

APPLICANT: Cornerstone Development Partners
770-690-2440

REPRESENTATIVE: Robb McKerrow
770-690-2440

PETITION NO: Z-86

HEARING DATE (PC): 09-05-07

HEARING DATE (BOC): 09-18-07

PRESENT ZONING: PSC, GC

TITLEHOLDER: Joe R. Perkins, Frank J. Kaplan and Erma M. Kaplan

PROPOSED ZONING: CRC

PROPERTY LOCATION: Located on the south side of Lower Roswell Road, west of Johnson Ferry Road and on the west side of Johnson Ferry Road, south of Lower Roswell Road.

PROPOSED USE: Retail

ACCESS TO PROPERTY: Lower Roswell Road and Johnson Ferry Road

SIZE OF TRACT: 2.17 acres

DISTRICT: 1

PHYSICAL CHARACTERISTICS TO SITE: Existing retail, hardware store, plant nursery

LAND LOT(S): 69

PARCEL(S): 14, 31

TAXES: PAID X **DUE** _____

COMMISSION DISTRICT: 2

CONTIGUOUS ZONING/DEVELOPMENT

- NORTH:** PSC, R-20/ Any Lab Test, baseball field
- SOUTH:** GC/ single-family houses, Tires Plus
- EAST:** GC/ Moes, Texaco, Kroger
- WEST:** GC/ Craig's Automotive

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

PLANNING COMMISSION RECOMMENDATION

APPROVED _____ **MOTION BY** _____

REJECTED _____ **SECONDED** _____

HELD _____ **CARRIED** _____

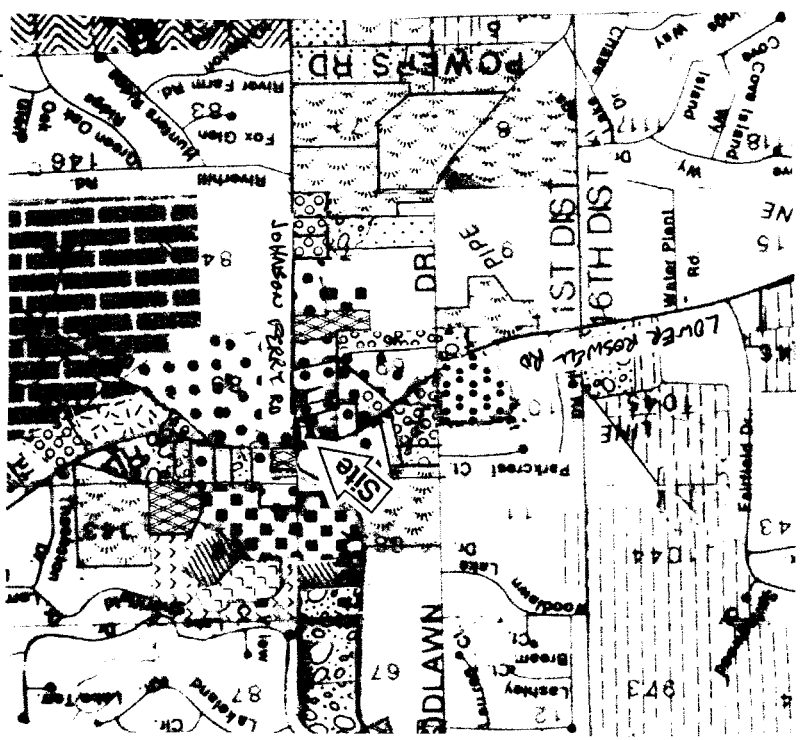
BOARD OF COMMISSIONERS DECISION

APPROVED _____ **MOTION BY** _____

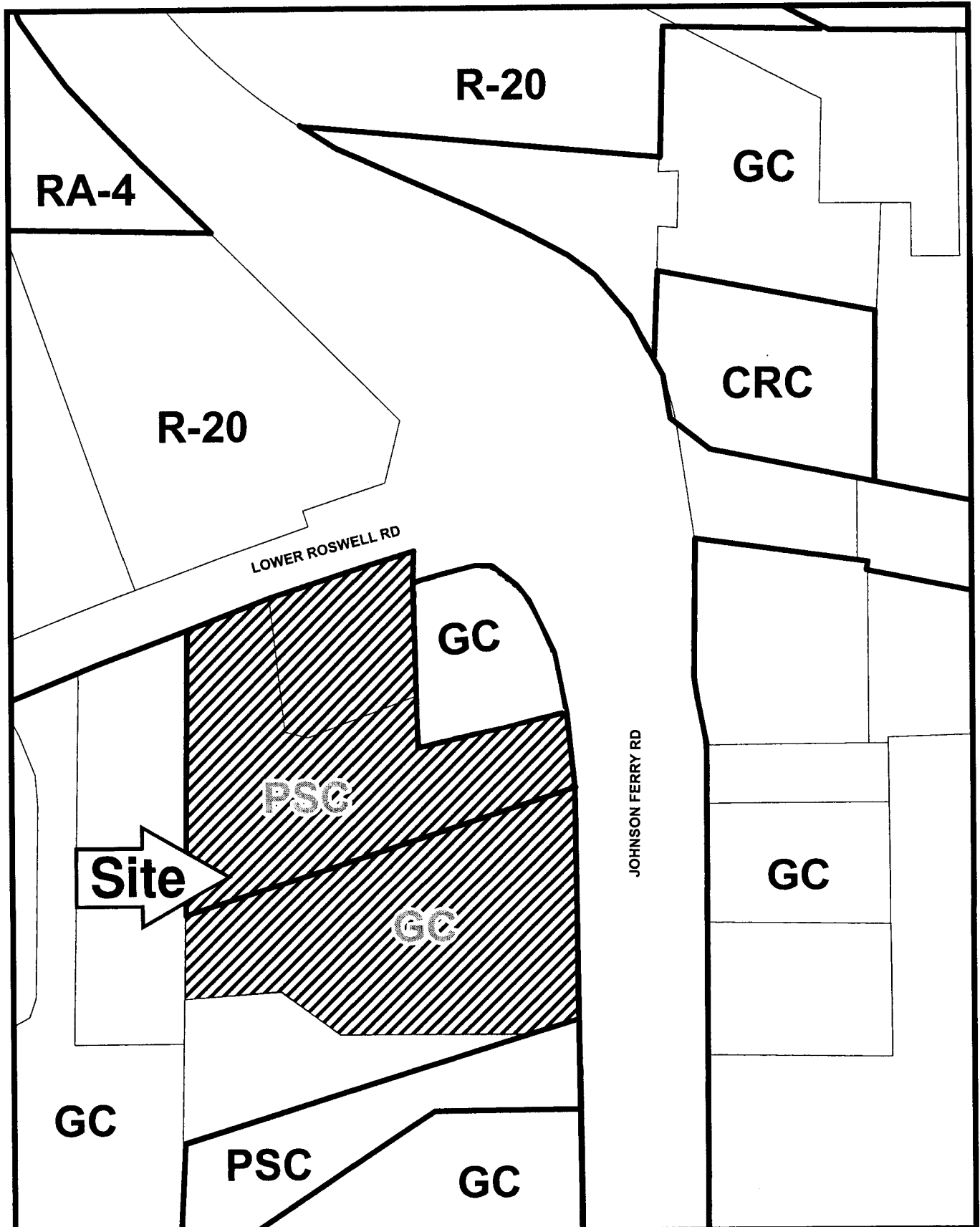
REJECTED _____ **SECONDED** _____

HELD _____ **CARRIED** _____

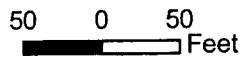
STIPULATIONS:





Z-86



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



 Draft Parcel Boundary
 Approximate Zoning Boundary

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PLANNING COMMENTS:

Staff Member Responsible: John P. Pederson, AICP

Land Use Plan Recommendation: Community Activity Center

Proposed Number of Buildings: 1 **Total Square Footage of Development:** 12,900

F.A.R.: 0.14 **Square Footage/Acre:** 5,944

Parking Spaces Required: 65 **Parking Spaces Provided:** 70

The applicant is requesting the CRC zoning district to redevelop the property for a CVS drugstore. All the existing buildings will be removed. The proposed building would be one-story in height with a brick and stucco exterior. The drugstore is proposed to be open 24 hours a day.

Historic Preservation: After reviewing various county resources including historic and archeological resource surveys, documented Civil War trench maps, and historic aerial maps, staff finds no known historic properties affected by this application. No further comment. No action by applicant requested at this time.

Cemetery Preservation: There is no significant impact on the cemetery site listed in the Cobb County Cemetery Preservation Commission's Inventory Listing which is located in this, or adjacent land lot.

FIRE COMMENTS:

Fire Hydrant

Commercial: Fire hydrant within 500 feet of most remote part of structure.

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PRESENT ZONING PSC, GC

PETITION FOR CRC

NOTE: Comments reflect only what facilities were in existence at the time of this review.

WATER COMMENTS:

Available at Development? Yes No

Fire Flow Test Required? Yes No

Size / Location of Existing Water Main(s): 8" DI / W side Johnson Ferry Rd

Additional Comments: Meter to be at Johnson Fy entrance

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:

In Drainage Basin? Yes No

At Development? Yes No

Approximate Distance to Nearest Sewer: At site in road

Estimated Waste Generation (in G.P.D.): **A D F** 190 net **Peak** 475 net

Treatment Plant: Sutton

Plant Capacity Available? Yes No

Line Capacity Available? Yes No

Projected Plant Availability: 0 - 5 year 5 - 10 years over 10 years

Dry Sewers Required? Yes No

Off-site Easements 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

Additional Comments:

* 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 easement(s) by the property owner(s). All easement acquisitions are the responsibility of the Developer.

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 off site easements, dedication of on and/or off site 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.

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DRAINAGE COMMENTS

FLOOD HAZARD: [] YES [X] NO [] POSSIBLY, NOT VERIFIED

DRAINAGE BASIN: Sope Creek FLOOD HAZARD INFO: Zone X

- [] FEMA Designated 100 year Floodplain Flood.
[] Flood Damage Prevention Ordinance DESIGNATED FLOOD HAZARD.
[X] 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 [X] 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 [X] 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).
[X] 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 CONDITION

- [] Potential or Known drainage problems exist for developments downstream from this site.
[X] Stormwater discharges must be controlled not to exceed the capacity available in the downstream storm drainage system.
[X] Minimize runoff into public roads.
[X] Minimize the effect of concentrated stormwater discharges onto adjacent properties.
[X] 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.
[X] Project engineer must evaluate the impact of increased volume of runoff generated by the proposed project on downstream receiving system.

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DRAINAGE 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.

INSUFFICIENT INFORMATION

- No Stormwater controls shown _____
- Copy of survey is not current - Additional comments may be forthcoming when current site conditions are exposed.
- No site improvements showing on exhibit.

ADDITIONAL COMMENTS/SUGGESTIONS

1. The proposed stormwater management facility must be tied directly in the existing downstream stormdrain system. The design engineer must verify the existing system capacity at Plan Review.
2. If segmented block or reinforced concrete walls are required for the detention pond, ramped access into the pond must be provided to allow for periodic maintenance activities.

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TRANSPORTATION COMMENTS

The following comments and recommendations are based on field investigation and office review of the subject rezoning case:

ROADWAY	AVERAGE DAILY TRIPS	ROADWAY CLASSIFICATION	SPEED LIMIT	JURISDICTIONAL CONTROL	MIN. R.O.W. REQUIREMENTS
Lower Roswell Rd	21610	Arterial	40 mph	Cobb County	100'
Johnson Ferry Rd	45900	Arterial	45 mph	Cobb County	100'

Based on 2005 traffic counting data taken by GDOT. (Lower Roswell Road)
Based on 2005 traffic counting data taken by GDOT. (Johnson Ferry Road)

COMMENTS AND OBSERVATIONS

Lower Roswell 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.
Johnson 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.

Install/replace all disturbed sidewalk, curb and gutter along the road frontages.

Close all curb cuts along Johnson Ferry Road and construct one new curb cut aligning with the median break.

Coordinate with the adjacent property owner, Craig Automotive, to construct a shared driveway access along Lower Roswell Road.

Construct an access road/driveway along the western and southern perimeters of the development with inter-parcel access connections for all adjacent properties.

Extend the eastbound right turn lane along Lower Roswell Road.

RECOMMENDATIONS

Recommend closing all curb cuts along the frontage of Johnson Ferry Road and constructing one new driveway to align with the median break.

Recommend applicant coordinate with Craig Automotive to construct a shared driveway access along Lower Roswell Road.

Recommend constructing an access road along the western and southern boundaries of the property.

Recommend providing inter-parcel access to adjacent properties.

Recommend extending the eastbound right turn lane along Lower Roswell Road.

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

STAFF RECOMMENDATIONS

Z-86 CORNERSTONE DEVELOPMENT PARTNERS

- 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. All the adjoining property is zoned commercially. The applicant's property is located in an area that contains a myriad of different commercial 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. The applicant's proposal would be compatible with adjacent and nearby properties. The applicant's proposal is located near the center of this commercial activity center, and would be an aesthetic upgrade over the current use of the property.

- 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 a Community Activity Center.

- 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 proposal is in accordance with the *Cobb County Comprehensive Plan*. The applicant's proposal would be consistent with, and compatible to other commercially zoned properties in the area. Additionally, the applicant's proposal would aesthetically upgrade some property that is in poor condition.

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

- Site plan received by the Zoning Division July 5, 2007, with the District Commissioner approving minor modifications;
- Fire Department comments;
- Water and Sewer comments and recommendations;
- Stormwater Management comments and recommendations;
- DOT comments and recommendations;
- 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.