

**JULY 20, 2010 ZONING HEARING
“OTHER BUSINESS”
COMMISSION DISTRICT 4**

ITEM # 4

PURPOSE

To consider a site plan amendment for Michael Phillips regarding Chase Bank. This request concerns application #73 (O’Neill Developments, Inc.) of April 21, 1987, for property located on the west side of Powder Springs Road, south of Macland Road in Land Lot 413 of the 19th District.

BACKGROUND

The subject property is zoned GC, which was rezoned with many stipulations. One of the stipulations zoned the property to the site plan. The applicant’s proposal is to demolish the closed Blockbuster store and rebuild a Chase Bank. The Chase Bank would be one-story in height with traditional building architecture. The proposed bank would be 2,490 square feet smaller than the existing Blockbuster store. The proposal meets all zoning requirements. If approved, all other zoning stipulations would remain in effect. The Board of Commissioners’ decision is attached (see Exhibit A). The proposed site plan is attached for review (Exhibit “B”). The proposal has been submitted to Staff for review. Cobb DOT would like the applicant to coordinate with the Windy Hill Road-Macland Road SPLOST Connector project.

FUNDING

N/A

RECOMMENDATION

The Board of Commissioners consider the proposed site plan amendment.

ATTACHMENTS

Zoning stipulations (Exhibit A)
Proposed site plan (Exhibit B)
Other Business Application (Exhibit C)

APPLICATION FOR REZONING
TO THE
COBB COUNTY BOARD OF COMMISSIONERS OF ROADS AND REVENUES
AND THE
COBB COUNTY PLANNING COMMISSION
(type or print clearly)

Application No. 73

Hearing Date 4/21/87

Applicant O'NEILL DEVELOPMENTS, INC. Business Phone 426-0331 Home Phone _____
(business name)

John P. Watson Address 1850 Parkway Place, Marietta, Ga. 30067
(representative's name, printed)

John P. Watson Business Phone _____ Home Phone _____
(representative's signature)

Tract A Bruce & Corine Hilley None 427-3634
Herchel & JoAnn Hilley 696-6897 422-5590

Tract B Titleholder James & Connie Tabb Business Phone 424-2333 Home Phone 422-4267
James C. Tabb

Signature Connie Tabb Address 536 St. Johns Ct., Marietta, Ga. 30064
(attach additional signatures, if needed)

Tract A - For Signatures see Attachment 1740 Powder Springs Road, Marietta, GA 30064

Zoning Request From R-20 To G.C., MS + OI @ rezoned by Boc
(present zoning) (proposed zoning)

For the Purpose of Shopping Center Size of Tract A -7.49 +25.24 acre(s)
(subdivision, restaurant, warehouse, apts., etc.) 32.73

Location Macland and Powder Springs Road
(street address, if applicable, nearest intersection, etc.)

Land Lot(s) 413, 414 District 19th, 2nd Section

Recommendation of Planning Commission 4/21/87 - Planning Commission recommended application be rejected. Motion by Jones, seconded by Thompson, carried 5-0.

Henry A. Benson Chairman

Board of Commissioners' Decision 4/21/87 - Board of Commissioners held application for 30 days. Motion by Paschal, seconded by Smith, carried 5-0. 5/19/87 - Board of Commissioners held application on a day to day basis. Motion by Paschal, seconded by Clay, carried 5-0. 6/16/87 - Board of Commissioners held application on a day to day basis. Motion by Smith, seconded by Clay, carried 5-0.
Carl E. Smith Chairman

PAGE 2 OF 2 BK

NO. 73

COBB COUNTY BOARD OF COMMISSIONERS OF ROADS AND REVENUES
COBB COUNTY PLANNING COMMISSION

Date of Application _____ Date of Hearing _____

Applicant's Name O'Neill Developments, Inc.
1850 Parkway Place
Address Marietta, GA 30067

Recommendation of Planning Commission (Cont'd from page 1):

Henry A. Paschal
Chairman

Final Decision of Board of Commissioners (Cont'd from page 1):

7/7/87 - Board of Commissioners approved application subject to the following stipulations: 1) revised site plan on file in the Zoning Division amending request to GC, NS and O&I; 2) 60 ft. undisturbed buffer along southern property line; 100 ft. undisturbed buffer along western property line; 3) revised recommendations from Cobb D.O.T. on file in the Zoning Division; 4) maximum height for signs to be 24 ft.; 5) no portable or off-premise (billboards) signs; 6) landscape plan to be approved by Staff prior to issuance of permits; 7) architectural design of offices to be maximum 2-story Traditional design. Motion by Paschal, seconded by Clay, carried unanimously.

See attached page for site plan amendment
(initials)

Carl E. Smith
Chairman



**Cobb County
Board of Commissioners**

10 E. Park Square
Marietta, GA 30090-9623
(404) 429-3420

DEPARTMENT OF TRANSPORTATION

Traffic Engineering Division

DOUGLAS E. HEFTY
Traffic Engineer

MEMORANDUM

TO: Mark Danneman
Zoning Administrator

FROM: Randy Hulsey *RH*
Department of Transportation

DATE: May 18, 1987

SUBJECT: Re-zoning Petition No. 73 - Held From April 27, 1987 Hearing

This memo is to follow up our previously submitted comments regarding the above referenced petition. After our meeting with the Georgia D.O.T. we were informed that the required right-of-way for the Macland Road widening project would be 104' from the existing centerline through this property frontage. It is our recommendation that if this project is approved the required right-of-way for the widening project should be deeded to the County as a condition of this re-zoning.

Initially we were concerned that the future design of the Macland Road/Powder Springs Road intersection might involve this property. It has been determined that the intersection can be re-designed without involving this property.

The State has expressed concern about the future location of the proposed West Cobb Loop and its proximity to the Powder Springs Road/Macland Road intersection. It is their recommendation that the West Cobb Loop should cross Macland Road and Powder Springs Road at a location that would be a minimum distance of 2500' from the existing Macland Road/Powder Springs Road intersection. The alignment for the West Cobb Loop which has been recommended by the Cobb D.O.T. meets the spacing criteria requested by the State. It should also be noted that the location of the West Cobb Loop as recommended by the Cobb D.O.T. would not involve this subject property.

With regard to access to the subject property, a Georgia D.O.T. permit would be required for any access to Macland Road (S.R. 360). The State has indicated that the subject property would not receive a median cross-over through the frontage on Macland Road unless the John Ward Road intersection is left open at Macland Road. It is the State's recommendation that John Ward Road be connected to the West Cobb Loop and that no median opening be allowed on Macland Road at this location. The Cobb D.O.T. will be investigating and discussing this recommendation further with the State.

The Cobb D.O.T. would recommend that access to Powder Springs Road be limited to one curb cut as shown on the plan submitted. Powder Springs Road is also planned to be widened to 4-lanes with a divided median through this frontage. Further investigation would be required to determine whether or not a median cross-over could be allowed at this location in the future. If the median crossover could be allowed, it would be necessary to have this proposed driveway aligned with the driveway accessing the shopping center which was recently re-zoned across the road. Required improvements on Powder

Earl E. Smith
Chairman

Emmett L. Burton
Eastern District

Charles C. Clay
Western District

Harvey D. Paschal
Western District

Thea J. Powell
Eastern District

Springs Road would be limited to the minimum requirements of 33' from centerline to back of curb throughout the property frontage or escrowing of funds if the County is engaged in a project to improve Powder Springs Road at the time the property develops. The Powder Springs Road required right-of-way is 50' from centerline to property line and should be deeded to Cobb County as a condition to any re-zoning.

We believe that with the planned improvements to Powder Springs Road and Macland Road, that there will be available capacity to handle any traffic generated by this proposed project. We would advise the Planning Department that careful consideration should be given to land use between the Powder Springs Road/MaclandRoad intersection and the future proposed West Cobb Loop intersections at both locations. This will be very important in our efforts to properly plan access to the future roadway system. If you have any questions or if any clarification is needed, please let me know.

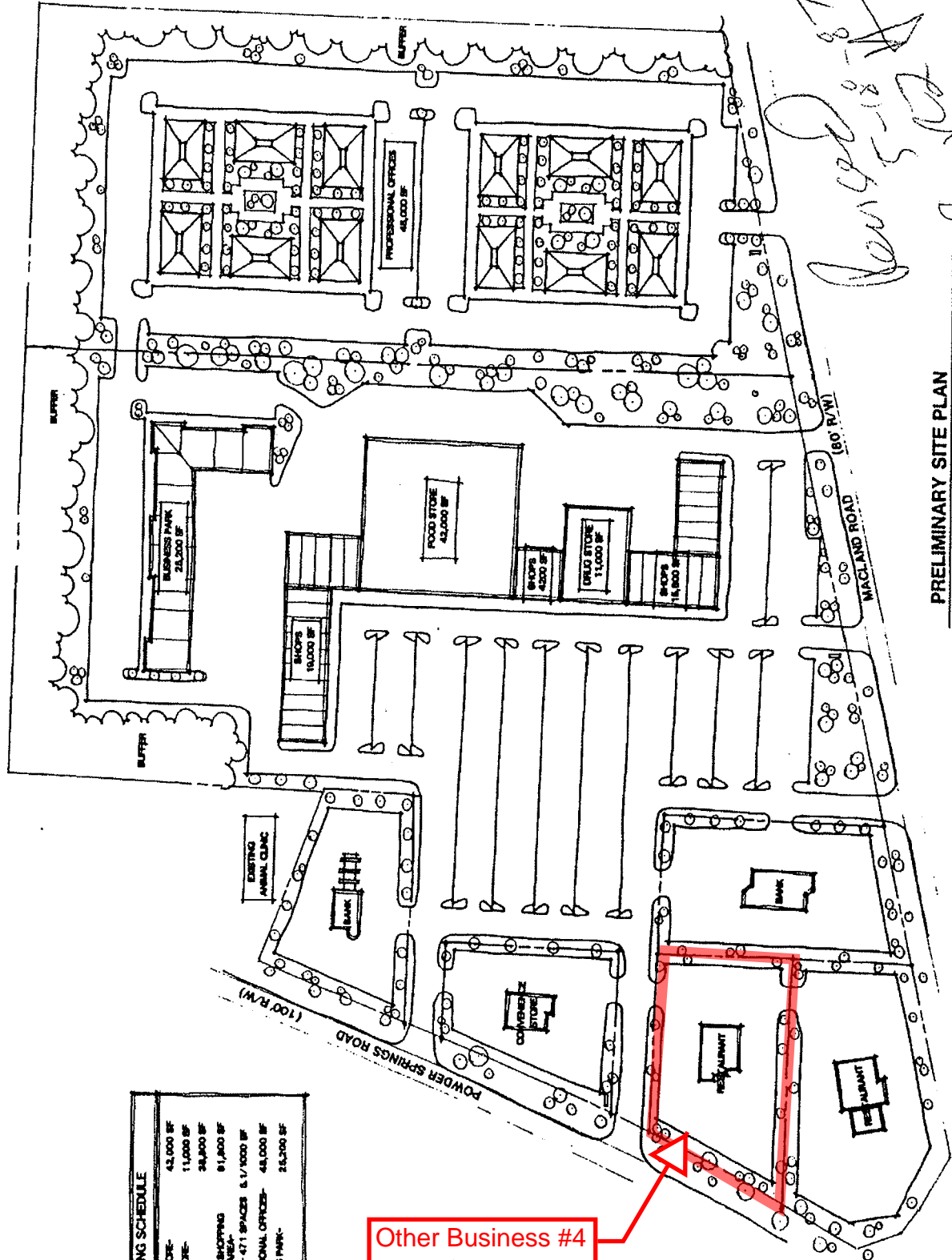
RH/gr

cc: John W. Wade, Jr.
Doug Hefty

WEST COBB VILLAGE
O'NEILL DEVELOPMENTS, INC.

North, Hastings, Inc. Architects

Handwritten notes and signature



PRELIMINARY SITE PLAN
SCALE 1" = 40'

BUILDING SCHEDULE	
FOOD STORE-	42,000 SF
DRUG STORE-	11,000 SF
SHOPS-	24,000 SF
TOTAL SHOPPING CENTER AREA-	81,000 SF
PARKING- 471 SPACES & 1/1000 SF	
PROFESSIONAL OFFICES-	48,000 SF
BUSINESS PARK-	24,000 SF

Other Business #4 property.

PROJECT: **CHASE**

ADDRESS: POWDER SPRINGS ROAD & MACLAND CROSSING CIRCLE COBB COUNTY, GEORGIA

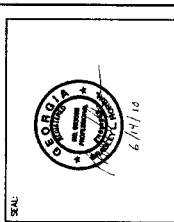
DEVELOPER: **Boos Development Group, Inc.**

BOOS DEVELOPMENT GROUP, INC.
2851 MACOMBS DRIVE
CLEARWATER, FL 33759
TEL: (727) 689-2000

CONTACT: MR. SEPH SWINER

ENGINEER: **foreSITE group**

ForeSite Group, Inc.
31185 Peachtree Pkwy
Suite 240
Norcross, GA 30092
© 1 770 368 1399
1 770 368 1344
www.foresitegroup.com



REVISIONS

NO.	DATE	DESCRIPTION

PROJECT MANAGER: _____
DRAWING BY: _____
DATE: _____
TITLE: _____

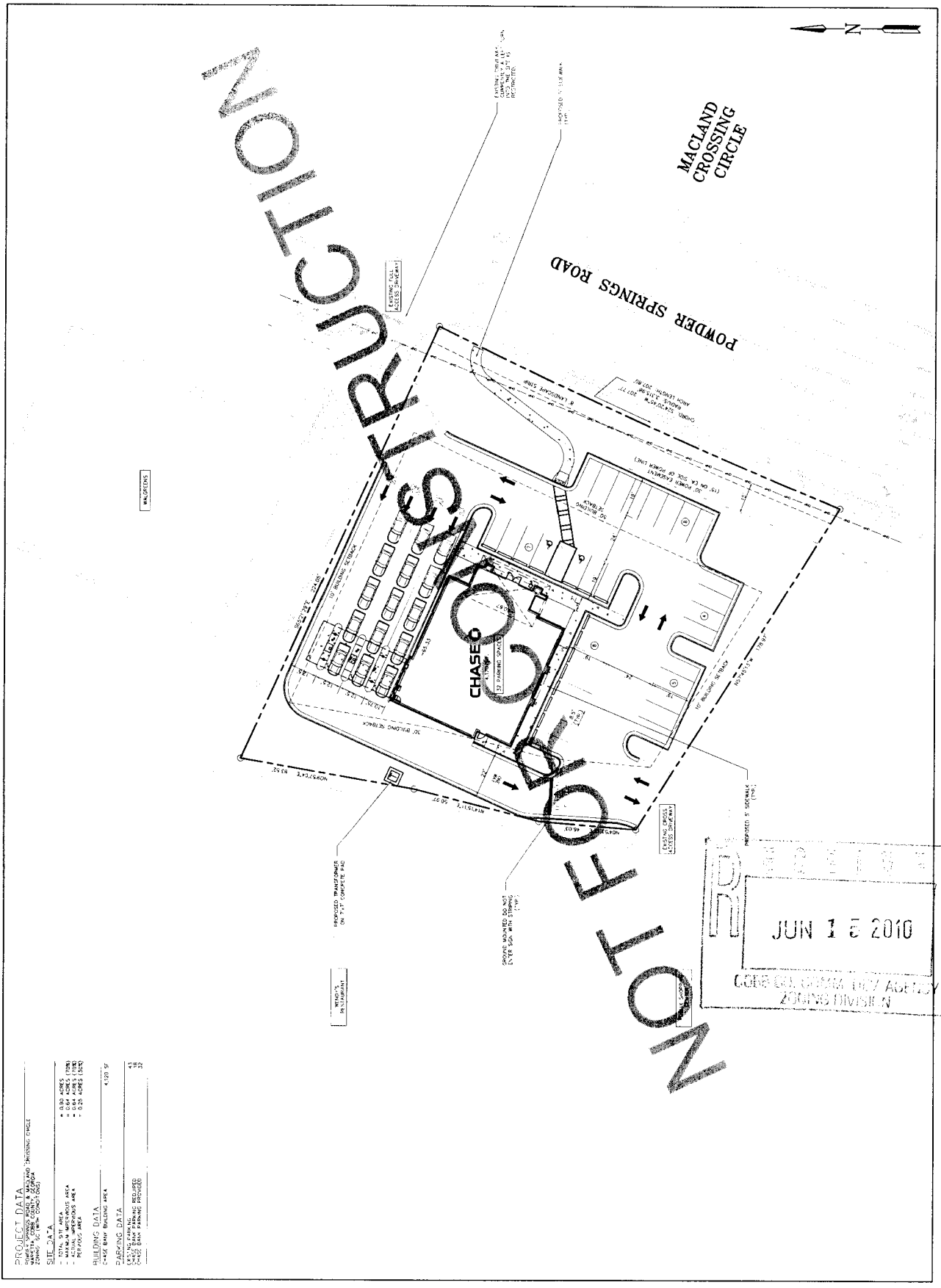
**Other Business #4
Exhibit B**

PROPO

SHEET NUMBER: _____

SCALE: 1" = 20' 0"

JOB/FILE NUMBER: _____



RECEIVED

JUN 15 2010

COB COUNTY PLANNING AND ZONING DIVISION

PROJECT DATA: CHASE BANK BUILDING

SHEETS: 1 OF 1

DATE: 6/11/10

SCALE: 1" = 20' 0"

PROJECT MANAGER: _____

DRAWING BY: _____

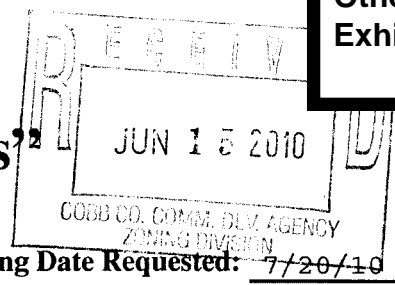
DATE: _____

TITLE: _____

Other Business #4
Exhibit C

Application for "Other Business" Cobb County, Georgia

(Cobb County Zoning Division - 770-528-2045)



BOC Hearing Date Requested: 7/20/10

Applicant: Michael Phillips **Phone #:** 205-243-7184
(applicant's name printed)

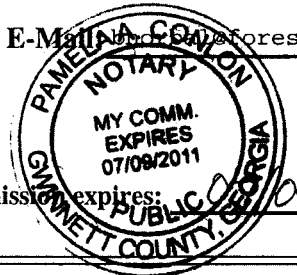
Address: 2651 McCormick Drive **E-Mail:** mphilipps@boosdevelopment.com

Foresite Group (Brad Horbal) **Address:** 5185 Peachtree Parkway, Ste 240, Norcross, GA 30092
(representative's name, printed)

Brad Horbal **Phone #:** 770-368-1399 **E-Mail:** brad@foresitegroupinc.com
(representative's signature)

Signed, sealed and delivered in presence of:

Pamela Conlon My commission expires: 09/2011
Notary Public



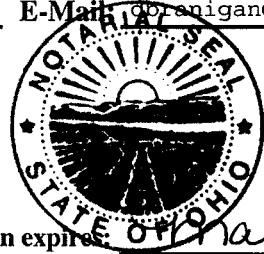
Titleholder(s): DDR-SAU Marietta, LLC **Phone #:** 216-755-5804
(property owner's name printed)

Address: 3300 Enterprise Parkway, Beachwood, OH 44122 **E-Mail:** ddr@nigan@ddr.com

Daniel E. Branigan
(Property owner's signature)

Signed, sealed and delivered in presence of:

Leann T. Webber My commission expires: March 1, 2014
Notary Public



Commission District: 4 **Zoning Case:** #73

Date of Zoning Decision: 7/7/87 **Original Date of Hearing:** 4/21/87

Location: 1758 Powder Springs Road, Marietta, GA 30064
(street address, if applicable; nearest intersection, etc.)

Land Lot(s): 413 **District(s):** 19th

State specifically the need or reason(s) for Other Business: To allow the use of a 4,120 sf bank with a drive thru that was not previously approved on the original site plan.

(List or attach additional information if needed)