



Cobb County Community Development Agency
Zoning Division

1150 Powder Springs St. Marietta, Georgia 30064

Case # Z-62

Public Hearing Dates:

PC: 10-6-20

BOC: 10-20-20

SITE BACKGROUND

Applicant: Ravella Conrad

Phone: 770-876-0933

Email: ravellaconrad@gmail.com

Representative Contact: Ravella Conrad

Phone: 770-876-0933

Email: ravellaconrad@gmail.com

Titleholder: A.J. Rehman

Property location and address: Located on the south side of Veterans Memorial Highway, east of Allen Road (334 Veterans Memorial Highway).

Access to Property: Veterans Memorial Highway

QUICK FACTS

Commission District: 4-Cupid

Current Zoning: GC (General Commercial)

Current use of property: Church

Proposed zoning: NRC (Neighborhood retail commercial)

Proposed use: Catering Kitchen, Restaurant

Future Land Use Designation: NAC (Neighborhood Activity Center)

Site Acreage: 0.366

District: 18

Land Lot: 46

Parcel #: 18004600470

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. Site Plan received by the Zoning Division on August 7, 2020, with the District Commissioner approving minor modifications;
2. Site Plan Review comments and recommendations;
3. Stormwater comments and recommendations;
4. Water and Sewer comments and recommendations;
5. Department of Transportation comments and recommendations;
6. Variances as detailed in the Zoning comments;
7. Adhere to Mableton Pkwy and Veterans Memorial Hwy Design Guidelines;
8. For this use only; and
9. No outdoor storage or outdoor display of merchandise.

RAVELLA CONRAD

VETERAN'S MEMORIAL HWY. (A.K.A. U.S. 278)
(90' R/W)

PLAT TO ACCOMPANY REZONING APPLICATION FOR
LOCATED IN LAND LOT 46, 18TH DISTRICT,
2ND SECTION, COBB COUNTY, GEORGIA
334 VETERANS MEMORIAL HIGHWAY
AREA = 0.366 ACRES
15,940 SQ. FT.

PROPOSED ZONING: MRC
SETBACKS:
FRONT - 60'
SIDE - 15'
REAR - 30'
MIN. LOT AREA - 20,000 SQ. FT.

NO CEMETERIES OR WETLANDS HAVE BEEN
DETECTED ON THIS SITE BY THIS FIRM.

FLOOD STATEMENT

I HAVE THIS DATE EXAMINED THE FLOOD INSURANCE
RATE MAPS, COMMUNITY PANEL NO. 130670208D
EFFECTIVE DATE: OCTOBER 3, 2018
FOR THE ALLUUVIAL SUBJECT
PROPERTY TO BE IN ZONE: "A"
"C" AREAS DETERMINED TO BE OUTSIDE THE 1%
ANNUAL FLOOD FLOODPLAIN.

RECEIVED
AUG 07 2020
COBB CO. COMM. DEV. A.C.
ZONING DIVISION

LONGMA Properties, LLC
D.B. 1423, PG. 3105

A.J. REHMANI
RONDA REHMANI
D.B. 13814, PG. 5999



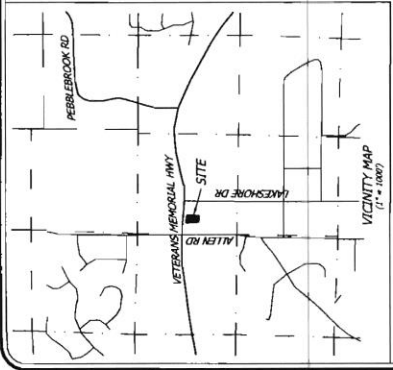
DATE	DESCRIPTION

TECHNICAL DATA
TRAVERSE PRECISION: 1/17/82
SURVEY ADJUSTMENT: LEAST SQUARES
EQUIPMENT: TOPCON 678-303
PLAT PRECISION: 1/56/208

Z-62-2020
Site Plan

THE CRUSSELLE COMPANY
PROFESSIONAL LAND SURVEYOR
2981 POWDER SPRINGS RD.
MARIETTA, GEORGIA 30066
(770) 943-5903
E-MAIL: BEN@CRUSSELLE.COM

PROJ. NO. 027948 FILE: 027948.DWG
FIELD SURVEY DATE: 07/09/2020
PLAT DATE: 07/13/2020 SCALE: 1" = 20'



SURVEY NOTES:
THIS PLAT WAS PREPARED FOR EXCLUSIVE
USE OF THE CLIENTS AND IS NOT TO BE
REPRODUCED OR COPIED IN ANY MANNER
WITHOUT THE PERMISSION OF THE
SURVEYOR.

ORIGINAL PLATS, NOTES AND OTHER
DOCUMENTS PREPARED BY SURVEYOR AND
HIS ASSOCIATES INCLUDING ELECTRONIC
FILES, ARE INSTRUMENTS OF SERVICE AND
ARE THE PROPERTY OF THE SURVEYOR.
IF BUILDING SETBACKS ARE SHOWN HEREON
THEY ARE BASED ON THE SURVEYOR'S BEST
INTERPRETATION AND SHOULD BE RELIED
UPON AFTER AFFIRMATION BY THE COBB
COUNTY ZONING DEPARTMENT.
THERE MAY BE OTHER UTILITIES EXISTING ON
THIS PROPERTY THAT ARE NOT SHOWN.

SURVEY REFERENCES
1. DEED IN FAVOR OF A.J. REHMANI & RONDA REHMANI
D.B. 13814, PG. 5999
2. PLAT OF SURVEY FOR EDWARD G. & BARBARA O. CRUMLEY
DATED DECEMBER 17, 1998
3. INVOLVING D.O.T. PROJECT NO. 14141, BEL
RECORDED IN DEED BOOK 6868, PG. 184

- LEGEND**
- CORNER MONUMENTATION:
 - IPFS = CORNER SET WITH A 1/2" STEEL REINFORCING ROD
 - CORNER FOUND
 - UNMONUMENTED CORNER
 - CORNER TO BE SET WHEN CONSTRUCTION PERMITS
 - RR = STEEL REINFORCING ROD
 - OTW = OPEN TOP WATER PIPE
 - CTP = CRIMPED TOP WATER PIPE
 - CA = CENTERLINE
 - BA = BUILDING LINE
 - R/W = RIGHT OF WAY
 - L.L.L. = LAND LOT LINE
 - WATER MAINS = WATER LINES
 - GAS MAINS = GAS LINES
 - NF = NOW OR FORMERLY OWNED BY
 - NSAB = NAIL SET AT BASE
 - D.B. = DEED BOOK
 - P.B. = PLAT BOOK
 - R/W MON. = CONCRETE RIGHT OF WAY MONUMENT

108.38' TO THE NORTHEASTERLY END
OF THE PROPERTY TO THE PROXIMITY
OF THE SOUTHERLY END OF
THE EASTERLY R/W OF ALLEN ROAD
PER D.O.T. PROJECT NO. 14141-1(23)



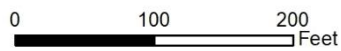
TOMMY GLENN BAGWELL
D.B. 15513, PG. 1403



A.J. REHMANI
RONDA REHMANI
D.B. 13814, PG. 5999

Z-62 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, R-20 / Commercial, Undeveloped wooded lot
Future Land Use: NAC

WEST
Zoning: GC /
Auto repair

Future Land Use: NAC

EAST
Zoning: GC /
Auto sales

Future Land Use: NAC



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

0 100 200 Feet

— Zoning Boundary
■ City Boundary

SOUTH
Zoning: GC / Single-family residences
Future Land Use: NAC

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, 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. Commencing January 1, 1991, no applications for rezoning to the GC district will be accepted by the board of commissioners for properties located in areas delineated within and shown on the comprehensive plan. This shall only apply to industrial-compatible and industrial areas. 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, and subject to those provisions contained in this chapter. Any existing developed GC zoning/use located outside of a community activity center or regional activity center shall be deemed to be a grandfathered, nonconforming use and subject to those provisions contained in this chapter.

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 to rezone to the NRC, Neighborhood Retail Commercial, zoning district to use an existing 3,000 square foot structure as a restaurant and catering kitchen. The existing building is one (1) story on an 0.366 acre site. The proposed hours of operation are Monday through Friday, 7 a.m. to 1 p.m.

DEPARTMENT COMMENTS- Zoning Division (continued)

Non-residential criteria

Proposed # of buildings: 1 (existing)

Proposed # of stories: 1 (existing)

Total sq. footage of development: 3,000

Floor area ratio: 0.19

Square footage per acre: 8,197

Required parking spaces: 30

Proposed parking spaces: Unstriped parking lot

Acres in floodplain or wetlands: 0

Impervious surface shown: 70% maximum

Are there any zoning variances?

Yes

1. Reduce the minimum required front yard setback from 50 feet to 34.9 feet for an existing structure.
2. Reduce the required parking spaces from 30 spaces to Commissioner approved plan.
3. Increase the maximum impervious surface from 70% to 100% (existing).

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: Tributary to Milam Branch
3. FEMA Designated 100-year Floodplain Flood. NO
4. Wetlands: No
5. Special site conditions and/or additional comments:
 - No site improvement proposed now. Future site improvements may require stormwater management facility per current regulations.

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

If Yes, which city?

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, which guidelines area is it? Mableton Pkwy and 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" on Veterans Memorial Hwy

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: Veterans Memorial ROW

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

Peak flow = TBD

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

Additional sewer comments: Existing sewer customer

*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.

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
Veterans Memorial Highway (US 278)	Arterial	45	GDOT	100'

Roadway	Location	Average daily trips	Level of service
Veterans Memorial Highway (US 278)	West of Cooks Road	26,200	C

Based on 2018 AADT count data taken by GDOT, as published on their website, for Veterans Memorial Highway.

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 state highways from this data source.

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

Comments and observations

Veterans Memorial Highway (US 278) is classified as an arterial roadway and according to the available information the existing right-of-way does not meet the minimum requirements for this classification.

Recommendations

1. Recommend applicant verify that minimum intersection sight distance is available for Veterans Memorial Highway access and if it is not, implement remedial measures, subject to the Department's approval, to achieve the minimum requirement of 640'.
2. 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 Veterans Memorial Highway, a minimum of 50' from the roadway centerline. This recommendation should be implemented upon redevelopment of the property, where redevelopment is defined as work requiring a Land Disturbance Permit.
3. Recommend no parking on the right-of-way.
4. Recommend GDOT permits for all work that encroaches upon State right-of-way.
5. 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 neighborhood commercial uses.

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. There are compatible uses adjacent and directly across from the proposed location.

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 Neighborhood Activity Center, NAC future land use category. The requested zoning district and proposed use are consistent with the NAC 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 for the use as a restaurant and catering kitchen. The proposal would be consistent with the NAC future land use category and compatible to other properties in the area.

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.

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AUG 07 2020

Application No. Z-62

Summary of Intent for Rezoning

CORPORATE COMM. DEV. AGENCY
LOCAL GOVERNMENT

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

- a) Proposed unit square-footage(s): N/A
- b) Proposed building architecture: _____
- c) List all requested variances: _____

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

- a) Proposed use(s): Commercial Catering Kitchen
- b) Proposed building architecture: Brick
- c) Proposed hours/days of operation: 7:00 a.m. - 1:00 p.m.
- d) List all requested variances: N/A

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

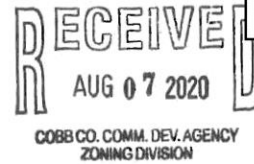
N/A

.....
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

IMPACT OF PROPOSED REZONING



Z-62-2020
Impact
Statement

Property Address:

334 Veterans Memorial Hwy. SE, Mableton, GA 30126

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

The zoning proposal for use of a commercial kitchen is suitable in view of the use and development of adjacent and nearby properties.

- b) Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property;

The zoning proposal will not affect the existing use or usability of adjacent or nearby properties.

- c) Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned;

The property is currently zoned GC that is currently being phased out.

- 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;

The zoning proposal will not result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities or schools.

- e) Whether the zoning proposal is in conformity with the policy and intent of the land use plan; and

Zoning proposal is in conformity with the policy and intent of the land use plan.

- 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.

We provide catered kids meals to schools. Meals are delivered to the schools. There will be no individual take out meals. Only staff cars will be on the property.

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 _____