

**COMMISSION DISTRICT 2  
EAST COBB CIVIC ASSOCIATION, INC.**

**Z-49 (November 2023)**

Applicant, DG East Cobb Guthries, LLC, 256-405-3783, represented by Kevin Moore, 770-429-1499, requests to change the current zoning from PSC to NRC, for a fast-food restaurant.

**Additional Information:**

The property is located at 4774 Lower Roswell Road, on the south side of Lower Roswell Road, west of Johnson Ferry Road.

The rezoning request also contains requested variances for a reduction in the number of parking spaces required, a reduction in the amount of impervious surface required, a reduction in the minimum lot size, and a reduction in the front setback.

**Contiguous Zonings:**

North: GC/ Park, Baseball Field

South: CRC/ CVS Pharmacy drive-thru

East: GC/ Restaurant

West: CRC/ CVS Pharmacy Parking Lot

**Present Zoning:** PSC

**Size of Tract:** 0.317 acres

**Future Land Use:** CAC

**ECCA Case Manager:** Richard Grome and Ben Alper

**Discussion:**

Applicant filed this application on September 7, 2023. At that time, Applicant was not represented by an attorney. The Application contained a barely readable site plan. It also did not include a rendering of the proposed building, a landscape plan, a floor plan, a lighting plan or a signage plan.

- 10/30/23, ECCA was advised that Applicant was now represented by Kevin Moore.
- 10/31/23, members of ECCA met with Mr. Moore. At this meeting, ECCA was given: 1) renderings of the proposed building; and 2) a proposed floor plan.
  - ECCA requested additional information from Mr. Moore, specifically requesting a readable site plan, information regarding the traffic flow in and out of the proposed drive-thru, and a signage plan.
- 11/2/23, Mr. Moore emailed ECCA with additional information. However, given the limited time that ECCA has had to review this information, and

given that additional information still needs to be provided, ECCA recommends that this Application be held by the PC.

**The concerns that ECCA recommends be addressed prior to the hearing are as follows:**

1. The information contained in the application, the information provided to Staff, and the email from Mr. Moore each provides different proposed square footage for the building.
  - a. ECCA needs more clarity as to what the actual footprint of the proposed building will be and what specific modifications to the current building will be made.
  - b. These discrepancies in square footage impact the requested variance regarding parking spaces.
2. It is also unclear what will be the height of the proposed building.
  - a. Initial indications were that the proposed building would not be altered but Mr. Moore's email now states that it will.
3. Further, one of ECCA's primary concerns is that traffic through the proposed drive-thru will quickly back up into the "common" driveway leading to CVS Pharmacy drive-thru and onto Lower Roswell Road.
  - a. Mr. Moore's email states that "the site design will accommodate approximately 22-25 vehicles in the drive thru lanes at any single moment in time." However, without further study or analysis of this issue, ECCA is not convinced this number of vehicles can be safely moved through the drive-thru at one time and that traffic will not block access to CVS and in addition, cause a backup into the right turn lane on Lower Roswell Road.
4. The Applicant also proposes to have a walk-up window for picking up food. There is no indication whether there will be a striped walkway for customers to safely cross the traffic of the drive-thru to pick up their food. This concern must also be addressed.
5. ECCA would like to see a rendering of the proposed sign or any indication of its location. The current monument sign on the property does not appear to meet the existing Code.
6. Finally, ECCA has not seen a stipulation letter that would address:
  - a. Hours of operation
  - b. Number of employees and where they would park.
  - c. No parking or stacking of workers and construction vehicles on Lower Roswell Road.
  - d. Any cross-parking agreements with CVS?
  - e. Definition of a minor modification

**Recommendations:**

Due to the above concerns, ECCA recommends **that** this Application be **HELD** for the additional information listed above. If the applicant refuses to agree to a hold, then ECCA recommends denial of this application. There are too many open questions that could not only adversely affect the surrounding businesses, but the Johnson Ferry/Lower Roswell project.