
ZONING ANALYSIS

Planning Commission Public Hearing

June 7, 2016

Board of Commissioners' Public Hearing

June 21, 2016

Prepared by:
COBB COUNTY
PLANNING AND ZONING DIVISIONS

COBB COUNTY BOARD OF COMMISSIONERS

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COBB COUNTY ZONING DIVISION
COMMUNITY DEVELOPMENT DEPARTMENT

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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–June 7, 2016

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-11** **MANOUCHEHR JAHANGARD** (Hilswepow, LLC, owner) requesting Rezoning from **PSC** and **R-20** to **NRC** for the purpose of a Climate-Controlled Self-Storage Facility in Land Lot 34 of the 18th District. Located at the southeast corner of Veterans Memorial Highway and Powell Drive, and on the south side of Old Powder Springs Road (1391 Veterans Memorial Highway). *(Previously continued by the Planning Commission from their February 2, 2016 hearing, previously continued by Staff from the March 1, 2016 Planning Commission hearing, and Held by the Planning Commission from the April 5, 2016 hearing.)*
- Z-18** **POPE & LAND ENTERPRISES, INC.** (John M. Struhar, Jr., Edward K. Murphy and Denise D. Murphy, owners) requesting Rezoning from **RM-8** to **RRC** for the purpose of a Mixed Use Development in Land Lot 977, of the 17th District. Located on the easterly side of River Oaks Drive, north of Stillhouse Lane. *(Previously continued by Staff from the March 1, 2016, April 1, 2016 and May 3, 2016 Planning Commission hearings.)*
- Z-33** **OWF INVESTMENT CORP** (Thomas Neal Smith as Guardian for Henry Thomas Smith and as Executor for the Estate of Virginia H. Smith, Rickey W. Gasaway, Debbie L. Scragg, Steven F. Uberto, and Henry F. Uberto, owners) requesting Rezoning from **R-20** to **R-15** for the purpose of a Residential Subdivision in Land Lots 987 and 988 of the 16th District. Located on the southwest corner of Sewell Mill Road and Braswell Road, south of Meadow Wood Court (2289 Sewell Mill Road, 1065 and 1093 Braswell Road). *(Previously continued by Staff from the May 3, 2016 Planning Commission hearing.)*

- Z-35** **ADVENTUR LIVING LLC** (T.M. Denome, William Harry Nelson and Glenna S. Nelson, and Harold R. Burtz, owners) requesting Rezoning from **R-20** and **R-80** to **RSL(Non-Supportive)** for the purpose of Senior Living in Land Lots 304 and 345 of the 16th District. Located on the east side of Ebenezer Road, north of Blackwell Road, and the western terminus of Cedar Ridge Road (3750, 3860, and 3862 Ebenezer Road). *(Held by the Planning Commission until June 7, 2016)*
- Z-37** **ROYAL RESIDENTIAL LLC** (Wilma J. Layton, owner) requesting Rezoning from **R-20** to **RM-8** for the purpose of Townhomes in Land Lot 962 of the 16th District. Located on the northwest corner of Roswell Road and Vester Drive (1189 Vester Drive and 2931 Roswell Road). *(Previously continued by Staff from the May 3, 2016 Planning Commission hearing.)*
- Z-40** **ELITE AUTO COLLISION & SALES** (2K Consulting Group LLC, Detong Chen, owners) requesting Rezoning from **LI** to **CRC** for the purpose of Collision and Service Center in Land Lot 46 of the 18th District. Located on the south side of Veterans Memorial Highway, east of Lakeshore Drive (380 Veterans Memorial Highway). *(Previously continued by Staff from the May 3, 2016 Planning Commission hearing.)*
- SLUP-4** **MANOUCHEHR JAHANGARD** (Hilswepow, LLC, owner) requesting a **Special Land Use Permit** for the purpose of a Climate-Controlled Self-Storage Facility in Land Lot 34 of the 18th District. Located at the southeast corner of Veterans Memorial Highway and Powell Drive, and on the south side of Old Powder Springs Road (1391 Veterans Memorial Highway). *(Previously continued by the Planning Commission from their February 2, 2016 hearing, previously continued by Staff from the March 1, 2016 Planning Commission hearing, and Held by the Planning Commission from the April 5, 2016 hearing.)*
- SLUP-5** **VERIZON WIRELESS (VAW) LLC** (William Pappert, owner) requesting a **Special Land Use Permit** for the purpose of a Telecommunications Facility in Land Lot 1179 of the 19th District. Located on the east side of Hill Road, west of Brownsville Road (4980 Brownsville Road). *(Previously continued by Staff from the May 3, 2016 Planning Commission hearing).* **WITHDRAWN WITHOUT PREJUDICE**

REGULAR CASES --- NEW BUSINESS

Rezoning

- Z-42** **AMADU MANE** (Deepak Pahari, owner) requesting Rezoning from **GC** to **NRC** for the purpose of a Grocery Store in Land Lot 147 of the 18th District. Located on the northwest corner of South Gordon Road and Old Alabama Road (1956 Old Alabama Road).
- Z-43** **URBAN ENGINEERS, INC.** (Factory Shoals Logistics, LLC, Suncap Atlanta # 2, LLC, owners) requesting Rezoning from **R-20** and **HI** to **HI** for the purpose of Warehouse in Land Lots 681 and 682 of the 18th District. Located on the northwest side of Factory Shoals Road, across from White Road (no address given).
- Z-45** **NEAL HODO** (Neal Hodo, owner) requesting Rezoning from **CF** and **R-20** to **NRC** for the purpose of Landscape Company in Land Lot 1301 of the 19th District. Located on the north side of Veterans Memorial Highway, east of Davis Drive and South of Spring Road (1722 Veterans Memorial Highway).
- Z-46** **FIVE-K, INC.**, (Five-K, Inc, owner) requesting Rezoning from **NS** to **NRC** for the purpose of Neighborhood Retail in Land Lot 588 of the 16th District. Located on the east side of Canton Road, south of Rosedale Drive (2568 Canton Road).
- Z-47** **PEBBLEBROOK DEVELOPMENT, LLC** (Evelyn Joyce Boatright, Kyle Wesley Boatright and Jason Ashley Mauldin, Trustees of the Marital Trust B U/W of THOMAS ALEXANDER ELLIS, owners) requesting Rezoning from **R-20** and **R-80** to **R-15** for the purpose of Residential Neighborhood in Land Lots 29, 45, 46 and 47 of the 19th District. Located on the south side of Old Dallas Road, east of Villa Rica Way, and on the north end of Hickory Stick Lane (no address given).
- Z-48** **FORMATION DEVELOPMENT GROUP** (The Homer Trust under Trust dated October 8, 1996 and the Item IV Trust under the last Will and Testament of Harry F. Homer Sr., owner) requesting Rezoning from **RSL** to **RSL-SUPPORTIVE** for the purpose of Residential Senior Living- Supportive in Land Lot 66 and 67 of the 1st District. Located on the northern corner of Johnson Ferry Road and Little Willeo Road (no address given).

- Z-49** **JANAAL COLEMAN** (Jasara, Inc., owner) requesting Rezoning from **GC** to **NRC** for the purpose of adding a fruit stand in Land Lots 556 and 557 of the 19th District. Located on the northern corner of Austell Road and Callaway Road. (2688 Austell Road).
- Z-50** **ADVENTUR LIVING LLC** (Kymberly Brown Taylor Matthews a/k/a Kymberly Mitchell Taylor, Executor of the estate of Philip Kirk Brown: et al, owners) requesting Rezoning from **R-20** to **RSL** for the purpose of Residential Senior Living (Non-Supportive) in Land Lots 538, 539, 572, and 613 of the 19th District. Located on the east side of Hopkins Road, northwest side of John Petree Road, south of Macland Road (2411 & 2427 Hopkins Road; 2495, 3435 and 3455 Macland Road).
- Z-51** **ADVENTUR LIVING LLC** (James Richard Gaydon; Lonie M. Barfield a/k/a Lonnie Melba Barfield, owners) requesting Rezoning from **R-30** to **R-20** for the purpose of Residential Subdivision in Land Lot 497 of the 19th District. Located on the north side of Macland Road, east of McMurry Drive (3204 Macland Road).
- Z-52** **CENTRIC DEVELOPMENT, LLC** (Kim Dang Nguyen; Thong Trong Truong; Katie M. Lee; Kull Curry Brown, owners) requesting Rezoning from **R-20** to **RSL - SUPPORTIVE** for the purpose of Residential Senior Living (Supportive) in Land Lot 329 of the 20th District. Located on the west side of Ernest Barrett Parkway, south of Zachary Woods Drive, north of Dallas Highway (3292, 3312 and 3322 Ernest Barrett Parkway).
- Z-53** **PRADERA GROUP LLC** (Purcell Trust as set forth in the PURCELL TRUST AGREEMENT dated March 16, 2004, owners) requesting Rezoning from **R-20** to **R-12** for the purpose of Single Family subdivision in Land Lot 770 of the 17th District. Located on the northwest corner of Spring Hill Road and Simpson Road (3684 Spring Hill Road).
- Z-54** **BUTLER BROTHERS TIRE COMPANY** (M. A. T. Investments, LLC, owner) requesting Rezoning from **GC** to **NRC** for the purpose of Automotive and Related Retail Uses in Land Lots 47, 54 and 56 of the 19th District. Located on the east side of Austell Road, north side of Roberta Circle Extension; Westerly side of Roberta Circle; North, south, east and west sides of Stallion Parkway (no address given).

Z-55 **HENRY ROBERT, DIRECTOR OF REAL ESTATE, TAKE 5 OIL** (92 Woodstock, LLC, owner) requesting Rezoning from **PSC** to **NRC** for the purpose of Light Automotive Repair in Land Lot 108 of the 16th District. Located on the northeast side of Woodstock Road, northwest of Surrey Road (4704 Woodstock Road).

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.”**

The exact description of the property sought to be rezoned is on file in the office of the Cobb County Community Development, Zoning Division, 1150 Powder Springs Street, Suite 400, Marietta, Georgia 30064 and available for inspection by interested citizens between the hours of 8:00 a.m. and 5:00 p.m. Monday through Friday.

Hearing on said petitions will be heard by the Cobb County Planning Commission at 9:00 a.m. on the prescribed hearing date. The public hearing will be held in the Second Floor Commissioners’ Meeting Room, Cobb County Building, 100 Cherokee Street, Marietta, Georgia, 30090.

Anyone wishing to attend this public hearing may do so and be heard relative thereto. Any person wishing to speak before the Planning Commission must file a contribution disclosure statement if, and only if, the monetary contribution was made within two (2) years immediately preceding the filing of the rezoning request and the contribution aggregates to a sum total of \$250.00 or more.

This disclosure statement must be submitted to the Zoning Division Office by mail to P. O. Box 649, Marietta, Georgia 30061 or in person at 1150 Powder Springs Street, Suite 400, Marietta, Georgia 30064 within five (5) days before the public hearing.

Additionally, if you believe you need any special accommodations in order to attend these public hearings, please contact the County Clerk’s Office at 770-528-3307 no later than 48 hours before the date of the above meeting.

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COBB COUNTY
ZONING HEARING AGENDA
Board of Commissioners–June 21, 2016

***NOTE:** Some of these petitions may not be heard by the Board of Commissioners. The Planning Commission may hold or continue some cases at their public hearing, and some cases may be withdrawn by the applicant/owner.*

CONTINUED OR HELD CASES BY PLANNING COMMISSION, BOARD OF COMMISSIONERS OR STAFF (TO BE HEARD)

Rezoning

- Z-11** **MANOUCHEHR JAHANGARD** (Hilswepow, LLC, owner) requesting Rezoning from **PSC** and **R-20** to **NRC** for the purpose of a Climate-Controlled Self-Storage Facility in Land Lot 34 of the 18th District. Located at the southeast corner of Veterans Memorial Highway and Powell Drive, and on the south side of Old Powder Springs Road (1391 Veterans Memorial Highway). *(Previously continued by the Planning Commission from their February 2, 2016 hearing and continued by Staff until the April 1, 2016 Planning Commission hearing; held by the Planning Commission until their June 7, 2016 hearing)*
- Z-24** **BOOS DEVELOPMENT GROUP, INC.** (Mason Wayne Miller and Mary K. Miller, owners) requesting Rezoning from **NRC** and **R-20** to **NRC with Stipulations** for the purpose of Retail in Land Lot 1263 of the 19th District. Located at the intersection of the northwesterly side of Brownsville Road and the easterly side of Pine Valley Road. *(Held by the Board of Commissioners from the May 17, 2016 hearing)*
- Z-33** **OWF INVESTMENT CORP** (Thomas Neal Smith as Guardian for Henry Thomas Smith and as Executor for the Estate of Virginia H. Smith, Rickey W. Gasaway, Debbie L. Scragg, Steven F. Uberto, and Henry F. Uberto, owners) requesting Rezoning from **R-20** to **R-15** for the purpose of a Residential Subdivision in Land Lots 987 and 988 of the 16th District. Located on the southwest corner of Sewell Mill Road and Braswell Road, south of Meadow Wood Court (2289 Sewell Mill Road, 1065 and 1093 Braswell Road). *(Previously continued by Staff from the May 3, 2016 Planning Commission hearing.)*

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CONTINUED OR HELD CASES BY PLANNING COMMISSION, BOARD OF COMMISSIONERS OR STAFF (NOT TO BE HEARD)

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WITHDRAWN CASE

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OTHER BUSINESS CASES

ITEM OB-028

To consider a stipulation amendment and site plan approval for NorSouth Development Company of Georgia, LLC regarding rezoning applications #248 of 1979 (River Properties, Inc.) and #12 of 1980 (Lenox Peachtree, Inc), for property located on the east side of Windy Hill Road, and on the north side of Wildwood Parkway, in Land Lots 987 and 988 of the 17th District. *(Continued by the Board of Commissioners until the June 21, 2016 hearing date).*

ITEM OB-030

To consider a stipulation amendment and site plan amendment for James Towery regarding rezoning applications #321 of 1985 (Gene Hall Associates) and Z-50 of 1991 (James W. Moore, Jr.), for property located on the north side of First Drive, west of Grove Park Court, in Land Lot 629 of the 16th District.

ITEM OB-031

To consider a stipulation amendment and site plan amendment for Cambridge Real Property Holdings, LLC regarding rezoning application Z-54 of 2012 (Ballantry Homes (West Cobb), Inc.), for property located at the northeast intersection of Macland Road and Bankstone Drive, in Land Lots 471, 472, 491 and 492 of the 19th District.

ITEM OB-032

To consider a stipulation amendment and site plan amendment for Naseeb Rana regarding rezoning application Z-21 of 2015 (DDR Corporation), for property located on the south side of Sandy Plains Road, west of State Route 92, in Land Lot 107 of the 16th District.

ITEM OB-033

To consider a site plan amendment for Scot Clark regarding rezoning application Z-112 of 1999 (Hawkins Development Corporation), for property located on the west side of Cumberland Parkway, and on the east side of I-285, in Land Lots 816 and 817 of the 17th District.

ITEM OB-034

To consider a stipulation amendment for Howie Ewe (Sweet Hut) regarding rezoning application Z-169 of 2003 (Bright-Meyers 2001, LLC), for property located on the west side of Chastain Meadows Parkway, north of Barrett Parkway, in Land Lots 571, 572 and 582 of the 16th District.

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