



Case # SLUP-7
Public Hearing Dates:
PC: 8-6-19
BOC: 8-20-19

Cobb County Community Development Agency
Zoning Division
1150 Powder Springs St. Marietta, Georgia 30064

SITE BACKGROUND

Applicant: SZS Holdings LLC

Phone: 404-903-1482

Email: malikcarguy@gmail.com

Representative Contact: Obaid Malik

Phone: 404-903-1482

Email: malikcarguy@gmail.com

Titleholder: SZS Holdings LLC

Property location and address: West side of
Roswell Road, south of Summit Village Drive
(2069 Roswell Road)

Access to Property: Roswell Road

QUICK FACTS

Commission District: 2-Ott

Current Zoning: GC (General Commercial)

Current use of property: Used car lot

Proposed use: Extend parking lot for used car lot

Future Land Use Designation: CAC (Community
Activity Center)

Site Acreage: 0.99 ac

District: 16

Land Lot: 1100

Parcel #: 16110000020

Taxes Paid: Yes

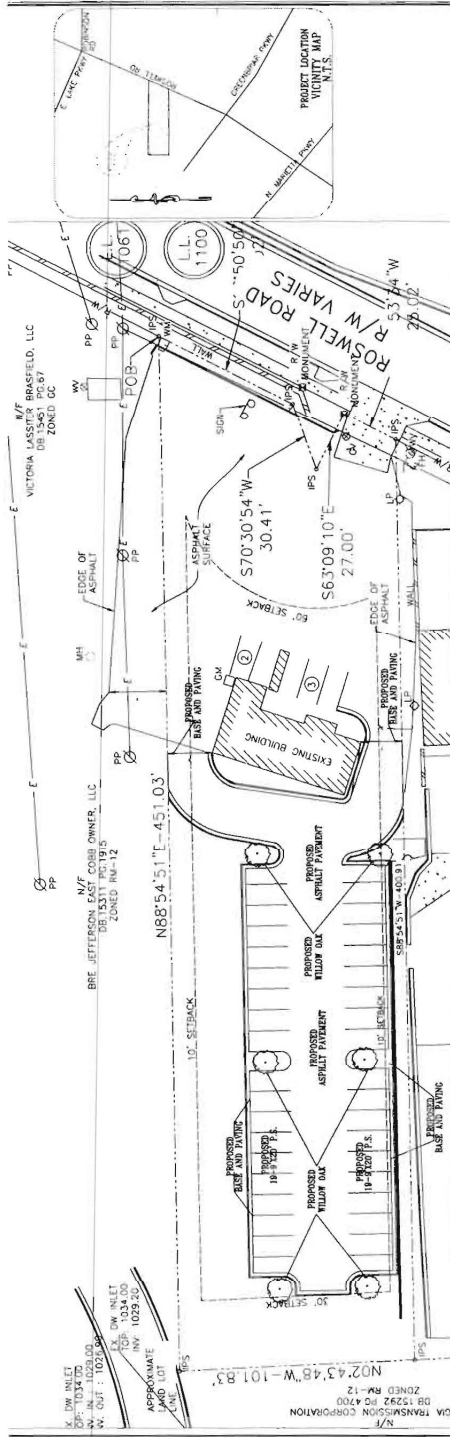
FINAL ZONING STAFF RECOMMENDATION:
(Zoning staff member: Jason Campbell)

Based on the analysis of this case, Staff recommends **APPROVAL**, subject to the following:

1. No junk or inoperative vehicles kept on site;
2. No parking or unloading vehicles in the right-of-way;
3. Variances in the Zoning Section comments;
4. Water and Sewer Division comments and recommendations;
5. Stormwater Management Division comments and recommendations; and
6. Department of Transportation comments and recommendations.

**SLUP-7
(2019)**

<p>PROPOSED PARKING LOT MILKWEAVERS.COM TEL: (404) 963-1481 MILKWEAVERS.COM</p>	<p>PROJECT LOCATION VICINITY MAP MILKWEAVERS.COM TEL: (404) 963-1481 MILKWEAVERS.COM</p>	<p>PREPARED BY A. M. ENGINEERING INC. TEL: (770) 474-9904 AMENGINEERING.COM</p>	<p>DATE 11/15/19</p>
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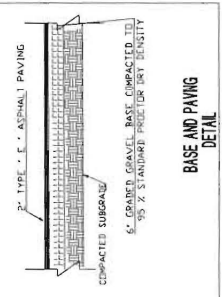
SITE NOTES

1. ALL WORK SHALL BE PERFORMED IN ACCORDANCE WITH THE PLANS AND FEDERAL, STATE AND LOCAL CODES.
2. REFER TO THE SPECIFICATIONS FOR MATERIALS AND METHODS.
3. TOPOGRAHY, BOUNDARY, SURVEY, PROPERTY LINES, LEGAL DESCRIPTION, EASEMENTS, UTILITIES, AND ALL OTHER INFORMATION SHALL BE OBTAINED BY THE CONTRACTOR PRIOR TO CONSTRUCTION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.
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6. ALL MATERIALS SHALL BE STORED IN A MANNER THAT PREVENTS DAMAGE TO THE SURROUNDING PROPERTY.
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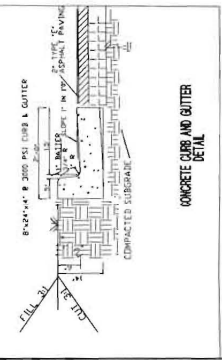
COBB COUNTY ENVIRONMENTAL HEALTH NOTES

1. GRASSES CAN AFFECT SOIL STABILITY FOR PAVED AREAS AND MUST BE REMOVED PRIOR TO THE USE OF A LOT FOR AN ON-SITE SEWER TREATMENT SYSTEM.
2. PAVED AREAS SHALL BE CONSTRUCTED TO THE CORNER PERMANENT HEALTH REQUIREMENT.
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5. ANY UNPAVED AREAS SHALL BE PAVED BY A STATE CERTIFIED PAVING/SEWER AND CONSTRUCTION.

Trees	Type	Quantity	Notes
Willow Oak	7	7	Willow Oak
Parking Area	38	38	38 parking spaces / 7 x 8.5 ft trees required
	8	8	8 trees provided within 100 ft of each



NOTE:
THE PROPOSED PARKING AREA WILL COMPLY WITH THE COBB COUNTY STANDARD REGULATION

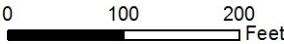




LANDSCAPED BUFFER NOTE:
BUFFER AS REQUIRED BY THE COBB COUNTY CODE IS A LANDSCAPED BUFFER WITH A MINIMUM WIDTH OF 10 FEET. THE BUFFER SHALL BE MAINTAINED AND THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.

SLUP-7 2019-Aerial Map



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



-  Zoning Boundary
-  City Boundary

North

Zoning: RM-8 (Multi-family Residential), and GC (General Commercial)

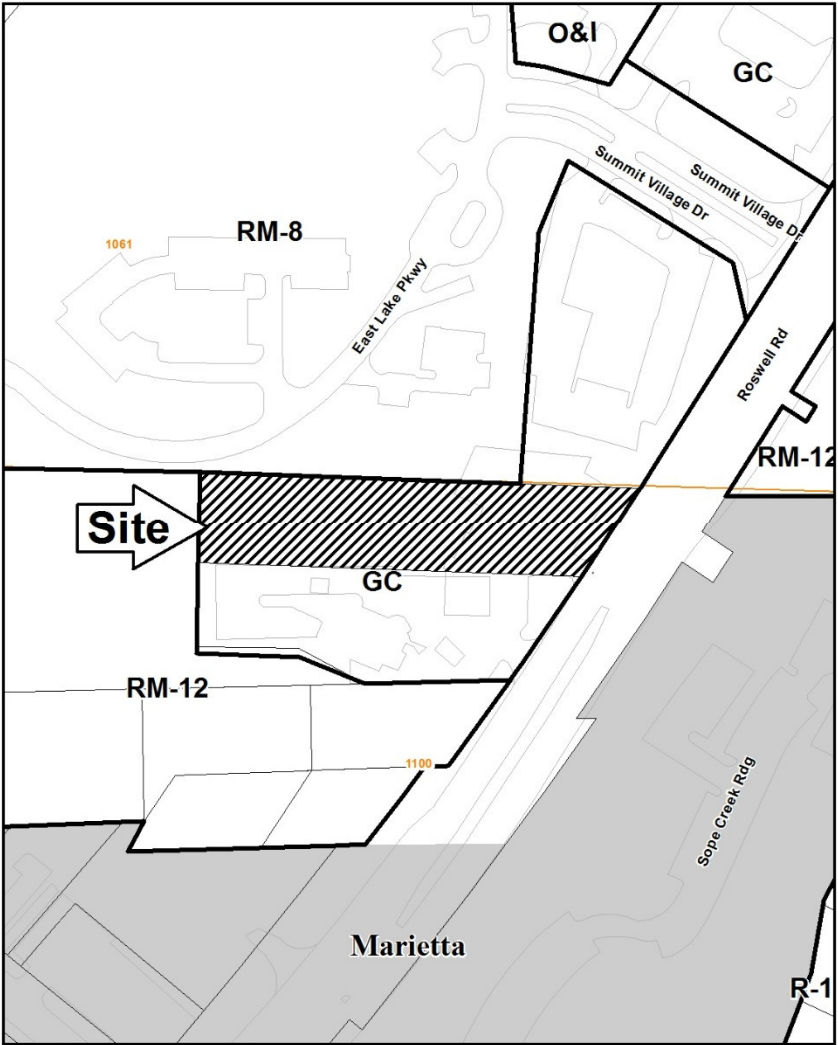
Future Land Use: HDR (High Density Residential), and CAC (Community Activity Center)

SLUP-7 2019-GIS

WEST

Zoning: RM-12 (Multi-family Residential)

Future Land Use: TCU (Transportation/Communication/Utilities)



EAST

Zoning: City of Marietta

Future Land Use: City of Marietta

SOUTH

Zoning: GC (General Commercial)

Future Land Use: CAC (Community Activity Center)

DEPARTMENT COMMENTS- Zoning Division

Current zoning district for the property

The GC district is established to provide locations for retail commercial and service uses which are oriented toward automotive businesses, are land intensive with a need for major road access and visibility, are generally not listed as a permitted uses within the NRC (neighborhood retail commercial) and CRC (community retail commercial) districts or may have existing stipulations and conditions that limit certain intensive uses and are located in areas delineated within a community activity center and regional activity center as defined and shown on the Cobb County Comprehensive Plan: A Policy Guide, adopted November 27, 1990. Any existing GC district, developed or undeveloped, located within an area delineated within an industrial-compatible area or industrial area as shown on the comprehensive plan, shall be deemed to be a grandfathered, nonconforming use after January 1, 1991, and subject to those provisions contained in this chapter.

Summary of the applicant's proposal

The applicant is requesting a Special Land Use Permit (SLUP) for the purpose of an additional parking area for the existing used car lot at this location.

Non-residential criteria

Proposed # of buildings: 1 (Existing)
Proposed # of stories: 1
Total sq. footage of development: 1636 sq ft
Floor area ratio: 0.037
Square footage per acre: 1,652 sq ft
Required parking spaces: One acre paved
Proposed parking spaces: 41 new spaces
Acres in floodplain or wetlands: 0 ac
Impervious surface shown: 60%

DEPARTMENT COMMENTS- Zoning Division (continued)

Are there any zoning variances?

Yes, the proposed plan will require the following contemporaneous variances:

1. Waiver of the one-acre pavement requirement for parking
2. Waiver of the required 40-landscape buffer abutting residential properties to the north and west.

DEPARTMENT COMMENTS- Fire Department

No comments.

DEPARTMENT COMMENTS- Site Plan Review (County Arborist)

No comment.

DEPARTMENT COMMENTS- Cemetery Preservation

No comment.

DEPARTMENT COMMENTS- School System

No comments.

DEPARTMENT COMMENTS- Stormwater Management

1. Flood hazard: No
2. Flood hazard zone: Zone X
3. Drainage Basin: Sope Creek
4. Wetlands: No
5. Streambank buffer zone: No
6. Stormwater discharges must be controlled not to exceed the existing capacity of the downstream storm drainage system.
7. Substantially mitigate any effects of concentrated stormwater discharges onto adjacent properties.
8. Developer must secure drainage easement(s) to receive concentrated discharges where none naturally exist.
9. Existing Lake Downstream Fawn Lake. Additional BMP's for erosion & sediment control will be required.
10. Lake Study required to document pre- and post-development sediment levels.
11. Project engineer must evaluate the impact of increased volume of runoff generated by the proposed project on existing downstream drainage system(s).
12. Special site conditions and/or additional comments:
 - Subject to Plan Review approval of proposed stormwater management plan. Detention pond discharge to be directly connected to existing downstream infrastructure at East Lake Parkway.
 - Existing offsite pavement encroachment to be removed.

DEPARTMENT COMMENTS- Planning Division

Comprehensive Plan Designation: Consistent Inconsistent

House Bill 489 Intergovernmental Agreement Zoning Amendment Notification

Is the proposal within one-half mile of a city boundary? Yes No

Marietta

Was the city notified? Yes No

N/A

Comments:

DEPARTMENT COMMENTS- Water and Sewer

CCWS records show a public sewer main along the south property line at the proposed wall. County Code 122-123 prohibits permanent structures (such as walls) in sewer easements and easement setbacks.

DEPARTMENT COMMENTS- Transportation

Recommendations

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

STAFF ANALYSIS

There are fifteen criteria that must be considered for a Special Land Use Permit. The criteria are below in bold, with the staff analysis written not 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 proposed additional parking area will not have a significant adverse effect on the neighborhood or area in which the proposed use will be located. The used auto dealership is already in existence and is bordered by light auto repair businesses.

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

The proposed use is compatible with the neighborhood. The area contains a mixture of auto-related businesses, offices, multi- and single family uses.

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

The proposed use will not result in nuisance as defined under state law. The proposal is for additional parking for the existing used auto dealership at the property.

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

The proposal will not adversely affect the quiet enjoyment of surrounding property. The proposal is parking for the existing used auto dealership and the property is bordered on both sides by light auto repair businesses.

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

The proposal will not adversely affect the values of surrounding properties. The proposal is a parking addition to the existing business.

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

The parking is available on site, and the proposed additional parking will further benefit the existing business.

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

The intensity of the use is appropriate for the site. The proposed additional parking will be a benefit for the existing used auto dealership.

(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 property has been utilized as a used auto dealership, is bordered on the sides by auto repair businesses and RM-12 in the rear, and Staff has no complaints regarding on this business.

STAFF ANALYSIS (Continued)

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

The hours of operation will be typical for a used car dealership.

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

The proposed use will have normal commercial deliveries.

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

The proposed additional parking will be 30 feet from the western property line and northern property, eliminating the ability to include the required 40-foot landscape buffer abutting residential property. This item is listed as a contemporaneous variance in the Zoning comments.

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

The public health, safety, welfare or moral concerns of the surrounding area will not be adversely affected.

(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 application complies with the applicable specific requirements set forth in this chapter for special land use permits for particular types of uses.

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

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

STAFF ANALYSIS (Continued)

- (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 for review of the application to continue the existing use with the additional parking area.

The staff analysis and recommendation 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.

Planning Commission Decision

NO. OPPOSED: _____ APPROVED _____ DENIED _____ DELETED TO _____

NO. IN SUPPORT _____ MOTION BY: _____ SECONDED: _____ VOTE: _____

Names of those Opposed:

Comments:

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Stipulation letter from _____ dated _____
Stipulation letter from _____ dated _____
Stipulation letter from _____ dated _____

Board of Commissioners Decision

NO. OPPOSED: _____ APPROVED _____ DENIED _____ DELETED TO _____

NO. IN SUPPORT _____ MOTION BY: _____ SECONDED: _____ VOTE: _____

Names of those Opposed:

Comments:

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