

Planning and Zoning Commission AGENDA

Tuesday, May 4, 2021 ♦ 7:00 p.m.

Join Zoom Meeting

Video link: https://zoom.us/j/7709642244

Dial-in #: (929) 205-6099 Meeting ID: 770 964 2244

- Call to Order
- Determination of a Quorum
- > Approval of the Meeting Agenda
- Approval of April 6, 2021 Meeting Minutes
- Public Hearing
- Old Business
- New Business
 - Concept Plat 2021062 Trinity Fairburn A request to subdivide 9.511 acres on Highway 74 and Meadow Glen Parkway into three (3) tracts.
 - Conceptual Site Plan 2021057 Tractor Supply A request to construct a 22,136 square foot commercial building for a Tractor Supply store located on Highway 74 and Meadow Glen Parkway.
- Staff Report
- Commissioner Comments
- Adjournment



PLANNING AND ZONING COMMISSION MEETING MINUTES

City Hall 56 Malone Street Fairburn, GA 30213 Tuesday, April 6, 2021 7:00 p.m.

Due to the COVID-19 pandemic, the meeting was held virtually via Zoom video conferencing.

Elise Stoney, Chair Elizabeth Echols, Vice-Chair Tony Smith Anthony Stewart Jerry Williams Leonte Benton Jason Jones

Director of Planning and Zoning: City Attorney:

Tarika Peeks Valerie Ross

- I. MEETING CALLED TO ORDER: By Chair Stoney
- II. ROLL CALL: All members of the Planning and Zoning Commission were present
- III. <u>APPROVAL OF AGENDA</u>: Commissioner Williams made a motion to **APPROVE** the April 6, 2021 agenda. Commissioner Jones seconded. **THE MOTION CARRIED.**
- IV. <u>APPROVAL OF PREVIOUS MEETING MINUTES</u>: Commissioner Williams made a motion to APPROVE the February 2, 2021 minutes. Commissioner Stewart seconded. THE MOTION CARRIED.
- V. **PUBLIC HEARING:** None
- VI. OLD BUSINESS: None
- VII. NEW BUSINESS:

PRIMARY VARIANCE 2021035 - EVERTON COMMONS

<u>SUMMARY/STAFF PRESENTATION</u>: A request to allow a 12' encroachment in the 25' undisturbed natural buffer, which is a reduction of the buffer from 25' to 13' approximately 352 linear feet.

Ms. Peeks stated that the applicant Everton Commons L.P. was proposing to construct a 78-unit multi-family development on 6.499 acres. The Mayor and City Councils approved the rezoning of the subject property from OI (Office Institutional) to RM-36 (Multi-Family Residential) on January 27, 2020. She stated that the city's buffer standard section 80-372 requires RM-36 properties to maintain 25 feet of undisturbed vegetarian buffer in a single-family residential district. She stated that the parcels located on the west side of the subject property was zoned R-1 and the 25-foot undisturbed vegetation buffer was required.

Ms. Peeks stated that the applicant was requesting to encroach into the 25-foot buffer by 12 feet which was approximately 352 linear feet, and the applicant requested to reduce the buffer by 12 feet would not eliminate the entire buffer area and 13 feet of the buffer area shall remain resulting in adequate buffering between the adjacent property. She stated that the remaining 25 feet buffer that was located on the west side of the subject property would not be impacted. The remaining buffer would provide a visual buffer from the adjourning properties as referenced in Exhibit A. She stated that staff recommendation was approval.

Commissioner Williams asked why the buffer requirement was not known before the rezoning. Ms. Peeks replied that the buffer requirement was not known at the time of the rezoning. The Georgia Historic Preservation Division reviewed the application and required a 30' buffer from the cemetery. Therefore, the site is required to shift towards the west to allow for the 30' buffer from the cemetery. Commissioner Williams asked about the property to the west of the subject property and if the residences were notified of the request. Ms. Peeks replied that the properties are vacant and all residents within 500 feet was notified of the variance request and a sign was posted on the property. Commissioner Williams asked if anyone objected to the request. Ms. Peeks replied, no, she did not receive any objections to the request in writing or by phone and/or e-mail.

Commissioner Smith asked how many residences were in that area. Ms. Peeks replied that there are residences on Cemetery Street and vacant properties on the west side and residences on Washington Street and that there were other single family lots in the area. Commissioner Williams asked if there were vacancies on the west side and if that was where they were asking for the encroachment. Ms. Peeks replied, yes. Commissioner Jones asked if there were residential dwellings on the west side and was the 30-foot buffer a requirement of the Georgia Historical Preservation Division or Georgia Community Affairs. Ms. Peeks replied that there were no dwellings on the west side of the property; that they were vacant and there were no single family homes on the lots. The Department of Community Affairs requested the Georgia Historical Preservation Division to review the application and after their review of the application, they required a 30 foot buffer from the cemetery.

BO JOHNSTON

Mr. Johnston stated that he was happy to answer any question the Commissioners might have. He stated that he did not know about the Historic Preservation Division 30' buffer requirement at the time of the rezoning application.

Commissioner Jones asked was there any plans for the 352 linear feet to add extra foliage or vegetation to enhance the buffer. Mr. Johnston replied, yes, there would be.

OPPOSITION:

LYDIA GLAIZE

Ms. Glaize stated that she did not want to lose the hometown structure in the City of Fairburn and that they should have reached out to the community to get there input in the rezoning. She stated that she wanted the full buffer, and that they did not want to be impacted by a 76-unit community behind them.

MICHELLE JAMES

Ms. James stated why would the buffer be lessened from 25 feet to 12 feet and citizen was dealing with situation that should not be considered because it was taking away from their quality of life. She stated she thought her wellbeing, life and property value should be more important than growth and she wanted things to go hand in hand and not at the expense of the residents.

JANE STOREY

Ms. Storey stated that she did not want to see an apartment complex in the area. She stated that she had relatives that were buried in the cemetery and people who live in apartments do not respect cemeteries and they would trash the cemetery. She stated that she did not want to see apartment complexes all over the city.

BO JOHNSTON

Mr. Johnston stated that the area they were requesting the variance is vacant; it is a wooded area and there would not be anyone impacted by taking 12 feet of the 25-foot buffer. He stated that the apartment complex was already approved last January, and this will enhance the site because they had to adhere to HPD (Historic Preservation Division) 30' buffer requirement. Commissioner Williams asked if the vacant properties on the west side are zoned for residential families. Ms. Peeks replied, yes, it is zoned R-1 (Family Residential).

<u>MOTION AND VOTE</u>: Commissioner Jones made the motion to <u>APPROVE</u> Primary Variance 2021035. Commissioner Stewart seconded. Commissioner Smith - No, Commissioner Williams - No, Commissioner Benton - No, Vice-Chair Echols — Yes. The motion to approve the primary variance failed due to a tie vote. Chair Stoney voted No to break the tie.

THE MOTION TO DENY PASSED.

- VIII. <u>STAFF REPORT</u>: Ms. Peeks welcomed the two new Commissioners, Jason Jones and Leonte Benton.
- IX. <u>COMMISSIONER COMMENTS</u>: Commissioner Williams, Commissioner Stewart, Chair Stoney and Vice-Chair Echols welcomed the two new commission members.
- X. <u>ADJOURNMENT</u>: Commissioner Williams made a motion to **ADJOURN**. Commissioner Smith seconded. **THE MOTION CARRIED**.

MEETING ADJOURNED: 7:47 p.m.

Approval Signatures	
Date Approved	
Elise Stoney, Chairman	
Keisha Francis, Recording Secretary	ž.



CITY OF FAIRBURN PLANNING AND ZONING COMMISSION AGENDA ITEM

Date:

May 4, 2021

To:

Planning and Zoning Commission

From:

Tarika Peeks, Director of Planning Zoning

Agenda Item:

Conceptual Plat 2021062 - Trinity Fairburn: A request to subdivide a 9.511 acre parcel into

three (3) tracts.

PURPOSE: For the Planning and Zoning Commission to approve the concept plat for Trinity Fairburn.

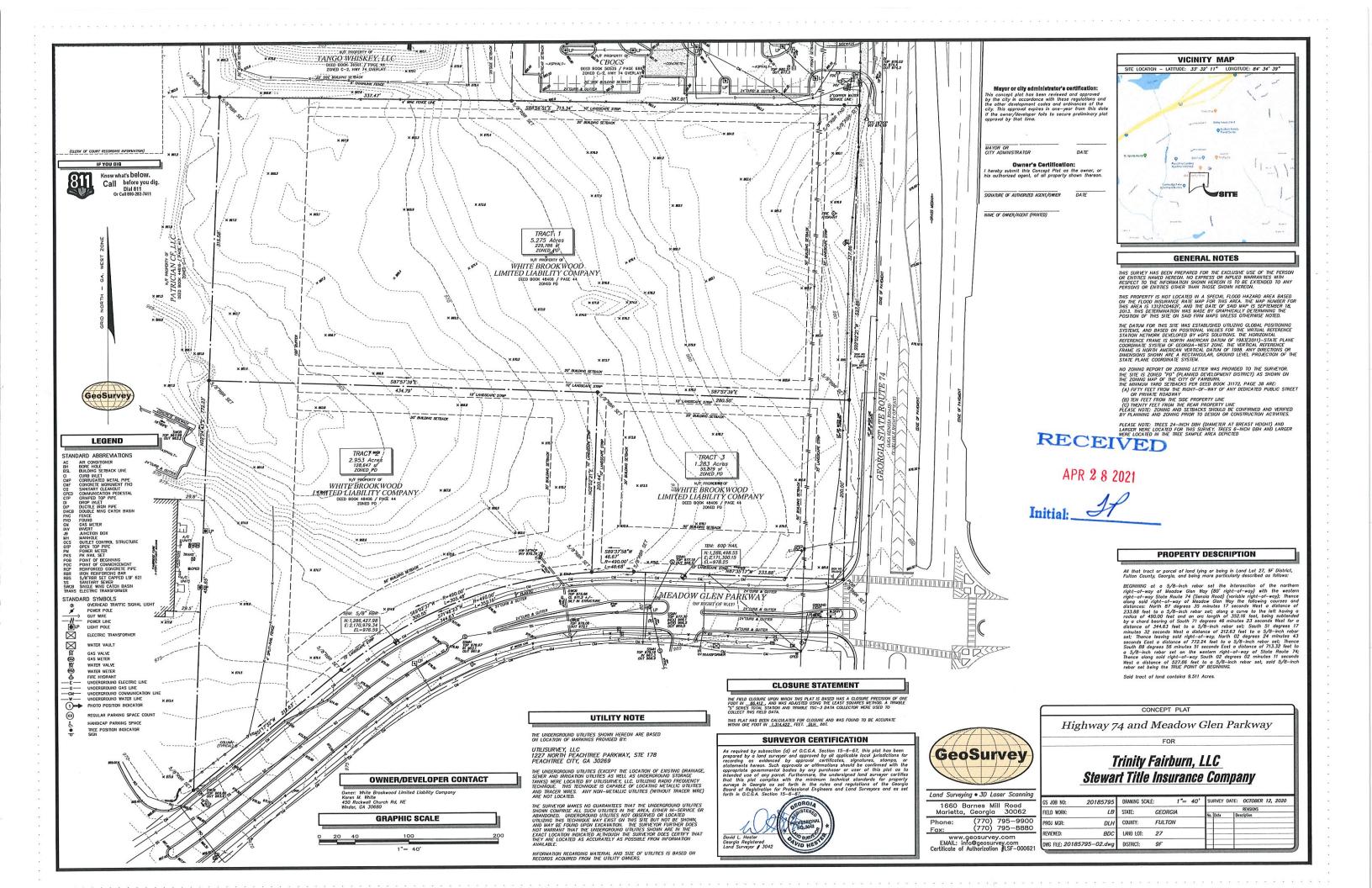
<u>DISCUSSION</u>: The applicant is requesting to subdivide the 9.511-acre parcel at the northwest corner of the intersection of Highway 74 and Meadow Glen Parkway into three (3) tracts. Tract one (1) will be the site of the proposed Tractor Supply store. The three (3) tracts will be subdivided as follows:

Acreage
5.275
2.953
1.283

The concept plat was reviewed by staff and meets all the regulations of the City Ordinances.

RECOMMENDATION: Staff recommends APPROVAL of the Trinity Fairburn Concept Plat.

Attachment: Trinity Fairburn Concept Plat





CITY OF FAIRBURN PLANNING AND ZONING COMMISSION AGENDA ITEM

Date:

May 4, 2021

To:

Planning and Zoning Commission

From:

Tarika Peeks, Director of Planning Zoning

Agenda Item: Conceptual Site Plan 2021057 - Tractor Supply: A request to construct a 22,136

square-foot commercial building for a Tractor Supply store.

BACKGROUND: The subject property is located at the northwest corner of the intersection of Highway 74/Senoia Road and Meadow Glen Parkway. The site is approximately 5.280 acres and zoned PD (Planned Development). The property was annexed and rezoned to PD (Planned Development) by the Mayor and City Council on February 23, 1998.

DISCUSSION: The applicant is proposing to construct a 22,136 square-foot building for a Tractor Supply store with associated driveways, parking, utilities, buffers, and landscaping. The applicant will be required to meet all off-street parking regulations. The site will have two access locations with a limited access right-in right-out (RIRO) driveway planned on Highway 74/Senoia Road and a fullaccess driveway located on Meadow Glen Parkway on the south side of the property. Stormwater detention is proposed by an onsite detention system. The front façade of the building will be constructed of all brick material as required by the Highway 74 Overlay District regulations.

PARCEL MAP



Parcel ID # 09F070000271062 0 Meadow Glen Parkway PD (Planned Development) 5.280 acres

STAFF RECOMMENDATION: <u>APPROVAL CONDITIONAL</u> of the conceptual site plan to construct a 22,136 square-foot building for a Tractor Supply retail store. The staff has reviewed the conceptual site plan and has determined that the plan met the requirements for a conceptual review. The staff has recommended five (5) conditions.

The approval of the site plan is <u>conceptual only</u>. The applicant will be required to submit a Land Disturbance Permit prior to the start of any construction. Additionally, any significant changes as determined by staff to the approved conceptual plan would warrant a further review by the Planning and Zoning Commission.

Conditions:

Should the Planning and Zoning Commission decide to approve the conceptual site plan, the staff recommends the approval be subject to the conditions listed below. The applicant's agreement to these conditions would not change staff recommendations. These conditions shall prevail unless otherwise stipulated by the Planning and Zoning Commission.

- 1. To the site plan submitted to the Department of Community Development dated received April 28, 2021. Said site plan is <u>conceptual only</u> and must meet or exceed the requirements of the City's regulations and ordinances prior to the approval of a Land Disturbance Permit. Unless otherwise noted herein, compliance with all conditions shall be in place prior to the issuance of a Certificate of Occupancy. Any major deviation from this site plan is subject to approval by the Planning and Zoning Director or designee.
- 2. Prior to construction, the city shall be provided with copies of the approved agreements/easements between all involved parties/owners for the driveway; inter-parcel access ways, and sidewalks. All plans for road improvements shall be submitted, reviewed, and approved by the City Engineer and GDOT, if applicable; and appropriate permits issued prior to construction and authorization.
- 3. No outside storage or outside display of merchandise shall be located in the 35' landscape strip fronting Highway 74/Senoia Road.
- 4. The designated outside display areas as shown on the conceptual site plan dated April 28, 2021, shall be kept neat, clean, and well-maintained.
- 5. The outside display of merchandise shall not exceed the boundaries of the areas designated for outside display as shown on the conceptual site plan dated April 28, 2021; no display of merchandise shall be placed in the off-street parking area.

Attachments:

Conceptual Site Plan Building Elevations

1

