



Case# LUP-6
Public Hearing Dates:
PC: 06-05-18
BOC: 06-19-18

Cobb County Community Development Agency
Zoning Division
1150 Powder Springs St. Marietta, Georgia 30064

SITE BACKGROUND

Applicant: Early Education, LLC

Phone: (404) 416-3455

Email: quifang@cbmscenter.com

Representative Contact: Qiu Fang/Tesha Cobb

Phone: (404) 416-3455/(770) 801-8292

Email: tcobb@cbmscenter.com
qiufang@cbmscenter.com

Titleholder: Early Education, LLC

Property Location: West side of Hurt Road, north
of Plantation Road

Address: 488 Hurt Road

Access to Property: Hurt Road

QUICK FACTS

Commission District: 4-Cupid

Current Zoning: R-20 (Single-family Residential)

Current use of property: Daycare

Proposed use: Land Use Permit (Renewal) for
daycare

Future Land Use Designation: Low Density
Residential (LDR)

Site Acreage: 7.09 ac

District: 17

Land Lot: 50, 51, 94, and 95

Parcel #: 17009500030

Taxes Paid: Yes

FINAL ZONING STAFF RECOMMENDATION: (Zoning staff member: Tannesha Bates)

Based on the analysis and the Code, Staff recommends **APPROVAL** of the application for 24 months
subject to:

1. The maximum number of students permitted by State and Fire Codes.

LUP-6 2018-Aerial Map



This map is provided for display and planning purposes only. It is not meant to be a legal description.

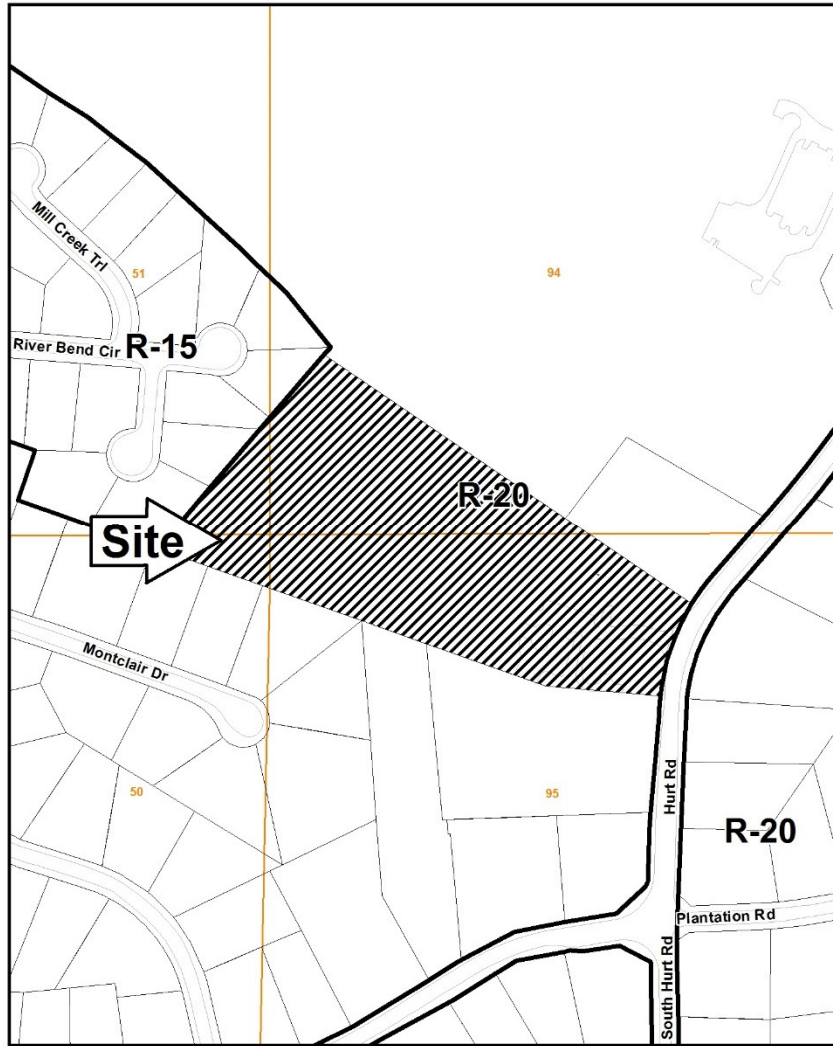
0 200 400 Feet

Land Lot
City Boundary

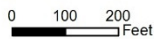
North



Zoning: R-20
Future Land Use: LDR (Low Density Residential)

LUP-6 2018-GIS



This map is provided for display and planning purposes only. It is not meant to be a legal description.



 Zoning Boundary
 City Boundary

WEST

Zoning: R-15

Future Land Use: LDR (Low Density Residential)

EAST

Zoning: R-20

Future Land Use: LDR (Low Density Residential)

SOUTH

Zoning: R-20
Future Land Use: (Low Density Residential)

DEPARTMENT COMMENTS- Zoning Division

Current zoning district for the property

The R-20 district is established to provide locations for single-family residential uses or residentially compatible institutional and recreational uses which are within or on the edge of properties delineated for any residential category as defined and shown on the Cobb County Comprehensive Plan: A Policy Guide, adopted November 27, 1990. When residentially compatible institutional and recreational uses are developed within the R-20 district, they should be designed and built to ensure intensity and density compatibility with adjacent single-family detached dwellings and otherwise to implement the stated purpose and intent of this chapter.

Request for a Temporary Land Use Permit

The Board of Commissioners may permit temporary land use permits for uses that are uniquely located and are considered compatible with adjoining zoning districts and nearby uses for designated periods of time for uses, exceptions or professions in areas, along roadways and within districts where the zoning regulations would otherwise prohibit such operations. Customary home occupations as defined in this chapter, do not require a temporary land use permit.

Summary of the applicant's proposal

The applicant is requesting the renewal of a Temporary Land Use Permit (LUP) to allow a daycare at an existing private school. The hours of operation for the daycare will be Monday through Friday from 6:30 a.m. until 6:30 p.m. The applicant has indicated the children will range in age from 14 months to six years of age. The parents will use the drive through to pick their children up. There are at least 100 visitors a day and weekly deliveries. There will be no outside storage and no additional signs.

DEPARTMENT COMMENTS- Fire Department

No comment.

DEPARTMENT COMMENTS- Site Plan Review (County Arborist)

No comment.

DEPARTMENT COMMENTS- Cemetery Preservation

No comment.

DEPARTMENT COMMENTS- School System

No comment.

DEPARTMENT COMMENTS- Stormwater Management

No comment. (Renewal)

DEPARTMENT COMMENTS- Transportation

1. Recommend no parking in the right-of-way.

DEPARTMENT COMMENTS- Planning Division

No comment.

DEPARTMENT COMMENTS- Water and Sewer

No comment. Existing water and sewer customer.

STAFF ANALYSIS

There are twelve criteria that must be considered for a Temporary Land Use Permit. The criteria are below in bold, with the staff analysis following:

(1) Safety, health, welfare and moral concerns involving the surrounding neighborhood.

The request should not affect the safety, health, or welfare of the surrounding properties.

(2) Parking and traffic considerations.

The customers will not park. They will drive through dropping the kids off and picking them up.

(3) Number of nonrelated employees.

There will be 15 employees.

(4) Number of commercial and business deliveries.

The applicant has indicated there will be one commercial delivery a day (USPS, UPS) and one Costco delivery weekly.

(5) The general presumption of the board of commissioners that residential neighborhoods should not allow noncompatible business uses.

The proposed use has previously been approved at this location along with the existing private elementary school at this property.

(6) Compatibility of the business use to the neighborhood.

There are no known business uses in the area and the use has been here for a few years without adversely affecting the neighbors.

(7) Hours of operation.

The hours of operation will be Monday through Friday from 6:30 a.m. until 6:30 p.m.

(8) Existing business uses in the vicinity.

There are no known business uses surrounding the property.

(9) Effect on property values of surrounding property.

This request should not have an effect on property values.

(10) Circumstances surrounding neighborhood complaints

This request is not the result of a complaint.

STAFF ANALYSIS (Continued)

(11) Intensity of the proposed business use.

The same use was previously approved for 24 months and a renewal should not adversely affect neighbors.

(12) Location of the use within the neighborhood.

The use is not located on a major collector road and is not in a platted subdivision.

The staff analysis and recommendation made by the Planning and Zoning Staff are only the opinions of the Planning and Zoning Staff and are by no means the final decision. The Cobb County Board of Commissioners makes the final decisions on all Rezoning and Land Use Permits at an advertised public hearing.

Planning Commission Decision

NO. OPPOSED: _____ APPROVED _____ DENIED _____ DELETED TO _____

NO. IN SUPPORT _____ MOTION BY: _____ SECONDED: _____ VOTE: _____

Names of those Opposed:

Comments:

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Stipulation letter from _____ dated _____
 Stipulation letter from _____ dated _____
 Stipulation letter from _____ dated _____

Board of Commissioners Decision

NO. OPPOSED: _____ APPROVED _____ DENIED _____ DELETED TO _____

NO. IN SUPPORT _____ MOTION BY: _____ SECONDED: _____ VOTE: _____

Names of those Opposed:

Comments:

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Stipulation letter from _____ dated _____
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