

City Council Meeting Minutes - Final September 19, 2016
PZ 16-019

Wayne Blackstone, Animal Care Clinic, LL 974 4251 Brownsville Road
Rezoning - Change in Conditions NRC and OI
PZ 16-019 & PZ 16-020 were presented as one overview with separate votes on the individual actions.
Dr. Blackstone, the applicant, presented his application for Change in Condition (PZ 16-019) and Special Use (PZ 16-020). Ms. Allison Feliciano spoke in favor of Dr. Blackstone's application.
Dr. Blackstone stated the purpose of his applications was to minimize the impact on the area from when he began his original process in 2008. His new plan would utilize an existing structure for the clinic and incorporate a possible park for the outdoor to include passive areas, children play areas and a dog park. Dr. Blackstone stated he had the can't, for insurance reasons, keep ownership of the park but would be willing to donate it to the City upon completion. The City would be responsible for the ongoing maintenance and up keep.
Dr. Blackstone stated the majority of the concerns from citizens had to do with the traffic impact. He stated the new plan would change the entry point and address the traffic concerns.

Staff recommends approval of both applications with the following stipulations:
1. Request for property identified as 19097400050 to remain in the O&I zoning district, with a Special Use allowance for Veterinary Clinic with no outside runs or kennels and no boarding facilities.
2. Existing single family residence to be utilized upon proper permitting with City and County departments.
3. Hours of operation to be limited to Monday through Friday, 8:00 a.m. to 6:00 p.m. Saturdays from 8:00 a.m. to 1:00 p.m. with no activity on Sunday.
4. Lighting, if any, to be reviewed and approved by Community Development Director and Public Works Director.
5. Existing buffers along northern and eastern property lines to remain undisturbed.
6. Driveway enhancement as shown on site plan submitted to be reviewed and approved by applicable City and County departments.
7. Existing NRC zoning district for the 1.4 acre south of subject property to be amended to allow for use as playground/passive park/dog park. Said change in condition to allow for such does not constitute a commitment that the City of Powder Springs will accept the donation of the property or that the property will be publicly maintained. Any plans or proposals for private operation or maintenance of said property to be approved at a future date by Mayor and Council.
8. Veterinary clinic building be soundproofed by adding additional drywall and insulation.
9. Site plan be modified as needed to meet the requirements of the Unified Development Code.
10. That a sidewalk be constructed along Steeplechase Drive. (REMOVED BY COUNCIL FROM MOTION)
11. That all previous zoning conditions not in conflict remain in full force and effect.

Dr. Blackstone stated he was aware of the stipulations - except for #10 which stipulated the construction of sidewalks along Steeplechase Drive - and accepted them.
As Dr. Blackstone stated he was aware of Stipulation #10, the council removed it from the approved motion.
A motion was made by Sarvis, seconded by Bordelon, that this Rezoning - with the removal of Stipulation #10 to build sidewalks along Steeplechase Drive - was approved.
The motion carried by the following vote:
Yes: 5 - Sarvis, Hudson, Dawkins, Wisdom, and Bordelon

Staff recommends approval of both applications with the following stipulations:
1. Request for property identified as 19097400050 to remain in the O&I zoning district, with a Special Use allowance for Veterinary Clinic with no outside runs or kennels and no boarding facilities.
2. Existing single family residence to be utilized upon proper permitting with City and County departments.
3. Hours of operation to be limited to Monday through Friday, 8:00 a.m. to 6:00 p.m., Saturdays from 8:00 a.m. to 1:00 p.m. with no activity on Sunday.
4. Lighting, if any, to be reviewed and approved by Community Development Director and Public Works Director.
5. Existing buffers along northern and eastern property lines to remain undisturbed.
6. Driveway enhancement as shown on site plan submitted to be reviewed and approved by applicable City and County departments.
7. Existing NRC zoning district for the 1.4 acre south of subject property to be amended to allow for use as playground/passive park/dog park. Said change in condition, to allow for such, does not constitute a commitment that the City of Powder Springs will accept the donation of the property or that the property will be publicly maintained. Any plans or proposals for private operation or maintenance of said property to be approved at a future date by Mayor and Council.
8. Veterinary clinic building be soundproofed by adding additional drywall and insulation.
9. Site plan be modified as needed to meet the requirements of the Unified Development Code.
10. That a sidewalk be constructed along Steeplechase Drive. (REMOVED BY COUNCIL FROM MOTION)
11. That all previous zoning conditions not in conflict remain in full force and effect.
A motion was made by Sarvis, seconded by Bordelon, that this Special Use - with the removal of Stipulation #10 to build sidewalks along Steeplechase Drive - was approved. The motion carried by the following vote:
Yes: 5 - Sarvis, Hudson, Dawkins, Wisdom, and Bordelon

Final Plat For WAYMAR PROPERTY MANAGEMENT, LLC

LOCATED IN LAND LOT 974, 19TH DISTRICT, 2ND SECTION, COBB COUNTY, GEORGIA CITY OF POWDER SPRINGS

TOTAL AREA = 2.545 ACRES (110,873 SQ. FT.)

DEVELOPER
WAYNE BLACKSTONE
MOBILE: (770) 891-5373

SURVEYOR'S CERTIFICATE:
IT IS HEREBY CERTIFIED THAT THIS PLAT IS TRUE AND CORRECT AND WAS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY BY ME OR UNDER MY SUPERVISION; THAT ALL MONUMENTS SHOWN THEREON ACTUALLY EXIST.

THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 52,838 FEET, AND AN ANGULAR ERROR OF 0 PER ANGLE POINT, AND WAS ADJUSTED USING LEAST SQUARES RULE.

THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 209,088 FEET.

BY: BENJAMIN W. CRUSSELLE

REGISTERED GEORGIA LAND SURVEYOR NO. 2841

DATE: _____

OWNER'S CERTIFICATE AND DEDICATION:
I HEREBY CERTIFY THAT I AM THE OWNER OF THE LAND SHOWN ON THIS PLAT (OR DULY AUTHORIZED AGENT THEREOF) WHOSE NAME IS SUBSCRIBED HERETO. I ACKNOWLEDGE THAT THIS PLAT WAS MADE FROM AN ACTUAL SURVEY. IN CONSIDERATION OF THE APPROVAL OF THIS FINAL PLAT AND OTHER VALUABLE CONSIDERATIONS, I RELEASE AND HOLD HARMLESS THE CITY OF POWDER SPRINGS FROM ANY AND ALL CLAIMS, DAMAGES, OR DEMANDS ARISING ON ACCOUNT OF THE DESIGN, CONSTRUCTION, AND MAINTENANCE OF THE PROPERTY SHOWN HEREON. I FURTHER WARRANT THAT I HAVE THE RIGHT TO SELL AND CONVEY THE LAND ACCORDING TO THIS PLAT AND DO HEREBY BIND OWNERS AND MYSELF SUBSEQUENT IN TITLE TO DEFEND VIRTUE OF THESE PRESENTS.

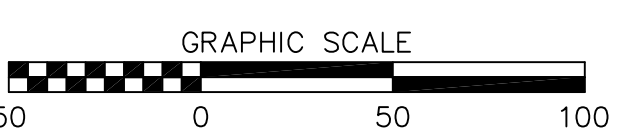
OWNER'S NAME: _____

OWNER'S ADDRESS: _____

DATE: _____

TECHNICAL DATA

TRAVERSE PRECISION: 1/16,560
ANGLE ERROR: 5 SEC/ANG
SURVEY ADJUSTMENT: LEAST SQUARES
EQUIPMENT: TOPCON GTS-303
PLAT PRECISION: 1/152,076



REVISIONS

DATE	DESCRIPTION
05/08/17	ADDED CERTIFICATIONS
07/06/17	ADDRESSED CITY COMMENTS
08/24/17	ADDED CITY COMMENTS
09/27/17	COMBINE TRACTS 2 & 3, CHANGE 20' SS EASEMENT TO 10' PRIVATE SS EASEMENT
02/26/18	ADD VICINITY MAP AND SHED NOTE
03/05/18	REVISE SHED NOTE

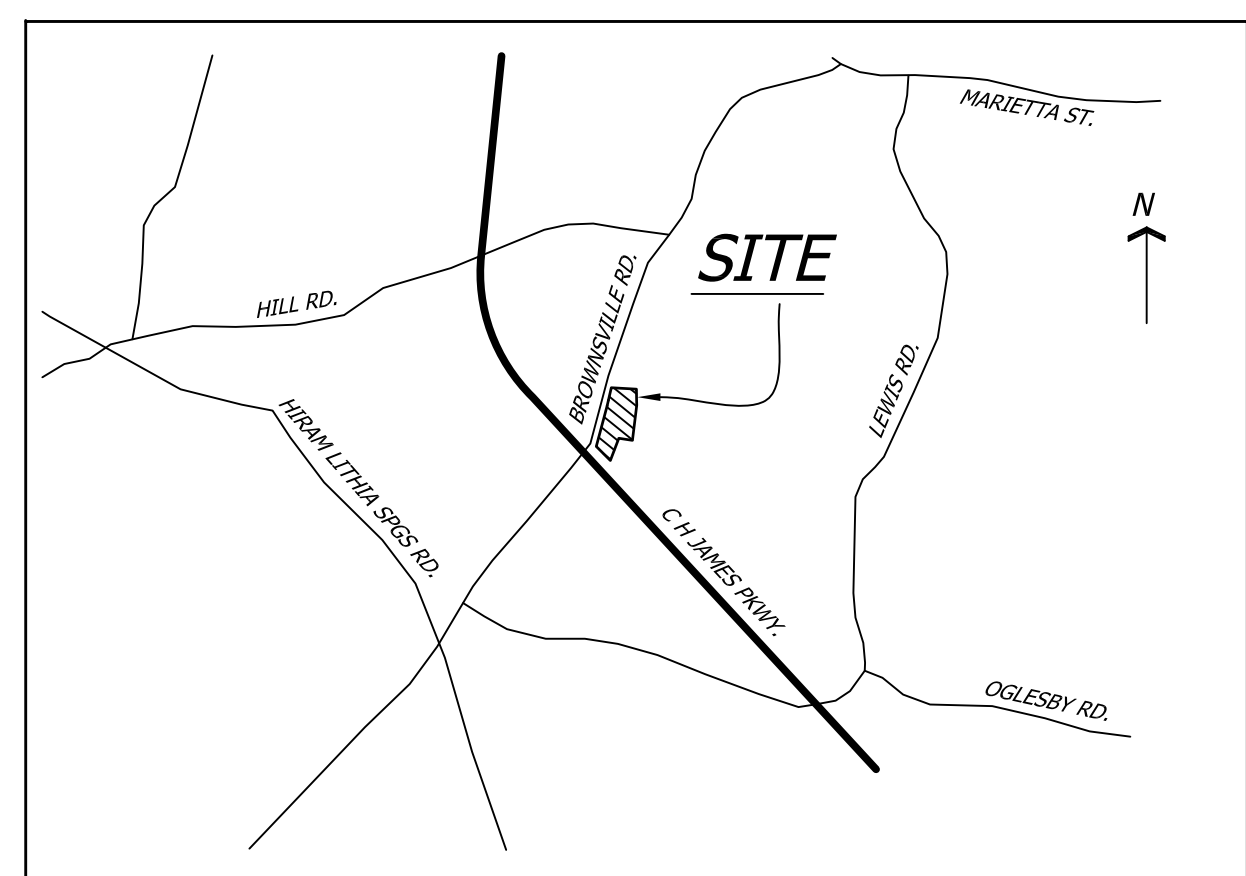
SURVEYOR CERTIFICATION

AS REQUIRED BY SUBSECTION (D) OF O.C.G.A. SECTION 15-6-67, THIS PLAT HAS BEEN PREPARED BY A LAND SURVEYOR AND APPROVED BY ALL APPLICABLE LOCAL JURISDICTIONS FOR RECORDING AS EVIDENCED BY APPROVAL CERTIFICATES, SIGNATURES, STAMPS, OR STATEMENTS HEREON. SUCH APPROVALS OR AFFIRMATIONS SHOULD BE CONFIRMED WITH THE APPROPRIATE GOVERNMENTAL BODIES BY ANY PURCHASER OR USER OF THIS PLAT AS TO INTENDED USE OF ANY PARCEL. FURTHERMORE, THE UNDERSIGNED LAND SURVEYOR CERTIFIES THAT THIS PLAT COMPLIES WITH THE MINIMUM TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN THE RULES AND REGULATIONS OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN O.C.G.A. SECTION 15-6-67.

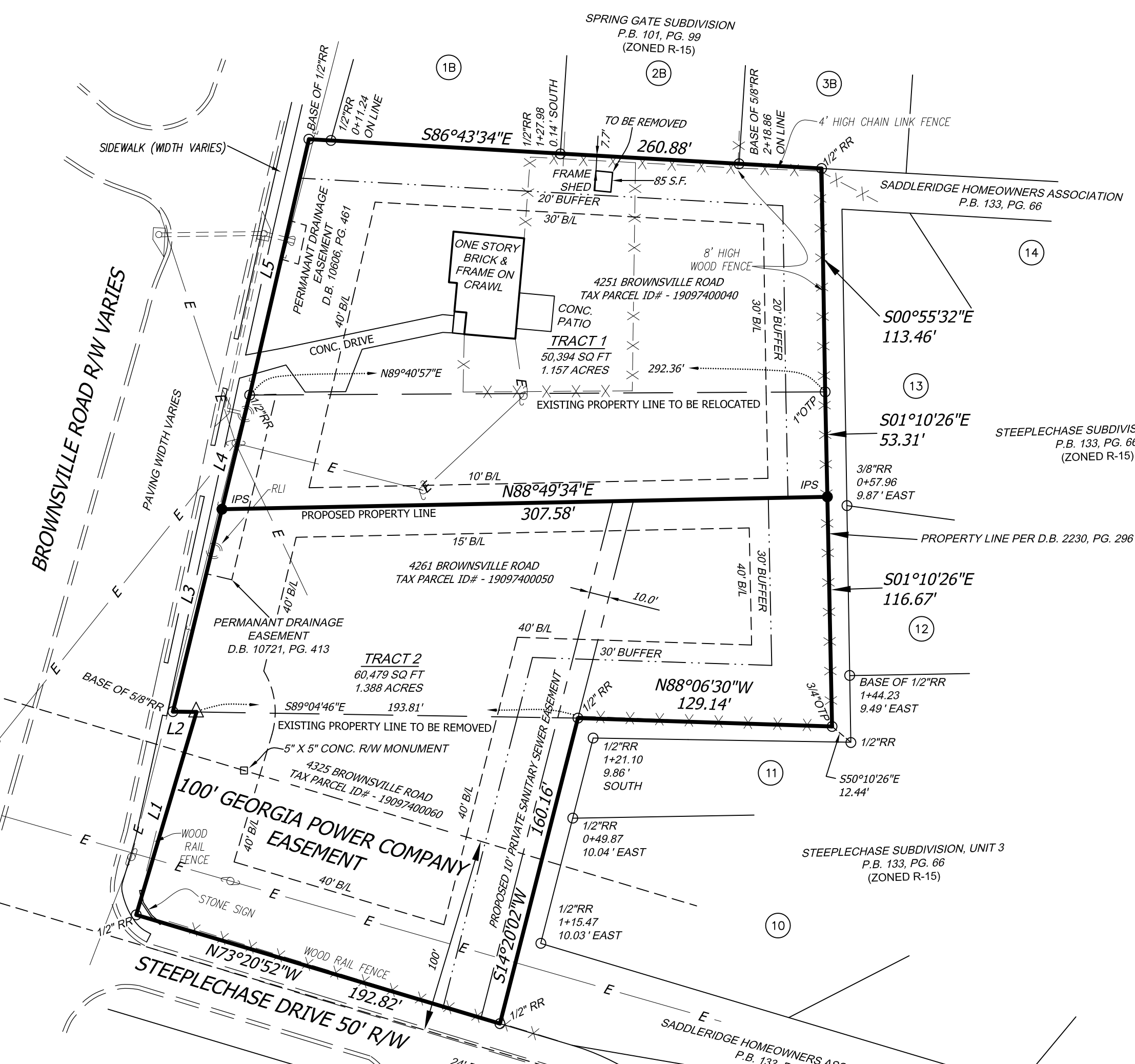
BENJAMIN W. CRUSSELLE, RLS#2841 DATE _____



THE PURPOSE OF THIS PLAT IS TO MOVE THE PROPERTY LINE LOCATED BETWEEN TRACT 1 AND 2 SO THAT TRACT 1 HAS MORE AREA AND TO COMBINE TRACTS 2 & 3



LOCATION MAP
1" = 2000'



LINE	LENGTH	BEARING
L1	102.48'	N16°32'24"E
L2	12.00'	N89°04'46"W
L3	105.76'	N13°38'34"E
L4	59.66'	N13°38'34"E
L5	133.39'	N13°01'32"E

CERTIFICATE OF FINAL PLAT APPROVAL:

ALL APPLICABLE REQUIREMENTS OF THE POWDER SPRINGS UNIFIED DEVELOPMENT CODE RELATIVE TO THE FINAL PLATS HAVING BEEN FULFILLED, APPROVAL OF THIS IS HEREBY GRANTED BY THE POWDER SPRINGS DIRECTOR OF COMMUNITY DEVELOPMENT AND IS ENTITLED TO BE RECORDED.

DIRECTOR OF COMMUNITY DEVELOPMENT DATE: _____

ADDITIONAL REFERENCES:

PLAT OF SURVEY FOR WAYNE AND MARLA BLACKSTONE PREPARED BY THE CRUSSELLE COMPANY DATED 08/26/08

PLAT OF SURVEY FOR J. GOLDIN PREPARED BY MARBLE J. ENSLEY DATED 8/11/1959.

PLAT OF SURVEY FOR J. RICHARD THOMSON PREPARED BY CRUSSELLE, RAKESTRAW & ASSOCIATES DATED 8/19/1988.

COBB COUNTY DOT BROWNSVILLE RD. IMPROVEMENTS PROJECT NO. 7406, SHEET 23 OF 30, DRAWING NUMBER R-16.

WARRANTY DEED FROM KENCO MORTGAGE CO., INC. TO MARY D. REESE DATED 5/12/1995 RECORDED IN D.B. 8895, PG. 406

WARRANTY DEED FROM CONNIE L. POWELL TO KENCO MORTGAGE CO., INC. DATED 1/6/1995.

WARRANTY DEED FROM JAMES D. ELROD TOKENCO MORTGAGE CO., INC. DATED 5/11/1992 RECORDED IN D.B. 6909, PG. 402.

WARRANTY DEED FROM ROBERT L. & DRIS L. BAKER TO JAMES D. ELROD DATED 5/15/1979 RECORDED IN D.B. 2028, PG. 167.

WARRANTY DEED FROM EDWARD H. & CHERYL M. LAHAIE TO WAYNE & MARLA BLACKSTONE DATED 5/29/07 RECORDED IN D.B. 14497, PG. 2500.

WARRANTY DEED FROM RONALD C. PUCKETT TO JERRY D. COPELAND DATED 8/19/1980 RECORDED IN D.B. 2230, PG. 296.

TAX DEED DATED 12/2/1996 RECORDED IN D.B. 10033, PG. 149.

QUIT-CLAIM DEED FROM TAPCO TO JACK THOMPSON PROPERTIES, INC. DATED 8/19/1988 RECORDED IN D.B. 5051, PG. 215.

WARRANTY DEED FORM JERRY D. COPELAND TO TAPCO DATED 9/3/1987 RECORDED IN D.B. 4631, PG. 542.

TRACT 1 ZONING

ZONED: O-I
SETBACKS:
FRONT - 40'
SIDE - 10'
REAR - 30'
SETBACK, MINIMUM, ABUTTING R ZONING DISTRICT: 30'
BUFFER WIDTH MINIMUM WITHIN SETBACK ABUTTING R ZONING DISTRICT: 20'

TRACT 2 ZONING

ZONED: NRC
SETBACKS:
FRONT - 40'
SIDE - 15'
REAR - 30'
SETBACK, MINIMUM, ABUTTING R ZONING DISTRICT: 40'
BUFFER WIDTH MINIMUM WITHIN SETBACK ABUTTING R ZONING DISTRICT: 30'

FLOOD STATEMENT

I HAVE THIS DATE EXAMINED THE FLOOD INSURANCE RATE MAPS, COMMUNITY PANEL NO: 13067C0177G EFFECTIVE DATE: DECEMBER 16, 2008 THE MAP GRAPHICALLY DEPICTS THE SUBJECT PROPERTY TO LIE IN ZONE: "X"
"X" = AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN

LEGEND

- CORNER MONUMENTATION:
 - = IPS = CORNER SET WITH A 1/2" STEEL REINFORCING ROD
 - = CORNER FOUND
 - △ = UNMONUMENTED CORNER
 - ⊙ = CORNER TO BE SET WHEN CONSTRUCTION PERMITS
 - × = FENCE LINE
- RR = STEEL REINFORCING ROD
- OTF = OPEN TOP WATER PIPE
- CTP = CRIMPED TOP WATER PIPE
- PP = POWER POLE
- C/L = CENTERLINE
- B/L = BUILDINGLINE
- R/W = RIGHT OF WAY
- L.L.L. = LAND LOT LINE
- WATER MAINS = —W—W—W—W—
- OVERHEAD POWER LINES = —E—E—E—E—
- GAS MAINS = —G—G—G—G—
- SANITARY SEWER MAIN = —SS—SS—SS—SS—
- N/F = NOW OR FORMERLY OWNED BY
- NSAB = NAIL SET AT BASE
- R/LI = RAISED LID INLETS
- FES = FLARED END SECTION
- DWCB = DOUBLE WINGED CATCH BASIN
- SWCB = SINGLE WINGED CATCH BASIN