

Z-12
(2013)

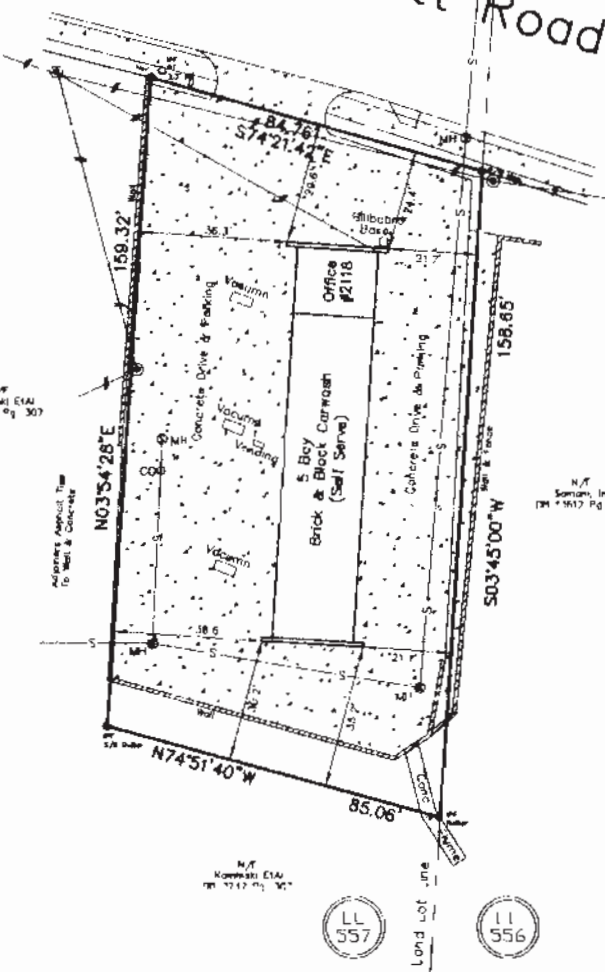


2013 FEB - 6 AM 9:45
COBB COUNTY ZONING DIVISION
Post Oak Tritt Road

N/T Kompassi EIAI
DB 1747 Pg 307

N/T
Sensari, Inc.
TM 1017 Pg 433

N/T Kompassi EIAI
DB 1747 Pg 307



LEGEND

- I.P.P. = IRON PIN PLACED AT CORNER
- I.P.F. = IRON PIN FOUND AT CORNER
- I.P.F. = IRON PIN FOUND
- = MARBLE MONUMENT FOUND
- △ = BREAK IN PROPERTY (TRANSVERSE) LINE
- x--- = WIRE FENCE
- E--- = POWER LINE
- T--- = TELEPHONE LINE
- LLL = LAND LOT LINE
- PP./ = POWER POLE
- X- = BARBED WIRE FENCE
- o- = WOOD FENCE
- R.C.P. = REINF. CONCR PIPE
- C.M.P. = CORRUGATED METAL PIPE

Total Area
13,225.2 Sq Ft
0.304 Acres

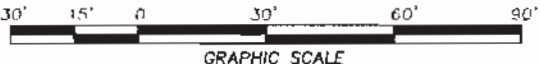
THIS PROPERTY IS NOT LOCATED IN A FEDERAL FLOOD AREA AS INDICATED BY FIA OFFICIAL FLOOD HAZARD MAPS. MAP NO. 13067C006JH, DATED Nov. 02, 2012

THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE, PRECISION OF ONE FOOT IN 34,787 FEET AND AN ANGULAR ERROR OF 2.1" PER ANGLE POINT AND WAS ADJUSTED USING COMPASS RULE. THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 100,000 FEET.

EQUIPMENT UTILIZED: ANGULAR SokkiaS6B0R LINEAR SokkiaS6B0R

UNLESS OTHERWISE SHOWN THERE ARE NO NATIONAL GEODETIC SURVEY MONUMENTS WITHIN 500 FEET OF THIS PROPERTY.

ALL MATTERS PERTAINING TO TITLE ARE DECEPTE.



THIS SURVEY HAS BEEN PREPARED FOR THE EXCLUSIVE USE OF THE PERSON, PERSONS, OR ENTITIES NAMED HEREON AND EXPRESSED OR IMPLIED WARRANTIES WITH RESPECT TO THE INFORMATION SHOWN HEREON IS TO BE EXTENDED TO ANY OTHER PERSON, PERSONS OR ENTITIES WITHOUT AN EXPRESSED REAFFIRMATION BY THE SURVEYOR SURVEY PERFORMED WITHOUT THE BENEFIT OF CURRENT TITLE REPORT

SURVEY FOR:
My Car Wash

Larry D. Neese, PLS
50 Barrett Parkway, Suite 3005 #330
Marietta, Georgia 30066
(770) 428-2122
FAX: (678) 452-2179

2118 Post Oak Tritt Road Marietta, Georgia 30062		REVISIONS ---
LAND LOT: 557		CC: LT
DISTRICT: 16th	SECTION: 2nd	DWN: LN
COUNTY: Cobb		CHKD: LDN
STATE: Georgia		SURVEY/
DATE: Jan. 16, 2013	SCALE: 1"=30'	JOB: 130002

LARRY D. NEESE, GEORGIA REGISTERED LAND SURVEYOR NO. 2235.
CURSED IS HE WHO MOVES HIS NEIGHBOR'S BOUNDARY MARK, AND ALL THE PEOPLE SHALL SAY, "AMEN". Deut. 27:17

APPLICANT: Yasir Syed and Mugees Khan
(678) 471-0271

REPRESENTATIVE: Yasir Syed
(678) 471-0271

TITLEHOLDER: Mugees Khan and Yasir Syed

PROPERTY LOCATION: South side of Post Oak Tritt Road, east of
Sandy Plains Road
(2118 Post Oak Tritt Road).

ACCESS TO PROPERTY: Post Oak Tritt Road

PHYSICAL CHARACTERISTICS TO SITE: Five (5) bay brick
and block self serve carwash and office

CONTIGUOUS ZONING/DEVELOPMENT

- NORTH:** NS/Offices
- SOUTH:** GC, O&I, RA-6/Retail Commercial, Daycare, Wyncroft
- EAST:** GC/Convenience Store with Fuel Sales
- WEST:** GC/Retail Commercial

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

PLANNING COMMISSION RECOMMENDATION

APPROVED _____ **MOTION BY** _____
REJECTED _____ **SECONDED** _____
HELD _____ **CARRIED** _____

BOARD OF COMMISSIONERS DECISION

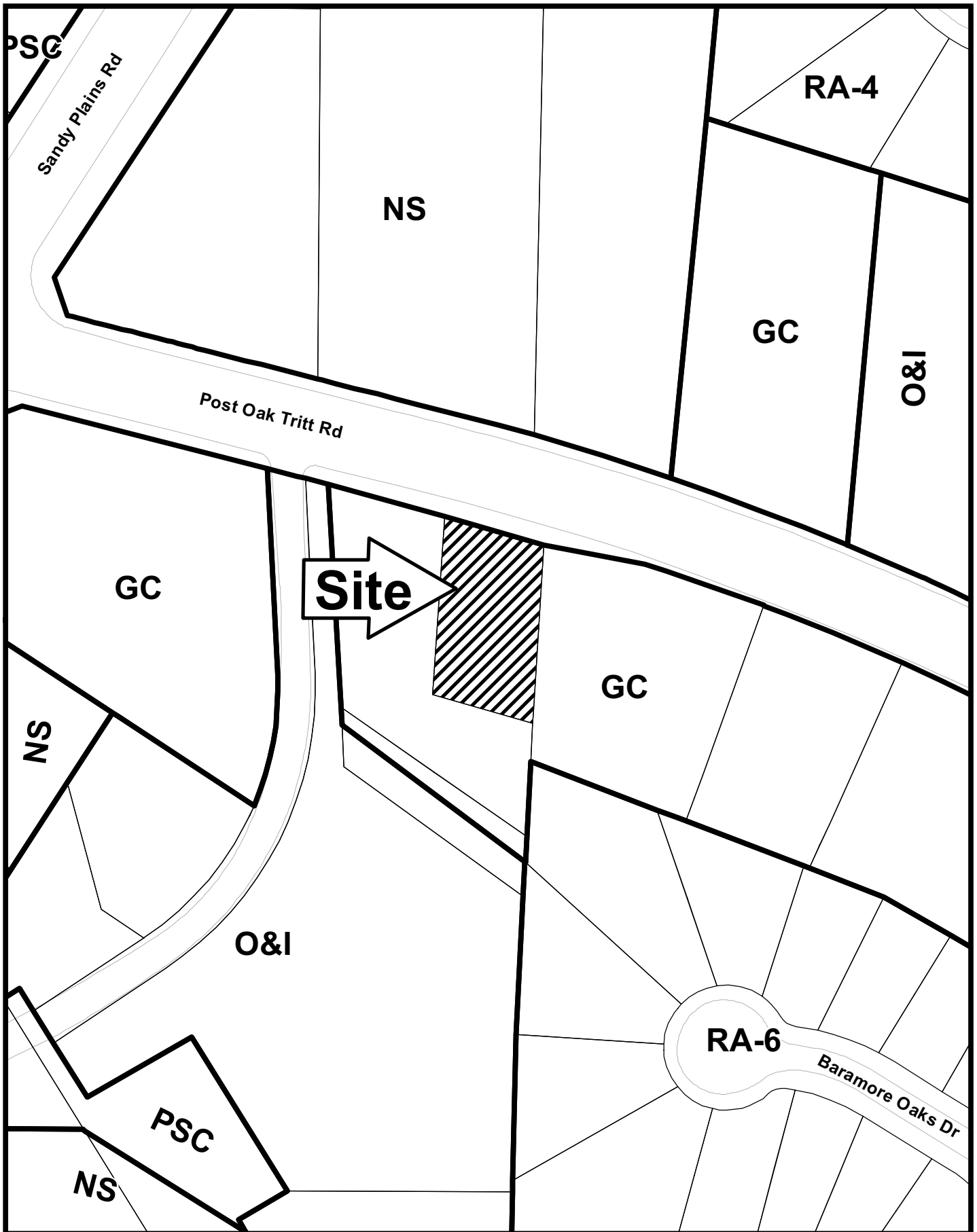
APPROVED _____ **MOTION BY** _____
REJECTED _____ **SECONDED** _____
HELD _____ **CARRIED** _____

STIPULATIONS:

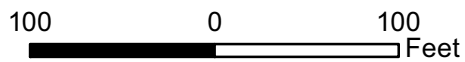
PETITION NO: Z-12
HEARING DATE (PC): 04-02-13
HEARING DATE (BOC): 04-16-13
PRESENT ZONING: GC
PROPOSED ZONING: NRC
PROPOSED USE: Carwash and Office
SIZE OF TRACT: .304 acre
DISTRICT: 16
LAND LOT(S): 556, 557
PARCEL(S): 34
TAXES: PAID X **DUE** _____
COMMISSION DISTRICT: 3





Z-12



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



-  City Boundary
-  Zoning Boundary

APPLICANT: Yasir Syed and Mugees Khan

PETITION NO.: Z-12

PRESENT ZONING: GC

PETITION FOR: NRC

ZONING COMMENTS:

Staff Member Responsible: Terry Martin, MPA

Land Use Plan Recommendation: Neighborhood Activity Center

Proposed Number of Buildings: 1 **Total Square Footage of Development:** 1,960 sq. ft.

F.A.R.: 0.15 **Square Footage/Acre:** 6,455.86

Parking Spaces Required: 2, 5 queue spaces per line **Parking Spaces Provided:** 0

The applicant is requesting a rezoning from the GC general commercial district to the NRC neighborhood retail commercial district in order to reopen the existing self-serve carwash that has lost its “grandfathered” status due to the length of its recent closure. It is anticipated that the hours of operation will be Monday through Sunday 6:00 a.m. to 10:00 p.m. at this five (5) bay self-serve carwash and office. While lot size and setbacks have previously received variances under V-56 of 1986, the impervious coverage of the lot appears to exceed the 70% maximum for the NRC district located within a NAC neighborhood activity center. Also, there may be ample space to satisfy the parking and queuing requirements of two (2) parking spaces and five (5) queue spaces per line, but the applicant may be required to present parking/traffic circulation plan and add/replace striping where appropriate.

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:

After analyzing the information presented for a Preliminary Review, the Cobb County Fire Marshal’s Office is confident that all other items can be addressed during the Plan Review Stage.

APPLICANT: Yasir Syed and Mugees Khan

PETITION NO.: Z-12

PRESENT ZONING: GC

PETITION FOR: NRC

PLANNING COMMENTS:

Z-12

The applicant is requesting a rezoning from GC and NRC for purpose carwash and office use. The 0.304 acre site is located at the south side of Post Oak Tritt Road, east of Sandy Plains Road.

Comprehensive Plan

The parcel is within a Neighborhood Activity Center (NAC) future land use category, with GC zoning designation. The purpose of the (NAC) category is to provide for areas that serve neighborhood residents and businesses. Typical land uses for these areas include small offices, limited retail and grocery stores.

Master Plan/Corridor Study

N/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.

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?

APPLICANT Yasir Syd and Muges Khan

PETITION NO. Z-012

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): **16" DI / S side of Post Oak Tritt Road**

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: **On site**

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 Existing sewer customer. 5 existing car wash bays.
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: Yasir Syed and Mugees Khan

PETITION NO.: Z-12

PRESENT ZONING: GC

PETITION FOR: NRC

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 _____.

APPLICANT: Yasir Syed and Mugees Khan

PETITION NO.: Z-12

PRESENT ZONING: GC

PETITION FOR: NRC

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. This is an existing facility and there is an existing stormwater detention area provided at the southeast corner of the parcel. This pond discharges to the southeast via an existing concrete flume.
2. Upon redevelopment or improvement of the site the detention facility must meet current stormwater management requirements.

APPLICANT: Yasir Sved and Mugees Khan

PETITION NO.: Z-12

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
Post Oak Tritt Road	14,600	Arterial	40 mph	Cobb County	100'

Based on 2005 traffic counting data taken by Cobb DOT (Post Oak Tritt Road)

COMMENTS AND OBSERVATIONS

Post Oak Tritt 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.

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 Post Oak Tritt Road, a minimum of 50' from the roadway centerline upon redevelopment.

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

STAFF RECOMMENDATIONS

Z-12 YASIR SYED AND MUGEES KHAN

- 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. Located adjacent to other commercial retail uses such as retail establishments and a convenience store with fuel sales, this use of a self-serve carwash should not be anticipated to add any additional detrimental traffic, etc. to the area.
- 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. This request looks to reintroduce an existing facility back into commerce after having lost its "grandfathered" status previously.
- 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 request furthers the *Plan's* goals of locating uses that "serve neighborhood residents and businesses." It also adheres to the recommended FAR of less than 0.25 for retail uses (presenting a FAR of 0.15).
- 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 request will serve to allow for the reintroduction into commerce the existing carwash facility with little to no development activity necessary. Located adjacent to other commercial uses that most likely see greater vehicular traffic daily, this use is not anticipated to add any detrimental effects. In addition, this use seemingly adheres to the goals of the *Cobb County Comprehensive Plan* for providing uses that serve nearby residents and businesses and that have a FAR of less than 0.25 for retail uses.

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

- Final site plan to be approved by District Commissioner after applicant has completed the Plan Review process for parking/stripping review and possible landscape improvements;
- Fire Department comments and recommendations;
- Stormwater Management Division comments and recommendations;
- Water and Sewer Division comments and recommendations;
- Department of Transportation 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.

2013 FEB -6 AM 9:44
Summary of Intent for Rezoning
COBB COUNTY ZONING DIVISION

April
2013

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): CAR WASH WITH OFFICE
- b) Proposed building architecture: EXISTING BRICK BUILDING WITH OFFICE
- c) Proposed hours/days of operation: MONDAY - SUNDAY 6:00AM - 10:00PM
- d) List all requested variances: FRONT B₂ FROM 50 TO 24.4'
Area from required 20,000 SF. to 13,222 SF

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

The subject property is located within the confines
of Neighborhood Retail Commercial district under
Cobb County Future Land Use Map

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).

No.

ZONING IMPACT STATEMENT FOR THE REZONING APPLICATION OF YASIR SYED AND MUGEES KHAN

2013 FEB -6 AM 9: 44

- a) The zoning proposal will permit a use that is suitable in the context of development and existing zoning along this section of Post Oak Tritt Road.
- b) The zoning proposal will have no adverse effect or impact upon the existing uses or usability of adjacent or nearby properties.
- c) The property cannot be used because current General Commercial Zoning expired because of loss of grandfathered status.
- d) The zoning proposal will have no adverse effect upon the existing County infrastructure such as existing streets, transportation facilities, utilities and schools
- e) The zoning proposal is in conformity with Cobb County Land Use plan.
- f) Current zoning not in conformity with Land Use Plan therefore application for Neighborhood Retail Commercial (NRC) to bring into compliance.