

Z-3
(2016)

PROPOSED STORAGE/OFFICE

TOTAL SQ. FT. = 11,430 SF
OFFICE SQ. FT. = 500
STORAGE SQ. FT. = 10,930

PARKING REQUIREMENT:

OFFICE: 1 SPACE/285 SF
STORAGE: 1 SPACE/1000 SF
OFFICE: 500 SF/285 SF = 1.75 OR 2 SPACES
STORAGE: 10,930 SF/1000 SF = 10.93 OR 11 SPACES

OFFICE: 2 SPACES NEEDED
STORAGE: 11 SPACES NEEDED
HANDICAP: (INCLUDES 2 SPACES)
SPACES PROVIDED: 16 (INCLUDES 2 HANDICAP SPACES)

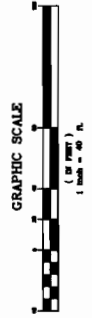
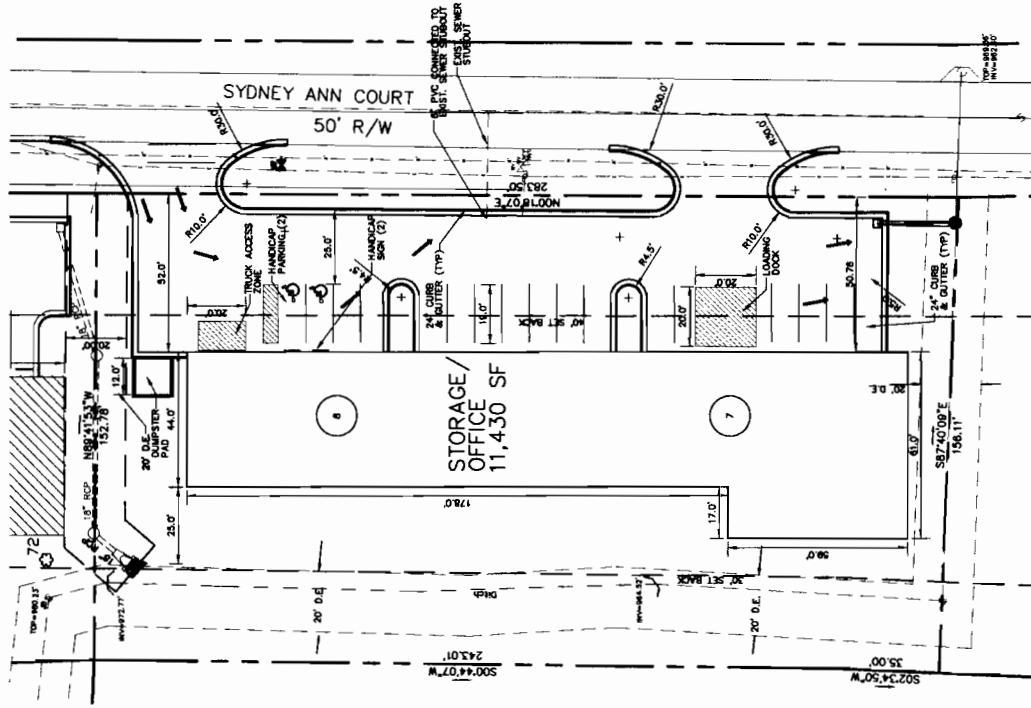
ZONING CLASSIFICATION:
GC- GENERAL COMMERCIAL
FRONT SETBACK: 40'
REAR SETBACK: 30'
SIDE SETBACK: 10'

65756 SYDNEY ANN COURT
LOT 1 & 2 OF SYDNEY ANN
INDUSTRIAL PARK

REVISIONS	BY	DATE

JOB NAME	GLORE'S OFFICE & STORAGE BUILDING
DESCRIPTION	ASBUILT LAYOUT
LAND LOTS	34
OF THE TRID. DISTRICT	
CORR COUNTY, GEORGIA	2ND SECTION
MAP NO.	
DATE	MAY 11/23/15
SCALE	1" = 40' (AS SHOWN)
DRAWN BY	CHANG, INC. ENGINEERS
CHECKED BY	
DATE	
JOB NO.	

NOV 24 2015



DEVELOPER:
JOHNNY GLORE
1000 BRADDAVE, NW
ATLANTA, GA 30318
PHONE # (404)875-0482



APPLICANT: John A. Glore

PHONE#: (678) 898-3891 EMAIL: gloreboy@bellsouth.net

REPRESENTATIVE: Garvis L. Sams, Jr.

PHONE#: (770) 422-7016 EMAIL: gsams@slhb-law.com

TITLEHOLDER: Atlanta Safety Brake Service, Inc.

PROPERTY LOCATION: West side of Sydney Ann Court, west of Powell Drive (5756 Sydney Ann Court).

ACCESS TO PROPERTY: Sydney Ann Court

PHYSICAL CHARACTERISTICS TO SITE: One story 11,430 sq. ft. storage/office building.

PETITION NO: Z-3

HEARING DATE (PC): 02-02-16

HEARING DATE (BOC): 02-16-16

PRESENT ZONING GC

PROPOSED ZONING: NRC

PROPOSED USE: Specialized Contractor

SIZE OF TRACT: 0.99 acre

DISTRICT: 18

LAND LOT(S): 34

PARCEL(S): 41

TAXES: PAID X DUE

COMMISSION DISTRICT: 4

CONTIGUOUS ZONING/DEVELOPMENT

- NORTH: GC/ Atlanta Safety Brake Service Inc
SOUTH: GC/ Atlanta Safety Brake Service Inc
EAST: GC/ Putnam's Collision Center
WEST: R-20/ Thompson Heights Subdivision

Adjacent Future Land Use:

- North: Neighborhood Activity Center (NAC)
East: Neighborhood Activity Center (NAC)
South: Neighborhood Activity Center (NAC)
West: Low Density Residential (LDR)

OPPOSITION: NO. OPPOSED PETITION NO: SPOKESMAN

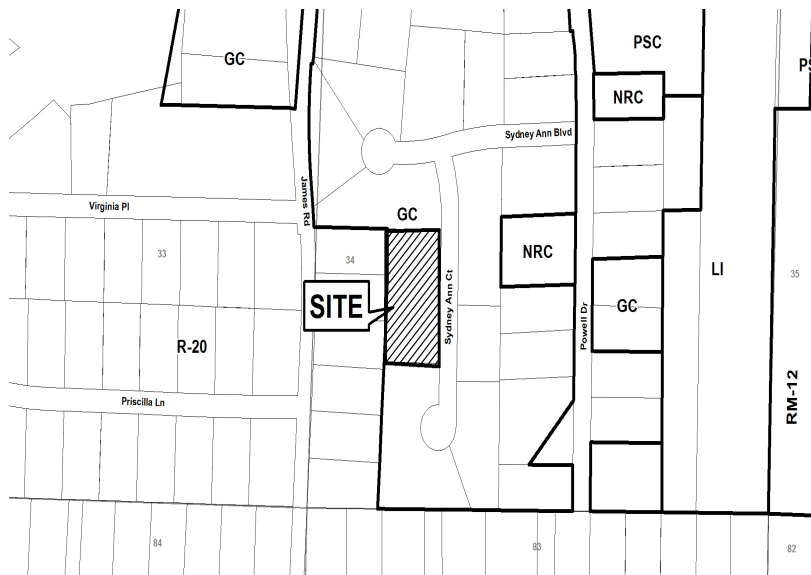
PLANNING COMMISSION RECOMMENDATION

APPROVED MOTION BY
REJECTED SECONDED
HELD CARRIED

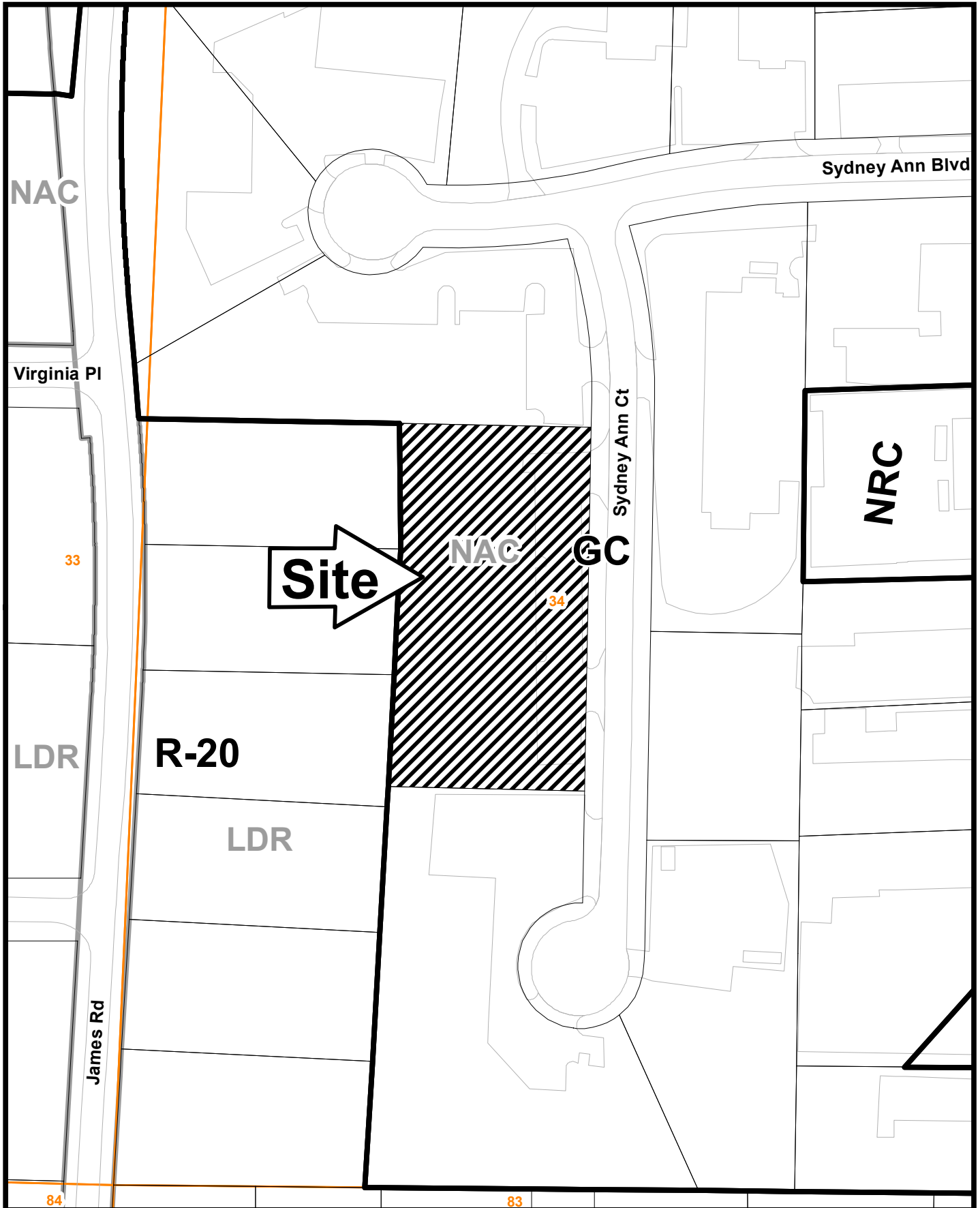
BOARD OF COMMISSIONERS DECISION

APPROVED MOTION BY
REJECTED SECONDED
HELD CARRIED

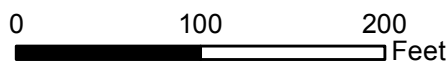
STIPULATIONS:





Z-3



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



-  City Boundary
-  Zoning Boundary

APPLICANT: John A. Glore

PETITION NO.: Z-3

PRESENT ZONING: GC

PETITION FOR: NRC

ZONING COMMENTS:

Staff Member Responsible: Terry Martin, MPA

Land Use Plan Recommendation: Neighborhood Activity Center (NAC)

Proposed Number of Buildings: 1 **Total Square Footage of Development:** 11,430 sq. ft.

F.A.R.: 0.27 **Square Footage/Acre:** 11,604 sq. ft.

Parking Spaces Required: 13 **Parking Spaces Provided:** 16

The applicant is requesting a rezoning of the subject property from the current GC general commercial district to NRC neighborhood retail commercial district for the purpose of a specialized contractor. The property, originally zoned to the GC district in 1989, was developed to the current 11,430 sq. ft. office and storage building in recent years but in the meantime has lost its grandfathered status due to the future land use category being updated to the NAC neighborhood activity center.

The property will be utilized by the owner who is a specialized contractor with typical hours being Monday through Saturday 7:00 a.m. to 6:00 p.m. To accommodate the as built conditions, the following variances are needed:

1. Waive the maximum allowed F.A.R. for a retail use from 0.25 to 0.27;
2. Waive the side setback from the required 15 feet to 12 feet adjacent to the southern property line; and
3. Allow an accessory structure (dumpster) to the side of the principal building.

The Code-required 35 foot screening buffer adjacent to the residential properties to the west can be accommodated within the rear setback since the previously permitted project indicated the 40 foot buffer as required by the original rezoning case.

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:

ACCESS: Fire apparatus access roads shall extend to within 150 feet of all portions of the facility or any portion of the exterior wall of the first floor (State Modifications IFC 503.1 2006 Edition).

All access roads shall meet the American Association of State and Highway Transportation Officials (AASHTO) design manual live load standard HS20 (75,000 lbs.) with an unobstructed width of not less than 20 feet, 25 foot inside radius, 50 foot outside turning radius and unobstructed vertical clearance of not less than 13 feet 6 inches.

APPLICANT: John A. Glore

PETITION NO.: Z-3

PRESENT ZONING: GC

PETITION FOR: NRC

PLANNING COMMENTS:

The applicant is requesting a rezoning from GC to NRC for the purpose of a specialized contractor. The 0.99 acre site is located on the west side of Sydney Ann court west of Powell Drive.

HB-489 Intergovernmental Agreement Zoning Amendment Notification:

Is the application site within one half (1/2) mile of a city boundary? Yes No
If yes, has the city of _____ been notified? Yes No / N/A

Comprehensive Plan

The parcel is within a Neighborhood Activity Center (NAC) future land use category, with GC zoning designation. The purpose of the Neighborhood Activity Center (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.

Specific Area Policy Guidelines:

There are no specific policy guidelines for this area in the Comprehensive Plan.

Adjacent Future Land Use:

North: Neighborhood Activity Center (NAC)
East: Neighborhood Activity Center (NAC)
South: Neighborhood Activity Center (NAC)
West: Low Density Residential (LDR)

Master Plan/Corridor Study

The property is not located within the boundary of a Plan or Corridor Study

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 South Cobb 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.

APPLICANT: John A. Glore

PETITION NO.: Z-3

PRESENT ZONING: GC

PETITION FOR: NRC

PLANNING COMMENTS: (Continued)

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 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

Is the property within the Dobbins Airfield Safety Zone?

Yes No

If so, which particular safety zone is this property within?

CZ (Clear Zone) APZ I (Accident Potential Zone I)

APZ II (Accident Potential Zone II)

APPLICANT John A. Glore

PETITION NO. Z-003

PRESENT ZONING GC

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): 8" DI / W side of Sydney Ann Court

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= +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 Existing sewer customer. No anticipated change in wastewater discharge volume
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: John A. Glore

PETITION NO.: Z-3

PRESENT ZONING: GC

PETITION FOR: NRC

STORMWATER MANAGEMENT COMMENTS

No site improvements are proposed. Stormwater management for this parcel is provided in the Sydney Ann Industrial Park master detention facility.

APPLICANT: John A. Glore

PETITION NO.: Z-3

PRESENT ZONING: GC

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
Sydney Ann Court	N/A	Local	25 mph	Cobb County	50'

COMMENTS AND OBSERVATIONS

Sydney Ann Court is classified as a local and according to the available information the existing right-of-way may 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.

STAFF RECOMMENDATIONS

Z-3 JOHN A. GLORE

- 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 applicant owns several adjacent properties and other surrounding properties in the area are used for similar or more intense 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. Similar or less intense than surrounding properties, this use will not adversely affect others. Also, the accommodation of the Code-required buffer to the west will adequately shield those residential neighbors
- 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*. Located within an area delineated as NAC neighborhood activity center, the proposed use as of a specialized contractor follows the guidelines for such a use as laid out within the County Code.
- 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, recently redeveloped, is as or less intense as neighboring properties and uses. In fact, the applicant owns several nearby properties on this side of Sydney Ann Court. The requested variances are to accommodate the as built conditions resulting from differing setback requirements of the NRC district and the required landscape buffer of 35 feet along the west side can be accommodated in that area previously permitted as a 40 foot buffer.

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

1. Site plan received by the Zoning Division on November 24, 2015 with recognition of encroachment into required 15 foot side yard setback on the southern side as well as required rear 35 foot landscape buffer, with District Commissioner approving minor modifications;
2. Use limited to a specialized contractor's office, administrative or professional office use or retail use only;
3. County Arborist to approve rear 35 foot landscape buffer;
4. Fire Department comments and recommendations;
5. Water and Sewer Division comments and recommendations;
6. Stormwater Management Division comments and recommendations;
7. Department of Transportation comments and recommendations; and
8. No outdoor storage or outdoor display of merchandise.

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.

NOV 24 2015

Application No. z-3

Feb 2016

Summary of Intent for Rezoning*

.....
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): Specialized Contractor
- b) Proposed building architecture: As-built (newly constructed)
- c) Proposed hours/days of operation: 7:00 a.m. - 6:00 p.m. Monday through Saturday
- d) List all requested variances: None identified as of the date of filing.

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

The subject property is zoned GC but lost its "grandfathered" non-conforming exemption and is located within the confines of a Neighborhood Activity Center ("NAC") under and pursuant to Cobb County's Future Land Use Map.

.....
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).

Not applicable.

*The Applicant reserves the right to revise or amend this Summary of Intent for Rezoning at any time during the pendency of the Application for Rezoning.

**ZONING IMPACT STATEMENT FOR THE
REZONING APPLICATION OF JOHN A. GLORE**

NOV 24 2015

COMES NOW, JOHN A. GLORE, 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 along this section of the Sydney Ann Court 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 or commercial developments.

- 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 owners of the subject property are suffering a significant economic detriment by virtue of the continuation of the present zoning classification of GC.

- 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 consistent with those uses and purposes contemplated under Cobb County's Comprehensive Land Use Plan and Future Land Use Map with the subject property lying and being in a Neighborhood Activity Center (NAC).
- F. There is no substantial relationship between the existing zoning classification of GC which limits the property in terms of its present utilization and the public health, safety and general welfare. Additionally, considered in the context of development along this section of the Sydney Ann Court Corridor, there are no established land use planning principles or political considerations which would vitiate the zoning proposal.

Respectfully submitted, this the 24th day of November, 2015.

SAMS, LARKIN, HUFF & BALLI, LLP

By: 

GARVIS L. SAMS, JR.

Attorney for Applicant

Ga. Bar No. 623950