



---

## **REZONING APPLICATION ANALYSIS**

**ZONING CASE #:** Z2010-08      **LEGISTAR #:** 20100884

**LANDOWNERS:** AMREP, Inc.  
990 Industrial Park Drive  
Marietta, GA 30061

**APPLICANT:** Same as above

**AGENT:** Parks F. Huff  
Sams, Larkin & Huff  
Suite 100  
376 Powder Springs Street  
Marietta, GA 30064-3448

**PROPERTY ADDRESS:** 984 Industrial Park Drive – 16 10000 0110  
990 Industrial Park Drive – 16 10000 0120  
1007 Marietta Industrial Drive – 16 09990 0130

**PARCEL DESCRIPTION:** 16 10000 0110; 16 10000 0120; 16 09990 0130

**AREA:** 6.36 acs.      **COUNCIL WARD:** 5

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

**REQUEST:** HI (Heavy Industrial)

**FUTURE LAND USE MAP**

**RECOMMENDATION:** IM (Industrial – Manufacturing)

**REASON FOR REQUEST:** The applicant is requesting the rezoning of 6.36 acres from Light Industrial (LI) to Heavy Industrial (HI) in order to better align the zoning classification with the existing use and allow for the construction of a chemical containment and remediation area.

**PLANNING COMMISSION HEARING:** WEDNESDAY, Sept 1, 2010 – 6:00 p.m.

**CITY COUNCIL HEARING:** Wednesday, Sept 15, 2010 – 7:00 p.m.

**MAP**

**City of Marietta Area Zoning Map**

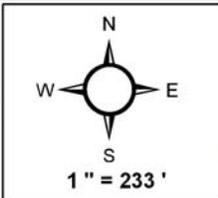


Zoning		District	Land Lot	Parcel	Zoning
<b>SINGLE FAMILY RESIDENTIAL</b>	<b>COMMERCIAL</b>	16	09990	0130	LI
R-1 One Unit/Acre	NRC Neighborhood Retail				
R-2 Two Unit/Acre	CRC Community Retail				
R-3 Three Unit/Acre	RRC Regional Retail	16	10000	0110	LI
R-4 Four Unit/Acre	CBD Central Business District	16	10000	0120	LI
<b>ATTACHED FAMILY RESIDENTIAL</b>	PCD Planned Commercial Dev.				
RA-4 Four Unit/Acre	MXD Mixed-Use Dev.				
RA-6 Six Unit/Acre	OIT Office Institutional Trans.				
RA-8 Eight Unit/Acre	LRO Low-Rise Office				
PRD(SF) Planned Residential Dev.	OI Office Institutional				
MHP Mobile Home Park	OS Office Services				
<b>MULTI FAMILY RESIDENTIAL</b>	OHR Office High-Rise				
RM-8 Eight Unit/Acre	<b>INDUSTRIAL</b>				
RM-10 Ten Unit/Acre	LI Light Industrial				
RM-12 Twelve Unit/Acre	HI Heavy Industrial				
RHR Residential High Rise	PID Planned Industrial Dev.				
PRD(MF) Planned Residential Dev.					

*Comments:*  
**984 & 990 Industrial Park Drive**  
**1007 Marietta Industrial Drive**

*Date:* **8/2/10**

**Planning & Zoning Department**



**PICTURES OF PROPERTY**



**990 Industrial Park Drive – front of facility**



**Location of future containment and remediation area**



**990 & 984 Industrial Park Drive, 1007 Marietta Industrial Park Drive (Amrep Campus)**

---

## STAFF ANALYSIS

### *Location Compatibility*

The subject property, located at 990 & 984 Industrial Park Drive and 1007 Marietta Industrial Drive, is a 6.36 acre campus-like facility located within the Cobb Marietta Industrial Park and is the location for Amrep, a chemical manufacturing facility. The property has frontage along both Industrial Park Drive and Marietta Industrial Drive and is currently zoned Light Industrial (LI). Except for one property to the immediate south that is zoned Heavy Industrial (HI), all other adjacent properties are zoned LI and contain various industrial activities, such as manufacturing and warehousing.

### *Use Potential and Impacts*

Amrep has been in operation as a chemical manufacturing facility at this location since at least 1989, when City business license records begin. Chemical manufacturing is an activity that is generally not permitted in the LI zoning district. However, the company has consistently been in operation and has, therefore, been considered a grandfathered use. Although the applicant does not have any large-scale plans for the facility, they are proposing an approximately 8,000 s.f. containment area towards the middle of the property to help offset groundwater and runoff contamination in the area.

The property is embedded in an industrial park surrounded by other similar uses. Should the property be rezoned as requested, there should be no negative impacts to the surrounding properties. However, the following setback variance would be required:

- Variance to reduce the required twenty (20) foot side setback to zero (0) to accommodate existing encroachments, per plan title “Zoning Plan – Existing for Amrep, Inc.” dated June 14, 2010. [Section 708.27 (H)]

The Future Land Use (FLU) for these properties is Industrial – Manufacturing (IM), which is suitable for uses that create by-products, such as noise or fumes that could negatively affect adjacent uses. The proposing zoning category (HI) is more compatible with the City’s Comprehensive Plan than the existing zoning classification (LI).

### *Environmental Impacts*

The purpose of the proposed containment area is to provide additional chemical storage and better treatment of chemical contamination originating at the site. However, the proposed location for the containment area is one of the few existing pervious areas at the facility. In HI, the impervious coverage is limited to 85%. Since 84% of the property is currently impervious, any additional paving will have to be offset elsewhere on the site. The applicant is proposing to remove equal portions of asphalt near the entrance to Marietta Industrial Drive in order to stay under the impervious coverage limit.

In cases of the creation, addition or replacement of 5,000 square feet or more of impervious cover, the provision of hydrologic calculations, stormwater management, and stormwater quality is required. The topography of the site and limited space would not allow the applicant to feasibly construct a stormwater management facility for the proposed containment area. However, effectively cleaning the water that is discharged is critical because of the nature of the business. The applicant and design engineer have discussed with City Engineering staff the provision of a more effective water quality system than is typically required of developments. As a result, the applicant is requesting the following variance:

- Variance to waive the required hydrologic calculations, stormwater management or conventional proprietary stormwater quality unit. [*Article 7-8-14-010 B (1)(b)*]

There is currently a gravel drive stretching from the entrance at Marietta Industrial Drive to the future containment area. Gravel is not considered an acceptable surface for vehicular traffic. A variance would be required either to allow the gravel to remain or to increase the allowable impervious coverage for the driveway:

- Variance to allow gravel as an acceptable surface treatment for vehicular travel. [*Section 716.08 (B)*]

~OR~

- Variance to increase the allowable impervious coverage from 85% to allow a paved driveway. [*Section 708.27 (H)*]

Although the site plans submitted with the rezoning application did not contain a tree survey, it appears that the subject property does not comply with many aspects of the Tree Protection and Landscaping ordinance. The site does not appear to contain the requisite amount of tree credits, tree islands within the parking lot, or ten-foot landscape strip along the street frontages. The following variances would be required:

- Variance to waive the minimum tree density for the existing improvements to the property. [*Section 712.08 (D)(4)*]
- Variance to waive the requirements for vehicle use areas for existing on-site parking. [*Section 712.08 (G)*]

### *Economic Functionality*

This property has consistently been used in a manner that exceeds the intensity dictated by the current zoning classification (LI). The properties have a reasonable economic use as currently zoned, but given the relative scarcity of HI property within the City, they could be of better use with a higher zoning classification.



---

## STAFF ANALYSIS CONTINUED

### *Infrastructure*

There should be no additional impact on the transportation, education, water, sewer, electricity, or other public infrastructure system as a result of this rezoning request.

### *History of Property*

A variance was granted by the Board of Zoning Appeals in July 1976 for the construction of a new loading dock to extend to the property line (V-760324).

### *Other Issues*

An exemption plat to formally combine the three separate tax parcels will be required.

## ANALYSIS & CONCLUSION

Amrep, a chemical manufacturing facility, is requesting the rezoning of its facility, located at 990 & 984 Industrial Park Drive and 1007 Marietta Industrial Drive. The subject property, and most of the adjacent properties, are zoned LI, Light Industrial. The property is surrounded by other similar uses and is embedded within an industrial park containing both LI and HI parcels. Chemical manufacturing is an activity better suited to HI zoning; rezoning this property would not cause any additional negative impacts to the area and would better align the existing use to the zoning category.

The applicant does have plans to construct an approximately 8,000 s.f. containment area for additional chemical storage and the provision of an effective water filtration system. There are currently groundwater monitoring wells reporting to Georgia Environmental Protection Division scattered throughout the park. Since the site is relatively flat and the business does focus on chemical manufacturing, an improved water quality and filtration unit is much more critical than a stormwater management facility that regulates runoff. However, because the facility is already constructed, multiple variances will be needed in order to allow existing conditions remain as well as provide the expanded containment area:

- Variance to reduce the required twenty (20) foot side setback to zero (0) to accommodate existing encroachments, per plan title "Zoning Plan – Existing for Amrep, Inc." dated June 14, 2010. [*Section 708.27 (H)*]
- Variance to waive the required hydrologic calculations, stormwater management or conventional proprietary stormwater quality unit. [*Article 7-8-14-010 B (1)(b)*]
- Variance to waive the minimum tree density for the existing improvements to the property. [*Section 712.08 (D)(4)*]
- Variance to waive the requirements for vehicle use areas for existing on-site parking. [*Section 712.08 (G)*]
- Variance to allow gravel as an acceptable surface treatment for vehicular travel. [*Section 716.08 (B)*]

~OR~

- Variance to increase the allowable impervious coverage from 85% to allow a paved driveway. [*Section 708.27 (H)*]

The Future Land Use (FLU) for these properties is Industrial – Manufacturing (IM), which is suitable for uses that create by-products, such as noise or fumes that could negatively affect adjacent uses. The proposing zoning category (HI) is more compatible with the City's Comprehensive Plan than the existing zoning classification (LI).

**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 / 6 inch
Capacity of the water line?	n/a
Approximate water usage by proposed use?	n/a

***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 / 8 inch
Capacity of the sewer line?	n/a
Estimated waste generated by proposed development?	A.D.F                      Peak n/a
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 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 Marietta Industrial Drive
What is the classification of the road?	Industrial Park Drive: Local Marietta Industrial Drive: Local
What is the traffic count for the road?	Industrial Park Drive: No Data Marietta Industrial Drive: No Data
Estimated number of cars generated by the proposed development?	Insufficient Data
Estimated number of trips generated by the proposed development?	Insufficient Data
Do sidewalks exist in the area?	NO
Transportation improvements in the area?	NO
If yes, what are they?	---

- Site plans will be required for construction. 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. 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.
- The request by the applicant and the design engineer is to lessen the impervious surface and therefore not be required to perform hydrologic calculations or provided stormwater management or conventional proprietary unit stormwater quality. However, the Ordinance specifically states new or replacement impervious area of 5000 square feet or greater requires a hydrology report. A variance will be required from City Council. Stormwater Quality has been discussed with the Design Engineer to be a filter system which is of greater value in stormwater quality than the conventional units used for developments.
- There are groundwater monitoring wells throughout the Industrial Park, with sampling results reported to GA EPD.

***EMERGENCY SERVICES***

Nearest city or county fire station from the development?	56
Distance of the nearest station?	Less than 3/4 mile
Most likely station for 1 <sup>st</sup> response?	56
Service burdens at the nearest city fire station (under, at, or above capacity)?	No service burdens

The purpose for the request for rezoning is to change the above referenced from LI (Light Industrial) to HI (Heavy Industrial). The fire department has not comments regarding the change in zoning from LI to HI.

However, the proposed containment area listed on the plans is a separate issue that shall be addressed separately from the zoning issue. These comments are not an approval for the proposed containment area and a separate site plan review must be conducted to include a full submittal package.



***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: