

DATE	
BY	
CHECKED BY	
APPROVED BY	
SCALE	
PROJECT NO.	
SHEET NO.	
TOTAL SHEETS	



Z-4
(2011)

FAMILY DOLLAR
LL 204, 17th DISTRICT, 2nd SECTION, COBB COUNTY

SITE PLAN

DATE	12-20-10
BY	...
CHECKED BY	...
APPROVED BY	...
SCALE	1" = 10' - 0"
SHEET NO.	1
TOTAL SHEETS	1

SITE DATA

SITE AREA
1.448 AC.
R-20, GC, GCws
N.R.C.
8,320 S.F.
NEIGHBORHOOD RETAIL
USE
37 CARS
PROPOSED PARKING

EXISTING ZONING
R-20, GC, GCws
N.R.C.
8,320 S.F.

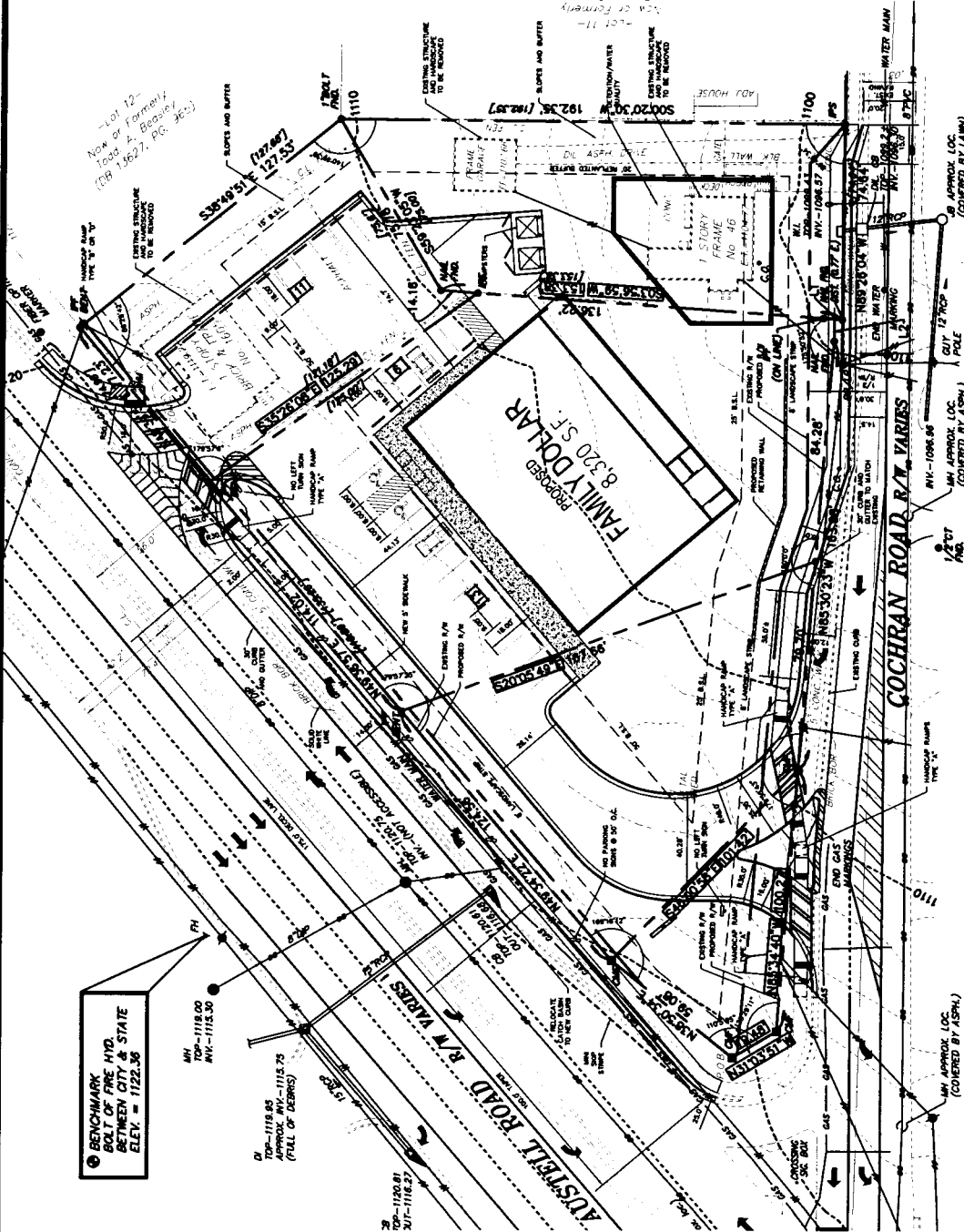
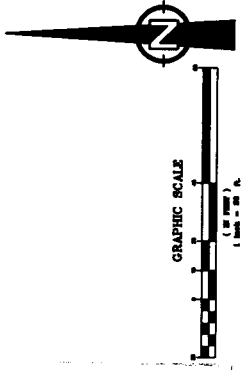
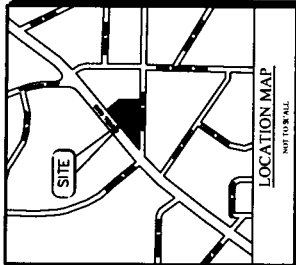
PROPOSED ZONING
R-20, GC, GCws
N.R.C.
8,320 S.F.

USE
NEIGHBORHOOD RETAIL
37 CARS
PROPOSED PARKING

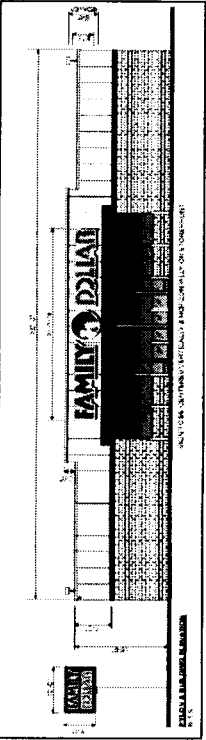
STORAGE
STORAGE VESSEL TOTAL: 11,000 GALLONS
STORAGE VESSEL TYPE: ...

NOTES

1. THERE IS NO FLOOD PALIN ON THIS SITE PER FEMA MAP PANEL 13067 C 01166 DATED DECEMBER 16, 2008.
2. THERE ARE NO WETLANDS ON THIS SITE.
3. THERE ARE NO ARCHITECTURAL OR ACRIHOLOGICAL LANDMARKS ON THIS SITE.
4. BUILDING ARCHITECTURE TO CONFORM WITH COBB COUNTY ARCHITECTURAL GUIDELINES FOR DEVELOPMENT.
5. EROSION CONTROL AND STORMWATER BMPs TO CONFORM TO COBB COUNTY, GA DNR, AND FEDERAL NPDES REQUIREMENTS.



DEC - 2 2010



BENCHMARK
BOLT OF FIRE HYD.
BETWEEN CITY & STATE
ELEV = 1122.36

Top - 1118.85
Approx. W.V. - 1115.75
(FULL OF DEBRIS)

Top - 1120.81
207 - 1118.27

Approx. Loc.
(COVERED BY ASPH.)

PROPOSED BUILDING ELEVATION
NOT TO SCALE

APPLICANT: ABZONE, LLC
(770) 565-0516

PETITION NO: Z-4
HEARING DATE (PC): 02-01-11

REPRESENTATIVE: Joe Lancaster (J. Lancaster Assoc., Inc.)
(770) 955-2421

HEARING DATE (BOC): 02-15-11
PRESENT ZONING: GC, R-20

TITLEHOLDER: Ted A. Badenbaugh

PROPOSED ZONING: NRC

PROPERTY LOCATION: At the northeast intersection of
Austell Road and Cochran Road.

PROPOSED USE: Retail

ACCESS TO PROPERTY: Austell Road and Cochran Road

SIZE OF TRACT: 1.448 acres

PHYSICAL CHARACTERISTICS TO SITE: wooded with older
houses

DISTRICT: 17

LAND LOT(S): 208

PARCEL(S): 14, 15, 16, 17, 37

TAXES: PAID X DUE _____

COMMISSION DISTRICT: 4

CONTIGUOUS ZONING/DEVELOPMENT

- NORTH: GC/ Quiktrip
- SOUTH: R-20/ houses
- EAST: GC/ daycare
- WEST: GC/ Quiktrip

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

PLANNING COMMISSION RECOMMENDATION

APPROVED _____ MOTION BY _____

REJECTED _____ SECONDED _____

HELD _____ CARRIED _____

BOARD OF COMMISSIONERS DECISION

APPROVED _____ MOTION BY _____

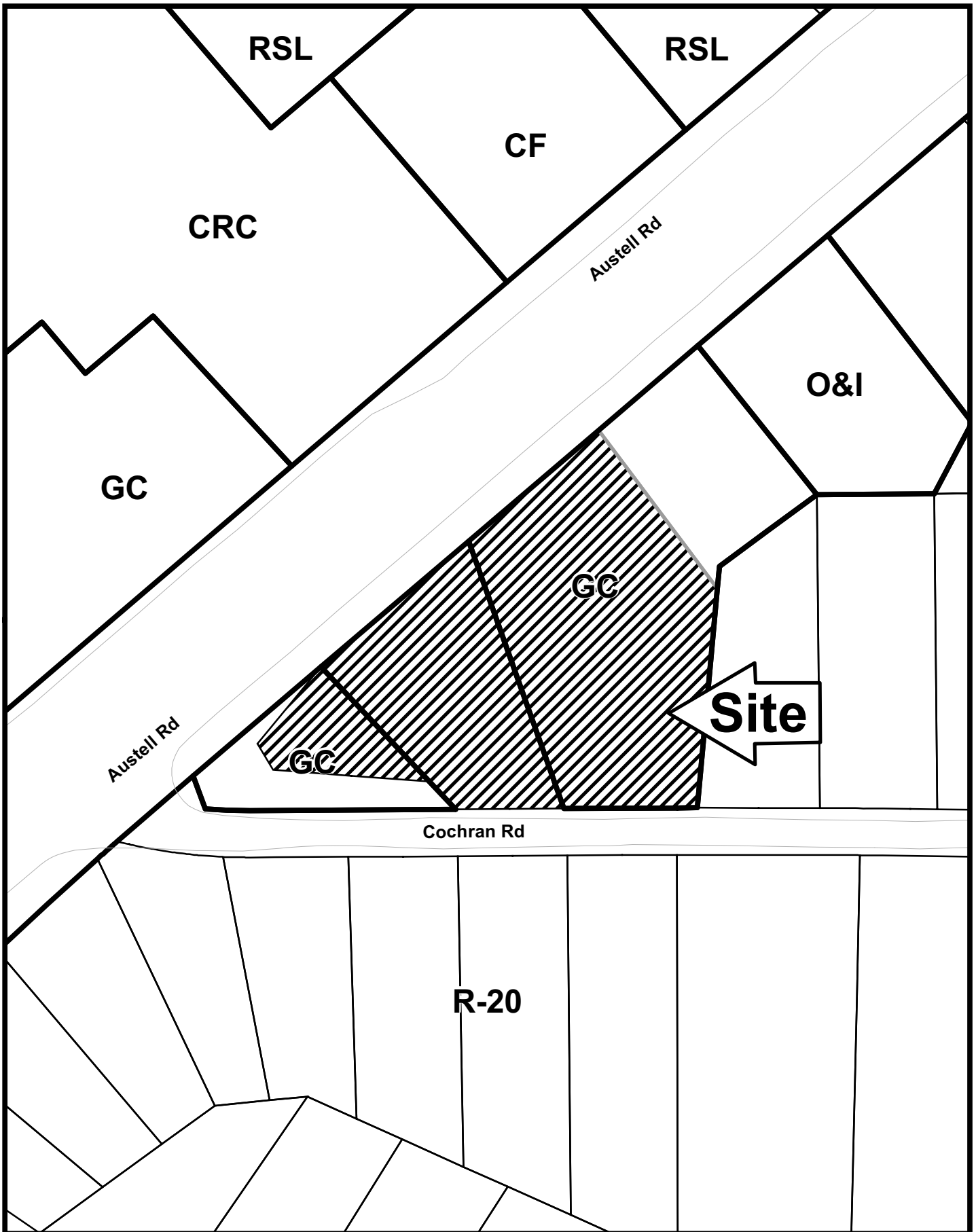
REJECTED _____ SECONDED _____

HELD _____ CARRIED _____

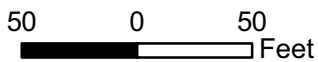
STIPULATIONS:



Z-4



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



City Boundary
Zoning Boundary

APPLICANT: ABZONE, LLC PETITION NO.: Z-4

PRESENT ZONING: GC, R-20 PETITION FOR: NRC

ZONING COMMENTS: Staff Member Responsible: Jason Campbell

Land Use Plan Recommendation: Community Activity Center

Proposed Number of Buildings: 1 Total Square Footage of Development: 8,320

F.A.R.: 0.13 Square Footage/Acre: 5,745

Parking Spaces Required: 37 Parking Spaces Provided: 30

The applicant is requesting rezoning to the NRC zoning district to develop a Family Dollar store. All the old residential structures would be demolished. The building would be one story in height with a split face block exterior. The store would be open Monday through Saturday from 8:00 a.m. to 9:00 p.m., and on Sunday from 9:00 a.m. to 9:00 p.m. The signage would be ground based monuments style in compliance with the Sign Ordinance. The applicant would need a contemporaneous variance to reduce the number of parking spaces from 37 to 30 parking spaces. The applicant has submitted a Zoning Impact Analysis, which is attached as Exhibit "A".

Historic Preservation: No comments.

Cemetery Preservation: No comments.

Fire Department :

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

APPLICANT ABZONE, LLC

PETITION NO. Z-004

PRESENT ZONING GC

PETITION FOR NRC

WATER COMMENTS: NOTE: Comments reflect only what facilities were in existence at the time of this review.

Available at Development: Yes No

Fire Flow Test Required: Yes No

Size / Location of Existing Water Main(s): *8" DI E side Austell Rd*

Additional Comments: Also 16" DI S / side of Cochran Rd.

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: NOTE: Comments reflect only what facilities were in existence at the time of this review.

In Drainage Basin: Yes No

At Development: Yes No

Approximate Distance to Nearest Sewer: *At site in Austell Rd and Cochran Rd*

Estimated Waste Generation (in G.P.D.): **A D F** 832 **Peak=** 2080

Treatment Plant: **S Cobb**

Plant Capacity: Available Not Available

Line Capacity: Available Not Available

Projected Plant Availability: 0 - 5 years 5 - 10 years over 10 years

Drv Sewers Required: Yes No

Off-site Easements Required: Yes* No *If off-site easements are required, Developer must submit easements to CCWS for review/approval as to form ans stipulations prior to the execution of easements by the property owners. All easement acquisitions are the responsibility of the Developer

Flow Test Required: Yes No

Letter of Allocation issued: Yes No

Septic Tank Recommended by this Department: Yes No

Subject to Health Department Approval: Yes No

Additional Comments:

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 offsite easements, dedication of on and/or offsite 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: ABZONE, LLC

PETITION NO.: Z-4

PRESENT ZONING: GC

PETITION FOR: NRC

DRAINAGE COMMENTS

FLOOD HAZARD: YES NO POSSIBLY, NOT VERIFIED

DRAINAGE BASIN: **Nickajack 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: _____

- 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 existing downstream drainage system.

APPLICANT: ABZONE, LLC

PETITION NO.: Z-4

PRESENT ZONING: GC

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 _____
- 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 entire site discharges to the southeast corner to an existing grated inlet that is tied to a 12-inch RCP under Cochran Road. The capacity and condition of the existing system through the downstream Olive Springs Subdivision is severely limited. The stormwater management design for this site will be subject to the existing downstream system capacity. The detention pond must be tied directly to the existing downstream system.
2. The location of the proposed detention facility is directly adjacent to existing residential development. If reinforced concrete walls are used for the detention facility they should be decoratively faced and screened with landscaping.

APPLICANT: ABZONE, LLC

PETITION NO.: Z-4

PRESENT ZONING: GC

PETITION FOR: NRC

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
Austell Road	31180	Arterial	45 mph	GDOT	100'
Cochran Road	2900	Minor Collector	25 mph	Cobb County	60'

*Based on 2009 traffic counting data taken by Georgia DOT (Austell Road).
Based on 2009 traffic counting data taken by Cobb County DOT (Cochran Road).*

RECOMMENDATIONS

Cochran Road is classified as a minor collector and according to the available information the existing right-of-way does not meet the minimum requirements for this classification. Recommend applicant consider entering into a development agreement pursuant of O.C.G.A. 36-71-13 for dedication of the following system improvements to mitigate traffic concerns: a) donation of right-of-way on the north side of Cochran Road, a minimum of 30' from the roadway centerline.

Recommend deceleration lane along Austell Road at proposed access point.

Recommend deceleration lane along Cochran Road at proposed access point.

Recommend applicant replace all curb, gutter, and sidewalk that is disturbed by the construction of the deceleration lanes.

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.

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STAFF RECOMMENDATIONS

Z-4 ABZONE, 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. Adjacent and nearby properties are used as commercial, auto service, office and restaurants.
- 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. Applicant's proposal is consistent with, and compatible to existing commercial uses in the area. Additionally, this redevelopment would help to remove some dilapidated structures form the area.
- 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 in the Community Activity Center Land Use Category.
- 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 property is located in an area of other commercial uses. The applicant's proposal is consistent with the *Cobb County Comprehensive Plan*. The applicant's proposal would help to clean up the area by getting rid of some older structures.

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

- Site plan received by the Zoning Division December 2, 2010, with the District Commissioner approving minor modifications;
- Fire Department comments;
- Water and Sewer comments;
- Stormwater Comments;
- Cobb D.O.T comments; and
- Owner/developer to enter into a Development Agreement pursuant to O.C.G.A. 36-71-13 for dedication of system improvements to mitigate traffic concerns.

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.

Z-4
Feb. 2011.

DEC - 2 2010

ANALYSIS OF THE IMPACT OF THE PROPOSED REZONING

- (a) Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property:

Properties to the north, across Austell Road, are zoned CRC, GC and CF. The property to the east is zoned O&I and R-20. Property to the west across Austell Road and Roberta Drive are zoned RRC and GC. Properties south of Cochran Road are zoned R-20. The proposed use is for a small Family Dollar store at a density of 5,745 SF/AC. The relatively low density will serve as a transition from the higher density GC and CRC zoning to the north to the current R-20 zoning to the south and southeast.

The zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property.

- (b) Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property;

Three of the five small parcels are already zoned for commercial use as GC. Consolidation of the zoning for the five (5) small parcels will not affect the use of the O&I and R-20 zoned tracts to the east. A 20 ft. replanted buffer will be installed between the Family Dollar and the adjacent R-20 tract. Higher density parcels located to the north and west will not be affected in any way as they are separated by the 100 ft. right-of-way of Austell Road.

The zoning proposal will not adversely affect the existing use or usability of adjacent or nearby property.

- (c) Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned;

The checkerboard pattern of the existing zoning with GC zoned tract broken up by small R-20 tracts cannot be developed with enough commercial and residential density to justify an investment in the land. Setbacks from public right-of-way and buffers from the small R-20 tracts leave very little buildable area on the GC zoned properties. The R-20 zoned tracts, if developed as single family homes, would not be a reasonable or economical use of the property due to their proximity to commercial zoned properties.

The property to be affected by the zoning proposal does not have a reasonable economic use as currently zoned.

- (d) Whether the zoning proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools;

The proposed facility will use approximately the same water and sewer flow demand as two single family homes if constructed on the two R-20 zoned tracts. There will be no impact on schools. The Austell Road and Cochran Road frontages will be improved to facilitate the transition of traffic into the development. Development of the existing GC zoned properties would produce approximately the same traffic pattern as the proposed low density retail facilitated by the proposed NRC zoning.

Detention and water quality BMP's are proposed which would mitigate any impact from storm water run-off and maintain run-off at or below existing levels.

The zoning proposal will not result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.

- (e) Whether the zoning proposal is in conformity with the policy and intent of the land use plan;

The property is designated by the Future Land Use Plan as a Community Activity Center. The requested zoning is in conformity with the policy intent of the Land Use Plan.

- (f) Whether there are other existing or changing conditions affecting the use and development of the property, which give supporting grounds for either approval or disapproval of the zoning proposal;

The existing small GC zoned parcels interspersed with the small R-20 parcels make the property impractical to develop as currently zoned. The shape of the properties created by the intersection of Austell Road and Cochran Road make the development of the small tracts as individual parcels difficult. An assemblage and uniform rezoning of the parcels therefore supports the grounds for approval of the proposed rezoning.



Joseph L. Lancaster,
Agent for:
ABZONE, LLC

Witness my hand and official seal hereto affixed
this 1st day of December, 2010.

Alison P. Rhodes

Notary Public in and for the State of Georgia.
My commission expires 7-22-2013.

