



## STAFF REPORT TO THE PLANNING & ZONING COMMISSION

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April, 28, 2022

**NOTE -Revised staff suggested language is below in the Summary. Comments regarding standards are kept for reference.**

### APPLICATION INFORMATION

<b>Parcel Identification Number:</b>	N/A
<b>Physical Address:</b>	N/A
<b>Applicant / Owner:</b>	Grace Barlow/Ben Patel
<b>Zoning Action Requested:</b>	<b>Text Amendment</b>
<b>Campaign Contributions:</b>	None filed
<b>Conflict of Interest:</b>	None filed

### INTRODUCTION

The applicant is seeking an amendment to add *hotels* as a permitted use to the General Commercial Zoning District (C3) in Section 620.3 Table 7. The reason for the request is that the applicant is considering possible locations in the district for the hotels. Currently, the zoning ordinance has *hotels* as a permitted as a permitted use in the Interstate Commercial District (C4) and as a conditional use for the Downtown Commercial Zoning District (C1).

### ZONING HISTORY

The current zoning ordinance was adopted on March 11, 2019.

### STANDARDS FOR ZONING ORDINANCE TEXT AMENDMENT APPLICATION DECISIONS (SECTION 1120.8)

<i>Standards</i>	<i>Staff Comment</i>
<i>(1) whether the zoning proposal is consistent with the intent and purpose of the Zoning Ordinance (e.g., does a proposed land use comport with the purpose and intent of the zoning district where it is proposed, does the proposal create internal conflicts with this Ordinance, etc.);</i>	The request is for a commercial land use in a commercial zoning district.
<i>(2) whether the zoning proposal is consistent with the Comprehensive Plan, or other city-adopted plans (e.g, Major Thoroughfare Plan, Urban Redevelopment Plan, GreenPrint Plan, etc.).</i>	The use would be commercial in nature and scope. Nearly all C3 properties are inside the <i>Commercial Investment Areas -Interstate Corridor</i> character area. Lodging is not listed as an appropriate use.  Lodging is listed as an appropriate use for <i>Commercial Investment Areas – Commercial Nodes</i> . There are no C3 properties in these character areas.
<i>(3) whether the zoning proposal creates the most narrow change necessary and properly mitigates potential negative impacts for development scenarios accommodated by the zoning proposal; and</i>	This is an expansion of an existing commercial use that is allowed as permitted in C4 and as a conditional use in C1. The request is for an area that already allows heavy commercial development such as shopping centers, automobile sales, and grocery stores. Given the intensity of permitted uses in terms of scale the potential impact in terms of parking, traffic, and areas of development, hotels are similar in scale and impact.

	<p>Per section 620.2(2)(e), the General Commercial District (C3), the district is intended “[t]o provide for a range of commercial uses that supply commodities or services for both the community and regional market”. <i>Hotels</i> are permitted in C4, which is described as “provid[ing] an area for commercial establishments that normally depend on the traveling or commuting public for business and that generally offer extended hours of service”. (Section 620.2(f)) In C1, where <i>hotels</i> are a conditional use the district is described as “encourage[ing] development of this district as a shopping, dining, and activity center for residents, tourists, and the surrounding region.” (Section 620.2(c)).</p> <p>Adding <i>hotel</i> as a permitted use would serve regional needs, and C3 properties are located along major traffic corridors such as US 441 and GA Hwy 83 which support tourists. Additionally, US 441 is part of several tourist routes such as the Antebellum Trail promoted by various state and local tourism groups.</p>
<p><b>(4)</b> <i>whether the zoning proposal would be more appropriate for a variance, instead of changing zoning parameters for the whole city or whole zoning district.</i></p>	<p>A variance is considered for development constraints unique to the parcel. Use of variances is inappropriate.</p>

**SUMMARY**

Staff was requested to consider alternative standards. Using the language that limits drive-throughs, staff would suggest using similar language to allow for the use as a permitted use with limiting factors.

Note 24 (new note to be placed in the lodging section of the land use table, and add Hotels as a permitted use to C3)

Hotels may be located in the C3 zoning district provided the following conditions are met:

- a- Shall be situated on US Hwy 441 or along the US Hwy 441 bypass and
- b- Shall be located on the south side of the US 441 bypass and west of Mary Magnan Blvd or south of the intersection of US Hwy 441 and the US Hwy 441 Bypass

This will limit the impact to areas more suited for lodging. Lodging is using taller and taller structures and currently this has been limited as a permitted use to areas in Interstate Commercial (C4), which is located close to the intersections of I-20 and state highways 83 and 441. Current C3 uses are almost entirely one story buildings with only a few exceptions being two stories. Additionally, drive-throughs serve an interstate-oriented customer base, and are allowed in C3 as a conditional use. These are limited to similar geographic parameters. A key difference is that drive-throughs are potentially greater traffic generators (such as Chick-Fil-A). Given these factors, staff is willing to suggest a permitted using these limits.

Staff suggests motions include language similar to below:

**APPROVAL** of the text amendment to Section 620.3 Table 7, including suggested changes by staff, based on the application, public hearing, and discussion, and considering applicable standards:

**DENIAL** of the text amendment to 620.3 Table 7 based on the application, public hearing, and discussion, and considering applicable standards as presented OR due to the following reasoning(s), finding(s), and/or conclusion(s):