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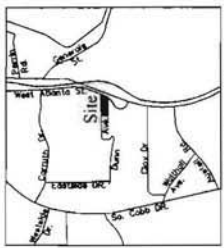
1088 West Atlanta Street
 Zoning Exhibit
 Land Lot 294 - 17th Dis
 Cobb County, Georgia

Site No. 17-2943
 Date: 12-16-2011
 Title: Zoning Exhibit



Z-1

Z-41
 (2012)



Vicinity Map
 SCALE 1"=400'

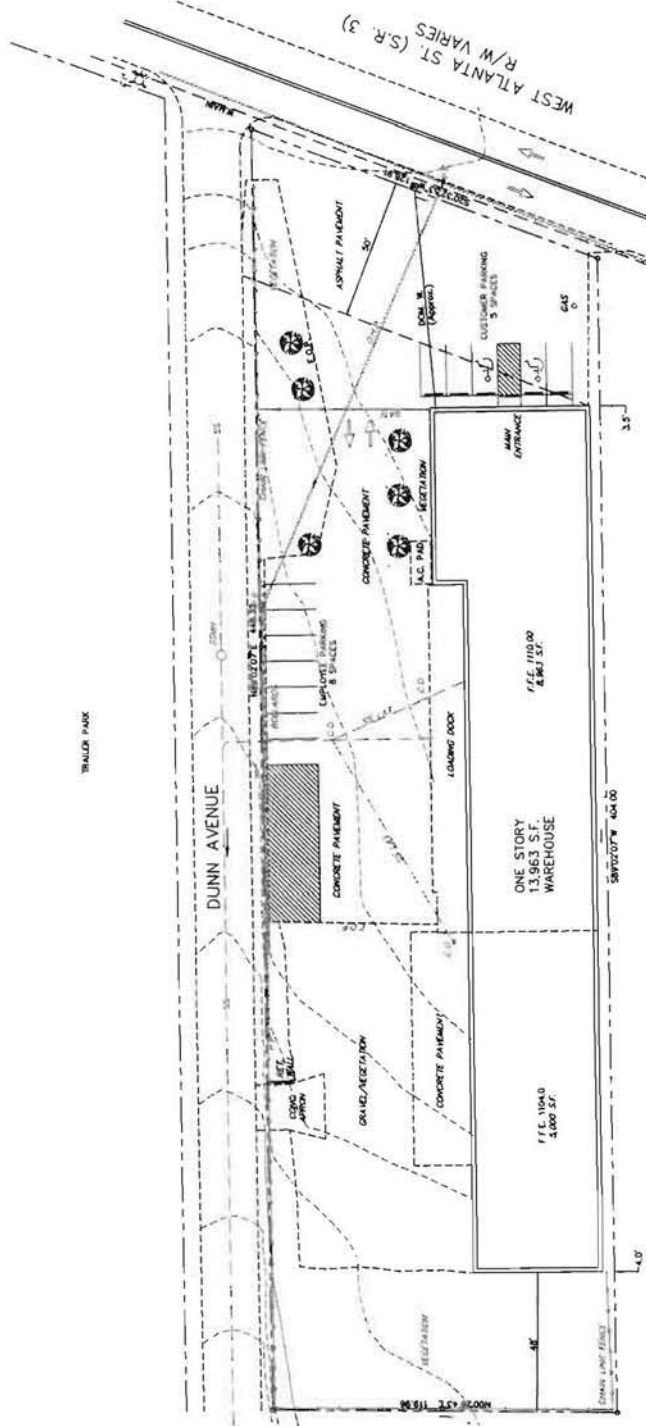
- OWNER & DEVELOPMENT NOTES:**
1. PROPERTY ADDRESS: 1088 WEST ATLANTA STREET, PARCELS 1 & 17-0294-001-10
 2. DEVELOPER: PYRAMID ENGINEERING & DEVELOPMENT CO., LLC, 4151 MEMORIAL DRIVE, DECATUR, GA. 30032
 3. OWNER: PYRAMID ENGINEERING & DEVELOPMENT CO., LLC, 4151 MEMORIAL DRIVE, DECATUR, GA. 30032
 4. THE PROPERTY IS LOCATED IN ZONE U (LIGHT INDUSTRIAL)
 5. THE PROPERTY IS ZONED U (LIGHT INDUSTRIAL)
 6. THE PROPERTY IS ZONED U (LIGHT INDUSTRIAL)
 7. THE PROPERTY IS ZONED U (LIGHT INDUSTRIAL)
 8. THE PROPERTY IS ZONED U (LIGHT INDUSTRIAL)
 9. THE PROPERTY IS ZONED U (LIGHT INDUSTRIAL)
 10. THE PROPERTY IS ZONED U (LIGHT INDUSTRIAL)

Site Analysis

Total Project Area: 1.22 Ac. (53,143.33 S.F.)
 Total Building Square Feet = 13,963

Setbacks Shown	Required
Front	50'
Side	3.5'
Rear	48'
Buffer	N/A

Note: Existing Building Height: 25'
 Maximum Building Height: 35' (0.78 AC) = 0.78
 Proposed Use: Food Processing/Manufacturing



MARK PORTWOOD, INC.
 PARCELS 1 & 17-0294-001-10
 ZONING U (LIGHT INDUSTRIAL)



REVISED
RECEIVED
 AUG 16 2012
 COBB CO. COMM. DEV. AGENCY
 ZONING DIVISION

24 Hour Contact: Mark Portwood, 770-715-4652

APPLICANT: Mark Portwood

770-715-4652

REPRESENTATIVE: Mark Portwood

770-715-4652

TITLEHOLDER: Marietta Transfer and Storage Company, Inc.

PROPERTY LOCATION: At the southwest intersection of West

Atlanta Road and Dunn Avenue

(1088 West Atlanta Road).

ACCESS TO PROPERTY: Dunn Avenue and West Atlanta Road

PHYSICAL CHARACTERISTICS TO SITE: Existing warehouse

building with loading docks

PETITION NO: Z-41

HEARING DATE (PC): 10-02-12

HEARING DATE (BOC): 10-16-12

PRESENT ZONING: GC

PROPOSED ZONING: LI

PROPOSED USE: Manufacturing and

Distribution

SIZE OF TRACT: 1.25 acres

DISTRICT: 17

LAND LOT(S): 294

PARCEL(S): 10

TAXES: PAID X **DUE** _____

COMMISSION DISTRICT: 4

CONTIGUOUS ZONING/DEVELOPMENT

- NORTH:** GC/Existing mobile home park
- SOUTH:** LI/Office-Warehouse Development
- EAST:** GC/Property owned by Cobb County
- WEST:** LI/Office-Warehouse Development

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

PLANNING COMMISSION RECOMMENDATION

APPROVED _____ **MOTION BY** _____

REJECTED _____ **SECONDED** _____

HELD _____ **CARRIED** _____

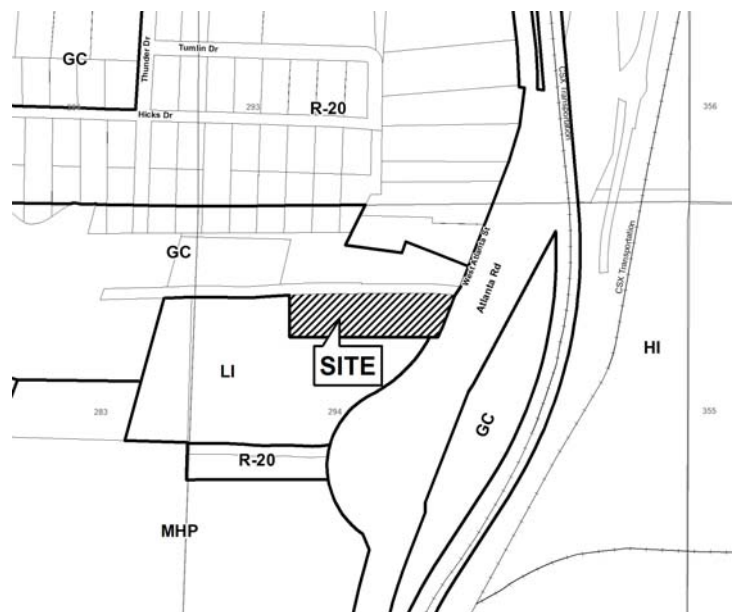
BOARD OF COMMISSIONERS DECISION

APPROVED _____ **MOTION BY** _____

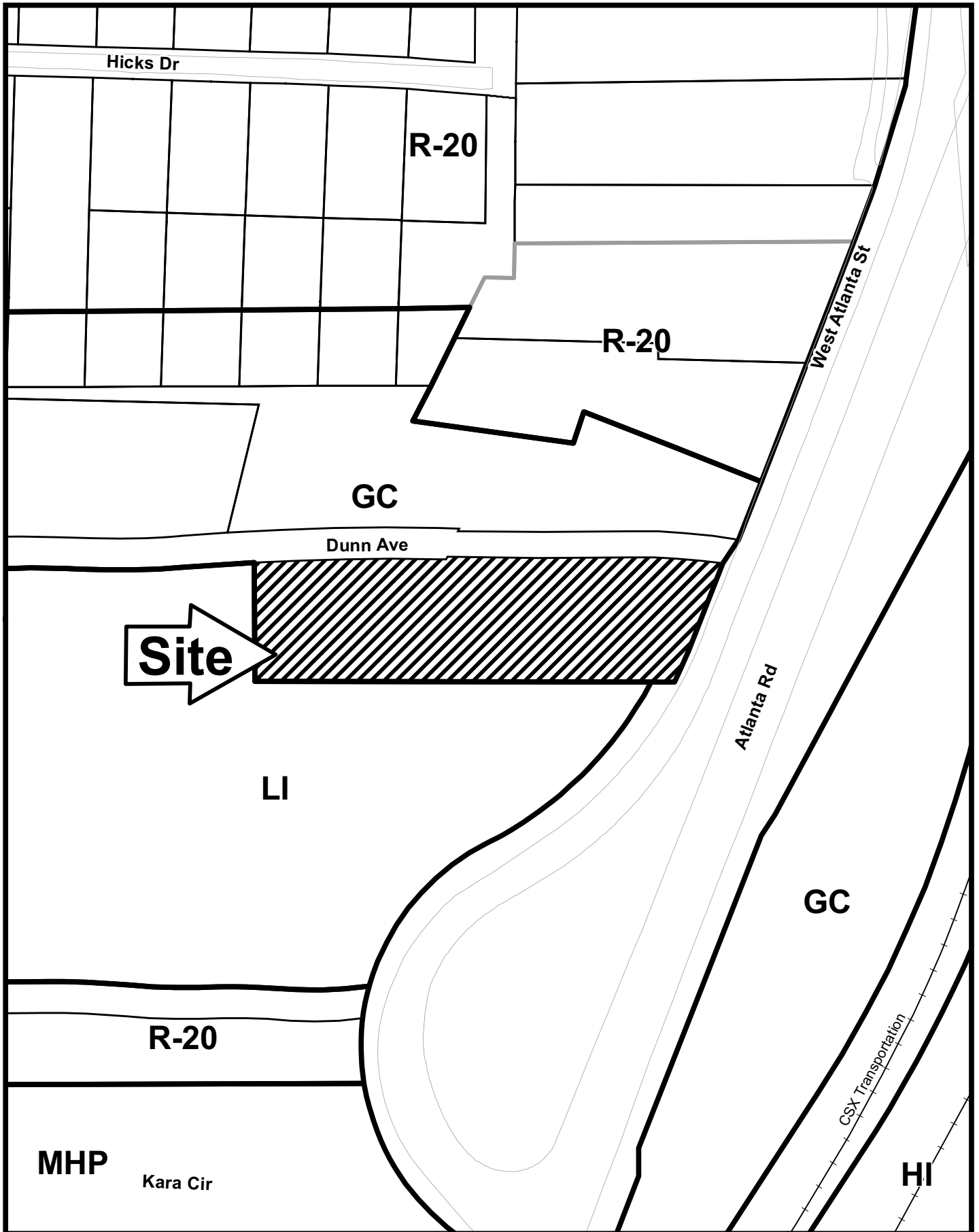
REJECTED _____ **SECONDED** _____

HELD _____ **CARRIED** _____

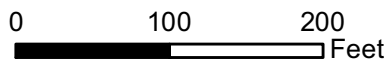
STIPULATIONS:



Z-41



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



- City Boundary
- Zoning Boundary

APPLICANT: Mark Portwood

PETITION NO.: Z-41

PRESENT ZONING: GC

PETITION FOR: LI

ZONING COMMENTS:

Staff Member Responsible: Jason Campbell

Land Use Plan Recommendation: Industrial Compatible (IC)

Proposed Number of Buildings: 1(Existing)**Total Square Footage of Development:** 13,963

F.A.R.: 0.26 **Square Footage/Acre:** 11,445

Parking Spaces Required: 10(1/emp & 1/dock)**Parking Spaces Provided:** 13

Applicant is requesting the Light Industrial (LI) zoning category in order to utilize the existing building on the property that has been vacant since 2009. The property lost its ability to utilize the existing General Commercial (GC) zoning because it is in the Industrial Compatible (IC) land use category and has been vacant for over 12 months. Applicant is proposing to use the building for a light manufacturing business of making fresh pasta for restaurants in the Atlanta area. The hours of operation will be Monday through Friday from 4:30 a.m. until 4 p.m. The applicant has nine employees. In the future, applicant would like to sell overruns to the public.

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.

PLANNING COMMENTS:

The applicant is requesting a rezoning from GC to LI for purposes of manufacturing and distribution. The 1.25 acre site is located at the southwest intersection of West Atlanta Road and Dunn Avenue.

Comprehensive Plan

The parcel is within the 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. Typical uses include professional business parks and distribution centers.

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 Mark Portwood

PETITION NO. Z-041

PRESENT ZONING GC

PETITION FOR LI

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 of West Atlanta Street

Additional Comments: Records show an existing 5/8" water meter

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: At site in West Atlanta St.

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

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

Drw 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: Parcel is already connected to sewer. An Industrial Discharge permit may be required for proposed usage.

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: Mark Portwood

PETITION NO.: Z-41

PRESENT ZONING: GC

PETITION FOR: LI

STORMWATER MANAGEMENT COMMENTS

This is an existing facility. No site improvements are proposed at this time. Any future improvements must be submitted to Plan Review and subject to current Stormwater Management requirements.

APPLICANT: Mark Portwood

PETITION NO.: Z-41

PRESENT ZONING: GC

PETITION FOR: LI

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
West Atlanta Road	6000	Minor Collector	25 mph	Cobb County	60'
Dunn Avenue	N/A	Private	25 mph	Private	N/A

Based on 2007 traffic counting data taken by Cobb County DOT (West Atlanta Road)

COMMENTS AND OBSERVATIONS

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

RECOMMENDATIONS

Recommend curb, gutter, and sidewalk along West Atlanta Road frontage upon redevelopment of the site.

Recommend one commercial driveway along West Atlanta Road frontage upon redevelopment of the site.

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

STAFF RECOMMENDATIONS

Z-41 MARK PORTWOOD

- 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 nearby are zoned LI with office/warehouse 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 been used for commercial purposes in the past and the proposed use will be less intense than many commercial uses.
- 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 (IC) land use category. The property cannot be used under its current General Commercial (GC) zoning in relation to the land use plan. The LI zoning category is compatible with the IC 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 property has been vacant since 2009 and has lost the ability to utilize its current GC zoning in relation to the IC land use category. Applicant is proposing to use the existing building for a light manufacturing (pasta making and distributing) facility. The applicant makes fresh pasta for restaurants in the Atlanta and surrounding areas.

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

- Revised site plan received by the Zoning Division on August 16, 2012, with the District Commissioner approving minor modifications;
- Fire Department comments and recommendations;
- 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.

Summary of Intent for Rezoning

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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): making of fresh pasta for
Restaurants
- b) Proposed building architecture: Existing
- c) Proposed hours/days of operation: mon-fri 430 Am to
4Pm
- d) List all requested variances: In future would like to
sell our overRus to Public.

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

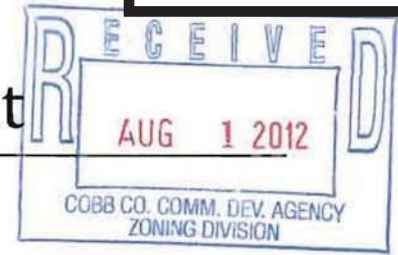
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Part 4. Is any of the property included on the proposed site plan owned by the Local, State, or Federal Government?

(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

Document Analysis of Impact

1088 WEST ATLANTA ROAD



- 9.a The adjacent property to the south of the is zoned L.I.
- 9.b Rezoning will not affect the property next to because the building already exists and no changes are being made to the outside of it.
- 9.c This building has been unoccupied from 2009 ,so when it is rezoned it will benefit the economy .
- 9.d Rezoning this property will not cause any excessive burden to the streets around . There will not be any more traffic than existed before when it was occupied.
- 9.e This property has been slated L.I. compatible.
- 9.f See 9.e

SUMMERY OF INTENT

1088 WEST ATLANTA ROAD

14. It is the intent to rezone this property from G.C. to L.I. so that we can comply with the regulations for making fresh pasta for restaurants in the Atlanta and Surrounding areas.

REQUIREMENTS FOR REZONING

1088 WEST ATLANTA ROAD

19. No outside renovations are being made to this property.