



**APPLICANT:** Covenant Christian Ministries, Inc.

**PHONE#:** 770-919-0022 **EMAIL:** office@cmmarietta.org

**REPRESENTATIVE:** \_\_\_\_\_

**PHONE#:** 770-919-0022 **EMAIL:** office@cmmarietta.org

**TITLEHOLDER:** Covenant Christian Ministries, Inc

**PROPERTY LOCATION:** Located on the south side of Powder Springs Road, east of Sanders Road (2951 Powder Springs Road)

**ACCESS TO PROPERTY:** Powder Springs Road

**PHYSICAL CHARACTERISTICS TO SITE:** Wooded, undeveloped

**CONTIGUOUS ZONING/DEVELOPMENT**

**NORTH:** CRC, LRO, R-20/ Retail, Light Automotive Repair, Office, Residential

**SOUTH:** GC/ Grandfathered Residential

**EAST:** R-20, GC/ Grandfathered Residential – Flint Hills Subdivision

**WEST:** GC/ Office, Grandfathered Residential

**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:**

**PETITION NO:** SLUP-14

**HEARING DATE (PC):** 10-04-14

**HEARING DATE (BOC):** 10-18-14

**PRESENT ZONING:** GC, R-20

**PROPOSED ZONING:** Special Land Use Permit

**PROPOSED USE:** Private School

**SIZE OF TRACT:** 6.1 acres

**DISTRICT:** 19

**LAND LOT(S):** 838, 865

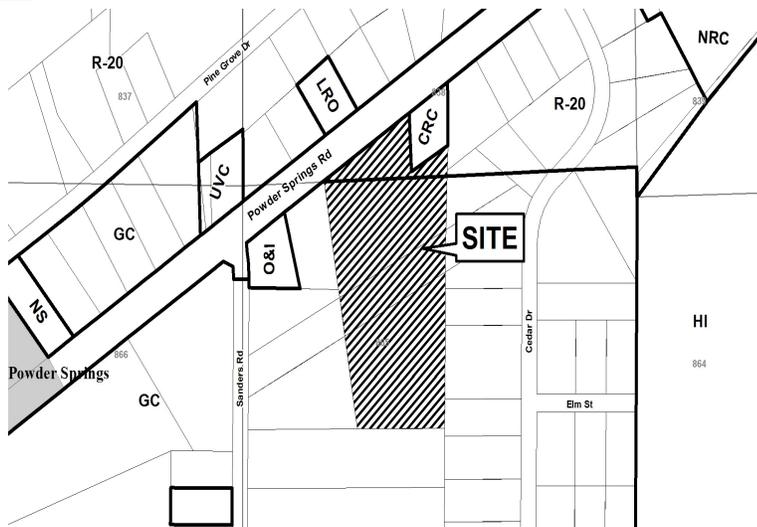
**PARCEL(S):** 29

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

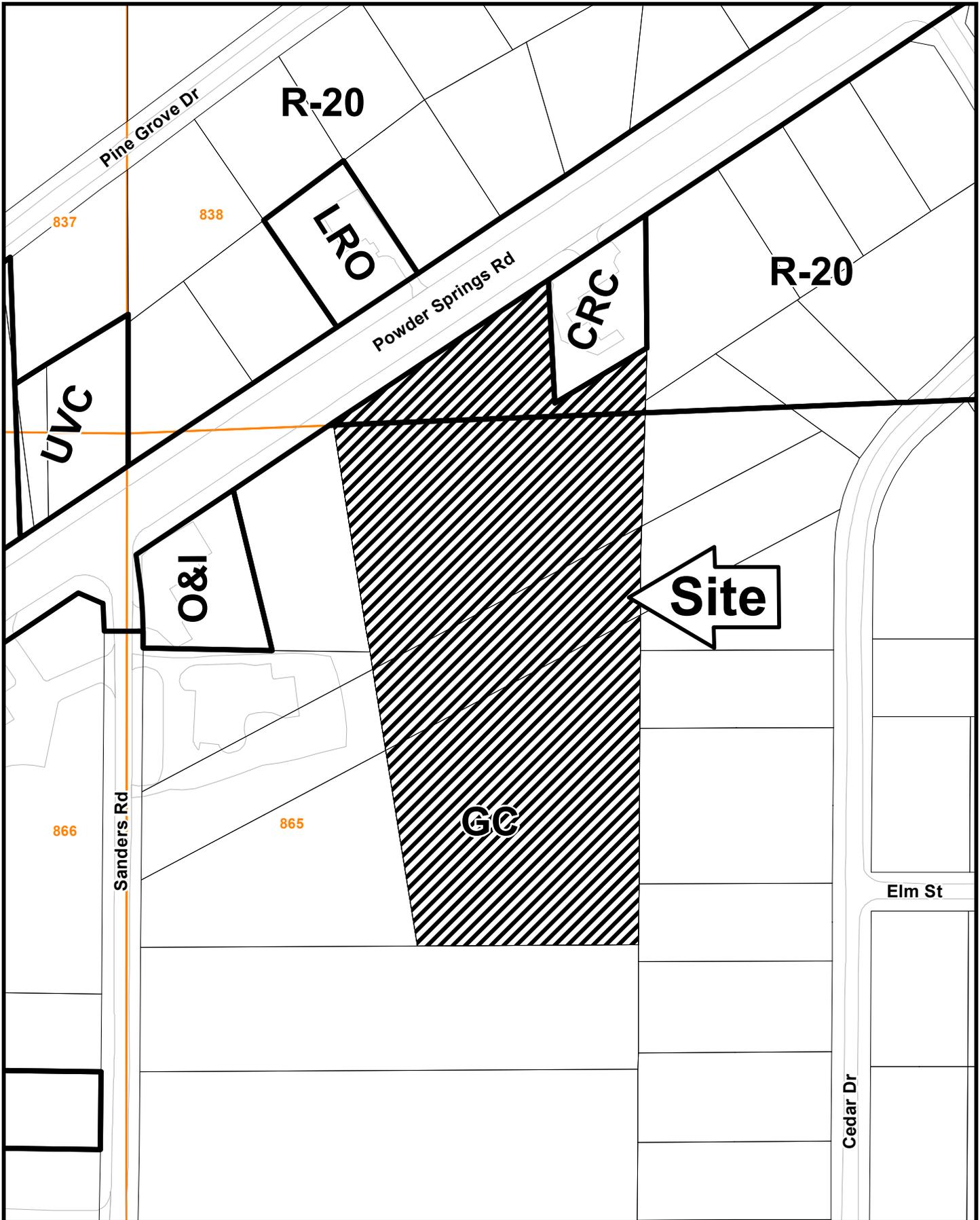
**COMMISSION DISTRICT:** 4

Adjacent Future Land Use:

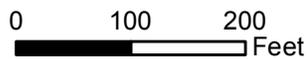
Northwest: Community Activity Center (CAC)  
East: Industrial Compatible (IC)  
South: Industrial Compatible (IC)  
West: Industrial Compatible (IC)



# SLUP-14-2016 GIS



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



-  City Boundary
-  Zoning Boundary

**APPLICANT:** Covenant Christian Ministries, Inc

**PETITION NO.:** SLUP-14

**PRESENT ZONING:** GC, R-20

**PETITION FOR:** Special Land Use Permit

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**ZONING COMMENTS:**

**Staff Member Responsible:** Terry Martin, MPA

The applicant is requesting a Special Land Use Permit (SLUP) as well as a rezoning (concurrent case Z-83) in order to develop the subject property for a church and private school/academy. The SLUP is necessary as the Code requires it for all private schools.

The applicant intends to develop the property in two (2) phases. Phase One will entail the permitting of three (3) buildings used for both the church and school operation. These buildings include a 3,472 sq. ft. general use building, a 5,100 sq. ft. classroom building, and a 4,080 sq. ft. worship building. There will be 14 classrooms and worship space provided for 250 persons. Other uses such as a playground, 5,740 sq. ft. covered area, and soccer/track field as well as the required parking are shown on the site plan. Phase Two will see completion of the project with the construction of the three (3) story 60,000 sq. ft. main church building and additional parking. Church will be held Tuesday, Wednesday, Saturday, and Sunday with the school operating Monday through Friday from the hours of 7:30 a.m. to 6:30 p.m.

If approved, the request will require the following contemporaneous variances as presented:

1. Waiver of the minimum lot size for a church plus private school from the required 8 acres (5 for church plus 3 for school) to 6 acres;
2. Waiver of the required 35 foot landscaped screening buffer adjacent to residential property lines for that northeast portion of the property approximately 85 feet in length abutting 2929 Powder Springs Road and 3766 Cedar Drive.

**Historic Preservation:** No comment.

**Cemetery Preservation:** No comment.

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**WATER & SEWER COMMENTS:**

See comments for Z-83.

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**TRAFFIC COMMENTS:**

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

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**APPLICANT:** Covenant Christian Ministries, Inc.

**PETITION NO.:** SLUP-14

**PRESENT ZONING:** GC, R-20

**PETITION FOR:** Special Land Use Permit

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**FIRE COMMENTS:**

NO 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: Covenant Christian Ministries, Inc.

PETITION NO.: SLUP-14

PRESENT ZONING: GC, R-20

PETITION FOR: SLUP

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**STORMWATER MANAGEMENT COMMENTS**

FLOOD HAZARD:  YES  NO  POSSIBLY, NOT VERIFIED

DRAINAGE BASIN: Tributary to 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: within footprint of old lake bed

- 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 Brown's Lake ~450' 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 private downstream lake (Brown's Lake)..

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**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 **within old lake bed** 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. There was a lake previously located on this parcel and there may be wetland areas that remain within the former lake bed. A wetland delineation is recommended prior to permitting to verify if any wetland permitting will be required.
2. The site design must accommodate conveyance of offsite runoff from both the east and west through the site. A stormwater management facility will be required at the southern end (rear) of the parcel. This may impact the size of the future recreation field shown on the site plan. The future basketball court will likely need to be relocated due to stream buffer setbacks.
3. There is a private lake (Brown’s Lake) located 450’ downstream at 3865 Sanders Road. This lake has serious issues and very limited spillway capacity. A downstream routing will be required to verify no adverse impact to this structure due to the increased runoff volume generated by this development. A pre- and post-development survey will be required.

## STAFF RECOMMENDATIONS

### SLUP-14 COVENANT CHRISTIAN MINISTRIES, INC.

There are fifteen criteria that must be considered for a Special Land Use Permit. The criteria are below in italics, with the Staff analysis following in bold.

- (1) *Whether or not there will be a significant adverse effect on the neighborhood or area in which the proposed use will be located.* **The use should not adversely affect nearby uses which include office and commercial retail uses as well as established residential neighborhoods.**
- (2) *Whether or not the use is otherwise compatible with the neighborhood.* **The use has the potential to be more compatible with its neighboring uses than other properties that may be allowed within its existing IC industrial compatible future land use designation.**
- (3) *Whether or not the use proposed will result in a nuisance as defined under state law.* **The proposed use should not constitute a nuisance, seeing less traffic, noise, etc. than other potential industrial uses.**
- (4) *Whether or not quiet enjoyment of surrounding property will be adversely affected.* **The subject property abuts other properties that are uses commercially or as offices with other properties being established residential uses.**
- (5) *Whether or not property values of surrounding property will be adversely affected.* **The proposed development should not negatively affect property values of surrounding properties.**
- (6) *Whether or not adequate provisions are made for parking and traffic considerations.* **The proposal represents adequate access off of Powder Springs Road and proposes more than the required amount of onsite parking. The applicant has supplied a traffic impact study that supports the use and makes recommendations that may help alleviate further traffic burdens upon the site and others in the vicinity.**
- (7) *Whether or not the site or intensity of the use is appropriate.* **The subject property is zoned GC general commercial district and R-20 single-family residential located within an IC industrial compatible future land use area. The proposed use is potentially less obtrusive than other users that may be found in such an area designated IC.**
- (8) *Whether or not special or unique conditions overcome the board of commissioners' general presumption that residential neighborhoods should not allow noncompatible business uses.* **The property and general area is predominately zoned commercial and industrial while being located within an area delineated as IC industrial compatible.**

SLUP-14 COVENANT CHRISTIAN MINISTRIES, INC. (Continued)

(9) *Whether or not adequate provisions are made regarding hours of operation.*

**The applicant has indicated that the hours of operation for the school use will be Monday through Friday 7:30 a.m. to 6:30 p.m.**

(10) *Whether or not adequate controls and limits are placed on commercial and business deliveries.*

**Given the site's access and parking provided, the primary operation of church and school should be reasonably accommodated on site.**

(11) *Whether or not adequate landscape plans are incorporated to ensure appropriate transition.* **No landscape plans have been provided.**

(12) *Whether or not the public health, safety, welfare or moral concerns of the surrounding*

*neighborhood will be adversely affected.* **The proposed use may not adversely affect the public health, safety, welfare, or moral concerns of the surrounding properties.**

(13) *Whether the application complies with any applicable specific requirements set forth in this chapter for special land use permits for particular types of uses.* **The proposal meets most Code requirements for a church's accessory school. The request, if approved, will require a contemporaneous variance of total lot size from the required 8 acres (5 for church and 3 for school) to a total of 6 acres.**

(14) *Whether the applicant has provided sufficient information to allow a full consideration of all*

*relevant factors.* **The applicant has provided sufficient information for full consideration but as architectural renderings have not been submitted, these should be reviewed prior to start of construction to ensure compatibility with adjacent buildings.**

(15) *In all applications for a special land use permit the burden shall be on the applicant both to produce sufficient information to allow the county fully to consider all relevant factors and to demonstrate that the proposal complies with all applicable requirements and is otherwise consistent with the policies reflected in the factors enumerated in this chapter for consideration by the county.* **The proposed use is permitted in all districts while the site's grandfathered zoning requires the companion rezoning case Z-83 while a SLUP is always required for private school as they are considered as Special Exceptions by the Code. The proposal is for a suitable intended use and should not adversely affect neighboring properties.**

Based upon the above analysis, Staff recommends **APPROVAL**, subject to:

- (1) Site plan received by Zoning Division on August 29, 2016, with the District Commissioner approving minor modifications;
- (2) Architectural elevations to be approved by the District Commissioner prior to issuance of building permits;
- (3) Waiver of minimum acreage requirement from eight (8) acres to six (6) acres;
- (4) Waiver of the required 35 foot landscaped screening buffer adjacent to residential property lines for that northeast portion of the property approximately 85 feet in length abutting 2929 Powder Springs Road and 3766 Cedar Drive;
- (5) Landscape plan to be reviewed by County Arborist and approved by District Commissioner prior to land disturbance for Code required landscape enhancement strip along the frontage;

**SLUP-14 COVENANT CHRISTIAN MINISTRIES, INC. (Continued)**

- (6) Water and Sewer Division comments and recommendations;
- (7) Stormwater Management Division comments and recommendations;
- (8) Fire Department comments and recommendations; and
- (9) Department of Transportation comments and recommendations.

**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.**