

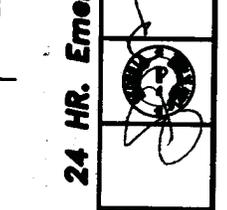
ALL UTILITIES SHOWN ARE BASED ON THE INFORMATION PROVIDED BY THE OWNER AND THE CONTRACTOR. THE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING THE LOCATION AND DEPTH OF ALL UTILITIES PRIOR TO CONSTRUCTION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE APPROPRIATE AGENCIES PRIOR TO CONSTRUCTION.

24 HR. Emergency Contact: Mike Barr 770-803-0065  
3.68 Acres

GRAPHIC SCALE  
1" = 100'  
1" = 200'

24 HR. Emergency Contact: Mike Barr 770-803-0065  
3.68 Acres

Larry D. Nease, PLS  
Professional Engineer  
4575 Invercove Drive  
Marietta, Georgia 30064  
770.485.2122  
FAX 770.485.2179



Tract One Auto Sales  
10000 Peachtree Dunwoody Rd  
Atlanta, GA 30338  
770.412.1234

Only Detention Pond and Shaded Drive & Parking being developed on this site. Please see all required approvals, Development Plans and Approvals.

GENERAL NOTES:  
1. Existing Conditions: See site plan and survey.  
2. Proposed Building: See site plan and survey.  
3. Proposed Parking: See site plan and survey.  
4. Proposed Driveway: See site plan and survey.  
5. Proposed Detention Pond: See site plan and survey.

CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE APPROPRIATE AGENCIES PRIOR TO CONSTRUCTION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING THE LOCATION AND DEPTH OF ALL UTILITIES PRIOR TO CONSTRUCTION.

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DEVELOPER: [Name]  
ENGINEER: [Name]

PAVEMENT, D.P. SECTION  
PAVEMENT, T.P. SECTION

AUG - 4 2011  
COBB CO. COMM. DEV. AGENCY  
ZONING DIVISION

RECEIVED

APPLICANT: Ofer (Mike) Bar-Lev

770-803-0065

REPRESENTATIVE: Larry Neese

770-428-2122

TITLEHOLDER: Kofer Properties, Inc

PROPERTY LOCATION: At the southwest intersection of Windy Hill Road and Arkose Drive.

ACCESS TO PROPERTY: Windy Hill Road

PHYSICAL CHARACTERISTICS TO SITE: Existing house

PETITION NO: SLUP-9

HEARING DATE (PC): 10-04-2011

HEARING DATE (BOC): 10-18-2011

PRESENT ZONING: CRC & LRO

PROPOSED ZONING: Special  
Land Use Permit

PROPOSED USE: Used Car Lot

SIZE OF TRACT: 0.5 acre

DISTRICT: 17

LAND LOT(S): 58

PARCEL(S): 116

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

COMMISSION DISTRICT: 4

**CONTIGUOUS ZONING/DEVELOPMENT**

- NORTH:** NRC/ Proposed QuikTrip
- SOUTH:** R-20, GC/ Single-family houses
- EAST:** R-20/ Single-family houses
- WEST:** CRC, NS/ Advance Auto Parts

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

**PLANNING COMMISSION RECOMMENDATION**

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

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

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

**BOARD OF COMMISSIONERS DECISION**

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

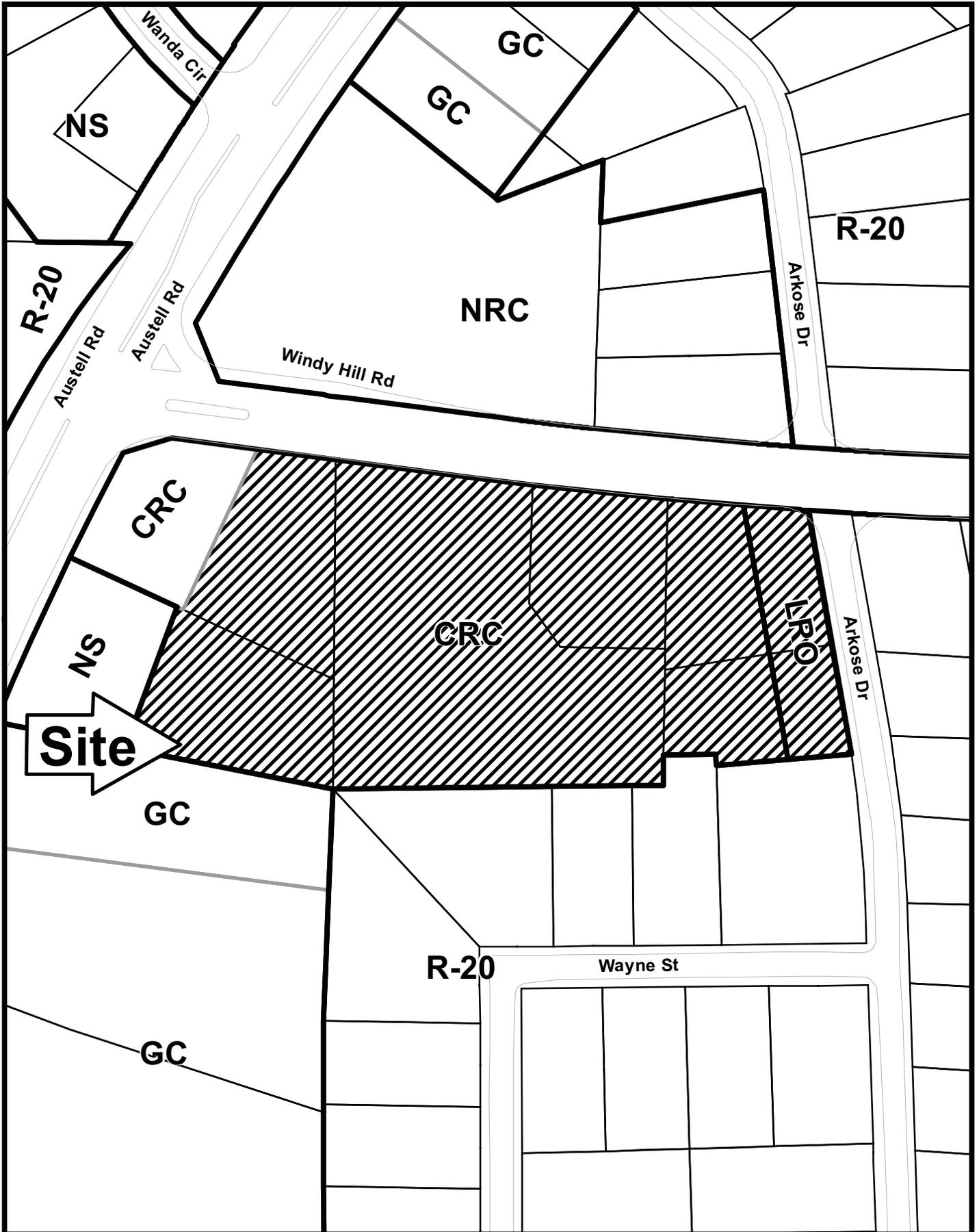
REJECTED \_\_\_\_\_ SECONDED \_\_\_\_\_

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

STIPULATIONS:



# SLUP -9



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

100 0 100 Feet



City Boundary  
Zoning Boundary

APPLICANT: Ofer (Mike) Bar-Lev

PETITION NO.: SLUP-9

PRESENT ZONING: CRC & LRO

PETITION FOR: SLUP

\*\*\*\*\*

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

The applicant is requesting the Special Land Use Permit to operate a used car lot on this property. The one-acre requirement for the used-car lot is being met. The total site was rezoned to the CRC and LRO zoning categories in 2004 (Z-205) and simultaneously therewith, applicant had applied for a Special Land Use Permit (SLUP-29) for used car sales. Minutes from those cases are attached for your review.

**Historic Preservation:** No comment.

**Cemetery Preservation:** No comment.

\*\*\*\*\*

**WATER & SEWER COMMENTS:**

Development as proposed must connect to sewer

\*\*\*\*\*

**TRAFFIC COMMENTS:**

- Recommend no parking on the right-of-way.
- Recommend one access driveway on Windy Hill Road.
- Recommend a deceleration lane on Windy Hill Road.
- Recommend sidewalk along road frontages.
- Recommend no access to Arkose Drive.

\*\*\*\*\*

**FIRE DEPARTMENT COMMENTS:**

**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: Ofer (Mike) Bar-Lev

PETITION NO.: SLUP-9

PRESENT ZONING: CRC

PETITION FOR: SLUP

\*\*\*\*\*

**DRAINAGE COMMENTS**

FLOOD HAZARD:  YES  NO  POSSIBLY, NOT VERIFIED

DRAINAGE BASIN: Favor 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 receiving systems.

APPLICANT: Ofer (Mike) Bar-Lev

PETITION NO.: SLUP-9

PRESENT ZONING: CRC

PETITION FOR: SLUP

● \*\*\*\*\*

DRAINAGE 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 this site (1.6 acres) discharges to the northeast to an existing culvert under Arkose Drive. Approximately 1.1 acres discharges via sheet flow to the southeast through several adjacent residential parcels located on Wayne Street. The remainder of the site discharges to the south to an existing culvert located on the adjacent Hicks Roofing site. All three of these discharge points have issues that must be resolved prior to permitting. The culvert through the Hicks Roofing site may be partially located under the existing building. This discharge point may need to be relocated to accept additional runoff volume from the proposed detention facility. The remaining discharge points to the east do not have any easements or defined conveyance channels to accept increased runoff volumes that will be generated by this development. These issues will have to be addressed at Plan Review.

## STAFF RECOMMENDATIONS

### **SLUP-9      OFER (MIKE) BAR-LEV**

Applicant is requesting the same use (used car sales) that was requested in 2004. It is staff's opinion that the Board of Commissioners has indicated its intent that a used car facility not be allowed at this property, and as a result, and based upon the minutes of the previous cases from 2004, staff recommends DENIAL.

**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.**

ORIGINAL DATE OF APPLICATION: 12-21-04APPLICANTS NAME: OFER (MIKE) BAR-LEVTHE FOLLOWING REPRESENTS THE FINAL DECISIONS OF THE  
COBB COUNTY BOARD OF COMMISSIONERS**BOC DECISION OF 12-21-04 ZONING HEARING:**

**OFER (MIKE) BAR-LEV** for Rezoning from **CF** and **NS** to **GC** for the purpose of Auto Service and Used Car Sales in Land Lots 15 and 58 of the 17<sup>th</sup> District. Located at the northwest intersection of Windy Hill Road and Arkose Drive.

The public hearing was opened and Mr. Larry Neese addressed the Board. Following presentation and discussion, the following motion was made:

MOTION: Motion by W. Thompson, second by Olens, to **delete** rezoning to the **CRC** and **LRO** zoning district **subject to:**

- **all existing structures to be removed prior to permitting**
- **site plan received November 15, 2004, with the District Commissioner approving minor modifications to site layout (copy attached and made a part of these minutes)**
- **any building facing Windy Hill Road to have brick front, with split block on sides and rear**
- **one curb cut onto Windy Hill Road**
- **check cashing facilities, tattoo parlors, video stores, adult novelty sales, body piercing facilities, and alcoholic beverage stores (liquor, beer or wine) are prohibited**
- **strip of property 60 feet in width along the eastern property line to be zoned LRO**
- **parking lot trees and landscaping to be installed per County standards, and approved by the County Arborist at Plan Review**
- **building architecture to be approved by District Commissioner**
- **no junk or inoperative vehicles kept on site**
- **no repossessed vehicles kept on site**
- **no outdoor storage**
- **no parking or unloading vehicles in the right-of-way**
- **all vehicle repairs to be done inside of building**
- **all exterior lighting to be designed to eliminate any stray light onto adjacent properties**
- **no outdoor speakers or pagers**
- **no access to Arkose Drive**

*Z-205 Continued on next page*

PAGE 3 OF 4

APPLICATION NO. Z-205

ORIGINAL DATE OF APPLICATION: 12-21-04

APPLICANTS NAME: OFER (MIKE) BAR-LEY

SLUP-9  
(2011)  
Exhibit  
--Previous  
Minutes

THE FOLLOWING REPRESENTS THE FINAL DECISIONS OF THE  
COBB COUNTY BOARD OF COMMISSIONERS

**BOC DECISION OF 12-21-04 ZONING HEARING (Continued):**

- **Water and Sewer Division comments and recommendations**
- **Stormwater Management Division comments and recommendations**
- **Cobb DOT comments and recommendations**
- **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**

VOTE: **ADOPTED** 4-0, J. Thompson abstained

Z-205 and SLUP-29 are companion cases and were heard simultaneously. Commissioner J. Thompson informed the Board that he would abstain from hearing Z-205 and SLUP-29 due to a conflict of interest.



SLUP-9  
(2011)  
Exhibit  
--Previous  
Minutes

ORIGINAL DATE OF APPLICATION: 12-21-04

APPLICANTS NAME: OFFER (MIKE) BAR-LEV

THE FOLLOWING REPRESENTS THE FINAL DECISIONS OF THE  
COBB COUNTY BOARD OF COMMISSIONERS

**BOC DECISION OF 12-21-04 ZONING HEARING:**

**OFFER (MIKE) BAR-LEV** for a **Special Land Use Permit** for the purpose of a Used Car Lot in Land Lots 15 and 58 of the 17<sup>th</sup> District. Located at the southwest intersection of Windy Hill Road and Arkose Drive.

The public hearing was opened and Mr. Larry Neese addressed the Board. Following presentation and discussion, the following motion was made:

MOTION: Motion by W. Thompson, second by Olens, to **reject Special Land Use Permit.**

VOTE: **ADOPTED** 4-0, J. Thompson abstained

Z-205 AND SLUP-29 are companion cases and were heard simultaneously. Commissioner J. Thompson informed the Board that he would abstain from hearing Z-205 and SLUP-29 due to a conflict of interest.