

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 Mayor & Council

FROM: Planning & Zoning Division

SUBJECT: **Z18-006 for Jones Road**

DATE: July 24, 2018

R. Neil Koelbl of Forest Creek Renaissance, LLC seeks to rezone an undeveloped subdivision on Jones Road from **R-3 (Single-Family Dwelling District)** to **R-5A (Single-Family Dwelling District)**.

STAFF RECOMMENDATION: APPROVAL WITH CONDITIONS

5/15/18: PLANNING COMMISSION RECOMMENDED APPROVAL WITH CONDITIONS

6/26/18: MAYOR & COUNCIL DEFERRED REQUEST

cc: Mark Massey, City Clerk

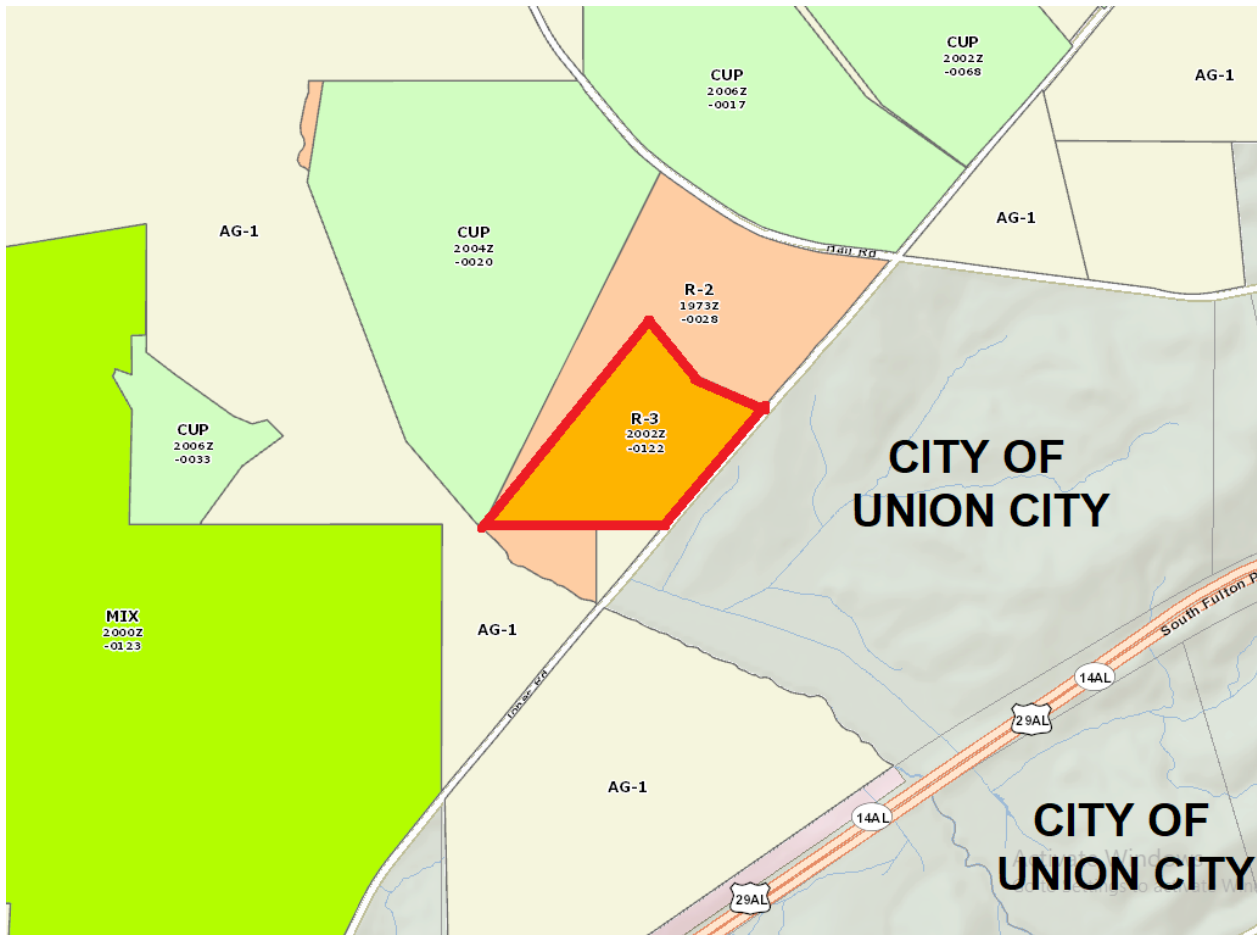
APPLICATION INFORMATION

Applicant Information:	R. Neil Koelbl Forest Creek Renaissance LLC P.O. Box 399 Brooks, GA 30205
Status of Applicant:	The applicant already owns the property.
City Council District(s):	4
Parcel ID Number:	07050001430263
Area of Property:	The property is composed of approximately 35.9 acres.
Current/Past Use of the Property:	The property currently contains roads with curb and gutter.
Prior Zoning Cases/History:	The existing zoning case approved the site for a single-family development, but the owner at the time abandoned the project: Z02-122 , request to rezone from R-2 (Single-Family Dwelling District) to R-3 (Single-Family Dwelling District) – APPROVED WITH CONDITIONS
Surrounding Zoning:	<p><u>North:</u></p> <ul style="list-style-type: none">• R-2 (Single-Family Dwelling District) containing an elementary school• AG-1 (Agricultural District) containing a middle school• CUP (Community Unit Plan District) containing a high school <p><u>East:</u></p> <ul style="list-style-type: none">• <i>City of Union City</i> R-1 (Single-Family Residential)• <i>City of Union City</i> TCMU (Town Center Mixed-Use) <p><u>South:</u></p> <ul style="list-style-type: none">• R-2 (Single-Family Dwelling District)• AG-1 (Agricultural District) <p><u>West:</u></p> <ul style="list-style-type: none">• AG-1 (Agricultural District)• MIX (Mixed-Use District) containing a residential subdivision
2035 Future Land Use Designation:	Two designations cross the property: <ul style="list-style-type: none">• Regional Live-Work• South Fulton Parkway Transitional
Compatibility with Fulton County 2035 Comprehensive Plan:	The Regional Live-Work designation aims to provide “the highest density allowed” and the South Fulton Parkway Transitional designation allows for more intensive uses and creates a transition from the Parkway into the rural

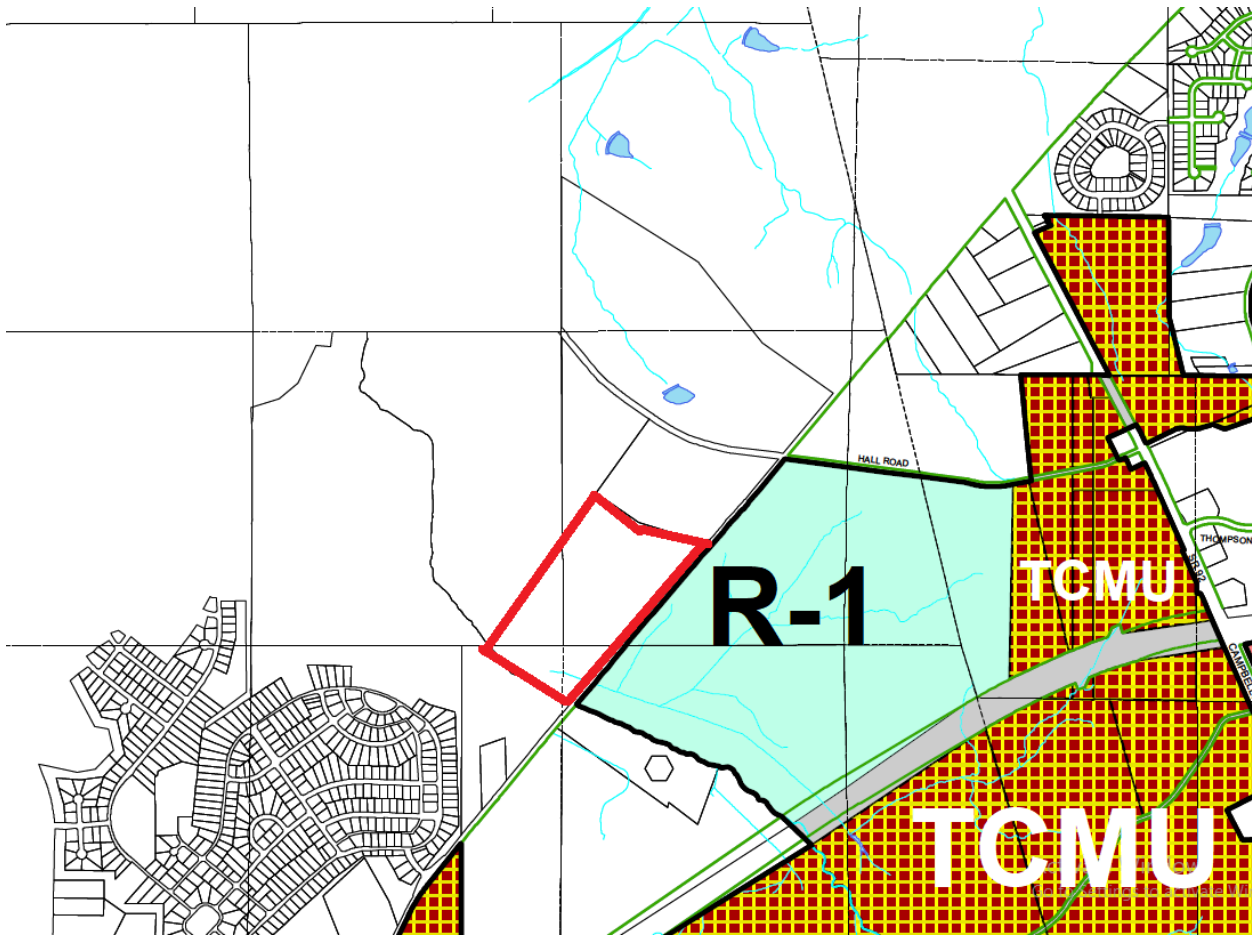
neighborhoods. The intent of the R-5A zoning district, “to provide a transition between low- and high-density dwelling areas”, aligns with the goals of the Comprehensive Plan’s designation of the property.

Overlay District:	Cedar Grove
Public Utilities:	Water service is provided to the site by the 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> Jones Road <u>Public Transit:</u> MARTA is not available to the site. <u>Bike/Pedestrian Access:</u> Sidewalks are proposed within the subdivision and along Jones Rd.
Parking Required (Single-Family):	190 spaces (2 spaces per dwelling unit)
Parking Proposed:	2-car garages per dwelling unit with additional driveway

City of South Fulton Zoning



City of Union City Zoning



PUBLIC PARTICIPATION

The applicant held their own public meeting on April 19, 2018 at 6:00 p.m. at Fire Station 15 at 6625 Cedar Grove Road. Six members of public attended to express desire to limit the amount of rentals, mandate a homeowners association, and restrict the use of vinyl siding. The applicant agreed to establish a mandatory homeowners association with covenants and restrictions to include a 10% maximum on rental units within the subdivision. The applicant also agreed to not utilize vinyl siding, and this is also controlled by the Cedar Grover Overlay District by which the site must abide. The attendees agreed with the developer's proposal to increase the minimum square footage of the homes, include large buffers around the perimeter of the subdivision, and include common area amenities. The attendees and applicant agreed on the need to prevent the illegal dumping occurring at the entrance today, and that the proposed development would prevent this from continuing.

Five members of the public attended the Staff-hosted Community Zoning Information Meeting.

STAFF COMMENTS

Engineering: Extend Jones Rd paving from limits of existing paving to along the entire frontage of the property on Jones Rd, as is an existing condition of the site per Case No. Z01-122. Additionally, amenity/common area parking shall not be satisfied by on-street parking.

Environmental: The applicant shall connect the proposed development to public water and sanitary sewer available to the site. Based upon the information submitted, the Fulton County Board of Health does not anticipate any adverse impacts to the health of humans or the environment as a result of approving the proposed rezoning of the property from R-3 (Single-Family Dwelling District) to R-5A (Single-Family Dwelling District) to allow the proposed residential development.

Public Works: There are 19 sanitary sewer manholes in existence on the property today.

Transportation: The developer shall add a deceleration lane entering the main entrance of the development, pave the road in accordance with Fulton County's 300 Standard Details, as well as sidewalks along the entire frontage of the property along Jones Rd.

MARTA: MARTA service is not available to the site.

Fulton County Schools: Fulton County Schools would need to provide an easement for the developer to build the sidewalk on school property in order to connect with the walkway that currently starts just inside the school's driveway. See attached additions to enrollment generated by the completion of this development. "[The Fulton County School District's] stance is that they will always be able to accommodate any and all students generated by a new development. The report [the] department provides is really for informational purposes and neutral in opinion. And... Georgia law currently does not permit a rezoning proposal from being explicitly denied due to projected impact on student enrollment."

Fire: None provided

Legal: None provided

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;

Residential uses and schools currently surround the site, so the proposal should not cause a disruption in land use. The developer proposes the rezoning in order to carry out the previously approved subdivision but at a higher density with larger homes and to add common area amenities.

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

The proposed residential use will not adversely affect the surrounding properties as the nearby parcels are also zoned to allow single-family residential units. Its location adjacent to both an elementary school and a high school and close proximity to a middle school allows for alternative modes of transportation to be utilized as students and employees will be able to walk or bike to school.

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

The proposed zoning could expand the economic use of the site as the developers propose to increase the number of homes as well as increase the minimum heated floor area per dwelling

unit. The developer’s proposal to add an amenity area also improves the economic use of the property.

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 is similar to the existing use for which the property is already zoned.

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

The Regional Live-Work designation aims to provide “the highest density allowed” and the South Fulton Parkway Transitional designation allows for more intensive uses and creates a transition from the Parkway into the rural neighborhoods. The intent of the R-5A zoning district, “to provide a transition between low- and high-density dwelling areas”, aligns with the goals of the Comprehensive Plan’s designation of the property.

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

See the table below for a comparison of the development regulations of the conditional R-3 zoning (existing) and the proposed conditions of R-5A (requested) zoning:

DEVELOPMENT STANDARDS	R-3 WITH EXISTING CONDITIONS	R-5A WITH PROPOSED CONDITIONS
Case Number:	Z02-122	Z18-006
Site plan received:	February 5, 2003	March 27, 2018
Maximum number of dwelling units:	54	95
Minimum lot area:	18,000 ft ²	6,000 ft ²
Minimum heated floor area per dwelling unit:	1,400 ft ²	1,800 ft ²
Maximum height:	40'	40'
Minimum front yard:	50'	20'
Minimum side yard:	10' along interior line 20' along street	7' along interior line 20' along street
Minimum rear yard:	35'	20'
Minimum lot width:	100'	50'
Minimum lot frontage:	35'	20'
Common area greenspace required:	21% of entire development	25% of entire development
Buffer from Jones Rd:	100'	100'
Remaining perimeter buffer:	50'	50'
Amenity required:	None	Included
Pedestrian connections to adjacent schools:	1 from north end of subdivision; 1 along Jones Rd	1 from north end of subdivision*; 1 along Jones Rd
Vehicular connections to Jones Road	1	2 to comply with fire code

*Note that this table includes a pedestrian connection not shown on the site plan received March 27, 2018, but is recommended by Staff.

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 confirms that there are no adverse environmental effects projected by the site's proposed development.

PLANNER'S RECOMMENDATION

The surrounding properties are zoned to allow residential uses, just as the proposed zoning will do. Its location adjacent to both an elementary school and a high school and close proximity to a middle school allows for alternative modes of transportation to be utilized as students will be able to walk or bike to school. The applicant proposes a more efficient site plan than the existing adopted site plan, providing larger homes and more greenspace and adding amenities. The proposed density of housing aligns directly with the goals of the South Fulton Parkway Transitional and Regional Live-Work designation of the site by the 2035 Comprehensive Plan. Based upon the findings and conclusions herein, **Staff recommends APPROVAL of the request to rezone the property from R-3 (Single Family Dwelling District) to the R-5A (Single Family Dwelling District) with the following conditions:**

- 1. No more than 95 total single-family detached dwelling units shall be permitted within the subdivision.**
- 2. The minimum heated floor area per dwelling unit shall be 1,800 square feet.**
- 3. The developer must abide by the site plan received by the City of South Fulton on March 27, 2018, with the addition of a publicly accessible interparcel pedestrian connection from right-of-way between Lots 11, 12, 13, 14, 15, 16, or 17 to the property line of the adjacent school. 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.**
- 4. An amenity area is required within the subdivision and parking shall not be satisfied by spaces located within the right-of-way.**
- 5. Common greenspace is required around the perimeter of the subdivision at a width of at least 100 feet adjacent to Jones Road and 50 feet along the remainder of the perimeter, with the exception of interparcel connections.**
- 6. A minimum of 25% greenspace shall be provided on the property.**
- 7. Paving for 2 lanes (1 in each direction) and sidewalk shall be completed from existing paving at the entrance to Renaissance Elementary to the extent of the property's frontage along Jones Road (roughly the land lot line dividing Land Lots 142 and 143) in accordance with Fulton County's 300 Standard Details subject to the approval of the Traffic Engineer.**
- 8. Provide a right-hand turn deceleration lane into the subdivision's main entrance.**

PLANNING COMMISSION RECOMMENDATION

APPROVAL with Staff-recommended conditions at the May 15, 2018 meeting

REVIEWED BY:

Dana Gray & Brianna Rindge, AICP

