

Z-9
(2014)

QuikTrip No. 0835

County, Georgia

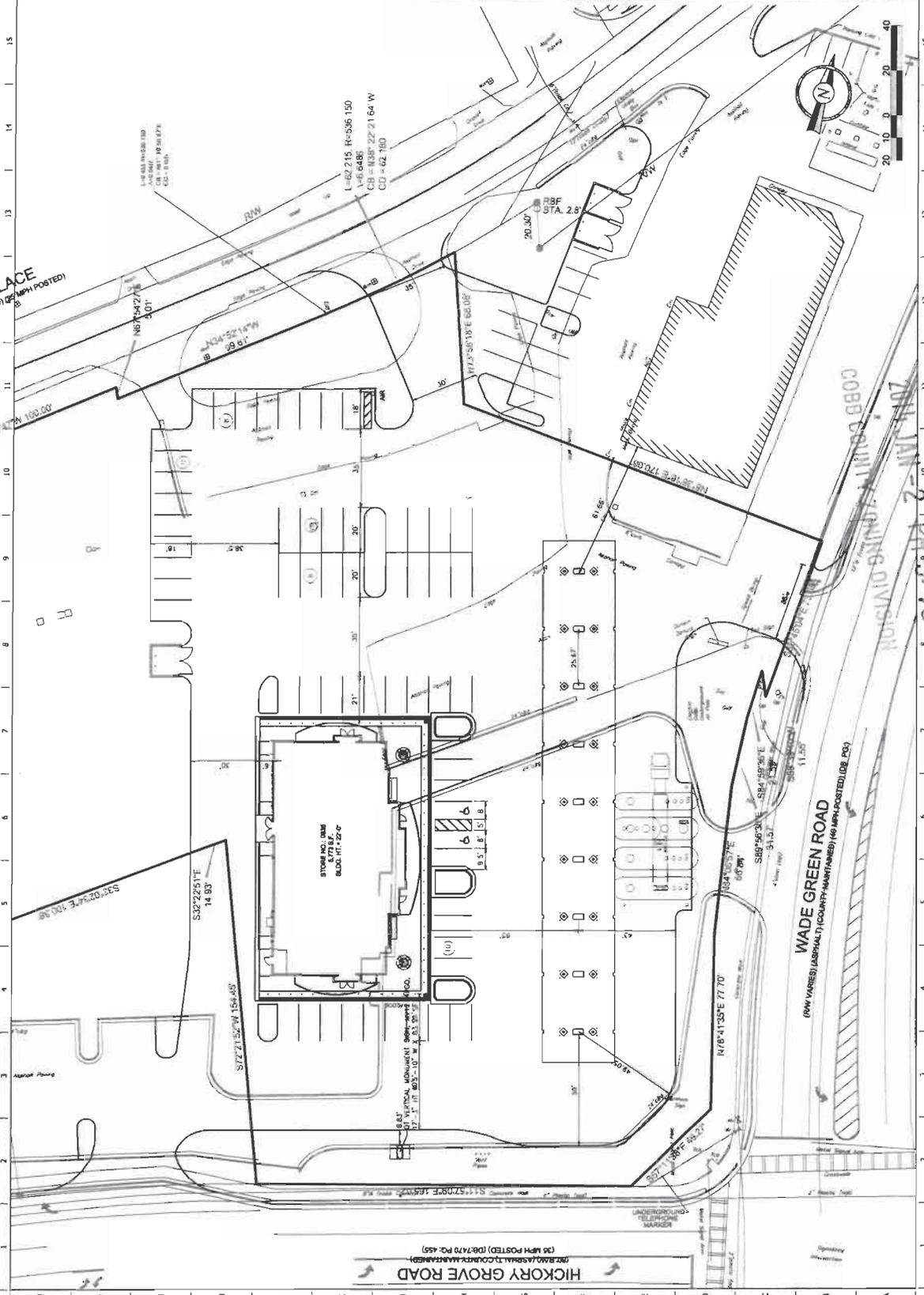


PROVISIONS	7/1/11
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SHEET TITLE	PRELIMINARY SITE PLAN
SHEET NUMBER	3

GROVE PLACE
COUNTY MAINTAINED (25 MPH POSTED)

COBB COUNTY GEORGIA
FILED IN OFFICE
2014 JAN -2 PM 3:15
COBB COUNTY PLANNING DIVISION



HICKORY GROVE ROAD
(25 MPH POSTED) (08/7/70 PG. 455)
(25 MPH MAINTAINED) (08/7/70 PG. 455)

WAIDE GREEN ROAD
(25 MPH MAINTAINED) (08/7/70 PG. 455)

PLANNING DIVISION

APPLICANT: QuikTrip Corporation
(770) 325-6721

REPRESENTATIVE: Richard W. Calhoun, Esq.
(770) 422-1776

TITLEHOLDER: GEC Atlanta, LLC; Tu Phat Chau; Irene Chan;
Scoggins LP

PROPERTY LOCATION: Northwest intersection of Wade Green
Road and Hickory Grove Road, southeast side of Hickory Grove Place
(4443, 4455 Wade Green Road; 1521, 1531, 1541 Hickory Grove Place)

ACCESS TO PROPERTY: Wade Green Road and Hickory Grove
Place

PHYSICAL CHARACTERISTICS TO SITE: Single-family house;
Single-family houses used commercially; Vacant convenience store
with fuel sales; and retail center

PETITION NO: Z-9

HEARING DATE (PC): 03-04-14

HEARING DATE (BOC): 03-18-14

PRESENT ZONING: GC, NRC, R-20

PROPOSED ZONING: CRC

PROPOSED USE: Convenience Store
with Fuel Sales

SIZE OF TRACT: 2.437 acres

DISTRICT: 20

LAND LOT(S): 55

PARCEL(S): 3, 30, 31, 32, 65

TAXES: PAID X **DUE** _____

COMMISSION DISTRICT: 3

CONTIGUOUS ZONING/DEVELOPMENT

- NORTH:** R-20/Single-family Houses
- SOUTH:** GC/McDonald's Restaurant
- EAST:** NS/Retail Center
- WEST:** GC/Tire Store

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

PLANNING COMMISSION RECOMMENDATION

APPROVED _____ **MOTION BY** _____

REJECTED _____ **SECONDED** _____

HELD _____ **CARRIED** _____

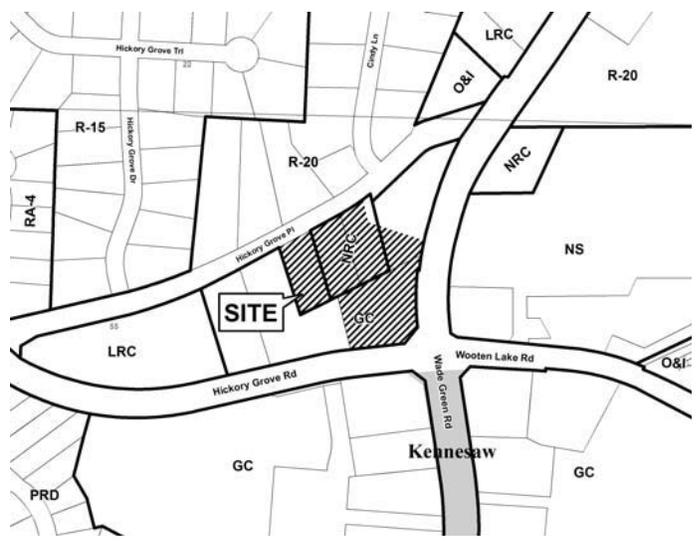
BOARD OF COMMISSIONERS DECISION

APPROVED _____ **MOTION BY** _____

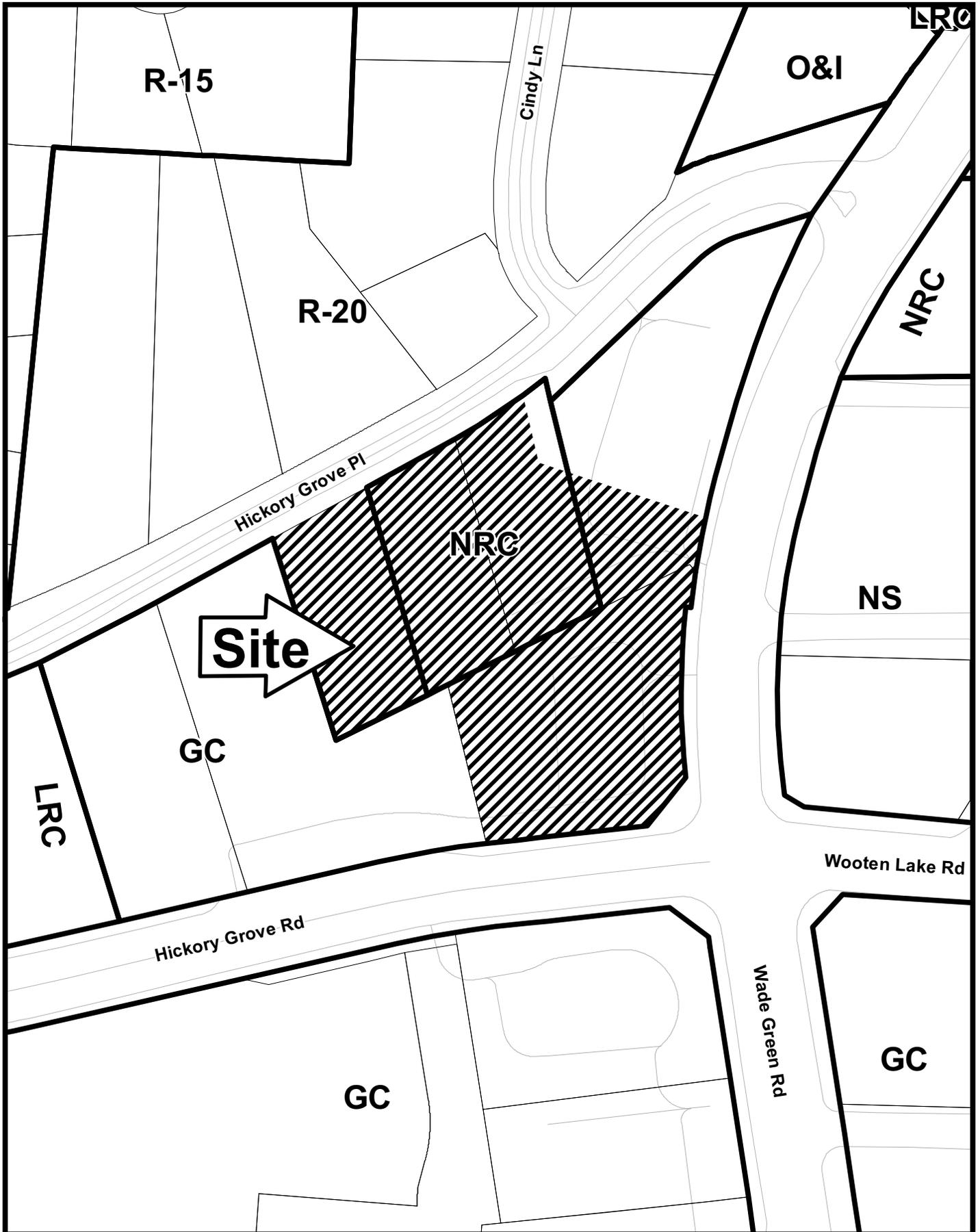
REJECTED _____ **SECONDED** _____

HELD _____ **CARRIED** _____

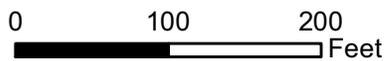
STIPULATIONS:



Z-9



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



-  City Boundary
-  Zoning Boundary

APPLICANT: QuikTrip Corporation

PETITION NO.: Z-9

PRESENT ZONING: GC, NRC & R-20

PETITION FOR: CRC

ZONING COMMENTS:

Staff Member Responsible: Jason A. Campbell

Land Use Plan Recommendation: Community Activity Center (CAC)

Proposed Number of Buildings: 1 **Total Square Footage of Development:** 5,773

F.A.R.: 0.054 **Square Footage/Acre:** 2,368.89

Parking Spaces Required: Minimum of 5, 1/employee **Parking Spaces Provided:** 59

Applicant is requesting the Community Retail Commercial (CRC) zoning category for the purpose of combining the subject parcels for the development of a QuikTrip convenience store with fuel sales. The proposed development will consist of the typical convenience store with fuel sales components with the addition of onsite food preparation. While the proposed store gross square footage is 5,773 square feet, the actual square footage devoted to retail is 2,079 square feet. The hours of operation will be 24 hours per day, seven days per week. The attached elevations indicate the new building prototype for QT, indicating the proposed outdoor seating areas in front of the building. The existing convenience store at the northwest corner of Wade Green Road and Hickory Grove Road will be removed.

The applicant is requesting to be rezoned site plan specific in anticipation of a possible variance to 10 feet on the western property line.

Cemetery Preservation: No comment.

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: QuikTrip Corporation

PETITION NO.: Z-9

PRESENT ZONING: GC, NRC & R-20

PETITION FOR: CRC

PLANNING COMMENTS:

The applicant is requesting a rezoning from GC, NRC and R-20 to CRC for purpose convenience store with fuel sales. The 2.437 acre site is located on the northwest intersection of Wade Green Road and Hickory Grove Road, southeast side of Hickory Grove Place.

Comprehensive Plan

The parcel is within a Community Activity Center (CAC) future land use category, with GC, NRC and R-20 zoning designations. The purpose of the CAC category is for areas that can meet the immediate needs of several neighborhoods or communities. Typical land uses for these areas include low to mid-rise office buildings and department 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.

APPLICANT QuikTrip Corporation

PETITION NO. Z-009

PRESENT ZONING GC,NRC,R-20

PETITION FOR CRC

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 / W side of Wade Green Road

Additional Comments: Also 12" DI / S side of Hickory Grove Pl

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: On site

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

Treatment Plant: **Noonday**

Plant Capacity: Available Not Available

Line Capacity: Available Not Available

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

Drw 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 *Redevelopment. Also, sewer relocation and easement quitclaim required at Plan Review
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: QuikTrip Corporation

PETITION NO.: Z-9

PRESENT ZONING: GC, NRC, R-20

PETITION FOR: CRC

STORMWATER MANAGEMENT COMMENTS

FLOOD HAZARD: YES NO POSSIBLY, NOT VERIFIED

DRAINAGE BASIN: Proctor 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 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.

APPLICANT: QuikTrip Corporation

PETITION NO.: Z-9

PRESENT ZONING: GC, NRC, R-20

PETITION FOR: CRC

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 the overall 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 proposed site plan will eliminate the existing onsite detention pond. The relocated pond must provide stormwater management for the entire site including any out parcels. An oil/water separator must be included to provide water quality treatment for the fuel bay area.

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
Wade Green Road	26,400	Arterial	40 mph	Cobb County	100'
Hickory Grove Road	21,600	Arterial	35 mph	Cobb County	100'
Hickory Grove Place	N/A	Local	25 mph	Cobb County	50'

*Based on 2006 traffic counting data taken by Cobb County DOT (Wade Green Road)
Based on 2007 traffic counting data taken by Cobb County DOT (Hickory Grove Road)*

COMMENTS AND OBSERVATIONS

Wade Green Road is classified as an arterial and according to the available information the existing right-of-way does not meet the minimum requirements for this classification.

Hickory Grove Road is classified as an arterial and according to the available information the existing right-of-way does not meet the minimum requirements for this classification.

Hickory Grove Place 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 consider entering into a development agreement pursuant of O.C.G.A. 36-71-13 for dedication of the following system improvements to mitigate traffic concerns: a) donation of right-of-way on the south side of Wade Green Road, a minimum of 50' from the roadway centerline.

Recommend applicant consider entering into a development agreement pursuant of O.C.G.A. 36-71-13 for dedication of the following system improvements to mitigate traffic concerns: a) donation of right-of-way on the south side of Hickory Grove Road, a minimum of 50' from the roadway centerline.

Recommend a deceleration lane for the Hickory Grove Road access.

Recommend only one access onto Wade Green Road. Recommend keeping the northern access on Wade Green Road shown on the plans.

Recommend restricting the Wade Green Road access to allowing right-in/ right-out only.

Recommend restricting the Hickory Grove Road access to allowing right-in/ right-out/ left-in.

Recommend curb, gutter, and sidewalk along the Hickory Grove Place frontage.

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

STAFF RECOMMENDATIONS

Z-9 QUIKTRIP CORPORATION

- 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. The parcels that are the subject of this request have been used commercially over a long period of time.
- 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 subject property has been used commercially for a number of years and the other properties at this intersection are zoned commercially with developed commercial uses.
- 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 Community Activity Center (CAC) land use category. The proposed use is consistent with the requested CRC 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 approving the applicant's rezoning proposal. The property has been utilized for commercial uses for many years under the Neighborhood Retail (NRC) and General Commercial (GC) zoning categories. This application will consolidate the parcels into one and provide a use and zoning that is consistent with the *Cobb County Comprehensive Plan*. This property has been used commercially for the individual parcels and will now be combined into one parcel with one use.

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

- Site plan received by the Zoning Division on January 2, 2014, with the District Commissioner approving minor modifications;
- Water and Sewer Division comments and recommendations;
- Stormwater Management Division comments and recommendations;
- Department of Transportation comments and recommendations; and
- 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.

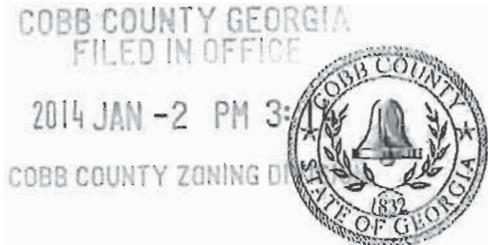
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Application #: Z-9
PC Hearing Date: 3-4-14
BOC Hearing Date: 3-18-14

Summary of Intent for Rezoning

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): Convenience Store/Fuel Station
- b) Proposed building architecture: See attached plans for 5,773 square foot building, (2,079 square foot retail space).
- c) Proposed hours/days of operation: 24 hours per day, seven days per week.
- d) List all requested variances: Zoning to be site plan specific. Possible variance to 10' side set back on western property line.

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

n/a

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. _____

Part 5. Is this application a result of a Code Enforcement action? No ; Yes _____ (If yes, attach a copy of the Notice of Violation and/or tickets to this form).

Applicant signature: Patrick Conner Date: 1-2-14

Applicant name (printed): Patrick Conner, QV: KTRIP Corporation, REAL ESTATE PROJECT MANAGER

COBB COUNTY GEORGIA
FILED IN OFFICE
2014 JAN -2 PM 3:15
COBB COUNTY ZONING DIVISION

QUIKTRIP ZONING IMPACT ANALYSIS:

QuikTrip Corporation proposed rezoning from GC, NRC & R20 to CRC

N. W. Quadrant Hickory Grove Road and Wade Green Road

Page 1 of 2

Every application for rezoning involving a request for a non-residential zoning district shall include a complete written, documented analysis of the impact of the proposed rezoning with respect to each of the following matters:

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

The proposed rezoning is suitable in view of the use and development of nearby property. The subject property is a former, and now vacant, convenience store zoned GC. It is bordered by a GC zoned tire store to the west and to the north by a GC zoned retail strip shopping center constructed in 1984. It is bordered to the Northwest, South, and East by Hickory Grove Place, Hickory Grove Road and Wade Green Road, respectively.

- (b) Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property.

The proposed rezoning will not affect the existing use or usability of adjacent or nearby properties as it is compatible with the uses already in the area.

- (c) Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned.

The property affected by this rezoning proposal has no reasonable economic use as currently zoned. A portion of the property is a convenience store; however, the remaining area of the subject property is of marginal value in its present zoning categories of R-20 and NRC. In order to operate a competitive convenience store at this location additional area beyond that occupied by the existing convenience store is required. The applicant and owners respectfully submit that any action other than the unconditional grant of the requested zoning and variances would amount to an uncompensated taking and damaging of their private property rights without due process of law, as well as a denial of equal protection of the laws pursuant to Article 1, Section 1, Paragraphs 1 and 2, and Article 1, Section 3, Paragraph 1 of the Georgia Constitution, as well as corresponding provisions of the United States Constitution.

COBB COUNTY GEORGIA
FILED IN OFFICE
2014 JAN -2 PM 3: 15
COBB COUNTY ZONING DIVISION

QUIKTRIP ZONING IMPACT ANALYSIS:

QuikTrip Corporation proposed rezoning from GC, NRC & R20 to CRC

N. W. Quadrant Hickory Grove Road and Wade Green Road

Page 2 of 2

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

The proposed use will not result in an excessive or burdensome use of existing transportation infrastructure, utilities or schools. Existing infrastructure adequately supports similar and compatible uses in this area.

- (e) Whether the zoning proposal is in conformity with the policy and intent of the land use plan.

The proposed rezoning conforms to the County's land use plan. The subject property and much of the surrounding property is located in a Community Activity Center land use plan area.

- (f) 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.

There are existing and changing conditions supporting the proposed rezoning. The existing uses on the subject property are interim uses and the outdated convenience store located on the subject property is over twenty (20) years old and has closed.

