

DATE: 3-04-2015  
 SCALE: 1" = 40'  
 DRAWN BY: DJD  
 CHECKED BY: DSK

PROJECT: 2022 SOUTH COBB DRIVE SE  
 PARCEL ID# 1703000190  
 LAND LOT 300 17th DISTRICT  
 COBB CO GA 30345

CLIENT NAME:  
 CONTACT:  
 PROJ. NO: 1340-001  
 DATE: 3-04-2015  
 SCALE: 1" = 40'  
 DRAWN BY: DJD  
 CHECKED BY: DSK

SHEET TITLE  
 BOUNDARY  
 SURVEY

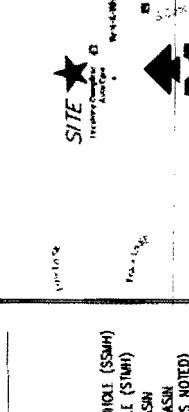
DRAWING NO.  
 1 OF 1

Corporate Environmental Risk Management  
 2296 Henderson Mill Road • Suite 200 • Atlanta GA 30345  
 O: 678.999.0173 • F: 678.999.0186  
 WWW.CENTR.COM

Z-47  
 (2015)

PROJ. NO: 1340-001  
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SHEET TITLE  
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 SURVEY



Vicinity Map  
 NOT TO SCALE

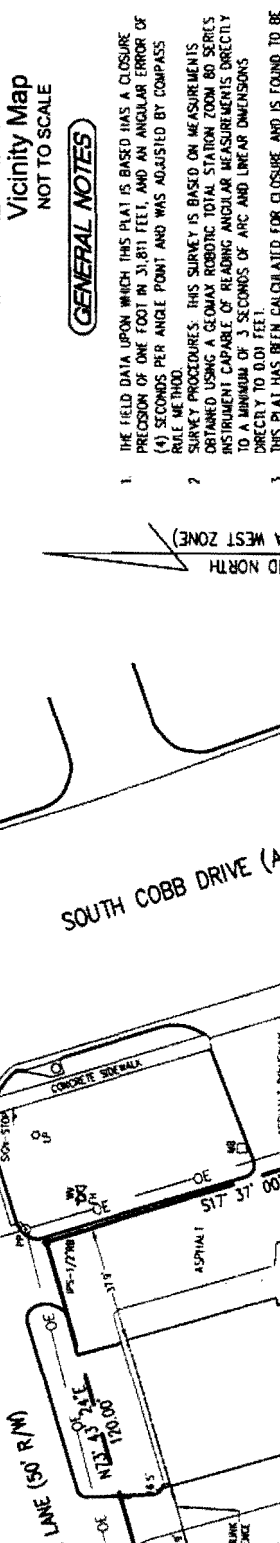
**GENERAL NOTES**

1. THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 31,811 FEET, AND AN ANGULAR ERROR OF (4) SECONDS PER ANGLE POINT AND WAS ADJUSTED BY COMPASS RULE METHOD.
2. SURVEY PROCEDURES: THIS SURVEY IS BASED ON MEASUREMENTS OBTAINED USING A GEOMAX ROBOTIC TOTAL STATION ZOOM 80 SERIES INSTRUMENT CAPABLE OF READING ANGULAR MEASUREMENTS DIRECTLY TO A MINIMUM OF 3 SECONDS OF ARC AND LINEAR DIMENSIONS DIRECTLY TO 0.01 FEET.
3. THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 100,000 FEET.
4. THIS PLAT WAS PREPARED FOR THE EXCLUSIVE USE OF THE PARTY OR ENTITY NAMED HEREON AND THE CERTIFICATION DOES NOT EXTEND TO ANY OTHERS.
5. NORTH AND THE BEARINGS HEREON ARE BASED UPON THE STATE PLANE COORDINATE SYSTEM, GEORGIA WEST ZONE, NORTH AMERICAN DATUM OF 1983, ADJUSTMENT OF 1994, DERIVED FROM GLOBAL POSITIONING SYSTEM (GPS) DATA.
6. DERM AND/OR ERICK L. SMITH DO NOT GUARANTEE THAT ALL EASEMENTS AND SUB-SURFACE CONDITIONS WHICH MAY AFFECT THIS PROPERTY ARE SHOWN.
7. THIS DRAWING HAS BEEN GENERATED ELECTRONICALLY. THIS MEDIA SHOULD NOT BE CONSIDERED A CERTIFIED VALID DOCUMENT UNLESS IT HAS BEEN PROPERLY SEALED, SIGNED, AND DATED BY ERICK L. SMITH IN BLACK INK PER O.C.G.A. 43-15-22.
8. THIS PLAT MAY NOT CONFORM TO THE BEARINGS AND DISTANCES RECORDED ON THE DEED AND/OR PLAT OF RECORD DUE TO SEVERAL FACTORS INCLUDING, BUT NOT LIMITED TO, THE NATURE OF THE ADVANCES IN SURVEYING TECHNOLOGY SUCH AS ELECTRONIC DISTANCE MEASURING DEVICES AND THE ADVENT OF SURVEY GRADE G.P.S. MEASUREMENT EQUIPMENT.

1. HEREBY CERTIFY TO MY COMPANIES THAT ALL PARTS OF THIS SURVEY AND DRAWING HAVE BEEN COMPLETED IN ACCORDANCE WITH THE CURRENT REQUIREMENTS OF THE STANDARDS OF PRACTICE FOR SURVEYING IN THE STATE OF GEORGIA TO THE BEST OF MY KNOWLEDGE, INFORMATION, AND BELIEF.

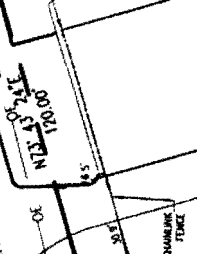


LEGEND



**SITE AREA**  
 21,813 S. F.  
 0.500 ACRES

SURVEY REFERENCE:  
 DEED BOOK 13972, PAGE 5903



GRID NORTH  
 (GA WEST ZONE)

1 inch = 40 ft

1 inch = 40 ft

1 inch = 40 ft

1 inch = 40 ft

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1 inch = 40 ft

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1 inch = 40 ft

1 inch = 40 ft

**APPLICANT:** Robert Neal Castleberry

**PETITION NO:** Z-47

**PHONE#:** (770) 367-7000 **EMAIL:** nealcastleberry@wans.net

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

**REPRESENTATIVE:** Robert Neal Castleberry

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

**PHONE#:** (770) 367-7000 **EMAIL:** nealcastleberry@wans.net

**PRESENT ZONING:** CF

**TITLEHOLDER:** Clairt Realty, LTD

**PROPOSED ZONING:** GC

**PROPERTY LOCATION:** Southwest intersection of South Cobb

Drive and Dink Lane

**PROPOSED USE:** Business Retail

(2022 South Cobb Drive).

**ACCESS TO PROPERTY:** South Cobb Drive and Dink Lane

**SIZE OF TRACT:** 0.5 acre

**PHYSICAL CHARACTERISTICS TO SITE:** Former auto parts

**DISTRICT:** 17

store

**LAND LOT(S):** 300

**PARCEL(S):** 19

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

**CONTIGUOUS ZONING/DEVELOPMENT**

**COMMISSION DISTRICT:** 4

**NORTH:** GC/Used Car Lot

**SOUTH:** CF/Light Auto Repair

**EAST:** South Cobb Drive and GC/Car Audio and Check Cashing

**WEST:** CF/Single-family House

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

**PLANNING COMMISSION RECOMMENDATION**

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

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

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

**BOARD OF COMMISSIONERS DECISION**

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

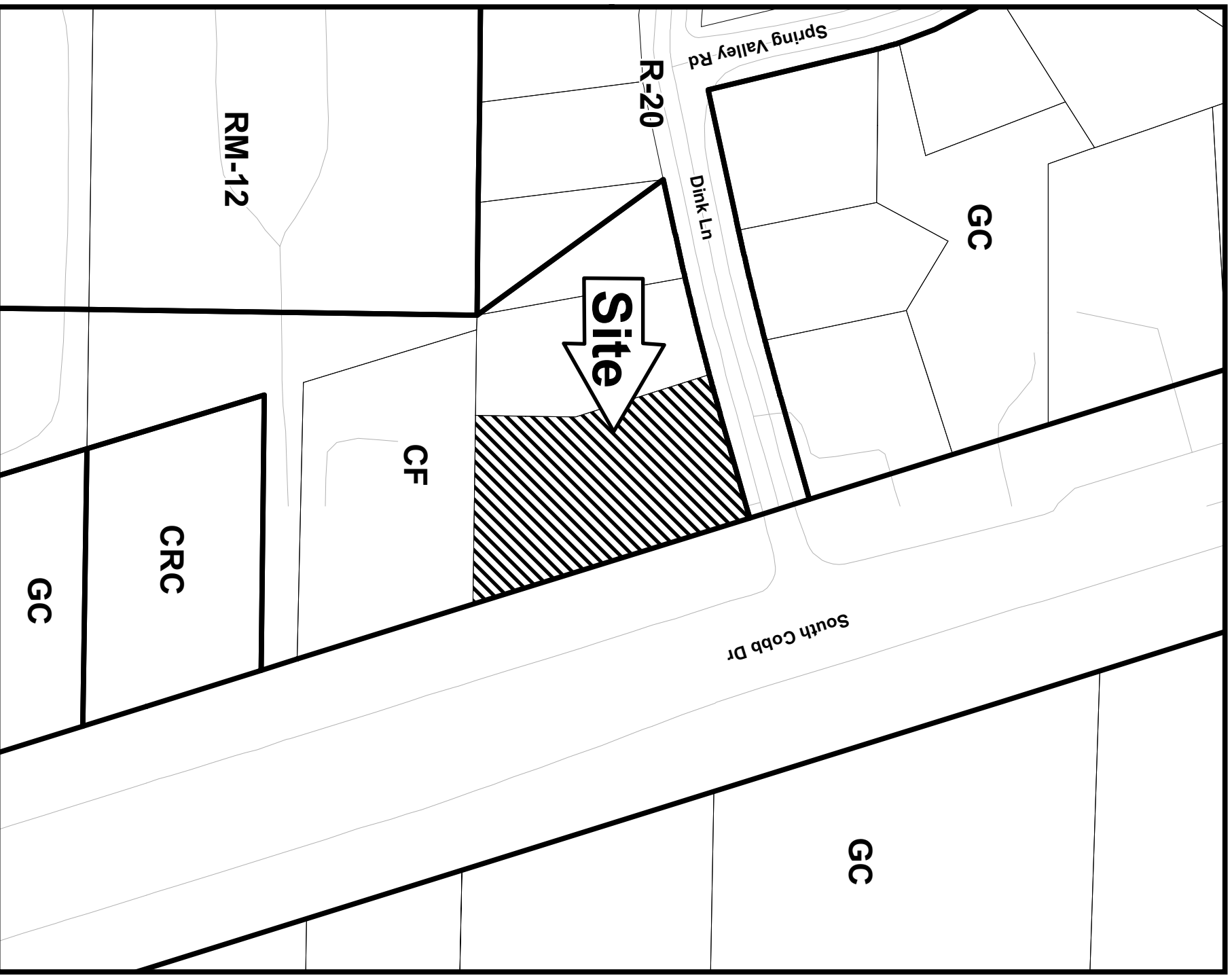
**REJECTED** \_\_\_\_\_ **SECONDED** \_\_\_\_\_

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

**STIPULATIONS:**



Z-47



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



City Boundary  
Zoning Boundary

**APPLICANT:** Robert Neal Castleberry

**PETITION NO.:** Z-47

**PRESENT ZONING:** CF

**PETITION FOR:** GC

\*\*\*\*\*

**ZONING COMMENTS:**

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

**Land Use Plan Recommendation:** Community Activity Center

**Proposed Number of Buildings:** 1 (Existing) **Total Square Footage of Development:** 7,732

**F.A.R.:** 0.35 **Square Footage/Acre:** 15,464

**Parking Spaces Required:** 38 **Parking Spaces Provided:** 16

The applicant is requesting the General Commercial (GC) zoning category in order to use the existing building for a pawnshop. The building was previously used as an auto parts store. The hours of operation will be Monday through Sunday from 7 a.m. until 7 p.m.

The proposed site plan will require the following contemporaneous variances:

1. Waiver of the front setback from the required 40 feet to 16 feet on Dink Lane; waiver of the rear setback from the required 30 feet to 0 feet;
2. Waiver of the required parking spaces from the required 38 spaces to 16; and
3. Waiver of the maximum allowed Floor Area Ratio (FAR) from 0.25 to 0.35.

**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:** Robert Neal Castleberry \_\_\_\_\_

**PETITION NO.:** Z-47 \_\_\_\_\_

**PRESENT ZONING:** CF \_\_\_\_\_

**PETITION FOR:** GC \_\_\_\_\_

\*\*\*\*\*

**PLANNING COMMENTS:**

The applicant is requesting a rezoning from CF to GC for purpose of business retail. The 0.5 acre site is located on the southwest intersection of South Cobb Drive and Dink Lane.

**Comprehensive Plan**

The parcel is within a Community Activity Center (CAC) future land use category, with CF zoning designation. 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?

**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.

For more information on incentives, please call the Community Development Agency, Planning Division at 770.528.2018 or find information online at <http://economic.cobbcountyga.gov>.

**APPLICANT:** Robert Neal Castleberry

**PETITION NO.:** Z-47

**PRESENT ZONING:** CF

**PETITION FOR:** GC

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**PLANNING COMMENTS:** (Continued)

***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 Robert Neal Castleberry

PETITION NO. Z-047

PRESENT ZONING CF

PETITION FOR GC

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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): 12" DI / W side of South Cobb Drive

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= +0 Peak= +0

Treatment Plant: South Cobb

Plant Capacity:  Available  Not Available

Line Capacity:  Available  Not Available

Projected Plant Availabilitv:  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 Existing sewer customer  
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: Robert Neal Castleberry

PETITION NO.: Z-47

PRESENT ZONING: CF

PETITION FOR: GC

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**STORMWATER MANAGEMENT COMMENTS**

FLOOD HAZARD:  YES  NO  POSSIBLY, NOT VERIFIED

DRAINAGE BASIN: Olley 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 \_\_\_\_\_.



APPLICANT: Robert Neal Castleberry

PETITION NO.: Z-47

PRESENT ZONING: CF

PETITION FOR: GC

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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. No site improvements are proposed. Stormwater Management must be provided upon redevelopment or substantial site improvement.

**APPLICANT: Robert Neal Castleberry**

**PETITION NO.: Z-47**

**PRESENT ZONING: CF**

**PETITION FOR: GC**

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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
South Cobb Drive	21,600	Arterial	45	GDOT	100'

*Based on [2008] traffic counting data taken by Cobb County DOT*

**COMMENTS AND OBSERVATIONS**

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

**RECOMMENDATIONS**

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

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

Recommend sign removed from right-of-way.

Recommend no parking within right-of-way.

Per Section 402.08 of Cobb County development standards, driveways servicing developments shall provide uninterrupted ingress/egress to and from the site. The minimum distance required is measured from the street right-of-way line at the ingress/egress to the out edge of any interior service drive or parking space with direct access to such driveway as measured perpendicularly from the street. The South Cobb Drive access points may not meet the requirements of the Development Standards. Recommend applicant coordinate with Cobb County DOT prior to development plan approval to ensure compliance.

## STAFF RECOMMENDATIONS

### **Z-47 ROBERT NEAL CASTLEBERRY**

- A. It is Staff's opinion that the applicant's rezoning proposal may not permit a use that is suitable in view of the use and development of adjacent and nearby properties. Most of the commercially zoned properties in this area are utilized for light auto repair and used car sales.
- B. It is Staff's opinion that the applicant's rezoning proposal may have an adverse affect on the usability of adjacent or nearby property. While the property had previously been used as an auto parts store, the existing building does not meet setback requirements, parking requirements and the property is over the allowed Floor Area Ratio (FAR).
- C. It is Staff's opinion that the applicant's rezoning proposal may 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 within the Community Activity Center (CAC) land use category. The General Commercial (GC) zoning category is compatible with the CAC land use designation, and is also the zoning category needed for a pawnshop. However, staff believes the proposed use may be too intense given the physical characteristics of property as it exists. There are other uses that may require less parking than that for a pawnshop.
- 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 for a less intense use. The requested GC zoning is compatible with the CAC land use, and GC is the required zoning category for a pawnshop, but the existing building does not meet the parking requirements for the proposed use. It is also developed over the allowed FAR (existing is 0.35 and the maximum allowed is 0.25). Staff believes a use that requires less parking will be better suited for this property as it currently exists.

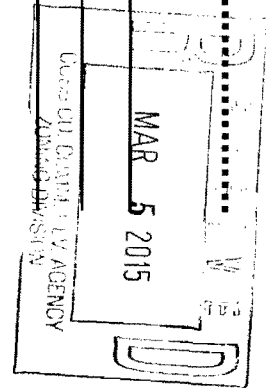
Based on the above analysis, Staff recommends DELETION to NRC subject to the following conditions:

- Retail, office or restaurant use only (no pawnshops or auto repair uses);
- Businesses that can meet the parking space requirements on this property;
- Site plan to be approved by the Board of Commissioners, with the District Commissioner approving minor modifications;
- District Commissioner to approve final building architecture and color;
- No outdoor storage or outdoor display of merchandise;
- Water and Sewer Division comments and recommendations;
- Stormwater Management Division comments and recommendations;
- Department of Transportation 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.**

# Summary of Intent for Rezoning

May 2015



.....  
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
- b) Proposed building architecture: Same
- c) Proposed hours/days of operation: Monday - Sunday 7am - 7pm
- d) List all requested variances: None

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

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

N/A

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

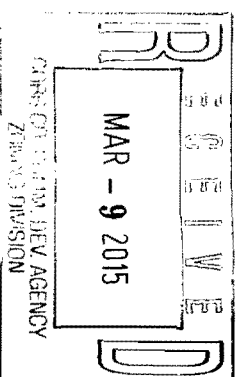
.....  
Part 4. Is any of the property included on the proposed site plan owned by the Local, State, or Federal Government?

(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). N/A

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

## Application Z-47

2202 South Cobb Drive  
Land Lot 300 District 17<sup>th</sup>, 2<sup>nd</sup> Section  
Zoning Request from CF to GC  
Question 9 of Rezoning Application



- A) Adjacent Properties consist primarily of General Commercial lots which is consistent with Zoning Request.
- B) The current zoning of the property is Commercial Future which does not allow the property to be used for any purpose, so the current state of the property is idle.
- C) As currently zoned the property has no economic use.
- D) The zoning request will not adversely impact existing streets, transportation, utilities, or schools.
- E) The request does conform to the intended use of the land.
- F) Since the property is currently zoned CF it has no use and remains an abandoned building.