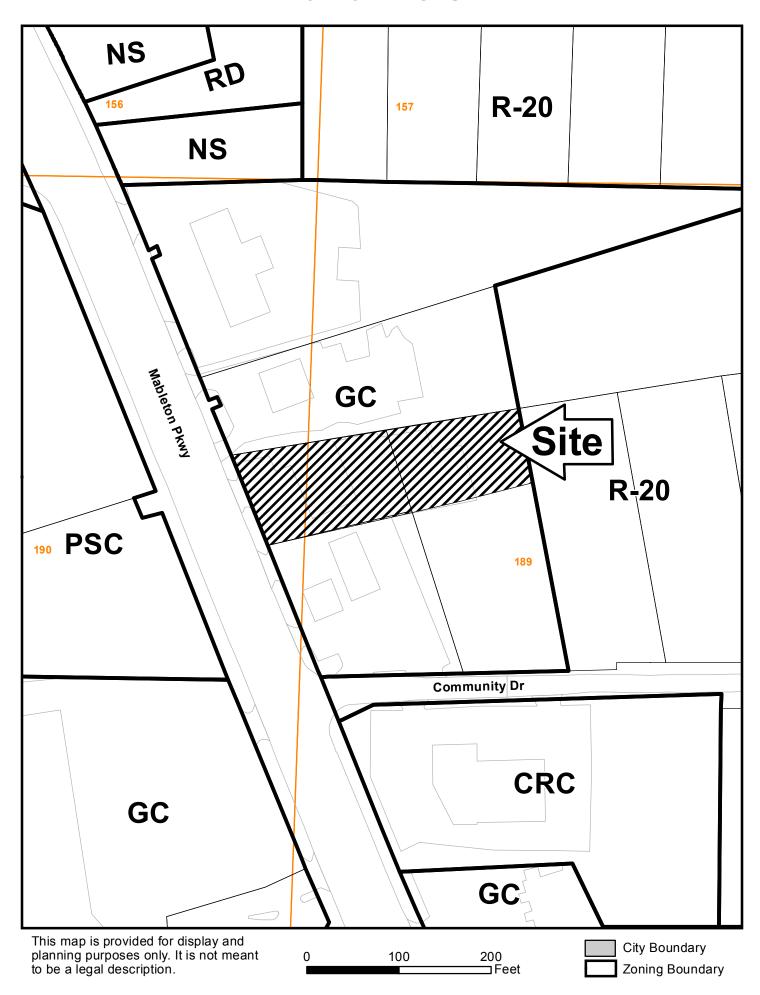


APPLICAN	T: Clarence Clay	PETITION NO:	Z-19		
PHONE#: ((770) 310-1063 EMAIL: cclay128@gmail.	com HEARING DATE (F	PC):05-02-17		
REPRESEN	TATIVE: Clarence Clay	HEARING DATE (F	BOC): 05-16-17		
	(770) 310-1063 EMAIL: cclay128@gmail.		G: GC		
TITLEHOL	DER: Clarence Clay				
		PROPOSED ZONIN	NG: NRC		
PROPERTY	Y LOCATION: East side of Mableton Park	cway, north of			
Community 1	Drive	PROPOSED USE:	Adding Storage to		
			Sports Bar		
ACCESS TO	O PROPERTY: Mableton Parkway	SIZE OF TRACT:	0.65 acres		
		DISTRICT:			
PHYSICAL	CHARACTERISTICS TO SITE: _Existi				
building (spo	orts bar) and billboard.	PARCEL(S):	3, 4 (partial)		
		TAXES: PAID X	DUE		
CONTICUE	OUS ZONING/DEVELOPMENT	COMMISSION DIS	TRICT: 4		
SOUTH: EAST: WEST:	GC/ Chevron gas station GC/ Vacant, undeveloped lot PSC/ Residence and undeveloped	North: Neighborhood Activity Center (NAC) East: Neighborhood Activity Center (NAC) South: Neighborhood Activity Center (NAC) West: Neighborhood Activity Center (NAC)			
<u>OPPOSITIO</u>	ON: NO. OPPOSEDPETITION NO:	SPOKESMAN			
PLANNING	COMMISSION RECOMMENDATION				
APPROVEI	DMOTION BY	Milito Circle Ext			
	SECONDED	PSC NS RO 157			
HELD	VOTE	R-20 NS			
APPROVEI REJECTED	COMMISSIONERS DECISION DMOTION BY DSECONDED VOTE	PSC SITE 199 CRC GC CRC	R-20		
STIPULAT	IONS:	R-20 GC RA-5	5		

Z-19 2017-GIS



APPLICANT: Clarence Clay		PETITION NO.: _ Z-19
PRESENT ZONING: GC		PETITION FOR: NRC
********	******	* * * * * * * * * * * * * * * * * * * *
ZONING COMMENTS: S	Staff Member Responsible: _	Terry Martin, MPA
Land Use Plan Recommendatio	n: Neighborhood Activity	Center (NAC)
Proposed Number of Buildings:	1 Total Square Foot	tage of Development: 4,156 sq. ft.
F.A.R.: 0.20 Square Foots	age/Acre: 8,551 sq. ft./ ac.	
Parking Spaces Required: 23	Parking Spaces Pr	rovided: 31
sports bar. The site's GC zoning, designation, cause it to be grandfar request before permits can be obtated. The existing business, a sports basize. Parking is provided on the prindividuals and its hours of operations.	coupled with its NAC neighborathered in its current state and trained for any changes including an operates within the current beoroperty by 31 paved and stripe tion are currently Monday- Clos.m. to 2a.m. and Sunday 5p.m.	square foot storage addition onto the existing or broad activity center future land use thus, necessitates the current rezoning g the addition. uilding that is just under 3,000 square feet in ed parking spaces. The business employs ten osed, Tuesday through Thursday 5p.m. to to midnight. The request to build out more
If approved, the following variance	ces should be considered to add	dress currently existing encroachment:
for both the existing build	ing and proposed addition; and	e from the required 10 feet to eight (8) feet lequired 8' 6" x 19' to 9' x 17'.
Cemetery Preservation: No con	mment.	
*****	******	******

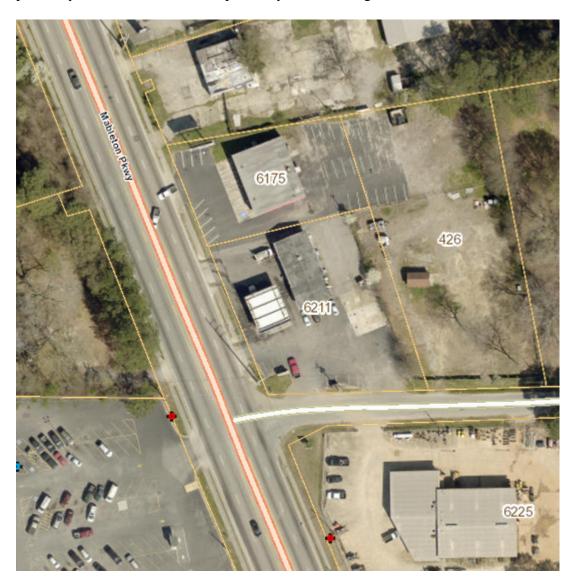
APPLICANT: Clarence Cl	ay	PETITION NO.	: Z-19
PRESENT ZONING: GC		PETITION FOR	R: NRC
******	******	*****	
SCHOOL COMMENTS:			
			Number of
		Capacity	Portable
Name of School	Enrollment	Status	Classrooms
Elementary			
Middle High • School attendance zones a	re subject to revision at an	y time.	
Additional Comments: App Schools.	proval of this petition will n	ot have an impact on the enr	rollment at Cobb Count

********* *** *** *****

APPLICANT: Clarence Clay **PETITION NO.:** Z-19

FIRE COMMENTS:

HYDRANT COVERAGE: Based on our hydrant GIS mapping system the new addition may require a new public hydrant be added for acceptable hydrant coverage.



APPLICANT: Clarence Clay	PE11110N NO.: Z-19	
PRESENT ZONING: GC	PETITION FOR: NRC	
* * * * * * * * * * * * * * * * * * * *	* * * * * * * * * * * * * * * * * * * *	
PLANNING COMMENTS:		
The applicant is requesting a rezoning from GC to NRC for t	the purpose of adding storage to a sports b	ar.
The 0.486 acre site is located on the east side of Mableton Park	way, north of Community Drive.	
<u> HB-489 Intergovernmental Agreement Zoning Amendment Not</u>	<u>ification:</u>	
Is the application site within one half (1/2) mile of a city bound	ary? □ Yes ■ No	
If yes, has the city of been notified?	\square Yes \blacksquare No / N/A	

DETITION NO. 7 10

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:

ADDI ICANT. Clarence Clare

The parcels along Mableton Parkway from Veterans Memorial Highway to Hunnicut Drive are in need of redevelopment and revitalization. Allowing mixed-use developments in this area will assist in creating live work areas as well as reduce traffic congestion and improve traffic flow. If mixed uses are to occur along the corridor, the mixing should occur vertically or horizontally by encouraging village style developments with residential over retail/office along major streets. On the minor streets within the development, stand alone residential would be appropriate as long as there is a commercial or a LRO component fronting Mableton Parkway. All areas of the new mixed use developments should include:

- Well designed buildings that create a frame for the street system by being constructed close to the sidewalk.
- On-street parking should be allowed where there is sufficient right –of-way and where it is appropriate for the particular roadway classification
- Pedestrian-oriented amenities should be included within the site development to create an inviting atmosphere and encourage the use of public spaces as community gathering spaces.
- Residential densities within the development should be determined on a case-by-case basis depending on the location of the project, intensity of the project, and proximity to other stable residential uses.
- In order to make mixed use developments along this corridor successful, scale is an important component, mixed use buildings should be no more than three stories tall. The three story height limit will provide the necessary density to financially allow a mixed use development and it will provide a consistency of scale with the surrounding residential neighborhoods.
- Residential uses in the mixed use developments should provide for additional owner-occupied housing opportunities.
- Mixed use developments adjacent to stable single-family residential neighborhoods should provide a
 change in scale or buffering/screening that will ensure the desirability and viability of the surrounding
 community.
- In recognition of the need for redevelopment and housing opportunity along Austell Road, the property located in LL 847 of the 19th District is placed in the Community Activity Center (CAC) future land use category. The Board of Commissioners, in an effort to promote quality redevelopment, funded the creation of the Austell Corridor Livable Centers Initiative Study. As part of the study recommendations, this property, owned by a religious institution, was identified as a property that would be appropriate for a mixed-use development in a manner consistent with the findings and acceptance language of the Austell Road Corridor Study document.

APPLICANT: Clarence Clay	PETITION NO.: Z-19
PRESENT ZONING: GC	PETITION FOR: NRC

PLANNING COMMENTS:	CONT.
Adjacent Future Land Use:	
North: Neighborhood Activity Center (NAC)	
East: Neighborhood Activity Center (NAC)	
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	s, historic maps, archaeology surveys and Civil War
trench location maps, staff finds that no known significa	
application. No further comment. No action by applicant	
Design Guidelines	
Is the parcel in an area with Design Guidelines? \square Y	Yes ■ No
If yes, design guidelines area	= 1.0
Does the current site plan comply with the design requirer	ments?
2 oco uno controllo company municipal de constante de con	
<u>Incentive Zones</u>	
Is the property within an Opportunity Zone? \Box Ye	
The Opportunity Zone is an incentive that provides \$3,500	
jobs are being created. This incentive is available for new	or existing businesses.
Is the property within an Enterprise Zone? ■ Ye	s 🗆 No
The South Cobb Enterprise Zone is an incentive that provi	
for qualifying businesses locating or expanding within des	
Is the property eligible for incentives through the Commer Program? ☐ Yes ■ No	± • •
The Commercial and Industrial Property Rehabilitation Pr	
ad valorem property taxes for qualifying redevelopment in	= = = = = = = = = = = = = = = = = = = =
ad valorem property taxes for quantying redevelopment in	rengiore areas.
For more information on incentives, please call the Comm	nunity Development Agency, Planning Division at
770.528.2018 or find information online at http://economicontent/but/http://economicontent/but/	
-	
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	(au vaiotelli tax);
100 = 110	
Is this property within the Six Flags Special Service Distri	ict?
☐ Yes ■ No	

APPLICANT: Clarence Clay	PETITION NO.: Z-19
PRESENT ZONING: GC	PETITION FOR: NRC
********	*********
PLANNING COMMENTS:	CONT.
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	

PRESENT ZONING GC				PET	TITION FOR <u>NRC</u>
* * * * * * * * * * * * * * * * * * * *	* *	* * * * * * * * *	* *	* * *	* * * * * * * * * * * * * *
WATER COMMENTS: NOTE: Comments refl	lect o	only what facilities v	were	in exi	stence 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 /	E side of Mableto	on Pa	ırkwa	У
Additional Comments: Existing water customer					
Developer may be required to install/upgrade water mains, based on Review Process.	fire f	low test results or Fire D) epartn	nent Co	de. This will be resolved in the Plan
* * * * * * * * * * * * * * * * * * * *	* *	*****	* * *	* * *	******
SEWER COMMENTS: NOTE: Comments	refle	ct only what facilitie	es we	re in e	existence at the time of this review.
In Drainage Basin:	✓	Yes			No
At Development:	✓	Yes			No
Approximate Distance to Nearest Sewer: On	site				
Estimated Waste Generation (in G.P.D.): A	DF:	= +23		P	eak= +58
Treatment Plant:		South	Cob	b	
Plant Capacity:	✓	Available		Not .	Available
Line Capacity:	✓	Available		Not .	Available
Projected Plant Availability:	✓	0 - 5 years		5 - 1	0 years
Dry Sewers Required:		Yes	✓	No	
Off-site Easements Required:		Yes*	✓	No	*If off-site easements are required, Develope must submit easements to CCWS for
Flow Test Required:		Yes	✓	No	review/approval as to form and stipulations prior to the execution of easements by the
Letter of Allocation issued:		Yes	V	No	property owners. All easement acquisitions are the responsibility of the Developer
Septic Tank Recommended by this Department	: [Yes	✓	No	
Subject to Health Department Approval:		Yes	~	No	
Additional Existing sewer customer					

APPLICANT

Comments:

Clarence Clay

PETITION NO. Z-019

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.

PRESENT ZONING: <u>GC</u>	PETITION FOR: NRC
*************	***************
STORMWATER MANAGEMENT COMMEN	TS
FLOOD HAZARD: YES NO POSSIBI	LY, NOT VERIFIED
DRAINAGE BASIN: Gordon Creek FLOOD H FEMA Designated 100 year Floodplain Flood. Flood Damage Prevention Ordinance DESIGNATEI Project subject to the Cobb County Flood Damage Properties Dam Breach zone from (upstream) (onsite) lake - necessity.	revention Ordinance Requirements.
<u>WETLANDS:</u> ☐ YES ☐ NO ☐ POSSIBLY, N	OT VERIFIED
Location:	
The Owner/Developer is responsible for obtaining a Corps of Engineer.	ny required wetland permits from the U.S. Army
STREAMBANK BUFFER ZONE: YES NO	☐ POSSIBLY, NOT VERIFIED
 Metropolitan River Protection Area (within 2000' of County Buffer each side of waterway). Chattahoochee River Corridor Tributary Area - County Georgia Erosion-Sediment Control Law and County Georgia DNR Variance may be required to work in 2 County Buffer Ordinance: 50', 75', 100' or 200' each 	ordinance - County Review/State Review. 25 foot streambank buffers.
DOWNSTREAM CONDITIONS	
 □ Potential or Known drainage problems exist for developer must be controlled not to exceed drainage system. □ Minimize runoff into public roads. □ Developer must secure any easements required to a naturally. 	narges onto adjacent properties.
naturally Existing Lake Downstream Additional BMP's for erosion sediment controls will Lake Study needed to document sediment levels. Stormwater discharges through an established resident project engineer must evaluate the impact of increase project on receiving stream.	ntial neighborhood downstream.

PETITION NO.: <u>Z-19</u>

APPLICANT: Clarence Clay

APPLICANT: <u>Clarence Clay</u>	PETITION NO.: <u>Z-19</u>
PRESENT ZONING: <u>GC</u>	PETITION FOR: NRC
* * * * * * * * * * * * * * * * * * * *	**********
STORMWATER MANAGEMENT COMP	MENTS – Continued
SPECIAL SITE CONDITIONS	
engineer (PE). Existing facility. Project must comply with the Water Quality require	eview.
Water Quality Ordinance. Water Quality/Quantity contributions of the exist conditions into proposed project. Calculate and provide % impervious of project sit Revisit design; reduce pavement area to reduce ru	

ADDITIONAL COMMENTS

- No significant site improvements are proposed.
 Stormwater management must be provided upon redevelopment or substantial improvement.

APPLICANT: Clarence Clay	PETITION NO.: Z-19
PRESENT ZONING: GC	PETITION FOR: NRC
*********	* * * * * * * * * * * * * * * * * * * *

TRANSPORTATION COMMENTS:

ROADWAY	ROADWAY CLASSIFICATION	SPEED LIMIT	JURISDICTIONAL CONTROL	MIN. R.O.W. REQUIREMENTS
Mableton Parkway	Arterial	45 mph	Georgia DOT	100'

ROADWAY LOCATION		AVERAGE DAILY TRIPS	LEVEL OF SERVICE	
Mableton Parkway	North of Nash Circle	23,700	D	

Based on 2015AADT counting data taken by GDOT, as published on their website, for Mableton Parkway.

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

Mableton Parkway 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 east side of Mableton Parkway, 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.

STAFF RECOMMENDATIONS

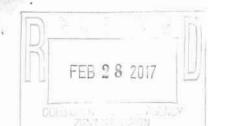
Z-19 CLARENCE CLAY

- 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 request is not to change the current use but allow a better functioning of the business by providing much needed storage space.
- 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. As no changes to the operation of the current business are anticipated through this application, no adverse effects should be expected. If there are existing issues that need to be ameliorated, this may provide the opportunity for the Board to address them.
- 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 to be within the NAC neighborhood activity center future land use area. This area serves to provide for businesses that serve neighborhood residents and businesses such as retail and eating and drinking establishments.
- 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, necessitated by the property's "grandfathered" status, is simply to be allowed to construct a 1,165 square foot storage addition onto the rear of the existing building. Parking is currently provided on site by means of paved and striped spaces. No other aspects of the business's operations are anticipated through this application.

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

- 1. Site plan received May 23, 2017, with the District Commissioner approving minor modifications;
- 2. Addition to match existing building, with District Commissioner approving architectural elevation of addition;
- 3. Addition to not reduce the number of required parking spaces below the Code-required minimum of one (1) space per 100 square feet of floorspace (net);
- 4. Fire Department comments and recommendations;
- 5. Stormwater Management Division comments and recommendations:
- 6. Sewer and Water Division comments and recommendations;
- 7. Cobb Department of Transportation comments and recommendations;
- 8. 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.

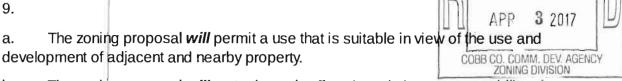


Application No. 2-19

May 2017

Summary of Intent for Rezoning

a)	Proposed unit square-footage(s):
b)	Proposed building architecture:
c)	List all requested variances:
• • • • • • • • • • • • • • • • • • • •	
Non-i	residential Rezoning Information (attach additional information if needed)
a)	Proposed use(s): Add 5tores
b)	Proposed building architecture: LOOK Like Current
<u>c)</u>	Proposed hours/days of operation: Monday - Closed / Tues - Thursd Pm - 12mid fridgy + Setursday 5Pm - 2AL
()	Monday Closed Tues - Thursd
<u>S</u> (d)	List all requested variances:
u)	None Known
	TOUNE KNOWN
3. Otl	ner Pertinent Information (List or attach additional information if needed)
	None Knows
	TOUT PROBE
	y of the property included on the proposed site plan owned by the Local, State, or Federal Governmen
(Plea	



- The zoning proposal will not adversely affect the existing use or usability of b. adjacent or nearby property.
- The property to be affected by the zoning proposal *does not* have a reasonable economic use as currently zoned.
- d. The zoning proposal *will not* result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.
- The zoning proposal is in conformity with the policy and intent of the land use plan. e.
- f. There are **no** 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.

