



## PLANNER'S REPORT

Date: December 5, 2018

To: Adrienne Senter

From: Lynn M. Patterson

RE: **Conditional Use Permit for The Hertz Corporation, 1031 Virginia Avenue**

### BACKGROUND

The City of Hapeville received a request for a conditional use permit from The Hertz Corporation to operate a rental car business located within the Atlanta Airport Hilton at 1031 Virginia Avenue. Hertz's use of the property is limited to the use of counter space inside the hotel and 10 parking spaces for the purpose of car rental to hotel guests and the public.

The property is zoned C-2, General Commercial.

### CODE

#### **Sec. 93-3.2-5. - Special use permit procedures.**

Mayor and council may in considering a special use permit following a public hearing impose reasonable conditions deemed necessary to the protection or benefit of owners of adjacent and nearby properties to ensure compatibility of the proposed development or use with surrounding uses. The decision of mayor and council concerning consideration of a special use shall be given to the applicant in writing, by certified U.S. mail to the address indicated in the application. Aggrieved applicants shall have 30 calendar days from the date of receipt of the notice in which to petition the superior court of Fulton County for writ of certiorari.

#### **Sec. 93-3.2-6. - Special use permit criteria and standards.**

(a) *Special use permit criteria.* Special uses are compatible uses of land or the improvement of structures within a zoning district that reasonably require special consideration and therefore, are not allowed "by right." The following standards shall be considered in evaluating the appropriateness of all proposed special uses of property:

- (1) Impact on the use or development of adjacent properties, or the surrounding area, as concerns public health, safety or general welfare;

*This area is commercial and the use is located within a hotel – a use that accommodates visitors. Ten parking spaces for rental cars can be accommodated on-site with the parking available to hotel.*

- (2) Capacity of the lot to accommodate the use and satisfy the dimensional requirements of the ordinance;

*Ten parking spaces for rental cars can be accommodated on-site with the parking available to hotel.*

- (3) Compatibility with adjacent properties and other land uses in the vicinity;

*The adjacent properties are all commercial and most visitors to the community.*

(4) Potential nuisance or hazardous characteristics, specifically as concerns the number of individuals projected to use such facility or nature of the activity;

*As this area is designated for visitors to the community, the proposed use is consistent with these other uses. The impact is relatively minor as the space is a counter within the hotel and only 10 parking spaces are required.*

(5) Impact on traffic movement, availability of off-street parking, options for buffering or protective screening, hours and manner of operation, lighting, signs and access to the property;  
*The use is housed (office and parking) within the hotel and all impacts are absorbed within that property.*

(6) Conformance of the special use to other requirements of the ordinance.

*See below*

The following additional standards are to be applied to applications for airport parking facilities, car rental agencies and commercial parking lots:

c) Car rental *agency standards*.

(1) Car rental agencies may only be established on properties zoned C-2.

*The property is C-2.*

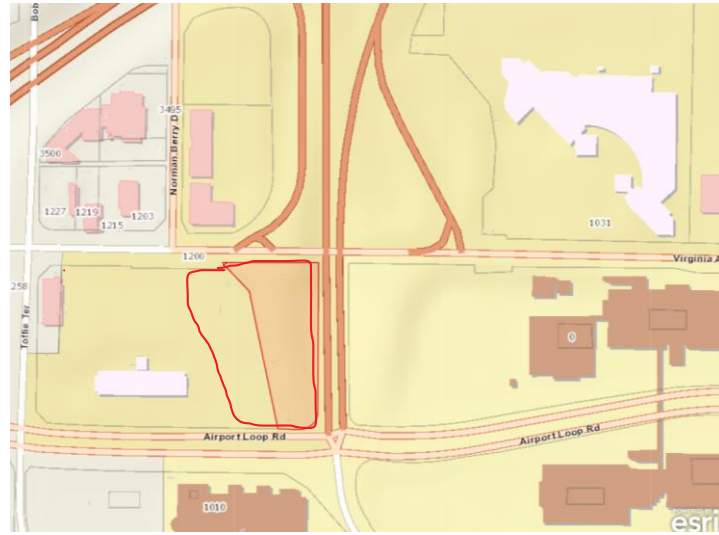
(2) Only minor mechanical repairs shall be conducted on-site; no body work shall be performed in association with a car rental agency.

*This requirement is met.*

(3) Perimeter landscaped areas abutting a public right of way shall be the lesser of ten percent of the linear feet of road frontage or 30 horizontal feet. Perimeter landscaping along the common boundary of any residential use shall have a minimum horizontal dimension of 30 feet. All perimeter landscaping shall conform to the landscaping requirements of the ordinance and evergreen tree and shrub species shall comprise one-half or more of the planting requirement.  
*As the use is co-located within the hotel property and there is no surrounding residential, this can be accommodated.*

## **RECOMMENDATION**

The proposed use of the property for rental car services as described in the application is consistent with the requirements of the special permits concerning car rental agencies. The application is compliant with regard to zoning criteria. The application is recommended for approval.



Proposed Location