

APPLICANT: Crown Castle International
404-815-6474

REPRESENTATIVE: Kilpatrick Stockton, LLP
Michael W. Tyler, Esq. 404-815-6474

TITLEHOLDER: Angie C. Scroggins

PROPERTY LOCATION: Located on the south side of Main Street,
west of Lois Street

ACCESS TO PROPERTY: Main Street

PHYSICAL CHARACTERISTICS TO SITE: Existing house
and garage

PETITION NO: Z-16

HEARING DATE (PC): 03-04-08

HEARING DATE (BOC): 03-18-08

PRESENT ZONING: PSC

PROPOSED ZONING: CRC

PROPOSED USE: Telecommunications
Facility

SIZE OF TRACT: 0.461 acre

DISTRICT: 17

LAND LOT(S): 677

PARCEL(S): 16

TAXES: PAID X DUE _____

COMMISSION DISTRICT: 2

CONTIGUOUS ZONING/DEVELOPMENT

NORTH: R-20/ Vacant lot, Single-family house

SOUTH: City of Smyrna/ Bank of America

EAST: City of Smyrna/ single-family house, Office Building

WEST: PSC/ Vacant lot; City of Smyrna/ Starvin Marvin service station

OPPOSITION: NO. OPPOSED _____ PETITION NO: _____ SPOKESMAN _____

PLANNING COMMISSION RECOMMENDATION

APPROVED _____ MOTION BY _____

REJECTED _____ SECONDED _____

HELD _____ CARRIED _____

BOARD OF COMMISSIONERS DECISION

APPROVED _____ MOTION BY _____

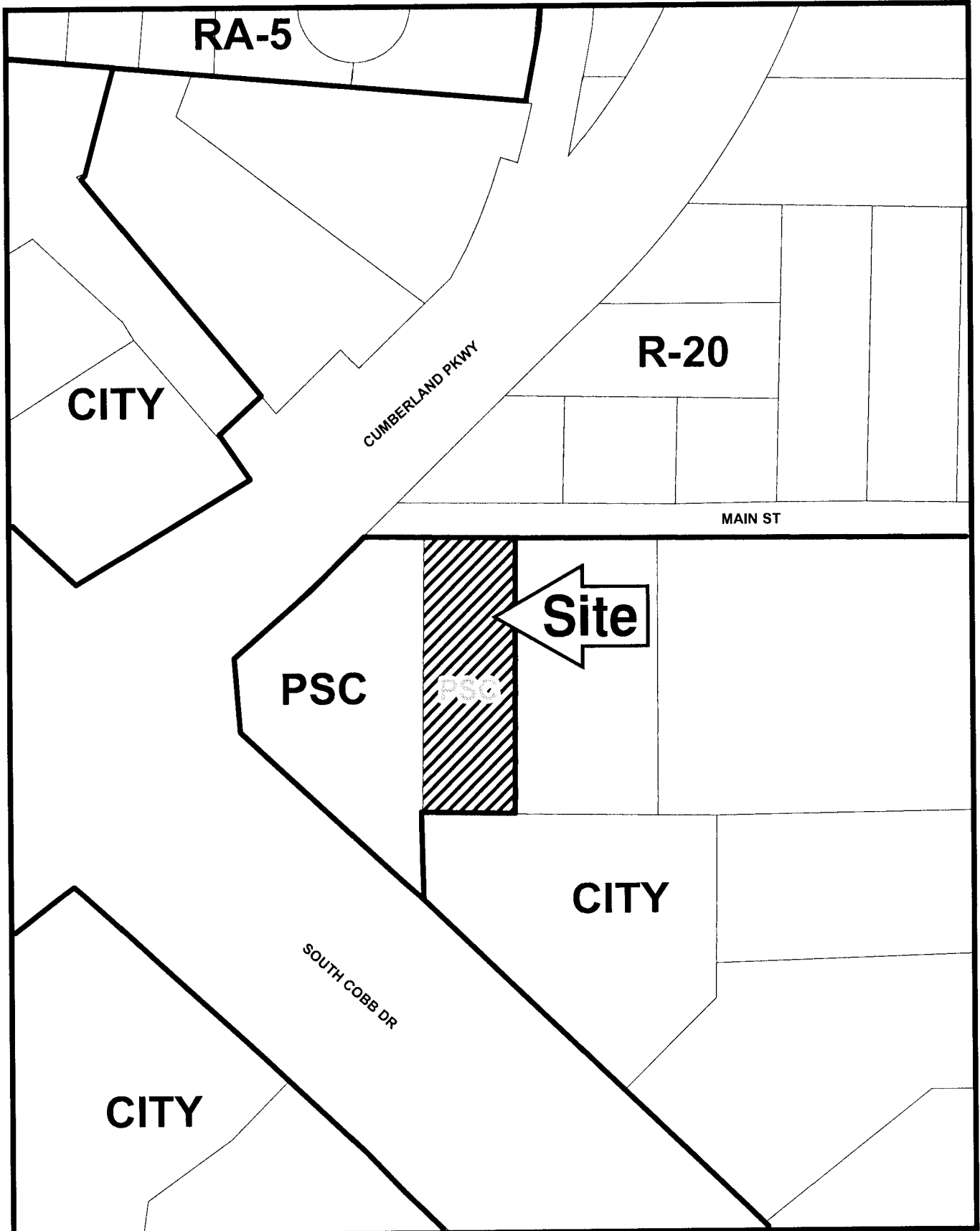
REJECTED _____ SECONDED _____

HELD _____ CARRIED _____

STIPULATIONS:





Z-16



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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PRESENT ZONING: PSC

PETITION FOR: CRC

PLANNING COMMENTS:

Staff Member Responsible: John P. Pederson, AICP

Land Use Plan Recommendation: Neighborhood Activity Center

Existing Number of Buildings: 2 Total Square Footage of Development: 3,883

F.A.R.: 0.19 Square Footage/Acre: 8,422

Parking Spaces Required: None Parking Spaces Provided: None

The applicant is requesting the CRC zoning district to place the property into a current zoning district. The PSC zoning district can only receive permits if in a Community or Regional Activity Center. Additionally, the property would not meet the minimum lot size or setbacks for PSC. Placing the property into a current zoning district will enable the property to be considered for a cell tower (see SLUP-2), which would be 180-foot in height, and would hold up to five carriers. The tower would be a monopole. This would be the relocated tower that was previously on the Wells property, which is about 1/4 of a mile to the north.

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.

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.

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PETITION NO. Z-016

PRESENT ZONING PSC

PETITION FOR CRC

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: No water 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.

SEWER COMMENTS:

In Drainage Basin? Yes No

At Development? Yes No

Approximate Distance to Nearest Sewer:

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

Treatment Plant:

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:

No sewer 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: _____ FLOOD HAZARD INFO:

- 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 _____.

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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. The proposed compound area to be covered with gravel is significantly less than 5000 sf. A significant portion of this area is currently paved with asphalt. Therefore no stormwater management will be required.

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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
Main Street	NA	Local	25 mph	Cobb County	50'

COMMENTS AND OBSERVATIONS

Main Street is classified as a Local and according to the available information, the existing right-of-way does meet the minimum requirements for this classification.

Recommend an FAA 7460-1 Airspace Study.

Construct a cul-de-sac.

RECOMMENDATIONS

Recommend an FAA 7460-1 Airspace Study.

Recommend a cul-de-sac.

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

STAFF RECOMMENDATIONS

Z-16 CROWN CASTLE INTERNATIONAL

- 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 commercially and residentially zoned property in Unincorporated Cobb County and the City of Smyrna. It should be noted the purpose of this application is not to develop additionally commercial properties, but to build a cell tower.
- 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. For cell towers, non-residential sites are encouraged, and the use of platted lots in residential subdivisions are discouraged, which this proposal complies. The tower is setback it's full height from all off-site residential structures, and is designed for additional co-locations, as required by code. The tower is located on the back of the property, to the rear of the existing structures; this is the side of the property that is located closest to the intersection of Cumberland Parkway and South Cobb Drive.
- 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 not in conformity with the policy and intent of the *Cobb County Comprehensive Plan* for the CRC zoning district. The CRC zoning district needs to be in a Community or Regional Activity Center. Staff would suggest the property be zoned NRC, which is allowable in 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 deleting the applicant's rezoning proposal to NRC. The NRC zoning district is allowable in a Neighborhood Activity Center, and would still allow for the applicant's proposal. The applicant's proposal is located on commercially zoned property in an area that contains many land uses types. The tower is located on the back of the property, to the rear of the existing structures; this is the side of the property that is located closest to the intersection of Cumberland Parkway and South Cobb Drive, where all the intense commercial activity is located.

Based on the above analysis, Staff recommends DELETION to NRC subject to the following conditions:

- Site plan received by the Zoning Division on January 08, 2008 for tower/ tower equipment location only;
- Property be redeveloped with new structures prior to any commercial use of the property (other than the cell tower); site plan and building architecture be approved by the District Commissioner;
- Fire Department comments;
- 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.