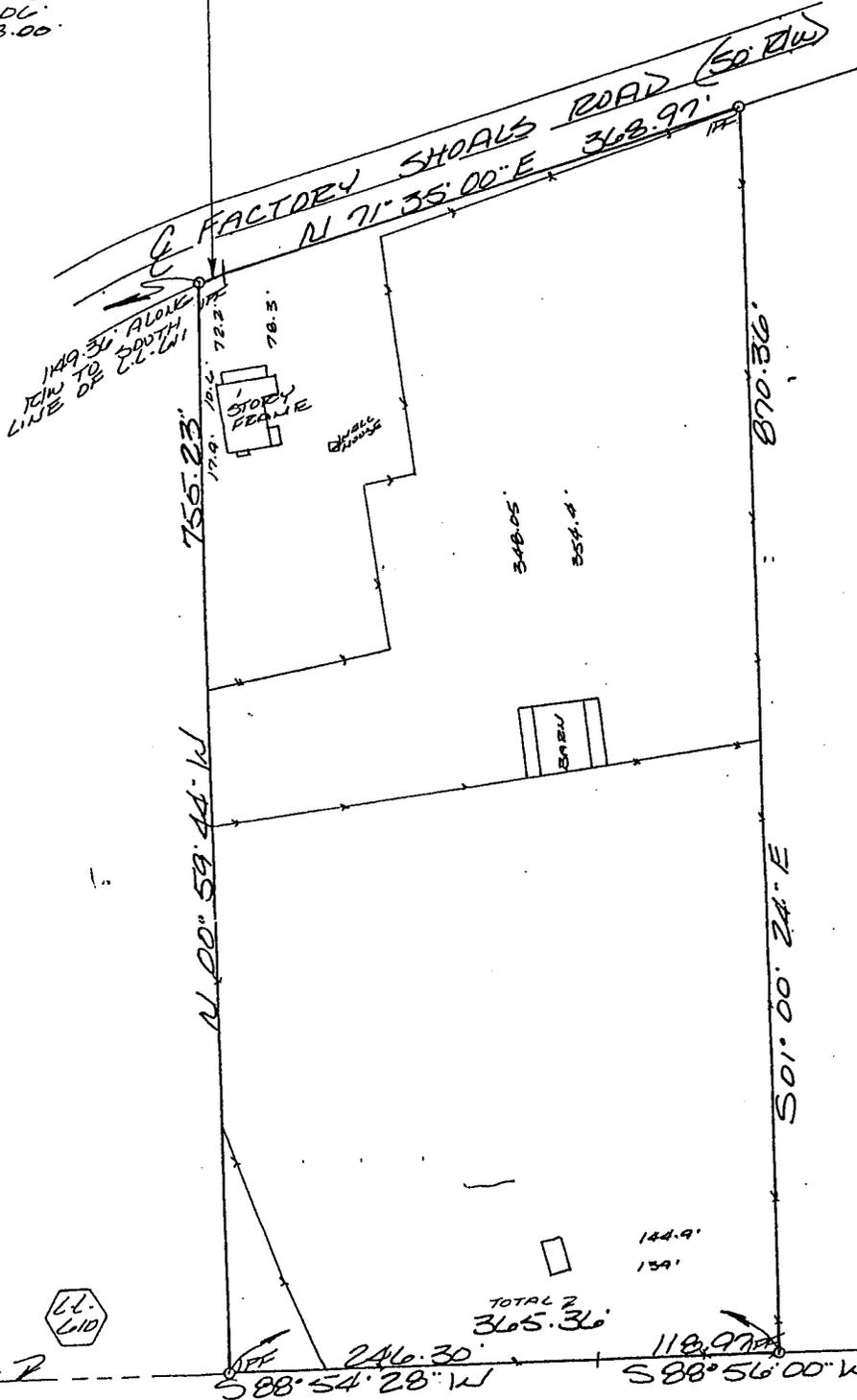


Z-46  
(2008)

N 67° 10' 00" E  
CHD: 14.06'  
ARC: 14.06'  
RAD: 108.00'



DATE OF FIELD LOCATION: 7-29-97 AREA=6.82 ACRES

THE FIELD DATA UPON WHICH THIS MAP OR PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 20,000 FEET, AND AN ANGULAR ERROR OF 02 SECONDS PER ANGLE POINT, AND WAS ADJUSTED USING THE CRANDALL RULE. THIS MAP OR PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 40,000 FEET.

ALL IRON PINS ARE 1/2" REDAR UNLESS OTHERWISE NOTED.

EQUIPMENT USED: TOPCON GTS TOTAL STATION

NO U.S.C.G.S. MONUMENTS FOUND UNLESS OTHERWISE NOTED.

IN MY OPINION THIS IS A CORRECT REPRESENTATION OF THE LAND PLATTED, AND HAS BEEN PREPARED IN CONFORMITY WITH THE MINIMUM STANDARDS AND REQUIREMENTS OF THE REGISTERED LAND SURVEYOR.

*Richard E. ...*  
REGISTERED LAND SURVEYOR

**KENCO/PERIMETER SURVEYING, INC.**  
1005 SANDTOWN BLVD. S.W.  
MARIETTA, GEORGIA 30060 E.  
PH: (770)-425-6024/427-1100  
FX: (770)-425-6760

THIS SURVEY FOR:  
**JOHN W. JUSTUS  
SHARON B. JUSTUS**

ESTATE OF MRS. DONIE  
JEWEL BRIARD

PLAT BOOK: \_\_\_\_\_ PAGE: \_\_\_\_\_

LAND LOT(S) 610 DIST: 18th SECT: 2nd

COBB COUNTY, GEORGIA

DATE: 7.31.97 SCALE: 1" = 100'

DEED BOOK: \_\_\_\_\_ PAGE: \_\_\_\_\_

[REVISIONS]

CHKD: R.N.  
PC: H.N.  
ATTY:  
JOB NUMBER  
071397  
DRAWN: RSN/utt

THIS PLAT MAY BE BASED ON A RECORDED PLAT FROM IRON PINS REFERENCED ON SAID PLAT FOR CLOSURE TIE-IN.

I HAVE THIS DATE, EXAMINED THE "FIA OFFICIAL FLOOD HAZARD MAP" AND FOUND REFERENCED LOT 151A NOT IN AN AREA HAVING SPECIAL FLOOD HAZARDS PER FIGURE 1506712085 F

DATED: AUG. 18, 1997

**APPLICANT:** Justus Transport Co., Inc.  
770-944-8188

**REPRESENTATIVE:** Richard W. Calhoun  
770-422-1776

**TITLEHOLDER:** John W. and Sharon B. Justus

**PROPERTY LOCATION:** Located on the south side of Factory Shoals Road, west of Hartman Road.

**ACCESS TO PROPERTY:** Factory Shoals Road

**PHYSICAL CHARACTERISTICS TO SITE:** Existing house and barn

**PETITION NO:** Z-46

**HEARING DATE (PC):** 10-07-08

**HEARING DATE (BOC):** 10-21-08

**PRESENT ZONING:** LI With Stipulations

**PROPOSED ZONING:** LI With Stipulations

**PROPOSED USE:** Amending Zoning Stipulations For A Transport Office

**SIZE OF TRACT:** 6.9 acres

**DISTRICT:** 18

**LAND LOT(S):** 610

**PARCEL(S):** 12

**TAXES: PAID** X **DUE** \_\_\_\_\_

**COMMISSION DISTRICT:** 4

**CONTIGUOUS ZONING/DEVELOPMENT**

- NORTH:** R-20/ Mt Sinai Baptist Church
- SOUTH:** R-20/ wooded
- EAST:** R-20/ Single-family house
- WEST:** LI/ vacant lot

**OPPOSITION:** NO. OPPOSED **PETITION NO:** \_\_\_\_\_ **SPOKESMAN** \_\_\_\_\_

**PLANNING COMMISSION RECOMMENDATION**

**APPROVED** \_\_\_\_\_ **MOTION BY** \_\_\_\_\_

**REJECTED** \_\_\_\_\_ **SECONDED** \_\_\_\_\_

**HELD** \_\_\_\_\_ **CARRIED** \_\_\_\_\_

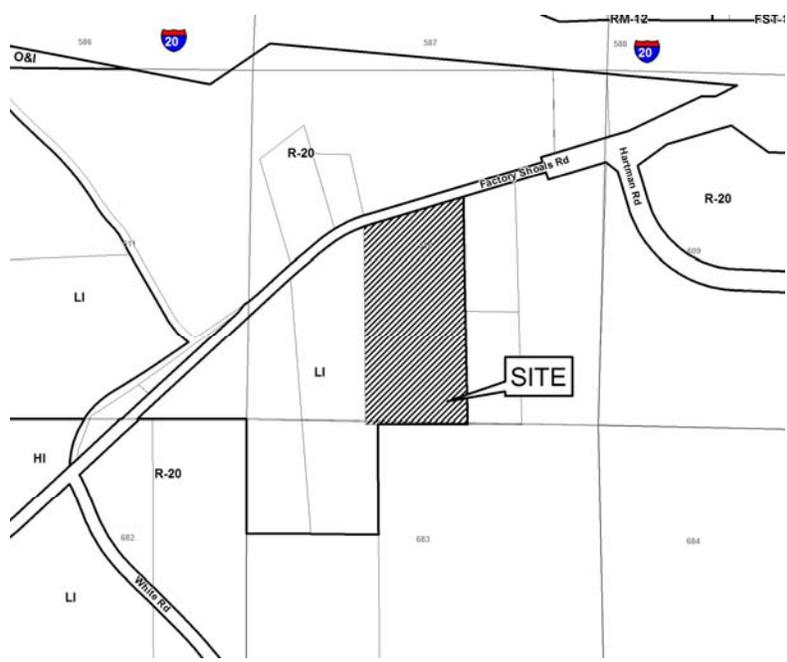
**BOARD OF COMMISSIONERS DECISION**

**APPROVED** \_\_\_\_\_ **MOTION BY** \_\_\_\_\_

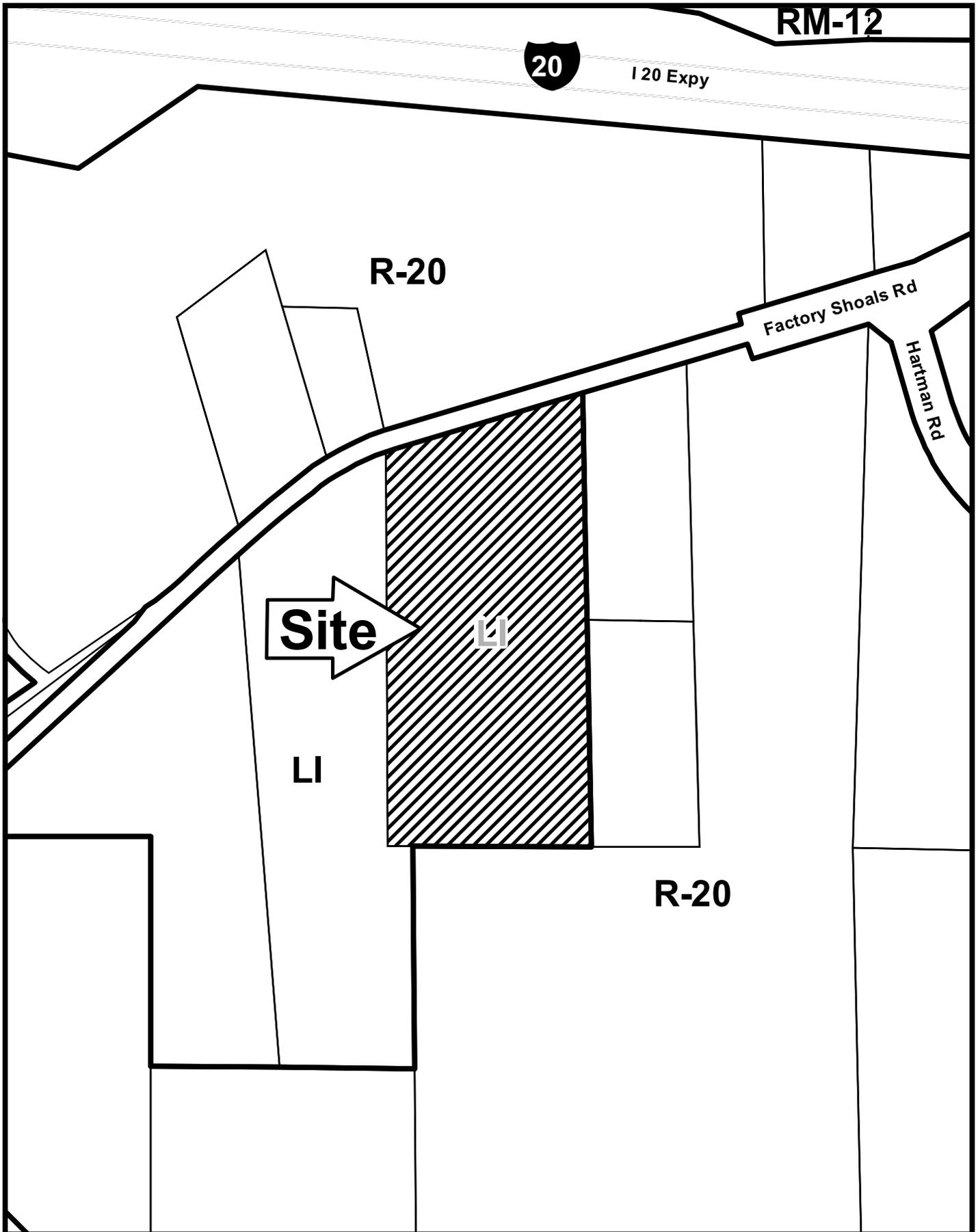
**REJECTED** \_\_\_\_\_ **SECONDED** \_\_\_\_\_

**HELD** \_\_\_\_\_ **CARRIED** \_\_\_\_\_

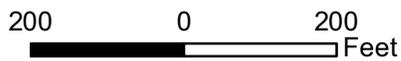
**STIPULATIONS:**



# Z-46



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



- City Boundary
- Zoning Boundary

APPLICANT: Justus Transport Co., Inc.

PETITION NO.: Z-46

PRESENT ZONING: LI with stipulations

PETITION FOR: LI with stip.

\*\*\*\*\*

**PLANNING COMMENTS:**

**Staff Member Responsible:** John P. Pederson, AICP

**Land Use Plan Recommendation:** Industrial Compatible

**Number of Buildings:** 2 (existing)      **Total Square Footage of Development:** 4,250

**F.A.R.:** 0.01      **Square Footage/Acre:** 616

**Parking Spaces Required:** 5      **Parking Spaces Provided:** 5

The applicant is requesting the LI zoning district to amend previous zoning stipulations. The property was rezoned in 1999 for a transportation company which showed a new 30,000 square-foot office/warehouse building. The applicant has not constructed the new building yet, and is operating the office from the existing house. The applicant wants to use the house for the transportation office until the business has grown enough to warrant a larger building. The applicant would like to postpone doing the improvements recommended in the Staff comments until such a time a new building is constructed. The previous stipulations are attached for review (see Exhibit "A"). The applicant has submitted a Zoning Impact Analysis, which is attached as Exhibit "B".

**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.

\*\*\*\*\*

**FIRE COMMENTS:**

Fire Hydrant

Commercial: Fire hydrant within 500 feet of most remote part of structure.

APPLICANT Justus Transport Co, Inc

PETITION NO. Z-046

PRESENT ZONING LI w/stips

PETITION FOR LI w/stips

\*\*\*\*\*

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) 12" DI / S side Factory Shoals Rd

Additional Comments: Records show current connection

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: 300' E on Factory Shoals Rd

Estimated Waste Generation (in G.P.D.): **A D F** 1575 (fut) **Peak** 3940 (fut)

Treatment Plant: S Cobb

- 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:

Tract size large enough for septic system use for current usage with approval of Health Dept. Sewer connection required for planned office/warehouse.

In Hartman Rd Sewer Assessment Area where \$2400 per acre applicable

Notes FYI:

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.

APPLICANT: Justus Transport Co., Inc.

PETITION NO.: Z-46

PRESENT ZONING: LI w/ stips

PETITION FOR: LI w/ stips

\*\*\*\*\*

**DRAINAGE COMMENTS**

FLOOD HAZARD:  YES  NO  POSSIBLY, NOT VERIFIED

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

- 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: \_\_\_\_\_

- 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 downstream \_\_\_\_\_.

**APPLICANT: Justus Transport Co., Inc.**

**PETITION NO.: Z-46**

**PRESENT ZONING: LI w/ stips**

**PETITION FOR: LI w/ stips**

\*\*\*\*\*

DRAINAGE 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. No additional clearing or grading to be performed until LDP is approved.

**APPLICANT: Justus Transport Co., Inc.**

**PETITION NO.: Z-46**

**PRESENT ZONING: LI w/stipulations**

**PETITION FOR: LI w/stipulations**

\*\*\*\*\*

**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
Factory Shoals Rd	6000	Major Collector	40 mph	Cobb County	80'

*Based on 2006 traffic counting data taken by Cobb County DOT.*

**COMMENTS AND OBSERVATIONS**

Factory Shoals Road 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.

All driveways used as part of this site shall comply with County standards.

Remove small trees and bushes along the property frontage to help minimize sight distance impacts.

As necessitated by this development for egress from Factory Shoals Road, a deceleration lane will be required.

Defer installing sidewalk, curb and gutter along the road frontage until site is redeveloped.

**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 Factory Shoals Road, a minimum of 40' from the roadway centerline.

Recommend improving driveways to comply with County Standards.

Recommend removing the small trees and bushes along the frontage of the property.

Recommend a deceleration lane.

Recommend deferring sidewalk, curb and gutter until the site is redeveloped.

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

## STAFF RECOMMENDATIONS

### Z-46 JUSTUS TRANSPORT COMPANY, 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. Adjacent and nearby properties are used for industrial type purposes. The trend in the area is for LI and HI type 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 proposal would be consistent with other uses in the area. Almost all the property south of Interstate 20 has been anticipated for industrial type uses since the early 1970's. The applicant's proposal seeks to build the Staff recommended improvements at the time of new construction.
- 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 proposal 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 proposal is consistent with the *Cobb County Comprehensive Plan*, which delineates this property to be within an Industrial Compatible Land Use Category. The area below Interstate 20 has several large type Industrial Compatible users such as Riverside Park and Six Flags Industrial Park, as well as many small Industrial Compatible users. The proposed development would be compatible in this area of Cobb County. The applicant is agreeable with constructing the Staff recommended improvements, but at such a time when the new building is constructed. However, the property is being as a transport company, and does generate truck traffic on this curvy and hilly roadway. D.O.T. Staff is amenable with delaying curb, gutter and sidewalk, but all other safety improvement should be done now.

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

- All County Department comments be done at time of new building construction, except that D.O.T. recommendations be done now;
- Fire Department comments;
- 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.**

PAGE 2 OF 2

APPLICATION NO. Z-140

ORIGINAL DATE OF APPLICATION: 10-28-99

APPLICANTS NAME: JOHN W. JUSTUS AND SHARON B. JUSTUS

Z-46 (2008)  
Exhibit "A"  
Zoning  
stipulations for  
Z-140/1999

THE FOLLOWING REPRESENTS THE FINAL DECISIONS OF THE  
COBB COUNTY BOARD OF COMMISSIONERS

**BOC DECISION OF 10-28-99 ZONING HEARING:**

**JOHN W. JUSTUS AND SHARON B. JUSTUS** for Rezoning from **R-20** to **LI** for the purpose of a Trucking Terminal, Warehouse and Leasing in Land Lot 610 of the 18<sup>th</sup> District. Located on the south side of Factory Shoals Road, northeast of White Road. The Board of Commissioners, as part of the Consent Agenda, **approved** Rezoning to the **LI zoning district** **subject to:** 1) **Stormwater Management** comments and recommendations; 2) **Water and Sewer** comments and recommendations; 3) **Cobb DOT** comments and recommendations; 4) **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. Motion by Olens, carried 5-0.

APPLICANT John W. Justus & Sharon B Justus

PETITION NO. 4  
 PETITION FOR I

PRESENT ZONING R-20

\*\*\*\*\*

NOTE: Comments reflect only what facilities were in existence at the time of this review.

**WATER COMMENTS:**

- Available at Development?  Yes  No
- Fire Flow Test Required?  Yes  No

Size / Location of Existing Water Main(s): 12" on Factory Shoals Road

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:**

- In Drainage Basin?  Yes  No
- At Development?  Yes  No

Approximate Distance to Nearest Sewer: not in this sub-basin

Estimated Waste Generation (in G.P.D.): **A D F** 500 **Peak** 1250

Treatment Plant: South Cobb

- 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
- Letter of Allocation issued?  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: Proposed use & size of tract make septic tank usage ok with Health Dept. approval. Engineering is underway to provide sewer in the Hartman Road area in near future which should make this site available to sewer. Special Assessment fees will apply then.

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.

Z-46 (2008)  
Exhibit "A"  
Zoning  
stipulations for  
Z-140/1999

APPLICANT: John W. & Sharon B. Justus

PETITION NO.: Z 140

PRESENT ZONING: R 20

PETITION FOR: LI

\*\*\*\*\*

**DRAINAGE COMMENTS**

FLOOD HAZARD:  YES  NO  POSSIBLY, NOT VERIFIED

DRAINAGE BASIN: Chattahoochee River FLOOD HAZARD INFO: Undefined along (2) ravines

- 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 flood hazard

- 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 Ordinance - 50' each side of Detention Ravine 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 \_\_\_\_\_.

Z-46 (2008)  
Exhibit "A"  
Zoning  
stipulations for  
Z-140/1999

APPLICANT: John W. & Sharon B. Justus

PETITION NO.: Z

PRESENT ZONING: R 20

PETITION FOR: L

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**DRAINAGE COMMENTS CONTINUED**

SPECIAL SITE CONDITIONS

- Provide comprehensive hydrology/stormwater controls to include development of out parcels.
- Submit all proposed site improvements to Plan Review.
- A qualified geotechnical engineer (PE) must address any spring activity uncovered.
- Structural fill **in flood hazard** 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 **Required @ Plan Review**.
- 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/SUGGESTIONS

\* Site is near a ridge top. Two ravines cut West-East through site: North 100-200' off Factory Shoals Road and parallel South along south property line. Average ground slopes range 10-15%

\* Layout calls for table top for over half of property. This will require extensive mass grading. By placing the improvements well back on the property the more slopes are engaged and the entrance drive is lengthened. Suggest moving entire improvement package nearer Factory Shoals and arranging to take advantage of natural terrain.

**Z-46 (2008)  
Exhibit "A"  
Zoning  
stipulations for  
Z-140/1999**

**APPLICANT:** John W. Justus and Sharon B. Justus  
**PRESENT ZONING:** R-20

**PETITION NO.:** \_\_\_\_\_  
**PETITION FOR:** \_\_\_\_\_

\*\*\*\*\*

**TRANSPORTATION COMMENTS**

The following comments and recommendations are based on field investigation and office review of the subject rezoning case:

ROADWAY	AVERAGE DAILY TRIPS	CLASSIFICATION	MIN. R.O.W. REQUIREMENTS
Factory Schoals Road	N/A	Major Collector	80'

Factory Schoals Road is classified as a Major Collector. According to the available information, the existing right-of-way does not meet the minimum requirements for this classification.

To demarcate the access location as well as drainage concerns, DOT recommends the installation of curb and gutter along the entire property frontage.

As necessitated by this development for ingress into the facility from the Major Collector, the proposed driveway must be relocated to accommodate a minimum 150' deceleration lane.

The applicant will have to verify that minimum intersection sight distance is available. If it is not, the applicant will have to implement remedial measures, subject to approval by the Department, to achieve the minimum requirements of 350' for the proposed access at its intersection with the Major Collector. A sight distance profile has been requested.

**RECOMMENDATIONS:**

Recommend applicant consider entering into a development agreement pursuant to O.C.G.A. 36-71-13 for dedication of the following system improvement to mitigate traffic concerns: a) donation of right-of-way on the south side of Factory Schoals Road, a minimum of 40' from the roadway centerline; b) installation of curb and gutter along the entire property frontage.

Recommend 150' deceleration lane for ingress into the facility from the Major Collector.

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 requirements of 350'.

GDOT permits will be required for all work encroaching upon state right-of-way.

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

## ANALYSIS OF IMPACT OF PROPOSED REZONING

- (A) Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property:

Yes, the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property. There is industrial use property in the immediate vicinity of the subject property.

- (B) Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property:

No, the zoning proposal will not adversely affect the existing use or suitability of adjacent or nearby property.

- (C) Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned:

No, the property is not suitable for residential use.

- (D) Whether the zoning proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities or schools:

No, the zoning proposal will not result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities or schools. On average our facility would have two to five trucks per day coming into the facility. There would be three to four office personnel vehicles. Justus Transport Co. Inc. runs twelve trucks out of town. Any additional traffic is sporadic and negligible.

- (E) Whether the zoning proposal is in conformity with the policy and intent of the land use plan:

Yes, the zoning proposal is in conformity with the policy and intent of the land use plan. The land use plan calls for industrial compatible uses for the area in which the subject property is located.

- (F) Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the zoning proposal:

Yes, existing and changing conditions affecting the use and development of the property give supporting grounds for approval of the zoning proposal. Within the last six months

property within a two mile radius from the subject property and to the south of the subject property appear to have been rezoned commercial, graded and are in the process of being developed. There also appears to be approximately 100 acres of commercial developments in the vicinity.