



APPLICANT: KO Development, LLC

678-438-1884

REPRESENTATIVE: Kareem Okereke

678-438-1884

TITLEHOLDER: Kareem Okereke

PROPERTY LOCATION: Located at the northwest intersection of Mableton Parkway and Woody Valley Road.

ACCESS TO PROPERTY: Mableton Parkway and Woody Valley Road

PHYSICAL CHARACTERISTICS TO SITE: Existing houses

PETITION NO: Z-103

HEARING DATE (PC): 12-04-07

HEARING DATE (BOC): 12-18-07

PRESENT ZONING: NS, R-20

PROPOSED ZONING: NRC

PROPOSED USE: Retail

SIZE OF TRACT: 2.1 acres

DISTRICT: 17, 18

LAND LOT(S): 37, 39

PARCEL(S): 41, 1, 2

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

COMMISSION DISTRICT: 4

**CONTIGUOUS ZONING/DEVELOPMENT**

NORTH: R-20/ Single-family house

SOUTH: R-20/ Single-family house

EAST: GC/ office building

WEST: R-20/ Glore subdivision

OPPOSITION: NO. OPPOSED \_\_\_\_\_ PETITION NO: \_\_\_\_\_ SPOKESMAN \_\_\_\_\_

**PLANNING COMMISSION RECOMMENDATION**

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

REJECTED \_\_\_\_\_ SECONDED \_\_\_\_\_

HELD \_\_\_\_\_ CARRIED \_\_\_\_\_

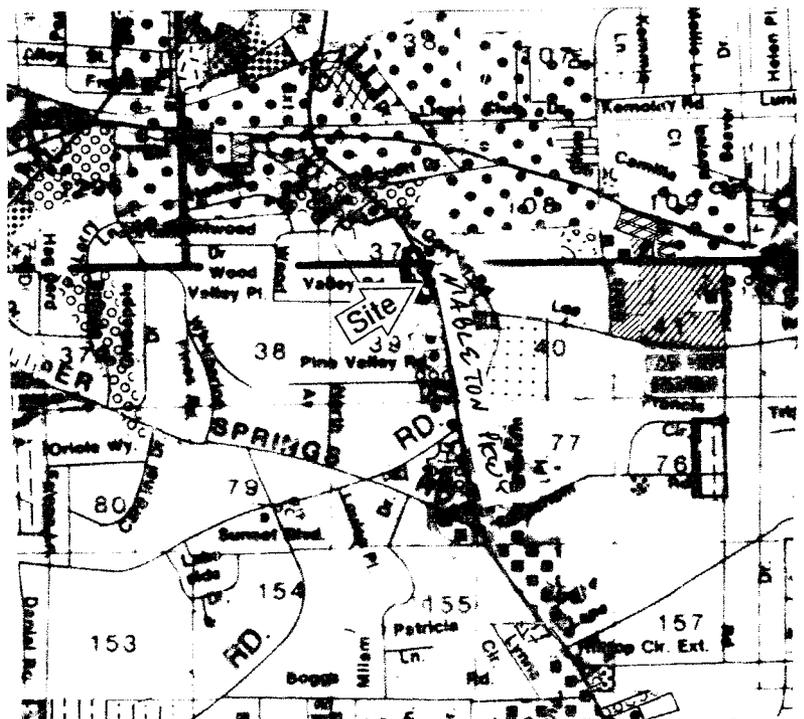
**BOARD OF COMMISSIONERS DECISION**

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

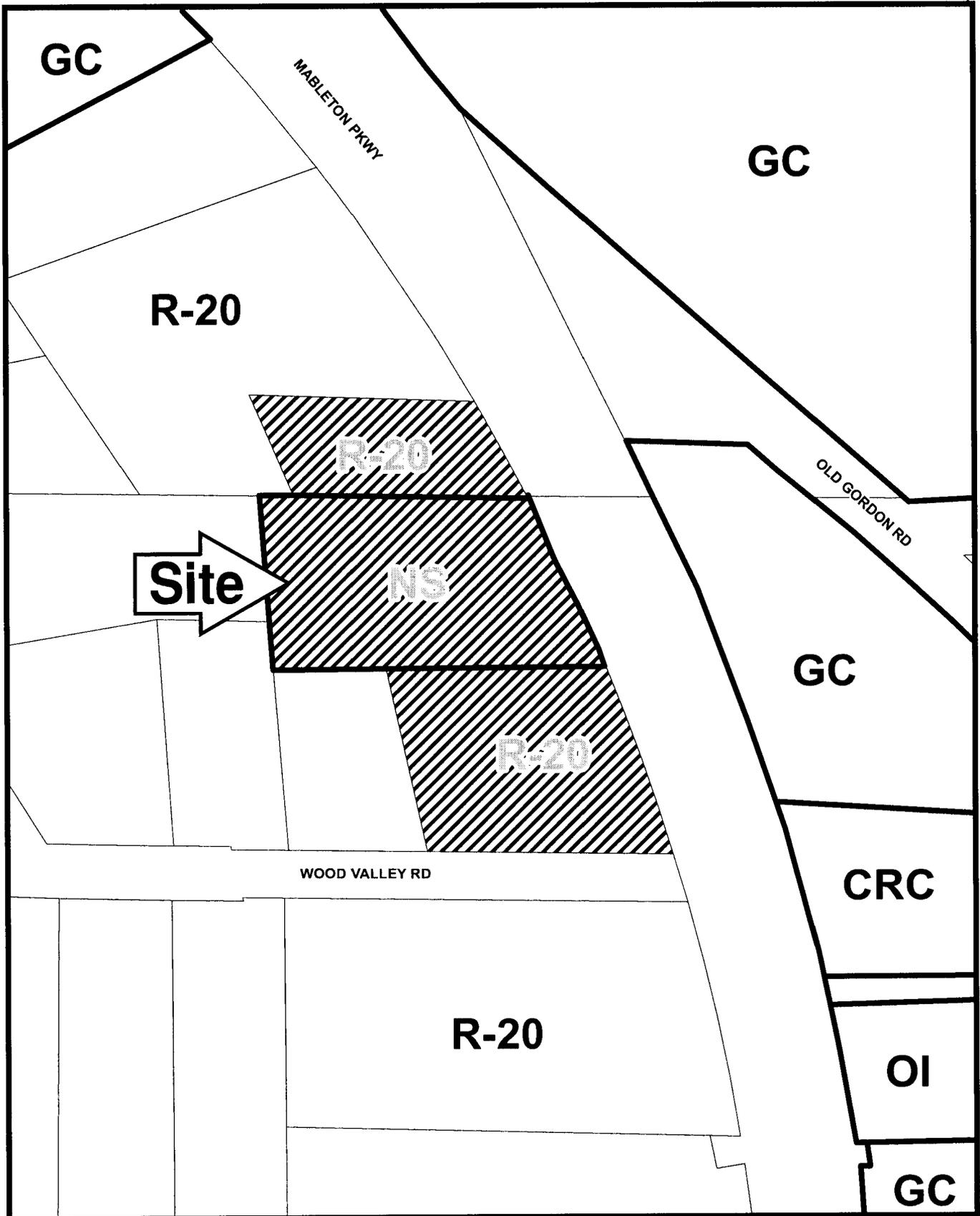
REJECTED \_\_\_\_\_ SECONDED \_\_\_\_\_

HELD \_\_\_\_\_ CARRIED \_\_\_\_\_

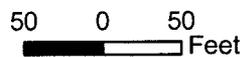
STIPULATIONS:



# Z-103



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



-  Draft Parcel Boundary
-  Approximate Zoning Boundary

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**PLANNING COMMENTS:**

Staff Member Responsible: John P. Pederson, AICP

Land Use Plan Recommendation: Community Activity Center

Proposed Number of Buildings: 1 Total Square Footage of Development: 20,750

F.A.R.: 0.22 Square Footage/Acre: 9,881

Parking Spaces Required: 104 Parking Spaces Provided: 83

The applicant is requesting the NRC zoning district to develop a small shopping center. The building will be one-story in height with a brick and EFIS exterior. The anticipated hours of operation for the tenants will be from 8:00 a.m. to midnight. Approximately 1-acre of the property is already zoned NS.

The applicant is showing contemporaneous variances which are:

- 1. Reduce the landscape buffer adjacent to the west property line from 20-feet to 10-feet;
- 2. Reduce the required amount of parking spaces from 104 to 83.

**Historic Preservation:** After consulting various county historic resources surveys, historic maps, archaeology surveys and Civil War trench location maps, staff finds that no known significant historic resources appear to be affected by this application. No further comment. No action by applicant requested at this time.

**Cemetery Preservation:** There is no significant impact on the cemetery site listed in the Cobb County Cemetery Preservation Commission's Inventory Listing which is located in this, or adjacent land lot.

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**FIRE COMMENTS:**

Fire Hydrant

Commercial: Fire hydrant within 500 feet of most remote part of structure. Show building to be sprinkled NFPA 13.

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NOTE: Comments reflect only what facilities appeared of record at the time of this review. Field verification required by developer.

**WATER COMMENTS:**

Available at Development?  Yes  No

Fire Flow Test Required?  Yes  No

Size / Location of Existing Water Main(s) 6" DI / W side Mableton Pkwy

Additional Comments: Master meter to be at entrance

Developer may be required to install/upgrade water mains, based on fire flow test results or Fire Department Code. This will be resolved in the Plan Review Process.

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**SEWER COMMENTS:**

In Drainage Basin?  Yes  No

At Development?  Yes  No

Approximate Distance to Nearest Sewer: At site in roads

Estimated Waste Generation (in G.P.D.): **A D F** 1500 **Peak** 3750

Treatment Plant: S Cobb

Plant Capacity Available?  Yes  No

Line Capacity Available?  Yes  No

Projected Plant Availability:  0 - 5 year  5 - 10 years  over 10 years

Dry Sewers Required?  Yes  No

Off-site Easements Required?  Yes\*  No

Flow Test Required?  Yes  No

Septic Tank Recommended by this Department?  Yes  No

Subject to Health Department Approval?  Yes  No

\* If off-site easements are required, Developer must submit easements to CCWS for review / approval as to form and stipulations prior to the execution of easement(s) by the property owner(s). All easement acquisitions are the responsibility of the Developer.

Additional Comments:

Restaurants require pre-installed grease traps

Notes FYI:

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

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**DRAINAGE COMMENTS**

FLOOD HAZARD:  YES  NO  POSSIBLY, NOT VERIFIED

DRAINAGE BASIN: **Clay Branch** FLOOD HAZARD INFO: Zone X

- FEMA Designated 100 year Floodplain Flood.
- Flood Damage Prevention Ordinance DESIGNATED FLOOD HAZARD.
- Project subject to the Cobb County Flood Damage Prevention Ordinance Requirements.
- Dam Breach zone from (upstream) (onsite) lake - need to keep residential buildings out of hazard.

WETLANDS:  YES  NO  POSSIBLY, NOT VERIFIED

Location: \_\_\_\_\_

- The Owner/Developer is responsible for obtaining any required wetland permits from the U.S. Army Corps of Engineer.

STREAMBANK BUFFER ZONE:  YES  NO  POSSIBLY, NOT VERIFIED

- Metropolitan River Protection Area (within 2000' of Chattahoochee River) ARC (review 35' undisturbed buffer each side of waterway).
- Chattahoochee River Corridor Tributary Area - County review (\_\_\_\_\_ undisturbed buffer each side).
- Georgia Erosion-Sediment Control Law and County Ordinance - County Review/State Review.
- Georgia DNR Variance may be required to work in 25 foot streambank buffers.
- County Buffer Ordinance: 50' , 75' , 100' or 200' each side of creek channel.

**DOWNSTREAM CONDITION**

- Potential or Known drainage problems exist for developments downstream from this site.
- Stormwater discharges must be controlled not to exceed the capacity available in the downstream storm drainage system.
- Minimize runoff into public roads.
- Minimize the effect of concentrated stormwater discharges onto adjacent properties.
- Developer must secure any R.O.W required to receive concentrated discharges where none exist naturally
- Existing Lake Downstream \_\_\_\_\_.  
Additional BMP's for erosion sediment controls will be required.
- Lake Study needed to document sediment levels.
- Stormwater discharges through an established residential neighborhood downstream.
- Project engineer must evaluate the impact of increased volume of runoff generated by the proposed project on downstream **existing stormdrainage system**.

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DRAINAGE COMMENTS CONTINUED

SPECIAL SITE CONDITIONS

- Provide comprehensive hydrology/stormwater controls to include development of out parcels.
- Submit all proposed site improvements to Plan Review.
- Any **spring activity** uncovered must be addressed by a qualified geotechnical engineer (PE).
- Structural fill \_\_\_\_\_ must be placed under the direction of a qualified registered Georgia geotechnical engineer (PE).
- Existing facility.
- Project must comply with the Water Quality requirements of the CWA-NPDES-NPS Permit and County Water Quality Ordinance.
- Water Quality/Quantity contributions of the existing lake/pond on site must be continued as baseline conditions into proposed project.
- Calculate and provide % impervious of project site.
- Revisit design; reduce pavement area to reduce runoff and pollution.

INSUFFICIENT INFORMATION

- No Stormwater controls shown \_\_\_\_\_
- Copy of survey is not current – Additional comments may be forthcoming when current site conditions are exposed.
- No site improvements showing on exhibit.

ADDITIONAL COMMENTS

1. The majority of the site drains to the west through adjacent residential lots located on Glore Circle with no well-defined conveyance. Site runoff must be designed to discharge to the Wood Valley Road R/W or a drainage easement will be required to be obtained through the residential parcel(s).  
The existing flow capacity along Wood Valley Road is limited by a small 12-inch driveway culvert and a shallow road-side ditch. The adequacy of the downstream receiving system must be addressed at Plan Review.

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**TRANSPORTATION COMMENTS**

The following comments and recommendations are based on field investigation and office review of the subject rezoning case:

ROADWAY	AVERAGE DAILY TRIPS	ROADWAY CLASSIFICATION	SPEED LIMIT	JURISDICTIONAL CONTROL	MIN. R.O.W. REQUIREMENTS
Mableton Parkway	27500	Arterial	45 mph	GDOT	100'
Wood Valley Road	NA	Local	25 mph	Cobb County	50'

*Based on 2006 traffic counting data taken by GDOT.*

**COMMENTS AND OBSERVATIONS**

Mableton Parkway is classified as an Arterial and according to the available information, the existing right-of-way does meet the minimum requirements for this classification.

Wood Valley Road is classified as a Local and according to the available information, the existing right-of-way does not meet the minimum requirements for this classification.

Locate driveway access near the center of the development to align the opposing driveway across Mableton Parkway.

The applicant will have to verify that minimum intersection sight distance is available. If it is not, the applicant will have to implement remedial measures, subject to approval by the Department, to achieve the minimum requirement of 630'.

As necessitated by this development for egress from Mableton Parkway, a deceleration lane will be required.

Wood Valley Road is 18.3' wide.

Install sidewalk, curb and gutter along both road frontages.

GDOT permits will be required for all work that encroaches upon State right-of-way.

**RECOMMENDATIONS**

Recommend applicant consider entering into a development agreement pursuant of O.C.G.A. 36-71-13 for dedication of the following system improvements to mitigate traffic concerns: a) donation of right-of-way on the north side of Wood Valley Road, a minimum of 25' from the roadway centerline.

Recommend a central driveway to align with the opposing driveway on Mableton Parkway.

Recommend applicant verify that minimum intersection sight distance is available and if it is not, implement remedial measures, subject to the Department's approval, to achieve the minimum requirement of 630'.

Recommend a deceleration lane along Mableton Parkway.

Recommend installing sidewalk, curb and gutter along both road frontages.

Recommend improving Wood Valley Road along the development frontage to comply with Cobb County Standards.

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**TRANSPORTATION COMMENTS cont.**

Recommend GDOT permits for all work that encroaches upon State right-of-way.

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

## STAFF RECOMMENDATIONS

### Z-103            KO DEVELOPMENT, LLC

- A. It is Staff's opinion that the applicant's rezoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby properties. Mableton Parkway contains a mixture of land use types, such as single-family houses, commercial and retail uses.
- B. It is Staff's opinion that the applicant's rezoning proposal will not have an adverse affect on the usability of adjacent or nearby property. The applicant's proposal would be similar to other properties along Mableton Parkway. However, Staff believes the building should increase the aesthetics of the Mableton area. The building exterior should be brick and stucco on all four sides. Additionally, there should be heavy landscaping along the road frontages.
- C. It is Staff's opinion that the applicant's rezoning proposal will not result in a use which would cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools. This opinion can be supported by the departmental comments contained in this analysis.
- D. It is Staff's opinion that the applicant's rezoning proposal is in conformity with the policy and intent of the *Cobb County Comprehensive Plan*, which delineates this property to be within a Community Activity Center.
- E. It is Staff's opinion that there are existing and changing conditions affecting the use and development of the property which give supporting grounds for approving the applicant's rezoning proposal. The applicant's proposal is in accordance with the *Cobb County Comprehensive Plan*. Mableton Parkway is mostly a commercial corridor that contains a mix of land use types. In order to improve the aesthetics of Mableton Parkway, Staff would suggest the building architecture be upgraded with architecture treatments on all four sides, and there should be heavy landscaping along the road frontages.

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

- Site plan received by the Zoning Division October 15, 2007, with the District Commissioner approving minor modifications;
- No outdoor storage;
- Building be brick and stucco on all four sides;
- County Arborist approve all landscape areas at Plan Review;
- Fire Department comments;
- Water and Sewer comments and recommendations;
- Stormwater Management comments and recommendations; and
- DOT comments and recommendations.

**The recommendations made by the Planning and Zoning Staff are only the opinions of the Planning and Zoning Staff and are by no means the final decision. The Cobb County Board of Commissioners makes the final decisions on all Rezoning and Land Use Permits at an advertised public hearing.**