



CITY OF WOODSTOCK

COMMUNITY DEVELOPMENT DEPARTMENT

PLANNING, DESIGN & SUSTAINABILITY

770.592.6050

To: Mayor and Council
From: Brian Stockton, City Planner
Date: 12.08.2011
RE: CUP # 003-11 Office Use

Case Information:

Case:	CUP#003-11
Applicant:	Holly Iyer
Parcels:	92N05 009
Area:	0.07 acres
Location:	8744 Main St
Property Owner(s):	Holly and Harihar Iyer
Current Zoning:	DT-CBD (Downtown Central Business District)

Applicant's Request:

Conditional Use Permit for Office Use.

Surrounding Land Uses:

NORTH:	DT-CBD
EAST:	DT-CBD
WEST:	DT-CBD
SOUTH:	DT-CBD

Background, Issues and Analysis:

Background:

There are two, two story brick buildings on the subject property both of which are currently unoccupied; the historical use of this property is office. Because of the prohibition of Office Uses on the first floor of Main Street facing buildings in the DT-CBD, the applicant seeks a conditional use permit which will allow the continuation of the historical office use of the property. LDO Sec 7.506 provides for the application of a Conditional Use Permit as follows;

6. P*6 - Uses Permitted by Right by this designation are required to be located on a floor of a building which is not directly adjacent to a publicly accessible street (i.e.: these uses may be allowed on upper floors of a building or in the basement of a building which fronts onto an alleyway). In the DT-CBD category, this restriction is limited to those buildings which front directly on Main Street between Noonday/Fowler Street and Kyle Street, East Main Street, Chambers Street, Arnold Mill Road and Fowler Street. Uses marked by this designation shall be available on a floor of a building directly adjacent to a publicly accessible street through the issuance of a Conditional Use Permit.

Review Criteria: Staff will need to base its recommendation on the conditional use determination criteria outlined in Land Development Ordinance Code Section 7.503;

In addition to district regulations, the Mayor and City Council shall consider, at a minimum, the following in its determination of whether or not to grant a Conditional Use Permit, whether to limit the time such Conditional Use is allowed and whether to restrict the Conditional Use to a particular owner or party.

- a. Whether or not there will be a significant adverse effect on the surrounding area in which the proposed use will be located.**
- b. Whether or not the use is otherwise compatible with the surrounding area.**
- c. Whether or not the use proposed will result in a nuisance as defined under state law.**
- d. Whether or not quiet enjoyment of surrounding property will be adversely affected.**
- e. Whether or not property values of surrounding property will be adversely affected.**
- f. Whether or not adequate provisions are made for parking and traffic considerations.**
- g. Whether or not the site or intensity of the use is appropriate.**
- h. Whether or not special or unique conditions created by the use are consistent with the purpose, intent and goals of the Comprehensive Town Plan.**

- i. Whether or not adequate provisions are made regarding hours of operation.**
- j. Whether or not adequate controls and limits are placed on commercial and business deliveries.**

- k. Whether or not adequate landscape plans are incorporated to ensure appropriate transition between adjacent or nearby properties.**

- l. Whether or not the public health, safety, welfare or moral concerns of the surrounding neighborhood will be adversely affected.**

- m. Whether the application complies with any applicable specific requirements set forth in this chapter for Conditional Use Permits for particular types of uses.**

- n. Whether the applicant has provided sufficient information to allow a full consideration of all relevant factors.**

- o. Whether the Conditional Use requested emits or creates unusual odors which would warrant use of an odor elimination/attenuation system as recommended by industry standards.**

Development Process Committee Recommendation:

On November 30, 2011 the Development Process Committee voted to recommend approval of the applicants request for Office as a Conditional Use at 8744 Main Street Woodstock, Georgia with the following Conditions;

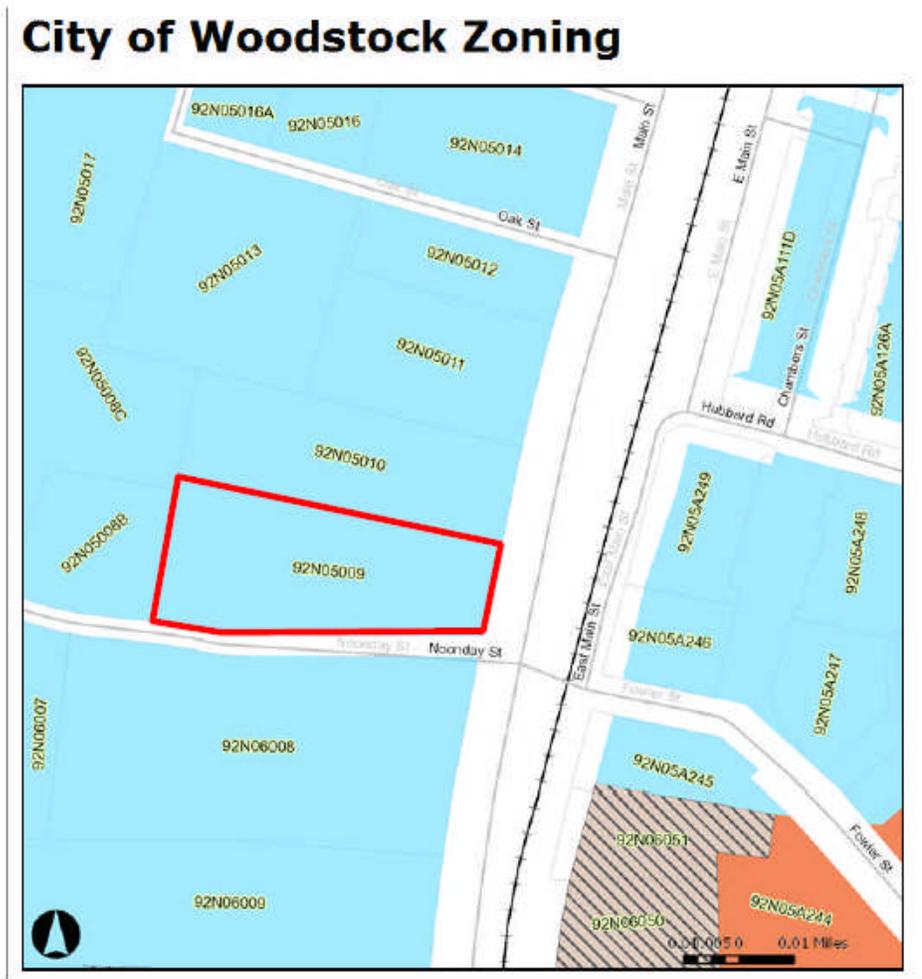
- 1) The Applicant agrees to the donation of “Iyer Tract 2” Right of Way to the City of Woodstock Georgia as indicated on the site plan “Iyer Property Exhibit 1” attached hereto as Exhibit “C”.

- 2) The Conditional Office Use shall apply to Holly and Harihar Iyer (the “Owners”) at 8744 Main Street in the City of Woodstock, Georgia (the “Property”) at the time the Conditional Use Permit is granted. At such time as the Property is conveyed to a party other than the Owners, this Conditional Use Permit shall terminate and the Property will be subject to all of the permitted and prohibited uses of the zoning of the property under the City of Woodstock Zoning Ordinance in effect when with Conditional Use Permit terminates. It is mutually understood that a subsequent owner may apply for a Conditional Use Permit as allowed by the City of Woodstock Zoning Ordinance, regardless of any applicable restrictions on length of time between Conditional Use Permit applicants.

- 3) At such time that the property is redeveloped the Conditional Use Permit shall terminate and the Property will be subject to all of the permitted and prohibited uses of the zoning of the property under the City of Woodstock Zoning Ordinance in effect when with Conditional Use Permit terminates. In the context of this condition “redevelopment” shall mean any development activity on the subject property requiring the issuance of a Demolition Permit by the City of Woodstock, Georgia.

Planning Commission Recommendation:

On December 7, 2011 the Planning Commission with all members present unanimously voted to approve the request as presented with the staff recommended condition as stated.



92N05 009 DT-CBD

