

SPECIAL USE APPLICATION SYNOPSIS

REQUEST SUMMARY:

Pugmire Ford of Cartersville has a need to expand their automotive garage and sales services. The request is to expand the non-conforming uses in the Multi-Use zoning district, onto property located at 327 N. Tennessee St, Tax Parcel ID C004-0003-023 containing 0.85ac.

Application Number: **SU26-01**

APPLICANT INFORMATION AND PROPERTY DESCRIPTION

Applicant: Pugmire Ford of Cartersville

Representative: Austin Pugmire.

Location: 327 N. Tennessee St. Tax Parcel C004-0003-023

Total Acreage: 0.85 acres

LAND USE INFORMATION

Current Zoning: M-U (Multiple Use)

Proposed Zoning: Same

Proposed Use: Automotive Garage and Automotive Sales

Current Zoning of Adjacent Property:

North: M-U

South: M-U

East: M-U

West: M-U

For All Tracts:

District: 4th **Section:** 3rd **LL(S):** 384

Ward: 4 **Council Member:** Calvin Cooley

The Future Development Map designates adjacent properties as: Parkway Corridor

The Future Land Use Map designates adjacent or nearby city properties as:
Commercial

2. City Departments Reviews

Electric: No comments received

Fibercom: Takes no exception.

Fire: Takes no exception.

Gas: Takes no exception.

Planning and Development: Takes no exception.

Public Works: No comments received

Cartersville Water and Sewer: Takes No Exception

Public comments: None received as of 2-1-26.

4. Special Use Review

Pugmire Ford of Cartersville, applicant, requests a Special Use Permit to allow the legal, non-conforming expansion of their automotive garage and sales services onto property located at 327 N. Tennessee St, Tax Parcel ID C004-0003-023 containing 0.85 acres. This location is across N. Tennessee Street and adjacent to the primary campus at 328 and 352 N. Tennessee St.

These land uses are not allowed in the Multi-Use zoning district for new businesses. The Future Land Use map does identify the subject property and the property at 333 N Tennessee St as Commercial Use properties.

This request is also in conjunction with application SU26-02 for the same request on adjacent property located as 333 N. Tennessee St, Parcel ID C004-0003-014, containing 0.90 acres

In 2016, Pugmire Ford of Cartersville, applied for and was approved for a Special Use Permit to expand their sales operations from the main campus at 352 N. Tennessee St. onto 328 N. Tennessee St per SU16-01. Approved March 3, 2016.

.

5. Zoning Ordinance Findings

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

Article XVI. Special Uses

Sec. 16.1. Scope and intent.

- A. This article specifies uses which are not classified as permitted uses as a matter of right in zoning districts, and are therefore only allowed through the approval of a Special use. The standards which apply to each use are enumerated and must be met in order for an application to be granted.
- B. In granting a Special use, conditions may be attached as are deemed necessary in the particular case for the protection or benefit of neighbors in order to assimilate the proposed development or use into the neighborhood with minimal impact.

Sec. 16.2. Application of regulations and approval.

Uses allowable with a Special use and the minimum standards for such uses are listed in section 16.4 of this article.

Uses in the districts enumerated herein may be authorized by Special use only. The regulations contained in this article shall not apply to any permitted use as a matter of right in any zoning district.

Any use which may be authorized by Special use shall be approved by the Mayor and Council in accordance with section 16.1, scope and intent, provided:

- A. The standards for the Special use as specified herein can be met;
- B. Recommendations have been received from the planning and development staff and other appropriate City departments.
- C. A public hearing has been held in relation to the Special use before the Planning Commission in conformance with the advertising standards outlined in article XXIV of this chapter. The Planning Commission shall make recommendations to the Mayor and Council regarding the application for a Special use; and
- D. A public hearing has been held in relation to the Special use before the Mayor and Council in conformance with the advertising standards outlined in article XXIV of this chapter.

Sec. 16.3. Additional restrictions.

- A. In the interest of the public health, safety and welfare, the Mayor and Council may exercise limited discretion in evaluating the site proposed for a use which requires a Special use. In exercising such discretion pertaining to the subject use, the Mayor and Council may consider the following, which shall be stated in writing by the applicant and submitted to the department of planning and development to initiate an application for a Special Use permit:
 - 1. The effect of the proposed activity on traffic flow along adjoining streets;

2. The availability, number and location of off-street parking;
 3. Protective screening;
 4. Hours and manner of operation of the proposed use;
 5. Outdoor lighting;
 6. Ingress and egress to the property; and
 7. Compatibility with surrounding land use.
- B. Any use which may be authorized by special use shall comply with all other City regulations, zoning district regulations and other regulations contained herein, and conditions of zoning approval if applicable. Whenever a standard contained in this section is in conflict with another provision of this chapter, the more restrictive provision shall prevail.

6. How General Standards Are Met (Staff assessment):

Standard #1: The effect of the proposed activity on traffic flow along adjoining streets.

How Standard #1 has / will be met: Minimal negative effect to traffic along N. Tennessee St. or Nelson St. is anticipated.

Standard #2: The availability, location, and number of off-street parking.

How Standard #2 has / will be met: Off-street parking will be addressed during site plan review of the redevelopment plans. Development Regulations are in place for off-street parking (Ordinance Chapter 26, Zoning, Article XVII, Off Street Parking and Service Requirements).

Standard #3: Protective screening.

How Standard #3 has / will be met: Protective screening will not be required.

Standard #4: Hours and manner of operation:

How Standard #4 has / will be met: Typical standard business hours are anticipated.

Standard #5: Outdoor lighting

How Standard #5 has / will be met: Will be addressed during site plan review.

Standard #6: Ingress and egress to the property.

How Standard #6 has / will be met: Access to the property will be from N. Tennessee St and Nelson St.

Standard #7: Compatibility with surrounding land use.

How Standard #7 has / will be met: No compatibility conflicts have been identified. The existing businesses will have to relocate.

Sec. 16.4. - Minimum special use standards

Not applicable

8. Staff Recommendation: Staff does not oppose the application.