



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

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

**REPRESENTATIVE:** Fredrick T. Anderson

**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

**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

**PETITION NO:** Z-83

**HEARING DATE (PC):** 10-04-16

**HEARING DATE (BOC):** 10-18-16

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

**PROPOSED ZONING:** CRC

**PROPOSED USE:** Church and a 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)

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

**PLANNING COMMISSION RECOMMENDATION**

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

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

**HELD** \_\_\_\_\_ **VOTE** \_\_\_\_\_

**BOARD OF COMMISSIONERS DECISION**

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

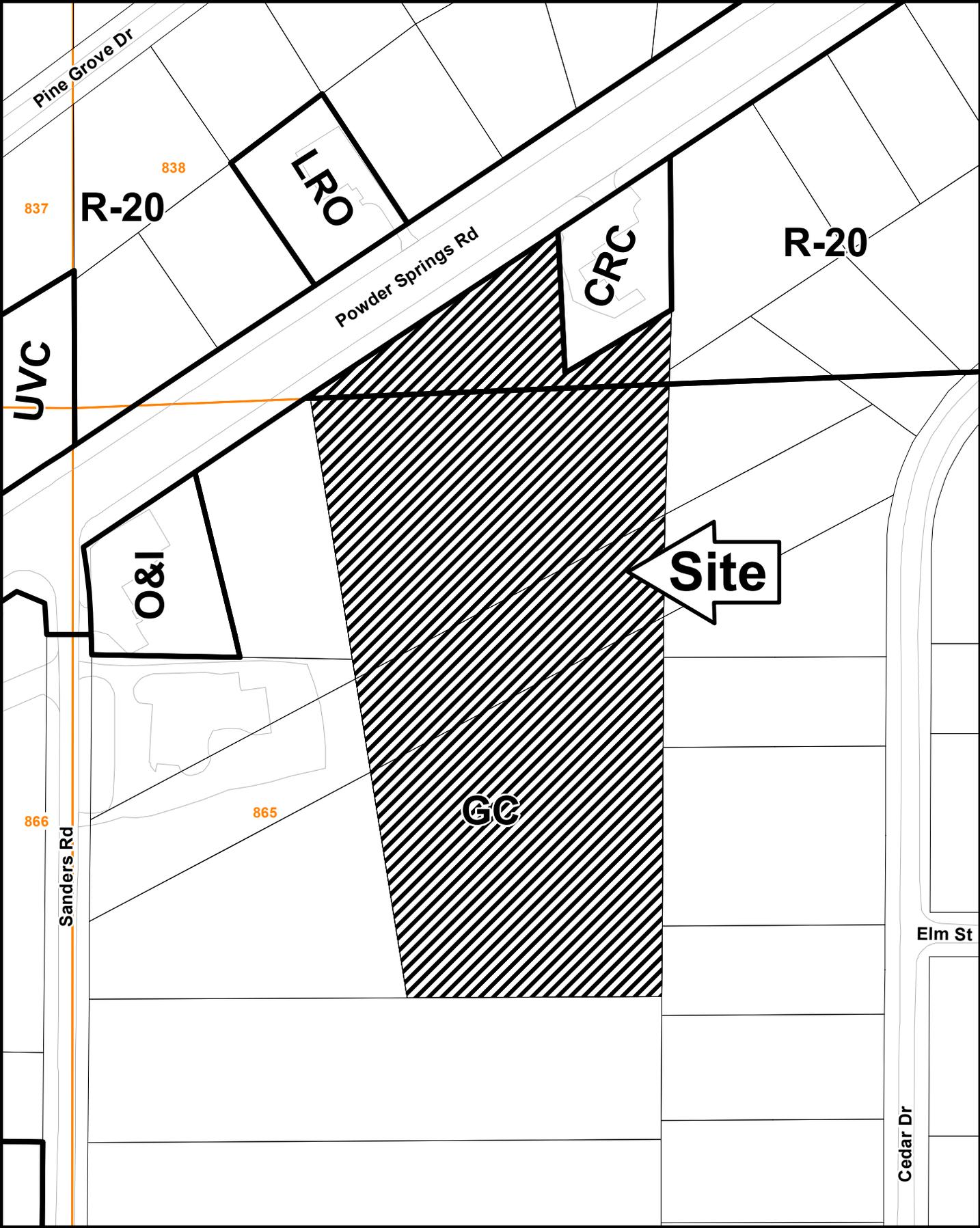
**REJECTED** \_\_\_\_\_ **SECONDED** \_\_\_\_\_

**HELD** \_\_\_\_\_ **VOTE** \_\_\_\_\_

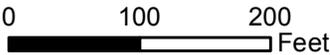
**STIPULATIONS:**



# Z-83-2016 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.:** Z- 83

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

**PETITION FOR:** CRC

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**ZONING COMMENTS:**

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

**Land Use Plan Recommendation:** IC industrial compatible

**Proposed Number of Buildings:** Phase I - 3, Phase II - 1

**Total Square Footage of Development:** Phase I - 12,652 sq. ft., Phase II - 60,000 sq. ft.

**F.A.R.:** 0.28      **Square Footage/Acre:** 11,930 sq. ft.

**Parking Spaces Required:** Phase I - 28      **Parking Spaces Provided:** Phase I - 81

The applicant is requesting a rezoning as well as a Special Land Use Permit (concurrent case SLUP-14) in order to develop the subject property for a church and private school/academy. The property, currently zoned partially R-20 single-family residential district and partially GC general commercial district requires rezoning away from the GC district as that district is considered "grandfathered" due to its location within an IC industrial compatible future land use category. Therefore, the rezoning is necessary in order to develop the property for anything more than currently exists. In addition, the SLUP is required for the private school component.

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.

**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.

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

**PETITION NO.:** Z- 83

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

**PETITION FOR:** CRC

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**FIRE COMMENTS:**

Modifications may be required to incorporate the Cobb County Fire Marshal’s Office comments.

ACCESS: A roadway is required to serve the “Covered Area”.

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.

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**PETITION NO.:** Z- 83

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**PETITION FOR:** CRC

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**SCHOOL COMMENTS:**

<b>Name of School</b>	<b>Enrollment</b>	<b>Capacity Status</b>	<b>Number of Portable Classrooms</b>
<b>Elementary</b>			
<b>Middle</b>			
<b>High</b>			

- School attendance zones are subject to revision at any time.

**Additional Comments:**

Approval of this petition will not have a significant impact on the enrollment at these schools.

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APPLICANT: Covenant Christian Ministries, Inc.

PETITION NO.: Z-83

PRESENT ZONING: GC and R-20

PETITION FOR: CRC

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**PLANNING COMMENTS:**

The applicant is requesting a rezoning from GC and R-20 to CRC for the purpose of a church and private school. The 6.1 acre site is located on the south side of Powder Springs Road, west of Sanders Road.

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 Powder Springs been notified?  Yes  No / N/A

Comprehensive Plan

The parcel is within an Industrial Compatible (IC) future land use category, with GC and R-20 zoning designation. The purpose of 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:

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

Master Plan/Corridor Study

The property is located within the boundary of the Powder Springs Road, Flint Hill Road 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.

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: Covenant Christian Ministries, Inc.**

**PETITION NO.: Z-83**

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

**PETITION FOR: CRC**

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**PLANNING COMMENTS:**

CONT.

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)

Bird / Wildlife Air Strike Hazard (BASH) area

APPLICANT Covenant Christian Ministries

PETITION NO. Z-083

PRESENT ZONING GC, R-20

PETITION FOR CRC

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**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:

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.

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**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: 750+' SW in Sanders Rd

Estimated Waste Generation (in G.P.D.): A D F= 1,680 Peak= 4,200

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

Dry 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 Comments: Special sewer assessment fee (Flint Hill Area 2) of \$2,900 per acre, plus standard SDF. Flow estimate based upon Ph II student population

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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PETITION NO.: Z-83

PRESENT ZONING: GC, R-20

PETITION FOR: R-20

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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.

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**PETITION FOR:** CRC

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**TRANSPORTATION COMMENTS:**

ROADWAY	AVERAGE DAILY TRIPS	ROADWAY CLASSIFICATION	SPEED LIMIT	JURISDICTIONAL CONTROL	MIN. R.O.W. REQUIREMENTS
Powder Springs Road	34,300	Arterial	45 mph	Cobb County	100'

*Based on 2007 traffic counting data taken by Cobb County DOT for Powder Springs Road.*

**COMMENTS AND OBSERVATIONS**

Powder Springs Road is classified as an arterial and according to the available information the existing right-of-way does 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 both driveways have dedicated left and right turn exits in lieu of the through lanes, as recommended in the Traffic Impact Study.

## STAFF RECOMMENDATIONS

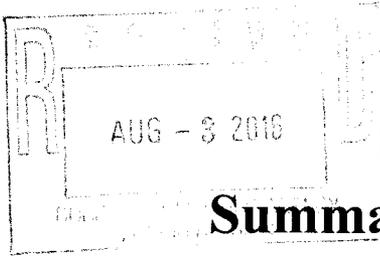
### **Z- 83 COVENANT CHRISTIAN MINISTRIES, INC.**

- 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 request by the applicant to develop the site for both a church and accessory private school is fitting for the subject property given its access off of Powder Springs Road and relative location to other nonresidential use of property.
- 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. Located within an area of varied uses, the use as a church and accessory school, with its attendant setbacks should not negatively impact neighboring properties while providing for a transitional use for this six (6) acre tract.
- 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* which delineates the property to be within an IC industrial compatible future land use category. This category is intended to provide for areas that can support light industrial, office/warehouse, and distribution uses. However, while located within this future land use area, the predominate type of uses along Powder Springs Road are not of an industrial nature. The intended use of church and school may serve to buffer existing residential uses and other, potential users of a more intense nature in the immediate vicinity.
- 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 request to rezone the property from its grandfathered GC zoning to the CRC district in order to develop it for a church and accessory school is suitable for this larger tract located along Powder Springs Road. While not in line with the property's future land use category of IC, the nature of development along Powder Springs Road has not been of the industrial type and this user may serve to provide a more community-friendly use of land to those existing residential and non-industrial neighbors in the area.

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

1. Site plan received by the Zoning Division on August 29, 2016, with District Commissioner approving minor modifications;
2. Building architecture to be approved by District Commissioner;
3. Fire Department comments and recommendations;
4. Sewer and Water Division comments and recommendations;
5. Stormwater Management Division comments and recommendations;
6. Department of Transportation comments and recommendations; and
7. For Church use and Private School use only.

**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. 2-83

## Summary of Intent for Rezoning

**Part 1. Residential Rezoning Information (attach additional information if needed) N/A**

- 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 & Private School
- b) Proposed building architecture: Phase I: 3 Permanent modular buildings with 14 classrooms (150 students) & worship space for 250 people; Phase II: 60,000 sf bldg.
- c) Proposed hours/days of operation: Church - Tues., Wed., Sat., Sun., School - Mon. - Fri., 7:30 a.m. - 6:30 p.m.
- d) List all requested variances: Special Use for Private school  
\_\_\_\_\_  
\_\_\_\_\_

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

Covenant Christian Ministries operates a church and private school.  
\_\_\_\_\_  
\_\_\_\_\_

**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). N/A**

\_\_\_\_\_  
\_\_\_\_\_