

Z-10
(2012)

ZONING PLAT:

CHIH YI LIU

PROPERTY LOCATED IN LAND LOT 165
18TH. DISTRICT, 2ND. SECTION
COBB COUNTY, GEORGIA

DATE: DECEMBER 28, 2011



EXISTING ZONING GC
PROPOSED ZONING LI

OWNER:

CHIH YI LIU

880 VETERENS MEMORIAL HIGHWAY, SE
MABLETON, GEORGIA 30126

REPRESENTATIVE:

ROY SPARKS
CELL: 404-227-4960
CELL: 404-227-4960

NOTES:

- 1.) IFS INDICATES IRON PIN SET
- 2.) IFS INDICATES IRON PIN FOUND.
- 3.) TRAVERSE PRECISION: NORMAL
- 4.) ANGULAR ERROR/A PER SET-UP.
- 5.) TRAVERSE ADJUSTMENT: LEAST SQUARES.
- 6.) PLAT PRECISION: 1" @ 88115'
- 7.) EQUIPMENT USED/SPOON TOTAL STATION
- 8.) THIS PLAT SUBJECT TO (IF APPLICABLE) THE MUNICIPAL PLANNING COMMISSION, THE COUNTY PLANNING COMMISSION, THE MUNICIPAL-COUNTY PLANNING COMMISSION, OR, IF NO SUCH PLANNING COMMISSION EXISTS, THE APPROPRIATE MUNICIPAL OR COUNTY GOVERNING AUTHORITY.

NOTE:

UNDERGROUND UTILITIES NOT SHOWN
LOCATE WOULD BE REQUIRED FOR UTILITY LOCATIONS



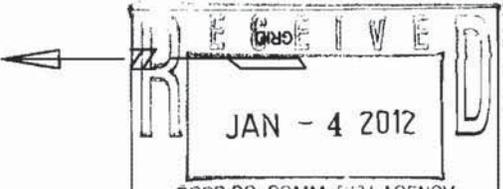
KERLIN SPUR LAND SURVEYING
P.O. BOX 124, DALLAS, GEORGIA 30132
PHONE: 770-445-2676 ROYCOBB

EXISTING RIGHT OF WAYS / NONE PROPOSED

VETERENS MEMORIAL HWY.
A.K.A. U. HWY 78
100' R/W

AZALEA DRIVE
50' R/W

TOTAL ACRES
AREA = 1.978 ACRES



SITE PLAN REQUIREMENTS

N/A DENOTES DOES NOT APPLY TO PROPERTY
SITE PLAN STAMPED WITH SEAL OF LAND SURVEYOR

- ☑ NORTH ARROW
- ☑ LAND LOT LINES
- ☑ N/A-DISTRICT LINES
- ☑ N/A-LOT LINES
- ☑ ANGLES
- ☑ TOTAL ACRES
- ☑ BEARING AND DISTANCE
- ☑ ADJOINING STREET WIDTH RIGHT OF WAY(PRESENT AND PROPOSED
- ☑ EXACT SIZE AND LOCATION OF ALL BUILDINGS ALONG WITH INTENDED USE
- ☑ BUILDING SETBACK AND/OR PARKING DECK LOCATION
- ☑ N/A-BUFFER AREAS
- ☑ PARKING SPACES
- ☑ N/A-LAKES AND STREAMS
- ☑ N/A-UTILITY EASEMENTS
- ☑ N/A-LIMITS OF THE 100 YEAR FLOOD PLAIN AND ACREAGE OF FLOOD PLAIN
- ☑ N/A-CEMETERIES
- ☑ N/A-WETLANDS
- ☑ ACCESS POINTS
- ☑ N/A-ARCHITECTURAL OR ARCHEOLOGICAL LANDMARKS
- ☑ DETENTION/RETENTION AREAS
- ☑ N/A-STREAM BUFFERS WITH REQUIRED WIDTHS

COBB CO. COMM. DEV. AGENCY
ZONING DIVISION

APPLICANT: Chih Yi Liu
(678) 310-0040

REPRESENTATIVE: Roy L. Sparks
(404) 227-4960

TITLEHOLDER: Chih Yi Liu

PROPERTY LOCATION: At the southeast intersection of Veterans Memorial Highway and Azalea Drive
(880 Veterans Memorial Highway).

ACCESS TO PROPERTY: Azalea Drive

PHYSICAL CHARACTERISTICS TO SITE: Existing warehouse
with showroom

PETITION NO: Z-10

HEARING DATE (PC): 03-06-12

HEARING DATE (BOC): 03-20-12

PRESENT ZONING: GC

PROPOSED ZONING: LI

PROPOSED USE: Wholesale

SIZE OF TRACT: 1.978 acres

DISTRICT: 18

LAND LOT(S): 165

PARCEL(S): 23

TAXES: PAID X DUE _____

COMMISSION DISTRICT: 4

CONTIGUOUS ZONING/DEVELOPMENT

- NORTH:** CRC/Convenience store with fuel sales and bank
- SOUTH:** GC/Single-family house and wooded acreage
- EAST:** GC/Single-family house and wooded acreage
- WEST:** GC/Developed industrial building

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

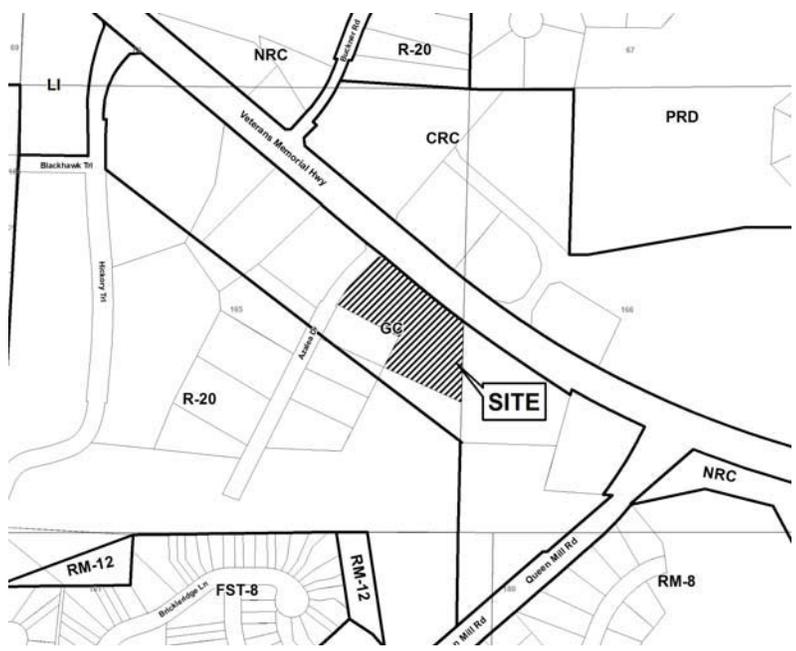
PLANNING COMMISSION RECOMMENDATION

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

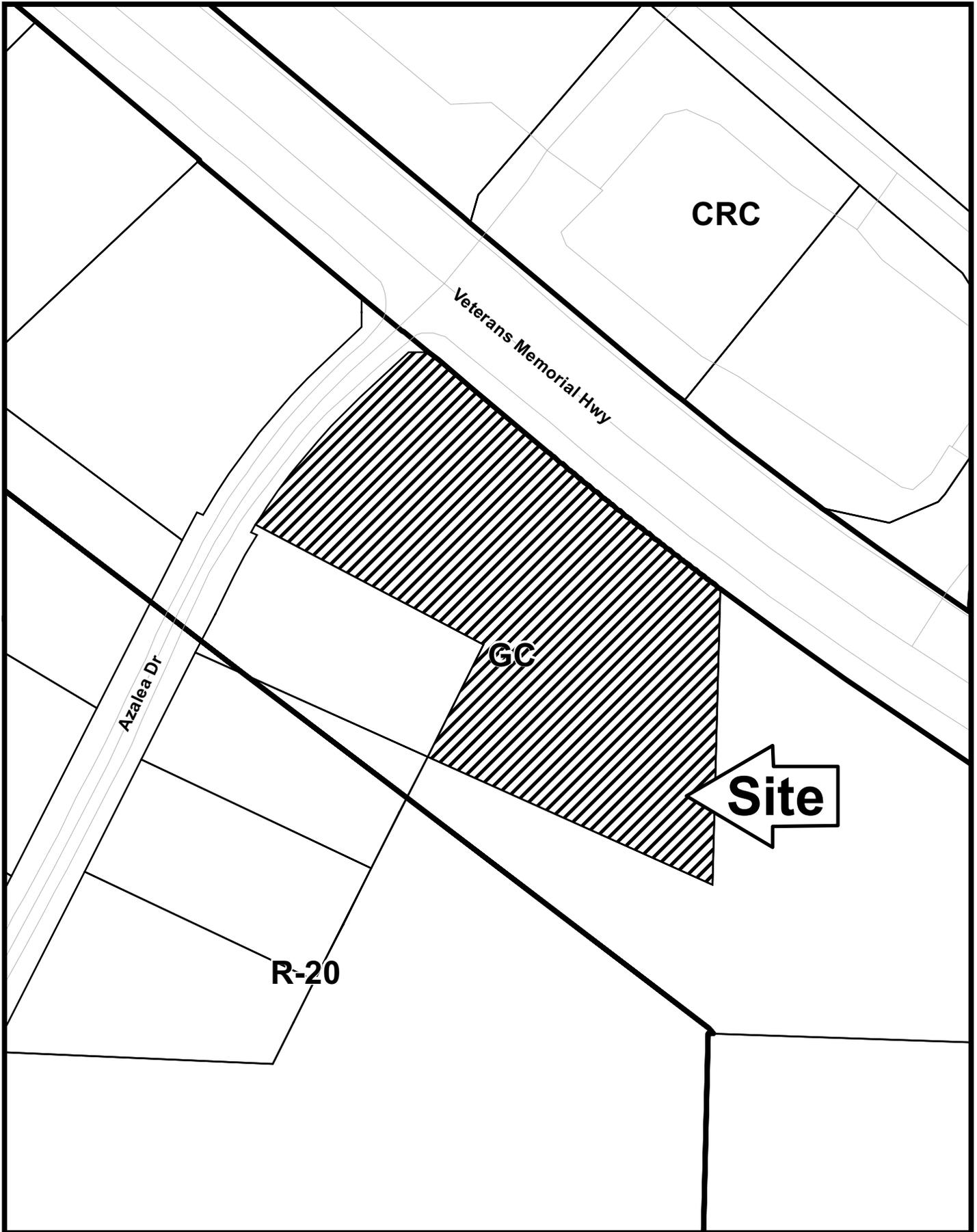
BOARD OF COMMISSIONERS DECISION

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

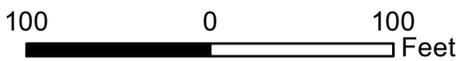
STIPULATIONS:



Z-10



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



-  City Boundary
-  Zoning Boundary

APPLICANT: Chih Yi Liu

PETITION NO.: Z-10

PRESENT ZONING: GC

PETITION FOR: LI

ZONING COMMENTS:

Staff Member Responsible: Jason A. Campbell

Land Use Plan Recommendation: Community Activity Center

Proposed Number of Buildings: 1 **Total Square Footage of Development:** 14,000

F.A.R.: 0.162 **Square Footage/Acre:** 7,077

Parking Spaces Required: 47 **Parking Spaces Provided:** 19

Applicant is requesting the Light Industrial (LI) zoning category in order to utilize the property as is for a wholesale business. The applicant had used the property for the same business for a number of years in the 1990s prior to locating its business elsewhere and now wishes to relocate back to Cobb County on the subject property. When the applicant was sent to the Zoning Division for approval, it was determined that the wholesale business should have been in Light Industrial all along. Applicant plans to use the existing brick and metal building. The hours of operation will be Monday through Friday from 9 a.m. until 5:45 p.m. Most customers of the business place orders from their corporate headquarters and merchandise is shipped directly from wholesale manufacturers to applicant's customers.

Applicant is requesting a contemporaneous variance to waive the number of required parking spaces from the required 47 to 19 as indicated on the as is site plan submitted to the Zoning Division on January 4, 2012.

Cemetery Preservation: No comment.

FIRE COMMENTS:

Plans must be submitted to the Cobb County Fire Marshal's Office to initiate the Certificate of Occupancy process.

APPLICANT: Chih Yi Liu

PETITION NO.: Z-10

PRESENT ZONING: GC

PETITION FOR: LI

PLANNING COMMENTS:

Comprehensive Plan

The parcel is within a Community Activity Center (CAC) future land use category, with a GC zoning designation. The purpose of the CAC category is for areas that can meet the immediate needs of several neighborhoods or communities. The Allowable Zoning: RSL, SC, LRO, OI, CRC, GC, LRC, NRC, PSC, TS, PVC, UVS.

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 Chih Yi Liu

PETITION NO. Z-010

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): 8" DI / S side Veterans Memorial Pkwy

Additional Comments: Records show property connected and active

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: Approx 700' S in Brickleridge Lane w/easements

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

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 Comments: Health Dept approval required for continued use of existing septic system. Sewer also approx. 350' N w/easements if elevations allow

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: Chih Yi Liu

PETITION NO.: Z-10

PRESENT ZONING: GC

PETITION FOR: LI

STORMWATER MANAGEMENT COMMENTS

FLOOD HAZARD: [] YES [X] NO [] POSSIBLY, NOT VERIFIED

DRAINAGE BASIN: Liberty Hill Branch FLOOD HAZARD INFO: Zone X

- [] FEMA Designated 100 year Floodplain Flood.
[] Flood Damage Prevention Ordinance DESIGNATED FLOOD HAZARD.
[X] 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 [X] 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 [X] 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 downstream _____.

APPLICANT: Chih Yi Liu

PETITION NO.: Z-10

PRESENT ZONING: GC

PETITION FOR: LI

STORMWATER MANAGEMENT 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. This site is served by two existing stormwater management ponds – one located at the east end of the front parking lot and another at the rear of the building along the southern property line. No site improvements are proposed at this time which would require modification of these existing facilities. However, the rear pond is in need of some maintenance. There is debris in the pond that needs to be removed and the discharge channel is overgrown and clogged with vegetation and must be cleared to function properly.

APPLICANT: Chih Yi Liu

PETITION NO.: Z-10

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 |
|---------------------------|---------------------|------------------------|-------------|------------------------|--------------------------|
| Veterans Memorial Highway | 24700 | Arterial | 45 mph | Georgia DOT | 100' |
| Azalea Drive | N/A | Local | 25 mph | Cobb County | 50' |

Based on 2010 traffic counting data taken by Georgia DOT (Veterans Memorial Highway)

COMMENTS AND OBSERVATIONS

Veterans Memorial Highway is classified as an arterial and according to the available information the existing right-of-way does meet the minimum requirements for this classification.

Azalea 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 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 east side of Azalea Drive, a minimum of 25' from the roadway centerline.

Recommend sidewalk along Veterans Memorial Highway frontage along with a wheelchair ramp at intersection with Azalea Drive.

Recommend GDOT permits for all work that encroaches upon State right-of-way.

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

STAFF RECOMMENDATIONS

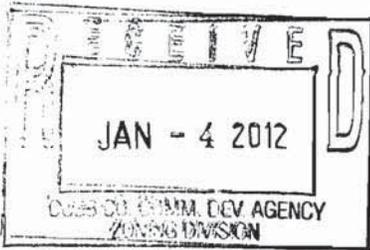
Z-10 CHI YI LIU

- 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. Nearby properties consist of a developed industrial type building and other retail and commercial businesses.
- 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 subject property will continue to be utilized as it has been since the building was built in 1990.
- 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. This rezoning request will make the existing/proposed use consistent with the zoning category.
- D. It is Staff's opinion that the applicant's rezoning proposal is in not in conformity with the policy and intent of the *Cobb County Comprehensive Plan*; however, a wholesale business with a showroom has been in operation since the 1990's and the original business wants to return to that location. The *Cobb County Comprehensive Plan* indicates that this property is within the Community Activity Center (CAC) land use category. While the requested LI zoning category is not compatible with the *Cobb County Comprehensive Plan*, staff is of the opinion that the rezoning request can be approved for the wholesale with showroom use only given the fact that there have been no complaints over the years.
- 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 proposed business was formerly located on the subject property and now the owner would like to move the business back to this location. After applicant's business relocated, the subject property continued to be used for wholesale with a showroom. The Zoning Division checked with Code Enforcement for any complaints concerning the property and none were found. Applicant plans to use the existing brick and metal building.

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

- Site plan received by the Zoning Division on January 4, 2012, with the District Commissioner approving minor modifications;
- Wholesale with showroom use only;
- 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-10

March
2012

Summary of Intent for Rezoning

.....
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): WHOLESALE
 - b) Proposed building architecture: EXISTING BRICK AND METAL
 - c) Proposed hours/days of operation: MONDAY THRU FRIDAY 9:4M TO 5:45 PM
 - d) List all requested variances: _____
- _____

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

EXISTING BUILDING WAS BUILT IN 1990, APPLICANT USED FACILITY FOR WHOLESALE UNTIL 1998, AND RENTED TO WHOLESALE BUSINESS UNTIL CURRENTLY. APPLICANT DESIRES TO LOCATE THEIR WHOLESALE BUSINESS IN THE EXISTING FACILITY

.....
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).

January 4, 2012

Z-10 (2012)
Impact Analysis

Re: Application for rezoning Chi Yi Liu 880 Veterans Memorial Hwy. S. E.

Zoning Application

9 (a) The proposed zoning use is consistent and complimentary to multiple businesses located on Veterans Memorial Hwy.

(b) The proposed zoning will not adversely affect the existing use or usability of adjacent or nearby properties.

(c) The property does have a reasonable use as currently zoned. Note that the property has been used for wholesale sales since 1990.

(d) The proposed zoning will not increase or decrease traffic in the area. Most customers of the business place orders from their corporate headquarters and merchandise is shipped directly from wholesale manufacturers to applicant's customers. Utilities will be basic and there will be no effect on the school system.

(e) The proposed zoning is not in conformity with the current policy and intent of the current land use plan. The current applicant purchased the property in 1989 and constructed the existing building in 1990. The applicant operated their wholesale business at this location from 1990 to 1998 at which time they relocated into a much larger facility due to business growth. From 1998 to current, all tenants at this building have been wholesale type businesses. Due to economic conditions, the applicant has downsized their business and desire to operate again from this existing facility.

(f) Supporting evidence would be that the use of this property has not changed since 1990. The proposed zoning and use will be complimentary to multiple wholesale businesses located on Veterans Memorial Hwy.

