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## **SPECIAL LAND USE PERMIT APPLICATION ANALYSIS**

**ZONING CASE #:** Z2015-02                      **LEGISTAR #:** 20141323

**LANDOWNERS:** Zion Baptist Church of Marietta, Inc.  
165 Lemon Street  
Marietta, GA 30060

**APPLICANT:** Reconnecting Families, Inc.  
32 Waddell Street  
Marietta, GA 30060

**AGENT:** n/a

**PROPERTY ADDRESS:** 263 & 271 Lemon Street

**PARCEL DESCRIPTION:** Land Lot 11600, District 16, Parcels 0590 & 0570

**AREA:** 0.55 acres                      **COUNCIL WARD:** 3A

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

**REQUEST:** R-4 with a Special Land Use Permit

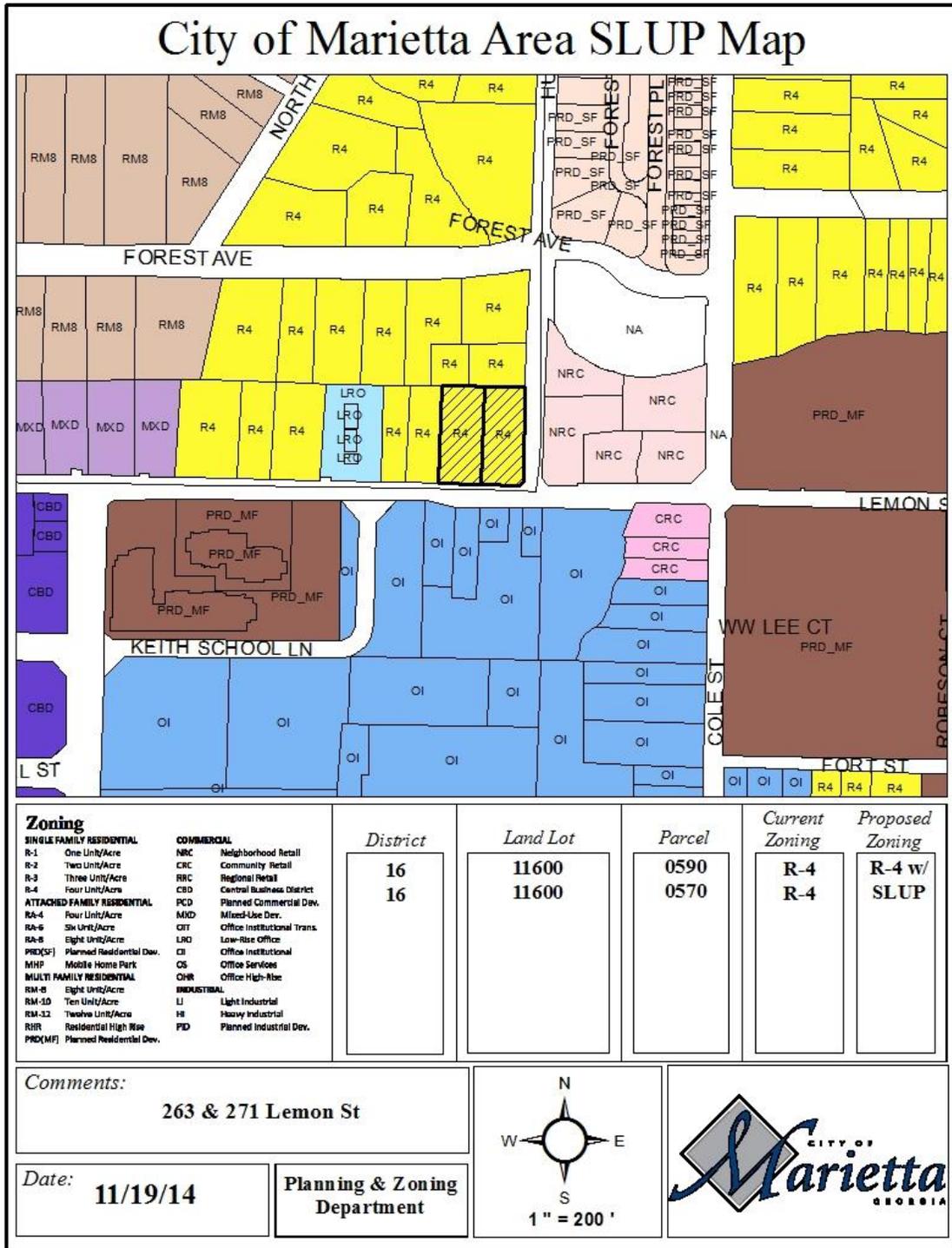
**FUTURE LAND USE:** MDR (Medium Density Residential)

**REASON FOR REQUEST:** The applicant is requesting a Special Land Use Permit, with variances, to develop a community garden/private park on currently vacant land.

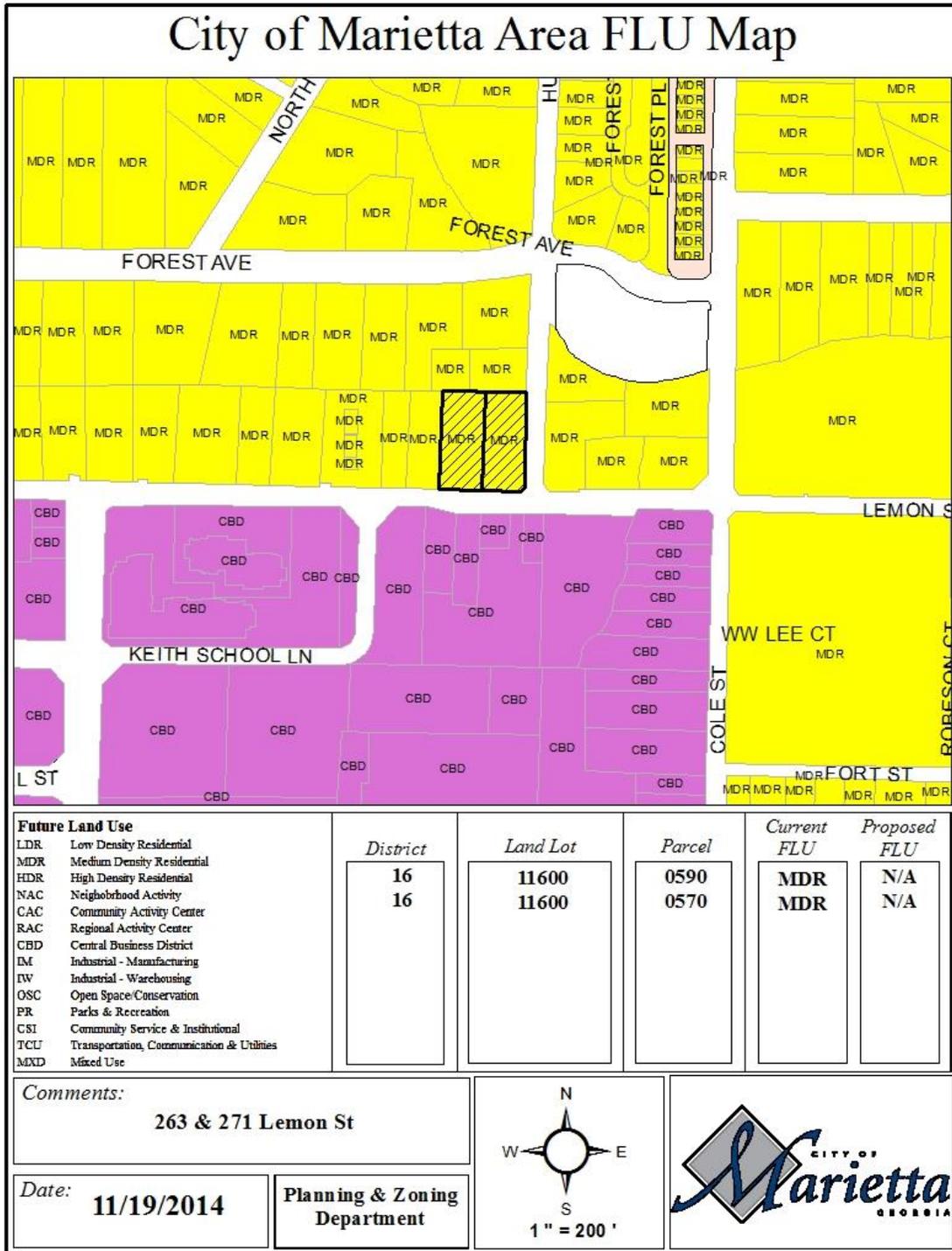
**PLANNING COMMISSION HEARING:** Tuesday, January 6, 2015

**CITY COUNCIL HEARING:** Wednesday, January 14, 2015

## MAP



## FLU MAP



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**PICTURES OF PROPERTY**



**263 & 271 Lemon Street**



**263 & 271 Lemon Street**



**263 & 271 Lemon Street**



**263 & 271 Lemon Street**

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## STAFF ANALYSIS

### *Location Compatibility*

The applicant, Reconnecting Families, Inc, on behalf of Zion Baptist Church of Marietta, Inc. is requesting a Special Land Use Permit (SLUP) for the vacant lots at 263 and 271 Lemon Street, totaling 0.553 acres. The intent is to develop the vacant lots into a community garden and private park.

The subject lots are zoned R-4 (Single Family Residential 4 units/acre) along with the adjacent properties to the north and west. The property across the street to the east is zoned NRC (Neighborhood Retail Commercial) and the properties across the street to the south are zoned OI (Office Institutional).

### *Use Potential and Impacts*

Reconnecting Families, Inc. is requesting this SLUP in order to develop the vacant lots into a community garden and private park. This project includes the lot owners, Zion Baptist Church of Marietta, and the Cobb County Juvenile Drug Treatment Court. The current vacant parcels are planned to be developed into a community garden consisting of planters, lawn area, a gazebo, and storage shed. Therefore the following variances will be necessary in order to develop the community garden:

- Variance to allow for installation of an accessory structure, gazebo and shed, without the presence of a primary structure. [§708.04 (F)]
- Variance to reduce the setback for a fence from 2 ft. to 0 ft. to allow for a 4 ft. decorative fence to be placed on the property line along Lemon Street and Hunt Street. [§710.04 (D.1)]
- Variance to waive tree requirement of street trees along Hunt Street. [§712.08 (G.2)]
- Variance to allow understory trees along Lemon Street under overhead utility lines. [§712.08 (G)]

These parcels are located within walking distance to Zion Baptist Church of Marietta and the Cobb County Juvenile Drug Treatment Court. The area is located northeast of the central business district and just at the start of the neighborhood consisting of single family residences, R-4.

The Future Land Use (FLU) of these parcels, as specified in the City's Comprehensive Plan, is MDR (Medium Density Residential). The FLU serves as guide for long-term growth and how the development should occur overtime. The purpose of the MDR category is to provide areas that are suitable for medium density housing with densities ranging from three (3) to six (6) dwelling units per acre. Parks are listed as other uses that at times can be included in the MDR category. As a result this SLUP request can be supported by the City's Comprehensive Plan.



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## STAFF ANALYSIS

### *Environmental Impacts*

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

### *Economic Functionality*

The subject parcels are currently vacant lots zoned R4, Single Family Residential. Both parcels are buildable lots. As a result, both properties have a reasonable economic use under the current residential zoning classification.

### *Infrastructure*

This proposed use should have no adverse impact on the transportation, education, water, sewer, electricity, or other public infrastructure in the area.

### *History of Property*

There is no history of any variances, Special Land Use Permits, or rezonings for these vacant parcels



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## ANALYSIS & CONCLUSION

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The subject lots are zoned R-4 (Single Family Residential 4 units/acre) along with the adjacent properties to the north and west. The property across the street to the east is zoned NRC (Neighborhood Retail Commercial) and the properties across the street to the south are zoned OI (Office Institutional).

Reconnecting Families, Inc. is requesting this SLUP in order to develop the vacant lots into a community garden and private park, consisting of planters, lawn area, a gazebo and storage shed. Therefore the following variances will be necessary in order to develop the community garden:

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These parcels are located within walking distance to Zion Baptist Church of Marietta and the Cobb County Juvenile Drug Treatment Court. The area is located northeast of the central business district, and at the start of the neighborhood consisting of single family residences. Both parcels are buildable lots, zoned R-4; and as a result, both properties have a reasonable economic use under the current residential zoning classification.

The Future Land Use (FLU) of these parcels is MDR, which is intended for areas that are suitable for medium density housing with densities ranging from three (3) to six (6) dwelling units per acre. Parks are listed as other uses that at times can be included in the MDR category. As a result this SLUP request can be supported by the City's Comprehensive Plan.

***On December 22, 2014, the applicant provided updated site plans that addressed some of the issues identified in this report. Due to the late submittal, staff will provide an assessment of the updated plans at the meeting on January 6, 2015.***

**Prepared by:** \_\_\_\_\_

**Approved by:** \_\_\_\_\_



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## DATA APPENDIX

### *CITY OF MARIETTA - WATER*

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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?	6"
Capacity of the water line?	Variable based on condition of main
Approximate water usage by proposed use?	N/A

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### *CITY OF MARIETTA - SEWER*

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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"
Capacity of the sewer line?	A.D.F. Variable Peak
Estimated waste generated by proposed development?	N/A
Treatment Plant Name?	R.L. Sutton
Treatment Plant Capacity?	Cobb Water System must confirm
Future Plant Availability?	Cobb Water System must confirm

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## 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?	---
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?	Lemon Street, Hunt Street
What is the classification of the road?	Local
What is the traffic count for the road?	---
Estimated # of cars generated by the proposed development?	---
Estimated # of trips generated by the proposed development?	---
Do sidewalks exist in the area?	YES
Transportation improvements in the area?	NO
If yes, what are they?	---



- Site Plans will be required for construction. Plans must include, erosion-sedimentation-and pollution control plan, and stormwater management (preventing concentrated flows from adjacent property). Additional comments will be made at time of site plan submittal, if it is required. 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.
While general walkways through the beds may be gravel, some beds will need to be handicap accessible. The beds located along the existing concrete from Lemon Street are acceptable for that purpose. However, additional sidewalk will be necessary to connect that existing concrete to the access for the gazebo.
An existing wall at Hunt & Lemon poses a problem for sight distance. A traffic study will need to be performed to ensure that the wall does not block sight distance, or modifications will be necessary.
The plan depicts beds within the R.O.W. of Hunt Street. This is not allowable.

EMERGENCY SERVICES

Table with 2 columns: Question and Answer. Questions include: Nearest city or county fire station from the development? (Station 51), Distance of the nearest station? (0.3 miles), Most likely station for 1st response? (Station 51), Service burdens at the nearest city fire station (under, at, or above capacity)? (None)

Additional comments:
- Comply with ADA 2010 edition to site.

MARIETTA POWER - ELECTRICAL

Does Marietta Power serve this site? Yes \_\_\_\_\_ No \_\_\_\_\_
If not, can this site be served? Yes \_\_\_\_\_ No \_\_\_\_\_

What special conditions would be involved in serving this site?

Additional comments: