

APPLICANT: BCL-Atlanta, LLC
(847) 656-1112

REPRESENTATIVE: Elan Peretz
(847) 656-1100

TITLEHOLDER: BCL-Atlanta, LLC

PROPERTY LOCATION: Southwest side of Troon Circle, northwest side of Riverside Parkway (7905 Troon Circle).

ACCESS TO PROPERTY: Troon Circle

PHYSICAL CHARACTERISTICS TO SITE: Developed industrial office/warehouse

PETITION NO: Z-6

HEARING DATE (PC): 02-04-14

HEARING DATE (BOC): 02-18-14

PRESENT ZONING: LI

PROPOSED ZONING: HI

PROPOSED USE: Battery Manufacturing

SIZE OF TRACT: 4.966 acres

DISTRICT: 18

LAND LOT(S): 778, 788, 789

PARCEL(S): 2

TAXES: PAID X **DUE** _____

COMMISSION DISTRICT: 4

CONTIGUOUS ZONING/DEVELOPMENT

- NORTH:** HI/ Industrial Uses
- SOUTH:** R-40, LI, HI/ Industrial Uses
- EAST:** HI/ Industrial Uses
- WEST:** Hi/ Undeveloped

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

PLANNING COMMISSION RECOMMENDATION

APPROVED _____ **MOTION BY** _____

REJECTED _____ **SECONDED** _____

HELD _____ **CARRIED** _____

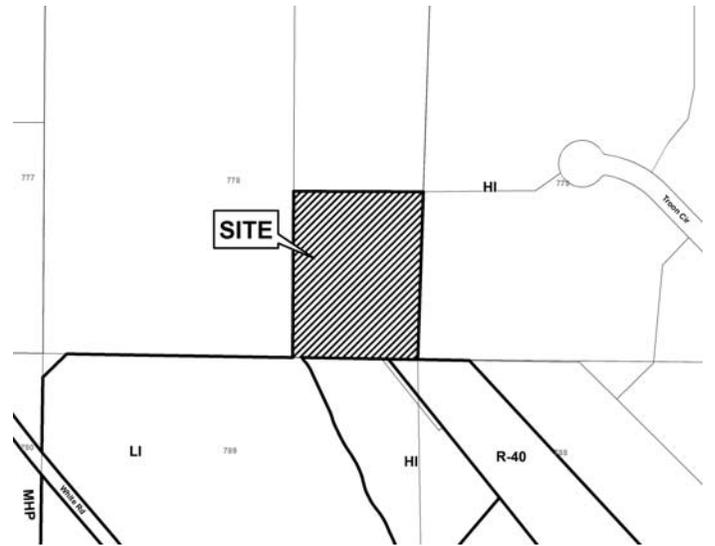
BOARD OF COMMISSIONERS DECISION

APPROVED _____ **MOTION BY** _____

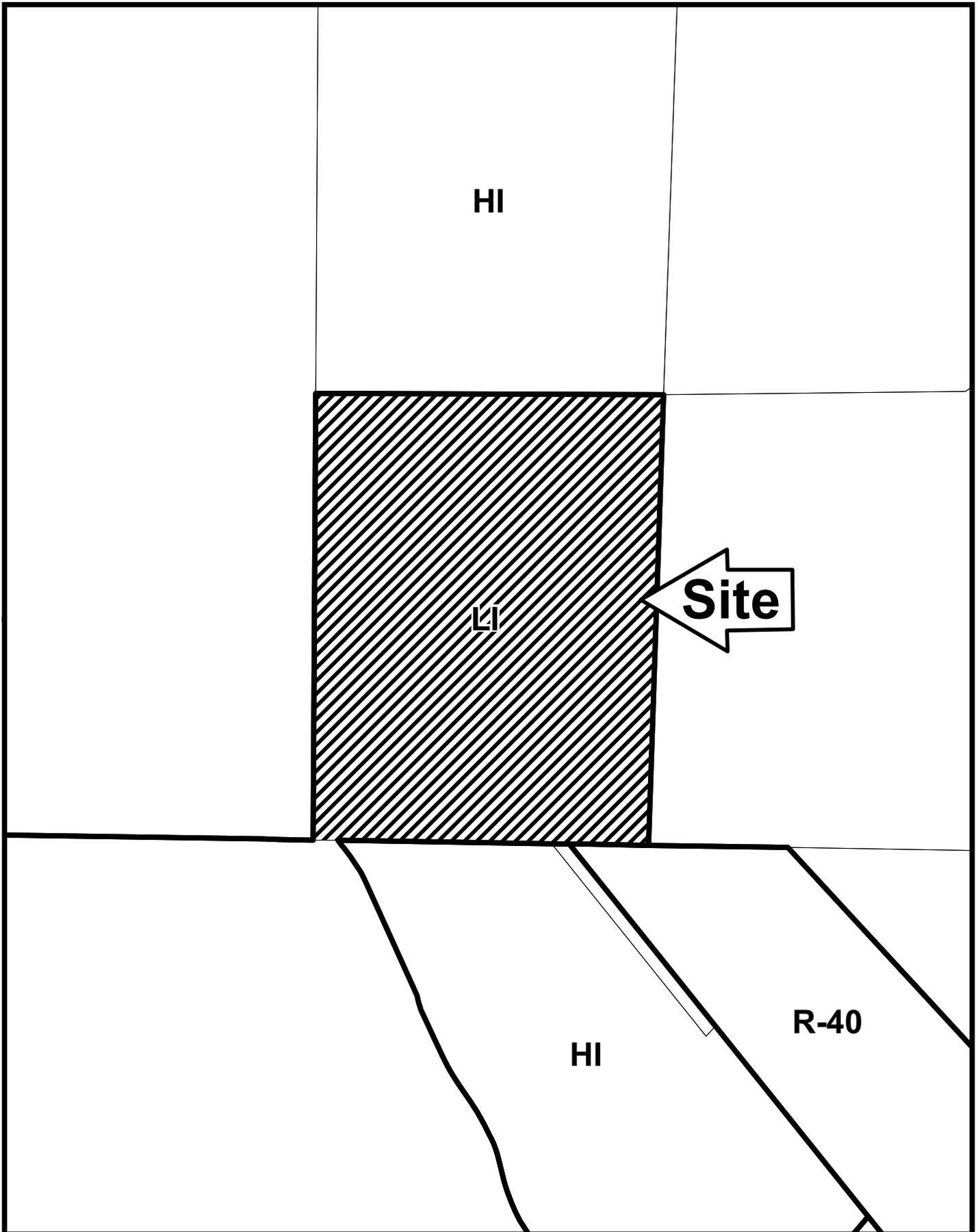
REJECTED _____ **SECONDED** _____

HELD _____ **CARRIED** _____

STIPULATIONS:



Z-6



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

0 100 200 Feet



City Boundary
Zoning Boundary

APPLICANT: BCL-Atlanta, LLC

PETITION NO.: Z-6

PRESENT ZONING: LI and HI

PETITION FOR: HI

ZONING COMMENTS:

Staff Member Responsible: Terry Martin, MPA

Land Use Plan Recommendation: PIA (Priority Industrial Area)

Proposed Number of Buildings: 1 **Total Square Footage of Development:** 247,898 sq. ft.

F.A.R.: 0.33 **Square Footage/Acre:** 14,178 (entire site)

Parking Spaces Required: 1 space per employee, 1 space per loading dock

Parking Spaces Provided: 104

The applicant is requesting to rezone the subject property to HI Heavy Industrial like the adjacent, adjoining building and parcel. The proposed use is a manufacturer of lead acid batteries for aircraft, RV, marine, renewable energy and specialty applications. The majority of the building at 7905 Troon Circle is already zoned HI; only the most westerly part of the building that is the subject of this request is zoned LI Light Industrial District. The existing building will be used for battery manufacturing Sunday through Saturday up to 16 hours per day.

Cemetery Preservation: No comment.

FIRE COMMENTS:

Plans must be submitted to the Cobb County Fire Marshal's Office to initiate the Certificate of Occupancy process.

APPLICANT: BCL-Atlanta, LLC

PETITION NO.: Z-6

PRESENT ZONING: LI and HI

PETITION FOR: HI

PLANNING COMMENTS:

The applicant is requesting a rezoning from LI to HI for the purpose of battery manufacturing. The 4.96 acre site is located southwest side of Troon Circle, northwest side of Riverside Parkway.

Comprehensive Plan

The parcel is within a Priority Industrial Area (PIA) future land use category, with LI zoning designation. The purpose of the PIA is to provide protection for industrial areas that can support future job growth for industrial, manufacturing, office/warehouse, technology, biomedical and distribution uses. Typical uses are determined through the PIA and its subcategories. This parcel is located within the sub category Industrial Compatible which can support light industrial, office/warehouse, and distribution uses.

The following professional evaluation and data analysis should be conducted when the Planning Commission and the Board of Commissioners are considering a land use change that alters a PIA property or areas adjacent to PIA properties from its existing Industrial or Industrial Compatible land use category to any other future land use category. In addition, the same professional evaluation and data analysis should be conducted, by the applicant, when the Planning Commission and the Board of Commissioners are requested to consider a zoning change to a PIA property or areas adjacent to PIA properties that alters its zoning designation to one which is not compatible with its existing industrial future land use category (Industrial or Industrial Compatible). Finally, the policy relating to “Adjacency to viable industrial areas” should be considered by the Planning Commission and the Board of Commissioners when a zoning change occurs to a property adjacent to PIA properties:

- *Job impacts:* Consider the number of existing and future industrial jobs lost, existing and future job opportunities for residents with less than a four-year degree, and job density at the site.
- *Tax Base Impacts:* Evaluate and compare the tax base impacts between potential uses with the existing zoning and the proposed zoning; as well as, comparing tax base impacts to job impacts.
- *Viability:* Prioritize developments with immediate uses over potential uses without users lined up.
- *Transition:* Consider the cost of transitioning a property from one use to another through zoning. Properties made non-conforming may suffer years of deferred maintenance until a viable use surfaces.
- *Adjacency to viable industrial areas:* Consider negative impacts of residential users on adjacent and viable industrial sites, such as land price uncertainty and conflicts with residents. If a residential project is being considered adjacent to a PIA site, the Planning Commission and Board of Commissioners should consider requiring additional and enhanced buffering and screening requirements on the residential project in order to protect the residential land users as well as the viability of the adjacent industrial users.

Master Plan/Corridor Study

Not applicable.

APPLICANT: BCL-Atlanta, LLC

PETITION NO.: Z-6

PRESENT ZONING: LI and HI

PETITION FOR: HI

PLANNING COMMENTS: **Continued**

Historic Preservation

After consulting various county historic resources surveys, historic maps, archaeology surveys and Civil War trench location maps, staff finds that no known significant historic resources appear to be affected by this application. No further comment. No action by applicant requested at this time.

Design Guidelines

Is the parcel in an area with Design Guidelines? Yes No

If yes, design guidelines area _____

Does the current site plan comply with the design requirements?

Incentive Zones

Is the property within an Opportunity Zone? Yes No

The Opportunity Zone is an incentive that provides \$3,500 tax credit per job in eligible areas if two or more jobs are being created. This incentive is available for new or existing businesses.

Is the property within an Enterprise Zone? Yes No

The Enterprise Zone is an incentive that provides tax abatements and other economic incentives for qualifying businesses locating or expanding within designated areas for new jobs and capital investments.

Is the property eligible for incentives through the Commercial and Industrial Property Rehabilitation Program? Yes No

The Commercial and Industrial Property Rehabilitation Program is an incentive that provides a reduction in ad valorem property taxes for qualifying redevelopment in eligible areas.

For more information on incentives, please call the Office of Economic Development at 770.528.2607 or find information online at <http://economic.cobbcountyga.gov>.

YES *indicates applicant has met the corresponding issue.*

NO *indicates applicant has not met the corresponding issue and/or there is not enough information provided.*

N/A *indicates issue is not applicable.*

APPLICANT BCL-Atlanta, LLC

PETITION NO. Z-006

PRESENT ZONING LI

PETITION FOR HI

WATER COMMENTS:

NOTE: Comments reflect only what facilities were in existence at the time of this review.

Available at Development: Yes No

Fire Flow Test Required: Yes No

Size / Location of Existing Water Main(s): 8" CI / S side of Troon Circle

Additional Comments: Existing water customer

Developer may be required to install/upgrade water mains, based on fire flow test results or Fire Department Code. This will be resolved in the Plan Review Process.

SEWER COMMENTS:

NOTE: Comments reflect only what facilities were in existence at the time of this review.

In Drainage Basin: Yes No

At Development: Yes No

Approximate Distance to Nearest Sewer: On site

Estimated Waste Generation (in G.P.D.): ADF +0* **Peak= +0***

Treatment Plant: **South Cobb**

Plant Capacity: Available Not Available

Line Capacity: Available Not Available

Projected Plant Availability: 0 - 5 years 5 - 10 years over 10 years

Drv Sewers Required: Yes No

Off-site Easements Required: Yes* No *If off-site easements are required, Developer must submit easements to CCWS for review/approval as to form and stipulations prior to the execution of easements by the property owners. All easement acquisitions are the responsibility of the Developer

Flow Test Required: Yes No

Letter of Allocation issued: Yes No

Septic Tank Recommended by this Department: Yes No

Subject to Health Department Approval: Yes No

Additional Comments: Existing sewer customer. *An Industrial Discharge Permit may be necessary depending on the nature of the manufacturing process.

Developer will be responsible for connecting to the existing County water and sewer systems, installing and/or upgrading all outfalls and water mains, obtaining on and/or offsite easements, dedication of on and/or offsite water and sewer to Cobb County, as may be required. Rezoning does not guarantee water/sewer availability/capacity unless so stated in writing by the Cobb County Water System. Permit issuances subject to continued treatment plant compliance with EPD discharge requirements.

APPLICANT: BCL-Atlanta, LLC

PETITION NO.: Z-6

PRESENT ZONING: LI

PETITION FOR: HI

STORMWATER MANAGEMENT COMMENTS

FLOOD HAZARD: YES NO POSSIBLY, NOT VERIFIED

DRAINAGE BASIN: Unnamed Trib to Chattahoochee River 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 _____.

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PETITION NO.: Z-6

PRESENT ZONING: LI

PETITION FOR: HI

STORMWATER MANAGEMENT COMMENTS – Continued

SPECIAL SITE CONDITIONS

- Provide comprehensive hydrology/stormwater controls to include development of out parcels.
- Submit any future 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. No site improvements are proposed at the present time. Any future improvements or redevelopment must meet current Stormwater Management requirements.
2. The proposed battery manufacturing facility must apply for coverage under the Georgia NPDES General Permit for Stormwater Discharges Associated with Industrial Activity.

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PRESENT ZONING: LI

PETITION FOR: HI

TRANSPORTATION COMMENTS

The following comments and recommendations are based on field investigation and office review of the subject rezoning case:

ROADWAY	AVERAGE DAILY TRIPS	ROADWAY CLASSIFICATION	SPEED LIMIT	JURISDICTIONAL CONTROL	MIN. R.O.W. REQUIREMENTS
Troon Circle	NA	Non-residential Local	25 mph	Cobb County	60'

COMMENTS AND OBSERVATIONS

Troon Circle is classified as Non-residential Local, and according to the available information, each existing right-of-way does meet the minimum requirements for its classification.

RECOMMENDATIONS

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

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STAFF RECOMMENDATIONS

Z-6 BCL-ATLANTA, LLC

- A. It is Staff's opinion that the applicant's rezoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby properties. Located within an area that is site to several heavy industrial users (including a majority of the remaining building on the subject parcel), the current request will permit a heavy manufacturing use that is suitable for the area.
- B. It is Staff's opinion that the applicant's rezoning proposal will not have an adverse affect on the usability of adjacent or nearby property. The rezoning to allow the heavy manufacturing use of battery manufacturer will not have any more adverse effect than existing uses within the area.
- C. It is Staff's opinion that the applicant's rezoning 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 rezoning proposal is in conformity with the policy and intent of the *Cobb County Comprehensive Plan*. Located within a Priority Industrial Area on the future land use map, the current request adheres to the County's goals of maintaining economic vitality and enhancing the area's capacity to accommodate future growth.
- 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 approving the applicant's rezoning proposal. The request is to rezone a portion of a building and its parcel of property to match the existing HI zoning designation of the surrounding property and properties. This will allow for the establishment of a new heavy manufacturing use of lead acid batteries by a new company seeking to locate to this area. If approved, it should not pose any more adverse effects than existing uses and it will serve to follow the *Comprehensive Plan's* goal of economic growth within this Priority Industrial Area.

Based on the above analysis, Staff recommends APPROVAL subject to the following conditions:

- Fire Department comments and recommendations;
- Water and Sewer Division comments and recommendations;
- Stormwater Management Division comments and recommendations;
- Department of Transportation 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.

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COUNTY ZONING DIVISION
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Application #: Z-6
PC Hearing Date: 2-4-14
BOC Hearing Date: 2-18-14

Summary of Intent for Rezoning

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Part 1. Residential Rezoning Information (attach additional information if needed)

- a) Proposed unit square-footage(s): 254,000
- b) Proposed building architecture: _____
- c) Proposed selling prices(s): _____
- d) List all requested variances: _____
- _____

.....
Part 2. Non-residential Rezoning Information (attach additional information if needed)

- a) Proposed use(s): Battery Manufacturing (lead-acid batteries)
- b) Proposed building architecture: Existing building - tilt-up concrete walls, structural wide flange steel columns, supporting wide flange steel beams & open web steel roof joists.
- c) Proposed hours/days of operation: Sunday - Saturday up to 16 hours per day
- d) List all requested variances: None
- _____

.....
Part 3. Other Pertinent Information (List or attach additional information if needed)

The majority of the building at 7905 Troon is on a tract that is zoned HI. Only the most westerly part of the continuous building is zoned LI.

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Part 4. Is any of the property included on the proposed site plan owned by the Local, State, or Federal Government?

(Please list all Right-of-Ways, Government owned lots, County owned parcels and/or remnants, etc., and attach a plat clearly showing where these properties are located). NO

.....
Part 5. Is this application a result of a Code Enforcement action? No ; Yes _____ (If yes, attach a copy of the Notice of Violation and/or tickets to this form).

Applicant signature: _____ Date: 11/19/2013

Applicant name (printed): Joel I. Barnett / BCL-Atlanta LLC