



Technical Panel

Chapter 74 Article VII
Riparian Buffer Requirements

Technical Review Report

Atlanta City Code Section 74-309

Initial Review

Application No: 2020-14

90 West Wieuca Road

October 21, 2020

1. Background and legislative context

The purpose of this report is to document the technical review required to be conducted by the Technical Panel (“Panel”) pursuant to section 74-309 of the Atlanta City Code (“Code”).

2. Project description

The project at 90 West Wieuca Road seeks to reconfigure the existing parking lot to gain as many parking spaces as possible while generating the least amount of land disturbance. Portions of the existing parking lot encroaches into the 75 ft and 25 ft stream buffer. This application seeks an authorized encroachment for the removal of 774 sf of existing impervious surface from the buffer, the creation of 882 sf of new impervious surface outside the buffer, and the use of pervious pavers for stormwater management. (See existing conditions survey, and sheets C-1.0 and C-2.0.)

3. Initial Review

This is the initial review of the application and the Panel may or may not request modifications to the application.

4. Assessment and evaluation

The Panel has reviewed the application, including any information, plans, and reports prepared by the applicant as well as other information on the City file.

In accordance with section 74-309 of the Code, the Panel has evaluated the following the matters:

Table 1: Compliance with section 74-309

Subsection	Comment
(a) Whether the application meets the requirements of section 74-308 and provides sufficient information to proceed with review	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
(b) Whether the application contains a disqualifying characteristic that makes the applicant ineligible for an authorized encroachment	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
(c) Whether the proposed encroachment is on a wetland, 100-year floodplain, or other location that is inappropriate for development	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>

Subsection	Comment
(d) Whether the property owner has demonstrated a hardship or an extreme hardship	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Portions of the existing parking lot is located within the 75 ft and 25 ft stream buffers and cannot be reconfigured or reconstructed without activity within the buffers.
(e) Whether, in light of the showings by the applicant required by section 74-308, the applicant has demonstrated that the location and extent of the proposed buffer encroachment has been minimized	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> The proposal will result in a reduction of impervious surface in the stream buffer than the existing condition.
(f) Whether alternative designs are possible which require less intrusion or no intrusion	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Given the location of the existing building and parking lot relative to the stream buffer, the proposed improvement appears to be the best alternative available to increase parking while improving the stream buffer.
(g) Whether, in light of the mitigation proposed by the applicant in accordance with section 74-306(d), the post-development conditions will be at least as protective of water quality as pre-development conditions	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> The new condition after the project should be more protective of the stream buffer than the existing condition.
(h) Whether the proposed development meets all other requirements of this ordinance	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> See Table 2.
(i) Whether the property to be affected by the authorized encroachment has no reasonable use given, but not limited to, the current zoning if the authorized encroachment is denied	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> The proposed project will improve stream buffer conditions. Therefore, approval will be less detrimental than denial.

In accordance with section 74-309(h) of the Code, the Panel has evaluated the following the matters and has determined compliance as follows:

Table 2: Compliance with section 74-309(h)

Section	Comment
74-304. - Stream crossing requirements	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
74-306(a) – Existing lots of record	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>

Section	Comment
74-306(a) – New lots of record	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
74-306(c) – All lots of record	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
74-306(d) – Mitigation	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Proposed mitigation includes removal of existing pavement from within the buffer, and the creation of tree islands and areas of pervious pavers. This mitigation is should be designated as a condition of approval.

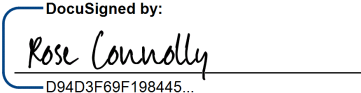
5. Other Comments or Conditions

This project will also require approval by Georgia DNR EPD, for encroachment into the 25 ft stream buffer.

6. Determination

The Panel, having completed the technical review in accordance with section 74-309 of the Code, determines to request the following modifications:

- Prior to plan resubmittal to the Technical Panel, applicant is advised to consult with the Office of Zoning & Development regarding the lot boundaries as shown on the plans and the historical lot configuration.
- Also prior to resubmittal, applicant is asked to consult with the Office of Buildings Arborist Division regarding existing trees.
- Applicant is also referred to Site Development for stormwater requirements as well as additional stormwater management as mitigation prior to resubmittal to the Technical Panel.

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