

GOVERNMENT OF THE CITY OF SOUTH FULTON

TAMMI SADDLER JONES
CITY MANAGER



SHAYLA REED
DIRECTOR
COMMUNITY DEVELOPMENT &
REGULATORY AFFAIRS

MEMORANDUM

TO: Mayor and Council
FROM: Planning & Zoning Division
SUBJECT: Z21-003 for 4295 & 4301 Roosevelt Highway/Highway 29
MEETING DATE: July 14, 2021

Applicant seeks to rezone from **AG-1/C-2 (Agricultural District and Commercial District)** to **M-2 (Heavy Industrial)**

STAFF RECOMMENDATION: Approval with conditions

PLANNING COMMISSION RECOMMENDATION: Approval with conditions

cc: Corey Adams, City Clerk

APPLICATION INFORMATION

Applicant Information:	Watts Browning Engineering Inc. Darryl Cook 1349 Old 41 Highway NW Suite 225 Marietta, GA 30060
Status of Applicant:	Engineer for the applicant; intent is to rezone to match the existing zoning.
City Council District(s):	District 3
Parcel ID Number:	09F260301260472, 09F260301260340,
Area of Property:	1.66 (AG-1) & 2.66 (C-2) acres
Current/Past Use of the Property:	AG-1 is developed, and C-2 is not developed.
Prior Zoning Cases/History:	None located
Surrounding Zoning:	<u>North:</u> C-2 (Commercial District) and AG-1 (Agricultural District) <u>South:</u> M-2 (Heavy Industrial) <u>East:</u> C-2 (Commercial District) and M-2 (Heavy Industrial) <u>West:</u> M-1 (Light Industrial)
2035 Future Land Use Designation:	<u>Character Type:</u> Industrial Zone <u>Land Uses:</u> Industrial and Open Space <u>Zonings:</u> M-1, M-2
Compatibility to the Fulton County 2035 Comprehensive Plan:	Yes
Overlay District:	None
Public Utilities:	Water service is provided to this site by City of Atlanta. Sewer service is available to the site by Fulton County. Any extension of sewer service is the responsibility of the developer.
Public Services:	Police and fire services are available to the site by the City of South Fulton.
Transportation:	<u>Street:</u> Roosevelt Highway/Highway 29 <u>Classification:</u> Minor Arterial

Public Transit: Yes, MARTA serves Roosevelt Hwy.

Bike/Pedestrian Access: No sidewalk or bicycle lanes

Parking Required (Retail/Service Stations): N/A

MAPS

City of South Fulton Zoning and Aerial Map:

(see attached)

Proposed Site Plan:

(see attached)

PUBLIC PARTICIPATION

A meeting was held by the applicant on March 25, 2021. The report is attached.

ZONING IMPACT ANALYSIS

1. Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property.

Yes. The proposal will join the present use as a steel gate manufacturer. The surrounding properties are zoned M-2 and M-1.

2. Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property.

No. The proposed development will not affect the existing use or the adjacent neighbors. Additionally, the use of this site which has been in business for ____ years will not have a high impact use.

3. Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned.

Yes. This existing use for this property will have an opportunity for growth, which in turn will provide economic growth for the area.

4. 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.

No. The proposal is for an extension of an existing use. The traffic counts to and from the site would not be significantly impactful to the existing infrastructure. Current infrastructure is sufficient for what is already in the area.

5. Whether the zoning proposal is in conformity with the policies and intent of the land use plan.

Yes. This proposal follows the current land use plan.

6. 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.

No. There are no other pertinent conditions or concerns with this site.

7. Whether the zoning proposal will permit a use which can be considered environmentally adverse to the natural resources, environment and citizens of City of South Fulton.

No. This would ultimately be a very low impact proposal.

STAFF COMMENTS

Engineering: Engineering was invited to the pre-application meeting before the application was submitted and provided comments at that time.

Environmental: Requested information, none provided.

Public Works: Fulton County Sewer report attached.

Transportation: The traffic engineer was invited to the pre-application meeting before the application was submitted and provided comments at that time.

MARTA: Requested information, none provided.

Fulton County Health Department: Requested information, none provided.

Fulton County Schools: Provided feedback stating their review is not needed.

Fire: The Fire Marshall was invited to the pre-application meeting before the application was submitted and provided comments at that time.

Legal: Requested information, none provided.

PLANNER'S RECOMMENDATION

Approval with conditions. The request for M-2 will put the requested parcels in line with the existing M-2 parcels for the existing business. The request does comply with the Land Use Plan; therefore, staff recommends approval. However, the rezoning of C-2 will affect the economic plan for this area of existing neighboring C-2 zonings. Therefore, staff has provided the following conditions:

1. For the parcel that fronts Roosevelt Highway/Highway 29, any building shall be used only for an office and/or showroom. All parking along Roosevelt Highway/Highway 29 shall exclude semi-trailer trucks (18-wheeler).
2. The building shall have the look and feel of the surround commercial buildings. Therefore, the architectural materials of the façade shall only consist of brick, stone, and/or stucco, and specifically exclude aluminum siding, and/or fabricated metal.

PLANNING COMMISSION RECOMMENDATION

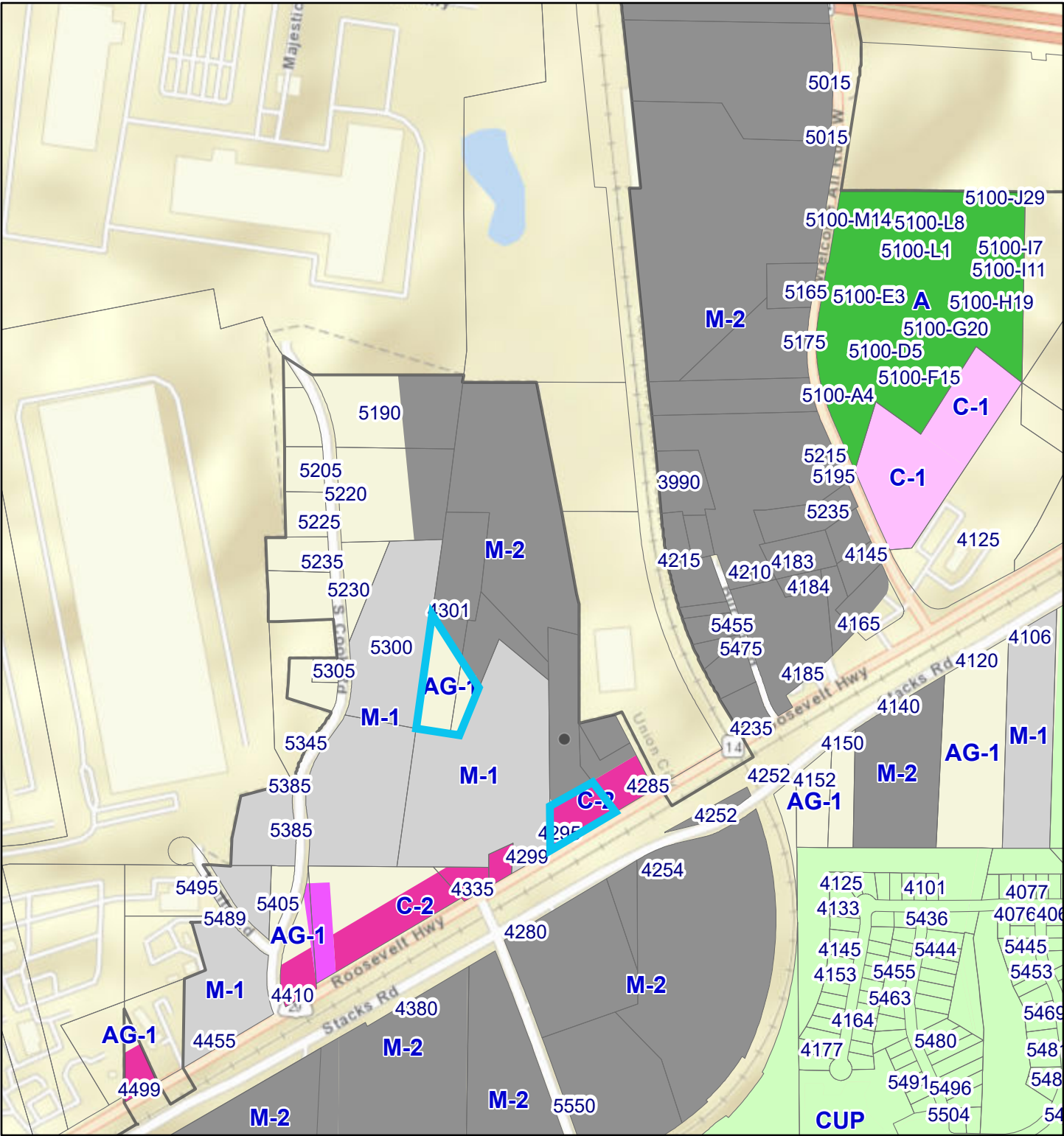
At the April 20, 2021 Planning Commission meeting, the board deferred this case until the next meeting in order for the petitioner to submit building elevations that had previously not been discussed.

At the June 15, 2021 Planning Commission meeting the board recommended approval of this case with the aforementioned conditions.

PREPARED BY: Dana Gray, Planner

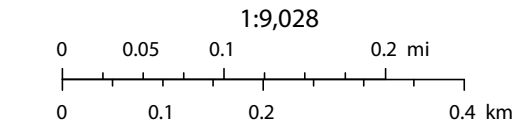
REVIEWED BY: Nathan Mai-Lombardo, Planning and Zoning Administrator
Shayla Reed, Director, CDRA

COSF ArcGIS Web Map



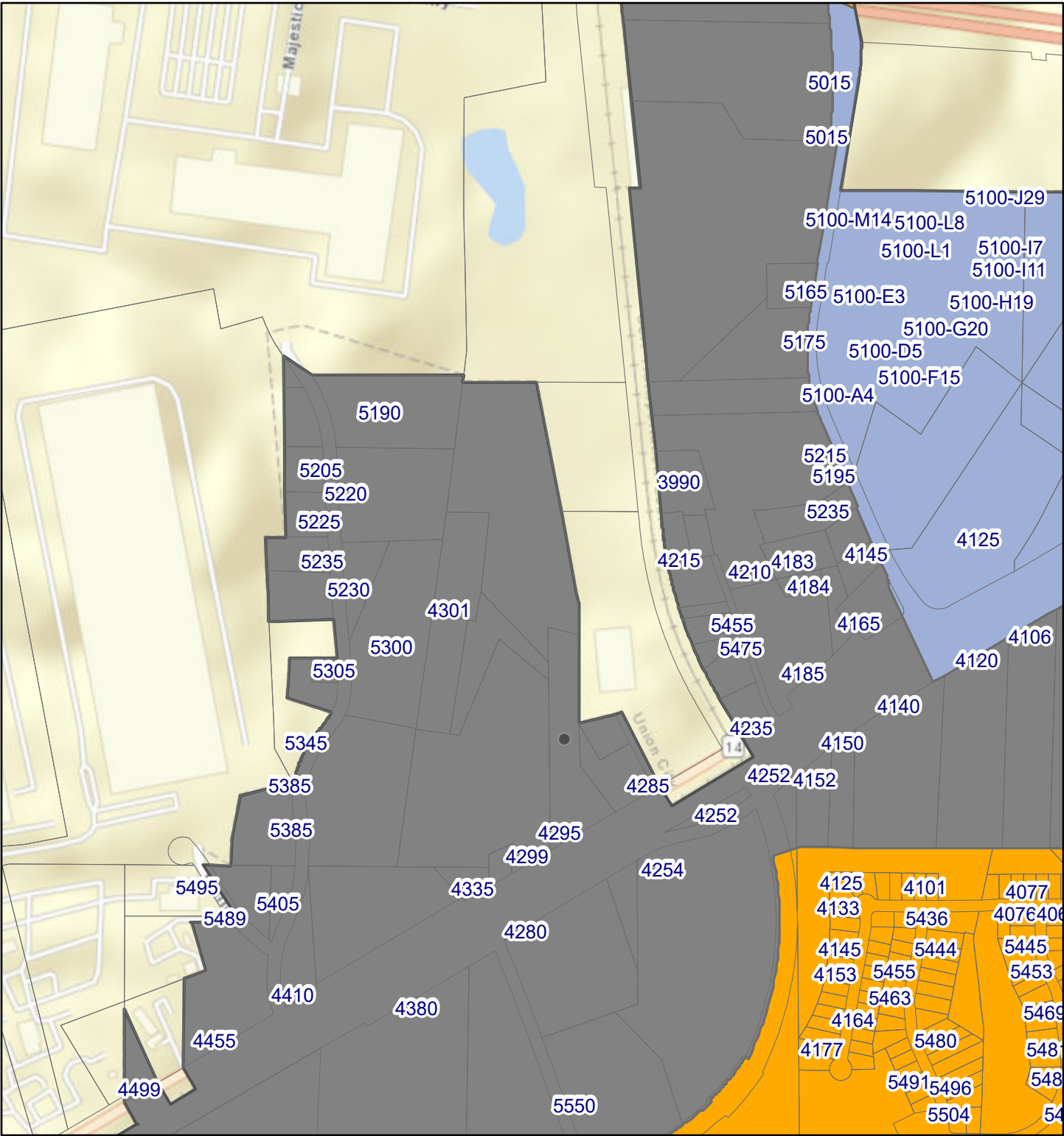
3/4/2021, 3:22:15 PM

- Address Points
- County Parcels All
- City Limits
- Current Zoning
 - A (Medium Density Apartment)
 - AG-1 (Agricultural)
 - C-1 (Limited Commercial)
 - C-2 (General Commercial)
 - CUP (Community Unit Plan)
 - M-1 (Light Industrial)
 - M-2 (Heavy Industrial)
 - O-I (Office & Institutional)



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

COSF ArcGIS Web Map



3/4/2021, 3:18:58 PM

Address Points

County Parcels All

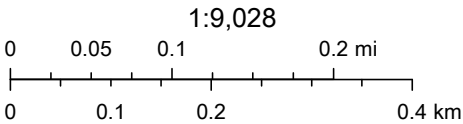
City Limits

2035 Future Land Use

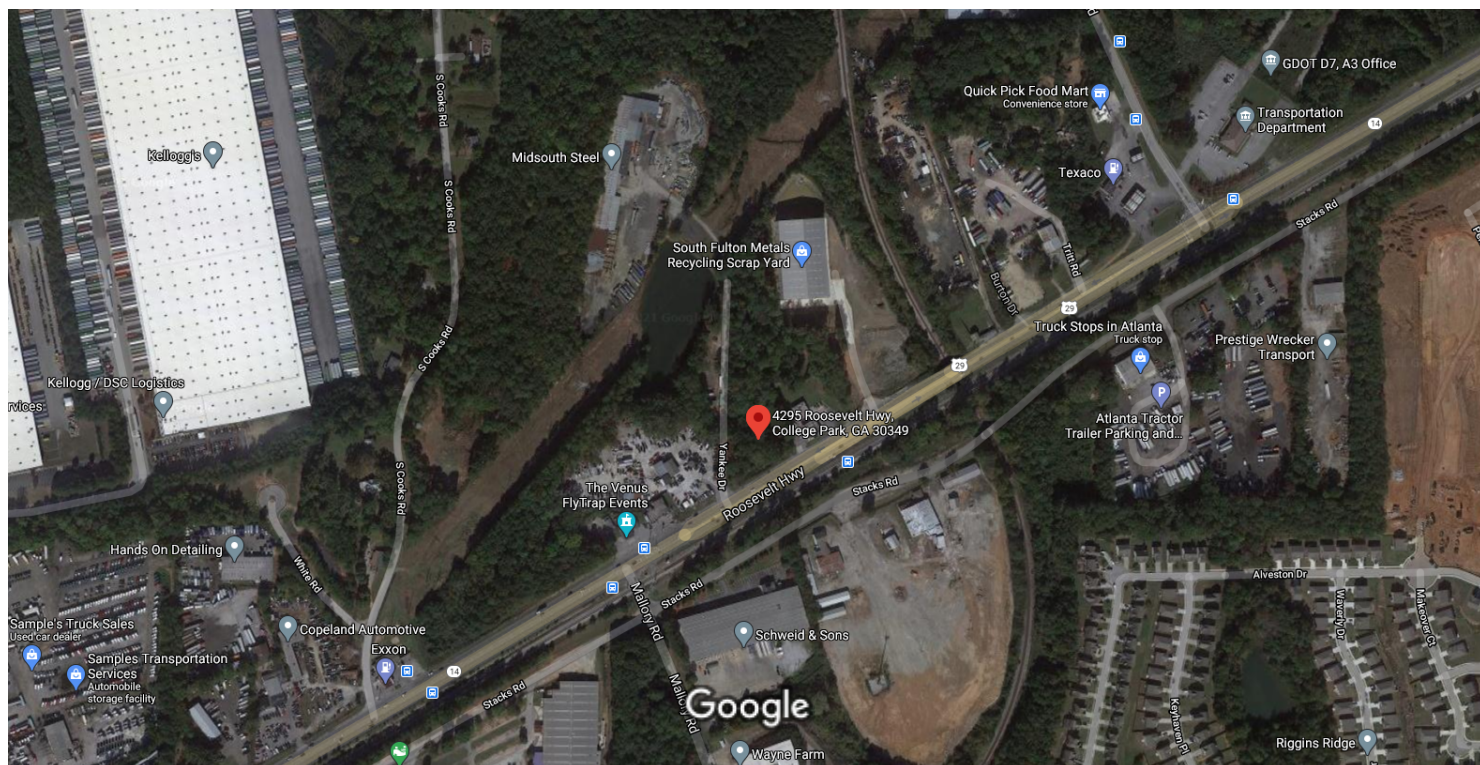
Business Park

Industrial Zone

Suburban Neighborhood



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



Imagery ©2021 Maxar Technologies, U.S. Geological Survey, USDA Farm Service Agency, Map data ©2021 200 ft



4295 Roosevelt Hwy



Directions



Save



Nearby



Send to your
phone



Share



4295 Roosevelt Hwy, College Park, GA 30349



JF5C+GF College Park, Georgia

Photos

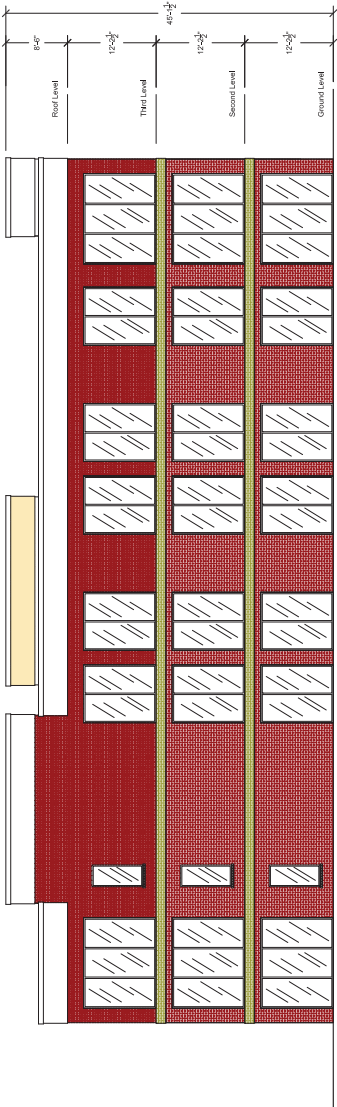
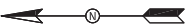
Conceptual Site Plan

Scale: 1" = 40'

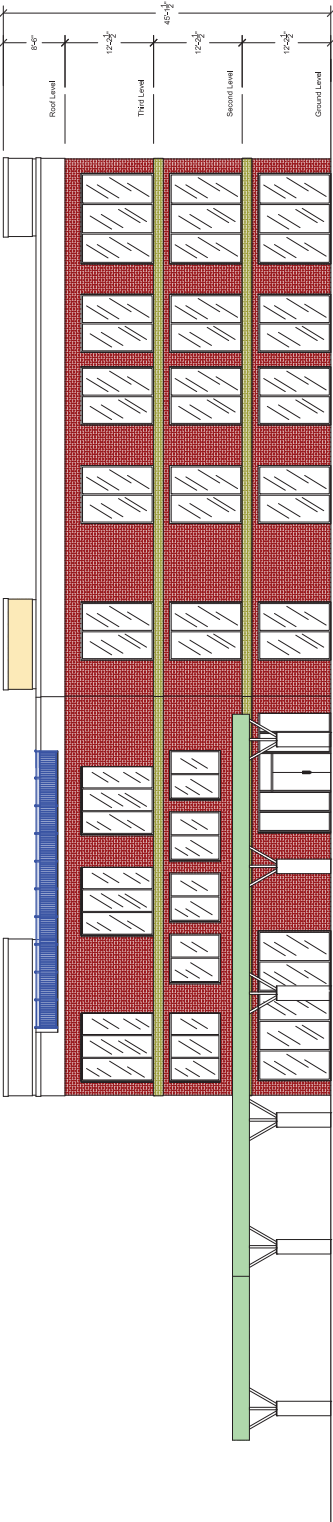
Entrance	Covered Exterior Approach	Area
Ground Floor	1547	1032
Second Floor	n/a	n/a
Third Floor	n/a	n/a
Roof	n/a	n/a
Totals	1547	1032

Roosevelt Highway

Midsouth Steel, LLC
Conceptual Office Plans
4301 Roosevelt Hwy
South Fulton, GA



2 West - Roosevelt Hwy
Scale: 1/8" = 1'-0"



1 South Elevation - Yankee Drive
Scale: 1/8" = 1'-0"

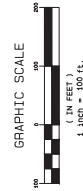
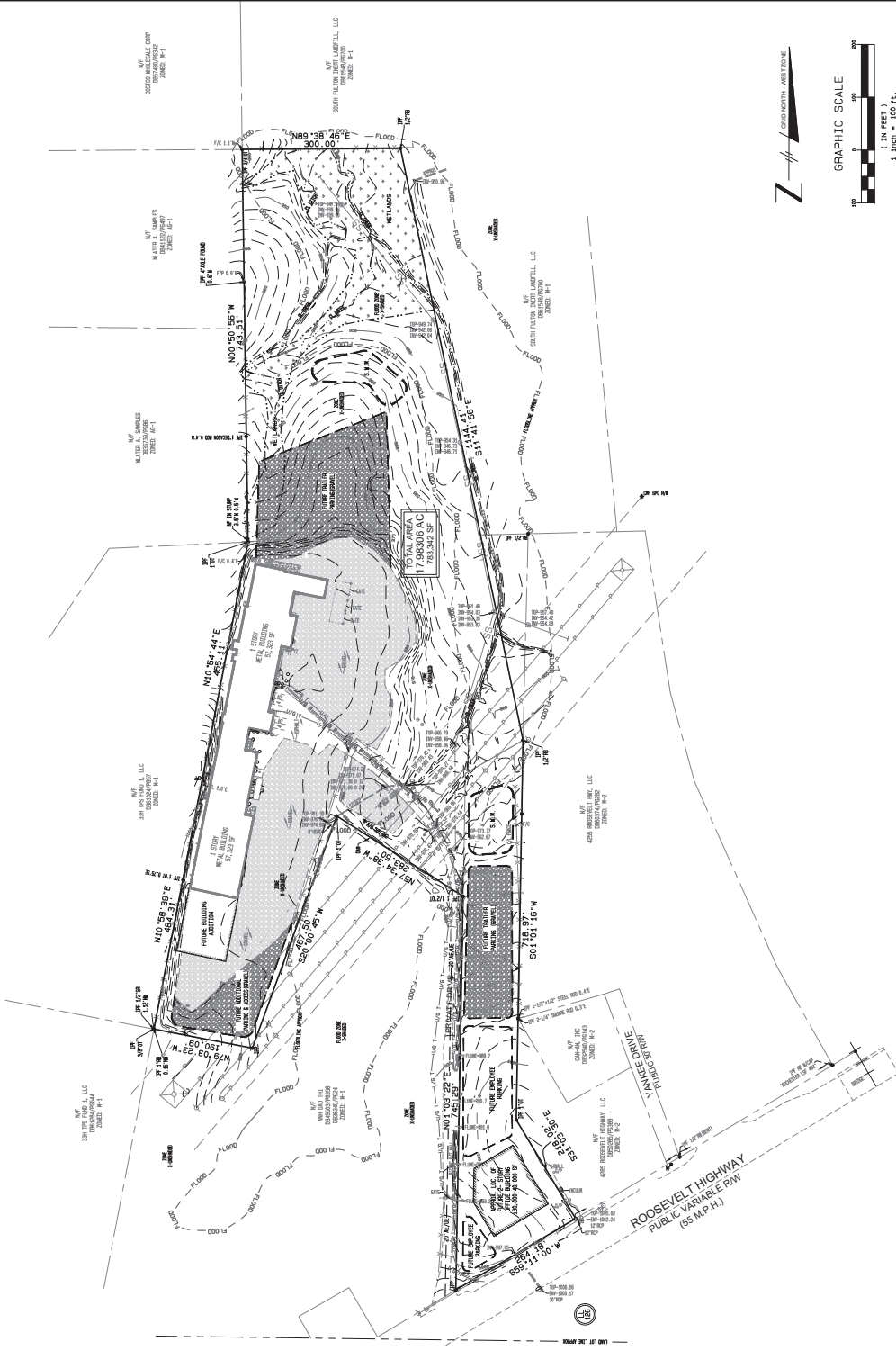
FOR
MIDSOUTH STEEL
LAND LOT 126 ~ DISTRICT 9F
CITY OF SOUTH FULTON,
FULTON COUNTY, GEORGIA



REVISIONS		
NO.	DATE	BY
1	12/22/2011	JT



LSF000429 - PEF000714	
SCALE:	1:100
DESIGNED BY:	DRG
DRAWN BY:	JJT
CHECKED BY:	DRG
INITIAL ISSUE DATE:	02/08/2021
JOB NUMBER:	201015
SHEET NUMBER:	
C-1	

[illegible]

**PUBLIC PARTICIPATION PLAN
FORM D**

Applicant: Midsouth Steel, LLC

1. The following individuals (property owners within a quarter mile of the property), homeowner's associations, political jurisdictions, other public agencies, etc., will be notified in accordance with the requirements of Article 28.4.7 of the City of South Fulton Zoning Ordinance:

please see attached List.

2. The individuals and others listed in 1. above will be notified of the requested rezoning/use permit using the following method(s): (e.g., letters, meeting notices, telephone calls, e-mails, etc.)

please see attached letter.

3. Individuals and others listed in 1. above will be allowed to participate in the following manner: (At least one meeting at a convenient time and location is required.)

① In person on 3/25/21 from 3-4 pm at
our location.

② Call: 770/465-3455

③ email: cstaffins@midsouthsteel.net

Attach additional sheets as needed.



PUBLIC PARTICIPATION PLAN REPORT FORM E

Applicant: Midsouth Steel, LLC. Petition No. Z21-003

Date: 4/12/21

1. The following parties were notified of the requested rezoning/use permit:

please see attached list.

2. The following meetings were held regarding this petition: (Include the date, time, and meeting location.)

3/25/2021 From 3-4pm at 4301 Roosevelt Hwy
Atlanta, GA. 30349, in ar office parking lot.

3. The following issues and concerns were expressed:

There were no attendees at ar meeting.

4. The applicant's response to issues and concerns was as follows:

N/A.

5. Applicants are required to attach copies of sign-in sheets from meetings as well as meeting announcements, i.e., notices, flyers, letters, and any other documentation which supports the opportunity for public input.

Attach additional sheets as needed.

From: [Channing Hatmaker](#)
To: DCook@wbengr.com; [Nathan Mai-Lombardo](#); [Dana Gray](#)
Cc: [Charles Staffins](#)
Subject: Midsouth Steel Report
Date: Monday, April 12, 2021 12:50:50 PM
Attachments: [Letter.pdf](#)

To Whom It May Concern,

This is regarding our request to have all parts of the Midsouth Steel campus classified as M-2. We held our public participation meeting on 3/25/2021. There were no attendees at our meeting. We also included in the letter to our neighbors they were welcome to call us or send any inquiries via email (please see attached). We have not received any emails or calls regarding our request for rezoning. That being said, one of our employees was visiting a nearby gas station and the owner inquired about what we were planning on doing. Our employee informed him it was for an additional office building. The owner had no further questions regarding the matter. If you need any additional information, please feel free to contact me. Thank you for your time.

My Best,

Channing Hatmaker

Human Resources

4301 Roosevelt Highway

Atlanta, GA 30349

Office: 770-465-3455 Ext 137

Fax: 770-465-3464

E-mail: chatmaker@midsouthsteel.net

Web: <http://www.midsouthsteel.net>





Dear Neighbor,

This is a notice to inform you that we are seeking a change to the zoning of portions of the Midsouth Steel campus. As part of its current zoning, some parcels are zoned M-2, some AG-1, and another zoned C-2. We believe all parcels that make up the Midsouth campus should be the same zoning classification as M-2. We believe the consolidation of zonings to the current and future use best fits M-2. We will be holding a brief meeting at 4301 Roosevelt HWY on Thursday, March 25, from 3pm-4pm in our parking lot to answer any questions prior to our official rezoning hearings with South Fulton. We welcome your attendance and/or your comments via mail or email (please email to cstaffins@midsouthsteel.net). We look forward to hearing from you all soon. Take care!

Sincerely,

Charles Staffins
President, Midsouth Steel

P.O. Box 9
Fairburn, Georgia 30213
770-465-3455
www.midsouthsteel.net

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 City of South Fulton Plan Review process prior to the commencement of any construction activity.

WATER AND WASTEWATER (SEWER):

WATER:

Anticipated water demand: 100 gallons per day (gpd) per 1,000 sq. ft. (Commercial building) x 57,323 square feet. = **5,733** gallons per day.

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

SEWER:

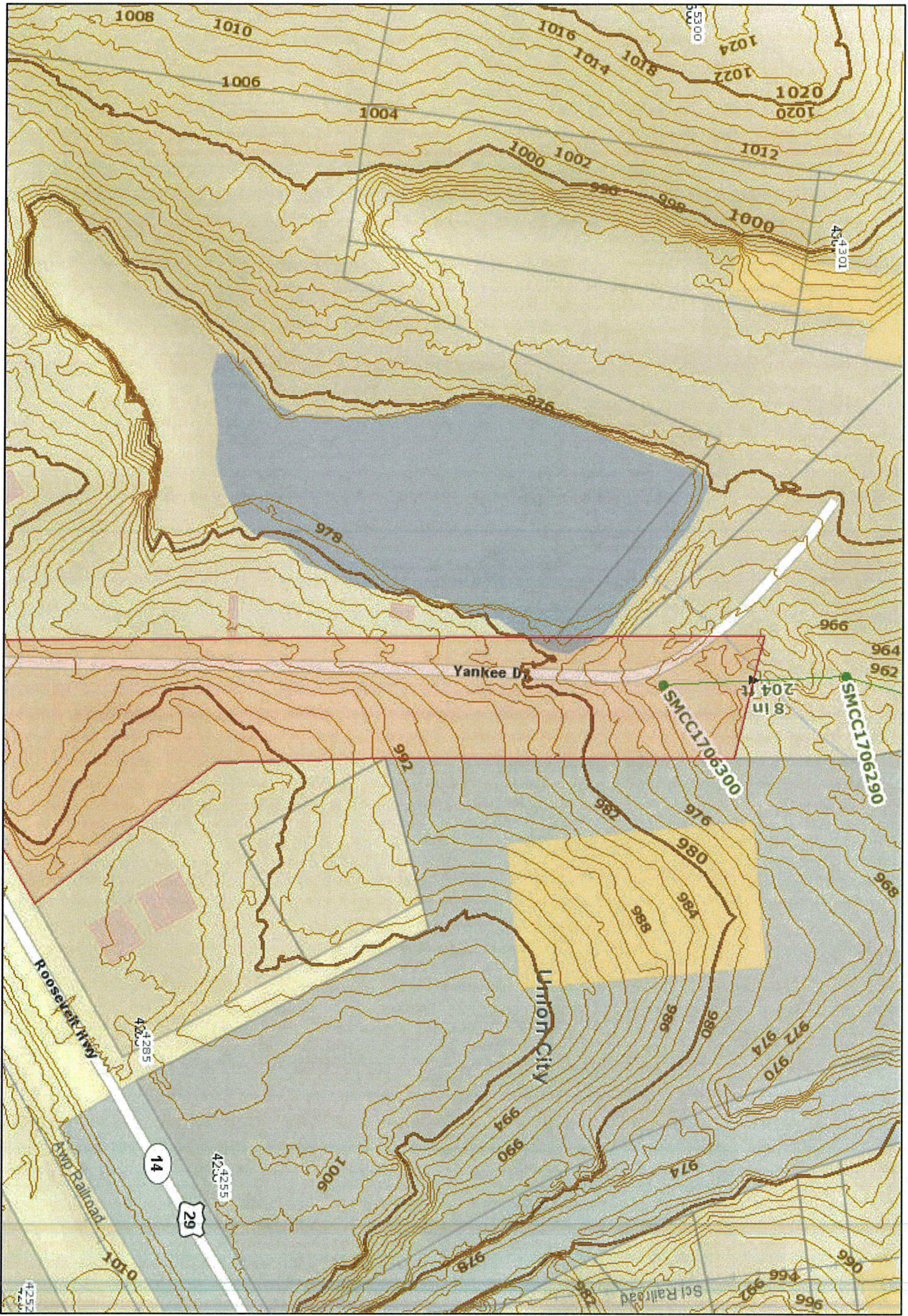
Basin: Camp Creek

Treatment Plant: Plant: Camp Creek (Fulton County Government)

Anticipated sewer demand: **5,160** gallons per day

There is a sanitary sewer manhole within the northern property boundary of the 2.66 acre tract (4295 Roosevelt Highway) (Sewer manhole # SMCC1706300) along an 8 inch sanitary sewer line in Land Lot 126, District 9F.

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.



Date: 4/10/2021
Map Size: 8.5x11 (LETTER)

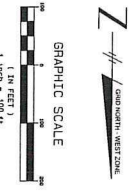
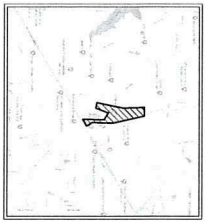
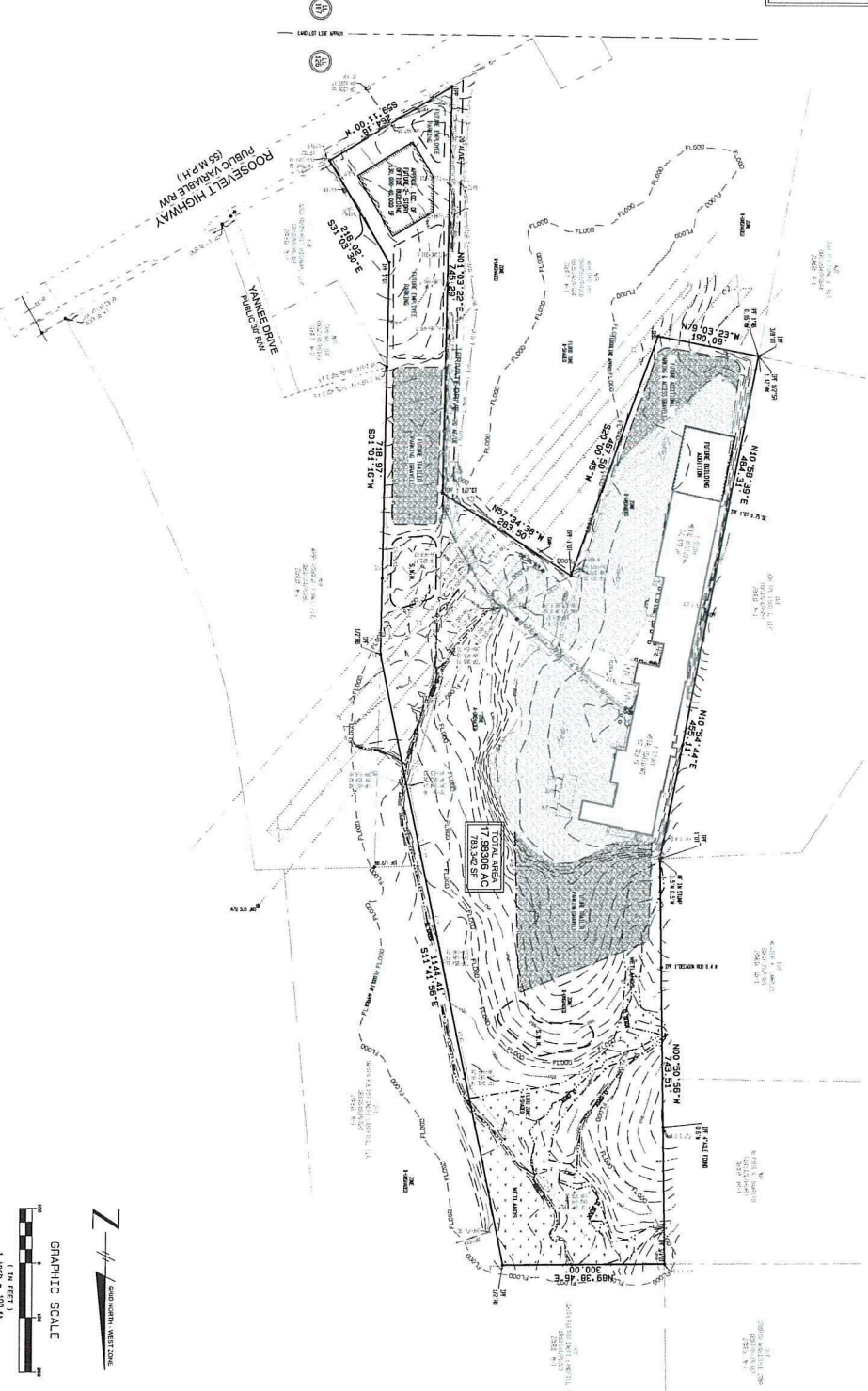
Fulton County provides the data on this map for your personal use "as is". The data are not guaranteed to be accurate, correct, or complete. The feature locations depicted in these maps are approximate and are not necessarily accurate to surveying or engineering standards. Fulton County assumes no responsibility for losses resulting from the use of these data, even if Fulton County is advised of the possibility of such losses.

4295 Roosevelt Highway

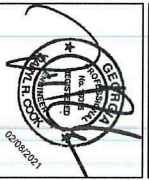


Prepared By:
GIS Section
Water Resources Department
Fulton County Government

SYMBOL	DESCRIPTION
1	EXISTING LOT LINES
2	PROPOSED LOT LINES
3	PROPOSED LOT LINES
4	PROPOSED LOT LINES
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100	PROPOSED LOT LINES



SITE PLAN
 FOR
MIDSOUTH STEEL
 LAND LOT 126 ~ DISTRICT 9F
 CITY OF SOUTH FULTON,
 FULTON COUNTY, GEORGIA



DESIGNED BY	DNC
DRAWN BY	JLT
CHECKED BY	DNC
DATE	02/02/2021
PROJECT NUMBER	207015
SHEET NUMBER	C-1

WATTS & BROWN ENGINEERS, INC.
 CIVIL ENGINEERS & LAND SURVEYORS
 1349 OLD 21 NW, SUITE 400
 ATLANTA, GA 30329
 PHONE: 404.525.1234
 FAX: 404.525.1235
 WWW.WATTS-AND-BROWN.COM



**Watts & Browning
Engineers, Inc.**

Civil Engineering · Land Planning · Land Surveying

February 10, 2021


LETTER OF INTENT

4295 & 4301 ROOSEVELT HWY, ETAL

On behalf of the owners of the above indicated parcels, Mr. Charles Staffins and Mr. Jerome Adams, we respectfully request the properties be rezoned to M-2 from a mix of existing AG-1, C2 and M-2 zonings on the several parcels reflected on the application.

The intent is to have the parcels zoned the same at M-2 for the continuing use of manufacturing and anticipated future expansion of the facilities. Our understanding via a zoom meeting with South Fulton staff indicated that M-2 is appropriate based on the land use plan.

Thank you for the opportunity to request for the rezoning consolidation to M-2.



Daryl R. Cook, P.E.
Watts & Browning Engineers, Inc.

FEB 19 2021

221-003

Property Profile for **4295 ROOSEVELT HWY****Property Tax Information**

Tax Year	2021
Parcel ID	09F260301260340
Property Address	4295 ROOSEVELT HWY
Owner	ADAMS JEROME & STAFFINS CHARLES
Mailing Address	P O BOX 1005 DOUGLAS GA 31534
Total Appraisal	\$74,000
Improvement Appraisal	\$39,000
Land Appraisal	\$35,000
Assessment	\$29,600
Tax District	55
Land Area	2.66 ac
Property Class	Residential Small Tracts
Land Use Class	Residential 1 family
TAD	
CID	

Zoning

Zoning Class	not available
Overlay District	
2035 Future Development	Industrial Zone

Political

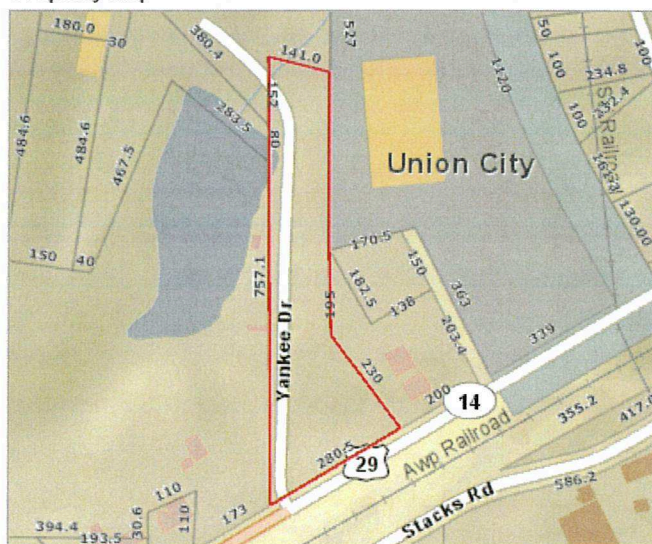
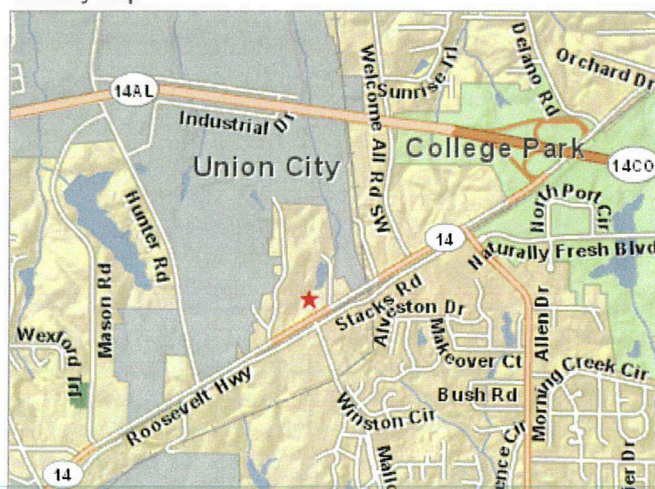
Municipality	South Fulton
Commission District	5
Commission Person	Marvin S. Arrington Jr.
Council District	District 3
Council Person	Helen Willis
Voting Precinct	SC17B
Poll Location	Welcome All Park, Community House, 4255 Will Lee Road
Congressional District	013
State Senate District	039
State House District	065

School Zones

Elementary School	Seaborn Lee
Middle School	Camp Creek
High School	Langston Hughes

Other Information

Zip Code	30349
Census Tract	105.13
In Less Developed Census Tract	No

Aerial View**Property Map****Vicinity Map**

PRE-APPLICATION REVIEW FORM

Office use only:

I hereby certify that I have completed a preliminary review of the site plan for this project and determined that it meets the minimum standards specified by Article 28.5.2 of the Fulton County Zoning Resolution.

Staff signature: *MariSSa Jackson*

Date: 2/19/21

Planning Division

Community Development and Regulatory Affairs

Staff printed name: MARISSA JACKSON

The undersigned acknowledges that the site plan is submitted in accordance with Article 28.5.2 of the City of South Fulton Zoning Ordinance and failure to comply shall render my application incomplete which may result in delay in the process of this application.

Applicant signature: *Charles Staffin*

Date: 1-27-21

Applicant printed name: Charles Staffin

FEB 19 2021

221-003

(Handwritten initials)



**Watts & Browning
Engineers, Inc.**

Civil Engineering · Land Planning · Land Surveying

February 10, 2021

LETTER OF INTENT

4295 & 4301 ROOSEVELT HWY, ETAL

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Daryl R. Cook, P.E.
Watts & Browning Engineers, Inc.

FEB 10 2021

221-003



APPLICATION FOR REZONING & USE PERMIT

City of South Fulton Community Development and Regulatory Affairs
City of South Fulton City Hall
5440 Fulton Industrial Boulevard
Atlanta, GA 30336

DATE: 01/27/21

TAX PARCEL IDENTIFICATION NUMBER(S): 09F260301260340, 09F2603012601165,
09F260301260753, 09F260301260977,
09F260301260472

SECTION I

REZONING REQUEST

Office use only:

ZONING CASE #: _____ ROAD FRONTAGE: _____

PROPERTY ADDRESS (if available): 4295 & 4301 ROOSEVELT HWY

The undersigned, having an interest in the property herein described, respectfully petitions that said property be rezoned
from AG-1, C2 & M-2 to M-2

Existing Zoning(s)

Proposed Zoning(s)

SECTION II

USE PERMIT REQUEST

Office use only:

USE PERMIT CASE # _____ ROAD FRONTAGE: _____

Under the provisions of Article XIX of the Zoning Resolution, application is hereby made to obtain a Use Permit as follows:

CURRENT ZONING: _____

USE PERMIT REQUEST: _____

SECTION IV

OWNER/PETITIONER

NOTICE: Part 1 and/or Part 2 below must be signed and notarized when the petition is submitted. Please complete Section IV as follows:

- If you are the sole owner of the property and not the petitioner complete Part 1.
- If you are the petitioner and not the sole owner of the property complete Part 2.
- If you are the sole owner and petitioner complete Part 1. ✓
- If there are multiple owners each must complete a separate Part 1 and include it in the application.

FEB 19 2021

221-003

Part 1. Owner states under oath that he/she is the owner of the property described in the attached legal description, which is made part of this application.

Charles Staffins

TYPE OR PRINT OWNER'S NAME

4301 Roosevelt Highway

ADDRESS

South Fulton Ga. 30348

CITY & STATE

ZIP CODE

OWNER'S SIGNATURE

cstaffins@midsouthsteel.net

EMAIL ADDRESS



Sworn to and subscribed before me this the

27th Day of January 20 21

Magdalena Ramos

NOTARY PUBLIC

PART 2.

Petitioner states under oath that: (1) he/she is the executor or Attorney-in-fact under a Power-of-Attorney for the owner (attach a copy of the Power-of-Attorney letter and type name above as "Owner"); (2) he/she has an option to purchase said property (attach a copy of the contract and type name of owner above as "Owner"); or (3) he/she has an estate for years which permits the petitioner to apply (attach a copy of lease and type name of owner above as "Owner").

TYPE OR PRINT PETITIONER'S NAME

ADDRESS

CITY & STATE

ZIP CODE

PETITIONER'S SIGNATURE

EMAIL ADDRESS

Sworn to and subscribed before me this the

____ Day of _____ 20 ____

NOTARY PUBLIC

PHONE NUMBER

SECTION V

ATTORNEY / AGENT

Check One: ☐ Attorney ☐ Agent

TYPE OR PRINT ATTORNEY / AGENT NAME

SIGNATURE OF ATTORNEY / AGENT

ADDRESS

EMAIL ADDRESS

CITY & STATE

ZIP CODE

PETITIONER'S SIGNATURE

PHONE NUMBER

FEB 19 2021

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Part 1.

Owner states under oath that he/she is the owner of the property described in the attached legal description, which is made part of this application.

Jerome Adams

TYPE OR PRINT OWNER'S NAME

501 Dogwood Ave

ADDRESS

Douglas, Ga 31533

CITY & STATE

ZIP CODE

Jerome Adams

OWNER'S SIGNATURE

jadams501@gmail.com

EMAIL ADDRESS

Sworn to and subscribed before me this the

17th Day of January 2021

NOTARY PUBLIC

912.384.7109

PHONE NUMBER



PART 2.

Petitioner states under oath that: (1) he/she is the executor or Attorney-in-fact under a Power-of-Attorney for the owner (attach a copy of the Power-of-Attorney letter and type name above as "Owner"); (2) he/she has an option to purchase said property (attach a copy of the contract and type name of owner above as "Owner"); or (3) he/she has an estate for years which permits the petitioner to apply (attach a copy of lease and type name of owner above as "Owner").

TYPE OR PRINT PETITIONER'S NAME

ADDRESS

CITY & STATE

ZIP CODE

PETITIONER'S SIGNATURE

EMAIL ADDRESS

Sworn to and subscribed before me this the

____ Day of _____ 20____

NOTARY PUBLIC

PHONE NUMBER

SECTION V

ATTORNEY / AGENT

Check One: ☐ Attorney ☐ Agent

TYPE OR PRINT ATTORNEY / AGENT NAME

SIGNATURE OF ATTORNEY / AGENT

ADDRESS

EMAIL ADDRESS

CITY & STATE

ZIP CODE

PETITIONER'S SIGNATURE

PHONE NUMBER

FEB 19 2021

721-003

SURVEY LEGAL DESCRIPTION

ALL OF THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 126 OF THE 9F DISTRICT, CITY OF SOUTH FULTON, FULTON COUNTY GEORGIA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

TO REACH THE POINT OF BEGINNING, **COMMENCE** FROM THE INTERSECTION FORMED BY THE CENTERLINE OF RAILROAD TRACTS NOW OR FORMERLY OWNED BY CSX RAILROAD COMPANY (A 100' R/W), WITH THE NORTHWESTERLY RIGHT OF WAY LINE OF ROOSEVELT HIGHWAY (A VARIABLE R/W), THENCE PROCEED ALONG THE NORTHWESTERLY RIGHT OF WAY LINE OF ROOSEVELT HIGHWAY (A VARIABLE R/W) THE FOLLOWING COURSES AND DISTANCES:

- 1) SOUTH 58°58'08" WEST, A DISTANCE OF 50.86 FEET TO N IRON PIN FOUND (REBAR W/ CAP STAMPED "ROCHESTER #484") AT THE AFORESAID SOUTHWESTERLY RIGHT OF WAY LINE NOW OR FORMERLY OWNED BY CSX RAILROAD COMPANY (A 100' R/W);
- 2) THENCE SOUTH 58°58'08" WEST FOR A DISTANCE OF 337.82 FEET TO AN IRON PIN FOUND (1/2 INCH REBAR (BENT));
- 3) THENCE SOUTH 59°29'58" WEST FOR A DISTANCE OF 229.04 FEET TO AN IRON PIN PLACED (1/2 INCH REBAR W/CAP) AND THE **TRUE POINT OF BEGINNING**.

FROM THE **POINT OF BEGINNING** THUS ESTABLISHED; THENCE PROCEED ALONG THE AFORESAID NORTHWESTERLY RIGHT OF WAY LINE OF ROOSEVELT HIGHWAY (A VARIABLE R/W) SOUTH 59°11'00" WEST, A DISTANCE OF 264.18 FEET TO AN IRON PIN PLACED (1/2 INCH REBAR W/CAP); THENCE DEPART THE NORTHWESTERLY RIGHT OF WAY LINE OF ROOSEVELT HIGHWAY (A VARIABLE R/W) AND PROCEED NORTH 01°03'22" EAST FOR A DISTANCE OF 745.29 FEET TO AN IRON PIN FOUND (1-1/2 INCH OPEN TOP PIPE); THENCE NORTH 57°34'38" WEST FOR A DISTANCE OF 283.50 FEET TO AN IRON PIN FOUND (1 INCH OPEN TOP PIPE); THENCE SOUTH 20°00'45" WEST FOR A DISTANCE OF 467.50 FEET TO AN IRON PIN PLACED (1/2 INCH REBAR W/CAP); THENCE NORTH 79°03'23" WEST FOR A DISTANCE OF 190.09 FEET TO AN IRON PIN FOUND (3/8 INCH OPEN TOP PIPE); THENCE NORTH 10°58'39" EAST FOR A DISTANCE OF 484.31 FEET TO AN IRON FOUND; THENCE NORTH 10°54'44" EAST FOR A DISTANCE OF 455.11 FEET TO A AN IRON PIN FOUND (1 INCH OPEN TOP PIPE); THENCE NORTH 00°50'56" WEST FOR A DISTANCE OF 743.51 FEET TO AN IRON PIN FOUND (3/4 INCH OPEN TOP PIPE); THENCE NORTH 89°38'46" EAST FOR A DISTANCE OF 300.00 FEET TO AN IRON PIN FOUND (1/2 INCH REBAR); THENCE SOUTH 11°41'56" EAST FOR A DISTANCE OF 1144.41 FEET TO AN IRON PIN FOUND (1/2 INCH REBAR); THENCE SOUTH 01°01'16" WEST FOR A DISTANCE OF 718.97 FEET TO AN IRON PIN FOUND (1 INCH OPEN TOP PIPE); THENCE SOUTH 31°03'30" EAST FOR A DISTANCE OF 218.02 FEET TO THE **TRUE POINT OF BEGINNING**.

SAID TRACT OR PARCEL CONTAINING 17.98308 ACRES, OR 783,342 SQUARE FEET.

FEB 19 2021

721-003

PT-61 060-2005-035341

STATE OF GEORGIA
COUNTY OF FULTON

TRUSTEE'S DEED

THIS TRUSTEE'S DEED, made this 17th day of June, 2005, by and between HERBERT C. BROADFOOT II, AS CHAPTER 7 TRUSTEE for T & S Iron Co. (hereinafter referred to as "Grantor"), and Jerome Adams and Charles Staffins (hereinafter collectively referred to as "Grantee") (the terms Grantor and Grantee to include their respective successors, legal representatives, and assigns where the context hereof requires or permits).

W I T N E S S E T H:

That Grantor, in his capacity as and only as Chapter 7 Trustee for T & S Iron Co. by Order of the United States Bankruptcy Court attached hereto as **Exhibit "A"**, for and in consideration of the sum of THIRTY-FIVE THOUSAND AND NO/100ths DOLLARS (\$35,000.00), and other good and valuable consideration, in hand paid at and before the sealing and delivery of these presents, the receipt, adequacy and sufficiency of which being hereby acknowledged by Grantee, has granted, bargained, sold and conveyed, and by these presents does hereby grant, bargain, sell and convey unto Grantee, the following described property:

4301 Roosevelt Highway,
College Park, Fulton County,
Georgia, and described more fully
on the attached **Exhibit "B"**
(hereinafter referred to as the
"Property")

TO HAVE AND TO HOLD the above-described Property, together with all and singular the rights, members, easements, and appurtenances appertaining thereto, and all of Grantor's right title and interest in any public rights-of-way adjoining Property, to the same being, belonging or in anywise appertaining, to the only proper use, benefit and behoof of Grantee, forever, in FEE SIMPLE.

Deed Book 40297 Pg. 180
Filed and Recorded Jun-28-2005 10:03am
2005-0223143
Real Estate Transfer Tax \$0.00
JUANITA HICKS
Clerk of Superior Court
Fulton County, Georgia

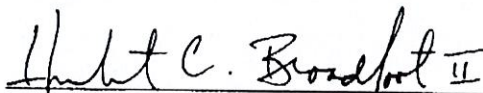
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GRANTEE IS PURCHASING THE PROPERTY IN AN "AS IS" CONDITION, "WITH ALL FAULTS" AND WITHOUT ANY WARRANTIES, REPRESENTATIONS OR GUARANTEES, EITHER EXPRESS OR IMPLIED, OR ARISING BY OPERATION OF LAW OF ANY KIND, NATURE, OR TYPE WHATSOEVER FROM, OR ON BEHALF OF, GRANTOR. GRANTOR HAS NOT MADE, AND DOES NOT MAKE, ANY REPRESENTATIONS OR WARRANTIES TO GRANTEE WHATSOEVER, EXPRESS OR IMPLIED, OR ARISING BY OPERATION OF LAW, WITH RESPECT TO THE PROPERTY, INCLUDING, BUT IN NO WAY LIMITED TO, ANY WARRANTY OF CONDITION, MERCHANTABILITY, HABITABILITY OR FITNESS FOR A PARTICULAR USE, OR WITH RESPECT TO THE VALUE, PROFITABILITY OR MARKETABILITY OF THE PROPERTY. GRANTEE ACKNOWLEDGES THAT GRANTOR HAS NOT MADE, DOES NOT, AND WILL NOT, MAKE ANY REPRESENTATION OR WARRANTY WITH REGARD TO THE CONDITION OR COMPLIANCE OF THE PROPERTY WITH RESPECT TO ANY ENVIRONMENTAL PROTECTION, POLLUTION CONTROL OR LAND USE LAWS, RULES, REGULATIONS, ORDERS AND REQUIREMENTS, INCLUDING, BUT NOT LIMITED TO, THOSE PERTAINING TO THE USE, HANDLING, GENERATION, TREATMENT, STORAGE OR DISPOSAL OF ANY TOXIC OR HAZARDOUS WASTE OR TOXIC, HAZARDOUS OR REGULATED SUBSTANCE, AND SPECIFICALLY INCLUDING THOSE PERTAINING TO ANY PRESENCE OF LEAD-BASED PAINT OR LEAD-BASED PAINT HAZARDS ON THE PROPERTY. GRANTEE HAS MADE SUCH INSPECTION OF THE PROPERTY AS IT BELIEVES TO BE WARRANTED UNDER THE CIRCUMSTANCES AND NOT RELIED UPON ANY REPRESENTATION OF GRANTOR.

IN WITNESS WHEREOF, Grantor has executed this Trustee's Deed under seal as of the day and year first above written.

GRANTOR:



HERBERT C. BROADFOOT II
Chapter 7 Trustee for
T & S Iron Co.

Ragsdale, Beals, Hooper
& Seigler, LLP
2400 Int'l Tower Peachtree Center
229 Peachtree St, N.E.
Atlanta, Georgia 30303
(404) 588-0500

[SIGNATURES CONTINUED ON FOLLOWING PAGE]

2

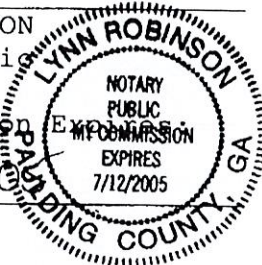
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Signed, sealed and delivered
in the presence of:

Kelly Lyon
Unofficial Witness

Lynn Robinson
LYNN ROBINSON
Notary Public
My Commission Expires
7/12/05



3

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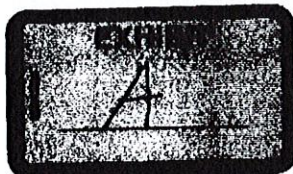
221-003

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

IN RE: : CHAPTER 7
: :
T & S IRON CO., : CASE NO. 04-67473-JB
: :
Debtor. : JUDGE BIHARY
: :
HERBERT C. BROADFOOT II, :
Chapter 7 Trustee for the :
estate of T & S Iron Co., : CONTESTED MATTER
: :
Movant, :
: :
v. :
: :
JEROME ADAMS and :
CHARLES STAFFINS; INDUSTRIAL :
METALS AND SURPLUS, INC.; :
ENVIRONMENTAL PLANNING :
SPECIALISTS, INC.; :
FULTON COUNTY TAX COMMISSIONER; :
VESTA HOLDINGS - HEARTWOOD 11; :
and SHELLHOUSE STEEL ERECTORS, :
: :
Respondents. :
:

**ORDER GRANTING MOTION OF CHAPTER 7 TRUSTEE
TO SELL REAL PROPERTY AND PERSONAL PROPERTY BY PRIVATE SALE
SUBJECT TO CERTAIN LIENS AND ENCUMBRANCES**

This matter came before the Court on May 4, 2005, upon the motion of Herbert C. Broadfoot II, Chapter 7 Trustee for the estate of T & S Iron Co., Debtor in the above-captioned case (the "Trustee" and the "Debtor", respectively), filed April 11, 2005 (the "Motion"), seeking entry of an order approving the sale of certain improved real property located at 4301 Roosevelt Highway, Red Oak, Georgia (the "Real Property") together with certain



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personal property (the "Personal Property") (the Real Property and the Personal Property are sometimes hereinafter collectively referred to as the "Property"). Present at the hearing were the Chapter 7 Trustee; the proposed purchasers Charles Staffins and Jerome Adams (the "Purchaser"); and counsel for Environmental Planning Specialists, Inc. ("EPS")

No responses to the Motion were filed with the Court or served upon the Chapter 7 Trustee. The Chapter 7 Trustee was presented with a "contract" shortly before the hearing. Following his review of the "contract", the Chapter 7 Trustee stated on the record his decision to proceed with the sale described in the Motion.

After consideration of the Motion and the presentation of the Chapter 7 Trustee and counsel for the Purchaser and lienholder EPS, due notice of the Motion and the hearing having been given, and it appearing that granting the relief requested in the Motion is in the best interest of the estate and all creditors, the Court finds and orders as follows:

FINDINGS

1.

This Court has jurisdiction to consider this Motion pursuant to 28 U.S.C. §§ 157 and 1334. This is a "core" proceeding pursuant to 28 U.S.C. § 157(b). Venue is proper pursuant to 28 U.S.C. §§ 1408 and 1409.

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2.

The Trustee seeks approval pursuant to Section 363 of the Bankruptcy Code to sell the Property to the Purchaser according to the terms set forth in the Motion. Pursuant to the Notice, notice of, and an opportunity be heard in connection with, the sale contemplated by the Motion and the hearing thereon was provided to those parties set forth on the Certificate of Service filed by the Trustee on April 12, 2005. No objection to the Notice was filed nor was any objection to notice raised during the hearing. Such notice and opportunity for hearing were adequate and appropriate in the circumstances of this case, comport with due process requirements, and satisfy the requirements of the Federal Rules of Bankruptcy Procedure.

3.

The sale of the Property shall be "as is" and "where is" with no warranty or representation whatsoever, express or implied. The Trustee shall convey the Property by Trustee's Deed and Bill of Sale. The Purchaser shall take the Property subject to certain liens and encumbrances (the "Assumed Liens") and free and clear of all other liens and encumbrances.

4.

The proposed sale meets the requirements of Section 363 of the Bankruptcy Code and is fair, reasonable and equitable and is in the best interest of the estate and creditors of the estate.

3

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5.

The Purchaser has acted in good faith and is a "good faith purchaser" within the meaning of Section 363(m) of the Bankruptcy Code.

NOW, THEREFORE, IT IS HEREBY ORDERED, ADJUDGED AND DECREED
that:

(a) The Motion is hereby **GRANTED** and the proposed sale of the Property is hereby **APPROVED**.

(b) The form, manner and sufficiency of the Notice previously served shall be deemed good and sufficient notice of the Motion and the transactions and matters contemplated thereby.

(c) The transaction contemplated in the Motion is **APPROVED** and implemented herein, is in compliance with, and satisfies all applicable provisions of the Bankruptcy Code, including but not limited to Section 363. The terms and conditions of the proposed sale approved by this Order are fair and reasonable.

(d) Subject to the fulfillment of the terms and conditions of the proposed sale as set forth in the Motion, at the closing the Trustee shall sell, transfer, assign and convey to the Purchaser all of the estate's right, title and interest in and to the Property. The Trustee is hereby authorized and directed to execute all documents necessary to consummate the sale and to convey the Property subject to the Assumed Liens and free and clear of all other liens, claims, interests and encumbrances. The Trustee's authorization to perform the proposed sale (including the execution

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and delivery of the Trustee's Deed and Bill of Sale and other closing related documents) will not require any other approval by this Court.

(e) The Property shall be sold "as is", "where is" pursuant to Sections 105(a) and 363 of the Bankruptcy Code. This Order shall and does, without further order of the Court, as of the closing of the proposed sale and payment in full of the purchase price, divest the Trustee and the estate of all right, title and interest in the Property.

(f) This Order is and shall be effective as a determination that, upon the closing of the sale to the Purchaser, all liens, claims, security interests, pledges, encumbrances, liabilities or other interests except the Assumed Liens have been and are adjudged and declared to be unconditionally released, discharged and terminated, with liens attaching to the net proceeds of the sale.

(g) All liens, claims, encumbrances and interests not assumed by the Purchaser shall attach to the net proceeds of the proposed sale to the extent that they exist and to the extent they are not paid at the closing, giving effect to the existing priorities, regardless of any transfer or commingling of such proceeds.

(h) The terms and provisions of this Order shall be binding in all respects upon the Trustee, the Debtor, any parties having received notice of these proceedings, and other parties in interest.

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(i) The stay provided by Bankruptcy Rule 6004(g) shall not apply to the proposed sale, and the parties may proceed to close the sale immediately following entry of this Order.

(j) All of the foregoing findings of the Court are incorporated by reference and made a part of this Order.

(k) In the event of any inconsistency between the Motion and this Order, this Order shall control.

(l) This Court shall retain exclusive jurisdiction over any issues relating to the sale of the Property, and to enforce its orders.

(m) The Trustee shall maintain the net sale proceeds in his estate account subject to further order of the Court.

SO ORDERED at Atlanta, Georgia, this 10th day of May, 2005.

Joyce Bihamy

JOYCE BIHARY
Chief United States Bankruptcy Judge

Order prepared and presented by:

Herbert C. Broadfoot II

Herbert C. Broadfoot II
Georgia Bar No. 083750
Attorneys for Trustee

Ragsdale, Beals, Hooper &
Seigler, LLP
229 Peachtree Street, N.E.
Suite 2400
Atlanta, GA 30303
Tel: (404) 588-0500
Fax: (404) 523-6714
Email: hcb@rbhs-llp.com

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DISTRIBUTION LIST

The following parties are to be served by the Clerk of the
Bankruptcy Court pursuant to BLR 9013-3(c)(2):

Office of United States Trustee
362 Richard B. Russell Federal Bldg.
75 Spring Street, S.W.
Atlanta, GA 30303-3311

Herbert C. Broadfoot II, Esq.
Ragsdale, Beals, Hooper & Seigler, LLP
229 Peachtree Street, NE
Suite 2400
Atlanta, GA 30303

William L. Rothschild, Esq.
Ellenberg, Ogier & Rothschild, P.C.
170 Mitchell Street, S.W.
Atlanta, GA 30303-3424

Jerome Adams
P.O. Box 1005
116 W. Bryan Street
Douglas, GA 31534

John K. Rezac, Esq.
Chamberlain Hrdlicka White Williams
& Martin
191 Peachtree Street, NE
9th Floor
Atlanta, GA 30303-1747

Kelly S. Scarbrough, Esq.
Cohen, Pollock, Merlin, Axelrod
& Small
Suite 1600
3350 Riverwood Parkway
Atlanta, GA 30339

Thomas R. Walker, Esq.
Troutman Sanders LLP
5200 Bank of America Plaza
600 Peachtree Street, NE
Atlanta, GA 30308-2216

Peter Durham, Esq.
P.O. Box 1038
Newnan, GA 30264-1038

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Vesta Holdings - Heartwood 11
1266 W. Paces Ferry Road
Box #517
Atlanta, GA 30327

Fulton County Tax Commissioner
141 Pryor Street
Atlanta, GA 30303

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EXHIBIT A

TRACT ONE:

All that tract or parcel of land lying and being in Land Lot 126 of the 9th District of Fulton County, Georgia, as shown on that survey for Robert L. Smith by Eston Pendley, Georgia Registered Land Surveyor No. 945, dated May 1, 1986, and being more particularly described as follows:

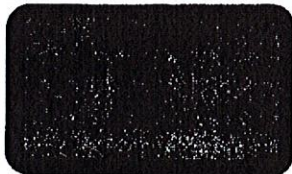
Beginning at a point on the northwesterly Right-of-Way of Roosevelt Highway a distance of 642.0 feet in a southwesterly direction along the said Right-of-Way from the center line of A. B. & C. Railroad; running thence southwesterly along the Right-of-Way of Roosevelt Highway a distance of 250.0 feet to a nail; running thence North 01 degree 12 minutes West a distance of 978.3 feet to an iron pin; running thence North 58 degrees 15 minutes East a distance of 129.3 feet to an iron pin, running thence South 00 degrees 33 minutes East a distance of 721.8 feet to an iron pin; running thence South 31 degrees 22 minutes East a distance of 227.5 feet to an iron pin on the northwesterly Right-of-Way of Roosevelt Highway and the POINT OF BEGINNING.

TRACT TWO:

— All that tract or parcel of land lying and being in Land Lot 126 of the 9th District of Fulton County, Georgia, and being more particularly described as follows:

TO REACH THE TRUE POINT OF BEGINNING, begin at a point on the southwesterly side of Yankee Drive (if extended) a distance of 855.4 feet northwesterly, as measured along the southwesterly side of Yankee Drive from the intersection formed by the southwesterly side of Yankee Drive from the intersection formed by the southwesterly side of Yankee Drive with the northwesterly side of Roosevelt Highway (U.S. Highway 29); running thence South 58 degrees 15 minutes West 112.3 feet to a point; running thence South 01 degree 12 minutes East 152 feet to the TRUE POINT OF BEGINNING (said point also being the northeasternmost corner of that parcel of land acquired by Eddie J. Morris from Eva Mae Glosson under Warranty Deed dated 12/18/70, recorded in Deed Book 5324, Page 434, Fulton County Records); from the TRUE POINT OF BEGINNING, thus determined, running thence South 01 degree 12 minutes East 80 feet to an iron pin located 757.1 feet North 01 degree 12 minutes West from the northwesterly side of Roosevelt Highway as measured along the eastern Right-of-Way line of a 30-foot driveway easement; running thence North 59 degrees 50 minutes West 283.5 feet

continued.....



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EXHIBIT A (CONTINUED)

to an iron pin; running thence South 17 degrees 26 minutes West 467.5 feet to an iron pin; running thence North 81 degrees 41 minutes West 40 feet to an iron pin located on the East property line of property now or formerly owned by T & S Iron Co.; running thence North 08 degrees 19 minutes East, along the east line of property now or formerly owned by T & S Iron Co., 484.6 feet to an iron pin; running thence South 81 degrees 41 minutes East, along the south line of property now or formerly owned by T & S Iron Co., 30 feet to an iron pin; running thence North 08 degrees 19 minutes East along the east line of property owned by T & S Iron Co., 132.4 feet to an iron pin; running thence South 53 degrees 05 minutes East, along the north boundary of property now or formerly owned by Eddie J. Morris, 380.4 feet to the POINT OF BEGINNING, being a 1.5 acre tract of land all as shown on plat of survey dated 8/11/76, prepared for "T & S Iron Co., " by Eston Pendley & Associates, Inc., Registered Surveyors, and recorded in Plat Book 110, Page 4, of Fulton County Records.

TRACT THREE:

— All that tract or parcel of land lying and being in Land Lot 126 of the 9th District of formerly Campbell, now Fulton County, Georgia, being Lot 1 of J.E. Glosson property according to plat recorded in Plat Book 59, Page 72, Fulton County records, more particularly described as follows:

BEGINNING at an iron pin at the westernmost corner of a terminus of a 30 foot private driveway, said iron pin being located 30 feet west of the southeast corner of Lot 2 of the plat above-referred to; thence in a southerly direction 484.6 feet to an iron pin; thence in a westerly direction 150 feet to an iron pin on the property line now or formerly belonging to Sewell; thence North 8 degrees 19 minutes East along a fence and property now or formerly known as Sewell property 484.6 feet to an iron pin at the southwest corner of Lot 2 of the plat herein referred to; thence South 81 degrees, 45 minutes East along the terminus of the 30 foot driveway and the POINT OF BEGINNING.

continued.....

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P. 6

770 649 1381

Spalding Land

Apr 25 03 09:35a

EXHIBIT A (CONTINUED)

TRACT FOUR:

All that tract or parcel of land lying and being in Land Lot 126 of the 9th District of Fulton County, Georgia, more particularly described as follows:

To find the BEGINNING POINT, begin at a point on the southwest side of Yankee Drive (if extended) 855.4 feet northwest from the intersection of the southwest side of Yankee Drive and U.S. Highway No. 29. As measured along the southwest side of Yankee Drive; running thence South 58 degrees 15 minutes West 112.3 feet to an iron pin; running thence South 1 degree 12 minutes East 152 feet to an iron pin; running thence North 53 degrees 5 minutes West 380.4 feet to an iron pin; which is the TRUE POINT OF BEGINNING, thence South 8 degrees 19 minutes West 132.4 feet to an iron pin; running thence North 81 degrees 41 minutes West 180 feet to an iron pin; running thence North 8 degrees 19 minutes East 458.3 feet to an iron pin; running thence North 86 degrees 19 minutes East 184.1 feet to a point; thence South 8 degrees 19 minutes West 364.4 feet to the POINT OF BEGINNING.

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 Juanita Hicks
 Clerk of Superior Court
 Fulton County, Georgia

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P. 7

770 649 1381

Apr 25 03 09:35A Spalding Land



ENVIRONMENTAL SITE ANALYSIS (ESA) FORM A

Provide a complete Environmental Site Analysis document fully addressing all items as required in sections 1 through 3 below. Attach this Form A to the front of the completed Environmental Site Analysis document (and any subsequent revisions) prior to submission. For additional information and questions, please contact the Fulton County Office of Environmental Affairs at 404-613-0250.

ESA Revision Number: _____

Applicant: CHARLES STAFFINS

Phone Number: 770 465-3455

1. **CONFORMANCE WITH THE COMPREHENSIVE PLAN.** Describe the proposed project and the existing environmental conditions on the site. Describe adjacent properties. Include a site plan that depicts the proposed project.

Describe how the project conforms to the Comprehensive Land Use Plan. Include the portion of the Comprehensive Plan Land Use Map which supports the project's conformity to the Plan. Evaluate the proposed project with respect to the land use suggestion of the Comprehensive Plan as well as any pertinent Plan policies. Information regarding Fulton County's Comprehensive Plan may be found online at www.fultoncountyga.gov/fcpsd-home.

2. **ENVIRONMENTAL IMPACTS OF THE PROPOSED PROJECT.** For each environmental site feature listed below, indicate the presence or absence of that feature on the property. Describe how the proposed project may encroach or adversely affect an environmental site feature. Information on environmental site features may be obtained from the indicated source(s). Cite the source of information regarding the presence or absence of environmental site features (e.g. according to the City of South Fulton website (www.cityofsouthfultonga.gov), wetland areas are located on the northwest portion of the site).

a. Wetlands

- U. S. Fish and Wildlife Service, National Wetlands Inventory (<http://www.fws.gov/wetlands/>)
- Georgia Geologic Survey (404-656-3214)
- Fulton County Website (www.fultoncountyga.gov/fcpsd-home)
- Field observation and subsequent wetlands delineation/survey if applicable

b. Floodplain

- Federal Emergency Management Agency (<http://www.fema.org>)
- City of South Fulton Website (www.cityofsouthfultonga.gov)
- Fulton County Community Development Services
- Field observation and verification

c. Streams/stream buffers

- Fulton County Website (www.fultoncountyga.gov/fcpsd-home)
- Field observation and verification

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- d. Slopes exceeding 33 percent over a 10-foot rise in elevation
 - United States Geologic Survey Topographic Quadrangle Map
 - Field observation and verification
- e. Vegetation (including endangered species)
 - United States Department of Agriculture, Nature Resource Conservation Service
 - Field observation
- f. Wildlife Species (including fish and endangered species)
 - United States Fish and Wildlife Service
 - Georgia Department of Natural Services, Wildlife Resources Division, Natural Heritage Program
 - Field observation
- g. Archeological/Historical Sites
 - Fulton County Historic Resources Survey
 - Georgia Department of Natural Resources, Historic Preservation Division
 - Field observation and verification

3. **PROJECT IMPLEMENTATION MEASURES.** Describe how the project implements each of the measures listed below as applicable. Indicate specific implementation measures required to protect environmental site feature(s) that may be impacted.

- a. Protection of environmentally sensitive areas, i.e., floodplain, slopes exceeding 25 percent, river corridors.
- b. Protection of water quality
- c. Minimization of negative impacts on existing infrastructure
- d. Minimization on archeological/historically significant areas
- e. Minimization of negative impacts on environmentally stressed communities where environmentally stressed communities are defined as communities exposed to a minimum of two environmentally adverse conditions resulting from public and private municipal (e.g., solid waste and wastewater treatment facilities, utilities, airports, and railroads) and industrial (e.g., landfills, quarries and manufacturing facilities) uses.
- f. Creation and preservation of green space and open space
- g. Protection of citizens from the negative impacts of noise and lighting
- h. Protection of parks and recreational green space
- i. Minimization of impacts to wildlife habitats

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Watts & Browning Engineers, Inc.

Civil Engineering · Land Planning · Land Surveying

February 10, 2021

Environmental Site Analysis (ESA) FORM A ~ Attachment

Environmental impacts of the proposed project:

a. Wetlands: Campbell Environmental, Inc. has investigated the subject property and has identified wetlands and streams on the property as shown on the Site Plan. The National Wetlands Inventory map produced by the US Fish and Wildlife Service similarly indicates that wetlands are likely in that area. However, no proposed disturbance of wetlands except for required building expansion or additional parking or access improvements. Any wetland or creek disturbance will require approval from USACOE.

b. Floodplain: Based on published National Flood Hazard FEMA mapping, panel number 13121C0457F, it is our opinion that a portion of the property, outside of proposed development areas, is in zone X. No disturbance is proposed or anticipated in the minor flood zone area.

c. Streams/stream buffers: Campbell Environmental, Inc. has investigated the subject property and has identified wetlands and streams on the property as shown on the Site Plan. Fulton County GIS maps as well as FEMA maps, USGS maps and aerial photography indicate that there are minor streams limited generally to the floodplain area of the property thereof. South Fulton and State stream buffers will be honored and preserved without disturbance throughout the development of the subject property. If any disturbance is required, it would be only for access drive improvements, and would be coordinated with the Fed, State and county for approval prior to any disturbance or construction.

d. Slopes exceeding 33 percent over a 10-foot rise in elevation: Based on Fulton County GIS topographic mapping, there are no areas on this property that exceed 33 percent slope over ANY rise in elevation.

- e. Vegetation (including endangered species): Based on field observation and given that the adjacent tracts, had no findings of any endangered species present. The existing site is partially developed and the remaining moderately wooded. No portions of the floodplain, stream buffers or potential wetland areas will be cleared of timber except for improved access to parcel.
- f. Wildlife Species (including fish and endangered species): Based on the online resources provided by US Fish and Wildlife Service as well as the Georgia DNR, Wildlife Resources Division, Natural Heritage program and an on-site visit, no endangered or protected species of fish or plant was evident on the subject property.
- g. Archeological/Historical Sites: No readily apparent archeological or historical sites were observed on this property based on a site visit and available mapping. No documents were found that would indicate such on the subject property. The GNAHRGIS website maps did not indicate any such natural, archeological or historical resources on the property.

Daryl R. Cook, P.E.
Watts & Browning Engineers, Inc.

221-063

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IMPACT ANALYSIS FORM B

Applicant: STAFFINS

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? YES, AREA IS PREDOMINANTLY MANUFACTURING USES.
2. Does the zoning proposal adversely affect the existing use or usability of adjacent or nearby property? NO. RATHER, THE PROPOSAL BETTER CONFORMS TO THAT OF ADJACENT & NEARBY PROPERTIES.
3. Does the property to be rezoned have a reasonable economic use as currently zoned? YES, BUT THE AG PORTION DOES NOT ALLOW REASONABLE ECONOMIC USES.
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? NO. THE EXISTING & AFFILIATED USE WILL HAVE NO ADVERSE AFFECT TO STREETS, FACILITIES OR SCHOOLS. PROPOSAL WILL ENHANCE.
5. Is the zoning proposal in conformity with the policies and intent of the land use plan? ABSOLUTELY. M2 IS REFLECTED IN LAND USE PLAN.
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? NO CHANGING CONDITIONS ARE ANTICIPATED AS EXISTING MANUFACTURING USE WILL REMAIN.
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? ZONING WILL NOT CREATE ADVERSE ENVIRONMENTALTY. RATHER, THIS USE WILL ALLOW PRESERVE SUCH EXISTING RESOURCES BY ADHERING TO REQUIRED BUFFERS.

Attach additional sheets as needed.

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DISCLOSURE REPORT FORM C

Office use only:

REZONING PETITION #: _____ CITY COUNCIL MEETING DATE: _____

Within the (2) years immediately preceding the filing of this zoning petition have you, as the applicant, owner and/or opponent for the rezoning petition, or an attorney or agent of the applicant or opponent for the rezoning petition, made any campaign contributions aggregating \$250.00 or more or made gifts having an aggregate value of \$250.00 to a member of City Council.

CIRCLE ONE: YES NO

If the answer is YES, proceed to sections 1 through 4.
If the answer is NO, complete only section 4.

1. CIRCLE ONE: Party to Petition In Opposition to Petition

If party to petition, complete sections 2, 3, and 4 below.
If in opposition, proceed to sections 3 and 4 below.

2. List all individuals or business entities which have an ownership interest in the property which is the subject of this rezoning petition: _____

3. CAMPAIGN CONTRIBUTIONS:

Name of Government Official	Total Dollar Amount	Date of Contribution	Enumeration and Description of Gift Valued at \$250.00 or more

4. The undersigned acknowledges that this disclosure is made in accordance with the Official Code of Georgia, Section 36-67A-1 et. seq. Conflict of interest in zoning actions, and that the information set forth herein is true to the undersigned's best knowledge, information and belief.

Name (print) Charles Staffins

Signature: Charles W. Staffins

Date: 1-27-21

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**PUBLIC PARTICIPATION PLAN
FORM D**

Applicant: CHARLES STAFFINS, ETC

1. The following individuals (property owners within a quarter mile of the property), homeowner's associations, political jurisdictions, other public agencies, etc., will be notified in accordance with the requirements of Article 28.4.7 of the City of South Fulton Zoning Ordinance:

SEE ATTACHED EXHIBIT OF PROPERTY OWNERS

2. The individuals and others listed in 1. above will be notified of the requested rezoning/use permit using the following method(s): (e.g., letters, meeting notices, telephone calls, e-mails, etc.)

LETTERS & MEETING NOTICES

3. Individuals and others listed in 1. above will be allowed to participate in the following manner: (At least one meeting at a convenient time and location is required.)

COMMUNITY MEETING AS WELL AS ZOOM MEETING ACCESS.

Attach additional sheets as needed.

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PUBLIC PARTICIPATION PLAN REPORT FORM E

Applicant: CHARLES STAFFINS Petition No. _____

Date: _____

1. The following parties were notified of the requested rezoning/use permit:

TBD

2. The following meetings were held regarding this petition: (Include the date, time, and meeting location.)

3. The following issues and concerns were expressed:

4. The applicant's response to issues and concerns was as follows:

5. Applicants are required to attach copies of sign-in sheets from meetings as well as meeting announcements, i.e., notices, flyers, letters, and any other documentation which supports the opportunity for public input.

Attach additional sheets as needed.

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