



**PLANNING AND ZONING COMMISSION MEETING MINUTES**

**City Hall  
56 Malone Street  
Fairburn, GA. 30213  
Tuesday, March 12, 2019  
7:00 P.M.**

Tony Smith, Chairman  
Elise Stoney, Vice-Chairman  
Elizabeth Echols  
Jerry Williams (**Absent**)  
Shelby Phillips  
Mark Wade  
Anthony Stewart

City Planner: Tarika Peeks  
City Attorney: Valerie Ross  
Recording Secretary: Kimberly Mitchell

- I. MEETING CALLED TO ORDER:** By Chairman Stoney
- II. ROLL CALL:** All members of Planning and Zoning Commission were present except for Commissioner Jerry Williams.
- III. PLEDGE OF ALLEGIANCE:** Recited in unison.
- IV. ELECTION OF OFFICERS:** None
- V. PUBLIC COMMENTS:** None
- VI. APPROVAL OF AGENDA:** Commissioner Echols moved to APPROVE the agenda. Commissioner Smith seconded. **The motion carried.**
- VII. APPROVAL OF PREVIOUS MEETING MINUTES:** Commissioner Smith made a motion to APPROVE the February 5, 2019 minutes. Commissioner Wade seconded. **The motion carried.**
- VIII. PUBLIC HEARING:** None
- IX. OLD BUSINESS:** None
- X. NEW BUSINESS:**  
**Conceptual Plan 19C-001 - Graham Road:**

**SUMMARY/STAFF PRESENTATION:** A request to review the conceptual site plan for a 278,636 square-foot warehouse development on Graham Road.

Ms. Peeks stated the applicant requested to develop a warehouse on 18.441 acres. Staff's recommendation was approval conditional.

for 5 years. He explained that they were proposing a 96-unit multi-family development at 136 West Broad Street. Mr. Harris explained that he had met with the community on February 26<sup>th</sup> or 27<sup>th</sup> and had shown the attendees the multi-family development proposal. Since it was multi-family there were some concerns, which he had attempted to address.

Mr. Harris gave some background on the development, stating that there were 96 units with 30 one-bedroom units, 48 two-bedroom units, and 18 three-bedroom units. There would be 145 parking spaces. One of the initial concerns was regarding traffic. Mr. Harris stated that he had reached out to Jacobs Engineering regarding the impact of the traffic on the neighborhood. They inquired about peak time traffic, since people tended to worry about coming and going from home, stacking, and congestion. Based on Jacobs' traffic modeling, there would be 33 trips in the morning peak time, from 7 a.m. to 9 a.m. Mr. Harris added that Jacobs projected 90 trips in 24-hours. The evening traffic between 4 p.m. to 6 p.m. would be 42 trips - 26 in and 16 out. Mr. Harris stated that this projection was a modeling and could be +/- 3 or 4 trips. He stated that they did not factor in mass transit or other opportunities to alleviate traffic. Mr. Harris also shared that their goal was to make this a walkable community.

A second concern Mr. Harris addressed was the look and impact of the development on the community. He shared that Roswell, Acworth, and Decatur had all built award-winning developments in their downtown area with limited to little impact. He stated that more people would bring a little more traffic. However, he stated that his company would have a similar product, using those cities as an example. Mr. Harris stated that the development would be located in a historic district with a historic house on site. He stated that they were committed to adaptively reusing the house. The house would be an amenity area or other option but would remain on site. The residential development would be built behind the historic house.

Mr. Harris stated that another concern included buffers and what would happen around the site. He stated that there were required buffers based on the city's requirements. They were also looking into landscaping to make sure that there were shieldings and buffers. He shared that since their goal was also a vibrant downtown with pedestrian connectivity, they hoped to work with the City to make everything feasible.

Mr. Harris addressed the community's concern about rental ranges. He explained that the ranges would start at \$550.00 on the one-bedroom units and would go up to \$1,200.00 on the three-bedroom units. He stated that one question that was brought up was if they could have more market-rate apartments, around the 80% rental range. A family making \$60,000 or more would be able to afford to live there at a market rate range around \$1,000.00 a month.

Lastly, Mr. Harris addressed runoff and drainage. He stated that the city and state had their own rules regarding runoff and drainage. He added that they would bring in a professional engineer to make sure that the site was designed properly, that it could detain and retain water, and would meet all the state requirements. Mr. Harris concluded that from his initial meeting those were most of the comments that came up. Mr. Harris stated that they were happy to be a community member and hoped to continue Fairburn's development while working with the community.

Commissioner Phillips asked how many one-bedroom units there were. Mr. Harris responded that they had 30 one-bedroom units, 48 two-bedroom units, and 18 three-bedroom units. He stated that the unit mix was also listed on the site plan. Commissioner Phillips asked if Mr. Harris was aware that homes were still being built in Durham Lakes and inquired if Mr. Harris' market would affect that housing market. Mr. Harris replied that it would provide additional housing options, since some people chose not to buy a house for various reasons. The proposed development would provide an opportunity to rent in a unique location with a downtown feel – something that one would not find in Durham Lakes. He stated that thriving communities were created by having housing options.

Prestwick's developments, giving the example of the Manor at Broad. He stated that that development was only 5 years old, but that the things that were describing did not happen there because of the management and ownership. He explained that Prestwick had developed over 35 projects since 2008, which were all very similar to the proposed project and all functioned the same way. Mr. Harris stated that if they were to research Prestwick projects in other communities, and Prestwick had not provided a good product, the community would let them know. He added that Prestwick was committing to the good operation of their development. He reiterated that the issues broached were all based on ownership and management and that those issues did not happen on their properties.

#### **SPOKE AGAINST:**

**Cathy Kimbrel, 119 Elder Street, Fairburn, Georgia, 30213**

Ms. Kimbrel stated that she moved into her residence in 1989 and the house was built in 1892. She stated that she was one of three people asking community members about their support of the project. Ms. Kimbrel explained that in less a week they had received 217 signatures on their petition and would continue this effort if the Commissioners were to recommend it to go forward to the Council.

She shared that she had created a letter with a summary of her neighbors' concerns on the project. Ms. Kimbrel stated that she reviewed the Comprehensive Plan and had copied sections of the Comprehensive Plan that went against the project. She stated that she was not against affordable housing or the apartments, but that she was against the location of the apartments and her recommendation was for them to take it somewhere else.

Ms. Kimbrel explained that she had copied from the "Needs and Opportunities" section of the Comprehensive Plan and was going read the sections that applied to the project. She read the following statements: (#2) Require better quality development downtown, (#4) Bring mixed-use developments including housing, lofts, and townhouses – not apartments – and vitality to downtown. She stated that lofts and townhouses were a very different type of development than apartments. Ms. Kimbrel continued reading from the Comprehensive Plan: (#5) Require new downtown development to fit in aesthetically with the historic buildings and have the same scale. She commented that this project did not have this, based on the pictures of the development. Ms. Kimbrel continued reading: (#8) Maintain the small town atmosphere, (#9) Protect our historic structures. She stated that this development would back up to historic structures and residents would look out their back window at a three-story high apartment building. She stated that this would not be conducive to the community.

Ms. Kimbrel read on from the Comprehensive Plan: "Housing Needs" – (#4) Locate townhouses downtown near the colleges, (#5) Build historic style homes in the downtown area. She noted that this was not a historic-style development. Ms. Kimbrel continued reading: (#6) Allow apartments only in the downtown area as part of mixed used developments. She stated that this was not a mixed-use development, since a mixed-use development would have both residential and commercial uses within the development plan. Ms. Kimbrel read from the "Economic Development Needs" section: (#12) Revitalize the downtown area with attractive mixed used development – residential on the second floor, commercial, restaurants, cafés, coffee shops, offices and art galleries on the street level. She stated that she thought this idea would fit beautifully but the project did not. She read: (#13) Preserve historic homes downtown and possibly convert them into office use. She stated that this project was not preserving the historic homes downtown. Ms. Kimbrel stated that she knew that they recommended keeping the building for a different use. However, she

maintain the streets due to the added traffic volume. He stated that other additional costs like water, sewer and utilities services would be required.

He stated that there were potential additional costs if the city was required to upgrade the water, sewer and stormwater systems. He stated that if the city was to be required to provide those upgrades it would have an impact on the city's budget and if needed funding was not readily available, some type of bond issue would be required and it would have to be approved for general election. Mr. Mackenzie's letter ended by stating that the issue was not about the citizens of Fairburn saying, "Not in my back yard." It was an issue of adhering to the City of Fairburn's established planning and zoning requirements to prevent uncontrolled, non-compatible land, housing and business development. Ms. Ludlow concluded by stating that she and Mr. Mackenzie opposed the project.

**Jean Russell, 196 Fairview Drive, Fairburn, Georgia, 30213**

Ms. Russell stated that the development was incompatible with the single-family houses in the neighborhood. She stated that she was concerned about the funding from the GA Department of Community Affairs. Ms. Russell stated that the project would have to have the correct zoning to get funding. However, if the zoning were changed, and the DCA funding was not approved, someone else would be able to come in and do a multi-family project but might not be able to do a project with as many constraints as exist under the existing zoning.

Ms. Russell stated that the examples given of other Prestwick communities were not valid examples because they were not situated inside a neighborhood like this one would be. She also noted concerns about infrastructure, stating that the project would strain the stormwater infrastructure that was already very old. She cited the City of Atlanta as an example of future stormwater issues based on high density developments. She also stated that they needed to address the stormwater situation in the Lightning neighborhood, which had issues as well. Ms. Russell expressed concern about the environmental impact on the surrounding homes and the Lightning area, citing that this could be an environmental justice issue. She stated that she opposed the project.

**Mike Robinson, 113 Malone Street South West.**

Mr. Robinson stated that he was a retired truck driver and felt Fairburn was his hometown. He noted that there were many amenities within walking distance of his home. He also noted that Fairburn was a historic town, which you could not put a price on. He expressed concern that if the project were approved, it would destroy the area. He stated that he was not against affordable housing because he always believed a person's home was their palace. However, he stated that he opposed the project.

**Leward Dunn, 498 Mehaffey Drive, Fairburn, Georgia, 30213**

Mr. Dunn stated that his family members had been in the community for seven generations. He stated that Strickland Street was named after his great-uncle Henry Strickland. He noted that everything in that part of town was their property at one time. He asked the developer if a comprehensive archeological study had been completed. Mr. Dunn stated that that area had been the original downtown area and was also the location of an Indian village. He asked if the developer had done an investigation to make sure he did not destroy cultural resources of the area. He stated that this was also once the location of the first kiln and brickyard. He stated that there were molds that were still visible ten years ago behind the McVickers house, the Strickland house, and the old Jones house.

Mr. Dunn also expressed concern the state DOT would not allow additional left turns into and out of properties on Highway 29, with the Family Dollar as an example. He stated that there was

Mr. Harris explained that they were going to keep the house because it was a commercial use. The house would contain the office and amenity areas. He stated that he had developed retail sites before. However, retail would create traffic. He added that 2,000-3,000 square feet of retail would not work there because it would be empty due to location.

Mr. Harris addressed how the developer could be held to their plan if the DCA funding was not approved. He stated that he had asked the planning staff to place conditions on the property to make sure development was tied to their plan and make sure that the community was protected. Mr. Harris addressed concerns about the number of parking spaces. He stated that they would conduct market studies and reach out to other professionals to obtain what they needed for a sustainable development. He explained that the plan would continue to evolve with the comments and feedback they received. Mr. Harris stated that the detention facility on the plan was a place holder. He stated that they would have to come through the City to get the water facilities approved.

Lastly, Mr. Harris stated that this would be quality, sustainable development with EarthCraft certification. He stated that they would provide sidewalks and playgrounds. He stated that they had addressed all of the concerns but could not change the fact that the site was multi-family. He reiterated that people making \$20,000 or \$25,000 were not bad people. He asked the Commissioners to review the items, look at the diversity it would bring, and consider the mix of housing options it would provide in a stable neighborhood.

#### **Staff Comments:**

Ms. Peeks addressed a comment regarding the buffers on the site. She stated that the 25 ft. buffer was required because the property abutted residentially zoned property. She stated that the City of Fairburn did not have a 45 ft. buffer. She stated that Fairburn only had a 25-foot buffer and a 50-foot buffer. She stated that the largest buffer was 50 feet where an industrial use abutted a residential use. Ms. Peeks also addressed greenspace, stating that they applicant would have a greenspace requirement. She stated that the applicant would be required to adhere to the City's standards, including land development standards and zoning ordinances for the Highway 29 Overlay District. She stated that the applicant would put in a common area. She noted that greenspace had been allotted between the buildings and there would be a fitness center and library inside the historic house. She stated that the features would be similar to those at the Manor at Broad Street.

Ms. Peeks stated that staff had reached out to Fulton County Schools and had sent them a copy of the proposal. She stated that the schools had provided an impact statement. She noted that some of the schools were under-capacity and could handle new students. She stated that she had a copy of the impact statement if anyone wanted to see it. She stated that a new school would be coming to the City of Fairburn in the school year 2020-2021. She stated that the new school would be able to accommodate the students that lived within the city limits of Fairburn.

Ms. Peeks addressed comments that the development was not consistent with the Comprehensive Plan. She stated that staff believed differently. She noted that Comprehensive Plan stated that all residential types were allowed in the downtown district, including single family, multi-family, townhouses and lofts. She stated that the Comprehensive Plan was divided into character areas and the Town Center Mixed Use character area was what staff used to make their recommendation.

Ms. Peeks stated that the plan before the Commissioners was a conceptual plan. The conceptual plan was what staff used to help the applicant come with a plan that everyone could agree on. She stated that it was a working document. Ms. Peeks stated that staff and the applicant could go back and forth on the plan before the Council members approved it. She noted that even after Council had approved a plan, the plan could be changed as long as the changes were not considered

expressed an interest in having dorms built between the college and Highway 138, where there was no historic district.

- XIII. **ADJOURNMENT:** Commissioner Echols made a motion to adjourn. Commissioner Wade seconded. **The motion carried.**

Meeting adjourned at 8:12 p.m.

Approval Signatures	
Date Approved	5/8/2019
Elise Stoney, Chairman	<i>Elise E Stoney</i>
Kimberly Mitchell, Recording Secretary	<i>Kimberly Mitchell</i>