



## Department of Planning & Zoning

### MEMORANDUM

TO: William Whitson, City Manager  
FROM: Bill Johnston, City Planner  
SUBJECT: **Special Use Permit Application for 1031 Virginia Avenue to allow Airport Parking**  
DATE: Tuesday, 3 May 2016

#### FINDINGS

Mr. David Shepherd, representing Hapeville Hotel Limited Partnership DBA Hilton Atlanta Airport, has applied for a special use permit that would allow airport parking on the 507-guest room hotel at 1031 Virginia Avenue. The property is zoned C-2, General Commercial as are the majority of properties in this western section of the city. The Future Development Map designates the property as "Commercial" as is the case for many intensely developed hotel and office sites in Hapeville.

Ord. 2013-02 was intended to generate an incentive to new and existing office and hotel development. The Ordinance allows owners of existing such developments to allocate up to 10 percent of the parking requirement for the development as airport parking in compliance with the following standards:

1. No property which is dedicated exclusively to airport parking shall be considered for a special use permit.
2. Only properties zoned as C-2 or U-V shall be considered for a special use permit.
3. Applicants must document compliance with the current parking requirements for the permitted use and excess parking in an amount equal to the number of spaces proposed for airport parking. The number of airport parking spaces shall not exceed 10 percent of the parking requirement for the development.
4. All properties on which airport parking is operated shall fully comply with the perimeter landscaping requirement of the ordinance. This standard shall apply to all new construction and existing development which shall be retrofit to achieve compliance.

The Hilton Hotel in particular is well positioned to deliver travelers to the airport as (1) the hotel already operates a shuttle and (2) these travelers can conveniently access the hotel and be transported to the airport without creating neighborhood cut-through traffic. This assessment is based on the proximity of the hotel to northbound and southbound ramps on I-85. This routing stands in contrast to the inconvenient access to I-85 at Sylvan Road.

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The Hilton property complies with the perimeter landscape requirements of Sec. 93-23-18. *Landscape requirements for vehicular use areas* of the zoning ordinance. This finding is based on an ALTA survey prepared by Millman National Land Services and dated October 4, 2013. The airport parking will be operated in conjunction with the principal use, a hotel. A total of 526 parking spaces are available on site. Sec. 93-22.1-1 of the ordinance requires "one parking space for every unit in a hospital, hotel, motel, boardinghouse, or similar establishment," 507 spaces in this case. The parking requirement for the hotel restaurants is "three parking spaces for every 1,000 square feet of enclosed restaurant floor area." The parking requirement for the restaurants is 20 spaces. The "typical maximum inventory" cited in the application as "authorized for off airport parking" is 30 spaces. This number is well below the 10 percent anticipated in Ord. 2013-02 and the hotel management recognizes accommodating hotel "guests and local patrons" as their first priority. However, applying the ratio of one space per room yields a required "excess parking" deficit of 11 spaces.

The application cites an important purpose of the proposed airport parking operation as to "expose the hotel and Hapeville to potential future guests." This expanded visitor base may include increased patronage of the Finish Line, Magnolia Grill and Andiamo Tuscan restaurants in the hotel.

Ordinance 2013-02 renders airport parking facilities in the C-2 Zone subject to approval of a special use permit by Mayor and Council and establishes development standards applicable to this use. That Ordinance is attached. The following text describes the approval process and the criteria to be considered by Mayor and Council in deciding an application for a Special Use Permit. An assessment of the application relative to those criteria is also provided below.

**CONCLUSIONS**

Sec. 93-3.2-5. *Special use permit procedures.*

Mayor and Council may in considering a special use permit following a public hearing impose reasonable conditions deemed necessary to the protection or benefit of owners of adjacent and nearby properties to ensure compatibility of the proposed development or use with surrounding uses.

Sec. 93-3.2-6. *Special use permit criteria and standards.*

(a) Special use permit criteria. Special uses are compatible uses of land or the improvement of structures within a zoning district that reasonably require special consideration and therefore, are not allowed "by right." The following standards shall be considered in evaluating the appropriateness of all proposed special uses of property:

The following six criteria are to be considered in deciding an application for Special Use Permit approval:

**(1) Impact on the use or development of adjacent properties, or the surrounding area, as concerns public health, safety or general welfare**

The Hilton is located in an intensely developed office and hospitality district. The transportation network serving the hotel and the proposed airport parking use in particular is Interstate I-85. Access to the interstate is virtually direct via four-lane Virginia Avenue. No adverse impact on nearby Virginia Park

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neighborhood is anticipated. This assessment is based on proximity of the hotel to I-85 entrance and exit ramps and the convenience of that route as opposed to the Sylvan Road interchange. The relatively small scale of the proposed operation and the fact that hotel guests are already being transported to the airport from the hotel without adverse incident also forms the basis of this conclusion.

### **(2) Capacity of the lot to accommodate the use and satisfy the dimensional requirements of the ordinance**

The on-site parking is one space short of the ordinance requirement of Article 22.1. *Dimensional Requirements* for the hotel and the ancillary uses. Reserving 30 spaces, as is proposed, would be permitted under Ord. 2013-02 as this number is below the 10 percent of the total number of parking spaces threshold. However, those 30 spaces are not theoretically available on site when all uses are considered.

All of the dimensional requirements of the ordinance are met, including the building setback and the perimeter landscaping requirements. This property was the subject of a zoning certificate in 2013. The nonconformity as concerns building height is addressed under Standard 6, below.

### **(3) Compatibility with adjacent properties and other land uses in the vicinity**

Uses in the vicinity are intense commercial uses, including Delta offices, Virginia Crossing (slated for redevelopment), Delta Community Credit Union, Hapeville Center, the LaQuinta Hotel and a restaurant/services commercial node. Much of the Hilton property is bounded by I-85 and the Marriott Residence Inn borders the site on the north. This context renders the site and the proposed use compatible with adjacent properties and other land uses in the vicinity.

### **(4) Potential nuisance or hazardous characteristics, specifically as concerns the number of individuals projected to use such facility or nature of the activity**

The scale of the proposed airport parking use indicates that minimal nuisance characteristics will be associated with the operation. The number of guests either being transported to or from the airport or accessing the property in private or rented vehicles could exceed the planned use by a factor of nearly 18. The operation, that is, travelers being transported to and from the airport, is virtually identical to hotel guests being so transported. No hazardous characteristics are associated with the proposed use.

### **(5) Impact on traffic movement, availability of off-street parking, options for buffering or protective screening, hours and manner of operation, lighting, signs and access to the property**

The volume of traffic to be generated by the proposed operation and the transportation network serving the property, including the interstate system, indicate that the impact on traffic movement will be minimal. The Hilton is accessed by four-lane Virginia Avenue and is situated near I-85 exit and entry ramps. This superior transportation network and the scale of the proposed use indicate that the impact on

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traffic movement will be minimal. The signalized intersection at International Boulevard and Virginia Avenue will facilitate safe access to and from the property. As concerns the availability of off-street parking, the 526 on-site spaces falls short of accommodating the proposed airport parking, the hotel and the restaurants in the hotel.

Noteworthy is the City's past experience with the "Red Roof Inn." That hotel was granted a reduction in parking based on actual usage surveys of area hotels and a comparison of parking ratios in other airport cities, many of which have adopted a ratio of one space for every two rooms. It is also arguable that hotel guests will be the primary patrons of the restaurants and therefore, parking tied directly to the hotel use is sufficient to address those ancillary uses. As payment will be made prior to arrival of air travelers, the actual availability of spaces can be closely monitored by the hotel. Finally, guest use of all 507 spaces required by Ordinance assumes an occupancy level of 100 percent. Occupancies in the airport market hover in the high 80 percent range. This would mean that as many as 50 spaces would be available on any given day.

Access to the hotel is excellent with a convenient drop off and pick up arrangement, a controlled access gate and 24-hour monitoring in place. Site lighting improvements designed to "ensure an attractive, welcoming approach for all guests and parking customers" are underway. Signs identifying the hotel are also in place.

Landscaping of the hotel parking lot fully complies with Sec. 93-23-18 of the Ordinance concerning landscaping around the perimeter of parking lots. This landscaping is intended to screen vehicle parking areas from adjacent properties. Much of that adjacent property in this case is the Delta Community Credit Union parking lot and I-85, further reducing adverse visual impacts. The view of the property from Virginia Avenue is an abundantly landscaped site, the hotel and a plaza that forms an attractive roundabout.

Based on the nature of surrounding uses, being hotels, services and offices, the presumably 24-hour operation will not adversely impact developments in the vicinity.

### **(6) Conformance of the special use to other requirements of the ordinance**

This is a developed site that is in compliance with the Ordinance for all practical purposes as evidenced by a zoning certificate issued on October 4, 2013. The following certificate excerpt documents that the nonconformance as to building height would come into play only in the event of a catastrophic loss.

"The maximum building height is 40 feet. The Ordinance states "Buildings over 40 feet in height must be approved by the building official and fire chief to ensure that fire safety design standards are met."

However, a variance as to height would be required in the event of a catastrophic loss and rebuilding as the building official and fire chief have no stated authority to approve such deviation from an Ordinance standard. FAA approval would also be required. Documentation concerning any variance as to building height has not been located at this time. Accordingly, the building is nonconforming as to height, subject to Article 3 of the zoning ordinance, attached."

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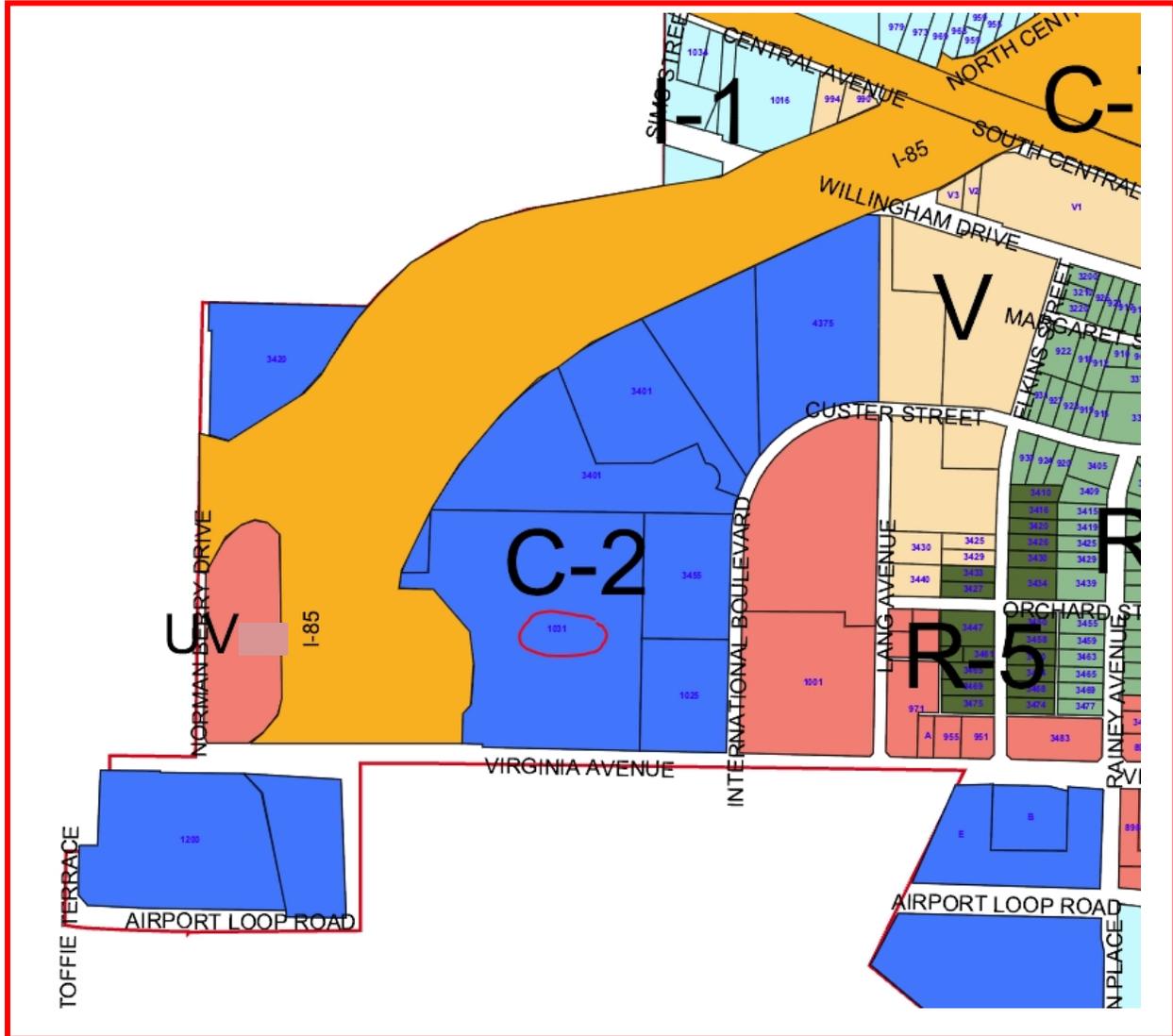
**RECOMMENDATION**

Based on the above findings and conclusions, approval of the Special Use Permit subject to compliance with Ord. 2013-02 is appropriate.

c: Rick Glavosek, Police Chief

Jennifer Elkins, City Clerk

### Zoning Map Exhibit



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### Landscaping Compliance

