MINUTES OF ZONING HEARING
COBB COUNTY BOARD OF COMMISSIONERS
DECEMBER 20, 2022
9:00 A.M.

The Board of Commissioners' Zoning Hearing was held on Tuesday, December 20, 2022, in the second-floor public meeting room of Cobb County Building A, 100 Cherokee Street, Marietta, Georgia. Present and comprising a quorum of the Board were:

Lisa Cupid, Chairwoman
Commissioner JoAnn Birrell
Commissioner Keli Gambrill
Commissioner Jerica Richardson
Commissioner Monique Sheffield

CALL TO ORDER – CHAIRWOMAN CUPID

Chairwoman Cupid called the hearing to order at 9:01 a.m.

Mr. John Pederson, Zoning Division Manager, reviewed the hearing procedures and announced the following cases which were *withdrawn, held, or continued.*

WITHDRAWN, HELD, AND CONTINUED CASES

Z-58 **PULTE HOME COMPANY** (Marie F. Johnson, owner) requesting rezoning from **R-30** to **R-20/OSC** for a single-family subdivision in land lots 62 and 87 of the 19th district. Property is located on the west side of Midway Road, south of Dallas Highway (636 Midway Road). ***(Previously held by the Planning Commission (PC) until the October 4, 2022, PC hearing; continued by the PC until the December 6, 2022, PC hearing). WITHDRAWN WITHOUT PREJUDICE***

Z-80 **RENATA DINIZ** (Patricia A. Glore, Michael B. Allen, owners) requesting rezoning from **GC** and **CRC** to **PVC** for a mixed-use development in land lots 1294 and 1297 of the 19th district. Property is located on the north side of Veterans Memorial Highway, east of Vonda Lane (Veterans Memorial Highway). ***(Continued by Staff until the February 7, 2023, Planning Commission hearing). WITHDRAWN WITHOUT PREJUDICE***

Z-85 **AMERICAN CONTRACTORS SUPPLY, LLC** (Commercial Properties, Inc., owner) requesting rezoning from **R-20** to **HI** for an outside storage of construction materials and equipment parking in land lot 258 of the 18th district. Property is located east of Maxham Road, and west of Timothy Lane (Timothy Lane). ***WITHDRAWN WITHOUT PREJUDICE***

WITHDRAWN, HELD, AND CONTINUED CASES (CONT.)

LUP-26 **ANTHONY KOSTECKI** (Anthony Kostecki and Linda Kostecki, owners) requesting a **Temporary Land Use Permit** to allow occupancy of an accessory structure in land lot 304 of the 20th district. Property is located on the east side of Hiram Acworth Highway, and on the north side of Wiscasset Parkway (Wiscasset Parkway). ***WITHDRAWN WITHOUT PREJUDICE***

OB-58 To consider a stipulation amendment for Axion US, LLC regarding rezoning application Z-24 of 2009 for property located at the northwest intersection of Buckner Road and Veterans Memorial Highway, in land lots 68 and 165 of the 18th district (795 Veterans Memorial Highway). ***(Previously continued by Staff from the November 15, 2022, Board of Commissioners' (BOC) Zoning hearing until the December 20, 2022, BOC Zoning hearing). WITHDRAWN WITHOUT PREJUDICE***

Z-55 **KENNETH B. CLARY** (Kenneth B. Clary, owner) requesting rezoning from **R-30** to **R-15** for a single-family subdivision in land lots 25, 54, and 55 of the 1st district. Property is located on the north side of Post Oak Tritt Road, west of McPherson Road (4701 Post Oak Tritt Road). ***(Previously continued by Staff from the September 6, 2022, through the December 6, 2022, Planning Commission (PC) hearings until the February 7, 2023, PC hearing; therefore, was not considered at this hearing).***

Z-59 **GLENSIDE MABLETON, LLC** (Glenside Mableton, LLC, owner) requesting rezoning from **GC** to **O&I** for a climate-controlled self-storage facility in land lot 297 of the 18th district. Property is located on the southwest side of Mableton Parkway, north of South Gordon Road (Mableton Parkway). ***(Previously continued by Staff from the September 20, 2022, and October 18, 2022, Board of Commissioners (BOC) Zoning hearings until the November 15, 2022, BOC Zoning hearing; continued by the BOC until the December 20, 2022, BOC Zoning hearing; continued by Staff until the February 21, 2023, BOC Zoning hearing; therefore, was not considered at this hearing).***

Z-60 **BRANCH ACQUISITION COMPANY, LLC** (Branch Atlanta Road Associates II, L.P.; SJ Georgia Investor, LLC; Michael Howarth and Christine Howarth, owners) requesting rezoning from **HI** to **RRC** for a mixed-use development in land lots 894 and 900 of the 17th district. Property is located on the south side of Atlanta Road, north of Plant Atkinson Road (4874 and 4888 Atlanta Road, 2840 Plant Atkinson Road). ***(Previously continued by Staff from the September 6, 2022, through December 6, 2022, Planning Commission (PC) hearings until the February 7, 2023, PC hearing; therefore, was not considered at this hearing).***

WITHDRAWN, HELD, AND CONTINUED CASES (CONT.)

Z-61 **GREEN COMMUNITY DEVELOPMENT, LLC** (Joline D. Cole as Trustee of the Joline D. Cole Living Trust, owner) requesting rezoning from **R-80** and **R-20** to **R-15/OSC** for a single-family subdivision in land lots 27 and 28 of the 17th district and 999 of the 19th district. Property is located on the north side of Bates Road, and on the west side of Hicks Road (900 Bates Road). ***(Continued by Staff until the February 21, 2023, Board of Commissioners' Zoning hearing; therefore, was not considered at this hearing).***

Z-65 **DRAPAC INVESTMENTS, LLC** (DRAPAC Group 3, LLC, owner) requesting rezoning from **RA-5** to **RA-5** for a single-family attached and detached subdivision in land lots 87 and 88 of the 18th district. Property is located on the west side of Michael Road, south of Vanesa Circle, at the terminus of Linda Drive, and at the terminus of Oak Hill Drive (Maxham Road). ***(Previously continued by the Planning Commission (PC) until the November 1, 2022, PC hearing; held by the PC from the November 1, 2022 and December 6, 2022, PC hearings until the February 7, 2023, PC hearing; therefore, was not considered at this hearing).***

Z-67 **S&B INVESTMENTS, INC.** (S&B Investments, Inc., owner) requesting rezoning from **GF** and **R-80** to **NRC** for a retail coffee shop in land lots 73 and 81 of the 1st district. Property is located on the west side of Johnson Ferry Road, and on the north side of Paper Mill Road (31 Johnson Ferry Road). ***(Previously continued by Staff from the October 4, 2022, through the December 6, 2022, Planning Commission (PC) hearings until the February 7, 2023, PC hearing; therefore, was not considered at this hearing).***

Z-71 **HAMILTON HOMES HOLDINGS LLC** (Hamilton Homes Holdings LLC, owner) requesting rezoning from **R-20** to **RM-8** for a townhome community in land lot 29 of the 17th district and 1073 of the 19th district. Property is located on the southwest side of Floyd Road, on the northwest side of Glore Road, and at the terminus of Anjul Drive (4598 Glore Road, Floyd Road). ***(Continued by Staff until the December 6, 2022, Planning Commission (PC) hearing; continued by the PC until the February 7, 2023, PC hearing; therefore, was not considered at this hearing).***

Z-72 **BROCK BUILT HOMES LLC** (James R. Groover, owner) requesting rezoning from **R-30** to **R-20/OSC** for a single-family subdivision in land lot 129 of the 19th district. Property is located on the west side of Friendship Church Road, across from Wellsley Drive (880 Friendship Church Road). ***(Continued by Staff until the December 6, 2022, Planning Commission (PC) hearing; held by the PC until the February 7, 2023, PC hearing; therefore, was not considered at this hearing).***

WITHDRAWN, HELD, AND CONTINUED CASES (CONT.)

Z-77 **LIDL US OPERATIONS, LLC - DEBORAH PYBURN** (Canton Village Associates, L.P., owner) requesting rezoning from **NS** and **CRC** to **CRC** for a grocery store in land lots 565 and 566 of the 16th district. Property is located on the south side of Piedmont Road, and on the west side of Canton Road (2833 Canton Road, 740 Piedmont Road). ***(Continued by Staff from the December 6, 2022, Planning Commission (PC) hearing until the February 7, 2023, PC hearing; therefore, was not considered at this hearing).***

Z-78 **TODD WOODRUFF** (Lee Jaraysi, owner) requesting rezoning from **NS, GC,** and **R-20** to **NRC** for a car wash in land lots 157 and 204 of the 16th district. Property is located on the south side of Shallowford Road, on the east side of Canton Road, and at the terminus of Old Shallowford Road (4400 Shallowford Road, 4360 Canton Road). ***(Held by the Planning Commission (PC) until the February 7, 2023, PC hearing; therefore, was not considered at this hearing).***

Z-81 **PRIME PROPERTIES 9, LLC** (John C. Joiner, III, M.D., owner) requesting rezoning from **O&I** to **NRC** for a convenience store with fuel sales in land lot 858 of the 19th district. Property is located on the north side of Mulkey Road, west of Lipson Drive (1810 Mulkey Road). ***(Continued by Staff from the December 6, 2022, Planning Commission (PC) hearing until the February 7, 2023, PC hearing; therefore, was not considered at this hearing).***

LUP-21 **ROGER ALEXANDER** (Roger Alexander, owner) requesting a **Temporary Land Use Permit** for vehicle parking in land lot 235 of the 16th district. Property is located on the west side of Keheley Road, north of Myrtle Drive (4175 Keheley Road). ***(Continued by Staff until the December 6, 2022, Planning Commission (PC) hearing; continued by the PC until the February 7, 2023, PC hearing; therefore, was not considered at this hearing).***

LUP-23 **KOYMAN ELADIO MAZARIEGOS REYES** (Koyman Eladio Mazariegos Reyes, owner) requesting a **Temporary Land Use Permit** for vehicle parking in land lot 626 of the 19th district. Property is located on the south side of Milford Church Road, across from Farmington Drive (1487 Milford Church Road). ***(Continued by Staff until the December 6, 2022, Planning Commission (PC) hearing; held by the PC until the February 7, 2023, PC hearing; therefore, was not considered at this hearing).***

WITHDRAWN, HELD, AND CONTINUED CASES (CONT.)

LUP-24 **ELOIDA ESCOBAR** (Eloida Escobar, owner) requesting a **Temporary Land Use Permit** to allow more vehicles than the code allows in land lot 60 of the 17th district. Property is located on the east side of Kurt Drive, north of County Services Parkway (693 Kurt Drive). ***(Continued by the Planning Commission (PC) until the February 7, 2023, PC hearing; therefore, was not considered at this hearing).***

SLUP-11 **GLENSIDE MABLETON, LLC** (Glenside Mableton, LLC, owner) requesting a **Special Land Use Permit** for a climate-controlled self-storage facility in land lot 297 of the 18th district. Property is located on the southwest side of Mableton Parkway, north of South Gordon Road (Mableton Parkway). ***(Previously continued by Staff from the September 20, 2022, and October 18, 2022, Board of Commissioners (BOC) Zoning hearings until the November 15, 2022, BOC Zoning hearing; continued by the BOC until the December 20, 2022, BOC Zoning hearing; continued by Staff until the February 21, 2023, BOC Zoning hearing; therefore, was not considered at this hearing).***

SLUP-16 **HILLELS OF GEORGIA, INC.** (Barry Balint, owner) requesting a **Special Land Use Permit** for a Jewish Faith Student Center in land lot 97 of the 20th district. Property is located on the west side of Frey Lake Road, west of Campus Loop Road, south of the intersection of Frey Lake Road and Campus Loop Road (3561 Frey Lake Road). ***(Held by the Planning Commission (PC) until the February 7, 2023, PC hearing; therefore, was not considered at this hearing).***

O.B. 48 To consider a reduction of public road frontage for lots 1 and 2 from 75-feet to 47-feet each for Alva Glass. The property is located on the south side of Bullard Road, south of Devonhurst Way in land lot 434 of the 19th district (2011 Bullard Road). ***(Previously continued by the Board of Commissioners (BOC) from the September 20, 2022, and October 18, 2022, BOC Zoning hearings until the November 15, 2022, BOC Zoning hearing; continued by Staff until the December 20, 2022, BOC Zoning hearing).***

Mr. Pederson presented the Staff's request for a continuance of O.B. 48; thereafter, the following motion was made:

MOTION: Motion by Gambrill, second by Sheffield, to **continue** O.B. 48 until the March 21, 2023, Board of Commissioners' Zoning Hearing.

VOTE: **ADOPTED** 5-0

WITHDRAWN, HELD, AND CONTINUED CASES (CONT.)

O.B. 56 To consider amending the site plan for Stein Investment Group regarding rezoning application Z-223 (Evelyn J. Gordy-Rankin) of 1988 and rezoning application Z-95 (Evelyn J. Gordy-Rankin) of 1990, for property located at the northwest intersection of Shallowford Road and Gordy Parkway in land lots 335 and 386 of the 16th district (Gordy Parkway). ***(Continued by Staff until the December 20, 2022, Board of Commissioners' Zoning hearing).***

Mr. Pederson presented the Applicant's request for a continuance of O.B. 56; thereafter, the following motion was made:

MOTION: Motion by Birrell, second by Cupid, to **continue** O.B. 56 until the February 21, 2023, Board of Commissioners' Zoning Hearing.

VOTE: **ADOPTED** 5-0

Z-76 **VAZCO PROPERTIES, LLC** (Alci Vaz Da Costa, Jr. and Mirian Costa, owners) requesting rezoning from **R-30** to **O&I** for an assembly hall in land lot 12 of the 19th district. Property is located on the north side of Dallas Highway, west of Midway Road (4796 Dallas Highway). ***(Continued by Staff until the December 6, 2022, Planning Commission hearing).***

Mr. Pederson presented the Applicant's request for a continuance of Z-76; however, due to the request coming in after the Wednesday deadline and with significant opposition present, Commissioner Gambrill did not support the request to continue. The case was heard later in the hearing on the Regular Agenda (see page 17 of these minutes).

Mr. Pederson made the following announcements and then read in the cases for the Consent Agenda.

CAMPAIGN DISCLOSURE

All speakers who have made a campaign contribution totaling $250.00 or more, within the last two years, to a local government official considering a zoning case are required to complete the "Campaign Disclosure Form" prior to speaking.

INFORMATION REGARDING ZONING CASES

All information regarding zoning cases must be turned in to the Zoning Office on the Wednesday prior to the zoning hearing for consideration. If said information is turned in past the deadline, then it is at the Board's discretion as to whether the information will be considered.

CONSENT AGENDA

MOTION: Motion by Cupid, second by Richardson, to **approve** the following cases on the Consent Agenda, *as revised*:

Z-56 **ISSAN CHETTY** (Issan Chetty, owner) requesting rezoning from **R-30** to **R-20** for single-family residences in land lot 321 of the 19th district. Property is located on the west side of W. Sandtown Road, north of Friendship Church Road (1534 W. Sandtown Road). ***(Previously continued by Staff from the September 6, 2022, Planning Commission (PC) hearing until the October 4, 2022, (PC) hearing; held by the PC from the October 4, 2022, and November 1, 2022, PC hearings until the December 6, 2022, PC hearing).***

To **approve** Z-56 to the **R-20** zoning district, subject to:

1. **District Commissioner to approve the final Site Plan**
2. **Applicant must provide an updated Site Plan to Stormwater Management showing water quality calculations and construction details for stormwater collection and treatment system as an express condition before issuance of a building permit**
3. **Fire Department comments and recommendations**
4. **Water and Sewer Division comments and recommendations**
5. **Stormwater Management Division comments and recommendations**
6. **Department of Transportation comments and recommendations**

Z-64 **ALLIANCE INDUSTRIAL PARTNERS, LLC** (Carl James Clarkson and Virginia Lee Clarkson Revocable Living Trust, owners) requesting rezoning from **R-20** to **LI** for a warehouse in land lot 705 of the 18th district. Property is located on the east and west side of Factory Shoals Road, north of Six Flags Road (Factory Shoals Road). ***(Continued by the Board of Commissioners (BOC) from the October 18, 2022, BOC Zoning hearing until the December 20, 2022, BOC Zoning hearing).***

To **approve** Z-64 to the **LI** zoning district, subject to:

1. **District Commissioner to approve the final Site Plan**
2. **Letter from Dana A. Spotts dated December 7, 2022 (attached and made a part of these minutes)**
3. **Allow parking lot to be located on a separate lot**
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**

CONSENT AGENDA (CONT.)

Z-74 **BUILDING NEW PATHWAYS, LLC** (Building New Pathways, LLC, owner) requesting rezoning from **O&I** to **CRC** for office and retail in land lot 804 of the 17th district. Property is located on the northwest side of North Park Place, on the north side of Windy Hill Road (1977 North Park Place). ***(Previously continued by Staff from the November 1, 2022, Planning Commission (PC) hearing until the December 6, 2022, PC hearing).***

To **approve** Z-74 to the **CRC** zoning district, subject to:

1. **District Commissioner to approve the final Site Plan**
2. **Variance as stated in the Zoning comments**
3. **Adherence to landscape enhancement strip regulations**
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**

Z-79 **7 OAKS STABLES, LLC** (7 Oaks Stables, LLC, owner) requesting rezoning from **R-15 with stipulations** to **R-15 with stipulations** for amending previous zoning conditions to allow an equestrian facility in land lots 257 and 320 of the 17th district. Property is located on the southeast side of Cooper Lake Road, west of Civitania Road (300 and 320 Cooper Lake Road).

To **approve** Z-79 to the **R-15** zoning district, subject to:

1. **District Commissioner to approve the final Site Plan**
2. **District Commissioner to approve riding stable elevations**
3. **County Arborist to approve landscape buffer plan**
4. **Letter of agreeable conditions from Robert Swarthout dated December 13, 2022 (attached and made a part of these minutes)**
5. **All horses shall be maintained at least 10 feet from all property lines**
6. **Variances as stated in the Zoning comments**
7. **Fire Department comments and recommendations**
8. **Water and Sewer Division comments and recommendations**
9. **Stormwater Management Division comments and recommendations**
10. **Department of Transportation comments and recommendations, *with the exception* that the curb, gutter, and sidewalks along Cooper Lake Road frontage as well as the fee in lieu of sidewalks, both shall be waived for this Applicant and for this use *only***

CONSENT AGENDA (CONT.)

Z-79 7 OAKS STABLES, LLC (CONT.)

11. **Additional buildings for equipment storage and for hay storage will be of the same materials and architecture as the barn; any other buildings greater than 750 square feet shall require approval by the Board of Commissioners (BOC) through an Other Business item**
12. **Elevations for the barn as provided by Mr. Swarthout, with the color being brown or gray, and the roof of a similar color and non-reflective coating**
13. **Maximum of 12 stalls in the barn**
14. **Maximum of four events annually; events defined as attendance of more than 25 people**
15. **Landscape Review Committee for the Cooper Lake Road frontage to include fencing and shrubbery intended to adequately safeguard horses while providing an attractive viewshed from the road; the committee would be composed of the Applicant, the Mableton Improvement Coalition, and the Cobb County Community Development Department**
16. **Pavement for the first 60 feet of each driveway; gravel is acceptable past that point**
17. **Lighting designed so as not to impact neighbors with appropriate shielding to ensure light does not escape property**
18. **Use is specific for this applicant and use *only*; any change in either requires a new zoning application**

Z-82 **ALICIA SCOTT** (Dorothy Igbonagwam and Veronica E. Ani, owners) requesting rezoning from **NS** to **NRC** for a daycare in land lot 630 of the 19th district. Property is located on the south side of Milford Church Road, and on the north side of Old Milford Church Road (910 Milford Church Road).

To **approve** Z-82 to the **NRC** zoning district, subject to:

1. **Site Plan received by the Zoning Division on October 25, 2022 (attached and made a part of these minutes), with the District Commissioner approving the final plan**
2. **Any change to the drop off/pick up plan will require a traffic circulation and cueing plan to be approved by Cobb Department of Transportation (DOT)**
3. **Fire Department comments and recommendations**
4. **Stormwater Management Division comments and recommendations**
5. **Water and Sewer Division comments and recommendations**
6. **Department of Transportation comments and recommendations**
7. **Site Plan Review Arborist comments and recommendations**

CONSENT AGENDA (CONT.)

Z-83 **WHITE ROAD LLC** (White Road LLC, David Wine and Debbie Wine, owners) requesting rezoning from **LI** and **R-20** to **LI** for an office, warehouse in land lots 682 and 683 of the 18th district. Property is located on the southeast side of Factory Shoals Road, and on the northeast side of White Road (785 and 7520 Factory Shoals Road, White Road).

To **approve** Z-83 to the **LI** zoning district, subject to:

1. **Site Plan received by the Zoning Division on October 6, 2022 (attached and made a part of these minutes), with the District Commissioner to approve minor modifications**
2. **Letter of agreeable conditions from Kevin Moore dated November 28, 2022 (attached and made a part of these minutes)**
3. **Building architecture to be approved by the District Commissioner**
4. **Fire Department comments and recommendations**
5. **Stormwater Management Division comments and recommendations**
6. **Water and Sewer Division comments and recommendations**
7. **Department of Transportation comments and recommendations**

Z-84 **JEFF JENSEN** (Kerkinbo II, LLC, Estate of James E. Freeman, owner) requesting rezoning from **GC** to **LI** for an office, parking, and equipment storage in land lot 285 of the 17th district. Property is located on the south side of South Cobb Drive, west of the terminus of Henry Street (805 South Cobb Drive).

To **approve** Z-84 to the **LI** zoning district, subject to:

1. **Site Plan received by the Zoning Division on October 6, 2022 (attached and made a part of these minutes), with the District Commissioner to approve minor modifications**
2. **Setback variances as stated in the Zoning comments as they pertain to existing building footprint; any new buildings to meet the Zoning Code building setbacks**
3. **Areas used for parking and/or maneuvering of vehicles and/or equipment to be paved to the extent or if recommended by Cobb DOT or Stormwater Management**
4. **Code compliant 50-foot landscaped screening buffer to be installed *only* where site abuts a property which is both residentially zoned and there currently exists a residential structure**
5. **Access to the site from Henry Street, a local roadway, to be prohibited or restricted, if recommended by Cobb DOT**
6. **Fire Department comments and recommendations**
7. **Stormwater Management Division comments and recommendations**
8. **Water and Sewer Division comments and recommendations**
9. **Department of Transportation comments and recommendations**

CONSENT AGENDA (CONT.)

Z-86 **CUMBERLAND USED AUTO PARTS LLC** (Bentley Commercial Properties, LLC; Summerour Properties LLLP; Lynn Bentley Taylor and Justin Ottinger, owners) requesting rezoning from **HI** and **R-15** to **HI** for an auto salvage and storage business, used auto parts sales, and used auto sales in land lot 1137 of the 16th district. Property is located on the north side of Gresham Road, east of Fairview Street (1471 Gresham Road).

To **approve** Z-86 to the **HI** zoning district, subject to:

1. **Letter of agreeable conditions from Kevin Moore dated November 28, 2022 (attached and made a part of these minutes)**
2. **The existing access and entrance drive are to be maintained subject to Department of Transportation (DOT) comments**
3. **The existing tree line on Gresham Road to remain in place as a buffer as it concerns that portion of the property**
4. **No storage of vehicles to occur in the subject area of the rezoned tract**
5. **There is to be no intensified use or expansion of operations, even those permitted under HI, that will occur in the subject area of the rezoned tract**
6. **Any improvements or additions in the rezoned tract would need to be submitted pursuant to a site and landscape plan to be approved by the District Commissioner**
7. **All Staff comments and recommendations**

LUP-25 **LIVING HOPE LUTHERAN CHURCH** (Living Hope Lutheran Church, Inc., owner) requesting a **Temporary Land Use Permit** for an early childhood learning center in land lot 201 of the 20th district. Property is located on the west side of Mack Dobbs Road, the north side of Stilesboro Road, northwest of the intersection of Mack Dobbs Road and Stilesboro Road (3450 Stilesboro Road).

To **approve** LUP-25 for **24 months**, subject to:

1. **Site Plan received by the Zoning Division on October 5, 2022 (attached and made a part of these minutes)**
2. **Department of Transportation comments and recommendations**

LUP-27 **SHOREY MOSS** (Jonah Deion Moss, owner) requesting a **Temporary Land Use Permit** for cat breeding in land lot 692 of the 19th district. Property is located on the north side of Chauncey Lane, at the terminus of Oak Leaf Court (2466 Chauncey Lane).

To **approve** LUP-27 for **24 months**, subject to:

1. **No customers**
2. **No signs**

CONSENT AGENDA (CONT.)

SLUP-17 **CUMBERLAND USED AUTO PARTS LLC** (Bentley Commercial Properties, LLC; Bentley Farm Properties, LLLP; Summerour Properties LLLP; Lynn Bentley Taylor and Justin Ottinger, owners) requesting a **Special Land Use Permit** for an auto salvage and storage yard, used auto parts sales, and used auto sales in land lot 1137 of the 16th district. Property is located on the north side of Gresham Road, east of Fairview Street (1471 Gresham Road).

To **approve** SLUP-17, subject to:

1. **The restrictions and conditions contained in the approval of Z-86'22**
2. **Letter of agreeable conditions from Kevin Moore dated November 28, 2022 (attached and made a part of these minutes)**
3. **The existing tree line on Gresham Road along the entire side of the property remain in place as a buffer**
4. **All Staff comments and recommendations**

SLUP-18 **Pat Spencer/U-Haul Company of Atlanta West** (Repwest Insurance Company, LLC, owner) requesting a **Special Land Use Permit** for a self-storage and truck and trailer rental and retail in land lots 564 and 565 of the 16th district. Property is located on the south side of Piedmont Road, east of Canton Road (2800 Canton Road).

To **approve** SLUP-18, subject to:

1. **Special Land Use Permit is *only* for the GC zoned property**
2. **Final Site Plan to be approved by the District Commissioner**
3. **Building architecture to be approved by the District Commissioner**
4. **Hours of operation to be approved by the District Commissioner**
5. **Canton Road Design Guidelines must be met**
6. **Any trucks or vans for rent must be parked within the building setbacks and only within the property that is zoned GC**
7. **Any work to automobiles related to installing hitches must be done inside the building**
8. **Fire Department comments and recommendations**
9. **Stormwater Management Division comments and recommendations**
10. **Water and Sewer Division comments and recommendations**
11. **Department of Transportation comments and recommendations**

OTHER BUSINESS

O.B. 64 To consider a reduction of required minimum public road frontage for Michael Chase from 75-feet to 49-feet for combined tracts 2 and 3. The property is located at the northern terminus of Spring Lake Drive, southwest of Cedar Forks Trail (Spring Lake Drive or 2454 Cedar Forks Trail).

CONSENT AGENDA (CONT.)

OTHER BUSINESS (CONT.)

To **approve** O.B. 64, subject to:

1. **Proposed Site Plan contained in the Other Business packet (attached and made a part of these minutes)**
2. **Site Plan Review comments and recommendations contained in the Other Business packet (attached and made a part of these minutes)**
3. **Cobb DOT comments and recommendations contained in the Other Business packet (attached and made a part of these minutes)**
4. **Fire Department comments and recommendations contained in the Other Business packet (attached and made a part of these minutes)**

O.B. 67 To consider a reduction of required minimum public road frontage on tract 1 for Barbara W. Ward from 50-feet to 12-feet and reduce the side setbacks from 12-feet to eight-feet (existing). The property located at the northern terminus of Summit Drive (3740 Summit Drive).

To **approve** O.B. 67, subject to:

1. **Site Plan received by the Zoning Division on November 10, 2022 (attached and made a part of these minutes) that shows the road frontage and setback reductions**
2. **No further subdivision of this property**
3. **Site Plan Review comments and recommendations contained in the Other Business packet (attached and made a part of these minutes)**

At the call for O.B. 68 (McKinley Homes, LLC), opposition was present; therefore, O.B. 68 was pulled from the Consent Agenda to be heard on the Regular Agenda. However, later in the hearing, the Applicant and the opposition came to a resolution, and O.B. 68 was added back to the Consent Agenda (see page 17 for the motion).

O.B. 69 To consider a site plan and stipulation amendment for Furniture & Mattress Warehouse, LP regarding rezoning application Z-25 of 2021 for property located on the south side of Piedmont Road and on the east side of Bells Ferry Road in land lot 642 of the 16th district (Piedmont Road).

To **approve** O.B. 69, subject to:

1. **Letter of agreeable conditions from Adam J. Rozen dated December 14, 2022 (attached and made a part of these minutes), which includes the Site Plan and building elevations, with the District Commissioner approving the final Site Plan and building elevations**

CONSENT AGENDA (CONT.)

OTHER BUSINESS (CONT.)

O.B. 69 **(CONT.)**

2. **Shared parking study by A & R Engineering, Inc. dated December 13, 2022 (attached and made a part of these minutes)**
3. **Fire Department comments and recommendations contained in the Other Business packet (attached and made a part of these minutes)**
4. **Cobb DOT comments and recommendations contained in the Other Business packet (attached and made a part of these minutes)**
5. **Site Plan Review comments contained in the Other Business packet (attached and made a part of these minutes)**
6. **All previous stipulations and conditions, *not otherwise in conflict with this amendment*, to remain in effect**

O.B. 70 To consider a site plan and stipulation amendment for Mableton CGB GA, LLC regarding rezoning application Z-163 of 2005 for property located on the east side of Floyd Road, and on the west side of White Boulevard, north side of Nickajack Road in land lots 31 and 42 of the 17th district (Floyd Road).

To **approve** O.B. 70, subject to:

1. **Site Plan received by the Zoning Division November 15, 2022 (attached and made a part of these minutes), with the District Commissioner approving the final Site Plan**
2. **Letter of agreeable conditions from Parks Huff dated December 20, 2022 (attached and made a part of these minutes)**
3. **District Commissioner to approve the final building elevations**
4. **Water and Sewer Division comments and recommendations contained in the Other Business packet (attached and made a part of these minutes)**
5. **Fire Department comments and recommendations contained in the Other Business packet (attached and made a part of these minutes)**
6. **Cobb DOT comments and recommendations contained in the Other Business packet (attached and made a part of these minutes)**

Prior to approving the Consent Agenda, Commissioner Richardson, requested that O.B. 66 be added to the Consent Agenda. The Applicant was present, and there was no opposition present. Mr. Pederson read the case into the record, Commissioner Richardson added her stipulations, and the motion was made to add O.B. 66 to the Consent Agenda

CONSENT AGENDA (CONT.)

OTHER BUSINESS (CONT.)

O.B. 66 To consider a request from Lamar Advertising regarding an oversized sign face replacement located on the easterly side of I-285 and the north side of Church Road. The property is located in land lot 761 of the 17th district (2355 Church Road).

To **approve** O.B. 66, subject to:

1. **The sign permit application contained in the Other Business packet (attached and made a part of these minutes)**
2. **All other Staff comments and recommendations**

MOTION: Motion by Richardson, second by Cupid, to **add** O.B. 66 to the Consent Agenda as previously read into the record.

VOTE: **ADOPTED** 5-0

CONSENT VOTE: **ADOPTED** 5-0

Clerk's Note: *Chairwoman Cupid stated she was opposed to removing both the sidewalks and the fee in lieu of sidewalks on Z-79. She commented that it is an uncommon practice for the BOC to waive both the sidewalks and the fee in lieu of sidewalks and suggested that this not be a repeated practice. Commissioner Birrell commented that for Z-79 she would recommend a fee in lieu of sidewalks.*

PENDING CASE

Z-38 **DAVID PEARSON COMMUNITIES, INC.** (Barnes Farms, LLC, owner) requesting rezoning from **R-30** to **R-15/OSC** ***(revised to*** **R-20/OSC*)*** for a single-family subdivision in land lots 8 and 9 of the 18th district; 1251, 1266, 1267, 1268, 1269, 1322, 1323, 1324, and 1325 of the 19th district. Property is located on the east and west side of Brown Road, north of Stout Parkway (5690, unaddressed parcel Brown Road). ***(Previously continued by Staff from the June 7, 2022, Planning Commission (PC) hearing until the July 5, 2022, PC hearing; held by the PC until the August 2, 2022, PC hearing; continued by the Board of Commissioners (BOC) from the August 16, 2022, BOC Zoning hearing to the September 20, 2022, BOC Zoning hearing; continued by Staff until the October 18, 2022, BOC Zoning hearing; continued by the BOC until the November 15, 2022, BOC Zoning hearing; pending by the BOC until the December 20, 2022, BOC Zoning hearing).***

PENDING CASE (CONT.)

Z-38 **DAVID PEARSON COMMUNITIES, INC. (CONT.)**

Mr. Pederson read Z-38 into the record, and Mr. Bill Rowling, County Attorney, explained that the case was pending due to a tie vote at the November 15, 2022, BOC Zoning Hearing until today's hearing where Commissioner Birrell cast her vote as indicated below.

Commissioner Birrell voted, "No"; therefore, the motion failed as shown below.

VOTE: FAILED 2-3, Cupid, Gambrill, and Birrell opposed

Following the vote, Commissioner Sheffield made the following substitute motion:

MOTION: Motion by Sheffield, second by Gambrill, to **hold** Z-38 until the February ~~14~~ **21**, 2023, Board of Commissioners' Zoning Hearing.

VOTE: **ADOPTED** 5-0

Clerk's Note: *Z-38 will be held until February 21, 2023, rather than February 14, 2023, as stated in the motion.*

REGULAR AGENDA

By general consensus, Z-66 and SLUP-14 (ADP - Terrell Mill LLC) were heard concurrently but voted on separately.

Z-66 **ADP - TERRELL MILL LLC** (The Estate of Ruby Inez Fridell, owner) requesting rezoning from **R-80** to **CRC** for a climate-controlled self-storage facility in land lot 936 of the 17th district. Property is located on the west side of Terrell Mill Road, and on the south side of Delk Road (1140 and 1150 Terrell Mill Road). ***(Previously continued by Staff until the November 1, 2022, Planning Commission (PC) hearing; held by the PC until the December 6, 2022, PC hearing).***

SLUP-14 **ADP - TERRELL MILL LLC** (The Estate of Ruby Inez Fridell, owner) requesting a **Special Land Use Permit** for a climate-controlled self-storage facility in land lot 936 of the 17th district. Property is located on the west side of Terrell Mill Road, and on the south side of Delk Road (1140 and 1150 Terrell Mill Road). ***(Previously continued by Staff until the November 1, 2022, Planning Commission (PC) hearing; held by the PC until the December 6, 2022, PC hearing).***

REGULAR AGENDA (CONT.)

Z-66 & SLUP- 14 **ADP - TERRELL MILL LLC (CONT.)**

The public hearing was opened; Kevin Moore and Kevin Nicholos addressed the Board. Following the presentation and discussion, the following motion was made:

MOTION: Motion by Richardson, second by Birrell, to **hold** Z-66 until the February 21, 2023, Board of Commissioners' Zoning Hearing.

VOTE: **ADOPTED** 5-0

After the vote for Z-66, the following motion for companion case, SLUP-14, was made:

MOTION: Motion by Richardson, second by Birrell, to **hold** SLUP-14 until the February 21, 2023, Board of Commissioners' Zoning Hearing.

VOTE: **ADOPTED** 5-0

Z-76 **VAZCO PROPERTIES, LLC** (Alci Vaz Da Costa, Jr. and Mirian Costa, owners) requesting rezoning from **R-30** to **O&I** for an assembly hall in land lot 12 of the 19th district. Property is located on the north side of Dallas Highway, west of Midway Road (4796 Dallas Highway). ***(Continued by Staff until the December 6, 2022, Planning Commission hearing).***

The public hearing was opened; Elijah Tutt and Ron Jedlicka addressed the Board. Following the presentation and discussion, the following motion was made:

MOTION: Motion by Gambrill, second by Cupid, to **deny** Z-76.

VOTE: **ADOPTED** 5-0

Chairwoman Cupid called for a brief recess from 10:54 a.m. until 11:01 a.m.

Following the recess, Mr. Pederson announced that there was no longer opposition for O.B. 68 (McKinley Homes, LLC); therefore, he read O.B. 68 back into the record, and the motion was made to add it back to the Consent Agenda.

CONSENT AGENDA (CONT.)

OTHER BUSINESS (CONT.)

O.B. 68 To consider a reduction of required minimum public road frontage on lots 1-3 for McKinley Homes, LLC from 75-feet to zero-feet. The property is located on the west side of West Sandotwn Road (1942 West Sandtown Road).

CONSENT AGENDA (CONT.)

OTHER BUSINESS (CONT.)

O.B. 68 (CONT.)

To **approve** O.B. 68, subject to:

1. **Site Plan received by the Zoning Division on November 10, 2022 (attached and made a part of these minutes) that shows the road frontage reductions**
2. **No further subdivision of this property**
3. **Site Plan Review comments and recommendations contained in the Other Business packet (attached and made a part of these minutes)**

MOTION: Motion by Gambrill, second by Cupid, to **add** O.B. 68 back to the Consent Agenda as previously read in by Mr. Pederson.

VOTE: **ADOPTED** 5-0

OTHER BUSINESS

O.B. 65 To consider a stipulation amendment for Mid Atlantic Commercial Properties, LLC regarding rezoning application Z-157 of 2000 for property located at the northwest intersection of Johnson Ferry Road and Waterfront Drive in land lot 470 of the 16th district (3033 Johnson Ferry Road).

The public hearing was opened; David Weinstein, Richard Grome and Rachel Bruce addressed the Board. Following the presentation and discussion, the following motion was made:

MOTION: Motion by Richardson, second by Gambrill, to **hold** O.B. 65 until the February 21, 2023, Board of Commissioners' Zoning Hearing.

Clerk's Note: *Commissioner Richardson requested from the Applicant that if there is any change that the plan presented would incorporate the following elements:*

1. *Complete list of stipulations*
2. *Consideration for the JOSH Small Area Plan*
3. *Architectural guidelines*

VOTE: **ADOPTED** 5-0

ADJOURNMENT

The hearing adjourned at 11:38 a.m.

Robin L. Stone

Robin L. Stone, Deputy County Clerk
Cobb County Board of Commissioners

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CONTOUR ENVIRONMENTAL, LLC.

A Rimkus Company

December 7, 2022

Min. Bk. 97 Petition No. Z-64
Doc. Type Letter from Dana A. Spotts
Meeting Date 12-20-2022

Mr. Geroge's Bahri
Development Manager
Alliance Industrial Company
1720 Peachtree Road NW, Suite 150
Atlanta, Georgia 30309
(C) 904-316-0123
Georges.Bahri@allindustrialco.com

RE: **Factory Shoals Road Tract ±18.3 Acres**
Lithia Springs, Douglas County, Georgia
Project Number: CE22AIC:04

Dear Mr. Bahri,

Regarding the proposed Factory Shoals Development, Contour Environmental, LLC is presently pursuing a federal Nationwide Permit Number 39 (NWP 39) from the United States Army Corps of Engineers (USACE) Savannah District - Northern Section to authorize the proposed *waters of the U.S.* (WOTUS) impacts on this site. In our professional opinion, considering the minimal nature of the aquatic resource impacts proposed in the Pre-Construction Notification (i.e. under the NWP program threshold), we strongly believe that the NWP will be secured for the proposed impacts. Contour is currently coordinating the Section 106 Resource requirements with the USACE. The NWP permit will be issued upon completion of this coordination. Contour's team has been very successful in securing numerous Section 404 CWA permits from the USACE for the past 30 years. We believe the success rate for this NWP is very high considering the aquatic resource impacts qualify for the NWP program as well as the fact that the impacts we be successfully mitigated resulting in no net loss of WOTUS of the U.S. in the primary watershed.

We appreciate the opportunity to provide our Natural Resource Consulting services to Alliance Industrial Company. If you have any questions regarding this report or if we may be of further service to you, please call our office at (678) 303-2600.

Sincerely,
CONTOUR ENVIRONMENTAL, LLC

Dana A. Spotts, REPA, EP
Director - Environmental and Natural Resource Services

Cc: Mr. Frank Fallon, Jr.: Alliance Industrial Company

Min. Bk. 97 Petition No. Z-79
Doc. Type Letter from Robert Swarthout
Meeting Date 12-20-2022

December 13, 2022

Mr. John Pederson
Zoning Division Manager
Zoning Division
Cobb County Community Development Agency
Suite 400
1150 Powder Springs Rd
Marietta, GA 30064

RE: Application for Rezoning - Application No. Z-79 (2022)
Applicant: 7 Oaks Stables LLC
Property Owner: 7 Oaks Stables LLC
Property: 14.07 acres, more or less, located on the southerly and easterly sides of Cooper Lake Road; west of Civitania Road (300 and 320 Cooper Lake Road); Land Lots 257 and 320, 17th District, 2nd Section, Cobb County, Georgia

Dear John:

I, Robert Swarthout, represent 7 Oaks Stables LLC, the Applicant (hereinafter "Applicant"), the Property Owner (hereinafter "Owner" or "Property Owner", in the above-referenced Application for Rezoning with regards to a total tract of 14.07 acres more or less, located on the southerly and easterly sides of Cooper Lake Road; west of Civitania Road (300 and 320 Cooper Lake Road); Land Lots 257 and 320, 17th District, 2nd Section, Cobb County, Georgia, and being more particularly known as 300 and 320 Cooper Lake Road (hereinafter referred to as the "Property" or the "Subject Property"), After meetings and conferences with Planning and Zoning Staff; as well as, other County Departmental Staff; reviewing the Departmental Comments and Staff Recommendations; reviewing the uses of surrounding properties, continuing discussions with area residents and homeowner representatives, and following the presentation to the hearing before the Cobb County Planning Commission, I am submitting this letter, on behalf of the Applicant, of agreeable stipulations and conditions, which, if the Application for Rezoning is approved, as submitted, shall become a part of the grant of the requested rezoning and shall be binding upon the Subject Property. The proposed stipulations are as follows:

1) The stipulations and conditions set forth herein shall replace and supersede in full any and all prior stipulations and conditions, in whatsoever form, which are currently in place on the Subject Property; together with any and all prior Departmental Comments and Staff Recommendations submitted by Planning, Fire, Water, Sewer, and Drainage, relating to the Subject Property from any previous zoning actions.

Petition No. Z-79
Meeting Date 12-20-2022
Continued

2) Applicant seeks rezoning of the Subject Property from the existing zoning category of R-15 with stipulations to the proposed zoning category of R-15 with stipulations, with reference to the revised Rezoning Plat prepared for Applicant by Georgia Landscape, dated and last revised October 4, 2022, and with this revised stipulation letter. A reduced copy of the revised Rezoning Plat is attached hereto for ease of reference as Exhibit "A" and incorporated herein by reference.

3) The Subject Property consists of 14.07 acres, more or less, and will be developed into an equestrian facility for 12 horses.

4) Applicant agrees to comply with all Cobb County Zoning Division variances applicable to the Subject Property.

5) Applicant agrees to comply with all Cobb County Fire Management requirements applicable to the Subject Property.

6) Applicant agrees to comply with all Cobb County Stormwater Management requirements applicable to the Subject Property.

7) Applicant agrees to comply with all Cobb County Water and Sewer requirements applicable to the Subject Property.

8) Applicant agrees to comply with the following Cobb County DOT requirements applicable to the Subject Property.
    a) Replacing the two existing residential driveways at 320 Cooper Lake Road with one entrance-only driveway. Recommend location and design be determined during plan review, subject to Cobb County DOT approval.

    b) Existing driveway on Cooper Lake Road, between Wana Circle and Demetra Drive serve as a one-way, exit-only access for site traffic. Recommend final design be determined during plan review, subject to Cobb County DOT approval.

    c) Applicant verify that minimum intersection sight distance is available for the Cooper Lake Road exit-only access and if it is not, implement remedial measures, subject to the Department's approval, to achieve the minimum requirement of 390'.

    d) Any gate and all parts of be set back a minimum of 75' from the right-of-way and meet Cobb County Development Standards.

Petition No. Z-79
Meeting Date 12-20-2022
Continued

9) Applicant agrees to comply with the following requests from the Mableton Improvement Coalition to the Subject Property.
   a) Additional buildings for equipment storage and for hay storage will be of the same materials and architecture as the barn. Any other buildings greater than 750 sq ft require approval by the BOC through an Other Business item.

   b) Elevations for the barn as provided by Mr. Swarthout, with the color being brown or gray, and the roof of a similar color and non-reflective coating.

   c) Maximum of 12 stalls in the barn.

   d) Maximum of 4 events annually, events defined as attendance of more than 25 people.

   e) Landscape Review Committee for the Cooper Lake Road frontage to include fencing and shrubbery intended to adequately safeguard horses while providing an attractive viewshed from the road. The Committee would be composed of the applicant, the Mableton Improvement Coalition, and the Cobb County Community Development Department.

   f) Pavement for the first 60 feet of each driveway; gravel is acceptable past that point.

   g) Lighting designed so as not to impact neighbors with appropriate shielding to ensure light does not escape property.

   h) Use is specific for this applicant and use only. Any change in either requires a new zoning application.

10) All landscaping referenced herein shall be approved by the Cobb County Arborist as part of the Plan Review Process and incorporated into the overall landscape plan for the proposed facility.

Petition No. Z-79
Meeting Date 12-20-2022
Continued

I believe the requested zoning, together with the Rezoning Plat and the revised stipulations set forth herein, is an appropriate use of the Subject Property while taking into consideration the area and existing neighborhoods and residents surrounding the proposed facility. The proposed equestrian facility shall be an enhancement to the Subject Property and the community as a whole while preserving greenspace in Cobb County. Thank you for your consideration in this request.

Very truly yours,

Robert Swarthout

CC:

Cobb County Board of Commissioners:
Lisa Cupid, Chairwoman
Keli Gambrill
Jerica Richardson
JoAnn Birrell
Monique Sheffield
(With Copies of Attachments)

Michael Hughes, Member
Cobb County Planning Commission
(With Copies of Attachments)

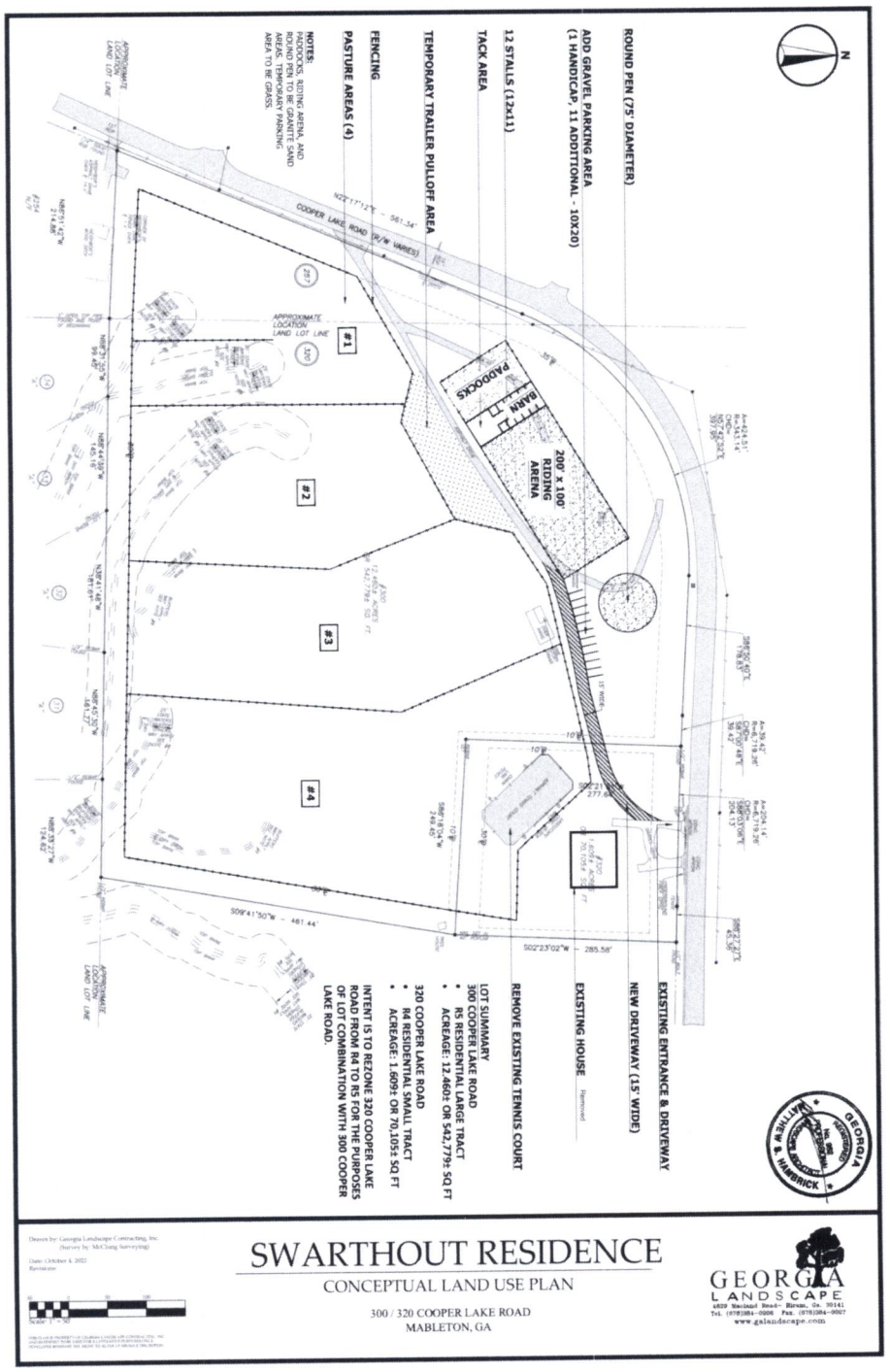
LeDarius Scott
Planner II
Zoning Division
Cobb County Community Development Agency
(With Copies of Attachments)

Robin Meyer
Sonya Wheatley
Mableton Improvement Coalition
(With Copies of Attachments)

7 Oaks Stables, LLC
(With Copies of Attachments)

Petition No. Z-79
Meeting Date 12-20-2022
Continued

Exhibit A

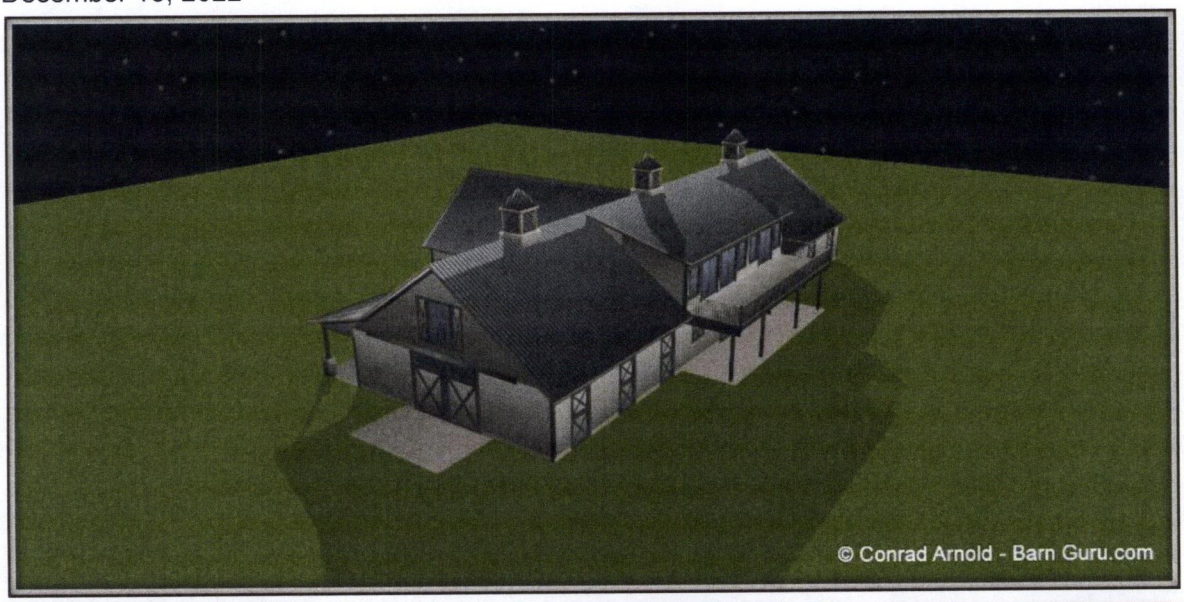


Petition No. Z-79
Meeting Date 12-20-2022
Continued





Petition No. Z-79
Meeting Date 12-20-2022
Continued





Petition No. Z-79
Meeting Date 12-20-2022
Continued





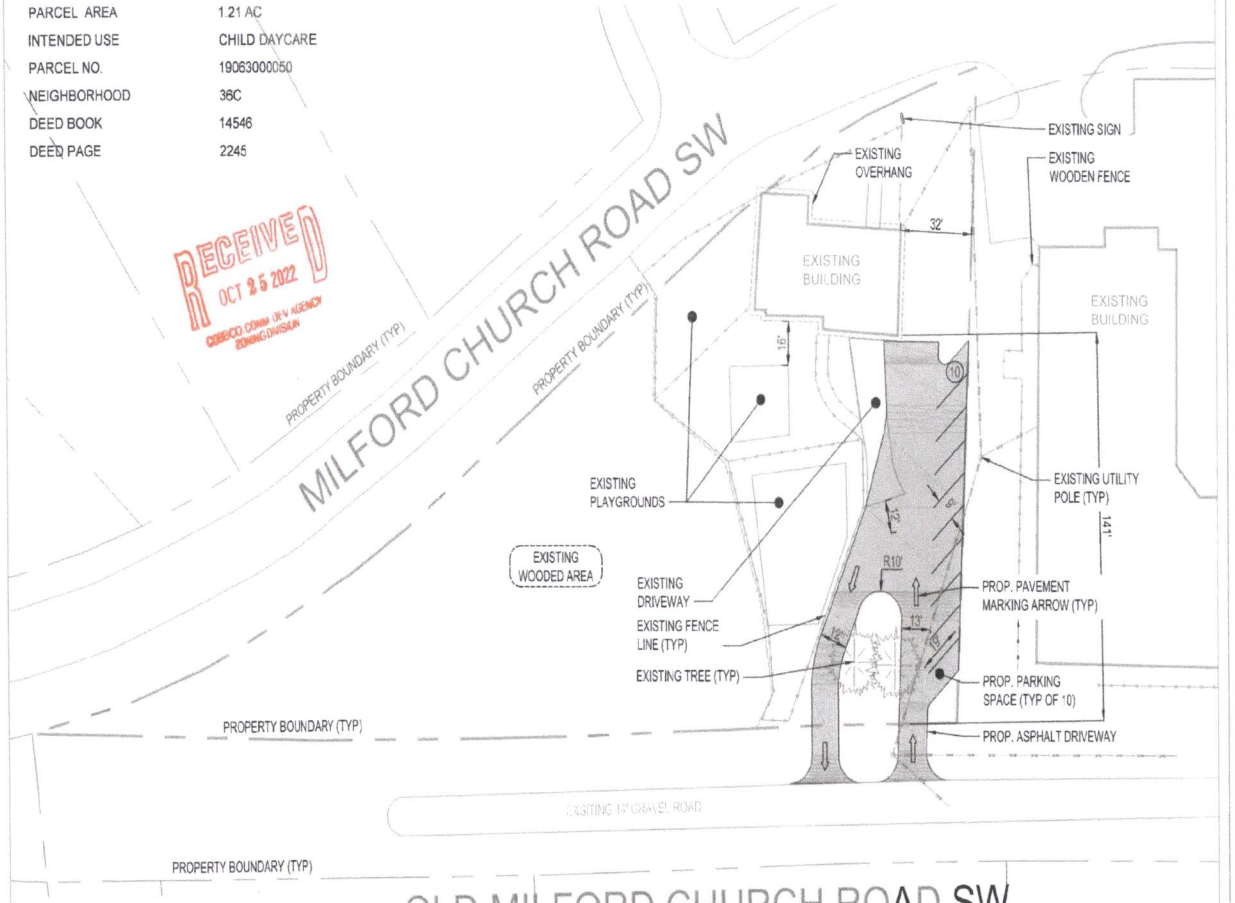
Min. Bk. 97 Petition No. Z-82
Doc. Type Site Plan

Meeting Date 12-20-2022

Z-82-2022 DEPARTMENT COMMENTS – Zoning Division

OWNER	IGBONAGWAM DOROTHY & ANI VERONICA E
OWNER ADDRESS	910 OLD MILFORD CHURCH RD MARIETTA, GA 30060
PARCEL AREA	1.21 AC
INTENDED USE	CHILD DAYCARE
PARCEL NO.	19063000050
NEIGHBORHOOD	36C
DEED BOOK	14546
DEED PAGE	2245

RECEIVED
OCT 25 2022
COBB CO. COMM. DEV. AGENCY
ZONING DIVISION



SITE PLAN

SCALE: 1" = 40' 0' 20' 40' 80'

NOTES:

1. DATA PRESENTED IS OBTAINED FROM COBB COUNTY'S GIS PARCEL VIEWER MAP, OPEN TO THE PUBLIC, AND NOT IS TO BE USED AS A LEGAL SURVEY DOCUMENT.
2. A LEGAL DESCRIPTION OF THE PROPERTY IS PROVIDED PUBLICLY VIA THE COBB SUPERIOR COURT CLERK WEBAPGE: https://research.cobbsuperiorcourtclerk.com/Document/DE/14546/2245

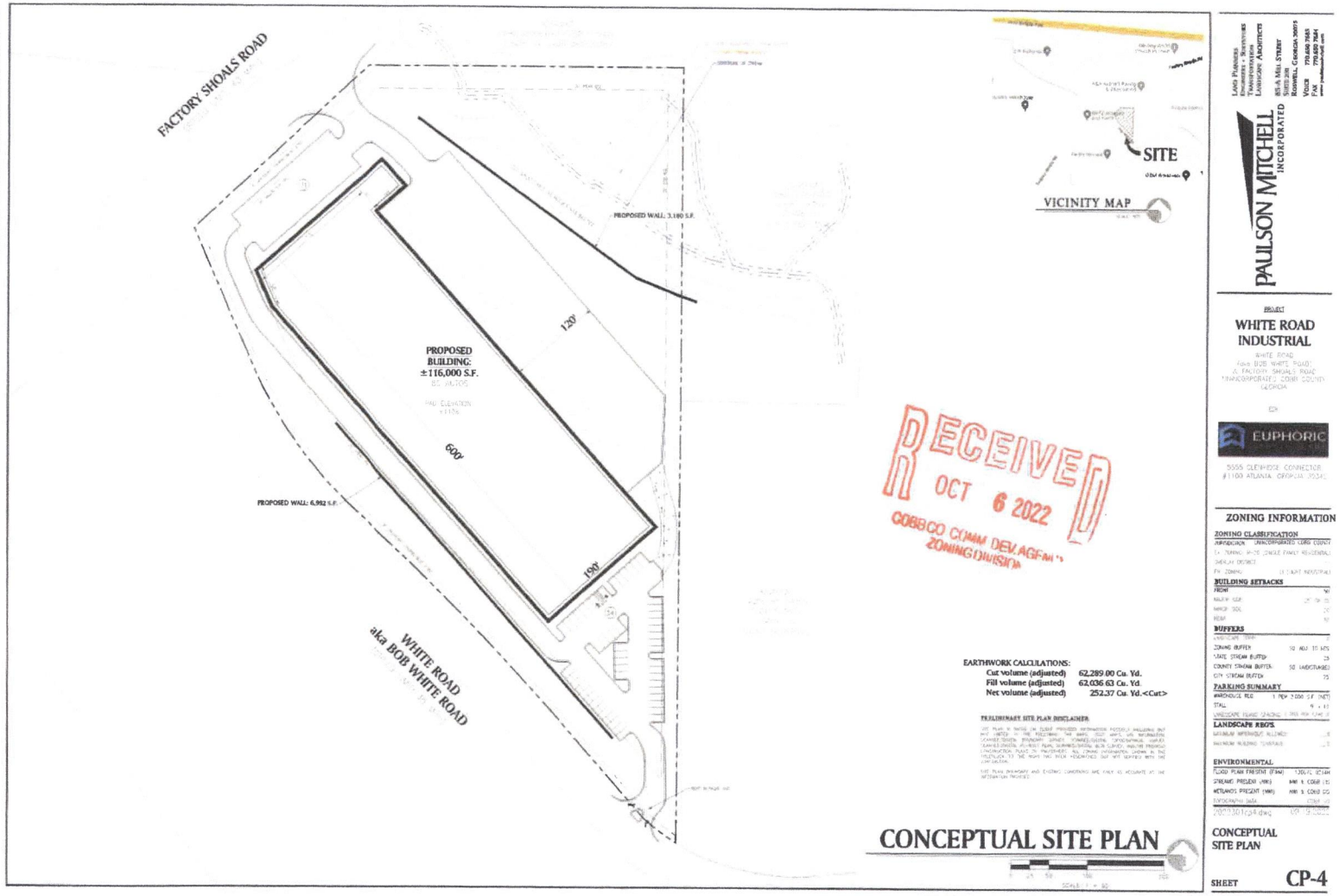
Daniel Joita, P.E.
CIVIL ENGINEER
CONSULTING, DESIGN, PLANNING
PHONE: (714) 588-1012
WWW.JBLUEPRINTS.COM

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Min. Bk. 97 Petition No. Z-83
Doc. Type Site Plan

Meeting Date 12-20-2022

Z-83-2022 DEPARTMENT COMMENTS – Zoning Division



MOORE INGRAM JOHNSON & STEELE

A LIMITED LIABILITY PARTNERSHIP
WWW.MIJS.COM

MARIETTA, GEORGIA
EMERSON OVERLOOK
326 ROSWELL STREET
SUITE 100
MARIETTA, GEORGIA 30060
TELEPHONE (770) 429-1499

KNOXVILLE, TENNESSEE
408 N. CEDAR BLUFF ROAD
SUITE 500
KNOXVILLE, TENNESSEE 37923
TELEPHONE (865) 692-9039

JACKSONVILLE, FLORIDA
10201 CENTURION PARKWAY N.
SUITE 401
JACKSONVILLE, FLORIDA 32256
TELEPHONE (904) 428-1465

BRENTWOOD, TENNESSEE
5300 MARYLAND WAY
SUITE 200
BRENTWOOD, TENNESSEE 37027
TELEPHONE (615) 425-7347

LEXINGTON, KENTUCKY
771 CORPORATE DRIVE
SUITE 430
LEXINGTON, KENTUCKY 40503
TELEPHONE (859) 309-0026

ORLANDO, FLORIDA
7380 WEST SAND LAKE ROAD
SUITE 500
ORLANDO, FLORIDA 32819
TELEPHONE (407) 367-6233

HARRISBURG, PENNSYLVANIA
3909 HARTZDALE DRIVE
SUITE 901
CAMP HILL, PENNSYLVANIA 17011
TELEPHONE (717) 790-2854

November 28, 2022

Min. Bk. 97 Petition No. Z-83
Doc. Type Letter from Kevin Moore
Meeting Date 12-20-2022

Via E-mail Only

Mr. John P. Pederson, AICP
Zoning Division Manager
Zoning Division
Cobb County Community Development Agency
Suite 400
1150 Powder Springs Road
Marietta, Georgia 30064

RE: Application for Rezoning - Application No.: Z-83 (2022)
Applicant: White Road LLC
Property Owners: White Road LLC; David Wine; and Debbie Wine
Property: 10.35 acres, more or less, located on the southeasterly side of Factory Shoals Road and the northeasterly side of White Road (a/k/a Bob White Road), Land Lots 682 and 683, 18th District, 2nd Section, Cobb County, Georgia

Dear John:

The undersigned and this firm represent White Road LLC, the Applicant and one of the Property Owners (hereinafter collectively referred to as "Applicant"), and the remaining Property Owners, David Wine and Debbie Wine (hereinafter collectively referred to as "Owners" or "Property Owners"), in their Application for Rezoning with regard to a total tract of 10.33 acres, more or less, located on the southeasterly side of Factory Shoals Road and the northeasterly side of White Road (a/k/a Bob White Road), Land Lots 682 and 683, 18th District, 2nd Section, Cobb County, Georgia (hereinafter referred to as the "Property" or the "Subject Property"). After meetings with Planning and Zoning Staff, reviewing the Departmental Comments and Staff Recommendations, and reviewing the uses of surrounding properties, we have been authorized by the Applicant to submit this letter of agreeable stipulations and conditions, which, if the Application for Rezoning is approved, as submitted, shall become a part of the grant of the requested zoning shall be binding upon the Subject Property. The proposed stipulations are as follows:

(1) Applicant seeks rezoning of the Subject Property from the existing zoning categories of R-20 and Light Industrial to the proposed zoning category of Light Industrial ("LI"), with reference to the Conceptual Site Plan ("Site Plan") prepared for Applicant by Paulson Mitchell Incorporated, dated and last revised September 19, 2022, and filed with the Application for Rezoning on October 6, 2022. A reduced copy of the Site Plan is attached as Exhibit "A" and incorporated herein by reference.

(2) The dumpsters servicing the proposed facility shall be enclosed, with materials and colors for the enclosure being matching and complementary to the façade of the proposed facility. All dumpsters shall contain rubber lids to minimize noise.

(3) All landscaping for the proposed development shall be professionally designed, implemented, and maintained.

(4) Minor modifications to the within stipulations, the referenced Site Plan, lighting, landscaping, architecture, site features, signage, and the like, may be approved by the District Commissioner, as needed or necessary, except for those that:

(a) Increase the density of a residential project or the overall square footage of a non-residential project;

(b) Reduce the size of an approved buffer adjacent to a property that is zoned the same or in a more restrictive zoning district;

(c) Relocate a structure closer to the property line of an adjacent property that is zoned the same or in a more restrictive zoning district;

(d) Increase the height of a building that is adjacent to a property that is zoned the same or in a more restrictive zoning district;

(e) Change an access location to a different roadway;

(f) Would be in direct contradiction or conflict with any of the stipulations of this rezoning;

(g) Would be in direct contradiction or conflict with Cobb County Code and Ordinances; or

(h) Would be in direct contradiction or conflict with any Staff Recommendations that were adopted into the final zoning decision.

Petition No. Z-83
Meeting Date 12-20-2022
Continued

(5) Applicant agrees to comply with all Cobb County Stormwater Management requirements applicable to the Subject Property.

(6) Applicant agrees to comply with all Cobb County Water and Sewer requirements applicable to the Subject Property.

(7) Applicant agrees to comply with all Cobb County Department of Transportation requirements applicable to the Subject Property.

(8) All setbacks, landscape, and buffer areas may be penetrated for purposes of access, utilities, and stormwater management; including, but not limited to, detention/retention facilities, drainage facilities, surface parking, and any and all slopes or other required engineering features of the foregoing.

(9) Applicant agrees to comply with all Cobb County Development Standards and Ordinances relating to project improvements, including stormwater management, detention, and hydrology; except as approved by the Board of Commissioners, Department of Transportation, or Community Development Agency, as their authority may allow.

We believe the requested rezoning, pursuant to the Site Plan and the stipulations set forth herein, is an appropriate use of the Property. The Subject Property is located within a priority industrial area on Cobb County's Future Land Use Map. We very much appreciate your consideration; as well as that of the Cobb County Planning Commission and Cobb County Board of Commissioners, in this request.

With kindest regards, I remain

Very truly yours,

MOORE, INGRAM, JOHNSON & STEELE, LLP

J. Kevin Moore

JKM:cc
Attachment

Petition No. Z-83
Meeting Date 12-20-2022
Continued

c: Cobb County Board of Commissioners:
Lisa N. Cupid, Chairwoman
JoAnn Birrell
Keli A. Gambrill
Jerica Richardson
Monique Sheffield
(With Copy of Attachment)

Cobb County Planning Commission
Stephen Vault, Chairman
David Anderson
Fred Beloin
Deborah Dance
Michael Hughes
(With Copy of Attachment)

Jeannie Peyton
Senior Planner
Zoning Division
Cobb County Community Development Agency
(With Copy of Attachment)

White Road LLC
(With Copy of Attachment)

Petition No. Z-83
Meeting Date 12-20-2022
Continued

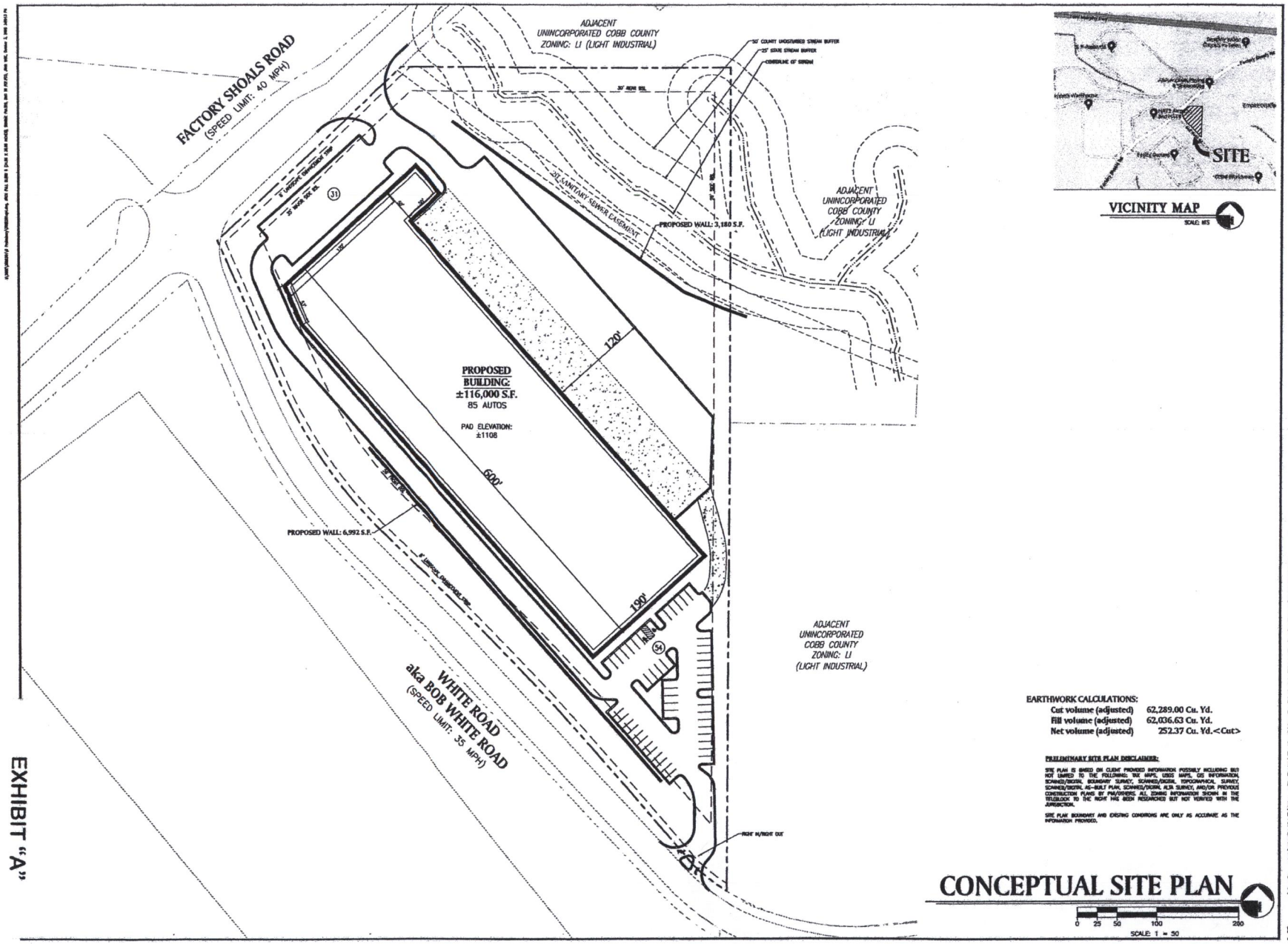


EXHIBIT "A"

VICINITY MAP
SCALE: NTS

EARTHWORK CALCULATIONS:

Cut volume (adjusted)	62,289.00 Cu. Yd.
Fill volume (adjusted)	62,036.63 Cu. Yd.
Net volume (adjusted)	252.37 Cu. Yd.<Cut>

PRELIMINARY SITE PLAN DISCLAIMER:

SITE PLAN IS BASED ON CLIENT PROVIDED INFORMATION POSSIBLY INCLUDING BUT NOT LIMITED TO THE FOLLOWING: TAX MAPS, USGS MAPS, GIS INFORMATION, SCANNED/DIGITAL BOUNDARY SURVEY, SCANNED/DIGITAL TOPOGRAPHICAL SURVEY, SCANNED/DIGITAL AS-BUILT PLAN, SCANNED/DIGITAL ALTA SURVEY, AND/OR PREVIOUS CONSTRUCTION PLANS BY PM/OTHERS. ALL ZONING INFORMATION SHOWN IN THE TITLEBLOCK TO THE RIGHT HAS BEEN RESEARCHED BUT NOT VERIFIED WITH THE JURISDICTION.

SITE PLAN BOUNDARY AND EXISTING CONDITIONS ARE ONLY AS ACCURATE AS THE INFORMATION PROVIDED.

CONCEPTUAL SITE PLAN

0 25 50 100 200
SCALE: 1 = 50

LAND PLANNING
SURVEYING + SUBDIVISION
TRANSPORTATION
LANDSCAPE ARCHITECTURE

854 Mill Street
Suite 200
Roswell, Georgia 30075
Voice 770.993.7988
Fax 770.993.7994
www.paulsonmitchell.com

PAULSON MITCHELL
INCORPORATED

PROJECT:

WHITE ROAD INDUSTRIAL

WHITE ROAD
(aka BOB WHITE ROAD)
& FACTORY SHOALS ROAD
UNINCORPORATED COBB COUNTY
GEORGIA

FOR:

EUPHORIC

5555 GLENRIDGE CONNECTOR,
#1100 ATLANTA, GEORGIA 30342

ZONING INFORMATION

ZONING CLASSIFICATION	
JURISDICTION:	UNINCORPORATED COBB COUNTY
EX. ZONING:	R-20 (SINGLE FAMILY RESIDENTIAL)
OVERLAY DISTRICT:	--
PR. ZONING:	LI (LIGHT INDUSTRIAL)
BUILDING SETBACKS	
FRONT:	50'
MAJOR SIDE:	25' OR 35'
MINOR SIDE:	20'
REAR:	30'
BUFFERS	
LANDSCAPE STRIP:	8'
ZONING BUFFER:	50' ADJ. TO RES.
STATE STREAM BUFFER:	25'
COUNTY STREAM BUFFER:	50' UNDISTURBED
CITY STREAM BUFFER:	75'
PARKING SUMMARY	
WAREHOUSE RES.:	1 PER 2,000 S.F. (NET)
STALL:	9' x 18'
LANDSCAPE ISLAND SPACING:	1 TREE PER 1,140 SF
LANDSCAPE &BUFF.	
MAXIMUM IMPERVIOUS ALLOWED:	--%
MAXIMUM BUILDING COVERAGE:	--%
ENVIRONMENTAL	
FLOOD PLAIN PRESENT (FWM):	13067C 0214H
STREAMS PRESENT (WM):	WM & COBB GIS
WETLANDS PRESENT (WM):	WM & COBB GIS
TOPOGRAPHY DATA:	COBB GIS

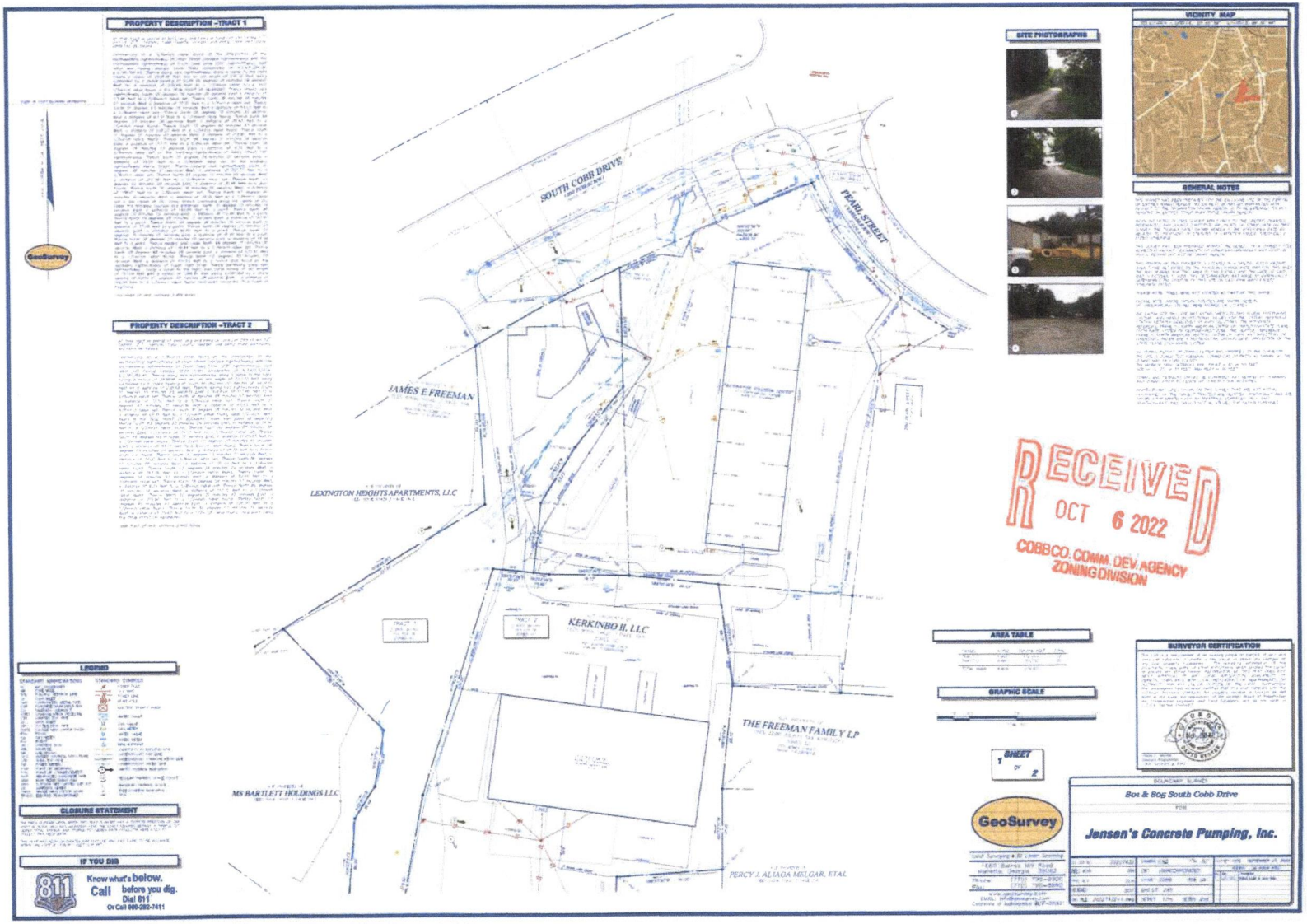
2022301cp4.dwg 09.19.2022

CONCEPTUAL SITE PLAN

SHEET CP-4

Min. Bk. 97 Petition No. Z-84
Doc. Type Site Plan

Meeting Date 12-20-2022



Z-84-2022 DEPARTMENT COMMENTS – Zoning Division

MOORE INGRAM JOHNSON & STEELE

A LIMITED LIABILITY PARTNERSHIP
WWW.MIJS.COM

MARIETTA, GEORGIA
EMERSON OVERLOOK
326 ROSWELL STREET
SUITE 100
MARIETTA, GEORGIA 30060
TELEPHONE (770) 429-1499

KNOXVILLE, TENNESSEE
408 N. CEDAR BLUFF ROAD
SUITE 500
KNOXVILLE, TENNESSEE 37923
TELEPHONE (865) 692-9039

JACKSONVILLE, FLORIDA
10201 CENTURION PARKWAY N.
SUITE 401
JACKSONVILLE, FLORIDA 32256
TELEPHONE (904) 428-1465

BRENTWOOD, TENNESSEE
5300 MARYLAND WAY
SUITE 200
BRENTWOOD, TENNESSEE 37027
TELEPHONE (615) 425-7347

LEXINGTON, KENTUCKY
771 CORPORATE DRIVE
SUITE 430
LEXINGTON, KENTUCKY 40503
TELEPHONE (859) 309-0026

ORLANDO, FLORIDA
7380 WEST SAND LAKE ROAD
SUITE 500
ORLANDO, FLORIDA 32819
TELEPHONE (407) 367-6233

HARRISBURG, PENNSYLVANIA
3909 HARTZDALE DRIVE
SUITE 901
CAMP HILL, PENNSYLVANIA 17011
TELEPHONE (717) 790-2854

Min. Bk. 97 Petition No. Z-86
Doc. Type letter from Kevin Moore
Meeting Date 12-20-2022

November 28, 2022

Via E-mail Only

Mr. John P. Pederson, AICP
Zoning Division Manager
Zoning Division
Cobb County Community Development Agency
Suite 400
1150 Powder Springs Road
Marietta, Georgia

RE: Application for Rezoning - Application No. Z-86 (2022)
Application for Special Land Use Permit - Application No. SLUP-17 (2022)
Applicant: Cumberland Used Auto Parts LLC
Property: 6.99 acres, more or less, located on the northerly side of Gresham Road, east of Fairview Street, being more particularly known as 1471 Gresham Road and one unnumbered parcel off Gresham Road, Land Lots 1096 and 1137, 16th District, 2nd Section, Cobb County, Georgia

Dear John:

The undersigned and this firm represent the Cumberland Used Auto Parts LLC, as the Applicant (hereinafter referred to as "Applicant"); as well as, the Property Owners enumerated in the pending Applications for Rezoning and Special Land Use Permit, with regard to a total tract of 6.99 acres, more or less, located on the northerly side of Gresham Road, east of Fairview Street, being more particularly known as 1471 Gresham Road and one unnumbered parcel off Gresham Road, Land Lots 1096 and 1137, 16th District, 2nd Section, Cobb County, Georgia (hereinafter referred to as the "Property" or the "Subject Property"). After meetings with Planning and Zoning Staff, reviewing the Departmental Comments and Staff Recommendations, and reviewing the uses of surrounding properties, we have been authorized by the Applicant to submit this letter of agreeable stipulations and conditions, which, if the Applications for Rezoning and Special Land Use Permit are approved, as submitted, shall become a part of the

grant of the requested rezoning and approval of the Special Land Use Permit and shall be binding upon the Subject Property. The proposed stipulations are as follows:

(1) The stipulations and conditions set forth herein shall replace and supersede in full any and all prior stipulations and conditions, in whatsoever form, which are currently in place on the Subject Property; together with any and all Departmental Comments and Staff Recommendations relating to the Subject Property from any prior zoning actions.

(2) Applicant seeks rezoning of approximately 1.17 acres of the Subject Property from the existing zoning classifications of R-15 and Heavy Industrial to the to the proposed zoning classification of Heavy Industrial ("HI"); as well as the contemporaneous approval of a Special Land Use Permit for the overall Property, being 6.99 acres, more or less, with reference to the As-Built Survey prepared for Applicant, dated November 18, 2002, and submitted with the Applications for Rezoning and Special Land Use Permit on October 6, 2022. A reduced copy of the As-Built Survey is attached as Exhibit "A."

(3) Applicant seeks rezoning of a portion of the Subject Property and approval of a Special Land Use Permit for the overall Property to allow for the continued operation of its auto salvage and storage business, including used auto parts sales and used auto sales, which has been operating on the Property at the exact location for approximately thirty (30) years.

(4) Minor modifications to the within stipulations may be approved by the District Commissioner, as needed or necessary, except for those that:

(a) Increase the density of a residential project or the overall square footage of a non-residential project;

(b) Reduce the size of an approved buffer adjacent to a property that is zoned the same or in a more restrictive zoning district;

(c) Relocate a structure closer to the property line of an adjacent property that is zoned the same or in a more restrictive zoning district;

(d) Increase the height of a building that is adjacent to a property that is zoned the same or in a more restrictive zoning district;

(e) Change an access location to a different roadway;

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(g) Would be in direct contradiction or conflict with Cobb County Code and Ordinances; or

(h) Would be in direct contradiction or conflict with any Staff Recommendations that were adopted into the final zoning decision.

(5) Applicant agrees to comply with all Cobb County Stormwater Management requirements applicable to the Subject Property.

(6) Applicant agrees to comply with all Cobb County Water and Sewer requirements applicable to the Subject Property.

(7) Applicant agrees to comply with the Comments and Recommendations made by the Cobb County Department of Transportation.

We believe the requested rezoning and Special Land Use Permit, pursuant to the referenced Survey and the stipulations set forth herein, is an appropriate use of the Subject Property. The approvals, as sought in the Applications, will allow for the continuation of Applicant's business, which has contributed to the Cobb County community for over thirty years. We very much appreciate your consideration; as well as, that of the Cobb County Planning Commission and Cobb County Board of Commissioners.

With kindest regards, I remain

Very truly yours,

MOORE, INGRAM, JOHNSON & STEELE, LLP

J. Kevin Moore

JKM:cc
Attachment

Petition No. Z-86
Meeting Date 12-20-2022
Continued

c: Cobb County Board of Commissioners:
Lisa N. Cupid, Chairwoman
JoAnn Birrell
Keli A. Gambrill
Jerica Richardson
Monique Sheffield
(With Copy of Attachment)

Cobb County Planning Commission:
Stephen Vault, Chairman
David Anderson
Fred Beloin
Deborah Dance
Michael Hughes
(With Copy of Attachment)

Jeannie Peyton
Senior Planner
Zoning Division
Cobb County Community Development Agency
(With Copy of Attachment)

Cumberland Used Auto Parts LLC
(With Copy of Attachment)

Petition No. Z-86
Meeting Date 12-20-2022
Continued

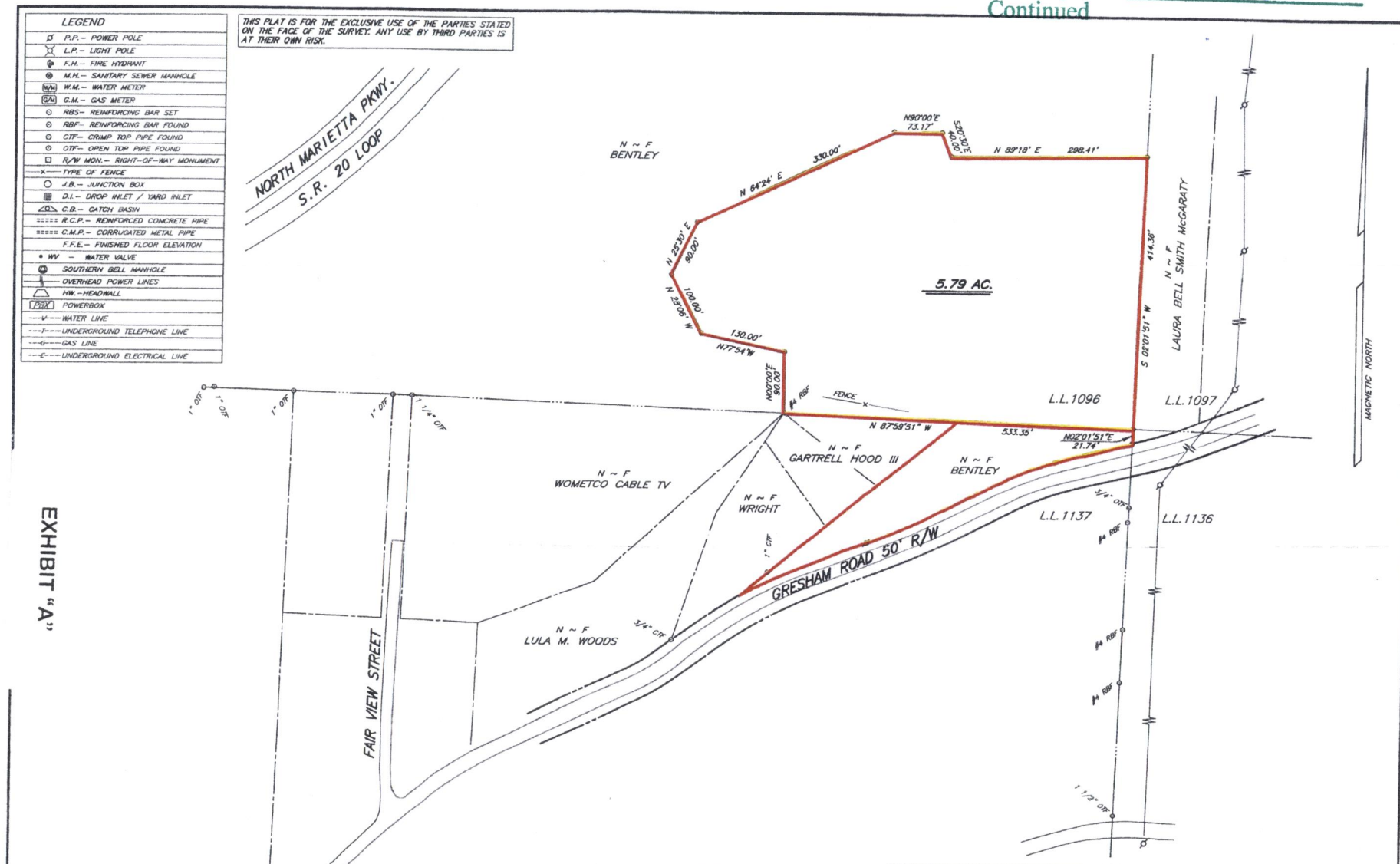


EXHIBIT "A"

THIS PLAT IS PREPAIRED FROM A FIELD SURVEY USING A FIVE SECOND DIGITAL THEODOLITE AND ELECTRONIC DISTANCE METER ; LINEAR PRECISION OF TRAVERSE : 1/ 10,000+ ; ANGULAR ERROR: 3" PER POINT. THE TRAVERSE WAS ADJUSTED USING THE COMPASS RULE. LINEAR PRECISION OF THIS PLAT : 1/ 483,801 . MATTERS OF TITLE ARE EXCEPTED.

#4 REBARS FOUND OR SET AT ALL CORNERS UNLESS OTHERWISE NOTED

THIS PARCEL OF LAND IS NOT IN THE 100 YEAR FLOOD PLAIN AND IS IN ZONE X ; ACCORDING TO F.E.M.A. (F.I.A.) COMMUNITY NUMBER # 130052 , MAP NUMBER # 13067 C 0055 F DATED AUGUST 18, 1992 .

THIS PROPERTY MAY BE SUBJECT TO EASEMENTS, CLAIMS, PRESCRIPTIONS, SUBSURFACE CONDITIONS, OR OTHER MATTERS OF TITLE WHICH ARE NOT VISIBLE, NOT RECORDED, OR NOT DISCLOSED IN THE TITLE ABSTRACT PROVIDED BY THE OWNER, THE PURCHASER, OR ANY AGENTS THEREOF.

100 0 100 200
SCALE IN FEET

DATE : 11-18-02	REVISIONS
SCALE : 1"=100'	
DRAWN BY : MW	
CHECKED BY :	
296\WRECKER	

GASKINS SURVEYING & ENGINEERING COMPANY
1266 POWDER SPRINGS ROAD
MARIETTA , GEORGIA 30064
PHONE: 770-424-7168
FAX. 770-424-7593
www.gscsurvey.com

SURVEY FOR :

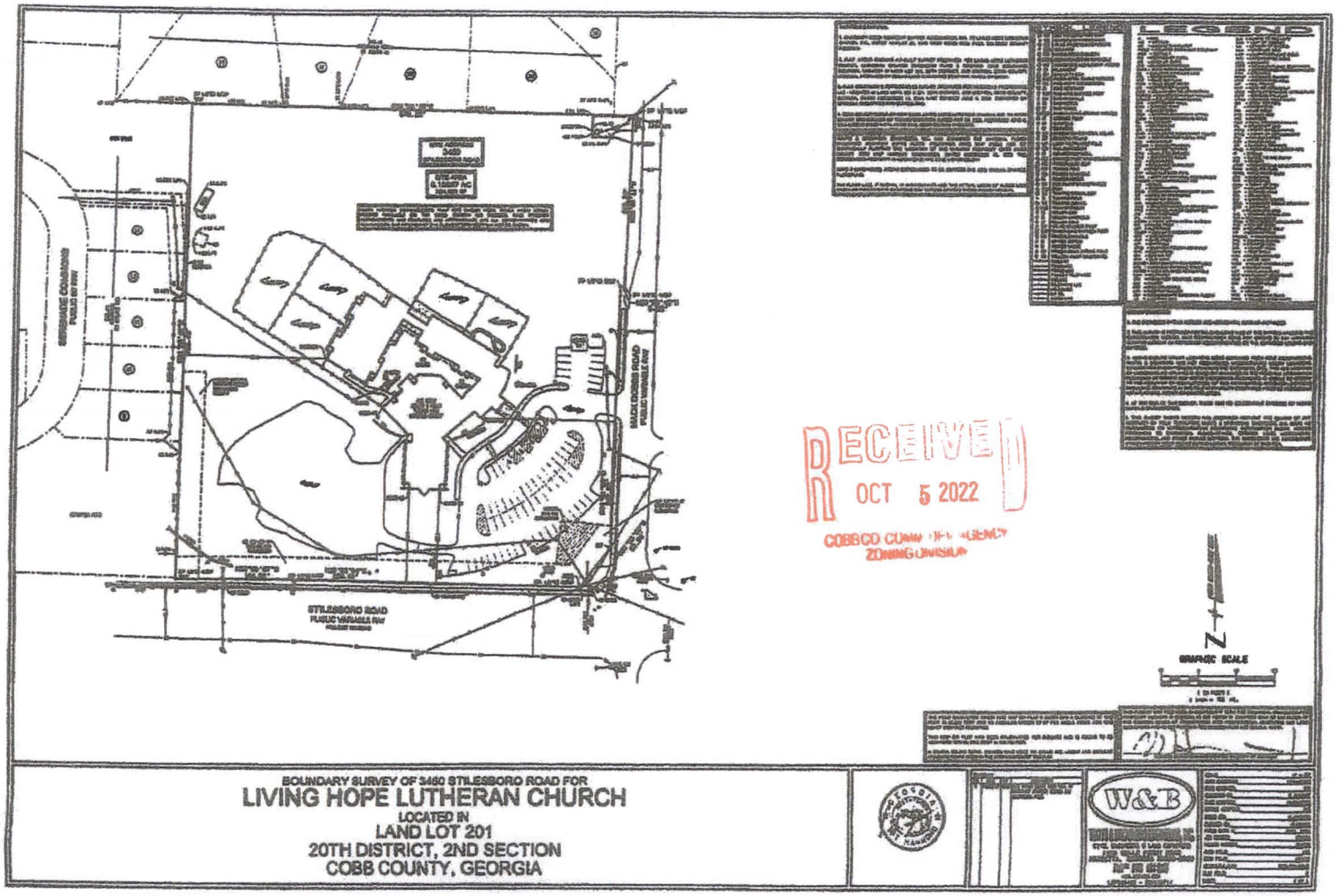
JAMES W. BENTLEY,
REBECCA SUMMEROUR,
& GEORGE E. BENTLEY

LOCATED IN L.L. 1096
16th DISTRICT, 2nd SECTION
COBB COUNTY, GA.

Min. Bk. 97 Petition No. LUP-25
Doc. Type Site Plan

Meeting Date 12-20-2022

LUP-25-2022 DEPARTMENT COMMENTS – Zoning Division



MOORE INGRAM JOHNSON & STEELE

A LIMITED LIABILITY PARTNERSHIP
WWW.MIJS.COM

MARIETTA, GEORGIA
EMERSON OVERLOOK
326 ROSWELL STREET
SUITE 100
MARIETTA, GEORGIA 30060
TELEPHONE (770) 429-1499

KNOXVILLE, TENNESSEE
408 N. CEDAR BLUFF ROAD
SUITE 500
KNOXVILLE, TENNESSEE 37923
TELEPHONE (865) 692-9039

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10201 CENTURION PARKWAY N.
SUITE 401
JACKSONVILLE, FLORIDA 32256
TELEPHONE (904) 428-1465

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3909 HARTZDALE DRIVE
SUITE 901
CAMP HILL, PENNSYLVANIA 17011
TELEPHONE (717) 790-2854

Min. Bk. 97 Petition No. SLUP-17
Doc. Type letter from Kevin Moore
Meeting Date 12-20-2022

November 28, 2022

Via E-mail Only

Mr. John P. Pederson, AICP
Zoning Division Manager
Zoning Division
Cobb County Community Development Agency
Suite 400
1150 Powder Springs Road
Marietta, Georgia

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Petition No. SLUP-17
Meeting Date 12-20-2022
Continued

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J. Kevin Moore

JKM:cc
Attachment

Petition No. SLUP-17
Meeting Date 12-20-2022
Continued

c: Cobb County Board of Commissioners:
Lisa N. Cupid, Chairwoman
JoAnn Birrell
Keli A. Gambrill
Jerica Richardson
Monique Sheffield
(With Copy of Attachment)

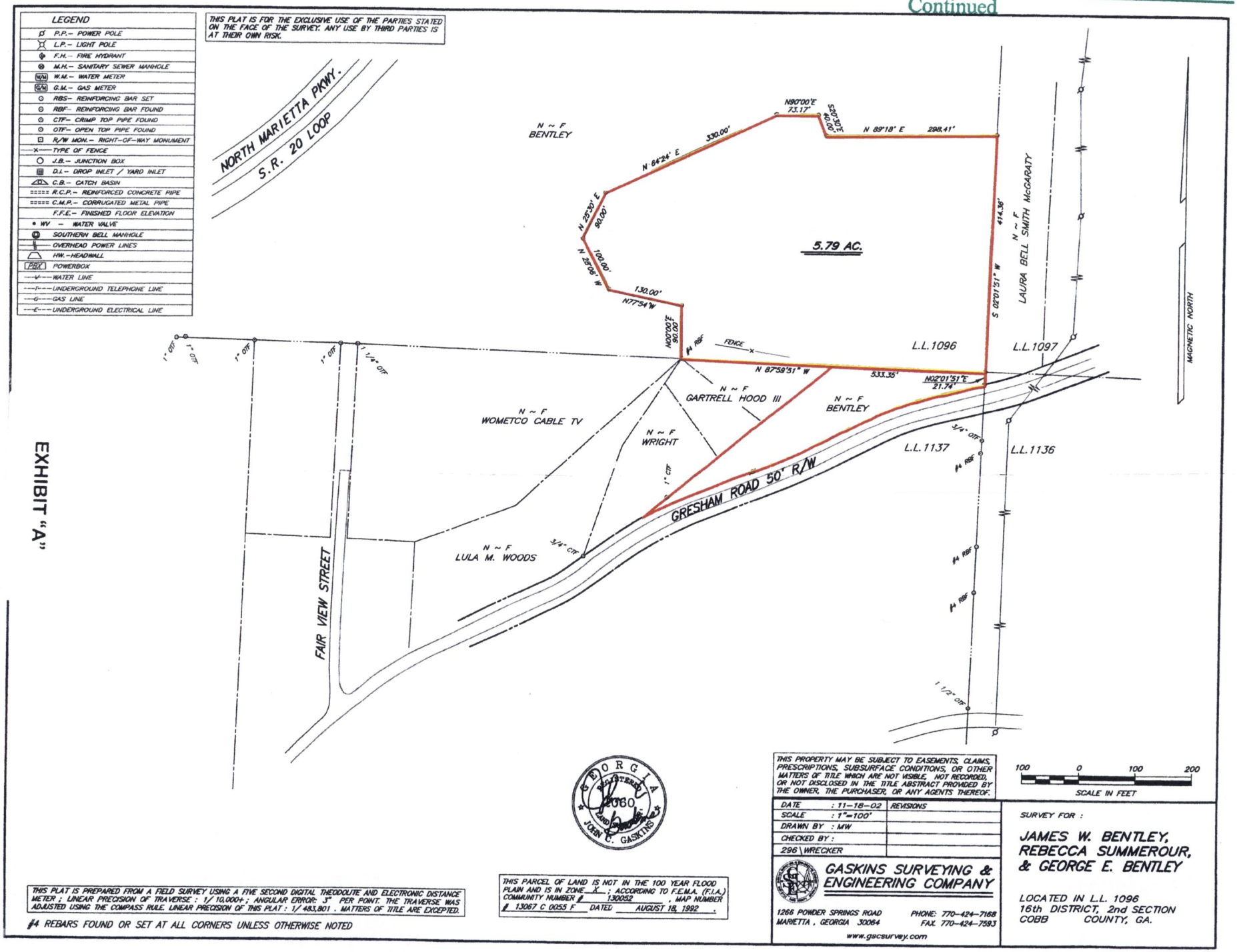
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(With Copy of Attachment)

Jeannie Peyton
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Zoning Division
Cobb County Community Development Agency
(With Copy of Attachment)

Cumberland Used Auto Parts LLC
(With Copy of Attachment)

Petition No. SLUP-17
Meeting Date 12-20-2022
Continued

EXHIBIT "A"



GEORGIA REGISTERED 2060 LAND SURVEYOR JOHN C. GASKINS

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100 0 100 200
SCALE IN FEET

DATE : 11–18–02	REVISIONS
SCALE : 1"=100'	
DRAWN BY : MW	
CHECKED BY :	
296\WRECKER	

SURVEY FOR :

JAMES W. BENTLEY, REBECCA SUMMEROUR, & GEORGE E. BENTLEY

LOCATED IN L.L. 1096
16th DISTRICT, 2nd SECTION
COBB COUNTY, GA.

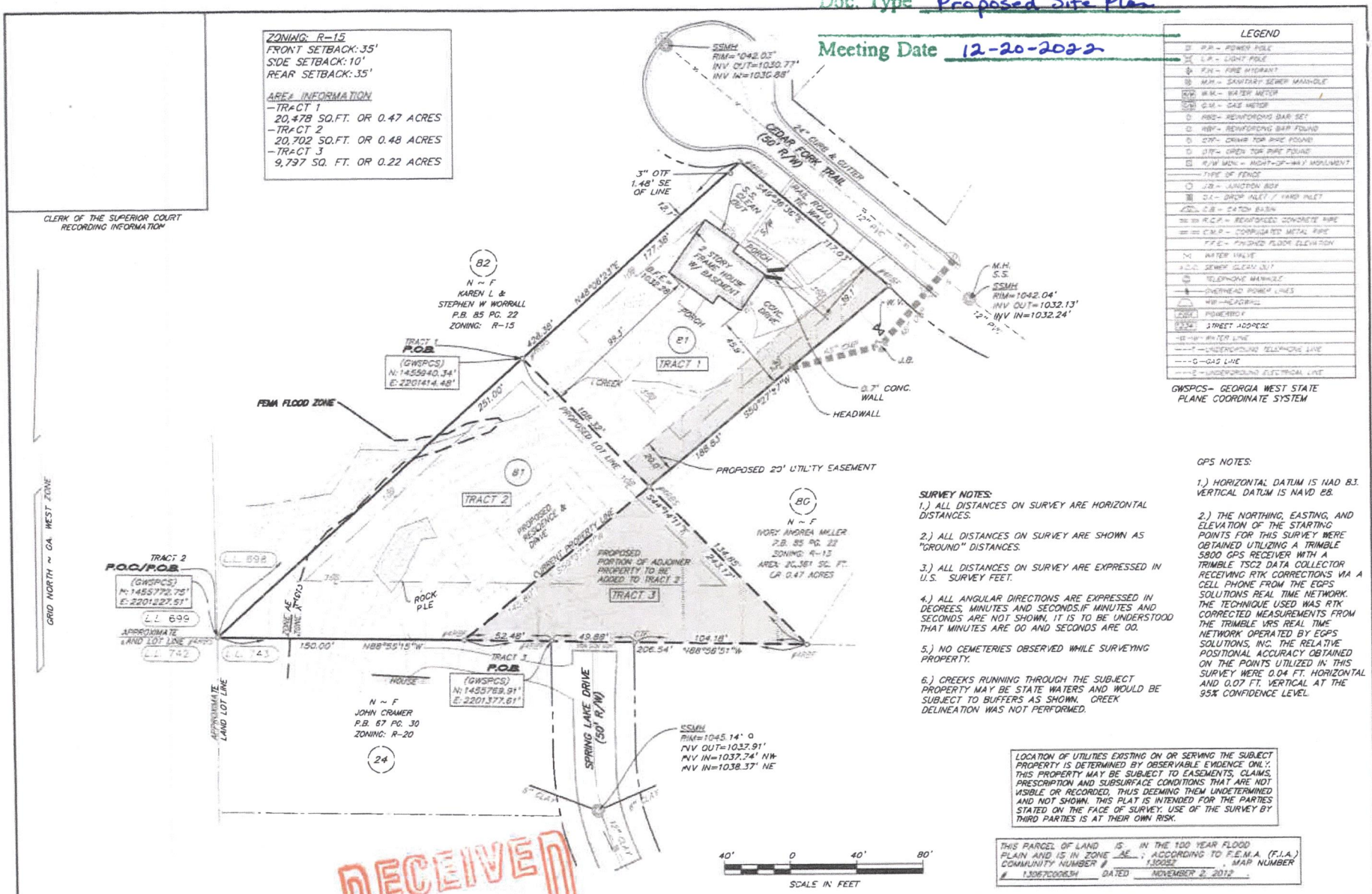
GASKINS SURVEYING & ENGINEERING COMPANY
1268 POWDER SPRINGS ROAD
MARIETTA, GEORGIA 30064
PHONE: 770–424–7168
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Min. Bk. 97 Petition No. O.B.64
Doc. Type Proposed Site Plan
Meeting Date 12-20-2022



OB-64-2022 Proposed Site Plan

Min. Bk. 97 Petition No. O.B.64
Doc. Type Cobb DOT, Site Plan Review, & Fire Dept. Comments and recommendations
Meeting Date 12-20-2022

DECEMBER 20, 2022 ZONING HEARING
"OTHER BUSINESS"
COMMISSION DISTRICT 3

ITEM OB-64-2022

To consider a reduction of required minimum public road frontage for Michael Chase from 75-feet to 49-feet for combined tracts 2 and 3. The property located at the northern terminus of Spring Lake Drive, southwest of Cedar Forks Trail (Spring Lake Drive or 2454 Cedar Forks Trail).

BACKGROUND

The Board of Commissioners considers all reductions to minimum public road frontage pursuant to Zoning Code Sec. 134-271(7)(a) adopted on February 27, 2018. The subject property is zoned R-15 and is required to have 75-feet of public road frontage per lot. The applicant is requesting the public road frontage be reduced from 75-feet to 49-feet for combined tracts 1 and 2. The combined lot would be 30,499 square-feet. All other zoning criteria will be met. The applicant plans on building a new home on the new lot.

STAFF COMMENTS

Cobb DOT: See attached.
Stormwater Management: Stormwater Management has no objection to this other business item as requested. All current stormwater management codes and regulations will be required at the time land disturbance permitting.
Water & Sewer Comments: No additional comments.
Site Plan Review: If this request is approved, a subdivision plat revision must be recorded prior to the issuance of a building permit showing the approved lot configuration and referencing the OB case in the standard plat revision note. The surveyor must submit the plat to the Site Plan Review Section, Community Development Agency for review and approval prior to recording. Call 770-528-2147.
Fire Department: See attached.

RECOMMENDATION

The Board of Commissioners conduct a Public Hearing and consider the proposed reduction of minimum public road frontage.

ATTACHMENT

Other Business application.

Petition No. O.B. 64
Meeting Date 12-20-2022
Continued

APPLICANT: Michael Chase **PETITION NO.:** OB-64

PRESENT ZONING: **PETITION FOR:**

* * * *

Petition No. O.B.64
Meeting Date 12-20-2022
Continued

Cobb DOT:
Observations and comments

The public road (Spring Lake Drive) does not have a proper turn-around for fire apparatus. Where a dead-end road exceeds 150 ft an approved turn-around must be provided.

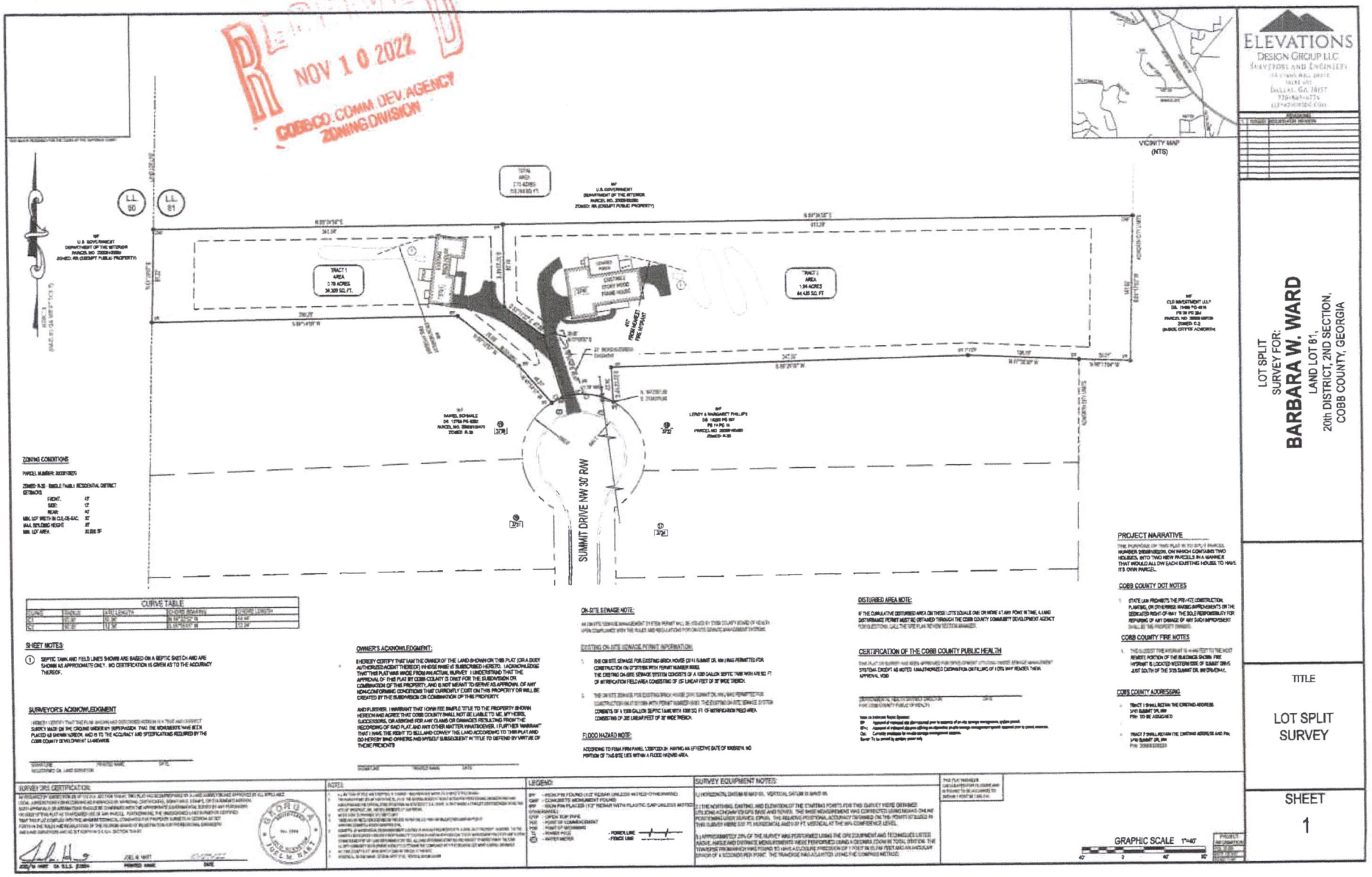
Recommendations

1. Recommend applicant provide vehicle turn-around outside of public right-of-way that meets Cobb County Fire requirements. The vehicle turn-around maintenance will be the responsibility of the associated property owner.
2. Recommend applicant be required to meet all Cobb County Development Standards and Ordinances related to project improvements.

Min. Bk. 97 Petition No. O.B.67
Doc. Type Site Plan

Meeting Date 12-20-2022

RECEIVED
NOV 10 2022
COBB CO. COMM. DEV. AGENCY
ZONING DIVISION



ELEVATIONS
DESIGN GROUP LLC
SURVEYORS AND ENGINEERS
1128 KNOX MILL DRIVE
SUITE 101
DULUTH, GA. 30097
770-840-6776
ELEVATIONSDG.COM

LOT SPLIT
SURVEY FOR:
BARBARA W. WARD
LAND LOT 81,
20th DISTRICT, 2ND SECTION,
COBB COUNTY, GEORGIA

ZONING CONDITIONS

PARCEL NUMBER: 20009R070

ZONED R-30: SINGLE FAMILY RESIDENTIAL DISTRICT

SETBACKS

FRONT:	40'
SIDE:	10'
REAR:	40'
MIN. LOT WIDTH IN CLUSTER:	80'
MAX. BUILDING HEIGHT	35'
MIN. LOT AREA:	30,000 SF

CURVE TABLE

CURVE	RADIUS	ARC LENGTH	CHORD BEARING	CHORD LENGTH
C1	150.00'	56.76'	S 79°42'00" W	56.42'
C2	150.00'	113.58'	S 55°59'00" W	110.84'

SHEET NOTES:

1. SEPTIC TANK AND FIELD LINES SHOWN ARE BASED ON A SEPTIC SKETCH AND ARE SHOWN AS APPROXIMATE ONLY. NO CERTIFICATION IS GIVEN AS TO THE ACCURACY THEREOF.

SURVEYOR'S ACKNOWLEDGMENT

_____ _____ _____
SIGNATURE PRINTED NAME DATE
REGISTERED GA. LAND SURVEYOR

OWNER'S ACKNOWLEDGMENT:

I HEREBY CERTIFY THAT I AM THE OWNER OF THE LAND SHOWN ON THIS PLAT (OR A DULY AUTHORIZED AGENT THEREOF), IN-HOUSE NAME IS SUBSCRIBED HERETO. I ACKNOWLEDGE THAT THIS PLAT WAS MADE FROM AN ACTUAL SURVEY. I UNDERSTAND THAT THE APPROVAL OF THIS PLAT BY COBB COUNTY IS ONLY FOR THE SUBDIVISION OR COMBINATION OF THIS PROPERTY, AND IS NOT MEANT TO SERVE AS APPROVAL OF ANY NONCONFORMING CONDITIONS THAT CURRENTLY EXIST ON THIS PROPERTY OR WILL BE CREATED BY THE SUBDIVISION OR COMBINATION OF THIS PROPERTY.

AND FURTHER, I WARRANT THAT I OWN FEE SIMPLE TITLE TO THE PROPERTY SHOWN HEREON AND AGREE THAT COBB COUNTY SHALL NOT BE LIABLE TO ME, MY HEIRS, SUCCESSORS, OR ASSIGNS FOR ANY CLAIMS OR DAMAGES RESULTING FROM THE RECORDING OF SAID PLAT, AND ANY OTHER MATTER WHATSOEVER. I FURTHER WARRANT THAT I HAVE THE RIGHT TO SELL AND CONVEY THE LAND ACCORDING TO THIS PLAT AND DO HEREBY BIND OWNERS, AND MYSELF SUBSEQUENT IN TITLE TO DEFEND BY VIRTUE OF THESE PRESENTS

_____ _____ _____
SIGNATURE PRINTED NAME DATE

ON-SITE SEWAGE NOTE:

AN ON-SITE SEWAGE MANAGEMENT SYSTEM PERMIT WILL BE ISSUED BY COBB COUNTY BOARD OF HEALTH WHEN COMPLIANCE WITH THE RULES AND REGULATIONS FOR ON-SITE SEWAGE MANAGEMENT SYSTEMS

EXISTING ON-SITE SEWAGE PERMIT INFORMATION:

1. ONE ON-SITE SEWAGE FOR EXISTING BRICK HOME (2816 SUMMIT DR. NW.) WAS PERMITTED FOR CONSTRUCTION ON 07'2015 WITH PERMIT NUMBER 49983.
   THE EXISTING ON-SITE SEWAGE SYSTEM CONSISTS OF A 1000 GALLON SEPTIC TANK WITH 470 SQ. FT OF INTERJECTION FIELD AREA CONSISTING OF 15' LINEAR FEET OF 36" WIDE TRENCH.
2. THE ON-SITE SEWAGE FOR EXISTING BRICK HOME (2841 SUMMIT DR. NW.) WAS PERMITTED FOR CONSTRUCTION ON 07'2015 WITH PERMIT NUMBER 49981. THE EXISTING ON-SITE SEWAGE SYSTEM CONSISTS OF A 1000 GALLON SEPTIC TANK WITH 1200 SQ. FT. OF INTERJECTION FIELD AREA CONSISTING OF 200 LINEAR FEET OF 36" WIDE TRENCH.

FLOOD HAZARD NOTE:

ACCORDING TO FEMA FIRM PANEL 13067C0012H, HAVING AN EFFECTIVE DATE OF 8/08/2018, NO PORTION OF THIS SITE LIES WITHIN A FLOOD HAZARD AREA.

DISTURBED AREA NOTE:

IF THE CUMULATIVE DISTURBED AREA ON THESE LOTS EQUALS ONE OR MORE AT ANY POINT IN TIME, A LAND DISTURBANCE PERMIT MUST BE OBTAINED THROUGH THE COBB COUNTY COMMUNITY DEVELOPMENT AGENCY FOR ADDITIONS. CALL THE SITE PLAN REVIEW SECTION MANAGER.

CERTIFICATION OF THE COBB COUNTY PUBLIC HEALTH

THIS PLAT OR SURVEY HAS BEEN APPROVED FOR SEPTIC/ONSITE SEWAGE MANAGEMENT SYSTEM CREDIT AS NOTED. UNAUTHORIZED ALTERATION OR FILING OF THIS PLAT RENDERS THIS APPROVAL VOID.

_____ _____
ENVIRONMENTAL HEALTH DISTRICT DIRECTOR DATE
FOR COBB COUNTY PUBLIC HEALTH

Note: (if indicated, Septic System)
SP - Approval of individual site plan required prior to issuance of on-site sewage management system permit.
SPA - Approval of individual site plan utilizing an alternative on-site sewage management system required, prior to permit issuance.
Soil - Currently unsuitable for on-site sewage management systems.
Sewer - To be served by sanitary sewer only.

PROJECT NARRATIVE

THE PURPOSE OF THIS PLAT IS TO SPLIT PARCEL NUMBER 20009R0050, ON WHICH CONTAINS TWO HOUSES, INTO TWO NEW PARCELS IN A MANNER THAT WOULD ALLOW EACH EXISTING HOUSE TO HAVE IT'S OWN PARCEL.

COBB COUNTY DOT NOTES

1. STATE LAW PROHIBITS THE PERMITTING OF CONSTRUCTION, PLANTING, OR OTHERWISE PLACING IMPROVEMENTS ON THE DEDICATED RIGHT-OF-WAY. THE SOLE RESPONSIBILITY FOR REPAIRING OF ANY DAMAGE OF ANY SUCH IMPROVEMENT SHALL BE THE PROPERTY OWNER.

COBB COUNTY FIRE NOTES

1. THE CLOSEST TYPE HYDRANT IS +/-440 FEET TO THE MOST REMOTE PORTION OF THE BUILDINGS SHOWN. FIRE HYDRANT IS LOCATED WESTERN SIDE OF SUMMIT DRIVE, JUST SOUTH OF THE 3125 SUMMIT DR. NW ENTRANCE.

COBB COUNTY ADDRESSING

- TRACT 1 SHALL RETAIN THE EXISTING ADDRESS 2841 SUMMIT DR. NW
  PIN: TO BE ASSIGNED
- TRACT 2 SHALL RETAIN THE EXISTING ADDRESS AND PIN: 2816 SUMMIT DR. NW
  PIN: 20009R0050

SURVEY 2RS CERTIFICATION:

AS REQUIRED BY SUBSECTION (d) OF O.C.G.A. SECTION 15-6-67, THIS PLAT HAS BEEN PREPARED BY A LAND SURVEYOR AND APPROVED BY ALL APPLICABLE LOCAL JURISDICTIONS HAVING JURISDICTION OVER THE PREPARATION OF APPROVAL OF MAPS OR PLATS OF SURVEYS OR CONVEYANCES. SUCH APPROVAL OR CERTIFICATION SHOULD BE EXPRESSED WITHIN THE APPROPRIATE GOVERNMENTAL SURVEY BY ANY PURCHASER OR USER OF THIS PLAT AS TO WHATEVER USE OR ANY PARCEL. FURTHERMORE, THE UNDERSIGNED LAND SURVEYOR CERTIFIES THAT THIS PLAT COMPLIES WITH THE MINIMUM TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN THE RULES AND REGULATIONS OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN O.C.G.A. SECTION 15-6-67.

_____ _____ _____
JOEL H. WEST, GA. R.L.S. #3064 PRINTED NAME DATE

GEORGIA REGISTERED LAND SURVEYOR JOEL H. WEST

NOTES:

1. ALL TRACTS OF SUBJECT PROPERTY ARE CONTIGUOUS TO ONE ANOTHER.
2. THIS PROPERTY IS NOT SUBJECT TO ANY EASEMENTS OF RECORD.
3. ALL ANGLE POINTS AND PROPERTY CORNERS ARE MARKED WITH A 1/2" REBAR WITH PLASTIC CAP UNLESS NOTED OTHERWISE.
4. ALL BEARINGS, DISTANCES AND AREAS SHOWN HEREON ARE BASED ON FIELD MEASUREMENTS PERFORMED BY THIS SURVEYOR.
5. THIS SURVEY WAS PERFORMED TO MEET OR EXCEED THE REQUIREMENTS FOR A CLASS "A" SURVEY AS SPECIFIED BY THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS.
6. THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE REPORT.
7. ALL EQUIPMENT USED FOR THIS SURVEY MEETS OR EXCEEDS THE REQUIREMENTS OF O.C.G.A. SECTION 15-6-67.
8. THIS SURVEY WAS PREPARED FOR THE EXCLUSIVE USE OF THE PERSONS OR ENTITIES CERTIFIED TO HEREON. THE CERTIFICATION DOES NOT EXTEND TO ANY UNNAMED PERSONS.

LEGEND:

RBF	= REBAR PIN FOUND (1/2" REBAR UNLESS NOTED OTHERWISE)
CMF	= CONCRETE MONUMENT FOUND
RPF	= IRON PIN PLACED (1/2" REBAR WITH PLASTIC CAP UNLESS NOTED OTHERWISE)
OTP	= UTILITY POLE
POB	= POINT OF BEGINNING
POC	= POINT OF COMMENCEMENT
PP	= POWER POLE
WM	= WATER METER
	= FENCE LINE

SURVEY EQUIPMENT NOTES:

1. HORIZONTAL DATUM IS NAD 83, VERTICAL DATUM IS NAVD 88.
2. THE MONITORED, EXISTING AND ELEVATIONS OF THE STARTING POINTS FOR THIS SURVEY WERE OBTAINED UTILIZING A CHAINON (GPS) BASE AND ROVER. THE BASE MEASUREMENT WAS CORRECTED USING NGS-OPUS POSITIONING USER SERVICE. (OPUS). THE RELATIVE POSITIONAL ACCURACY OBTAINED ON THE POINTS UTILIZED IN THIS SURVEY WERE 0.07 FT. HORIZONTAL AND 0.07 FT. VERTICAL AT THE 95% CONFIDENCE LEVEL.
3. APPROXIMATELY 25% OF THE SURVEY WAS PERFORMED USING THE GPS EQUIPMENT AND TECHNIQUES LISTED ABOVE. ANGLE AND DISTANCE MEASUREMENTS WERE PERFORMED USING A GEODATA 3DOM M TOTAL STATION. THE TRAVERSE PIN (MAGNAIL) WAS FOUND TO HAVE A CLOSURE PRECISION OF 1 FOOT IN 61,749 FEET AND AN ANGULAR ERROR OF 4 SECONDS PER POINT. THE TRAVERSE WAS ADJUSTED USING THE COMPASS METHOD.

GRAPHIC SCALE 1"=40'
40' 0 40' 80'

SHEET
1

Page 1430 of 1589

DECEMBER 20, 2022 ZONING HEARING
"OTHER BUSINESS"
COMMISSION DISTRICT 1

Min. Bk. 97 Petition No. O.B.67
Doc. Type Site Plan Review comments and recommendations
Meeting Date 12-20-2022

ITEM OB-67-2022

To consider a reduction of required minimum public road frontage on tract 1 for Barbara W. Ward from 50-feet to 12-feet and reduce the side setbacks from 12-feet to 8-feet (Existing). The property located at the northern terminus of Summit Drive (3740 Summit Drive).

BACKGROUND

The Board of Commissioners considers all reductions to minimum public road frontage pursuant to Zoning Code Sec. 134-271(7)(a) adopted on February 27, 2018. The subject property is zoned R-30 and is required to have 50-feet of public road frontage per lot. The applicant is requesting the public road frontage be reduced from 50-feet to 12-feet for tract 1. The lot has an existing house that would also need the side setbacks reduced from 12-feet to 8-feet (existing). All other zoning criteria will be met.

STAFF COMMENTS

Cobb DOT: No comment.
Stormwater Management: Stormwater Management has no objection to this other business item as requested. All current stormwater management codes and regulations will be required at the time land disturbance permitting.
Water & Sewer Comments: No additional comments.
Site Plan Review: If this request is approved, a subdivision plat revision must be recorded showing the approved lot configurations and referencing the OB case in the standard plat revision note. The surveyor must submit the plat to the Site Plan Review Section, Community Development Agency for review and approval prior to recording. Call 770-528-2147.
Fire Department: No objections.

RECOMMENDATION

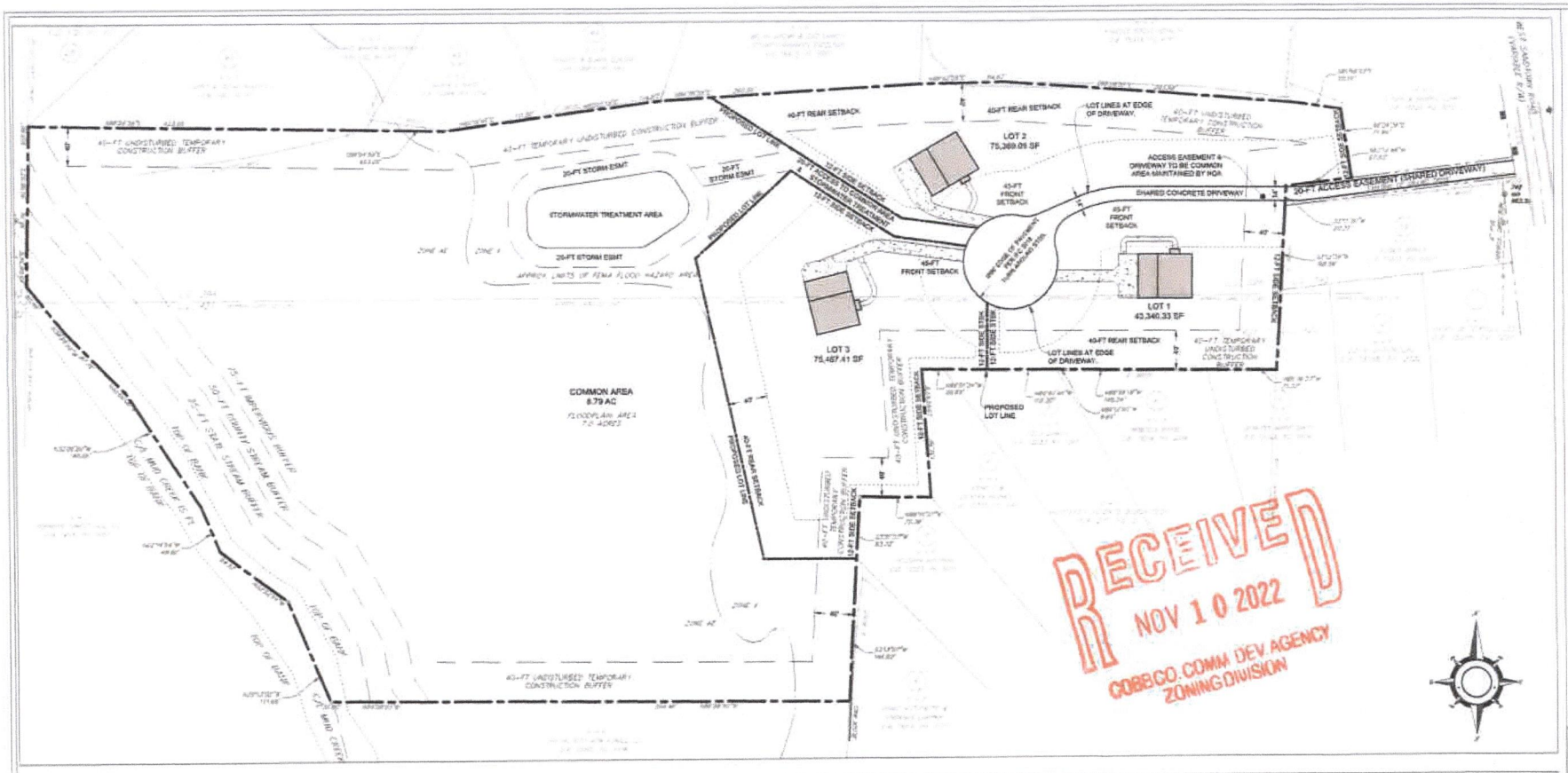
The Board of Commissioners conduct a Public Hearing and consider the proposed reduction of minimum public road frontage.

ATTACHMENT

Other Business application.

Min. Bk. 97 Petition No. O.B.68
Doc. Type Site Plan

Meeting Date 12-20-2022



MCKINLEY HOMES LLC
655 ENGINEERING DRIVE
SUITE 208
PEACHTREE CORNERS GA 30029

1942 WEST SANDTOWN RD
COBB COUNTY, GA

PARCEL ID 19039400100

ADDRESS:	1942 WEST SANDTOWN RD, COBB COUNTY, GA
PARCEL INFO:	19039400100
SITE AREA:	13.5 AC
CURRENT ZONING:	R-30 (1 PARCEL)
PROPOSED ZONING:	R-30 (3 PARCELS) (VARIANCE REQUESTED FOR 0-FT OF LOT FRONTAGE ON A PUBLIC ROAD)
MINIMUM LOT AREA:	30,000 SF
MINIMUM LOT FRONTAGE REQUIRED:	75-FT, 50-FT AT CUL-DE-SAC
MINIMUM LOT FRONTAGE PROPOSED:	0-FT

FRONT SETBACK:	45-FT
SIDE SETBACK:	12-FT
REAR SETBACK:	40-FT

UNDISTURBED TEMPORARY CONSTRUCTION BUFFER: 40-FT,
GRADING IN THIS BUFFER IS RESTRICTED & SUBJECT TO LDP REVIEW

VARIANCE APPLICATION NOTES:

1. THE EXISTING SITE HAS 0-FT OF ROAD FRONTAGE ACCORDING TO COBB COUNTY DOT RIGHT OF WAY MANAGER. THE 20-FT ACCESS IS NOT CONSIDERED PART OF COBB DOT'S EXISTING RIGHT OF WAY (CORRESPONDENCE DEC. 2021). A VARIANCE IS REQUESTED TO CREATE 3 PARCELS FROM THE ONE EXISTING PARCEL; THE THREE PARCELS WILL USE A SHARED PRIVATE DRIVEWAY, EACH PARCEL WITH 0-FT OF *PUBLIC* ROAD FRONTAGE.
2. ACCESS & UTILITY EASEMENTS WILL BE PROVIDED IN ACCORDANCE WITH COBB COUNTY REQUIREMENTS. THE EXACT EXTENTS OF UTILITY EASEMENTS WILL BE FINALIZED DURING THE LAND DISTURBANCE PERMIT (LDP) DESIGN & THE ENGINEERING REVIEW PROCESS.
2. THE USE OF A SHARED DRIVEWAY WAS PRELIMINARY APPROVED BY COBB COUNTY DOT SEPT. 2021, MR. JAMES WASHINGTON.
3. THE PROPOSED SITE PLAN WILL RETAIN THE CURRENT ZONING R-30 (30,000 SF LOTS OR ABOVE). NO ZONING CHANGES ARE REQUESTED.

paradigm
Engineering Services, Inc
7 Dunwoody Park, Suite 115
Atlanta, GA 30338
(770)685-9535

SCALE

10/12/2022

SHEET TITLE
LOT FRONTAGE
VARIANCE APPLICATION
CONCEPT SITE PLAN

SHEET NUMBER
1.0

DECEMBER 20, 2022 ZONING HEARING
"OTHER BUSINESS"
COMMISSION DISTRICT 1

Min. Bk. 97 Petition No. O.B.68
Doc. Type Site Plan Review
Comments and recommendations
Meeting Date 12-20-2022

ITEM OB-68-2022

To consider a reduction of required minimum public road frontage on lots 1- 3 for McKinley Homes, LLC from 75-feet to 0-feet. The property located on the west side of West Sandtown Road (1942 West Sandtown Road).

BACKGROUND

The Board of Commissioners considers all reductions to minimum public road frontage pursuant to Zoning Code Sec. 134-271(7)(a) adopted on February 27, 2018. The subject property is zoned R-30 and is required to have 75-feet of public road frontage per lot. The applicant is requesting the public road frontage be reduced from 75-feet to 0-feet for lots 1-3 on this 13.45-acre property. All lots would access via a 20-foot access easement. The applicant is planning on building one house on each lot. All other zoning criteria will be met.

STAFF COMMENTS

Cobb DOT: Recommend applicant be required to meet all Cobb County Development Standards and Ordinances related to project improvements.
Stormwater Management: Stormwater Management has no objection to this other business item as requested. All current stormwater management codes and regulations will be required at the time land disturbance permitting. The creation of three (3) or more lots requires compliance with the Cobb county Subdivision Ordinance, requiring stormwater management.
Water & Sewer Comments: No comments.
Site Plan Review: If this request is approved, a Land Disturbance Permit must be obtained before any site work can commence, and a final plat must be recorded before any building permits can be issued. Contact Site Plan Review at 770-528-2147.
Fire Department: No objections.

RECOMMENDATION

The Board of Commissioners conduct a Public Hearing and consider the proposed reduction of minimum public road frontage.

ATTACHMENT

Other Business application.

Min. Bk. 97 Petition No. O.B.69
Doc. Type letter from Adam Rozen
Meeting Date 12-20-2022

ROZEN & ROZEN, LLP
A Limited Liability Partnership
248 Roswell Street, SE
Marietta, Georgia 30060
(770) 427-7004 (T)
(770) 426-9584 (F)

ROGER J. ROZEN
rjrozen@rozenandrozen.com

ADAM J. ROZEN
ajrozen@rozenandrozen.com

December 14, 2022

VIA EMAIL DELIVERY

Mr. John Pederson, AICP Zoning Division Manager
Cobb County Zoning Division
Community Development Agency

Re: Other Business Application of The Furniture and Mattress Warehouse, LP
Rezoning Application No. Z-25 (2021) to approve Revised Site Plan
OB 69

Dear John:

This firm represented the Applicant in the rezoning application known as Z-25 ("Rezoning Application"). The Application was approved on the Consent Agenda by the Cobb County Board of Commissioners ("BOC") on November 16, 2021.

After further engagement towards plan review and in detailed engineering and architectural design, the Applicant revised the Site Plan to accommodate the difficulties of developing the site as it relates to grading, stormwater and other infrastructure as well as more appropriately planning construction of the proposed buildings and the corresponding size, height and footprint location ("Revised Site Plan" and "Architecture"). The Applicant now submits this Revised Site Plan for approval in the current application known as OB 69 ("Application").

In that regard, we are authorized by the Applicant to submit this letter of agreeable stipulations and conditions and Revised Site Plan and Architecture, which, upon approval, as submitted, shall become a part of the grant of the requested Application and Z-25 (2021) and shall be binding upon the Property thereafter. The proposed stipulations are as follows:

1. Approval of the Revised Site Plan dated December 14, 2022 as attached hereto and incorporated herein.

Petition No. O.B.69
Meeting Date 12-20-2022
Continued

ROZEN & ROZEN, LLP

A LIMITED LIABILITY PARTNERSHIP

VIA EMAIL DELIVERY

Mr. John Pederson, AICP Zoning Division Manager
Cobb County Zoning Division
Community Development Agency

2. The required number of parking spaces shall be reduced to 187 pursuant to the shared parking study provided by A&R Engineering, Inc. pursuant to Cobb County § 134-272 (6)(b)(4) as provided under separate cover ("Parking Study Report") which parking count is reflected on the Revised Site Plan.

3. Final building architecture shall be similar to the Architecture submitted with the filing of the Application and again enclosed herein subject to final approval of the District Commissioner.

4. The outparcel along Bells Ferry Road, originally identified as Building D, shall not be limited to restaurant uses, and specifically may be, but is not limited to, a karate studio, but shall otherwise remain subject to those use limitations contained in the original stipulations and conditions of Z-25 (2021).

5. As provided in the original stipulations and conditions of Z-25 (2021), all buffering and landscaping shall be incorporated into the Landscape Plan which shall be submitted to Cobb County during the Plan Review Process and shall be subject to review of the Landscape Oversight Committee and subject to final approval of the District Commissioner.

6. All other stipulations and conditions of Z-25 (2021), where not in conflict with those contained herein, shall remain in full force and effect.

Please do not hesitate to contact me in the event we can provide anything additional prior to the hearing before the Board of Commissioners on December 20, 2022.

Sincerely,

ROZEN & ROZEN, LLP

/s/ Adam J. Rozen

Adam J. Rozen
arozen@slhb-law.com

**Continued on following page.*

Petition No. O.B.69
Meeting Date 12-20-2022
Continued

ROZEN & ROZEN, LLP

A LIMITED LIABILITY PARTNERSHIP

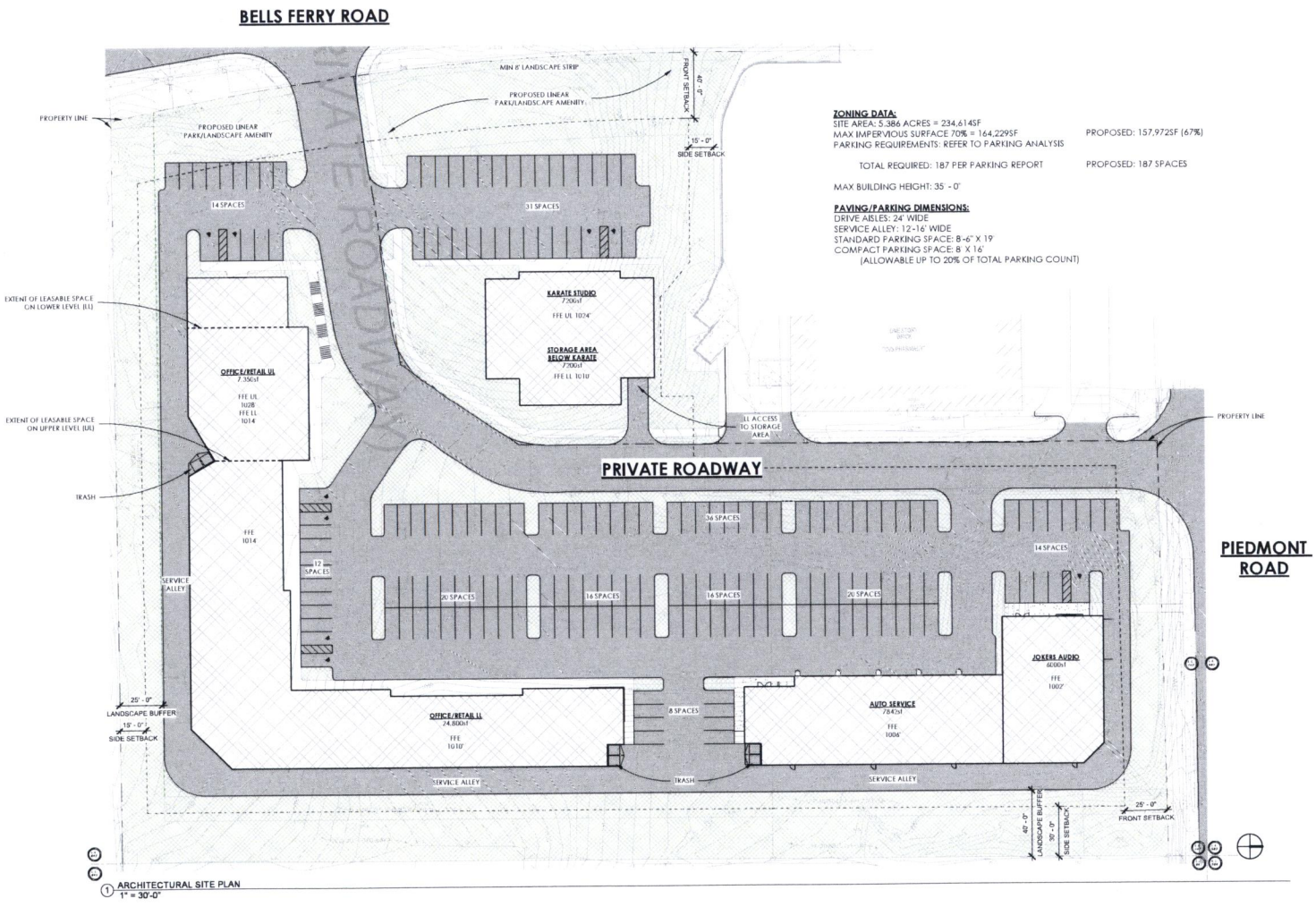
VIA EMAIL DELIVERY

Mr. John Pederson, AICP Zoning Division Manager
Cobb County Zoning Division
Community Development Agency

December 14, 2022
Page 3

AJR/
Enclosure/Attachment
cc: Commissioner JoAnn Birrell, District 3 Commissioner
Members, Cobb County Board of Commissioners
Ms. Kimberly Jorgensen, District 3 Commissioner Assistant
Ms. Jeannie Peyton, Senior Planner
Ms. Pam Mabry, County Clerk
Ms. Tullan Avard, Bells Ferry Civic Association
Mr. Stephen Rooks, The Village at Kendrick Farms
Mr. Evan DeYoung, Delacoure
Mr. Mark Greer, The Landmark Group
Mr. Brad Russell, The Landmark Group
Mr. Stephen M. Bianchi, Bianchi Architecture

Petition No. 0.B.69
Meeting Date 12-20-2022
Continued



1 ARCHITECTURAL SITE PLAN
1" = 30'-0"

ZONING DATA:
SITE AREA: 5.386 ACRES = 234,614SF
MAX IMPERVIOUS SURFACE 70% = 164,229SF — PROPOSED: 157,972SF (67%)
PARKING REQUIREMENTS: REFER TO PARKING ANALYSIS
TOTAL REQUIRED: 187 PER PARKING REPORT — PROPOSED: 187 SPACES
MAX BUILDING HEIGHT: 35 - 0"

PAVING/PARKING DIMENSIONS:
DRIVE AISLES: 24' WIDE
SERVICE ALLEY: 12-16' WIDE
STANDARD PARKING SPACE: 8'-6" X 19'
COMPACT PARKING SPACE: 8' X 16'
(ALLOWABLE UP TO 20% OF TOTAL PARKING COUNT)

BIANCHI ARCHITECTURE
Architecture and Interior Design
Atlanta GA
bianchiarchitecture.com
815-277-7412

140 PIEDMONT
140 PIEDMONT ROAD
MARIETTA, GA 30066

☒ NOT FOR CONSTRUCTION
☐ RELEASED FOR CONSTRUCTION

SEAL
STATE OF GEORGIA
STEPHEN M. BIANCHI
12/14/22
REGISTERED ARCHITECT

No.	Description	Date

ARCHITECTURAL SITE PLAN

Project number	22011
Date	12/14/22
Scale	1" = 30'-0"
Sheet No:	A0.2

12/13/2022 7:38:39 PM

Petition No. O.B.69
Meeting Date 12-20-2022
Continued

BIANCHI ARCHITECTURE
Architecture and Interior Design

10 November, 2022
Project: 22011

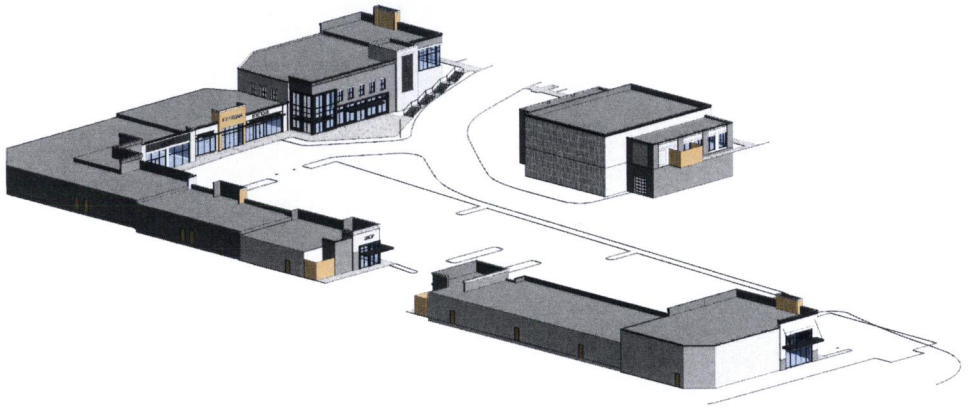




ARCHITECTURAL RENDERINGS

UPPER: VIEW FROM PIEDMONT ROAD. LOWER: VIEW FROM BELLS FERRY ROAD

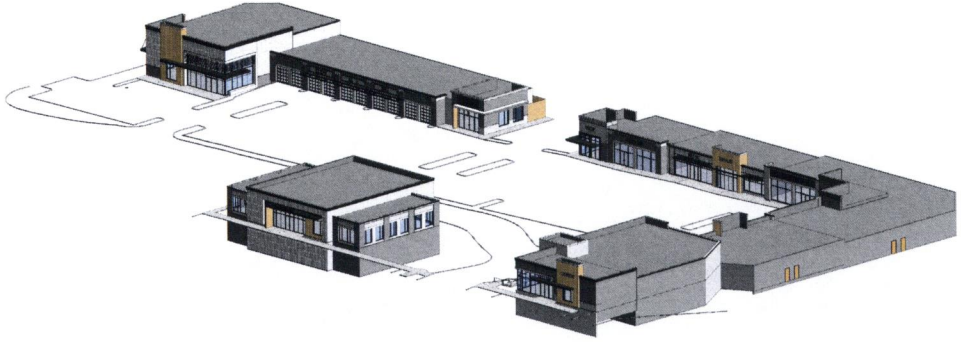
Petition No. O.B.69
Meeting Date 12-20-2022
Continued



1 3D AERIAL - NORTHEAST CORNER



2 3D AERIAL - NORTHWEST CORNER



3 3D AERIAL - SOUTHWEST CORNER

BIANCHI ARCHITECTURE
Architecture and Interior Design

Atlanta, GA
bianchiarchitecture.com
815-277-7412

140 PIEDMONT
140 PIEDMONT ROAD
MARIETTA, GA 30066

☒ NOT FOR CONSTRUCTION
☐ RELEASED FOR CONSTRUCTION

SEAL

No.	Description	Date

3D VIEWS

Project number 22011
Date 06/23/22
Scale
Sheet No:
A0.5

8/18/2022 7:36:01 PM

A&R Engineering Inc.
2160 Kingston Court, Suite O
Marietta, GA 30067
Tel: (770) 690-9255 Fax: (770) 690-9210
www.areng.com

GEORGIA REGISTERED NO. 22518 PROFESSIONAL ENGINEER ABDUL KAREEM AMER

Min. Bk. 97 Petition No. O.B.69
Doc. Type Shared parking study - 29 pages
Meeting Date 12-20-2022

Memorandum

To: Brad Russel
The Landmark Group
From: Abdul K. Amer, PE, PTOE
Date: December 13, 2022
Subject: Shared Parking Study – Mixed-Use Development at Piedmont Road @ Bells Ferry Road Intersection, Cobb County GA (A&R # 22-240)

The purpose of this memorandum is to evaluate shared parking demand for the proposed Mixed-Use Development in the southwest corner of the intersection of Piedmont Road and Bells Ferry Road, in Cobb County, GA. The proposed development consists of the following land-uses.

- Retail – 38,150 sf Gross
- Owner's Storage – 7,200 sf Gross
- Automobile Service – 7,842 sf - 5 Service Bays & 5 Employees
- Karate Studio – 7,200 sf Gross

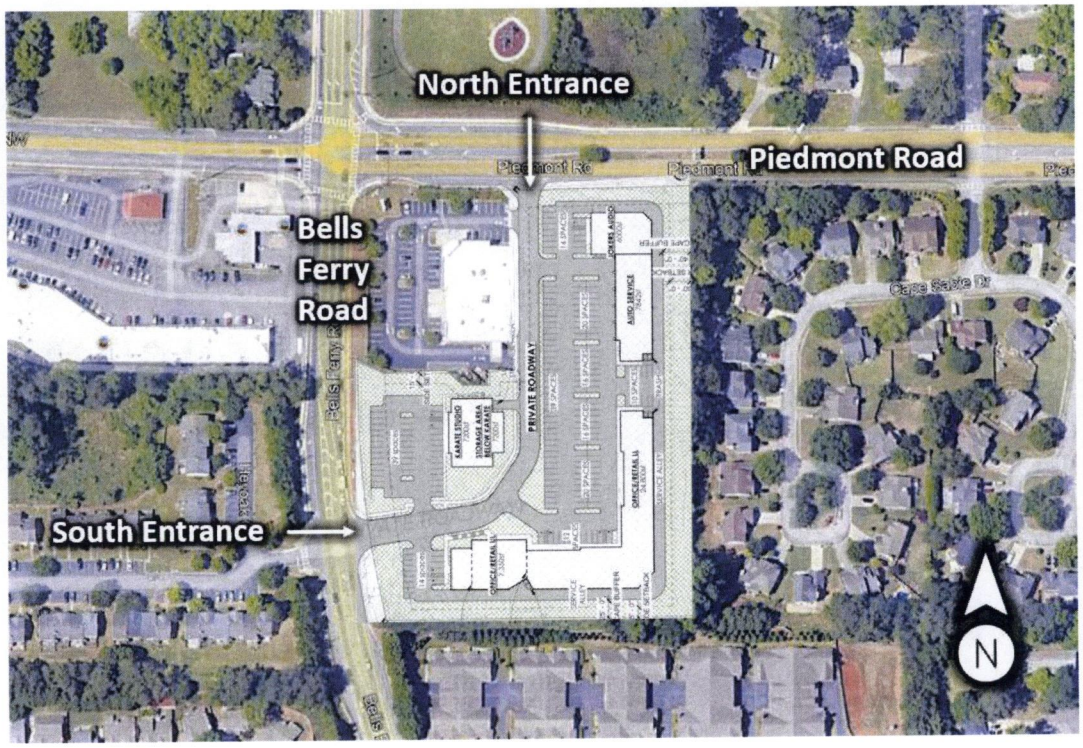


Figure 1 – Project Location

LAND USES & REQUIRED PARKING AS PER COUNTY'S CODES

Table 1 below shows the land-uses and required parking spaces as per County codes. Net floor area is assumed to be 80% of the gross floor area based on the general estimates for these types of developments as per the Architect who designs such developments for the developer.

TABLE 1 –LAND-USES/DENSITIES & PARKING REQUIREMENT AS PER COUNTY'S CODE

Land Use	Size	Parking Rate	Required Parking
Retail	Net 30,520 sf (80% of Gross 38,150 sf)	1 space per 200 square feet of net floor space 30,400 ÷200 = 152	153
Storage (Only for Owner's Use)	7,200 sf	Minimum of 5 spaces	5
Automobile Service	5 Service Bays	3 spaces per bay and 1 per employee (5 bays * 3) + 5 (employees) = 20	20
Karate Studio	Net 5,760 sf (80% of Gross 7,200 sf)	1 space per 200 square feet of net floor space 5,760 ÷ 200 = 28.80	29
TOTAL			**207**

Cobb County's Zoning Ordinance 134-272 (6) sub-section b -4, states, "The required number of parking spaces for non-residential uses may be reduced if a property owner or developer provides a shared parking study, that is prepared by a professional engineer to industry standards that demonstrates the proposed shared parking facility will not cause a burden, nuisance or safety concern to the subject property, adjacent properties or the right-of-way".

MAXIMUM PARKING DEMAND AS PER ULI STANDARDS OF SHARED PARKING

The parking demand for various land-uses of the development peaks at different times of the day. Therefore, each user within the development does not need its own independent parking supply. Both formal studies and general experience have proven that some reduction in customer parking will occur in a mixed-use project due to patronage of multiple land uses. Notwithstanding the shared parking reductions, Cobb County's codes require a total of 207 parking spaces to be provided based on all uses independently.

The methodology for shared parking as defined in the Urban Land Institute (ULI) *Shared Parking Manual*, 3rd edition, provides a systematic way to apply appropriate adjustments to parking ratios for each use in a mixed-use development. These adjustments include modal split, non-captive reduction, monthly factors, and time of day factors.

FACTORS FOR MODAL SPLIT

The parking ratios presented in ULI are intended to reflect conditions with little or no transit and minimal employee ridesharing; therefore, adjustments must be made for alternative modes of transportation, formal rideshare programs, or an atypical ratio of persons per car resulting from carpooling. ULI's Shared Parking Manual defines modal split as "the percentage of persons arriving at a destination in different modes of transportation. Among the modes that may be available are commuter rail, light rail, bus, private automobile (including trucks, vans, and SUVs used for personal transportation), carpools and vanpools, walking and bicycling". There is a MARTA bus stop on Bells Ferry Road across from the proposed driveway. To be conservative in our analysis, we took a modest 5% reduction for modal split for retail land uses on weekdays. Some parents generally drop their children at Karate Studios and pick them up after the sessions and do not park at the facility. We have therefore taken a 20% reduction in parking for Karate Studios.

FACTORS FOR NON-CAPTIVE MARKET

Noncaptive ratio is defined as "an estimate of the percentage of parkers at a land use in a mixed-use development or district who are not already counted as being parked at another of the land uses". We have assumed that a few customers of automobile service and few parents at Karate Studio will visit the Retail stores while their cars are being serviced or the children attended Karate classes. We have therefore taken a conservative 5% reduction for non-captive market in our analysis for automobile service and Karate Studio land uses during the weekday.

MONTHLY FACTOR AND TIME OF DAY FACTOR

It is widely accepted that parking needs of individual land uses do not peak at the same time, and there are numerous studies and references for the peak parking needs of any one land use. The fact that parking needs may peak at different times generally means that fewer parking spaces are required to serve a mixed-use project than if the individual land use has its own dedicated parking. For the proposed development, the varying operating hours of each tenant fit well in this description and qualifies for adjustments. For most land uses, the time-of-day and seasonal adjustments will have a greater impact on the accumulation of vehicles than modal and non-captive adjustments. The December monthly adjustment factor (for weekdays and weekend) was selected for evaluation of the future peak parking analysis as the parking demand is highest (100%) in this month for all the land uses in the study. Information showing ULI's time of day factors for a weekday and weekend in December is included in appendix. Automobile Service and Karate Studio land-uses are treated as Retail for time of day factors. The owner's storage space will be used by the owner himself and he will make trips to the storage rarely. Based on this information, we have assumed 25% to 80% reduction in the time of day factor. Monthly adjustments factors defined in ULI second edition are shown in Table 2.

TABLE 2 – MONTHLY ADJUSTMENT FACTORS

Land Use	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Late Dec
Retail*	59	61	70	67	72	72	70	73	66	69	76	100	85
Employee	69	71	79	77	82	82	80	83	76	78	86	100	95
Owner's Storage	100	100	100	100	100	100	95	95	100	100	100	100	80
Office Building*	100	100	100	100	100	100	95	95	100	100	100	100	80
Visitors	100	100	100	100	100	100	95	95	100	100	100	100	80

**Source: Urban Land Institute*

ADJUSTED ULI SHARED PARKING REQUIREMENTS

Modal split deductions were made only for the retail and Karate Studio land-uses and non-captive deduction was used for automobile service and karate studio, as explained earlier. Monthly and time of day adjustment factors as described above were applied to unadjusted parking demand in order to obtain the adjusted shared parking requirement for a weekday and weekend in December. These adjusted shared parking demand variations by time of day are shown below in Table 3 for weekday and Table 4 for weekend and are presented graphically in Figure 2 for weekday and Figure 3 for weekend. Calculation worksheets are attached in the Appendix.

ADJUSTED SHARED PARKING REQUIREMENTS USING COUNTY'S PARKING RATES

We analyzed the parking demand using the parking rates as per County's codes and utilizing the shared parking reductions based on ULI's Shared Parking Manual. The results of the analysis show that the proposed mixed-use development will require a total of 187 parking spaces to accommodate the maximum parking demand during the peak parking period of the year. These adjusted shared parking demand variations by time of day are shown below in Table 3 for weekday and Table 4 for weekend and are presented graphically in Figure 2 for weekday and Figure 3 for weekend. Calculation worksheets are attached in the Appendix.

TABLE 3 – MAXIMUM PARKING DEMAND ON WEEKDAY IN DECEMBER

Land Use	7 AM	8 AM	9 AM	10 AM	11 AM	12 PM	01 PM	02 PM	03 PM	04 PM	05 PM	06 PM	07 PM	08 PM	09 PM	10 PM
Retail	7	22	44	80	109	131	145	145	138	116	123	131	131	123	73	44
Storage	3	3	4	4	4	4	1	1	1	3	3	3	2	2	2	1
Auto Service	0	1	9	13	16	18	19	19	18	18	18	15	13	0	0	0
Office	1	3	7	12	17	20	22	22	21	18	19	20	20	19	11	7
TOTAL	11	29	64	109	146	173	187	187	178	153	163	172	171	144	86	52

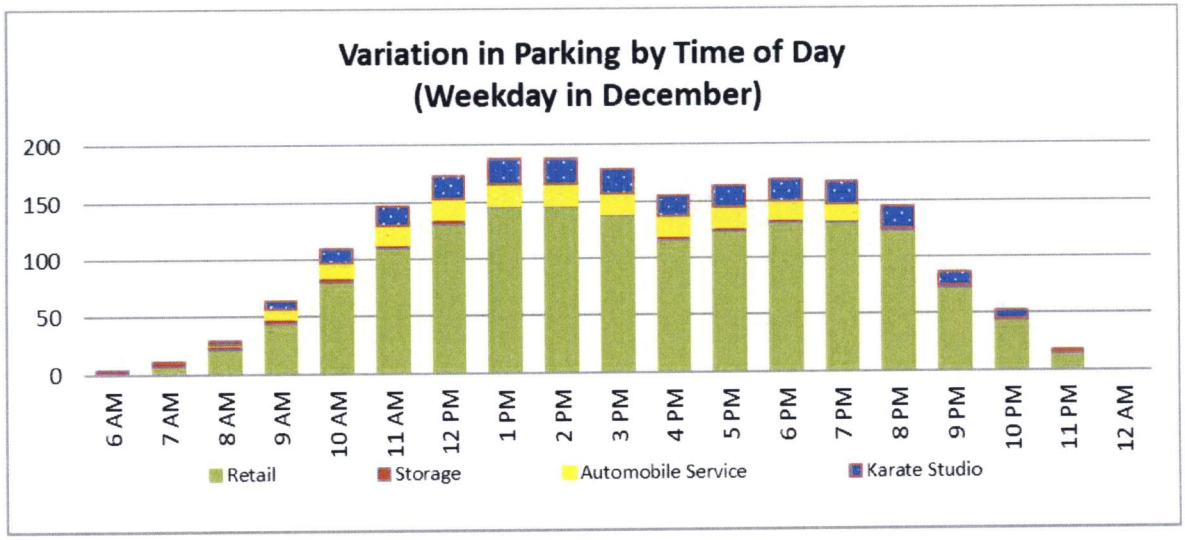
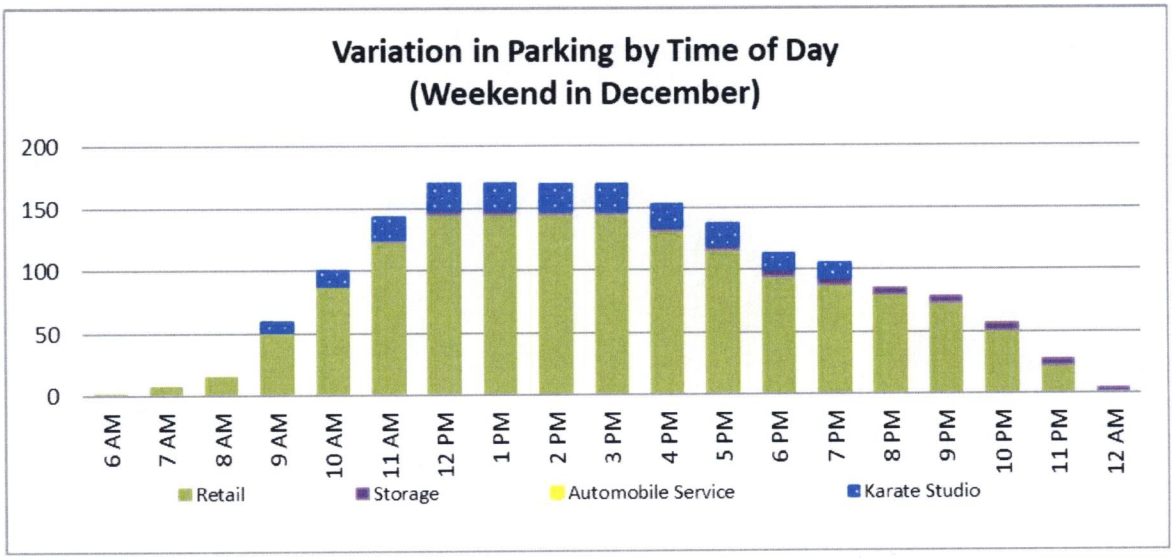


TABLE 4 – MAXIMUM PARKING DEMAND ON WEEKEND IN DECEMBER

Land Use	7 AM	8 AM	9 AM	10 AM	11 AM	12 PM	01 PM	02 PM	03 PM	04 PM	05 PM	06 PM	07 PM	08 PM	09 PM	10 PM
Retail	7	15	51	87	123	145	145	145	145	131	116	94	87	80	73	51
Storage	3	4	4	4	4	1	1	1	1	3	4	4	3	2	2	2
Auto Service	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Office	1	2	8	13	19	22	22	22	22	20	18	14	13	12	11	8
TOTAL	11	21	63	104	146	168	168	168	168	154	138	112	103	94	86	61



HOURLY MAXIMUM PARKING DEMAND

An hourly breakdown of maximum parking demand, based on the County's parking codes and ULI's standard shared parking methodology is shown below in Table 5 for the busiest period of the year in December, on a weekday and weekend.

Table 5 – Parking Requirement Comparison for Weekday & Weekend in December		
Time of Day	MAXIMUM PARKING DEMAND -WEEKDAY IN DEC.	MAXIMUM PARKING DEMAND – WEEKEND - DEC
06:00 AM	4	1
07:00 AM	11	11
08:00 AM	29	21
09:00 AM	64	63
10:00 AM	109	104
11:00 AM	**146**	**146**
12:00 AM	173	168
01:00 PM	187	168
02:00 PM	187	168
03:00 PM	178	168
04:00 PM	153	154
05:00 PM	163	138
06:00 PM	172	112
07:00 PM	171	103
08:00 PM	**144**	**94**
09:00 PM	86	86
10:00 PM	52	61
11:00 PM	18	26
12:00 PM	0	0

As shown above in Table 5, the proposed development's peak parking demand is 187 spaces on a weekday and 168 spaces on a weekend. The hourly parking demand shown in Table 5 above is shown graphically in Figure 4 below.

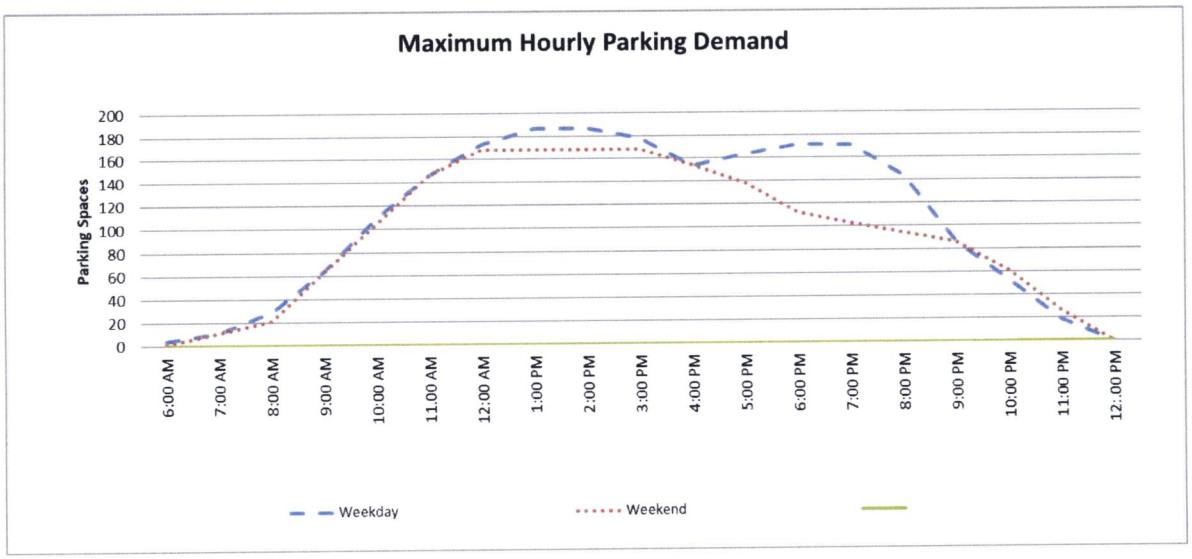


Figure 4 –Maximum Hourly Parking Demand in December Based on County Rates & ULI Shared Parking.

CONCLUSION

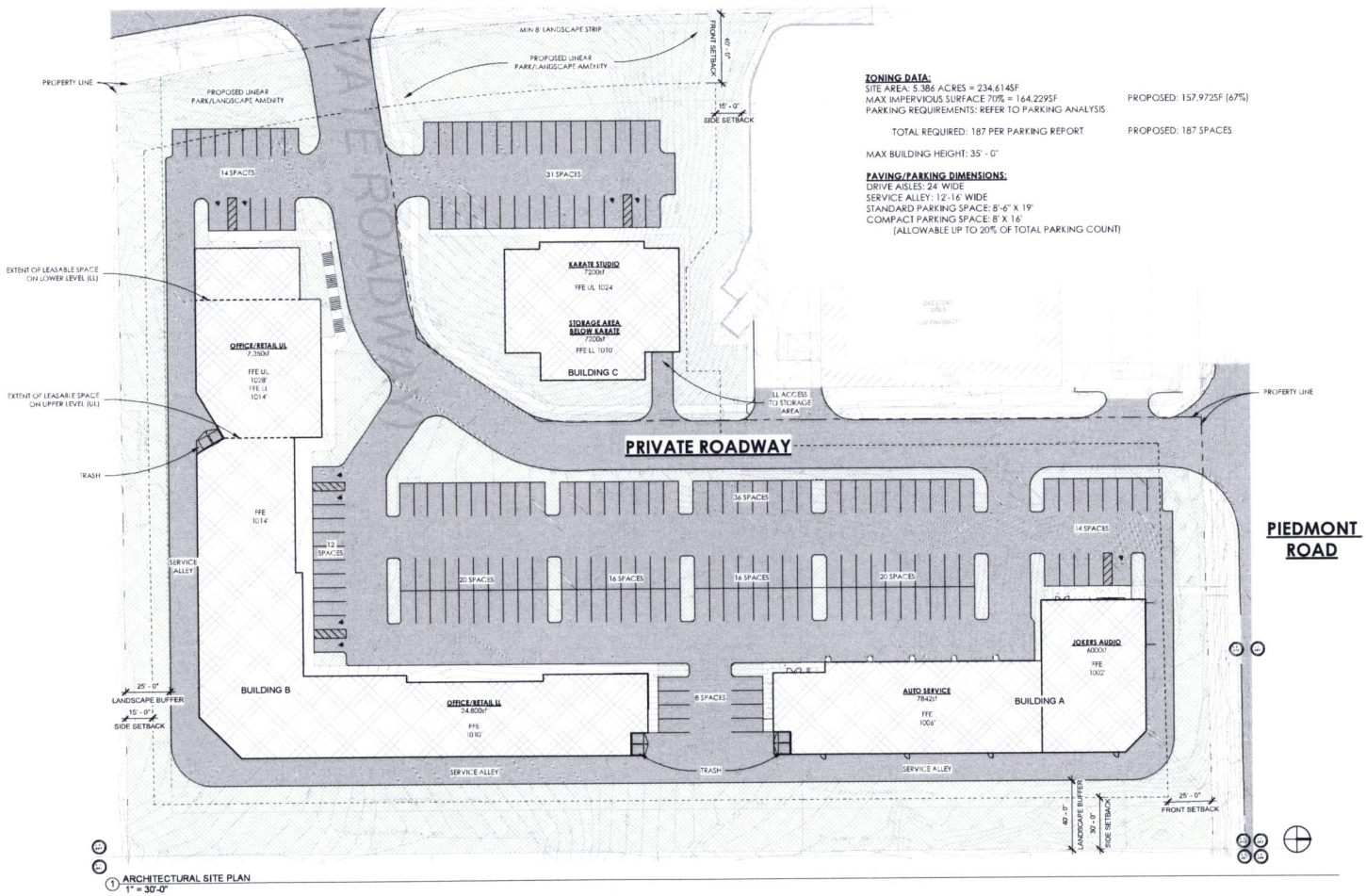
The parking study evaluates the parking demand for the proposed mixed-use development at Piedmont Road and Bells Ferry Road in Cobb County.

We analyzed the parking demand using the parking rates as per County's codes and utilizing the shared parking reductions based on ULI's Shared Parking Manual.

The results of the shared parking analysis show that the maximum parking demand for the development on a weekday peak will be **187** parking spaces and on weekend it will be **168** parking spaces on the weekend.

APPENDIX

SITE PLAN



1 ARCHITECTURAL SITE PLAN
1" = 30'-0"

ZONING DATA:
SITE AREA: 5.386 ACRES = 234,614SF
MAX IMPERVIOUS SURFACE 70% = 164,229SF — PROPOSED: 157,972SF (67%)
PARKING REQUIREMENTS: REFER TO PARKING ANALYSIS
TOTAL REQUIRED: 187 PER PARKING REPORT — PROPOSED: 187 SPACES
MAX BUILDING HEIGHT: 35' - 0"

PAVING/PARKING DIMENSIONS:
DRIVE AISLES: 24' WIDE
SERVICE ALLEY: 12'-16' WIDE
STANDARD PARKING SPACE: 8'-6" X 19'
COMPACT PARKING SPACE: 8' X 16'
(ALLOWABLE UP TO 20% OF TOTAL PARKING COUNT)

BIANCHI ARCHITECTURE
Architecture and Interior Design
Atlanta, GA
bianchiarchitecture.com
815.277.7412

140 PIEDMONT
140 PIEDMONT ROAD
MARIETTA, GA 30066

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☐ RELEASED FOR CONSTRUCTION

SEAL

STATE OF GEORGIA
STEPHEN M. BIANCHI
12/14/22
REGISTERED ARCHITECT

No.	Description	Date

ARCHITECTURAL SITE PLAN

Project number	22011
Date	12/14/22
Scale	1" = 30'-0"
Sheet No:	A0.2

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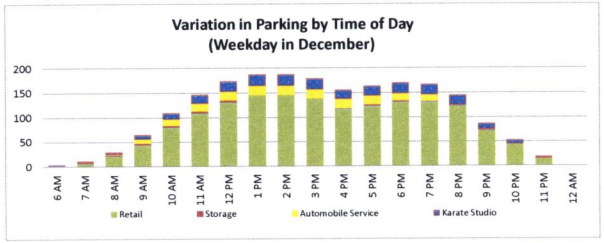
PARKING DEMAND CALCULATION WORKSHEETS

Time-of-Day Factors for Weekday Demand

		unadj.	monthly %	Noncaptive	Mode	Adjusted	6 AM	7 AM	8 AM	9 AM	10 AM	11 AM	12 PM	1 PM	2 PM	3 PM	4 PM	5 PM	6 PM	7 PM	8 PM	9 PM	10 PM	11 PM	12 AM
Retail	Customer	153	100%	100%	95%	145	1%	5%	15%	30%	55%	75%	90%	100%	100%	95%	80%	85%	90%	90%	85%	50%	30%	10%	0%
Storage	Owner	5	100%	100%	100%	5	50%	50%	50%	75%	75%	75%	75%	20%	20%	20%	50%	50%	50%	30%	30%	30%	20%	10%	0%
Automobile Service	Residents	15	100%	95%	100%	14	0%	0%	0%	30%	55%	75%	90%	100%	100%	95%	80%	90%	90%	90%	0%	0%	0%	0%	0%
	Employees	5	100%	100%	100%	5	0%	0%	20%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	0%	0%	0%	0%	0%
Karate Studio	Customers	29	100%	95%	80%	22	1%	5%	15%	30%	55%	75%	90%	100%	100%	95%	80%	85%	90%	90%	85%	50%	30%	10%	0%
		207				191																			

	6 AM	7 AM	8 AM	9 AM	10 AM	11 AM	12 PM	1 PM	2 PM	3 PM	4 PM	5 PM	6 PM	7 PM	8 PM	9 PM	10 PM	11 PM	12 AM
Retail	1	7	22	44	80	109	131	145	145	138	116	123	131	131	123	73	44	15	0
Storage	3	3	3	4	4	4	4	1	1	1	3	3	3	2	2	2	1	1	0
Automobile Service	0	0	0	4	8	11	13	14	14	13	11	13	13	13	0	0	0	0	0
Employees	0	0	1	5	5	5	5	5	5	5	5	5	5	5	0	0	0	0	0
Karate Studio	0	1	3	7	12	17	20	22	22	21	18	19	20	20	19	11	7	2	0
	4	11	29	64	109	146	173	187	187	178	153	163	172	171	144	86	52	18	0

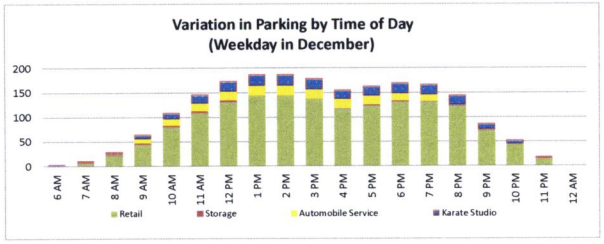
	6 AM	7 AM	8 AM	9 AM	10 AM	11 AM	12 PM	1 PM	2 PM	3 PM	4 PM	5 PM	6 PM	7 PM	8 PM	9 PM	10 PM	11 PM	12 AM
Retail	1	7	22	44	80	109	131	145	145	138	116	123	131	131	123	73	44	15	0
Storage	3	3	3	4	4	4	4	1	1	1	3	3	3	2	2	2	1	1	0
Automobile Service	0	0	1	9	13	16	18	19	19	18	16	18	18	18	0	0	0	0	0
Karate Studio	0	1	3	7	12	17	20	22	22	21	18	19	20	20	19	11	7	2	0
	4	11	29	64	109	146	173	187	187	178	153	163	172	171	144	86	52	18	0



Time-of-Day Factors for Weekday Demand																								
		unadj.	monthly %	Noncaptive	Mode	Adjusted	6 AM	7 AM	8 AM	9 AM	10 AM	11 AM	12 PM	1 PM	2 PM	3 PM	4 PM	5 PM	6 PM	7 PM	8 PM	9 PM	10 PM	11 PM	12 AM
Retail	Customer	153	100%	100%	95%	145	1%	5%	15%	30%	55%	75%	90%	100%	100%	95%	80%	85%	90%	90%	85%	50%	30%	10%	0%
Storage	Owner	5	100%	100%	100%	5	50%	50%	50%	75%	75%	75%	75%	20%	20%	20%	50%	50%	50%	30%	30%	30%	20%	10%	0%
Automobile Service	Residents	15	100%	95%	100%	14	0%	0%	0%	30%	55%	75%	90%	100%	100%	95%	80%	90%	90%	90%	0%	0%	0%	0%	0%
	Employees	5	100%	100%	100%	5	0%	0%	20%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	0%	0%	0%	0%	0%
Karate Studio	Customers	29	100%	95%	80%	22	1%	5%	15%	30%	55%	75%	90%	100%	100%	95%	80%	85%	90%	90%	85%	50%	30%	10%	0%
		207				191																			

	6 AM	7 AM	8 AM	9 AM	10 AM	11 AM	12 PM	1 PM	2 PM	3 PM	4 PM	5 PM	6 PM	7 PM	8 PM	9 PM	10 PM	11 PM	12 AM
Retail	1	7	22	44	80	109	131	145	145	138	116	123	131	131	123	73	44	15	0
Storage	3	3	3	4	4	4	4	1	1	1	3	3	3	2	2	2	1	1	0
Automobile Service	0	0	0	4	8	11	13	14	14	13	11	13	13	13	0	0	0	0	0
Employees	0	0	1	5	5	5	5	5	5	5	5	5	5	5	0	0	0	0	0
Karate Studio	0	1	3	7	12	17	20	22	22	21	18	19	20	20	19	11	7	2	0
	4	11	29	64	109	146	173	187	187	178	153	163	172	171	144	86	52	18	0

	6 AM	7 AM	8 AM	9 AM	10 AM	11 AM	12 PM	1 PM	2 PM	3 PM	4 PM	5 PM	6 PM	7 PM	8 PM	9 PM	10 PM	11 PM	12 AM
Retail	1	7	22	44	80	109	131	145	145	138	116	123	131	131	123	73	44	15	0
Storage	3	3	3	4	4	4	4	1	1	1	3	3	3	2	2	2	1	1	0
Automobile Service	0	0	1	9	13	16	18	19	19	18	16	18	18	18	0	0	0	0	0
Karate Studio	0	1	3	7	12	17	20	22	22	21	18	19	20	20	19	11	7	2	0
	4	11	29	64	109	146	173	187	187	178	153	163	172	171	144	86	52	18	0



COBB COUNTY'S CODES

Type of Use	Parking Requirements
Accessory retail sales and services	Number required for office or institutional, motel, hotel or high-rise apartment use to which it is accessory. If it is a permitted secondary use in a structure other than the primary use, 1 space shall be provided per 200 square feet (net) of floorspace.
Agricultural produce stands	3 spaces per stand.
Ambulance services	1 space per employee, 1 space per ambulance parked on-site.
Ambulance services, if accessory to hospitals or funeral homes	1 space per ambulance parked on-site.
Amphitheaters	1 space per 4 seats in amphitheater.
Amusement centers	1 space per 2,000 square feet (gross) of site area, with a minimum of 25 spaces required and a maximum of 100 spaces.
Ancillary retail sales	Number of spaces required for the primary use.
Animal hospitals	1 space per 285 square feet (net) of floorspace.
Appliance repair (major)	1 space per 200 square feet (net) of floorspace, 1 space per loading dock.
Arcades	
Asphalt plants	1 space per employee, 1 space per vehicle parked on-site.
Assembly halls	1 space per 3 seats for every person lawfully permitted within the assembly hall at 1 time.
Assisted living facilities	1 space per 1.5 units.

Type of Use	Parking Requirements
Athletic and health clubs	1 space per 200 square feet (net) of floorspace.
Automobile truck and trailer lease and rental facilities (accessory use)	1 space per employee, 1 space per vehicle parked on-site.
Automobile, truck and trailer lease and rental facilities (principal use)	1 space per employee, 1 space per 250 square feet (net) of floorspace, 1 space per vehicle parked on-site.
Automotive and truck sales and service facilities	1 space per 200 square feet (net) of floorspace, 1 space per vehicle parked on-site.
Automotive paint and body repair shops	1 space per 200 square feet (net) of floorspace, 1 space per vehicle parked on-site.
Automotive parking lots or garages	As may be required to serve the principal use (see specific principal use for requirement); for freestanding parking garage, not applicable.
Automotive salvage and wrecking yards	1 space per 300 square feet (net) of floorspace, 1 space per employee, with a minimum of 5 spaces.
Automotive storage yards and wrecker services	1 space per 300 square feet (net) of floorspace, 1 space per employee, with a minimum of 5 spaces.
Automotive upholstery shops	1 space per 300 square feet (net) of floorspace, 1 space per employee.

Type of Use	Parking Requirements
Aviation airports (private)	1 space per 500 square feet (net) of floorspace, 1 space per hanger or tiedown pad.
Bank/financial institutions with drive-in establishments or automated transfer machines	1 space per 285 square feet (net) of floorspace, 3 additional spaces per automated transfer machine, 5 queue spaces per drive-in teller.
Billiards and pool halls	2 spaces per pool table.
Biomedical waste transfer and disposal facilities	1 space per employee.
Boat sales and service facilities	1 space per 200 square feet (net) of floorspace, 1 space per employee, 1 space per boat parked on-site.
Breeding and boarding kennels	1 space per 250 square feet (net) of floorspace, 1 space per employee.
Building materials stores	1 space per 100 square feet (net) of floorspace, 1 space per vehicle parked on-site, 1 space per loading dock.
Bus stations	1 space per 300 square feet (net) of floorspace.
Bus stations for freight	1 space per 500 square feet (net) of floorspace, 1 space per loading dock.
Carwashes	1 space per 200 square feet (net) of floorspace, 5 queue spaces per service line.
Cemeteries	1 space per 300 square feet (net) of floorspace.

Type of Use	Parking Requirements
Chemical plants or storage facilities	1 space per 500 square feet (net) of floorspace, 1 space per employee, 1 space per vehicle parked on-site.
Churches, chapels, temples, synagogues, and other places of worship	1 space per 4 seats in the principal place of worship, provided that the number of spaces thus required may be reduced by not more than 50 percent if the place of worship is located within 500 feet of any public parking lot or any commercial parking lot where sufficient spaces are available by permission of the owner without charge, during the time of services, to make up the additional spaces required.
Clinics	1 space per 285 square feet (net) of floorspace.
Clubs or lodges (noncommercial)	1 space per 250 square feet (net) of floorspace.
Coliseums, stadiums and convention centers (privately owned)	1 space per 3 seats for every person lawfully permitted within the coliseum or stadium at 1 time, plus 1 space per employee.
Colleges and universities (private), including but not limited to research or training facilities	1 space per 2,000 square feet of site area.
Commercial greenhouses and plant nurseries	1 space per 200 square feet (net) of floorspace, 1 space per employee.
Commercial indoor recreation uses	1 space per 200 square feet (net) of floorspace.
Commercial outdoor recreation uses	1 space per 200 square feet (net) of floorspace.

Type of Use	Parking Requirements
Commercial recreation restaurants	
Community fairs	1 space per 2,000 square feet of site area.
Community retail uses	1 space per 200 square feet (net) of floorspace.
Composting plants	1 space per employee, 1 space per vehicle parked on-site.
Concrete plants	1 space per employee, 1 space per vehicle parked on-site.
Condominiums	2 spaces per dwelling unit.
Contractors (general, heavy or special)	1 space per 285 square feet (net) of floorspace, 1 space per vehicle parked on-site.
Convenience food stores with self-service fuel sales	Minimum of 5 spaces, 1 space per employee.
Corporate or administrative offices for any permitted uses	1 space per 285 square feet (net) of floorspace.
Crematories	1 space per employee.
Cultural facilities	1 space per 400 square feet (net) of floorspace.
Customary home occupations	N/A
Dairies	1 space per employee.

Type of Use	Parking Requirements
Designated recycling collection locations	Minimum of 10 spaces.
Drive-in theaters	N/A
Dry cleaning plants	1 space per employee.
Eating and drinking establishments (including drive-in fast food restaurants)	1 space per 100 square feet (net) of floorspace (to include any patio area that houses tables and/or chairs).
Electrical supply stores	1 space per 100 square feet (net) of floorspace, 1 space per loading dock.
Emissions and inspection stations (for a period not to exceed 5 months)	Minimum of 2 spaces, 5 queue spaces per bay, 1 space per employee.
Executive golf courses	5 spaces per hole, 1 space per 300 square feet (net) of floorspace.
Exterminating facilities (insect or rodent)	1 space per 285 square feet (net) of floorspace, 1 space per vehicle parked on-site.
Farm and garden supply stores	1 space per 100 square feet (net) of floorspace, 1 space per loading dock.
Farm equipment stores and repair establishments	1 space per 100 square feet (net) of floorspace, 1 space per loading dock.

Type of Use	Parking Requirements
Farmers' markets (fully enclosed)	1 space per 100 square feet (net) of floorspace, 1 space per loading dock.
Field crops	N/A
Film developing and printing establishments	1 space per 200 square feet (net) of floorspace.
Flea markets	1 space per 500 square feet of site area.
Fraternity and sorority houses and residence halls	1.5 spaces per bedroom, 1 space per employee.
Freight terminals	1 space per 500 square feet (net) of floorspace, 1 space per employee, 1 space per vehicle parked on-site.
Fruit trees, nuts and vegetables	N/A
Fuel and ice dealers	1 space per employee, 1 space per vehicle parked on-site.
Full service gasoline stations	3 spaces per bay, 1 space per employee.
Funeral homes	1 space per 4 seats in assembly room, 1 space per 250 square feet (net) of floorspace.
Golf courses (18-hole regulation, public and private)	5 spaces per hole, 1 space per 300 square feet (net) of floorspace.
Golf courses (par 3)	5 spaces per hole, 1 space per 300 square feet (net) of floorspace.
Group homes	1 space per 2 residents.

Type of Use	Parking Requirements
Halfway houses	1 space per 1.5 residents.
Hazardous waste sites	1 space per employee, 1 space per vehicle parked on-site.
Heavy automotive repair establishments	3 spaces per bay, 1 space per employee.
Heavy manufacturing establishments	1 space per employee, 1 space per loading dock.
Heavy repair services and trade stores	1 space per 500 square feet (net) of floorspace, 1 space per employee, 1 space per vehicle parked on-site.
Helicopter landing areas	N/A
High-rise apartments	1.75 spaces per dwelling unit.
Hospitals	1 space per 2 beds.
Hotels	1.25 spaces per unit. 1.0 spaces per unit with no restaurants, conference, banquet or meeting facilities.
Independent living facilities	1.5 spaces per unit.
In-home day care	
Landfills (private)	1 space per employee, with a minimum of 5 spaces.
Laundry and dry cleaning pickup establishments	1 space per 200 square feet (net) of floorspace, 2 queue spaces for each drive-in window.

Type of Use	Parking Requirements
Light automotive repair establishments	3 spaces per bay, 1 per employee, additionally every vehicle onsite shall be parked in a parking space that meets the county design standards.
Light manufacturing establishments	1 space per employee, 1 space per loading dock.
Linen and diaper services	1 space per employee, 1 space per vehicle parked on-site.
Livestock, nondomestic and wild animals, and poultry	N/A
Livestock sales pavilions	1 space per 2,000 square feet of site area.
Machine shops	1 space per employee.
Mausoleums	1 space per employee.
Medical and dental laboratories, provided that no chemicals are manufactured on-site	1 space per employee.
Mining operations	1 space per employee.
Motels	1.25 spaces per unit. 1.0 spaces per unit with no restaurants, conference, banquet or meeting facilities.

Type of Use	Parking Requirements
Motorcycle, all-terrain vehicle (ATV) and 3-wheel vehicle sales and service facilities	1 space per 200 square feet (net) of floorspace.
Multifamily dwelling units	1.75 spaces per dwelling unit, unless the multifamily dwelling units are purpose built student housing which shall require 1.5 parking space per bedroom.
Neighborhood retail uses	1 space per 200 square feet (net) of floorspace.
Newspaper publishing facilities	1 space per employee, 1 space per vehicle parked on-site, 1 space per loading dock.
Nightclubs	1 space per 200 square feet (net) of floorspace.
Nonautomotive repair service establishments	1 space per 200 square feet (net) of floorspace, 1 space per vehicle parked on-site.
Nonprofit riding stables	1 space per employee, 1 space per stable.
Nonprofit (seasonal use) fishing lakes	N/A
Nursery schools and child day care centers	Minimum of 20 spaces.
Office service and supply establishments	1 space per 200 square feet (net) of floorspace, 1 space per employee.

Type of Use	Parking Requirements
Offices not elsewhere classified	1 space per 285 square feet (net) of floorspace.
Other consumer goods and services	1 space per 200 square feet (net) of floorspace.
Other facilities for disposal of the deceased	1 space per employee.
Other service establishments	1 space per 200 square feet (net) of floorspace.
Outdoor commercial racing (motorcycles, automobiles, trucks, tractors and motorized vehicles)	
Outdoor golf driving ranges	1.5 spaces per tee, 1 space per 100 square feet (net) of floorspace for pro shop or clubhouse.
Overnight travel trailer parks	N/A
Parking for vehicles	N/A
Pawnshops	1 space per 200 square feet (net) of floorspace.
Petroleum or bulk storage stations	1 space per employee, 1 space per vehicle parked on-site.
Photography studios	1 space per 200 square feet (net) of floorspace.
Plumbing or heating equipment dealers	1 space per 200 square feet (net) of floorspace.

Type of Use	Parking Requirements
Poultry hatcheries	1 space per employee, 1 space per vehicle parked on-site.
Printing, publishing and lithography establishments	1 space per 200 square feet (net) of floorspace, 1 space per employee.
Private community centers	1 space per every person lawfully permitted within the assembly area at 1 time, plus 1 space per employee. In the absence of a designated assembly area, 1 space shall be provided per 300 square feet (net) of floorspace.
Private parks	1 space per 3,000 square feet of site area.
Private schools of general and special education	2 spaces per classroom, 1 space per employee.
Pro shops (accessory to driving ranges or golf courses)	1 space per 100 square feet (net) of floorspace.
Professional offices	1 space per 285 square feet (net) of floorspace.
Radio and television stations	1 space per 285 square feet (net) of floorspace, 1 space per employee.
Radio, television and other communication towers and antennas	N/A
Rail stations	1 space per 300 square feet (net) of floorspace.
Railroad car classification yards	1 space per employee.

Type of Use	Parking Requirements
Railroad stations for freight	1 space per 500 square feet (net) of floorspace, 1 space per employee.
Recreational grounds other than tennis courts and golf courses	1 space per 10,000 square feet of site area.
Recycling dropoff centers	Minimum of 10 spaces.
Research and development centers	1 space per 500 square feet (net) of floorspace, 1 space per employee.
Research and testing laboratories	1 space per 500 square feet (net) of floorspace, 1 space per employee.
Rest homes, personal care homes and convalescent homes	1 space per 4 beds.
Reupholstery and furniture repair establishments	1 space per 250 square feet (net) of floorspace, 1 space per employee.
Roominghouses and boardinghouses	1 space per 2 residents.
Sawmills (temporary)	N/A
Self-service laundry facilities	1 space per 200 square feet (net) of floorspace.
Self-service storage facilities	Minimum of 5 spaces.

Type of Use	Parking Requirements
Sexually oriented businesses	1 space per 100 square feet (net) of floorspace.
Shelters (homeless)	1 space per employee.
Signs and outdoor advertising facilities	1 space per 300 square feet (net) of floorspace, 1 space per employee.
Single-family dwelling units (attached)	2 spaces per dwelling unit.
Single-family dwelling units (detached)	2 spaces per dwelling unit.
Studios and supplies	1 space per 250 square feet (net) of floorspace.
Taxistands and taxi dispatching agencies	N/A
Telephone business offices	N/A
Temporary uses	N/A
Theaters	1 space per 3 seats per person lawfully permitted at one time.
Tire retreading and recapping facilities	1 space per employee, 1 space per vehicle parked on-site.
Townhouse dwelling units (attached)	2 spaces per dwelling unit.
Trailer salesrooms and sales lots	1 space per 500 square feet of site area.

Type of Use	Parking Requirements
Transportation equipment storage and maintenance facilities	1 space per employee.
Truck terminals	1 space per employee.
Two-family dwelling units	4 spaces per dwelling unit (duplex).
Utility facilities (private)	1 space per 500 square feet (net) of floorspace, 1 space per employee.
Vending machine sales, service, rental or repair establishments	1 space per 500 square feet (net) of floorspace, 1 space per loading dock.
Vocational schools (commercial)	1 space per 2,000 square feet of site area.
Warehouse and storage facilities	1 space per 2,000 square feet (net) of storage space, with a minimum of 5 spaces.
Wholesale sales offices	1 space per 300 square feet (net) of floorspace.
Wholesale trade and distribution facilities	1 space per 300 square feet (net) of floorspace, 1 space per loading dock.
Wholesale trade offices in conjunction with office showrooms	1 space per 300 square feet (net) of floorspace, 1 space per loading dock.
Zoos	

Min. Bk. 97 Petition No. O.B.69
Doc. Type Fire Dept., Site Plan Review, & Cobb DOT comments and recommendations
Meeting Date 12-20-2022

DECEMBER 20, 2022 ZONING HEARING
"OTHER BUSINESS"
COMMISSION DISTRICT 3

ITEM OB-69

PURPOSE

To consider a site plan and stipulation amendment for Furniture & Mattress Warehouse, LP regarding rezoning application Z-25 of 2021 for property located on the south side of Piedmont Road and on the east side of Bells Ferry Road in Land Lot 642 of the 16th District (Piedmont Road).

BACKGROUND

The subject property was rezoned to Neighborhood Retail Commercial (NRC) in 2021 for a retail shopping center. One of the stipulations zoned the project to a site plan. The applicant has requested to amend the site plan to allow an improved layout. The buildings, buffers and other improvements would remain largely where approved in 2021, with changes to shift the buildings and parking area a little to provide for better access throughout the project. The proposal is also deleting the drive-thru restaurant for a karate studio along Bells Ferry Road. The applicant is proposing approximately a 10% reduction in parking, which is supported by a shared parking study the applicant has prepared. The applicant has been on contact with the neighbors and they are supportive of the changes. If approved, all previous stipulations not in conflict with this amendment would remain in effect.

STAFF COMMENTS

Stormwater Management: Stormwater Management has no objection to this other business item as requested. All current stormwater management codes and regulations will be required at the time land disturbance permitting.

Fire Department: See attached.

Water and Sewer: No additional comments.

Site Plan Review: The submitted site plan does not appear to satisfy the minimum parking lot tree standards of the Cobb County Tree Ordinance. Additional parking lot peninsulas may be required, as determined by the Cobb County Arborist during the Site Plan Review process.

Cobb DOT: See attached.

RECOMMENDATION

The Board of Commissioners conduct a Public Hearing and consider the stipulation and site plan amendment.

ATTACHMENT

Other Business application.

Fire Department:

The owner/tenant maintain the sole responsibility for the design and correcting all errors, omissions, problems, and code (if any) exposed during construction AFTER authorization by Cobb County

FIRE HYDRANTS:
Hydrant location within 500 feet of the most remote portion of the structure.* (Additional hydrant may need to be installed.)

Fire Flow Test from closest existing hydrant shall be provided meeting the minimum.* (Required Flow: 1,500 gpm @ 20 psi)

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.

FIRE ENGINE ACCESS: The fire department must be able to access the long side of the building.

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 2012 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.

Maximum slope of the access road in reference to the apparatus is 10% Front to Back and 5% Side to Side. Maximum grade of roadways leading to Fire Access roads refer to the Cobb County Development Standard Section 400: 14% for Non-Residential. Maximum angle of departure is 8.5%.

Aerial apparatus access shall be required for all structures over 30 feet in height measured from the lowest level of fire department access to the ceiling height of the highest occupied floor level. Aerial fire apparatus access roads shall be a minimum width of 24 feet maximum of 40 feet from the structure and be positioned parallel to one entire side of the building. No overhead utility and power lines shall be located within the aerial fire apparatus access. (Cobb County Development Standards 401.08.02.1)

Auto parts buildings may be required to be protected with a fire sprinkler system. Final determination to be made at building plan review. Be prepared to provide water supply.

Access road width with a hydrant.
Where a fire hydrant is located on a fire apparatus access road, the minimum road width shall be 26 feet, exclusive of shoulders (see Figure D103.1 in Appendix D).

C/O: Plans must be submitted to the Cobb County Fire Marshal's Office to initiate the Certificate of Occupancy process.

The above is not an all-inclusive list, all applicable fire and life safety provisions must be met.

Jeff Byrd
(770) 528-8814
jeffrey.byrd@cobbcounty.org

OB-69-2022 **DEPARTMENT COMMENTS - DOT**

ITE Land Use	Description	Expected Size (KSF)	AM			PM			Daily (vpd)
			In (vph)	Out (vph)	Total (vph)	In (vph)	Out (vph)	Total (vph)	
151	Mini Warehouse	7.2	1	0	**1**	1	1	**2**	10
495	Recreational Comm. Center	7.2	9	5	**14**	8	10	**18**	208
710	General Office	19.1	26	3	**29**	5	23	**28**	207
822	Strip Retail	19.1	27	18	**45**	63	63	**126**	1,040
942	Auto Care Center	7.8	12	6	**18**	12	13	**25**	186
Total			**75**	**32**	**107**	**89**	**110**	**199**	**1,651**

vph = vehicles per hour, vpd = vehicles per day, KSF = 1,000 square feet, N/A = not available

Development gross trip generation based on available development size and rates from the Institute of Transportation Engineers (ITE) Trip Generation, 11th edition.

Recommendations

1. Recommend retaining all DOT recommendations for Z-25-2021, which include:

   a) 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 east side of Bells Ferry Road, a minimum of 50' from the roadway centerline;

   b) Recommend the right-in/right-out driveway median on Piedmont Road be reconstructed per Detail 106 of the Cobb County Development Standards and Specifications;

   c) Recommend replacing disturbed curb and gutter along the interior private access road frontage;

   d) Recommend adding sidewalk along one side of the interior private access road to connect to existing sidewalks on Bells Ferry Road and Piedmont Road. Recommend location and design be determined during plan review, subject to Cobb County DOT approval;

   e) Recommend extending the uninterrupted access for the driveways to a minimum of 50' per Development Standard 402.08;

   f) As necessitated by this development, recommend Bells Ferry Road access to include a deceleration lane. This can be achieved by making use of the additional pavement south of the driveway. Recommend location and design (including striping changes) be determined during plan review, subject to Cobb County DOT approval;

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

OB-69-2022 **DEPARTMENT COMMENTS - DOT**

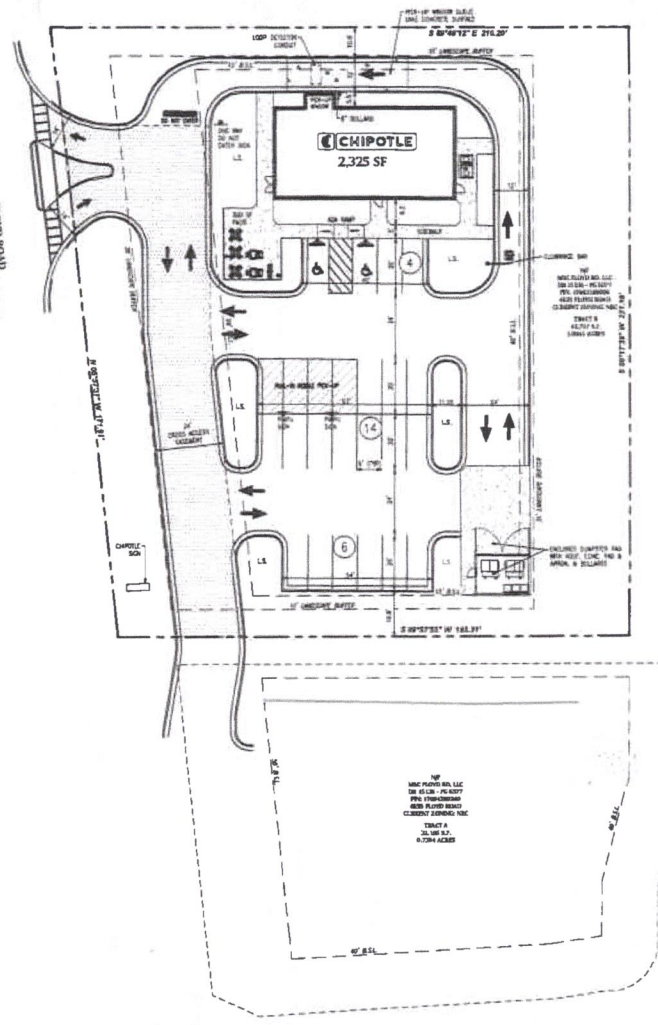
(continued)

2. Recommend a traffic study. Study assumptions (such as study intersections, trip distribution, future analysis years, and annual growth rate) should be submitted in a memorandum (Submittal 1) and agreed to by Cobb DOT before continuing the full traffic study (Submittal 2). Cobb DOT recommendations may be revised after the study's receipt.

Min. Bk. 97 Petition No. O.B.70
Doc. Type Site Plan

Meeting Date 12-20-2022

RECEIVED
NOV 15 2022
COBB CO COMM DEV AGENCY
ZONING DIVISION



PRELIMINARY SITE PLAN

SCALE: 1" = 20'

PAULSON MITCHELL INCORPORATED
LAND PLANNERS
ENGINEERS • SURVEYORS
TRANSPORTATION
LANDSCAPE ARCHITECTS
854 Mill Street
Suite 300
Roswell, Georgia 30075
VOICE 770.650.7388
FAX 770.650.7384

PROJECT:
CHIPOTLE
4835 FLOYD ROAD
LAND LOTS 31 & 42
DISTRICT 9
UNINCORPORATED
COBB COUNTY

FOR:
CAPITAL GROWTH BUCHALTER
361 SUMMIT BLVD, SUITE 110
BIRMINGHAM, AL 35243
205-968-8220

BUILDING SETBACKS
FRONT: 50'
SIDE: 15'
REAR: 40'

BUFFERS
FRONT/STREET: 20'
SIDE: 10'
REAR: 30'

PARKING SUMMARY
RESTAURANT REQ.: 5 SP/100 SF NET *19 SPACES
RESTAURANT PROVIDED: 24 SPACES
*NOTE 2,325 SF - 1,395 SF = 930 SF = 1,860 SF
STANDARD STALL DIMENSIONS: --' x --'
COMPACT STALLS ALLOWED: --%
MIN. 90° AISLE WIDTH: --'/--'

LANDSCAPE REGULATIONS
TREE DENSITY: -- UNITS/ACRE
ISLAND REQ.: -- ISLAND/-- SPACES
MIN. ISLAND SIZE/WIDTH: -- S.F./--'
GREENSPACE %: --%

FEMA MAP
FIRM PANEL #: --

DRAWING RECORD
DRAWN BY: --
2022260_PS3.dwg 11.15.2022

PRELIMINARY SITE PLAN

SHEET PS-3

Min. Bk. 97 Petition No. O.B.70
Doc. Type letter from Parks Huff
Meeting Date 12-20-2022

GARVIS L. SAMS, JR.
JOEL L. LARKIN
PARKS F. HUFF

SAMS, LARKIN & HUFF
A LIMITED LIABILITY PARTNERSHIP
SUITE 100
376 POWDER SPRINGS STREET
MARIETTA, GEORGIA 30064-3448

770•422•7016
TELEPHONE
770•426•6583
FACSIMILE

December 20, 2022

VIA HAND DELIVERY

Mr. John P. Pederson, AICP, Manager
Cobb County Zoning Division
Community Development Agency
1150 Powder Springs Road, Suite 400
Marietta, GA 30064

Re: Other Business Application of Mableton CGB GA, LLC to request a Site Plan Amendment regarding No. Z-163 of 2005 (OB-70)

Dear John:

The applicant filed an Other Business application to amend previous zoning conditions to build a new Chipotle restaurant. The applicant has worked with the Mableton Improvement Coalition (MIC) to address the questions and concerns from the community. The site is adjacent to a middle school and previous proposals have created concerns about the proximity to the school and conflicts with vehicular and pedestrian school traffic. Below are the proposed conditions that the applicant propose to be a part of the zoning approval.

1) The site will be developed consistent with the attached site plan with the final site plan to be approved by the district commissioner after review by the Mableton Improvement Coalition.
2) Chipotle will have a pick-up window that will only be used as a pick-up window and not for placing orders . The applicant agrees to no reader board or menu board and no order speaker system to ensure that the window is never converted to a drive-thru window ordering option.
3) Previous restaurant proposals created concerns about conflicting pedestrian and vehicular traffic with the adjacent school. Although not presently serving breakfast, Chipotle may add breakfast at its 4835 Floyd Road in the future. However, any subsequent business other than Chipotle that offers breakfast will need BOC approval through an Other Business zoning application.
4) The building architecture shall be consistent with the attached rendering and material board. The building shall be all brick and there shall be no EIFS or stucco siding. The District Commissioner shall have final approval of the architecture and materials to ensure it is consistent with the attached plans.

Petition No. O.B.70
Meeting Date 12-20-2022
Continued

S L H

VIA HAND DELIVERY & EMAIL

Mr. John P. Pederson, AICP, Manager
Cobb County Zoning Division
Community Development Agency
November 15, 2022
Page 2

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5) There shall be a Landscape Review Committee made up of the applicant, Mableton Improvement Coalition and a County (or city) Community Development Department representative to review the final landscape plan. The District Commissioner shall have final approval of the landscape plan. The applicant agrees to plant additional landscaping materials to the east of the fence along the eastern property line, subject to the approval of the Cobb DOT or Cobb County School Board, whichever entity shall be determined to control this property. Such landscaping will be included in the plan submitted to the Landscape Review Committee.

Very truly yours,

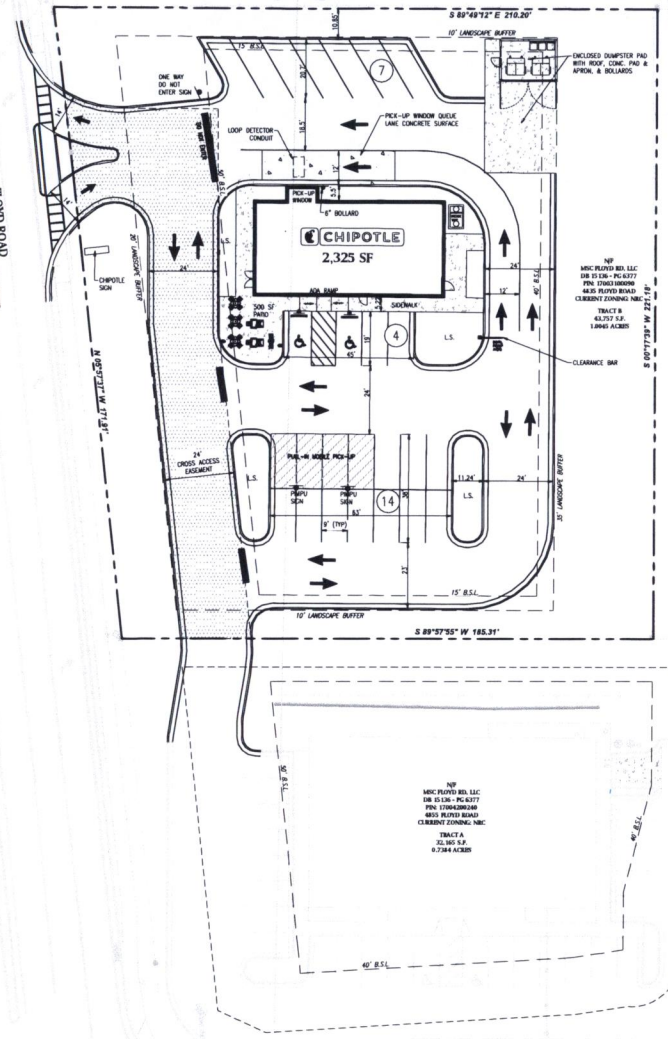
SAMS, LARKIN & HUFF, LLP

Parks F. Huff
phuff@samslarkinhuff.com

PFH/jac
Enclosures/Attachments

cc: Mr. Greg Craft, Capital Growth Buchalter Georgia, LLC (via email w/attachments)

Petition No. O.B.70
Meeting Date 12-20-2022
Continued



PRELIMINARY SITE PLAN

0 10 20 40 80
SCALE: 1 = 20

LAND PLANNING
ENGINEERING & SURVEYING
TRANSPORTATION
LANDSCAPE ARCHITECTS
85-A MILL STREET
SUITE 300
ROSWELL, GEORGIA 30075
VOICE 770.993.7555
FAX 770.993.7994
www.paulsonmitchell.com

PAULSON MITCHELL INCORPORATED

PROJECT:

CHIPOTLE

4835 FLOYD ROAD
LAND LOTS 31 & 42
DISTRICT 9
UNINCORPORATED
COBB COUNTY

FOR:

CAPITAL GROWTH BUCHALTER

361 SUMMIT BLVD, SUITE 110
BIRMINGHAM, AL 35243
205-968-9220

GEORGIA REGISTERED PROFESSIONAL ENGINEER DANIEL B. MITCHELL 12-16-22

BUILDING SETBACKS

FRONT:	50'
SIDE:	15'
REAR:	40'

BUFFERS

FRONT/STREET:	20'
SIDE:	10'
REAR:	35'

PARKING SUMMARY

RESTAURANT REQ.1 SF/100 SF NET	*19 SPACES
RESTAURANT PROVIDED.:	25 SPACES
*60% 2,325 SF=1,395 SF+ 500 SF = 1,895 SF	
STANDARD STALL DIMENSIONS:	--' x --'
COMPACT STALLS ALLOWED:	--%
MIN. 90°/60° DRIVE WIDTH:	--'/--'

LANDSCAPE REGULATIONS

TREE DENSITY:	-- UNITS/ACRE
ISLAND REQ.:	-- ISLAND/-- SPACES
MIN. ISLAND SIZE/WIDTH:	-- S.F./--'
GREENSPACE %:	--%

FEMA MAP

FIRM PANEL #: --

DRAWING RECORD

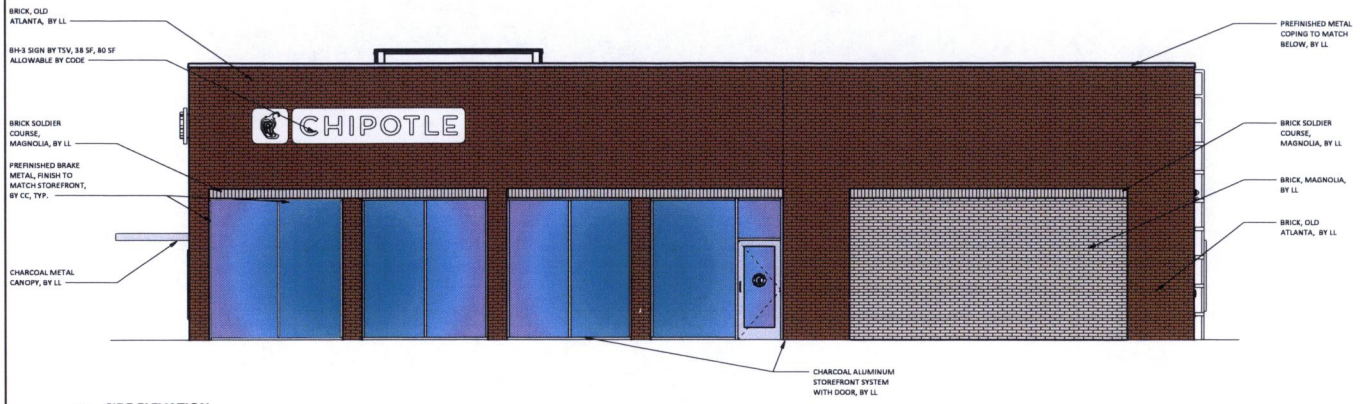
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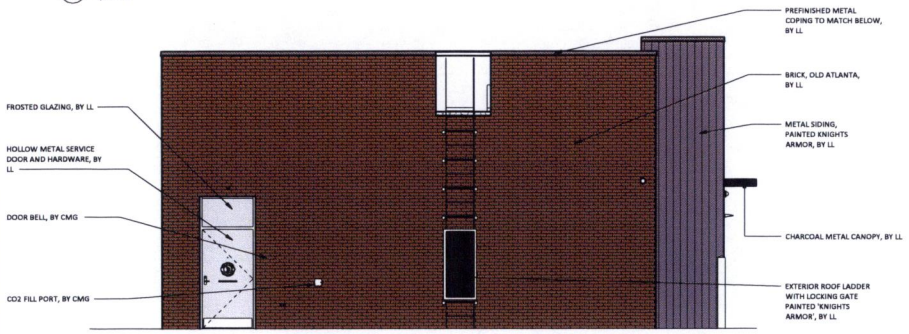
PRELIMINARY SITE PLAN

SHEET **PS-4**

Petition No. O.B.70
Meeting Date 12-20-2022
Continued



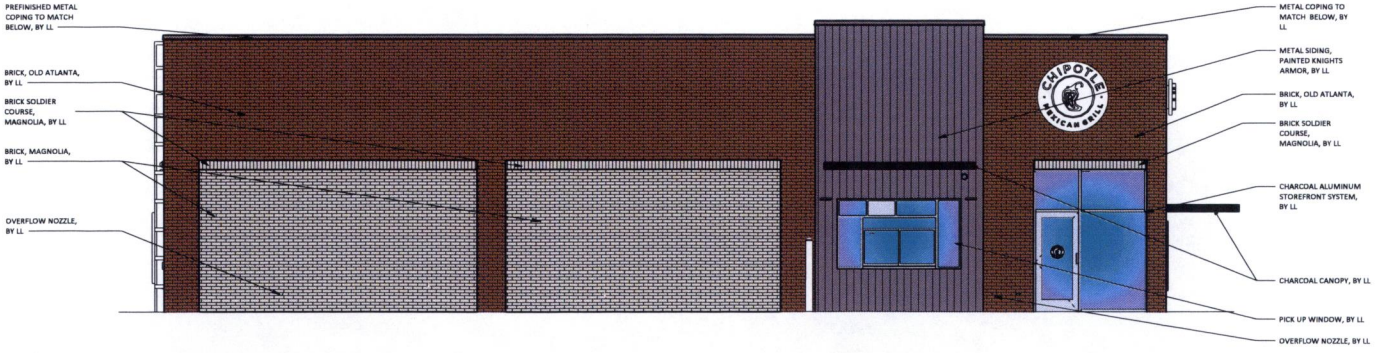
3 AP131 **SIDE ELEVATION**
1/4" = 1'-0"



2 AP131 **REAR ELEVATION**
1/4" = 1'-0"



1 AP131 **FRONT ELEVATION**
1/4" = 1'-0"



1 AP131 **PICK-UP WINDOW ELEVATION**
1/4" = 1'-0"

Consultant:
GPD GROUP
Professional Corporation
520 South Main Street, Suite 2531
Akron, Ohio 44311
Ph. 330.572.2100 F. 330.572.2101

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CHIPOTLE MEXICAN GRILL, INC.
PO BOX 182566
COLUMBUS, OH 43218-2566
TELEPHONE 614.338.2400
INTERNET: WWW.CHIPOTLE.COM

STORE NO.: 4701
MABELTON
4835 Floyd Rd
Mableton, GA 30126

Issue Record:

Revisions:

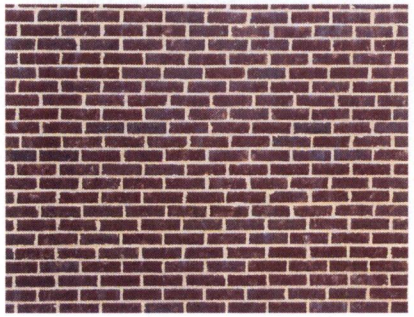
Drawn: Author
Checked: Checker

Project No.
2022201.27 / 4701

Contents:
PROPOSED ELEVATIONS

AP131

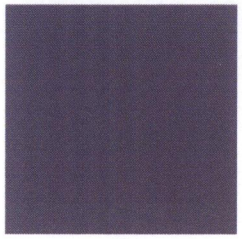
Petition No. O.B.70
Meeting Date 12-20-2022
Continued



BRICK- OLD ATLANTA



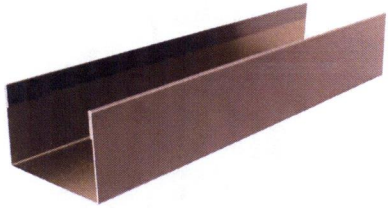
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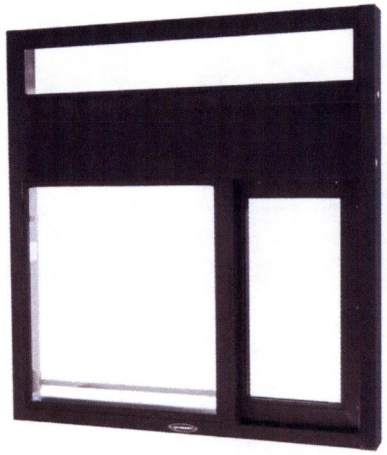
PAINT- KNIGHTS ARMOR



PREFINISHED METAL CANOPY- CHARCOAL



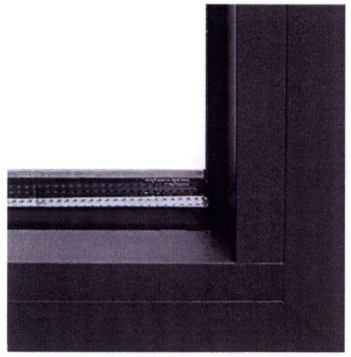
PREFINISHED METAL COPING-
COLOR MATCH OLD ATLANTA



DARK BRONZE ALUMINUM PASS-THRU WINDOW



CHARCOAL ALUMINUM STOREFRONT ENTRY DOORS
WOOD HANDLES



CHARCOAL ALUMINUM STOREFRONT SYSTEM

MABLETON, GA

4835 Floyd Road
Mableton, GA 30126

project #4701

THE COLORS AND MATERIALS SHOWN IN THIS RENDERING ARE CLOSE APPROXIMATIONS AND NOT AN EXACT MATCH. RENDERING IS TO BE CONSIDERED FOR VISUAL DESIGN INTENT ONLY AND NOT FOR CONSTRUCTION.

GPD GROUP
www.gpdgroup.com
1.800.955.4731

Min. Bk. 97 Petition No. O.B.70
Doc. Type Fire Dept, Water & Sewer Dept, and Cobb DOT Comment and recommendations
Meeting Date 12-20-2022

DECEMBER 20, 2022 ZONING HEARING
"OTHER BUSINESS"
COMMISSION DISTRICT 4

ITEM OB-70

PURPOSE

To consider a site plan and stipulation amendment for Mableton CGB GA, LLC regarding rezoning application Z-163 of 2005 for property located on the east side of Floyd Road, and on the west side of White Boulevard, north side of Nickajack Road in Land Lots 31 and 42 of the 17th District (Floyd Road).

BACKGROUND

The subject property was rezoned to Neighborhood Retail Commercial (NRC) in 2005 for a 9,000 square-foot retail building. The property has not developed and is wooded. The applicant would like to amend the site plan and stipulations to allow a 2,400 square-foot Chipotle restaurant. The building would be one-story in height with a glass and EFIS exterior, with 24 parking spaces. The proposal would have interparcel access with the property to the south as well as a right-in/right-out onto Floyd Road. Additionally, the applicant may need to amend the hours slightly since they are a lunch and dinner establishment. If approved, all previous stipulations not in conflict with this amendment would remain in effect.

STAFF COMMENTS

Stormwater Management: Stormwater Management has no objection to this other business item as requested. All current stormwater management codes and regulations will be required at the time land disturbance permitting.
Fire Department: See attached.
Water and Sewer: As per original comments, connection to sewer required by Code. However, public sewer is now closer to the parcel. Also, connection south in adjacent property with private agreement is no longer permissible.
Site Plan Review: No comments.
Cobb DOT: See attached.

RECOMMENDATION

The Board of Commissioners conduct a Public Hearing and consider the stipulation and site plan amendment.

ATTACHMENT

Other Business application.

Petition No. O.B.70
Meeting Date 12-20-2022
Continued

Fire Department:

The owner/tenant maintain the sole responsibility for the design and correcting all errors, omissions, problems, and code (if any) exposed during construction AFTER authorization by Cobb County

FIRE HYDRANTS:
Hydrant location within 500 feet of the most remote portion of the structure.* (Additional hydrant may need to be installed.)

Fire Flow Test from closest existing hydrant shall be provided meeting the minimum.* (Required Flow: 1,500 gpm @ 20 psi)

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 2012 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.

Maximum slope of the access road in reference to the apparatus is 10% Front to Back and 5% Side to Side. Maximum grade of roadways leading to Fire Access roads refer to the Cobb County Development Standard Section 400: 14% for Non-Residential. Maximum angle of departure is 8.5%.

C/O: Plans must be submitted to the Cobb County Fire Marshal's Office to initiate the Certificate of Occupancy process.

The above is not an all-inclusive list, all applicable fire and life safety provisions must be met.

Jeff Byrd
(770) 528-8814
jeffrey.byrd@cobbcounty.org

Petition No. O.B.70
Meeting Date 12-20-2022
Continued

OB-70-2022 **DEPARTMENT COMMENTS - DOT**

Comments and observations

The proposed access on Floyd Road is within an existing deceleration lane that serves Floyd Middle School.

Recommendations

1. 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 east side of Floyd Road, a minimum of 50' from the roadway centerline.

2. Recommend applicant fund any required modifications to existing school deceleration lane required by the proposed driveway access. Recommend design be determined during plan review, subject to Cobb County DOT approval.

3. Recommend replacing disturbed curb, gutter, and sidewalk along the Floyd Road and White Boulevard frontages.

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

Min. Bk. 97 Petition No. O.B. 66
Doc. Type Sign Permit Application

Meeting Date 12-20-2022

Permit #

Cobb County...Expect the Best!

PERMANENT SIGN PERMIT APPLICATION

(PLEASE PRINT OR TYPE)

Name of Business Appearing on Sign: OFF PREMISE ADVERTISING - VARIOUS		
Address: (Include City, Zip Code, and State) 2355 CHURCH RD S.E. SMYRNA, GA 30080		
Parcel Identification Number (PIN) 17076100500	Zoning LI	Any Sign Stipulations associated with this property: Yes☐ No☐ Staff: Date:

Sign Owner

Name: LAMAR ADVERTISING	Phone: (770) 447-8610
Address: (Include City, Zip Code, and State) 6597 PEACHTREE INDUSTRIAL BLVD PEACHTREE CORNERS, GA 30092	
Property Owner Name: TIMOTHY LYNN WEBSTER IRREVOCABLE TRUST	Phone: (205) 789-3301
Property Owner Address: 1511 HIGHWAY 13 HELENA, AL 35080	

Erecting Sign Company

Company Name: LAMAR ADVERTISING	Phone: (770) 447-8610
Address: (Include City, Zip Code, and State) PEACHTREE CORNERS 6597 PEACHTREE INDUSTRIAL BLVD GA 30092	Business License # 2022-7594
Contact Name: TIM ADRIEN	Permit Contact Email: TADRIEN@LAMAR.COM

Freestanding Signs (use second application for more space)

Total Sign Verbiage Area (Sq Ft)	Overall Sign Structure (Sq Ft)	Height of Sign	Cost of Sign	Face Change or New Sign
1. 672	672	135'	$134,000	FACE CHANGE (1)
2.			$	

Electronic Messaging Portion (Sq Ft) 672 Must provide certification of brightness within 30 days of erected sign

24 Hour Emergency Contact as required by Code: Name MATT MOORE Number (770) 447-8610

Lot size (acres) Road Frontage

Building Signs (use second application for more space)

Building Signs (Sq Ft)	Linear Feet of wall	Cost of Sign	Circle All That Apply
1.		$	Metal Neon Wood Plastic Other
2.		$	Metal Neon Wood Plastic Other
3.		$	Metal Neon Wood Plastic Other

Canopy Signs (use second application for more space)

Canopy Sign (Sq Ft)	Cost of Sign	Linear Feet of Wall
1.	$	
2.	$	

Electrical Signs? ☑ Yes ☐ No U.L. #

I certify that all information provided herein is true and accurate to the best of my knowledge. Owner and/or agent agree that he, she or they will comply with all requirements of the Cobb County Sign Ordinance currently in effect. If any information provided is found to be false or misrepresented, the permit will be deemed invalid. Owner and/or agent affirm the above signage complies with all Zoning/ Variance Stipulations assigned to the above property. It is further agreed that the sign will not block the view of a residence, commercial, or industrial building, existing sign or street intersection, and will be located on private property.

Permit Issue Date: Permit fee: $

Signature [signature] Owner/Agent FOR LAMAR

Approved _____ Zoning Staff

Revised 7/06/16