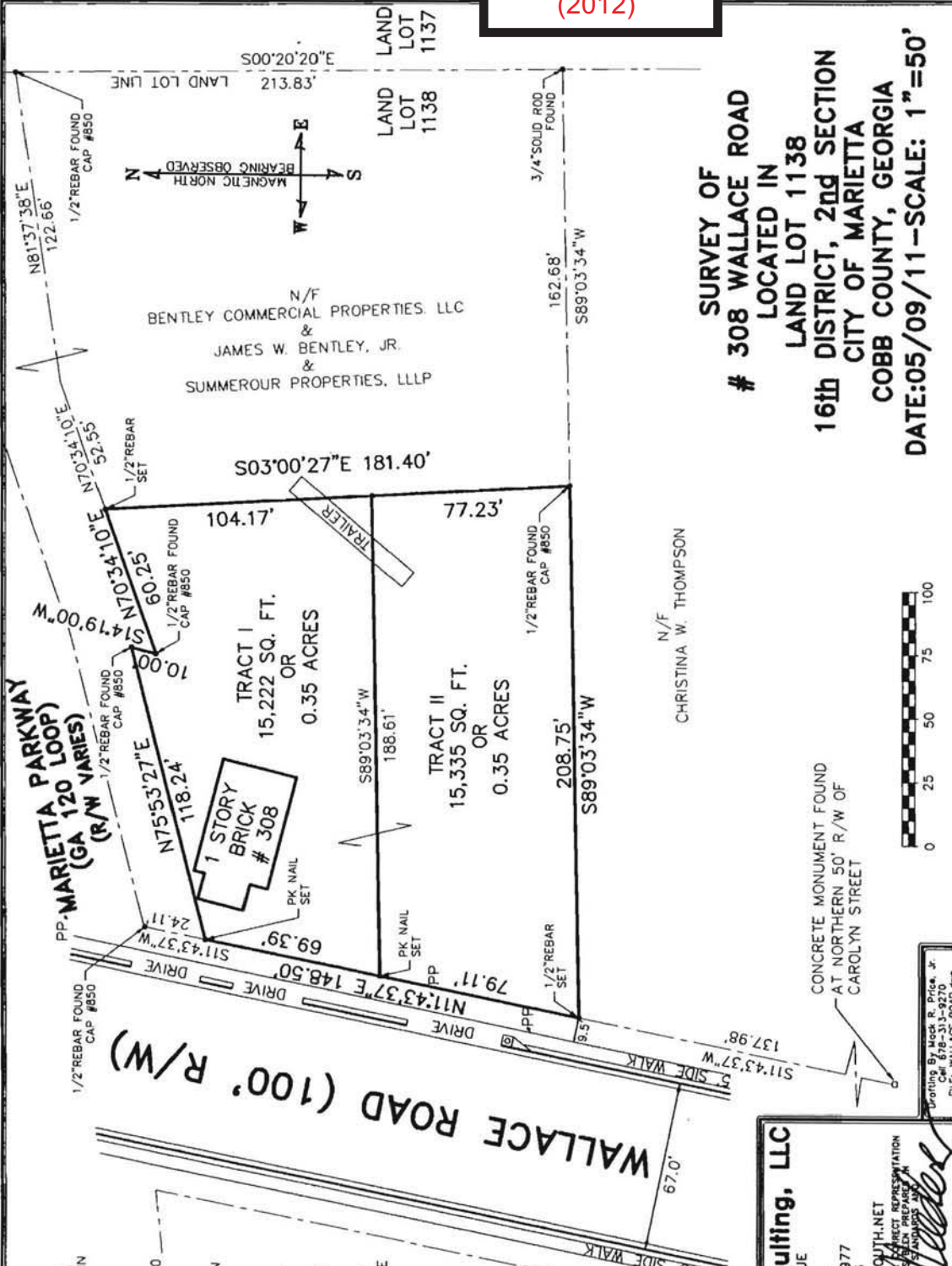


Z-18
(2012)



**SURVEY OF
308 WALLACE ROAD
LOCATED IN
LAND LOT 1138
16th DISTRICT, 2nd SECTION
CITY OF MARIETTA
COBB COUNTY, GEORGIA
DATE: 05/09/11 - SCALE: 1"=50'**

N/F
CHRISTINA W. THOMPSON

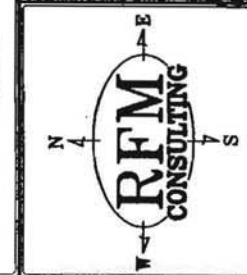
CONCRETE MONUMENT FOUND
AT NORTHERN 50' R/W OF
CAROLYN STREET



URSHING B. MACK, JR.
C.P. #18-31-3-9270
FILE: WALLACE ROAD.DWG

R.F.M. Consulting, LLC
707 WHITLOCK AVENUE
BLDG. A-37
MARIETTA, GA 30064
PHONE (770) 757-4397
FAX (770) 499-8496
EMAIL: RFM@CONBELLSOUTH.NET

R.F. Mack, Jr.



NOTES:
THE FIELD DATA UPON WHICH THIS PLAT IS BASED WAS OBTAINED USING A GPT-3005W TOTAL STATION AND HAS A LINEAR PRECISION RATIO OF ONE FOOT IN > 10,000 FEET AND AN ANGULAR ERROR OF 05 SECONDS PER ANGLE AND WAS NOT ADJUSTED.
THIS PLAT HAS BEEN CHECKED FOR MATHEMATICAL ACCURACY AND CLOSES WITHIN ONE FOOT IN > 100,000 FEET.
BEARINGS SHOWN ARE CALCULATED FROM ANGLES TURNED BASED ON A SINGLE MAGNETIC OBSERVATION NO PORTION OF THIS PROPERTY IS LOCATED IN THE 100 YEAR FLOOD PLAIN.
THE LOCATION OF UNDERGROUND UTILITIES WERE NOT LOCATED FOR THIS SURVEY. UTILITIES SHOWN ARE BASED UPON VISIBLE AND PHYSICAL EVIDENCE. THERE MAY BE UTILITIES ON OR CROSSING THIS PROPERTY THAT ARE NOT SHOWN. CALL THE UTILITIES PROTECTION CENTER (1-800-282-7411) BEFORE ANY EXCAVATIONS ARE BEGUN TO ENSURE AND VERIFY THE CORRECT LOCATION AND DEPTH OF ALL UTILITIES.

REFERENCES:
PLAT BOOK 28, PAGE 5
DEED BOOK 14632, PAGE 136
DEED BOOK 14649, PAGE 2384

APPLICANT: Bentley Commercial Properties, LLC
(770) 265-0905

REPRESENTATIVE: Ed Bentley
(770) 265-0905

TITLEHOLDER: Bentley Commercial Properties, LLC

PROPERTY LOCATION: On the east side of Wallace Road, south
of North Marietta Parkway
(308 Wallace Road).

ACCESS TO PROPERTY: Wallace Road

PHYSICAL CHARACTERISTICS TO SITE: Existing landscape
installation business

PETITION NO: Z-18

HEARING DATE (PC): 05-01-12

HEARING DATE (BOC): 05-15-12

PRESENT ZONING: R-15

PROPOSED ZONING: GC

PROPOSED USE: Landscape Installation
and Maintenance

SIZE OF TRACT: 0.70 acres

DISTRICT: 16

LAND LOT(S): 1138

PARCEL(S): 1, 71

TAXES: PAID X **DUE** _____

COMMISSION DISTRICTS: 2, 3

CONTIGUOUS ZONING/DEVELOPMENT

- NORTH:** City of Marietta
- SOUTH:** City of Marietta
- EAST:** R-15/Developed contracting business
- WEST:** City of Marietta/Single-family residential

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

PLANNING COMMISSION RECOMMENDATION

APPROVED _____ **MOTION BY** _____

REJECTED _____ **SECONDED** _____

HELD _____ **CARRIED** _____

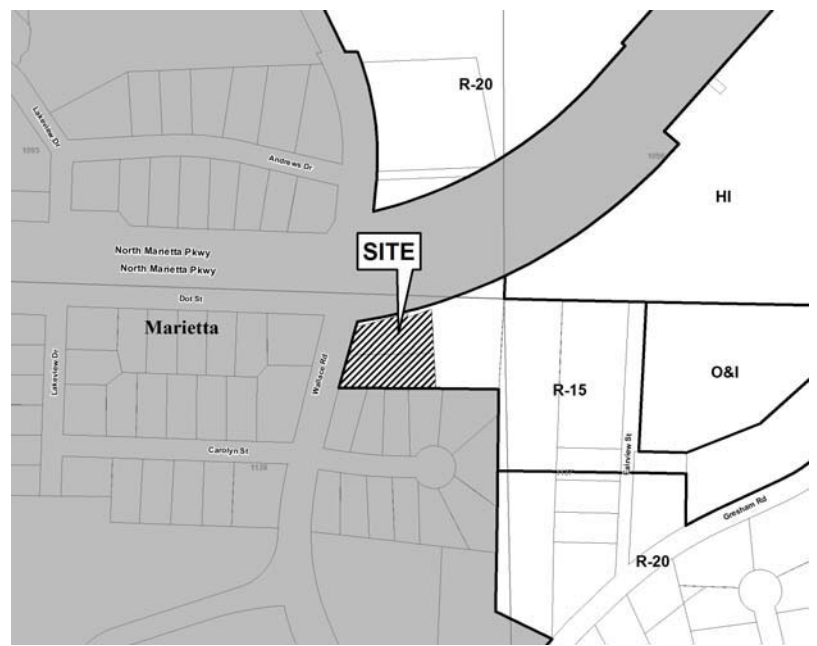
BOARD OF COMMISSIONERS DECISION

APPROVED _____ **MOTION BY** _____

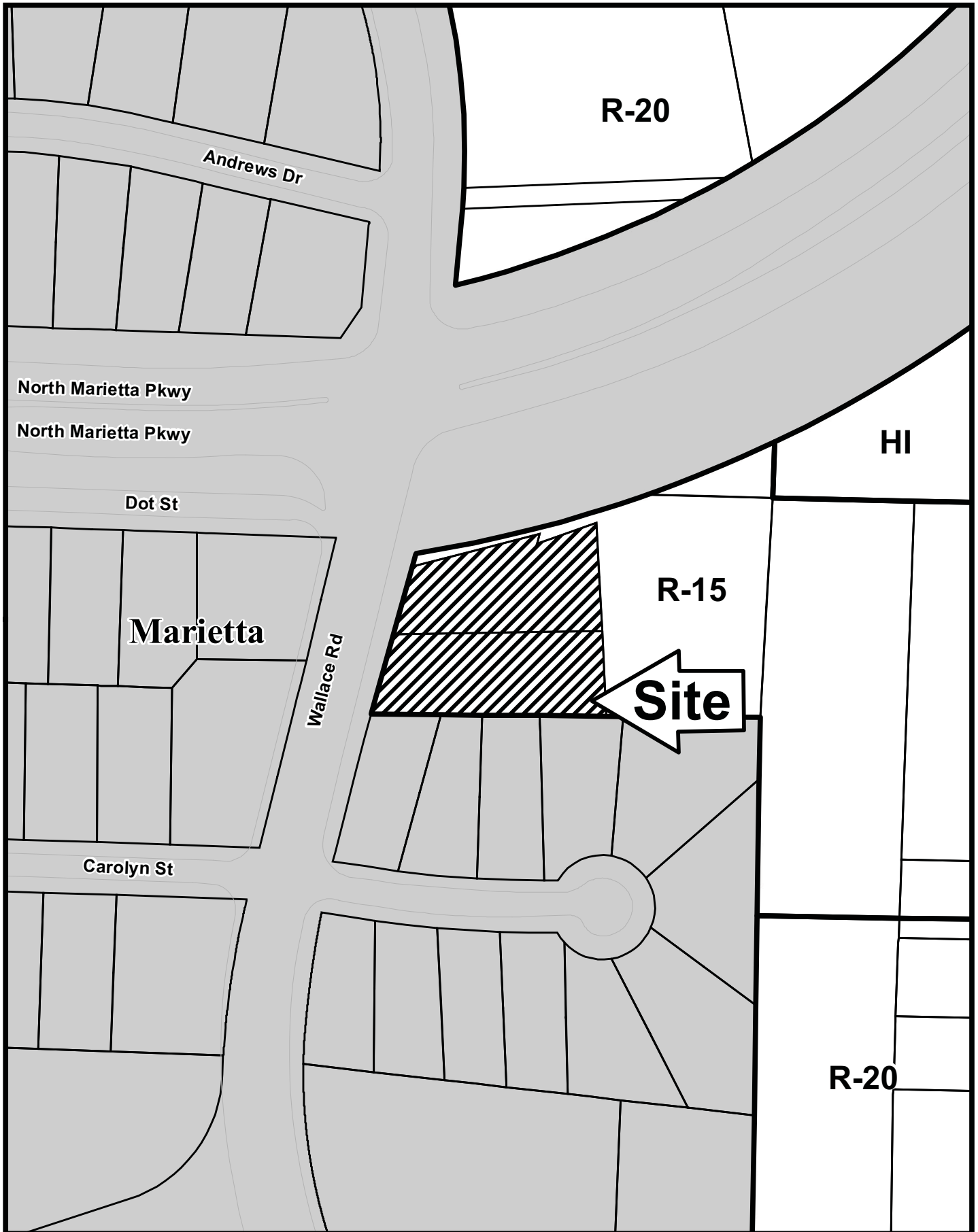
REJECTED _____ **SECONDED** _____

HELD _____ **CARRIED** _____

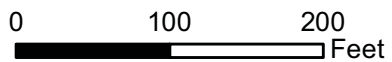
STIPULATIONS:





Z-18



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



-  City Boundary
-  Zoning Boundary

APPLICANT: Bentley Commercial Properties, LLC

PETITION NO.: Z-18

PRESENT ZONING: R-15

PETITION FOR: GC

ZONING COMMENTS:

Staff Member Responsible: Jason A. Campbell

Land Use Plan Recommendation: IC (Industrial Compatible)

Proposed Number of Buildings: 2 (Existing) **Total Square Footage of Development:** 1,305

F.A.R.: .042 **Square Footage/Acre:** 1,864

Parking Spaces Required: 4 **Parking Spaces Provided:** Unmarked Gravel Parking

Applicant is requesting the GC zoning category in order to continue the current landscape installation and maintenance business on the property. The existing business has been at this location for many years and the applicant is requesting rezoning in order to make the use and zoning compatible. The hours of operation are 6 a.m. until 6 p.m. seven days per week. The business consists of office space and storage of equipment such as trucks, tractors, mowers, and loaders, etc. The business has 12 employees.

Applicant is requesting a simultaneous variance to allow the continuance of the existing gravel parking on the property.

Cemetery Preservation: There is no significant impact on the cemetery site listed in the Cobb County Cemetery Preservation Commission's Inventory Listing which is located in this, or adjacent land lot.

FIRE COMMENTS:

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

APPLICANT: Bentley Commercial Properties, LLC

PETITION NO.: Z-18

PRESENT ZONING: R-15

PETITION FOR: GC

PLANNING COMMENTS:

The applicant is requesting a rezoning from R-15 to GC for purposes of a landscape installation and maintenance. The 0.70 acre site is located on the east side of Wallace Road, south of North Marietta Parkway.

Comprehensive Plan

The parcel is within an Industrial Compatible (IC) future land use category with GC zoning designations. The purpose of the IC category is to provide for areas that can support light industrial, office/warehouse and distribution uses.

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 Bentley Commercial Properties, Inc.

PETITION NO. Z-018

PRESENT ZONING R-15

PETITION FOR GC

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): **CITY OF MARIETTA SERVICE AREA**

Additional Comments: Current Marietta 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: **CITY OF MARIETTA SERVICE AREA**

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

Treatment Plant: **Sutton**

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 Current Marietta 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: Bentley Commercial Properties, LLC

PETITION NO.: Z-18

PRESENT ZONING: R-15

PETITION FOR: GC

STORMWATER MANAGEMENT COMMENTS

FLOOD HAZARD: YES NO POSSIBLY, NOT VERIFIED

DRAINAGE BASIN: Sope 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: Bentley Commercial Properties, LLC

PETITION NO.: Z-18

PRESENT ZONING: R-15

PETITION FOR: GC

**STORMWATER MANAGEMENT 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. Due to the potential for storage of fertilizer, fuel and other storm water contaminants on-site a stormwater pollution prevention plan must be provided to the Stormwater Management Division to address potential stormwater quality impacts from site operations.
2. Any site improvements or re-development must be submitted to Plan Review and meet current stormwater management requirements.

APPLICANT: Bentley Commercial Properties, LLC **PETITION NO.: Z-18**

PRESENT ZONING: R-15 **PETITION FOR: GC**

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
Wallace Road	N/A	Minor Collector	25 mph	City of Marietta	100'
North Marietta Pkwy	24800	Arterial	45 mph	Georgia DOT	100'

Based on 2010 traffic counting data taken by Georgia DOT (North Marietta Pkwy)

COMMENTS AND OBSERVATIONS

Wallace Road is classified as an arterial and according to the available information the existing right-of-way does meet the minimum requirements for this classification.

RECOMMENDATIONS

Recommend removing the northern driveway (closest to intersection) and establishing interparcel access between the properties.

Recommend the driveway be paved with a treated hardened surface a minimum of 25 feet in length or to the edge of the right-of-way, whichever is greater.

Recommend no parking on the right-of-way.

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

STAFF RECOMMENDATIONS

Z-18 BENTLEY COMMERCIAL PROPERTIES, LLC

- 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. Adjacent and nearby properties are used as commercial and industrial, and include a poultry processing plant, an industrial park, a veterinary clinic, an auto shop, and a rock-drilling company.
- 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 use on the property has been in existence for a number of years and is similar to other uses in the 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 the Industrial Compatible land use area. The current use is to remain and is compatible with the Industrial Compatible land use category.
- 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 to the LI (Light Industrial) category. The LI zoning category is compatible with the IC land use category. In recommending approval, staff recommends also granting a contemporaneous variance to reduce the required lot size for LI from the required 40,000 square feet to the existing 30,557 square feet.

Based on the above analysis, Staff recommends DELETING the request to LI subject to the following conditions:

- Site plan received by the Zoning Division dated 5/9/11, with the District Commissioner approving minor modifications, with the two parcels being combined for new development;
- Allow the existing business to utilize the existing gravel parking, with any new development being required to meet parking standards;
- Waive the lot size for LI from the required 40,000 square feet to 30,557 square feet;
- Any new development required to meet all LI requirements, with the exception of the lot size;
- This use only, with new uses to be approved by the Board of Commissioners as an Other Business Item;
- Water and Sewer comments and recommendations;
- Stormwater Management Division 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.

May
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): Operation of Landscape Installation and Maintenance Facility - Office space and storage of equipment; ie, trucks, tractors, mowers, loaders, etc.
 - b) Proposed building architecture: One level brick and wood structure existing
 - c) Proposed hours/days of operation: 6:00 AM to 6:00 PM
? days per week
 - d) List all requested variances: _____
- _____
- _____
- _____

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

.....
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).

IMPACT ANALYSIS OF THE PROPOSED RE-ZONING OF 308 WALLACE RD.

- A. This zoning proposal will permit a use that is suitable in view of the use and development of the adjacent and nearby property because the majority of the nearby property is already zoned COMMERCIAL and INDUSTRIAL. Located adjacent to and joining this property is a poultry processing plant, an industrial park, a veterinary clinic, an auto shop, and a rock-drilling company.
- B. This zoning proposal will NOT adversely affect the existing use or usability of adjacent or nearby property. The nearby properties are currently being used as commercial and industrial with no adverse effect on the area. These businesses have been operating between thirty (30) and fifty (50) years. (See Item A.)
- C. The current Residential Zoning classification for this property is not reasonable economically in that single-family R-15 residential lots would have a difficult time being marketed in view of its location to the surrounding businesses. This property zoning change will enhance the economic use of the property by allowing expansion of employees and work sites. This will add to local economic job growth in Cobb County and increase local revenue.
- D. This zoning proposal will not result in a business use that will cause excessive or burdensome use of existing streets, transportation facilities, utilities or schools. Wallace Rd., on which this business faces, is currently a five-lane arterial corridor that joints directly with N. Marietta Parkway. This business will not adversely change the current traffic flow of Wallace Rd. or N. Marietta Parkway. Utility infrastructure currently in place is more than adequate to allow for commercial use of the proposed area.
- E. The zoning proposal is in conformity with the policy and intent of Cobb County's future land use plan. The future Cobb Land Use Plan for this property has designated it as Industrial Compatiable as well as the fact that adjoining property and property within the 1,000 ft. radius is now zoned HI and GC and is being used as such.
- F. Other existing or changing conditions affecting the use and development of the property. The area is transitional and is being re-developed as industrial and commercial. By allowing the zoning to be changed it is in the best interest of the area. A zoning change to GC is compatible with existing businesses and is the best use of this location.