

**SEPTEMBER 16, 2014 ZONING HEARING  
“OTHER BUSINESS”  
COMMISSION DISTRICT 2**

**ITEM OB-56**

**PURPOSE**

To consider a stipulation amendment for The Space Atlanta, LLC regarding rezoning application Z-45 of 2012 (Last Stand Fitness, LLC), for property located on the west side of Atlanta Road at Brownwood Lane, and on the east side of I-285, south of Atlanta Road in Land Lot 763 of the 17<sup>th</sup> District.

**BACKGROUND**

The subject property was rezoned in 2012 to allow a fitness facility to occupy one of the lease spaces in the front of building. The applicant has a dance and exercise studio that they would like to place in a lease space that fronts Atlanta Road. This would be two doors down from the existing fitness facility. It is important to note that this side of the building looks like a commercial space with a brick front with large windows. The zoning stipulations would have to be amended to allow the applicant’s use in the building. No exterior changes will be made to the building. If approved, all previous zoning stipulations would remain in effect.

**RECOMMENDATION**

The Board of Commissioners conduct a Public Hearing and consider the proposed stipulation amendment.

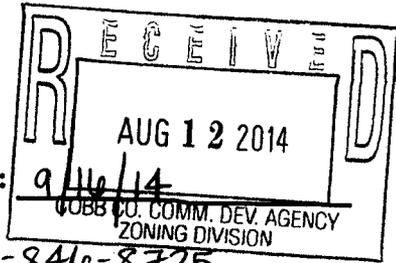
**ATTACHMENTS**

Other Business application and stipulations.

# Application for "Other Business" Cobb County, Georgia

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

BOC Hearing Date Requested:



Applicant: The Space Atlanta, LLC Phone #: 770-846-8725  
(applicant's name printed)

Address: 4620 S. Atlanta Rd, Ste A, Smyrna, GA 30080 E-Mail: info@thespaceatl.com

McKinley MacLean Address: 2712 The Valley, Atlanta, GA 30328  
(representative's name, printed)

[Signature] Phone #: 770-846-8725 E-Mail: mck@TheSpaceAtl.com  
(representative's signature)

Signed, sealed and delivered in presence of:

[Signature] My commission expires: 4-23-16  
Notary Public



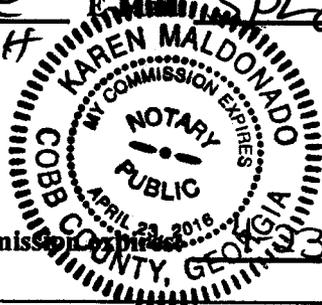
Titleholder(s): STRONGUIST/SAM LEWIS Phone #: 404-794-3440  
(property owner's name printed)

Address: 4620 ATLANTA RD./SUITE 600 E-Mail: SPL@STRONGUIST.COM

[Signature]  
(Property owner's signature)

Signed, sealed and delivered in presence of:

[Signature] My commission expires: 4-23-16  
Notary Public



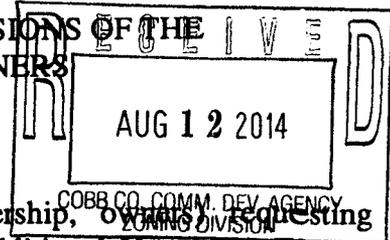
Commission District: D Zoning Case: 2-45 of 2012

Date of Zoning Decision: 11-20-12 Original Date of Hearing: 11-20-12

Location: 4620 S. Atlanta Rd, suite A, Smyrna, GA 30080  
(street address, if applicable; nearest intersection, etc.)

Land Lot(s): 763 District(s): 17th

State specifically the need or reason(s) for Other Business: We are a dance instruction studio, which is not covered by our current zoning (light industrial)

ORIGINAL DATE OF APPLICATION: 11-20-12APPLICANTS NAME: LAST STAND FITNESS, LLCTHE FOLLOWING REPRESENTS THE FINAL DECISIONS OF THE  
COBB COUNTY BOARD OF COMMISSIONERS**BOC DECISION OF 11-20-12 ZONING HEARING:**

LAST STAND FITNESS, LLC (Lewyn-Atlanta Road Partnership, owners) requesting Rezoning from LI to LI with Stipulations for the purpose of Additional Use As A Fitness Facility in Land Lot 763 of the 17<sup>th</sup> District. Located on the west side of Atlanta Road at Brownwood Lane; and on the east side of Interstate 285, south of Atlanta Road (4620 Atlanta Road).

MOTION: Motion by Ott, second by Birrell, to **approve** Rezoning to the LI with Stipulations zoning district subject to:

- Site plan received by the Zoning Division on September 6, 2012, with the District Commissioner approving minor modifications (attached and made a part of these minutes)
- Letter from Mr. Parks Huff dated November 1, 2012 (attached and made a part of these minutes)
- For this use *only*
- Water and Sewer Division comments and recommendations
- Cobb DOT comments and recommendations

VOTE: **ADOPTED** unanimously

**SAMS, LARKIN & HUFF**  
A LIMITED LIABILITY PARTNERSHIP

GARVIS L. SAMS, JR.  
JOEL L. LARKIN  
PARKS F. HUFF  
JAMES A. BALLI

SUITE 100  
376 POWDER SPRINGS STREET  
MARIETTA, GEORGIA 30064-3448

770-422-7016  
TELEPHONE  
770-426-6583  
FACSIMILE

PAGE 4 OF     

JUSTIN H. MEEKS

SAMSLARKINHUFF.COM

November 1, 2012

**VIA EMAIL: [Jason.Campbell@cobbcounty.org](mailto:Jason.Campbell@cobbcounty.org)**  
**AND HAND DELIVERY**

Mr. Jason Campbell, Planner  
Cobb County Community Development Agency  
Zoning Division  
P.O Box 649  
Marietta, GA 30061

Re: Application of Last Stand Fitness, LLC  
To Rezone a 3.795± Acre Tract from Light Industrial (LI) to  
Light Industrial (LI) with Conditions  
Land Lot 763, 17<sup>th</sup> District, 2<sup>nd</sup> Section, Cobb County, Georgia

Dear Jason:

I represent Last Stand Fitness, LLC dba Crossfit 285 in relation to the above-styled rezoning application for property known as 4620 South Atlanta Road, Smyrna, Georgia 30080. Crossfit 285 is a workout gym that operates out of an industrial space because they rely upon big heavy equipment like barbells, pull-up bars and ropes instead of treadmills and other electronic equipment. The Applicant requests this rezoning application to allow this additional use in the light industrial zoning category. The rezoning application is scheduled to be heard by the Planning Commission on November 6, 2012 and thereafter by the Board of Commissions on November 20, 2012. The following is a list of conditions that my client is willing to agree to become part of the rezoning approval.

1. The applicant will agree to reline the sixteen (16) spaces depicted on Exhibit "A" to provide parking for its client.
2. The rezoning specifically includes workout gym as an allowable use under light industrial.
3. The workout gymnasium will be limited to a 4,200 square foot space within the existing warehouse buildings and any expansion must be approved by the District Commissioner.

SAMS, LARKIN & HUFF  
A LIMITED LIABILITY PARTNERSHIP

Petition No. 2-45  
Meeting Date 11/20/12  
Continued

VIA EMAIL: [Jason.Campbell@cobbcounty.org](mailto:Jason.Campbell@cobbcounty.org)  
AND HAND DELIVERY

Mr. Jason Campbell, Planner  
Cobb County Community Development Agency  
Zoning Division  
November 1, 2012  
Page 2

PAGE 5 OF     

In the past, Cobb County has approved gymnasiums and other recreational use of industrial space because warehouses provide for big open areas that are needed for recreational use. By limiting the amount of recreational space to 4,200 square feet, parking will not be a problem in this large industrial park. The Applicant has not received any negative comments from other tenants or neighboring property owners regarding this request. Please contact me if you have any questions or concerns regarding these proposed conditions.

Very truly yours,

SAMS, LARKIN & HUFF, LLP



Parks F. Huff  
[phuff@samslarkinhuff.com](mailto:phuff@samslarkinhuff.com)

PFH/dvm  
Enclosures

cc: Members, Cobb County Board of Commissioners (via email and regular mail)  
Members, Cobb County Planning Commission (via email)  
Mr. Tim Davidson, Cobb County Water System (via email and regular mail)  
Ms. Jane Stricklin, P.E. (via email)  
Mr. David Breaden, P.E. (via email)  
Ms. Karen King, Assistant County Clerk (via email)  
Ms. Lori Presnell, Deputy County Clerk (via email)  
Ms. Robin Meyer, MIC (via email)  
Last Stand Fitness, LLC

Petition No. 2-45  
Meeting Date 11/25/2  
Continued

# Exhibit "A"



Rezoning

Search Near Facility

(REVISI) 4620...rvey 8-20-12.pdf  
2.0KB, modified 2 months ago

4620 Atlanta Roa...8-16-12 (1).pdf  
2.9MB, modified 2 months ago

Client ltr - Copy...Application.pdf  
7.0MB, modified 1 month ago

CommercialPerm...leForm2[1].pdf  
280KB, modified 2 months ago

Fire Marshal Notice.pdf  
321KB, modified 2 months ago

(REVISI) 4620...rvey 8-20-12.pdf

ROAD - AWA

POC: 101.2'± FROM CL INT.  
W/ BROWNWOOD LN

Division No. 2-45  
Meeting Date 11/20/12  
Continued

PAGE 7 OF 7

