



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

Applicant Information

Name Halpern Enterprises, Inc.	Phone [REDACTED]
Mailing Address 5200 Roswell Road, NE, Atlanta, GA 30342	Email [REDACTED]

Rezoning Request Property Information


Address 2650 Powder Springs Road	Parcel ID / Lot# 19078900130	Acreage 0.83
Present Zoning NRC	Proposed Zoning CRC	
Source of Water Supply Public	Source of Sewage Disposal Public	
Proposed Use Peak Hour Trips Generated	Source	

Additional Information, If Applicable

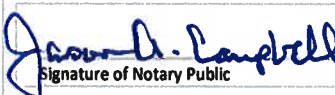
Elementary School and School's Capacity	Middle School and School's Capacity
High School and School's Capacity	

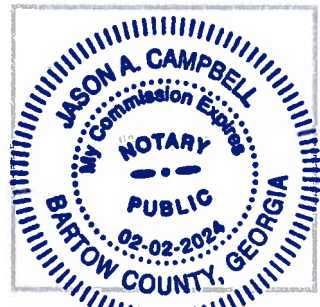
Notary Attestation

Executed in Marietta (City), GA (State).

	Parks F. Huff	<u>01-24-2024</u>
Parks F. Huff/Attorney for Applicant	Printed Name	Date

Subscribed and sworn before me this 24th day of Jan month, 2024

	Jason A. Campbell	<u>02-02-2024</u>
Signature of Notary Public	Name of Notary Public	My Commission Expires



For Official Use Only

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



**city of
powder springs**
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Application Form

Applicant Information

Name Halpern Enterprises, Inc.	Phone [REDACTED]
Mailing Address 5200 Roswell Road, NE, Atlanta, GA 30342	Email [REDACTED]

Rezoning Request Property Information


Address 3470 Crane Drive	Parcel ID / Lot# 19078900220	Acreage 0.5 ac
Present Zoning R-20	Proposed Zoning CRC	
Source of Water Supply Public	Source of Sewage Disposal Public	
Proposed Use Peak Hour Trips Generated	Source	

Additional Information, If Applicable

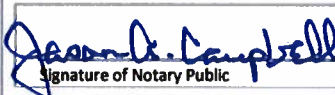
Elementary School and School's Capacity	Middle School and School's Capacity
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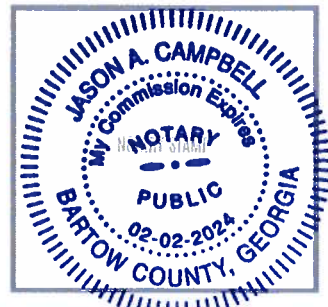
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powder springs**
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Applicant Information

Name Halpern Enterprises, Inc.	Phone [REDACTED]
Mailing Address 5200 Roswell Road, NE, Atlanta, GA 30342	Email [REDACTED]

Rezoning Request Property Information


Address Crane Drive, SW	Parcel ID / Lot# 19078900180	Acreage 1.6 ac
Present Zoning R-20	Proposed Zoning CRC	
Source of Water Supply Public	Source of Sewage Disposal Public	
Proposed Use Peak Hour Trips Generated	Source	

Additional Information, If Applicable


Elementary School and School's Capacity	Middle School and School's Capacity
High School and School's Capacity	

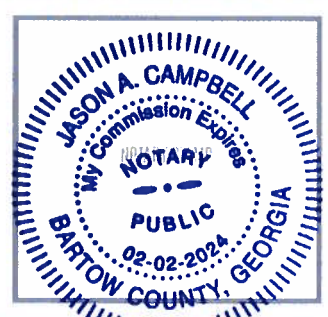
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powder springs**
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Applicant Information

Name Halpern Enterprises, Inc.	Phone [REDACTED]
Mailing Address 5200 Roswell Road, NE, Atlanta, GA 30342	Email [REDACTED]

Rezoning Request Property Information


Address 3453 Crane Drive	Parcel ID / Lot# 19078900330	Acreage 0.5 ac
Present Zoning R-20	Proposed Zoning CRC	
Source of Water Supply Public	Source of Sewage Disposal Public	
Proposed Use Peak Hour Trips Generated	Source	

Additional Information, If Applicable


Elementary School and School's Capacity	Middle School and School's Capacity
High School and School's Capacity	

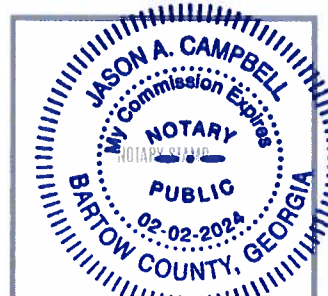
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Executed in Marionetta (City), GA (State).

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Parks F. Huff/Attorney for Applicant	Printed Name	Date

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powder springs**

Rezoning Request

Application Form

Applicant Information

Name Halpern Enterprises, Inc.	Phone [REDACTED]
Mailing Address 5200 Roswell Road, NE, Atlanta, GA 30342	Email [REDACTED]

Rezoning Request Property Information


Address Crane Drive	Parcel ID / Lot# 19078900320	Acreage 0.5 ac
Present Zoning R-20	Proposed Zoning CRC	
Source of Water Supply Public	Source of Sewage Disposal Public	
Proposed Use Peak Hour Trips Generated	Source	

Additional Information, If Applicable

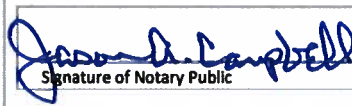
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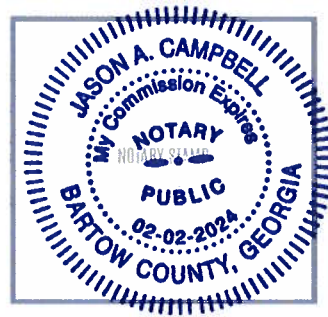
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Parks F. Huff/Attorney for Applicant	Printed Name	Date

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Rezoning Request

Notice of Intent

Applicant Information

Name Halpern Enterprises, Inc.	Phone
Mailing Address 5200 Roswell Road, NE, Atlanta, GA 30342	Email

Notice of Intent

SEE ATTACHED NOTICE OF INTENT

PART I. Please indicate the purpose of this application :

PART II. Please list all requested variances:

Part III. Existing use of subject property:

Part IV. Proposed use of subject property:

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

Applicant Signature

_____	Parks F. Huff	_____
Parks F. Huff/Attorney for Applicant	Printed Name	Date

**STATE OF GEORGIA
CITY OF POWDER SPRINGS**

NOTICE OF INTENT
Halpern Enterprises, Inc.

1. **PART I Please indicate the purpose of this application:**

These Applications for Annexation and Rezoning seek certain entitlements in order to allow the construction of a commercial retail development. The Subject Property consists of an approximate 3.93-acre tract of land located on the northeasterly side of Ernest Barrett Parkway and on the north and south sides of Crane Drive. The Subject Property is located in unincorporated Cobb County.

2. **PART II Please list all requested variances:**

There are no requests for the granting of concurrent variances.

3. **PART III Existing use of the subject property:**

The Subject Property on the east side of Ernest Barrett Parkway is presently zoned NRC and R-20 in unincorporated Cobb County.

4. **PART IV Proposed use of subject property:**

The Cobb County Future Land Use Map (“FLUM”) reflects that the Subject Properties are located within the confines of the Community Activity Center (“CAC”) land use category. The Powder Springs FLUM indicates nearby properties within the City of Powder Springs, southwesterly along Powder Springs Road and northwesterly along Macedonia Road are in the Retail Commercial, Parks/Recreation/Conservation, Mixed Use, Low Density Residential, and Medium Density Residential land use categories.

With respect to the current proposed commercial retail development, the properties are situated on the north intersection of Ernest Barrett Parkway and Powder Springs Road, and on the north side of Crane Drive, north of its intersection with Powder Springs Road.

5. **PART V Other Pertinent Information:**

Halpern Enterprises, LLC, (“Halpern”), is a privately held commercial real estate firm, specializing in retail leasing, management, acquisitions and development. Halpern is headquartered in Atlanta and owns and operates more than 50 retail centers, totaling more than 3.4 million square feet in Alabama, Georgia, North Carolina, South Carolina and Tennessee.

Based upon the foregoing reasons, Halpern respectfully requests that the Applications for Annexation and Rezoning be approved while soliciting any comments from staff or other officials of the City of Powder Springs so that such recommendations or input may be incorporated as conditions of approval of these Applications.

Respectfully submitted, this the 23rd day of January 2024.

SAMS, LARKIN, & HUFF, LLP



By: _____

PARKS F. HUFF
Attorney for Applicant
Georgia Bar No. 375010

376 Powder Springs Street, Suite 100
Marietta, GA 30064





Rezoning Request

Applicant's Written Analysis

Applicant Information

Name Halpern Enterprises, Inc.	Phone
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Mailing Address 5200 Roswell, Road, NE, Atlanta, GA 30342	Email
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Written Analysis

In details please address these Rezoning Criteria:

SEE ATTACHED ZONING ANALYSIS

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.

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.

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.

d. Whether there are substantial reasons why the property cannot or should not be used as currently zoned;

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.

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.

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.

Applicant Signature

<hr/> Parks F. Huff/Attorney for Applicant	<hr/> Parks F. Huff Printed Name	<hr/> Date
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**STATE OF GEORGIA
CITY OF POWDER SPRINGS**

ZONING ANALYSIS

Halpern Enterprises, LLC

- 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.**

The Subject Property is located in unincorporated Cobb County and is also included in a contemporaneous Annexation Application with this Rezoning Application. The Cobb County Future Land Use Map (“FLUM”) delineates the Subject Property as being within the confines of the Community Activity Center (“CAC”) land use category. The City of Powder Springs FLUM indicates nearby properties in the City of Powder Springs to the west are delineated as being in the Retail Commercial, Parks/Recreation/Conservation, Mixed Use, Low Density Residential, and Medium Density Residential land use categories. The proposed CRC zoning district and the proposed commercial retail uses contained and embodied within the Applications will constitute a transition from typical single-family development along Ernest Barrett Parkway to the proposed mixed commercial development approaching Macedonia Road’s intersection with Ernest Barrett Parkway going north from Powder Springs Road.

- 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 zoning proposal will permit a use of the property which is suitable in the context of development and existing zonings which are in direct contiguity or adjacent to the Subject Property and along the Macedonia Road and Ernest Barrett Parkway.

- c. Whether the existing use or usability of adjacent or nearby property will adversely affected by one or more uses permitted in the requested zoning district.**

The zoning proposal will have no adverse effect or impact upon the existing uses or usability of adjacent or nearby properties, the preponderance of which are residentially zoned and which transition to commercial southward on Ernest Barrett Parkway. Nearby properties within the City of Powder Springs have varying densities for MDR and LDR residential zonings.

- d. Whether there are substantial reasons why the property cannot or should not be used as currently zoned.**

The Subject Property to be affected by the Annexation and Rezoning proposal has limited reasonable economic use as currently zoned in that the fair market value of same falls below the range of values of similarly zoned and situated properties with equivalent utility. Additionally, the present owners of the Subject Property are suffering a significant economic detriment by virtue of the continuation of the present NRC and R-20 zoning classifications. Additionally, the Annexation and Rezoning of the Subject Property for commercial retail will present a unique and appropriately positioned use that brings a combination of parcels into a consolidated commercial retail development in what could otherwise now be developed for residential and commercial within unincorporated Cobb County.

- 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.**

The zoning proposal will have no adverse impact upon the existing infrastructure including, but not limited to, existing streets, fire and police protection, transportation facilities, utilities or schools.

- 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.**

The proposed commercial retail use will occupy a section of intersections of Ernest Barrett Parkway and Powder Springs Road, Crane Drive and Powder Springs Road, all located at or near a major signalized intersection which will have ingress and egress from an Arterial right-of-way (Ernest Barrett Parkway) and a Local Street (Crane Drive) and will provide an appropriate transition in intensity in all directions.

- g. Whether the proposed zoning district of MXU 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.**

The commercial retail proposal is balanced between the proposed zoning classification and the uses of the subject property and the proposed uses' impact to the public's health, safety and general welfare, all of which is beneficial from a land use perspective.

Respectfully submitted, this the 23rd day of January 2024.

SAMS, LARKIN, & HUFF, LLP



By: _____
PARKS F. HUFF
Attorney for Applicant
Georgia Bar No. 375010

376 Powder Springs Street, Suite 100
Marietta, GA 30064





Rezoning Request

Campaign Contribution Disclosure

Applicant and Attorney Information

Applicant's Name Halpern Enterprises, Inc.

Applicant's Address 5200 Roswell Road, NE, Atlanta, GA 30342

Applicant's Attorney Parks F. Huff
SAMS, LARKIN & HUFF, LLP

Attorney's Address Suite 100, 376 Powder Springs Street
Marietta, GA 30064

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:

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

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



Rezoning Request

Owner's Authorization Form

Owner's Authorization

Applicant Name Halpern Enterprises, Inc.	Applicant's Address 5200 Roswell Road, NE, Atlanta, GA 30342
Property Address 2650 Powder Springs Road	Property PIN 19078900130

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 checked="" type="checkbox"/>	Special Use <input 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)

	SS Blackstock, Inc.	
Signature of Owner	Printed Name	Date

State of _____, County of _____.

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

20____, by _____ name of signer. Identification Presented: _____.



Signature of Notary Public	Name of Notary Public	My Commission Expires

Signature of Owner	Printed Name	Date

State of _____, County of _____.

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

20____, by _____ name of signer. Identification Presented: _____.



Signature of Notary Public	Name of Notary Public	My Commission Expires



city of powder springs

Rezoning Request Owner's Authorization Form

Owner's Authorization

Applicant Name Halpern Enterprises, Inc.	Applicant's Address 5200 Roswell Road, NE, Atlanta, GA 30342
Property Address 3470 Crane Drive, SW	Property PIN 19078900220

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 checked="" type="checkbox"/>	Special Use <input 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)

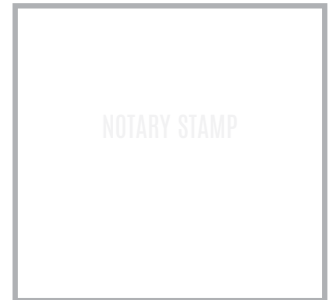
Persaud Enterprises, Inc.

_____	_____	_____
Signature of Owner	Printed Name	Date

State of _____, County of _____.

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

20 _____, by _____ name of signer. Identification Presented: _____.



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

_____	_____	_____
Signature of Owner	Printed Name	Date

State of _____, County of _____.

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



Rezoning Request

Owner's Authorization Form

Owner's Authorization

Applicant Name Halpern Enterprises, Inc.	Applicant's Address 5200 Roswell Road, NE, Atlanta, GA 30342
Property Address Crane Drive, SW	Property PIN 19078900180

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Check all that apply:

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Signature of Property Owner(s)

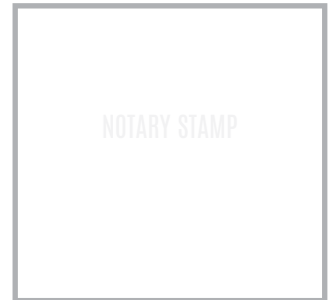
Persaud Enterprises, Inc.

_____ Signature of Owner	_____ Printed Name	_____ Date
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State of _____, County of _____.

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_____ Signature of Notary Public	_____ Name of Notary Public	_____ My Commission Expires
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State of _____, County of _____.

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Rezoning Request

Owner's Authorization Form

Owner's Authorization

Applicant Name Halpern Enterprises, Inc.	Applicant's Address 5200 Roswell Road, NE, Atlanta, GA 30342
Property Address 3453 Crane Drive	Property PIN 19078900330

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Signature of Property Owner(s)

Persaud Enterprises, Inc.		
Signature of Owner	Printed Name	Date
State of _____, County of _____.		
This instrument was acknowledged before me this _____ day of _____ month.		
20 _____, by _____ <small>name of signer</small> . Identification Presented: _____.		
Signature of Notary Public	Name of Notary Public	My Commission Expires

NOTARY STAMP

Signature of Owner	Printed Name	Date
State of _____, County of _____.		
This instrument was acknowledged before me this _____ day of _____ month.		
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Signature of Notary Public	Name of Notary Public	My Commission Expires

NOTARY STAMP



Rezoning Request

Owner's Authorization Form

Owner's Authorization

Applicant Name Halpern Enterprises, Inc.	Applicant's Address 5200 Roswell Road, NE, Atlanta, GA 30342
Property Address Crane Drive Powder Springs, GA	Property PIN 19078900320

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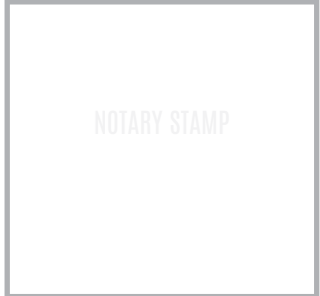
Signature of Property Owner(s)

	Persaud Enterprises, Inc.	
Signature of Owner	Printed Name	Date

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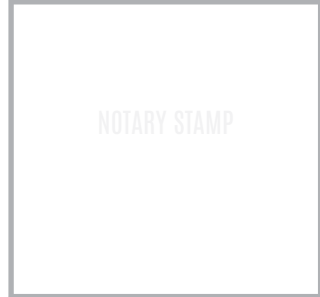
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