is designated as Highway Mixed-Use on the Future Land Use Map.

The development strategies for the Highway Mixed-Use/Commercial Character Area, as referenced in the 2040 Comprehensive Plan are:

- Vibrant commercial corridors that provide a comprehensive array of goods and services to Fairburn residents as well as Coweta and Fayette County residents.
- Smaller scale, walkable retail centers with a variety of stores and shops.
- Developments that are accessible and safe for pedestrians and cyclists, as well as automobiles.
- To promote a variety of housing types in the area
- Limit multi-family densities to no more than 36 units acre.
- Building height should be limited to four (4) stories.
- Multi-family and townhomes should be used as a transition from intense commercial use to residential uses.

The appropriate land uses for the Highway Mixed-Use/Commercial Character Area are:

- Mixed-Use
- Retail Sales of Goods (Clothing, Shoes, Accessories, Gifts, Sporting Goods, etc.)
- Grocery Stores
- Restaurants/Cafés
- Drug Stores/Pharmacies
- Dry Cleaners
- Medical and professional offices/other service providers
- Theaters
- Multi-family housing
- Townhomes
- Lodging
- Transit-oriented development

The appropriate zoning districts in the Highway Mixed-Use/Commercial Character area include C-1 (Neighborhood Commercial), C-2 (General Commercial), O&I (Office Institutional), RM-12 (Multi-family Residential), RM-36 (Multi-family Residential), and PD (Planned Development). Staff believes the proposed planned development conforms with the 2040 Comprehensive Plan and Future Land Use Map.

**F. Are there existing or changing conditions that affect the use and development of the property which support either approval or denial of the proposal?**

Staff is of the opinion that there are no existing or changing conditions affecting the use and development of the property, which give supporting grounds for approval or denial of the applicant's proposal.

**G. Does the proposal permit a use that can be considered environmentally adverse to the natural resources, environment, and citizens of Fairburn?**

Staff is of the opinion that the proposal would not permit a use which could be considered environmentally adverse to the natural resource, environment, or citizens of Fairburn.

## VARIANCE CONSIDERATIONS

### Section 80-251 Variances Considerations:

- (1) Relief, if granted, would be in harmony with, or, could be made to be in harmony with, the general purpose and intent of this chapter; or
- (2) The application of the particular provision of this chapter to a particular piece of property, due to extraordinary and exceptional conditions pertaining to that property because of its size, shape, or topography, would create an unnecessary hardship for the owner while causing no detriment to the public.

The applicant is requesting a concurrent variance as outlined below.

1. Variance from section 80-337(b)(1) to reduce the required parking from 2 spaces per unit to 1.50 spaces per unit. (2020095)

#### *Findings:*

Staff is of the opinion that the request to reduce the required parking from 2 spaces per unit to 1.50 spaces per unit is in harmony with the intent of the Zoning Ordinance and would not be a detriment to adjacent properties. The proposed 288-unit multi-family residential development would require 576 parking spaces and the applicant is proposing 423 spaces and 30 garage spaces, a difference of 153 spaces. The off-street parking regulations do not provide separate standards for multi-family or single-family development. Both residential uses require 2 parking spaces per dwelling unit. The applicant is proposing 185 one-bedroom units, 93 two-bedroom units, and 12 three-bedroom units. The majority of the units are one and two-bedroom units; therefore, additional parking spaces will not be required to accommodate the number of proposed units. Additionally, the request is consistent with industry standards (1 to 1.5 spaces for 1 bedroom, 1.5 to 2 spaces for 2 bedrooms, and 1.75 to 2 spaces for 3 bedrooms). Therefore, based on these reasons, staff recommends **APPROVAL** of this variance request.

## STAFF RECOMMENDATION

Staff believes the proposed use of the property for a planned development with 288 multi-family residential units, 4,000 square feet of commercial space, and 5.1 acres of conservation open space conforms with the 2040 Comprehensive Plan and Future Land Use Map, which designates the site as Highway Mixed-Use. The rezoning of the property from C-2 (General Commercial) to PD (Planned Development) will not adversely affect the surrounding properties. There are multi-family residential and commercial uses in the vicinity of the subject property. The proposal to develop a planned development within the Highway 74/Senoia Road corridor is consistent with the Comprehensive Plan and Future Land Use Map. Also, an increase in residential density will provide a greater opportunity to attract quality retail and commercial development along the corridor. Therefore, based on these reasons staff recommends **APPROVAL CONDITIONAL**.

Should the Mayor and City Council decide to approve the rezoning request, the staff recommends the conditions listed below. The applicant's agreement to these conditions would not change staff's recommendations. These conditions shall prevail unless otherwise stipulated by the Mayor and City Council:

A. To the owner's agreement to restrict the use of the subject property as follows:

1. Multi-family residential units at a density no greater than 20 units per acre or 288 units, whichever is less.
2. Commercial use at 4,000 square feet (approx. 2,000 square feet per building)

- a. Permitted uses under C-2 (General Commercial) except liquor stores, car/truck rental or sale/leasing, auto repair/tire/body shop, auto supply store, parking lot/garage, recycling center, gasoline service station, and funeral services are specifically prohibited

B. To the owner's agreement to abide by the following:

The property shall be developed in substantial conformity with the Site Plan [Development Plan] prepared by b+c Studio and attached as Exhibit B. Said site plan is conceptual only and must meet or exceed the requirements of the City's ordinances prior to the approval of a Land Disturbance Permit. Any major deviation from this site plan is subject to approval by the City Engineer or designee.

C. To the owner's agreement to provide the following site development standards:

1. Development standards for the planned development shall be as follows:

- a. Building setbacks:
  - i. Front: 5-22 feet
  - ii. Side: 15-23 feet
  - iii. Rear: 15 feet

**Multi-family residential Use**

1. Minimum nine (9) foot ceilings. Excluding fur downs for HVAC and plumbing.
2. Full amenity package including recreation area, courtyards, swimming pool, fitness center, dog wash room, dog park, walking trail, and club room.
3. The number of three (3) bedroom units shall be limited to no more than ten percent (10%) of the total number of units.
4. Exterior materials shall be a minimum of thirty percent (30%) brick or stone and forty percent (40%) stone or other cementitious material.
5. All roof-mounted equipment shall be screened from the public right-of-way.
6. The property shall have an entry gate at all vehicular access points and a fence surrounding the residential portion of the property. Wood fencing material shall be prohibited. Stream buffers shall be excluded from this requirement.
7. Garages shall be provided for at least 10 -15 percent of the total number of units.
8. A multi-use wood chip/mulch trail (approx.. 1,300 linear feet) shall be included in the development.
9. A minimum of two (2) alternative fuel vehicle charging stations shall be included in the development.
10. Two (2%) percent of the residential units shall be allocated to public safety personnel (Police, Fire, EMT). Fairburn personnel shall have the first right of refusal.

**Commercial Use**

1. Refuse areas (trash containers) shall be placed in the least visible location from the public streets and shall be enclosed on three sides with brick, stone, or other cementitious materials used on the façade of the buildings.
2. The front façade of the commercial uses shall be a combination of brick, stone, glass, and/or other cementitious sidings.
3. Burger bars, steel gates, metal awnings, and steel roll-down curtains are prohibited on the exterior and interior of all structures.



## **General**

1. A master sign plan shall be created for the entire project. Internal sign lighting shall be prohibited. Exterior sign lighting for multi-family residential and commercial uses shall be of similar color, shape, material, and overall style.
2. Lighting fixture height, style, design, and illumination levels shall be compatible with the building design and height and shall consider safety, function, and aesthetics. Lighting fixtures installed along sidewalks shall be of a pedestrian scale and shall not exceed 20 feet in height.
3. All utilities shall be installed underground throughout the development area.
4. Pedestrian walkways (sidewalks) shall be designed and constructed to allow for connectivity between the multi-family, commercial, amenities, and open spaces throughout the development.
5. Parking located outside of the residential gated area shall be shared amongst the multi-family residential and commercial uses.
6. The following building façade materials are prohibited for the entire development:
  - a. Exterior Insulation Finishing Systems (EIFS)/Synthetic Stucco
  - b. Metal panel systems
  - c. Corrugated steel
  - d. Smooth concrete; masonry or plain
  - e. Cinderblock
  - f. Reinforced concrete slabs
  - g. Aluminum or vinyl siding
  - h. Plywood
  - i. Presswood
  - j. Mirrored (or use highly reflective) glass

## **ATTACHMENTS**

Letter of Intent

Site Plan [Development Plan]

Building Elevations

April 4<sup>th</sup>, 2022



Tarika Peeks

City of Fairburn Planning & Zoning Department

26 W. Campbellton St.

Fairburn, Ga 30213

Renaissance Pkwy Site

Parcel ID# 09F020100121204 & 09F070300270483

Dear Tarika Peeks,

As the potential owner of land lots 12, 13, 26 and 27 in district 9 of the City of Fairburn, we would like to propose a change from the current zoning of C-2 to the zoning of PD, with concurrent variance related to minimum parking spaces. The concurrent variance requested would reduce the minimum parking spaces from 2 spaces per unit to 1.50 spaces per unit. Under the zoning category of PD, the property will be used as a mixed-use development with multi-family residential, open space and retail/commercial. The site plan we have submitted utilizes densities of 20 units per acre, for a total of 288 apartment units. The apartment units will be accompanied by ground level retail, manicured park space, nature trails, extensive resort style amenities, as well as top-of-market unit finishes and design that will continue to improve on the quality of construction in the City of Fairburn.

From our experience in the Fairburn market, after developing and operating both Solstice and Crothouse Fairburn (now known as The Dylan at Fairburn), we have found 1.50 parking spaces per unit provides ample parking for the entire community to operate effectively and efficiently.

The SR-74 corridor provides a unique opportunity for high density mixed use, as called for by the City of Fairburn Comprehensive Plan 2015-2035. The locational advantage of SR-74 to I-85 means that many corporate professionals can choose this location over neighboring communities such as Peachtree City, Fayetteville, Newnan and Tyrone. With an ongoing 6 billion-dollar Hartsfield-Jackson expansion, as well as expansions by Amazon, Pinewood Studios, Atlanta Metro Studios, Walmart, Procter and Gamble and many others, we believe there is opportunity to continue to cultivate new residents for the Fairburn market. We believe that many of these new Fairburn residents will be young working professionals, many with disposable income. By granting South City Partners PD zoning rights, The City of Fairburn will be able to continue growing its population, which, in turn, offers the opportunity to continue fostering the growth of restaurants, retail and other small businesses experiencing difficulties outlined in the Fairburn Urban Redevelopment Plan.

The team at South City Partners looks forward to hearing from you.

Sincerely,

South City Partners

A handwritten signature in blue ink, appearing to read "SAR", is written over the printed name of Sean A. Rosko.

Sean A. Rosko

Project Manager





**RENAISSANCE PARKWAY**  
FAIRBURN, GEORGIA  
RENDERING • 02-25-2022

SCP2020-02

**DYNAMIK**  
DESIGN

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**RENAISSANCE PARKWAY**

FAIRBURN, GEORGIA  
CONCEPTUAL DESIGN - 04-03-2020  
SCP2020-02





**RENAISSANCE PARKWAY**

FAIRBURN, GEORGIA  
CONCEPTUAL DESIGN • 04-03-2020  
SCP2020-02





# RENAISSANCE PARKWAY

FAIRBURN, GEORGIA  
CONCEPTUAL DESIGN • 04-03-2020  
SCP2020-02







**SITE INFORMATION**

**LEGEND**

- MULTIFAMILY**
- (M1) 4 STORY (TYPE VA) - 2 BUILDINGS  
TOTAL : 132 UNITS (66 UNITS/BLDG)
  - (M2) 4 STORY (TYPE VA)  
TOTAL : 84 UNITS
  - (M3) 3 STORY (TYPE VA) - 2 BUILDINGS  
TOTAL : 72 UNITS (36 UNITS/BLDG)
- TOTAL UNITS : 288  
AVG HEATED AREA - MF : 875 SF (APPROX.)

- AMENITIES**
- (C1) MULTIFAMILY CLUB / LEASING  
TOTAL : 7,000 SF
  - (C2) MAINTENANCE / DOG WASH  
TOTAL : 950 SF

- GARAGES**
- (G) 6 BAY GARAGES  
NO. OF GARAGES : 5  
TOTAL GARAGE PARKING : 30 SPACES

- RETAIL**
- (R) RETAIL ON LEVEL ONE  
TOTAL : 4,000 (2,000 PER BUILDING)

**UNIT MIX:**  
64% one bedroom units  
32% two bedroom units  
4% three bedroom units



**ZONING DATA**

**DEVELOPER/OWNER:**  
South City Partners  
3715 Northside Parkway Suite 1-310  
Atlanta, GA 30327 PH. 404-287-0063  
www.southcitypartners.com

**PREPARED BY:**  
B+C Studio  
1320 Ellsworth Industrial Blvd.  
Atlanta, GA 30327  
PH. 678-990-7691

14.98 Acres Zoned: C-2

Proposed zoning/uses: PD (RM-36, C-2, Conservation Area)

1. Impervious surface including parking, drives, walks and buildings: +/- 325,000 SF
2. Wetland area .5 acres.
3. 5.1 acres conservation area provided (shaded area which is over 30% of site area).
4. Wood chip trail 1,300 lineal feet.

Required residential parking: 2 spaces/unit  
Provided residential parking 1.5 spaces/unit 432 spaces including 30 garage spaces

Required retail parking: 1/200 s.f. 20 spaces. Provided retail parking: 20 spaces

