

Cobb County Community Development Agency
Zoning Division
1150 Powder Springs St. Marietta, Georgia 30064

SITE BACKGROUND

Applicant: Cobb County Board of Commissioners

Phone: (770)-528-3300

Email: dana.johnson@cobbcounty.org

Representative Contact: Dana Johnson

Phone: (770)-528-2125

Email: dana.johnson@cobbcounty.org

Titleholder: Cobb County Board of Commissioners

Property Location: Southwest side of Atlanta Road, south of Darwin Road

Address: 1678 and 1680 Atlanta Road

Access to Property: Atlanta Road

QUICK FACTS

Commission District: 3-Birrell

Current Zoning: GC

Current use of property: Undeveloped

Proposed Zoning: TS

Proposed use: Retail, Restaurant or other TS uses

Future Land Use Designation: Industrial Compatible (IC)

Site Acreage: 0.641 ac

District: 17

Land Lot: 370

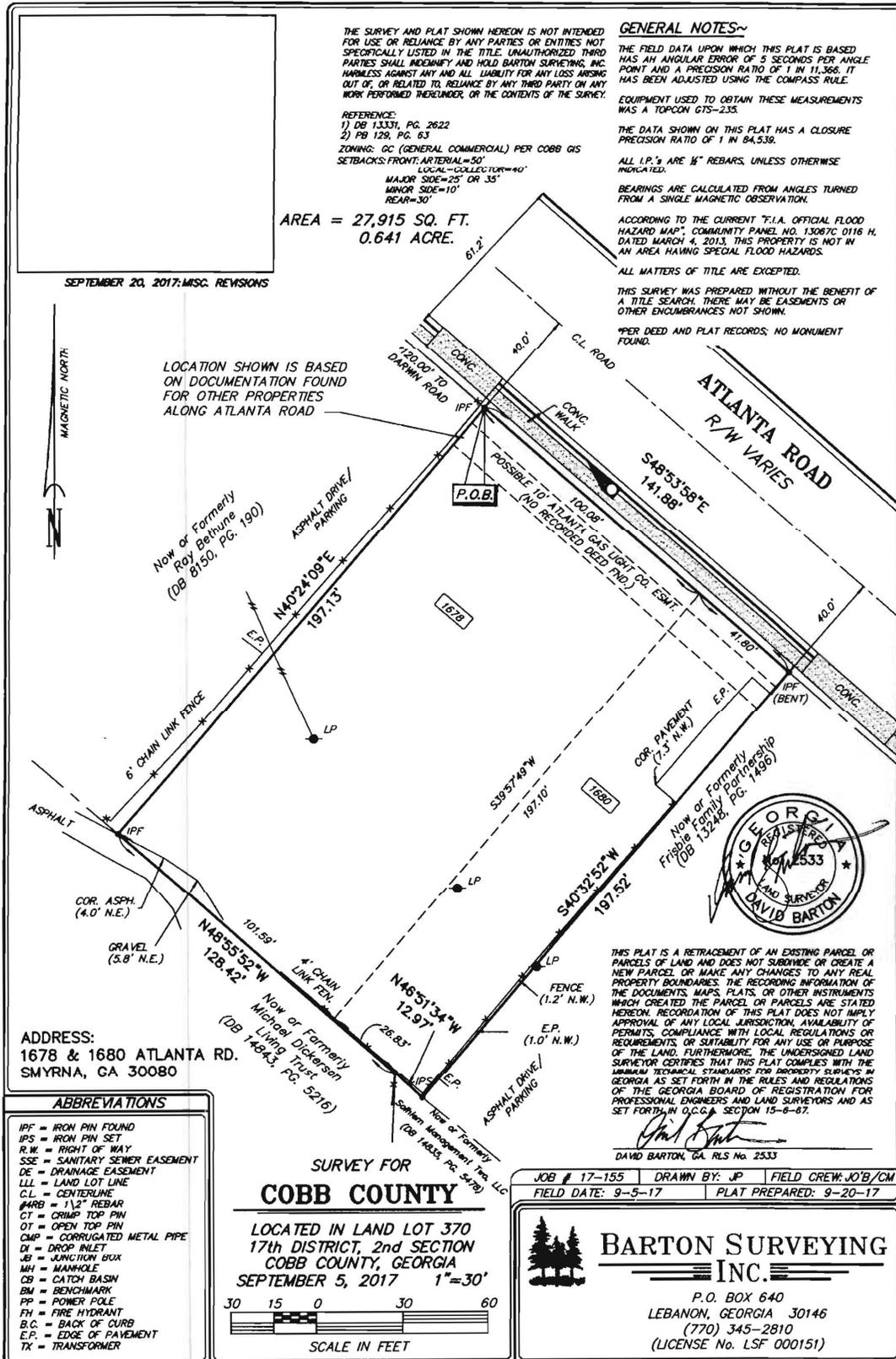
Parcel #: 17037000060, 17037000800

Taxes Paid: N/A

FINAL ZONING STAFF RECOMMENDATION:
(Zoning staff member: Jason Campbell)

Staff recommends **APPROVAL** subject to the following conditions:

1. Final site plan, architecture and landscaping to be approved by the District Commissioner;
2. Prohibited uses includes tattoo shops, pawn shops, massage parlors, check cashing, rooming & boarding houses, hotels, precious metal & gem buying, bail bonds, thrift stores, and motels;
3. Maximum of 35 feet in height for the building;
4. Water and Sewer Division comments and recommendations;
5. Stormwater Management Division's comments and recommendations; and
6. Department of Transportation's comments and recommendations.

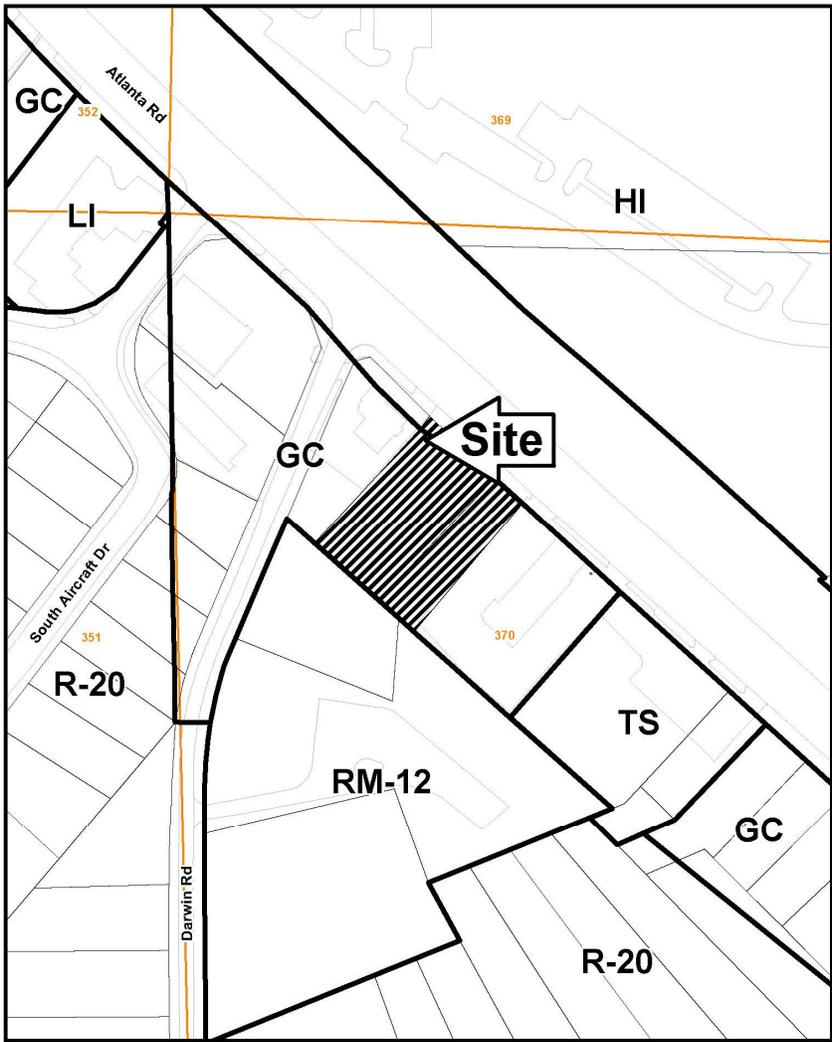




North

Zoning: HI (Heavy Industrial)
Future Land Use: IC (Industrial Compatible)

Z-18 2018-GIS



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



City Boundary
 Zoning Boundary

WEST

Zoning: GC
 (General Commercial)

Future Land Use: IC
 (Industrial Compatible)

EAST

Zoning: HI
 (Heavy Industrial)

Future Land Use: IC
 (Industrial Compatible)

SOUTH

Zoning: RM-12
Future Land Use: LDR (Low Density Residential)

DEPARTMENT COMMENTS- Zoning Division

Current zoning district for the property

The GC district is established to provide locations for retail commercial and service uses which are oriented toward automotive businesses, are land intensive with a need for major road access and visibility, are generally not listed as a permitted uses within the NRC (neighborhood retail commercial) and CRC (community retail commercial) districts or may have existing stipulations and conditions that limit certain intensive uses and are located in areas delineated within a community activity center and regional activity center as defined and shown on the Cobb County Comprehensive Plan: A Policy Guide, adopted November 27, 1990. Any existing GC district, developed or undeveloped, located within an area delineated within an industrial-compatible area or industrial area as shown on the comprehensive plan.

Requested zoning district for the property

The TS district is established to provide locations for commercial and service uses which are oriented toward automotive businesses and interstate and state highway travelers. The board of commissioners has determined that TS zoning will only be allowed on properties designated as community activity centers, regional activity centers, industrial compatible and heavy industrial as identified in the Cobb County Comprehensive Plan: A Policy Guide, adopted November 27, 1990. See subsection (11) of this section, pertaining to use limitations, for those uses no longer appropriate.

Summary of the applicant's proposal

Cobb County is requesting the Tourist Services (TS) zoning district for the purpose of rezoning the subject parcels for retail, restaurant, office, or other TS uses. Cobb County is in the process of selling the parcels and this rezoning will assist in the sale of the property. By undertaking a county-initiated rezoning action prior to the sale of the land, the county can remove a hurdle for the prospective purchaser while supporting surrounding uses by removing incompatibilities.

Non-residential criteria

Proposed # of buildings: To be determined.
Proposed # of stories: To be 35' high, or less.
Total sq. footage of development: To be determined.
Floor area ratio: To meet code.
Square footage per acre: To be determined.
Required parking spaces: To be determined.
Proposed parking spaces: To meet code.
Acres in floodplain or wetlands: None.
Impervious surface shown: To meet code maximum of 70%.

DEPARTMENT COMMENTS- Zoning Division (continued)

Are there any zoning variances?

None known at this time.

DEPARTMENT COMMENTS- Fire Department

To be determined when a plan is presented for approval.

DEPARTMENT COMMENTS- Site Plan Review (County Arborist)

No comments.

DEPARTMENT COMMENTS- Cemetery Preservation

No comments.

DEPARTMENT COMMENTS- School System

No comments.

DEPARTMENT COMMENTS- Stormwater Management

1. Flood hazard: No
2. Flood hazard info: Zone X
3. Drainage basin: Theater Branch
4. Wetlands: No
5. Streambank buffer zone: No
6. Minimize runoff into public roads.
7. Project engineer must evaluate the impact of increased volume of runoff generated by the proposed project on existing downstream drainage system(s).
8. Special site conditions and/or additional comments: Stormwater management must be provided upon development with system tied directly to existing infrastructure within Atlanta Road right-of-way.

DEPARTMENT COMMENTS- Planning Division

Cobb 2040 Comprehensive Plan: The parcel is within an Industrial Compatible (IC) future land use category. The purpose of the 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. Uses in the Tourist Services (TS) zoning district are also found to be allowable in the IC category.

Comprehensive Plan Designation: Consistent Inconsistent

House Bill 489 Intergovernmental Agreement Zoning Amendment Notification

Is the proposal within one-half mile of a city boundary? Yes No

Was the city notified? Yes No

Specific Area Policy Guidelines: Yes No

Masterplan/ Corridor Study- Atlanta Road Corridor Study Yes No

Design guidelines area? Yes No

Does the proposal plan comply with the design requirements? Yes No N/A

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 for new or existing businesses)

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 investment)

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)

(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)

Note: 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>.

(Planning comments continued on the next page)

DEPARTMENT COMMENTS- Planning Division (continued)

Special District

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

Dobbins Air Reserve Base Zones

Is the property within the Dobbins Airfield Safety Zone? Yes No

Is the property within the Clear Zone (CZ)? Yes No

Is the property within the Accident Potential Zone (APZ I)? Yes No

Is the property within the Accident Potential Zone II (APZ II)? Yes No

Is the property within the Bird/Wildlife Air Strike Hazard Area (BASH)? Yes No

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.

DEPARTMENT COMMENTS- Water and Sewer

Water comments:

Available at development: YES NO

Fire flow test required: YES NO

Size and location of existing water main(s): 8" D.I. in the south side of Allgood Road.

Additional water comments: Water main in Lawanna Drive is combination of 6" DI and 2.5" galvanized steel. The 2.5" main cannot be utilized to serve proposed development. Developer will be required to upsize/abandon the 2.5" main at Plan Review.

Note: These comments only reflect what facilities were in existence at the time of this review. Developer may be required to install/upgrade water mains based on fire flow test results or Fire Department code. This will be addressed in the Plan Review process.

Sewer comments:

In the drainage basin: YES NO

At development: YES NO

Approximate distance to nearest sewer: On site east of Lawanna Drive.

Estimated waste generation (in G.P.D.): Average daily flow= 10,080 ; Peak flow= 25,200

Treatment plant: Big Creek R.L. Sutton

Plant capacity: Yes NO

Line capacity: YES NO

Projected plant availability: 0-5 years 5-10 years over 10 years

Dry sewers required: YES NO

Off-site easement required: YES* NO

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

*If off-site easements are required, the developer/owner must submit easements to the CCWS for review and 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/owner.

Additional sewer comments: Sewer capacity study may be required at Plan Review, pending further consideration by Engineering.

Note: The developer/owner will be responsible for connecting to the existing county water and sewer systems, installing and/or upgrading all outfalls & water mains, obtaining on and/or offsite easements, dedication or on and/or offsite water and sewer to Cobb County as may be required. Rezoning does not guarantee water/sewer availability or capacity unless so stated in writing by the Cobb County Water System. Permit issuances subject to continued treatment plant compliance with EPD discharge requirements.

DEPARTMENT COMMENTS- Transportation

Roadway	Roadway classification	Speed limit (MHP)	Jurisdictional control	Min. R.O.W. requirements
Atlanta Road	Arterial	45	Cobb County	100'

Roadway	Location	Average daily trips	Level of service
Atlanta Road	South of Darwin	18,700	C

Based on 2016 AADT counting data taken by GDOT, as published on their website, for Atlanta Road.

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

Atlanta Road is classified as an arterial roadway 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 west side of Atlanta Road, a minimum of 50' from the roadway centerline.

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

STAFF ANALYSIS

Per section 134-122 of the Official Code of Cobb County, below is a written zoning analysis relating to the following (question in bold):

A. Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property;

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 proposal is similar to other properties in the area that include retail, restaurants, offices, single-family attached and detached developments.

B. Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property;

It is Staff's opinion that the applicant's rezoning proposal will not have an adverse effect on the usability of adjacent or nearby property. The request proposes uses that are currently found in the area.

C. Whether the zoning proposal will result in a use which will or could cause an excessive burdensome use of existing streets, transportation facilities, utilities, or schools;

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. Whether the zoning proposal is in conformity with the policies and intent of the comprehensive plan;

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 within the Industrial Compatible (IC) future land use category. The requested TS zoning district and the proposed retail, restaurant or office uses are permitted under TS.

E. Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the zoning proposal;

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 applicant's requested TS is compatible with the IC future land use categories. The proposed uses will be consistent with the surrounding area and are compatible with the land use category.

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) List all requested variances: _____~~

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

- a) Proposed use(s): Retail, restaurant, or other TS uses.
- b) Proposed building architecture: To be determined.
- c) Proposed hours/days of operation: To be determined.
- 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). This parcel is owned by the Cobb County Board of Commissioners.

Planning Commission Decision

NO. OPPOSED: _____ APPROVED _____ DENIED _____ DELETED TO _____
NO. IN SUPPORT _____ MOTION BY: _____ SECONDED: _____ VOTE: _____

Names of those Opposed:	Comments:
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Stipulation letter from _____ dated _____
Stipulation letter from _____ dated _____
Stipulation letter from _____ dated _____

Board of Commissioners Decision

NO. OPPOSED: _____ APPROVED _____ DENIED _____ DELETED TO _____
NO. IN SUPPORT _____ MOTION BY: _____ SECONDED: _____ VOTE: _____

Names of those Opposed:	Comments:
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Stipulation letter from _____ dated _____
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