



Planning and Zoning Commission  
Agenda  
Tuesday, June 4, 2024, at 7:00 p.m.  
Location: 56 SW Malone St Fairburn, GA 30213

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**A. Call to Order**

**B. Determination of a Quorum**

**C. Pledge of Allegiance**

**D. Approval of the Meeting Agenda**

**E. Approval of the Meeting Minutes**

1. Approval of the May 2024- Regular Meeting Minutes

**F. Public Comments**

**G. Old Business**

**1. Text Amendment (Applicant request to continue the item until July Meeting)**

Applicant: Safeguard Landfill Management c/o Henry Bailey-  
Text Amendment- Section 80-220(b)(11). The applicant requests to delete and replace Section 80- 220(b)(11)

**2. Use Permit (Applicant request to continue to the item until July Meeting)**

Applicant: Safeguard Landfill Management c/o Henry Bailey  
Request the expansion of the C&D Landfill  
Parcel ID: 07-260001540892, 7700 Roosevelt Hwy, Parcel ID: 07-260001350359, Bishop Rd  
Parcel ID: 07-260001540736, Bishop Rd, Parcel ID: 07-260001540744, Bishop Rd, Parcel ID: 07-260001540751, Bishop Rd  
Parcel ID: 07-290001551516, 6905 B Roosevelt Hwy, Parcel ID: 07-260001540876, Bishop Rd, Parcel ID: 07-290001551557,  
Roosevelt Hwy, Parcel ID: 07-290001551540, Roosevelt Hwy, Parcel ID: 07-290001551185, 7700 Bishop Rd

**H. New Business**

**1. 214, 224 Senoia Road**

Applicant: Landmark  
Request to review the subdivision plat.  
Property Location: 214 Senoia Road [Parcel ID: 09F101500470316] & 224 Senoia Road [Parcel ID: 09F101500470241] –  
Request to review the subdivision plat.

**2. H&H Resort**

Applicant: Moore Bass Consulting, LLC  
Request to review the conceptual plans for the golf course.  
Property Location: Durham Lake Parkway [Parcel ID: 07 1700001527387 and 7170001522487]

**3. Whataburger**

Applicant: Amy Pearce, Sevan Multi-Site Solutions  
Request to review the conceptual plans for the restaurant.  
Project Name: Whataburger  
Property Location: 8025 Senoia Road, Parcel ID: 09F070000271062

**4. Package Depot Retrofit**

Applicant: Ishwar Dayabhai, Architectural Design Workshop, P.C.  
Request to review updated elevations.  
Property Location: 7895 Senoia Road [Parcel ID: 09F070000270825]

**5. Text Amendment -Rental/Leasing Vehicles**

Applicant: Applicant: Speed Enterprises, LLC  
Request to review text amendment, automobile, and truck rental/leasing.



Planning and Zoning Commission  
Meeting Minutes

City Hall: 56 Malone Street,  
Fairburn, GA 30213  
Tuesday, May 7, 2024  
7:00 p.m.

LaVone Deavers, Chair  
Michelle James  
Lina Parker  
Elizabeth Echols

Planning Director: Denise Brookins  
Planner: Chancellor Felton  
City Attorney: Valerie Ross

- 
- A. **Call to Order:** The meeting was called to order at 7:00 pm by Chairwoman Deavers.
  - B. **Determination of a Quorum:** A quorum was determined, and the meeting proceeded.
  - C. **Pledge of Allegiance**
  - D. **Approval of the Meeting Agenda:**
    - 1. Commissioner James made a motion to approve the agenda. Commissioner Echols seconded.  
**THE MOTION CARRIED.**
  - E. **Approval of the Meeting Minutes:**
    - 1. Commissioner Echols made a motion to approve the April 2, 2024, minutes. Commissioner James seconded.  
**THE MOTION CARRIED.**
  - F. **Public Comments:**
    - 1. Chairwoman Deavers opened the floor to general, public comments.
    - 2. Chairwoman Deavers closed the floor, to general, public comments.
  - G. **Old Business:** None.
  - H. **New Business:**
    - 1. **Santa Maria Restaurant Concept Plan**

Applicant: Maria Arenas  
Address: 0 (8024) Senoia Road, Parcel ID: 09F070300260435  
Request to review the concept plan.

      - a. Chairwoman Deavers introduced the case. Chancellor Felton presented the case on behalf of Staff. Staff made a recommendation for approval. Chairwoman Deavers Jones opened the floor for the Commission to ask Staff questions.
      - b. Commissioner James asked if there is an outdoor eating area on the second floor. Mr. Felton said yes.
      - c. Chairwoman Deavers closed the floor to ask Staff questions and opened the floor to ask the applicant questions and address the Commission.
      - d. The applicant presented to the Commission.



- e. Commissioner James asked what food is served at Santa Maria. The applicant answered Latin food. The concept is “tapas,” which means small bites in English.
- f. Commissioner James inquired about the outdoor seating. The applicant said that outdoor seating is only on the second floor because of the constraints of the site (size and parking requirements).
- g. Commissioner James asked how much seating there would be. The applicant said tentatively 160-180 seats.
- h. Commissioner James asked if the second floor will be only outdoor seating or both indoor and outdoor seating. The applicant answered both.
- i. Chairwoman Deavers asked what food would be served, again. The applicant responded that “tapas” or appetizers would be served.
- j. Commissioner James asked how soon they could open. The applicant said that tentatively Summer 2025 to 2026 due to the supply issues in the construction industry.
- k. Commissioner Parker inquired about the hours of operations. The applicant said 11 AM to 12 AM Sunday through Thursday and 11 AM to 2 AM on Fridays and Saturdays, however, they are flexible to the City’s wants. Commissioner Parker is concerned about the apartments in the back of the restaurant.
- l. Commissioner Parker asked if the menu at Las Mariachis would be the same as Santa Maria. The applicant (who is also the owner of Las Mariachis) said no.
- m. Commissioner Echols asked if the concept of the restaurant is like sharing food (the tapas, appetizers) The applicant said yes. The applicant expounded on the concept with a scenario: an after-work gathering where you share food, have alcoholic beverages, converse, and relax.
- n. Commissioner Echols if the restaurant will be family-friendly. The applicant said yes.
- o. Commissioner James asked if there would be music outside. The applicant said yes.
- p. Commissioner Parker asked if seafood will be served. The applicant said yes.

Commissioner Echols made a motion to **APPROVE**. Commissioner James seconded.

**THE MOTION CARRIED.**

**2. Section 80-220 (Landfill, Solid Waste Disposal) Text Amendment**

Applicant: Henry Bailey (Safeguard Landfill Management)

Request to continue the item until the June meeting.

Commissioner James motioned to **TABLE**. Commissioner Echols seconded.

**THE MOTION CARRIED.**

**3. Landfill, Solid Waste Disposal Use Permit**

Applicant: Henry Bailey (Safeguard Landfill Management)

Addresses: 7700 Roosevelt Highway, Parcel ID: 07 260001540892; 0 Bishop Road, Parcel ID: 07 260001350359; 6905 Roosevelt Highway, Parcel ID: 07 290001551516; 0 Roosevelt Highway, Parcel ID: 07 290001551557; 0 Roosevelt Highway, Parcel ID: 07 290001551540; 7700 Bishop Road, Parcel ID: 07 290001551185; 0 Bishop Road, Parcel ID: 07 260001540876; 0 Bishop Road, Parcel ID: 07 260001540751; 0 Bishop Road; Parcel ID: 07 260001540744; 0 Bishop Road, Parcel ID: 07 260001540736

Request to continue the item until the June meeting.

Commissioner James made a motion to **TABLE**. Commissioner Echols seconded.

**THE MOTION CARRIED.**

**CITY OF FAIRBURN**

**I. Adjournment:**

1. Commissioner Echols motioned to adjourn the public meeting at 7:16 pm. Commissioner Parker seconded.

**THE MOTION CARRIED.**



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

To: Planning and Zoning Commission  
From: Denise Brookins, Planning and Zoning Director  
Date: June 4, 2024

Agenda Item: 214, 224 Senoia Road – 214 Senoia Road [Parcel ID: 09F101500470316] & 224 Senoia Road [Parcel ID: 09F101500470241] – Request to review the subdivision plat.

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**Agent/Applicant/Petitioner Information**

Applicant: Mollie Mayfield, Landmark Christian School, Inc.

Property Owner: Landmark Christian School, Inc.

**Background**

The sites are located at 214 and 224 Senoia Road in front of Tabernáculo Cristiano Restauración and the back of the sports fields of Landmark Christian School.

214 Senoia Road is currently zoned O&I (Office and Institutional) and 224 is zoned R-3 (Single-family Residential). 214 Senoia Road is approximately 1.52 acres, and 224 Senoia Road is approximately 2.58 acres.

**Discussion**

The applicant is proposing a replatting of the two sites into two sites: Tract 1 and Tract 2. Tract 1 is 3.05 acres and will remain as is. Tract 2 is 0.55 acres and will be sold to a potential buyer. An accurate, up-to-date, and certified survey is included. The subdivision plat meets the setback requirements of the O&I and R-3 zoning district.

**Staff Recommendations**

Staff recommends **APPROVAL** of the subdivision plat.



# CITY OF FAIRBURN

Planning & Zoning Department

## Subdivision Plat/ Plan Review- Submittal Form

Submittal Date: 2-12-24

Deadline: \_\_\_\_\_  
(Minimum 5 weeks prior to P & Z Commission meeting)

### PROJECT INFORMATION

Project Name: N/A - 224 subdivided lot-combure w/ 214 Senoia  
Address/Location of Project: 224 Senoia Road

Access to Property: \_\_\_\_\_

Tax Parcel ID #: 09F-1015-0047-024-1 Size of Project: 2+ acres + 09F-1015-0047-031-6

Zoning: R3+O4I No. of Lots (if applicable): 2

Zoning & Use of Adjacent Properties: R3+ O4I

Narrative/ Description for use of property/project (attach additional pages as necessary to provide greater detail):

to subdivide 224 Senoia to retain recreational space used by school and attach to 214 Senoia Road so road frontage is a part of the parcel. 214 Senoia + 224 (Rear) Senoia will be retained for school programming. 224 (Front) Senoia will be sold.

### CONTACT INFORMATION

Company Name: Landmark Christian School, Inc.

Contact Person: Mollie Mayfield

Mailing Address: 50 SE Broad Street, Fairburn, GA 30213

Phone: 678-466-2004

Fax: 770-969-6551

Email Address: mmayfield@landmark-cs.org

### UTILITY SERVICE PROVIDERS

Water: Fairburn Sewer: Fairburn Electric: Fairburn  
Gas: Gas South Cable: N/A Other: N/A

Concept Plat	Preliminary Plat	Construction Plans	Final Plat	If Applicable-Landscape Plan
<input type="checkbox"/> 1 <sup>st</sup> Submittal \$440 + \$3/lot <input type="checkbox"/> Resubmittal*	<input checked="" type="checkbox"/> 1 <sup>st</sup> Submittal \$460 + \$4/lot <input type="checkbox"/> Resubmittal*	<input type="checkbox"/> 1 <sup>st</sup> Submittal \$600 + \$8/lot <input type="checkbox"/> Resubmittal*	<input type="checkbox"/> 1 <sup>st</sup> Submittal \$300 + \$3/lot <input type="checkbox"/> Resubmittal*	<input type="checkbox"/> 1 <sup>st</sup> Submittal \$400 + \$5/lot <input type="checkbox"/> Resubmittal*
7 Copies- Staff Routes to:	7 Copies- Staff Routes to:	7 Copies- Staff Routes to:	7 Copies- Staff Routes to:	2 Copies- Staff Routes to:
___ Building/Prop. Manager ___ Engineer ___ Landscape Architect ___ Comm. Dev. Director ___ Fire Marshal ___ Planning & Zoning ___ Water & Sewer	___ Building/Prop. Manager ___ Engineer ___ Landscape Architect ___ Comm. Dev. Director ___ Fire Marshal ___ Planning & Zoning ___ Water & Sewer	___ Building/Prop. Manager ___ Engineer ___ Landscape Architect ___ Comm. Dev. Director ___ Fire Marshal ___ Planning & Zoning ___ Water & Sewer	___ Building/ Prop. Manager ___ Engineer ___ Landscape Architect ___ Comm. Dev. Director ___ Fire Marshal ___ Planning & Zoning ___ Water & Sewer	___ Engineer ___ Landscape Architect

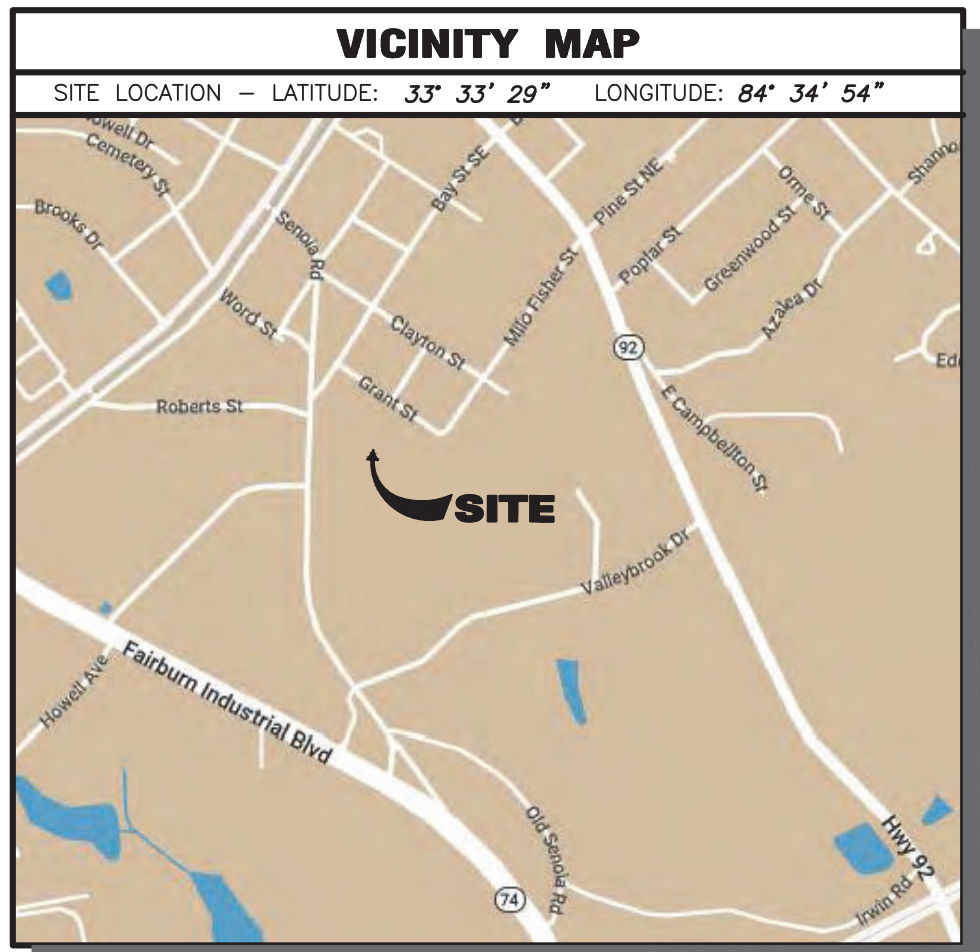
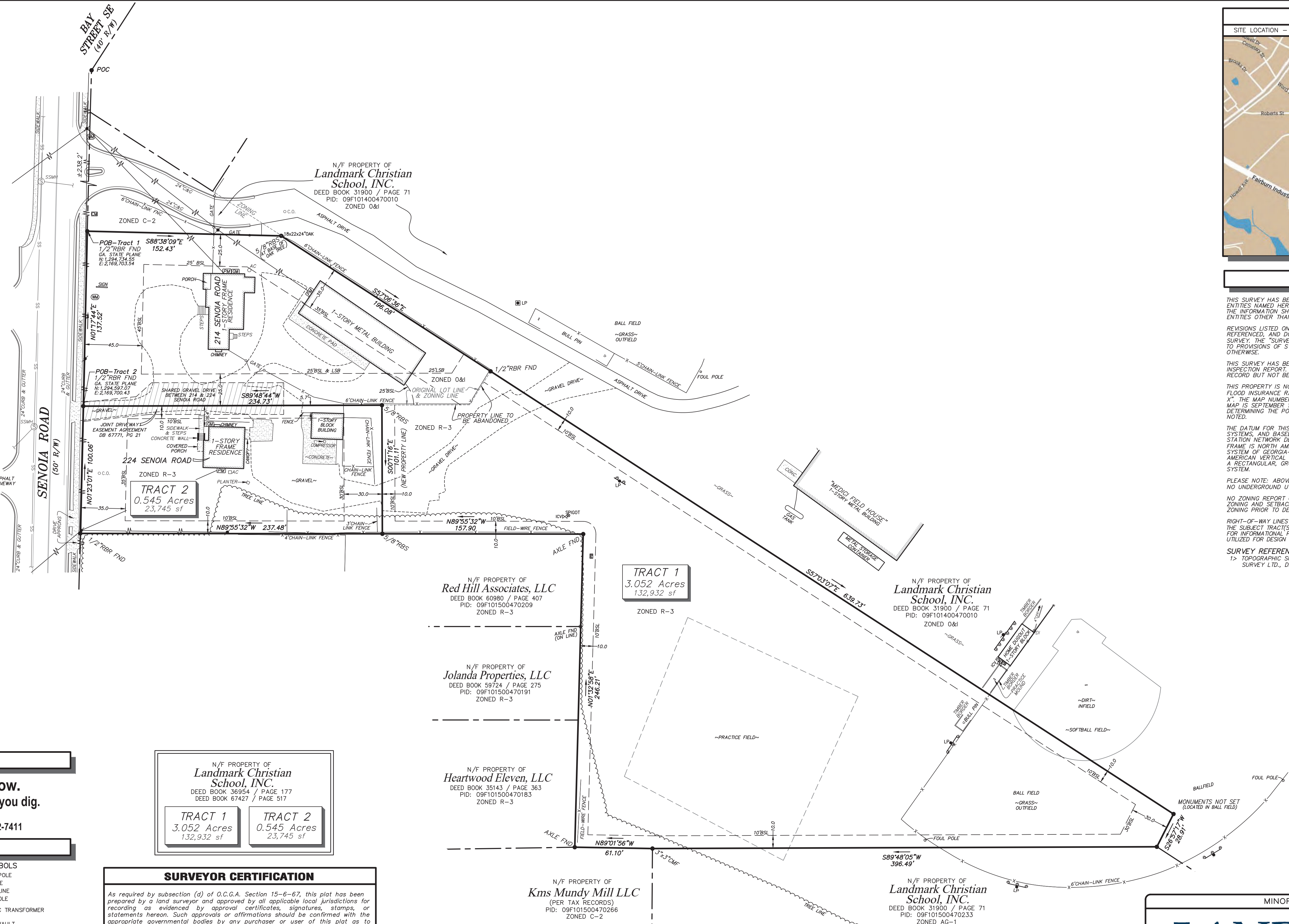
\* Resubmittals- Each subsequent resubmittal will incur a fee of \$200.

\$472<sup>00</sup> due



(CLERK OF COURT RECORDING INFORMATION)

GRID NORTH - GA. WEST ZONE



**GENERAL NOTES**

THIS SURVEY HAS BEEN PREPARED FOR THE EXCLUSIVE USE OF THE PERSON OR ENTITIES NAMED HEREON. NO EXPRESS OR IMPLIED WARRANTIES WITH RESPECT TO THE INFORMATION SHOWN HEREON IS TO BE EXTENDED TO ANY PERSONS OR ENTITIES OTHER THAN THOSE SHOWN HEREON.

REVISIONS LISTED ON THIS SURVEY APPLY ONLY TO THE SPECIFIC CHANGES REFERENCED, AND DO NOT CONSTITUTE AN UPDATE OF OTHER DATA ON THIS SURVEY. THE "SURVEY DATE" SHOWN HEREON IS THE APPLICABLE DATE AS RELATED TO PROVISIONS OF STATUTES OF LIMITATION UNLESS SPECIFICALLY NOTED OTHERWISE.

THIS SURVEY HAS BEEN PREPARED WITHOUT THE BENEFIT OF A CURRENT TITLE INSPECTION REPORT. EASEMENTS OR OTHER ENCUMBRANCES MAY EXIST ON PUBLIC RECORD BUT NOT BE SHOWN HEREON.

THIS PROPERTY IS NOT LOCATED IN A SPECIAL FLOOD HAZARD AREA BASED ON THE FLOOD INSURANCE RATE MAP FOR THIS AREA - THE FLOOD DESIGNATION IS "ZONE X". THE MAP NUMBER FOR THIS AREA IS 13121C0462R, AND THE DATE OF SAID MAP IS SEPTEMBER 18, 2013. THIS DETERMINATION WAS MADE BY GRAPHICALLY DETERMINING THE POSITION OF THIS SITE ON SAID FIRM MAPS UNLESS OTHERWISE NOTED.

THE DATUM FOR THIS SITE WAS ESTABLISHED UTILIZING GLOBAL POSITIONING SYSTEMS, AND BASED ON POSITIONAL VALUES FOR THE VIRTUAL REFERENCE STATION NETWORK DEVELOPED BY eGPS SOLUTIONS. THE HORIZONTAL REFERENCE FRAME IS NORTH AMERICAN DATUM OF 1983(2011)-STATE PLANE COORDINATE SYSTEM OF GEORGIA-WEST ZONE. THE VERTICAL REFERENCE FRAME IS NORTH AMERICAN VERTICAL DATUM OF 1988. ANY DIRECTIONS OR DIMENSIONS SHOWN ARE A RECTANGULAR, GROUND LEVEL PROJECTION OF THE STATE PLANE COORDINATE SYSTEM.

PLEASE NOTE: ABOVE GROUND UTILITIES ARE SHOWN HEREON. NO UNDERGROUND UTILITIES WERE MARKED OR LOCATED.

NO ZONING REPORT OR ZONING LETTER WAS PROVIDED TO THE SURVEYOR. ZONING AND SETBACKS SHOULD BE CONFIRMED AND VERIFIED BY PLANNING AND ZONING PRIOR TO DESIGN OR CONSTRUCTION ACTIVITIES.

RIGHT-OF-WAY LINES SHOWN ON THIS SURVEY THAT ARE NOT ACTUAL BOUNDARIES OF THE SUBJECT TRACT(S) ARE DEPICTED GRAPHICALLY AND ARE SHOWN APPROXIMATELY FOR INFORMATIONAL PURPOSES ONLY. SAID RIGHT-OF-WAY LINES SHOULD NOT BE UTILIZED FOR DESIGN PURPOSES.

**SURVEY REFERENCES**

1- TOPOGRAPHIC SURVEY OF LCS GARWOOD PARKING LOT, PREPARED BY GEO SURVEY LTD., DATED MAY 3, 2021.



Land Surveying • 3D Laser Scanning  
1660 Barnes Mill Road  
Marietta, Georgia 30062  
Phone: (770) 795-9900  
Fax: (770) 795-8880  
www.geosurvey.com  
EMAIL: info@geosurvey.com  
Certificate of Authorization #LSF-000621

**IF YOU DIG**

Know what's below.  
Call before you dig.  
Dial 811  
Or Call 800-282-7411

**LEGEND**

STANDARD ABBREVIATIONS	STANDARD SYMBOLS
AC	AIR CONDITIONER
BH	BORE HOLE
BL	BUILDING SETBACK LINE
CI	CURB INLET
CMP	CORRUGATED METAL PIPE
CMF	CONCRETE MONUMENT FND
CS	SANITARY CLEANOUT
CTED	COMMUNICATION PEDESTAL
CTP	CRIMPED TOP PIPE
DI	DROP INLET
DIP	DUCTILE IRON PIPE
DWCB	DOUBLE WING CATCH BASIN
FND	FOUND
GM	GAS METER
INV	INVERT
JB	JUNCTION BOX
LSB	LANDSCAPE BUFFER
MH	MANHOLE
NP	NAIL FOUND
OCS	OUTLET CONTROL STRUCTURE
OTP	OPEN TOP PIPE
PM	POWER METER
POB	POINT OF BEGINNING
POC	POINT OF COMMENCEMENT
RCP	REINFORCED CONCRETE PIPE
RFR	IRON REINFORCING BAR
RBS	5/8"RBR SET CAPPED LSF 621
SS	SANITARY SEWER
SWCB	SINGLE WING CATCH BASIN
TRANS	ELECTRIC TRANSFORMER
LP	LIGHT POLE
ET	ELECTRIC TRANSFORMER
WV	WATER VAULT
GV	GAS VALVE
GM	GAS METER
WV	WATER VALVE
WM	WATER METER
FH	FIRE HYDRANT
UE	UNDERGROUND ELECTRIC LINE
UG	UNDERGROUND GAS LINE
UC	UNDERGROUND COMMUNICATION LINE
UW	UNDERGROUND WATER LINE
PI	PHOTO POSITION INDICATOR
SP	REGULAR PARKING SPACE COUNT
HP	HANDICAP PARKING SPACE
TI	TREE POSITION INDICATOR
SI	SIGN

N/F PROPERTY OF  
**Landmark Christian School, INC.**  
DEED BOOK 36954 / PAGE 177  
DEED BOOK 67427 / PAGE 517

**TRACT 1**  
3.052 Acres  
132,932 sf

**TRACT 2**  
0.545 Acres  
23,745 sf

**SURVEYOR CERTIFICATION**

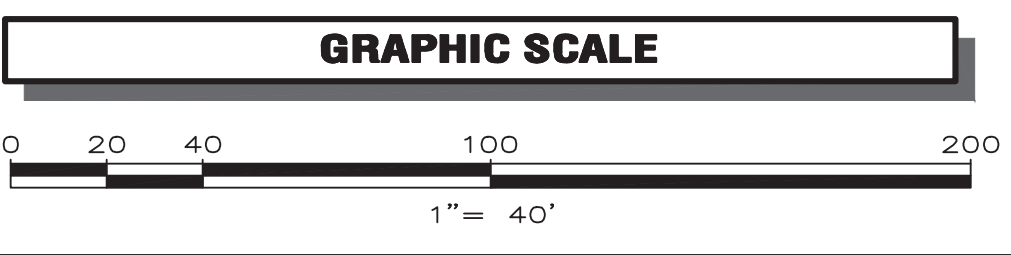
As required by subsection (d) of O.C.G.A. Section 15-6-67, this plat has been prepared by a land surveyor and approved by all applicable local jurisdictions for recording as evidenced by approval certificates, signatures, stamps, or statements hereon. Such approvals or affirmations should be confirmed with the appropriate governmental bodies by any purchaser or user of this plat as to intended use of any parcel. 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.

*Bradley D. Cash*  
No. 2840  
Georgia Registered  
Land Surveyor # 2840

BRADLEY D. CASH  
REGISTERED  
LAND SURVEYOR  
No. 2840

**CLOSURE STATEMENT**

THE FIELD CLOSURE UPON WHICH THIS PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 80,766, AND WAS NOT ADJUSTED USING THE LEAST SQUARES METHOD. A TRIMBLE "S" SERIES TOTAL STATION AND TRIMBLE TSC SERIES DATA COLLECTOR WERE USED TO COLLECT THIS FIELD DATA. THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND WAS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 447,054 FEET (L.S.E. INT).



MINOR SUBDIVISION

**LANDMARK CHRISTIAN SCHOOL**

GS JOB NO:	20216971	DRAWING SCALE:	1" = 40'	SURVEY DATE:	10-13-2023
FIELD WORK:	TM	CITY:	FAIRBURN	REVISIONS (SEE GENERAL NOTES)	
PROJ MGR:	GEE	COUNTY:	FULTON	STATE:	GA
REVIEWED:	BDC	LAND LOT:	47	1. 11/1/24	Revised Proposed Lines
DWG FILE:	20216971-2.dwg	DISTRICT:	9TH F	2. 4/23/24	Added Recorded Access Easmt Agree
				3. 5/9/24	Revised Setbacks per City comments





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

To: Planning and Zoning Commission  
From: Denise Brookins, Planning and Zoning Director  
Date: June 4, 2024

Agenda Item: H & H Resorts, LLC – Durham Lake Parkway [Parcel ID: 07 170001527387 and 07 170001522487] – Request to review the conceptual plans for the Durham Lakes golf course.

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**Agent/Applicant/Petitioner Information**

Applicant: Moore Bass Consulting, LLC  
Property Owner: H&H Resorts LLC

**Staff Review:**

The site is located along Durham Lake Parkway in the established master planned community. The subject parcel is located in development area 5 of the Durham Lake Golf and Country Club master planned community. When this development was originally annexed into the city, it was known as the Bear Claw Golf and Country Club, and it covered approximately 700 acres. Subsequently two major projects were split off from the original development, the Harbor Lakes Apartment, and the Parks at Durham Lakes Subdivision.

The Durham Lake Golf and Country Club rezoning was approved on August 11, 2003, as a planned, mixed-use development consisting of 570.45 acres. The approved uses included single-family detached residential, retail and office commercial and an 18-hole golf course.

Summary of the master plan permitted uses:

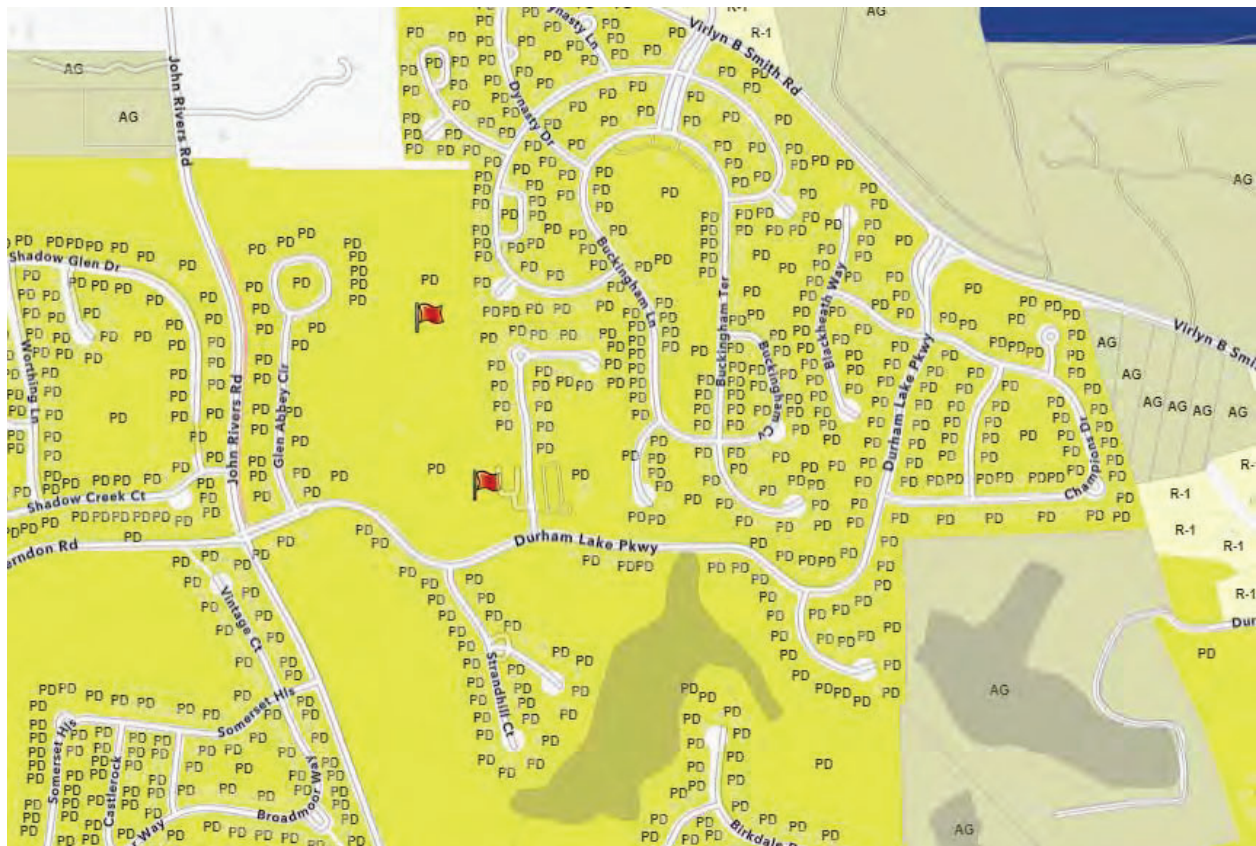
**Permitted Uses**

- A. Single-Family Detached Residential Dwellings
- B. Retail and Office Commercial
- C. 18-hole Golf Course
- D. Accessory Buildings and Uses Incidental to the Above Use
- E. Home Occupations
- F. Amenity Buildings, Facilities and Lands
- G. Publicly Owned Building, Facility and Lands
- H. Proposed Single-Family Attached Residential Dwellings

The proposed development consists of a private resort to be constructed in the vicinity of the existing Durham Lakes Golf Course Driving Range. The development will include construction of a resort style pool with center structure and observation deck, covered cabanas, restrooms, fitness center, kitchen / concessions area, welcome center and clubhouse. The development also includes an updated driving range with a 20-bay golf shed.

Access to the amenities associated with this development will be restricted to members of the resort.

**Site Location Map:**





**Staff Recommendations**

The master planned development guidelines only require all plans be submitted to the City of Fairburn.

The site is subject to all regulations in the approved ordinance. There are no details regarding materials or architectural design standards, thus staff recommends **APPROVAL** of the concept plans and elevations.

**Attachments:**

- 2003 Ordinance
- Application and Concept Plans



Re: REZONING ORDINANCE 2003 - 192  
Property of Durham Lakes Golf and Country Club  
Community; 570.45 acres; Land Lots 49 and 50,  
9F District; Land Lots 152,153,167,168,169,174  
and 175, 7<sup>th</sup> District; Fairburn,  
Fulton County, Georgia

**AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY  
OF FAIRBURN, GEORGIA, TO REZONE CERTAIN REAL PROPERTY  
WITHIN THE CITY LIMITS OF THE CITY OF FAIRBURN; TO PROVIDE  
FOR SEVERABILITY; TO PROVIDE AN EFFECTIVE DATE; TO REPEAL  
CONFLICTING ORDINANCES; AND FOR OTHER PURPOSES.**

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF  
FAIRBURN, GEORGIA, AND IT IS HEREBY ORDAINED BY AUTHORITY OF  
THE SAME THAT:

Section 1. The area of the City of Fairburn, known as the *Durham Lakes Golf and Country Club Tract*, as described in Exhibit A and Exhibit B, which are attached to and incorporated as part of this Ordinance, is hereby zoned **PD-02 Planned Development** unless and until changed, revised or amended.

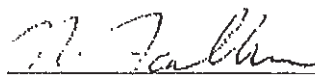
Section 2. In the event any section, subsection, sentence, clause, or phrase of this Ordinance shall be declared or adjudged invalid or unconstitutional, such adjudication shall in no manner affect the previously existing provisions of the other sections, subsections, sentences, clauses, or phrases of this Ordinance, which shall remain in full force and effect as if the section, subsection, sentence, clause or phrase so declared or adjudicated invalid or unconstitutional were not originally a part thereof. The City Council hereby declares that it would have passed the remaining parts of this Ordinance or retained the previously existing Ordinance if it had known that such part of parts hereof would be declared or adjudicated invalid or unconstitutional.

Section 3. This Ordinance shall become effective on the 12<sup>th</sup> day of August 2003.

Section 4. All Ordinances and parts of Ordinances in conflict with this Ordinance are repealed.

APPROVED this 11th day of August, 2003 by the Mayor and Council of the City of Fairburn, Georgia.

ATTEST:

  
\_\_\_\_\_  
City Clerk  
[SEAL]


  
\_\_\_\_\_  
Mayor

EXHIBIT B  
THE DURHAM LAKES GOLF AND COUNTRY CLUB COMMUNITY  
PD-02 Planned Development  
Approved August 11, 2003

I. Purpose

This is a planned, mixed-use development consisting of 570.45 acres located on the northwest side of the City, north of US Highway 29 and southwest of Virlyn B. Smith Road. It is more particularly described in Exhibit A. The planned uses are single-family detached residential, retail and office commercial, and an 18-hole golf course.

II. Permitted Uses

- A. Single-Family Detached Residential Dwellings (872)
- B. Retail and Office Commercial (714,000 square feet)
- C. 18-hole Golf Course
- D. Accessory Buildings and Uses Incidental to the Above Use
- E. Home Occupations
- F. Amenity Buildings, Facilities and Lands
- G. Publicly Owned Buildings, Facilities and Lands

III. Development Standards

AREA 1:

- 1-A. Development Area 1 is a residential component of this mixed-use development project. It is comprised of 117.6 acres.
- 1-B. Maximum Number of Residential Lots = 423.
- 1-C. Minimum Lot Area = 6000 square feet.
- 1-D. Minimum Lot Width = 50 feet, at front building setback line.
- 1-E. Minimum Heated Floor Area = 1400 square feet.
- 1-F. Minimum Front Yard = 25 feet.
- 1-G. Minimum Side Yard = 5 feet.
- 1-H. Minimum Rear Yard = 25 feet, 60 feet adjacent to golf course.
- 1-I. Maximum Building Height = 35 feet.

AREA 2:

- 2-A. Development Area 2 is a residential component of this mixed-use development project. It is comprised of 46 acres.
- 2-B. Maximum Number of Residential Lots = 157.
- 2-C. Minimum Lot Area = 6000 square feet.
- 2-D. Minimum Lot Width = 65 feet, at front building setback line.
- 2-E. Minimum Heated Floor Area = 1500 square feet.
- 2-F. Minimum Front Yard = 25 feet.
- 2-G. Minimum Side Yard = 5 feet.
- 2-H. Minimum Rear Yard = 25 feet, 60 feet adjacent to golf course.
- 2-I. Maximum Building Height = 35 feet.

AREA 3:

- 3-A. Development Area 3 is a residential component of this mixed-use development project. It is comprised of 160.45 acres.
- 3-B. Maximum Number of Residential Lots = 292.
- 3-C. Minimum Lot Area = 11,250 square feet.
- 3-D. Minimum Lot Width = 80 feet.
- 3-E. Minimum Heated Floor Area = 1600 square feet.
- 3-F. Minimum Front Yard = 30 feet.
- 3-G. Minimum Side Yard = 10 feet.
- 3-H. Minimum Rear Yard = 30 feet, 60 feet adjacent to golf course.
- 3-I. Maximum Building Height = 35 feet.

AREA 4:

- 4-A. Development Area 4 is the 18-hole golf course component of this mixed-use development project. It is comprised of 175 acres.
- 4-B. No building shall exceed 35 feet in height or be located within 40 feet of an adjacent property line.

AREA 5:

- 5-A. Development Area 5 is the retail/office commercial component of this mixed-use development project. It is comprised of 71.4 acres.
- 5-B. The total floor area of commercial space shall not exceed 714,000 square feet.
- 5-C. All development within this commercial area shall be in accordance with the requirements of Section 4.16 C-2 Highway Commercial District.

IV. Design Standards

- A. Off-street parking shall be provided as specified in Article 13 of the Zoning Ordinance.
- B. Buffers shall be provided as specified in Article 14 of the Zoning Ordinance.
- C. All Utilities shall be installed underground throughout this project area.
- D. Sidewalks shall be provided throughout this project area and shall be designed to interconnect the various mixed-use areas.

The planned development could be more fully described as follows:

***PD Planned Development District, PD-08 (Durham Lakes Commercial)***

This planned development district is located in Land Lots 167 & 175 of the 7<sup>th</sup> Land District and Land Lots 49 & 50 of the 9<sup>th</sup> Land District of Fulton County, Georgia in the City of Fairburn, further described as located northeast of Johns River Road, northwest of Roosevelt Highway (GA Hwy 29), and southwest of Virlyn B. Smith Road. Access to the commercial sites is through Johns River Road, Roosevelt Highway and Virlyn B. Smith Road.

It is comprised of 71.4 acres. Its land use will be highway service business commercial with a minimum lot size of ½ acre.

**Commercial Development – C-2 Highway Service Business:**

1. Permitted Uses:
  - a. Those uses as defined in the City of Fairburn Zoning Ordinance, Article 4, Section 4.16.2.
  
2. Conditional Uses:
  - a. Those uses as defined in the City of Fairburn Zoning Ordinance, Article 4, Section 4.16.3.
  
3. Development Standards:
  - a. Those uses as defined in the City of Fairburn Zoning Ordinance, Article 4, Section 4.16.4;
  - b. The total floor area of commercial space shall not exceed 714,000 square feet.
  
4. Design Standards:
  - a. Those design standards as defined in the City of Fairburn Zoning Ordinance, Article 4, Section 4.16.5.

## EXHIBIT "B"

All that tract or parcel of land lying and being in Land Lots 152, 153, 167, 168, 169, 174, 175 and 176 of the Seventh Land District of Fulton County, Georgia and in Land Lots 49 and 50 of the 9F Land District of Fulton County, Georgia as described in that certain plat of survey prepared by McFarland, Dyer & Associates, Inc. dated January 19, 2000. Said property being more particularly described according to said plat as follows:

To find the True Point of Beginning, begin at the point of intersection of the Easterly right of way of Herndon Road (40' R/W) and the Southerly right of way of Virlyn B. Smith Road (aka Herndon Road 60' R/W); thence run along the Southerly right of way of Virlyn B. Smith Road (aka Herndon Road 60' R/W) S 65°00'03" E a distance of 46.30 feet to a point; thence continue to run along said right of way along the arc of a curve an arc distance of 532.97 feet, said arc being subtended by a chord S 53°22'09" E with a chord distance of 530.03 feet to a point, said point being the True Point of Beginning. From said True Point of Beginning, leaving said right of way thence run S 14°18'00" E a distance of 735.90 feet to a point; thence run S 87°51'00" W a distance of 336.80 feet to a point; thence run S 15°07'30" E a distance of 1512.80 feet to a point; thence run S 88°00'10" E a distance of 1057.10 feet to a point; thence run N 01°34'29" W a distance of 1073.00 feet to a point; thence run S 87°18'10" W a distance of 772.00 feet to a point; thence run N 00°10'29" E a distance of 795.60 feet to a point; thence run S 88°41'10" W a distance of 339.50 feet to a point; thence run N 89°45'05" W a distance of 762.54 feet to a point; thence run N 01°33'36" W a distance of 45.75 feet to a point; thence run S 89°13'40" W a distance of 300.18 feet to a point; thence run N 84°07'47" W a distance of 61.43 feet to a point; thence run S 88°25'43" W a distance 1026.28 feet to a point; thence run S 83°13'09" W a distance of 478.73 feet to a point; thence run S 00°18'14" E a distance of 1,883.11 feet to a point; thence run S 89°50'59" E a distance of 349.84 feet to a point; thence run S 00°17'56" W a distance of 286.67 feet to a point on the Northerly right of way of Herndon Road (60' R/W); thence crossing said right of way run S 03°25'15" E a distance of 76.57 feet to a point along the southerly right of way of Herndon Road (60' R/W); leaving said right of way thence run S 01°57'16" W a distance of 50.86 feet to a point; thence run S 62°28'16" a distance of 348.39 feet to a point; thence run S 35°39'37" W a distance of 343.42 feet to a point; thence run S 27°16'44" W a distance of 229.47 feet to a point; thence run S 00°20'28" E a distance of 638.19 feet to a point; thence run S 31°22'22" E a distance of 676.05 feet to a point; thence run S 84°35'20" E a distance of 10.77 feet to a point; thence run S 84°35'20" E a distance of 113.57 feet to a point; thence run S 75°31'12" E a distance of 204.89 feet to a point; thence run N 81°59'54" E a distance of 72.56 feet to a point, thence run N 62°09'27" E a distance of 130.40 feet to a point, thence run N 08°17'20" E a distance of 240.01 feet to a point thence run N 31°37'53" W a distance of 106.27 feet to a point, thence run N 76°02'54" E a distance of 98.36 feet to a point; thence run N 45°27'02" E a distance of 59.12 feet to a point; thence run N 56°38'22" E a distance of 106.98 feet to a point; thence run N 78°03'01" E a distance of 81.76 feet to a point; thence run N 78°23'43" E a distance of 115.19 feet to a point; thence run S 78°02'15" E a distance of 532.38 feet to a

**Written Report for  
Durham Lakes Golf and Country Club  
PD Zoning Request  
Prepared July 29, 2003**

**1. General Description of Development:**

Durham Lake Development, LLC proposes the rezoning of a tract of land containing 570.45 acres, located on the northwest side of Interstate 85 and on the south side of Virlyn B. Smith Road. The property is located in Land Lots 152, 153, 167, 168, 174, 175, and 176 of the 7<sup>th</sup> District and Land Lots 49 and 50 of the 9<sup>th</sup> District. The zoning request is for PD, Planned Development. The development is proposed as a mixed-use development containing several different single-family residential types, commercial uses and an 18-hole golf course.

**Development Area 1**

Development Area 1 consists of approximately 423 single-family residential lots on 117.6 acres, containing a minimum of 6,000 square feet of area and a minimum lot width of 50 feet. The development proposes curb and gutter streets, underground utilities and central potable water and sanitary sewer service. Houses will contain a minimum of 1,400 square feet of heated space for all lots. House plans will comply with the Durham Lake Development Standards and will be reviewed and approved by the developer prior to construction commencement to ensure quality controls are maintained. Sidewalks will interconnect through the majority of the development areas providing continuous pedestrian access throughout the project.

Setbacks:       Front - 25'   Side - 5'   Rear - 25'

**Development Area 2**

Development Area 2 consists of approximately 157 single-family residential lots on 46 acres, containing a minimum of 6,000 square feet of area and a minimum lot width of 65 feet. The development proposes curb and gutter streets, underground utilities and central potable water and sanitary sewer service. Houses will contain a minimum of 1,500 square feet of heated space for all lots. House plans will comply with the Durham Lake Development Standards and will be reviewed and approved by the developer prior to construction commencement to ensure quality controls are maintained. Sidewalks will interconnect through the majority of the development areas providing continuous pedestrian access throughout the project.

Setbacks:       Front - 25'   Side - 5'   Rear - 25'

**Development Area 3**

Development Area 3 contains approximately 292 single-family residential lots on 160.45 acres, containing a minimum of 11,250 square feet of area and a minimum lot width of 80 feet. The development proposes curb and gutter streets, underground utilities and central potable water and sanitary sewer service. Houses will contain a minimum of 1,600 square feet of heated space for all lots. Architectural plans will be reviewed and approved by the developer prior to construction commencement to ensure quality controls are maintained as outlined in the Durham Lake Development Standards. Sidewalks will interconnect through the majority of the development areas providing continuous pedestrian access throughout the project.

Setbacks:       Front - 30'   Side - 10'   Rear - 30'



**Development Area 4**

Development Area 4 consists of the construction of an 18-hole, daily fee golf course, designed by golf course architect Scott Pool. The current golf routing winds golf holes through the development site, working around and with wetlands and other environmental features and contains approximately 175 acres of land. An onsite wetland delineation has been performed over the subject tract to aid in effective master planning and permitting. The developer has also employed Moore Bass Consulting Inc. Environmental Scientists to permit any wetland impacts necessary for the construction of the golf course or any other component of the development with the U.S. Army Corps of Engineers jurisdiction.

**Development Area 5**

Development Area 5 is the commercial / retail component of the development and contains approximately 71.4 acres of land located within the subject tract. It is estimated that the proposed commercial density will be approximately 10,000 SF per acre, totaling 714,000 SF of commercial / retail space. A majority of the commercial property within the development is located along U.S. Highway 29 (Roosevelt Highway) providing convenient access to all residents of Durham Lake and the surrounding community. Architectural plans will be reviewed and approved prior to construction commencement to ensure quality controls are maintained as outlined in the Durham Lake Development Guidelines. Setbacks are as required in the zoning ordinance.

**2. Water supply and sewage disposal:**

<u>Utility</u>	<u>Utility Provider</u>
Water:	City of Fairburn and/or The City of Atlanta
Sanitary Sewer:	City of Fairburn and/or Fulton County
Electric:	Greystone E.M.C.
CATV:	City of Fairburn

Projected Demand

See Attachment "A"

**3. Proposed storm water drainage system:**

The development proposes curb and gutter streets with an internal piping system. It is the intent of the development to utilize the existing lakes as detention facilities. Final hydrological calculations will be provided as needed to verify that capacity is available in these areas. If adequate detention capacity is not available in the existing lakes, then additional on-site detention facilities will be constructed as necessary to meet the current City of Fairburn ordinance as of the date of this application. It is anticipated that all proposed detention facilities will be owned and maintained by the Durham Lake Homeowner's Association.

**4. Average Daily Traffic and Peak Hour(s) Vehicle Trips Estimates:**

See Attachment "B".

**5. Proposed Development Standards:**

- a. Development use: Single-family Residential, Commercial and Golf Course
- b. Density restrictions; 2.0 Units/ Acre (Gross) (Density is calculated by dividing total number of single-family units by the total site area , less all commercial and multi-family areas)
- c. Yard requirements: See typical lot details on attached site plan.
- d. Parking requirements: The development proposes to provide parking for the commercial areas as required by the current City of Fairburn Zoning Ordinance as of the date of this application for commercial/retail uses. In addition, each single-family residential lot will provide a minimum of two vehicular parking areas.

**6. Plans for the Protection of Adjacent Properties:**

Buffers, setbacks, landscaping and screening requirements will be designed and permitted in accordance with the current City of Fairburn Zoning Ordinance as of the date of this application. Twenty-Foot Buffers have been provided between all commercial properties and single-family residential properties and are shown on the attached master plan.

**7. Land or Infrastructure Proposed for Dedication to the City of Fairburn**

The rights of way of the proposed roads will be dedicated to the City of Fairburn. The proposed roads total approximately 7.5 miles in length and approximately 47 acres in right-of-way dedicated area. In addition, all sanitary sewer and water mains will be dedicated to the City of Fairburn once constructed. Permanent easements will be granted over all utility mains as required by the City of Fairburn.

**8. Architectural Plans:**

Architectural Plans will be submitted to the City of Fairburn as required during the building permit process.

**9. Open Space Uses and Areas:**

The current Fairburn PD Ordinance requires the developer to set aside 25% of the total site area as open space. With the total site area being approximately 570.45 acres, 25% of the site area is approximately 142.5 acres. The development proposes the following mixture of open space areas to fulfill this requirement.

Golf Course (1/2 of total):	87.5 acres
Other Recreational/ Open Space Areas:	<u>55.5 acres</u>
Total	143 acres

These other recreational open space areas will be used for parks, lakes, walking trails, nature sites, picnic areas, ect. to be maintained by the future Homeowners Association.

**10. Outdoor Lighting Plan:**

Outdoor Lighting Plans showing location, height, fixture type and wattage will be provided during the final permitting stage of each phase of the development. Typical lighting standards are anticipated to be as follows:

Light Pole Height: 16-25 feet



Light Pole Spacing: 200-400 feet  
Street Light Wattage: 150-165 watts

**11. Project Completion Schedule:**

The overall development is intended to be completed by the year 2021. For detailed scheduling, refer to the attached "Phasing Plan".

**12. Proposed variations from Fairburn Zoning Ordinance:**

- The development may have islands in the cul-de-sacs or traffic circles.
- Lot sizes and setbacks may differ from the requirements in the zoning ordinance as shown on the master plan.
- The developer is not responsible for bonding the Planned Development.
- The developer is not responsible for the upgrading of any adjacent roads with the exception of the existing gravel road Durham Lakes Road. Durham Lakes Road will be paved to the entrance of the Multi-family development.
- Acceleration lanes shall not be required.

**General Notes:**

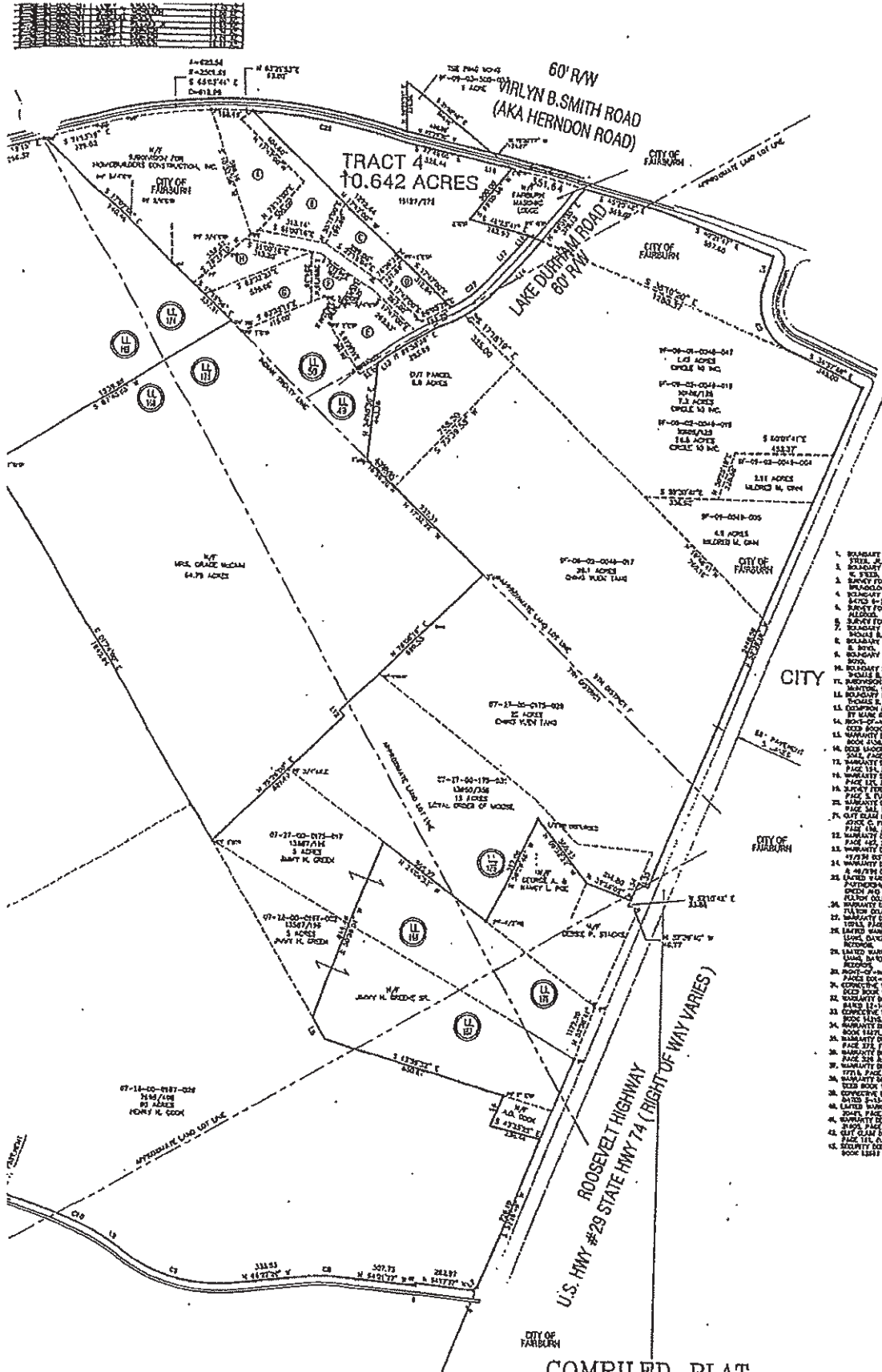
It is understood that this Master Plan as proposed will not exceed the number of lots as approved on the Master Plan Layout. The lots, road alignments, and phasing plan as illustrated are meant to be conceptual in nature and may be amended by the developer without the need for a new Zoning Hearing as long as the total number of lots has not increased. The master plan document should be made a portion of the official action taken by the City of Fairburn. When there is a conflict between this agreement and the City of Fairburn Zoning Ordinance this agreement shall govern.

point; thence run S 54°02'47"E a distance of 34.66 feet to a point; thence run N 88°43'09" E a distance of 92.99 feet to a point; thence run S 80°20'12" E a distance of 64.82 feet to a point; thence run N 66°20'24" E a distance of 122.95 feet to a point; thence run N 55°58'52" E a distance of 50.14 feet to a point; thence run N 42°25'56" E a distance of 47.97 feet to a point; thence run N 58°46'51" E a distance of 60.00 feet to a point along the northerly right of way of Johns River Road (60' R/W); thence run along the northerly right of way of Johns River Road (60' R/W) along the arc of a curve an arc distance of 355.78 feet, said arc being subtended by a chord bearing S 37°49'48" E with a chord distance of 354.99 feet to a point, thence run along the northern right of way of Johns River Road (60' R/W) S 40°49'19" E a distance of 216.77 feet; thence run along the northern right of way of John River Road (60' R/W) S 41°09'54" E a distance of 1,016.78 feet to a point; thence continue to run along the said right of way along the arc of a curve an arc distance of 279.70 feet, said arc being subtended by a chord bearing S 35°33'59" E with a chord distance of 279.10 feet to a point; thence continue along said right of way S 26°37'41" E a distance of 84.35 feet to a point; thence continue along said right of way along the arc of a curve an arc distance of 559.70 feet, said arc being subtended by a chord bearing S 43°07'46" E with a chord distance of 545.96 feet to a point; thence continue along said right of way S 66°22'20" E a distance of 333.53 feet to a point; thence continue along said right of way along the arc of a curve an arc distance of 210.91 feet, said arc being subtended by a chord bearing S 59°55'55" E with a chord distance of 210.43 to a point; thence continue along said right of way S 54°21'27" E a distance of 307.73 feet to a point; thence continue along said right of way N 35°45'24" E a distance of 10.10 feet to a point; thence continue along said right of way S 54°17'37" E a distance of 262.97 feet to a point; thence continue along said right of way N 81°51'20" E a distance of 25.92 feet to a point located on the westerly right of way of Roosevelt Highway (U.S. Highway #29/Georgia Highway 74) (Right of way Varies); thence run along the westerly right of way of Roosevelt Highway (U.S. Highway #29/Georgia Highway 74) N 52°19'49" E a distance of 728.10 feet to a point; thence continue along said right of way N 52°38'41" E a distance of 1122.20 feet to a point; thence run N 37°39'40" W a distance of 49.77 feet to a point; thence run N 52°10'43" E a distance of 23.86 feet to a point; thence run N 52°10'43" E a distance of 86.33 feet to a point, thence run S 37°39'40" E a distance of 49.77 feet to a point, along the westerly right of way of Roosevelt Highway (U.S. Highway #29/Georgia Highway 74); thence along the westerly right of way of Roosevelt Highway (U. S. Highway #29/Georgia Highway 74) N 52°39'18" E a distance of 2,448.56 feet to a point, thence leaving said right of way run N 34°37'48" W a distance of 343.00 feet to a point; thence run N 38°10'20" W a distance of 1,280.37 feet to a point; thence run N 46°23'41" W a distance of 282.90 feet to a point; thence run N 69°05'56" E a distance of 300.00 feet to a point along the southern right of way of Virlyn B. Smith Road (aka Herndon Road – 60' R/W); crossing said right of way thence run N 19°30'17" W a distance of 124.97 feet to a point on the northern right of way of Virlyn B. Smith Road (aka Herndon Road 60' R/W); thence run along the northern right of way of Virlyn B. Smith Road (aka Herndon Road 60' R/W) N 47°28'30" W a distance of 400.00 feet to a point; leaving said right of way thence run N 28°25'51" E a distance of 224.56 feet to a point; thence run S 21°52'48" E a distance of 504.16 feet to a point along the northern right of way of Virlyn B. Smith Road (aka Herndon Road 60'

R/W); crossing said right of way thence run S 19°30'17" E a distance of 124.97 feet to a point along the southern right of way of Virlyn B. Smith Road (aka Herndon Road 60' R/W); thence run along the southern right of way of Virlyn B. Smith Road (aka Herndon Road - 60' R/W) N 48°15'56" W a distance of 183.95 feet to a point; thence continue along said right of way N 47°49'05" W a distance of 326.44 feet to a point; thence continue along said right of way along the arc of a curve an arc distance of 717.58 feet, said arc being subtended by a chord bearing N 50°25'01" W with a chord distance of 715.71 feet to a point; leaving said right of way thence run S 83°21'53" W a distance of 63.80 feet to a point; thence run S 17°47'00" E a distance of 404.60 feet to a point; thence run S 72°13'00" W a distance of 300.00 feet to a point; thence run S 84°59'16" W a distance of 44.64 to a point; thence run S 78°25'15" W a distance of 339.32 feet to a point; thence run N 17°02'04" W a distance of 940.46 feet to a point along the southern right of way of Virlyn B. Smith Road (aka Herndon Road 60' R/W); thence continue along the southern right of way of Virlyn B. Smith Road (aka Herndon Road 60' R/W) N 73°19'15" W a distance of 256.37 feet to a point; thence continue along said right of way along the arc of a curve an arc distance of 752.73 feet, said arc being subtended by a chord bearing N 59°13'27" W with a chord distance of 744.35 feet to a point; thence run N 44°16'49" W a distance of 738.49 feet to a point and the True Point of Beginning.



Land Planning  
 Landscape Architecture  
 Civil Engineering  
 Land Surveying  
 3550 Lawrenceville-Sumner Rd.  
 Suite 102  
 Suwanee, Georgia 30038  
 Phone (770) 931-6550

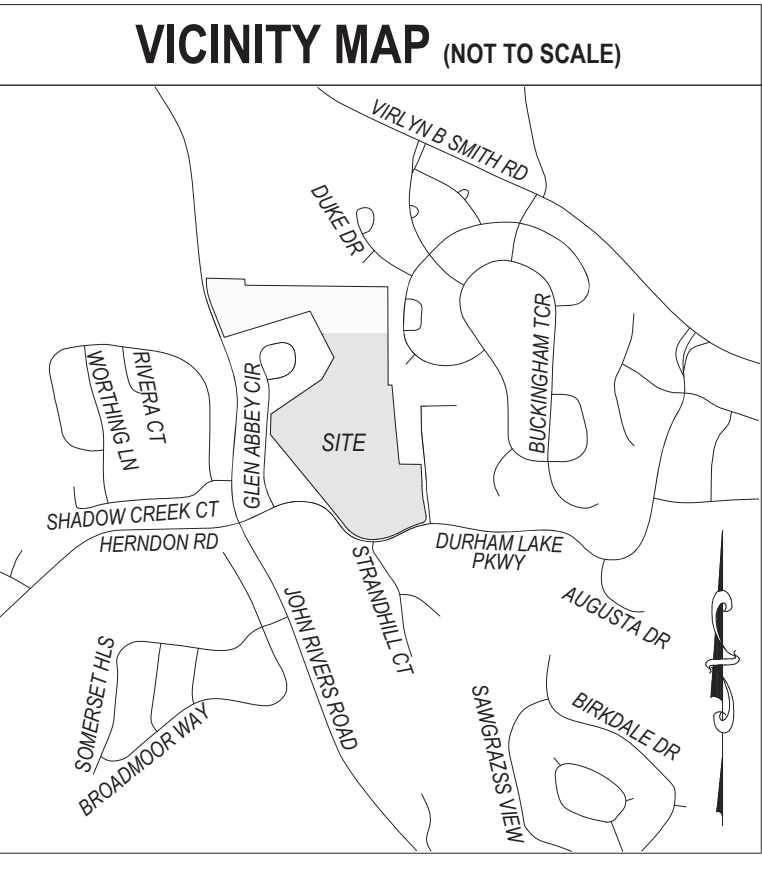
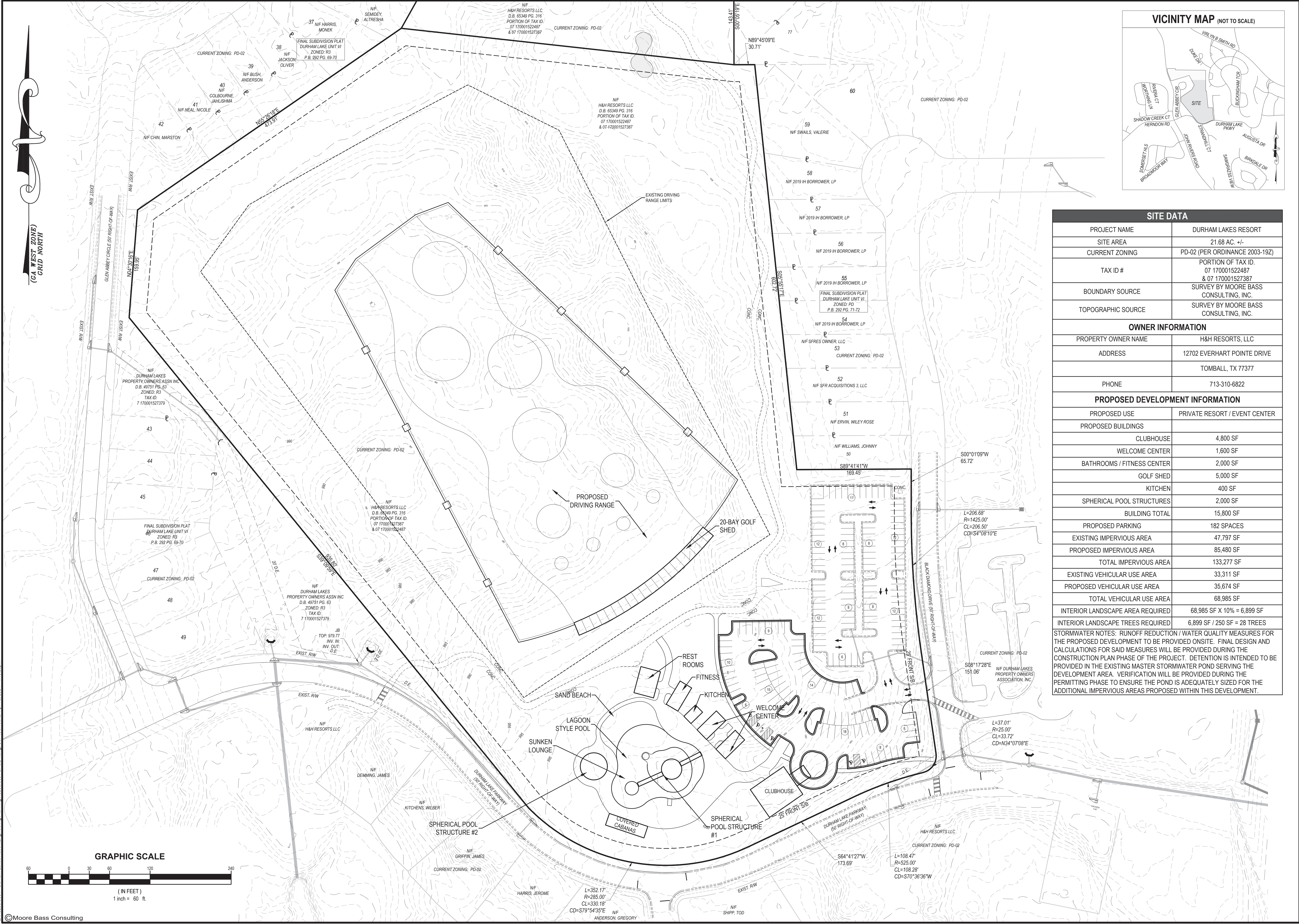


1. BOUNDARY SURVEY FOR AME M. BROOKS, DATED 3-7, BY JERRY W. STELL, JR.
2. BOUNDARY SURVEY FOR RICHARD A. BURGESS, DATED 8-1-74, BY JERRY W. STELL, JR.
3. SURVEY FOR E. HOWARD GARDNER, DATED 1-23-73 BY DONALD A. WOODRUM, BOOK 104, PAGE 11.
4. BOUNDARY SURVEY FOR HENRY C. BARNES AND BARNES BARNES, DATED 6-1-74 BY J. ALY ALCOCK, BOOK 111, PAGE 7.
5. BOUNDARY SURVEY FOR HENRY C. BARNES AND BARNES BARNES, DATED 11-17-74, BY J. ALY ALCOCK.
6. BOUNDARY SURVEY FOR HENRY C. BARNES, DATED 11-17-74, BY J. ALY ALCOCK.
7. BOUNDARY SURVEY FOR JOHN WOODRUM COMPANY, DATED 3-27-41 BY J. ALY ALCOCK.
8. BOUNDARY SURVEY FOR RICHARD A. BURGESS, DATED 3-14-43 BY DONALD A. WOODRUM.
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COMPILED PLAT  
 LOCATED IN  
 LAND LOTS 152,153,167,168,169,174,175 & 176 ~ 7th DISTRICT  
 LAND LOTS 49 & 50 ~ 9th DISTRICT F  
 FULTON COUNTY, GEORGIA

JANUARY 19, 2000





SITE DATA	
PROJECT NAME	DURHAM LAKES RESORT
SITE AREA	21.68 AC. +/-
CURRENT ZONING	PD-02 (PER ORDINANCE 2003-192)
TAX ID #	PORTION OF TAX ID, 07 170001522487 & 07 170001527387
BOUNDARY SOURCE	SURVEY BY MOORE BASS CONSULTING, INC.
TOPOGRAPHIC SOURCE	SURVEY BY MOORE BASS CONSULTING, INC.
OWNER INFORMATION	
PROPERTY OWNER NAME	H&H RESORTS, LLC
ADDRESS	12702 EVERHART POINTE DRIVE
	TOMBALL, TX 77377
PHONE	713-310-6822
PROPOSED DEVELOPMENT INFORMATION	
PROPOSED USE	PRIVATE RESORT / EVENT CENTER
PROPOSED BUILDINGS	
CLUBHOUSE	4,800 SF
WELCOME CENTER	1,600 SF
BATHROOMS / FITNESS CENTER	2,000 SF
GOLF SHED	5,000 SF
KITCHEN	400 SF
SPHERICAL POOL STRUCTURES	2,000 SF
BUILDING TOTAL	15,800 SF
PROPOSED PARKING	182 SPACES
EXISTING IMPERVIOUS AREA	47,797 SF
PROPOSED IMPERVIOUS AREA	85,480 SF
TOTAL IMPERVIOUS AREA	133,277 SF
EXISTING VEHICULAR USE AREA	33,311 SF
PROPOSED VEHICULAR USE AREA	35,674 SF
TOTAL VEHICULAR USE AREA	68,985 SF
INTERIOR LANDSCAPE AREA REQUIRED	68,985 SF X 10% = 6,899 SF
INTERIOR LANDSCAPE TREES REQUIRED	6,899 SF / 250 SF = 28 TREES
STORMWATER NOTES: RUNOFF REDUCTION / WATER QUALITY MEASURES FOR THE PROPOSED DEVELOPMENT TO BE PROVIDED ONSITE. FINAL DESIGN AND CALCULATIONS FOR SAID MEASURES WILL BE PROVIDED DURING THE CONSTRUCTION PLAN PHASE OF THE PROJECT. DETENTION IS INTENDED TO BE PROVIDED IN THE EXISTING MASTER STORMWATER POND SERVING THE DEVELOPMENT AREA. VERIFICATION WILL BE PROVIDED DURING THE PERMITTING PHASE TO ENSURE THE POND IS ADEQUATELY SIZED FOR THE ADDITIONAL IMPERVIOUS AREAS PROPOSED WITHIN THIS DEVELOPMENT.	

**Moore Bass Consulting, Inc.**

- Civil Engineering
- Land Surveying
- Development Consulting
- Landscape Architecture
- Environmental Permitting

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TALLAHASSEE • ATLANTA

1350 Keys Ferry Court  
McDonough, GA 30253  
770.914.9394

PROJECT NAME: DURHAM LAKES RESORT

CLIENT NAME: H&H RESORTS, LLC

REVISIONS

1.	REVISED PER CITY COMMENTS 4-5-2024
----	------------------------------------

A3293.0001-BASE4

DATE: 03-01-2024

CONTRACT #

DRAWN BY: SDM

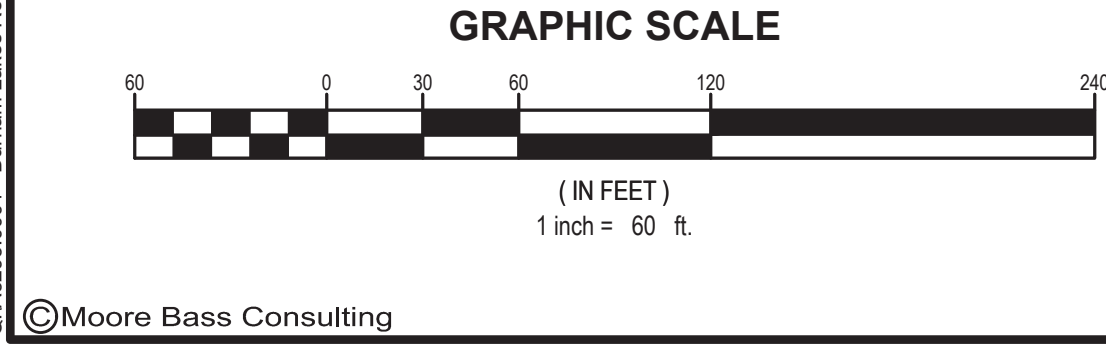
The Drawings, Specifications and other documents prepared by Moore Bass Consulting, Inc. (MBC) for this Project are instruments of professional service provided by MBC to the Client and are not to be used for any other purpose without the written consent of MBC. The Client shall retain all common law, statutory and other reserved rights, including the copyright.

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MCDONOUGH, GA 30253  
770.914.9394

SEAL

SHEET TITLE: CONCEPTUAL SITE PLAN

SHEET: 1 of 3







Moore Bass Consulting, Inc.

- Civil Engineering
- Land Surveying
- Development Consulting
- Landscape Architecture
- Environmental Permitting

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1350 Keys Ferry Court  
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PROJECT NAME  
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A3293.0001-BASE4

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CONTRACT #

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1350 KEYS FERRY COURT  
MCDONOUGH, GA 30253  
SEP 4/17/20

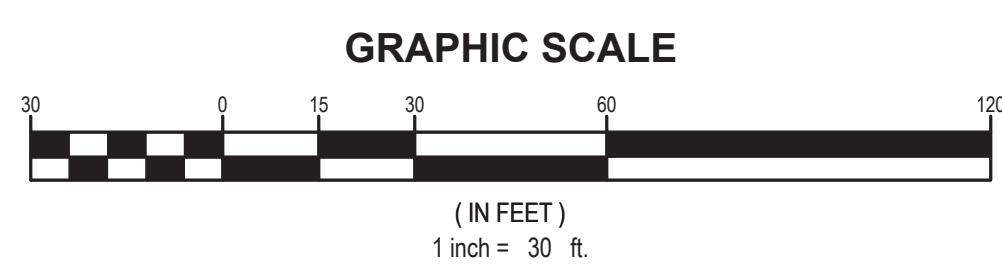
SEAL

SHEET TITLE

CONCEPTUAL  
SITE PLAN

SHEET

2 of 3



C:\A3293.0001 - Durham Lakes Resort\Engineering\Planning\A3293.0001-BASE4.dwg, CSF2, amc, Apr 16, 2024, 4:47:15pm





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DURHAM LAKES RESORT

H&H RESORTS, LLC

PROJECT NAME

CLIENT NAME

REVISIONS

1. REVISED PER CITY COMMENTS 4-5-2024

A3293.0001-BASE4

DATE 03-01-2024

CONTRACT #

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1350 KEYS FERRY COURT  
MCDONOUGH, GA 30253  
SEP 21/17

SEAL

SHEET TITLE

CONCEPTUAL UTILITY PLAN

SHEET

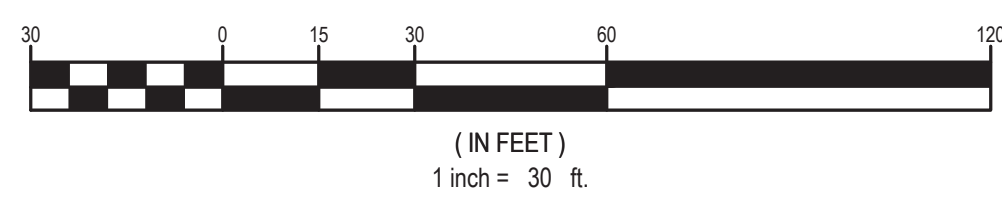
3 of 3



(GA WEST 2017)  
GRID NORTH

A3293.0001 - Durham Lakes Resort Engineering/Planning/A3293.0001-BASE4.dwg, CS293, amc, Apr 16, 2024 - 4:48:00pm

GRAPHIC SCALE



NOTE: PROPOSED UTILITY LOCATIONS ARE CONCEPTUAL AND SUBJECT TO CHANGE



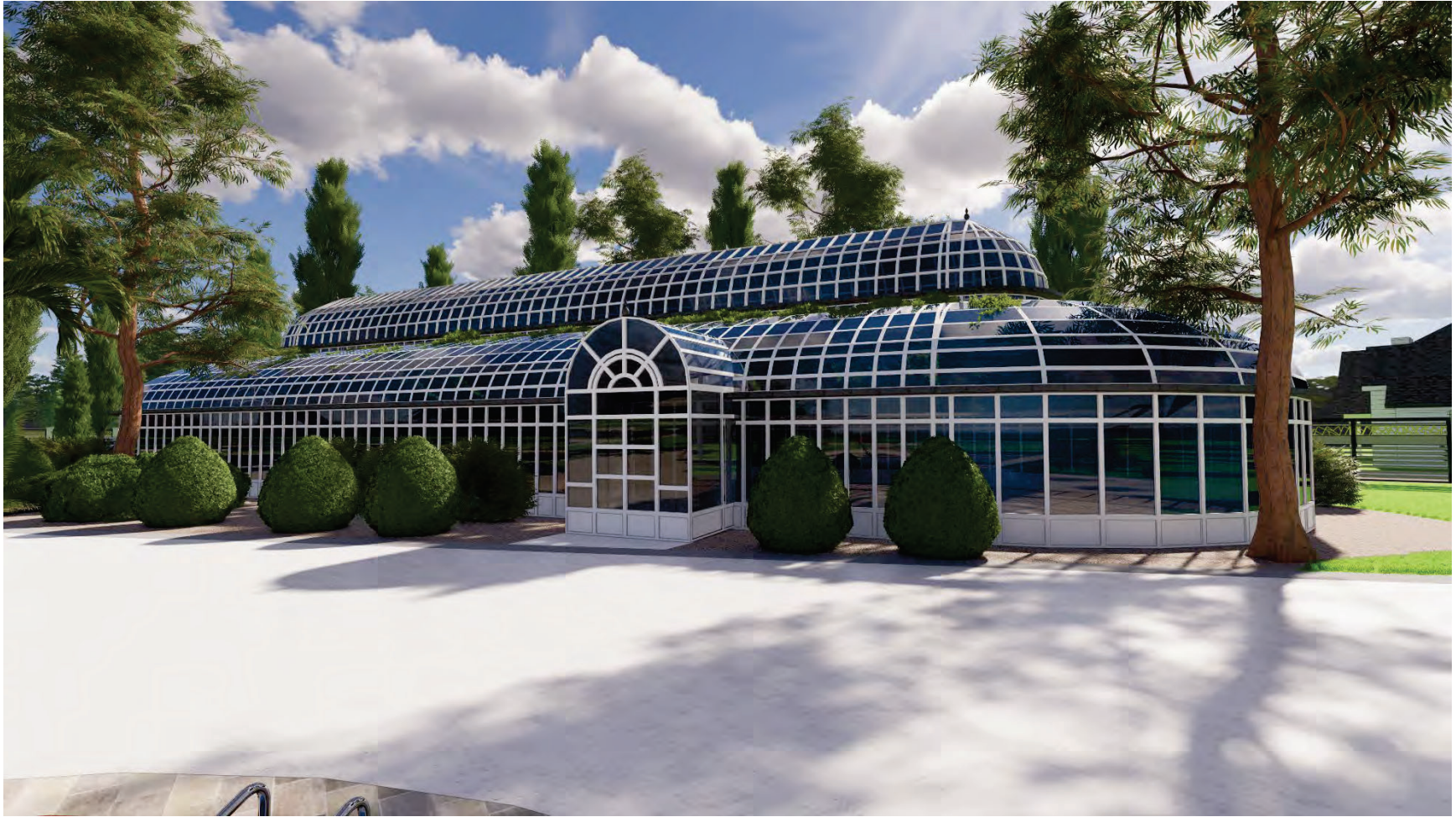
# Durham Lakes Resort



**Elevation of Proposed Golf Shed**



## Durham Lakes Resort



**Elevation of Proposed Clubhouse**



**CITY OF FAIRBURN  
PLANNING AND ZONING COMMISSION**

**AGENDA ITEM**

To: Planning and Zoning Commission

From: Chancellor Felton, Planner

Date: June 4, 2024

Agenda Item: Whataburger – 8025 Senoia Road [Parcel ID: 09F070000271062] – Request to review the conceptual site plan.

---

**Agent/Applicant/Petitioner Information**

Applicant: Amy Pearce, Sevan Multi-Site Solutions

Property Owner: White Brookwood Limited Liability Co.

**Background**

The site is located at 8025 Senoia Road at the northwest corner of the intersection of Senoia Road (Highway 74) and Meadow Glen Parkway. The site is currently zoned PD-08 (Meadow Glen) and is located in the Georgia Highway 74 Overlay District. The site is approximately 1.28 acres.

**Discussion**

The applicant is proposing a new 4,800-square-foot building. An accurate, up-to-date, and certified survey is included. The concept plan meets the setback and parking requirements of the Highway 74 Overlay District, as well as the design standards.

The concept plan includes all buildings and structures, driveways, parking facilities, walkways, landscaping, buffer easements, utilities, and other required infrastructure. The site will have ingress/egress along Meadow Glen Parkway and an unnamed side street between Whataburger and Tractor Supply Company.

The building will consist of beige masonry with grey metal accents and a flat roof with three elongated parapets. The north elevation will consist of a double-entry glass door; large windows; a canopy; wall lights; and a single-entry grey, metal door. The south elevation will consist of a drive-thru window; a canopy over the drive-thru window; yellow, concrete bollards to protect the building from vehicular traffic; three clerestory windows; and wall lights. The west elevation will consist of wall lights. The east elevation will consist of a canopy; large windows; a single-entry glass door; and a grey, single-entry, metal door.



**Staff Recommendations**

Staff recommends **APPROVAL** of the concept plan with the following condition:

- Any significant modifications as determined by Staff to the approved concept plan would necessitate a further review by the Planning and Zoning Commission.

***Attachments:***

- Site Pictures
- Application
- Current Survey
- Proposed Concept Plan
- Proposed Elevations
- Proposed Floor Plan



**SITE PICTURES**



Southwest viewpoint



Northeast viewpoint



# CITY OF FAIRBURN

## Planning & Zoning Department

### Site Plan Review- Submittal Form

**Submittal Date:** 2/26/2024

**Deadline:** 2/27/2024 for 4/2/2024 Meeting  
 (Minimum 5 weeks prior to P & Z Commission meeting)

### PROJECT INFORMATION

**Project Name:** Whataburger - Fairburn Meadow Glen  
**Address/Location of Project:** 8025 Senoia Road, Fairburn, GA 30213  
**Access to Property:** via Meadow Glen Pkwy and existing driveway shared with Tractor Supply (Senoia Rd)  
**Tax Parcel ID #:** 09F070000271062      **Size of Project:** 1.283 AC +/-  
**Zoning:** PD with Highway 74 Overlay      **No. of Lots (if applicable):** 1  
**Zoning & Use of Adjacent Properties:** To North, South and West: PD with Commercial; To East, across Senoia Rd/Hwy 74: C-2 Commercial

**Narrative/ Description for use of property/project (attach additional pages as necessary to provide greater detail):**

The project is an approximately 4,800 SF quick service restaurant with drive-through facilities.  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

### CONTACT INFORMATION

**Company Name:** Sevan Multi-Site Solutions  
**Contact Person:** Amy Pearce  
**Mailing Address:** 3025 Highland Pkwy, Suite 850, Downers Grove, IL 60515  
**Phone:** 253.508.4322      **Fax:** \_\_\_\_\_  
**Email Address:** amy.pearce@sevansolutions.com

### UTILITY SERVICE PROVIDERS

**Water:** City of Fairburn Utilities      **Sewer:** City of Fairburn Utilities  
**Electric:** Cowetta-Fayette EMC      **Gas:** N/A  
**Cable:** N/A      **Other:** N/A

<u>Sketch Plan</u>	<u>Conceptual Site Plan</u>	<u>Construction Plans w/Hydro</u>	<u>Landscape Plan</u>
<input type="checkbox"/> <b>1<sup>st</sup> Submittal- No Fee</b> Submit to P & Z for review	<input checked="" type="checkbox"/> <b>1<sup>st</sup> Submittal \$150 + \$20/acre</b> <input type="checkbox"/> <b>Resubmittal*</b>	<input type="checkbox"/> <b>1<sup>st</sup> Submittal \$500 + \$20/ acre</b> <input type="checkbox"/> <b>Resubmittal*</b>	<input type="checkbox"/> <b>1<sup>st</sup> Submittal \$300 + \$20/acre</b> <input type="checkbox"/> <b>Resubmittal*</b>
If necessary, 2 extra copies (If legible, .pdf file is acceptable).  <b>Staff routes to:</b>  <input type="checkbox"/> Comm. Dev. Director <input type="checkbox"/> Planning & Zoning	<b>7 Copies- Staff Routes to:</b>  <input type="checkbox"/> Building/Prop. Manager <input type="checkbox"/> Comm. Dev. Director <input type="checkbox"/> Engineer <input type="checkbox"/> Fire Marshal <input type="checkbox"/> Landscape Architect <input type="checkbox"/> Planning & Zoning <input type="checkbox"/> Water & Sewer	<b>7 Copies- Staff Routes to:</b>  <input type="checkbox"/> Building / Prop. Manager <input type="checkbox"/> Comm. Dev. Director <input type="checkbox"/> Engineer <input type="checkbox"/> Fire Marshal <input type="checkbox"/> Landscape Architect <input type="checkbox"/> Planning & Zoning <input type="checkbox"/> Water & Sewer	<b>2 Copies- Staff Routes to:</b>  <input type="checkbox"/> Comm. Dev. Director <input type="checkbox"/> Landscape Architect

**Resubmittals- Each subsequent resubmittal will incur a fee of \$100.**

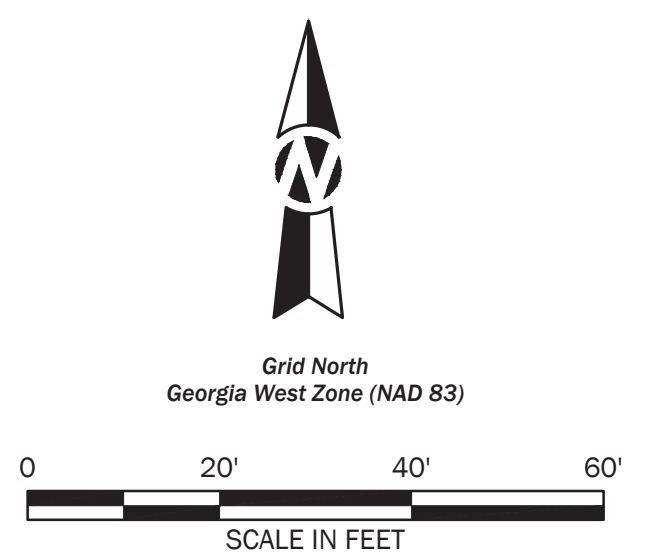
## Conceptual Site Plan Checklist

- An accurate, up-to-date and certified survey of the property on which the project is to be built.
- A vicinity map showing the property in relation to the general area of the City in which it is located.
- The name of the proposed project.
- Name, address, phone number, and fax number of the owner, the developer and the designer who prepared the plan.
- Graphic scale, north arrow, and date of preparation.
- Zoning of the property with required setbacks shown.
- Zoning, use, and ownership of all adjoining property.
- Total area of the site and the area of the site proposed to be devoted to impervious surfaces.
- Approximate topography of the site.
- N/A  Significant natural features on and adjacent to the site, including the 100 year flood-plain, if appropriate. **NOT APPLICABLE**
- N/A  Existing man-made features on the site. **NOT APPLICABLE**
- Proposed site layout including buildings, drives, parking, walkways, landscaped areas, buffer easements, utilities and any other features necessary to properly present the concept.
- Proposed off-site improvements which may be necessary to properly develop site.
- Architectural elevations to show the intended architectural character of the proposed building and the nature of the materials to be used.
- N/A  If the site plan is for an addition to or change in an existing site plan, the drawings must clearly show the changes that are being proposed. **NOT APPLICABLE**
- Provide vehicular use area landscaping requirements



RECORDING INFORMATION AREA  
RESERVED FOR THE CLERK OF THE SUPERIOR COURT

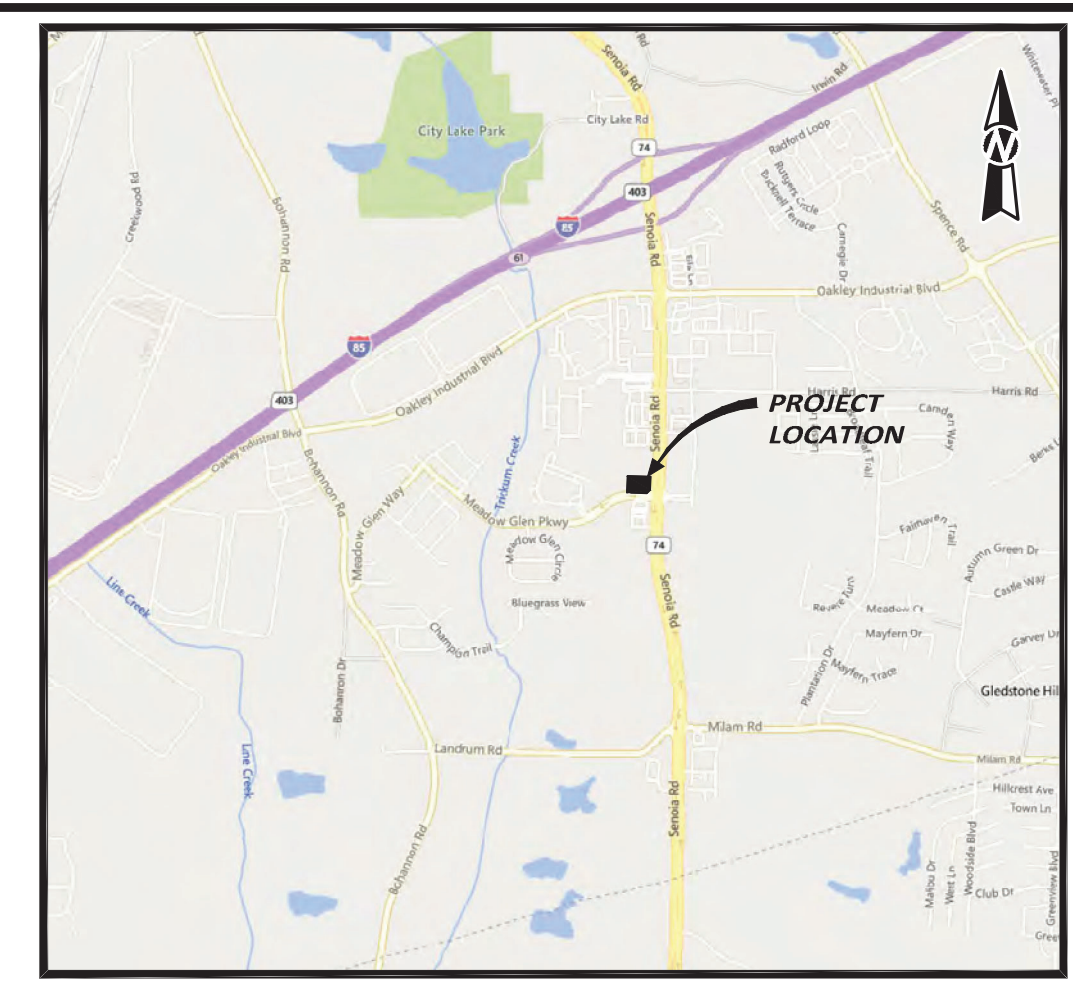
**TECHNICAL NOTES**  
Equipment Used: Leica GS-16 3.75G Receiver RTK  
Topcon GM-503 Total Station  
\*\*CPS Utilized for coordinate system and topographical locations.  
Unadjusted Error of Closure: 1:28,100  
Relative Positional Accuracy: 0.02' H, 0.03' V (@ 95% Confidence Level)  
Horizontal Datum: Georgia State Plane, West Zone, NAD83 (2011)  
Vertical Datum: NGVD88  
Reference Station: GAAS (eGPS Network)  
Ref Station Data (P# 302): Lat: 33° 32' 12.1184" N, Lon: 84° 34' 37.90304" W  
Ortho Height: 297.924 meters  
Datum: NAD 83 (2011), Epoch 2010.00  
Combined Grid Factor: 0.999875769  
Convergence Angle: 0° 13' 36.50838"



To Made to Order Holdings, LLC, InterBank; O&M Title Co., and First American Title Insurance Company:  
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 ALTA/NSPS Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes Items 1, 2, 3, 4, 6(a), 7(a), 7(b)(1), 8, 9, 10, 11(b), 12, 13, 14, 15, 16, 17, 18 and 19 of Table A thereof. The field work was completed on June 30, 2023.  
Date of Plat or Map: July 18, 2023.  
Eric M. Hamner, GA PLS #3410  
Date: 11/20/2023



Surveyor's Acknowledgement:  
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 is 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 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.



VICINITY MAP  
NO SCALE

First American Title Insurance Company  
Commitment Number: 77-4183/24875-11  
June 6, 2023  
SCHEDULE B - SECTION II EXCEPTIONS

- (NOT A SURVEY MATTER)
- (NOT A SURVEY MATTER)
- (NOT A SURVEY MATTER)
- (NOT A SURVEY MATTER)
- Any encroachment, encumbrance, violation, variation or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the land and not shown by the Public Records. Potential encroachments found at the time of survey - see Encroachment Schedule.
- (NOT A SURVEY MATTER)
- (NOT A SURVEY MATTER)
- (NOT A SURVEY MATTER)
- (NOT A SURVEY MATTER)
- Right of Way Deed from Meadowglen Inc., a Georgia corporation to Department of Transportation, dated July 14, 1986 and recorded in Deed Book 10232, Page 260, Fulton County, Georgia records. Instrument not provided.
- Declaration of Covenants, Conditions, Restrictions and Easements by White Brookwood, LLC, a Georgia limited liability company, dated September 7, 2001 and recorded in Deed Book 31172, Page 38, Fulton County, Georgia records; as affected by that certain Confirmation of Expiration of Original Declaration and First Amendment to Second Declaration by White Brookwood, Limited Liability Company s/k/a White Brookwood, LLC, a Georgia limited liability company, dated July 9, 2020 and recorded in Deed Book 61896, Page 570, Fulton County, Georgia records. Does affect subject property - Not a survey matter.
- Reciprocal Easement and Restrictive Covenant Agreement by and between White Brookwood Limited Liability Company, a Georgia limited liability company and Trinity Fairburn, LLC, a Georgia limited liability company, dated November 17, 2021, and recorded in Deed Book 64843, Page 232, Fulton County, Georgia records. Does affect subject property - Not a survey matter.
- Reciprocal Easement and Restrictive Covenant Agreement by and between White Brookwood Limited Liability Company, a Georgia limited liability company and BBC Investment Partners, LLC, a Tennessee limited liability company, dated November 9, 2022 and recorded in Deed Book 66309, Page 230, Fulton County, Georgia records. Does affect subject property - Not a survey matter.
- Those matters as disclosed by that certain survey entitled "ALTA/NSPS Land Title Survey To: BBC Investment Partners, LLC and Fidelity National Title Insurance Company", prepared by GeoSurvey, bearing the seal and certification of Craig Jennings, Georgia Registered Land Surveyor No. 3043, dated August 10, 2022, last revised November 8, 2022, being designated as GS Job No. 20185795, as follows:  
(a) Power line crossing the northeasterly boundary line of the Land;  
(b) Underground water line crossing the northeasterly boundary line of the Land;  
(c) Ten (10') foot landscape strip located along the northerly, southerly and westerly boundary lines of the Land;  
(d) Thirty-five (35') foot landscape strip located along the easterly boundary line of the Land;  
(e) Fifty (50') foot building setback line located along southerly and easterly boundary lines of the Land;  
(f) Twenty (20') foot building setback line located along the northerly boundary line of the Land; and  
(g) Thirty (30') building setback line located along the westerly boundary line of the Land.  
All as shown hereon.
- Right of Way Deed and Permanent Easement for the Construction and Maintenance of Slopes and Utilities dated April 28, 2023 and recorded in Deed Book 66774, Page 658, Fulton County, Georgia records. Does affect subject property - As shown hereon.

**SURVEY LEGEND**

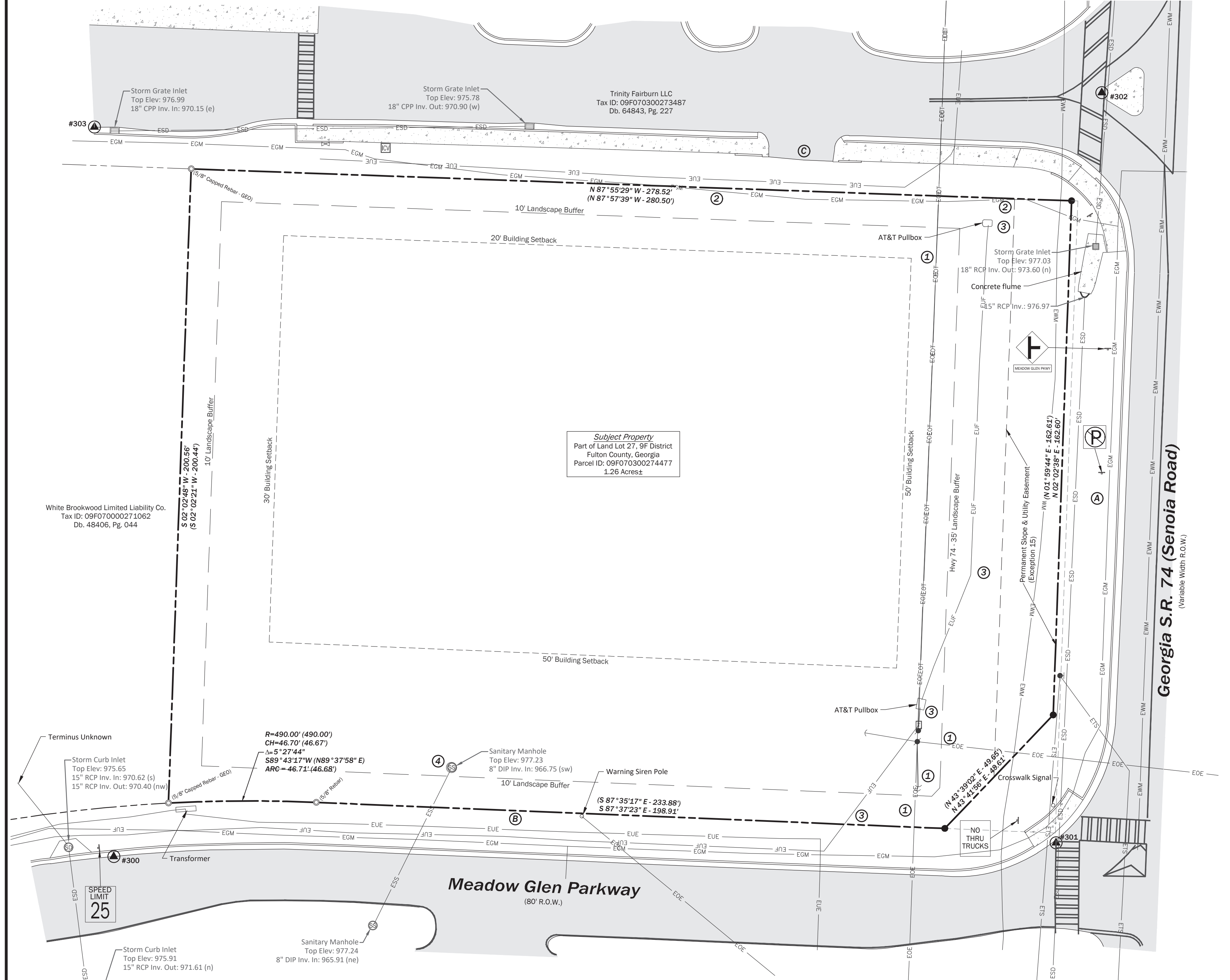
---	EXISTING BOUNDARY LINE
- - - - -	EXISTING RIGHT-OF-WAY
---	EXISTING PROPERTY LINE
- - - - -	EXISTING SUBDIVISION LOT LINE
○ ○ ○ ○ ○	EXISTING CHAIN LINK FENCE
◇ ◇ ◇ ◇ ◇	EXISTING IRON FENCE
X X X X X	EXISTING WIRE FENCE
□ □ □ □ □	EXISTING WOOD FENCE
150	EXISTING CONTOUR 5' INTERVAL
149	EXISTING CONTOUR 1' INTERVAL
x ±150.0	EXISTING SURFACE ELEVATION
ESS	EXISTING SANITARY SEWER MAIN
EFM	EXISTING SANITARY SEWER FORCE MAIN
ESD	EXISTING STORM DRAIN
EWV	EXISTING WATER MAIN
EGM	EXISTING GAS MAIN
EOE	EXISTING OVERHEAD ELECTRICAL
EUE	EXISTING UNDERGROUND ELECTRICAL
EOC	EXISTING UNDERGROUND CABLE TELEVISION
EUC	EXISTING UNDERGROUND CABLE TELEVISION
EOT	EXISTING OVERHEAD TELEPHONE
EUT	EXISTING UNDERGROUND TELEPHONE
ETS	EXISTING TRAFFIC SIGNAL LINE
EUF	EXISTING UNDERGROUND FIBER OPTIC
ESM	EXISTING SANITARY SEWER MANHOLE
ESN	EXISTING SANITARY SEWER CLEANOUT
ESW	EXISTING STORM MANHOLE
ESD	EXISTING STORM DOUBLE WING INLET
ESY	EXISTING STORM YARD INLET
ESJ	EXISTING STORM JUNCTION BOX
ESV	EXISTING WATER VALVE
ESK	EXISTING IRRIGATION CONTROL VALVE
ESF	EXISTING FIRE HYDRANT
ESG	EXISTING WATER SPIGOT
ESM	EXISTING GAS METER
ESV	EXISTING GAS VALVE
ESW	EXISTING MONITORING WELL
ESX	EXISTING ELECTRIC MANHOLE
ESY	EXISTING POWER POLE
ESZ	EXISTING GUY ANCHOR
ES1	EXISTING LIGHT POLE
ES2	EXISTING GROUND/LANDSCAPE LIGHT
ES3	EXISTING ELECTRICAL BOX
ES4	EXISTING ELECTRIC METER
ES5	EXISTING A/C PAD
ES6	EXISTING TELEPHONE MANHOLE
ES7	EXISTING TRAFFIC POLE
ES8	EXISTING TELEPHONE PEDESTAL
ES9	EXISTING CABLE TELEVISION PEDESTAL
ES0	EXISTING AT&T MANHOLE
ES1	EXISTING BOLLARD
ES2	EXISTING MAILBOX
ES3	EXISTING SIGN
ES4	IRON PIPE / PIN FOUND
ES5	CAPPED REBAR FOUND
ES6	CONCRETE MONUMENT SET
ES7	AXLE FOUND
ES8	PK NAIL FOUND
ES9	CAPPED REBAR SET
ES0	SECTION
ES1	TOWNSHIP
ES2	RANGE
ES3	R.O.W.
ES4	M.B.L.
ES5	PLAT BOOK
ES6	DEED BOOK
ES7	PAGE
ES8	RECORD DIMENSION
ES9	EXISTING TREE
ES0	EXISTING TREE STUMP
ES1	EXISTING CONCRETE PAVEMENT
ES2	EXISTING ASPHALT PAVEMENT
ES3	EXISTING BRICK PAVERS
ES4	EXISTING BUILDING
ES5	EXISTING GRAVEL DRIVE
ES6	EXISTING RIPRAP LINING

**GENERAL NOTES**

- All angles and distances for a curve are to their respective chords. All bearings are to Grid North as established by global positioning. This survey meets or exceeds the requirement of ALTA/NSPS Land Title Survey for maximum allowable Relative Positional Precision of 0.07 + 50ppm.
- Not all underground utilities are shown hereon. Utilities that are shown are approximate from observed evidence, and available utility plans at time of survey. No guarantee or warranty of the accuracy of the location of underground utilities is hereby implied. Utilities should be verified onsite through Georgia OneCall 811 prior to any construction or digging.
- Source of Title: Db. 66309, Pg. 226; Db. 66774, Pg. 658
- Total Area of Property: 54,881 SF ± / 1.26 Acres ±
- Current Zoning and Restrictions:  
(Zoning information was provided by the client)  
Current Zoning: PD - Planned Development District  
Overlay District: Highway 74 Overlay District  
Setback Restrictions: Front: 50' from R.O.W.  
Side: 20'  
Rear: 30'  
Building Height Restrictions: Unknown  
Lot Coverage: Unknown  
Parking: Unknown
- Parking: No parking spaces currently located on property.
- This property is currently located in Zone X (Areas determined to be outside the 0.2% annual chance floodplain), as depicted on FEMA Flood Panel 13121C0462 F, revised September 18, 2013.
- The property has frontage on Georgia S.R. 74 (Senoia Road), a dedicated public street (See Access Area Schedule).
- Addresses of Property: (From Tax Assessor's Records)  
Meadow Glen Cr  
Fairburn, GA 30213
- Potential encroachments were found at time of survey. (See Encroachment Schedule).
- The property described hereon is the same as the property described in First American Title Insurance Company Commitment No. 77-4183/24875-11 with an effective date of June 6, 2023. The last As-Surveyed description differs from the land description in the Title Commitment because of a Right of Way acquisition by the Georgia D.O.T., being the subject property shown hereon. The property and parcels surveyed are contiguous with no evidence of gaps, gaps, or overlaps observed. All easements, covenants and restrictions referenced in said title commitment or apparent from a physical inspection of the site have been plotted hereon or otherwise noted as to their effect on the subject property.
- No evidence of cemeteries was observed during survey.
- Survey not final without Seal and Signature of Surveyor
- This survey may not be reproduced, altered, or copied without written permission of TTL, Inc.

**TABLE A  
OPTIONAL REQUIREMENTS**

1. ___ Monuments placed... As Shown Hereon
2. ___ Addresses of surveyed property... See Note #9
3. ___ Flood zone classification... See Note #7
4. ___ Gross land area... As Shown Hereon, See Note #4
6. ___ (a) ...List the current zoning... See Note #5
7. ___ (a) Exterior dimensions of all buildings... No buildings currently located on property (b) Square footage of: (1) exterior footprint of all buildings...
8. ___ Substantial features observed... As Shown Hereon
9. ___ Number and type... of parking spaces... As shown hereon - See Note 6
10. ___ As designated by client, a determination of the relationship and location of certain division or party walls... None Designated by Client
11. ___ Evidence of underground utilities existing on or serving the... property... (b) markings coordinated by the surveyor... As Shown Hereon, See Note 2
12. ___ As specified by the client, Governmental Agency... requirements... None Requested by Client
13. ___ Names of adjoining owners according to current tax records... As Shown Hereon
14. ___ As specified by the client, distance to the nearest intersecting street... None Requested by client.
15. ___ Rectified orthophotography, photogrammetric mapping... Not requested for this survey.
16. ___ Evidence of recent earth moving work... None Observed
17. ___ Proposed changes in street right of way lines... Evidence of recent street or sidewalk construction... None Observed
18. ___ ... include as part of the survey any plottable offsite easements... Provided offsite Easement Information Plotted if possible
19. ___ Professional liability insurance policy obtained by surveyor... Certificate available upon request



**POTENTIAL ENCROACHMENTS**

- Potential encroachment of overhead electric line, overhead telephone lines, poles, guy anchors and wires on the east side of the property onto subject property as shown. No easement was provided to or located by surveyor at time of survey.
- Potential encroachment of gas line along the north boundary line onto subject property as shown. No easement was provided to or located by surveyor at time of survey.
- Potential encroachment of buried communication line and appurtenances along the east side of the property onto subject property as shown. No easement was provided to or located by surveyor at time of survey.
- Potential encroachment of sanitary sewer manhole and sewer line onto subject property as shown. No easement was provided to or located by surveyor at time of survey.

**ACCESS AREAS**

- Frontage along Georgia S.R. 74 (Senoia Road), a dedicated public street.
- Frontage along Meadow Glen Parkway, a dedicated public street.
- Paved access thru adjoining property to the north onto Georgia S.R. 74 (Senoia Road), a dedicated public street. (This access is thru a recorded cross use agreement)

**LAND DESCRIPTION As-Surveyed**  
All that tract or parcel of land lying and being in Land Lot 27, 9F District, Fulton County, Georgia, more particularly described as follows:  
As a POINT OF BEGINNING, commence at a rebar set at the intersection of the North Right of Way of Meadow Glen Parkway (80' width) and the West Right of Way flare of Georgia S.R. 74 (variable width), thence run along said Right of Way flare North 43° 41' 56\"/>

**LAND DESCRIPTION PER TITLE COMMITMENT**  
The Land referred to herein below is situated in the County of Fulton, State of Georgia, and is described as follows: All that tract or parcel of land lying or being in Land Lot 27, 9F District, Fulton County, Georgia, and being more particularly described as follows:  
Commencing at a 5/8-inch rebar set the intersection of the northern right-of-way of Meadow Glen Parkway (80' right-of-way) with the western right-of-way State Route 74 (Senoia Road) (variable right-of-way). Thence along said right-of-way of Georgia State Route 74 (Senoia Road) North 02° 02' 38\"/>



3516 Greensboro Avenue | Tuscaloosa, AL 35401  
205-345-0816 | www.ttlusa.com

**Glen Meadows Parkway & Georgia S.R. 74 - NW Intersection  
Fulton Co., GA**  
Sevan Multi-Site Solutions  
0 Meadow Glen Parkway  
Located in Land Lot 27, 9F District, Fulton County, Georgia

Sheet Title: ALTA/NSPS Land Title Survey

No.	Date	Revision/Description	
Drawn By:	SGF/GNF	Checked By: ENH	
Date Drawn:	07/18/2023	Date Surveyed:	06/29/2023
Scale:	1"=20'	Proj. No.:	23-01-1999-00
File Name:	SEVAN 23-1999-Topo.dwg		



ADJOINING PARCEL  
 ZONING: PD PLANNED DEVELOPMENT DISTRICT  
 USE: COMMERCIAL/RETAIL (TRACTOR SUPPLY CO.)  
 OWNER: TRINITY FAIRBURN, LLC

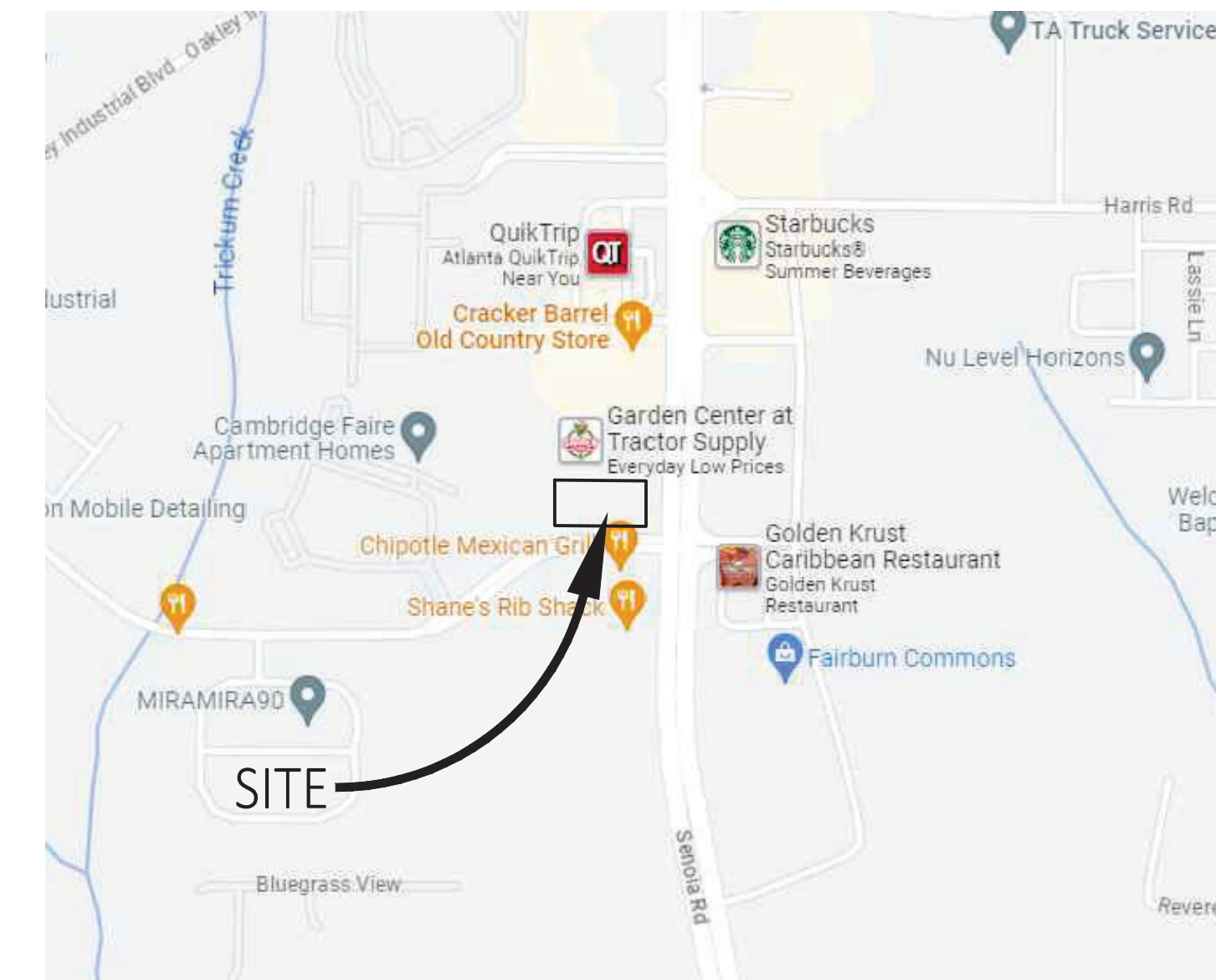
PROPOSED TRASH ENCLOSURE  
 NOTE: TRASH ENCLOSURE SHALL BE ENCLOSED WITH A WALL OF EQUAL OR GREATER HEIGHT ON THREE SIDES, THE MATERIAL OF WHICH SHALL BE SIMILAR TO THE MATERIAL ON THE OUTSIDE OF THE MAIN BUILDING.

ADJOINING PARCEL  
 ZONING: PD PLANNED DEVELOPMENT DISTRICT  
 USE: VACANT LAND  
 OWNER: WHITE BROOKWOOD, LLC

COMMERCIAL DRIVEWAY APRON TO BE CONSTRUCTED OF CONCRETE UP TO THE RIGHT OF WAY LINE

**CONCEPTUAL SITE PLAN**  
 SCALE: 1" = 20'-0"

FILE: \\Sharepoint\Sharepoint\Projects\New Buildings\Fairburn - Meadow Glen\GIS\Conceptual Site Plan\_Submittal\CSP\_1.dwg  
 PLOT: 3/17/2024 10:38 PM BY: P.Overton, Overton



**VICINITY MAP**  
 NO SCALE

PROJECT DIRECTORY			
	DESCRIPTION	ADDRESS	CONTACT
SITE	OWNER	MTO RE SENOIA RD FAIRBURN LLC	HARRISON PARKER 478.731.9869
	DEVELOPER	MADE TO ORDER HOLDINGS	HARRISON PARKER 478.731.9869
	PROJECT MANAGER	SEVAN MULTI-SITE SOLUTIONS 3025 HIGHLAND PARKWAY SUITE 850 DOWNERS GROVE, IL 60515	AMY PEARCE 253.508.4322
DESIGN CONTRACT	SURVEYOR	TTL 3516 GREENSBORO AVENUE TUSCALOOSA, AL 35401	ERIC M. HAMNER, PLS 205.345.0816
	CIVIL ENGINEER	SEVAN ENGINEERING, P.C. 3025 HIGHLAND PARKWAY SUITE 850 DOWNERS GROVE, IL 60515	TIMOTHY KRATZ, P.E. 586.899.2473
	ARCHITECT	SEVAN DESIGN SOLUTIONS, P.C. 3025 HIGHLAND PARKWAY SUITE 850 DOWNERS GROVE, IL 60515	JOE DEFILIPPIS, AIA, NCARB 630.733.9647

PERVIOUS/ IMPERVIOUS SURFACE AREAS			
TOTAL PARCEL AREA = 54,881 SF			
A.	PERVIOUS	15,531 SF	28.3%
B.	IMPERVIOUS	39,350 SF	71.7%

**GENERAL SITE NOTES**

PARCEL AREA: LOT 1 = 54,881 SF (1.26 ±AC)

ZONING: PD PLANNED DEVELOPMENT DISTRICT

REQUIRED BUILDING SETBACKS:  
 FRONT (E): 50' FROM EACH STREET RIGHT-OF-WAY FOR CORNER LOTS  
 SIDE(N): 20'  
 SIDE (S): 50'  
 REAR (W): 30'

LANDSCAPE BUFFER/YARD: 35' FROM HWY 74 ; 10' FROM ALL OTHER PROPERTY LINES

PARKING REQUIREMENT: 1 SPACE FOR EVERY 200 SF GFA  
 PARKING STALLS REQUIRED: 24 SPACES PLUS 1 BARRIER FREE  
 PROPOSED: 29 STANDARD SPACES PLUS 2 BARRIER FREE  
 PARKING SPACE SIZE: 162 SF (9' x 18')

EXISTING SITE CONDITIONS: THE SITE IS CURRENTLY A VACANT UNDEVELOPED SITE.



WHATABURGER  
 FAIRBURN  
 8025 SENOIA ROAD  
 FAIRBURN, GA 30213  
 (FULTON COUNTY)

**SEAL**  
 I HEREBY CERTIFY THAT THESE DRAWINGS HAVE BEEN PREPARED UNDER MY DIRECT SUPERVISION AND THAT TO THE BEST OF MY KNOWLEDGE AND BELIEF THEY COMPLY WITH THE BUILDING CODES AND ORDINANCES OF THE COUNTY OF FULTON & THE CITY OF FAIRBURN, GEORGIA.

REVISIONS

REV.	DATE	DESCRIPTION
0	02.26.2024	CONCEPTUAL SITE PLAN
1	03.18.2024	PER CITY REVIEW

**CONSULTANTS**

**PROJECT INFORMATION**  
 CONCEPTUAL SITE PLAN  
 WHATABURGER - FAIRBURN  
 8025 SENOIA ROAD  
 FAIRBURN, GA 30213  
 (FULTON COUNTY)

**SHEET MANAGEMENT**

PROJECT NUMBER:	MTOH-Fairburn
ISSUED DATE:	02.26.2024
DRAWN BY:	OP
CHECKED BY:	TK
PRD. MGR:	AP

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**SHEET NUMBER**  
 CSP 1.0







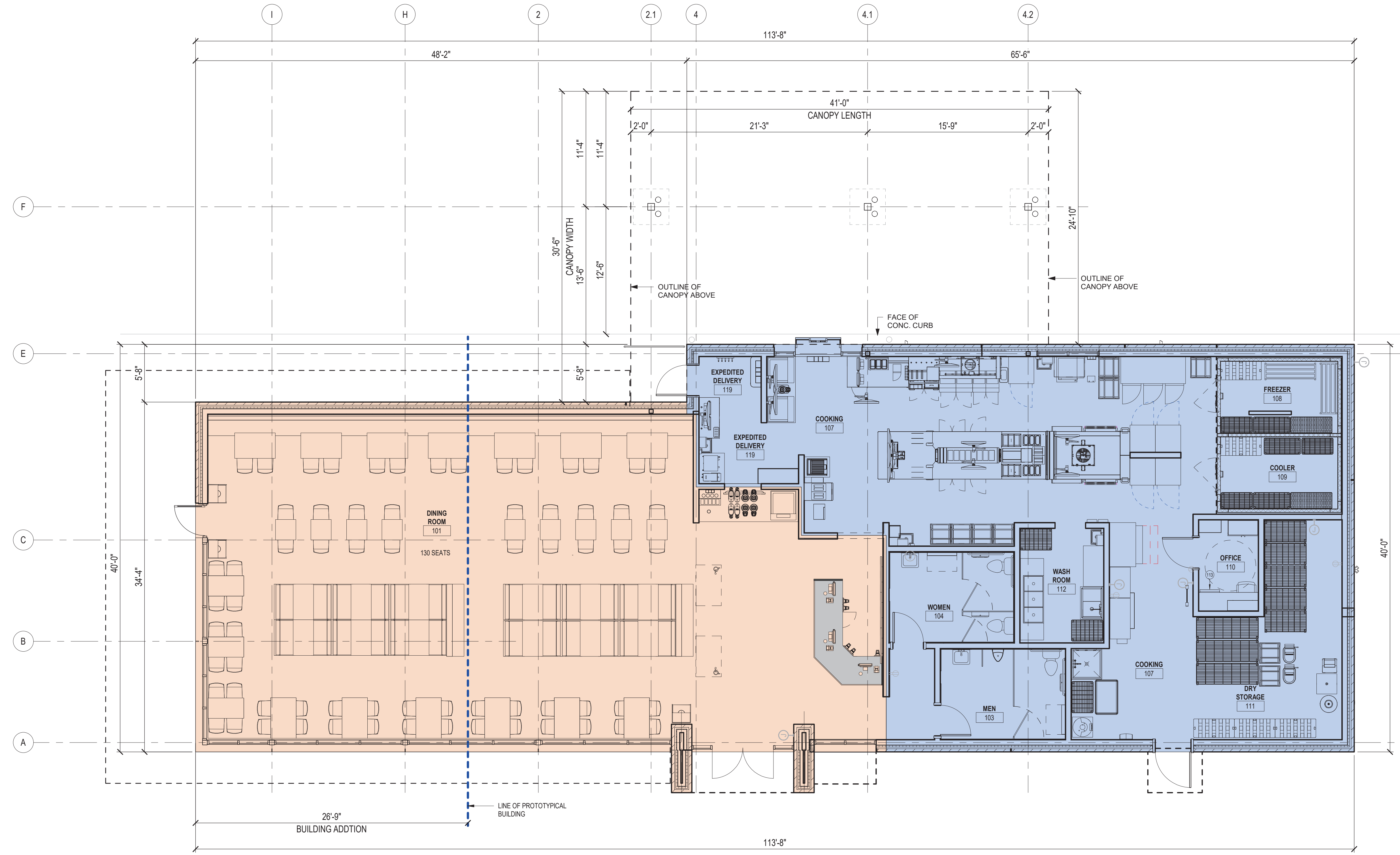




**SEAL**

I HEREBY CERTIFY THAT THESE DRAWINGS HAVE BEEN PREPARED UNDER MY DIRECT SUPERVISION AND THAT TO THE BEST OF MY KNOWLEDGE AND BELIEF THEY COMPLY WITH THE BUILDING CODES AND ORDINANCES OF FAIRBURN, GA.

REV	DESCRIPTION	DATE
	PRELIMINARY DESIGN PACKAGE	08/02/2023



DINING AREA	2,146 SF (50%)	<span style="display:inline-block; width:15px; height:10px; background-color: #f4a460; border: 1px solid black;"></span>
KITCHEN, D.T., OFFICE, RESTROOMS AND B.O.H	2,147 SF (50%)	<span style="display:inline-block; width:15px; height:10px; background-color: #4a86e8; border: 1px solid black;"></span>
<b>TOTAL BUILDING AREA</b>	<b>4,293 SF</b>	

**1** PROPOSED FLOOR PLAN - OPTION 1  
SCALE 3/16" = 1'-0"

PROTOTYPE: PT22M  
**MEADOW GLEN PKWY AND SENOIA RD**  
**FAIRBURN GA 30213**



Project No.:	XX
Client Project No.:	XX
Drawing Title:	OVERALL FLOOR PLAN OPTION 1
Date:	08.02.2023
Phase:	PRELIM DESIGN
Designed:	R.ALHAYES
Drawn:	R.ALHAYES
Checked:	J.DEFILIPPIS

**A1.0a**



**CITY OF FAIRBURN  
PLANNING AND ZONING COMMISSION**

**AGENDA ITEM**

To: Planning and Zoning Commission

From: Chancellor Felton, Planner

Date: June 4, 2024

Agenda Item: Package Depot Retrofit (2<sup>nd</sup> Version) – 7895 Senoia Road [Parcel ID: 09F070000270825]  
– Request to review the elevations.

---

**Agent/Applicant/Petitioner Information**

Applicant: Ishwar Dayabhai, Architectural Design Workshop, P.C.

Property Owner: Mohammad Khimani

**Background**

The site is located at 7895 Senoia Road (Highway 74) on the northwest corner of the intersection of Senoia Road (Highway 74) and Peachtree Landing Circle. The site is currently zoned C-2 (General Commercial) and is located in the Georgia Highway 74 Overlay District. The site is approximately 2.33 acres.

**Discussion**

The applicant is proposing a retrofit of the 8,400-square-foot existing building. An accurate, up-to-date, and certified survey is included. The concept plan meets the setback and parking requirements of C-2 and the Highway 74 Overlay District. The concept plan includes all buildings and structures, driveways, parking facilities, walkways, landscaping, buffer easements, utilities, and other required infrastructure. The site has existing ingress/egress along Senoia Road and Peachtree Landing Circle.

Some elevation changes include new signage, artwork, lighting, and architectural details. The canopy will be repaired and repainted. The walls will be altered and repainted. Windows will be removed, repaired, altered, and replaced. Existing signage will be removed. The color scheme is burgundy and cream to match with the neighboring building. The masonry will be repainted brown.

**Staff Recommendation**

Staff recommends **APPROVAL** of the elevations with the following condition:

- Any significant modifications as determined by Staff to the approved elevations would necessitate a further review by the Planning and Zoning Commission.



***Attachments:***

- Site Pictures
- Application
- Current Survey
- Proposed Site Plan
- Proposed Floor Plan
- Proposed Elevations



**SITE PICTURES**



Northwest viewpoint



Southeast viewpoint

## Conceptual Site Plan Checklist

- ✓  An accurate, up-to-date and certified survey of the property on which the project is to be built.
- ✓  A vicinity map showing the property in relation to the general area of the City in which it is located.
- ✓  The name of the proposed project.
- ✓  Name, address, phone number, and fax number of the owner, the developer and the designer who prepared the plan.
- ✓  Graphic scale, north arrow, and date of preparation.
- ✓  Zoning of the property with required setbacks shown.
- ✓  Zoning, use, and ownership of all adjoining property.
- ✓  Total area of the site and the area of the site proposed to be devoted to impervious surfaces.
- ✓  Approximate topography of the site.
- Significant natural features on and adjacent to the site, including the 100 year flood-plain, if appropriate.
- ✓  Existing man-made features on the site.
- ✓  Proposed site layout including buildings, drives, parking, walkways, landscaped areas, buffer easements, utilities and any other features necessary to properly present the concept.
- ✓  Proposed off-site improvements which may be necessary to properly develop site.
- ✓  Architectural elevations to show the intended architectural character of the proposed building and the nature of the materials to be used.
- ✓  If the site plan is for an addition to or change in an existing site plan, the drawings must clearly show the changes that are being proposed.
- ✓  Provide vehicular use area landscaping requirements

# CITY OF FAIRBURN

Planning & Zoning Department

## Site Plan Review- Submittal Form

Submittal Date: 4/17/24

Deadline: \_\_\_\_\_  
(Minimum 5 weeks prior to P & Z Commission meeting)

### PROJECT INFORMATION

Project Name: Package Depot Retrofit  
 Address/Location of Project: 7895 Senoia rd  
 Access to Property: Senoia Rd  
 Tax Parcel ID #: 09F070000270825 Size of Project: 8000 sf remodel existing  
 Zoning: C2 No. of Lots (if applicable): 1  
 Zoning & Use of Adjacent Properties: C2 -Commercial

Narrative/ Description for use of property/project (attach additional pages as necessary to provide greater detail):

Existing building is being remodelled

### CONTACT INFORMATION

Company Name: test Architectural Design Workshop, P.C.  
 Contact Person: Ishwar Dayabhai  
 Mailing Address: 814 Covered Bridge Way  
 Phone: 4043102199 Fax: \_\_\_\_\_  
 Email Address: Designworkshop@comcast.net

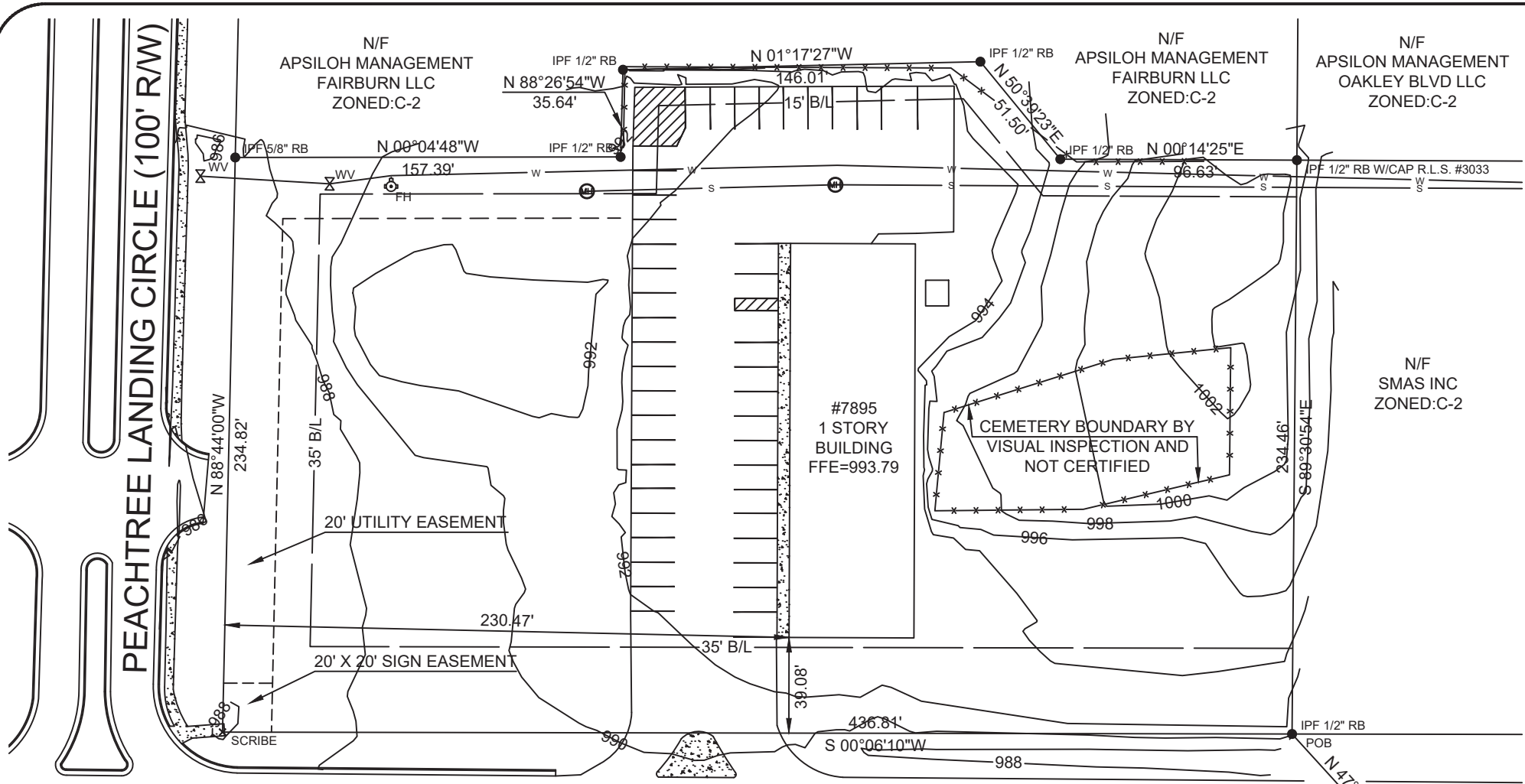
### UTILITY SERVICE PROVIDERS

Water: City of Fairburn Sewer: City of Fairburn  
 Electric: Coweta Fayette EMC Gas: Atlanta Gas  
 Cable: \_\_\_\_\_ Other: \_\_\_\_\_

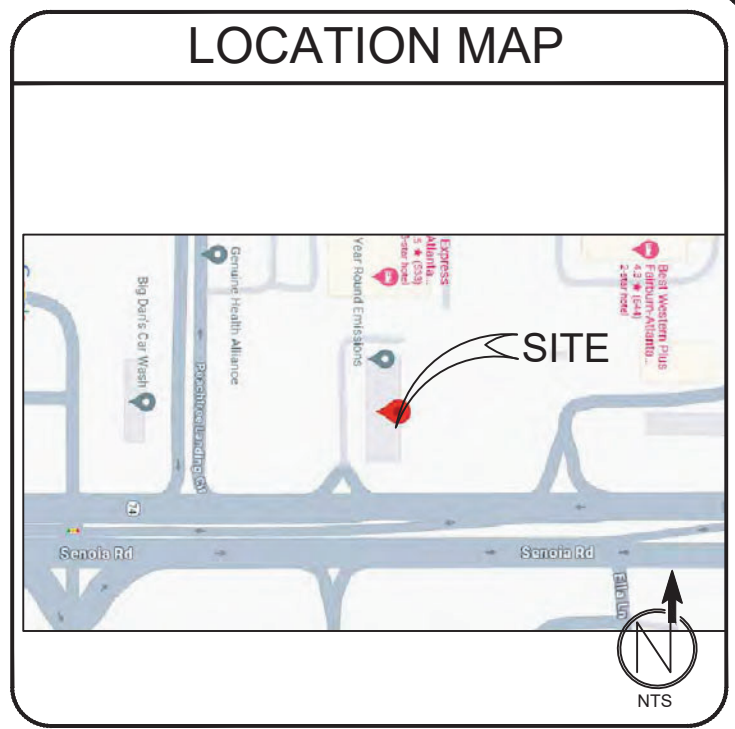
<u>Sketch Plan</u>	<u>Conceptual Site Plan</u>	<u>Construction Plans w/Hydro</u>	<u>Landscape Plan</u>
<input checked="" type="checkbox"/> <b>1<sup>st</sup> Submittal- No Fee</b> Submit to P & Z for review	<input type="checkbox"/> <b>1<sup>st</sup> Submittal \$150 + \$20/acre</b> <input type="checkbox"/> <b>Resubmittal*</b>	<input type="checkbox"/> <b>1<sup>st</sup> Submittal \$500 + \$20/ acre</b> <input type="checkbox"/> <b>Resubmittal*</b>	<input type="checkbox"/> <b>1<sup>st</sup> Submittal \$300 + \$20/acre</b> <input type="checkbox"/> <b>Resubmittal*</b>
If necessary, 2 extra copies (If legible, .pdf file is acceptable).  <b>Staff routes to:</b>  <input type="checkbox"/> Comm. Dev. Director <input type="checkbox"/> Planning & Zoning	<b>7 Copies- Staff Routes to:</b>  <input type="checkbox"/> Building/Prop. Manager <input type="checkbox"/> Comm. Dev. Director <input type="checkbox"/> Engineer <input type="checkbox"/> Fire Marshal <input type="checkbox"/> Landscape Architect <input type="checkbox"/> Planning & Zoning <input type="checkbox"/> Water & Sewer	<b>7 Copies- Staff Routes to:</b>  <input type="checkbox"/> Building / Prop. Manager <input type="checkbox"/> Comm. Dev. Director <input type="checkbox"/> Engineer <input type="checkbox"/> Fire Marshal <input type="checkbox"/> Landscape Architect <input type="checkbox"/> Planning & Zoning <input type="checkbox"/> Water & Sewer	<b>2 Copies- Staff Routes to:</b>  <input type="checkbox"/> Comm. Dev. Director <input type="checkbox"/> Landscape Architect

**Resubmittals- Each subsequent resubmittal will incur a fee of \$100.**





**GEORGIA HIGHWAY 74 (175' R/W) AKA SENOIA ROAD**



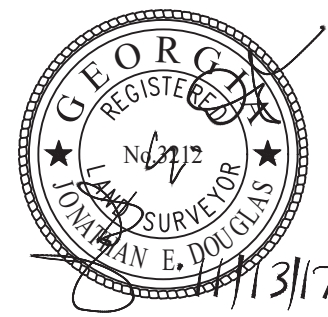
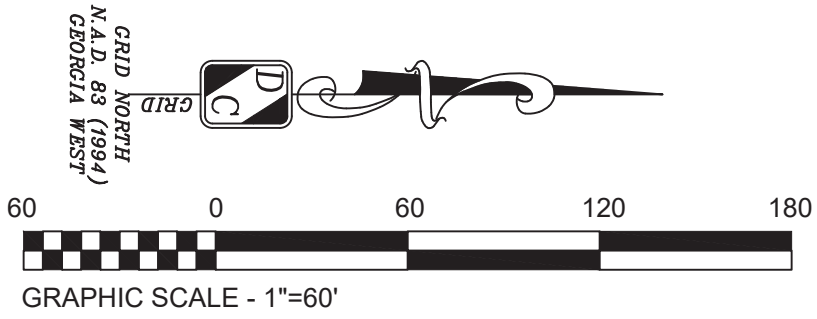
**FLOOD NOTE:**  
 THIS TRACT OF LAND DOES NOT LIE WITHIN THE 100 YEAR INTERMEDIATE REGIONAL FLOOD ZONE AS PER THE FEDERAL EMERGENCY MANAGEMENT AGENCY AS SHOWN ON COMMUNITY-PANEL #13121C0462 F LAST REVISED SEPTEMBER 18, 2013.

**SURVEY REFERENCE:**  
 1. PLAT FOR MOHAMMAD KHIMANI, PREPARED BY W.W. FLOWERS, JR R.L.S. 1975, DATED DECEMBER 13, 2007.

**SITE NOTES:**  
 ZONING: C-2  
 TOTAL SITE AREA: 108,391 SQ FT / 2.488 ACRES  
 BUILDING SETBACKS: 35' FRONT, 0' SIDE, 15' REAR

**SURVEYORS CERTIFICATION:**  
 THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE OF ONE FOOT IN 51,728 FEET, AND ANGULAR ERROR OF 0 SEC. PER ANGLE POINT AND WAS ADJUSTED USING THE NONE METHOD. THE PLAT HAS BEEN CALCULATED FOR CLOSURE AND FOUND TO BE ACCURATE TO ONE FOOT IN 100,000 FEET. AN ELECTRONIC TOTAL STATION GEOMAX ZOOM80 WAS USED TO GATHER THE ANGULAR AND DISTANCE USED IN THE PREPARATION IN THIS PLAT.

THIS PLAT IS A RETRACEMENT OF AN EXISTING PARCEL OR PARCELS OF LAND AND DOES NOT SUBDIVIDE OR CREATE A NEW PARCEL. 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, NOR 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.



*Jonathan E. Douglas*  
 JONATHAN E. DOUGLAS, R.L.S. #3212  
 11/13/17  
 DATE

NO.	REVISION	DATE
1	#####	####
2	#####	####
3	#####	####
4	#####	####

**SURVEY FOR:**  
 MOHAMMAD KHIMANI  
 7895 GA HIGHWAY 74  
 CITY OF FAIRBURN  
 FULTON COUNTY, GEORGIA  
 LAND LOT 27 OF THE 9 F DISTRICT

**DOUGLAS CONSULTING LLC**  
 248 Gilliam Ct.  
 Locust Grove, GA 30248  
 LSF001174  
 Cell (770)334-5567  
 Office (770)288-2117  
 Fax (770)288-2117  
 douglasconsultingllc@yahoo.com

Boundary, Topographic, Mortgage, & ALTA Surveys  
 Subdivisions, Land Planning, Construction Layout, &  
 Custom Floorplans

CHECKED: JED
DRAWN :LMB
SCALE: 1"=60'
FIELD DATE: 08-17-2017
DWG. DATE: 11-13-2017
JOB NO.: 7895 GA HWY 74

SHEET  
**1 OF 1**

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AS-BUILT FOR:  
**PACKAGE DEPOT PLAZA**  
 7895 SENOIA ROAD  
 CITY OF FAIRBURN  
 FULTON COUNTY, GEORGIA

**Advance Engineering & Construction, LLC**  
 Civil Engineering & Development Consultants  
 5300 Memorial Drive  
 Suite 123-G  
 Stone Mountain, GA 30083  
 Ph. 678-974-7393  
 Fx. 678-515-3967

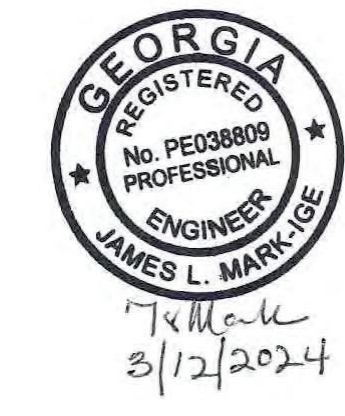
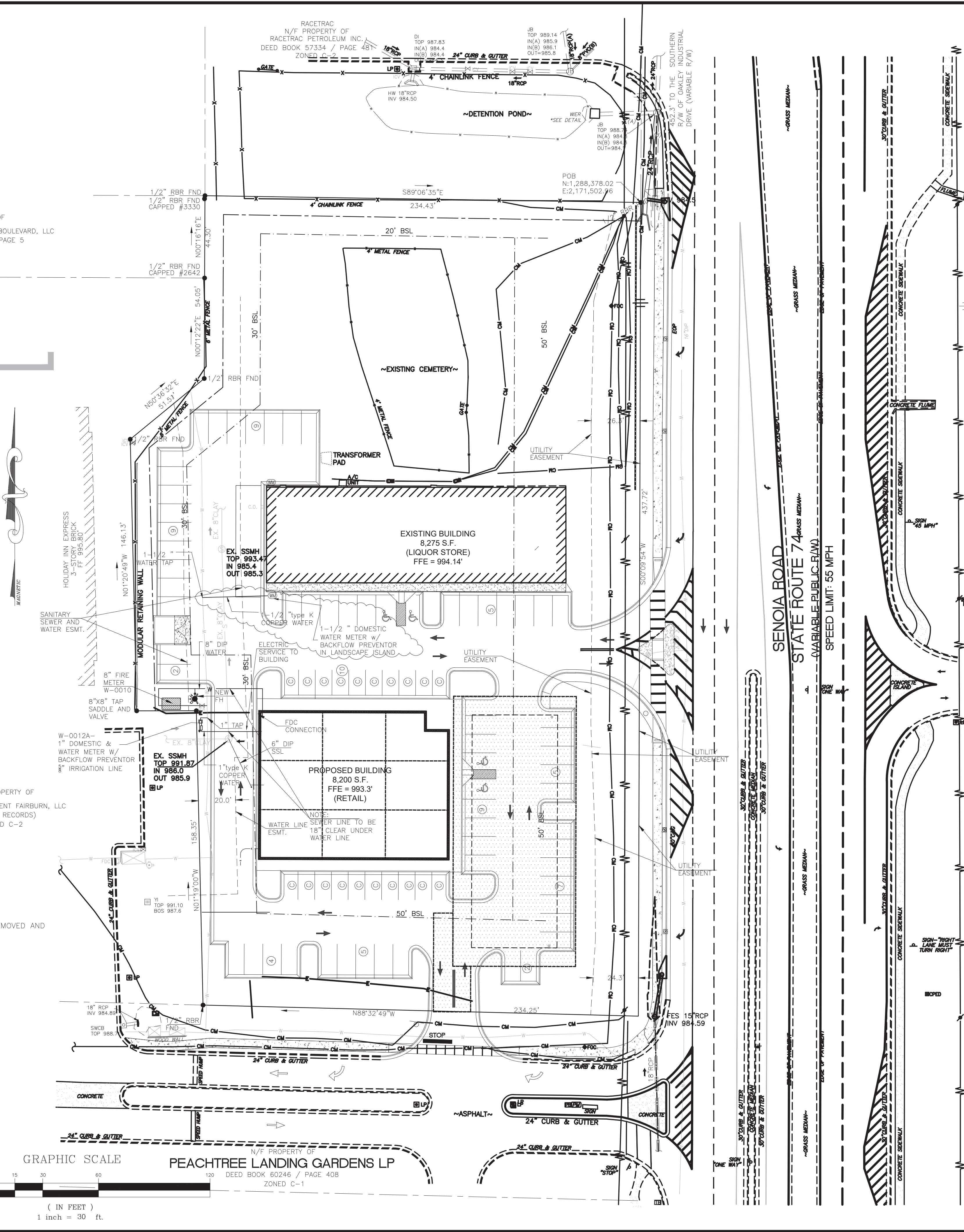
Date	Description
2/22/2021	ADDRESSED CITY COMMENTS
5/10/2021	ADDRESSED CITY COMMENTS
8/11/2021	ADDRESSED CITY AND GDOT COMMENTS
1/19/2022	RE-POSITION UNDERGROUND DETENTION STORAGE
2/10/2022	REVISION WATER LINES
2/10/2022	REVISION WATER BUILDING
3/27/2024	ADDRESSED CITY COMMENTS FOR SAN. AND WATER EASEMENT

**PACKAGE DEPOT PLAZA**  
 7895 SENOIA ROAD,  
 FAIRBURN, GA 30213  
 FULTON COUNTY  
 PARCEL ID: 09F070000270825

AEC Project No.:	Date:
Designed by:	Drawn by:
Checked by:	Approved by:

**UTILITY PLAN  
 AS-BUILT**

2 OF 3



I HAVE REVIEWED THE AS-BUILT SURVEY FOR THIS PROJECT, AND TO THE BEST OF MY INFORMATION, KNOWLEDGE, AND BELIEF, THE WATER, SANITARY, SEWER AND STORM WATER INFRASTRUCTURE, AS SHOWN ON THIS SURVEY, IS IN GENERAL CONFORMANCE WITH THE APPROVED CIVIL DESIGN DRAWINGS FOR THIS PROJECT, AND ALSO IN ACCORDANCE WITH THE LAND DEVELOPMENT REGULATIONS AND STANDARD SPECIFICATIONS OF THE CITY OF FAIRBURN. IT SHOULD BE NOTED THAT THE UNDERSIGNED DID NOT WITNESS THE INSTALLATION OF THE ABOVE LISTED ITEMS AND THIS STATEMENT IS SOLELY BASED ON THIS AS-BUILT SURVEY AND A SITE VISIT PERFORMED BY THE UNDERSIGNED ON FEBRUARY 2<sup>ND</sup> 2024.

*T. Mark-ige* 3/6/2024

GEORGIA PROFESSIONAL ENGINEER NO 038809 DATE  
 JAMES MARK-IGE - ADVANCE ENGR., & CONSTR., LLC

**GENERAL UTILITY NOTES**

- SEWER NOTES:**
- USE OF PRECAST INVERT MANHOLES IS ACCEPTABLE PROVIDED INVERTS ARE NOT MODIFIED.
  - IF TRING INTO EXISTING MANHOLE, NOTE MUST BE ADDED ON PLANS TO READ "MATCH TO TOP OF EXISTING TABLE".
  - A CITY UTILITY CONSTRUCTION PERMIT IS TO BE ACQUIRED BY A CITY APPROVED UTILITY CONTRACTOR PRIOR TO INSTALLATION. A MANDATORY PRE-CONSTRUCTION CONFERENCE WITH INSPECTOR BY APPOINTMENT ONLY, IS REQUIRED 24 HOURS PRIOR TO ANY UTILITY CONSTRUCTION. ANY UTILITY DESIGN CHANGES MUST BE APPROVED BY THE COUNTY PRIOR TO INSTALLATION.
  - PLUG TO BE INSTALLED AT THE TIE-IN MANHOLE AND FIRST MANHOLE UPSTREAM. PLUG TO BE REMOVED AT THE DIRECTION OF THE UTILITY INSPECTOR. FAILURE TO COMPLY MAY RESULT IN CITATION AND/OR SUSPENSION FROM ANY APPROVED CONTRACTOR LIST.
  - AS-BUILT/RECORD DRAWINGS FOR SEWER SYSTEM REQUIRED AT LEAST 14 BUSINESS DAYS PRIOR TO REQUESTING FINAL PLAT APPROVAL, TEMPORARY CERTIFICATE OF OCCUPANCY OR ISSUANCE OF CERTIFICATE OF OCCUPANCY.
  - ALL WORK TO BE PERFORMED ACCORDING TO COUNTY DEPARTMENT OF PUBLIC UTILITIES SANITARY SEWER STANDARDS, CURRENT EDITION. ACTUAL FIELD CONDITIONS COULD DICTATE MORE STRINGENT REQUIREMENTS, IF DEEMED NECESSARY BY INSPECTOR.
  - OWNER SHALL MAINTAIN PLUGS IN DUMPSTER DRAINS AT ALL TIES SO AS TO PROHIBIT LIQUID DRAINAGE FROM DUMPSTER.
  - THE CITY DOES NOT AUTHORIZE ANY PAVEMENT CUTS, IF CUT IS NECESSARY PERMISSION MUST BE OBTAINED FROM OWNER OF THE STREET.
  - MAINTAIN 10" SEPARATION BETWEEN WATER AND SEWER LINES.
  - EXTERIOR GREASE TRAPS WILL BE REQUIRED FOR ALL RESTAURANTS.
  - NO TREES OR PERMANENT STRUCTURES ALLOWED IN SANITARY SEWER EASEMENTS.
  - SEWER LATERALS MUST BE INSTALLED TO EXTEND TO 5 FEET OUTSIDE RIGHT-OF-WAY.
  - EXISTING PIPE CAN ONLY BE CUT IN THE PRESENCE OF A CITY INSPECTOR. CUT-IN MANHOLE REQUIRED UNLESS "DOGHOUSE MANHOLE" SPECIFICALLY APPROVED BY PROJECT INSPECTOR PRIOR TO CONSTRUCTION.

**WATER NOTES:**

- METER FEES MUST BE PAID PRIOR TO ISSUANCE OF A BUILDING PERMIT OR BEFORE ISSUANCE OF A DDC CONSTRUCTION PERMIT OR ISSUANCE OF CONSTRUCTION PERMIT FOR METERS 3" OR LARGER.
- A CITY UTILITY CONSTRUCTION PERMIT MUST BE ACQUIRED BY AN APPROVED CITY CONTRACTOR PRIOR TO INSTALLATION. A MANDATORY PRE-CONSTRUCTION CONFERENCE WITH INSPECTOR, BY APPOINTMENT ONLY, IS REQUIRED 24 HOURS PRIOR TO INSTALLATION OF WATER METERING DEVICES. METERS 3/4" TO 2", INSTALLED BY THE CITY REQUIRE NO CONSTRUCTION PERMIT.
- BEFORE C.O. IS ISSUED, AS-BUILTS FOR DETECTOR CHECK AND A FINAL INSPECTION BY THE DEPARTMENT OF PUBLIC UTILITIES IS REQUIRED.
- DOUBLE CHECK BACKFLOW PREVENTION DEVICES FOR ALL METERS AND/OR FIRE LINES MUST BE TESTED AND APPROVED BEFORE ISSUANCE OF FINAL CERTIFICATE OF OCCUPANCY.

**NOTES:**

MAGNETIC DETENTION TAPE AND TRACER WIRE SHALL BE PLACED DIRECTLY OVER ALL NONMETAL WATER LINES, ALL SERVICE LINE, ALL SEWER MAINS AND SEWER LATERALS AT MAXIMUM DEPTH OF 2 FEET FROM FINISHED GRADE. THE 3M SCOTCHMARK LOCATING SYSTEM SHALL ALSO BE UTILIZED. (FAIRBURN DEVELOPMENT STANDARDS SECTION 1.1 AND 2.1)

THE PROPOSED WATER LINE, SEWER LINE, METERS, SEWER LATERALS AND ALL RELATED APPURTENANCES SHALL BE IN ACCORDANCE TO CITY OF FAIRBURN DEVELOPMENT STANDARDS AND DETAILS DATED MAY 2015.



**ENGINEER**  
 JAMES MARK-IGE, PE  
 ADVANCED ENGINEERING AND  
 CONSTRUCTION, LLC  
 5300 MEMORIAL DRIVE, SUITE 14  
 STONE MOUNTAIN, GA 30083  
 PHONE: 678-974-7393  
 FAX #: 678-515-3967

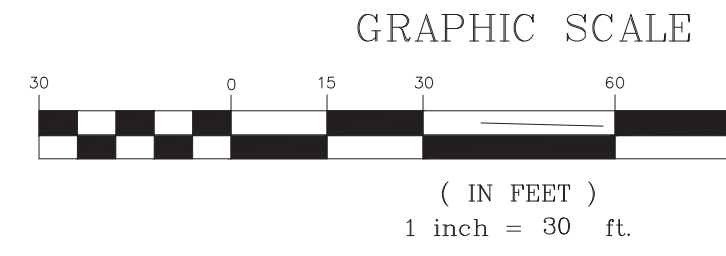
**OWNER/DEVELOPER**  
 (PRIMARY PERMITTEE)  
 MOHAMMED KHIMANI  
 7895 SENOIA RD.,  
 FAIRBURN, GA 30213  
 PH 770-832-7717

24-HR CONTACT  
 MOHAMMED KHIMANI  
 PH 770-832-7717

N/F PROPERTY OF  
 APSILOH MANAGEMENT OAKLEY BOULEVARD, LLC  
 DEED BOOK 57334 / PAGE 5  
 ZONED C-2

N/F PROPERTY OF  
 APSILOH MANAGEMENT FAIRBURN, LLC  
 (PER TAX RECORDS)  
 ZONED C-2

NOTES:  
 EXISTING TRANSFORMERS TO BE REMOVED AND  
 RELOCATED BY THE CONTRACTOR.



N/F PROPERTY OF  
**PEACHTREE LANDING GARDENS LP**  
 DEED BOOK 60246 / PAGE 408  
 ZONED C-1













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

**To:** Planning and Zoning Commission

---

**From:** Chancellor Felton, City Planner

---

**Date:** June 4, 2024, Planning and Zoning Commission

---

**Agenda Item:** Text Amendment, Automobile and truck rental and leasing

**Agent/Applicant/Petitioner Information:**

- Applicant: Speed Enterprises, LLC
- Property Owner: Waldrop Holdings, LL

**History**

The applicant is requesting approval to allow automobile and truck rental/leasing in the M-1 zoning district. The applicant is requesting approval to reopen a business at 337 Bay Street. The business was closed because the applicant was operating without a valid occupation tax license. The site was originally developed in 1987. The Finance Department has business licenses for this location starting in the year of 2011. H.E.H. Paving, Inc. (paving) held its business license from 2011 until 2013. There was a gap between 2013 and 2016 where no business license was registered to this location. In 2016, New Line Express, Inc. (automobile repair, body, and paint) held its business license until 2017.

There was some overlap between New Line Express, Inc and Trinity Auto Repair. Trinity Auto Repair (car maintenance) held its license from 2016 until 2019. Jes Auto Sales LLC (used auto sales) held its business license from 2020 until 2021. They did not renew or terminate. There was some overlap between Jes Auto Sales LLC and Automotive Express, LLC (used car sales). Automotive Express, LLC held its business license from until 2021. They did not renew or terminate.

Speed Enterprises, LLC began operating on the site in 2020 and never received a business license. The existing regulations were established in 2015 and because the automotive uses were conducted on a site without a valid business license, the use became illegal nonconforming, so the applicant is requesting the change the regulations to reopen the business.

## Staff Review

The following automotive uses are allowed in the M-1 zoning district with additional regulations:

- Automobile and truck sales (including retail parts sales and/or tire store).
- Automobile, trailer, and boat sales/service.
- Automobile repair (including paint and body).
- Automobile service station.

### Proposed Text Amendment.

- The applicant is requesting to amend the zoning ordinance to add truck/vehicle rentals. Specifically, Section 80-85(c)(6) states the following in its current form:

Automobile, trailer and boat sales/service.

- a. Minimum one-acre lot size.
- b. All vehicles shall be set back at least ten feet from the street right-of-way line.
- c. Such use shall be located at least 50 feet from any properties zoned for residential purposes.
- d. A solid fence or wall no less than eight feet in height shall be maintained to provide a visual screening between the residential and commercial properties.

Applicant requests to delete and replace Section 80-85(c)(6) with the following:

Automobile, trailer and boat rentals or sales/service.

- a. Minimum one-acre lot size.
- b. All vehicles shall be set back at least ten feet from the street right-of-way line.
- c. A solid fence or wall no less than eight feet in height shall be maintained to provide a visual screening between the residential and commercial properties.



## Staff Recommendation

Staff recommends the following modification if the request is approved.

Motor vehicle rental.

The following regulations shall apply to motor vehicle rental:

- A. Minimum one-acre lot size.
- B. All vehicles shall be parked on paved surfaces or pervious paving materials approved by the city engineer.
- C. No vehicle shall be parked or displayed within the boundary of a public road or street right-of-way, within any side or rear building setback area, or closer than one hundred (100) feet from the nearest residential structure. It shall be unlawful for a business engaged in the minor repair or sales of automobiles, trucks, buses, trailers, boats, motors, recreational vehicles, farm tractors and machines, and all other motorized and towed vehicles and parts thereof to repair such vehicles and parts in an area adjacent to or within 150 feet of a single-family residential zoning district.
- D. A solid fence or wall no less than eight feet in height shall be maintained to provide a visual screening between the residential and commercial properties.
- E. Such fence, wall or buffer shall be maintained in good condition at all times
- F. Vehicle maintenance, repair, painting and body work must take place within a building.
- G. All vehicles awaiting maintenance, repair, painting and/or body work shall be stored within an opaque fence or wall, and not visible from the nearest public road or street right-of-way or neighboring property.





**ZONING TEXT AMENDMENT INITIATION PROCESS**

The owner of property within the City, or his authorized agent, may apply for a zoning text amendment. In order to be accepted for consideration, all required application forms and documentation must be complete. A checklist is included, specifying the required documentation comprising a complete application packet.

**APPLICANT'S CHECKLIST**

ITEM #	REQUIRED ITEM	NUMBER OF COPIES	CHECK
1.	Application Form	1 original and 1 copy	<input checked="" type="checkbox"/>
2.	Letter of Intent (including proposed text amendment)	1 original and 1 copy	<input checked="" type="checkbox"/>

**ITEM 1. PREAPPLICATION REVIEW MEETING:** Prior to submitting an application, all applicants are required to meet with a planner who will review the applicant's proposal. *This meeting must be completed by the Friday before Monday's filing deadline.* Applicants are required to bring the proposed text amendment to the meeting. Call the Planning and Zoning Office at 770-964-2244 to schedule an appointment.

**ITEM 2. APPLICATION FORM:** Original and notarized signatures of the property owner(s) and applicant(s) or a notarized statement by the applicant as to ownership are required. If a contract is used in lieu of the owner's signature, the signature on the contract must be an original and the contract must be valid for the duration of the zoning text amendment process. See the application form for additional details.

**ITEM 3. LETTER OF INTENT:** The Letter of Intent should state the requested zoning text amendment, Article numbers and section of all affected ordinances relating to proposed amendment, if applicable, detailed text of proposed changes.

**PUBLIC HEARINGS**

**A) The Planning and Zoning Commission** will review the petition and forward a recommendation to the Mayor and City Council on the first Tuesday of each month at 7:00 p.m. at City Hall.

**B) The Mayor and City Council** hold public hearings for zoning text petitions on the fourth Monday of each month at 7:00 p.m. at City Hall.

**PUBLIC NOTICE**

Publish notice of the public hearing in a newspaper of general circulation at least 15 days, but no more than 45 days prior to the public hearing at which an application will be heard. The published notice shall contain the time, place and purpose of the hearing and the location of the property if applicable (zoning text amendments may not always be property specific). Renotification is not required when a petition is deferred by the city council or the planning and zoning commission.



## **STAFF ANALYSIS**

Prior to the public hearings, the Planning and Zoning Office will publish its findings, recommendations and comments in the staff analysis. Please contact the Planning and Zoning Office at (770) 964-2244 for additional information.



**APPLICANT INFORMATION**

Applicant name: Speed Enterprises LLC  
Address: 337 Bay St Fairburn, GA 30213  
Phone: 678-545-0723 Cell: 302 569-7710  
Email address: Speed 30213@gmail.com

**OWNER INFORMATION** (If different from Applicant)

Owner Name: Waldrop Holdings, LLC  
Address: 89 Howell Ave, Fairburn Ga 30213  
Phone: 678-414-9297 Cell: \_\_\_\_\_ Fax: \_\_\_\_\_  
Email address: Kimberly-Waldrop1@gmail.com

**PROPERTY INFORMATION** (if applicable)

Address: 337 Bay Street  
Parcel ID#: \_\_\_\_\_ Land Lot: \_\_\_\_\_ District: \_\_\_\_\_

**ZONING TEXTED REQUEST**

The undersigned, having an interest in the amendment of zoning text herein described, respectfully petitions that said zoning text be amended to the following:

Zoning Ordinance Article M-1 Section 5

Existing Text: M-1 Section 5  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Proposed Text: Add Automotive Rental to the M-1  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



Zoning Ordinance Article \_\_\_\_\_ Section \_\_\_\_\_

Existing Text:

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Proposed Text:

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Zoning Ordinance Article \_\_\_\_\_ Section \_\_\_\_\_

Existing Text:

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Proposed Text:

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**CERTIFICATION OF OWNERSHIP**

I hereby certify that I am the owner of the property shown on the attached plat, described in the attached legal description, and identified as follows: 337 Bay Street

Kimberly N. Waldrop  
Type or Print Owner's Name

Kimberly Waldrop  
Owner's Signature

5/2/24  
Date



Sworn and subscribed before me this 2 day of May 2024

Sandra J. Raines  
Notary Public

December 19, 2026  
Commission Expires

(Seal)

**POWER OF ATTORNEY** (if owner is not the applicant)

Applicant states under oath that: (1) he/she is the executor or Attorney-in-fact under Power-of-Attorney for the owner (attach a copy of Power-of-Attorney letter); (2) he/she has an option to purchase said property (attach a copy of the contract); or (3) he/she has an estate for years which permits the petitioner to apply (attach a copy of lease).

Raymond Okoroigwe  
Type or Print Owner's Name

Raymond Okoroigwe  
Owner's Signature

5-2-2024  
Date

Sworn and subscribed before me this 2<sup>nd</sup> day of May 2024

Sandra J. Raines  
Notary Public

December  
Commission Expires



\_\_\_\_\_  
Type or Print Applicant's Name

\_\_\_\_\_  
Applicant's Signature

\_\_\_\_\_  
Date



**ATTORNEY / AGENT**

CIRCLE ONE: Attorney    Agent

\_\_\_\_\_  
Type or Print Attorney / Agent's Name

\_\_\_\_\_  
Attorney / Agent's Signature

\_\_\_\_\_  
Address

\_\_\_\_\_  
Phone Number

\_\_\_\_\_  
Email Address

**AUTHORIZATION TO INSPECT PREMISES**

I/we \_\_\_\_\_ am/are the owner(s) of the property, which is the subject matter of this application. I/we authorize the City of Fairburn to inspect the premises, which is the subject of this request for Rezoning.

\_\_\_\_\_  
Type or Print Owner's Name

\_\_\_\_\_  
Owner's Signature



# LETTER OF INTENT

Speed Enterprises  
337 Bay Street NE  
Fairburn, GA 30213

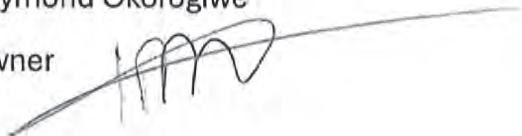
RE: M-1 Automotive Rental be added to the M-1

This is a letter of intent to add Automotive Rental and U-Haul rental to the M-1. We are referring to the M-1 Section 5 of the Light Industrial Zoning District. We intend to use this property for rental of U-Hauls and Motor Vehicles. All activities shall be carried out entirely within the enclosed building. I believe that we meet all of the requirements to allow us to obtain the business license that we are in need of. Thanking you in advance for your anticipated cooperation. If you should need any further information, please do not hesitate to contact us at 770-681-0983.

Sincerely,

Raymond Okorogiwe

Owner

A handwritten signature in black ink, appearing to read 'RAM', is written over a horizontal line that extends across the page.