
ZONING ANALYSIS

Planning Commission Public Hearing

September 4, 2014

Board of Commissioners' Public Hearing

September 16, 2014

Prepared by:
COBB COUNTY
PLANNING AND ZONING DIVISIONS

COBB COUNTY BOARD OF COMMISSIONERS

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John Pederson, Manager, Zoning Division



Cobb County... Expect the Best!

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Every application for rezoning involving a request for a non-residential zoning district shall include a complete written, documented analysis of the impact of the proposed rezoning with respect to each of the following matters:

- (a) Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property;
- (b) Whether the zoning proposal will adversely affect the existing use or usability of adjacent property or nearby property;
- (c) Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned; and
- (d) Whether the zoning proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities or schools.
- (e) Whether the zoning proposal is in conformity with the policy and intent of the land use plan; and
- (f) 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.

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COBB COUNTY
ZONING HEARING AGENDA
Planning Commission – September 4, 2014

NOTE: *The applicant/property owner(s), prior to hearing date, may withdraw petitions contained in this agenda; therefore, the Planning Commission will not consider those cases.*

CONTINUED CASES

- Z-2** **ISAKSON LIVING COMMUNITIES, LLC** (Wylene S. Tritt, owner) requesting Rezoning from **R-20** to **CCRC** for the purpose of a Continuing Care Retirement Facility in Land Lots 965 and 966 of the 16th District. Located on the south side of Roswell Road, across from Providence Road, and west of Robinson Road (3540 Roswell Road). *(Continued by Staff until the November 4, 2014 Planning Commission hearing; therefore will not be considered at this hearing)*
- Z-45** **MCP-ACKERMAN CORPORATE FORUM, LLC** (owner) requesting Rezoning from **GC** to **RRC** for the purpose of a Mixed Use Development in Land Lots 850, 851, 876 and 877 of the 17th District. Located on the southwest side of Circle 75 Parkway, south of Windy Hill Road (4501 Circle 75 Parkway). *(Continued by Staff until the October 7, 2014 Planning Commission hearing; therefore will not be considered at this hearing)*
- Z-48** **DAVID PEARSON COMMUNITIES, INC.** (Elizabeth D. Pearson, owner) requesting Rezoning from **LRO** to **FST** for the purpose of Detached Single-Family Townhomes in Land Lots 629 and 630 of the 16th District. Located on the south side of First Drive, east of Sandy Plains Road (1955 First Drive). *(Previously continued by the Planning Commission from their July 1, 2014 hearing and previously continued by Staff from the August 5, 2014 Planning Commission hearing)*

- Z-50** **GEORGIA KIDS PROJECT, LLC** (AGWC Holding, Inc., Liberty Church, Inc., and Carpenter Braselton, Inc., owners) requesting Rezoning from **NRC, GC** and **OS** to **CRC** for the purpose of Indoor and Outdoor Recreational Facilities in Land Lots 660 and 709 of the 16th District. Located on the west side of Canton Road, north of Sylvan Drive. *(Continued by Staff until the October 7, 2014 Planning Commission hearing; therefore will not be considered at this hearing)*
- Z-54** **BELMONT ASSOCIATES, LLC** (Madge H. Duncan Estate, Our Future Is Bright, LLLP, owners) requesting Rezoning from **RM-8** and **R-20** to **RM-8** for the purpose of a Single-Family Subdivision and Townhomes in Land Lots 699 and 742 of the 17th District. Located on the east side of Atlanta Road, south of Jane Lyle Road. *(Continued by Staff until the October 7, 2014 Planning Commission hearing; therefore will not be considered at this hearing)*
- Z-56** **BROOKS CHADWICK, LLC** (Kenneth B. Clary, owner) requesting Rezoning from **R-30** to **RM-8** for the purpose of Townhouses in Land Lots 468 and 469 of the 16th District. Located on the south side of Shallowford Road, east of Johnson Ferry Road. *(Continued by Staff until the October 7, 2014 Planning Commission hearing; therefore will not be considered at this hearing)*
- SLUP-14** **MUNICIPAL COMMUNICATIONS, LLC** (River Heights Exchange, LLC, owner) requesting a **Special Land Use Permit** for the purpose of Wireless Communications Tower and Antennas in Land Lots 1085 and 1086 of the 17th District. Located on the southeast side of River Heights Crossing, northeast of Riverlook Parkway (3702 River Heights Crossing). *(Continued by Staff until the October 7, 2014 Planning Commission hearing; therefore will not be considered at this hearing)*

SLUP-17 JUBILEE CHRISTIAN CHURCH INTL. GLORY AND TABERNACLE, INC. (owner) requesting a **Special Land Use Permit** for the purpose of School, Worship Services and Pre-K Program in Land Lot 717 of the 19th District. Located on the north side of Macedonia Road, east of Hopkins Road (3000 and 3066 Macedonia Drive). *(Previously continued by Staff from the August 5, 2014 Planning Commission hearing)*

REGULAR CASES --- NEW BUSINESS

Rezoning

Z-58 HABITAT FOR HUMANITY OF NORTHWEST METRO ATLANTA, INC. (owner) requesting Rezoning from **NS** and **R-20** to **R-20** for the purpose of Two Single-Family Houses in Land Lot 33 the 18th District. Located on the northwest side of South Gordon Road, southwest of Veterans Memorial Highway (5730 South Gordon Road).

Z-59 COMPASS SELF STORAGE (Amsdell Storage Ventures X, LLC, owner) requesting Rezoning from **LI with Stipulations** to **LI with Stipulations** for the purpose of Self Storage with U-Haul in Land Lot 94 of the 20th District. Located on the northeast side of George Busbee Parkway, and on the west side of Frey Road (3885 Frey Road).

Z-60 WEST COBB SENIOR LIVING, LLC (Due to individual parcels, a complete list of titleholders is available in the Zoning Office) requesting Rezoning from **R-20** to **RSL** for the purpose of a Senior Living Community in Land Lots 331 and 332 of the 20th District. Located on the southwest side of Dallas Highway, northeast side of Kennesaw View Drive, west of West Sandtown Road (Due to numerous addresses, a complete list of addresses can be found in the file in the Zoning Office).

- Z-61** **CAPITAL CITY VIEW HOMES, LLC** (Nasreen Rafiq, Mohammad Goshayeshi and Esrafil Hervani, owners) requesting Rezoning from **R-20** to **RA-5** for the purpose of a Single-Family Residential Subdivision in Land Lot 8 of the 1st District. Located on the northwest side of Woodlawn Drive, north of Powers Road (333 Woodlawn Drive). *(Continued by Staff until the October 7, 2014 Planning Commission hearing; therefore will not be considered at this hearing)*
- Z-62** **EDDIE E. MOON** (Eddie E. Moon and Howell Shopping Center, Inc., owners) requesting Rezoning from **GC** and **R-20** to **LI** and **CRC** for the purpose of Mechanical Repair of Cars and Trucks, and Community Retail Uses in Land Lot 498 of the 18th District. Located at the northeast intersection of Mableton Parkway and Hunnicut Road (6981 and 7005 Mableton Parkway).
- Z-63** **SHALLOWFORD HARDWARE, LLC** (Danny W. McCurdy, owner) requesting Rezoning from **R-20** to **NRC** for the purpose of Retail Hardware and Related Uses in Land Lot 338 of the 16th District. Located on the south side of Shallowford Road, west of Palladian Village Drive and Steinhauer Road (2510 Shallowford Road).

Land Use Permits

- LUP-27** **MARIA CLAUDIA ORTEGA** (Jesus Maria Silva and Maria Claudia Ortega, owner) requesting a **Land Use Permit** for the purpose of a Daycare in Land Lots 949 and 950 of the 16th District. Located on the east side of Allgood Road, north of Camellia Drive, (1096 Allgood Road).
- LUP-28** **MARIE MCCLESKEY** (Christopher Roy McCleskey and Marie Simpson McCleskey, owners) requesting a **Land Use Permit (Renewal)** for the purpose of a Portrait Studio in Land Lot 241 of the 16th District. Located on the north side of Arbor Spring Way, east of Arbor Spring Drive (2673 Arbor Spring Way).

LUP-29 EAST COBB CHURCH OF CHRIST, INC. (owner) requesting a **Land Use Permit** for the purpose of a Morning Preschool in Land Lots 165, 166, 205 and 206 of the 1st District. Located on the south side of Roswell Road, east of River Forest Drive (5240 Roswell Road).

LUP-30 DONNA L. PARKER (owner) requesting a **Land Use Permit** for the purpose of Allowing More Vehicles Than The County Code Permits in Land Lot 1027 of the 16th District. Located on the east side of Woodmont Court, west of Woodmont Drive (1932 Woodmont Court).
WITHDRAWN WITHOUT PREJUDICE

Special Land Use Permits

SLUP-18 CENTRAL CITY TOWING (Silver Creek Properties, Inc., owner) requesting a **Special Land Use Permit** for the purpose of an Impound Lot in Land Lots 309 and 310 of the 18th District. Located on the eastern end of Pritchett Industrial Boulevard, east of Maxham Road (2073 Cardell Road).

HELD CASES

Z-46 JW HOMES, LLC (Paul Samuel Properties, LLP, Double Edge, LLC, and Laverne and Carl Abbott, owners) requesting Rezoning from **R-20** and **R-30** to **R-20/OSC** for the purpose of a Single-Family Residential Subdivision in Land Lots 237, 258 and 259 of the 20th District. Located on the south side of Paul Samuel Road, on the east side of Acworth Due West Road, at the eastern terminus of Justice Drive, at the eastern terminus of West Pointe Drive, and at the southern terminus of Liberty Lane. *(Previously continued by Staff and previously held by the Planning Commission from their August 5, 2014 hearing)*

NOTE: “Pursuant to the Official Code of Cobb County, Zoning – Section 134-124(b) the Cobb County Board of Commissioners is authorized to consider and may consider all constitutionally permissible zoning classification(s), including, but not limited to, intervening classification(s) and/or the classification(s) sought by the applicant.”

Cobb County
ZONING HEARING AGENDA
Board of Commissioners – September 16, 2014

NOTE: Some of these petitions may not be heard by the Board of their public hearing, and some cases may be withdrawn by the applicant/owner

CONTINUED CASES

Z-40 FEEDING GOD’S CHILDREN MINISTRY (Sheila Bynum, owner) requesting Rezoning from **RA-5** to **R-30** for the purpose of a Church in Land Lot 202 of the 17th District. Located on the east side of Sandtown Road, south of Windy Hill Road. *(Previously continued by Staff from the June 17, 2014 and July 15, 2014 Board of Commissioners hearings)* **WITHDRAWN WITHOUT PREJUDICE**

REGULAR CASES --- NEW BUSINESS

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OTHER BUSINESS

ITEM OB-35

To consider amending the stipulations for the North Atlanta Soccer Association regarding Special Land Use Permit application LUP-3 of 1990 (Metro North Youth Soccer Association, Inc.), for property located on the north side of Paper Mill Road, west of Johnson Ferry Road in Land Lots 5, 6, 73 of the 1st District. *(Previously continued by Staff from the July 15, 2014 and August 19, 2014 Board of Commissioners hearing)*

ITEM OB-48

To consider a site plan and stipulation amendment for Captain Ashok K. Sagar regarding rezoning application Z-114 of 2002 (Captain Ashok K. Sagar), for property located on the south side of Veterans Memorial Highway, east of North Allen Road in Land Lot 45 of the 18 District. *(Previously continued by Staff from the August 19, 2014 Board of Commissioners hearing)*

ITEM OB-55

To consider a site plan and stipulation amendment for Suncap Property Group regarding rezoning application Z-94 of 2006 (B. Jadow & Sons, Inc.), for property located at the southwesterly intersection of Factory Shoals Road and White Road, and on the north side of Third Flags Parkway in Land Lots 681,682, 702, 703, 704, 775 and 776 of the 18th District.

ITEM OB-56

To consider a stipulation amendment for The Space Atlanta, LLC regarding rezoning application Z-45 of 2012 (Last Stand Fitness, LLC), for property located on the west side of Atlanta Road at Brownwood Lane, and on the east side of I-285, south of Atlanta Road in Land Lot 763 of the 17th District.

ITEM OB-57

To consider a site plan and stipulation amendment for Mount Bethel Christian Academy, Inc. regarding application SLUP-11 of 2013 (Mt. Bethel United Methodist Church, Inc.), for property located on the north side of Post Oak Tritt Road, west of Holly Springs Road in Land Lots 599, 600, 625 and 626 of the 16th District.

ITEM OB-58

To consider a site plan amendment for NEDA Investments, LLC regarding rezoning application Z-25 of 2012 (NEDA Investments), for property located on the west side of Holly Springs Road, northwest of Paul's Way in Land Lots 529 of the 16th District.

ITEM OB-59

To consider a site plan amendment for Hedgerose Development regarding rezoning application Z-86 of 1999 (Jack E. Wilson), for property located on the south side of Stilesboro Road, east of Mars Hill Road in Land Lots 223 and 224 of the 20th District.

NOTE: **“Pursuant to the Official Code of Cobb County, Zoning – Section 134-124(b) the Cobb County Board of Commissioners is authorized to consider and may consider all constitutionally permissible zoning classification(s), including, but not limited to, intervening classification(s) and/or the classification(s) sought by the applicant.”**