

APPLICANT: United States Interior Systems, Inc.
770-517-7787

REPRESENTATIVE: Moore Ingram Johnson & Steele, LLP
John H. Moore 770-429-1499

TITLEHOLDER: United States Interior Systems, Inc.

PROPERTY LOCATION: Located at the southeast intersection of
Shallowford Road and JVL Industrial Park Drive.

ACCESS TO PROPERTY: JVL Industrial Park Drive

PHYSICAL CHARACTERISTICS TO SITE: Existing buildings

CONTIGUOUS ZONING/DEVELOPMENT

NORTH: HI/ warehouse
SOUTH: LI/ office warehouses
EAST: O&I/ Nova
WEST: HI/ Pacesetter Steel Services, Inc.

PETITION NO: Z-54

HEARING DATE (PC): 11-04-08

HEARING DATE (BOC): 11-18-08

PRESENT ZONING: GC

PROPOSED ZONING: LI

PROPOSED USE: Light Industrial

SIZE OF TRACT: 0.918 acre

DISTRICT: 16

LAND LOT(S): 203

PARCEL(S): 21

TAXES: PAID X **DUE** _____

COMMISSION DISTRICT: 3

OPPOSITION: NO. OPPOSED____**PETITION NO:**____**SPOKESMAN** _____

PLANNING COMMISSION RECOMMENDATION

APPROVED____**MOTION BY**_____

REJECTED____**SECONDED**_____

HELD____**CARRIED**_____

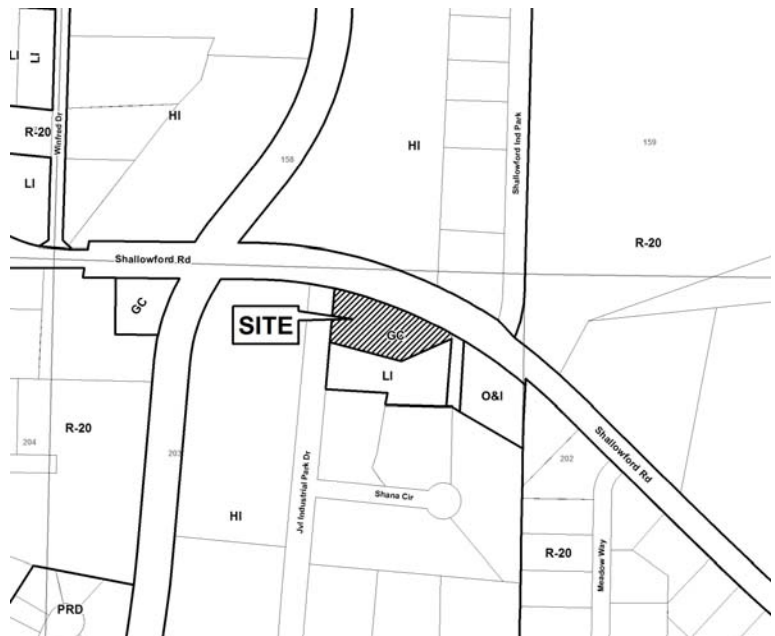
BOARD OF COMMISSIONERS DECISION

APPROVED____**MOTION BY**_____

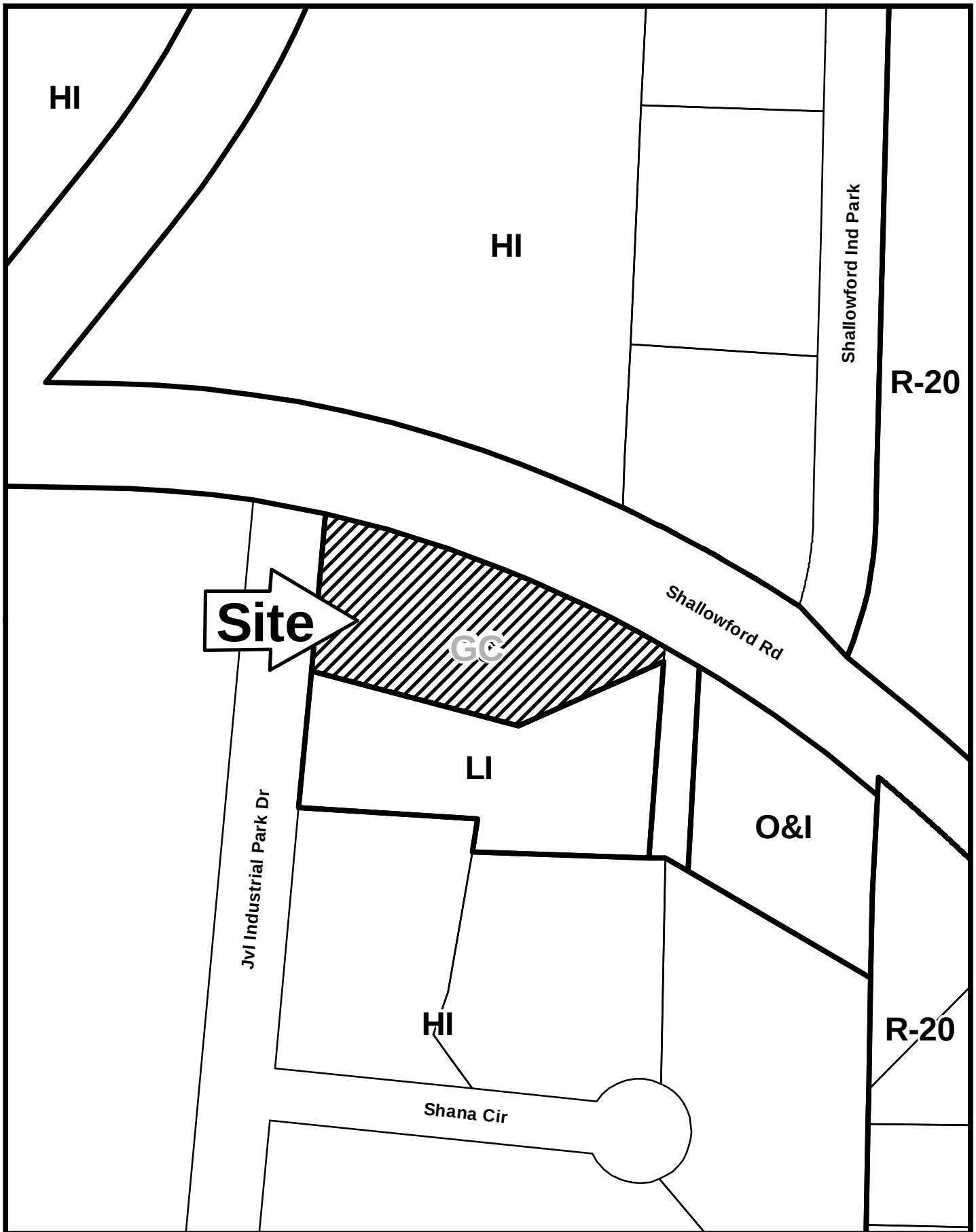
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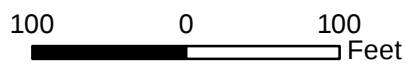
STIPULATIONS:



Z-54



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



APPLICANT: United States Interior Systems, Inc.

PETITION NO.: Z-54

PRESENT ZONING: GC

PETITION FOR: LI

PLANNING COMMENTS:

Staff Member Responsible: John P. Pederson, AICP

Land Use Plan Recommendation: Industrial Compatible

Proposed Number of Buildings: 1(existing) **Total Square Footage of Development:** 3,000

F.A.R.: 0.075 **Square Footage/Acre:** 3,268

Parking Spaces Required: 7 **Parking Spaces Provided:** 7

The applicant is requesting rezoning to bring this property into compliance with the *Cobb County Zoning Code* and the *Cobb County Comprehensive Plan*. The property is zoned GC outside of a Community Activity Center or Regional Activity Center which would not allow any additional use of the property, or reconstruction if the property is more than 75% destroyed. The applicant utilizes the property for a drywall contracting business. Approximately 1,600 square-feet of the building is office, and 1,400 square-feet is storage. The hours of operation would be Monday through Saturday, from 7:00 a.m. to 7:00 p.m. The property would remain in its current state. The applicant has submitted a Zoning Impact Analysis, which is attached as Exhibit "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.

Cemetery Preservation: No comment.

COBB COUNTY-MARIETTA WATER AUTHORITY COMMENTS:

CCMWA requests to review the plans for this project as soon as they are available in order to determine the extent of impact upon our facilities. The owner/developer will be financially responsible for any impacts to CCMWA facilities from the project. Contact Chuck Byrge at (770) 426-8788 to coordinate plan review.

FIRE COMMENTS:

This building has an open building permit, either close existing permit or complete construction and get a certificate of occupancy. Obtain a Certificate of Occupancy by getting all inspections.

APPLICANT United States Interior Systems, Inc

PETITION NO. Z-054

PRESENT ZONING GC

PETITION FOR LI

NOTE: Comments reflect only what facilities appeared of record at the time of this review. Field verification required by developer.

WATER COMMENTS:

Available at Development? ☒ Yes ☐ No

Fire Flow Test Required? ☒ Yes ☐ No

Size / Location of Existing Water Main(s) 6" AC / S side Shallowford Rd

Additional Comments: Records show address connected

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:

In Drainage Basin? ☒ Yes ☐ No

At Development? ☒ Yes ☐ No

Approximate Distance to Nearest Sewer: In street

Estimated Waste Generation (in G.P.D.): **A D F** 50 **Peak** 125

Treatment Plant: Noonday

Plant Capacity Available? ☒ Yes ☐ No

Line Capacity Available? ☒ Yes ☐ No

Projected Plant Availability: ☒ 0 - 5 year ☐ 5 - 10 years ☐ over 10 years

Dry Sewers Required? ☐ Yes ☒ No

Off-site Easements Required? ☐ Yes* ☒ No

Flow Test Required? ☐ Yes ☒ No

Septic Tank Recommended by this Department? ☐ Yes ☒ No

Subject to Health Department Approval? ☐ 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 easement(s) by the property owner(s). All easement acquisitions are the responsibility of the Developer.

Additional Comments:

Records show address connected

Notes FYI: *GPD estimate based on two employees*

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 off site easements, dedication of on and/or off site 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.

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DRAINAGE COMMENTS

No site improvements are proposed. The existing stormwater management pond is currently well maintained and appears to be functioning as designed.

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PRESENT ZONING: GC **PETITION FOR:** LI

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
JVL Industrial Park Dr.	N/A	Industrial Local	25 mph	Cobb County	60'
Shallowford Road	9200	Arterial	35 mph	Cobb County	100'

Based on 2007 traffic counting data taken by GDOT. (Shallowford Road)

COMMENTS AND OBSERVATIONS

JVL Industrial Park Drive is classified as an Industrial Local and according to the available information, the existing right-of-way does meet the minimum requirements for this classification. Shallowford 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 applicant be required to meet all Cobb County Development Standards and Ordinances related to project improvements.

STAFF RECOMMENDATIONS

Z-54 UNITED STATES INTERIOR SYSTEMS, INC.

- 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. The applicant's property is located in an area that contains mostly industrial 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 applicant's property has had this building on it for many years, and has been used for industrial type uses for many years. The applicant's proposal would be compatible with adjacent properties.
- 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 an 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. The applicant's proposal is in accordance with the *Cobb County Comprehensive Plan*. The applicant's proposal would be compatible to, and consistent with adjacent t properties. The applicant's proposal will leave the property in its current, well kept state. Approving the applicant's proposal will allow the applicant to use the property for other LI uses, if the need ever arises, and approval of the request would allow the applicant to rebuild the property if it is ever destroyed in a disaster.

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

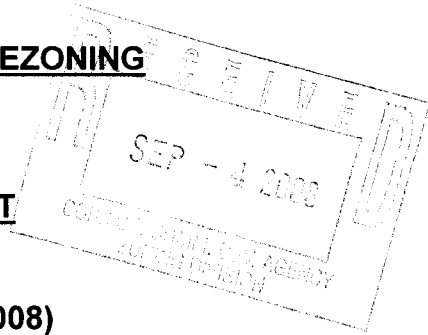
- Site plan received by the Zoning Division September 4, 2008, with the District Commissioner approving minor modifications;
- Fire Department comments;
- Cobb County-Marietta Water Authority comments;
- Water and Sewer comments and recommendations;
- Stormwater Management comments and recommendations; and
- 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.

ATTACHMENT TO APPLICATION FOR REZONING

IMPACT ANALYSIS STATEMENT

Application No.: Z- 54 (2008)
Hearing Dates: November 4, 2008
November 18, 2008



Applicant/Titleholder: United States Interior Systems, Inc.

Analysis of impact of the proposed rezoning with respect to the following:

- (a) Applicant/Property Owner (hereinafter collectively "Applicant") is requesting rezoning of approximately 0.918 acres located at 4132 JVL Industrial Park Drive (hereinafter the "Property" or the "Subject Property") from the existing General Commercial ("GC") zoning category to the Light Industrial ("LI") zoning category. The Subject Property is presently being used for commercial purposes; however, in anticipation of the sale of the Property, rezoning is necessary in order to accommodate the business of the prospective purchaser, which is an auto repair, paint, and collision shop. The requested category of LI will permit the use of the prospective purchaser as well as additional uses allowed under the LI zoning category. The Subject Property is at the intersection of Shallowford Road and JVL Industrial Park, is in close proximity to Canton Road and the Georgia Northeastern Railroad line, and is bounded by properties being used in industrial capacities. Rezoning of the Subject Property would allow uses which are compatible with surrounding businesses.
- (b) This zoning proposal should have no adverse effect on the existing use or usability of adjacent or nearby property. The proposed rezoning should have a very positive effect in light of changes, usage, and development of properties in the immediate vicinity in recent years. If approved and developed according to the request, the adjacent and nearby property owners should benefit in higher land values.
- (c) The Subject Property as presently zoned does have a reasonable economic use. However, the proposed zoning will allow for a higher and better use of the Subject Property.

- (d) This zoning proposal will not cause excessive or burdensome use of existing streets, transportation facilities, utilities, or schools. Industrial development has almost no effect on schools, minimal effect on utilities and transportation facilities.
- (e) The zoning proposal is in conformity with the Land Use Map of Cobb County, Georgia, as well as in conformity with the policy and intent of the Land Use Plan.
- (f) This zoning proposal is consistent with the current conditions affecting the development of this property. As previously stated, the Subject Property is located in close proximity to railroad tracts, a major thoroughfare, and existing industrially zoned property. The rezoning proposed in the Application for Rezoning would allow for a more suitable and economic use without high impact into surrounding commercial and nearby residential areas.