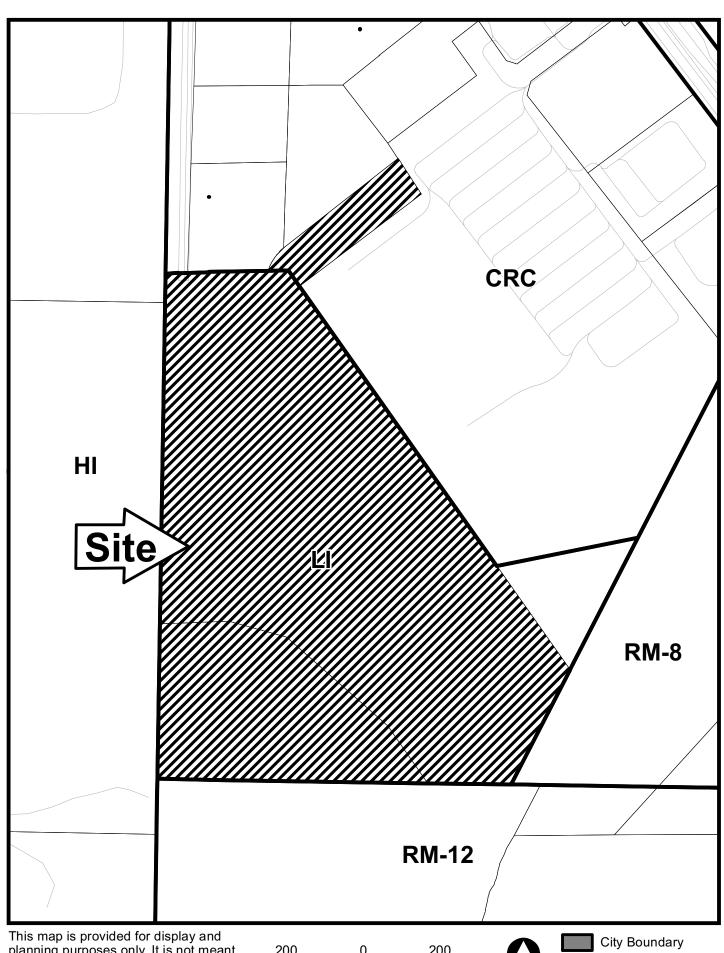


APPLICANT: Pull-A-Part of Northwest Atlanta, LLC	PETITION NO:	SLUP-9
404-607-7000	HEARING DATE (PC):	08-06-13
REPRESENTATIVE: John H. Moore 770-429-1499	HEARING DATE (BOC):08-20-13
Moore Ingram Johnson & Steele, LLP	PRESENT ZONING:	LI, CRC
TITLEHOLDER: Word of Faith Christian Center Church, Inc. of		
Georgia	PROPOSED ZONING:	Special Land
PROPERTY LOCATION: Terminus of Tramore Pointe Parkway,		Use Permit
northwest of East-West Connector	PROPOSED USE:	
		Used Auto Parts
ACCESS TO PROPERTY: Tramore Point Parkway		
	DISTRICT:	
PHYSICAL CHARACTERISTICS TO SITE: Undeveloped acreage		
	PARCEL(S):	
	TAXES: PAID X	
CONTIGUOUS ZONING/DEVELOPMENT	COMMISSION DISTRIC	CT: 4
SOUTH: RM-12/Multi-family Development EAST: CRC/Retail Center WEST: HI/Colonial Pipeline Tank Farm		
OPPOSITION: NO. OPPOSEDPETITION NO:SPOKESM PLANNING COMMISSION RECOMMENDATION	MAN	
APPROVED MOTION BY		N N / /
REJECTEDSECONDED		RM-12
HELDCARRIED	. CRC	- 1 6 6 4 4 4 4 4 4 4 4 4 4 4 4 4 4 4 4 4
BOARD OF COMMISSIONERS DECISION		\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\
APPROVEDMOTION BY		
REJECTEDSECONDED	SITE	
HELDCARRIED		RM-8 *17
STIPULATIONS:		

RM-12

SLUP-9



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





Zoning Boundary

APPLICANT: Pull-	A-Part of Northwest Atlanta, LLC	PETITION NO.:	SLUP-9
PRESENT ZONING:	LI, CRC	PETITION FOR:	SLUP
* * * * * * * * * * * *	* * * * * * * * * * * * * * * * * * * *	* * * * * * * * * * * *	* * * * * * * * * * *
ZONING COMMEN	TS: Staff Member Responsible:	Jason A. Campbell	
ZONING COMMEN	15. Staff Weinber Responsible.	Jason A. Campoen	
purpose of operating a Ordinance places this u for customers to retriev 49), applicant is reques architecture will be tracepad. The hours of oper	a Special Land Use Permit in concurre do-it-yourself auto part facility. Because in the automotive salvage and storage and purchase the parts that are needed ting the Heavy Industrial (HI) zoning calitional. Applicant's site plan also indication will be 8 a.m. until 6 p.m. Monda tory to be at the property will be 20 vehicles.	se of the nature of the but e yard use. The automod. As part of the concurrantegory and the one properties the use of a process y through Sunday. The	usiness, the Zoning biles will be on site rent rezoning case (Z-bosed building s pad and a flattener business will have 20
Historic Preservation			
******	*********	******	* * * * * * * * * *
WATER & SEWER (COMMENTS:		
No comments.			
* * * * * * * * * * * * * *	* * * * * * * * * * * * * * * * * * * *	******	* * * * * * * * * * *
TRAFFIC COMMEN	VTS:		
Recommend applicant l project improvements.	be required to meet all Cobb County De	velopment Standards an	d Ordinances related to
* * * * * * * * * * * * * *	* * * * * * * * * * * * * * * * * * * *	* * * * * * * * * * * * * *	* * * * * * * * * * *
FIRE COMMENTS:	7		

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: <u>Pull-A-Part of Northwest Atlanta, LLC</u>	PETITION NO.: <u>SLUP-9</u>
PRESENT ZONING: <u>LI/CRC</u>	PETITION FOR: <u>HI</u>
***********	********
STORMWATER MANAGEMENT COMMENTS	
FLOOD HAZARD: YES NO POSSIBLY, NOT	VERIFIED
DRAINAGE BASIN: Olley Creek FLOOD HAZARD IN FEMA Designated 100 year Floodplain Flood. ☐ Flood Damage Prevention Ordinance DESIGNATED FLOOD Project subject to the Cobb County Flood Damage Prevention Dam Breach zone from (upstream) (onsite) lake - need to keep	O HAZARD. Ordinance Requirements.
<u>WETLANDS:</u> ☐ YES ☐ NO ☐ POSSIBLY, NOT VERI	FIED
Location: within and adjacent to stream buffer and floodplain	<u>n. </u>
☐ The Owner/Developer is responsible for obtaining any require of Engineer.	ed wetland permits from the U.S. Army Corps
STREAMBANK BUFFER ZONE: X YES NO POS	SIBLY, NOT VERIFIED
 Metropolitan River Protection Area (within 2000' of Chattah buffer each side of waterway). Chattahoochee River Corridor Tributary Area - County review Georgia Erosion-Sediment Control Law and County Ordinance Georgia DNR Variance may be required to work in 25 foot street County Buffer Ordinance: 50', 75', 100' or 200' each side of county 	e - County Review/State Review.
DOWNSTREAM CONDITION	
 □ Potential or Known drainage problems exist for developments □ Stormwater discharges must be controlled not to exceed the drainage system. □ Minimize runoff into public roads. □ Minimize the effect of concentrated stormwater discharges ont □ Developer must secure any R.O.W required to receive concentration. 	capacity available in the downstream storm to adjacent properties.
Existing Lake Downstream Additional BMP's for erosion sediment controls will be required.	ed.
 ☐ Lake Study needed to document sediment levels. ☐ Stormwater discharges through an established residential neight ☐ Project engineer must evaluate the impact of increased volum on receiving stream (Olley Creek). 	

APPLICANT: Pull-A-Part of Northwest Atlanta, LLC	PETITION NO.: <u>SLUP-9</u>
PRESENT ZONING: <u>LI/CRC</u>	PETITION FOR: <u>HI</u>
* * * * * * * * * * * * * * * * * * * *	* * * * * * * * * * * * * * * * * * * *
STORMWATER MANAGEMENT COMMENTS – 0	Continued
SPECIAL SITE CONDITIONS	
 □ Provide comprehensive hydrology/stormwater controls to inc □ Submit all proposed site improvements to Plan Review. □ Any spring activity uncovered must be addressed by a qualif □ Structural fill must be placed under the direction of engineer (PE). □ Existing facility. □ Project must comply with the Water Quality requirements of Water Quality Ordinance. □ Water Quality/Quantity contributions of the existing lake/conditions into proposed project. □ Calculate and provide % impervious of project site. □ Revisit design; reduce pavement area to reduce runoff and positive submits a provide of project site. 	fied geotechnical engineer (PE). of a qualified registered Georgia geotechnical of the CWA-NPDES-NPS Permit and County of pond on site must be continued as baseline
INSUFFICIENT INFORMATION	
 No Stormwater controls shown Copy of survey is not current − Additional comments may be exposed. No site improvements showing on exhibit. 	e forthcoming when current site conditions are

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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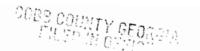
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STAFF RECOMMENDATIONS

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.



ATTACHMENT TO APPLICATION FOR SPECIAL LAND USE PERMIT

Application No.: SLUP- (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 "doit-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:

- (I) 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.