

Planning and Zoning Commission Meeting Agenda

Meeting Location: City Hall, 56 Malone Street, Fairburn, GA Tuesday, October 7, 2025 7:00 p.m.

- A. Call to Order
- B. Determination of a Quorum
- C. Pledge of Allegiance
- D. Approval of the Meeting Agenda
- E. Approval of the Meeting Minutes
- F. Public Comments
- G. Old Business:
 - 1. Gas Station/Convenience Store REQUEST TO TABLE

Applicant: SM Harmony / Earth Engineering Design

Property Owner: Killearn Consulting INC

Location: 101 Durham Lake Pkwy [Parcel ID: 07 270001681331]

Request: To approve the concept plan

- H. Public Hearings
- I. New Business:
 - 1. KBD (Mixed Use Multifamily, Commercial, and Conservation)

Applicant: Summit Engineering Consultants, Inc.

Property Owner: KBD Fairburn LLC / Developer Middleburg Communities LLC.

Location: 5650 Milam Rd [Parcel ID: 09F020200130436]

Request: To approve the concept plan

- J. Other Business
- K. Adjournment



Planning and Zoning Commission Meeting Minutes City Hall, 56 Malone Street Fairburn, GA 30213 Tuesday, September 2, 2025 7:00 p.m.

Jason Jones, Chair Michelle James, Vice-Chair Lina Parker Elizabeth Echols

Planning Director: Denise Brookins

City Attorney: Valerie Ross

A. Call to Order: Chairman Jones called the meeting to order at 7:00 p.m.

B. Determination of a Quorum:

Roll Call: Chairman Jason Jones, Vice Chairwoman Michelle James, Commissioner Lina Parker, and Commissioner Elizabeth Echols were present. A quorum was established, and the meeting proceeded.

C. Pledge of Allegiance: The Pledge of Allegiance was recited.

D. Approval of the Meeting Agenda

1. Commissioner Echols moved to approve the agenda. Vice Chairwoman James seconded. **THE MOTION CARRIED.**

E. Approval of the Meeting Minutes

1. Vice Chairwoman James moved to approve the August 5, 2025, minutes. Commissioner Parker seconded.

THE MOTION CARRIED.

F. Public Comments

Chair Jones opened public comment, limited to three minutes per speaker. Multiple residents spoke in opposition to the proposed gas station/convenience store at 101 Durham Lake Parkway, citing proximity to residences, safety and crime, traffic, environmental and public health concerns, property values, and community character. Additional comments included alternative uses (e.g., medical/urgent care, daycare, neighborhood-serving, or recreational uses).

Speakers included:

- Shanita Nichols (resident)
- Homer Knight (Durham Lakes resident since 2006)
- Anatavia Benson (Brook Haven at Durham Lakes)
- Dacia Gilkey (resident)
- Hattie Porter-Jones (resident ~30 years; Rivertown Rd.)
- James Whitmore (Fairways at Durham Lakes; former P&Z member)
- Rep. Lydia Glaze (GA House, District 67; resident)
- David James (retired law enforcement)
- Rufus Wells (Fairways; former HOA board)
- Alexandria Hawkins (resident since 2006)
- Eric & Monique Barnes (Heather Glenn)
- Mr. Law (resident)
- Francis & Thomas Smith (104 Durham Lake Pkwy)
- Princess Smith (resident)
- Eric Wallis (Vintage Ct.)
- James Davis (Birdie Circle)
- Ms. Knight (resident)
- Samantha Hudson (City Council; Lake Joyce Ln.)
- Rian Trotter (real estate agent/resident)
- Heather Bland (former Health Department reviewer of the original plans)
- **G.** Old Business: None.
- H. Public Hearings: None.

I. New Business:

1. Concept Plan (Gas Station/Convenience Store)

Applicant: SM Harmony and Earth Engineering Design

Property Owner: Killearn Consulting, Inc.

Location: 101 Durham Lake Parkway [Parcel ID: 07 270001681331]

Request: To approve the concept plan.

Ms. Brookins presented the staff report, noting the project complies with the Durham Lakes PD and C-2 Highway Commercial standards. Applicant's attorney, Michelle Battle, requested additional time to meet with the community. Commissioner Parker moved to table the item. The motion was seconded by Commissioner Echols. Vice Chairwoman James recused herself.

THE MOTION CARRIED.

2. Final Plat (Curry Bend)

Applicant: Cameon Heath, DRB Group Georgia, LLC Property Owner: Bartow Properties LLC and Lacy Curry

Location: O Bohannon Road [Parcel ID: 07 400001632170] and 6560 Bohannon Road [Parcel ID: 07

400001800462]

Request: To approve the final plat.

Ms. Brookins presented the staff report, noting the plat complies with applicable regulations. Vice

Chairwoman James moved to recommend approval. Commissioner Echols seconded.

THE MOTION CARRIED.

J. Other Business: None.

K. Adjournment

Commissioner Parker moved to adjourn at 8:17 p.m. Vice Chairwoman James seconded.

THE MOTION CARRIED.



September 29, 2025

Denise Brookins, Planning & Zoning Director City of Fairburn 56 Malone Street SW Fairburn, GA 30213

Re: Tabling Request for 101 Durham Lakes Parkway

Dear Denise:

As we continue to work through the issues regarding the conceptual plan approval for the proposed gas station at 101 Durham Lakes Parkway, I am hereby requesting that the matter be tabled until the January 2026 hearing calendar.

Sincerely,

Michèle L. Battle, Esq. mlb@battlelawpc.com



CITY OF FAIRBURN PLANNING AND ZONING COMMISSION STAFF REPORT

To: Planning and Zoning Commission

From: Denise Brookins, Planning and Zoning Director
Agenda Item: KBD FAIRBURN LLC/Taylor English Duma LLP
Property Location: 5650 Milam RD [Parcel No. 09F020200130436]

Agent/Applicant/Petitioner Information

Project: KBD Fairburn LLC

Location: 5650 Milam Road, Fairburn, GA (Parcel ID: 09F020200130436)

Applicant: Summit Engineering Consultants, Inc.

Property Owner: KBD Fairburn LLC

Developer: Middleburg Communities, LLC Request: Approval of the Conceptual Site Plan

Zoning District: Planned Development

Background

The subject property, totaling 14.22 acres, is located at 5650 Milam Road. In April 2025, the Mayor and City Council approved Ordinance 2025-05, rezoning the property and adopting detailed development standards for the proposed project. The rezoning authorized the development of a multifamily community with supporting retail, subject to conditions related to density, design, amenities, and infrastructure.

The applicant, KBD Fairburn LLC, through its development partner Middleburg Communities, now seeks approval of the Conceptual Site Plan consistent with the rezoning ordinance.

Summary of the Request

The applicant proposes a 252-unit multifamily residential community with a supporting retail component. The project is designed at a density of 18 units per acre, with residential buildings not exceeding four stories in height. To complement the residential development, the plan incorporates the required 4,500 square feet of retail space. The site is organized around a privately owned and maintained internal road network, with no new public streets proposed. The building setbacks conform to zoning requirements.

Staff Recommendations

The proposed KBD / Middleburg Fairburn Conceptual Site Plan complies with the standards of the PD zoning conditions and the City's current development regulations for this stage of the development process.

MOSBYFAIRBURN

CONCEPTUAL SITE PLAN SUBMITTAL

5650 MILAM ROAD, FAIRBURN, GA 30213 LAND LOT 13 - DISTRICT 9F - FULTON COUNTY, GEORGIA PARCEL ID (PIN): 09F020200130436

MIDDLEBURG COMMUNITIES, LLC

1921 GALLOWS ROAD, SUITE 700 VIENNA, VA 22182



K B D FAIRBURN LLC 136 HOOD ST., SUITE C MCDONOUGH, GA 30253 MIDDLEBURG COMMUNITIES, LLC 1921 GALLOWS ROAD, SUITE 700 VIENNA, VA 22182 770-656-0040 SUMMIT ENGINEERING CONSULTANTS, INC. 6250 SHILOH ROAD, SUITE 100 ALPHARETTA, GA 30005

7.44 ACRES 53%

252 TOTAL UNITS

PD (ALTERED CONDITIONS)

30% = 4.27 ACRES MINIMUM

32% = 4.50 ACRES

188,302 SF (30%)

32,316 SF(0.052%)

16,471 SF (10% OF VEHICLE USE AREA)

5,189.77 SF

1,520.13 SF

252 UNITS / 14.22 ACRES = 18 UNITS / ACRE

770-667-0094

TE ACREAGE: IMPERVIOUS AREA:

PROPOSED MULTI-FAMILY UNITS: PROPOSED MULTI-FAMILY DENSITY: MAXIMUM BUILDING HEIGHT: 4 STORIES BEDROOM DENSITY REQUIRED:

• 1BED NO LESS THAN 35% • 2 BED NO MORE THAN 60% • 3 BED NO MORE THAN 10% PROPOSED RETAIL SF:

OMMON OPEN SPACE AREA: EQUIRED:

EXISTING LOT COVERAGE BUILDINGS: 2,918 SF (0.005%) 0.00 SF (0.0%) SIDEWALKS & CONCRETE: PROPOSED LOT COVERAGE BUILDINGS: 16,826 SF (27%)

SIDEWALKS & CONCRETE: RIGHT-OF-WAY DEDICATION:

RENAISSANCE PARKWAY

MILAM ROAD INTERIOR LANDSCAPING AREA REQUIREMENTS: 10% OF VEHICLE USE AREA VEHICLE USE AREA: REQUIRED INTERIOR LANDSCAPE: PROPOSED INTERIOR LANDSCAPE:

18,045 SF (11%) 1 / 250 SF. = 73 TREES REES PROVIDED: 73 INTERIOR LANDSCAPE TREES ERIMETER LANDSCAPE AREA REQUIRED: 1 TREE / 250 SF OF PERIMETER LANDSCAPED AREA ADJACENT TO VEHICLE USE AREA ERIMETER LANDSCAPE AREA PROVIDED: 11,116 SF PERIMETER LANDSCAPED AREA = 45 TREES

RONT RENAISSANCE PKWY: 35 FEET IDE MILAN ROAD:

OTE: THERE ARE NO REQUIRED LANDSCAPE STRIPS UNLESS OTHERWISE SHOWN ON THIS PLAN. DJACENT TO RESIDENTIAL: 20' LANDSCAPE STRIP

IULTI FAMILY REQUIRED PARKING: 1ULTI-FAMILY PROVIDED PARKING: TAIL REQUIRED PARKING: ETAIL PROVIDED PARKING:

1.5 SPACES PER UNIT PER CONCURRENT VARIANCE $(252 \times 1.5 = 378 \text{ SPACES})$ EXCEEDS MINIMUM REQUIRED 1.5 SPACES PER UNIT 1 SPACE PER 200 SF = 23 SPACES 1 SPACE PER 200 SF = 23 SPACES

NO NEW PUBLIC ROADS ARE PROPOSED. ALL ROADS SHOWN ARE TO BE PRIVATELY OWNED AND MAINTAINED. HE SUBJECT PROPERTY IS NOT LOCATED WITHIN 200 FEET OF JURISDICTIONAL WATERS. NO STREAMS AND ASSOCIATED REQUIRED BUFFERS ARE REQUIRED.

WETLANDS DO NOT EXIST ON SITE.

BOUNDARY AND TOPOGRAPHIC INFORMATION PROVIDED BY LAND ENGINEERING. DATED: 1/14/2023.

84° 34' 24.5748" W (-84.573493)

HE SUBJECT PROPERTY DOES NOT LIE WITHIN A FLOOD HAZARD AS ESTABLISHED PER F.I.R.M. COMMUNITY PANEL NO. 3121C0464F, DATED: SEPTEMBER 18, 2013

HIS SITE IS NOT LOCATED WITHIN THE CHATTAHOOCHEE RIVER CORRIDOR (WITHIN 2,000 FEET OF THE CHATTAHOOCHEE

INITIAL EROSION AND SEDIMENTATION CONTROLS, AND TREE PROTECTION MEASURES SHALL BE INSTALLED PRIOR TO

SEPARATE BUILDING PERMIT WILL BE REQUIRED FOR EACH BUILDING AND ACCESSORY STRUCTURE. DNSTRUCTED EXIT LOCATION: 33° 31′ 47.8164′′ N (33.529949)

PLANS AND THE PHYSICAL CONDITIONS OF THE PROJECT, OR ANY ERRORS OR OMISSIONS IN THE PLANS OR IN THE LAYOUT AS GIVEN BY THE ENGINEER, IT SHALL BE HIS DUTY TO IMMEDIATELY BEGINNING ANY WORK, THE CONTRACTOR SHALL IDENTIFY UTILITIES AND THEN MARK OR

THE CONTRACTOR SHALL CAREFULLY PRESERVE BENCH MARKS, REFERENCE POINTS AND STAKES. THE CONTRACTOR SHALL OBTAIN ALL REQUIRED PERMITS AND LICENSES FOR CONSTRUCTION MATERIALS AND THE EXECUTION OF THE WORK SHALL BE IN ACCORDANCE WITH THE STATE, AND

DETENTION FACILITIES AND EROSION CONTROL MEASURES ARE TO BE INSTALLED PRIOR TO ANY OTHER CONSTRUCTION ON THE SITE AND MAINTAINED UNTIL PERMANENT GROUND COVER IS

TESTING SHALL BE DONE BY THE CONTRACTOR UNLESS OTHERWISE NOTED. . SHORING SHALL BE DONE AS NECESSARY FOR THE PROTECTION OF THE WORK AND FOR THE SAFETY OF PERSONNEL. SHORING SHALL BE IN ACCORDANCE WITH SECTION 7 OF THE MANUAL OF ACCIDENT PROTECTION IN CONSTRUCTION AS PUBLISHED BY THE ASSOCIATED GENERAL CONTRACTORS OF AMERICA, OSHA, AND THE LOCAL REGULATIONS.

CLEAN-OUTS WILL BE PROVIDED AT ALL TURNING POINTS ON LATERAL LINES.

10. ALL WALLS SHOWN ARE TO BE DESIGNED BY OTHERS. ALL WALLS 30 INCHES IN HEIGHT OR GREATER SHALL HAVE A FALL PROTECTING RAIL. FOR WALLS OVER 3 FEET IN HEIGHT, THE CLIENT SHALL BE RESPONSIBLE FOR WALL STRUCTURAL DESIGN, DETAILS, CALCULATIONS, APPROVALS, PERMIT FEES, INSPECTIONS AND CERTIFICATIONS REQUIRED BY THE GOVERNING AUTHORITY. L. ALL STAIRWAYS HAVING MORE THAN THREE (3) RISERS ABOVE A FLOOR OR GRADE SHALL BE EQUIPPED WITH HANDRAILS LOCATED NOT LESS THAN 34 INCHES (34") NOR MORE THAN 38 INCHES (38") ABOVE THE LEADING EDGE OF A TREAD. EXCEPTION: HANDRAILS THAT FORM PART

OF A GUARDRAIL MAY BE 42 INCHES (42") HIGH. 12. ALL WALL TOPS TO BE SIX INCHES (6") ABOVE GRADE UNLESS OTHERWISE NOTED. 13. MAXIMUM CUT OR FILL SLOPES: 2H: 1V. SLOPES STEEPER THAN 2.5: 1 AND WITH A HEIGHT OF 10' OR GREATER AND CUTS AND FILLS WITHIN STREAM BUFFERS SHALL BE STABILIZED WITH APPROPRIATE MATTING OR BLANKETS.

14. INDICATED GRADES ARE FINISHED GRADES. 15. ALL ROADWAYS ARE MEASURED FROM FACE OF CURB TO FACE OF CURB.

16. ALL WATER VALVES TO BE THE SAME SIZE AS INDICATED WATER LINES. 17. CONSTRUCTION EQUIPMENT SHALL NOT BE PARKED IN RIGHT-OF-WAY, AND MUST BE STORED

18. ALL DIMENSIONS ARE TO FACE OF CURB, FACE OF BUILDING, OR CENTER OF STRUCTURE, UNLESS OTHERWISE NOTED. 19. ALL CONSTRUCTION SHALL CONFORM TO CITY OF FAIRBURN AND / OR GEORGIA D.O.T. STANDARDS AND SPECIFICATIONS.

20. ALL NON- PAVED DISTURBED AREAS TO SE SEEDED WITH MATERIAL SUITABLE TO SEASON AND TO BE MAINTAINED UNTIL STABILIZED. 21. NO PARKING, STORAGE, OR OTHER CONSTRUCTION SITE ACTIVITIES ARE TO OCCUR WITHIN TREE

22. ALL PIPE LENGTHS ARE SCALED LENGTHS FROM CENTER OF STRUCTURE. CONTRACTOR SHALL VERIFY PRIOR TO ORDERING PIPE.

I. ALL WASTEWATER PIPE CONSTRUCTION SHOWN ON THESE PLANS MUST CONFORM TO CITY OF FAIRBURN STANDARDS AND SPECIFICATIONS, INCLUDING SANITARY SEWER REGULATIONS

2. ALL WASTEWATER EASEMENTS MUST BE DRESSED AND GRASSED TO CONTROL EROSION PRIOR AS-BUILT DRAWINGS AND MAINTENANCE BOND(S) MUST BE SUBMITTED AND ARE REQUIRED

NEOPRENE COUPLINGS WITH STAINLESS STEEL BANDS AND SHEAR RINGS ARE REQUIRED FOR

JOINING DIFFERENT TYPES OF SANITARY SEWER PIPES. POOLS SHALL NOT DRAIN INTO WASTEWATER PIPE SYSTEMS. LOW PRESSURE AIR TESTING REQUIRED FOR ALL WASTEWATER PIPE SYSTEMS. THIS TEST MUST

MEET ALL REQUIREMENTS AS OUTLINED IN ASTM C82B80 OR CURRENT REVISION. A CITY OF FAIRBURN INSPECTOR MUST BE PRESENT DURING TESTING.

7. ISSUANCE OF THIS PERMIT DOES NOT IN ANY WAY IMPLY THAT WASTE WATER TAPS FOR

8. CONTRACTOR TO FIELD VERIFY THE LOCATIONS AND INVERT ELEVATIONS OF WASTEWATER PIPES FOR A CONNECTION TO EXISTING WASTEWATER SYSTEMS. NOTIFY INSPECTOR 24-HOURS PRIOR TO CONSTRUCTION.

10. EIGHT INCH (8") OR LARGER PIPE LINES SHOULD BE TV INSPECTED. A DIGITAL VIDEO AND WRITTEN INSPECTION LOG CERTIFIED BY A GEORGIA REGISTERED ENGINEER SHALL BE PROVIDED

WHEN AS-BUILTS ARE SUBMITTED. 11. MAXIMUM DISTANCE BETWEEN MANHOLES IS 400 FEET. 12. COMPACTION OF THE BACK FILL OF ALL TRENCHES SHALL BE COMPACTED TO 90% OF THE PROCTER DENSITY. BACKFILL MATERIAL SHALL BE FREE FROM ROOTS, STUMPS, OR OTHER FOREIGN DEBRIS, AND SHALL BE PLACED AT OR NEAR OPTIMUM MOISTURE. CORRECTION OF

RESPONSIBILITY OF THE CONTRACTOR. 13. SANITARY SEWER LATERALS SHOULD BE MARKED WITH 4" X 4" POST WITH MIN. 4' ABOVE GROUND. THE TOP 1' SHOULD BE PAINTED GREEN. EACH LATERAL IS TO BE BROUGHT TO THE

ANY TRENCH SETTLEMENT WITHIN A YEAR FROM THE DATE OF APPROVAL WILL BE THE

14. ALL REQUIRED EASEMENTS SHALL BE DEDICATED. 15. PIPE SHALL BE ASTM 3034, SDR35 IN 12.5 FOOT LAYING LENGTHS WITH ELASTOMERIC SEALED

JOINTS IN ACCORDANCE WITH ASTMD3212. 16. PIPE BEDDING SHALL BE #57, SHARP, ANGULAR, CRUSHED STONE. BEDDING SHALL EXTEND A MINIMUM OF 4" BELOW THE PIPE AND EXTEND TO THE TOP OF THE PIPE. THE BEDDING SHALL BE COMPACTED BY "SLICING WITH A FLAT SHOVEL". THE WIDTH OF THE DITCH MUST BE IN ACCORDANCE WITH OSHA SAFETY STANDARDS.

17. INITIAL BACKFILL: AFTER BEDDING, COMPLETE INITIAL BACKFILL WITH #57 STONE. IF NO ROCK IS ENCOUNTERED, INITIAL BACKFILL SHALL EXTEND TO A HEIGHT OF 5' ABOVE THE TOP OF PIPE, OTHERWISE INITIAL BACKFILL SHALL EXTEND TO 12' ABOVE THE TOP OF THE PIPE. 18. FITTINGS FOR LATERAL CONNECTIONS SHALL BE 45 DEGREE WYES AND BENDS. PROVIDE PVC PIPE STOPPERS FOR EACH LATERAL. PROVIDE SPECIAL WATER TIGHT CONNECTIONS AT

19. AFTER INSTALLATION A DEFLECTION TEST IS REQUIRED. INITIAL DEFLECTION SHALL BE LIMITED TO 3% OF THE UN-DEFLECTED DIAMETER. A SECOND TEST SHALL BE MADE AT LEAST 8 MONTHS AFTER THE INSTALLATION BUT BEFORE FINAL ACCEPTANCE. AT THAT TIME DEFLECTION SHALL BE LIMITED TO 5% OF THE UN-DEFLECTED DIAMETER.

MANHOLES AND TRANSITIONS TO DUCTILE IRON PIPE AS RECOMMENDED BY THE PIPE

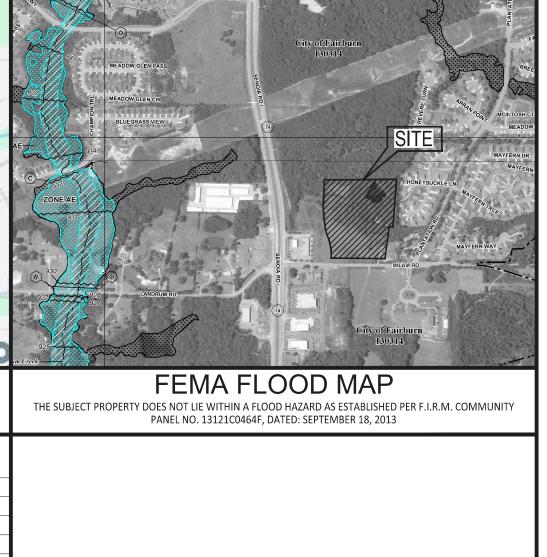
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ZONING CONDITIONS

BOUNDARY SURVEY

UTILITY PLAN

GRADING AND DRAINAGE PLAN



EVISION	S		
ESCRIPTION	N	DATE	SHEETS

STATE OF GEORGIA COUNTY OF FULTON

AN ORDINANCE TO REZONE CERTAIN PROPERTY WITHIN THE CITY LIMITS OF THE CITY OF FAIRBURN FROM THE C-2 (GENERAL COMMERCIAL) ZONING DISTRICT TO THE PD (PLANNED DEVELOPMENT) ZONING DISTRICT WITH ONE CONCURRENT VARIANCE; TO PROVIDE FOR SEVERABILITY; TO PROVIDE AN EFFECTIVE DATE; TO REPEAL CONFLICTING ORDINANCES; AND FOR OTHER PURPOSES

NOW THEREFORE BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF FAIRBURN, GEORGIA, AND IT IS HEREBY ORDAINED BY AUTHORITY OF THE SAME:

Section 1. That the City of Fairburn Zoning Ordinance be amended, and the official maps established in connection therewith be changed so that the property located in the City of Fairburn as indicated on Exhibit "A" to this Ordinance be changed from C-2 (General Commercial) Zoning District to PD (Planned Development) Zoning District with one (1) concurrent variance subject to the following conditions:

A. To the owner's agreement to restrict the use of the subject property and abide by the following:

Part 1 - General Requirements:

- 1. Prior to any site disturbance or building permits being issued for the project, the staff comments listed in the April 2025 Staff Report for Mayor and City Council will be
- 2. Update the traffic study to conform with city ordinance, complete the traffic improvement and/or traffic control requirements from the Public Works and Community Development
- 3. The applicant will provide letters of capacity for water and approval of the design from the utility providers.
- 4. At the recommendation of the city, required system upgrades to support the water and power system for the project will be at the developer /owner's expense.
- 5. Under no circumstances shall any mechanical equipment or related elements such as air conditioning units, meter boxes and utility conduits, HVAC mechanical equipment systems, satellite dishes or any other similar mechanical equipment or related elements be

attached or mounted to any exterior building elevation that is visible from pedestrian view from required sidewalks along adjacent private streets or sidewalks abutting a common area or community amenity. Any mechanical equipment or related elements located at finished grade shall be completely screened from view with dense, evergreen landscaping or an opaque wall veneered in brick, indigenous rock or natural stone, with an appearance that is complementary to the architecture of the dwelling unit. All roof mounted equipment shall be screened from the public right-of-way.

- 6. Parking shall be on a paved or concrete surface. 7. Pedestrian-scale Street lighting shall be provided along both sides of internal streets
- throughout the development. 8. A minimum of four alternative fuel vehicle charging stations shall be provided on the
- property by the developer prior to the issuance of a final certificate of occupancy. 9. Provide permanently anchored bicycle racks as part of the internal pedestrian pathway
- network for short-term use.
- 10. Additional landscaping may be required alongside elevation facing public roads. 11. There shall be no long and/or unarticulated roofs that exceed 80 feet.
- 12. Appropriate landscape features and pedestrian amenities, such as shading, seating, trash cans, public art, and other street amenities shall be provided along Milam Rd. and Renaissance Pkwy.
- 13. Fences must be made from metal or masonry only. No wood, PVC or plastic shall be allowed. Chain link fencing must be painted or vinyl coated and will only be acceptable along non-road fronting sides of the property.
- 14. Site shall be developed substantially as depicted on the submitted site plan and elevations.

Part 2. Development Standards:

The development shall be restricted to the following standards:

- 1. Multi-family residential units at a density of no greater than 18 units per acre or 252 units, whichever is less.
- 2. Building heights at a maximum of 4 stories and the total height must be acceptable to the
- 3. The common outdoor area shall be a maximum of thirty percent (30%) of the site.

Front (facing Milam Road and	35 feet
Renaissance Parkway):	
Side (facing-single family parcels):	40 feet
Between buildings:	15 feet
Rear	15 feet

2. A master sign plan shall be created for the entire project. Internal sign lighting shall be prohibited. Exterior sign lighting for multi-family residential and commercial uses shall be of similar color, shape, material, and overall style.

- 3. Lighting fixture height, style, design, and illumination levels shall be compatible with the building design and height and shall consider safety, function, and aesthetics. Lighting fixtures installed along sidewalk shall be of pedestrian scale and shall only exceed 20 feet in height if light shields are installed so as to not intrude on the single-family parcels.
- 4. All utilities shall be installed underground throughout the development area. 5. No trash enclosures shall be located by or visible from Renaissance Parkway or Milam
- Road and shall be enclosed on three sides with brick, stone, or other cementitious materials with the same architectural details as the principal structure.
- 6. Pedestrian walkways (sidewalks) shall be designed and constructed to allow connectivity between multi-family, commercial, and open space uses throughout the development. Subject to the final approval of the Public Works Department, the sidewalks along Renaissance Parkway shall be no less than 6ft, and 8 ft along Milam Road.
- 7. There shall be curb cuts with dedicated crosswalks that connect all sidewalks. Sidewalks from the right-of-way must connect to internal sidewalks
- 8. All stairways must be covered. 9. Parking located outside of the residential gated area shall be shared amongst the multi-
- family residential and commercial uses. 10. Additional foliage shall be provided within the landscaped buffer facing the single-family
- parcels that would be best at deterring any light pollution. 11. The following building facade materials are prohibited for the entire development: EFIS/synthetic stucco, metal panel systems, corrugated steel, smooth/plain concrete or masonry; cinderblocks; reinforced concrete slabs; aluminum or vinyl siding; plywood; presswood; mirrored or highly reflective glass.
- 12. There shall be no long and/or unarticulated roofs that exceed 80 feet.
- 13. The site shall be developed significantly similar to the most updated elevations and site plans presented to Mayor and City Council.

The applicant must submit an updated conceptual layout of site plan and building elevations subject to approval of the Planning Commission and in compliance with the enclosed development and guidelines. In the event that a development proposal deviates from these design standards, the Planning and Zoning may review an alternative design to determine compliance with the spirit and intent of the existing neighborhood character.

Section 2. That the concurrent variance to the rezoning are as follows:

1. A variance from Chapter 80, Zoning, Article II, Section 80-337(a) to reduce the required parking from 2 spaces per dwelling unit to 1.50 spaces per dwelling unit.

Section 3. That the property shall be developed in compliance with the conditions of approval as stated in this Ordinance. Any conditions hereby approved do not authorize the violation of any district regulations; and

Section 4. That the official maps referred to on file in the Office of the City Clerk, be changed to conform with the terms of this Ordinance; and

Section 5. In the event any section, subsection, sentence, clause, or phrase of this Ordinance shall be declared or adjudged invalid or unconstitutional, such adjudication shall in no manner affect the previously existing provisions of the other sections, subsections, sentences, clauses or phrases of this Ordinance, which shall remain in full force and effect as if the section, subsection, sentence, clause or phrase so declared or adjudicated invalid or unconstitutional were not originally a part thereof. The City Council declares that it would have passed the remaining parts of this Ordinance or retained the previously existing Ordinance if it had known that such part of parts hereof would be declared or adjudicated invalid or

Section 6. Pursuant to the requirements of the Zoning Procedures Act and the City Zoning Ordinance, a properly advertised public hearing was held not less than 15 nor more than 45 days from the date of publication of notice, and which public hearing was held on the 24th day of February, 2025 and continued to March 24, 2025, and continued again to April 14,

Section 7. This Ordinance shall become effective on the 14th day of April, 2025.

Section 8. All Ordinances and parts of Ordinances in conflict with this Ordinance are repealed.

APPROVED this 14th day of April, 2025, by the Mayor and Council of the City of Fairburn,

APPROVED AS TO FORM: Rory K. Starkey, City Attorney

Front (facing Milam Rod and Renaissance NA Side (facing single-family parcels)

Part 3 – Standards for Multifamily Residential Buildings:

- receive a certificate of occupancy 1. To ensure a mix of uses, no more than 126 units shall be constructed until the retail shell
- located within building 1 has received the Certificate of Completion.
- 2. Buildings must have distinct roof profiles and provide a variation in roof lines similar to existing developments
- 3. The development shall include private patios and balconies on all building facing building
- 4. The clubhouse/leasing center must be oriented to allow access from Renaissance Pkwy.
- 5. Full amenity package including an outdoor kitchen with grills and picnic tables, park space, bike storage, package delivery accommodations, coworking space, fitness center, swimming pool, fire pit
- 6. Exterior materials (excluding windows) shall be a minimum of thirty percent (30%) brick or stone and forty percent (40%) stone or other cementitious material.
- 7. The property shall either have an entry gate at all vehicular access points and a fence surrounding the residential portion of the property or secured access into each building
- 8. Garages are not allowed to be located by Renaissance Parkway or Milam Road. 9. The developer shall in good faith establish a rental program for Fairburn Public Safety (i.e.,
- Fire, Police, EMT, etc.) as well as other City of Fairburn personnel. 10. The number of one (1) bedrooms should be limited to no less than thirty-five percent (35%)
- of the total number of units. 11. The number of two (2) bedrooms should be limited to no more than sixty percent (60%) of
- the total number of units. 12. The number of three (3) bedrooms should be limited to no more than ten percent (10%) of the total number of units.

Part 4 – Commercial Use:

Exhibit A

- 1. The front facade of commercial use shall be a combination of brick, stone, glass, and/or other cementitious materials.
- 2. Fenestrations must be complementary to the architecture of the principal structure.
- 3. Commercial space shall total a minimum of 4,500 square feet.
- a. Permitted uses under C-2 (General Commercial), except liquor stores, boarding and breeding kennels, extended stay facilities, pawn and title shops, nightclubs, selfstorage facilities, car/truck sales or rental/leasing, auto repair/tire/body shops, heavy repair/trade sales or rental/leasing, auto supply stores, parking lots/garages,

recycling centers, gasoline service stations, small box discounts retail stores, drivethrough restaurants, industrial uses, trucking facilities, construction or trade services, emergency services, and funeral services are specifically prohibited.

- 4. The length of facade without intervening fenestration, architectural detailing or entryway shall not exceed thirty (30) feet.
- 5. All building facades that contain a public entrance shall include fenestration into the design. All fenestration treatments shall be visually and architecturally consistent and compatible with each other. The director of planning and zoning may require additional fenestration amounts that differ from the standards above based upon the use, visibility from public areas, and other architectural treatments proposed on the structure.
- 6. The primary pedestrian access to all sidewalk level uses and business establishments with public or private street frontage, or parking lot frontage shall be directly accessible and visible from the sidewalk adjacent to such street or parking lot.
- 7. Burglar bars, steel gates, metal awnings, and steel roll-down curtains are prohibited on the exterior and interiors or of all structures.
- 8. Patio Standard: a. Patio is required near the building entrance and similar the elevations provided in
- the staff report.
- b. Patios may encroach no more than six feet into frontage setbacks. c. Minimum depth of eight feet.
- 9. The area between the property line and main facade of the building which is not improved with permanent hardscape shall be planted with live vegetation ground coverage and shrubs excluding hardscape for pedestrian amenities.

Part 5 - Conservation/Open Space use/Stormwater facilities:

- 1. A multi-use mulch trail surrounding the pond of approximately 900 liner feet shall be included in the development.
- 2. There shall be native species of vegetation surrounding the pond.
- 3. There shall be a wooden pier on the pond.
- 4. There shall be gazebos and picnic tables surrounding the pond.
- 5. The stormwater facility facing public roads must include aesthetic improvements The designs are subject to approval of the city landscape architect, this could include banks, rock style, naturalizing the design, fountains and/or other features, details regarding maintaining water quality.
- 6. The property owner shall be responsible for the maintenance of the required buffer, any stormwater facilities or detention ponds, common areas, preserved open space within the property, on site amenities, alleys and pedestrian path.

Part 6 – Elevations and Streetscape Requirements:

1. Accessory structure must include colors or materials similar to the principal building.

Legal Description for 5650 Milam Road

All that tract, or parcel of land, lying and being in Fulton County, Georgia, G.M.D. 1134, containing 14.22 acres, more or less, and being more particularly described as:

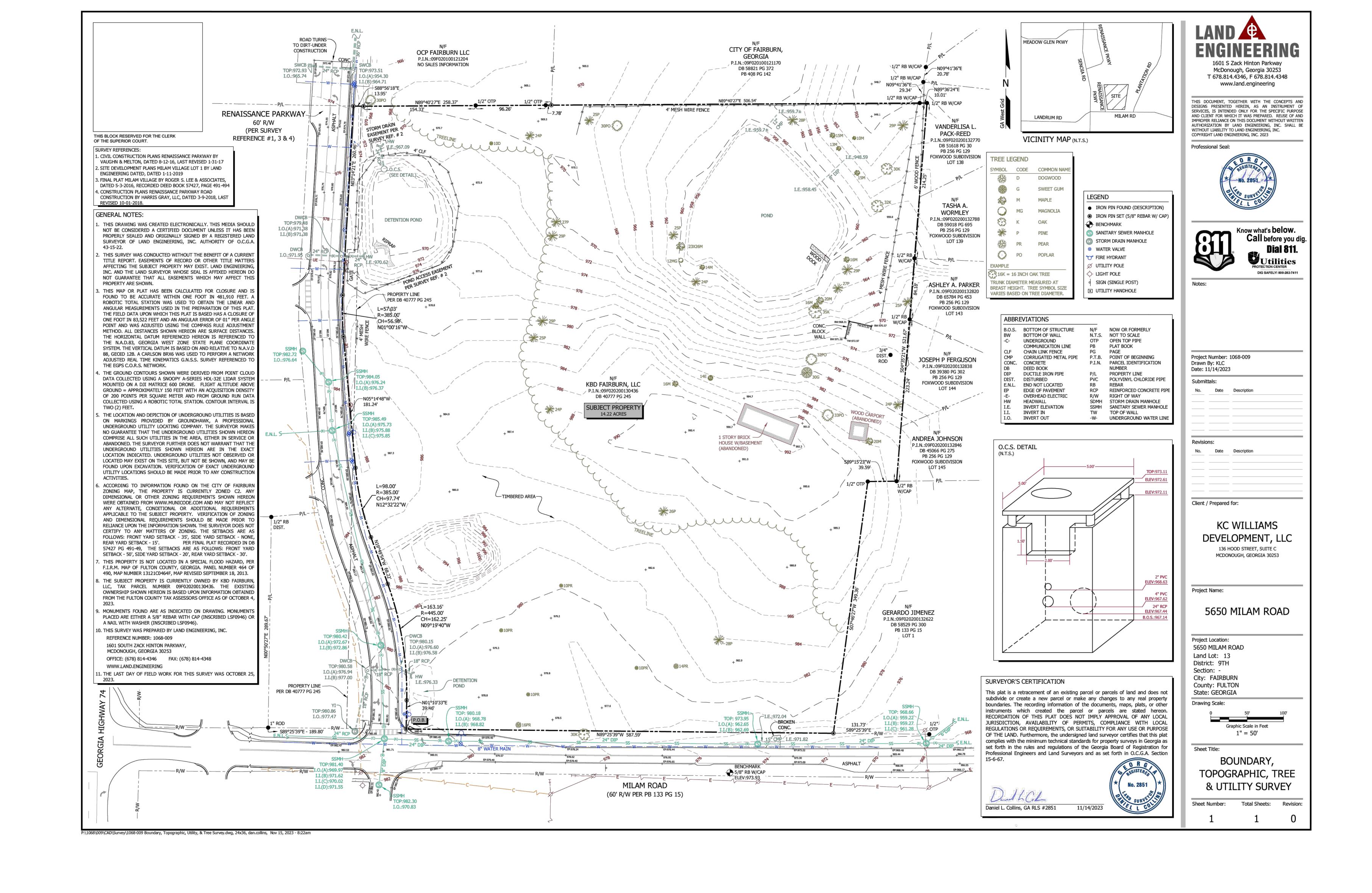
Beginning at an iron pin along the northern right of way of Milam Road, this point being the TRUE POINT OF BEGINNING; thence continuing along the 60 foot right-of-way of Milam Road South 89 degrees 25 minutes 39 seconds East, 587.59 feet to an iron pin; thence leaving said right of way North 07 degrees 46 minutes 27 seconds East, 349.36 feet to a ½" open top pipe; thence North 89 degrees 15 minutes 23 seconds East, 39.59 feet to a capped iron pin; thence North 04 degrees 35 minutes 21 seconds East, 223.24 feet to a capped iron pin; thence North 04 degrees 35 minutes 21 seconds East, 84.18 feet to a capped iron pin; thence North 04 degrees 35 minutes 21 seconds East, 214.25 feet to a capped iron pin; thence South 89 degrees 36 minutes 24 seconds West, 10.01 feet to a capped iron pin; thence South 89 degrees 40 minutes 27 seconds West, 506.54 feet to an iron pin; thence South 89 degrees 40 minutes 14 seconds West, 7.78 feet to a 1/2" open top pipe; thence South 89 degrees 40 minutes 27 seconds West, 96.26 feet to a 1/2" open top pipe; thence South 89 degrees 40 minutes 27 seconds West, 154.33 feet to an iron pin; thence North 88 degrees 56 minutes 18 seconds West, 13.95 feet to an iron pin; thence South 03 degrees 14 minutes 21 seconds West, 260.46 feet to an iron pin; thence 57.03' along an arc of a curve to the left, said curve having a radius of 385.00 feet, a chord bearing of South 01 degrees 00 minutes 16 seconds East, and a chord distance of 56.98 feet to an iron pin; thence South 05 degrees 14 minutes 48 seconds East, 181.24 feet to an iron pin; thence 98.00' along an arc of a curve to the left, said curve having a radius of 385.00 feet, a chord bearing of South 12 degrees 32 minutes 22 seconds East, and a chord distance of 97.74 feet to an iron pin; thence South 19 degrees 49 minutes 54 seconds East, 68.22 feet to an iron pin; thence 163.16' along an arc of a curve to the right, said curve having a radius of 445.00 feet, a chord bearing of South 09 degrees 19 minutes 40 seconds East, and a chord distance of 162.25 feet to an iron pin; thence South 01 degrees 10 minutes 33 seconds West, 39.46 feet to an iron pin, THAT BEING THE TRUE POINT OF BEGINNING.

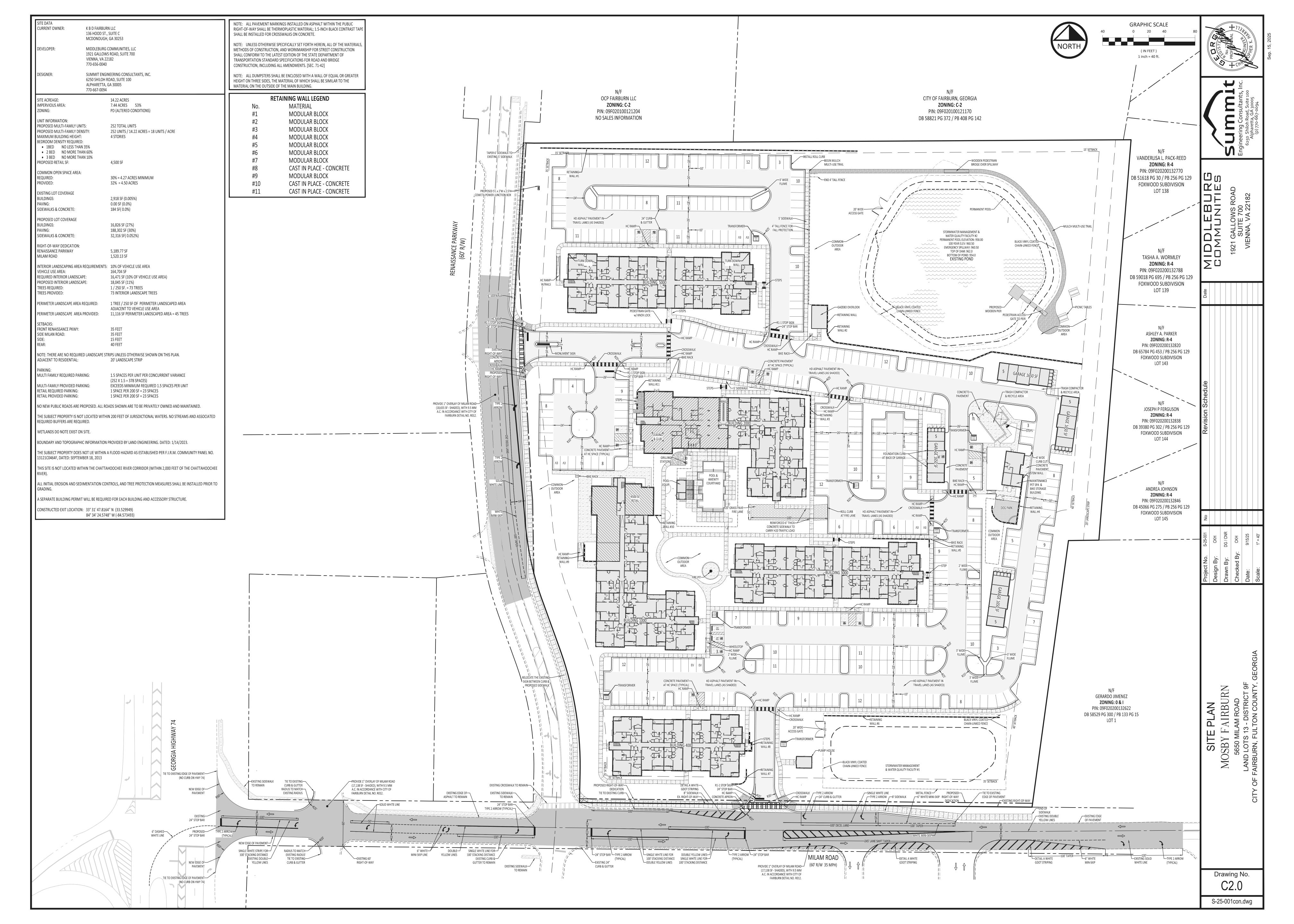


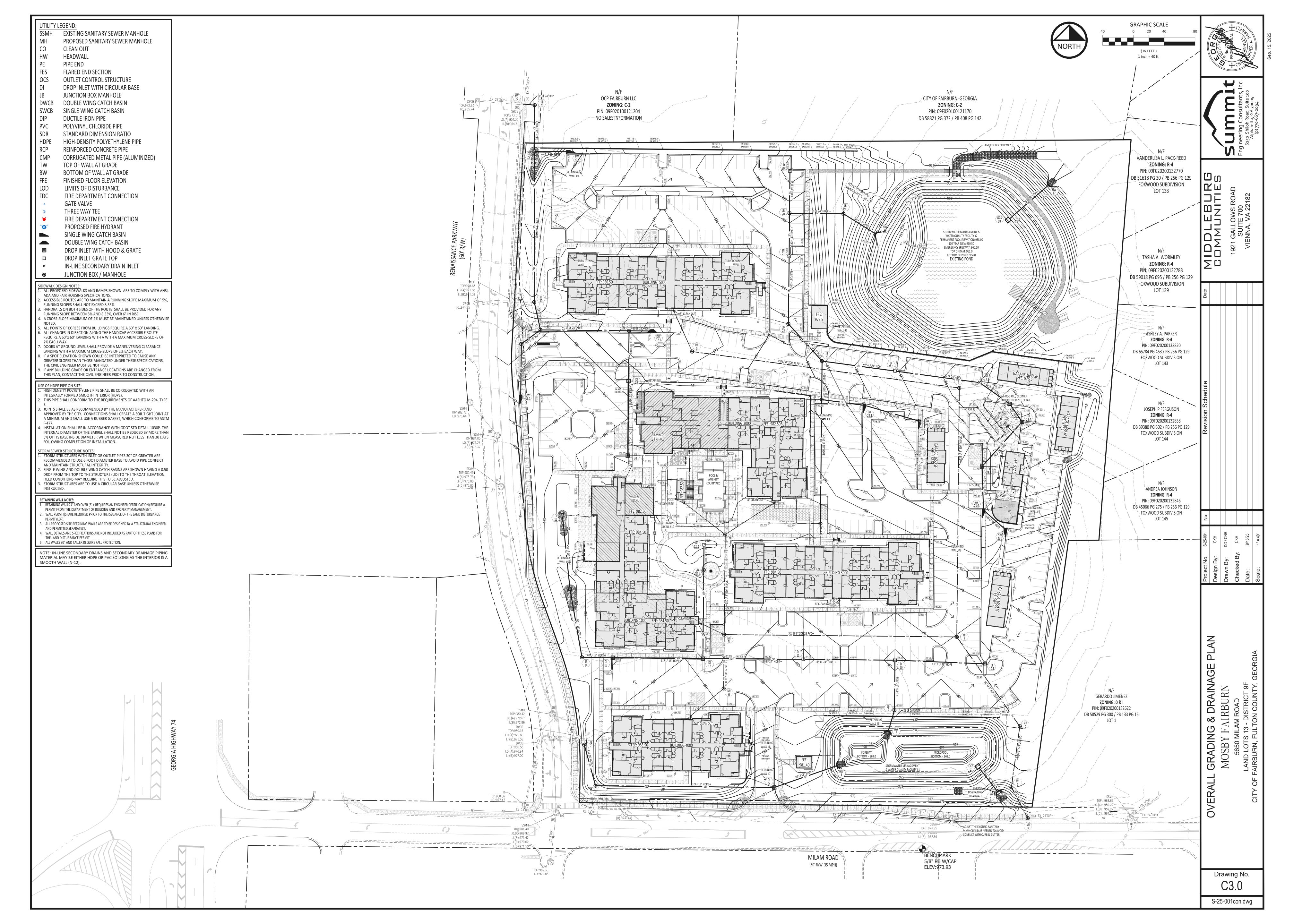
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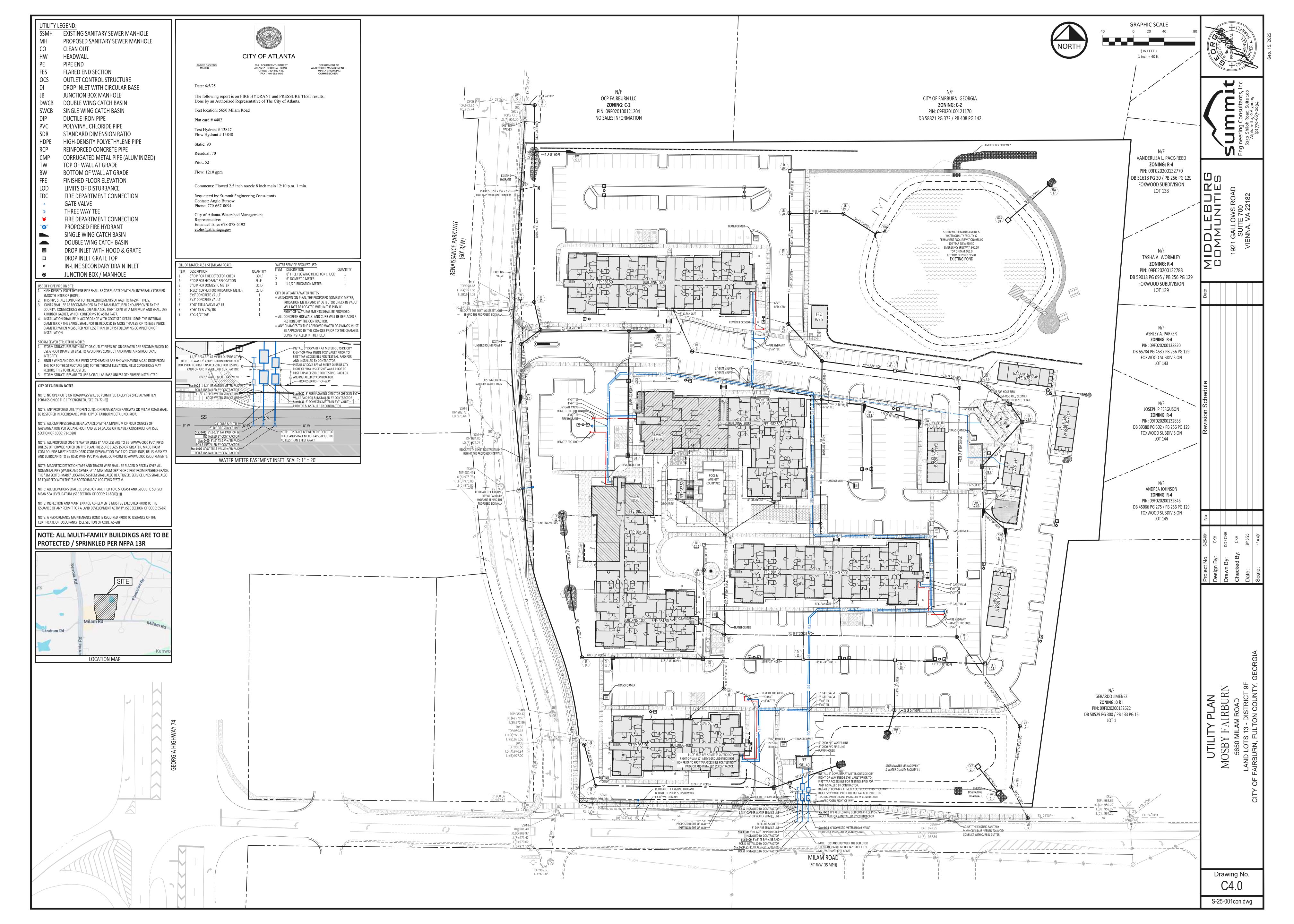
S CONDITIONS
Y FAIRBURN
MILAM ROAD

S-25-001con.dwg









NUMBERS TO BE ILLUMINATED.

PER THE BUILDING CODE.

TO PRODUCT SUBSTITUTIONS.

DESIGNER SPECIFICATIONS.

BETWEEN WALL FINISHES.

THESE ELEVATIONS.

DESIGNS.

INSTALLATION.

BUILDING, TYP.

⟨ M# ⟩ DENOTES MATERIALS

M5 BREEZEWAY BLOCK

M9 > LAP SIDING

 $\langle M11 \rangle$ (NOT USED)

 \langle M29 \rangle (NOT USED)

P1 PAINT COLOR 1

P3 PAINT COLOR 3

P5 PAINT COLOR 5

F1 (NOT USED)

WL WOODTONE

KEY PLAN

B1 TBD

MISCELLANEOUS:

FIBER CEMENT:

MATERIALS

OCE ⟨M17⟩ BALCONY RAILING ⟨M18⟩ VERTICAL PICKET \langle M19 \rangle PARAPET COPING \langle M20 \rangle (NOT USED) (M22) DOWNSPOUT (M26) (NOT USED) M27 METAL STANDING M28 (NOT USED)
SEAMED ROOF \langle M30 \rangle (NOT USED) \langle M31 \rangle SHINGLE ROOF \langle M32 \rangle VINYL WINDOW M34 FIBERGLASS BALCONY DOOR INSECT SCREEN& M36 STANDING SEAM ROOF PAINT COLORS / FINISHE P2 PAINT COLOR 2

P4 (NOT USED) P6 (NOT USED) B2 (NOT USED) PROJECT: 225021 F2 (NOT USED) 05.21.25 DATE REVISIONS: VARIES (FAIL)

MATCH ADJ.

FINISH) VARIES (PAINT TO

> DRAWN BY: TP, A CHECKED BY: MW **BLDG 1 - EXTERIOR**

ELEVATIONS

A2.01



BUILDING TYPE 1 - (Bldg 4)

Overall Solid Surface Area 3.807 SF

Masonry Surface Area 1,178 SF

East

477 SF

3,782 SF

1,075 SF

Total

3,340 SF (30%)

1,711 SF 1,913 SF 11,213 SF (100%)

BLDG 1 - NORTH ELEVATION 2 1/8" = 1'-0"

BLDG 1 - SOUTH ELEVATION 1

FC BOARD & BATTEN FC LAP SIDING -FC LAP SIDING SHINGLE ROOF VINYL WINDOW -STONE VENEER -RAILING ---FC PANEL SIDING 03 THIRD FLOOR 21' - 4" 02 <u>SECOND FLOOR</u> 10' - 8"

REFER TO BUILDING PLAN FOR MASONRY LOCATIONS, INCLUDING THOSE NOT SHOWN IN

SEE ROOF PLAN FOR OVERHANG DIAGRAM

APPLY A 12" CONTINUOUS SELF-ADHERED MEMBRANE FLASHING (6" EACH SIDE) AT ALL INSIDE/OUTSIDE CORNERS FULL HEIGHT OF WALL

PROVIDE CONT. BUILDING WRAP OVER SHEATHING -TYVEK "COMMERCIAL WRAP" TO BE BASIS OF

INSTALL BUILDING WRAP SYSTEM CONTINUOUS AT ALL WALL SURFACES PRIOR TO EXTERIOR FINISH

TERM./FLASH BUILDING WRAP AT PENETRATIONS

10. PROVIDE PRE-FAB. FLASHING BOOTS OR FLANGED EXHAUST LOUVER AT DUCT PENETRATIONS AT

11. PROVIDE SEALANT AT VERTICAL TRANSITIONS

12. PROVIDE METAL FLASHING AT HORIZONTAL

13. PAINT ALL THROUGH-WALL SCUPPERS AND

15. MATERIAL (A) AND COLOR AT FACE OF BAY

TRANSITIONS BETWEEN WALL FINISHES.

EXHAUST VENTS TO MATCH ADJACENT FINISH

RETURNS AROUND THE SIDES AND BACK TO THE

SYMBOL LEGEND

14. PROVIDE CONTROL JOINTS AT BRICK AS SHOWN

DETAILS & MANU. RECOMMENDATIONS.

THESE ELEVATIONS.

DESIGNER SPECIFICATIONS.

BETWEEN WALL FINISHES.

DESIGNS.

INSTALLATION.

WALLS (TYP).

BUILDING, TYP.

⟨ M# ⟩ DENOTES MATERIALS

M5 BREEZEWAY BLOCK

M9 \ LAP SIDING

 \langle M11 \rangle (NOT USED)

⟨M25⟩ LOUVER

 \langle M29 \rangle (NOT USED)

P1 PAINT COLOR 1

P3 PAINT COLOR 3

P5 PAINT COLOR 5

F1 (NOT USED)

WL) WOODTONE

MISCELLANEOUS:

FIBER CEMENT:

MATERIALS

 \langle M1 \rangle RUNNING BOND \langle M2 \rangle STACKED BOND

M13 BALCONY FASCIA M14 5/4" x 10" FC CORNICE

M15 BALCONY COLUMN M16 WOODTONE SIDING

 \langle M19 \rangle PARAPET COPING \langle M20 \rangle (NOT USED)

⟨M17⟩ BALCONY RAILING ⟨M18⟩ VERTICAL PICKET

M6 ALTERNATING STONE PATTERN

⟨M10⟩ PANEL SIDING

 \langle M12 \rangle 5/4" x 6" FC TRIM

M22 DOWNSPOUT

DENOTES WINDOW NUMBER (REFER TO A6 SERIE WINDOW SCHEDULE) 〈 M4 〉 SOLDIER COURSE DLE

(M26) (NOT USED) M27 METAL STANDING M28 (NOT USED)
SEAMED ROOF \langle M30 \rangle (NOT USED) \langle M31 \rangle SHINGLE ROOF \langle M32 \rangle VINYL WINDOW M34 FIBERGLASS BALCONY DOOR INSECT SCREEN& M36 STANDING SEAM ROOF PAINT COLORS / FINISHE P2 PAINT COLOR 2 P4 (NOT USED) P6 (NOT USED) B2 (NOT USED) PROJECT: F2 (NOT USED)

225021 05.21.25 DATE

VARIES (PAINT TO BE REVISIONS: REVISIONS:

KEY PLAN

DRAWN BY: TP, A CHECKED BY: MW BLDG 1 - EXTERIOR ELEVATIONS

A2.02



BLDG 1 - WEST ELEVATION

1/8" = 1'-0"

2

SHINGLE ROOF FC PANEL SIDING -VINYL WINDOW -FC LAP SIDING — FC BOARD & BATTEN — STONE VENEER ROOF BEARING LEVEL (BLDG 1)
30' - 5 1/4" 03 THIRD FLOOR 21' - 4" 02 SECOND FLOOR 10' - 8"

Masonry Surface Area 1,178 SF 1,075 SF 477 SF 3,340 SF (30%) 610 SF

East

Total

1,711 SF 1,913 SF **11,213 SF (100%)**

BUILDING TYPE 1 - (Bldg 4)

Overall Solid Surface Area 3,807 SF 3,782 SF

BLDG 1 - EAST ELEVATION

05.21.25 DATE

A2.21



225021 05.21.25 DATE

A2.22

05.21.25 DATE

A2.41

DLE

SYMBOL LEGEND

⟨ M6 ⟩ ALTERNATING

⟨M10⟩ PANEL SIDING

RAILING

M22 DOWNSPOUT

(M26) (NOT USED)

 \langle M30 \rangle (NOT USED)

FIBERGLASS BALCONY DOOR

P2 PAINT COLOR 2

P4 (NOT USED)

P6 (NOT USED)

B2 (NOT USED)

VARIES (F.S.... MATCH ADJ. FINISH)

VARIES (PAINT TO

M# DENOTES MATERIALS

M3 > ROWLOCK

1/8" = 1'-0"

MATERIALS

DENOTES WINDOW NUMBER (REFER TO A6 SERIE WINDOW SCHEDULE) \langle M1 \rangle RUNNING BOND \langle M2 \rangle STACKED BOND ⟨ M4 ⟩ SOLDIER COURSE STONE PATTERN \langle M12 \rangle 5/4" x 6" FC TRIM

ADDRESSING SIGNAGE TO BE LOCATED ON THE IS ADDRESSED (ONE SIDE ONLY). PROVIDE BUILDING ADDRÈSS IN 6" HIGH LÉTTERS TO BE - SHINGLE ROOF STONE FC BOARD & BATTEN — STONE VENEER -FC PANEL SIDING -FC LAP SIDING ----FC LAP SIDING FC BOARD & BATTEN APPROVED BY FIRE MARSHALL. ADDRESS VENEER NUMBERS TO BE ILLUMINATED. GUARDRAIL HEIGHTS. ALL BALCONIES OR PER THE BUILDING CODE. REFER TO SPECIFICATIONS FOR ALL EXTERIOR MATERIALS. THE WALL SECTIONS AND DETAILS SHOWN IN THIS SET REFLECT FIBER CEMENT LAP WIDTHS TO REMAIN SAME SIZE IF ANY PRODUCT SUBSTITUTION IS MADE. CONTACT ARCHITECT IF THERE ARE ANY DISCREPANCIES IN DETAILS DUE TO PRODUCT SUBSTITUTIONS. REFER TO BUILDING PLAN FOR MASONRY ROOF BEARING 41' - 1 1/4" LOCATIONS, INCLUDING THOSE NOT SHOWN IN THESE ELEVATIONS. SEE ROOF PLAN FOR OVERHANG DIAGRAM DESIGNS. APPLY A 12" CONTINUOUS SELF-ADHERED MEMBRANE FLASHING (6" EACH SIDE) AT ALL INSIDE/OUTSIDE CORNÈRS FULL HEIGHT OF WALL PROVIDE CONT. BUILDING WRAP OVER SHEATHING -TYVEK "COMMERCIAL WRAP" TO BE BASIS OF DESIGNER SPECIFICATIONS. INSTALL BUILDING WRAP SYSTEM CONTINUOUS AT ALL WALL SURFACES PRIOR TO EXTERIOR FINISH 03 THIRD FLOOR 21' - 4" INSTALLATION. TERM./FLASH BUILDING WRAP AT PENETRATIONS DETAILS & MANU. RECOMMENDATIONS. 10. PROVIDE PRE-FAB. FLASHING BOOTS OR FLANGED EXHAUST LOUVER AT DUCT PENETRATIONS AT 02 SECOND FLOOR 10' - 8" PROVIDE SEALANT AT VERTICAL TRANSITIONS BETWEEN WALL FINISHES. 12. PROVIDE METAL FLASHING AT HORIZONTAL TRANSITIONS BETWEEN WALL FINISHES. 13. PAINT ALL THROUGH-WALL SCUPPERS AND EXHAUST VENTS TO MATCH ADJACENT FINISH 01 FIRST FLOOR 0' - 0" 14. PROVIDE CONTROL JOINTS AT BRICK AS SHOWN 15. MATERIAL (A) AND COLOR AT FACE OF BAY RETURNS AROUND THE SIDES AND BACK TO THE BUILDING, TYP.

BUILDING TYPE 4 - (Bldg 2)

BUILDING TYPE 4R - (Bldg 1)

Overall Solid Surface Area

Overall Solid Surface Area 6,242 SF

Masonry Surface Area

Total

6,009 SF (30%)

Total

20,099 SF (100%)

5,938 SF (30%)

3,837 SF 3,778 SF 20,099 SF (100%)

811 SF

West

811 SF

RAILING -

East

East

1,449 SF

1,449 SF

6,242 SF

1,767 SF

South

6,242 SF

1,982 SF

6,242 SF

Masonry Surface Area 1,911 SF 1,767 SF



BUILDING TYPE 4 - OVERALL EAST ELEVATION 1

BUILDING TYPE 4 - OVERALL WEST ELEVATION 2

A2.42

DRAWN BY: Author CHECKED BY: Checker

BLDG 4 NEW -**EXTERIOR ELEVATIONS**

PROJECT:

REVISIONS:

225021 05.21.25 DATE