



**APPLICANT:** Columbia Properties Capital I LLC

**PETITION NO:** Z-42

**PHONE#:** (770)953-6262 **EMAIL:** acampbell@columbiapropertiesinc.com

**HEARING DATE (PC):** 05-05-15

**REPRESENTATIVE:** Parks F. Huff

**HEARING DATE (BOC):** 05-19-15

**PHONE#:** (770) 422-7016 **EMAIL:** phuff@slhb-law.com

**PRESENT ZONING:** LRO, R-20

**TITLEHOLDER:** Susan L. Wright as Executrix of the Last Will and Testament of Ann L. Brown, Melissa M. McLendon, Harold Leslie McLendon, Jr., Donny Clark, John B. Dierkes and Deborah M. Dierkes  
**PROPERTY LOCATION:** South side of Dallas Highway and

**PROPOSED ZONING:** NRC

westerly side of Casteel Road.

**PROPOSED USE:** Retail Shopping Center

**ACCESS TO PROPERTY:** Dallas Highway and Casteel Road

**SIZE OF TRACT:** 20.70 acres

**PHYSICAL CHARACTERISTICS TO SITE:** Partially wooded and pasture

**DISTRICT:** 20

**LAND LOT(S):** 334

**PARCEL(S):** 2, 5

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

**COMMISSION DISTRICT:** 1

**CONTIGUOUS ZONING/DEVELOPMENT**

- NORTH:** R-30, CF/Single-family house and park
- SOUTH:** R-20/Single-family house
- EAST:** LRO/Bank and R-30/Hickory Farms Subdivision
- WEST:** NS/Cell Tower and R-20/Casteel Park Subdivision

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

**PLANNING COMMISSION RECOMMENDATION**

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

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

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

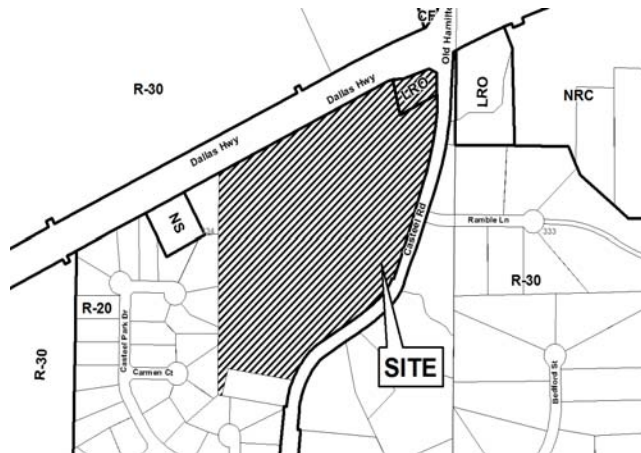
**BOARD OF COMMISSIONERS DECISION**

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

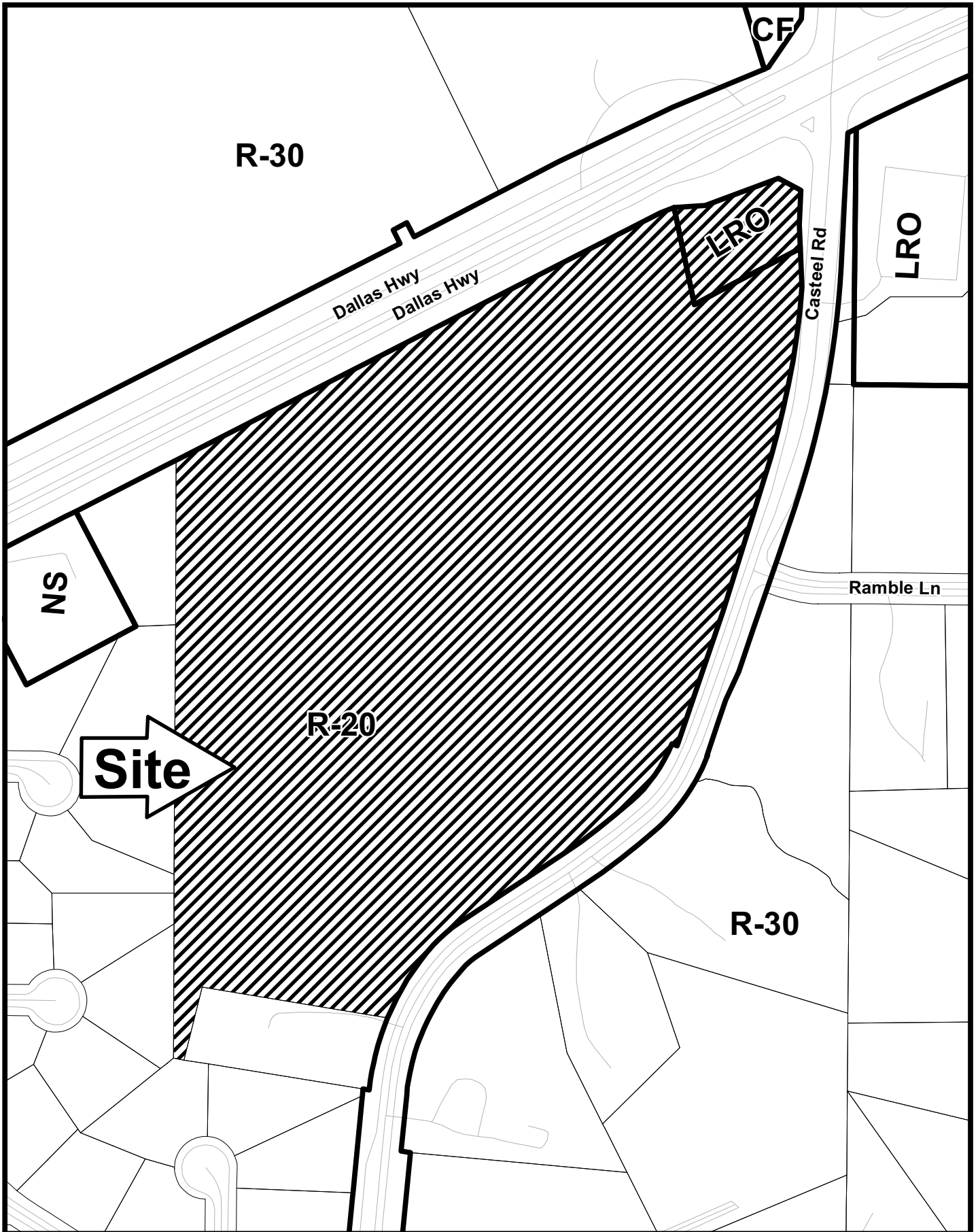
**REJECTED** \_\_\_\_\_ **SECONDED** \_\_\_\_\_

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

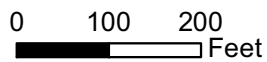
**STIPULATIONS:**



# Z-42



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



City Boundary  
Zoning Boundary

**APPLICANT:** Columbia Properties Capital I LLC

**PETITION NO.:** Z-42

**PRESENT ZONING:** LRO, R-20

**PETITION FOR:** NRC

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**ZONING COMMENTS:**

**Staff Member Responsible:** Jason A. Campbell

**Land Use Plan Recommendation:** Very Low Density Residential (0-2 units per acre), Low Density Residential (1-2.5 units per acre) and Neighborhood Activity Center (NAC)

**Proposed Number of Buildings:** 3                      **Total Square Footage of Development:** 146,610

**F.A.R.:** 0.162              **Square Footage/Acre:** 7,086

**Parking Spaces Required:** 733                      **Parking Spaces Provided:** 733

Applicant is requesting the Neighborhood Retail Commercial (NRC) zoning category for the development of a retail shopping center, with four outparcels on the southeastern portion of the property along Casteel Road. The proposed shopping center and land make up 16.09 acres and the outparcels make up 4.60 acres of the development. The buildings will have traditional retail architecture consistent with adjacent developments. The hours of operation will be typical retail hours.

The applicant is also requesting a contemporaneous variance to waive the maximum square footage for a shopping center in NRC from the allowed 140,000 square feet to 146,610 square feet.

**Cemetery Preservation:** No comment.

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**FIRE COMMENTS:**

After analyzing the information presented for a Preliminary Review, the Cobb County Fire Marshal’s Office is confident that all other items can be addressed during the Plan Review Stage.

**APPLICANT:** Columbia Properties Capital I LLC

**PETITION NO.:** Z-42

**PRESENT ZONING:** LRO, R-20

**PETITION FOR:** NRC

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**PLANNING COMMENTS:**

The applicant is requesting a rezoning from R-20 and LRO to NRC for purpose of retail shopping center. The 20.70 acre site is located on the south side of Dallas Highway and westerly side of Casteel Road.

**Comprehensive Plan**

The parcels are within Low Density Residential (**LDR**) and Neighborhood Activity Center (**NAC**) future land use categories, with R-20 and LRO zoning designations. The purpose of the Low Density Residential (**LDR**) category is to provide for areas that are suitable for low density housing between one (1) and two and one-half (2.5) dwelling units per acre. This category presents a range of densities. The purpose of the Neighborhood Activity Center (**NAC**) category is to provide for areas that serve neighborhood residents and businesses. Typical land uses for these areas include small offices, limited retail and grocery 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: Dallas Highway Design Guidelines

Does the current site plan comply with the design requirements?

- Pedestrian access to buildings  
 Yes      No                      Not applicable
- Streetscape elements  
 Yes      No                      Not applicable
- Building Frontage  
 Yes      No                      Not applicable
- Parking Standard  
 Yes      No                      Not applicable
- Architecture standard  
 Yes      No                      Not applicable

**APPLICANT:** Columbia Properties Capital I LLC

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**PRESENT ZONING:** LRO, R-20

**PETITION FOR:** NRC

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**PLANNING COMMENTS:** (Continued)

**Incentive Zones**

Is the property within an Opportunity Zone?  Yes  No

The Opportunity Zone is an incentive that provides \$3,500 tax credit per job in eligible areas if two or more jobs are being created. This incentive is available for new or existing businesses.

Is the property within an Enterprise Zone?  Yes  No

The Enterprise Zone is an incentive that provides tax abatements and other economic incentives for qualifying businesses locating or expanding within designated areas for new jobs and capital investments.

Is the property eligible for incentives through the Commercial and Industrial Property Rehabilitation Program?  Yes  No

The Commercial and Industrial Property Rehabilitation Program is an incentive that provides a reduction in ad valorem property taxes for qualifying redevelopment in eligible areas.

**Special Districts**

Is this property within the Cumberland Special District #1 (hotel/motel fee)?

Yes  No

Is this property within the Cumberland Special District #2 (ad valorem tax)?

Yes  No

Is this property within the Six Flags Special Service District?

Yes  No

APPLICANT Columbia Properties Capital LLC

PETITION NO. Z-042

PRESENT ZONING LRO, R-20

PETITION FOR NRC

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**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 / W side of Casteel Rd

Additional Comments: Master water meter at public ROW

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:** 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: 225' W or S in Casteel Park S/D\*\*

Estimated Waste Generation (in G.P.D.): A D F= 5,864 Peak= 14,661

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: \*\*Private pumping likely required to a point on site and flow by gravity off site. Pump station to be owned/operated single entity.

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.

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PRESENT ZONING: LRO, R-20

PETITION FOR: NRC

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**STORMWATER MANAGEMENT COMMENTS**

FLOOD HAZARD:  YES  NO  POSSIBLY, NOT VERIFIED

DRAINAGE BASIN: Mud 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 – **Old Trace Lake ~1800'**  
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 – **Hickory Farm & Hickory Bend S/D.**
- Project engineer must evaluate the impact of increased volume of runoff generated by the proposed project on downstream stormdrainage system including the instream detention facility in Hickory Bend S/D as well as Old Trace Lake and Lake Wilderness.



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PRESENT ZONING: LRO, R-20

PETITION FOR: NRC

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**STORMWATER MANAGEMENT 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 is located upstream of several older established residential subdivisions as well as Old Trace and Wilderness Lakes. Due to the limited stormwater system conveyance typical of older developments as well as the sensitive nature of the Lake Wilderness and Old Trace Lake areas special care must be taken to control stormwater runoff and the escape of sediment from this site.
2. The proposed commercial retail site plan will be significantly more dense than if developed under the current residential category. To compensate, the First Flush Water Quality Best Management Practice Requirements must be elevated to the 1.5-inch rainfall event and each larger storm discharge controlled not to exceed the allowable discharge of the next lower, more frequent storm event (ie. 5-year storm event released at 2-year rate; 10-year event at 5-year rate; etc. to 100-year event at 50-year rate).
3. The detention pond design should incorporate a permanent pool to provide adequate water quality protection for the downstream receiving system.

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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 |
|----------------|---------------------|------------------------|-------------|------------------------|--------------------------|
| Dallas Highway | 41,100              | Arterial               | 55          | Cobb                   | 100'                     |
| Casteel Road   | 4,900               | Major                  | 35          | Cobb                   | 80'                      |

*Based on [2007] traffic counting data taken by Cobb County DOT for Dallas Hwy.  
Based on [2005] traffic counting data taken by Cobb County DOT for Casteel Road.*

**COMMENTS AND OBSERVATIONS**

Dallas Highway is classified as an arterial, state route, and according to the available information the existing right-of-way does meet the minimum requirements for this classification.

Casteel Road is classified as a major collector and according to the available information the existing right-of-way may meet the minimum requirements for this classification.

As a proposed retail development with multi-use trails along Dallas Highway and Casteel Road, the applicant may consider providing safe and convenient pedestrian access from public trails and sidewalks to the building's entrances.

**RECOMMENDATIONS**

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

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 west side of Casteel Road, a minimum of 40' from the roadway centerline.

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

Median break must be requested through GDOT. All costs associated with the median cut to be borne by the developer for left turn lanes in both directions and deceleration lanes at each access point along Dallas Highway.

Developer to be responsible for signal coordination and expenses when warranted.

Recommend 10-12' multi-use trail along Dallas Highway and Casteel Road frontage per Cobb County trail map. Install curb and gutter along both road frontages.

Recommend deceleration lanes for west and east Dallas Highway access points.

**APPLICANT: Columbia Properties**

**PETITION NO.: Z-42**

**PRESENT ZONING: LRO & R-20**

**PETITION FOR: NRC**

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| <p><b>TRANSPORTATION COMMENTS</b><br/><b>(Continued)</b></p> |
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Recommend coordination with GDOT on west Dallas Highway access point design, principally addressing possible conflict between right-out movement versus vehicles moving from the eastbound through-movement into the deceleration lane for the east Dallas Highway access.

As necessitated by this development, recommend Casteel Road access include deceleration lane and left turn lane. Recommend location and design be determined during plan review, subject to Cobb County DOT approval.

Recommend applicant verify that minimum intersection sight distance is available for Casteel Road access and if it is not, implement remedial measures, subject to the Department's approval.

## STAFF RECOMMENDATIONS

### **Z-42 COLUMBIA PROPERTIES CAPITAL I LLC**

- A. It is Staff's opinion that the applicant's rezoning proposal will not permit a use that is suitable in view of the use and development of the adjacent and nearby properties to the south and west. The site is located at an intersection where two out of the three corners contain a commercial use (NRC to the northeast and LRO to the southeast). The northwest corner is park property zoned R-30 and CF. To the south and west are R-20 and R-30, with the exception of the small NS property to the west that is developed with a cell tower. The commercial areas along Dallas Highway are limited to the established commercial nodes, which provide an orderly use of land and transition in zoning intensity.
- B. It is Staff's opinion that the applicant's rezoning proposal will have an adverse affect on the properties to the south and west. Once outside the commercial node, this area of the county has successfully been developed at R-20 and R-30. The specific commercial nodes along Dallas Highway contain well-defined boundaries that have been consistently formulated through careful planning throughout the years.
- C. It is Staff's opinion that the applicant's rezoning proposal may result in a use which would cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools. The proposed median break could reduce the flow of traffic, with already suffers from high peak hour volume.
- 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*, which delineates most of this property being in the Low Density Residential (LDR) land use category, having densities ranging from 1-2.5 units per acre, while the small portion abutting the NS property to the west is in the Very Low Density Residential (VLDR) land use category, having densities ranging from 0-2 units per acre, and finally, the small LRO property at the southwest intersection of Dallas highway and Casteel Road, is in the Neighborhood Activity Center (NAC) land use category. Staff acknowledges that the NAC across Casteel Road is developed at more of a CAC scale even though it is in a NAC. The requested NRC zoning category is compatible in the Neighborhood Activity Center (NAC), Community Activity Center (CAC) and Regional Activity Center (RAC) land use categories.
- 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 denying the applicant's rezoning proposal. Most of the proposal is not in compliance with the *Cobb County Comprehensive Plan*, which delineates this property to be within the VLDR, LDR and NAC land use categories. Once outside the commercial boundaries, the area is well defined and characterized as R-20 and R-30. The County has purchased the Green Meadows Preserve across Dallas Highway. The County has been very consistent, and careful with rezoning actions on Dallas Highway to limit commercial development to defined nodes. The NRC section of the Zoning Ordinance requires the property to be within the NAC, CAC or RAC land use categories. Approval of the request would encourage other rezoning requests that are not consistent with the area, and the *Cobb County Comprehensive Plan*.

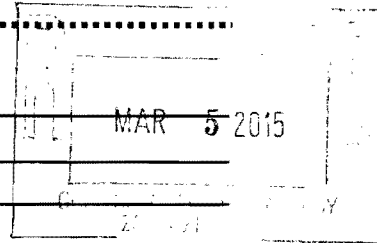
Based on the above analysis, Staff recommends **DENIAL**.

**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.**

# Summary of Intent for Rezoning

.....  
**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): Retail Shopping Center.
- b) Proposed building architecture: Traditional retail architecture consistent with adjacent developments.
- c) Proposed hours/days of operation: Typical retail hours.
- d) List all requested variances: Variances will be identified after the Applicant's meeting.

\_\_\_\_\_  
\_\_\_\_\_

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

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

.....  
**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).**

\_\_\_\_\_  
\_\_\_\_\_

**ZONING IMPACT STATEMENT FOR THE REZONING APPLICATION OF COLUMBIA PROPERTIES CAPITAL I LLC**

MAR 5 2015

COMES NOW, COLUMBIA PROPERTIES CAPITAL I LLC, and, pursuant to §134-121(a)(7) of the Cobb County Zoning Ordinance, files this Zoning Impact Statement, as follows:

- A. The development proposal will permit a use of the property that is suitable in relation to the development in this Neighborhood Activity Center (“NAC”) node along Dallas Highway/State Route 120. The subject property is located at the signalized intersection of Casteel Road (a major collector road) and Dallas Highway (an arterial road). The twenty acre tract is directly across Casteel Road from The Avenue West Cobb and cattycorner from Village Green shopping center anchored by Kroger and Belk. The Neighborhood Activity Center starts at the intersection of Dallas Highway and Due West Road and extends to the Old Hamilton Road/Casteel Road intersection. Although only a portion of the subject property is included in the NAC, there is no logical planning reason why the entire tract should not be part of the activity center.
  
- B. The development proposal is sensitive to the impact it may have on the surrounding community. In order to ameliorate any potential negative impact, the plan will include vegetative buffers and/or fencing to buffer the adjacent residents. In order to maintain the integrity of Casteel Road, the access point was placed as far north as practical and landscaping will be placed along Casteel Road to limit the shopping center’s visibility as one enters the residential portion of Casteel Road.


- C. The subject property has no reasonable economic use as currently zoned based upon the fact that the fair market value of the property falls below the range of values of similarly situated and similarly zoned properties within the West Cobb market. The R-20 and LRO zoning is not economically viable given the property's location adjacent to a signalized intersection of State Route 120 and Casteel Road.
- D. The Applicant will implement the measures required by the Cobb County Department of Transportation and Georgia Department of Transportation to ameliorate any impact the development will have on either Casteel Road or Dallas Highway/State Route 120. This specialty center is designed to serve the surrounding residential communities and to pick-up existing shoppers at The Avenue West Cobb. As such, the center is not designed to significantly increase traffic in the area but to serve shoppers who are already coming to The Avenue. The developer will install appropriate turn lanes and deceleration lanes at its entrances so that ingress and egress is consistent with traffic engineering principles. Improvements could include turn lanes and deceleration lanes on Dallas Highway and Casteel Road.
- E. A portion of the subject property is designated as a Neighborhood Activity Center (NAC) and the remaining portion is designated for Low Density Residential (LDR) development. The NAC designation is consistent with the designation of The Avenue and Village Green shopping centers. The development on this portion of the property is consistent with the NAC designation. However, the proposed development is inconsistent with the LDR

designation for the remaining portion of the subject property. However, the overriding principle of the Future Land Use Plan in this area is to create and maintain a commercial node on Dallas Highway/State Route 120 to serve the surrounding community and to not allow this node to spread unrestricted along Dallas Highway/State Route 120. The proposed development can accommodate this goal by encapsulating the proposal with the proposed buffer adjacent to the R-20 subdivision located just west of the subject property. Additionally, the Green Meadows Preserve directly across Dallas Highway/State Route 120 further limits the extension of the commercial node.

- F. There is no substantial relationship between the existing zoning classifications of LRO & R-20 which limits the property in terms of its present utilization and the public health, safety and general welfare. Additionally, considered in the context of development along this section of the Dallas Highway/State Route 120, there are no established land use planning principles or political considerations which would vitiate the zoning proposal.

Respectfully submitted, this the 7<sup>th</sup> day of March, 2015.

SAMS, LARKIN, HUFF & BALLI, LLP

By:   
PARKS F. HUFF  
Attorney for Applicant  
Ga. Bar No. 375010



**SAMS, LARKIN, HUFF & BALLI**

A LIMITED LIABILITY PARTNERSHIP

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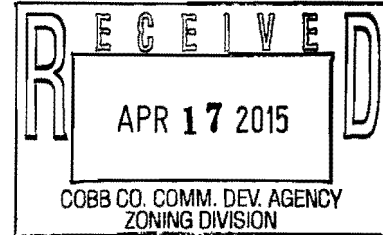
ADAM J. ROZEN

SLHB-LAW.COM

April 17, 2015

**VIA EMAIL:**

Mr. John P. Pederson, AICP, Manager  
Cobb County Zoning Division  
Community Development Agency  
1150 Powder Springs Road, Suite 400  
Marietta, GA 30064



Re: Application of Columbia Properties Capital I, LLC to Rezone a 20.70± Acre Tract from LRO and R-20 to NRC (Application No. Z-42)

Dear John:

As you know, this firm has been engaged by and represents Columbia Properties Capital I, LLC ("Columbia") concerning the above-captioned Application for Rezoning. In that regard, the Application is scheduled to be heard and considered by the Cobb County Planning Commission on May 5, 2015 and, thereafter, is scheduled to be heard and considered for final action by the Cobb County Board of Commissioners on May 19, 2015. We are in the process of finalizing a letter of agreeable stipulations/conditions and a revised site plan which will be submitted to you shortly. However, in the interim, we wanted to share some information with you regarding vacancy rates along the Dallas Highway Corridor.

Columbia's proposal includes an organic grocery store and associated high-end, upscale retail which is sorely needed in West Cobb County. Although the support for Columbia's proposal has been overwhelming, there have been a few misguided comments about vacancy rates and whether or not the uses sought for the subject property are actually needed in West Cobb County. To that end, Columbia has conducted a comprehensive analysis and economic overview of the West Cobb Retail Market along the Dallas Highway (S.R. 120) Corridor.

Generally, Metropolitan Atlanta's Retail Market has continued to improve throughout the last of 2014 and the first part of 2015. Mirroring overall trends within the United States, retail vacancy rates in Metropolitan Atlanta have continued downward while asking rental rates have continued to see increased growth as demand in the retail market has picked up. Overall retail vacancy within Metropolitan Atlanta currently stands at thirteen percent (13%), reflecting a sixty (60) basis point decrease from the 13.6% vacancy rate reported one year ago. As the vacancy rate continues to decline, core submarkets such as the Dallas Highway Corridor have begun to see rates getting close to pre-recession levels, if not already there. The same holds true only to a

**SAMS, LARKIN, HUFF & BALLI**

A LIMITED LIABILITY PARTNERSHIP

**VIA EMAIL:**

Mr. John P. Pederson, AICP, Manager  
Cobb County Zoning Division  
Community Development Agency  
April 17, 2015  
Page 2

greater extent along Dallas Highway. Reviewing all of the retail space along the Dallas Highway Corridor from the Kroger Grocery Store at Burnt Hickory Road within the City of Marietta all of the way to the Paulding County line (a distance of just under nine [9] miles), there is 1,324,000 sq. ft. of retail space with only 28,500 sq. ft. of that retail space being available for rent. That equates to a 2.1% vacancy rate along Dallas Highway.

The total inventory of anchored shopping centers for all of Kennesaw/Northwest Cobb County is just over 3,000,000 sq. ft. with an average vacancy rate of 5.8%. Therefore, the 1.7 Million sq. ft. of anchored centers away from the Dallas Highway Corridor is 8.7%. Typically a 5% to 10% vacancy rate is considered a "healthy" market; whereas, a 2.1% vacancy rate is dramatically low and unhealthy to the extent that rents are held artificially high creating entire classes of tenants who can not afford to do business in that environment simply because of the nature of their businesses. Simply put, West Cobb County, particularly along the Dallas Highway Corridor, is in dire need of additional retail space particularly retail space of a high-end nature which addresses a long overlooked demographic in West Cobb County.

Below are the shopping centers with square footages with accompanying vacancy rates:

|  |                         |                        |              |
|--|-------------------------|------------------------|--------------|
| West Marietta Crossing (Kroger)                                  | No Vacancy              | 119,000 sq. ft. center | 0% vacancy   |
| Pointe @ West Cobb (Home Depot)                                  | 6,500 sq. ft. available | 230,000 sq. ft. center | 2.7% vacancy |
| Target Center  | No Vacancy              | 125,000 sq. ft. center | 0% vacancy   |
| West Cobb Marketplace (Publix)                                   | 6,500 sq. ft. available | 95,600 sq. ft. center  | 0% vacancy   |
| Garrison Ridge Crossing (Lowe's)                                 | 4,900 sq. ft. available | 156,000 sq. ft. center | 3.1% vacancy |
| The Avenue   | 9,450 sq. ft. available | 267,000 sq. ft. center | 3.5% vacancy |
| Village Green (Kroger)   | 2,665 sq. ft. available | 190,000 sq. ft. center | 1.4% vacancy |
| Lost Mountain Crossing (Publix)<br>(On the Paulding County Line) | 5,000 sq. ft. available | 111,000 sq. ft. center | 4.5% vacancy |

Of course, in Applications for Rezoning or where a developer is seeking entitlements to allow a change in land use, there are politics and there is practicality. A preponderance of West Cobb Countians are weary of the impracticality of traveling to East Cobb to take advantage of the organic groceries, upscale retail and a wide variety of restaurants. The positioning of Columbia's proposed Parkside Shopping area is a much needed and overwhelmingly wanted addition to the Dallas Highway Corridor.

**SAMS, LARKIN, HUFF & BALLI**

A LIMITED LIABILITY PARTNERSHIP

**VIA EMAIL:**

Mr. John P. Pederson, AICP, Manager  
Cobb County Zoning Division  
Community Development Agency  
April 17, 2015  
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I trust that this information will be helpful to you and your staff in connection with the formulation of your Final Zoning Analysis and Staff Recommendations. As mentioned above, after much discussion with area residents and business owners and in response to that dialogue and the tenor of conversation with each individual, we will be submitting a letter of agreeable stipulations/conditions along with a revised site plan during the first part of next week. In the interim, please do not hesitate to contact me, Parks Huff or our client representatives at Columbia should you have any questions or need any additional documentation or information regarding these matters or any others relative to the proposed rezoning.

With kind regards, I am

Very truly yours,

SAMS, LARKIN, HUFF & BALLI, LLP



Garvis L. Sams, Jr.  
[gsams@slhb-law.com](mailto:gsams@slhb-law.com)

GLS/dsj

cc: Members, Cobb County Board of Commissioners (via email)  
Members, Cobb County Planning Commission (via email)  
Mr. Robert L. Hosack, Jr., AICP, Director (via email)  
Mr. Dana Johnson, AICP, Deputy Director (via email)  
Mr. Michael Hughes, Economic Development Director (via email)  
Ms. Charlotte Collins (via email)  
Mr. Jason Campbell, Planner III (via email)  
Mr. Terry Martin, Planner II (via email)  
Ms. Kim Wakefield, Zoning Analyst (via email)  
Mr. David Breaden, P.E. (via email)  
Ms. Jane Stricklin, P.E. (via email)  
Mr. Tim Davidson, Cobb Water System (via email)  
Ms. Lori Barton, Deputy County Clerk (via email)  
Mr. Daniel S. O'Neill, Columbia Properties (via email)  
Mr. Andy Campbell, Columbia Properties (via email)  
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