



DEPARTMENT OF PLANNING AND ZONING

PLANNER'S REPORT

DATE: March 25, 2019
TO: Adrienne Senter
FROM: Lynn M. Patterson
RE: **Site Plan Review – 525 King Arnold Street**

BACKGROUND

The City of Hapeville has received a site plan application from the Fulton County Public Library System for a tract of land located at 525 King Arnold Street. The City of Hapeville currently owns the property. Fulton County is currently attempting to acquire the property from the City and desires to construct a new 5,975 SF, 22'-5" high library on the property, replacing an existing 5,675 square foot library on the site.

The property is zoned V, Village, and is subject to the Neighborhood Conservation Area of the Architectural Design Standards.

The Applicant received a variance on March 28, 2019 to allow the canopy to overhang the front setback by 12'-2".

REVIEW

The following code sections are applicable to this application:

ARTICLE 11.1. - V ZONE (VILLAGE)

Sec. 93-11.1-1. - Intent.

The V district is established in order to:

- (1) Accommodate a mixed-use, urban fabric that preserves neighborhood scale;
- (2) Accommodate residents in the district with pedestrian access to services and employment typical of a live/work community;
- (3) Promotes neighborhoods established near shopping and employment centers;
- (4) Encourage pedestrian and neighborhood uses in the commercial area;
- (5) Discourage land uses, which are automobile or transportation related;
- (6) Exclude industrial uses such as manufacturing, processing and warehousing;
- (7) Promote retail and related commercial uses such as business offices, florists, card shops antiques, apparel and banks; and
- (8) Encourage mixed use with commercial uses on the first floor and residential living above.

Sec. 93-11.1-2. - Permitted uses.

The following are permitted within the V zone:

- (1) Any use permitted in the D-D zone;
- (2) Any use permitted in the C-1 zone subject to the requirements of this article;
- (3) Single-family detached dwellings;
- (4) Single-family attached dwellings with at least four units attached;
- (5) Group homes, subject to the restrictions in section 93-2-19;
- (6) Adult daycare facilities;
- (7) Condominiums subject to approval as a conditional use; and
- (8) Combination of residential and business applications within a single structure. However, each use must have a separate entrance.

Sec. 93-11.1-6. - Area, placement, and buffering requirements.

All buildings or structures erected, converted or structurally altered shall hereafter comply with the following lot area, yard, and building coverage requirements:

- (1) *Lot area and width.* No lot shall have a minimum frontage of less than 50 feet, while the minimum area shall be established by the restriction governing lot coverage, setbacks, screening, and parking requirements.
- (2) *Front yard.* All structures located along a street shall be set back, at a minimum, of 15 feet, or greater as may be determined to be necessary and advisable by the city planning commission in the course of its site plan review process. In determining such yard setbacks, the city planning commission shall consider the size and configuration of the proposed buildings, their relationship to the existing and proposed thoroughfares; in order to maximize all vehicular and pedestrian safety.
- (3) *Side and rear yards.* The side and rear yards adjacent to, or separated by a street, alley or other right-of-way from a residential or commercial zone, shall provide a building setback of at least 15 feet.
- (4) *Distance between buildings.* The minimum distance between two multiple family buildings on a single lot or on contiguous property under the same ownership shall be 20 feet, plus four additional feet for every story or fraction thereof that the building exceeds two stories, or such distance determined necessary by the planning commission to enhance the aesthetics of development.
- (5) *Height regulations.* No building or structure shall exceed 2½ stories or 35 feet in height, provided the planning commission may allow a development with greater height, if it finds that:
 - a. The proposed height will not adversely impact adjacent properties or nearby residential neighborhoods;
 - b. The added height is necessary to support redevelopment of an area, which currently contains uses that have an adverse impact upon adjacent neighborhoods;
 - c. The proposed development is designed to facilitate the objectives and strategies of the master plan;
 - d. Meets approval from the fire department and FAA.
- (6) *Residential buffer.* New development shall provide sufficient setback as well as an attractive physical barrier between the residential and nonresidential uses as necessary to minimize disruptive light, noise, odor, dust, unsightly appearances and intrusive activity relative to the residential environment. A smooth transition between residential neighbors and nonresidential uses (including all parking lots) shall be ensured by the provision of sufficient screening of more intensive uses (i.e., commercial/offices uses) from residential neighborhoods through the use of decorative landscaping and screened walls. A 15-foot landscaped buffer shall be installed between and along the residential and nonresidential sides of said buffer. The landscaped area shall be planted with trees, flowers, grasses and shrubs to visually screen non-residential areas and provide an attractive boundary that encourages continued investment in the adjacent residential property.

ARTICLE 19. - D-D ZONE (DOWNTOWN DEVELOPMENT)

Sec. 93-19-3. - Uses; permitted and nonpermitted.

- (a) *Permitted uses.*
 - (2) Institutional uses including:
 - a. Art studios.
 - b. Business schools.

- c. Reserved.
- d. Colleges and universities.
- e. Dance studios.
- f. Libraries and other public buildings.
- g. Professional schools (including music/dance studios).
- h. Technical schools.
- i. Playgrounds, parks, and buildings open on a noncommercial basis for recreation only. Uses of this nature are exempt from being within a completely enclosed building.

Sec. 93-22.1-1. - Chart of dimensional requirements

Dimensional Requirements for **V Zoning** are as follows:

Development Type	Lot Frontage (FT)	Min. Lot Area (SF)	Lot Area/ DU (SF)	Bed/ Bath Required	Floor Area/ DU (SF)	Max. Lot Coverage (%)	Minimum Front Yard Setback		Minimum		Maximum	Feet	Min. Parking Spaces	Max. Unit/ Bldg. Lot
							Minor Col.	Maj. Arterial	Side	Rear	Stories			
Nonresidential	50	10,000	10,000		1,000	70	15	15	15	25		40 b..	c., d., e.	N/A

- b. Buildings over 40 feet in height must be approved by the building official and fire chief to ensure that fire safety design standards are met.
- c. One parking space for every 200 square feet of enclosed commercial floor area.

REQUIREMENTS

Sec. 93-2-16. - Site plan review.

- (a) *Intent and purpose.* The site plan review procedures are intended to ensure adequate review and consideration of potential impacts of proposed development upon surrounding uses and activities, and to encourage a high standard of site planning and design resulting in quality development in the city.
- (b) *Application.* An application for site plan review may be filed by the owner, or agent for the owner, of any property to be developed according to the plan. All applications for site plan review shall be filed with the building official for transmission to the planning commission. Site plan review requirements are applicable for all proposed development in all zones within the city and all property submitted for annexation.

Land Lot 0131 is owned by the City of Hapeville. The Applicants states they are in the process of acquiring ownership of the property from the City.

- (c) *Submission requirements.* Applications for site plan review shall contain the following information and any additional information the planning commission may prescribe by officially adopted administrative regulations; ten copies of the application shall be submitted:
 - (1) *Site and landscape plan.* Maps and site plans shall be submitted (minimum scale of 1" = 50' or larger, e.g., 1" = 40', 1" = 30', etc.) indicating project name, applicant's name, adjoining streets, scale, north arrow and date drawn, showing:
 - a. The locations, size and height of all existing and proposed structures on the site.

The subject tract is currently occupied by an existing 5,675 SF library. Applicant intends to demolish the existing structure and build a new 5,975 SF, 22'-5" high library on the site. The development is shown being within a 15 foot setback line on all sides. However, the building canopy is shown as encroaching on the south side setback facing the street by 12'-2". The applicant submitted a variance request for the canopy to the Board of Appeals and its was approved on March 28, 2019.

- b. The location and general design cross section characteristics of all driveways, curb cuts and sidewalks including connections to building entrances.

The site plan indicates the continued use of existing curb cuts and sidewalks, as well as new construction of additional sidewalk. Cross section characteristics for the driveways, curb cuts, and new sidewalks have been provided. The new sidewalk will be paved continuously from the entrance and will be over 10' wide from the property line. The existing sidewalk which is to be retained does not have any dimensions listed on the plans. Curb cut dimensions are also not provided on the plans. While the existing sidewalk and curb cuts are not within the scope of the new construction, the applicant should still provide the width of the existing sidewalk and curb cuts.

- c. The locations, area and number of proposed parking spaces.

The site must provide a minimum of 30 parking spaces. The proposed development will have 42 parking spaces shared with the nearby park, with 31 exclusive to the library including 19 in a new lot and 12 in an existing lot which will be re-stripped.

- d. Existing and proposed grades at an interval of five feet or less.

The site plan shows existing and proposed grades at 2' intervals.

- e. The location and general type of all existing trees over six-inch caliper and, in addition, an identification of those to be retained.

The landscape plan includes the location and type of all trees currently on the site within the planned construction area. The Applicant proposes removing six trees, including one 42" landmark hardwood tree. See Section 93-2-14, below.

- f. The location and approximate size of all proposed plant material to be used in landscaping, by type such as hardwood deciduous trees, evergreen trees, flowering trees and shrub masses, and types of ground cover (grass, ivies, etc.). Planting in parking areas should be included, as required in section 93-23-18.

The landscape plan shows location and type of all proposed plant material, including in parking areas.

- g. The proposed general use and development of the site, including all recreational and open space areas, plazas and major landscape areas by function, and the general location and description of all proposed outdoor furniture (seating, lighting, telephones, etc.).

The landscape plan shows open space around the library, landscape areas between the library, parking lots, and the adjacent park and senior center, and the general location and description of trash receptacles, hand rails, and a bike rack.

- h. The location of all retaining walls, fences (including privacy fences around patios, etc.) and earth berms.

The location of a new retaining wall to the south and east of the building and another to the east adjacent to stairs leading to a parking lot are indicated on the plan.

- i. The identification and location of all refuse collection facilities, including screening to be provided.

There is one refuse collection area on the east side of the building, which is proposed to be screened with an aluminum fence. Note: the Architectural Design Standards call for screening from the public right-of-way to a height of eight feet with an opaque material on all sides, consistent with a primary building material. Acceptable materials for screening shall include painted wood or those found in section 93-2-5.

- j. Provisions for both on-site and off-site stormwater drainage and detention related to the proposed development.

The applicant has included a stormwater management plan.

- k. Location and size of all signs.

One new monument sign is proposed, 8' wide and 6'-7" tall, and will be reviewed separately for compliance with the sign ordinance.

- (2) *Site and building sections.* Schematic or illustrative sections shall be drawn to scale of 1" = 8' or larger, necessary to understand the relationship of internal building elevations to adjacent site elevations.

The building elevations will be reviewed by the Design Review Committee for compliance with the Architectural Design Standards.

- (3) *Typical elevations.* Typical elevations of proposed building shall be provided at a reasonable scale (1/8" = 1'0") and shall include the identification of proposed exterior building materials.

The building elevations will be reviewed by the Design Review Committee for compliance with the Architectural Design Standards.

- (4) *Project data.*

- a. Site area (square feet and acres).

The lot is 828,511 SF or 19.02 acres, which is compliant.

- b. Allocation of site area by building coverage, parking, loading and driveways, and open space areas, including total open space, recreation areas, landscaped areas and others.

The provided site coverages are as follows:

- ***5,850 SF for the main building. This is inconsistent with other references to the size of the building as 5,975 SF.***
- ***36,682 SF for the parking lots and driveways.***
- ***It is unclear if the given site area coverage includes the new sidewalk.***

Maximum lot coverage allowed is 70%. The total impervious area is 42,532 SF based on the provided information, or 5% of the total lot area and is compliant.

- c. Total dwelling units and floor area distributed generally by dwelling unit type (one-bedroom, two-bedroom, etc.) where applicable.

Not applicable for non-residential development.

- d. Floor area in nonresidential use by category.

The entire 5,975 SF structure will be used as a library.

- e. Total floor area ratio and/or residential density distribution.

The floor area ratio of the site will be 0.007.

- f. Number of parking spaces and area of paved surface for parking and circulation.

The parking associated with the library and shared with the park includes 42 parking spaces, with 31 spaces provided exclusively for the library. The site has two handicapped parking spaces. The site contains a total 36,682 SF of paved parking area.

- (5) *Project report.* A brief project report shall be provided to include an explanation of the character of the proposed development, verification of the applicant's ownership and/or contractual interest in the subject site, and the anticipated development schedule. At the discretion of the planning commission, analyses by qualified technical personnel or consultants may be required as to the market and financial feasibility, traffic impact, environmental impact, stormwater and erosion control, etc. of the proposed development.

The overall project includes the construction of a new library. Verification of ownership has been provided for the county property but has still not been provided for the city property. The anticipated development schedule has been provided.

ARTICLE 23. - OFF-STREET PARKING AND LOADING

Sec. 93-23-1. - Purpose and intent.

The purpose of this article is to ensure the reasonable provision of off-street parking and loading facilities within the city. The requirements contained herein are minimum standards only, and are intended to protect and promote the health, safety and welfare of the present and future inhabitants of the city.

Sec. 93-23-2. - Entrance and exit points.

Except in districts zoned R-0, R-1, R-2 and R-3, curb breaks shall not be more than 30 feet in width, nor less than 25 feet in width. In no case shall there be less than 50 feet from the closest sides of any two-driveway curblines. Curb breaks shall be located at least 25 feet from the nearest intersection of two curblines as measured along one of the curblines. Business establishments on contiguous lots are encouraged to consolidate entrance and exit points. Suitable provisions, including a five-foot-wide planted buffer strip between the right-of-way and parking area shall be made to prevent entrance or exit from other than at designated entrance or exit points.

Curb break and curbline dimensions were not provided. The Applicant should provide dimensions of all curb breaks and curblines, including those that are existing.

Sec. 93-23-3. - Setbacks from property lines.

Off-street parking and loading spaces and their respective maneuvering areas shall be set back not less than five feet from all property lines, except where those spaces and areas for adjacent properties abut, or are in contiguous use, there need not be any setback.

All parking lots abut parking provided for neighboring properties, and do not require a setback.

Sec. 93-23-4. - Maneuvering areas.

All off-street parking and loading spaces shall be provided with adequate off-street maneuvering areas.

Off-street maneuvering area has been provided.

Sec. 93-23-6. - Reduction in area and number of parking spaces.

No open area in an off-street parking area shall be encroached upon by buildings, storage or any other use; nor shall the number of parking spaces and/or off-street loading spaces be reduced except upon approval of the board of appeals, and then only after proof that, by reason of diminution in floor area, seating area, number of employees or change in other factors controlling the regulation of the number of parking spaces, the proposed reduction is reasonable and consistent with the intent of this chapter.

The site plans do not indicate any encroachment upon the parking area by any buildings or other uses.

Sec. 93-23-7. - Mixed uses.

In the case of mixed uses, the total requirements for off-street parking and off-street loading space shall be the sum of the requirements of the various uses computed separately as specified herein. Off-street parking and off-street loading space for one use shall not be considered as providing the required off-street parking or off-street loading space for any other use.

Not applicable to non-mixed-use development.

Sec. 93-23-8. - Uses not specifically mentioned.

In the case of a use not specifically mentioned herein, the requirements for off-street parking space and off-street loading space for a use which is so mentioned, and to which that use is most similar, shall apply.

Sec. 93-23-9. - Issuance of certificate of occupancy.

No certificate of occupancy shall be issued for any building or group of buildings unless and until all required off-street parking and loading facilities are in place and ready to use.

Sec. 93-23-10. - Off-street parking requirements according to district and uses.

At the time of the erection of any building or structure hereinafter listed, or at the time any such building or structure is enlarged or increased in capacity by adding dwelling units, guestrooms, floor area, seats, beds, members or employees, there shall be provided for such new construction, enlargement or increased capacity only, off-street automobile parking space and off-street loading spaces in accordance with the minimum requirements established for each zone. The maximum number of off-street automobile parking spaces shall be 110 percent of the requirement for uses proposed at the time of development approval.

The minimum off-street parking is 30 spaces. The maximum off-street parking is 33 spaces. The plans provided indicate there will be 31 parking spaces not shared with the neighboring senior center or park, which is compliant.

Sec. 93-23-11. - Size of off-street parking spaces, including parking spaces for compact automobiles, and parking spaces for automobiles of the physically handicapped.

- (a) Of the total number of parking spaces required for any nonresidential use having 20 or more off-street parking spaces, a maximum of 70 percent shall be "full-size" as described in the table below, and a minimum of 30 percent shall be "compact size" as described in the table below:

Minimum Full-Size Space Dimensions

Type of Space	Width of Space	Length of Space
Parallel at curb to angle of 29 degrees	8.5 feet	22 feet
Angle of 30 degrees to 60 degrees	9 feet	18 feet
Angle of 61 degrees to 90 degrees	10 feet	18 feet

*Minimum Compact-Size Parking Space
Dimensions*

Type of Space	Width of Space (feet)	Length of Space (feet)
Parallel at curb to angle of 29 degrees	8	19
Angle of 30 degrees to 60 degrees	8.5	15
Angle of 61 degrees to 90 degrees	9	15

The application does not specify any full or compact size parking spaces. All parking spaces are angled 90 degrees from the curb. The plans designate parking spaces 18' deep and 10' wide, which is compliant with the full-size space requirements. A minimum of 30% of all parking spaces must be compact-size and comply with the compact-size parking space requirements.

- (b) There shall be adequate interior passageways, drives and maneuver areas, as determined by the building official, to accommodate each space and to connect each space with a public street.

The site plan will be reviewed separately by the building official.

- (c) In addition to the above-stated requirements, parking space for automobiles of the physically handicapped shall be provided in accordance with the following standards.

- (1) Access to buildings generally.

- a. Accessibility to such building shall be provided from rights-of-way in parking areas by means of a pathway leading to at least one entrance generally used by the public. Such pathway shall have been cleared of all obstructions relating to construction activity, prior to the opening of the building to the general public. Where curbs exist along such pathway, as between a parking lot surface and a sidewalk surface, inclined curb approaches or curb cuts having a gradient of not more than one foot in 12 feet and a width of not less than four feet shall be provided for access by wheelchairs.

Two handicapped parking spaces in the new parking lot have access to the main building using a ramp with a minimum 1:12 foot gradient and a width of 7'-2".

- b. A parking lot servicing each entrance pathway shall have a number of level parking spaces as set forth in the following table, identified by above grade signs as being reserved for physically handicapped persons. Each parking space so reserved shall be not less than 12 feet in width.

Parking Spaces for Handicapped

Total Spaces and Lot	Required No. of Reserved Spaces
Up to 25	1
26 to 50	2
51 to 75	3
75 to 100	4
100 to 150	5

150 to 200	6
201 to 300	7
301 to 400	8
401 to 500	9
501 to 1,000	2% of total
Over 1,000	20, plus 1 for each 100 over 1,000

The plans provide for two handicapped parking spaces, which is compliant.

- (2) Location. Parking spaces for the physically handicapped shall be located as close as possible to elevators, ramps, walkways and entrances.

The two provided handicapped parking spaces are the closest spaces to the rear entrance of the building.

Sec. 93-23-12. - Location.

If the required off-street parking spaces cannot reasonably be provided on the same lot as the building it serves, the board of appeals may permit that space to be provided on other off-street property. That property shall be within 400 feet of the premises to which it is appurtenant, as measured along the nearest pedestrian walkway.

The off-street parking is provided on the same lot as the building.

Sec. 93-23-13. - Joint use of required off-street parking spaces.

No part of an off-street parking area required for any building or use for the purpose of complying with the provisions of this chapter shall be included as a part of an off-street parking area similarly required for another building or use unless the type of structure indicates that the periods of usage of that structure will not be simultaneous with each other, as determined by the board of appeals.

The off-street parking provided is connected to several other uses, including a park and a senior center, all of which provide their own additional parking.

Sec. 93-23-14. - Size of off-street loading spaces.

Each off-street loading space shall have minimum dimensions of 15 feet in height, 15 feet in width, and 60 feet in length. However, upon sufficient demonstration in a specific instance that a particular loading space will be used exclusively by shorter or lower trucks, the board of appeals may reduce the minimum length or height.

The site plan does not include any loading spaces.

Sec. 93-23-15. - Location of off-street loading spaces.

All required off-street loading spaces shall be located on the same lot as the building which they are intended to serve, or on an adjacent lot when shared with the use occupying the lot.

The site plan does not include any loading spaces.

Sec. 93-23-16. - Drive-in establishments.

There shall be no drive-in establishments in which customers are served while located on a public right-of-way. In the case of a drive-in establishment where customers are served while occupying automobiles parked off a public right-of-way, that establishment shall provide on the premises sufficient parking space which, in the judgment of the building official, the chief of police and the city engineer will accommodate the largest number of automobiles

being served or waiting to be served at any one time. This required space shall be appropriately arranged for the purpose and in no case shall it be less than the minimum space as specified in this chapter.

Not applicable.

Sec. 93-23-17. - Continuing character of obligation.

The schedule of requirements for off-street parking space and off-street loading space applicable to newly erected or altered structures shall be a continuing obligation of the owner of the real estate on which any such structure is located, so long as the structure is in existence and its use requiring vehicle parking or vehicle loading facilities continues, and it shall be unlawful for an owner of any building affected by this chapter to discontinue, change or dispense with, or to cause the discontinuance or change of the required vehicle parking or loading space apart from the discontinuance, sale or transfer of the structure, without establishing alternative vehicle parking or loading space which meets the requirements of and is in compliance with this chapter, or for any person, firm or corporation to use that building without acquiring the land for vehicle parking or loading space which meets the requirements of and is in compliance with this chapter.

Sec. 93-23-18. - Landscape requirements for vehicular use areas.

- (a) *Intent.* The objective of this section is to provide space for the use of landscape beautification and natural plant growth for developments where off-street parking and open lot sales, displays, and service areas are provided. The intent is to improve and protect the appearance, environmental and ecological condition, character, design, and value of the total urban area, thereby promoting the public health, safety, and welfare.
- (b) *Areas subject to the requirements of this section.* Vehicular use areas, except those serving single-family or duplex developments, parking garages, and public rights-of-way shall conform to the minimum landscaping requirements hereinafter provided.
- (c) *Procedure for the development of vehicular use areas.*
 - (1) *Permit requirements.* No building grading, or tree removal permit shall be issued until approval of a required landscape plan for vehicular use areas. Prior to submission of building plans, the requirements of this section must be met. In cases where a vehicular use area is located on a lot other than that of the principal building, building plans may be submitted for review.
 - (2) *Submission of a required survey and proposed landscape plan.*
 - a. The applicant or his authorized agent shall submit to the department of public service three copies of each survey and landscape plan at a scale no greater than one inch equals 50 feet. The proposed landscaping may be superimposed on the proposed site plan or on a separate sheet, provided all drawing are the same scale.
 - b. Each survey and landscape plan shall include the following:
 - 1. Name, signature, address, and telephone number of property owner, surveyor, and or designer;
 - 2. North arrow and scale;
 - 3. All dimensions; and
 - 4. All required information and data listed on drawings.

A survey and a landscape plan have been submitted with the required information.

- (3) *Survey.* The required survey shall include the following information:
 - a. Legal description of the property.
 - b. All trees and survey data as defined in this chapter.
 - c. Existing structures, buildings, parking spaces, accessways, and public streets.
 - d. Aboveground and belowground utility lines and easements.
 - e. Existing natural features and topography at one-foot contour intervals. In areas where slopes are 20 percent or greater, a five-foot contour interval may be substituted.

The provided survey lists topography at two-foot contour intervals. The applicant should include topography at one-foot contour intervals on the survey, as the requirements of Sec. 93-23-18 are stricter than Sec. 93-2-16(d).

- (4) *Landscape plan.* The proposed landscape plan shall include the following information:

- a. All trees, natural features, man-made appurtenances and structures to be retained upon the site and all topographic changes.
- b. All proposed landscaping improvements and planting or landscaping areas identified. The grade, spacing, size, and name of proposed landscape materials shall be listed on the plan.
- c. Comments regarding site preparation, tree preservation, methods of installation, and methods of maintenance shall be listed on the plan.
- d. Required plans shall identify all vehicular use areas, aisles, driveways, sidewalks, wheel stops, and or curbs and other vehicular use controls. The location of the curb cuts, median openings on abutting streets, lighting, underground irrigation system, hose bibs, proposed planting areas, decorative and or screening walls, and related buildings shall be shown.

The Applicant should provide driveway and curb cut widths.

(d) *Landscape requirements.* All vehicular use areas subject to these regulations shall be required to have the following maintained perimeter and interior landscaped areas:

(1) *Perimeter landscape requirements.*

- a. All exterior perimeters of all vehicular use areas shall have a perimeter landscaped area with no horizontal dimension less than five feet. A decorative masonry wall, earth berm, natural landscaping screen, and or combinations of the above shall be installed in such a manner as to screen the vehicular use area from adjacent properties or public rights-of-way. Screening areas shall be maintained at a minimum height of three feet.

Natural landscape screening has been provided for the new parking lot. The Applicant should provide the dimensions of the landscape area to demonstrate there are no horizontal dimensions less than five feet in the perimeter landscape area.

- b. All required perimeter landscaped areas shall have at least one tree for every 250 square feet or fraction thereof.

The perimeter landscaped area is given as 2,351 SF and require 10 trees. The applicant will retain 31 trees and plant five new trees, which is compliant.

- c. Where other provisions of this chapter required a six-foot screening wall of masonry construction, such screening wall may totally or in part be substituted with a natural landscape screen and or earth berm upon approval of the planning commission. Such natural screening shall be at least three feet in height at time of planting and maintained at a height of five feet with a visibility obstruction of at least 75 percent.
 1.
 - i. When abutting a public street right-of-way, landscaped areas along a public street shall have a minimum dimension of five feet and a minimum average dimension of ten feet from the right-of-way line to the vehicular use area.
 - ii. In addition, the requirements of section 93-2-7, "Vision clearance at corners," shall be met.
 2. When abutting adjacent properties. Required perimeter landscaped areas which would abut adjacent, existing nonresidential properties may be allocated as additional interior or other additional perimeter landscaping.

(2) *Interior landscape requirements.*

- a. An area or combination of areas equal to ten percent of the total vehicular use area exclusive of perimeter landscaped areas shall be devoted to interior landscaping.

The applicant should provide the dimensions of the interior landscape area to demonstrate 10% of all vehicular use area is devoted to interior landscaping.

- b. There shall be a minimum of one tree provided for every 250 square feet or fraction thereof of interior landscaping area.

The applicant should provide the dimensions of the interior landscape area to demonstrate the minimum tree requirements.

- (3) *Permitted modification to the landscaping requirements.*
- a. In cases where the landscaped area requirements of subsection (d)(1) and (d)(2) may exceed 20 percent of the vehicular use area, the applicant may be allowed to reduce dimensions of landscaped areas other than those abutting a public street right-of-way or adjacent to the residential uses or zones to equal a 20 percent maximum provided a method of vegetative and or masonry screening is maintained and is approved by the department of public service.
 - b. In instances where proposed innovative designs, landscaping techniques, and site amenities are believed to fulfill the intent of subsection (a) above, the strict requirements of this section may be waived by the planning commission.
 - c. In instances where healthy plant material exists, the requirements outlined in subsections (d)(1) and (d)(2) of this article may be adjusted thereby allowing credit for the preservation of existing plant material. The planning commission may make such adjustments so long as the intent of this section is preserved.
 - d. Open lot sales of vehicles may be excluded from the perimeter screening requirements adjacent to public rights-of-way by the planning commission, provided the tree requirements and area requirements are met.

Not applicable.

- (4) *Landscape installation requirements.* All landscaping shall be installed in accordance with accepted good planting procedures.
- a. *New plant materials.*
 1. All new living plant materials shall satisfy the requirements of No. 1 or better as defined in the most current edition of Grades and Standards for Nursery Plants.

Complete

2. All separate landscaped areas shall have a minimum variety of two living plant materials other than trees; total landscaping areas required shall include a minimum variety of three landscape materials other than trees.

Complete

3. Paving (other than walks) and artificial plants shall not be permitted within landscaping areas.

Complete

4. Trees. A tree shall attain an average crown spread over 15 feet at maturity. Trees having an average crown spread less than 15 feet may be substituted by grouping the same so as to create the equivalent of a 15-foot crown spread. All trees shall be of a species which can be maintained with a minimum of five feet of trunk height. Trees shall have a minimum of two inches DBH (diameter at breast height) measured 4½ feet above the ground and shall be a minimum of six feet in overall height immediately after planting.

Complete

5. Shrubs. Shrubs shall be a minimum of one foot in height when measured at the time of planting except where they are to act as screening for residential uses or districts. In which case, they shall be a minimum of three feet in height at the time of planting and maintained at a minimum height of five feet at maturity.

Complete

6. Lawn grass and ground covers. Grass may be sodded, plugged, sprigged, or seeded except that solid sod shall be used in swales or other areas subject to erosion. In areas where plant materials other than solid sod or grass is used, a fast-growing grass seed shall be sown for immediate effect and protection until coverage is otherwise achieved. Grass sod shall be clean and reasonably free of weeds and noxious pests or disease. Ground covers which present a finished appearance and reasonable complete coverage at time of planting may be used in lieu of grass sod.

Complete

- b. *Existing plant materials.* Existing living plant materials to be preserved shall be in accordance with of this chapter.

Complete

- c. *Earthwork.* Earth berms shall be of variable height and slope. Swales and ponds shall be permitted for onsite retention of stormwater provided they are approved by the city's department of public service.

No earthwork is indicated on the plans.

- d. *Encroachment.* Landscaped areas, walls, structures, and walks shall require appropriate protection from vehicular encroachment by utilizing wheel stops, curbs, posts, wood, brick-work, and/or other devices. Placement of these devices shall be located at least 2½ feet from walks, walks, and structures and may be placed one foot from landscaped areas to prevent a vehicular overhang of no more than 1½; feet of landscaping area may be counted as part of the required depth of each parking space.

The new parking lot will be protected by a 24" curb. The existing parking is already protected by a curb.

- e. *Maintenance.* The owner or his agent shall be responsible for the maintenance of all landscaping which shall be maintained in good condition so as to present a healthy, neat, and orderly appearance and shall be kept free from refuse and debris. All landscaped areas shall be provided with a sprinkler system or readily available water supply with at least one outlet located within 50 feet of all plant material to be maintained. The owner shall replace all landscaped materials required if, for any reason, they die or are severely damaged within one year of the final approval of the installation. The owner is thereafter responsible to maintain the landscaping in a healthy manner.

The Applicant should provide a sprinkler system or other water supply on the landscape plans.

- f. *Planting bed.* The planting bed for all landscaping materials shall be free of weeds, debris, and noxious material and shall consist of a healthy plant growth medium. The planting bed soil shall provide adequate support, drainage, and nutrients for the plants and thus may require the incorporation of sand, peat, and or topsoil into the soil. Such planting soil shall be placed throughout the planting hole for each plant, and this hole shall be at least twice as wide as the width of the plant ball and 1½ as deep as the depth of the plant ball.

Complete

- (e) *City review of landscape plan.* The department of public service shall approve or reject the required landscape plan. The decision of the department of public service shall be deemed final administrative action, but may be appealed to the planning commission provided such appeal is made in writing at least ten days prior to the next regular planning commission meeting. Developments which require site plan approval by the planning commission shall be reviewed and approved by the planning commission for compliance to this section.

- (f) *Certification of compliance.* Upon completion of the landscape improvements, the site shall be inspected for compliance to the approved landscape plant. A certificate of compliance must be issued before a certificate of occupancy can be issued for any related structures. When occupancy of a related building is desired prior to completion of the required landscaping, a temporary certificate of occupancy may be issued if a financial guarantee in the amount equal to 100 percent of the cost for landscaping improvements is provided and acceptable in form to the city attorney.

ARTICLE 2. - GENERAL PROVISIONS

Sec. 93-2-14. - Tree conservation.

(a) *Purpose.*

- (1) This section shall be known as the Hapeville Tree Conservation Ordinance. The overall purposes of this section are to promote tree conservation, the increase of tree canopy, and the protection of existing trees in the city. General provisions and regulations contained herein, along with the attached administrative standards and best management practices for Hapeville's urban forest, will guide practices to accomplish this purpose. It is the intent of this section to regulate tree conservation activities as part of the building construction, and land development process, protect landmark trees, and provide public safety within the city.
- (2) Benefits derived from the conservation of trees and increased canopy include:
 - a. Improved air quality;
 - b. Energy conservation;
 - c. Reduced flooding and reduced storm water runoff;
 - d. Reduced soil erosion and improved water quality;
 - e. Improved habitat for desirable wildlife;
 - f. Reduced health risks;
 - g. Community aesthetics and improved quality of life;
 - h. Added economic value.

(b) *Applicability.*

- (1) The terms, provisions and regulations of this section and the administrative standards and best management practices for Hapeville urban forest, Appendix A hereto, shall apply to any real property, public or private, within the corporate limits of the city:
 - a. For all activities which require a land disturbance, building construction, or demolition permit;
 - b. For external renovations of all properties resulting in the increase of total square footage, or the construction of accessory structures, which may impact landmark trees;
 - c. For the purpose of permitting the removal of landmark trees.

- (c) *Definitions.* As used in this section, unless specifically stated otherwise, the following terms shall be defined as indicated and where any definition herein conflicts with another definition in this chapter, the more restrictive definition shall prevail.

Landmark tree. Any canopy tree 30 inch dbh or larger, or otherwise designated by the mayor and council as having significance to the community, or any understory tree eight inches dbh or larger, in fair or better condition, having a life expectation of greater than five years.

(d) *General requirements.*

(1) *Tree removal.*

- a. No trees shall be removed or destroyed prior to issuance of a building construction or land disturbance permit. The issuance of a building construction or land disturbance permit shall constitute compliance with the tree conservation provisions of this section.
- b. No landmark tree shall be removed from any real property within the corporate limits of the city without the issuance of a landmark tree removal permit.

(5) *The removal or destruction of landmark trees.*

- a. The removal or destruction of landmark trees from any property in the city is subject to the approval of the city arborist, and approval may only be granted if one of the following two conditions is met:
 1. The tree threatens the property, safety or health of the property owner or the public.

2. Actions are taken to mitigate the tree's removal by way of planting a new tree of a comparable species and canopy. Payment may be made into the city tree bank in lieu of planting, calculated on a tree lost/replaced basis.
 - b. The issuance of a tree removal permit constitutes approval to remove a landmark tree.
 - c. Any decision of city arborist relating to the removal or destruction of landmark trees may be appealed as a provided in subsection 93-2-14(g).

A permit will be required from the city arborist before removing the landmark tree from the site.

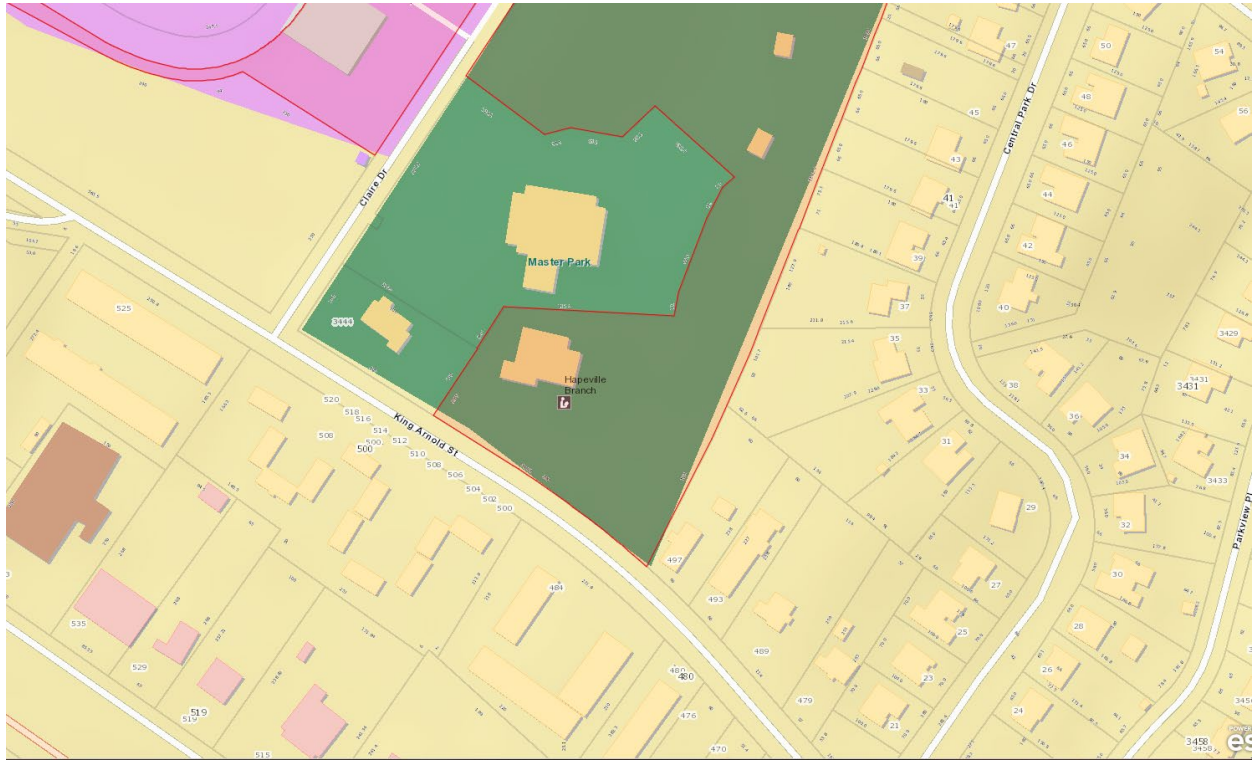
RECOMMENDATION

Except for the following items, the application appears to comply with the provisions of the V Zoning District as well as the Neighborhood Conservation Area:

- The Applicant should provide the average width of the existing sidewalk, even if it is beyond the scope of construction.
- The Applicant should clarify if the site coverage is different from the proposed size of the building, and if not, update the plans to show a site coverage of 5,975 SF for the main building.
- The Applicant should clarify if the sidewalk is included in the site coverages, and if not, update the plans to include coverage of the sidewalk.
- The Applicant should provide dimensions of all curb breaks, curblines, and driveway widths, including for those that are already existing.
- A minimum of 30% of all parking spaces must be compact-size and comply with the compact-size parking space requirements.
- The Applicant should include topography at one-foot contour intervals on the survey, as the requirements of Sec. 93-23-18 – Landscape requirements for vehicular use areas - are stricter than Sec. 93-2-16(d) – Site plan review.
- The Applicant should provide the dimensions of the landscape area to demonstrate there are no horizontal dimensions less than five feet in the perimeter landscape area.
- The Applicant should provide the dimensions of the interior landscape area to demonstrate 10% of all vehicular use area is devoted to interior landscaping and to determine the minimum tree requirements.
- The Applicant should provide a sprinkler system or other water supply on the landscape plans.
- A permit will be required from the city arborist before removing the landmark tree from the site.

The building elevations will be reviewed by the Design Review Committee for compliance with the Architectural Design Standards. Additionally, the new sign will be reviewed separately for compliance with the sign ordinance.

Upon satisfactory of the above deficiencies, Staff recommends approval of the site plan as submitted.



Location Map – 525 King Arnold Street