

APPLICANT: James T. Hawley
770-426-7302

REPRESENTATIVE: James T. Hawley
770-426-7302

TITLEHOLDER: Pro-Build Real Estate Holdings, LLC

PROPERTY LOCATION: Located at the northeast intersection of
Canton Road and Fowler Circle and at the southwestern end of Lee
Waters Road, south of Jamerson Road.

ACCESS TO PROPERTY: Canton Road, Lee Waters Road,
Fowler Circle

PHYSICAL CHARACTERISTICS TO SITE: Existing industrial
buildings

PETITION NO: SLUP-9

HEARING DATE (PC): 07-07-09

HEARING DATE (BOC): 07-21-09

PRESENT ZONING: GC, LI, HI

PROPOSED ZONING: Special Land Use
Permit

PROPOSED USE: Wood Products
Processing

SIZE OF TRACT: 7.32 acres

DISTRICT: 16

LAND LOT(S): 131, 132

PARCEL(S): 2, 9

TAXES: PAID X **DUE** _____

COMMISSION DISTRICT: 3

CONTIGUOUS ZONING/DEVELOPMENT

NORTH: HI/ Willfab Inc., Thomas Concrete, East Cobb Baseball

SOUTH: LI/ undeveloped

EAST: R-20/ Single-family house

WEST: GC/ John Pruett Construction

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

PLANNING COMMISSION RECOMMENDATION

APPROVED _____ **MOTION BY** _____

REJECTED _____ **SECONDED** _____

HELD _____ **CARRIED** _____

BOARD OF COMMISSIONERS DECISION

APPROVED _____ **MOTION BY** _____

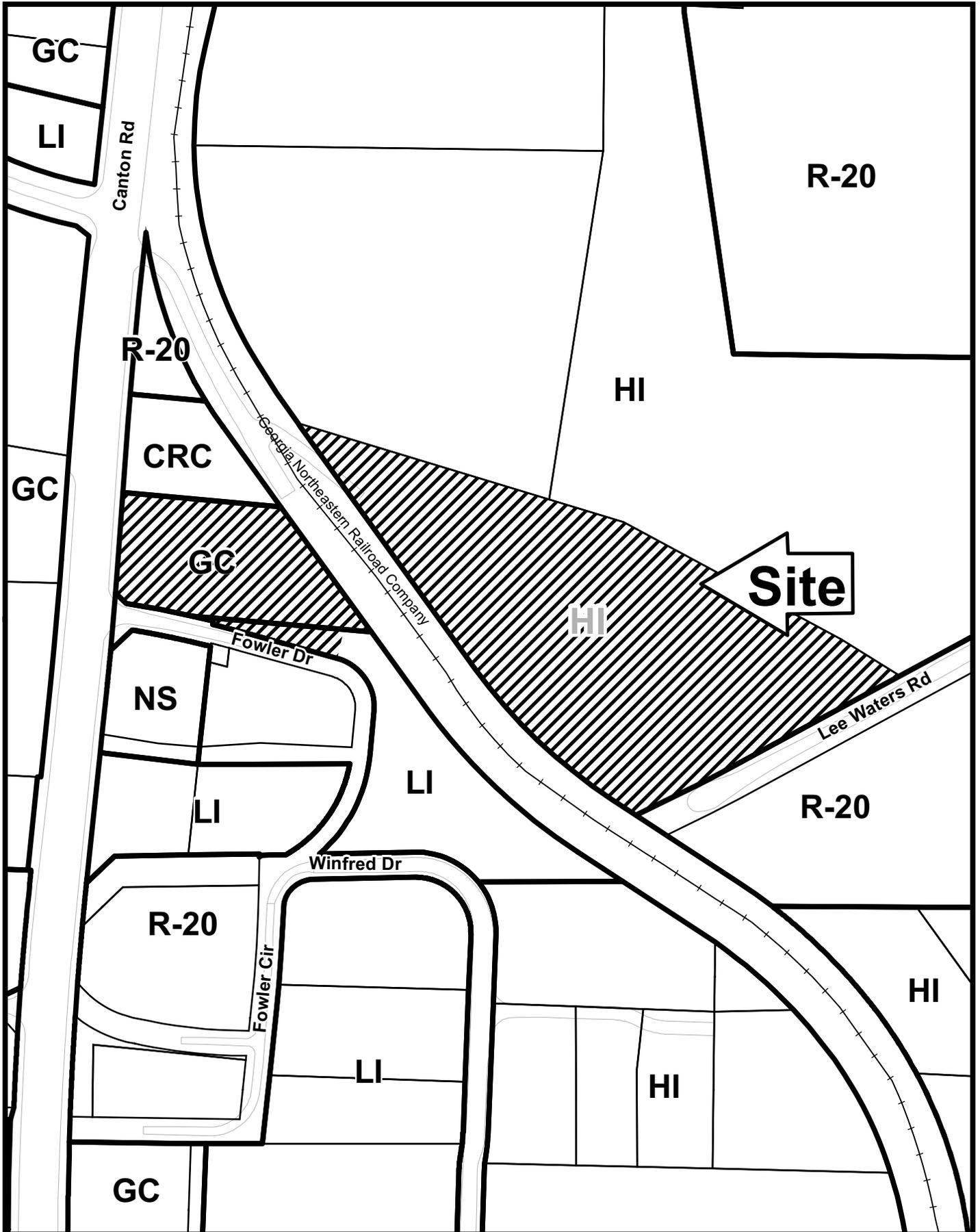
REJECTED _____ **SECONDED** _____

HELD _____ **CARRIED** _____

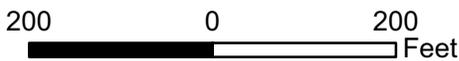
STIPULATIONS:



SLUP-9



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



 City Boundary
 Zoning Boundary

APPLICANT: James T. Hawley

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PRESENT ZONING: GC, HI

PETITION FOR: SLUP

ZONING DIVISION COMMENTS:

Staff Member Responsible: John P. Pederson, AICP

The applicant is requesting a Special Land Use Permit for a wood products processing center. The applicant grinds trees into mulch and wood chips, which is then sold to retail and wholesale buyers. The applicant would operate Monday through Friday, from 8:00 am to 5:00 pm. The applicant would have the main entrance off Canton Road, but would also use the Lee Waters Road access. The applicant will use the existing buildings on site, with the rest of the property remaining in its current state. All the grinding and chipping would take place on the HI zoned property that fronts Lee Waters Road.

Historic Preservation: No comments.

Cemetery Preservation: There is no significant impact on the cemetery site listed in the Cobb County Cemetery Preservation Commission's Inventory Listing which is located in this, or adjacent land lot.

WATER & SEWER COMMENTS:

Water available to site on W side and also on E side of RR tracks; records show 4586 Canton Rd connected. Sewer available to tract W of RR tracks, & records show 4586 Canton Rd connected. Sewer not available to tract E of RR tracks; Health Dept approval required on ongoing basis for any septic system on this tract. No new buildings proposed.

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 east side of Canton Road, a minimum of 50' 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 north side of Fowler Circle, a minimum of 25' from the roadway centerline.

Recommend closing Fowler Circle driveway.

Recommend installing sidewalk, curb and gutter along the road frontages.

Recommend restricting truck access to Lee Waters Road.

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.

PLANNING DIVISION COMMENTS:

The proposed SLUP request is not currently subject to the Canton Road Design Guidelines; however, if any structural changes or development occurs on the property, the parcel fronting Canton Road will be required to the applicable design guidelines standards.

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DRAINAGE COMMENTS

FLOOD HAZARD: YES NO POSSIBLY, NOT VERIFIED

DRAINAGE BASIN: Noonday Creek/Rubes 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. It is anticipated that the site will be utilized with no significant modifications. However, any site changes must be approved through the County's Plan Review Process and meet all County Code and Development Standards.
2. There is an existing above ground storage tank located on the site near the northern entrance to Tract 2. This tank must be removed or replaced with proper spill protection provided.
3. A Notice of Intent must be filed with the Georgia Environmental Protection Division for coverage under the NPDES General Permit to discharge stormwater associated with industrial activity. This facility will likely be classified under SIC Code 24 for Lumber and Wood product operations.

STAFF RECOMMENDATIONS

SLUP-9 JAMES T. HAWLEY

The applicant's property has been zoned Heavy Industrial since before 1970, without any rezoning conditions or stipulations. The applicant's property is located in a section of Canton Road that contains a block of Heavy Industrial uses. The applicant's property has been designated as Industrial Compatible on the *Cobb County Comprehensive Plan* for a very long time. The Heavy Industrial Zoning district provides for the most intensive land uses in Cobb County. These are uses that may contain large-scale outdoor storage, uses that may be noisy, uses that may cause vibrations, 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. Industrial uses on adjacent and nearby properties include a concrete plant, metal fabrication business, and heavy contractors. The applicant's proposal is located within close proximity to major, regional transportation corridors such as Interstate 75 and Interstate 575. Additionally, recycling the unwanted timber into usable wood chips would be a better alternative than putting the wood into a landfill. Staff is concerned about the access onto Lee Waters Road due to the high school, baseball park, and residential houses. Staff would suggest all access take place from Canton Road, unless a stopped train is blocking the access road over the tracks. Based on the above analysis, Staff recommends APPROVAL subject to the following:

- Site plan received by the Zoning Division on May 7, 2008;
- Access from Canton Road only, except if property is blocked by a stopped train;
- Wood chipping and grinding only;
- No burying or burning wood on site;
- Planning Division comments;
- Water and Sewer comments and recommendations;
- 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.