

**APRIL 17, 2018 ZONING HEARING
“OTHER BUSINESS”
COMMISSION DISTRICT 4**

ITEM OB-016

PURPOSE

To consider amending the stipulations for Worship with Wonders Church regarding rezoning application Z-70 of 1999, for property located at the northeasterly intersection of Powder Springs Road and Milford Church Road in Land Lots 488 and 549 of the 19th District (1887 Powder Springs Road).

BACKGROUND

The subject property was rezoned to Neighborhood Retail Commercial (NRC) in 2005 for the purpose of a shopping center. The shopping center was under construction when the recession hit and has remained a half-built eye-sore since then. The applicant would like to purchase the property, finish the development and place their church into one of the buildings. However, there is a rezoning stipulation that was a voluntary condition placed upon the property by the former applicant that prohibited “Houses of Worship”. The applicant would like to delete this condition so the development of this property can be completed. If approved, all other stipulations would remain in effect.

STAFF COMMENTS

Cobb DOT: 1) Recommend applicant consider entering into a development agreement pursuant to O.C.G.A. 36-71-13 for dedication of the following system improvements to mitigate traffic concerns: a) donation of right-of-way on the north side of Milford Church Road, a minimum of 40’ from the roadway centerline; and 2) Recommend applicant consider entering into a development agreement pursuant to O.C.G.A. 36-71-13 for dedication of the following system improvements to mitigate traffic concerns: a) donation of right-of-way on the east side of Powder Springs Road, a minimum of 10’ from the back of curb.

RECOMMENDATION

The Board of Commissioners conduct a Public Hearing and consider the proposed stipulation amendment.

ATTACHMENTS

Other Business Application and zoning stipulations.

Application for "Other Business"

Cobb County, Georgia

Cobb County Zoning Division - 770-528-2035

BOC Hearing Date Requested: 04-17-2018

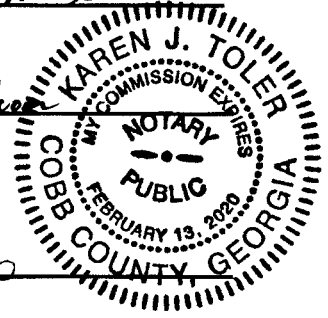
OB-016-2018

Applicant: Worship with Warriors Church Phone #: 770-428-4196
(applicant's name printed)

Address: 1635 Old Hwy 4 NW Suite 112-210 Kennesaw GA E-Mail: office@worshipwithwarriors.org

Myles Ruthford Address: 5370 Huppel Road Acworth, GA 30102
representative's name, printed)

[Signature] Phone #: 770-826-9760 E-Mail: MylesRuthford74@gmail.com
representative's signature)

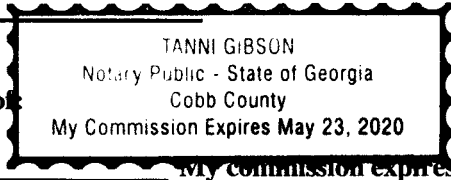


signed, sealed and delivered in presence of:
[Signature] My commission expires: 2/13/2020
Notary Public

Titleholder(s): Muhammed Iftishar Phone #: 678-457-8475
(property owner's name printed)

Address: 2273 Valla Park Marietta Ga E-Mail: hop4449@gmail.com

Iftishar
Property owner's signature)



signed, sealed and delivered in presence of:
Tanni Gibson My commission expires: 5/23/20
Notary Public

Commission District: 4 Zoning Case: Z70 1999

Size of property in acres: 4.714 Original Date of Hearing: 6-15-99

Location: 1887 Powder Springs
(street address, if applicable; nearest intersection, etc.)

Parcel and Lot(s): 488, 549 District(s): 19th

State specifically the need or reason(s) for Other Business:
THE Removal of "Houses of Worship"

(List or attach additional information if needed)



COBB CO. COMM. DEV. AGENCY
ZONING DIVISION

Petition No. OB#1 (Z-10 of 6/15/99)
Meeting Date 12/20/05
Continued

Exhibit "B"

PAGE 2 OF 2

RECORDED
MAR - 9 2018
COBB CO. CO.
ZONING DIVISION

VIA HAND DELIVERY

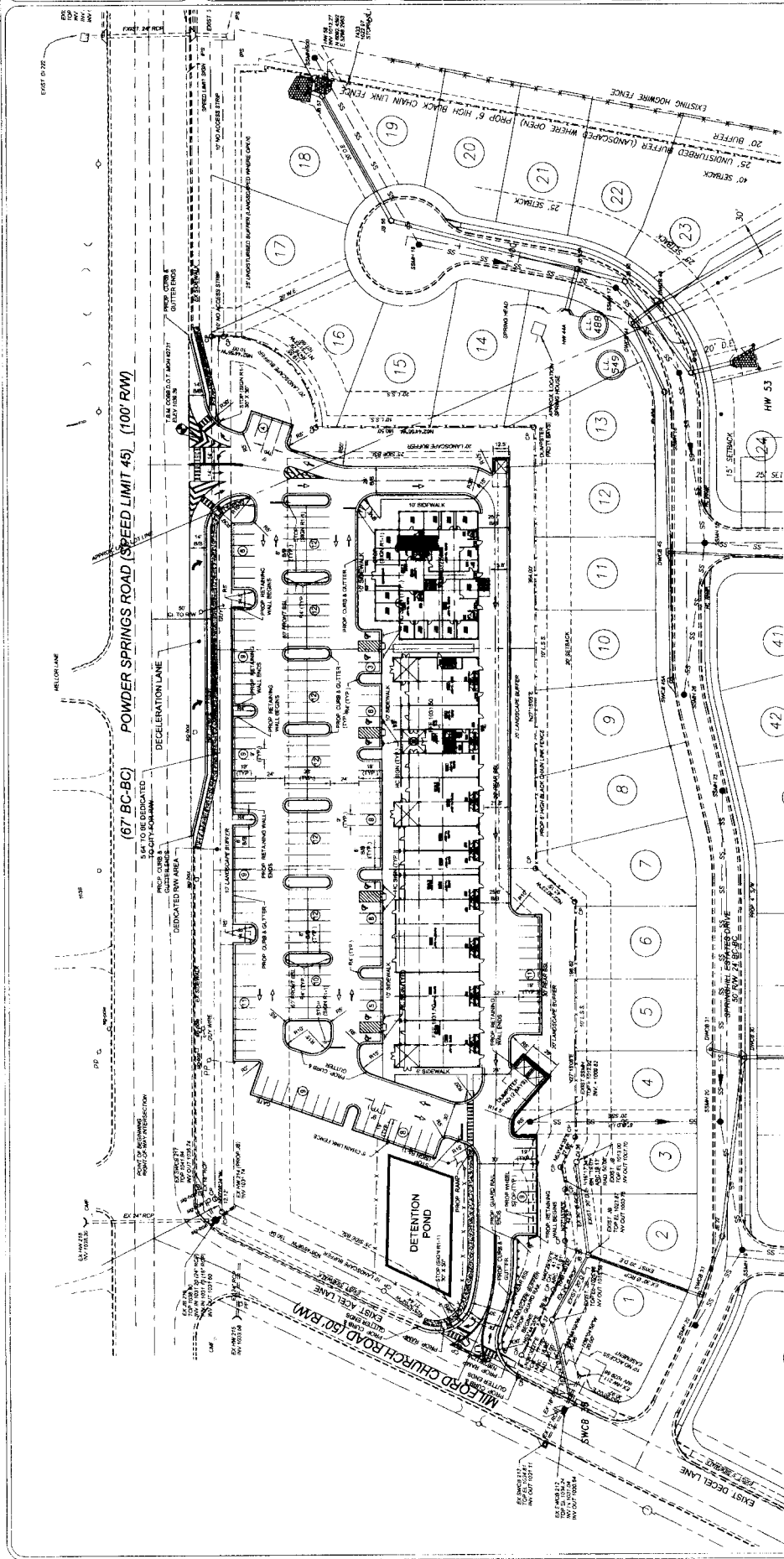
Mr. Mark Danneman
Cobb County Zoning Department
Page 2
November 18, 2005

Please review the attached information and discuss with the appropriate Commissioners the proposed commercial development. To assist in your discussions, we further agree and stipulate as follows:

1. Incorporate by reference all stipulations and conditions set forth in our June 27, 2000 letter of stipulation.
2. Agree to develop the site in accordance with the attached Site Plan attached hereto.
3. The Architectural style shall be as provided in the June 27, 2000 letter and extremely similar to the two story office/retail structure photographs attached hereto as Exhibit "A."
4. In addition to the prohibited uses set forth in the June 27, 2000 stipulation letter, we stipulate that the following uses shall be prohibited:
 - a. Liquor Stores (Restaurant would be allowed that sold liquor, beer and wine)
 - b. Adult entertainment, Adult Bookstores
 - c. Tattoo Parlors, Pawn Shops, Body Piercing Businesses
 - d. Houses of Worship
 - e. Check Cashing Businesses
 - f. Flea Markets, Thrift Stores
 - g. No businesses that perform "on-site" assembly
 - h. Billiard Halls/Pool Halls
 - i. Outside storage or display of merchandise except for "sidewalk sales" or special events lasting seven (7) days or less.
5. We further stipulate that Construction shall begin with eighteen (18) months of approval or the approval is revoked and must again come before the Planning Staff and County Commission.
6. The dumpster(s) shall be positioned in a location screened by landscaping or walls and shall have rubber lids and bumpers to minimize noise during emptying. Any gates with respect to dumpster areas shall be operable and shall be closed when not in use. Said dumpster(s) shall be emptied Monday through Saturday from 8:00 a.m. until 9:00 p.m. and on Sunday from 11:00 a.m. until 9:00 p.m.

OB-16

Remove
→
4d.



TRAFFIC CONTROL NOTES
 TRAFFIC CONTROL DEVICES MUST COMPLY WITH THE MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES (MUTCD) AND APPROVED BY COBB COUNTY PUBLIC SAFETY AS SHOWN ON THESE PLANS.
 ALL APPROVALS SHALL BE BY COBB COUNTY PUBLIC SAFETY AS SHOWN ON THESE PLANS.
 ENGINEER: [Signature]

COBB COUNTY FIRE
 ALL FIRE ALARMS SHALL BE AS SHOWN ON THESE PLANS. ALL ALARMS SHALL BE DOUBLE SOUNDED AND VISIBLE FROM BOTH DIRECTIONS. LETTERING SHALL BE 1/2" MIN. AND SPACING SHALL BE 1/2" MIN. FROM GROUND LEVEL AND NOT MORE THAN 7 FEET FROM GROUND LEVEL AND NOT MORE THAN 10 FEET FROM THE TOP OF THE SIGN. ALL LETTERING SHALL BE IN UPPERCASE LETTERS. ALL LETTERING SHALL BE IN UPPERCASE LETTERS. ALL LETTERING SHALL BE IN UPPERCASE LETTERS.

NOTES
 1. STORM SEWER SHIPS AND DETENTION POND SHALL BE MAINTAINED BY THE OWNER.
 2. ALL ROADWAY STRIPING TO BE THERMOPLASTIC.
 3. ROADWAY AND DRIVEWAY CROSSINGS ARE TO BE MAINTAINED BY THE OWNER.
 4. APPROVAL IS REQUIRED PRIOR TO LIFT.
 5. THE SIGNIFICANCE OF THIS PROJECT IS GREATER THAN COBB COUNTY DETAIL NO. 10000.
 6. APPROVAL OF WORK WITHIN OR ADJACENT TO EXISTING UTILITY RIGHT-OF-WAY IS OBTAINED FROM THE UTILITY OWNER.
 7. TO OBTAIN CHAMBER PERMITTING OFFICE 344-644-6446.
 8. APPROVAL OF ALL STRIPING TO BE THERMOPLASTIC.
 9. ROADWAY AND DRIVEWAY CROSSINGS ARE TO BE BORED AND CURED CONCRETE APPROX. 18" MINIMUM FROM BACK OF CURB OR WITHIN 2' OF CURB.
 10. THE COBB COUNTY ARCHITECT OR LANDSCAPE ARCHITECT MUST APPROVE THE PARKING LOT LAYOUT AND LIGHT POLES BEFORE THE SUBMITTAL OF THE PLANS TO THE COBB COUNTY ARCHITECT. CALL 770-582-7244 IF THE SERVICE PROVIDER ELECTRIC, LANDSCAPE ARCHITECT FOR REVIEW AND APPROVAL. IF PARKING LOT LIGHTS ARE SHOWN IN THE CIVIL ENGINEERING DRAWINGS APPROVED BY COBB COUNTY FOR THE LAND DISTURBANCE PERMIT. IF A LIGHTING PLAN IS NOT PART OF THE CIVIL ENGINEERING DRAWINGS APPROVED BY COBB COUNTY FOR THE LAND DISTURBANCE PERMIT, THE CERTIFICATE OF OCCUPANCY WILL NOT BE ISSUED WITHOUT AN APPROVED PLAN. THE CERTIFICATE OF OCCUPANCY WILL NOT BE ISSUED WITHOUT AN APPROVED PLAN. THE CERTIFICATE OF OCCUPANCY WILL NOT BE ISSUED WITHOUT AN APPROVED PLAN.

SITE DATA
 SITE AREA: 4.714 AC
 ZONING: NRC, LRC, LRO
 PURPOSED USE: OFFICE / RETAIL

BUILDING SETBACK INFORMATION
 TOTAL FLOOR AREA = 46,100 SF (1.088 AC.)
 PARKING REQ. = 198 SPACES
 PARKING PROVIDED = 200 SPACES
 DENSITY = 1,088 AC/ 4,714 AC = 0.228 = 23%

OFFICE (BLDG. B)
 TOTAL OFFICE AREA (FIRST FLOOR) = 6,200 S.F.
 TOTAL OFFICE AREA (SECOND FLOOR) = 8,200 S.F.
 TOTAL OFFICE AREA = 14,400 S.F.
 PARKING REQ. = 80 SPACES

COMMERCIAL SUMMARY
 TOTAL FLOOR AREA = 46,100 SF (1.088 AC.)
 PARKING REQ. = 198 SPACES
 PARKING PROVIDED = 200 SPACES
 DENSITY = 1,088 AC/ 4,714 AC = 0.228 = 23%

SHOPPING CENTER & OFFICE (BLDG. A)
 TOTAL RETAIL AREA = 22,200 S.F.
 PARKING REQ. = 101 SPACES
 TOTAL OFFICE AREA = 7,500 S.F.
 PARKING PROVIDED = 30 SPACES
 TOTAL PARKING REQ. FOR BLDG. 'A' = 131 SPACES

24 HOUR CONTACT: ROYA (404) 644-7981

COBB COUNTY COMM. DEV. AGENCY ZONING DIVISION

APPROVED

MAR - 9 2018

COBB COUNTY COMM. DEV. AGENCY ZONING DIVISION