

APPLICANT: Pull-A-Part of Northwest Atlanta, LLC
404-607-7000

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

TITLEHOLDER: Word of Faith Christian Center Church, Inc. of
Georgia

PROPERTY LOCATION: Terminus of Tramore Pointe Parkway,
northwest of East-West Connector

ACCESS TO PROPERTY: Tramore Point Parkway

PHYSICAL CHARACTERISTICS TO SITE: Undeveloped acreage

PETITION NO: SLUP-9

HEARING DATE (PC): 08-06-13

HEARING DATE (BOC): 08-20-13

PRESENT ZONING: LI, CRC

PROPOSED ZONING: Special Land
Use Permit

PROPOSED USE: Do-It-Yourself
Used Auto Parts

SIZE OF TRACT: 24.43 acres

DISTRICT: 19

LAND LOT(S): 861, 916

PARCEL(S): 17, 2, 3

TAXES: PAID X **DUE** _____

COMMISSION DISTRICT: 4

CONTIGUOUS ZONING/DEVELOPMENT

- NORTH:** CRC/Developed Commercial
- SOUTH:** RM-12/Multi-family Development
- EAST:** CRC/Retail Center
- WEST:** HI/Colonial Pipeline Tank Farm

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

PLANNING COMMISSION RECOMMENDATION

APPROVED ___ **MOTION BY** _____

REJECTED ___ **SECONDED** _____

HELD ___ **CARRIED** _____

BOARD OF COMMISSIONERS DECISION

APPROVED ___ **MOTION BY** _____

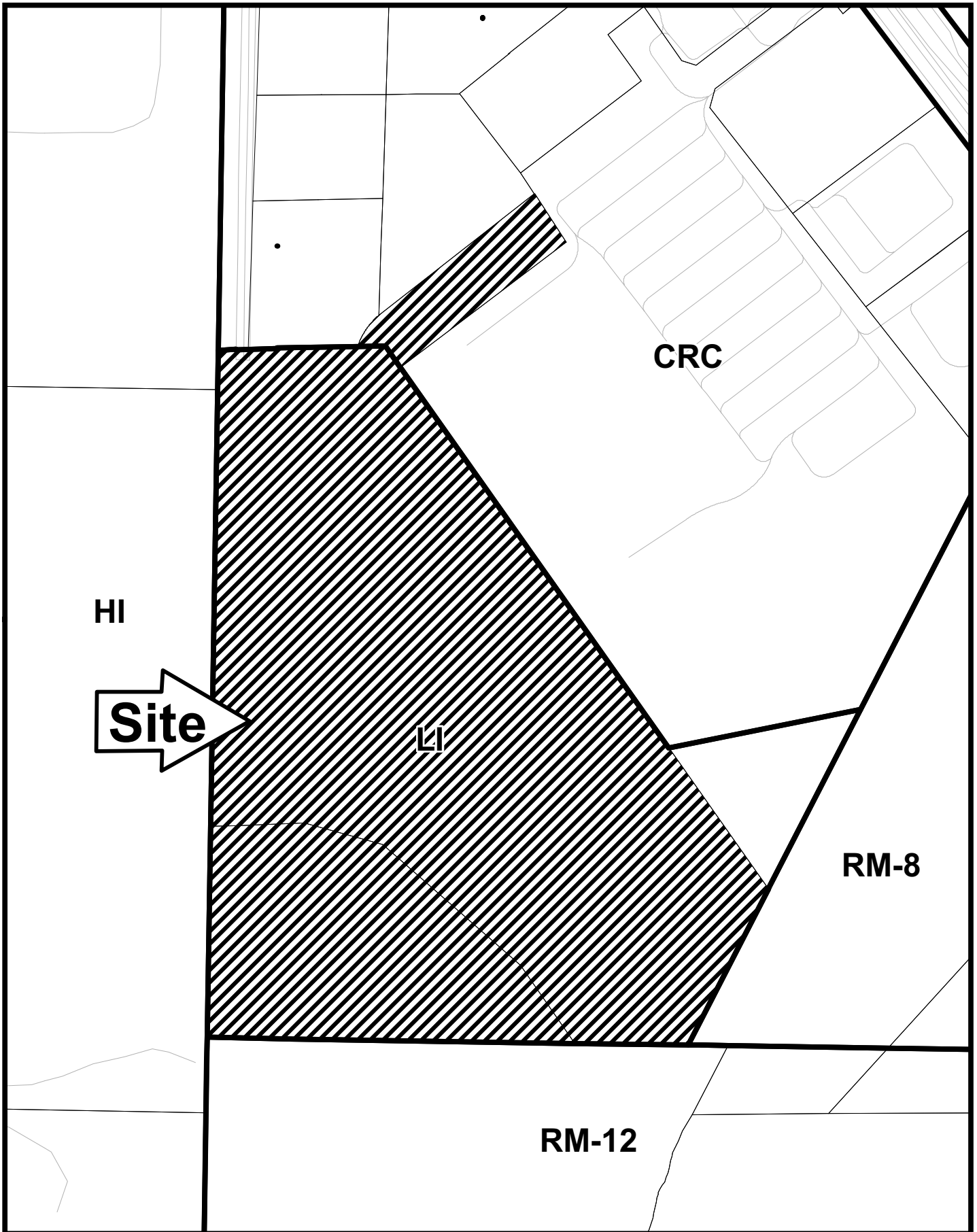
REJECTED ___ **SECONDED** _____

HELD ___ **CARRIED** _____

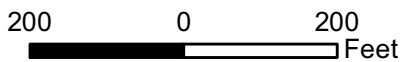
STIPULATIONS:





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: Pull-A-Part of Northwest Atlanta, LLC

PETITION NO.: SLUP-9

PRESENT ZONING: LI, CRC

PETITION FOR: SLUP

ZONING COMMENTS:

Staff Member Responsible: Jason A. Campbell

Applicant is requesting a Special Land Use Permit in concurrently with a rezoning request (Z-49) for the purpose of operating a do-it-yourself auto part facility. Because of the nature of the business, the Zoning Ordinance places this use in the automotive salvage and storage yard use. The automobiles will be on site for customers to retrieve and purchase the parts that are needed. As part of the concurrent rezoning case (Z-49), applicant is requesting the Heavy Industrial (HI) zoning category and the one proposed building architecture will be traditional. Applicant’s site plan also indicates the use of a process pad and a flattener pad. The hours of operation will be 8 a.m. until 6 p.m. Monday through Sunday. The business will have 20 employees. The inventory to be at the property will be 20 vehicles in and 20 vehicles out, being on the property 60-90 days.

Historic Preservation: No comments.

Cemetery Preservation: No comment.

WATER & SEWER COMMENTS:

No comments.

TRAFFIC COMMENTS:

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

FIRE COMMENTS:

NO COMMENTS: After analyzing the information presented for a Preliminary Review, the Cobb County Fire Marshal’s Office is confident that all other items can be addressed during the Plan Review Stage.

APPLICANT: Pull-A-Part of Northwest Atlanta, LLC

PETITION NO.: SLUP-9

PRESENT ZONING: LI/CRC

PETITION FOR: HI

STORMWATER MANAGEMENT COMMENTS

FLOOD HAZARD: YES NO POSSIBLY, NOT VERIFIED

DRAINAGE BASIN: Olley Creek FLOOD HAZARD INFO: Zone AE

- 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: within and adjacent to stream buffer and floodplain.

- 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 receiving stream (Olley Creek).

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STORMWATER MANAGEMENT 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. This parcel is located adjacent to Olley Creek and is bounded by Colonial Pipeline to the west and south, Tramore Pointe to the north and northeast and Cobb County’s Tramore Park to the southeast. The entire site drains to the Olley Creek floodplain. Approximately 5.8 acres of the site is located within the 100-year floodplain which includes a portion of the Olley Creek Floodway.
2. The plan shows the detention pond and a solid barricade fence within the floodplain. The pond must be relocated outside the floodplain. The perimeter fence material/design must be changed to allow free flow of water or relocated outside the floodplain as well.
3. The proposed site plan shows the display yard extending well into the Olley Creek floodplain. The Stormwater Management Division recommends that all vehicle storage be located outside the floodplain.
4. 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 5015 Section M for automotive salvage yards. Any requirements associated with this permit must be addressed. A Stormwater Pollution Prevention Plan must be submitted prior to issuance of the certificate of occupancy.

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STAFF RECOMMENDATIONS

SLUP-9 PULL-A-PART OF NORTHWEST ATLANTA, LLC

- A. It is Staff's opinion that the applicant's rezoning proposal will not permit a use that is suitable in view of the use and development of adjacent and nearby properties. Abutting properties to the northeast are zoned for community retail uses, which includes a daycare. Also, there is a county park and apartments to the southeast.
- B. It is Staff's opinion that the applicant's rezoning proposal will have an adverse affect on the usability of adjacent or nearby property. Staff believes the proposed use will escalate industrial traffic in the area and could possibly be adverse because of stormwater issues raised in the attached comments. Staff is concerned that the proposed use will negatively affect the children at the daycare. Staff is also concerned the proposed use will negatively affect the county park and residential apartments.
- C. It is Staff's opinion that the applicant's rezoning proposal will 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 rezoning proposal is not in conformity with the policy and intent of the *Cobb County Comprehensive Plan*, which delineates this property to be within the Industrial Compatible (IC) land use category. The requested Heavy Industrial (HI) zoning category requires that it be in an Industrial land use category. As mentioned in the attached Planning Comments, the purpose of the IC land use category is to provide for areas that can support light industrial, office/warehouse, and distribution uses.
- 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 rezoning proposal. In the past, the subject property and the properties to the east and northeast were zoned LI and CRC in 2004 and 2003 (minutes attached) and were brought in numerous times for site plan amendments and approvals, the last of which indicated a church on the upper portion of the subject property. The current request indicates gravel/pavement display areas in areas abutting buffer areas on the creek on the southern portion of the property – in direct conflict with plans that have been previously approved by the Board of Commissioners and the District Commissioner.

Based on the above analysis, Staff recommends **DENIAL** of the request.

COBB COUNTY GEORGIA
FILED IN OFFICE

2013 JUN - 6 PM 4:10
COBB COUNTY ZONING DIVISION

ATTACHMENT 1 TO APPLICATION FOR SPECIAL LAND USE PERMIT

Application No.: SLUP- 9 (2013)
Hearing Dates: August 6, 2013
August 20, 2013

Applicant: Pull-A-Part of Northwest Atlanta, LLC
Property Owner: Word of Faith Christian Center Church, Inc. of Georgia

STATEMENT OF PROPOSED SITE IMPROVEMENTS

Applicant is seeking a Special Land Use Permit for the purpose of construction and operation of a “do-it-yourself auto parts” facility upon a total tract of 24.43 acres located at the terminus of Tramore Pointe Parkway (hereinafter the “Subject Property”). The Subject Property is currently zoned to the Light Industrial (“LI”) and Community Retail Commercial (“CRC”) zoning classifications; however, due to the use sought by Applicant, rezoning to the proposed Heavy Industrial (“HI”) classification is required by the Cobb County Zoning Ordinance.

As more particularly shown and reflected on the Rezoning Site Plan submitted with the Application for Special Land Use Permit, the following improvements shall be made on the Subject Property:

- (1) Construction of an office building, consisting of painted concrete block, metal roofing and paved parking area for customer parking;
- (2) A processing yard which will have a processing pad and flattner pad; the yard being gravel pavement;
- (3) Approximately four (4) display yards; the yard area being topped with gravel pavement;
- (4) Eight (8) foot high fencing along the overall perimeter of the Subject Property to screen and buffer surrounding properties;
- (5) Appropriate setbacks and buffers along the Subject Property adjacent to residential neighborhoods; and
- (6) Gated front entrance area which will be closed and locked after hours of operation.

Additional improvements, such as signage, landscaping, and the like may also be made to the Subject Property.