

P.O. Box 1390 • 10 North Public Square • Cartersville, Georgia 30120 Telephone: 770-387-5600 • Fax: 770-387-5605 • www.cityofcartersville.org

MEMO

To: BZA

From: Randy Mannino/David Hardegree/ Zack Arnold

CC: Keith Lovell
Date: May 3, 2023
Re: File # V23-13

Summary: Allow accessory structures in the front yard of a corner lot, To reduce the min. parking space requirement, partially omit landscape requirements

Section 1: Project Summary

Variance application by Jack Williams, AIA, Stantec, for property located at 751 Great Valley Pkwy, zoned H-I, Heavy Industrial. Said property contains approximately 320 +/- acres. Tax ID C123-0001-002. This site is a corner lot with street frontages along Cass-Pine Log Rd and Great Valley Pkwy. The site is also located in the Business Park Overlay District. There are no guidelines in the Overlay District that address parking requirements or accessory structures. Some landscape requirements are addressed in the Overlay District guidelines.

This project, now known as QCells, is associated with the Hanwha EVA project to be constructed on the tract to the south and southeast sections of this parcel. QCells will manufacture solar panels.

The applicant is requesting the following variances. See site plan and justification letter for details of these requests:

- 1) Allow accessory structures including guard shacks, Solar Panel Canopies, and storage buildings in the front yard of a corner lot. All accessory structures meet the front yard setbacks.
 - a. Guard shacks are planned at all entrances off public roads.
 - b. A large storage/ maintenance building is planned between Great Valley Pkwy and the Facility; and
 - c. Solar Panel Parking Canopies are proposed in the parking lots. The canopies will provide shade and protection for select parking spaces while also using company solar panels to capture and produce solar energy.
- 2) Reduce the min. parking requirements for office and warehouse uses from approx. 2,500 spaces to approx. 1,000 spaces. The proposed warehouse facilities depend on automation

for production, so there are proportionately fewer workers required for production than the requirements of the parking space formula. Fewer workers equate to fewer parking spaces needed.

3) Omit the parking lot island tree requirements for islands under or adjacent to the Solar Panel Canopies. Islands will still be required, but instead of trees, shrubs and groundcover will be planted.

The site landscape and grading plans will aid in disguising the accessory structures and offset the loss of parking lot trees by preserving natural buffers, incorporating berms with vegetative screens and by enhancing natural buffers with new vegetation. See grading and landscaping plans attached.

The variance requests are for the following:

- 1. Allow accessory structures, guard shacks, in the front yards along Cass-Pine Log Rd and Great Valley Pkwy. (Ord. Sec. 4.9)
- 2. Allow an accessory structure, storage/ maintenance building, in the front yard along Great Valley Pkwy. (Ord. Sec. 4.9)
- 3. Allow accessory structures, Solar Panel Canopies, in the front yards along Cass-Pine Log Rd and Great Valley Pkwy. (Ord. Sec. 4.9)
- 4. Reduce the min. parking requirement for an industrial warehouse from approx. 2,500 to approx. 1,000 space. (Ord. Sec. 17.6.18 and 17.6.21).
- 5. Omit the parking lot island tree requirements for islands under or adjacent to the Solar Panel Canopies (Ord. Sec. 17-66).

<u>Section 2. Department Comments – Full site plans are under review by City & County departments.</u> At the time of publication, no comments have been received concerning the variance request.

Electric Department	:	
Fibercom:		
Fire Department:		
Gas Department:		
Public Works Department:		
Water Department:	Not in Service Area	

Bartow County Engineering and Water Departments:

Section 3. Public Comments Received by Staff

None as of 5/4/23

Section 4. Variance Justification:

Please review the following findings, as stated in the Zoning Ordinance, that are to be utilized in determining justification for approval or denial of variance request(s).

Sec. 4.9. Accessory uses, buildings or structures.

Accessory uses, buildings, or structures on residential lots shall be located within a rear yard only and be a minimum of five (5) feet from all property lines which do not abut a street right-of-way. A detached garage or carport may be allowed in a side yard of a residential lot and, if so placed, shall comply with the side yard setback requirements of the district. In the case of a residential corner lot, in which a lot abuts or adjoins the intersection of two (2) or more streets other than an alley, an accessory structure may be allowed in a side yard and, if so placed, shall comply with the side yard setback requirements of the district.

Accessory uses, buildings, or structures on nonresidential lots shall not be allowed in the front yard and must comply with side and rear yard requirements established for the zoning district in which such accessory buildings or uses are located. The following accessory uses, buildings, or structures on nonresidential lots may be allowed in a front yard of a nonresidential lot and, if so placed, shall comply with the front yard setback requirements of the district: ATMs (automated teller machines) and service stations.

All accessory uses, buildings, or structures in all zoning districts shall be subordinate to the principal structure. An accessory building's floor area shall be no larger than fifty (50) percent of the principal structure floor area. Accessory structures shall not exceed the height of the most prevalent roof top of the principal building on the property.

Outdoor play structures or play sets in commercial districts, commonly associated with fast-food eating establishments, shall be located in a side or rear yard only and shall comply with the required yard setbacks of the district.

All site plans for multifamily, commercial, and industrial buildings shall include a solid waste container pad that has easy and safe access for a front-end loader. Solid waste containers shall be screened from all streets and adjoining properties with a solid, opaque fence or wall which shall be a minimum of six (6) inches taller than the container.

An amenity, as defined by this chapter, shall not be considered an accessory structure.

Sec. 17.6. Number of parking spaces.

In order to ensure a proper and uniform development of public parking areas throughout the area of jurisdiction of this chapter, to relieve traffic congestion on the streets, to lessen the amount of impervious surface in the city, and to minimize any detrimental effects on adjacent properties, off-street parking space shall be provided and maintained as called for in the following sections. For any use or class of use not mentioned in this section, the requirements shall be the same as similar use as mentioned herein.

Any decrease in the number of parking spaces required by this section must be approved by either the zoning administrator under the administrative variance procedures or by the board of zoning appeals under the variance procedures set forth by this chapter.

Parking requirements for additions to existing uses shall be based upon the new addition even if the existing use is deficient. (These regulations shall apply to all districts except the DBD.)

- 17.6.18. Industrial or manufacturing establishment or warehouse. One (1) parking space for each one thousand (1,000) square feet of gross floor area.
- 17.6.21. Office, professional building, or similar use. One (1) space for each four hundred (400) square feet of gross floor area.

All remaining parking guidelines in this section have been omitted.

Sec. 17-66. Landscaping requirements for parking lots and vehicular use areas.

Interior landscaping. Interior landscaping of parking lots shall contain planter islands located at both ends of each single and double parking row and one (1) planter island every twelve (12) parking spaces in a row. Planter islands shall be a minimum of one hundred sixty (160) square feet in area for single parking rows and three hundred twenty (320) square feet in area for double parking rows. Planter islands in single parking rows shall contain at least one (1) small tree from the list of trees found in section 17-71 of this ordinance. Planter islands in double parking rows shall contain at least two (2) small trees from the list of trees found in section 17-71 or one (1) large tree from the list of trees found in section 17-72 of this article.

All remaining paragraphs in this section have been omitted.

Sec. 21.3. - Powers and duties of the board of zoning appeals.

The board of zoning appeals shall have the following powers and duties:

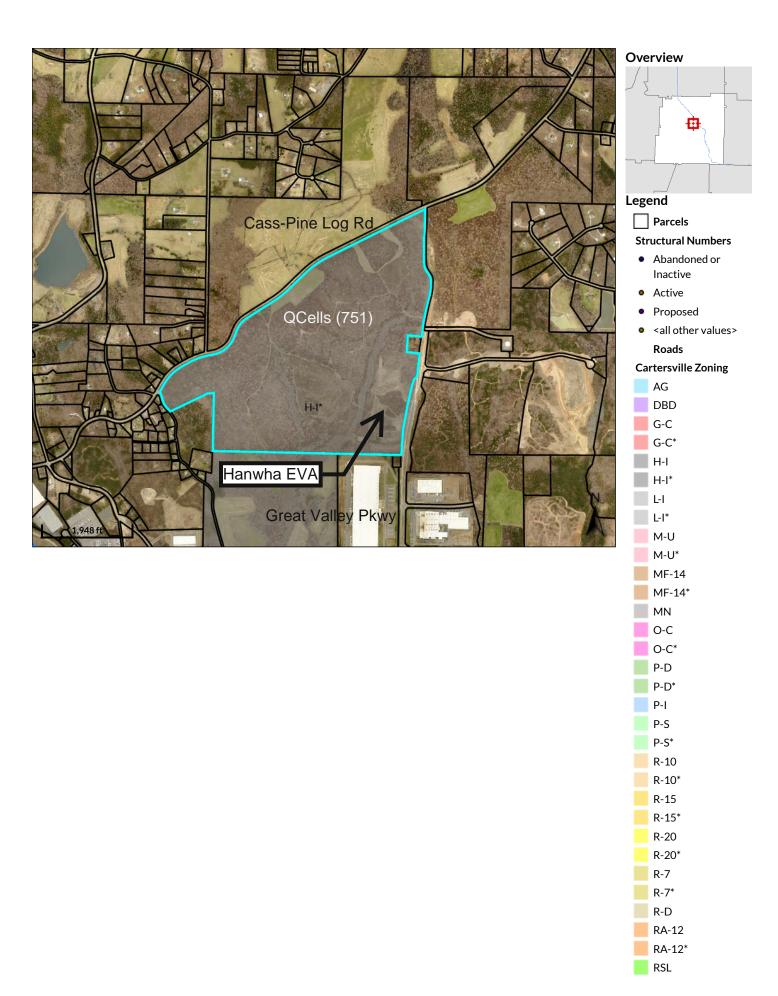
- 21.3.1. Appeals. To hear and decide appeals where it is alleged there is error in any order, requirement, decision, or determination made by the zoning administrator in the enforcement of this chapter. Appeals to the board of appeals may be taken by any person aggrieved or by any officer, department, board, or agency of the City of Cartersville affected by any decision of the zoning administrator. Such appeal shall be taken within thirty (30) days of said decision by filing with the zoning administrator a written notice of appeal specifying the grounds thereof. Decisions on appeals shall be issued in writing within ten (10) business days of the hearing on the appeal.
- 21.3.2. Continuance of a nonconforming use. The board of zoning appeals may allow a nonconforming use to be reestablished after discontinuance for twelve (12) consecutive months. The procedure for the request shall be the same as if it was a variance. If it is deemed by the board of zoning appeals that one (1) or more of the following apply, the board may grant said request.
 - A. The design, construction, and character of the building is not suitable for uses permitted in the district in which the nonconforming use is situated; and
 - B. Undue hardships to the property owner would result in not allowing the building to be reopened for a nonconforming use; and

- C. Adjacent property would not be unduly damaged by such use of the building; and
- D. The use is to be identical or similar to the prior nonconforming use of the building.
- 21.3.3. *Variances*. The board of appeals has the power to hear requests for variances from the provisions of this chapter. Variance may be granted only if the board finds all of the following to exist:
 - A. That one (1) of the following is true, through no action or fault of the property owner or predecessor:
 - 1. The property is exceptionally narrow, shallow or unusually shaped;
 - 2. The property contains exceptional topographic conditions;
 - 3. The property contains other extraordinary or exceptional conditions; or
 - 4. There are existing other extraordinary or exceptional circumstances; and
 - B. That the strict application of the requirements of this chapter would result in practical difficulties to, or undue hardship upon, the owner of this property; and
 - C. That the requested variance relief may be granted without substantially impairing the intent and purpose of this chapter.

Variance decisions shall be issued in writing within ten (10) business days of the hearing.

- 21.3.4. *Conditions*. In granting a variance, the board of appeals may attach such conditions regarding the location, character and other features of the proposed building, structure, property, development standards or use as it may deem advisable so that the purpose of this chapter will be served, public safety and welfare secured and substantial justice done.
- 21.3.5. Limitations on variances; improper variance requests. Variances cannot be given to totally remove a requirement or to exempt a property or applicant entirely from a requirement. If a variance is being sought that is, in the judgment of the zoning administrator, a request that would constitute a text amendment, then the application shall not be accepted. The applicant shall instead be directed to file for a text amendment. Furthermore, the board of appeals shall not be authorized to grant a density variance or a use variance to permit a use in a district in which the use is prohibited. A variance application shall not be accepted if the variance seeks something that cannot be varied. A variance application shall not be accepted if the variance is contradictory to the ordinance.
- 21.3.6. Self-inflicted hardship. The board shall not grant variances when the hardship was created by the property owner or his predecessor, and shall not grant hardship variances based on shape or topography for lots of record not existing prior to November 7, 1996. Configuring a subdivision to create lots that are difficult to build is an example of a hardship created by the property owner or predecessor, that does not justify a variance.

Sections 21.3.7, Place of worship, and 21.3.8, Group homes, omitted. Not applicable.



 Parcel ID
 C123-0001-002

 Sec/Twp/Rng
 n/a

n/a c 751 CDEAT VALLEY DE

 $\textbf{Property Address}\ 751\,\text{GREAT VALLEY PKWY}$

Alternate ID 40597 Class Exempt

Acreage 380.8

Owner Address BARTOW CARTERSVILLE JOINT DEVELOPMENT AUTHORITY

PO BOX 2224

CARTERSVILLE, GA 30120

DistrictCartersvilleBrief Tax DescriptionLL 208 209 224 225

(Note: Not to be used on legal documents)

Date created: 5/3/2023

Last Data Uploaded: 5/2/2023 9:11:46 PM



City of Cartersville Application for Variance

Board of Zoning Appeals

Hearing Date: 5/11/23	5:30pm Application Number: <u>V23-13</u> Date Received: <u>413 23</u>	
Applicant Jack Williams, AIA	Office Phone 412-352-1784	
Address 600 Grant Street, Suite 4940	Mobile/ Other Phone 412-352-1784	
City Pittsburgh State	e PA Zip 15219 Email JACK.WILLIAMS@STANTEC.COM	
	Phone (Rep)	
Representative's printed name (if other than a Representative Signature	Email (Rep)	
Signed, sealed and delivered in presence of: Melandran Notary Public	JULY 17 2026	
	ARY PURIN	
* Titleholder Joint Development Auth (titleholder's printed name)	Phone MA	
Signature James James Signed, sealed, delivered in presence of: Meliden Notary Public	JULY My Ammission expires: 17 2026	
	1/1/17 POWE 1 1 1 1 1 1 2 2 2 2 2 2 2 2 2 2 2 2 2	
Present Zoning District H-I Business Par	k Overlay District LAND Lys: 78, 291, 224,22	
Acreage 380.80 Land Lot(s) C123-00	11-002 District(s) \$\\ \phi \bullet \sigma \text{Section(s)} \\ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \	
Location of Property: CROSSROADS OF GREAT VALLEY PARKWAY AND CASS PINE LOG ROAD (street address, nearest intersections, etc.) Zoning Section(s) for which a variance is being requested: SEE ATTACHED JUSTIFICATION LETTER		
Summary Description of Variance Request: Sl	EE ATTACHED JUSTIFICATION LETTER	
(Addit	ional detail can be provided on Justification Letter)	

^{*} Attach additional notarized signatures as needed on separate application pages.

CONDITIONS VERIFICATION

List the Article(s), Section(s) and Subsection(s) of the Zoning Ordinance for which a variance is requested.

Article IV Section 4.9 Subsection Accessory Structures in a Front Yard

Article	section	Subsection
Article XVII	Section 17.6	Subsection 17.6.18 - Number of Parking Spaces
Article Lands	scaping Ordinargetion 17-66	Subsection Interior Parking Aisle Plantings
any order, req the zoning ord	uirement, decision, or determination made linance. The Board has the power to hear re	decide appeals where it is alleged there is error in by the zoning administrator in the enforcement of equests for variances from the provisions of the for additional information pertaining to conditions.
	and the Board of Zoning Appeals in the anal conditions that apply to your variance r	lysis of the variance application, please check all of request:
1	The property is exceptionally narrow, sha	llow or unusually shaped,
2	The property contains exceptional topogr	raphic conditions,
3	The property contains other extraordinary	y or exceptional conditions; and
4	There are other existing extraordinary or	exceptional circumstances; and
5. <u>X</u>	The strict application of the requirements to, or undue hardship upon, the owner of	of this ordinance would result in practical difficulties this property;
6. <u>X</u>	The requested variance relief may be gran purpose of this ordinance	nted without substantially impairing the intent and
Additional Co	mments by Applicant: Please refer to	attached narrative.



Stantec Architecture Inc.

600 Grant Street, Suite 4940 Pittsburgh PA 15219-2722

March 31, 2023

Project/File: 218011896

Zoning Review Board
City Hall
10 N. Public Sqaure
Cartersville, Georgia 30120

Dear Zoning Review Board,

Reference: Zoning Variance Request, QCells

Stantec is exciting to be working with the City of Cartersville on the new QCells Solar Panel Facility. As discussed with the City of Cartersville in previous meetings, we are submitting this application for variance relieve from several zoning code requirements as they relate to the above mentioned project. They include:

- 1. Secondary Structures in a Front Yard
 - a. (Storage Facilities adjacent to the Factory)
 - b. (Solar Canopies in the Parking Lot)
 - c. (Site Guardhouses)
- 2. Reduced Parking Space Requirements
- 3. Interior Parking Aisle Plantings

Justification for Requests

- 1. Secondary Structures in a Front Yard
 - a. Storage Facility Building U6
 - With regard to the secondary structures in the Front Yard, we are requested a variance to allow us to place a storage facility in the front yard to the East of the manufacturing facility (Primary Structure).

The storage facility to the east will be used to store spent material containers and other associated manufacturing packaging materials before disposal. The building has solid walls and a low-slope roof. It is approximately 16'-0" feet in height.

Reference: Zoning Variance Request, QCells

 Locating this building at the back of the site would cause a conflicts with truck traffic and pose a potential hazard by co-mingling two types of circulation on the site.

b. Solar Canopies in the Parking Lot

- As a Solar Panel Manufacturer, QCells would like to display their product in the front of the facility where visitors can see/experience them first hand. Additionally, the solar panels would provide charging for electric vehicles.
- ii. The commercial truck traffic is towards the rear of the site. Placing the canopies in the rear does not allow visitors to utilize the solar panels and chargers. Additionally, locating the solar canopies at the rear of the site would be an impediment to truck traffic.

c. Guard Houses at Site Entries

 The guardhouses are required to provide protected, secure access to the facility. Because they are required prior to entering the site, they can only be located in the front yards.

2. Reduced parking requirements.

- a. The zoning code calculates parking needs based on gross floor area of the building. The ratios are 1 car per 400 gsf of office space and 1 car per 1,000 gsf of warehouse/manufacturing space. With a gross floor area in excess of 2.3 million square feet, the parking counts required would be in excess of 2,500 vehicles.
- b. The manufacturing process in the facility is heavily automated. For example, on the process floor where manufacturing takes place, the ratio of employees to floor area is closer to 1 person per 4,000 square feet. Additionally, during peak working times the total number of persons working in the building is 770 people.
- c. We would ask for a total requirement based on owner-stated employees and shift change overlap, with a reduction to approximately 1,000 parking spaces.

3. Reduced Parking Planting & Islands

- a. The Cartersville Landscaping Ordinance requires an island for every twelve (12) parking spaces. Islands that span one space require a single tree, while islands spanning two spaces require two trees.
- b. Where Solar Canopies would be installed, we would request a reduction in the number of planted islands required in the Cartersville Landscaping Ordinance be reduced to none or that the requirement for a tree be reduced to shrubs or groundcovers. Tree canopies would impede the ability of the solar canopies to generate electricity.

March 31, 2023 Zoning Review Board Page 3 of 3

Reference: Zoning Variance Request, QCells

Stantec appreciates the board's attention to the requests above and is pleased to provide any additional information that may be required.

Respectfully,

STANTEC ARCHITECTURE INC.

Jack Williams

Associate

Phone: (412) 394-7066 Mobile: (412) 352-1784 jack.williams@stantec.com

Attachment: [Attachment]

Stantec

Stantec Architecture Inc.

600 Grant Street, Suite 4940 Pittsburgh PA 15219-2722

March 31, 2023

Project/File: 218011896

Zoning Review Board

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March 31, 2023 Zoning Review Board Page 3 of 3

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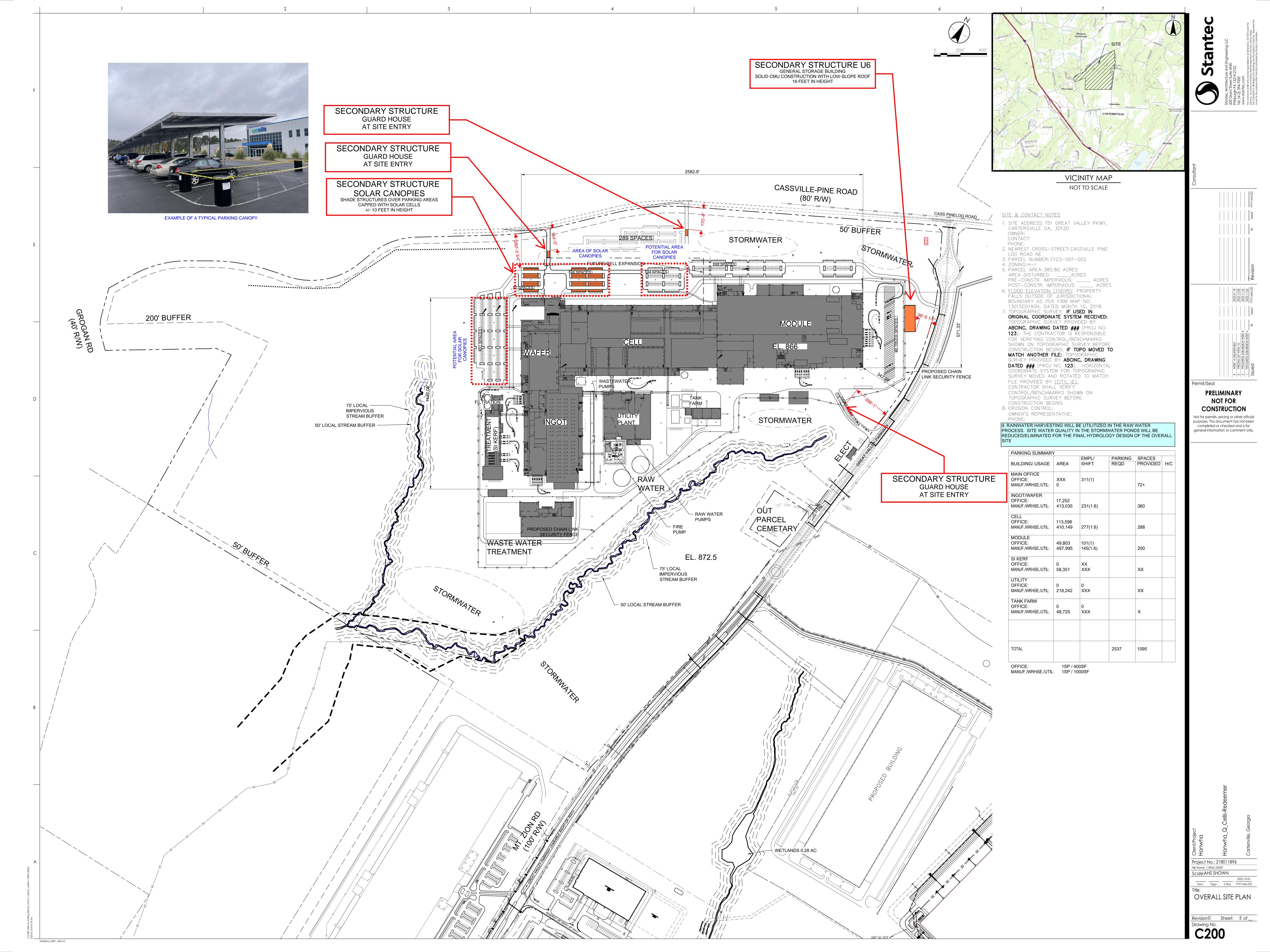
STANTEC ARCHITECTURE INC.

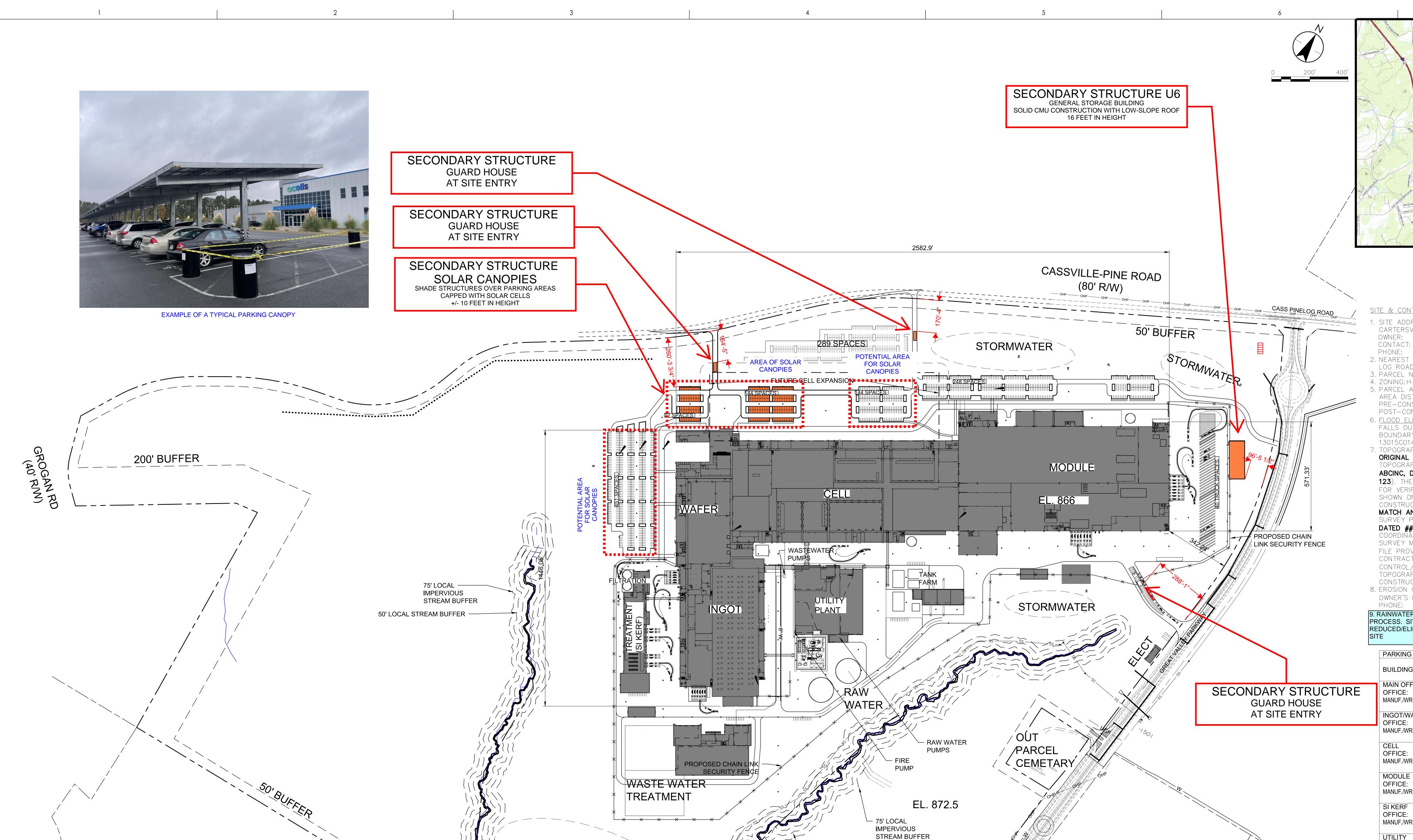
Jack Williams

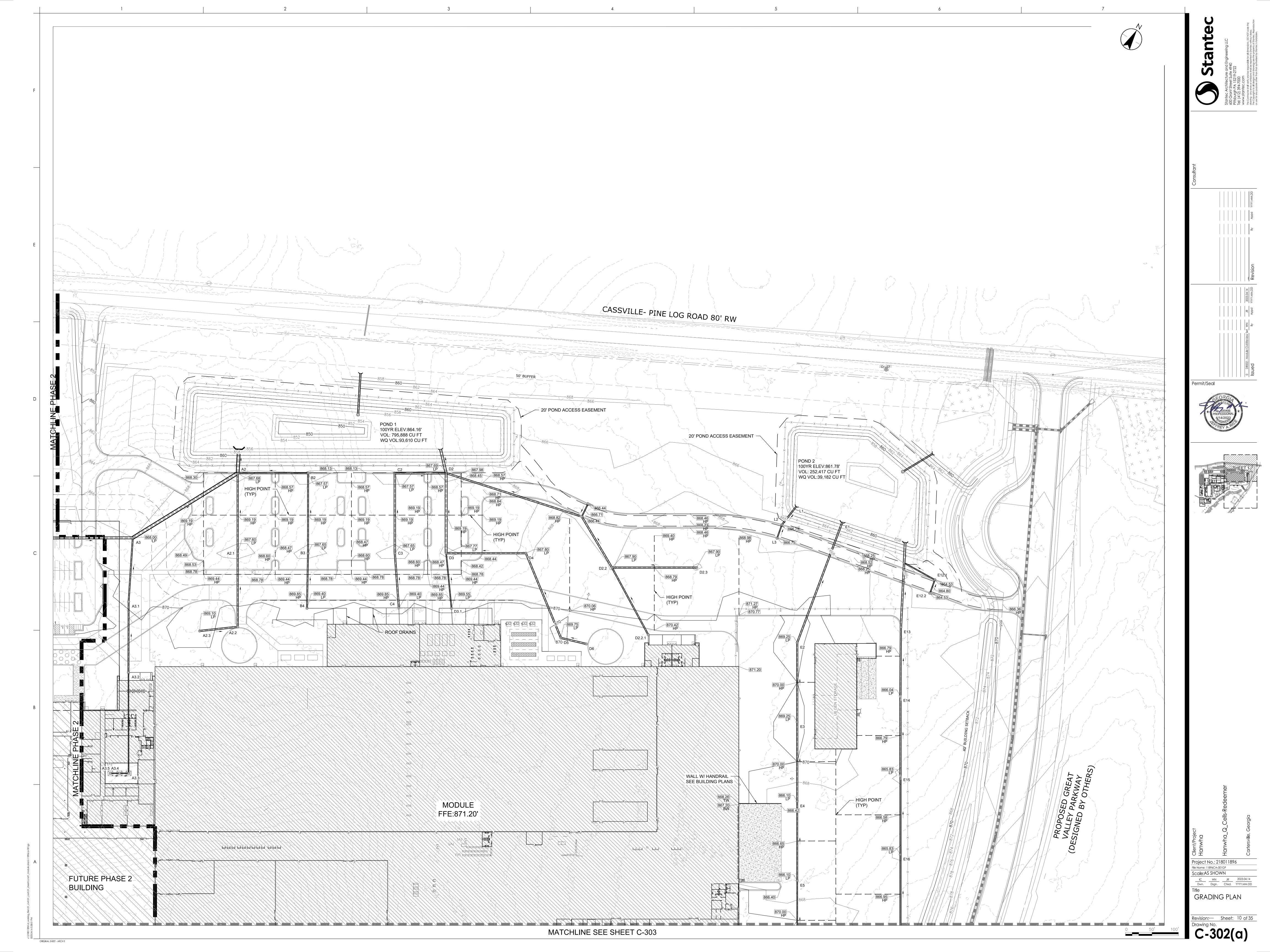
Associate

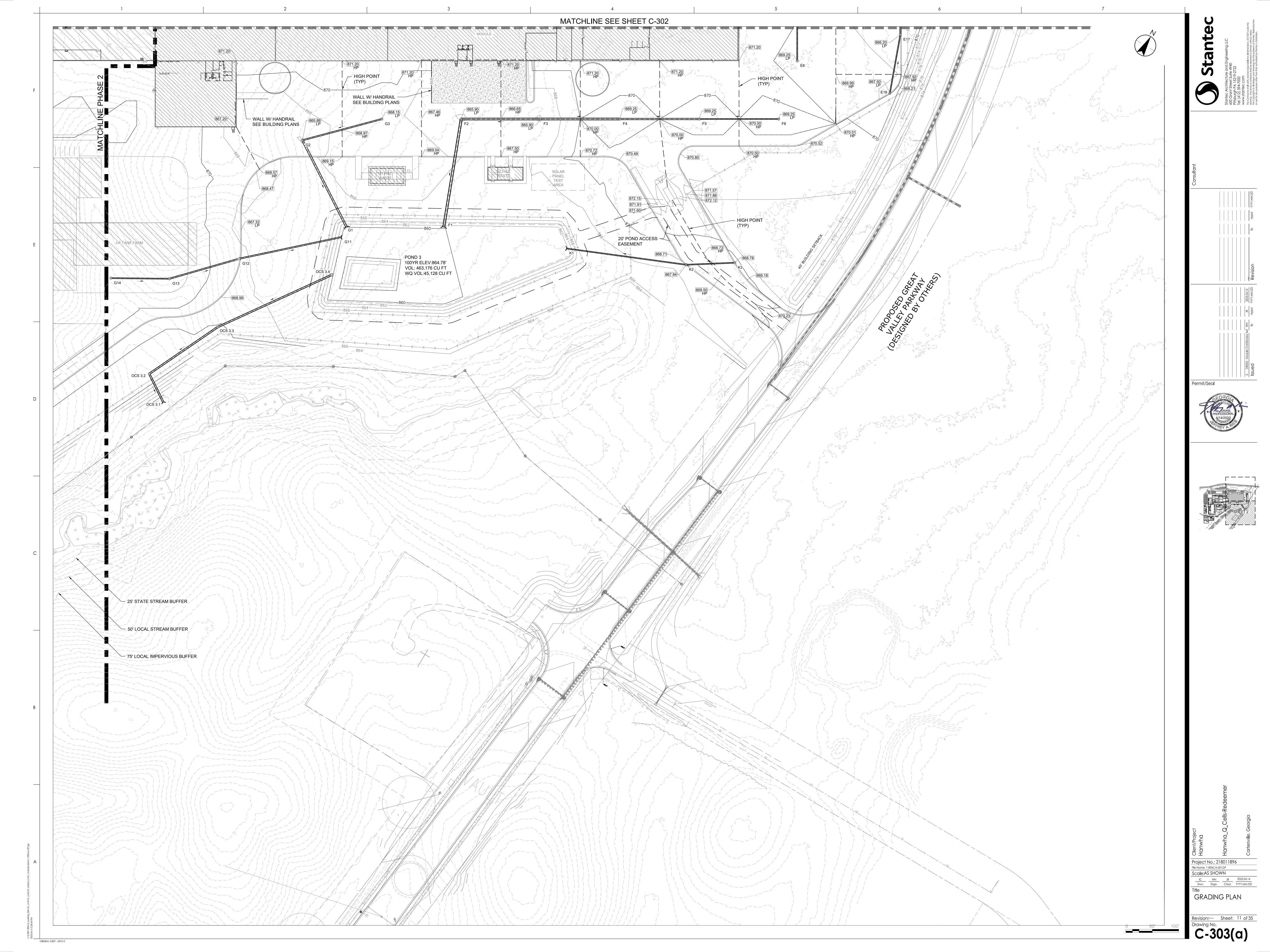
Phone: (412) 394-7066 Mobile: (412) 352-1784 jack.williams@stantec.com

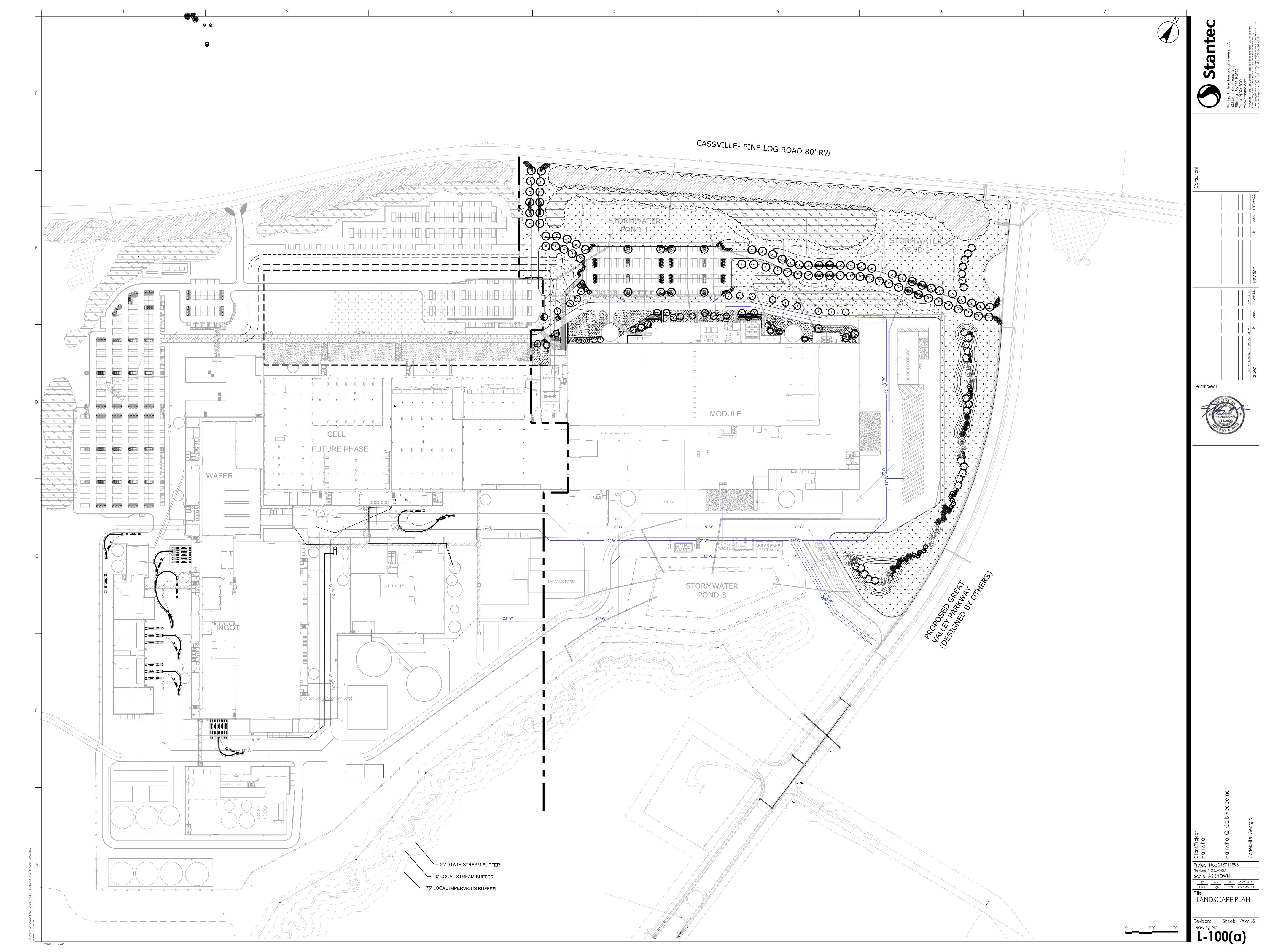
Attachment: [Attachment]

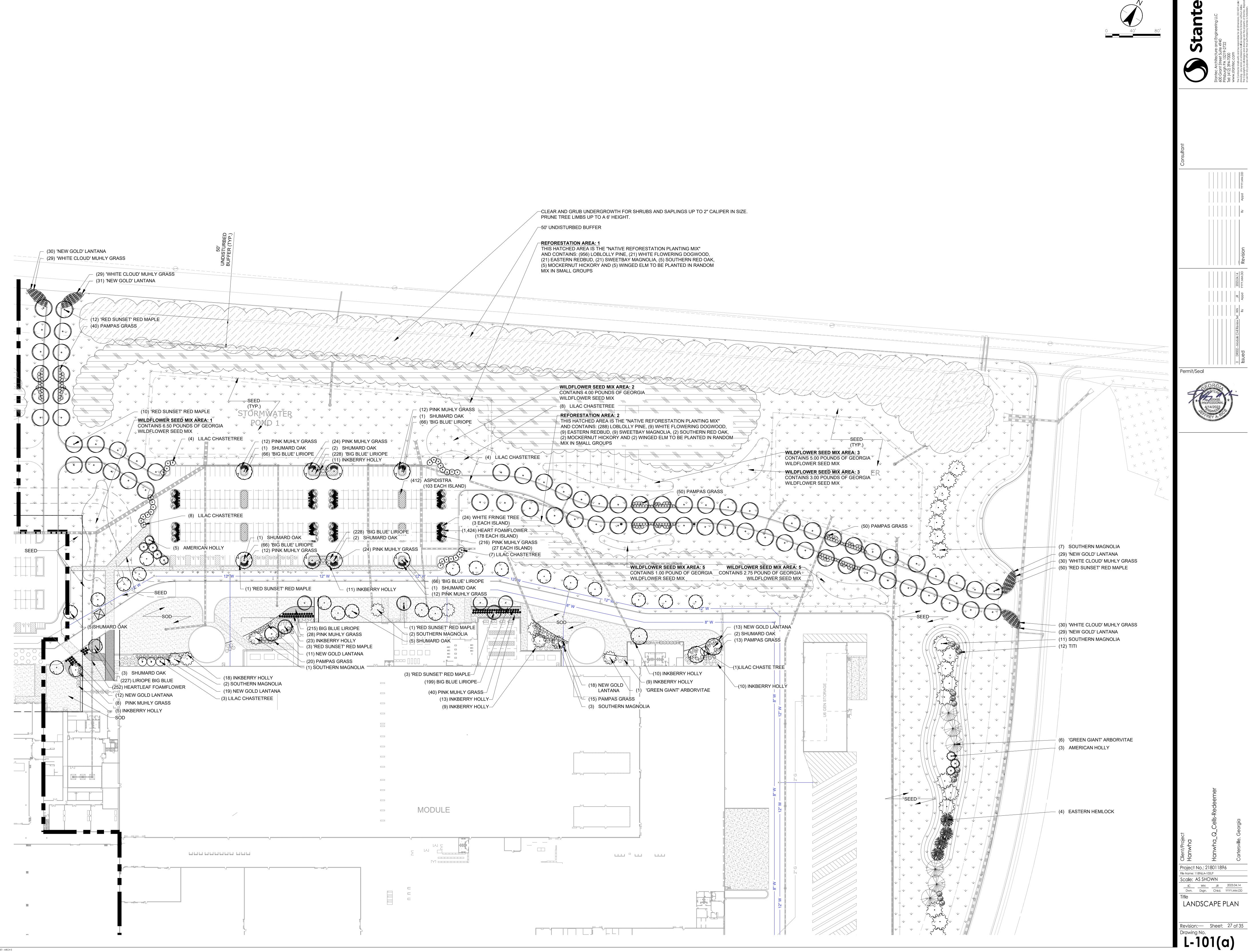












ORIGINAL SHEET - ARCH E

