



SPECIAL LAND USE PERMIT APPLICATION ANALYSIS

ZONING CASE #: Z2013-16 **LEGISTAR #:** 20130390

LANDOWNERS: NAVAN, LLC
1512 Copa De Oro Drive
La Jolla, California 92037

APPLICANT: Ray L. Beaty
321 Summerchase Lane
Woodstock, GA 30189

PROPERTY ADDRESS: 925 Industrial Park Drive

PARCEL DESCRIPTION: Land Lot 09990, District 16, Parcel 0260

AREA: 1.589 acs. **COUNCIL WARD:** 5

EXISTING ZONING: HI (Heavy Industrial)

REQUEST: Special Land Use Permit (SLUP) for computer and electronics recycling

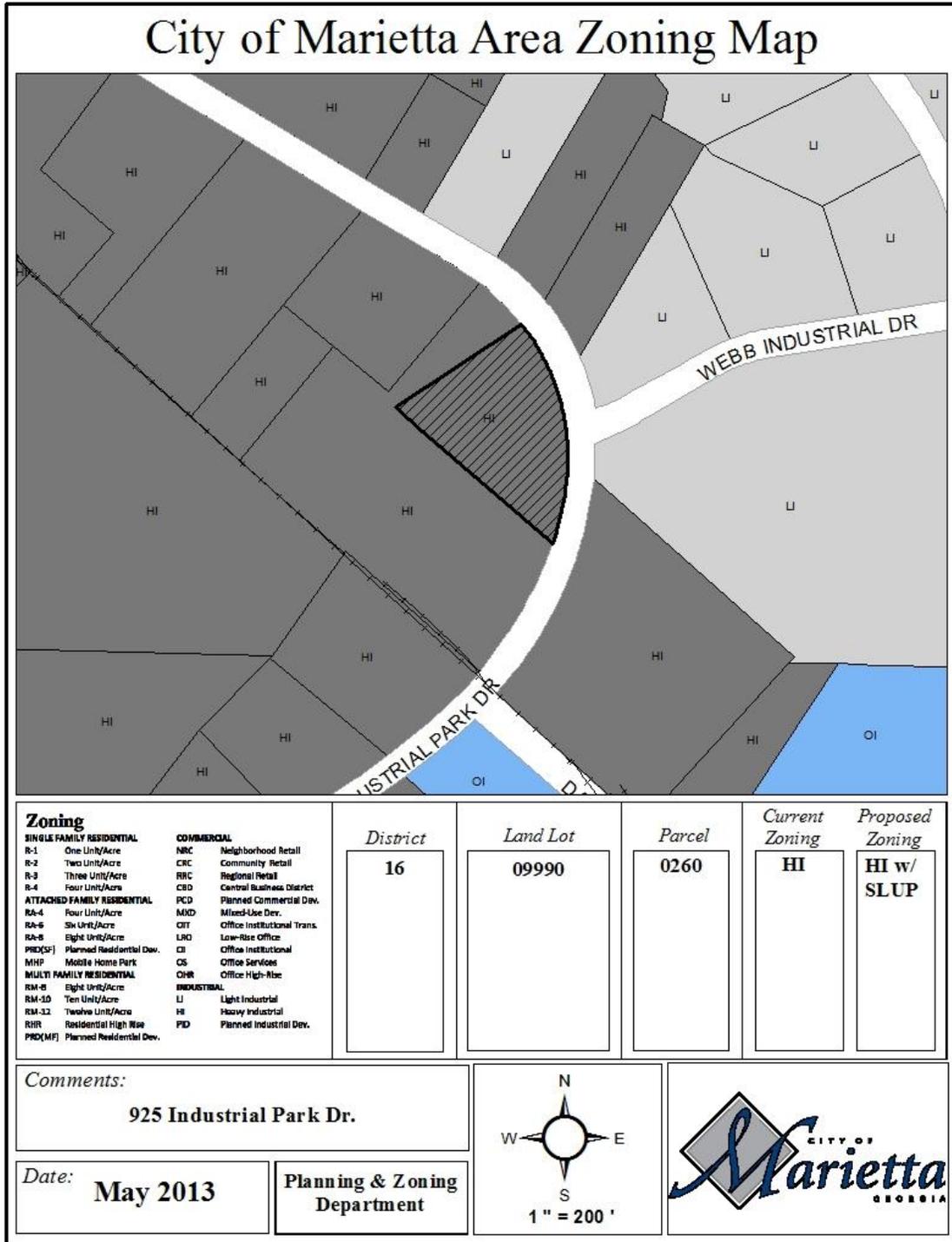
FUTURE LAND USE MAP RECOMMENDATION: IM (Industrial Manufacturing)

REASON FOR REQUEST: Applicant is requesting a Special Land Use Permit to operate a computer and electronics recycling facility.

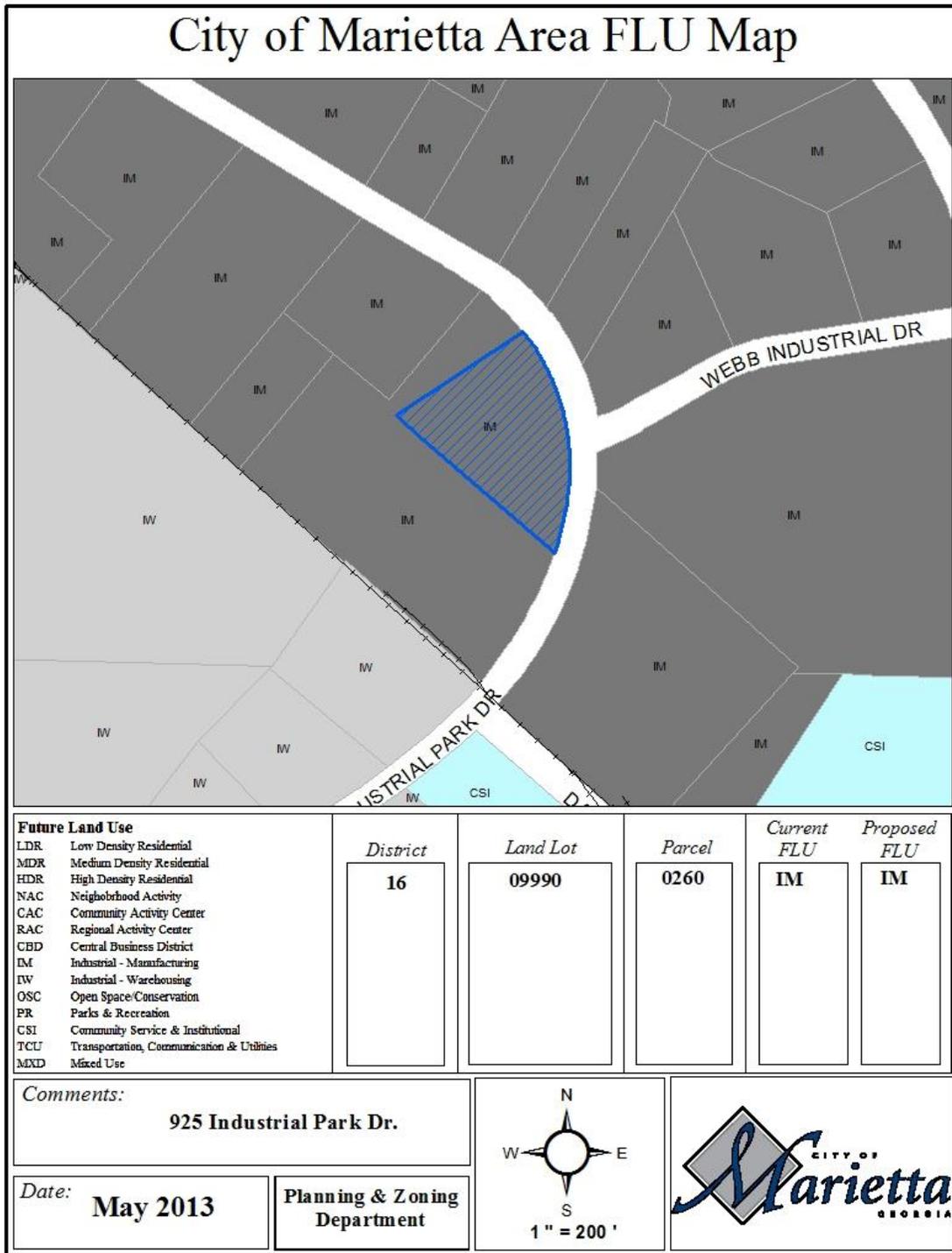
PLANNING COMMISSION HEARING: Tuesday, June 4, 2013 – 6:00 p.m.

CITY COUNCIL HEARING: Wednesday, June 12, 2013 – 7:00 p.m.

MAP



MAP



PICTURES OF PROPERTY



925 Industrial Park Drive – front of building



Front view looking southeast



Front view of building side



Demolished building site. Proposed location for new addition to existing building.



Front of building and proposed location for new building addition.

STAFF ANALYSIS

Location Compatibility

The applicant, Ray L. Beaty, petitioner for the owner, Navan LLC, is requesting a special land use permit (SLUP) to conduct computer and electronics recycling facility at 925 Industrial Park Drive. The property is approximately 1.589 acres and is currently zoned HI (Heavy Industrial). The subject property is located in the Marietta Cobb Industrial Park where the surrounding properties are predominately zoned HI (Heavy Industrial), but there are some properties zoned LI (Light Industrial). Walker School is located to the southeast, and all of their properties are zoned OI (Office Institutional).

Use Potential and Impacts

The applicant has submitted a site plan indicating the applicant's intention to build an 80 ft. X 87 ft. addition to the front of the existing building. Building permit records show that previously there was a 30 ft. X 72 ft. metal building in the same area, but it was recently demolished, along with a large concrete pad. Earlier pictures show that the concrete pad lay between the existing building and the demolished building; and this area was used for outside storage, but was not visible from the street. The applicant proposes to construct the new addition to the existing building in the same area. The site plans indicate that the concrete pad area would no longer exist, but a truck dock is to be added to the southernmost part of the new building addition. The new building addition is intended to accommodate the operation of the computer and electronics recycling business that is contingent upon City Council's decision.

However, according to comments from Marietta BLW, the plan cannot be approved as shown on the drawing, as the proposed building addition encroaches into an existing sewer easement. In addition, no pipes would be allowed to run under any structure, so if this pipe is active, it would have to be rerouted so there is no conflict with the building foundations or footers.

The applicant has not provided any detailed information on the computer and electronics recycling operation that he proposes to operate. Business Licenses records indicate that in 2009 and 2010, an electronic recycling business, Recycletronics at Tommy Nobis, operated a recycling business at the subject property.

The FLU (Future Land Use) designation of the subject property is IM (Industrial Manufacturing). IM designation is to provide areas that can support industrial uses, which may create by-products that are known to negatively impact adjacent uses. The Comprehensive Plan lists HI as a compatible zoning district.



Environmental Impacts

There is no indication that any streams, floodplains, wetlands, or endangered species exist on the property.

Economic Functionality

The subject property is currently vacant. According to submitted documents, the property has been vacant for two years.

As currently zoned, the subject property has a reasonable economic use as it is located in an industrial business park and is zoned for high intensity industrial uses.

Infrastructure

The applicant did not provide detailed information regarding building construction of the new addition or recycling business operation. However, it is not expected to have major impacts 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.

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History of Property

In October 1983, a variance (V-830533) was approved on the side and rear setbacks to construct a building addition.

- Reduction of the side setback on the southwest side from 20 ft. To 12 ft.
- Reduction of the rear yard setback from 40 ft. to 14 ft.

Other Issues

The following are the criteria for determining a site's eligibility for a Special Land Use Permit, as specified in Section 712.01 (E):

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.

Additionally, in order to construct the proposed building addition, the applicant would need the following variance:

1. Variance to reduce the required front yard setback from 50 ft. to 33 ft.



ANALYSIS & CONCLUSION

The applicant, Ray L. Beaty, petitioner for the owner, Navan LLC, is requesting a special land use permit (SLUP) to operate a computer and electronics recycling facility at 925 Industrial Park Drive. The property is approximately 1.589 acres and is currently zoned HI (Heavy Industrial). The subject property is located in the Marietta Cobb Industrial Park where the surrounding properties are predominately zoned HI (Heavy Industrial), but there are some properties zoned LI (Light Industrial). Walker School is located to the southeast, and all of their properties are zoned OI (Office Institutional).

The applicant has submitted a site plan indicating the applicant’s intention to build an 80 ft. X 87 ft. addition to the front of the existing building. Building permit records show that previously there was a 30 ft. X 72 ft. metal building in the same area, but it was recently demolished, along with a large concrete pad. Earlier pictures show that the concrete pad lay between the existing building and the demolished building; and this area was used for outside storage, but was not visible from the street. The applicant proposes to construct the new addition to the existing building in the same area. The site plans indicate that the concrete pad area would no longer exist, but a truck dock is to be added to the southernmost part of the new building addition. The new building addition is intended to accommodate the operation of the computer and electronics recycling business that is contingent upon City Council’s decision.

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1. Variance to reduce the required front yard setback from 50 ft. to 33 ft.

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?	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?	10-inch
Capacity of the sewer line?	
Estimated waste generated by proposed development?	A.D.F Peak Not provided
Treatment Plant Name?	Cobb County
Treatment Plant Capacity?	Cobb County
Future Plant Availability?	Cobb County

Note: Plan cannot be approved as shown on drawing. Proposed addition encroaches into sewer easement.

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 there storm water issues related to the application?	No
Potential presence of endangered species in the area?	No

Transportation

What is the road affected by the proposed change?	Industrial Park Drive
What is the classification of the road?	Local
What is the traffic count for the road?	No data available
Estimated number of cars generated by the proposed development? **	Insufficient data provided
Estimated number of trips generated by the proposed development? **	---
Do sidewalks exist in the area?	No
Transportation improvements in the area?	No
If yes, what are they?	---



- Since the proposed project is for over 5000 sq. ft. of new or replacement impervious, site plans will be required for construction. Site plans must include, parking, driveways, streets, erosion-sedimentation-and pollution control plan, stormwater management (preventing concentrated flows from adjacent lots roads, and areas), stormwater quality (bioretention or other on each lot), and any other applicable improvements required by City Code and Georgia Stormwater Management Manual. Additional comments will be made at time of site plan submittal. There can be no point discharge onto adjacent property which is not into a stream, defined drainageway, or storm sewer. Discharge will not be allowable at the property line, or into the street R.O.W. If easements are required for drainage through adjacent property, then the owner is to obtain.
• The submitted plan appears to delineate a pipe (storm or sanitary) with dashed lines. No pipes are allowed to run under a structure. This pipe must be rerouted so there is no conflict with the foundations or footers. If the pipe is inactive, it may be filled in place with "flowable fill".

EMERGENCY SERVICES

Table with 2 columns: Question and Answer. Questions include: Nearest city or county fire station from the development? (Marietta Station 56), Distance of the nearest station? (.8 miles), Most likely station for 1st response? (Marietta Station 56), 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: