

**COBB COUNTY PLANNING COMMISSION
ZONING HEARING SUMMARY AGENDA
NOVEMBER 1, 2016**

CONSENT CASES

- Z-94** JLM INVESTMENT GROUP
Z-96 COBB COUNTY BOARD OF COMMISSIONERS
Z-98 SHOWCASE REAL ESTATE DEVELOPMENT, LLC
Z-99 CH REALTY VI/R ATLANTA TOWNPARK, LLC.
Z-102 RIVERVIEW ASSOCIATES, LTD.
LUP-25 WILLIE ABERNATHY *(Previously continued by Staff until the November 1, 2016 Planning Commission hearing)*
LUP-34 SARAH WELLS
SLUP-15 C.W. MATTHEWS CONTRACTING COMPANY, INC

CONTINUED AND HELD CASES – TO BE HEARD

- Z-80** FIRST CENTER, INC. *(Previously continued by the Planning Commission from the October 4, 2016 hearing until the November 1, 2016 hearing)*
Z-85 PARADISE GROUP, LLC *(Previously held by the Planning Commission from the October 4, 2016 hearing until the November 1, 2016 hearing)*
Z-91 POLLACK SHORES DEVELOPMENT, LLC *(Previously continued by Staff until the November 1, 2016 Planning Commission hearing)*

REGULAR CASES

- Z-95** CARROLL & CARROLL PROPERTIES
Z-97 ROYAL RESIDENTIAL, INC
Z-101 PROVINCE HOMES, LLC

WITHDRAWN CASE

- Z-100** TPA ACQUISITIONS, LLC

OTHER BUSINESS

- OB-07** To adopt the dates and time of the Planning Commission Zoning Hearings for the Calendar Year 2017.

**CONTINUED OR HELD CASES BY PLANNING COMMISSION OR
STAFF-NOT TO BE HEARD**

- Z-18** **POPE & LAND ENTERPRISES, INC** *(Continued by Staff from the March 1, 2016, April 1, 2016, May 3, 2016, June 7, 2016, July 7, 2016, August 2, 2016, September 8, 2016, October 4, 2016 and November 1, 2016 Planning Commission hearings; therefore will not be considered in November)*
- Z-84** **JAMES C. LANE, JR.** *(Continued by the Planning Commission from the October 4, 2016 hearing; continued by staff from the November 1, 2016 hearing until the December 6, 2016 Planning Commission hearing)*
- Z-86** **WINDSONG PROPERTIES, LLC** *(Continued by Staff from the October 4, 2016 and November 1, 2016 Planning Commission hearings until the December 6, 2016 hearing; therefore will not be considered in November)*
- Z-93** **KAPLAN MORGAN VININGS DEVELOPMENT, LLC** *(Continued by Staff until the December 6, 2016 Planning Commission hearing; therefore will not be considered in November)*
- LUP-29** **SM LIVING, LLC** *(Continued by Staff until the December 6, 2016 Planning Commission hearing; therefore will not be considered in November)*
- LUP-30** **SM LIVING, LLC** *(Continued by Staff until the December 6, 2016 Planning Commission hearing; therefore will not be considered in November)*
- LUP-31** **SM LIVING, LLC** *(Continued by Staff until the December 6, 2016 Planning Commission hearing; therefore will not be considered in November)*
- LUP-32** **SM LIVING, LLC** *(Continued by Staff until the December 6, 2016 Planning Commission hearing; therefore will not be considered in November)*
- LUP-33** **SM LIVING, LLC** *(Continued by Staff until the December 6, 2016 Planning Commission hearing; therefore will not be considered in November)*

**COBB COUNTY PLANNING COMMISSION
ZONING HEARING *CONSENT* AGENDA
NOVEMBER 1, 2016**

Zoning Cases

Z-94 JLM INVESTMENT GROUP (The Estate of James G. Hindman, owner) requesting Rezoning from **R-20** to **RA-5** for the purpose of a Subdivision in Land Lot 70 of the 1st District. Located on the east side of Woodlawn Drive, south of Lower Roswell Road. Staff recommends **APPROVAL** to the RA-5 zoning district subject to:

1. Site plan received by the Zoning Division on October 18, 2016, with the District Commissioner approving minor modifications;
2. Variance requested in the Zoning Comments section;
3. Letter of agreeable stipulations from Mr. James A. Balli dated October 26, 2016;
4. Fire Department comments and recommendations;
5. Water and Sewer Division comments and recommendations;
6. Stormwater Management Division comments and recommendations;
7. Department of Transportation comments and recommendations; and
8. Owner/developer to enter into a Development Agreement pursuant to O.C.G.A. §36-71-13 for dedication of system improvements to mitigate traffic concerns.

Z-96 COBB COUNTY BOARD OF COMMISSIONERS (Cobb County Board of Commissioners, owner) requesting Rezoning from **NS** to **NRC** for the purpose of Retail, Office, and Restaurant in Land Lot 14 of the 17th District. Located at the southwest intersection of Austell Road and Wanda Circle, north of Windy Hill Road. Staff recommends **APPROVAL** to the NRC zoning district subject to:

1. Property is approved “as-built” accounting for its current situation in regards to lot size, setbacks, floor area ratio, impervious surface, and parking;
2. Future changes/additions to the property including building architecture to be approved by the District Commissioner;
3. Fire Department comments and recommendations;
4. Water and Sewer Division comments and recommendations;
5. Stormwater Management Division comments and recommendations;
6. Department of Transportation comments and recommendations;
7. Prohibited uses include light automotive repair, bail bonds, check cashing, or business that have or sell alcoholic beverages;
8. No outdoor storage or outdoor display of merchandise; and
9. Applicant or owner to install fencing along south property and west property lines, fencing shall not be required if adjoining property owner(s) enters into a cross access/parking easement or if the property is assembled with adjoining property for redevelopment.

Z-98 SHOWCASE REAL ESTATE DEVELOPMENT, LLC (4012 STEINHAUER ROAD, LLC and John Maddox, owners) requesting Rezoning from **R-20** to **R-15/OSC** for the purpose of a Subdivision in Land Lot 265 of the 16th District. Located on the east side of Steinhauer Road and on the north side of Pete Shaw Road. Staff recommends **APPROVAL** to the R-15 OSC zoning district subject to:

1. Site plan received by the Zoning Division October 12, 2016, with the District Commissioner approving minor modifications;
2. Planning Division comments;
3. Letter of agreeable stipulations from Black Eagle Strategies, LLC dated October 26, 2016;
4. Fire Department comments and recommendations;
5. Water and Sewer Division comments and recommendations;
6. Stormwater Management Division comments and recommendations;
7. Department of Transportation comments and recommendations; and
8. Owner/developer to enter into a Development Agreement pursuant to O.C.G.A. §36-71-13 for dedication of system improvements to mitigate traffic concerns.

Z-99 CH REALTY VI/R ATLANTA TOWNPARK, LLC. (CH Realty VI/R Atlanta Townpark, LLC., owners) requesting Rezoning from **UVC** to **UVC** for the purpose of a Stipulation Amendment Adding Use in Land Lots 362 and 363 of the 16th District. Located at the northeastern intersection of Chastain Road and George Busbee Parkway. Staff recommends **APPROVAL** to the UVC with stipulation amendments subject to:

1. Letter of agreeable stipulations from Mr. Rob Hosack dated October 6, 2016, where not otherwise in conflict;
2. Allowance of commercial indoor recreation use for the intended use of the applicant's puzzle/escape room, additional commercial indoor recreation uses to be approved individually by the District Commissioner;
3. Fire Department comments and recommendations;
4. Water and Sewer Division comments and recommendations;
5. Stormwater Management Division comments and recommendations;
6. Department of Transportation comments and recommendations;
7. All previous zoning stipulations not in conflict with this approval; and
8. Site plan received September 1, 2016, with District Commissioner approving minor modifications.

Z-102 RIVERVIEW ASSOCIATES, LTD. (Riverview Associates, Ltd., owner) requesting Rezoning from **RRC, with stipulations to RRC, with stipulations** for the purpose of a Mixed Use in Land Lots 976, 977, 1016 and 1017 of the 17th District. Located at the northwesterly intersection of Cobb Parkway (U.S. Highway 41) and Paces Mill Road. Staff recommends **APPROVAL** to the RRC with stipulations zoning district subject to:

1. Site plan received by the Zoning Division September 30, 2016, with the District Commissioner approving minor modifications;
2. Letter of agreeable stipulations from John Moore dated October 25, 2016;
3. Fire Department comments and recommendations;
4. Water and Sewer Division comments and recommendations;
5. Stormwater Management Division comments and recommendations; and
6. Department of Transportation comments and recommendations.

LUP-25 WILLIE ABERNATHY (Willie Gene Abernathy, Donna Marie Jordan, and Mildred Sharlene Mahaffey, owners) requesting a **Land Use Permit (Renewal)** for the purpose of Allowing two houses on one lot in Land Lot 42 of the 18th District. Located on the north side of Lee Road, on the west side of Veterans Memorial Hwy (264 Lee Road). (*Continued by Staff until the November 1, 2016 Planning Commission hearing*) Staff recommends **APPROVAL** subject to:

1. Site plan submitted to the Zoning Division dated July 22, 2016;
2. For this applicant and current family use only;
3. If the property is sold to another party, or the applicant or their family cease use of the second house, then the second house shall be converted to a storage building;
4. Second house not to be used as a rental unit;
5. Water and Sewer Division comments and recommendations;
6. Stormwater Management Division comments and recommendations;
7. Department of Transportation comments and recommendations;
8. Fire Department comments and recommendations.

LUP-34 SARAH WELLS (Ralph O. Wells and Sarah C. Wells, owners) requesting a **Land Use Permit (Renewal)** for the purpose of allowing more related adults than permitted by code in Land Lot 705 of the 19th District. Located on the south side of Pair Road, east of Austell Road (1101 Pair Road). Staff recommends **APPROVAL** subject to:

1. Maximum of five related adults;
2. No on-street parking;
3. No outside storage around the building; and
4. No commercial activity or yard sales (except as allowed by Code).

Special Land Use Cases

SLUP-15 C.W. MATTHEWS CONTRACTING COMPANY, INC. (CWM Contracting Co., Inc. owner) requesting a **Special Land Use Permit** for the purpose of an existing Asphalt Batch Plant in Land Lot 964 of the 17th District. Located on the west side of South Atlanta Road, on the north side of Chattahoochee River. Staff recommends **APPROVAL** subject to:

1. Site plan received by the Zoning Division on August 30, 2016, with the District Commissioner approving minor modifications;
2. Variances referenced in the Zoning Comments; and
3. Stormwater Management Division comments and recommendations.