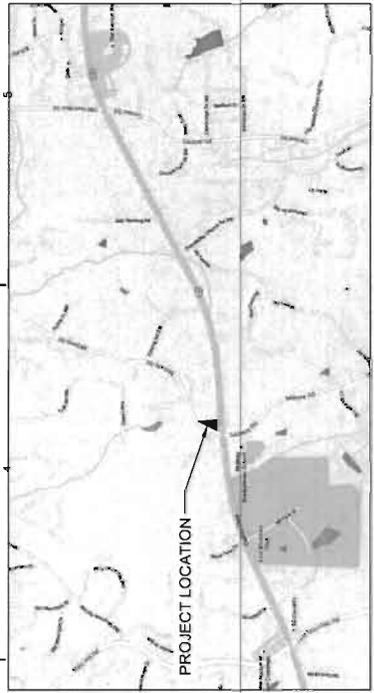
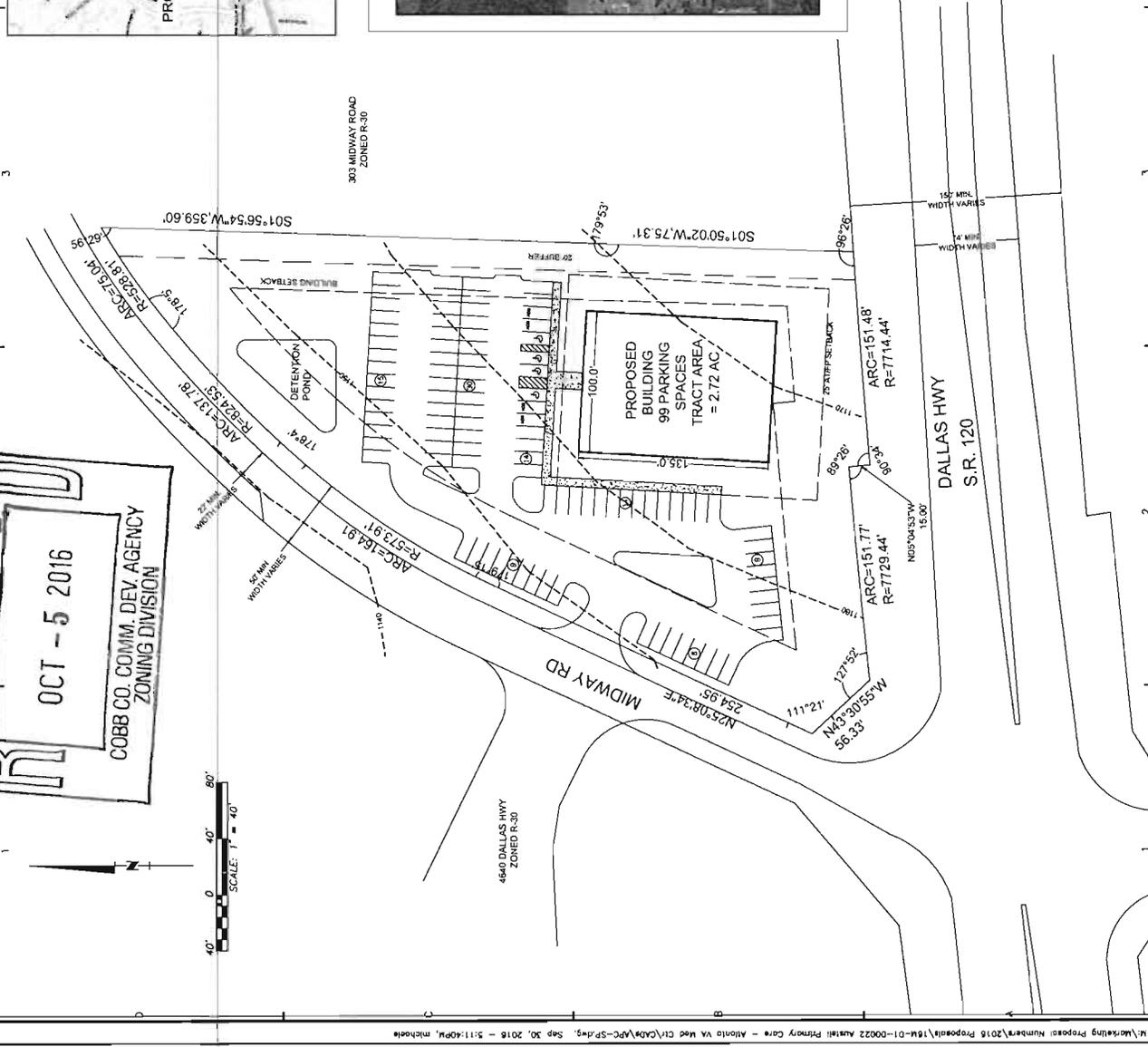
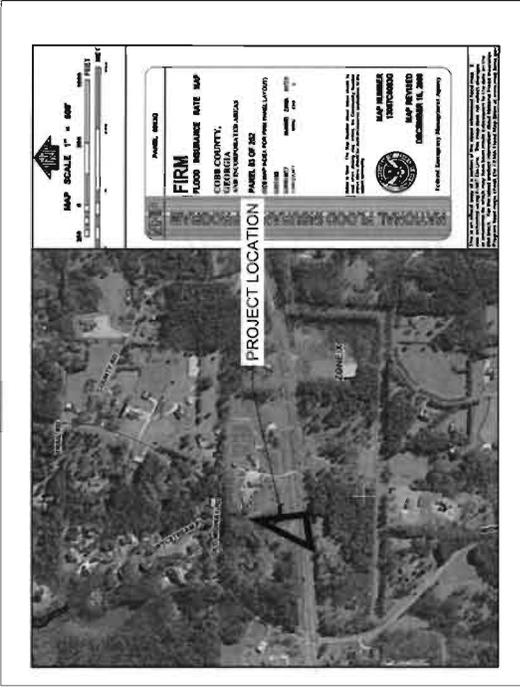


RECEIVED
 OCT - 5 2016
 COBB CO. COMM. DEV. AGENCY
 ZONING DIVISION



VICINITY MAP



FLOOD MAP

NOTES
 1. TRACT AREA: 2.72 ACRES
 2. PROPOSED ZONING: SINGLE FAMILY RESIDENTIAL
 3. PROPOSED ZONING DISTRICT: INSTITUTIONAL
 4. TRACT LOCATED IN LAND LOT 13, DISTRICT 18, SECTION 2, COBB CO., GA
 5. PROPOSED USE IS V.A. PRIMARY CARE FACILITY

EXISTING ZONING R-30: SINGLE FAMILY RESIDENTIAL
 Meets re-zoning to O1
 Building setbacks
 Front 20'
 Side 10'
 Rear 20'
 20' maximum building height
 Parking
 1 space per 225 SF of floor area
 Zoning Parking - 48 spaces
 270 Parking - 48 including 1 GARAGE parking
 Provides 99 spaces, 4 new COV parking unit + 480
 Adj. parking

NOTES
 1. TRACT AREA: 2.72 ACRES
 2. PROPOSED ZONING: SINGLE FAMILY RESIDENTIAL
 3. PROPOSED ZONING DISTRICT: INSTITUTIONAL
 4. TRACT LOCATED IN LAND LOT 13, DISTRICT 18, SECTION 2, COBB CO., GA
 5. PROPOSED USE IS V.A. PRIMARY CARE FACILITY

APPLICANT: Engineering Design Technologies

PETITION NO: Z-104

PHONE#: 770-988-0400 EMAIL: alexish@adtinc.net

HEARING DATE (PC): 12-06-16

REPRESENTATIVE: Alexis Hovind

HEARING DATE (BOC): 12-20-16

PHONE#: 770-988-0400 EMAIL: alexish@adtinc.net

PRESENT ZONING: R-30

TITLEHOLDER: Midway 120, LLC

PROPOSED ZONING: O&I

PROPERTY LOCATION: Located at the northeast intersection of Dallas Highway and Midway Road

PROPOSED USE: Outpatient VA clinic

ACCESS TO PROPERTY: Midway Road

SIZE OF TRACT: 2.72 acres

PHYSICAL CHARACTERISTICS TO SITE: Undeveloped Wooded Lot

DISTRICT: 19

LAND LOT(S): 13

PARCEL(S): 8

TAXES: PAID X DUE _____

COMMISSION DISTRICT: 1

CONTIGUOUS ZONING/DEVELOPMENT

- NORTH: R-30/ Fire/ Police Station
- SOUTH: R-30/ Single Family Home
- EAST: R-30/ Single Family Home
- WEST: R-30/ Fire/ Police Station

Adjacent Future Land Use:

- East: Very Low Density Residential (VLDR)
- South: Very Low Density Residential (VLDR)
- Northwest: Very Low Density Residential (VLDR)

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

PLANNING COMMISSION RECOMMENDATION

APPROVED _____ MOTION BY _____

REJECTED _____ SECONDED _____

HELD _____ VOTE _____

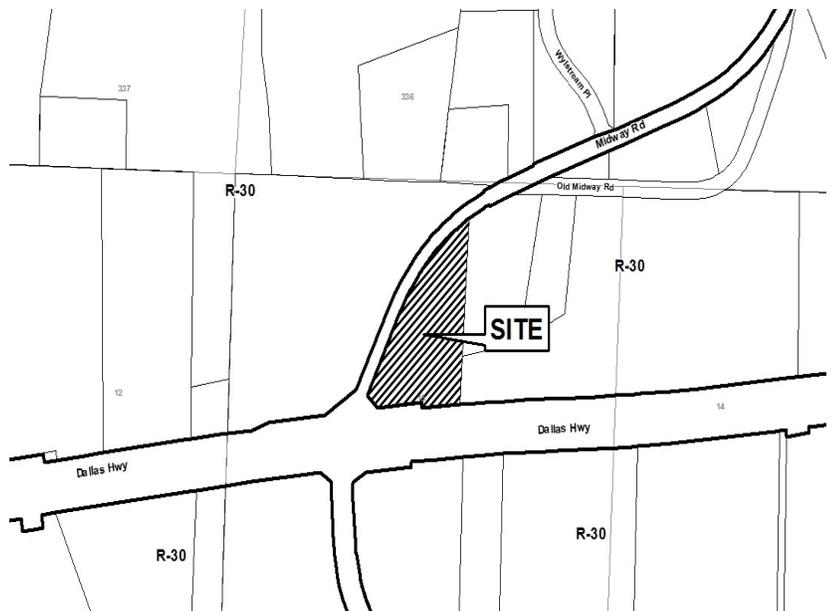
BOARD OF COMMISSIONERS DECISION

APPROVED _____ MOTION BY _____

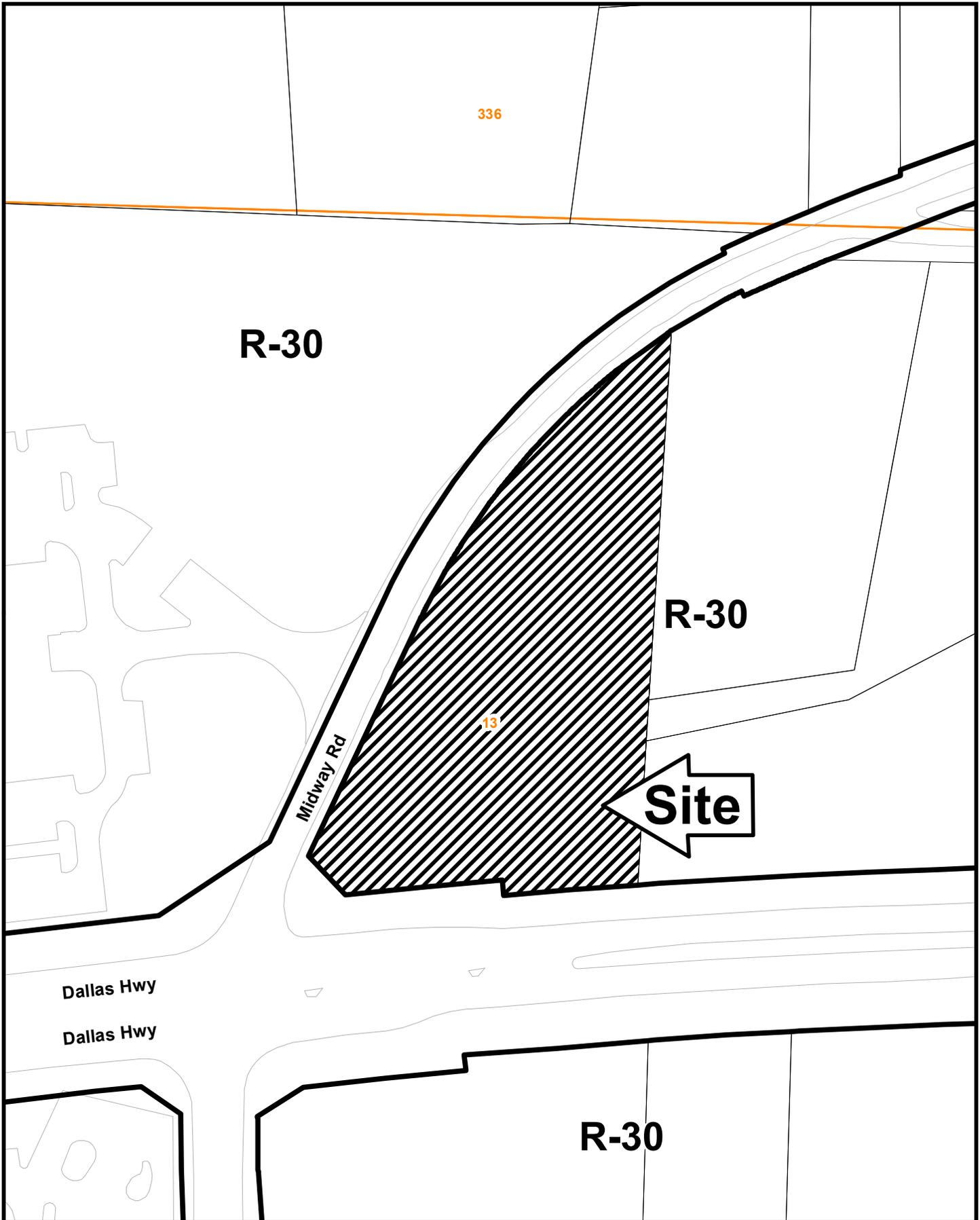
REJECTED _____ SECONDED _____

HELD _____ VOTE _____

STIPULATIONS:



Z-104-2016 GIS



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

0 100 200 Feet

City Boundary
Zoning Boundary

APPLICANT: Engineering Design Technologies

PETITION NO.: Z- 104

PRESENT ZONING: R-30

PETITION FOR: O&I

ZONING COMMENTS:

Staff Member Responsible: Donald Wells

Land Use Plan Recommendation: VLDR (Very Low Density Residential)

Proposed Number of Buildings: 1 **Total Square Footage of Development:** 10,000

F.A.R.: .08 **Square Footage/Acre:** 36676.5

Parking Spaces Required: 36 **Parking Spaces Provided:** 99

The applicant is requesting the O&I zoning category for a Veterans Administrations Primary Care Outpatient Clinic. The proposed building materials will be concrete and will be operate Monday through Saturday 6:00 AM through 7:00 PM. The building will be one story in height and include a pharmacy with a drive-through window. The applicant intends to include landscaping near the property line on Midway Road.

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.

APPLICANT: Engineering Design Technologies

PETITION NO.: Z- 104

PRESENT ZONING: R-30

PETITION FOR: O&I

SCHOOL COMMENTS:

<u>Name of School</u>	<u>Enrollment</u>	<u>Capacity Status</u>	<u>Number of Portable Classrooms</u>
<u>Elementary</u>	<u> </u>	<u> </u>	<u> </u>
<u>Middle</u>	<u> </u>	<u> </u>	<u> </u>
<u>High</u>	<u> </u>	<u> </u>	<u> </u>

- School attendance zones are subject to revision at any time.

Additional Comments: Approval of this petition will not have an impact on the enrollment at Cobb County Schools.

FIRE COMMENTS:

IFC 510-EMERGENCY RESPONDER RADIO COVERAGE. New buildings are required to provide radio coverage for emergency responders per the International Fire Code. Testing is required by a third party and when deemed necessary amplification systems are required before the building will be issued a certificate of occupancy. This message is to serve as an early notification to owners and developers for budgeting purposes.

APPLICANT: Engineering design Technologies

PETITION NO.: Z-104

PRESENT ZONING: R-30

PETITION FOR: O&I

PLANNING COMMENTS:

The applicant is requesting a rezoning from R-30 to O&I for the purpose of outpatient VA clinic. The 2.72 acre site is located at the northeast intersection of Dallas Highway and Midway 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 Very Low Density Residential (VLDR) future land use category, with R-30 zoning designation. The purpose of the Very Low Density Residential (VLDR) category is to provide for areas that are suitable for very low density housing, particularly in locations which may not have basic services such as sewer, or where the existing or desired residential development pattern is zero to two (2) dwelling units per acre.

Specific Area Policy Guidelines:

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

Adjacent Future Land Use:

East: Very Low Density Residential (VLDR)
South: Very Low Density Residential (VLDR)
Northwest: Very Low Density Residential (VLDR)

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

If yes, design guidelines area Dallas Highway Design Guidelines

Does the current site plan comply with the design requirements?

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

APPLICANT: Engineering design Technologies

PETITION NO.: Z-104

PRESENT ZONING: R-30

PETITION FOR: O&I

PLANNING COMMENTS:

CONT.

Incentive Zones

Is the property within an Opportunity Zone? Yes No

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

Is the property within an Enterprise Zone? Yes No

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

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

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

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

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 Engineering Design Technologies

PETITION NO. Z-104

PRESENT ZONING R-30

PETITION FOR O&I

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" CI / W side of Midway Road

Additional Comments: Lost Mountain High Service Area \$3,000 per ERU

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: (by gravity) +/- 3,300' S in Broadlands S/D

Estimated Waste Generation (in G.P.D.): A D F= 540 Peak= 1,350

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: Nearest active public sewer (~2,000' west) would likely require off-site pumping

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: Engineering DesignTechnologies

PETITION NO.: Z-104

PRESENT ZONING: R-30

PETITION FOR: O&I

STORMWATER MANAGEMENT COMMENTS

FLOOD HAZARD: YES NO POSSIBLY, NOT VERIFIED

DRAINAGE BASIN: Trib to Allatoona Creek FLOOD HAZARD INFO: Zone X

- FEMA Designated 100 year Floodplain Flood.
- Flood Damage Prevention Ordinance DESIGNATED FLOOD HAZARD.
- Project subject to the Cobb County Flood Damage Prevention Ordinance Requirements.
- Dam Breach zone from (upstream) (onsite) lake - need to keep residential buildings out of hazard.

WETLANDS: YES NO POSSIBLY, NOT VERIFIED

Location: _____

- The Owner/Developer is responsible for obtaining any required wetland permits from the U.S. Army Corps of Engineer.

STREAMBANK BUFFER ZONE: YES NO POSSIBLY, NOT VERIFIED

- Metropolitan River Protection Area (within 2000' of Chattahoochee River) ARC (review 35' undisturbed buffer each side of waterway).
- Chattahoochee River Corridor Tributary Area - County review (_____ undisturbed buffer each side).
- Georgia Erosion-Sediment Control Law and County Ordinance - **County Review**/State Review.
- Georgia DNR Variance may be required to work in 25 foot streambank buffers.
- County Buffer Ordinance: 50', 75', 100' or 200' each side of creek channel.

DOWNSTREAM 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 - McDow Lake (private – 292 Wylstream Pl). Additional BMP's for erosion sediment controls will be required.
- Lake Study may be 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 culvert at Midway Road.

STORMWATER MANAGEMENT COMMENTS – Continued

SPECIAL SITE CONDITIONS

- Provide comprehensive hydrology/stormwater controls to include development of out parcels.
- Submit all proposed site improvements to Plan Review.
- Any **spring activity** uncovered must be addressed by a qualified geotechnical engineer (PE).
- Structural fill _____ must be placed under the direction of a qualified registered Georgia geotechnical engineer (PE).
- Existing facility.
- Project must comply with the Water Quality requirements of the CWA-NPDES-NPS Permit and County Water Quality Ordinance.
- Water Quality/Quantity contributions of the existing lake/pond on site must be continued as baseline conditions into proposed project.
- Calculate and provide % impervious of project site.
- Revisit design; reduce pavement area to reduce runoff and pollution.

INSUFFICIENT INFORMATION

- No Stormwater controls shown _____
- Copy of survey is not current – Additional comments may be forthcoming when current site conditions are exposed.
- No site improvements showing on exhibit.

ADDITIONAL COMMENTS

1. This site is located at the northeast intersection of Dallas Highway and Midway Road. The site is completely wooded with average slopes less than 10%. The entire parcel drains to the northwest to an existing culvert under Midway Road that discharges into and through the Cobb County Super Center.
2. Stormwater management for this development is proposed to be located at the low point of the site near the northern corner and will discharge to the existing Midway Road culvert. Allowable discharges will be limited to the existing culvert capacity.

APPLICANT: Capkey Real Estate Advisors

PETITION NO.: Z-104

PRESENT ZONING: R-30

PETITION FOR: O&I

TRANSPORTATION COMMENTS:

ROADWAY	AVERAGE DAILY TRIPS	ROADWAY CLASSIFICATION	SPEED LIMIT	JURISDICTIONAL CONTROL	MIN. R.O.W. REQUIREMENTS
Dallas Highway	41,100	Arterial	55 mph	Georgia DOT	100'
Midway Road	5,800	Major Collector	40 mph	Cobb County	80'

*Based on 2007 traffic counting data taken by Cobb County DOT for Dallas Highway.
Based on 2009 traffic counting data taken by Cobb County DOT for Midway Road.*

COMMENTS AND OBSERVATIONS

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

Midway 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 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 east side of Midway Road, a minimum of 40' from the roadway centerline.

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

Recommend curb, gutter, and sidewalk along the frontage of Dallas Highway and Midway Road.

Recommend a deceleration lane on Midway Road for the entrance.

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

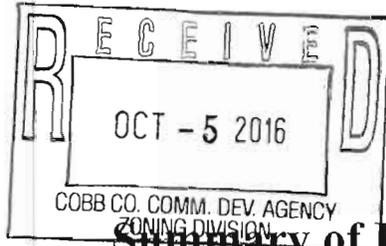
STAFF RECOMMENDATIONS

Z-104 ENGINEERING DESIGN TECHNOLOGIES

- A. It is Staff's opinion that the applicant's rezoning proposal could permit a use that is suitable in view of the use and development of adjacent and nearby properties. The property is situated across from a police and fire superstation and a large church.
- B. It is Staff's opinion that the applicant's rezoning proposal will have an adverse affect on the usability of adjacent or nearby property. The police station and fire station typically has a small amount of walk up traffic. The nearby church busiest traffic days would be on Sunday. A medical clinic could affect the quiet use of the nearby residential properties.
- C. It is Staff's opinion that the applicant's rezoning proposal will 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 conformity with the policy and intent of the *Cobb County Comprehensive Plan* which delineates this property as being Very Low Density Residential. Typical uses in this category are single family homes with a density range of 0-2 units per acre.
- E. It is Staff's opinion that there are existing and changing conditions affecting the use and development of the property which give supporting grounds for denying the applicant's rezoning proposal. The requested zoning category is not consistent with the *Cobb County Comprehensive Plan*, and the applicant's proposal would not fit in within the single family characteristics in the area.

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

The recommendations made by the Planning and Zoning Staff are only the opinions of the Planning and Zoning Staff and are by no means the final decision. The Cobb County Board of Commissioners makes the final decisions on all Rezoning and Land Use Permits at an advertised public hearing.



Application No. Z-109
Dec. 2016

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): VA Primary Care Outpatient Clinic
 - b) Proposed building architecture: Concrete construction
 - c) Proposed hours/days of operation: 8:00 AM - 4:30 PM
Monday - Friday
 - d) List all requested variances: Rezone to O&I
- _____

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

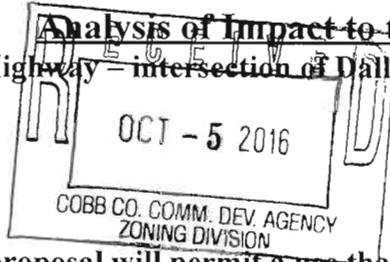
The current owner is unable to sell the property as currently zoned. Rezoning for the purpose of a clinic will allow the owner to use the property and will benefit the community.

.....
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).

Privately owned

Analysis of Impact to the Community
0 Dallas Highway - intersection of Dallas Highway and Midway 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;

Nearby property has already been developed into a police and fire station as well as a church, which has the effect of this intersection already having a non-residential character.

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

The land to the north of this parcel is unused woodland, the land west of the parcel is being used as a police and fire station, the parcel to the east is a single family home that is buffered by a large acreage and Dallas Highway is to the south. The proposed 10,000 sf clinic will not draw heavy traffic and will not create excessive noise, so given the existing use of these properties and the buffers already in place, none of the neighboring properties should be burdened by a new usage of this parcel. In fact, by utilizing this parcel to create a new employer in the area, neighboring property values will likely increase as many new residents may be attracted to live in nearby homes in order to be close to their new place of work.

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

This parcel can only support a total of three single family homes as currently zoned. The parcel has been for sale for more than three years with little to no interest from buyers who would use it for other uses. If this land is not rezoned, this parcel could become unsellable and a burden to its owner. In contrast, by rezoning this small area for office use, this parcel would become not only valuable for the land owner, but would add value to the surrounding area by bringing healthcare amenities and job opportunities to nearby residents.

(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;

This parcel is located directly off Dallas Highway, a major 4-lane divided highway with designated turn lanes which will be able to easily sustain the small increase in traffic a 10,000 sf medical facility would create.

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

Having a medical facility within the community is extremely beneficial for the well-being of the population, in addition to providing many healthcare, administrative and maintenance jobs that will support the local community. The proposed clinic is also a VA facility, which provides care to our local military veterans who deserve easy access to quality healthcare that doesn't require a trip on the interstate. This corridor of Dallas Highway is already home to a police/fire station and a nearby church, so the addition of a clinic in the same vicinity will both fit well with the area's character as a center of community support as well as keeping the non-residential land use contained to one small area rather than allowing developments to spread out throughout residential neighborhoods.

(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.

Given the growing aging population in Marietta, having a nearby clinic that wouldn't require seniors to make long trips would be extremely beneficial. In particular, a large portion of our seniors are military veterans who have served our country, and having a local VA clinic to serve them in return will prove to have immeasurable benefit to their quality of life. Not only will access to this facility prevent long trips to the doctor, its convenience will also encourage this vulnerable population to seek preventative care that they otherwise might put off, providing better outcomes and greater quality of life.

