

FOR REVIEW ONLY

Integrated Science & Engineering
George Thibault, P.E., -1521

FIELD WORK PERFORMED: 4/10/07

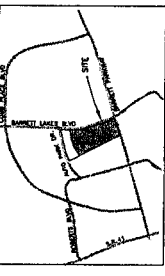
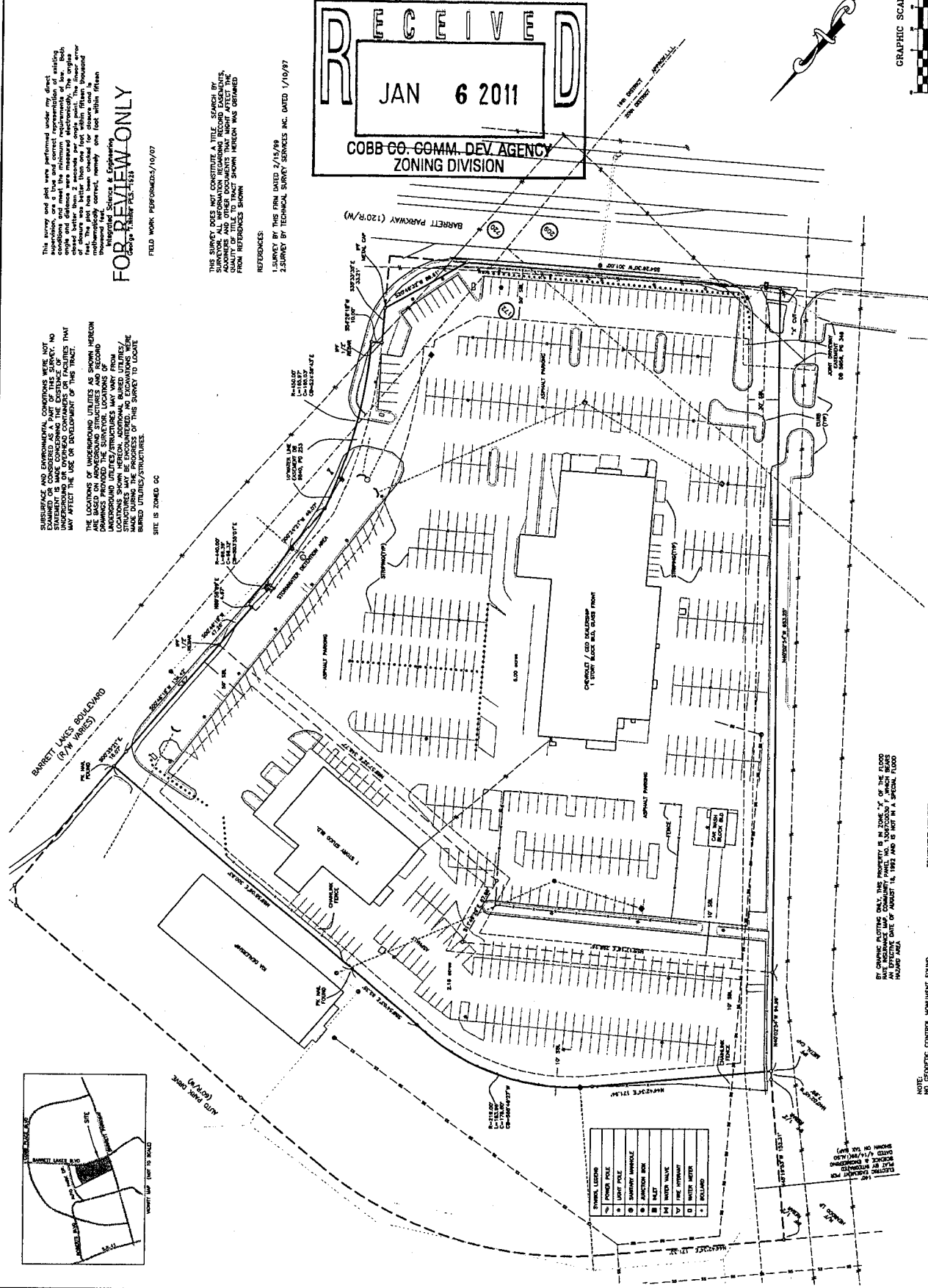
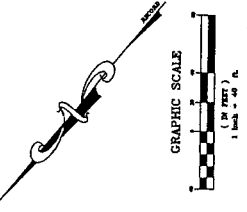
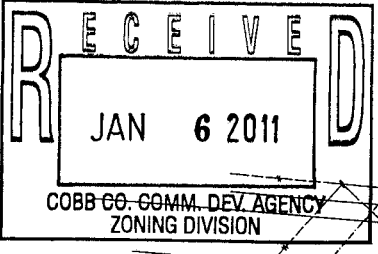
SUBSURFACE AND ENVIRONMENTAL CONDITIONS WERE NOT EXAMINED IN THIS SURVEY. NO STATEMENT IS MADE CONCERNING THE EXISTENCE OF UNDERGROUND OR OVERHEAD CONTAMINANTS OR FACILITIES THAT MAY AFFECT THE USE OR DEVELOPMENT OF THIS TRACT.

THE LOCATIONS OF UNDERGROUND UTILITIES AS SHOWN HEREON ARE BASED ON RECORD DRAWINGS AND FIELD SURVEY. LOCATIONS OF SECOND UNDERGROUND UTILITIES/STRUCTURES MAY VARY FROM RECORD DRAWINGS SINCE SUCH UTILITIES/STRUCTURES MAY BE DISCONTINUED, ABANDONED, OR BURNED UTILITIES/STRUCTURES.

SITE IS ZONED GC

THIS SURVEY WAS CONDUCTED AT THE REQUEST OF SURVEYOR. ALL INFORMATION INCLUDING RECORDS, ADDRESSES AND OTHER DOCUMENTS THAT MIGHT AFFECT THE SURVEY RESULTS SHOWN HEREON WAS OBTAINED FROM REFERENCES SHOWN.

REFERENCES:
1. SURVEY BY THIS FIRM DATED 2/15/99
2. SURVEY BY TECHNICAL SURVEY SERVICES INC. DATED 1/10/97



BY GRAPHIC PLATING ONLY, THIS PROPERTY IS IN ZONE "Z" OF THE FLOOD HAZARD MAP. THE PROPERTY IS NOT IN A SPECIAL FLOOD HAZARD AREA.

NOTE: ELEVATION CONTROL MONUMENT FOUND WITHIN 500 FEET OF THE PROPERTY.

MONUMENT - TORCON GTS-303 EBM

MONUMENT UTILITIES: ANGLULAR - TORCON GTS-303

| SYMBOL | DESCRIPTION |
|--------|------------------|
| ○ | PUMP HOUSE |
| ● | LIGHT POLE |
| ○ | SANITARY MANHOLE |
| ○ | WATER METER |
| ○ | WATER VALVE |
| ○ | WATER METER |
| ○ | BELLHOLE |

APPLICANT: Atlas GA I SPE, LLC
678-762-5207

REPRESENTATIVE: Moore Ingram Johnson & Steele, LLP
J. Kevin Moore 770-429-1499

TITLEHOLDER: Atlas GA I SPE, LLC

PROPERTY LOCATION: At the northwesterly intersection of
Ernest Barrett Parkway and Barrett Lakes Boulevard.

ACCESS TO PROPERTY: Ernest Barrett Parkway and Barrett
Lakes Boulevard.

PHYSICAL CHARACTERISTICS OF SITE: Former car
dealership and parking lot.

CONTIGUOUS ZONING/DEVELOPMENT

- NORTH:** GC/Car Dealerships
- SOUTH:** GC/Developed Commercial Properties
- EAST:** GC/Developed Commercial Properties
- WEST:** GC/Former Car Dealership

PETITION NO: Z-9

HEARING DATE (PC): 03-01-11

HEARING DATE (BOC): 03-15-11

PRESENT ZONING: GC with
Stipulations

PROPOSED ZONING: GC with
Stipulations

PROPOSED USE: Retail

SIZE OF TRACT: 8.16 acres

DISTRICT: 16, 20

LAND LOT(S): 720, 172, 209

PARCEL(S): 5, 16

TAXES: PAID X **DUE** _____

COMMISSION DISTRICT: 1

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

PLANNING COMMISSION RECOMMENDATION

APPROVED _____ **MOTION BY** _____

REJECTED _____ **SECONDED** _____

HELD _____ **CARRIED** _____

BOARD OF COMMISSIONERS DECISION

APPROVED _____ **MOTION BY** _____

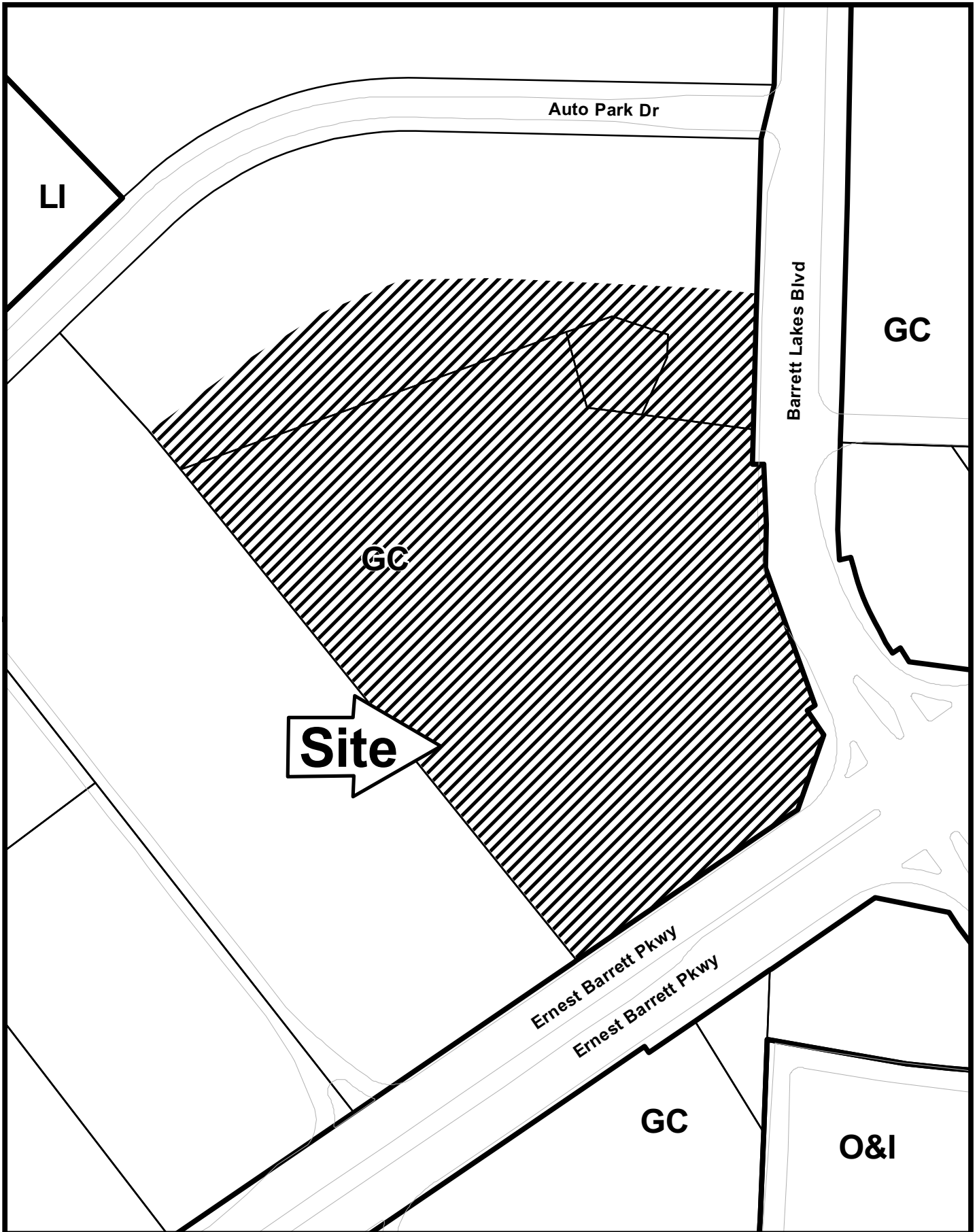
REJECTED _____ **SECONDED** _____

HELD _____ **CARRIED** _____

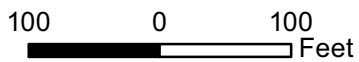
STIPULATIONS:





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: Atlas GA I SPE, LLC

PETITION NO.: Z-9

PRESENT ZONING: GC w/Stipulations

PETITION FOR: GC w/Stipulations

ZONING COMMENTS:

Staff Member Responsible: Jason A. Campbell

Land Use Plan Recommendation: Regional Activity Center

Proposed Number of Buildings: 2 (Existing) **Total Square Footage of Development:** Aprx 38,025

F.A.R.: 0.107 **Square Footage/Acre:** 4,659

Parking Spaces Required: 380 **Parking Spaces Provided:** 614

Applicant is requesting rezoning from General Commercial with Stipulations to General Commercial with Stipulations in order to remove a stipulation from a previous case that limited the use of the property for a car dealership only. Applicant is proposing to utilize the existing buildings with renovations or new buildings may be constructed, depending on the retail use. The proposed hours of operation are unknown at this time.

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:

C/O: Plans must be submitted to the Cobb County Fire Marshal’s Office to initiate the Certificate of Occupancy process if a new tenant is proposed for the existing structure.

APPLICANT Atlas GA 1 SPE, LLC

PETITION NO. Z-009

PRESENT ZONING GC w/stips

PETITION FOR GC w/stips

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" DI / W side Barrett Lakes Blvd**

Additional Comments: Records show property as inactive

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: **235' N in Auto Park Dr.**

Estimated Waste Generation (in G.P.D.): **A D F 100/1000sf Peak= 250/1000sf**

Treatment Plant: **Noondav**

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 ans 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 previous development connected, apparently via private easement.

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: Atlas GA I SPE, LLC

PETITION NO.: Z-9

PRESENT ZONING: GC w/ stips

PETITION FOR: GC w/ stips

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 the downstream receiving systems.

APPLICANT: Atlas GA I SPE, LLC

PETITION NO.: Z-9

PRESENT ZONING: GC w/ stips

PETITION FOR: GC w/ stips

● *****

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. If the existing site is used as is or if less than 5000 square feet of new construction is proposed then no additional stormwater management measures will be required other than the existing detention facility. However, if more than 5000 square feet of new construction is built stormwater management that meets the current County standards must be provided for the new construction.

APPLICANT: Atlas GA I SPE, LLC

PETITION NO.: Z-9

PRESENT ZONING: GC with Stipulations

PETITION FOR: GC with Stipulations

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 |
|-------------------------|---------------------|------------------------|-------------|------------------------|--------------------------|
| Ernest Barrett Parkway | 54600 | Arterial | 45 mph | Cobb County | 100' |
| Barrett Lakes Boulevard | 13500 | Arterial | 40 mph | Cobb County | 100' |

*Based on 2008 traffic counting data taken by Cobb County (Barrett Parkway)
Based on 2006 traffic counting data taken by Cobb County DOT (Barrett Lakes Blvd)*

COMMENTS AND OBSERVATIONS

Ernest Barrett Parkway is classified as an Arterial and according to the available information; the existing right-of-way does meet the minimum requirements for this classification.

Barrett Lakes Boulevard 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 west side of Barrett Lakes Boulevard, a minimum of 50' from the roadway centerline.

Recommend no additional access to Ernest Barrett Parkway.

Recommend no additional access to Barrett Lakes Boulevard.

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

STAFF RECOMMENDATIONS

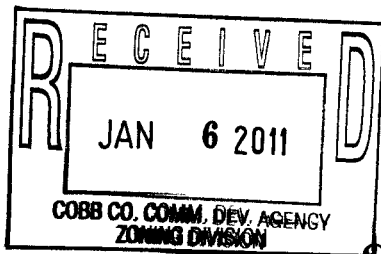
Z-9 ATLAS GA I SPE, LLC

- 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. Other properties in the area are also zoned GC and have a mixture of retail and commercial uses.
- 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 property has previously been used for a commercial development and the proposed use is an allowed use under the requested GC category.
- 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 as a Regional Activity Center. The applicant is requesting to rezone from GC with Stipulations to GC with Stipulations only to remove a stipulation that limits the property for a specific use. The GC zoning district is still compatible with the Regional Activity Center 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. The applicant is proposing a use that is consistent with other commercial developments along this area of Ernest Barrett Parkway.

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

- Site plan received by the Zoning Division on January 6, 2011, with the District Commissioner approving minor modifications;
- Fire Department comments;
- 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.



Application No. z- 9
(2011)

Summary of Intent for Rezoning*

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

- a) Proposed unit square-footage(s): Not Applicable
- 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): Retail
- b) Proposed building architecture: Existing structures to be renovated or new structures to be constructed, depending on retail use
- c) Proposed hours/days of operation: Unknown at this time
- d) List all requested variances: None known at this time

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

Property is vacated, former car dealership; but existing zoning conditions limit use to "car dealership" only. Property is located in an intense retail and commercial area which supports a variety of retail uses; and, therefore, existing restriction is no longer reasonable or warranted.

.....
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).
None, to the best of our knowledge
information, and belief.

*Applicant specifically reserves the right to amend any information set forth herein at any time during the rezoning process.