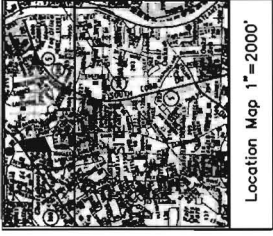


REVISED

General Notes:

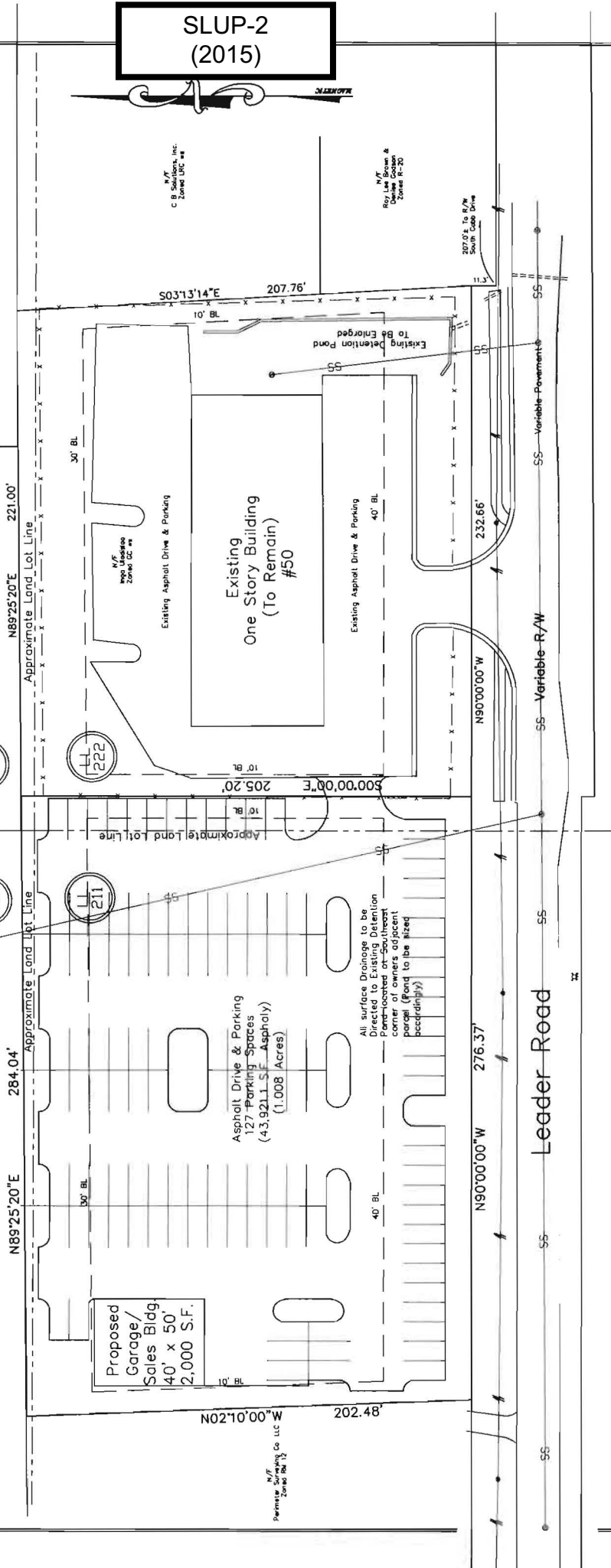
1. Boundary and Existing Conditions information taken from Land Use Permit Plan for Ingo Auto Center, Inc. prepared by Perimeter Surveying Co., Inc. dated Nov. 6, 2014.
2. Existing Zoning R-20 Proposed Zoning CC
3. Area = 57,100.7 Sq. Ft. 1.311 Acres
4. All Improvements to be in accordance with Cobb County Standards.
5. An Ingress-Egress Easement and Drainage Easement, from adjacent property (owned by Developer) is required.



N/E
Osteoconch Technical
Institute Foundation, Inc.
Zoned CC

N/E
Perimeter Surveying Co LLC
Zoned R-12

SLUP-2
(2015)

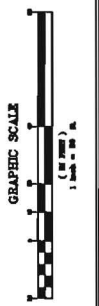


Site Development Plan For
Ingo Body Shop & Auto Sales
50 Leader Road, Marietta, GA 30008
Tax Parcels 1702100010 & 1702100070
Land Lots 211, 212, 221 & 222
17th District
Cobb County Georgia
Dated: Jan. 20, 2015 Scale: 1"=20'

Larry D. Neese, PLS
ENGINEER PLANNER SURVEYOR
Post Office Box 34
Jasper, Georgia 30143
(770) 428 - 2122
E-Mail: Lneese223@aol.com



NO.	REVISIONS



APPLICANT: Inga Auto Center

PHONE#: 770-794-1717 **EMAIL:** ingaautocenter@gmail.com

REPRESENTATIVE: Parks F. Huff, Esq.

PHONE#: 770-422-7016 **EMAIL:** phuff@slhb.com

TITLEHOLDER: Inga Auto Center, Inc.
Uladislao Inga

PROPERTY LOCATION: North side of Leader Road, west of South Cobb Drive
(50 Leader Road).

ACCESS TO PROPERTY: Leader Rd

PHYSICAL CHARACTERISTICS TO SITE: Existing 1 story
building with wooded lot

CONTIGUOUS ZONING/DEVELOPMENT

- NORTH:** RM-12/Georgia Arms Apartments
- SOUTH:** GC, R-20/Assembly of God, Single-family houses
- EAST:** LRC, R-20/USA Check Express, Reinas Hair Salon & Grocery
- WEST:** RM-12/Single-family house

PETITION NO: SLUP-2

HEARING DATE (PC): 02-03-2015

HEARING DATE (BOC): 02-17-2015

PRESENT ZONING: GC, R-20
(see Z-7 for related zoning case)

PROPOSED ZONING: Special Land
Use Permit

PROPOSED USE: Used Auto Sales

SIZE OF TRACT: 2.38 acres

DISTRICT: 17

LAND LOT(S): 211, 222, 212, 212

PARCEL(S): 1, 7

TAXES: PAID X **DUE** _____

COMMISSION DISTRICT: 1

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

PLANNING COMMISSION RECOMMENDATION

APPROVED _____ **MOTION BY** _____

REJECTED _____ **SECONDED** _____

HELD _____ **CARRIED** _____

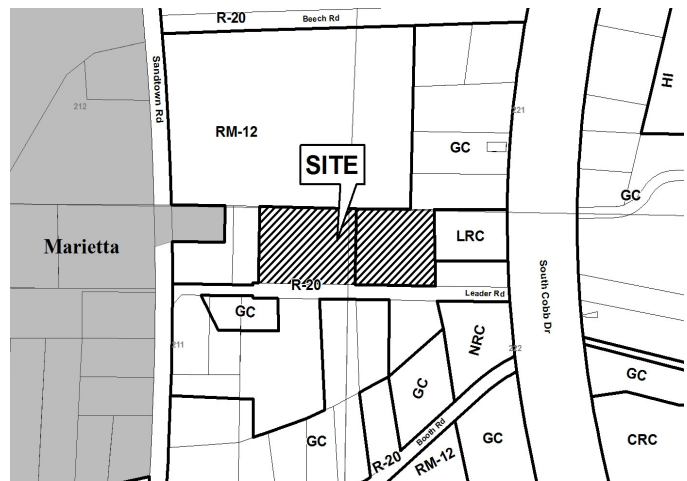
BOARD OF COMMISSIONERS DECISION

APPROVED _____ **MOTION BY** _____

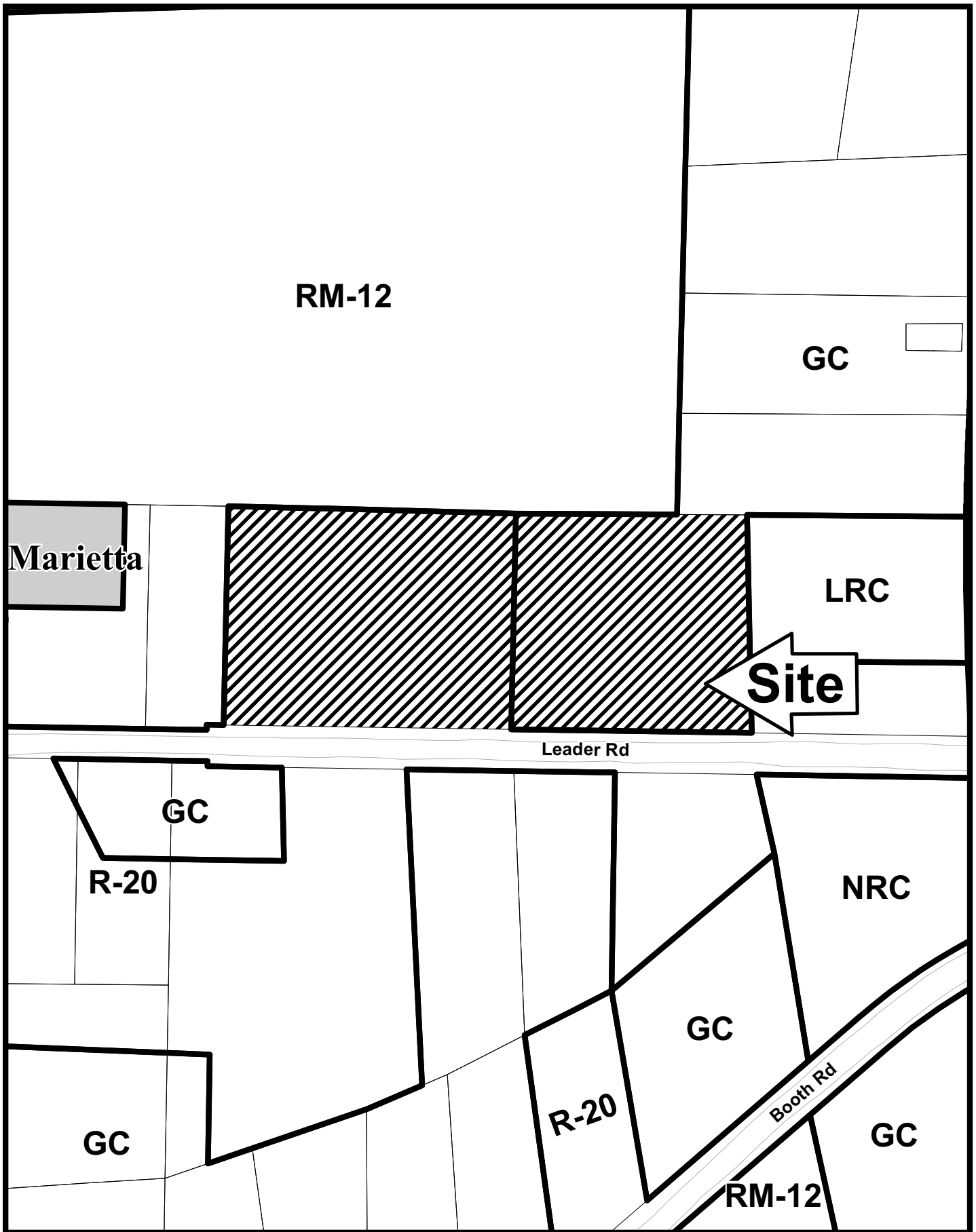
REJECTED _____ **SECONDED** _____

HELD _____ **CARRIED** _____

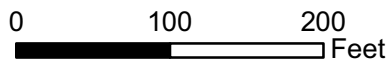
STIPULATIONS:



SLUP-2



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



City Boundary
Zoning Boundary

APPLICANT: Inga Auto Center

PETITION NO.: SLUP-2

PRESENT ZONING: GC, R-20

PETITION FOR: SLUP

ZONING COMMENTS:

Staff Member Responsible: Kim Wakefield

The applicant is requesting a Special Land Use Permit (SLUP) for the purpose of auto sales and auto service. The applicant is has an existing auto business on the property. The business will be open Monday through Saturday with business hours of 7 a.m. until 7 p.m.

The property is located within an area delineated as CAC community activity center. Conditions that are required by Code and that the applicant is demonstrating ability to follow include at least one (1) acre paved surface for parking of vehicles excluding any used area for but not limited to buildings, offices, service or sales areas.

The applicant is also proposing a storage building to be added to the property.

Historic Preservation: No comments.

Cemetery Preservation: No comment.

WATER & SEWER COMMENTS:

No additional comments (see comments for Z-7 2015).

TRAFFIC COMMENTS:

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

Recommend applicant verify that minimum right-of-way is available for Leader Road and if it is not, recommend applicant consider entering into a development agreement pursuant to O.C.G.A. 36-71-13 for dedication of the following system improvements to mitigate traffic concerns: a) donation of right-of-way on the north side of Leader Road, a minimum of 30' from the roadway centerline.

Recommend curb, gutter, and sidewalk along the Leader Road frontage.

APPLICANT: Inga Auto Center

PETITION NO.: SLUP-2

PRESENT ZONING: GC, R-20

PETITION FOR: SLUP

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: Inga Auto Sales

PETITION NO.: SLUP-2

PRESENT ZONING: R-20, GC

PETITION FOR: SLUP

STORMWATER MANAGEMENT COMMENTS

FLOOD HAZARD: YES NO POSSIBLY, NOT VERIFIED

DRAINAGE BASIN: Olley Creek 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 downstream existing downstream receiving system.

APPLICANT: Inga Auto Sales

PETITION NO.: SLUP-2

PRESENT ZONING: R-20, GC

PETITION FOR: SLUP

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. The majority of the site drains to the east to the existing Inga Auto facility. The proposed site plan proposes to expand the existing detention pond located at the southeast corner of the current Inga Auto site to accommodate the new development. Based on site observation, there may not be adequate area available to expand the existing pond to meet current requirements. An additional stormwater management facility may be required which will need to be addressed at Plan Review.

STAFF RECOMMENDATIONS

SLUP-2 INGA AUTO CENTER

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 properties. The property is surrounded with a mixture of commercial, high density residential and a few single family dwellings. The proposed use is an expansion of the existing auto business.
- (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 developments of adjacent nearby properties. The proposal is located in an area that has commercial activity with many types of commercial uses including office and institutional uses.
- (3) Whether or not the use proposed will result in a nuisance as defined under state law.*
The use should not be a nuisance as defined by state law. The applicant will maintain a 35 foot buffer as required by county Code along the northern property line.
- (4) Whether or not quiet enjoyment of surrounding property will be adversely affected.*
The quiet enjoyment of surrounding properties will not be adversely affected due to the location of the applicant's proposal. The applicant will maintain a 35 foot buffer as required by county Code along the northern property line.
- (5) Whether or not property values of surrounding property will be adversely affected.*
This use should not adversely affect property values of surrounding property.
- (6) Whether or not adequate provisions are made for parking and traffic considerations.*
The applicant will provide adequate parking. The traffic generated will not have an impact on the surrounding properties.
- (7) Whether or not the site or intensity of the use is appropriate.*
The applicant's site is appropriate for this use with the surrounding mixture of commercial uses.
- (8) Whether or not special or unique conditions overcome the board of commissioners' general presumption that residential neighborhoods should not allow noncompatible business uses.*
There are not any special or unique conditions which would prohibit the use in this area. The site is adjacent to a high density residential area, and will have the required buffer.
- (9) Whether or not adequate provisions are made regarding hours of operation.*
The business hours are Monday through Saturday 7 a.m. until 7 p.m. These are typical hours for an automotive repair shop and a used car lot.

CONTINUED ON NEXT PAGE

- (10) *Whether or not adequate controls and limits are placed on commercial and business deliveries.*
The applicant has indicated the hours of operation. Deliveries will be typical of similar business and not negatively impact adjacent properties.
- (11) *Whether or not adequate landscape plans are incorporated to ensure appropriate transition.*
The applicant will maintain a 35 foot buffer as required by the Code adjacent to all residentially zoned properties.
- (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.
- (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.*
It is Staff's opinion that the applicant's proposal meets the minimum standards that shall apply to used or preowned automobile and truck sales lots separate from a new car dealership.
- (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.

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

- Site plan received by the Zoning Division on December, 4, 2014, with District Commissioner approving minor modifications;
- Used vehicle sales and repair for the applicant only (any other user to be approved by the Board of Commissioners);
- Parking lot trees and 35 foot landscape buffer adjacent to the apartment property to the north be installed per County standards, and approved by the County Arborist at Plan Review;
- No junk or inoperative vehicles on site;
- No repossessed vehicles kept on site;
- No outdoor storage (except for used vehicles);
- No parking or unloading vehicles on the right-of-way;
- All vehicle repairs to be done inside building;
- All exterior lighting to be designed to eliminate any stray light onto adjacent properties;
- No outdoor speakers or pagers;
- Fire Department comments and recommendations;
- Stormwater Management comments and recommendations;
- Water and Sewer comments and recommendations;
- Department of Transportation comments and recommendations; and
- Owner/developer to enter into a Development Agreement pursuant to O.C.G.A. §36-71-13 for dedication of system improvements to mitigate traffic concerns.

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.

**SPECIAL LAND USE PERMIT STATEMENT FOR
APPLICATION OF INGA AUTO CENTER, INC.**

COMES NOW, INGA AUTO CENTER, INC., and, pursuant to §134-37 (e) of the Cobb County Zoning Ordinance, files this Statement and shows the following:

1. Inga Auto Center, Inc. has successfully operated an auto repair and auto body business on Leader Road, between South Cobb Drive and Sandtown Road for the last ten years. The current location is on a 1.07 acre tract. Inga has been able to acquire an adjacent 1.31 acre tract to expand the successful business. This expansion will include preowned auto sales.
2. The proposed SLUP is compatible with the neighborhood which includes several automotive related businesses. The area is predominately zoned GC with several automotive repair and automotive sales in the immediate vicinity.
3. The proposed use will not create a nuisance. The area is largely commercial and the proposed expansion of an existing successful business will not negatively impact adjacent properties. The applicant will maintain a buffer along the northern property line to buffer the existing apartment complex.
4. The use will not impact the quiet enjoyment of surrounding properties. The applicant will maintain a buffer along the northern property line to buffer the existing apartment complex.

5. The proposed use is consistent with the surrounding zonings which is predominately GC and the Community Activity Center land use designation.
6. Inga will provide adequate parking and the traffic generated will not have an impact on surrounding uses or properties.
7. The expansion of Inga's successful business will create more jobs and economic activity in an area that is predominately commercial. The intensity is appropriate given the surrounding existing uses and the proximity to South Cobb Drive.
8. The proposed use hours of operation will not negatively affect nearby properties.
9. The hours of operation will be typical business hours for an automotive repair shop and a used car lot.
10. Hours of deliveries shall be those of a typical similar business and the deliveries will not negatively impact adjacent properties or uses.
11. Inga will maintain a vegetative buffer along the northern property line adjacent to the existing Apartment Complex.
12. Inga has successfully operated the business for 10 years and the proposed expansion along with adding the additional service of previously owned automobile sales is a

positive sign for the community.

13. The applicant is not requesting any variances related to their request.

The foregoing provides the factors to be considered in recommending approval of a Special Land Use Permit Application. Additional Details will be submitted during the pendency of the application.

Respectfully submitted, this the 4th day of December, 2014.

SAMS, LARKIN, HUFF & BALLI, LLP

By: 

PARKS F. HUFF
Attorney for Applicant
Ga. Bar No. 375010