

Petition SLUP-11

Search Tags <Cooke Enterprises, OMR, Office Mid-Rise, O&I, Office & Institutional, Windy Hill Road, Spectrum Circle>

Cooke Enterprises, Inc., 678-797-9797, represented by Garvis Sams, Sams, Larkin & Huff, LLP, 770-422-7016, requests rezoning from OMR to O&I.

Property is located on the northwest intersection of Windy Hill Road and Spectrum Circle (no street address); 17th District, Land Lots 919 & 920, Parcel 3.

Size of tract is 1.195 acres

Contiguous zoning is: *North*: O&I (Corporate Spectrum office complex); *East*: O&I (Corporate Spectrum office complex); *South*: O&I (Interstate North office park); *West*: RM-12 (power substation).

Current land use is Regional Activity Center, High Density Residential sub-area.

Case manager is Eric Petersen

Planning Commissioner is Tom McCleskey

District Commissioner is Joe Thompson

Proposed use: Climate Controlled Self Service Storage Facility.

Unit square footage(s): 109,325 s.f.

Building architecture: *Four sided brick with EFIS accents*

Hours/days of operation: *Monday through Saturday, 8:00 am to 6:00 pm; Sunday, 1:00 pm to 6:00 pm.*

Contemporaneous variances:

- 1. Waive parking requirements from 35 to 15 spaces.*
- 2. Reduce side setback along substation property from 15 to 5 feet.*
- 3. Reduce landscape strip along road frontage from 20 to 10 feet.*
- 4. Remove landscape buffer adjacent to residential property (existing electrical substation).*

Staff Comments:

Please click for [Preliminary Zoning Analysis](#)

Please click for [Final Zoning Analysis for August](#)

Please click for [Final Zoning Analysis for September](#)

Staff recommends DENIAL.

Staff is very concerned with the intensity of the applicant's proposal. Most of the basic zoning criteria (FAR, height, and parking) cannot be met, which indicates this property may be too small to support this proposal.

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. The applicant's proposal does not meet many of the criteria for the OI zoning district, as referenced in the Planning Comments. Uses, such as this proposal, are allowable in this O&I zoning district. However, the intensity of the proposal may be too much to be supported by Staff.

ECCA position: *The Terrell Mill Community Association recommends **APPROVAL** and we support their position.*

Planning Commission Action (August, unofficial): **CONTINUED** until the October 7, 2008 Planning Commission hearing.

Planning Commission Recommendation (October, unofficial): **Approval, subject to:**

- *August 14, 2008 and August 21, 2008 letters of agreeable stipulations from Mr. Garvis L. Sams, Jr.*
- *Site plan specific according to the plans submitted with this case.*

Board of Commissioners Action: **Case has not been heard yet.**