



Cobb County Community Development Agency
Zoning Division

1150 Powder Springs St. Marietta, Georgia 30064

Case # Z-52
Public Hearing Dates:
PC: 9- 1-20
BOC: 9-15-20

SITE BACKGROUND

Applicant: Carl Edward Dills

Phone: 706-455-5987

Email:

Representative Contact: David Stuart, Gaskins

Phone: 770-424-7168

Email: dstuart@gscsurvey.com

Titleholder: Aubrey James McMillan, Jr.

Property location and address: Located on the south side of Six Flags Parkway, west of Queensferry Drive (436 Six Flags Parkway).

Access to Property: Six Flags Parkway

QUICK FACTS

Commission District: 4-Cupid

Current Zoning: R-20 (Single-family residential)

Current use of property: Single-family residence

Proposed zoning: LI (Light Industrial)

Proposed use: Sign Shop

Future Land Use Designation: PIA (Priority Industrial Area), ic (industrial compatible)

Site Acreage: 0.97

District: 18

Land Lot: 504, 505

Parcel #: 18050500230

Taxes Paid: Yes

FINAL ZONING STAFF RECOMMENDATION:
(Zoning staff member: Jeannie Peyton)

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

1. Applicant to install a 10' landscape buffer along the western property line;
2. Applicant to install a 10' landscape buffer along the road frontage;
3. Applicant to install the required number of parking spaces built to county standards;
4. District Commissioner approval of the final site plan and landscape plan;
5. Stormwater comments;
6. Water and sewer comments;
7. Transportation comments.

Z-52-2020
Site Plan



NOT ISSUED FOR CONSTRUCTION

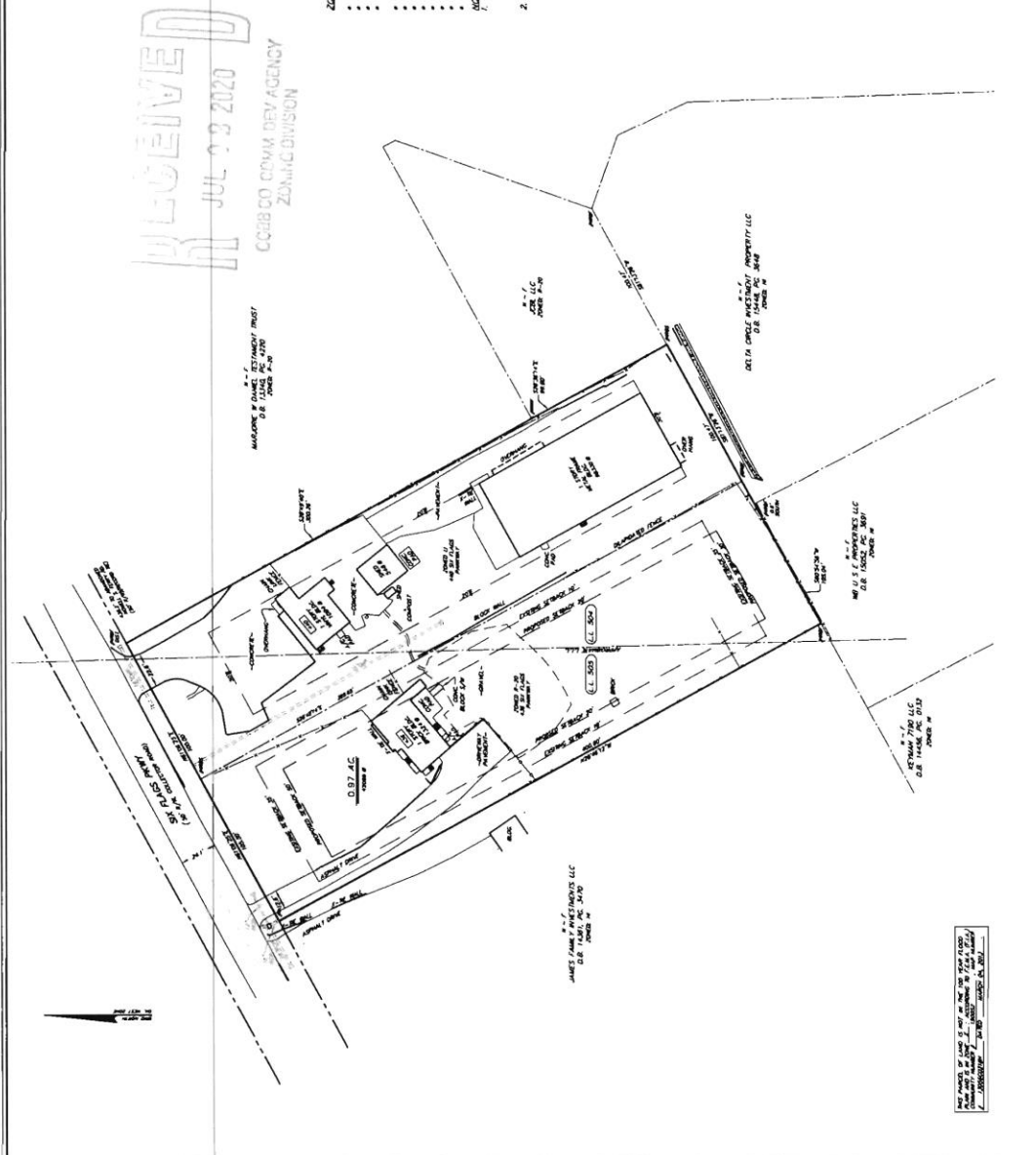
| NO. | DESCRIPTION | DATE |
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| 1 | PRELIMINARY | 11/11/10 |
| 2 | REVISION | 07/22/20 |
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SIGNAL SIGNS
436 SIX FLAGS PARKWAY
LAND LOTS 504 & 505, 18TH DISTRICT, 2ND SECTION,
CITY OF MARIETTA, COBB COUNTY, GEORGIA
CURRENTLY ZONED R-20

Gaskins



- ZONING NOTES:**
- SITE AREA: 0.97 ACRES
 - NO ARCHITECTURAL OR ARCHIOLOGICAL LANDMARKS ARE PRESENT ON THIS SITE
 - NO WETLANDS ARE PRESENT ON THIS SITE
 - NO UTILITY OR TRANSPORTATION FACILITIES ARE PRESENT ON THIS SITE
 - NO PUBLIC EASEMENT IS EMBODIED ON THIS SITE
 - NO GREYFIELDS ARE PRESENT ON THIS SITE
 - NO OTHER AREAS ARE PRESENT ON THIS SITE
 - NO CELEBRITY REVENUE AREA ON THIS SITE
- NOTES:**
- AFTER ZONING IS COMPLETED, A LOT COMBINATION PLAN SHALL BE SUBMITTED TO THE CITY ENGINEER FOR REVIEW AND APPROVAL.
 - ALL UTILITIES, EASEMENTS, ENCROACHMENTS, AND OTHER AREAS, ETC., ARE FIELD FROM THE CITY ENGINEER'S SURVEY PERFORMED BY GASKINS SURVEYING, DATED 07/22/20.



RECEIVED
JUL 23 2020
COBB CO. COMM. DEV. AGENCY
ZONING DIVISION

OWNER/DEVELOPER:
SIGNAL SIGNS / CARL EDWARD DALLS
1818 W. MARIETTA PARKWAY
MARIETTA, GA 30067
(770) 941-3900

24 HR PHONE & EMERGENCY CONTACT:
CARL EDWARD DALLS
770-941-3900

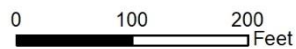
SCALE: 1" = 400'



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Z-52 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

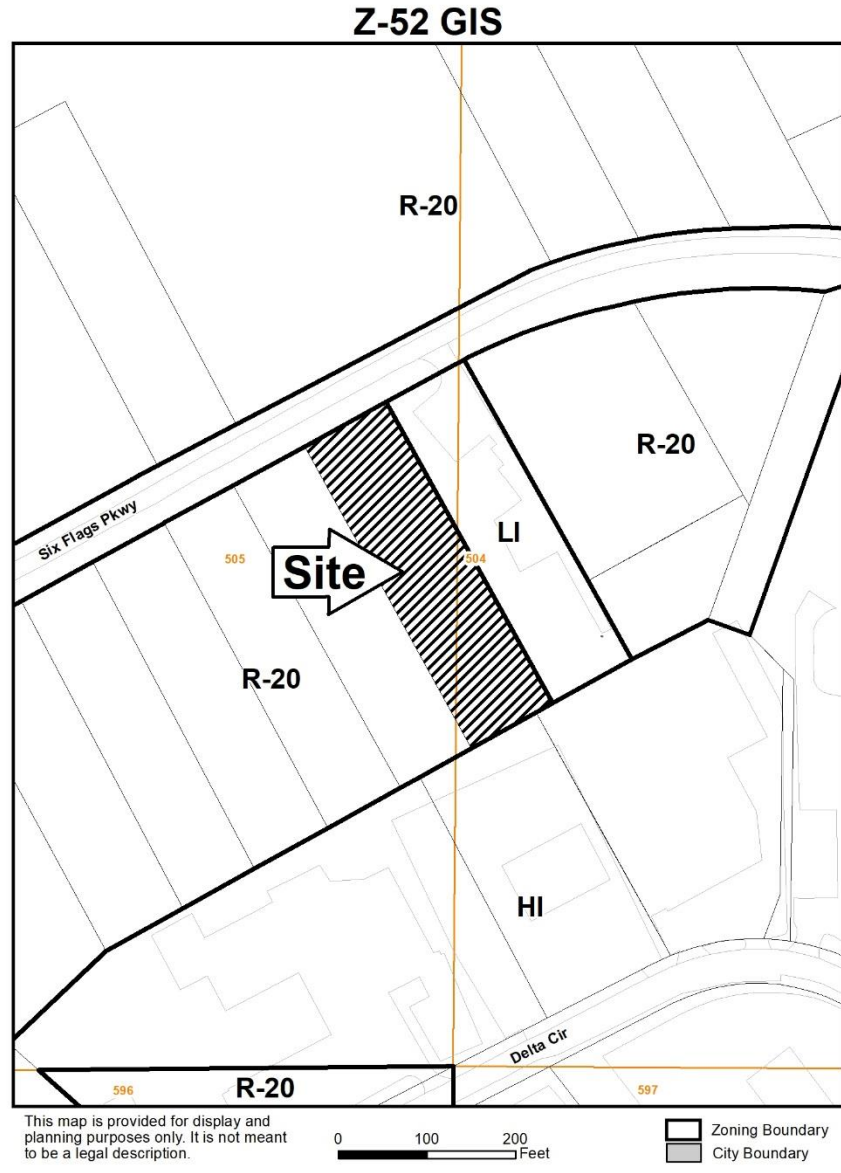
North
Zoning: R-20 / Single-family residence
Future Land Use: PIA, ic

WEST
Zoning: R-20 /
Single-family
residence

**Future Land
Use:** PIA, ic

EAST
Zoning: LI /
Sign Shop

**Future Land
Use:** PIA, ic



SOUTH
Zoning: HI / Specialty contractor, Automotive Repair, Vacant lot
Future Land Use: PIA, i

DEPARTMENT COMMENTS- Zoning Division

Current zoning district for the property

The R-20 district is established to provide locations for single-family residential uses or residentially compatible institutional and recreational uses which are within or on the edge of properties delineated for any residential category as defined and shown on the Cobb County Comprehensive Plan: A Policy Guide, adopted November 27, 1990. When residentially compatible institutional and recreational uses are developed within the R-20 district, they should be designed and built to ensure intensity and density compatibility with adjacent single-family detached dwellings and otherwise to implement the stated purpose and intent of this chapter.

Requested zoning district for the property

The LI district is established to provide locations for light industrial uses such as low intensity automobile repair and service, animal care facilities, commercial greenhouses, livestock, poultry, business distribution centers, warehousing and storage, and transportation terminals, which are on properties delineated within or on the perimeter of an industrial compatible and industrial category as defined and shown on the Cobb County Comprehensive Land Use Plan: A Policy Guide, adopted November 27, 1990. When located on the perimeter of an industrial node, the LI district should provide for uses that are low in intensity and scale such as to ensure compatibility with surrounding properties.

Summary of the applicant's proposal

That applicant is proposing to rezone the 0.97 acre site to the Light Industrial, LI zoning district for the purpose of using the existing residential structure as a sign shop. The applicant is proposing to combine the subject property with a neighboring 0.92 acre property at 440 Six Flags Parkway that is currently zoned LI and presently operating as a sign shop.

DEPARTMENT COMMENTS- Zoning Division (continued)

Non-residential criteria

Proposed # of buildings: 1 (existing)
Proposed # of stories: 1 (existing)
Total sq. footage of development: 1,232
Floor area ratio: 0.029
Square footage per acre: 1,270
Required parking spaces: 7
Proposed parking spaces: 0
Acres in floodplain or wetlands: 0
Impervious surface shown: No maximum

Are there any zoning variances?

Yes

1. Reduce the required 50-foot landscaped screening buffer to 0.
2. Reduce the required side yard setback from 20' to 10' along the eastern property line.
3. Reduce the required parking spaces from 7 spaces to 0 spaces.

DEPARTMENT COMMENTS- Fire Department

No comments.

DEPARTMENT COMMENTS- Site Plan Review (County Arborist)

As determined by the Site Plan Review Section, the property owner may be required to obtain a Land Disturbance Permit to perform any site modifications, as required per stipulation approval (fencing, landscaping, curb/gutter & sidewalk installation, etc.) or otherwise. Contact Site Plan Review, 770-528-2147.

DEPARTMENT COMMENTS- 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 the adjacent land lot.

DEPARTMENT COMMENTS- School System

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

DEPARTMENT COMMENTS- Stormwater Management

1. Flood hazard zone: No
2. Drainage Basin: Unnamed Tributary to the Chattahoochee River
3. Special site conditions and/or additional comments:
 - The application indicates for the existing building and site only. However; with any additional buildings and/or site improvements stormwater management will be required per the current regulations.

DEPARTMENT COMMENTS- Planning Division

R

Cobb 2040 Comprehensive Plan: The parcel is within the Priority Industrial Area (PIA) future land use category. The purpose of the PIA future land use category is to support the strategic protection of the most important Industrial and Industrial Compatible land areas in unincorporated Cobb County.

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

If Yes, which city?

Was the city notified? Yes No N/A

Specific Area Policy Guidelines:

Yes No

PIA-P6 In an effort to lessen the negative impacts on adjacent residential neighborhoods caused by Industrial uses along the east and west side of Six Flags Parkway, west of Queens Ferry Place and Queens Ferry Drive and to maintain the purpose and intent of the PIA, it is recommended that the Board of Commissioners consider the following when rezoning properties located within the PIA Future Land Use category:

- 1.) Industrial uses that foster innovative, high-technology, and low-pollution industries;
- 2.) The use of stone, brick and/or EFIS on building facades; and
- 3.) The use of enhanced landscaping along primary road frontages to enhance aesthetics and mitigate negative impacts.

To facilitate this, the Board encourages the assemblage of smaller land parcels into single tracts. Additionally, as a means of protection for area residences, the Board encourages transitional land uses that serve as a step-down from the more intense heavy industrial uses to the less-intense residential uses. Also, in instances where an industrial use is directly adjacent to residential uses, it is recommended that a natural or enhanced buffer be established on the industrial side of the property line. *(As amended January 16, 2018)*

Masterplan/ Corridor Study: South Cobb Implementation Strategy Yes No

Design guidelines area? Yes No

If yes, which guidelines area is it?

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)

(Planning comments continued on the next page)

DEPARTMENT COMMENTS- Planning Division (continued)

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.)

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

(Planning comments continued on the next page)

DEPARTMENT COMMENTS- Planning Division (continued)

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): 6" on Six Flags Pkwy

Additional water comments: Only one domestic meter allowed after lots are combined.

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:

Estimated waste generation (in G.P.D.): Average daily flow = 320 GPD

Peak flow = 800 GPD

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: Environmental Health Department approval required for continued use of existing septic systems.

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

R

| Roadway | Roadway classification | Speed limit (MPH) | Jurisdictional control | Min. R.O.W. requirements |
|-------------------|------------------------|-------------------|------------------------|--------------------------|
| Six Flags Parkway | Major Collector | 40 | Cobb County | 80' |

| Roadway | Location | Average daily trips | Level of service |
|-------------------|-------------------------|---------------------|------------------|
| Six Flags Parkway | East of Hillcrest Drive | 1,800 | C |

Based on 2019 traffic data taken by Cobb County for Six Flags Parkway

Planning Level of Service based on available Average Daily Trips using GRTA guideline thresholds. Classification thresholds for LOS A and LOS B are not available for major collectors from this data source.

LOS C or D is acceptable based on GDOT Design Policy Manual criteria.

Comments and observations

Six Flags Parkway is classified as a major collector road and according to the available information the existing right-of-way does not meet the minimum requirements for this classification.

Recommendations

1. 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 west side of Six Flags Parkway, a minimum of 40' from the roadway centerline.
2. Recommend driveway on Six Flags Parkway to be upgraded per Section 402.08, Non-Residential Driveways, of the Cobb County Development Standards.
3. Recommend applicant be required to meet all Cobb County Development Standards and Ordinances related to project improvements.

STAFF ANALYSIS

Per section 134-122 of the Official Code of Cobb County, below is a written zoning analysis relating to the following (question in bold; 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 the view of use and development of adjacent and nearby properties. The property is in an area with a mixture of residential uses and industrial uses. The applicant currently operates a sign shop on the adjoining property to the east. Approval of the request would allow the business to expand.

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

It is Staff's opinion that the applicant's rezoning proposal will not adversely affect the existing use or usability of adjacent or nearby properties. The plan proposes an industrial use, that is consistent with other uses in of the area. Buffering along the western property line and along the street should help to reduce any negative effects.

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 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 policies and intent of the Cobb County Comprehensive Plan. The property is delineated in a Priority Industrial Area industrial compatible, PIA-ic future land use category. The requested zoning district is consistent with the PIA-ic land use designation.

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 grounds for approving the applicant's rezoning proposal. The location of the site is in an area that is a mixture of residential and industrial uses. The property is partially located in the glide path of Fulton County Airport, which calls for non-residential uses. Approval of the request would allow a small business to expand its operations.

STAFF ANALYSIS (Continued)

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.



Application No. 2-52
SPR-2020-00037

Summary of Intent for Rezoning

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Part 1. Residential Rezoning Information (attach additional information if needed)

- a) Proposed unit square-footage(s): N/A (EXISTING BUILDINGS ONLY)
- b) Proposed building architecture: N/A (EXISTING BUILDINGS ONLY)
- c) List all requested variances: REZONING OF 436 SIX FLAGS PKWY
FROM R-20 TO LI

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

- a) Proposed use(s): N/A (EXISTING BUILDINGS ONLY)
- b) Proposed building architecture: N/A (EXISTING BUILDINGS ONLY)
- c) Proposed hours/days of operation: N/A (EXISTING BUILDINGS ONLY)
- d) List all requested variances: REZONING OF 436 SIX FLAGS PKWY
FROM R-20 TO LI

.....
Part 3. Other Pertinent Information (List or attach additional information if needed)

BUILDING ON PROPERTY IS NON-COMPLIANT WITH ZONING APPLICATION
UNTIL LOT COMBINATION PLAT IS SUBMITTED TO COMBINE 436 AND 440
SIX FLAGS PKWY. SEE NOTE ON DRAWING.

.....
Part 4. Is any of the property included on the proposed site plan owned by the Local, State, or Federal Government?

(Please list all Right-of-Ways, Government owned lots, County owned parcels and/or remnants, etc., and attach a plat clearly showing where these properties are located). NO.

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|----------------------------------|
| Z-52-2020 Impact Statement |
|----------------------------------|

Applicant's Written Analysis of Proposed Rezoning
Cobb County Rezoning Application Requirement 9
Signal Signs Rezoning Application 07/02/2020



This document is written to comply with Cobb County Rezoning Application condition 9, whereby every rezoning application involving a request for non-residential zoning shall include a complete written, documented analysis of the impact of the proposed zoning with respect to the following matters:

- (a) Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property;
Response: the subject property is currently zoned R-20. The parcel on the east side of the subject property is zoned LI. The parcel on the west side of the subject property is zoned HI. The parcels adjoining the subject property along the southern border are all zoned HI. Given this, the zoning proposal will permit a use that is suitable in view of the current adjacent properties.
- (b) Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property;
Response: the applicant seeks to rezone the parcel from R-20 to LI. The applicant seeks to purchase the subject property following the rezoning and will use the property to expand their existing sign shop business. The applicant currently owns and operates a sign shop business on the parcel immediately adjoining the subject property. Following the successful rezoning from R-20 to LI, the applicant will apply to Cobb County to combine the two parcels and expand the sign shop business. The first step in this process is to successfully rezone this parcel.
- (c) Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned;
Response: The current property is zoned R-20 and is surrounded by LI and HI zoning. The reasonable economic use of this property is therefore more likely to be with an LI or HI zoning. Given that the applicant has a thriving sign shop business, rezoning to LI will provide an opportunity to for continued growth of the business.
- (d) Whether the zoning proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools;
Response: The rezoning will not create an excessive or burdensome use of existing streets, transportation facilities, utilities or schools, as the sign shop is a relatively low impact type of light industrial use.
- (e) Whether the zoning proposal is in conformity with the policy and intent of the land use plan; and
Response: this proposal is in general conformance with the County's current land use plan. This area is a mix of R-20, LI and HI zoning.
- (f) 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.
Response: This property lies within the glide path of the Fulton County Airport (Brown Field). This limits the height of building and usage within the glide path. The sign shop will not conflict with the FAA requirements.

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 _____