

SLUP-23  
(2014)



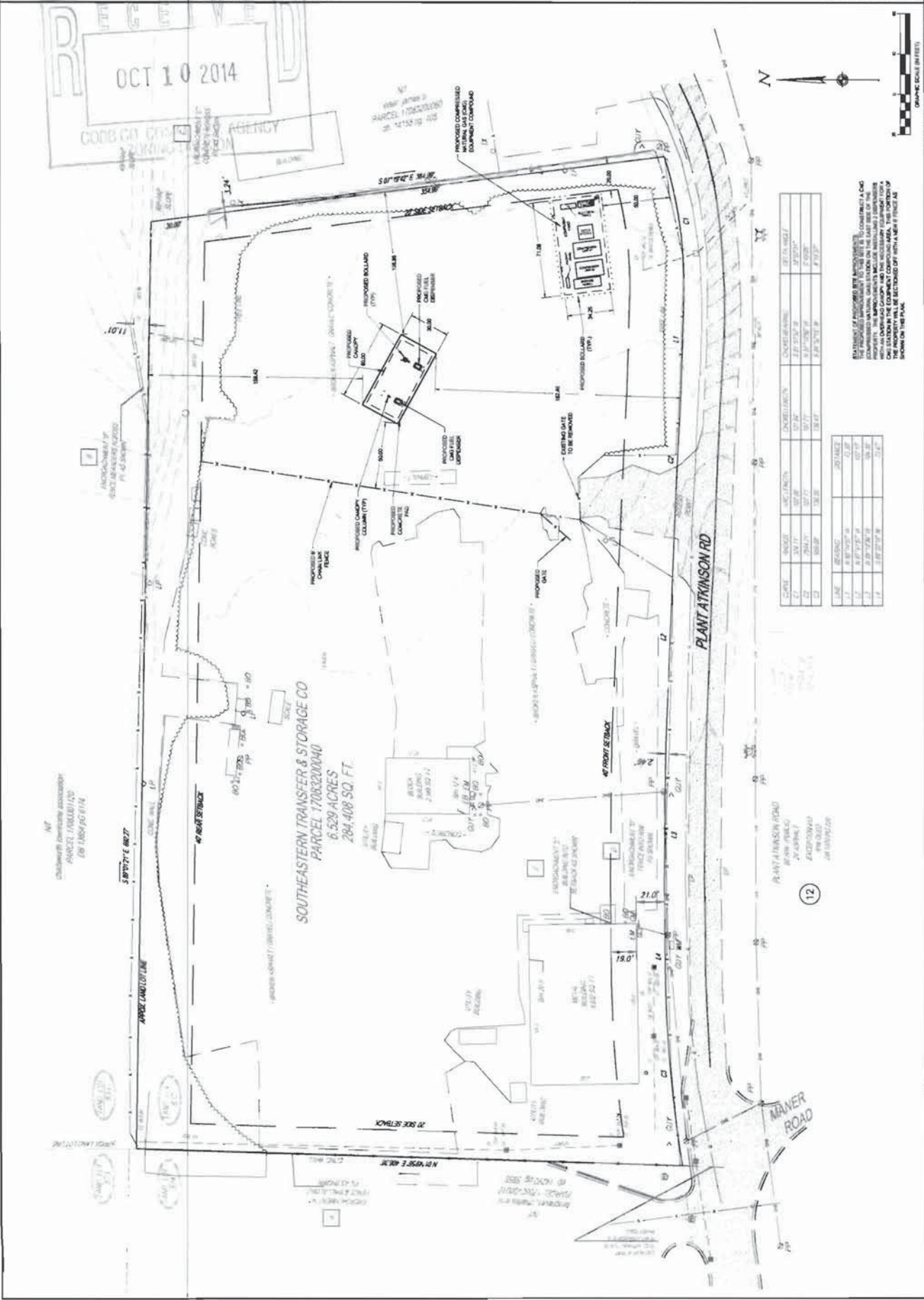
CREATION TO COMPLETION  
WWW.CESOCOM.COM

DATE	NO.	BY
DATE	NO.	BY
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PRIMARY SITE PLAN

NO.	DATE	DESCRIPTION



OCT 10 2014



LINE	BEARING	DISTANCE	ADJACENT	REMARKS
1	N 89° 15' 24" W	107.77'		
2	S 89° 15' 24" W	107.77'		
3	S 89° 15' 24" W	107.77'		
4	N 89° 15' 24" W	107.77'		

LINE	BEARING	DISTANCE	ADJACENT	REMARKS
1	N 89° 15' 24" W	107.77'		
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3	S 89° 15' 24" W	107.77'		
4	N 89° 15' 24" W	107.77'		

STATEMENT OF PROPOSED IMPROVEMENTS  
THE PROPOSED IMPROVEMENTS TO BE CONSTRUCTED AT THIS PROPERTY, THE IMPROVEMENTS INCLUDE INSTALLING 1.5 MILES OF 12" DRAINAGE PIPING AND 1.5 MILES OF 12" CONCRETE CURB AND GUTTER. THE PORTION OF THE IMPROVEMENTS TO BE CONSTRUCTED OFF-ROAD SHALL BE THE RESPONSIBILITY OF THE PROPERTY OWNER.

NOT  
CHANGING DIMENSIONS ASSOCIATED  
PARCEL 1708320040  
ON LUMP SUM BASIS

SOUTHEASTERN TRANSFER & STORAGE CO  
PARCEL 1708320040  
6.529 ACRES  
284,408 SQ. FT.

PLANT ATKINSON ROAD  
12' SIDE SETBACK  
4' FRONT SETBACK  
21.0'  
19.0'

12

MANOR ROAD

**APPLICANT:** Zach Freshner/CESO, Inc.

**PETITION NO:** SLUP-23

**PHONE#:** (614) 794-7080 **EMAIL:** freshner@cesoinc.com

**HEARING DATE (PC):** 12-02-14

**REPRESENTATIVE:** Zach Freshner

**HEARING DATE (BOC):** 12-16-14

**PHONE#:** (614) 794-7080 **EMAIL:** freshner@cesoinc.com

**PRESENT ZONING:** HI

**TITLEHOLDER:** Southeastern Transfer & Storage, Inc.

**PROPOSED ZONING:** Special Land

**PROPERTY LOCATION:** North side of Plant Atkinson Road,

Use Permit

east of North Church Lane

**PROPOSED USE:** Compressed Natural Gas

(2561 Plant Atkinson Road).

Truck Fueling Station

**ACCESS TO PROPERTY:** Plant Atkinson Road

**SIZE OF TRACT:** 6.529 acres

**PHYSICAL CHARACTERISTICS TO SITE:** Existing Southeastern

**DISTRICT:** 17

Transfer and Storage Co.

**LAND LOT(S):** 832

**PARCEL(S):** 4

**TAXES: PAID** X **DUE** \_\_\_\_\_

**COMMISSION DISTRICT:** 2

**CONTIGUOUS ZONING/DEVELOPMENT**

- NORTH:** RM-8/Chadsworth Townhomes
- SOUTH:** HI/Georgia Power Property
- EAST:** HI/Glass Business
- WEST:** HI/Industrial Business with warehouses

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

**PLANNING COMMISSION RECOMMENDATION**

**APPROVED** \_\_\_\_\_ **MOTION BY** \_\_\_\_\_

**REJECTED** \_\_\_\_\_ **SECONDED** \_\_\_\_\_

**HELD** \_\_\_\_\_ **CARRIED** \_\_\_\_\_

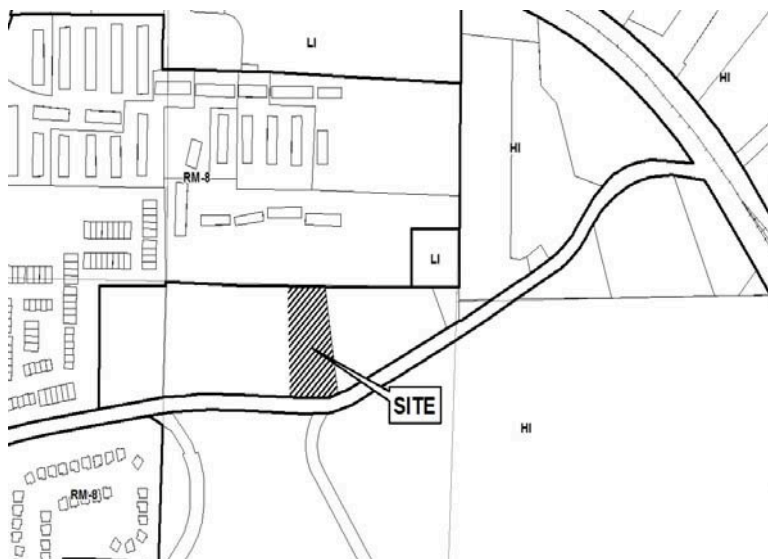
**BOARD OF COMMISSIONERS DECISION**

**APPROVED** \_\_\_\_\_ **MOTION BY** \_\_\_\_\_

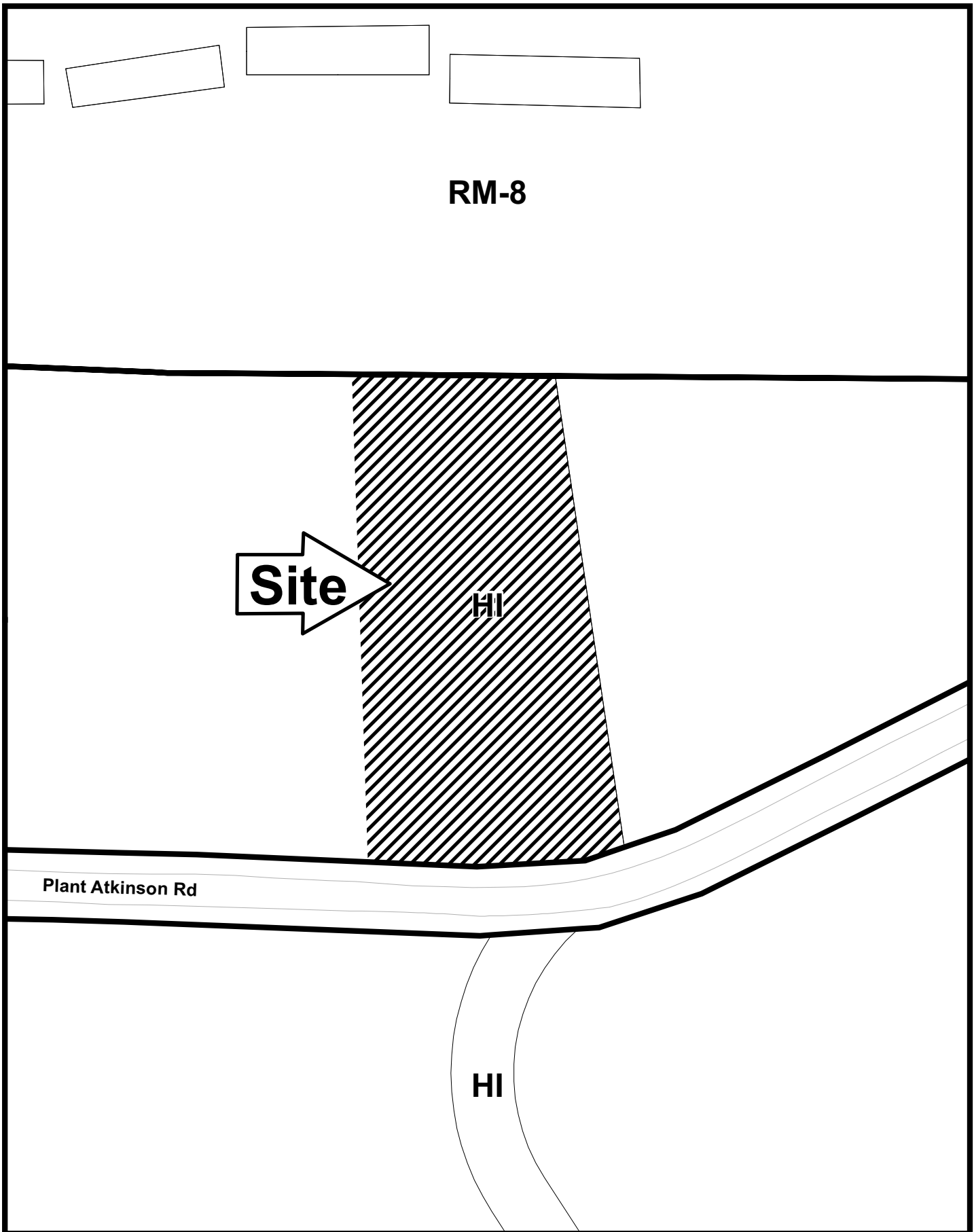
**REJECTED** \_\_\_\_\_ **SECONDED** \_\_\_\_\_

**HELD** \_\_\_\_\_ **CARRIED** \_\_\_\_\_

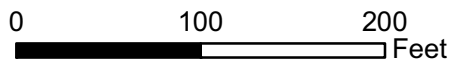
**STIPULATIONS:**





# SLUP-23



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



-  City Boundary
-  Zoning Boundary

**APPLICANT:** Zach Freshner/CESO, Inc.

**PETITION NO.:** SLUP-23

**PRESENT ZONING:** HI

**PETITION FOR:** SLUP

\*\*\*\*\*

**ZONING COMMENTS:**

**Staff Member Responsible:** Jason A. Campbell

Applicant is requesting a Special Land Use Permit (SLUP) for the purpose of operating a compressed natural gas (CNG) station. This SLUP is for a portion of the 6.529-acre tract that is currently the operating site for Southeastern Transfer and Storage Company, Inc. that has been in operation for many years. This SLUP will allow the applicant to construct a compressed natural gas station and the accompanying equipment/compressor yard. The proposed station is proposed to be in operation 24 hours per day, seven days per week, and 365 days per year. This will be an unmanned operation. GAIN will maintain the site with weekly or more frequent maintenance cycles. Additionally, there will be remote monitoring of 200+ critical parameters monitored 24 hours per day with remote shut-down capabilities. Cameras and DVRs are also placed on site for continuous monitoring of the site. The proposed customers will be local commercial trucking fleets. This operation is intended to be open to the public; however, GAIN Clean Fuels does not target passenger vehicle traffic. The primary customer target is truck fleets only. No deliveries are proposed to site per operational needs as fuel is provided by natural gas main along Plant Atkinson Road. The existing landscaping is to remain and no additional landscaping is proposed. The fuel station is over 100 feet from any property line. A tree-line of over 40 feet is indicated on the proposed site plan abutting the residential property to the north.

The applicant will also require a contemporaneous variance to waive the allowed square footage of the canopy sign for the building from the allowed 160 square feet to 246.5 square feet as shown on the attached canopy sign elevation.

**Historic Preservation:** No comments.

**Cemetery Preservation:** No comment.

\*\*\*\*\*

**WATER & SEWER COMMENTS:**

No comments. No water or sewer proposed.

\*\*\*\*\*

**TRAFFIC COMMENTS:**

Recommend driveway be paved with a treated hardened surface for a minimum of 25 feet or the edge of the County right-of-way, whichever is greater in length.

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

\*\*\*\*\*

**FIRE 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: Zach Freshner/CESO, Inc.

PETITION NO.: SLUP-23

PRESENT ZONING: HI

PETITION FOR: SLUP

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**STORMWATER MANAGEMENT COMMENTS**

FLOOD HAZARD:  YES  NO  POSSIBLY, NOT VERIFIED

DRAINAGE BASIN: 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 any increased volume of runoff generated by the proposed project on receiving system.

APPLICANT: Zach Freshner/CESO, Inc.

PETITION NO.: SLUP-23

PRESENT ZONING: HI

PETITION FOR: SLUP

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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. Address all plan review comments.
2. Provide copy of Stormwater Pollution Prevention Plan (SWPP) to Stormwater Management Division.

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## STAFF RECOMMENDATIONS

SLUP-23      ZACH FRESHNER/CESO, INC.

There are fifteen criteria that must be considered for a Special Land Use Permit. The criteria are below in italics, with the Staff analysis following in bold.

(1) *Whether or not there will be a significant adverse effect on the neighborhood or area in which the proposed use will be located.*

**It is Staff's opinion that the applicant's proposal will not have an adverse affect on the usability of adjacent or nearby property. The proposed use will be located on a Heavy Industrial property that is bordered to the east and west by other HI properties. The residentially zoned property to the north has a 125-foot undisturbed buffer on its side and the subject property indicates a 40+ foot tree line and the proposed fuel station is over 150 feet from the northern property line abutting the residential property.**

(2) *Whether or not the use is otherwise compatible with the neighborhood.*

**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. This side of Plant Atkinson road and most of the properties to the south are zoned Heavy Industrial and are utilized for industrial uses and this area has a future land use designation of IC supporting uses such as the proposed compressed natural gas fueling station.**

(3) *Whether or not the use proposed will result in a nuisance as defined under state law.*

**The use should not be a nuisance. The property has been occupied for many years by the same industrial use – Southeastern Transfer and Storage Company, Inc.**

(4) *Whether or not quiet enjoyment of surrounding property will be adversely affected.*

**The quiet enjoyment of surrounding property should not be adversely affected due to existing buffers in place and the proposed distance from the residential units to the north.**

(5) *Whether or not property values of surrounding property will be adversely affected.*

**This use should not adversely affect property values of surrounding property. The existing property and those to the east and west have been zoned HI and used for industrial for many years.**

(6) *Whether or not adequate provisions are made for parking and traffic considerations.*

**There are adequate provisions for parking and traffic considerations. The proposed location of the operation has a drive off of Plant Atkinson Road.**

(7) *Whether or not the site or intensity of the use is appropriate.*

**The applicant's site is located within the IC future land use category and is well situated to on the property in order to keep the use close to the inner portion of the existing industrial shipping and transfer business and away from the residential property to the north.**

CONTINUED ON NEXT PAGE



## STAFF RECOMMENDATIONS

### SLUP-23      ZACH FRESHNER/CESO, INC. (Continued)

- (8) *Whether or not special or unique conditions overcome the board of commissioners' general presumption that residential neighborhoods should not allow noncompatible business uses.*

**The area is already predominately zoned and occupied for industrial uses within the Heavy Industrial zoning category. The proposed tract is wooded along the northern side that is adjacent to the nearest residences and that abutting residential property to the north has its own 125-foot undisturbed buffer on its side. The proposed station will be constructed so that the facilities at over 100+ feet from the property lines. The proposed compressed natural gas equipment compound is located 50 feet from the property line along Plant Atkinson Road and 20 feet from the eastern property line abutting another HI property.**

- (9) *Whether or not adequate provisions are made regarding hours of operation.*

**The applicant has indicated the hours of operation will be 24 hours per day, seven days per week, and 365 days per year. The facility will be unmanned with no employees, but will be monitored by electronic methods and cameras and utilizing remote shut-down capabilities.**

- (10) *Whether or not adequate controls and limits are placed on commercial and business deliveries.*

**Trucks will enter the property from the south side of the site off of Plant Atkinson Road, which is an area already utilized by HI uses.**

- (11) *Whether or not adequate landscape plans are incorporated to ensure appropriate transition.*

**The applicant's site plan indicates a 40+--foot tree line and the abutting property to the north has its own 125-foot undisturbed. In addition, the proposed compressed natural gas fueling station is situated over 150 feet from the northern property line. No additional landscaping is proposed.**

- (12) *Whether or not the public health, safety, welfare or moral concerns of the surrounding neighborhood will be adversely affected.*

**The use should not adversely affect the public health, safety, welfare, or moral concerns of the Surrounding properties in that the area is heavily populated with industrial uses and the proposed station is located well within the required setbacks for the HI zoning category.**

- (13) *Whether the application complies with any applicable specific requirements set forth in this chapter for special land use permits for particular types of uses.*

**The Code requires compliance with state and federal laws, obtaining all necessary state and federal permits.**

- (14) *Whether the applicant has provided sufficient information to allow a full consideration of all relevant factors.*

**The applicant has provided details necessary to review the request.**

- (15) *In all applications for a special land use permit the burden shall be on the applicant both to produce sufficient information to allow the county fully to consider all relevant factors and to demonstrate that the proposal complies with all applicable requirements and is otherwise consistent with the policies reflected in the factors enumerated in this chapter for consideration by the county.*

**The applicant has provided sufficient information that demonstrates the proposal's compliance will all applicable requirements.**

**CONTINUED ON NEXT PAGE**

## **STAFF RECOMMENDATIONS**

### **SLUP-23      ZACH FRESHNER/CESO, INC. (Continued)**

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

- Site plan received by the Zoning Division on October 10, 2014 with District Commissioner approving minor modifications;
- Canopy sign elevations received by the Zoning Division on November 13, 2014;
- Stormwater Management Division comments and recommendations; and
- 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.**



2800 Corporate Exchange Drive, Suite 160  
Columbus, Ohio 43231-7628  
(614) 794-7080  
[www.cesoinc.com](http://www.cesoinc.com)

November 6, 2014

Jason A. Campbell  
Planner III  
Cobb County Community Development  
Zoning Division  
1150 Powder Spring St., Suite 400  
Marietta, GA 30064



RE: **PROJECT NAME:** GAIN CNG Station  
**PROJECT ADDRESS:** 4960 Plant Atkinson Rd. Smyrna GA 30080

Dear Jason,

Please consider this letter as response to your email sent 11/5/14, inquiring on information for the SLUP application to the above mentioned project.

REQUESTED INFORMATION

1. Days and hours of operation.  
**RESPONSE: This site is proposed to be in operation 24 hours a day, 7 days a week, 365 days a year.**
2. Number of employee's (if any on site).  
**RESPONSE: This will be an unmanned operation, so no employee's on site. GAIN will maintain the site with weekly or more frequent maintenance cycles. Additionally remote monitoring of 200+ critical parameters are monitored 24-7-365 by GAIN with remote shut-down capabilities. Cameras (4-8) and DVR are also placed on site for continuous monitoring of site.**
3. Proposed customers.  
**RESPONSE: Local commercial trucking fleets. This is intended to be open to the public, however GAIN Clean Fuels does not target passenger vehicle traffic. They primarily target truck fleets only.**
4. Commercial and business deliveries.  
**RESPONSE: No deliveries to site per operational needs. Fuel is provided by natural gas main along Plant Atkinson Rd.**
5. Proposed Landscaping.  
**RESPONSE: Existing landscaping to remain, no additional landscaping proposed.**

Please review all responses and let me know if additional information is needed at this time.

Respectfully,

A handwritten signature in black ink, appearing to read "Zach Freshner".

Zach Freshner, P.E.  
Program Director  
CESO, Inc.

SLUP-23 (2014)  
Canopy Sign  
Elevations

**RECEIVED**  
NOV 13 2014  
COBB CO. COMM. DEV. AGENCY  
ZONING DIVISION



Proposed Canopy Graphics: 3/15' = 1"

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NOTES  
Smyrna, Georgia

REVISIONS

No.	Description

Client: US Venture  
Contract: Michael Wormly  
Salesperson: Scott Timm  
Designer: Troy Kelly  
Date: November 7th, 2014  
File Name: US Venture - 5134 - GAIN Canopy (Georgia)

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