

GOVERNMENT OF THE CITY OF SOUTH FULTON

ODIE DONALD II
CITY MANAGER



SHAYLA REED
DIRECTOR
COMMUNITY DEVELOPMENT SERVICES

MEMORANDUM

TO: City of South Fulton Mayor and Council

FROM: Planning & Zoning Division

SUBJECT: **M19-002 for a Modification of 2002Z-0012 SFC at Camp Creek Village Phase 1**

DATE: May 14, 2019

To consider an amendment of three (3) modifications identified in zoning case 2002Z-0012 SFC, 1.b, 1.c, and 2.a at Camp Creek Village Phase 1 subdivision by Battle Law, PC on behalf of Hybrass Properties, LLC.

May 14, 2019 – Applicant was deferred 14 days for a traffic study and public input.

STAFF RECOMMENDATION: APPROVAL

cc: Diane White, City Clerk

APPLICATION INFORMATION

Applicant Information:	Battle Law, PC c/o Michele Battle 1 West Court Square Suite 750 Decatur, GA 30030
Status of Applicant:	Attorney for property owner
City Council District(s):	2
Parcel ID Number:	14F-0073-LL-0750 14F-0073-LL-0776
Area of Property:	The property is composed of approximately 39.40 acres.
Current/Past Use of the Property:	The property is partially developed with commercial and residential features.
Prior Zoning Cases/History:	2002Z-0012 Request to rezone from R-2 (Single-Family Residential District) to MIX (Mixed Use District) – APPROVED WITH CONDITIONS 2006ZM-0032 SFC Request to decrease total dwelling units from 245 to 201 and increase the number of townhouses dwelling units from 26 to 110. This request also removed the allowance of apartments and a 92 unit assisted living facility. APPROVED
Surrounding Zoning:	<u>North</u> : CUP (Community Unit Plan District) and A (Medium Density Apartment District) <u>South</u> : CUP (Community Unit Plan Dwelling District) and AG-1 (Agricultural District) <u>East</u> : A (Medium Density Apartment District) and R-4 (Single-Family District) <u>West</u> : R-3 (Single-Family Dwelling District) and AG-1 (Agricultural District)
2035 Future Land Use Designation:	Suburban Neighborhood, 2 to 3 units per acre.
Compatibility to the Fulton County 2035 Comprehensive Plan:	The proposed modification aligns with the Comprehensive Plan.
Overlay District:	Cliftondale Overlay

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: Street: Butner Road & Camp Creek Parkway
Classification: Primary Arterial Local Road
Public Transit: MARTA is not available within 5 miles of this site
Bike/Pedestrian Access: There are sidewalks along this section of Butner Rd but not Camp Creek Parkway.

CONDITION(S) TO BE MODIFIED:

2002Z-0012 condition 1B states: No more than 201 (2006ZM-0032) total dwelling units at a maximum density of 5.13 (2006ZM-0032) units per acre, whichever is less, based on the total acreage zoned. **Notwithstanding the foregoing, the proposed ten (10) single-family detached lots split between tax parcel 14F-0069-LL0750 (which is not part of this zoning decision) and tax parcels 14F-0073-LL0750 and 14F-0073-0776 having frontage on Zoya Court, shall not be counted against the total dwelling units or maximum density requirements set forth in this condition 1.b nor condition 1.c.**

2002Z-0012 condition 1C states: No more than 25 single-family dwelling units. Single-family dwelling units shall be calculated as a part of the total dwelling units allowed in condition 1.b. **Notwithstanding the foregoing, the proposed ten (10) single-family detached lots split between tax parcel 14F-0069-LL0750 (which is not part of this zoning decision) and tax parcels 14F-0073-LL0750 and 14F-0073-0776 having frontage on Zoya Court, shall not be counted against the total dwelling units or maximum density requirements set forth in this condition 1.b nor condition 1.c.**

2002Z-0012 condition 1C states: To the revised site plan received by the Department of Environment and Community Development on August 22, 2003, **as revised by the site plan received by the South Fulton Community Development Department on February 22, 2019 pertaining solely to the single-family detached lots shown thereon.** 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. Unless, otherwise noted herein, compliance with all conditions shall be in place prior to the issuance of the first Certificate of Occupancy.

*Whereas, this request is to modify these conditions specifically, but all conditions remain intact. See attachment for all conditions.

PUBLIC PARTICIPATION

The applicant held a public participation meeting at Camp Creek Church of Christ on March 18, 2019 at 6:30pm to 7:30pm. The applicant stated that no resident was present to express any concerns.

STAFF COMMENTS

Engineering: None provided

Environmental: Prior to the approval of any plat by the appropriate jurisdiction, the Environmental Health Services Division of the Fulton County Board of Health shall review and approve the plat regarding water supply and sewage disposal. No person may sell, offer for sale, lease, begin construction or otherwise begin the physical improvement of an exemption plat development, nor shall a building permit be issued in any form until all requirements set forth by the Fulton County Board of Health have been met.

The Fulton County Board of Health will require that the owner/developer connect the proposed development to public water and public sanitary sewer, which are available to the site.

The Fulton County Board of Health does not anticipate any adverse impacts to the health of humans or the environment by approving the modification to allow for the development of the proposed subdivision.

Public Works: None received

Transportation: None received

MARTA: None received

Fulton County Schools: None received

Fire: None received

Legal: None received



PLANNER'S RECOMMENDATION: APPROVAL

PREPARED BY:

Richard Hathcock, Senior Planner

REVIEWED BY:

Keedra T. Jackson, Senior Planner

Shayla Reed, Director

MAYOR & COUNCIL ACTION

Original hearing date: May 14, 2019.