

19-BOA-08-08

**CITY OF HAPEVILLE
ECONOMIC DEVELOPMENT DEPARTMENT
VARIANCE APPLICATION**

Name of Applicant Delta Air Lines, Inc.
Mailing Address 11030 Delta Blvd, Dept 981, Atlanta, GA 30354
Telephone (404) 714-3742 Mobile # _____ Email scott.meador@delta.com
Property Owner (s) Lisa Ragan Holdings LLC
Mailing Address 105 FOREST PKWY STE 400 FOREST PARK GA 30297
Telephone (404) 714-3742 Mobile # [REDACTED]
Property Address/Location: ~~760 DOUG DAVIS DR~~ 1 Clay Place
Parcel I.D. # (INFORMATION MUST BE PROVIDED): ~~14-0098 LL0237~~ 140098LL0138
Square Foot of Property 84,332 ~~568,022~~ Building Size 20,378 ~~334,306~~ Zoning UV
Present Land Use Office
Variance Requested Off-site Parking and relief from landscaping, fence, and sidewalk requirements
Applicable Code Section Sec. 93-23-12, 93-23-18, 84-5-1, and 93-11.2-9

I hereby make application to the City of Hapeville, Georgia for the above referenced property. I do hereby swear or affirm that the information provided here and above is true, complete and accurate, and I understand that any inaccuracies may be considered just cause for invalidation of this application and any action taken on this application. I understand that the City of Hapeville, Georgia, reserves the right to enforce any and all ordinances regardless of any action or approval on this application. I further understand that it is my/our responsibility to conform with all of City of Hapeville's Ordinances in full. I hereby acknowledge that all requirements of the City of Hapeville shall be adhered too. I can read and write the English language and/or this document has been read and explained to me and I have full and voluntarily completed this application. I understand that it is a felony to make false statements or writings to the City of Hapeville, Georgia pursuant to O.C.G.A. 16-10-20 and I may be prosecuted for a violation thereof.

Hank Meador
Applicant's signature
Date: 073119

Sworn to and subscribed before me
This 31st day of July, 2019.
[Signature]
Notary Public



**CITY OF HAPEVILLE
ECONOMIC DEVELOPMENT DEPARTMENT
VARIANCE APPLICATION**

WRITTEN SUMMARY

In detail, explain any extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape or topography that would qualify for a variance.

Delta anticipates temporary increases to its information technology employee population at Delta's existing office building located at 760 Doug Davis Drive, which will result in the need for additional parking at this office location. Delta is currently undergoing an internal construction and office planning project and the relocated employees at this location will likely be relocated again in the short-term to another Delta office location. Accordingly, Delta requests approval of a short-term off-site parking arrangement on the existing parking lot located at 1 Clay Place. This existing lot is directly adjacent to Delta's 760 Doug Davis Drive office building. Given the short-term nature of the requested off-site parking use, Delta also requests relief from the City's parking lot landscaping, sidewalk improvement requirements, and fence requirements. Due to Delta's unique business needs and the existing excess parking spaces in the 1 Clay Place lot, Delta's requested variances to allow for the proposed off-site parking arrangement are appropriate. Additionally, Delta's unique business purpose and security requirements make the use of the existing barbed wire fence essential to Delta's safe operations. The 1 Clay Place lot is uniquely positioned to provide Delta with the requested short-term parking arrangement.

Explain how the application of the ordinance to this particular piece of property would create an unnecessary hardship.

Because of the 1 Clay Place lot is not owned by Delta and because the proposed use is short-term in nature, providing the required landscape and sidewalk improvements would be financially inefficient. Additionally, as part of the lease agreement with the Clay Place Lot owner, Delta is required to restore the parking lot to current condition upon termination of the parking lease. It would be financially wasteful, and not permitted under the City's Ordinance, to remove improvements made to the nonconforming parking lot. Delta also understands the Clay Place Lot owner has plans for improving the property and the parking lot in the short-term and prefers Delta not make any substantial changes to the property.

Explain how these conditions are peculiar to the particular piece of property involved.

The parking facilities available at the 1 Clay Place property uniquely provide the opportunity for the proposed off-site parking arrangement.

The 1 Clay Place lot is located directly adjacent to Delta's 760 Doug Davis Drive office location, which is in need of additional parking spaces on a short-term basis. Additionally, Delta's unique business purpose and security requirements make the use of the existing barbed wire fence essential to Delta's safe operations.

What, if any, detriment to the public good would the proposed project have if a variance was granted?

The proposed off-site shared parking arrangement is not detrimental to the public and is in fact beneficial to the community by allowing for the efficient use of existing parking availability and minimizing the need for the construction of new parking facilities. The parking area in the 1 Clay Place lot to be leased by Delta is not currently utilized by the property owner and the requested off-site parking arrangement will not impact this property's parking needs or requirements under the City's ordinance.

**CITY OF HAPEVILLE
ECONOMIC DEVELOPMENT DEPARTMENT
VARIANCE APPLICATION**

AUTHORIZATION OF PROPERTY OWNER

I CERTIFY THAT I AM THE OWNER OF THE PROPERTY LOCATED AT:

1 Clay Place, Hapeville, Georgia 30354

City of Hapeville, County of Fulton, State of Georgia

**WHICH IS THE SUBJECT MATTER OF THIS APPLICATION. I AUTHORIZE THE
APPLICANT NAMED BELOW TO ACT AS THE APPLICANT IN THE PURSUIT OF
A VARIANCE FOR THE PROPERTY.**

Name of Applicant
Delta Air Lines, Inc.

Address of Applicant
1030 Delta Boulevard, Department 981, Atlanta, GA 30354

Telephone of Applicant
404.677.0044


Signature of Owner

Lisa Ragan, on behalf of Lisa Ragan Holdings LLC
Print Name of Owner

Personally Appeared Before Me this 30 day of JULY, 2019.


Notary Public

**JUSTIN ADAM BYCZEK
NOTARY PUBLIC
Pike County, Georgia
My Commission Expires 11/8/2021**



Delta Air Lines, Inc.
Post Office Box 20706
Atlanta, Georgia 30320-6001

1030 Delta Boulevard
Department 877
Atlanta, Georgia 30354

July 31, 2019

VIA HAND DELIVERY

Lynn M. Patterson, PhD
City of Hapeville
City Hall
3468 N. Fulton Avenue
Hapeville, GA 30354

RE: Board of Appeals Application for Off-Site Parking Arrangement

Dear Ms. Patterson:

On behalf of Delta Air Lines, Inc. ("Delta"), I am pleased to submit the attached Board of Appeals Application to allow for a proposed off-site parking arrangement. Pursuant to the requirements of the applicable sections of the City of Hapeville Code of Ordinances (the "Ordinance"), specifically Section 93-23-12, Delta respectfully requests approval of an off-site parking arrangement by which Delta will lease 91 parking spaces located at the existing parking lot located at 1 Clay Place, Hapeville, Georgia.

In connection with this request, Delta seeks approval of variances granting relief from Sections 93-23-18, 84-5-1, and 93-11.2-9 ("Landscape requirements for vehicular use areas"; "General fence regulations"; and "Sidewalk requirements") of the Ordinance. We believe this letter of intent and the attached exhibits provide all information required by the City of Hapeville for consideration of this request. These documents include the following:

- A. A completed Board of Appeals Application, including the notarized Property Owner Authorization;
- B. A survey of the property located at 760 Doug Davis Drive, including a metes and bounds legal description; and
- C. A site plan showing the proposed off-site parking.

Background and Project Overview

In the coming months, Delta anticipates temporary increases to its information technology employee population at Delta's existing office building located at 760 Doug Davis Drive, Hapeville, Georgia (the "RCC Building"), as Delta continues its internal office construction and planning projects. The temporary relocation and shuffling of employee work spaces within Delta's offices will result in the short-term need of additional parking spaces for its employees in the RCC Building. Delta currently has the right to use 124 surface parking spaces at the RCC Building, which Delta anticipates will be insufficient as the number of employees at this location grows. Because these additional employees locating at the RCC Building may likely be relocated in the next year, Delta considers the proposed off-site parking arrangement to be short-term in nature and the lease agreement with the parking lot owner is structured to be short-term with very short termination provisions.

Delta and Lisa Ragan Holdings LLC, the owner of the parking lot at 1 Clay Place (the "Clay Place Lot"), have reached an agreement by which Delta will lease up to 91 parking spaces in the Clay Place Lot for an initial terms of six months (the "Lease"). The parking area in the Clay Place Lot to be leased by Delta is not currently utilized and will not impact the parking needs of the property owner or requirements under the City's Ordinance. Delta will provide the City with a redacted copy of the Lease once finalized and executed by the parties.

The Clay Place Lot parking area is adjacent to the RCC Building and the RCC Building parking lot in accordance with Section 93-23-12 of the City's Ordinance. No employees will be shuttled from the parking area in the Clay Place Lot to the RCC Building or other Delta offices.

Requested Variances

Although Delta respectfully asserts the proposed off-street parking arrangement will not increase the degree of zoning nonconformity of the Clay Place Lot, if the City determines landscape, fence, and/or sidewalk improvements are required for the proposed off-street parking arrangement, Delta requests variances to eliminate those improvement requirements. As noted above, the requested off-site parking arrangement is temporary in nature and, as shown on the attached site plan, Delta proposes only minor modifications to the existing fence on the property to allow pedestrian and vehicular access between the Clay Place Lot and the RCC Building.

Providing the landscape and sidewalk improvements generally required under the Ordinance would cause significant expense to Delta for a temporary use on property Delta does not own. Additionally, as part of the Lease with the Clay Place Lot owner, Delta is required to restore the parking lot to current condition upon termination of the Lease. It would be financially wasteful, and not permitted under the City's Ordinance, to remove improvements made to the nonconforming parking lot. Significantly, Delta also understands the Clay Place Lot owner may have plans for improving the property and the parking lot in the short-term and prefers Delta not make any substantial changes to the property. Lastly, given Delta's unique business operations and security needs, the existing chain link and barbed wire fence

surrounding the RCC Building is critical to Delta's safe operations. For these reasons, Delta respectfully requests the City and Board of Appeals approve the requested off-site parking arrangement and variances.

If granted, Delta understands such variances would allow Delta to make temporary modifications to the existing parking facilities and fences located on the Clay Place Lot and RCC Building property. Upon the termination of the Lease, Delta will restore the existing fences on both properties to the current location and condition. Additionally, Delta agrees if the Lease is renewed to extend for a period greater than one year, Delta will notify the City of Hapeville and discuss what additional approvals, if any, may be needed to continue the off-site parking arrangement.

We appreciate your consideration of this request as Delta continues to work to meet its employee and staffing needs. Please do not hesitate to contact me should you have any questions about this request or require any additional information.

Sincerely,



Hank Moody
General Manager – Corporate Real Estate
Delta Air Lines, Inc.

GRAPHIC SCALE

(IN FEET)
1 inch = 20 ft.

- 1** **EXISTING CONDITIONS AND SITE PLAN**
C-201 **SCALE: 1"=20'**

DRAWING DATE 07/30/2019	DRAWN BY ABU
DRAWING SCALE 1" = 20'	DESIGNED BY ABU
PROJECT NUMBER 1002-00XX	CHECKED BY CDC
DRAWING NUMBER	