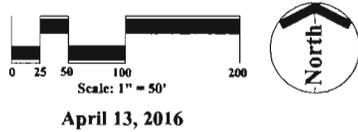


Preliminary Plan

Veterans Memorial Highway Tract

Cobb County, Georgia Land Lots 46 & 71, 18nd District, 2nd Section

prepared for:
Elite Auto Collision
971 Veterans Memorial Hwy.
Mableton, Georgia 30126



REVISED

Site Data

Total Site Area: 9.85 AC
(Tract A - 3.82 AC + Tract B - 6.03 AC)

Present Zoning: LI (w/s)

Proposed Zoning: CRC (conditional)

Building Areas: (as shown)

Building Setbacks: (as shown)

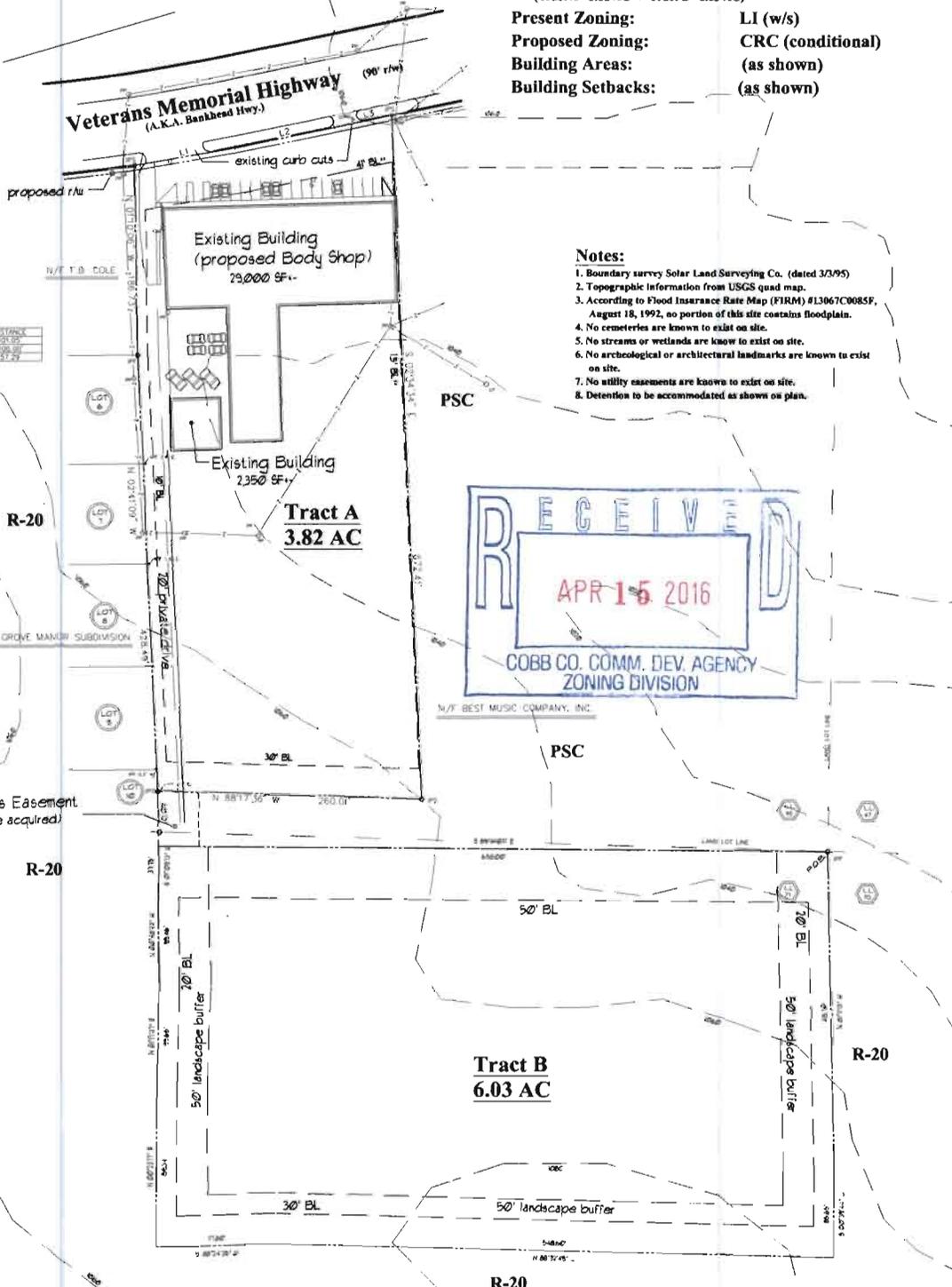
DGM
LAND PLANNING
CONSULTANTS



P.O. Box 4475
MARIETTA
GA 30061
770 514-9006
FAX 514-9491



LINE	DESCRIPTION	ADJACENT
1-1	N. BERRY ST.	100.00'
1-2	N. BERRY ST.	100.00'
1-3	N. BERRY ST.	100.00'



RECEIVED
APR 15 2016
COBB CO. COMM. DEV. AGENCY
ZONING DIVISION

APPLICANT: Elite Auto Collision & Sales

PHONE#: 404-969-9382 **EMAIL:** kevinelite1@gmail.com

REPRESENTATIVE: Garvis L. Sams Jr.

PHONE#: 770-422-7016 **EMAIL:** gsams@slhb-law.com

TITLEHOLDER: 2K Consulting Group LLC and De Yong Chen

PROPERTY LOCATION: South side of Veterans Memorial

Highway, east of Lakeshore Drive

(380 Veterans Memorial Highway)

ACCESS TO PROPERTY: Veterans Memorial Highway

PHYSICAL CHARACTERISTICS TO SITE: Existing 29,000 sq.

ft. building with accessory 2,350 sq. ft. building

PETITION NO: Z-40

HEARING DATE (PC): 06-07-16

HEARING DATE (BOC): 06-21-16

PRESENT ZONING LI

PROPOSED ZONING: CRC

PROPOSED USE: Collision and Service
Center

SIZE OF TRACT: 9.85 acres

DISTRICT: 18

LAND LOT(S): 46

TAXES: PAID X **DUE** _____

COMMISSION DISTRICT: 4

CONTIGUOUS ZONING/DEVELOPMENT

- NORTH:** LI/ US Art
- SOUTH:** LI/ Undeveloped, Wooded
- EAST:** LI/ Industrial Office/Warehouse
- WEST:** CRC, R-20/ Commercial, Pine Grove Manor

Adjacent Future Land Use:

- North: Neighborhood Activity Center (NAC)
- East: Neighborhood Activity Center (NAC)
- South: Neighborhood Activity Center (NAC) with Medium Density Residential within 35 feet.)
- West: Neighborhood Activity Center (NAC) with Low Density Residential (LDR) within 20 feet)

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

PLANNING COMMISSION RECOMMENDATION

APPROVED _____ **MOTION BY** _____

REJECTED _____ **SECONDED** _____

HELD _____ **VOTE** _____

BOARD OF COMMISSIONERS DECISION

APPROVED _____ **MOTION BY** _____

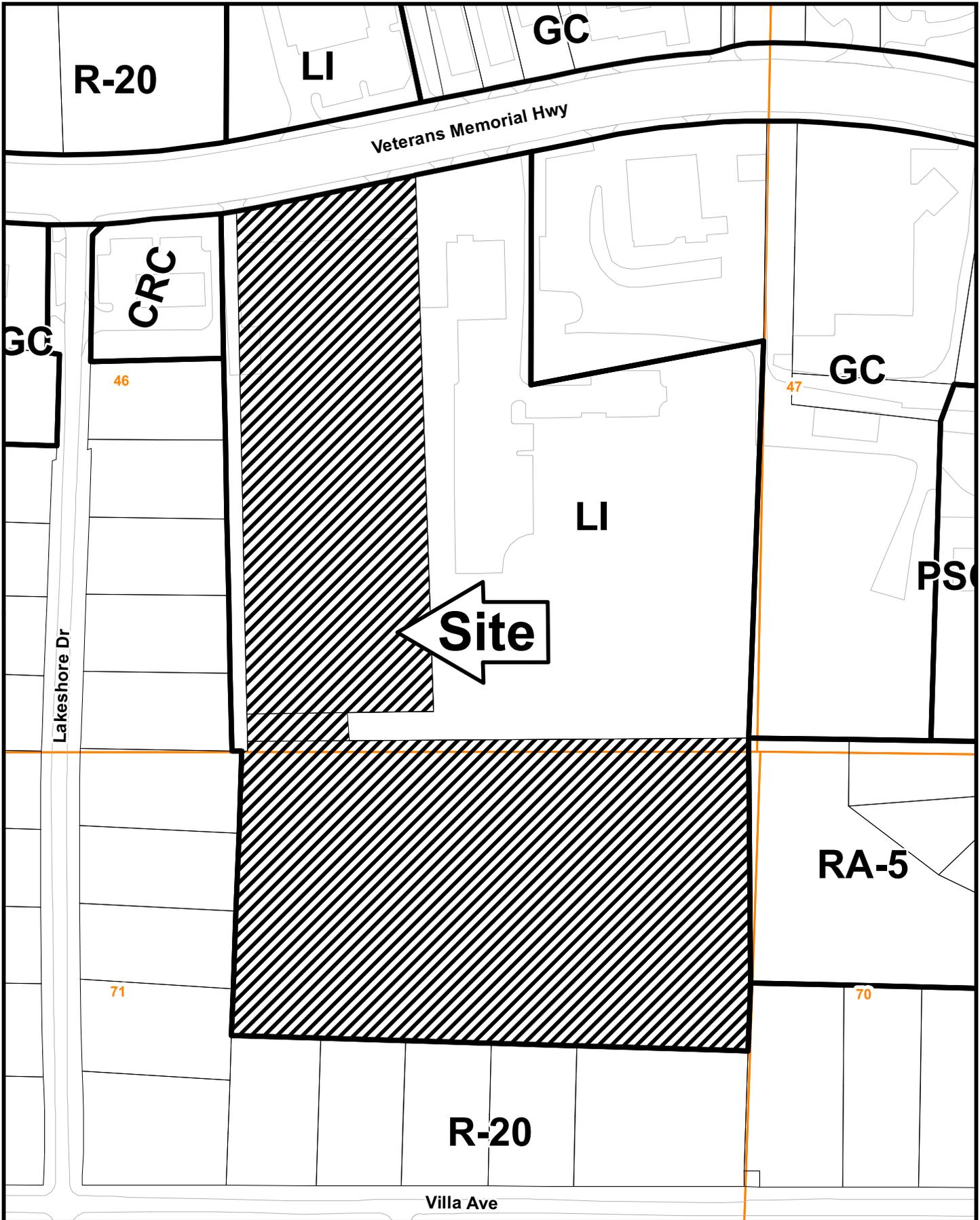
REJECTED _____ **SECONDED** _____

HELD _____ **VOTE** _____

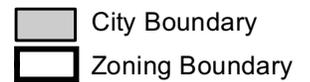
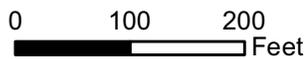
STIPULATIONS:



Z-40-2016 GIS



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



APPLICANT: Elite Auto Collision & Sales

PETITION NO.: Z-40

PRESENT ZONING: LI

PETITION FOR: CRC

ZONING COMMENTS:

Staff Member Responsible: Terry Martin, MPA

Land Use Plan Recommendation: NAC Neighborhood Activity Center

Proposed Number of Buildings: 2, existing **Total Square Footage of Development:** 31,350 sq. ft.

F.A.R.: 0.07 **Square Footage/Acre:** 3,183 sq. ft.

Parking Spaces Required: 19 **Parking Spaces Provided:** 29

The applicant is requesting a rezoning from the current LI light industrial district to the CRC community retail commercial district in order to utilize the property for an auto collision repair and service center. The property, previously rezoned to the current LI district per past case Z-175 of 1999, was subject to specific conditions one of which stated that the use was for the now defunct furniture business only. For this reason, the applicant is seeking to rezone.

The existing building will be utilized with exterior aesthetic upgrades and necessary interior rehabbing and retrofitting. Of the 9.85 acres submitted for consideration, the operations are currently only planned for the front 3.82 acres, with the remainder of the property to be utilized later as the business grows. Initially, upon opening, the business will employ 5 individuals with staffing later increasing to meet workload. Hours of operation will be Monday through Saturday 7:00 a.m. to 7:00 p.m. The applicant has submitted a letter of agreeable conditions regarding the site's operations including the following as built variances:

1. Waiver of the front setback from the required 50 feet to 41 feet; and
2. Waiver of the side setback from the required 10 feet to 1.5 feet adjacent to the eastern side.

Cemetery Preservation: There is no significant impact on the cemetery site listed in the Cobb County Cemetery Preservation Commission's Inventory Listing which is located in this, or adjacent land lot.

Site Plan Review: Any site work stipulated as a condition of this rezoning application approval must be facilitated via a Land Disturbance Permit. A LDP is issued by the Site Plan Review Section and is separate from the Building Permit. The surveyor must submit the site plans to the Site Plan Review Section, Community Development Agency for review and approval prior to the issuance of the Building Permit. Call 770-528-2147.

FIRE COMMENTS:

NO 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: Elite Auto Collision & Sales

PETITION NO.: Z-40

PRESENT ZONING: LI

PETITION FOR: CRC

PLANNING COMMENTS:

The applicant is requesting a rezoning from LI to CRC for the purpose of collision and service center. The 3.82 acre site is located on the northeast corner of Sandtown Road and Osborne Road.

HB-489 Intergovernmental Agreement Zoning Amendment Notification:

Is the application site within one half (1/2) mile of a city boundary? Yes No
If yes, has the city of _____ been notified? Yes No / N/A

Comprehensive Plan

The parcel is within a Neighborhood Activity Center (NAC) future land use category, with LI zoning designation. 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.

Specific Area Policy Guidelines:

There are no specific policy guidelines for this area in the Comprehensive Plan.

Adjacent Future Land Use:

- North: Neighborhood Activity Center (NAC)
- East: Neighborhood Activity Center (NAC)
- South: Neighborhood Activity Center ((NAC) with Medium Density Residential within 35 feet.)
- West: Neighborhood Activity Center ((NAC) with Low Density Residential (LDR) within 20 feet)

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 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.

APPLICANT: Elite Auto Collision & Sales

PETITION NO.: Z-40

PRESENT ZONING: LI

PETITION FOR: CRC

PLANNING COMMENTS: Continued

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 South Cobb 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>.

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: Elite Auto Collision & Sales

PETITION NO.: Z-40

PRESENT ZONING: LI

PETITION FOR: CRC

PLANNING COMMENTS: **Continued**

Is the property within the Dobbins Airfield Safety Zone?

Yes No

If so, which particular safety zone is this property within?

CZ (Clear Zone) APZ I (Accident Potential Zone I)

APZ II (Accident Potential Zone II)

Bird / Wildlife Air Strike Hazard (BASH) area

APPLICANT Elite Auto Collision & Sales

PETITION NO. Z-040

PRESENT ZONING LI

PETITION FOR CRC

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: Along frontage of Veterans Memorial Pkwy

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

Dry 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: Elite Auto Collision & Sales

PETITION NO.: Z-40

PRESENT ZONING: LI

PETITION FOR: CRC

STORMWATER MANAGEMENT COMMENTS

This is an existing facility and no substantial site improvements are proposed. Stormwater Management must be provided upon redevelopment or substantial improvement to the site. Subject to all repairs to be performed inside the building.

APPLICANT: Elite Auto Collision & Sales

PETITION NO.: Z-40

PRESENT ZONING: LI

PETITION FOR: CRC

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	25,400	Arterial	40 mph	Georgia DOT	100'

Based on 2008 traffic counting data taken by Cobb County DOT for 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.

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 to 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 sidewalk along Veterans Memorial Highway frontage.

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

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STAFF RECOMMENDATIONS

Z-40 ELITE AUTO COLLISION & SALES

- 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. Located along Veterans Memorial Highway within an area of similar existing development, the request allows for the reutilization of an existing building into a use that is in keeping with other surrounding 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. Recognizing that the size, particularly the depth of the property means that it abuts residential neighbors to the west, the building itself is located closer to Veterans Memorial Highway away from all but one of these neighbors. Further, all work is to be conducted indoors. Other adjacent properties are existing commercial or industrial users.
- 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 not in strict conformity with the policy and intent of the *Cobb County Comprehensive Plan* which delineates this property to be within the NAC neighborhood activity center future land use category. While the request is one that may be more intense than otherwise allowed under districts found within the NAC, it lies adjacent to similar, if not more intense uses. This request to reutilize an existing property seeks to rezone to the CRC community retail commercial district because that district allows for the intended use.
- 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 request to rezone the property will allow reutilization of the existing building for a compatible use (automobile paint and body repair and service), it being currently restricted to furniture sales only per conditions of previous zoning. It is anticipated that as it will be conducted entirely indoors, the proposed use will not adversely affect the few adjacent residential neighbors. Finally, the property's location along a major thoroughfare such as Veterans Memorial Highway and its proximity to other commercial as well as industrial users lends support to the request.

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

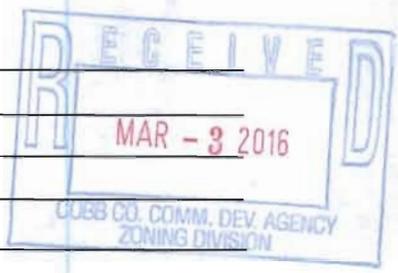
1. Site plan received by the Zoning Division on April 15, 2016 with the District Commissioner approving minor modifications;
2. Letter of agreeable conditions from Mr. Garvis L. Sams, Jr. dated April 27, 2016;
3. No outdoor storage or display of merchandise;
4. No used automobile sales from the premises;
5. Fire Department comments and recommendations;
6. Stormwater Management Division comments and recommendations;
7. Water Division comments and recommendations;
8. Department of Transportation comments and recommendations; and
9. 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.

Summary of Intent for Rezoning *

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

- a) Proposed unit square-footage(s): N/A
- 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): Elite Auto Collision, Repair and Service Center
(all interior to the existing building)
- b) Proposed building architecture: As-built, but with exterior aesthetic
upgrades and interior rehabbing and retrofitting.
- c) Proposed hours/days of operation: 7:00 a.m. until 7:00 p.m., Monday - Saturday
- d) List all requested variances: As shown on the site plan representing
as-built variances.

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

The subject property is zoned in a Light Industrial classification as is the property to the east and the south. Previously, the subject property was in an Industrial Compatible district; however, recently, Cobb County made a "wholesale" change along the Veterans Memorial Highway Corridor and changed this and hundreds of other properties (otherwise suited for this type of commercial use) to a Neighborhood Activity Center ("NAC").

.....
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).
None known at this time.

* Applicant specifically reserves the right to amend any information set forth in this Summary of Intent for Rezoning, or any other portion of the Application for Rezoning, at any time during the rezoning process.

**ZONING IMPACT STATEMENT FOR THE REZONING
APPLICATION OF ELITE AUTO COLLISION & SALES**

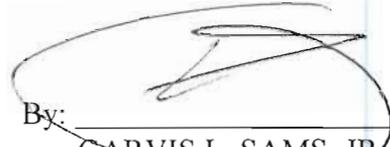
COMES NOW, ELITE AUTO COLLISION & SALES, and, pursuant to §134-121(a)(7) of the Cobb County Zoning Ordinance, files this Zoning Impact Statement, as follows:

- A. The zoning proposal will permit a use of the property which is suitable in the context of development and existing zonings along this section of the Veterans Memorial Highway Corridor, particularly in view of adjacent and nearby Industrial, Industrial Compatible and retail/commercial uses including non-conforming General Commercial zonings and uses.
- B. The zoning proposal will have no adverse effect or impact upon the existing uses or usability of adjacent or nearby properties with the subject property. The property is currently within an area denominated as a Neighborhood Activity Center (“NAC”) under Cobb County’s Future Land Use Map, formerly shown within an Industrial Compatible (“IC”) area. The building was built and the site used commercially since 1968, and was thereafter rezoned from PSC & R-20 to LI on December 21, 1999.
- C. The subject property to be affected by the zoning proposal has no reasonable economic use as currently zoned in that the fair market value of same falls below the range of values of similarly zoned and situated properties with equivalent utility. Additionally, the present owner of the subject property is suffering a significant economic detriment by virtue of the disallowance of the proposed use for collision repair and service center.
- D. The zoning proposal will have no adverse impact upon the existing County infrastructure including, but not limited to, existing streets, transportation facilities, utilities or schools.
- E. The zoning proposal is commercially oriented and is located within a Neighborhood Activity Center (“NAC”) but formerly designated as Industrial Compatible and is adjacent to predominantly commercially zoned properties. There are several LI zoned properties in the immediate area around the subject property.

- F. There is no substantial relationship between the existing zoning classification of Conditional LI 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 Veterans Memorial Highway Corridor, there are no established land use planning principles or political considerations which would vitiate the zoning proposal.

Respectfully submitted, this the 3rd day of March, 2016.

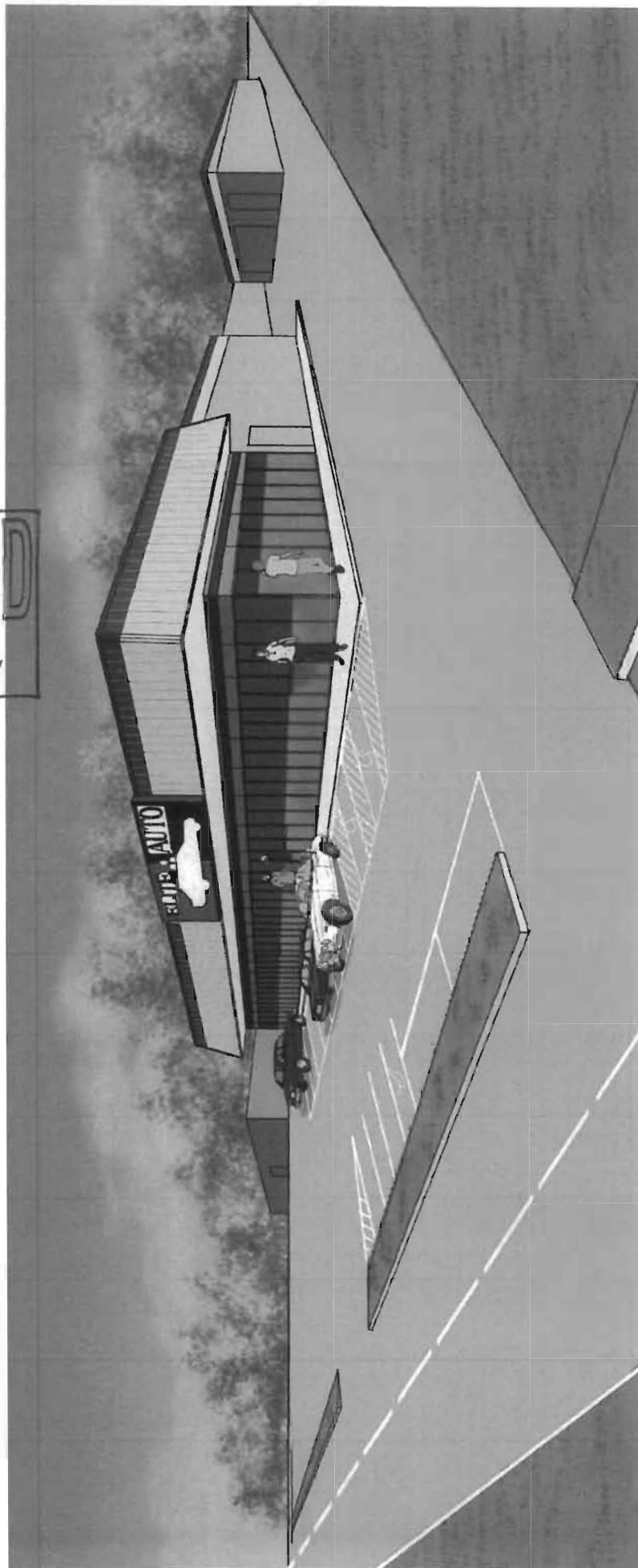
SAMS, LARKIN, HUFF & BALLI, LLP

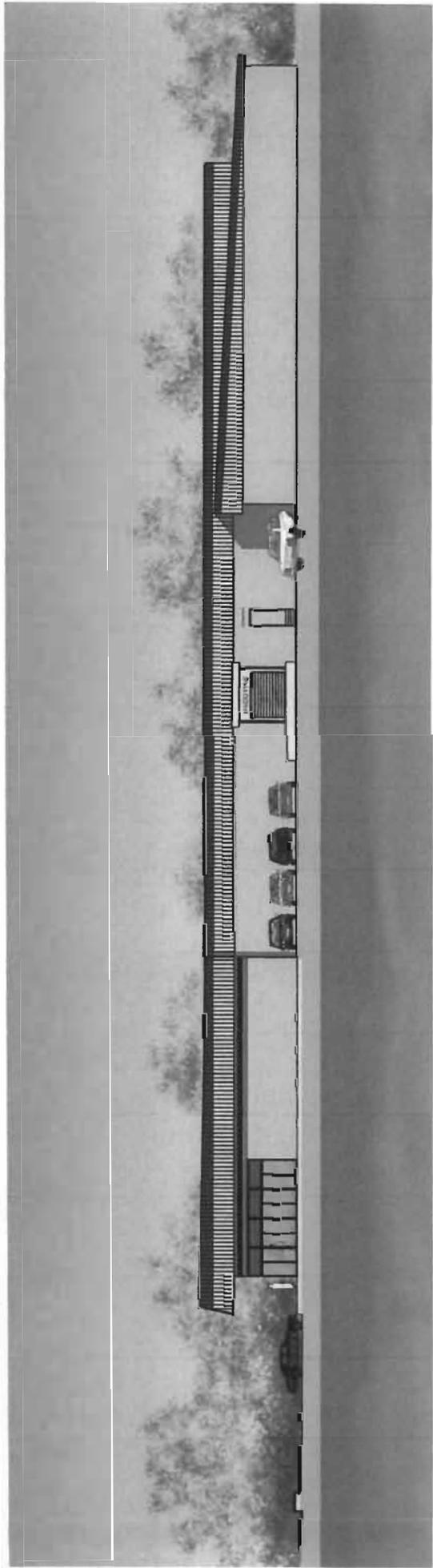


By: _____

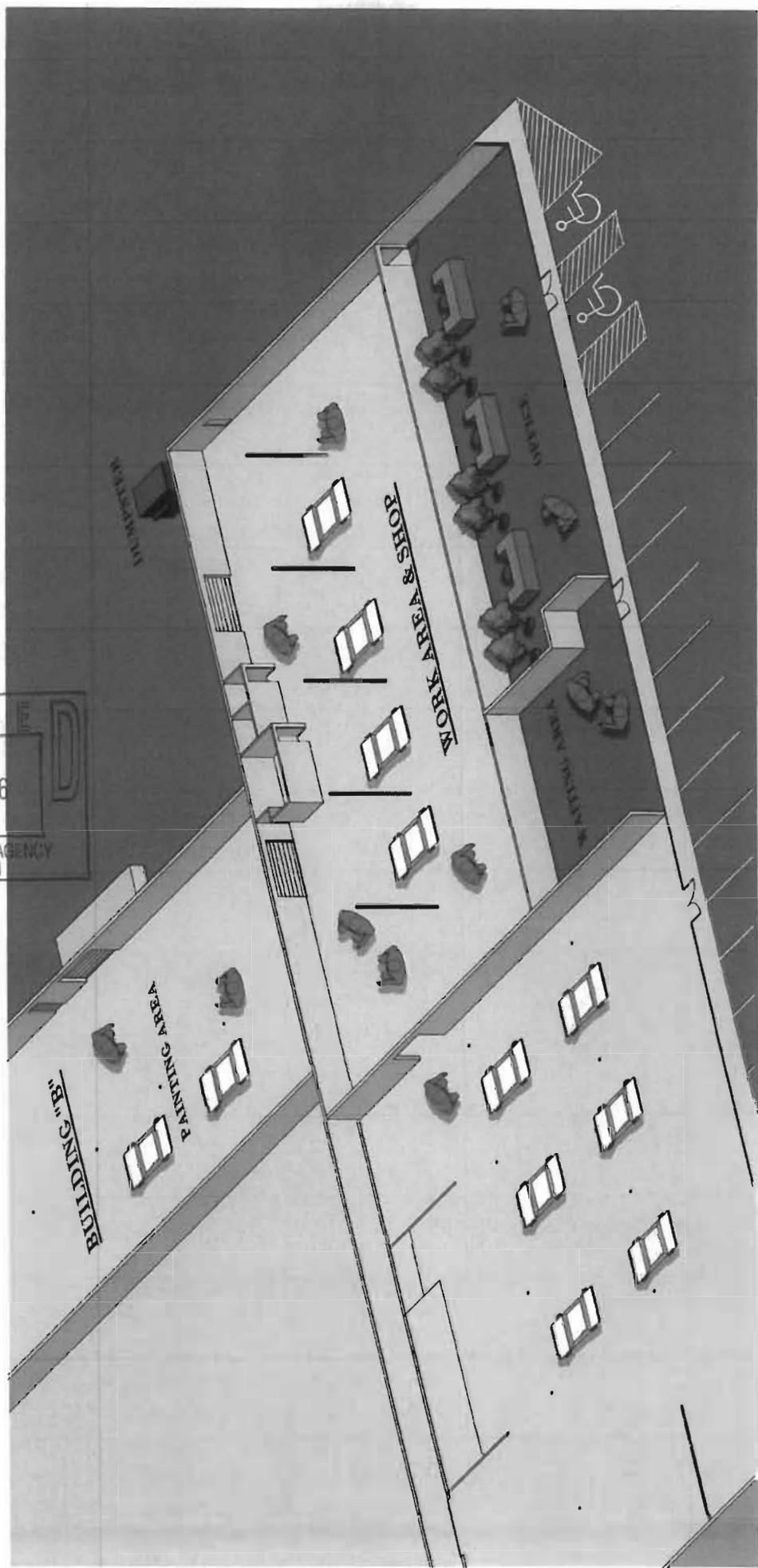
GARVIS L. SAMS, JR.
Attorney for Applicant
Ga. Bar No. 623950

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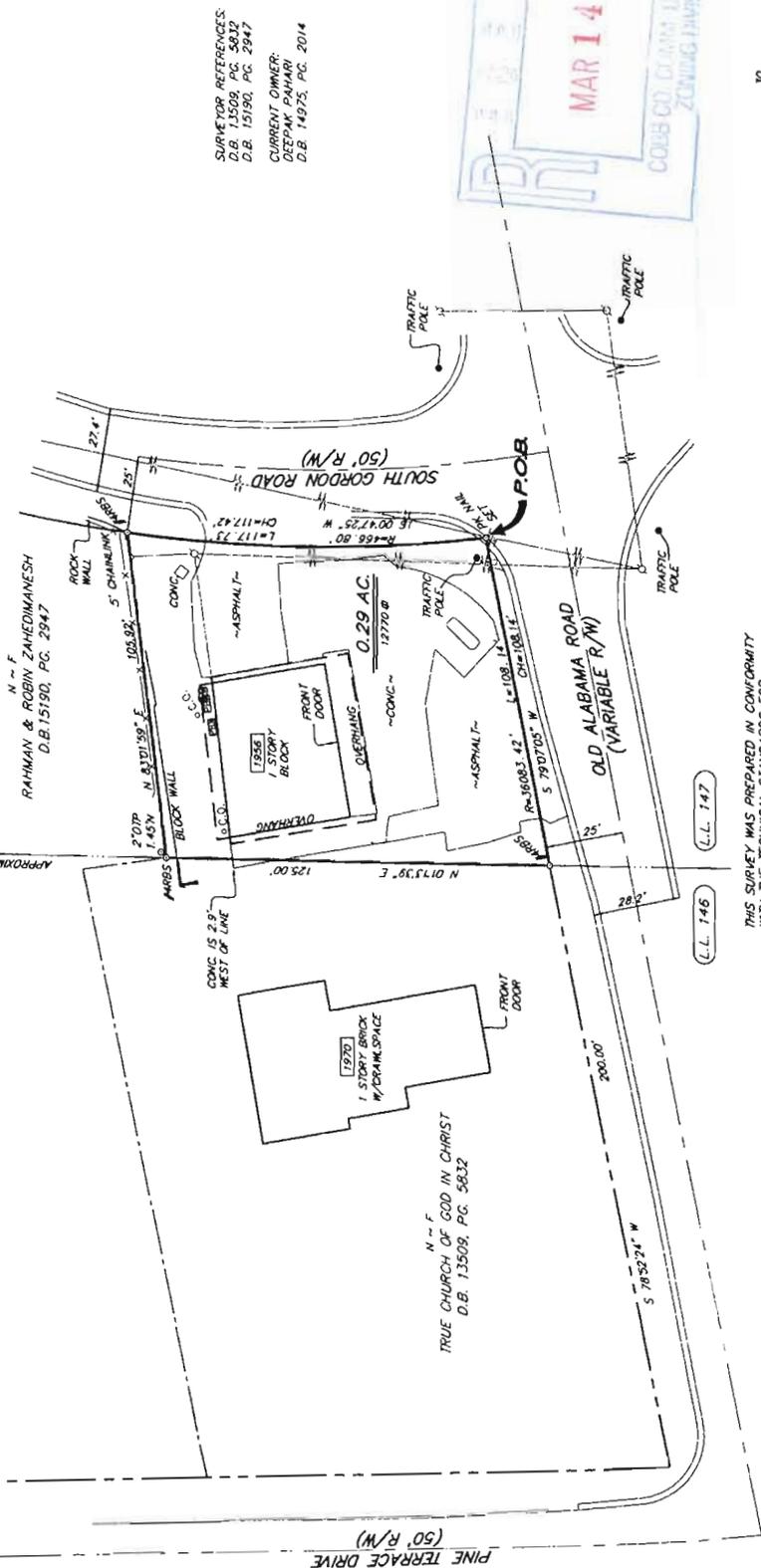
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Z-42
(2016)

LEGEND

□	P.P. - POWER POLE	○	C.B. - CATCH BASIN
○	L.P. - LIGHT POLE	—	R.C.P. - REINFORCED CONCRETE PIPE
○	F.H. - FIRE HYDRANT	—	C.M.P. - CORRUGATED METAL PIPE
○	M.H. - SANITARY SEWER MANHOLE	—	F.F.E. - FINISHED FLOOR ELEVATION
○	W.M. - WATER METER	○	W.V. - WATER VALVE
○	G.M. - GAS METER	○	S.C.D. - SEWER CLEAN OUT
○	R.B. - REINFORCING BARS SET	○	T.M. - TELEPHONE MANHOLE
○	R.P. - REINFORCING BAR FOUND	○	U.E. - UNDERGROUND ELECTRICAL LINE
○	C.P. - CRIMP TOP PIPE FOUND	○	O.H. - OVERHEAD POWER LINES
○	O.P. - OPEN TOP PIPE FOUND	○	H.W. - HEADWALL
○	R/W MON. - RIGHT-OF-WAY MONUMENT	○	P.B. - POWERBOX
—	X - TYPE OF FENCE	—	W - WATER LINE
○	J.B. - JUNCTION BOX	—	U - UNDERGROUND TELEPHONE LINE
○	D.I. - DROP INLET / YARD INLET	—	G - GAS LINE



SURVEYOR REFERENCES:
D.B. 13509, P.C. 5832
D.B. 15190, P.C. 2947

CURRENT OWNER:
DEEPAK PAHARI
D.B. 14875, P.C. 2014

THIS SURVEY WAS PREPARED IN CONFORMITY WITH THE TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN CHAPTER 180-7 OF THE RULES OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AS APPLICABLE TO THE GEORGIA PLAT ACT O.C.G.A. 18-6-67.

Gaskins
ENGINEERING SURVEYING PLANNING CONSULTING CONSTRUCTION INC.
1300 Turner-Spring Rd
Marietta, Georgia 30067
Phone: (770) 424-1188
www.gaskins.com

FIELD DATE: 11/19/15
OFFICE DATE: 12/2/15
SCALE: 1"=30'

BOUNDARY SURVEY FOR:
AMADU MANE
COMMUNAL GROCERIES
1956 OLD ALABAMA ROAD
LOCATED IN L.L. 147
18TH DISTRICT, 2ND SECTION
COBB COUNTY, GA.



GPS NOTES:

- HORIZONTAL DATUM IS NAD 83. VERTICAL DATUM IS MVD 88
- THE NORTHING, EASTING, AND ELEVATION OF THE STARTING POINTS FOR THIS SURVEY WERE OBTAINED UTILIZING A TRIMBLE SNOO GPS RECEIVER WITH A TRIMBLE TSC2 DATA COLLECTOR RECEIVING RTK CORRECTIONS VIA A CELL PHONE FROM THE EGPS SOLUTIONS REAL TIME NETWORK. THE TECHNIQUE USED FOR THE TRIMBLE WAS REAL TIME KINEMATIC FROM OPERATED BY EGPS SOLUTIONS, INC. THE RELATIVE POSITIONAL ACCURACY OBTAINED ON THE POINTS UTILIZED IN THIS SURVEY WERE 0.04 FT. HORIZONTAL AND 0.07 FT. VERTICAL AT THE 95% CONFIDENCE LEVEL.

LOCATION OF UTILITIES EXISTING ON OR SERVING THE SUBJECT PROPERTY IS SHOWN AS APPROXIMATE. THIS PROPERTY MAY BE SUBJECT TO EASMENTS CLAIMS, PRESCRIPTION AND SUBSURFACE CONDITIONS THAT ARE NOT VISIBLE OR RECORDED, THUS DEEMING THEM UNDETERMINED. NO LIABILITY SHALL BE ASSUMED BY THE SURVEYOR FOR ANY CLAIMS OR DAMAGES ARISING FROM THE FACE OF SURVEY OR THE SURVEY BY THIRD PARTIES IS AT THEIR OWN RISK.

THIS PLAT IS PREPARED FROM A FIELD SURVEY USING A THE SECOND DIGITAL THEODOLITE AND ELECTRONIC DISTANCE MEASUREMENT SYSTEM (EDM) EQUIPMENT. THE PLAT IS PREPARED IN ACCORDANCE WITH THE RULES OF THE BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS. THIS PLAT IS NOT TO BE USED FOR ANY OTHER PURPOSES WITHOUT THE WRITTEN CONSENT OF THE SURVEYOR.

COMMUNITY NUMBER: 130054
DATE: MARCH 4, 2015

THIS PLAT IS PREPARED FROM A FIELD SURVEY USING A THE SECOND DIGITAL THEODOLITE AND ELECTRONIC DISTANCE MEASUREMENT SYSTEM (EDM) EQUIPMENT. THE PLAT IS PREPARED IN ACCORDANCE WITH THE RULES OF THE BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS. THIS PLAT IS NOT TO BE USED FOR ANY OTHER PURPOSES WITHOUT THE WRITTEN CONSENT OF THE SURVEYOR.

APPLICANT: Amadu Mane

PHONE#: 678-923-3260 EMAIL: maneamadu@yahoo.com

REPRESENTATIVE: Amadu Mare

PHONE#: 678-923-3260 EMAIL: maneamadu@yahoo.com

TITLEHOLDER: Deepak Pahari

PROPERTY LOCATION: Northwest corner of South Gordon Road and Old Alabama Road (1956 Old Alabama Road)

ACCESS TO PROPERTY: South Gordon Road and Old Alabama Road

PHYSICAL CHARACTERISTICS TO SITE: One story brick building

PETITION NO: Z-42

HEARING DATE (PC): 06-07-16

HEARING DATE (BOC): 06-21-16

PRESENT ZONING GC

PROPOSED ZONING: NRC

PROPOSED USE: Grocery Store

SIZE OF TRACT: 0.29 acre

DISTRICT: 18

LAND LOT(S): 147

PARCEL(S): 28

TAXES: PAID X DUE _____

COMMISSION DISTRICT: 4

CONTIGUOUS ZONING/DEVELOPMENT

- NORTH: NS/ Single Family Home
- SOUTH: RM-8/ Cottage Villas Subdivision
- EAST: NS/ Automotive repair shop
- WEST: R-20/ Church

Adjacent Future Land Use:

- North: Low Density Residential (LDR)
- East: Neighborhood Activity Center (NAC)
- South: High Density Residential (HDR)
- West: Low Density Residential (LDR)

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

PLANNING COMMISSION RECOMMENDATION

APPROVED _____ MOTION BY _____

REJECTED _____ SECONDED _____

HELD _____ VOTE _____

BOARD OF COMMISSIONERS DECISION

APPROVED _____ MOTION BY _____

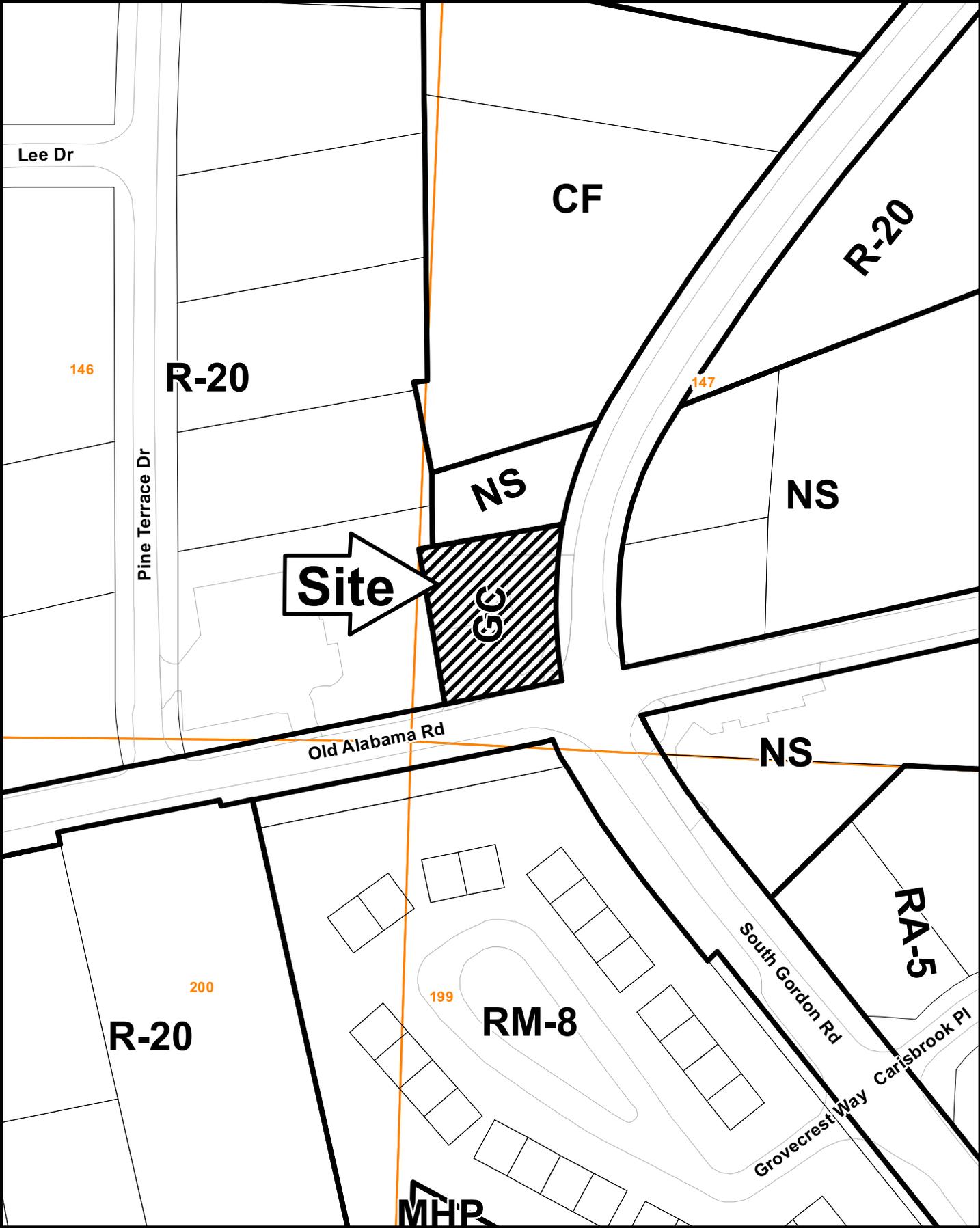
REJECTED _____ SECONDED _____

HELD _____ VOTE _____

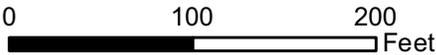
STIPULATIONS:



Z-42-2016 GIS



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



-  City Boundary
-  Zoning Boundary

\APPLICANT: Amadu Mane

PETITION NO.: Z-42

PRESENT ZONING: GC

PETITION FOR: NRC

ZONING COMMENTS:

Staff Member Responsible: Donald Wells

Land Use Plan Recommendation: Neighborhood Activity Center (NAC)

Proposed Number of Buildings: 1 **Total Square Footage of Development:** 1960

F.A.R.: .15 **Square Footage/Acre:** 6759

Parking Spaces Required: 10 **Parking Spaces Provided:** 5

The application is requesting to rezone from GC (general commercial) to NRC (neighborhood retail commercial). The code states any existing, developed GC zoning/use located outside of a community activity center or regional activity center shall be deemed to be a grandfathered. According to the applicant this building was built in the early 1970's and has always been used as a store. The applicant intends to continue to operate a store between the hours of 9:00 am to 9:00 pm 7 days a week. The applicant intends to paint the outside of the exterior of the building and some minor interior renovations. The parking lot will be repaved and striped to meet the minimum required. The applicant is requested the proposed contemporaneous variances;

1. Waive the minimum lot size from 20,000 square feet to 12,770 square feet;
2. Waive the rear setback from 30 feet to 21 feet and;
3. Waive the side setback from 15 feet to 6 feet.

Cemetery Preservation: No comment.

APPLICANT: Amadu Mane

PETITION NO.: Z-42

PRESENT ZONING: GC

PETITION FOR: NRC

PLANNING COMMENTS:

The applicant is requesting a rezoning from GC to NRC for the purpose of a grocery store. The 0.29 acre site is located on the northwest corner of South Gordon Road and Old Alabama.

HB-489 Intergovernmental Agreement Zoning Amendment Notification:

Is the application site within one half (1/2) mile of a city boundary? Yes No
If yes, has the city of Austell been notified? Yes No / N/A

Comprehensive Plan

The parcel is within a Neighborhood Activity Center (NAC) future land use category, with GC zoning designation. 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.

Specific Area Policy Guidelines:

There are no specific policy guidelines for this area in the Comprehensive Plan.

Adjacent Future Land Use:

North: Low Density Residential (LDR)
East: Neighborhood Activity Center (NAC)
South: High Density Residential (HDR)
West: Low Density Residential (LDR)

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 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 South Cobb 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.

APPLICANT: Amadu Mane

PETITION NO.: Z-42

PRESENT ZONING: GC

PETITION FOR: NRC

PLANNING COMMENTS: **Continued**

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>.

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

Is the property within the Dobbins Airfield Safety Zone?

Yes No

If so, which particular safety zone is this property within?

CZ (Clear Zone) APZ I (Accident Potential Zone I)

APZ II (Accident Potential Zone II)

Bird / Wildlife Air Strike Hazard (BASH) area

APPLICANT: Amadu Mane

PETITION NO.: Z-42

PRESENT ZONING: GC

PETITION FOR: NRC

FIRE COMMENTS:

NO 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 Amadu Mane

PETITION NO. Z-042

PRESENT ZONING GC

PETITION FOR NRC

WATER COMMENTS:

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

Available at Development: Yes No

Fire Flow Test Required: Yes No

Size / Location of Existing Water Main(s): 6" DI / N side of Pld Alabama Rd

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: 425' S in South Gordon Road

Estimated Waste Generation (in G.P.D.): A D F= 160 Peak= 400

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

Dry 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 Health Dept approval required for continued use of existing septic system. No site changes proposed.

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: Amandu Mane

PETITION NO.: Z-42

PRESENT ZONING: GC

PETITION FOR: NRC

STORMWATER MANAGEMENT COMMENTS

This is an existing facility and no substantial site improvements are proposed. Stormwater Management must be provided upon redevelopment or substantial improvement to the site.

APPLICANT: Amadu Mane

PETITION NO.: Z-42

PRESENT ZONING: GC

PETITION FOR: NRC

TRANSPORTATION COMMENTS:

The following comments and recommendations are based on field investigation and office review of the subject rezoning case:

ROADWAY	AVERAGE DAILY TRIPS	ROADWAY CLASSIFICATION	SPEED LIMIT	JURISDICTIONAL CONTROL	MIN. R.O.W. REQUIREMENTS
Old Alabama Road	7200	Major Collector	45 mph	Cobb County	80'
South Gordon Road	3800	Major Collector	40 mph	Cobb County	80'

*Based on 2008 traffic counting data taken by Cobb County DOT for Old Alabama Road.
Based on 2008 traffic counting data taken by Cobb County DOT for South Gordon Road.*

COMMENTS AND OBSERVATIONS

Old Alabama Road is classified as a major collector and according to the available information the existing right-of-way does not meet the minimum requirements for this classification.

South Gordon Road is classified as a major collector 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 north side of Old Alabama Road, a minimum of 40' from the roadway centerline upon redevelopment.

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 South Gordon Road, a minimum of 40' from the roadway centerline upon redevelopment.

Recommend sidewalk along the Old Alabama Road and South Gordon Road frontages.

Recommend relocating driveways a minimum of 75 feet from the intersection of Old Alabama Road and South Gordon Road.

Recommend restricting the Old Alabama Road and South Gordon Road driveways to right in/right out and to be in compliance with commercial driveway standards.

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STAFF RECOMMENDATIONS

Z-42 AMADU MANE

- 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. The applicant only intends to spruce up the property. The property will be used the same as it has been for many years.
- 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. There will be no changes to the use of the property, in fact changes in the parking layout will enhance the usability of surrounding properties.
- 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*. This property is located within Neighborhood Activity Center (NAC). The small scale of the proposed use would be consistent with small offices, limited retail, and grocery stores.
- 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 proposed use is permitted under the requested NRC zoning district and the NAC land use category.

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

1. Exterior paint colors to be approved by the District Commissioner;
2. Grocery store use only;
3. No outdoor display of merchandise;
4. No automotive uses or light auto repair;
5. Parking lot to be repaved and striped with Zoning Division Manager approving parking plan;
6. Department of Transportation comments and recommendations; and
7. 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. Z-42

June 2016

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): Same as previously used: small grocery store.
- b) Proposed building architecture: _____
- c) Proposed hours/days of operation: _____
- d) List all requested variances: _____

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

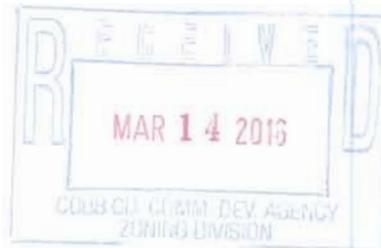
I purchased this property for use as a grocery store. I did not know the county had changed the zoning. I only wish to operate a small grocery store.

.....
Part 4. Is any of the property included on the proposed site plan owned by the Local, State, or Federal Government? no
(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).

REZONING, CHANGE IN CONDITIONS AND SPECIAL USE PERMIT STANDARDS GOVERNING THE EXERCISE OF ZONING POWER

PLEASE RESPOND TO THE FOLLOWING STANDARDS IN THE SPACE PROVIDED OR USE AN ATTACHMENT AS NECESSARY:

- (a) Whether the zoning proposal will permit a use that is suitable in view of the use and of adjacent and nearby property;
Yes
- (b) Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property;
No
- (c) Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned;
Yes
- (d) Whether the zoning proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools;
No
- (e) Whether the zoning proposal is in conformity with the policy and intent of the land use plan; and
YES
- (f) Whether there are other existing or changing conditions affecting the use and development of the property, which give supporting grounds for either approval or disapproval of the zoning proposal.
No



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Z-43
(2016)

Urban Engineers, Inc.
1904 MONROE DRIVE, N.E. SUITE 150
ATLANTA, GEORGIA 30324
PHONE(404) 878-8874 / FAX(404) 878-8877



REVISIONS
DATE Δ DESCRIPTION

CONCEPT PLAN

PROJECT NO.: 21801-3
DRAWING NO.:
LAND LOT(S): 881 & 882
DISTRICT: 1818 - 2ND SECT.
COUNTY: COBB
SCALE: 1"=50'
DATE: 2-24-16

C-1



- NOTES:
1. FLOOD PLAIN EXIST ON THE PROPERTY.
 2. NO STREAMS OR STREAM BUFFERS EXIST ON THE PROPERTY.
 3. NO CEMETERIES EXIST ON THE PROPERTY.
 4. NO WETLANDS EXIST ON THE PROPERTY.

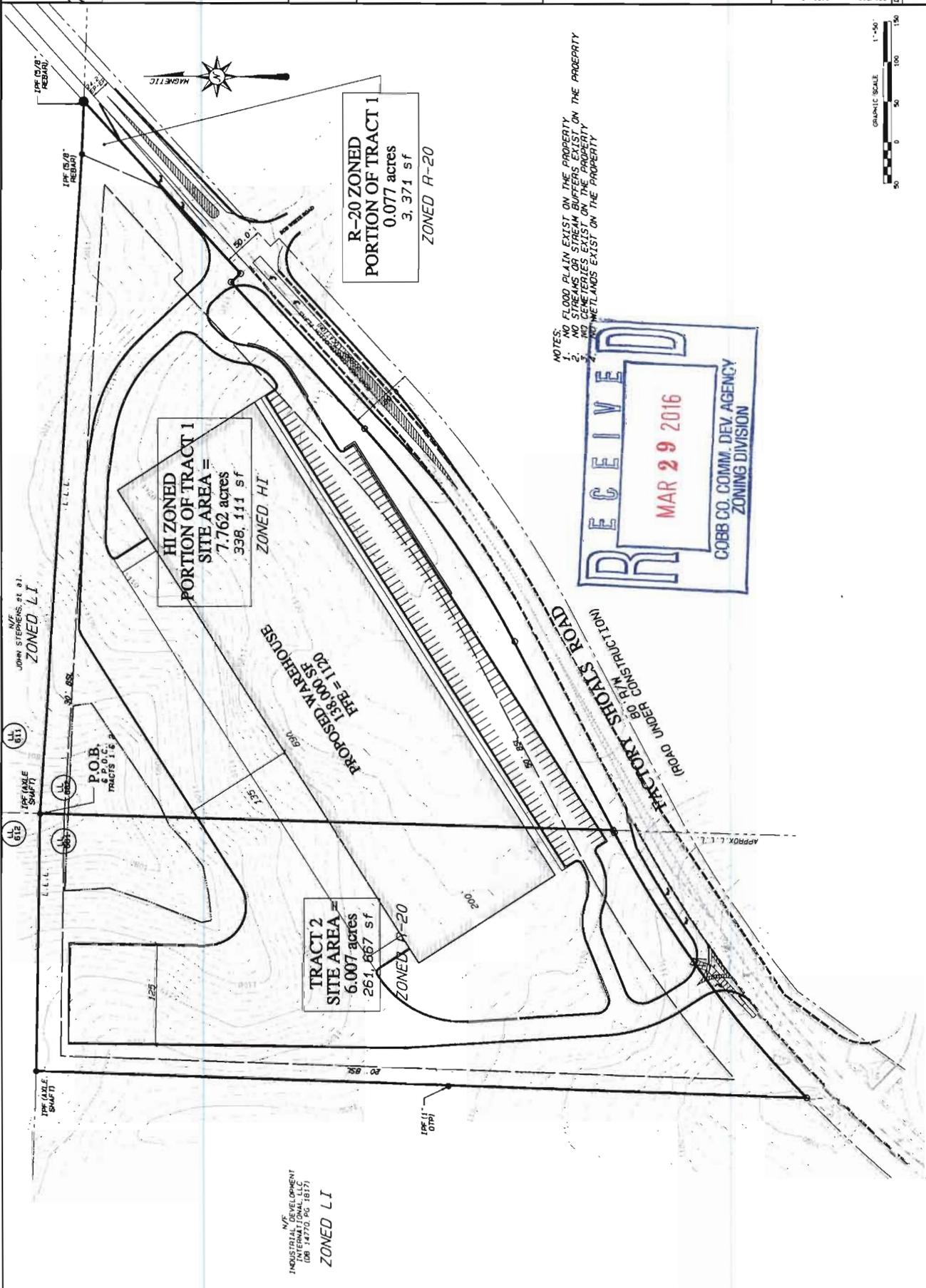
RECEIVED
MAR 29 2016
COBB CO. COMM. DEV. AGENCY
ZONING DIVISION

R-20 ZONED
PORTION OF TRACT 1
0.077 acres
3,371 sf
ZONED R-20

H1 ZONED
PORTION OF TRACT 1
SITE AREA =
7.762 acres
338,111 sf
ZONED H1

TRACT 2
SITE AREA =
6.007 acres
261,867 sf
ZONED R-20

INDUSTRIAL DEVELOPMENT
INTERNATIONAL, LLC
(DB 14770, PG 1817)
ZONED LI



APPLICANT: Urban Engineers, Inc.

PETITION NO: Z-43

PHONE#: 404-873-5874 **EMAIL:** dwintermeyer@urbanengineers.net

HEARING DATE (PC): 06-07-16

REPRESENTATIVE: Daniel E. Wintermeyer

HEARING DATE (BOC): 06-21-16

PHONE#: 404-873-5874 **EMAIL:** dwintermeyer@urbanengineers.net

PRESENT ZONING R-20, HI

TITLEHOLDER: Factory Shoals Logistics, LLC and Suncap Atlanta #2, LLC

PROPOSED ZONING: HI

PROPERTY LOCATION: Northwest side of Factory Shoals Road, across from White Road

PROPOSED USE: Warehouse

ACCESS TO PROPERTY: Factory Shoals Road

SIZE OF TRACT: 13.85 acres

PHYSICAL CHARACTERISTICS TO SITE: Two (2) existing single family residences

DISTRICT: 18

LAND LOT(S): 681,682

PARCEL(S): 2,4

TAXES: PAID X **DUE** _____

COMMISSION DISTRICT: 4

CONTIGUOUS ZONING/DEVELOPMENT

- NORTH:** LI/ Undeveloped, wooded
- SOUTH:** LI/ Fedex Distribution Building under construction
- EAST:** R-20/ Undeveloped, wooded
- WEST:** LI/ Undeveloped, wooded

Adjacent Future Land Use:

- North: Priority Industrial Area (PIA)
- Southeast: Priority Industrial Area (PIA)
- West: Priority Industrial Area (PIA)

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

PLANNING COMMISSION RECOMMENDATION

APPROVED _____ **MOTION BY** _____

REJECTED _____ **SECONDED** _____

HELD _____ **VOTE** _____

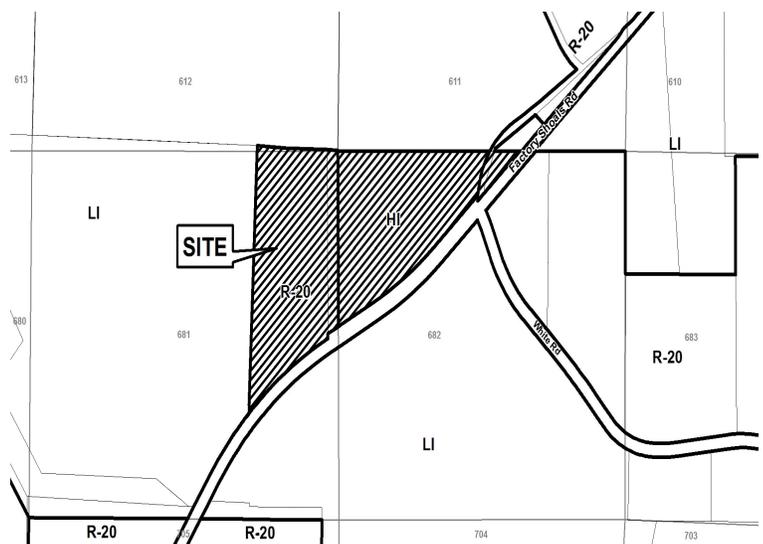
BOARD OF COMMISSIONERS DECISION

APPROVED _____ **MOTION BY** _____

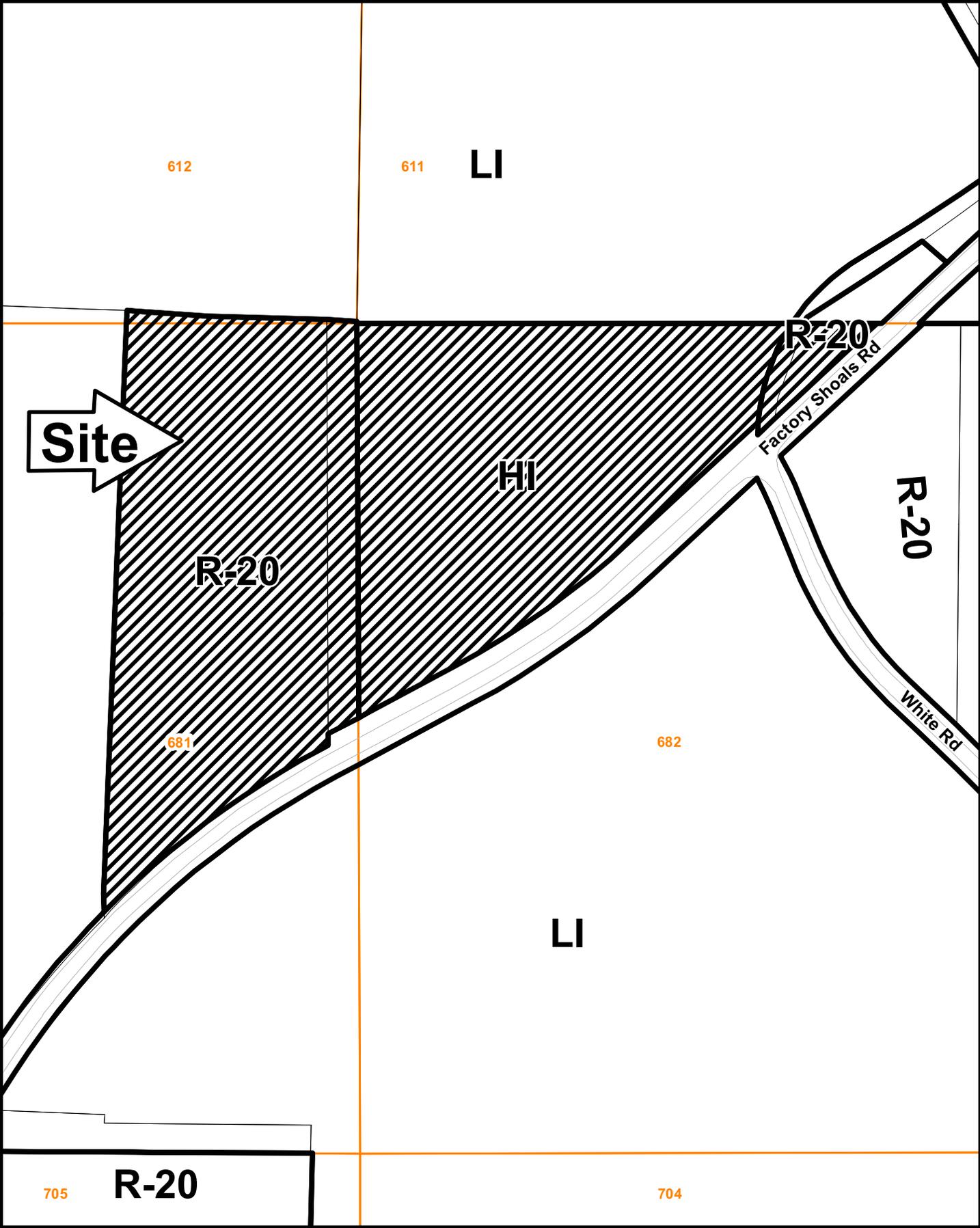
REJECTED _____ **SECONDED** _____

HELD _____ **VOTE** _____

STIPULATIONS:



Z-43-2016 GIS



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

0 200 400 Feet

City Boundary
Zoning Boundary

APPLICANT: Urban Engineers, Inc.

PETITION NO.: Z-43

PRESENT ZONING: R-20, HI

PETITION FOR: HI

ZONING COMMENTS:

Staff Member Responsible: Terry Martin, MPA

Land Use Plan Recommendation: Priority Industrial Area (PIA)

Proposed Number of Buildings: 1 **Total Square Footage of Development:** 138,000 sq. ft.

F.A.R.: 0.23 **Square Footage/Acre:** 9,964 sq. ft.

Parking Spaces Required: 69 **Parking Spaces Provided:** 100+

The applicant is requesting a rezoning of the subject property from its current HI heavy industrial district and R-20 single-family residential district zonings to the HI heavy industrial district in order to develop the property for a 138,000 square foot warehouse facility. The proposed architecture will be standard concrete tilt construction. No details regarding hours, etc. are known at this time for this spec facility.

Cemetery Preservation: No comment.

FIRE COMMENTS:

NO 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: Urban Engineers, Inc.
PRESENT ZONING: R-20 and HI

PETITION NO.: Z-43
PETITION FOR: HI

PLANNING COMMENTS:

The applicant is requesting a rezoning from R-20 and HI to HI for the purpose of a warehouse. The 13.923 acre site is located in the northwest side of Factory Shoals Road.

HB-489 Intergovernmental Agreement Zoning Amendment Notification:

Is the application site within one half (1/2) mile of a city boundary? Yes No
If yes, has the city of _____ been notified? Yes No / N/A

Comprehensive Plan

The parcel is within a Priority Industrial Area (PIA) future land use category, with R-20 and HI zoning designation. The purpose of the PIA is to provide protection for industrial areas that can support future job growth for industrial, manufacturing, office/ warehouse, technology, biomedical, and distribution uses. Typical uses are determined through the Priority Industrial Area and its subcategories. Allowable Zoning is determined by the Priority Industrial Area subcategories although all PIA sites encourage zoning categories that would allow for the placement of technology and biomedical development and non-polluting manufacturing centers.

Specific Area Policy Guidelines:

There are no specific policy guidelines for this area in the Comprehensive Plan.

Adjacent Future Land Use:

North: Priority Industrial Area (PIA)
Southeast: Priority Industrial Area (PIA)
West: Priority Industrial Area (PIA)

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 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 South Cpbb 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.

APPLICANT: Urban Engineers, Inc.

PETITION NO.: Z-43

PRESENT ZONING: R-20 and HI

PETITION FOR: HI

PLANNING COMMENTS: **Continued**

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>.

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 NOTE: There are two lots in this application. The lot to the west that is presently zoned R-20 is not in the district and the lot to the east that is presently zoned HI is in the district.

Is the property within the Dobbins Airfield Safety Zone?

Yes No

If so, which particular safety zone is this property within?

CZ (Clear Zone) APZ I (Accident Potential Zone I)

APZ II (Accident Potential Zone II)

Bird / Wildlife Air Strike Hazard (BASH) area

APPLICANT Urban Engineers, Inc

PETITION NO. Z-043

PRESENT ZONING R-20, HI

PETITION FOR HI

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 / S side of Factory Shoals

Additional Comments:

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: ** 2,450' NW at Interstate 20

Estimated Waste Generation (in G.P.D.): A D F= 2,760 Peak= 6,900

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

Dry 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: ** Development of adjacent parcel to bring public sewer to north P/L and remove the need for offsite sewer easement.

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: Urban Engineers, Inc.

PETITION NO.: Z-43

PRESENT ZONING: R-20, HI

PETITION FOR: HI

STORMWATER MANAGEMENT COMMENTS

FLOOD HAZARD: YES NO POSSIBLY, NOT VERIFIED

DRAINAGE BASIN: Seybert Creek/Chattahoochee River 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 CONDITIONS

- 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 downstream receiving system including recently approved Realti Corps Goethe tract project to the north.

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 tract is located just north of Factory Shoals Road south of I-20 near the County line. Average slopes on the site range from relatively flat at 3% near the road frontage to over 20% at the rear of the parcel. The majority of the site drains to the north through the Goethe tract with approximately 2.7 acres of the southwest corner of the site draining to the southwest.
2. Primary stormwater management will be provided in a master facility located in a natural draw near the northwest corner of the site. An additional pond may be needed at the southwest corner depending on the extent of site grading. This will be addressed in Plan Review.
3. The proposed stormwater management plan must consider downstream conveyance capacity through the adjacent Goethe tract immediately to the north.

APPLICANT: Urban Engineers, Inc.

PETITION NO.: Z-43

PRESENT ZONING: R-20, HI

PETITION FOR: HI

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
Factory Shoals Road	6,000	Major Collector	40 mph	Cobb County	80'

Based on 2006 traffic counting data taken by Cobb County DOT for Factory Shoals Road.

COMMENTS AND OBSERVATIONS

Factory Shoals Road is classified as a major collector 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 applicant to coordinate with Cobb County DOT prior to development plan approval to ensure compatibility with the road widening project along Factory Shoals Road.

Recommend left turn lane to White Road.

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STAFF RECOMMENDATIONS

Z-43 URBAN ENGINEERS, INC.

- 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. The requested rezoning to an industrial district is in line with the surrounding development including the under construction FedEx facility which lies directly across Factory Shoals Road.
- 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. While surrounding property is already zoned for industrial usage, it is largely zoned to the LI light industrial district. To ensure compatibility while protecting against heavy manufacturing uses, the subject property may be deleted to the same LI zoning district.
- 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*. The *Plan* not only identifies the subject property to be within an area delineated as IC industrial compatible, it also designates it as a PIA priority industrial area signifying the County's desire to "protect these areas to maintain economic vitality and to enhance the areas capacity to accommodate future growth." The current request meets this desire by seeking to provide for an office/warehouse, distribution center of the like provided for in industrial compatible areas.
- 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 deleting the applicant's rezoning proposal to LI light industrial. Similar to surrounding properties and recent/current development in the area, the applicant is seeking to provide for a 138,000 square foot warehouse facility. The LI district is best suited to allow for the applicant's intended use while ensuring compatibility with those surrounding properties. Likewise, the rezoning to allow for the warehouse use will further the goals of the *Cobb County Comprehensive Plan* in ensuring the protection of a priority industrial area that will be developed for an industrial compatible use such as a warehouse distribution facility.

Based on the above analysis, Staff recommends **DELETION TO LI** subject to the following conditions:

1. Site plan received by the Zoning Division on March 29, 2016;
2. Fire Department comments and recommendations;
3. Water and Sewer Division comments and recommendations;
4. Stormwater Management Division comments and recommendations; and
5. 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.

June 2016

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): Warehouse / Industrial Facility
- b) Proposed building architecture: Concrete Tilt
- c) Proposed hours/days of operation: Spec Facility - Hours Unknown
- d) List all requested variances: None

.....
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).

March 2, 2016

Cobb County Zoning Department
Board of Commissioners
191 Lawrence Street
3rd Floor
Marietta, Georgia 30060



Re: Rezoning Request for Parcel ID 18068200040

To Whom It May Concern:

This letter is to address certain issues pertaining to the rezoning of the above referenced property, located on Factory Shoals Road, just southwest of White Road.

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

The subject property is surrounded by Industrial zoning, therefore the proposed zoning of heavy industrial is suitable.

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

No adverse effect is foreseeable for the adjacent land owners due to the modification from R-20 to Heavy Industrial.

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

The property is not economically feasible with the current R-20 zoning due to the mainly industrial usage surrounding the property. The proposed zoning will conform to the area.

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

The proposed Heavy Industrial zoning will not adversely affect the infrastructure surrounding the project site.

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

The proposed zoning does conform to the land use plan.

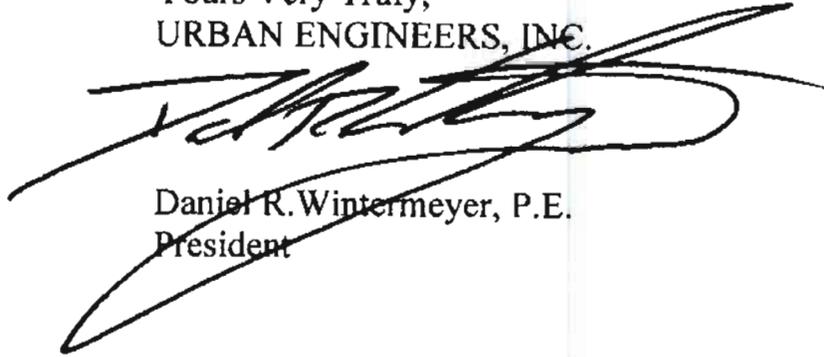
- (f) *Whether there are other existing or changing conditions affecting the use and development of the property, which give supporting grounds for either approval or disapproval of the zoning proposal?*

The project is under proposed rezoning to allow the property owner to consolidate tracts of land to develop a warehouse distribution facility.

If you have any further questions or concerns, please do not hesitate to contact me.

Sincerely,

Yours Very Truly,
URBAN ENGINEERS, INC.



Daniel R. Wintermeyer, P.E.
President