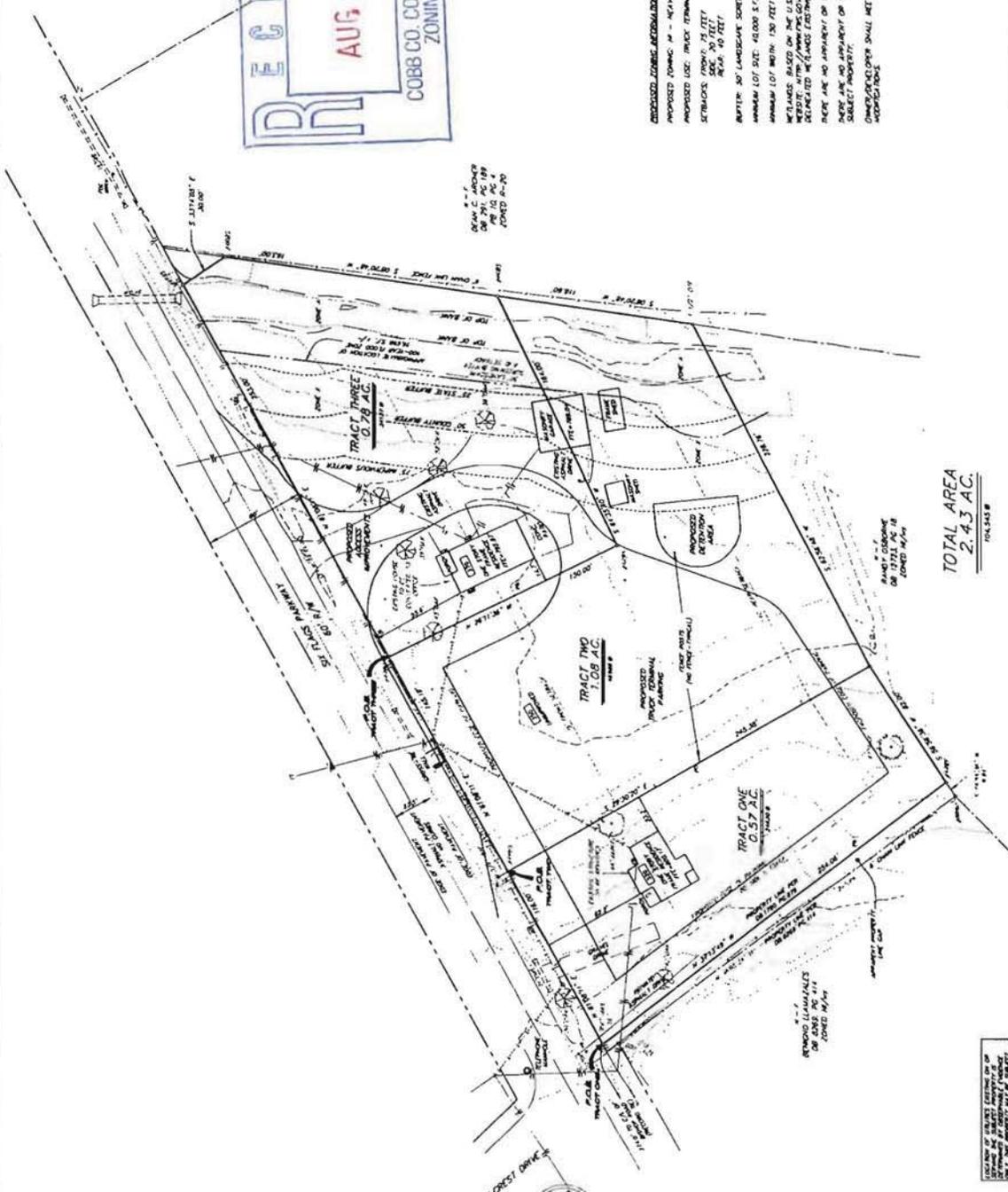


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 1-800-282-7411
 (METRO ATLANTA ONLY)
 UNNUMBERED SHORTER
 IT'S THE LAW



REVISED

RECEIVED
 AUG 22 2012
 COBB CO. COMM. DEV. AGENCY
 ZONING DIVISION



TOTAL AREA
 2.43 AC.



ZONING SITE PLAN FOR:
 URBAN TRUCKING

DATE	1/24/12
PROJECT	U-38
OWNER	U-38
DESIGNED BY	U-38
SCALE	AS SHOWN

Gaskins
 INCORPORATED
 1875 W. BUCKLEBURY DRIVE
 ALPHARETTA, GA 30201
 (770) 475-1100

LOCATED IN L.L. 505
 18th DISTRICT, 2nd SECTION
 COBB COUNTY, GA

EXISTING ZONING INFORMATION:
 PROPOSED ZONING: M - MEDIUM INDUSTRIAL
 PROPOSED USE: TRUCK TERMINAL AND TRUCK REPAIR
 SETBACKS: FRONT: 25 FEET
 SIDE: 20 FEET
 REAR: 10 FEET

NOTES:
 1. AFTER 30 LANDSCAPE SOMETHING BATTER ADJACENT TO RESIDENTIAL PROPERTY.
 2. MINIMUM LOT SIZE: 40,000 S.F.
 3. MINIMUM LOT WIDTH: 130 FEET
 4. THIS SITE IS IN THE U.S. 90 AND 90A AND 90B AND 90C AND 90D AND 90E AND 90F AND 90G AND 90H AND 90I AND 90J AND 90K AND 90L AND 90M AND 90N AND 90O AND 90P AND 90Q AND 90R AND 90S AND 90T AND 90U AND 90V AND 90W AND 90X AND 90Y AND 90Z AND 90AA AND 90AB AND 90AC AND 90AD AND 90AE AND 90AF AND 90AG AND 90AH AND 90AI AND 90AJ AND 90AK AND 90AL AND 90AM AND 90AN AND 90AO AND 90AP AND 90AQ AND 90AR AND 90AS AND 90AT AND 90AU AND 90AV AND 90AW AND 90AX AND 90AY AND 90AZ AND 90BA AND 90BB AND 90BC AND 90BD AND 90BE AND 90BF AND 90BG AND 90BH AND 90BI AND 90BJ AND 90BK AND 90BL AND 90BM AND 90BN AND 90BO AND 90BP AND 90BQ AND 90BR AND 90BS AND 90BT AND 90BU AND 90BV AND 90BW AND 90BX AND 90BY AND 90BZ AND 90CA AND 90CB AND 90CC AND 90CD AND 90CE AND 90CF AND 90CG AND 90CH AND 90CI AND 90CJ AND 90CK AND 90CL AND 90CM AND 90CN AND 90CO AND 90CP AND 90CQ AND 90CR AND 90CS AND 90CT AND 90CU AND 90CV AND 90CW AND 90CX AND 90CY AND 90CZ AND 90DA AND 90DB AND 90DC AND 90DD AND 90DE AND 90DF AND 90DG 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LEGEND

1	PROPOSED TRACT
2	EXISTING TRACT
3	PROPOSED ROAD
4	EXISTING ROAD
5	PROPOSED EASEMENT
6	EXISTING EASEMENT
7	PROPOSED UTILITY
8	EXISTING UTILITY
9	PROPOSED FENCE
10	EXISTING FENCE
11	PROPOSED SIGN
12	EXISTING SIGN
13	PROPOSED LIGHT
14	EXISTING LIGHT
15	PROPOSED TREE
16	EXISTING TREE
17	PROPOSED WATER
18	EXISTING WATER
19	PROPOSED SEWER
20	EXISTING SEWER
21	PROPOSED GAS
22	EXISTING GAS
23	PROPOSED POWER
24	EXISTING POWER
25	PROPOSED TELEPHONE
26	EXISTING TELEPHONE
27	PROPOSED CABLE
28	EXISTING CABLE
29	PROPOSED RAILROAD
30	EXISTING RAILROAD
31	PROPOSED AIRPORT
32	EXISTING AIRPORT
33	PROPOSED PORT
34	EXISTING PORT
35	PROPOSED CANAL
36	EXISTING CANAL
37	PROPOSED DAM
38	EXISTING DAM
39	PROPOSED BRIDGE
40	EXISTING BRIDGE
41	PROPOSED TUNNEL
42	EXISTING TUNNEL
43	PROPOSED CAUSEWAY
44	EXISTING CAUSEWAY
45	PROPOSED FERRY
46	EXISTING FERRY
47	PROPOSED WHARF
48	EXISTING WHARF
49	PROPOSED DOCK
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81	PROPOSED TRUSS
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83	PROPOSED RAFTER
84	EXISTING RAFTER
85	PROPOSED JOIST
86	EXISTING JOIST
87	PROPOSED PLATE
88	EXISTING PLATE
89	PROPOSED BRACKET
90	EXISTING BRACKET
91	PROPOSED CORNER
92	EXISTING CORNER
93	PROPOSED POST
94	EXISTING POST
95	PROPOSED BALUSTRADE
96	EXISTING BALUSTRADE
97	PROPOSED RAILING
98	EXISTING RAILING
99	PROPOSED FENCE
100	EXISTING FENCE

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APPLICANT: Luis Urizar

404-328-5452

REPRESENTATIVE: John H. Moore 770-429-1499

Moore Ingram Johnson & Steele, LLP

TITLEHOLDER: Estate of Elzie Elton Goodwin a/k/a E. E. Goodwin

PROPERTY LOCATION: On the south side of Six Flags Parkway,

east of Bishop Road

(320, 350 and 370 Six Flags Parkway).

ACCESS TO PROPERTY: Six Flags Parkway

PHYSICAL CHARACTERISTICS TO SITE: Existing single-family

houses on two parcels with accessory structures and one unimproved

lot

PETITION NO: Z-38

HEARING DATE (PC): 09-06-12

HEARING DATE (BOC): 09-18-12

PRESENT ZONING: R-20

PROPOSED ZONING: HI

PROPOSED USE: Truck Terminal and
Truck Repair Facility

SIZE OF TRACT: 2.514 acres

DISTRICT: 18

LAND LOT(S): 505

PARCEL(S): 31, 32, 44

TAXES: PAID X **DUE** _____

COMMISSION DISTRICT: 4

CONTIGUOUS ZONING/DEVELOPMENT

NORTH: HI/Single-family house and HI/Auto parts and service business

SOUTH: HI/Storage trailer yard

EAST: R-20/R.A. and Loy A Cole, Jr. Subdivision

WEST: HI/Industrial property/Storage yard

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

PLANNING COMMISSION RECOMMENDATION

APPROVED _____ **MOTION BY** _____

REJECTED _____ **SECONDED** _____

HELD _____ **CARRIED** _____

BOARD OF COMMISSIONERS DECISION

APPROVED _____ **MOTION BY** _____

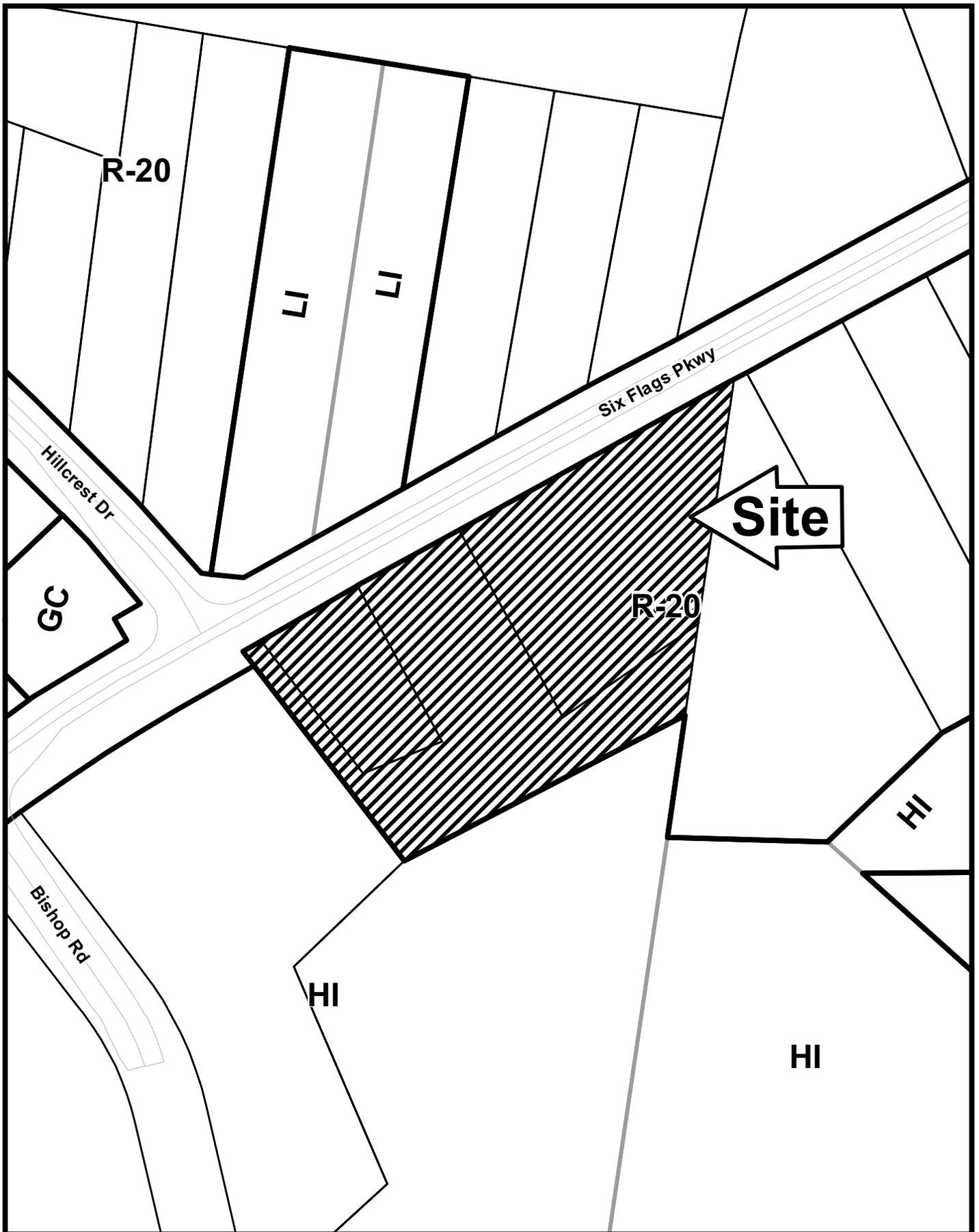
REJECTED _____ **SECONDED** _____

HELD _____ **CARRIED** _____

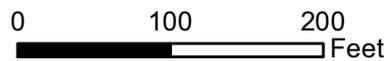
STIPULATIONS:



Z-38



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



- City Boundary
- Zoning Boundary

APPLICANT: Luis Urizar

PETITION NO.: Z-38

PRESENT ZONING: R-20

PETITION FOR: HI

ZONING COMMENTS:

Staff Member Responsible: Jason A. Campbell

Land Use Plan Recommendation: Industrial Compatible

Proposed Number of Buildings: 4 (Existing) **Total Square Footage of Development:** 2,787

F.A.R.: .025 **Square Footage/Acre:** 1,108

Parking Spaces Required: 1 per Employee **Parking Spaces Provided:** Asphalt Drive

Applicant is requesting the Heavy Industrial (HI) zoning category for the purpose of using the property for a truck terminal and repair facility. The hours of operation will be 6 a.m. – 9 p.m., Monday – Sunday. The proposed site plan indicates that the house at 320 Six Flags Parkway will be removed and the house on 370 Six Flags Parkway will be converted to an office. Three accessory sheds on 350 and 370 Six Flags Parkway will remain as part of the business. The plan also indicates a 50-foot landscape screening buffer along the eastern property line abutting the R-20 property.

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.

PLANNING COMMENTS:

The applicant is requesting a rezoning from R-20 to HI for purposes of truck terminal and truck repair facility. The 2.514 acre site is located at the south side of Six Flags Parkway, east of Bishop Road.

Comprehensive Plan

The parcel is within an Industrial Compatible (IC) future land use category with R-20 zoning designation. 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: Luis Urizar

PETITION NO.: Z-38

PRESENT ZONING: R-20

PETITION FOR: HI

FIRE COMMENTS:

ACCESS: Fire apparatus access roads shall extend to within 150 feet of all portions of the facility or any portion of the exterior wall of the first floor (State Modifications IFC 503.1 2006 Edition).

All access roads shall meet the American Association of State and Highway Transportation Officials (AASHTO) design manual live load standard HS20 (75,000 lbs.) with an unobstructed width of not less than 20 feet, 25 foot inside radius, 50 foot outside turning radius and unobstructed vertical clearance of not less than 13 feet 6 inches.

Maximum slope of the access road in reference to the apparatus is 10% Front to Back and 5% Side to Side. Maximum grade of roadways leading to Fire Access roads refer to the Cobb County Development Standard Section 400: 14% for Non-Residential. Maximum angle of departure is 8.5%.

Dead-end access roads in excess of 150 feet shall be provided with a turn-around (IFC 503.2.5 2006 Edition). Cul-de-sac with or without an island: minimum 60-foot radius to outside curb, measured to inside of curb and a minimum lane width = 24 feet (Cobb County Development Standard 401.09). Single-Family cul-de-sac without island: 38-foot outside radius with island reverts to commercial dimensions. Hammerhead turn-around: total of 110 feet needed (45 feet + 20 feet wide roadway + 45 feet).

Aerial apparatus access shall be required for all structures over 30 feet in height measured from the lowest level of fire department access to the ceiling height of the highest occupied floor level. Aerial fire apparatus access roads shall be a minimum width of 24 feet maximum of 40 feet from the structure and be positioned parallel to one entire side of the building. No overhead utility and power lines shall be located within the aerial fire apparatus access. (Cobb County Development Standards 401.08.02.1)

HYDRANT: Show fire hydrants arranged to have a hydrant available for the distribution of hose to any portion of any building on premises at distances not exceeding 500 feet (driving distance). Hydrants shall be at least 40 feet from the building (steamer connection facing street) (NFPA 24-7.2.3). Fire hydrants shall be spaced not more than 500 feet apart. Hydrants shall not be connected to water lines on the positive side (discharge side) of a fire pump. Minimum 8” supply lines to all hydrants.

APPLICANT Luis Urizar
PRESENT ZONING R-20

PETITION NO. Z-038
PETITION FOR HI

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): **6" DI / S side of Six Flags Parkway**

Additional Comments:

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 1,300' S with easements**

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

Treatment Plant: **S 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:

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: Luis Urizar

PETITION NO.: Z-38

PRESENT ZONING: R-20

PETITION FOR: HI

STORMWATER MANAGEMENT COMMENTS

FLOOD HAZARD: YES NO POSSIBLY, NOT VERIFIED

DRAINAGE BASIN: Unnamed Trib to Chattahoochee River FLOOD HAZARD INFO: Zone A

- 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: Within or adjacent to on-site stream.

- 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 receiving stream.

APPLICANT: Luis Urizar

PETITION NO.: Z-38

PRESENT ZONING: R-20

PETITION FOR: HI

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. A commercial truck repair facility is considered a stormwater quality “hot-spot” due to the potential for discharge of contaminated runoff. The installation of an oil/water separation device will be required to treat runoff from this site. The development of a written stormwater pollution prevention plan (SWPPP) will also be required for the site.

APPLICANT: Luiz Urizar

PETITION NO.: Z-38

PRESENT ZONING: R-20

PETITION FOR: HI

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
Six Flags Parkway	3,300	Major Collector	40 mph	Cobb County	80'

Based on 2011 traffic counting data taken by Cobb County DOT (Six Flags Parkway)

COMMENTS AND OBSERVATIONS

Six Flags Parkway is classified as a major collector 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 south side of Six Flags Parkway, a minimum of 40' from the roadway centerline.

Recommend one access to Six Flags Parkway.

Recommend applicant verify that minimum intersection sight distance is available and if it is not, implement remedial measures, subject to the Department's approval, to achieve the minimum requirement.

Recommend curb, gutter, and sidewalk along Six Flags Parkway frontage.

Recommend a deceleration lane on Six Flags Parkway for the entrance.

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

STAFF RECOMMENDATIONS

Z-38 LUIS URIZAR

- 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. Properties in the area are similarly zoned for 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 subject property abuts HI properties to the west and south and many other properties in the area are zoned HI with existing industrial 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 not in conformity with the policy and intent of the *Cobb County Comprehensive Plan*, which delineates this property to be within the Industrial Compatible land use category. Per the *Cobb County Zoning Ordinance*, the HI zoning category should be for properties delineated as Industrial on the *Cobb County Comprehensive Plan*. The Light Industrial (LI) zoning category is for properties delineated as Industrial Compatible.
- 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 deleting the applicant's rezoning proposal to the LI category. Truck terminals and truck repair businesses are allowed as permitted uses under LI.

Based on the above analysis, Staff recommends DELETING the request to LI subject to the following conditions:

- Site plan received by the Zoning Division on August 22, 2012, with the District Commissioner approving minor modifications;
- Water and Sewer comments and recommendations;
- Stormwater Management comments and recommendations;
- DOT comments and recommendations;
- 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.

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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): Truck Terminal and Truck Repair Facility
- b) Proposed building architecture: Metal and Concrete
- c) Proposed hours/days of operation: 6:00 a.m. - 9:00 p.m.
Monday - Sunday
- d) List all requested variances: None known at this time

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

.....
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 known at this time.

*Applicant specifically reserves the right to amend any information set forth herein, or within the Application for Rezoning, at any time during the rezoning process.

ATTACHMENT TO APPLICATION FOR REZONING

IMPACT ANALYSIS STATEMENT

Application No.:
Hearing Dates:

Z- 38 (2012)
September 6, 2012 and
September 18, 2012



Applicant:
Titleholder:

Luis Urizar
The Estate of Elzie Elton Goodwin
(a/k/a E. E. Goodwin)

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

- (a) This Application for Rezoning requests rezoning of three assembled parcels totaling approximately 2.514 acres located on the southeasterly side of Six Flags Parkway (having addresses of 320, 350, and 370 Six Flags Parkway) (hereinafter "Property" or "Subject Property") from the existing R-20 zoning category to the Heavy Industrial ("HI") zoning category. Applicant seeks rezoning of the Subject Property to the HI category for a truck terminal and truck repair facility. The requested category of HI will permit a use that is more suitable in view of the use and development of adjacent and nearby properties. Adjacent properties are developed and used for heavy industrial purposes; as well as nearby properties are rezoned to the Light Industrial, General Commercial, and Future Commercial categories.
- (b) This zoning proposal should have no adverse effect on the existing use or usability of adjacent or nearby property. 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 not have a reasonable economic use. 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. Commercial development has almost no effect on schools, minimal effect on utilities and transportation facilities. The widened and improved roadways in the area will ease any increased traffic without burdensome effects.
- (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. Improved roadways and proximity to interstates support the proposed use of the Subject Property. The use of the Subject Property as residential is no longer feasible in light of the rezoning and use of nearby and adjoining tracts for industrial and commercial purposes. Thus, the rezoning proposed in the pending Application for Rezoning would allow for a more suitable and economic use without detrimental impact upon the surrounding area.