

SCALE 1" = 40"

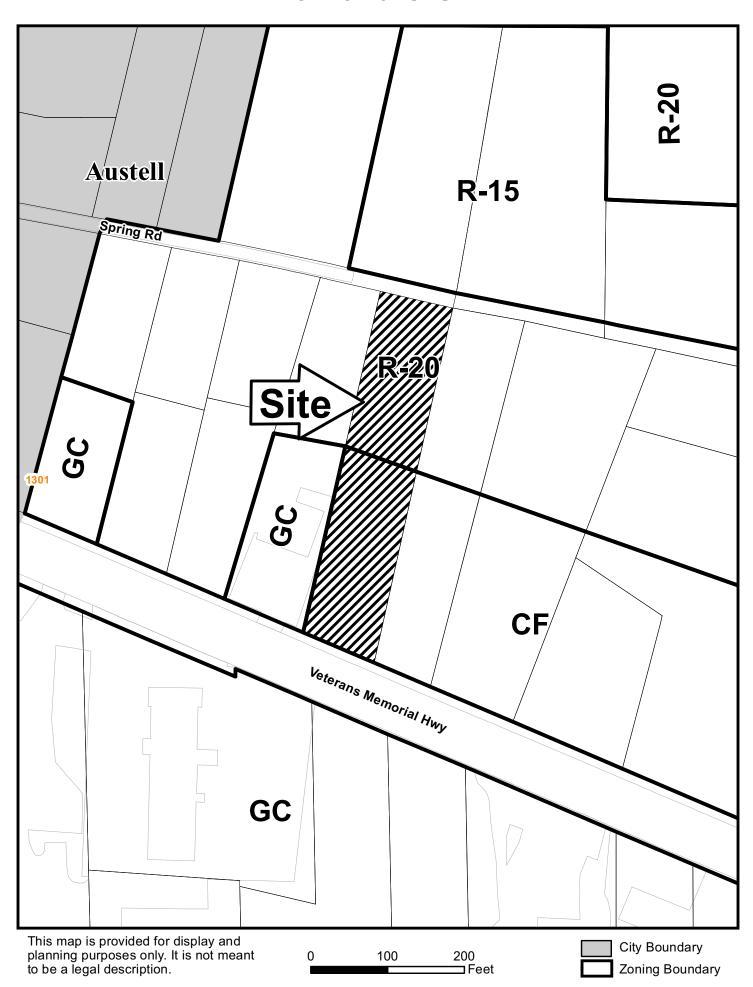
DWG # 20160388

LAND SURVEYING SERVICES

APPLICANT: Neal Hodo	PETITION NO:	Z-45
PHONE#: 404-344-7759 EMAIL: h4neal@bellsouth.net	HEARING DATE (PC): _	06-07-16
REPRESENTATIVE: Neal Hodo	HEARING DATE (BOC):	06-21-16
PHONE#: 404-344-7759 EMAIL: h4neal@bellsouth.net	PRESENT ZONING	CF, R-20
TITLEHOLDER: Neal Hodo		
	PROPOSED ZONING: _	NRC
PROPERTY LOCATION: North side of Veterans Memoria	al	
Highway, east of Davis Drive and South of Spring Road	PROPOSED USE: Lands	cape Company,
( 1722 Veteran's Memorial Highway)	Small Office	
ACCESS TO PROPERTY: Veterans Memorial Highway	SIZE OF TRACT: 1.1 acr	es
	<b>DISTRICT:</b> 19	
PHYSICAL CHARACTERISTICS TO SITE: Existing of	ne-story LAND LOT(S): 1301	
Frame house and detached metal garage	PARCEL(S): 21	
	TAXES: PAID <u>X</u> DU	J <b>E</b>
CONTIGUOUS ZONING/DEVELOPMENT	COMMISSION DISTRIC	Γ: _ 4
NORTH: R-15/Undeveloped property SOUTH: GC/Auto Parts Dealer & Hauling Contractor EAST: CF/Single Family Residence WEST: GC/Vacant Business	Adjacent Future Land Use: North: Medium Density Residential (MEast: Neighborhood Activity Center (Mest: Neighborhood Activity Center (Mest: Neighborhood Activity Center (Medium Density Residential (MDR)	NAC) (NAC)
OPPOSITION: NO. OPPOSEDPETITION NO: PLANNING COMMISSION RECOMMENDATION	_SPOKESMAN	
APPROVEDMOTION BY		
REJECTEDSECONDED	RA-5 1290	1291
HELDVOTE	7 7	Lake Cir
BOARD OF COMMISSIONERS DECISION APPROVEDMOTION BY REJECTEDSECONDED HELDVOTE	SITE R-20	1300

STIPULATIONS:

## **Z-45-2016 GIS**



APPLICANT: Neal Hoo	lo	PETITION NO.:	Z-45
PRESENT ZONING: CF, R	-20	PETITION FOR:	NRC
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ZONING COMMENTS:	Staff Member Responsible	e: Kim Wakefield	
Land Use Plan Recommendat	ion: Neighborhood Activit	y Center (NAC)	
Proposed Number of Building	gs:2 (existing) Total Square	Footage of Development:	1748
F.A.R.:037	Footage/Acre: 1612.5	_	
Parking Spaces Required: 3	Parking Space	s Provided: 5 (estimated)	<u> </u>
Applicant is requesting the Neigoperating a small landscape confice and the existing metal garfrom 7 a.m. until 8 p.m.	npany office and storage facil	lity. They will utilize the e	existing house for the
The following variances will be	e needed to accommodate the	as-built conditions:	
-	ent for paved parking with str d in Zoning dated March 30, 2		gravel as shown on
<b>Cemetery Preservation:</b> No co	omment.		
******	******	******	****
FIDE COMMENTS.			

### FIRE COMMENTS:

Modifications may be required to incorporate the Cobb County Fire Marshal's Office comments. C/O: Plans must be submitted to the Cobb County Fire Marshal's Office to initiate the Certificate of Occupancy process.

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

All access roads shall meet the American Association of State and Highway Transportation Officials

(AASHTO) design manual live load standard HS20 (75,000 lbs.) with an unobstructed width of not less than 20 feet, 25 foot inside radius, 50 foot outside turning radius and unobstructed vertical clearance of not less than 13 feet 6 inches.

APPLICANT: Neal Hodo PRESENT ZONING: CF, R-20		ION NO.: Z-45 ION FOR: NRC	
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PLANNING COMMENTS:			
The applicant is requesting a rezoning from CF and R-site is located on the north side of Veterans Memorial I Road.			
HB-489 Intergovernmental Agreement Zoning Amenda Is the application site within one half (1/2) mile of a cit If yes, has the city of Austell been notified?	y boundary?	■ Yes □ □	No No / N/A
<u>Comprehensive Plan</u> The parcel is within a Neighborhood Activity Center (National Louising designation). The purpose of the Neighborhood areas that serve neighborhood residents and businesses offices, limited retail and grocery stores.	Activity Center (NA	AC) category is to	provide for
Specific Area Policy Guidelines: There are no specific policy guidelines for this area in the specific policy guidelines for the specific po	he Comprehensive	Plan.	
Adjacent Future Land Use: North: Medium Density Residential (MDR) East: Neighborhood Activity Center (NAC) South: Neighborhood Activity Center (NAC) West: Neighborhood Activity Center (NAC) and Med	ium Density Reside	ntial (MDR)	
Master Plan/Corridor Study The property is not located within the boundary of a Pl	an or Corridor Study	ý	
Historic Preservation After consulting various county historic resources surv trench location maps, staff finds that no known significant application. No further comment. No action by application	icant historic resou	rces appear to be	·
Design Guidelines  Is the parcel in an area with Design Guidelines?  If yes, design guidelines area  Does the current site plan comply with the design requirements.		■ No	
Incentive Zones Is the property within an Opportunity Zone? □ The Opportunity Zone is an incentive that provides \$3, jobs are being created. This incentive is available for no			if two or more
Is the property within an Enterprise Zone?  The South Cobb Enterprise Zone is an incentive that prifor qualifying businesses locating or expanding within			

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PRESENT ZONING: CF, R-20	PETITION FOR: NRC
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PLANNING COMMENTS: continued	
Is the property eligible for incentives through the Commer Program? ☐ Yes ■ No	cial and Industrial Property Rehabilitation
The Commercial and Industrial Property Rehabilitation Property and valorem property taxes for qualifying redevelopment in	
For more information on incentives, please call the Comm 770.528.2018 or find information online at	

PRESENT ZONING <u>CF, R-20</u>			P	ETITION I	FOR <u>NRC</u>
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WATER COMMENTS: NOTE: Comments	reflect on	ly what facilitie	s were in e	existence at th	ne time of this review.
Available at Development:	<b>V</b>	Yes		No	
Fire Flow Test Required:		Yes	<b>✓</b>	No	
Size / Location of Existing Water Main(s):	6" DI / N	side of Vetera	ın's Memo	rial Hwy	
Additional Comments:					
Developer may be required to install/upgrade water mains, base Review Process.			-		
*********	****	*****	****	*****	*****
SEWER COMMENTS: NOTE: Comme	ents reflect	only what facil	ities were i	n existence a	t the time of this review.
In Drainage Basin:	<b>✓</b>	Yes		No	
At Development:	<b>✓</b>	Yes		No	
Approximate Distance to Nearest Sewer:	On site				
Estimated Waste Generation (in G.P.D.):	A D F=	+0		Peak= +0	)
Treatment Plant:		Sou	th Cobb		
Plant Capacity:	<b>✓</b>	Available		ot Available	;
Line Capacity:	<b>✓</b>	Available		ot Available	;
Projected Plant Availability:	<b>✓</b>	0 - 5 years	□ 5 -	10 years	over 10 years
Dry Sewers Required:		Yes	✓ No	)	
Off-site Easements Required:		Yes*	✓ No	,	easements are required, Developer it easements to CCWS for
Flow Test Required:		Yes	✓ No	review/app	proval as to form and stipulations execution of easements by the
Letter of Allocation issued:		Yes	✓ No		wners. All easement acquisitions ponsibility of the Developer
Septic Tank Recommended by this Departm	nent:	Yes	✓ No	)	
Subject to Health Department Approval:		Yes	✓ No	)	
Additional Existing sewer customer					

PETITION NO. <u>Z-045</u>

APPLICANT Neal Hodo

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.

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PRESENT ZONING: <u>CF, R-20</u> PETITION FOR: <u>NRC</u>

### 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 no outside storage of fertilizers, pesticides or other lawn chemicals.

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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
Veterans Memorial Highway	28,600	Arterial	45 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 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 Veterans Memorial Highway, a minimum of 50' from the roadway centerline.

Recommend driveway on Veterans Memorial Highway be paved with treated hardened surface for a minimum of 25' from the edge of pavement or to the County right-of-way, whichever is greater in length.

Recommend driveway to meet commercial driveway standards.

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

#### STAFF RECOMMENDATIONS

#### **Z-45 NEAL HODO**

- 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 buildings are existing and no expansion is planned.
- B. It is Staff's opinion that the applicant's rezoning proposal will not have an adverse affect on the usability of adjacent or nearby property. The proposed use will be a less intense than some of the 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*, which delineates this property as being in a Neighborhood Activity Center (NAC) land use category for uses that serve neighborhood residents and businesses. The requested Neighborhood Retail Commercial (NRC) zoning category is compatible with the Neighborhood Activity Center (NAC) and the proposed use is allowed as a Special Exception with a 35 foot landscaped screening buffer adjacent to all residentially zoned property.
- 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 rezoning will bring the multiple zonings of CF 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 Zoning Division on March 30, 2016, with District Commissioner approving minor modifications;
- 2. Implementation of Code-required 35 foot buffer along northern property line with County Arborist approval;
- 3. Use limitation to a specialized contractor without heavy equipment, administrative or professional office use or retail use only;
- 4. No outdoor storage or outdoor display of merchandise;
- 5. Fire Department comments and recommendations:
- 6. Water and Sewer Division comments and recommendations;
- 7. Stormwater Management 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.

# Application No. 2-45

# **Summary of Intent for Rezoning**

Jun	e 2016
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Part 1.	Resid	lential 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:
		MAD 9 0 2015
		U U MAK 3 V 2010
		COBB CO. COMM. DEV. AGENCY
		ZONING DIVISION
Part 2.	Non-	residential Rezoning Information (attach additional information if needed)
	.,	L Strong faille
	b)	Proposed use(s): Landscape, Corpany small office.  Proposed building architecture: Use of existing small, 1-story house  Sa Small office, use of existing 1-story metal building for storage.  Proposed hours/days of operation:
	~,	of the state of th
	c)	Proposed hours/days of operation:
	c)	
		Monday - Sunday: 7AM - 8PM List all requested variances: NA
	d)	List all requested variances:
Part	3. Ot	her Pertinent Information (List or attach additional information if needed)
		N/A
Part 4	. Is a	ny of the property included on the proposed site plan owned by the Local, State, or Federal Government?
		ise list all Right-of-Ways, Government owned lots, County owned parcels and/or remnants, etc., and attach a
	`	
		bandoned section of Spring Rd adjacent to the real of the property.
	al	bandon of section of Sovie Rd adjacent to As real of the mon A.
		The property

- 9. (a) Rezoning 1722 Veterans Memorial Hwy from CF and R20 to NRC shall pose no major impact in view of the use or development of adjacent and nearby properties. ATL Lawn Care, LLC intends to use the land to store equipment and vehicles and use the small, one story house on the property as a small 3-person office space. Proposed day to day activities on the property include answering phone calls and emails from prospective and existing clients, conducting marketing, accounting and back office tasks required to keep the company operational. Employees will meet in the morning between 7 AM and 9 AM to load trucks and equipment necessary for completing their daily tasks. The majority of ATL Lawn Care's work will be conducted offsite on clients' properties. As such the proposed and nearby properties.

  MAR 3 0 2016
- 9. (b) Rezoning 1722 Veterans Memorial Hwy from CF and R20 to NRC shall pose no alignment of adjacent and nearby properties, for reasons listed in 9. (a).
- 9. (c) The property does not have a reasonable economic use as currently zoned. The portion of the property touching Veterans Memorial is presently zoned CF Commercial Future. Therefore, it cannot be used and thus has no economic impact. The back portion of the property, is presently zoned R-20. It also has no reasonable economic impact. By rezoning the entire land to NRC, the land will have a reasonable and positive economic impact. ATL Lawn Care, LLC will be able to provide jobs to surrounding residents in the area. The company will also be able to offer landscaping services to neighboring businesses and residences, improving the layout, landscape and overall curb appeal of neighboring properties.
- 9. (d) Rezoning 1722 Veterans Memorial Hwy from CF and R-20 to NRC will not result in a use that will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.
- 9. (e) Rezoning 1722 Veterans Memorial Hwy from CF and R-20 to NRC is in conformity with the policy and intent of the land use plan for the area, which is currently a Neighborhood Activity Center.
- 9. (f) There are no existing or changing conditions affecting the use of the property that would give supporting grounds for disapproval of the zoning proposal. However, the proposal to change the property from CF and R-20 to NRC may provide supporting grounds for the approval of the zoning proposal. Approval of the proposal would mean additional economic growth for the surrounding area by providing jobs and business to business commerce.