



SPECIAL LAND USE PERMIT APPLICATION ANALYSIS

ZONING CASE #: Z2010-11 LEGISTAR #: 20101060

LANDOWNERS: **Security Exchange Bank
Attn: O. Marquetta Brown
Vice President
833 South Cobb Drive
Marietta, GA 30060**

APPLICANT: **Same as above**

PROPERTY ADDRESS: **2010 Airport Court**

PARCEL DESCRIPTION: **Land Lot 06590, District 17, Parcel 0020**

AREA: 1.02 acs.

COUNCIL WARD: 1

EXISTING ZONING: **LI (Light Industrial)**

REQUEST: **N/A**

FUTURE LAND USE MAP

RECOMMENDATION: **IW (Industrial Warehousing)**

REASON FOR REQUEST: **To conduct automobile storage and wrecker services from this location.**

PLANNING COMMISSION HEARING: **Wednesday, November 3, 2010–6:00 p.m.**

CITY COUNCIL HEARING: **Wednesday, November 10, 2010–7:00p.m.**

MAP

City of Marietta Area Zoning Map

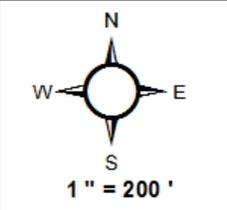


Zoning	District	Land Lot	Parcel	Zoning	
SINGLE FAMILY RESIDENTIAL R-1 One Unit/Acre R-2 Two Unit/Acre R-3 Three Unit/Acre R-4 Four Unit/Acre ATTACHED FAMILY RESIDENTIAL RA-4 Four Unit/Acre RA-6 Six Unit/Acre RA-8 Eight Unit/Acre PRD(SF) Planned Residential Dev. MHP Mobile Home Park MULTI FAMILY RESIDENTIAL 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. MKD Mixed-Use Dev. OIT Office Institutional Trans. LRO Low-Rise Office OI Office Institutional OS Office Services OHR Office High-Rise INDUSTRIAL LI Light Industrial HI Heavy Industrial PID Planned Industrial Dev.	17	06590	0020	LI

Comments:
2012 Airport Ct

Date: **9/30/10**

Planning & Zoning
 Department



PICTURES OF PROPERTY



2012 Airport Court



Aerial of subject property



Newly installed, unpermitted office trailer on property – TO BE REMOVED



Proposed rear storage area

STAFF ANALYSIS

Location Compatibility

The property owner, Security Exchange Bank, is requesting a Special Land Use Permit (SLUP) in order to operate a vehicle storage and wrecker service at the property located at 2012 Airport Court. This property, and all surrounding properties, are zoned Light Industrial (LI) and are located near the southeastern border of Dobbins ARB. The runways at Dobbins ARB are frequently used and generate a significant amount of noise pollution, making this area very suitable for continued high-impact industrial purposes.

Use Potential and Impacts

This property currently contains an automobile broker business and granite countertop fabrication business. The SLUP being requested would allow the rear portion of the property to be used as a storage area for wrecked cars. Most of the subject property is adjacent to a heavily wooded area containing a stream on the Yellow Freight property to the west. Since this area will not likely be developed in the future, the presence of an automobile storage yard should not negatively impact any of the adjacent parcels. In addition, the proposed activity closely matches the existing uses in the surrounding area and should not hinder the usability of the surrounding properties.

The future land use of the property is designated IW (Industrial Warehousing) by the City's Comprehensive Plan. Uses considered appropriate for IW include areas that support light industrial, office/warehouse, and distribution activities. Automobile storage and wrecker services are consistent with the IW future land use category.

Environmental Impacts

The subject property is located entirely within the 100 year flood plain and nearby to an existing stream; any improvements to the property will be severely limited. Approval from FEMA may be required prior to land disturbance. The applicant has not indicated that any of the existing trees on the property will have to be removed.

Although not permitted, a new trailer and fence (labeled "Mobile Office" on the as-built survey) had been recently installed on the property. However, because of the number of zoning, building, and environmental regulations affecting its placement, the applicant has agreed to its removal.

STAFF ANALYSIS CONTINUED

Economic Functionality

This property has continually been used as industrial property and therefore attests to its economic value as-zoned. This area is an attractive area for industrially-oriented business activities. However, due to the number of environmental factors affecting this property, any proposed use must function without any improvements to the property. As a result, an automobile storage yard is suitable to this property.

Infrastructure

The applicant is not proposing any new improvements to the property. Since the City's Zoning Ordinance requires vehicles to be placed on an approvable paving surface, the applicant would need a variance to allow the surface remain gravel. Leaving the storage yard graveled would also benefit the usability of the property, as the buffers of the nearby stream will restrict the application of any new pavement. Also, gravel would impact the stream the least in that it would allow more water to percolate into the ground and therefore reduce the number of pollutants entering the stream. Should the applicant be allowed to leave the storage yard "as-is," the following would be required:

- Variance to allow gravel as an approvable surface for automobile storage [Section 716.08 (A) & (B)]

Any added burden on transportation, education, water, sewer, or electricity systems as a result of this request should be minimal.

History of Property

This is no history of any variances, Special Land Use Permits, or rezoning of this property.

Other Issues

The following are particular issues for consideration of a Special Land Use Permit:

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).



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

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 property owner, Security Exchange Bank, is requesting a Special Land Use Permit (SLUP) in order to operate a vehicle storage and wrecker service at the property located at 2012 Airport Court. This property, and all surrounding properties, are zoned Light Industrial (LI) and are located near the southeastern border of Dobbins ARB. The runways at Dobbins ARB are frequently used and generate a significant amount of noise pollution, making this area very suitable for continued high-impact industrial purposes.

The SLUP being requested would allow the rear portion of the property to be used as a storage area for wrecked cars. Most of the subject property is adjacent to a heavily wooded area containing a stream on the Yellow Freight property to the west. Since this area will not likely be developed in the future, the presence of an automobile storage yard should not negatively impact any of the adjacent parcels. The proposed activity also closely matches the existing uses in the surrounding area and should not hinder the usability of the surrounding properties. In addition, due to the number of environmental factors (Flood Plain, Stream Buffers) affecting this property, any proposed use must function with little or no improvements to the property. As a result, an automobile storage yard is suitable for this property.

The applicant is not proposing any new improvements to the property. Should the applicant be allowed to leave the storage yard “as-is,” the following would be required:

- Variance to allow gravel as an approvable surface for automobile storage [*Section 716.08 (A) & (B)*]

The future land use of the property is designated IW (Industrial Warehousing) by the City’s Comprehensive Plan. Uses considered appropriate for IW include areas that support light industrial, office/warehouse, and distribution activities. Automobile storage and wrecker services are consistent with the IW future land use category.

Prepared by: _____

Approved by: _____

DATA APPENDIX CONTINUED

DRAINAGE AND ENVIRONMENTAL CONCERNS

Does flood plain exist on the property?	YES
What percentage of the property is in a floodplain?	100% within 100 year flood plain
What is the drainage basin for the property?	Poorhouse Creek
Is there potential for the presence of wetlands as determined by the U.S. Environmental Protection Agency?	YES – at north property line (stream)
If so, is the use compatible with the possible presence of wetlands?	Existing use
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 affected by the proposed change?	Airport Court & Airport Industrial Park Drive
What is the classification of the road?	Local (both)
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?	Insufficient data provided
Do sidewalks exist in the area?	NO
Transportation improvements in the area?	YES
If yes, what are they?	Drainage improvements are in planning process for Airport Industrial Park Drive

- The submitted plan for the Special Land Use Permit delineates gravel around the buildings. Gravel is NOT an acceptable surface for this area. Per Section 716.08 of the City Zoning Code, the surface must be asphalt, concrete, or brick in concrete (see attached City Code below).
- Site plans will be required for construction of the parking and drive area. **However, no additional buildings or additions to buildings may be performed without approval from FEMA (LOMA, LOMR).**
- The FEMA FIRM Flood Plain effective December 16, 2008, is applicable for the tract, including State Mandated Stream Buffer(s), City Stream Buffers, and Impervious Area Setback from buffers. **The site is completely within the 100 year Flood Plain.** The FEMA Flood Plain elevation is 952, and the existing grade around the buildings (according to Cobb GIS) varies between 946 and 948. Please refer to City Ordinance 7-8-10 Floodplain Management / Flood Damage Prevention. See definition of “*Substantial Improvement*” under 7-8-10-020, as required by FEMA and the GA EPD Floodplain Management.
- Site plans must include parking, driveways, streets, stormwater management, stormwater quality, 10% downstream analysis, and any other applicable improvements required by City code and Georgia Stormwater Management Manual. See City Code Article 7-8-14, and 7-8-12. 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. If easements are required for drainage through adjacent property, then the owner is to obtain.

716.08 - Surface parking standards.

- A. The parking of any vehicle (including, but not limited to trailers and boats) on any lot in any district on other than a surface treated and hardened to accommodate vehicles up to 8,000 pounds gross axle weight is prohibited.
- B. Minimum standards for surfaces treated and hardened to accommodate vehicles up to 8,000 pounds are as follows:
 1. **Concrete.** Four inches of 2,500 psi concrete with control joints at least every 30 feet, or if no control joints are utilized, then wire reinforcement throughout.
 2. **Asphalt.** Binder and topping course mixes at least 3 inches thick.
 3. **Brick.** Bricks laid in a 2-inch concrete base.
- C. A parking plan for all uses shall be submitted with the building plans. The Development Services Director and Public Works Director shall review the proposed parking plan to insure its conformance with all applicable provisions of this article. Occupancy or use of a building shall not be allowed until the parking facilities are completed in accordance with the approved plan. The provisions of the required spaces on a temporary basis on a hard surfaced sub-base (subgrade plus an asphalt first layer or bound crushed stone aggregate) shall satisfy this requirement. All parking facilities including entrances, exits and maneuvering areas shall comply with the following:

1. Design of parking areas, including space and driveway arrangement, shall conform to the geometric design standards of the Institute of Traffic Engineers, which is hereby incorporated by reference as though fully set forth herein. The City Clerk shall maintain a copy of said standards of the Institute of Traffic Engineers on file for inspection by the public.
2. Have access to a public street and be graded and paved. Curbing may be required when needed for effective drainage control to prevent damage to abutting property or public streets, subject to approval by the Public Works Director.
3. Have all spaces marked with paint lines, curb stones or other similar designations (single-family residential uses are exempt if fewer than 3 spaces are provided).
4. Provide individual parking spaces with dimensions not less than 9 feet wide and 20 feet deep, exclusive of passageways. In the cases of 25 or more required parking spaces 25% of the required spaces may be of an area not less than 8 feet by 16 feet.
5. Provide interior drives with a minimum width of 20 feet which connect each space with a public street.
6. Parking areas established within a residential district for a permitted nonresidential use shall provide visual screening between vehicle use areas, including all accessways, and the abutting residential property. Such screening may consist of a wall or solid fence no less than 5 feet in height and/or a vegetative row of hedges and trees sufficient in nature to provide continuous visual screening. Such screening improvements shall be located upon a nonpaved surface at least 5 feet in width and are subject to approval by the Director of the Development Services Department. See standards set forth in Section 712.08 (Tree Protection and Landscaping) for landscaping requirements.
7. Adequate lighting shall be provided if the facilities are to be used at night. Such lighting shall be arranged and installed so as not to reflect or cause glare on abutting properties.
8. No parking or loading area shall be established in the required front yard of any residential district except for a single-family residential use; no more than 35% of the required front yard may be paved or used for parking in such case.
9. The parking areas shall be permanently maintained by the owners or the occupants for their invites or licensees so long as the use(s) exists.

"Substantial Improvement" means any combination of repairs, reconstruction, alteration, or improvements to a building, taking place during a five-year period, in which the cumulative cost equals or exceeds 50 percent of the market value of the structure prior to the improvement. The market value of the building means (1) the appraised value of the structure prior to the start of the initial repair or improvement, or (2) in the case of damage, the value of the structure prior to the damage occurring. This term includes structures which have incurred "substantial damage" regardless of the actual amount of repair work performed. For the purposes of this definition, "substantial improvement" is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the building. The term does not, however, include those improvements of a building required to comply with existing health, sanitary, or safety code specifications which are solely necessary to assure safe living conditions, which have been pre-identified by the code enforcement official, and not solely triggered by an improvement or repair project.



DATA APPENDIX CONTINUED

EMERGENCY SERVICES

Nearest city or county fire station from the development?	Franklin Road Station 55
Distance of the nearest station?	2 miles
Most likely station for 1 st response?	Franklin Road Station 55
Service burdens at the nearest city fire station (under, at, or above capacity)?	No service burdens

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: