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# ZONING ANALYSIS

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## Planning Commission Public Hearing

July 6, 2017

Desk Copy  
Commissioner's Office

## Board of Commissioners' Public Hearing

July 18, 2017

Prepared by:  
**COBB COUNTY**  
**PLANNING AND ZONING DIVISIONS**

***COBB COUNTY BOARD OF COMMISSIONERS***

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**Bob Ott, District 2**  
**JoAnn Birrell, District 3**  
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**Rob Hosack**

***COBB COUNTY PLANNING COMMISSION***

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***COBB COUNTY ZONING DIVISION***  
***COMMUNITY DEVELOPMENT DEPARTMENT***

**Dana Johnson, Director, Community Development**  
**John Pederson, Manager, Zoning Division**



*Cobb County... Expect the Best!*

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**COBB COUNTY-  
ZONING HEARING AGENDA  
Planning Commission–July 6, 2017**

**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-9**        **PARAN HOMES** (Glover Allen Smith and Shirley Moore Smith, owners) requesting Rezoning from **R-30 and R-20** to **R-20 OSC** for the purpose of a Residential Subdivision in Land Lots 378, 379 and 380 of the 19<sup>th</sup> District. Located on the east and west sides of Corner Road and south of Wright Road. *(Previously held by the Planning Commission from their March 7, 2017 hearing until the April 4, 2017 Planning Commission hearing; and continued by Staff from the April 4, 2017, May 2, 2017 and June 6, 2017 Planning Commission hearings until the July 6, 2017 Planning Commission hearing)*
- Z-12**        **SSP BLUE RIDGE, LLC** (Multiple Titleholders on file in the Zoning Division) requesting Rezoning from **GC, NS, R-20 & R-80** to **CRC** and **UC** for the purpose of Commercial and Residential in Land Lots 923 and 924 of the 17<sup>th</sup> District. Located on the northwest side of Terrell Mill Road, and on the west side of Powers Ferry Road. *(Previously continued by Staff from the April 4, 2017 and May 2, 2017 and June 6, 2017 Planning Commission hearings until the September 7, 2017 Planning Commission hearing)*
- Z-22**        **VENTURE HOMES, INC** (Bill Jones Holdings, LLC, owner) requesting Rezoning from **GC** to **FST** for the purpose of Townhomes in Land Lots 55 and 56 of the 20<sup>th</sup> District. Located on the southwest side Wooten Lake Road, and on the east side of Wade Green Road. *(Previously continued by the Planning Commission from their June 6, 2017 hearing until the July 6, 2017 Planning Commission hearing)*

- Z-23**      **COURTNEY ELLIS** (Elvia Benitez, owner) requesting Rezoning from **PSC and R-20** to **NRC** for the purpose of a Child Care Center in Land Lot 59 of the 17<sup>th</sup> District. Located on the north side of Michael Drive, east of Brackett Street. *(Previously held by the Planning Commission from their June 6, 2017 Planning Commission hearing until the July 6, 2017 Planning Commission hearing)*
- Z-26**      **GREEN WORX, LLC** (James Allen Pace, owner) requesting Rezoning from **R-20** to **RSL** for the purpose of Residential Senior Living (Non-supportive) in Land Lot 173 of the 19<sup>th</sup> District. Located on the southwest corner of Ernest Barrett Parkway and Villa Rica Road. *(Previously continued by Staff from the June 6, 2017 Planning Commission hearing until the July 6, 2017 Planning Commission hearing)*
- Z-27**      **AMRETECK, LLC** (Amreteck, LLC, owner) requesting Rezoning from **GC** to **RM-12** for the purpose of Townhomes in Land Lot 422 of the 17<sup>th</sup> District. Located on the south side of Ledford Street, west of Atlanta Road. *(Previously continued by Staff from the June 6, 2017 Planning Commission hearing until the July 6, 2017 Planning Commission hearing)*

## **REGULAR CASES --- NEW BUSINESS**

### **Rezoning**

- Z-31**      **BOBBY L. TERRELL** (James F. Brown and Charles B. Pharr, owners) requesting Rezoning from **NS** to **NRC** for the purpose of Retail in Land Lots 349 and 372 of the 16<sup>th</sup> District. Located on the east side of Canton Road, north of Chastain Corner, and at the western Terminus of Noonday Drive.

- Z-32**      **WINDY HILL SELF STORAGE, LLC** (Unique Hotel, LLC, owner) requesting Rezoning from **O&I and TS** to **RRC** for the purpose of a Climate Controlled Self-Storage Facility in Land Lots 874 and 875 of the 17<sup>th</sup> District. Located on the west side of Leland Drive, and on the east side of I-75, and on the north side of Windy Hill Road.
- Z-33**      **DURVIJAI PERSAUD** (Durvijai Persaud, owner) requesting Rezoning from **PD** to **R-15** for the purpose of Single Family Residences in Land Lot 66 of the 16<sup>th</sup> District. Located on the northwest corner of Shallowford Road and Shallow Farm Drive.
- Z-34**      **JOSH THOMPSON** (Barnes Land and Investments, LLC, owner) requesting Rezoning from **R-15 and R-20** to **RA-5** for the purpose of a Single-family Subdivision in Land Lots 1226 and 1291 of the 19<sup>th</sup> District. Located at the northern terminus of Burrus Lane, and the northwestern terminus of Milton Place and the northern terminus of Lakeview Drive, and at the eastern end of Mark Lee Drive, northeast of Veterans Memorial Highway.
- Z-35**      **ROBERT THOMPSON** (Home System Solutions, LLC, owner) requesting Rezoning from **R-15** to **R-20** for the purpose of Single-family Residential in Land Lots 320, 321 and 328 of the 17<sup>th</sup> District. Located on the west side of Civitania Road, south of Cooper Lake Road.
- Z-36**      **LCD ACQUISITIONS, LLC** (McCamy Properties, LLC; McCamy Investments L.P., owner) requesting Rezoning from **R-20, RA-4, O&I and NS** to **RM-8** for the purpose of Student Housing in Land Lots 364, 365, 428, 429 of the 16<sup>th</sup> District. Located on the south side of Chastain Road, east of I-575 and west of Chastain Meadows Parkway.

- Z-37**      **3757 FLOYD RD PROPERTY, LLC** (3757 Floyd Rd Property, LLC, owner) requesting Rezoning from **PSC** to **O&I** for the purpose of a Climate-Controlled Self-Storage Facility in Land Lots 848 and 849 of the 19<sup>th</sup> District. Located on the north side of Hurt Road, and on the east side of Floyd Road.
- Z-38**      **PEBBLEBROOK DEVELOPMENT, LLC** (Nell Hutcheson; Myrna Joyce Wood Ice and Paul L. Ice, owners) requesting Rezoning from **R-80** to **R-20** for the purpose of Single-family Residential in Land Lot 30 of the 19<sup>th</sup> District. Located on the south side of Old Dallas Road, southwest of the intersection of Dallas Highway and Old Dallas Road.
- Z-39**      **PALMETTO MABLETON-FLOYD RD, LLC** (MSC-Floyd Rd, LLC, owner) requesting Rezoning from **NRC with Stipulations** to **NRC with Stipulations** for the purpose of a Restaurant with a Drive-thru in Land Lots 31 and 42 of the 17<sup>th</sup> District. Located on the east side of Floyd Road, north of Nickajack Road.

### **SPECIAL LAND USE PERMITS**

- SLUP-5**      **STEIN INVESTMENT COMPANY** (Attic Self Storage, Inc; Attic III Carwash, LLC, owner) requesting a **Special Land Use Permit** for the purpose of Climate Controlled Self-Storage in Land Lot 206 of the 20<sup>th</sup> District. Located on the southwest corner of Cobb Parkway and Attic Parkway.
- SLUP-6**      **WINDY HILL SELF STORAGE, LLC** (Unique Hotel, LLC, owner) requesting a **Special Land Use Permit** for the purpose of Climate-Controlled Self-Service Storage Facility in Land Lots 874 and 875 of the 17<sup>th</sup> District. Located on the west side of Leland Drive, on the east side of I-75, and on the north side of Windy Hill Road.



**SLUP-7 3757 FLOYD RD PROPERTY, LLC** (3757 Floyd Rd Property, LLC, owner) requesting a **Special Land Use Permit** for the purpose of Climate-Controlled Self-Service Storage Facility in Land Lots 848 and 849 of the 19<sup>th</sup> District. Located on the north side of Hurt Road, and on the east side of Floyd Road.

### **OTHER BUSINESS**

#### **OTHER BUSINESS #3**

Consider a recommendation to the Board of Commissioners regarding Code Amendment Package IV for Section 134 of the Cobb County Code.

#### **OTHER BUSINESS #4**

To brief the Planning Commission and the community on the contents of the plan and to provide an opportunity for residents to make final suggestions, additions, or revisions, and to notify the community of when the plan will be submitted to the Atlanta Regional Commission. In addition, to consider approval of the 2040 Comprehensive Plan.

**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.

**COBB COUNTY**  
**ZONING HEARING AGENDA**  
**Board of Commissioners–July 18, 2017**

**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)**

- Z-18<sup>'16</sup>**     **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 17<sup>th</sup> 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, May 3, 2016, June 7, 2016, July 7, 2016, August 2, 2016, September 8, 2016, October 4, 2016, November 1, 2016, December 6, 2016, February 7, 2017, March 21, 2017, April 4, 2017 and May 2, 2017 Planning Commission hearings until the June 6, 2017 Planning Commission hearing; continued by Staff until the July 18, 2017 Board of Commissioners hearing)*
- Z-9<sup>'17</sup>**     **PARAN HOMES** (Glover Allen Smith and Shirley Moore Smith, owners) requesting Rezoning from **R-20 and R-30** to **R-20 OSC** for the purpose of a Residential Subdivision in Land Lots 378 and 379 of the 19<sup>th</sup> District. Located on the east and west sides of Corner Road and south of Wright Road. *(Previously held by the Planning Commission from their March 7, 2017 hearing until the April 4, 2017 Planning Commission hearing; and continued by Staff from the April 4, 2017 Planning Commission hearing from the May 2, 2017 and June 6, 2017 Planning Commission hearings until the July 6, 2017 Planning Commission hearing)*
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- Z-25**      **VENTURE HOMES, INC.** (Land Acquisitions Investments, LLC, owner) requesting Rezoning from **CRC, LI** to **FST** for the purpose of Townhomes in Land Lots 421 and 422 of the 17<sup>th</sup> District. Located on the west side of Atlanta Road, south of Ledford Street. *(Previously held by the Board of Commissioners from their June 20, 2017 hearing until the July 18, 2017 Board of Commissioners hearing).*
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**CONTINUED OR HELD CASES BY PLANNING COMMISSION, BOARD OF COMMISSIONERS OR STAFF (NOT TO BE HEARD)**

- Z-12<sup>'17</sup>**      **SSP BLUE RIDGE, LLC** (Multiple Titleholders on file in the Zoning Division) requesting Rezoning from **GC, NS, R-20 & R-80** to **CRC** and **RM-12** for the purpose of a Mix of Retail, Commercial and Townhomes in Land Lots 923 and 924 of the 17<sup>th</sup> District. Located on the northwest side of Terrell Mill Road, and on the west side of Powers Ferry Road. *(Previously continued by Staff from the March 7, 2017, April 4, 2017 and May 2, 2017 Planning Commission hearings until the September 7, 2017 Planning Commission hearing)*

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## **OTHER BUSINESS CASES**

### **ITEM OB-016**

To consider amending the site plan for Lidl US Operations, LLC regarding rezoning application Z-223 (Evelyn J. Gordy-Rankin & Larry Thompson) of 1988, for property located at the northwest intersection of Shallowford Road and Gordy Parkway in Land Lots 335 and 386 of the 16<sup>th</sup> District. *(Previously continued by Staff from the May 16, 2017 and June 20, 2017 hearings until the July 18, 2017 hearing)*

### **ITEM OB-024**

To consider amending the site plan and stipulations for D.R. Horton, Inc. regarding rezoning application Z-210 (W&H Properties, LLC) of 2006, for property located on the east side of Maxham Road, south of Veterans Memorial Highway in Land Lots 87 and 88 of the 18<sup>th</sup> District *(Continued by Staff from the June 20, 2017 hearing until the July 18, 2017 hearing)*.

### **ITEM OB-025**

To consider amending the site plan and stipulations for Barnes Mill VDL, LLC regarding application OSC 17-02 (W&H Investments, LLC) of 2017, for property located on the west side of Mount Calvary Road and on the north side of Dallas Highway in Land Lot 30 of the 19<sup>th</sup> District.

### **ITEM OB-026**

To consider amending the stipulations for Atlanta Roller Derby, Inc. regarding rezoning application Z-14 (Kuo Ken Tai) of 2016, for property located on the north side of Veterans Memorial Highway, west of North Allen Road in Land Lot 45 of the 18<sup>th</sup> District.

### **ITEM OB-027**

To consider amending the stipulations for Majid Sotoodeh regarding rezoning application Z-5 (Asif Raza) of 2006, for property located on the east side of Johnson Ferry Road, south of Wellington Lane in Land Lot 753 of the 16<sup>th</sup> District.

**ITEM OB-028**

To consider a site plan and stipulation amendment for S & B Investments, Inc. regarding property located at the northwest intersection of Johnson Ferry Road and Paper Mill Road, in Land Lots 73 and 81 of the 1<sup>st</sup> 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.”

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