



Rezoning Request Application Checklist

Applicant Information

Name	Joseph K. McGonney Native Development Group, LLC	Phone	404-966-8484
Mailing Address	910 Davis Blvd Alpharetta GA 30004	Email	jmcgonney@nativedevelopmentgroup.com

Application Checklist

The following information will be required:

- Application
- Notice of Intent
- Applicant's Written Analysis
- Campaign Contribution Disclosure
- Owner's Authorization, if applicable.
- Legal Description and Survey Plat of the property
- Application Fee (summary of fees attached)
- Copy of the Deed that reflects the current owners name
- Vicinity Map outlining the parcel/s in relation to the surrounding area
- 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.
- Sketch Plan/ Architectural Rendering, if applicable
- Traffic Study required for development with 500,000 sf of nonresidential floor area or 350 dwelling units or more. *N/A*
- 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.



**city of
powder springs**
Rezoning Request
Application Form

Applicant Information

Name Joseph K. McGonney Phone 404-966-8484
Native Development Group LLC
 Mailing Address 910 Davis Bend Alpharetta GA 30004 Email jmcgonney@nativedevelopmentgroup.com

Rezoning Request Property Information

Address Burrow Trail Rd., Powder Springs GA Parcel ID / Lot# See Attached Acreage
 Present Zoning Industrial (Cobb County) Proposed Zoning Industrial
 Source of Water Supply Cobb County Water & Sewer Source of Sewage Disposal Cobb County
 Proposed Use Peak Hour Trips Generated N/A Source

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 ALPHARETTA (City), GEORGIA (State).
 Signature of Applicant [Signature] Printed Name Joseph K. McGonney Date 7/22/21
 Subscribed and sworn before me this 22 day of JULY, 2021.
 Signature of Notary Public [Signature] Name of Notary Public Linda Moser My Commission Expires 11/15/2021



For Official Use Only

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



Rezoning Request

Notice of Intent

Applicant Information

Joseph K. McGorrey

Name Native Development Group, LLC Phone 404-966-8484

Mailing Address 910 Davis Bend Alpharetta GA 30004 Email jmcgorrey@nativedevelopmentgroup.com

Notice of Intent

Part I. Please indicate the purpose of this application: Application for annexation and requested variances for a proposed Logistics Center in the City of Powder Springs GA. See Attached Notice of Intent.

Part II. Please list all requested variances: See Attached Notice of Intent.

Part III. Existing use of subject property: Undeveloped Land, Billboard sign, Trailer Parking

Part IV. Proposed use of subject property: Logistics/warehouse/distribution facility

Part V. Other Pertinent Information (List or attach additional information if needed): See Attached Notice of Intent.

Applicant Signature

Joseph K. McGorrey Joseph K. McGorrey 7/23/21

Signature of Applicant Printed Name Date



Rezoning Request

Applicant's Written Analysis

Applicant Information

Name	Joseph K. McGonney Native Development Group LLC	Phone	404-966-8484
Mailing Address	970 Davis Bend Alpharetta GA 30004	Email	jmcgonney@nativedevelopmentgroup.com

Written Analysis

In details please address these Rezoning Criteria:

- a. Whether the proposed zoning district and uses within that district are compatible with the purpose and intent of the comprehensive plan. The future development map and the future land use plan map of the city's comprehensive plan shall be used in decision making relative to amendments to the official zoning map.
Yes, the use is compatible
- 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.
Yes, property is currently zoned industrial.
- c. Whether the existing use or usability of adjacent or nearby property will be adversely affected by one or more uses permitted in the requested zoning district.
No.
- d. Whether there are substantial reasons why the property cannot or should not be used as currently zoned;
current zoning of industrial is the highest and best use of the property
- e. Whether public facilities such as roads, schools, water and sewer utilities, and police and fire protection will be adequate to serve the proposed zoning district and uses permitted.
Yes. Project will have no impact on schools and little on police, fire EMS. Utilities to serve the project are in place or can be extended.
- f. Whether the proposed zoning district and uses permitted within that zoning district are supported by new or changing conditions not anticipated by the comprehensive plan or reflected in the existing zoning on the property or surrounding properties.
Already zoned for this use.
- g. Whether the proposed zoning district and uses permitted within that zoning district reflect a reasonable balance between the promotion of the public health, safety, morality or general welfare and the right to unrestricted use of property.
Yes.

Applicant Signature

Signature of Applicant	<i>Joseph K. McGonney</i>	Printed Name	Joseph K. McGonney	Date	7/23/21
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city of powder springs

Rezoning Request

Campaign Contribution Disclosure

Applicant and Attorney Information

Joseph K. McEweney
Applicant's Name

910 Davis Bend, Alpharetta GA
30004
Applicant's Address

Applicant's Attorney

Attorney's Address

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:

Jim Freeman	Joanna Blake
Janice Freeman Watts	Susan Freeman
Lori Fowler	James Freeman
Tamie McNair	Eva Freeman

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
None		

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



Rezoning Request Owner's Authorization Form

Owner's Authorization

Applicant Name: Joseph K. McGonney
Native Development Group LLC
 Applicant's Address: 910 Davis Blvd
Alpharetta GA 30004
 Property Address: Burrow Trail Powder Springs, GA
 Property PIN: Various - see attached

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 Special Use Hardship Variance
 Special Exception Flood Protection Variance Appeal of Administrative Decision

Signature of Property Owner(s)

Signature of Owner: Jim Freeman, Mbr. Printed Name: Jim Freeman Date: 7/23/2021

State of GA, County of Cobb.

This instrument was acknowledged before me this 23 day of July.

2021, by Jim Freeman. Identification Presented: Personally Known

MARY E CHASTAIN
 NOTARY PUBLIC
 Cobb County
 State of Georgia
 My Comm. Expires March 11, 2025

Signature of Notary Public: Mary E Chastain Name of Notary Public: Mary E. Chastain My Commission Expires: 3-11-2025

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 _____



Affidavit of Public Notification

Public Notification Requirements

Per Article 13 and 14 of the City of [Powder Springs Unified Development Code](#), I certify that I have met the advertising requirements of Article 13 and Article 14 for a Special Use, Variance or Rezoning application for subject property located at Burnow Trail Road

Notices were mailed to all persons owning property located in whole or in part within 200 feet of any portion of the property that is the subject of the rezoning, special use or variance application. The written notice was mailed to the property owners as such names and addresses appear on the County's current ad valorem tax records on _____. Said notices were mailed at least 15 days but no more than 45 days prior to the Mayor and Council first public hearing date.

Signs were placed on the subject property advertising said hearing on _____. One sign was placed at each road frontage at least 15 days prior to the Mayor and Council first hearing date.

Please attach the following to affidavit: notices, list of addresses, picture of sign posted on property and any receipt or documentation that was provided at the post office.

Please sign affidavit after letters have been mailed out to neighboring lot owners within 200 feet of the subject site and sign/s have been posted on subject site.

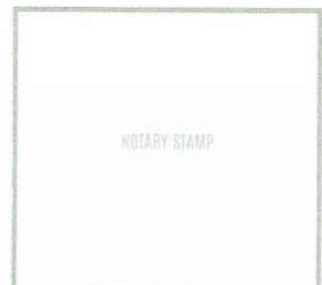
Notary Attestation

Executed in _____ (City), _____ (State).

Signature of Applicant Printed Name Date

Subscribed and sworn before me this _____ day of _____ month, 20____.

Signature of Notary Public Name of Notary Public My Commission Expires





Fee Schedule

FEES – Updated 11/5/2018. Please verify cost with staff

Variance, residential	\$ 250.00
Variance, commercial	\$ 450.00
Special Use	\$ 250.00
Rezoning Application, single family, 0-5 acres	\$ 250.00
Rezoning Application, single family, 6-10 acres	\$ 700.00
Rezoning Application, single family, 11-20 acres	\$ 1,000.00
Rezoning Application, single family, 21-100 acres	\$ 1,500.00
Rezoning Application, single family, =/> 101 acres	\$ 1,500.00 + \$30/acre
Rezoning Application, undeveloped med/high density residential, 0-5 acres	\$ 700.00
Zoning - Rezoning Application, undeveloped med/high density residential, 6-10 acres	\$ 1,200.00
Zoning - Rezoning Application, undeveloped med/high density residential, 11-20 acres	\$ 1,500.00
Zoning - Rezoning Application, undeveloped med/high density residential, 21-100 acres	\$ 2,000.00
Rezoning Application, undeveloped med/high density residential, =/> 101 acres	\$ 2,000.00 + \$40 /acre
Rezoning Application, undeveloped non-residential, 0-5 acre	\$ 900.00
Rezoning Application, undeveloped non-residential, 6-10 acres	\$ 1,500.00
Rezoning Application, undeveloped non-residential, 11-20 acres	\$ 1,800.00
Rezoning Application, undeveloped non-residential, 21-100 acres	\$ 2,200.00
Rezoning Application, undeveloped non-residential, =/> 101 acres	\$ 2,200.00 + \$50 /acre
Zoning - Rezoning Application, developed med/high density residential, 0-20,000 SF	\$ 700.00
Rezoning Application, developed med/high density residential, 20,0001 - 50,000 SF	\$ 1,200.00
Rezoning Application, developed med/high density residential, 50,001 - 100,000 SF	\$ 1,500.00
Rezoning Application, developed med/high density residential, 100,001 - 500,000 SF	\$ 2,000.00
Rezoning Application, developed med/high density residential, =/> 500,001 SF	\$ 2,000.00 \$90 /100,000 SF
Rezoning Application, developed non-residential, 0-20,000 SF	\$ 900.00
Rezoning Application, developed non-residential, 20,001-50,000 SF	\$ 1,500.00
Rezoning Application, developed non-residential, 50,001-100,000 SF	\$ 1,800.00
Rezoning Application, developed non-residential, 100,001-500,000 SF	\$ 2,200.00
Rezoning Application, developed non-residential, =/> 500,001 SF	\$ 2,200.00 + \$115 /100,000 SF
Public Hearing signs	\$ 25.00
Public Hearing signs - Deposit	\$ 10.00

Native Development Group LLC
910 Davis Bend
Alpharetta GA 30004

July 26, 2021

BY EMAIL

Ms. Tina Garver

[\(tgarver@cityofpowdersprings.org\)](mailto:tgarver@cityofpowdersprings.org)

The Community Development Dept.
4488 Pineview Drive
Powder Springs GA 30127

Re: LETTER OF INTENT – Powder Springs Annexation of Freeman Property at Oglesby and Burrow Trail Road, Powder Springs GA

Dear Ms. Garver:

It is our pleasure to submit this letter of intent to pursue the Annexation of 126.72 acres of real property located in Cobb County GA into the City of Powder Springs subject to the below noted requests for Annexation.

The Property

The Property consists of approximately 126.72 acres in 4 parcels located in Cobb County, GA located between Burrow Trail Road (County Access Road) and Oglesby Road of the CH James Parkway. The Property is currently vacant except for a previously approved Cobb County trailer storage operation that exists on approximately 15 acres of the property. The Property is currently zoned LI- Light Industrial by Cobb County. The Developer is also finalizing the acquisition a second approximate 10-acre parcel from another Landowner and requests several related items as part of this annexation as described below.

The Project

The Applicant proposes to build an approximate 338,550 SF logistics/distribution building on approximately 56 acres of the property. The planned parking for the building currently includes 196 auto parking spaces and 107 Trailer storage locations. The warehouse is configured in a rear load layout featuring multiple potential office locations. The building is designed to accommodate up to five tenants however, the building will be marketed and positioned for a single or two tenant lease-up. The building

site plan currently includes two access points out to Burrow Trail and a planned access point to Oglesby Road.

Additional Property – Tippens Parcel

The developer also has a contract out to purchase an approximate 10-acre parcel to the north/east of the property that would serve as the access point for the logistics center onto Oglesby Road. The additional 10-acre parcel is already in the City of Powder Springs but would need to be rezoned from its existing Commercial zoning to Light Industrial. This parcel is expected to yield an approximate 60,000 SF Warehouse/Business Service building that would also benefit the County's tax digest and attract other businesses.

Variations Requested

The Developer is seeking the following variations and or support from the City of Powder Springs in conjunction with this annexation:

1. Relocation of Existing Billboard on Property

The subject property currently has a double-faced billboard on the property that will need to be relocated for the developers planned distribution building. We request that the City of Powder Springs work with the Applicant to relocate the Billboard to a mutually agreed location on another area of the property or possibly another parcel on C.H. James parkway owned by J. Freeman.

2. Burrow Trail (County Access Road) Variations

a. Burrow Trail Improvements – Curb, Gutter and Sidewalks

Applicant requests that the City of Powder Springs waive the requirement for curb, gutter and sidewalk along Burrow Trail given the commercial nature of the development, anticipated lack of pedestrian mobility and the termination/dead end of the road into the trailer/storage operation. The estimated cost burden of these items would create an economic and competitive hardship for the development.

b. Burrow Trail Improvements – Acceleration / Deceleration Lane

Applicant requests that the City of Powder Springs waive any requirements on Burrow Trail for any acceleration or deceleration lanes entering the proposed industrial developments. The traffic will be limited to the developed properties and trailer storage areas only. Traffic from the Trailer storage area is limited to their destination only, is infrequent, and is not expected to have any impact on traffic levels.

3. Existing Trailer Storage Operation

A portion of the property currently operated as an independent trailer storage operation that was previously approved and permitted by Cobb County. Applicant requests that the operation continue to operate as permitted previously by Cobb County.

4. Stream Setback Relief for Tippens Property

Applicant requests that the City of Powder Springs provide stream setback relief on the 10-acre adjacent property stream for the 25-foot impervious setback and local/county 25' undisturbed stream buffer area, respecting the 25 foot state buffer. This will allow developer to provide increased fire department access on the smaller site.

Other Project Considerations / Applicant Requests

1. Access to Oglesby Road

The attached site plan reflects an additional access points from the developed properties out to Oglesby Road. This additional access points are important given the alternative access point when leaving the property on Burrow Trail/County Road that has an acute turning radius onto Lewis Road. Oglesby Road has already been improved to provide a left-hand turn onto Lewis Road for access to CH James Parkway. As part of this access request, Applicant requests that a current “No Trucks” sign be relocated further down Oglesby Road past the proposed building Entrance/Exit. To prohibit Over the Road Trucks from leaving the facility and heading South onto Oglesby, developer will work with the City of Powder Spring to shape the exit so that making a right onto Oglesby will not occur.

Additionally, the developer requests two additional access points to Oglesby Road that would serve the smaller, 60,000 Square foot building described earlier and a proposed convenience store at Oglesby and Lewis Road (See attached drawing illustrating the curb cuts requested).

GDOT Curb Cuts

Burrow Trail (County Access Road) currently serves as the access point to the property. However, the Burrow Trail Road area sits within a current GDOT right of way area along the entire length of the road from Lewis Road for another 2000 feet down Burrow trail to the trailer storage area. Applicant requests that the City of Powder Springs facilitate getting a minimum of three curb cuts off Burrow Trail for the Applicants use: two access points for the planned 338,550 warehouse building and an additional access point for the planned the planned 60,000 SF Building on the adjacent 10-acre property mentioned previously.

Impact to Powder Springs

The proposed logistics development project is expected to generate up to 200 jobs upon leasing of the building.

Based on a Land and Estimated Cost basis the Approximate \$30 Million building will ultimately generate an estimated \$275,000 in annual tax revenues of which approximately \$85,000 will inure to the City of Powder Springs. The Developer plans to seek a tax incentive bond vehicle from the City of Powder Springs Development Authority to make the building more competitive and attractive to high quality tenants that could temporarily reduce these amounts. However, it is the developer's experience that the developed project will draw little from City of Powder Springs resources for Fire, police and EMS and will not add to the school burden as an alternative residential project might.

Based on all the above attributes and considerations, we strongly believe that an annexation to the City of Powder Springs is warranted and will be a great addition to the area, providing needed jobs, tax revenues, with little impact on traffic and community resources.

If you have any questions about the above project, please contact Joseph K. McGorrey of Native Development Group, LLC at 404-666-8484 or jmcgorrey@nativedevelopmentgroup.com.

Sincerely,

A handwritten signature in blue ink, appearing to read "Joseph K. McGorrey". The signature is stylized and cursive.

Joseph K. McGorrey

Principal