

Z-9
(2012)

CURRENT ZONING: R-20
PROPOSED ZONING: CRC

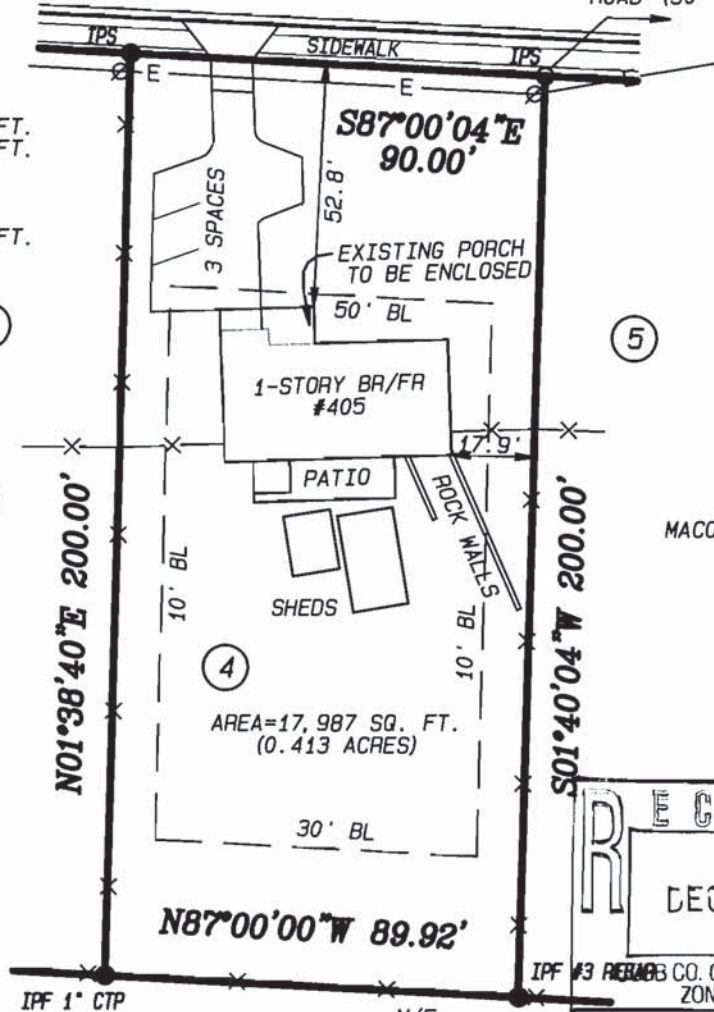
MINIMUM BUILDING SETBACKS:
FRONT: 50 FT.
SIDE: 10 FT.
BACK: 30 FT.

MINIMUM LOT SIZE: 20,000 SQ. FT.
ACTUAL LOT SIZE: 17,987 SQ. FT.

VARIANCE NEEDED TO REDUCE
MINIMUM LOT SIZE FROM
20,000 SQ. FT. TO 17,987 SQ. FT.

PAT MELL ROAD 50' R/W

190' TO FAVOR
ROAD (50' R.W)

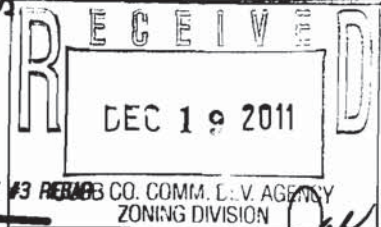


N/F
MURIELLE HYACINTHE
HARRY A. HYACINTHE
ZONED R-20

N/F
MACON HOLDINGS, LLC
ZONED NS

OWNER: GEORGE NGWANG
405 PAT MELL ROAD
MARIETTA, GA. 30060
770-222-9342

AREA=17,987 SQ. FT.
(0.413 ACRES)



N/F
LUCYLLE SHELTON
STEVEN P. STANDEVEN
ZONED R-20

SURVEY NOTES:

1. SURVEY BY BETTERTON SURVEYING & DESIGN DATED 11-03-11.
2. I HAVE, THIS DATE, EXAMINED THE OFFICIAL FIA FLOOD HAZARD MAP COMMUNITY NUMBER 130052, PANEL 114G, DATED 12-16-06, AND HAVE DETERMINED THAT THIS PROPERTY IS NOT LOCATED IN AN AREA HAVING SPECIAL FLOOD HAZARDS.
3. #4 REBAR AT ALL CORNERS UNLESS OTHERWISE NOTED.

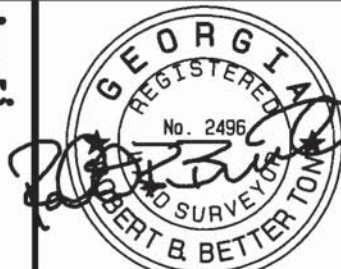
GRAPHIC SCALE 1"=40'



BETTERTON
SURVEYING & DESIGN, INC.

LAND SURVEYING,
LAND PLANNING,
SUBDIVISION & COMMERCIAL
SITE DESIGN

950 WEST SANDTOWN ROAD
MARIETTA, GEORGIA 30064
(678) 483-0242



11-03-11

ZONING PLAT

LOT #4 W.L. TUMLIN SUBD.

LOCATED IN: LAND LOT 132
17TH DISTRICT, 2ND SECTION,
COBB COUNTY, GEORGIA
SCALE: 1" = 40 FT.
DATE: 11-03-11
PREPARED FOR:

GEORGE NGWANG

11132

APPLICANT: George Ngwang
(770) 222-9342

REPRESENTATIVE: George Ngwang
(770) 222-9342

TITLEHOLDER: George Ngwang

PROPERTY LOCATION: On the south side of Pat Mell Road, west
of Favor Road
(405 Pat Mell Road).

ACCESS TO PROPERTY: Pat Mell Road

PHYSICAL CHARACTERISTICS TO SITE: Brick house used as
commercial

PETITION NO: Z-9

HEARING DATE (PC): 03-06-12

HEARING DATE (BOC): 03-20-12

PRESENT ZONING: R-20

PROPOSED ZONING: CRC

PROPOSED USE: Print Shop

SIZE OF TRACT: 0.413 acre

DISTRICT: 17

LAND LOT(S): 132

PARCEL(S): 4

TAXES: PAID X **DUE** _____

COMMISSION DISTRICT: 4

CONTIGUOUS ZONING/DEVELOPMENT

- NORTH:** CF/Future Commercial - Used as Single-family residential
- SOUTH:** R-20/W. L. Tumlin Subdivision
- EAST:** NS/Two Single-family houses
- WEST:** R-20/W. L. Tumlin Subdivision

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

PLANNING COMMISSION RECOMMENDATION

APPROVED _____ **MOTION BY** _____

REJECTED _____ **SECONDED** _____

HELD _____ **CARRIED** _____

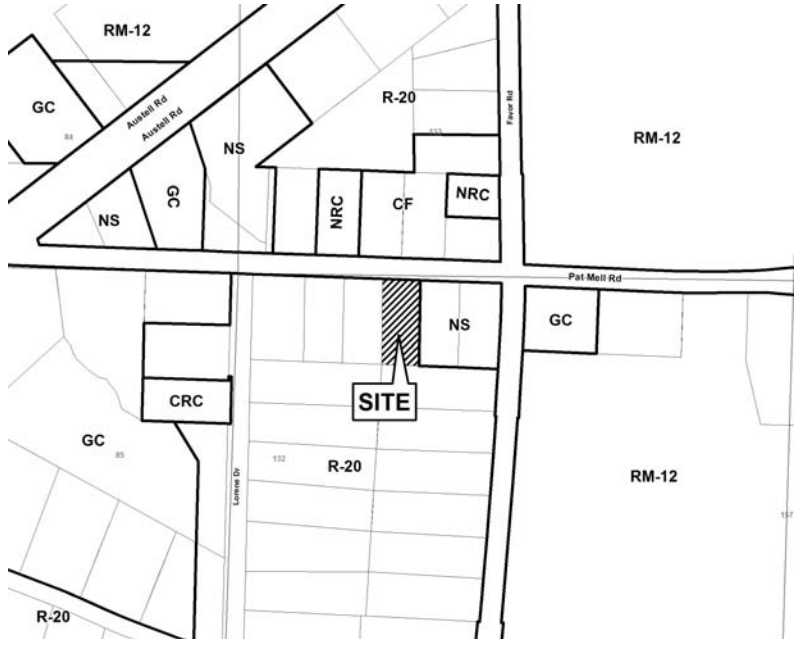
BOARD OF COMMISSIONERS DECISION

APPROVED _____ **MOTION BY** _____

REJECTED _____ **SECONDED** _____

HELD _____ **CARRIED** _____

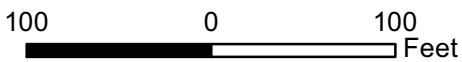
STIPULATIONS:





Z-9



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



-  City Boundary
-  Zoning Boundary

APPLICANT: George Ngwang

PETITION NO.: Z-9

PRESENT ZONING: R-20

PETITION FOR: CRC

ZONING COMMENTS:

Staff Member Responsible: Jason A. Campbell

Land Use Plan Recommendation: Community Activity Center

Proposed Number of Buildings: 3 (Existing) **Total Square Footage of Development:** 1,265

F.A.R.: 0.07 **Square Footage/Acre:** 3,062

Parking Spaces Required: 8 **Parking Spaces Provided:** 3

Applicant is requesting the Community Retail Commercial (CRC) zoning category in order to operate a print shop in the existing brick house on the subject property. The architecture will remain as it currently exists, a former brick house that has been used as commercial. The hours of operation will be from 9 a.m. until 5 p.m. Applicant has indicated that two employees will be at this location.

The applicant is requesting the following simultaneous variances:

1. Waive the number of required parking spaces from eight (based on one space per 200 square feet of net floorspace and one space per employee) to the existing three parking spaces.

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: George Ngwang

PETITION NO.: Z-9

PRESENT ZONING: R-20

PETITION FOR: CRC

PLANNING COMMENTS:

The applicant is requesting a rezoning from R-20 to CRC for purposes of a Print Shop. The 0.413 acre site is located on the south side of Pat Mell Road, west of Favor Road.

Comprehensive Plan

The parcel is within a Community Activity Center (CAC) future land use category, with a R-20 zoning designation. The purpose of the CAC category is for areas that can meet the immediate needs of several neighborhoods or communities. The Allowable Zoning: RSL, SC, LRO, OI, CRC, GC, LRC, NRC, PSC, TS, PVC, UVS.

Master Plan/Corridor Study

Not applicable.

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.

Design Guidelines

Is the parcel in an area with Design Guidelines? Yes No

If yes, design guidelines area _____

Does the current site plan comply with the design requirements?

Yes No Not applicable

APPLICANT George Ngwang

PETITION NO. Z-009

PRESENT ZONING R-20

PETITION FOR CRC

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): **12" CI / S side Pat Mell Road**

Additional Comments: Records show property connected and active

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: **At site in Pat Mell Road ROW**

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

Treatment Plant: **South Cobb**

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 Comments: Records show property as currently connected and billed for sewer

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: George Ngwang

PETITION NO.: Z-9

PRESENT ZONING: R-20

PETITION FOR: CRC

STORMWATER MANAGEMENT COMMENTS

FLOOD HAZARD: YES NO POSSIBLY, NOT VERIFIED

DRAINAGE BASIN: Nickajack 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: George Ngwang

PETITION NO.: Z-9

PRESENT ZONING: R-20

PETITION FOR: CRC

STORMWATER MANAGEMENT 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. Even with the recently added asphalt parking pads the site is under the maximum 35% allowed for residential parcels. No additional site improvements are proposed at this time. Any redevelopment or additional improvement of the site will be subject to full stormwater management requirements.

APPLICANT: George Ngwang

PETITION NO.: Z-9

PRESENT ZONING: R-20

PETITION FOR: CRC

COBB COUNTY DEPARTMENT OF TRANSPORTATION RECOMMENDATIONS

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
Pat Mell Road	9800	Major Collector	35 mph	Cobb County	80'

Based on 2006 traffic counting data taken by Cobb DOT (Pat Mell Road)

COMMENTS AND OBSERVATIONS

Pat Mell Road is classified as a major collector 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 south side of Pat Mell Road, a minimum of 40' from the roadway centerline.

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

STAFF RECOMMENDATIONS

Z-9 GEORGE NGWANG

- 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. Properties in the area have been rezoned to commercial categories suitable with the land use plan.
- 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. Other commercial properties are located within this area.
- 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 (CAC). The Community Retail Commercial (CRC) zoning category is compatible with the CAC land use category and is needed for the print shop use.
- 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. Nearby properties are similarly zoned with commercial uses. The requested zoning category is in compliance with the *Cobb County Comprehensive Plan*.

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

- Site plan received by the Zoning Division on December 19, 2011, with the District Commissioner approving minor modifications;
- Print shop use only, with other uses to be approved by the District Commissioner;
- Water and Sewer comments and recommendations;
- Stormwater Management Division comments and recommendations;
- DOT comments and recommendations; and
- 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.

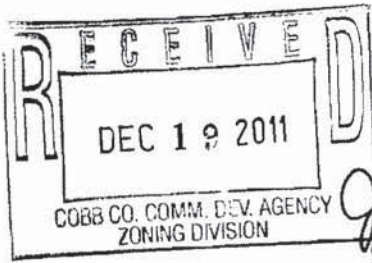
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Application No. Z9

March 2012

Summary of Intent for Rezoning

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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): Print Shop
- b) Proposed building architecture: BRICK
- c) Proposed hours/days of operation: 9:AM - 5:PM
- d) List all requested variances: _____

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

Two people will be working at this location

.....
Part 4. Is any of the property included on the proposed site plan owned by the Local, State, or Federal Government?

(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).