

**COBB COUNTY PLANNING COMMISSION
ZONING HEARING *SUMMARY* AGENDA
February 7, 2017**

CONSENT CASES

**Z-1 JACKIE PAYNE
Z-2 LUCIO ARVIZU RODRIGUEZ
Z-3 RJASANI ENT, LLC
Z-6 SIASIM PAT MELL, LLC
LUP-1 SHILOH HILLS CHRISTIAN SCHOOL**

CONTINUED AND HELD CASES – TO BE HEARD

**Z-86^{'16} WINDSONG PROPERTIES, LLC
Z-93^{'16} KAPLAN MORGAN VININGS DEVELOPMENT, LLC
Z-101^{'16} PROVINCE HOMES, LLC
Z-111^{'16} RSDC1, LLC
Z-113^{'16} HABITAT FOR HUMANITY OF NORTHWEST METRO
 ATLANTA, INC.
Z-114^{'16} CAPKEY REAL ESTATE ADVISORS
Z-117^{'16} HICKS BUSINESS ENTERPRISES, LLC
Z-119^{'16} MAYWEATHER ENTERPRISE
LUP-29^{'16} SM LIVING, LLC
LUP-30^{'16} SM LIVING, LLC
LUP-31^{'16} SM LIVING, LLC
LUP-32^{'16} SM LIVING, LLC
LUP-33^{'16} SM LIVING, LLC**

REGULAR CASES

**Z-4 MARIETTA ICE, LLC
Z-7 POLLACK SHORES REAL ESTATE GROUP, LLC
Z-8 RACETRAC PETROLEUM, INC
SLUP-1 MARIETTA ICE LLC**

WITHDRAWN CASES

**Z-115^{'16} BROOKS CHADWICK CAPITAL, LLC. -WITHDRAWN
 WITHOUT PREJUDICE
OSC-17-01 BENCHMARK CONTRACTORS, INC**

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

- Z-18¹⁶** **POPE & LAND ENTERPRISES, INC.** (Previously 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, November 1, 2016, December 6, 2016 and February 7, 2017 Planning Commission hearings until their March 7, 2017 Planning commission hearing)
- Z-97¹⁶** **ROYAL RESIDENTIAL, INC**(Continued by the Planning Commission from their November 1, 2016 hearing; held from the December 6, 2016 Planning Commission hearing until the February 7, 2017 hearing and continued by staff until the March 7, 2017 hearing)
- Z-112¹⁶** **DUNCAN LAND INVESTMENTS, LLC** (Previously continued by Staff from the December 6, 2016 and February 7, 2017 Planning Commission hearings to the March 7, 2017 Planning Commission hearing)
- Z-5** **JOSHUA POWELL, SR. AND LAUREN POWELL** (Continued by staff until the March 7, 2017 Planning Commission hearing)
- LUP-2** **LIVING HOPE LUTHERAN CHURCH** (Continued by Staff until the March 7, 2017 Planning Commission hearing)
- OSC-17-02** **W&H INVESTMENTS, LLC** (Continued by Staff until the March 7, 2017 Planning Commission hearing)

OTHER BUSINESS

OTHER BUSINESS #1

Consider a recommendation to the Board of Commissioners regarding the 2017 Code Amendments for Section 134 of the Cobb County Code.

OSC-17-01

To consider approval of an R-20 Open Space Community Overlay application for Benchmark Contractors, Inc., regarding Application OSC 17-01 filed November 29, 2016, for property located on the east side of John Ward Road across from Brookmont Trace, south of Windfield Land, and north of Bonniewood Dr. and at 951 John Ward Road in Land Lots 177 & 178 of the 19th District. **WITHDRAWN WITHOUT PREJUDICE**

OSC-17-02

To consider approval of an R-20 Open Space Community Overlay application for W&H Investments, LLC, regarding Application OSC 17-02 filed December 6, 2016, for property located on the west side of Mount Calvary Road, north of Dallas Highway in Land Lot 328 of the 20th District and Land Lot 30 of the 19th District. (*Continued by Staff until the March 7, 2017 Planning Commission hearing*)

**COBB COUNTY PLANNING COMMISSION
ZONING HEARING *CONSENT* AGENDA
FEBRUARY 7, 2017**

Zoning Cases

Z-1 JACKIE PAYNE (Jackie Payne, owner) requesting Rezoning from **R-30** to **LI** for the purpose of a Warehouse with an Office in Land Lot 1051 of the 19th District. Located on the south side of Oglesby Road, east of Lewis Road. Staff recommends **APPROVAL** to the **LI** zoning district subject to:

1. Final site plan to be approved by District Commissioner;
2. Front, former residential building to be used for business office only, all storage to be within larger proposed warehouse building;
3. New concrete driveway and adequate minimum parking to be installed as per DOT and County standards and to be shown on site plan approved by District Commissioner;
4. 10 foot landscape screening buffer to be provided along the western property line in addition to privacy fencing (eight (8) foot fence unless 10 foot, as requested, approved by District Commissioner);
5. Hours, as requested, to be Monday through Saturday 8a.m. to 5p.m.;
6. Fire Department comments and recommendations;
7. Water and Sewer Division comments and recommendations;
8. Stormwater Management Division comments and recommendations;
9. Department of Transportation comments and recommendations; and
10. 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-2 LUCIO ARVIZU RODRIGUEZ (Lucio Arvizu and Amalia Rodriguez, owners) requesting Rezoning from **CF** to **R-15** for the purpose of a Single- Family Residence in Land Lot 60 of the 17th District. Located at the northwest corner of County Services Parkway and Kurt Drive. Staff recommends **APPROVAL** to the **R-15** zoning district subject to:

1. Lot size variance for the currently existing 14,660 square feet lot;
2. Applicant will have 180 days from BOC final decision to meet DOT requirements.
3. The only parking on non-hardened surfaces is to be on those areas shown on site plan. No expansion of non-harden parking.
4. No outdoor storage allowed. Applicant to remove all outdoor storage within 30 days from BOC final decision.

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Z-2 LUCIO ARVIZU RODRIGUEZ (continued)

5. Variances necessary for location of proposed carport to be authorized upon demonstration of support by the western neighbor and elevations of proposed structure being approved by the District Commissioner;
6. Fire Department comments and recommendations;
7. Water and Sewer Division comments and recommendations;
8. Stormwater Management Division comments and recommendations; and
9. Department of Transportation comments and recommendations last revised February 3, 2017.

Z-3 RJASANI ENT, LLC (1590 Old Concord Rd., LLC, owner) requesting Rezoning from R-20 to NRC for the purpose of a Convenience Market with Fuel Sales and Restaurant use in Land Lot 352 of the 17th District. Located on the southeast corner of Atlanta Road and Old Concord Road. Staff recommends **DELETING the request to **TS** subject to:**

1. Site plan dated January 31, 2017, with the District Commissioner approving minor modifications;
2. Letter from Adam J. Rozen dated February 1, 2017;
3. Variances from Zoning Comments;
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-6 SIASIM PAT MELL, LLC (Lubin A. Trivino, owner) requesting Rezoning from GC, RM-2 to NRC for the purpose of a Convenience Store with Fuel Sales and retail in Land Lot 132 of the 17th District. Located on the southeast corner of Pat Mell Road and Favor Road. Staff recommends **APPROVAL to the **NRC** zoning district subject to:**

1. Site plan received by the Zoning Division on December 1, 2016, with the District Commissioner approving minor modifications;
2. Letter from Garvis L. Sams, Jr dated January 9, 2017;
3. Variance mentioned in the Zoning Comments;
4. Fire Department comments and recommendations;
5. Water and Sewer Division comments and recommendations;
6. Stormwater Management Division comments and recommendations;

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Z-6 SIASIM PAT MELL, LLC (continued)

7. Department of Transportation comments and recommendations;
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;
9. District Commissioner to approve final building architecture and colors; and
10. No outdoor storage or display of merchandise.

LUP-1 SHILOH HILLS CHRISTIAN SCHOOL (Shiloh Hills Baptist Church of Cobb County, Inc., owner) requesting a **Land Use Permit (Renewal)** for the purpose of an Educational Program for three and four year olds in Land Lots 210 and 211 of the 16th District. Located on the south side of Hawkins Store Road, east of Bells Ferry Road. Staff recommends **APPROVAL** for 24 months subject to:

1. Site plan received by the Zoning Division on November 21, 2016;
2. Fire Department comments and recommendations;
3. Stormwater Management Division comments and recommendations;
4. Water and Sewer Division comments and recommendations; and
5. Department of Transportation comments and recommendations.