

APPLICANT: A.J. Rehmani

(678) 469-0430

REPRESENTATIVE: A.J. Rehmani

(678) 469-0430

TITLEHOLDER: A.J. Rehmani and Ronda Rehmani

PROPERTY LOCATION: South side of Veterans Memorial Highway,
north side of Lee Road, east of Glore Drive, west of Garner Road
(381 Veterans Memorial Highway).

ACCESS TO PROPERTY: Veterans Memorial Highway

PHYSICAL CHARACTERISTICS TO SITE: Existing warehouses
and office retail uses

PETITION NO: Z-40

HEARING DATE (PC): 07-08-13

HEARING DATE (BOC): 07-16-13

PRESENT ZONING: OS, PSC

PROPOSED ZONING: GC

PROPOSED USE: Indoor/Outdoor Soccer

SIZE OF TRACT: 16.564 acres

DISTRICT: 17, 18

LAND LOT(S): 109, 41

PARCEL(S): 49

TAXES: PAID X DUE _____

COMMISSION DISTRICT: 4

CONTIGUOUS ZONING/DEVELOPMENT

- NORTH:** GC/ Used Car Sales
- SOUTH:** R-20/RM-12/ Single-family Residences/Apartments
- EAST:** GC/R-20/ Retail Commercial/Church
- WEST:** PSC/R-20/ Retail Commercial/Single-family Residences

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

PLANNING COMMISSION RECOMMENDATION

APPROVED _____ MOTION BY _____

REJECTED _____ SECONDED _____

HELD _____ CARRIED _____

BOARD OF COMMISSIONERS DECISION

APPROVED _____ MOTION BY _____

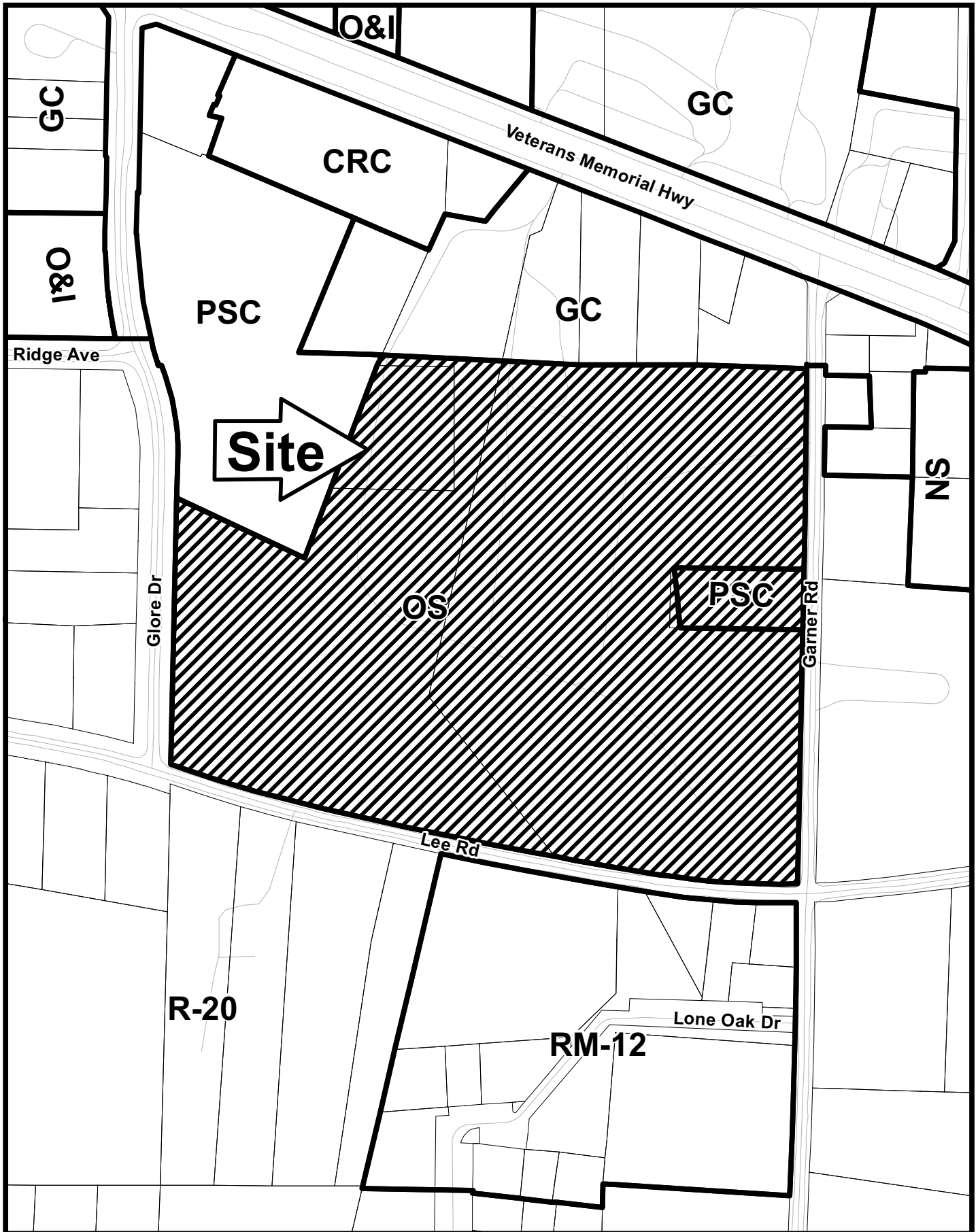
REJECTED _____ SECONDED _____

HELD _____ CARRIED _____

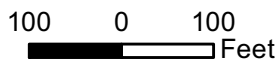
STIPULATIONS:



Z-40



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



- City Boundary
- Zoning Boundary

APPLICANT: A.J. Rehmani

PETITION NO.: Z-40

PRESENT ZONING: OS and PSC

PETITION FOR: GC

ZONING COMMENTS:

Staff Member Responsible: Terry Martin, MPA

Land Use Plan Recommendation: Community Activity Center (CAC)

Proposed Number of Buildings: 4 existing **Total Square Footage of Development:** 51,580 sq. ft.

F.A.R.: .07 **Square Footage/Acre:** 3,235.88 sq. ft.

Parking Spaces Required: 111 **Parking Spaces Provided:** 110

Applicant requests a rezoning to GC general commercial district in order to allow indoor/outdoor recreation uses (soccer) on the property. These uses are not currently allowed under the existing OS office services and PSC planned shopping center zoning districts. The applicant would like to provide indoor and outdoor facilities for adult soccer leagues to use.

Cemetery Preservation: No comment.

FIRE COMMENTS:

C/O: Plans must be submitted to the Cobb County Fire Marshal’s Office to initiate the Certificate of Occupancy process.

ACCESS: Fire apparatus access roads shall extend to within 150 feet of all portions of the facility or any portion of the exterior wall of the first floor (State Modifications IFC 503.1 2006 Edition).

All access roads shall meet the American Association of State and Highway Transportation Officials (AASHTO) design manual live load standard HS20 (75,000 lbs.) with an unobstructed width of not less than 20 feet, 25 foot inside radius, 50 foot outside turning radius and unobstructed vertical clearance of not less than 13 feet 6 inches.

Maximum slope of the access road in reference to the apparatus is 10% Front to Back and 5% Side to Side. Maximum grade of roadways leading to Fire Access roads refer to the Cobb County Development Standard Section 400: 14% for Non-Residential. Maximum angle of departure is 8.5%.

Dead-end access roads in excess of 150 feet shall be provided with a turn-around (IFC 503.2.5 2006 Edition). Cul-de-sac with or without an island: minimum 60-foot radius to outside curb, measured to inside of curb and a minimum lane width = 24 feet (Cobb County Development Standard 401.09). Single-Family cul-de-sac without island: 38-foot outside radius with island reverts to commercial dimensions. Hammerhead turn-around: total of 110 feet needed (45 feet + 20 feet wide roadway + 45 feet).

HYDRANT: Show fire hydrants arranged to have a hydrant available for the distribution of hose to any portion of any building on premises at distances not exceeding 500 feet (driving distance). Hydrants shall be at least 40 feet from the building (steamer connection facing street) (NFPA 24-7.2.3). Fire hydrants shall be spaced not more than 500 feet apart. Hydrants shall not be connected to water lines on the positive side (discharge side) of a fire pump. Minimum 8” supply lines to all hydrants.

APPLICANT: A.J. Rehmani

PETITION NO.: Z-40

PRESENT ZONING: OS and PSC

PETITION FOR: GC

PLANNING COMMENTS:

The applicant is requesting a rezoning from OS, PSC to GC for purpose of indoor/outdoor soccer fields. The 16.564 acre site is located on the south side of Veterans Memorial Highway, north side of Lee Road, east of Glore Drive, west of Garner Road.

Comprehensive Plan

The parcel is within a Community Activity Center (CAC) future land use category, with GC zoning designations. The purpose of the Community Activity Center (CAC) is to provide for areas that can meet the immediate needs of several neighborhoods or communities. Typical land uses for these areas include low to mid-rise office buildings and department stores.

Master Plan/Corridor Study

Not applicable.

Historic Preservation

After consulting various county historic resources 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.

Design Guidelines

Is the parcel in an area with Design Guidelines? Yes No

If yes, design guidelines area _____

Does the current site plan comply with the design requirements?

APPLICANT A.J. Rehmani

PETITION NO. Z-040

PRESENT ZONING OS

PETITION FOR GC

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 / S side of Veterans Memorial Pkwy*

Additional Comments: existing water customer

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: *On site*

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

Treatment Plant: **South 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 and 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: Existing sewer customer. Sewer flow calculations to be determined at Plan Review, which may determine need for sewer flow study.

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: A. J. Rehmani

PETITION NO.: Z-40

PRESENT ZONING: OS, PSC

PETITION FOR: GC

STORMWATER MANAGEMENT COMMENTS

FLOOD HAZARD: YES NO POSSIBLY, NOT VERIFIED

DRAINAGE BASIN: Milam Branch 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 _____.

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PETITION FOR: GC

STORMWATER MANAGEMENT COMMENTS – Continued

SPECIAL SITE CONDITIONS

- Provide comprehensive hydrology/stormwater controls to include development of out parcels.
- Submit any 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 soccer fields may or may not require detention. This will be determined at Plan Review. As a minimum, enhanced swales should be provided around exterior of fields to provide adequate water quality treatment.
2. The existing master detention facility for the site may need maintenance issues addressed.

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PRESENT ZONING: OS

PETITION FOR: GC

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
Veterans Memorial Highway	23,510	Arterial	45 mph	Georgia DOT	100'
Glore Drive	N/A	Local	25 mph	Cobb County	50'
Garner Road	N/A	Local	25 mph	Cobb County	50'
Lee Road	N/A	Local	25 mph	Cobb County	50'

Based on 2011 traffic counting data taken by Georgia DOT (Veterans Memorial Highway)

COMMENTS AND OBSERVATIONS

Veterans Memorial Highway is classified as an arterial and according to the available information the existing right-of-way does not meet the minimum requirements for this classification.

Glore Drive is classified as a local and according to the available information the existing right-of-way does meet the minimum requirements for this classification.

Garner 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.

Lee 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.

RECOMMENDATIONS

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 south side of Veterans Memorial Highway, a minimum of 50' from the roadway centerline.

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

Recommend curb, gutter, and sidewalk for the Veterans Memorial Highway frontage.

Recommend curb and gutter along the Glore Drive, Garner Road, and Lee Road frontages.

Recommend sidewalk along the Glore Drive and Lee Road frontages.

Recommend access to be determined during plan review.

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

STAFF RECOMMENDATIONS

Z-40 A.J. REHMANI

- 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. Surrounding properties contain a number of existing commercial uses along Veterans Memorial Highway while the southern portion of the property abuts residential both single-family and multiple-family.
- 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 proposed use, with adequate buffering where necessary, may provide a use that is less intense than the uses that have previously occupied the property.
- 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*. Located in an area delineated as CAC community activity center on the future land use map, the proposed use will provide a recreation outlet for the larger surrounding community, fulfilling a goal of the *Plan's* CAC designation.
- 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. With adequate buffering from nearby residential uses where outdoor activities are proposed, the use will provide a service that caters to the larger surrounding community and represents a less intense use of the site than previously tenants.

Based on the above analysis, Staff recommends **DELETING** the request to the Community Retail Commercial (CRC) category subject to the following conditions:

- Site Plan received by the Zoning Division on May 3, 2013 with District Commissioner making minor modifications;
- Fire Department comments and recommendations;
- Water and Sewer Division comments and recommendations;
- Stormwater Management Division comments and recommendations;
- Department of Transportation comments and recommendations; 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.

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July 2013

Summary of Intent for Rezoning

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Part 1. Residential Rezoning Information (attach additional information if needed)

- a) Proposed unit square-footage(s): _____
 - b) Proposed building architecture: _____
 - c) Proposed selling prices(s): _____
 - d) List all requested variances: _____
- _____

.....
Part 2. Non-residential Rezoning Information (attach additional information if needed)

- a) Proposed use(s): Indoor/outdoor Soccer fields.
 - b) Proposed building architecture: N/A
 - c) Proposed hours/days of operation: N/A
 - d) List all requested variances: N/A
- _____

COBB COUNTY GEORGIA
 ENGINEERING OFFICE
 2013 MAY -3 AM 10:34
 COBB COUNTY ZONING DIVISION

.....
Part 3. Other Pertinent Information (List or attach additional information if needed)

PART OF THE PROPERTY IS CURRENTLY ZONED GC. WE ARE REQUESTING TO REZONE THE REMAINDER OF THIS PROPERTY TO GC IN ORDER TO CONSTRUCT INDOOR/OUTDOOR^{FUTURE} SOCCER FIELDS.

.....
Part 4. Is any of the property included on the proposed site plan owned by the Local, State, or Federal Government?
 (Please list all Right-of-Ways, Government owned lots, County owned parcels and/or remnants, etc., and attach a plat clearly showing where these properties are located).

