



**9Cobb County Community Development Agency
Zoning Division**
1150 Powder Springs St. Marietta, Georgia 30064

Case # Z-7
Public Hearing Dates:
PC: 03-06-18
BOC: 03-20-18

SITE BACKGROUND

Applicant: 3103 ND, LLC

Phone: Not Provided

Email: kmpark@inoknoll.com

Representative Contact: Michele Battle

Phone: (404) 601-7616

Email: mlb@battlelawpc.com

Titleholder: John Douglas Howser, Robert David Howser, III

Property Location: West side of Oakdale Road, east side of South Cobb Drive

Address: 4780 Oakdale Road

Access to Property: South Cobb Drive

QUICK FACTS

Commission District: 2-Ott

Current Zoning: R-20 (Single-family Residential)

Current use of property: Single-family house

Proposed Zoning: NRC (Neighborhood Retail Commercial)

Proposed use: Self-storage, Office/Retail

Future Land Use Designation: NAC (Neighborhood Activity Center)

Site Acreage: 2.497 ac

District: 17

Land Lot: 690, 691, 750, and 751

Parcel #: 17069100120

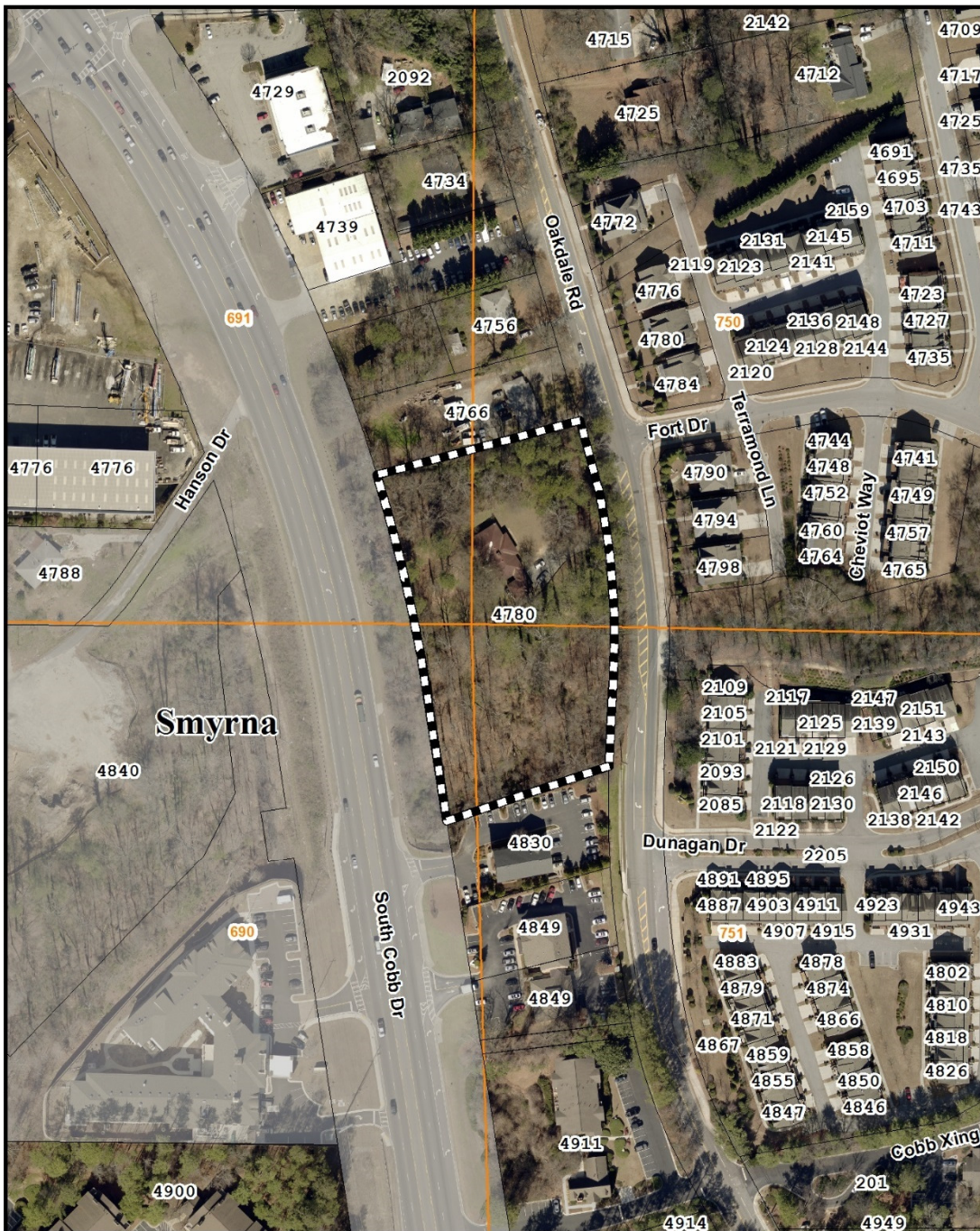
Taxes Paid: Yes

FINAL ZONING STAFF RECOMMENDATION:
(Zoning staff member: Jason A. Campbell)

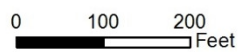
Based on the analysis of this case, Staff recommends **APPROVAL** subject to the following:



1. Site plan received by the Zoning Division on December 6, 2017;
2. Variance to waive the maximum height allowed under NRC from 35 feet to 48 feet;
3. Fire Department comments and recommendations;
4. Planning Division comments and recommendations;
5. Water and Sewer Division comments and recommendations;
6. Stormwater Management Division comments and recommendations; and
7. Department of Transportation comments and recommendations.

Z-7 2018-Aerial Map



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

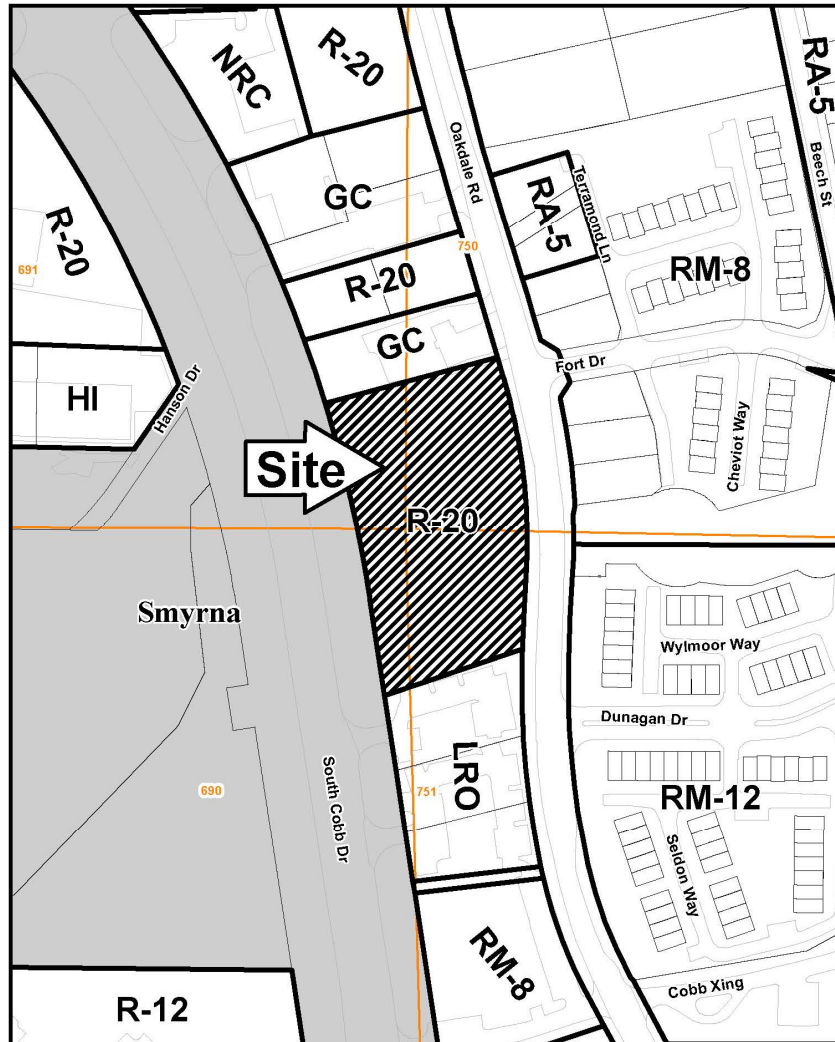


-  Land Lot
-  City Boundary

North
Zoning: GC (General Commercial)
Future Land Use: NAC (Neighborhood Activity Center)

Z-7 2018-GIS

WEST
Zoning: City of Smyrna
Future Land Use: City of Smyrna



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

EAST
Zoning: RM-8/Multi-family Residential
Future Land Use: MDR (Medium Density Residential)

SOUTH
Zoning: LRO (Low Rise Office)
Future Land Use: NAC (Neighborhood Activity Center)

DEPARTMENT COMMENTS- Zoning Division

Current zoning district for the property

The R-20 district is established to provide locations for single-family residential uses or residentially compatible institutional and recreational uses which are within or on the edge of properties delineated for any residential category as defined and shown on the Cobb County Comprehensive Plan: A Policy Guide, adopted November 27, 1990. When residentially compatible institutional and recreational uses are developed within the R-20 district, they should be designed and built to ensure intensity and density compatibility with adjacent single-family detached dwellings and otherwise to implement the stated purpose and intent of this chapter.

Requested zoning district for the property

The NRC district is established to provide locations for convenience shopping facilities which are on properties delineated within a neighborhood activity center, community activity center or regional activity center as defined and shown on the Cobb County Comprehensive Plan: A Policy Guide, adopted November 27, 1990. These convenience shopping facilities should have retail commercial uses that have a neighborhood-oriented market and which supply necessities that usually require frequent purchasing with a minimum of consumer travel. Areas zoned for the NRC district should be located at or near an intersection within the center of a neighborhood activity center as opposed to the edge of a neighborhood activity center. The NRC district may also be used to provide step-down nodal zoning away from more intensive commercial uses within a community activity center or a regional activity center. The scope at which properties are developed within the NRC district should reflect their relatively small neighborhood service area. Additionally, properties developed within the NRC district should be architecturally compatible with other nonresidential uses permitted within a neighborhood activity center as defined by the comprehensive plan and the neighborhood residences they serve.

Summary of the applicant's proposal

Applicant is proposing to rezone the property to the NRC zoning district for the purpose of a 93,200 square-foot, four story climate-controlled self-service storage facility and a 9,800 square-foot retail/office building. Contemporaneously filed herewith for inclusion on this agenda, the applicant has also filed for a Special Land Use Permit (SLUP-2) that is required for the climate-controlled self-storage facility. The proposed architecture will be EIFS stucco, with brick and/or stone accents. The applicant has provided the attached photos and renderings of the proposed buildings. The hours of operation for the storage facility will be from 6 a.m. until 10 p.m. for customer access and the office/retail facility will have regular business hours from 8 a.m. until 6 p.m.

DEPARTMENT COMMENTS- Zoning Division (continued)

Non-residential criteria

Proposed # of buildings: 2

Proposed # of stories: Storage Building-4 Stories; Retail/Office Building-One Story

Total sq. footage of development: 103,100

Floor area ratio: 0.947

Square footage per acre: 41,289

Required parking spaces: 39

Proposed parking spaces: 56

Acres in floodplain or wetlands: 0

Impervious surface shown: 59%

Are there any zoning variances?

Yes. The proposed site plan will require a contemporaneous variance to waive the height of the storage facility from the maximum allowed for NRC (35 feet) to 48 feet.

DEPARTMENT COMMENTS- Fire Department

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.

DEPARTMENT COMMENTS- Site Plan Review (County Arborist)

No comment.

DEPARTMENT COMMENTS- Cemetery Preservation

No comment.

DEPARTMENT COMMENTS- School System

Approval of this petition will not have an impact on the enrollment.

DEPARTMENT COMMENTS- Stormwater Management

1. Flood hazard: No
2. Flood hazard zone: Zone X
3. Drainage Basin: Tributary to Nickajack Creek
4. Wetlands: No
5. Streambank buffer zone: No
6. Stormwater discharges must be controlled not to exceed the existing capacity of the downstream storm drainage system.
7. Project engineer must evaluate the impact of increased volume of runoff generated by the proposed project on existing downstream drainage system(s).
8. This site is located between Oakdale Road and South Cobb Drive. The entire site drains to the west into and through the South Cobb Drive right-of-way via two existing storm drains.
9. Stormwater management will be provided by an above-ground pond at the southern end of the site that must be tied directly to the existing downstream infrastructure.

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DEPARTMENT COMMENTS- Planning Division

Cobb 2040 Comprehensive Plan: The parcel is within a Neighborhood Activity Center (NAC) future land use category. The purpose of the 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.

Comprehensive Plan Designation: Consistent Inconsistent

House Bill 489 Intergovernmental Agreement Zoning Amendment Notification

Is the proposal within one-half mile of a city boundary? Yes No

Was the city notified? Yes No

Specific Area Policy Guidelines: Yes No

Masterplan/ Corridor Study Yes No

Design guidelines area? Yes No

Does the proposal plan comply with the design requirements? Yes No N/A

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 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 investment)

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)

Note: For more information on incentives, please call the Community Development Agency- Economic Development Division at 770-528-2018 or find information online at www.cobbcounty.org/econdev.

(Planning comments continued on the next page)

DEPARTMENT COMMENTS- Planning Division (continued)**Special District**

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

Dobbins Air Reserve Base Zones

Is the property within the Dobbins Airfield Safety Zone? Yes No

Is the property within the Clear Zone (CZ)? Yes No

Is the property within the Accident Potential Zone (APZ I)? Yes No

Is the property within the Accident Potential Zone II (APZ II)? Yes No

Is the property within the Bird/Wildlife Air Strike Hazard Area (BASH)? Yes No

Historic Preservation

It has been determined that the project area is in the immediate vicinity of documented Civil War trenches. In order to determine if any significant Civil War features are located within the project area, an archeological field survey performed by a cultural resource professional should be considered. This survey, if completed, should be submitted to the historic preservation planner. Based on the determination of either the presence or absence of potentially significant features, further recommendations (such as buffers, fencing, interpretive signage, etc.) shall be made by staff.

DEPARTMENT COMMENTS- Water and Sewer

Water comments:

Available at development: YES NO

Fire flow test required: YES NO

Size and location of existing water main(s): 8" on east side of South Cobb Drive.

Additional water comments: Also, 8" water main on west side of Oakdale Rd.

Note: These comments only reflect what facilities were in existence at the time of this review. Developer may be required to install/upgrade water mains based on fire flow test results or Fire Department code. This will be addressed in the Plan Review process.

Sewer comments:

In the drainage basin: YES NO

At development: YES NO

Approximate distance to nearest sewer: Along frontage on other side of South Cobb Drive ROW

Estimated waste generation (in G.P.D.): Average daily flow = 556; Peak flow = 1,390

Treatment plant: South Cobb

Plant capacity: Yes NO

Line capacity: YES NO

Projected plant availability: 0-5 years 5-10 years over 10 years

Dry sewers required: YES NO

Off-site easement required: YES* NO

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

*If off-site easements are required, the developer/owner must submit easements to the CCWS for review and 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/owner.

Additional sewer comments

Public sewer also 215' E in Fort Drive ROW

Note: The developer/owner will be responsible for connecting to the existing county water and sewer systems, installing and/or upgrading all outfalls & water mains, obtaining on and/or offsite easements, dedication or on and/or offsite water and sewer to Cobb County as may be required. Rezoning does not guarantee water/sewer availability or capacity unless so stated in writing by the Cobb County Water System. Permit issuances subject to continued treatment plant compliance with EPD discharge requirements.

DEPARTMENT COMMENTS- Transportation

Roadway	Roadway classification	Speed Limit (MPH)	Jurisdictional control	Min. R.O.W. requirements
South Cobb Drive	Arterial	45	Georgia DOT	100'
Oakdale Road	Local	35	Cobb County	50'

Roadway	Location	Average daily trips	Level of service
South Cobb Drive	North of Wright Road	36,500	F
Oakdale Road	South of Wright Road	2,170	C

Based on 2016AADT counting data taken by GDOT, as published on their website, for South Cobb Drive.

Based on 2016AADT counting data taken by GDOT, as published on their website, for Oakdale 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

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

Oakdale Road is classified as a local 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 curb, gutter, and sidewalk along the South Cobb Drive frontage.

Recommend curb, gutter, and sidewalk along the Oakdale Road frontage.

Recommend a deceleration lane on South Cobb Drive for the entrance.

DEPARTMENT COMMENTS- Transportation (Continued)

Recommend a traffic study. The traffic study assumptions (such as traffic count locations, trip generation, trip distribution and required scope of study) should be discussed with Cobb DOT prior to beginning the study.

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

Recommend no access easement along Oakdale Road frontage.

Recommend a FAA study.

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STAFF ANALYSIS

Per section 134-122 of the Official Code of Cobb County, below is a written zoning analysis relating to the following (question in bold; the answer is not bold):

A. Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property;

It is Staff's opinion that the applicant's rezoning proposal will permit a use that is suitable in view of the activity and development of adjacent and nearby properties. The area contains a mixture of single-family residential, multi-family residential, office, retail, and industrial uses.

B. Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property;

The proposed development will provide commercial uses that are lower in intensity than other uses that could be developed under the same category and they will not adversely affect other properties.

C. Whether the zoning proposal will result in a use which will or could cause an excessive burdensome use of existing streets, transportation facilities, utilities, or schools;

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. Whether the zoning proposal is in conformity with the policies and intent of the comprehensive plan;

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 Neighborhood Activity Center (NAC) future land use category. The proposed office/possible retail portion of the request is permitted under the requested Neighborhood Retail Commercial (NRC) zoning district and the proposed climate-controlled self-service storage facility is permitted with a Special Land Use Permit (SLUP). Applicant has concurrently submitted SLUP-2 for the proposed storage facility portion of the property.

(CONTINUED ON FOLLOWING PAGE)

STAFF ANALYSIS (Continued)

E. 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;

The existing R-20 zoning of the property is not consistent with rezonings that have occurred in this area. The property is bordered to the south by Low-Rise Office (LRO) and the applicant's proposed site plan indicates office/possible retail to be located on the south side of the subject property and the storage facility will be on the northern portion of the proposed site plan. These uses are lower in intensity than other uses that could be allowed under the requested NRC zoning district.

The staff analysis and recommendation 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.

Planning Commission Decision

NO. OPPOSED: _____ APPROVED _____ DENIED _____ DELETED TO _____

NO. IN SUPPORT _____ MOTION BY: _____ SECONDED: _____ VOTE: _____

Names of those Opposed:

Comments:

_____	_____
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Stipulation letter from _____ dated _____
 Stipulation letter from _____ dated _____
 Stipulation letter from _____ dated _____

Board of Commissioners Decision

NO. OPPOSED: _____ APPROVED _____ DENIED _____ DELETED TO _____

NO. IN SUPPORT _____ MOTION BY: _____ SECONDED: _____ VOTE: _____

Names of those Opposed:

Comments:

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