

Z-32
(2017)

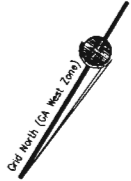
WINDY HILL SELF STORAGE

CONCEPT PLAN

DATE: 05/11/17	BY: [Signature]
SCALE: 1" = 50'	PROJECT: WINDY HILL SELF STORAGE
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NO.	DATE	DESCRIPTION
1	5/11/17	CONCEPT PLAN
2	5/11/17	CONCEPT PLAN
3	5/11/17	CONCEPT PLAN
4	5/11/17	CONCEPT PLAN
5	5/11/17	CONCEPT PLAN
6	5/11/17	CONCEPT PLAN
7	5/11/17	CONCEPT PLAN
8	5/11/17	CONCEPT PLAN
9	5/11/17	CONCEPT PLAN
10	5/11/17	CONCEPT PLAN

DEVELOPER
WINDY HILL SELF STORAGE, LLC



TAX PARCEL ID: 1707500060
SITE ADDRESS: 2371 WEST HL BL
SITE AREA: 17,269.50 SQ FT OF STORAGE SPACE
PROPOSED TRACT 1: 1,977 ACRES
PROPOSED TRACT 2: 2,640 ACRES

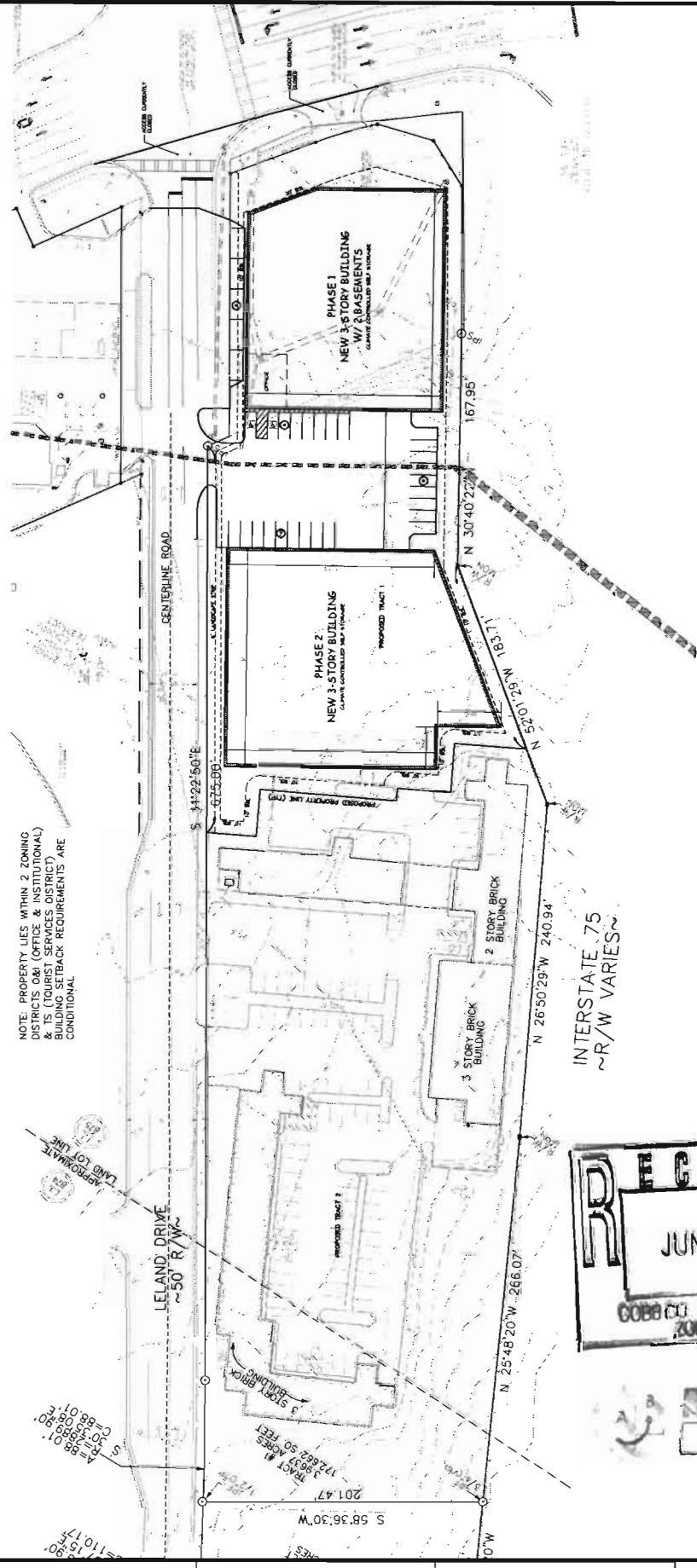
EXISTING SITE ZONING: O&I & TS
PROPOSED SITE ZONING: RRC
FLOOR AREA RATIO:
BUILDING SETBACK LINES:

BUILDING SUMMARY:
 1-STORY BUILDING / 2-BASINETS
 17,269.50 SQ FT OF STORAGE SPACE
 APPROXIMATELY 600 STORAGE UNITS

PARKING SUMMARY:
 100% ASPHALT
 100% SURFACE
 100% GRAVEL
 100% CONCRETE
 100% PAVED

NOTES:
 1. ALL DIMENSIONS ARE TO FACE UNLESS NOTED OTHERWISE.
 2. ALL DIMENSIONS ARE TO FACE UNLESS NOTED OTHERWISE.
 3. ALL DIMENSIONS ARE TO FACE UNLESS NOTED OTHERWISE.
 4. ALL DIMENSIONS ARE TO FACE UNLESS NOTED OTHERWISE.
 5. ALL DIMENSIONS ARE TO FACE UNLESS NOTED OTHERWISE.

NOTE: PROPERTY LIES WITHIN 2. ZONING DISTRICTS O&I (OFFICE & INSTITUTIONAL) & TS (TOURIST SERVICES DISTRICT) BUILDING SETBACK REQUIREMENTS ARE CONDITIONAL



RECEIVED
 JUN - 8 2017
 GOBB CO COMM DEV AGENCY
 ZONING DIVISION

REVISED



APPLICANT: Windy Hill Self Storage, LLC

PHONE #: (678) 713-1257 **EMAIL:** mcooke@mtc-corp.net

REPRESENTATIVE: Garvis L. Sams, Jr.

PHONE #: (770) 422-7016 **EMAIL:** gsams@slhb-law.com

TITLEHOLDER: Unique Hotel, LLC

PROPERTY LOCATION: West side of Leland Drive, east side of I-75, and the north side of Windy Hill Road

ACCESS TO PROPERTY: Leland Drive

PHYSICAL CHARACTERISTICS TO SITE: Portion of existing two and three story hotel complex amongst three (3) separate buildings

CONTIGUOUS ZONING/DEVELOPMENT

- NORTH:** O&I/ Remaining On-site Hotel
- SOUTH:** I-75 ROW and Access Ramps
- EAST:** GC, O&I, RM-12/ BP Gas Station, Belmont Place Apartments
- WEST:** I-75 ROW and Access Ramps

Adjacent Future Land Use:

- Northwest: Regional Activity Center (RAC/off)
- Northeast: Regional Activity Center (RAC/rs)
- Southeast: Regional Activity Center (RAC/rs)
- Southwest: Regional Activity Center (RAC/off) (across I-75)

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:

PETITION NO.: Z-32

HEARING DATE (PC): 07-06-17

HEARING DATE (BOC): 07-18-17

PRESENT ZONING: O&I and TS

PROPOSED ZONING: RRC

PROPOSED USE: Climate Controlled Self-Service Storage Facility

SIZE OF TRACT: 1.97 ac

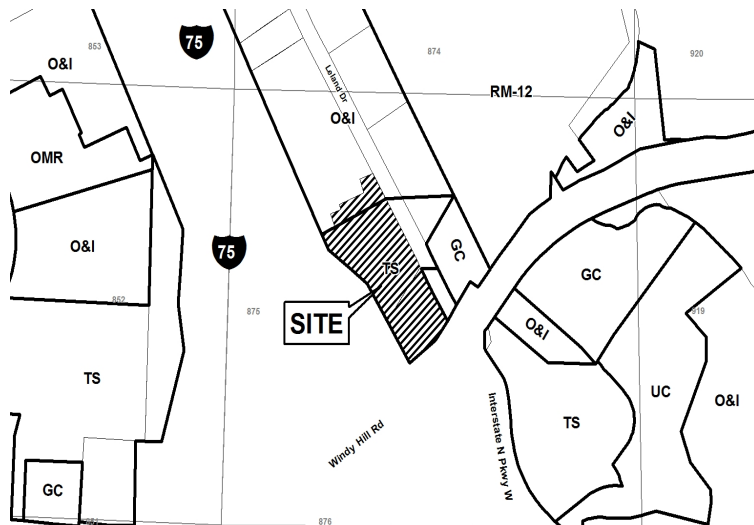
DISTRICT: 17

LAND LOT(S): 874,875

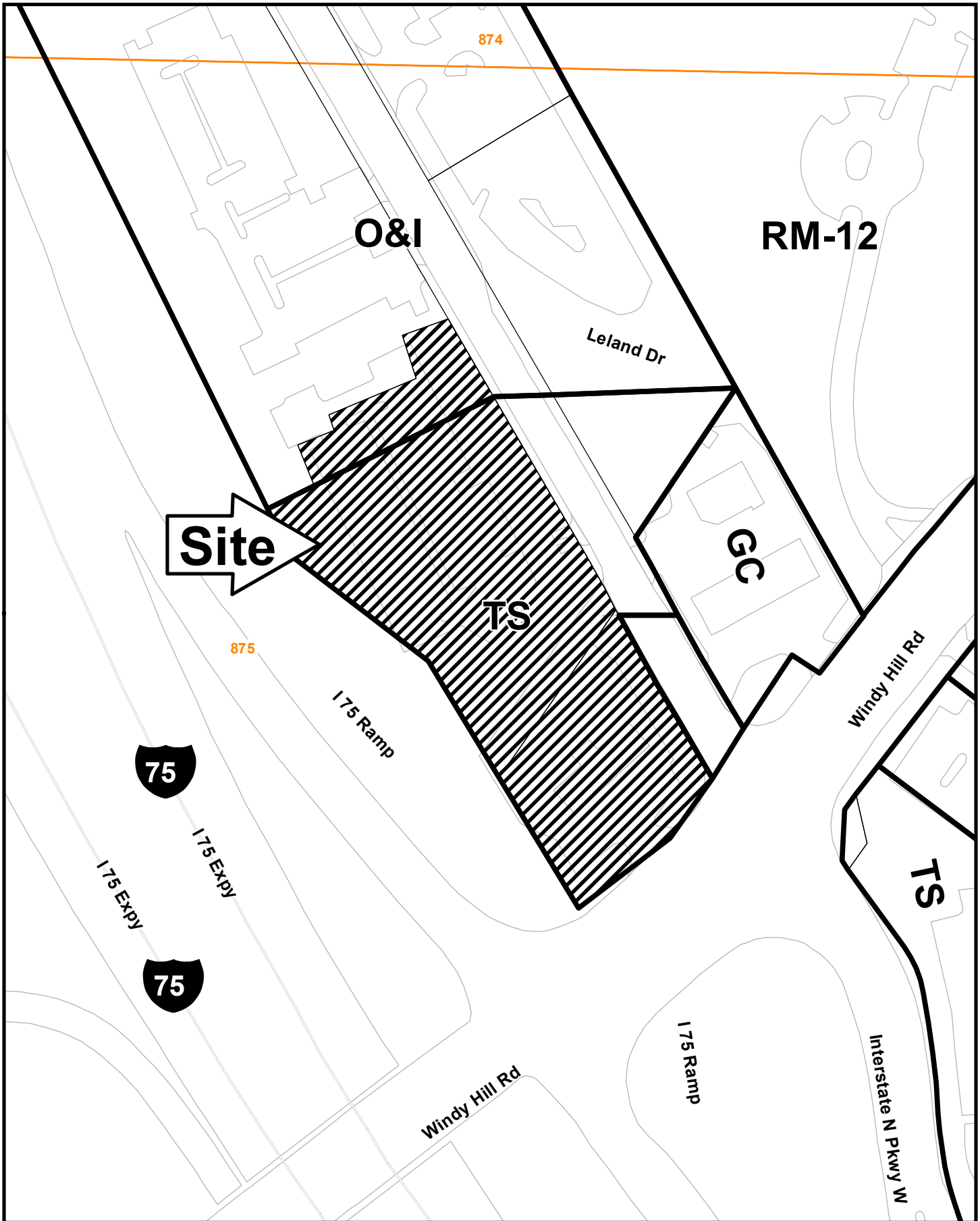
PARCEL(S): 7, 9

TAXES: PAID X **DUE**

COMMISSION DISTRICT: 2



Z-32 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: Windy Hill Self Storage, LLC

PETITION NO.: Z-32

PRESENT ZONING: O&I and TS

PETITION FOR: RRC

ZONING COMMENTS:

Staff Member Responsible: Terry Martin, MPA

Land Use Plan Recommendation: Regional Activity Center (RAC)

Proposed Number of Buildings:2 (2 phases)**Total Square Footage of Development:** 194,100 sq. ft.

F.A.R.: 2.26 **Square Footage/Acre:** 98,528 sq. ft.

Parking Spaces Required: 32 **Parking Spaces Provided:** 32

The applicant is requesting a rezoning from the property’s existing split zoning of O&I office and institutional district and TS tourist services district to RRC reginal retail commercial district. The proposal is to demolish part of the existing hotel property in order to redevelop as a new freestanding climate controlled self-service storage facility with office space. The development will consist of storage facility that will total 189,100 sq. ft. across two (2) three (3) story buildings to be built in two (2) phases with the first phase to total 107,950 sq. ft. which will have 600 storage units plus 5,000 sq. ft. of office space. The second phase will have 81,150 sq. ft. with 500 storage units. The applicant indicates that the buildings will be four-sided brick with cementious accents. The business will operate Monday through Saturday from 8:00 a.m. until 6:00 p.m. and Sunday from 1:00 p.m. until 6:00 p.m.

The applicant’s proposal adheres to most of the particular requirements for the freestanding climate controlled self-service storage facility use in that it remains in keeping with surrounding properties’ height (three (3) stories) and provides a main or central entrance to all units. As proposed, due to the property’s shape and size as well as the applicant’s site layout which seeks to accommodate an existing stormwater pipe traversing the middle of the site, setback variances on all four (4) sides will be necessary. Other aspects such as the architectural appearance of the building and lighting and landscaping will be finalized with forthcoming renderings and plans to be approved by the BOC or the District Commissioner before construction begins. The Code requirement of a Special Land Use Permit is being fulfilled by the applicant’s concurrent request SLUP-6 being heard alongside this application.

If approved, the following variances will be necessary:

1. Waive the landscape enhancement strip from the required eight (8) feet to zero feet adjacent to Leland Drive;
2. Increase the maximum F.A.R. from 2.00 to 2.5;
3. Waive the front setback from the required 50 feet to 30 feet (adjacent to Windy Hill Road);
4. Waive the rear setback from the required 30 feet to 10 feet; and
5. Waive the major side setbacks from the required 35 feet to 10 feet adjacent to Leland Drive and from the required 25 feet to 10 feet adjacent to Interstate 75.

Cemetery Preservation: No comments.

APPLICANT: Windy Hill Self Storage, LLC

PETITION NO.: Z-32

PRESENT ZONING: O&I and TS

PETITION FOR: RRC

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 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.

Modifications will be required to incorporate the Cobb County Fire Marshal’s Office comments.

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.

Maximum slope of the access road in reference to the apparatus is 10% Front to Back and 5% Side to Side. Maximum grade of roadways leading to Fire Access roads refer to the Cobb County Development Standard Section 400: 14% for Non-Residential. Maximum angle of departure is 8.5%.

Dead-end access roads in excess of 150 feet shall be provided with a turn-around (IFC 503.2.5 2006 Edition). Cul-de-sac with or without an island: minimum 60-foot radius to outside curb, measured to inside of curb and a minimum lane width = 24 feet (Cobb County Development Standard 401.09). Single-Family cul-de-sac without island: 38-foot outside radius with island reverts to commercial dimensions. Hammerhead turn-around: total of 110 feet needed (45 feet + 20 feet wide roadway + 45 feet).

Aerial apparatus access shall be required for all structures over 30 feet in height measured from the lowest level of fire department access to the ceiling height of the highest occupied floor level. Aerial fire apparatus access roads shall be a minimum width of 24 feet maximum of 40 feet from the structure and be positioned parallel to one entire side of the building. No overhead utility and power lines shall be located within the aerial fire apparatus access. (Cobb County Development Standards 401.08.02.1)

APPLICANT: Windy Hill Self Storage, LLC

PETITION NO.: Z-32

PRESENT ZONING: O&I and TS

PETITION FOR: RRC

PLANNING COMMENTS:

The applicant is requesting a rezoning from O&I and TS to RRC for the purpose of a climate controlled self-serve storage facility. The 3.96 acre site is located on the west side of Leland Drive, east of I-75, north of Windy Hill 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 Regional Activity Center (RAC/off) future land use category, with R-20 zoning designation. The purpose of the Regional Activity Center (RAC) category is to provide for areas that can support a high intensity of development which serves a regional market. Typical land uses in these areas include high-rise office buildings, regional malls and varying densities of residential development. Office developments are considered the most appropriate development in the Office land use category. However, mixed-use developments that include retail may also be appropriate. Mid or high rise residential developments are also appropriate in this category. This shall include any residential development in excess of four (4) stories per structure. Because of the unique, urban characteristics of RAC's, building height and density shall be reviewed on a case-by-case basis.

Specific Area Policy Guidelines:

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

Adjacent Future Land Use:

Northwest: Regional Activity Center (RAC/off)
Northeast: Regional Activity Center (RAC/rs)
Southeast: Regional Activity Center (RAC/rs)
Southwest: Regional Activity Center (RAC/off) (across I-75)

Master Plan/Corridor Study

The property is not 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.

APPLICANT: Windy Hill Self Storage, LLC

PETITION NO.: Z-32

PRESENT ZONING: O&I and TS

PETITION FOR: RRC

PLANNING COMMENTS:

CONT.

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

APPLICANT Windy Hill Self Storage LLC

PETITION NO. Z-032

PRESENT ZONING O&I and TS

PETITION FOR RRC

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" AC / W side of Leland Drive

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: Leland Drive ROW

Estimated Waste Generation (in G.P.D.): A D F= 160 Peak= 400

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 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: Windy Hill Self Storage, LLC

PETITION NO.: Z-32

PRESENT ZONING: O&I, TS

PETITION FOR: RRC

STORMWATER MANAGEMENT COMMENTS

FLOOD HAZARD: YES NO POSSIBLY, NOT VERIFIED

DRAINAGE BASIN: Rottenwood 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 easements 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 system.

APPLICANT: Windy Hill Self Storage, LLC

PETITION NO.: Z-32

PRESENT ZONING: O&I, TS

PETITION FOR: RRC

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 site is located between Leland Drive and I-75 just north of Windy Hill Road. The site is currently occupied by a portion of the Country Hearth Inn & Suites.
2. There is an existing large diameter RCP stormwater line that traverses this parcel that is in poor condition. The line is approximately 30 feet deep and drains a significant portion of the North x Northwest Office Park to the west of I-75. Although the existing hotel building is currently located over this pipe, the Stormwater Management Division cannot support the construction of a new, much larger building over existing stormwater infrastructure. The applicant has agreed to replace the existing pipe through the site as well as provide an adequate private easement to allow for future maintenance.

APPLICANT: Windy Hill Self Storage, LLC

PETITION NO.: Z-32

PRESENT ZONING: O&I and TS

PETITION FOR: RRC

TRANSPORTATION COMMENTS:

ROADWAY	ROADWAY CLASSIFICATION	SPEED LIMIT	JURISDICTIONAL CONTROL	MIN. R.O.W. REQUIREMENTS
Leland Drive	Local	25 mph	Cobb County	50'
Windy Hill Road	Arterial	35 mph	Cobb County	100'

ROADWAY	LOCATION	AVERAGE DAILY TRIPS	LEVEL OF SERVICE
Leland Drive	N/A	N/A	N/A
Windy Hill Road	West of Spectrum Circle	28,500	D

*Based on 2015AADT counting data taken by GDOT, as published on their website, for Windy Hill 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

Leland Drive is classified as a local and according to the available information the existing right-of-way does meet the minimum requirements for this classification.

Windy Hill 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.

Recommend removing and closing driveway aprons along Leland Drive frontage that development renders unnecessary.

STAFF RECOMMENDATIONS

Z-32 WINDY HILL SELF STORAGE, LLC

- 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. With other commercial development in the immediate area including the remaining hotel property and with an apartment community directly across the street as well as a gas station, the proposed use of a freestanding climate controlled self-service storage facility is suitable and may provide a welcomed amenity to users in the area.
- B. It is Staff's opinion that the applicant's rezoning proposal will not have an adverse effect on the usability of adjacent or nearby property. Given the aforementioned commercial development and the project's location immediately adjacent to the Interstate 75 right-of-way to the west, the proposed storage facility should not have an adverse effect upon those 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 to be within the RAC regional activity center future land use category. This category seeks to provide for areas that can support high intensity of development, which serves a regional market. The proposed storage facility is located near the intersection of two (2) major roadways (Interstate 75 and Windy Hill Road) and has the potential to service nearby residents and businesses with a development of appropriate size while still following most guidelines set out for that use.
- 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 to redevelop a portion of the existing hotel complex with a three (3) story freestanding climate controlled self-service storage facility and general office space is suitable given the development of the surrounding properties and may benefit as an amenity to the nearby apartment community to the east. Though setback variances and an increase in F.A.R. are proposed mainly due to the site's existing shape and developed state as well as its immediate proximity to Interstate 75 and a stormwater pipe which traverses the site, it adheres to most all other requirements for this use as set out by the Code. With approval of specific site plans and renderings, a quality and beneficial development may be achieved.

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

1. Site plan dated May 16, 2017, with the District Commissioner approving minor modifications;
2. Architectural elevations to be approved by the District Commissioner including "one way" opaque windows and screened rooftop utilities;
3. Landscape plan to be approved by the District Commissioner;
4. Fire Department comments and recommendations;
5. Sewer and Water Division comments and recommendations;
6. Stormwater Management Division comments and recommendations; and
7. 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.



Application No. Z-32
July 2017

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) List all requested variances: _____

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

- a) Proposed use(s): Climate Controlled Self Service Storage Facility ("CCSSSF")
- b) Proposed building architecture: Four-sided brick with cementious accents.
- c) Proposed hours/days of operation: The hours of operation shall be from 8:00 a.m. until 6:00 p.m. Monday - Saturday and from 1:00 p.m. until 6:00 p.m. on Sundays.
- d) List all requested variances: A waiver of the setback on I-75 from 30' to 10' and a waiver on the minor side setback from 15' to 5'.

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

The subject property is located within the confines of a Regional Activity Center ("RAC") under Cobb County's Future Land Use Map which contemplates the type of use sought.

Moreover, the subject property has direct contiguity to I-75 and direct contiguity to existing commercially-zoned properties and uses.

.....
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.



**ZONING IMPACT STATEMENT FOR THE
REZONING APPLICATION
OF WINDY HILL SELF STORAGE, LLC**

COMES NOW, WINDY HILL SELF STORAGE, LLC, and, pursuant to

§134-121(a)(7) of the Cobb County Zoning Ordinance, files this Zoning Impact Statement, as follows:

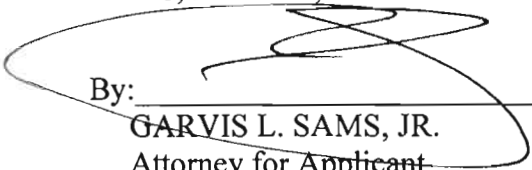
- A. The zoning proposal will permit a use of the property which is suitable in the context of development and existing zonings in direct contiguity to the subject property and along the I-75 Corridor.
- B. The zoning proposal will have no adverse effect or impact upon the existing uses or usability of adjacent or nearby properties, the preponderance of which are commercial developments.
- C. The subject property to be affected by the zoning proposal has no reasonable economic use as currently zoned in that the fair market value of same falls below the range of values of similarly zoned and situated properties with equivalent utility. Additionally, the present owner of the subject property is suffering a significant economic detriment by virtue of the continuation of the present split zoning classification of O&I and TS.
- D. The zoning proposal will have no adverse impact upon the existing County infrastructure including, but not limited to, existing streets, transportation facilities, utilities or schools.

- E. The zoning proposal is consistent with those uses and purposes contemplated under Cobb County's Comprehensive Land Use Plan and Future Land Use Map with the subject property lying and being in a Regional Activity Center ("RAC").

- F. There is no substantial relationship between the existing split zoning classification of O&I and TS which limit the property in terms of its present utilization and the public health, safety and general welfare. Additionally, considered in the context of development along this section of the I-75 Corridor, there are no established land use planning principles or political considerations which would have an adverse effect upon this proposed rezoning.

Respectfully submitted, this the 4TH day of May, 2017.

SAMS, LARKIN, HUFF & BALLI, LLP

By: 

GARVIS L. SAMS, JR.
Attorney for Applicant
Ga. Bar No. 623950