



APPLICANT: Aspen Hills Redevelopment, LLC  
404-442-7888

PETITION NO: Z-14

HEARING DATE (PC): 03-04-08

REPRESENTATIVE: Moore Ingram Johnson & Steele, LLP  
John H. Moore 770-429-1499

HEARING DATE (BOC): 03-18-08

PRESENT ZONING: TS

TITLEHOLDER: Racetrac Petroleum, Inc.

PROPOSED ZONING: GC

PROPERTY LOCATION: Located at the northwesterly intersection  
of South Cobb Drive and Interstate 285.

PROPOSED USE: Commercial

Development

ACCESS TO PROPERTY: South Cobb Drive via an existing  
interparcel access easement

SIZE OF TRACT: 1.01 acres

DISTRICT: 17

PHYSICAL CHARACTERISTICS TO SITE: Vacant lot

LAND LOT(S): 753

PARCEL(S): 18, 26

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

COMMISSION DISTRICT: 2

**CONTIGUOUS ZONING/DEVELOPMENT**

**NORTH:** TS, CRC/ Zaxby's, Aspen Hills Apartments

**SOUTH:** Interstate 285

**EAST:** Interstate 285

**WEST:** City of Smyrna/ Knights Inn

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

**PLANNING COMMISSION RECOMMENDATION**

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

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

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

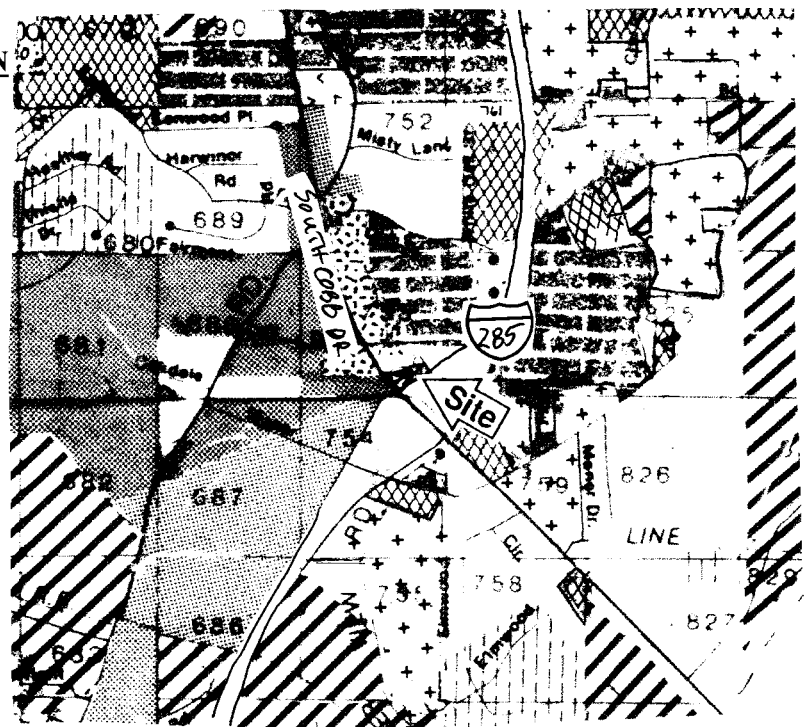
**BOARD OF COMMISSIONERS DECISION**

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

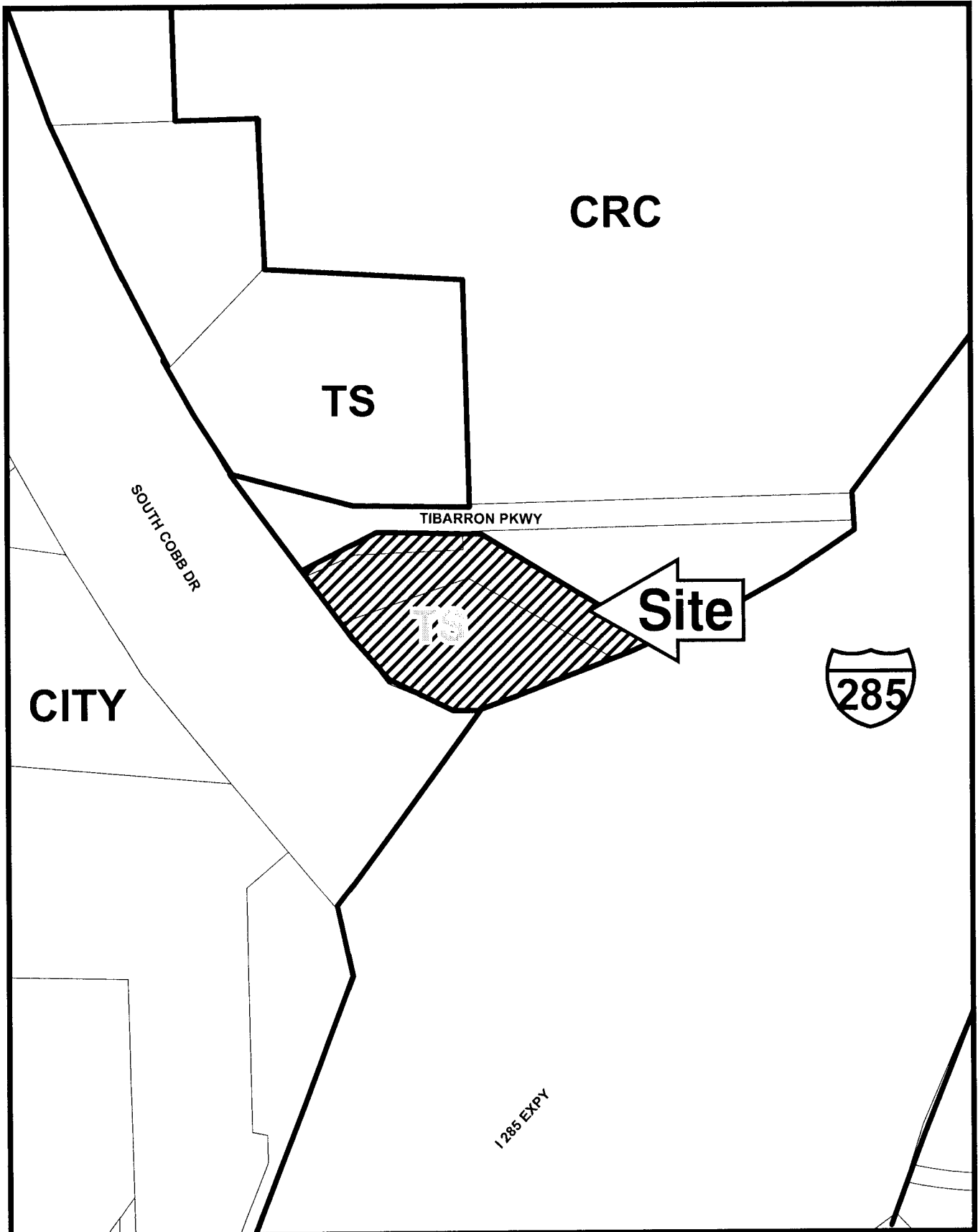
REJECTED \_\_\_\_\_ SECONDED \_\_\_\_\_

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

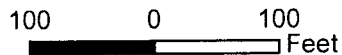
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



# Z-14



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



-  Draft Parcel Boundary
-  Approximate Zoning Boundary

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**PLANNING COMMENTS:**

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

**Land Use Plan Recommendation:** Community Activity Center

**Proposed Number of Buildings:** 1      **Total Square Footage of Development:** 4,500

**F.A.R.:** 0.10      **Square Footage/Acre:** 4,455

**Parking Spaces Required:** 23      **Parking Spaces Provided:** 30

The applicant is requesting the GC zoning district to develop a single commercial building. The building is anticipated to be used for retail, offices, a bank, or a restaurant. The building will be one story in height and will have an exterior consisting of brick, stone, stucco and/or EFIS. The proposal will be built with the redevelopment of Aspen Hills Apartments, which is property the applicant owns directly north of this property.

**Historic Preservation:** After consulting various county historic resource surveys, historic maps, archaeology surveys and Civil War trench location maps, staff finds that no known significant historic resources appear to be affected by this application. No further comment. No action by applicant requested at this time.

**Cemetery Preservation:** No comment.

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**FIRE COMMENTS:**

Fire Hydrant

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

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PRESENT ZONING TS

PETITION FOR GC

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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)

Additional Comments: Service to be provided by Aspen Hills Redevelopment. Recorded private agreement for perpetual water and fire protection necessary

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.

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**SEWER COMMENTS:**

In Drainage Basin?  Yes  No

At Development?  Yes  No

Approximate Distance to Nearest Sewer: Private sewer in adjacent property

Estimated Waste Generation (in G.P.D.): A D F 450 **Peak** 1125

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 responsibility of the Developer.

Additional Comments:

Recorded private agreement for perpetual sewer service necessary

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.

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**DRAINAGE COMMENTS**

FLOOD HAZARD:  YES  NO  POSSIBLY, NOT VERIFIED

DRAINAGE BASIN: Unnamed Tributary to Chattahoochee River 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 system.

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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. This site discharges to an existing concrete-lined channel that ultimately flows under I-285 via a 6'x 6' concrete box culvert located just downstream of the site.
2. Although not identified on the site plan, stormwater management must be provided. Detention may be compensated for as part of the Aspen Hills Redevelopment project if onsite water quality is provided.

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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
South Cobb Drive	48520	Arterial	45 mph	GDOT	100'

*Based on 2006 traffic counting data taken by GDOT.*

**COMMENTS AND OBSERVATIONS**

South Cobb Drive is classified as an Arterial and according to the available information, the existing right-of-way does meet the minimum requirements for this classification.

Install sidewalk, curb and gutter along the road frontage.

No direct access to South Cobb Drive.

GDOT permits will be required for all work that encroaches upon State right-of-way.

**RECOMMENDATIONS**

Recommend installing sidewalk, curb and gutter along the road frontage.

Recommend no direct access to South Cobb Drive.

Recommend GDOT permits for all work that encroaches upon State right-of-way.

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

## STAFF RECOMMENDATIONS

### Z-14 ASPEN HILLS REDEVELOPMENT, LLC

- 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. There is a mixture of land use types in the area, and the applicant's proposal would be a reasonable addition to the previously approved project (Z-52/2007).
- 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 adjacent to an interstate highway, along a very busy State Route (South Cobb Drive) with a right-in/right-out access point.
- 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 Community 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*. The applicant's proposal would be compatible with other properties in the area. The applicant's proposal would be an addition to a property previously approved by the Board of Commissioners.

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

- Site plan received by the Zoning Division January 03, 2008, with the District Commissioner approving minor modifications;
- District Commissioner approve the building architecture;
- Fire Department 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.**