

Special Use Request Application Packet

Applicant's Public Notice Requirements

The Code requires public notice of your Rezoning request, Special Use and Variance requests. The Community Development Department will tell you when and where the Planning and Zoning Commission and the Mayor and Council meetings will be held.

Newspaper: The City will publish a legal notice in the newspaper regarding your application and announcing the time and place of the public hearing. At least 15 days before the Mayor and Council but no more than 45 days prior to the date of the public hearing.

Sign Posting, Public Hearing Notice & Affidavit

Sign Posting: The applicant shall be required to post and maintain signs supplied by the City on or near the right-of way of the nearest public street, so as to be visible from the street for at least 15 days and not more than 45 days immediately preceding the date for the governing body's public hearing on the rezoning or special use application. It is your responsibility to post the signs and to maintain the signs during the posting period. Failure to post and maintain the signs continuously may prohibit consideration of the application at any scheduled public hearing. In the event the signs are not posted continuously, the City, in its sole discretion, may require the reposting and re-advertising prior to any future public hearing, for which the applicant shall pay an additional re-advertising fee. The City may also in its sole discretion, continue, hold, approve, or dismiss the application. Any dismissal under the provisions of this paragraph shall be with prejudice unless specifically noted as being without prejudice by the City.

Public Hearing Notice: At least 15 days before the Planning & Zoning Commission's public hearing, you are to mail a notice to all persons owning property within 200 feet of the property that is the subject matter of the zoning change. The notice is to state the time, place and purpose of the hearings, and include a page size copy of the sketch plan submitted with the application.

Affidavit: Prior to the public hearing you must also submit an affidavit with a copy of the notice to the Community Development Director listing the property owners and certifying the date that the notices were mailed (form attached)

City Actions

The Community Development Department will date your application when it is received. The Community Development Department has five (5) working days in which to determine that your application is complete or to return it to you for additional information. The application will not be scheduled for public hearing until it is complete. The Planning Commission's public hearing will be held at the time advertised. At the public hearing, you will be allowed to speak first in order to present the application. Others in support of the application may then speak, followed by those in opposition to the application. You may then be allowed time for rebuttal if adequate time remains. Rebuttal must be limited to points or issues raised by opponents to the application at the hearing. After the Planning Commission has made their recommendation, the Mayor and City Council will consider approval or denial of the application at their own public hearing. You or a representative thereof with authority to make binding commitments to the City with respect to any stipulations that may be offered in connection with such application shall attend the meetings, and make a presentation following the same procedure as the Planning Commission hearing. The final action taken by the Mayor and City Council will be indicated on the application form, along with any stipulations that they impose on the property if approved, and a copy will be given to you as official notice of their final action.

Contact Information

The Community Development Dept.
4181 Atlanta Street
Powder Springs GA 30127.
commdev@cityofpowdersprings.org
770-943-1666

Zoning Administrator
Shaun Myers
Planning and Zoning Manager
smyers@cityofpowdersprings.org
770-943-1666



Special Use Request Application Checklist

Applicant Information

Name **BJ Package Inc / Balbir Sahdra**

Phone [REDACTED]

Mailing Address 4400 Brownsville Road Suite 106 Powder Springs, GA 30127

Email [REDACTED]

Application Checklist

The following information will be required:

1. Application
2. Notice of Intent
3. Applicant's Written Analysis
4. Campaign Contribution Disclosure
5. Owner's Authorization, if applicable.
6. Legal Description and Survey Plat of the property
7. Application Fee (summary of fees attached)
8. Copy of the Deed that reflects the current owners name
9. Vicinity Map outlining the parcel/s in relation to the surrounding area
10. Site plan, plat or survey prepared by an architect, engineer. The following information **must** be included:

Specific use or uses proposed for the site. Acreage, bearing and distances, other dimensions, and location of the tract(s). Locations, sizes and setbacks of proposed structures, including the number of stories and total floor area, height, for residential number of units, Square footage of heated floor area. Detention/retention areas, and utility easements. Location of dumpsters. Public or private street(s) - right of way and roadway widths, approximate grades Location and size of parking area with proposed ingress and egress. Specific types and dimensions of protective measures, such as buffers. Landscaping. Wetlands, stream buffers, and 100 year floodplain.

11. Sketch Plan/ Architectural Rendering, if applicable
12. Traffic Study required for development with 500,000 sf of nonresidential floor area or 350 dwelling units or more.
- List additional attachments:

Note Carefully

If your application qualifies as a "Development of Regional Impact" (see Article 13) then you must follow additional procedures BEFORE your application can be considered. The Community Development Department will assist you with the DRI process, which is mandated by State and GRTA requirements.

Indicate the current zoning district of the property, and the zoning district you are requesting. File a separate application for each Rezoning request naming a different zoning district. A Special Use request, Variance request can be filed concurrently with a Rezoning request on the same property by separate application.



Special Use Request Application Form

Applicant Information

Name	BJ Package Inc / Balbir Sahdra	Phone	[REDACTED]
Mailing Address	4400 Brownsville Road Suite 106 Powder Springs, GA 30127	Email	[REDACTED]

Special Use Request Property Information

Address	4481 Hiram Lithia Springs RD SW Powder Springs GA 30127	Parcel ID / Lot#	19-1046-0-025-0	Acreage	1.75
Present Zoning	CRC	Special Use Request	Distance Separation Variance, per section 3-120 (f)		
Source of Water Supply	Public/ City of Powder Springs	Source of Sewage Disposal	Public/ City of Powder Springs		
Peak Hour Trips Generated		Source of Trip Information			

Additional Information, If Applicable

Elementary School and School's Capacity	N/A	Middle School and School's Capacity	N/A
High School and School's Capacity	N/A		

Notary Attestation

Executed in Powder Springs (City), GA (State).

Signature of Applicant	<u>Balbir Singh Sahdra</u>	Printed Name	<u>BALBIR SINGH SAHRA</u>	Date	<u>06/21/24</u>
Subscribed and sworn before me this	<u>6</u>	day of	<u>June</u> , 20 <u>24</u>		
Signature of Notary Public	<u>[Signature]</u>	Name of Notary Public	<u>MASON HALL</u>	My Commission Expires	<u>03/19/2028</u>



For Official Use Only

PZ #	
Planning Commission Hearing	City Council Hearing
Withdrawal Date	Reason for Withdrawal



Special Use Request

Notice of Intent

Applicant Information

Name **BJ Package Inc / Balbir Sahdra**

Phone

Mailing Address 4400 Brownsville Road Suite 106 Powder Springs, GA 30127

Email

Notice of Intent

PART I. Please indicate the purpose of this application :

The purpose of this application is to receive approval of a Distance Separation Variance, per section 3-120 (f) . This will allow my business to obtain a new alcohol license and relocate to a larger retail space within the commercial development where we operate now

PART II. Please list all requested variances:

Distance Separation Variance, per section 3-120 (f)

Part III. Existing use of subject property:

The subject property is currently a vacant retail drug store and pharmacy. It was originally built as a Rite Aid in 1994.

Part IV. Proposed use of subject property:

The proposed use of the subject property is to become the new location of my upscale beer, wine, and spirits retail business, BJ Package Inc dba Brownsville Package.

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

Please note that the existing location of my retail business, 4400 Brownsville Road Suite 106, is approximately 300 feet away from the new proposed retail location, 4481 Hiram Lithia Springs Road SW. My retail business has operated compliantly within Powder Springs for almost 20 years without incident. The purpose of the relocation of my business is to scale and fulfill market demand for our services.

Applicant Signature

Balbir Sahdra
Signature of Applicant

Balbir Sahdra
Printed Name

6/21/2024
Date



city of powder springs

Special Use Request

Applicant's Written Analysis

Applicant Information

Name **BJ Package Inc / Balbir Sahdra**

Phone



Mailing Address 4400 Brownsville Road Suite 106 Powder Springs, GA 30127

Email



Written Analysis

In details please address these Special Use Criteria:

- a. Whether the proposed special use is consistent with the stated purpose of the zoning district in which it will be located.
The subject property is situated within a commercially zone shopping center anchored by a Kroger grocery store. It was constructed as a retail drug store and pharmacy in 1994. There are no extraordinary and exceptional conditions or practical difficulties with the property.
- b. Whether the proposed zoning district and uses permitted within that district are suitable in view of the zoning and development of adjacent and nearby property.
The literal enforcement of the Distance Separation Variance requirmens, per section 3-120 (f), effectively disallow the sale of alcohol within 300 feet of a residential property without a variance being granted. My existing store operates within 300 feet for almost 20 years.
- c. Whether the location and character of the proposed special use are consistent with a desirable pattern of development in general.
Given the fact that my existing store has operated within 300 feet of a residential property compliantly and without incident in Powder Springs, I believe the requested variance will be in harmony with this precedent and will not be injurious to the neighborhood or public.
- d. Whether the type of street providing access to the use is or will be adequate to serve the proposed special use.
The subject property is situated within the same commercially zoned shopping center as my existing store and actually shares identical zoning classification. Given this, the proposed request is compatible with the surrounding area will not create health or safety concern.
- e. Whether access into and out of the property is or will be adequate to provide for traffic and pedestrian safety, the anticipated volume of traffic flow, and access by emergency vehicles.
The requested variance will be in harmony with the purpose and intent of this development code and will not be injurious to the neighborhood or to the general welfare.
- f. Whether public facilities such as schools, water or sewer utilities, and police or fire protection are or will be adequate to serve the use.
Yes, public facilities such as schools, water or sewer utilities, and police or fire protection will be adequarte to serve the use.
- g. Whether refuse, service, parking and loading areas on the property will be located or screened to protect other properties in the area from such adverse effects as noise, light, glare or odor.
Refuse, service, parking, and loading areas on the property will be compliantly located to the standards of the City Powder Springs and will protect other properties in the area from such adverse effects as noise, light, glare, or odor.
- h. Whether the hours and manner of operation of the special use will have adverse effects on other properties in the area.
No, the hours and manner of operation of the special use will not have adverse effects on other properties in the area.
- i. Whether the height, size or location of the buildings or other structures on the property are or will be compatible with the height, size or location of buildings or other structures on neighboring properties.
The height, size, and location of the buildings and structures on the property are compatible with the height, size, and location of buildings and other structures on neighboring properties.



Special Use Request

Campaign Contribution Disclosure

Applicant and Attorney Information

Applicant's Name	BJ Package Inc / Balbir Sahdra	Applicant's Address	4400 Brownsville Road Suite 106 Powder Springs, GA 30127
Applicant's Attorney	N/A	Attorney's Address	N/A

Campaign Contribution Disclosure

The following information is provided in accordance with the Georgia Conflict of Interest in Zoning Actions Act, O.C.G.A. 36-67A-1 et seq.

The property that is the subject of the attached application is owned by:

- Individual(s) Corporation Partnership Limited Partnership Joint Venture

All persons, corporations, partners, limited partners, or joint ventures party to ownership of the property that is the subject of the attached application are listed below:

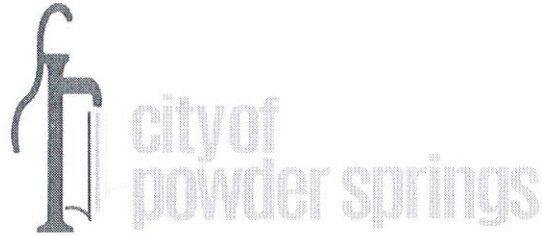
BJ Package Inc
Balbir Sahdra

APPLICANT: Within the two years preceding the date of the attached application, the applicant has made campaign contributions or gifts aggregating \$250 or more to the Mayor, to members of the Powder Springs City Council, or to members of the Planning Commission, as follows:

Name of Official	Amount of Contribution or Gift	Date of Contribution or Gift
N/A	N/A	N/A

ATTORNEY: Within the two years preceding the date of the attached application, the attorney representing the applicant has made campaign contributions or gifts aggregating \$250 or more to the Mayor, to members of the Powder Springs City Council, or to members of the Planning Commission, as follows:

Name of Official	Amount of Contribution or Gift	Date of Contribution or Gift
N/A	N/A	N/A



Special Use Request

Owner's Authorization Form

Owner's Authorization

Applicant Name BJ Package Inc / Balbir Sahdra

Applicant's Address [REDACTED]

Property Address 4400 Brownsville Road Suite 106 Powder Springs, GA 30127

Property PIN 19-1046-0-025-0

This is to certify that I am or We are or I am the Authorized Representative of a Corporation that is the owner of a majority interest in the subject property of the attached application. By execution of this form, this is to authorize the person names as "applicant" below, acting on behalf of the owner, to file for and pursue a request for approval of the following:

Check all that apply:

- | | | |
|--|--|--|
| Rezoning <input type="checkbox"/> | Special Use <input checked="" type="checkbox"/> | Hardship Variance <input type="checkbox"/> |
| Special Exception <input type="checkbox"/> | Flood Protection Variance <input type="checkbox"/> | Appeal of Administrative Decision <input type="checkbox"/> |

Signature of Property Owner(s)

Balbir Singh Sahdra
Signature of Owner

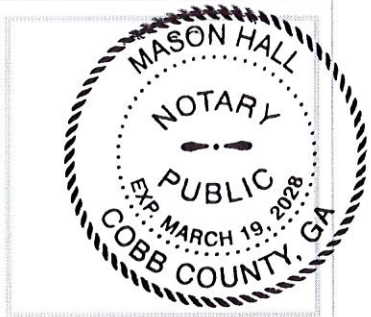
BALBIR SINGH SAHDRA
Printed Name

06/21/24
Date

State of GA, County of Cobb.

This instrument was acknowledged before me this 21 day of JUNE.

20 24, by BALBIR SINGH SAHDRA. Identification Presented: Drivers License



[Signature]
Signature of Notary Public

MASON HALL
Name of Notary Public

03/19/2028
My Commission Expires

Signature of Owner _____ Printed Name _____ Date _____

State of _____, County of _____.

This instrument was acknowledged before me this _____ day of _____.

20 _____, by _____ Identification Presented: _____

Signature of Notary Public _____ Name of Notary Public _____ My Commission Expires _____

