



REZONING APPLICATION ANALYSIS

ZONING CASE #: Z2009-08

LANDOWNERS: Union Chapel United Methodist Church and
First Landmark Bank
315 Cole Street
Marietta, GA 30060

APPLICANT: Same as above

AGENT: J. Kevin Moore, Esq.
Moore Ingram Johnson & Steele
Emerson Overlook
326 Roswell Street
Marietta, GA 30060

PROPERTY ADDRESS: 315 Cole Street

PARCEL DESCRIPTION: Land Lot 11450, 16th District, Parcel 1330

AREA: 0.29 acs. **COUNCIL WARD:** 5

EXISTING ZONING: R-4 (Single Family Residential 4 units/acre)

REQUEST: OI (Office Institutional)

FUTURE LAND USE MAP

RECOMMENDATION: MDR (Medium Density Residential)

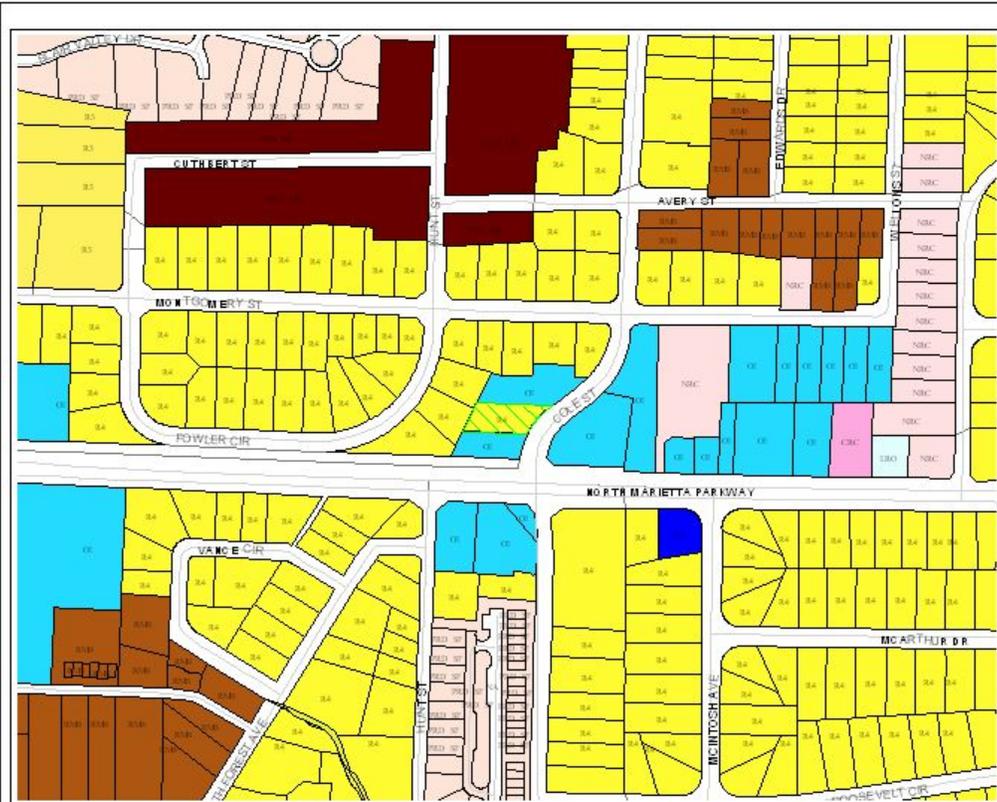
REASON FOR REQUEST: The applicant is requesting the rezoning of 0.29 acres, located at 315 Cole Street and zoned R-4, to OI (Office Institutional) in order to expand their proposed parking facility for First Landmark Bank.

PLANNING COMMISSION HEARING: Tuesday, May 5, 2009 - 6:00 p.m.

CITY COUNCIL HEARING: Wednesday, May 13, 2009 – 7:00 p.m.

MAP

City of Marietta Area Zoning Map



Zoning	COMMERCIAL	District	Land Lot	Parcel	Zoning
SINGLE FAMILY RESIDENTIAL R-1: One Unit/Acre R-2: Two Unit/Acre R-3: Three Unit/Acre R-4: Four Unit/Acre ATTACHED FAMILY RESIDENTIAL RA-4: Four Unit/Acre RA-6: Six Unit/Acre RA-8: Eight Unit/Acre MULTI-FAMILY RESIDENTIAL RM-8: Eight Unit/Acre RM-10: Ten Unit/Acre RM-12: Twelve Unit/Acre RHR: Residential High Rise PRD(MF): Planned Residential Dev.	NSR: Neighborhood Retail CRC: Community Retail RRC: Regional Retail CBD: Central Business District FCD: Planned Commercial Dev. MXD: Mixed-Use Dev. OIT: Office Institutional Trans. LRO: Low-Rise Office OI: Office Institutional OS: Office Services OHR: Office High-Rise	16	11450	1330	R4
INDUSTRIAL LI: Light Industrial BI: Heavy Industrial PID: Planned Industrial Dev.	 City Limits				

Comments:
315 Cole Street

Date: 04/02/2009

Planning and Zoning Department




1" = 200'

PICTURES OF PROPERTY



Front of subject property (from Cole Street)



Rear of subject property (from Fowler Circle)

STAFF ANALYSIS

Location Compatibility

The applicant, Union Chapel United Methodist Church and First Landmark Bank, are requesting the rezoning of 0.29 acres, located at 315 Cole Street, from R-4 (Single Family Residential – 4 units per acre) to OI (Office Institutional). The purpose of the rezoning is to combine the subject parcel with the proposed parking lots immediately to the north and south for use by the proposed First Landmark Bank building currently being developed across Cole Street.

The property contains a single family home currently and historically used by Union Chapel United Methodist Church. The properties to the north, south and east across Cole Street were zoned to OI in 2008 and are currently undergoing construction for the First Landmark Bank building. Immediately to the east is the Union Chapel United Methodist Church facility, which is zoned R-4 and considered legally nonconforming. This rezoning would allow the use of this property be converted from the existing church to the proposed bank.

Use Potential and Impacts

Although rezoning this parcel to OI from R-4 constitutes a more intensive use, the effect that this rezoning will have on the surrounding neighborhood should be minimal. None of the adjacent properties are used for single family residences. Any negative aspect of the development would stem from the added amount of traffic and parking to occur on this site, which is incremental to what has already been approved for the adjacent properties in Z2008-10.

The Future Land Use Map identifies this parcel as Medium Density Residential. The city's Comprehensive Plan identifies this parcel as being part of the "In-town Residential District". The Comprehensive Plan also states that "*these neighborhoods are primarily single-family residential areas and should remain as such.*" However, the OI zoning at this intersection would be consistent with the general development pattern of development in this area, and would match the zoning and use surrounding the parcel.

Environmental Impacts

There appears to be no major slopes, floodplain, endangered species or wetlands on this property.

STAFF ANALYSIS

Economic Functionality

Under the present zoning category, R-4, this property could be used as a single family residence or as a legally nonconforming place of assembly, as is its current use. As a result, this property could be developed as zoned. However, due to the future construction of parking lots on either side, this property would not likely be a desirable location for a single family residence.

Infrastructure

This rezoning would allow First Landmark Bank to consolidate two separate parking lots into one larger parking lot with ATM/teller facilities. One advantage to this would be to consolidate the number of curb cuts onto Cole Street. Staff has noted concerns regarding the proposed design, which indicates two curb cuts into this portion of the site. This may cause a conflict between pedestrians crossing while traffic is turning. Eliminating the southern entrance would also allow for more stacking at the traffic light at Cole Street and North Marietta Parkway; and the northern entrance is more aligned with the proposed curb cut into the bank across Cole Street.

History of Property

There is no history of any variances, Special Land Use Permits, or rezoning for this particular property. However, in October 2008, per Z2008-10, the properties immediately to the north, south, and east across Cole Street were rezoned to OI with stipulations for the construction of a bank and parking lot.



ANALYSIS & CONCLUSION

First Landmark Bank is requesting the rezoning of 0.29 acres located at 315 Cole Street from R-4 to OI. This rezoning would allow for an expanded parking and ATM/teller facility along the west side of Cole Street for use by the First Landmark Bank being constructed on the east side of Cole Street. The property directly west of the subject parcel is zoned R-4 and is used by the Union Chapel United Methodist Church. Properties immediately north, south and east are also owned by First Landmark Bank and are zoned OI with stipulations.

Rezoning this parcel will bridge a zoning gap between two parcels owned by the bank. One advantage to this site layout is the ability to consolidate the number of curb cuts onto Cole Street. Staff is concerned with the proposed design submitted with the rezoning since two curb cuts in this portion of the site may raise safety concerns due to the conflict pedestrians crossing while traffic is turning. Eliminating the southern entrance would allow for more stacking at the traffic light at Cole Street and North Marietta Parkway, and the northernmost entrance would be more aligned with the proposed curb cut into the bank across Cole Street.

The Future Land Use Map identifies this parcel as Medium Density Residential. The city's Comprehensive Plan identifies this parcel as being part of the "In-town Residential District". The Comprehensive Plan also states that "*these neighborhoods are primarily single-family residential areas and should remain as such.*" However, the OI zoning at this intersection would be consistent with the general development pattern of this area and would match the zoning and use surrounding the parcel.

Prepared by: _____

Approved by: _____



DATA APPENDIX

CITY OF MARIETTA - WATER

Is a water line adjacent to the property?	Yes
If not, how far is the closest water line?	n/a
Size of the water line?	10-inch
Capacity of the water line?	Flow test required
Approximate water usage by proposed use?	Information not provided

CITY OF MARIETTA - SEWER

Is a sewer line adjacent to the property?	Yes
If not, how far is the closest sewer line?	n/a
Size of the sewer line?	8-inch
Capacity of the sewer line?	Available
Estimated waste generated by proposed development?	A.D.F Peak Information not provided
Treatment Plant Name?	Cobb County
Treatment Plant Capacity?	Cobb County
Future Plant Availability?	Cobb County

DATA APPENDIX CONTINUED

DRAINAGE AND ENVIRONMENTAL CONCERNS

Does flood plain exist on the property?	No
What percentage of the property is in a floodplain?	---
What is the drainage basin for the property?	Sope Creek
Is there potential for the presence of wetlands as determined by the U.S. Environmental Protection Agency?	No
If so, is the use compatible with the possible presence of wetlands?	---
Do stream bank buffers exist on the parcel?	No
Are there other topographical concerns on the parcel?	No
Are the storm water issues related to the application?	No
Potential presence of endangered species in the area?	No

Transportation

What is the road effected by the proposed change?	Cole Street, North Marietta Parkway
What is the classification of the road?	Cole Street: Local North Marietta Parkway: Arterial
What is the traffic count for the road?	Cole Street: No data available North Marietta Parkway: 24,680 AADT
Estimated number of cars generated by the proposed development?	n/a
Estimated number of trips generated by the proposed development?	n/a
Do sidewalks exist in the area?	No – constructed as part of Bank Construction per plans
Transportation improvements in the area?	No
If yes, what are they?	---
<ul style="list-style-type: none"> • REVISED Site Plans and Hydrology Report will be required for construction as depicted (originally performed for the site). Additional comments will be made at time of site plan submittal. 	



DATA APPENDIX CONTINUED

EMERGENCY SERVICES

Nearest city or county fire station from the development?	112 Haynes St.
Distance of the nearest station?	0.50 miles
Most likely station for 1 st response?	Same
Service burdens at the nearest city fire station (under, at, or above capacity)?	None

MARIETTA POWER - ELECTRICAL

Does Marietta Power serve this site? Yes X No

If not, can this site be served? Yes No

What special conditions would be involved in serving this site?

Additional comments: