

APPLICANT: Cooke Enterprises, Inc.
678-797-9797

REPRESENTATIVE: Sams, Larkin & Huff, LLP
Garvis L. Sams, Jr. 770-422-7016

TITLEHOLDER: San-Har, Inc.

PROPERTY LOCATION: Located at the northwest intersection of
Windy Hill Road and Spectrum Circle.

ACCESS TO PROPERTY: Spectrum Circle

PHYSICAL CHARACTERISTICS TO SITE: Vacant lot

PETITION NO: SLUP-11

HEARING DATE (PC): 08-05-08

HEARING DATE (BOC): 08-19-08

PRESENT ZONING: OMR

PROPOSED ZONING: Special Land Use
Permit

PROPOSED USE: Climate Controlled
Self-Service Storage Facility

SIZE OF TRACT: 1.195 acres

DISTRICT: 17

LAND LOT(S): 919, 920

PARCEL(S): 3

TAXES: PAID X **DUE** _____

COMMISSION DISTRICT: 2

CONTIGUOUS ZONING/DEVELOPMENT

- NORTH:** O&I/ Corporate Spectrum Offices
- SOUTH:** O&I/ Sporting Club at Windy Hill
- EAST:** O&I/ Corporate Spectrum Offices
- WEST:** RM-12/ Georgia Power substation

OPPOSITION: NO. OPPOSED **PETITION NO:** SPOKESMAN

PLANNING COMMISSION RECOMMENDATION

APPROVED _____ **MOTION BY** _____

REJECTED _____ **SECONDED** _____

HELD _____ **CARRIED** _____

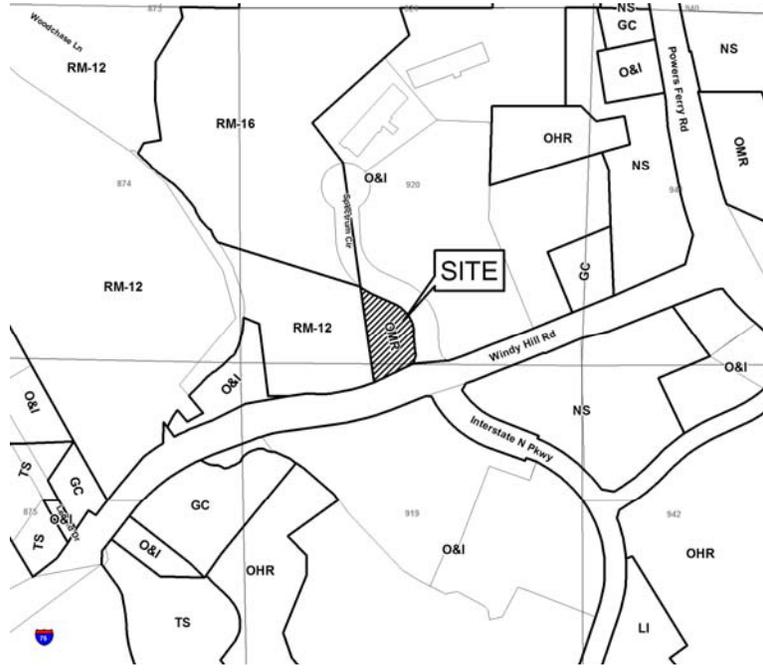
BOARD OF COMMISSIONERS DECISION

APPROVED _____ **MOTION BY** _____

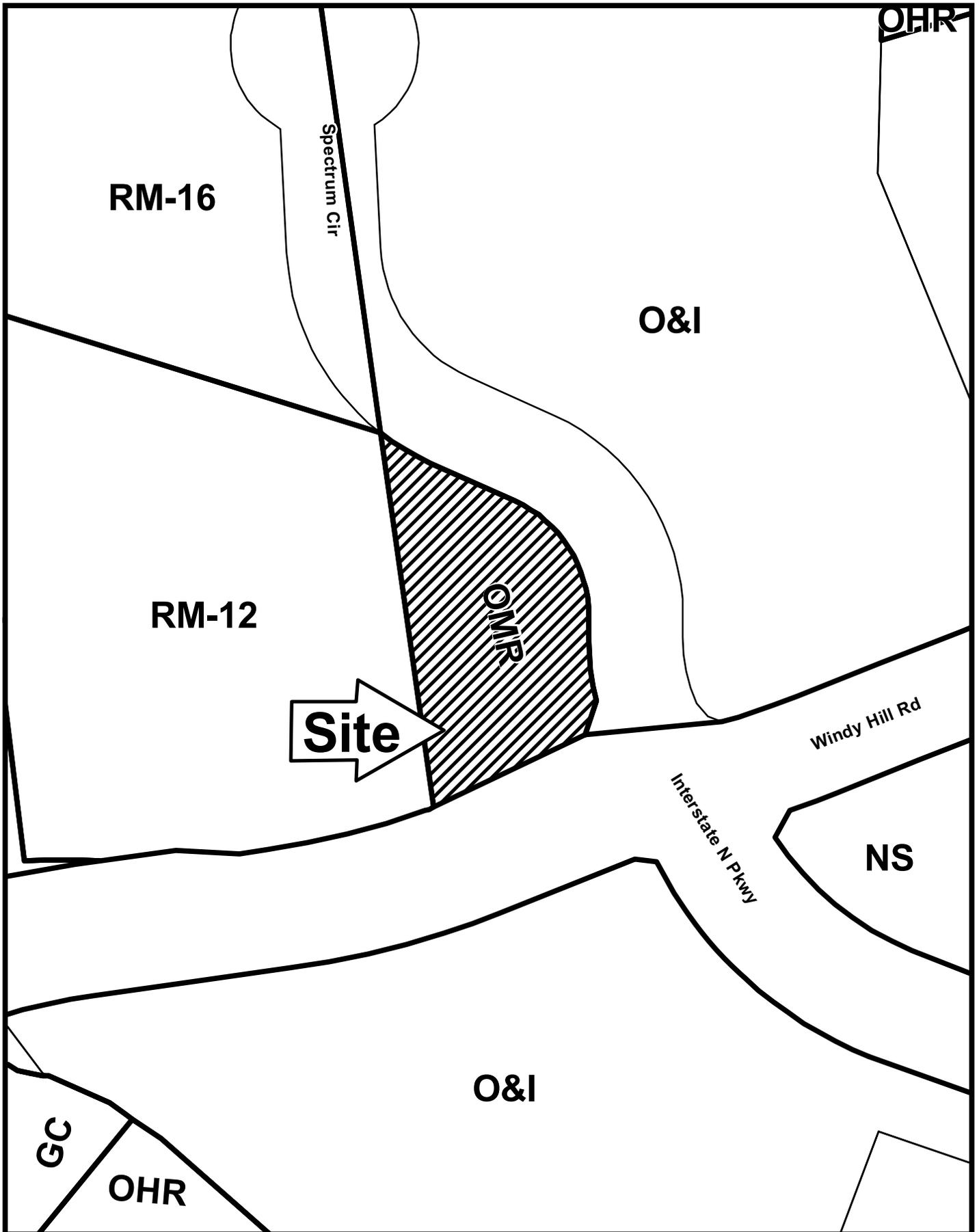
REJECTED _____ **SECONDED** _____

HELD _____ **CARRIED** _____

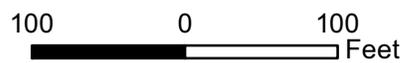
STIPULATIONS:



SLUP-11



This map is provided for display and planning purposes only. It is not meant to be a legal description.



- City Boundary
- Zoning Boundary

APPLICANT: Cooke Enterprises, Inc.

PETITION NO.: SLUP-11

PRESENT ZONING: OMR

PETITION FOR: SLUP

PLANNING COMMENTS:

Staff Member Responsible: John P. Pederson, AICP

Land Use Plan Recommendation: Regional Activity Center- Sub Area for High Density Res.

Proposed Number of Buildings: 1 **Total Square Footage of Development:** 109,325

F.A.R.: 2.1 **Square Footage/Acre:** 91,485

Parking Spaces Required: 35 **Parking Spaces Provided:** 16

The applicant is requesting a Special Land Use Permit to develop a climate controlled self-service storage facility. The proposed building would have an exterior of brick and EFIS on four sides. The building would contain four stories with a basement, and would have 870 storage units. The hours of operation will be 8:00 a.m. to 6:00 p.m. Monday through Saturday, and 1:00 p.m. to 6:00 p.m. on Sundays.

The applicant is showing contemporaneous variances which are:

1. Reduce the required amount of parking spaces from 35 parking space to 16 parking spaces;
2. Reduce the side setback from 15 feet to 5 feet;
3. Waive the 20 foot landscape buffer along the western property (adjacent to the Georgia Power Substation);
4. Waive the maximum Floor Area ratio from 0.75 to 2.1, per County Code (however, the Comprehensive Plan allows F.A.R.'s in R.A.C.'s to be up to 2.0); and
5. Waive the maximum building height, from three stories to five stories.

Historic Preservation: No comment.

Cemetery Preservation: No comment.

DEPARTMENT OF TRANSPORTATION COMMENTS:

Recommend applicant verify that minimum intersection sight distance is available for ingress and egress maneuvers for the site if it is not, implement remedial measures, subject to the Department's approval, to achieve the minimum requirement of 280 feet.

WATER & SEWER COMMENTS:

Water and sewer available.

APPLICANT: Cooke Enterprises, Inc.

PETITION NO.: SLUP-11

PRESENT ZONING: OMR

PETITION FOR: SLUP

FIRE DEPARTMENT COMMENTS:

Fire Apparatus Access Road

All access roads shall have an all weather driving surface capable of supporting 75,000 pounds with an unobstructed width of not less than 20 feet, 25 feet inside turning radius, 50 foot outside turning radius and unobstructed vertical clearance of not less than 13 feet 6 inches.

Access road shall extend to within 150-feet of all portions of the facility or any portion of the exterior wall of the first floor.

Dead-end access roads in excess of 150-feet shall be provided with a turn-around by one of the following methods:

Commercial: Cul-d-sac without an island to have a 60 foot paved radius **or** Hammerhead turn-around – total of 110 feet needed (45 feet + 20 foot wide roadway + 45 feet).

Fire Hydrant

Commercial: Fire hydrant within 500 feet of most remote part of structure.

Gates securing fire apparatus access shall be a minimum 14 feet in clear width for a single lane and 20 feet for a double lane. Gate shall be swing or slide type. Electric gates shall be equipped with a means of opening the gate by fire department personnel for emergency access. Emergency opening devices shall be approved by the Cobb County Fire Marshal's office.

APPLICANT: **Cooke Enterprises, Inc.**

PETITION NO.: **SLUP-11**

PRESENT ZONING: **OMR**

PETITION FOR: **SLUP**

DRAINAGE COMMENTS

FLOOD HAZARD: YES NO POSSIBLY, NOT VERIFIED

DRAINAGE BASIN: **Rottenwood Creek** FLOOD HAZARD INFO: Zone X

- FEMA Designated 100 year Floodplain Flood.
- Flood Damage Prevention Ordinance DESIGNATED FLOOD HAZARD.
- Project subject to the Cobb County Flood Damage Prevention Ordinance Requirements.
- Dam Breach zone from (upstream) (onsite) lake - need to keep residential buildings out of hazard.

WETLANDS: YES NO POSSIBLY, NOT VERIFIED

Location:

- The Owner/Developer is responsible for obtaining any required wetland permits from the U.S. Army Corps of Engineer.

STREAMBANK BUFFER ZONE: YES NO POSSIBLY, NOT VERIFIED

- Metropolitan River Protection Area (within 2000' of Chattahoochee River) ARC (review 35' undisturbed buffer each side of waterway).
- Chattahoochee River Corridor Tributary Area - County review (_____ undisturbed buffer each side).
- Georgia Erosion-Sediment Control Law and County Ordinance - **County Review**/State Review.
- Georgia DNR Variance may be required to work in 25 foot streambank buffers.
- County Buffer Ordinance: 50', 75', 100' or 200' each side of creek channel.

DOWNSTREAM CONDITION

- Potential or Known drainage problems exist for developments downstream from this site.
- Stormwater discharges must be controlled not to exceed the capacity available in the downstream storm drainage system and existing Georgia Power detention pond to the west.
- Minimize runoff into public roads.
- Minimize the effect of concentrated stormwater discharges onto adjacent properties.
- Developer must secure any R.O.W required to receive concentrated discharges where none exist naturally
- Existing Lake Downstream _____.
Additional BMP's for erosion sediment controls will be required.
- Lake Study needed to document sediment levels.
- Stormwater discharges through an established residential neighborhood downstream.
- Project engineer must evaluate the impact of increased volume of runoff generated by the proposed project on downstream drainage system and existing Georgia Power detention pond to the west.

APPLICANT: Cooke Enterprises, Inc.

PETITION NO.: SLUP-11

PRESENT ZONING: OMR

PETITION FOR: SLUP

DRAINAGE COMMENTS CONTINUED

SPECIAL SITE CONDITIONS

- Provide comprehensive hydrology/stormwater controls to include development of out parcels.
- Submit all proposed site improvements to Plan Review.
- Any **spring activity** uncovered must be addressed by a qualified geotechnical engineer (PE).
- Structural fill _____ must be placed under the direction of a qualified registered Georgia geotechnical engineer (PE).
- Existing facility.
- Project must comply with the Water Quality requirements of the CWA-NPDES-NPS Permit and County Water Quality Ordinance.
- Water Quality/Quantity contributions of the existing lake/pond on site must be continued as baseline conditions into proposed project.
- Calculate and provide % impervious of project site.
- Revisit design; reduce pavement area to reduce runoff and pollution.

INSUFFICIENT INFORMATION

- No Stormwater controls shown _____
- Copy of survey is not current - Additional comments may be forthcoming when current site conditions are exposed.
- No site improvements showing on exhibit.

ADDITIONAL COMMENTS/SUGGESTIONS

1. Approximately two-thirds of this site drains to the south into the Windy Hill Road R/W. The remainder of the site drains to the west into the adjacent Georgia Power substation property. The allowable discharges from both areas must account for the existing available downstream system capacity. A downstream hydrologic analysis will be required to evaluate the impact of increased runoff volume into the existing Georgia Power detention facility to the west. These issues must be addressed at Plan Review.
2. The proposed use of underground detention and limited site space will necessitate installation of proprietary water quality devices to meet stormwater requirements. A maintenance agreement must be provided and recorded to assure perpetual maintenance of this system. The must be addressed at Plan Review.

STAFF RECOMMENDATIONS

SLUP-11

COOKE ENTERPRISES, INC.

- A. It is Staff's opinion that the applicant's proposal will permit a use that is suitable in view of the use and development of adjacent and nearby properties. The applicant's proposal is aesthetically pleasing, and would look like an office building. Staff is concerned with all the variances being requested (see Planning Comments).
- B. It is Staff's opinion that the applicant's proposal will have an adverse affect on the usability of adjacent or nearby property. Staff is very concerned with the intensity of the applicant's proposal. Most of the basic zoning criteria (FAR, height, and parking) cannot be met because this property is too small to support an operation this intense.
- C. It is Staff's opinion that the applicant's proposal will not result in a use which would cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools. This opinion can be supported by the departmental comments contained in this analysis.
- D. It is Staff's opinion that the applicant's proposal is not in conformity with the policy and intent of the *Cobb County Comprehensive Plan*, which delineates this property to be within a Regional Activity Center, Sub Area for High Density Residential.
- E. It is Staff's opinion that there are existing and changing conditions affecting the use and development of the property which give supporting grounds for denying the applicant's proposal. The applicant's proposal does not meet many of the criteria for the OI zoning district, as referenced in the Planning Comments. Uses, such as this proposal, are allowable in this O&I zoning district. However, the intensity of the proposal may be too much to be supported by Staff.

Based on the above analysis, Staff recommends DENIAL.

The recommendations made by the Planning and Zoning Staff are only the opinions of the Planning and Zoning Staff and are by no means the final decision. The Cobb County Board of Commissioners makes the final decisions on all Rezoning and Land Use Permits at an advertised public hearing.