
ZONING ANALYSIS

Planning Commission Public Hearing

March 1, 2016

Board of Commissioners' Public Hearing

March 15, 2016

Prepared by:
COBB COUNTY
PLANNING AND ZONING DIVISIONS

COBB COUNTY BOARD OF COMMISSIONERS

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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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Every application for rezoning involving a request for a non-residential zoning district shall include a complete written, documented analysis of the impact of the proposed rezoning with respect to each of the following matters:

- (a) Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property;
- (b) Whether the zoning proposal will adversely affect the existing use or usability of adjacent property or nearby property;
- (c) Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned; and
- (d) 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.
- (e) Whether the zoning proposal is in conformity with the policy and intent of the land use plan; and
- (f) 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.

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COBB COUNTY
ZONING HEARING AGENDA
Planning Commission–March 1, 2016

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-87¹⁵** **FUQUA ACQUISITIONS II, LLC** (Due to individual parcels, a complete list of titleholders is available in the Zoning Office) requesting rezoning from **R-30** and **R-20** to **NRC, RM-12** and **RSL** for the purpose of Residential, Senior Living and Retail in Land Lots 769 and 770 of the 17th District. Located on the west side of Spring Hill Parkway, north side of Paces Ferry Road, east side of Spring Hill Road and on the southwest side of Simpson Road. *(Continued by Staff from the December 1, 2015 Planning Commission hearing until the April 1, 2016 Planning Commission hearing; therefore will not be considered at this hearing)*
- Z-98¹⁵** **COLUMBIA PROPERTIES CAPITAL, LLC** (Herbert A. Collins, as Trustee of the Herbert A. Collins Revocable Living Trust, owner) requesting Rezoning from **R-20** to **RSL** and **NRC** for the purpose of Residential Senior Living (non-supportive) and Retail Shopping Center in Land Lots 330 and 331 of the 20th District. Located at the northwest intersection of Dallas Highway and Garrison Commons (2720, 2780 and 2782 Dallas Highway). *(Continued by Staff from the December 1, 2015 Planning Commission hearing and the February 2, 2016 Planning Commission hearing until their March 1, 2016 hearing and continued by Staff until the April 1, 2016 Planning Commission hearing; therefore will not be considered at this hearing)*
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- Z-105**^{'15} **EAH ACQUISITIONS, L.L.C.** (Due to individual parcels, a complete list of titleholders is available in the Zoning Office) requesting Rezoning from **R-30** to **RSL** for the purpose of Residential Senior Living (Non-Supportive) in Land Lots 758, 759, 826 and 827 of the 16th District. Located at the north intersection of Johnson Ferry Road and Bishop Lake Road. *(Previously continued by Staff from the December 1, 2015 Planning Commission hearing until the March 1, 2016 Planning Commission hearing)*
- Z-106**^{'15} **CRP OAKMONT SKYLINE, II, L.L.C.** (Due to individual parcels, a complete list of titleholders is available in the Zoning Office) requesting Rezoning from **LI** and **R-20** to **LI** for the purpose of Office/Warehouse in Land Lots 609, 610, 683 and 684 of the 18th District. Located at the southeast intersection of Factory Shoals Road and Hartman Road. *(Continued by Staff from the December 1, 2015 Planning Commission hearing until the April 1, 2016 Planning Commission hearing; therefore will not be considered at this hearing)*
- Z-4** **UNIQUE INTERNATIONAL AUTO, LLC** (owner) requesting Rezoning from **R-20** to **HI** for the purpose of Used Auto Sales, Auto Storage Yard and Professional Office in Land Lot 34 of the 18th District. Located on the east side of Powell Drive, south of Veterans Memorial Highway (5835 Powell Drive). *(Previously continued by the Planning Commission until their March 1, 2016 hearing)*
- Z-5** **ALDRIDGE GRADING & TRUCKING COMPANY, INC.** (Timothy C. Aldridge, owner) requesting Rezoning from **R-20** to **LI** for the purpose of a Contractor in Land Lot 44 of the 18th District. Located on the south side of Veterans Memorial Highway, west of Cooks Road (86 Veterans Memorial Highway). *(Previously continued by the Planning Commission until their March 1, 2016 hearing)*
- Z-6** **GREENHOUSE PROPERTIES OF ATLANTA, LLC** (owner) requesting Rezoning from **R-20** to **RA-5** for the purpose of Single-Family Residential in Land Lot 696 of the 17th District. Located on the north side of Lee Road, west of Atlanta Road (2019 and 2039 Lee Road). *(Previously continued by Staff until the March 1, 2016 Planning Commission hearing)*

- Z-10** **AP HOMES, INC.** (owner) requesting Rezoning from **R-80** to **R-20** for the purpose of Single-Family Residential in Land Lot 1252 of the 16th District. Located on the south side of Lower Roswell Road, east of Old Canton Road (3140 Lower Roswell Road). *(Previously continued by Staff until the March 1, 2016 Planning Commission hearing)*
- Z-11** **MANOUCHEHR JAHANGARD** (Hilswepow, LLC, owner) requesting Rezoning from **PSC** and **R-20** to **NRC** for the purpose of a Climate-Controlled Self-Storage Facility in Land Lot 34 of the 18th District. Located at the southeast corner of Veterans Memorial Highway and Powell Drive, and on the south side of Old Powder Springs Road (1391 Veterans Memorial Highway). *(Previously continued by the Planning Commission until their March 1, 2016 hearing)*
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- Z-16** **DOBBINS MILL, LLC** (East Brook Development, LLC, owner) requesting Rezoning from **R-20**, **MHP** and **GC** to **HI** for the purpose of Office, Warehouse, and Waste Transfer Station in Land Lot 283 of the 17th District. Located at the terminus of Dunn Avenue, on the west side of West Atlanta Street. *(Continued by Staff until the April 1, 2016 Planning Commission hearing; therefore will not be considered at this hearing)*
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REGULAR CASES --- NEW BUSINESS

Rezoning

Z-18 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 17th District. Located on the easterly side of River Oaks Drive, north of Stillhouse Lane. *(Continued by Staff until the April 1, 2016 Planning Commission hearing; therefore will not be considered at this hearing)*

Z-19 REALTI CORP (John M. Stephens, executor of the estate of John W. Stephens, Jr. A/K/A John Stephens, Jane L. Wootton and Janet Goethe, owners) requesting Rezoning from **R-20** to **LI** for the purpose of Industrial Use in Land Lot 611 of the 18th District. Located on the northwest side of Factory Shoals Road, north of White Road.

Z-20 N & S AUTOMOBILE SERVICES, LLC (Lombardo Management Inc., owner) requesting rezoning from **GC** to **LI** for the purpose of Light Automotive Repair in Land Lots 422 and 423 of the 17th District. Located at the southwest intersection of Atlanta Road and Mozley Drive (1800 Atlanta Road).

Z-21 RACETRAC PETROLEUM, INC. (Pepperwood, Inc., and Mountainprize, Inc., owners) requesting Rezoning from **GC** to **NRC** for the purpose of a Convenience Store with Fuel Sales in Land Lot 660 of the 16th District. Located at the southwest intersection of Canton Road and Westerly Way.

- Z-22** **JIM CHAPMAN COMMUNITIES, INC.** (Due to individual parcels, a complete list of titleholders is available in the Zoning Office) requesting Rezoning from **RA-5** and **R-20** to **RA-5** for the purpose of Single Family Residential in Land Lot 696 of the 17th District. Located on the north side of Cooper Lake Drive, west of Atlanta Road.
- Z-23** **PAULDING CONSTRUCTION SOLUTIONS** (John W. Lewis, Sr. and Classic Elias Properties, LLC, owners) requesting Rezoning from **R-30** to **RSL** for the purpose of Senior Residential Development in Land Lot 120 of the 20th District. Located on the west side of Mars Hill Road, south of Mars Hill Church Road.
- Z-24** **BOOS DEVELOPMENT GROUP, INC.** (Mason Wayne Miller and Mary K. Miller, owners) requesting Rezoning from **NRC** and **R-20** to **NRC with Stipulations** for the purpose of Retail in Land Lot 1263 of the 19th District. Located at the intersection of the northwesterly side of Brownsville Road and the easterly side of Pine Valley Road.
- Z-25** **PINE CREST NURSERY SCHOOL, INC.** (owner) requesting Rezoning from **GC** to **NRC** for the purpose of Daycare, Personal Care and Retail in Land Lot 538 of the 16th District. Located on the west side of Johnson Ferry Road, north of Lassiter Road.

Land Use Permits

- LUP-3** **ST BENEDICT EPISCOPAL CHURCH LLC** (owner) requesting a **Land Use Permit (Renewal)** for the purpose of a Farmer's Market in Land Lots 694 and 695 of the 17th District. Located on the east side of Cooper Lake Road, on the west side of Atlanta Road, north of Cumberland Boulevard.

Special Land Use Permits

SLUP-5 VERIZON WIRELESS (VAW) LLC (William Pappert, owner) requesting a **Special Land Use Permit** for the purpose of a Telecommunications Facility in Land Lot 1179 of the 19th District. Located on the east side of Hill Road, west of Brownsville Road (4980 Brownsville Road). *(Continued by Staff until their April 1, 2016 hearing; therefore will not be considered at this hearing)*

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–March 15, 2016

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.*

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HELD CASE

LUP-30^{'15} **JOHN S. HYLE** (Barbara J. Hyle and John S. Hyle, owners) requesting a **Land Use Permit** for the purpose of Allowing More Vehicles than County Code Permits in Land Lot 789 of the 16th District. Located on the south side of McCook Way, east of McCook Circle (127 McCook Way). *(Previously held by the Board of Commissioners until their March 15, 2016 hearing)*

LUP-2 **KEVIN JORDAN** (owner) requesting a **Land Use Permit** for the purpose of Allowing More Unrelated Adults Than County Code Permits in Land Lot 134 of the 16th District. Located on the east side of Rambling Road, north of Starmist Court (4582 Rambling Road). *(Previously held by the Board of Commissioners until their March 15, 2016 hearing)*

OTHER BUSINESS CASES

ITEM OB-050 (2015)

To consider amending the site plan and stipulations for Walton Riverbend, LLC regarding rezoning application Z-8 (Julian LeCraw and Co.) of 1999, for property located on the southeast side of Akers Mill Road and Powers Ferry Road, west of Riverbend Club Drive in Land Lots 1031, 1032, 1057, 1058, 1066 and 1067 of the 17th District. *(Previously continued by Staff from the November 17, 2015, December 15, 2015 and the February 16, 2016 hearings)*

ITEM OB-002

To consider a 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 1st District. *(Previously continued by Staff from the February 16, 2016 zoning hearing)*

ITEM OB-003

To consider amending the stipulations for Racetrac Petroleum, Inc. regarding rezoning application Z-24 of 2014 (Racetrac Petroleum, Inc.), for property located on the northeast side of South Cobb Drive, north of Tibarron Parkway in Land Lot 753 of the 17th District. *(Previously continued by Staff from the February 16, 2016 zoning hearing)*

ITEM OB-004

To consider a stipulation amendment for Oxford Properties, LLC regarding rezoning application Z-55 of 2013 (Riverview Office, LLC), for property located on the east side of Cobb Galleria Parkway and Cumberland Boulevard, and on the southwest side of Interstate 75, in Land Lots 1014 and 1015 of the 17th District. *(Previously continued by Staff from the February 16, 2016 zoning hearing)*

ITEM OB-006

To consider a site plan and stipulation amendment for Quality Construction, Inc. & AAA Quality Plumbing, Inc. regarding rezoning application Z-32 of 2015 (Quality Construction, Inc. & AAA Quality Plumbing, Inc.), for property located on the east side of Canton Road, south of Blackwell Lane, in Land Lot 637 of the 16th District.

ITEM OB-007

To consider a stipulation amendment for Capital City View Homes, LLC regarding rezoning application Z-61 of 2014 (Capital City View Homes, LLC), for property located on the northwest side of Woodlawn Drive, north of Powers Road, in Land Lot 8 of the 1st District.

ITEM OB-008

To consider a site plan and stipulation amendment for Greenstone Ventures, Inc. regarding rezoning application Z-48 of 1994 (P.C. Thompson), for property located on the easterly side of Cumberland Boulevard at the intersection of Cobb Galleria Parkway, in Land Lots 1014, 1015, 1026 and 1027 of the 17th District.

ITEM OB-009

To consider a stipulation amendment for Kathryn Stewart regarding rezoning application Z-22 of 2003 (Larry B. Thompson), for property located on the east side of Hood Road, north of Robinson Road, and at the end of Weddington Ridge in Land Lot 1032 of the 16th District.

ITEM OB-010

To consider a site plan and stipulation amendment for Chicken Coup V RE, LLC regarding rezoning application Z-91 of 2003 (Retail Planning Corporation), for property located on the north side of Delk Road, east of Powers Ferry Road, in Land Lots 925 and 936 of the 17th District.

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