



Cobb County Community Development Agency
Zoning Division

1150 Powder Springs St. Marietta, Georgia 30064

Case # Z-14

Public Hearing Dates:

PC: 2-5-20

BOC: 2-18-20

SITE BACKGROUND

Applicant: Andres Estrada

Phone: 404-234-0108

Email: Jose@DeLaRosaRealtor.com

Representative Contact: Jose De La Rosa

Phone: 404-422-7472

Email: Jose@DeLaRosaRealtor.com

Titleholder: Atlanta Safety Brake Service, Inc.

Property location and address: Located at the western end of Sydney Ann Boulevard, and on the east side of James Road (1498 Sydney Ann Boulevard).

Access to Property: Sydney Ann Boulevard

QUICK FACTS

Commission District: 4- Cupid

Current Zoning: GC

Current use of property: Warehouse

Proposed zoning: NRC

Proposed use: Light Auto Repair and Office

Future Land Use Designation: Neighborhood Activity Center

Site Acreage: 0.589 acres

District: 18; Land Lots: 34

Parcel #'s: 18003400460

Taxes Paid: Yes

FINAL ZONING STAFF RECOMMENDATION:
(Zoning staff member: Donald Wells)

Based on the analysis of this case, Staff recommends **APPROVAL** subject to the following:

1. Site plan received by the Zoning Division on January 9, 2020, with the District Commissioner approving minor modifications;
2. Building be renovated and obtain a Certificate of Occupancy prior to any use of the property;
3. District Commissioner approve the building architecture renovation plan;
4. Property is not to be used as overflow parking for car dealership;
5. All vehicles must be parked in a legal parking space and be operable;
6. Variances referenced in the Zoning Comments section;
7. Fire Department comments and recommendations; and
8. Department of Transportation comments and recommendations.

0202-4-1-Z

NOT RELEASED FOR CONSTRUCTION

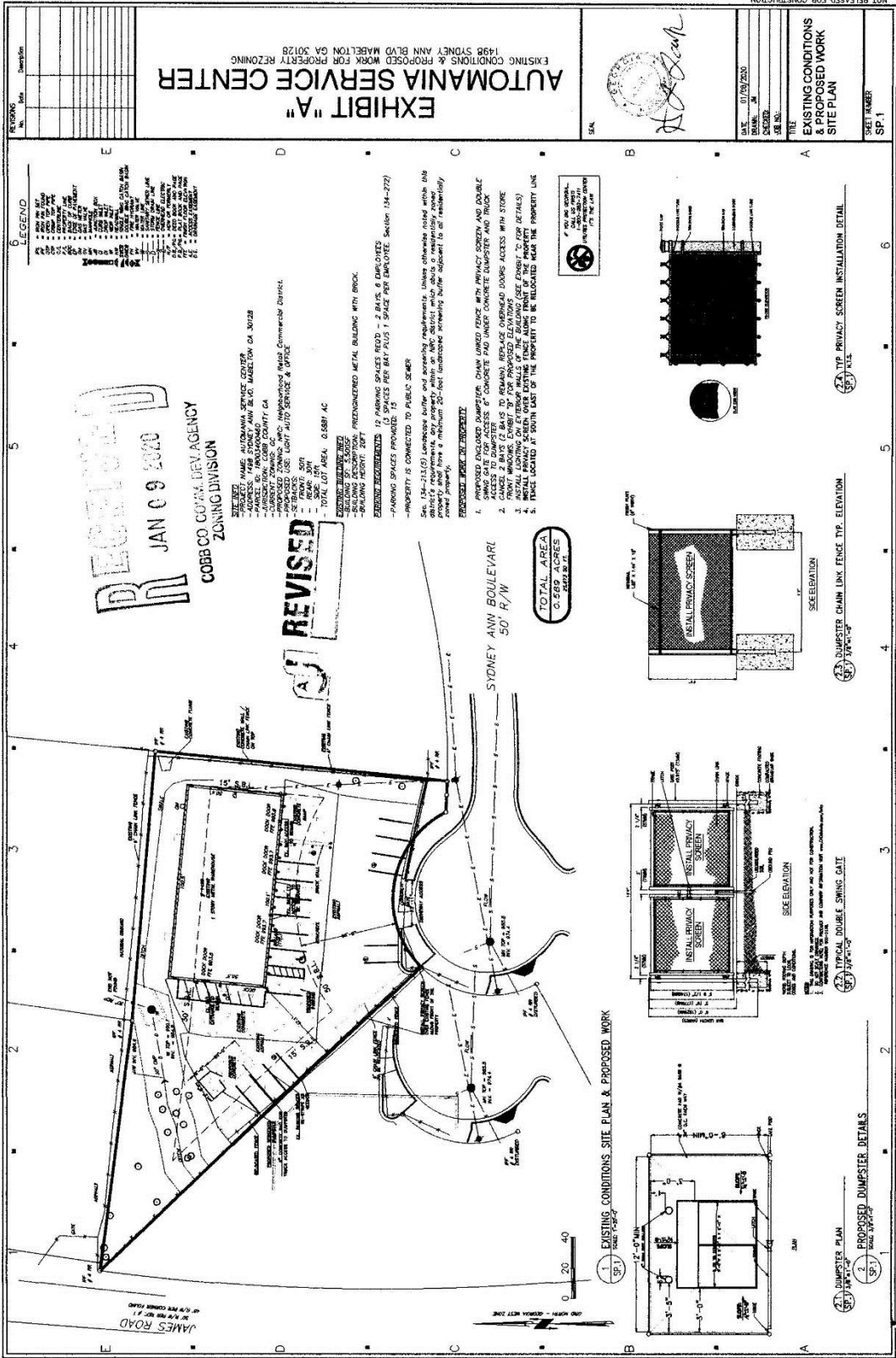


EXHIBIT "A"
 AUTOMANIA SERVICE CENTER
 EXISTING CONDITIONS & PROPOSED WORK FOR PROPERTY REZONING
 1498 SYDNEY ANN BLVD MABLETON GA 30128



DATE	01/09/2020
DRAWN BY	AM
CHECKED BY	AM
CAD FILE	
TITLE	EXISTING CONDITIONS & PROPOSED WORK SITE PLAN
SCALE	
CLIENT NUMBER	SP-1

LEGEND

1. SIGN FOR MAIL ROOM
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RECORDED
 JAN 9 2020
 COBB COUNTY DEPARTMENT OF PERMITS & INSPECTION

REVISED

**COBB COUNTY DEV. AGENCY
 ZONING DIVISION**

PROJECT NAME: AUTOMANIA SERVICE CENTER
ADDRESS: 1498 SYDNEY ANN BLVD. MABLETON GA 30128
JURISDICTION: COBB COUNTY, GA
PROPOSED ZONING: MCO, Metropolitan Mixed Commercial District.
EXISTING ZONING: MCO, Metropolitan Mixed Commercial District.
SEBRAS USE: LIGHT AUTO SERVICE & OFFICE
REAR LOT:
TOTAL LOT AREA: 0.6881 AC

EXISTING BUILDINGS:
 - BUILDING #1: 15,550 SF
 - BUILDING #2: 207
 - BUILDING HEIGHT: 20 FT

ZONING REQUIREMENTS: 12 PARKING SPACES PER 2 BAYS, 4 EMPLOYEES PER SPACES PER BAY PLUS 1 SPACE PER EMPLOYEE. Section 134-272
 - PROPERTY IS CONNECTED TO PUBLIC SEWER

EXISTING SITE CONDITIONS: (Based on aerial imagery) Includes parking lot, building, and surrounding roads.

PROPOSED FENCE LINE

- SWING GATE FOR ACCESS OF CONCRETE AND UNPAVED DRIVEWAY AND TRUCK
- ACCESS TO DUMPSTER TO REMAIN. REPLACE DAMAGED DOORS ACCESS WITH STORE FRONT WINDOWS. EXHIBIT 30 FOR PROPOSED ELEVATIONS.
- INSTALL DOUBLE SWING GATE TO EXISTING DRIVEWAY. SEE DETAIL 2.
- INSTALL PRIVACY SCREEN OVER EXISTING FENCE ALONG FRONT OF THE PROPERTY. SEE DETAIL 1.
- FENCE LOCATED AT SOUTH EAST OF THE PROPERTY TO BE RELOCATED NEAR THE PROPERTY LINE.

PROPOSED PRIVATE DRIVEWAY:

1. DRIVEWAY TO BE RELOCATED NEAR PROPERTY LINE WITH PRIVATE DRIVEWAY AND DOUBLE SWING GATE FOR ACCESS OF CONCRETE AND UNPAVED DRIVEWAY AND TRUCK.

2. ACCESS TO DUMPSTER TO REMAIN. REPLACE DAMAGED DOORS ACCESS WITH STORE FRONT WINDOWS. EXHIBIT 30 FOR PROPOSED ELEVATIONS.

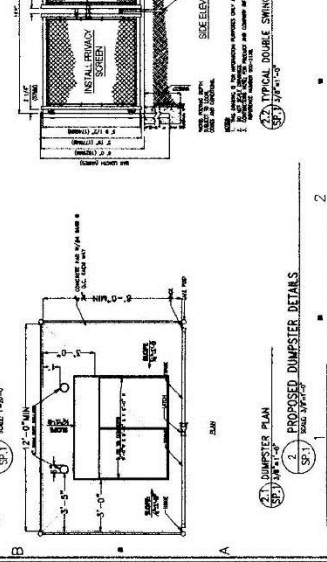
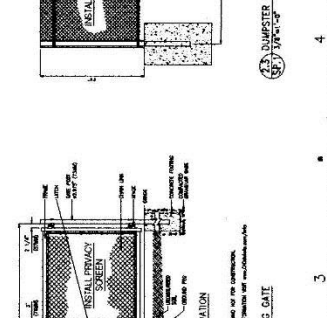
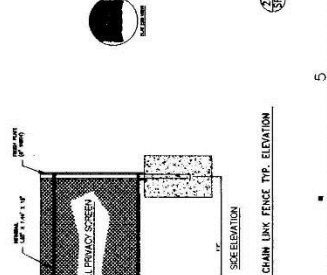
3. INSTALL DOUBLE SWING GATE TO EXISTING DRIVEWAY. SEE DETAIL 2.

4. INSTALL PRIVACY SCREEN OVER EXISTING FENCE ALONG FRONT OF THE PROPERTY. SEE DETAIL 1.

5. FENCE LOCATED AT SOUTH EAST OF THE PROPERTY TO BE RELOCATED NEAR THE PROPERTY LINE.

EXISTING SITE CONDITIONS: (Based on aerial imagery) Includes parking lot, building, and surrounding roads.

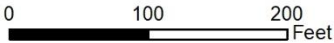
TOTAL AREA: 0.6881 ACRES



Z-14 Aerial Map



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

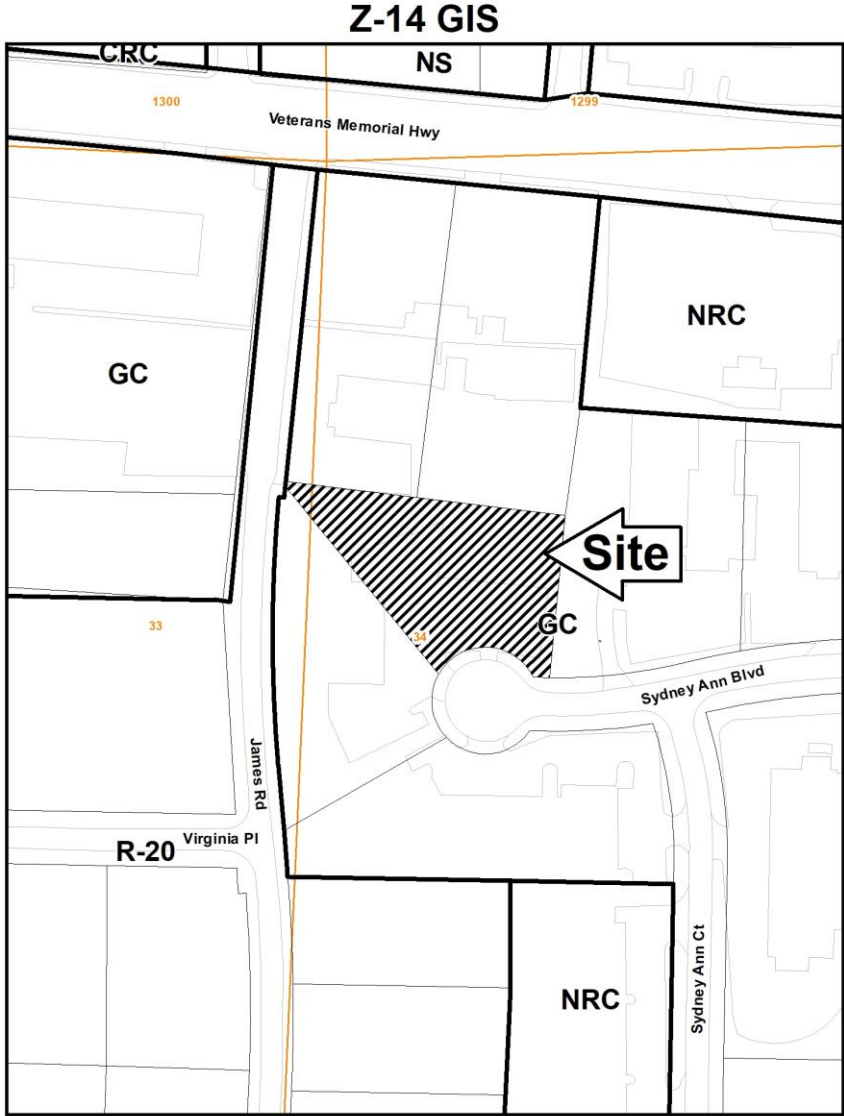


- Zoning Boundary
- City Boundary

North
Zoning: GC (General Commercial)
Future Land Use: NAC (Neighborhood Activity Center)

WEST
Zoning: GC
 (General Commercial)

Future Land Use: NAC
 (Neighborhood Activity Center)

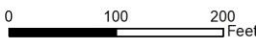




EAST
Zoning: GC
 (General Commercial)

Future Land Use: NAC
 (Neighborhood Activity Center)

SOUTH
Zoning: GC (General Commercial)
Future Land Use: NAC (Neighborhood Activity Center)

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



 Zoning Boundary
 City Boundary

DEPARTMENT COMMENTS- Zoning Division

Current zoning district for the property

The GC district is established to provide locations for retail commercial and service uses which are oriented toward automotive businesses, are land intensive with a need for major road access and visibility, are generally not listed as a permitted uses within the NRC (neighborhood retail commercial) and CRC (community retail commercial) districts or may have existing stipulations and conditions that limit certain intensive uses and are located in areas delineated within a community activity center and regional activity center as defined and shown on the Cobb County Comprehensive Plan: A Policy Guide, adopted November 27, 1990. Any existing GC district, developed or undeveloped, located within an area delineated within an industrial-compatible area or industrial area as shown on the comprehensive plan, shall be deemed to be a grandfathered, nonconforming use after January 1, 1991.

Requested zoning district for the property

The NRC district is established to provide locations for convenience shopping facilities which are on properties delineated within a neighborhood activity center, community activity center or regional activity center as defined and shown on the Cobb County Comprehensive Plan: A Policy Guide, adopted November 27, 1990. These convenience shopping facilities should have retail commercial uses that have a neighborhood-oriented market and which supply necessities that usually require frequent purchasing with a minimum of consumer travel. Areas zoned for the NRC district should be located at or near an intersection within the center of a neighborhood activity center as opposed to the edge of a neighborhood activity center. The NRC district may also be used to provide step-down nodal zoning away from more intensive commercial uses within a community activity center or a regional activity center. The scope at which properties are developed within the NRC district should reflect their relatively small neighborhood service area. Additionally, properties developed within the NRC district should be architecturally compatible with other nonresidential uses permitted within a neighborhood activity center as defined by the comprehensive plan and the neighborhood residences they serve.

Summary of the applicant's proposal

The applicant is requesting the NRC zoning district to operate a light auto repair service and office. The repair shop will be used to service cars for a nearby used car lot. Services will include replacing tires, oil changes, brakes, and check engine diagnostics. The proposal also includes performing warranty work on cars sold from the car lot. The applicant will renovate and use the existing building. The renovations will include closing 2 existing bays and converting them to windows, installing privacy screening on existing chain link fence, installing lighting on the exterior walls, and adding a concrete dumpster pad with enclosure. There will be no more than 3 full time mechanics and 3 office staff members. They will operate Monday through Friday, 8:00 AM to 5:00 PM.

DEPARTMENT COMMENTS- Zoning Division (continued)

Non-residential criteria

Proposed # of buildings: 1
Proposed # of stories: 1
Total sq. footage of development: 5500
Floor area ratio: .21
Square footage per acre: 9338
Required parking spaces: 12
Proposed parking spaces: 15
Acres in floodplain or wetlands: 0
Impervious surface shown: Not to exceed 70%

Are there any zoning variances?

1. Waive the rear setback from 30 feet to 16 feet(existing).

DEPARTMENT COMMENTS- Fire Department

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 and Cobb County Development Standards 402.11).

DEPARTMENT COMMENTS- Site Plan Review (County Arborist)

No comments.

DEPARTMENT COMMENTS- Cemetery Preservation

No comments.

DEPARTMENT COMMENTS- School System

Approval of this petition will not have an impact on the enrollment of schools.

DEPARTMENT COMMENTS- Stormwater Management

No comments (no site changes are proposed).

DEPARTMENT COMMENTS- Planning Division

Cobb 2040 Comprehensive Plan: The parcel is within the Neighborhood Activity Center (NAC) future land use category. The purpose of the NAC category is to provide for areas that serve neighborhood residents and businesses. Typical land uses for these areas include small offices, limited retail, and grocery stores.

Comprehensive Plan Designation: Consistent Inconsistent

House Bill 489 Intergovernmental Agreement Zoning Amendment Notification

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

Austell

Was the city notified? Yes No N/A

Specific Area Policy Guidelines: Yes No

Masterplan/ Corridor Study South Cobb Implementation Strategy Yes No

Design guidelines area? Yes No

If yes, design guidelines area: Mableton Pkwy & Veterans Memorial Hwy Design Guidelines

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

Is the property within an Opportunity Zone? Yes No

(The Opportunity Zone is an incentive that provides \$3,500 tax credit per job in eligible areas if two or more jobs are being created. This incentive is for new or existing businesses)

Is the property within an Enterprise Zone? Yes No

(The South Cobb Enterprise Zone is an incentive that provides tax abatements and other economic incentives for qualifying businesses locating or expanding within designated areas for new jobs and capital investment)

Is the property eligible for the Façade Improvement Program? Yes No

(The Façade Improvement Program is an incentive for owners and tenants to enhance the appearance of buildings. The CDBG program provides the funding. Properties must be either on the current inventory of redevelopment sites or in a corridor study area, and be in a census tract with at least 51% low and moderate income. The program serves to improve the economic viability of these areas.)

(Planning comments continued on the next page)

DEPARTMENT COMMENTS- Planning Division (continued)

Is the property eligible for incentives through the Commercial and Industrial Property Rehabilitation Program?

Yes No

(The Commercial and Industrial Property Rehabilitation Program is an incentive that provides a reduction in ad valorem property taxes for qualifying redevelopment in eligible areas)

Note: For more information on incentives, please call the Community Development Agency- Economic Development Division at 770-528-2018 or find information online at www.cobbcounty.org/econdev.

Special District

Is this property within the Cumberland Special District #1 (hotel/motel fee)?

Yes No

Is this property within the Cumberland Special District #2 (ad valorem tax)?

Yes No

Is this property within the Six Flags Special Service District?

Yes No

Dobbins Air Reserve Base Zones

Is the property within the Dobbins Airfield Safety Zone?

Yes No

Is the property within the Clear Zone (CZ)?

Yes No

Is the property within the Accident Potential Zone (APZ I)?

Yes No

Is the property within the Accident Potential Zone II (APZ II)?

Yes No

Is the property within the Noise Zone?

Yes No

Is the property within the Bird/Wildlife Air Strike Hazard Area (BASH)?

Yes No

Historic Preservation

After consulting various county historic resources surveys, historic maps, archaeology surveys and Civil War trench location maps, staff finds that no known significant historic resources appear to be affected by this application.

DEPARTMENT COMMENTS- Water and Sewer

Water comments:

Available at development: YES NO

Fire flow test required: YES NO

Size and location of existing water main(s): 8" in Sydney Ann Blvd

Additional water comments: existing water customer

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

Sewer comments:

In the drainage basin: YES NO

At development: YES NO

Approximate distance to nearest sewer: Along frontage in Sydney Ann Blvd

Estimated wastewater generation (in G.P.D.): Average daily flow = +/- nominal

Peak flow = +/- nominal

Treatment plant: South Cobb WRF

Plant capacity: Yes NO

Line capacity: YES NO

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

Dry sewers required: YES NO

Off-site easement required: YES* NO

Flow test required: YES NO

Letter of allocation issued: YES NO

Septic tank recommended by this department: YES NO

Subject to Health Department approval: YES NO

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

Additional sewer comments: Existing sewer customer

Note: The developer/owner will be responsible for connecting to the existing county water and sewer systems, installing and/or upgrading all outfalls & water mains, obtaining onsite and/or offsite easements, and dedication of onsite and/or offsite water and sewer to Cobb County as may be required. Rezoning does not guarantee water/sewer availability or capacity unless so stated in writing by the Cobb County Water System.

DEPARTMENT COMMENTS- Transportation

Roadway	Roadway classification	Speed limit (MPH)	Jurisdictional control	Min. R.O.W. requirements
Sydney Ann Boulevard	Local	25	Cobb County	50'

Roadway	Location	Average daily trips	Level of service
Sydney Ann Bouelvard	NA	NA	NA

Comments and observations

Sydney Ann Boulevard is classified as a local road and according to the available information the existing right-of-way does meet the minimum requirements for this classification.

Recommendations

1. Recommend applicant be required to meet all Cobb County Development Standards and Ordinances related to project improvements.
2. Recommend fence and gate be moved out of the right-of-way during redevelopment or any fence modification, where redevelopment is defined as any action requiring a Land Disturbance Permit.

STAFF ANALYSIS

Per section 134-122 of the Official Code of Cobb County, below is a written zoning analysis relating to the following (question in bold; the answer is not bold):

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

It is Staff's opinion that the applicant's rezoning proposal will permit a use that is suitable in view of adjacent and nearby properties. This property was developed and used for light auto repair in the past.

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

It is staff's opinion that the applicants rezoning proposal will not affect the uses or usability of adjacent or nearby properties. Other uses in the area include auto body repair and construction contractor's office with storage.

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

It is staff's opinion that the applicant's rezoning proposal will not result in a use which would cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools. This opinion is supported by the departmental comments contained in this analysis.

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

It is staff's opinion that the applicant's rezoning proposal is in conformity with the policy and intent of the *Cobb County Comprehensive Plan* which delineates this property as being within the Neighborhood Activity Center (NAC) future land use category. The proposed auto repair use is consistent with those uses encouraged by this designation such as small offices, retail and similar stores that serve neighborhood residents and businesses.

STAFF ANALYSIS CONTUINED

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

It is Staff's opinion that there are existing and changing conditions affecting the use and development of the property which give supporting grounds for approving the applicant's rezoning proposal. This property was previous used for light auto repair but has been vacant for the past 2 years. The grandfathered status for the property has been lost and a rezoning application is required. This proposal will allow the property to get a much-needed facelift and give the owner the ability to maintain the property.

The staff analysis and recommendation 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.



ZONING IMPACT STATEMENT FOR THE REZONING APPLICATION FOR ANDRES ESTRADA

November 25, 2019

Reference:

Application of Andres Estrada to rezone an existing warehouse building on a .589 acre lot from GC to NRC, property located at **1498 Sydney Ann Boulevard Mableton, GA 30126** Land Lot 34 District 18th Cobb County, Georgia

Applicant FUTURE OWNER

Andres Estrada
Applicant address
1806 Veterans Memorial Dr
Austell, GA 30126
Tel (404) 234-0108
E-mail Andres@Automania.Us

Current Owner

Atlanta Safety Brake Service, Inc.
Owner Address
5762 Sydney Ann Court
Mableton, GA 30126
John A. Glore
Tel (678) 898-3819
Fax (404) 875-3366

To Cobb County Zoning Division:

The applicant is seeking a rezone for the property located at **1498 Sydney Ann Ct Mableton, GA 30126 Lot 34 Land Lot 12 District 18th Cobb County, Georgia Parcel 18003400460**. Currently Zoned GC. Rezoned to NRC

- A. **NRC section 134-213 - e** automotive repair establishment means an indoor repair establishment (no outside storage) with fully enclosed service bay(s) with operable door(s) for performing light auto and small truck repair and maintenance within the enclosed service bay(s) (under one ton) such as brakes, oil changes, lubrication, transmission, belts, hoses, inspections, tire mounting and installation and the like. Light automotive repair establishments adjacent to residentially zoned properties shall be required to incorporate noise abatement measures such as, but not limited to, landscaping, fencing, portable noise screen, or other equally effective industry accepted alternative. This amendment shall become effective July 1, 2013. Activities such as battery replacement, light bulb changes, wiper blade replacement, "check engine light" diagnostics, or other minor things done complimentary and the like may be done outside of a retail automotive parts store with non-powered hand tools.

- B. The zoning proposal will not affect the existing use or usability of adjacent or nearby properties, the property was built for light industrial use and the same use is with most properties nearby,

- C. The subject property to be affected by the zoning proposal has no reasonable economic use as currently zoned in that the fair market value of same falls below the range of values of similarly zoned and situated properties with equivalent utility.
- D. The zoning proposal will have no adverse impact upon the existing County infrastructure including, but not limited to, existing streets, transportation, facilities, utilities or schools.
- E. The zoning proposal is consistent with those uses and purposes contemplated under Cobb County's Comprehensive Land Use Plan and Future Land Use Map with the subject property lying and being in a Neighborhood Activity Center.
- F. There is no substantial relationship between the existing zoning classification of GC which limits the property in terms of its present's utilization and the public health, safety and general welfare.

Property description and proposed use:

Property has .589 Acre with an approximately 5,000sf existing building build of Brick and metal, parking lot is asphalt paved, property is fenced with 6ft metal wire. Has 16 parking spaces which will be reduced to 12 parking spaces.

Property is currently vacant, the propose of use is for light auto repair and maintenance for the cars that are sold at Automania, Inc, a car dealer owned by the applicant.

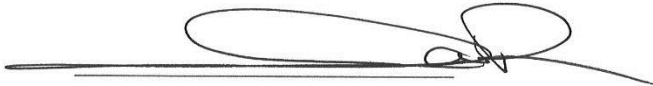
Automania, Inc. is a car dealership located .8 mile from subject property, located at 1806 Veterans Memorial Drive Austell, GA 30126 where he has been in business for 15 years.

Applicant will have no more that 3 full time mechanics and 3 office staff employees

Applicant will install a dumpster enclosure per county ordinances, will cancel 2 existing bays where loading docks, and will maintain landscape

There will be no heavy trucks or heavy equipment park on site
There will be no outdoor storage
All existing landscape will be kept landscaped and trimmed
Sign will be placed on building per Cobb County Signage ordinances
Will continue maintenance of the existing metal fence

RESPECTFULLY SUBMITTED Dec 5th, 2019

A handwritten signature in black ink, appearing to read 'Jose De La Rosa', is written over a horizontal line. The signature is stylized with a large loop and a long horizontal stroke.

Contact Person
Jose De La Rosa
Applicant's Representative
Tel (404) 422-7472
Email Jose@DeLaRosaRealtor.com

1 CONCEPTUAL SITE ELEVATIONS
SP-3 SHEET TITLE

DATE: 11/27/2019
DRAWN BY: JM
CHECKED BY:
JOB NO.:

TITLE:
CONCEPTUAL SITE ELEVATIONS

SHEET NUMBER:
SP 3

REVISIONS

NO. DESCRIPTION

EXHIBIT "A"
AUTOMANIA SERVICE CENTER
EXISTING CONDITIONS & PROPOSED WORK FOR PROPERTY REZONING
1499 SYDNEY ANN BLVD MABLETON, GA 30128

NOT RELEASED FOR CONSTRUCTION

RESERVED
 COBB CO. COMM. DEV. AGENCY
 ZONING DIVISION
 DEC - 5 2019



REC'D
 DEC - 5 2019
 COBB CO. CLERK
 ZONING DIVISION

EXHIBIT "A"
AUTOMANIA SERVICE CENTER

EXISTING CONDITIONS & PROPOSED WORK FOR PROPERTY REZONING
 1498 SYDNEY ANN BLVD MABLETON GA 30128

DATE: 11/27/2019
 DRAWN BY: JAL
 CHECKED BY: JAL
 PROJECT: AUTOMANIA
 SHEET NUMBER: SP 4

TITLE: CONCEPTUAL SITE ELEVATIONS

NOT RELEASED FOR CONSTRUCTION

Planning Commission Decision

NO. OPPOSED: _____ APPROVED _____ DENIED _____ DELETED TO _____

NO. IN SUPPORT _____ MOTION BY: _____ SECONDED: _____ VOTE: _____

Names of those Opposed:

Comments:

_____	_____
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Stipulation letter from _____ dated _____
Stipulation letter from _____ dated _____
Stipulation letter from _____ dated _____

Board of Commissioners Decision

NO. OPPOSED: _____ APPROVED _____ DENIED _____ DELETED TO _____

NO. IN SUPPORT _____ MOTION BY: _____ SECONDED: _____ VOTE: _____

Names of those Opposed:

Comments:

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Stipulation letter from _____ dated _____
Stipulation letter from _____ dated _____
Stipulation letter from _____ dated _____