



**APPLICANT:** Sovannary Roun  
678-368-0347

**REPRESENTATIVE:** Sovannary Roun  
678-368-0347

**TITLEHOLDER:** Sovannary Roun

**PROPERTY LOCATION:** East side of Factory Shoals Road, south  
Six Flags Drive  
(7249 Factory Shoals Road).

**ACCESS TO PROPERTY:** Factory Shoals Road

**PHYSICAL CHARACTERISTICS TO SITE:** Two undeveloped lots

**PETITION NO:** Z-70

**HEARING DATE (PC):** 12-03-13

**HEARING DATE (BOC):** 12-17-13

**PRESENT ZONING:** R-20

**PROPOSED ZONING:** HI

**PROPOSED USE:** Truck and Auto Repair

**SIZE OF TRACT:** 2.545 acres

**DISTRICT:** 18

**LAND LOT(S):** 589

**PARCEL(S):** 3, 4

**TAXES: PAID** X **DUE** \_\_\_\_\_

**COMMISSION DISTRICT:** 4

**CONTIGUOUS ZONING/DEVELOPMENT**

- NORTH:** R-20/County Facility
- SOUTH:** RM-12/Apartment Development
- EAST:** RM-12/Apartment Development
- WEST:** Factory Shoals Rd & NRC/Developed & Undeveloped Commercial & R-20/Undeveloped

**OPPOSITION:** NO. OPPOSED **PETITION NO:** \_\_\_\_\_ **SPOKESMAN** \_\_\_\_\_

**PLANNING COMMISSION RECOMMENDATION**

**APPROVED** \_\_\_\_\_ **MOTION BY** \_\_\_\_\_

**REJECTED** \_\_\_\_\_ **SECONDED** \_\_\_\_\_

**HELD** \_\_\_\_\_ **CARRIED** \_\_\_\_\_

**BOARD OF COMMISSIONERS DECISION**

**APPROVED** \_\_\_\_\_ **MOTION BY** \_\_\_\_\_

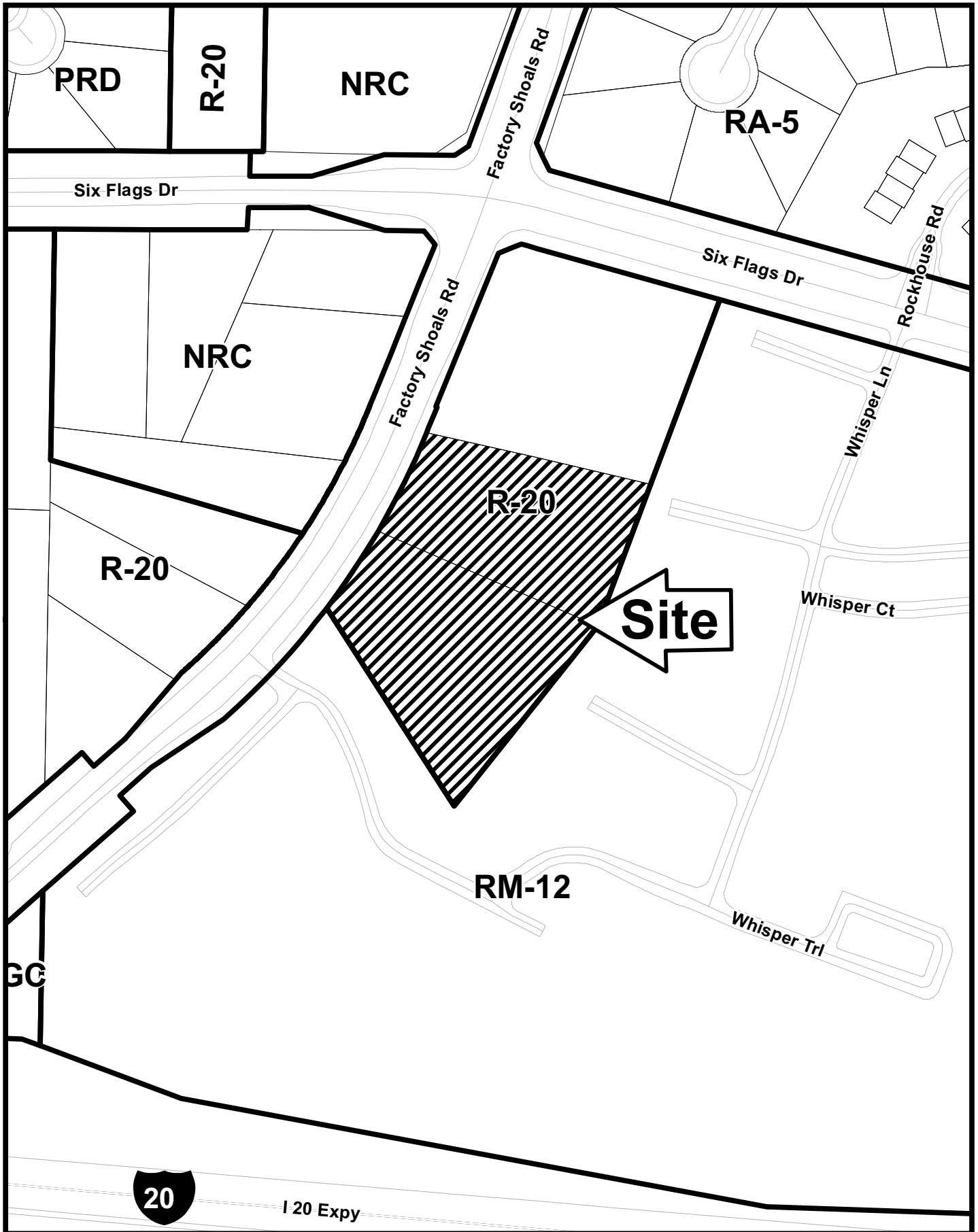
**REJECTED** \_\_\_\_\_ **SECONDED** \_\_\_\_\_

**HELD** \_\_\_\_\_ **CARRIED** \_\_\_\_\_

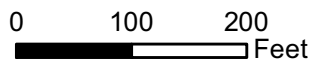
**STIPULATIONS:**





# Z-70



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



-  City Boundary
-  Zoning Boundary

APPLICANT: Sovannary Roun

PETITION NO.: Z-70

PRESENT ZONING: R-20

PETITION FOR: HI

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**ZONING COMMENTS:**

**Staff Member Responsible:** Jason A. Campbell

**Land Use Plan Recommendation:** Neighborhood Activity Center

**Proposed Number of Buildings:** 1      **Total Square Footage of Development:** 10,000

**F.A.R.:** .097      **Square Footage/Acre:** 3,929

**Parking Spaces Required:** 9      **Parking Spaces Provided:** 15

Applicant is requesting the Heavy Industrial (HI) zoning category for the purpose of developing a heavy auto repair facility. The building will be brick and metal and will service 18-wheeler and small trucks on site. The business will be doing contract work for certain companies. There will be five to six employees.

The applicant will need a simultaneous variance to waive the number of required parking spaces from 15 to nine. The requirement is one space per bay and one space per employee.

**Cemetery Preservation:** No comment.

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**FIRE COMMENTS:**

After analyzing the information presented for a Preliminary Review, the Cobb County Fire Marshal's Office is confident that all other items can be addressed during the Plan Review Stage.

APPLICANT: Sovannary Roun

PETITION NO.: Z-70

PRESENT ZONING: R-20

PETITION FOR: HI

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**PLANNING COMMENTS:**

The applicant is requesting a rezoning from R-20 to HI for purpose of truck and auto repair. The 2.545 acre site is located on the east side of Factory Shoals Road, south Six Flags Drive.

**Comprehensive Plan**

The parcel is within a Neighborhood Activity Center (NAC) future land use category, with R-20 zoning designation. 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.

**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?

**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.

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 design guidelines, please contact the Community Development Planning Division at 770.528.2015.

For more information on incentives, please call the Office of Economic Development at 770.528.2607 or find information online at <http://economic.cobbcountyga.gov>.

APPLICANT Sovannary Roun

PETITION NO. Z-070

PRESENT ZONING R-20

PETITION FOR HI

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**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): **12" DI E / side of Factory Shoals Road**

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.

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**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: **+/- 1000' E in Six Flags Drive ROW**

Estimated Waste Generation (in G.P.D.): **ADF 832 Peak= 2080**

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 Comments: Private sewer (Whisperwood Estates) is nearer, although private sewer agreement would be necessary.

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.

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**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 downstream receiving system.

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**STORMWATER MANAGEMENT COMMENTS – Continued**

SPECIAL SITE CONDITIONS

- Provide comprehensive hydrology/stormwater controls to include development of out parcels.
- Submit all 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. The discharge from the required stormwater management facility must be directed to the southwest corner of the site in order to be adequately accommodated through the existing apartment development to the south.



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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
Factory Shoals Road	14,700	Major Collector	40 mph	Cobb County	80'

*Based on 2011 traffic counting data taken by Cobb County DOT (Factory Shoals Road)*

**COMMENTS AND OBSERVATIONS**

Factory Shoals Road 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 a deceleration lane for the Factory Shoals Road ingress.

Recommend replacing any disturbed curb, gutter, and sidewalk along the Factory Shoals Road frontage.

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

## STAFF RECOMMENDATIONS

### **Z-70 SOVANNARY ROUN**

- A. It is Staff's opinion that the applicant's rezoning proposal will not permit a use that is suitable in view of the use and development of adjacent and nearby properties. Most of the adjacent and nearby properties are zoned for a mixture of residential uses, single-family and multi-family.
- 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. The proposed use will bring large truck traffic into the area.
- 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 Neighborhood Activity Center (NAC) land use category. The NAC land use category does not support the requested (and needed for this proposed use) HI zoning category.
- 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 denying the applicant's rezoning proposal. The proposed use requires the HI zoning category and is not supported by the *Cobb County Comprehensive Plan* designation of NAC.

Based on the above analysis, Staff recommends DENIAL.

**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.**

Z-70  
Dec 2013

Letter of Intent  
COBB COUNTY GEORGIA  
FILED IN OFFICE

2013 OCT -3 PM 1:37  
COBB COUNTY ZONING DIVISION

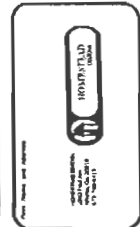
October 3, 2013

This New Construction will be 10,000 sq. ft. Brick and metal building, is for servicing 18 wheeler Trucks and small vehicles on site location with an office space included.

Vanessa Josp

PREPARED FOR  
**7249 Factory Shoals Rd.**  
LAND LOT 589 18TH DISTRICT  
COBB CO. GEORGIA

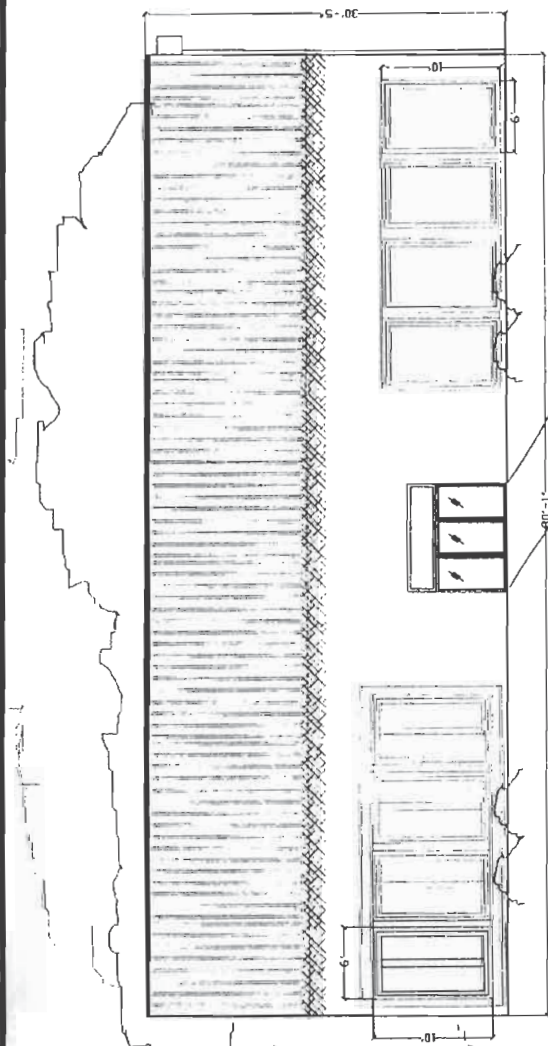
No.	Revision/Date	Date



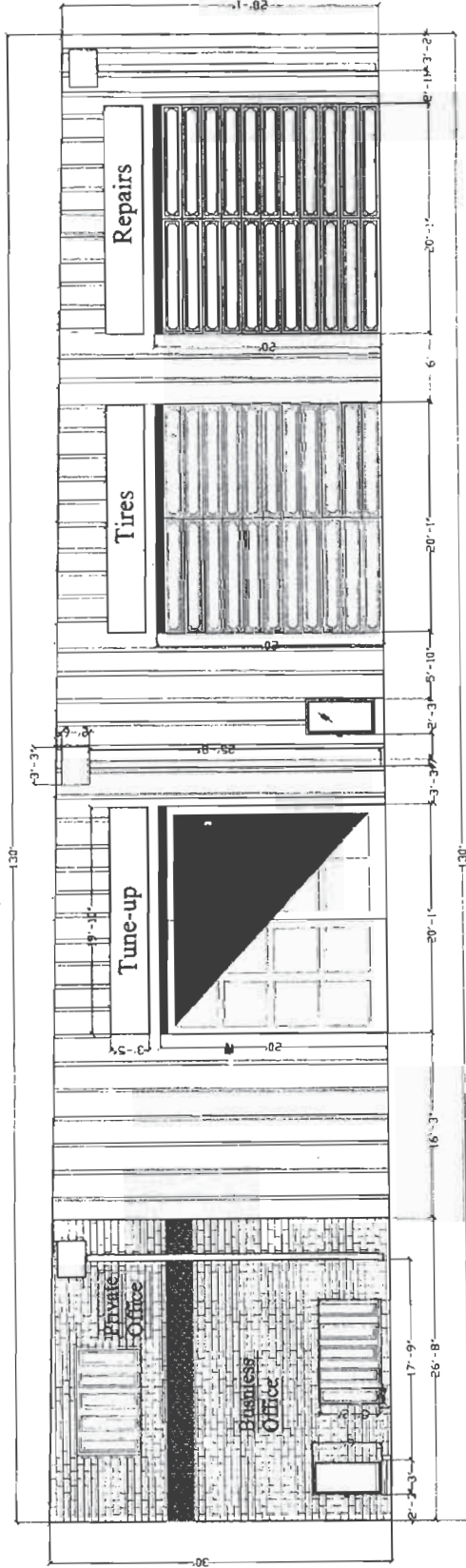
Project No.	0724950N
Date	08/27/13
Scale	AS SHOWN

COBB COUNTY GEORGIA  
FILED IN OFFICE  
2013 OCT -3 PM 1:35  
COBB COUNTY ZONING DIVISION

Buildin Area 10,000 sq. ft.



**NEW CONSTRUCTION  
FRONT ELEVATION**  
SCALE 1/4"=1'-0"



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**NEW CONSTRUCTION  
RIGHT ELEVATION**  
SCALE 1/4"=1'-0"