

Z-62
(2013)

Perimeter Surveying Co., Inc
1065 Sandtown Road, Marietta, GA 30008
Phone: (770) 425-6824 Fax: (770) 425-6768



Job #: 06130

BOUNDARY SURVEY FOR
WILLIAM MADE COOTS
SIX FLAGS ROAD & HILLCREST DRIVE
AUSTELL, GEORGIA

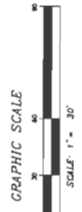
Survey for:
APPLICATION FOR REZONING
Land Lots 505-06, 595-96, 18th Dist., 2nd Sect.
Cobb County, Georgia
Date: 09-03-2013
Sheet 1 of 1
Prepared by: JMC
Checked by: JMC
Drawn by: JMC
Job #: 0515043

LEGEND

Survey Boundary	...
Property Boundary	...
Right of Way	...
Utility Line	...
...	...

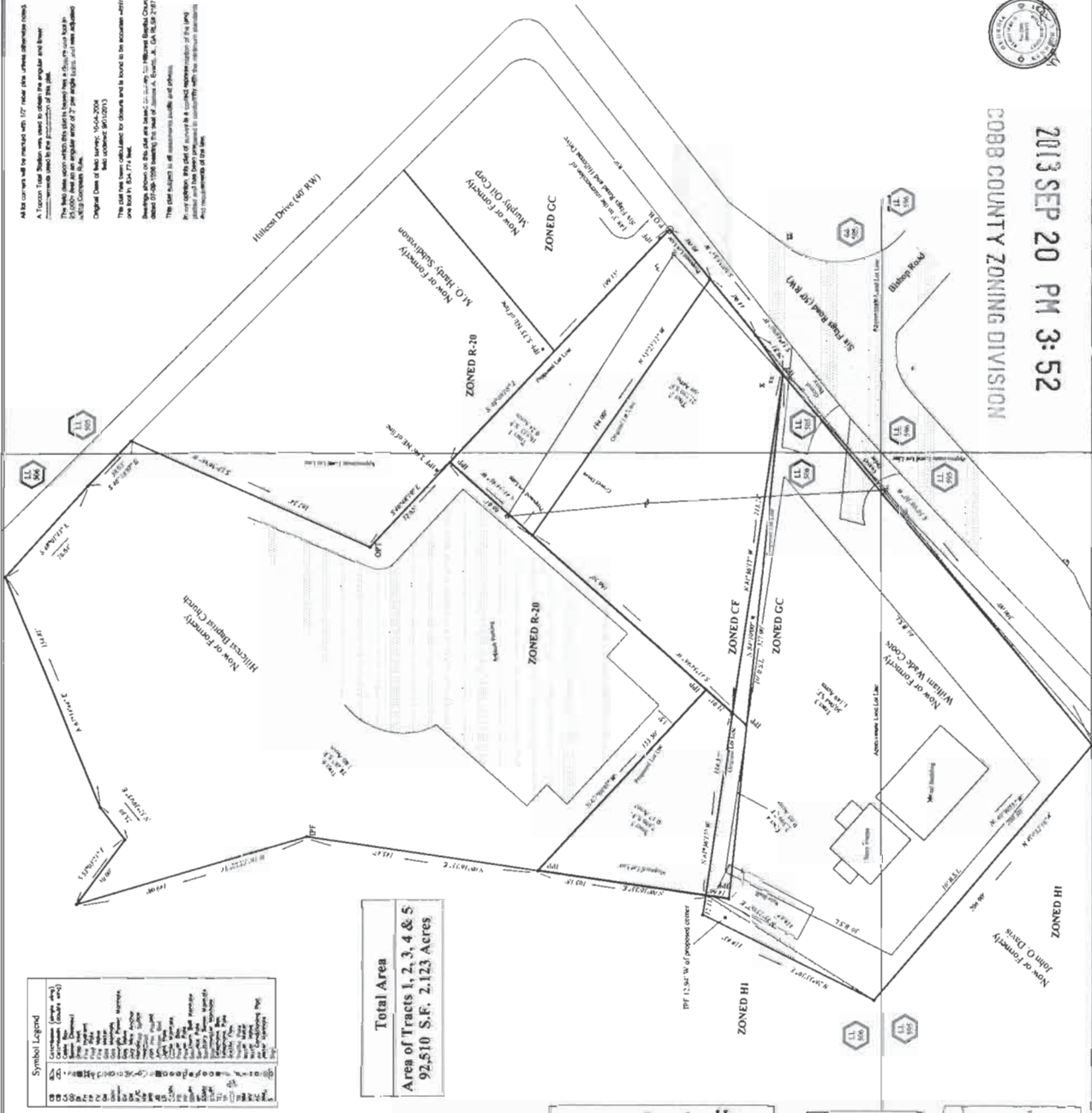
ZONING INFORMATION
Property Zoned CC
General Commercial District
Min. Lot Area = 20,000 S.F.
Min. Lot Width at front setback = 60 Feet
Max. Lot Coverage = N/A
Bldg Height = 4 Stories
Setbacks:
Front - 40 Feet
Sides - 10 Feet
Rear - 30 Feet

ZONING INFORMATION
Property Zoned CF
Commercial Future District
No Setbacks Available or Provided



Flood Note
According to FEMA, Community Panel # 13061C0014H, Sheet 03040713, this property is not located in an area having special flood hazards.

All surveys will be executed with 1/2" tolerances unless otherwise noted.
A Topcon Total Station was used to obtain the angular and linear measurements used in the preparation of this plan.
The field notes which this plan is based upon are a true and correct copy of the original field notes and are available for inspection at the office of the Surveyor.
Original Date of this survey: 10-04-2009
Last updated: 09/11/2013
This plan has been calculated for closure and is found to be accurate within one (1) inch in 100,000 feet.
The date of this survey is 10/04/2009.
The date of this plan is 09/11/2013.
The plan is subject to all measurements made and shown.
The plan is subject to all measurements made and shown.
All measurements are in feet and inches unless otherwise noted.
All measurements are in feet and inches unless otherwise noted.



2013 SEP 20 PM 3:52
COBB COUNTY ZONING DIVISION
COBB COUNTY GEORGIA
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Symbol Legend

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...	...
...	...

Total Area
Area of Tracts 1, 2, 3, 4 & S
92,510 S.F. 2.123 Acres

Tract Legend

Tract 1 = 10,533 S.F.	...
Tract 2 = 21,180 S.F.	...
Tract 3 = 50,064 S.F.	...
Tract 4 = 2,265 S.F.	...
Tract S = 2,008 S.F.	...
Total = 76,450 S.F.	...
1.30 Acres	...

LEGEND

...	...
...	...
...	...

Area Legend

...	...
...	...
...	...

AMMUNITION LEGEND

...	...
...	...
...	...

APPLICANT: Wade Coots Company
770-819-0601

REPRESENTATIVE: Garvis L. Sams, Jr. 770-422-7016
Sams, Larkin & Huff, LLP

TITLEHOLDER: Coots Family Properties, LLC, Series 7

PROPERTY LOCATION: Northwest side of Six Flags Parkway and
southwest side of Hillcrest Drive; north of Six Flags Drive
(298 Six Flags Parkway).

ACCESS TO PROPERTY: Six Flags Parkway and Hillcrest Drive

PHYSICAL CHARACTERISTICS TO SITE: Existing Contracting
business and ancillary outdoor storage

PETITION NO: Z-62

HEARING DATE (PC): 11-05-13

HEARING DATE (BOC): 11-19-13

PRESENT ZONING: GC, CF, R-20

PROPOSED ZONING: HI

PROPOSED USE: Contracting Company

SIZE OF TRACT: 2.123 acres

DISTRICT: 18

LAND LOT(S): 505, 506, 595

PARCEL(S): 40, 13

TAXES: PAID X **DUE** _____

COMMISSION DISTRICT: 4

CONTIGUOUS ZONING/DEVELOPMENT

- NORTH:** R-20/ Single-family residences
- SOUTH:** HI/ Industrial businesses
- EAST:** HI/ Industrial businesses
- WEST:** HI, R-20/ Industrial businesses, Single-family residence

OPPOSITION: NO. OPPOSED PETITION NO: _____ SPOKESMAN _____

PLANNING COMMISSION RECOMMENDATION

APPROVED _____ MOTION BY _____

REJECTED _____ SECONDED _____

HELD _____ CARRIED _____

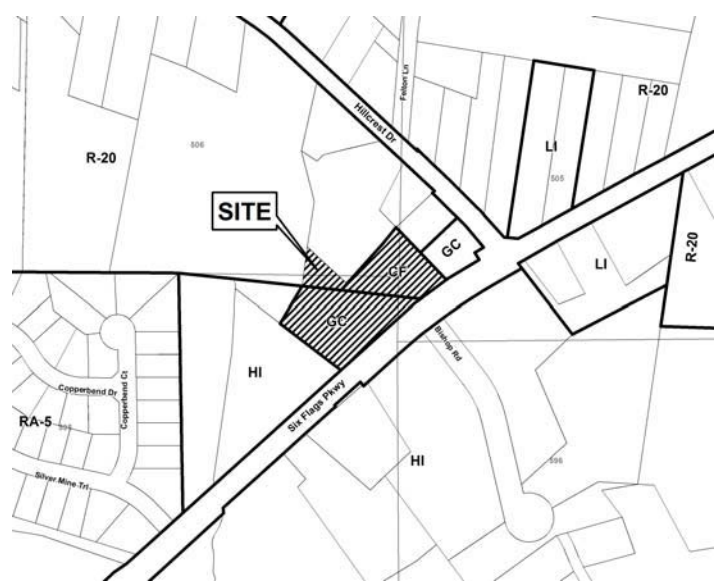
BOARD OF COMMISSIONERS DECISION

APPROVED _____ MOTION BY _____

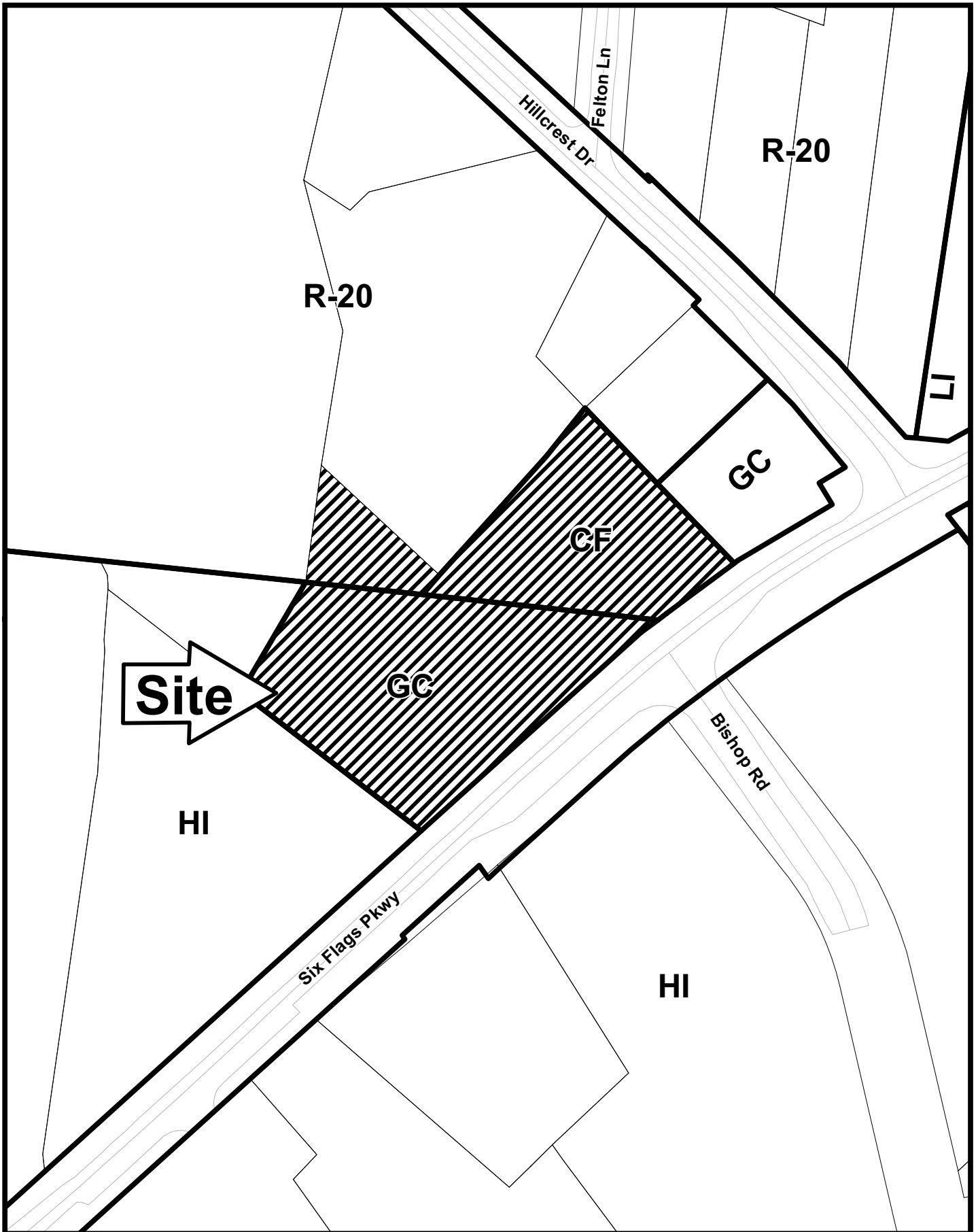
REJECTED _____ SECONDED _____

HELD _____ CARRIED _____

STIPULATIONS:



Z-62



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: Wade Coots Company

PETITION NO.: Z-62

PRESENT ZONING: GC, CF, R-20

PETITION FOR: HI

ZONING COMMENTS:

Staff Member Responsible: Terry Martin, MPA

Land Use Plan Recommendation: Medium Density Residential (MDR)

Proposed Number of Buildings: 3, existing **Total Square Footage of Development:** 3,267 sq. ft.

F.A.R.: .04 **Square Footage/Acre:** 1,538.86 sq. ft.

Parking Spaces Required: 13 or more **Parking Spaces Provided:** none indicated

The applicant is requesting a rezoning to the HI heavy industrial district in order to continue operation of the existing contracting business that has been located on the subject property for over 25 years. The business, which includes outside storage of heavy equipment, operates Monday through Friday 7:30 a.m. until 6:00 p.m. with occasional work on Saturday from 7:30 a.m. until 6:00 p.m.

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:

Plans must be submitted to the Cobb County Fire Marshal's Office to initiate the Certificate of Occupancy process.

APPLICANT: Wade Coots Company

PETITION NO.: Z-62

PRESENT ZONING: GC, CF, R-20

PETITION FOR: HI

PLANNING COMMENTS:

The applicant is requesting a rezoning from GC, CF and R-20 to HI for purpose of contracting company. The ~3.75 acre site is located at the intersection of Six Flags Parkway and Hillcrest Drive.

Comprehensive Plan

The parcel is within a Medium Density Residential (**MDR**) future land use category, with GC, CF and R-20 zoning designations. The purpose of the Medium Density Residential (**MDR**) category is to provide for areas that are suitable for moderate density housing, between two and one-half (2.5) and five (5) dwelling units per acre.

Master Plan/Corridor Study

Not applicable.

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?

APPLICANT Wade Coots Company

PETITION NO. Z-062

PRESENT ZONING GC,CF,R-20

PETITION FOR HI

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): **10" CIN / side of Six Flags Drive**

Additional Comments: existing water customer

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: **100' W w/easement or 425 SW in Six Flags Pkwy ROW**

Estimated Waste Generation (in G.P.D.): **A D F +0 Peak= +0**

Treatment Plant: **South Cobb**

Plant Capacity: Available Not Available

Line Capacity: Available Not Available

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

Drv 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 Health Dept approval required for use of septic system (assuming no redevelopment)
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: Wade Coots Company

PETITION NO.: Z-62

PRESENT ZONING: GC, CF, R-20

PETITION FOR: HI

STORMWATER MANAGEMENT COMMENTS

FLOOD HAZARD: YES NO POSSIBLY, NOT VERIFIED

DRAINAGE BASIN: Unnamed Trib to Chattahoochee River 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 CONDITION

- 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 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.
- Project engineer must evaluate the impact of increased volume of runoff generated by the proposed project on _____.

APPLICANT: Wade Coots Company

PETITION NO.: Z-62

PRESENT ZONING: GC, CF, R-20

PETITION FOR: HI

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.

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

1. There do not appear to be any stormwater management controls on the existing site. Any site improvements or redevelopment will be required to meet current stormwater management standards.
2. Owner will be required to address any site deficiencies uncovered during Environmental Compliance Audit.

APPLICANT: Wade Coots Company

PETITION NO.: Z-62

PRESENT ZONING: GC, CF, R-20

PETITION FOR: HI

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
Six Flags Parkway	8200	Major Collector	40 mph	Cobb County	80'

Based on 2005 traffic counting data taken by Cobb DOT (Six Flags Parkway)

COMMENTS AND OBSERVATIONS

Six Flags Parkway is classified as a major collector and according to the available information the existing right-of-way does meet the minimum requirements for this classification.

RECOMMENDATIONS

Recommend curb, gutter, and sidewalk along Six Flags Parkway.

Recommend the driveway be paved with a treated hardened surface a minimum of 25 feet in length or to the edge of the right-of-way, whichever is greater.

Recommend a commercial driveway apron for the access on Six Flags Parkway.

Recommend no additional access to Six Flags Parkway.

Recommend a deceleration lane for the access on Six Flags Parkway.

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

STAFF RECOMMENDATIONS

Z-62 WADE COOTS COMPANY

- A. It is Staff's opinion that the applicant's rezoning proposal may permit a use that is suitable in view of the use and development of adjacent and nearby properties, as long as outside storage and aesthetics can be addressed. Surrounding properties contain a number of existing uses which adjoin this property, which include residential uses, institutional uses, and industrial uses.
- B. It is Staff's opinion that the applicant's rezoning proposal will have an adverse affect on the usability of adjacent or nearby property. While such an industrial use may not be anticipated today within this area forecasted as medium density residential, the property has been used as a construction office. The area zoned CF has been expanded since 2000 without County approval. The nearby properties have been improved lately, and this proposal does not fit in with the improved properties.
- C. It is Staff's opinion that the applicant's rezoning proposal will 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 not in conformity with the policy and intent of the *Cobb County Comprehensive Plan*. Located within an area delineated as MDR medium density residential on the future land use map, the proposed use does not serve that category's intention of providing for areas of medium density housing.
- 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 deleting the applicant's rezoning proposal to the Low Rise Office (LRO) zoning district. While not supported by the *Cobb County Comprehensive Plan's* designation as Medium Density Residential (MDR), the request will allow continuance of an existing business and does not propose an expansion to the use. Staff is concerned the use has expanded without County approval and without proper zoning. Staff believes zoning the property to LRO would provide for a better transition in zoning intensity and use.

Based on the above analysis, Staff recommends DELETING the request to LRO subject to the following conditions:

- Property to be brought into compliance with commercial standards relative to adequate parking and visual screening/buffering by means of submittal for Plan Review with final approval of parking and screening/buffering plan by District Commissioner;
- No outside storage or storage of heavy equipment;
- Office only;
- Fire Department comments and recommendations;
- Water and Sewer Division comments and recommendations;
- Stormwater Management Division comments and recommendations; and
- 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.

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Summary of Intent for Rezoning *

COBB COUNTY GEORGIA
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2013 SEP -5 PM 3:08
COBB COUNTY ZONING DIVISION

.....
Part 1. Residential Rezoning Information (attach additional information if needed)

- a) **Proposed unit square-footage(s):** _____
- b) **Proposed building architecture:** _____
- c) **Proposed selling prices(s):** _____
- d) **List all requested variances:** _____

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

- a) **Proposed use(s):** To continue the existing contracting business and for the storage of construction equipment and construction materials.
- b) **Proposed building architecture:** _____
- c) **Proposed hours/days of operation:** Monday through Friday from 7:30 a.m. until 6:00 p.m. with occasional work on Saturday from 7:30 a.m. until 6:00 p.m.
- d) **List all requested variances:** _____

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

The subject property has been utilized as proposed for over 25 years and is directly contiguous to HI zoned properties.

.....
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. _____

*The Applicant reserves the right to amend the Summary of Intent for Rezoning and the preliminary information provided therein at any time during the rezoning process.

COBB COUNTY GEORGIA
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COBB COUNTY ZONING DIVISION

ZONING IMPACT STATEMENT FOR
THE REZONING APPLICATION
OF WADE COOTS COMPANY

COMES NOW, WADE COOTS COMPANY, 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 and developments along the Six Flags Parkway 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 industrial developments which are located within the confines of a Industrial, Industrial Compatible or Priority Industrial sites.
- 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 zoning classifications of GC, CF & R-20.
- 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 located contiguous and in close proximity to Industrial uses and is consistent with those uses and purposes contemplated under Cobb County's Comprehensive Land Use Plan and Future Land Use Map.
- F. There is no substantial relationship between the existing zoning classifications of GC, CF and R-20 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 on the Six Flags Parkway Corridor, there are no established land use planning principles or political considerations which would vitiate the zoning proposal.

Respectfully submitted, this the 5th day of September, 2013.

SAMS, LARKIN & HUFF, LLP

By: 

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