

## Memorandum

**Date:** November 11, 2021

**Subject:** PZ 21-030

Rezoning Request to rezone from CRC to LI, the property located at 4401 Oglesby Road, within Land Lots 1050 of the 19th District, 2nd Section, Cobb County, Georgia.

A motion to approve the rezoning request with the following conditions:

1. The property be replatted within 12 months of approval and prior to the approval of a land disturbance permit. The deadline for replatting may be extended for an additional 12 months by the Community Development Director for good cause shown. This action will allow approximately 9.15 acres to be rezoned LI, with the remaining 2.85 south of Oglesby Road to maintain the CRC zoning as shown on Exhibit A.
2. The developer coordinate with Cobb DOT to ensure that truck traffic is directed to and from Lewis Rd / CH James Pkwy, as Oglesby Rd is designated as "No Thru Truck" and Lewis Road is weight restricted north of Oglesby Road
3. The City will designate a signed truck route on the boundaries of the City and prohibit truck traffic on Lewis Road, north of Oglesby Road, excluding the existing non-conforming use at Long Street extension.
4. The developer shall work with the City and GDOT to get stoplight T-16 curb cuts to have direct access from the warehouse direct to 278.
5. Subject to the establishment of signalized access directly on 278, Burrow Trail shall be limited to a right in, right out and is limited to employee car traffic and access to the future CRC land.
6. The City of Powder Springs will take over maintenance of the Burrow Trail after the issuance of the Certificate of Completion for the 102-acre development. During the Land Disturbance process, the applicant will be required to provide a bond to cover any damages to Burrow Trail. Any road damage caused by the business operations will be the responsibility of the business owner for repair, normal wear and tear excepted.
7. The developer and City of Powder Springs to review Cobb County DOT recommendation for right-in and right-out only on Burrow Trail to determine project feasibility and City evaluation.
8. The applicant shall apply for and receive Land Disturbance Permit for the trailer parking operation.
9. Development shall be substantially in accordance with the concept plan dated 7/23/2021, with minor site plan revisions being allowed under Sec. 13-54.
10. Architectural style be substantially in accordance with the rendering prepared by Atlas Collaborative, titled Oglesby Road DC. For the smaller warehouse, the developer will work with the architect and City to provide a design that fits in with the CRC type tenant and has excellent curb appeal.

11. The Comprehensive Plan identified a potential traffic signal and connector road located through the subject parcel. Through the land disturbance process the potential for this road be considered. If feasible, the applicant shall dedicate right-of-way for this future road.
12. That the intermodal/trailer facility remain on the property and be continued under the previous approval received from Cobb County in 2017 and subject to the County's conditions of approval.
13. The existing billboard to be relocated to another location on site. The sign may not be enlarged and is subject to building permit and approval by the Community Development Director.
14. Developer will install "channeling" the right-hand turn lane with traffic markers to narrow the lane for trucks that attempt to make a right from Oglesby onto Lewis Rd. Developer will continue to discuss other traffic considerations that would reduce the probability of a truck right hand turn as may be presented by the City.
15. If a joint public/private project is identified involving access to CH James Pkwy, Lewis Road and Oglesby Road, including signalization, the developer and the City will work to and create a mutually beneficial development agreement to complete access improvements that will be subject to the to the final approval of Mayor and Council prior to the issuance of any Certificate of Occupancy on the site.
16. The developer and the City will identify properties in the floodplain or adjacent areas to be placed in a conservation easement during the plan review process.
17. A natural buffer of trees between the back of the truck court and Oglesby Road be maintained, subject to staff review in the land disturbance permit process. To the extent feasible, the developer shall install a landscape planted berm along the back of the truck court that includes a decorative privacy fence as approved by the Community Development Director, this does not apply to any portion of the buffer that is located in the special flood hazard area.
18. Install stormwater management structures/improvements on Burrow Trail as required by the stormwater management ordinances.
19. Proposed Oglesby Road improvements to be installed by developer.
20. Install dedicated deceleration lane on Oglesby Road approaching the facility.
21. Install 2 left turn lanes onto 278 beginning at the intersection of Oglesby and Lewis Road and work with GDOT to extend the signal time lapse to enable a longer turning movement onto 278 from Lewis Road. Allocation to this project would not exceed \$25,000 from the developer.
22. Work with City and adjoining CRC property owner to install improvements and signage needed to provide safe access to the CRC site for both cars and trucks.
23. Bicycle and Pedestrian traffic be evaluated during the Land Disturbance Permit process to mitigate recreational and other safety issues that may exist.
24. The City will work with GDOT to adopt a no-engine braking ordinance and install signage on 278 to keep trucks from engine braking when slowing down into the turn lanes.

- 25 Developer shall develop and apply industrial association covenants regarding maintenance and upkeep of the development site, monthly communication with tenants and their suppliers about observing truck routes and utilizing trucker GPS units rather than consumer grade navigation devices, written acknowledgement by tenants of the City's zero tolerance for violations of truck routes and corresponding court fines,
- 26 The developer will work with the City to help it coordinate with GDOT to develop a truck access network that specifies designated roads to use to access the logistics site.
- 27 If full access is granted on CH James Pkwy, the developer will eliminate the Oglesby Road entrance/exit.



**Albert Thurman, Mayor**



**Patrick Bordelon, Council Member**



**Doris Dawkins, Council Member**



**Patricia Wisdom, Council Member**

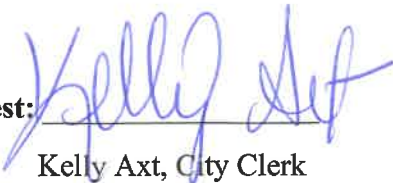


**Henry Lust, Council Member**



**Thelma C. Farmer, Council Member**

**Attest:**



Kelly Axt, City Clerk