



Department of Development Services
205 Lawrence Street
Marietta, Georgia 30060
Brian Binzer, Director

SPECIAL LAND USE PERMIT APPLICATION ANALYSIS

ZONING CASE #: Z2016-21 **LEGISTAR #:** 20160670

LANDOWNERS: Republic Services
325 Marble Mill Road NW
Marietta, GA 30060

APPLICANT: Civil & Environmental Consultants
Jay Cameli
325 Seaboard Lane
Suite 170
Franklin, TN 37067

AGENT: n/a

PROPERTY ADDRESS: 325 Marble Mill Road

PARCEL DESCRIPTION: 16 10050 0220

AREA: ±12 acres **COUNCIL WARD:** 5B

EXISTING ZONING: HI (Heavy Industrial)

REQUEST: HI with a SLUP for waste disposal facility

FUTURE LAND USE IW (Industrial Warehousing)

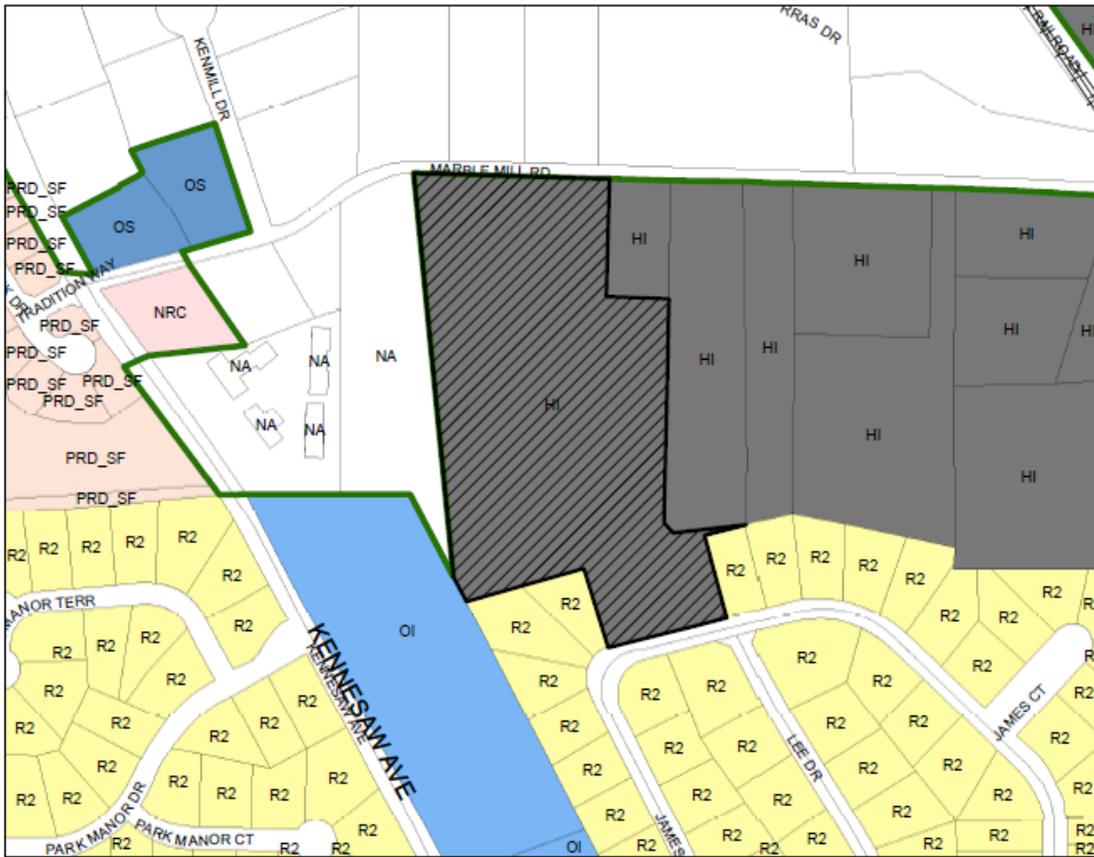
REASON FOR REQUEST: The applicant is requesting a Special Land Use Permit in order to alter the configuration of the parking lot at 325 Marble Mill Road, which operates as a waste transfer facility.

PLANNING COMMISSION HEARING: Tuesday, August 2, 2016 – 6:00 p.m.

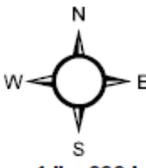
CITY COUNCIL HEARING: Wednesday, August 10, 2016 – 7:00 p.m.

MAP

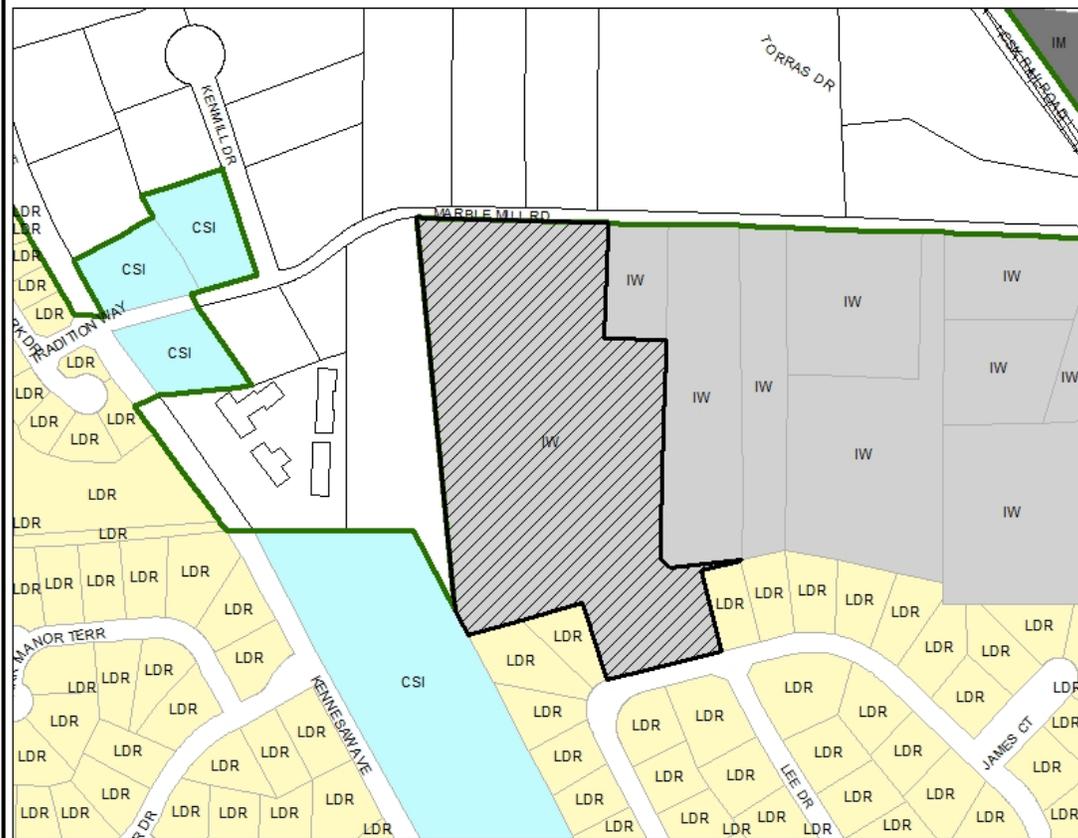
City of Marietta Area Zoning Map



Zoning		District	Land Lot	Parcel	Current Zoning	Proposed 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 PRD(SF) Planned Residential Dev. MHP Mobile Home Park 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.	COMMERCIAL NRC Neighborhood Retail CRC Community Retail RRC Regional Retail CBD Central Business District PCD Planned Commercial Dev. MXD Mixed-Use Dev. OIT Office Institutional Trans. LKO Low-Rise Office OI Office Institutional OS Office Services OI-HR Office High-Rise INDUSTRIAL LI Light Industrial HI Heavy Industrial PID Planned Industrial Dev.	16	10050	0220	HI	HI w/ SLUP

Comments: 325 Marble Mill Road		 1" = 333'	
Date: 6/27/2016	Planning & Zoning Department		

City of Marietta Area FLU Map

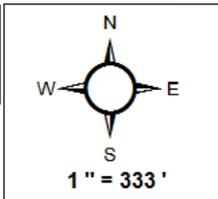


Future Land Use	District	Land Lot	Parcel	Current FLU	Proposed FLU
LDR Low Density Residential	16	10050	0220	IW	IW
MDR Medium Density Residential					
HDR High Density Residential					
NAC Neighborhood Activity					
CAC Community Activity Center					
RAC Regional Activity Center					
CBD Central Business District					
IM Industrial - Manufacturing					
IW Industrial - Warehousing					
OSC Open Space/Conservation					
PR Parks & Recreation					
CSI Community Service & Institutional					
TCU Transportation, Communication & Utilities					
MXD Mixed Use					

Comments:
325 Marble Mill Rd

Date:
6/27/16

**Planning & Zoning
 Department**



PICTURES OF PROPERTY



Republic Services 325 Marble Mill Road



Front parking area for Republic Services

STAFF ANALYSIS

Location Compatibility

The applicant, Civil & Environmental Consultants for Republic Services, is requesting a Special Land Use Permit (SLUP) in order to alter the configuration of the parking lot at 325 Marble Mill Road, which operates as a waste transfer facility under the name BFI Waste Systems of North America Inc. The subject property is zoned Heavy Industrial (HI) and has operated as a waste transfer facility since it was built in the 1990s.

The properties to the east are zoned HI in the City, and are used as a contractor's office and recycling facility. The Kennesaw Battle residential subdivision to the south is zoned R-2 (Single Family Residential – 2 units / acre). To the west is a property located in Cobb County and also zoned HI.

Use Potential and Impacts

On September 10, 2008, City Council approved an ordinance revision requiring any high impact activities to obtain a Special Land Use Permit prior to operation. Waste transfer facilities located in LI or HI zones were included in this category.

However, the existing waste transfer facility is considered a legally nonconforming use because this property has been operating as a waste transfer facility since before the Zoning Ordinance was amended. As a legal nonconforming use, the existing business can continue current operations; but unless a Special Land Use Permit is obtained, neither the use nor the structure may be expanded, extended, or enlarged in any matter which would increase its nonconformity.

The improvements proposed for the site would improve the parking areas in the front and the rear of the building; and would increase the number of parking spaces for employees. The applicant has not submitted any plans to indicate that the facility would be expanded, nor would their operations be increased.

Environmental Impacts

This property does not contain any floodplain or potential for endangered species. However, there are wetlands and a creek that runs along the eastern side of the property.

A fire occurred at this facility on May 28, 2016, and the run-off of water used to put out the fire impacted the creek. Republic Services has been working with the Georgia Environmental Protection Division to mitigate the effects of the run-off from the fire on the creek, and to make changes to ensure that the creek will be protected should a similar event occur again.

STAFF ANALYSIS CONTINUED

Economic Functionality

This property had been used as a waste transfer facility since the 1990's, and the fact that the property has been consistently used indicates that the property has economic value as it is zoned. However, it should also be noted that not all uses under HI require a SLUP, only the uses that could have a greater impact on residential properties. As currently zoned, the subject property has a reasonable economic use as it is located in an area that is zoned for high intensity industrial uses.

Infrastructure

Since this property is currently developed as a waste transfer facility, this rezoning request will not increase demand for the City's water, school, electrical, or sewer infrastructure.

The proposed parking lot improvements for the subject property are not expected to have any impact on the existing infrastructure in the area nor is it expected to have any impact on the water and sewer system or electricity infrastructure in the area.

History of Property

There is no history of any rezonings, variances or Special Land Use Permits for this property.

Other Issues

The following are specific criteria for the consideration of granting a SLUP for a property:

1. Whether or not there will be a significant adverse effect on the neighborhood or area in which the proposed use will be located.
2. Whether or not the use is compatible with the neighborhood.
3. Whether or not the proposed use will constitute a nuisance as defined by state law.
4. Whether or not property values of surrounding property will be adversely affected.
5. Whether or not adequate provisions are made for parking and traffic considerations.
6. Whether or not the site or intensity of the use is appropriate.
7. Whether or not adequate provisions are made regarding hours of operation.
8. The location or proximity of other similar uses (whether conforming or nonconforming).
9. Whether or not adequate controls and limits are placed upon commercial deliveries.
10. Whether or not adequate landscaping plans are incorporated to ensure appropriate transition.
11. Whether or not the public health, safety and welfare of the surrounding neighborhoods will be adversely affected.

ANALYSIS & CONCLUSION

The applicant, Civil & Environmental Consultants for Republic Services, is requesting a Special Land Use Permit (SLUP) in order to alter the configuration of the parking lot at 325 Marble Mill Road, which operates as a waste transfer facility under the name BFI Waste Systems of North America Inc. The subject property is zoned Heavy Industrial (HI) and has operated as a waste transfer facility since it was built in the 1990s.

The properties to the east are zoned HI in the City, and are used as a contractor's office and recycling facility. The Kennesaw Battle residential subdivision to the south is zoned R-2 (Single Family Residential – 2 units / acre). To the west is a property located in Cobb County and also zoned HI.

The existing waste transfer facility is considered a legally nonconforming use because this property has been operating as a waste transfer facility since before the Zoning Ordinance was amended in September 2008. As a legal nonconforming use, the existing business can continue current operations; but unless a Special Land Use Permit is obtained, neither the use nor the structure may be expanded, extended, or enlarged in any matter which would increase its nonconformity.

The improvements proposed for the site would improve the parking areas in the front and the rear of the building; and would increase the number of parking spaces for employees. The applicant has not submitted any plans to indicate that the facility would be expanded, nor would their operations be increased.

The City of Marietta Comprehensive Plan and the Future Land Use map designates this area as Industrial Warehousing (IW), an appropriate category for light industrial uses. The purpose of the Industrial Warehousing category is to provide for areas that can support light industrial, office/warehouse and distribution uses, and the vehicular traffic associated with those uses. HI zoning with a SLUP for a waste transfer station is not compatible with the future land use designation for the City of Marietta.

Prepared by: *Rusty Roth*

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?	Fire flow test may be required
Approximate water usage by proposed use?	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?	6 inch and 8 inch
Capacity of the sewer line?	A.D.F. Capacity Available
Estimated waste generated by proposed development?	Peak
Treatment Plant Name?	Not provided
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 the flood plain?	N/A
What is the drainage basin for the property?	Noses Creek
Is there potential for the presence of wetlands as determined by the U.S. Environmental Protection Agency?	Yes
If so, is the use compatible with the possible presence of wetlands?	Yes
Do stream bank buffers exist on the parcel?	Yes
Are there other topographical concerns on the parcel?	No
Are there 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?	Marble Mill Rd
What is the classification of the road?	Local (Cobb County)
What is the traffic count for the road?	N/A
Estimated # of trips generated by the proposed development?	N/A
Estimated # of pass-by cars entering proposed development?	N/A
Do sidewalks exist in the area?	No
Transportation improvements in the area?	Unknown (Cobb County)
If yes, what are they?	N/A

Site development plans and LDA permit will be required for proposed modifications. Proposed parking configuration does not satisfy code requirements for curb radius, travelway width, turn-around, etc.



DATA APPENDIX CONTINUED

EMERGENCY SERVICES

Nearest city or county fire station from the development?	Station 55 805 Allgood Road
Distance of the nearest station?	2.2 miles
Most likely station for 1 st response?	Station 55
Service burdens at the nearest city fire station (under, at, or above capacity)?	No service burdens

The fire department has no objection to the zoning variance requested by Republic Services. However, a scope of work letter is needed to apply the code sections for renovations of the office space.

MARIETTA POWER - ELECTRICAL

Does Marietta Power serve this site? Yes _____ No x

If not, can this site be served? Yes x No _____

What special conditions would be involved in serving this site?

Customer choice opportunity

Additional comments:



Department of Development Services
205 Lawrence Street
Marietta, GA 30060
Brian Binzer, AICP, Director

APPLICATION FOR SPECIAL LAND USE PERMIT

(Owner/Applicant/or Representative must be present at all public hearings)

For Office Use Only:

Application#: 22016-21 ^{SLUP} Legistar#: 20160670 PZ #: 16-376

PC Hearing: 8-2-16 CC Hearing (If Applicable): 8-10-16

Planning Commission
Board of Zoning Appeals

City Council

Owner's Name Republic Services Inc.

Address 325 Marble Mill Road Northwest Zip Code: 30060

Telephone Number: (770) 3550092 Email Address: _____

COMPLETE ONLY IF APPLICANT IS NOT OWNER:

Applicant: Jay Cameli / Civil & Environmental Consultants.

Address 325 Seaboard Lane Suit 170 Franklin TN Zip Code: 37067

Telephone Number _____ Email Address: _____

Address of property for which special land use is requested:

325 Marble Mill Road Northwest · Date of Acquisition: 1999

Land Lot (s) 1005^B District 16 Parcel 22 - Acreage 10.531 Zoned HI Ward 5 FLU IW

List the special land use permit requested (please attach any additional information): 0220 12-889 5B

Exterior improvements require update to current land use code.

For a garbage disposal facility.

Required Information

1. Application fee: Board of Zoning Appeals (\$250) or Planning Commission/City Council (\$500)
2. Completed notarized application. **The original application must be submitted with ALL original signatures – Copies of the application or signature(s) will NOT be accepted.**
3. Legal description of property. **Legal description must be in a WORD DOCUMENT.**
4. Site plan: One copy scaled to an 8 ½" X 11" size, plus 25 copies, if larger than 11" x 17", drawn to scale prepared by an architect, engineer, (P.E. or Civil Engineer), whose state registration is current and valid.
5. Copy of current tax bill showing payment or documentation certified by the City of Marietta Tax Office.
6. Documentation authorizing applicant to submit application by property owners if applicant is not owner.

Note: The Department of Development Services reserves the right to obtain additional information that reasonably may be required in order that an informed decision may be made.

OVER

TO: Marietta Daily Journal

FROM: City of Marietta

RUN AD DATE: July 15, 2016

PUBLIC NOTICE OF REZONINGS, SPECIAL LAND USE PERMITS, AND VARIANCES

The City of Marietta hereby gives notice that a public hearing will be held on the following by the Planning Commission on **Tuesday, August 2, 2016, 6:00 P.M.**, City Hall, for a recommendation to the City Council at their meeting on **Wednesday, August 10, 2016, 7:00 p.m.**, City Hall, for a final decision to be made.

Z2016-21 [SPECIAL LAND USE PERMIT] REPUBLIC SERVICES (CIVIL & ENVIRONMENTAL CONSULTANTS) is requesting a Special Land Use Permit for a trash disposal facility located in Land Lot 1005, District 16, Parcel 0220, 2nd Section, Marietta, Cobb County, Georgia, and being known 325 Marble Mill Road. Ward 5B.

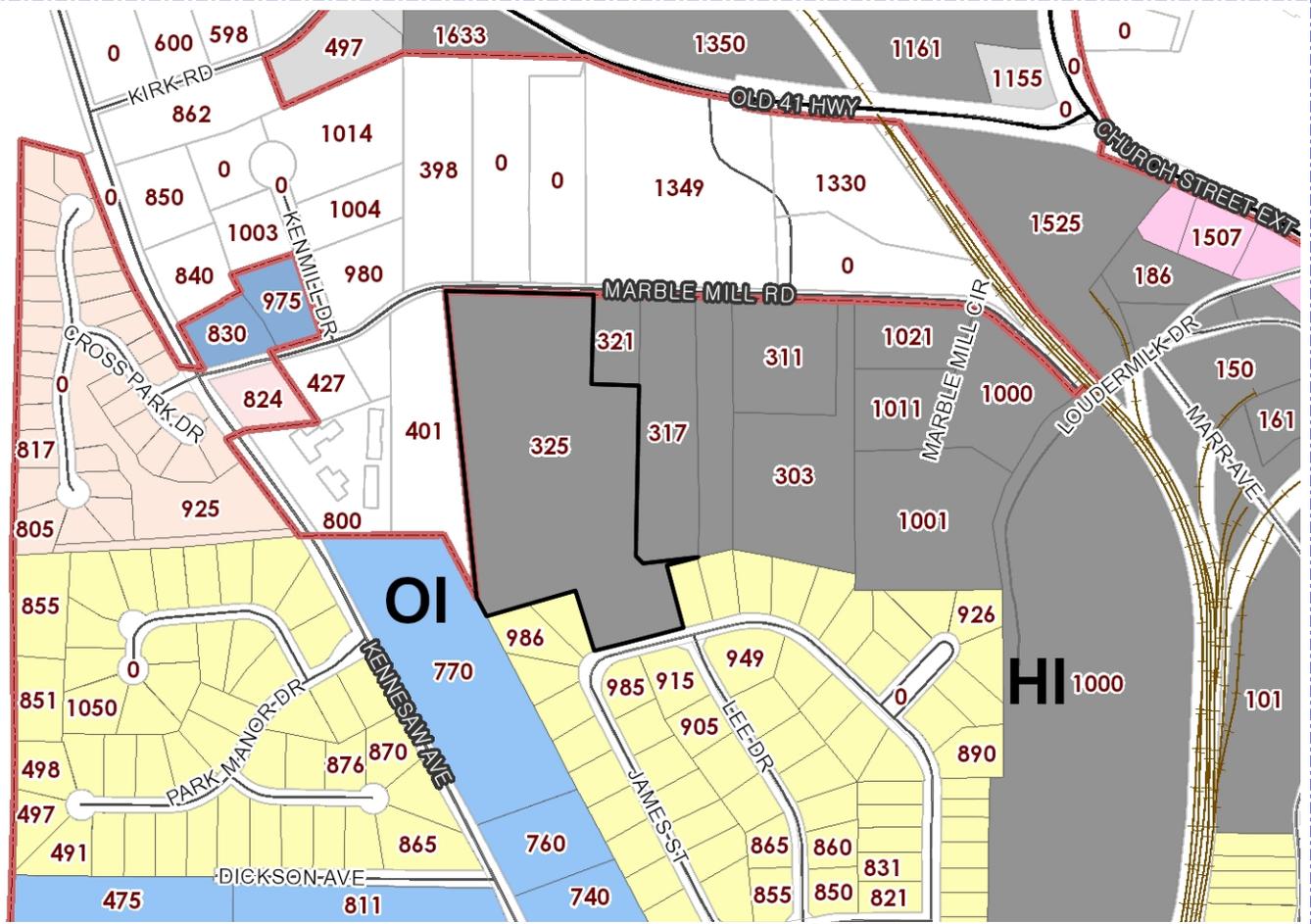
A description and plat of the property sought for the rezoning and future land use assignment are on file in the Planning and Zoning Office, City Hall, and is available for inspection between 8:00 A.M. and 5:00 P.M., Monday through Friday. Anyone wishing to attend may do so and be heard relative thereto.

For additional information please call the Planning and Zoning Office (770) 794-5669.

Accessibility to Meetings: If you believe you may need the City/BLW to provide special accommodations in order to attend/or participate in any of the above meetings, please call Mr. Patrick Henley, ADA Coordinator, at 770-794-5558 (voice) or 770-794-5560 (TDD) no later than 48 hours before the date of the above meeting.

City of Marietta
205 Lawrence Street
Marietta, Georgia 30060

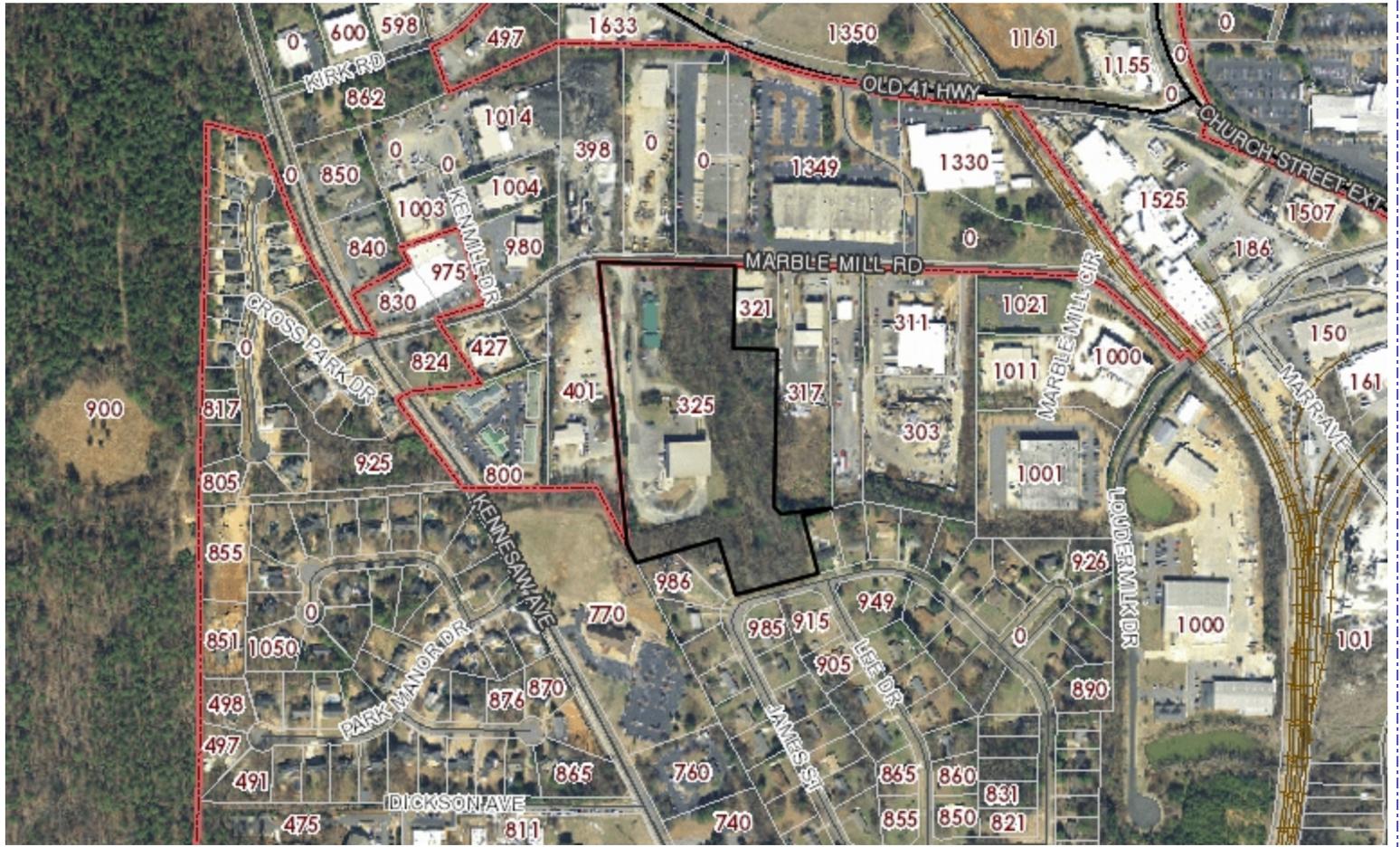
Special Land Use



Address	Parcel Number	Acreage	Ward	Zoning	FLU
325 MARBLE MILL RD	16100500220	12.889	5B	HI	IW
Property Owner:	Republic Services, Inc.				
Applicant:	Jay Cameli/Civil & Environmental Consultants				
Agent:					
Proposed Use:					
Planning Commission Hearing Date:	08/02/2016				
City Council Hearing Date:	08/10/2016				
Case Number:	Z2016-21				
City of Marietta Planning & Zoning					

Zoning Symbols

- Railroads
- City Limits
- Cobb County Pockets
- NA
- R1 - Single Family Residential (1 unit/acre)
- R2 - Single Family Residential (2 units/acre)
- R3 - Single Family Residential (3 units/acre)
- R4 - Single Family Residential (4 units/acre)
- RA4 - Single Family Residential - Attached
- RA6 - Single Family Residential - Attached
- RA8 - Single Family Residential - Attached
- MHP - Mobile Home Park
- PRD-SF - Planned Residential Dev. Single Family
- RM8 - Multi Family Residential (8 units/acre)
- RM10 - Multi Family Residential (10 units/acre)
- RM12 - Multi Family Residential (12 units/acre)
- RHR - Residential High Rise
- PRD-MF - Planned Residential Dev Multi Family
- NRC - Neighborhood Retail Commercial
- CRC - Community Retail Commercial
- RRC - Regional Retail Commercial
- PCD - Planned Commercial Development
- LI - Light Industrial
- HI - Heavy Industrial
- PID - Planned Industrial Development
- MXD - Mixed Use Development
- CBD - Central Business District
- OIT - Office Institutional Transitional
- LRO - Low Rise Office
- OI - Office Institutional
- OS - Office Services
- OHR - Office High Rise



Address	Parcel Number	Acreage	Ward	Zoning	FLU
325 MARBLE MILL RD	16100500220	12.889	5B	HI	IW

Property Owner:	Republic Services, Inc.
Applicant:	Jay Cameli/Civil & Environmental Consultants
City Council Hearing Date:	08/10/2016
Planning Commission Hearing Date:	08/02/2016
BZA Hearing Date:	Case Number:
Comments:	
City of Marietta Planning & Zoning	

Legend

- Railroads
- City Limits
- Cobb County Pockets

MARBLE MILL ROAD NW



LEGEND

-  PROPOSED CURB
-  PROPOSED CURB & GUTTER
-  PROPOSED PARKING STALL
-  PROPOSED PARKING BLOCK
-  PROPOSED STALL NUMBER
-  PROPOSED STANDARD DUTY ASPHALT
-  PROPOSED EXTENTS OF RETAINING WALL
-  PROPOSED MILL AND OVERLAY

EXISTING BUILDING
9,400 SF
FFE=1137.08



SCALE IN FEET



Civil & Environmental Consultants, Inc.

333 Baldwin Road · Pittsburgh, PA 15205
412-429-2324 · 800-365-2324
www.cecinc.com

REPUBLIC SERVICES, INC.
SOUTHEAST AREA OFFICE RENOVATIONS
325 MARBLE MILL ROAD
MARIETTA, GA 30060

SPECIAL LAND USE PERMIT
SITE PLAN

DRAWN BY:	BRD	CHECKED BY:	JJC	APPROVED BY:	RGM	FIGURE NO.:	
DATE:	JUNE 2016	DWG SCALE:	AS SHOWN	PROJECT NO.:	161-731		SLUP

P:\2016\161-731\CADD\DWG\CV01\SPECIAL USE 8.5X11.dwg\c200\LS:(6/20/2016 -- boiggs) -- LP: 6/20/2016 3:31 PM