



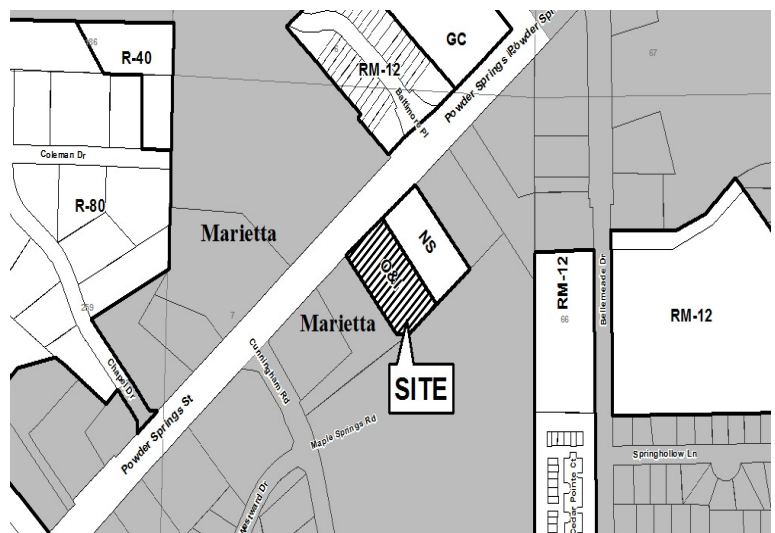
Site Density Factor: 1,000 sq. ft.
1 x 15 = 15 Acres Required

Planting Lot: 12,364 SF of planting area (planting lot and adjacent alley)
12,364 / 1,400 = 11.1 (12 Planting Lot Trees Required)

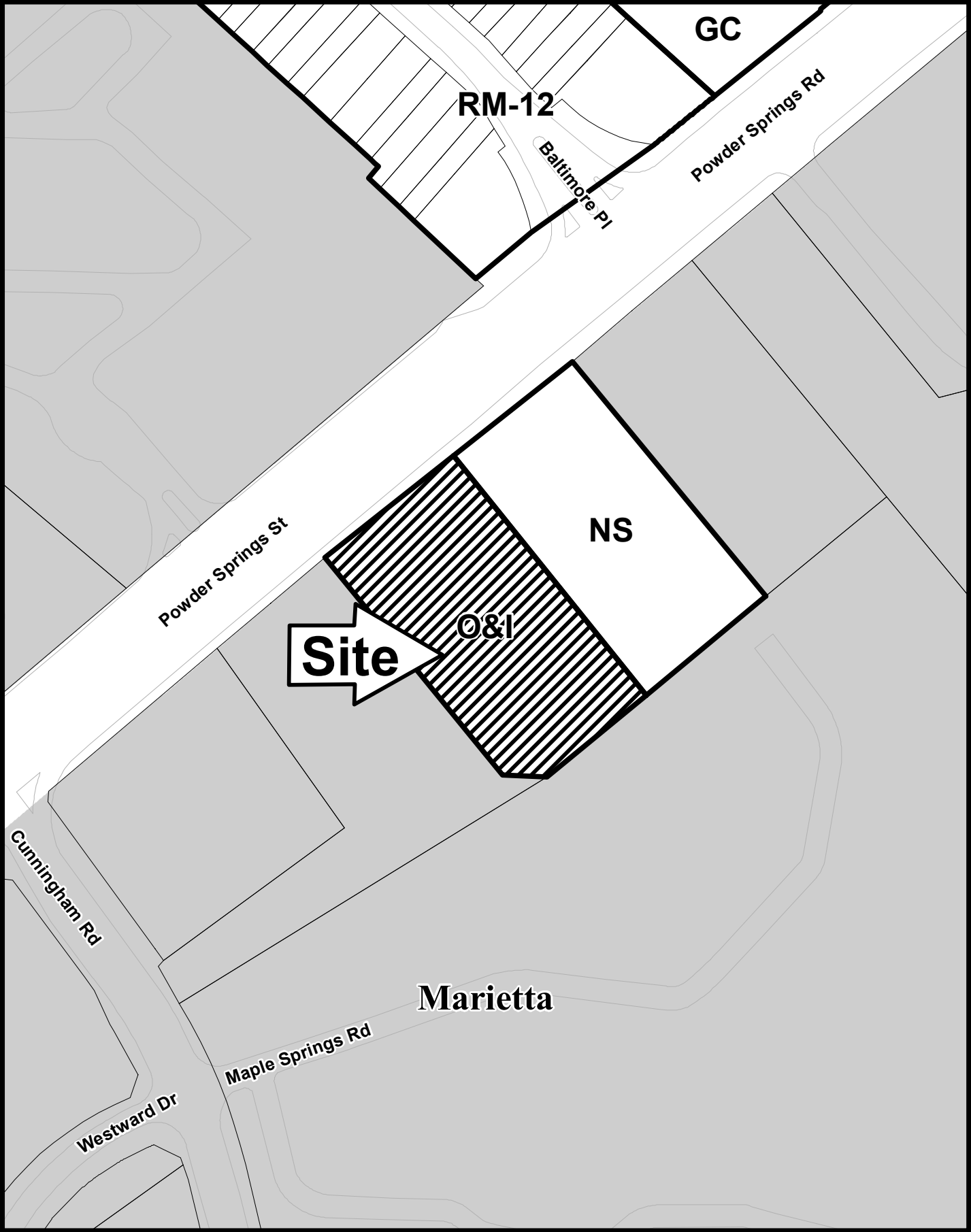
Proposed Trees: 14 Deciduous Trees @ 3" - 3 1/2" Caliber
14 x 3 = 4.2 UPR (10 - 4 = 4.8 UPR Deficiency)

Odd County Tree Replacement Fund Contribution Ratio:
4.8 UPR / 3.2 = 1.2 (1.2 All Trees)

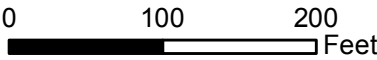




Z-76



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



City Boundary
Zoning Boundary

APPLICANT: Goff 10, LLC

PETITION NO.: Z-76

PRESENT ZONING: O&I

PETITION FOR: NRC

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:** 3,847

F.A.R.: 0.088 **Square Footage/Acre:** 3,847

Parking Spaces Required: 38 **Parking Spaces Provided:** 52

Applicant is requesting the Neighborhood Retail Commercial (NRC) zoning category for the purpose of developing a restaurant with a drive-thru. The proposed building architecture will be traditional and the hours of operation will be Sunday through Saturday from 10 a.m. until 10 p.m.

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: Goff 10, LLC

PETITION NO.: Z-76

PRESENT ZONING: O&I

PETITION FOR: NRC

PLANNING COMMENTS:

The applicant is requesting a rezoning from O&I to NRC for purpose of a restaurant with drive-thru. The 1 acre site is located at the southeast side of Powder Springs Street, northeast of Cunningham Road (1225 Powder Springs Street).

Comprehensive Plan

The parcel is within a Community Activity Center (CAC) future land use category, with O&I zoning designations. The purpose of the CAC is to provide 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.

Adjacent Future Land Use

North: City of Marietta (High Density Residential) – across Powder Springs Street

East: Community Activity Center (CAC)

South: City of Marietta (High Density Residential)

West: City of Marietta (Community Activity Center)

Master Plan/Corridor Study

N/A

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 N/A

Does the current site plan comply with the design requirements? N/A

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: Goff 10, LLC

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PLANNING COMMENTS: **Continued**

For more information on incentives, please call the Community Development Agency, Planning Division at 770.528.2018 or find information online at <http://economic.cobbcountyga.gov>.

Special Districts

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

APPLICANT Goff 10. LLC

PETITION NO. Z-076

PRESENT ZONING O&I

PETITION FOR NRC

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" DI / S side of Powder Springs St

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: On site

Estimated Waste Generation (in G.P.D.): A D F= +854 Peak= +2,134

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

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 Existing sewer customer
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: Goff 10, LLC

PETITION NO.: Z-76

PRESENT ZONING: O&I

PETITION FOR: NRC

STORMWATER MANAGEMENT COMMENTS

FLOOD HAZARD: ☐ YES ☒ NO ☐ POSSIBLY, NOT VERIFIED

DRAINAGE BASIN: Olley 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 CONDITIONS

- ☒ 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: Goff 10, LLC

PETITION NO.: Z-76

PRESENT ZONING: O&I

PETITION FOR: NRC

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. The applicant proposes to utilize the existing onsite detention facility for this development. It may need to be expanded/modified to accommodate the revised site layout and impervious area increase.

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PETITION NO.: Z-76

PRESENT ZONING: O&I

PETITION FOR: NRC

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
Powder Springs Street	38,500	Arterial	45 mph	Georgia DOT	100'

Based on 2006 traffic counting data taken by Cobb County DOT for Powder Springs Street

COMMENTS AND OBSERVATIONS

Powder Springs Street is classified as an arterial, state route, 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.

GDOT permits will be required for all work that encroaches upon State right-of-way.

Recommend replacing disturbed curb, gutter, and sidewalk along the Powder Springs Street frontage.

Recommend applicant coordinate with City of Marietta prior to development plan approval to ensure compatibility with their proposed project.

STAFF RECOMMENDATIONS

Z-76 GOFF 10, LLC

- 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. This area has a mixture of retail, restaurants, offices and multi-family developments.
- 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 property has been used for medical offices in the past and the proposed development for a restaurant with a drive-thru is similar to other uses in this 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 as being in the Community Activity Center (CAC) land use category. The requested Neighborhood Retail Commercial (NRC) zoning category is compatible with the CAC land use category and the proposed restaurant with a drive-thru is a permitted use under NRC.
- 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 was previously used for medical offices. The proposed new development for a restaurant with a drive-thru is a permitted and will be in line with some of the other developments in the area that include the same use and other retail commercial businesses.

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

- Site plan submitted to the Zoning Division on June 4, 2015, with the District Commissioner approving minor modifications;
- Water and Sewer Division comments and recommendations;
- Stormwater Management Division comments and recommendations; and
- Department of Transportation comments and recommendations.

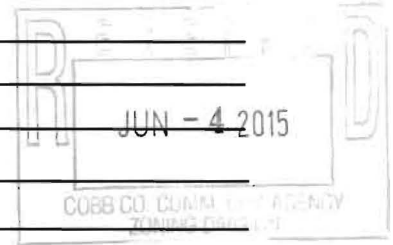
The recommendations made by the Planning and Zoning Staff are only the opinions of the Planning and Zoning Staff and are by no means the final decision. The Cobb County Board of Commissioners makes the final decisions on all Rezoning and Land Use Permits at an advertised public hearing.

Application No. Z-76
Aug. (2015)

Summary of Intent for Rezoning*

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

- a) Proposed unit square-footage(s): Not Applicable
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): Restaurant with drive-thru
b) Proposed building architecture: Traditional
c) Proposed hours/days of operation: Sunday - Saturday; 10 a.m. - 10 p.m.
d) List all requested variances: None known at this time

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

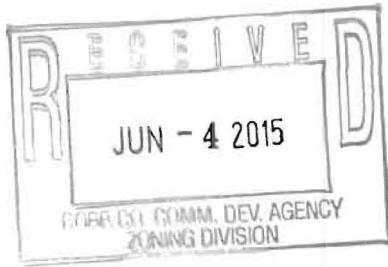
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Part 4. Is any of the property included on the proposed site plan owned by the Local, State, or Federal Government?

(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).

None known at this time

.....
*Applicant specifically reserves the right to amend any information set forth in this Summary of Intent for Rezoning, or any other portion of the Application for Rezoning, at any time during the rezoning process.

IMPACT ANALYSIS STATEMENT



Application No.: Z- 76 (2015)
Hearing Dates: August 4, 2015
August 18, 2015

Applicant: Goff 10, LLC
Titleholder: Emory-Adventist, Inc.
(f/k/a Smyrna Hospital, Inc.)

Analysis of impact of the proposed rezoning with respect to the following:

- (a) The property which is the subject of the Application for Rezoning is located at 1225 Powder Springs Road, Land Lot 7, 17th District, 2nd Section, Cobb County, Georgia (hereinafter "Property" or "Subject Property"). The Applicant is seeking rezoning of the Subject Property from the existing Office/Institutional ("OI") zoning category to the proposed Neighborhood Retail Commercial ("NRC") zoning category for the purpose of a restaurant facility, which includes a drive-thru area. The Subject Property is located on the southwesterly side of Powder Springs Street, northeasterly of Cunningham Road. The Property has an existing structure which has been used for an Emory-Adventist/Smyrna Hospital office/facility under the existing OI zoning category. Much of the surrounding property is located within the City of Marietta and is zoned to the Community Retail Commercial ("CRC") commercial category and PRD-MF and RM12 residential categories. The surrounding properties located in unincorporated Cobb County are zoned to the commercial categories of General Commercial ("GC") and Neighborhood Shopping ("NS"). The requested category of NRC will permit a use that is more suitable in view of the use and development of adjacent and nearby properties. Additionally, Cobb County and the City of Marietta have targeted the Powder Springs Street corridor for redevelopment and expansion. Through these redevelopment efforts by Cobb County and the City of Marietta, many of the commercial properties along this roadway, and in the immediate vicinity of the Subject Property, have been redeveloped and revitalized for new types of uses over the past several years. The location of the Subject Property immediately on such a heavily traveled corridor makes it a prime tract of such revitalization by taking the Property from a vacant building with no use at this time to a viable restaurant.
- (b) This zoning proposal should have no adverse effect on the existing use or usability of adjacent or nearby property. The proposed development should have a lesser impact on surrounding properties. The proposed rezoning should have a positive effect in light of changes, usage, and development of properties in the immediate vicinity in recent years and transportation improvements therefor. If approved and developed according to the request, the adjacent and nearby property owners should benefit in higher land values.

- (c) The subject property as presently zoned does not have a reasonable economic use. The proposed zoning will allow for a higher and better use of the Subject Property.
- (d) This zoning proposal will not cause excessive or burdensome use of existing streets, transportation facilities, utilities, or schools. Commercial development has almost no effect on schools, minimal effect on utilities and transportation facilities. The major effect will be on traffic; however, the impact should be minimal due to the nature of the business for which this rezoning is sought. The widened and improved roadways in the area will ease any increased traffic without burdensome effects.
- (e) The zoning proposal is in conformity with the Land Use Map of Cobb County, Georgia, as well as in conformity with the policy and intent of the Land Use Plan. The Subject Property is currently located within a Neighborhood Activity Center (“NAC”).
- (f) This zoning proposal is consistent with the current conditions affecting the development of this Property. As previously set forth above, redevelopment and improved roadways support the proposed commercial usage of the Subject Property. The rezoning proposed in the pending Application for Rezoning would allow for a more suitable and economic use without high impact on existing commercial businesses or impact into any neighboring residential areas.