



## Community Development – Zoning Division

John Pederson – Division Manager

### **ZONING CASE**

Z-30-2023

### **SITE BACKGROUND**

Applicant	QuikTrip Corporation
Phone	770-368-1616
Email	bmoura@quiktrip.com
Representative Contact	J. Kevin Moore
Phone	770-429-1499
Email	jkm@mijs.com
Titleholder	BK Canton, LLC
Property Location	Located on the south side of Jamerson Road, and the west side of Canton Road
Address	4815 Canton Road
Access to Property	Canton Road, Jamerson Road

### **QUICK FACTS**

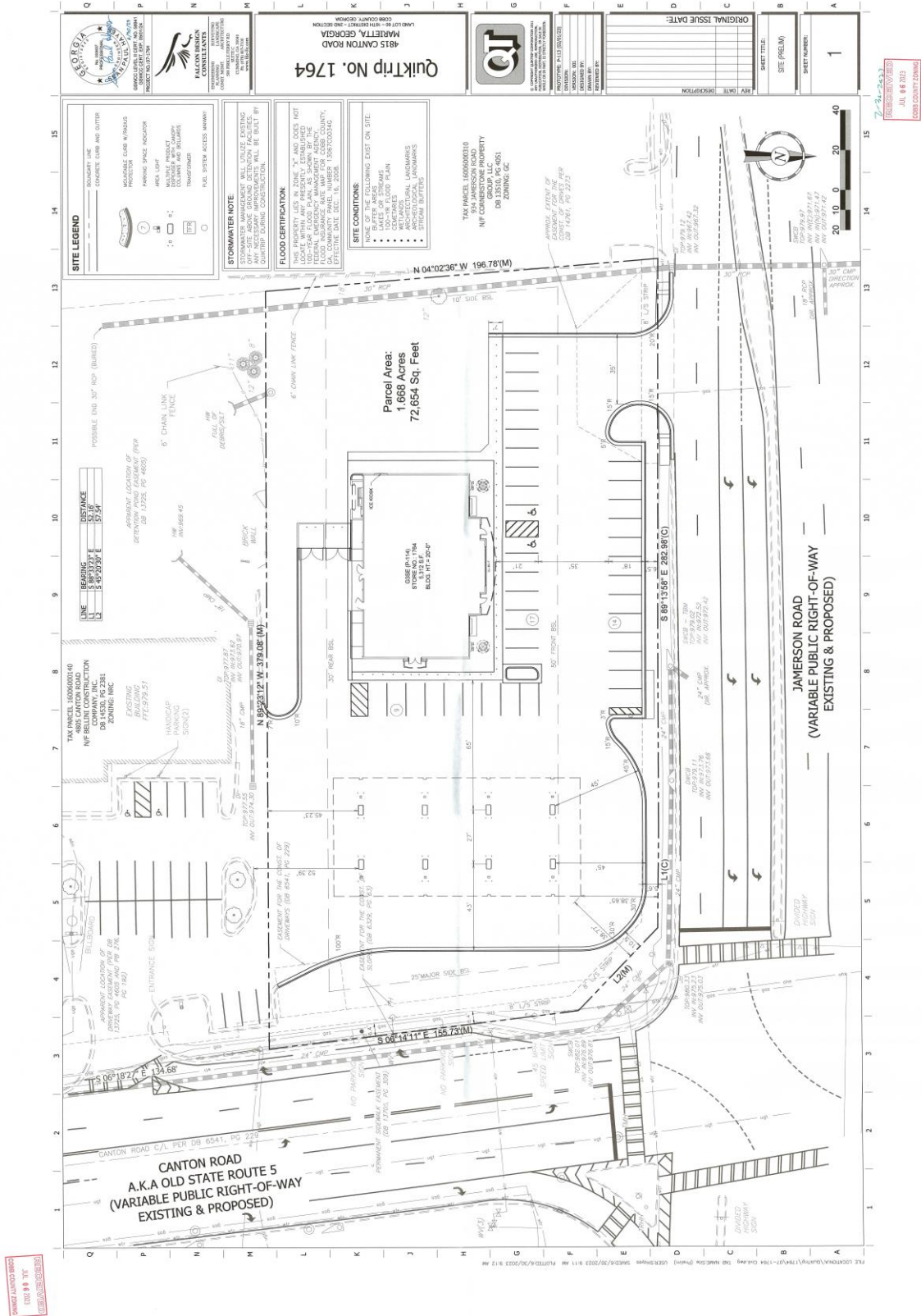
Commission District	3-Birrell
Current Zoning	GC
Current Use of Property	Vacant Rite-Aid Pharmacy
Proposed Zoning	NRC
Proposed Use	Convenience Store with fuel sales
Future Land Use	NAC
Site Acreage	1.668
District	16
Land Lot	60
Parcel #	16006000230
Taxes Paid	Yes

### **FINAL ZONING STAFF RECOMMENDATIONS**

(Zoning staff member: LeDarius Scott, AICP Candidate)

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

1. The District Commissioner to approve the final site plan;
2. The District Commissioner to approve final building and canopy elevations;
3. Adherence to Canton Road Design Guidelines;
4. Adherence to landscape enhancement strip regulations;
5. Adherence to service station canopy lighting regulations;
6. Fire Department comments and recommendations;
7. Water and Sewer Division comments and recommendations;
8. Stormwater Management Division comments and recommendations; and
9. Department of Transportation comments and recommendations.

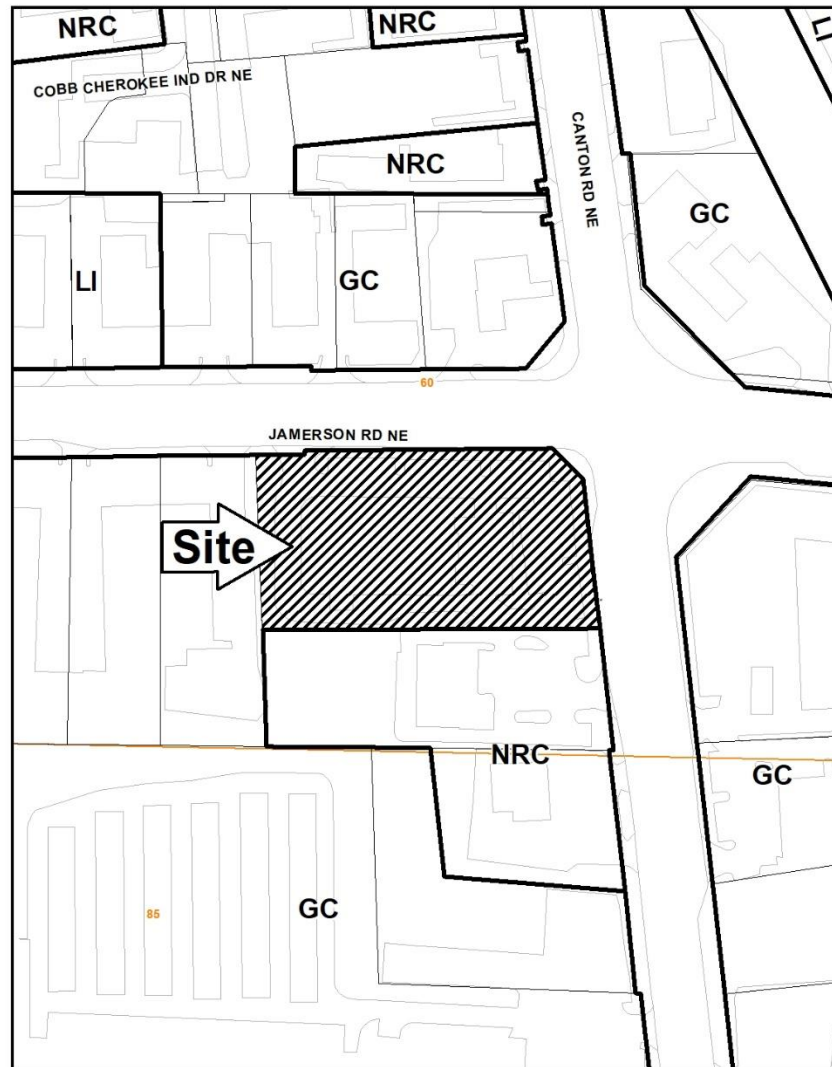




## Z-30 Aerial Map



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

North**Zoning:** GC/Specialized Contractor and Auto Repair**Future Land Use:** NAC**Z-30 2023 GIS**WEST**Zoning:**

GC/Specialized Contractor

**Future Land****Use:** NACEAST**Zoning:** GC /

Multi-tenant retail

**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:** NRC/Multi-tenant retail**Future Land Use:** NAC

**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, 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 develop 5,312 square foot convenience store with eight (8) fuel pumps under a double stacked canopy on a 1.668-acre lot. Proposed hours of operation will be 24 hours a day, seven (7) days a week. Architectural style of the convenience store will be standard/brick.



**Non-residential criteria**

Proposed # of buildings: 1

Proposed # of stories: 1

Total sq. footage of development: 5,312

Floor area ratio: 0.073

Square footage per acre: 3,185

Required parking spaces: Minimum of 5 spaces, 1 space per employee

Proposed parking spaces: 40

Acres in floodplain or wetlands: 0

Impervious surface shown: Max impervious 70 percent

**Are there any zoning variances?**

None

**Are there any environmental conditions existing or proposed on the site?**

Yes;

1. The applicant will have a code compliant lighting plan to reduce the negative impact of lighting.

07/24/23

**The proposed zoning case, as presented, must address the comments listed below by prescriptive code or equivalency, as approved by the Cobb County Fire Marshal's Office**

**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 2018 Edition and Cobb County Development Standards 402.11).

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, 35 foot inside radius, 50 foot outside turning radius and unobstructed vertical clearance of not less than 13 feet 6 inches. (Cobb County Development Standards 402.11)

Maximum slope of the access road in reference to the apparatus is 10% Front to Back and 5% Side to Side.

Dead-end access roads more than 150 feet shall be provided with a turn-around (IFC Chapter-5, 120-3-3 Rules and Regulations, CCDS Section-401 & 402). Refer to APPENDIX-D for dimensional criteria for turn-arounds in commercial developments.

**FIRE HYDRANT:**

The maximum distance of a hydrant to the most remote portion of a structure shall be 500 feet. Distance shall be measured around the structure and from the fire apparatus access road. (Cobb County Development Standards 410.5.2)

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).

**FIRE PROTECTION:**

Automatic sprinkler protection must be provided where mandated by the applicable codes.

**CERTIFICATE OF OCCUPANCY:**

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](mailto:Jeffrey.Byrd@cobbcounty.org)



## **Z-30-2023 DEPARTMENT COMMENTS – Site Plan Review (Arborist)**

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**07/28/2023**

**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.**

**Z-30-2023      DEPARTMENT COMMENTS – Cemetery Preservation**

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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.

9/5/23

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

## **Z-30-2023 DEPARTMENT COMMENTS – Stormwater Management**

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**07/26/2023**

### **Site Data**

1. Address: 4815 Canton Road at Jamerson Road
2. District: 3
3. Existing Zoning: GC Existing Allowable Impervious Coverage: 70%
4. Proposed Zoning: NRC Allowable Future Impervious Coverage: 80%
5. Future Land Use: NAC

### **Existing Conditions**

#### **Floodplain Information**

1. Flood Damage Prevention Designated Flood Hazard: No

#### **Stormwater Information**

1. Drainage Basin: Noonday Creek Basin
2. State Stream Buffers: No
3. County Stream Buffer Ordinance: No
4. Impaired Stream: Yes: If the site is within a one-mile radius of an impaired stream additional Erosion Control BMP's per the State's current requirements will be required. It is the Engineer's responsibility to verify Impaired Streams per the State EPD's list.
5. Hotspot: Yes: Due to the proposed use of site; portions of the proposed site will be considered a "Hotspot" requiring an oil/water separator to capture potential stormwater contaminants prior to entering the stormwater management facility.
6. Wetlands: No
7. Water Intake Zone: No

#### **Topography Information**

1. General site Description: The site has been previously developed as a commercial site containing a former drug store building and associated parking lot. The existing site drains to an existing stormwater management facility located on the adjacent property to the south (4805 Canton Road).

### **Project Design Comments and Recommendations**

*The following comments and recommendations are typically required at the time of plan review and permitting.*

#### **Existing Onsite and Offsite Ponds and/or Lakes Design Requirements**

1. Existing Downstream Offsite Lakes/Ponds: Additional Best Management Practices (BMP's) for Erosion & Sediment Control may be required during construction. Erosion Control BMP's shall be designed in accordance with the "Manual for Erosion and Sediment Control in Georgia".
2. Existing onsite stormwater management facilities shall be inspected prior to permitting. A current inspection report shall be furnished at the time of plan review and permitting.

## **Z-30-2023    DEPARTMENT COMMENTS – Stormwater Management**

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(continued)

If deficiencies are discovered; corrective maintenance may be required and included as a part of the project scope and land disturbance permit.

### **Proposed Project Onsite Design Requirements**

1. At the time of plan review provide a comprehensive Hydrology Study and Design for the Stormwater Management Design will be required. The design and study shall be in accordance with the Georgia Stormwater Management Manual and the current Cobb County Codes. The design and study shall include but not limited to stormwater detention, runoff reduction and/or water quality, channel protection, and downstream flood prevention.
2. At the time of plan review calculate and provide the percentage of impervious coverage for the project site on the plans.
3. The proposed onsite storm drain system and stormwater management facility is considered private. All annual inspections, maintenance and repairs are the responsibility of the property owner. A stormwater facility "Maintenance Agreement and Access Easement" will be required at the time of the land disturbance permit with the Cobb County Stormwater Management Division.
4. Stormwater discharges must be controlled not to exceed the existing capacity of the downstream storm drainage system including drainage swales and roadside ditches.
5. Substantially mitigate any effects of concentrated stormwater discharges onto adjacent properties. Level spreaders may be required to disburse the stormwater discharge.
6. Developer must secure drainage easement(s) to receive concentrated discharges where none naturally exist downstream.
7. Any spring activity discovered must be addressed by a qualified registered geotechnical professional engineer (PE) at the expense of the owner/developer.
8. Structural fill must be placed under the direction of a qualified registered geotechnical engineer (PE) at the expense of the owner/developer.

### **Special Conditions**

1. Runoff Reduction will not be required due to the proposed use of the project.
2. Depending on the age and design of the downstream detention pond; additional stormwater quality requirements may be required for the redevelopment project.



7/28/2023

**Comprehensive Plan Future Land Use Designation:** Neighborhood Activity Center

The subject tract is within the Neighborhood Activity Center (NAC) future land use category. The purpose of the NAC 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.

**Future Land Use Sub-Category?** N/A☒ Consistent ☐ Inconsistent

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**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: N/A

Was the city notified? N/A

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**Specific Area Policy Guidelines:**  
**Policy:**☐ Yes ☒ No

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**Masterplan/ Corridor Study:**☐ Yes ☒ No**Name of Masterplan/Corridor Study:** N/A

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**Design guidelines area?**☒ Yes ☐ No

If yes, design guidelines area? Canton Road

**Does the proposal plan comply with the design requirements?** No

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**Is the property within an Opportunity Zone?**☐ Yes ☒ No

If yes, Opportunity Zone? N/A

*(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)*

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**Is the property within an Enterprise Zone?**☐ Yes ☒ No

If yes, Enterprise Zone? N/A

*(The 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)*

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**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.)*

(continued)

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**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)*

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**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](http://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

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**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 3000' of Dobbins ARB?

☐ 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

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**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.

7/28/23 – DATE OPTIONAL

**Water comments:**At development: ☒ YES ☐ NOFire flow test required: ☒ YES ☐ NO

Size/location of existing water main(s): 16" in Canton Rd, 8" in Jamerson Rd

Additional water comments: existing water service to property

**Sewer comments:**In the drainage basin: ☒ YES ☐ NOAt development: ☒ YES ☐ NO

Approx. distance to nearest sewer: property frontage

Estimated waste generation (in G.P.D.): Average daily flow = 210

Peak flow = 530

Treatment plant: Noonday WRF

Plant capacity: ☒ Yes ☐ NOProjected plant availability: ☐ 0-5 years ☐ 5-10 years ☒ over 10 yearsOff-site easement required: ☐ YES\* ☒ NOLine capacity study required: ☐ YES ☒ NOLetter of allocation issued: ☐ YES ☒ NOSeptic tank recommended by this department: ☐ YES ☒ NOSubject to Health Department approval: ☐ YES ☒ NO

Additional sewer comments: existing sewer service to property

\*If off-site easements are required, the developer/owner must submit easements to 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: 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. 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.

Roadway	Roadway classification	Speed limit (MPH)	Jurisdictional control	Min. R.O.W. requirements
Canton Road	Arterial	45	Cobb County	100'
Jamerson Road	Arterial	45	Cobb County	100'

Roadway	Location	Average daily trips	Level of service
Canton Road	South of Jamerson Road	30,570	D
Jamerson Road	East of Canton Road	18,410	C

Based on 2016 traffic count data collected by Cobb County DOT for Canton Road.

Based on 2016 traffic count data collected by Cobb County DOT for Jamerson Road.

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 collector roads from this data source.

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

ITE Land Use	Description	Expected Size (Fuel Positions*)	AM			PM			Daily (vpd)
			In (vph)	Out (vph)	Total (vph)	In (vph)	Out (vph)	Total (vph)	
945	Convenience Mkt w/Gas Pumps	16	216	215	433	182	182	364	4,114

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

\*Fuel positions is the maximum number of vehicles that can be fueled simultaneously.

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

## Comments and observations

Canton Road 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.

Jamerson Road 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.

In accordance with Cobb County Code 134-121 and based on site plan received July 6, 2023, this development requires a traffic study submittal.

## 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 and Cobb County Development Standard 401.2, Right-of-Way: a) donation of right-of-way on the West side of Canton Road a minimum of 50' from the roadway centerline.

(continued)

2. 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 and Cobb County Development Standard 401.2, Right-of-Way: a) donation of right-of-way on the South side of Jamerson Road a minimum of 50' from the roadway centerline.
3. Recommend a traffic study pursuant to Code Section 134-121(b)(8). 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.
4. Recommend driveway on Jamerson Road be designed and built to commercial standards. This recommendation is pursuant to Cobb County Development Standard 402.8, Non-Residential Driveways and Cobb County Development Standard Detail 116, Commercial Driveway Requirements.
5. Recommend development driveway be located a minimum of 100' straight-line distance (measured from driveway curb return to driveway curb return) from adjacent driveways on Canton Road per Development Standard 402.8.
6. Recommend Jamerson Road access point include a deceleration (right turn) lane, taper and/or improved curve radius to address safety because Canton Road is an arterial roadway. This recommendation is pursuant to Cobb County Development Standard 402.9, Deceleration Lanes/Roadway Improvements Along Existing Streets, and Cobb County Development Standard Detail 401A, Deceleration Lanes. Recommend location and design be determined during plan review, subject to Cobb DOT approval.
7. Recommend a minimum of 50 feet straight-line distance from the edge of the right-of-way line on Jamerson Road to the first internal parking space or drive aisle to allow for vehicle stacking. This recommendation is pursuant to Cobb County Development Standard 402.8, Non-Residential Driveways.
8. Recommend replacing any disturbed curb, gutter, and sidewalk along Canton Road and Jamerson Road frontages to meet Cobb DOT standards. This recommendation is pursuant to Cobb County Development Standard 401.15, Curbs and Gutters (including subsections), Cobb County Development Standard 404 Sidewalks and Pathways, Cobb County Development Standard 405 Accessibility Requirements, and Cobb County Development Standard Detail 106, Concrete Curbs, Medians.



(continued)

9. 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 rezoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby properties. The property is in an area that has retail and specialized contractor uses. Staff recommends adherence to the Canton Road Design guidelines, including but not limited to, stone and or/brick building facades and environmentally sensitive shoebox style parking lot lighting.

**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 rezoning proposal will not adversely affect the existing use or usability of adjacent or nearby properties. To reduce the negative impact of lighting, staff is recommending adherence to service station canopy lighting regulations, section 134-266, to ensure that lighting is designed and installed to minimize or eliminate stray lighting onto the roadway.

**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 this rezoning proposal does not create an excessive burdensome on the use of existing streets, transportation facilities, utilities, or schools. The opinion is supported by departmental comments contained in this analysis.

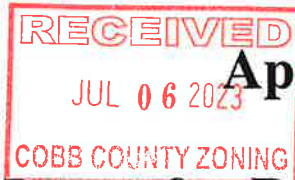
**D. Whether the zoning proposal is in conformity with the policies and intent of the comprehensive plan;**

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 is consistent with the NAC future land use designation, which allows for convenience stores with self-service fuel sales.

**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 or changing conditions affecting the use and development of the property which give grounds for approving the applicant's rezoning proposal. The use as a convenience store with self-service fuel sales would be compatible with the neighboring uses and consistent with the future land use plan.

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. Z-57 (2023)

Hearing Dates: PC - 09/05/2023  
BOC - 09/19/2023

## Summary of Intent for Rezoning\*

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

- a) Proposed unit square-footage(s): Not Applicable.
- b) Proposed building architecture: Not Applicable.
- c) List all requested variances: Not Applicable.

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

- a) Proposed use(s): Convenience Store with Fuel Sales
- b) Proposed building architecture: Approximately 5,312 square foot building and a double-stack canopy, with 8 MPDs
- c) Proposed hours/days of operation: 24/hours per day; 7 days per week
- d) List all requested variances: None known at this time.

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

**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). None known at this time.

\*Applicant specifically reserves the right to amend any information set forth in this Summary of Intent for Rezoning, or any portion of the Application for Rezoning, or documentation attached thereto, at any time during the rezoning process.

**ATTACHMENT TO APPLICATION FOR REZONING**

**IMPACT ANALYSIS STATEMENT**



Application No.: Z- 20 (2023)  
Hearing Dates: September 5, 2023  
September 19, 2023

Applicant: QuikTrip Corporation  
Titleholder: BK Canton, LLC

Tax Parcel Identification No.: 16006000230

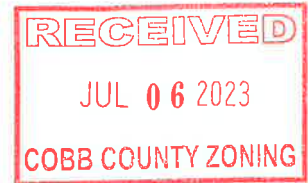
**BEFORE THE COBB COUNTY BOARD OF COMMISSIONERS  
OF ROADS AND REVENUES AND THE  
COBB COUNTY PLANNING COMMISSION**

Analysis of impact of the proposed rezoning with respect to the following:

- (a) Applicant, QuikTrip Corporation (hereinafter "Applicant"), is seeking rezoning of property located at the intersection of the westerly side of Canton Road and the southerly side of Jamerson Road, being approximately 1.668 acres, located in Land Lot 60, 16<sup>th</sup> District, 2<sup>nd</sup> Section, Cobb County, Georgia (hereinafter the "Property" or the "Subject Property"). The Subject Property is currently zoned to the General Commercial ("GC"), and Applicant is seeking rezoning to the Neighborhood Retail Commercial ("NRC") zoning classification to allow for redevelopment of the Property to be used as a convenience store with fuel sales. The Property has a vacant structure, with related parking, and was previously used as a drug store. The proposed rezoning will permit a use that is more suitable to the Subject Property as it lies within a Neighborhood Activity Center ("NAC"), and adjacent and nearby properties are primarily utilized for commercial purposes.
- (b) This zoning proposal should have no adverse effect on the existing use or usability of adjacent or nearby property. The proposed use of the Subject Property should have no impact on surrounding properties. If approved and developed according to the request, the adjacent and nearby property owners should benefit in increased land values.
- (c) The Subject Property, as presently zoned, does not have a reasonable economic use. The proposed zoning will allow for a higher and better use of the Subject Property.
- (d) This zoning proposal will not cause excessive or burdensome use of existing streets, transportation facilities, utilities, or schools. Commercial development has almost no effect on schools, minimal effect on utilities and transportation facilities. Any effect on traffic should be minimal due to the nature of the business for which this rezoning is sought.



- (e) The zoning proposal is in conformity with the Land Use Map of Cobb County, Georgia.
- (f) This zoning proposal is consistent with the current conditions affecting the use of this Property; as well as surrounding properties. The proposed rezoning would allow for a more suitable and economic use without high impact into any adjacent or surrounding properties.



*Cobb County...Expect the Best!*

## ENVIRONMENTAL SITE ANALYSIS (ESA) FORM

Provide an Environmental Site Analysis fully addressing all items below. Describe the proposed project and the existing environmental conditions on the site. Describe adjacent properties. Reference information presented on the site plan that depicts the proposed project

### 1. CONFORMANCE WITH THE COMPREHENSIVE PLAN

Describe how the project conforms to the Comprehensive Land Use Plan. Include the portion of the Comprehensive Plan Land Use Map which supports the project's conformity to the Plan. Evaluate the proposed project with respect to the land use suggestion of the Comprehensive Plan as well as any pertinent Plan policies. Information regarding Cobb County's Comprehensive Plan may be found online at <https://www.cobbcounty.org/community-development/planning/comprehensive-planning>.

Per the Comprehensive Plan Land Use Map, our site is to be in a Neighborhood Activity Center (NAC). On page 16 of the Future Land Use Plan – Appendix 1, compatible zoning districts with NAC include Neighborhood Retail Commercial district (NRC). A convenience store with fuel sales is a permitted use in an NRC.

### 2. ENVIRONMENTAL IMPACTS OF THE PROPOSED PROJECT

For each environmental site feature listed below, indicate the presence or absence of that feature on the property. Describe how the proposed project may encroach or adversely affect an environmental site feature. Information on environmental site features may be obtained from the indicated source(s) or other sources. Cite the source of information regarding the presence or absence of environmental site features (e.g. according to the U. S. Fish and Wildlife Service, National Wetlands Inventory website (<http://www.fws.gov/wetlands/>), wetland areas are located on the northwest portion of the site).

- a. Wetlands- **Not Present, Field Observation, NWI Maps**
  - U. S. Fish and Wildlife Service, National Wetlands Inventory (<http://www.fws.gov/wetlands/>)
  - Georgia Geologic Survey (404-656-3214)
  - Field observation and subsequent wetlands delineation/survey if applicable
- b. Floodplain- **Not Present, Field Observation, FEMA**
  - Federal Emergency Management Agency (<http://www.fema.org>)
  - Field observation and verification
- c. Streams/stream buffers- **Not present, Field Observation NWI**
  - Cobb County Erosion Control
  - Field observation and verification

- d. Slopes greater than 25 percent (as determined by an analysis performed consistent with industry accepted engineering and design practices) **Not present, Topos, Survey**
  - United States Geologic Survey Topographic Quadrangle Map
  - Field observation and verification
- e. Vegetation (including endangered species) **Not Present, Field Observation**
  - United States Department of Agriculture, Nature Resource Conservation Service
  - Field observation
- f. Wildlife Species (including fish and endangered species) **Not Present, USFWS IPAC**
  - United States Fish and Wildlife Service
  - Georgia Department of Natural Services, Wildlife Resources Division, Natural Heritage Program
  - Field observation
- g. Archeological/Historical Sites **Not present, Cobb County Historic Resources**
  - Cobb County Historic Resources
  - Georgia Department of Natural Resources, Historic Preservation Division
  - Field observation and verification

3. **PROJECT IMPLEMENTATION MEASURES**

Describe how the project implements each of the measures listed below as relevant. Indicate specific implementation measures required to protect environmental site feature(s) that may be impacted.

- a. Protection of environmentally sensitive areas (wetlands, floodplain, slopes exceeding 25 percent, stream buffers) **N/A**
- b. Protection of water quality **N/A**
- c. Minimization of negative impacts on existing infrastructure. **N/A**
- d. Minimization of negative impacts on archeological/historically significant areas. **N/A**
- e. Minimization of negative impacts on environmentally stressed community areas where environmentally stressed community areas are defined as community areas will be exposed to a minimum of two environmentally adverse conditions resulting from public and private municipal and industrial uses. **N/A**
  - Public and private municipal (solid waste and wastewater treatment facilities, utilities, airports, and railroads)
  - Industrial (landfills, quarries and manufacturing facilities)
- f. Creation and preservation of green space and open space. **N/A**
- g. Protection of citizens from the negative impacts of noise and lighting.  
**All ordinances regarding lighting and buffers have been adhered to in the design of this site.**
- h. Protection of parks and recreational green space. **N/A**
- i. Minimization of impacts to wildlife habitats. **N/A**