



Cobb County Community Development Agency
Zoning Division

1150 Powder Springs St. Marietta, Georgia 30064

Case # Z-82

Public Hearing Dates:

PC: 12-04-18

BOC: 12-18-18

SITE BACKGROUND

Applicant: IGBO Union Atlanta

Phone: (770) 823-5013

Email: reuben@arough.com

Representative Contact: Reuben Aniekwu

Phone: (770) 823-5013

Email: reuben@arough.com

Titleholder: IGBO Union Atlanta, USA, Inc.

Property Location: North side of Old Powder Springs Road, and on the west side of Mableton Parkway

Address: 5912 Mableton Parkway; 612, 622, and 648 Old Powder Springs Road

Access to Property: Mableton Parkway and Old Powder Springs Road

QUICK FACTS

Commission District: 4-Cupid

Current Zoning: O&I (Office & Institutional), and PSC (Planned Shopping Center)

Current use of property: Vacant commercial building, and single-family houses

Proposed zoning: CRC (Community Retail Commercial)

Proposed use: Assembly Hall

Future Land Use Designation: CAC (Community Activity Center)

Site Acreage: 2.22 ac

District: 18

Land Lot: 78

Parcel #: 18007800420, 18007800430, 18007800470, and 18007800480

Taxes Paid: Yes

FINAL ZONING STAFF RECOMMENDATION: (Zoning staff member: Terry Martin, MPA)

Based on the analysis of this case, Staff recommends **APPROVAL** subject to the following:

1. Site plan received by the Zoning Division September 6, 2018, with the District Commissioner approving minor modifications;
2. Landscape plan incorporating buffer requirements as well as frontage landscaping along Mableton Parkway and Old Powder Springs Road to be approved by the District Commissioner;
3. Building elevations including colors and materials to be approved by the District Commissioner;

FINAL ZONING STAFF RECOMMENDATION (CONTINUED):

4. Planning Division comments and recommendations including compliance with Mableton Parkway Design Guidelines;
5. Fire Department comments and recommendations;
6. Water and Sewer Division comments and recommendations;
7. Stormwater Management Division comments and recommendations; and
8. Department of Transportation comments and recommendations;
9. Dumpsters be fully enclosed per County Development Standards;
10. Site Plan Review Comments;
11. Hours of Operation to end at 12:00 midnight every night; and
12. Building have sound attenuation to prevent noise from impacting nearby houses.

Z-82 2018-Aerial Map



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

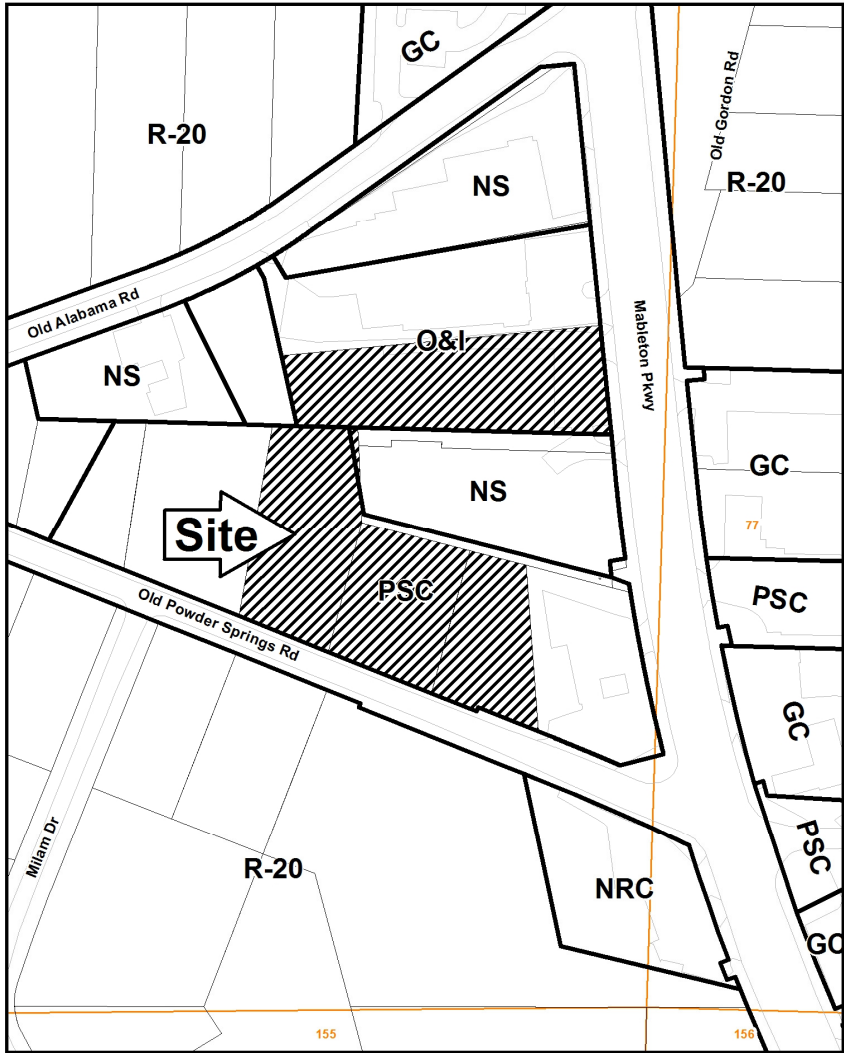
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— Zoning Boundary
— City Boundary

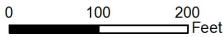
North



Zoning: R-20 (Single-family Residential); O&I (Office and Institutional); NS (Neighborhood Shopping)
Future Land Use: CAC (Community Activity Center)

Z-82 2018-GIS



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



 Zoning Boundary
 City Boundary

WEST

Zoning: R-20 (Single-family Residential); PSC (Planned Shopping Center)

Future Land Use: CAC (Community Activity Center)

EAST

Zoning: NS (Neighborhood Shopping); PSC (Planned Shopping Center)

Future Land Use: CAC (Community Activity Center)

SOUTH

Zoning: R-20 (Single-family Residential); NS (Neighborhood Shopping)
Future Land Use: CAC (Community Activity Center)

DEPARTMENT COMMENTS- Zoning Division

Current zoning district for the property

The O&I district is established to provide locations for nonretail commercial uses such as offices and financial institutions, which are on properties delineated within or on the edge of a community activity center and a regional activity center as defined and shown on the Cobb County Comprehensive Plan: A Policy Guide, adopted November 27, 1990. The office and institutional district is designed primarily to provide for four-story and smaller office developments, office uses, motels, hotels, banking and professional offices that complement and provide step-down nodal zoning away from more intensive commercial uses and otherwise to implement the stated purpose of this chapter.

The PSC district is established to provide locations for retail commercial and service uses which are designed and oriented to serve several neighborhoods making up a community. Projects developed within the PSC zoning district should be done as compact, unified centers. Projects developed within the PSC zoning district should occupy a quadrant of an intersection, with ingress and egress only from a major collector street or state highway, within an area delineated within a community activity center or regional activity center as defined and shown on the Cobb County Comprehensive Plan: A Policy Guide, adopted November 27, 1990. Any existing, developed PSC zoning/use located outside of a community activity center or regional activity center shall be deemed to be a grandfathered, nonconforming use and subject to those provisions contained in this chapter. Should any undeveloped property zoned PSC outside a community activity center or regional activity center fail to commence development by January 17, 1996, the owner of such property shall be required to bring the property back in for rezoning consistent with the comprehensive plan prior to any development. Obtaining a building or grading permit for such development shall be deemed to be commencing development.

Requested zoning district for the property

The CRC district is established to provide locations for retail commercial and service uses which are designed and oriented to serve several neighborhoods making up a community. Projects developed within the CRC district should be done so as compact unified centers. CRC districts should be located on properties which are delineated within a community activity center and regional activity center as defined and shown on the Cobb County Comprehensive Plan: A Policy Guide, adopted November 27, 1990. Additionally, the desired quadrant location will provide for planned developments and one-destination shopping and service locations to serve the community, and will minimize traffic congestion.

DEPARTMENT COMMENTS- Zoning Division (Continued)

Summary of the applicant's proposal

The applicant is requesting a rezoning of the subject property to the Community Retail Commercial (CRC) district in order to develop the property as an assembly hall. The existing building will be renovated as depicted in submitted renderings, while the three (3) parcels along Old Powder Springs Road will be redeveloped as parking for the facility. Hours for the business are proposed to be 8:00 pm to 3:00 am Fridays and Saturdays and 5:00 pm to 12:00 am on Sundays. Building interior/floorplan has been provided. Site plan depicts parking area including landscaping, buffering to the west, and a stormwater detention facility. The property is subject to the Mableton Parkway Design Guidelines.

Non-residential criteria

Proposed # of buildings: 1
Proposed # of stories: 2
Total sq. footage of development: 15,060 square feet
Floor area ratio: 0.16
Square footage per acre: 6,784 square feet
Required parking spaces: 134
Proposed parking spaces: 107
Acres in floodplain or wetlands: 0
Impervious surface shown: 75%

Are there any zoning variances?

1. Increase impervious surface from 70% to 75%; and
2. Reduce required parking from 134 parking spaces to 107 parking spaces.

DEPARTMENT COMMENTS- Fire Department

IFC 510- EMERGENCY RESPONDER RADIO COVERAGE. New buildings are required to provide radio coverage for emergency responders per the International Fire Code. Testing is required by a third party and when deemed necessary amplification systems are required before the building will be issued a certificate of occupancy. This message is to serve as an early notification to owners and developers for budgeting purposes.

Modifications may be required to incorporate the Cobb County Fire Marshal's Office comments. Including but not limited to automatic fire sprinklers and fire alarm system. Proposed use is a change of use and will be reviewed as a new building for code purposes.

DEPARTMENT COMMENTS- Site Plan Review (County Arborist)

Per Cobb County Development Standards section 409.03.02, any detention facility proposed for the exterior boundary of a project which will abut an existing, residential property, or public right of way exterior to the development being constructed shall provide a 10-foot landscape buffer. The landscape buffer may not coincide with any underground or overhead public or private easement or line of sight easement. Pond access easements may not coincide with the buffer except that the buffer may be interrupted for an access easement perpendicular to the buffer. Stabilizing components of the detention pond may not encroach into the buffer. The required perimeter fencing must be located behind the landscape buffer.

DEPARTMENT COMMENTS- Cemetery Preservation

No comment.

DEPARTMENT COMMENTS- School System

Approval of this petition will not have an impact on the enrollment of these schools.

DEPARTMENT COMMENTS- Stormwater Management

1. Flood hazard: No
2. Flood hazard zone: Zone X
3. Drainage Basin: Milam Branch
4. Wetlands: No
5. Streambank buffer zone: No
6. Stormwater discharges must be controlled not to exceed the existing capacity of the downstream storm drainage system.
7. Project engineer must evaluate the impact of increased volume of runoff generated by the proposed project on existing downstream drainage system(s).
8. Special site conditions and/or additional comments:
 - The stormwater management facility will be located in southeast corner of the site. The pond discharge must be directly connected to the existing stormwater infrastructure within the adjacent DOT right-of-way.

DEPARTMENT COMMENTS- Planning Division

Cobb 2040 Comprehensive Plan: The parcel is within the Community Activity Center (CAC) future land use category. The purpose of the CAC category is to provide for areas that can meet the immediate needs of several neighborhoods or communities. Typical land uses for these areas include low to mid-rise office buildings and department stores.

Comprehensive Plan Designation: Consistent Inconsistent

House Bill 489 Intergovernmental Agreement Zoning Amendment Notification

Is the proposal within one-half mile of a city boundary? Yes No

Was the city notified? Yes No N/A

Specific Area Policy Guidelines:

Yes No

The parcels along Mableton Parkway from Veterans Memorial Highway to Hunnicut Drive are in need of redevelopment and revitalization. Allowing mixed-use developments in this area will assist in creating live work areas as well as reduce traffic congestion and improve traffic flow. If mixed uses are to occur along the corridor, the mixing should occur vertically or horizontally by encouraging village-style developments with residential over retail/office along major streets. On the minor streets within the development, stand-alone residential would be appropriate as long as there is a commercial or a LRO component fronting Mableton Parkway. All areas of the new mixed-use development should be pedestrian friendly. Some of the basic characteristics of these developments should include:

- Well-designed buildings that create a frame for the street system by being constructed close to the sidewalk
- On-street parking should be allowed where there is sufficient right-of-way and where it is appropriate for the particular roadway classification.
- Pedestrian-oriented amenities should be included within the site development to create an inviting atmosphere and encourage the use of public spaces as community gathering spaces. Pedestrian-oriented amenities include decorative paving, human scale street lighting, plazas, benches, landscaping, etc.
- Residential densities within the development should be determined on a case-by-case basis depending on the location of the project, intensity of the project and proximity to other stable residential uses.
- In order to make mixed-use developments along this corridor successful, scale is an important component. Mixed-use buildings should be no more than three stories tall. The three-story height limit will provide the necessary density to financially allow a mixed-use development and it will also provide a consistency of scale with the surrounding residential neighborhoods
- Residential uses in the mixed-use developments should provide for additional owner-occupied housing opportunities.

(Planning comments continued on the next page)

DEPARTMENT COMMENTS- Planning Division (Continued)

- Mixed-use developments adjacent to stable single-family residential neighborhoods should provide a change in scale or buffering/screening that will ensure the desirability and viability of the surrounding community.

Masterplan/ Corridor Study

 Yes No

Design guidelines area?

 Yes No

If yes, design guidelines area: Mableton Parkway Design Guidelines

Does the proposal plan comply with the design requirements? Yes No N/A

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 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 investment)

Is the property eligible for the Façade Improvement Program?

 Yes No

(The Façade Improvement Program is an incentive for owners and tenants to enhance the appearance of buildings. The CDBG program provides the funding. Properties must be either on the current inventory of redevelopment sites or in a corridor study area, and be in a census tract with at least 51% low and moderate income. The program serves to improve the economic viability of these areas.)

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)

Note: For more information on incentives, please call the Community Development Agency- Economic Development Division at 770-528-2018 or find information online at www.cobbcounty.org/econdev.

Special District

Is this property within the Cumberland Special District #1 (hotel/motel fee)?

 Yes No

(Planning comments continued on the next page)

DEPARTMENT COMMENTS- Planning Division (Continued)

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

Dobbins Air Reserve Base Zones

Is the property within the Dobbins Airfield Safety Zone? Yes No

Is the property within the Clear Zone (CZ)? Yes No

Is the property within the Accident Potential Zone (APZ I)? Yes No

Is the property within the Accident Potential Zone II (APZ II)? Yes No

Is the property within the Noise Zone? Yes No

Is the property within the Bird/Wildlife Air Strike Hazard Area (BASH)? Yes No

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.

DEPARTMENT COMMENTS- Water and Sewer

Water comments:

Available at development: YES NO

Fire flow test required: YES NO

Size and location of existing water main(s): 6" in Mableton Parkway

Additional water comments: existing water customer

Note: These comments only reflect what facilities were in existence at the time of this review. Developer may be required to install/upgrade water mains based on fire flow test results or Fire Department code. This will be addressed in the Plan Review process.

Sewer comments:

In the drainage basin: YES NO

At development: YES NO

Approximate distance to nearest sewer: Mableton Pkwy ROW

Estimated waste generation (in G.P.D.): Average daily flow = 1,472

Peak flow = 3,680

Treatment plant: South Cobb WRF

Plant capacity: Yes NO

Line capacity: YES NO

Projected plant availability: 0-5 years 5-10 years over 10 years

Dry sewers required: YES NO

Off-site easement required: YES* NO

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 sewer comments: existing sewer customer

*If off-site easements are required, the developer/owner must submit easements to the CCWS for review and 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/owner.

Note: The developer/owner will be responsible for connecting to the existing county water and sewer systems, installing and/or upgrading all outfalls & water mains, obtaining onsite and/or offsite easements, and dedication of onsite and/or offsite water and sewer to Cobb County as may be required. Rezoning does not guarantee water/sewer availability or capacity unless so stated in writing by the Cobb County Water System.

DEPARTMENT COMMENTS- Transportation

Roadway	Roadway classification	Speed limit (MPH)	Jurisdictional control	Min. R.O.W. requirements
Mableton Parkway	Arterial	45	Cobb County	100'
Old Powder Springs Road	Minor Collector	35	Cobb County	60'

Roadway	Location	Average daily trips	Level of service
Mableton Parkway	North of Wood Valley Road	27,600	D
Old Powder Springs Road	West of Brenda Drive	3,700	C

Based on 2016 AADT counting data taken by GDOT, as published on their website, for Mableton Parkway.

Based on 2016 traffic counting data taken by Cobb County DOT for Old Powder Springs Road. Planning Level of Service based on available Average Daily Trips using GRTA guideline thresholds. Classification thresholds for LOS A and LOS B are not available for local roads from this data source.

LOS C or D is acceptable based on GDOT Design Policy Manual criteria.

Comments and observations

Mableton 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.

Old Powder Springs Road is classified as a minor collector and according to the available information the existing right-of-way does not meet the minimum requirements for this classification.

Recommendations

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 Old Powder Springs Road, a minimum of 30' from the roadway centerline.
2. Recommend applicant be required to meet all Cobb County Development Standards and Ordinances related to project improvements.
3. Recommend a deceleration lane for the entrance on Mableton Parkway upon redevelopment.
4. Recommend sidewalk, curb, and gutter along the frontage of Old Powder Springs Road.
5. Recommend the driveway on Old Powder Springs Road be a minimum of 50' long for uninterrupted ingress/egress to and from the site.

STAFF ANALYSIS

Per section 134-122 of the Official Code of Cobb County, below is a written zoning analysis relating to the following (question in bold; the answer is not bold):

A. Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property;

It is Staff's opinion that the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property. The property is uniquely situated within the triangle formed by Mableton Parkway, Old Powder Springs Road, and Old Alabama Road, separating it from single-family residences in the area. Other properties in the immediate vicinity, and within this triangle, include a church, daycare, and other retail commercial uses.

B. Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property;

It is Staff's opinion that the zoning proposal may adversely affect the existing use or usability of adjacent or nearby property. The surrounding properties are located within the same CAC community activity center. Staff is concerned about the impact the hours of operation will have on nearby single-family houses.

C. Whether the zoning proposal will result in a use which will or could cause an excessive burdensome use of existing streets, transportation facilities, utilities, or schools;

It is Staff's opinion that the zoning proposal will not result in a use which will or could cause an excessive burdensome use of existing streets, transportation facilities, utilities, or schools. This opinion can be supported by the departmental comments contained in this analysis.

D. Whether the zoning proposal is in conformity with the policies and intent of the comprehensive plan;

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*, which delineates the property as being within the Community Activity Center (CAC) future land use category. The CAC land use category is meant to provide for areas that can meet the immediate needs of several neighborhoods or communities.

STAFF ANALYSIS (Continued)

E. Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the zoning proposal;

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's proposal includes parking and traffic circulation plans to curtail any potential conflicts. The applicant shows landscaping and buffering on the property to protect adjacent neighbors.

The staff analysis and recommendation 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.

ANALYSIS OF THE IMPACT OF THE PROPOSED RE-ZONING WITH RESPECT TO EACH OF THE FOLLOWING UNDERLISTED MATTERS:

1. Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property.
2. Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property.
3. Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned.
4. Whether the zoning proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, or schools.
5. Whether the zoning proposal is in conformity with the policy and intent of the land use plan.
6. Whether there are other existing or changing conditions affecting the use and development of the property, which give supporting grounds for either approval or disapproval of the zoning proposal.



Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property-

YES – the proposed zoning will definitely permit a use that is unquestionably suitable relative to the existing nearby and adjacent property.



Firstly, we are a non-profit organization that is fully intent on creating a meaningfully respectable neighborhood community center where gatherings and social events can be conducted with total and full regard for all adjacent existing properties.

Secondly, we are going to embark on a reasonably substantial and modernistic, yet contextual renovation of our property to marry into the existing architectural vernacular of the surrounding properties.

Thirdly, our property is currently zoned O/I, but we are asking to be re-zoned to a much less restrictive CRC category. This zoning category would undoubtedly allow us to better serve our surrounding communities and yet, without adversely affecting any of the nearby and adjacent properties.

Next, we have gone to great lengths to ensure that we do not propagate environmental nuisance, such as unacceptable noise levels at the discomfort of the surrounding and adjacent properties.

Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property.

No – we emphatically state that the zoning of this property in no shape or form, would adversely affect the existing use or usability of the surrounding adjacent or nearby property.

Economically, the proposed re-zoning of this property poses no direct, or indirect economic challenges to the existing surrounding property or adjacent property. Even though the zoning classification we pursue puts us under commercial categorization, yet our permitted use as a PLACE OF GATHERING puts us in no direct conflict with any other existing property therein.

Bordering our property to the left is a place of worship and a Repair Garage. These two properties conduct their businesses on regular weekdays and during regular business hours. With this zoning, we will operate our affairs primarily on weekends and at nights mostly. Similarly, same circumstances apply to the properties to the right of our property which is a Daycare Center and a Furniture Store. Equally, these two existing facilities operate during regular business hours and on weekdays only.

Bordering our property to the rear are three residential properties, two of which, we purchased to merger with our property for use for much needed extra parking and installation of a buffer zone between our property and an adjacent residential property.

However, with respect to noise which does poses quite a degree of disturbance to the adjacent residence to our rear, we have taken extensive measures to minimize this nuisance by completely redesigning our entire building to the that effect. The proposed noise abatement measures are attached for your information.

Traffic issues with respect to parking and access in and out of our property could adversely affect the existing surrounding properties if left uncontrolled. We are very much aware of this propensity; consequently, we have taken adequate measures to ensure that these disturbances do not occur unchecked. Hence, we purchased additional adjacent properties to convert and install adequate parking spaces to the rear side of our property. By so doing, accessibility into our property from Mableton Parkway will be restricted to one-way traffic only and access through the old Powder Springs Road will serve as egress out of the property. By this measure also, we are guaranteed adequate parking for our users and Mableton Parkway will not be burdened with traffic overload.

Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned-

NO is the answer to this question. Presently, this property is zoned O/L was last use as a Picture Framing / Warehouse business. However, according to the former owner of the business, was forced to close shop due to lack of patrons. This was how we were able to secure the building.

We are a non-profit organization and all monies used in the purchase of this facility was through private donations and we pose no economic competitive threat to any of the surrounding and adjacent properties.

Whether the zoning proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, or schools-

Location notwithstanding, any burdensome or excessive use of facilities such as described above would result in very unpleasant outcomes, however, in our particular situation, we have taken anticipatory measures toward ensuring that such would not be the case here. With regards to:

The Streets - Mableton Parkway;

We have opted to convert our existing two-way driveway to a one-way only ingress into our facility. By so doing, we would have eliminated the problem of having many vehicles trying to exit the property from the same driveway. Similarly, we are providing another access into our property from the Old Powder Springs Road. However, this accessway will be used primarily as a one-way egress only out of our property. Please refer to the attached Site Plan for further information regarding the total number of new parking spaces we will be providing to serve the property.

On the matter of Transportation facilities, we envisage no direct cause and effect issues arising from the rezoning proposal.

Also on the matter of schools, we also anticipate no direct cause and effect issues emanating from this rezoning proposal.

Again, we most respectfully reiterate that our facility will operate on weekends and after business hours also.

Whether the zoning proposal is in conformity with the policy and intent of the land use plan-

Yes – is the answer to this particular question.

Whether there are other existing or changing conditions affecting the use and development of the property, which give supporting grounds for either approval or disapproval of the zoning proposal –

It is our candid opinion that the two existing problems, for the most part, that reflect poorly on this property, are the inadequate parking spaces and the poorly, non-conforming nature of the existing building therein. However, we have adequately submitted corrective measures to be taken toward rectifying these existing problems. Please refer to the attached Design Documents for clarification. We hope that we did address any or most of the concerns you may have.

RECEIVED
SEP 6 2018

COBB CO. COMM. DEV. AGENCY
ZONING DIVISION

Application No. 2-82

Dec. 2018

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) List all requested variances: _____

.....
Part 2. Non-residential Rezoning Information (attach additional information if needed)

- a) Proposed use(s): COMMUNITY ACTIVITY CENTER /
PLACE OF GATHERING
b) Proposed building architecture: ONE - STORY PRE-ENGINEERED
METAL BLDG TO BE RENOVATED INTO BLOCK / BRICK STRUCTURE
c) Proposed hours/days of operation: WEEKENDS - FRIDAYS,
SATURDAYS AND SUNDAYS OCCASIONALLY; 8.00 PM - 3 AM
(FRIDAY, SAT.)
5 PM - 12 AM
(SUNDAYS)
d) List all requested variances: —
BUILDING INTERIOR
LAYOUT, BLD
RENDERING ATTACHED

.....
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).

Z-82 (2018)
Proposed
Building

RECEIVED

SEP 6 2018

COBB CO. COMM. DEV. AGENCY
ZONING DIVISION



IGBO Union Building Atlanta | Mableton, GA



Cobb County...Expect the Best!

COBB COUNTY - COMMUNITY DEVELOPMENT AGENCY Code Enforcement Division

Z-82 (2018)
Code Enforcement
Information

Mailing Address
P.O. Box 649
Marietta, Ga. 30061

Physical Address
1150 Powder Springs Rd.
Suite 400
Marietta, Ga. 30064

Fax: (770) 528-2092

Notice of Violation

Violation Number: CODE-2017-07494

Date: 11/27/2017

The Cobb County Code Enforcement Division has grounds to believe the property located at:

5912 MABLETON PKWY	MABLETON, GA 30126	18	0078	043	O&I
(Address)	(City/State/Zip)	(Dist)	(Land Lot)	(Par)	(Zoning)

and/or IGBO FOUNDATION OF GEORGIA USA INC (5912 MABLETON PKWY MABLETON, GA 30126)

may be in violation of the Official Code of Cobb County, Georgia. You have 5 days to bring the violation(s) into compliance. An inspection will be made on or about 5 days from November 27, 2017. Failure to comply could result in a citation being issued for you to appear in the Cobb County Magistrate Court, and you may be subject to a fine, imprisonment or both.

<u>Violation</u>	<u>Code Section</u>	<u>Requirement for Compliance</u>
PARKING SPACES REQUIRED/ASSEMBLY HALL	134-272 (5) d	1 space per 3 seats for every person lawfully permitted within the assembly hall at 1 time, 1000 occupants would require 333 parking spaces.
PARKING SPACES REQUIRED/Club or Lodge (non commercial)	134-272 (5) d	1 space per 250 square feet, which would require 60 spaces for the 16,000 sq. ft. of floor space.

Margie Vazquez (margie.vazquez@cobbcounty.org) 770-528-2111

Officer

Telephone

Contact the Officer listed above by telephone or email for further information. Officer availability 8:00-9:00 a.m. and 3:30-4:30 p.m. Monday through Friday. You may leave voice mail or send email at any time.

A COMPLETE COPY OF THE COBB COUNTY ORDINANCE MAY BE VIEWED AT WWW.COBBCOUNTY.ORG



Cobb County... Expect the Best!

COBB COUNTY - COMMUNITY DEVELOPMENT AGENCY Code Enforcement Division

Mailing Address
P.O. Box 649
Marietta, Ga. 30061

Physical Address
1150 Powder Springs Rd.
Suite 400
Marietta, Ga. 30064

Fax: (770) 528-2092

Z-82 (2018)
Code Enforcement
Information

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<u>Violation</u>	<u>Code Section</u>	<u>Requirement for Compliance</u>
PERMITTED USE/ASSEMBLY HALL	134-215 (3)	Property not zoned for an assembly hall. Assembly hall means a facility and/or grounds where scheduled events and gatherings take place that are normally one-time events for organizations or people including, weddings, birthday parties, graduation parties, religious milestone celebrations, holiday parties, private parties, corporate meetings and the like. Assembly halls may have large open rooms or banquet halls, which may have live or recorded music or entertainment, and which may have freshly prepared or catered food and beverage..
OFF STREET AUTOMOBILE PARKING	134-272 (5) a. 2., 3., & 4	All parking facilities, including entrances, exits and maneuvering areas, shall comply with the following provisions: shall be graded and paved, and be curbed when needed for effective drainage control; shall have all spaces marked with paint lines, curbstones or other similar designations; and all other parking requirements in this code section. A site plan must be submitted to Zoning within 10 days of this notice, and approved prior to commencement of work.

Margie Vazquez (margie.vazquez@cobbcounty.org)

770-528-2111

Officer

Telephone

Contact the Officer listed above by telephone or email for further information. Officer availability 8:00-9:00 a.m. and 3:30-4:30 p.m. Monday through Friday. You may leave voice mail or send email at any time.

A COMPLETE COPY OF THE COBB COUNTY ORDINANCE MAY BE VIEWED AT WWW.COBBCOUNTY.ORG



Cobb County...Expect the Best!

COBB COUNTY CODE ENFORCEMENT CASE SYNOPSIS

Report Date:
9/24/2018

Z-82 (2018)
Code Enforcement
Information

CASE #: CODE-2017-07494

OPEN DATE: 11/27/2017

COMPLAINANT:

PHONE #:

DESCRIPTION: HOLDING EVENTS NOISE COMPLAINTS

PRIMARY ADDRESS:

OWNER ADDRESS:

5912 MABLETON PKWY
MABLETON, GA 30126

IGBO FOUNDATION OF GEORGIA USA INC
5912 MABLETON PKWY
MABLETON, GA 30126

Inspection Date	Inspection/Activity Date	Inspection/Activity Type	Status	Comments
11/27/2017		Case Details		JUNE OF 2016 PROPERTY PLACED ON NOTICE OF VIOLATION FOR PERMITTED USE/EVENT HALL. BUSINESS LICENSE DENIED IN MARCH OF 2016. IN JUNE OF 2016 WHEN JOE OKORONTO CAME INTO OFFICE D. WELLS AND TERRY MARTIN DISCUSSED WITH JOE AND MYSELF THE USE. THEY EXPLAINED THAT THIS WAS A LODGE LIKE THE AMERICAN LEGION, ETC., AT THAT TIME ZONING CONFIRMED THAT THIS USE WOULD BE ALLOWED; HOWEVER, THE BUSINESS LICENSE PROCESS WAS NEVER COMPLETED (SIGNED OFF ON). TODAY, MET FIRE MARSHALL'S OFFICE AT THE PROPERTY. I ISSUED NOTICE FOR PERMITTED USE/ASSEMBLY HALL AND OFF STREET PARKING. EXPLAINED THAT A PARKING PLAN WOULD BE REQUIRED SIGNED OFF ON BY ZONING AND THAT AN ASSEMBLY HALL WAS NOT ALLOWED FOR THIS ZONING CATEGORY. LEFT NOTICE WITH REGINALD AND JOE ONTORONTA. THE FIRE MARSHALL'S OFFICE FOUND MANY FIRE CODE VIOLATIONS AND INFORMED THEM THAT THEY WOULD NOT BE ALLOWED TO CONTINUE TO USE FACILITY UNTIL THEY WENT THROUGH THE SITE PLAN REVIEW PROCESS. THEY EXPLAINED THAT THEY HAD EVENTS COMING UP IN DECEMBER AND ASKED IF THEY COULD BE GIVEN SOME TIME. FIRE MARSHAL DENIED THIS REQUEST DUE TO THE FIRE SAFETY ISSUES. THEY WERE TOLD THAT THEY WOULD RECEIVE CITATIONS IF THEY CHOSE TO DO SO . MV
11/27/2017		Case Details		REQUIRED SPACES FOR LODGE OR CLUB IS 1 PER 250 SQUARE FEET. 16,000 = 64
11/27/2017		Case Details		THEY CONFIRMED THAT OVER THE WEEKEND THEIR EVENT HAD AT LEAST 200 PERSONS IN ATTENDANCE. MV
11/27/2017		Initial Investigation	In Violation	/* PARKING SPACES REQUIRED/ASSEMBLY HALL *134-272 (5) d* Aust be parked on a hardened/treated surface. All tires must be on hardened/treated surface. Surface must be installed flush with the ground and capable of supporting all vehicle/equipment tires without driving onto or over an unapproved parking surface.*



Cobb County...Expect the Best!

COBB COUNTY CODE ENFORCEMENT CASE SYNOPSIS

Report Date:
9/24/2018

Z-82 (2018)
Code Enforcement
Information

Inspection Date	Inspection/Activity Date	Inspection/Activity Type	Status	Comments
11/27/2017		Initial Investigation	In Violation	<p>/* PERMITTED USE/ASSEMBLY HALL *134-215 (3)* Property not zoned for an assembly hall. Assembly hall means a facility and/or grounds where scheduled events and gatherings take place that are normally one-time events for organizations or people including, weddings, birthday parties, graduation parties, religious milestone celebrations, holiday parties, private parties, corporate meetings and the like. Assembly halls may have large open rooms or banquet halls, which may have live or recorded music or entertainment, and which may have freshly prepared or catered food and beverage..*/</p> <p>/* OFF STREET AUTOMOBILE PARKING *134-272 (5) a. 2., 3., & 4* All parking facilities, including entrances, exits and maneuvering areas, shall comply with the following provisions: shall be graded and paved, and be curbed when needed for effective drainage control; shall have all spaces marked with paint lines, curbstones or other similar designations; and all other parking requirements in this code section. A site plan must be submitted to Zoning within 10 days of this notice, and approved prior to commencement of work. */</p>
11/27/2017		ReInspection	In Violation	<p>/* PARKING SPACES REQUIRED/ASSEMBLY HALL *134-272 (5) d* 1 space per 3 seats for every person lawfully permitted within the assembly hall at 1 time, 1000 occupants would require 333 parking spaces.* </p> <p>/* PARKING SPACES REQUIRED/Club or Lodge (non commercial) *134-272 (5) d* 1 space per 250 square feet, which would require 64 spaces for the 16,000 sq. ft. of floor space.* </p>
03/07/2018		Case Details		NO CONTACT WITH ANYONE WITH IGBO. WILL FOLLOW UP WITH FIRE MARSHALL OFFICE. MV
03/07/2018		ReInspection	In Violation	
08/20/2018		Case Details		have not heard of any recent complaints of events being held here left cite due for owner to call me . bob
08/20/2018		ReInspection	Extension	

Planning Commission Decision

NO. OPPOSED: _____ APPROVED _____ DENIED _____ DELETED TO _____

NO. IN SUPPORT _____ MOTION BY: _____ SECONDED: _____ VOTE: _____

Names of those Opposed:

Comments:

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
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_____	_____
_____	_____
_____	_____
_____	_____

Stipulation letter from _____ dated _____
 Stipulation letter from _____ dated _____
 Stipulation letter from _____ dated _____

Board of Commissioners Decision

NO. OPPOSED: _____ APPROVED _____ DENIED _____ DELETED TO _____

NO. IN SUPPORT _____ MOTION BY: _____ SECONDED: _____ VOTE: _____

Names of those Opposed:

Comments:

_____	_____
_____	_____
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_____	_____
_____	_____
_____	_____

Stipulation letter from _____ dated _____
 Stipulation letter from _____ dated _____
 Stipulation letter from _____ dated _____