



SR 614 - Norfolk Southern RR Intermodal Facility - expressing opposition

First Reader Summary

A resolution expressing opposition to construction in Austell of a proposed Norfolk Southern Railroad intermodal facility.

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Status Summary	HC:	SC: Trans
	LA: 02/19/98	S - Passed/Adopted

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Senate	Action	House
2/11/98	Read 1st time	
2/16/98	Favorably Reported	
2/17/98	Read 2nd Time	
2/19/98	Read 3rd Time	
2/19/98	Passed/Adopted	

SR 614

LC 25 0938

A RESOLUTION

1- 1 Expressing opposition to construction in Austell of a
 1- 2 proposed Norfolk Southern Railroad intermodal facility; and
 1- 3 for other purposes.

1- 4 WHEREAS, Norfolk Southern Railroad has proposed to construct
 1- 5 a 450 acre "intermodal freight facility" on C.H. James
 1- 6 Parkway (State Route 6) at Westside Road within the
 1- 7 corporate limits of the City of Austell in Cobb County; and

1- 8 WHEREAS, in 1996, the Atlanta Regional Commission determined
 1- 9 that Norfolk Southern's proposed development is not in the
 1-10 best interests of the State of Georgia, due to concerns
 1-11 about land use and development related to the intermodal
 1-12 facility; the need to protect the Clarkdale Historic
 1-13 District; the need to relocate Westside Road to make room
 1-14 for the development; the need to protect water resources in
 1-15 Powder Springs Creek and Sweetwater Creek; concerns over
 1-16 transport, storage, and handling of hazardous materials at
 1-17 the site; potential reduction in air quality associated with
 1-18 vehicular traffic delays at railroad crossings; and concerns
 1-19 that additional diesel truck trips and diesel locomotive
 1-20 activity will worsen air quality in the 13 county
 1-21 nonattainment area; and

1-22 WHEREAS, the proposed freight facility will attract
 1-23 industrial service and transportation related businesses
 1-24 such as container repairs, truck repairs, tire recapping,
 1-25 shipping container sales, and container storage yards to
 1-26 undeveloped, industrially zoned property in the area that
 1-27 may have otherwise developed residentially or commercially;
 1-28 these uses are typically unsightly and detrimental to
 1-29 property values when concentrated in large numbers in a
 1-30 particular area and will give the entire area an industrial
 1-31 look and feel, causing more desirable residential and retail
 1-32 developments to avoid the area; and

1-33 WHEREAS, the noise and pollution from the proposed

1-34 development, its construction, and its location will destroy
 1-35 the appearance and historic setting of the Clarkdale
 1-36 Historic District and will have a negative impact on the
 1-37 livability of the homes in the district; and

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2- 1 WHEREAS, flooding and water quality problems of Sweetwater
 2- 2 Creek, which provides drinking water for the City of East
 2- 3 Point, will be worsened by the proposed freight facility,
 2- 4 with runoff dramatically increasing from the paving of 250
 2- 5 or more acres of the proposed facility, with construction
 2- 6 sediment damaging the creek and its wildlife, and with the
 2- 7 tremendous risk of environmental damage to the creek in the
 2- 8 event of the spill of hazardous materials in the rail yard;
 2- 9 and

2-10 WHEREAS, the intermodal freight facility will cause rail
 2-11 traffic in the area to increase, with the trains moving
 2-12 slower as they approach the terminal, causing traffic delays
 2-13 at railroad crossings and increasing air quality
 2-14 degradation; and

2-15 WHEREAS, truck traffic on area highways and local roads will
 2-16 greatly increase, with Norfolk Southern estimating 3,500
 2-17 additional tractor-tractor trips each day generated by the
 2-18 intermodal facility; and a

2-19 WHEREAS, the proposed intermodal facility will create
 2-20 substantial noise pollution, with noise from the rail yard
 2-21 disturbing nearby residents and truck traffic generating
 2-22 noise throughout the area, diminishing the quality of life
 2-23 for residents of southwest Cobb County; and

2-24 WHEREAS, the proposed development will damage or destroy at
 2-25 least 17 acres of wetlands on the site and potentially
 2-26 others off site; and

2-27 WHEREAS, the proposed facility will irreparably harm the
 2-28 most promising site for municipal drinking water wells
 2-29 identified in a study by Emery and Garrett Groundwater,
 2-30 Inc., in a December, 1997, study commissioned by the City of
 2-31 Powder Springs Water and Sewer Department, which site is
 2-32 located immediately adjacent to the Norfolk Southern tract
 2-33 to the northwest; and

2-34 WHEREAS, in 1997, the Cobb Chamber of Commerce Board of
 2-35 Directors voted to oppose the construction of the Norfolk
 2-36 Southern intermodal facility, finding that the project is
 2-37 not the type of quality development encouraged by the
 2-38 chamber and is not in the best interest of the community;
 2-39 and

2-40 WHEREAS, the Cobb Municipal Association, representing all of
 2-41 the six cities in Cobb County, also voted unanimously to

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3- 1 condemn the Norfolk Southern proposal because of the
 3- 2 negative impact of the development on the county; and

3- 3 WHEREAS, because of the detrimental impact the development
 3- 4 would have on the area, the Mayor and City Council of
 3- 5 Austell denied zoning amendments and permits requested by
 3- 6 Norfolk Southern Railroad to build the intermodal freight
 3- 7 facility, and Norfolk Southern has filed suits against the
 3- 8 City of Austell in both Cobb Superior Court and federal
 3- 9 court to force the city to permit the development,

3-10 attempting to usurp local zoning authority delegated by the
3-11 Constitution of the State of Georgia to local governments;
3-12 and

3-13 WHEREAS, the Mayor and City Council of Powder Springs
3-14 adopted a resolution opposing the development of the
3-15 intermodal freight facility and committing to financially
3-16 support the City of Austell in its defense of the lawsuits
3-17 filed by Norfolk Southern Railroad to force Austell to
3-18 permit the development and have, in fact, contributed the
3-19 sum of \$10,000.00 to the City of Austell for this purpose;
3-20 and

3-21 WHEREAS, it is in the interests of the State of Georgia to
3-22 protect established communities from undesirable development
3-23 that will destroy the quality of life of the residents,
3-24 damage irreplaceable historic resources, and harm the
3-25 environment in which we live.

3-26 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE that this body
3-27 hereby opposes the proposed intermodal freight facility to
3-28 be constructed in Austell by Norfolk Southern Railroad and
3-29 requests that Norfolk Southern Railroad relocate the planned
3-30 facility to a nonresidential area in the state where the
3-31 impact of the development will not be so severely negative.

3-32 BE IT FURTHER RESOLVED that the Secretary of the Senate is
3-33 authorized and directed to transmit an appropriate copy of
3-34 this resolution to Norfolk Southern Railroad.

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Clerk of the House
Robert E. Rivers, Jr., Clerk
Last Updated on 04/20/98
