

**SURVEYOR'S NOTES**

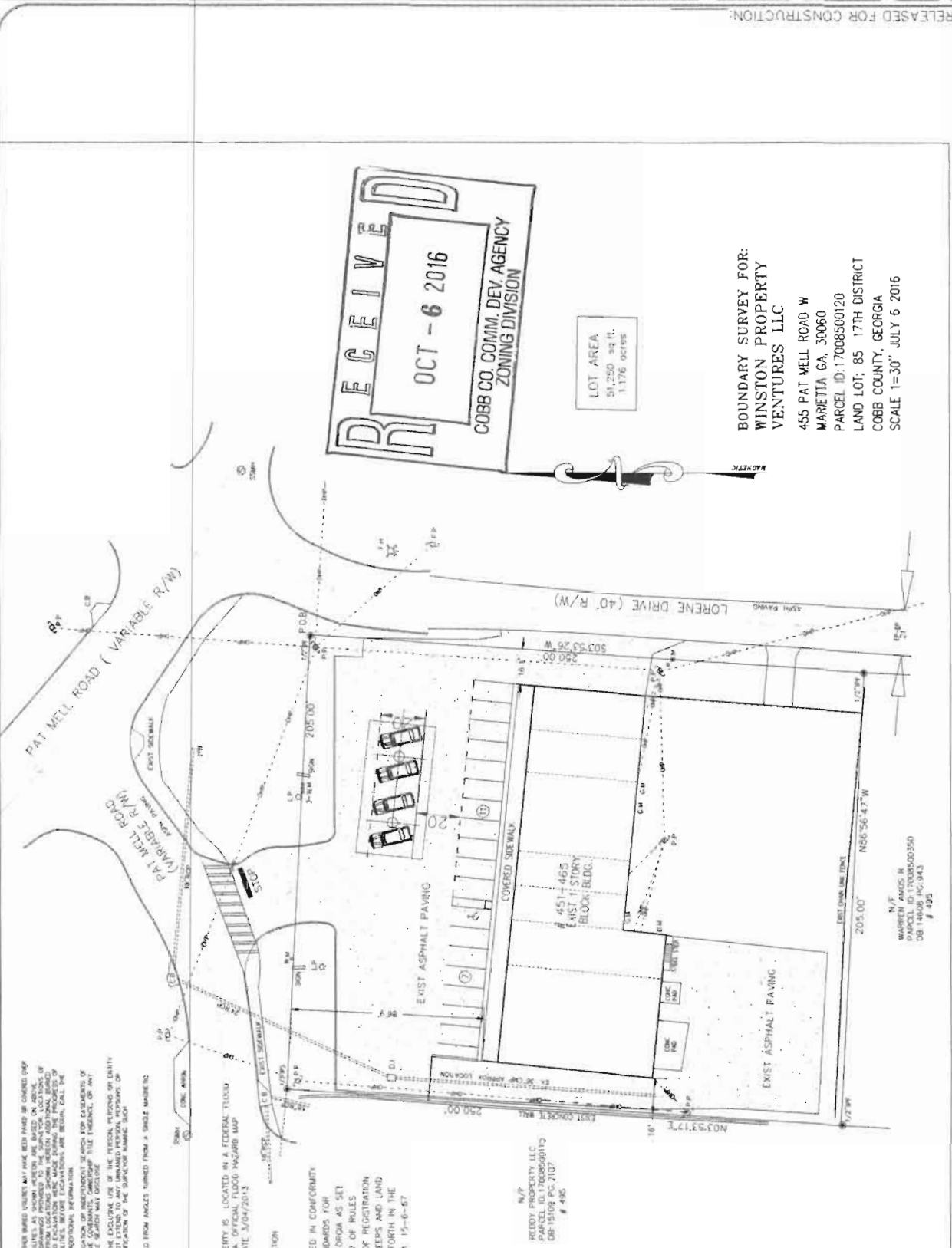
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**FLOOD STATEMENT**  
 NO PORTION OF THIS PROPERTY IS LOCATED IN A FEDERAL FLOOD AREA AS INDICATED BY T.J.A. OFFICIAL FLOOD HAZARD MAP FILE # 130676014H DATE 3/04/2013

**INSTRUMENT USED:**  
 NIPON DTM-220 TOTAL STATION

THE SURVEY WAS PREPARED IN CONFORMITY WITH THE TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN CHAPTER 190-7 OF RULES OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN THE GEORGIA PLAT ACT O.C.G.A. 19-6-67

N/P  
 REDDY PROPERTY, LLC  
 PARCEL ID: 17008500120  
 DB #1509 PC-2107  
 # 495



**RECEIVED**  
 OCT - 6 2016  
 COBB CO. COMM. DEV. AGENCY  
 ZONING DIVISION

LOT AREA  
 51,250 sq. ft.  
 1.176 acres

**BOUNDARY SURVEY FOR:**  
 WINSTON PROPERTY  
 VENTURES LLC  
 455 PAT MELLI ROAD W  
 MARIETTA GA, 30060  
 PARCEL ID: 17008500120  
 LAND LOT, 85 17TH DISTRICT  
 COBB COUNTY, GEORGIA  
 SCALE 1"=30' JULY 6 2016

N/P  
 WARREN AMOS II  
 PARCEL ID: 1700800350  
 DB #1405 PC-3413  
 # 495

**PRIME CONSULT PART**

**MAYNARD ENTERPRISES**  
 ENGINEERING & SURVEYING  
 10000 W. BUCKLE  
 ATLANTA, GEORGIA 30330  
 (404) 451-7000 FAX (404) 733-8000

**MECHANICAL ENGINEER:**  
 FLOWERS, MECHANICAL  
 1445 Roswell Road, NW  
 Atlanta, Georgia 30309  
 (404) 733-2100

**ELECTRICAL ENGINEER:**  
 SALARRAGA ENGINEERING P.C.  
 ELECTRICAL ENGINEER  
 10000 W. BUCKLE  
 ATLANTA, GEORGIA 30330  
 (404) 733-2100 FAX (404) 733-8000

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**Z-119  
 (2016)**

WINSTON PROPERTY VENTURES  
 455 PAT MELLI ROAD  
 MARIETTA, GA 30060  
 Parcel ID: 17008500120  
 Land Lot: 85 17th District  
 Cobb County,  
 Scale 1"=20'

NO.	DATE

DATE	CREATED BY	DATE	BY

**DESCRIPTION**  
 Proposed Site Plan

**SHEET NUMBER:**  
 C-2.0

RELEASED FOR CONSTRUCTION

APPLICANT: Mayweather Enterprise

PETITION NO: Z-119

PHONE#: (404) 753-9222 EMAIL: [mayweatherenterp@bellsouth.net](mailto:mayweatherenterp@bellsouth.net)

HEARING DATE (PC): 12-06-16

REPRESENTATIVE: Samuel Battle

HEARING DATE (BOC): 12-20-16

PHONE#: (404) 246-1972 EMAIL: [sbattle@live.com](mailto:sbattle@live.com)

PRESENT ZONING: GC, R-20

TITLEHOLDER: Winston Property Ventures, LLC

PROPOSED ZONING: NRC

PROPERTY LOCATION: Southwest intersection of Pat Mell Road and Lorene Drive (455 Pat Mell Road)

PROPOSED USE: Convenience Store with Fuel Station

ACCESS TO PROPERTY: Pat Mell Road

SIZE OF TRACT: 1.176 acres

PHYSICAL CHARACTERISTICS TO SITE: One Story Strip Center

DISTRICT: 17

LAND LOT(S): 85

PARCEL(S): 12

TAXES: PAID X DUE \_\_\_\_\_

COMMISSION DISTRICT: 4

**CONTIGUOUS ZONING/DEVELOPMENT**

NORTH: NS/ Convenience Store  
SOUTH: CRC/ Single Family Home  
EAST: R-20/ Tumil W L Subdivision  
WEST: GC/ Strip Shopping Center

*Adjacent Future Land Use:*

North: Neighborhood Activity Center (NAC)  
East: Neighborhood Activity Center (NAC)  
South: Neighborhood Activity Center (NAC)  
West: Neighborhood Activity Center (NAC)

OPPOSITION: NO. OPPOSED \_\_\_\_\_ PETITION NO: \_\_\_\_\_ SPOKESMAN \_\_\_\_\_

**PLANNING COMMISSION RECOMMENDATION**

APPROVED \_\_\_\_\_ MOTION BY \_\_\_\_\_

REJECTED \_\_\_\_\_ SECONDED \_\_\_\_\_

HELD \_\_\_\_\_ VOTE \_\_\_\_\_

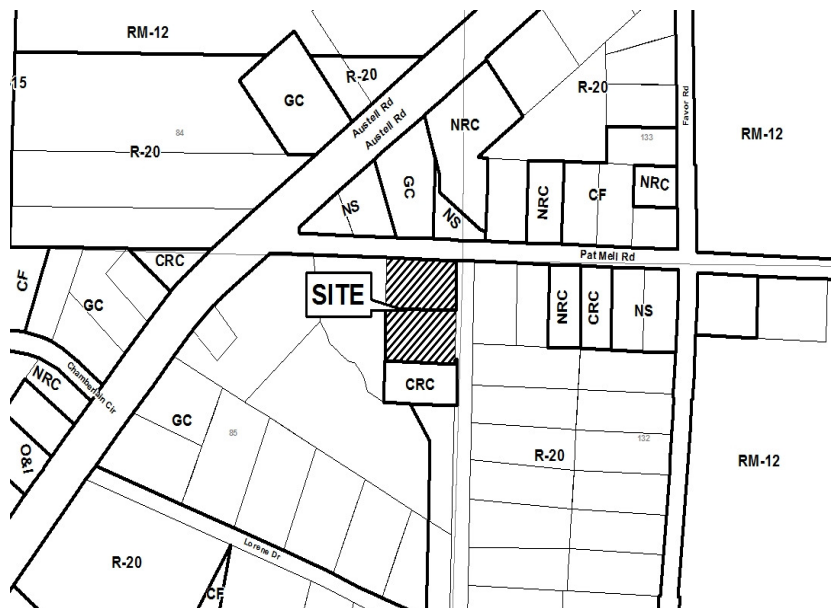
**BOARD OF COMMISSIONERS DECISION**

APPROVED \_\_\_\_\_ MOTION BY \_\_\_\_\_

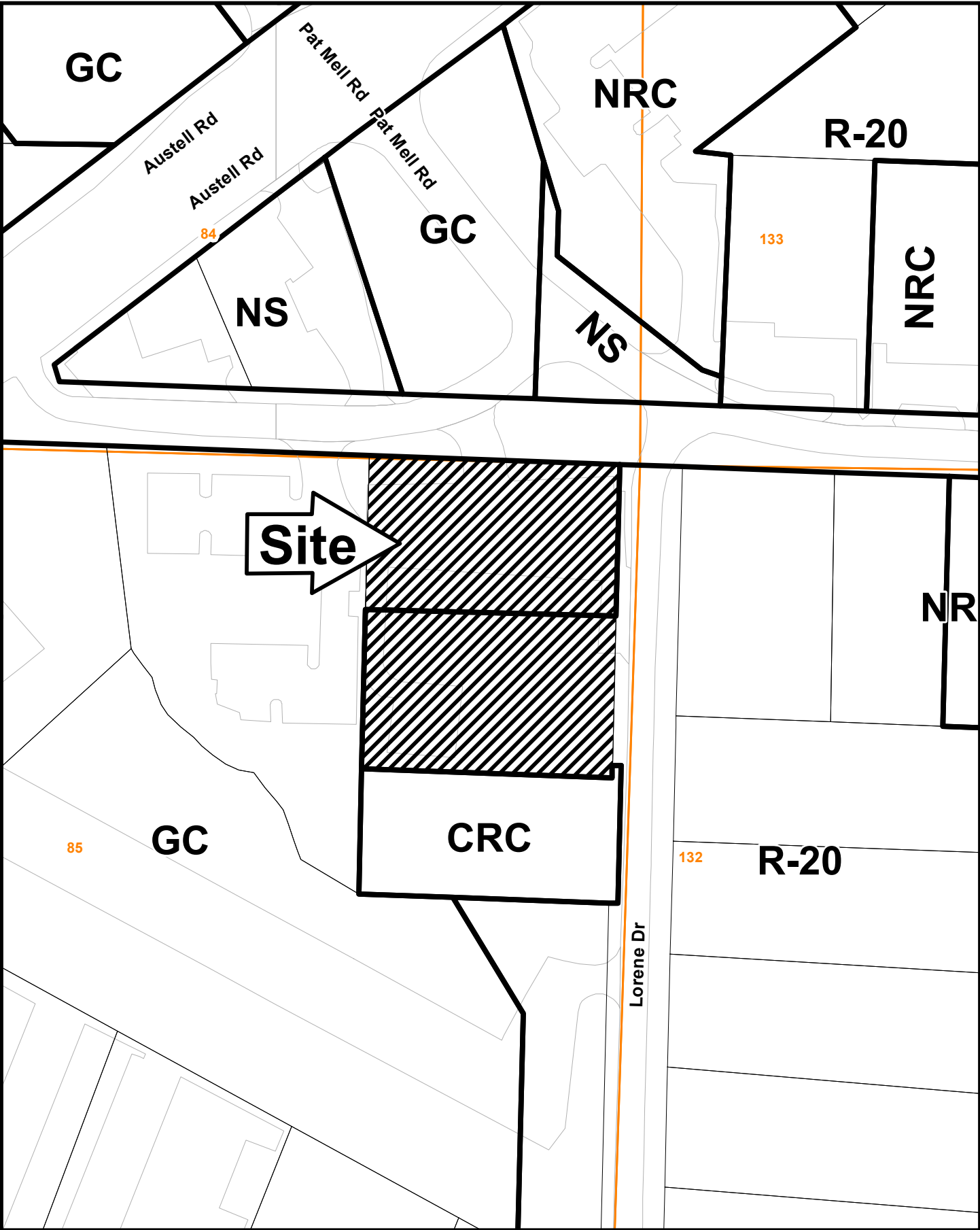
REJECTED \_\_\_\_\_ SECONDED \_\_\_\_\_

HELD \_\_\_\_\_ VOTE \_\_\_\_\_

STIPULATIONS:



# Z-119-2016 GIS



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

0 100 200 Feet

City Boundary  
Zoning Boundary

**APPLICANT:** Mayweather Enterprise

**PETITION NO.:** Z-119

**PRESENT ZONING:** GC

**PETITION FOR:** NRC

\*\*\*\*\*

**ZONING COMMENTS:**

**Staff Member Responsible:** Donald Wells

**Land Use Plan Recommendation:** Neighborhood Activity Center (NAC)

**Proposed Number of Buildings:** 2      **Total Square Footage of Development:** 9780

**F.A.R.:** .19      **Square Footage/Acre:** 8316.36

**Parking Spaces Required:** 46      **Parking Spaces Provided:** 18

The applicant is requesting the NRC zoning district in order to add a gas pumps and canopy to an existing retail strip center. The new gas station will take up 2000 square feet of the existing 9780 square feet of the existing retail center. The applicant will provide 2 new gas pumps that will service up to 4 cars at one time. The existing R-20 and GC zoning districts are grandfathered and the code requires a rezoning of the property if the applicant wants to expand to occupy a greater area of land. The applicant is also requesting the following contemporaneous variance;

- Waive the parking requirements from 46 spaces to 18 spaces.

**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.

**SCHOOL COMMENTS:**

<u>Name of School</u>	<u>Enrollment</u>	<u>Capacity Status</u>	<u>Number of Portable Classrooms</u>
<u>Elementary</u>	<u>                    </u>	<u>                    </u>	<u>                    </u>
<u>Middle</u>	<u>                    </u>	<u>                    </u>	<u>                    </u>
<u>High</u>	<u>                    </u>	<u>                    </u>	<u>                    </u>

- School attendance zones are subject to revision at any time.

**Additional Comments:** Approval of this petition will not have an impact on the enrollment at Cobb County schools.

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**APPLICANT:** Mayweather Enterprise

**PETITION NO.:** Z-119

\*\*\*\*\*

**FIRE COMMENTS:**

NO 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: Mayweather Enterprise**  
**PRESENT ZONING: GC & R-20**

**PETITION NO.: Z-119**  
**PETITION FOR: NRC**

\*\*\*\*\*

**PLANNING COMMENTS:**

The applicant is requesting a rezoning from GC and R-20 to NRC for the purpose of a convenience store with fuel station. The 1.176 acre site is located on the southwest intersection of Pat Mell Road and Lorene Drive (455 Pat Mell Road).

HB-489 Intergovernmental Agreement Zoning Amendment Notification:

Is the application site within one half (1/2) mile of a city boundary?  Yes  No  
If yes, has the city of \_\_\_\_\_ been notified?  Yes  No / N/A

Comprehensive Plan

The parcel is within a Neighborhood Activity Center (NAC) future land use category, with GC and R-20 zoning designation. The purpose of the Neighborhood Activity Center (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.

Specific Area Policy Guidelines:

There are no specific policy guidelines for this area in the Comprehensive Plan.

Adjacent Future Land Use:

North: Neighborhood Activity Center (NAC)  
East: Neighborhood Activity Center (NAC)  
South: Neighborhood Activity Center (NAC)  
West: Neighborhood Activity Center (NAC)

Master Plan/Corridor Study

The property is located within the boundary of Austell Road Corridor Study.

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?

Incentive Zones

Is the property within an Opportunity Zone?  Yes  No  
The Opportunity Zone is an incentive that provides \$3,500 tax credit per job in eligible areas if two or more jobs are being created. This incentive is available for new or existing businesses.

Is the property within an Enterprise Zone?  Yes  No

The Smyrna-Osborne Enterprise Zone is an incentive that provides tax abatements and other economic incentives for qualifying businesses locating or expanding within designated areas for new jobs and capital investments.

**APPLICANT: Mayweather Enterprise**

**PRESENT ZONING: GC & R-20**

**PETITION NO.: Z-119**

**PETITION FOR: NRC**

\*\*\*\*\*

**PLANNING COMMENTS:**

CONT.

Is the property eligible for incentives through the Commercial and Industrial Property Rehabilitation Program?  Yes  No

The Commercial and Industrial Property Rehabilitation Program is an incentive that provides a reduction in ad valorem property taxes for qualifying redevelopment in eligible areas.

For more information on incentives, please call the Community Development Agency, Planning Division at 770.528.2018 or find information online at <http://economic.cobbcountyga.gov>.

Special Districts

Is this property within the Cumberland Special District #1 (hotel/motel fee)?

Yes  No

Is this property within the Cumberland Special District #2 (ad valorem tax)?

Yes  No

Is this property within the Six Flags Special Service District?

Yes  No

Is the property within the Dobbins Airfield Safety Zone?

Yes  No

If so, which particular safety zone is this property within?

CZ (Clear Zone)  APZ I (Accident Potential Zone I)

APZ II (Accident Potential Zone II)

Bird / Wildlife Air Strike Hazard (BASH) area

APPLICANT Mayweather Enterprise

PETITION NO. Z-119

PRESENT ZONING GC, R-20

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): 12" DI / S side of Pat Mell Rd

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.

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**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: Pat Mell Road

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

Dry 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: Existing sewer customer. No additional wastewater flow anticipated

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: Mayweather Enterprise**

**PETITION NO.: Z-119**

**PRESENT ZONING: GC, R-20**

**PETITION FOR: NRC**

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<b>STORMWATER MANAGEMENT COMMENTS</b>
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The addition of a fuel center (pumps, canopy and underground storage tanks) will not likely exceed the threshold to require stormwater management for this site. However, since a fueling center is considered a water quality “hot spot” a water quality device will need to be installed to provide water quality treatment for the fueling area. A copy of the required spill prevention plan must be provided to the Stormwater Management Division prior to permitting.

**APPLICANT:** Mayweather Enterprise

**PETITION NO.:** Z-119

**PRESENT ZONING:** GC

**PETITION FOR:** NRC

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**TRANSPORTATION COMMENTS:**

ROADWAY	AVERAGE DAILY TRIPS	ROADWAY CLASSIFICATION	SPEED LIMIT	JURISDICTIONAL CONTROL	MIN. R.O.W. REQUIREMENTS
Pat Mell Road	N/A	Major Collector	35 mph	Cobb County	80'
Lorene Drive	N/A	Local	25 mph	Cobb County	50'

*Based on 2007 traffic counting data taken by Cobb County DOT for Six Flags Drive.*

**COMMENTS AND OBSERVATIONS**

Pat Mell Road is classified as a major collector and according to the available information the existing right-of-way does meet the minimum requirements for this classification.

Lorene 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 to 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 Lorene Drive, a minimum of 25' from the roadway centerline.

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

## STAFF RECOMMENDATIONS

### **Z-119 MAYWEATHER ENTERPRISE**

- A. It is Staff's opinion that the applicant's rezoning proposal will not permit a use that is suitable in view of the use and development of adjacent and nearby properties. This area has is a mix of older single family homes and single family homes that have been rezoned for limited commercial uses that do not include automotive uses.
- B. It is Staff's opinion that the applicant's rezoning proposal will have an adverse affect on the usability of adjacent or nearby property. The request to have an automotive related use such as a gas station added to a developed retail strip center could cause traffic issues. The addition of a canopy for fueling without a proper traffic plan could spill out on to the surrounding surface streets.
- C. It is Staff's opinion that the applicant's rezoning proposal will 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 located within the NAC neighborhood activity center future land use category. This category provides areas that would allow commercial uses that serve the neighborhood residents and businesses. However, the property may be too small to accommodate safe traffic patterns.
- 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 denying the applicant's rezoning proposal. The site may be too small to accommodate traffic patterns with a busy gas station.

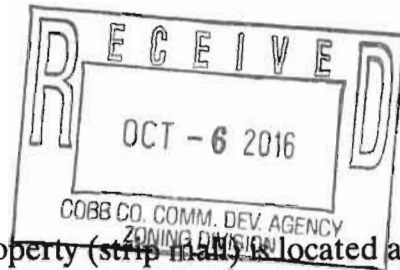
Based on the above analysis, Staff recommends **DENIAL**.

**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.**

**Winston Property Ventures  
455 Pat Mell Road  
Marietta Georgia 30060  
Parcel ID: 17008500120  
Land Lot; 85 17<sup>th</sup> District  
Cobb county, Georgia**

**Dated: October 6, 2016**

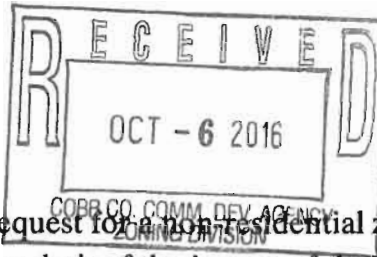
Letter of Intent:



The existing commercial property (strip mall) is located at 455 Pat Mell Road, Marietta Georgia 30060. The existing property is currently leased to a variety of tenants currently providing goods and services to the general public within the surrounding area.

The intent of rezoning application of this property is to provide gasoline services to the general public to the convenience store tenant space. The gasoline facility shall provide 2 (two) gasoline pumping stations underneath a lighted overhead Canopy Structure for protection from increment weather conditions.

**FOR: 455 Pat Mell Road, Marietta Georgia 30060**



**From Page 2**  
**Requirements for Rezoning Application**

9. Every application for rezoning involving a request for a non-residential zoning district shall include a complete written, documented analysis of the impact of the proposed rezoning with respect to each of the following matters:

- (a) Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property;

*ANSWER: Yes, the zoning proposal shall permit a use that is suitable in view of the use and development of adjacent and nearby property.*

- (b) Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property;

*ANSWER: No, the zoning proposal shall not adversely affect the existing use or usability of adjacent or nearby property.*

- (c) Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned;

*ANSWER: Yes, the property to be affected by the zoning proposal shall have a reasonable economic use as currently zoned.*

- (d) Whether the zoning proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools;

*ANSWER: No, the zoning proposal shall not result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.*

- (e) Whether the zoning proposal is in conformity with the policy and intent of the land use plan; and

*ANSWER: Yes, the zoning proposal is in conformity with the policy and intent of the land use plan based on Sec. 134-227. GC General Commercial District and is identified as nonconforming use.*

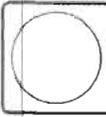
- (f) Whether there are other existing or changing conditions affecting the use and development of the property, which give supporting grounds for either approval or disapproval of the zoning proposal.

*ANSWER: Yes, there shall be other existing or changing conditions affecting the use and development of the property, which give supporting grounds for either approval or disapproval of the zoning proposal.*

**FOR: 455 Pat Mell Road, Marietta Georgia 30060 Parcel ID: 17008500120 Land Lot; 85 17<sup>th</sup> District Cobb county, Georgia**

RELEASED FOR CONSTRUCTION

NO.	DATE	REVISIONS

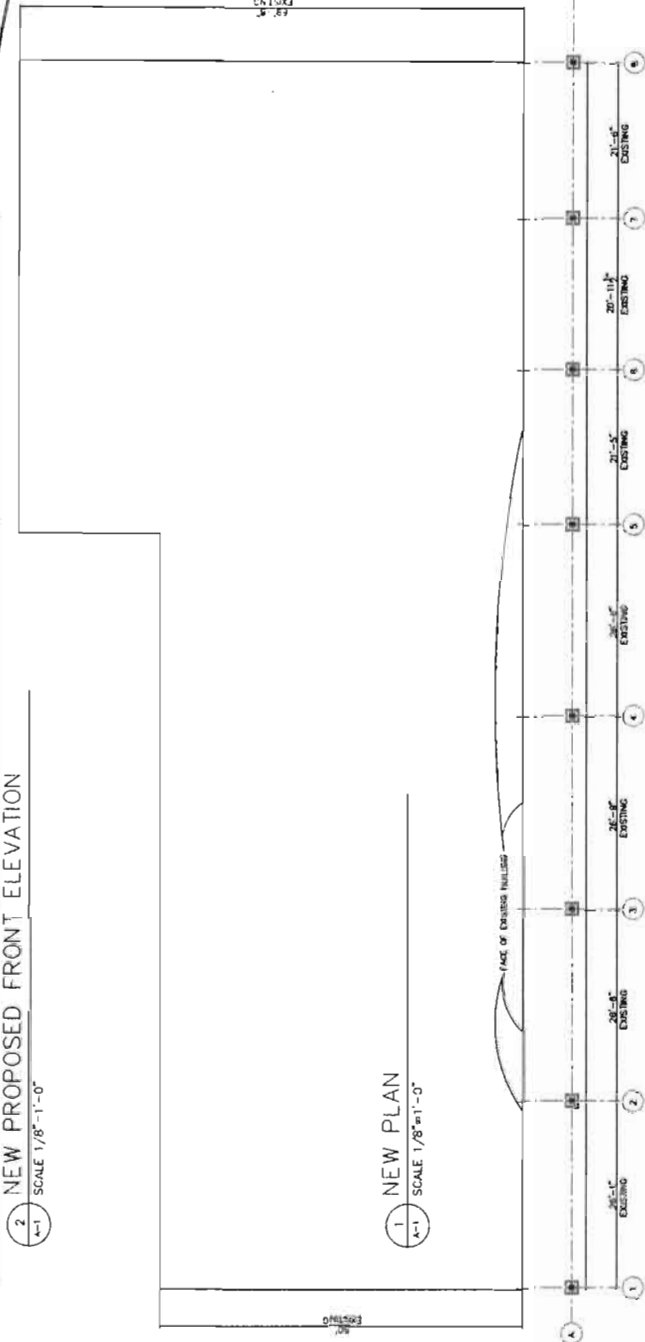
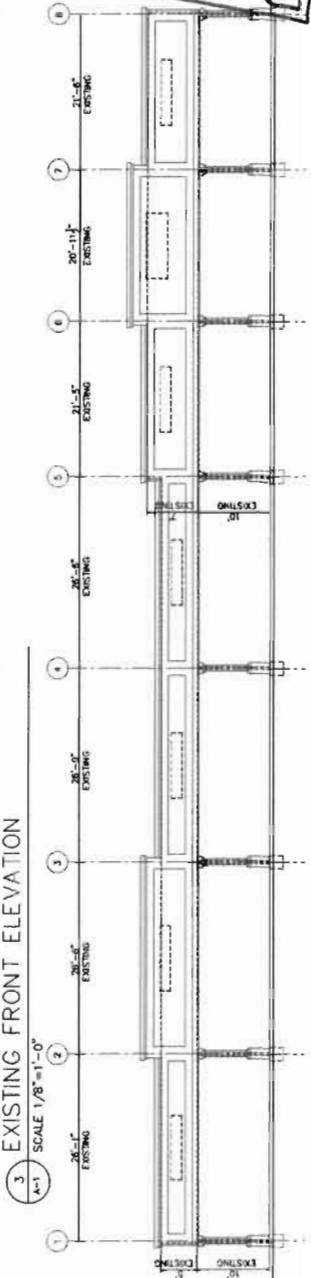
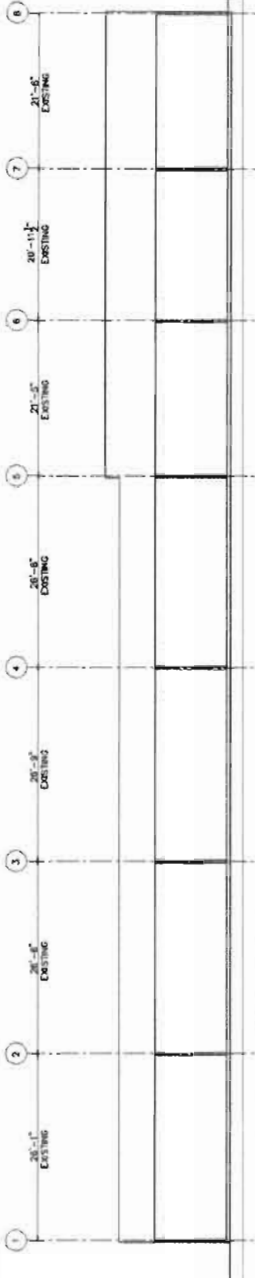
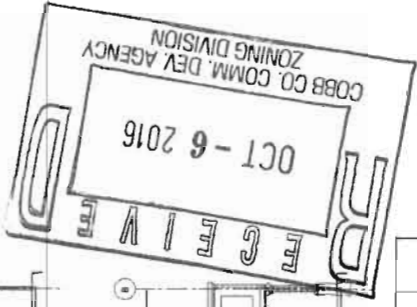


DESIGN CONSULTANT  
**M**  
MAYNARD SMITH ENTERPRISES  
ARCHITECTS, INTERIORS, PLANNERS  
475 N. W. 10th Ave  
Atlanta, GA 30309  
(404) 753-8222 (FAX) 404-753-8002

DEVELOPER

PROJECT DESCRIPTION  
FACADE MODIFICATION  
455 PAT MELL ROAD  
MARIETTA, GEORGIA

DATE: 07/23/16  
DRAWN BY: LHM  
CHECKED BY: LHM  
JOB NUMBER:  
SCALE: AS SHOWN



PROPOSED PLAN AND ELEVATION - DATED 07/23/16