

# PLANNING AND COMMUNITY SERVICES INTER-OFFICE MEMORANDUM



**To:** Fulton County Community Zoning Board  
**From:** Randy Beck, Director *Randy Beck*  
**Date:** October 7, 2016  
**RE:** Public Hearing - Tuesday, October 18, 2016  
(South Service Center, 5600 Stonewall Tell Road, 6:30 PM)

## Staff's Recommendations to the Community Zoning Board

ITEM	PETITION NO.	LOCATION/REQUEST	STAFF
1.	2016Z -0011 SFC 2016VC-0020 SFC DISTRICT 5	111 Hathcock Road - AG-1 to M-1  Parking lot for trailer storage serving adjacent light industrial use	Approval Conditional Approval - Part 1 Denial - Parts 2 & 3

**FOR THE MOST CURRENT ZONING INFORMATION PLEASE VISIT  
THE PLANNING AND COMMUNITY SERVICES DEPARTMENT'S ZONING PAGE  
[WWW.FULTONCOUNTYGA.GOV](http://WWW.FULTONCOUNTYGA.GOV)**

PROPOSED ZONING	M-1 (LIGHT INDUSTRIAL)
PROPOSED USE	<b>PARKING LOT</b>
EXISTING ZONING	AG-1 (AGRICULTURAL)
EXISTING USE	SINGLE-FAMILY RESIDENCE
LAND USE MAP	SUBURBAN NEIGHBORHOOD
LOCATION	HATHCOCK ROAD (NORTH SIDE): 202.41 FEET OF FRONTAGE  PARCEL SIZE 1.8576 ACRES  SMALL AREA 601  LL 35, DISTRICT 13  COMMISSION DISTRICT 5  SERVED BY PUBLIC SEWER
OWNER	FRED TURNER
PETITIONER	HARDIE REAL ESTATE
REPRESENTATIVE	MICHELE BATTLE

---

**APPLICANT'S INTENT** To develop a parking lot for trailer storage on 1.8576 acres serving adjacent light industrial use. In addition, the applicant seeks a 3-part concurrent variance as follows:

Part 1. Delete the 10-foot landscape strip along the Hathcock Road. (Article 4.23.1)

Part 2. Delete the 50-foot undisturbed buffer and 10-foot improvement setback along the west property line

adjacent to AG-1 (Agricultural) zoned property.  
(Article 4.23.1)

Part 3. Delete the 100-foot undisturbed buffer and 10-foot improvement setback along the north property line. (Article 4.23.1)

---

Department of Planning and Community Services  
Recommendation

**APPROVAL CONDITIONAL: 2016Z -0011 SFC**  
**APPROVAL - Part 1: 2016VC-0020 SFC**  
**DENIAL - Parts 2 & 3: 2016VC-0020 SFC**

**SUBJECT SITE AND SURROUNDING AREA:**

**SUBJECT SITE:** The subject 1.8576 acre site is located on the north side of Hathcock Road. The site is zoned AG-1 (Agricultural). The subject site is undeveloped and is proposed to serve as a parking lot for a larger adjacent light industrial use in the City of College Park which has frontage of Roosevelt Highway (SR 29).

**NEARBY AND ADJACENT PROPERTIES/ZONINGS: NON-RESIDENTIAL**

- \*\* **Southwest** (East of I-285) - Use: Laster Chapel Methodist Church (Existing)  
Petition: N/A  
Zone: AG-1 (Agricultural)

**NEARBY AND ADJACENT PROPERTIES/ZONINGS: RESIDENTIAL**

- \*\* **North** - Use: Single Family Residence (Existing)  
Zone: AG-1 (Agricultural)
- \*\* **Northeast** - Use: Undeveloped (City of College Park)  
Zone: Light Industrial/Conditional  
Density: None
- \*\* **South** - Use: Undeveloped (City of College Park)  
Zone: Light Industrial/Conditional  
Density: None
- \*\* **Southwest** (East of I-285) - Use: Residential Multifamily (Existing)  
Zone: A-1 (Apartment)
- \*\* **West** - Use: Vacant (City of College Park)  
Zone: Light Industrial/Conditional  
Density: None
- \*\* **Further West** - Use: Single Family Residence (Existing)  
Zone: R-3 (Residential) and AG-1 (Agricultural)

There have been no **RECENT DENIALS** and there are no **MISCELLANEOUS USES/ZONINGS** in the immediate area.

**SITE PLAN ANALYSIS:**

Based on the applicant's site plan submitted to the Department of Planning and Community Services on August 29, 2016, Staff offers the following considerations:

## LAND USE AND DENSITY

The applicant requests to rezone the subject 1.8576 acre site from AG-1 (Agricultural) to M-1 (Light Industrial) to provide a parking lot for trailer storage which will serve the adjacent light industrial use which is in the city limits of College Park. The 2035 Comprehensive Land Use Map suggests Suburban Neighborhood for the subject site along Hathcock Road, Community Live Work north of Roosevelt Highway (SR 29) and Business Park south of Roosevelt Highway (SR 29) for parcels in unincorporated Fulton County. College Park is west, east, and south of the subject site.

The 1.8576 acre site is proposed for trailer storage for a larger industrial development which has frontages along Roosevelt Highway (SR 29), Yates Road, and White City Road. The majority of the industrial development is located within the City of College Park. Although the request to rezone the subject site to industrial use is inconsistent with the suggestion of the Plan Map for residential use, Staff is of the opinion that the request would be compatible with the recent zoning change in the area given recent action by the City of College Park. Therefore, Staff recommends **APPROVAL CONDITIONAL** subject to the attached Recommended Conditions.

## BUILDING SETBACKS

Article 10.2.3 Section B requires a 40-foot front yard setback. Given there are no proposed structures for the subject site, the requirement is not applicable.

## LANDSCAPE STRIPS AND BUFFERS

Article 4.23.1 requires landscape strips and undisturbed buffers and improvement setbacks as follows:

- 10-foot landscape strip along Hathcock Road (front yard)
- 50-foot undisturbed buffer and 10-foot improvement setback along the west property line adjacent to AG-1 (Agricultural)
- 100-foot undisturbed buffer and 10-foot improvement setback along the north property line adjacent to AG-1 (Agricultural)
- No landscaping is required along the west and east property line adjacent industrial zoned property

The applicant is seeks relief and has requested variances as follows:

Part 1. Delete the 10-foot landscape strip along the Hathcock Road. (Article 4.23.1)

Part 2. Delete the 50-foot undisturbed buffer and 10-foot improvement setback along the west property line adjacent to AG-1 (Agricultural) zoned property. (Article 4.23.1)

Part 3. Delete the 100-foot undisturbed buffer and 10-foot improvement setback along the north property line. (Article 4.23.1)

The site is proposed to be part of a larger industrial development in the city of College Park. In Part 1 of the concurrent variance request, the applicant seeks to delete the landscape strip along Hathcock Road. Staff notes the parcels west and east of the site along Hathcock Road will be part of the industrial development with Hathcock Road being abandoned. Given Hathcock Road will be abandoned in College Park on either side of the site, Staff recommends approval of Part 1 of the concurrent variance request given relief would be in harmony with the intent of the Zoning Resolution according to Article 22.3.1.

In Parts 2 and 3 of the applicant seeks to delete the buffers along the west and north property lines adjacent to AG-1 (Agricultural) zoned property. Staff notes that these property lines are along the perimeter of the proposed development. Staff is of the opinion that the applicant has not proven a hardship per Article 22.3.1 and is of the opinion that the hardship is self-imposed. Therefore, Staff recommends **DENIAL** of Parts 2 and 3 of the concurrent variance request.

Staff notes that Article 22.3.1 states that a variance may be considered if relief is in harmony with the general purpose and intent of the Zoning Resolution; or due to extraordinary and exceptional conditions pertaining to the property because of its size, shape, or topography which would create an unnecessary hardship for the owner while causing no detriment to the public; or conditions resulting from existing foliage or structures which bring about a hardship whereby a sign meeting the minimum letter size, square footage and height requirements cannot be read from an adjoining public road.

### PARKING

The subject property would serve as a parking lot to an adjacent site that falls within the incorporated boundaries of the City of College Park. The adjacent site is zoned industrial and would utilize this site for trailer storage parking. The required number of parking spaces for the adjacent industrial development would be under the jurisdiction of College Park.

### ENVIRONMENT

The Environmental Site Analysis Report (ESA) and Environmental Impact Report are sufficient and satisfy the requirement of the Fulton County Zoning Resolution. The applicant proposes to use the property for a parking area in connection with a light industrial park. The site does not contain streams, wetlands, floodplain, steep slopes, historical sites or sensitive plants and animal species. According to the applicant the parking area is not an environmentally adverse use. No site additions are proposed to adversely impact the natural environment. Explosive materials are not associated with the proposed activities.

### OTHER CONSIDERATIONS

The site plan shows that Hathcock Road will be abandoned within unincorporated Fulton County and the City of College Park. The applicant will need to request to abandon the portion of Hathcock Road that falls within unincorporated Fulton County with the Fulton County Land Department.

**FINDINGS:**

(Article 28.4.1) Planning Staff shall, with respect to each zoning application, investigate and make a recommendation with respect to factors A. through G., below, as well as any other factors it may find relevant.

A. WHETHER THE ZONING PROPOSAL WILL PERMIT A USE THAT IS SUITABLE IN VIEW OF THE USE AND DEVELOPMENT OF ADJACENT AND NEARBY PROPERTY.

**FINDING:** The proposed parking lot use is suitable for the subject site considering the existing and anticipated development in the area, and the City of College Park's recent Mayor and Council action regarding the site's rezoning.

B. WHETHER THE ZONING PROPOSAL WILL ADVERSELY AFFECT THE EXISTING USE OR USABILITY OF ADJACENT OR NEARBY PROPERTY.

**FINDING:** In Staff's opinion, the proposed development will not have an adverse effect on the use or usability of adjacent and nearby properties if developed in accordance with the Recommended Conditions.

C. WHETHER THE PROPERTY TO BE AFFECTED BY THE ZONING PROPOSAL HAS A REASONABLE ECONOMIC USE AS CURRENTLY ZONED.

**FINDING:** The subject site may have a reasonable use as currently zoned.

D. WHETHER THE ZONING PROPOSAL WILL RESULT IN A USE WHICH WILL OR COULD CAUSE AN EXCESSIVE BURDENSOME USE OF EXISTING STREETS, TRANSPORTATION FACILITIES, UTILITIES, OR SCHOOLS.

**FINDING:** With the incorporation of the attached Recommended Conditions, Staff does not anticipate a significant impact on public facilities and utilities.

E. WHETHER THE ZONING PROPOSAL IS IN CONFORMITY WITH THE POLICIES AND INTENT OF THE LAND USE PLAN.

**FINDING:** The proposed parking lot use is inconsistent with the suggestion of the Comprehensive Plan Land Use Map. However, the proposed use is consistent with the City of College Park's recent actions permitting M-1 (Light Industrial) zoning on the adjacent properties to the east and west.

**LAND USE PLAN MAP: Suburban Neighborhood**

Proposed use/density: Parking Lot

The 2035 Comprehensive Land Use Map suggests Suburban Neighborhood along Hathcock Road and Yates Road. The City of College Park's boundaries lie at the east,

south, and west of the subject property.

**PLAN POLICIES:**

Encourage development in areas where basic public facilities exist or are being improved, and discourage development in areas which would require inefficient or uneconomical extension of public facilities.

- F. WHETHER THERE ARE OTHER EXISTING OR CHANGING CONDITIONS AFFECTING THE USE AND DEVELOPMENT OF THE PROPERTY WHICH GIVE SUPPORTING GROUNDS FOR EITHER APPROVAL OR DISAPPROVAL OF THE ZONING PROPOSAL.

**FINDING:** The City of College Park's recent approval of the rezoning of the adjacent property to M-1/Light Industrial constitutes a changed condition affecting the use of this property.

- G. WHETHER THE ZONING PROPOSAL WILL PERMIT A USE WHICH CAN BE CONSIDERED ENVIRONMENTALLY ADVERSE TO THE NATURAL RESOURCES, ENVIRONMENT AND CITIZENS OF FULTON COUNTY.

**FINDING:** The proposed development is not considered environmentally adverse affecting natural resources, the environment, or the citizens of Fulton County.

CONCLUSION:

Given the recent zonings of adjacent property by the City of College Park, Staff is of the opinion that the proposed use is appropriate for the subject site. Therefore, Staff recommends that this petition be **APPROVED CONDITIONAL**. In regards to the concurrent variance request, Staff recommends **APPROVAL of Part 1**. In regards to Parts 2 & 3, Staff is of the opinion that the applicant has not proven a hardship and recommends **DENIAL of Parts 2 & 3**.

## RECOMMENDED CONDITIONS

If this petition is approved by the Board of Commissioners, it should be APPROVED M-1 (Light Industrial) CONDITIONAL subject to the owner's agreement to the following enumerated conditions. Where these conditions conflict with the stipulations and offerings contained in the Letter of Intent, these conditions shall supersede unless specifically stipulated by the Board of Commissioners.

1. To the owner's agreement to restrict the use of the subject property as follows:
  - a. Restrict use of the property for a parking lot for trailer storage.
2. To the owner's agreement to abide by the following:
  - a. To the site plan received by the Department of Environment and Community Development on August 29, 2016. Said site plan is conceptual only and must meet or exceed the requirements of the Zoning Resolution and these conditions prior to the approval of a Land Disturbance Permit. In the event the Recommended Conditions of Zoning cause the approved site plan to be substantially different, the applicant shall be required to complete the concept review procedure prior to application for a Land Disturbance Permit. Unless otherwise noted herein, compliance with all conditions shall be in place prior to the issuance of the first Certificate of Occupancy.
3. To the owner's agreement to the following site development considerations:
  - a. Delete the 10-foot landscape strip along Hathcock Road. (2016VC-0020 SFC, Part 1)
4. To the owner's agreement to abide by the following:
  - a. Prior to submitting the application for a (LDP) with the Department of Environment and Community Development, Development Review Division, arrange to meet with the Fulton County Traffic Engineer. A signed copy of the results of these meetings will be required to be submitted along with the application for a Land Disturbance Permit.
  - b. Prior to submitting the application for an LDP, arrange an on-site evaluation of existing specimen trees/stands, buffers, and tree protection zones within the property boundaries with the Fulton County Arborist. A signed copy of the results of these meetings will be required to be submitted along with the application for an LDP.

## APPENDIX

### COMMENTS ON PUBLIC SERVICES AND UTILITIES

**NOTE:** Various Fulton County departments or divisions that may or may not be affected by the proposed development provide the following information. Comments herein are based on the applicant's conceptual site plan and are intended as general non-binding information and in no manner suggest a final finding by the commenter. All projects, if approved, are required to complete the Fulton County Plan Review process prior to the commencement of any construction activity.

#### **TRANSPORTATION FACILITIES:**

Road name: Hathcock Road  
Classification: Local  
Level of Service: C

Anticipated Traffic Generation Rates: Not applicable  
Average: approximately 20 trips

#### **HEALTH DEPARTMENT:**

##### **Environmental Health Service (EHS) Comments:**

The Fulton County Department of Health and Wellness will require that all existing structures to be demolished must be inspected by a certified pest control operator to insure that the premise is rat free. If evidence of rodent infestation is found, the property must be baited prior to demolition.

##### **Environmental Justice (EJ) and General Public Health Comments:**

The Environmental Site Analysis Report (ESA) and Environmental Impact Report are sufficient and satisfy the requirement of the Fulton County Zoning Resolution. The applicant proposes to use the property for a parking area in connection with a light industrial park. The site does not contain streams, wetlands, floodplain, steep slopes, historical sites or sensitive plants and animal species. According to the applicant the parking area is not an environmentally adverse use. No site additions are proposed to adversely impact the natural environment. Explosive materials are not associated with the proposed activities.

The Fulton County Department of Health and Wellness does not anticipate any adverse impacts to the health of humans or the environment within the surrounding community by allowing the proposed rezoning from AG-1 to M-1 for the development of a parking lot for trailer storage provided that surface water is handled appropriately and the developer adheres to all relevant ordinances and laws.

#### **WATER AND WASTEWATER (SEWER):**

##### **WATER:**

Anticipated water demand: 0 gallons per day (gpd) 11.8756 acres (Parking Lot for Trailer Storage for Light Industrial Use) x 1.8756 acres = 0 gallons per day.

This project is within the City of Atlanta water service jurisdiction.

##### **SEWER:**

Basin: Camp Creek  
Treatment Plant: Camp Creek  
Anticipated sewer demand: 0 gallons per day

There is a sanitary sewer manhole approximately 390 feet west of the southwest property corner of the 1.8756 acre tract (111 Hathcock Drive) within the right of way of Yates Road (Sewer Manhole # SMCC3000590) and there is an 8 inch sewer line approximately 405 feet east of the southeast property corner of the 1.8756 acre tract

within the right of way of White City Road (Sewer Manhole # SMCC3100140) located in Land Lot 35, District 13 that can service this location.

Comments: This information does not guarantee that adequate sewer capacity is available at this time or will be available upon application of permits. Please contact the Department of Public Works for more information.

**DRAINAGE:**

Flood Plain: According to Fulton County Geographic Information System (GIS) Map, there not 100-year flood plain on the subject site.

**BOARD OF EDUCATION:**

No Comment

**TAX ASSESSOR:**

Property Tax ID#: 13 -0035-0004-07-3

Taxes on the subject property are due to the Fulton County Tax Assessor in November 2016 in the amount of \$235.04.

**FIRE MARSHAL:**

Fire Station: 1  
Battalion: 1

Impact: Increase in road congestion.

**POLICE DEPARTMENT ZONING IMPACT STATEMENT:**

Beat: 27

Impact Statement on Beat:

Current calls for service: 9,439  
Projected calls for service: Unknown  
Current Average Response Time (minutes): 20

\*\* Increase in the number of residents/persons: 1.96

\* Increase in E-911 calls for service (police, fire, E.M.S.): 1.6

\*\*\* Increase in the number of traffic accidents: 0.1

PROJECTED IMPACT ON DEMAND FOR POLICE SERVICES:

It is the policy of the Fulton County Police Department to answer all calls for service regardless of the impact of a particular development. However, two of the most noticeable indicators of the quality of police service will be as follows: As demands for service increase, response times will increase. Time available for proactive neighborhood/business patrol will decrease and crime prevention efforts will decline.

The Police Department does anticipate a significant impact on demand for police services.

- \* Based on 2014 population of 121,000 and 2014 calls for service of 95,850 (67,553 for police services.)
- \*\* Based on average single family resident population of four, average apartment of two and 1.96 persons per 1000 gross square feet of space.
- \*\*\* Based on 2014 accident calls of 4,158.

\*\*\*\* Average response time of 8 minutes  
\*\*\*\*\* Based on average of two (2) cars per single family residence.

Note: The demand for police service is determined by socio-economic, legislative and other forces which do not lend themselves to predictability. Therefore, projections are made from historical data only.

**EMERGENCY SERVICES:**

If zoning petition is approved there will be an increase in E911 call volume. The increase may negatively affect the Department's call answering speed and service level.

Increased traffic volume without road improvements may increase response times of emergency response vehicles thereby reducing effective delivery of emergency services.

**CITY OF ATLANTA DEPARTMENT OF AVIATION (DOA)**

The proposed project is located approximately 2.0 miles west of the Airport.

Is the proposed project located under protected airspace for the Airport?

Yes       No

If yes, the development will require the completion of Federal Aviation Administration (FAA) form 7460-1, Notice of Proposed Construction or Alteration.

Is the proposed project located within an area of significant (65 DNL or higher) aircraft noise exposure? {Based on Estimated 2008 Noise Exposure Contours}

Yes       No

If yes, is the proposed land-use deemed compatible according to CFR Title 14, Part 150?

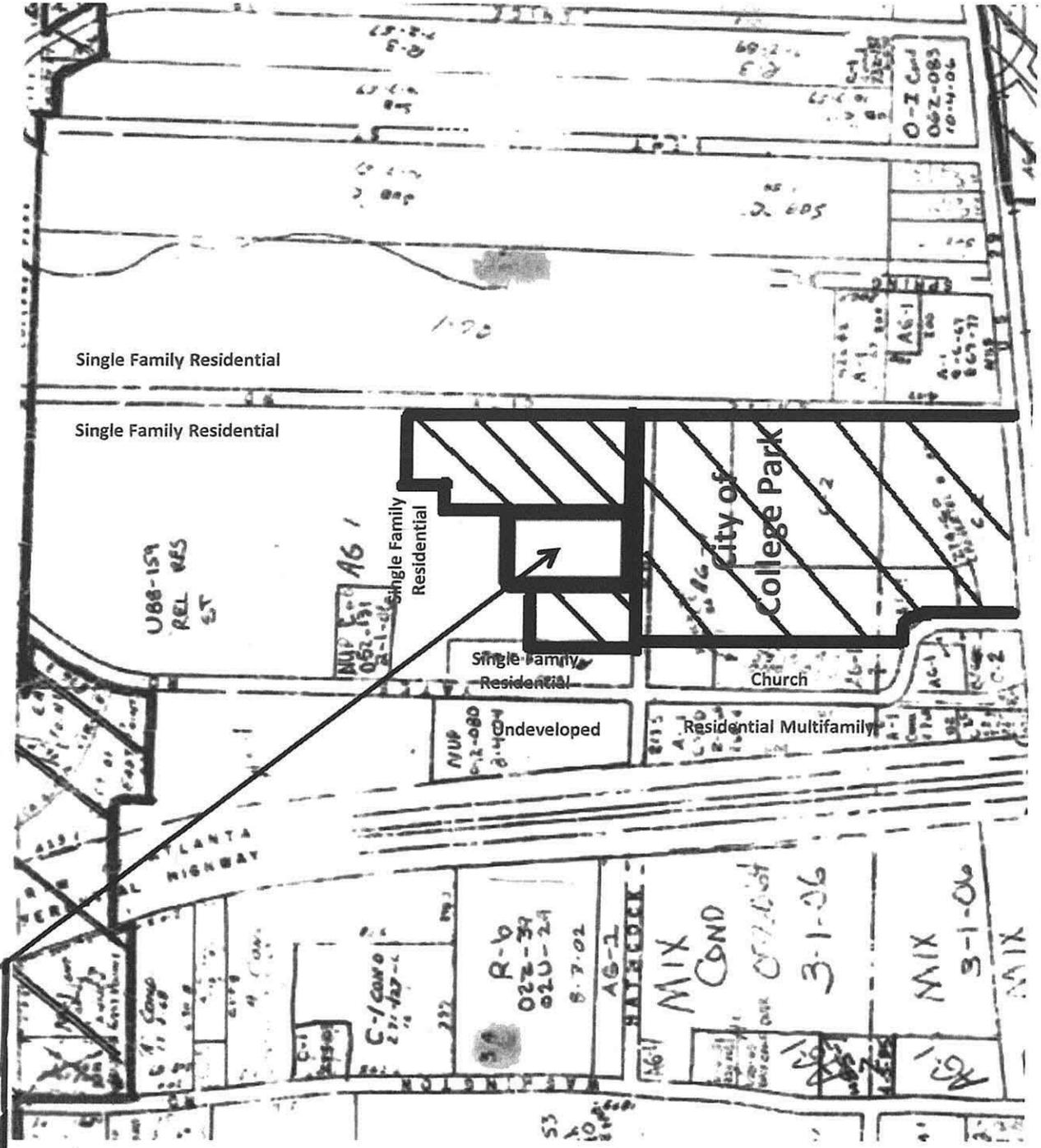
Yes       No

For complete information regarding the location of the property in question relative to aircraft noise exposure and the aircraft operational environment please refer to the DOA NOMS Developer's Pack on file at the Fulton County Government Center, Department of Environment & Community Development, Zoning Division.

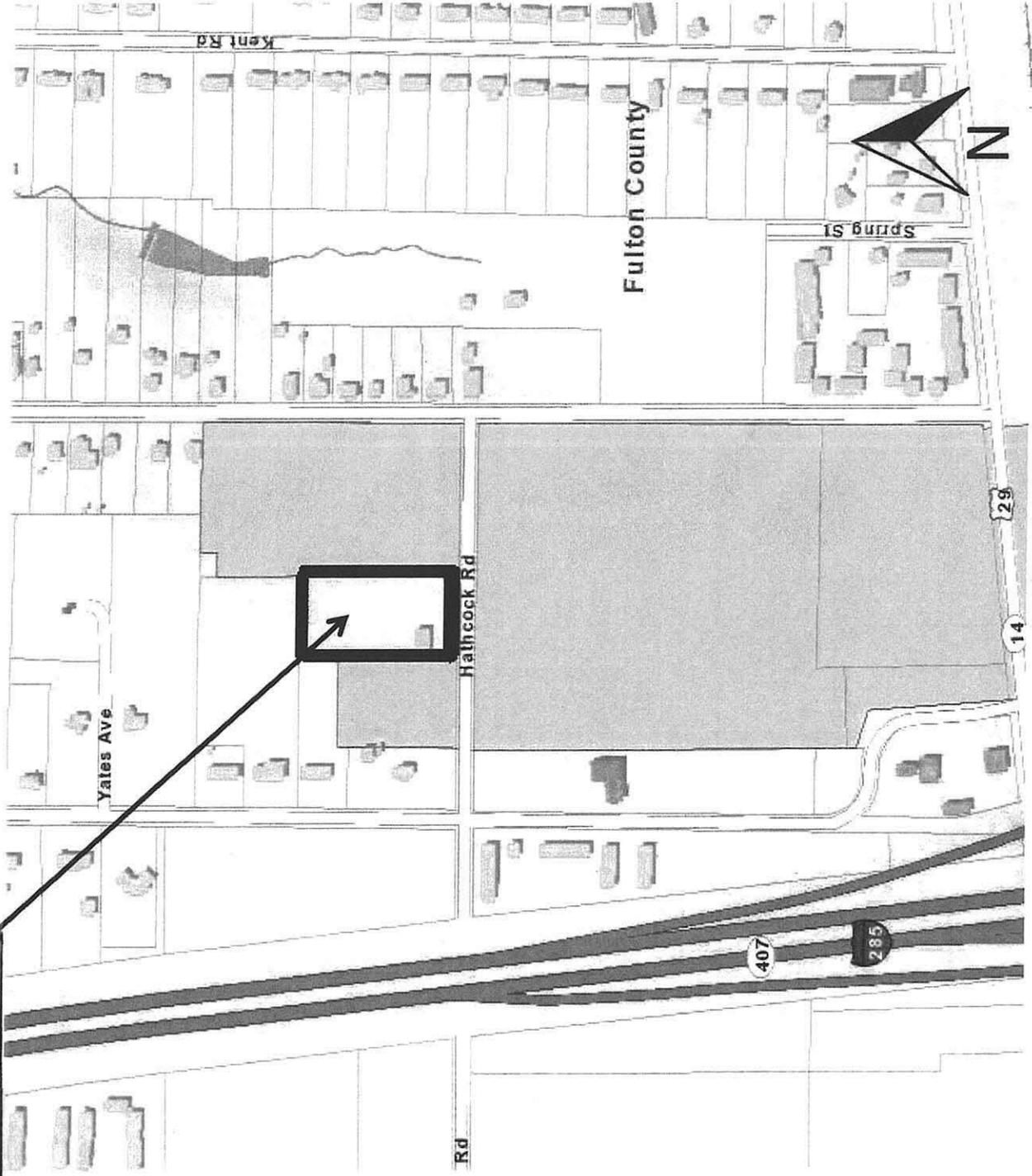
**CODE ENFORCEMENT**

No comments.

2016Z-0011 SFC  
2016VC-0020 SFC



2016Z -0011 SFC  
2016VC-0020 SFC



**2016Z -0011 SFC**  
**2016VC-0020 SFC**



PROJECT NO.  
**P16-056**

SHEET NO.  
**C4.0**

GRADING PLAN  
 SCALE: 1" = 40'  
 DATE: 06/15/16  
 DRAWN BY: [blank]  
 PROJECT MANAGER: [blank]

REVISIONS

NO.	DATE	DESCRIPTION

PROJECT:  
**HREG-ROOSEVELT HWY**  
**COLLEGE PARK**  
 LAND LOT XXX  
 XTH DISTRICT

2016Z-011SFC  
 2016VC-0020SFC

1500 PARKWAY  
 SUITE 200  
 ATLANTA, GEORGIA 30329  
 (404) 525-8800

**PSA**  
 PERKINS+WILL ASSOCIATES

1500 PARKWAY  
 SUITE 200  
 ATLANTA, GEORGIA 30329  
 (404) 525-8800