

Z-16
(2016)

PREPARED BY
NPSG
NORTHWEST PLANNING SERVICES, INC.
2100 BARRETT PARK DRIVE
SUITE 100
DALLAS, TEXAS 75234
CONTACT
409-483-7300
NORTHWESTSERVICES.COM

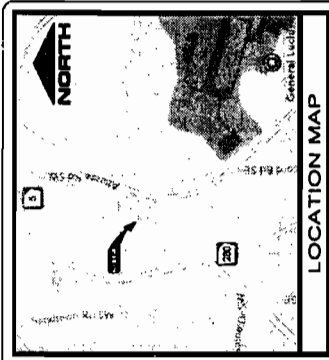
PREPARED FOR
DOBBS MILL, LLC
1101 BARRETT PARK DRIVE
SUITE 100
DALLAS, TEXAS 75234
409-483-7300

DOBBS MILL INDUSTRIAL PARK
L&M LOT 283 - 17th DISTRICT
PARCEL ID: 1702830040
COBB COUNTY, GEORGIA

RECORDED
NO. 000000
DATE

NO.	DATE	REVISION

SCALE: AS SHOWN
DATE: 12-24-14
PROJECT: Z-16
DRAWN BY: JMM
CHECKED BY: JMM
C-0
14-028

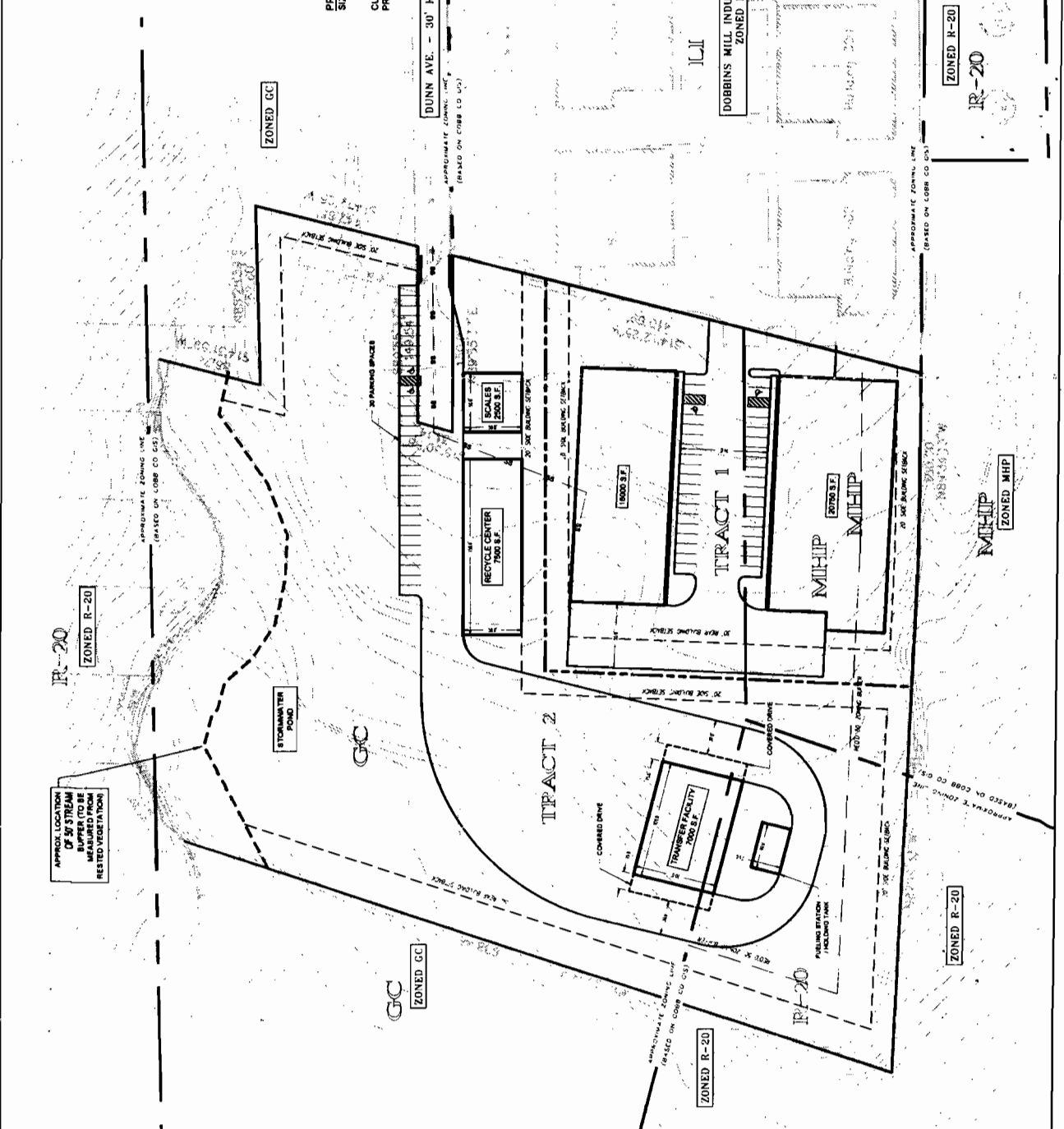


PROPERTY INFORMATION
SIZE: 8.03 ACRES
TRACT 1: 2.204 ACRES
TRACT 2: 5.824 ACRES
CURRENT ZONING: GC, ZONED MHP (BASED ON COBB CO GIS)
PROPOSED ZONING: U (LIGHT INDUSTRIAL)

PARKING ANALYSIS

SPACES REQUIRED	380	1.0
1 SPACE PER	2000	1.9
2000 S.F.	2000	1.9

SPACES PROVIDED = 38 SPACES



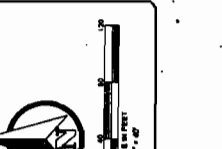
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APPROX. LOCATION OF STREAM BUFFER (TO BE MEASURED FROM RESTED VEGETATION)



APPLICANT: Dobbins Mill, LLC

PHONE#: (770) 354-5836 EMAIL: jim@johnsonandco.net

REPRESENTATIVE: J. Kevin Moore

PHONE#: (770) 429-1499 EMAIL: jkm@mijs.com

TITLEHOLDER: East Brook Development, LLC

PROPERTY LOCATION: Terminus of Dunn Avenue, west side of
West Atlanta Street.

ACCESS TO PROPERTY: Dunn Avenue

PHYSICAL CHARACTERISTICS TO SITE: Currently used as a
mobile home park

CONTIGUOUS ZONING/DEVELOPMENT

- NORTH: R-20/ Cobb Heights Subdivision
- SOUTH: R-20, MHP/ Undeveloped, Mobile Home Park
- EAST: GC, R-20/ Mobile Home Park
- WEST: GC, LI/ Mobile Home Park, Dobbins Mill Industrial Park

PETITION NO: Z-16

HEARING DATE (PC): 04-01-16

HEARING DATE (BOC): 04-19-16

PRESENT ZONING R-20, MHP, GC

PROPOSED ZONING: HI

PROPOSED USE: Office, Warehouse, and
Waste Transfer Station

SIZE OF TRACT: 8.03 acres

DISTRICT: 17

LAND LOT(S): 283

PARCEL(S): 4

TAXES: PAID X DUE

COMMISSION DISTRICT: 4

Adjacent Future Land Use:

- North: Industrial Compatible (IC)
- East: Industrial Compatible (IC)
- South: Industrial Compatible (IC)
- West: Industrial Compatible (IC)

OPPOSITION: NO. OPPOSED PETITION NO: SPOKESMAN

PLANNING COMMISSION RECOMMENDATION

APPROVED MOTION BY

REJECTED SECONDED

HELD CARRIED

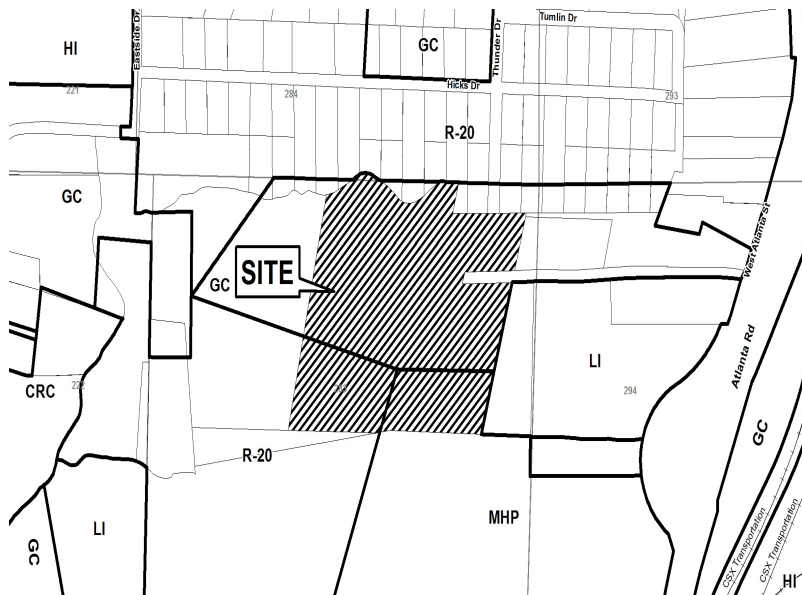
BOARD OF COMMISSIONERS DECISION

APPROVED MOTION BY

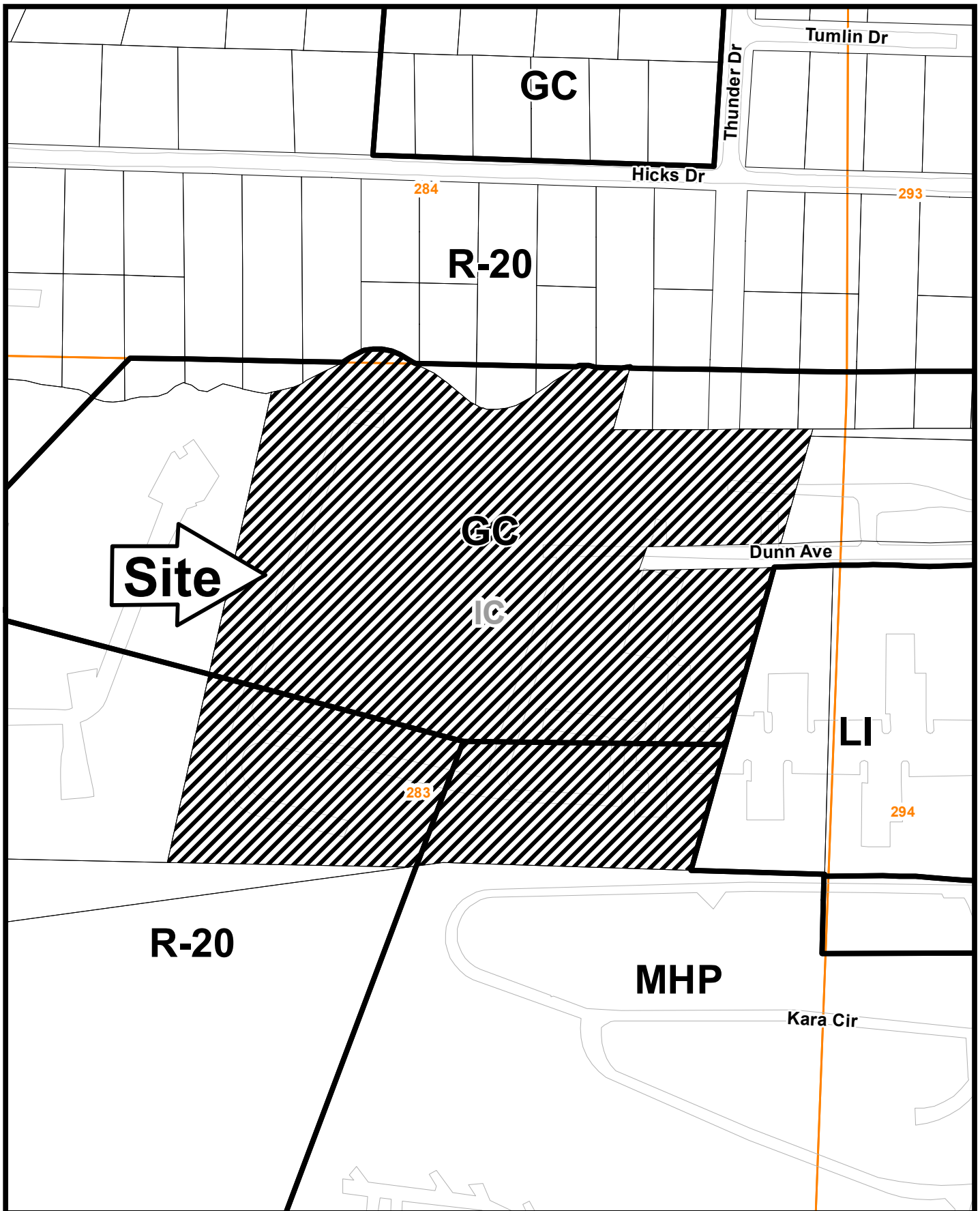
REJECTED SECONDED

HELD CARRIED

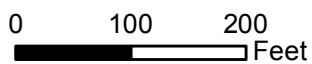
STIPULATIONS:





Z-16



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



-  City Boundary
-  Zoning Boundary

APPLICANT: Dobbins Mill, LLC

PETITION NO.: Z-16

PRESENT ZONING: R-20, MHP, GC

PETITION FOR: HI

ZONING COMMENTS:

Staff Member Responsible: Terry Martin, MPA

Land Use Plan Recommendation: Industrial Compatible (IC)

Proposed Number of Buildings: 5 **Total Square Footage of Development:** 53,750 sq. ft.

F.A.R.: 0.15 **Square Footage/Acre:** 6,694 sq. ft.

Parking Spaces Required: 36 **Parking Spaces Provided:** 38

The applicant is requesting a rezoning from the current R-20 single-family residential, MHP mobile home park, and GC general commercial districts to the HI heavy industrial district in order to operate office warehouse space and a waste transfer station. The necessary Special Land Use Permit for the waste transfer facility has been filed under concurrent case SLUP-3. The proposed 36,750 square foot office/warehouse will operate as two (2) additional buildings added to the applicant’s existing Dobbins Mill Industrial Park immediately adjacent to the east. The remainder of the eight acre site will be utilized as a waste transfer facility with the proposed scales, transfer facility and recycle center.

The transfer station will utilize 10-12 full time employees and operate Monday through Friday 7 a.m. to 5 p.m. and Saturday 7 a.m. to 12 p.m. The anticipated 400 tons of waste brought to the site each day will be hauled in by approximately 40 trucks and hauled out to landfills each day by 15 semi-trucks with 53 foot trailers. The applicant will coordinate with Cobb County Department of Transportation in order to improve Dunn Avenue to handle the truck traffic generated by the site. Also, in addition to security fencing, a tree buffer will be maintained between the facility, roads, and equipment at the facility while the office/warehouse buildings are proposed to be positioned similar to those adjacent buildings in the existing industrial park necessitating a waiver of the 50 foot landscape screening buffer.

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: Dobbins Mill, LLC

PETITION NO.: Z-16

PRESENT ZONING: R-20, MHP, GC

PETITION FOR: HI

PLANNING COMMENTS:

The applicant is requesting a rezoning from R-20, MHP and GC to LI for the purpose of Office, warehouse and waste transfer station. The 8.03 acre site is located at the terminus of Dunn Avenue, west side of West Atlanta Street.

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 Marietta been notified? Yes No / N/A

Comprehensive Plan

The parcel is within an Industrial Compatible (IC) future land use category, with R-20, MHP and GC zoning designation. The purpose of the Industrial Compatible (IC) category is to provide for areas that can support light industrial, office/warehouse, and distribution uses. Typical land uses for these areas include professional business parks and distribution centers.

Specific Area Policy Guidelines:

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

Adjacent Future Land Use:

North: Industrial Compatible (IC)
East: Industrial Compatible (IC)
South: Industrial Compatible (IC)
West: Industrial Compatible (IC)

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.

APPLICANT: Dobbins Mill, LLC

PETITION NO.: Z-16

PRESENT ZONING: R-20, MHP, GC

PETITION FOR: HI

PLANNING COMMENTS: (Continued)

Is the property within an Enterprise Zone? Yes No

The Smyrna-Osborne 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 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 Bird Strikes

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 Dobbins Mill LLC

PETITION NO. Z-016

PRESENT ZONING R-20, MHP, GC

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): 12" DI / W side of W Atlanta Street

Additional Comments: Water main extension fom Atlanta Road by developer required

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= 200 Peak= 500

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 Sewer relocation may be required by developer
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: Dobbins Mill, LLC

PETITION NO.: Z-16

PRESENT ZONING: R-20, MHP, GC

PETITION FOR: HI

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 any proposed site improvements on downstream receiving system.

APPLICANT: Dobbins Mill, LLC

PETITION NO.: Z-16

PRESENT ZONING: R-20, MHP, GC

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. A Notice of Intent must be filed with the Georgia Environmental Protection Division for coverage under the NPDES General Permit to discharge stormwater associated with industrial activities. This facility (Tract 2) will likely be classified under the Standard Industrial Classification (SIC) Code 4953 as a solid waste transfer operation. Any requirements associated with this permit must be addressed including the development of a written stormwater pollution prevention plan (SWPPP) for the site.
2. The fueling station is considered a water quality “hot-spot” and will require additional best management practices to prevent contamination of stormwater runoff.

APPLICANT: Dobbins Mill, LLC

PETITION NO.: Z-16

PRESENT ZONING: R-20, MHP, GC

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
Dunn Avenue	N/A	Local	25 mph	Cobb County	50'

COMMENTS AND OBSERVATIONS

Dunn Avenue is classified as a local and according to the available information the existing right-of-way does not 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.

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 north and south sides of Dunn Avenue, a minimum of 25' from the roadway centerline.

Recommend curb and gutter along Dunn Avenue.

Dunn Avenue is a substandard street. Recommend improving Dunn Avenue from along the frontage to the intersection with West Atlanta Road to comply with Cobb County Standards.

Recommend a FAA Study.

Recommend removing the parking for Tract 2 along the right-of-way.

Recommend one commercial driveway on Dunn Avenue to be installed per Section 402.08, Non-Residential Driveways, of the Cobb County Development Standards.

STAFF RECOMMENDATIONS

Z-16 DOBBINS MILL, LLC

- 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. While the proposed office/warehouses as an extension of the existing Dobbins Mill Industrial Park may be able to be integrated and properly buffered from adjacent residences, the proposed waste transfer station is not a proper use for the area due to the surrounding residential properties. Also, due to the site's location partially within the APZ 1 Accident Potential Zone 1 at the west end of Dobbins Air Reserve Base, the Air Force has expressed interest over the intended waste transfer use.
- B. It is Staff's opinion that the applicant's rezoning proposal will have an adverse effect on the usability of adjacent or nearby property. As indicated, the waste transfer station will attract numerous trucks each day to the site as they haul in and out an expected 400 tons of waste. This traffic, in addition to being a potential nuisance to surrounding residential neighbors, is acknowledged by the applicant to be more than the current state of Dunn Avenue can handle. Also, as previously mentioned, the Air Force has expressed interest due to the site's location near Dobbins. However, utilization of the site for an extension of the Dobbins Mill Industrial Park, with its office/warehouses, may not bring along the same adverse effects.
- 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 including the applicant's own recognition that the current state of Dunn Avenue, the waste transfer site's point of ingress and egress, cannot handle the intended truck traffic. Dunn Avenue has been residential in nature for decades; routing heavy trucks down this residential road may cause conflicts.
- 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* which delineates the property as being within an IC industrial compatible future land use category. This future land use category supports the LI light industrial district rather than the requested (and required for waste transfer) HI district. Uses such as the existing industrial park and its office/warehouses are the types forecast for the IC category as they provided for the intended industry but have a less likelihood of conflict with neighboring residential properties.
- 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 LI light industrial district. This district will allow for an expansion of the applicant's existing Dobbins Mill Industrial Park with its office/warehouses but bar such a use as the waste transfer station which poses the potential for adverse impacts to the surrounding neighbors and uses such as Dobbins.

Based on the above analysis, Staff recommends **DELETION TO LI** subject to the following conditions:

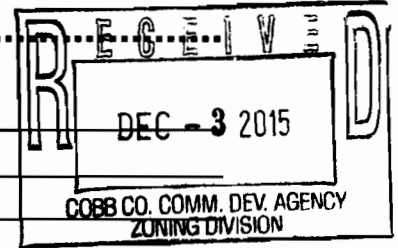
1. Final site plan to be approved by the District Commissioner;
2. Fire Department comments and recommendations;
3. Water and Sewer Division comments and recommendations;
4. Stormwater Management Division comments and recommendations;
5. Department of Transportation comments and recommendations; and
6. 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.

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): Office, Warehouse; Waste Transfer Station
- b) Proposed building architecture: Industrial-style metal buildings
- c) Proposed hours/days of operation: Typical business hours
- d) List all requested variances: None known at this time

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

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

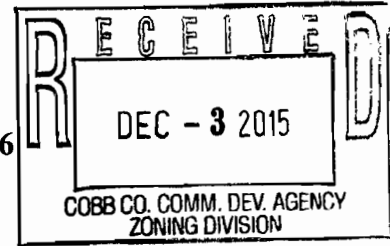
(Please list all Right-of-Ways, Government owned lots, County owned parcels and/or remnants, etc., and attach a plat clearly showing where these properties are located). None known at this time.

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

ATTACHMENT TO APPLICATION FOR REZONING

IMPACT ANALYSIS STATEMENT

Application No.: Z-16 (2016)
Hearing Dates: February 2, 2016
February 16, 2016



Applicant: Dobbins Mill, LLC
Titleholder: East Brook Development, LLC

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

- (a) The Application for Rezoning requests rezoning of approximately 8.03 acres located at the terminus of Dunn Avenue, westerly of Atlanta Road, Cobb County, Georgia (hereinafter the "Property" or the "Subject Property"). The Subject Property is currently within the R-20, Mobile Home Park ("MHP"), and General Commercial ("GC") zoning categories, and Applicant is seeking rezoning to the Light Industrial ("LI") zoning classification for the purpose of office and warehouse facilities and the operation of a waste transfer station. Rezoning the Property to the proposed category will permit a more suitable use than its current use as a mobile home park. The Subject Property is located adjacent, and to the west of, Light Industrial zoned property, being known as Dobbins Mill Industrial Park. The R-20 property adjacent and to the south of the Subject Property is currently a mobile home park; the MHP property adjacent and to the south of the Subject Property is a portion of a larger mobile home community. Therefore, the proposed rezoning to the LI zoning classification and the proposed uses of the Property are suitable in view of uses and development of adjacent and nearby properties.
- (b) This zoning proposal will have no adverse effect on the existing use or usability of adjacent or nearby property. The proposed development will have required fencing and buffering along its boundaries which will minimize any impact and effect; if any, upon adjacent mobile home parks. Therefore, rezoning of the Subject Property to the Light Industrial zoning classification will have a minimal, if any, impact on all surrounding properties.
- (c) The Property as zoned does not have a reasonable economic use. Approval of the requested rezoning will allow for development to a reasonable, economic use of the Subject Property.
- (d) This zoning proposal will not cause excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.
- (e) The zoning proposal is in conformity with the Land Use Map of Cobb County, Georgia.

- (f) The Subject Property is part of an overall tract operated as a mobile home community dating back to, at least, the 1940s. Rezoning to the proposed LI zoning classification to allow development for the proposed uses, and as a second phase of the Dobbins Mill Industrial Park, are reasonable and warranted in light of the location of the Property and the various zoning classifications and uses of surrounding properties.