



Fulton County Board of Commissioners  
**Agenda Item Summary**

**# 17-0467**

**BOC Meeting Date**

7-19-17

**Requesting Agency**

Planning and Community Services

**Commission Districts Affected**

6, 7

**Requested Action** *(Identify appropriate Action or Motion, purpose, cost, timeframe, etc.)*

2016VC-0027 SFC, Campbellton Road (SR 166)

P&CS Dept. Recommendation: Part 1. Withdrawal per applicant's request; Part 2. Denial

CZB Recommendation:

CLUP: N/A

Application by Lemuel H. Ward for Walton GA Woodbury Park LP and Walton Georgia LLC seeks a two-part concurrent variance as follows: Part 1. Allow light fixtures from a local service provider instead of historic fixtures. (Article 12F.4.D.7) Part 2. Reduce the 100-foot undisturbed buffer and 10-foot improvement setback to a 50-foot undisturbed buffer and 10-foot improvement setback adjacent to CUP (Community Unit Plan). (Article 4.4.3.E.1.b)

The subject 46.03 acre site has approximately 1,071.94 feet of frontage on the north side of Campbellton Road (SR 166) and 1,756.26 feet of frontage on the southwest side of Riverside Drive and is located in Land Lots 118, 130, and 131 of District 14F, Fulton County, Georgia.

**Requirement for Board Action** *(Cite specific Board policy, statute or code requirement)*

N/A

**Is this Item related to a Strategic Priority Area?** *(If yes, note strategic priority area below)*

No

**Is this a purchasing item?**

No

**Summary & Background**

*(First sentence includes Agency recommendation. Provide an executive summary of the action that gives an overview of the relevant details for the item.)*

N/A

**Contract & Compliance Information**

*(Provide Contractor and Subcontractor details.)*

**Agency Director Approval**

**County Manager's  
Approval**

**Typed Name and Title**

**Phone**

**Signature**

**Date**

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Agency Director Approval		County Manager's Approval
Typed Name and Title	Phone	
Signature	Date	

Revised 03/12/09 (Previous versions are obsolete)

**# 17-0467**

<b>Solicitation Information</b>	<b>NON-MFBE</b>	<b>MBE</b>	<b>FBE</b>	<b>TOTAL</b>
No. Bid Notices Sent:				
No. Bids Received:				
<b>Total Contract Value</b>	.			
<b>Total M/FBE Values</b>	.			
<b>Total Prime Value</b>	.			
<b>Fiscal Impact / Funding Source</b>	<i>(Include projected cost, approved budget amount and account number, source of funds, and any future funding requirements.)</i>			
.				
<b>Exhibits Attached</b>	<i>(Provide copies of originals, number exhibits consecutively, and label all exhibits in the upper right corner.)</i>			
<b>Source of Additional Information</b>	<i>(Type Name, Title, Agency and Phone)</i>			

<b>Agency Director Approval</b>		<b>County Manager's Approval</b>
<b>Typed Name and Title</b>	<b>Phone</b>	
<b>Signature</b>	<b>Date</b>	

Revised 03/12/09 (Previous versions are obsolete)



Continued

**Procurement**

<b>Contract Attached:</b> .	<b>Previous Contracts:</b> .		
<b>Solicitation Number:</b> .	<b>Submitting Agency:</b> .	<b>Staff Contact:</b> .	<b>Contact Phone:</b> .

**Description:.****FINANCIAL SUMMARY**

<b>Total Contract Value:</b>	<b>MBE/FBE Participation:</b>
Original Approved Amount: .	Amount: . %: .
Previous Adjustments: .	Amount: . %: .
This Request: .	Amount: . %: .
TOTAL: .	Amount: . %: .

**Grant Information Summary:**

Amount Requested: .	<input type="checkbox"/>	Cash
Match Required: .	<input type="checkbox"/>	In-Kind
Start Date: .	<input type="checkbox"/>	Approval to Award
End Date: .	<input type="checkbox"/>	Apply & Accept
Match Account \$: .		

<b>Funding Line 1:</b> .	<b>Funding Line 2:</b> .	<b>Funding Line 3:</b> .	<b>Funding Line 4:</b> .
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**KEY CONTRACT TERMS**

<b>Start Date:</b> .	<b>End Date:</b> .
<b>Cost Adjustment:</b> .	<b>Renewal/Extension Terms:</b> .

**ROUTING & APPROVALS**

(Do not edit below this line)

X	Originating Department:	Massey, Mark	Date: 5/22/2017
.	County Attorney:	.	Date: .
.	Purchasing/Contract Compliance:	.	Date: .
.	Finance/Budget Analyst/Grants Admin:	.	Date: .
.	Grants Management:	.	Date: .
.	County Manager:	.	Date: .



# PLANNING AND COMMUNITY SERVICES INTER-OFFICE MEMORANDUM

To: Board of Commissioners

Through: Dick Anderson, County Manager

From: Randy Beck

Date: July 12, 2017

RE: Public Hearing - Wednesday, July 19, 2017  
SOUTH ZONING AGENDA

Staff and Community Zoning Board Recommendations, Board of Commissioners Prior Actions					
ITEM	PETITION NO.	LOCATION/REQUEST	STAFF	CZB	BOC
1.	2016Z -0016 SFC 2016VC-0027 SFC DISTRICT 6	Campbellton Road (SR 166) - MIX to MIX  Retail/office with a fuel center - 169,231 total sq.ft. Townhouses - 126 units	Deferral Until August 16, 2017	Denial Denial - All Parts	Deferral - Until July 19, 2007
2.	2016Z -0017 SFC 2016VC-0028 SFC DISTRICT 6	Fulton Industrial Boulevard (SR 70) - MIX to M-2  Warehouse Distribution Center - 1,472,000 sq.ft.	Deferral Until August 16, 2017	Denial Denial - All Parts	Deferral - Until July 19, 2007
3.	2016Z -0018 SFC 2016VC-0029 SFC DISTRICT 6	Riverside Drive - MIX to M-2  Warehouse Distribution Center - 734,000 sq.ft.	Deferral until August 16, 2017	Denial Denial - All Parts	Deferral - Until July 19, 2007

**FOR THE MOST CURRENT ZONING INFORMATION  
PLEASE VISIT THE ZONING PAGE AT OUR WEBSITE  
[www.fultoncountyga.gov/fpcsd-home](http://www.fultoncountyga.gov/fpcsd-home)**

PROPOSED ZONING	MIX (MIXED USE) - COMMERCIAL/OFFICE - 3,676.54 SQUARE FEET PER ACRE; TOWNHOUSES - 2.74 UNITS PER ACRE
PROPOSED USE	<b>COMMERCIAL/OFFICE WITH A FUEL CENTER- 169,231 SQUARE FEET TOWNHOUSES - 126 UNITS</b>
EXISTING ZONING	MIX (MIXED USE) - 2012Z-0007 SFC
EXISTING USE	UNDEVELOPED
LAND USE MAP	COMMUNITY LIVE WORK
LOCATION	CAMPBELLTON ROAD (SR 166) (NORTH SIDE): 1,071.94 FEET OF FRONTAGE  RIVERSIDE DRIVE (SOUTHWEST SIDE): 1,756.26 FEET OF FRONTAGE  PARCEL SIZE 46.03 ACRES  SMALL AREA 516  LL 118, 130, 131, DISTRICT 14F  COMMISSION DISTRICT 6  SANDTOWN OVERLAY DISTRICT  SERVED BY PUBLIC SEWER
OWNER	WALTON GA WOODBURY PARK, LP WALTON GEORGIA, LLC
PETITIONER	WALTON GA WOODBURY PARK, LP WALTON GEORGIA, LLC
REPRESENTATIVE	LEMUEL H. WARD

**APPLICANT'S INTENT**

To develop 169,231 square feet of retail/office with a fuel center and 126 townhouses on 46.03 acres. In addition, the applicant seeks a two-part concurrent variance as follows:

Part 1. Allow light fixtures from a local service provider instead of historic fixtures. (Article 12F.4.D.7)

Part 2. Reduce the 100-foot undisturbed buffer and 10-foot improvement setback to a 50-foot undisturbed buffer and 10-foot improvement setback adjacent to CUP (Community Unit Plan) zoning. (Article 4.4.3.E.1.b)

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**Department of Planning and Community Services  
Recommendation**

**DEFERRAL until AUGUST 16, 2017**

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**Community Zoning Board Recommendation  
May 16, 2017**

**DENIAL: 2016Z -0015 SFC  
DENIAL: 2016VC-0026 SFC - Part 1  
DENIAL: 2016VC-0026 SFC - Part 2**

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**Board of Commissioners Meeting  
June 7, 2017**

**DEFERRED until June 21, 2017**

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**Board of Commissioners Meeting  
June 21, 2017**

**DEFERRED until July 19, 2017**

**SUBJECT SITE:** The subject 46.03 acre site is located on the southwest side of Riverside Drive and the north side of Campbellton Road (SR 166). The site is zoned MIX (Mixed Use) and is part of a larger 312.7 acre site approved for 30,000 square feet of retail, 8,000 square feet of office, 140 townhouses, and 780 single family lots pursuant to 2012Z -0007 SFC. The site is wooded and undeveloped. The site plan shows a stream in the middle of the site.

**BACKGROUND:** In 1970, 277 acres along Fulton Industrial Boulevard located in District 14, Land Lots 132, 137, 149, 150 and Land Lot 66 of District 9C were rezoned from SUB A (Residential) to M-1 (Industrial) pursuant to Z70-047 SFC.

In 1998, along the east side of Fulton Industrial Boulevard (SR 70), north of Campbellton Road, 102.43 acres were rezoned from M-1 (Light Industrial) to M-1A (Industrial Park) for a 2,139,789 square foot Industrial Park pursuant to 98Z-002 SFC.

In 2006, a 456.926 acre site known as Riverside Park with frontages along Fulton Industrial Boulevard (SR 70), Riverside Drive, and Campbellton Road was rezoned from M-1A (Industrial Park), pursuant to Z70-047 SFC and 98Z-002 SFC, and SUB A (Residential) to MIX (Mixed Use) pursuant to 2006Z -0065 SFC. Riverside Park was approved for 62,644 square feet of retail, 113,144 square feet of office, 350 apartments, 450 townhouses, 150 active adult housing units, and 800 single family detached residential units pursuant to 2006Z -0065 SFC.

In 2012, 312.7 acres of the original 456.93 acre Riverside Park was rezoned from MIX (Mixed Use) to MIX (Mixed Use) by Walton Georgia, LLC and was known as Woodbury Park. The site was approved for 30,000 square feet of retail, 8,000 square feet of office, 140 townhouses, and 780 single family lots.

Currently, the applicant, Walton Ga Woodbury Park, LP and Walton Georgia, LLC seek to rezone the 312.7 acre property with 5 rezoning petitions as follows: (See "Site Plan of Walton's Overall Development Request" behind the APPENDIX.)

- (Subject site) 2016Z -0016 SFC, 2016VC-0027 SFC, Campbellton Road (SR 166), MIX to MIX, Retail/office with a fuel center - 169,231 total square feet; Townhouses - 126 units
- (Further west of subject site) 2016Z -0014 SFC, 2016VC-0025 SFC, Fulton Industrial Boulevard (SR 70) - MIX to C-1, retail, convenience store with gas pumps - 16,600 square feet
- (Further west of subject site) 2016Z -0015 SFC, 2016VC-0026 SFC, Kendall Park Lane - MIX to O-I, Office Complex - 152,000 square feet
- (West of subject site) 2016Z -0017 SFC, 2016VC-0028 SFC, Fulton Industrial Boulevard (SR 70) -MIX to M-2, Warehouse Distribution Center - 1,472,000 square feet

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- (West) 2016Z -0018 SFC 2016VC-0029 SFC Riverside Drive - MIX to M-2 Warehouse Distribution Center - 734,000 square feet

### NEARBY AND ADJACENT PROPERTIES/ZONINGS: NON-RESIDENTIAL & MIXED USE

- \*\* Further Northwest (west side of Fulton Industrial Boulevard) - Use:** Westgate Industrial Park (Existing)  
Petition: Z61-008 SFC  
Zone: M-2 (Heavy Industrial)  
Density: None Stated
- \*\* Further Northwest - Undeveloped & Astoria Riverside Apartments (Existing)**  
Petition: 2006Z -0065 SFC  
Zone: MIX (Mixed Use)  
Density: Retail: 137.10 square feet per acre, 62,644 total square feet; Office: 247.62 square feet per acre, 113,144 total square feet; Apartments: 0.766 dwelling units per acre, 350 units; Townhouses: 0.985 dwelling units per acre, 450 total units; Active Adult Housing: 0.33 units per acre, 150 total units; Single Family Detached Residences: 1.751 units per acre, 800 total units.  
Height: Retail/Office: 2 stories; Residential: 40 feet
- \*\* Further Northwest (North side of Riverside Drive) - Use:** Industrial Park (Existing)  
Petition: 87Z-033 SFC  
Zone: M-1A (Industrial Park)  
Density: 15,490 square feet per acre, 5,737,496 total square feet (no individual site can exceed a density of 18,000 square feet per acre)
- \*\* Northwest - Use:** Native Forest Restoration Site (Existing)  
Petition: 2006Z -0065 SFC  
Zone: MIX (Mixed Use)  
Density: Retail: 137.10 square feet per acre, 62,644 total square feet; Office: 247.62 square feet per acre, 113,144 total square feet; Apartments: 0.766 dwelling units per acre, 350 units; Townhouses: 0.985 dwelling units per acre, 450 total units; Active Adult Housing: 0.33 units per acre, 150 total units; Single Family Detached Residences: 1.751 units per acre, 800 total units.  
Height: Retail/Office: 2 stories; Residential: 40 feet
- \*\* West - Use:** Undeveloped  
Petition: 2012Z -0007 SFC  
Zone: MIX (Mixed Use)  
Density: retail - 96.94 square feet per acre, 30,000 square feet; office - 25.59 square feet per acre, 8,000 square feet; townhouses - 0.45 units per acre, 140 townhouses; single family - 2.495 units per acre, 780 lots
- \*\* Southeast - Use:** Premiere Scholar Day Care (Existing)  
Zone: MIX (Mixed Use)



Density: Retail: 137.10 square feet per acre, 62,644 total square feet; Office: 113.14 square feet per acre, 113,144 total square feet; Apartments: 0.766 dwelling units per acre, 350 units; Townhouses: 0.985 dwelling units per acre, 450 total units; Active Adult Housing: 0.33 units per acre, 150 total units; Single Family Detached Residences: 1.751 units per acre, 800 total units.

Height: Retail/Office: 2 stories; Residential: 40 feet

- \*\* Further East - Use: Sandtown Crossing (Existing & Undeveloped)**  
 Petition: 2002Z -0008 SFC  
 Zone: C-1 (Community Business)  
 Density: Retail - 6,704.83 square feet per acre, total 231,987 square feet  
 Office - 2,254.33 square feet per acre, total 78,000 square feet  
 Height: 2-stories
- \*\* Further Southeast - Use: Owl Rock Methodist Church (Existing)**  
 Zone: AG-1 (Agricultural)
- \*\* Further East - Use: Rock Head United Methodist Church (Existing)**  
 Zone: AG-1 (Agricultural)
- \*\* Further Southwest - Use: Zion Hill Baptist Church (Existing)**  
 Petition: 2006U -0004 SFC (Church), 2006U -0007 SFC (Day Care), 2002U -0048 SFC (Recreational Field)  
 Density: 4,883.77 square feet per acre, 150,000 total square feet with max. 2,200 fixed seats, Students - 225 maximum for day care use with additional 200 max for after school program
- \*\* Further Southwest - Use: Undeveloped**  
 Petition: 2003U -0022 SFC (Church)  
 Zone: SUB A (Residential)  
 Density: 1,238.40 square feet per acre, 12,000 total square feet, 500 seats
- \*\* Further Southwest - Use: Southgate Industrial Park (Existing)**  
 Petition: 98Z -002 SFC  
 Zone: M-1A (Industrial Park)  
 Density: 20,890 square feet per acre, 2,139.789 total square feet
- \*\* Further Southwest - Use: Atlanta Distribution Center (Existing)**  
 Petition: 99Z -055 SFC  
 Zone: M-1A (Industrial Park)  
 Density: 16,038 square feet per acre, 650,000 total square feet
- \*\* Further Southwest - Use: Undeveloped (Approved for mixed use)**  
 Petition: 2008Z -0013 SFC  
 Zone: MIX (Mixed Use)  
 Density: Retail - 1,120.4 square feet per acre, 29,500 total square feet (minimum office use 4,200 square feet); Multifamily - 7.75 units per acre, 204 total units  
 Height limit: 2 stories (non-residential), 3-stories (multi-family)

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**Further Southwest (West side of Fulton Industrial Boulevard) - Use: Auto Auction**  
Vehicle Storage Facility (Existing)  
Petition: 2004Z -0084 SFC  
Zone: M-1 (Light Industrial)  
Density: 275.41 square feet per acre; 10,000 total square feet

## NEARBY AND ADJACENT PROPERTIES/ZONINGS: RESIDENTIAL

- \*\* South - Canaan Woods Subdivision (Existing)**  
Zone: SUB A (Residential)  
Density: None stated
- \*\* Further Southwest - Scattered Single Family (Existing)**  
Zone: SUB A (Residential)  
Density: None stated
- \*\* Further Southwest - Use: Undeveloped (Approved for single family subdivision)**  
Petition: 2006Z -0005 SFC  
Zone: CUP (Community Unit Plan)  
Density: 2.37 units per acre, 34 lots  
Minimum Lot Size: 10,000 square feet  
Minimum Heated Floor Area: 1,800 square feet
- \*\* Further Southwest - Cambridge Meadows (Undeveloped)**  
Petition: 2005Z -0037 SFC  
Zone: CUP (Community Unit Plan)  
Density: 3.01 units per acre, 78 lots  
Minimum Lot Size: 10,000 square feet  
Minimum Heated Floor Area: 1,800 square feet
- \*\* Further Southwest - Use: Brittany Park Subdivision (Existing)**  
Petition: 2002Z 0010 SFC  
Zone: CUP (Community Unit Plan)  
Density: 2.32 units per acre, 210 lots  
Minimum lot size: 10,000 square feet for 137 lots, and 13,500 for 73 lots
- \*\* Further Southwest - Use: Waterford Commons (Existing)**  
Petition: 2001Z -0102 SFC  
Zone: R-4 (Residential)  
Density: 1.605 units per acre, 424 lots  
Minimum Heated Floor Area: 1,500 square feet
- \*\* Further Southwest - Use: Undeveloped**  
Petition: 2006Z -0036 SFC  
Zone: CUP (Community Unit Plan)  
Density: 2.91 units per acre, 37 lots



Minimum Lot Size: 10,000 square feet  
 Minimum Heated Floor Area: 1,800 square feet

- \*\* Further Southwest - Use:** Townhouse development (Undeveloped)  
 Petition: 2008Z -0023 SFC  
 Zone: TR (Townhouse Residential)  
 Density: 4.34 units per acre (114 townhouses, 23 single family detached)  
 Minimum Lot Size: 6,000 (single family detached)  
 Minimum Heated Floor Area: 2,000 (townhouses), 2,850 (single family detached)
- \*\* There have been no RECENT DENIALS and there are no MISCELLANEOUS USES/ZONINGS in the immediate area.**

### **SITE PLAN ANALYSIS:**

Based on the applicant's site plan submitted to the Department of Planning and Community Services on December 13, 2016, Staff offers the following considerations:

### **LAND USE AND DENSITY**

The applicant seeks to rezone the 46.03 acre site from MIX (Mixed Use) to MIX (Mixed Use) to develop 169,231 square feet of retail/office with a fuel center and 126 townhouses on 46.03 acres. In the letter of intent the applicant notes that approximately 17.37 acres will be developed with 126 townhouses and approximately 26.65 acres will be developed with commercial and office use. A 113,531 square foot grocery store with a drive-thru and related shops (3,600 square feet) with seven outparcels for retail use and a fuel center associated with a grocery store are shown on the site plan. A total of 169,231 square feet of retail/office is proposed. In order to comply with the MIX (Mixed Use) District standards for a mix of non-residential uses, the applicant proposes a minimum of 21,000 square feet of office use. A fuel center is also shown on the site plan.

The 2035 Comprehensive Land Use Map suggests Community Live Work. Community Live Work suggests a balanced mix of commercial/office, and residential with residential densities up to 9 units per acre, commercial/office densities up to 15,000 square feet per acre, a 4-story height limit and 10 percent of the project area to be a community gathering space. The applicant's request for commercial/office use at a density of 3,676.54 square feet per acre and residential use at 2.74 units per acre is consistent with the suggestion of the Plan Map.

In regards to the specific uses of the property, the site plan shows a grocery store with drive thru and shops, outparcels labeled as restaurants, bank, office, shops, and a fuel center. The current zoning on the property, pursuant to 2012Z -0007 SFC, excludes uses of convenience stores with gas pumps, freestanding fast food restaurants, commercial amusements, liquor stores, adult bookstores, pawn shops, check cashing facilities, hotels, and for-profit facilities with coin-operated washing and drying equipment, except commercial dry cleaning establishments are allowed. Given the proposed location of a fuel center on a state route, Campbellton Road (SR 166), Staff supports the use. Staff notes petition 2012Z -0007 SFC was approved excluding freestanding fast food restaurants. The site plan shows several restaurants. Given Riverside Drive is classified as a local road, Staff recommends

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requesting fast food restaurants be excluded except along Campbellton Road (SR 166). Staff recommends including the rest of the prohibited uses per 2012Z -0007 SFC.

In order to assure a true mixed use development, Staff is of the opinion that limits on the number of residential units that can be built prior to the development of the non-residential component of the development are necessary. Staff recommends that no more than 75 percent of the townhouses shall be built until such time as the issuance of a building permit for a minimum 25,000 square feet of non-residential development. Staff will reflect this in the Recommended Conditions.

On July 10, 2017, staff received a letter requesting deferral of this petition until the August 16, 2017, Board of Commissioners meeting. The applicant wishes to continue to meet with the various community members and organizations to investigate the potential of a negotiated agreement. Given that ongoing dialog continues to occur staff supports the applicant's request and recommends **DEFERRAL UNTIL AUGUST 16, 2017.**

### MINIMUM HEATED FLOOR AREA

The applicant requests a minimum heated floor area of 1,400 square feet for the townhouses. Staff supports the request given a minimum of 1,300 square feet was previously per the overall 312.7 acre site pursuant to 2012Z -0007 SFC.

### BUILDING SETBACKS

Article 8.2.3 specifies building setbacks per the conditions of zoning. Due to the configuration of the site, there are two front yards along Riverside Drive and Campbellton Road (SR 166), and the remaining are side yards. The site plan shows a minimum 40-foot front yard setback which is consistent with retail, office, and townhouse district standards. Staff has included the recommendation in the attached Recommended Conditions. Landscaping is required along the remaining property lines as discussed in the next section.

Staff notes Article 7.2.3.M.2 requires that setbacks and roof lines for townhouses be varied by at least 2 feet so that no more than 3 adjoining dwellings within a single building shall have the same front setback or roof line. Staff recommends a 2-foot variation for townhouses as measured from the back of curb which is consistent with Board action pursuant to 2012Z -0007 SFC. Staff has added this condition to the Recommended Conditions.

### LANDSCAPE STRIPS AND BUFFERS

The site is currently surrounded by MIX (Mixed Use) pursuant to 2012Z -0007 SFC to the west and 2006Z -0065 SFC to the east. Single family residences are approved to the west and commercial use is approved to the east at the intersection of Riverside Drive and Campbellton Road (SR 166). A day care is developed on one of the parcels. Staff notes that within the proposed mixed use development the 113,531 square foot grocery store meets the standards of a large scale retail/service commercial development of 75,000 square feet or greater. Therefore the applicant shall be required to comply with Article 4.4 of the Zoning Resolution.

As the adjacent area is currently zoned, the following landscape strips and undisturbed buffers and improvement setbacks are required as follows:

MME P:\PlanAnalysis\PLANNERS\CASES\2017\Walton\16Z-0016  
For TDD, TTY Access Services please call 711 for Georgia Relay.  
Printed:7/11/17

Petition: 2016Z-0016SFC / 2016VC-0027 SFC  
BOC Meeting: 07/19/17

- 25-foot landscape strip along Riverside Drive and Campbellton Road (SR 166) for non-residential use (Article 12F.4, Section A.3)
- 25-foot undisturbed buffer and 10-foot improvement setback or min. 6 ft. high berm planted to landscape strip standards with a maximum slope of 3 to 1 or a combination along Riverside Drive for residential use (townhouses) (Article 12F.4, Section A.2)
- 25-foot undisturbed buffer and 10-foot improvement setback where townhouses are adjacent to single family residences (side yards) (Article 4.23.1)
- 100-foot undisturbed buffer and 10-foot improvement setback where the grocery store is adjacent to MIX (Mixed Use) and CUP (Community Unit Plan) approved for residential use (Article 4.4.3.E.1.b)
- 15-foot landscape strip adjacent to MIX (Mixed Use) approved for non-residential use (Article 12F.4, Section A.4)
- 5-foot landscape strips are required on either side of the common property lines of the outparcels (Article 4.23.1)

The applicant seeks to rezone the adjacent property to M-2 (Heavy Industrial) to the west. Should the adjacent properties be rezoned per the applicant's request, landscape strips and buffers are required as follows:

- 25-foot landscape strip along Riverside Drive and Campbellton Road (SR 166) for non-residential use (Article 12F.4, Section A.3)
- 25-foot undisturbed buffer and 10-foot improvement setback or min. 6 ft. high berm planted to landscape strip standards with a maximum slope of 3 to 1 or a combination along Riverside Drive for residential use (townhouses) (Article 12F.4, Section A.2)
- 15-foot landscape strip where townhouses and grocery store area area adjacent to proposed M-2 (Heavy Industrial) (side yards) (Article 4.23.1)
- 100-foot undisturbed buffer and 10-foot improvement setback where the grocery store is adjacent to CUP (Community Unit Plan) approved for residential use (Article 4.4.3.E.1.b)
- 15-foot landscape strip adjacent to MIX (Mixed Use) approved for non-residential use (Article 12F.4, Section A.4)
- 5-foot landscape strips are required on either side of the common property lines of the outparcels (Article 4.23.1)

Staff notes that Article 4.4.3, Section C. 8. requires that all parking be screened from the view of any public street by a 25-foot wide landscape strip planted to buffer standards. The applicant will be required to show compliance with all landscape requirements at the time of application for a land disturbance permit. The site plan shows the landscape requirements based upon the Board's approval of the rezoning requests for the adjacent parcels, except the applicant seeks a variance as follows:

### CONCURRENT VARIANCE

Part 2. Reduce the 100-foot undisturbed buffer and 10-foot improvement setback to a 50-foot undisturbed buffer and 10-foot improvement setback adjacent to CUP (Community Unit Plan) zoning.

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The site plan shows a side parking area and drive thru for the grocery store and an outparcel near the area where the buffer is required adjacent to residentially zoned property. Staff notes an existing stream buffer is located north of the proposed grocery store.

Staff notes that Article 22.3.1 states that a variance may be considered if relief is in harmony with the general purpose and intent of the Zoning Resolution; or due to extraordinary and exceptional conditions pertaining to the property because of its size, shape, or topography which would create an unnecessary hardship for the owner while causing no detriment to the public; or conditions resulting from existing foliage or structures which bring about a hardship whereby a sign meeting the minimum letter size, square footage and height requirements cannot be read from an adjoining public road.

On July 10, 2017, staff received a letter requesting deferral of this petition until the August 16, 2017, Board of Commissioners meeting. The applicant wishes to continue to meet with the various community members and organizations to investigate the potential of a negotiated agreement. Given that ongoing dialog continues to occur staff supports the applicant's request and recommends **DEFERRAL UNTIL AUGUST 16, 2017**.

### PARKING

The following chart illustrates the parking required by Article 18 of the Fulton County Zoning Resolution for the proposed uses:

Proposed Use	Minimum Requirement
Retail Service Commercial	5 spaces per 1,000 square feet of building area
Restaurant	10 spaces per 1,000 square feet of building area
Office	3 spaces per 1,000 square feet of building area
Townhouses	2 spaces per residence
Financial Institutions	5 spaces per 1,000 square feet of building area

The applicant will be required to show parking calculations in compliance with Article 18 of the Zoning Resolution as well as the parking landscape and layout requirements of Article 4.23.2 at the time of application for a Land Disturbance Permit. Staff recommends that shared parking be allowed between the retail and office uses. Staff has included the recommendation in the Recommended Conditions.

In regards to the grocery store, Article 4.4.3, Section J.5 requires, where feasible, that no more than 50 percent of the off-street parking area for the area of land devoted to the large retail establishment be located along a public road and between the front façade and the road. The applicant has indicated that compliance is not feasible due the site configuration and presence of the stream and associated buffer and flood plain. The mixed use development has frontages on Riverside Drive and Campbellton Road (SR 166). The grocery store is oriented to Campbellton Road (SR 166), a state route. Since the larger retailer is anticipated to be a grocery store, there are significant challenges to orientation and a need to maintain a back-of-house area for services and deliveries and to keep those areas out of public view.



CONCURRENT VARIANCEPart 1. Allow local electric company light fixtures instead of historic period lighting.

The applicant seeks to obtain light fixtures from Greystone Power. In 2012, pursuant to 2012Z-0007, 2012VC-0008 SFC, the applicant requested a similar variance request. Variances were approved as follows:

3. To the owner's agreement to the following site development considerations:
  - s. Increase the mounting height for lights poles from 28 feet to 30 feet. (2012VC-0007 SFC, Part 3)
  - t. Allow locally available Greystone Power Corporation "Salem" Post Top light fixture instead of historic period lighting (2012VC-0007 SFC, Part 4)

On July 10, 2017, staff received a letter requesting deferral of this petition until the August 16, 2017, Board of Commissioners meeting. The applicant wishes to continue to meet with the various community members and organizations to investigate the potential of a negotiated agreement. Given that ongoing dialog continues to occur staff supports the applicant's request and recommends **DEFERRAL UNTIL AUGUST 16, 2017.**

ENVIRONMENT

The Environmental Site Analysis Report is sufficient and satisfies the requirement of the Fulton County Zoning Resolution. According to the Environmental Site Analysis Report, the overall 312.7 acre site contains six unnamed intermittent streams considered environmentally sensitive; the streams flow west to northwest towards Fulton Industrial Boulevard and eventually the Chattahoochee River. Wetland areas are located adjacent to the streams. The 100-year floodplain area is located within the streams and wetlands area. No buildings are proposed within this area. Slopes that exceed 33 percent over 10-foot rise in elevation exist inside the stream buffer area. Compliance with the County stream buffer requirements, wetlands protection, erosion control guidelines and environmental standards would mitigate development impacts to adjacent properties. The site does not contain historical sites or sensitive plant and animal species.

OTHER CONSIDERATIONS

The site is in the Sandtown Overlay District. The applicant is required to comply with the standards of the Overlay District at the time of application for a land disturbance, building, or sign permit. Staff notes that the Sandtown Overlay District requires a height limit of 35 feet for non-residential buildings. The applicant has indicated that all structures will comply.

A stream is located in the middle of the site. The Fulton County Stream Buffer Protection Ordinance requires a 75-foot undisturbed buffer with the 25-foot impervious setback as measured from both sides of the top of bank of the stream. The site plan shows compliance.

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Staff notes that the subject site has frontage along Campbellton Road which is identified on the South Fulton Greenway Trail Master Plan for a multi-use path per Article 34.5.13. At the time of application for a land disturbance permit, the applicant will be required to show compliance.

Pursuant to 2006VC-0092 SFC, a concurrent variance was approved by the Board of Commissioners at the time the mixed use zoning was approved for the subject site pursuant to 2006Z -0065 SFC. The approved variance allowed residential development within one mile of an existing enclosed transfer station. Staff has included the approved variance in the Recommended Conditions.

The proposed overall development (312.7 acres) exceeded the threshold for development set by the Atlanta Regional Commission (ARC). The applicant submitted a request for a DRI (Development of Regional Impact) review (DRI #2654 Woodbury Park E-Commerce & Distribution Center). Georgia Regional Transportation Authority (GRTA) completed a non-expedited review for the DRI Plan of Development pursuant to sections 3-101 and 3-103.A of the *Procedures and Principles for GRTA Development of Regional Impact Review* based on a review package as follows: site development plan dated January 10, 2017 prepared by Paulson Mitchell, Inc. and the transportation analysis dated February 16, 2017 prepared by Southeastern Engineering, both received by the Atlanta Regional Commission (ARC) staff of behalf of GRTA on March 2, 2017. In a letter, "Notice of Decision", dated April 6, 2017, GRTA determined that the DRI Plan of Development met the GRTA review criteria set forth in Sections 3-101 and 3-103.A. The notice states that the DRI Plan of Development as proposed is approved subject to conditions that are listed in GRTA's "Notice of Decision". Staff has added condition 6 which requires compliance with GRTA's "Notice of Decision".

The Atlanta Regional Commission (ARC) has also completed their regional review of the DRI. The ARC findings are set forth in a letter dated March 27, 2017. ARC reviewed the project with regard to its relationship to regional plans, goals and policies as well as impacts it may have on the activities, plans, goals and policies of other local jurisdictions as well as state, federal and other agencies. The proposed Development of Regional Impact is located within both the Developing Suburbs Area and Regional Employment Corridor. The intensity of the proposed DRI generally aligns with the ARC Regional Development Guide's recommended range of densities and building heights for the Developing Suburbs and Regional Employment Corridors. ARC further found that the DRI is located in an area of long-established light industrial uses along the north side of Fulton Industrial Boulevard with a recent increase in demand for additional new light industrial, warehouse/distribution and logistics facilities in south metro Atlanta.

Following the completion of the DRI review by the Atlanta Regional Commission and the Georgia Regional Transportation Authority, the applicant's agent contacted the Fulton County Attorney's office given a portion of the overall 312.7 acres is in the City of South Fulton as of May 1, 2017. He requested that all five (5) proposed rezoning petitions be heard by the Fulton County Board of Commissioners. The County Attorney's office authorized the scheduling of the rezoning requests at a Fulton County Board of Commissioners public hearing.

In regards to the non-residential development, Staff recommends commercial deliveries be prohibited between the hours of 11:00 PM and 6:00 PM. Staff has included the recommendation in the Recommended Conditions.

**FINDINGS:**

(Article 28.4.1) Planning Staff shall, with respect to each zoning application, investigate and make a recommendation with respect to factors A. through G., below, as well as any other factors it may find relevant.

A. WHETHER THE ZONING PROPOSAL WILL PERMIT A USE THAT IS SUITABLE IN VIEW OF THE USE AND DEVELOPMENT OF ADJACENT AND NEARBY PROPERTY.

**FINDING:** The proposed mixed use development, if developed with Staff's Recommended Conditions, is suitable for the subject site given the existing and anticipated developments in the surrounding area.

B. WHETHER THE ZONING PROPOSAL WILL ADVERSELY AFFECT THE EXISTING USE OR USABILITY OF ADJACENT OR NEARBY PROPERTY.

**FINDING:** In Staff's opinion, the proposed development will not have an adverse effect on the use or usability of adjacent and nearby properties if developed in accordance with the Recommended Conditions.

C. WHETHER THE PROPERTY TO BE AFFECTED BY THE ZONING PROPOSAL HAS A REASONABLE ECONOMIC USE AS CURRENTLY ZONED.

**FINDING:** The subject site may have a reasonable use as currently zoned.

D. WHETHER THE ZONING PROPOSAL WILL RESULT IN A USE WHICH WILL OR COULD CAUSE AN EXCESSIVE BURDENSOME USE OF EXISTING STREETS, TRANSPORTATION FACILITIES, UTILITIES, OR SCHOOLS.

**FINDING:** Staff does not anticipate a significant impact on public services and facilities. However, some impact on the surrounding transportation system is expected but should be mitigated with compliance to the attached Recommended Conditions for project improvements. Some overcrowding of area schools may occur.

E. WHETHER THE ZONING PROPOSAL IS IN CONFORMITY WITH THE POLICIES AND INTENT OF THE LAND USE PLAN.

**FINDING:** The proposed mixed use development is consistent with the policies and intent of the Comprehensive Plan, provided the Recommended Conditions are incorporated into the development.

**LAND USE PLAN MAP:** Community Live Work

Proposed use/density:      Retail/Office - 3,676.54 square feet per acre  
    Townhouses - 2.74 units per acre

The 2035 Comprehensive Land Use Plan Map suggests Industrial use along the northwest side of Fulton Industrial Boulevard. Community Live Work is suggested on the southeast side of Fulton Industrial Boulevard (SR 70) and north of Campbellton Road (SR 166) and along the Camp Creek Parkway corridor. Further south of the subject site, on the south side of Campbellton Road (SR 166) the Map suggests Suburban Neighborhood II and Suburban Neighborhood I further south.

Further southwest of the subject site, at the intersection of Fulton Industrial Boulevard (SR 70) and Campbellton Road (SR 166), Industrial Marketplace is suggested at the northwest quadrant and Regional Live Work is suggested for the remainder at that intersection.

**PLAN POLICIES:**

Provide for the transition of land uses from higher to lower densities and between different land uses.

Encourage development in areas where basic public facilities exist or are being improved, and discourage development in areas which would require inefficient or uneconomical extension of public facilities.

Encourage appropriate building heights which are compatible with the surrounding area and are consistent with transitional and other land use policies.

To encourage the development of a diverse mix of housing types, housing sizes, and prices/rents in response to the current and projected needs of County residents.

F. WHETHER THERE ARE OTHER EXISTING OR CHANGING CONDITIONS AFFECTING THE USE AND DEVELOPMENT OF THE PROPERTY WHICH GIVE SUPPORTING GROUNDS FOR EITHER APPROVAL OR DISAPPROVAL OF THE ZONING PROPOSAL.

**FINDING:** Existing zonings, current commercial development trends in the area, and adopted land use policies support this request for mixed use development.

G. WHETHER THE ZONING PROPOSAL WILL PERMIT A USE WHICH CAN BE CONSIDERED ENVIRONMENTALLY ADVERSE TO THE NATURAL RESOURCES, ENVIRONMENT AND CITIZENS OF FULTON COUNTY.

**FINDING:** The proposed mixed use development is not considered environmentally adverse affecting natural resources, the environment, or the citizens of Fulton County.

**CONCLUSION:**

On July 10, 2017, staff received a letter requesting deferral of this petition until the August 16, 2017, Board of Commissioners meeting. The applicant wishes to continue to meet with the various community members and organizations to investigate the potential of a negotiated



agreement. Given that ongoing dialog continues to occur staff supports the applicant's request and recommends **DEFERRAL UNTIL AUGUST 16, 2017**.

#### COMMUNITY ZONING BOARD MEETING

On May 16, 2017 the Community Zoning Board recommended that the petition be **DENIED** subject to the attached Recommended Conditions and Parts 1 & Part 2 of the concurrent variance be **DENIED**. The CZB members questioned the Applicant regarding whether a traffic study had been completed. The Applicant stated a traffic study had been completed by SEI, Engineering.

A representative from the Sandtown Community Association and the Woodside Hills Community Association spoke in opposition of the petition and concurrent variance. Several community members also had concerns regarding safety at the intersection, over-crowded schools, and whether Kroger would locate in the proposed development. Additional concerns expressed included pollution points on Fulton Industrial Boulevard, the quality of the proposed homes, and the desire for single-family homes in Sandtown.

#### BOARD OF COMISSIONERS MEETING

At the June 7, 2017, Board of Commissioners meeting there was considerable comment from both the applicant and community regarding the warehouse and mixed use portions of the overall development. A motion was made to deny the application but the motion failed for the lack of four affirmative votes and therefore was automatically deferred to the next available Board of Commissioners agenda.

At the June 21, 2017, the Board of Commissioner's deferred the request to the July 19, 2017 meeting. No public hearing was held.

**RECOMMENDED CONDITIONS**

If this petition is approved by the Board of Commissioners, it should be APPROVED MIX (Mixed Use) CONDITIONAL subject to the owner's agreement to the following enumerated conditions. Where these conditions conflict with the stipulations and offerings contained in the Letter of Intent, these conditions shall supersede unless specifically stipulated by the Board of Commissioners.

1. To the owner's agreement to restrict the use of the subject property as follows:
  - a. Retail, service commercial and accessory uses, including all exterior food and beverage service areas, at a maximum density of 3,676.54 gross square feet per acre zoned or a total of 169,231 square feet, whichever is less, but excluding convenience stores with gas pumps except allow a fuel center associated with a grocery store as shown on the site plan referenced in condition 2.a.; freestanding fast food restaurants except allow along Campbellton Road (SR 166); commercial amusements; liquor stores; adult bookstores; pawn shops; check cashing facilities; hotels; and for-profit facilities with coin-operated washing and drying equipment; except commercial dry cleaning establishments are allowed.
  - b. Provide a minimum of 21,000 square feet of office/institutional and accessory uses. The total gross square footage shall be calculated as part of the total floor area allowed in Condition 1.a.
  - c. No more than 126 townhouses at a maximum density of 2.74 dwelling units per acre based on the total acreage zoned, whichever is less.
  - d. Provide a minimum heated floor area of 1,400 square feet for the townhouses.
  - e. No more than 75 percent of the townhouses shall be built until such time as the issuance of a building permit for a minimum 25,000 square feet of non-residential development.
2. To the owner's agreement to abide by the following:
  - a. To the revised site plan received by the Department of Planning and Community Services on December 13, 2016. Said site plan is conceptual only and must meet or exceed the requirements of the Zoning Resolution and these conditions prior to the approval of a Land Disturbance Permit. The applicant shall be required to complete the concept review procedure prior to application for a Land Disturbance Permit. Unless otherwise noted herein, compliance with all conditions shall be in place prior to the issuance of the first Certificate of Occupancy.
  - b. All recreational and common areas which may be held in common shall be accessible by streets, sidewalks, or trails and the common areas shall be maintained by a mandatory homeowners association, whose proposed documents of incorporation shall be submitted to the Director of the Department of Planning

and Community Development for review and approval prior to the recording of the first final plat.

3. To the owner's agreement to the following site development considerations:
  - a. Allow shared parking per Article 18.2.2.
  - b. Provide a 40-foot building setback along Riverside Drive and Campbellton Road (SR 166).
  - c. Provide a staggered setback of all townhouses. Staggered setbacks shall be determined by the placement of the dwellings on either side of the dwelling in question. Said setback shall provide a minimum 2-foot variation for dwellings as measured from the back of curb.
  - d. Allow residential development within one mile of an existing enclosed transfer station. (2006VC-0092 SFC)
  - e. Commercial deliveries shall be prohibited between the hours of 11:00 PM and 6:00 AM.
  - f. Increase the mounting height for lights poles from 28 feet to 30 feet. (2012VC-0007 SFC, Part 3)
  - g. Allow locally available Greystone Power Corporation "Salem" Post Top light fixture instead of historic period lighting (2012VC-0007 SFC, Part 4)
4. To the owner's agreement to abide by the following traffic requirements, dedications and improvements:
  - a. Reserve for Fulton County along the necessary property frontage of the following roadways, prior to the approval of a Land Disturbance permit, sufficient land as necessary to provide for compliance with the Comprehensive Plan. All building setback lines shall be measured from the dedication but at no time shall a building be allowed inside the area of reservation. All required landscape strips and buffers may straddle the reservation line so that the reservation line bisects the required landscape strip or buffer. At a minimum, 10 feet of the required landscape strip or buffer shall be located outside the area of reservation. All required tree plantings per Article 4.23 shall be placed within the portion of the landscape strip or buffer that lies outside the area of reservation.
 

55 feet from centerline of Campbellton Road (SR 166) or as may be required by the Georgia Department of Transportation;

45 feet from centerline of Riverside Drive.
  - b. Dedicate at no cost to Fulton County along the entire property frontage, prior to the approval of a Land Disturbance Permit, sufficient land as necessary to provide the following rights-of-way, and dedicate at no cost to Fulton County

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such additional right-of-way as may be required to provide at least 10.5 feet of right-of-way from the back of curb of all abutting road improvements, as well as allow the necessary construction easements while the rights-of-way are being improved:

50 feet from centerline of Campbellton Road (SR 166) or as may be required by the Georgia Department of Transportation;

30 feet from centerline of Riverside Drive.

5. To the owner's agreement to abide by the following:
  - a. Prior to submitting the application for a (LDP) with the Department of Planning and Community Services, Development Review Division, arrange to meet with the Fulton County Traffic Engineer. A signed copy of the results of these meetings will be required to be submitted along with the application for a Land Disturbance Permit.
  - b. Prior to submitting the application for an LDP, arrange an on-site evaluation of existing specimen trees/stands, buffers, and tree protection zones within the property boundaries with the Fulton County Arborist. A signed copy of the results of these meetings will be required to be submitted along with the application for an LDP.
6. Comply with the Georgia Regional Transportation Authority (GRTA) "Notice of Decision" dated March 27, 2017 for DRI #2654 Woodbury Park E-Commerce & Distribution Center.

COMMENTS ON PUBLIC SERVICES AND UTILITIES

**NOTE:** Various Fulton County departments or divisions that may or may not be affected by the proposed development provide the following information. Comments herein are based on the applicant's conceptual site plan and are intended as general non-binding information and in no manner suggest a final finding by the commenter. All projects, if approved, are required to complete the Fulton County Plan Review process prior to the commencement of any construction activity.

**TRANSPORTATION FACILITIES:**

Road name: Campbellton Road at Riverside Drive / Union Road

Classification: Minor Arterial

Level of Service: AM Peak - B / PM Peak - A\*

Anticipated Traffic Generation Rates:

Net ADT (VPD): 13,512\*

Peak Hour: Total AM Peak (VPH): 645\*; Total PM Peak (VPH): 1,231\*

\*According to the Traffic Impact Study prepared for the applicant by Southeastern Engineering, Inc.

**HEALTH DEPARTMENT:**Environmental Health Services

The Fulton County Department of Health and Wellness recommends that the applicant be required to connect the proposed development to public water and public sanitary sewer available to the site.

Since this proposed development constitutes a premise where people live, work, or congregate, onsite sanitary facilities will be mandatory prior to use or occupancy.

The commercial parts of this development must comply with the Fulton County Code of Ordinances and Code of Resolutions, Chapter 34 – Health and Sanitation, Article III – Smokefree Air. If a facility will serve persons under the age 18, smoking will not be allowed on the premises at any time.

If this proposed development includes a food service establishment, as defined in Fulton County Code of Ordinances and Code of Resolutions, Chapter 34 – Health and Sanitation, Article V – Food Service, the owner must submit kitchen plans for review and approval by this department before issuance of a building permit and beginning construction. The owner must obtain a food service permit prior to opening.

If this proposed development includes a public swimming pool as defined in the Fulton County Code of Ordinances and Code of Resolutions, Chapter 34 – Health and Sanitation, Article XII – Swimming Pools and Natural Bathing Beaches including spas, whirlpools, etc., the owner or contractor must submit plans for review and approval by this department and must obtain a Department of Health and Wellness permit to construct before issuance of a building permit. Also, the owner of the facility must obtain a Department of Health and Wellness permit to operate the pool prior to opening.

This department is requiring that plans indicating the number and location of outside refuse containers along with typical details of the pad and approach area for the refuse containers be submitted for review and approval.

Environmental Justice

The Premier Scholar property (located at 5990 Campbellton Road, Atlanta, GA 30331) and Angels Academy (located at 5845 Campbellton Road, Atlanta, GA 30331), are in close proximity (one being adjacent) to the proposed gasoline dispensing facility (GDF) property. They are the closest known institutions to the site where children congregate for a significant amount of time per day.

National public concerns with living near a GDF include ground-level ozone caused in part by gasoline fumes and potential groundwater hazards from petroleum products leaking into the ground.

Harmful health effects and their severity are determined by several factors which include the dose (how much),

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## # 17-0467

the duration (how long), the exposure route or pathway (breathing, eating, drinking, or skin contact), the other chemicals to which one is exposed, and individual characteristics (age, sex, nutritional status, family traits, lifestyle, and state of health). Children and older adults are considered sensitive populations.

While the U.S. Environmental Protection Agency (EPA) in its School Siting Guidelines recommends that there be an evaluation for any potential school location within 1,000 feet of a gasoline dispensing facilities (GDF), there are not any known authoritative guidelines for separation distances of gasoline dispensing facilities (GDF) from residences.

There are studies that have documented elevated air pollution, degraded air quality, and a relationship to health effects near GDFs. It has been documented that as the gasoline throughput increases, the potential health risk increases. This Department recommends that the GDF site be designed to be as far away as possible from residential property lines and uses and considering the equipment (such as vapor recovery system), topography, etc. In addition, residents will be near two (2) GDFs and located on an industrial corridor, so designing to minimize risk should be a priority.

This department recommends that the owner/developer design the GDF to minimize the risk of negative impact to a well, wetland, spring, stream, river, pond, lake, reservoir or tidal waters by considering the anticipated distance that plume of spilled gasoline actually will travel underground.

This department recommends that the owner/developer provide information on equipment, best practices, etc. that will be used and/or implemented to mitigate any potential impacts to public health and any potential risks.

The Fulton County Department of Health and Wellness recommends that, in addition to adhering to all applicable laws, the owner/developer maintains best practices to reduce potentially harmful emissions into the air and monitor potential leaks in the underground storage tank(s).

### **WATER AND WASTEWATER (SEWER):**

#### **WATER:**

Anticipated water demand: 50,944 gallons per day

This project is within the City of Atlanta jurisdiction.

#### **SEWER:**

Basin: Wilson Creek

Treatment Plant: Camp Creek

Anticipated sewer demand: 45,850 gallons per day

There is a sanitary sewer manhole 160 feet east of the eastern property line of 0 Fulton Industrial Boulevard located in land Lot 118, District 14FF.

Comments: This information does not guarantee that adequate sewer capacity is available at this time or will be available upon application of permits. Please contact the Department of Public Works for more information.

#### **DRAINAGE:**

Flood Plain: According to Fulton County Geographic Information System (GIS) Map, there is not 100-year flood plain on the subject site. In the Environmental Site Analysis Report the applicant notes that the 100-year flood plain is located within the streams and wetlands area.

### **BOARD OF EDUCATION:**

Number of Proposed Units: 126 townhouses

School	Projected Baseline Enrollment <sup>a</sup>	GADOE Capacity	Est. # New FCS Students Generated	Displaced Students	Projected Under / Over Capacity  WITHOUT DEV. <sup>b</sup>	Projected Under / Over Capacity  WITH DEV. <sup>b</sup>
Stonewall Tell ES	683 to 725	850	4 to 17	0	-167 to -125	-163 to -108
Sandtown MS	846 to 898	1,175	1 to 8	0	-329 to -277	-328 to -269
Westlake HS	2,102 to 2,232	1,925	5 to 20	0	177 to 307	183 to 327
<b>TOTAL</b>			10 to 45	0		

a. Projected enrollment is for the 2016-17 school year based on forecasted enrollment.

b. Positive values indicate numbers of students a facility is over state capacity / negative values indicate number of students a facility is under state capacity.

\* State capacity indicates space. However, due to the number of special programs, portable classrooms or other measure may be needed to accommodate the instructional needs of the school.

\*\* Student yields are calculated annually based on geocode FCS students in built-out developments within the high school zone in which the proposed development is located.

Location:	Average - 1 Std. Deviation* to Average + 1 Std. Deviation*	Comments
South Fulton - Westlake HS Region		
One single family unit generates: One single family unit generates: One single family unit generates:	0.058797 to 0.271125 0.009164 to 0.077292 0.064243 to 0.229975	elementary school students per unit middle school students per unit high school students per unit
One multi-family apart. unit generates: One multi-family apart. unit generates: One multi-family apart. unit generates:	0.062374 to 0.231842 0.022441 to 0.083453 0.068952 to 0.199144	elementary school students per unit middle school students per unit high school students per unit
One Townhome unit generates: One Townhome unit generates: One Townhome unit generates:	0.034420 to 0.13701 0.011776 to 0.061808 0.043293 to 0.156967	elementary school students per unit middle school students per unit high school students per unit

#### TAX ASSESSOR:

Property Tax ID#: 14F0131 LL0040

Taxes on the subject property are up-to-date.

#### FIRE MARSHAL:

Fire Station: 13

Battalion: 3

Impact: Increase in traffic; increase in EMS calls; increase in 911 calls; increase in water usage.

#### POLICE DEPARTMENT ZONING IMPACT STATEMENT:

Beat: 33

Impact Statement on Beat:

Current calls for service: 3,031

Projected calls for service: Unknown

Current Average Response Time (minutes): 19

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Increase in the number of residents/persons: 331.69

\* Increase in E-911 calls for service (police, fire, E.M.S.): 262.7

\*\*\* Increase in the number of traffic accidents: 11.4

## PROJECTED IMPACT ON DEMAND FOR POLICE SERVICES:

It is the policy of the Fulton County Police Department to answer all calls for service regardless of the impact of a particular development. However, two of the most noticeable indicators of the quality of police service will be as follows: As demands for service increase, response times will increase. Time available for proactive neighborhood/business patrol will decrease and crime prevention efforts will decline.

The Police Department does anticipate a significant impact on demand for police services.

- \* Based on 2014 population of 121,000 and 2014 calls for service of 95,850 (67,553 for police services.)
- \*\* Based on average single family residence population of four, average apartment population of two and 1.96 persons per 1,000 gross square feet of space.
- \*\*\* Based on 2014 accident calls of 4,158.
- \*\*\*\* Based on average response time of 8 minutes.
- \*\*\*\*\* Based on average of two (2) cars per single family residence.

Note: The demand for police service is determined by socio-economic, legislative and other forces which do not lend themselves to predictability. Therefore, projections are made from historical data only.

## **EMERGENCY SERVICES:**

If zoning petition is approved there will be an increase in E911 call volume. The increase may negatively affect the Department's call answering speed and service level.

Increased traffic volume without road improvements may increase response times of emergency response vehicles thereby reducing effective delivery of emergency services.

## **CITY OF ATLANTA DEPARTMENT OF AVIATION (DOA) Hartfield-Jackson Atlanta International Airport**

The proposed project is located approximately 9.2 miles northwest of the Airport.

Is the proposed project located under protected airspace for the Airport?

☒ Yes (Partially)      ☐ No

If yes, the development will require the completion of Federal Aviation Administration (FAA) form 7460-1, Notice of Proposed Construction or Alteration.

Is the proposed project located within an area of significant (65 DNL or higher) aircraft noise exposure? {Based on Estimated 2010 Noise Exposure Contours}

☐ Yes      ☒ No

If yes, is the proposed land-use deemed compatible according to CFR Title 14, Part 150?

☐ Yes      ☐ No

## **CODE ENFORCEMENT**

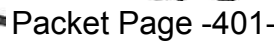
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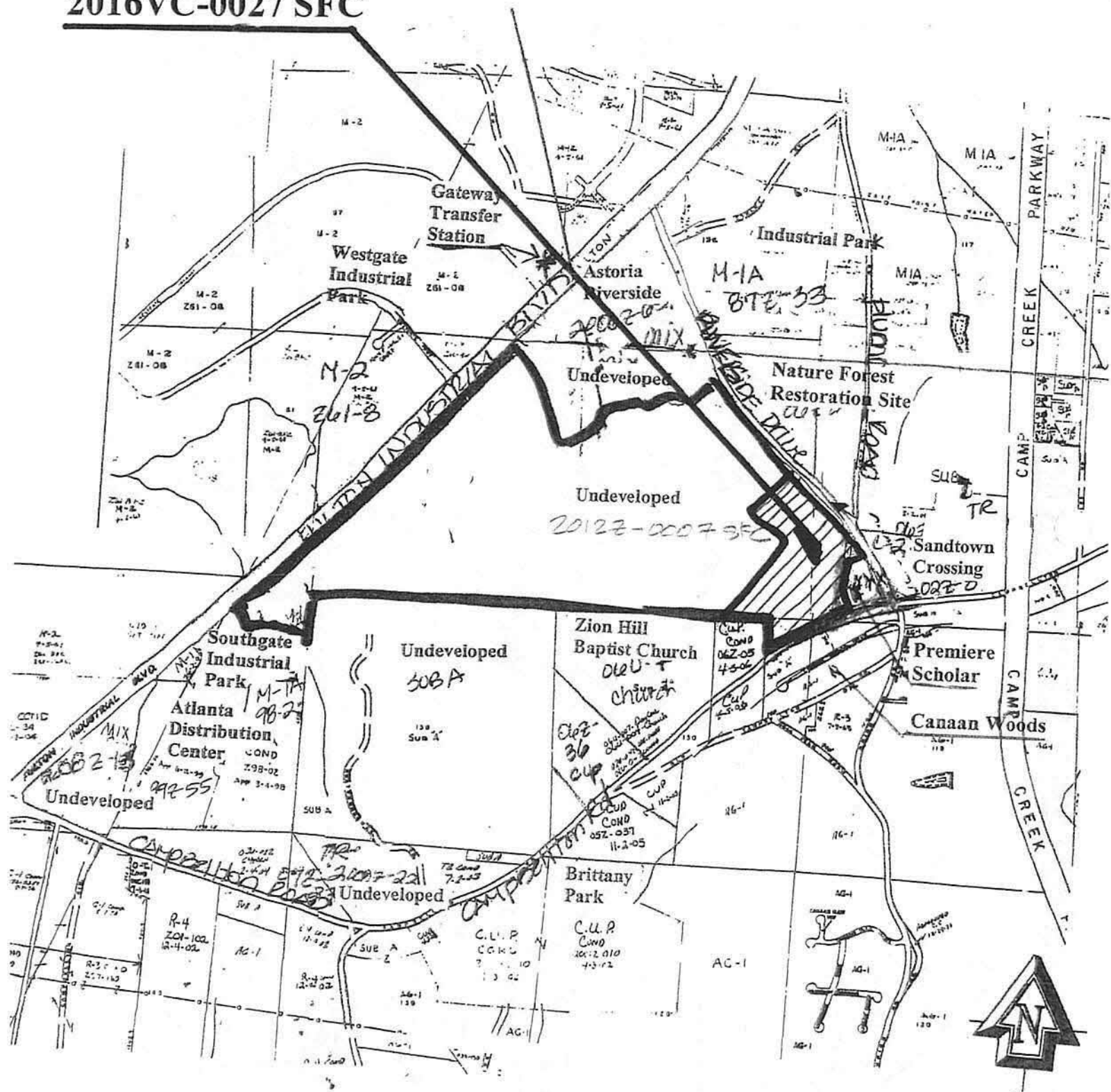
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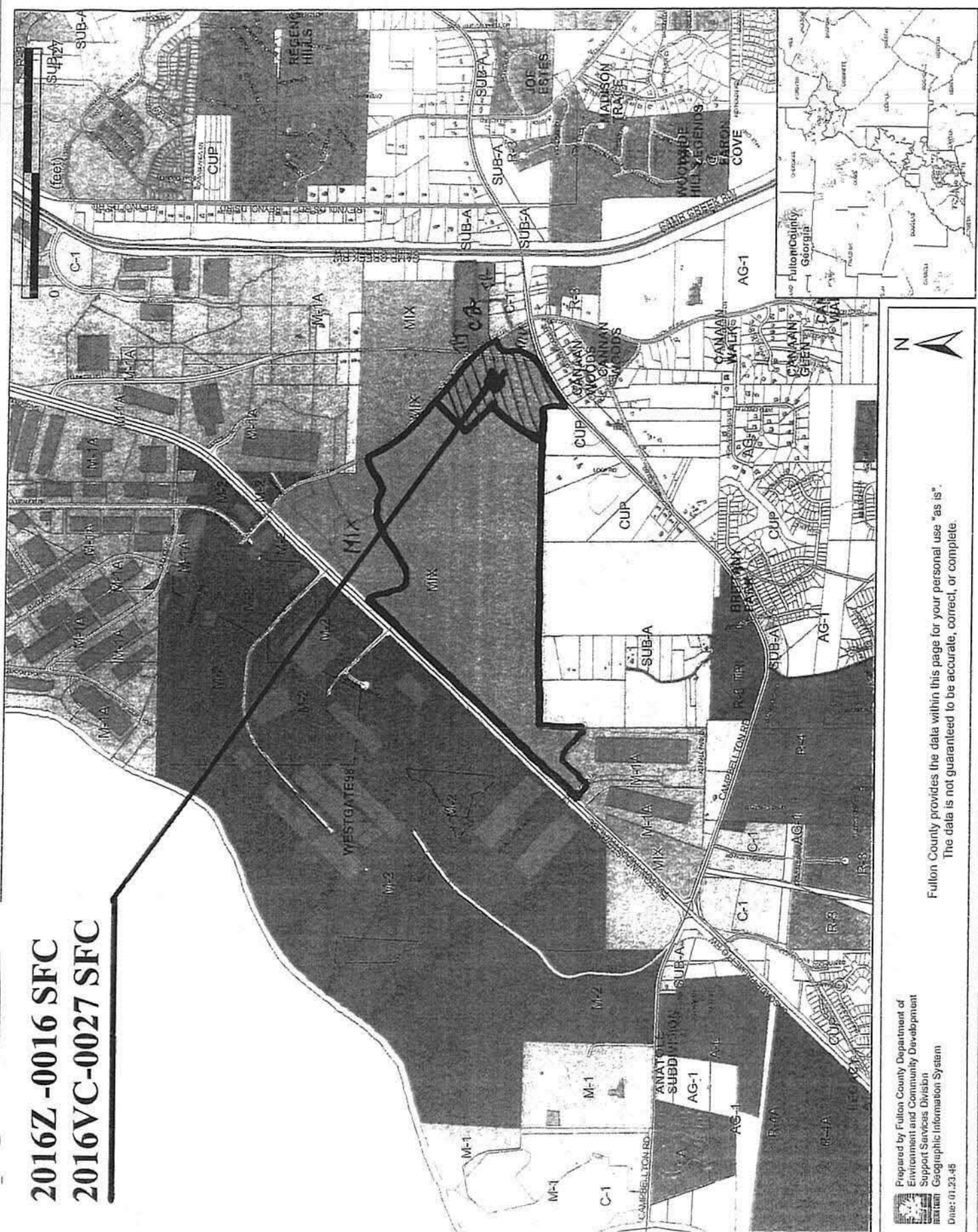




2016Z -0016 SFC  
2016VC-0027 SFC



# 2016Z-0016 SFC 2016VC-0027 SFC



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The data is not guaranteed to be accurate, correct, or complete.

Prepared by Fulton County Department of  
Environment and Community Development  
Support Services Division  
Geographic Information System  
Date: 01/23/15





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PROPOSED ZONING	M-2 (HEAVY INDUSTRIAL) - 8,948.33 SQUARE FEET PER ACRE
PROPOSED USE	<b>WAREHOUSE DISTRIBUTION CENTER - 1,472,000 SQUARE FEET</b>
EXISTING ZONING	MIX (MIXED USE) - 2012Z-0007 SFC
EXISTING USE	UNDEVELOPED
LAND USE MAP	COMMUNITY LIVE WORK
LOCATION	FULTON INDUSTRIAL BOULEVARD (SR 70) (EAST SIDE): 1,552.79 FEET OF FRONTAGE  PARCEL SIZE 164.50 ACRES  SMALL AREA 516  LL 131 AND 137, DISTRICT 14F  COMMISSION DISTRICT 6  SANDTOWN OVERLAY DISTRICT  SERVED BY PUBLIC SEWER
OWNER	WALTON GA WOODBURY PARK, LP WALTON GEORGIA, LLC
PETITIONER	WALTON GA WOODBURY PARK, LP WALTON GEORGIA, LLC
REPRESENTATIVE	LEMUEL H. WARD

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APPLICANT'S INTENT	To develop a 1,472,000 square foot warehouse distribution center on 164.50 acres at an overall density of 8,948.33 square feet per acre. In addition,
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the applicant seeks a four-part concurrent variance as follows:

Part 1. Allow light fixtures from a local service provider instead of historic fixtures. (Article 12F.4.D.7)

Part 2. Delete the requirement for curb, gutter, and sidewalks along Fulton Industrial Boulevard. (SR 70). (Article 34.5.3)

Part 3. Increase the maximum building height from 35 to 50 feet. (Article 12F.4E.1)

Part 4. Allow roll-down doors on any façade of a warehouse. (Article 12F.4.E.12)

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**DEFERRAL until AUGUST 16, 2017**

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Community Zoning Board Recommendation  
May 16, 2017

**DENIAL: 2016Z -0017 SFC**  
**DENIAL: 2016VC-0025 SFC - Part 1**  
**DENIAL: 2016VC-0029 SFC, Part 2**  
**DENIAL: 2016VC-0028 SFC, Parts 3 & 4**

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Board of Commissioners Meeting  
June 7, 2017

**DEFERRED until June 21, 2017**

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Board of Commissioners Meeting  
June 21, 2017

**DEFERRED until July 19, 2017**

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**SUBJECT SITE AND SURROUNDING AREA:**

**SUBJECT SITE:** The subject 164.50 acre site is located on the east side of Fulton Industrial Boulevard (SR 70). The site is zoned MIX (Mixed Use) and is part of a larger 312.7 acre property approved for 30,000 square feet of retail, 8,000 square feet of office, 140 townhouses, and 780 single-family home lots pursuant to 2012Z-0007 SFC. The site is wooded and undeveloped. Several streams are located on the site.

**BACKGROUND:** In 1970, 277 acres along Fulton Industrial Boulevard located in District 14, Land Lots 132, 137, 149, 150 and Land Lot 66 of District 9C were rezoned from SUB A (Residential) to M-1 (Industrial) pursuant to Z70-047 SFC.

In 1998, along the east side of Fulton Industrial Boulevard (SR 70), north of Campbellton Road, 102.43 acres were rezoned from M-1 (Light Industrial) to M-1A (Industrial Park) for a 2,139,789 square foot Industrial Park pursuant to 98Z-002 SFC.

In 2006, a 456.926 acre site known as Riverside Park with frontages along Fulton Industrial Boulevard (SR 70), Riverside Drive, and Campbellton Road was rezoned from M-1A (Industrial Park), pursuant to Z70-047 SFC and 98Z-002 SFC, and SUB A (Residential) to MIX (Mixed Use) pursuant to 2006Z -0065 SFC. Riverside Park was approved for 62,644 square feet of retail, 113,144 square feet of office, 350 apartments, 450 townhouses, 150 active adult housing units, and 800 single family detached residential units pursuant to 2006Z -0065 SFC.

In 2012, 312.7 acres of the original 456.93 acre Riverside Park was rezoned from MIX (Mixed Use) to MIX (Mixed Use) by Walton Georgia, LLC and was known as Woodbury Park. The site was approved for 30,000 square feet of retail, 8,000 square feet of office, 140 townhouses, and 780 single family lots.

Currently, the applicant, Walton GA Woodbury Park, LP and Walton Georgia, LLC seek to rezone the 312.7 acre property with 5 rezoning petitions as follows: (See "Site Plan of Walton's Overall Development Request" behind the APPENDIX.)

- (Subject Site) 2016Z -0017 SFC, 2016VC-0028 SFC, Fulton Industrial Boulevard (SR 70) - MIX to M-2, Warehouse Distribution Center - 1,472,000 square feet
- (West and south of the subject site) 2016Z -0018 SFC 2016VC-0029 SFC Riverside Drive - MIX to M-2 Warehouse Distribution Center - 734,000 square feet
- (Further west and north of the subject site) 2016Z -0014 SFC, 2016VC-0025 SFC, Fulton Industrial Boulevard (SR 70) - MIX to C-1, retail, convenience store with gas pumps - 16,600 square feet
- (Further west of subject site) 2016Z -0015 SFC, 2016VC-0026 SFC, Kendall Park Lane - MIX to O-I, Office Complex - 152,000 square feet



- (Southeast of subject site) 2016Z -0016 SFC, 2016VC-0027 SFC, Campbell Road (SR 166) - MIX to MIX, Retail/office with a fuel center - 169,231 total square feet; Townhouses - 126 units

## NEARBY AND ADJACENT PROPERTIES/ZONINGS: NON-RESIDENTIAL & MIXED USE

- \*\* North** - Undeveloped & Astoria Riverside Apartments (Existing)  
Petition: 2006Z -0065 SFC  
Zone: MIX (Mixed Use)  
Density: Retail: 137.10 square feet per acre, 62,644 total square feet; Office: 247.62 square feet per acre, 113,144 total square feet; Apartments: 0.766 dwelling units per acre, 350 units; Townhouses: 0.985 dwelling units per acre, 450 total units; Active Adult Housing: 0.33 units per acre, 150 total units; Single Family Detached Residences: 1.751 units per acre, 800 total units.  
Height: Retail/Office: 2 stories; Residential: 40 feet
- \*\* Northeast** (North side of Riverside Drive) - Use: Industrial Park (Existing)  
Petition: 87Z-033 SFC  
Zone: M-1A (Industrial Park)  
Density: 15,490 square feet per acre, 5,737,496 total square feet (no individual site can exceed a density of 18,000 square feet per acre)
- \*\* Northeast, East and South** - Use: Undeveloped  
Petition: 2012Z -0007 SFC  
Zone: MIX (Mixed Use)  
Density: retail - 96.94 square feet per acre, 30,000 square feet; office - 25.59 square feet per acre, 8,000 square feet; townhouses - 0.45 units per acre, 140 townhouses; single family - 2.495 units per acre, 780 lots
- \*\* Further Southeast** - Use: Premiere Scholar Day Care (Existing)  
Zone: MIX (Mixed Use)  
Density: Retail: 137.10 square feet per acre, 62,644 total square feet; Office: 247.62 square feet per acre, 113,144 total square feet; Apartments: 0.766 dwelling units per acre, 350 units; Townhouses: 0.985 dwelling units per acre, 450 total units; Active Adult Housing: 0.33 units per acre, 150 total units; Single Family Detached Residences: 1.751 units per acre, 800 total units.  
Height: Retail/Office: 2 stories; Residential: 40 feet
- \*\* Further Southeast** - Use: Sandtown Crossing (Existing & Undeveloped)  
Petition: 2002Z -0008 SFC  
Zone: C-1 (Community Business)  
Density: Retail - 6,704.83 square feet per acre, total 231,987 square feet  
Office - 2,254.33 square feet per acre, total 78,000 square feet  
Height: 2-stories
- \*\* Further Southeast** - Use: Owl Rock Methodist Church (Existing)  
Zone: AG-1 (Agricultural)

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**Further Southeast** - Use: Zion Hill Baptist Church (Existing)

Petition: 2006U -0004 SFC (Church), 2006U -0007 SFC (Day Care), 2002U -0048 SFC (Recreational Field)

Density: 4,883.77 square feet per acre, 150,000 total square feet with max. 2,200 fixed seats, Students - 225 maximum for day care use with additional 200 max for after school program

**Further East** - Use: Native Forest Restoration Site (Existing)

Petition: 2006Z -0065 SFC

Zone: MIX (Mixed Use)

Density: Retail: 137.10 square feet per acre, 62,644 total square feet; Office: 247.62 square feet per acre, 113,144 total square feet; Apartments: 0.766 dwelling units per acre, 350 units; Townhouses: 0.985 dwelling units per acre, 450 total units; Active Adult Housing: 0.33 units per acre, 150 total units; Single Family Detached Residences: 1.751 units per acre, 800 total units. Height: Retail/Office: 2 stories; Residential: 40 feet

**Further East** - Use: Rock Head United Methodist Church (Existing)

Zone: AG-1 (Agricultural)

**Further South** - Use: Undeveloped

Petition: 2003U -0022 SFC (Church)

Zone: SUB A (Residential)

Density: 1,238.40 square feet per acre, 12,000 total square feet, 500 seats

**Further West** - Use: Southgate Industrial Park (Existing)

Petition: 98Z -002 SFC

Zone: M-1A (Industrial Park)

Density: 20,890 square feet per acre, 2,139.789 total square feet

**Further west** - Use: Atlanta Distribution Center (Existing)

Petition: 99Z -055 SFC

Zone: M-1A (Industrial Park)

Density: 16,038 square feet per acre, 650,000 total square feet

**Further West** - Use: Undeveloped (Approved for mixed use)

Petition: 2008Z -0013 SFC

Zone: MIX (Mixed Use)

Density: Retail - 1,120.4 square feet per acre, 29,500 total square feet (minimum office use 4,200 square feet); Multifamily - 7.75 units per acre, 204 total units

Height limit: 2 stories (non-residential), 3-stories (multi-family)

**Further West (West side of Fulton Industrial Boulevard)** - Use: Auto Auction Vehicle Storage Facility (Existing)

Petition: 2004Z -0084 SFC

Zone: M-1 (Light Industrial)

Density: 275.41 square feet per acre; 10,000 total square feet

## NEARBY AND ADJACENT PROPERTIES/ZONINGS: RESIDENTIAL

- \*\* **South** - Use: Scattered Single Family Residences (Existing)  
Zone: SUB A (Residential)
- \*\* **Further South** - Canaan Woods Subdivision (Existing)  
Zone: SUB A (Residential)  
Density: None stated
- \*\* **Further South** - Use: Undeveloped (Approved for single family subdivision)  
Petition: 2006Z -0005 SFC  
Zone: CUP (Community Unit Plan)  
Density: 2.37 units per acre, 34 lots  
Minimum Lot Size: 10,000 square feet  
Minimum Heated Floor Area: 1,800 square feet
- \*\* **Further South** - Cambridge Meadows (Undeveloped)  
Petition: 2005Z -0037 SFC  
Zone: CUP (Community Unit Plan)  
Density: 3.01 units per acre, 78 lots  
Minimum Lot Size: 10,000 square feet  
Minimum Heated Floor Area: 1,800 square feet
- \*\* **Further South** - Use: Brittany Park Subdivision (Existing)  
Petition: 2002Z-0010 SFC  
Zone: CUP (Community Unit Plan)  
Density: 2.32 units per acre, 210 lots  
Minimum lot size: 10,000 square feet for 137 lots, and 13,500 for 73 lots
- \*\* **Further South** - Use: Waterford Commons (Existing)  
Petition: 2001Z -0102 SFC  
Zone: R-4 (Residential)  
Density: 1.605 units per acre, 424 lots  
Minimum Heated Floor Area: 1,500 square feet
- \*\* **Further South** - Use: Undeveloped  
Petition: 2006Z -0036 SFC  
Zone: CUP (Community Unit Plan)  
Density: 2.91 units per acre, 37 lots  
Minimum Lot Size: 10,000 square feet  
Minimum Heated Floor Area: 1,800 square feet
- \*\* **Further South** - Use: Townhouse development (Undeveloped)  
Petition: 2008Z -0023 SFC  
Zone: TR (Townhouse Residential)  
Density: 4.34 units per acre (114 townhouses, 23 single family detached)  
Minimum Lot Size: 6,000 (single family detached)  
Minimum Heated Floor Area: 2,000 (townhouses), 2,850 (single family detached)

There have been no **RECENT DENIALS** and there are no **MISCELLANEOUS USES/ZONINGS** in the immediate area.

**SITE PLAN ANALYSIS:**

Based on the applicant's site plan submitted to the Department of Planning and Community Services on December 13, 2016, Staff offers the following considerations:

**LAND USE AND DENSITY**

The petitioner is requesting to rezone the subject site from MIX (Mixed Use) to M-2 (Heavy Industrial) to develop a 1,472,000 square feet warehouse distribution center in four buildings. The M-2 (Heavy Industrial) district is intended to provide for the development of industrial parks for manufacturing, fabricating, processing, distributing, research, offices associated with industrial use, extraction, terminal and warehousing and similar uses.

The 2035 Comprehensive Land Use Plan Map suggests Community Live Work for the subject site. The proposed warehouse, while inconsistent with the suggestion of the Comprehensive Plan Land Use Map, is consistent with current development trends in the area. There is existing industrial development located along the Fulton Industrial Boulevard Corridor within close proximity to the site. Industrial zoned property nearby includes M-1 (Light Industrial) zoned property at the southeast corner of the Fulton Industrial Boulevard and Riverside Drive intersection, and M-2 (Heavy Industrial) zoned property directly north across Fulton Industrial Boulevard (SR 70).

The proposed warehouses will only access Fulton Industrial Boulevard, southwest of the Riverside Road and Fulton Industrial Boulevard intersection, through the proposed commercial development to the northwest. The rear of the subject site abuts SUB A (Residential) and CUP (Community Unit Plan) zonings. These residentially zoned properties to the south are oriented and have sole access to Campbellton Road. Due to the large acreage of the 164.5 acre site with numerous streams and stream buffers, the proposed warehouses are further separated from the residential development along Campbellton Road due to topography. Several streams located on the site in addition to the required perimeter buffers will aid in buffering the proposed warehouses from current and future residential developments to the south. Due to the large depth of the lots on Campbellton Road, the nearest existing home on Campbellton Road is more than 220 feet from the rear of the property of the proposed industrial development. Given the proposed location of the warehouses internal to the property with numerous streams and stream buffers creating extensive visual buffers and separation from the adjacent residentially zoned property to the south, Staff is of the opinion that the proposed warehouses would be in harmony with the existing and future residential development since they are separated due to topography as well as access.

Although the proposal is inconsistent with the suggestion of the Comprehensive Land Use Plan Map, a substantial portion of the property is located within the Fulton Industrial Boulevard Urban Redevelopment Area as established by the Fulton County Board of Commissioners on March 2006. The proposed warehouses are solely accessed and focused towards Fulton Industrial Boulevard furthering the intent of the Fulton Industrial Boulevard Overlay Focus Area, as illustrated in the 2035 Comprehensive Plan, to focus industrial redevelopment towards the Fulton Industrial Boulevard corridor.



On July 10, 2017, staff received a letter requesting deferral of this petition until the August 16, 2017, Board of Commissioners meeting. The applicant wishes to continue to meet with the various community members and organizations to investigate the potential of a negotiated agreement. Given that ongoing dialog continues to occur staff supports the applicant's request and recommends **DEFERRAL UNTIL AUGUST 16, 2017.**

### BUILDING SETBACKS

Article 10.3.3 requires building setbacks as follows:

- 40-foot setback along Fulton Industrial Boulevard (SR 70)
- No setbacks are required along the remaining property lines

The site plan shows compliance. Staff notes that buildings shall be located outside all required landscaping as discussed in the next section.

### LANDSCAPE STRIPS AND BUFFERS

MIX (Mixed Use) zoning, pursuant to 2012Z-0007 SFC, approved for single-family residences, surrounds the site, except abutting the south property line which is zoned SUB-A (Residential) and CUP (Community Unit Plan). Based on the current zoning surrounding the property the landscape requirements are as follows:

- 25-foot landscape strip along Fulton Industrial Boulevard (SR 70) (Article 12F.4, Section A.3)
- 50-foot undisturbed buffer and 10-foot improvement setback adjacent to residentially zoned SUB-A (Residential) and MIX (Mixed Use) (side yard) (Article 4.23.1)
- 100-foot undisturbed buffer and 10-foot improvement setback adjacent to residentially zoned SUB-A (Residential) and MIX (Mixed Use) (rear yard) (Article 4.23.1)

The applicant proposes to rezone the adjacent property to the east to M-2 (Heavy Industrial) and MIX (Mixed Use), and O-I (Office-Institutional) and C-1 (Commercial) to the southwest. Should the Board of Commissioners approve the applicant's request, landscaping is required as follows:

- 25-foot landscape strip along Fulton Industrial Boulevard (SR 70) (Article 12F.4, Section A.3)
- 50-foot undisturbed buffer and 10-foot improvement setback adjacent to residentially zoned SUB-A (Residential), CUP (Community Unit Plan), and MIX (Mixed Use) (side yards) (Article 4.23.1)
- 100-foot undisturbed buffer and 10-foot improvement setback adjacent to residentially zoned SUB-A (Residential), CUP (Community Unit Plan), and MIX (Mixed Use) (rear yard) (Article 4.23.1)
- 15-foot landscape strip along the north and west property line adjacent to O-I (Office-Institutional) and C-1 (Community Business District) zoning (Article 12F.4, Section A.4)

At the time of the Land Disturbance Permit, the applicant will be required to comply with all landscape requirements.



## PARKING

Article 18 of the Fulton County Zoning Resolution requires 1 space per 2,000 square feet of building area for warehouse and storage. The site plan shows a chart showing parking calculations for each building which indicate compliance. At the time of application for a land disturbance permit, the applicant shall be required to show compliance.

## CONCURRENT VARIANCES

### Part 1. Allow local electric company light fixtures instead of historic period lighting.

The applicant seeks to obtain light fixtures from Greystone Power. In 2012, pursuant to 2012Z-0007, 2012VC-0008 SFC, the applicant requested a similar variance request. Variances were approved as follows:

3. To the owner's agreement to the following site development considerations:
  - s. Increase the mounting height for lights poles from 28 feet to 30 feet. (2012VC-0007 SFC, Part 3)
  - t. Allow locally available Greystone Power Corporation "Salem" Post Top light fixture instead of historic period lighting (2012VC-0007 SFC, Part 4)

On July 10, 2017, staff received a letter requesting deferral of this petition until the August 16, 2017, Board of Commissioners meeting. The applicant wishes to continue to meet with the various community members and organizations to investigate the potential of a negotiated agreement. Given that ongoing dialog continues to occur staff supports the applicant's request and recommends **DEFERRAL UNTIL AUGUST 16, 2017.**

### Part 2. Delete the requirement for sidewalk, curb and gutter along the entire frontage of Fulton Industrial Boulevard (SR 70).

The applicant seeks to delete the sidewalk, curb and gutter requirement along Fulton Industrial Boulevard (SR 70). In 2012, pursuant to 2012Z-0007, 2012VC-0008 SFC, the applicant requested the same variance. At that time, the applicant was of the opinion that the sidewalk would be of little use because this section of Fulton Industrial Boulevard does not encourage pedestrians and has a challenging topography including steep slopes. The applicant asserted that constructing sidewalks on these steep slopes would create an unnecessary hardship for the owner while causing no detriment to the public because there would be few pedestrian users. While few sidewalks are along Fulton Industrial Boulevard, Staff notes that many workers ride the bus and walk along Fulton Industrial Boulevard. The additional sidewalk would also help fill in some of the sidewalk gaps and create a more pedestrian friendly environment with more workers able to safely get from bus stops to places of employment. Overall, the development needs more internal and external interconnectivity to balance the need to create a favorable environment for business activity with a healthy and appealing environment for residents, visitors, and employees alike.

The Board of Commissioners has adopted (April 2012) the Fulton Industrial Business District Overlay District which requires sidewalks to be connected to signalized crosswalks and bus stops where applicable. While the subject site is in the Sandtown Overlay and not Fulton Industrial, Staff notes that properties on the west side of Fulton Industrial and to the north on both sides of the Boulevard are in the Fulton Industrial Overlay where sidewalks are required.

In 2012 Staff recommended **DENIAL** given the applicant had not proven a hardship and the recent adoption of the Fulton Industrial Business District Overlay promoting pedestrian walkability. However, the variance was approved by the Board with conditions as follows: condition 3.r. "In lieu of the required sidewalk along perimeter road frontages, the developer shall be allowed to utilize the required square footage of concrete sidewalk from the perimeter road frontages to increase the width of the required sidewalk along the main boulevard internal to the development to create a multi-purpose path. The width and construction of said multi-purpose path shall be consistent with the existing section of the South Fulton Trail Net multi-purpose path beginning at Butner Road north of Camp Creek Parkway and running east. Said multi-purpose path shall connect to Campbellton Road and extend along the entire frontage of Campbellton Road. Location of said multi-purpose path shall be as approved by the Director of Planning and Community Services."

On July 10, 2017, staff received a letter requesting deferral of this petition until the August 16, 2017, Board of Commissioners meeting. The applicant wishes to continue to meet with the various community members and organizations to investigate the potential of a negotiated agreement. Given that ongoing dialog continues to occur staff supports the applicant's request and recommends **DEFERRAL UNTIL AUGUST 16, 2017**.

Staff notes that Article 22.3.1 states that a variance may be considered if relief is in harmony with the general purpose and intent of the Zoning Resolution; or due to extraordinary and exceptional conditions pertaining to the property because of its size, shape, or topography which would create an unnecessary hardship for the owner while causing no detriment to the public; or conditions resulting from existing foliage or structures which bring about a hardship whereby a sign meeting the minimum letter size, square footage and height requirements cannot be read from an adjoining public road.

In regards to the design of the warehouse distribution centers, the applicant seeks variances as follows:

Part 3. Increase the maximum building height from 35 feet to 50 feet (Article 12F.4.E1).

Although the M-2 (Heavy Industrial) district allows a building height of 100 feet per Article 12F.4.E.1, the Sandtown Overlay District limits building heights to 35 feet. The applicant has indicated that many warehouse buildings provide 30 to 44 feet of clearance under the roof which necessitates a building height of approximately 50 feet. According to the applicant, limiting the building height to 35 feet would make the development of modern distribution buildings impossible.

The proposed warehouses are located more than 100 feet from any existing residentially zoned property and more than 220 feet from the closest existing residential structure. In addition to the required perimeter buffers, there are several streams and their associated 200

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foot wide buffers located on the site which will further aid in the screening of the warehouses from adjacent residential property.

On July 10, 2017, staff received a letter requesting deferral of this petition until the August 16, 2017, Board of Commissioners meeting. The applicant wishes to continue to meet with the various community members and organizations to investigate the potential of a negotiated agreement. Given that ongoing dialog continues to occur staff supports the applicant's request and recommends **DEFERRAL UNTIL AUGUST 16, 2017.**

### Part 4. Allow roll-down doors on any façade of a warehouse. (Article 12F.4.E.12)

The applicant seeks to allow roll-down doors on any façade of the warehouses. Sandtown District Overlay (Section 12F.4.E.12) limits steel roll down curtains to the rear. The applicant states, it is extremely difficult to find doors which are used in modern warehouse distribution that would not be considered to be of the steel door curtain design. The applicant further asserts that without the variance, Walton cannot develop the type of modern industrial buildings used for its proposed warehouse distribution center.

Due to the large acreage of the 164.5 acre site with numerous streams and stream buffers, the proposed warehouses are further separated from the residential development along Campbellton Road due to topography. Several streams located on the site in addition to the required perimeter buffers will aid in buffering the proposed warehouses from current and future residential developments to the south. Due to the large depth of the lots on Campbellton Road, the nearest existing home on Campbellton Road is more than 2,200 feet from the rear of the property of the proposed industrial development.

On July 10, 2017, staff received a letter requesting deferral of this petition until the August 16, 2017, Board of Commissioners meeting. The applicant wishes to continue to meet with the various community members and organizations to investigate the potential of a negotiated agreement. Given that ongoing dialog continues to occur staff supports the applicant's request and recommends **DEFERRAL UNTIL AUGUST 16, 2017.**

### ENVIRONMENT

The Environmental Site Analysis Report for the overall 312.7 acre site is sufficient and satisfies the requirement of the Fulton County Zoning Resolution. According to the Environmental Site Analysis Report, the site contains six unnamed intermittent streams considered environmentally sensitive; the streams flow west to northwest towards Fulton Industrial Boulevard and eventually the Chattahoochee River. Wetland areas are located adjacent to the streams. The 100-year floodplain area is located within the streams and wetlands area. No buildings are proposed within this area. Slopes that exceed 33 percent over 10-foot rise in elevation exist inside the stream buffer area. Compliance with the County stream buffer requirements, wetlands protection, erosion control guidelines and environmental standards would mitigate development impacts to adjacent properties. The site does not contain historical sites or sensitive plant and animal species.



OTHER CONSIDERATIONS

The site is in the Sandtown Overlay District. The applicant is required to comply with the standards of the Overlay District at the time of application for a land disturbance, building, or sign permit.

Staff recommends inter-parcel access to the east should the Board of Commissioners approve the industrial use on the adjacent parcel. Inter-parcel access would allow access to Fulton Industrial Boulevard (SR 70) from the adjacent parcel. Staff has included inter-parcel access as a provision in the Recommended Conditions.

An underground gas transmission line is located near the southwestern portion of the subject site. The developer shall be required to comply with Article 34.5.10 **DEVELOPMENT IN OR NEAR A TRANSMISSION LINE EASEMENT** as applicable.

Several streams are located on the site. The Fulton County Stream Buffer Protection Ordinance requires a 75-foot undisturbed buffer with the 25-foot impervious setback as measured from both sides of the top of bank of the stream. The site plan shows compliance.

The proposed overall development (312.7 acres) exceeded the threshold for development set by the Atlanta Regional Commission (ARC). The applicant submitted a request for a DRI (Development of Regional Impact) review (DRI #2654 Woodbury Park E-Commerce & Distribution Center). Georgia Regional Transportation Authority (GRTA) completed a non-expedited review for the DRI Plan of Development pursuant to sections 3-101 and 3-103.A of the *Procedures and Principles for GRTA Development of Regional Impact Review* based on a review package as follows: site development plan dated January 10, 2017 prepared by Paulson Mitchell, Inc. and the transportation analysis dated February 16, 2017 prepared by Southeastern Engineering, both received by the Atlanta Regional Commission (ARC) staff of behalf of GRTA on March 2, 2017. In a letter, "Notice of Decision", dated April 6, 2017, GRTA determined that the DRI Plan of Development met the GRTA review criteria set forth in Sections 3-101 and 3-103.A. The notice states that the DRI Plan of Development as proposed is approved subject to conditions that are listed in GRTA's "Notice of Decision". Staff has added condition 6 which requires compliance with GRTA's "Notice of Decision".

Atlanta Regional Commission (ARC) staff findings included recognizing that some of the proposed pedestrian facilities within areas require pedestrians to mix with vehicular traffic, offering inadequate safety and accessibility. Sidewalks should be provided on both sides of the throat of driveways to allow pedestrians to fully enter the development without having to cross vehicular traffic entering and exiting the site via driveways. Overall, the development needs more internal and external interconnectivity to balance the need to create a favorable environment for business activity with a healthy and appealing environment for nearby residents and employees alike.

The Atlanta Regional Commission (ARC) has also completed their regional review of the DRI. The ARC findings are set forth in a letter dated March 27, 2017. ARC reviewed the project with regard to its relationship to regional plans, goals and policies as well as impacts it may have on the activities, plans, goals and policies of other local jurisdictions as well as state, federal and other agencies. The proposed Development of Regional Impact is located within both the Developing Suburbs Area and Regional Employment Corridor. The intensity of the

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proposed DRI generally aligns with the ARC Regional Development Guide's recommended range of densities and building heights for the Developing Suburbs and Regional Employment Corridors. ARC further found that the DRI is located in an area of long-established light industrial uses along the north side of Fulton Industrial Boulevard with a recent increase in demand for additional new light industrial, warehouse/distribution and logistics facilities in south metro Atlanta.

Following the completion of the DRI review by the Atlanta Regional Commission and the Georgia Regional Transportation Authority, the applicant's agent contacted the Fulton County Attorney's office given a portion of the overall 312.7 acres is in the City of South Fulton as of May 1, 2017. He requested that all five (5) proposed rezoning petitions be heard by the Fulton County Board of Commissioners. The County Attorney's office authorized the scheduling of the rezoning requests at a Fulton County Board of Commissioners public hearing.

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### **FINDINGS:**

(Article 28.4.1) Planning Staff shall, with respect to each zoning application, investigate and make a recommendation with respect to factors A. through G., below, as well as any other factors it may find relevant.

A. WHETHER THE ZONING PROPOSAL WILL PERMIT A USE THAT IS SUITABLE IN VIEW OF THE USE AND DEVELOPMENT OF ADJACENT AND NEARBY PROPERTY.

**FINDING:** The proposed industrial development, if developed with Staff's Recommended Conditions, is suitable for the subject site given the existing and anticipated commercial and warehouse developments in the surrounding area.

B. WHETHER THE ZONING PROPOSAL WILL ADVERSELY AFFECT THE EXISTING USE OR USABILITY OF ADJACENT OR NEARBY PROPERTY.

**FINDING:** In Staff's opinion, the proposed development will not have an adverse effect on the use or usability of adjacent and nearby properties if developed in accordance with the Recommended Conditions.

C. WHETHER THE PROPERTY TO BE AFFECTED BY THE ZONING PROPOSAL HAS A REASONABLE ECONOMIC USE AS CURRENTLY ZONED.

**FINDING:** The subject site may have a reasonable use as currently zoned.

D. WHETHER THE ZONING PROPOSAL WILL RESULT IN A USE WHICH WILL OR COULD CAUSE AN EXCESSIVE BURDENSOME USE OF EXISTING STREETS, TRANSPORTATION FACILITIES, UTILITIES, OR SCHOOLS.

**FINDING:** Staff does not anticipate a significant impact on public services and facilities. However, some impact on the surrounding transportation



system is expected but should be mitigated with compliance with the attached Recommended Conditions for project improvements.

**E. WHETHER THE ZONING PROPOSAL IS IN CONFORMITY WITH THE POLICIES AND INTENT OF THE LAND USE PLAN.**

**FINDING:** Staff is of the opinion that the proposed warehouse development is consistent with the policies and intent of the Comprehensive Plan if developed with the attached Recommended Conditions.

**LAND USE PLAN MAP:** Community Live Work

Proposed use/density: Warehouse Distribution Center - 8,948.33 square feet per acre

The 2035 Comprehensive Land Use Plan Map suggests Industrial use along the northwest side of Fulton Industrial Boulevard. Community Live Work is suggested on the southeast side of Fulton Industrial Boulevard (SR 70) and north of Campbellton Road (SR 166) and along the Camp Creek Parkway corridor. Further south of the subject site, on the south side of Campbellton Road (SR 166) the Map suggests Suburban Neighborhood II and Suburban Neighborhood I further south.

Further southwest of the subject site, at the intersection of Fulton Industrial Boulevard (SR 70) and Campbellton Road (SR 166), Industrial Marketplace is suggested at the northwest quadrant and Regional Live Work is suggested for the remainder at that intersection.

**PLAN POLICIES:**

Development should be directed to areas served with public facilities and infrastructure.

Promote interparcel and shared access between adjacent uses or within a development site.

Preserve environmentally sensitive areas, steep slopes, wetlands, soils, rock outcroppings and/or other unique topographic features.

Direct business to areas throughout the county that are targeted for economic growth.

**F. WHETHER THERE ARE OTHER EXISTING OR CHANGING CONDITIONS AFFECTING THE USE AND DEVELOPMENT OF THE PROPERTY WHICH GIVE SUPPORTING GROUNDS FOR EITHER APPROVAL OR DISAPPROVAL OF THE ZONING PROPOSAL.**

**FINDING:** Existing zonings, current industrial developments in the area, and adopted land use policies support this request for an industrial development.

G. WHETHER THE ZONING PROPOSAL WILL PERMIT A USE WHICH CAN BE CONSIDERED ENVIRONMENTALLY ADVERSE TO THE NATURAL RESOURCES, ENVIRONMENT AND CITIZENS OF FULTON COUNTY.

**FINDING:** The proposed development is not considered environmentally adverse affecting natural resources, the environment, or the citizens of Fulton County.

**CONCLUSION:**

On July 10, 2017, staff received a letter requesting deferral of this petition until the August 16, 2017, Board of Commissioners meeting. The applicant wishes to continue to meet with the various community members and organizations to investigate the potential of a negotiated agreement. Given that ongoing dialog continues to occur staff supports the applicant's request and recommends **DEFERRAL UNTIL AUGUST 16, 2017.**

**COMMUNITY ZONING BOARD MEETING**

On May 16, 2017 the Community Zoning Board recommended that the petition be **DENIED** subject to the attached Recommended Conditions and Parts 1, 2, 3, and 4 of the concurrent variance be **DENIED**. The CZB members questioned the Applicant regarding where a similar modern warehouse as shown during the Applicant's presentation is located. Additional questions from the CZB included outreach to the community on behalf of the Applicant. The Applicant stated there was a similarly built warehouse in Fort Gillem, Georgia, and listed community meeting dates that the Applicant held.

A representative from the Sandtown Community Association and the Woodside Hills Community Association spoke in opposition of the petition and concurrent variance. Several community members also had concerns regarding environmental pollution, including diesel emissions. Additional concerns expressed were the abundance of warehouses south of I-20 on Fulton Industrial Boulevard. It was also suggested that there may be better uses of the land such as a research park.

**BOARD OF COMMISSIONERS MEETING**

At the June 7, 2017, Board of Commissioners meeting there was considerable comment from both the applicant and community regarding the warehouse and mixed use portions of the overall development. A motion was made to deny the application but the motion failed for the lack of four affirmative votes and therefore was automatically deferred to the next available Board of Commissioners agenda.

At the June 21, 2017, the Board of Commissioner's deferred the request to the July 19, 2017 meeting. No public hearing was held.

**RECOMMENDED CONDITIONS**

If this petition is approved by the Board of Commissioners, it should be APPROVED M-2 (Heavy Industrial) CONDITIONAL subject to the owner's agreement to the following enumerated conditions. Where these conditions conflict with the stipulations and offerings contained in the Letter of Intent, these conditions shall supersede unless specifically stipulated by the Board of Commissioners.

1. To the owner's agreement to restrict the use of the subject property as follows:
  - a. Warehouse Distribution Center and accessory uses, at a maximum density of 8,948.33 gross square feet per acre zoned or a total of 1,472,000 square feet, whichever is less.
  - b. Increase maximum building height from 35 to 50 feet. (2016VC-0028 SFC, Part 3)
  - c. Allow roll-down doors on any façade of a warehouse. (2016Z-0028 SFC, Part 4)
2. To the owner's agreement to abide by the following:
  - a. To the site plan received by the Department of Planning and Community Services on December 13, 2016. Said site plan is conceptual only and must meet or exceed the requirements of the Zoning Resolution and these conditions prior to the approval of a Land Disturbance Permit. The applicant shall be required to complete the concept review procedure prior to application for a Land Disturbance Permit. Unless otherwise noted herein, compliance with all conditions shall be in place prior to the issuance of the first Certificate of Occupancy.
  - b. Provide inter-parcel access to the east subject to the approval of the Fulton County Traffic Engineer.
3. To the owner's agreement to the following site development considerations:
  - a. Increase the mounting height for lights poles from 28 feet to 30 feet. (2012VC-0007 SFC, Part 3)
  - b. Allow locally available Greystone Power Corporation "Salem" Post Top light fixture instead of historic period lighting (2012VC-0007 SFC, Part 4)
4. To the owner's agreement to the following site development considerations:
  - a. Reserve for Fulton County along the necessary property frontage of the following roadways, prior to the approval of a Land Disturbance permit, sufficient land as necessary to provide for compliance with the Comprehensive Plan. All building setback lines shall be measured from the dedication but at no time shall a building be allowed inside the area of reservation. All required landscape strips and buffers may straddle the reservation line so that the reservation line bisects

the required landscape strip or buffer. At a minimum, 10 feet of the required landscape strip or buffer shall be located outside the area of reservation. All required tree plantings per Article 4.23 shall be placed within the portion of the landscape strip or buffer that lies outside the area of reservation.

100 feet from centerline of Fulton Industrial Boulevard or as may be required by the Georgia Department of Transportation.

- b. Dedicate at no cost to Fulton County along the entire property frontage, prior to the approval of a Land Disturbance Permit, sufficient land as necessary to provide the following rights-of-way, and dedicate at no cost to Fulton County such additional right-of-way as may be required to provide at least 10.5 feet of right-of-way from the back of curb of all abutting road improvements, as well as allow the necessary construction easements while the rights-of-way are being improved:

100 feet from centerline of Fulton Industrial Boulevard or as may be required by the Georgia Department of Transportation.

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

- a. Prior to submitting the application for a (LDP) with the Department of Planning and Community Services, Development Review Division, arrange to meet with the Fulton County Traffic Engineer. A signed copy of the results of these meetings will be required to be submitted along with the application for a Land Disturbance Permit.
- b. Prior to submitting the application for an LDP, arrange an on-site evaluation of existing specimen trees/stands, buffers, and tree protection zones within the property boundaries with the Fulton County Arborist. A signed copy of the results of these meetings will be required to be submitted along with the application for an LDP.
- c. Prior to submitting the application for an LDP, the developer/engineer shall contact the Public Works Department, Water Services Division, and arrange to meet on-site with an engineer from the Surface Water Management Program (SWMP), who is responsible for review of Storm Water Concept Plan submittals.

6. Comply with the Georgia Regional Transportation Authority (GRTA) "Notice of Decision" dated March 27, 2017 for DRI #2654 Woodbury Park E-Commerce & Distribution Center.

**COMMENTS ON PUBLIC SERVICES AND UTILITIES**

NOTE: Various Fulton County departments or divisions that may or may not be affected by the proposed development provide the following information. Comments herein are based on the applicant's conceptual site plan and are intended as general non-binding information and in no manner suggest a final finding by the commenter. All projects, if approved, are required to complete the Fulton County Plan Review process prior to the commencement of any construction activity.

**TRANSPORTATION FACILITIES:**

Fulton Industrial Boulevard (S.R. 70) at Bosch Driveway

Classification: Minor Arterial

Level of Service: E (AM); F (PM) \*

Anticipated Traffic Generation Rates:

Net ADT (VPD): 4,978\*

Peak Hour: Total AM Peak (VPH): 420\*; Total PM Peak (VPH): 448\*

\*According to the Traffic Impact Study prepared for the applicant by Southeastern Engineering, Inc.

**HEALTH DEPARTMENT:****Environmental Health Services**

The Fulton County Department of Health and Wellness recommends that the applicant be required to connect the proposed development to public water and public sanitary sewer available to the site.

Since this proposed development constitutes a premise where people work, onsite sanitary facilities will be mandatory prior to use or occupancy.

This development must comply with the Fulton County Code of Ordinances and Code of Resolutions, Chapter 34 – Health and Sanitation, Article III – Smokefree Air. If a facility will allow persons under the age 18 on the premises, smoking will not be allowed at any time.

This department is requiring that plans indicating the number and location of outside refuse containers along with typical details of the pad and approach area for the refuse containers be submitted for review and approval.

**Environmental Justice**

The Fulton County Department of Health and Wellness does not anticipate any adverse health impacts from allowing the rezoning from MIXED (Mixed Use) to M-2 (Heavy Industrial) for the construction of the proposed warehouse distribution center so long as the item being stored are not of a hazardous nature and the activities on the site will not result in the exposure of nearby residents to any harmful toxic substance or chemical etc. through air, water, or soil.

**WATER AND WASTEWATER (SEWER):****WATER:**

Anticipated water demand: 29,440 gallons per day

This project is within the City of Atlanta jurisdiction.

**SEWER:**

Basin: Wilson Creek

Treatment Plant: Camp Creek

Anticipated sewer demand: 29,496 gallons per day



## # 17-0467

There are eight sanitary sewer manholes west of the western property line of "0" Fulton Industrial Boulevard (Parcel ID: 14F0131 LL0040) (Sewer manholes # SMWC6806800 to SMWC6806750) along the western side of the Fulton Industrial Boulevard right-of-way located in Land Lot 137, District 14F.

Comments: This information does not guarantee that adequate sewer capacity is available at this time or will be available upon application of permits. Please contact the Department of Public Works for more information.

### DRAINAGE:

Flood Plain: According to Fulton County Geographic Information System (GIS) Map, there is not 100-year flood plain on the subject site. In the Environmental Site Analysis Report the applicant notes that the 100-year flood plain is located within the streams and wetlands area.

### BOARD OF EDUCATION:

No Comment.

### TAX ASSESSOR:

Property Tax ID#: Property Tax ID#: 14F0131 LL0040

Taxes on the subject property are up-to-date.

### FIRE MARSHAL:

Fire Station: 13

Battalion: 3

Impact: Increase in traffic; increase in EMS calls; increase in 911 calls; increase in water usage.

### POLICE DEPARTMENT ZONING IMPACT STATEMENT:

Beat: 33

#### Impact Statement on Beat:

Current calls for service: 3,031

Projected calls for service: Unknown

Current Average Response Time (minutes): 19

\*\* Increase in the number of residents/persons: 2,885.12

\* Increase in E-911 calls for service (police, fire, E.M.S.): 2,285

\*\*\* Increase in the number of traffic accidents: 99.5

### PROJECTED IMPACT ON DEMAND FOR POLICE SERVICES:

It is the policy of the Fulton County Police Department to answer all calls for service regardless of the impact of a particular development. However, two of the most noticeable indicators of the quality of police service will be as follows: As demands for service increase, response times will increase. Time available for proactive neighborhood/business patrol will decrease and crime prevention efforts will decline.

The Police Department does anticipate a significant impact on demand for police services.

\* Based on 2014 population of 121,000 and 2014 calls for service of 95,850 (67,553 for police services.)

\*\* Based on average single family residence population of four, average apartment population of two and 1.96 persons per 1,000 gross square feet of space.

\*\*\* Based on 2014 accident calls of 4,158.

\*\*\*\* Based on average response time of 8 minutes.

\*\*\*\*\* Based on average of two (2) cars per single family residence.

Note: The demand for police service is determined by socio-economic, legislative and other forces which do not lend themselves to predictability. Therefore, projections are made from historical data only.

**EMERGENCY SERVICES:**

If zoning petition is approved there will be an increase in E911 call volume. The increase may negatively affect the Department's call answering speed and service level.

Increased traffic volume without road improvements may increase response times of emergency response vehicles thereby reducing effective delivery of emergency services.

**CITY OF ATLANTA DEPARTMENT OF AVIATION (DOA)  
Hartsfield-Jackson Atlanta International Airport**

The proposed project is located approximately 9.2 miles northwest of the Airport.

Is the proposed project located under protected airspace for the Airport?

☒ **Yes (Partially)**      ☐ **No**

If yes, the development will require the completion of Federal Aviation Administration (FAA) form 7460-1, Notice of Proposed Construction or Alteration.

Is the proposed project located within an area of significant (65 DNL or higher) aircraft noise exposure? {Based on Estimated 2010 Noise Exposure Contours}

☐ **Yes**      ☒ **No**

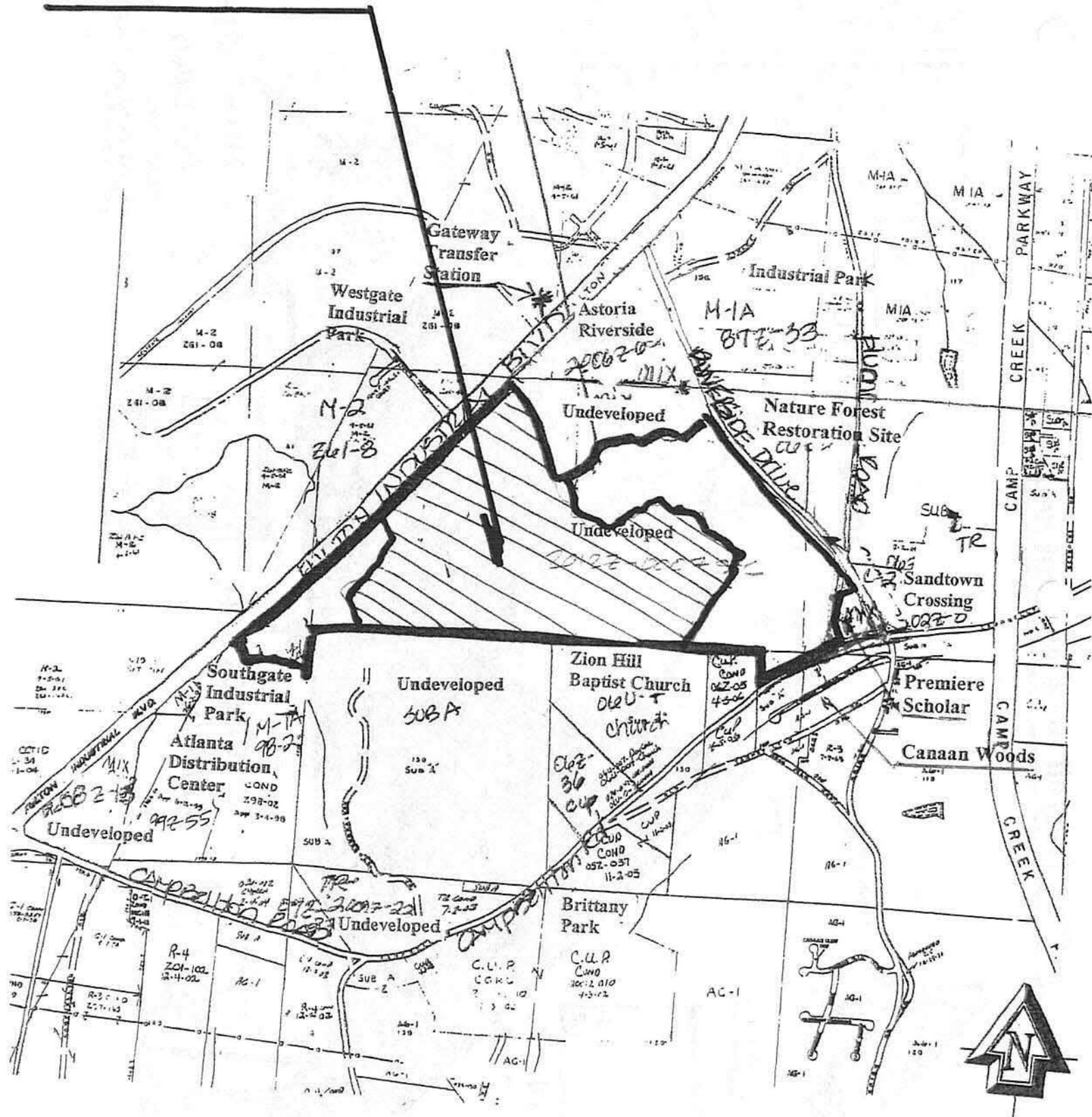
If yes, is the proposed land-use deemed compatible according to CFR Title 14, Part 150?

☐ **Yes**      ☐ **No**

**CODE ENFORCEMENT**

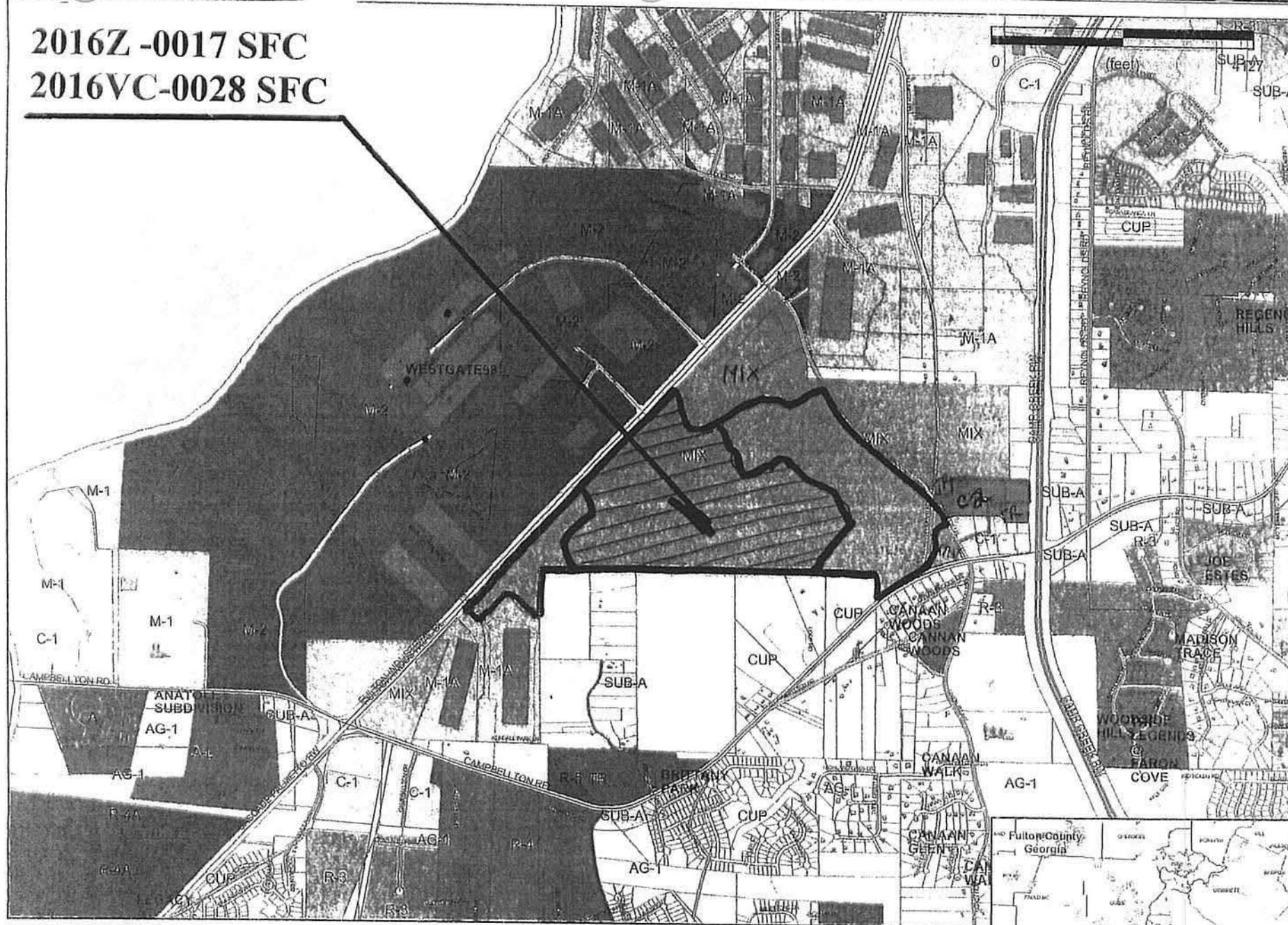
No Comment.



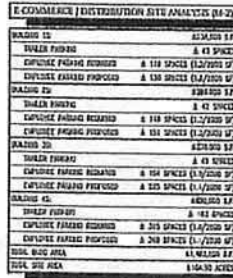




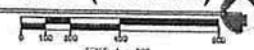
2016Z -0017 SFC  
2016VC-0028 SFC







**ZONING PLAN - M-2 (SOUTH)**



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PROPOSED ZONING	M-2 (HEAVY INDUSTRIAL) - 12,122.22 SQUARE FEET PER ACRE
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PROPOSED USE	<b>WAREHOUSE DISTRIBUTION CENTER - 734,000 SQUARE FEET</b>
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EXISTING ZONING	MIX (MIXED USE) - 2012Z-0007 SFC
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EXISTING USE	UNDEVELOPED
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LAND USE MAP	COMMUNITY LIVE WORK
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LOCATION	RIVERSIDE DRIVE (SOUTHWEST SIDE): 1,200.33 FEET OF FRONTAGE
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PARCEL SIZE 60.58 ACRES

SMALL AREA 516

LL 131 AND 137, DISTRICT 14F

COMMISSION DISTRICT 6

SANDTOWN OVERLAY DISTRICT

SERVED BY PUBLIC SEWER

OWNER	WALTON GA WOODBURY PARK, LP WALTON GEORGIA, LLC
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PETITIONER	WALTON GA WOODBURY PARK, LP WALTON GEORGIA, LLC
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REPRESENTATIVE	LEMUEL H. WARD
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APPLICANT'S INTENT	To develop a 734,000 square foot warehouse distribution center on 60.58 acres at an overall density of 12,122.22 square feet per acre. In addition, the applicant seeks a four-part concurrent variance as follows:
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Part 1. Allow light fixtures from a local service provider instead of historic fixtures. (Article 12F.4.D.7)

Part 2. Delete the requirement for curb, gutter, and sidewalks along Riverside Drive. (Article 34.5.3)

Part 3. Increase maximum building height from 35 to 50 feet. (Article 12F.4.E.1)

Part 4. Allow roll-down doors on any façade of a warehouse. (Article 12F.4.E.12)

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Department of Planning and Community Services  
Recommendation

**DEFERRAL until AUGUST 16, 2017**

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Community Zoning Board Recommendation  
May 16, 2017

**DENIAL: 2016Z -0018 SFC**  
**DENIAL: 2016VC-0025 SFC - Part 1**  
**DENIAL: 2016VC-0029 SFC, PART 2**  
**DENIAL: 2016VC-0029 SFC, PARTS 3 & 4**

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Board of Commissioners Meeting  
June 7, 2017

**DEFERRED until June 21, 2017**

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Board of Commissioners Meeting  
June 21, 2017

**DEFERRED until July 19, 2017**

**SUBJECT SITE AND SURROUNDING AREA:**

**SUBJECT SITE:** The subject 60.58 acre site is located on the southwest side of Riverside Drive. The site is zoned MIX (Mixed Use) and is part of a larger 312.7 acre property approved for 30,000 square feet of retail, 8,000 square feet of office, 140 townhouses, and 780 single-family home lots pursuant to 2012Z-0007 SFC. The site is wooded and undeveloped. Several streams are located on the site.

**BACKGROUND:** In 1970, 277 acres along Fulton Industrial Boulevard located in District 14, Land Lots 132, 137, 149, 150 and Land Lot 66 of District 9C were rezoned from SUB A (Residential) to M-1 (Industrial) pursuant to Z70-047 SFC.

In 1998, along the east side of Fulton Industrial Boulevard (SR 70), north of Campbellton Road, 102.43 acres were rezoned from M-1 (Light Industrial) to M-1A (Industrial Park) for a 2,139,789 square foot Industrial Park pursuant to 98Z-002 SFC.

In 2006, a 456.926 acre site known as Riverside Park with frontages along Fulton Industrial Boulevard (SR 70), Riverside Drive, and Campbellton Road was rezoned from M-1A (Industrial Park), pursuant to Z70-047 SFC and 98Z-002 SFC (listed above), and SUB A (Residential) to MIX (Mixed Use) pursuant to 2006Z -0065 SFC. Riverside Park was approved for 62,644 square feet of retail, 113,144 square feet of office, 350 apartments, 450 townhouses, 150 active adult housing units, and 800 single family detached residential units pursuant to 2006Z -0065 SFC.

In 2012, 312.7 acres of the original 456.93 acre Riverside Park was rezoned from MIX (Mixed Use) to MIX (Mixed Use) by Walton Georgia, LLC and was known as Woodbury Park. The site was approved for 30,000 square feet of retail, 8,000 square feet of office, 140 townhouses, and 780 single family lots.

Currently, the applicant, Walton GA Woodbury Park, LP and Walton Georgia, LLC seek to rezone the 312.7 acre property with 5 rezoning petitions as follows: (See "Site Plan of Walton's Overall Development Request" behind the APPENDIX.)

- (Subject Site) 2016Z -0018 SFC 2016VC-0029 SFC Riverside Drive - MIX to M-2 Warehouse Distribution Center - 734,000 square feet
- (West and south of subject site) 2016Z -0017 SFC, 2016VC-0028 SFC, Fulton Industrial Boulevard (SR 70) - MIX to M-2, Warehouse Distribution Center - 1,472,000 square feet
- (Further west of the subject site) 2016Z -0014 SFC, 2016VC-0025 SFC, Fulton Industrial Boulevard (SR 70) - MIX to C-1, retail, convenience store with gas pumps - 16,600 square feet
- (Further west of subject site) 2016Z -0015 SFC, 2016VC-0026 SFC, Kendall Park Lane - MIX to O-I, Office Complex - 152,000 square feet

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- (Southeast of subject site) 2016Z -0016 SFC, 2016VC-0027 SFC, Campbellton Road (SR 166) - MIX to MIX, Retail/office with a fuel center - 169,231 total square feet; Townhouses - 126 units

### NEARBY AND ADJACENT PROPERTIES/ZONINGS: NON-RESIDENTIAL & MIXED USE

- \*\* Northeast** - Undeveloped & Astoria Riverside Apartments (Existing)  
Petition: 2006Z -0065 SFC  
Zone: MIX (Mixed Use)  
Density: Retail: 137.10 square feet per acre, 62,644 total square feet; Office: 247.62 square feet per acre, 113,144 total square feet; Apartments: 0.766 dwelling units per acre, 350 units; Townhouses: 0.985 dwelling units per acre, 450 total units; Active Adult Housing: 0.33 units per acre, 150 total units; Single Family Detached Residences: 1.751 units per acre, 800 total units.  
Height: Retail/Office: 2 stories; Residential: 40 feet
- \*\* Further Northeast** (North side of Riverside Drive) - Use: Industrial Park (Existing)  
Petition: 87Z-033 SFC  
Zone: M-1A (Industrial Park)  
Density: 15,490 square feet per acre, 5,737,496 total square feet (no individual site can exceed a density of 18,000 square feet per acre)
- \*\* West, South, and East** - Use: Undeveloped  
Petition: 2012Z -0007 SFC  
Zone: MIX (Mixed Use)  
Density: retail - 96.94 square feet per acre, 30,000 square feet; office - 25.59 square feet per acre, 8,000 square feet; townhouses - 0.45 units per acre, 140 townhouses; single family - 2.495 units per acre, 780 lots
- \*\* East** - Use: Native Forest Restoration Site (Existing)  
Petition: 2006Z -0065 SFC  
Zone: MIX (Mixed Use)  
Density: Retail: 137.10 square feet per acre, 62,644 total square feet; Office: 247.62 square feet per acre, 113,144 total square feet; Apartments: 0.766 dwelling units per acre, 350 units; Townhouses: 0.985 dwelling units per acre, 450 total units; Active Adult Housing: 0.33 units per acre, 150 total units; Single Family Detached Residences: 1.751 units per acre, 800 total units. Height: Retail/Office: 2 stories; Residential: 40 feet
- \*\* Further Southeast** - Use: Premiere Scholar Day Care (Existing)  
Zone: MIX (Mixed Use)  
Density: Retail: 137.10 square feet per acre, 62,644 total square feet; Office: 247.62 square feet per acre, 113,144 total square feet; Apartments: 0.766 dwelling units per acre, 350 units; Townhouses: 0.985 dwelling units per acre, 450 total units; Active Adult Housing: 0.33 units per acre, 150 total units; Single Family Detached Residences: 1.751 units per acre, 800 total units.  
Height: Retail/Office: 2 stories; Residential: 40 feet



- \*\* Further Southeast** - Use: Sandtown Crossing (Existing & Undeveloped)  
Petition: 2002Z -0008 SFC  
Zone: C-1 (Community Business)  
Density: Retail - 6,704.83 square feet per acre, total 231,987 square feet  
Office - 2,254.33 square feet per acre, total 78,000 square feet  
Height: 2-stories
- \*\* Further Southeast** - Use: Owl Rock Methodist Church (Existing)  
Zone: AG-1 (Agricultural)
- \*\* Further Southeast** - Use: Rock Head United Methodist Church (Existing)  
Zone: AG-1 (Agricultural)
- \*\* Further South** - Use: Zion Hill Baptist Church (Existing)  
Petition: 2006U -0004 SFC (Church), 2006U -0007 SFC (Day Care), 2002U -0048 SFC (Recreational Field)  
Density: 4,883.77 square feet per acre, 150,000 total square feet with max. 2,200 fixed seats, Students - 225 maximum for day care use with additional 200 max for after school program
- \*\* Further South** - Use: Undeveloped  
Petition: 2003U -0022 SFC (Church)  
Zone: SUB A (Residential)  
Density: 1,238.40 square feet per acre, 12,000 total square feet, 500 seats
- \*\* Further West** - Use: Southgate Industrial Park (Existing)  
Petition: 98Z -002 SFC  
Zone: M-1A (Industrial Park)  
Density: 20,890 square feet per acre, 2,139.789 total square feet
- \*\* Further Southwest** - Use: Atlanta Distribution Center (Existing)  
Petition: 99Z -055 SFC  
Zone: M-1A (Industrial Park)  
Density: 16,038 square feet per acre, 650,000 total square feet
- \*\* Further Southwest** - Use: Undeveloped (Approved for mixed use)  
Petition: 2008Z -0013 SFC  
Zone: MIX (Mixed Use)  
Density: Retail - 1,120.4 square feet per acre, 29,500 total square feet (minimum office use 4,200 square feet); Multifamily - 7.75 units per acre, 204 total units  
Height limit: 2 stories (non-residential), 3-stories (multi-family)
- \*\* Further Southwest (West side of Fulton Industrial Boulevard)** - Use: Auto Auction Vehicle Storage Facility (Existing)  
Petition: 2004Z -0084 SFC  
Zone: M-1 (Light Industrial)  
Density: 275.41 square feet per acre; 10,000 total square feet

**NEARBY AND ADJACENT PROPERTIES/ZONINGS: RESIDENTIAL**

- \*\* Further South - Use: Scattered Single Family Residences (Existing)**  
Zone: SUB A (Residential)
  
- \*\* Further Southeast - Canaan Woods Subdivision (Existing)**  
Zone: SUB A (Residential)  
Density: None stated
  
- \*\* Further South - Use: Undeveloped (Approved for single family subdivision)**  
Petition: 2006Z -0005 SFC  
Zone: CUP (Community Unit Plan)  
Density: 2.37 units per acre, 34 lots  
Minimum Lot Size: 10,000 square feet  
Minimum Heated Floor Area: 1,800 square feet
  
- \*\* Further South - Cambridge Meadows (Undeveloped)**  
Petition: 2005Z -0037 SFC  
Zone: CUP (Community Unit Plan)  
Density: 3.01 units per acre, 78 lots  
Minimum Lot Size: 10,000 square feet  
Minimum Heated Floor Area: 1,800 square feet
  
- \*\* Further South - Use: Brittany Park Subdivision (Existing)**  
Petition: 2002Z-0010 SFC  
Zone: CUP (Community Unit Plan)  
Density: 2.32 units per acre, 210 lots  
Minimum lot size: 10,000 square feet for 137 lots, and 13,500 for 73 lots
  
- \*\* Further South - Use: Waterford Commons (Existing)**  
Petition: 2001Z -0102 SFC  
Zone: R-4 (Residential)  
Density: 1.605 units per acre, 424 lots  
Minimum Heated Floor Area: 1,500 square feet
  
- \*\* Further South - Use: Undeveloped**  
Petition: 2006Z -0036 SFC  
Zone: CUP (Community Unit Plan)  
Density: 2.91 units per acre, 37 lots  
Minimum Lot Size: 10,000 square feet  
Minimum Heated Floor Area: 1,800 square feet
  
- \*\* Further South - Use: Townhouse development (Undeveloped)**  
Petition: 2008Z -0023 SFC  
Zone: TR (Townhouse Residential)  
Density: 4.34 units per acre (114 townhouses, 23 single family detached)  
Minimum Lot Size: 6,000 (single family detached)  
Minimum Heated Floor Area: 2,000 (townhouses), 2,850 (single family detached)

\*\* There have been no **RECENT DENIALS** and there are no **MISCELLANEOUS USES/ZONINGS** in the immediate area. **# 17-0467**

### **SITE PLAN ANALYSIS:**

Based on the applicant's site plan submitted to the Department of Planning and Community Services on December 13, 2016, Staff offers the following considerations:

#### **LAND USE AND DENSITY**

The petitioner is requesting to rezone the subject site from MIX (Mixed Use) to M-2 (Heavy Industrial) to develop a 734,000 square foot warehouse distribution center in two buildings. The M-2 (Heavy Industrial) Industrial district is intended to provide for the development of industrial parks for manufacturing, fabricating, processing, distributing, research, offices associated with industrial use, extraction, terminal and warehousing and similar uses.

The 2035 Comprehensive Land Use Plan Map suggests Community Live Work for the subject site. The proposed warehouse, while inconsistent with the suggestion of the Comprehensive Plan Land Use Map, is consistent with current development trends in the area. There is existing industrial development located along the Fulton Industrial Boulevard Corridor within close proximity to the site. Industrial zoned property nearby includes M-1 (Light Industrial) zoned property at the southeast corner of the Fulton Industrial Boulevard and Riverside Drive intersection, and M-2 (Heavy Industrial) zoned property north across Fulton Industrial Boulevard (SR 70).

The applicant's site plan indicates two warehouses. Stream buffers surround the site with the exception of Riverside Drive and the southeast property line adjacent to MIX (Mixed Use) zoning. Sole access to the property is shown on the site plan from Riverside Drive. Staff notes the applicant is proposing warehouse distribution centers to the south and west which have access to Fulton Industrial Boulevard (SR 70). However, no interconnectivity is proposed from the adjacent industrial development to the subject site. Staff notes that Riverside Drive is designated as an urban local road, whereas Fulton Industrial Boulevard is an urban minor arterial and designated truck route. Staff is of the opinion that the proposed warehouses would be consistent with the Fulton Industrial Boulevard Corridor as long as access is via Fulton Industrial Boulevard. Staff recommends that no vehicular access be allowed from the site onto Riverside Drive and that all access be through the applicant's proposed industrial parcel to the west which connects directly to Fulton Industrial Boulevard (SR 70). Staff has included prohibiting vehicular access to Riverside Drive with a provision for inter parcel connection to Fulton Industrial Boulevard (SR 70) via adjacent parcels in the Recommended Conditions.

The proposed warehouses are separated from the proposed MIX (Mixed Residential) zoned property to the south by more than 100 feet which includes a required 50-foot buffer and 10-foot improvement setback. The proposed warehouses are separated from the existing undeveloped MIX (Mixed Use) zoned property to the north by a stream with its associated 200-foot buffer. Given the location of the proposed warehouses internal to the property, surrounded by streams and their associated buffers and required zoning buffers, Staff is of opinion there is ample visual buffering and separation of uses.

## # 17-0467

Although the request for a warehouse distribution center is inconsistent with the suggestion of the Comprehensive Land Use Plan Map, Staff notes that a portion of the property is located within the Fulton Industrial Boulevard Urban Redevelopment Area as established by the Fulton County Board of Commissioners on March 2006. Staff's recommendation to prohibit access to Riverside Drive with access limited to Fulton Industrial Boulevard furthers the intent of the Fulton Industrial Boulevard Overlay Focus Area, as illustrated in the 2035 Comprehensive Plan, to focus industrial redevelopment towards the Fulton Industrial Boulevard corridor.

On July 10, 2017, staff received a letter requesting deferral of this petition until the August 16, 2017, Board of Commissioners meeting. The applicant wishes to continue to meet with the various community members and organizations to investigate the potential of a negotiated agreement. Given that ongoing dialog continues to occur staff supports the applicant's request and recommends **DEFERRAL UNTIL AUGUST 16, 2017.**

### BUILDING SETBACKS

Article 10.3.3 requires building setbacks as follows:

- 40-foot setback along Fulton Industrial Boulevard (SR 70)
- No setbacks are required along the remaining property lines

The site plan shows compliance. Staff notes that buildings shall be located outside all required landscaping as discussed in the next section.

### LANDSCAPE STRIPS AND BUFFERS

MIX (Mixed Use) zoning, pursuant to 2012Z-0007 SFC, approved for single-family residences, surrounds the site. Based on the current zoning surrounding the property the landscape requirements are as follows:

- 25-foot landscape strip along Riverside Drive (SR 70) (Article 12F.4, Section A.3)
- 50-foot undisturbed buffer and 10-foot improvement setback adjacent MIX (Mixed Use) (side yard) (Article 4.23.1)
- 100-foot undisturbed buffer and 10-foot improvement setback adjacent to MIX (Mixed Use) (rear yard) (Article 4.23.1)

The applicant proposes to rezone the adjacent property to the west to M-2 (Heavy Industrial), MIX (Mixed Use) to the southeast, and O-I (Office-Institutional) and C-1 (Commercial) to the northwest. Should the BOC approve the applicant's request, the landscaping is required as follows:

- 25-foot landscape strip along Riverside Drive (SR 70) (Article 12F.4, Section A.3)
- 15-foot landscape strip adjacent to proposed M-2 (Heavy Industrial) zoning (Article 12F.4, Section A.4)
- 50-foot buffer and 10-foot improvement setback adjacent to the proposed MIX (Mixed Use) zoning (Article 4.23.1)

Given Riverside Drive is a local road, Staff recommends the required landscape strip along Riverside Drive be planted to buffer standards to provide screening of the property. Staff has



included the recommendation in the Recommended Conditions. At the time of Disturbance Permit, the applicant will be required to comply with all landscape requirements.

### PARKING

Article 18 of the Fulton County Zoning Resolution requires 1 space per 2,000 square feet of building area for warehouse and storage. The site plan shows a chart showing parking calculations for each building which indicate compliance. At the time of application for a land disturbance permit, the applicant shall be required to show compliance.

### CONCURRENT VARIANCES

#### Part 1. Allow local electric company light fixtures instead of historic period lighting.

The applicant seeks to obtain light fixtures from Greystone Power. In 2012, pursuant to 2012Z -0007, 2012VC-0008 SFC, the applicant requested a similar variance request. Variances were approved as follows:

3. To the owner's agreement to the following site development considerations:
  - s. Increase the mounting height for lights poles from 28 feet to 30 feet. (2012VC-0007 SFC, Part 3)
  - t. Allow locally available Greystone Power Corporation "Salem" Post Top light fixture instead of historic period lighting (2012VC-0007 SFC, Part 4)

Given variances have been approved for the subject site in regards to lighting, the applicant requests that Part 1 be withdrawn. Therefore, Staff recommends **WITHDRAWAL of Part 1** of the concurrent variance request. Staff has included the approved variances above in the Recommended Conditions.

#### Part 2. Delete the requirement for sidewalk, curb and gutter along the entire frontage of Riverside Drive (SR 70).

The applicant seeks to delete the sidewalk, curb and gutter requirement along Riverside Drive. In 2012, pursuant to 2012Z -0007, 2012VC-0008 SFC, the applicant requested the same variance. At that time, the applicant asserted that constructing sidewalks on these steep slopes would create an unnecessary hardship for the owner while causing no detriment to the public because there would be few pedestrian users. While few sidewalks exist along Riverside Drive, Staff notes that future workers, shoppers, and residents in the proposed MIX development to the immediate south east of the subject property may ride the bus and walk along Riverside Drive. The additional sidewalk would also create a more pedestrian friendly environment with more workers able to safely get from bus stops to places of employment. Overall, the development needs more internal and external interconnectivity to balance the need to create a favorable environment for business activity with a healthy and appealing environment for residents, visitors, and employees alike.

In 2012 Staff recommended **DENIAL** given the applicant had not proven a hardship and the recent adoption of the Fulton Industrial Business District Overlay promoting pedestrian



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walkability. However, the variance was approved by the Board with conditions as follows: condition 3.r. "In lieu of the required sidewalk along perimeter road frontages, the developer shall be allowed to utilize the required square footage of concrete sidewalk from the perimeter road frontages to increase the width of the required sidewalk along the main boulevard internal to the development to create a multi-purpose path. The width and construction of said multi-purpose path shall be consistent with the existing section of the South Fulton Trail Net multi-purpose path beginning at Butner Road north of Camp Creek Parkway and running east. Said multi-purpose path shall connect to Campbellton Road and extend along the entire frontage of Campbellton Road. Location of said multi-purpose path shall be as approved by the Director of Planning and Community Services."

On July 10, 2017, staff received a letter requesting deferral of this petition until the August 16, 2017, Board of Commissioners meeting. The applicant wishes to continue to meet with the various community members and organizations to investigate the potential of a negotiated agreement. Given that ongoing dialog continues to occur staff supports the applicant's request and recommends **DEFERRAL UNTIL AUGUST 16, 2017**.

Staff notes that Article 22.3.1 states that a variance may be considered if relief is in harmony with the general purpose and intent of the Zoning Resolution; or due to extraordinary and exceptional conditions pertaining to the property because of its size, shape, or topography which would create an unnecessary hardship for the owner while causing no detriment to the public; or conditions resulting from existing foliage or structures which bring about a hardship whereby a sign meeting the minimum letter size, square footage and height requirements cannot be read from an adjoining public road.

In regards to the design of the warehouse distribution centers, the applicant seeks variances as follows:

### Part 3. Increase the maximum building height from 35 feet to 50 feet (Article 12F.4.E1).

Although the M-2 (Heavy Industrial) district allows a building height of 100 feet per Article 12F.4.E.1, the Sandtown Overlay District limits building heights to 35 feet. The applicant has indicated that many warehouse buildings provide 30 to 44 feet of clearance under the roof which necessitates a building height of approximately 50 feet. According to the applicant, limiting the building height to 35 feet would make the development of modern distribution buildings impossible.

Staff notes that the northernmost warehouse is located more than 500 feet from Fulton Industrial Boulevard. The warehouses located in the southern portion of the site are more than 100 from residentially zoned property. Several streams are located on the site which will aid in the buffering the warehouses from adjacent property in addition the required perimeter buffers.

On July 10, 2017, staff received a letter requesting deferral of this petition until the August 16, 2017, Board of Commissioners meeting. The applicant wishes to continue to meet with the various community members and organizations to investigate the potential of a negotiated agreement. Given that ongoing dialog continues to occur staff supports the applicant's request and recommends **DEFERRAL UNTIL AUGUST 16, 2017**.

Part 4. Allow roll-down doors on any façade of a warehouse. (Article 12F.4.E.12)

The applicant seeks to allow roll-down doors on any façade of the warehouses. Sandtown District Overlay (Section 12F.4.E.12) limits steel roll down curtains to the rear. The applicant states, it is extremely difficult to find doors which are used in modern warehouse distribution that would not be considered to be of the steel door curtain design. The applicant further asserts that without the variance, Walton cannot develop the type of modern industrial buildings used for its proposed warehouse distribution center.

The proposed warehouses are located more than 100 feet from any existing residentially zoned property and more than 2,200 feet from the closest existing residential structure. In addition to the required perimeter buffers, there are several streams and their associated 200 foot wide buffers located on the site which will further aid in the screening of the warehouses from adjacent residential property. Staff also recommends no access onto Riverside Drive and planting the required 25-foot landscape strip along Riverside Drive to buffer standards.

On July 10, 2017, staff received a letter requesting deferral of this petition until the August 16, 2017, Board of Commissioners meeting. The applicant wishes to continue to meet with the various community members and organizations to investigate the potential of a negotiated agreement. Given that ongoing dialog continues to occur staff supports the applicant's request and recommends **DEFERRAL UNTIL AUGUST 16, 2017.**

ENVIRONMENT

The Environmental Site Analysis Report for the overall 312.7 acre site is sufficient and satisfies the requirement of the Fulton County Zoning Resolution. According to the Environmental Site Analysis Report, the site contains six unnamed intermittent streams considered environmentally sensitive; the streams flow west to northwest towards Fulton Industrial Boulevard and eventually the Chattahoochee River. Wetland areas are located adjacent to the streams. The 100-year floodplain area is located within the streams and wetlands area. No buildings are proposed within this area. Slopes that exceed 33 percent over 10-foot rise in elevation exist inside the stream buffer area. Compliance with the County stream buffer requirements, wetlands protection, erosion control guidelines and environmental standards would mitigate development impacts to adjacent properties. The site does not contain historical sites or sensitive plant and animal species.

OTHER CONSIDERATIONS

The site is in the Sandtown Overlay District. The applicant is required to comply with the standards of the Overlay District at the time of application for a land disturbance, building, or sign permit.

Several streams are located on the subject site. The Fulton County Stream Buffer Protection Ordinance requires a 75-foot undisturbed buffer with the 25-foot impervious setback as measured from both sides of the top of bank of the stream. The site plan shows compliance.

The proposed overall development (312.7 acres) exceeded the threshold for development set by the Atlanta Regional Commission (ARC). The applicant submitted a request for a DRI (Development of Regional Impact) review (DRI #2654 Woodbury Park E-Commerce &

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Distribution Center). Georgia Regional Transportation Authority (GRTA) completed a non-expedited review for the DRI Plan of Development pursuant to sections 3-101 and 3-103.A of the *Procedures and Principles for GRTA Development of Regional Impact Review* based on a review package as follows: site development plan dated January 10, 2017 prepared by Paulson Mitchell, Inc. and the transportation analysis dated February 16, 2017 prepared by Southeastern Engineering, both received by the Atlanta Regional Commission (ARC) staff of behalf of GRTA on March 2, 2017. In a letter, "Notice of Decision", dated April 6, 2017, GRTA determined that the DRI Plan of Development met the GRTA review criteria set forth in Sections 3-101 and 3-103.A. The notice states that the DRI Plan of Development as proposed is approved subject to conditions that are listed in GRTA's "Notice of Decision". Staff has added condition 6 which requires compliance with GRTA's "Notice of Decision"

The Atlanta Regional Commission (ARC) has also completed their regional review of the DRI. The ARC findings are set forth in a letter dated March 27, 2017. ARC reviewed the project with regard to its relationship to regional plans, goals and policies as well as impacts it may have on the activities, plans, goals and policies of other local jurisdictions as well as state, federal and other agencies. The proposed Development of Regional Impact is located within both the Developing Suburbs Area and Regional Employment Corridor. The intensity of the proposed DRI generally aligns with the ARC Regional Development Guide's recommended range of densities and building heights for the Developing Suburbs and Regional Employment Corridors. ARC further found that the DRI is located in an area of long-established light industrial uses along the north side of Fulton Industrial Boulevard with a recent increase in demand for additional new light industrial, warehouse/distribution and logistics facilities in south metro Atlanta.

Following the completion of the DRI review by the Atlanta Regional Commission and the Georgia Regional Transportation Authority, the applicant's agent contacted the Fulton County Attorney's office given a portion of the overall 312.7 acres is in the City of South Fulton as of May 1, 2017. He requested that all five (5) proposed rezoning petitions be heard by the Fulton County Board of Commissioners. The County Attorney's office authorized the scheduling of the rezoning requests at a Fulton County Board of Commissioners public hearing.

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### **FINDINGS:**

(Article 28.4.1) Planning Staff shall, with respect to each zoning application, investigate and make a recommendation with respect to factors A. through G., below, as well as any other factors it may find relevant.

A. WHETHER THE ZONING PROPOSAL WILL PERMIT A USE THAT IS SUITABLE IN VIEW OF THE USE AND DEVELOPMENT OF ADJACENT AND NEARBY PROPERTY.

**FINDING:** The proposed industrial development, if developed with Staff's Recommended Conditions, is suitable for the subject site given the existing and anticipated commercial and warehouse developments in the surrounding area.



- B. WHETHER THE ZONING PROPOSAL WILL ADVERSELY AFFECT THE ECONOMIC USE OR USABILITY OF ADJACENT OR NEARBY PROPERTY.

**FINDING:** In Staff's opinion, the proposed development will not have an adverse effect on the use or usability of adjacent and nearby properties if developed in accordance with the Recommended Conditions.

- C. WHETHER THE PROPERTY TO BE AFFECTED BY THE ZONING PROPOSAL HAS A REASONABLE ECONOMIC USE AS CURRENTLY ZONED.

**FINDING:** The subject site may have a reasonable use as currently zoned.

- D. WHETHER THE ZONING PROPOSAL WILL RESULT IN A USE WHICH WILL OR COULD CAUSE AN EXCESSIVE BURDENSOME USE OF EXISTING STREETS, TRANSPORTATION FACILITIES, UTILITIES, OR SCHOOLS.

**FINDING:** Staff does not anticipate a significant impact on public services and facilities. However, some impact on the surrounding transportation system is expected but should be mitigated with compliance to the attached Recommended Conditions for project improvements.

- E. WHETHER THE ZONING PROPOSAL IS IN CONFORMITY WITH THE POLICIES AND INTENT OF THE LAND USE PLAN.

**FINDING:** Staff is of the opinion that the proposed warehouse development is consistent with the policies and intent of the Comprehensive Plan if developed with the attached Recommended Conditions.

**LAND USE PLAN MAP:** Community Live Work

Proposed use/density: Industrial - 12,122.22 square feet per acre

The 2035 Comprehensive Land Use Plan Map suggests Industrial use along the northwest side of Fulton Industrial Boulevard. Community Live Work is suggested on the southeast side of Fulton Industrial Boulevard (SR 70) and north of Campbellton Road (SR 166) and along the Camp Creek Parkway corridor. Further south of the subject site, on the south side of Campbellton Road (SR 166) the Map suggests Suburban Neighborhood II and Suburban Neighborhood I further south.

Further southwest of the subject site, at the intersection of Fulton Industrial Boulevard (SR 70) and Campbellton Road (SR 166), Industrial Marketplace is suggested at the northwest quadrant and Regional Live Work is suggested for the remainder at that intersection.

**PLAN POLICIES:**

Development should be directed to areas served with public facilities and infrastructure.

Promote interparcel and shared access between adjacent uses or within a development

Preserve environmentally sensitive areas, steep slopes, wetlands, soils, rock outcroppings and/or other unique topographic features.

Direct business to areas throughout the county that are targeted for economic growth.

F. WHETHER THERE ARE OTHER EXISTING OR CHANGING CONDITIONS AFFECTING THE USE AND DEVELOPMENT OF THE PROPERTY WHICH GIVE SUPPORTING GROUNDS FOR EITHER APPROVAL OR DISAPPROVAL OF THE ZONING PROPOSAL.

**FINDING:** Existing zonings, current industrial developments in the area, and adopted land use policies support this request for an industrial development.

G. WHETHER THE ZONING PROPOSAL WILL PERMIT A USE WHICH CAN BE CONSIDERED ENVIRONMENTALLY ADVERSE TO THE NATURAL RESOURCES, ENVIRONMENT AND CITIZENS OF FULTON COUNTY.

**FINDING:** The proposed development is not considered environmentally adverse affecting natural resources, the environment, or the citizens of Fulton County.

**CONCLUSION:**

On July 10, 2017, staff received a letter requesting deferral of this petition until the August 16, 2017, Board of Commissioners meeting. The applicant wishes to continue to meet with the various community members and organizations to investigate the potential of a negotiated agreement. Given that ongoing dialog continues to occur staff supports the applicant's request and recommends **DEFERRAL UNTIL AUGUST 16, 2017.**

**COMMUNITY ZONING BOARD MEETING**

On May 16, 2017 the Community Zoning Board recommended that the petition be **DENIED** subject to the attached Recommended Conditions and Parts 1, 2, 3, and 4 of the concurrent variance be **DENIED**. The CZB members questioned the Applicant regarding their proposed access to Riverside Drive and Riverside Drive's designation as a Class A Suburban Street with a 44 foot right-of-way. The Applicant stated that they were not prepared to discuss Riverside Drive access beyond what was in the traffic study, but would be at the Board of Commissioners meeting.

A representative from the Sandtown Community Association and the Woodside Hills Community Association spoke in opposition of the petition and concurrent variance. Several community members also had concerns regarding the proposed direct access onto Riverside Drive and ensuing traffic safety with cars and trucks vying for space on the local designated road. Residents also expressed concern regarding the increased warehouse presence in Sandtown and quality-of-life.



At the June 7, 2017, Board of Commissioners meeting there was considerable comment from both the applicant and community regarding the warehouse and mixed use portions of the overall development. A motion was made to deny the application but the motion failed for the lack of four affirmative votes and therefore was automatically deferred to the next available Board of Commissioners agenda.

At the June 21, 2017, the Board of Commissioner's deferred the request to the July 19, 2017 meeting. No public hearing was held.

**RECOMMENDED CONDITIONS**

If this petition is approved by the Board of Commissioners, it should be APPROVED HEAVY INDUSTRIAL (M-2) CONDITIONAL subject to the owner's agreement to the following enumerated conditions. Where these conditions conflict with the stipulations and offerings contained in the Letter of Intent, these conditions shall supersede unless specifically stipulated by the Board of Commissioners.

1. To the owner's agreement to restrict the use of the subject property as follows:
  - a. Industrial warehousing distribution uses, at a maximum density of 12,122.22 gross square feet per acre zoned or a total of 734,000 square feet, whichever is less.
  - b. Increase maximum building height (2016VC-0029 SFC, Part 3)
  - c. Allow roll-down doors (2016Z-0029 SFC, Part 4)
2. To the owner's agreement to abide by the following:
  - a. To the site plan received by the Department of Planning and Community Services on December 13, 2016. Said site plan is conceptual only and must meet or exceed the requirements of the Zoning Resolution and these conditions prior to the approval of a Land Disturbance Permit. The applicant shall be required to complete the concept review procedure prior to application for a Land Disturbance Permit. Unless otherwise noted herein, compliance with all conditions shall be in place prior to the issuance of the first Certificate of Occupancy.
3. To the owner's agreement to the following site development considerations:
  - a. Prohibit vehicle access to Riverside Drive.
  - b. Access Fulton Industrial Boulevard (SR 70) via adjacent parcels to the west or north.
  - c. Plant the required 25-foot landscape strip along Riverside Drive to buffer standards.
  - d. Increase the mounting height for lights poles from 28 feet to 30 feet. (2012VC-0007 SFC, Part 3)
  - e. Allow locally available Greystone Power Corporation "Salem" Post Top light fixture instead of historic period lighting (2012VC-0007 SFC, Part 4)

4. To the owner's agreement to abide by the following traffic requirements, dedications and improvements:
  - a. Reserve for Fulton County along the necessary property frontage of the following roadways, prior to the approval of a Land Disturbance permit, sufficient land as necessary to provide for compliance with the Comprehensive Plan. All building setback lines shall be measured from the dedication but at no time shall a building be allowed inside the area of reservation. All required landscape strips and buffers may straddle the reservation line so that the reservation line bisects the required landscape strip or buffer. At a minimum, 10 feet of the required landscape strip or buffer shall be located outside the area of reservation. All required tree plantings per Article 4.23 shall be placed within the portion of the landscape strip or buffer that lies outside the area of reservation.

45 feet from centerline of Riverside Drive.
  - b. Dedicate at no cost to Fulton County along the entire property frontage, prior to the approval of a Land Disturbance Permit, sufficient land as necessary to provide the following rights-of-way, and dedicate at no cost to Fulton County such additional right-of-way as may be required to provide at least 10.5 feet of right-of-way from the back of curb of all abutting road improvements, as well as allow the necessary construction easements while the rights-of-way are being improved:

30 feet from centerline of Riverside Drive.
5. To the owner's agreement to abide by the following:
  - a. Prior to submitting the application for a (LDP) with the Department of Planning and Community Services, Development Review Division, arrange to meet with the Fulton County Traffic Engineer. A signed copy of the results of these meetings will be required to be submitted along with the application for a Land Disturbance Permit.
  - b. Prior to submitting the application for an LDP, arrange an on-site evaluation of existing specimen trees/stands, buffers, and tree protection zones within the property boundaries with the Fulton County Arborist. A signed copy of the results of these meetings will be required to be submitted along with the application for an LDP.
  - c. Prior to submitting the application for an LDP, the developer/engineer shall contact the Public Works Department, Water Services Division, and arrange to meet on-site with an engineer from the Surface Water Management Program (SWMP), who is responsible for review of Storm Water Concept Plan submittals.
6. Comply with the Georgia Regional Transportation Authority (GRTA) "Notice of Decision" dated March 27, 2017 for DRI #2654 Woodbury Park E-Commerce & Distribution Center.

**COMMENTS ON PUBLIC SERVICES AND UTILITIES**

NOTE: Various Fulton County departments or divisions that may or may not be affected by the proposed development provide the following information. Comments herein are based on the applicant's conceptual site plan and are intended as general non-binding information and in no manner suggest a final finding by the commenter. All projects, if approved, are required to complete the Fulton County Plan Review process prior to the commencement of any construction activity.

**TRANSPORTATION FACILITIES:**

Plummer Road at Riverside Drive  
Classification: Local  
Level of Service: A\*

Anticipated Traffic Generation Rates:  
Net ADT (VPD): 2,482\*  
Peak Hour: Total AM Peak (VPH): 209\*; Total PM Peak (VPH): 223\*

\*According to the Traffic Impact Study prepared for the applicant by Southeastern Engineering, Inc.

**HEALTH DEPARTMENT:****Environmental Health Services**

The Fulton County Department of Health and Wellness recommends that the applicant be required to connect the proposed development to public water and public sanitary sewer available to the site.

Since this proposed development constitutes a premise where people work, onsite sanitary facilities will be mandatory prior to use or occupancy.

This development must comply with the Fulton County Code of Ordinances and Code of Resolutions, Chapter 34 – Health and Sanitation, Article III – Smokefree Air. If a facility will allow persons under the age 18 on the premises, smoking will not be allowed at any time.

This department is requiring that plans indicating the number and location of outside refuse containers along with typical details of the pad and approach area for the refuse containers be submitted for review and approval.

**Environmental Justice**

The Fulton County Department of Health and Wellness does not anticipate any adverse health impacts from allowing the rezoning from MIXED (Mixed Use) to M-2 (Heavy Industrial) for the construction of the proposed warehouse distribution center so long as the items being stored are not of a hazardous nature and the activities on the site will not result in the exposure of nearby residents to any harmful toxic substance or chemical etc. through air, water, or soil.

**WATER AND WASTEWATER (SEWER):****WATER:**

Anticipated water demand: 14,680 gallons per day

This project is within the City of Atlanta jurisdiction.

**SEWER:**

Basin: Wilson Creek  
Treatment Plant: Camp Creek  
Anticipated sewer demand: 13,212 gallons per day

The nearest wastewater pipeline to this project is +/-850 linear feet located in Land Lot 118, District 14FF.

Comments: This information does not guarantee that adequate sewer capacity is available at this time or will be available upon application of permits. Please contact the Department of Public Works for more information.

**DRAINAGE:**

Flood Plain: According to Fulton County Geographic Information System (GIS) Map, there is a 100-year flood plain on the subject site.

**BOARD OF EDUCATION:**

No Comment.

**TAX ASSESSOR:**

Property Tax ID#: 14F0131 LL0040

Taxes on the subject property are up-to-date.

**FIRE MARSHAL:**

Fire Station: 13

Battalion: 3

Impact: Increase in traffic; increase in EMS calls; increase in 911 calls; increase in water usage.

**POLICE DEPARTMENT ZONING IMPACT STATEMENT:**

Beat: 33

Impact Statement on Beat:

Current calls for service: 3,031

Projected calls for service: Unknown

Current Average Response Time (minutes): 19

\*\* Increase in the number of residents/persons: 1,438.64

\* Increase in E-911 calls for service (police, fire, E.M.S.): 1,139.4

\*\*\* Increase in the number of traffic accidents: 49.6

**PROJECTED IMPACT ON DEMAND FOR POLICE SERVICES:**

It is the policy of the Fulton County Police Department to answer all calls for service regardless of the impact of a particular development. However, two of the most noticeable indicators of the quality of police service will be as follows: As demands for service increase, response times will increase. Time available for proactive neighborhood/business patrol will decrease and crime prevention efforts will decline.

The Police Department does not anticipate a significant impact on demand for police services.

- \* Based on 2014 population of 121,000 and 2014 calls for service of 95,850 (67,553 for police services.)
- \*\* Based on average single family residence population of four, average apartment population of two and 1.96 persons per 1,000 gross square feet of space.
- \*\*\* Based on 2014 accident calls of 4,158.
- \*\*\*\* Based on average response time of 8 minutes.
- \*\*\*\*\* Based on average of two (2) cars per single family residence.

Note: The demand for police service is determined by socio-economic, legislative and other forces which do not lend themselves to predictability. Therefore, projections are made from historical data only.



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## EMERGENCY SERVICES:

If zoning petition is approved there will be an increase in E911 call volume. The increase may negatively affect the Department's call answering speed and service level.

Increased traffic volume without road improvements may increase response times of emergency response vehicles thereby reducing effective delivery of emergency services.

## CITY OF ATLANTA DEPARTMENT OF AVIATION (DOA) Hartsfield-Jackson Atlanta International Airport

The proposed project is located approximately 9.2 miles northwest of the Airport.

Is the proposed project located under protected airspace for the Airport?

☒ Yes (Partially) ☐ No

If yes, the development will require the completion of Federal Aviation Administration (FAA) form 7460-1, Notice of Proposed Construction or Alteration.

Is the proposed project located within an area of significant (65 DNL or higher) aircraft noise exposure? {Based on Estimated 2010 Noise Exposure Contours}

☐ Yes ☒ No

If yes, is the proposed land-use deemed compatible according to CFR Title 14, Part 150?

☐ Yes ☐ No

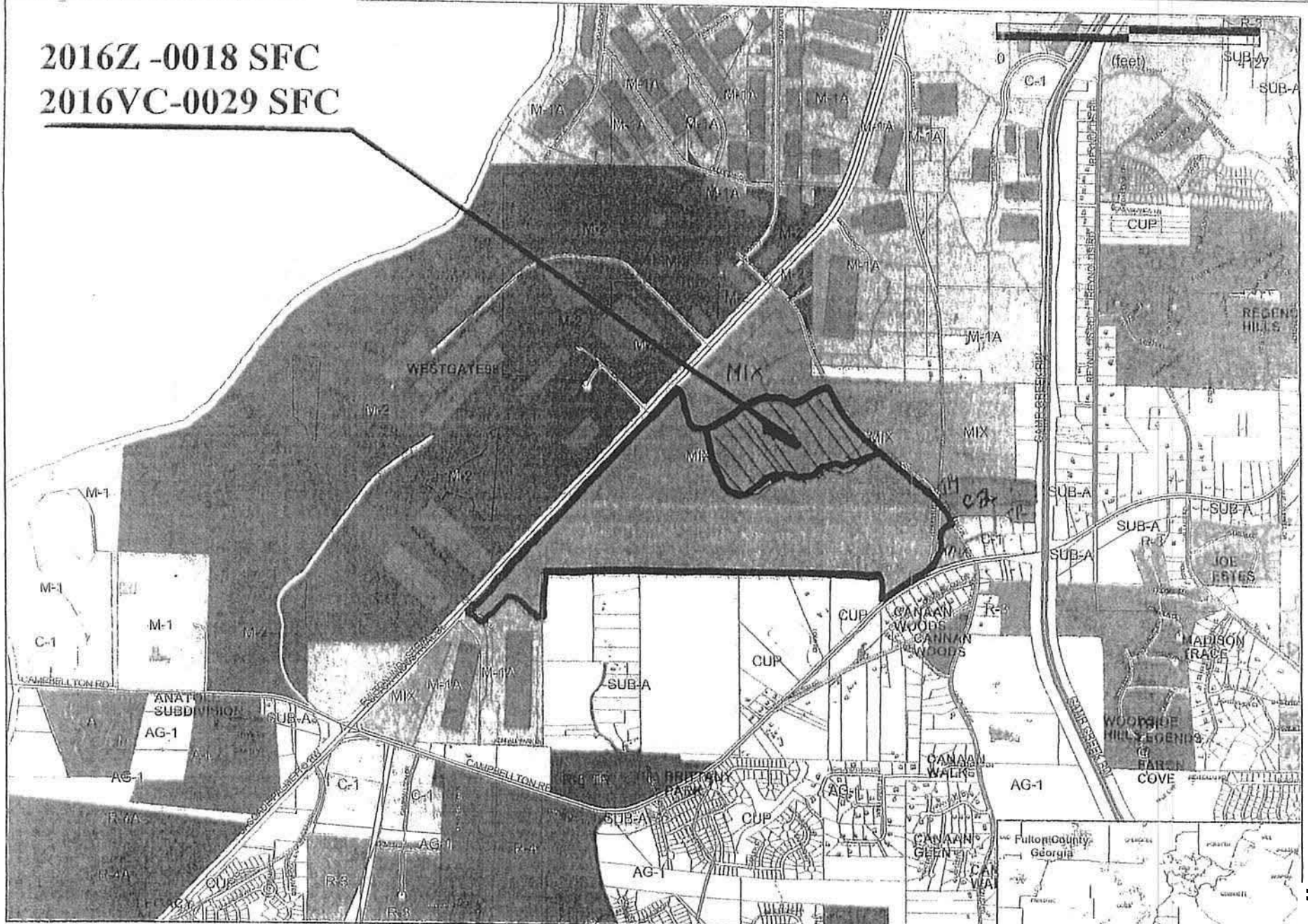
## CODE ENFORCEMENT

No Comment.





# 2016Z -0018 SFC 2016VC-0029 SFC



Prepared by Fulton County Department of  
Environment and Community Development  
Support Services Division  
Geographic Information System

Date: 01.23

Fulton County provides the data within this page for your personal use "as is".  
The data is not guaranteed to be accurate, or complete.

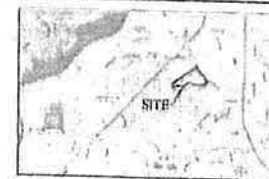


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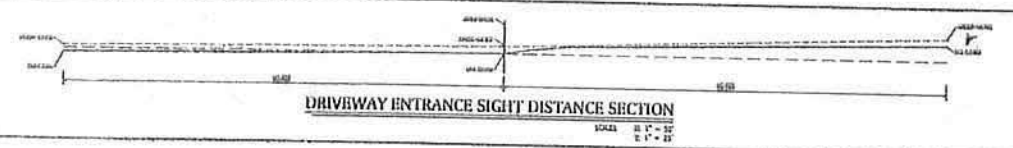
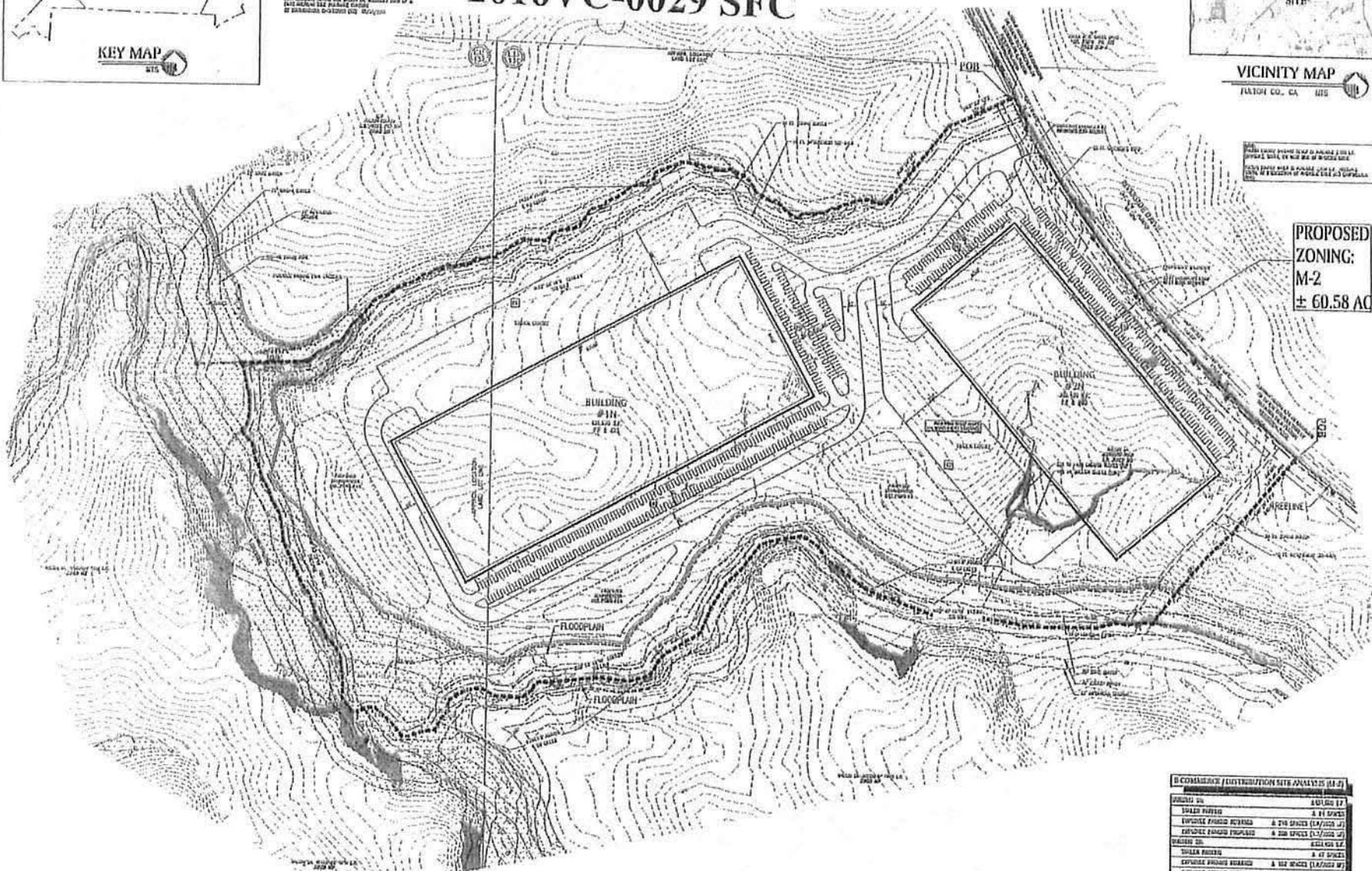


VICINITY MAP

FULTON CO., CA 415

DATE: 10/10/68  
FROM: SAC, NEW YORK (100-38861)  
TO: DIRECTOR, FBI (100-38861)  
SUBJECT: [REDACTED]

PROPOSED  
ZONING:  
M-2  
± 60.58 AC



### DRIVEWAY ENTRANCE SIGHT DISTANCE SECTION

SOLIA     22.1° = 22°  
 23.1° = 23°

## ZONING PLAN - M-2 (NORTH)



1041-1-10