

APPLICANT: Salvage Hunter Holdings, LLC
770-943-9979

PETITION NO: SLUP-8
HEARING DATE (PC): 07-07-09

REPRESENTATIVE: Moore Ingram Johnson & Steele, LLP
John H. Moore 770-429-1499

HEARING DATE (BOC): 07-21-09
PRESENT ZONING: HI

TITLEHOLDER: Franklin Poss

PROPOSED ZONING: Special Land Use
Permit

PROPERTY LOCATION: Located on the west side of Anderson Farm Road, north of the Silver Comet Trail.

PROPOSED USE: Auto Salvage

ACCESS TO PROPERTY: Anderson Farm Road

SIZE OF TRACT: 2.187 acres

PHYSICAL CHARACTERISTICS TO SITE: Existing
industrial buildings

DISTRICT: 19

LAND LOT(S): 913, 938

PARCEL(S): 10, 15

TAXES: PAID X **DUE** _____

COMMISSION DISTRICT: 4

CONTIGUOUS ZONING/DEVELOPMENT

- NORTH:** HI/ Martinez Auto Salvage
- SOUTH:** HI/ T.R Driskell Grading Company
- EAST:** HI/ Marathon/Ashland Petroluem
- WEST:** HI/ Salvage Hunter Auto Parts

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

PLANNING COMMISSION RECOMMENDATION

APPROVED _____ **MOTION BY** _____

REJECTED _____ **SECONDED** _____

HELD _____ **CARRIED** _____

BOARD OF COMMISSIONERS DECISION

APPROVED _____ **MOTION BY** _____

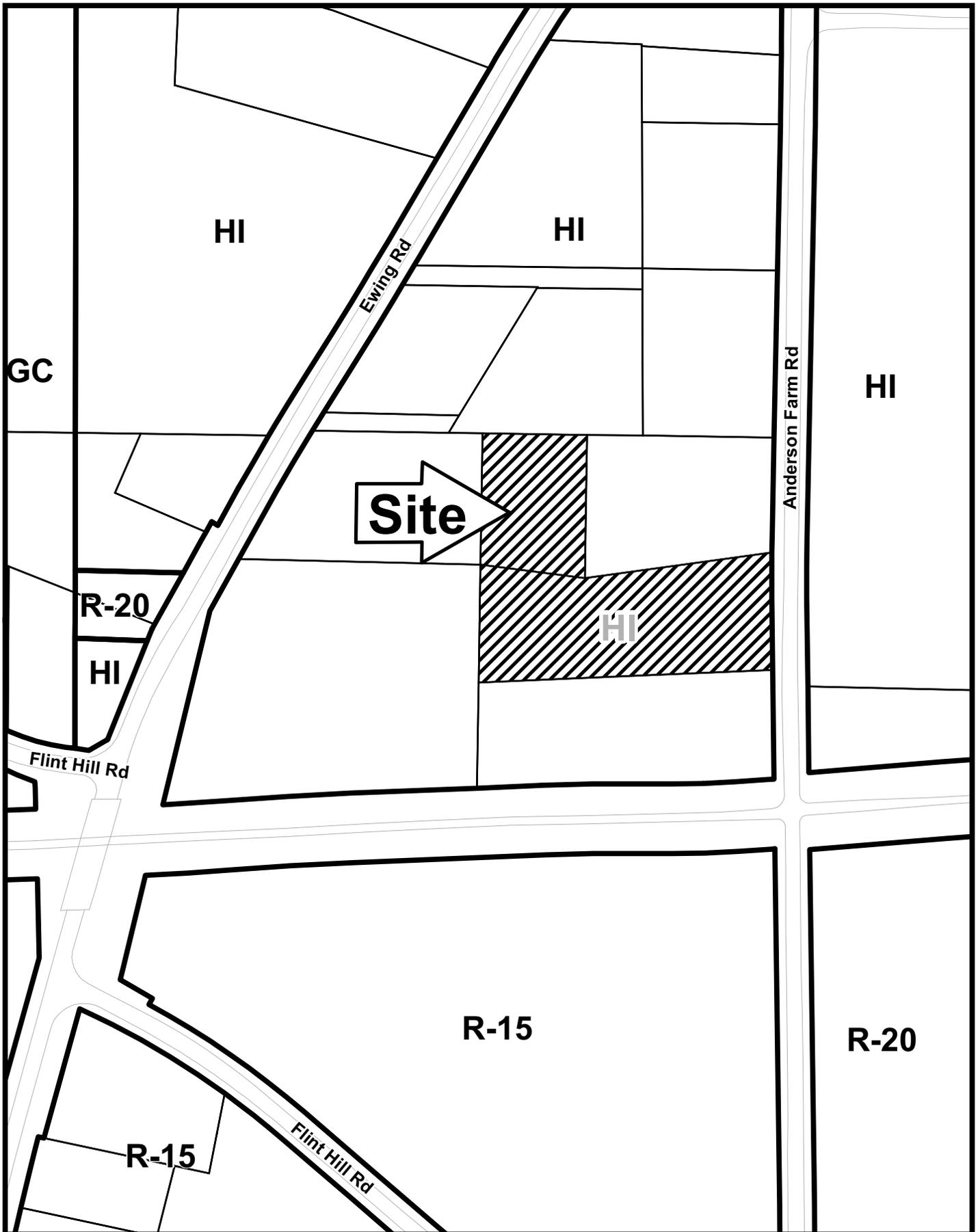
REJECTED _____ **SECONDED** _____

HELD _____ **CARRIED** _____

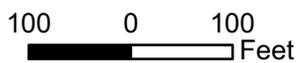
STIPULATIONS:



SLUP-8



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



- City Boundary
- Zoning Boundary

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PETITION FOR: SLUP

ZONING DIVISION COMMENTS: Staff Member Responsible: John P. Pederson, AICP

The applicant is requesting a Special Land Use Permit to use this property for an auto salvage business. The applicant owns the +/-4.3-acre auto salvage yard that is located directly to the west, which fronts onto Ewing Road. The applicant would like to add the subject tract to the Ewing Road tract to make one +/-6.5-acre auto salvage yard. The applicant has submitted a statement of site improvements, which is attached as Exhibit "A". One notable condition the applicant proposes if this proposal is approved includes closing the access to the Ewing Road tract and installing an eight-foot tall fence along Ewing Road. All traffic, access, and offices would be located off Anderson Farm Road.

Historic Preservation: No comments.

Cemetery Preservation: No comment.

WATER & SEWER COMMENTS:

Records show water connections (2) for 4029 Anderson Farm Rd. Sewer not available to property. No new septic systems proposed. Health Dept approval necessary for existing septic system use for this business

TRAFFIC COMMENTS:

Recommend applicant consider entering into a development agreement pursuant of O.C.G.A. 36-71-13 for dedication of the following system improvements to mitigate traffic concerns: a) donation of right-of-way on the west side of Anderson Farm Road, a minimum of 40' from the roadway centerline.

Recommend applicant consider entering into a development agreement pursuant of O.C.G.A. 36-71-13 for dedication of the following system improvements to mitigate traffic concerns: a) donation of right-of-way on the east side of Ewing Road, a minimum of 30' from the roadway centerline.

Recommend one access onto Anderson Farm Road.

Recommend building the proposed driveway to comply with Cobb County commercial standards.

Recommend curb, gutter, and sidewalk along Anderson Farm Road frontage.

Recommend applicant be required to meet all Cobb County Development Standards and Ordinances related to project improvements.

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FIRE 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-de-sac without an island to have a 60 foot paved radius **or** Hammerhead turnaround – 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.

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DRAINAGE COMMENTS

FLOOD HAZARD: YES NO POSSIBLY, NOT VERIFIED

DRAINAGE BASIN: Olley 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.
- 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 _____.

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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

1. Although no significant site improvements are proposed, the nature of the proposed use (auto salvage) has the potential to discharge contaminated runoff offsite. For this reason, some type of water quality treatment needs to be installed. Since the entire site drains to the south, a berm and/or swale should be created along the southern property line to direct all runoff to the southeast corner of the main parcel and discharged through an oil/water separation device before being released to the existing culvert under the adjacent Silver Comet Trail. Design approval should be obtained from the Stormwater Management Division prior to installation.

STAFF RECOMMENDATIONS

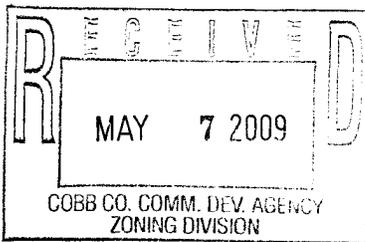
SLUP-8 SALVAGE HUNTER HOLDINGS, LLC

The applicant's property has been zoned Heavy Industrial for many years, without any rezoning conditions or stipulations. The applicant's property is located in an area zoned and used for Heavy Industrial uses. The applicant's property has been designated as Industrial Compatible on the *Cobb County Comprehensive Plan* since it was adopted. The Heavy Industrial Zoning district provides for intensive land uses in Cobb County. These are uses that may contain large-scale outdoor storage, uses that may be noisy, uses that may operate constantly, uses that may generate heavy truck traffic, uses that may emit odors and/or emissions, and uses that may require federal and/or state permits. The applicant's use would include large-scale outdoor storage. Uses on adjacent and nearby properties include petroleum storage tanks, heavy contractors, manufacturing, distributors, junk yards and auto repair. The applicant's proposal is located within close proximity to major, regional transportation corridors such as the East West Connector and Powder Spring Road. The applicant currently operates the adjacent auto salvage yard, which has been in operation since the 1960's. Additionally, closing and relocating the entrance would be beneficial for the properties on the west side of Ewing Road, which are still mostly residential in character. Based on the above analysis, Staff recommends APPROVAL subject to the following:

- Site plan received by the Zoning Division on May 7, 2009;
- Statement of Proposed Site Improvements received May 7, 2009 (Exhibit "A");
- Fire Department comments;
- Water and Sewer comments;
- Stormwater Management comments and recommendations; and
- DOT comments and recommendations.

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.

ATTACHMENT TO APPLICATION FOR SPECIAL LAND USE PERMIT



Application No.: SLUP- 8 (2009)
Hearing Dates: July 7, 2009, and
July 21, 2009

Applicant: Salvage Hunter Holdings, LLC
Property Owner: Franklin G. Poss

STATEMENT OF PROPOSED SITE IMPROVEMENTS

Applicant is seeking a Special Land Use Permit for the purpose of improvements to the auto salvage facility which is currently being operated on the 2.187 acres located on the westerly side of Anderson Farm Road, northerly of the Silver Comet Trail (hereinafter the "Subject Property"), as well as the property located westerly of the Subject Property on the easterly side of Ewing Road. The Subject Property, as well as surrounding properties on Anderson Farm Road and Ewing Road, is zoned Heavy Industrial ("HI"). Applicant has operated the business of "Salvage Hunter Auto Parts" at this location since 1988. The prior owner of the business, Mr. Harold Hunter, operated the same business on the Subject Property beginning in the 1960s.

Currently, the entrance and office for the business are located on Ewing Road, which poses a danger as there is heavy traffic going in and out of the business. If the Special Land Use Permit is granted, allowing Applicant's purchase of the Subject Property, Applicant proposes to close the existing entrance off Ewing Road and move the entrances, and all traffic associated with the business, off Anderson Farm Road only. Additionally, the office for the business will be relocated to the Subject Property. Applicant will then place a gate at the old entrance off Ewing Road, and that entrance will be used for emergency purposes only.

Applicant does not propose the construction of new buildings on the Subject Property as it will utilize the existing structures. The construction will be for driveways from Anderson Farm Road to the Subject Property and parking and renovation of existing buildings. Additionally, the fencing on the Subject Property, and along Ewing Road, will also be constructed to allow for buffering of the business operations.