

**NOVEMBER 19, 2013 ZONING HEARING
“OTHER BUSINESS”
COMMISSION DISTRICT 1**

ITEM # 3

PURPOSE

To consider a site plan approval for Carl Black Chevrolet Buick GMC, Inc regarding rezoning application Z-7 of 2011 (Rooms To Go), for property located at the north side of Ernest Barrett Parkway and on the south side of Auto Park Drive, in Land Lots 172, 173 and 209 of the 20th District.

BACKGROUND

The subject property was rezoned in 2011 for a Rooms To Go store and shops on the south side of the parcel. The north side of the parcel did not have any development plans shown on the site plan, so the Board of Commissioners stipulated that these tracts would come back to the Board for final site plan approval. The northwestern tract is adjacent to the applicant’s car dealership, and he would like to put an access drive in to connect both tracts. The applicant will use this parcel to park his cars and trucks. Much of the infrastructure remains when this was part of another car dealership and the applicant will clean up and improve the property. There will no new access points to Auto Park Drive. If approved, all previous zoning stipulations would remain in effect.

FUNDING

N/A

RECOMMENDATION

The Board of Commissioners conduct a Public Hearing and consider the proposed site plan approval.

ATTACHMENTS

Other Business application and stipulations.

Application for "Other Business" Cobb County, Georgia

COBB COUNTY GEORGIA
FILED IN OFFICE

3

2013 OCT 14 PM 3:19 11-19-2013

(Cobb County Zoning Division - 770-528-2035)

BOC Hearing Date Requested:

COBB COUNTY ZONING DIVISION

Applicant: Carl Black Chevrolet Buick GMC, Inc. **Phone #:** 770-424-2200
(applicant's name printed)

Address: 1030 Auto Park Dr., Kennesaw, GA 30144 **E-Mail:** sjordan@carlblack.com

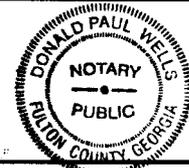
T Scott Jordan **Address:** 1110 Roberts Blvd, Kennesaw, GA 30144
(representative's name, printed)

[Signature] **Phone #:** 770-652-3628 **E-Mail:** sjordan@carlblack.com
(representative's signature)

Signed, sealed and delivered in presence of:

[Signature]
Notary Public

My commission expires: _____



My Commission Expires
March 24, 2017

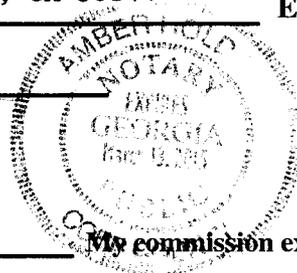
Titleholder(s): Kennesaw Auto Investments, LLC **Phone #:** 770-42402200
(property owner's name printed)

Address: 1110 Roberts Blvd, Kennesaw, GA 30144 **E-Mail:** mbowsher@carlblack.com
(Property owner's signature)

Signed, sealed and delivered in presence of:

[Signature]
Notary Public

My commission expires: 03-13-2015



Commission District: 1 **Zoning Case:** Z-7 of 2011

Date of Zoning Decision: 3/15/11 **Original Date of Hearing:** 3-15-11

Location: 1030 Auto Park Dr.
(street address, if applicable; nearest intersection, etc.)

Land Lot(s): 172 **District(s):** 20

State specifically the need or reason(s) for Other Business: _____

Sit plan & stipulation Amendment

(List or attach additional information if needed)

AUTO PARK ACCESS EASEMENT

NORTH PARCEL

LOCATION OF PROPOSED
OF CONNECTION DRIVE

AUTO PARK DRIVE (60' R/W)

Proposed site plan

COBB COUNTY GEORGIA
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2013 OCT 14 PM 3:23

COBB COUNTY ZONING DIVISION

ORIGINAL DATE OF APPLICATION: 03-15-11APPLICANTS NAME: ROOMS TO GOCOBB COUNTY GEORGIA
FILED IN OFFICE

2013 OCT 14 PM 3: 20

THE FOLLOWING REPRESENTS THE FINAL DECISIONS OF THE
COBB COUNTY BOARD OF COMMISSIONERS COBB COUNTY ZONING DIVISION**BOC DECISION OF 03-15-11 ZONING HEARING:**

ROOMS TO GO (GlassRatner Management & Realty Advisors, LLC as Receiver for Heardco, L.P., owner) requesting Rezoning from **GC with Stipulations** to **GC with Stipulations** for the purpose of Retail and Removing Zoning Stipulations in Land Lots 172, 173 and 209 of the 20th District. Located on the north side of Ernest Barrett Parkway; and on the south side of Auto Park Drive, west of Barrett Lakes Boulevard.

The public hearing was opened and Mr. Carl Westmoreland addressed the Board. Following presentation and discussion, the following motion was made:

MOTION: Motion by Goreham, second by Ott, to delete Rezoning to the CRC zoning district subject to:

- site plan received by the Zoning Division February 4, 2011 for reference *only* and subject to Plan Review and approval by the District Commissioner (attached and made a part of these minutes)
- letter of agreeable conditions from Mr. Carl E. Westmoreland, Jr., dated March 14, 2011 (attached and made a part of these minutes)
- contemporaneous variances allowed as described in the stipulated letter
- elevations subject to Plan Review and approval by the District Commissioner
- use and site plan for the north parcel facing Auto Park Drive subject to approval by the Board of Commissioners
- project to be in conformance with Town Center Area Guidelines, *not otherwise in conflict*
- subject to Tree Ordinance and Sign Ordinance, with an overall landscape plan to be approved by County Arborist
- landscape plan to be in general conformity to the Town Center Community Improvement District guidelines, *not otherwise in conflict*
- if the property is subdivided or if a portion is sublet resulting in any lot(s) that do not meet the parking code independently, then all lots adjacent to Barrett Parkway right-of-way will participate in a cross parking agreement
- no vehicles may be parked visible to any right-of-way for advertising or "for sale" purposes, unless the use of the entire property is modified to auto/truck sales by the Board of Commissioners
- District Commissioner may approve minor modifications
- Water and Sewer Division comments and recommendations, *not otherwise in conflict*
- Stormwater Management Division comments and recommendations, *not otherwise in conflict*
- Cobb DOT comments and recommendations, *not otherwise in conflict*

VOTE: **ADOPTED** unanimously

