

GOVERNMENT OF THE CITY OF SOUTH FULTON

ODIE DONALD II
CITY MANAGER



SHAYLA REED
DIRECTOR
COMMUNITY DEVELOPMENT SERVICES

MEMORANDUM

TO: City Planning Commission
FROM: Planning & Zoning Division
SUBJECT: **Annexation and Rezoning Request for 5955 Fulton Industrial Boulevard**
DATE: April 16, 2019

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1. Sarah King for ADC Development Group, LLC., seek a petition to rezone from Fulton County M-1A to City of South Fulton M-1A (Industrial Park District) for property at 5955 Fulton Industrial Boulevard.
 2. The applicant is seeking an annexation from Fulton County to the City of South Fulton to maintain the Unincorporated Fulton County zoning category of M-1A (Industrial Park District).

STAFF RECOMMENDATION: APPROVAL

cc: Diane White, City Clerk

APPLICATION INFORMATION

Applicant Information:	Sarah King ADC Development Group, LLC ADC Architectural 2611 Pine Springs Lane, N.E. Marietta, GA 30067
Status of Applicant:	Applicant plans to purchase property to construct a gas station/convenient store with
City Council District(s):	1 (tentative per annexation approval)
Parcel ID Number:	14F0115LL0180
Area of Property:	The property is composed of approximately 2.844 acres.
Current/Past Use of the Property:	The site is currently vacant but was previously operated as a gas station/convenience mart with evidence of this still present on site.
Prior Zoning Cases/History:	None
Surrounding Zoning:	<u>North</u> : Unincorporated Fulton County M-1 A (Industrial Park District) <u>South</u> : AG-1 (Agricultural District) in the City of South Fulton <u>East</u> : C-1 (Commercial District, M-1 A (Industrial Park District), CUP (Community Unit Plan District) in the City of South Fulton <u>West</u> : Douglas County
2035 Future Land Use Designation:	Industrial Corridor Marketplace
Compatibility to the Fulton County 2035 Comprehensive Plan:	The proposed M-1A zoning is consistent with the existing Industrial land use designation, which includes R-M-1, M-1A and C-1 as its Compatible zoning classifications.
Overlay District:	Fulton Industrial Business Overlay District
Public Utilities:	Water service is provided to this site 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:
Boulevard

Street: Boat Rock Boulevard and Fulton Industrial

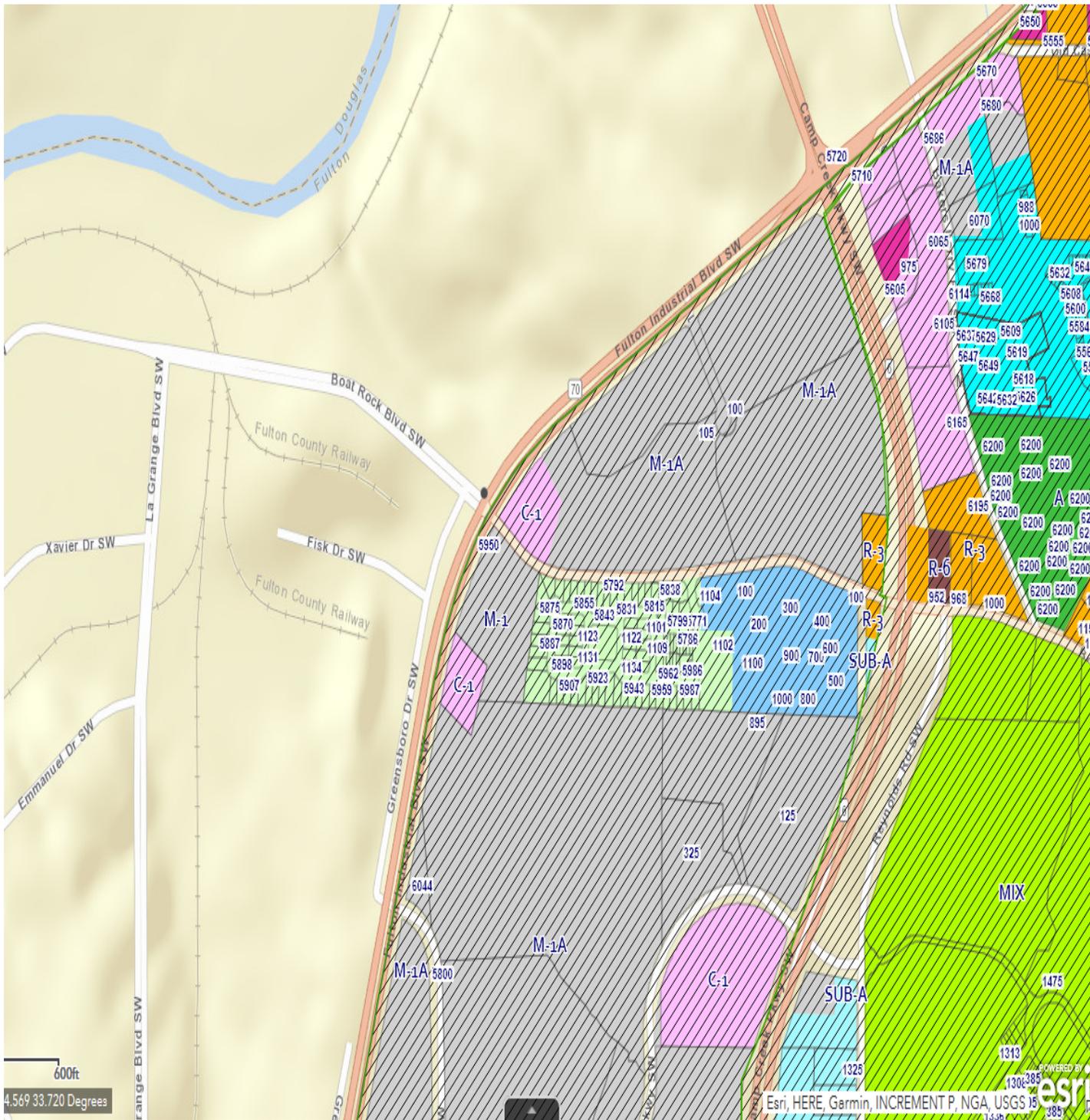
Classification: Major Arterial Road

Public Transit: MARTA is available to the site

Bike/Pedestrian Access: Neither sidewalks nor bike lanes exist

Parking Required (Retail/Service Stations): (5 spaces per 1,000 square feet). Proposed square footage unknown.

City of South Fulton Zoning:



PUBLIC PARTICIPATION

The Public Participation Meeting was held on site at 6pm. One person was present to inquire about the project. No opposition was stated.

ANNEXATION ANALYSIS

This request is pursuant to the 100% method of annexation as provided by O.C.G.A. 36-36-20 et seq. which requires that the property be contiguous to the existing municipal boundary by at least 1/8 the aggregate boundary or 50 feet whichever is less.

The subject property shares 267.87 feet of property with the corporate limits of the City of South Fulton which meets the requirement of 50 feet contiguity required by the 100% annexation method. Extension of police protection, fire protection, and other city services will occur immediately upon the effective date of annexation.

COMMENTS

- (1) Notice was sent to Fulton County on February 7, 2019. Fulton County did not deliver an objection to the city by certified mail or statutory overnight delivery of an objection by the Fulton County Commission.
- (2) Additional revenue in the form of property tax will be generated in the amount of \$1,544.63 based on the 2018 tax rate of City of South Fulton's 11.579 millage rate.

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 current in character of the neighboring South Fulton properties adjacent to the site and at Camp Creek Parkway and Fulton Industrial Boulevard. The contiguous Unincorporated Fulton Count are within the same zoning district as the proposed rezoning. Traveling south along Fulton Industrial Boulevard from Camp Creek Parkway toward the site, drivers move through a commercial/industrial area, after which the character becomes heavy Industrial. The applicant proposes to maintain all buffer requirements and Staff recommends stronger than standard front yard buffer requirements to protect the residents across the county line in Douglas County.

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)

- CUP (Community Unit District)
- M-1A (Industrial Park District)

The only Single-Family Dwelling District zoning (R-3) exists approximately 5,186 feet east of the subject property from Camp Creek Parkway. However, most of the industrial zoned parcels at and surrounding the subject property currently contain industrial structures.

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

The applicant proposes a rezoning to M-1a (Industrial Park District), which allows for manufacturing, fabrication, processing, warehousing, distribution, research, and associated office. The subject property has historically maintained reasonable economic use and a rezoning would not 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 except for trucks used for building construction, farming equipment, boat trailers, emergency vehicles, and trucking en route to its customary storage location. Fulton Industrial was designated as a “Restricted Route” or an “Allowed Route” from Campbellton Road (SR154) to Atlanta City Limits; therefore, trucks are permitted to traverse Fulton Industrial as needed.

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 “Industrial Park” which does list the proposed zoning district, M-1A, 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 Douglasville, where both light and heavy industrial zoning is found. The applicant proposes a rezoning to the Industrial Park 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 Former Pacific Ridge states that the property contains the following:

- A ravine was in the wooded area northeast of the paved area of the subject property
- A small, unnamed tributary of the Chattahoochee River wound through the wooded area of the site
- A fenced retention pond was located directly north of the grassy area of the property
- No endangered species

- No archaeological or historic sites
- There is an evidence of surface debris observed in the wooded area along Fulton Industrial Boulevard. However, no threat to the soil or ground water of the site is indicated by the staining or the debris.

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STAFF COMMENTS

Engineering: None provided

Environmental: None provided

Public Works: None provided

Transportation: None provided

MARTA: None provided

Fulton County Schools: None provided

Fire: None provided

Legal: None provided

PLANNER'S RECOMMENDATION

The surrounding properties immediately adjacent to the subject property are zoned agricultural (M-1A). The project's proposal does align with the 2035 Comprehensive Plan, which designates the property for "Industrial Park District" future land use, therefore, Staff recommends **APPROVAL** of this request to rezone the property from m-1A (Industrial Park District) to M-1A (Industrial Park District). Regarding the request for annexation, the site is current in character of the neighboring South Fulton properties and would be a reasonable economic use and would not change the existing character in this area. Staff recommends **APPROVAL** for the annexation.

PLANNING COMMISSION RECOMMENDATION

TBD

PREPARED BY:

Keedra T. Jackson, Senior Planner

REVIEWED BY:

Shayla Reed, Director of Community Development and Regulatory Affairs