

City of Fairburn
Planning and Zoning Commission

AGENDA

Tuesday, October 2, 2018 ♦ 7:00 p.m.

- **Call to Order**
- **Roll Call - Determination of Quorum**
- **Pledge of Allegiance**
- **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.
- **Agenda for Meeting:** (Additions, Deletions, Adoption)
- **Approval of Minutes:** September 11, 2018
- **Public Hearing:**
 - **Primary Variance 18V-008 David Hughes** – A request to remove the 100-ft retail/commercial buffer abutting property zoned residential in the Highway 74 Overlay District.
- **New Business:**
 - **Conceptual Plan 18C-006 Studio Cigar:** A request to review a conceptual site plan for a 5,040 square foot commercial development on Renaissance Parkway.
 - **Conceptual Plan 18C-008 Lot 7 Laser Industrial Court:** A request to review a conceptual site plan for a 4,250 square foot warehouse located on Logistics Center Drive.
 - **Conceptual Plan 18C-009 South Park Bldg. 2:** A request to review a conceptual site plan for a 252,720 square foot warehouse located on Whitewater Place.
 - **Rezoning 18RZ-006 El Milagro Hair Salon:** A request to rezone 1.2 acres from R-3 (Single Family Residential) to C-1 (Neighborhood Commercial) for a hair salon.
- **Staff Report**
- **Commission Members Comments**
- **Adjourn**



CITY OF FAIRBURN
PLANNING & ZONING COMMISSION
AGENDA ITEM

To: Planning and Zoning Commission
From: Kim Mitchell, Junior City Planner
Date: October 2, 2018 – Planning and Zoning Commission
Agenda Item: 18V-008 – J. David Hughes [09F070300270244]

AGENT/APPLICANT/PETITIONER INFORMATION

Applicant: J. David Hughes
Property Owner: J. David Hughes

PROPERTY INFORMATION

Address: 0 Harris Road
Parcel Number, Land Lot(s) and District: 09F070300270244, Land Lot 27, District 9F
Size: 0.7 acres
Current Zoning: C-2 General Commercial
Overlay District: Highway 74 Overlay District
Comprehensive Plan/Future Land Use: Highway Mixed Use

INTENT

The applicant is requesting a primary variance as follows:

- 1.) To remove the 100-ft retail/commercial buffer abutting property zoned residential in the Highway 74 Overlay District.

STANDARDS FOR CONSIDERATION

Section 80-251 of the City’s Zoning Ordinance includes one or more criteria which must be met before a variance can be approved by the Planning and Zoning Commission:

- A. *“Relief, if granted, would be in harmony with, or, could be made to be in harmony with, the general purpose and intent of this chapter.”*
- B. *“The application of the particular provision of this chapter to a particular piece of property, due to extraordinary and exceptional conditions pertaining to that property because of its size, shape or topography, would create an unnecessary hardship for the owner while causing no detriment to the public.”*
- C. *“Conditions resulting from existing foliage or structure brings about a hardship whereby a sign meeting minimum letter size, square footage and height requirements cannot be read from adjoining public road”.*

VARIANCE ANALYSIS

The petitioner requests a variance from Section 80-90(e)(1)(a) of the Zoning Ordinance - Highway 74 Overlay District site development standards, which require “a 100-foot buffer on retail and commercial service developments which adjoin property developed as, or planned as, residential use.”

The subject property, 0 Harris Road, is located at the intersection of Harris Road and Renaissance Parkway; it is zoned C-2 General Commercial. The subject property abuts two lots rezoned in May 2018 from C-2 General Commercial and RM-8 Multi-family Residential District to RM-36 Multi-family Residential District. The rezoned properties will be the site of 276

apartments, with an entrance on Renaissance Parkway. The minimum required buffer between commercial and residential uses is 50' for properties outside of the Highway 74 Overlay District. However, within the Highway 74 Overlay District, commercial lots are required to maintain a 100-foot undisturbed buffer on their property when abutting a residential use.

The subject property, 0 Harris Road, has a lot size of 0.7 acres. The property's street frontage on Renaissance Parkway is 116.85' wide. The rear property line is 120.53' wide. Given the width of the lot, the 100-ft buffer requirement would render the petitioner's lot unbuildable.

The 100-ft buffer regulation is believed to have originated from a proposed mixed-use development plan in 2006. The large, mixed-use development named "Fairburn Renaissance" would have included 745,705 square feet of retail space, 21,000 square feet of office space, and 201 residential units. The 100-foot residential buffer requirement may have been added to the 2012 Highway 74 Overlay District standards to provide a visual separation between the Fairburn Renaissance development and several subdivisions along Plantation Road (e.g. Fieldstone Manor, Fairhaven and Foxwood subdivisions). However, in this instance, the 100-ft buffer regulation restricts the commercial property owner from a reasonable use of the property, due to the width of the lot.

The subject property will be required to install a 10' interior landscape strip abutting the residential use. The multi-family property has proposed a narrow vegetative barrier, which will include a row of trees within its 20' side setback. The multi-family property will also be gated, providing an additional barrier between the commercial and residential uses.

Staff has reviewed the standards for consideration for this variance:

A. *"Relief, if granted, would be in harmony with, or, could be made to be in harmony with, the general purpose and intent of this chapter."*

Not applicable.

B. *"The application of the particular provision of this chapter to a particular piece of property, due to extraordinary and exceptional conditions pertaining to that property because of its size, shape or topography, would create an unnecessary hardship for the owner while causing no detriment to the public."*

The subject property is a rectangular-shaped property measuring 0.7 acres. The lot frontage on Renaissance Parkway is 116.85' wide. The rear lot line is 120.53' wide. Should the city enforce its 100-ft undisturbed buffer for this lot, the lot would be rendered unbuildable.

Based on the size of the subject property, staff is of the opinion that this condition **has been satisfied.**

C. *"Conditions resulting from existing foliage or structure brings about a hardship whereby a sign meeting minimum letter size, square footage and height requirements cannot be read from adjoining public road".*

Not applicable.

RECOMMENDATION

Staff has reviewed the request for relief relative to the variance conditions in Sections 80-251 of the City of Fairburn Zoning Ordinance. Based upon this review, staff recommends **APPROVAL** of the variance request to remove the 100-ft retail/commercial buffer abutting property zoned residential in the Highway 74 Overlay District.

ATTACHMENTS

Letter of Intent

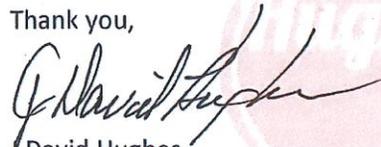
Conceptual Site Plan



To Whom it may concern:

The proposed project consists of a 5,000 square foot building footprint subdivided into two tenant spaces. One space will be a cigar bar while the other will be a vanilla box set up for a possible restaurant. This property has been zoned commercial for more than a decade. Due to a rezoning of the adjacent lot to residential our lot has been rendered useless because of a 100 foot setback. This action by the city will cause the owner to lose a \$350,000 dollar sell and the purchaser a loss of well over \$100,000 in plans and consulting time. We are respectfully requesting the variance remove the buffer requirements that are negatively impacting our lot. This variance will allow us to build a building that will positively impact the community and Fairburn.

Thank you,


David Hughes



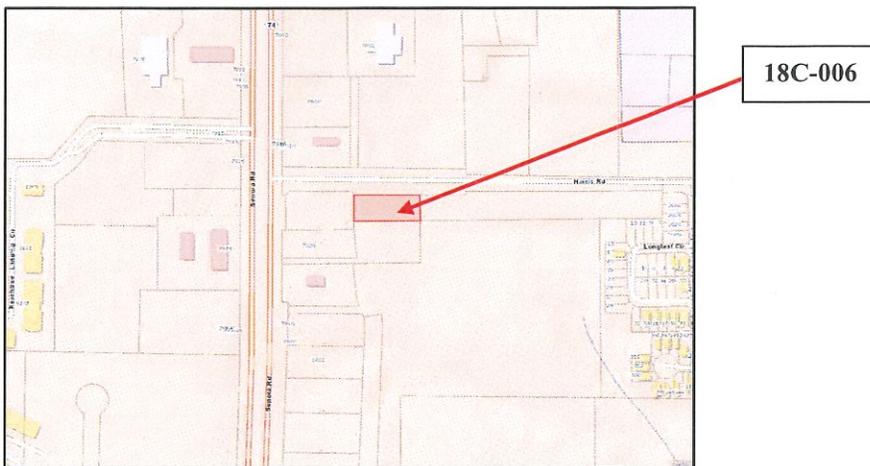
CITY OF FAIRBURN
PLANNING AND ZONING COMMISSION
AGENDA ITEM

To: Planning and Zoning Commission
From: Kimberly Mitchell, Junior City Planner
Date: October 2, 2018 Planning and Zoning Commission Meeting
Agenda Item: **18C-006 – Studio Cigar [09F070300270244]** a request to review the conceptual site plan for a retail commercial development.

BACKGROUND: The subject property, which is approximately 0.7 acres, is located at the southeast corner of Harris Road and Renaissance Parkway. The property is zoned C-2 (General Commercial District).

DISCUSSION: The applicant is proposing to construct a 5,040 square foot cigar retail shop and restaurant with associated driveways, parking, utilities, and landscaping. The applicant will be required to meet all parking regulations. The site has proposed ingress/egress along Renaissance Parkway. Stormwater detention is proposed by a regional detention system. The building will be required to have a brick façade on the primary entrance 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 5,040 square foot cigar shop and restaurant. 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 **August 9, 2018**. Said site plan is conceptual only and must meet or exceed the requirements of the City's regulations and these conditions 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.
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:

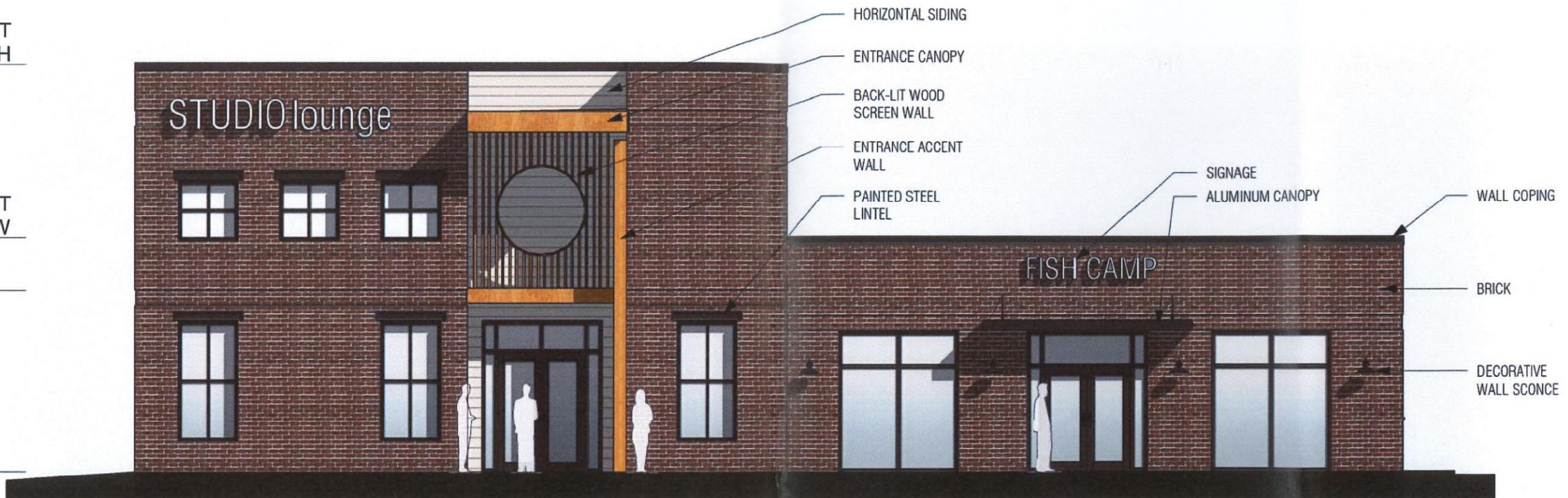
- Site Plan
- Elevations and Concept

T.O. PARAPET HIGH
27' - 0"

T.O. PARAPET LOW
15' - 6"

LEVEL 2
12' - 0"

LEVEL 1
0' - 0"



1 WEST ELEVATION (FRONT)
1/8" = 1'-0"

**SOUTHERN
DESIGN WORKS**
1896 Hosea L. Williams Drive
Atlanta, Georgia 30317
southerndw.com | 404.458.9000
ARCHITECTURE | INTERIORS | OBJECTS

STUDIO LOUNGE
FAIRBURN, GA
MR. BRIAN BOULWARE

WEST ELEVATION (FRONT)	
DATE	09/24/18
A201	

9/24/2018 10:39:08 PM

T.O. PARAPET
HIGH
27' - 0"

LEVEL 2
12' - 0"

LEVEL 1
0' - 0"



1 NORTH ELEVATION (SIDE)
1/8" = 1'-0"

**SOUTHERN
DESIGN WORKS**
1896 Hosea L. Williams Drive
Atlanta, Georgia 30317
southerndw.com | 404.459.9000
ARCHITECTURE | INTERIORS | OBJECTS

STUDIO LOUNGE

FAIRBURN, GA

MR. BRIAN BOULWARE

NORTH ELEVATION (SIDE)

DATE

09/24/18

A202

9/24/2018 10:48:00 PM

T.O. PARAPET HIGH
27' - 0"

T.O. PARAPET LOW
15' - 6"

LEVEL 2
12' - 0"

LEVEL 1
0' - 0"



BLACK WALL COPING

STUCCO

BLACK FABRIC AWNING PORCH ROOF

STAINED WOOD COLUMNS AND BEAMS

BLACK RAILING

BLACK DOORS AND WINDOW FRAMES

NATURAL GRAY CAST STONE CAP

DARK BRICK

1 EAST ELEVATION (REAR)
1/8" = 1'-0"



STUDIO LOUNGE

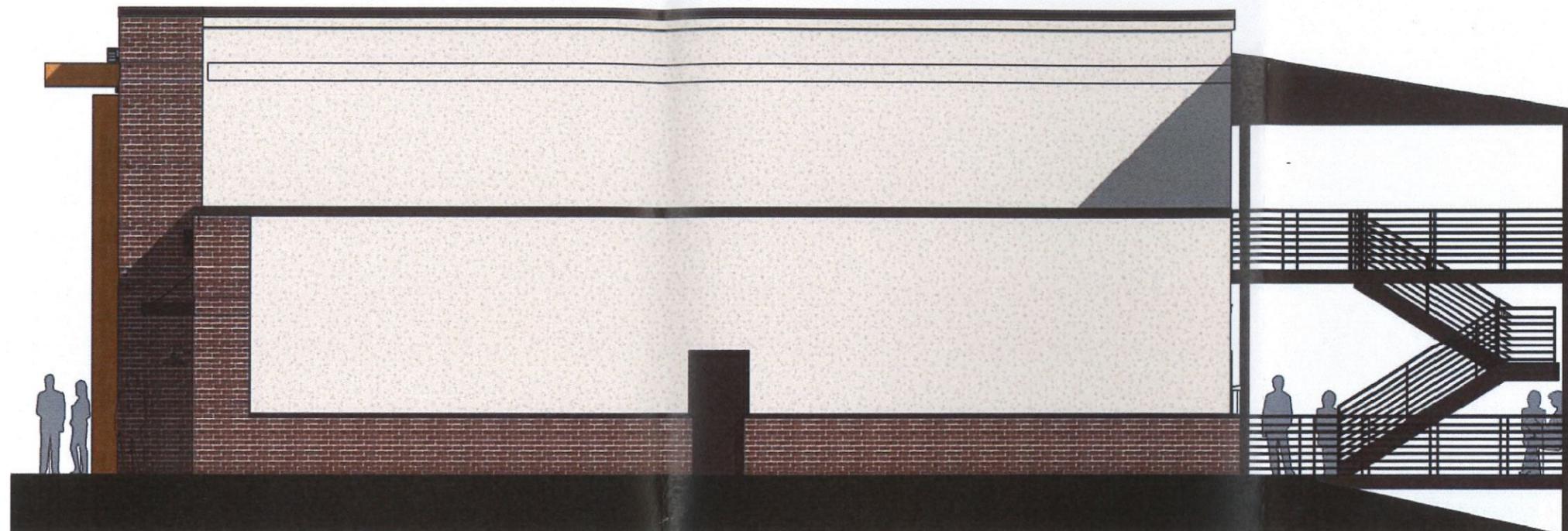
FAIRBURN, GA
MR. BRIAN BOULWARE

WEST ELEVATION (REAR)

DATE 09/24/18

A203

9/24/2018 10:46:29 PM



1 SOUTH ELEVATION (SIDE)
 1/8" = 1'-0"

**SOUTHERN
 DESIGN WORKS**
 1896 Hosea L. Williams Drive
 Atlanta, Georgia 30317
 southerndw.com | 404.458.9000
 ARCHITECTURE | INTERIORS | OBJECTS

STUDIO LOUNGE

FAIRBURN, GA
 MR. BRIAN BOULWARE

SOUTH ELEVATION (SIDE)

DATE

09/24/18

A204

9/24/2018 10:52:06 PM

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

To: Planning and Zoning Commission
From: Tarika Peeks, Senior Planner/Zoning Administrator
Date: October 2, 2018 Planning and Zoning Commission Meeting
Agenda Item: **18C-008 – Lot 7 Laser Industrial Court [09F090100480884]** a request to review the conceptual site plan for a warehouse facility.

BACKGROUND: The subject property is approximately 1.87 acres located at the northwest side of Laser Industrial Court. The property is zoned M-2 (Heavy Industrial District).

DISCUSSION: The applicant is proposing to develop a 4,250 square foot warehouse with associated office space [750 square feet], driveways, utilities, parking and stormwater infrastructure. The applicant will be required to meet all parking regulations. The site has ingress/egress on Laser Industrial Court/Fairburn Industrial Blvd. The proposed project will require approximately 12 standard parking spaces. The applicant will be required to meet all parking regulations.

PARCEL MAP



STAFF RECOMMENDATION: APPROVAL CONDITIONAL of the conceptual site plan to construct a 4,250 square foot distribution facility. 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 application 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 September 21, 2018. Said site plan is conceptual only and must meet or exceed the requirements of the City's regulations and these conditions 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.

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:

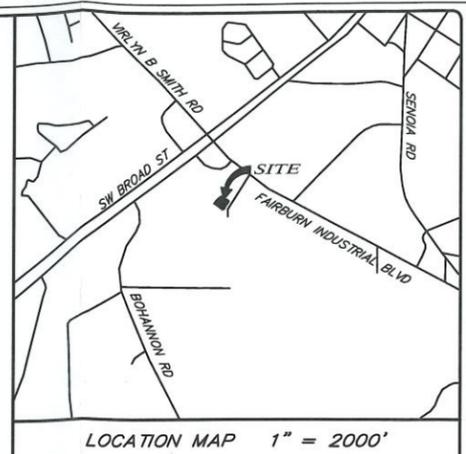
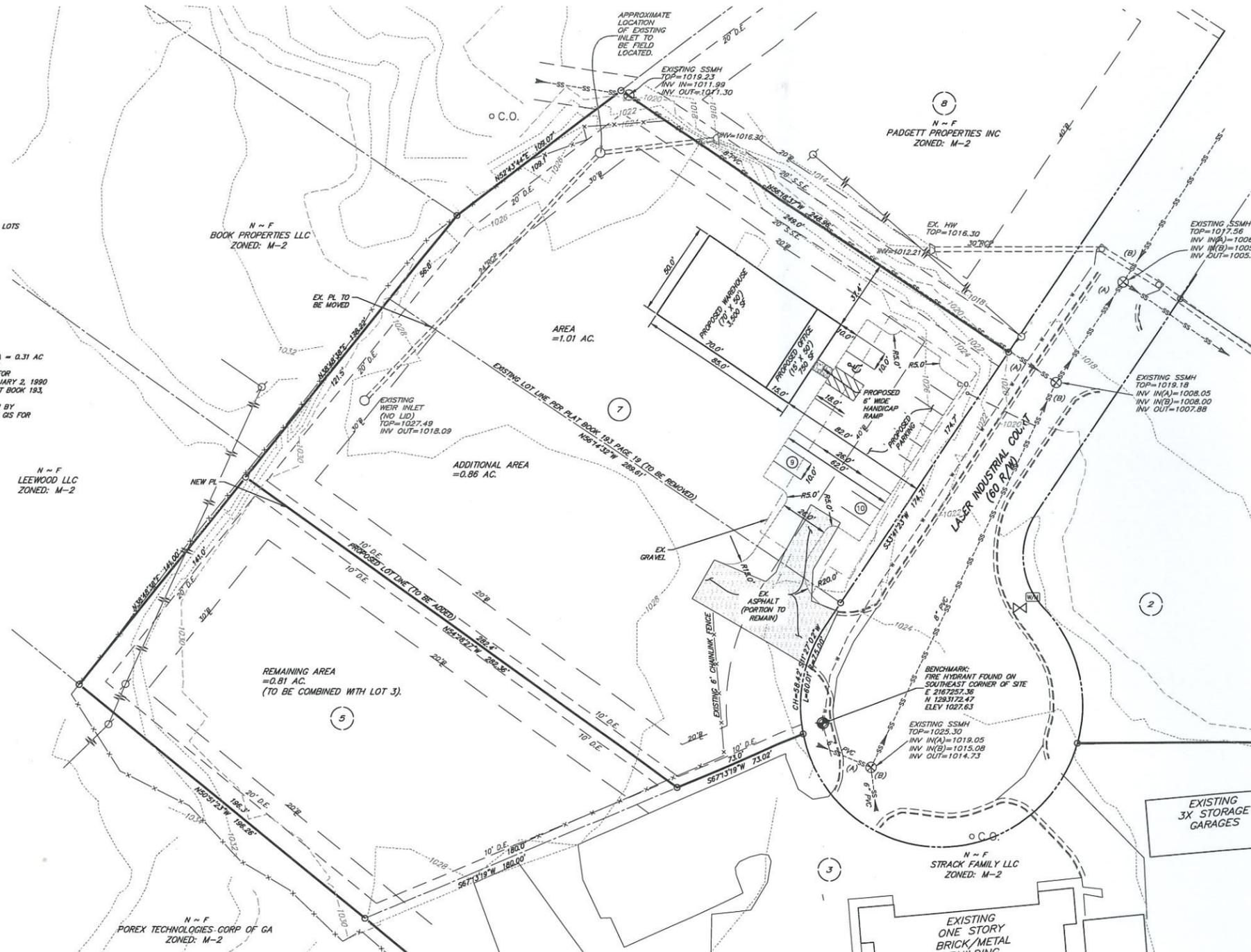
Site Plan

Elevations

LEGEND			
⊙	P.P. - POWER POLE	△	C.B. - CATCH BASIN
⊙	L.P. - LIGHT POLE	—	R.C.P. - REINFORCED CONCRETE PIPE
⊙	F.H. - FIRE HYDRANT	—	C.M.P. - CORRUGATED METAL PIPE
⊙	M.H. - SANITARY SEWER MANHOLE	—	F.F.E. - FINISHED FLOOR ELEVATION
⊙	W.M. - WATER METER	•	W.V. - WATER VALVE
⊙	G.M. - GAS METER	⊙	TELEPHONE MANHOLE
—	TYPE OF FENCE	—	UNDERGROUND ELECTRICAL LINE
⊙	J.B. - JUNCTION BOX	—	OVERHEAD POWER LINES
⊙	D.I. - DROP INLET / YARD INLET	—	HW - HEADWALL
—	UNDERGROUND TELEPHONE LINE	⊙	POWERBOX
—	GAS LINE	—	WATER LINE

GENERAL SITE NOTES:

- TOTAL SITE AREA = 1.87 ACRES
- TOTAL DISTURBED AREA = 0.86
- TOTAL NUMBER OF PROPOSED LOTS = 1 LOTS
- OWNER:
STRACK INC.
125 LASER INDUSTRIAL COURT
FAIRBURN, GA 30213
(770) 969-1591
- 24-HOUR CONTACT:
JOE STRACK
(770) 969-1591
- ZONING = M-2 (HEAVY INDUSTRIAL)
- BUILDING SETBACKS:
FRONT = 40'
REAR = 30'
SIDE = 20'
- MAX BUILDING HEIGHT = 48'
- PROPOSED ADDITIONAL IMPERVIOUS AREA = 0.31 AC
- SITE INFORMATION INCLUDING BOUNDARY INFORMATION TAKEN FROM FINAL PLAT FOR FAIRBURN INDUSTRIAL PARK DATED JANUARY 2, 1990 & REVISED NOVEMBER 6, 1996 PER PLAT BOOK 193, PAGE 19.
- TOPOGRAPHY SHOWN IS FROM FIELD RUN BY GASKINS FOR SITE AND FULTON COUNTY GIS FOR SURROUNDING AREAS.



PARKING TABULATION:

-PARKING SPACES REQUIRED = 1 SPACE / 1,000 SQFT OF GROSS FLOOR AREA DEVOTED TO FACTORY PRODUCTION + 1 SPACE / 2,000 SQFT OF GROSS STORAGE AREA + 1 SPACE FOR EACH VEHICLE DIRECTLY IN THE CONDUCT OF BUSINESS + 1 SPACE / 100 SQFT OF FLOOR SPACE USED FOR ADMINISTRATIVE OFFICES.

PARKING SPACE CALCULATIONS FOR PROPOSED BUILDING:

A. (1 SPACE / 1,000 SQFT) X 50% OF PROPOSED WAREHOUSE AREA DEVOTED TO FACTORY PRODUCTION = (1 SPACE / 1,000 SQFT) X (1,750 SQFT) = 1.75 SPACES ~ 2 SPACES FOR FACTORY PRODUCTION

B. (1 SPACE / 2,000 SQFT) X 50% OF PROPOSED WAREHOUSE AREA DEVOTED TO GROSS STORAGE AREA = (1 SPACE / 2,000 SQFT) X (1,750 SQFT) = 0.875 SPACES ~ 1 SPACE FOR STORAGE AREA

C. 1 SPACE / VEHICLE DIRECTLY IN THE CONDUCT OF BUSINESS ~ 1 SPACE FOR EACH VEHICLE IN THE CONDUCT OF BUSINESS

D. (1 SPACE / 100 SQFT) X 750 SQFT OFFICE SPACE = 7.5 SPACES ~ 8 SPACES FOR OFFICES

-REQUIRED HANDICAP ACCESSIBLE PARKING SPACES PER TOTAL PARKING REQUIRED BY ADA = 1 CAR & 1 VAN

-TOTAL REQUIRED PARKING SPACES = 12 SPACES

-TOTAL PROVIDED PARKING SPACES = 19 SPACES (INCLUDING 1 CAR OR 1 VAN HANDICAP ACCESSIBLE PARKING SPACE)

Drawing name: P:\1250 (strack) laser industrial court\engineering\Submit\Laser Industrial - MREZML.dwg
 Plotted by: gmsmith
 Plotted on: Sep 21, 2016 - 3:11pm

811 Know what's below. Call before you dig.
 THIS PARCEL OF LAND IS NOT IN THE 100 YEAR FLOOD PLAIN AND IS IN ZONE X-1; ACCORDING TO F.E.M.A. (F.I.A.) COMMUNITY NUMBER # 130374 MAP NUMBER # 13121C0462 DATED SEPTEMBER 18, 2013.

OWNER/DEVELOPER:
 STRACK INC.
 125 LASER INDUSTRIAL COURT
 FAIRBURN, GA 30213
 (770) 969-1591

24 HR. PHONE & EMERGENCY CONTACT:
 JOE STRACK
 (770) 969-1591



Gaskins
 ENGINEERING SURVEYING
 PLANNING/CONSULTING PROJECT MGMT
 1266 Powder Springs Road
 Marietta, Georgia 30064
 Phone: (770) 424-7168
 Fax: (770) 424-7593
 WWW.GASKINSURVEY.COM

© 2016, GASKINS SURVEYING COMPANY, INC.
 This drawing may be used for the express purpose of constructing the work shown for the site and owner specified for the site. Any other use of this drawing including any reproduction or alteration of this drawing without the prior written approval of Gaskins Surveying Company, Inc. is prohibited.

LASER INDUSTRIAL COURT
 LOT 7 - LASER INDUSTRIAL COURT
 LAND LOTS 48, 9F DISTRICT
 CITY OF FAIRBURN, FULTON COUNTY, GEORGIA
 ZONED M-2

REVISIONS		
REV.	DATE	REVISION REFERENCE
1	8/29/16	CHANGED BLDG SIZE
2	9/21/16	CONCEPT PLAN REVIEW
3		
4		
5		
6		
7		
8		
9		

SHEET TITLE
 SITE PLAN

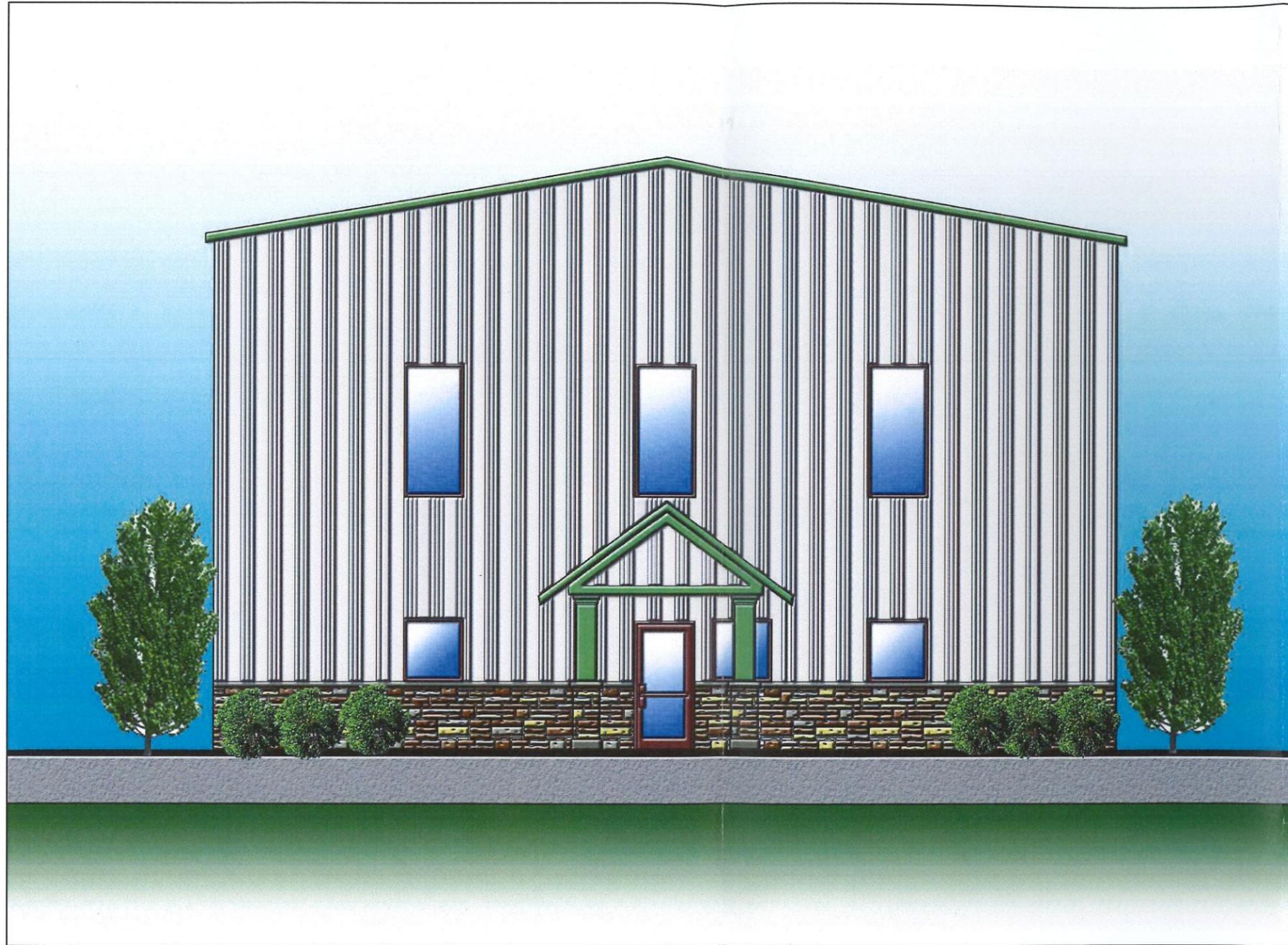
SEAL

 GASKINS #4480

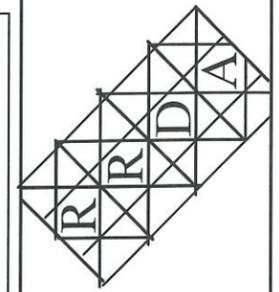
PROJECT I.D. 1704032	FIELD BOOK
DRAWN BY AEA	CHECKED BY DFM
SCALE 1"=30'	ISSUE DATE 08/10/18

SHEET NUMBER
 02

NOT ISSUED FOR CONSTRUCTION



PROPOSED FRONT ELEVATION



ROSE & REID DESIGN ASSOCIATES, P.C.
 259 HIGHWAY 74, SUITE 1
 PEACHTREE CITY, GEORGIA
 PHONE: 770-632-6161
 FAX: 770-632-6160
 RRDA@BELLSOUTH.NET

This drawing is the property of the architect and may not be reproduced or used without the written permission.

Issue date/revisions

A WELDING/EQUIPMENT SHOP
 FOR STRACK, INC.
 125 LASER INDUSTRIAL COURT
 FAIRBURN, GA. 30213

architect's seal

project name

A WELDING/EQUIPMENT
 SHOP FOR
 STRACK, INC.

sheet title

PROPOSED
 FRONT
 ELEVATION

drawn

JMF

checked

JMF

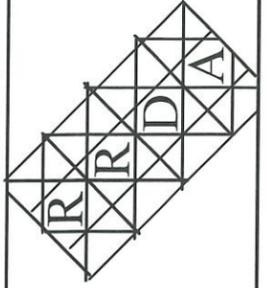
project no.

RRDA-18-068

date

08/16/2018

A-1
 sheet no.

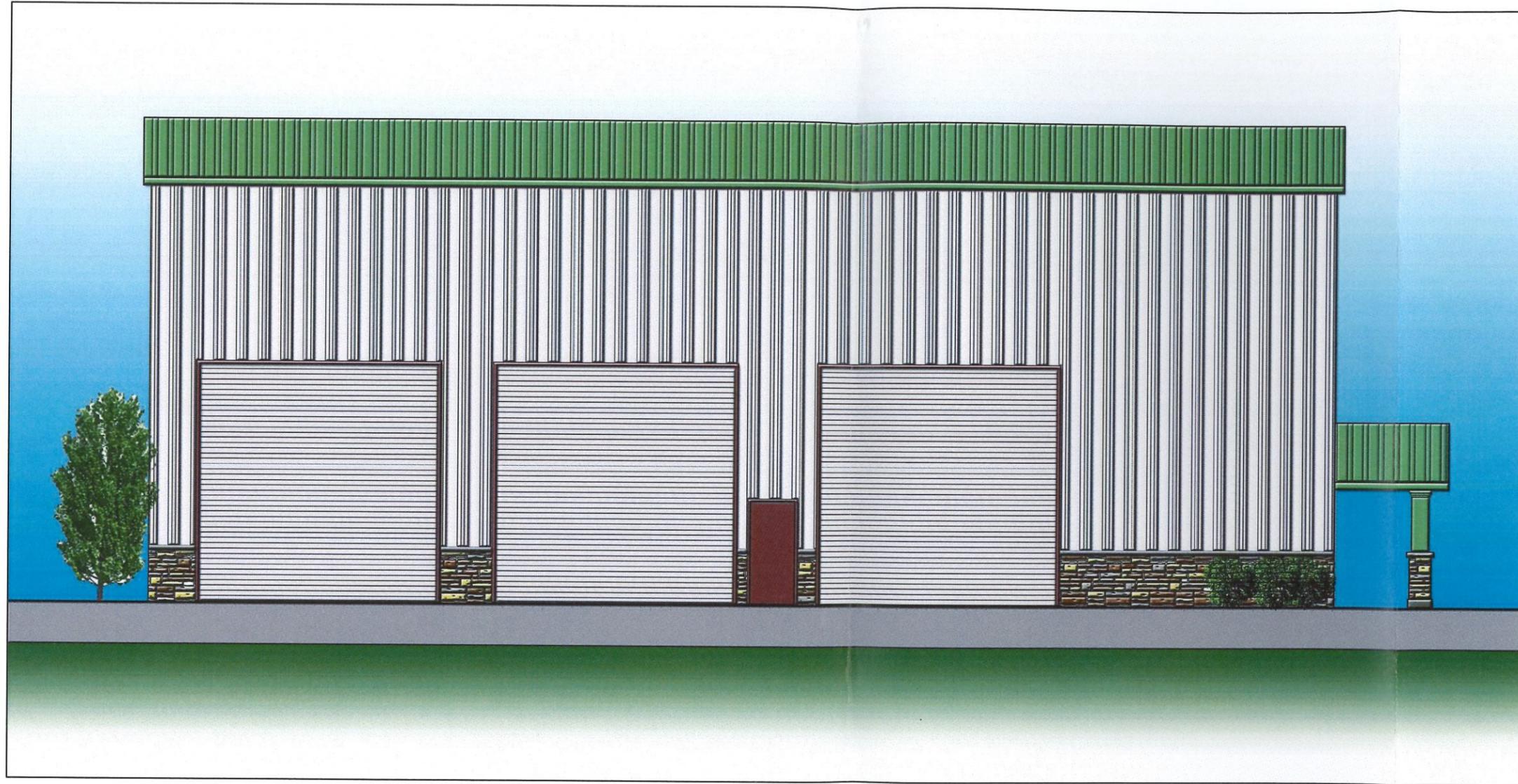


ROSE & REID DESIGN ASSOCIATES, P.C.
259 HIGHWAY 74, SUITE 1
PEACHTREE CITY, GEORGIA
PHONE: 770-632-6161
FAX: 770-632-4169
RRDA@BELLSOUTH.NET

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consent of the architect.

issue date/revision

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PROPOSED SIDE ELEVATION

A WELDING/EQUIPMENT SHOP
FOR STRACK, INC.
125 LASER INDUSTRIAL COURT
FAIRBURN, GA. 30213

architect's seal

project name

A WELDING/EQUIPMENT
SHOP FOR
STRACK, INC.

sheet title
PROPOSED
SIDE
ELEVATION

drawn
JMF
checked
JMF
project no.
RRDA-18-068
date
08/16/2018

A-2
sheet no.

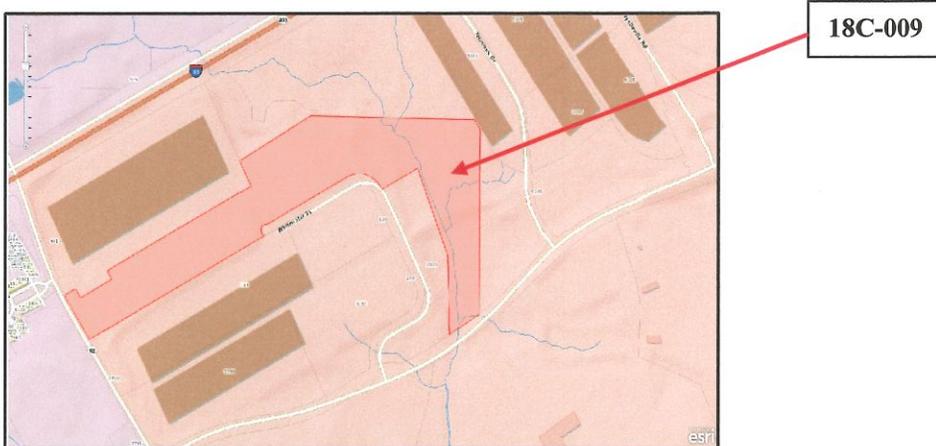
**CITY OF FAIRBURN
PLANNING AND ZONING COMMISSION
AGENDA ITEM**

To: Planning and Zoning Commission
From: Tarika Peeks, Senior Planner/Zoning Administrator
Date: October 2, 2018 Planning and Zoning Commission Meeting
Agenda Item: **18C-009 – South Park Bldg. 2 [09F110300450899 & 09F060000340553]** a request to review the conceptual site plan for a distribution facility.

BACKGROUND: The subject property is approximately 22.34 acres located at the northwest corner of Whitewater Place. The property is zoned M-2 (Heavy Industrial District).

DISCUSSION: The applicant is proposing to develop a 252,720 square foot distribution facility with associated truck court, trailer storage, vehicle parking and stormwater detention. The site is proposing ingress/egress on Whitewater Place. The proposed project will require approximately 74 standard parking spaces and 57 truck parking spaces. The applicant will be required to meet all parking regulations.

PARCEL MAP



STAFF RECOMMENDATION: APPROVAL CONDITIONAL of the conceptual site plan to construct a 252,720 square foot distribution facility. 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 application 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 August 27, 2018. Said site plan is conceptual only and must meet or exceed the requirements of the City's regulations and these conditions 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.

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:

Site Plan

Elevations



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

SUBJECT: REZONING 18RZ-006 – El Milagro Hair Salon

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

Planning and Zoning Commission: 10.02.18

Mayor and City Council: 10.22.18

DEPARTMENT: Community Development/Planning and Zoning

BUDGET IMPACT: None

PUBLIC HEARING: () Yes (X) No

A request to rezone the subject property from **R-3 (Single Family Residential)** to **C-1 (Neighborhood Commercial)** for a hair salon

STAFF RECOMMENDATION: APPROVAL CONDITIONAL

APPLICATION INFORMATION

Rezoning Petition 18RZ-006

APPLICANT/PETITIONER INFORMATION

Property Owner Araceli Salazar	Petitioner El Milagro Hair Salon/Araceli Salazar
--	--

PROPERTY INFORMATION

Address, Land Lot, and District:	263 Senoia Road [parcel no. 09F101500470100], Land Lot 47 and District 9F
Frontage:	Senoia Road
Area of Property:	1.283 acres
Existing Zoning and Use:	R-3 (Single-Family Residential)
Overlay District:	N/A
2035 Comprehensive Future Land Use Map Designation:	Town Center Mixed Use
Proposed Zoning:	C-1 (Neighborhood Commercial)

MEETING AND HEARING DATES

Planning and Zoning Commission Meeting October 2, 2018	Mayor and City Council Public Hearing October 22, 2018
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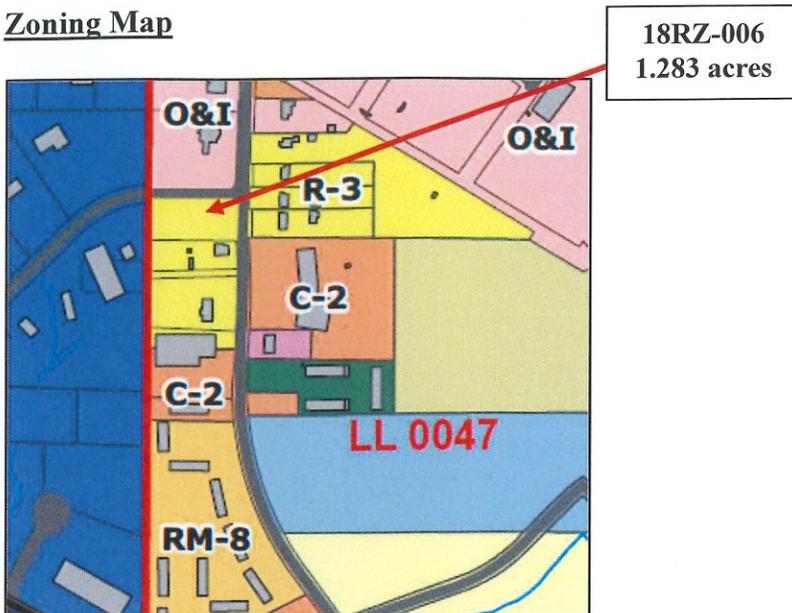
INTENT

To rezone the subject property from **R-3 (Single Family Residential)** to **C-1 (Neighborhood Commercial)** for a hair salon

EXISTING LAND USE AND ZONING OF ABUTTING PROPERTIES

North: O&I (Office Institutional District)
East: R-3 Overlay (Single-Family Residential District) and C-2 (General Commercial District)
South: R-3 Overlay (Single-Family Residential District) and C-2 (General Commercial District)
West: M-2 (Heavy Industrial District)

Zoning Map



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 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: O&I (Office Institutional District) to the north, R-3 Overlay (Single-Family Residential District) and C-2 (General Commercial District) to the east, PD (Planned Development District), R-3 Overlay (Single-Family Residential District) and R-3 Overlay (Single-Family Residential District) and C-2 (General Commercial District) to the south, M-2 (Heavy Industrial District) to the west.

The applicant is proposing to convert a single-family house into a licensed hair salon. The applicant states in the letter intent that the hair salon will include two styling chairs, two shampoo bowls and waiting area. The hours of operation will be Tuesday-Saturday from 10:00 a.m. – 8:00 p.m. and Sunday from 10:00 a.m. – 5:00 p.m. and closed on Monday. The property has been vacant for approximately 6-10 years and will require full renovation to include plumbing and electrical repairs. Major upgrades will be made to the interior and exterior of the structure.

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 zoning of surrounding properties varies from single-family (R-3) to industrial (M-2 Heavy Industrial).

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 an excessive or burdensome use of the existing infrastructure.

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 consistent with the Future Development Map, which designates the property as Town Center Mixed Use. Commercial land use is an appropriate use in the Town Center Mixed Use Character Area. Also, one of the land use goals stated in the Comprehensive Plan is to improve the quality of development downtown by ensuring that residential and commercial development are in close proximity to downtown. The development strategies for the Town Center Mixed Use Character Area are:

Town Center Mixed Use Development Strategies

- Maintain integrity of interconnected grid and pedestrian circulation
- Historic structures should be preserved or adaptively reused wherever possible
- New development should reflect the historical context of building mass, scale and setbacks
- Encourage mixed-use infill and redevelopment
- Encourage transit-supportive residential development
- Economic development strategies should continue to nurture thriving commercial activity
- Enhance tree planting to include more shade trees and ornamental streetscape plantings
- Ensure that future phases of streetscape enhancements are developed in harmony with previous efforts, as well as economic development goals of the City and the Downtown Development Authority

Appropriate Land Use

- Mixed Use
- Civic/Institutional/Educational
- Residential (all types)
- Commercial/Retail/Office
- Small scale low Intensity Industrial that fits into appropriately scaled and designed structures

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.

STAFF RECOMENDATION

It is the opinion of staff that the rezoning request is in conformity with the current Future Development Map, which recommends Town Center Mixed Use. Commercial land use is an appropriate use in the Town Center Mixed Use Character Area. 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-3 (Single Family Residential) to C-1 (Neighborhood Commercial) 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 restrict the use of the subject property as follows:

1. Hair salon and accessory uses

2. Permitted uses under C-1 (Neighborhood Commercial)

ATTACHMENTS

Letter of Intent
Impact Analysis
Site Photos

Araceli Salazar
El Milagro Hair Salon #1 LLC.
5241 Woodland Dr.
Lake City, GA 30260
7/31/18

City of Fairburn
Community Development Department
26 W. Campbellton Street
Fairburn, GA 30213

Dear City of Fairburn :

El Milagro Hair Salon #1 LLC. was founded March 19, 2003 by Araceli Salazar. This salon could be well known in the plaza of Senoia Rd. I am writing this letter to persuade the people in the community of Fairburn to approve the request of rezoning the property located in 263 Senoia Rd. Fairburn, GA 30213.

Rezoning the residential home (263 Senoia Rd. Fairburn, GA 30213) to a commercial property could require numerous permits based on converting this property into a hair salon. This property perhaps been vacant for about 6-10 years without proper care and will require plumbing, remodeling and electrical services. Major upgrades will be advertisement and constructional work for the interior and exterior.

This upcoming project will be including two styling chairs, two shampoo bowls, a refrigerator, and waiting chairs. A licensed employee with the same hours of operation which are; Tuesday-Saturday 10am-8pm and Sunday's 10am-5pm leaving Monday closed.

Sincerely,

Araceli Salazar
El Milagro Hair Salon #1 LLC.



IMPACT ANALYSIS

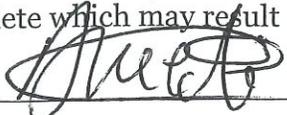
Applicant: Araceli Salazar

Analyze the impact of the proposed rezoning and answer the following questions:

1. Does the zoning proposal permit a use that is suitable in view of the use and development of adjacent and nearby property? A hair salon (El Milagro Hair Salon #1 LLC) will be without too much hassle and could be visible and easily accessible by car, passerby and public transport.
2. Does the zoning proposal adversely affect the existing use or usability of adjacent or nearby property? The hair salon will give zero affect, to the usability of adjacent or nearby properties due to the fact that El Milagro is already in use in front of the zoning area.
3. Does the property to be rezoned have a reasonable economic use as currently zoned? El Milagro will benefit economically by attracting clientele.
4. Will the zoning proposal result in a use that could cause an excessive or burdensome use of existing streets, transportation facilities, utilities or schools? El Milagro will be a trouble free transportation zone to our community streets by our wide open parking space.
5. Is the zoning proposal in conformity with the policies and intent of the land use plan? the land is a great space for a one floor hair salon building with a wide open parking lot that can fit maximally 10 cars.
6. Are there existing or changing conditions that affect the use and development of the property which support either approval or denial of the zoning proposal? There will be plenty of changing conditions. If approved, our goal is to rezone the property with an outstanding hair salon, if denied we tend to reconstruct the property to a more suitable home.
7. Does the zoning proposal permit a use that can be considered environmentally adverse to the natural resources, environment and citizens of City of South Fulton? El Milagro Hair Salon profession takes place inside and will show no effect to the environment and citizens of South Fulton.

Attach additional sheets as needed.

The undersigned acknowledges that the site plan is submitted in accordance with Chapter 62, Article V - The Building Process of the City of Fairburn Code of Ordinance and failure to comply shall render my application incomplete which may result in delay in the process of this application.

Applicant signature: 

Date: 7-31-18

Applicant printed name: Araceli Salazar

