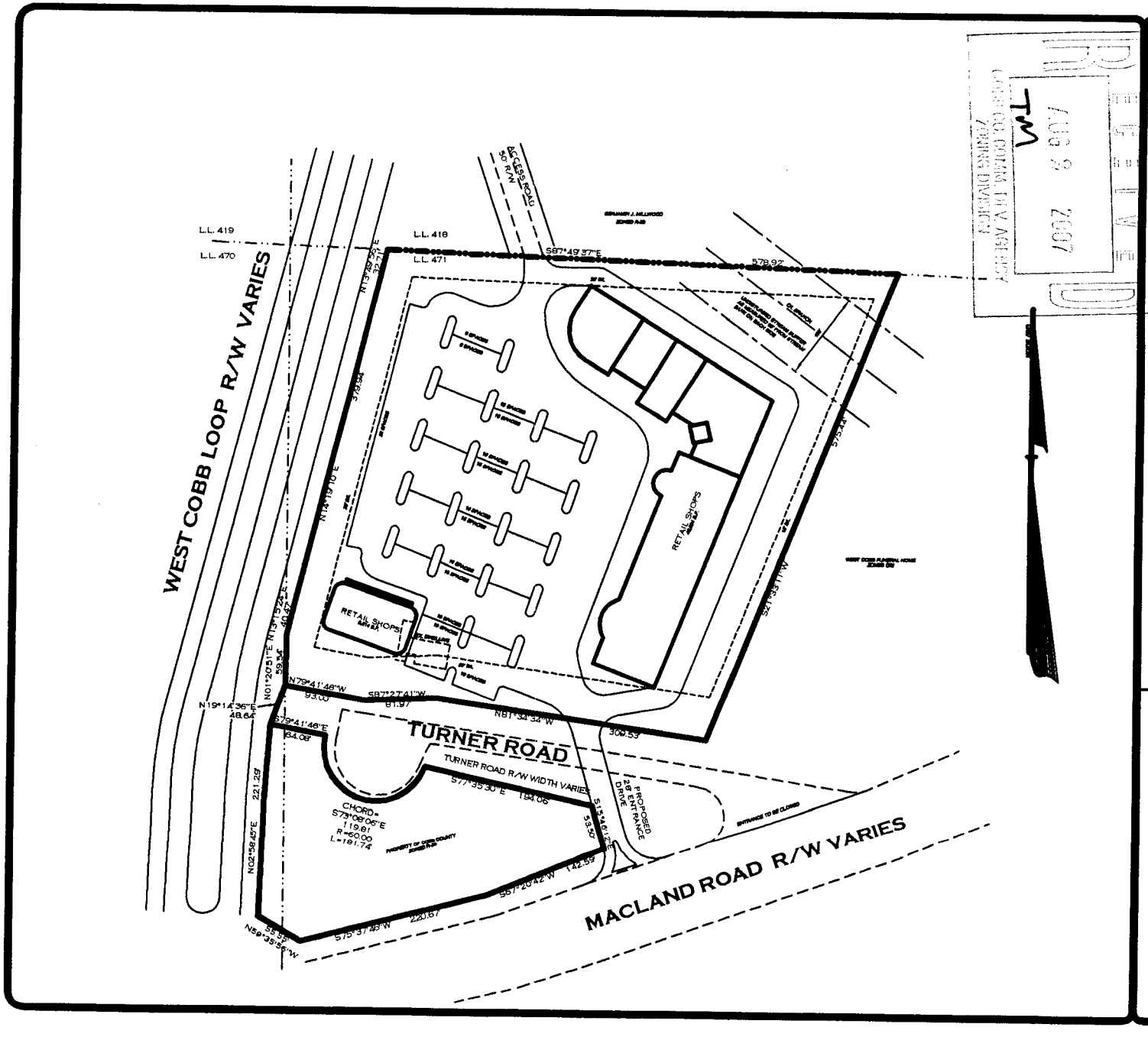
Rotation-Cobb Land Projects 2004\005593\ZONING.dwg, Model, 8/2/2007 10:48:17 AM, Canon MP180 Printer, 1:167.36



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ZONING DIVISION
TM

APPLICANT: Petty Development Corporation
770-380-3174

REPRESENTATIVE: Moore Ingram Johnson & Steele, LLP
J. Kevin Moore - 770-429-1499

TITLEHOLDER: Petty Development Corporation

PROPERTY LOCATION: Located on the north side of Turner Road, north of Macland Road, on the east side of Barrett Parkway, north of Macland Road and at the southern terminus of a 50-foot access road.

ACCESS TO PROPERTY: Turner Road, Barrett Parkway via a 50-foot access road

PHYSICAL CHARACTERISTICS TO SITE: Existing mobile home park

PETITION NO: Z-94

HEARING DATE (PC): 10-02-07

HEARING DATE (BOC): 10-16-07

PRESENT ZONING: R-20, MHP

PROPOSED ZONING: NRC

PROPOSED USE: Retail

SIZE OF TRACT: 6.47 acres

DISTRICT: 19

LAND LOT(S): 470

PARCEL(S): 12, 15

TAXES: PAID X **DUE** ____

COMMISSION DISTRICT: 1

CONTIGUOUS ZONING/DEVELOPMENT

NORTH:	R-20/ Pasture
SOUTH:	R-20, LRO, NRC/ undeveloped
EAST:	OI/ West Cobb Funeral Home
WEST:	MHP/ Mobile Home Park

OPPOSITION: NO. OPPOSED ____ **PETITION NO:** ____ **SPOKESMAN** ____

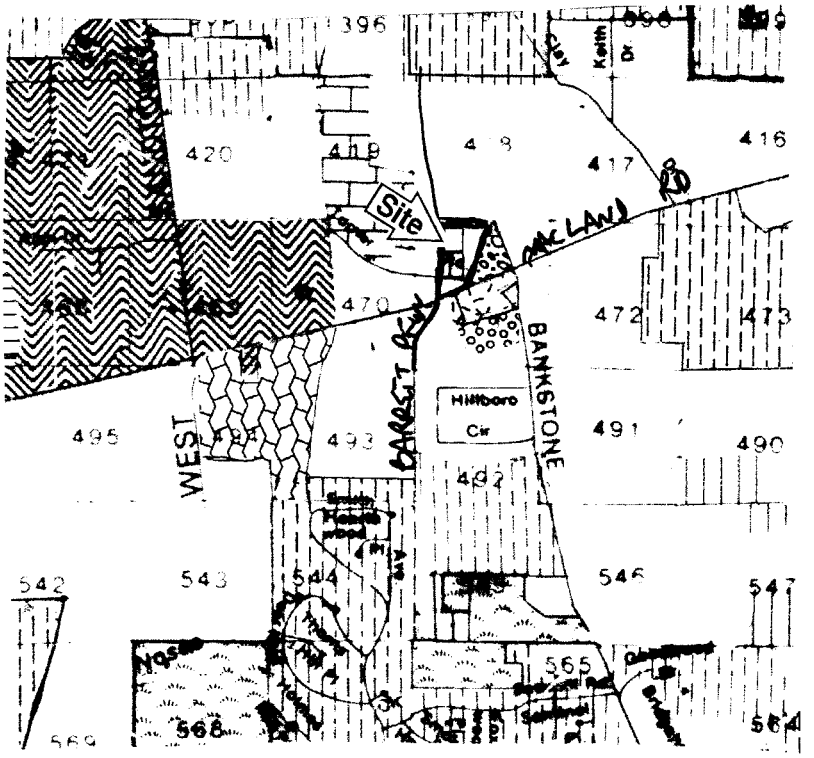
PLANNING COMMISSION RECOMMENDATION

APPROVED ____ **MOTION BY** ____
REJECTED ____ **SECONDED** ____
HELD ____ **CARRIED** ____

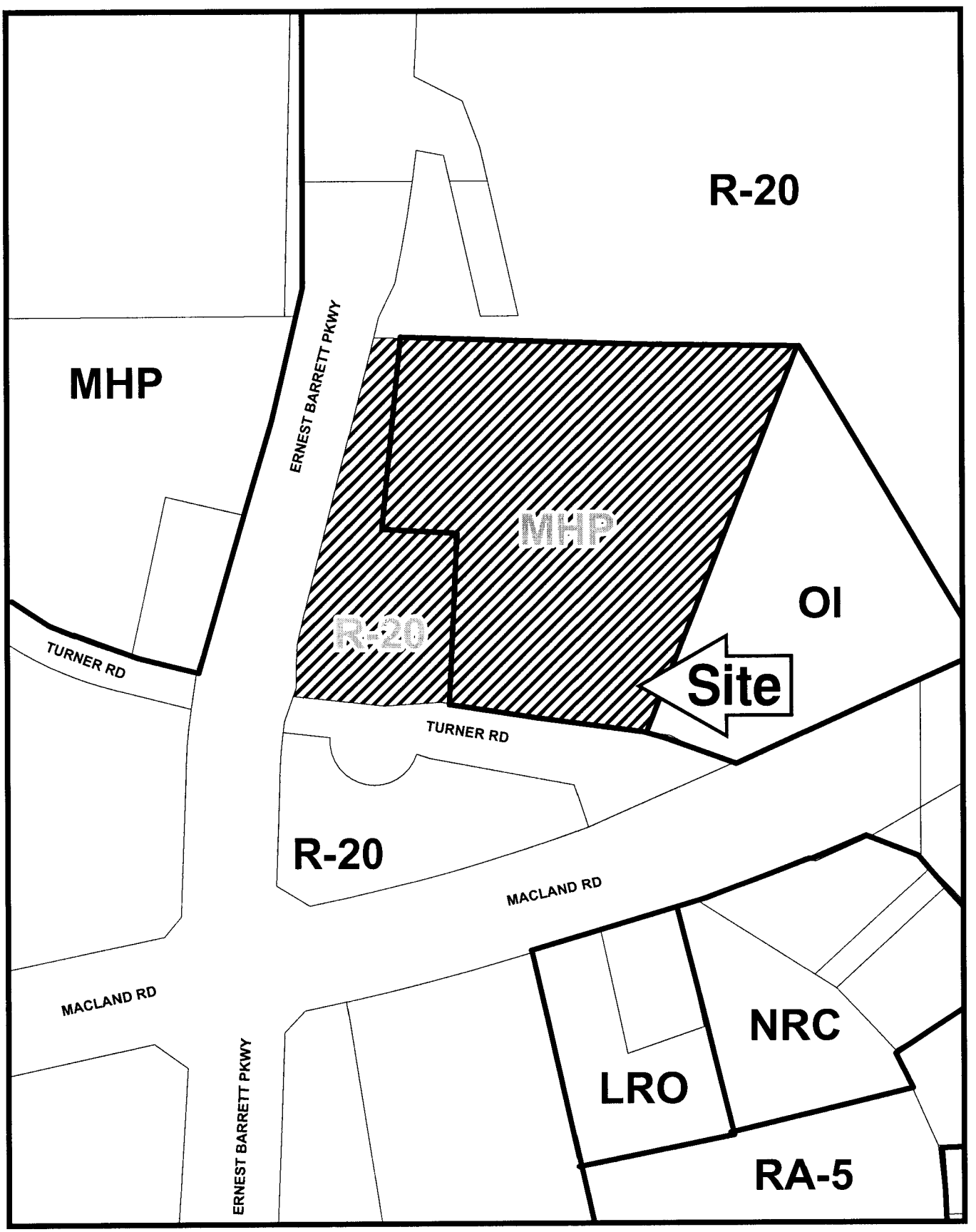
BOARD OF COMMISSIONERS DECISION

APPROVED ____ **MOTION BY** ____
REJECTED ____ **SECONDED** ____
HELD ____ **CARRIED** ____

STIPULATIONS:



Z-94



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

100 0 100 Feet

Draft Parcel Boundary

Approximate Zoning Boundary

APPLICANT: Petty Development Corporation **PETITION NO.:** Z-94

PRESENT ZONING: R-20, MHP **PETITION FOR:** NRC

* *

PLANNING COMMENTS: **Staff Member Responsible:** John P. Pederson, AICP

Land Use Plan Recommendation: Neighborhood Activity Center

Proposed Number of Buildings: 2 **Total Square Footage of Development:** 45,548

F.A.R.: 0.16 **Square Footage/Acre:** 7,040

Parking Spaces Required: 187 **Parking Spaces Provided:** 192

The applicant is requesting the NRC zoning category to develop a shopping center that will contain a mixture of retail, offices and small restaurants. The buildings will all be one-story in height with brick, stone and/or stucco exteriors. The businesses are anticipated to be open seven days a week, from 10:00 am to 10:00 pm.

Historic Preservation: After consulting various county historic resources surveys, historic maps, archaeology surveys and Civil War trench location maps, it is determined that the project area is in the immediate vicinity of documented Civil War trenches. In order to determine if any significant Civil War features are located within the project area, an archeological field survey performed by a cultural resource professional is requested. This survey should be submitted to the historic preservation planner. Based on the determination of either the presence or absence of potentially significant features, further recommendations (such as buffers, fencing, interpretive signage, etc.) shall be made by staff. After reviewing various county resources including historic and archeological resource surveys, documented Civil War trench maps, and historic aerial maps, it is determined that a c. 1940 house is located within the project area. Due to the age and location of the structure, information about this resource and its occupants appears to have the potential to contribute significantly to the county's public history. Staff recommends the home either be incorporated into the development or, alternately, documented if destroyed. In order to properly document this structure, its inhabitants, and the role it played in Cobb County's history, staff requests a history of the home and its occupants (as well as archival-quality photographs of the structure, all outbuildings, and its setting) be completed by a cultural resource consultant. These materials should be submitted to the historic preservation planner.

Cemetery Preservation: No comment.

APPLICANT: Petty Development Corporation **PETITION NO.:** Z-94

PRESENT ZONING: R-20, MHP **PETITION FOR:** NRC

* *

FIRE COMMENTS:

Fire Apparatus Access Road

All access roads shall have an all weather driving surface capable of supporting 75,000 pounds with an unobstructed width of not less than 20 feet, 25 feet inside turning radius, 50 foot outside turning radius and unobstructed vertical clearance of not less than 13 feet 6 inches.

Access road shall extend to within 150-feet of all portions of the facility or any portion of the exterior wall of the first floor.

Dead-end access roads in excess of 150-feet shall be provided with a turn-around by one of the following methods:

Commercial: Cul-d-sac without an island to have a 60 foot paved radius **or** Hammerhead turn-around – total of 110 feet needed (45 feet + 20 foot wide roadway + 45 feet).

Fire Hydrant

Commercial: Fire hydrant within 500 feet of most remote part of structure.

APPLICANT Petty Development Corporation | **PETITION NO.** Z-094

PRESENT ZONING R-20, MHP | **PETITION FOR** NRC

* *

NOTE: Comments reflect only what facilities appeared of record at the time of this review. Field verification required by developer.

WATER COMMENTS:

Available at Development? ☑ Yes ☐ No

Fire Flow Test Required? ☑ Yes ☐ No

Size / Location of Existing Water Main(s) ***6" DI / S side Turner Rd***

Additional Comments: Master meter to be at entrance

Developer may be required to install/upgrade water mains, based on fire flow test results or Fire Department Code. This will be resolved in the Plan Review Process.

* *

SEWER COMMENTS:

In Drainage Basin? ☑ Yes ☐ No

At Development? ☐ Yes ☑ No

Approximate Distance to Nearest Sewer: ***125' south*****

Estimated Waste Generation (in G.P.D.): **A D F** 4,555 **Peak** 11,390

Treatment Plant: **S Cobb**

Plant Capacity Available? ☑ Yes ☐ No

Line Capacity Available? ☑ Yes ☐ No

Projected Plant Availability: ☑ 0 - 5 year ☐ 5 - 10 years ☐ over 10 years

Dry Sewers Required? ☐ Yes ☑ No

Off-site Easements Required? ☑ Yes* ☐ No

Flow Test Required? ☐ Yes ☑ No

Septic Tank Recommended by this Department? ☐ Yes ☑ No

Subject to Health Department Approval? ☐ Yes ☑ No

* If off-site easements are required, Developer must submit easements to CCWS for review / approval as to form and stipulations prior to the execution of easement(s) by the property owner(s). All easement acquisitions are the responsiblity of the Developer.

Additional Comments:

**Private pump station necessary unless property built up substantially. Pump station would be for this property only. Flow across Turner Rd ROW must be by gravity

Notes FYI:

Developer will be responsible for connecting to the existing County water and sewer systems, installing and/or upgrading all outfalls and water mains, obtaining on and/or off site easements, dedication of on and/or off site water and sewer to Cobb County, as may be required. Rezoning does not guarantee water/sewer availability/capacity unless so stated in writing by the Cobb County Water System. Permit issuances subject to continued treatment plant compliance with EPD discharge requirements.

APPLICANT: **Petty Development Corporation** **PETITION NO.:** **Z-94**

PRESENT ZONING: **R-20, MHP** **PETITION FOR:** **NRC**

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DRAINAGE COMMENTS

FLOOD HAZARD: ☐ YES ☒ NO ☐ POSSIBLY, NOT VERIFIED

DRAINAGE BASIN: **Noses 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: **along stream buffer and within streambed**

☒ 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 **existing stormdrainage system**.

APPLICANT: **Petty Development Corporation** **PETITION NO.:** **Z-94**

PRESENT ZONING: **R-20, MHP** **PETITION FOR:** **NRC**

* *

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 – **must be addressed at Plan Review.**
☐ 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/SUGGESTIONS

1. No stormwater management facility is shown on the proposed site plan. Since this facility must be located outside the 50-foot stream buffer, this will significantly impact the site layout. Sufficient area must be provided to accommodate the required onsite detention facility.
2. The Cobb County GIS information shows the existing stream channel and stream buffer extending farther to the south along the eastern property line. This alignment must be field verified and the site plan adjusted to accommodate actual field conditions. This may require mitering the building configuration.

APPLICANT: Petty Development Corporation **PETITION NO.: Z-94**

PRESENT ZONING: R-20, MHP **PETITION FOR: NRC**

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TRANSPORTATION COMMENTS

The following comments and recommendations are based on field investigation and office review of the subject rezoning case:

ROADWAY	AVERAGE DAILY TRIPS	ROADWAY CLASSIFICATION	SPEED LIMIT	JURISDICTIONAL CONTROL	MIN. R.O.W. REQUIREMENTS
Turner Road	NA	Local	25 mph	Cobb County	50'
Barrett Parkway	16010	Arterial	45 mph	Cobb County	100'
Macland Road	39450	Arterial	45 mph	GDOT	100'

Based on 2003 traffic counting data taken by Cobb County DOT.

COMMENTS AND OBSERVATIONS

Turner Road is classified as a Local and according to the available information, the existing right-of-way does meet the minimum requirements for this classification.
Barrett Parkway is classified as an Arterial and according to the available information, the existing right-of-way does meet the minimum requirements for this classification.

Petition the Board of Commissioners for abandonment of right-of-way along the section of Turner Road that abuts the property.

Install sidewalk, curb and gutter along all road frontages.

Driveway location on Macland Road shall not move closer to the signalized intersection.

RECOMMENDATIONS

Recommend applicant petition the Board of Commissioners for abandonment of right-of-way along Turner Road.

Recommend installing sidewalk, curb and gutter along both road frontages.

Recommend driveway along Macland Road move no closer to the signalized intersection.

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

STAFF RECOMMENDATIONS

Z-94 PETTY DEVELOPMENT CORPORATION

A. It is Staff's opinion that the applicant's rezoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby properties. The area contains a mixture of zoning districts, such as R-20, RA-5, MHP, LRO, OI, and NRC.

B. It is Staff's opinion that the applicant's rezoning proposal will not have an adverse affect on the usability of adjacent or nearby property. The applicant's proposal is located inside of the commercial node with commercially zoned property to the east and to the south.

C. It is Staff's opinion that the applicant's rezoning proposal will not result in a use which would cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools. This opinion can be supported by the departmental comments contained in this analysis.

D. It is Staff's opinion that the applicant's rezoning proposal is in conformity with the policy and intent of the *Cobb County Comprehensive Plan*, which delineates this property to be within a Neighborhood Activity Center.

E. 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 approving the applicant's rezoning proposal. The applicant's proposal is in accordance with the *Cobb County Comprehensive Plan* which places this property into a Neighborhood Activity Center. The area contains a mixture of different zoning districts, as shown on the GIS map.

Based on the above analysis, Staff recommends APPROVAL subject to:

- Site plan received by the Zoning Division August 2, 2007, with the District Commissioner approving minor modifications;
- Fire Department comments;
- Historic Preservation comments;
- Water and Sewer comments and recommendations;
- Stormwater Management comments and recommendations; and
- DOT comments and recommendations.

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.