

About a year ago, the applicant received approval from Georgia EPD to resume the short-term storage (10 days max.) and transfer operations of hazardous waste at this site. The applicant is proposing to lease the property to Veolia as a tenant for this operation. Many years ago, this site received hazardous waste in separate containers, whereby some were opened so that the contents could be consolidated (mixed) together before shipment to their final destination. (this part of the operation is what triggered the tragic fire in 2013) Now, the applicant is proposing to receive containers and leave them unopened, and then simply have them sorted for re transfer via truck to their final destination, with the mandate that they be stored on site no more than 10 days. Final destinations include disposal sites in other states – depending on the specific type of material. Again, please refer to Letter of Intent for further details.

This property has a long history of industrial uses, including solid waste transfer and related operations. If it were not for the adoption of the LDR regulations in 2009, the applicant could fully re-institute this prior use of the property as an ongoing Permitted Use. However, this change of regulations is a good thing so that the City can re-evaluate the potential impacts of what could otherwise be an unfettered intensive industrial use with unlimited scale, or perhaps located in an inappropriate location. In this particular case, the overall scope of the use is relatively small and the size of the property is somewhat limiting --- to no greater than what has existed on the property in the past. The location of the property deep within a heavy industrial area is as ideal a location as could be expected, and the proposal does not represent a change to what has existed on this site for many years in the past. The transfer and handling of hazardous wastes is strictly regulated and monitored by the State, as it should be, and the applicant (and its vendor) are well-accustomed to these regulations and State oversight. Staff is supportive of the applicant's proposed use so long as the hazardous waste containers remain unopened and all State permitting regulations and procedures are followed.

Staff finds the request consistent with the Comprehensive Plan and the Conditional Use Review Criteria, and recommends approval to the City Council, subject to the following conditions:

- (1) Conditional Use approval shall be granted in the name of the applicant only, as owner of the property, for a Solid Waste Transfer facility in accordance with all applicable State and Federal permitting requirements and procedures of operation and handling as it relates to hazardous waste and other materials. Any facility reuse or expansions within the site, will also be subject to full City plan review procedures and approval by both the Building Official and the Fire Marshal.
- (2) Conditional Use approval shall expire after one (1) year from the date of approval if there is no City business license issued to the applicant or their tenant by that date.

There being no questions for staff, Chairman Miller opened the Public Hearing portion of the case.

Speaking in favor of the request:

- Kevin Schmuggerow, Representative of Applicant – 8302 Dunwoody Pl., Suite 250