

**City of Fairburn  
Planning and Zoning Commission**

**AGENDA**

**Tuesday, July 10, 2018 ♦ 7:00 p.m.**

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- **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:** June 5, 2018
- **Public Hearing(s):**
- **New Business:**
  - **Conceptual Plan 18C-005 - South City Partners:** A request to review a conceptual site plan for a 276 multi-family unit development located in the Highway 74 Overlay District (southeast corner of Senoia Road/Hwy 74 and Harris Road along Renaissance Pkwy)
  - **Rezoning 18RZ-003 - Miller Development Company:** A request to rezone 1.004 acres located at the northwest corner of Senoia Road/Hwy 74 and Meadow Glen Pkwy from PD (Planned Development) to PD (Planned Development) to remove a zoning condition that prohibits Major Group 55 uses in the area designated as commercial in Ordinance No. 98-07.
- **Staff Report**
- **Commission Members Comments**
- **Adjourn**

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

To: Planning and Zoning Commission

From: Tarika Peeks, Senior Planner/Zoning Administrator

Date: July 10, 2017 Planning and Zoning Commission Meeting

Agenda Item: **18C-005 – Harris Road Multi-family [09F070000260628]** a request to review the conceptual site plan.

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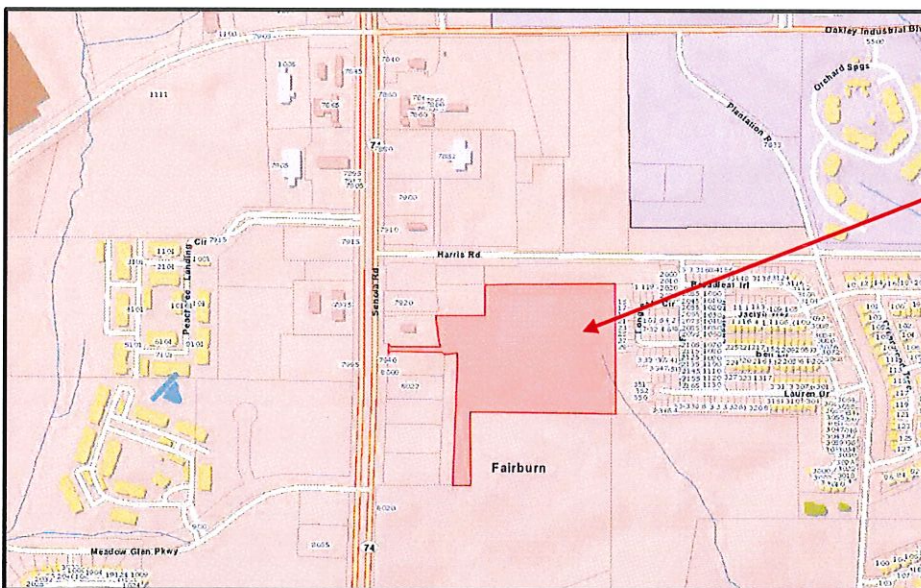
**PURPOSE:** For the Planning and Zoning Commission to review and approve the conceptual site plan for a 276 multi-family unit development located in the Highway 74 Overlay District.

**DISCUSSION:** The subject property is located at the southeast side of Senoia Road (Hwy 74) and Harris Road along Renaissance Pkwy. The property is currently zoned RM-36 (Multi-family District) and is in the Highway 74 Overlay District. The subject property is approximately 17.5 acres.

The applicant is proposing to develop 276 multi-family units (one bedrooms: 197, two bedrooms: 71 and three bedrooms: 8). The site is proposing ingress/egress on Renaissance Pkwy. Stormwater detention is proposed to be managed on site. The applicant will be required to meet all parking regulations. The multi-family develop will have a variety of amenities which includes a resort style pool, two alternative vehicle charging stations, recreational courts, dog park and fitness center.

**STAFF RECOMMENDATION:** APPROVAL of the conceptual site plan to construct 276 multi-family units. The staff has reviewed the proposed conceptual site plan and the plan has met the requirements for a conceptual review. Additionally, the proposal has specific conditions per the zoning petition 18RZ-001 (see attached).

**PARCEL MAP**



**Attachments:**  
Site Plan  
Elevations



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

**SUBJECT: REZONING 18RZ-003 - Miller Development Company**

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

**Planning and Zoning Commission: 07.10.18**

**Mayor and City Council: 07.23.18**

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

**BUDGET IMPACT:** None

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

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Miller Development Company seeks to rezone 1.004 acres located at 0 Senoia Road/Hwy 74 (Intersection of Meadow Glen Pkwy and Senoia Road/Hwy 74) from **PD (Planned Development)** to **PD (Planned Development)** to remove the condition that prohibits Major Group 55 uses in the area designated as commercial in Ordinance No. 98-07.

**STAFF RECOMMENDATION: DENIAL**

**APPLICATION INFORMATION**

**Rezoning Petition 18RZ-003**

**APPLICANT/PETITIONER INFORMATION**

<b>Property Owner</b> White Brookwood LLC	<b>Petitioner</b> Miller Development Company
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**PROPERTY INFORMATION**

<b>Address, Land Lot, and District:</b>	Senoia Road/Hwy 74, [parcel no. 09F070000271062], Land Lot 27
<b>Frontage:</b>	Senoia Road/Hwy 74
<b>Area of Property:</b>	1.004 acres
<b>Existing Zoning and Use:</b>	PD (Planned Development), Undeveloped
<b>Overlay District:</b>	Highway 74 Overlay District
<b>2035 Comprehensive Future Land Use Map Designation:</b>	Highway Mixed Use
<b>Proposed Zoning:</b>	PD (Planned Development District)

**MEETING AND HEARING DATES**

<b>Planning and Zoning Commission Meeting</b> July 10, 2018	<b>Mayor and City Council Public Hearing</b> July 23, 2018
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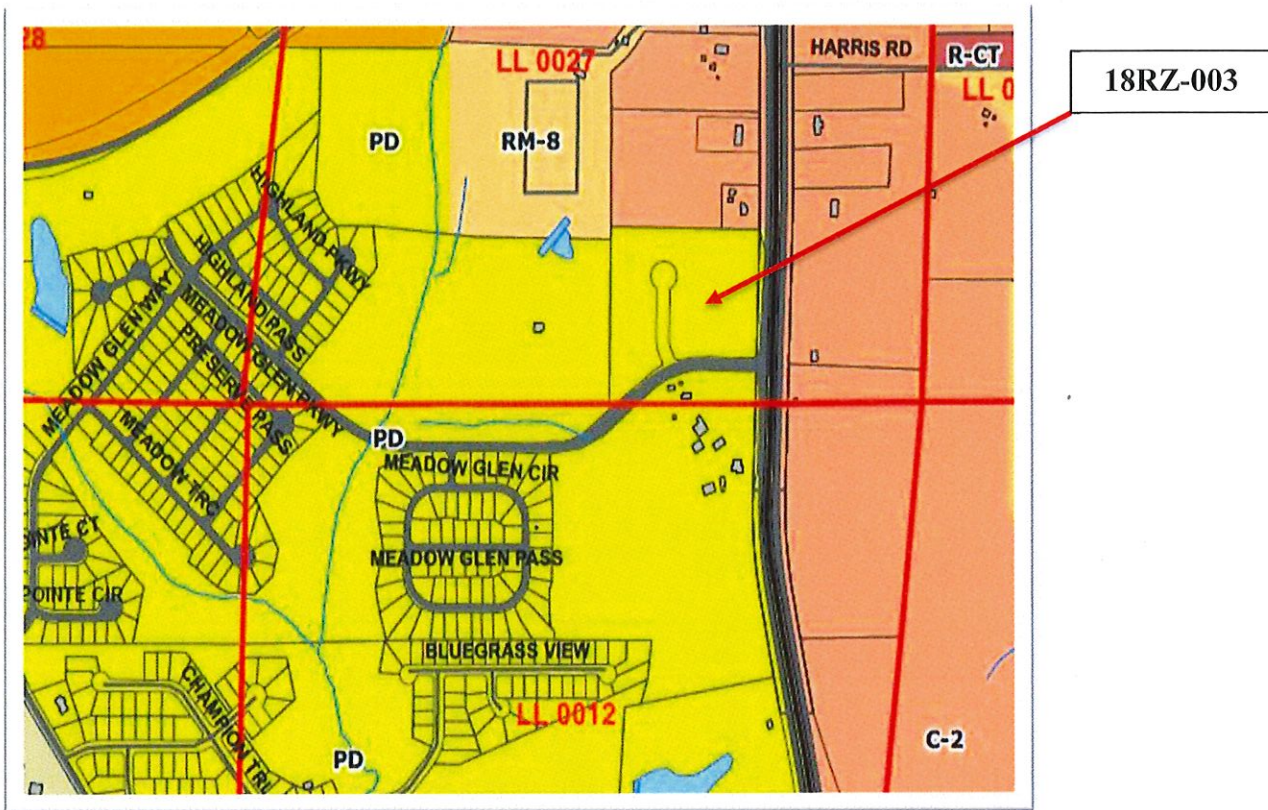
**INTENT**

To rezone 1.004 acres from PD (Planned Development District) to PD (Planned Development District) to remove the condition that prohibits Major Group 55 uses in the area designated as commercial in Ordinance No. 98-07.

**EXISTING LAND USE AND ZONING OF ABUTTING PROPERTIES**

<b>North:</b>	C-2 (General Commercial District)
<b>East:</b>	C-2 (General Commercial District) and RM-8 (Multi-family Residential District)
<b>South:</b>	PD (Planned Development District), C-2 (General Commercial District) and O&I (Office Institutional)
<b>West:</b>	PD (Planned Development 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?***

As stated in the applicant's letter of intent, the applicant is proposing to develop an O'Reilly Auto Parts retail store. The proposed auto part retail store will be 7,225 square feet with associated parking and stormwater management facility. The property is located in the Highway 74 Overlay District.

In February 1998, the City of Fairburn City Council approved the annexation and rezoning of the subject property from Fulton County AG-1 and C-2 to PD (Planned Development District) with conditions. The proposed development of the subject property included 86.948 acres of single-family detached residential, 26.211 acres of multi-family residential, 31.854 acres of commercial and 13.052 acres of industrial, which is now known as the Meadow Glen Planned Development. The conditions prohibited Major Group 55 and Major Group 75 as well as all conditional uses under the C-2 (General Commercial District) regulations in the areas designated for commercial uses on the conceptual site plan. (See attached Annexation Exhibit and Concept Plan)

The 1987 Standard Industrial Classification Manual (SIC) Major Group 55 and Major Group 75 consist of industries in the following categories: retail dealers selling new and used automobiles, boats, recreational vehicles, utility trailers, and motorcycles including mopeds; those selling new automobile parts and accessories; and gasoline service stations; automobile repair shops maintained by establishments engaged

in the sale of new automobile are also included; establishments primarily engaged in selling used automobile parts in wholesale trade and industrial and establishments primarily engaged in furnishing automobile repair, rental, leasing, and parking services to the general public. All of the above-mentioned uses are prohibited in the areas of the subject property designated as commercial. (See attached SIC Major Group 55 and Major Group 75)

Based on the condition from the 1998 rezoning petition, Ordinance No. 98-07, the proposed use of the property for the sale of new automobile tires, batteries, and other automobile parts and accessories is not suitable for the Meadow Glen Planned Development.

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

The staff is of the opinion that the proposal if approved will not have an adverse impact on the use or usability of adjacent or nearby properties. The surrounding area consists of: C-2 (General Commercial District) to the north; PD (Planned Development District), C-2 (General Commercial District) and O&I (Office Institutional) to the south; C-2 (General Commercial District) and RM-8 (Multi-family Residential District) to the east and PD (Planned Development District) to the west.

***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 Highway Mixed Use. The applicant is requesting to remove a zoning condition which prohibits the use of the subject property for the sale of new automobile tires, batteries, and other automobile parts and accessories. There is no change to the existing zoning designation of the subject property.

Highway Mixed Use Development Strategies

- Vibrant commercial corridors that provide a comprehensive array of goods and services to Fairburn residents as well as Coweta and Fayette County residents
- Smaller scale, walkable retail centers with a variety of stores and shops
- Developments that are accessible and safe for pedestrians and cyclists, as well as automobiles
- To promote a variety of housing types in the area
- Limit multi-family densities to no more than 16 units/acre.
- Building height should be limited to three (3) stories
- Multi-family and townhouses should be used as a transition from the intense commercial use to the residential uses

Appropriate Land Use

- Retail Sales of Goods (Clothing, Shoes, Accessories, Gifts, Sporting Goods, etc.)

- Grocery Stores
- Restaurants/Cafés
- Drug Stores/Pharmacies
- Dry Cleaners
- Medical and Professional Offices/Other Service Providers
- Theaters
- Multi-family Residential and Townhouses

***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 Land Map, which recommends Highway Mixed Use. However, zoning conditions specified in Ordinance 98-07 prohibit the use of the property for the sale of new automobile tires, batteries, and other automobile parts and accessories (Major Group 55). Therefore, based on this reason, staff recommends **DENIAL** of the rezoning petition.

Should the Mayor and City Council decide to rezone the subject property from PD (Planned Development District) to PD (Planned Development District) to remove the condition that prohibits Major Group 55 uses in the area designated as commercial, 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 Mayor and City Council.

1. To restrict the use of the subject property as follows:
  - a. Retail store and accessory uses
  - b. Permitted uses under C-2 (General Commercial District), excluding automobile repair shops, including painting and body repair, recycling centers, heavy equipment leasing and renting, and all C-2 (General Commercial District) uses requiring the approval of a Use Permit.
2. To provide the following site development standards:

- a. The development shall meet the requirements of Chapter 80. Article II. Section 80-90 Highway 74 Overlay District standards unless a variance is granted through the normal variance procedures.
- b. Inter-parcel access shall be provided between adjacent properties.

**ATTACHMENTS**

Letter of Intent

SIC Major Group 55 and Major Group 75

Conceptual Site Plan

Annexation Exhibit and Concept Plan