

Rezoning Plat

1492 Blair Bridge Road

Cobb County, Georgia

Land Lot 517, 18th District, 2nd Section

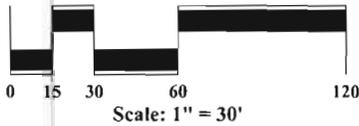
prepared for:

IUEC Local 32 Building Corporation

DGM
LAND PLANNING
CONSULTANTS



975 Cobb Place
Bldg. Suite 212
KENNESAW
GA 30144
770 514-9006
FAX 514-9491



October 3, 2016



Site Data

Total Site Area: 1.28 AC (55,958 SF)

Existing Zoning: GC

Proposed Zoning: O&I

Total Building Area Shown: 5,510 SF
(proposed union hall)

Building Setbacks:

front: 40' (collector) 31' requested*

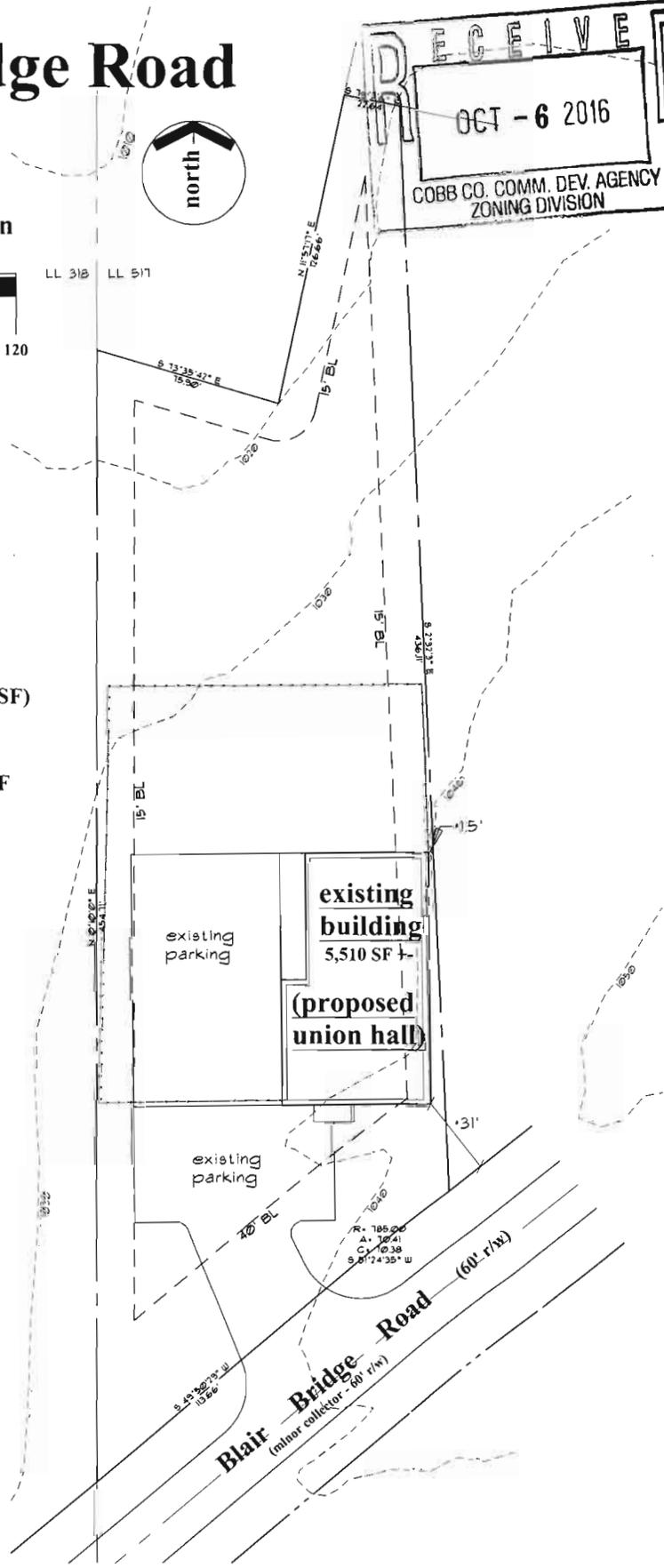
side: 15' 1.5' requested*

rear: 30'

*contemporaneous variance requested

Notes:

1. Boundary from DW Lynch Surveys, April 18, 2000
2. Topographic Information from Cobb County GIS
3. According to Flood Insurance Rate Map (FIRM) 13067C021H, dated March 4, 2013, no part or all this site consists of floodplain.
4. No cemeteries are known to exist on site.
5. No utilities or wetlands are known to exist on site.
6. No archeological or architectural landmarks are known to exist on site.
7. No utility easements are known to exist on site.



APPLICANT: IUEC Local 32 Building Corporation

PHONE#: 404-378-6208 **EMAIL:** iuec32scott@aol.com

REPRESENTATIVE: Garvis L. Sams, Jr.

PHONE#: 770-422-7016 **EMAIL:** gsams@slhb-law.com

TITLEHOLDER: Blair Bridge Holding LLC

PROPERTY LOCATION: Located on the north side of Blair Bridge Road, east of Bridgeport Court.

ACCESS TO PROPERTY: Blair Bridge Road

PHYSICAL CHARACTERISTICS TO SITE: Prefabricated Warehouse

PETITION NO: Z-106

HEARING DATE (PC): 12-06-16

HEARING DATE (BOC): 12-20-16

PRESENT ZONING: GC

PROPOSED ZONING: O&I

PROPOSED USE: Union Hall and Associated offices

SIZE OF TRACT: 1.285 acres

DISTRICT: 18

LAND LOT(S): 517

PARCEL(S): 11

TAXES: PAID X **DUE** _____

COMMISSION DISTRICT: 4

CONTIGUOUS ZONING/DEVELOPMENT

- NORTH:** R-20/ Single Family Home
- SOUTH:** RA-5/ Bridgeport Subdivision
- EAST:** LI/ Undeveloped Wooded Lot
- WEST:** PVC/ Walton Reserve Apartments

Adjacent Future Land Use:

- North: Medium Density Residential (MDR)
- East: Medium Density Residential (MDR)
- Southeast: Medium Density Residential (MDR)
- West: Neighborhood Activity Center (NAC) and Medium Density Residential (MDR)

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

PLANNING COMMISSION RECOMMENDATION

APPROVED _____ **MOTION BY** _____

REJECTED _____ **SECONDED** _____

HELD _____ **VOTE** _____

BOARD OF COMMISSIONERS DECISION

APPROVED _____ **MOTION BY** _____

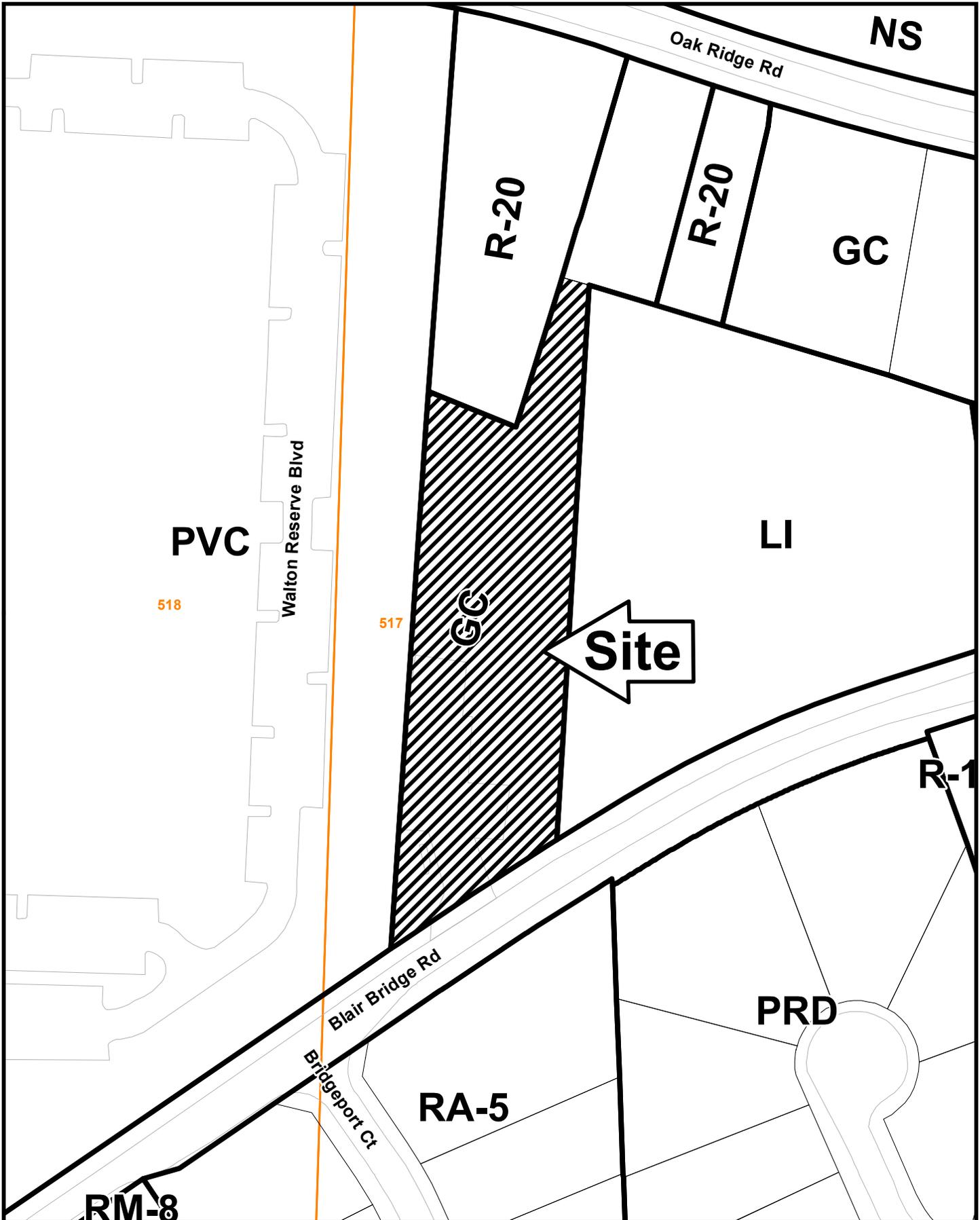
REJECTED _____ **SECONDED** _____

HELD _____ **VOTE** _____

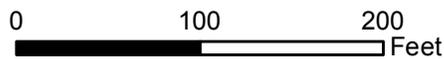
STIPULATIONS:



Z-106-2016 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: IUEC Local 32 Building Corporation

PETITION NO.: Z-106

PRESENT ZONING: GC

PETITION FOR: O&I

ZONING COMMENTS:

Staff Member Responsible: Donald Wells

Land Use Plan Recommendation: MDR (Medium Density Residential)

Proposed Number of Buildings: 1 **Total Square Footage of Development:** 5510

F.A.R.: .098 **Square Footage/Acre:** 4305

Parking Spaces Required: 23 **Parking Spaces Provided:** 20 (estimated)

The applicant is requesting the O&I zoning district for the purpose of using the existing warehouse for a union hall. There will also be classrooms in the building where trades are taught. The applicant intends to make some minor internal and external modifications to the building. The office hours will be Monday through Friday 8:00 am to 6:00 pm with an occasional night time meeting. This property as it is currently zoned is grandfathered as GC and is a non-conforming use. A nonconforming use cannot be changed to another nonconforming use, nor can a non-conforming use be reinstated after it has been abandoned longer than six months. This request will also require the following contemporaneous variances;

- Waive the right side setback from 15 feet to 1.5 feet;
- Waive the front setback from 40 feet to 31 feet.

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.

APPLICANT: IUEC Local 32 Building Corporation

PETITION NO.: Z-106

PRESENT ZONING: GC

PETITION FOR: O&I

SCHOOL COMMENTS:

| Name of School | Enrollment | Capacity Status | Number of Portable Classrooms |
|-----------------------|-------------------|------------------------|--------------------------------------|
| Elementary | | | |
| Middle | | | |
| High | | | |

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

Additional Comments: Approval of this petition will not have an impact on the enrollment at Cobb County Schools.

SITE PLAN REVIEW SECTION COMMENTS:

A Land Disturbance Permit must be obtained by the property owner in order to perform any site modifications and/or landscaping which may be required as a rezoning approval stipulation. Contact the Community Development Agency/Site Plan Review Section at 770-528-2147.

APPLICANT: IUEC Local 32 Building Corp

PETITION NO.: Z-106

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: IUEC Local 32 Building Corporation

PETITION NO.: Z-106

PRESENT ZONING: GC

PETITION FOR: O&I

PLANNING COMMENTS:

The applicant is requesting a rezoning from GC with stipulations to O&I for the purpose of a union hall and associated offices. The 1.285 acre site is located on the north side of Blair Bridge Road, east of Bridgeport Court.

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 _____ been notified? Yes No / N/A

Comprehensive Plan

The parcel is within a Medium Density Residential (MDR) future land use category, with GC zoning designation. The purpose of the Medium Density Residential (MDR) category is to provide for areas that are suitable for moderate density housing, between two and one-half (2.5) and five (5) dwelling units per acre.

Specific Area Policy Guidelines:

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

Adjacent Future Land Use:

North: Medium Density Residential (MDR)
East: Medium Density Residential (MDR)
Southeast: Medium Density Residential (MDR)
West: Neighborhood Activity Center (NAC) and Medium Density Residential (MDR)

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.

Is the property within an Enterprise Zone? Yes No
The South Cobb 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

APPLICANT: IUEC Local 32 Building Corporation

PETITION NO.: Z-106

PRESENT ZONING: GC

PETITION FOR: O&I

PLANNING COMMENTS:

CONT.

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 IUEC Local 32 Building Corporation

PETITION NO. Z-106

PRESENT ZONING GC

PETITION FOR O&I

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): 8" CI / S side of Blair Bridge Road

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: 250' S in Bridgeport Court

Estimated Waste Generation (in G.P.D.): A D F= +0 Peak= +0

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 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: IUEC Local 32 Building Corporation

PETITION NO.: Z-106

PRESENT ZONING: GC

PETITION FOR: O&I

STORMWATER MANAGEMENT COMMENTS

FLOOD HAZARD: YES NO POSSIBLY, NOT VERIFIED

DRAINAGE BASIN: Gordon 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 may be 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: IUEC Local 32 Building Corporation

PETITION NO.: Z-106

PRESENT ZONING: GC

PETITION FOR: O&I

STORMWATER MANAGEMENT COMMENTS – Continued

SPECIAL SITE CONDITIONS

- Provide comprehensive hydrology/stormwater controls to include development of out parcels.
- Submit any 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. This is an existing facility and no significant site changes are proposed. Any substantial site improvement or redevelopment must meet current stormwater management requirements.

APPLICANT: IUEC Local 32 Building Corporation

PETITION NO.: Z-106

PRESENT ZONING: GC

PETITION FOR: O&I

TRANSPORTATION COMMENTS:

| ROADWAY | AVERAGE DAILY TRIPS | ROADWAY CLASSIFICATION | SPEED LIMIT | JURISDICTIONAL CONTROL | MIN. R.O.W. REQUIREMENTS |
|-------------------|---------------------|------------------------|-------------|------------------------|--------------------------|
| Blair Bridge Road | 6,900 | Minor Collector | 35 mph | Cobb County | 60' |
| | | | | | |

Based on 2015 traffic counting data taken by Cobb County DOT for Blair Bridge Road.

COMMENTS AND OBSERVATIONS

Blair Bridge Road is classified as a minor collector 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 sidewalk along the frontage of Blair Bridge Road.

Recommend applicant verify that minimum intersection sight distance is available for Blair Bridge Road access and if it is not, implement remedial measures, subject to the Department’s approval, to achieve the minimum requirement of 390’.

STAFF RECOMMENDATIONS

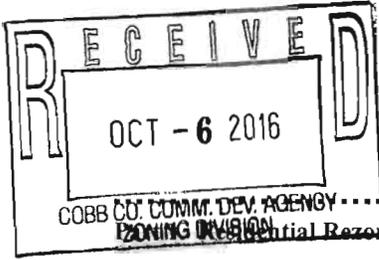
Z-106 IUEC LOCAL 32 BUILDING CORPORATION

- 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 building was built in 1979 with adequate landscaping to provide screening from all contiguous properties.
- 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 propose use will have a positive effect on surrounding properties by allowing the applicant to use the property and prevent an unsightly blight in the neighborhood.
- 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* this property is located in a medium density residential category (MDR). This category is to provide areas that are suitable for moderate density housing. However, the applicant's request is on the edge of a neighborhood activity center (NAC) and will provide a step down nodal zoning from a more intense use.
- 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 applicant intends to use an existing building for a use that will provide a buffer to the existing light industrial property to the east.

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

1. Site plan received by the Zoning Division October 6th, 2016 with District Commissioner approving minor modifications;
2. District Commissioner to approve final building color;
3. Parking lot to repaired where needed and striped to County Standards;
4. Union Hall and offices associated with Union Hall only;
5. No outside storage or outside display;
6. Water and Sewer comments and recommendations;
7. Stormwater Management Division comments and recommendations;
8. Departments of Transportation comments and recommendation.

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.



Summary of Intent for Rezoning

.....
Part 1. Residential Rezoning Information (attach additional information if needed)

- a) Proposed unit square-footage(s): N/A
 - 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): Union Hall and Offices for Local 32 of the International Union of Elevator Constructors (IUEC)
 - b) Proposed building architecture: As-built, with minor interior and external modifications, rehabbing and retrofitting to the existing building
 - c) Proposed hours/days of operation: Daily 8:00 a.m. - 6:00 p.m. (with some night-time meetings)
 - d) List all requested variances: As-built circumstances as shown on the site plan.
- _____
- _____
- _____

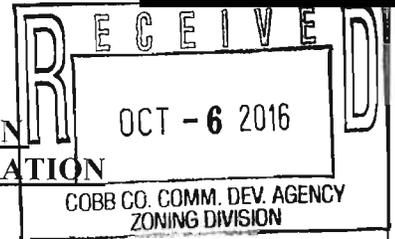
.....
Part 3. Other Pertinent Information (List or attach additional information if needed)

The subject property is located in direct contiguity to an existing activity center as shown on the County's Future Land Use Map.

.....
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). None known at this time.

* Applicant specifically reserves the right to amend any information set forth in this Summary of Intent for Rezoning, or any other portion of the Application for Rezoning, at any time during the rezoning process.

ZONING IMPACT STATEMENT
FOR THE REZONING APPLICATION
OF IUEC LOCAL 32 BUILDING CORPORATION



COMES NOW, IUEC LOCAL 32 BUILDING CORPORATION, and pursuant to §134-121(a)(7) of the Cobb County Zoning Ordinance, files this its Zoning Impact Statement, as follows:

- A. The zoning proposal will permit a use of the property which is suitable in the context of development and existing zonings along this section of Blair Bridge Road. The subject property is zoned GC and is situated in direct contiguity to a Neighborhood Activity Center (“NAC”) and adjacent to undeveloped Light Industrial (“LI”) property.
- B. The zoning proposal will have no adverse effect or impact upon the exiting uses or usability of adjacent or nearby properties as it constitutes a non-conforming circumstance.
- C. The subject property to be affected by the zoning proposal has no reasonable economic use as currently zoned in that the fair market value of same falls below the range of values of similarly zoned and situated properties with equivalent utility. The existing GC zoning classification constitutes a significant economic detriment to the owner of the subject property in that was previously grandfathered but is now in a position so that is has no entitlements for use in the absence of a rezoning as requested.
- D. The zoning proposal will have no adverse impact upon the existing County infrastructure including, but not limited to, existing streets, transportation facilities, utilities or schools.
- E. The zoning proposal is consistent with spirit and intent as contemplated under Cobb County's Future Land Use Plan and Future Land Use Map with the subject property having direct contiguity to a Neighborhood Activity Center and direct contiguity to undeveloped LI property notwithstanding the fact that the subject property is located within an area denominated as MDR under the County’s Future Land Use Map and is zoned GC.

F. There is no substantial relationship between the existing zoning classification of GC which does not entitle the property owner for utilization and which limits the property in terms of its present utilization and public health, safety and general welfare. Additionally, considered in the context of existing development and uses along this section of Blair Bridge Road, there are no established land use planning principles or political considerations which would vitiate the zoning proposal.

Respectfully submitted, this the 3rd day of Oct, 2016.

SAMS, LARKIN, HUFF & BALLI, LLP

By: 

GARVIS L. SAMS, JR.
Attorney for Applicant
Ga. Bar No. 623950