

**Agenda Item Summary**

17-0468

BOC Meeting Date

6-21-17

Requesting Agency

Planning and Community Services

Commission Districts Affected

6, 7

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

2016Z -0017 SFC, Fulton Industrial Boulevard (SR 70)

P&CS Dept. Recommendation: Approval Conditional

CZB Recommendation:

CLUP: Inconsistent

Application by Lemuel H. Ward for Walton GA Woodbury Park LP and Walton Georgia LLC seeks a rezoning from MIX (Mixed Use) to M-2 (Heavy Industrial) 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.

The subject 164.50 acre site has approximately 1,552.79 of frontage on the east side of Fulton Industrial Boulevard (SR 70) and is located in Land Lots 131 and 137 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)

17-0468

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

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

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

Continued

Procurement

Contract Attached: .	Previous Contracts: .		
Solicitation Number: .	Submitting Agency: .	Staff Contact: .	Contact Phone: .

Description:.**FINANCIAL SUMMARY**

Total Contract Value:	MBE/FBE Participation:
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 \$: .		

Funding Line 1: .	Funding Line 2: .	Funding Line 3: .	Funding Line 4: .
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KEY CONTRACT TERMS

Start Date: .	End Date: .
Cost Adjustment: .	Renewal/Extension Terms: .

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: .

PETITION No. 2016Z -0017 SFC
2016VC-0028 SFC

PROPOSED ZONING	M-2 (HEAVY INDUSTRIAL) - 8,948.33 SQUARE FEET PER ACRE
PROPOSED USE	WAREHOUSE DISTRIBUTION CENTER - 1,472,000 SQUARE FEET
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

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)

Department of Planning and Community Services
Recommendation

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

Community Zoning Board Recommendation
May 16, 2017

DENIAL: 2016Z -0017 SFC
DENIAL: 2016VC-0025 SFC - All Parts

----- 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, 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

- ** **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)

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

- ** **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 foot 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.

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Petition: 2016Z-0017 SFC
2016VC-0028 SFC
COB Meeting: 06/07/17

For TDD, TTY Access Services please call 711 for Georgia Relay.
Printed: 5/27/17

Given development patterns in the area, the location on a minor arterial, distance separation from non-industrial uses, and consistency with the intent of Comprehensive Plan policy encouraging a broad range of business types in areas where basic public facilities exist, Staff recommends **APPROVAL CONDITIONAL** of the applicant's request subject to the attached Recommended Conditions.

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)

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 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."

Given that the applicant has not proven a hardship and the recent adoption of the Fulton Industrial Business District Overlay promoting pedestrian walkability, Staff is of the opinion that the applicant has not proven a hardship and requests **DENIAL of Part 2** of the variance request.

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

property, distance to the nearest residential structure; the extensive internal stream buffers, and the required perimeter buffers, Staff is of the opinion that relief would be in harmony with the intent of the regulation per Article 22.3.1. Staff supports Part 3 to increase the warehouse height to 50 feet to allow for modern warehouse distribution; therefore, Staff recommends **APPROVAL of Part 3.**

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. Given the proposed location of the warehouses internal to the property surrounded by streams and stream buffers mitigating visual impacts with sole access to Fulton Industrial Boulevard (SR 70), Staff is of the opinion that relief would be in harmony with the intent of the regulation per Article 22.3.1. Staff supports Part 4 to allow doors on any façade of the proposed warehouses to allow for modern warehouse distribution; therefore, Staff recommends **APPROVAL of Part 4.**

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 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.

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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.

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 to the attached Recommended Conditions for project improvements.

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.

...WHETHER THE ZONING PROPOSAL WILL PERMIT A USE WHICH IS
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:

Provided Staff's Recommended Conditions are incorporated into the development of the site, the proposed industrial use is consistent with the policies and intent of the Comprehensive Plan and Board action along Fulton Industrial Boulevard. Therefore, Staff recommends this petition and Parts 3 & 4 of the concurrent variance be **APPROVED CONDITIONAL** subject to the attached Recommended Conditions. Staff recommends **WITHDRAWAL of Part 1** and **DENIAL of Part 2** of the concurrent variance.

COMMUNITY ZONING BOARD MEETING

On May 16, 2017 the Community Zoning Board recommended that the petition and All Parts of the concurrent variance be **DENIED**. Prior to the hearing Staff received a letter of opposition from the Sandtown Community Association. At the hearing representatives from the Sandtown Community Association and Woodside Hills spoke in opposition along with other members of the community. Concerns raised were diesel emissions and air quality along with the abundance of warehouses south of I-20 on Fulton Industrial Boulevard. A research park was suggested as a better use.

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

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.

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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

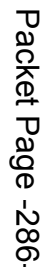
If yes, is the proposed land-use deemed compatible according to CFR Title 14, Part 150?

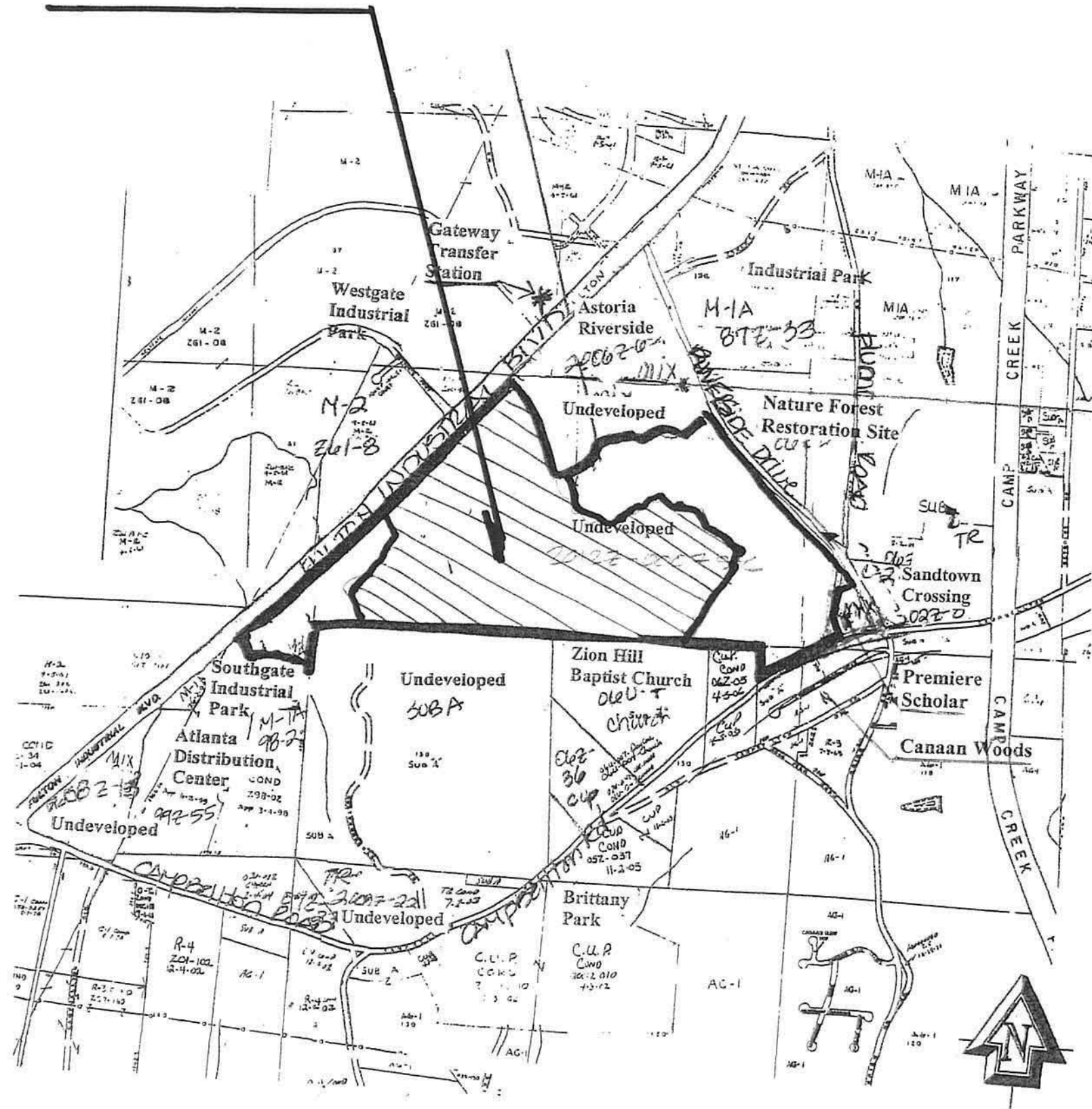
☐ Yes ☐ No

CODE ENFORCEMENT

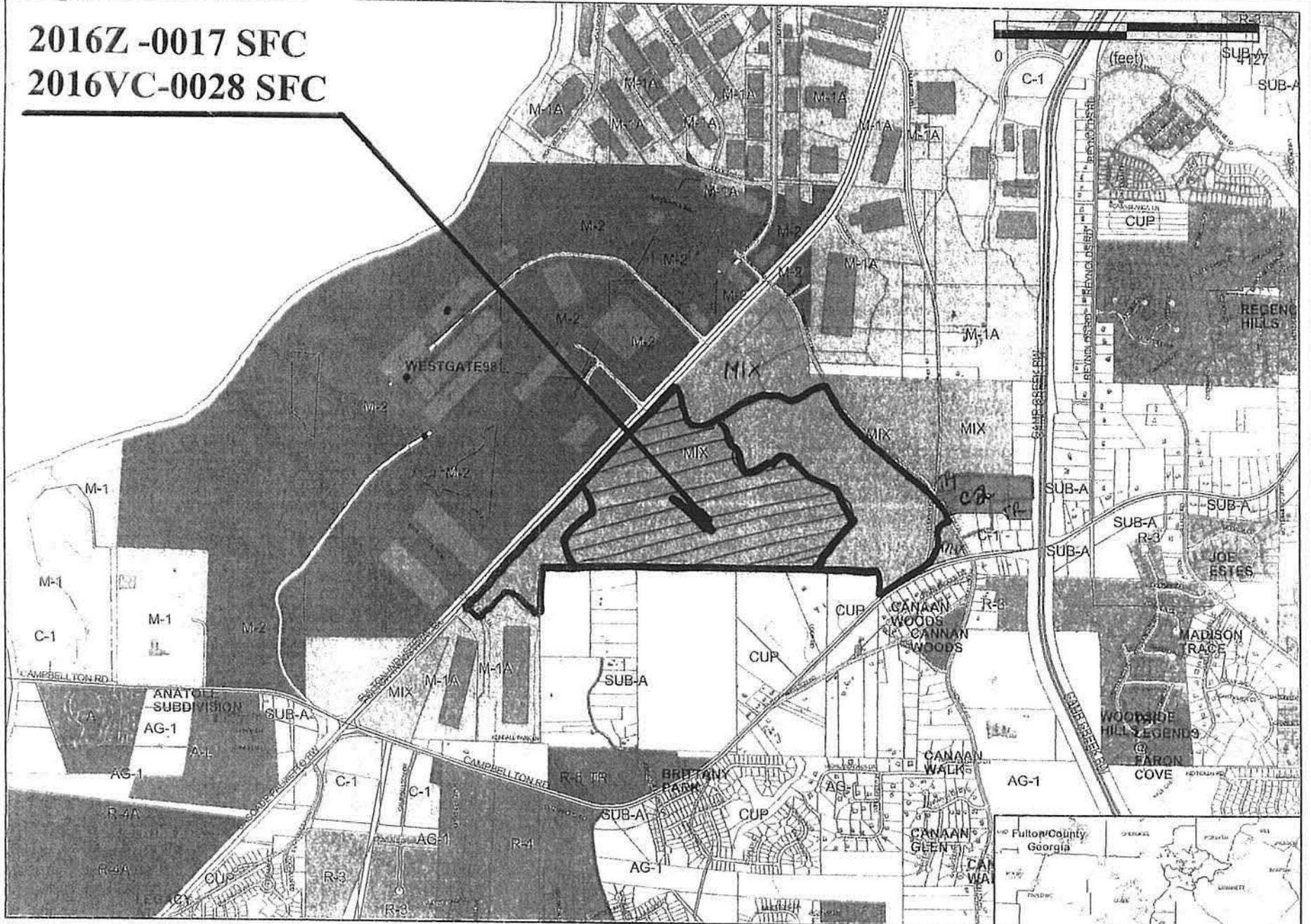
No Comment.

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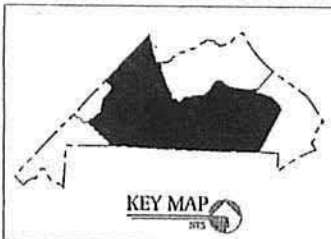
Prepared by Fulton County Department of
Environment and Community Development
Support Services Division
Geographic Information System

Date: 01.23.15

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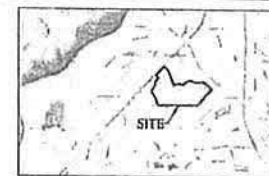


2016Z -0017 SFC 2016VC-0028 SFC



CURVE TABLE				
Curve	Length	Radius	Chord Bearing	Chord Length
to	from	to	from	to

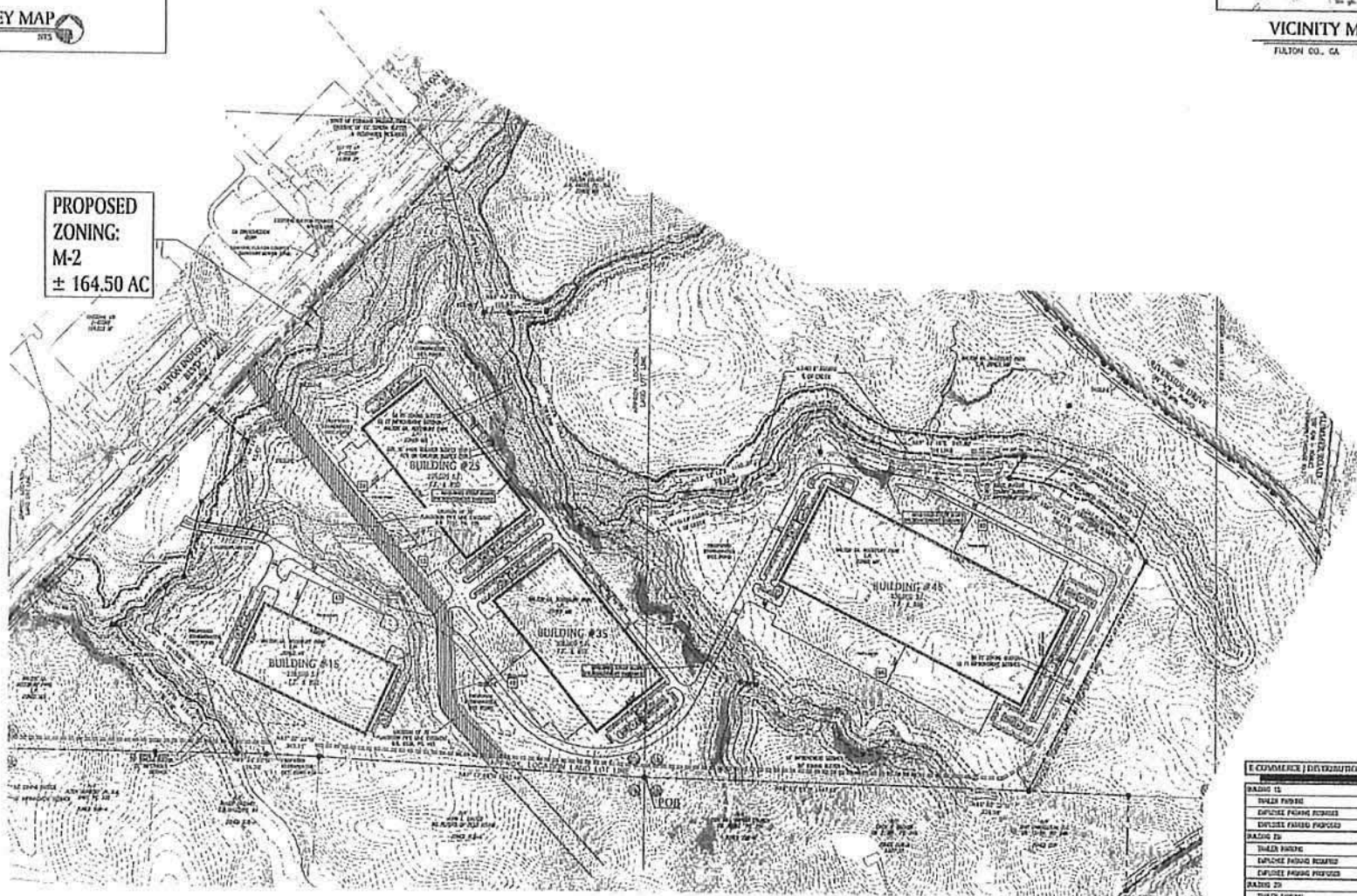
SEE SHEET 2016Z-0017 SFC FOR CURVE DATA
AND SHEET 2016VC-0028 SFC FOR CURVE DATA
AND SHEET 2016VC-0028 SFC FOR CURVE DATA



VICINITY MAP

FULTON CO., GA. HTS

PROPOSED
ZONING:
M-2
± 164.50 AC



E-COMMERCE / DISTRIBUTION SITE ANALYSIS (M-2)	
PARCEL 15	REMARKS
BUILDING FOOTPRINT	± 42 SPACES
EXPLODED PARKING FOOTPRINT	± 110 SPACES (1.0/2000 SF)
EXPLODED PARKING PROPOSED	± 130 SPACES (1.0/2000 SF)
PARCEL 25	REMARKS
BUILDING FOOTPRINT	± 42 SPACES
EXPLODED PARKING FOOTPRINT	± 110 SPACES (1.0/2000 SF)
EXPLODED PARKING PROPOSED	± 130 SPACES (1.0/2000 SF)
PARCEL 35	REMARKS
BUILDING FOOTPRINT	± 48 SPACES
EXPLODED PARKING FOOTPRINT	± 114 SPACES (1.0/2000 SF)
EXPLODED PARKING PROPOSED	± 135 SPACES (1.0/2000 SF)
PARCEL 45	REMARKS
BUILDING FOOTPRINT	± 162 SPACES
EXPLODED PARKING FOOTPRINT	± 310 SPACES (1.0/2000 SF)
EXPLODED PARKING PROPOSED	± 340 SPACES (1.0/2000 SF)
TOTAL SITE AREA	164.50 ACRES

ZONING PLAN - M-2 (SOUTH)

SCALE: 1" = 300'

Long Planning
Engineering - Surveying
Transportation - Architecture
Landscaping - Interiors
Bridges - Streets
Economic - Construction

PROJECT:
WOODBURY PARK
E-COMMERCE &
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ZONING INFORMATION

2015 ZONING MAP, REV. 2015

ADDITIONAL INFORMATION

EX. 2015-01

EX. 2015-02

EX. 2015-03

EX. 2015-04

EX. 2015-05

EX. 2015-06

EX. 2015-07

EX. 2015-08

EX. 2015-09

EX. 2015-10

EX. 2015-11

EX. 2015-12

EX. 2015-13

EX. 2015-14

EX. 2015-15

EX. 2015-16

EX. 2015-17

EX. 2015-18

EX. 2015-19

EX. 2015-20

EX. 2015-21

EX. 2015-22

EX. 2015-23

EX. 2015-24

EX. 2015-25

EX. 2015-26

EX. 2015-27