

NOTES:

1. NO FLOOD PLAIN EXIST ON THE PROPERTY
2. NO STREAM BUFFERS EXIST ON THE PROPERTY
3. NO CEMETERIES EXIST ON THE PROPERTY
4. NO WETLANDS EXIST ON THE PROPERTY



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APPLICANT: CII Holdings, LLC

PETITION NO: Z-21

PHONE#: 678-527-2622 EMAIL: ghrib@cobbindustrialinc.com

HEARING DATE (PC): 05-02-17

REPRESENTATIVE: J. Kevin Moore

HEARING DATE (BOC): 05-16-17

PHONE#: 770-42-1499 EMAIL: jkm@mijs.com

PRESENT ZONING: R-20

TITLEHOLDER: CII Holdings, LLC

PROPOSED ZONING: LI

PROPERTY LOCATION: Southeasterly side of White Circle,  
east of Noonday Church Road

PROPOSED USE: Office Warehouse

ACCESS TO PROPERTY: White Circle

SIZE OF TRACT: 4.307 acres

PHYSICAL CHARACTERISTICS TO SITE: Wooded, undeveloped  
acreage

DISTRICT: 16

LAND LOT(S): 794

PARCEL(S): 1

TAXES: PAID X DUE \_\_\_\_\_

COMMISSION DISTRICT: 3

**CONTIGUOUS ZONING/DEVELOPMENT**

NORTH: R-20/Georgia Power Station

SOUTH: LI/Landscape Company

EAST: R-20/Georgia Power Station

WEST: O&I/Parking Lot and Access

*Adjacent Future Land Use:*

North: Transportation / communication / Utilities (TCU)

East: Transportation / communication / Utilities (TCU)

South: 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 \_\_\_\_\_

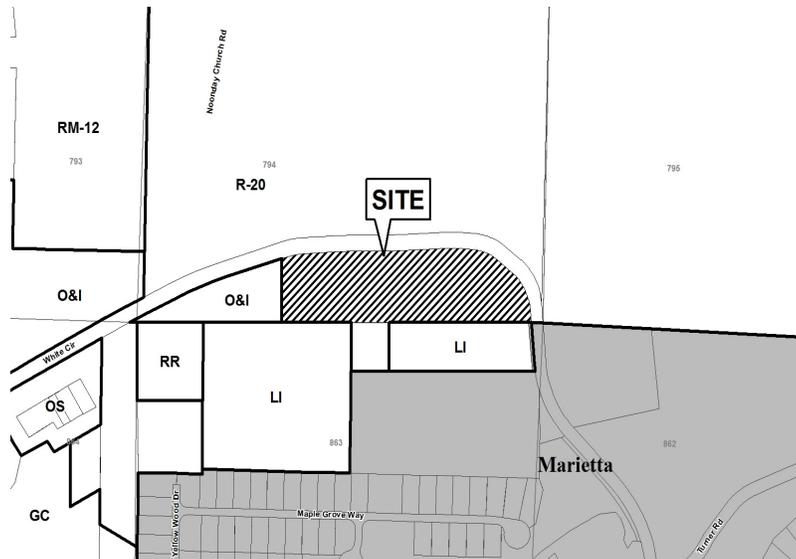
**BOARD OF COMMISSIONERS DECISION**

APPROVED \_\_\_\_\_ MOTION BY \_\_\_\_\_

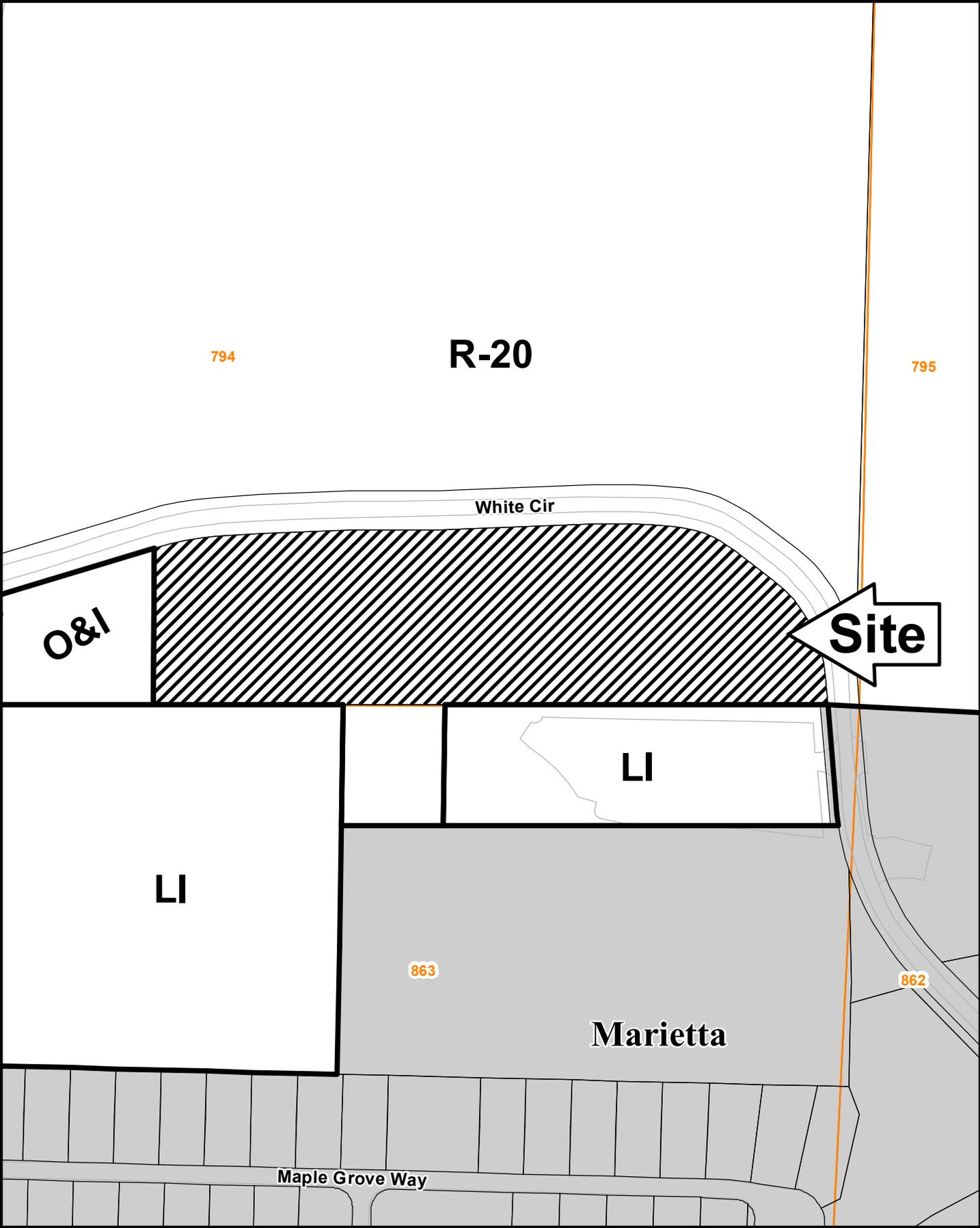
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HELD \_\_\_\_\_ VOTE \_\_\_\_\_

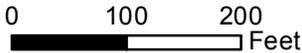
**STIPULATIONS:**



# Z-21-2017-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: CII Holdings, LLC

PETITION NO.: Z-21

PRESENT ZONING: R-20

PETITION FOR: LI

\*\*\*\*\*

**ZONING COMMENTS:**

**Staff Member Responsible:** Jason A. Campbell

**Land Use Plan Recommendation:** Community Activity Center (CAC)

**Proposed Number of Buildings:** 2      **Total Square Footage of Development:** 36,000

**F.A.R.:** 0.191      **Square Footage/Acre:** 8,358

**Parking Spaces Required:** 18      **Parking Spaces Provided:** 75

Applicant is requesting the Light Industrial (LI) zoning district for the purpose of office warehouse. There will be two 18,000 square-foot office/warehouse buildings. The buildings will be pre-fab metal industrial buildings and the hours of operation will be standard daytime business hours.

The proposed site plan received March 2, 2017 will require the following contemporaneous variances:

1. Waiving the front setback from the required 50 feet to 35 feet; and
2. A possible waiver of the maximum impervious coverage of 70% for properties in the CAC land use designation.

**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.

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**Site Plan Review:** The proposed parking areas must be modified during the Site Plan Review process as to comply with the Cobb County Tree Ordinance.

**APPLICANT:** CII Holdings, LLC

**PETITION NO.:** Z-21

**PRESENT ZONING:** R-20 \_\_\_\_\_

**PETITION FOR:** LI \_\_\_\_\_

\*\*\*\*\*

**SCHOOL COMMENTS:**

<b>Name of School</b>	<b>Enrollment</b>	<b>Capacity Status</b>	<b>Number of Portable Classrooms</b>
_____	_____	_____	_____
<b>Elementary</b>			
_____	_____	_____	_____
<b>Middle</b>			
_____	_____	_____	_____
<b>High</b>			

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

**Additional Comments:** Approval of this petition will not have an impact on the enrollment at Cobb County schools.

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**FIRE COMMENTS:**

IFC 510- EMERGENCY RESPONDER RADIO COVERAGE. New buildings are required to provide radio coverage for emergency responders per the International Fire Code. Testing is required by a third party and when deemed necessary amplification systems are required before the building will be issued a certificate of occupancy. This message is to serve as an early notification to owners and developers for budgeting purposes.

APPLICANT: CII Holdings, LLC

PETITION NO.: Z-21

PRESENT ZONING: R-20

PETITION FOR: LI

\*\*\*\*\*

**PLANNING COMMENTS:**

The applicant is requesting a rezoning from R-20 to LI for the purpose of office warehouse. The 4.307 acre site is on the southeasterly side of White Circle, east of Noonday Church 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 Marietta been notified?  Yes  No / N/A

Comprehensive Plan

The parcel is within a Community Activity Center (CAC) future land use category, with R-20 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:

North: Transportation / communication / Utilities (TCU)  
East: Transportation / communication / Utilities (TCU)  
South: 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.

Is the property eligible for incentives through the Commercial and Industrial Property Rehabilitation Program?  Yes  No

**APPLICANT: CII Holdings, LLC**

**PRESENT ZONING: R-20**

**PETITION NO.: Z-21**

**PETITION FOR: LI**

\*\*\*\*\*

**PLANNING COMMENTS:**

CONT.

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?
- CZ (Clear Zone)
- APZ I (Accident Potential Zone I)
- APZ II (Accident Potential Zone II)
- Bird / Wildlife Air Strike Hazard (BASH) area

APPLICANT CII Holdings, LLC

PETITION NO. Z-021

PRESENT ZONING R-20

PETITION FOR LI

\*\*\*\*\*

**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" AC / S side of White Circle

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: +/1,400' SE in White Circle

Estimated Waste Generation (in G.P.D.): A D F= 900 Peak= 2,250

Treatment Plant: Noontday

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: CII Holdings, LLC

PETITION NO.: Z-21

PRESENT ZONING: R-20

PETITION FOR: LI

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**STORMWATER MANAGEMENT COMMENTS**

FLOOD HAZARD:  YES  NO  POSSIBLY, NOT VERIFIED

DRAINAGE BASIN: Noonday Creek Trib #4 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 easements 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 receiving stream and existing downstream box culvert at Maple Grove Way.

APPLICANT: CII Holdings, LLC

PETITION NO.: Z-21

PRESENT ZONING: R-20

PETITION FOR: LI

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**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.

ADDITIONAL COMMENTS

1. This site is located to the south of White Circle. The site appears to be undisturbed and almost entirely wooded.
2. The offsite stream channel that runs parallel to the west end of the southern boundary of the site is identified on Cobb County’s Stream Buffer Map as a buffered stream (50-ft). This will need to be verified and confirmed by Frank Gipson. If the stream is considered a state water then the required undisturbed buffer may impact the location of the proposed stormwater management facility. This issue must be resolved prior to Plan Review.
3. The extensive existing tree stand and undergrowth on this site provide significant air/water quality, soil stabilization and storm flow mitigation benefits for this watershed. Construction of this project will eliminate the vast majority of this vegetation and increase pavement, storm runoff and non-point source pollution. To compensate, the First Flush Water Quality Best Management Practice Requirements must be elevated to the 1.5-inch rainfall event and each larger storm discharge controlled not to exceed the allowable discharge of the next lower, more frequent storm event (ie. 5-year storm event released at 2-year rate; 10-year event at 5-year rate; etc. to 100-year event at 50-year rate).

**APPLICANT:** CII Holdings, LLC

**PETITION NO.:** Z-21

**PRESENT ZONING:** R-20

**PETITION FOR:** LI

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**TRANSPORTATION COMMENTS:**

ROADWAY	ROADWAY CLASSIFICATION	SPEED LIMIT	JURISDICTIONAL CONTROL	MIN. R.O.W. REQUIREMENTS
White Circle	Minor Collector	30 mph	Cobb County	60'

ROADWAY	LOCATION	AVERAGE DAILY TRIPS	LEVEL OF SERVICE
White Circle	East of Progressive Way	400	C

*Based on 2009 traffic counting data taken by Cobb County DOT for White Circle.  
 Planning Level of Service based on available Average Daily Trips using GRTA guideline thresholds. Classification thresholds for LOS A and LOS B are not available for local roads from this data source.  
 LOS C or D is acceptable based on GDOT Design Policy Manual criteria.*

**COMMENTS AND OBSERVATIONS**

White Circle 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 consider entering into a development agreement pursuant to 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 White Circle, a minimum of 30' from the roadway centerline.

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

Recommend curb, gutter, and sidewalk along the White Circle frontage.

Recommend a deceleration lane on White Circle for the truck entrance.

Recommend applicant verify that minimum intersection sight distance is available for White Circle access and if it is not, implement remedial measures, subject to the Department's approval, to achieve the minimum requirement of 335'.

The easternmost entrance can not meet the minimum intersection sight distance requirement of 335'. Recommend this entrance be relocated.

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## STAFF RECOMMENDATIONS

### **Z-21 CII HOLDINGS, LLC**

- A. It is Staff's opinion that the applicant's rezoning proposal may permit a use that is suitable in view of the use and development of adjacent and nearby properties. Adjacent and nearby properties are developed for warehouses, offices, power substation and residential.
- B. It is Staff's opinion that the applicant's rezoning proposal may not have an adverse effect on the usability of adjacent or nearby property. Contiguous properties to the west have been developed and rezoned for the applicant's use. The property is contiguous to two LI properties (one of which belongs to the applicant). Across White Circle is a large Georgia Power substation.
- 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 not in conformity with the policy and intent of the *Cobb County Comprehensive Plan*, which delineates this property as being within the Community Activity Center (CAC). The requested LI zoning district is for properties delineated as being within or on the perimeter of an industrial or industrial compatible land use 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. While the requested zoning district is not compatible with the *Cobb County Comprehensive Plan*, the area has the same use in both directions on White Circle. The proposed use would be consistent with the industrial development in the City of Marietta and in unincorporated Cobb County. Staff does believe the applicant should not exceed the impervious surface limitations.

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

1. Site plan received by the Zoning Division on March 2, 2017, with the District Commissioner approving the final site plan;
2. No outdoor storage or displays of merchandise;
3. District Commissioner to approve the final building architecture;
4. Maximum of 70% impervious surface;
5. Fire Department comments and recommendations;
6. Site Plan Review comments and recommendations;
7. Water and Sewer Division comments and recommendations;
8. Stormwater Management Division comments and recommendations;
9. Department of Transportation comments and recommendations; and
10. 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.**

MAR - 2 2017

(2017)  
PC Hearing: 05/02/2017  
BOC Hearing: 05/16/2017

# \*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) List all requested variances: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

.....  
**Part 2. Non-residential Rezoning Information (attach additional information if needed)**

- a) Proposed use(s): Office Warehouse
- b) Proposed building architecture: Per Ordinance -- Pre-Fab Metal Industrial
- c) Proposed hours/days of operation: Standard daytime 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 this 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- 21 (2017)  
**Hearing Dates:** May 2, 2017  
May 16, 2017

**Applicant/Titleholder:** CII Holdings, LLC

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

- (a) The Application for Rezoning requests rezoning of an approximately 4.307 acre tract from the R-20 zoning category to the Light Industrial (“LI”) zoning category for office and warehouse uses. Properties in and along White Circle have varied uses, including multiple intense industrial uses. The proposed rezoning is, therefore, suitable for the Subject Property in view of the use 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 Subject Property is adjacent to, and in close proximity of, a number of properties which are being used for intense commercial and industrial purposes. Therefore, rezoning of the Subject Property to the Light Industrial zoning classification will have a minimal, if any, impact on surrounding properties.
- (c) The property as zoned does not have a reasonable economic use. Approval of the requested rezoning will allow for 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 character of the Land Use Map of Cobb County, Georgia; as well as the spirit, policy, and intent of the Land Use Plan, as the Subject Property is in a “Community Activity Center” classification.
- (f) The Subject Property is currently zoned to the R-20 zoning category. By granting the requested rezoning, as presented, the Subject Property will be able to enjoy its rightful economic use.