

GOVERNMENT OF THE CITY OF SOUTH FULTON

TAMMI SADDLER JONES
CITY MANAGER



SHAYLA REED
DIRECTOR
COMMUNITY DEVELOPMENT &
REGULATORY AFFAIRS

MEMORANDUM

TO: City of South Fulton Mayor and Council

FROM: Planning & Zoning Division

SUBJECT: **M21-004 and CV21-002 for o Campbellton Rd.**

MEETING DATE: April 14, 2021

To consider an amendment to the Zoning Conditions in **2016Z-0016 (1a, 1b, and 2a)** to allow an apartment complex instead of fuel center associated with a grocery store.

To consider a concurrent variance to reduce parking requirements from 1.96 spaces per unit to 1.62 spaces per unit. This will equate to 485 parking spaces for 300 units down from the required 543 spaces.

STAFF RECOMMENDATIONS: APPROVAL of the Modification request
APPROVAL of Variance Request

cc: Corey Adams, City Clerk

APPLICATION INFORMATION

Applicant Information:	Steve Rothman for Carter Acquisitions, LLC 1440 Dutch Valley PL. Ste 1200 Atlanta GA, 30324
Status of Applicant:	Attorney
City Council District(s):	1
Parcel ID Number:	14F0131 LL0040
Area of Property:	24.4 Acres
Current/Past Use of the Property:	This property is currently undeveloped.
Prior Zoning Cases/History:	2016Z-16 a rezoning from C-1 to MIX. Approved with conditions. 2016VC-0027 a variance to allow the Greystone Power Corp. "Salem" Post Top Light fixture instead of historic period lighting.
Surrounding Zoning:	<u>North:</u> MIX (Mixed Use) <u>South:</u> Sub-A (Residential) <u>East:</u> M2 (Heavy Industrial) <u>West:</u> C-1 (Commercial)
2035 Future Land Use Designation:	<u>Character Type:</u> Community Live Work <u>Land Uses:</u> Live-Work Community, Public, Semi-Public, and Institutional Open Space <u>Zonings:</u> MIX, C-1, C-2, O-I
Compatibility to the Fulton County 2035 Comprehensive Plan:	Yes. The proposed modification does align with the Comprehensive Future Land Use Designation.
Overlay District:	Sandtown Overlay District
Public Utilities:	Water service is provided to this site by City of Atlanta. Sewer service is available to this site by Fulton County.
Public Services:	Police and Fire services are available to the site by the City of South Fulton.
Transportation:	Street: Campbellton Road Classification: Minor Arterial State Public Transit: The closest MARTA bus stop is on Fulton Industrial Blvd. .80 miles away. Bike/Pedestrian Access: Sidewalks walks are currently not present at the site but will be included along the road frontage as part of the development.

MAPS:

City of South Fulton Zoning, Future Land Use, and Aerial Map:

(see attached)

Proposed Site Plan:

(see attached)

CONDITION(S) TO BE MODIFIED:

Current language: condition 1a)

Retail, service commercial and/or office and accessory uses, excluding all exterior food and beverage service areas, at a maximum density of 3,643.95 square feet per acre zoned or a total of *167,731 square feet, whichever is less, but excluding convenience stores with gas pumps except a fuel center associated with a grocery store; freestanding fast food restaurants allowed only along Campbellton Road (SR 166) frontage; commercial amusements; liquor stores, adult book stores; pawn shops; check cashing facilities; hotels; and coin operated laundromats which do not include commercial dry cleaning establishments.

Current Language: condition: 1b)

Provide a minimum of 21,000 square feet of office/institutional and accessory uses. The total gross square footage shall be calculated as part of the total floor area allowed in condition 1a.

Current language condition: 2a)

References a conceptual site plan received on September 13, 2017.

Updated language: 1a)

Retail, service, office, institutional and/or commercial accessory uses not to exceed a total of 100,000 square feet of floor area, and multi-family residential dwelling units and accessory uses, not to exceed a total of 300 units or a total of 12.3 units per acre for the 24.4 which are subject to this modification. The following uses are excluded: commercial amusements, liquor stores, adult bookstores, pawnshops, check cashing facilities, hotels and coin operated laundromats which do not include commercial dry-cleaning establishments.

Updated language: 1b)

~~Provide a minimum of 21,000 square feet of office/institutional and accessory uses. The total gross square footage shall be calculated as part of the total floor area allowed in condition 1a.~~

Updated Language: 2a)

Updated to reference the site plan submitted on February 19, 2021.

VARIANCE CONSIDERATIONS

Staff is including the specific conditions that must be considered for a variance to be granted to assist the Zoning Board of Appeals in considering the application and its merits. According to our Code, these considerations include:

808.09 Hardship Criteria:

Primary variances shall only be granted by the Zoning Board of Appeals and concurrent variances shall only be granted by City Council upon showing that, owing to special conditions, a literal enforcement of the provisions of this Ordinance would result in unnecessary hardship and such approval will not be contrary to the public interest. A variance from the terms on this Ordinance shall not be granted unless a written application is submitted demonstrating:

- a) The application of the particular provision of the Zoning Ordinance 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;
- b) That special conditions and circumstances exist which are peculiar to the land, structure, sign, or building involved and which are not applicable to other land, structures, or buildings in the same district;
- c) That literal interpretation of the provisions of this Zoning Ordinance would deprive the applicant of rights commonly enjoyed by other properties within the same district under the terms of this Ordinance;
- d) That the special conditions and circumstances do not result from the actions of the appellant;
- e) That granting the variance requested will not confer on the appellant any special privilege that is denied by this Zoning Ordinance to other lands, structures or buildings in the same district;
- f) That the request is limited to the extent necessary to alleviate the unnecessary hardship and not as a convenience to the appellant nor to gain any advantage or interest over similarly zoned properties; and
- g) Relief, if granted, would be in harmony with, or, could be made to be in harmony with, the general purpose and intent of the Zoning Ordinance.

PUBLIC PARTICIPATION

A total of five people attended the public participation meeting held on March 30, 2021 at 7:00pm via Zoom. Residents asked questions about traffic calming measures, project start date, project cost. The applicant answered their questions and responded that they are planning traffic calming measures, the construction start date is late 2022, and the total cost is in excess of \$25 million.

STAFF COMMENTS

Engineering: Requested information, none provided.

Environmental: Requested information, none provided.

Public Works: Requested information, none provided.

Transportation: The traffic engineer was present at the pre-application meeting and submitted his comments at that time

MARTA: Requested information, none provided.

Fulton County Health Department: Requested information, none provided.

Fulton County Schools: Comments were submitted, and the report is attached.

Fire: The Fire Marshall was present at the pre-application meeting and submitted her comments at that time.

Legal: Requested information, none provided.

PLANNER'S RECOMMENDATION

The apartment complex is allowed in the MIX designation per the zoning code. The MIX designation with the apartment complex is also allowed per the Comprehensive Land Use Plan.

Breakdown of Rental Units:

- 1 BR (40%) – 120
- 2 BR (50%) – 150
- 3 BR (10%) – 30

The topography and shape of the parcel create a hardship making the additional parking difficult given the parcel's jagged edges and corners. The reduction in parking is further justified by the change the development type from commercial to residential. The number of daily trips will be significantly reduced. This takes into consideration the future outparcels; those will have their own parking. Reduced daily trips will also help to mitigate local road congestion.

The development will incorporate 1 parking space per 1 BR, 2 parking spaces per 2 BR and 3 BR, and 1 parking space per 1,000 of leasing office. The applicant has had success with this breakdown at other similar developments. Some of the allocated parking spaces will be private garages.

Planners modification recommendation is **APPROVAL**

Planners variance recommendation is **APPROVAL**

PREPARED BY:

Marissa Jackson, Planner

REVIEWED BY:

Shayla Reed, Director

MAYOR & COUNCIL ACTION

TBD



D.R. HORTON
TOWNHOMES

Publix

POND

FUTURE
PUBLIC
PARK

COMMERCIAL PAD
SITE #1

RIVERSIDE DR

POND

POOL

CLUBHOUSE

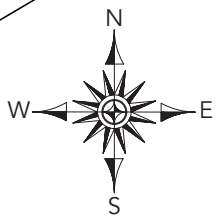
COMMERCIAL PAD
SITE #2

COMMERCIAL PAD
SITE #3

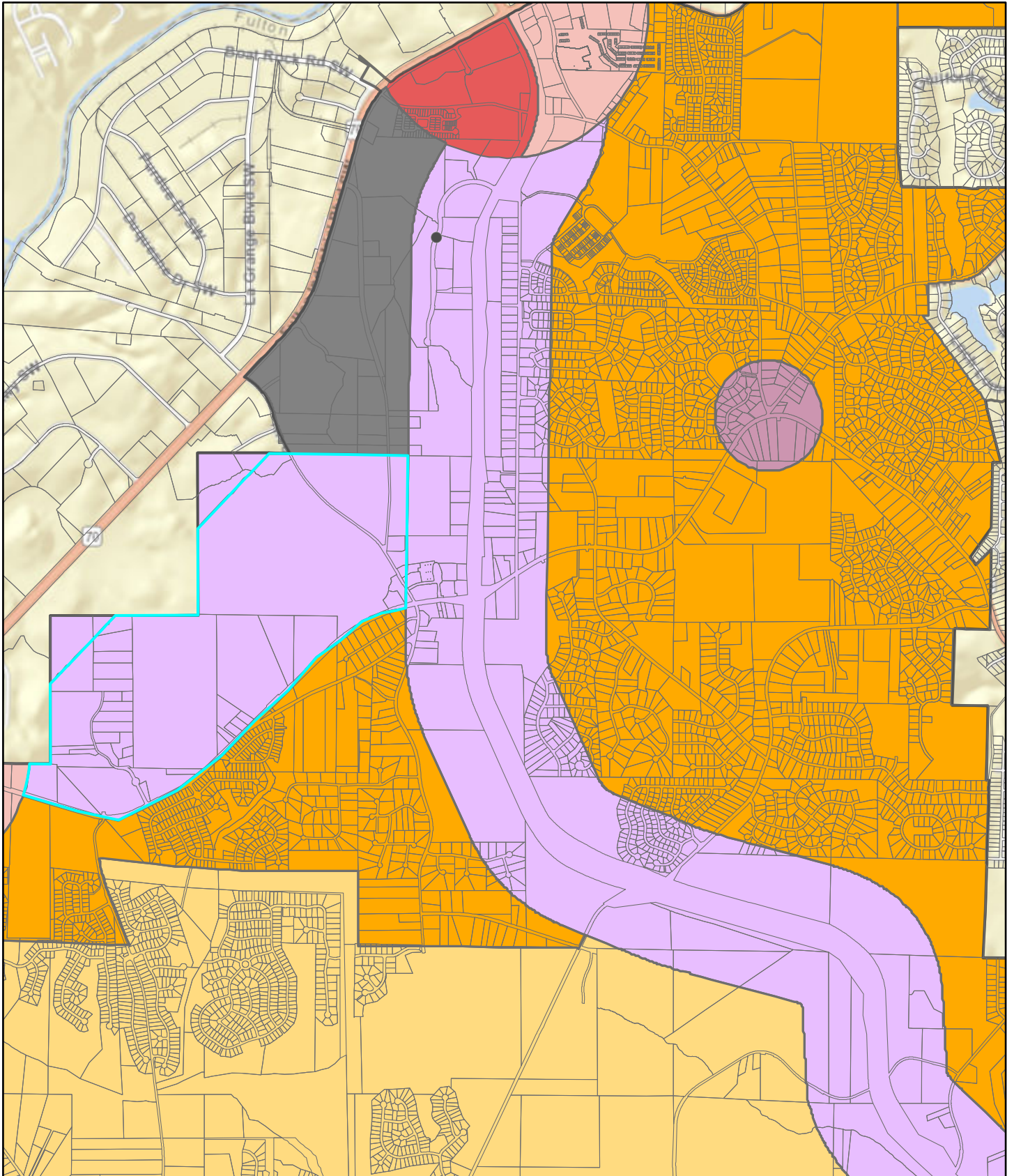
CAMPBELLTON RD

UNION RD










- Proposed Carter Multifamily (18 Acres)
- Proposed D.R. Horton Townhomes
- Industrial
- Carter Commercial Pad Sites (6.5 Acres)

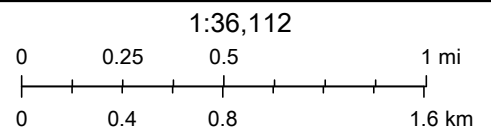


COSF ArcGIS Web Map

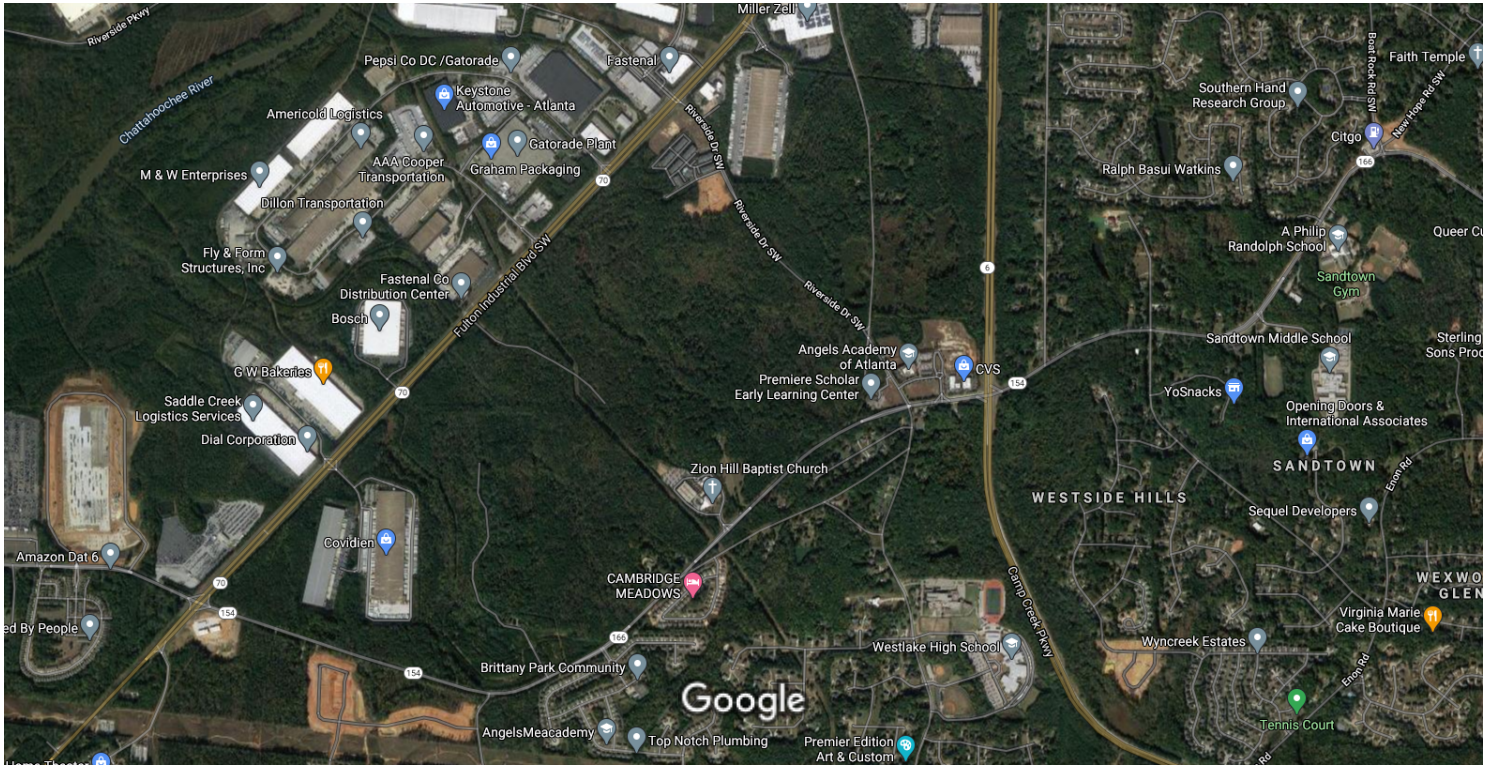


3/8/2021, 4:15:37 PM

- | | |
|--|--|
| Address Points |  Industrial Marketplace |
|  County Parcels All |  Industrial Zone |
|  City Limits |  Local Live Work |
| 2035 Future Land Use |  Regional Live Work |
|  Community Live Work |  Rural Neighborhood |
| |  Suburban Neighborhood |



Esri, HERE, Garmin, INCREMENT P, NGA, USGS



Imagery ©2021 Landsat / Copernicus, Maxar Technologies, U.S. Geological Survey, USDA Farm Service Agency, Map data ©2021 1000 ft