

STAFF REPORT

PZ 25-006 - PETITION: Rezoning. For a 14.75-acre tract, to rezone from R-30 (county) to MXU (city). The property is located at 0 and 7100 CH James Pkwy, within land lot 671, 2nd section, Cobb County Georgia. PIN: 19067100050, 19067100020. Applicant: Thompson Thrift Residential.

PZ 25-010 - PETITION: Rezoning - For a 3.7- acre tract, to rezone from R-30 to CRC. The property is located at 5655 Allen Road, within Land Lot 672, 19th district, 2nd section, Cobb County, Georgia. PINs: 19067200040. Applicant: Spring Creek Investment Properties

PZ 25-011- PETITION: Rezoning. For a 2.74 acre tract, to rezone from R-30 to CRC. The property is located at Allen Road and CH James Parkway, within Land Lots 671 and 672, 19th district, 2nd section, Cobb County, Georgia. PINs: 19067200070 and 19067100070. Applicant: Marjorie Sanchez and Bernie Gudiel

LOCATION: CH James Pkwy, Allen Farm Road and PS Dallas Road within land lot 671 and 672 of the 19th District, 2nd Section, and Cobb County, Georgia.

STAFF RECOMMENDATION: Staff recommends approval of the rezoning request with conditions noted.

BACKGROUND:

The applicant Thompson Thrift initially submitted an annexation application for PZ 25-006 including 14.75 acres of land for a mixed use development. After reviewing this annexation request, it was determined that this annexation would create an island consisting of 6.44 acres. The city did not accept the application that would result in the creation of the island and asked that the applicant reach out to the adjacent property owners to create an application that would eliminate this island. The adjacent property owners agreed to the annexation and have requested rezoning to Community Retail Commercial (CRC) in the city, along with the 14.75 originally proposed as Mixed Use (MXU)

The applicant is requesting to rezone the subject property from Residential 30,000 sf lot (county) (R-30) to Mixed Use (MXU) city for a mixed-use development consisting of 320 apartment units on CH James Pkwy, 6,000 sf of commercial development and a 7,000 sf

Figure 2. Ownership Map

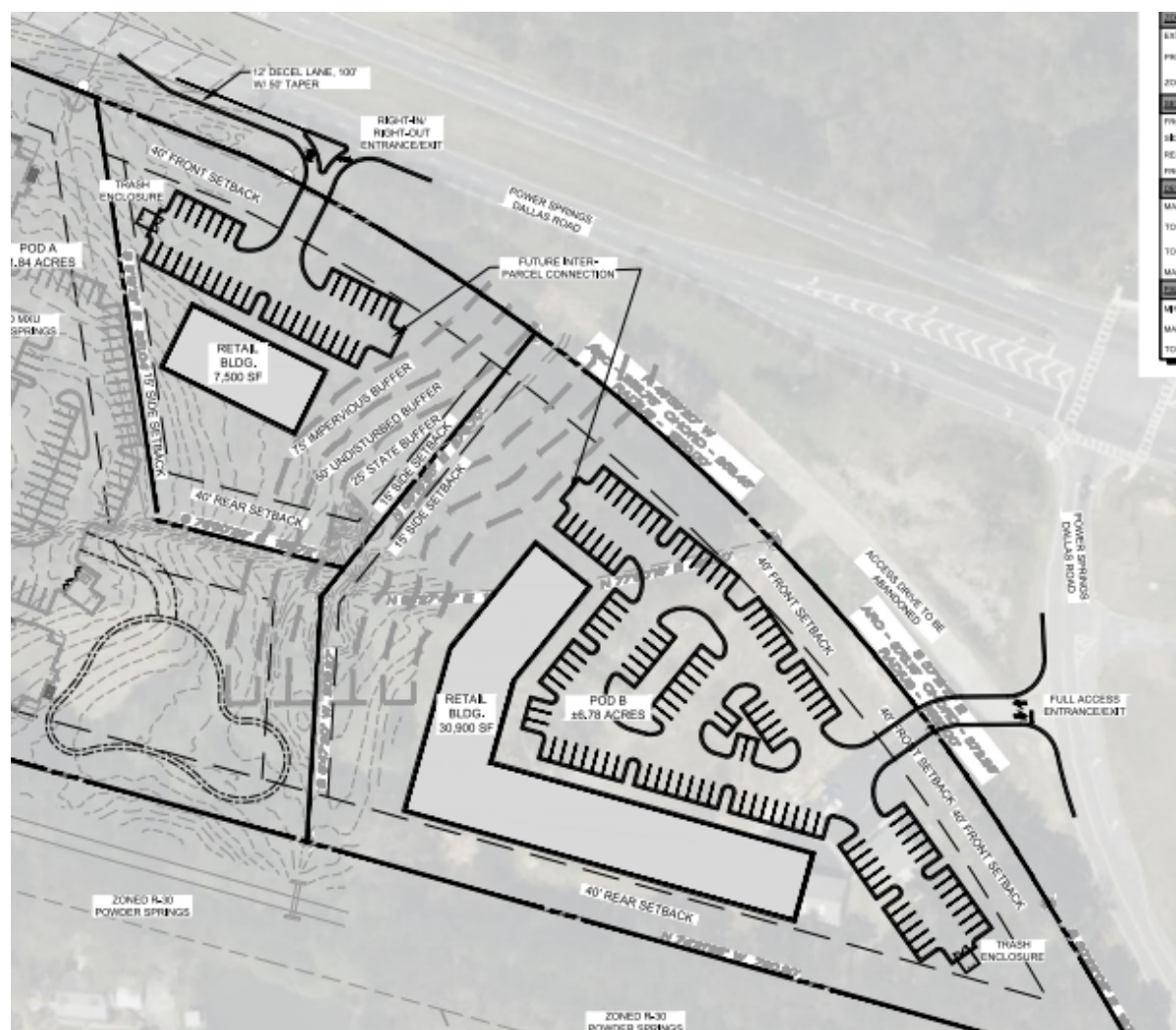


Project Overview

The applicant is requesting three rezonings with this annexation. The first site consists of 18.78 acres (3.94 acres will remain in Paulding County) and will be developed with 320 units (Density of 21.61 units per acre). This mixed-use development will include 6,000 sf of commercial development and a 7,000 sf gym and clubhouse amenities. The unit sizes will range from 689 sf to 1468 sf. The apartments will consist of 1-, 2- and 3-bedroom units with the following size ranges.

- One-bedroom units range from 689 SF to 743 SF.
- Two-bedroom units range from 1067 SF to 1323 SF.
- Three-bedroom units range from 1259 SF to 1468 SF.

The second and third sites are requesting a rezoning to CRC. These properties will be developed separately and have not identified a developer at this time. The two sites will be able to accommodate approximately 38,400 sf of commercial development.



SITE DATA POD A:	
TOTAL SITE AREA	±1.82 ACRES
ZONING	
EXISTING ZONING	R-30
PROPOSED ZONING	CRC (COMMUNITY RETAIL COMMERCIAL DISTRICT)
ZONING JURISDICTION	COBB COUNTY ANNEXATION INTO POWDER SPRINGS
SETBACK/BUFFER REQUIREMENTS	
FRONT YARD	40 FEET
SIDE YARD	15 FEET
REAR YARD	40 FEET
FRONTAGE LANDSCAPE STRIP OFF R/W	10 FEET
DEVELOPMENT STANDARDS	
MAXIMUM HEIGHT OF BUILDINGS	50 FEET/ 4 STORIES
TOTAL COMMERCIAL AREA PROVIDED	7,500 SF
TOTAL COMMERCIAL FAR PROVIDED	.09 FAR (7,500 SF/ 80,150 SF)
MAX. FAR ALLOWED	.50 FAR
PARKING REQUIREMENTS	
MIN. COMMERCIAL PARKING REQUIRED	1/275 SF X 9,000 SF= 33 SPACES
MAX. COMMERCIAL PARKING REQUIRED	1/200 SF X 9,000 SF= 45 SPACES
TOTAL COMMERCIAL PARKING PROVIDED	34 SPACES

SITE DATA POD A:	
TOTAL SITE AREA	±6.78 ACRES
ZONING	
EXISTING ZONING	R-30
PROPOSED ZONING	CRC (COMMUNITY RETAIL COMMERCIAL DISTRICT)
ZONING JURISDICTION	COBB COUNTY ANNEXATION INTO POWDER SPRINGS
SETBACK/BUFFER REQUIREMENTS	
FRONT YARD	40 FEET
SIDE YARD	15 FEET
REAR YARD	40 FEET
FRONTAGE LANDSCAPE STRIP OFF R/W	10 FEET
DEVELOPMENT STANDARDS	
MAXIMUM HEIGHT OF BUILDINGS	50 FEET/ 4 STORIES
TOTAL COMMERCIAL AREA PROVIDED	30,900 SF
TOTAL COMMERCIAL FAR PROVIDED	.11 FAR (30,900 SF/ 295,336 SF)
MAX. FAR ALLOWED	.50 FAR
PARKING REQUIREMENTS	
MIN. COMMERCIAL PARKING REQUIRED	1/275 SF X 30,900 SF= 112 SPACES
MAX. COMMERCIAL PARKING REQUIRED	1/200 SF X 30,900 SF= 155 SPACES
TOTAL COMMERCIAL PARKING PROVIDED	118 SPACES

Fiscal Analysis

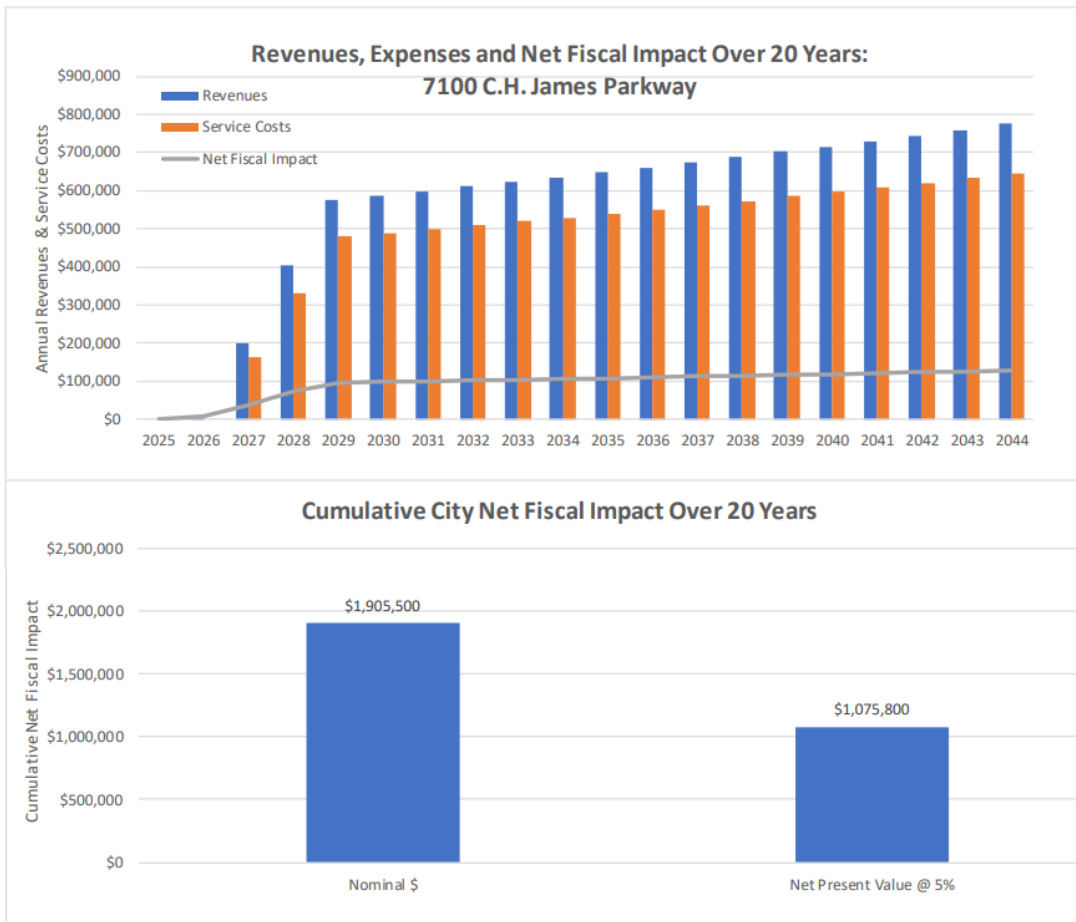
KB Advisory Group was requested to complete a fiscal analysis of the multifamily component of the development. The commercial development was not included in the analysis. However, since commercial development has a lower cost of service than residential, commercial development is assumed to have a positive impact.

KB Advisory Group provided the following regarding the multifamily and commercial development of the two parcels requesting rezoning to MXU.

The Project produces a net positive fiscal impact on City operations of just under \$112,100, representing a 20% margin of revenues over service costs at build out. This estimate does not factor in impacts on intergovernmental revenues, nor does it include capital outlays or debt service costs which are not directly impacted by the Project.

Preliminary Fiscal Impact Forecast (Before Phasing & Appreciation) 320 Multi-Family Units Plus 6,000 SF of Commercial Space: 7100 C.H. James Parkway				
Forecast	City-wide FY 2024 Actual	Multi-Family Component	Comm/Retail Component	Development Totals
Locally Generated Revenues				
Taxes				
Real & Personal Property taxes	\$6,689,783	\$300,900	\$7,600	\$308,500
Motor Vehicle Tax, TAVT & AAVT	\$706,591	\$32,200		\$32,200
Mobile Homes and All Other Property Taxes	\$122,959			
Insurance Premium taxes	\$1,528,965	\$47,800		\$47,800
Business/Occupational Taxes	\$470,368		\$4,500	\$4,500
Franchise taxes	\$893,686	\$34,300	\$360	\$34,660
Excise/Alcohol Taxes	\$247,231	\$6,600	\$270	\$6,870
Hotel/Motel Taxes	\$20,818			
Licenses, permits and Fees	\$550,657	\$21,200	\$570	\$21,770
Fines and Forfeitures	\$598,520	\$25,900	\$320	\$26,220
Charges for services	\$765,379	\$26,200	\$5,000	\$31,200
Investment Income & Other Revenue	\$2,433,288	\$32,200	\$20	\$32,220
Sanitation and Street Lights	\$1,734,052			\$0
Stormwater Fees	\$581,527	\$9,100		\$9,100
Estimated Development Revenues	\$17,343,824	\$536,400	\$18,640	\$555,040
Forecast	City-wide FY 2024 Actual	Residential Components	Nonresidential Components	Development Totals
Locally Generated Service (Operating) Costs				
General government	\$4,211,858	\$178,500	\$490	\$178,990
Judicial	\$362,662	\$13,700	\$240	\$13,940
Public safety	\$3,312,498	\$124,800	\$670	\$125,470
Public Works Administration	\$2,483,923	\$49,000	\$2,000	\$51,000
Housing and Development (Planning & Zoning)	\$949,673	\$35,800	\$220	\$36,020
Recreation and culture	\$575,529	\$27,100	\$0	\$27,100
Debt Service	\$1,145,825	\$2,700	\$1,100	\$3,800
Stormwater, Sanitation & Street Light Costs	\$2,240,413	\$4,500	\$2,150	\$6,650
Estimated Service Costs	\$15,282,381	\$436,100	\$6,870	\$442,970
Percent Increase over FY 2024 @ Build Out		2.9%	0.0%	2.9%
Net Fiscal Surplus (Deficit)	\$2,061,443	\$100,300	\$11,770	\$112,070
Margin (Before Capital Outlays & Intergovernmental)	12%	19%	63%	20%

- If past trends continue, the net fiscal impact of the Project will be positive in the near and long term provided the Project is well maintained, commands prevailing market rents and its taxable value appreciates with other commercial real estate.
- Under these assumptions the net fiscal impact remains positive throughout the forecast. Cumulatively, the development generates a \$1.9 million surplus of revenues over operating costs over 20 years, with an equivalent net present value of \$1.075 million discounted at 5%.
- As previously noted, the forecast does not consider future impacts on capital outlays, intergovernmental revenues or revenue sharing formulas. It can be assumed that the city should have no responsibility for near-term capital improvements within the development itself, so projected annual surpluses generated by the Project can be used to help finance other city-wide needs.
- In the context of FY24 City operating expenditures of roughly \$15.3 million, this project would have an approximate 3% positive annual net financial impact on City operations.

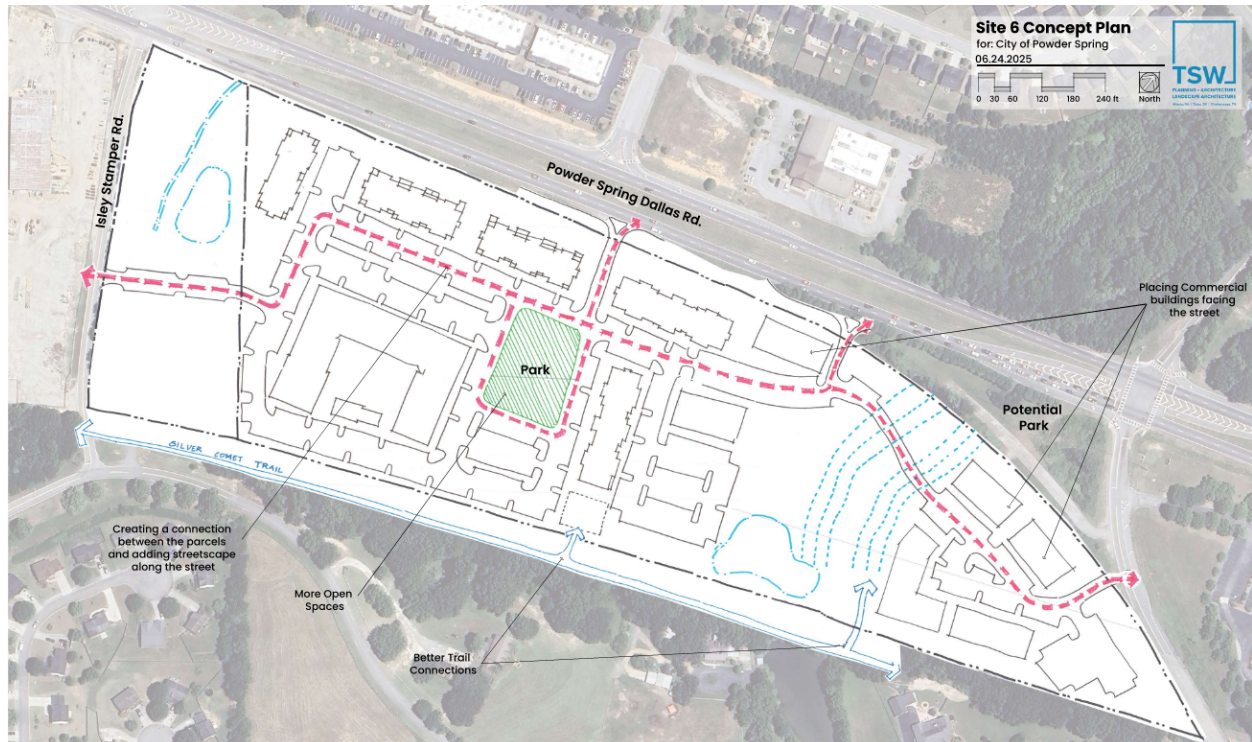


Consultant Review of site plan and architectural details.

As part of the site plan review, the city consulted with TSW to review the proposed development based on the city's design guidelines and the principles of the MXU and CRC zoning districts. TSW recommended the site be modified as demonstrated on the site plan dated June 24, 2025. Additionally, TSW provided the comments below regarding the development.

1. Lack of connectivity between parcels and needs a trail connection to the commercial. (page 16)
2. Lack of open space (page 18)
 - Multi-family (Paulding County parcels mostly have the greenspace, provide more details of the silver comet connection))
 - Commercial parcels
3. Commercial building placement (page 21)

4. Create a streetscape from Isley Stamper thru the property to the retail. (page 24-28)
5. Require Brick on 1st story with no other materials and use only two materials and patterns on the 2ⁿ and 3rd story. (page 40)
6. 6' stoop min. at doors (page 46)



ZONING ANALYSIS:

The application should be reviewed against the following criteria:

(a) Whether the proposed zoning district and uses within that district are compatible with the purpose and intent of the comprehensive plan. The future development map and the future land use plan map of the city's comprehensive plan shall be used in decision making relative to amendments to the official zoning map, in accordance with Table 13-1:

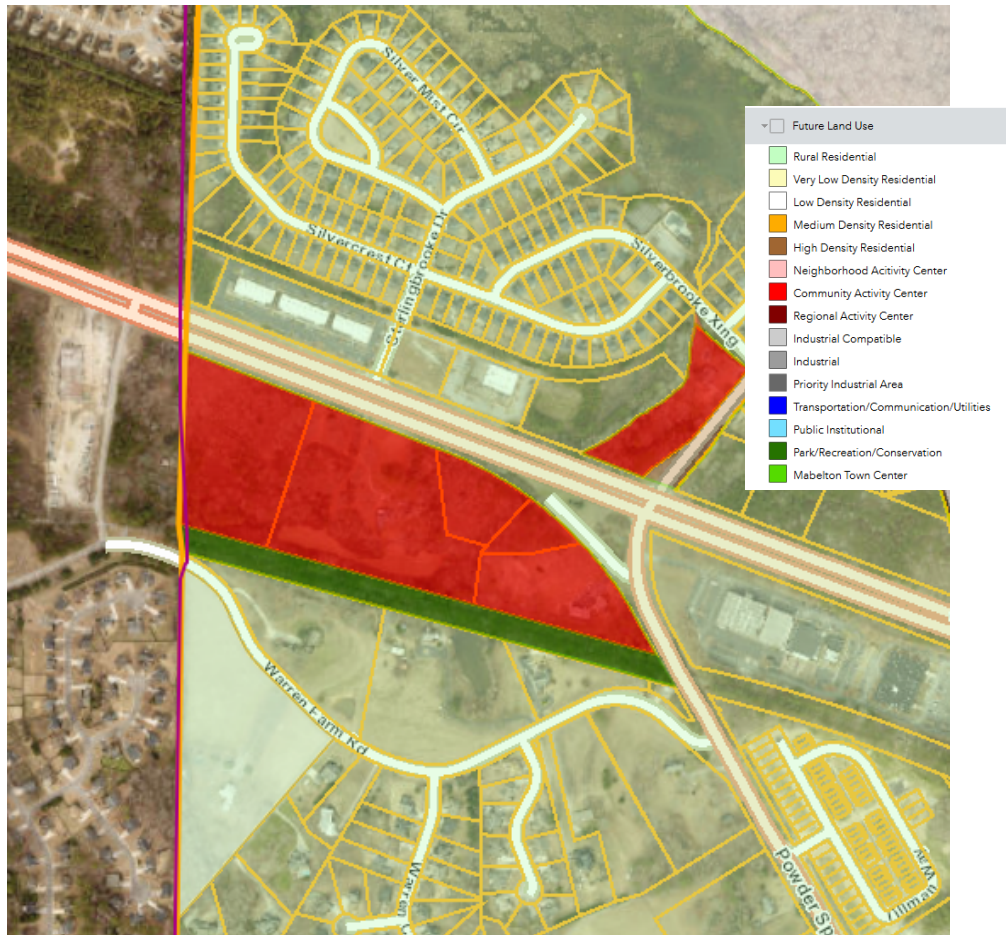
Applicant Response

The proposed zoning district and uses within are compatible with the purpose and intent of the comprehensive plan. This site has been identified by the 2021 Comprehensive Plan

Staff Response

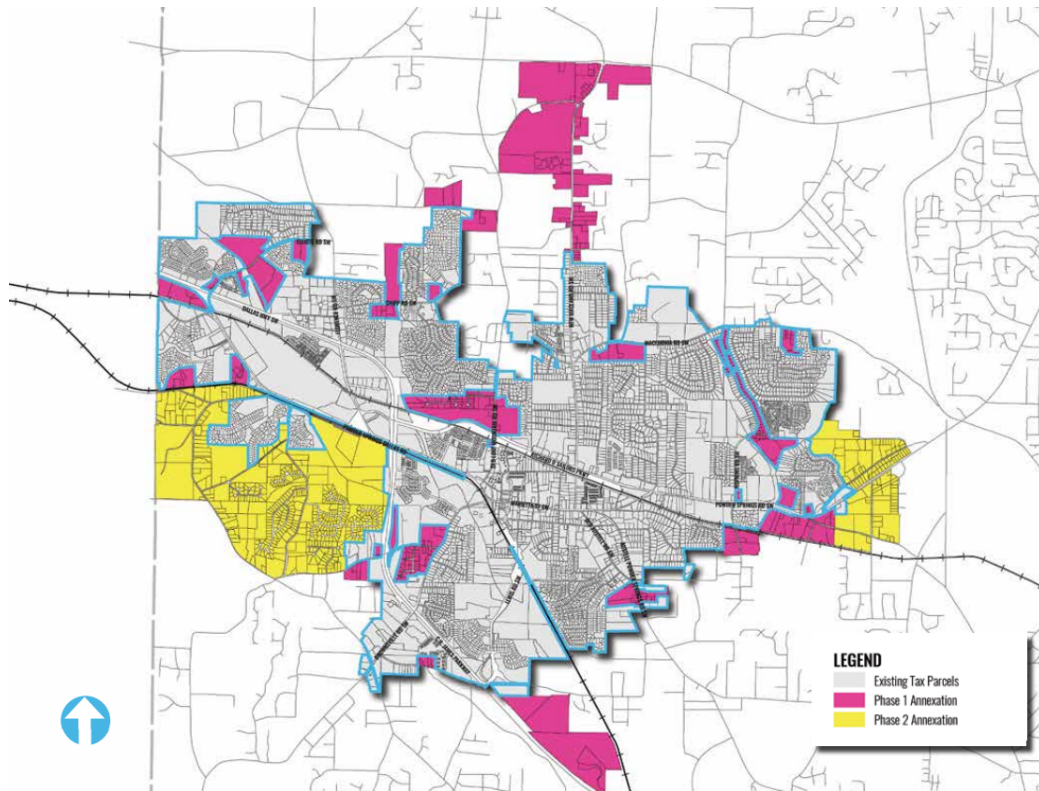
Figure 3. City Future Development Map.





Additionally, this site was identified as a phase 1 annexation area in both the 2017 and 2021 comprehensive plan.

Figure 4. Annexation map, Comprehensive Plan 2021.



(b) Whether the proposed zoning district and uses permitted within that district are suitable in view of the zoning and development of adjacent and nearby property.

Applicant Response

The proposed new use would be in harmony with the use and usability of adjacent and nearby properties. This site, along a major vehicular thoroughfare, is slated for mixed use per the comprehensive plan. The site is an infill site that is proposed to be developed with multi-family housing and local commercial uses. The resulting development will be an appropriate transition from the busier roadway uses to the less-intense residential developments to the north and south.

Staff Response

To the north exists Silverbrook subdivision, which is a MXU zoned development in the city, consisting of a retail strip, Governor's Gun Club, vacant commercial parcels and a single-family development. The zoning district to the east along CH James Pkwy is R-20 (city) and is developed as a church and a K-12 school. The Silver Comet Trail is located directly to the south of the proposed development. The property south of the Silver Comet Trail is zoned

R-30 (city). The property located directly to the west in Paulding County and east of Isley Stamper Road is currently. The city will work with Paulding County to develop an intergovernmental agreement so that this parcel can be developed contemporaneously with the subject property, with permitting handled by the city of Powder Springs. Located further to the west and north in Paulding county is a proposed development requesting rezoning from B-2 MXU in the city of Hiram. Paulding County is considering these applications the last week in June. After Paulding County hears the case, the City of Hiram will hold a separate hearing after proper notice is provided.

Figure 5. Adjacent Zoning within the City



Figure 6. Adjacent Zoning within the Cobb County



Figure 7. Adjacent Zoning within the Paulding County



The MXU district is established to provide locations for a planned combination of commercial and office uses with residential uses. Appropriate intensities of development

are directly related to the varying intensities encouraged by the comprehensive plan in various locations throughout the city. The intent of the MXU district is to allow the opportunity for an integrated mixture of residential and commercial employment-generating uses within the same structure or site, including upper floor residential over ground floor commercial or office uses; and the combination of residential and nonresidential uses on the same floor, such as ground-floor live-work units. Uses within the MXU Zoning District are intended to be located and designed as unified development.

Mixed Use developments are required to meet the requirements of Open Space in Section 1-35 and the limitations of residential density listed in Table 2-5. Additionally, MXU zoning has a requirement that no more than 50% of the residential units be constructed until 5000 sf of commercial development is completed. The applicant is requesting the Mayor and Council to remove or modify this timing requirement. Per Table 2-4 density is determined at the time of zoning. Table 2-5 indicates that the maximum density for Community Activity Center is 12 units per acre. The applicant is requesting a density of 21.61 units per acre. The development is required to meet the open space requirements of Section 1-35.

CRC zoning district is established to accommodate commercial uses serving a citywide or regional market. This zoning district is typically if not exclusively designated on properties abutting and with access to major arterial streets and at intersections of arterial streets with other major streets, where development nodes can be supported by the regional transportation network.

Rezoning this parcel to MXU and CRC is consistent with the surrounding properties both in Cobb and Paulding counties. The less dense properties located directly to the south are well buffered by the Silver Comet Trail. This development should integrate with the Silver Comet trail to the fullest extent possible.

(c) Whether the existing use or usability of adjacent or nearby property will be adversely affected by one or more uses permitted in the requested zoning district.

Applicant Response

The zoning proposal will not adversely affect the existing use or usability of adjacent or nearby properties. Most of the nearby properties are already developed. As mentioned, this district will permit uses that, when sited between two residential areas, will create a desirable transition in land use intensity for the residential areas directly north and south. All uses will exist in harmony as identified by the comprehensive land use plan.

Staff Response

The property is located on CH James Pkwy and is located adjacent to an intense commercial area located in Paulding County and the city of Hiram. R-30 zoning is the least intense residential zoning district and is not consistent with the traffic and intensity of uses on CH James Pkwy. Both the city of Powder Springs and Cobb County have identified this area as a commercial corridor. R-30 zoning is not consistent with this future land use category. As such, the rezoning request is more consistent with the surrounding properties than the existing uses and zoning. Rezoning and annexing this property will create a consistent development pattern for the area.

(d) Whether there are substantial reasons why the property cannot or should not be used as currently zoned.

Applicant Response

The property must be annexed into the city limits of Powder Springs and rezoned to a district that permits the appropriate land use intensity. The current zoning scheme, R-30 in unincorporated Cobb County, is outdated and impractical for a site this ideally situated. The site is a lingering island sandwiched between jurisdictions. The most rational future for this site is to be annexed into Powder Springs and converted into a zoning district that is identified as appropriate per the city's comprehensive plan, which in this case, includes MXU.

Staff Response

The property is currently zoned as R-30 and has not been rezoned since the construction of SR 6, CH James Pkwy. The development of this roadway has changed the character of this area, and staff recommends rezoning to be consistent with the roadway development patterns and future land use designation.

(e) Whether public facilities such as roads, schools, water and sewer utilities, and police and fire protection will be adequate to serve the proposed zoning district and uses permitted.

Applicant Response

There are adequate public facilities to serve the site. See the traffic analyses, will-serve utility letters, and school enrollment submitted with this application.

Staff Response

Cobb County Fire District, Cobb County Water System, Cobb County Schools, and city departments reviewed the application. At the time of this writing, no comments have been

received by Cobb County Schools. Other Cobb County departments reviewed the application and did not have concerns regarding the development.

(f) Whether the proposed zoning district and uses permitted within that zoning district are supported by new or changing conditions not anticipated by the comprehensive plan or reflected in the existing zoning on the property or surrounding properties.

Applicant Response

The proposed zoning district and uses permitted within are supported by the comprehensive plan as well as current, on-the-ground conditions. As it stands, the site has never been developed to its highest, most efficient use and remains an important infill opportunity for the city. Annexing and rezoning this site in correspondence with the City of Powder Springs' comprehensive land use map is the most sensible, forward-thinking approach to developing this site.

Staff Response

The request is consistent with the comprehensive plan since commercial development is provided in conjunction with the multifamily development. There are no new or changing conditions not anticipated by the comprehensive plan.

(g) Whether the proposed zoning district and uses permitted within that zoning district reflect a reasonable balance between the promotion of the public health, safety, morality or general welfare and the right to unrestricted use of property.

Applicant Response

The proposed zoning district and uses within promote the health, safety, morals and welfare of the community. The development will create new housing for the area, which is desperately needed. The development will also create an attractive 'gateway to Powder Springs,' as it is right on the border between counties and located along a major highway. The development will also include ample green space open to the public as well as opportunities for new local businesses.

Staff Response

Staff finds that the applicant's proposal and its unified, mixed use development with inter-parcel access connections, unified development regulations (including architectural controls, landscaping and signage restrictions, as well as maintenance provisions to

ensure long term quality) strikes a reasonable balance between the promotion of the public health, safety, morality or general welfare and the right to unrestricted use of property.

Staff recommends approval of PZ25-006 from R-30 to MXU with the following conditions.

- 1) As part of the rezoning action the following variances are granted,
 - a. A variance for density is granted to allow a maximum overall density of 21.61 as demonstrated on the site plan.
 - b. A variance to timing of construction of the commercial development. The commercial component (vertically integrated within the U shaped 4-story building shall be completed with the construction of said building.
- 2) The mixed-use proposal includes a site plan showing a total maximum of 320 luxury, multi-family dwelling units that feature quality resort style amenities (passive and active), community open space and walking trails yielding a density of _____ units per acre. The applicant will also be constructing 6,000 square feet of retail space on the bottom floor of Building One (as shown herein as Exhibit A) in accordance with MXU requirements, as well as providing a 5,000 square foot clubhouse and fitness center for the residents. The proposed residential community will provide 554 on-site parking spaces (including 48 detached garages) dedicated to the residents and their guests, in accordance with City of Powder Springs standards. The site plan submitted also provides 30 on-site parking spaces dedicated to the retail uses proposed in accordance with City of Powder Springs standards. Parking spaces may be modified from the numbers presented as long as requirement of the Unified Development Code are met. The applicant is agreeable to a maximum building height of 4 stories for all residential buildings. Per section 2-21(j) of the Powder Springs UDC, contingent upon approval from Mayor and City Council, given that the vertically integrated 6,000 square feet of retail space will be constructed and issued a certificate of occupancy in conjunction with Building One, so long as construction has begun on Building One after initial land disturbance, applicant will have the ability to pull all building permits and begin construction on the remaining residential buildings in an effort to maximize efficiency in overall project construction schedule.
- 3) The architectural style of all residential buildings shall be constructed consistent with blended building materials that may include the application of stone, brick, hardi-plank, shake and board and batten as shown herein as Exhibit B. No vinyl materials will be used on the exterior portions of the proposed residential units. So long as the design plans of applicant are consistent with what's included in Exhibit

B, the conditions of the Architectural design approval process (Section 5-15 of the Powder Springs UDC) shall be considered met and a rereview/reapproval of plans by the community development director and/or Mayor and City Council shall not be required. The architectural style between this MXU development and the adjacent CRC zoned property shall be complementary and subject to staff review. The units should have brick on the first story with no other materials and use only two materials and patterns on the 2nd and 3rd story. Units shall have a minimum of 6 ft stoops at doors, unless otherwise approved by the city's design consultant. Final architectural design subject to staff review in consultation with city's design consultant. All building facades shall meet design requirements as all facades face either CH James Pkwy, common areas or the Silver Comet Trail.

- 4) The applicant agrees that all drives and roadways within the community will be privately owned and maintained. Applicant also agrees to ensure security, quality and long term maintenance of the property.
- 5) The applicant agrees to provide 5.27 acres of the site as protected community open space and walking trails. The applicant is also proposing a network of 5' and 6' wide sidewalks to access the Silver Comet Trail and connect to the Community Trail Head Park feature shown on the attached site plan.
- 6) The applicant agrees that all signage for the proposed community will be ground based, monument style signage that compliments the high quality, architectural style proposed for the project.
- 7) Lighting within the proposed community shall be environmentally sensitive, decorative, and themed to the architecture and style of the project.
- 8) All utilities servicing the residences within the proposed community shall be located underground.

9) All construction and employee vehicles and equipment will be parked, and otherwise located, on the property during the development of infrastructure and construction of the project and shall not be parked on or along US 278, Isley Stamper Road or Powder Springs Dallas Road. There will be no stacking of vehicles along any roadway waiting for entry onto the property. If a flagman is needed to facilitate safe access to the site by construction vehicles, one will be provided.

10) All stormwater infrastructure shall be constructed in accordance with the water quality requirements of the CWA - NPDES - NPS permit and City of Powder Springs water quality regulations, including the establishment of 75-foot buffer (50-foot undisturbed and 25-foot impervious surface setback) along state waters select water features as shown on the site plan submitted. No stream buffer variances are granted as part of this rezoning action. All areas located in the undisturbed stream buffer shall be placed in a conservation easement.

11) Development and construction hours for the proposed project shall be limited to the following:

7:00 AM to 7:00 PM Monday through Friday, April 1 through September 30,

7:00 AM to 7:00 PM Monday through Friday, October 1 through March 31,

8 AM to 4: 30 PM Saturday; and

No work on Sunday unless otherwise approved by the Mayor and Council of the City of Powder Springs.

12) Applicant to comply with all City of Powder Springs development standards and ordinances relating to project improvements.

13) To the maximum extent feasible, the development shall include interparcel access and connectivity to the Silver Comet trail.

- 14) If the city plans a sign in the future, the applicant shall work with the City to identify an area for gateway city signage and dedicate an easement to the city for said purpose.
- 15) Site plan be modified to be substantially consistent with that prepared by TSW dated June 24, 2025.
- 16) The detention pond shall be screened with landscaping subject to staff review. Underground detention shall be considered. Stormwater management facilities shall be designed by a registered landscape architect as formal or natural amenities for residents. The pond shall be designed to not require a fence or be enclosed by walls over 30 inches in height.
- 17) The MXU development shall have the following requirements
 - a. Front setback – 40 feet
 - b. Side setback – 40 feet
 - c. Rear setback- 40 feet
 - d. Landcape strip – 10 feet
 - e. Open space-minimum 20% in MXU zoned property.
- 18) All HVAC, mechanical systems and home utilities within the community shall be screened from view and shall not be located within the building setback.
- 19) Approval is subject to recommendations from the City of Powder Springs Engineer and/or the City's consultants concerning hydrology, stormwater management, detention, water quality and downstream considerations, including recommendations regarding the ultimate positioning and configuration of on-site detention and water quality. Also, compliance with the following engineering considerations:
 - a. Providing the City Engineer and/or the City's consultants with a Hydrology Plan for the Subject Property during the Plan Review process.
 - b. Compliance with City Engineer's requirements for low impact design and bio retention, to include runoff capture or infiltration practices into the site either upstream of storage facilities or integral with grading and drainage and/or pavement and /or landscaping. These practices need to be integral with the site layout, for example: islands within the parking lot for bioretention etc..
 - c. Verifying all points of discharge with respect to detention/water quality.

- d. Compliance with the protections required under State and Local Law concerning adjacent streambank buffers and an agreement that there has been no "buffer averaging."
- 20) Common Open Space areas, amenities, mail kiosks, and all the various components for common and public use as described above shall be constructed in compliance with ADA regulations with respect to accessibility and related factors.
 - 21) Traffic impacts will be reviewed as part of the Land Disturbance Permit process. Applicants agree to offsite improvements necessitated by this development. This includes the installation of a traffic signal at Isley Stamper Road or an improvement that facilitates movement to the north of the development with access to the commercial located in front of the Silverbrook.
 - 22) If the development on the site stalls for a period of 6 months or more, as evidenced by a lack of issuance of building permits and inspections requests as would be normal for building construction to proceed to certificate of completion, the site shall be replanted per a plan approved by the Community Development Director showing compliance with minimum tree canopy, street trees and buffer requirements.
 - 23) The subject property shall be platted as one lot for the mixed use development prior to the issuance of a land disturbance permit.
 - 24) The multifamily and commercial components shall have industry leading electric vehicle charging stations installed, the minimum number of which to be at least 10% of the total number of multifamily apartment units.
 - 25) The Community Development Director shall be notified in advance of any changes to the management company of the multi-family component.
 - 26) Common Open Space areas, nature trails, amenities, mail kiosks, and all of the various components for common and public use as described above shall be constructed in compliance with ADA regulations with respect to accessibility and related factors.
 - 27) No more than 50% of certificates of occupancy for the Multi-family and mixed use buildings will be issued prior to the completion of amenity building and pool, as evidenced by certificates of completion.
 - 28) The central green areas of the multifamily development shall be graded to allow usable fields.

- 29) The development shall provide a Workforce Housing Credit (“WHC”) shall be provided in accordance with the following provisions, for the multifamily development, in compliance with UDC Sec. 4-325:
- 30) Pedestrian access be provided throughout the development (MXU and CRC zoning). A pedestrian connectivity plan shall be included with the land disturbance plan.
- 31) If the development on the site stalls for a period of 6 months or more, the site be replanted per a plan approved by the Community Development Director showing compliance with minimum tree canopy, street trees and buffer requirements.
- 32) The site may be cleared in order to accommodate the development, however replanting and specimen tree replacement shall be per the Unified Development Code.
- 33) Parking lots meet the requirements of the Unified Development Code.
- 34) Stormwater management facility must be designed by a registered landscape architect as formal or natural amenities and may not be fenced or enclosed by walls over 30 inches in height.
- 35) Development and construction hours for the proposed project shall be limited to the following:

7:00 AM to 7:00 PM Monday through Friday, April 1 through September 30,

7:00 AM to 7:00 PM Monday through Friday, October 1 through March 31,

8 AM to 4: 30 PM Saturday; and

No work on Sunday.

These times may be modified if needed upon request of the applicant subject to Mayor and Council approval.

- 36) The Community Development Director shall have the authority to approve minor modifications to these stipulations, the architectural renderings/elevations, the site plan and the overall proposal as it proceeds through the Plan Review process and thereafter except for those that:
- a. Increase the density of the Residential Community.
 - b. Relocate a structure closer to the property line of adjacent property which is zoned the same or in a more restrictive zoning district.

- c. Increase the height of a building which is adjacent to property which is zoned in the same or more restrictive zoning district.
- d. Change access locations to different rights-of-way.

Staff recommends approval of PZ25-010 and PZ25-011 from R-30 to CRC with the following conditions.

- 1) Architectural and site design shall meet the requirements of the City of Powder Springs Design Guidelines and shall be subject to staff review. All sides of the building shall meet design standards.
- 2) The site be designed to be consistent with the plan prepared by TSW dated June 24, 2025 unless an alternate design is approved by the City's site planning and architectural consultant and City staff.
- 3) To the maximum extent feasible, the development shall include interparcel access and connectivity to the Silver Comet trail.
- 4) An interparcel access agreement shall be recorded for the properties, subject to staff review and approval. This agreement shall be executed within six months of this approval.
- 5) The following uses shall be excluded from the list of allowable uses. auto broker, intermodal container, boarding house, dormitory, group home, halfway house, Dollar Stores, Gas Station and Convenience Stores and Automobile parts and services, car wash.
- 6) No stream buffer variances are granted as part of this rezoning action.
- 7) The architectural style between this MXU development and the adjacent CRC zoned property shall be complementary and subject to staff review.
- 8) Coordination with GDOT and Paulding County DOT regarding any encroachments and access is required.
- 9) If the city plans a sign in the future, the applicant shall work with the City to identify an area for gateway city signage and dedicate an easement to the city for said purpose.
- 10) The submission of a landscape plan is required during the Plan Review process which shall be subject to review and approval by the Community Development Director and/or designee. The landscape plan shall include, but is not limited to, the following requirements:
 - a. A landscape screening, vegetative buffer around the perimeter of the Subject Property which has contiguity to existing residential developments.

- b. The landscape plan shall be prepared, stamped, and signed by a Georgia Registered Landscape Architect or a degreed Horticulturist and shall identify open space areas; landscaped communal areas; and other components of the proposed Residential Community which will be further identified during the Plan Review process.
 - c. The installation of underground utilities and the utilization of decorative lighting themed to the architectural style and composition as above mentioned.
 - d. All HVAC, mechanical systems and home utilities within the community shall be screened from view and shall not be located within the building setback.
 - e. Entry signage for the proposed development shall be ground based, monument-style, landscaped, lighted and irrigated.
- 11) Signage for the Subject Property shall consist of ground-based, monument-style signage and building signage consistent with the City of Powder Springs Sign Ordinance. Additionally, within the interior of the site, there shall be appropriately positioned, ground based directional signage to ensure ease of maneuverability and accessibility.
- 12) Approval is subject to recommendations from the City of Powder Springs Engineer and/or the City's consultants concerning hydrology, stormwater management, detention, water quality and downstream considerations, including recommendations regarding the ultimate positioning and configuration of on-site detention and water quality. Also, compliance with the following engineering considerations:
- a. Providing the City Engineer and/or the City's consultants with a Hydrology Plan for the Subject Property during the Plan Review process.
 - b. Compliance with City Engineer's requirements for low impact design and bio retention, to include runoff capture or infiltration practices into the site either upstream of storage facilities or integral with grading and drainage and/or pavement and /or landscaping. These practices need to be integral with the site layout, for example: islands within the parking lot for bioretention etc.
 - c. Verifying all points of discharge with respect to detention/water quality.
 - d. Compliance with the protections required under State and Local Law concerning adjacent streambank buffers and an agreement that there has been no "buffer averaging."

- 13) Compliance with the recommendations from the City's Engineer and/or Consultants with respect to Public Works and traffic/transportation issues, as follows: a. Streets shall be built to the City of Powder Springs' Design and Detail Standards, including the construction of sidewalks on both sides of the interior streets. b. Compliance with the Fire Marshall's recommendations with respect to Life Safety & Fire Prevention Issues during the Plan Review process.
- 14) Traffic impacts will be reviewed as part of the Land Disturbance Permit process. Applicants agree to offsite improvements necessitated by this development.
- 15) If the development on the site stalls for a period of 6 months or more, as evidenced by a lack of issuance of building permits and inspections requests as would be normal for building construction to proceed to certificate of completion, the site shall be replanted per a plan approved by the Community Development Director showing compliance with minimum tree canopy, street trees and buffer requirements.
- 16) The construction of a minimum of 7000 sf (19067200040) and 30,000 sf (19067200070 and 19067100070) of commercial space is required. This number may be modified through design review with Mayor and Council if full compliance with design guidelines is demonstrated and necessitates the reduction in square footage.
- 17) No variances are granted as part of this request. A fully compliant site plan is required prior to the issuance of a land disturbance permit.
- 18) Parcels 19067200070 and 19067100070 shall be combined by plat and developed as one development.
- 19) All areas located in the undisturbed stream buffer shall be placed in a conservation easement.
- 20) Detention ponds and dumpsters shall not be located in any front yard area.
- 21) Pedestrian access be provided throughout the development (MXU and CRC zoning). A pedestrian connectivity plan shall be included with the land disturbance plan.
- 22) If the development on the site stalls for a period of 6 months or more, the site be replanted per a plan approved by the Community Development Director showing compliance with minimum tree canopy, street trees and buffer requirements.

APPENDIX

Cobb County Comments

County Staff Comments and Recommendations

**Southern side of C H James Parkway (Hwy 278), West of Powder Springs Dallas Road, East of
Isley Stamper Road, North of the Silver Comet Trail
City of Powder Springs**

Water System- Wilson Collins

Water service for the proposed annexed properties is provided by the existing CCWS water mains in POWDER SPR DALLAS RD. Wastewater for the parcel is treated at the South Cobb WRF, where there currently is sufficient capacity. Permit issuances are subject to continued WRF compliance with EPD discharge requirements. Because CCWS will continue to own and maintain water and sewer facilities in public rights-of-way and public easements, there would be no infrastructure loss.

Planning- Historic Preservation-Mandy Elliott

No comments.

Cobb County Fire Marshal's Office-Rock Toler

The Fire Department does not object.

GIS- Brad Gordon

No objections from a GIS or addressing perspective.

Code Enforcement- Brent Farrell

No comments or case history.

Cobb DOT-Amy Diaz

CH James Pkwy/SR 278 is classified as a GDOT arterial roadway. Recommend GDOT permits for all work that encroaches upon State right-of-way.

Isley Stamper Road is classified as a Paulding County local roadway. Recommended coordination with Paulding DOT for all work that encroaches on Paulding County right-of-way.

Stormwater Management- Andrew Heath

No comment.

Cemetery Preservation Committee- Helga Hong

No comment.

3. Cobb County Fire Comments

4. Cobb County Water System Comments

06/20/25

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

Size and location of existing water main(s): 12" in Powder Springs Dallas Rd ROW

Additional water comments:

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

Approximate distance to nearest sewer: North of site approximately 400 feet away

Estimated waste generation (in G.P.D.): Average daily flow = 62,400

Peak flow = 156,000

Treatment plant: South Cobb 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

*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:

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.

PZ 25-010 **DEPARTMENT COMMENTS – Cobb County Water**

06/23/25

Water comments:

At development: ☒ YES ☐ NO

Fire flow test required: ☒ YES ☐ NO

Size and location of existing water main(s): 12" in Powder Springs Dallas Rd ROW

Additional water comments:

Sewer comments:

In the drainage basin: ☒ YES ☐ NO

At development: ☒ YES ☐ NO

Approximate distance to nearest sewer: North of site approximately 600 feet away

Estimated waste generation (in G.P.D.): Average daily flow = 3,090

Peak flow = 7,725

Treatment plant: South Cobb 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:

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.

PZ 25-011 DEPARTMENT COMMENTS – Cobb County Water

06/23/25

Water comments:

At development: ☐ YES ☒ NO

Fire flow test required: ☒ YES ☐ NO

Size and location of existing water main(s): 12" in Powder Springs Dallas Rd ROW

Additional water comments:

Sewer comments:

In the drainage basin: ☒ YES ☐ NO

At development: ☒ YES ☐ NO

Approximate distance to nearest sewer: North of site approximately 400 feet away

Estimated waste generation (in G.P.D.): Average daily flow = 750

Peak flow = 1,875

Treatment plant: South Cobb 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:

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.