OB-56

Application for "Other Business"
Cobb County, Georgia

(Cobb County Zoning Division – 770-528-2035) BOC Hearing Date Requested: 9/16/14

RECEIVED
AUG 12 2014
COBB CO. COMM. DEV. AGENCY
ZONING DIVISION

Applicant: The Space Atlanta, LLC Phone #: 770-846-8725
(applicant's name printed)

Address: 4620 S. Atlanta Rd, Ste A, Smyrna, GA 30080 E-Mail: info@thespaceatl.com

McKinley MacLean Address: 2712 The Valley, Atlanta, GA 30328
(representative's name, printed)

McKinley MacLean Phone #: 770-846-8725 E-Mail: mck@TheSpaceAtl.com
(representative's signature)

Signed, sealed and delivered in presence of:

Karen Maldonado My commission expires: 4-23-16
Notary Public

KAREN MALDONADO NOTARY PUBLIC COBB COUNTY, GEORGIA MY COMMISSION EXPIRES APRIL 23, 2016

Titleholder(s): STROMQUIST/SAM LIFSHITZ Phone#: 404-794-3440
(property owner's name printed)

Address: 4620 ATLANTA RD./suite G&H E-Mail: SPL@Stromquist.com

(Property owner's signature)

Signed, sealed and delivered in presence of:

Karen Maldonado My commission expires: 4-23-16
Notary Public

KAREN MALDONADO NOTARY PUBLIC COBB COUNTY, GEORGIA MY COMMISSION EXPIRES APRIL 23, 2016

Commission District: 2 Zoning Case: Z-45 of 2012

Date of Zoning Decision: 11-20-12 Original Date of Hearing: 11-20-12

Location: 4620 S. Atlanta Rd, suite A, Smyrna, GA 30080
(street address, if applicable; nearest intersection, etc.)

Land Lot(s): 763 District(s): 17th

State specifically the need or reason(s) for Other Business: We are a dance instruction studio, which is not covered by our current zoning (light industrial)

(List or attach additional information if needed)

ORIGINAL DATE OF APPLICATION: 11-20-12

APPLICANTS NAME: LAST STAND FITNESS, LLC

THE FOLLOWING REPRESENTS THE FINAL DECISIONS OF THE COBB COUNTY BOARD OF COMMISSIONERS

RECEIVED
AUG 12 2014
COBB CO. COMM. DEV. AGENCY
ZONING DIVISION

BOC DECISION OF 11-20-12 ZONING HEARING:

LAST STAND FITNESS, LLC (Lewyn-Atlanta Road Partnership, owners) requesting Rezoning from **LI** to **LI with Stipulations** for the purpose of Additional Use As A Fitness Facility in Land Lot 763 of the 17th District. Located on the west side of Atlanta Road at Brownwood Lane; and on the east side of Interstate 285, south of Atlanta Road (4620 Atlanta Road).

MOTION: Motion by Ott, second by Birrell, to **approve** Rezoning to the **LI with Stipulations** zoning district **subject to:**

- **Site plan received by the Zoning Division on September 6, 2012, with the District Commissioner approving minor modifications (attached and made a part of these minutes)**
- **Letter from Mr. Parks Huff dated November 1, 2012 (attached and made a part of these minutes)**
- **For this use *only***
- **Water and Sewer Division comments and recommendations**
- **Cobb DOT comments and recommendations**

VOTE: **ADOPTED** unanimously

Min. Bk. 67 Petition No. Z-45
Doc. Type letter of agreeable conditions
Meeting Date 11/20/12

PAGE 4 OF

SAMS, LARKIN & HUFF
A LIMITED LIABILITY PARTNERSHIP

GARVIS L. SAMS, JR.
JOEL L. LARKIN
PARKS F. HUFF
JAMES A. BALLI

JUSTIN H. MEEKS

SUITE 100
376 POWDER SPRINGS STREET
MARIETTA, GEORGIA 30064-3448

770•422•7016
TELEPHONE
770•426•6583
FACSIMILE

SAMSLARKINHUFF.COM

November 1, 2012

VIA EMAIL: Jason.Campbell@cobbcounty.org
AND HAND DELIVERY

Mr. Jason Campbell, Planner
Cobb County Community Development Agency
Zoning Division
P.O Box 649
Marietta, GA 30061

Re: Application of Last Stand Fitness, LLC
To Rezone a 3.795± Acre Tract from Light Industrial (LI) to Light Industrial (LI) with Conditions
Land Lot 763, 17th District, 2nd Section, Cobb County, Georgia

Dear Jason:

I represent Last Stand Fitness, LLC dba Crossfit 285 in relation to the above-styled rezoning application for property known as 4620 South Atlanta Road, Smyrna, Georgia 30080. Crossfit 285 is a workout gym that operates out of an industrial space because they rely upon big heavy equipment like barbells, pull-up bars and ropes instead of treadmills and other electronic equipment. The Applicant requests this rezoning application to allow this additional use in the light industrial zoning category. The rezoning application is scheduled to be heard by the Planning Commission on November 6, 2012 and thereafter by the Board of Commissions on November 20, 2012. The following is a list of conditions that my client is willing to agree to become part of the rezoning approval.

1. The applicant will agree to reline the sixteen (16) spaces depicted on Exhibit "A" to provide parking for its client.

2. The rezoning specifically includes workout gym as an allowable use under light industrial.

3. The workout gymnasium will be limited to a 4,200 square foot space within the existing warehouse buildings and any expansion must be approved by the District Commissioner.

VIA EMAIL: Jason.Campbell@cobbcounty.org
AND HAND DELIVERY
Mr. Jason Campbell, Planner
Cobb County Community Development Agency
Zoning Division
November 1, 2012
Page 2

In the past, Cobb County has approved gymnasiums and other recreational use of industrial space because warehouses provide for big open areas that are needed for recreational use. By limiting the amount of recreational space to 4,200 square feet, parking will not be a problem in this large industrial park. The Applicant has not received any negative comments from other tenants or neighboring property owners regarding this request. Please contact me if you have any questions or concerns regarding these proposed conditions.

Very truly yours,

SAMS, LARKIN & HUFF, LLP

Parks F. Huff
phuff@samslarkinhuff.com

PFH/dvm
Enclosures

cc: Members, Cobb County Board of Commissioners (via email and regular mail)
Members, Cobb County Planning Commission (via email)
Mr. Tim Davidson, Cobb County Water System (via email and regular mail)
Ms. Jane Stricklin, P.E. (via email)
Mr. David Breaden, P.E. (via email)
Ms. Karen King, Assistant County Clerk (via email)
Ms. Lori Presnell, Deputy County Clerk (via email)
Ms. Robin Meyer, MIC (via email)
Last Stand Fitness, LLC

Petition No. Z-45
Meeting Date 11/20/12
Continued

Exhibit "A"

PAGE 3 OF

Doc. Type Site Plan

Meeting Date 11/20/12

SUBJECT PROPERTY

SITE ADDRESS: 4620 ATLANTA ROAD, SMYRNA, GA 30080

AREA: 3.69 ACRES ±

TOTAL IMPERMIOUS AREA: 133,811 SQ.FT. (3.07 ACRES±)

ZONED: LI (LIGHT INDUSTRIAL)

FRONT SETBACK: 50'
SIDE SETBACK: 20'
REAR SETBACK: 30'

ALL ZONING INFORMATION SHOULD BE VERIFIED WITH THE PROPER ZONING OFFICIALS

REFERENCE: DEED BOOK 1943 PAGE 662

GENERAL NOTES

THIS SURVEY WAS PREPARED WITHOUT BENEFIT OF A TITLE REPORT WHICH MAY REVEAL ADDITIONAL CONVEYANCES, EASEMENTS, OR RIGHTS-OF-WAY NOT SHOWN HEREON.

EQUIPMENT USED FOR ANGULAR & LINEAR MEASUREMENTS: LEICA TCRA 1103 ROBOTIC DATE OF LAST FIELD VISIT: 8-9-12

THE FIELD DATA UPON WHICH THIS SURVEY IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 20,000+ FEET AND AN ANGULAR ERROR OF 5.0' PER ANGLE POINT AND WAS NOT ADJUSTED.

THE PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE TO WITHIN ONE FOOT IN 230,655 FEET.

BEARINGS SHOWN ON THIS SURVEY ARE FROM GRID NORTH. (GA NAD 83 WEST ZONE)

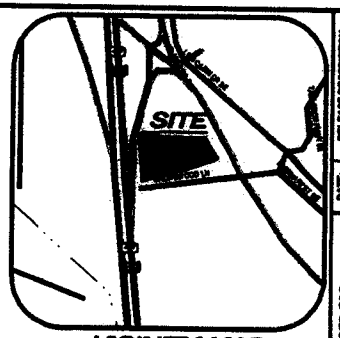
NO PORTION OF THIS PROPERTY IS LOCATED IN A SPECIAL FLOOD AREA AS PER F.I.R.M. COMMUNITY PANEL NO. 13067C0228G DATED 12/16/2008.

NO VISIBLE ARCHITECTURAL OR ACHEOLOGICAL LANDMARKS FOUND ON SITE.
NO VISIBLE DETENTION / RETENTION AREAS FOUND ON SITE.
NO VISIBLE CEMETERIES FOUND ON SITE.
THIS PROPERTY IS NOT IN A WATERSHED AREA.
THIS PROPERTY DOES HAVE A BODY OF WATER ON THE PROPERTY.

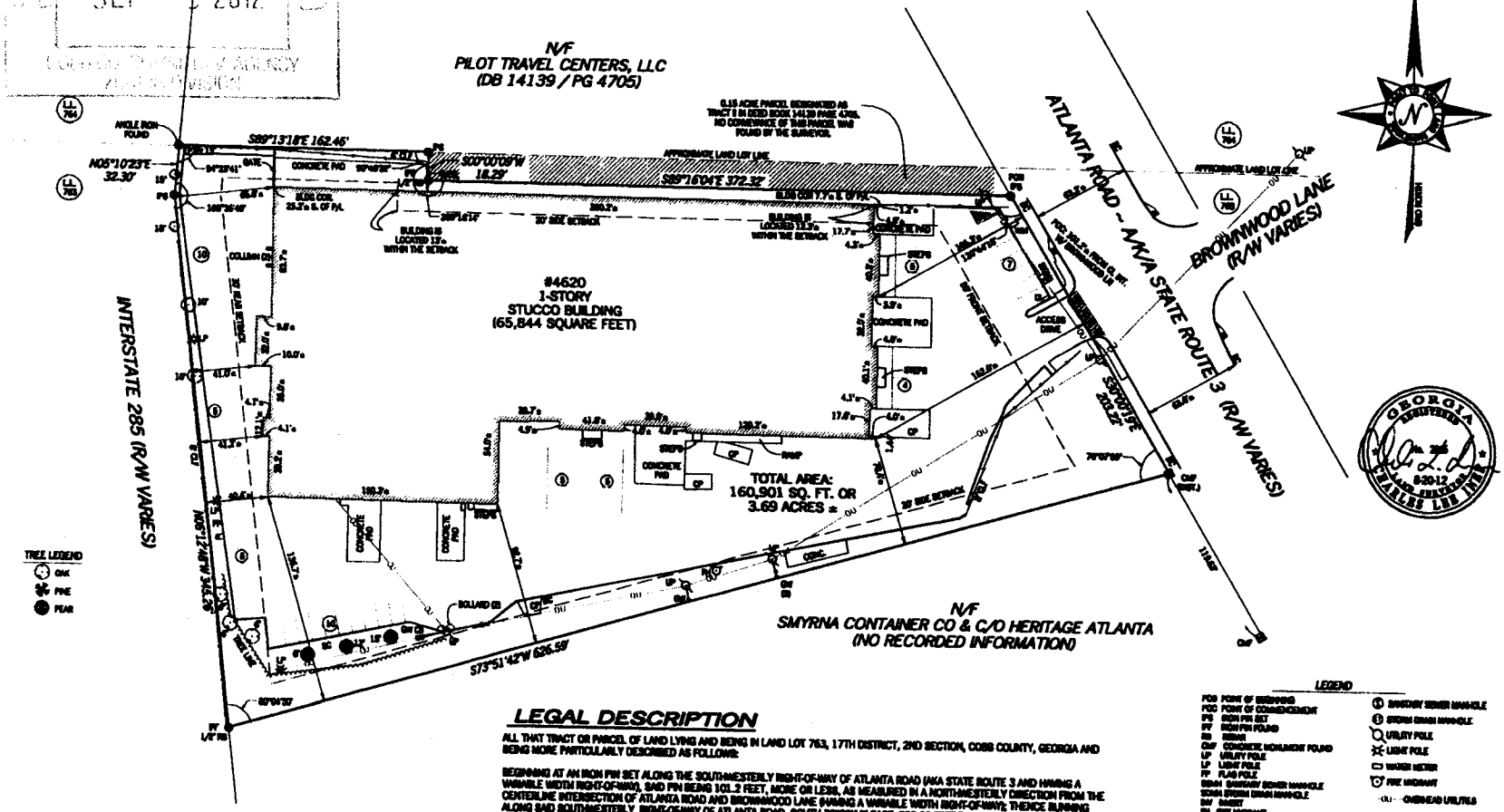
IF ANY WETLANDS EXIST ON THIS PROPERTY, THEY ARE UNDER THE JURISDICTION OF THE U.S. ARMY CORPS OF ENGINEERS. PROPERTY OWNERS MAY BE SUBJECT TO PENALTY BY LAW FOR DISTURBANCE TO THESE WETLAND AREAS WITHOUT PROPER AUTHORIZATION.

THE UNDERGROUND UTILITIES SHOWN HAVE BEEN LOCATED FROM ABOVE GROUND FIELD SURVEY INFORMATION. THE SURVEYOR MAKES NO GUARANTEES THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN-SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED ALTHOUGH THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM INFORMATION AVAILABLE. THE SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES.

RECEIVED
SEP - 6 2012
County Permitting Survey
Zoning Review



VICINITY MAP
NOT TO SCALE



LEGAL DESCRIPTION

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 763, 17TH DISTRICT, 2ND SECTION, COBB COUNTY, GEORGIA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT AN IRON PIN SET ALONG THE SOUTHWESTERLY RIGHT-OF-WAY OF ATLANTA ROAD (AKA STATE ROUTE 3 AND HAVING A VARIABLE WIDTH RIGHT-OF-WAY), SAID PIN BEING 101.2 FEET, MORE OR LESS, AS MEASURED IN A NORTHWESTERLY DIRECTION FROM THE CENTERLINE INTERSECTION OF ATLANTA ROAD AND BROWNWOOD LANE (HAVING A VARIABLE WIDTH RIGHT-OF-WAY); THENCE RUNNING ALONG SAID SOUTHWESTERLY RIGHT-OF-WAY OF ATLANTA ROAD, SOUTH 30°00'15" EAST, 303.22 FEET TO A DISTURBED CONCRETE MONUMENT FOUND; THENCE LEAVING SAID SOUTHWESTERLY RIGHT-OF-WAY OF ATLANTA ROAD AND RUNNING, SOUTH 73°51'42" WEST, 626.59 FEET TO A 1/2INCH REBAR FOUND ALONG THE EASTERLY RIGHT-OF-WAY OF INTERSTATE 285 (HAVING A VARIABLE WIDTH RIGHT-OF-WAY); THENCE RUNNING ALONG SAID EASTERLY RIGHT-OF-WAY OF INTERSTATE 285, NORTH 09°12'48" WEST, 345.36 FEET TO AN IRON PIN SET; THENCE, NORTH 05°10'23" EAST, 32.30 FEET TO AN ANGLE IRON FOUND ALONG THE LINE IN COMMON WITH LAND LOTS 763 & 764; THENCE LEAVING SAID EASTERLY RIGHT-OF-WAY OF INTERSTATE 285 AND RUNNING ALONG SAID LINE IN COMMON WITH LAND LOTS 763 & 764, SOUTH 89°13'18" EAST, 162.46 FEET TO AN IRON PIN SET; THENCE LEAVING SAID LINE IN COMMON WITH LAND LOTS 763 & 764 AND RUNNING, SOUTH 00°00'08" WEST, 16.29 FEET TO A POINT; THENCE, SOUTH 89°16'04" EAST, 372.32 FEET TO AN IRON PIN SET ALONG SOUTHWESTERLY RIGHT-OF-WAY OF ATLANTA ROAD AND THE TRUE POINT OF BEGINNING.

SAID TRACT CONTAINS 3.69 ACRES (160,901 SQUARE FEET) MORE OR LESS.

LEGEND

POB POINT OF BEGINNING	SANITARY SEWER MANHOLE
POC POINT OF COMMENCEMENT	STORM DRAIN MANHOLE
IPS IRON PIN SET	UTILITY POLE
IPF IRON PIN FOUND	LIGHT POLE
CMF CONCRETE MONUMENT FOUND	WATER METER
LP UTILITY POLE	FIRE HYDRANT
LP LIGHT POLE	OVERHEAD UTILITIES
FP FLAG POLE	FENCE LINE
SSMH SANITARY SEWER MANHOLE	
SDMH STORM DRAIN MANHOLE	
SHRUBBERY	
FH FIRE HYDRANT	
EOP EDGE OF PAVEMENT	
INCH INCH OF CURB	
OHU OVERHEAD UTILITY	
GUY WIRE ANCHOR	
TRANSFORMER	
JB JUNCTION BOX	
SINGLE THROAT CATCH BASIN	
DOUBLE THROAT CATCH BASIN	
DI DROP INLET	
CHAIN LINK FENCE	
WATER VALVE	
WATER METER	
NOW OR FORMERLY	
ROW RIGHTS-OF-WAY	

A SITE PLAN SURVEY PREPARED FOR:

LAST STAND FITNESS, LLC

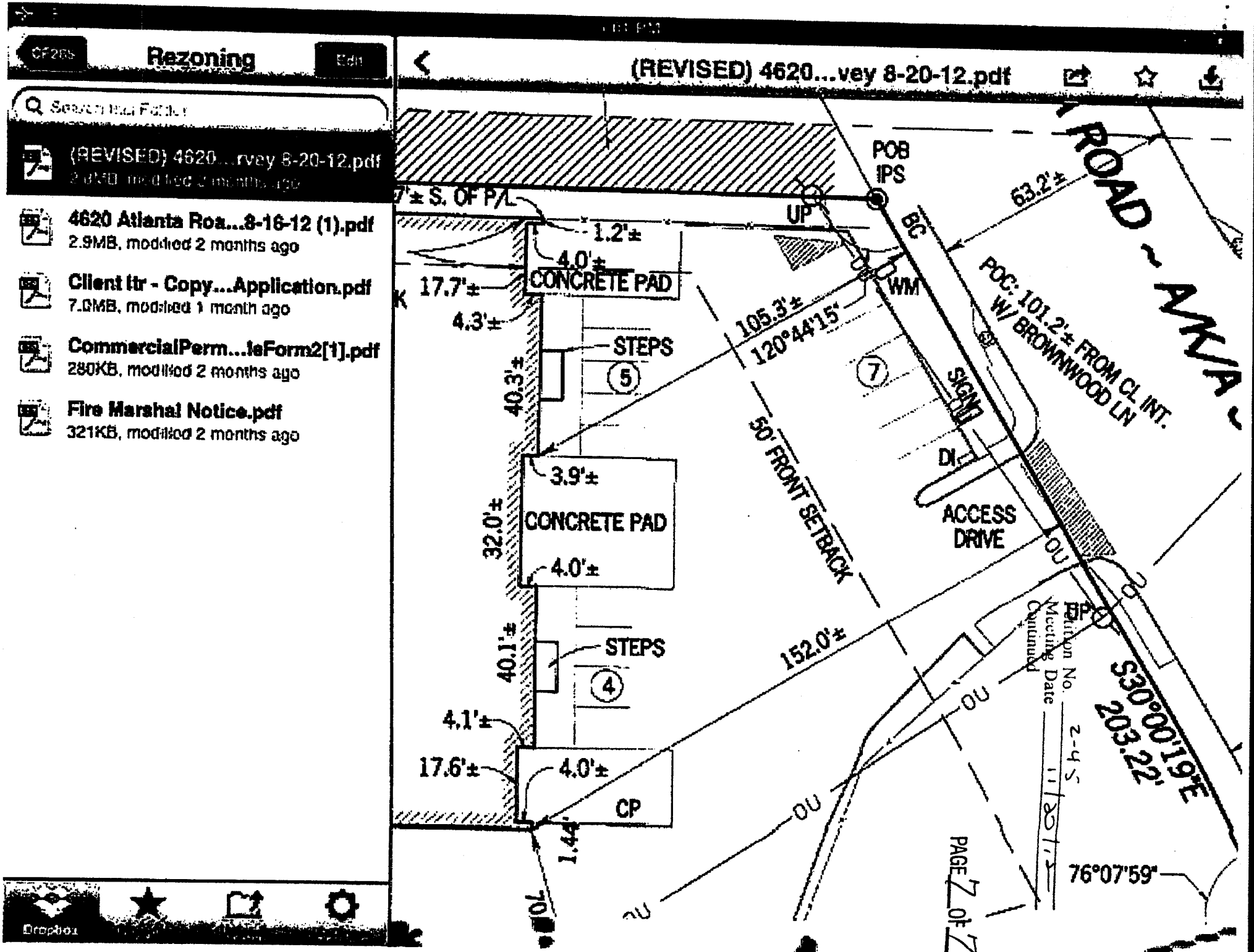
DATE:	RELEASE DESCRIPTION
8-30-12	PER CLIENT COMMENTS

A SITE PLAN SURVEY PREPARED BY:

POINT TO POINT LAND SURVEYORS
810 Jackson Street
Locust Grove, Georgia 30248
(o) 678.565.4440 (f) 678.565.4497
(w) pointtopointsurvey.com

GEORGIA REGISTERED CHARLES LEE INE 8-30-12

LAND LOT: 763
DISTRICT: 17TH
SECTION: N/A
CITY: (UNINCORPORATED)
COUNTY: COBB
STATE: GEORGIA
DATE: AUGUST 16, 2012
DRAWN BY: GSH
CHKD BY: NDW
APPROVED BY: C. INER
JOB #: 2012.390
FILE #: 12-C037
SHEET NUMBER: 1 OF 1 SHEETS


Rezoning
Edit
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7.0MB, modified 1 month ago
CommercialPerm...leForm2[1].pdf
280KB, modified 2 months ago
Fire Marshal Notice.pdf
321KB, modified 2 months ago
(REVISED) 4620...vey 8-20-12.pdf
POB
IPS
63.2'±
ROAD ~ A/K/A ~
UP
BC
WM
POC: 101.2'± FROM CL INT.
W/ BROWNWOOD LN
1.2'±
4.0'±
CONCRETE PAD
17.7'±
4.3'±
STEPS
5
105.3'±
120°44'15"
7
SIGN
DI
ACCESS
DRIVE
40.3'±
50' FRONT SETBACK
3.9'±
CONCRETE PAD
32.0'±
4.0'±
OU
EP
Petition No.
Meeting Date
Continued
40.1'±
STEPS
4
152.0'±
S30°00'19"E
203.22'
4.1'±
17.6'±
4.0'±
CP
OU
1.44'
76°07'59"
PAGE 7 OF 7