

FROM: Kathi Cook, Director Community Development Director
Prepared by: Richard McLeod, Senior Planner

SUBJECT: PH-14-20 Unified Development Code –Climate Storage
Conditional Use for O-I

CITY COUNCIL: March 30, 2015

PLANNING COMMISSION:

This item was heard at the March 11 Planning Commission. After discussion the Planning Commission voted unanimously to recommend denial of the request.

REPORT-IN-BRIEF

Section 4.2 of the Unified Development Code permits an application for a text amendment to be initiated by the City Council, Planning Commission or by any person who owns property in the City. The property owner/applicant is requesting a change to the Unified Development Code in order to request a climate controlled storage facility become a conditional use within the O-I zoning property.

DISCUSSION

The Unified Development Code currently includes two definitions for Storage facilities. A Storage, Climate Controlled facility as a building where customers access their storage units through a lobby and whereby a Storage, Mini-Warehouse facility has doors that open directly to the outside of the building, no lobby entrance.

Currently, both Storage facility definitions are only permitted by right within the Light Industrial zoning district. Some Climate Controlled facilities are being constructed to resemble office buildings with limited signage and may be appropriate to be considered as a conditional use within other zoning district such and O-I (Office-Institutional).

Conditional use standards that would be considered for applications are as follows:

1. Access into and out of the property with regard to traffic and pedestrian safety, volume of traffic flow, and emergency vehicles, as well as the type of street providing access;
2. The extent to which refuse areas, loading and service areas, off street parking, and buffers and screening are provided on the property;
3. Ensuring that the conditional use will not be injurious to the use and enjoyment of the environment or of other property in the immediate vicinity or diminish and impair property values within the surrounding neighborhood;

4. Ensuring that the conditional use will not increase local or state expenditures in relation to the cost of servicing or maintaining neighboring property;
5. Ensuring that the conditional use will not impede the normal and orderly development of surrounding property for uses predominant in the area; and,
6. Ensuring that the location and character of the conditional use is considered to be consistent with a desirable pattern of development for the city, in general.

Using the Conditional Use standards would permit review through the public hearing process to determine if a facility could be approved based upon topography and visibility, the goal of trip reductions, relation to abutting or nearby uses as well as architectural requirements.

In order to consider a Climate Controlled storage facility as a conditional use within the O-I zoning district the Unified Development Code requires a change as proposed. The City does have a pending application for a climate controlled storage facility that will seek review and approval for a conditional use within an O-I district if the changes to the Unified Development Code are approved.

The current O-I zoning designation permitted and conditional uses are attached.

AN ORDINANCE TO AMEND ARTICLE II OF THE UNIFIED DEVELOPMENT CODE TO AMEND THE OFFICE INDUSTRIAL ZONING DISTRICT IN ORDER TO ADD CLIMATE CONTROLLED STORAGE AS A CONDITIONAL USE; TO PROVIDE FOR AN EFFECTIVE DATE; TO REPEAL CONFLICTING ORDINANCES AND RESOLUTIONS; AND FOR OTHER PURPOSES

WHEREAS, the Mayor and Council of the City of Alpharetta have heretofore adopted the Unified Development Code, including provisions defining and establishing zoning districts throughout the City; and

WHEREAS, the Mayor and Council have determined that it is in the best interests of the residents of the City to amend the Unified Development Code so as to amend the O/I district to allow for the conditional use of a climate controlled storage facility specifically set forth in the attached Exhibit "A"; and

WHEREAS, prior to the adoption of the Ordinance, the Director of Community Development established a public hearing date for the public discussion of this Ordinance, which public hearing dates was at least fifteen (15) but not more than forty-five (45) days after a public hearing notice was published in the Alpharetta Revue; and

WHEREAS, the Mayor and Council have considered the recommendations of staff and the public at public meetings and public hearings on the proposed amendment;

NOW, THEREFORE, the Mayor and Council of the City of Alpharetta, Georgia hereby ordain:

Section 1. Adoption. The O/I zoning district regulations attached hereto as Exhibit "A" and incorporated herein by reference are hereby adopted and made a part of the Unified Development Code of the City of Alpharetta. The Community Development Director of the City is hereby authorized, where appropriate, to incorporate the definition of the Office Industrial zoning district into the Unified Development Code and to incorporate and reference the O/I district in Table 2.1 (District Regulations) and Table 2.2 (List of Permissible and Conditional Uses) and add Climate Controlled Storage as a conditional use within the O/I district. The Community Development Director is further authorized, where appropriate, to assign appropriate numbers and/or letters to sections or other subdivisions of the Unified Development Code so as to incorporate Exhibit "A" into the Unified Development Code.

Section 2. Effective Date; Repealer. This Ordinance shall become effective immediately upon adoption. Any and all ordinances, resolutions or parts of ordinances or resolutions in conflict with this Ordinance are hereby repealed.

ADOPTED this ____ day of _____, 2015.

CITY OF ALPHARETTA, GEORGIA

By: _____

David Belle Isle, Mayor

COUNCILMEMBERS

(SEAL)

Attest:

City Clerk

First Reading: _____

Second Reading: _____

2.2.13 - O-I office-institutional.

This district is intended for the development of planned office areas which allow for design flexibility through a master plan. Commercial activities are permitted as subordinate uses to the office development.

A. *Conditional Principal Uses.* A property in the O-I district may be used for the uses listed below and shown in Table 2.1 in accordance with an approved masterplan, unless superseded by applicable conditions of approval for rezoning, variance, or conditional use. Lots of less than five (5) acres in size may be developed for bank or office use without public hearing subject to Design Review Board Approval.

1. Residential Uses.

a. Dwelling, Group (limited to nursing home, children's home congregate housing or assisted living facility).

2. Business Uses.

a. Bank, Savings and Loan.

b. Broadcasting Studio (radio or TV).

c. Clinic.

d. Congregate Housing.

e. Day Care Center.

f. Drug Store.

g. Golf Course, Driving Range.

h. Office Building or Office Park.

i. Recreational Facilities (Indoor or Outdoor).

j. Theater, Cinema.

k. Climate Controlled Storage Facility

3. Semipublic Uses, Utilities.

a. Church, Synagogue, or other religious institutions.

b. Club, association or lodge.

c. Heliport.

d. Library.

e. Museum.

f. Public Building.

g. School, Academic.

h. Recreation Facilities (Indoor or Outdoor).

B. *Accessory Uses.* A property in the O-I district may contain any accessory structure or use customarily related to and clearly subordinate to any principal use that is permitted by right or through approval as a conditional use on the same property, unless superseded by applicable conditions of approval for rezoning, variance, or conditional use.

Permitted accessory structures and uses include but are not limited to the following:

1. Dwelling, 'For-Sale', Accessory: A 'For-Sale' accessory dwelling shall be permitted under the following conditions:

The dwelling shall be located above or to the rear of the commercial or office structure to which it is an accessory.

The dwelling shall be attached by a common wall with the commercial or office structure to which it is accessory.

The dwelling shall be occupied by a single family, a member of whom is the owner or tenant of the commercial or office structure to which it is accessory.

The square footage of the dwelling shall not exceed 40% of the combined square footage of the commercial or office structure and the dwelling.

The dwelling and the commercial or office structure to which it is accessory shall be in compliance with all applicable provisions of the life safety code, the building code, and other standard codes of the City.

2. Privacy and decorative fences and walls.
 3. Swimming pool, tennis court, patio and other private recreation facilities.
 4. Clubhouse, swimming pool, or community recreation facilities serving a development.
 5. Vehicle access, parking and loading areas, subject to the requirements of the Parking and Loading regulations herein.
 6. Signs, subject to all of the requirements regulating signage herein.
 7. Retaining walls and other site improvement structures approved as part of the development permit.
 8. Retail service uses up to 25% of the floor area of an office building for services incidental to the associated office use.
- C. *Conditional Subordinate Uses.* A property in the O-I district may be used for any of the following listed uses upon approval as a conditional use by the City Council provided that the uses in aggregate do not constitute more than 25% of the total project and are not segregated so as to create a retail strip center.
1. Residential Uses.
 - a. Hotel or Motel.
 2. Business Uses.
 - a. Art Galleries.
 - b. Automobile Service Station.
 - c. Bakery.
 - d. Barber Shop.
 - e. Beauty Shop.
 - f. Book Store.
 - g. Bowling Alley.
 - h. Car Wash.
 - i. Contractor's Office without outside storage.
 - j. Commercial Parking Lot.
 - k. Convenience Market with or without gas pumps.
 - l. Dance Studio.

- m. Dry Cleaning Pick-up Station.
 - n. Florist, Retail without Greenhouse.
 - o. Funeral Home w/out cemetery or mausoleum.
 - p. Hotel/motel.
 - q. Golf, Miniature, or Golf Driving Range.
 - r. Laboratory, Research or Commercial.
 - s. Liquor Store.
 - t. Print Shop.
 - u. Radio or TV, Transmitter or Studio.
 - v. Restaurant.
 - w. Restaurant, Drive-In or Fast-Food.
 - x. Retail Sales and Services Establishments subject to the limitation of [subsection] 2.2.13 B 8.
 - y. School, Commercial.
 - z. Spa Services.
- 3. Wholesale, Storage and Industrial Uses.
 - a. Manufacturing, Light.
 - 4. Semipublic Uses, Utilities.
 - a. Airport.
 - b. Amphitheater.
 - c. Athletic Facility.
 - d. Auditorium.
 - e. Country Club.
 - f. Hospital.
 - g. Fire Station.
 - h. Park or Playground.
 - i. Utility Substation, including gas, electric, telephone switching, and similar uses operated by companies regulated by the Georgia Public Service Commission.

D. District Regulations.

Minimum Lot Area—the development shall occupy a total of not less than 25 acres. No minimum lot size is required for each building within the development.

Minimum Lot Width—none.

Minimum Setbacks.

Front yard—from all street frontages:

From right-of-way of local street—50 feet.

From right-of-way of all other streets—65 feet.

Side yard—15 feet.

Rear yard—15 feet.

Maximum Coverage By Principal Buildings—40%.

Maximum Building Height—40 feet.

E. *Screening and buffers* (See Sec. 2.3.5.).

F. *Open space*. All areas zoned O-I shall have a minimum of 10% of the gross acres dedicated or set aside as open space for developments up to 100 acres, and shall have a minimum of 15% of the gross acres dedicated or set aside as open space for developments containing 100 acres or more. Amenities may be included and are encouraged within the open space requirement. However, open space shall not include any other required open areas such as required building setbacks, buffers, landscape strips or other similar requirements of this ordinance.