

# MEMO

To: Planning Commission, Mayor Santini & City Council

From: Randy Mannino, David Hardegree, and Zack Arnold

Date: October 28, 2024

Re: *Text Amendment T24-06. Amendment to Chapter 26, Zoning, Article X, Industrial district Regulations, Sec. 10.1, Light Industrial District*

*Text Amendment to Chapter 26, Zoning, Article X, Industrial district Regulations, Sec. 10.1, Light Industrial District, to add “Clinics” as an allowed use.*

The applicant, Mr. Asa Williams, operates a private indoor sports training facility that includes physical therapy services. Since this aspect of the operation is conducted by a state licensed Physical Therapist, the applicant must be allowed to operate a “clinic” in conjunction with the indoor sports training facility. This request is to add “clinics” as an allowed use in the L-I zoning district.

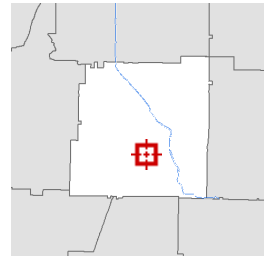
If approved, this will allow Mr. Williams to operate his business at 220 River Drive.

The proposed ordinance amendment is attached.



Staff is not opposed to the amendment.



Overview



Legend

-  Parcels
-  Roads

Parcel ID	C039-0002-002	Alternate ID	36302	Owner Address	QS RIVER DRIVE LLC
Sec/Twp/Rng	n/a	Class	Industrial		PO BOX 349
Property Address	220 RIVER DR	Acreage	7.58		ALPHARETTA, GA 30009
District	Cartersville				
Brief Tax Description	LL 670-1 698-699 D 4 TR 1				
	(Note: Not to be used on legal documents)				

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**Application for Text Amendment(s)  
To Zoning Ordinance  
City of Cartersville**

Case Number: T24-06  
Date Received: 9-20-2024

**Public Hearing Dates:**

Planning Commission 11-12-24 5:30pm 1<sup>st</sup> City Council 11-21-24 7:00pm 2<sup>nd</sup> City Council 12-5-24 7:00pm

**APPLICANT INFORMATION**

Applicant <u>ASA WILLIAMS</u> (printed name)	Office Phone <u>(678) 215-1533</u>
Address <u>51 LENOX PARK AVE</u>	Mobile/ Other Phone <u>(770) 712-6521</u>
City <u>CARTERSVILLE</u> State <u>GA</u> Zip <u>30120</u>	Email <u>ASAWILLIAMS8@GMAIL.COM</u>
Representative's printed name (if other than applicant)	Phone (Rep) _____
Representative Signature _____	Email (Rep) _____
Signed, sealed and delivered in presence of:	Applicant Signature <u>[Signature]</u>
<u>[Signature]</u> Notary Public	My commission expires: <u>11/29/26</u>



**1. Existing Text to be Amended:**

Article X, Section 10.1, Subsection 10.1.2A

Existing Text Reads as Follows: "PERMITTED USES, STRUCTURES & LAND MAY BE USED FOR ONLY THE FOLLOWING PURPOSES:" LIST DOES NOT INCLUDE 'MEDICAL CLINIC & PHYSICAL THERAPY'.

**2. Proposed Text:**

Proposed Text Reads as Follows: ADD 'MEDICAL CLINIC & PHYSICAL THERAPY' TO LIST OF PERMITTED USES.

(Continue on additional sheets as needed)

3. Reason(s) for the Amendment Request: TO UPDATE ZONING CODE TO  
ALLOW FOR PHYSICAL THERAPY WHICH IS ROUGHLY  
1/3 OF THE REVENUE OF MY BUSINESS MODEL.

(Continue on additional sheets as needed)

**REQUIREMENTS FOR FILING  
AN APPLICATION FOR TEXT AMENDMENT(S)  
CITY OF CARTERSVILLE, GA**

Completed applications must be submitted to the City of Cartersville Planning & Development Department, located at 10 N. Public Square, 2<sup>nd</sup> Floor. Cartersville, GA 30120.

**Requirements**

1. **Completed Application:** Include all signatures. Complete items 1, 2 and 3.
2. **Filing Fee:** A non-refundable filing fee of \$400.00 must accompany the completed application.
3. **Public Notice Fee (Optional):** The applicant may choose to have city staff prepare and manage the public notification process outlined in **Requirement 4** below. If this option is requested, there is an additional, non-refundable fee of \$50.00 which covers the cost of the newspaper ad and Publication affidavit.
4. **Public Notification:** The applicant is responsible for the following **public notification** process unless the applicant has requested that staff manage this process as outlined in **item 4** above:
  - a. Not less than fifteen (15) days and not more than forty-five (45) days prior to the scheduled date of the public hearing being the final action by the City Council and not less than ten (10) days prior to the Planning Commission meeting, a **notice of public hearing** shall be published in the legal notice section of the Daily Tribune newspaper within the City of Cartersville. Such notice shall state the application file number, and shall contain the location of the property, its area, owner, current zoning classification, and the proposed zoning classification. Such notice shall include both the Planning Commission and the City Council meeting dates. (See attached Notice of Public Hearing).

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## Sec. 10.1. L-I Light industrial district.

10.1.1. *L-I district scope and intent.* Regulations in this section are the L-I district regulations. The L-I district is intended to provide locations and land areas for the development of industrial and business parks and uses which meet the needs of processing, manufacturing, fabricating, and warehousing, research, related office uses, and other uses as further described in section 3.1.20 of this chapter.

Light manufacturing establishments shall consist of any manufacturing establishment which does not use water in the manufacturing operation either for processing, cooling, or heating and which shall emit no smoke, noise, odor, dust, vibrations, or fumes beyond the walls of the building in which housed.

Manufacturing establishments which use limited water in the manufacturing operation either for processing, cooling, or heating; or which emit smoke, noise, odor, dust, vibrations, or fumes beyond the walls of the building in which housed shall not be allowed, except with approval of a special use in accordance with standards further described in section 16.4.9.

10.1.2. *Use regulations.* Within the L-I district, land and structures shall be used in accordance with standards herein. Any use not specifically designated as allowed shall not be permitted.

A. *Permitted uses.* Structures and land may be used for only the following purposes:

- Adult entertainment establishments (SU).\*
- Amateur radio transmitter.
- Automotive storage yards and wrecker service.
- Aviation airports.
- Bus stations.
- Brewery (SU if accessory tasting room is included).\*
- Brewpub.
- Cheerleading/gymnastics facilities and indoor athletic training facilities.
- Clinics (excludes veterinary clinic).
- Clinic or hospital, animal.
- Clubs or lodges (noncommercial) (SU).\*
- Construction contractors: general contractors, heavy equipment contractors, and special trade contractors (including, but not limited to, construction subcontractors, engineers, architects, and land surveyors).
- Distillery (SU if accessory tasting room is included).\*
- Distribution.
- Indoor firing range.
- Indoor recreation facilities.
- Manufacturing.
- Microbreweries (SU).\*
- Offices.
- Outdoor golf driving ranges.
- Parking lots.



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- Processing.
  - Public utility facilities.
  - Radio, television, or other communication towers.
  - Religious institutions (SU).\*
  - Repair garage, automotive (no outdoor storage of inoperable and/or dismantled vehicles).
  - Repair garage, heavy equipment (no outdoor storage of inoperable and/or dismantled trucks and equipment).
  - Research facilities.
  - Schools, private (SU).\*
  - Tattoo/body piercing parlors (SU).\*
  - Taxi stands.
  - Truck terminals.
  - Warehousing.
  - Wholesale trade and distribution.

\* Special use approval required.

B. *Accessory uses.* Structures and land may be used for uses customarily incidental to any permitted use.

#### 10.1.3. *Development standards.*

- A. *Height regulations.* Buildings shall not exceed a height of forty-five (45) feet or three and one-half (3½) stories, whichever is higher.
- B. *Front yard setback:* Twenty (20) feet.
- C. *Side yard setback:* Fifteen (15) feet.
- D. *Rear yard setback:* Twenty (20) feet.
- E. *Minimum lot area:* None.
- F. *Minimum lot frontage:* One hundred ten (110) feet adjoining a street.
- G. *Minimum lot width at the building line:* One hundred (100) feet.
- H. *Rail access.* Railroad spurs and service rails in industrial parks shall be permitted only within the side and rear yards.
- I. *[Front facade.]* The front facade of metal buildings constructed or placed in the L-I district, and all portions of the building that face public road right-of-way, shall be finished with brick, stone, or hard-coat stucco.
- J. *Minimum buffer requirements.* In addition to required setbacks, a minimum thirty-five-foot wide buffer, ten (10) feet of which can be within required setback, and a fifteen-foot wide buffer adjacent to all other districts other than residential, L-I and H-I, shall be required along all property lines which abut a residential district or use to provide a visual screen in accordance with section 4.17 of this chapter.
- K. *Accessory structure requirements.* See section 4.9 of this chapter.

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10.1.4. *Other regulations.* The headings below contain additional, but not necessarily all provisions applicable to the L-I district.

- City of Cartersville Landscaping Ordinance.
- City of Cartersville Sign Ordinance.

(Ord. No. 01-13, § 12, 1-3-13; Ord. No. 29-13, § 1, 12-5-13; Ord. No. 09-16, § 1, 4-7-16; Ord. No. 09-16(Corrected), § 1, 4-7-16; Ord. No. 02-18, § 6, 1-18-18; Ord. No. 34A-18, § 6, 12-6-18)