



COBB COUNTY
BOARD OF COMMISSIONERS

100 Cherokee Street, Suite 300
Marietta, Georgia 30090-7000
770.528.3305 • fax: 770.528.2606

Lisa Cupid
Chairwoman

CERTIFIED MAIL
7020 0009 0000 6545 3052

January 19, 2022

The Honorable Al Thurman
Mayor
City of Powder Springs
P.O. Box 46
Powder Springs, Georgia 30127

Re: Petition for Annexation –19th District, Land Lot 1020, Parcels 002, 003, 005, 006, 007 and 020; 19th District, Land Lot 1019, Parcels 029, 031, 032, 035; 4380, 4388, 4383, 4420 Austell Powder Springs Rd.; 4300, 4383, 4388, Dugger Dr.; Unaddressed Parcel on Dugger Dr.; 4492 Smith Dr. SW; 4645 Frank Aiken Rd. SW; Cobb County, Georgia; Notice of Intent to Object.

Dear Mayor Thurman:

We are in receipt of the above-referenced annexation request. Please accept this response to the annexation proposal. The City of Powder Springs has petitioned to annex 30.93 acres by the 100% method. The subject properties are currently zoned R-20 and one parcel is zoned GC. Upon annexation, the applicant proposes to rezone the site to PUD-R for 113 residential lots. No application for rezoning of the property was previously submitted to Cobb County.

The Cobb County Future Land Use Plan indicates these parcels are both Low Density Residential (LDR) and Community Activity Center (CAC). The LDR category has a recommended density of 1 to 2.5 units/acre in the Cobb County Comprehensive Plan. The CAC category encourages commercial uses and does not assigned an allowed residential density. For this proposal, approximately 25 acres have an LDR designation and 5 acres have a CAC designation. The proposed 3.0 units per acre for a residential subdivision does not conform to either Future Land Use Category.

The PUD-R zoning district is a new zoning category since 2018 for the City of Powder Springs. The County has not adopted a policy or agreement that addresses PUD-R and where it would be unobjectionable. Therefore, since the proposed development does not conform to the Future Land Use Map and Comprehensive Plan, this letter serves as the County's **intent to object** to the proposed annexation. The County requests the City to submit a proposed amendment to the HB 489 agreement for review and consideration that incorporates any new zoning districts into Exhibit "A" of the HB 489 Agreement.

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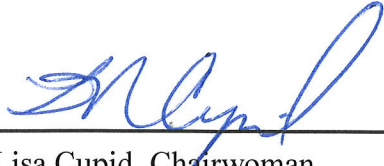
In accordance with O.C.G.A. § 36-36-113, Cobb County objects to this annexation on the basis that it would create a material increase in burden upon the county directly related to the following:

1. The proposed change in zoning; and
2. Proposed increase in density.

In summary, please accept this letter as the County's formal **notice of intent to object** to the proposed annexation. We welcome the opportunity to negotiate the details of this matter in an informal setting. Please see the attached comments from other Cobb County departments. If you have questions or need any additional information, please contact David Webb, Intergovernmental Coordinator at 770-528-2199.

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Sincerely,



Lisa Cupid, Chairwoman

cc: Jackie McMorris, County Manager – Via Email
Jimmy Gisi, Deputy County Manager – Via Email
H. William Rowling, Jr., County Attorney- Via Email
Brian Johnson, Senior Associate County Attorney, Via Email
Jessica Guinn, AICP Community Development Director – Via Email
David Webb, AICP, Intergovernmental Coordinator- Via Email
Pamela Mabry, County Clerk – Via Email
Pam Conner, City Manager, City of Powder Springs– Via Email
Tina Garver, AICP, Director of Community Development, City of Powder Springs– Via Email
Shaun Myers, Planning and Zoning Manager, City of Powder Springs– Via Email

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Sincerely,



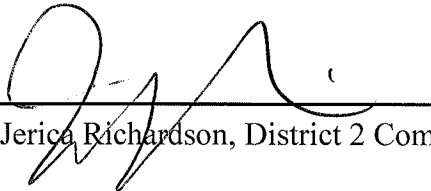
Keli Gambrill, District 1 Commissioner

cc: Jackie McMorris, County Manager – Via Email
Jimmy Gisi, Deputy County Manager – Via Email
H. William Rowling, Jr., County Attorney- Via Email
Brian Johnson, Senior Associate County Attorney, Via Email
Jessica Guinn, AICP Community Development Director – Via Email
David Webb, AICP, Intergovernmental Coordinator- Via Email
Pamela Mabry, County Clerk – Via Email
Pam Conner, City Manager, City of Powder Springs– Via Email
Tina Garver, AICP, Director of Community Development, City of Powder Springs– Via Email
Shaun Myers, Planning and Zoning Manager, City of Powder Springs– Via Email

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Sincerely,



Handwritten signature of Jerica Richardson in black ink, written over a horizontal line.

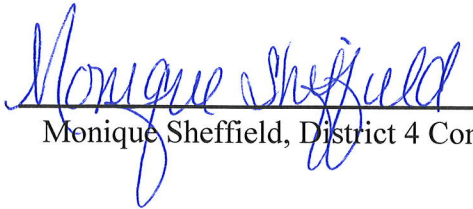
Jerica Richardson, District 2 Commissioner

cc: Jackie McMorris, County Manager – Via Email
Jimmy Gisi, Deputy County Manager – Via Email
H. William Rowling, Jr., County Attorney- Via Email
Brian Johnson, Senior Associate County Attorney, Via Email
Jessica Guinn, AICP Community Development Director – Via Email
David Webb, AICP, Intergovernmental Coordinator- Via Email
Pamela Mabry, County Clerk – Via Email
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Sincerely,



Monique Sheffield, District 4 Commissioner

cc: Jackie McMorris, County Manager – Via Email
Jimmy Gisi, Deputy County Manager – Via Email
H. William Rowling, Jr., County Attorney- Via Email
Brian Johnson, Senior Associate County Attorney, Via Email
Jessica Guinn, AICP Community Development Director – Via Email
David Webb, AICP, Intergovernmental Coordinator- Via Email
Pamela Mabry, County Clerk – Via Email
Pam Conner, City Manager, City of Powder Springs– Via Email
Tina Garver, AICP, Director of Community Development, City of Powder Springs– Via Email
Shaun Myers, Planning and Zoning Manager, City of Powder Springs– Via Email

**County Staff Comments- Powder Springs Annexation-
4388 Austell Pwd Spgs Rd Etc January 2022**

Water service for 4388 Austell Powder Springs Road (plus 9 more) is provided by the existing CCWS water mains in Austell Powder Springs Road and Duggar Drive.

Wastewater for the parcel can be 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.

Tim Davidson
Cobb County Water System
660 South Cobb Drive
Marietta, GA 30060
770-419-6312

Planning- Historic Preservation

I have no comment.

Mandy Elliott

Planner III/Historic Preservation Planner
Cobb County Community Development Agency
Planning Division
P. O. Box 649
Marietta, GA 30064
www.cobbcounty.org
770-528-2010

Cobb County Fire Marshal's Office

Changes will be required to the layout to incorporate distributed guest parking throughout and the separation of the fire apparatus access roads will be evaluated at plan review for remoteness. Otherwise, our office is acceptable with the annexation.

Guest Parking:

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

- _____ a) Where driveways to two car garages exceed 50 feet in length, no additional parking is required
- _____ b) Where driveways to two car garages are at least 22 feet long and 20 feet wide, additional parking shall be required at 0.5 spaces per dwelling unit.
- _____ c) Where driveways to two car garages are less than 22 feet long and 20 feet wide, additional parking shall be required at 1.0 space per dwelling unit.
- _____ d) Where only single car garages are provided, additional parking shall be required at 2.0 spaces per dwelling unit.
- _____ e) Guest parking spaces must be evenly distributed throughout the project.

D107.1 One- or two-family dwelling residential developments.

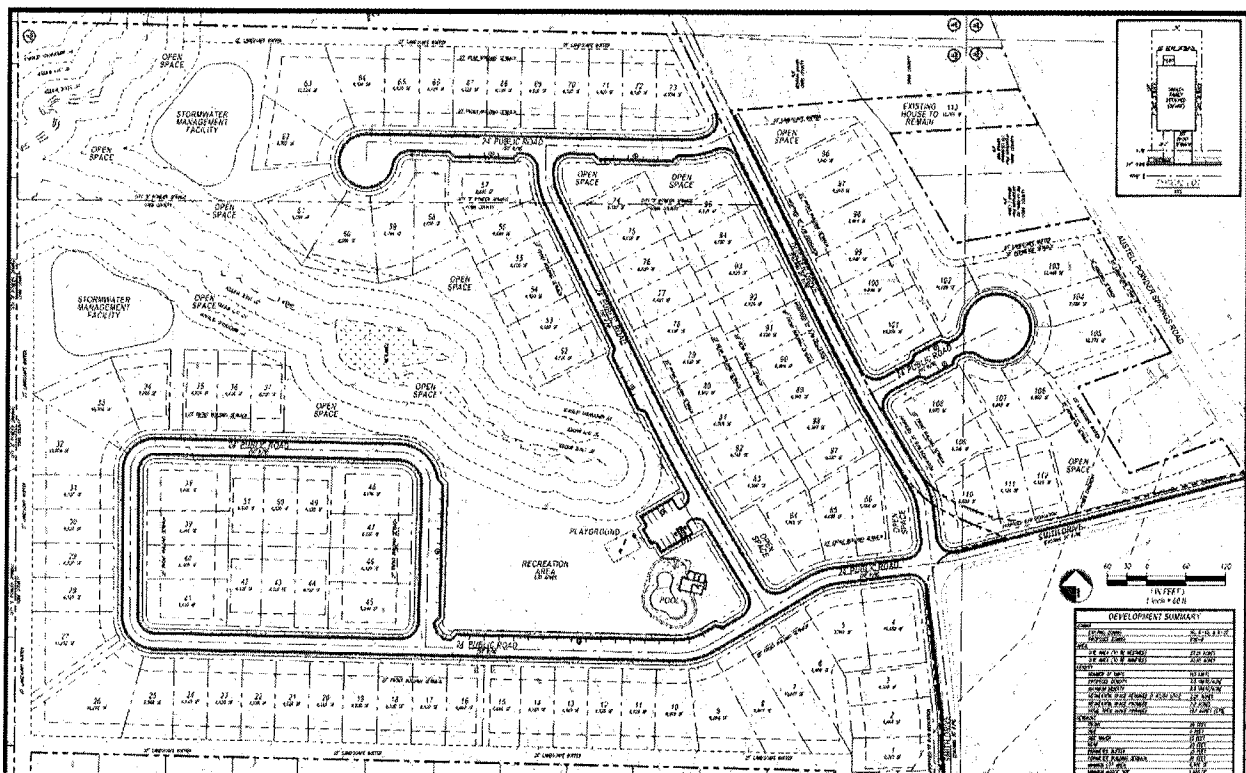
Developments of one- or two-family *dwelling units* where the number of *dwelling units* exceeds 30 shall be provided with two separate and *approved* fire apparatus access roads.

Exceptions:

1. Where there are more than 30 *dwelling units* on a single public or private fire apparatus access road and all *dwelling units* are equipped throughout with an *approved automatic sprinkler system* in accordance with Section 903.3.1.1, 903.3.1.2 or 903.3.1.3, access from two directions shall not be required.
2. The number of *dwelling units* on a single fire apparatus access road shall not be increased unless fire apparatus access roads will connect with future development, as determined by the *fire code official*.

D107.2 Remoteness

Where two fire apparatus access roads are required, they shall be placed a distance apart equal to not less than one-half of the length of the maximum overall diagonal dimension of the property or area to be served, measured in a straight line between accesses.



Rock Toler

Deputy Fire Marshal – South Inspection District
Cobb County Fire Marshal’s Office
(770) 528-8360
1595 County Services Pkwy
Marietta GA, 30008

County Staff Comments- Powder Springs Annexation- 4388_Austell_Pwd_Spgs_Rd_Etc
January 2022

Cemetery Preservation

No Comment

Helga Hong

Cobb County Cemetery Preservation Commission

Stormwater Management

The following are the comments pertaining to the annexation.

1. All existing streams are to be properly identified and shown on the site plan. Stream Buffer determinations are to be determined and verified by the Local Issuing Authority.
2. The proposed site plan appears to be missing a potential stream in the southern portion of the project site. More specifically located on parcel 19102000060 (4200 & 4300 Dugger Drive). If this is a stream with buffers it would drastically impact the proposed layout of the project. **It would be my opinion that this potential stream should be verified prior to rezoning to a specific site plan.**
3. There is a County drainage easement that extends into the property from the western boundary for a short distance. It appears to be just downstream of the project stormwater management facility.
4. There is a Floodplain Zone "X" immediately downstream west of the property.
5. The proposed site will drain through an established neighborhood and then south to the existing double 36" pipes under Frank Aiken Road. This County infrastructure should be evaluated during the permitting of the project by the City of Powder Springs. Stormwater runoff will then continue south to the existing railroad embankment where an unidentified culvert may exist under the railroad right-of-way. It will then continue south a short distance to the main floodway of Powder Springs Creek; just north of Oglesby Road.

Thanks

Carl

L. Carl Carver, PE

Engineer IV

Cobb County Water System

Stormwater Management Division

680 South Cobb Drive

Marietta, GA 30060-3113

Office: (770) 419-6453

GIS

No objections from a GIS/addressing perspective.

Thanks,

Brad Gordon

GIS Supervisor

Community Development - GIS Section

Cobb County Government

P (770) 528.2002

Cobb DOT

DOT recommends the following for this proposed annexation and rezoning case.

- Install curb and gutter along Austell-Powder Springs Road property frontage.
- A 10-foot No Access Easement is required along Austell-Powder Springs Road property frontage.
- Recommend an all-way stop study with projected traffic volumes for Dugger Drive and Smith Drive intersection.
- Austell-Powder Springs Road is classified as an arterial roadway which requires a minimum 50-foot of right-of-way, measured from the centerline of the roadway. Additional right-of-way will be required along Austell-Powder Springs Road.
- Recommend a left turn lane along Austell-Powder Springs Road at Smith Drive intersection. Design to be determined during plan review.
- Proposed cul-de-sac along Dugger Drive shall meet sight distance requirements per Cobb County Development Standards and Detail 401B.
- An abandonment and rededication of Smith Drive and Dugger Drive will be required during plan review.
- The developer shall submit the project to Cobb Community Development for full site plan review.

Thanks,

James M. Washington

Site Plan Review

Cobb County Department of Transportation

1890 County Services Parkway

Marietta, Georgia 30008

(770) 528-1644









james.washington@cobbcounty.org

De/Annexation Location Map

January 2022

19th District
 Land Lot 1020
 Parcel(s) 002, 003,
 005, 006, 007 & 020

Also Includes:
 19th District
 Land Lot 1019,
 Parcel(s) 032, 035,
 029 & 031

- Legend**
-  Annexed Areas
 -  Acworth
 -  Austell
 -  Kennesaw
 -  Marietta
 -  Powder Springs
 -  Smyrna
 -  Unincorporated

