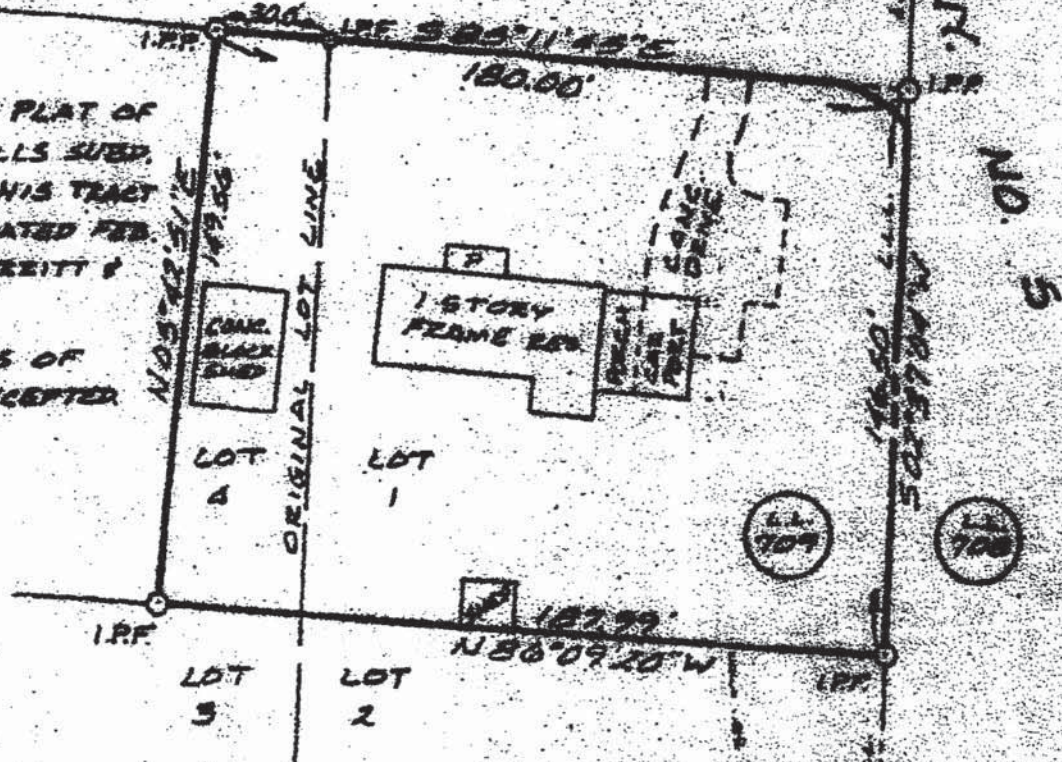


Z-1
(2012)

SYLVAN DRIVE 40' RW

NOTES:

- 1) REFERENCE PLAT OF SYLVAN HILLS SUBD. (OF WHICH THIS TRACT IS A PART) DATED FEB. 1944, BY MERRITT & WELLS.
- 2) ALL MATTERS OF TITLE ARE EXCEPTED.



I HAVE THIS DATE EXAMINED THE "FIA OFFICIAL FLOOD HAZARD MAP" NO. H-01-24, DATED 10-8-75, SHEET NO. 7 OF Cobb COUNTY, GA, AND HAVE FOUND THAT SUBJECT TRACT IS NOT LOCATED IN A SPECIAL FLOOD HAZARD AREA.



TYPE OF SURVEY: LOT 1 + PART OF LOT 4, BLOCK B	
SUBDIVISION: SYLVAN HILLS	
SURVEY FOR: CECIL C. BOOTH	
MORTGAGEE:	
LAND LOT(S) 709	DISTRICT 14, SECTION 2
CITY: CANNON	CO. GEORGIA
SCALE: 1 IN. = 50 FT.	REVISION DATES:
PREPARED 1-31-85 BY:	
JERRY THACKER & ASSOCIATES	
361 E. MAIN STREET	404-479-4911 CANTON
CANTON, GEORGIA 30114	404-522-7268 (ATL. NO.)

FIELD BOOK 145 PAGE 32
 FIELD WORK BY: T. B.
 DRAWN BY: R. F.
 PR. OF CLOS.
 GB NO.: 55-6052-26A

APPLICANT: Yoke L. Loo

(404) 579-0093

REPRESENTATIVE: Same

Same

TITLEHOLDER: Yoke Loo and Malsoon Loo

PROPERTY LOCATION: At the southwest intersection of Canton

Road and Sylvan Drive.

(890 Sylvan Drive).

ACCESS TO PROPERTY: Sylvan Drive

PHYSICAL CHARACTERISTICS TO SITE: One story frame

structure

PETITION NO: Z-1

HEARING DATE (PC): 02-07-12

HEARING DATE (BOC): 02-21-12

PRESENT ZONING: GC

PROPOSED ZONING: NRC

PROPOSED USE: Auto Broker's Office

SIZE OF TRACT: 0.68 acre

DISTRICT: 16

LAND LOT(S): 709

PARCEL(S): 24

TAXES: PAID X DUE _____

COMMISSION DISTRICT: 3

CONTIGUOUS ZONING/DEVELOPMENT

NORTH: GC/ commercial

SOUTH: GC/ commercial

EAST: GC/ commercial

WEST: R-20/ single family home

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

PLANNING COMMISSION RECOMMENDATION

APPROVED ___ MOTION BY _____

REJECTED ___ SECONDED _____

HELD ___ CARRIED _____

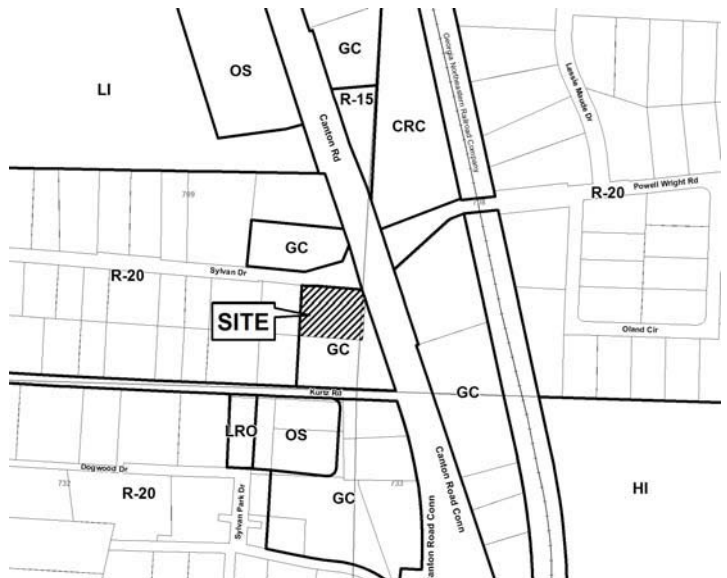
BOARD OF COMMISSIONERS DECISION

APPROVED ___ MOTION BY _____

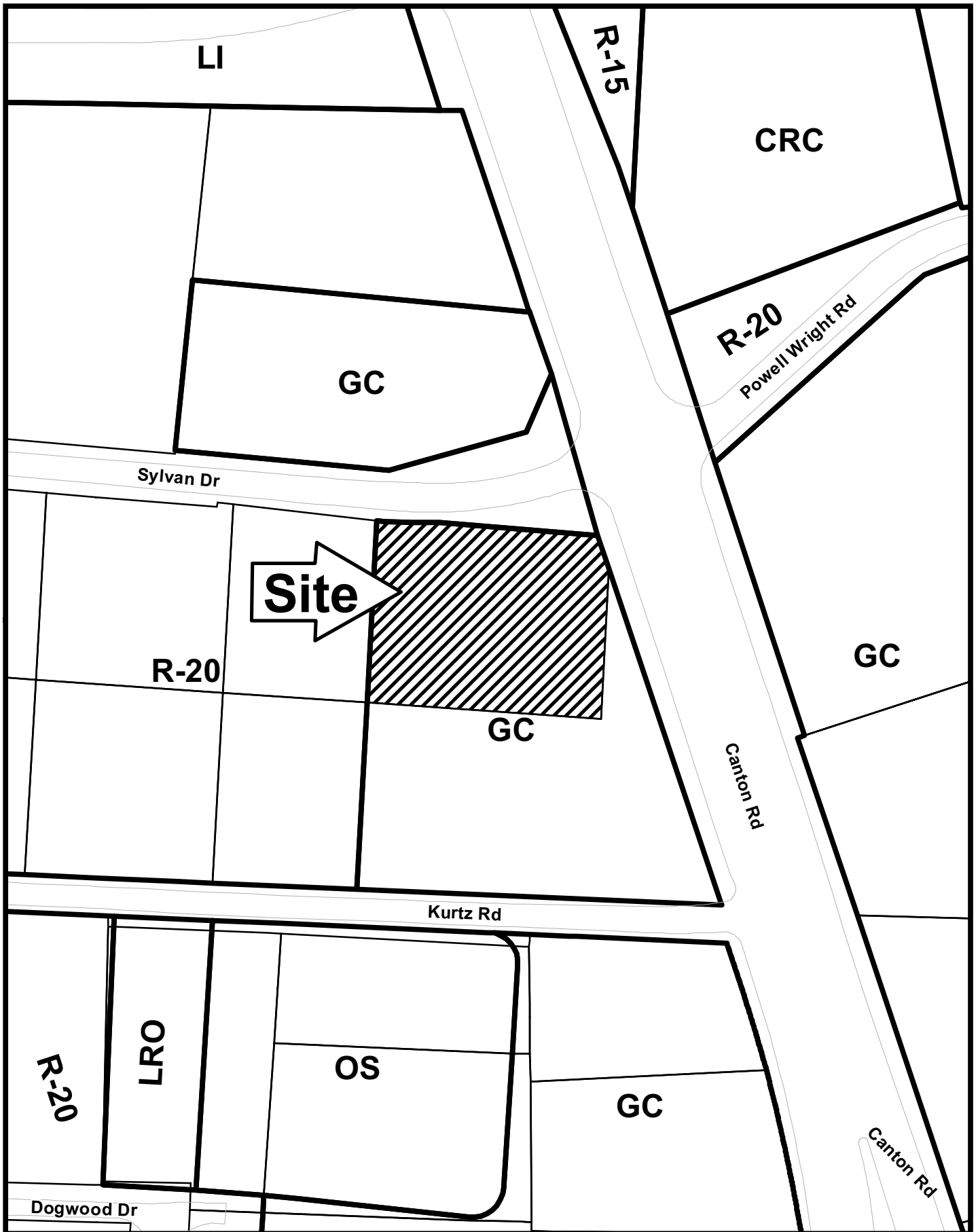
REJECTED ___ SECONDED _____

HELD ___ CARRIED _____

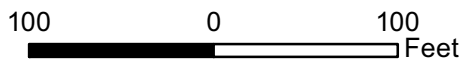
STIPULATIONS:





Z-1



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



-  City Boundary
-  Zoning Boundary

APPLICANT: Yoke L. LOO

PETITION NO.: Z-1

PRESENT ZONING: GC

PETITION FOR: NRC

ZONING COMMENTS:

Staff Member Responsible: Terry Martin, MPA

Land Use Plan Recommendation: NAC neighborhood activity center

Proposed Number of Buildings: 1 **Total Square Footage of Development:** 1,482 sq. ft.

F.A.R.: .05 **Square Footage/Acre:** 2,179 sq. ft.

Parking Spaces Required: 6 **Parking Spaces Provided:** unstriped

The applicant is requesting a rezoning from GC general commercial district to NRC neighborhood retail commercial in order to rent office space to additional tenants. Being located with a NAC neighborhood activity center future land use category, the property, currently zoned GC, is considered to be “grandfathered.” Thus, in order to expand the usage of the property (additional tenants), the request is necessary. Currently, a tree service office operates from the property. The applicant would like the opportunity to also lease to an auto broker as well as other retail sales and service operations. Proposed business hours are 8 a.m. to 6 p.m. With no site improvements proposed, the site would require paved and striped parking spaces to meet the Code requirement of at least six (6) spaces based on the potential office square footage. Also, being located adjacent to residential property to the west, the site lacks the Code required 40’ landscape buffer on that side.

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:

Plans must be submitted to the Cobb County Fire Marshal’s Office to initiate the Certificate of Occupancy process.

APPLICANT Yoke L. Loo

PETITION NO. Z-001

PRESENT ZONING GC

PETITION FOR NRC

WATER COMMENTS: NOTE: Comments reflect only what facilities were in existence at the time of this review.

Available at Development: Yes No

Fire Flow Test Required: Yes No

Size / Location of Existing Water Main(s): **6" DI / N side Sylvan Dr.**

Additional Comments: Existing water customer

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: NOTE: Comments reflect only what facilities were in existence at the time of this review.

In Drainage Basin: Yes No

At Development: Yes No

Approximate Distance to Nearest Sewer: **Sylvan Drive ROW**

Estimated Waste Generation (in G.P.D.): **A D F= +0** **Peak= +0**

Treatment Plant: **Noonday**

Plant Capacity: Available Not Available

Line Capacity: Available Not Available

Projected Plant Availability: 0 - 5 years 5 - 10 years over 10 years

Drv Sewers Required: Yes No

Off-site Easements Required: 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 easements by the property owners. All easement acquisitions are the responsibility of the Developer

Flow Test Required: Yes No

Letter of Allocation issued: Yes No

Septic Tank Recommended by this Department: Yes No

Subject to Health Department Approval: Yes No

Additional Existing sewer customer
Comments:

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 offsite easements, dedication of on and/or offsite 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: Yoke L. Loo

PETITION NO.: Z-1

PRESENT ZONING: GC

PETITION FOR: NRC

DRAINAGE COMMENTS

FLOOD HAZARD: YES NO POSSIBLY, NOT VERIFIED

DRAINAGE BASIN: Noonday Creek 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: _____

- 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 _____.

APPLICANT: Yoke L. Loo

PETITION NO.: Z-1

PRESENT ZONING: GC

PETITION FOR: NRC

DRAINAGE COMMENTS CONTINUED

SPECIAL SITE CONDITIONS

- Provide comprehensive hydrology/stormwater controls to include development of out parcels.
- Submit any 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 owner is proposing to utilize the existing facility with no site improvements other than striping of required parking spaces. Any redevelopment or expansion of the site will be subject to full stormwater management requirements.

APPLICANT: Yoke L. Loo

PETITION NO.: Z-1

PRESENT ZONING: GC

PETITION FOR: NRC

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
Canton Road	29700	Arterial	45 mph	Cobb County	100'
Sylvan Drive	300	Local	25 mph	Cobb County	50'

*Based on 2011 traffic counting data taken by Cobb DOT (Canton Road)
Based on 2002 traffic counting data taken by Cobb DOT (Sylvan Drive)*

COMMENTS AND OBSERVATIONS

Canton Road is classified as an arterial and according to the available information the existing right-of-way does not meet the minimum requirements for this classification.

Sylvan Drive is classified as a local and according to the available information the existing right-of-way does not meet the minimum requirements for this classification.

RECOMMENDATIONS

Recommend applicant consider entering into a development agreement pursuant of 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 west side of Canton Road, a minimum of 50' from the roadway centerline.

Recommend applicant consider entering into a development agreement pursuant of 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 south side of Sylvan Drive, a minimum of 25' from the roadway centerline.

Recommend no access to Canton Road.

Recommend sidewalk along Canton Road frontage.

Recommend closing the eastern most driveway on Sylvan Drive.

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

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STAFF RECOMMENDATIONS

Z-1 Yoke L. Loo

- 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. Without giving merit to the current tenant or any particular future tenant, the property is located within a NAC neighborhood activity center along Canton Rd. and other commercial sites are immediately adjacent and nearby.
- 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. As noted, neighboring properties are zoned commercially and the site is situated along Canton Rd. Also noted, the residentially zoned property to the west can be sufficiently buffered is the property is required to come into conformity with the Code required landscape buffer. As of the date of this writing, the Zoning Division has not received any opposition in relation to this application.
- 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*. The parcel that is the subject of this request is located within an NAC neighborhood activity center future land use category. The current request supports the *Plan's* goals of encouraging low intensity office and retail uses as well as transitional building type between higher intensity uses and neighboring residential areas.
- 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 approval of the applicant's rezoning proposal. The property, located within a NAC along Canton Rd. has existed as commercial property for several years. The current request would allow the applicant to rent to other commercial and retail type tenants as well as serve to encourage potential future improvements to the site once it is no longer hindered by its current "grandfathered" status. This would also further the goals of the *Cobb County Comprehensive Plan*. With adequate consideration to the necessary Code mandated requirements of parking and residential buffering, the request may be favorably considered.

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

- Applicant submit plans to Plan Review for necessary site improvements such as parking and landscape buffer, with final approval by District Commissioner;
- Fire Department comments and recommendations;
- Stormwater Management Division comments and recommendations;
- Water and Sewer comments and recommendations;
- DOT comments and recommendations.

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.

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Application No. Z-1

Feb. 2012

Summary of Intent for Rezoning

.....
Part 1. Residential Rezoning Information (attach additional information if needed)

- a) Proposed unit square-footage(s): _____
 - b) Proposed building architecture: _____
 - c) Proposed selling prices(s): _____
 - d) List all requested variances: _____
- _____
- _____
- _____

.....
Part 2. Non-residential Rezoning Information (attach additional information if needed)

- a) Proposed use(s): AUTO Brokerage OFFICE & Tree Service OFFICE, RETAIL SALES & SERVICE
 - b) Proposed building architecture: NO CHANGE
 - c) Proposed hours/days of operation: 8A TO 6PM
 - d) List all requested variances: NONE
- _____
- _____
- _____

.....
Part 3. Other Pertinent Information (List or attach additional information if needed)

AUTO Brokerage IS OFFICE ONLY, NO PARKED CARS
ZONING change will NOT result
IN A CHANGE OF USE WHICH IS OFFICE SPACE

.....
Part 4. Is any of the property included on the proposed site plan owned by the Local, State, or Federal Government? NO

(Please list all Right-of-Ways, Government owned lots, County owned parcels and/or remnants, etc., and attach a plat clearly showing where these properties are located).
