



City of South Fulton Community Development Services Department

5440 Fulton Industrial Blvd SW

Atlanta, GA 30336

470-809-7700

www.CityofSouthFultonGA.gov

Mayor: William "Bill" Edwards

Interim Director: Shayla Reed

MEMORANDUM

TO: Mayor & Council
FROM: Planning and Zoning Division
SUBJECT: **Z18-003 for 8000-8205 Spence Rd**
DATE: June 5, 2018

Dana Bryant for Winfield Construction seeks an ordinance to rezone from **AG-1 (Agricultural District)** to **M-1 (Light Industrial District)** for warehouse development at **8000-8205 Spence Rd.**

STAFF RECOMMENDATION: DENIAL

PLANNING COMMISSION RECOMMENDATION: DENIAL at the April 17, 2018 meeting

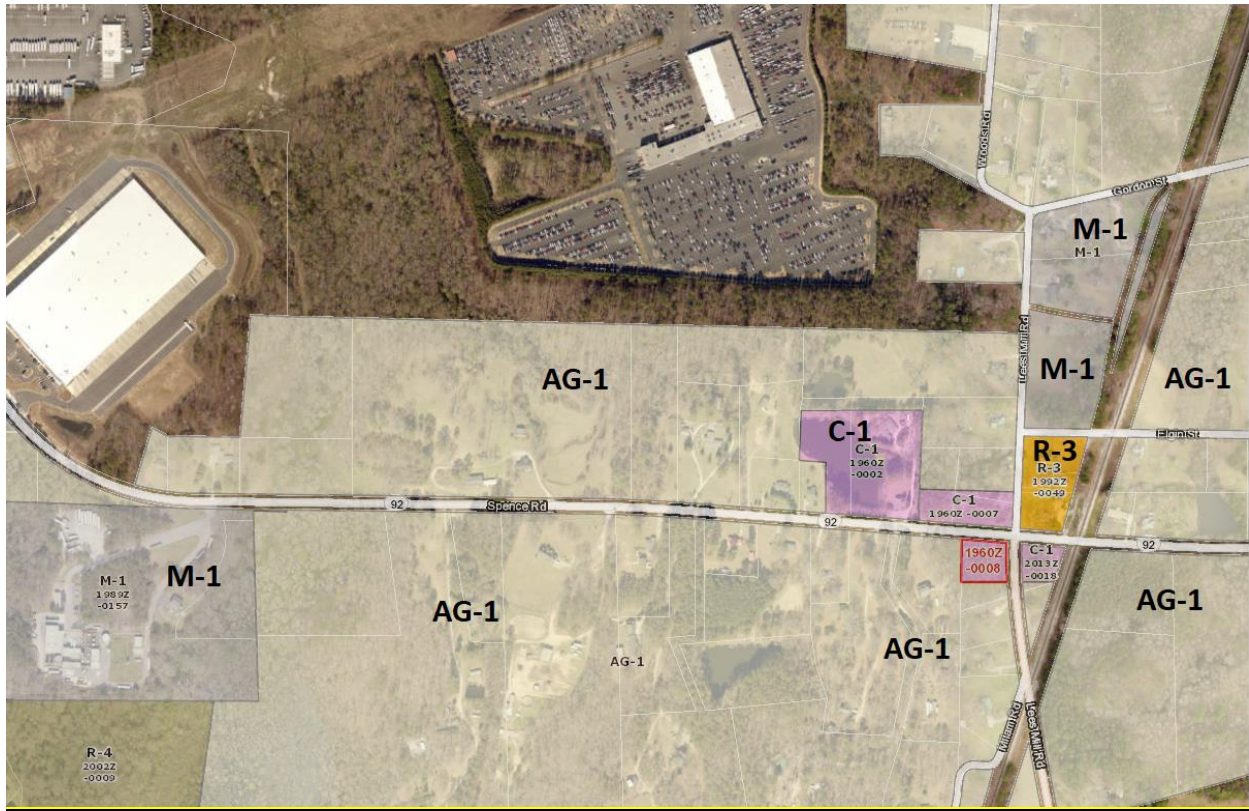
cc: Mark Massey, City Clerk

APPLICATION INFORMATION

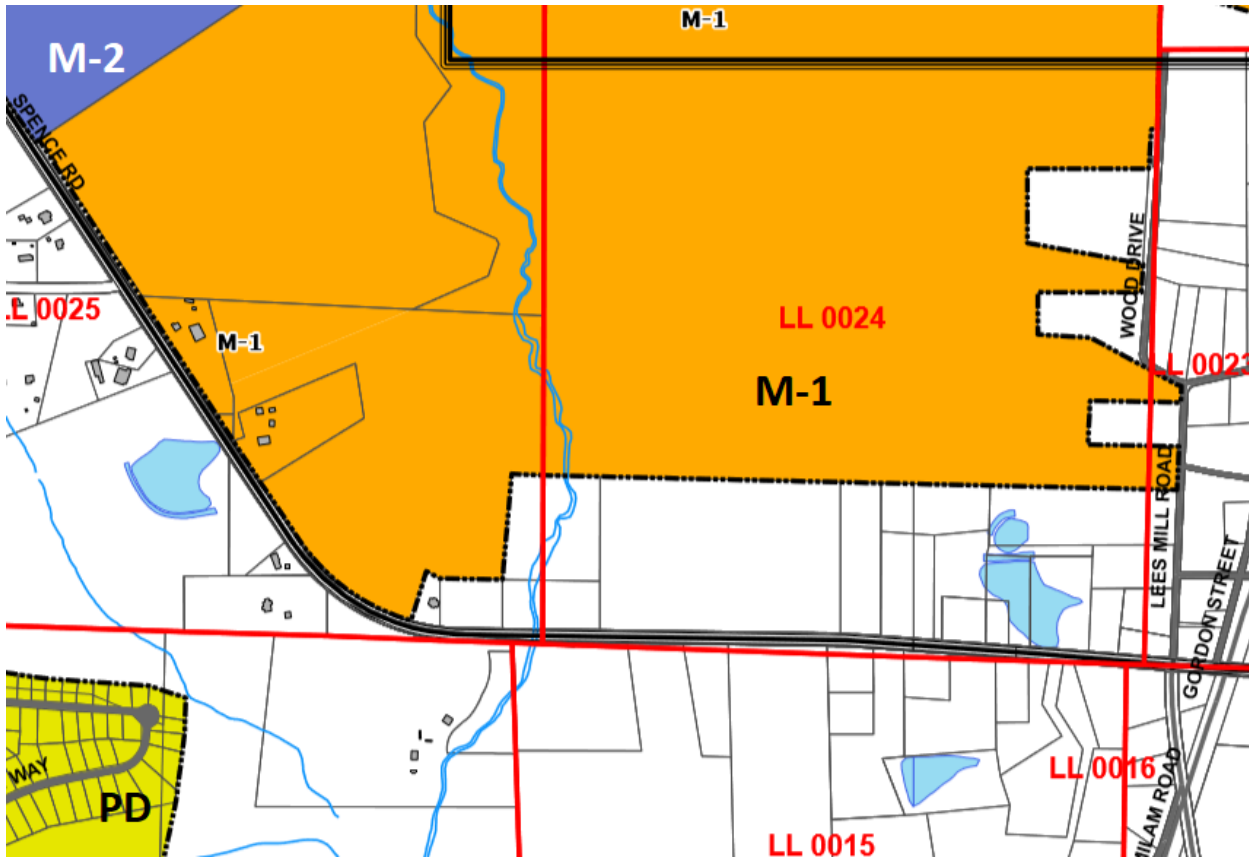
Applicant Information:	Dana Bryant Winfield Construction 7401 Graham Road Fairburn, GA 30213
Status of Applicant:	Applicant plans to purchase property to construct a 313,500-square-foot warehouse
City Council District(s):	7
Parcel ID Number:	09F060000250463, 09F060000250422, 09F060000240415, 09F060000250943, 09F060000240233, 09F060000240225, & 09F060000241033
Area of Property:	The property is composed of approximately 33 acres.
Current/Past Use of the Property:	Across the seven parcels includes 4 single-family homes, 1 of which is vacant, and accessory use structures; 4 of the 7 parcels are undeveloped/wooded. A stream and floodplain cross the property toward its west side.
Prior Zoning Cases/History:	None
Surrounding Zoning:	<u>North:</u> City of Fairburn M-1 (Light Industrial District) <u>South:</u> AG-1 (Agricultural District) <u>East:</u> AG-1 (Agricultural District), C-1 (Commercial District, M-1 (Light Industrial District), & R-3 (Single-Family Residential District) <u>West:</u> M-1 (Light Industrial District) & City of Fairburn M-1 (Light Industrial District)
2035 Future Land Use Designation:	Rural Neighborhood
Compatibility to the Fulton County 2035 Comprehensive Plan:	The proposed M-1 zoning is not consistent with the existing Rural Neighborhood land use designation, which includes R-2A, R-3, R-3A, CUP, NUP, & SH as its Compatible zoning classifications.
Overlay District:	None

Public Utilities:	Water service is provided to these sites by City of Atlanta. Sewer service is available to the site by Fulton County. Any extension of sewer service is the responsibility of the developer.
Public Services:	Police and fire services are available to the site by the City of South Fulton.
Transportation:	<u>Street</u> : Spence Road <u>Classification</u> : Minor Arterial Local Road <u>Public Transit</u> : MARTA is not available to the site <u>Bike/Pedestrian Access</u> : Neither sidewalks nor bike lanes exist
Parking Required (Warehousing):	157 spaces (1 space per 2,000 square feet)
Parking Proposed:	194 spaces
Loading Required (Warehousing):	7 spaces (3 spaces for first 65,000 square feet, plus 1 per each additional 80,000 square feet)
Loading Proposed:	68 spaces

City of South Fulton Zoning:



City of Fairburn Zoning:



PUBLIC PARTICIPATION

The applicant held their own public meeting March 31, 2018, 9-11 a.m., at 8185 Spence Road, Fairburn, GA. Twenty-two members of public attended to express concern on high vehicle speed, noise, lighting, water/sewer, wildlife, having a warehouse in their backyard, and rumors that the applicant was working with CSX Railroad. The applicant reported buffers and lighting requirements of the City by which they would abide, contiguity to other industrially-used land resulting in little change in the types of vehicles on area roads, water provision by City of Atlanta, sewer provision by Fulton County, no endangered species or archaeological concerns found in the Environmental Site Analysis, and no communication with CSX Railroad.

One member of the public attended the Staff-hosted Community Zoning Information Meeting and expressed concerns over the stream running through the property as well as adverse effects on the neighbors across Spence Road, specifically suggesting strong landscaped buffer requirements in the front yard.

Staff received calls regarding this case. Residents across the street currently utilize well water, and as the applicant extends the water line to the site, the residents propose that the applicant further extend the water line access across Spence Road for access by residents.

STAFF COMMENTS

Engineering:

1. Topography and upstream ponds suggest drainage feature with characteristics that establish a stream buffer may traverse property east to west, in addition to the stream buffers that the submitted site plan depicts.
2. Development shall employ Stormwater BMPs that meet the Georgia Stormwater management Manual Water Quality Standard via infiltration, transpiration, and/or evaporation.

Arborist: None

Environmental:

1. Applicant shall connect to public water and sanitary sewer and provide onsite sanitary facilities and outside refuse container drawings prior to occupancy.
2. Since area residents use onsite water supply systems (wells), it recommended that measures be taken to protect the water supply and/or provide public water access.

Public Works: None

Transportation:

1. Spence Rd is not listed as either a Designated Truck Route, nor a Truck Restricted Route within the Truck Ordinance adopted in 2018.
2. Dedicate at no cost to the City of South Fulton along the entire frontage, prior to issuance of Certificate of Occupancy, sufficient land as necessary to provide at least 10.5 feet of right-of-way from back of curb of all abutting road improvements or to provide at least 40 feet from the centerline of Spence Road, whichever is greater, subject to approval of

the Georgia Department of Transportation and the City of South Fulton Community Development Services Department.

3. Required Setbacks, Landscape Strips, etc. will be measured from the resultant right-of-way in the event that right-of-way dedication occurs.
4. Provide a deceleration lane for each entrance subject to the approval of the Georgia Department of Transportation and the City of South Fulton Community Development Services Department.
5. Provide a left turn lane for each entrance subject to the approval of the Georgia Department of Transportation and the City of South Fulton Community Development Services Department.
6. Provide sidewalk along the entire Spence Road frontage, subject to the approval of the Georgia Department of Transportation and the City of South Fulton Community Development Services Department.

MARTA: None

Fulton County Schools: None

Fire: None

Legal: None

ZONING IMPACT ANALYSIS

1. Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property;

The site is opposite in character of the neighboring South Fulton properties adjacent to the site and across Spence Road, but the contiguous Fairburn properties are within the same zoning district as the proposed rezoning. Traveling east along Spence Road from Interstate 85 toward the site, drivers move through a commercial/industrial area and cross a bridge, after which the character becomes residential. The applicant proposes to maintain all buffer requirements and Staff recommends stronger than standard front yard buffer requirements to protect the residents across Spence Rd.

2. Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property;

The surrounding properties are within three zoning districts that allow certain commercial uses by right today:

- C-1 (Community Business District)
- AG-1 (Agricultural District)
- M-1 (Light Industrial District)

The only Single-Family Dwelling District zoning (R-3) exists approximately 1,350 feet east of the subject property down Spence Road. However, the majority of the agriculturally-zoned (AG-1) parcels at and surrounding the subject property currently contain residential structures.

3. Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned;

All seven parcels forming the subject property are currently zoned AG-1 (Agricultural District) which allows for single-family residential, veterinary, agricultural, and associated retail uses. The applicant proposes a rezoning to M-1 (Light Industrial District), which allows for manufacturing, fabrication, processing, warehousing, distribution, research, and associated office. The seven properties have historically maintained reasonable economic use besides the vacant home, and a rezoning would simply change the character.

4. 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;

On February 13, 2018, the Mayor and Council of the City of South Fulton adopted a Truck Ordinance that designates “Restricted Routes” and “Allowed Routes” for all truck traffic with the exception of trucks used for building construction, farming equipment, boat trailers, emergency vehicles, and trucking en route to its customary storage location. Spence Road was neither designated as a “Restricted Route” or an “Allowed Route” so trucks are permitted to traverse Spence Road as needed. As such, Staff recommends further study on the aging bridge along Spence Road which crosses Whitewater Creek toward the western portion of the subject property.

5. Whether the zoning proposal is in conformity with the policies and intent of the land use plan;

The Fulton County 2035 Comprehensive Plan’s Future Land Use Map designates the area as “Rural Neighborhood” which does not list the proposed zoning district, M-1, as one of its Compatible Active Zoning Classifications.

6. 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; and

There have been no prior conditions placed on the zoning of this property. It is along the City’s border with the City of Fairburn, where both light and heavy industrial zoning is found. The applicant proposes a rezoning to the Light Industrial District.

7. Whether the zoning proposal will permit a use which can be considered environmentally adverse to the natural resources, environment and citizens of City of South Fulton.

The Environmental Site Assessment submitted by Contour Environmental, LLC states that the property contains the following:

- A perennial stream (Whitewater Creek) traversing the western portion of the property
- A 100-year floodplain on the western portion of the property
- A “Freshwater Forested/Shrub Wetland” on the western portion of the property
- No endangered species
- No archaeological or historic sites (the closest is 1,000 feet west of the subject property)

The project will be constructed outside the floodplain and comply with all required stream buffers. The developer expects to preserve 10.85 acres of existing undeveloped greenspace, which keeps the property in compliance with the M-1 District's requirement of 70% maximum impervious lot coverage.

PLANNER'S RECOMMENDATION

While the surrounding properties immediately adjacent to the subject property are all zoned agricultural (AG-1), the majority are presently occupied with single-family residences, some of which are abandoned. The project's proposal does not align with the 2035 Comprehensive Plan, which designates the property for "Rural Residential" future land use, so Staff recommends **DENIAL** of this request to rezone the property from AG-1 (Agricultural District) to M-1 (Light Industrial District).

PLANNING COMMISSION RECOMMENDATION

DENIAL at the April 17, 2018 meeting

REVIEWED BY:

Brianna Rindge

