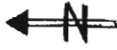


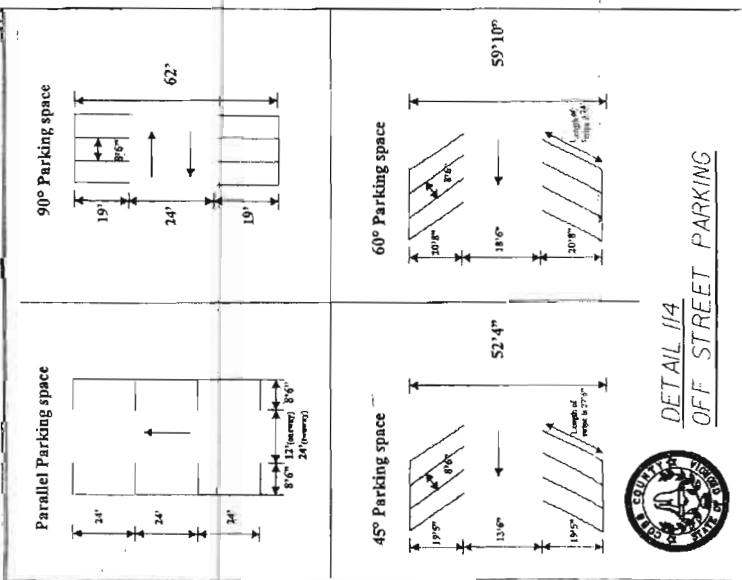
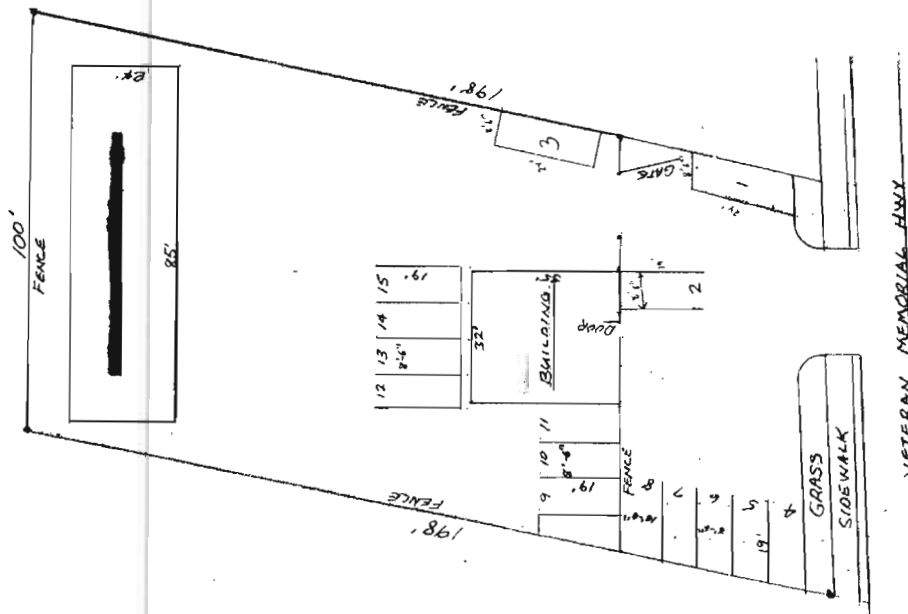
Z-13
(2017)



APPROVED BY THE COBB COUNTY PLANNING
COMMISSION ON 02/01/17
DATE: 02-01-17
DRAWN BY: RRB
REVIEWED:
DATE: 10-23-13

GREG LENZEN
678-467-3903

PARKING DESIGNS & CONTROLS	
SCALE: 1/2" = 10'-0"	APPROVED BY: RRB
DATE: 10-23-13	REVIEWED:
VETERAN MEMORIAL HWY.	
DRAWING NUMBER: 1	



APPLICANT: Gregory E. & Kimberly S. Lenzen

PHONE#: (678) 467-3903 **EMAIL:** gmanlenzen@yahoo.com

REPRESENTATIVE: Gregory E. & Kimberly S. Lenzen

PHONE#: (678) 467-3903 **EMAIL:** gmanlenzen@yahoo.com

TITLEHOLDER: Gregory E. Lenzen and Kimberly S. Lenzen

PROPERTY LOCATION: North side of Veterans Memorial Highway,

across from Cooks Road

(97 Veterans Memorial Parkway)

ACCESS TO PROPERTY: Veterans Memorial Highway

PHYSICAL CHARACTERISTICS TO SITE: One commercial

office building, and one building with 5 bays fenced in.

CONTIGUOUS ZONING/DEVELOPMENT

NORTH: LI/Cobb County Board of Education/ Middle School

SOUTH: NRC/Commercial Business Building

EAST: GC and CRC/Wholesale Business

WEST: NS and R-20/Auto Sales and Service

PETITION NO: Z-13

HEARING DATE (PC): 04-04-17

HEARING DATE (BOC): 04-18-17

PRESENT ZONING: NS, R-20

PROPOSED ZONING: LI

PROPOSED USE: Transportation Parking

and Light Auto Repair

SIZE OF TRACT: .439 ac

DISTRICT: 18

LAND LOT(S): 44

PARCEL(S): 10

TAXES: PAID X **DUE** _____

COMMISSION DISTRICT: 4

Adjacent Future Land Use:

North: Public Institutional (PI)

East: Public Institutional (PI)

South: Neighborhood Activity Center (NAC)

West: Neighborhood Activity Center (NAC)

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

PLANNING COMMISSION RECOMMENDATION

APPROVED _____ **MOTION BY** _____

REJECTED _____ **SECONDED** _____

HELD _____ **VOTE** _____

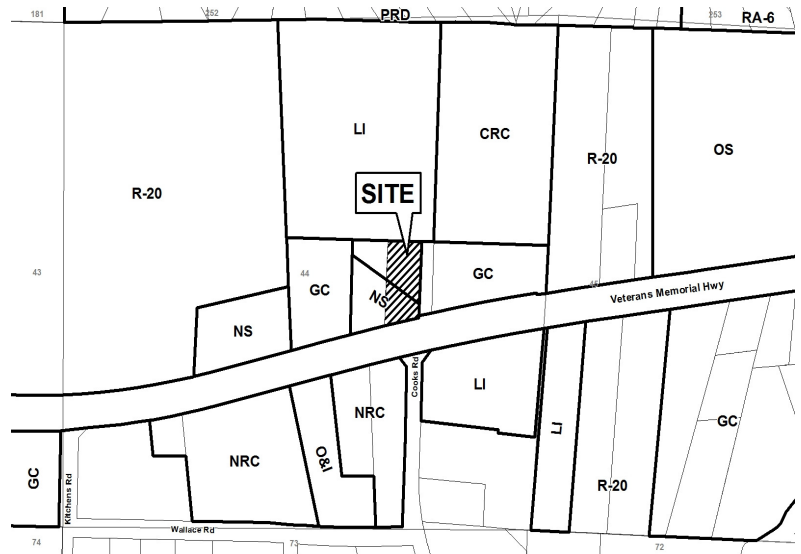
BOARD OF COMMISSIONERS DECISION

APPROVED _____ **MOTION BY** _____

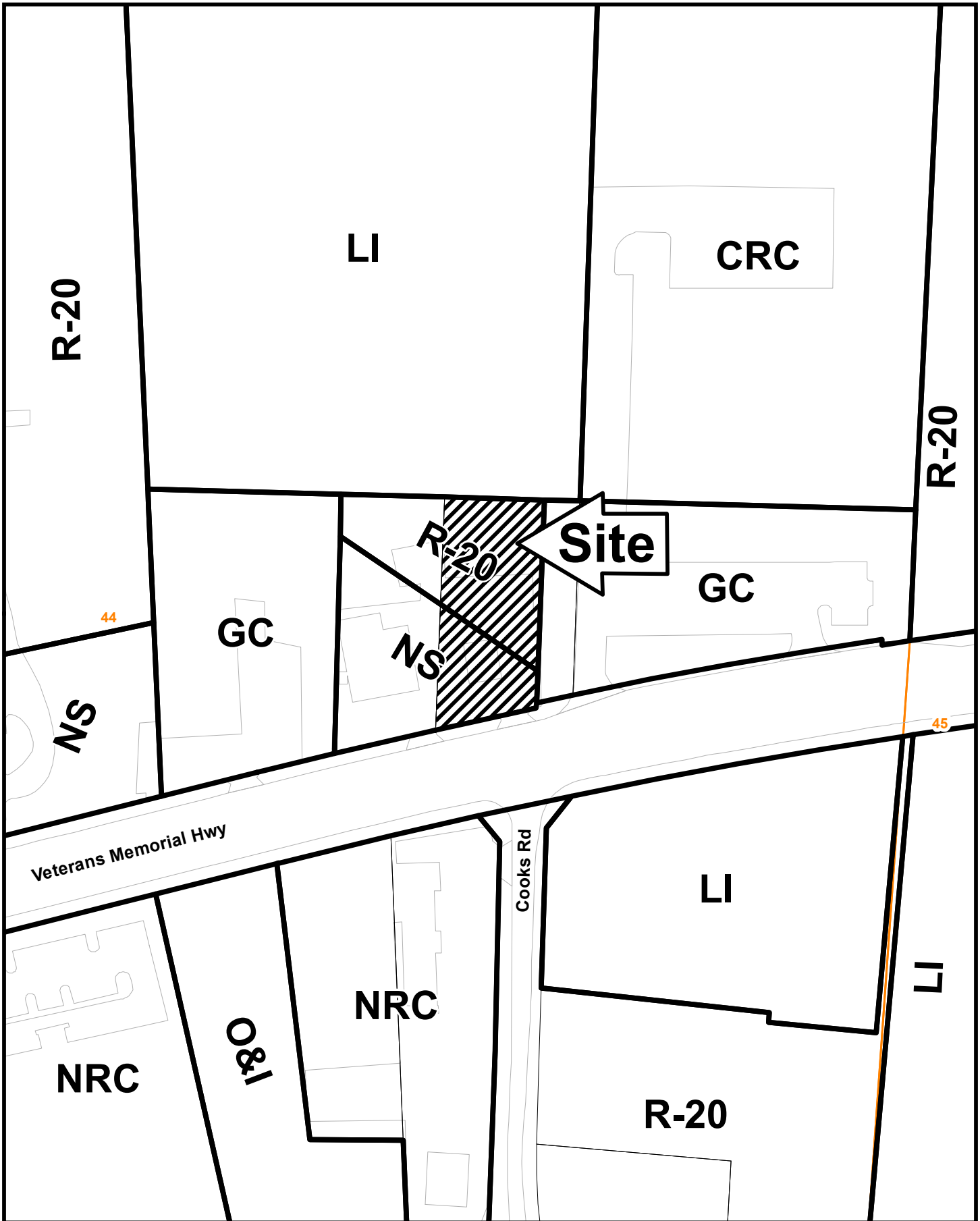
REJECTED _____ **SECONDED** _____

HELD _____ **VOTE** _____

STIPULATIONS:



Z-13-2017 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: Gregory E. & Kimberly S. Lenzen

PETITION NO.: Z-13

PRESENT ZONING: NS, R-20

PETITION FOR: LI

ZONING COMMENTS:

Staff Member Responsible: Tannessa Bates

Land Use Plan Recommendation: Neighborhood Activity Center (NAC)

Proposed Number of Buildings: 1 **Total Square Footage of Development:** 960

F.A.R.: 0.05 **Square Footage/Acre:** .4391

Parking Spaces Required: 17 **Parking Spaces Provided:** 15

Applicant is requesting a rezoning from the current NS, R-20 zoning districts to the LI (Light Industrial) zoning district for the purpose of Transportation Parking, and Light Auto Repair. The property has 15 parking spaces. The applicant has had the parking lot repaved and restriped. There are two buildings on the lot. The front building will be used as an office for the businesses 1-2 employees. The building to the rear has 5 bays that will be used for the light automotive repair business.

If approved, the following variances will be needed:

1. Waive the lot size for LI from 40,000 sq. ft. to 19,122 sq. ft.
2. Waive the front setback from 75 feet to 35 feet.
3. Waive the side setbacks for the rear building from 20 feet to 3 feet.
4. Allow a dumpster to the front of the primary structure.
5. Waive the landscape enhancement strip along the public road.

Cemetery Preservation: No comment.

APPLICANT: Gregory E. and Kimberly S. Lenzen

PETITION NO.: Z-13

PRESENT ZONING: NS, R-20

PETITION FOR: LI

SCHOOL COMMENTS:

Name of School	Enrollment	Capacity Status	Number of Portable Classrooms
Elementary			
Middle			
High			

- 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 these schools.

APPLICANT: Gregory E. & Kimberly S. Lenzen

PETITION NO.: Z-13

FIRE COMMENTS:

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

APPLICANT: Gregory E. & Kimberly S. Lenzen

PETITION NO.: Z-13

PRESENT ZONING: NS & R-20

PETITION FOR: LI

PLANNING COMMENTS:

The applicant is requesting a rezoning from NS and R-20 to LI for the purpose of transportation parking an light auto repair. The 0.439 acre site is located on the north side of Veterans memorial Highway, across from Cooks Road (97 Veterans Memorial Parkway).

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 R-20 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: Public Institutional (PI)
East: Public Institutional (PI)
South: Neighborhood Activity Center (NAC)
West: Neighborhood Activity Center (NAC)

Master Plan/Corridor Study

The property is not located within the boundary of a Plan or Corridor Study

Historic Preservation

After consulting various county historic resources surveys, historic maps, archaeology surveys and Civil War trench location maps, staff finds that no known significant historic resources appear to be affected by this application. No further comment. No action by applicant requested at this time.

Design Guidelines

Is the parcel in an area with Design Guidelines? Yes No
If yes, design guidelines area _____
Does the current site plan comply with the design requirements?

Incentive Zones

Is the property within an Opportunity Zone? Yes No
The Opportunity Zone is an incentive that provides \$3,500 tax credit per job in eligible areas if two or more jobs are being created. This incentive is available for new or existing businesses.

Is the property within an Enterprise Zone? Yes No

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

APPLICANT: Gregory E. & Kimberly S. Lenzen

PETITION NO.: Z-13

PRESENT ZONING: NS & R-20

PETITION FOR: LI

PLANNING COMMENTS:

CONT.

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?
- CZ (Clear Zone)
- APZ I (Accident Potential Zone I)
- APZ II (Accident Potential Zone II)
- Bird / Wildlife Air Strike Hazard (BASH) area

APPLICANT Gregory E & Kimberly S Lenzen

PETITION NO. Z-013

PRESENT ZONING NS, R-20

PETITION FOR LI

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 / N side of Veterans Memorial Hwy

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: +/- 300' E in Veterans Memorial Hwy

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 received for continued use of existing septic system. No
Comments: redevelopment 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: Gregory E. & Kimberly S. Lenzen

PETITION NO.: Z-13

PRESENT ZONING: NS, R-20

PETITION FOR: LI

STORMWATER MANAGEMENT COMMENTS

FLOOD HAZARD: YES NO POSSIBLY, NOT VERIFIED

DRAINAGE BASIN: Summerlin Lake Tributary 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 receiving stream.

APPLICANT: Gregory E. & Kimberly S. Lenzen

PETITION NO.: Z-13

PRESENT ZONING: NS, R-20

PETITION FOR: LI

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.

ADDITIONAL COMMENTS

1. This is an existing commercial facility located on Veterans Memorial Highway just north of its intersection with Cooks Road. The site has two existing buildings and combination of compacted gravel and asphalt paving. The entire site drains to the west into and through the adjacent commercial parcel.
2. Stormwater management will be required for any substantial site improvement or redevelopment.
3. All automotive repairs must be performed inside the building.

APPLICANT: Gregory E. & Kimberly S. Lenzen

PETITION NO.: Z-13

PRESENT ZONING: NS, R-20

PETITION FOR: LI

TRANSPORTATION COMMENTS:

ROADWAY	ROADWAY CLASSIFICATION	SPEED LIMIT	JURISDICTIONAL CONTROL	MIN. R.O.W. REQUIREMENTS
Veterans Memorial Highway	Arterial	45 mph	Georgia DOT	100'

ROADWAY	LOCATION	AVERAGE DAILY TRIPS	LEVEL OF SERVICE
Veterans Memorial Highway	West of Kitchens Road	25,400	C

*Based on 2008 traffic counting data taken by Cobb County DOT for Veterans Memorial Highway.
 Planning Level of Service based on available Average Daily Trips using GRTA guideline thresholds. Classification thresholds for LOS A and LOS B are not available for local roads from this data source.
 LOS C or D is acceptable based on GDOT Design Policy Manual criteria.*

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 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 north side of Veterans Memorial Highway, a minimum of 50' from the roadway centerline.

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

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

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STAFF RECOMMENDATIONS

Z-13 GREGORY E. & KIMBERLY S. LENZEN

- A. It is Staff's opinion that the applicant's rezoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby properties. Other properties in the area include wholesale retail warehouse, automotive repair, industrial and residential 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. Other properties in the area are zoned NS, GC, CRC, R-20, LI, NRC, and O&I.
- 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. 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 in the Neighborhood Activity Center (NAC) land use category. The proposed use is allowed under the LI zoning district, but the LI is not compatible with the NAC land use designation.
- 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. Staff recommends deleting the request to the Neighborhood Retail Commercial zoning district. The NRC zoning district is compatible with the NAC land use designation and will also allow the proposed uses.

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

1. Light auto repair and office use only;
2. No outdoor display of merchandise;
3. District Commissioner to approve paint color of the building;
4. Dumpster to be placed behind the front building;
5. All cars to be parked in parking spaces that meet county standards;
6. Fire Department comments and recommendations;
7. Stormwater Management Division comments and recommendations;
8. Water and Sewer Division comments and recommendations;
9. Department of Transportation comments and recommendations; and
10. 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-13

April 2017

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): Transportation parking, light automotive
- b) Proposed building architecture: SAME
- c) Proposed hours/days of operation: 8-5 MON - SAT
- d) List all requested variances: NONE

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

Property has been repainted inside & out, roof repaired & parking lot has been repaved & restriped. New bathrooms, ceiling, lighting installed.

.....
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).

NO

97 Veterans Memorial Hwy.
Mableton, GA. 30126

- (a) Yes, it will be a beneficial service to the Area
- (b) No
- (c) No
- (d) No
- (e) Yes
- (f) No



Thank you
Brenda S. Leuzen
Kerry C. Leuzen
2-1-17

Existing On-site Sewage Management System Performance Evaluation Report

Z-13 (2017)
Environmental
Health Report

Applicant: <u>Kim Lenzen</u>		Reason for Existing Sewage Rezoning
Property/System Address: <u>97 VETERANS MEMORIAL HWY SE MABLETON, GA 30126-2611</u>		
Subdivision Name:	Lot: Block:	
Existing System Information: Water Supply (circle) <input checked="" type="radio"/> Public <input type="radio"/> Private Well <input type="radio"/> Community	Number of Bedrooms/GPD: <u>0</u> Garbage Grinder: (circle) <input type="radio"/> Yes <input checked="" type="radio"/> No	

*** One of Section A, B, or C should be Completed ***
SECTION A - System on Record

<input checked="" type="radio"/> Yes <input type="radio"/> No	Existing On-site Sewage Management System inspection records indicate that all components of the system were properly constructed and installed at the time of the original inspection.	Comments: Okay for zoning approval for a building/office with up to 2 employees on site	
<input checked="" type="radio"/> Yes <input type="radio"/> No	A copy of the original On-site Sewage Management System Inspection Report is attached.		
<input type="radio"/> Yes <input checked="" type="radio"/> No	Maintenance records indicate that the system has been pumped out or serviced within the last five (5) years or the system was installed within that time frame.		
<input checked="" type="radio"/> Yes <input type="radio"/> No	A site evaluation of the system on this date revealed no evidence of system failure or of conditions which would adversely affect the functioning of the system.		
Evaluating Environmentalist	Title:	Date:	verify this data to be correct at the time of the evaluation. This verification shall not be construed as a guarantee of the proper functioning of this system for any given period of time. No liability is assumed for future damages that may be caused by malfunction.
<u>J. DeLaney</u>	<u>EM SA</u>	<u>31-Jan-17</u>	

SECTION B - System Not on Record

<input type="radio"/> Yes <input checked="" type="radio"/> No	No inspection records are on file showing the On-site Sewage Management System was inspected and approved at the time of the installation	Comments:	
<input type="radio"/> Yes <input checked="" type="radio"/> No	The septic tank was uncovered at the time of the evaluation and it appears to meet the required design, construction and installation criteria.		
<input type="radio"/> Yes <input checked="" type="radio"/> No	Documentation from a Georgia Certified Installer has been provided as to the condition of the septic tank and its respective components, certifying its design, construction, and installation criteria. A copy is attached.		
<input type="radio"/> Yes <input checked="" type="radio"/> No	Maintenance records indicate that the system has been pumped out or serviced within the last five (5) years or the system was installed within that time frame.		
<input type="radio"/> Yes <input checked="" type="radio"/> No	A site evaluation of the system on this date revealed no evidence of system failure or of conditions which would adversely affect the functioning of the system; however, appropriateness of the sizing and installation cannot be verified since no initial inspection records exist.		
Evaluating Environmentalist	Title:	Date:	verify this data to be correct at the time of the evaluation. This verification shall not be construed as a guarantee of the proper functioning of this system for any given period of time. No liability is assumed for future damages that may be caused by malfunction.

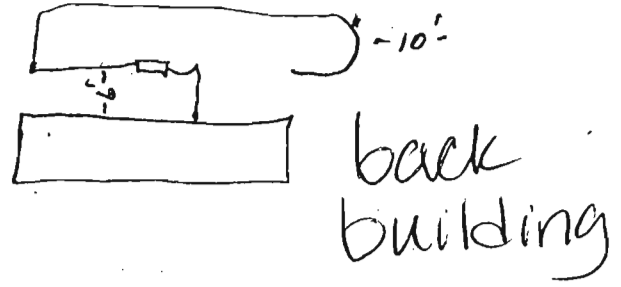
SECTION C - System Not Approved

<input type="radio"/> Yes <input checked="" type="radio"/> No	The On-site Sewage Management System was disapproved at the time of the initial and is thus not considered an approved system.	Comments:	
<input type="radio"/> Yes <input checked="" type="radio"/> No	Evaluation of the system revealed evidence of system failure or malfunction, and will therefore require corrective action in order to obtain approval of the system.		
<input type="radio"/> Yes <input checked="" type="radio"/> No	Evaluation of the system revealed conditions which would adversely affect the proper functioning of the system, and will therefore require corrective action in order to obtain approval of the system.		
Evaluating Environmentalist	Title:	Date:	verify this data to be correct at the time of the evaluation. This verification shall not be construed as a guarantee of the proper functioning of this system for any given period of time. No liability is assumed for future damages that may be caused by malfunction.

SECTION D - Addition to Property or Relocation of Home (section completed in conjunction with A, B, or C above)

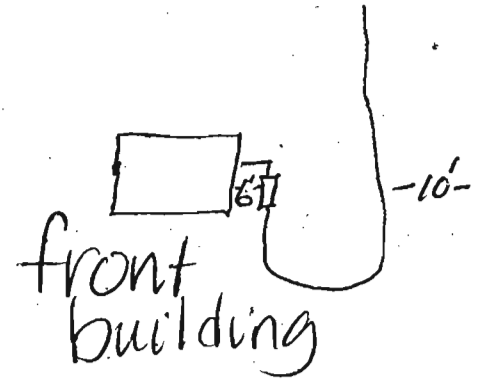
<input type="radio"/> Yes <input checked="" type="radio"/> No	An existing On-site Sewage Management System is located on the property listed above and has been evaluated in accordance with Section A or B above.	Comments:	
<input type="radio"/> Yes <input checked="" type="radio"/> No	A site evaluation on this date as well as the provided information indicate that the proposed construction to home or property or that the proposed relocation of the home should not adversely affect the proper functioning of the existing system provided that no additional sewage load is added to the system for the listed size home adjacent.		
		Number of Bedrooms/GPD: Garbage Grinder: (circle)	
		<u>0</u> <input type="radio"/> Yes <input checked="" type="radio"/> No	
Evaluating Environmentalist	Title:	Date:	verify this data to be correct at the time of the evaluation. This verification shall not be construed as a guarantee of the proper functioning of this system for any given period of time. No liability is assumed for future damages that may be caused by malfunction.

4N



J. Delveau

2-1-17



PERMIT VALID
FOR ONE YEAR ONLY
NOT TRANSFERABLE

97 Veterans Memorial
2-1-17