



City of South Fulton Community Development Services Department

**5440 Fulton Industrial Blvd SW
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www.CityofSouthFultonGA.gov**

Mayor: William "Bill" Edwards

Interim Director: Shayla Reed

MEMORANDUM

TO: City of South Fulton Mayor and Council
FROM: Planning and Zoning Division
SUBJECT: **Z18-002 for a Rezoning at 3725 Flat Shoals Rd**
DATE: June 5, 2018

QuikTrip Corporation seeks an ordinance to rezone from **O-I (Office and Institutional District) with conditions** to **C-2 (Commercial District)** to construct a 6,883-square-foot QuikTrip gas station and convenience store at **3725 Flat Shoals Rd, 6255 Buffington Rd, and 6265 Buffington Rd.**

STAFF RECOMMENDATION: APPROVAL WITH CONDITION

PLANNING COMMISSION RECOMMENDATION: APPROVAL WITH STAFF CONDITION AT THE APRIL 3, 2018 MEETING

4/24/18 COUNCIL ACTION: DEFERRAL TO THE JUNE 5, 2018 MEETING

cc: Mark Massey, City Clerk

APPLICATION INFORMATION

Applicant Information:	QuikTrip Corporation 952 Old Peachtree Rd NW Lawrenceville, GA 30043
Status of Applicant:	Applicant plans to purchase property
City Council District(s):	5
Parcel ID Number:	09F241100820120 & 09F241100820310
Area of Property:	The property is composed of approximately 5.31 acres.
Current/Past Use of the Property:	The abandoned Emmaus Baptist Church building and existing day care currently exist on the property. The day care originally intended to expand on the church property but has determined to no longer pursue redevelopment.
Prior Zoning Cases/History:	<p>Z57-035, request to rezone property at 6265 Buffington Rd from AG-1 (Agricultural District) to SUB-A (Suburban A Single-Family Dwelling District) – APPROVED</p> <p>Z57-037, request to rezone property at 6255 Buffington Rd from AG-1 (Agricultural District) to SUB-A (Suburban A Single-Family Dwelling District) – APPROVED</p> <p>U98-054, request for a use permit for a day care at 6255 Buffington Rd – APPROVED</p> <p>Z04-099, request to rezone property at 6265 Buffington Rd from AG-1 (Agricultural District) and SUB-A (Suburban A Single-Family Dwelling District) to O-I (Office and Institutional District) and restrict the use of the property to a day care – APPROVED WITH CONDITIONS</p> <p>Z06-001, request to rezone property at 6255 Buffington Rd from AG-1 (Agricultural District) and SUB-A (Suburban A Single-Family Dwelling District) to O-I (Office and Institutional District) and restrict the use of the property to a day care – APPROVED WITH CONDITIONS</p> <p>VC06-003, concurrent variance request to eliminate the requirement for a 10-foot landscaped strip along the north property line at 6255 Buffington Rd – APPROVED</p> <p>Z16-006, request to rezone property at 3725 Flat Shoals Rd from SUB-A (Suburban A Single-Family Dwelling District) to O-I (Office and Institutional District) and</p>

restrict the use of the property to a day care –
APPROVED WITH CONDITIONS

VC06-011, concurrent variance request to allow
changeable copy on a freestanding sign and increase the
sign face square footage at 3725 Flat Shoals Rd –
APPROVED

Surrounding Zoning: North: C-2 (Commercial District)
South: City of Union City NC (Neighborhood Commercial)
and O-I (Office and Institutional District)
East: City of Union City R-1 (Single-Family Residential)
West: I-85 right-of-way

2035 Future Land Use Designation: Community Live-Work

Compatibility to the Fulton County 2035 Comprehensive Plan: The proposed C-2 zoning is consistent with the existing Community Live-Work land use designation. Therefore, a Comprehensive Development Plan amendment is not required.

Overlay District: Old National Overlay

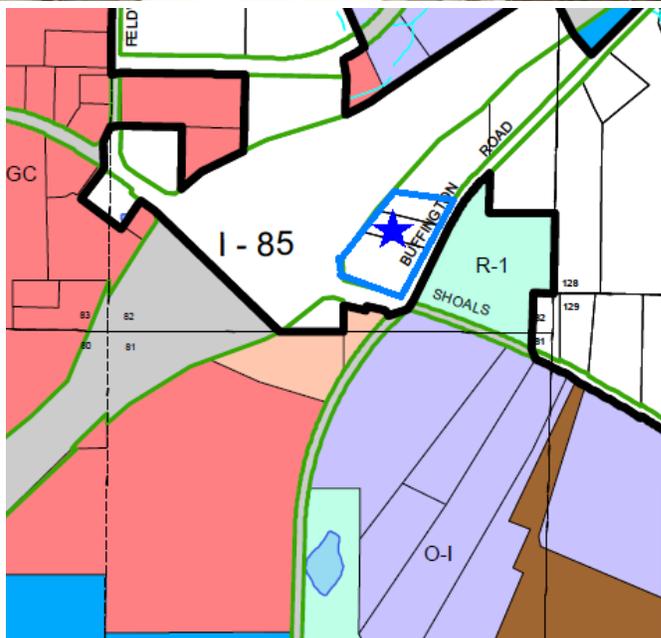
Public Utilities: Water service is provided to these sites by City of Atlanta. Sewer service is available to the site by Fulton County. Any extension of sewer service is the responsibility of the developer.

Public Services: Police and fire services are available to the site by the City of South Fulton.

Transportation: Streets: Flat Shoals Road & Buffington Road
Classification: both Minor Arterial Local Road
Public Transit: MARTA is available to this site via routes 189 and 181.
Bike/Pedestrian Access: Sidewalks exist along Buffington Rd and across the street along the south side of Flat Shoals Rd, but not currently on the site along the north side of Flat Shoals Rd. No bike lanes currently exist.

Parking Required (Service Stations): 34 spaces (5 spaces per 1,000 square feet)
Parking Proposed: 57 spaces
Loading Required (Retail Services): 0 spaces
Loading Proposed: 6 spaces

City of South Fulton Zoning:



City of Union City

Zoning Districts

- R-1 Single Family Residential
- O-I Office \ Institutional
- NC Neighborhood Commercial
- GC General Commercial
- M-1 Light Industrial

PUBLIC PARTICIPATION

The applicant held their own public meeting on March 7, 2018 at 6:30 p.m. at 3740 Flat Shoals Rd, Union City, GA. Twenty-three members of public attended to show support of the project and expressed concern on “Safe Place” designation, traffic pattern improvements, and community contributions. The applicant reported intentions of being a “Safe Place” and discussed working with Majestic Realty and QuikTrip’s contributions to United Way to support the community.

Twelve members of the public attended the Staff-hosted Community Zoning Information Meeting to voice strong support of the project.

STAFF COMMENTS

Engineering: None

Arborist: None

Environmental: None

Public Works: None

Transportation: None

MARTA: See attached

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 abuts an I-85 on-ramp and the area contains many businesses utilizing the service of trucks. There exists limited diesel fuel pumps in the area, and the proposed QuikTrip development wishes to serve the existing truck traffic in a convenient location that limits truck circulation. Across Buffington Rd within Union City exists R-1 residential zoning, but the property contains a Circle K/Exxon with 10 pumps and no pumps dedicated to diesel with room for truck movement. The applicant wishes to rezone to a commercial district already in existence directly north and south of the subject property, so the requested zoning district will mirror the character of the area. The proposed C-2 district permits service stations and convenience stores but does not permit truck stops as defined by the Fulton County Zoning Resolution. Additionally, the applicant will maintain all buffer requirements.

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

The proposed industrial use will not adversely affect the surrounding properties as all nearby parcels similarly contain commercial, industrial, and office uses.

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

The current zoning of each of the three subject parcels limits the use of the property to a day care. The corner of the major intersection of Flat Shoals Rd, Buffington Rd, and the I-85 on-ramp would more appropriately serve as a higher intensity commercial use to service the nearby businesses and residents.

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 proposed use will serve traffic that already exists. On February 13, 2018, the Mayor and Council of the City of South Fulton adopted a Truck Ordinance which criminalizes all truck traffic along both Flat Shoals Rd and Buffington Rd, with the exception of trucks used for building construction, farming equipment, boat trailers, emergency vehicles, and trucking en route to its customary storage location. This ordinance classifies both Flat Shoals Rd and Buffington Rd as “Restricted Routes” which prohibits trucks from accessing the subject site, barring the aforementioned exceptions. Additionally, the applicant states that they are working with both the Department of Transportation and Majestic Realty (the occupants of 3650 Flat Shoals Rd) to complete road improvements to improve traffic patterns surrounding the Flat Shoals Rd and Buffington Rd intersection.

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 “Community Live-Work” which lists the proposed zoning district, C-2, as one of its “Compatible Active Zoning Classifications”, thus the rezoning is in full compliance with the Comprehensive Plan.

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

A zoning condition currently exists on all three parcels restricting the use of each property to a day care. This limits the possibilities for a high tax income-producing business to utilize the prominent site. Additionally, a day care only serves a segment of the population, while a service station and convenience store together have the ability to serve all members of the public.

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 the applicant states that there are no adverse environmental effects projected by the site's proposed development. The applicant plans for a detention pond covering the rear of the property to mitigate any stormwater issues.

PLANNER'S RECOMMENDATION

The project's proposal aligns with the 2035 Comprehensive Plan's designation of the property as "Community Live-Work" which includes the C-2 zoning district. The conditions of the existing O-I zoning allow each of the three parcels to contain a day care and no other uses are currently permitted. The proposed C-2 district permits service stations but does not permit truck stops. The proposed use anticipates to serve the needs of existing traffic and area residents. Its location along Flat Shoals Rd, Buffington Rd, and an Interstate 85 on-ramp, multiple MARTA bus stops, and existing and planned sidewalks together serve travel demands generated by the use, and the applicant proposes more parking spaces than Fulton County's zoning ordinance requires. The application states that QuikTrip will work with nearby property owner Majestic Realty and the Department of Transportation to improve traffic patterns surrounding the Flat Shoals/Buffington intersection. The existing condition requiring a day care at the site only serves a segment of the population, while a service station and convenience store together have the ability to serve all members of the public at the major transportation node. Based upon the findings and conclusions herein, **Staff recommends APPROVAL of the request to rezone the property from O-I (Office and Institutional District) with conditions to C-2 (Commercial District) with the following condition:**

- 1. The developer shall abide by the site plan stamped January 31, 2018. Said site plan is conceptual only and must meet or exceed the requirements of the Zoning Resolution 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

APPROVAL WITH STAFF CONDITION

REVIEWED BY:

Brianna Rindge, AICP

