

**City of Fairburn  
Planning and Zoning Commission**

**AGENDA**

**Tuesday, February 5, 2019 ♦ 7:00 p.m.**

---

- **Call to Order**
- **Roll Call - Determination of Quorum**
- **Pledge of Allegiance**
- **Election of Officers**
- **Public Comments**  
*Comments to the Planning and Zoning Commission should be limited to no more than two minutes. Groups wishing to address an issue should select one or two spokesperson(s). The time allowed for all issues shall not exceed a total of fifteen minutes. Issues raised at this time are generally referred to the Zoning Administrator for review. Responses will be provided at a later date.*
- **Approval of Meeting Agenda:** February 5, 2019
- **Approval of Minutes:** January 8, 2019
- **Public Hearing(s):** None
- **Old Business:**
  - **Rezoning 18RZ-004 with a Concurrent Use Permit 18U-005 - Exeter Bohannon Land, LLC:** A request to rezone property located at 6560 Bohannon Road from AG-1 (Agricultural) to PD (Planned Development) with a use permit to allow a M-1 (Light Industrial) use.
  - **Use Permit 18U-003 - Exeter Bohannon Land, LLC:** A request to allow an M-1 (Light Industrial) use in a PD (Planned Development) zoning district for properties located at 0 Bohannon Road and 6570 Bohannon Road.
- **New Business:**
  - **Preliminary Plat 19P-003 - Clayton Ministries:** A request to subdivide one parcel into two parcels.
  - **Preliminary Plat 19P-004 - OCP Fairburn/Fairburn Commons:** A request to subdivide one parcel into two parcels.
  - **Conceptual Plan 19C-002 - Fairburn Commons:** A request to review the conceptual site plan for a 12,800 square foot multi-tenant commercial development on Highway 74/Senoia Road.
  - **Rezoning 18RZ-007 - 6905 Development Company/Renaissance Festival:** A request to rezone 21.41 acres located at 592 Rivertown Road from R-1 (Single-Family Residential) to AG-1 (Agricultural District)

**City of Fairburn  
Planning and Zoning Commission**

**AGENDA**

**Tuesday, February 5, 2019 ♦ 7:00 p.m.**

---

- **Staff Report**
- **Commission Members Comments**
- **Adjourn**

**CITY OF FAIRBURN  
PLANNING AND ZONING COMMISSION  
AGENDA ITEM**

**SUBJECT: 19P-003 PRELIMINARY PLAT REVIEW – Clayton Ministries, Inc.**

(    ) AGREEMENT                                      (    ) POLICY / DISCUSSION                                      (    ) CONTRACT  
(    ) ORDINANCE                                      (    ) RESOLUTION                                      ( X ) OTHER

**Planning and Zoning Commission: 02.05.19**

**DEPARTMENT:** Community Development/Planning and Zoning

**BUDGET IMPACT:** None

---

**PURPOSE:** For the Planning and Zoning Commission to approve the Clayton Ministries, Inc. preliminary plat.

**DISCUSSION:** The property is located on the southeast corner of Bohannon Road and Oakley Industrial Boulevard. The property is zoned AG-1 (Agricultural). The applicant is requesting to subdivide the parcel as follows:

Lot	Acreage
A	3.636
B	2.007

The preliminary plat has been reviewed by staff and meets all the current regulations of the City's Ordinances.

**RECOMMENDED ACTION:** Staff recommends the **APPROVAL** of the Clayton Ministries, Inc. preliminary plat.

Attachment: Clayton Ministries, Inc. Preliminary Plat





"THIS DRAWING IS THE PROPERTY OF SCANLON ENGINEERING SERVICES, INC. IT IS TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED HEREIN, AND IS NOT TO BE USED ON OTHER PROJECTS OR EXTENSIONS TO THIS PROJECT, OR REPRODUCED IN WHOLE OR IN PART, EXCEPT BY AGREEMENT IN WRITING AND WITH APPROPRIATE COMPENSATION."

LOCATED IN LAND LOTS 11 & 28 OF THE 9F DISTRICT,  
CITY OF FAIRBURN, FULTON COUNTY, GEORGIA

\\SES-Projects\KC Nummy, Inc. 230\17230001\Clayton Ministries - Bohannon Road\AutoCAD\17230001\survey\7875 Bohannon Rd\_PRELIM PLAT.dwg Thursday, January 31, 2019 6:29:53 PM



- THE UTILITIES SHOWN ON THIS PLAT WERE TAKEN FROM INFORMATION AVAILABLE AT THE TIME OF THE SURVEY AND MAY OR MAY NOT BE ACCURATE AS TO THE EXTENT AND OR LOCATION OF SAID UTILITIES.

THIS SURVEYOR DOES NOT GUARANTEE THAT ALL EASEMENTS WHICH MAY AFFECT THIS PROPERTY ARE SHOWN.

**PLAT CERTIFICATION:**

The field data, completed on 5/31/17, upon which this plat is based has a closure precision of one foot in 14,514 feet and an angular error of 03" per angle point and was adjusted using equal angle adjustment.

This plat has been calculated for closure and is found to be accurate within one foot in (Tract 'A') 153,739 feet, (Tract 'B') 271,315 feet.

The linear and angular measurements shown on this plat were obtained using a Geomax Robotic total station & Geomax Zenith 35 Man GPS.

## REFERENCES & NOTES:

**CURRENT OWNER:**  
CLAYTON MINISTRIES, INC.  
CONTACT: PASTOR HAYES, CLAYTON, SR.  
444 TODD ROAD  
GREENVILLE, GA 30222  
404-822-3506

**DEVELOPER:**  
KC NUMMY, INC.  
CONTACT: M. KEITH BUTLER  
324 MENDEL PKWY.  
MONTGOMERY, AL 36117  
334-271-0600

ENGINEER / SURVEYOR:  
SCANLON ENGINEERING SERVICES, INC.  
CONTACTS: MICHAEL J. SCANLON, P.E. (ENGINEER OF RECORD)  
MARK A. BUCKNER (SURVEYOR OF RECORD)  
221 EAST BANK STREET  
GRIFFIN, GA 30224  
678-967-2051

DEEDS:  
DB 53916 PG 483

PROPERTY ZONED: AG-1

TOPOGRAPHIC INFORMATION BASED ON FIELD RUN TOPO BY  
SCANLON ENGINEERING SERVICES, INC.

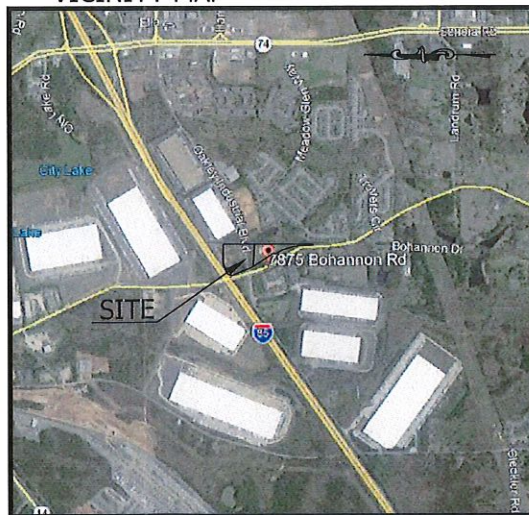
VERTICAL DATUM NAVD 88.

A PORTION OF THIS PROPERTY IS LOCATED IN FLOOD ZONE A PER  
F.I.R.M. MAP 13121C 0462F DATED 9/18/13.

TRACT A & TRACT B ARE SERVED SANITARY SEWER BY A MUNICIPAL SEWER SYSTEM.

TRACT A & TRACT B ARE SERVED POTABLE WATER BY A MUNICIPAL WATER SYSTEM.

VICINITY MAP



I hereby certify that this proposed preliminary plat conforms to the requirements of the development codes and ordinances of the city:

Development Coordinator	Date
-------------------------	------

City Engineer \_\_\_\_\_ Date \_\_\_\_\_

I hereby submit this preliminary plat as the owner, or the authorized agent, of all property shown thereon.

Signature of Authorized Agent / Owner	Date
---------------------------------------	------

Name of Owner / Agent (Printed)

## Approval.

All requirements of the city relative to the preparation and submission of this preliminary plat have been fulfilled and approval of this plat is hereby granted. This approval expires in 180 days from this date if the owner / developer fails to secure final plat approval by that time.

Owner / Developer	Date
-------------------	------

Acknowledged by	Date
-----------------	------

Mayor/ City Administrator	Date
---------------------------	------

### Designer's Certification

I hereby certify that the plans for the proposed subdivision shown on this preliminary plat were prepared by me or under my direct supervision:

---

Michael J. Scanlon - Registered Engineer No. 24981                      Date

---

Mark A. Buckner - Registered Land Surveyor No. 2422 Date \_\_\_\_\_

The term "Certification" as used in Rule "180-6-.09(2) and (3)" and relating to professional engineering or land surveying services, as defined in O.C.G.A. 43-15-2(6) and (11), shall mean a signed statement based upon facts and knowledge known to the registrant and is not a guarantee or warranty, either expressed or implied.

This survey complies with both the rules of the Georgia Board of Registration for Professional Engineers and Land Surveyors and the Official Code of Georgia Annotated (OCGA) 15-6-67. In that where a conflict exists between those two sets of specifications, the requirements of law prevail.

**SCANLON ENGINEERING SERVICES, INC.**

221 EAST BANK STREET  
GRIFFIN, GEORGIA 30223  
PHONE: (678) 967-2051 [www.scanloneng.com](http://www.scanloneng.com)

Rev.	Description	Date
1	same	same
2	same	same
3	same	same

Project #: 117230001	Drawn by: JWS	Review by: MAB	Date: 12/10/18
-------------------------	------------------	-------------------	-------------------



### SHEET DESCRIPTION

PRELIMINARY PLAT

SHEET NUMBER

477C

SHEET 1 OF 1



**CITY OF FAIRBURN  
PLANNING AND ZONING COMMISSION  
AGENDA ITEM**

**SUBJECT: 19P-004 PRELIMINARY PLAT REVIEW – OCP Fairburn Preliminary Plat**

( ) AGREEMENT ( ) POLICY / DISCUSSION ( ) CONTRACT  
( ) ORDINANCE ( ) RESOLUTION ( X ) OTHER

**Planning and Zoning Commission: 02.05.19**

**DEPARTMENT:** Community Development/Planning and Zoning

**BUDGET IMPACT:** None

---

**PURPOSE:** For the Planning and Zoning Commission to approve the OCP Fairburn preliminary plat.

**DISCUSSION:** The property is located on the southeast side of Highway 74 (Senoia Road). The property is zoned C-2 (General Commercial) and is located in the GA Highway 74 Overlay District. The applicant is requesting to subdivide the parcel as follows:

Lot	Acreage
4B-1	31.046 +/-
4B-2	1.868 +/-

The preliminary plat has been reviewed by staff and meets all the current regulations of the City's Ordinances.

**RECOMMENDED ACTION:** Staff recommends the **APPROVAL** of the OCP Fairburn Preliminary Plat.

Attachment: OCP Fairburn Preliminary Plat







**CITY OF FAIRBURN  
PLANNING AND ZONING COMMISSION  
AGENDA ITEM**

Date: February 5, 2019  
To: Planning and Zoning Commission  
From: Tarika Peeks, Senior Planner  
Agenda Item: **19C-002 – Fairburn Commons [parcel # 09F020100121139]** a request to review the conceptual site plan for a 12,800 square-foot multi-tenant commercial development on Highway 74/Senoia Road.

**BACKGROUND:** The subject property is located at the southeast corner of Senoia Road and the unnamed access road across from Meadow Glen Parkway. The site is approximately 1.86 acres. The property is zoned C-2 (General Commercial District) and is located in the Georgia Highway 74 Overlay District.

**DISCUSSION:** The applicant is proposing to construct a 12,800 square-foot multi-tenant commercial development with associated driveways, parking, utilities, and landscaping. The applicant will be required to meet all parking regulations. The site has two proposed ingresses/egresses: one on Renaissance Parkway and the access road connected to Highway 74/Senoia Road. Stormwater detention is proposed by a regional detention system. The building will be required to have an all brick front façade and majority brick or stone on the side and rear elevations, as regulated by the Highway 74 Overlay District.

**PARCEL MAP**





***STAFF RECOMMENDATION:*** APPROVAL CONDITIONAL of the conceptual site plan to construct a 12,800 square foot multi-tenant commercial development. The staff has reviewed the proposed conceptual site plan and the plan has met the requirements for a conceptual review. Staff has recommended two (2) conditions.

The approval of the site plan is conceptual only. 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:***

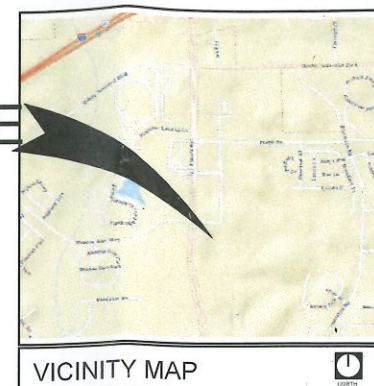
Should the Planning and Zoning Commission decide to approve the conceptual site plan, the staff recommends the approval be subject to the following conditions. The applicant's agreement to these conditions would not change staff recommendations. These conditions shall prevail unless otherwise stipulated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

1. To the Site Plan submitted to the Department of Community Development dated received January 31, 2019. Said site plan is conceptual only and must meet or exceed the requirements of the City's regulations 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 City Engineer or designee.
2. Prior to construction, provide the city with copies of the approved agreements/easements between all involved parties/owners for the driveway; inter-parcel access ways, and sidewalks. All plans for the 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.

***Attachments:***

- Conceptual Site Plan
- Elevations

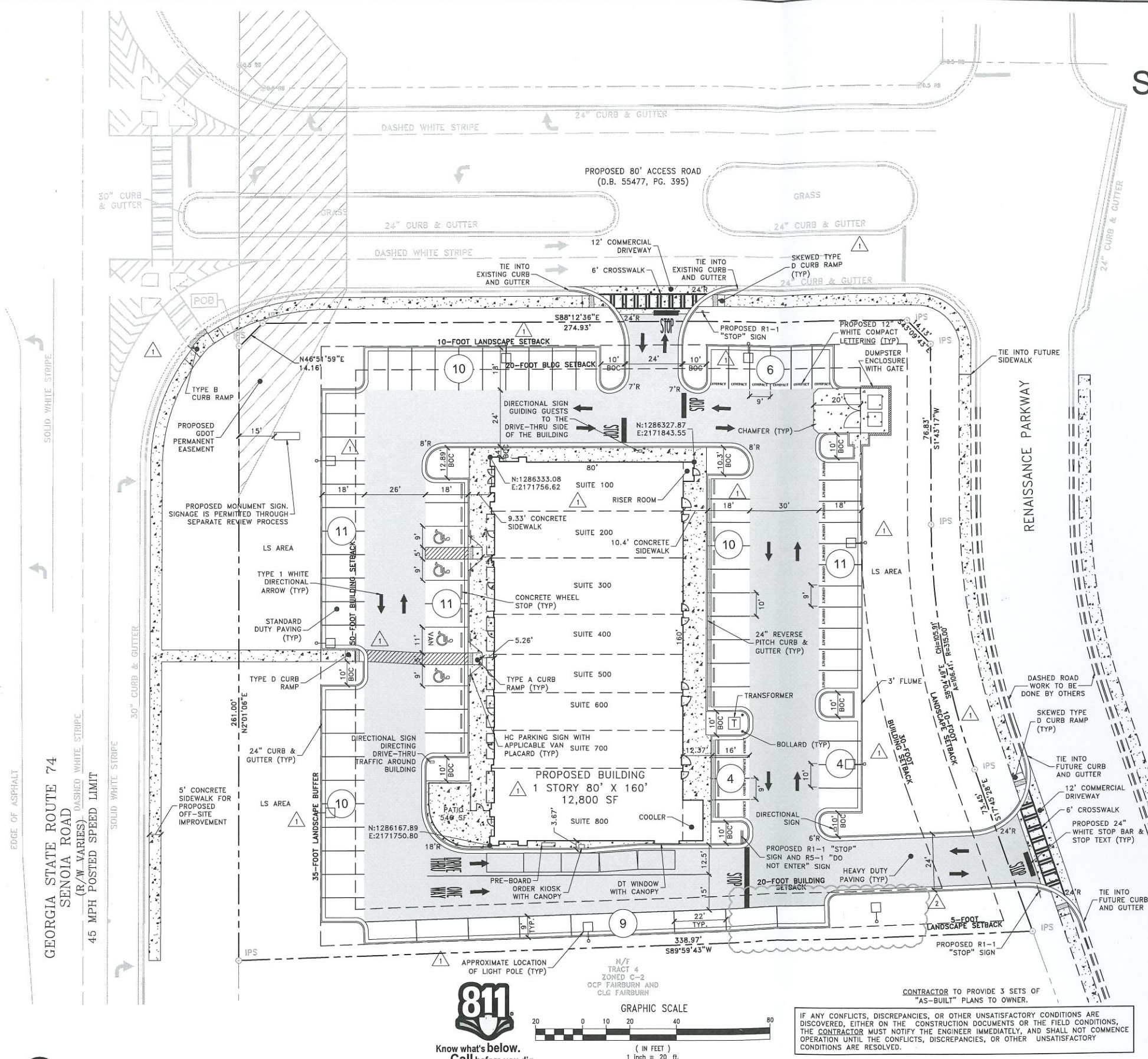




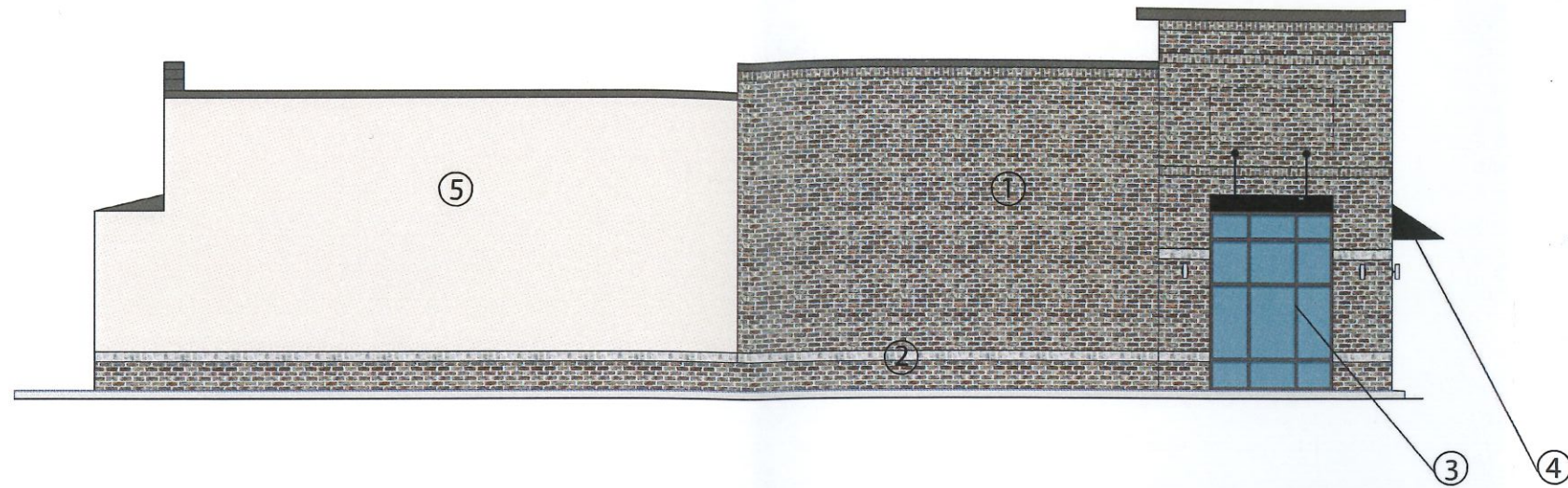
SITE DATA	
TOTAL SITE AREA	±1.87 ACRES
PROPOSED BUILDINGS	±12,800 SF
ZONING	C-2
USE	RETAIL/RESTAURANT
IMPERVIOUS AREA	±57,499 SF
TOTAL PROPOSED BUILDING	±12,800 SF
CITY PARKING REQUIRED	64 SPACES 1 SPACE/200 SF
TOTAL PARKING PROVIDED	86 SPACES (INCLUDING 4 HC SPACES) 6.71/1,000 SF
FULL-SIZE PARKING SPACES	65 SPACES (76%)
COMPACT PARKING SPACES	21 SPACES (24%)
VEHICLE-USE AREA	±35,520 SF
INTERIOR LANDSCAPE AREA	±8,087 SF (23%)

SITE LEGEND	
PROPOSED CURB & GUTTER	
REVERSED PITCH CURB & GUTTER	
PROPERTY LINE	
ADJOINING LOT LINE	
FENCING	
TRAFFIC FLOW	
STRIPING	
PARKING BAY COUNT	
HEAVY DUTY PAVING	
CONCRETE	
STANDARD DUTY PAVING	
OVERLAY PAVING	
EXISTING FEATURES SCREENED	

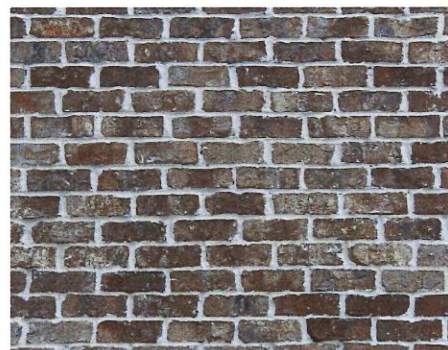
CIVIL ENGINEERS \* LAND PLANNERS  
LANDSCAPE ARCHITECTS \* SURVEYORS







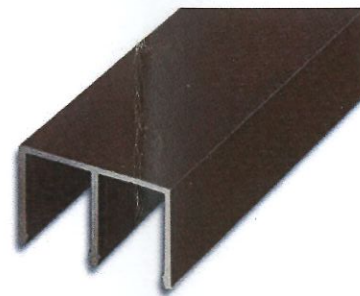
1 NORTH (SIDE) ELEVATION  
NTS



1) Main Field Brick: Cherokee -  
French Country Gray HC GA



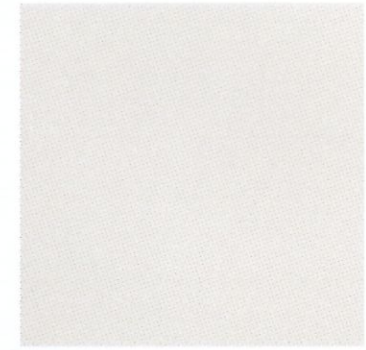
2) Secondary Field and Accent Brick:  
Cherokee - Augusta GA



3) Dark Bronze Aluminum Storefront

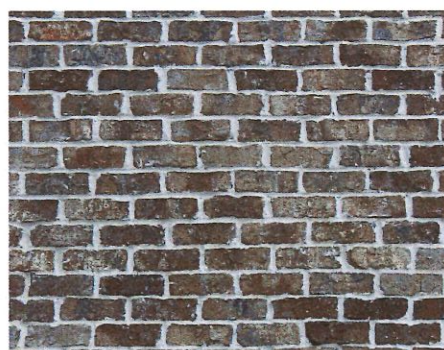
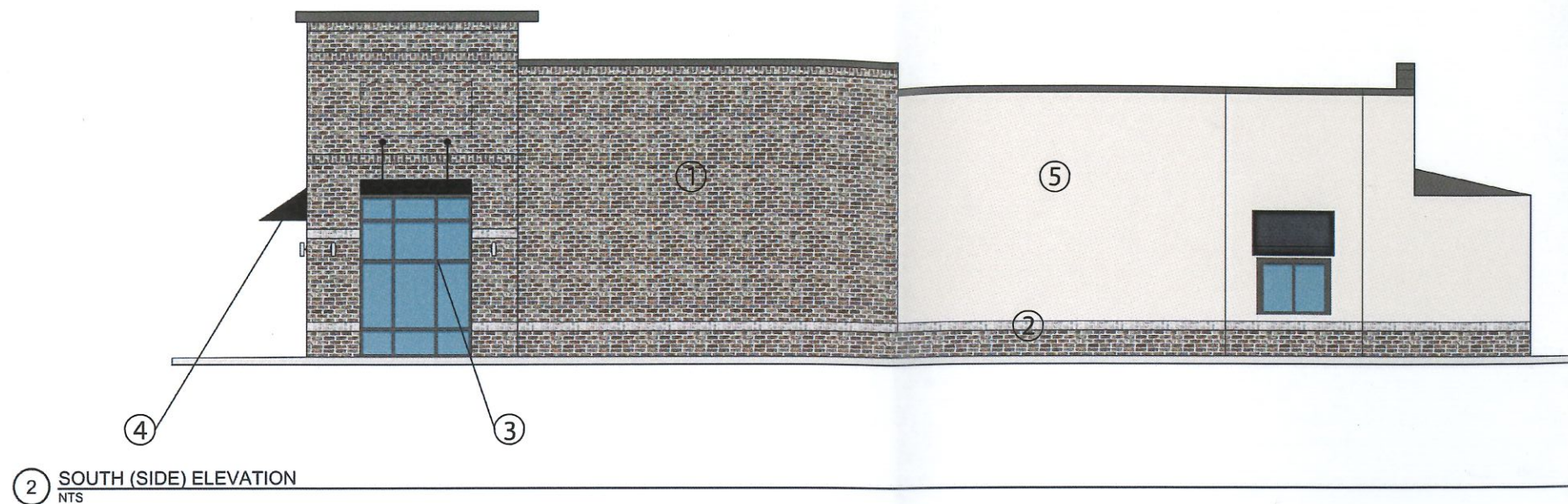


4) Sunbrella - Black



5) Stucco: Sherwin  
Williams - Aesthetic  
White

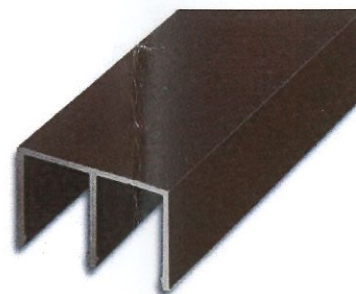




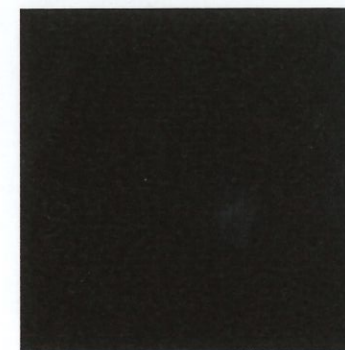
1) Main Field Brick: Cherokee -  
French Country Gray HC GA



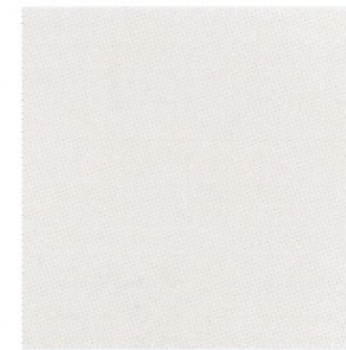
2) Secondary Field and Accent Brick:  
Cherokee - Augusta GA



3) Dark Bronze Aluminum Storefront



4) Sunbrella - Black

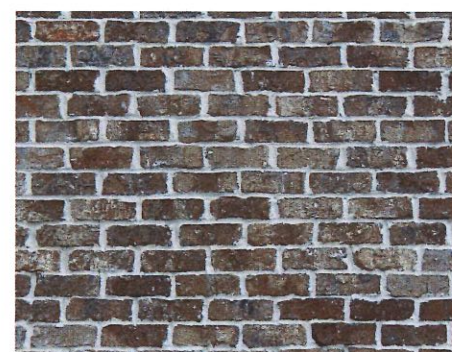


5) Stucco: Sherwin  
Williams - Aesthetic  
White





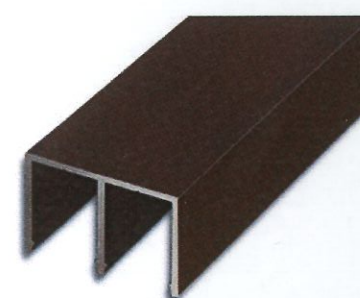
FAIRBURN ELEVATION



1) Main Field Brick: Cherokee -  
French Country Gray HC GA



2) Secondary Field and Accent Brick:  
Cherokee - Augusta GA

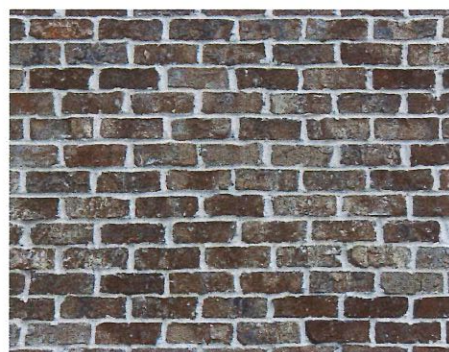
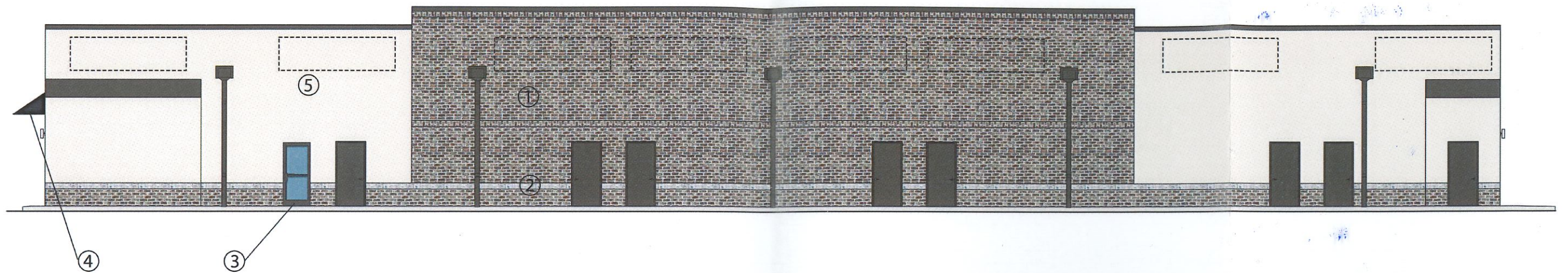


3) Dark Bronze Aluminum Storefront



4) Sunbrella - Black

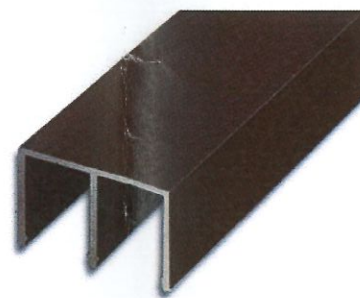




1) Main Field Brick: Cherokee -  
French Country Gray HC GA



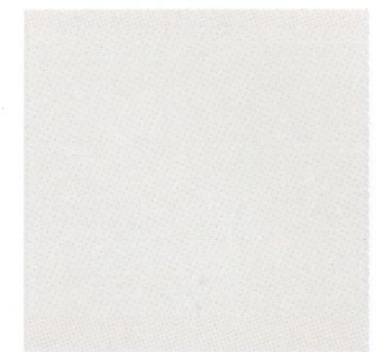
2) Secondary Field and Accent Brick:  
Cherokee - Augusta GA



3) Dark Bronze Aluminum Storefront



4) Sunbrella - Black



5) Stucco: Sherwin  
Williams - Aesthetic  
White





**CITY OF FAIRBURN  
PLANNING & ZONING COMMISSION  
AGENDA ITEM**

**SUBJECT: REZONING 18RZ-007 – 6905 Development Company [Renaissance Festival]**

(    ) AGREEMENT            (    ) POLICY / DISCUSSION            (    ) CONTRACT  
(    ) ORDINANCE            (    ) RESOLUTION            ( X ) OTHER

**Planning and Zoning Commission: 02.05.19**

**Mayor and City Council: 02.25.19**

**DEPARTMENT:** Community Development/Planning and Zoning

**BUDGET IMPACT:** None

**PUBLIC HEARING:** (    ) Yes            ( X ) No

---

Jack Sias of 6905 Development Company [Renaissance Festival] seeks to rezone the subject property located at 592 Rivertown Road from **R-1 (Single-Family Residential District)** to **AG-1 (Agricultural District)** to allow the expansion of Renaissance Festival parking.

**STAFF RECOMMENDATION: APPROVAL CONDITIONAL**

## APPLICATION INFORMATION

### Rezoning Petition 18RZ-007 6905 Development Company [Renaissance Festival]

#### APPLICANT/PETITIONER INFORMATION

<b>Property Owner</b> 6905 Development Company Jack Sias	<b>Petitioner</b> 6905 Development Company Jack Sias
--	--

#### PROPERTY INFORMATION

<b>Address</b>	592 Rivertown Road [parcel no. 09F180000700372], 0 Rivertown Road [parcel no. 09F180000700364]
<b>Land Lot, and District:</b>	Land Lot 70 and District 9F
<b>Frontage:</b>	Rivertown Road
<b>Area of Property:</b>	+/- 21.41 acres
<b>Existing Zoning and Use:</b>	R-1 (Single-Family Residential District) and Single-Family Residential
<b>Overlay District:</b>	N/A
<b>2035 Comprehensive Future Land Use Map Designation:</b>	Rural Residential
<b>Compatibility with Fairburn's 2035 Comprehensive Plan:</b>	The proposed use and rezoning to AG-1 (Agricultural District) is compatible with the 2035 Comprehensive Plan.
<b>Proposed Zoning:</b>	AG-1 (Agricultural)

#### MEETING AND HEARING DATES

**Planning and Zoning Commission Meeting**  
Tuesday, February 5, 2019

**Mayor and City Council Public Hearing**  
Monday, February 25, 2019

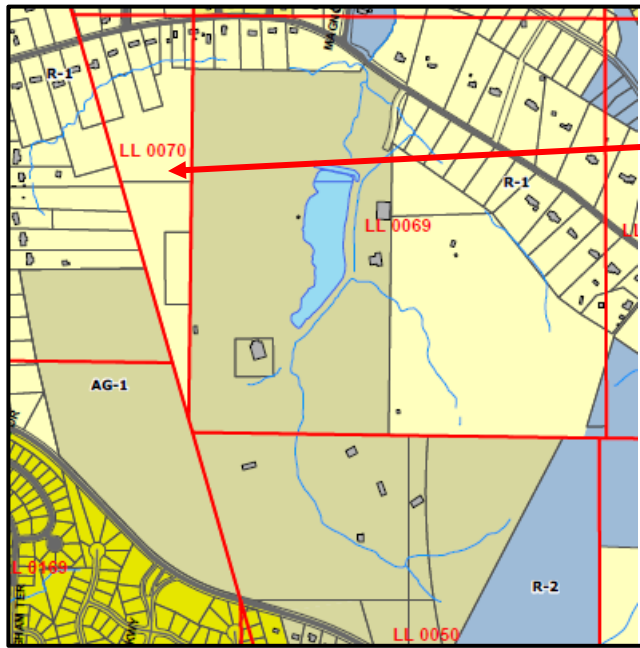
#### INTENT

To rezone the subject property located at 592 Rivertown Road from **R-1 (Single-Family Residential) District** to **AG-1 (Agricultural District)** to allow the expansion of Renaissance Festival parking.

#### SURROUNDING ZONING

**North:** R-1 (Single-Family Residential District) and R-3 (Single-Family Residential District)  
**East:** R-1 (Single-Family Residential District) and AG-1 (Agricultural District)  
**South:** AG-1 (Agricultural District) and PD (Planned Development District)  
**West:** AG-1 (Agricultural District) and R-1 (Single-Family Residential District)

## Zoning Map



**18RZ-007**  
**21.41 acres**

## **PUBLIC PARTICIPATION**

The applicant held a community meeting on Thursday, January 31, 2018, 7:00 p.m. at the Fairburn Annex located at 40 Washington Street. Property owners located within 500 feet of the subject property were invited to the meeting.

## **STAFF COMMENTS**

### Engineering/Public Works:

- Lives and property are endangered by traffic created by festivals which are unregulated and uncontrolled and by vehicles for which no provisions for parking and safe ingress and egress have been made by festival operators. Sec. 14-94(b)
- As such, turning lanes will likely be required by the City to meet projected traffic demand. There is already a traffic problem in this residential area due to festival activities. The proposed expansion will only exacerbate the situation. The installation of turning lanes may also trigger other development requirements that may not have been originally captured such as the installation of curb and gutter, sidewalk, striping and signage, etc. If the proposed secondary entrance will be utilized solely for emergency purposes, these requirements may only be obligatory at the existing entrance if these traffic control and pedestrian safety measures are not currently present there. However, should the use of the secondary entrance extend beyond emergency access only, then these improvements would also be applicable at this location as well.

Fire: Reviewed; no comments provided.

Water and Sewer: Reviewed; no comments provided.

Utility: Reviewed; no comments provided.



## ZONING IMPACT ANALYSIS

***A. Does the proposal permit a use that is suitable in view of the use and development of adjacent and nearby property?***

The applicant is proposing to rezone the subject property to AG-1 (Agricultural District) to be consistent with the current zoning of the Renaissance Festival property, which is AG-1 (Agricultural District). The property will be used to provide additional parking for festival attendees. The staff is of the opinion that the proposed use is suitable in view of the use and development of adjacent and nearby property. The surrounding area consists of: R-1 (Single-Family Residential District) and R-3 (Single-Family Residential District) to the north, R-1 (Single-Family District) and AG-1 (Agricultural District) to the east, AG-1 (Agricultural District) and PD (Planned Development) to the south, and AG-1 (Agricultural District) and R-1 (Single-Family Residential District) to the west.

***B. Does the proposal adversely affect the existing use or usability of adjacent or nearby property?***

The staff is of the opinion that the petition if approved will not have an adverse impact on the use or usability of adjacent or nearby properties. The surrounding properties are zoned AG-1 (Agricultural District), R-1 (Single-Family Residential District) and R-3 (Single-Family Residential District).

***C. Does the property have a reasonable economic use as currently zoned?***

The staff is of the opinion that the subject property has a reasonable economic use as currently zoned.

***D. Will the proposal result in a use that could cause excessive or burdensome use of existing streets, transportation facilities, utilities or schools?***

The staff is of the opinion that the proposal will not result in a use which will cause additional burdens on the existing streets, transportation facility, utilities or schools. The Renaissance Festival generate a significant amount of traffic during the six weeks of its seasonal operation. With the creation of additional parking spaces, vehicles will be able to move faster on/off Virlyn B. Smith Road, which will decrease traffic congestion. The proposed secondary entrance on Rivertown Road will provide a controlled access only for emergency vehicles. The main access point into the festival will remain on Virlyn B. Smith Road.

***E. Is the proposal in conformity with the policies and intent of the land use plan?***

The applicant is proposing to rezone the subject property from R-1 (Single-Family Residential District) to AG-1 (Agricultural District) for the future expansion of Renaissance Festival parking. The staff is of the opinion that the proposal is consistent with the Future Development Map, which designates the property as Rural Residential. The rural residential character area is meant to preserve a rural feel and transition to the very low-density uses in the rural areas surrounding the city in unincorporated Fulton, Fayette, and Coweta counties. One acre or larger lots are appropriate in these areas. The appropriate zoning districts for the rural residential character areas, as referenced in the Comprehensive Plan are: AG-1 (Agricultural District), R-1 (Single-Family District), R-2 (Single-Family District), R-3 (Single-Family District), and R-4 (Single-Family District). Also, rezoning the subject property to AG-1 (Agricultural District) is consistent with the current zoning of the Renaissance Festival property.

The appropriate land uses for the Rural Residential Character Areas, as referenced in the Comprehensive Plan are:

- Single-family residential
- Parks/Playgrounds
- Golf Courses
- Schools
- Churches

***F. Are there existing or changing conditions that affect the use and development of the property which support either approval or denial of the proposal?***

The staff is of the opinion that there are no existing or changing conditions affecting the use and development of the property, which give supporting grounds for approval or denial of the applicant's proposal.

***G. Does the proposal permit a use that can be considered environmentally adverse to the natural resources, environment, and citizens of Fairburn?***

The staff is of the opinion that the proposal would not permit a use which could be considered environmentally adverse to the natural resources, environment, or citizens of Fairburn. The developer will be required to adhere buffer standards and erosion control BMPs (Best Management Practices).

**STAFF RECOMENDATION**

It is the opinion of staff that the rezoning request is in conformity with the Future Development Map, which designates the property as, Rural Residential. The current zoning for the Renaissance Festival property is AG-1 (Agricultural District) and the Future Development Map designates the property as Rural Residential. Rezoning the subject property from R-1 (Single-Family District) to AG-1 (Agricultural District) will be consistent with the current zoning of the Renaissance Festival property. Therefore, based on these reasons staff recommends **APPROVAL CONDITIONAL** of the rezoning petition.

Should the Mayor and City Council decide to rezone the subject property from R-1 (Single-Family Residential District) to AG-1 (Agricultural District) the staff recommends the following conditions. The applicant's agreement to these conditions would not change staff recommendations. These conditions shall prevail unless otherwise stipulated by the Mayor and City Council.

**A. To the owner's agreement to abide by the following:**

1. The property shall be developed in substantial conformity with the Zoning Site Plan prepared by Integrated Science and Engineering and submitted with the original rezoning application stamped received September 04, 2018. Said site plan is conceptual only and must meet or exceed the requirements of the City's ordinances prior to the approval of a Land Disturbance Permit. Any major deviation from this site plan is subject to approval by the City Engineer or designee.

**B. To the owner's agreement to the following site development considerations:**

1. Provide a 50-foot undisturbed vegetated buffer and fencing around the perimeter of the subject property where it directly abuts residential zoned properties.
2. The site shall be developed to restrict the secondary entrance on Rivertown Road for emergency vehicle access.

**ATTACHMENTS**

Letter of Intent  
Impact Analysis  
Conceptual Site Plan









**CITY OF FAIRBURN  
PLANNING & ZONING COMMISSION  
AGENDA ITEM**

**SUBJECT: REZONING 18RZ-004 with a Concurrent Use Permit [18U-005] - Exeter Bohannon Land, LLC**

(    ) AGREEMENT            (    ) POLICY / DISCUSSION            (    ) CONTRACT  
(    ) ORDINANCE            (    ) RESOLUTION            ( X ) OTHER

**Planning and Zoning Commission: 02.05.19**

**Mayor and City Council: 02.25.19**

**DEPARTMENT:** Community Development/Planning and Zoning

**BUDGET IMPACT:** None

**PUBLIC HEARING:** (    ) Yes            ( X ) No

---

Exeter Bohannon Land, LLC seeks to rezone 3.78 acres from **AG-1 (Agricultural District)** to **PD (Planned Development)** with a concurrent use permit to allow a M-1 (Light Industrial) use.

**STAFF RECOMMENDATION: DENIAL**

January 8, 2019: Planning and Zoning Commission recommended Continuance to the February 5, 2019 Planning and Zoning Commission Meeting and February 25, 2019 Mayor and City Council Meeting

January 28, 2019: Mayor & City Council recommended Continuance to the February 5, 2019 Planning and Zoning Commission Meeting



## APPLICATION INFORMATION

### Rezoning Petition 18RZ-004 with a Concurrent Use Permit [18U-005] Exeter Bohannon Land, LLC

#### APPLICANT/PETITIONER INFORMATION

<b>Property Owner</b>	<b>Petitioner</b>
Lacy Curry	Exeter Bohannon Land, LLC c/o Doug Dillard

#### PROPERTY INFORMATION

<b>Address:</b>	6560 Bohannon Road [Parcel # 07 400001800462]
<b>Land Lot and District:</b>	Land Lot 180, District 7
<b>Frontage:</b>	Bohannon Road
<b>Area of Property:</b>	+/- 3.78 acres
<b>Existing Zoning and Use:</b>	AG-1 (Agricultural District) and Single-Family Residential, Agricultural use
<b>Overlay District:</b>	N/A
<b>Prior Zoning Cases/History:</b>	The subject site was a part of the Line Creek Area annexation which was approved on October 26, 2006. The property was annexed from Fulton County and rezoned, from CUP (Community Unit Plan) to PD (Planned Development).
<b>2035 Comprehensive Future Land Use Map Designation:</b>	Greenspace
<b>Compatibility with Fairburn's 2035 Comprehensive Plan:</b>	The proposed PD (Planned Development District) zoning and use permit to allow a M-1 (Light Industrial District) use is not consistent with the Comprehensive Plan and Future Development Map.
<b>Proposed Zoning:</b>	PD (Planned Development District)

#### MEETING AND HEARING DATES

##### Planning and Zoning Commission Meeting

Tuesday, January 8, 2019  
Tuesday, February 5, 2019

##### Mayor and City Council Public Hearing

Monday, January 28, 2019  
Monday, February 25, 2019

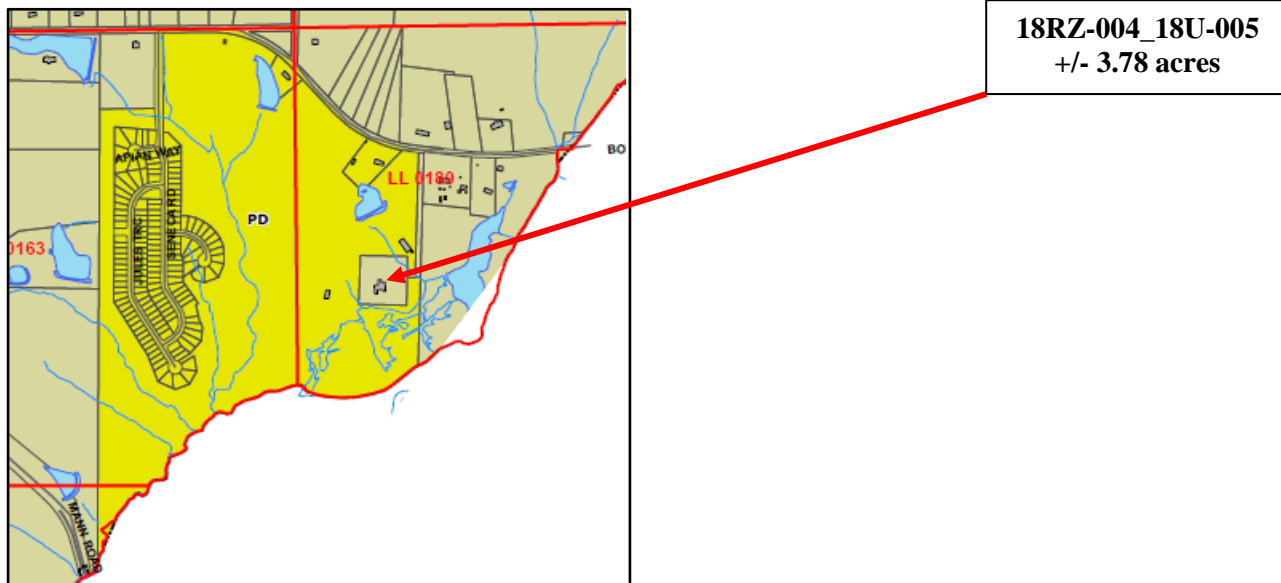
#### INTENT

A request to rezone the subject property from **AG-1 (Agricultural District)** to **PD (Planned Development)** with a Use Permit to allow a M-1 (Light Industrial) use.

#### SURROUNDING ZONING

**North:** AG-1 (Agricultural District) and R-4 (Single-Family Residential District), and PD (Planned Development)  
**East:** AG-1 (Agricultural District)  
**South:** Fayette County and PD (Planned Development)  
**West:** PD (Planned Development)

## Zoning Map



## **STAFF COMMENTS**

### Engineering/Public Works:

- According to Section 71-39 of the City of Fairburn Code of Ordinances, “In the event that a development has access to a substandard street and if that substandard street provides the primary means of access to the development, the substandard street, except as indicated in subsection (c) of this section, shall be fully upgraded and the full width of the roadway overlaid with asphaltic concrete surface course along the entire property frontage and continuing to the nearest standard paved road along the route of primary access.  
(c) The upgrading of substandard streets used for access will not be required if any of the following conditions are met:
  1. The development consists of a single, one-family or two-family residence on an existing recorded lot within the city.
  2. The development is a small business with ingress/egress of less than 100 vehicles per day.As such, Creekwood and Bohannon Roads may be required to be upgraded to accommodate to proposed operation of the proposed development. This upgrade may include complete roadway reconstruction, road widening, and bridge replacement.
- The site is not located on a designated truck route. As such truck access would be prohibited. It shall be unlawful for a person or business entity to operate or park a truck on any city street, road, drive, or avenue which is not designated as a truck route pursuant to Section 56-93 of the City of Fairburn’s Code of Ordinances.
- When property fronting on an existing city street is to be developed or when the property is to be accessed from the existing city street, the developer shall cause to be constructed roadway improvements (pavement, signing, striping, curb and gutter and drainage) which are required along the existing road across the entire property frontage at no cost to the city. Required improvements shall not be less than provided in these regulations for the designated street classification. [Sec. 71-37 (a)]
- Turning lanes shall be required by the city to meet projected traffic demand and/or safe operations, as determined by the city engineer.
- Sidewalks are required on all street frontages regardless of the zoning district in which the street is located. All sidewalks shall have a minimum width of five feet.

### Fire:

- The developer will need to provide water flow calculations for this development.

#### Water and Sewer:

- This property is outside the current service area for water service and wastewater collection of the City of Fairburn Water & Sewer Department.

#### Utility:

- The City of Fairburn does not provide services to this area.

## **ZONING IMPACT ANALYSIS**

### **ZONING**

#### ***A. Does the proposal permit a use that is suitable in view of the use and development of adjacent and nearby property?***

The applicant is proposing to rezone the subject property to PD (Planned Development District) with a concurrent use permit to allow for the development of a 492,480 square foot warehouse with associated vehicle parking, truck parking and stormwater management facility.

The staff is of the opinion that the proposed use is not suitable in view of the use and development of adjacent and nearby property. The surrounding area consists of: AG-1 (Agricultural District), R-4 (Single-Family District), and PD (Planned Development District) to the north, AG-1 (Agricultural District) to the east, Fayette County and PD (Planned Development) to the south, and PD (Planned Development) to the west.

#### ***B. Does the proposal adversely affect the existing use or usability of adjacent or nearby property?***

The staff is of the opinion that the petition if approved would have an adverse impact on the use or usability of adjacent or nearby properties. The surrounding properties are zoned AG-1 (Agricultural District) and PD (Planned Development). A single-family residential subdivision is located to the west of the proposed warehouse development and there are large single-family residential lots in the surrounding area along Bohannon, Creekwood and Johnson Roads. The area is rural in character and the predominate land use surrounding the subject property is single family and rural residential.

#### ***C. Does the property have a reasonable economic use as currently zoned?***

The staff is of the opinion that the subject property has a reasonable economic use as currently zoned, as AG-1 (Agricultural District). The subject property is surrounded by PD (Planned Development District) and AG-1 (Agricultural District) zoning districts, consisting of single-family and rural residential land uses. The applicant's request to develop a warehouse (M-1 Light Industrial) will not be consistent with the existing land use of single-family and rural residential.

#### ***D. Will the proposal result in a use that could cause excessive or burdensome use of existing streets, transportation facilities, utilities or schools?***

The staff is of the opinion that the proposal will significantly result in a use that could cause excessive or burdensome use of the existing streets and transportation facility due to the narrow width of the roads and limited weight capacity of the bridge on Creekwood Road. The proposed development will generate an additional 158 trucks daily on the existing roads. The applicant submitted a traffic impact study, prepared by Calyx Engineers + Consultants on November 21<sup>st</sup> and January 7<sup>th</sup> (revision). The traffic impact study provided the following findings and recommendations:



1. All of the existing study intersections are expected to operate adequately during the weekday peak volume hours with the existing lane configurations and controls. The new development driveways will operate adequately with stop sign controls and single lane approaches.
2. Creekwood Road between Oakley Industrial Boulevard and Johnson/Bohannon Road will need to be improved to accommodate the approximately 158 trucks entering and 158 trucks exiting the development daily. The lanes should be at least 12 feet wide and the existing stream crossing should be replaced to allow for heavy truck use. The weight limiting signs and truck prohibition signs should be removed when this is completed.
3. No mitigating improvements at the study intersections were identified in the traffic impact analyses.

See the attached “traffic study recommendations and executive summary”.

The traffic study was reviewed by David A. Fairlie, P.E., Senior Transportation Engineer at Moreland Altobelli on behalf of the City of Fairburn. The following findings and recommendations were expressed by Mr. Fairlie:

1. Creekwood Road is not adequate for the volume of heavy vehicles that the site would generate due to the narrow lanes, narrow shoulder and the bridge with limited weight capacity. The developer anticipates that all truck traffic to/from the site, which amounts to 158 trucks entering and 158 exiting daily, would travel on Creekwood Road. Even if the trucks were to travel on Bohannon Road, to the east toward Oakley Industrial Boulevard, the conditions of Bohannon Road, south of Oakley, are the same as Creekwood Road. Work would need to be done on either roadway in order to accommodate heavy truck traffic.
2. The traffic impact study should also include a summary of crash data for Bohannon Road and for Creekwood Road. I did a quick search of GDOT’s crash data (from 2014 to 2018) and found that a few of the crashes involved semi-trailers, specially at the intersection of Bohannon Road at Oakley industrial Blvd. and even a couple on sections of road (either Bohannon or Creekwood) currently posted for no truck traffic. This is relevant since truck crashes could increase if trucks are allowed to travel on roadways with narrow shoulders and narrow lanes.

***E. Is the proposal in conformity with the policies and intent of the land use plan?***

The staff is of the opinion that the proposal is not consistent with the Future Development Map, which designates the site as Greenspace. The Comprehensive Plan states, “The Greenspace Character Area is for land dedicated to active or passive recreational uses, as well as greenspace and wildlife management”. The development strategies for the Greenspace Character Area, as referenced in the Comprehensive Plan are:

- Creation of a central community park/plaza in Downtown Fairburn
- Provide accessible and diverse open spaces that allow for Fairburn residents and visitors to meet, interact, and understand the natural environment of the city
- Connect parks and open spaces with open space corridors and/or a transportation network that is hospitable to and safe for pedestrians and bicyclists
- Preserve and restore natural drainage patterns and topography that help manage stormwater runoff and maintain or improve water quality
- Discourage development in the 100-year flood plain
- Continue to designate riparian buffers for the protection of streams

The applicant is proposing to rezone the subject property from AG-1 (Agricultural District) to PD (Planned Development District) with a concurrent use permit to allow a M-1 (Light Industrial District) use, a 492,480 square foot warehouse. The intent of the PD (Planned Development) district is to develop large tracts of land as planned communities with a combination of three or more of the following uses: single-family residential, multi-family, commercial, office, institutional, industrial and conservations. However, M-1 (Light Industrial District) and M-2 (Heavy Industrial District) uses are not classified as permitted use in PD (Planned Development District). An

industrial use proposed for a PD (Planned Development) district is only allowed through the approval of a use permit. This is evident that the intent of PD (Planned Development District) is to encourage flexible and creative concepts in site planning, as well as provide for an efficient use of land.

The appropriate land uses for the Greenspace Character Areas, as referenced in the Comprehensive Plan are:

- Playgrounds
- Public Parks
- Nature Preserves
- Golf Courses
- Amphitheaters/Pavilions
- Sports Fields
- Bike/Pedestrian/Running Trails

***F. Are there existing or changing conditions that affect the use and development of the property which support either approval or denial of the proposal?***

The staff is of the opinion that there are no existing or changing conditions affecting the use and development of the property, which give supporting grounds for approval or denial of the applicant's proposal.

***G. Does the proposal permit a use that can be considered environmentally adverse to the natural resources, environment, and citizens of Fairburn?***

The southern border of the proposed warehouse site has a significant amount of wetlands area. Also, the site has been designated as a water supply watershed and groundwater recharge area. The wetlands, water supply watersheds and groundwater recharge areas within the City of Fairburn have all been identified by the Atlanta Regional Commission as "Regionally Important Resources".

The proposed warehouse development was submitted to Fulton County Board of Health, Environmental Justice Program for review. Staff has not received any public health or environmental justice comments.

## **USE PERMIT CONSIDERATIONS**

**A. Whether the proposal use is consistent with the comprehensive land use plan adopted by the city council;**

The staff is of the opinion that the proposal is not consistent with the Comprehensive Plan and Future Development Map, which designates the site as Greenspace. The Comprehensive Plan states, "The Greenspace Character Area is for land dedicated to active or passive recreational uses, as well as greenspace and wildlife management".

**B. Compatibility with the land uses and zoning districts in the vicinity of the property for which the use permit is proposed;**

The staff is of the opinion that the proposed use is not compatible with the land uses and zoning in the vicinity of the property. The surrounding area consists of the following zoning districts: AG-1 (Agricultural District), R-4 (Single-Family District), and PD (Planned Development District) to the north, AG-1 (Agricultural District) to the east, Fayette County and PD (Planned Development) to the south, and PD (Planned Development District) to the west. The land uses in the area are predominately single-family and rural residential (agricultural).

**C. Whether the proposed use may violate local, state and/or federal statutes, ordinances or regulations governing land development;**

Staff is not aware of the proposed use to be in violation of local, state, and/or federal statutes, ordinance or regulations governing land development.



**D. The effect of the proposed use on traffic flow, vehicular and pedestrian, along adjoining streets**

Based on the traffic impact study provided by Calyx Engineers + Consultants, approximately 158 trucks will enter and exit the warehouse facility daily. All of the new truck trips will use Creekwood Road north of the site to primarily access SR 74 an I-85 to originate and terminate at destinations north of the site. Approximately 10% of the new personal vehicle trips are expected to use Johnson and Bohannon Roads to/from the east and west of the site, while 80% are expected to use Creekwood Road north of the site. There are no existing pedestrian, bicycle, or transit facilities in the area of the proposed development. All of the existing study intersections are expected to operate adequately during the weekday peak volume hours with the existing lane configurations and controls.

**E. The location and number of off-street parking spaces;**

The required parking for the 492,480 square foot warehouse facility is:

Vehicle parking: 106 spaces  
Truck parking: 98 spaces

The applicant is proposing to provide 277 vehicle and 123 trailer parking spaces.

**F. The amount and location of open space;**

The applicant will be required to adhere to the city's ordinance, Article X - Buffers and Open space, Section 80-373 - Open Space Reservation. The impervious area is 31.4% of the 72.58-acre site.

**G. Protective screening;**

The applicant will be required to provide a 50-foot undisturbed vegetated buffer and fencing around the perimeter of the subject property where it abuts residential zoned property. See the attached Evergreen Buffer Exhibit.

**H. Hours and manner of operation;**

The applicant states, "The operation manner and hours will be industry standards for similarly situated e-commerce/cross dock facilities".

**I. Outdoor lightning; and**

The applicant states, "All building lights will be directed downward and perimeter lighting shall be directed toward the interior of the site. The combination of the landscaping, buffering, and directing the light flow will provide the necessary protection for adjacent residential uses. The building and parking lot lighting will not adversely affect the surrounding properties".

**J. Ingress and egress to the property**

All vehicle traffic for the warehouse facility will ingress and egress from the entrance on Bohannon Road. The truck traffic will use Creekwood Road to access SR 74 and I-85 and vehicle traffic will primarily use Bohannon and Johnson Roads.

**STAFF RECOMENDATION**

It is the opinion of staff that the rezoning request is not in conformity with the Future Development Map, which designates the site as Greenspace. The rezoning of the property to PD (Planned Development District) with a concurrent use permit to allow a M-1 (Light Industrial District) uses will adversely affect the surrounding properties as all adjacent parcels contain single-family and rural residential uses. The most southern portion of the city is rural in character and the development of a warehouse in the area is not consistent with the surrounding properties nor is it consistent with the Future Development Map and Comprehensive Plan. Furthermore, the infrastructure constraints such as the narrow width of the road (Creekwood, Bohannon/Johnson Road) and limited weight capacity of the Creekwood Road bridge will not support the heavy truck traffic that will be generated by the warehouse development. Therefore, based on these reasons staff recommends **DENIAL** of the rezoning petition.

Should the Mayor and City Council decide to rezone the subject property from AG-1 (Agricultural District) to PD (Planned Development) with a use permit to allow a M-1 (Light Industrial) use, a 492,480 square foot warehouse, staff recommends the following conditions. The applicant's agreement to these conditions would not change staff recommendations. These conditions shall prevail unless otherwise stipulated by the Mayor and City Council.

A. To the owner's agreement to restrict the use of the subject property as referenced in the attached legal description as follows:

1. The Property shall be developed subject to and according with the requirements and conditions of the approved concurrent use permit for 18U-003.

B. To the owner's agreement to abide by the following:

1. The property shall be developed in substantial conformity with the Zoning Site Plan prepared by Eberly and Associates and submitted with the original rezoning application stamped received July 2, 2018, and attached as Exhibit A. Said site plan is conceptual only and must meet or exceed the requirements of the City's ordinances prior to the approval of a Land Disturbance Permit. Any major deviation from this site plan is subject to approval by the City Engineer or designee.

C. To the owner's agreement to the following site development considerations:

1. Truck queuing shall be maintained on the subject property to eliminate truck stacking on public roads.
2. Provide a 50-foot buffer around the perimeter of the subject property where it directly abuts residential zoned property, including AG-1 (Agricultural) zoned property.
3. Provide a 25-foot vegetated buffer along the entire site frontage (Bohannon Road).
4. Exterior of the building(s) shall be constructed predominately of stone, brick, concrete, glass or metal. Vinyl siding is a prohibited exterior building material.
5. Lighting on the exterior of the building(s) shall be directed downward and internal to the property lines. All perimeter lighting shall be directed to the interior of the subject property.
6. A vegetated earthen berm and fencing shall be installed on the outer perimeter of the truck courts to maximize screening and sound remediation from surrounding properties. A combination of existing trees and newly planted trees (where insufficient vegetation exists) shall be installed to establish the berm. New trees shall be 8'-10' in height at the time of installation. Newly planted trees shall consist of one or a combination of the following trees: Leyland Cypress, Easter Red Cedar, Southern Magnolia, Virginia Pine, Arborvitae, Savannah Holly, Nellie R. Stevens Holly.
7. The detention ponds shall meet the minimum City of Fairburn standards.
8. A minimum of 5-foot sidewalks shall be installed along the subject property street frontage and shall be constructed to comply with the Americans with Disabilities Act (ADA) and City of Fairburn's development standards.



9. Commercial driveways/concrete aprons shall be at each project entrance to delineate public from private. Commercial drives shall extend a minimum of 12 feet from the edge of pavement or to the right-of-way.
10. The Developer shall fully upgrade substandard streets (Creekwood Road and Bohannon Road) used for access to the subject property. The upgrade of the substandard streets shall include roadway reconstruction, road widening, and bridge replacement as deemed necessary by City Engineer.
11. The Developer shall provide roadway improvements which shall include pavement, signing, striping, curb and gutter and drainage along the entire site frontage on Bohannon Road at no cost to the City.
12. Turning lanes shall be required to meet projected traffic demand and/or safe operations, as determined by the City Engineer. Turning lanes shall meet the following criteria:
  - a. Provide not less than 150 feet of storage length for arterial roadways. Provide not less than 100 feet of storage length for collector roadways.
  - b. Provide taper lengths of not less than 100 feet.
  - c. Longer storage and taper lengths may be required when traffic projections indicate they are justified.

#### **ATTACHMENTS**

Letter of Intent

Impact Analysis & Use Permit Considerations

Traffic Impact Study – Executive Summary and Recommendations

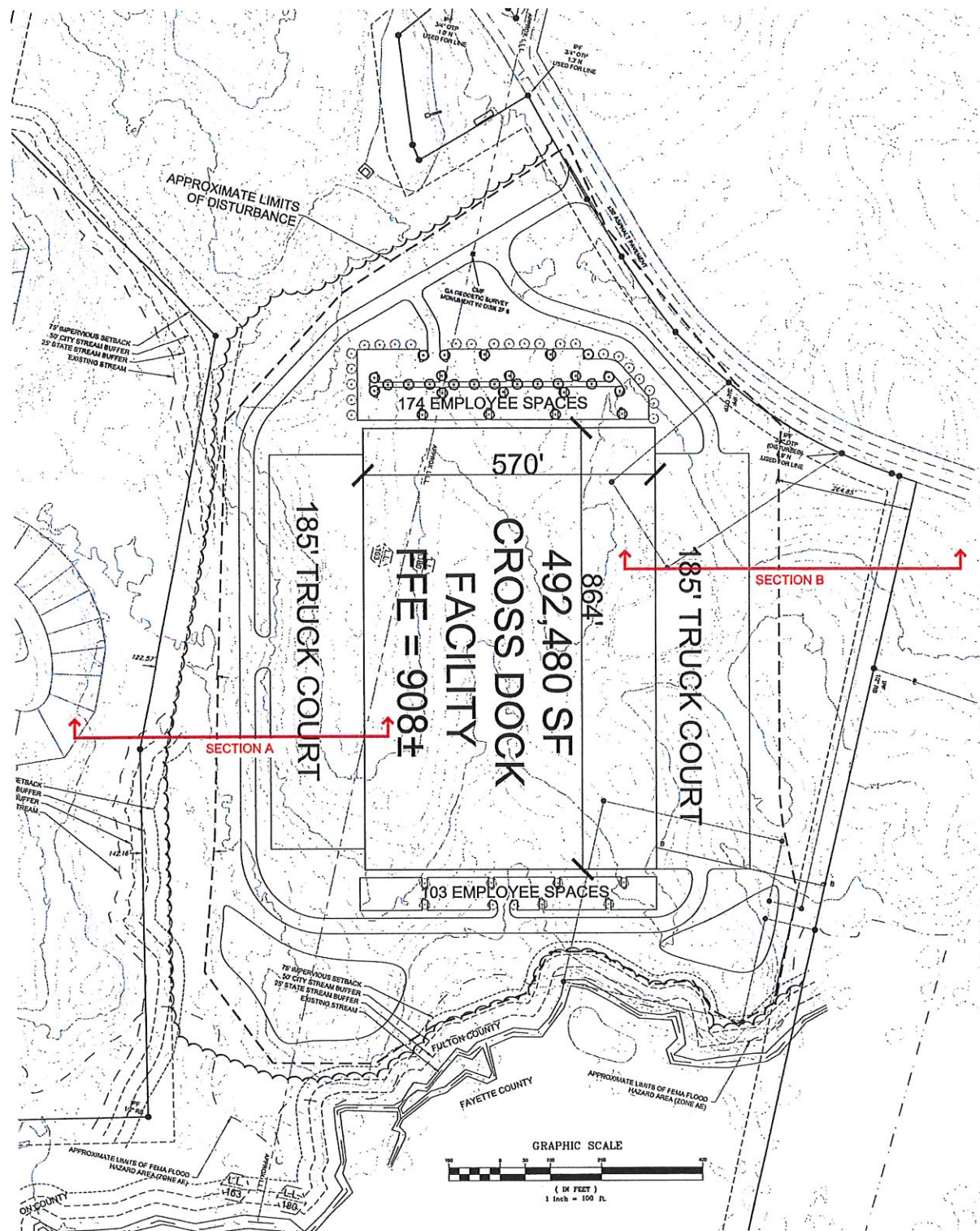
Conceptual Site Plan

Evergreen Buffer Exhibit

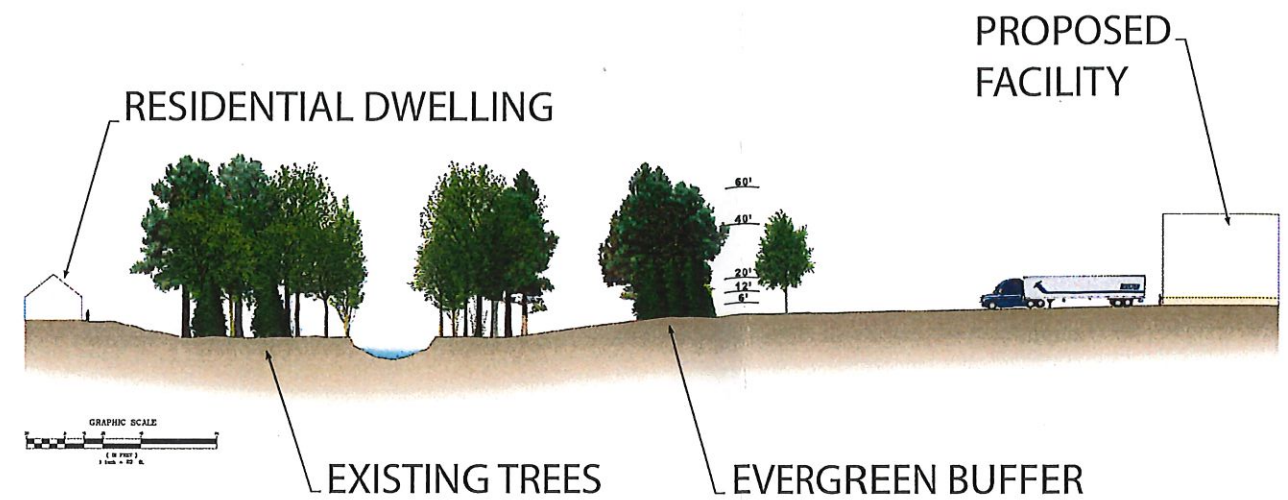




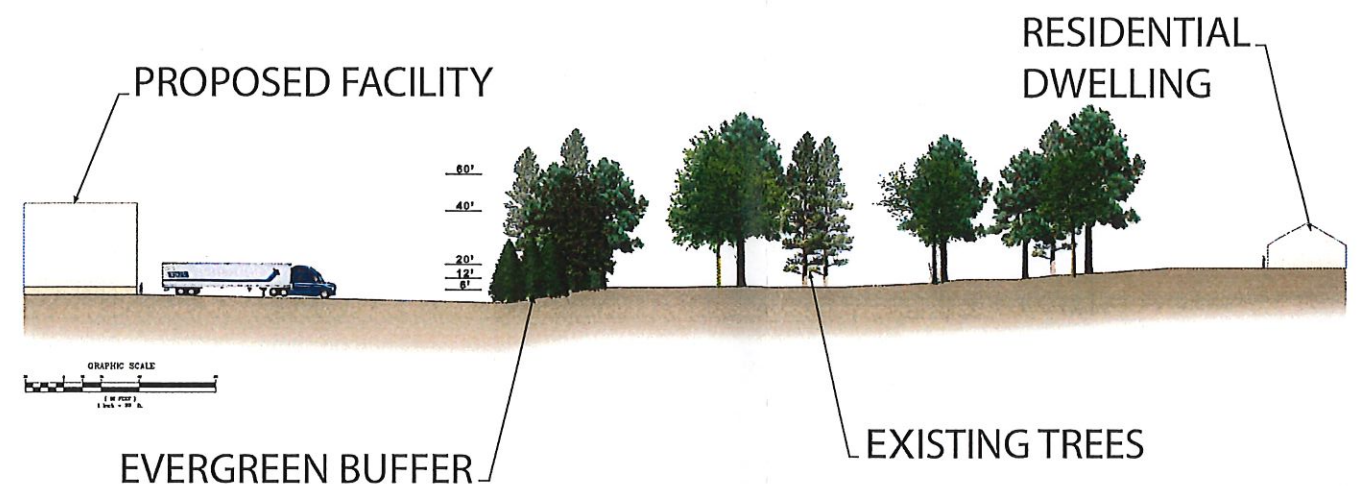




**SITE PLAN**



**SECTION A: EVERGREEN BUFFER**



**SECTION B: EVERGREEN BUFFER**



**CITY OF FAIRBURN  
PLANNING & ZONING COMMISSION  
AGENDA ITEM**

**SUBJECT: REZONING 18U-003 - Exeter Bohannon Land, LLC**

(    ) AGREEMENT            (    ) POLICY / DISCUSSION            (    ) CONTRACT  
(    ) ORDINANCE            (    ) RESOLUTION            ( X ) OTHER

**Planning and Zoning Commission: 02.05.19**

**Mayor and City Council: 02.25.19**

**DEPARTMENT:** Community Development/Planning and Zoning

**BUDGET IMPACT:** None

**PUBLIC HEARING:** (    ) Yes            ( X ) No

---

Exeter Bohannon Land, LLC seeks a use permit to allow a M-1 (Light Industrial) use in PD (Planned Development District).

**STAFF RECOMMENDATION: DENIAL**

January 8, 2019: Planning and Zoning Commission recommended Continuance to the February 5, 2019 Planning and Zoning Commission Meeting and February 25, 2019 Mayor and City Council Meeting.

January 28, 2019: Mayor & City Council recommended Continuance to the February 5, 2019 Planning and Zoning Commission Meeting.



## APPLICATION INFORMATION

### Use Permit Petition 18U-003 Exeter Bohannon Land, LLC

#### APPLICANT/PETITIONER INFORMATION

<b>Property Owner</b>	<b>Petitioner</b>
Lacy Curry	Exeter Bohannon Land, LLC
Octaviano Ayala	c/o Doug Dillard

#### PROPERTY INFORMATION

<b>Address:</b>	6570 Bohannon Road [Parcel # 0740001800413], 0 Bohannon Road [parcel # 07400001632170]
<b>Land Lot and District:</b>	Land Lot 180, District 7
<b>07400001632170]Frontage:</b>	Bohannon Road
<b>Area of Property:</b>	+/- 68.8 acres
<b>Existing Zoning and Use:</b>	PD (planned Development) and vacant
<b>Overlay District:</b>	N/A
<b>Prior Zoning Cases/History:</b>	The subject sites were a part of the Line Creek Area annexation which was approved on October 26, 2006. The property was annexed from Fulton County and rezoned, from CUP (Community Unit Plan) to PD (Planned Development).
<b>2035 Comprehensive Future Land Use Map Designation:</b>	Greenspace
<b>Compatibility with Fairburn's 2035 Comprehensive Plan:</b>	The proposed M-1 (Light Industrial District) use is not consistent with the Comprehensive Plan and Future Development Map.

#### MEETING AND HEARING DATES

**Planning and Zoning Commission Meeting**  
Tuesday, January 8, 2019  
Tuesday, February 5, 2019

**Mayor and City Council Public Hearing**  
Monday, January 28, 2019  
Monday, February 25, 2019

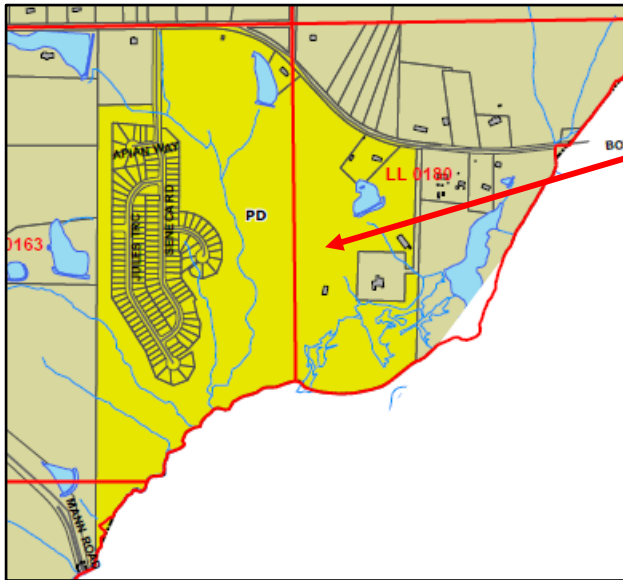
#### INTENT

A request to allow a M-1 (Light Industrial) use in PD (Planned Development) zoning district.

#### SURROUNDING ZONING

**North:** AG-1 (Agricultural District) and R-4 (Single-Family Residential District)  
**East:** AG-1 (Agricultural District)  
**South:** Fayette County  
**West:** AG-1 (Agricultural District)

## Zoning Map



**18U-003**  
**+/- 68.8 acres**

## **STAFF COMMENTS**

### Engineering/Public Works:

- According to Section 71-39 of the City of Fairburn Code of Ordinances, “In the event that a development has access to a substandard street and if that substandard street provides the primary means of access to the development, the substandard street, except as indicated in subsection (c) of this section, shall be fully upgraded and the full width of the roadway overlaid with asphaltic concrete surface course along the entire property frontage and continuing to the nearest standard paved road along the route of primary access.  
(c) The upgrading of substandard streets used for access will not be required if any of the following conditions are met:

- The development consists of a single, one-family or two-family residence on an existing recorded lot within the city.
- The development is a small business with ingress/egress of less than 100 vehicles per day.

As such, Creekwood and Bohannon Roads may be required to be upgraded to accommodate to proposed operation of the proposed development. This upgrade may include complete roadway reconstruction, road widening, and bridge replacement.

- The site is not located on a designated truck route. As such truck access would be prohibited. It shall be unlawful for a person or business entity to operate or park a truck on any city street, road, drive, or avenue which is not designated as a truck route pursuant to Section 56-93 of the City of Fairburn’s Code of Ordinances.
- When property fronting on an existing city street is to be developed or when the property is to be accessed from the existing city street, the developer shall cause to be constructed roadway improvements (pavement, signing, striping, curb and gutter and drainage) which are required along the existing road across the entire property frontage at no cost to the city. Required improvements shall not be less than provided in these regulations for the designated street classification. [Sec. 71-37 (a)]
- Turning lanes shall be required by the city to meet projected traffic demand and/or safe operations, as determined by the city engineer.
- Sidewalks are required on all street frontages regardless of the zoning district in which the street is located. All sidewalks shall have a minimum width of five feet

### Fire:



- The developer will need to provide water flow calculations for this development.

Water and Sewer:

- This property is outside the current service area for water service and wastewater collection of the City of Fairburn Water & Sewer Department.

Utility:

- The City of Fairburn does not provide services to this area.

## USE PERMIT CONSIDERATIONS

**A. Whether the proposal use is consistent with the comprehensive land use plan adopted by the city council;**

The staff is of the opinion that the proposal is not consistent with the Comprehensive Plan and Future Development Map, which designates the site as Greenspace. The Comprehensive Plan states, “The Greenspace Character Area is for land dedicated to active or passive recreational uses, as well as greenspace and wildlife management”.

**B. Compatibility with the land uses and zoning districts in the vicinity of the property for which the use permit is proposed;**

The staff is of the opinion that the proposed use is not compatible with the land uses and zoning in the vicinity of the property. The surrounding area consists of the following zoning districts: AG-1 (Agricultural District) and R-4 (Single-Family Residential District) to the north, AG-1 (Agricultural District) to the east, Fayette County to the south, and AG-1 (Agricultural District) to the west. The land uses in the area are predominately single-family and rural residential (agricultural).

**C. Whether the proposed use may violate local, state and/or federal statutes, ordinances or regulations governing land development;**

Staff is not aware of the proposed use to be in violation of local, state, and/or federal statutes, ordinance or regulations governing land development.

**D. The effect of the proposed use on traffic flow, vehicular and pedestrian, along adjoining streets;**

Based on the traffic impact study provided by Calyx Engineers + Consultants, approximately 158 trucks will enter and exit the warehouse facility daily. All of the new truck trips will use Creekwood Road north of the site to primarily access SR 74 and I-85 to originate and terminate at destinations north of the site. Approximately 10% of the new personal vehicle trips are expected to use Johnson and Bohannon Roads to/from the east and west of the site, while 80% are expected to use Creekwood Road north of the site. There are no existing pedestrian, bicycle, or transit facilities in the area of the proposed development. All of the existing study intersections are expected to operate adequately during the weekday peak volume hours with the existing lane configurations and controls.

The applicant submitted a traffic impact study, prepared by Calyx Engineers + Consultants on November 21<sup>st</sup> and January 7<sup>th</sup> (revision). The traffic impact study provided the following findings and recommendations:

1. All of the existing study intersections are expected to operate adequately during the weekday peak volume hours with the existing lane configurations and controls. The new development driveways will operate adequately with stop sign controls and single lane approaches.
2. Creekwood Road between Oakley Industrial Boulevard and Johnson/Bohannon Road will need to be improved to accommodate the approximately 158 trucks entering and 158 trucks exiting the development daily. The lanes should be at least 12 feet wide and the existing stream crossing should be replaced to allow for heavy truck use. The weight limiting signs and truck prohibition signs should be removed when this is completed.

3. No mitigating improvements at the study intersections were identified in the traffic impact analyses.

See the attached “traffic study recommendations and executive summary”.

The traffic study was reviewed by David A. Fairlie, P.E., Senior Transportation Engineer at Moreland Altobelli on behalf of the City of Fairburn. The following findings and recommendations were expressed by Mr. Fairlie:

1. Creekwood Road is not adequate for the volume of heavy vehicles that the site would generate due to the narrow lanes, narrow shoulder and the bridge with limited weight capacity. The developer anticipates that all truck traffic to/from the site, which amounts to 158 trucks entering and 158 exiting daily, would travel on Creekwood Road. Even if the trucks were to travel on Bohannon Road, to the east toward Oakley Industrial Boulevard, the conditions of Bohannon Road, south of Oakley, are the same as Creekwood Road. Work would need to be done on either roadway in order to accommodate heavy truck traffic.
2. The traffic impact study should also include a summary of crash data for Bohannon Road and for Creekwood Road. I did a quick search of GDOT’s crash data (from 2014 to 2018) and found that a few of the crashes involved semi-trailers, specially at the intersection of Bohannon Road at Oakley industrial Blvd. and even a couple on sections of road (either Bohannon or Creekwood) currently posted for no truck traffic. This is relevant since truck crashes could increase if trucks are allowed to travel on roadways with narrow shoulders and narrow lanes.

**E. The location and number of off-street parking spaces;**

The required parking for the 492,480 square foot warehouse facility is:

Vehicle parking: 106 spaces

Truck parking: 98 spaces

The applicant is proposing to provide 277 vehicle and 123 trailer parking spaces.

**F. The amount and location of open space;**

The applicant will be required to meet or exceed the city’s ordinance, Article X - Buffers and Open Space, Section 80-373 - Open Space Reservation.

**G. Protective screening;**

The applicant will be required to provide a 50-foot undisturbed vegetated buffer and fencing around the perimeter of the subject property where it abuts residential zoned property. See the attached Evergreen Buffer Exhibit.

**H. Hours and manner of operation;**

The applicant states, “The operation manner and hours will be industry standards for similarly situated e-commerce/cross dock facilities”.

**I. Outdoor lightning; and**

The applicant states, “All building lights will be directed downward and perimeter lighting shall be directed toward the interior of the site. The combination of the landscaping, buffering, and directing the light flow will provide the necessary protection for adjacent residential uses. The building and parking lot lighting will not adversely affect the surrounding properties”.

**J. Ingress and egress to the property**

All vehicle traffic for the warehouse facility will ingress and egress from the entrance on Bohannon Road. According to the traffic impact study, the truck traffic will use Creekwood Road to access SR 74 and I-85 and vehicle traffic will primarily use Bohannon and Johnson Roads.



## STAFF RECOMENDATION

It is the opinion of staff that the use permit request is not in conformity with the Future Land Use Map which designates the site as Greenspace. The proposal is not consistent with development strategies of the Greenspace Character Area, as specified in the Comprehensive Plan. The most southern portion of city is rural in character and the development of a warehouse in the area is not consistent with the surrounding land uses nor is it consistent with the Future Development Map and Comprehensive Plan. Furthermore, the infrastructure constraints such as the narrow width of the roads (Creekwood, Bohannon/Johnson Road) and limited weight capacity of the Creekwood Road bridge will not support the heavy truck traffic that will be generated by the warehouse development. Therefore, based on these reasons staff recommends **DENIAL** of the use permit request.

Should the Mayor and City Council decide to approve the use permit to allow a M-1 (Light Industrial) use, a 492,480 square foot warehouse, staff recommends the following conditions. The applicant's agreement to these conditions would not change staff recommendations. These conditions shall prevail unless otherwise stipulated by the Mayor and City Council.

A. To the owner's agreement to restrict the use of the subject property as follows:

1. Permitted uses as described in Use permit conditions in 18U-003 and 18U-005
2. The property will be developed with no more than 492,480 square feet of warehouse space.

B. To the owner's agreement to abide by the following:

1. The property shall be developed in substantial conformity with the Zoning Site Plan prepared by Eberly and Associates and submitted with the original use permit application stamped received July 2, 2018, and attached as Exhibit A. Said site plan is conceptual only and must meet or exceed the requirements of the City's ordinances prior to the approval of a Land Disturbance Permit. Any major deviation from this site plan is subject to approval by the City Engineer or designee.

C. To the owner's agreement to the following site development considerations:

1. Truck queuing shall be maintained on the subject property to eliminate truck stacking on public roads.
2. Provide a 50-foot buffer around the perimeter of the subject property where it directly abuts residential zoned property, including AG-1 (Agricultural) zoned property.
3. Provide a 25-foot vegetated buffer along the entire site frontage (Bohannon Road).
4. Exterior of the building(s) shall be constructed predominately of stone, brick, concrete, glass or metal. Vinyl siding is a prohibited exterior building material.
5. Lighting on the exterior of the building(s) shall be directed downward and internal to the property lines. All perimeter lighting shall be directed to the interior of the subject property.
6. A vegetated earthen berm and fencing shall be installed on the outer perimeter of the truck courts to maximize screening and sound remediation from surrounding properties. A combination of existing trees and newly planted trees (where insufficient vegetation exists) shall be installed to establish the berm. New trees shall be 8'-10' in height at the time of installation. Newly planted trees shall

consist of one or a combination of the following trees: Leyland Cypress, Easter Red Cedar, Southern Magnolia, Virginia Pine, Arborvitae, Savannah Holly, Nellie R. Stevens Holly.

7. The detention ponds shall meet the minimum City of Fairburn standards.
8. A minimum of 5-foot sidewalks shall be installed along the subject property street frontage and shall be constructed to comply with the Americans with Disabilities Act (ADA) and City of Fairburn's development standards.
9. Commercial driveways/concrete aprons shall be at each project entrance to delineate public from private. Commercial drives shall extend a minimum of 12 feet from the edge of pavement or to the right-of-way.
10. The Developer shall fully upgrade substandard streets (Creekwood Road and Bohannon Road) used for access to the subject property. The upgrade of the substandard streets shall include roadway reconstruction, road widening, and bridge replacement as deemed necessary by the City Engineer.
11. The Developer shall provide roadway improvements which shall include pavement, signing, striping, curb and gutter and drainage along the entire site frontage on Bohannon Road at no cost to the City.
12. Turning lanes shall be required to meet projected traffic demand and/or safe operations, as determined by the City Engineer. Turning lanes shall meet the following criteria:
  - a. Provide not less than 150 feet of storage length for arterial roadways. Provide not less than 100 feet of storage length for collector roadways.
  - b. Provide taper lengths of not less than 100 feet.
  - c. Longer storage and taper lengths may be required when traffic projections indicate they are justified.

## **ATTACHMENTS**

Letter of Intent

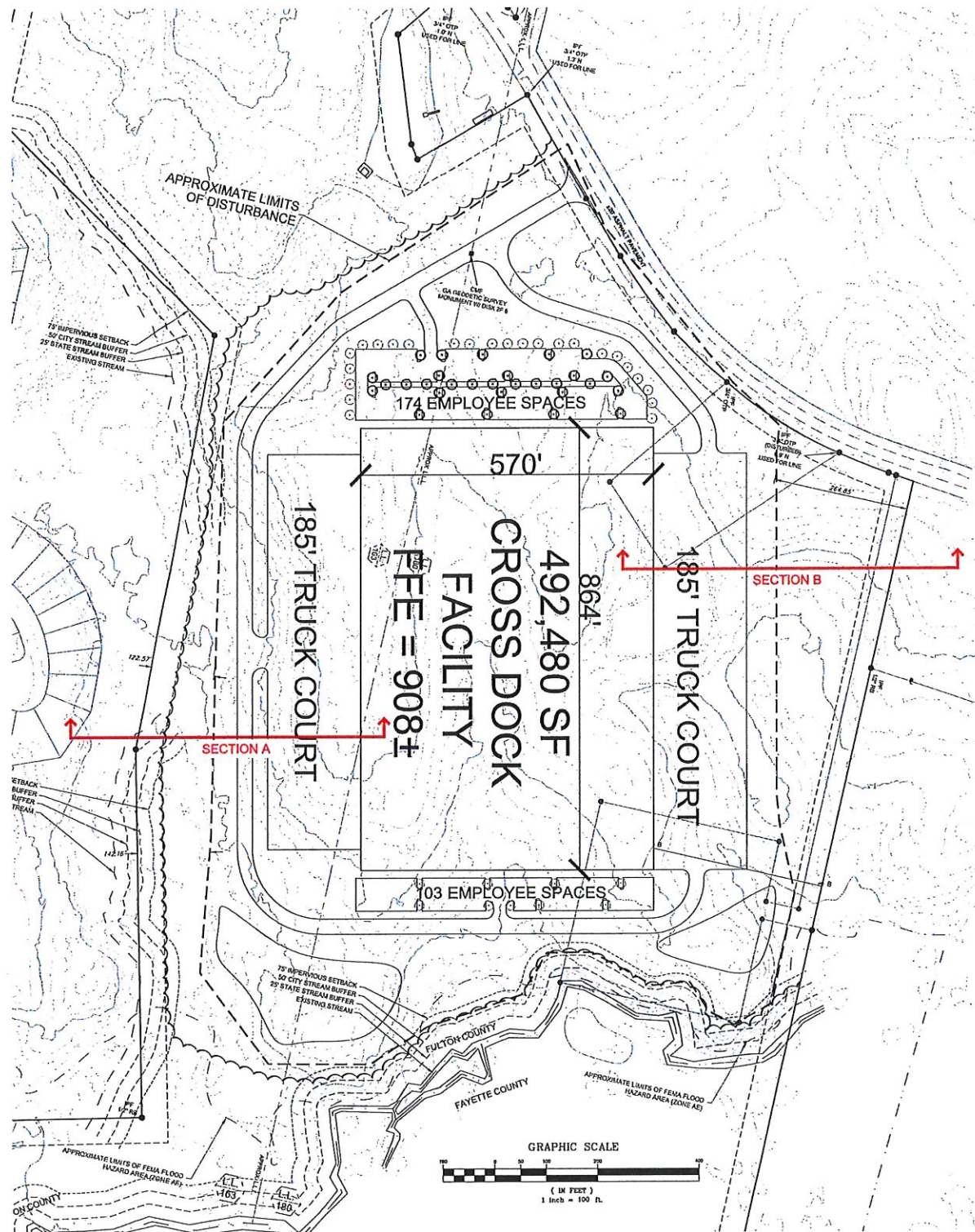
Use Permit Considerations

Traffic Impact Study - Executive Summary and Recommendations

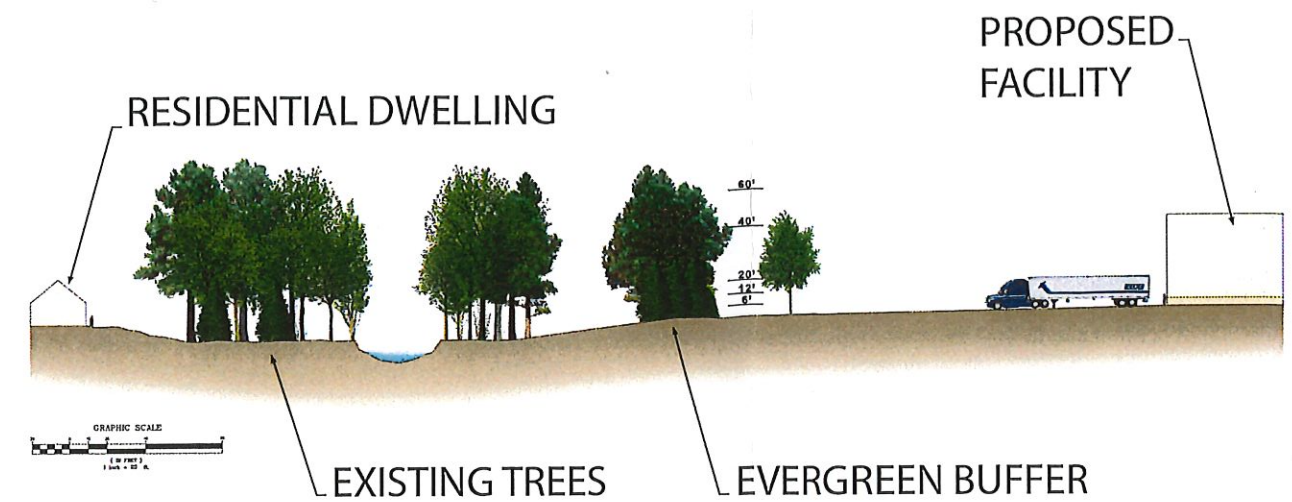
Conceptual Site Plan

Evergreen Buffer Exhibit

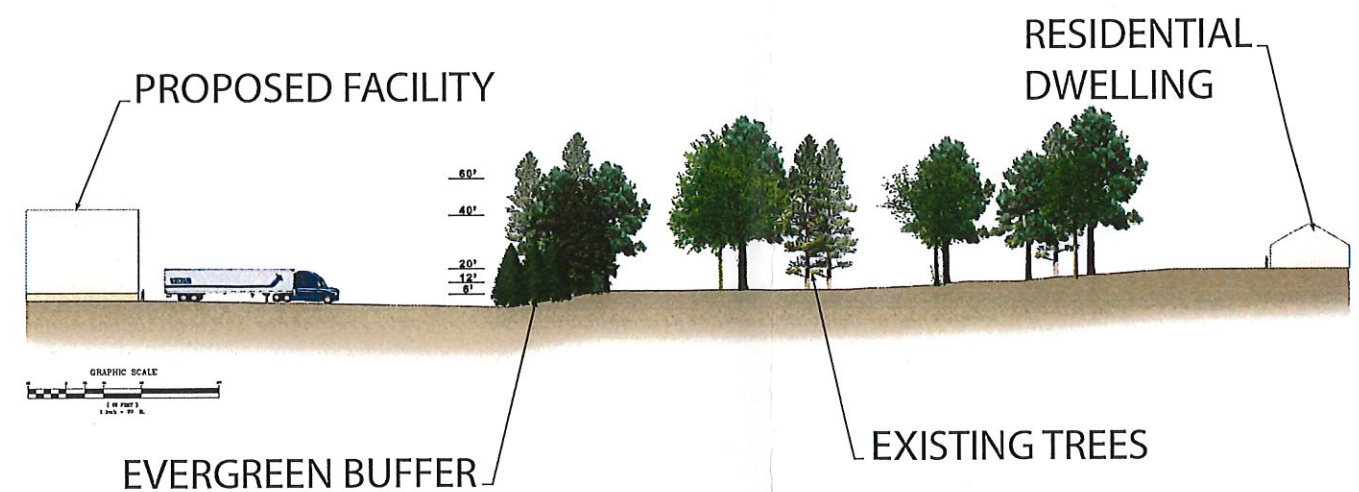




**SITE PLAN**



**SECTION A: EVERGREEN BUFFER**



**SECTION B: EVERGREEN BUFFER**