



**Community Development –
Zoning Division**

John Pederson – Division Manager

**Case No.
ROD-1-2020**

Cobb County...Expect the Best!

ZONING CASE #

ROD-1-2020

SITE BACKGROUND

Applicant	Atlantic Realty Acquisitions LLC
Phone	404-591-2900
Email	jward@atlanticresi.com; raaronson@atlanticresi.com
Representative Contact	J. Kevin Moore
Phone	770-429-1499
Email	jkm@mijs.com
Titleholder	Sprayberry Crossing Partnership, a Georgia General Partnership; Sandy Brownstone, LLC; Sandy Ten, LLC; Hong Tran and Hanh H. Tran
Property Location	Southeasterly side of Sandy Plains Rd; northerly side of East Piedmont Rd
Address	2692 Sandy Plains Rd and unnumbered parcels
Access to Property	Sandy Plains Road and East Piedmont Road

QUICK FACTS

Commission District	3-Birrell
Current Zoning	NS (Neighborhood Shopping), PSC (Planned Shopping Center)
Current Use of Property	Shopping Center with outparcel uses
Proposed Zoning	NS, PSC, ROD (Redevelopment Overlay District)
Proposed Use	Mixed-Use Development
Future Land Use Designation	CAC (Community Activity Center)
Site Acreage	17.67
District	16
Land Lot	557, 596, 629
Parcel #	16059600050, 16059600050, 16059600130, 16059600220, 16059600230, 16059600250, 16059600170, 16059600240, 16059600070

Taxes Paid

Yes

FINAL ZONING STAFF RECOMMENDATIONS

FINAL STAFF RECOMMENDATION:

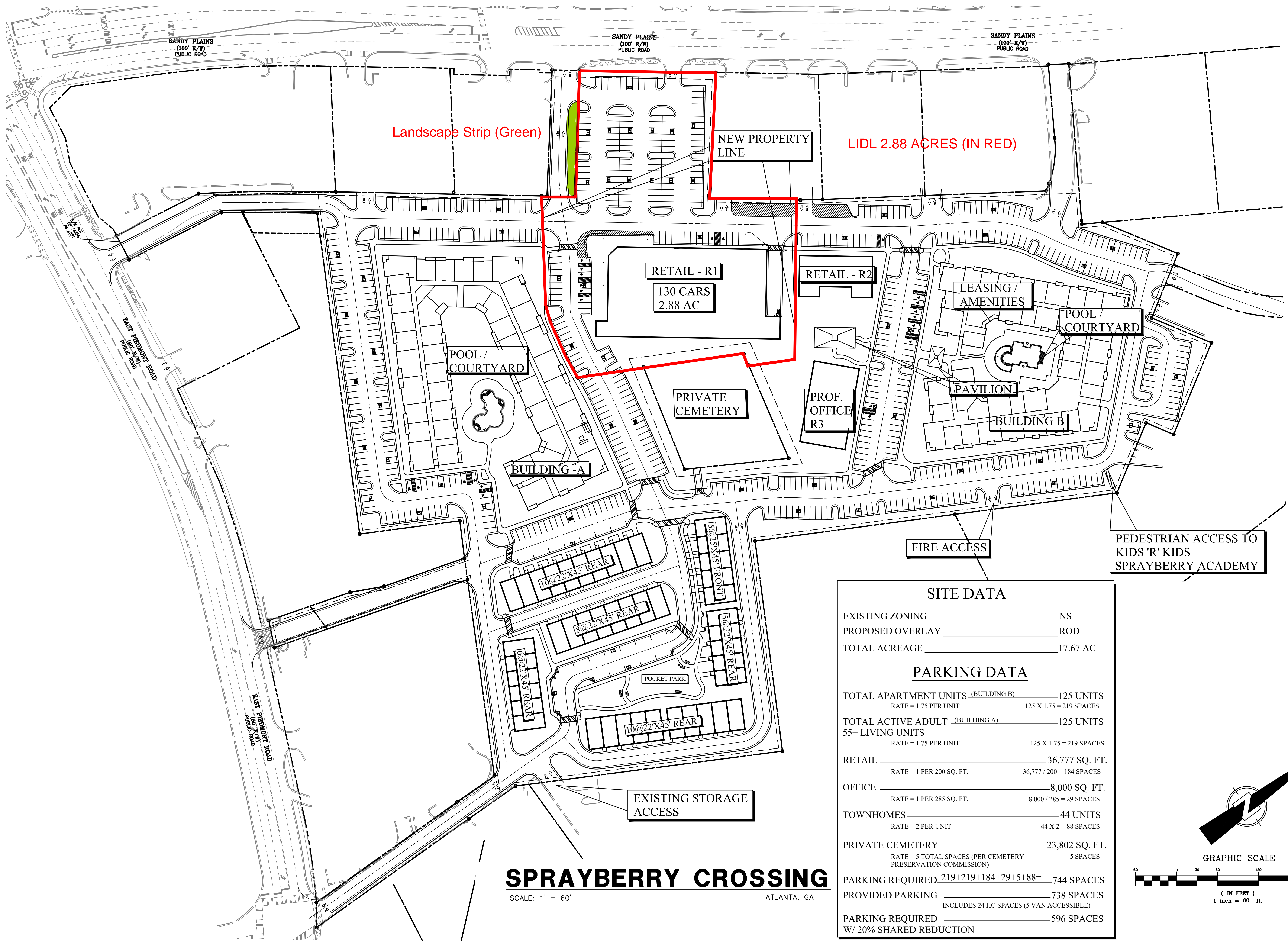
(Staff member: Phillip Westbrook, Planning & Economic Development Division)

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

1. District Commissioner to approve the final site plan;
2. Fire Department comments and recommendations;
3. Site Plan Review comments and recommendations;
4. Stormwater Management comments and recommendations;
5. Water and Sewer comments and recommendations;
6. Department of Transportation comments and recommendations

ATTACHMENTS

1. ROD-1-2020_Site Plan REVISED 011421
2. ROD-1A_GIS
3. ROD-1-2020_Zoning Division by Planning Div_REVISED 021721
4. ROD-01-2020_Fire Department
5. ROD-1-2020_Site Plan Review Arborist REVISED 031821
6. ROD-01-2020_Cemetery Preservation
7. ROD-01-2020_School System
8. ROD-01-2020_Stormwater Management REVISED 031621
9. ROD-01-2020_Planning Division
10. ROD-1-2020_Water and Sewer REVISED 032421
11. ROD-01-2020_DOT
12. ROD-1-2020_Zoning Staff Analysis by Planning Div_REVISED 021721
13. ROD-1-2020_Summary of Intent REVISED 012021
14. ROD-1-2020_Impact Statement
15. ROD-1-2020_Request to Continue October 081920
16. ROD-1-2020_Request to Continue November 092220
17. ROD-1-2020_Request to Continue December 102220
18. ROD-1-2020_Request to Continue February 112520
19. ROD-1-2020_Request to Continue April 022521

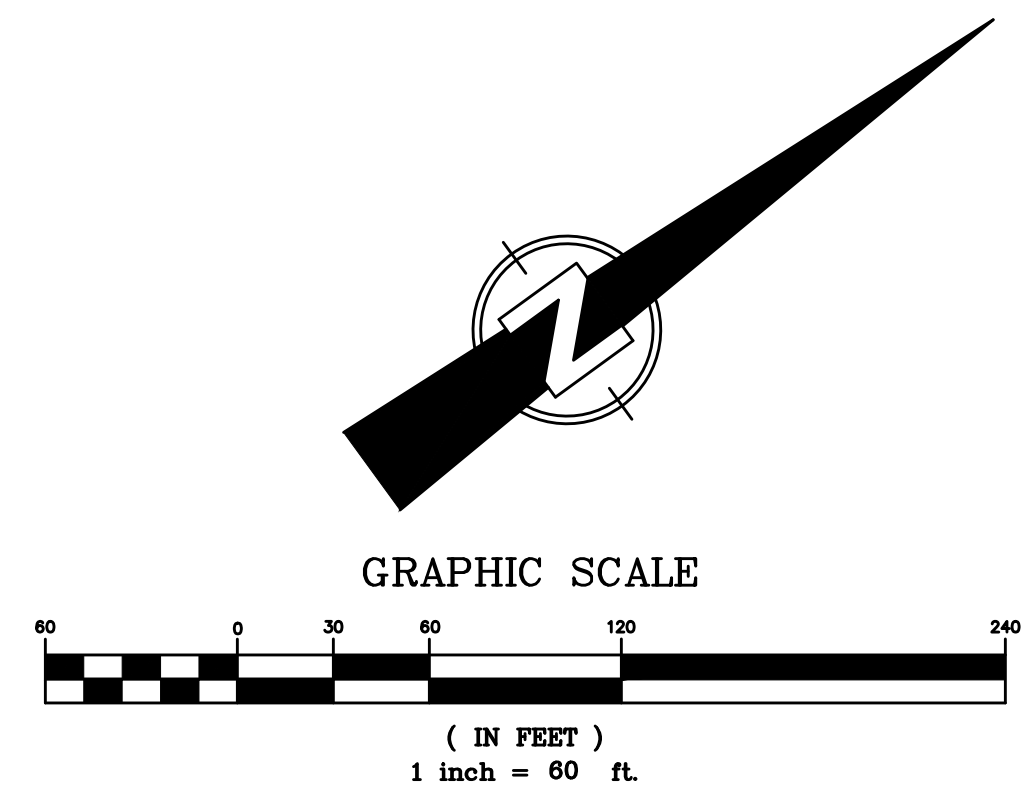


SPRAYBERRY CROSSING

SCALE: 1" = 60'

ATLANTA, GA

SITE DATA	
EXISTING ZONING	NS
PROPOSED OVERLAY	ROD
TOTAL ACREAGE	17.67 AC
PARKING DATA	
TOTAL APARTMENT UNITS (BUILDING B)	125 UNITS
RATE = 1.75 PER UNIT	125 X 1.75 = 219 SPACES
TOTAL ACTIVE ADULT (BUILDING A)	125 UNITS
55+ LIVING UNITS	
RATE = 1.75 PER UNIT	125 X 1.75 = 219 SPACES
RETAIL	36,777 SQ. FT.
RATE = 1 PER 200 SQ. FT.	36,777 / 200 = 184 SPACES
OFFICE	8,000 SQ. FT.
RATE = 1 PER 285 SQ. FT.	8,000 / 285 = 29 SPACES
TOWNHOMES	44 UNITS
RATE = 2 PER UNIT	44 X 2 = 88 SPACES
PRIVATE CEMETERY	23,802 SQ. FT.
RATE = 5 TOTAL SPACES (PER CEMETERY PRESERVATION COMMISSION)	5 SPACES
PARKING REQUIRED	219+219+184+29+5+88= 744 SPACES
PROVIDED PARKING	738 SPACES
	INCLUDES 24 HC SPACES (5 VAN ACCESSIBLE)
PARKING REQUIRED W/ 20% SHARED REDUCTION	596 SPACES

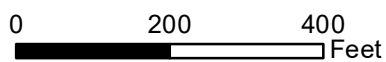




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ROD-1 Aerial Map



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



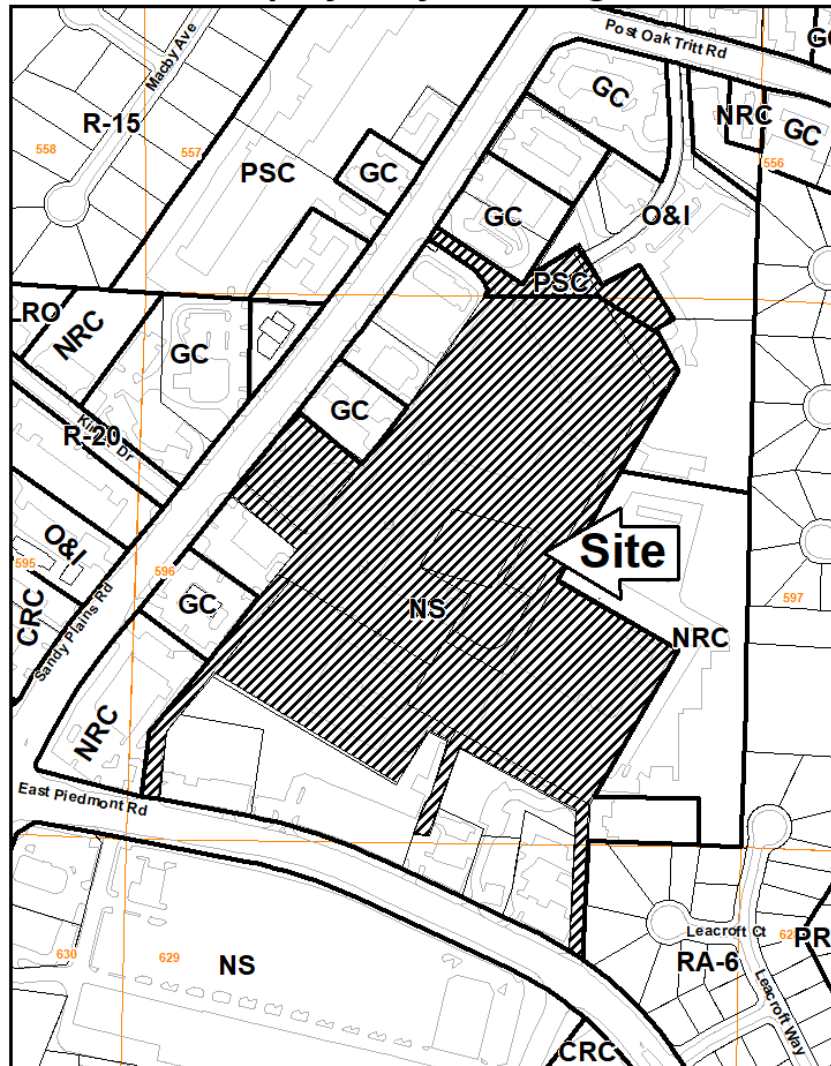
 Zoning Boundary
 City Boundary

North

Zoning: GC (General Commercial), O&I (Office & Institutional)

Future Land Use: Community Activity Center (CAC)

Sprayberry Crossing



WEST

Zoning: GC (General Commercial), NRC (Neighborhood Retail Commercial)

Future Land Use: CAC (Community Activity Center), NAC (Neighborhood Activity Center) (across Sandy Plains Rd)

EAST

Zoning: O&I (Office & Institutional), NRC (Neighborhood Retail Commercial), NS (Neighborhood Shopping)

Future Land Use: CAC (Community Activity Center)

SOUTH

Zoning: NS (Neighborhood Shopping)

Future Land Use: CAC (Community Activity Center)

Current zoning district for the property

The NS district is established to provide locations for retail commercial and service uses which are designed and oriented to serve two to four neighborhoods and are located in areas delineated within a community activity center or regional active center as defined and shown on the Cobb County Comprehensive Plan: A Policy Guide, adopted November 27, 1990. Commencing January 1, 1991, no new application for rezoning to the NS district will be accepted by the Board of Commissioners. Any existing, developed NS zoning/use located outside of the 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. Should any undeveloped property zoned as NS outside a community activity center or regional activity center fail to commence development by January 17, 1996, the owner of such property shall be required to bring the property back in for rezoning consistent with the Comprehensive Plan prior to any development. Obtaining a building or grading permit for such development shall be deemed to be commencing development.

The PSC district is established to provide locations for retail commercial and service uses which are designed and oriented to serve several neighborhoods making up a community. Projects developed within the PSC zoning district should be done as compact, unified centers. Projects developed within the PSC zoning district should occupy a quadrant of an intersection, with ingress and egress only from a major collector street or state highway, within an area delineated within a community activity center or regional activity center as defined and shown on the Cobb County Comprehensive Plan: A Policy Guide, adopted November 27, 1990. Any existing, developed PSC 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. Should any undeveloped property zoned PSC outside a community activity center or regional activity center fail to commence development by January 17, 1996, the owner of such property shall be required to bring the property back in for rezoning consistent with the Comprehensive Plan prior to any development. Obtaining a building or grading permit for such development shall be deemed to be commencing development.

Requested zoning district for the property

The Applicant has applied for a Redevelopment Overlay District (ROD). The ROD may be overlaid upon the existing zoning. The purpose and intent of the ROD is as follows. The ROD is established to provide locations for redevelopment of commercial, office and residential uses which are pedestrian oriented and developed at a community or regional activity center scale and intensity, as identified for each specific site or corridor via the Cobb County Comprehensive Plan, as may be amended from time to time. This is intended to encourage compatible mixed uses within the boundaries of these properties. The district may be overlaid upon the LRO, LRC, NRC, O&I, CRC, RMR, OMR, RHR, OHR, NS, PSC, TS and GC zoning districts within these redevelopment corridors and specific redevelopment sites. The district may also be overlaid upon the RM-12 and RM-16 districts that are adjacent to commercially zoned properties within these redevelopment corridors and specific redevelopment sites.

ROD-01-2020 DEPARTMENT COMMENTS – Zoning Division (c/o Planning Div.)

In the Austell Road and Six Flags Drive sites, as depicted in the Comprehensive Plan, LI and R-20 zoning districts that fall within a Community Activity Center Future Land Use category are also eligible to use the ROD. The Board of Commissioners has determined that any redevelopment project approved within the ROD shall not establish any type of precedent for land use recommendations or future rezoning proposals outside of the boundaries of the ROD project. Those properties outside of the boundaries of a ROD project must provide uses compatible with other surrounding properties that are outside of the ROD. This ROD may be applied to properties within the corporate limits of Marietta and Smyrna, at the discretion of the respective city councils.

Summary of the applicant's proposal

The applicant seeks to establish a Redevelopment Overlay District on approximately 17.67 acres located on the southeasterly side of Sandy Plains Road and the northerly side of East Piedmont Road, for the purpose of redevelopment of the shopping center property and certain commercial out parcels for a mixed-use development. The proposal includes two (2) wood-framed residential buildings up to three (3) stories in height. One (1) residential building will consist of 125 Senior Living apartment units with an average size of 1,050 SF. The other residential building will consist of 125 conventional apartment units with an average size of 825 SF. Also proposed are 44 Townhome units. The commercial component includes 8,000 SF of office space, and at total of 37,000 SF of retail space, of which 30,000 SF is an anchor grocery store. Proposed amenities include a pocket park and an open-air entertainment area with a pavilion/performance venue. Additionally, each of the proposed apartment buildings would have amenities exclusive to residents and their guests (i.e. swimming pools).

Residential criteria

Allowable units as zoned: 0

Proposed # of units: 294

Net density: 16.64 UPA

Increase of units: 294

Acres of floodplain/wetlands: No floodplain on the property

Impervious surface shown: Not shown, but maximum is 70%

Non-residential criteria

Proposed # of buildings: 3 (2 retail, 1 office)

Proposed # of stories: Not shown

Total non-residential sq. footage of development: 45,000 SF

Floor area ratio: Dependent upon # of stories

Square footage per acre: 2,547 SF/acre

Required parking spaces: 744 spaces

Required parking space w/ 20% shared reduction: 596 spaces

Required parking space w/ additional 10% reduction per administrative approval: 536 spaces

Proposed parking spaces: 738 spaces

Acres in floodplain or wetlands: 0

Impervious surface shown: Not shown, but maximum is 70%

Are there any zoning variances?

Yes.

1. Waiver of the requirement that ten percent (10%) of residential units be designated as “workforce” housing (134-221.2-(12)-m.)

IFC 510- EMERGENCY RESPONDER RADIO COVERAGE. New buildings are required to provide radio coverage for emergency responders per the International Fire Code. Testing is required by a third party and when deemed necessary amplification systems are required before the building will be issued a certificate of occupancy. This message is to serve as an early notification to owners and developers for budgeting purposes.

FIRE ENGINE ACCESS: The fire department must be able to access the long side of the building.

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).

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, 25 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)

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.

Aerial apparatus access shall be required for all structures over 30 feet in height measured from the lowest level of fire department access to the ceiling height of the highest occupied floor level. Aerial fire apparatus access roads shall be a minimum width of 24 feet maximum of 40 feet from the structure and be positioned parallel to one entire side of the building. No overhead utility and power lines shall be located within the aerial fire apparatus access. (Cobb County Development Standards 401.8.2.1)

Guest Parking

Occupant parking shall be installed as required by zoning and additional guest parking shall be required as follows:

- Where driveways to two car garages exceed 50 feet in length, no additional guest parking is required.
- Where driveways to two car garages are at least 22 feet long and 20 feet wide, additional parking shall be required at .5 spaces per dwelling unit.
- Where driveways to two car garages are less than 22 feet long and 20 feet wide, additional parking shall be required at 1 space per dwelling unit.
- Where only single car garages are provided, additional parking shall be required at 2 spaces per dwelling unit.
- Guest parking spaces must be evenly distributed throughout the project. (Cobb County Development Standards 401.8.2)

(continued)
Fire Hydrants

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)

ROD-1-2020 DEPARTMENT COMMENTS – Site Plan Review (Arborist)

03/18/21

Cobb County Development Standards require 24' drive aisles where 90 degree parking is provided. Based on a review of the Site Plan submitted on Jan. 14, 2021, only 23' appears to be shown on all drive aisles. Revise accordingly.

ROD-01-2020 DEPARTMENT COMMENTS – Cemetery Preservation

Zoning petition ROD-1-2020 (in land lots 557, 596 and 629 of the 16th District) shows the presence of Mayes Family cemetery.

The site plan submitted by the applicant, Atlantic Reality Acquisition LLC, does not show any buffers around the cemetery.

In lieu of a reduced buffer along the common boundary of the cemetery and the proposed development, the Cobb County Cemetery Preservation Commission requires the following:

1. Uninhibited daylight access to the cemetery.
2. Parking spaces adjacent to the cemetery access gate.
3. Preplacement of failing railroad tie retaining wall with masonry equivalent.
4. Restoration of the chain link fence surrounding cemetery.
5. Provision for on-going upkeep of Mayes Family cemetery.

The Cobb Cemetery Preservation Ordinance and the County Development Standards for Cemeteries call for:

- A. Compliance with all state and local laws and ordinances.
- B. All Cemetery Preservation requirements must be Site Plan specific.

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

ROD-01-2020 DEPARTMENT COMMENTS – Stormwater Management

Revised 03/16/2021

Revised Stormwater Management Comments based on Site plan submitted on January 14, 2021.

1. Flood hazard zone: No per FEMA; Local Flood areas due to downstream backup from Autumn Lake. Top of dam at Autumn Lake is at an approximate elevation of 1044.
2. Drainage Basin: Tributary to Sewell Mill Creek.
3. Potential or known drainage problems exist for developments downstream from this site.
4. Stormwater discharges must be controlled not to exceed the existing capacity of the downstream storm drainage system.
5. Substantially mitigate any effects of concentrated stormwater discharges onto adjacent properties.
6. Developer must secure drainage easement(s) to receive concentrated discharges where none naturally exist.
7. Existing Lake Downstream Autumn Lake. Additional BMP's for erosion & sediment control will be required.
8. Lake Study required to document pre- and post-development sediment levels at Autumn Lake.
9. Stormwater discharges through an established residential neighborhood downstream.
10. Project engineer must evaluate the impact of increased volume of runoff generated by the proposed project on existing downstream drainage system(s).
11. Any spring activity discovered must be addressed by a qualified registered geotechnical engineer (PE).
12. The plan does not show any stormwater management now. Onsite stormwater management will probably be developed as underground during plan approvals.
13. As of; January 1, 2021 Stormwater Management now requires Stormwater Runoff Reduction per the Georgia Stormwater Management Manual. We recommend a concept meeting with Cobb County Stormwater Management Division prior to design and land disturbance permitting.

Cobb 2040 Comprehensive Plan: The parcel is within the Community Activity Center and Public Institutional (CAC & PI) future land use categories. The purpose of the CAC category is to provide for areas that can meet the immediate needs of several neighborhoods or communities. Typical land uses for these areas include low to mid-rise office buildings and department stores. The purpose of the PI category is to provide for certain state, federal or local government and institutional uses such as government administrative building complexes, police and fire stations, schools and colleges, churches, hospitals and the like.

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: 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)

Is the property within an Enterprise Zone? Yes No

(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)

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)

(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.

ROD-01-2020 DEPARTMENT COMMENTS – Water and Sewer

03/24/21 revision

Water comments:

At development: YES NO

Fire flow test required: YES NO

Size and location of existing water main(s): 16" on Sandy Plains Rd, 6" on East Piedmont Rd.

Additional water comments: The developer shall provide access to County water to any adjacent properties currently provided water service through the master meter for this property.

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: on site

Estimated waste generation (in G.P.D.): Average daily flow = +49,000

Peak flow = +122,000

Treatment plant: R.L. Sutton WRF

Plant capacity: Yes NO

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

Off-site easement required: YES* NO

Line capacity study 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 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: Preliminary evaluation indicates that +/-1,630 ft of downstream sewer may need to be upgraded by the developer to accommodate the calculated increased wastewater discharge. Also, the developer must ensure that sewer service is maintained to users outside the boundaries of ROD-01-20 whose service may be impacted by this redevelopment.

Note: These comments only reflect what facilities were in existence at the time of this review. 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.

00/00/00

Roadway	Roadway classification	Speed limit (MPH)	Jurisdictional control	Min. R.O.W. requirements
Sandy Plains Road	Arterial	45	Cobb County	100'
East Piedmont Road	Arterial	45	Cobb County	100'
Post Oak Tritt Road	Arterial	40	Cobb County	100'

Roadway	Location	Average daily trips	Level of service
Sandy Plains Road	North of Kinjac Drive	41,400	F
East Piedmont Road	At Piedmont Forest Court	16,850	C
Post Oak Tritt Road	At Baramore Road	13,700	D

Based on 2019 AADT count data taken by GDOT, as published on their website, for Sandy Plains Road.

Based on 2019 traffic counting data taken by Cobb County DOT for East Piedmont Road.

Based on 2018 traffic counting data taken by Cobb DOT for Post Oak Tritt 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 arterials from this data source.

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

Roadway comments and observations

Sandy Plains Road is classified as an arterial roadway and according to the available information, the existing right-of-way does meet the minimum requirements for this classification. The existing site access points on Sandy Plains Road are limited to a right-in/right-out operation by the existing median. The signalized intersection of Sandy Plains Road and Kinjac Drive is currently being evaluated for potential access by the proposed development.

East Piedmont Road is classified as an arterial roadway and according to the available information, the existing right-of-way does meet the minimum requirements for this classification. The existing western site access point on East Piedmont Road is limited to a right-in/right-out operation by the existing median, the existing middle site access point is full-access, and the existing eastern access point serves as the southbound approach to the existing signal at the Sprayberry Square shopping center.

Post Oak Tritt 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.

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: a) donation of right-of-way on the west side of Post Oak Tritt Road, a minimum of 50' from the roadway centerline.

(continued)

2. Recommend replacing disturbed curb, gutter, and sidewalk along the property frontage on Sandy Plains Road.
3. Recommend replacing disturbed curb, gutter, and sidewalk along the property frontage on East Piedmont Road.
4. Recommend replacing disturbed curb, gutter, and sidewalk along the property frontage on Post Oak Tritt Road.
5. Recommend an updated traffic study. The traffic study should include existing and base year (full build-out year) Build and No-Build analysis, as well as horizon year (base year + 10 years) Build and No-Build analysis.
6. Recommend public streets, lighting, and utilities be constructed to Cobb County Standard Specifications.
7. Site plan should include sufficient detail that the access driveways and their allowed traffic movements are clear for both sides of the roadway.
8. Recommend existing full-access driveway on Post Oak Tritt Road be restricted to full-movement-in/right-out operation due to proximity to and the associated queuing for the signalized intersection of Post Oak Tritt Road and Sandy Plains Road.
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 opinion that the applicant's request will permit a use that is suitable in view of the use and development of adjacent and nearby property. The surrounding area contains a mixture of commercial properties, office services and residential uses. The applicant is proposing a mix-use development consisting of residential, retail, and professional offices.

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 zoning proposal will not affect the existing use or usability of adjacent or nearby property. Access to adjacent commercial uses not included in the redevelopment proposal will be maintained. Additionally, the subject site is not immediately adjacent to any incompatible land use types.

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 zoning proposal may result in a use which will or could cause an excessive burdensome use of existing streets, transportation facilities, utilities, or schools. Staff has requested detailed traffic information, a sewer flow study, stormwater management facilities, and adequate cemetery preservation techniques to determine the full potential of impacts. In addition, Post Oak Tritt Road is identified as not meeting ROW of requirements for its Arterial classification by DOT.

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

It is staff's opinion that the zoning proposal conforms with the policies and intent of the Cobb County Comprehensive Plan. The site is designated as a Community Activity Center according to the County's Future Land Use Plan. This, in conjunction with the utilization of the Redevelopment Overlay District, helps the proposed development meet the spirit and intent of all applicable provisions with the Comprehensive Plan.

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 supporting grounds for approving the zoning proposal. The mix of uses are consistent with the CAC and meet the ROD overlay regulations, which provide locations for redevelopment of commercial, office, and residential uses developed at a community activity center scale. In addition, the development tract is internal to the commercial node, removed from existing residential neighborhoods that would be impacted by the scale of the development. The site has been subject to several cases involving property maintenance violations and is included on the Cobb County Redevelopment Inventory list.

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.

Letter of Intent*
(AMENDED JANUARY 20, 2021)

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

a) **Proposed unit square-footage(s):** MF Market Rate (125 units) Active Adult (55+) (125 units) Townhomes (44 units)
1Bdrm 700+ sf; 2Bdrm 1100+sf 1Bdrm 800+ sf; 2Bdrm 1240+sf 1,800+ sf

b) **Proposed building architecture:** Modern Classic with Articulated Building Facades

c) **List all requested variances:** _____

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

a) **Proposed use(s):** Professional Office - 8,000 sq. ft.; Grocery - 31,042 sq. ft.;
Neighborhood Retail - 5,735 sq. ft. (Total Proposed Retail - 36,777 sq. ft.)

b) **Proposed building architecture:** Modern Classic with Articulated Building Facades

c) **Proposed hours/days of operation:** _____

d) **List all requested variances:** _____

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

Includes pocket parks, open air entertainment, and food hall

.....
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, to the best of our knowledge, information, and belief.

*Applicant specifically reserves the right to amend any information set forth in this Amended Letter of Intent, or any other part of this Application for Redevelopment Overlay District, at any time during the review process.

ATTACHMENT TO APPLICATION FOR REDEVELOPMENT OVERLAY DISTRICT

IMPACT ANALYSIS STATEMENT

Application No.: _____ (2020)
Hearing Dates: September 1, 2020
September 15, 2020

Applicant: Atlantic Realty Acquisitions LLC
Titleholders: Sprayberry Crossing Partnership,
a Georgia General Partnership;
Sandy Brownstone, LLC;
Sandy Ten, LLC; Hong Tran; and
Hanh H. Tran

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

- (a) This Application for Rezoning seeks rezoning of approximately 17.91 acres located on the southeasterly side of Sandy Plains Road and the northerly side of East Piedmont Road, Land Lots 557, 596, and 629, 16th District, 2nd Section, Cobb County, Georgia (hereinafter the “Property” or the “Subject Property”). The Property is currently zoned Planned Shopping Center (“PSC”) and Neighborhood Shopping (“NS”). The Property is utilized as a shopping center, including out parcels. Applicant is seeking redevelopment of the shopping center property and certain commercial out parcels for a mixed-use development. The redevelopment of the Property will provide a use which is much more suitable in view of its location and development of properties in close proximity, and will allow the Property to be utilized to its highest and most reasonable potential. Zoning and uses of properties in the area vary from public institutional, office, retail, commercial purposes, and residential. The location and long history of the Subject Property make it uniquely suited for the proposed redevelopment; as well as, its access to Sandy Plains Road and East Piedmont Road. The proposed redevelopment for mixed-use would be compatible to surrounding properties and allow for revitalization not only of the Subject Property, but the area as a whole.
- (b) This proposal should have no adverse effect on the existing use or usability of adjacent or nearby property. The proposed redevelopment should have a minimal, if any, impact on surrounding properties, as surrounding properties would have quality redevelopment of the Property. If approved and developed according to the request, the adjacent and nearby property owners would benefit in higher land values. Cobb County will benefit in increased tax revenue.
- (c) The Property, as it currently exists, does not have a reasonable economic use. Redevelopment of the entirety of the Property, as proposed, would allow the Property to

be developed and utilized to its highest and best potential, and consistent with properties adjacent to and in the immediate proximity.

- (d) This proposed redevelopment will not cause excessive or burdensome use of existing streets, transportation facilities, utilities, or schools. Development, as proposed, would have minimal effect on utilities and transportation facilities. The Property has convenient access to the two major thoroughfares upon which it is located. Roadway improvements in and around the Subject Property in recent years have eased access and traffic concerns related to the proposed development.
- (e) The zoning proposal is in conformity with the Future Land Use Map of Cobb County, Georgia.
- (f) The Subject Property has been termed as “blighted” by Cobb County officials. The redevelopment proposed in this Application will allow for a high-quality mixed-use development which would benefit the residents of the surrounding area, bring new growth to the area in the form of businesses and residents, and allow Cobb County to gain additional tax revenue from the revitalization.

MOORE INGRAM JOHNSON & STEELE

A LIMITED LIABILITY PARTNERSHIP
WWW.MJS.COM

MARIETTA, GEORGIA
EMERSON OVERLOOK
326 ROSWELL STREET
SUITE 100
MARIETTA, GEORGIA 30060
TELEPHONE (770) 429-1499

KNOXVILLE, TENNESSEE
408 N. CEDAR BLUFF ROAD
SUITE 500
KNOXVILLE, TENNESSEE 37923
TELEPHONE (865) 962-9039

JACKSONVILLE, FLORIDA
10201 CENTURION PARKWAY N.
SUITE 401
JACKSONVILLE, FLORIDA 32256
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7380 WEST SAND LAKE ROAD
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ORLANDO, FLORIDA 32819
TELEPHONE (407) 367-6233

HARRISBURG, PENNSYLVANIA
3909 HARTZDALE DRIVE
SUITE 901
CAMP HILL, PENNSYLVANIA 17011
TELEPHONE (717) 790-2854

August 19, 2020

Via E-mail and Hand Delivery

Mr. Jason Gaines, AICP
Planning Division Manager
Planning Division
Cobb County Community Development Agency
Suite 400
1150 Powder Springs Road
Marietta, Georgia 30064

Mr. John P. Pederson, AICP
Zoning Division Manager
Zoning Division
Cobb County Community Development Agency
Suite 400
1150 Powder Springs Road
Marietta, Georgia 30064

RE: Application for Redevelopment Overlay District
Application No.: ROD-1 (2020)
Applicant: Atlantic Realty Acquisitions LLC
Property Owners: Sprayberry Crossing Partnership; Sandy
Brownstone, LLC; Sandy Ten, LLC; Hong Tran;
and Hanh H. Tran
Property: 17.91 acres, more or less, located on the
southeasterly side of Sandy Plains Road and the
northerly side of East Piedmont Road, Land
Lots 557, 596, and 629, 16th District, 2nd Section,
Cobb County, Georgia

Dear Jason and John:

On behalf of the Applicant, Atlantic Realty Acquisitions LLC ("Applicant"); as well as, the Property Owners, please accept this correspondence as our formal request for a continuance of the above-referenced Application for Redevelopment Overlay District from the currently scheduled hearings before the Cobb County Planning Commission and Cobb County Board of

MOORE INGRAM JOHNSON & STEELE

Page 2 of 2
August 19, 2020

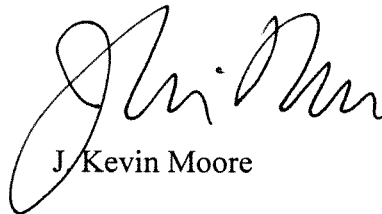
Commissioners on September 1, 2020, and September 15, 2020, respectively. The thirty-day continuance to the October 2020 zoning hearing agendas will allow additional time to continue working through concerns and questions expressed by area residents and homeowner representatives and present proposed agreeable stipulations. We would very much appreciate the Staff's consideration of continuing the hearings to October 6, 2020, before the Cobb County Planning Commission, and October 20, 2020, before the Cobb County Board of Commissioners.

Thank you for your consideration in this request. If you should have any questions or require additional information at this time, please do not hesitate to contact me.

With kindest regards, I remain

Very truly yours,

MOORE, INGRAM, JOHNSON & STEELE, LLP



J. Kevin Moore

JKM:cc

c: Jeannie Peyton
Senior Planner
Zoning Division
Cobb County Community Development Agency

Atlantic Realty Acquisitions LLC
Sprayberry Crossing Partnership

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September 22, 2020

Via E-mail Only

Mr. Jason Gaines, AICP
Planning Division Manager
Planning Division
Cobb County Community Development Agency
Suite 400
1150 Powder Springs Road
Marietta, Georgia 30064

Mr. John P. Pederson, AICP
Zoning Division Manager
Zoning Division
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September 22, 2020

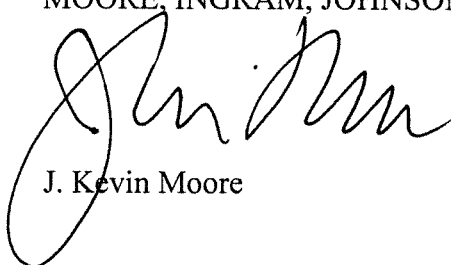
Commissioners on October 6, 2020, and October 20, 2020, respectively. The thirty-day continuance to the November 2020 zoning hearing agendas will allow additional time to incorporate revisions to the proposed Site Plan. We would very much appreciate the Staff's consideration of continuing the hearings to November 3, 2020, before the Cobb County Planning Commission, and November 17, 2020, before the Cobb County Board of Commissioners.

Thank you for your consideration in this request. If you should have any questions or require additional information at this time, please do not hesitate to contact me.

With kindest regards, I remain

Very truly yours,

MOORE, INGRAM, JOHNSON & STEELE, LLP

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J. Kevin Moore

JKM:cc

c: Jeannie Peyton
Senior Planner
Zoning Division
Cobb County Community Development Agency

Atlantic Realty Acquisitions LLC
Sprayberry Crossing Partnership

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SUITE 801
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October 22, 2020

Via E-mail Only

Mr. Jason Gaines, AICP
Planning Division Manager
Planning Division
Cobb County Community Development Agency
Suite 400
1150 Powder Springs Road
Marietta, Georgia 30064

Mr. John P. Pederson, AICP
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October 22, 2020

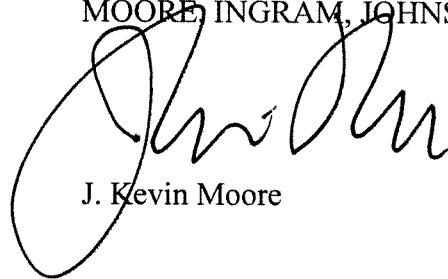
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c: Jeannie Peyton
Senior Planner
Zoning Division
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HARRISBURG, PENNSYLVANIA
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November 25, 2020

Via E-mail Only

Mr. Jason Gaines, AICP
Planning Division Manager
Planning Division
Cobb County Community Development Agency
Suite 400
1150 Powder Springs Road
Marietta, Georgia 30064

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