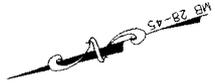


PARADISE VENTURES
 2901 RICSBY LANE
 SAFETY HARBOR, FL 34695
 PHONE (727) 726-1115

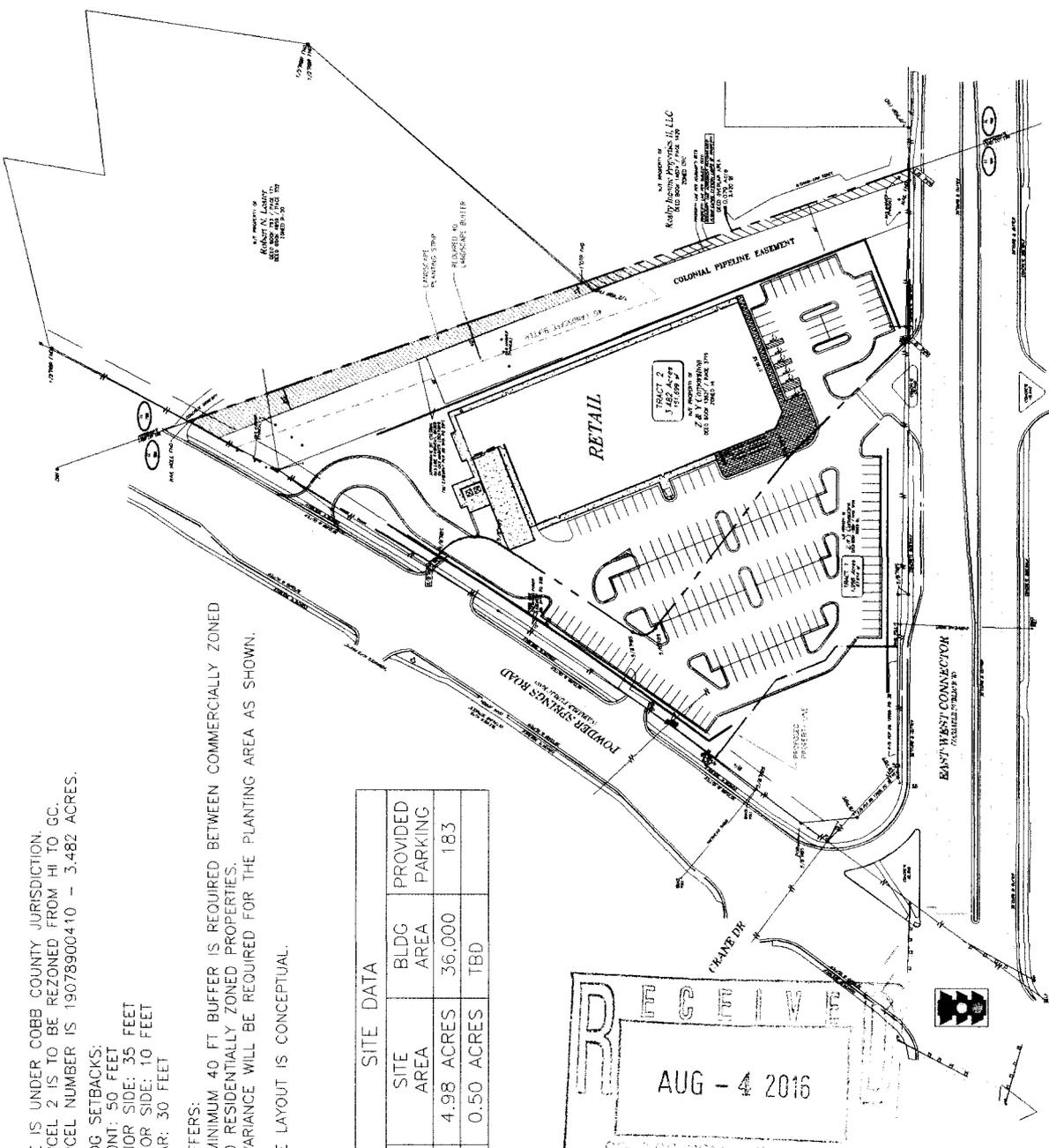
**Z-85
 (2016)**



CONCEPTUAL SITE PLAN



PROJECT NAME MARIETTA RETAIL		DRAWING NO.: P3	
2651 POWDER SPRINGS ROAD MARIETTA, COBB COUNTY, GA		OF DIVCS.	
DRAWING TITLE CONCEPTUAL SITE PLAN			
DATE: 05-20-2016	STORE NO.:	SCALE:	RELEASED TO: CONSTRUCTION
DESIGNED BY: DAM		REVIEWED BY: DAM	



1. SITE IS UNDER COBB COUNTY JURISDICTION. PARCEL 2 IS TO BE REZONED FROM HI TO GC. PARCEL NUMBER IS 19078900410 - 3.482 ACRES.
2. BLDG SETBACKS:
FRONT: 50 FEET
MAJOR SIDE: 35 FEET
MINOR SIDE: 10 FEET
REAR: 30 FEET
3. BUFFERS:
A MINIMUM 40 FT BUFFER IS REQUIRED BETWEEN COMMERCIAL ZONED AND RESIDENTIALLY ZONED PROPERTIES.
A VARIANCE WILL BE REQUIRED FOR THE PLANTING AREA AS SHOWN.
4. SITE LAYOUT IS CONCEPTUAL.

SITE DATA			
SITE	BLDG AREA	PROVIDED PARKING	
RETAIL	4.98 ACRES	36,000	183
OUTLOT	0.50 ACRES	TBD	

BRD
 AUG - 4 2016
 CIVIL ENGINEER
 10000 WOODBRIDGE BLVD
 ATLANTA, GA 30328
 (404) 455-1111

APPLICANT: Paradise Group, LLC

PETITION NO: Z-85

PHONE#: 404-444-8924 **EMAIL:** dmattson@paradiseventuresinc.com

HEARING DATE (PC): 10-04-16

REPRESENTATIVE: Dave Mattson

HEARING DATE (BOC): 10-18-16

PHONE#: 404-444-8924 **EMAIL:** dmattson@paradiseventuresinc.com

PRESENT ZONING HI

TITLEHOLDER: Z and Y Corporation

PROPOSED ZONING: GC

PROPERTY LOCATION: Located on the north side of the East West Connector, and on the southeast side of Powder Springs Road

PROPOSED USE: Retail

ACCESS TO PROPERTY: East West Connector, Powder Springs Road

SIZE OF TRACT: 3.5 acres (Tract 2 only)

DISTRICT: 19

PHYSICAL CHARACTERISTICS TO SITE: Undeveloped Wooded Lot

LAND LOT(S): 789

PARCEL(S): 41

TAXES: PAID X **DUE** _____

COMMISSION DISTRICT: 4

CONTIGUOUS ZONING/DEVELOPMENT

- NORTH:** GC/ Auto Parts Store
- SOUTH:** GC/ Retail Shopping Center
- EAST:** R-20/ Single Family Home; CRC/ Movie Theater
- WEST:** GC/ Convenience Store with Fuel Sales

Adjacent Future Land Use:
 Northwest: Community Activity Center (CAC)
 East: Community Activity Center (CAC)
 Southwest: Community Activity Center (CAC)
 West: Community Activity Center (CAC)

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

PLANNING COMMISSION RECOMMENDATION

APPROVED _____ **MOTION BY** _____

REJECTED _____ **SECONDED** _____

HELD _____ **VOTE** _____

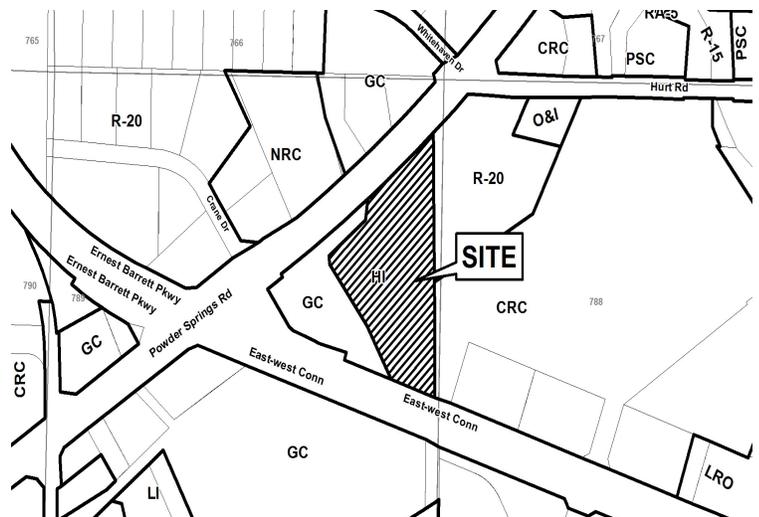
BOARD OF COMMISSIONERS DECISION

APPROVED _____ **MOTION BY** _____

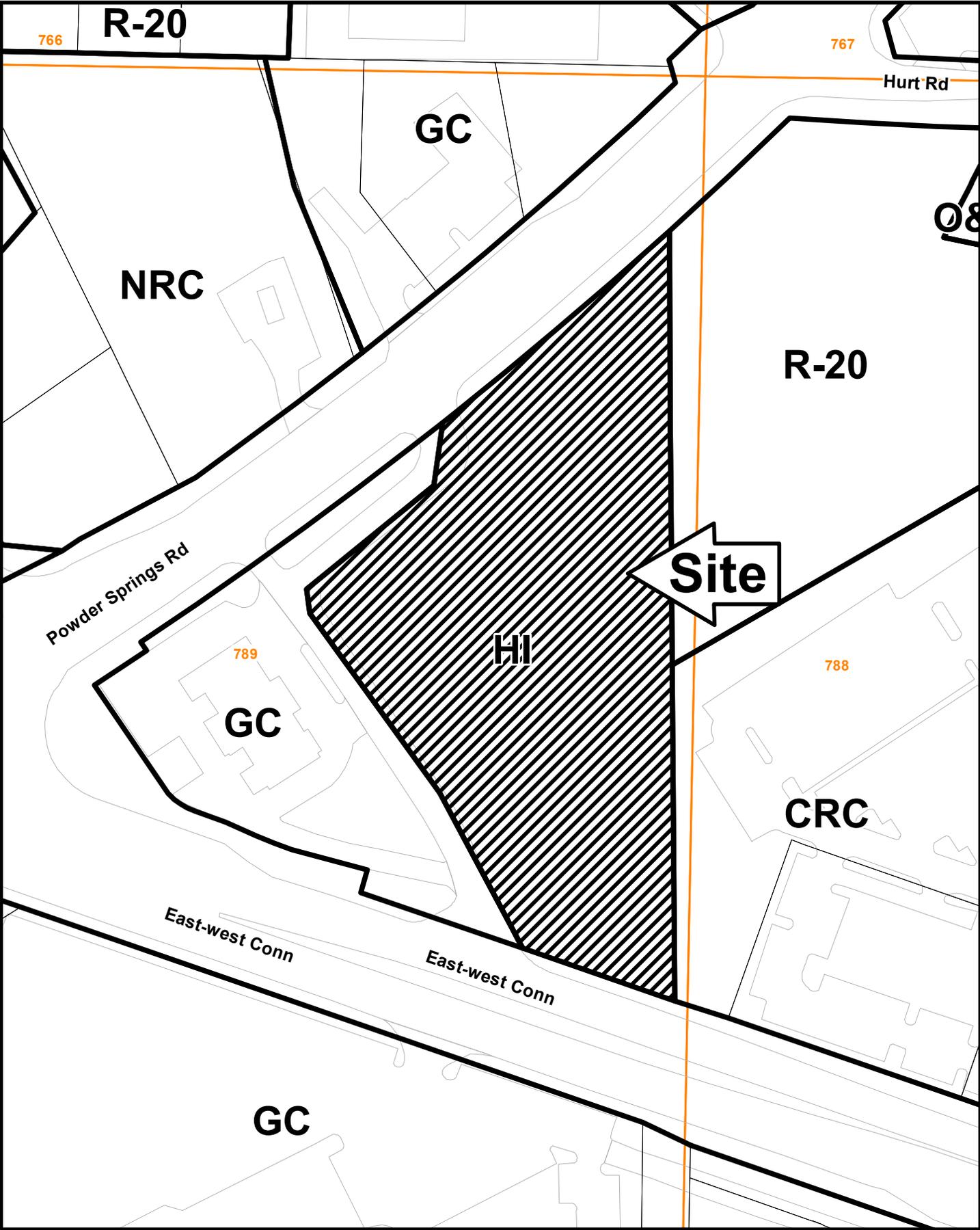
REJECTED _____ **SECONDED** _____

HELD _____ **VOTE** _____

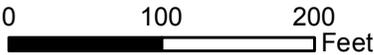
STIPULATIONS:



Z-85-2016 GIS



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



- City Boundary
- Zoning Boundary

APPLICANT: Paradise Group, LLC

PETITION NO.: Z-85

PRESENT ZONING: HI

PETITION FOR: GC

ZONING COMMENTS:

Staff Member Responsible: Donald Wells

Land Use Plan Recommendation: Community Activity Center (CAC)

Proposed Number of Buildings: 1 **Total Square Footage of Development:** 36,000

F.A.R.: .15 **Square Footage/Acre:** 6569.34

Parking Spaces Required: 180 **Parking Spaces Provided:** 183

The applicant is requesting the General Commercial zoning district for the purpose of a grocery store. The grocery store will operate normal store hours and will comply with Cobb County Architecture Guidelines. The applicant intends to demolish the existing gas station west of the subject property use as the parking lot. The existing lot that the gas station is situated will be reconfigured to become a part of this proposal. The gas station's land is currently zoned General commercial and is not a part of this application. The applicant is also requesting the following contemporaneous variance due to the Colonial Pipeline Easement;

- Waive the required 40 foot landscape buffer to 11 feet.

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:

NO 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: Paradise Group, LLC

PETITION NO.: Z-85

PRESENT ZONING: HI

PETITION FOR: GC

SCHOOL COMMENTS:

Name of School	Enrollment	Capacity Status	Number of Portable Classrooms
Elementary			
Middle			
High			

- School attendance zones are subject to revision at any time.

Additional Comments:

Approval of this petition will not have a significant impact on the enrollment at these schools.

APPLICANT: Paradise Group, LLC

PETITION NO.: Z-85

PRESENT ZONING: HI

PETITION FOR: GC

PLANNING COMMENTS:

The applicant is requesting a rezoning from HI for the purpose of retail. The 3.5 acre site is located on the north side of the East West Connector, and on the southeast side of Powder Springs Road.

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 Community Activity Center (CAC) future land use category, with HI zoning designation. The purpose of the Community Activity Center (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.

Specific Area Policy Guidelines:

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

Adjacent Future Land Use:

Northwest: Community Activity Center (CAC)
East: Community Activity Center (CAC)
Southwest: Community Activity Center (CAC)
West: Community Activity Center (CAC)

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 _____ 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: Paradise Group, LLC _____

PRESENT ZONING: HI _____

PETITION NO.: Z-85 _____

PETITION FOR: GC _____

PLANNING COMMENTS:

CONT.

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)

Bird / Wildlife Air Strike Hazard (BASH) area

APPLICANT Paradise Group LLC

PETITION NO. Z-085

PRESENT ZONING HI

PETITION FOR GC

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 / SE side of Powder Springs 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.

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: N side of East West Connector

Estimated Waste Generation (in G.P.D.): A D F= 1,440 Peak= 3,600

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

Dry 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:

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: Paradise Group, LLC

PETITION NO.: Z-85

PRESENT ZONING: HI

PETITION FOR: GC

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 existing downstream detention pond.

APPLICANT: Paradise Group, LLC

PETITION NO.: Z-85

PRESENT ZONING: HI

PETITION FOR: GC

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. This site is located at the northeast intersection of Powder Springs Road and the East-West Connector. The entire site drains to the east into and through an existing detention pond located on the adjacent Regal Cinemas Site (Realty Income Properties II, LLC). The existing gas station currently located on this corner is served by an existing stormwater management facility. The proposed pond will be replaced by a new underground facility unless an agreement can be negotiated with the downstream property owner, Realty Income Properties II, to modify their existing pond to accommodate this proposed development.

APPLICANT: Paradise Group, LLC

PETITION NO.: Z-85

PRESENT ZONING: HI

PETITION FOR: GC

TRANSPORTATION COMMENTS:

ROADWAY	AVERAGE DAILY TRIPS	ROADWAY CLASSIFICATION	SPEED LIMIT	JURISDICTIONAL CONTROL	MIN. R.O.W. REQUIREMENTS
Powder Springs Road	34,300	Arterial	45 mph	Cobb County	100'
East-West Connector	41,300	Arterial	45 mph	Cobb County	100'

*Based on 2007 traffic counting data taken by Cobb County DOT for Powder Springs Road.
Based on 2007 traffic counting data taken by Cobb County DOT for East-West Connector.*

COMMENTS AND OBSERVATIONS

Powder Springs Road is classified as an arterial and according to the available information the existing right-of-way does meet the minimum requirements for this classification.

East-West Connector is classified as an arterial 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.

Recommend the two southernmost entrances be removed during Phase II of the development.

STAFF RECOMMENDATIONS

Z-85 PARADISE GROUP, 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 property is contiguous to a movie theater with retail stores and across the street from a large shopping center.
- 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 directly west of the property will be redeveloped to incorporate this applicant's proposed use.
- 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 a Community Activity Center (CAC). Typical land uses for these areas to include midrise offices and department stores.
- 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. Staff believes the proposed use and plan with the combination of the 2 lots together will be consistent with the rest of the retail in the area.

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

1. Site Plan received by the Zoning Division on August 4, 2016 with District Commissioner approving minor modifications;
2. No light automotive repair;
3. No outdoor display, or outdoor storage;
4. District Commissioner to approve architecture;
5. Water and Sewer comments and recommendations;
6. Stormwater Management Division comments and recommendations; and
7. 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-85

Oct. 2014

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): Retail. See attached conceptual site plan.
- b) Proposed building architecture: Proposed building will comply with Cobb County Architectural Guidelines.
- c) Proposed hours/days of operation: TBD - Typical retail business hours.
- d) List all requested variances: Request variance to GC zoning Section 5 sub section (b). Applicant requests to limit the planting requirements inside the 40' buffer to the area outside of the Colonial Pipeline easement as shown on the attached plan.

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

See attached letter, survey and conceptual site plan.

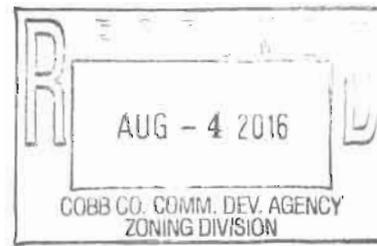
.....
Part 4. Is any of the property included on the proposed site plan owned by the Local, State, or Federal Government?

(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).



August 3, 2016

Zoning Division
1150 Powder Springs Street, Suite 400
Marietta, GA 30064



RE: 2651 Powder Springs Road - Marietta GA – Cobb County – Parcel 19078900410

This letter of intent is for a Rezoning Request from HI to GC for parcel id 19078900410 located at 2651 Powder Springs Road in Cobb County.

1. This request will permit a use that is suitable in view of the use and development of adjacent and nearby property. The property located in front of this parcel (has the same address) is zoned GC and two of the other corners are zoned GC. The land to the east with Regal Cinemas movie theater is zoned CRC. There is property to the north adjacent to this site that is zoned R-20 and applicable buffers will be maintained along the property line.
2. The proposed rezoning will not adversely affect the existing use or usability of adjacent or nearby properties. This request will have no impact on adjacent and nearby properties regarding use or usability and will be consistent with the future land use plan and surrounding retail.
3. This property is currently zoned HI for Heavy Industrial which is not a reasonable economic use considering the area is a major commercial node with no other industrial uses nearby other than the Marathon Oil Facility to the south.
4. This proposed rezoning will not result in a use which will or could cause an excessive or burdensome use on existing streets, transportation facilities, utilities, or schools. The subject lot is 3.5 acres and will only support approximately 40,000 sf of retail once setbacks, easements and slope/grading constraints are considered. The proposed development will provide a neighborhood service to the existing population in the area and will not cause an increase in traffic like a regional destination shopping center would.
5. The proposed rezoning request is in conformity with the policy and intent of the land use plan. Currently the future land use plan has this property category listed as Community Activity Center.

6. There are no existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of this rezoning request.
7. See attached Conceptual Site Plan. Architectural Guidelines shall comply with Cobb County Architectural Guidelines for this development.

Applicant also seeks a variance from the planting requirements listed under Section 134-227 GC Zoning sub-section 5 (b) – Landscape buffer and screening requirements. A 40' buffer will be provided but due to the Colonial Pipeline plantings will be limited to the 10' to 20' wide strip adjacent to the Residential property. Planting for the entire 40' width is not possible due to the Colonial Pipeline easement. See attached conceptual site plan.

Sincerely,



Dave Mattson, P.E.

