

GENERAL NOTES

1. THIS SURVEY IS BASED UPON MONUMENTS FOUND ON SITE AND REFLECTS INFORMATION OBTAINED FROM THE RECORDS OF THE COBB COUNTY PLAT BOOKS AND THE RECORDS OF THE CONNECTION WITH THIS SURVEY AND ALL MATTERS OF TITLE ARE EXCEPTED.
2. THE FIELD DATA UPON WHICH THIS SURVEY IS BASED IS BELIEVED TO BE CORRECT AND ACCURATE TO THE NEAREST TENTH OF AN ANGLE AND TO THE NEAREST HUNDREDTH OF AN ANGLE.
3. THIS SURVEY OR PART HEREOF IS NOT TO BE CONSIDERED AS A BASIS FOR ANY OTHER SURVEY OR AS A BASIS FOR ANY OTHER CLAIM.
4. THIS PROPERTY IS SHOWN TO BE THE 2.02 ACRE PARCEL 1717082300020 ZONED LI.
5. UNLESS STATED OTHERWISE, CONVENTIONAL SURVEYING METHODS AND PRACTICES WERE USED AND LIABILITY IS ASSUMED BY THE SURVEYOR FOR ANY ERRORS OR OMISSIONS IN THE USE OF THE INSTRUMENTS.
6. THE PREVIOUS SURVEY ARE SUBJECT TO ANY EXISTING REGULATIONS AND/OR SET BACK LINES WHETHER OR NOT THEY ARE SHOWN ON THIS SURVEY AND UNLESS OTHERWISE ASSURED BY THE ADDRESSOR FOR ANY LOSS THAT MAY BE ASSOCIATED WITH THE USE OF THE INSTRUMENTS OR RESTRICTIONS ON THE USE OF THE PROPERTY.
7. THIS SURVEY WAS PERFORMED USING TRIMBLE 5600 TOTAL STATION EQUIPMENT WITH THE DATA COLLECTION SOFTWARE AND GPS INS NETWORK.
8. THERE ARE NO KNOWN MONUMENTS WITHIN 500' OF THIS SITE.
9. THE LOCATIONS OF UNDERGROUND UTILITIES SHOWN ARE BASED ON RECORDS OF THE COBB COUNTY RECORDS, ADDITIONAL UTILITIES AND RECORDS SHOULD BE OBTAINED FROM THE UTILITY COMPANIES AND THE UTILITY COMPANIES SHOULD BE CONTACTED BY A UTILITIES PROTECTION SERVICE PRIOR TO ANY EXCAVATION.



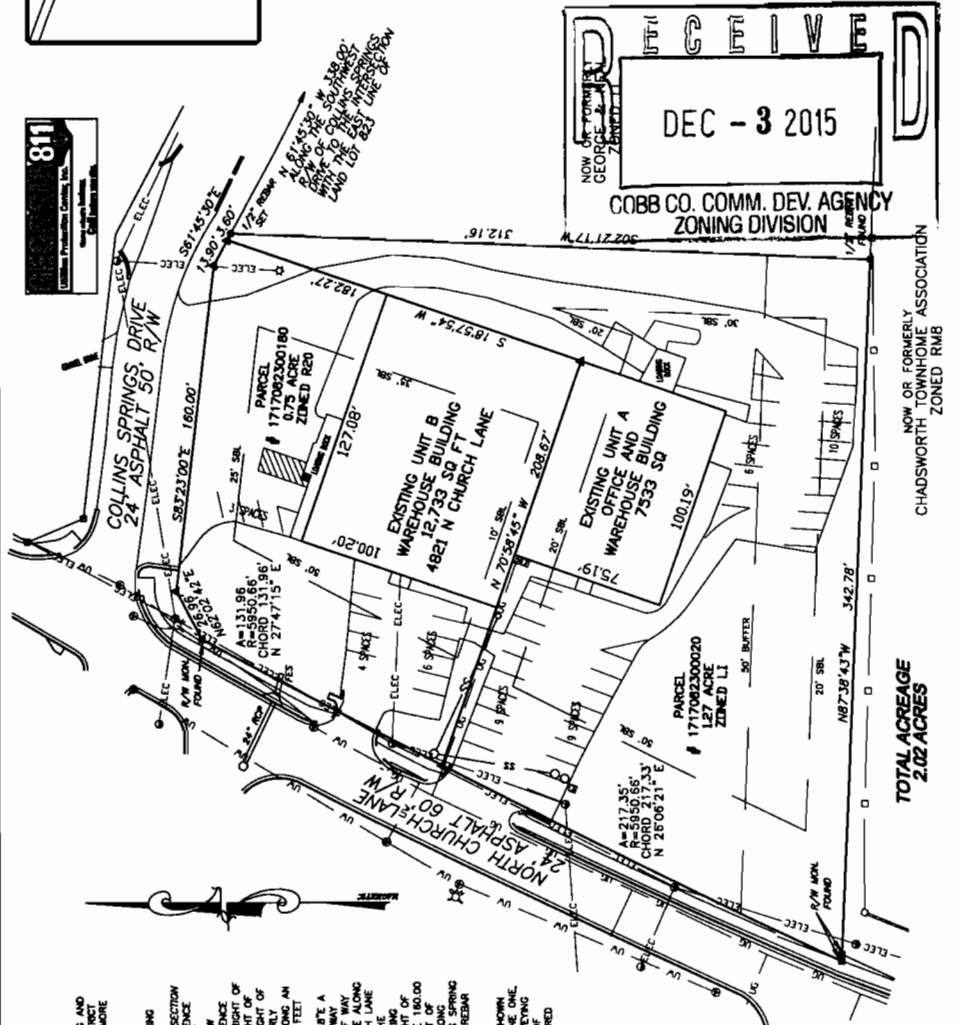
IN MY OPINION, THIS PLAT IS A CORRECT REPRESENTATION OF THE LAND PLATTED AND HAS BEEN PREPARED IN CONFORMITY WITH THE MINIMUM STANDARDS AND REQUIREMENTS OF LAW.

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|------------|----------|
| ANNUAL FEE | CPM |
| ORDER FEE | NPM |
| JOB NO. | CO131208 |
| FIELD DATE | 10/26/15 |
| PLAT DATE | 11/04/15 |

DUE WEST SURVEYING
4041 DUE WEST RD.
MARIETTA, GA 30064
(770) 423 0611

REZONING FLAT PARCEL # 17082300080
CHURCH LANE ONE, LLC
LAND LOT 823, 17th DISTRICT, 2nd SECTION,
COBB COUNTY, GEORGIA



GRAPHIC SCALE



LEGAL DESCRIPTION

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 823 OF THE 17TH DISTRICT COBB COUNTY, GEORGIA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A 1/2" REBAR SET ON THE INTERSECTION OF COLLINS SPRING DRIVE (50 FOOT RIGHT OF WAY) WITH THE EAST LINE OF LAND LOT 823 THENCE S87°43'20"W 338.00 FEET TO COLLINS SPRING DRIVE PROCEEDS S02°11'17"W 312.81 FEET TO A 1/2" REBAR FOUND; THENCE PROCEEDS N87°38'42"W 342.78 FEET TO A RIGHT OF WAY OF NORTH CHURCH LANE (60 FOOT RIGHT OF WAY); THENCE PROCEEDS ALONG SAID EASTERLY RIGHT OF WAY OF NORTH CHURCH LANE ALONG AN UNKNOWN BOUNDARY OF 502.00 FEET AND 51 FEET SURTODDED BY A CHORD BEARING N02°42'28"E A DISTANCE OF 349.25 FEET TO A RIGHT OF WAY OF NORTH CHURCH LANE THENCE CONTINUE ALONG EASTERLY RIGHT OF WAY OF NORTH CHURCH LANE S02°11'17"W 17.50 FEET TO A 1/2" REBAR SET AND THE POINT OF BEGINNING.

SAID PARCEL CONTAINING 2.02 ACRES AS SHOWN ON THAT CERTAIN SURVEY FOR CHURCH LANE ONE, LLC DATED 11/4/2015 BY DUE WEST SURVEYING, CHRISTOPHER P. WOODRILE, GEORGIA REGISTERED LAND SURVEYOR NO. 2484.

UTILITY LEGEND

- WATER VAULT
- POWER TRANSFORMER
- WATER METER
- ELECTRIC METER
- GAS METER
- GAS VALVE
- TELEPHONE JUNCTION BOX
- TELEPHONE PEDESTAL
- FIRE HYDRANT
- FIRE CONNECTION
- FIRE MAIN VALVE
- WATER MAIN
- SANITARY SEWER
- CATCH BASIN
- SAND INLET
- FRESHWELL
- CLEAN-OUT
- R/C - REINFORCED CONCRETE PIPE
- C/P - CORRUGATED METAL PIPE
- D/P - DUCTILE IRON PIPE
- LIGHT POLE
- WATER VALVE
- BP - PREVENTER
- INDICATOR VALVE
- FIRE CONNECTION
- FIRE MAIN VALVE

COBB COUNTY NOTE

1. ALL SETBACKS AND BUFFERS ARE SHOWN PER CURRENT COBB CODE
2. THERE ARE NO DETENTION/RETENTION AREAS ON THE SUBJECT PROPERTY
3. THERE ARE NO KNOWN UNDERGROUND UTILITIES ON THE SUBJECT PROPERTY; POSSIBLE EMERGENCE OF UTILITIES IS AS SHOWN.

| NO. | DATE | DESCRIPTION | BY |
|-----|------|-------------|----|
| | | | |
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| | | | |
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APPLICANT: Church Lane One, LLC

PHONE#: (678) 564-0600 **EMAIL:** v@heritage-equities.com

REPRESENTATIVE: Vincent B. Merkle, Jr.

PHONE#: (678) 564-0600 **EMAIL:** v@heritege-equities.com

TITLEHOLDER: Church Lane One, LLC

PROPERTY LOCATION: Southeast corner of North Church Lane
and Collins Springs Drive.

ACCESS TO PROPERTY: North Church Lane

PHYSICAL CHARACTERISTICS TO SITE: _____

CONTIGUOUS ZONING/DEVELOPMENT

- NORTH:** O&I/Atlanta Freethought Society
- SOUTH:** LI/Wholesale Trade and Distribution Facility
- EAST:** LI/Commercial Relocation Specialists of Georgia
- WEST:** LI/Core Mark

PETITION NO: Z-15

HEARING DATE (PC): 02-02-16

HEARING DATE (BOC): 02-16-16

PRESENT ZONING R-20

PROPOSED ZONING: LI

PROPOSED USE: Office/Storage/
Warehouse (Existing)

SIZE OF TRACT: 0.87 acre

DISTRICT: 17

LAND LOT(S): 823

PARCEL(S): 18

TAXES: PAID X **DUE** _____

COMMISSION DISTRICT: 2

Adjacent Future Land Use:

- North: Public Institution (PI) and Industrial Compatible (IC)
- East: Industrial Compatible (IC)
- South: Industrial Compatible (IC)
- West: Industrial Compatible (IC)

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

PLANNING COMMISSION RECOMMENDATION

APPROVED _____ **MOTION BY** _____

REJECTED _____ **SECONDED** _____

HELD _____ **CARRIED** _____

BOARD OF COMMISSIONERS DECISION

APPROVED _____ **MOTION BY** _____

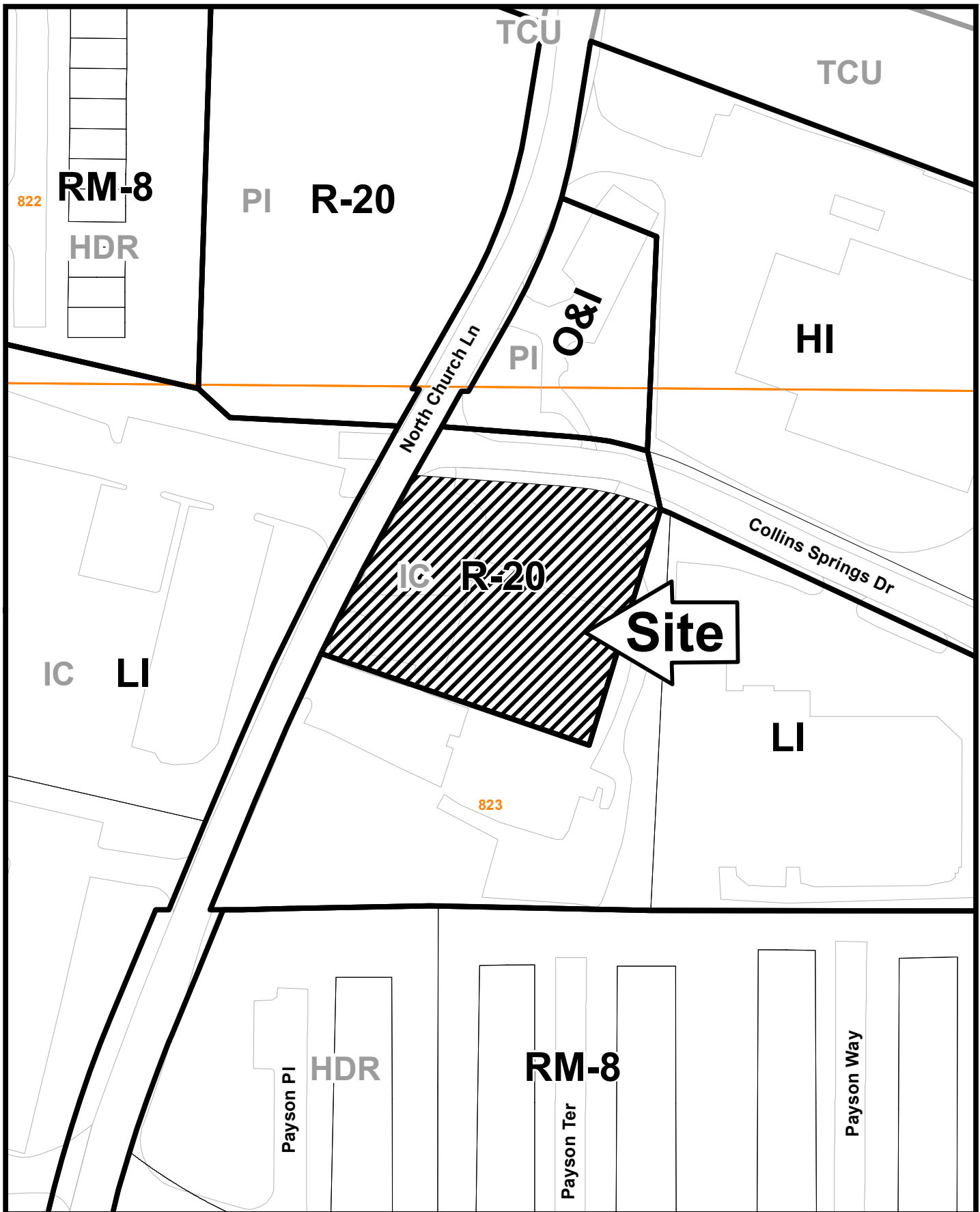
REJECTED _____ **SECONDED** _____

HELD _____ **CARRIED** _____

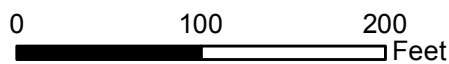
STIPULATIONS:





Z-15



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



-  City Boundary
-  Zoning Boundary

APPLICANT: Church Lane One, LLC

PETITION NO.: Z-15

PRESENT ZONING: R-20

PETITION FOR: LI

ZONING COMMENTS:

Staff Member Responsible: Kim Wakefield

Land Use Plan Recommendation: Industrial Compatible (IC)

Proposed Number of Buildings: 1 **Total Square Footage of Development:** 12,733

F.A.R.: .39 **Square Footage/Acre:** 16977.33

Parking Spaces Required: 7 **Parking Spaces Provided:** 13

The applicant is requesting rezoning from R-20 to Light Industrial (LI) in order to bring the property into compliance with the current Zoning code and allow the existing business to continue to operate and the owner to move his management company into the existing building. The property is currently developed as a warehouse/office building that was originally constructed in the 1970s and added to in the 1980s. The building is split by the parcel line necessitating the following variances related to setbacks:

1. Reduce the required 20 ft side setback to 0 ft;
2. Reduce the required 30 ft rear setback to 0 ft;
3. Waive the minimum lot size requirement from 40,000 sq ft to 32,700 sq ft.

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.

FIRE COMMENTS:

After analyzing the information presented for a Preliminary Review, the Cobb County Fire Marshal's Office is confident that all other items can be addressed during the Plan Review Stage.

APPLICANT: Church Lane One, LLC

PETITION NO.: Z-15

PRESENT ZONING: R-20

PETITION FOR: LI

PLANNING COMMENTS:

The applicant is requesting a rezoning from R-20 to LI for the purpose of office / storage / warehouse (existing). The 0.87 acre site is located on the southeast corner of North Church Lane and Collins Springs Drive.

HB-489 Intergovernmental Agreement Zoning Amendment Notification:

Is the application site within one half (1/2) mile of a city boundary? Yes No
If yes, has the city of Smyrna been notified? Yes No / N/A

Comprehensive Plan

The parcel is within an Industrial Compatible (IC) future land use category, with R-20 zoning designation. The purpose of the Industrial Compatible (IC) category is to provide for areas that can support light industrial, office/warehouse, and distribution uses. Typical land uses for these areas include professional business parks and distribution centers.

Specific Area Policy Guidelines:

There are no specific policy guidelines for this area in the Comprehensive Plan.

Adjacent Future Land Use:

North: Public Institution (PI) and Industrial Compatible (IC)
East: Industrial Compatible (IC)
South: Industrial Compatible (IC)
West: Industrial Compatible (IC)

Master Plan/Corridor Study

The property is not located within the boundary of a Plan or Corridor Study

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.

APPLICANT: Church Lane One, LLC

PETITION NO.: Z-15

PRESENT ZONING: R-20

PETITION FOR: LI

PLANNING COMMENTS: (Continued)

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.

For more information on incentives, please call the Community Development Agency, Planning Division at 770.528.2018 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

Is this property within the Six Flags Special Service District?

Yes No

Is the property within the Dobbins Airfield Safety Zone?

Yes No

If so, which particular safety zone is this property within?

CZ (Clear Zone) APZ I (Accident Potential Zone I)

APZ II (Accident Potential Zone II)

APPLICANT Church Lane One LLC

PETITION NO. Z-015

PRESENT ZONING R-20

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 / E side of North Church Lane

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: 225' SE on adjacent property

Estimated Waste Generation (in G.P.D.): A D F= +709 Peak= +1,772

Treatment Plant: Sutton

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 required for continued use of existing septic system. No site changes proposed.

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: Church Lane One, LLC

PETITION NO.: Z-15

PRESENT ZONING: R-20

PETITION FOR: LI

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|---------------------------------------|
| STORMWATER MANAGEMENT COMMENTS |
|---------------------------------------|

This is an existing facility and no site improvements are proposed. Any future site improvements or expansion, must meet current stormwater management requirements.

APPLICANT: Church Lane One, LLC

PETITION NO.: Z-15

PRESENT ZONING: R-20

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 |
|-----------------------|---------------------|------------------------|-------------|------------------------|--------------------------|
| North Church Lane | 4700 | Minor Collector | 25 mph | Cobb County | 60' |
| Collins Springs Drive | N/A | Local | 25 mph | Cobb County | 50' |

Based on 2011 traffic counting data taken by Cobb County DOT for North Church Lane.

COMMENTS AND OBSERVATIONS

North Church Lane is classified as a minor collector and according to the available information the existing right-of-way does not meet the minimum requirements for this classification.

Collin Springs Drive is classified as a local and according to the available information the existing right-of-way does not meet the minimum requirements for this classification.

RECOMMENDATIONS

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

Recommend applicant consider entering into a development agreement pursuant of O.C.G.A. 36-71-13 for dedication of the following system improvements to mitigate traffic concerns: a) donation of right-of-way on the east side of North Church Lane, a minimum of 30' from the roadway centerline.

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 Collin Springs Drive, a minimum of 25' from the roadway centerline.

Recommend curb and gutter along the Collin Springs Drive frontage.

Recommend replacing disturbed curb, gutter, and sidewalk along the North Church Lane frontage.

Recommend one commercial driveway on Collins Springs Drive to be installed per Section 402.08, Non-Residential Driveways, of the Cobb County Development Standards.

STAFF RECOMMENDATIONS

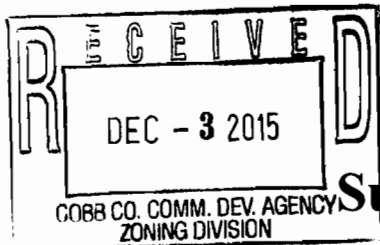
Z-15 CHURCH LANE ONE, LLC

- 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 proposed, continued use as an office/warehouse is similar surrounding industrial and office 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 proposed office/warehouse is not dissimilar to the existing, neighboring 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 as being within the 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.

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

1. Site plan received by the Zoning Division on December 3, 2015, with the District Commissioner approving minor modifications;
2. Fire Department comments and recommendations;
3. Water and Sewer comments and recommendations;
4. Stormwater Management Division comments and recommendations;
5. Department of Transportation comments and recommendations; and
6. Owner/developer to enter into a Development Agreement pursuant to O.C.G.A. §36-71-13 for dedication of system improvements to mitigate traffic concerns.

The recommendations made by the Planning and Zoning Staff are only the opinions of the Planning and Zoning Staff and are by no means the final decision. The Cobb County Board of Commissioners makes the final decisions on all Rezoning and Land Use Permits at an advertised public hearing.



Application No. Z-15

Feb. 2014

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): No change in existing use - Office/Storage
 - b) Proposed building architecture: Existing building. No change in building architecture.
 - c) Proposed hours/days of operation: 8 am to 6 pm
 - d) List all requested variances: None
- _____
- _____
- _____

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

The subject property & the existing building have been continuously operated as a Light Industrial property since prior to the County implementing a zoning code or districts. In 1972 the County zoned said property R-20, even though the property & building were occupied & operated as an office/storage/warehouse facility. This rezoning request is not changing the use in any way but rather requesting the County confirm the existing Light Industrial use via formal rezoning from the incorrect R-20 to the proper Light Industrial zoning.

.....
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

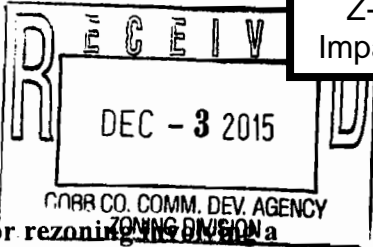


EXHIBIT "A"

Request for Rezoning Application - Item 9: Every application for rezoning request for a non-residential zoning district shall include a complete written, documented analysis of the impact of the proposed rezoning with respect to each of the following matters:

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

It is the Applicant's opinion that this zoning proposal permits a use that is suitable in view of the use and development of adjacent and nearby property; as the subject property has been in continual use as Light Industrial land and building, prior to Cobb County instituting its original zoning code on December 26, 1972. The adjacent property, surrounding the subject, both to the south and the east is zoned LI. The property across the street and west of subject is zoned LI. The properties across the street and north of subject are zoned O&I and HI.

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

The zoning proposal can only complement the existing use and usability of the adjacent property, as the subject property has an existing warehouse that was constructed both on the subject property and the adjacent property. Both the subject property and the adjacent property are owned by the Applicant.

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

There is no reasonable economic use of the subject property as currently zoned. Both the site and existing facility existed prior to the County implementing the existing R-20 zoning in 1972.

- (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:**

This zoning proposal is simply confirming an existing "grandfathered" use that was in existence even prior to Zoning Code being implemented. No additional traffic will result from this rezoning.

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

The zoning proposal is in conformity with the policy and intent of the land use plan.

- (f) Whether there are other existing or changing conditions affecting the use and development of the property:**

To the best of Applicant's knowledge, there are no other existing or changing conditions affecting the use and development of the property.

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