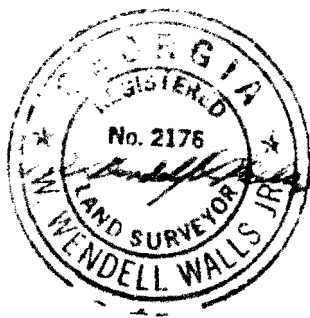
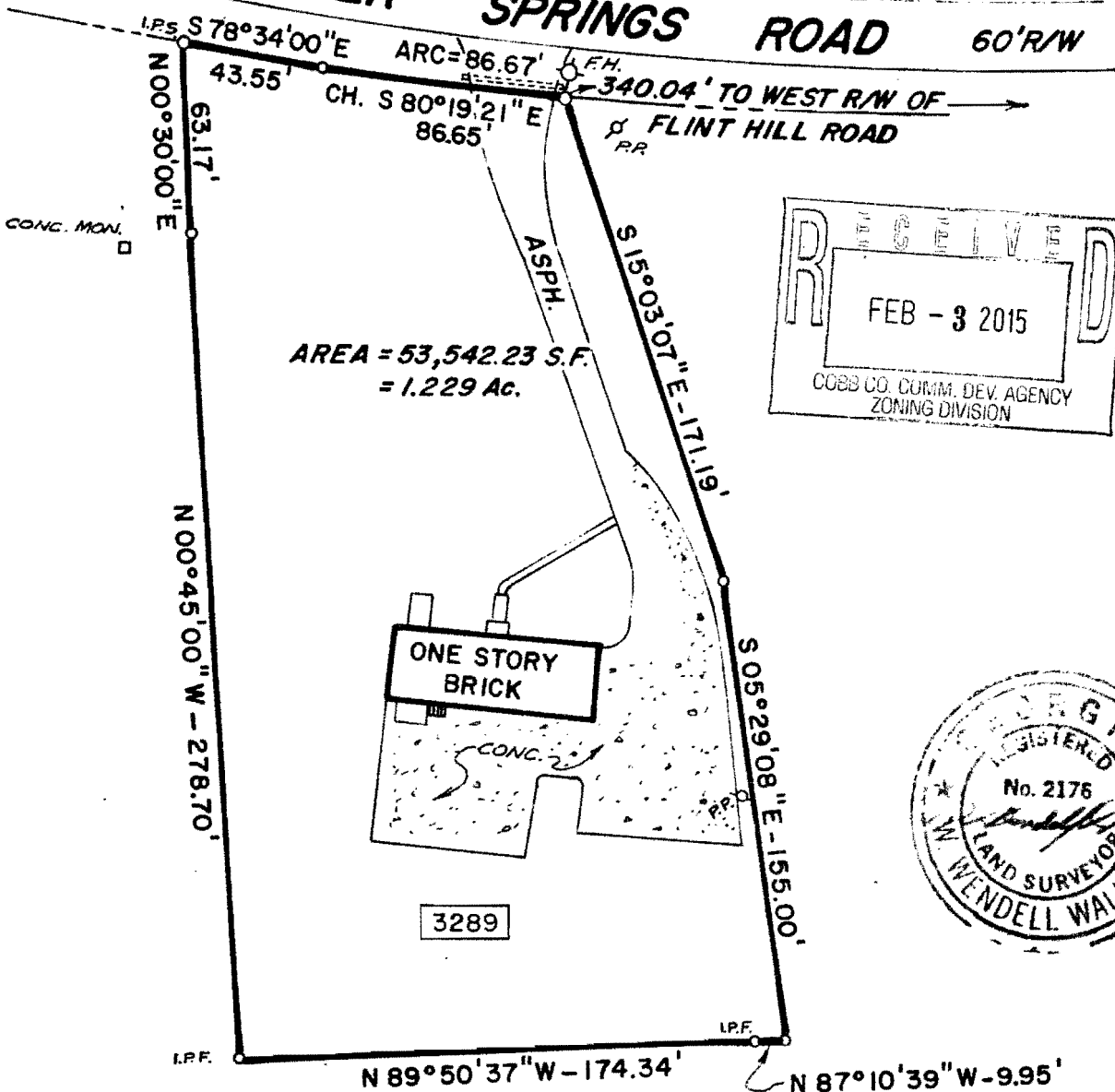


Z-30
(2015)

(24' P.V.M.T.) **POWDER SPRINGS ROAD** 60'R/W



L.I.P.'S ARE #4 REBARS

CORDING TO THE CURRENT "F.I.A. OFFICIAL FLOOD HAZARD MAP",
IS PROPERTY IS NOT IN AN AREA HAVING SPECIAL FLOOD HAZARDS

100 ELEVATION IS _____

WEST FLOOR ELEVATION IS _____

PREPARED FOR:
CENTURY 21-HERITAGE SALES INC.

LOT _____ BLOCK _____

L.L. 910 19 TH. DISTRICT 2 ND. SECTION
COBB COUNTY, GEORGIA

DATE JUNE 8, 1988 SCALE 1"= 60'

SURVEYED BY: J.B.S. DWG: JBN

CHECKED BY: W.W.W.

Rodenberger & Associates, Inc.
2130-C Kingston Court
Marietta, Georgia 30067
(404) 966-1070

Land Planners, Engineers & Surveyors

APPLICANT: Richard A. Boone

PETITION NO: Z-30

PHONE#: (770) 439-3013 **EMAIL:** rabi200@aol.com

HEARING DATE (PC): 04-07-15

REPRESENTATIVE: Richard A. Boone

HEARING DATE (BOC): 04-21-15

PHONE#: (770) 439-3013 **EMAIL:** rabi200@aol.com

PRESENT ZONING: GC

TITLEHOLDER: Richard A. Boone, Sr.

PROPOSED ZONING: LI

PROPERTY LOCATION: South side of Powder Springs Road, west of Flint Hill Road (3289 Powder Springs Road).

PROPOSED USE: Church

ACCESS TO PROPERTY: Powder Springs Road

SIZE OF TRACT: 1.229 acres

PHYSICAL CHARACTERISTICS TO SITE: Existing one-story brick building

DISTRICT: 19

LAND LOT(S): 909, 910

PARCEL(S): 5

TAXES: PAID X **DUE** _____

COMMISSION DISTRICT: 4

CONTIGUOUS ZONING/DEVELOPMENT

- NORTH:** City of Powder Springs/Platinum Creek Subdivision
- SOUTH:** HI/Undeveloped
- EAST:** GC/Commercial Building
- WEST:** GC and LI/Brick building and storage area

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

PLANNING COMMISSION RECOMMENDATION

APPROVED _____ **MOTION BY** _____

REJECTED _____ **SECONDED** _____

HELD _____ **CARRIED** _____

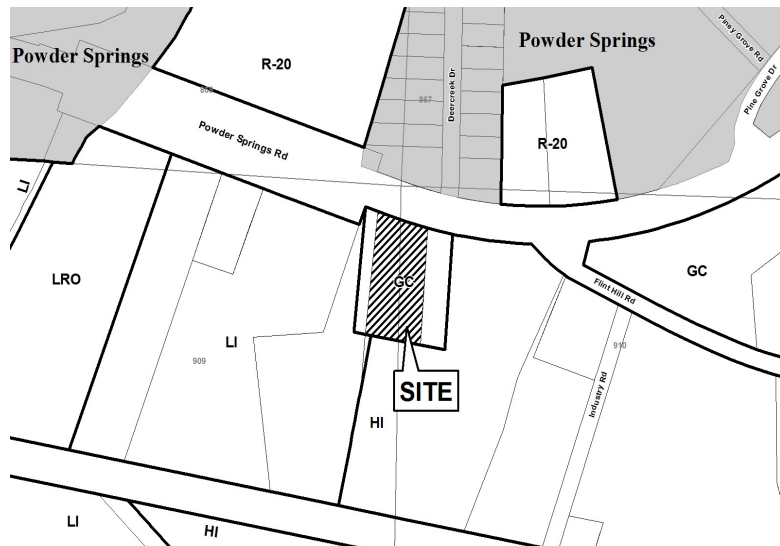
BOARD OF COMMISSIONERS DECISION

APPROVED _____ **MOTION BY** _____

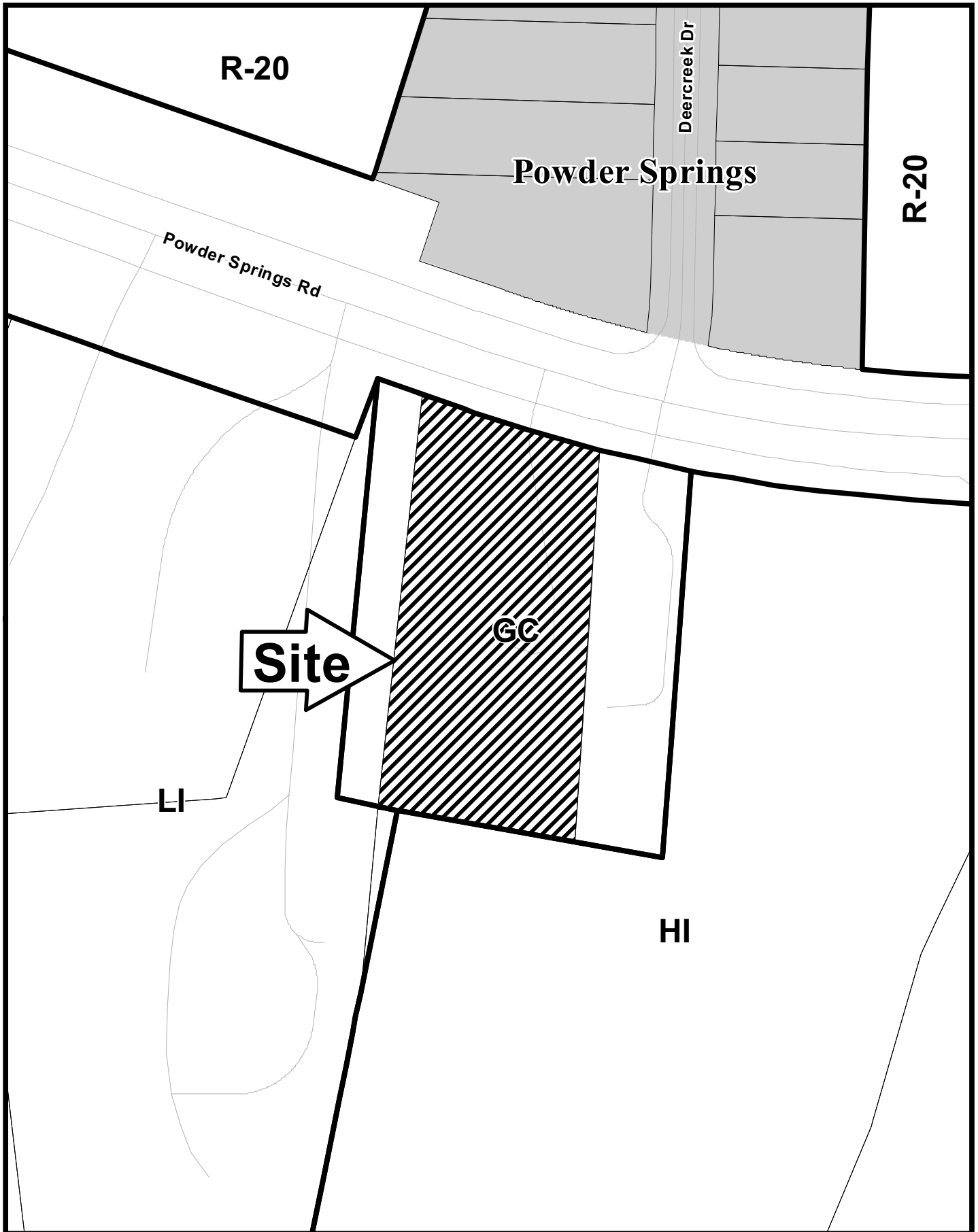
REJECTED _____ **SECONDED** _____

HELD _____ **CARRIED** _____

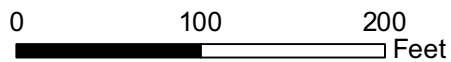
STIPULATIONS:





Z-30



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



-  City Boundary
-  Zoning Boundary

APPLICANT: Richard A. Boone

PETITION NO.: Z-30

PRESENT ZONING: GC

PETITION FOR: LI

ZONING COMMENTS:

Staff Member Responsible: Jason A. Campbell

Land Use Plan Recommendation: Priority Industrial Area (PIA)

Proposed Number of Buildings: 1(Existing) **Total Square Footage of Development:** 3,440

F.A.R.: 0.064 **Square Footage/Acre:** 2,799

Parking Spaces Required: 15(1/4 seats in worship area) **Parking Spaces Provided:** 17

Applicant is requesting the Light Industrial zoning category to utilize the property as a church. The request for LI is made to be consistent with the *Cobb County Comprehensive Plan* designation of Priority Industrial Area (PIA). The property has been zoned GC since 1987 (minutes attached from Z-267). The previous zoning case had a stipulation that limited the use to a real estate office only. The applicant now has a church that wants to locate on this property.

Cemetery Preservation: No comment.

FIRE COMMENTS:

C/O: Plans must be submitted to the Cobb County Fire Marshal’s Office to initiate the Certificate of Occupancy process.

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%.

APPLICANT: Richard A. Boone

PETITION NO.: Z-30

PRESENT ZONING: GC

PETITION FOR: LI

PLANNING COMMENTS:

The applicant is requesting a rezoning from GC to LI for purpose of a church. The 1.22 acre site is located to the south side of Powder Springs Road, west of Flint Hill Road.

Comprehensive Plan

The parcel is within a Priority Industrial Area (**PIA**) future land use category, with LI zoning designation. The purpose of the PIA is to provide protection for industrial areas that can support future job growth for industrial, manufacturing, office/warehouse, technology, biomedical and distribution uses. Typical uses are determined through the PIA and its subcategories. This parcel is located within the sub category Industrial Compatible which can support light industrial, office/warehouse, and distribution uses.

The following professional evaluation and data analysis should be conducted when the Planning Commission and the Board of Commissioners are considering a land use change that alters a PIA property or areas adjacent to PIA properties from its existing Industrial or Industrial Compatible land use category to any other future land use category. In addition, the same professional evaluation and data analysis should be conducted, by the applicant, when the Planning Commission and the Board of Commissioners are requested to consider a zoning change to a PIA property or areas adjacent to PIA properties that alters its zoning designation to one which is not compatible with its existing industrial future land use category (Industrial or Industrial Compatible). Finally, the policy relating to “Adjacency to viable industrial areas” should be considered by the Planning Commission and the Board of Commissioners when a zoning change occurs to a property adjacent to PIA properties:

- Job impacts:* Consider the number of existing and future industrial jobs lost, existing and future job opportunities for residents with less than a four-year degree, and job density at the site.
- Tax Base Impacts:* Evaluate and compare the tax base impacts between potential uses with the existing zoning and the proposed zoning; as well as, comparing tax base impacts to job impacts.
- Viability:* Prioritize developments with immediate uses over potential uses without users lined up.
- Transition:* Consider the cost of transitioning a property from one use to another through zoning. Properties made non-conforming may suffer years of deferred maintenance until a viable use surfaces.
- Adjacency to viable industrial areas:* Consider negative impacts of residential users on adjacent and viable industrial sites, such as land price uncertainty and conflicts with residents. If a residential project is being considered adjacent to a PIA site, the Planning Commission and Board of Commissioners should consider requiring additional and enhanced buffering and screening requirements on the residential project in order to protect the residential land users as well as the viability of the adjacent industrial users.

APPLICANT: Richard A. Boone

PETITION NO.: Z-30

PRESENT ZONING: GC

PETITION FOR: LI

PLANNING COMMENTS: (Continued)

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?

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.

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.

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

Is this property within the Six Flags Special Service District?

Yes No

APPLICANT Richard A Boone

PETITION NO. Z-030

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 / S side of Powder Springs Rd

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: Appox 875' W in Powder Springs Rd

Estimated Waste Generation (in G.P.D.): A D F= 120 Peak= 300

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 Health Dept approval granted for repair of existing septic system.
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: Richard A. Boone

PETITION NO.: Z-30

PRESENT ZONING: GC

PETITION FOR: LI

STORMWATER MANAGEMENT COMMENTS

FLOOD HAZARD: YES NO POSSIBLY, NOT VERIFIED

DRAINAGE BASIN: Noses Creek 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 CONDITIONS

- 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 _____.

APPLICANT: Richard A. Boone

PETITION NO.: Z-30

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. The site is located to the south of Powder Springs Road. The entire site drains to the north to the Powder Springs Road R/W.
2. The applicant is proposing to use the existing structure with no significant site improvements anticipated. Full stormwater management must be provided upon redevelopment or substantial improvement of the site.

APPLICANT: Richard Boone

PETITION NO.: Z-30

PRESENT ZONING: GC

PETITION FOR: LI

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
Powder Springs Road	31900	Arterial	45	Cobb	100'

Based on [2014] traffic counting data taken by Cobb County DOT

COMMENTS AND OBSERVATIONS

Powder Springs Road is classified as an arterial and according to the available information the existing right-of-way may not meet the minimum requirements for this classification.

RECOMMENDATIONS

Recommend applicant be required to meet all Cobb County Development Standards and Ordinances related to project improvements at the time of redevelopment.

Recommend applicant verify that minimum right-of-way is available for Powder Springs Road and if it is not, 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 south side of Powder Springs Road, a minimum of 50' from the roadway centerline.

Recommend the driveway be upgraded to the commercial standard.

Recommend taper for the Powder Springs Road access..

Recommend a curb, gutter and sidewalk for the Powder Springs Road access at the time of redevelopment.

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STAFF RECOMMENDATIONS

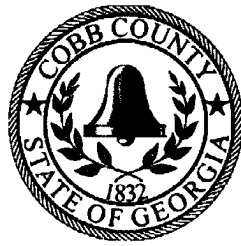
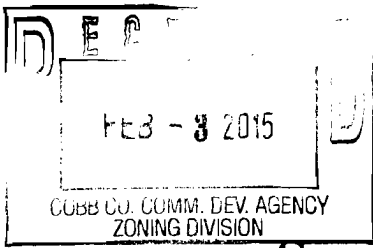
Z-30 RICHARD A. BOONE

- 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 property has been utilized as a real estate office for many years and no expansion is planned.
- 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. Nearby properties are zoned for industrial and 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 in the Priority Industrial Area (PIA) land use category. The LI zoning category fits the PIA land use category and churches are allowed in LI as permitted uses.
- 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. This area contains a mixture of commercial, industrial and residential uses. Churches are permitted uses in LI. More of the commercial and industrial uses are on the south side of Powder Springs Road, around the subject property. The property has been utilized as an office and the proposed church use could possibly reduce traffic to the property by limiting activities to one or two days/nights per week.

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

- Site plan received by the Zoning Division on February 3, 2015, with the District Commissioner approving minor modifications;
- Fire Department comments and recommendations;
- Water and Sewer 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 #: Z-30
PC Hearing Date: 04-07-2015
BOC Hearing Date: 04-21-2015

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): Church, Any other allowed by
ZONING
- b) Proposed building architecture: 1 Story Brick Veneer
- c) Proposed hours/days of operation: UNKNOWN
- d) List all requested variances: _____

.....
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). NO

.....
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: Richard A. Boone Date: 01/08/2015
Applicant name (printed): Richard A. Boone

Written response to Item 9 of the zoning application for 3289 Powder Springs Rd. Powder Springs GA 30127.

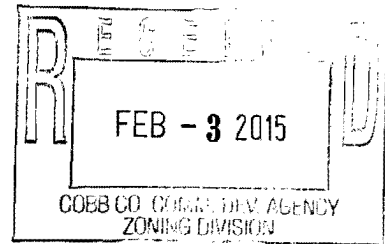
- a. The zoning applied for will permit a use that is suitable with contiguous properties and should not adversely impact the other properties in the area.

- b. The zoning applied for would not adversely affect the usability of the adjacent properties.

- c. The zoning currently on the property limits the use to a Real Estate Office only. Under current market conditions, this is not a feasible use.

- d. No existing streets, transportation facilities, utilities or Schools would be affected by the zoning applied for.

e. This zoning request is in compliance with the current land use plan.



f. The contiguous properties are as follows:

- 1-Property faces on Powder Springs RD. (State rt 5)
- 2-Property to the North is zoned GC and is currently used as a surveying company
- 3-Property to the East is zoned heavy industrial and is partially vacant and partially an asphalt paving company.
- 4-Property to the South is vacant and zoned LI.

These conditions dictate supporting grounds for the approval of the rezoning of this property.

APPLICATION FOR REZONING
TO THE
COBB COUNTY BOARD OF COMMISSIONERS OF ROADS AND REVENUES
AND THE
COBB COUNTY PLANNING COMMISSION
(type or print clearly)

Application No. 267

Hearing Date 11-17-87

Applicant Century 21 Heritage Sales Business Phone 944-3220 Home Phone 943-3808
(business name)

Doyie Dunnuck Address 4088 Pine Valley RD. Powder Springs, Ga.
(representative's name, printed)

Doyie Dunnuck Business Phone 944-3220 Home Phone 943-6248
(representative's signature)

Eleanor P. Kuter ✓
Titleholder Gary John Payne Business Phone - Home Phone (803)383-4600

Signature Eleanor P. Kuter Address 1017 Greenleaf Rd., Hartsville, SC
(attach additional signatures, if needed) 29550

Zoning Request From Heavy Industrial To General Commercial
(present zoning) (proposed zoning)

For the Purpose of Real Estate Office Size of Tract _____ acre(s)
(subdivision, restaurant, warehouse, apts., etc.)

Location 3289 Powder Springs Rd,
(street address, if applicable, nearest intersection, etc.)

Land Lot(s) 909 & 910 District 19th

Recommendation of Planning Commission 11/17/87 - Planning Commission recommended application be approved subject to the following: 1) this use only; 2) existing structure to be utilized; 3) parking to be established to the rear of the site as shown on plan; 4) ground based, monument type sign only; 5) no portable signs; 6) no billboard signs; 7) 10 ft. landscaped, maintained buffer along the western property line (adjacent to 2 residences); 8) if property is improved it must be brought up to commercial design standards; 9) Cobb D.O.T. comments. Motion by Christian, seconded by McAfee, carried 5-0.

Board of Commissioners' Decision 11/17/87 - Board of Commissioners approved application as stated above. Motion by Clay, seconded by Paschal, carried 5-0.

Carl Paschal Chairman