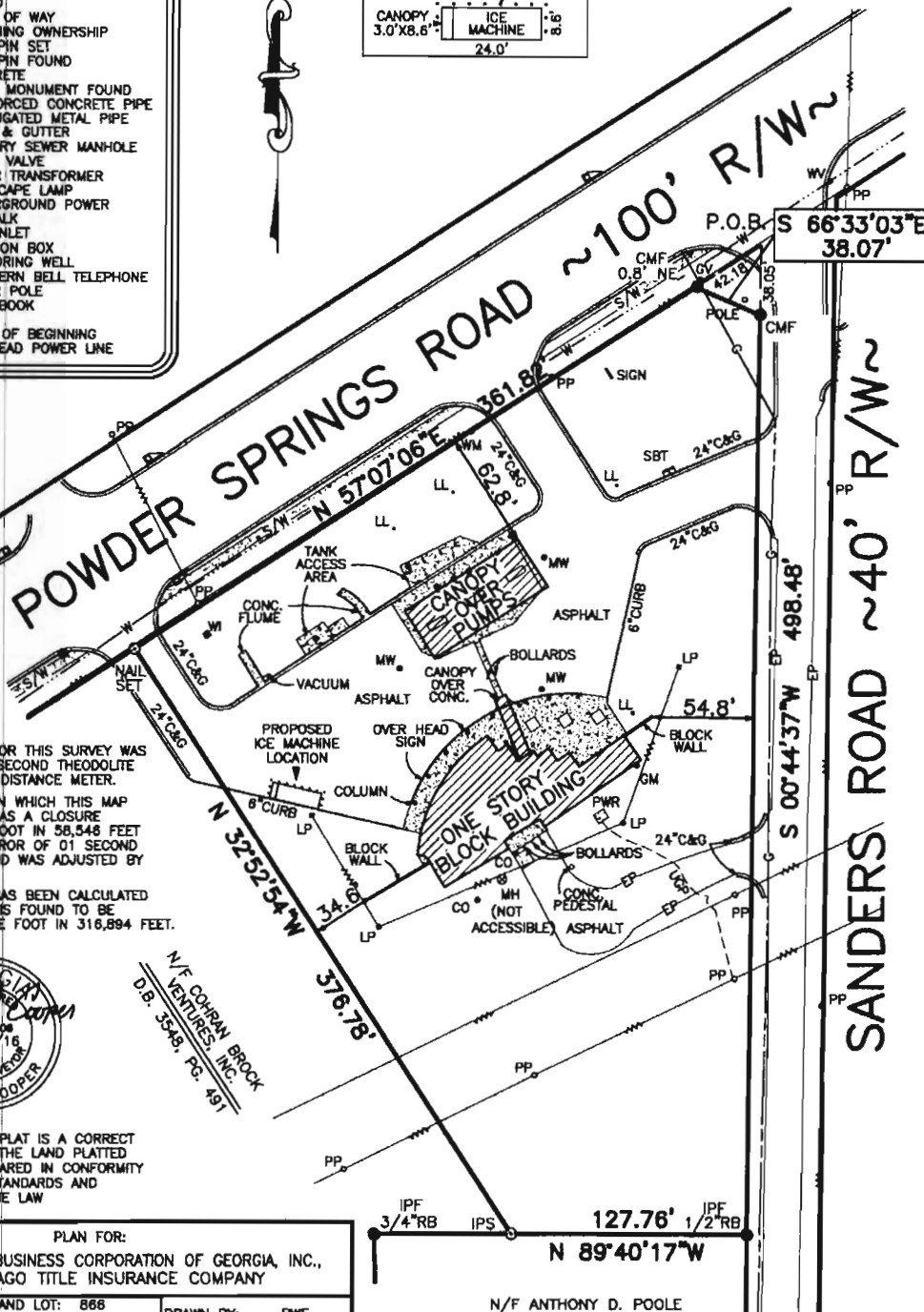
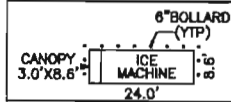


SLUP-1
(2017)

LEGEND

A	ARC
R	RADIUS
C	CHORD
R/W	RIGHT OF WAY
N/F	ADJOINING OWNERSHIP
IPS	IRON PIN SET
IPF	IRON PIN FOUND
CONC.	CONCRETE
CMF	CONC. MONUMENT FOUND
RCP	REINFORCED CONCRETE PIPE
CMP	CORRUGATED METAL PIPE
C&G	CURB & GUTTER
SSMH	SANITARY SEWER MANHOLE
WV	WATER VALVE
PWR	POWER TRANSFORMER
LL	LANDSCAPE LAMP
UGP	UNDERGROUND POWER
S/W	SIDEWALK
WI	WEIR INLET
JB	JUNCTION BOX
MW	MONITORING WELL
SBT	SOUTHERN BELL TELEPHONE
PP	POWER POLE
D.B.	DEED BOOK
PG.	PAGE
P.O.B.	POINT OF BEGINNING
---	OVERHEAD POWER LINE

ICE MACHINE DETAIL



NOTES:

FIELD INFORMATION FOR THIS SURVEY WAS OBTAINED WITH A 5 SECOND THEODOLITE AND AN ELECTRONIC DISTANCE METER.

THE FIELD DATA UPON WHICH THIS MAP OR PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 58,548 FEET AND AN ANGULAR ERROR OF 01 SECOND PER ANGLE POINT AND WAS ADJUSTED BY LEAST SQUARES.

THIS MAP OR PLAT HAS BEEN CALCULATED FOR CLOSURES AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 316,894 FEET.



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 THE LAW

PLAN FOR:

MALU, INC., THE BUSINESS CORPORATION OF GEORGIA, INC.,
AND CHICAGO TITLE INSURANCE COMPANY

DATE:	8/22/01	LAND LOT:	868	DRAWN BY:	PWF
		DISTRICT:	19TH		
		SECTION:	2ND		
SCALE:	1"=60'	COUNTY:	COBB		
		SURVEYED BY:	AB		

ADAM & LEE LAND SURVEYING

5840 GA. HWY. 20 S.

LOGANVILLE, GA. 30052 (770) 554-8995

2991 POWDER SPRINGS RD.
D.B. 5678, PG. 195

01140

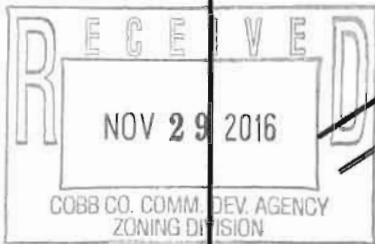
N/F ANTHONY D. POOLE

D.B. 7918, PG. 481

AREA= 2.518 ACRES

THIS PROPERTY DOES NOT LIE WITHIN
A FEDERAL FLOOD HAZARD AREA AS
PER PANEL NO. 13067C0065 F

REVISION - 11/22/18 - BY: DWJ
ADD PROPOSED ICE MACHINE LOCATION. NO FIELD COMPLETED.
SURVEY INFORMATION NOT UPDATED.



APPLICANT: Marietta Ice LLC
PHONE#: (404) 655-5188 **EMAIL:** hankdupre@gmail.com
REPRESENTATIVE: Harry N. DuPre, IV
PHONE#: (404) 655-5188 **EMAIL:** hankdupre@gmail.com
TITLEHOLDER: Malu, Inc.

PROPERTY LOCATION: Southwest corner of Powder Springs
Road and Sanders Road
(2991 Powder Springs Road)

ACCESS TO PROPERTY: Powder Springs Road and Sanders Road

PHYSICAL CHARACTERISTICS TO SITE: One story block

convenience store with canopy over gas pumps

CONTIGUOUS ZONING/DEVELOPMENT

NORTH: GC/ Vacant, undeveloped
SOUTH: GC/ Residential House
EAST: O&I, GC/ Veterinarian, Tree Service Company
WEST: GC/ Vacant, undeveloped

PETITION NO: SLUP-1
HEARING DATE (PC): 02-07-17
HEARING DATE (BOC): 02-21-17
PRESENT ZONING: _____

PROPOSED ZONING: Special Land
Use Permit

PROPOSED USE: Freestanding Ice Vending
Machine w/Existing Convenience Store & Fuel Sales

SIZE OF TRACT: 2.53 acres

DISTRICT: 19

LAND LOT(S): 866

PARCEL(S): 13

TAXES: PAID X **DUE** _____

COMMISSION DISTRICT: 4

Adjacent Future Land Use:

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

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

PLANNING COMMISSION RECOMMENDATION

APPROVED _____ **MOTION BY** _____

REJECTED _____ **SECONDED** _____

HELD _____ **CARRIED** _____

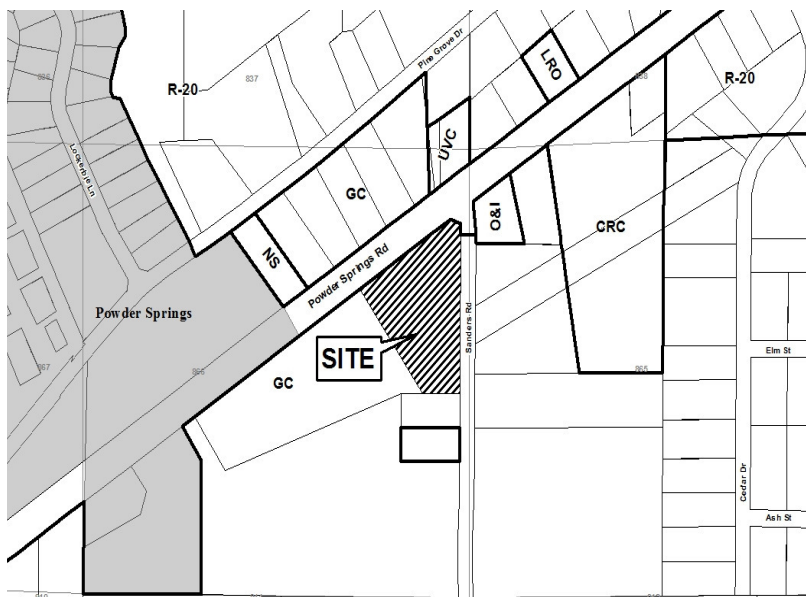
BOARD OF COMMISSIONERS DECISION

APPROVED _____ **MOTION BY** _____

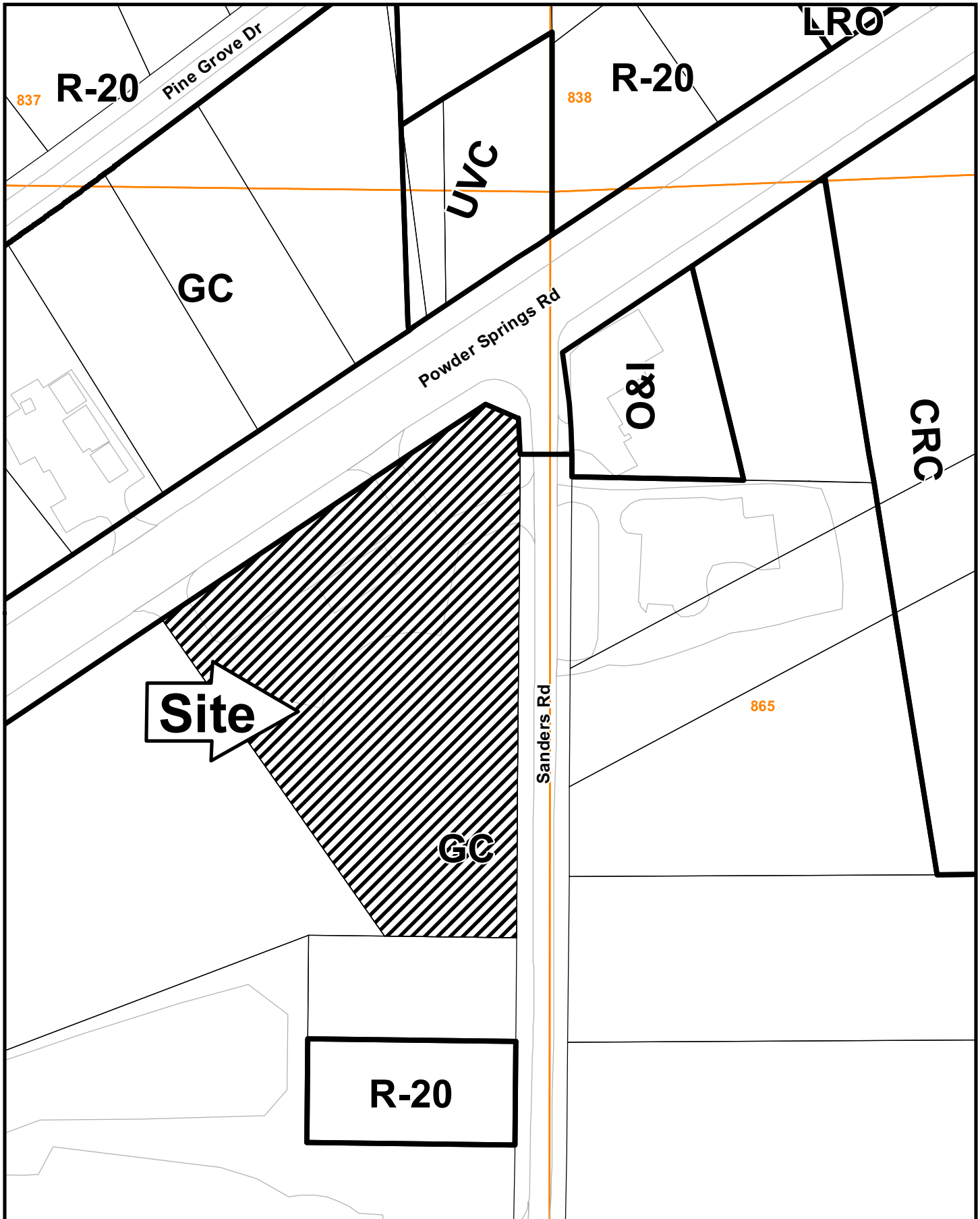
REJECTED _____ **SECONDED** _____

HELD _____ **CARRIED** _____

STIPULATIONS:



SLUP-1-2017 GIS



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

0 100 200 Feet

City Boundary
Zoning Boundary

APPLICANT: Marietta Ice LLC

PETITION NO.: SLUP-1

PRESENT ZONING: GC

PETITION FOR: SLUP

ZONING COMMENTS: Staff Member Responsible: Terry Martin, MPA

The applicant is requesting a Special Land Use Permit (SLUP) to allow a freestanding ice vending machine upon the subject property. Located within an area zoned GC general commercial and delineated as IC industrial compatible on the Future Land Use Map, this site is also subject of companion case Z-4 in order to address this incompatibility.

The proposed freestanding ice vending machine is self-service and will operate 24 hours a day year round. It measures approximately eight (8) feet wide by 24 feet long and stands 14 feet tall as indicated on the applicant's submitted specifications. It will be located on the western side of the property in the parking lot as shown on the submitted site plan.

Besides the 15 criteria to be considered by the Board of Commissioners for a SLUP, The TS district regulations call for freestanding ice vending machines to be similar or complimentary to the architectural styles of contiguous properties as well as requiring any roof-mounted utility, conditioned air unit or other mechanical device to be screened from view and include noise abatement features or devices to abate noises from adjacent residential properties. The applicant has provided renderings of the unit and does propose roof screening.

Historic Preservation: No comment.

Cemetery Preservation: No comment.

WATER & SEWER COMMENTS:

No comments. Property served by public water and sewer.

TRAFFIC COMMENTS:

This request will not have an adverse impact on the transportation network.

APPLICANT: Marietta Ice

PETITION NO.: SLUP-1

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: Marietta Ice LLC

PETITION NO.: SLUP-1

PRESENT ZONING: GC

PETITION FOR: SLUP

STORMWATER MANAGEMENT COMMENTS

No substantial improvements or additional impervious coverage are proposed. No comments.

STAFF RECOMMENDATIONS

SLUP-1 MARIETTA ICE LLC

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.*
It is Staff's opinion that the applicant's proposal will not have an adverse effect on the usability of adjacent or nearby property. The proposed use is small in size and will be located against the curb to the western side of the property.
- (2) *Whether or not the use is otherwise compatible with the neighborhood.*
It is Staff's opinion that the applicant's proposal will permit a use that is suitable in view of the use and development of adjacent and nearby properties. The area is predominately oriented to commercial uses and the specific site is an existing convenience store with fuel sales. The adjacent properties are zoned commercial and those immediately to the west are currently undeveloped.
- (3) *Whether or not the use proposed will result in a nuisance as defined under state law.*
The use, with proper considerations to abatement of noise and visual screening, should not be a nuisance.
- (4) *Whether or not quiet enjoyment of surrounding property will be adversely affected.*
The quiet enjoyment of surrounding property will not be adversely affected due to the low intensity and scale of the applicant's proposal.
- (5) *Whether or not property values of surrounding property will be adversely affected.*
Property values will not be adversely affected by the applicant's use. The use should be complimentary to the other uses currently upon the site.
- (6) *Whether or not adequate provisions are made for parking and traffic considerations.*
There are adequate provisions for parking and traffic considerations. The proposed location of the vending machine should be adequately out of the way of vehicular traffic circulating within the site.
- (7) *Whether or not the site or intensity of the use is appropriate.*
The applicant's site is appropriate for this use. With the appropriate considerations to visual and noise concerns as recommended by the Code, the use should be appropriate for the site.
- (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 area is already zoned and occupied for commercial uses.
- (9) *Whether or not adequate provisions are made regarding hours of operation.*
N/A

CONTINUED ON NEXT PAGE

STAFF RECOMMENDATIONS

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

The use does not involve deliveries.

(11) *Whether or not adequate landscape plans are incorporated to ensure appropriate transition.*

No landscaping is proposed and based on the use's location should not be necessary.

(12) *Whether or not the public health, safety, welfare or moral concerns of the surrounding neighborhood will be adversely affected.*

The use does not adversely affect the public health, safety, welfare, or moral concerns of the surrounding neighborhood.

(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.*

With proper consideration of architectural compatibility as well as visual screening and noise abatement of mechanical units, the use can adhere to Code-required factors as well as required aspects of the site's companion zoning case.

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

The applicant has provided the necessary documents such as elevations and renderings to determine architectural compatibility with adjacent uses and visual screening of mechanical units or noise abatement

(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 applicant has provided sufficient information to allow full consideration. The site's existing commercial use and location within an area that supports such commercial activity support the request. Staff believes that with final approval of architectural and screening concerns by the District Commissioner, the proposed freestanding ice vending machine will be a welcomed amenity to the site.

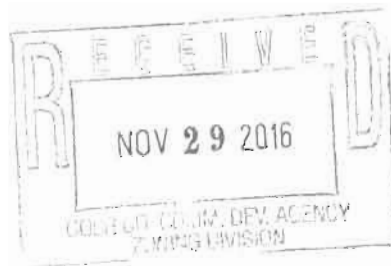
Based on the above analysis, Staff recommends **APPROVAL** subject to:

1. Final location and architecture of the ice vending machine to be approved by the District Commissioner;
2. All roof-mounted utility, conditioned air unit or other mechanical device to be screened from the view of the public right-of-way with a complimentary architectural feature;
3. Inclusion of a noise abatement feature or device that abates noises or sounds from adjacent residential properties;
4. Fire Department comments and recommendations;
5. Water and Sewer Division comments and recommendations;
6. Stormwater Management Division comments and recommendations; and
7. 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.

Impact of the proposed rezoning

- a) The proposed rezoning would not in any way change the current use of the property. As it has since 1987, the property will continue to operate as a gas station and convenience store. Pending approval of a special land use permit, the additional feature of a freestanding ice vending machine will also be added to the property. A vending machine dispensing fresh ice would nicely complement the product mix that is currently being offered at the store.
- b) Neither the rezoning nor the special land use permit for the ice machine would adversely affect the existing use of any adjacent or nearby property.
- c) The property has a reasonable economic use as currently zoned and will continue to operate as before with the same economic use when rezoned.
- d) The rezoning and special land use proposal will not have any impact on transportation facilities, utilities or schools. Any impact on the use of existing streets will be immaterial as any potential increase in store traffic that might be attributable to the ice vending machine would be easily handled given the three points of ingress/egress to the property (two for Powder Springs Road and one for Sanders Road).
- e) The rezoning request and special land use permit for the ice vending machine conforms with the policy and intent of the land use plan for the existing convenience store and gas station, which will continue to operate as before.
- f) The addition of the ice vending machine will provide a convenient way for customers of the existing business and for nearby residents to obtain fresh, clean ice at an economical price.

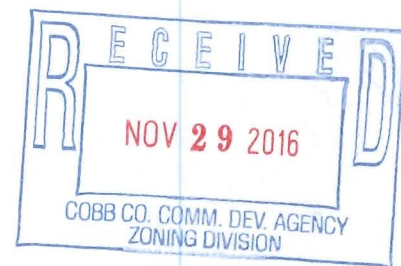


Z-4 & SLUP-1
(2017)
Photograph of
Property

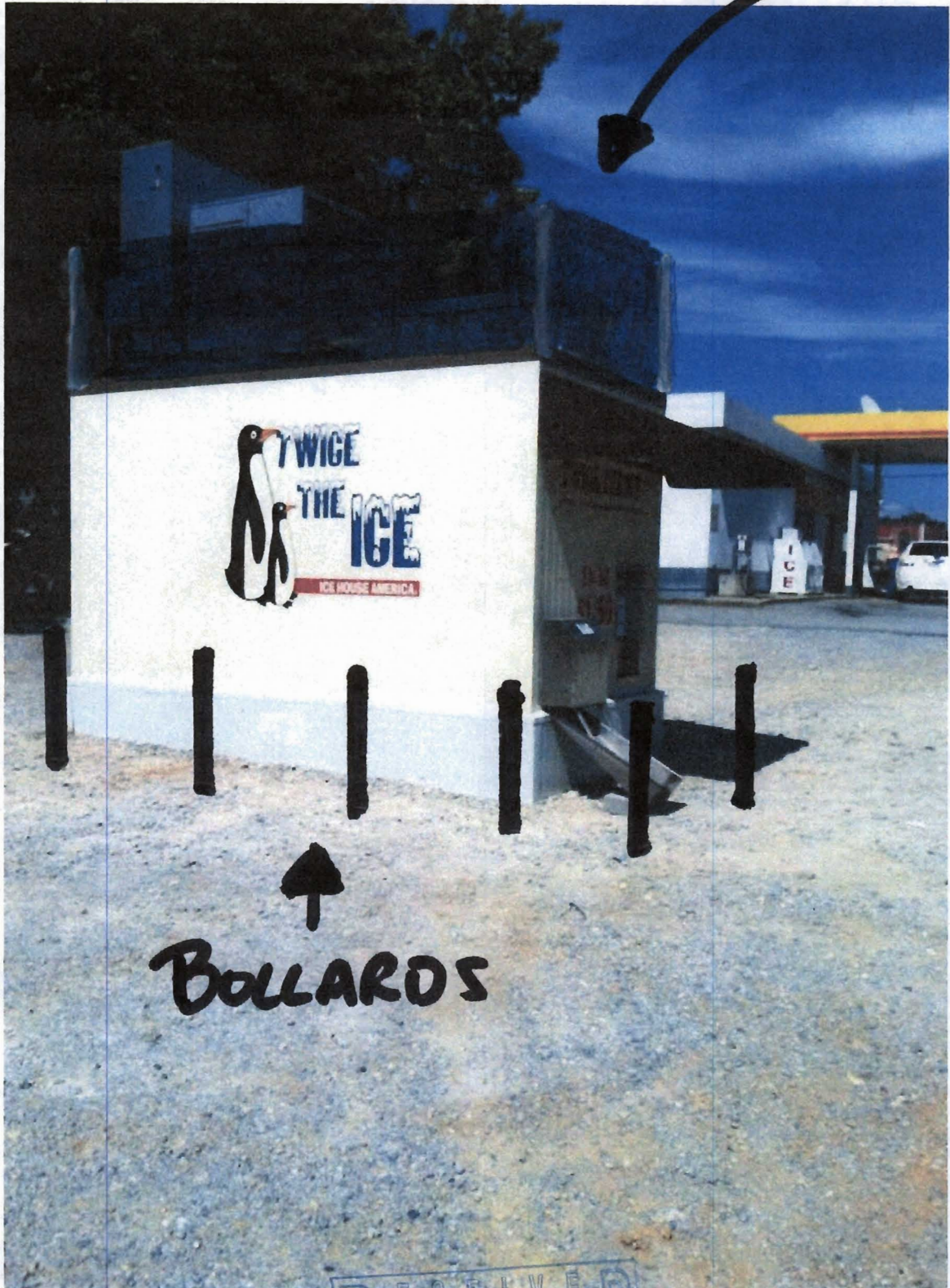


Google earth

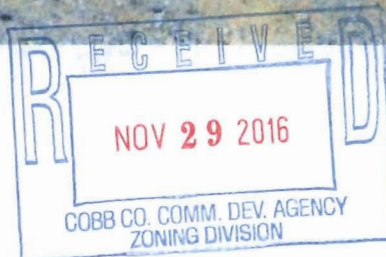
feet 100
meters 30



CANYAS SCREEN



BOLLARDS



RECEIVED
NOV 29 2017
COBB CO. COMM.
ZONING DEPT.

