

Memorandum

Date: April 3, 2023.

To: Mayor and Council

From: Community Development

Subject: **PZ 23-006. Special Use Request. To allow the outdoor storage of food trucks for the purpose of a food truck park and commissary, and outdoor entertainment venue. The property is located at 3980 & 3982 Austell Powder Springs Road, within land lot 905 of the 19th District, 2nd Section, Cobb County, Georgia.**

Action:

A motion to Approve with the following conditions:

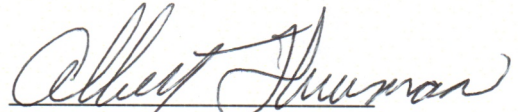
1. The special use approval is valid for one year from the date of approval. The applicant must reapply for special use prior to expiration.
2. The special use approval is for the food truck park, and outdoor storage of food trucks. The following will require permitting on a case-by-case basis:
 - a. Events with Amplified Sound. Such events require Temporary Event Permit issued by the City of Powder Springs, on a case-by-case basis. No temporary event shall be approved while open code enforcement violations exist. All code enforcement concerns / warnings / violations must be addressed expeditiously.
3. The submitted site plan is not approved. A revised site plan shall be submitted, subject to review and approval by the Community Development Department. The applicant will work with staff to determine the optimal location of site features.
4. Food service shall come from food trucks only, and providers must be licensed with the City of Powder Springs and authorized to operate.
5. The following items are prohibited:
 - a. There shall be no food service other than that provided by food trucks licensed by the City of Powder Springs.
 - b. There shall be no usage of repurposed containers for bars, nor other uses for the provision of services to the public. However, containers may be allowed for storage purposes only, subject to approval of the Community Development Department.
 - c. There shall be no alcohol service by the applicant.

- d. There shall be no perimeter fencing associated with this use. Any security gates or fencing on the interior of the site is subject to review and approval by the Community Development Department.
- 6. The applicant must comply with the Food Truck regulations of UDC Sec. 4-145, except that:
 - a. On weekdays, hours of operation are limited to 8am to 10 pm, to allow for the operation of breakfast providers.
 - b. On weekends, hours of operation are limited to 8 am to 10 pm.
 - c. The applicant is allowed to exceed 6 hours of operation.
Maximum of 10 food trucks on site at any time.
- 7. Parking Ratio: The site must have a minimum of customer 4 available customer parking spaces per operating food truck. This ratio will determine the maximum number of allowed food trucks, and will be determined at site plan review.
- 8. The applicant shall install multi-stall indoor restrooms for public use, within three months of issuance an Occupational Tax License. Portalets will only be allowed for permitted special event usage thereafter.
- 9. Following a period of one year, i.e., after a second consecutive Special Use Approval, the applicant shall further develop and/or make the following items permanent:
 - a. Permanent signage, compliant with the City's development standards.
 - b. Dumpster and grease trap enclosure, compliant with the City's development standards.
 - c. Additional landscaping or ground cover improvements to outdoor dining areas or other areas deemed necessary by the Community Development Department, compliant with the City's development standards.
- 10. Overnight storage of food trucks to be confined to areas marked on approved site plan at 3982 Austell Powder Springs Road. There shall be no overnight storage at 3980 Austell Powder Springs Road. The location of said overnight storage spaces subject to review and approval of the Community Development Department.
- 11. Applicant to provide restriping plan for both parking lots, subject to review and approval by the Community Development Department. The 4 designated overnight storage spots behind the building must be marked by signage.

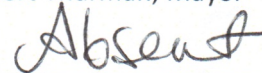
12. Applicant to coordinate and permit necessary construction with the Cobb County Fire Marshal, Cobb County Water System, the City of Powder Springs, and Cobb and Douglas Public Health.
13. Applicant to permit any proposed signage with the City of Powder Springs. The operation shall install a ground based, or wall sign prior to opening to the public. This initial sign may be a temporary sign, subject to the time limit provisions of the special event / temporary sign code, after which the applicant must install a permanent sign.
14. Applicant to permit all kitchen, food truck and restroom facilities with Cobb and Douglas Public Health.
15. Any proposed interior security fencing (including materials and height) shall to the Community Development Department, subject to Design Review and approval.
16. Any low intensity lighting has to be approved by the City of Powder Springs Community Development Department.
17. Applicant to utilize City of Powder Springs police officers to control traffic and ensure safety with pedestrian users of the proposed trail on a case by case, event by event basis.
18. Applicant to provide screening plan(s) for storage unit and dumpster area, subject to review and approval by the City of Powder Springs Community Development Department.
19. Applicant to provide elevations, and renderings and site location plans for the proposed stage, subject to review and approval by the City of Powder Springs Community Development Department.
20. The sale of alcohol shall be prohibited.
21. All structures subject to design review and permitting.
22. The applicant must maintain control of both parcels, by lease or ownership, to continue the special use. The approval is nullified if 3982 Austell Powder Springs Road is not controlled by the applicant. Should said property change ownership to someone other than the applicant, the approval is nullified.
If the approval is nullified due to changes in control, the applicant must reapply for special use approval to continue the use.

Should the applicant purchase said property, then the lots must re-platted via the Lot Combination Application process.

So motioned, this 3rd day of April 2023.



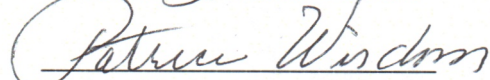
Albert Thurman, Mayor



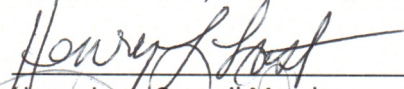
Patrick Bordelon, Council Member



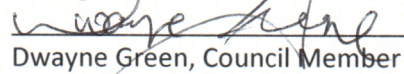
Doris Dawkins, Council Member



Patricia Wisdom, Council Member

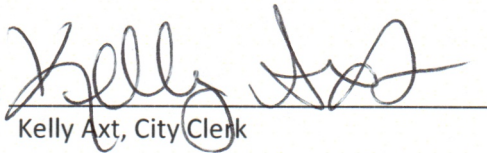


Henry Lust, Council Member



Dwayne Green, Council Member

Attest:



Kelly Axt, City Clerk