PRELIMINARY ZONING ANALYSIS

Planning Commission Hearing Date: November 6, 2018

Board of Commissioners Hearing Date: November 20, 2018

Date distributed: August 15, 2018





Public Hearing Dates: PC: 11-06-18 BOC: 11-20-18

Case # Z-61

1150 Powder Springs St. Marietta, Georgia 30064

| ITE BACKGROUND | QUICK FACTS |
|----------------|-------------|
|----------------|-------------|

Applicant: EMAE, LLC Commission District: 4-Cupid

Phone: (404) 957-3207 Current Zoning: RA-5 (Single-family Residential)

Email: ARENARO@HOTMAIL.COM Current use of property: Undeveloped

Representative Contact: Carlos Arenas Proposed zoning: RA-5 (Single-family Residential)

Phone: (404) 957-3207 Proposed use: Single-family Attached Subdivision

Email: arenasro@hotmail.com Future Land Use Designation: MDR (Medium

Density Residential)

Site Acreage: 2.95 ac Property Location: West side of Factory Shoals

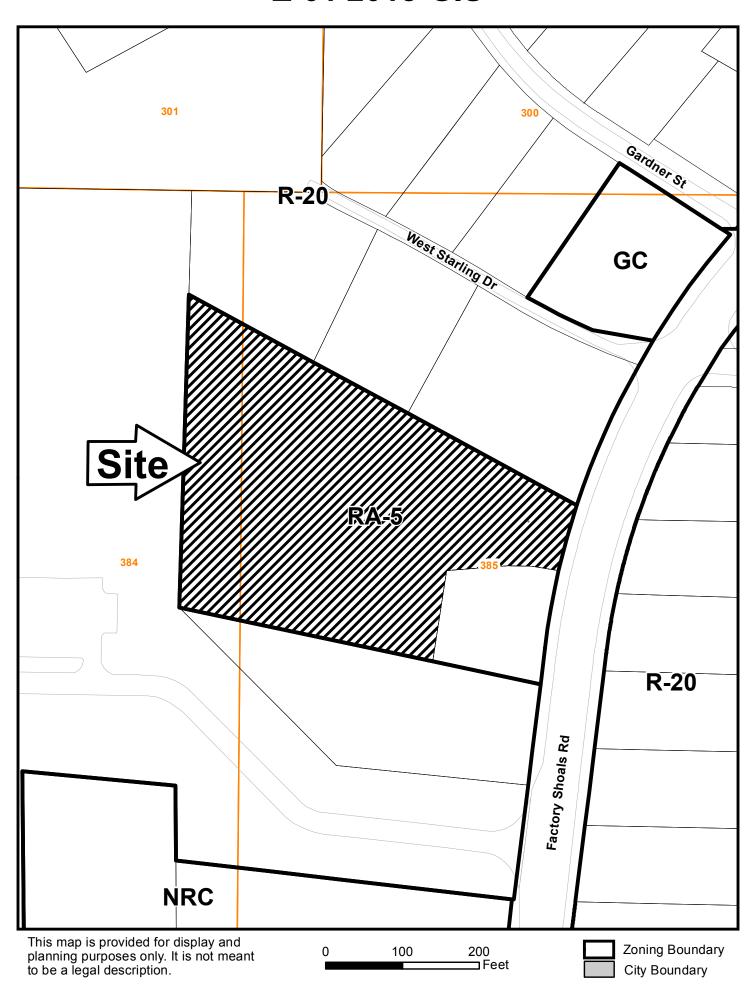
Road, north of South Gordon Road District: 18

Titleholder: America's Home Place, Inc.

Address: No assigned address Land Lot: 384 and 385

Access to Property: Factory Shoals Road Parcel #: 18038500450

Z-61 2018-GIS





Application No. Z-61

COBB CO. COMM. DEV. AGENCY ZONING DIVISION

Summary of Intent for Rezoning

| | a) | Proposed unit square-footage(s): 1200 5+ + | | | | | |
|------|------------------------------------|---|--|--|--|--|--|
| | b) Proposed building architecture: | | | | | | |
| | c) | List all requested variances: | | | | | |
| | | | | | | | |
| t 2. | Non-i | Proposed use(s): Sug = Family Attention (attach additional information if needed) | | | | | |
| | b) | Proposed building architecture: | | | | | |
| | <u>c)</u> | Proposed hours/days of operation: | | | | | |
| | d) | List all requested variances: | | | | | |
| | | | | | | | |
| IIII | 3. Otl | ner Pertinent Information (List or attach additional information if needed) | | | | | |
| arı | | | | | | | |
| Рагі | | | | | | | |
| | | ny of the property included on the proposed site plan owned by the Local, State, or Federal Gover | | | | | |



Case # Z-62
Public Hearing Dates:
PC: 11-06-18

BOC: 11-20-18

1150 Powder Springs St. Marietta, Georgia 30064

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|----------|----|---|----------------|---------------|-----|---|---|----|----------|---|-----|------------------|
| J | | _ | $\mathbf{\nu}$ | $\overline{}$ | u | 1 | J | ı٧ | \smile | v | 1 7 | \boldsymbol{L} |

Applicant: McConnell Green II, LLC

Phone: N/A

Email: N/A

Representative Contact: Parks F. Huff

Phone: (770) 422-7016

Email: phuff@slhb-law.com

Titleholder: Lisa Spillane, as Executor of the Estate of Jeffrey C. Spillane; Kevin T. Spillane

Property Location: West side of Lost Mountain

Road, south of Dallas Highway

Address: 750 Lost Mountain Road

Access to Property: Lost Mountain Road

QUICK FACTS

Commission District: 1-Weatherford

Current Zoning: R-30 (Single-family Residential)

Current use of property: Undeveloped

Proposed zoning: RSL (Residential Senior Living)

Non-supportive

Proposed use: Residential Senior Community

Future Land Use Designation: VLDR (Very Low

Density Residential)

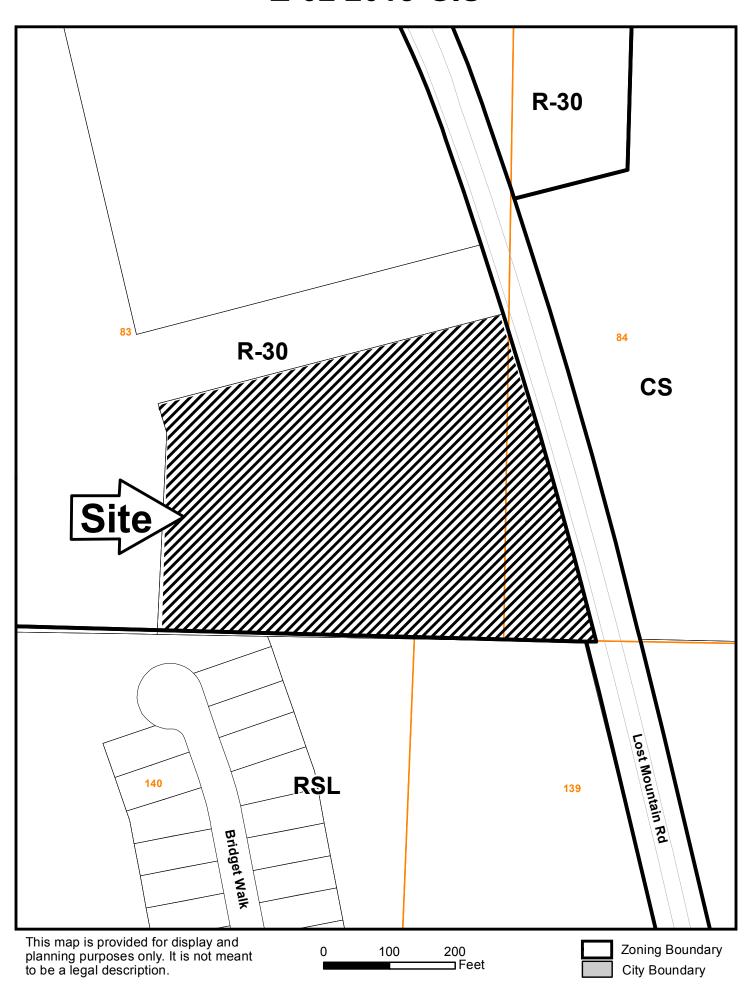
Site Acreage: 5.9 ac

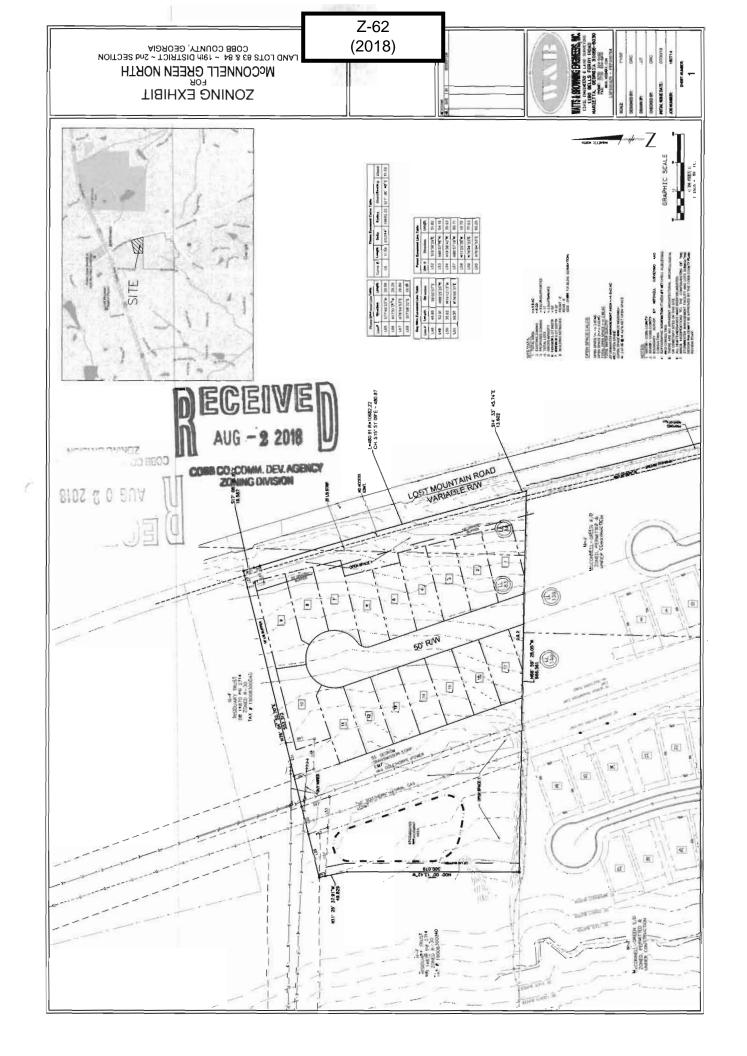
District: 19

Land Lot: 83 and 84

Parcel #: 19008300020

Z-62 2018-GIS





Application No. 742 Nov. 2018

Summary of Intent for Rezoning

| a) | Proposed unit square-footage(s): 1,200-2,500 |
|----------------|--|
| b) | Proposed building architecture: Traditional architecture utilizing a combination of |
| | brick, stone and cementitious siding |
| c) | List all requested variances: None known at this time |
| | COBBICO, COMM. DEV. AGENCY ZONING EMPEROR |
| | |
| | |
| | |
| Non | ensidential Denoming Information (attack additional information if model) |
| 2. Non-: a) | residential Rezoning Information (attach additional information if needed) Proposed use(s): N/A |
| a) | 110posed use(s). |
| b) | Proposed building architecture: |
| ~, | |
| <u>c)</u> | Proposed hours/days of operation: |
| | |
| <u>d)</u> | List all requested variances: |
| | |
| | |
| | |
| | |
| | |
| rt 3. Ot | her Pertinent Information (List or attach additional information if needed) |
| _Th | is community is an addition to the previously zoned RSL community at Lost Mountain |
| | Corner Roads |
| and | |
| and | |
| and | |
| | ay of the property included on the proposed site plan owned by the Local State, or Federal Government? |
| t 4. Is a | ny of the property included on the proposed site plan owned by the Local, State, or Federal Government? |
| t 4. Is a | ny of the property included on the proposed site plan owned by the Local, State, or Federal Government? use list all Right-of-Ways, Government owned lots, County owned parcels and/or remnants, etc., and attack |



Public Hearing Dates: PC: 11-06-18 BOC: 11-20-18

Case # Z-63

1150 Powder Springs St. Marietta, Georgia 30064

| SITE | BACKGROUND | |
|------|------------|--|
|------|------------|--|

Applicant: Loyd Development Services

Phone: (770) 868-7591

Email: john@loyddevelopment.com

Representative Contact: Garvis L. Sams, Jr.

Phone: (770) 422-7016

Email: gsams@slhb-law.com

Titleholder: The Margaret A. Keheley Living Trust

Property Location: East side of Holly Springs Road, and on the south side of Davis Road

Address: 2876 Davis Road and 3102 Holly Springs

Road

Access to Property: Holly Springs Road

QUICK FACTS

Commission District: 3-Birrell

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

Current use of property: Single-family houses

Proposed zoning: RSL (Residential Senior Living)

Non-supportive

Proposed use: Senior Living Subdivision

Future Land Use Designation: LDR (Low Density

Residential)

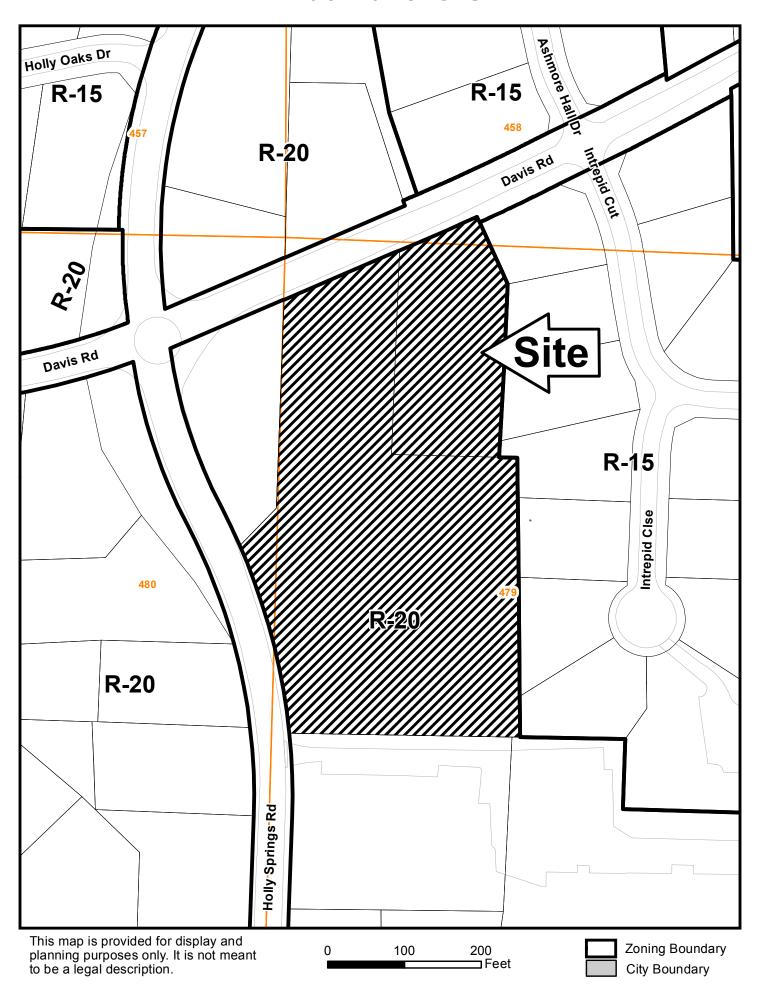
Site Acreage: 4.3 ac

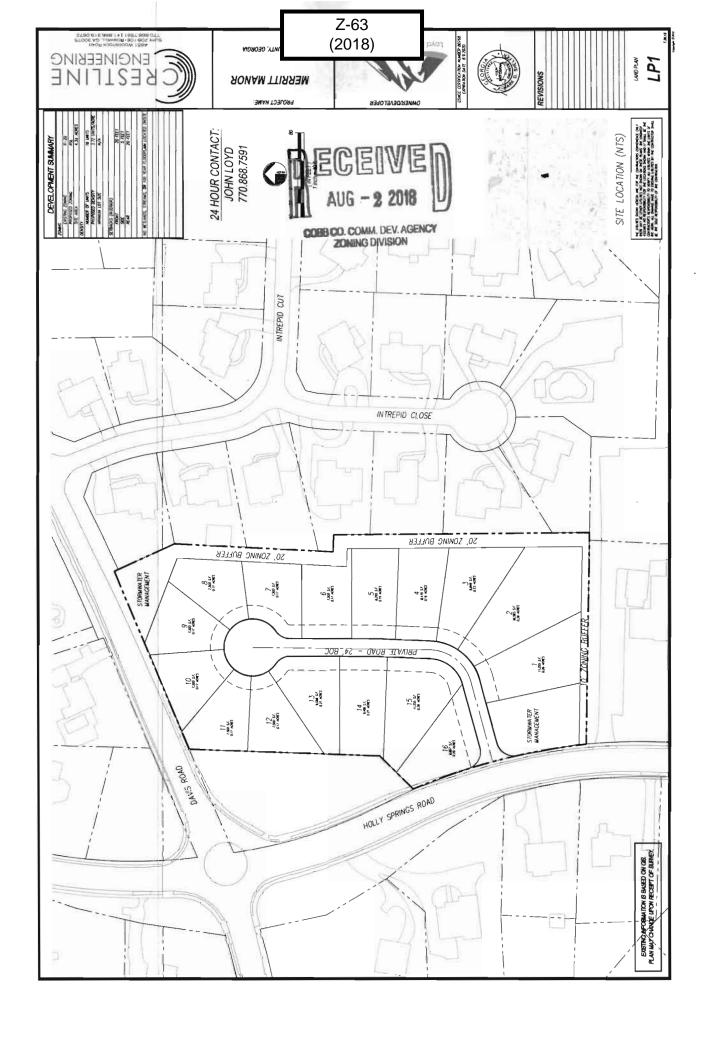
District: 16

Land Lot: 458, 479, and 480

Parcel #: 16047900010 and 16047900030

Z-63 2018-GIS







Application No. <u>Z- 63</u> PC: Nov. 6, 2018 BOC: Nov. 20, 2018

Summary of Intent for Rezoning*

| a) | Proposed unit square-footage(s): | Ranging from 2,000 square feet to 2,500 square feet (and greater |
|------------|---|---|
| b) | Proposed building architecture: | Traditional - renderings/elevations will be provided |
| | | under separate cover. |
| c) | List all requested variances: | As shown on the site plan. |
| | | |
| . Non-1 | | ach additional information if needed) |
| a) | Proposed use(s): | <u>N/A</u> |
| b) | Proposed building architecture: | |
| <u>c)</u> | Proposed hours/days of operation | |
| d) | List all requested variances: | |
| | | |
| | | <u> </u> |
| t 3. Otl | ner Pertinent Information (List or att | ach additional information if needed) |
| The s | ubject property is located at the round-a | about confluence of Holly Springs Road and Davis Road. |
| Ageı | restricted single-family detached homes | will have no adverse effects upon existing County infrastructure; |
| area | schools; and/or a.m./p.m. peak hour traf | fic/transportation issues. |
| | , , , | |
| 4. Is an | ny of the property included on the pro | oposed site plan owned by the Local, State, or Federal Government? |
| (Plea | se list all Right-of-Ways, Governmen | nt owned lots, County owned parcels and/or remnants, etc., and attach a |
| | clearly showing where these propertic | es are located). None known at this time. |
| plat | 1 1 | |



Public Hearing Dates: PC: 11-06-18
BOC: 11-20-18

Case # Z-64

1150 Powder Springs St. Marietta, Georgia 30064

| SITE | BACKGROUND |
|------|------------|
| | |

Applicant: Northside Hospital, Inc. by

Dentons US LLP

Phone: (404) 527-4676

Email: sharon.gay@dentons.com

Representative Contact: Sharon A. Gay

Phone: (404) 527-4676

Email: sharon.gay@dentons.com

Titleholder: Cooper Lake-Daniel, LLC

Property Location: North and east sides of Daniel Street, and on the west side of Cooper Lake Road

Address: 2235 Cooper Lake Road and 2001

Daniel Street

Access to Property: Daniel Street and Cooper

Lake Road

QUICK FACTS

Commission District: 2-Ott

Current Zoning: O&I (Office & Institutional) and

R-20 (Single-family Residential)

Current use of property: Single-family houses and

undeveloped acreage

Proposed zoning: O&I (Office & Institutional)

Proposed use: Medical Offices/Clinic

Future Land Use Designation: MDR (Medium

Density Residential)

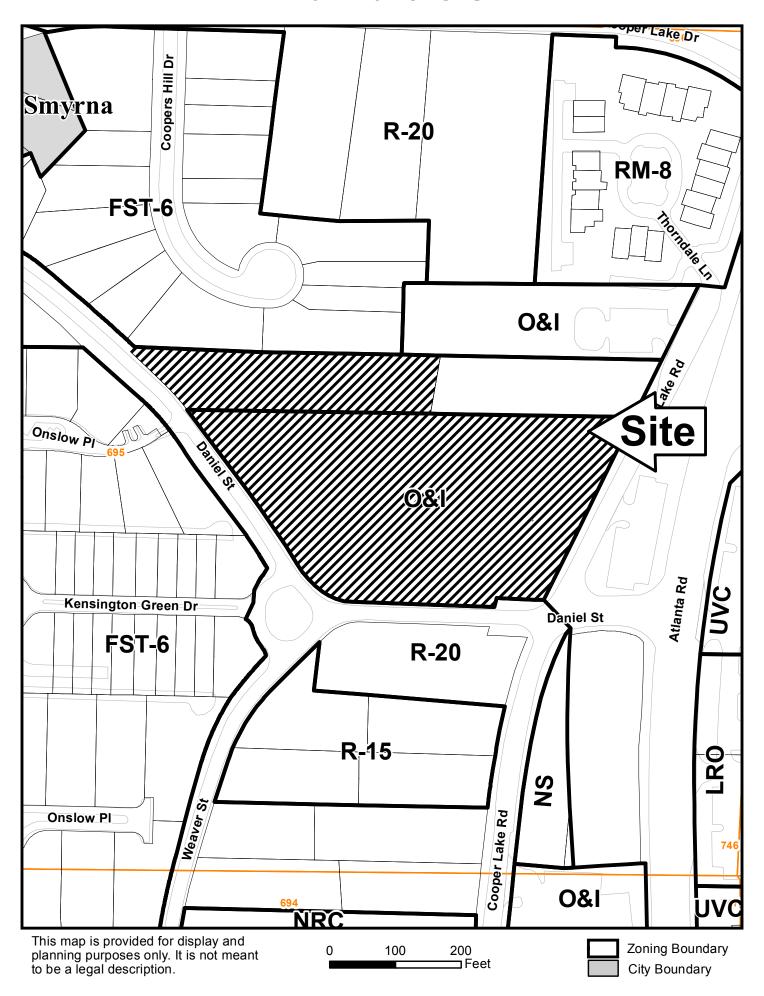
Site Acreage: 4.22 ac

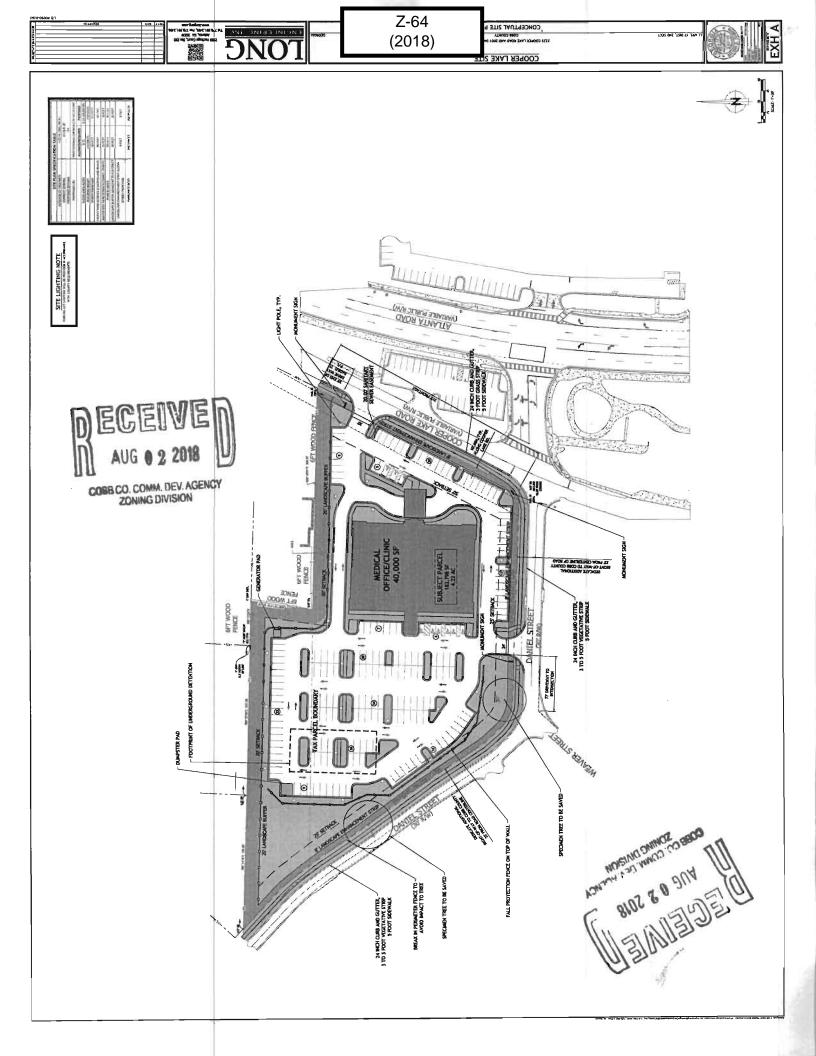
District: 17

Land Lot: 695

Parcel #: 17069500100 and 17069500120

Z-64 2018-GIS





Application No. $\frac{2\omega +}{N_{ov}.2018}$

tent for Rezoning

| | Proposed unit square-footage(s): |
|------------|---|
| b) | Proposed building architecture: |
| c) | List all requested variances: |
| _ | |
| Non-r | esidential Rezoning Information (attach additional information if needed) |
| a) | Proposed use(s): Medical Office/Clinic |
| b) | Proposed building architecture: Primarily brick veneer with aluminum |
| | glass accents. |
| c) | Proposed hours/days of operation: To be determined. |
| d) | List all requested variances: None |
| | |
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| | |
| 3. Oth | ner Pertinent Information (List or attach additional information if needed) |
| | ner Pertinent Information (List or attach additional information if needed) See Letter of Intent. |
| | |
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| | |
| | See Letter of Intent. |
| l. Is an | |

STATEMENT OF INTENT, PROJECT SUMMARY AND COBB CONTROL OF THE PROJECT SUMMARY AND DOCUMENTED IMPACT ANALYSIS

DECENVER

and other materials required by the Cobb County Zoning Ordinance

for

APPLICATION TO REZONE PROPERTY

FROM O&I and R-20 TO O&I

for ± 4.22 acres of land known as

2235 Cooper Lake Road and 2001 Daniel Street

Land Lot 695, 17th District, 2nd Section, Cobb County, Georgia

Submitted on behalf of

NORTHSIDE HOSPITAL, INC.

by Dentons US LLP

Sharon A. Gay, Esq.
Dan Baskerville
303 Peachtree Street, N.E.
Suite 5300
Atlanta, Georgia 30308
404.527.4676
sharon.gay@dentons.com

INTRODUCTION

This Application is submitted for a 4.22-acre parcel of land located in Land Lot 695 of the 17th District, 2nd Section of Cobb County and known as 2235 Cooper Lake Road and 2001 Daniel Street (the "Property"). The Property is shown on the survey prepared by Long Engineering dated May 14, 2018 and filed with this Application. The Property is located in Commission District 2.

Most of the Property is currently zoned O&I (Office-Institutional) with a 1985 condition requiring final Board of Commissioners approval for "plans for the corner parcel." A small parcel at the rear of the site is zoned R-20. The Applicant, Northside Hospital, Inc. by Dentons US LLP ("Northside"), now seeks approval to rezone the entire Property to O&I conditioned on a new site plan and other stipulations as required by the Board of Commissioners to permit development of a two-story, 40,000 sq. ft. medical office/clinic building.

This document is submitted as the Project Summary, Statement of Intent, and Documented Impact Analysis required by the Cobb County Zoning Ordinance.

DESCRIPTION OF THE PROPERTY AND SURROUNDING AREA

The Property is an irregularly-shaped assemblage fronting on the north side of Daniel Street and the west side of Cooper Lake Road approximately 100 ft. south of the intersection with Atlanta Road. The Property is largely undeveloped except for three small residential structures and accessory buildings. Atlanta Road is located to the east. A public parking lot and Oakdale Park lie between Cooper Lake Road and Atlanta Road across from the Property. A day care center and residences are located north of the Property. Single family residences and townhomes are located on the south side of Daniel Street.

Most of the area located between Cooper Lake Road and Atlanta Road is zoned O&I and is occupied by St. Benedict's Episcopal Church and School. The park is zoned NS, and the parcel adjacent to Cumberland Parkway is zoned GC and improved with a commercial building housing a financial services business. Properties to the north are zoned O&I, R-20, RM-8, and FST-6. The residential properties south of Daniel Street are zoned R-20, FST-6, and R-15. Cumberland Parkway is located 1/4 mi. south of the Property and connects to I-285.

PROJECT SUMMARY

Northside proposes to develop the Property with a two-story, 40,000 sq. ft. medical office/clinic building, parking, and landscaping. As shown on the conceptual site plan prepared by Long Engineering dated July 25, 2018 and filed with this application (the "Site Plan"), the development is proposed to include new curb and gutter, sidewalks, and an eight-foot landscape strip along the street frontages. All required setbacks and landscape buffers, including a 20 ft. rear

The Zoning Code and Zoning Map adopted in December 1990 arguably superseded this ambiguous condition; however, in an abundance of caution the entire Property is included in this application for rezoning in order to remove that condition.

landscape buffer adjacent to R-20 zoning, will be provided. Storm water management facilities will be designed and installed in accordance with County requirements.

The building facades will be primarily brick veneer with aluminum and glass accents. The scale, height, and materials are intended to be compatible with nearby properties. Two entrances are proposed, one on Daniel Street and one on Cooper Lake Road. Additionally, Northside proposes to dedicate land to the County sufficient to provide right of way extending 25 ft. from the centerline of Daniel Street.

The purpose of this development is to provide Cobb County residents with additional options for quality health care services closer to their neighborhoods.

DOCUMENTED IMPACT ANALYSIS

The Applicant provides the following information in response to the required analysis:

- (1) <u>Suitability of proposed use in view of the use and development of adjacent and nearby property:</u> This Property lies in an area of transition from the higher intensity commercial uses along Atlanta Road to the residential areas to the west. Developing the Property for a low-rise medical office/clinic building will provide a use compatible with Oakdale Park and other institutional uses -- church and private school -- on the opposite side of Cooper Lake Road. Both the use and scale of the proposed development will create an appropriate transition from Atlanta Road and the other institutional uses to residential uses south of Daniel Street. Moreover, the medical building can provide a buffer between Atlanta Road and nearby homes.
- Whether the zoning proposal will adversely affect the existing use or usability of adjacent and nearby property: The current unsettled state of the Property with deteriorating and outdated residential structures detracts from the newer, high-quality residential developments on the opposite side of Daniel Street. This development will include sidewalks, curb and gutter, landscaping, and proper storm water management, all of which will benefit nearby properties. Landscape buffers will be provided, and parking lot lighting will be designed and installed to direct the light away from adjacent properties. As shown on the Site Plan, the building will be positioned close to the Cooper Lake Road frontage and away from residential areas north and west of the site. The proposed two-story height is comparable to the height of nearby structures and is two stories below the maximum height allowed in the O&I district.
- (3) Whether the Property has a reasonable economic use as zoned: The reasonable economic use of the Property is institutional, which is the classification to which most of the acreage is zoned. The portion of the Property that is zoned R-20 does not have a reasonable economic use as zoned because the parcel is too long and narrow to be efficiently developed for residential purposes. The Property has been offered for sale for a number of years but has not been sold for residential development, which strongly suggests that the market does not consider residential use as viable.
- (4) 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: Unlike a residential development, the medical office/clinic will have no effect on the school system. Northside proposes improvements to the street and sidewalk infrastructure. In addition, Northside has engaged a traffic consultant to conduct a traffic impact analysis and will work with County staff

to implement any recommended improvements. Storm water management on the site will be upgraded to modern standards. Northside is not aware of any deficiencies in public or private utilities serving the Property.

- (5) Whether the zoning proposal is in conformity with the policy and intent of the land use plan: The Property, including the portion zoned O&I, is designated as "Medium Density Residential" on the Future Land Use Map, which is not compatible with the O&I classification. However, the Comprehensive Plan states that this land use category "can serve as a transitional category between more intensive uses and less intensive uses," which is exactly what the proposed development would do. Note also that the portion of the Property currently zoned R-20 will include only parking and landscaping, which will serve as a buffer between the medical building and the residences north of the site.
- (6) 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: Given the close physical proximity of the Property to busy Atlanta Road, it is unlikely to be developed for residential use, especially considering the established commercial uses directly across Atlanta Road from the Property.

CONSTITUTIONAL OBJECTIONS

The Applicant respectfully submits that the Zoning Ordinance of Cobb County, Georgia, as amended from time to time and known as the "Cobb County Zoning Ordinance," to the extent that it classifies the Property in any zoning district that would preclude development of a medical office/clinic, is unconstitutional as a taking of property, a denial of equal protection, an arbitrary and capricious act, and an unlawful delegation of authority under the specific constitutional provisions later set forth herein. Any existing inconsistent zoning of the Property pursuant to the Cobb County Zoning Ordinance deprives the Applicant and Property owner of any alternative reasonable use and development of the Property. Additionally, all other zoning classifications, including ones intervening between the existing classification and that requested herein, would deprive the Applicant and Property owner of any reasonable use and development of the Property. Further, any attempt by the Board of Commissioners to impose greater restrictions upon the manner in which the Property will be developed than presently exist would be equally unlawful.

Accordingly, Applicant submits that the current zoning classifications and any other zoning of the Property save for what has been requested as established in the Cobb County Zoning Ordinance constitute an arbitrary and unreasonable use of the zoning and police powers because they bear no substantial relationship to the public health, safety, morality or general welfare of the public and substantially harm the Applicant and Property owner. All inconsistent zoning classifications between the existing zoning and the zoning requested hereunder would constitute an arbitrary and unreasonable use of the zoning and police powers because they bear or would bear no substantial relationship to the public health, safety, morality or general welfare of the public and would substantially harm the Applicant and Property owner. Further, the existing inconsistent zoning classification constitutes, and all zoning and plan classifications intervening between the existing inconsistent zoning classification and that required to develop this Project, would constitute a taking of the owner's private property without just compensation and without due process in violation of the Fifth Amendment and Fourteenth Amendment of the Constitution of the United States, and

Z-64 (2018) Statement of Intent with Impact Analysis

Article I, Section I, Paragraph I and Article I, Section III, Paragraph I of the Constitution of the State of Georgia and the Due Process and Equal Protection Clauses of the Fourteenth Amendment to the Constitution of the United States.

Further, the Applicant respectfully submits that failure to approve the requested zoning change would be unconstitutional and would discriminate in an arbitrary, capricious and unreasonable manner between the Applicant and Property owner and owners of similarly situated property in violation of Article I, Section III, Paragraph I of the Constitution of the State of Georgia and the Equal Protection Clause of the Fourteenth Amendment of the Constitution of the United States.

Finally, the Applicant respectfully submits that the Board of Commissioners cannot lawfully impose more restrictive standards upon the development of the Property than presently exist, as to do so not only would constitute a taking of the Property as set forth above, but also would amount to an unlawful delegation of their authority, in response to neighborhood opposition, in violation of Article IX, Section IV, Paragraph II of the Georgia Constitution.

This Application meets favorably the prescribed test set out by the Georgia Supreme Court to be used in establishing the constitutional balance between private property rights and zoning and planning as an expression of the government's police power. See <u>Guhl vs. Holcomb Bridge Road</u>, 238 Ga. 322 (1977).

CONCLUSION

For the foregoing reasons, the Applicant respectfully requests that this Application for Rezoning from O&I and R-20 to O&I be approved.

Submitted this 2rd day of August, 2018.

Sharon A. Gay

Dentons US LLP



Public Hearing Dates: PC: 11-06-18

BOC: 11-00-18

Case # Z-65

1150 Powder Springs St. Marietta, Georgia 30064

SITE BACKGROUND

Applicant: Flonnie Womack

Phone: (770) 378-4407

Email: westbrookflonnie470@gmail.com

Representative Contact: Bobby L. Terrell

Phone: (404) 643-0505

Email: cherokeerealty@bellsouth.net

Titleholder: Westbrook & McGuire, LLC

Property Location: East side of Bells Ferry Road,

south of Hawkins Store Road

Address: 4300 Bells Ferry Road

Access to Property: Bells Ferry Road

QUICK FACTS

Commission District: 3-Birrell

Current Zoning: NS (Neighborhood Shopping)

Current use of property: Former bank building

Proposed zoning: CRC (Community Retail

Commercial)

Proposed use: Retail

Future Land Use Designation: NAC (Neighborhood

Activity Center)

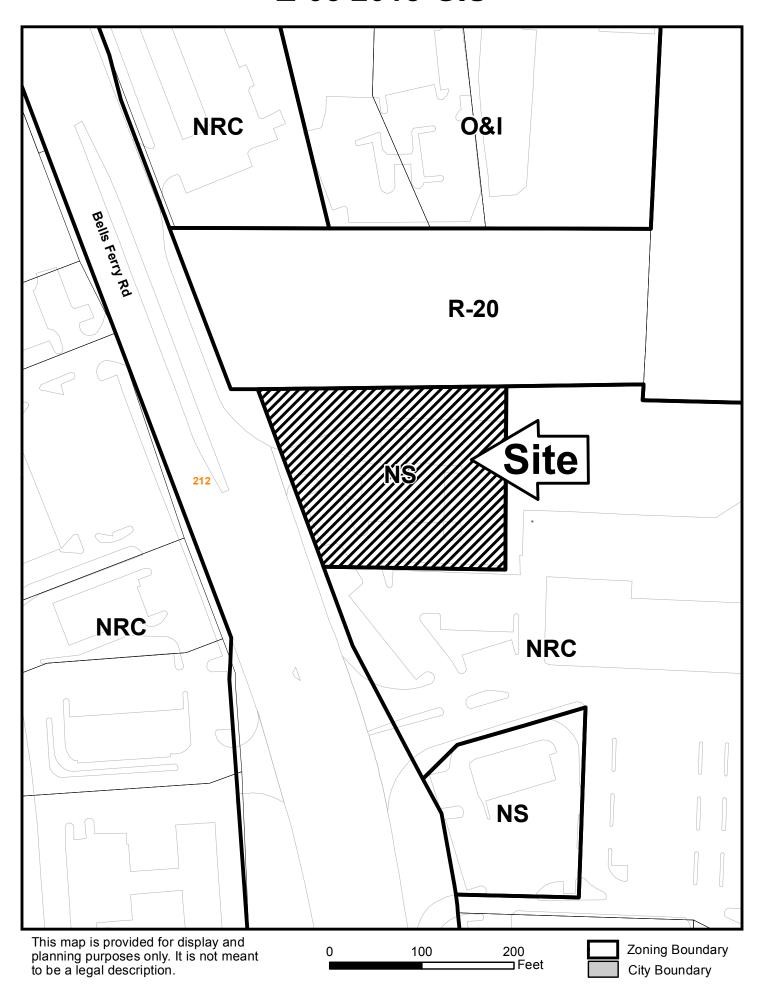
Site Acreage: 1.0601

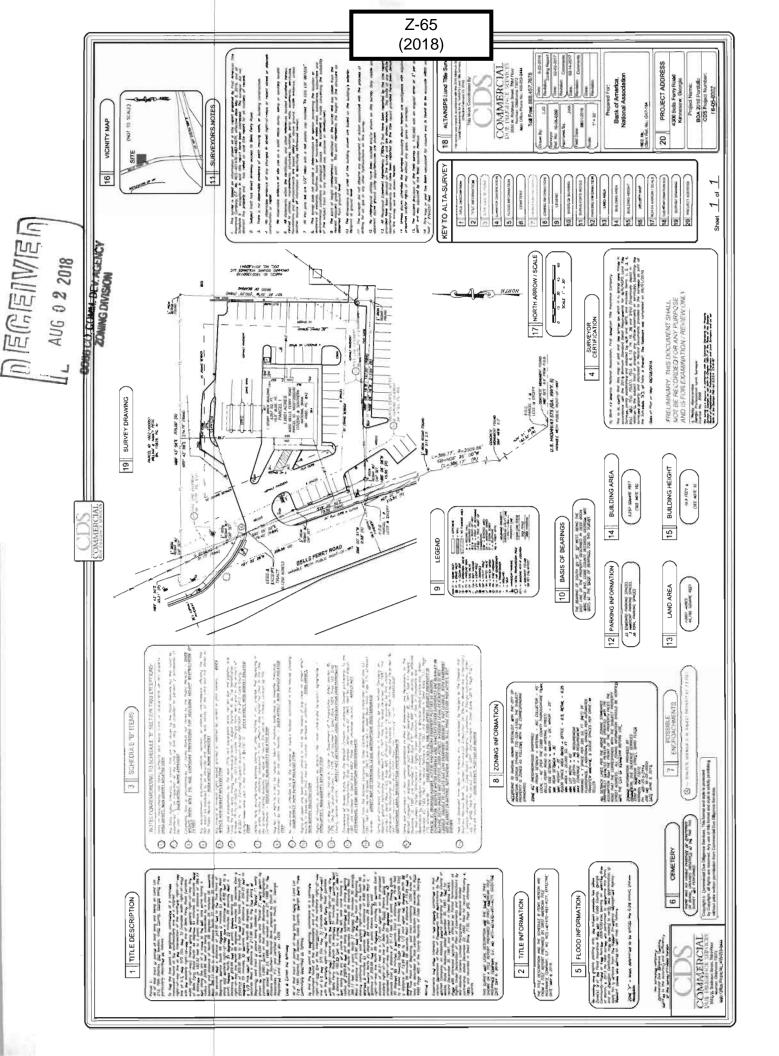
District: 16

Land Lot: 212

Parcel #: 16021200030

Z-65 2018-GIS







Application No. 245
Nov.
r Rezoning 2018

| art 1. | Residential Rezoning Information (attach additional information if needed) | | | | | | | | | |
|---------|--|---|--|--|--|--|--|--|--|--|
| | a) | Proposed unit square-footage(s): | | | | | | | | |
| | b) | Proposed building architecture: | | | | | | | | |
| | c) | List all requested variances: | | | | | | | | |
| | | | | | | | | | | |
| | N | uncidential Denomina Information (attack additional information if uncided) | | | | | | | | |
| | | -residential Rezoning Information (attach additional information if needed) Proposed use(s): Retail Sales Restaurant | | | | | | | | |
| | a) | Proposed use(s): Retail Sales Restaurant | | | | | | | | |
| | b) | Proposed building architecture: Traditional Bank Building | | | | | | | | |
| | <u>c)</u> | Proposed hours/days of operation: 6am-12pm | | | | | | | | |
| | d) | List all requested variances: None | | | | | | | | |
| | | | | | | | | | | |
| Dowt 2 | | ther Pertinent Information (List or attach additional information if needed) | | | | | | | | |
| Part 3 | | ne purpose of this rezoning is to comply with the land use change in that | | | | | | | | |
| | | S(Neighborhood Shopping) is no longer an allowable zoning category in a | | | | | | | | |
| | | AC(Neighborhood Activity Center). | | | | | | | | |
| | | | | | | | | | | |
| Part 4. | Is a | any of the property included on the proposed site plan owned by the Local, State, or Federal Government? | | | | | | | | |
| | (Ple | ase list all Right-of-Ways, Government owned lots, County owned parcels and/or remnants, etc., and attach a | | | | | | | | |
| | plat | clearly showing where these properties are located). | | | | | | | | |
| | | | | | | | | | | |
| | | | | | | | | | | |



Public Hearing Dates: PC: 11-06-18 BOC: 11-20-18

Case # Z-67

1150 Powder Springs St. Marietta, Georgia 30064

| SITE BACKGROU | JN | טו |
|---------------|----|----|
|---------------|----|----|

Applicant: Kent Ahrenhold

Phone: (404) 374-6985

Email: kahrenhold@aol.com

Representative Contact: Kent Ahrenhold

Phone: (404) 374-6985

Email: kahrenhold@aol.com

Titleholder: July Homes, Inc.

Property Location: Northeast corner of

Woodstock Road and York Place

Address: 4630 Woodstock Road

Access to Property: Woodstock Road

QUICK FACTS

Commission District: 3-Birrell

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

Current use of property: Single-family house

Proposed zoning: NRC (Neighborhood Retail

Commercial)

Proposed use: Office

Future Land Use Designation: NAC (Neighborhood

Activity Center)

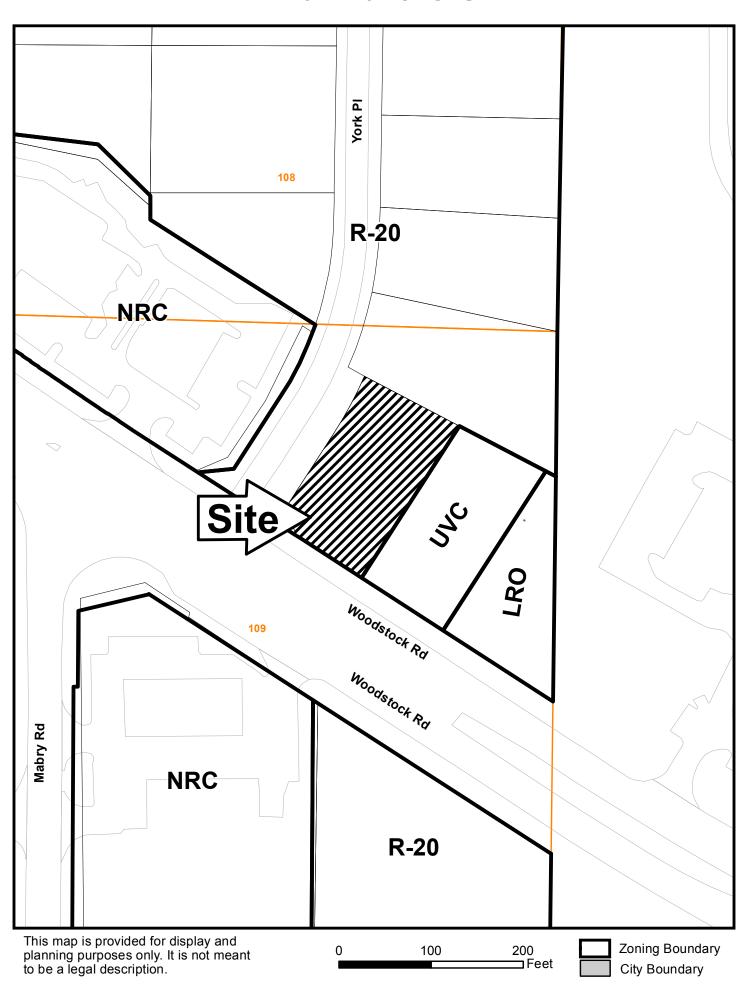
Site Acreage: .0489 ac

District: 16

Land Lot: 109

Parcel #: 16109000160

Z-67 2018-GIS



Kent Ahrenhold Architect 6851 ROSWELL RD NE, NO K-22 ATLANTA GA 30328 PHONE- 404.374.4985



| a) | Proposed unit square-footage(s): |
|------------|---|
| b) | Proposed building architecture: |
| c) | List all requested variances: |
| | N/X |
| | |
| Non-r | residential Rezoning Information (attach additional information if needed) |
| a) | Proposed use(s): Office - GMKU Professional Office Perilosed use(s): Juku Business |
| b) | Proposed building architecture: EXIGING CLEXN & PXINI |
| c) | Proposed hours/days of operation & co kell 10 5 pm |
| d) | List all requested variances: |
| | |
| | |
| 3. Oth | ner Pertinent Information (List or attach additional information if needed) |
| | GEE PROPOSED SITE PLKN |
| | George Land Surpe Rollie |
| | |
| | |
| Is an | y of the property included on the proposed site plan owned by the Local. State, or Federal Gover |
| | y of the property included on the proposed site plan owned by the Local, State, or Federal Gover se_list all Right-of-Ways, Government owned lots, County owned parcels and/or remnants, etc., a |



1150 Powder Springs St. Marietta, Georgia 30064

Case # Z-68

Public Hearing Dates:

PC: 11-06-18 BOC: 11-20-18

SITE BACKGROUND

Applicant: Traton Homes, LLC

Phone: (770) 427-9064

Email: clif@tratonhomes.com

Representative Contact: J. Kevin Moore

Phone: (770) 429-1499

Email: jkm@mijs.com

Titleholder: Martha Sue Daniell, f/k/a Martha

Sue Johnson

Property Location: West side of Austell Road, and on the northeast side of Milford Church

Road

Address: 1336 Milford Church Road

Access to Property: Milford Church Road

QUICK FACTS

Commission District: 4-Cupid

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

NS (Neighborhood Shopping)

Current use of property: Single-family house and

undeveloped acreage

Proposed zoning: RM-8 (Multi-family Residential)

Proposed use: Townhouse Community

Future Land Use Designation: NAC (Neighborhood

Activity Center), MDR (Medium Density

Residential), and CAC (Community Activity Center)

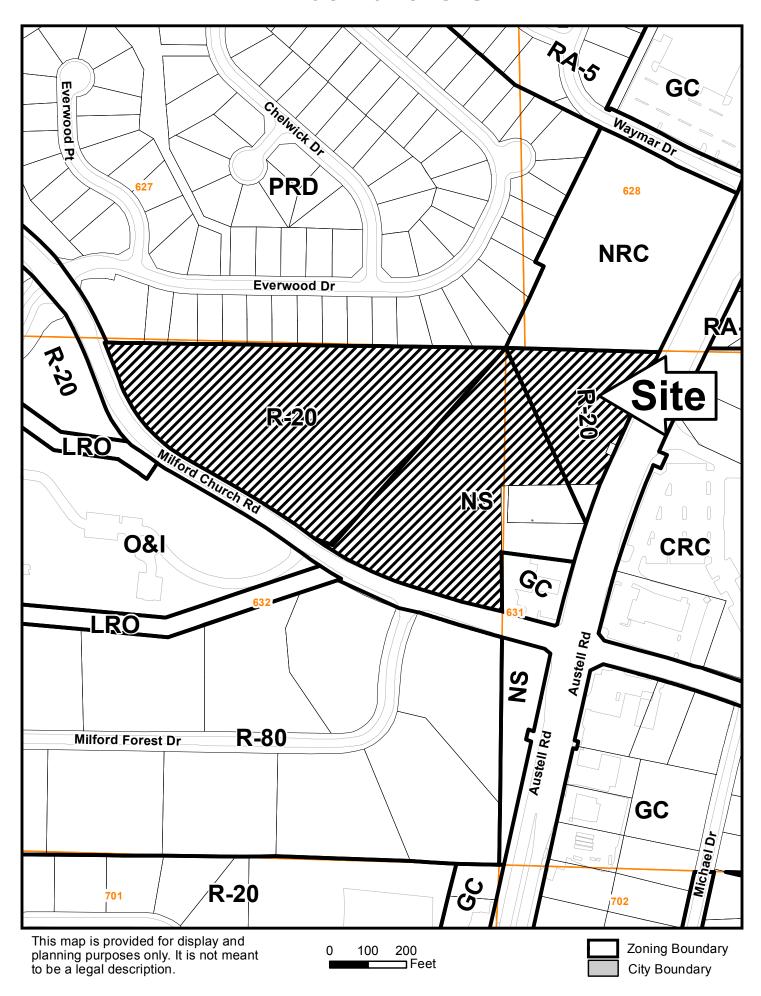
Site Acreage: 14.16 ac

District: 19

Land Lot: 631 and 632

Parcel #: 19063200010

Z-68 2018-GIS



Z-68 (2018)MILFORD CHURCH ROAD -NOT ISSUED FOR CONSTRUCTION ECEIVE AUG - 2 2018 COBB CO. COMM. DEV. AGENCY ZONING DIVISION A - 198.50 Con 198.60 A 186.50 MCINITY MAP No. Colina



Application No. z- 48 (2018)

Hearing Dates:

PC - 11/06/2018 BOC - 11/20/2018

Summary of Intent for Rezoning

| 2 | a)] | Proposed | unit square-footage(s): | 1,800 square feet and greater | | |
|-------|------------|-------------|--|--|--|--|
| | | - | building architecture: Traditional/Craftsman | | | |
| - | c) | List all re | equested variances: | None known at this time. | | |
| - | | | | | | |
| 2. N | | | | h additional information if needed) | | |
| 8 | a) 1 | Proposed | use(s): | Not Applicable. | | |
| ŀ | b) | Proposed | building architecture: | Not Applicable. | | |
| - | c) | Proposed | hours/days of operation: | Not Applicable. | | |
| • | d) | List all re | equested variances: | | | |
| - | | | | | | |
| - | | | | | | |
| rt 3. | . Other | Pertinent | Information (List or attac | ch additional information if needed) | | |
| - | | | | | | |
| - | | | | | | |
| | • | |] ' | osed site plan owned by the Local, State, or Federal Governm | | |
| (| (Please | ist all Ri | ght-of-Ways, Government | owned lots, County owned parcels and/or remnants, etc., and | | |
| - | plat clea | rly showi | ng where these properties | None known at this time. | | |
| | | | | | | |



Zoning Division
1150 Powder Springs St. Marietta, Georgia 30064

Case # Z-69
Public Hearing Dates:
PC: 11-06-18

BOC: 11-20-18

SITE BACKGROUND

Applicant: Brooks Chadwick Capital, LLC

Phone: (404) 281-4554

Email: todd@brookschadwick.com

Representative Contact: J. Kevin Moore

Phone: (770) 429-1499

Email: jkm@mijs.com

Titleholder: Numerous titleholders in the

Rezoning Application

Property Location: East side of Atlanta Road, north and south sides of East Lee Road, across

from Lee Road

Address: 3949, 3959, 3975, 3985, 3993, and 4003 Atlanta Road, 2200, 2201, 2190, 2191, 2180, and

2181 East Lee Road

Access to Property: Atlanta Road

QUICK FACTS

Commission District: 2-Ott

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

Current use of property: Single-family houses

Proposed zoning: RM-12 (Multi-family Residential)

Proposed use: Townhouse Community

Future Land Use Designation: MDR (Medium

Density Residential)

Site Acreage: 7.02 ac

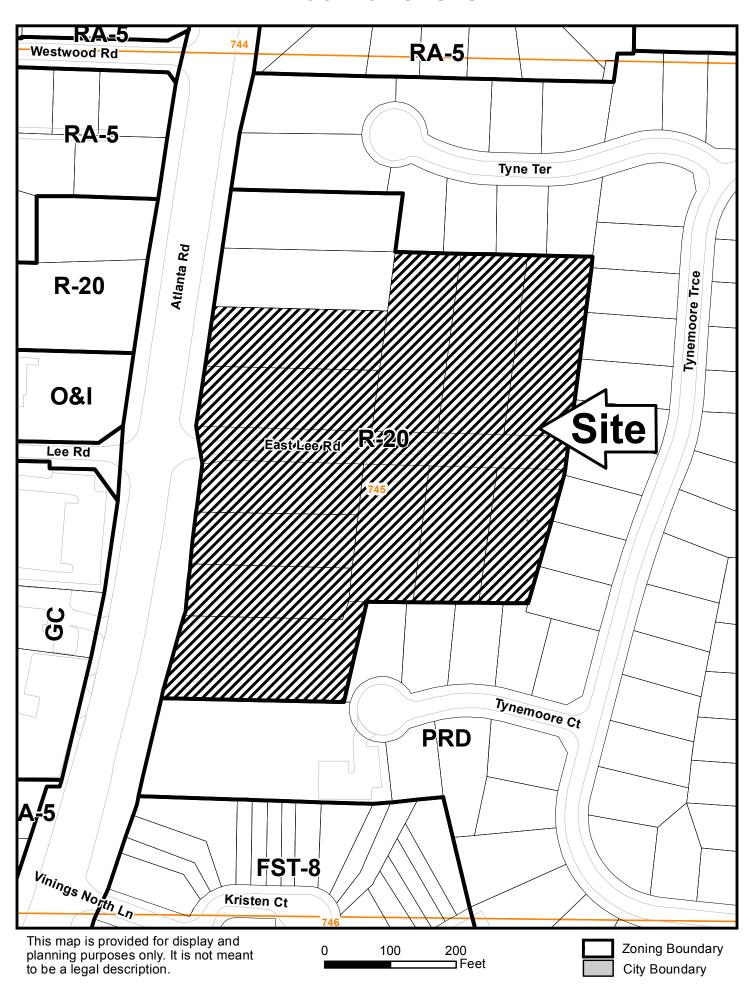
District: 17

Land Lot: 745

Parcel #s: 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, and

17

Z-69 2018-GIS







Application No. 2-69 (2018)

Hearing Dates:

PC: BOC: 11/06/2018 11/20/2018

COBB CO. COMM. DEV. AGENCY ZONING DIVISION

Summary of Intent for Rezoning

| | a) | Proposed unit square-footage(s): | 2,000 square feet - 3,500 square feet |
|-------|------------|---|--|
| | b) | Proposed building architecture: | Traditional |
| | c) | List all requested variances: | (1) Waiver of front setback along Atlanta Road |
| | | | |
| rt 2. | Non-r | esidential Rezoning Information (atta | nch additional information if needed) |
| | a) | Proposed use(s): | Not Applicable |
| | b) | Proposed building architecture: | Not Applicable |
| | c) | Proposed hours/days of operation | Not Applicable |
| | d) | List all requested variances: | Not Applicable |
| | | | |
| | | | |
| Part | 3. Otl | her Pertinent Information (List or att | ach additional information if needed) |
| | | | |
| | | | |
| | | | |
| | | are of the amongstry included on the area | posed site plan owned by the Local, State, or Federal Gove |
| 'art | | | at owned lots, County owned parcels and/or remnants, etc., |

^{*}Applicant specifically reserves the right to amend any information set forth in this Summary of Intent for Rezoning, or any other portion of the Application for Rezoning, at any time during the rezoning process.



Cobb County Community Development Agency **Zoning Division**

Public Hearing Dates: PC: 11-06-18 BOC: 11-20-18

Case # Z-70

1150 Powder Springs St. Marietta, Georgia 30064

| SI | TF | RΑ | CK | GR | Oι | JND |
|---------------|----|-------------|---------------|---------------|--------|---------|
| \mathcal{L} | | <i>D,</i> 1 | \sim \sim | \sim \sim | \sim | J 1 4 D |

Applicant: The Wasserman Group, LLC

Phone: (404) 874-8800

Email: smw@wassermangroup.com

Representative Contact: J. Kevin Moore

Phone: (770) 429-1499

Email: jkm@mijs.com

Titleholder: Multiple titleholders in Rezoning

Application

Property Location: West side of Acworth Dallas

Road, south of Cedarcrest Road

parcels on Acworth Dallas Road

Address: 4321, 4331, 4341, 4361, 5001, 5003 Acworth Dallas Road, and five unnumbered

Access to Property: Acworth Dallas Road

QUICK FACTS

Commission District: 1-Weatherford

Current Zoning: R-30, R-20 (Single-family Residential), and GC (General Commercial)

Current use of property: Single-family houses and

undeveloped acreage

Proposed zoning: RM-8 (Multi-family Residential), and RSL (Residential Senior Living) (Non-supportive)

Proposed use: Age-restricted Residential

Community

Future Land Use Designation: NAC (Neighborhood

Activity Center) and VLDR (Very Low Density

Residential)

Site Acreage: 65.610 ac

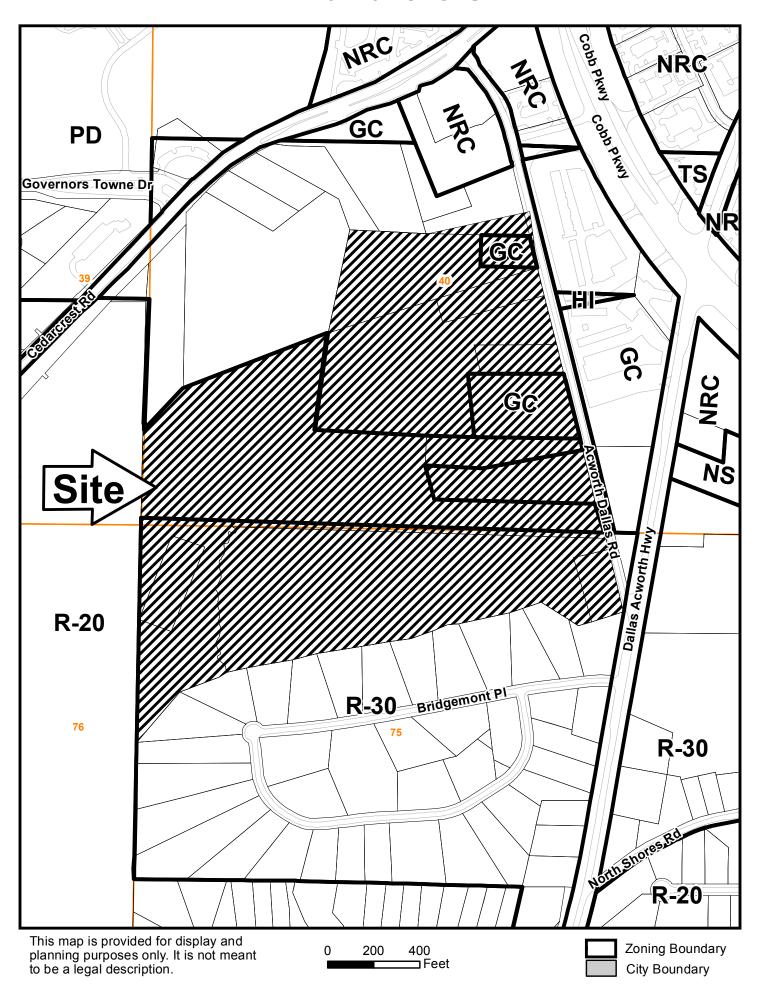
District: 20

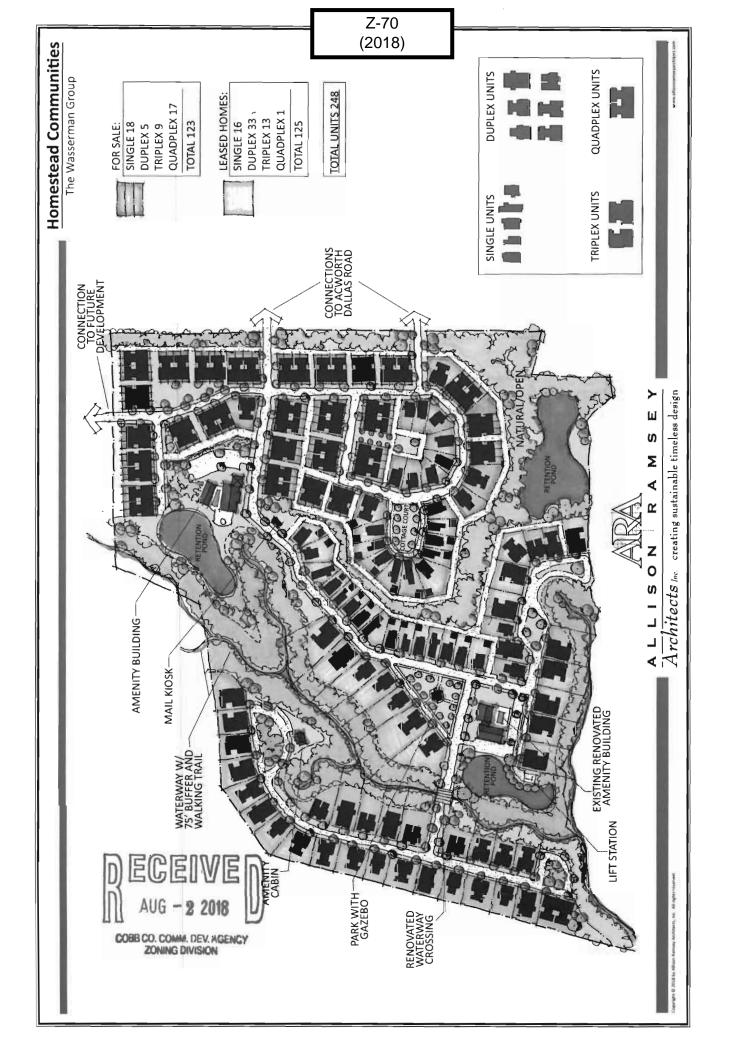
Land Lot: 40 and 75

Parcel #: Multiple parcels in Rezoning Application

Taxes Paid: Yes

Z-70 2018-GIS





DECEIVED N AUG - 2 2018

ZONING DIVISION

Application No. z- 70 (2018)

Hearing Dates:

PC: BOC: 11/06/2018 11/20/2018

Summary of Intent for Rezoning

| | | Į. | dditional information if needed) RM-8 - 1,250+/- square feet, and greater; RSL - 1,550+/-, and gre |
|------|-------------------|----------------------------|--|
| | | ed building architecture: | Traditional; Coastal; Craftsman |
| | ~, ropose | - | 1 - 1-1/2 story homes |
| , | c) List all | requested variances: | |
| | | | |
| 2. 1 | Non-residential J | Rezoning Information (atta | ach additional information if needed) |
| ; | a) Propose | ed use(s): | Not Applicable |
| i | b) Propose | d building architecture: | Not Applicable |
| | c) Propose | d hours/days of operation: | Not Applicable |
| | d) List all | requested variances: | Not Applicable |
| | | | |
| | | | |
| rt 3 | . Other Pertine | | ach additional information if needed) |
| , | | | |
| | | | |
| | | | |
| t 4. | Is any of the pr | operty included on the pro | posed site plan owned by the Local. State, or Federal Government |
| | _ | | posed site plan owned by the Local, State, or Federal Government? t owned lots, County owned parcels and/or remnants, etc., and atta |

^{*}Applicant specifically reserves the right to amend any information set forth in this Summary of Intent for Rezoning, or any other portion of the Application for Rezoning, at any time during the rezoning process.



Cobb County Community Development Agency Zoning Division

1150 Powder Springs St. Marietta, Georgia 30064

Case # Z-71

Public Hearing Dates:

PC: 11-06-18 BOC: 11-20-18

SITE BACKGROUND

Applicant: Pope & Land Enterprises, Inc.

Phone: (770) 980-0808

Email: hmzimmer@popeandland.com

Representative Contact: J. Kevin Moore

Phone: (770) 429-1499

Email: jkm@mijs.com

Titleholder: McCamy Investments, L.P.; McCamy Properties, LLC; BK Properties, L.P.; and VKEP-T,

LLC

Property Location: Southwest corner of Chastain Road and Chastain Meadows Parkway, east of

ramp from I-575

Address: Not indicated

Access to Property: Chastain Road and Chastain

Meadows Parkway

QUICK FACTS

Commission District: 3-Birrell

Current Zoning: R-20, RA-4 (Single-family Residential), GC (General Commercial), O&I (Office

& Institutional), and NS (Neighborhood Shopping)

Current use of property: Single-family house and

undeveloped acreage

Proposed zoning: RRC (Regional Retail Commercial)

Proposed use: Mixed-Use Development

Future Land Use Designation: CAC (Community

Activity Center)

Site Acreage: 61.26 ac

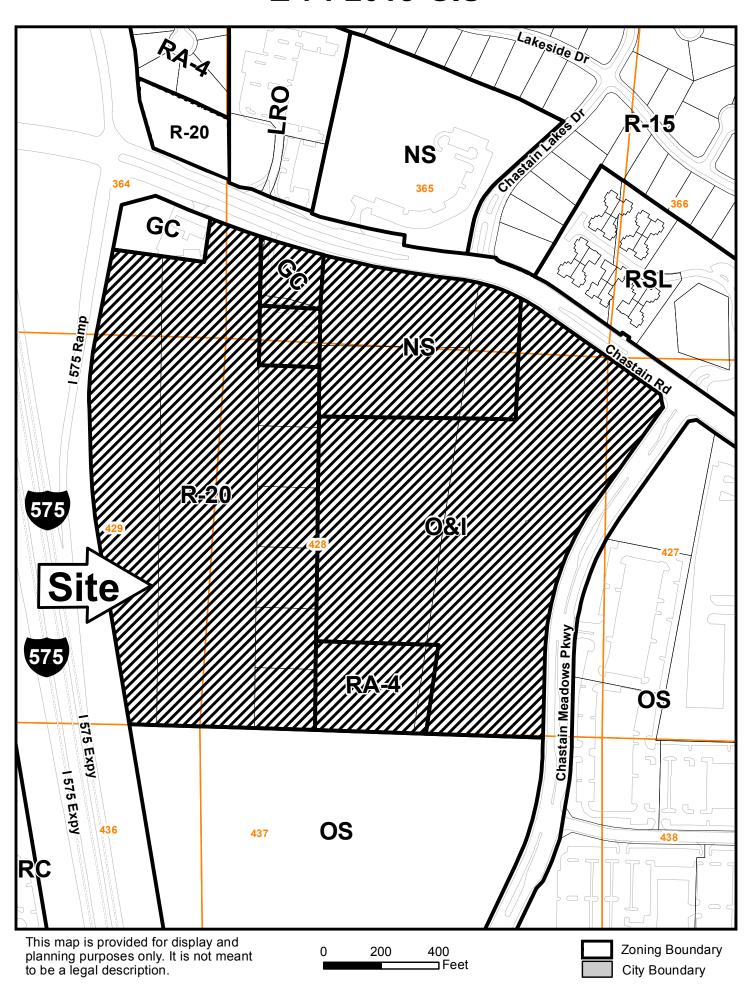
District: 16

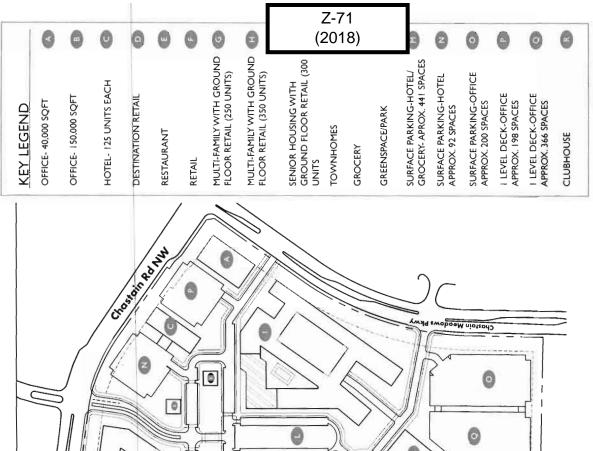
Land Lot: 364, 365, 428, and 429

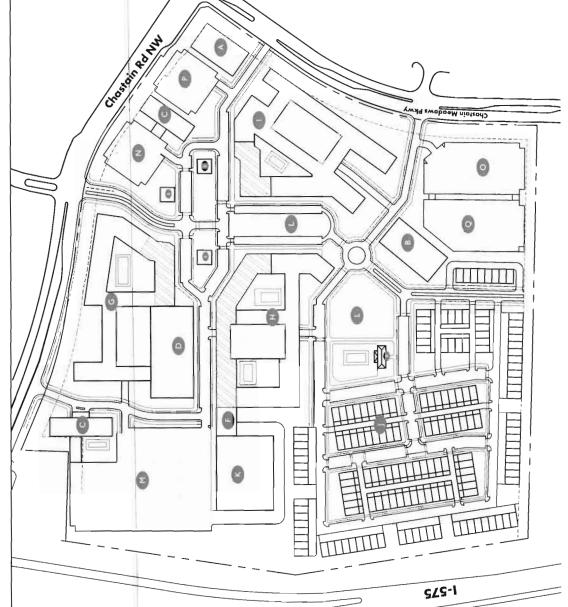
Parcel #: Multiple parcels in Rezoning Application

Taxes Paid: Yes

Z-71 2018-GIS







CONCEPTUAL PROGRAM 1111 2 E 2 And and Cheer Hiller And and Children Miles Sent Lawy Dilling



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ROAD

SHANTY

BIG

P&L-

Conceptual Master Plan



Application No. z-71 (2018)

Hearing Dates:

PC: BOC: . 11/06/2018 11/20/2018

COURS CO. COMM. DEV. AGENCY
SUMMARY OF Intent for Rezoning

| | Proposed unit square-footage(s): | See Attached. |
|------------|--|---|
| b) | Proposed building architecture: | |
| c) | List all requested variances: | |
| | | |
| | | |
| | esidential Rezoning Information (attac | ch additional information if needed) |
| a) | Proposed use(s): | See Attached. |
| b) | Proposed building architecture: | |
| c) | Proposed hours/days of operation: | |
| d) | List all requested variances: | |
| | | |
| | | |
| . Otl | ner Pertinent Information (List or attac | ch additional information if needed) |
| | | |
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| | | |
| | | osed site plan owned by the Local, State, or Federal Gover |
| (Plea | | osed site plan owned by the Local, State, or Federal Gover owned lots, County owned parcels and/or remnants, etc., a |

or any other portion of the Application for Rezoning, at any time during the rezoning process.

Z-71 (2018) Attachment to Summary of Intent

CONCEPTUAL PROGRAM

| McCamy Property Conceptual Program | 里世 5000 | | | | |
|---------------------------------------|---------------------|-------|-------------------------|--------------------|---------|
| Use | Approx. SF/Units | | Approx. Acre Allocation | Approx. Density | |
| Grocery Anchored Center | 52,000 | SF | 6.48 | 8,025 | SF/Acre |
| Destination Retail/Restaurant | 68,500 | SF | 3.21 | 21,340 | SF/Acre |
| Ground floor apartment retail | 70,000 | SF | *** | #VALUE! | SF/Acre |
| Office 1 x 150,000 | 150,000 | SF | 6.52 | 23,006 | SF/Acre |
| Office 1 x 40,000 | 40,000 | SF | 2 | | [|
| Multi Family with ground floor retail | 250 | units | 4.95 | 51 | UPA |
| Multi Family with ground floor retail | 350 | units | 4.63 | 76 | |
| Senior Housing | 399 | units | 4.8 | 63 | UPA |
| Boutique Hotel 2 x 125 | 250 | units | 3.4 | 74 | UPA |
| Town Homes | 160 | units | 14 | 11 | UPA |
| Loss to roads and greenspace/stream | | | 12.51 | | |
| | | | 62.5 | | |
| Total Retail & Restaurants | 190,500 | SF | | | |
| Total Office | 190,000 | SF | | | |
| Total Residential | 1,060 | units | | | |
| Total Hotel | 250 | units | | | |
| McCamy | | | 40 | acres | |
| Quintus | | | 15.5 | acres | |
| Quintus | | | 7 | acres | |
| | | | 62.5 | acres | |

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| Location | Арргоз. # |
|----------------------------|-----------|
| (1) Hotel/Grocery | 441 |
| (2) Hotel | 92 |
| (3) Office Parking deck | 198 |
| (4) Office Surface parking | 200 |
| (5) Office Parking deck | 366 |
| (6) MF 250 | 78/level |
| (7) MF 350 | 72 level |
| (8) SH | 82/level |

| PARALLEL PARKING | APPROX. # |
|------------------|-----------|
| Townhomes | 204 |
| Other | 160 |
| Total | 364 |
| | |

COBB CO: COMM. DEV. AGENCY ZONING DIVISION

Ground Floor aparment retail Acre allocation included with Multi Family Acre allocation.

The following square footage of retail for each living facility is as follows:

Multi-Family (250 units) - 20,213 sqft Multi-Family (350 Units) - 38658 sqft Senior Housing - 17089 sqft



Cobb County Community Development Agency **Zoning Division**

PC: 11-06-18 BOC: 11-20-18

Case# LUP-12

Public Hearing Dates:

1150 Powder Springs St. Marietta, Georgia 30064

| SITE | BACKGROUND | |
|------|------------|--|
| JIIL | DACKONOOND | |

Applicant: Spurs of Hope, Inc.

Phone: (478) 956-2704

Email: kim@spursofhope.com

Representative Contact: Kim Krummert

Phone: (478) 447-0849

Email: kim@spursofhope.com

Titleholder: George Andrew Montgomery, Jr.

Property Location: Western terminus of Laura

Lake Drive, west of Bells Ferry Road

Address: 151 Laura Lake Road

Access to Property: Laura Lake Road

QUICK FACTS

Commission District: 3-Birrell

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

Current use of property: Single-family house

Proposed use: Equine Therapy (LUP Renewal)

Future Land Use Designation: LDR (Low Density

Residential)

Site Acreage: 10.5 ac

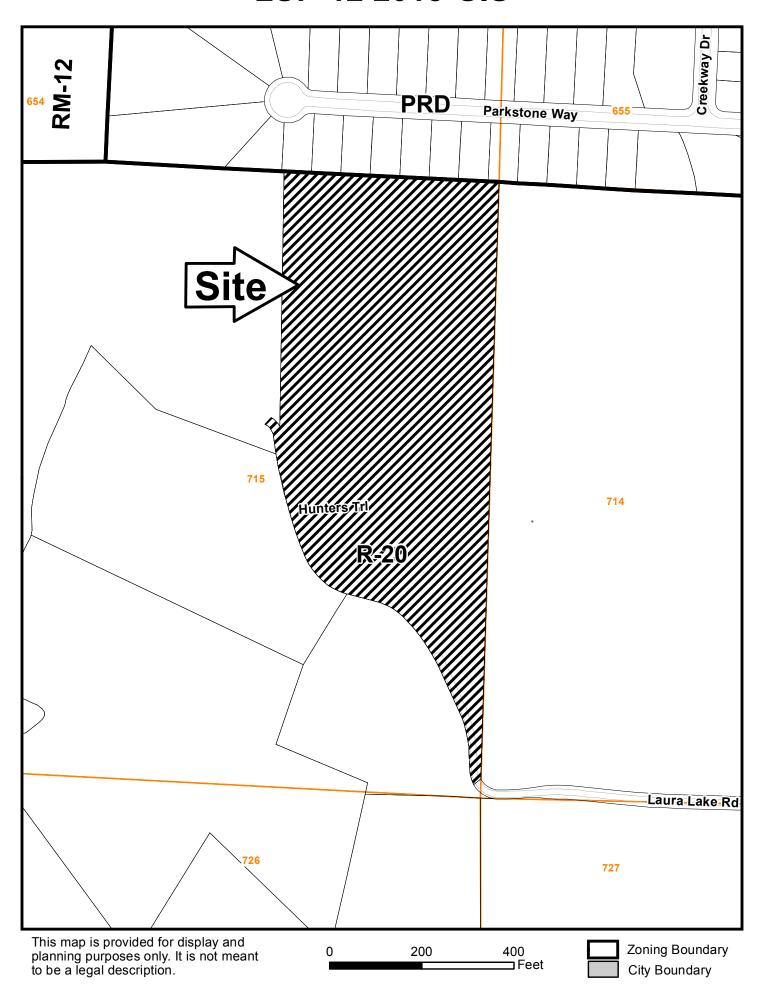
District: 16

Land Lot: 715

Parcel #: 17071500020

Taxes Paid: Yes

LUP-12 2018-GIS



LUP-12 (2018)PARKSTONE WAY PARK @ BARRETT CREEK ZONED: PRD-X2-1 (656) APPROXIMATE LOCATION OF PROPERTY LINE (TYP.) (715) NÆ GEORGE A. MONTGOMERY SR GEORGE A. MONTGOMERY, JR LAURA MONTGOMERY ALLGOOD AUG -/2 2018 COBB CO. COMM. DEV. AGENCY GEORGE A. MONTGOMERY, JR LAURA LAKE RD. 726 727 MONTGOMERY, SR. GEORGE GEORGE MONTGOMERY, JR. TRACT SCALE: 1" = 200





Application #: LUP-12
PC Hearing Date: 11-6-18
BOC Hearing Date: 11-20-18

TEMPORARY LAND USE PERMIT WORKSHEET (FOR BUSINESS USE OR FOR A USE NOT PERMITTED)

| 1. | Type of business, or request? Equine Therapy for Kids in car |
|-------------------|--|
| 2. | Number of employees? employee + independent Convactor |
| 3. | Days of operation? 2 Friday & SAturday |
| 4. | Days of operation? 2 Friday & SAturday Hours of operation? 9:00 2m - 4:00 SAT 4:00-8:00pm-F |
| 5. | Number of clients, customers, or sales persons coming to the house |
| | per day? 5-10 ;Per week? 5-20 |
| 6. | Where do clients, customers and/or employees park? |
| | Driveway:; Street:; Other (Explain): |
| | |
| 7. | Signs? No:; Yes: (If yes, then how many, size, |
| | and location): |
| 8. | Number of vehicles related to this request? (Please also state type of vehicle, i.e. dump truck, bobcat, trailer, etc.): |
| 9. | Deliveries? No; Yes(If yes, then how many per day or week, and is the delivery via semi-truck, USPS, Fedex, UPS, etc.) |
| 10. 11. | Does the applicant live in the house? Yes; No Any outdoor storage? No; Yes(If yes, please state what |
| | is kept outside): |
| 12. 13. 14. | Length of time requested (24 months maximum): |
| | Applicant signature: Kim Krummen Date: 7/31/18 Applicant name (printed): Kim Krummen CT |
| | Applicant name (printed): Kim Krummer |