

APPLICANT: Fleet Sales & Services, LLC
PHONE#: (404) 951-4887 **EMAIL:** williamcespedes@yahoo.com
REPRESENTATIVE: William Cespedes
PHONE#: (404) 951-4887 **EMAIL:** williamcespedes@yahoo.com
TITLEHOLDER: Timothy Gowens and Valerie Gowens

PROPERTY LOCATION: East side of South Cobb Drive, south of
Leader Road
(1087 and 1093 South Cobb Drive).

ACCESS TO PROPERTY: South Cobb Drive

PHYSICAL CHARACTERISTICS TO SITE: _____

CONTIGUOUS ZONING/DEVELOPMENT

NORTH: GC/ Harmon's Used Cars, Pawn Mart
SOUTH: GC, LI/ VT Automotives, Imoprt Service, Self Storage facility
EAST: R-20, GC/ Mobile Home Park
WEST: GC/ Atlanta Carland

PETITION NO: SLUP-13
HEARING DATE (PC): 07-01-14
HEARING DATE (BOC): 07-15-14
PRESENT ZONING: GC, CF, R-20
PROPOSED ZONING: Special Land
Use Permit
PROPOSED USE: Auto Sales
SIZE OF TRACT: 4.00 acres
DISTRICT: 17
LAND LOT(S): 222
PARCEL(S): 47
TAXES: PAID X **DUE** _____
COMMISSION DISTRICT: 4

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

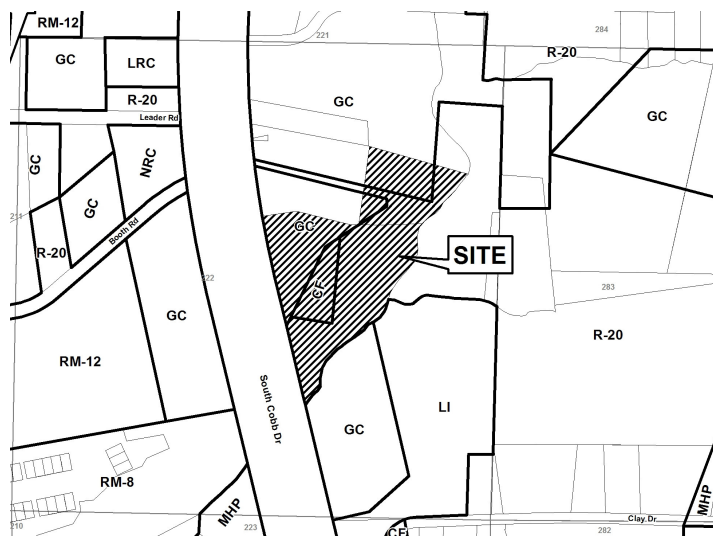
PLANNING COMMISSION RECOMMENDATION

APPROVED _____ **MOTION BY** _____
REJECTED _____ **SECONDED** _____
HELD _____ **CARRIED** _____

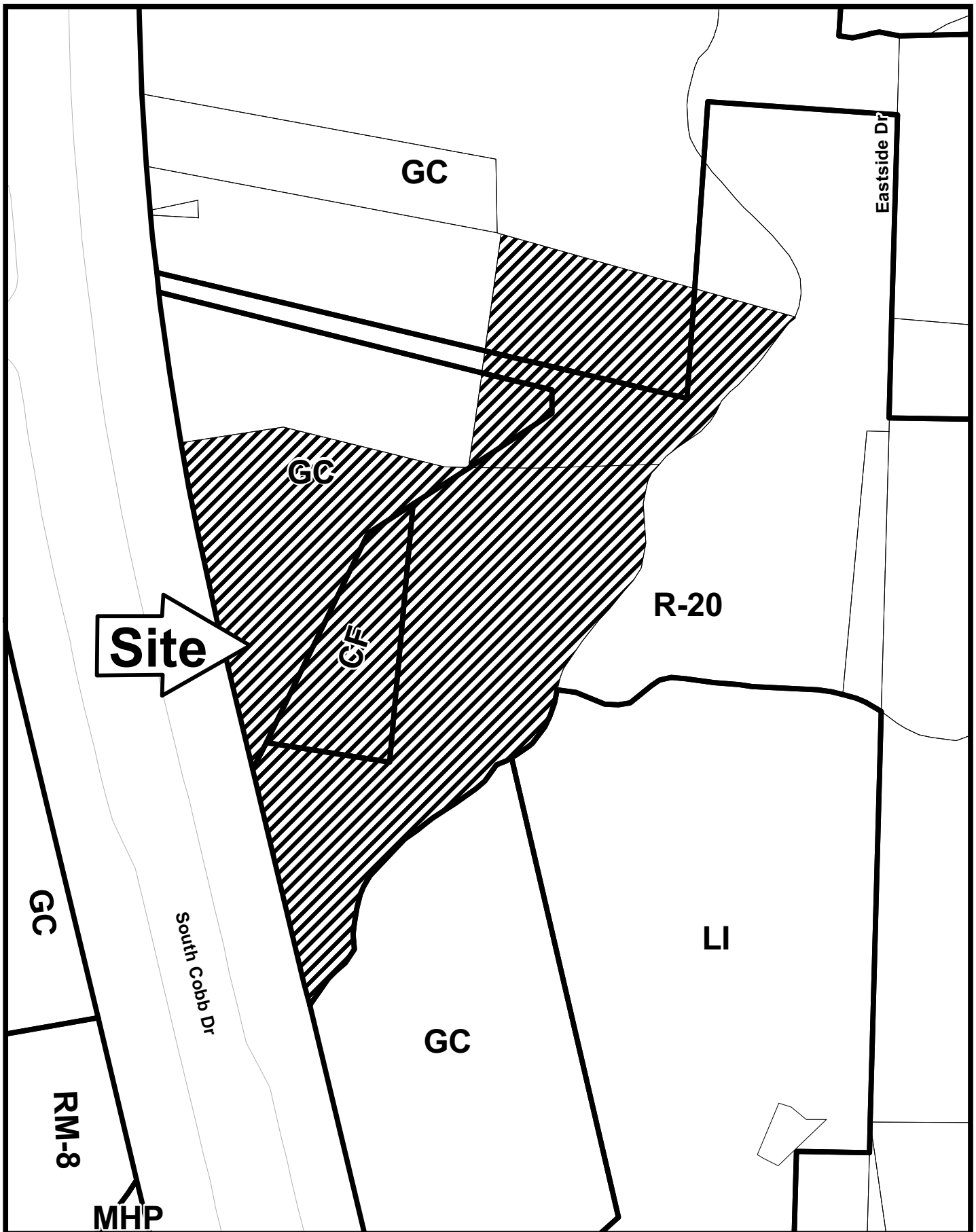
BOARD OF COMMISSIONERS DECISION

APPROVED _____ **MOTION BY** _____
REJECTED _____ **SECONDED** _____
HELD _____ **CARRIED** _____

STIPULATIONS:



SLUP-13



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: Fleet Sales & Services, LLC

PETITION NO.: SLUP-13

PRESENT ZONING: GC,CF,R-20

PETITION FOR: SLUP

ZONING COMMENTS: Staff Member Responsible: John Pederson

The applicant is requesting a Special Land Use Permit in order to operate a used car lot on this property (see Z-51 on this agenda for the rezoning request). Metro Wheels currently operates out of the building closest to South Cobb Drive, which specializes in wheels and tires. Metro Wheels also operates a light auto repair component. A proposed new component would be for used vehicle sales on the property. There is approximately 45,000 square feet of paved area on the property in which used vehicle could be parked. The property contains the necessary minimum of one acre of paved surface for parking of vehicles and the existing structure has ample bays in which to conduct the proposed automobile repair services.

Historic Preservation: No comments.

Cemetery Preservation: No comment.

WATER & SEWER COMMENTS:

No comments.

TRAFFIC COMMENTS:

Recommend a deceleration lane for the South Cobb Drive access upon redevelopment.

Recommend GDOT permits for an encroachment upon the state right-of-way.

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

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FIRE COMMENTS:

ACCESS: Fire apparatus access roads shall extend to within 150 feet of all portions of the facility or any portion of the exterior wall of the first floor (State Modifications IFC 503.1 2006 Edition).

All access roads shall meet the American Association of State and Highway Transportation Officials (AASHTO) design manual live load standard HS20 (75,000 lbs.) with an unobstructed width of not less than 20 feet, 25 foot inside radius, 50 foot outside turning radius and unobstructed vertical clearance of not less than 13 feet 6 inches.

GATE: Gates securing fire apparatus access shall be a minimum 14 feet in clear width for a single lane and 20 feet for a double lane. Gate shall be swing or sliding type. Electric gates shall be equipped with a means of opening the gate by fire department personnel for emergency access (Knox Switch). Emergency opening devices shall be approved by the Cobb County Fire Marshal's Office. (Cobb County Development Standards 401.08.02.1)

APPLICANT: Tim Gowens

PETITION NO.: SLUP-13

PRESENT ZONING: GC, CF, R-20

PETITION FOR: SLUP

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|---------------------------------------|
| STORMWATER MANAGEMENT COMMENTS |
|---------------------------------------|

No site improvements are proposed at the present time. Any future improvements or redevelopment must meet current Stormwater Management requirements.

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STAFF RECOMMENDATIONS

SLUP-13 FLEET SALES & SERVICES, LLC

The applicant's request is to allow a used automobile sales and service business at the subject property. Currently located within an area that contains a variety of commercial uses, including used car dealerships, the applicant's proposal would be consistent with, and compatible to other commercial properties in the area. The applicant meets the minimum zoning requirements for the proposed uses. Based on the above analysis, Staff recommends **APPROVAL** subject to the following conditions:

- Site plan received by the Zoning Division May 5, 2014, with the District Commissioner approving minor modifications to site layout;
- Used vehicle sales for the applicant only (any other user to be approved by the Board of Commissioners);
- No junk or inoperative vehicles kept on site;
- No repossessed vehicles kept on site;
- No outdoor storage (except for designated area behind the building);
- No parking or unloading vehicles in the Right-of-way;
- All vehicle repairs be done inside of building;
- All exterior lighting be designed to eliminate any stray light onto adjacent properties;
- No outdoor speakers or pagers;
- Water and Sewer comments;
- Stormwater Management comments;
- Fire Department comments; 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.



Application #: **SLUP-13**

PC Hearing Date: 7-7-14

BOC Hearing Date: 7-15-14

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): Approximate 8,200 existing
b) Proposed building architecture: N/A Existing
c) Proposed selling prices(s): N/A
d) List all requested variances: N/A

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

- a) Proposed use(s): Existing auto wheel sales + repair; proposed auto sales
b) Proposed building architecture: N/A - Existing
c) Proposed hours/days of operation: _____
d) List all requested variances: N/A

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

Existing uses - split zoned

.....
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). N/A

.....
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: [Signature] Date: 5-1-14

Applicant name (printed): Valerie Fowler

Campbell, Jason

From: Pederson, John
Sent: Thursday, May 15, 2014 11:39 AM
To: Campbell, Jason
Subject: SLUP-13 for July

Hi Jason,

I will not be here for the applicant meeting for this case on Friday. I need three things from the applicant.

1. He needs to show us where the used cars will be displayed.
2. What is the back building going to be used for? *mechanics*
3. The applicant needs to provide us the answers to the 15 SLUP criteria below:

In addition to general district, the board of commissioners shall consider, at a minimum, the following in its determination of whether or not to grant a special land use permit:

(1)

Whether or not there will be a significant adverse effect on the neighborhood or area in which the proposed use will be located. *- NO changes - other than cars on lot*

(2)

Whether or not the use is otherwise compatible with the neighborhood. *yes - car lot NEXT DOOR HARMONY*

(3)

Whether or not the use proposed will result in a nuisance as defined under state law. *- NONE*

(4)

Whether or not quiet enjoyment of surrounding property will be adversely affected. *NONE*

(5)

Whether or not property values of surrounding property will be adversely affected. *NO change*

(6)

Whether or not adequate provisions are made for parking and traffic considerations. *NO change*

(7)

Whether or not the site or intensity of the use is appropriate. *NONE*

(8)

Whether or not special or unique conditions overcome the board of commissioners' general presumption that residential neighborhoods should not allow noncompatible business uses. *NO changes to area*

(9)

Whether or not adequate provisions are made regarding hours of operation. *Regular Hours*

(10)

Whether or not adequate controls and limits are placed on commercial and business deliveries. *plenty of Room*

(11)

Whether or not adequate landscape plans are incorporated to ensure appropriate transition. *NO changes*

(12)

Whether or not the public health, safety, welfare or moral concerns of the surrounding neighborhood will be adversely affected. *N/A*

(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. *N/A*

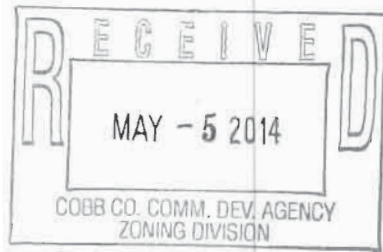
(14)

Whether the applicant has provided sufficient information to allow a full consideration of all relevant factors.

(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.

Thanks, John



Impact Analysis

1093 & 1087 South Cobb Drive

- (a) Zoning Proposal permits a use that is suitable in view of adjacent and nearby properties along South Cobb Drive that are developed with other auto related uses.
- (b) Zoning Proposal is a long time existing use; therefore will not adversely affect the existing use or usability of adjacent or nearby property.
- (c) Zoning Proposal is a long time existing use with a split zoning; some of the split zoning districts do not allow for a specific use (CF) resulting in property not having a reasonable economic use as currently zoned.
- (d) Zoning Proposal is a long time existing use; therefore will not cause an excessive or burdensome use of existing streets, transportation facilities, utilities or schools.
- (e) Zoning Proposal is consistent with future land use designation of Community Activity Center (CAC).
- (f) Zoning Proposal is a long time existing use which give supporting grounds for approval of the proposal.