

APPLICANT: Personal Storage, Inc.

PHONE#: (770) 926-7708 **EMAIL:** cantonroadselfstorage@gmail.com

REPRESENTATIVE: Victoria Milam

PHONE#: (678) 557-9994 **EMAIL:** malloryeri@aol.com

TITLEHOLDER: Personal Storage, Inc.

PROPERTY LOCATION: West side of Canton Road, south of

Jamerson Road

(4755 Canton Road).

ACCESS TO PROPERTY: Canton Road

PHYSICAL CHARACTERISTICS TO SITE: Existing self-service

storage facility

PETITION NO: Z-52

HEARING DATE (PC): 08-05-14

HEARING DATE (BOC): 08-19-14

PRESENT ZONING: GC

PROPOSED ZONING: LI

PROPOSED USE: Addition of U-Haul

Business to Existing Storage Business

SIZE OF TRACT: 4.93 acres

DISTRICT: 16

LAND LOT(S): 85

PARCEL(S): 15

TAXES: PAID X **DUE** _____

COMMISSION DISTRICT: 3

CONTIGUOUS ZONING/DEVELOPMENT

NORTH: GC/ Two-story Office Building

SOUTH: GC/ Professional Offices

EAST: GC/ Undeveloped

WEST: GC/ Office Warehouses

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

PLANNING COMMISSION RECOMMENDATION

APPROVED _____ **MOTION BY** _____

REJECTED _____ **SECONDED** _____

HELD _____ **CARRIED** _____

BOARD OF COMMISSIONERS DECISION

APPROVED _____ **MOTION BY** _____

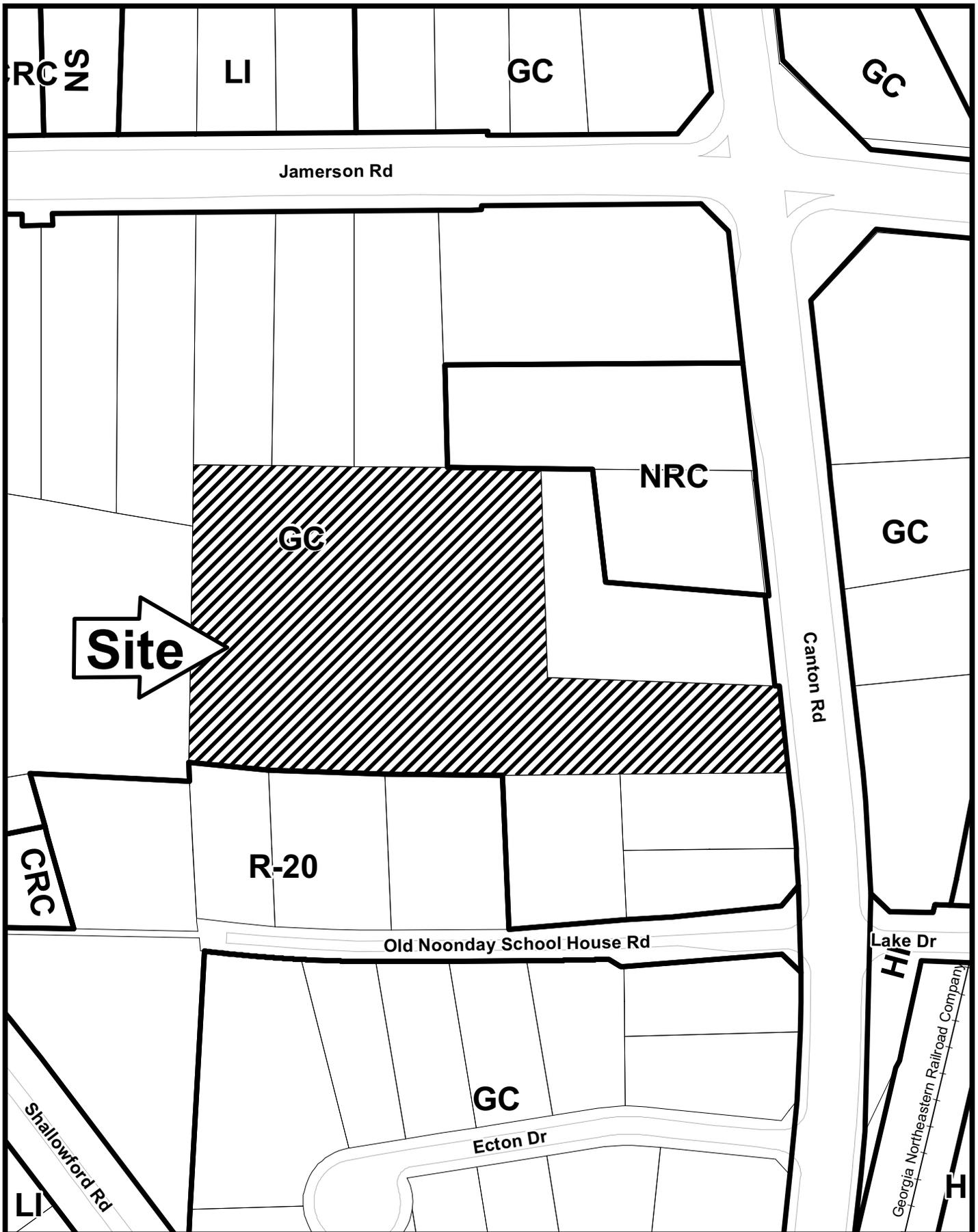
REJECTED _____ **SECONDED** _____

HELD _____ **CARRIED** _____

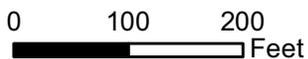
STIPULATIONS:



Z-52



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



- City Boundary
- Zoning Boundary

APPLICANT: Personal Storage, Inc.

PETITION NO.: Z-52

PRESENT ZONING: GC

PETITION FOR: LI

ZONING COMMENTS:

Staff Member Responsible: Terry Martin, MPA

Land Use Plan Recommendation: Neighborhood Activity Center (NAC)

Proposed Number of Buildings: 10 Existing **Total Square Footage of Development:** 7,871 sq. ft. office,
55,600 sq. ft. storage

F.A.R.: 0.3 **Square Footage/Acre:** 12,874 sq. ft.

Parking Spaces Required: 11 **Parking Spaces Provided:** 9

The applicant is requesting a rezoning of the property from the existing GC general commercial district to the LI light industrial district in order to receive a new business license to operate an automobile, truck and trailer lease and rental facility (UHAUL). The property, currently zoned GC and located within a NAC neighborhood activity center future land use area, is operated as a self-service storage facility and is considered "grandfathered" and thus, the rezoning is necessary to license the additional use of truck rentals. No changes to the site or existing structures are proposed (the 6,500 sq. ft. building expansion, 5,000 sq. ft. metal storage, and 8,900 sq. ft. covered parking highlighted on the plans were previously proposed and never built and are not a part of the current request).

The facility is open seven (7) days a week, from the hours of 9a.m. to 6p.m. during the week and from 9a.m. to 5p.m. on weekends. At any given time, four to six vehicles are available for rent. These include trucks up to 15 feet and 6 foot trailers. All rental vehicles will be parked in a marked parking space or behind the building.

The applicant will need a variance of required parking from a required 13 to the provided 9 as well as a side yard variance from the required 10 feet to three (3) feet on the southern side for the existing building.

Cemetery Preservation: No comment.

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.

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: Personal Storage, Inc.

PETITION NO.: Z-52

PRESENT ZONING: GC

PETITION FOR: LI

PLANNING COMMENTS:

The applicant is requesting a rezoning from GC to LI for purpose of addition of U-Haul business to existing storage business. The 4.93 acre site is located on the west side of Canton Road, south of Jamerson Road.

Comprehensive Plan

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

Master Plan/Corridor Study

The parcel is located within the Canton Road Design Guideline boundary.

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 Canton Corridor Streetscape and Architectural Guidelines

Does the current site plan comply with the design requirements?

- Pedestrian access to buildings
 Yes No Not applicable
- Streetscape elements
 Yes No Not applicable
- Building Frontage
 Yes No Not applicable
- Parking Standard
 Yes No Not applicable
- Architecture standard
 Yes No Not applicable

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 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: Personal Storage, Inc.

PETITION NO.: Z-52

PRESENT ZONING: GC

PETITION FOR: LI

PLANNING COMMENTS: (Continued)

Incentive Zones (Continued)

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 Office of Economic Development at 770.528.2607 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

APPLICANT Personal Storage, Inc.

PETITION NO. Z-052

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): 16" DI / W side of Canton Road

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.

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: On site

Estimated Waste Generation (in G.P.D.): A D F= +0 Peak= +0

Treatment Plant: Noontday

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 Existing sewer customer. No new development or additions proposed
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.

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STORMWATER MANAGEMENT COMMENTS

Must meet stormwater management requirements for any future site additions.

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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
Canton Road	24,500	Arterial	45 mph	Cobb County	100'

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

COMMENTS AND OBSERVATIONS

Canton Road is classified as an arterial 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 Canton Road, a minimum of 50' from the roadway centerline.

Recommend sidewalk along the Canton Road frontage upon redevelopment.

Recommend a deceleration lane for the Canton Road access upon redevelopment.

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

STAFF RECOMMENDATIONS

Z-52 PERSONAL STORAGE, 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 existing business of self-service storage facility with accessory truck and trailer leasing has existed on the property since 1999 according to the applicant. The current request will simply allow for legal licensing of the accessory rental operation.
- 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 storage facility and vehicle rental is currently in operation with no known complaints from neighboring commercial properties or residents on nearby Old Noonday School House Road where there exists a wooded area screening the storage buildings.
- 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*. The property exists within an area delineated as NAC neighborhood activity center on the future land use map. This designation seeks to provide areas for compatible businesses that serve neighborhood residents. However, self-service storage facilities are only permitted in the LI light industrial and HI heavy industrial districts.
- 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. Seeking to allow the licensure of the accessory automobile, truck and trailer rental facility that has operated alongside the existing self-service storage facility, it is necessary that the property be rezoned due to its "grandfathered" status. According to the applicant, the two businesses have both operated on site since 1999. No improvements are anticipated for the site and the necessary variances are to accommodate existing conditions. Additionally, the truck rental business and storage business are normally complimentary uses.

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

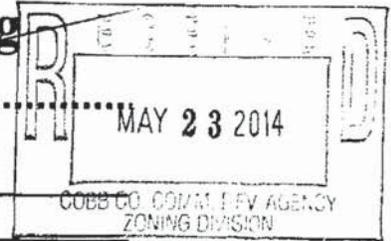
- Approval for existing self-service storage facility and accessory automobile, truck and trailer rental facility only as currently developed (no expansion of structures or business operations);
- Landscape plan to be submitted for review and approval by County Arborist to ensure adequate 25 foot landscape screening buffer between those properties zoned residential adjacent to the site on its southern side;
- Fire Department comments and recommendations;
- Water and Sewer Division comments and recommendations;
- Stormwater Management Division comments and recommendations;
- Department of Transportation 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 #: 2-52
 PC Hearing Date: 8-5-14
 BOC Hearing Date: 8-19-14

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): Same as from inception ~ 1999 - Self service storage facility with accessory truck and trailer leasing.
 b) Proposed building architecture: No changes to existing structures
 c) Proposed hours/days of operation: 7 days/week 9 AM - 5 or 6 pm.
 d) List all requested variances: None

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

Per Code Violation # CODE - 2014-03269, property has been grandfathered for leasing U-Haul, must be re-zoned to comply. Minimal equipment to be parked on blacktop driveways + front parking lot.

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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). _____

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Part 5. Is this application a result of a Code Enforcement action? No _____; Yes (If yes, attach a copy of the Notice of Violation and/or tickets to this form).

Applicant signature: Victoria Milam Date: 5-21-2014

Applicant name (printed): Victoria Milam, Corporate Secretary, Personal Storage, INC.

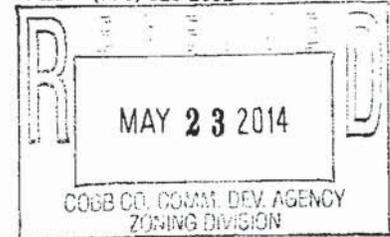


COBB COUNTY - COMMUNITY DEVELOPMENT AGENCY
Code Enforcement Division

Mailing Address
P.O. Box 649
Marietta, Ga. 30061

Physical Address
1150 Powder Springs Rd.
Suite 400
Marietta, Ga. 30064

Fax: (770) 528-2092



Notice of Violation

Violation Number: CODE-2014-03269

Date: 5/8/2014

The Cobb County Code Enforcement Division has grounds to believe the property located at:

4755 CANTON RD , GA 16 0085 015 GC
(Address) (City/State/Zip) (Dist) (Land Lot) (Par) (Zoning)

and/or MILAM VICTORIA A (4206 NEWPOND TRL KENNESAW, GA 30144)

may be in violation of the Official Code of Cobb County, Georgia. You have 10 days to bring the violation(s) into compliance. An inspection will be made on or about 10 days from May 8, 2014. Failure to comply could result in a citation being issued for you to appear in the Cobb County Magistrate Court, and you may be subject to a fine, imprisonment or both.

<u>Violation</u>	<u>Code Section</u>	<u>Requirement for Compliance</u>
PERMITTED USES/PROPERTY MUST RE-ZONE FOR CURRENT USE 134-277 (3)	PROPERTY HAS BEEN " GRANDFATHERED FOR LEASING U-HAULS , BUT MUST BE RE-ZONED TO COMPLY.	

David Miller (david.miller@cobbcounty.org)

770-528-2023

Officer

Telephone

Contact the Officer listed above by telephone or email for further information. Officer availability 8:00-9:00 a.m. and 3:30-4:30 p.m. Monday through Friday. You may leave voice mail or send email at any time.

A COMPLETE COPY OF THE COBB COUNTY ORDINANCE MAY BE VIEWED AT WWW.COBBCOUNTY.ORG

*Zoning 770-528-2091
David Wells-
Jason Campbell*