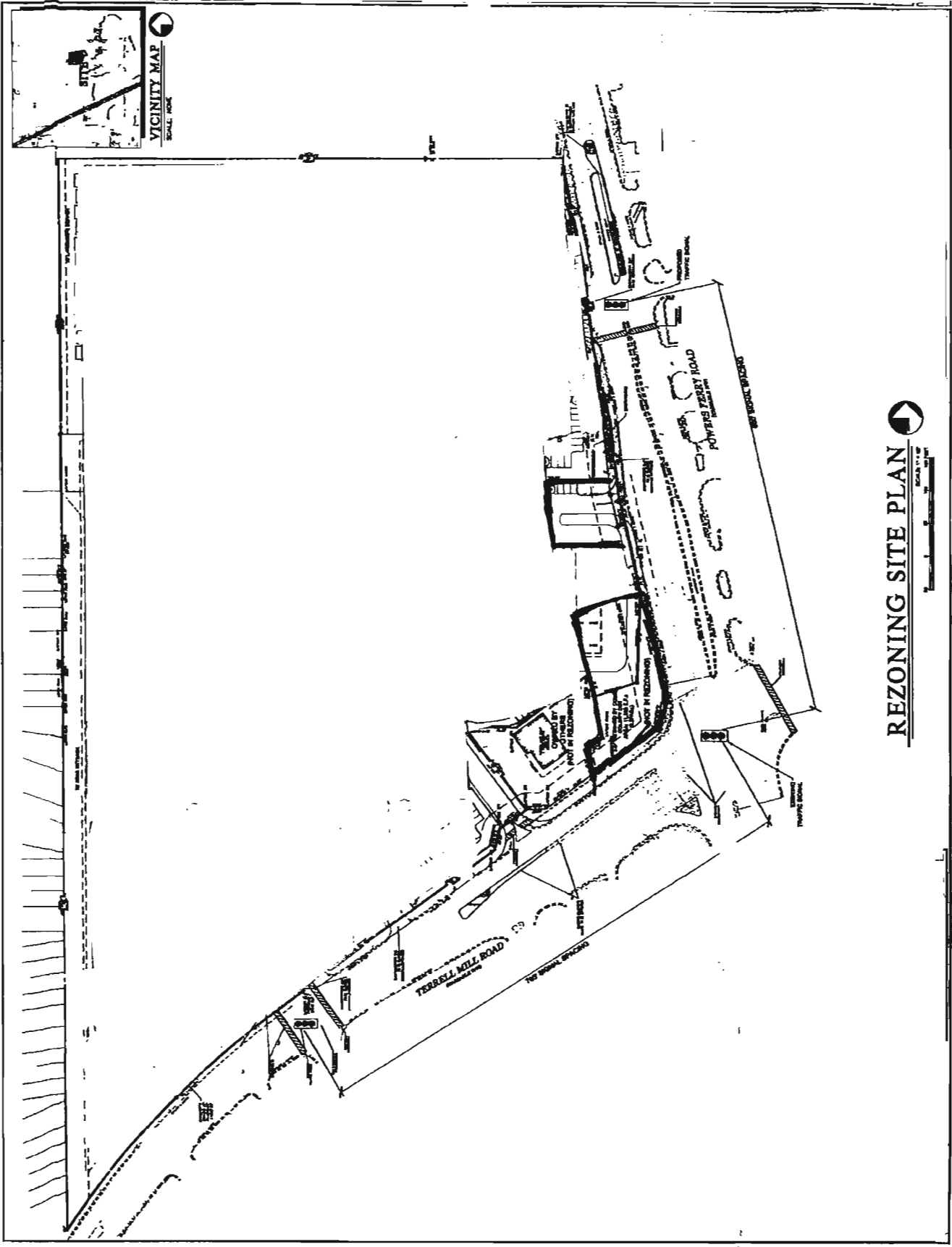


Z-17  
(2017)



REZONING SITE PLAN



REZONING SITE PLAN

Below the title "REZONING SITE PLAN" is a north arrow pointing upwards and a graphic scale bar. The scale bar is marked with increments of 0, 10, 20, 30, 40, 50, and 60 feet.

**APPLICANT:** Cobb County Board of Commissioners

**PETITION NO:** Z-17

**PHONE#:** (770) 528-3300 **EMAIL:** N/A

**HEARING DATE (PC):** 04-04-17

**REPRESENTATIVE:** Dana Johnson

**HEARING DATE (BOC):** 04-18-17

**PHONE#:** (770) 528-2125 **EMAIL:** dana.johnson@cobbcounty.org

**PRESENT ZONING:** GC, CRC

**TITLEHOLDER:** Cobb County Board of Commissioners

**PROPOSED ZONING:** CRC

**PROPERTY LOCATION:** West side of Powers Ferry Road, north side of Terrell Mill Road

**PROPOSED USE:** Retail, Restaurant or Offices

**ACCESS TO PROPERTY:** Powers Ferry Road and Terrell Mill Road

**SIZE OF TRACT:** 0.76 ac

**DISTRICT:** 17

**PHYSICAL CHARACTERISTICS TO SITE:** Undeveloped

**LAND LOT(S):** 923

**PARCEL(S):** 2,19

**TAXES: PAID** X **DUE** \_\_\_\_\_

**COMMISSION DISTRICT:** 2

**CONTIGUOUS ZONING/DEVELOPMENT**

- NORTH:** R-80/Former School Buildings
- SOUTH:** GC/Insurance Office and Undeveloped
- EAST:** GC/Restaurants, Retail, Convenience Store
- WEST:** GC/Auto Pawn; Offices, Retail, Restaurants

*Adjacent Future Land Use:*

- North: Public Institutional (PI)
- Northeast: Community Activity Center (CAC)
- Southeast: Community Activity Center (CAC)
- Southwest: Community Activity Center (CAC)

**OPPOSITION:** NO. OPPOSED **PETITION NO:** \_\_\_\_\_ **SPOKESMAN** \_\_\_\_\_

**PLANNING COMMISSION RECOMMENDATION**

**APPROVED** \_\_\_\_\_ **MOTION BY** \_\_\_\_\_

**REJECTED** \_\_\_\_\_ **SECONDED** \_\_\_\_\_

**HELD** \_\_\_\_\_ **VOTE** \_\_\_\_\_

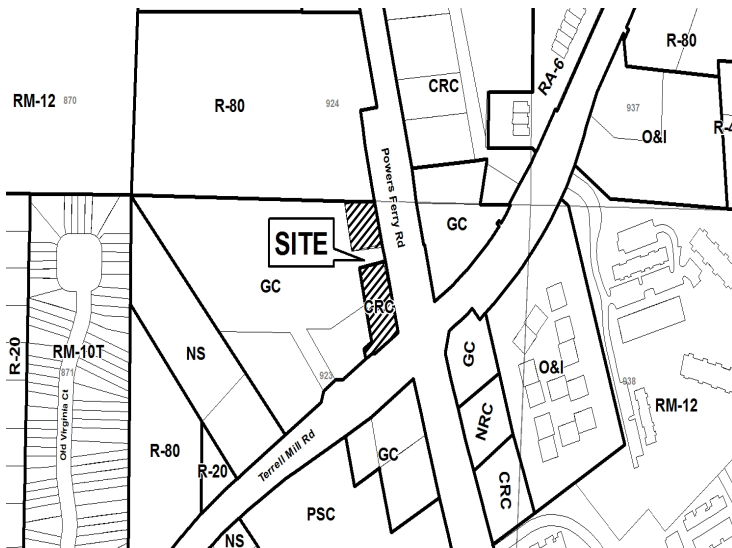
**BOARD OF COMMISSIONERS DECISION**

**APPROVED** \_\_\_\_\_ **MOTION BY** \_\_\_\_\_

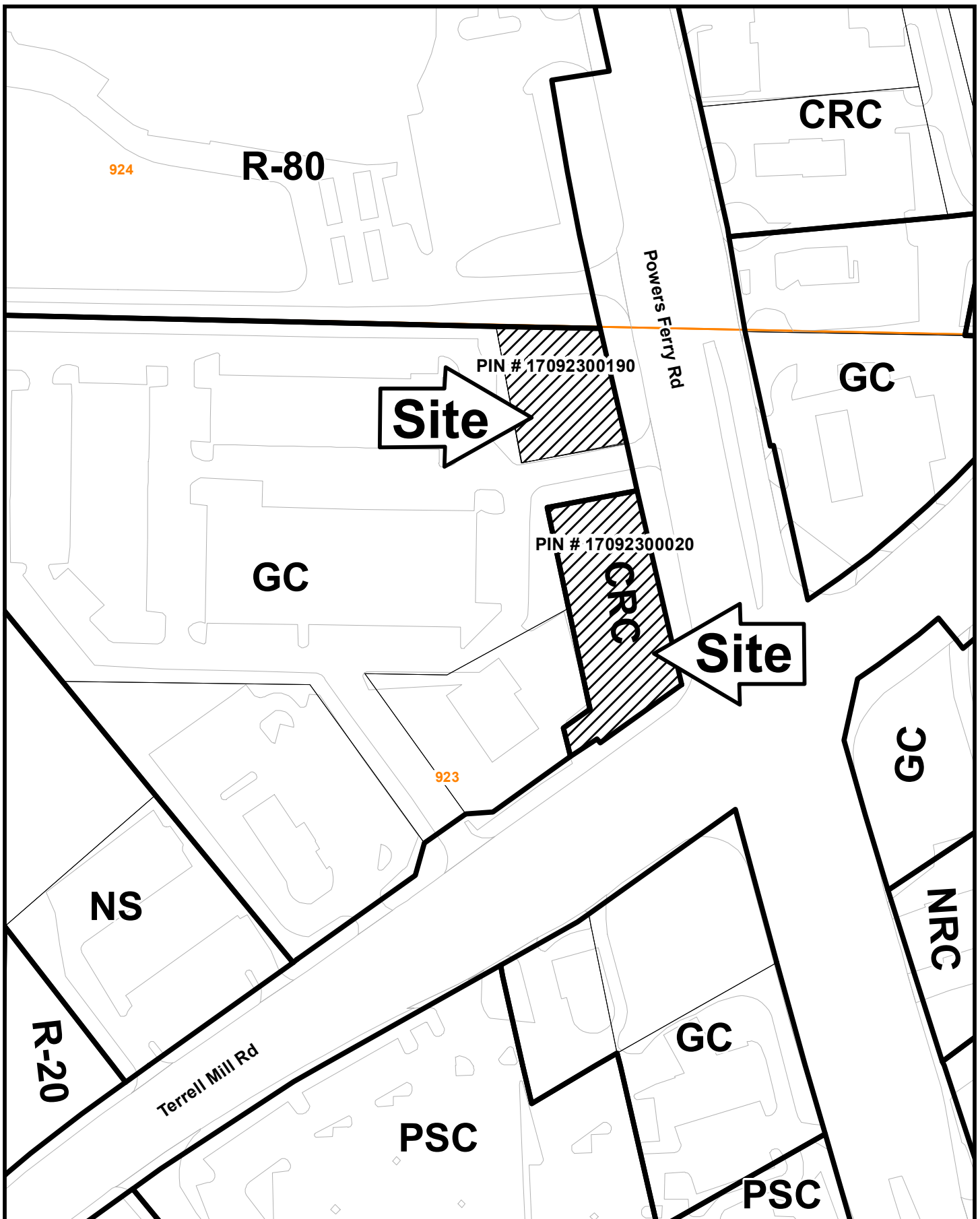
**REJECTED** \_\_\_\_\_ **SECONDED** \_\_\_\_\_

**HELD** \_\_\_\_\_ **VOTE** \_\_\_\_\_

**STIPULATIONS:**



# District 17 Land Lot 923 Parcels 2 & 19



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:** Cobb County Board of Commissioners

**PETITION NO.:** Z-17

**PRESENT ZONING:** GC, CRC

**PETITION FOR:** CRC

\*\*\*\*\*

**ZONING COMMENTS:**

**Staff Member Responsible:** Jason A. Campbell

**Land Use Plan Recommendation:** Community Activity Center (CAC)

**Proposed Number of Buildings:** 1      **Total Square Footage of Development:** 6,000

**F.A.R.:** 0.18      **Square Footage/Acre:** 7,894

**Parking Spaces Required:** 30      **Parking Spaces Provided:** 57

Cobb County is requesting the Community Retail Commercial (CRC) zoning district for the purpose of rezoning the subject parcels for retail, restaurant or office uses. Cobb County is in the process of selling the parcels and this rezoning request will assist in the sale of the property. By undertaking a county initiated rezoning action prior to the sale of the land, the county can remove a hurdle for the prospective purchaser while supporting surrounding uses by removing incompatibilities.

The proposed plan will require a contemporaneous variance to waive of the front setback from 50 feet to 40 feet.

**Cemetery Preservation:** No comment.

\*\*\*\*\*

**APPLICANT:** Cobb County Board of Commissioners  
**PRESENT ZONING:** GC, CRC

**PETITION NO.:** Z-17  
**PETITION FOR:** CRC

\*\*\*\*\*

**SCHOOL COMMENTS:**

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

- 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.

\*\*\*\*\*

**APPLICANT:** Cobb County BOC

**PETITION NO.:** Z-17

\*\*\*\*\*

**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: Cobb County Board of Commissioners**

**PETITION NO.: Z-17**

**PRESENT ZONING: GC & CRC**

**PETITION FOR: CRC**

\*\*\*\*\*

**PLANNING COMMENTS:**

The applicant is requesting a rezoning from GC and CRC to CRC for the purpose of retail, restaurant or offices. The +/- 0.76 acre site is located on the west side of Powers Ferry Road, north side of Terrell Mill 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 Marietta been notified?  Yes  No / N/A

Comprehensive Plan

The parcel is within a Community Activity Center (CAC) future land use category, with GC and CRC zoning designation. The purpose of the Community Activity Center (CAC) is to provide for areas that can meet the immediate needs of several neighborhoods or communities. Typical land uses for these areas include low to mid-rise office buildings and department 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)  
Northeast: Community Activity Center (CAC)  
Southeast: Community Activity Center (CAC)  
Southwest: Community Activity Center (CAC)

Master Plan/Corridor Study

The property is located within the boundary of the Powers Ferry Master Plan

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 Powers Ferry 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: Cobb County Board of Commissioners**

**PETITION NO.: Z-17**

**PRESENT ZONING: GC & CRC**

**PETITION FOR: CRC**

\*\*\*\*\*

**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 Cobb County Board of Commissioners

PETITION NO. Z-017

PRESENT ZONING GC, CRC

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 / W side of Powers Ferry Road

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: In Powers Ferry Road

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

Treatment Plant: Sutton

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 Unspecified development. Estimated wastewater flow cannot be determined.  
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: Cobb County Board of Commissioners**

**PETITION NO.: Z-17**

**PRESENT ZONING: GC, CRC**

**PETITION FOR: CRC**

\*\*\*\*\*

<b>STORMWATER MANAGEMENT COMMENTS</b>
---------------------------------------

No comments.

**APPLICANT:** Cobb County Board of Commissioners

**PETITION NO.:** Z-17

**PRESENT ZONING:** GC, CRC

**PETITION FOR:** CRC

\*\*\*\*\*

**TRANSPORTATION COMMENTS:**

ROADWAY	ROADWAY CLASSIFICATION	SPEED LIMIT	JURISDICTIONAL CONTROL	MIN. R.O.W. REQUIREMENTS
Powers Ferry Road	Arterial	45 mph	Cobb County	100'
Terrell Mill Road	Arterial	45 mph	Cobb County	100'

ROADWAY	LOCATION	AVERAGE DAILY TRIPS	LEVEL OF SERVICE
Powers Ferry Road	North of Terrell Mill	25,500	D
Terrell Mill Road	South of Brookview Road	27,600	D

*Based on 2011 traffic counting data taken by Cobb County DOT for Powers Ferry Road.  
 Based on 2009 traffic counting data taken by Cobb County DOT for Terrell Mill Road.  
 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**

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

Terrell Mill Road is classified as an arterial 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, including potential deceleration lanes and turn restrictions.

## STAFF RECOMMENDATIONS

### **Z-17 COBB COUNTY BOARD OF COMMISSIONERS**

- 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 proposal is similar to other properties in the area that include retail, restaurants, offices, single-family attached and detached developments.
- 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 request proposes uses that are currently found in the area.
- 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 within the Community Activity Center (CAC) land use category. The requested CRC zoning district and the proposed retail, restaurant or office uses are permitted under CRC.
- 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 applicant's requested CRC is compatible with the CAC land use categories. The proposed uses will be consistent with the surrounding area and are compatible with the land use category.

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

1. Final site plan to be approved by the District Commissioner;
2. Variance mentioned in Zoning comments;
3. Water and Sewer Division comments and recommendations; and
4. 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.**

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) List all requested variances: \_\_\_\_\_

**Part 2. Non-residential Rezoning Information (attach additional information if needed)**

- a) Proposed use(s): Retail, restaurant or offices.
- b) Proposed building architecture: To be determined by the Board of Commissioners.
- c) Proposed hours/days of operation: To be determined by the Board of Commissioners.
- d) List all requested variances: None known at this time.

**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).**

Yes. These two parcels are owned by the Cobb County Board of Commissioners.