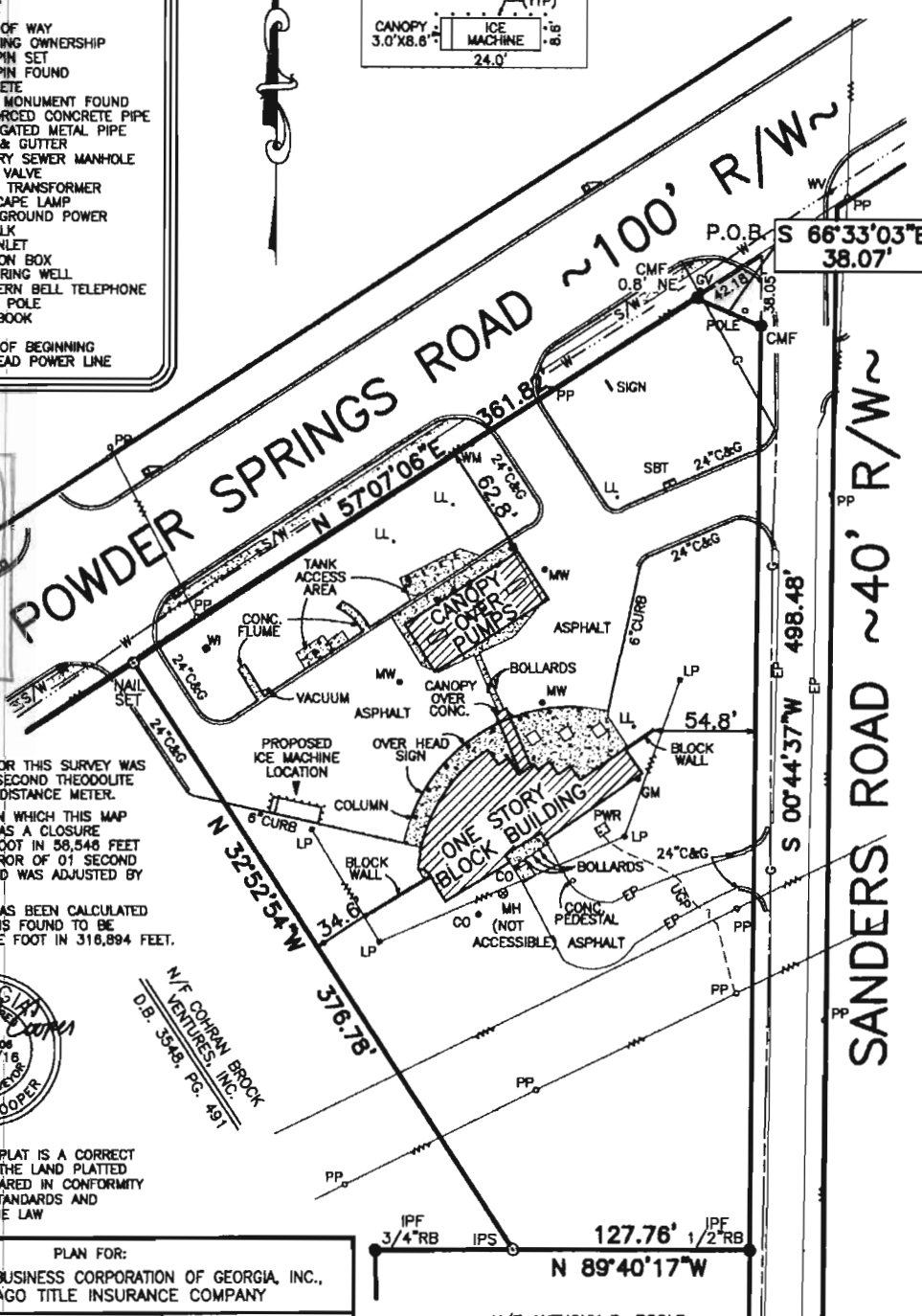
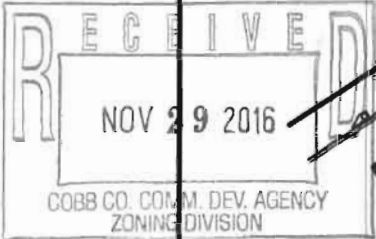
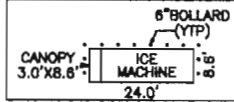


LEGEND

A	ARC
R	RADIUS
C	CHORD
R/W	RIGHT OF WAY
N/F	ADJOINING OWNERSHIP
IPF	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 318,894 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 DISTRICT: 19TH SECTION: 2ND COUNTY: COBB SURVEYED BY: AB	DRAWN BY: PWF
SCALE: 1"=60'		
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

IPF 3/4"RB IPS 127.76' IPF 1/2"RB
N 89°40'17"W

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 - 11/22/16 - 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: Z-4
HEARING DATE (PC): 02-07-17
HEARING DATE (BOC): 02-21-17
PRESENT ZONING: GC
PROPOSED ZONING: TS
PROPOSED USE: Freestanding Ice Vending
Machine w/existing Convenience Store/Fuel Sales
SIZE OF TRACT: 2.518 ac
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** _____

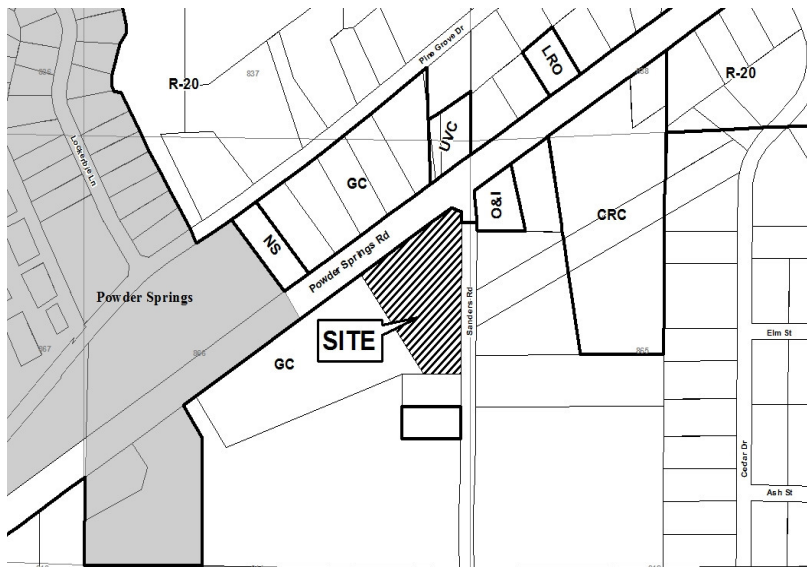
PLANNING COMMISSION RECOMMENDATION

APPROVED _____ **MOTION BY** _____
REJECTED _____ **SECONDED** _____
HELD _____ **VOTE** _____

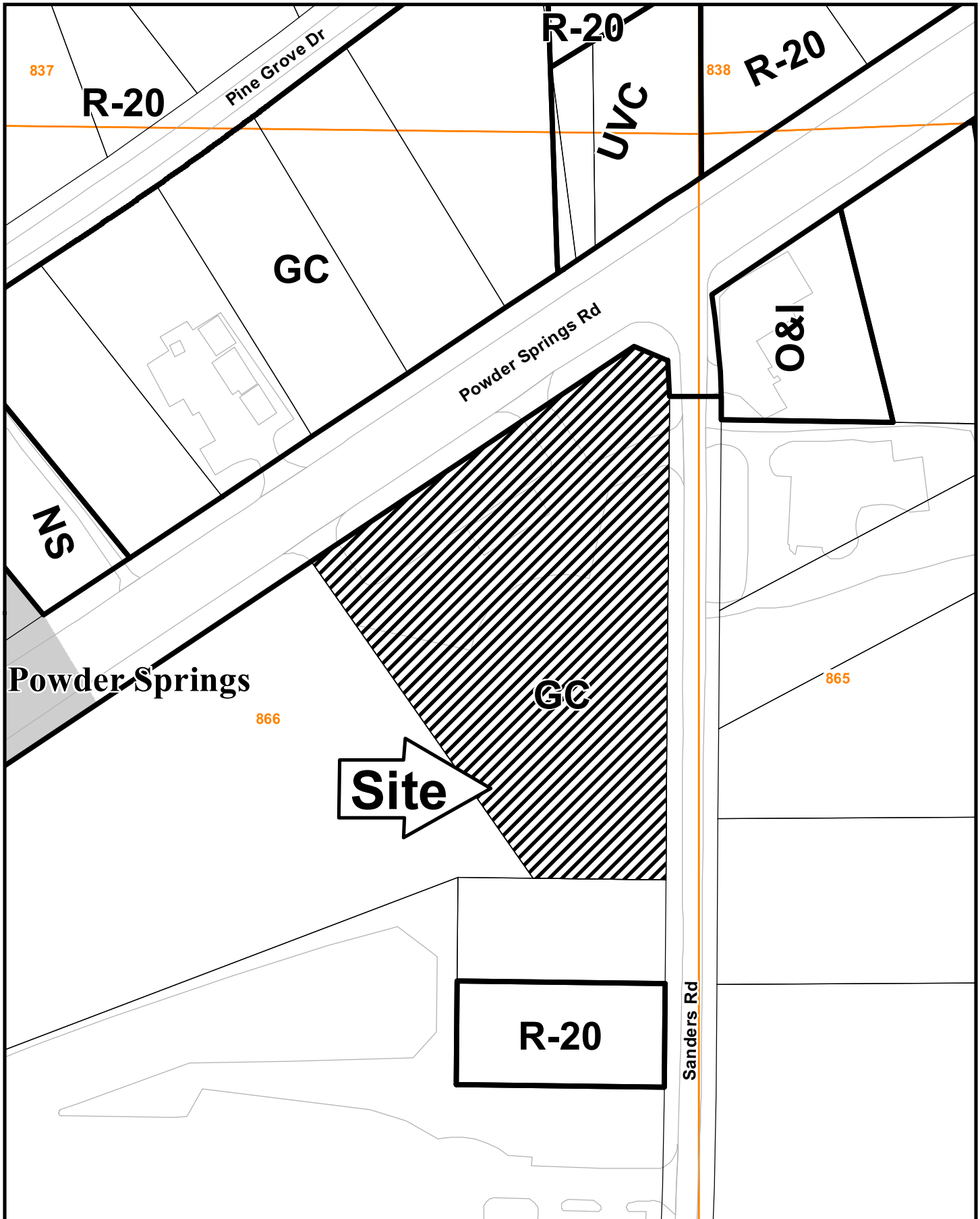
BOARD OF COMMISSIONERS DECISION

APPROVED _____ **MOTION BY** _____
REJECTED _____ **SECONDED** _____
HELD _____ **VOTE** _____

STIPULATIONS:



Z-4-2017 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.: Z-4

PRESENT ZONING: GC

PETITION FOR: TS

ZONING COMMENTS:

Staff Member Responsible: Terry Martin, MPA

Land Use Plan Recommendation: Industrial Compatible (IC)

Proposed Number of Buildings: 2 **Total Square Footage of Development:** 4,501 sq. ft.

F.A.R.: 0.04 **Square Footage/Acre:** 1,779 sq. ft.

Parking Spaces Required: 6 **Parking Spaces Provided:** 16

The applicant is requesting a rezoning of the subject property from the current GC general commercial district to TS tourist services district in order to install a freestanding ice vending machine on the property (companion case SLUP-1). The property's existing GC district zoning is "grandfathered" due to its location within an area delineated as IC industrial compatible on the Future Land Use Map thus requiring a rezoning in order to change or intensify the use (addition of ice vending machine).

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.

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.

Cemetery Preservation: No comment.

SCHOOL COMMENTS:

Approval of this petition will not have an impact on the enrollment at Cobb County schools.

APPLICANT: Marietta Ice LLC

PETITION NO.: Z-04

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

PRESENT ZONING: GC

PETITION NO.: Z-4

PETITION FOR: TS

PLANNING COMMENTS:

The applicant is requesting a rezoning from GC to TS for the purpose of freestanding ice vending machine with existing convenience store / fuel sales. The 2.518 acre site is located on the southwest corner of Powder Springs Road and Sanders Road (2991 Powder Springs 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 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)

Southwest: Industrial Compatible (IC)

Master Plan/Corridor Study

The property is located within the boundary of 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: Marietta Ice, LLC

PRESENT ZONING: GC

PETITION NO.: Z-4

PETITION FOR: TS

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 Marietta Ice LLC

PETITION NO. Z-004

PRESENT ZONING GC

PETITION FOR TS

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: Existing water customer. Private sub-metering is allowed.

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: 425' S in Sanders Rd

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
Flow Test Required: ☐ Yes ☒ No
Letter of Allocation issued: ☐ 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

Septic Tank Recommended by this Department: ☒ Yes ☐ No

Subject to Health Department Approval: ☒ Yes ☐ No

Additional Property served by septic system. Proposal does not add to wastewater discharge.
Comments: Connection to sewer not required at this time

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: Marietta Ice LLC

PETITION NO.: Z-4

PRESENT ZONING: GC

PETITION FOR: TS

STORMWATER MANAGEMENT COMMENTS

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

APPLICANT: Marietta Ice LLC

PETITION NO.: Z-4

PRESENT ZONING: GC

PETITION FOR: TS

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'
Sanders Road	N/A	Local	25 mph	Cobb County	50'

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.

Sanders Road is classified as a local 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.

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STAFF RECOMMENDATIONS

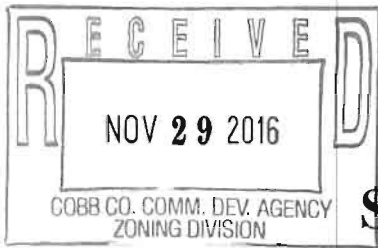
Z-4 MARIETTA ICE LLC

- 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 for rezoning is not intended to allow for a change in use of the existing convenience store, but to allow for the additional amenity of a freestanding ice vending machine.
- 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. Adjacent or nearby property along Powder Springs Road is also zoned commercial and, today, is undeveloped. The addition of the ice machine will not adversely affect these properties.
- 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 in conformity with the policy and intent of the *Cobb County Comprehensive Plan*. It is because of the current incompatibility of the site's existing GC district zoning and its location within the IC future land use category that the requested change is being sought. The requested TS district will eliminate this incompatibility as it is compatible with the IC future land use category.
- 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 requested addition of the freestanding ice vending machine is suitable as an amenity to the existing convenience store and will not adversely affect any other surrounding commercial properties. Due to the property's current GC district zoning and its incompatibility with the future land use category, the request is necessary to add this auxiliary use but will also serve to bring the property further into compliance with the County Code as the requested TS district is compatible with the IC future land use category.

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

- 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.



Application No. Z-4
Feb. 2017

Summary of Intent for Rezoning

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

- 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): FREESTANDING ICE VENDING MACHINE -
SELF SERVE
- b) Proposed building architecture: PAINTED METAL WITH CANVAS
AWNING ON FRONT
- c) Proposed hours/days of operation: 24x7, 365 days/yr
- d) List all requested variances: _____

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

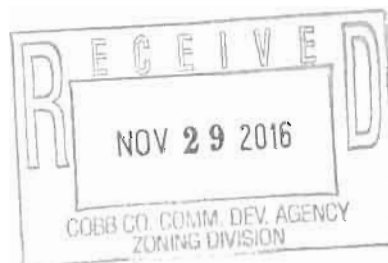
.....
Part 4. Is any of the property included on the proposed site plan owned by the Local, State, or Federal Government?

(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

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.

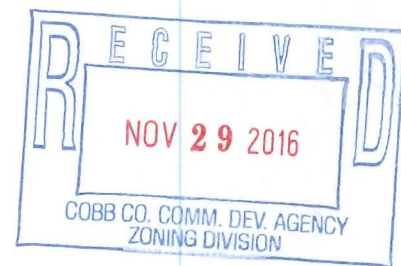


Z-4 & SLUP-1
(2017)
Photograph of
Property

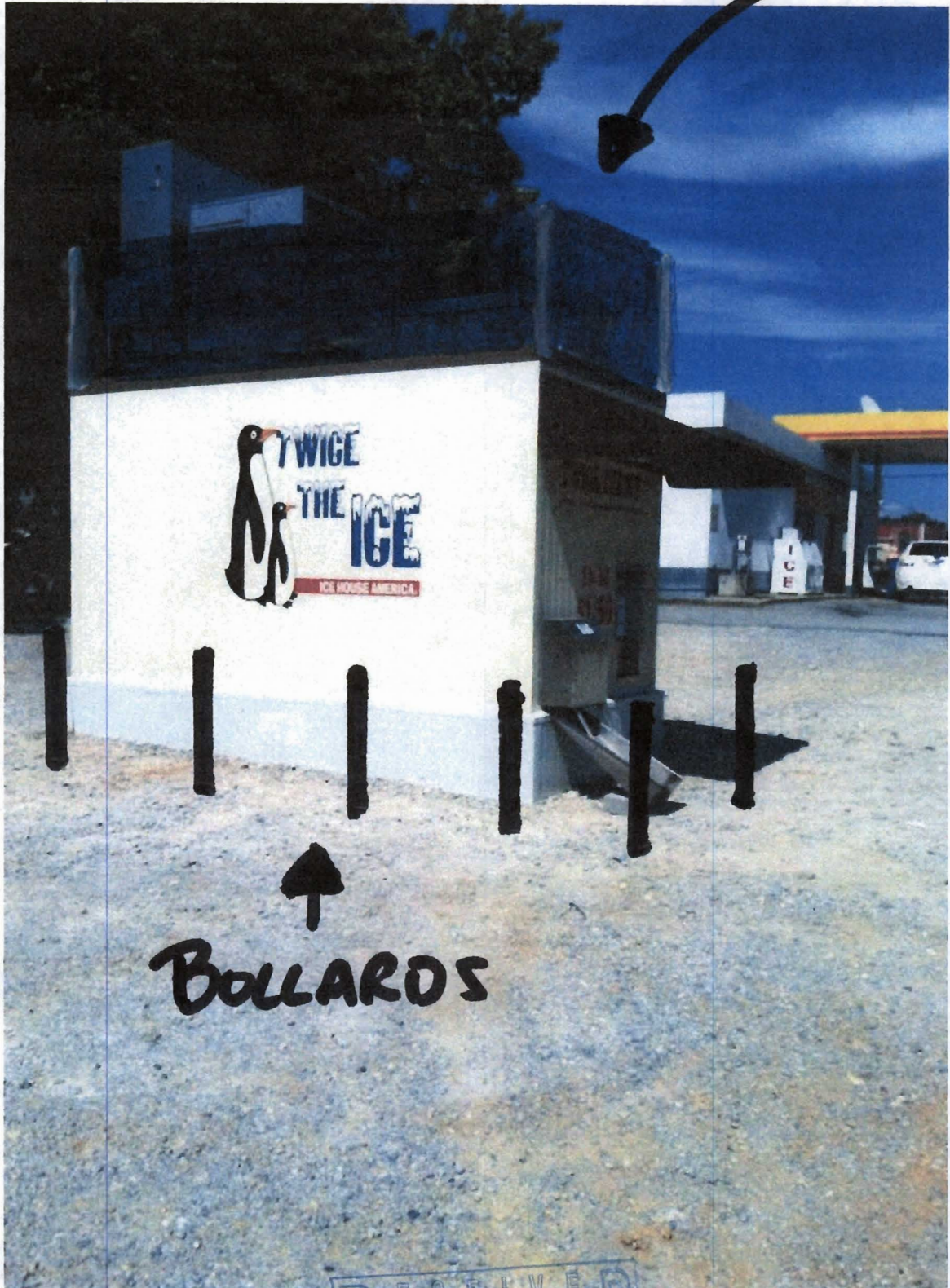


Google earth

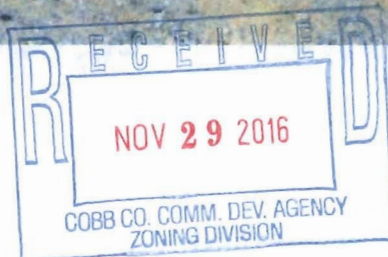
feet 100
meters 30



CANYAS SCREEN



BOLLARDS



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

