

APPLICAN	T: Eun Kyung Park		PETITION NO:	Z-17
PHONE#: (404) 909-0991 EMAIL: sung@n-gineers.		HEARING DATE (PC):	02-02-16
REPRESEN	TATIVE: Sung H. Chung		HEARING DATE (BOC): _	02-16-16
PHONE#: (770) 891-0023 EMAIL: sung@n-gineers.	.com	PRESENT ZONING	PSC, R-20
TITLEHOL	DER: Eun Kyung Park, Young Hwan Han			
			PROPOSED ZONING:	NRC
PROPERTY	LOCATION: Corner of Mableton Parkw	ay and		
Factory Shoa	ls Road		PROPOSED USE:	Restaurant
(6260 Mable)	on Parkway and 6281Factory Shoals Road)	•		and Retail
ACCESS TO	PROPERTY: Mableton Parkway and Fa	ctory Shoals	SIZE OF TRACT:	0.68 acre
Road			DISTRICT:	18
PHYSICAL	CHARACTERISTICS TO SITE: Exist	ing restaurant	LAND LOT(S):	189, <i>190</i>
and dryclear	ner		PARCEL(S):	32, 42
			TAXES: PAID X DU	E
CONTIGUO	OUS ZONING/DEVELOPMENT		COMMISSION DISTRICT	: 4
NORTH:	GC/Restaurant and retail centers; R-20 &	k R-15/Single-far	mily houses	
SOUTH:	GC/Carwash	•	ture Land Use:	
EAST:	PSC/Retail center; RA-5/Church		leighborhood Activity Center	` /
WEST:	R-15 & R-20/Single-family houses		hborhood Activity Center (NA Neighborhood Activity Center	,

OPPOSITION: NO. OPPOSED___PETITION NO:____SPOKESMAN ____

PLANNING COMMISSION RECOMMENDATION

APPROVED____MOTION BY____ REJECTED___SECONDED____

HELD____CARRIED____

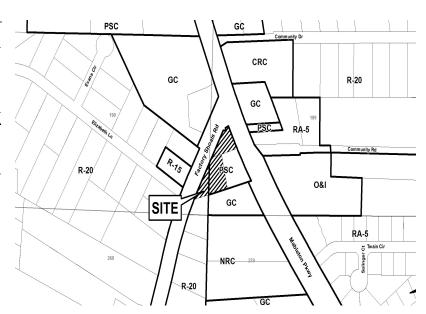
BOARD OF COMMISSIONERS DECISION

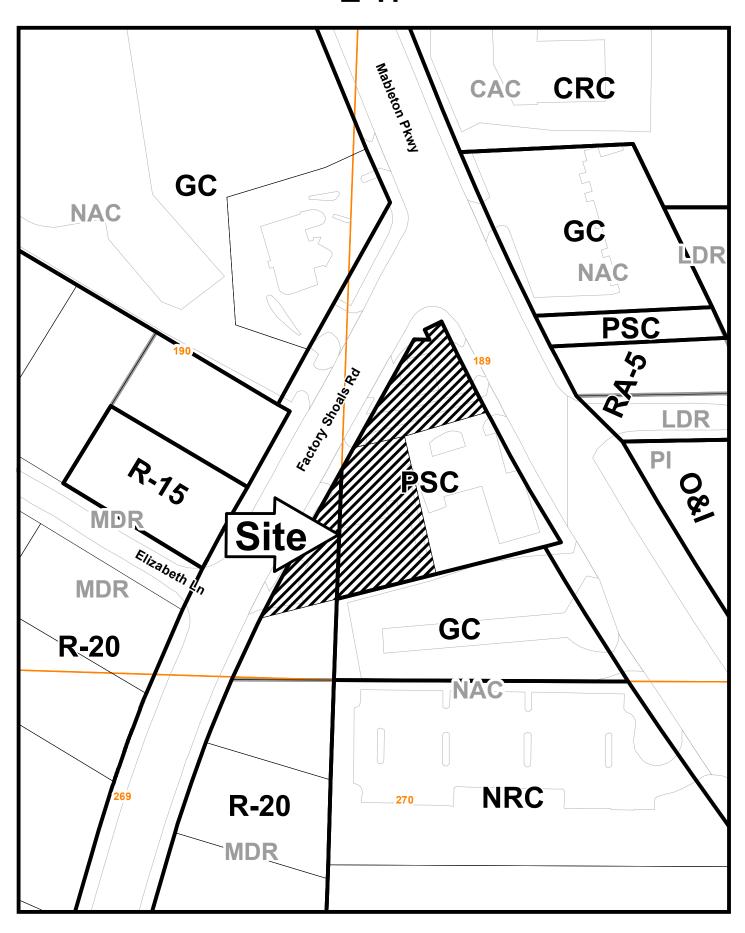
APPROVED____MOTION BY____

REJECTED____SECONDED____

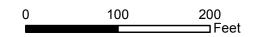
HELD____CARRIED____

STIPULATIONS:





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





APPLICANT: Eun Kyung Park	PETITION NO.: Z-17				
PRESENT ZONING: PSC, R-20	PETITION FOR: NRC				
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ZONING COMMENTS: Staff Member Responsible:	Jason A. Campbell				
Land Use Plan Recommendation: Neighborhood Activity	y Center (NAC)				
Proposed Number of Buildings: 2 (Existing) Total Squ	nare Footage of Development: 7,704				
F.A.R.: 0.26 Square Footage/Acre: 11,329	_				
Parking Spaces Required: 39 Parking Spaces 1	Provided: No striped parking shown				
Applicant is requesting the Neighborhood Retail Commercial (restaurant, and retail center. The site cannot be improved under proposed hours of operation for the restaurant will be Monday. The application will require setback variances and impervious on the site plan received by the Zoning Division on December.	er the current zoning and land use plan. The through Sunday from 9 a.m. until 10 p.m. coverage waivers on both parcels as indicated				
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.

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PLANNING COMMENTS:	
The applicant is requesting a rezoning from PSC and R-The 0.68 acre site is located at the corner of Mableton Par	
HB-489 Intergovernmental Agreement Zoning Amendm Is the application site within one half (1/2) mile of a city left yes, has the city of been notified?	
<u>Comprehensive Plan</u> The parcel is within a Neighborhood Activity Center (designation. The purpose of the Neighborhood Activity serve neighborhood residents and businesses. Typical lanteretail and grocery stores.	Center (NAC) category is to provide for areas that
Specific Area Policy Guidelines: There are no specific policy guidelines for this area in the	Comprehensive Plan.
Adjacent Future Land Use: Northeast: Neighborhood Activity Center (NAC) South: Neighborhood Activity Center (NAC) Northwest: Neighborhood Activity Center (NAC) Master Plan/Corridor Study The property is not located within the boundary of a Plan	or Corridor Study.
Historic Preservation After consulting various county historic resources survey trench location maps, staff finds that no known signific application. No further comment. No action by applicant	ant historic resources appear to be affected by this
Design Guidelines Is the parcel in an area with Design Guidelines? □ Ye If yes, design guidelines area Does the current site plan comply with the design require	
Incentive Zones Is the property within an Opportunity Zone? □ You The Opportunity Zone is an incentive that provides \$3,50 jobs are being created. This incentive is available for new	00 tax credit per job in eligible areas if two or more
Is the property within an Enterprise Zone? The South Cobb Enterprise Zone is an incentive that profor qualifying businesses locating or expanding within de	vides tax abatements and other economic incentives

APPLICANT: Eun Kyung Park	PETITION NO.: Z-17
PRESENT ZONING: PSC, R-20	PETITION FOR: NRC
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PLANNING COMMENTS: (Continued)	
Is the property eligible for incentives through the Co Program?	es No Program is an incentive that provides a reduction in
For more information on incentives, please call the Comp 770.528.2018 or find information online at	

PRESENT ZONING PSC, R-20				PE'	ΓΙΤΙΟΝ Ι	FOR <u>NRC</u>
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WATER COMMENTS: NOTE: Comments refle	ect o	nly what facilities w	ere	in exi	stence at th	ne time of this review.
Available at Development:	✓	Yes			No	
Fire Flow Test Required:		Yes		✓	No	
Size / Location of Existing Water Main(s): 8" D	I / E	E side of Factory S	hoa	ls Rd		
Additional Comments: Existing water customer						
Developer may be required to install/upgrade water mains, based on Review Process.	fire fl	ow test results or Fire De	epartn	nent Co	de. This will	be resolved in the Plan
* * * * * * * * * * * * * * * * * * * *	* *	* * * * * * * * *	* *	* * :	* * * * *	* * * * * * * * *
SEWER COMMENTS: NOTE: Comments i	eflec	et only what facilitie	s we	re in e	existence at	t 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 I	OF=	+ 0		P	Peak= +0)
Treatment Plant:		South	Cob	b		
Plant Capacity:	✓	Available		Not	Available	
Line Capacity:	~	Available		Not	Available	
Proiected Plant Availability:	~	0 - 5 vears		5 - 1	0 vears	over 10 years
Drv Sewers Required:		Yes	~	No		
Off-site Easements Required:		Yes*	~	No	*If off-site	easements are required, Developer it easements to CCWS for
Flow Test Required:		Yes	~	No	review/app	roval as to form and stipulations execution of easements by the
Letter of Allocation issued:		Yes	~	No	property ov	wners. All easement acquisitions consibility of the Developer
Septic Tank Recommended by this Department:		Yes	~	No		
Subject to Health Department Approval:		Yes	~	No		
Additional Existing sewer customer. No anti	icipa	ated change in was	stew	ater d	lischarge	volume

PETITION NO. Z-017

APPLICANT Eun Kyung Park

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.

PRESENT ZONING: PSC, R-20	PETITION FOR: NRC
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STORMWATER MANAGEMENT COMMENT	rs
FLOOD HAZARD: YES NO POSSIBI	LY, NOT VERIFIED
DRAINAGE BASIN: Queen Creek FLOOD F FEMA Designated 100 year Floodplain Flood. Flood Damage Prevention Ordinance DESIGNATE Project subject to the Cobb County Flood Damage P Dam Breach zone from (upstream) (onsite) lake - ne	D FLOOD HAZARD. Prevention Ordinance Requirements.
WETLANDS: ☐ YES ☐ NO ☐ POSSIBLY, N	NOT VERIFIED
Location:	
☐ The Owner/Developer is responsible for obtaining Corps of Engineer.	any required wetland permits from the U.S. Army
STREAMBANK BUFFER ZONE: YES X NO	POSSIBLY, NOT VERIFIED
 Metropolitan River Protection Area (within 200 undisturbed buffer each side of waterway). ☐ Chattahoochee River Corridor Tributary Area - Cour Georgia Erosion-Sediment Control Law and County ☐ Georgia DNR Variance may be required to work in 2 County Buffer Ordinance: 50', 75', 100' or 200' each 	nty review (<u>undisturbed</u> buffer each side). Ordinance - County Review/State Review. 25 foot streambank buffers.
DOWNSTREAM CONDITIONS	
 Potential or Known drainage problems exist for development Stormwater discharges must be controlled not to excordinage system. Minimize runoff into public roads. 	
☐ Minimize the effect of concentrated stormwater disc ☐ Developer must secure any R.O.W required to renaturally	• • • • • • • • • • • • • • • • • • • •
 Existing Lake Downstream Additional BMP's for erosion sediment controls will Lake Study needed to document sediment levels. 	be required.
 Stormwater discharges through an established reside Project engineer must evaluate the impact of increas improvements on downstream receiving system. 	-

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PRESENT ZONING: <u>PSC</u> , R-20	PETITION FOR: NRC
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STORMWATER MANAGEMENT COMMENT	TS – Continued
SPECIAL SITE CONDITIONS	
Provide comprehensive hydrology/stormwater controls Submit all proposed site improvements to Plan Review Any spring activity uncovered must be addressed by a Structural fill must be placed under the directive engineer (PE). Existing facility. Project must comply with the Water Quality require County Water Quality Ordinance. Water Quality/Quantity contributions of the existing conditions into proposed project. Calculate and provide % impervious of project site. Revisit design; reduce pavement area to reduce runoff	a qualified geotechnical engineer (PE). on of a qualified registered Georgia geotechnical rements of the CWA-NPDES-NPS Permit and lake/pond on site must be continued as baseline
 INSUFFICIENT INFORMATION ☐ No Stormwater controls shown ☐ Copy of survey is not current – Additional comments are exposed. ☐ No site improvements showing on exhibit. 	may be forthcoming when current site conditions
ADDITIONAL COMMENTS	
No significant site improvements are currently predevelopment must meet current stormwater mans	

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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
Mableton Parkway	38,700	Arterial	45 mph	Georgia DOT	100'
Factory Shoals Road	11,600	Arterial	40 mph	Cobb County	100'

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

COMMENTS AND OBSERVATIONS

Mableton Parkway is classified as a state route, an arterial and according to the available information the existing right-of-way does not meet the minimum requirements for this classification.

Factory Shoals Road 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.

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 Mableton Parkway, a minimum of 50' from the roadway centerline.

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 east side of Factory Shoals Road, a minimum of 50' from the roadway centerline.

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

Recommend sidewalk along the Mableton Parkway frontage.

Recommend converting both driveways for Tract One to right-in/ right-out access.

Recommend upon redevelopment, all driveways on both Factory Shoals Road and Mableton Parkway shall meet current Cobb County Development Standards.

STAFF RECOMMENDATIONS

Z-17 EUN KYUNG PARK

- 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. Other properties are similarly zoned with a mixture of retail, restaurant, and single-family uses.
- 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 property has had the requested uses for a number of years.
- 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 as being in the Neighborhood Activity Center (NAC) land use category. The requested Neighborhood Retail Commercial (NRC) zoning category is compatible with the NRC zoning category and the proposed uses are permitted under NRC.
- 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 restaurant on the northern parcel has had patio dining additions. The rezoning will bring the multiple zonings of PSC and R-20 into the NRC zoning district, compliant with the NAC land use category.

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

- 1. Site plan received by the Zoning Division on December 3, 2015; with the District Commissioner approving minor modifications;
- 2. Water and Sewer Division comments and recommendations;
- 3. Stormwater Management Division comments and recommendations;
- 4. Department of Transportation comments and recommendations; and
- 5. 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.

Application No. <u>Z-17</u> Feb. 2614

Summary of Intent for Rezoning

;		ential 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: DEC - 3 2015
		COBR CO. COMM. DEV. AGENCY ZONING DIVISION
2. I	Non-r	esidential Rezoning Information (attach additional information if needed)
	a)	Proposed use(s): RESTAURANT, SHOPPING CENTER
		RETAIL BUSINESS
	b)	Proposed building architecture: EXISTING STRUCTURES
	c)	Proposed hours/days of operation: RESTAURANT: 9AM - 10 PM MON - SUN
	d)	List all requested variances:
	<u>-</u>	
art 3	. Oth	ner Pertinent Information (List or attach additional information if needed) N/A
art 3	. Oth	er Pertinent Information (List or attach additional information if needed) N/A
		19774
rt 4.	Is an	y of the property included on the proposed site plan owned by the Local, State, or Federal Gove

December 03, 2015

Cobb County Zoning Department

191 Lawrence Street NE Marietta, GA 30060

COBB CO. COMM. DEV. AGENCY ZONING DIVISION

Re: Rezoning - Impact of Proposed Rezoning

To Whom It May Concern:

The intent of this letter is to explain impact of proposed zoning change for the following address and lots:

Address: 6260 Mableton Pkwy Mableton, GA

Land Lot 189 & 190 of the 18th District, 2nd Section Cobb County Georgia

Currently, lots 189 & 190 are zoned for PSC. I propose the zoning change for those two lots from PSC to \mathcal{GC} , commercial zoning type that is suitable for restaurant type business. I believe the proposed zoning change will not adversely impact any existing businesses or residential areas in terms of the following areas:

- Existing adjacent and nearby commercial or residential establishments
- Existing usability of adjacent or nearby property
- Current economic uses as adjacent or nearby development
- Current usage of existing streets, transportation facilities, utilities or schools
- Conformity with the policy and intent of the land use plan
- Condition or usage of existing development

Numerous existing restaurant & commercial business entities are in place in close proximity to the above mentioned lots. I believe the proposed zoning change will not adversely affect the any of the existing conditions or county development policies.

Regards, Argung pank