



Fulton County Board of Commissioners
Agenda Item Summary

17-0470

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 -0018 SFC, Riverside Drive
 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 734,000 square foot warehouse distribution center on 60.55 acres at an overall density of 12,122.22 square feet per acre.

The subject 60.55 acre site has approximately 1,200.33 feet of frontage on the southwest side of Riverside Drive 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	

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

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

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

17-0470

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)

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: .

PROPOSED ZONING M-2 (HEAVY INDUSTRIAL) - 12,122.22 SQUARE FEET PER ACRE

PROPOSED USE WAREHOUSE DISTRIBUTION CENTER - 734,000 SQUARE FEET

EXISTING ZONING MIX (MIXED USE) - 2012Z-0007 SFC

EXISTING USE UNDEVELOPED

LAND USE MAP COMMUNITY LIVE WORK

LOCATION RIVERSIDE DRIVE (SOUTHWEST SIDE): 1,200.33 FEET OF FRONTAGE

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

PETITIONER WALTON GA WOODBURY PARK, LP
WALTON GEORGIA, LLC

REPRESENTATIVE LEMUEL H. WARD

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:

Part 1. Allow light fixtures from a local 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)

Department of Planning and Community Services
Recommendation

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

Community Zoning Board Recommendation
May 16, 2017

DENIAL: 2016Z -0018 SFC
DENIAL: 2016VC-0025 SFC - All Parts

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

- (Southeast of subject site) 2016Z -0016 SFC, 2016VC-0027 SFC, Cambridge 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

- ** **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)

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.

the request for a warehouse distribution center is inconsistent with the suggestions 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.

Given development patterns in the area; distance and visual separations from non-industrial uses by existing stream buffers and required zoning buffers; and consistency with the intent of Comprehensive Plan policy including maintaining the integrity of land uses by prohibiting access onto Riverside Drive and encouraging a broad range of business types in areas where basic public facilities exist; Staff recommends **APPROVAL CONDITIONAL** 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. 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)

Riverside Drive is a local road, Staff recommends the required landscape buffering 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 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 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.

Staff recommended **DENIAL** given the applicant had not proven a hardship. Staff notes 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.

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. Given the location of the warehouses internal to the property surrounded by streams and stream 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**.

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. Given the location of the warehouses internal to the property; distance to the nearest residential structure; the extensive internal stream buffers; the required perimeter buffers; no access on Riverside Drive; and providing a buffer on Riverside Drive 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.

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 &

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.

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.

WHETHER THE ZONING PROPOSAL WILL ADVERSELY AFFECT THE 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:

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. Community expressed concerns regarding the proposed direct access onto Riverside Drive and ensuing traffic safety with cars and trucks traveling together on a local road. Residents also expressed concern regarding the increased warehouse presence in the Sandtown community and concerns regarding quality of life.

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)

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.

TL P:\PlanAnalysis\PLANNERS\CASES\2017\Walton\16Z-0018

Petition: 2016Z-0018 SFC
2016VC-0029 SFC
COB Meeting: 06/07/17

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

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.

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

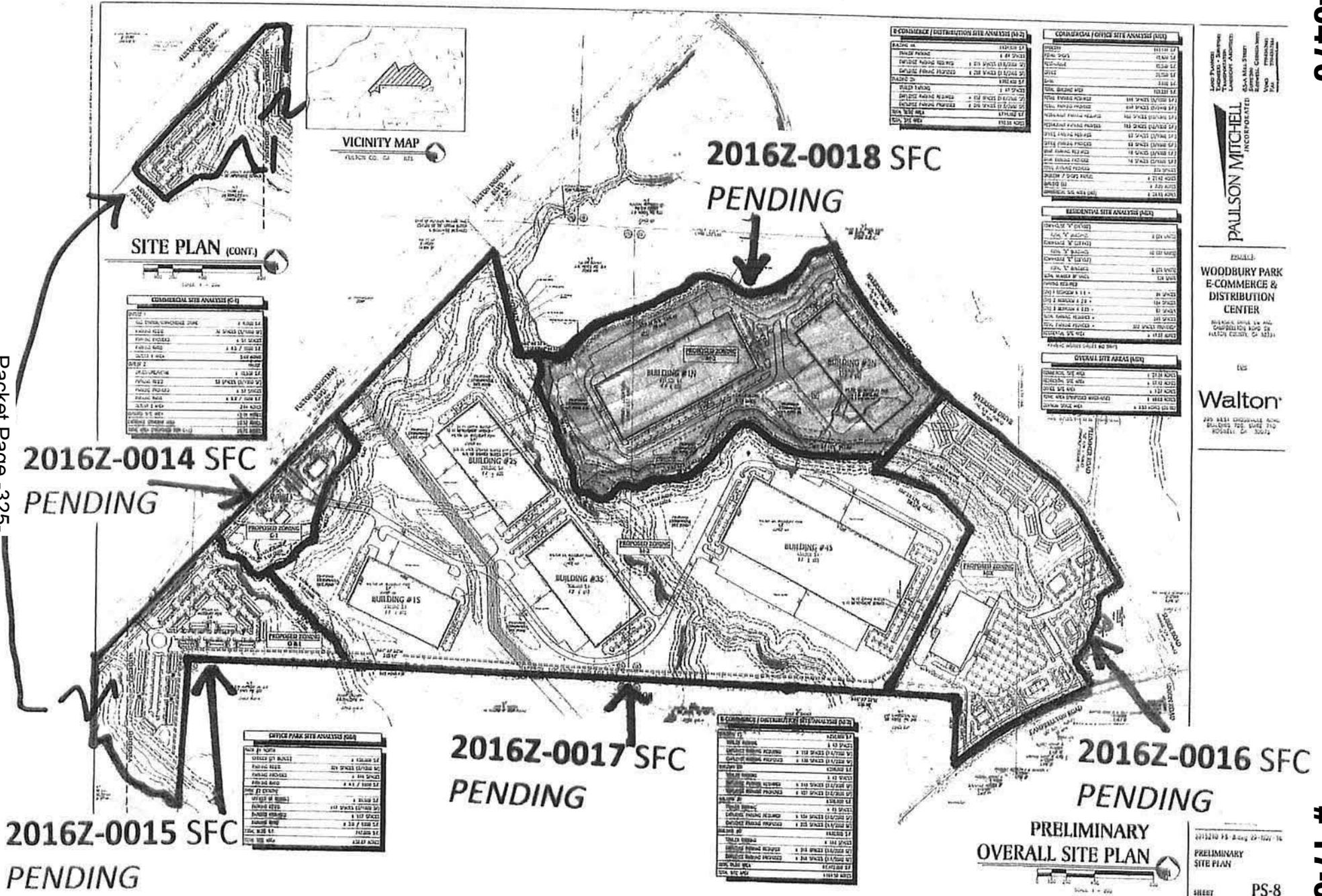
No Comment.

Walton Overall Development Request

17-0470

17-0470

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PALLSON MITCHELL
INCORPORATED

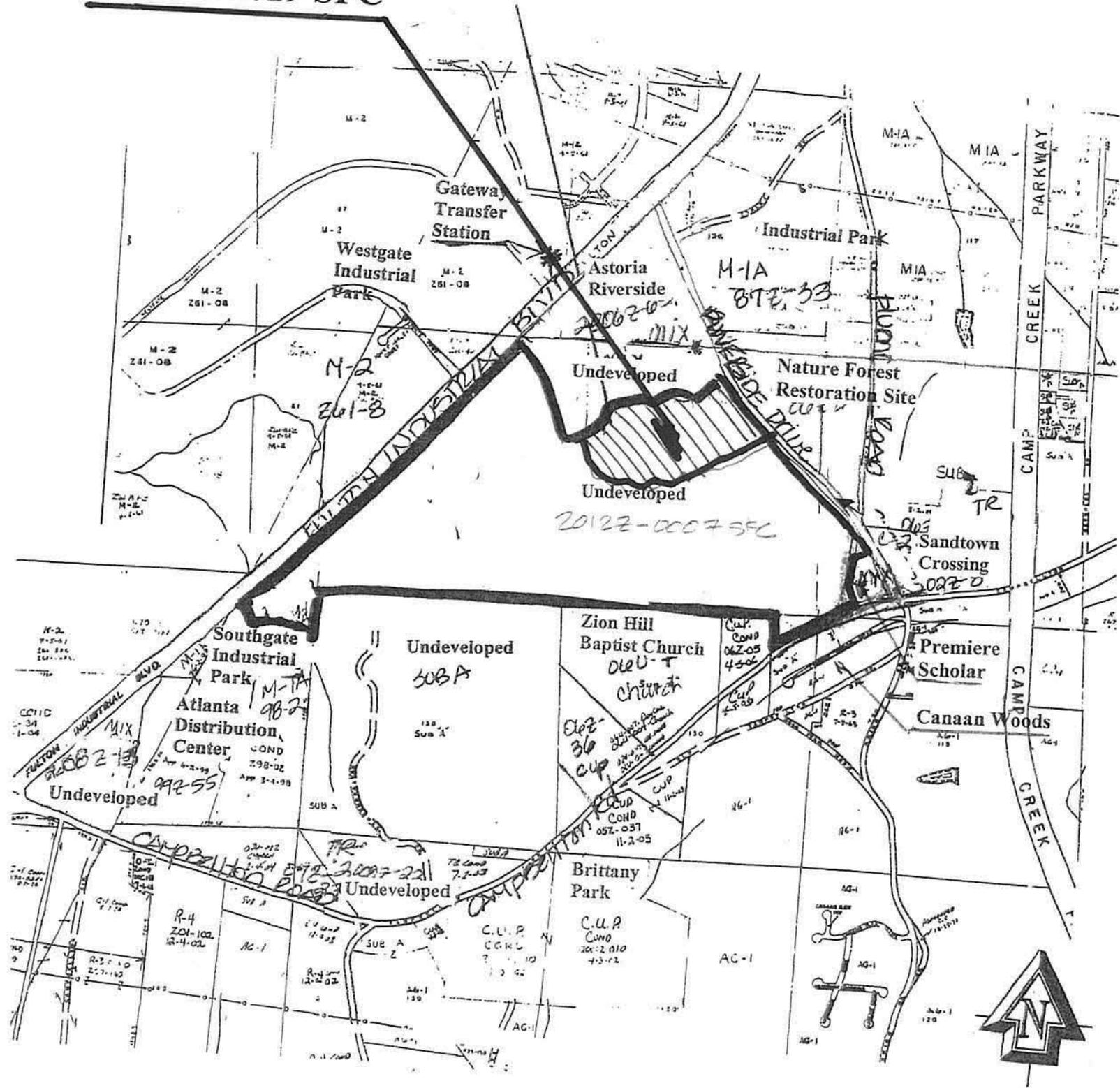
PROJECT:
**WOODBURY PARK
E-COMMERCE &
DISTRIBUTION
CENTER**

240 BEEL DRIVE, SUITE 100
COLUMBIA, SC 29204
TEL: 803.733.1111
WWW.PALLSONMITCHELL.COM

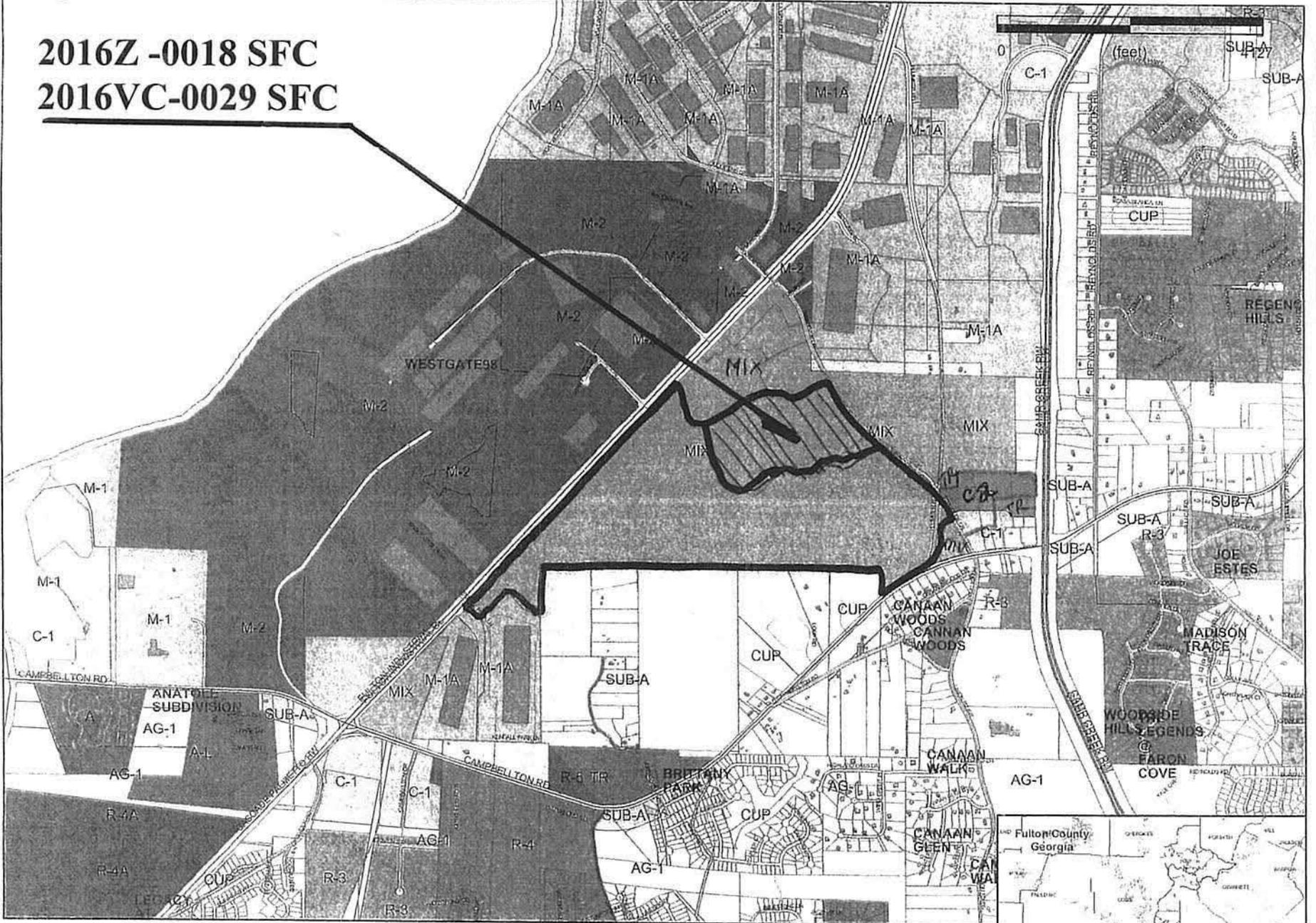
Walton

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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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