

Old Town Surveying & Engineering, Inc.

E & E CAPITAL, INC.

LOCATED IN LAND LOT 36, 18TH DISTRICT,
2ND SECTION, COBB COUNTY, GEORGIA

TOTAL AREA = 1.452 ACRES
(63,259 SQ. FT.)

PARKING SPACES PROVIDED: 12 EACH

LEGEND

- CORNER MARKER SET WITH A 1/2" STEEL
- REINFORCING ROD
- CORNER FOUND
- UNMONUMENTED CORNER
- CORNER TO BE SET WHEN
- CONSTRUCTION BEGINS
- X = FENCE LINE
- RR = STEEL REINFORCING ROD
- OTF = OPEN TOP WATER PIPE
- PT = POWER POLE
- CL = CENTERLINE
- BL = BUILDING LINE
- LLL = LAND LOT LINE
- WATER MAINS = W
- GAS MAINS = G
- SANITARY SEWER MAIN = SS
- NS = NOW OR FORMERLY OWNED BY
- DB = DEED BOOK

FLOOD STATEMENT

I HAVE THIS DATE EXAMINED THE FLOOD INSURANCE RATE MAPS, COMMUNITY PANEL NO.: 1306702000, AND THE MAP GRAPHICALLY DEPICTS THE SUB-PROPERTY TO LIE IN ZONE: "X". THE CHARACTERISTIC OF THIS ZONE IS YEAR FLOOD PLAIN.

TECHNICAL DATA

DATE OF SURVEY: 03/11/09
SURVEY ADJUSTMENT: LEAST SQUARES
PLANT PRECISION: 1/32,000

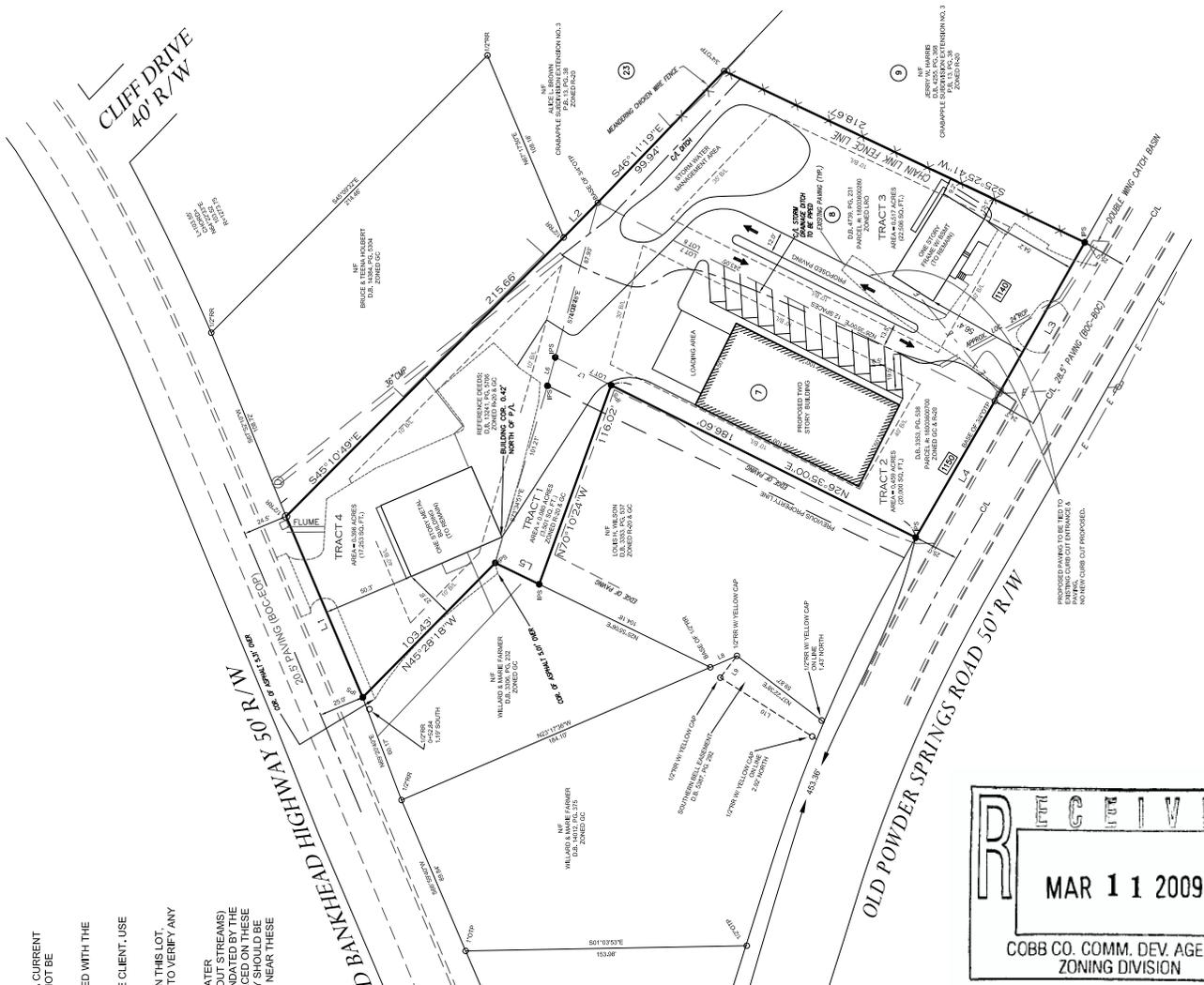


THE RUSSELL COMPANY
Professional Surveyors
1000 Peachtree Street, N.E.
Atlanta, Georgia 30309
Phone: 404.525.8888
Fax: 404.525.8889
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NOTE:

THIS PLAN IS PREPARED WITHOUT THE BENEFIT OF A CURRENT TITLE REPORT. SOME ITEMS AFFECTING TITLE MAY NOT BE INCLUDED IN THIS SURVEY.
THERE MAY BE UNDERGROUND UTILITIES ASSOCIATED WITH THE SUBJECT PROPERTY THAT ARE NOT SHOWN.
THIS PLAN IS PREPARED FOR EXCLUSIVE USE BY THE CLIENT. USE BY ANY THIRD PARTY IS AT THEIR OWN RISK.
BEFORE STARTING ANY BUILDING CONSTRUCTION ON THIS LOT, CONTACT THE COBB COUNTY ZONING DEPARTMENT TO VERIFY ANY BUILDING SETBACK LINES.

THERE IS A 25' NON-DISTURBANCE BUFFER FROM WATER (STREAMS) AND A 50' NON-DISTURBANCE BUFFER FROM ADJACENT TO ANY STREAM OR BODY OF WATER MANDATED BY STATE AND THERE MAY BE ENHANCED BUFFERS PLACED ON THESE WATERS BY COBB COUNTY. THE PROPER AUTHORITY SHOULD BE CONTACTED BEFORE BEGINNING ANY DISTURBANCE NEAR THESE AREAS.



LINE	LENGTH	BEARING
L1	107.75'	N87°04'08"E
L2	28.67'	S45°31'56"E
L3	100.00'	N60°29'49"W
L4	26.47'	N25°35'20"W
L5	16.24'	S74°36'48"E
L7	34.14'	S26°35'00"W
L8	15.88'	N27°19'26"W
L9	15.01'	N25°46'20"W
L10	62.66'	S52°40'01"W

R E G I S T E R E D
MAR 11 2009
 COBB CO. COMM. DEV. AGENCY
 ZONING DIVISION

ADDITIONAL REFERENCES:
FINAL PLAT OF CRANAPPLE SUBDIVISION EXTENSION NO. 3
PREPARED BY ROBERT WEAVER RECORDED IN P.B. 13, PG. 38

**Z-13
(2009)**

APPLICANT: E & E Capital, Inc.
770-732-8823

REPRESENTATIVE: Larry B. Eubanks
770-732-8823

TITLEHOLDER: E & E Capital, Inc.

PROPERTY LOCATION: Located on the north side of Old Powder Springs Road, east of Old Bankhead Highway, and on the south side of Old Bankhead Highway, west of Cliff Drive

ACCESS TO PROPERTY: Old Powder Springs Road

PHYSICAL CHARACTERISTICS TO SITE: Existing buildings

PETITION NO: Z-13

HEARING DATE (PC): 05-05-09

HEARING DATE (BOC): 05-19-09

PRESENT ZONING: GC, LRO, R-20

PROPOSED ZONING: GC

PROPOSED USE: Electrical Contractors Office

SIZE OF TRACT: 1.452 acres

DISTRICT: 18

LAND LOT(S): 36

PARCEL(S): 38, 70

TAXES: PAID X **DUE** _____

COMMISSION DISTRICT: 4

CONTIGUOUS ZONING/DEVELOPMENT

- NORTH:** GC/ Hawthorne Plaza, Auto service
- SOUTH:** NS, CF/ office, single-family house
- EAST:** R-20/ Sinlge-family house
- WEST:** GC/ Farmers Auto Glass and Trim, Signs

OPPOSITION: NO. OPPOSED _____ **PETITION NO:** _____ **SPOKESMAN** _____

PLANNING COMMISSION RECOMMENDATION

APPROVED _____ **MOTION BY** _____

REJECTED _____ **SECONDED** _____

HELD _____ **CARRIED** _____

BOARD OF COMMISSIONERS DECISION

APPROVED _____ **MOTION BY** _____

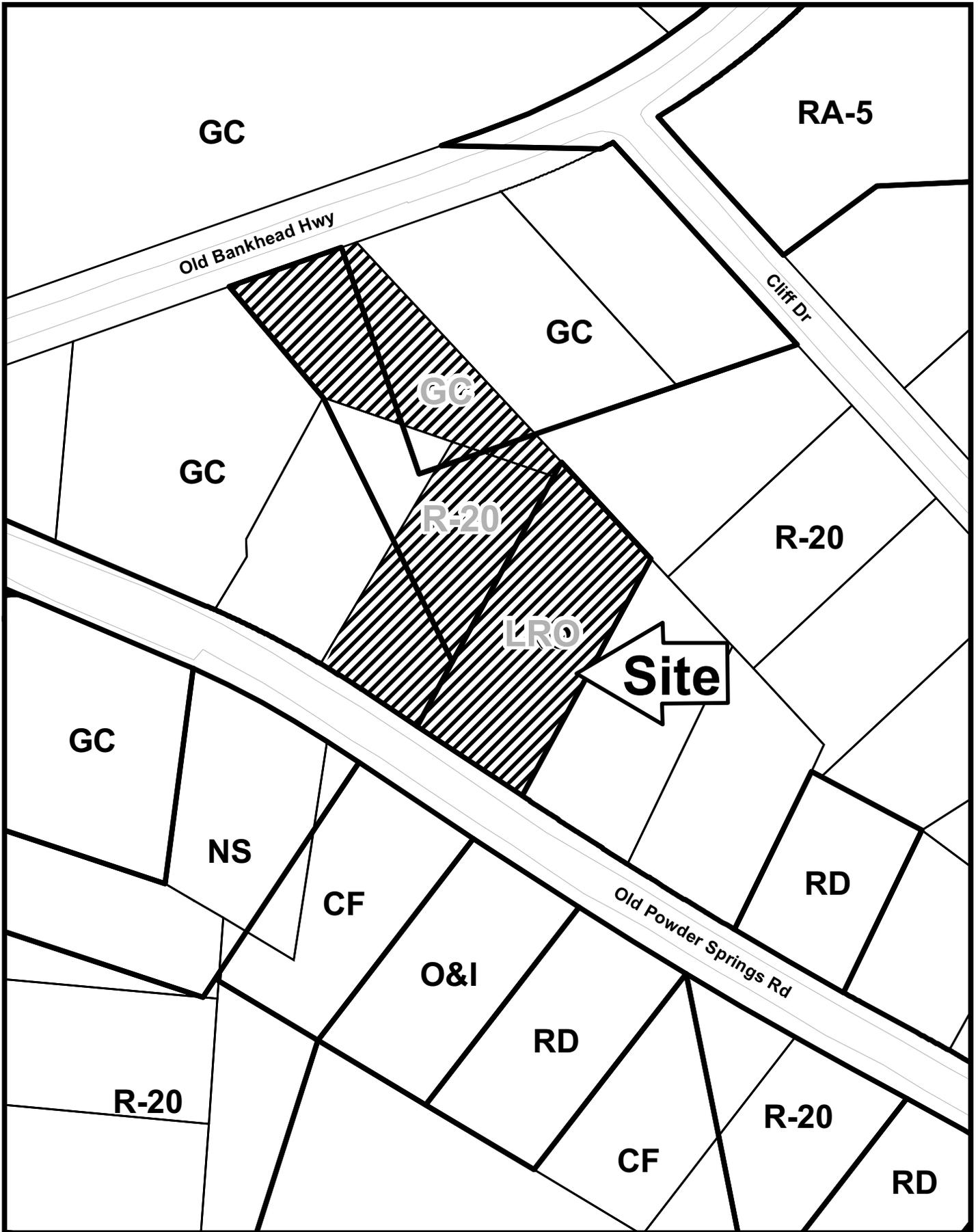
REJECTED _____ **SECONDED** _____

HELD _____ **CARRIED** _____

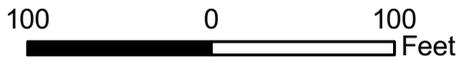
STIPULATIONS:



Z-13



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



City Boundary
Zoning Boundary

APPLICANT: E & E Capital, Inc.

PETITION NO.: Z-13

PRESENT ZONING: GC, LRO, R-20

PETITION FOR: GC

PLANNING COMMENTS:

Staff Member Responsible: John P. Pederson, AICP

Land Use Plan Recommendation: Community Activity Center

Number of Buildings: 1 Total Square Footage of Development: 13,646

F.A.R.: 0.21 Square Footage/Acre: 9,398

Parking Spaces Required: 27 Parking Spaces Provided: 28

The applicant is requesting rezoning to GC in order to expand his electrical contracting business. The applicant is a specialized electrical contractor that services, tests, and maintains electrical systems for mainly commercial clients. The applicant’s current business is located on tract 4 on the site plan. The applicant has purchased tract 1-3 for the expansion, which includes a new 10,000 square-foot for offices and equipment storage. The business will be open Monday through Friday, from 8:00 am to 5:00 pm. The applicant has submitted a zoning impact analysis, which is attached as Exhibit “A”.

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. No further comment. No action by applicant requested at this time.

Cemetery Preservation: No comment.

FIRE COMMENTS:

Fire Apparatus Access Road

All access roads shall have an all weather driving surface capable of supporting 75,000 pounds with an unobstructed width of not less than 20 feet, 25 feet inside turning radius, 50 foot outside turning radius and unobstructed vertical clearance of not less than 13 feet 6 inches.

Access road shall extend to within 150 feet of all portions of the facility or any portion of the exterior wall of the first floor.

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 occupiable floor level. Aerial fire apparatus roads shall be a minimum width of 24 feet face of curb to face of curb maximum of 40 feet from the structure and be positioned parallel to the long side of the building for its entire length. No overhead utility and power lines shall be located within the aerial apparatus access.

Dead-end access roads in excess of 150 feet shall be provided with a turn-around by one of the following methods:

Commercial: Cul-de-sac without an island to have a 60 foot paved radius **or** Hammerhead turnaround – total of 110 feet needed (45 feet + 20 foot wide roadway + 45 feet).

Gates securing fire apparatus access shall be a minimum 14 feet in clear width for a single lane and 20 feet for a double lane. Gate shall be swing or sliding type. Electric gates shall be equipped with a means of opening the gate by fire department personnel for emergency access. Emergency opening devices shall be approved by the Cobb County Fire Marshal’s Office.

Fire Hydrant

Commercial: Fire hydrant within 500 feet of most remote part of structure.

Must obtain Certificate of Occupancy through the Cobb County Fire Marshal’s Office.

APPLICANT E & E Capital, Inc

PETITION NO. Z-013

PRESENT ZONING GC, LRO, R-20

PETITION FOR GC

NOTE: Comments reflect only what facilities appeared of record at the time of this review. Field verification required by developer.

WATER COMMENTS:

- Available at Development? Yes No
- Fire Flow Test Required? Yes No

Size / Location of Existing Water Main(s) 6" AC / S side Old Powder Springs Rd

Additional Comments: Commercial master meter to be at entrance

Developer may be required to install/upgrade water mains, based on fire flow test results or Fire Department Code. This will be resolved in the Plan Review Process.

SEWER COMMENTS:

- In Drainage Basin? Yes No
- At Development? Yes No

Approximate Distance to Nearest Sewer: In road

Estimated Waste Generation (in G.P.D.): **A D F** 200 **Peak** 500

Treatment Plant: South Cobb

- Plant Capacity Available? Yes No
- Line Capacity Available? Yes No
- Projected Plant Availability: 0 - 5 year 5 - 10 years over 10 years
- Dry Sewers Required? Yes No
- Off-site Easements Required? Yes* No
- Flow Test Required? Yes No
- Septic Tank Recommended by this Department? Yes No
- Subject to Health Department Approval? Yes No

* If off-site easements are required, Developer must submit easements to CCWS for review / approval as to form and stipulations prior to the execution of easement(s) by the property owner(s). All easement acquisitions are the responsibility of the Developer.

Additional Comments:

Notes FYI: *Records show #1140 Old Powder Springs Rd connected to sewer and water (inactive)*

Developer will be responsible for connecting to the existing County water and sewer systems, installing and/or upgrading all outfalls and water mains, obtaining on and/or off site easements, dedication of on and/or off site water and sewer to Cobb County, as may be required. Rezoning does not guarantee water/sewer availability/capacity unless so stated in writing by the Cobb County Water System. Permit issuances subject to continued treatment plant compliance with EPD discharge requirements.

APPLICANT: E & E Capital, Inc.

PETITION NO.: Z-13

PRESENT ZONING: GC, LRO, R-20

PETITION FOR: GC

DRAINAGE COMMENTS

FLOOD HAZARD: YES NO POSSIBLY, NOT VERIFIED

DRAINAGE BASIN: Clay Branch FLOOD HAZARD INFO: Zone X

- FEMA Designated 100 year Floodplain Flood.
- Flood Damage Prevention Ordinance DESIGNATED FLOOD HAZARD.
- Project subject to the Cobb County Flood Damage Prevention Ordinance Requirements.
- Dam Breach zone from (upstream) (onsite) lake - need to keep residential buildings out of hazard.

WETLANDS: YES NO POSSIBLY, NOT VERIFIED

Location: just upstream of the existing 35-inch CMP culvert.

- The Owner/Developer is responsible for obtaining any required wetland permits from the U.S. Army Corps of Engineer.

STREAMBANK BUFFER ZONE: YES NO POSSIBLY, NOT VERIFIED

- Metropolitan River Protection Area (within 2000' of Chattahoochee River) ARC (review 35' undisturbed buffer each side of waterway).
- Chattahoochee River Corridor Tributary Area - County review (_____ undisturbed buffer each side).
- Georgia Erosion-Sediment Control Law and County Ordinance - **County Review**/State Review.
- Georgia DNR Variance may be required to work in 25 foot streambank buffers.
- County Buffer Ordinance: 50', 75', 100' or 200' each side of creek channel.

DOWNSTREAM CONDITION

- Potential or Known drainage problems exist for developments downstream from this site.
- Stormwater discharges must be controlled not to exceed the capacity available in the downstream storm drainage system.
- Minimize runoff into public roads.
- Minimize the effect of concentrated stormwater discharges onto adjacent properties.
- Developer must secure any R.O.W required to receive concentrated discharges where none exist naturally
- Existing Lake Downstream _____.
Additional BMP's for erosion sediment controls will be required.
- Lake Study needed to document sediment levels.
- Stormwater discharges through an established residential neighborhood downstream.
- Project engineer must evaluate the impact of increased volume of runoff generated by the proposed project on downstream stormdrainage system.

APPLICANT: E & E Capital, Inc.

PETITION NO.: Z-13

PRESENT ZONING: GC, LRO, R-20

PETITION FOR: GC

DRAINAGE COMMENTS CONTINUED

SPECIAL SITE CONDITIONS

- Provide comprehensive hydrology/stormwater controls to include development of out parcels.
- Submit all proposed site improvements to Plan Review.
- Any **spring activity** uncovered must be addressed by a qualified geotechnical engineer (PE).
- Structural fill _____ must be placed under the direction of a qualified registered Georgia geotechnical engineer (PE).
- Existing facility.
- Project must comply with the Water Quality requirements of the CWA-NPDES-NPS Permit and County Water Quality Ordinance.
- Water Quality/Quantity contributions of the existing lake/pond on site must be continued as baseline conditions into proposed project.
- Calculate and provide % impervious of project site.
- Revisit design; reduce pavement area to reduce runoff and pollution.

INSUFFICIENT INFORMATION

- No Stormwater controls shown _____
- Copy of survey is not current – Additional comments may be forthcoming when current site conditions are exposed.
- No site improvements showing on exhibit.

ADDITIONAL COMMENTS

1. The existing site receives runoff from the adjacent Old Powder Springs Road R/W via a 24-inch concrete pipe and ditch. Adequate capacity must be provided to convey this runoff through the site.
2. Although the County Stream Map identifies the swale to the rear of the site as a buffered stream, Frank Gipson has verified that this conveyance does not require a buffer.

APPLICANT: E & E Capital, Inc.

PETITION NO.: Z-13

PRESENT ZONING: GC, LRO, R-20

PETITION FOR: GC

TRANSPORTATION COMMENTS

The following comments and recommendations are based on field investigation and office review of the subject rezoning case:

ROADWAY	AVERAGE DAILY TRIPS	ROADWAY CLASSIFICATION	SPEED LIMIT	JURISDICTIONAL CONTROL	MIN. R.O.W. REQUIREMENTS
Old Powder Springs Rd	4300	Minor Collector	35 mph	Cobb County	60'
Old Bankhead Hwy	N/A	Local	25 mph	Cobb County	50'

Based on 2006 traffic counting data taken by Cobb County DOT

COMMENTS AND OBSERVATIONS

Old Powder Springs Road is classified as a Minor Collector and according to the available information the existing right-of-way does not meet the minimum requirements for this classification.

Old Bankhead Highway is classified as a Local and according to the available information the existing right-of-way does meet the minimum requirements for this classification.

Access to the development should consist of one curb cut.

Replace all disturbed sidewalk, curb and gutter along the road frontage.

RECOMMENDATIONS

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 north side of Old Powder Springs Road, a minimum of 30' from the roadway centerline.

Recommend one access driveway along Old Powder Springs Rd.

Recommend replacing all disturbed sidewalk, curb and gutter along the road frontage.

Recommend applicant be required to meet all Cobb County Development Standards and Ordinances related to project improvements.

STAFF RECOMMENDATIONS

Z-13 E & E CAPITAL, INC.

- A. It is Staff's opinion that the applicant's rezoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby properties. The area contains a mixture of single-family houses, duplexes, office and commercial properties.
- B. It is Staff's opinion that the applicant's rezoning proposal will not have an adverse affect on the usability of adjacent or nearby property. The applicant's proposal would be similar in character to the other commercial properties in this area. All the surrounding property is anticipated to be used commercially in the future.
- C. It is Staff's opinion that the applicant's rezoning proposal will not result in a use which would cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools. This opinion can be supported by the departmental comments contained in this analysis.
- D. It is Staff's opinion that the applicant's rezoning proposal is in conformity with the policy and intent of the *Cobb County Comprehensive Plan*, which delineates this property to be within a Community Activity Center.
- E. It is Staff's opinion that there are existing and changing conditions affecting the use and development of the property which give supporting grounds for approving the applicant's rezoning proposal. The applicant's proposal is consistent with the *Cobb County Comprehensive Plan*. All the surrounding property is anticipated to be zoned commercially on the Future Land Use Map. The area contains a mixture of land uses, including residential and commercial. The applicant's business is currently in the area; the proposal would allow him to expand his business and stay in the area.

Based on the above analysis, Staff recommends APPROVAL subject to the following conditions:

- Site plan received by the Zoning Division March 11, 2009, with the District Commissioner approving minor modifications;
- Electrical contractor use only;
- Fire Department comments;
- Water and Sewer comments and recommendations;
- Stormwater Management comments and recommendations;
- DOT comments and recommendations;
- owner/developer to enter into a Development Agreement pursuant to O.C.G.A. §36-71-13 for dedication of system improvements to mitigate traffic concerns.

The recommendations 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.

#9

9. **ZONING IMPACT ANALYSIS**
Change zones from GC/R20/LRO to only GC

- a. **Suitable Use.** The planned use as a commercial electrical service company will be similar to most other businesses and buildings in the area.
- b. **Affect on adjacent property.** Putting a prosperous business in a professional building on a vacant lot shows growth, prosperity, and adds new jobs in an otherwise declining area.
- c. **Economic Use as now zoned GC, R-20, LRO.** No homeowner (R-20) wants to build or buy among commercial businesses. The existing mixed zones need to be consolidated to allow growth and development.
- d. **Proposed Use affect on existing streets, utilities, and schools.** The new business will primarily be offices and engineering, placing no additional burden on schools, but a slight increase in traffic.
- e. **Conformity with Land Use Plan.** The planned business is consistant with other commercial development in the area.
- f. **Changing Conditions affect on planned use.** The entire area is experiencing commercial growth and investment while the residential area is in decline. Other businesses surround this property with a larger tax base than residential. For example.

**Adjacent Bldg. to North- 1160 Old Powder Spgs. Rd., zoned GC,
Is a single story Commercial Bldg. with multiple commercial
tenants, such as a Print Shop, and Metal Fabrication.**

**Adjacent Bldg. to South- 1130 Old Powder Spgs. Rd., zoned LRO,
Is a Commercial Tax Preparation Service.**

**Adjacent Bldg. to East, behind the property, zoned GC are three
businesses in Metal Commercial Bldgs.**

**Adjacent Bldgs. across the street, zoned LRO is a rental single
family residence, and a Service Station zoned GC.**