

GOVERNMENT OF THE CITY OF SOUTH FULTON

ODIE DONALD II
CITY MANAGER



SHAYLA REED
INTERIM DIRECTOR
COMMUNITY DEVELOPMENT SERVICES

MEMORANDUM

TO: City of South Fulton Planning Commission
FROM: Planning & Zoning Division
SUBJECT: **Z18-009 for the north intersection of Camp Creek Pkwy, Campbellton Rd, & Riverside Dr**
DATE: December 18, 2018

John Perlman for Sandtown Crossing Inc. and Sandtown Land, LLC seeks a rezoning from split zoning of TR (Townhouse Residential District), C-1 (Community Business District), and C-2 (Commercial District), **to C-1 (Community Business District) with concurrent variances requested by CV18-001.**

STAFF RECOMMENDATION: APPROVAL WITH CONDITIONS

cc: Mark Massey, City Clerk

APPLICATION INFORMATION

Applicant Information:	John Perlman for Sandtown Crossing Inc. & Sandtown Land, LLC
Status of Applicant:	Owns the property
City Council District(s):	1
Parcel ID Number:	14F0118 LLO864, 14F0118 LLO849, 14F0118 LLO682, 14F0118 LLO815, & 14F0118 LLO807
Area of Property:	The property is composed of approximately 22.655 acres.
Current/Past Use of Property:	The property is currently partially developed.
Prior Zoning Cases/History:	Z02-008 , request to rezone property from R-4 (Single-Family Dwelling District) and AG-1 (Agricultural District) to C-1 (Community Business District) – APPROVED WITH CONDITIONS M05-038 , request to modify Z02-008 to update the site plan and ingress/egress – APPROVED WITH AMENDMENTS Z06-060 with concurrent variance request CV06-088 , request to rezone property from C-1 (Community Business District) to TR (Townhouse Residential District) and variance request to allow landscape strip overlap – APPROVED WITH CONDITIONS V08-025 , variance request to increase amount and square footage of signage permitted – PARTIALLY APPROVED V11-003 , light pole height variance request from 28 to 30 feet – APPROVED Z11-007 with concurrent variance request CV11-011 , request to rezone property from C-1 (Community Business District) to C-2 (Commercial District) and variance request to reduce landscape strips and parking setbacks down to 10-15 feet, eliminate the buffer along the north property line, increase light pole height

from 28 to 30 feet, allow shoebox lighting, and reduce minimum façade fenestration from 25 to 0 percent – **APPROVED WITH CONDITIONS**

Z13-003 with concurrent variance request **CV13-010**, request to rezone from C-1 (Community Business District) to C-1 (Community Business District) and variance request to reduce landscape strips and parking setbacks down to 10-15 feet, eliminate the buffer along the north property line, increase light pole height from 28 to 30 feet, and allow shoebox lighting – **APPROVED WITH CONDITIONS**

Surrounding Zoning:	C-1 (Community Business District) C-2 (Commercial District) MIX (Mixed-Use District) SUB-A (Single-Family Dwelling District)
Future Land Use Designation:	Community Live-Work
Compatibility:	The proposal will provide a mix of commercial and office uses at an intersection of active corridors, as the Community Live-Work category is intended. A Future Land Use amendment is not necessary.
Overlay District:	Sandtown (Article 12F)
Public Utilities:	Water and sewer service is provided to these sites by City of Atlanta and Fulton County, respectively. Extension of sewer service is the responsibility of the developer.
Public Services:	Police and fire services are available by the City of South Fulton.
Transportation:	<u>Street</u> : Camp Creek Pkwy <u>Classification</u> : Principal Arterial State Road <u>Public Transit</u> : MARTA is not available to this site <u>Bike/Pedestrian Access</u> : Sidewalks exist along the development frontage on Campbellton Rd and Riverside Dr.
Parking Required:	433 spaces estimated
Parking Proposed:	445 spaces

PUBLIC PARTICIPATION

The applicant held their own public meeting on November 12, 2018 at 6:30 p.m. at Sandtown Pub. Eight members of public attended and expressed concern about traffic in the area and asked for identification of the grocery tenant. One member of the public attended the Staff-hosted Community Zoning Information Meeting on November 8, 2018 to learn more.

STAFF COMMENTS

Engineering: Reviewed; none provided

Arborist: None provided

Environmental: None provided

Public Works: The developer may be asked to run a 20'-wide sewer easement and 8" sewer line up to an adjacent property so Fulton County can provide sanitary sewer service to upstream users in the future.

Transportation: None provided

MARTA: Reviewed; none provided

Fulton County Schools: Approval will reduce the amount of anticipated students from the previously approved rezoning that involved 81 proposed townhouses.

Fire: Reviewed; none provided

Legal: None provided

Police: The development needs more adequate lighting.

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 proposal is a continuation of existing commercial and office at the Sandtown Crossing retail center. There is no residential use in view of the development.

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

The property is currently approved for retail, office, and residential. The proposal requests to remove the residential requirement, and will not adversely affect the surrounding properties as all adjacent parcels also contain or are zoned to contain only commercial and office uses, including a church and daycare. The residentially-zoned property to the north is protected by a required buffer.

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

The current zoning matches the proposed zoning of the property, with the exception of eliminating the spot zoning of TR (Townhouse Residential District) and C-2 (Commercial District), eliminating the residential use of the site.

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;

The property is at the major node of Camp Creek Pkwy and Campbellton Rd.

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

The 2035 Comprehensive Plan's Future Land Use Map designates the area Community Live-Work. The proposal will provide a mix of commercial and office uses at an intersection of active corridors, matching the description of the Community Live-Work category.

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

The proposal seeks to convert previously approved residential to more office and retail.

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 site has already been cleared, and the Environmental Site Assessment submitted by the applicant states that there are no adverse environmental effects projected by the site's proposed development.

STAFF RECOMMENDATION

Based on the conclusions and findings herein, Staff recommends **APPROVAL** to rezone the subject property to **C-1 (Community Business District) with the following condition:**

- 1. The developer shall abide by the site plan dated November 14, 2018. 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. Any major deviation from this site plan is subject to approval by the Community Development Services Director or designee.**

PLANNING COMMISSION RECOMMENDATION

TBD

REVIEWED BY:

Brianna Rindge, AICP