MINUTES OF ZONING HEARING
COBB COUNTY BOARD OF COMMISSIONERS
AUGUST 17, 2021
9:00 A.M.

The Board of Commissioners' Zoning Hearing was held on Tuesday, August 17, 2021, in the second-floor public meeting room of Cobb County Building A, 100 Cherokee Street, Marietta, Georgia. Present and comprising a quorum of the Board were:

Commissioner Monique Sheffield, Vice Chair
Commissioner JoAnn Birrell
Commissioner Keli Gambrill
Commissioner Jerica Richardson

Lisa Cupid, Chairwoman – not present

CALL TO ORDER – VICE CHAIR SHEFFIELD

Vice Chair Sheffield called the hearing to order at 9:02 a.m. and announced that Chairwoman Cupid would not attend the hearing due to a death in the family.

Mr. Pederson explained the hearing procedures and announced the following cases which were *withdrawn, held, or continued.*

WITHDRAWN, HELD, AND CONTINUED CASES

Z-33 **MPINGO PROPERTIES, LLC** (Raymond Lee Jordan, Jr.; Sarah C. Smith, owners) requesting rezoning from **RA-5** to **RM-8** for a townhome community in land lots 269 and 299 of the 19th district. Property is located on the southeast side of Factory Shoals Road, southeast of the terminus of Factory Shoals Drive (6475 and 6443 Factory Shoals Road). ***(Continued by Staff from the June 1, 2021, and July 6, 2021, Planning Commission (PC) hearings until the August 3, 2021, PC hearing.)*** **WITHDRAWN WITHOUT PREJUDICE**

Z-39 **CHUCK OWUZO** (Chukwuma Chuck Owuzo, owner) requesting rezoning from **R-30** to **R-15** for a single-family residential subdivision in land lots 276 and 277 of the 19th district. Property is located on the west side of Friendship Church Road, on the south side of Friendship Church Lane (Friendship Church Road). ***(Continued by Staff until the July 6, 2021, Planning Commission (PC) hearing; held by the PC until the August 3, 2021, PC hearing).*** **WITHDRAWN WITHOUT PREJUDICE**

Z-45 **B&R INVESTMENTS AND CONSTRUCTION, LLC** (Sherri Wilson Johnson, Lynn Wilson Annandale, Jeff Kwan and Christy Kwan, owners) requesting rezoning from **R-80** to **RSL** for residential senior living, supportive residential in land lot 463 of the 19th district. Property is located on the north side of Macland Road, and on the west side of Gus Robinson Road (2180 Gus Robinson Road, Macland Road). ***(Continued by Staff until the August 3, 2021, Planning Commission hearing).*** **WITHDRAWN WITHOUT PREJUDICE**

WITHDRAWN, HELD, AND CONTINUED CASES (CONT.)

Z-55 **DAVID PEARSON COMMUNITIES, INC.** (David Pearson, owner) requesting rezoning from **R-30** to **R-20** for a single-family residential subdivision in land lot 190 of the 20th district. Property is located on the north side of Collins Road, west of Garvin Road (Collins Road). **WITHDRAWN WITHOUT PREJUDICE**

SLUP-6 **ST. BENEDICT'S EPISCOPAL SCHOOL** (St. Benedict's Episcopal Church, LLC; St. Benedict's Episcopal Day School, Inc., owners) requesting a **Special Land Use Permit** for school trailers in land lots 694 and 695 of the 17th district. Property is located on the east side of Cooper Lake Road, on the west side of Atlanta Road; and property located on the west side of Cooper Lake Road, on the east side of Weaver Street (2160 Cooper Lake Road and 4295 Weaver Street). **WITHDRAWN WITHOUT PREJUDICE**

O.B. 37 To consider a stipulation and site plan amendment for JEN Georgia 16, LLC regarding rezoning application Z-40 of 2020 for property located on the west side of Wesley Chapel Road, at the southern terminus of Fox Wood Court, at the eastern terminus of Hanover Court, and on the north side of Sweat Creek Run, in land lots 184, 185, 248, and 249 of the 16th district (Wesley Chapel Road). **WITHDRAWN WITHOUT PREJUDICE**

Z-27 **KCG DEVELOPMENT, LLC** (Lester C. Wiley, owner) requesting rezoning from **R-20** to **RM-12** for multifamily residential in land lot 54 of the 17th district. Property is located on the south side of Smyrna Powder Springs Road, west of Harris Road (675 Smyrna Powder Springs Road). ***(Previously continued by Staff from the May 4, 2021, Planning Commission (PC) hearing until the June 1, 2021, PC hearing; held by the PC from the June 1, 2021 PC hearing until the July 6, 2021, PC hearing; continued by the PC until the August 3, 2021, PC hearing).***

Mr. Pederson presented the Applicant's request to withdraw Z-27 without prejudice; thereafter, the following motion was made:

MOTION: Motion by Sheffield, second by Birrell, to **allow** Z-27 to be *withdrawn without prejudice.*

VOTE: **ADOPTED** 4-0, Cupid not present

Z-51 **QUIKTRIP CORPORATION, MICHAEL S. BURK** (Louise G. Howard Family Investments, L.P., owner) requesting rezoning from **TS** and **R-20** to **NRC** for a convenience store with fuel and retail sales in land lots 754 and 759 of the 17th district. Property is located on the southwest side of South Cobb Drive, on the northwest side of River View Road, and on the north side of Manor Road (5322 South Cobb Drive; 2273 and 2259 River View Road).

WITHDRAWN, HELD, AND CONTINUED CASES (CONT.)

Z-51 **QUIKTRIP CORPORATION, MICHAEL S. BURK (CONT.)**

Mr. Pederson presented the Applicant's request to withdraw Z-51 without prejudice; thereafter, the following motion was made:

MOTION: Motion by Sheffield, second by Birrell, to **allow** Z-51 to be *withdrawn without prejudice.*

VOTE: **ADOPTED** 4-0, Cupid not present

O.B. 30 To consider a stipulation amendment for The Church of the Pentecost USA, Inc. regarding rezoning application Z-80 of 2015, for property located on the southwest side of Mableton Parkway, south of Veterans Memorial Highway, and on the north side of Glore Circle in land lots 36 and 37 of the 17th district (5606 Mableton Parkway; 728, 736, and 742 Glore Circle; and 827 Wood Valley Road). ***(Previously continued by the Board of Commissioners (BOC) from the June 15, 2021, and July 20, 2021 BOC Zoning hearings until the August 17, 2021, BOC Zoning hearing).***

Mr. Pederson presented the Applicant's request to withdraw O.B. 30 without prejudice; thereafter, the following motion was made:

MOTION: Motion by Sheffield, second by Birrell, to **allow** O.B. 30 to be *withdrawn without prejudice.*

VOTE: **ADOPTED** 4-0, Cupid not present

O.B. 32 To consider amending the stipulations for Walmart regarding rezoning application Z-169 of 2003, for property located on the west side of Chastain Meadows Parkway, north of Ernest Barrett Parkway in land lots 571, 572, and 582 of the 16th district (2795 Chastain Meadows Parkway).

Mr. Pederson presented the Applicant's request to withdraw O.B. 32 without prejudice; thereafter, the following motion was made:

MOTION: Motion by Birrell, second by Gambrill, to **allow** O.B. 32 to be *withdrawn without prejudice.*

VOTE: **ADOPTED** 4-0, Cupid not present

WITHDRAWN, HELD, AND CONTINUED CASES (CONT.)

Z-23 **FIFTY-NINE TWELVE MABLETON PARKWAY, LLC** (Fifty-Nine Twelve Mableton Parkway, LLC and Igbo Union Atlanta USA, Inc., owner) requesting rezoning from **NS** and **CRC** to **CRC** for commercial retail in land lot 78 of the 18th district. Property is located on the west side of Mableton Parkway, the north side of Old Powder Springs Road, and south of Old Alabama Road (5912 Mableton Parkway, 648 Old Powder Springs Road, unaddressed parcel). ***(Previously continued by the Planning Commission (PC) from the May 4, 2021, PC hearing until the June 1, 2021, PC hearing; continued by Staff from the June 1, 2021, and July 6, 2021 PC hearings until the August 3, 2021, PC hearing; held by the PC until the September 7, 2021, PC hearing; therefore, was not considered at this hearing).***

Z-25 **THE FURNITURE AND MATTRESS WAREHOUSE LP** (The Furniture and Mattress Warehouse LP, owner) requesting rezoning from **GC** to **NRC** for retail/office in land lot 642 of the 16th district. Property is located on the south side of Piedmont Road, on the east side of Bells Ferry Road (Piedmont Road). ***(Previously held by the Planning Commission (PC) from the May 4, 2021, and June 1, 2021, PC hearings until the July 6, 2021, PC hearings; continued by the PC from the July 6, 2021, and August 3, 2021 PC hearings until the September 7, 2021, PC hearing; therefore, was not considered at this hearing).***

Z-26 **ORCHARDS DEVELOPMENT, LLC** (Young Men's Christian Association of Metropolitan Atlanta, Inc., owner) requesting rezoning from **R-20** to **RSL** for residential senior living, non-supportive residential units in land lots 914, 915, 958, and 959 of the 16th district. Property is located on the southeast side of Sewell Mill Road, the southwest side of East Piedmont Road (2394/2424 Sewell Mill Road, unaddressed parcel). ***(Previously continued by Staff from the May 18, 2021, Board of Commissioners' (BOC) Zoning hearing until the June 15, 2021, BOC Zoning hearing; continued by the BOC until the July 20, 2021, BOC Zoning hearing; continued by Staff until the August 17, 2021, BOC Zoning hearing; continued by Staff until the September 21, 2021, BOC Zoning hearing; therefore, was not considered at this hearing).***

Z-31 **PULTE HOME COMPANY** (Thomas M. Phillips and Betty A. Phillips, owners) requesting rezoning from **R-20** to **R-15/OSC** for a single-family residential subdivision in land lots 303, 304, 345, 346, and 347 of the 16th district. Property is located on the west side of Ebenezer Road, north of the intersection of Ebenezer Road and Blackwell Road (3801 Ebenezer Road). ***(Previously continued by Staff from the June 1, 2021, Planning Commission (PC) hearing until the July 6, 2021, PC hearing; held by the PC until the August 3, 2021 PC hearing; continued by Staff until the September 7, 2021, PC hearing; therefore, was not considered at this hearing).***

WITHDRAWN, HELD, AND CONTINUED CASES (CONT.)

Z-38 **WINDSONG PROPERTIES** (Ronald H. Mulkey and Lisa L. Mulkey, owners) requesting rezoning from **R-30** to **RSL** for residential senior living, non-supportive residential in land lots 179 and 180 of the 20th district. Property is located on the south side of Ellis Road, on the east side of Mack Dobbs Road, southeast of the intersection of Ellis Road and Mack Dobbs Road (3180 Ellis Road). ***(Previously continued by Staff from the June 1, 2021, Planning Commission (PC) hearing until the July 6, 2021, PC hearing; held by the PC from the July 6, 2021, and August 3, 2021, PC hearings until the September 7, 2021, PC hearing; therefore, was not considered at this hearing).***

Z-40 **BRAZOS-HICKS, LLC** (The Totherow Family Trust, James Cecil Pickens & Merlene Pickens, Randall P. Shulin, owners) requesting rezoning from **R-20** to **RA-5** for a single-family subdivision in land lots 27 and 28 of the 17th district. Property is located on the north side of Concord Road, on the east and west side of Brazos Drive, on the east side of Hicks Road (4380, 4421, 4470 Brazos Drive; 4365 Hicks Road; 780, 820 Concord Road). ***(Previously continued by Staff until the July 6, 2021, Planning Commission hearing; held by the Board of Commissioners (BOC) until the August 17, 2021, BOC hearing; continued by Staff until the September 21, 2021, BOC Zoning hearing; therefore, was not considered at this hearing).***

Z-44 **WINDSONG PROPERTIES** (Fortified Hills Baptist Church, Inc., owner) requesting rezoning from **R-30** to **RSL** for residential senior living, non-supportive residential in land lots 79 and 144 of the 19th district. Property is located on the north side of Dallas Highway, on the south side of Old Dallas Road, and west of Holland Road (Dallas Highway). ***(Previously continued by Staff from the July 6, 2021, and August 3, 2021, Planning Commission (PC) hearings until the September 7, 2021, PC hearing; therefore, was not considered at this hearing).***

Z-48 **RAY MURPHY** (Ray Murphy, owner) requesting rezoning from **GC** to **LI** for a towing and automotive wrecker service in land lots 154 and 155 of the 17th district. Property is located on the northwest side of Austell Road, at the terminus of Austell Circle (1818 and 1830 Austell Road). ***(Previously continued by Planning Commission (PC) until the August 3, 2021, PC hearing; held by the PC until the November 2, 2021, PC hearing; therefore, was not considered at this hearing).***

WITHDRAWN, HELD, AND CONTINUED CASES (CONT.)

Z-53 **QUINTUS DEVELOPMENT L.P.** (The George A. Montgomery Grantor Trust, owner) requesting rezoning from **GC** to **RRC** for a multifamily residential community in land lots 717 and 724 of the 16th district. Property is located at the terminus of Roberts Court, west of I-575, east of I-75 (unaddressed parcels). ***(Held by the Planning Commission (PC) until the September 7, 2021, PC hearing; therefore, was not considered at this hearing).***

Z-54 **CHUCK OWUZO** (Chukwuma Chuck Owuzo, owner) requesting rezoning from **PSC** to **RM-8** and **NRC** for a townhome community and retail in land lots 621, 638, and 639 of the 19th district. Property is located on the east side of Powder Springs Road, on the northeast side of Pair Road (Powder Springs Road). ***(Held by the Planning Commission (PC) until the September 7, 2021, PC hearing; therefore, was not considered at this hearing).***

Z-56 **TRATON, LLC** (Calvert Investments, LLLP, owner) requesting rezoning from **LI** to **FST** for a townhome community in land lot 1216 of the 19th district. Property is located at the southern terminus of South Cobb School Road, the southern terminus of Linda Vista Drive, and the eastern terminus of Leila Street (South Cobb School Road). ***(Continued by Staff until the September 7, 2021, Planning Commission hearing; therefore, was not considered at this hearing).***

Z-57 **STACEY BAGWELL** (Leonard M. Spencer, Jr., owner) requesting rezoning from **R-20** to **PVC** for a mixed-use development in land lot 629 of the 19th district. Property is located on the northeast side of East Callaway Road, south of Austell Road (1028 East Callaway Road). ***(Continued by the Planning Commission (PC) until the September 7, 2021, PC hearing; therefore, was not considered at this hearing).***

SLUP-3 **RAY MURPHY** (Ray Murphy, owner) requesting a **Special Land Use Permit** for a towing and automotive wrecker service in land lots 154 and 155 of the 17th district. Property is located on the northwest side of Austell Road, at the terminus of Austell Circle (1818 and 1830 Austell Road). ***(Previously continued by Staff from the June 1, 2021, Planning Commission (PC) hearing until the July 6, 2021, Planning Commission hearing; continued by the PC until the August 3, 2021, PC hearing; held by the PC until the November 2, 2021, PC hearing; therefore, was not considered at this hearing).***

Mr. Pederson made the following announcements and then read into the record the cases for the Consent Agenda.

CAMPAIGN DISCLOSURE

All speakers who have made a campaign contribution totaling $250.00 or more, within the last two years, to a local government official considering a zoning case are required to complete the "Campaign Disclosure Form" prior to speaking.

INFORMATION REGARDING ZONING CASES

All information regarding zoning cases must be turned in to the Zoning Office on the Wednesday prior to the zoning hearing for consideration. If said information is turned in past the deadline, then it is at the Board's discretion as to whether the information will be considered.

Mr. Pederson announced that Z-42 (Scannell Properties #475, LLC) would be heard after 1:00 p.m.

CONSENT AGENDA

MOTION: Motion by Sheffield, second by Birrell, to **approve** the following cases on the Consent Agenda, *as revised*:

Z-50 **HOWARD YOUNG** (Howard Young and Louise W. Young, owner) requesting rezoning from **GC** to **R-20** for a single-family residence in land lot 865 of the 19th district. Property is located on the west side of Cedar Drive, south of Powder Springs Road (3806 Cedar Drive).

To **approve** Z-50 to the **R-20** zoning district, subject to:

1. **Variance for the existing conditions *only*, as mentioned in the Zoning Staff comments**
2. **Stormwater Management Division comments and recommendations**
3. **Department of Transportation comments and recommendations**

Z-58 **LINDA POWELL** (Linda Bates Powell, owner) requesting rezoning from **GC** to **NRC** for retail and office in land lot 277 of the 16th district. Property is located on the southeast side of Canton Road, at Hawkins Store Road (4016 Canton Road).

To **approve** Z-58 to the **NRC** zoning district, subject to:

1. **Site Plan submitted on June 3, 2021 (attached and made a part of these minutes), with the District Commissioner approving minor modifications**
2. **For Neighborhood Retail and Professional Office use *only***

CONSENT AGENDA (CONT.)

Z-58 LINDA POWELL (CONT.)

3. **Removal of shed in the parking lot**
4. **No outdoor storage or outdoor displays of merchandise**
5. **Canton Road Design Guidelines apply upon redevelopment of the property**
6. **Fire Department comments and recommendations**
7. **Stormwater Management Division comments and recommendations**
8. **Department of Transportation comments and recommendations**

Z-59 **PICKETT'S MILL, LLC** (Gary Tillman and Allen Kennedy, owner) requesting rezoning from **NRC** to **LI** for office and specialized van storage in land lot 299 of the 17th district. Property is located on the west side of Old Concord Road, and on the southeastern side of Clay Drive (1868 Old Concord Road).

To **delete** Z-59 to the **NRC** zoning district, subject to:

1. **Letter of agreeable conditions from Parks Huff dated July 28, 2021 (attached and made a part of these minutes), with the following changes:**
   A. **Item No. 1 – strike in its entirety and replace with:** ***"The property will be deleted to NRC with specialty contractor as an additional use. Other uses will be subject to the approval of the District Commissioner."***
   B. **Add Item No. 8 – add to read:** ***"The Applicant will further comply with all Final Zoning Staff Recommendations, with the exception of Item 7. As to Item 7, the word 'striped' shall be stricken."***
2. **Regarding the buffer issue, the Applicant's stipulation letter shall take precedence**

LUP-18 **BURNT HICKORY CHURCH OF CHRIST, INC.** (Burnt Hickory Church of Christ, Inc., owner) requesting a **Temporary Land Use Permit (Renewal)** for a daycare, preschool facility in land lot 291 of the 20th district. Property is located on the north side of Burnt Hickory Road, west of New Salem Road (2330 Burnt Hickory Road).

To **approve** LUP-18 for **24 months**, subject to:

1. **Site Plan received by the Zoning Division on June 3, 2021 (attached and made a part of these minutes), with District Commissioner approving minor modifications**

CONSENT AGENDA (CONT.)

LUP-18 BURNT HICKORY CHURCH OF CHRIST, INC. (CONT.)

2. **Daycare related banner sign to be no larger than three feet by five feet**
3. **Department of Transportation comments and recommendations**

OTHER BUSINESS

O.B. 35 To consider a stipulation and site plan amendment for Strategic Development Partners, LLC regarding rezoning application Z-22 of 2008 and Z-99 of 2007 for property located on the east side of White Road, north of Riverside Parkway, in land lots 777, 778, 789, and 790 of the 18th district (White Road). ***(Previously continued by the Board of Commissioners (BOC) from the July 20, 2021, BOC Zoning hearing until the August 17, 2021, BOC Zoning hearing).***

To **approve** O.B. 35, subject to:

1. **Site Plan contained in the Other Business packet (attached and made a part of these minutes)**
2. **Cobb DOT comments and recommendations contained in the Other Business packet (attached and made a part of these minutes)**
3. **Fire Department comments and recommendations contained in the Other Business packet (attached and made a part of these minutes)**
4. **Stormwater Management Division comments and recommendations contained in the Other Business packet (attached and made a part of these minutes)**
5. **All previous stipulations and conditions, *not otherwise in conflict,* to remain in effect**

O.B. 40 To consider a reduction of lot size for livestock for Christine and Rudy Ramirez for property located at the northwest intersection of Stephanie Court and Stilesboro Drive, in land lots 198 and 199 of the 20th district (2075 Stilesboro Drive).

To **approve** O.B. 40, subject to:

1. **Approval is for two goats *only* to be kept behind the house in the fenced area as shown on the Site Plan contained in the Other Business packet (attached and made a part of these minutes)**
2. **Applicant may continue to maintain these two small goats for as long as they are living; Code Enforcement shall *not* issue any citations for non-compliance regarding this issue during that time that these existing goats are still living at this specific parcel; this stipulation expires automatically when the last goat becomes deceased**

CONSENT AGENDA (CONT.)

OTHER BUSINESS (CONT.)

O.B. 41 To consider a stipulation amendment for Jason Fancellas regarding rezoning application Z-41 of 2017 for property located on the west side of Lecroy Drive, north of Robinson Road, in land lot 1029 of the 16th district. (811 Lecroy Drive).

To **approve** O.B. 41, subject to:

1. **Daycare use is allowed**
2. **New fencing is permitted, to be approved by the District Commissioner**
3. **Cobb DOT comments and recommendations contained in the Other Business packet (attached and made a part of these minutes)**
4. **Fire Department comments and recommendations contained in the Other Business packet (attached and made a part of these minutes)**
5. **All previous stipulations and conditions, *not otherwise in conflict,* to remain in effect**

At the call for O.B. 43 (South Cobb Redevelopment Authority), opposition was present; therefore, O.B. 43 was to be pulled from the Consent Agenda to be heard on the Regular Agenda. However, prior to the Consent Vote, Mr. Pederson announced that the issues concerning O.B. 43 had been resolved, and there was no longer opposition; therefore, O.B. 43 remained on the Consent Agenda.

O.B. 43 To consider a stipulation amendment for the South Cobb Redevelopment Authority regarding rezoning application Z-120 of 2016 for property located on the east side of Factory Shoals Road, the north side of Riverside Parkway (formerly Six Flags Drive), the southeastern side of Cochran Road, and the south end of Richard Lane, in land lots 511, 512, 490, and 590 of the 18th district.

To **approve** O.B. 43, subject to:

1. **The reversion clause is extended for an additional 30 months, with the reversion date of June 30, 2024**
2. **All previous stipulations and conditions, *not otherwise in conflict,* to remain in effect**

CONSENT AGENDA (CONT.)

Mr. Pederson announced that four more cases, Z-22 (Orphee Nwal), Z-37 (North Georgia Timber, LLC), Z-43 (Del Lago Ventures, Inc) and O.B. 36 (April Ingraham), were to be added to the Consent Agenda. The Applicant for each case was present, and there was no opposition present. Mr. Pederson read in each case, the motion was made to add each case to the Consent Agenda, and then stipulations for each case were added in by the District Commissioner.

Z-22 **ORPHEE NWAL** (Orphee M Nwal, owner) requesting rezoning from **GC** to **NRC** for light automotive repair in land lots 631 and 702 of the 19th district. Property is located on the east side of Austell Road, south of Milford Church Road (3011 Austell Road). ***(Previously continued by Staff from the May 4, 2021, and June 1, 2021, Planning Commission (PC) hearings until the July 6, 2021 PC hearing; continued by the Board of Commissioners (BOC) until the August 17, 2021, BOC Zoning hearing).***

MOTION: Motion by Sheffield, second by Birrell, to **add** Z-22 to the Consent Agenda.

VOTE: **ADOPTED** 4-0, Cupid not present

To **approve** Z-22 to the **NRC** zoning district, subject to:

1. **Hours of operation to be Monday through Saturday from 8:45 a.m. until 7:00 p.m. and Sunday from 10:00 a.m. until 5:00 p.m.**
2. **No air or power tools are to be used before 8:45 a.m.**
3. **Applicant to install a 20-foot buffer along the easterly property line**
4. **There shall be no storage or display of merchandise outside of the buildings**
5. **There shall be no junk, or inoperable vehicles or equipment stored on the property**
6. **The Applicant must come before the Board of Commissioners with an Other Business Item to include additional bays to the property**
7. **For this Applicant and this use *only***
8. **Staff comments and recommendations, *not otherwise in conflict***

Z-37 **NORTH GEORGIA TIMBER, LLC** (NGT Investments LLC, owner) requesting rezoning from **O&I** to **HI** for farm and garden supply in land lot 1137 of the 16th district. Property is located on the east side of Fairview Street, north of the intersection of Fairview Street and Gresham Road (111 Fairview Street). ***(Previously held by the Planning Commission (PC) from the June 1, 2021 PC hearing until the July 6, 2021, PC hearing; continued by Staff until the August 17, 2021, Board of Commissioners' Zoning hearing).***

CONSENT AGENDA (CONT.)

Z-37 **NORTH GEORGIA TIMBER, LLC (CONT.)**

MOTION: Motion by Birrell, second by Richardson, to **add** Z-37 to the Consent Agenda.

VOTE: **ADOPTED** 4-0, Cupid not present

MOTION: Motion by Birrell, second by Gambrill, to ~~**approve**~~ **delete** Z-37 to the ~~**HI**~~ **LI** zoning district, subject to:

1. **Final Site Plan to be approved by the District Commissioner**
2. **Letter of agreeable conditions from Parks Huff dated July 2, 2021 (attached and made a part of these minutes), with the following changes:**
   A. **Item No. 7 – strike in its entirety and replace with: *"Applicant to enter into a Developmental Agreement with DOT for Fairview Road upgrade to county standards with a $45,000 contribution."***
3. **Staff comments and recommendations, *not otherwise in conflict***

VOTE: **ADOPTED** 4-0, Cupid not present

Clerk's Note: *Prior to voting on the Consent Agenda, Mr. Pederson announced a correction to Z-37 that the Planning Commission recommended deletion of Z-37 to LI. Commissioner Birrell was in agreement with this change.*

Z-43 **DEL LAGO VENTURES, INC** (4204, LLC, owner) requesting rezoning from **NS** and **R-30** to **NRC** for commercial and inter-parcel access in land lots 40, 41, and 75 of the 20th district. Property is located on the east side of Dallas Acworth Highway, south of Cobb Parkway (4204 Dallas Acworth Highway). ***(Held by the Planning Commission (PC) until the August 3, 2021, PC hearing).***

MOTION: Motion by Gambrill, second by Richardson, to **add** Z-43 to the Consent Agenda.

VOTE: **ADOPTED** 4-0, Cupid not present

MOTION: Motion by Gambrill, second by Richardson, to **approve** Z-43 to the **NRC** zoning district, subject to:

1. **Proposed use would be a produce stand not to exceed 10 feet by 20 feet on the site with no utilities**
2. **Any changes to the *proposed* Site Plan, or parcel within the defined Neighborhood Activity Center, shall be brought back to the Board for consideration and public hearing**

CONSENT AGENDA (CONT.)

Z-43 DEL LAGO VENTURES, INC (CONT.)

3. **The ingress or egress from Georgia Highway 92 for parcel #20004000040 (4204 Dallas Acworth Hwy) shall only allow connectivity to Site Plan Review #SPR-2020-00151 RaceTrac, Site Plan "A" and connect to the ingress/egress shown on the far eastern side only**
4. **Five foot landscaping buffer allowed from the entrance along Georgia 92 for 75 feet at which point the buffer shall be expanded to a minimum of 40 feet for the remainder of the property line until said buffer reaches the County 75 foot setback for the stream buffer as shown on the site plan; additional plantings may be used to supplement buffer requirement, which shall remain in perpetuity**
5. **Grading shall be limited to road and utilities for the benefit and use of RaceTrac *only***
6. **Installation of road for purpose on ingress/egress shall not expand boundary of established commercial node; if stated ingress/egress road is not constructed within 24 months of approval, such road shall not be constructed prior to submission of Site Plan showing inter-parcel connectivity and development of the established Neighborhood Activity Center as defined by the Future Land Use Map; such development will be required to meet specifications of the Northwest Land Vulnerability Study.**
7. **Signage for the RaceTrac at the point of ingress/egress on Georgia 92 must be approved by the District Commissioner in adherence with the Cobb County Sign Code**
8. **Per Water and Sewer Department comments, sewer is not available, and is subject to Environmental Health Department approval for septic**
9. **Landscape buffer to be reviewed by County Arborist and approved by the District Commissioner**
10. **Fire Department comments and recommendations**
11. **Water and Sewer Department comments and recommendations**
12. **Stormwater Management Department comments and recommendations**
13. **Department of Transportation comments and recommendations**
14. **All current zoning conditions and stipulations as found in SPR-2020-00151 RaceTrac shall be applicable to the entire node**
15. **The existing home and any outparcel currently located on 4204 Dallas Acworth Hwy shall be demolished and removed within 90 days from issuance of Land Disturbance Permit**
16. **All Staff comments and recommendations, *not otherwise in conflict***

VOTE: **ADOPTED** 4-0, Cupid not present

CONSENT AGENDA (CONT.)

O.B. 36 To consider a reduction of minimum public road frontage for April Ingraham from 75-feet to 0-feet for lots 1 and 2. The property is located off a private easement on the south side of Pebblebrook Road, in land lot 466 of the 17th district (980 Pebblebrook Road). ***(Previously held by the Board of Commissioners (BOC) from the July 20, 2021, BOC Zoning hearing until the August 17, 2021, BOC Zoning hearing***).

MOTION: Motion by Sheffield, second by Birrell, to **add** O.B. 36 to the Consent Agenda.

VOTE: **ADOPTED** 4-0, Cupid not present

MOTION: Motion to **approve** O.B. 36, subject to:

1. **The entire driveway to be fully paved**
2. **No further subdivision of this property**
3. **Staff comments and recommendations contained in the Other Business packet (attached and made a part of these minutes), *not otherwise in conflict***

VOTE: **ADOPTED** 4-0, Cupid not present

CONSENT VOTE: **ADOPTED** 4-0, Cupid not present, *with the exception of O.B. 40, where the vote was 3-1, Birrell opposed and Cupid not present*

Due to the brevity of the items on the Amend Something Previously Adopted Agenda, by general consensus, the Board heard those items next.

AMEND SOMETHING PREVIOUSLY ADOPTED

Item No. 2 (Z-21-2021) Section 25 of the Board of Commissioners' Zoning and Land Use Hearing Procedures adopted January 11, 1994 and last revised October 19, 2004 allows any commissioner to amend an action taken at a previous hearing. First, a motion shall be required to amend the original stipulations. Second, a motion will be needed to amend the stipulations. A second shall be required for all motions with full discussion by the Board of Commissioners; a majority vote is required for both items to pass. This item would be to amend the motion by the Board of Commissioners (BOC) for rezoning case Z-21 of 2021 as listed in the official zoning minutes of the June 15, 2021 meeting. A stipulation needs to be added to the Board of Commissioners' motion that establishes timeframes for improvements to the building and property. Staff would suggest adding stipulation #3 as follows below:

3. Board of Commissioners' stipulations with the Applicant to have all the improvements contained within the Board of Commissioners' minutes done to the building and property by August 17, 2022

AMEND SOMETHING PREVIOUSLY ADOPTED (CONT.)

Item No. 2 Z-21-2021 (CONT.)

MOTION: Motion by Sheffield, second by Richardson, to **allow** amending a previously adopted approval of Z-21 (2021) from the June 15, 2021, BOC Zoning hearing minutes.

VOTE: **ADOPTED** 4-0, Cupid not present

Commissioner Sheffield made the following motion to amend the previously adopted motion include an additional stipulation:

MOTION: Motion by Sheffield, second by Birrell, to **amend** the previously adopted motion to include the following zoning stipulation to Z-21 (2021) from the June 15, 2021, BOC Zoning hearing minutes to read as follows:

3. **Board of Commissioners' stipulations (attached and made a part of these minutes) with the Applicant to have all renovations contained within the Board of Commissioners' minutes to be completed by August 17, 2022; this deadline shall not apply to new construction permitted as approved by this Board of Commissioners**

VOTE: **ADOPTED** 4-0, Cupid not present

Item No. 3 (Z-46-2021) Section 25 of the Board of Commissioners' Zoning and Land Use Hearing Procedures adopted January 11, 1994 and last revised October 19, 2004 allows any commissioner to amend an action taken at a previous hearing. First, a motion shall be required to amend the original stipulations. Second, a motion will be needed to amend the stipulations. A second shall be required for all motions with full discussion by the Board of Commissioners; a majority vote is required for both items to pass. This item would be to amend the motion by the Board of Commissioners (BOC) for rezoning case Z-46 of 2021 as listed in the official zoning minutes of the July 20, 2021 meeting. The stipulation that needs to be amended in the motion to perfect the record is stipulation #3, which should have read as follows:

3. The access driveway to be a fully hardened surface from Joe Jerkins Boulevard to the ~~building~~ storage yard as shown on the Site Plan received by the Zoning Division on May 6, 2021

MOTION: Motion by Sheffield, second by Gambrill, to **allow** amending a previously adopted approval of Z-46 (2021) from the July 20, 2021, BOC Zoning hearing minutes.

VOTE: **ADOPTED** 4-0, Cupid not present

AMEND SOMETHING PREVIOUSLY ADOPTED (CONT.)

Item No. 3 Z-46-2021 (CONT.)

Commissioner Sheffield made the following motion to amend the following stipulation:

MOTION: Motion by Sheffield, second by Birrell, to **amend** the following zoning stipulation of Z-46 (2021) from the July 20, 2021, BOC Zoning hearing minutes (attached and made a part of these minutes) to read as follows:

3. **The access driveway to be a fully hardened surface from Joe Jerkins Boulevard to the ~~building~~ storage yard as shown on the Site Plan received by the Zoning Division on May 6, 2021 (attached and made a part of these minutes)**

VOTE: **ADOPTED** 4-0, Cupid not present

REGULAR AGENDA

Z-72'20 **NORTH POINT MINISTRIES, INC.** (The 'True Vine' Experience Foundation, Inc.; Sara M. Sweeney; Hanna Land Company, Inc., owners) requesting rezoning from **LRO, NRC,** and **R-20** to **LRO, NRC,** and **FST** for a church, retail/restaurant, townhomes, and single-family residential in land lots 466, 467, 470, and 471 of the 16th district. Property is located on the south side of Shallowford Road, the west side of Johnson Ferry Road, the north and south sides of Waterfront Drive, and the east side of Waterfront Circle (multiple addresses). ***(Previously continued by Staff from the December 1, 2020, Planning Commission (PC) hearing until the April 6, 2021, PC hearing; held by the PC from the April 6, 2021, and May 4, 2021, PC hearings until the June 1, 2021, PC hearing; continued by Staff until the July 6, 2021, PC hearing; held by the PC until the August 3, 2021, PC hearing).***

Prior to opening the public hearing, Vice Chair Sheffield announced that Commissioner Richardson had requested that the amount of speaking time per the Applicant and the opposition during the public hearing be extended to fifteen minutes; thereafter the following motion was made:

MOTION: Motion by Richardson, second by Gambrill, to **extend** the speaking time per the Applicant and the opposition during the public hearing to fifteen minutes.

VOTE: **ADOPTED** 4-0, Cupid not present

REGULAR AGENDA (CONT.)

Z-72'20 NORTH POINT MINISTRIES, INC. (CONT.)

The public hearing was opened; Kevin Moore, Ruth Michels, Jill Flamm, David Rumrill, and Chris Peters addressed the Board. Prior to the final speaker, the speaking time had expired for the opposition. By general consensus of the Board, two additional minutes were given to both the opposition and the Applicant. Following the presentation and discussion, the following motion was made:

MOTION: Motion by Richardson, second by Sheffield, to approve Z-72'20 to the LRO, NRC, and RA-6 zoning districts, subject to:

1. Letter of agreeable conditions from Kevin Moore dated August 11, 2021, with the following changes based on the East Cobb Civic Association (ECCA) recommendations:
   A. Under the LRO Development:
      1. Stipulation 8 page 4: Add - Final renderings subject to District Commissioner Approval.
      2. Stipulation 11: remove the word "substantially" from the sentence.
   B. Under the RA-6 Development:
      1. Stipulation 2 page 5: Add (d) Existing homes will be secured within one week of the sale of the property. The houses will be brought up to Cobb County Code within one month of the sale of the property and maintained accordingly by the applicant until it is determined whether they will remain.
      2. Stipulation 3: Add - All townhomes and homes along new Waterfront Drive and Johnson Ferry will have rears composed of 50% brick or stone that match the composition of the facades. The sides of single-family lots 17 & 18 against the new Waterfront Drive will also have this same composition.
         a. The stipulation for rear composition of the townhomes along Johnson Ferry was made by the Planning Commission per their minutes.
         b. All homes that can be seen from the street also have this requirement too.
      3. Stipulation 3: Add – Final renderings and site plan to be approved by the District Commissioner and East Cobb Civic Association
      4. Stipulation 4: Add sentence after storage - Garages cannot be converted into living space or used solely for storage.
      5. Stipulation 6: Add – All homes will be no taller than 35' tall per RA-6 code.

REGULAR AGENDA (CONT.)

Z-72'20 NORTH POINT MINISTRIES, INC. (CONT.)

6. Add stipulation 23: The homes on lots 18-29 will be located 10' back from the impervious surface buffer to allow for a patio or other impervious structures in the backyard. When building permits are pulled for these lots, they will be reviewed by Cobb County staff on an individual basis.

C. Under the NRC Development:
   1. Page 8, Add stipulation (5): Church will maintain the existing parcel and the existing trees will be preserved until this lot is developed.

D. Under the Overall Development:
   1. Stipulation 2 page 9: Add – No stacking of construction equipment or vehicles is permitted on Johnson Ferry Road, Shallowford Road or nearby residential areas.
   2. Stipulation 3 page 9: Add Park Area and Linear Park to the list of items to be reviewed by the landscape committee.
   3. Add stipulation 20: Construction Hours will be:
      a. Monday thru Friday:
         - 7 AM to 8 PM April 1st thru September 30th
         - 7 AM to 7 PM during October 1st thru March 31st
      b. Saturday:
         - 9 AM to 6 PM
      c. No work permitted on Sundays unless approved by the District Commissioner.
   4. Add stipulation 21: A truck/vehicle tire washing station will be provided at all exits from the property.
   5. Add stipulation 22: A 24-hour contact number shall be provided to surrounding neighborhoods and posted on-site during the construction period.
   6. Add stipulation 23: Add all existing homes and businesses (except those along Waterfront Circle) not currently occupied will be boarded up and secured within 1 week of the sale of the property and demolished within one month of the sale of the property.

2. No redevelopment of lots 3080 & 3090
3. A Speed Hump Plan for a traffic mitigation plan provided for the private and public roads resulting from the Department of Transportation (DOT), Development and Applicant collaboration that will be pending District 2 approval
4. Final elevations, specifically the buffer area, to be approved by the District 2 Commissioner
5. All landscaping and architecture to be reviewed by ECCA, with final approval by the District 2 Commissioner

REGULAR AGENDA (CONT.)

Z-72'20 **NORTH POINT MINISTRIES, INC. (CONT.)**

6. Staff comments and recommendations, *not otherwise in conflict*

Prior to the vote, further discussion ensued, and then Commissioner Richardson made the following motion to withdraw her current motion:

MOTION: Motion by Richardson, second by Sheffield, to **withdraw** the current motion for Z-72'20.

VOTE: **ADOPTED** 4-0, Cupid not present

Following the vote, the decision was made to hold Z-72'20 until next month; thereafter, Commissioner Richardson made the following motion:

MOTION: Motion by Richardson, second by Birrell, to **hold** Z-72'20 until the September 21, 2021, Board of Commissioners' Zoning Hearing.

VOTE: **ADOPTED** 4-0, Cupid not present

Vice Chair Sheffield called for a brief recess from 11:16 a.m. until 11:31 a.m.

Z-28 **PRESTWICK DEVELOPMENT COMPANY, LLC** (Bobby Coleman and Paul Coleman, as Joint Tenants with Rights of Survivorship; CP 4900 Floyd, LLC, owners) requesting rezoning from **R-20** and **NRC** to **RM-12** for multifamily residential and retail in land lots 31 and 32 of the 17th district. Property is located on the south side of White Boulevard, on the west side of Floyd Road, at the terminus of Nickajack Road, and at the terminus of Green Valley Road (4900 Floyd Road, 4915 White Boulevard). ***(Previously continued by Staff from the June 1, 2021 Planning Commission (PC) hearing until the July 6, 2021, PC hearing; held by the PC until the August 3, 2021, PC hearing).***

The public hearing was opened; Garvis L. Sams, Jr., Robin Meyer, Chuck Young, Travis McComb, Roy Wilcox, and Abdul Amer addressed the Board. Following the presentation and discussion, the following motion was made:

MOTION: Motion by Sheffield, second by Richardson, to **approve** Z-28 to the **RM-12** zoning district, subject to:

1. **Letter of agreeable conditions from Garvis L. Sams, Jr. dated June 24, 2021 (attached and made a part of these minutes)**

REGULAR AGENDA (CONT.)

Z-28 PRESTWICK DEVELOPMENT COMPANY, LLC (CONT.)

2. **Final Site Plan to be approved by the District Commissioner**
3. **Total units not to exceed 188 units**
4. **Move the existing waterline under the stormwater pond located at the south of the property**
5. **Construction hours to be in compliance with County Code; no work conducted on Sunday**
6. **Staff comments and recommendations, *not otherwise in conflict***

VOTE: **TIED** 2-2, Birrell and Gambrill opposed and Cupid not present

Due to a tie vote on Z-28, the final outcome of the case is pending until a final vote can be taken at the next Board of Commissioners' Zoning Hearing to be held on September 21, 2021.

Vice Chair Sheffield called for a lunch recess at 12:26 p.m. The hearing reconvened at 1:03 p.m.

Z-30 **BONAVENTURE INVESTMENTS, LLC/DAVID F. COOPER** (Vision Landworks, LLC; Esther L. King; Arch Properties, Inc.; Teresa Lee-Kay; Teresa Kay Lee, owners) requesting rezoning from **R-20, TS, NS,** and **LI** to **RM-12** for multifamily residential in land lots 593, 594, 603, 604, and 605 of the 18th district. Property is located on the south side of Cityview Drive, on the north side of I-20, northeast of Riverside Parkway (Cityview Drive). ***(Previously held by the Planning Commission (PC) from the June 1, 2021, PC hearing until the July 6, 2021, PC hearing; continued by Staff until the August 17, 2021, Board of Commissioners' Zoning hearing).***

The public hearing was opened; David Cooper, Monica DeLancy, Tiffany Ragland, Bert Birdsull, Travis McComb, and Jeremy Moss addressed the Board. Following the presentation and discussion, the following motion was made:

MOTION: Motion by Sheffield, second by Birrell, to **approve** Z-30 to the **RM-12** zoning district, subject to:

1. **Letter of agreeable conditions from the Applicant dated August 16, 2021 (attached and made a part of these minutes)**
2. **Final Site Plan to be approved by the District Commissioner**
3. **Construction hours to be in compliance with County Code; no work hours on Sunday**

REGULAR AGENDA (CONT.)

Z-30 **BONAVENTURE INVESTMENTS, LLC/DAVID F. COOPER (CONT.)**

4. **If the development requires blasting, proper notification is given to the residents in the area**
5. **Building Height Schedule (attached and made a part of these minutes)**
6. **Staff comments and recommendations,** ***not otherwise in conflict***

VOTE: **ADOPTED** 3-1, Gambrill opposed and Cupid not present

Z-32 **TAYLOR MORRISON OF GEORGIA, LLC** (East - West Worship and Conference Center Inc. aka Gospel Harvester Church, Inc., owner) requesting rezoning from **R-20** to **RM-8** for a townhome community in land lot 847 of the 19th district. Property is located on the south side of Hurt Road, north of the terminus of Story Drive (Hurt Road). ***(Previously continued by the Planning Commission (PC) from the June 1, 2021, PC hearing until the July 6, 2021, PC hearing; continued by the Board of Commissioners (BOC) until the August 17, 2021, Board of Commissioners' Zoning hearing).***

The public hearing was opened; Kevin Moore, Joan Shorr, Richard Mogargee, and Travis McComb addressed the Board. Following the presentation and discussion, the following motion was made:

MOTION: Motion by Sheffield, second by Richardson, to **delete** Z-32 to the **RA-5** zoning district, subject to:

1. **Letter of agreeable conditions from Kevin Moore dated August 11, 2021 (attached and made a part of these minutes), with the following changes:**
   A. **Item No. 8 – strike in its entirety**
   B. **Item No. 12 – revise to read: "*...include up-lighting; up-lighting is wired and not solar.*"**
   C. **Item No. 15 – add to the end: "*The amenity area is to include a gathering space, to include a gazebo, a fire pit, park benches, and a dog park. The location of the current fire pit, which is located at the front of the community, to be removed and placed at the gathering area.*"**
2. **Final Site Plan to be approved by the District Commissioner**
3. **Staff comments and recommendations,** ***not otherwise in conflict***

VOTE: **ADOPTED** 4-0, Cupid not present

REGULAR AGENDA (CONT.)

Z-42 **SCANNELL PROPERTIES #475, LLC** (VKEP-T, LLC, owner) requesting rezoning from **O&I** to **OS** for a parking lot for a distribution facility in land lots 428 and 437 of the 16th district. Property is located on the west side of Chastain Meadows Parkway, south of Chastain Road (Chastain Meadows Parkway). ***(Continued by Staff until the August 17, 2021, Board of Commissioners' Zoning hearing).***

The public hearing was opened; Kevin Moore, Jessica Berry, and Tullan Avard addressed the Board. Following the presentation and discussion, the following motion was made:

MOTION: Motion by Birrell, second by Richardson, to **approve** Z-42 to the **OS** zoning district, subject to:

1. **Letter of agreeable conditions from Kevin Moore dated August 11, 2021 (attached and made a part of these minutes)**
2. **Final Site Plan to be approved by the District Commissioner**
3. **Landscape Plan to be reviewed by the County Arborist and Landscape Committee consisting of the following: two representatives from Brookhaven of East Cobb, Bells Ferry Civic Association's three board members, and Chastain Lakes Home Owners' Association (HOA) representative, with final approval by the District Commissioner; the Applicant to review the final landscape plan during Plan Review**
4. **The specimen trees along Chastain Meadows Parkway from Chastain Road to Big Shanty Road to remain in place**
5. **Right-in/right-out and left turn in *only* at the first access point on Chastain Meadows Parkway**
6. **Plant rescue to be performed by the Georgia Native Plant Society prior to land disturbance**
7. **Planning Commission comments and recommendations, *not otherwise in conflict,* (attached and made a part of these minutes)**
8. **Staff comments and recommendations, *not otherwise in conflict***

Clerk's Note: *Commissioner Birrell requested the drawing be submitted that the Applicant has agreed which shows access to Big Shanty Road (attached and made a part of these minutes).*

VOTE: **ADOPTED** 3-1, Gambrill opposed and Cupid not present

REGULAR AGENDA (CONT.)

Due to brevity of the item, Mr. Pederson requested that O.B. 42 (St. Benedict's Episcopal Day School, Inc) be moved up on the agenda and heard next; thereafter, the following motion was made:

MOTION: Motion by Sheffield, second by Richardson, to **move** O.B. 42 up on the agenda to be heard next.

VOTE: **ADOPTED** 4-0, Cupid not present

O.B. 42 To consider a stipulation and site plan amendment for St. Benedict's Episcopal Day School, Inc regarding applications Z-21 of 2008, Z-29 of 2012, Z-11 of 2013, SLUP-9 of 2008, and SLUP-3 of 2013 for property located on the east side of Atlanta Road, the east side of Cooper Lake Road, and the northeast intersection of Cooper Lake Road and Weaver Street in land lots 694 and 695 of the 17th district (2160 Cooper Lake Road and 4295 Weaver Street).

The public hearing was opened, and Kevin Moore addressed the Board. Following the presentation and discussion, the following motion was made:

MOTION: Motion by Richardson, second by Gambrill, to **approve** O.B. 42, subject to:

1. **Exhibit B contained in the Other Business packet (attached and made a part of these minutes)**
2. **Site Plans from Freespace dated August 10, 2021, with the District Commissioner approving minor modifications (attached and made a part of these minutes)**
3. **Cobb DOT comments and recommendations contained in the Other Business packet (attached and made a part of these minutes)**
4. **Fire Department comments and recommendations contained in the Other Business packet (attached and made a part of these minutes)**
5. **Staff comments and recommendations contained in the Other Business packet, *not otherwise in conflict***
6. **All previous stipulations and conditions, *not otherwise in conflict with this motion,* to remain in effect**

VOTE: **ADOPTED** 4-0, Cupid not present

REGULAR AGENDA (CONT.)

Z-52 **GLEN ROBINSON CONSTRUCTION** (Glen Robinson Construction, LLC, Glen Robinson, Glen P. Robinson, owner) requesting rezoning from **R-20, TS, NS,** and **LI** to **TS** for baseball and softball related retail sales, warehousing, and light manufacturing in land lots 221 and 284 of the 17th district. Property is located on the north side of Carruth Drive, on the east side of South Cobb Drive (133, 148, 149, and 152 Carruth Drive).

The public hearing was opened; Sterling Pace, Paula Parmalee, and Garland Turvey addressed the Board. Following the presentation and discussion, the following motion was made:

MOTION: Motion by Birrell, second by Gambrill, to **delete** Z-52 to the **TS** zoning district, subject to:

1. **Letter of agreeable conditions from Dennis Webb, Jr. dated August 10, 2021 (attached and made a part of these minutes)**
2. **Final Site Plan to be approved by the District Commissioner**
3. **Landscape Plan to be reviewed by the County Arborist, with final approval by the District Commissioner**
4. **Right-out *only* at the exit on Carruth Drive**
5. **Additional "No Truck Route" signage on Carruth Drive**
6. **No truck deliveries on the weekends from Friday at 5:00 p.m. until Monday morning**
7. **Hours of operation Monday through Friday from 9:00 a.m. until 7:00 p.m.; Saturday from 10:00 a.m. until 7:00 p.m.; and Sunday from 10:00 a.m. until 6:00 p.m.**
8. **Security cameras to be added to the proposed site**
9. **Planning Commission comments and recommendations, *not otherwise in conflict,* (attached and made a part of these minutes)**
10. **Staff comments and recommendations, *not otherwise in conflict***

Clerk's Note: *Commissioner Birrell stated that although the existing building is not in for zoning, Better Baseball has agreed to pave the area that is currently gravel now once the new building is approved.*

VOTE: **ADOPTED** 4-0, Cupid not present

OTHER BUSINESS

O.B. 38 To consider a reduction of lot size, public road frontage and other variances (see file) for 6M Properties, LLC for property located on the north side of Lakeside Court, east of Lake Drive, in land lot 35 of the 20th district (5427 Lakeside Court). ***(Continued by Staff until the August 17, 2021, Board of Commissioners' Zoning hearing).***

Prior to opening the public hearing, Vice Chair Sheffield called for a brief recess from 4:08 p.m. until 4:16 p.m.

The public hearing was opened; Garvis L. Sams, Jr., Jerry Gunter, Clay Fearnow, Linda Bedding, and Peter Bright addressed the Board. Following the presentation and discussion, the following motion was made:

MOTION: Motion by Gambrill, second by Richardson, to **hold** O.B. 38 until the October 19, 2021, Board of Commissioners' Zoning Hearing.

VOTE: **ADOPTED** 4-0, Cupid not present

O.B. 39 To consider a stipulation amendment for KO Management, Inc regarding rezoning application Z-56 of 2020 for property located on the west side of Mableton Parkway, north side of Wood Valley Road, and on the east side of Glore Circle, in land lots 37 and 39 of the 17th and 18th districts.

At the call for O.B. 39, the Applicant was not present, and there was no opposition present. Thereafter, the following motion was made:

MOTION: Motion by Sheffield, second by Birrell, to **approve** O.B. 39, subject to:

1. **House located at 676 Wood Valley Road to be demolished no later than October 17, 2021**

VOTE: **ADOPTED** 4-0, Cupid not present

ADJOURNMENT

The hearing adjourned at 4:58 p.m.

Robin L. Stone, Deputy County Clerk
Cobb County Board of Commissioners

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Doc. Type letter

Meeting Date 8-17-2021

SAMS, LARKIN & HUFF
A LIMITED LIABILITY PARTNERSHIP
SUITE 100
376 POWDER SPRINGS STREET
MARIETTA, GEORGIA 30064-3448

GARVIS L. SAMS, JR.
JOEL L. LARKIN
PARKS F. HUFF

770•422•7016
TELEPHONE
770•426•6583
FACSIMILE

June 24, 2021

(REVISED STIPULATION LETTER, REVISED SITE PLAN & FULL TRAFFIC IMPACT STUDY ("TIS")

VIA HAND DELIVERY & EMAIL:

Mr. John P. Pederson, AICP, Manager
Cobb County Zoning Division
Community Development Agency
1150 Powder Springs Road, Suite 400
Marietta, GA 30064

Re: Application of Prestwick Development Company, LLC to Rezone an 8.32 Acre Tract from R-20 & NRC to RM-12 (No. Z-28)

Dear John:

As you know, this firm represents Prestwick Development Company, LLC ("Prestwick") concerning the above-captioned Application for Rezoning. The Application was previously Continued in order to ensure that the site plan depicted and that the stipulations embodied our discussions with area residents, business owners and representatives of the Mableton Improvement Coalition ("MIC"). The application is now scheduled to be heard and considered by the Cobb County Planning Commission on July 6, 2021. Thereafter, the Application will be heard and considered for final action by the Cobb County Board of Commissioners ("BOC") on July 20, 2021.

While this Application has been pending and, in fact, significantly in advance of the filing of the Application, Prestwick has met and established a meaningful dialogue with representatives of the Mableton Improvement Coalition ("MIC"); the District Commissioner; and, representatives and members of Cobb County's Professional Staff. Additionally, we have coordinated with the Developer (Cornerpoint Properties) of the surrounding mixed-use development which includes retail/commercial components and a climate-controlled self-service storage facility ("CCSSSF") and utilized Prestwick's relationships with area business and property owners. All of those discussions have continued throughout this entitlement process.

Petition No. Z-28
Meeting Date 8-17-2021
Continued

SAMS, LARKIN & HUFF
A LIMITED LIABILITY PARTNERSHIP

VIA HAND DELIVERY & EMAIL:

Mr. John P. Pederson, AICP, Manager
Cobb County Zoning Division
Community Development Agency
June 24, 2021
Page 2

The property at issue ("Subject Property") consists of an 8.32 acre tract of land which is located on the south side of White Boulevard, west of Floyd Road and east of the terminus of Green Valley Road. The Subject Property is situated within the confines of a Neighborhood Activity Center ("NAC") and a portion within LDR under the County's Future Land Use Map ("FLUM"). Additionally, the Subject Property is situated between commercial to the east and north; single-family residential to the west; and, multi-family residential developments to the south. In fact, the multi-family property which is south of the Subject Property (Twin Bridges Phase II) is also zoned and developed as an RM-12 community. In short, the Subject Property is within a Sub-area, the composition of which, is complementary to the multi-family use and its ancillary uses which are proposed.

The Subject Property is currently zoned in the split districts of NRC & R-20 with Prestwick seeking a Rezoning to the RM-12 classification for the purposes of the construction and development of luxury, highly-amenitized, Class "A" multi-family Flats. Additionally, and as a result of discussions with County and MIC representatives, the residential development will include approximately 1,470 square feet of ground-level ancillary retail.

With respect to the discussions thus far with the individuals and groups mentioned above, Prestwick has authorized this firm to submit the following revised stipulations which shall become conditions and a part of the grant of the requested Rezoning and which shall be binding upon the Subject Property thereafter. The referenced revised stipulations/conditions are as follows, to wit:

1. The revised stipulations and conditions set forth herein shall replace and supersede in full any and all prior stipulations and conditions in whatsoever form which are currently in place concerning the Subject Property.

2. The Subject Property, consisting of an 8.32 acre tract of land, shall be developed in substantial conformity to that certain Revised Zoning Site Plan prepared by Long Engineering which is being formally submitted concurrently herewith.

3. The Subject Property shall be developed as a Class "A", highly-amenitized Residential Community consisting of a maximum number of 196 multi-family residential Flats as shown on the Revised Site Plan mentioned above.

SAMS, LARKIN & HUFF
A LIMITED LIABILITY PARTNERSHIP

VIA HAND DELIVERY & EMAIL:

4. The architectural style and composition of the building shall be consistent with the architectural renderings/elevations prepared by Dwell Design Group which were also filed concurrently with the Application for Rezoning and which are being resubmitted contemporaneously herewith.

   The above-mentioned architectural rendering/elevations, in conjunction with the Site Plan, depict parking at a minimum of 1.5 parking spaces per unit for a total of 297 parking spaces. Consistent with information gleaned from the operational aspects of recently constructed and/or entitled multi-family communities, parking ratios from 1.4 parking spaces per unit and a little higher are sufficient for both residents and guests.

   With Prestwick's anticipated mix of unit floorplans, including studios, 1, 2 and 3 bedroom units, it is clear from current market indicators and trends that the direction within which multi-family flats are progressing contemplate less parking spaces rather than more parking spaces, particularly in light of ride share services such as Uber, Lyft, potential circulator routes and other transportation options.

5. Prestwick's proposed multi-family flats residential development shall have state-of-the-art amenities, appointments and recreational facilities for the use and enjoyment of its residents, as follows:

   a. A Swimming Pool area which will include a Clubhouse.

   b. A fully equipped Fitness Center; dog park/dog washroom; electric vehicle parking spaces; bike racks with bike stations; a Carriage House Garage component with Flats above; and, other features which qualify the residential community as highly-amenitized.

   c. Controlled access for the buildings.

   d. Interior floor plans and finishes shall consist of the following:

      i. A minimum of nine foot (9') ceiling heights from floor to finished ceilings.

      ii. Wood framed cabinetry and/or its equivalent, including wood or Thermofoil cabinet veneers for durable finishes.

iii. Enhanced granite/Corian®, marble/quartz and/or other solid surface countertops.

iv. State of the Art appliances with luxury finishes.

v. Stainless steel kitchen sinks.

vi. Ceramic tile, wood plank or wood-like vinyl plank and/or high-end carpeting.

vii. Spacious, open floor plans.

viii. High speed Internet wiring in all units.

ix. Uniform window treatments to present an aesthetically pleasing and consistent appearance.

x. High-end landscaping and hardscaping throughout the proposed Community.

xi. Double-paned, insulated windows.

6. Compliance with the following recommendations from the Cobb County Department of Transportation ("DOT"):

   a. A full Traffic Impact Study, prepared by A&R Engineering, was formally submitted on March 31, 2021.

   b. Ensuring interior maneuverability and accessibility to accommodate Fire and Public Safety vehicles and apparatus.

   c. Site access configuration shall include the following:

      i. Full-access driveway on White Boulevard which will consist of one entering lane and one (shared left/right turn) existing lane.

      ii. Site access connection to Nickajack Road.

      iii. Site access connection to Green Valley.

d. The construction of a tie-in into the existing curbing on Green Valley Road.

e. The installation of a curb, gutter and sidewalk along the Subject Property's White Boulevard frontage or, in lieu thereof, commensurate payment for same into the Curb, Gutter and Sidewalk Fund for District 4.

7. Compliance with recommendations from the Cobb County Fire Marshal's Office regarding Life Safety and Fire Prevention, including the following:

   a. All access roads shall meet AASHTO Design Manual Live Road Standards.

   b. Aerial apparatus access shall be required for all structures over thirty feet (30') in height as measured from the lowest level of the Fire Department's access to the ceiling height of the highest occupied floor level.

   c. If, in the future, there are any gate security fire apparatus access, they shall be a minimum of fourteen feet (14') in clear width for a single lane and twenty feet (20') for a double lane.

   d. The maximum distance of a fire hydrant to the most remote portion of a structure shall be five hundred feet (500') as measured around the structure and from the fire apparatus access road.

8. Compliance with recommendations from the Cobb County Water System as follows:

   a. A connection to water lines (eight-inch on site and six-inch in White Boulevard) and conducting a Fire Flow Test during the Plan Review process.

   b. Adjustments to the proposed Stormwater Management Facility which encroaches over an existing public water line.

   c. Connecting to sewer which is within the drainage development and which is also at the proposed development site. Presently, there appears to be sufficient capacity by way of the South Cobb WRF.

9. Signage for the Subject Property shall consist of ground-based, monument-style signage and building signage consisting of an attached "blade sign". Additionally, within the interior of the site, there shall be appropriately positioned, grade-based directional signage in order to assure ease of maneuverability and accessibility.

10. The overall lighting plan within the proposed development shall be environmentally sensitive, decorative and themed to the architectural style and composition of the buildings. Lighting utilized for the development shall be installed in order to prevent illumination from extending beyond the Subject Property's boundaries. Security lighting, as well as high-resolution video surveillance cameras shall be installed to address potential security issues.

11. Prestwick's engineers and consultants have established a dialogue with the Stormwater Management Division with respect to hydrology, detention, water quality and downstream considerations. In that regard and preliminarily, compliance with the following:

    a. Prestwick shall be responsible for obtaining any required wetlands permits from the U.S. Army Corps. of Engineers. If required, Prestwick shall obtain a DNR variance in order to encroach within 25-foot streambank buffers.

    b. Except as mentioned above, all streambank buffers shall remain undisturbed and inviolate in perpetuity and conveyed to Cobb County in the form of a Conservation Easement.

    c. Prestwick shall be responsible for securing any required drainage easement(s) in order to accommodate concentrated discharges where none naturally and presently exist.

    d. Prestwick's engineer shall evaluate the impact of increased volume run-off generated by the proposed project on downstream drainage system(s).

    e. Any spring activity discovered on the Subject-Property shall be addressed by a qualified, registered geotechnical engineer. Additionally, any structural fill shall be placed under the direction of a geotechnical engineer as well.

f. As of January 1, 2021, stormwater runoff reduction is required per the GSMM.

12. The submission of a landscape plan during the Plan Review Process which shall include, but not necessarily be limited to, the following:

    a. To the extent that any portion of the detention facility located on the Subject Property is not located underground, said areas shall be landscaped and screened from view.

    b. The Subject Property shall be landscaped in conformity to or exceeding the level of landscaping previously approved with respect to the other components within this existing, developing and planned mixed-use development.

    c. The inclusion of strategically positioned pedestrian connectivity for all walkable areas.

    d. During the Plan Review Process, the Landscape Plan shall be subject to final review and approval by the County's Arborist and by the District Commissioner unless she defers to the Arborist's decisions.

13. The granting of the following requests for concurrent Variances as outlined within the Application for Rezoning, as follows:

    a. To waive the required parking ratios from 1.75 spaces per unit to1.55 spaces per unit in accordance with the rationale concerned in Paragraph Four (4) above.

    b. To waive the required parking dimensions from 8.5 feet x 19 feet with a 24 foot drive aisle to 8.5 feet x 18 feet with a 22 foot drive aisle.

    c. Increasing the maximum allowable density from 12 units per acre to 23.55 units per acre.

14. The District Commissioner shall have the authority to approve minor modifications to this rezoning proposal as the development proceeds through the Plan Review Process and thereafter except for those that:

    a. Increase the density of the residential community.

Petition No. Z-28
Meeting Date 8-17-2021
Continued

VIA HAND DELIVERY & EMAIL:

Mr. John P. Pederson, AICP, Manager
Cobb County Zoning Division
Community Development Agency
June 24, 2021
Page 8

b. Reduce the size of an approved buffer adjacent to property which is zoned the same or in a more restrictive zoning district.

c. Relocate a structure closer to the property line of an adjacent property which is zoned in the same or in a more restrictive zoning district.

d. Increase the height of a building which is adjacent to a property that is zoned is the same or a more restrictive zoning district.

e. Change access to a different right-of-way.

f. Violate the Cobb County Zoning Ordinance or require a Variance.

Prestwick's proposal meets the critical need for new housing within this sub-area; serves to provide to ensure the success and/or sustainability of adjacent retail and service related uses as well as those previously entitled for this specific mixed-use development; and, which adds a high-quality residential community while increasing the County's tax base.

Please do not hesitate to contact me should you or your Staff require any further information or documentation prior to this Application being heard and considered by both the Planning Commission and the BOC during the July Zoning Cycle. With kind regards, I am

Very truly yours,

SAMS, LARKIN & HUFF, LLP

Garvis L. Sams, Jr.
gsams@samslarkinhuff.com

GLS, Jr./jac
Enclosures/Attachments

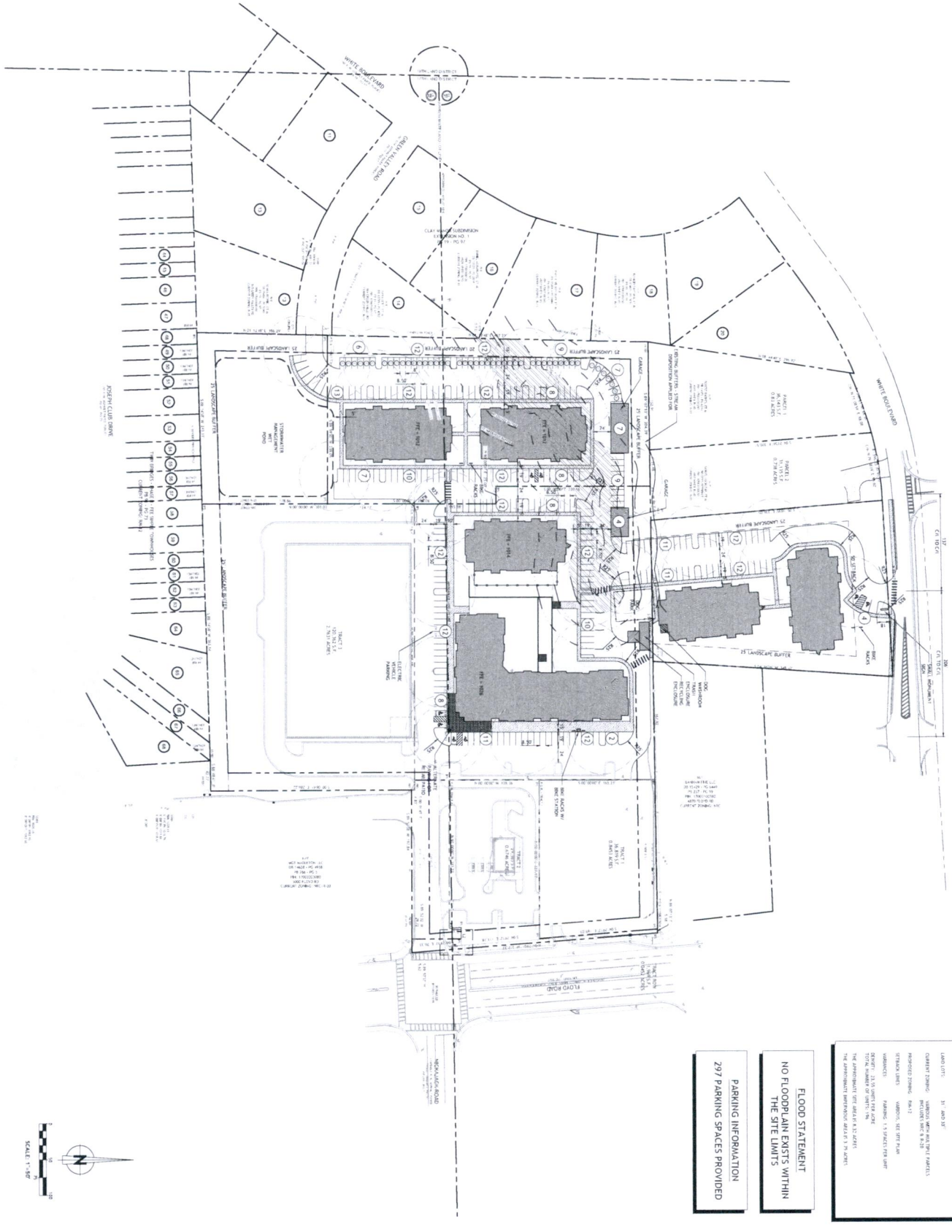
cc: Listed on next page.

VIA HAND DELIVERY & EMAIL:

Mr. John P. Pederson, AICP, Manager
Cobb County Zoning Division
Community Development Agency
June 24, 2021
Page 9

cc: Members, Cobb County Board of Commissioners (via email w/attachments)
Members, Cobb County Planning Commission (via email w/attachments)
Dr. Jackie McMorris, County Manager (via email w/attachments)
Board of Commission Assistants (via email w/attachments)
Ms. Jessica Guinn, AICP, Director (via email w/attachments)
Mr. Jason S. Gaines, AICP, Planning Manager (via email w/attachments)
Ms. Jeannie Peyton, Senior Planner (via email w/attachments)
Mr. Terry Martin, Planner III (via email w/attachments)
Mr. Donald Wells, Planner II (via email w/attachments)
Ms. Margie Vasquez, Planner II (via email w/attachments)
Ms. Pamela Mabry, County Clerk (via email w/attachments)
Ms. Robin Stone, Deputy County Clerk (via email w/attachments)
Ms. Leila Washington, Deputy County Clerk (via email w/attachments)
Capt. Josh Davis, Cobb County Fire Marshal's Office (via email w/attachments)
Mr. David Breaden, P.E., SWM Division (via email w/attachments)
Mr. L. Carl Carver, P.E., SWM Division (via email w/attachments)
Ms. Amy Diaz, P.E., Cobb DOT (via email w/attachments)
Ms. Abby Rettig, P.E., Cobb DOT (via email w/attachments)
Mr. Tim Davidson, Cobb County Water System (via email w/attachments)
Mr. Joe Severin, PE, LEED AP, Long Engineering (via email w/attachments)
Mr. Abdul Amer, P.E., A&R Engineering, Inc. (via email with attachments)
Mr. Jay Silverman, Dwell Design Studio (via email with attachments)
Ms. Robin Meyer, Mableton Improvement Coalition ("MIC") (via email with attachments)
Mr. Chuck Young, Partner, EVP, Prestwick Development Company, LLC (via email w/attachments)
Mr. Mark Hudgins (via email w/attachments)
Mr. Gerard Gunthert, Cornerpoint Partners (via email w/attachments)

Petition No. Z-28
Meeting Date 8-17-2021
Continued



PARKING INFORMATION
297 PARKING SPACES PROVIDED

FLOOD STATEMENT
NO FLOODPLAIN EXISTS WITHIN THE SITE LIMITS

SITE DATA NOTES

DISTRICT: 17th
LAND LOT(S): 31 AND 32
CURRENT ZONING: (SUBJECT TO PETITION #Z-28 PARCEL 1 RM-12 PARCEL 2 RM-8 PARCEL 3 RM-12)
PROPOSED ZONING: RM-12
SETBACK LIMITS: VARIOUS - SEE SITE PLAN
VARIANCES: PARKING: 1.5 SPACES PER UNIT
DENSITY: 21.55 UNITS PER ACRE
TOTAL NUMBER OF UNITS: 196
THE APPROXIMATE SITE AREA IS 9.32 ACRES
THE APPROXIMATE IMPERVIOUS AREA IS 3.74 ACRES

C-3.0
SHEET

FLOYD CROSSING
MABLETON, COBB COUNTY GEORGIA
SITE PLAN

LONG ENGINEERING
2550 HERITAGE COURT, STE 250
ATLANTA, GA 30339
TEL 770.951.2495, FAX 770.951.2496
www.longeng.com

REVISIONS			
REV #	DATE	DESCRIPTION	REQUESTED BY

NOT ISSUED FOR CONSTRUCTION

Petition No. Z-28
Meeting Date 8-17-2021
Continued

Petition No. Z-28
Meeting Date 8-17-2021
Continued

dwell design studio | Prestwick companies

Four story Multifamily Building & Retail

Floyd Road- Mableton GA
March 29, 2021

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Petition No. Z-28
Meeting Date 8-17-2021
Continued

dwell design studio | Prestwick companies

Overall Property View

Floyd Road- Mableton GA
March 29, 2021

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Petition No. Z-28
Meeting Date 8-17-2021
Continued

dwell design studio | Prestwick companies

Three story Multifamily Buildings

Floyd Road- Mableton GA
March 29, 2021

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Min. Bk. 93 Petition No. Z-30
Doc. Type Applicant letter

Meeting Date 8-17-2021

Applicant Stipulated Conditions
[Z-30-2021]
August 16, 2021

Applicant stipulates to condition approval of Application Z-30-2021, on the following conditions:

1. SITE PLAN/RENDERING. Project to be developed and constructed in substantial conformance with the concept site plan/rendering updated by Applicant and submitted via email from David Cooper to Jeannie Peyton on 8/14/21 ("Site Plan/Rendering"). See Attachment 1.

2. PERMITTED USES. Permitted land uses to include:
   - 303 apartment units
   - 3,000 sf of commercial-retail use – in area depicted on Site Plan/Rendering.

3. GATES/FENCING. Pedestrian and vehicular access to the housing and amenity portions on the property (the non-retail portions) to be fenced or gated, with secured entry, with fencing in the locations shown on Site Plan/Rendering.

4. ACCESS TO COMMERCIAL. Access to commercial-retail space to be ungated so that public may have access to businesses. Path or walkway from retail portions to recreation area.

5. MARKETING OF COMMERCIAL SPACE. Marketing of commercial-retail space to prospective tenants using third-party commercial broker, at prevailing market rates and terms. However, Applicant to offer favorable below-market rent rates initially to assist in attracting and helping tenants.

6. AMENITIES. Property amenity package to include: recreation area in locations shown in Site Plan/Rendering; fitness center; pool; business center (to plug in, print and work, with wi-fi access for all residents).
   - Pool and other amenities (other than recreation area located outside of gates closer to Cityview Drive) to be gated, with access to pool via key fob or other security/privacy measures.

7. FINISHES. Exterior building finishes to include hardi-plank materials, and interior and exterior finishes shall be substantially similar to those depicted in the schedules attached hereto as Attachment 2.

8. WORKFORCE HOUSING COMPONENT INCLUDED. The Applicant agrees to offer ten (10) units within the Property as "workforce housing" for period of twenty (20) years from the date of issuance of the first certificate of occupancy for the project. For purposes of this agreement, the term "workforce housing" shall mean housing made available to those households demonstrating that they are earning between eighty percent (80%) and one-hundred twenty percent (120%) of area median income for the Atlanta-Sandy Springs-Roswell, GA HUD Metro FMR Area (for family of four). Applicant will offer for purposes of this program three (3) one-bedroom units, six (6) two-bedroom units and one (1) three-bedroom units. If these units are available for rental and there are no qualifying prospective tenants applying for rental of these units at time of rental, and other prospects wish to rent these units, Applicant may proceed to rent them for non-workforce housing and substitute other units/unit types on a rolling basis.

Petition No. Z-30
Meeting Date 8-17-2021
Continued

9. ROCK REMOVAL. Applicant shall endeavor to removal all rock with excavators in lieu of blasting. In the event that blasting of rock is recommended by the Applicant's engineers or contractor (in lieu of scraping rock with excavators), then Applicant shall furnish advance written notice of same to the County's zoning department at least two (2) business days in advance of blasting.

10. FIRE ENTRANCE. Applicant will work with the County in plan review/permitting to finalize any determinations as to whether a second entrance is required to enable access for fire trucks and, if so, the location. In the event it is determined that the Project requires a second entry for fire trucks, Applicant will add the second entrance substantially in the location shown on Attachment 3.

Petition No. Z-30
Meeting Date 8-17-2021
Continued

ATTACHMENT 1

Petition No. Z-30
Meeting Date 8-17-2021
Continued

APARTMENT UNIT INTERIOR FINISHES

		Color Palette No. 1 Building 1 - Floors 1 & 3 / Building 2 - Floors 2 & 4 / Building 3 - Floors 1 & 3		Color Palette No. 2 Building 1 - Floors 2 & 4 / Building 2 - Floors 1 & 3 / Building 3 - Floors 2 & 4	
		Item	Manufacturer	Item	Manufacturer
A	**Unit Wall Finishes**				
	Entry Foyer	Eg-Shel Latex	Sherwin Williams	Eg-Shel Latex	Sherwin Williams
	Living - Dining Room * See Note 3	Eg-Shel Latex	Sherwin Williams	Eg-Shel Latex	Sherwin Williams
	Bedroom - Den	Eg-Shel Latex	Sherwin Williams	Eg-Shel Latex	Sherwin Williams
	Kitchen	Semi-Gloss	Sherwin Williams	Semi-Gloss	Sherwin Williams
	Bathroom	Semi-Gloss	Sherwin Williams	Semi-Gloss	Sherwin Williams
	Clothes - Linen Closet	Eg-Shel Latex	Sherwin Williams	Eg-Shel Latex	Sherwin Williams
	Utility Closet	Eg-Shel Latex	Sherwin Williams	Eg-Shel Latex	Sherwin Williams
	Interior Unit Trim (Baseboards, Moldings, and Sills)	Semi-Gloss	Sherwin Williams	Semi-Gloss	Sherwin Williams
	Interior Unit Doors	Semi-Gloss	Sherwin Williams	Semi-Gloss	Sherwin Williams
	Unit Entry Door (Unit Side Only - Hall Side to be PX)	Semi-Gloss	Sherwin Williams	Semi-Gloss	Sherwin Williams
B	**Unit Floor Finishes**				
	Entry Foyer	Simulated Vinyl Plank Wood Floor	Shaw	Simulated Vinyl Plank Wood Floor	Shaw
	Living - Dining Room * See Note #4	Simulated Vinyl Plank Wood Floor	Shaw	Simulated Vinyl Plank Wood Floor	Shaw
	Bedroom - Den	Carpet		Carpet	Engineered Floors
	Halls * See Note #4	Simulated Vinyl Plank Wood Floor	Shaw	Simulated Vinyl Plank Wood Floor	Shaw
	Kitchen	Simulated Vinyl Plank Wood Floor	Shaw	Simulated Vinyl Plank Wood Floor	Shaw
	Bathroom	Simulated Vinyl Plank Wood Floor	Shaw	Simulated Vinyl Plank Wood Floor	Shaw
	Clothes - Linen Closet	Carpet	Engineered Floors	Carpet	Engineered Floors
	Utility / Laundry Closet * See Note 5	Simulated Vinyl Plank Wood Floor	Shaw	Simulated Vinyl Plank Wood Floor	Shaw
C	**Unit Ceiling Finishes**				
	Entry Foyer	Flat Latex	Sherwin Williams	Flat Latex	Sherwin Williams
	Living - Dining Room	Flat Latex	Sherwin Williams	Flat Latex	Sherwin Williams
	Bedroom - Den	Flat Latex	Sherwin Williams	Flat Latex	Sherwin Williams
	Kitchen	Flat Latex	Sherwin Williams	Flat Latex	Sherwin Williams
	Bathroom	Semi-Gloss	Sherwin Williams	Semi-Gloss	Sherwin Williams
	Clothes - Linen Closet	Flat Latex	Sherwin Williams	Flat Latex	Sherwin Williams
	Utility Closet	Flat Latex	Sherwin Williams	Flat Latex	Sherwin Williams
D	**Kitchen Cabinets & Millwork**				
	Kitchen				
	Kitchen Cabinetry	Wood Frame Cabinets	Smart Cabinetry	Wood Frame Cabinets	Smart Cabinetry
	Kitchen Cabinetry Hardware	6" Bar Handle Vertical Install	Prodiso	6" Bar Handle Vertical Install	Prodiso
	Kitchen Counter Top	Quartz	Absolute Stone Corporation	Quartz	Absolute Stone Corporation
	Kitchen Counter Top Alternate	Granite	Absolute Stone Corporation	Granite	Absolute Stone Corporation
	Kitchen Backsplash	Glass and Stone Tile Mix	Virginia Tile	Glass and Stone Tile Mix	Virginia Tile
	Backsplash Grout				
	Bathroom				
	Vanity Cabinet	Wood Frame Cabinets	Smart Cabinetry	Wood Frame Cabinets	Smart Cabinetry
	Bathroom Counter Top	Quartz	Absolute Stone Corporation	Quartz	Absolute Stone Corporation
	Bathroom Counter Top Alternate	Granite	Absolute Stone Corporation	Granite	Absolute Stone Corporation

	General Finish Notes
1	All Finishes to meet HUD materials standards and certifications
2	Reference A13.0.01 for Flooring Transition Details
3	In Units where there is no wall partition transition between the kitchen walls and other rooms (Living, Dining, Etc) the same semi-gl
4	In units where laundry and entry closets are adjacent to kitchen, continue vinyl plank flooring into those rooms.
5	Carpet Pad to 8lb Visco Stainmaster Plus with moisture barrier - .450" Thick
6	In Townhouse Units where there is an interior staircase, continous carpet on the stair tread and riser.
7	Refer to paint specification for closeout, coating maintenance manual requirements.
8	In Units where Utility Closet are located off of the balcony - No Finishes on any surfaces required.
8	In Units where Utility Closet are located off of the balcony - No Finishes on any surfaces required.
10	At locations designated on unit plans, laminate surface to match unit granite countertops per schedule.

ATTACHMENT 2 (p.1)

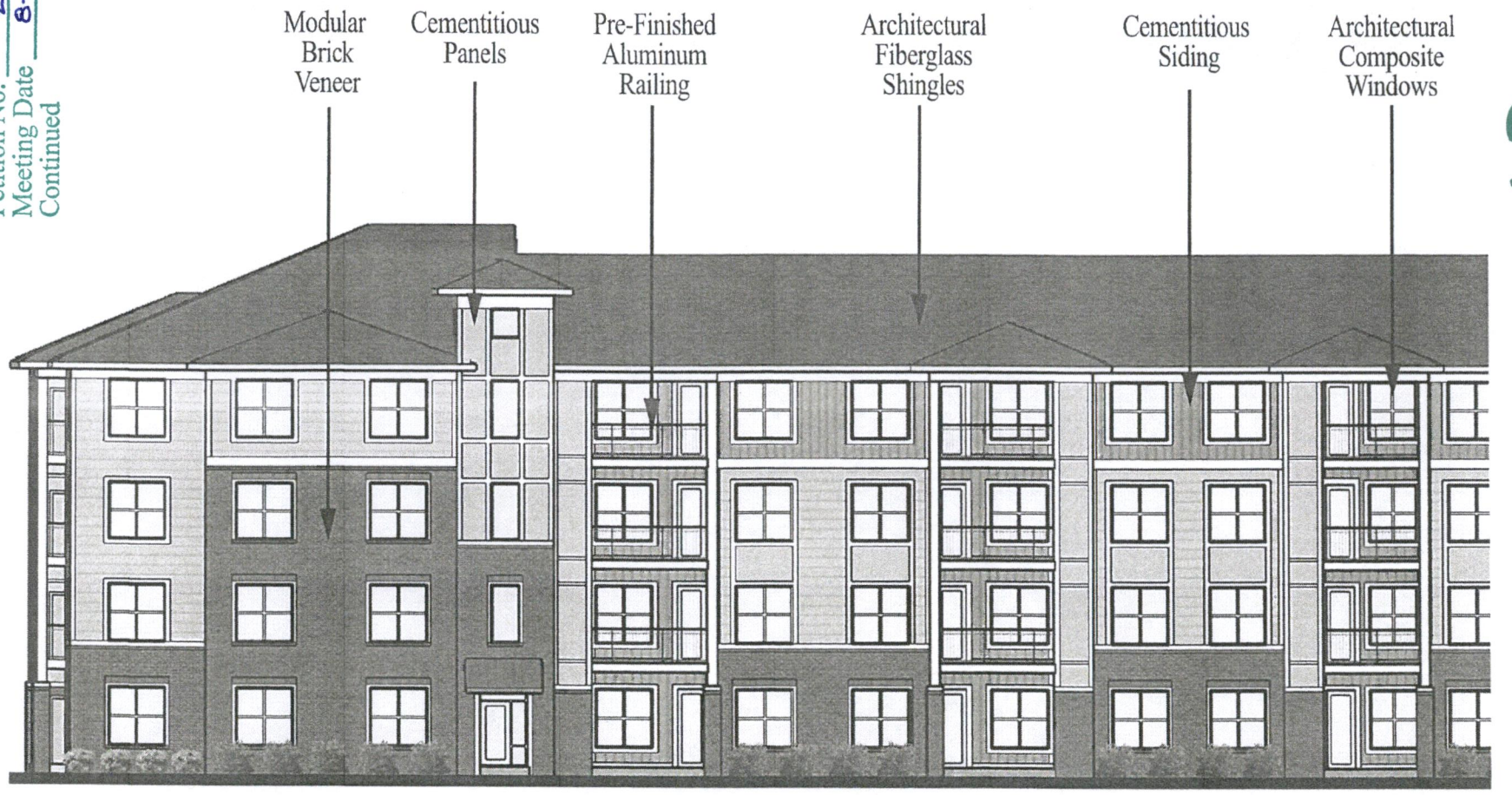
CityView Austell Apartments
Austell, Georgia

Interior Finish Legend

BONAVENTURE

Petition No. Z-30
Meeting Date 8-17-2021
Continued

ATTACHMENT 2 (P.2)



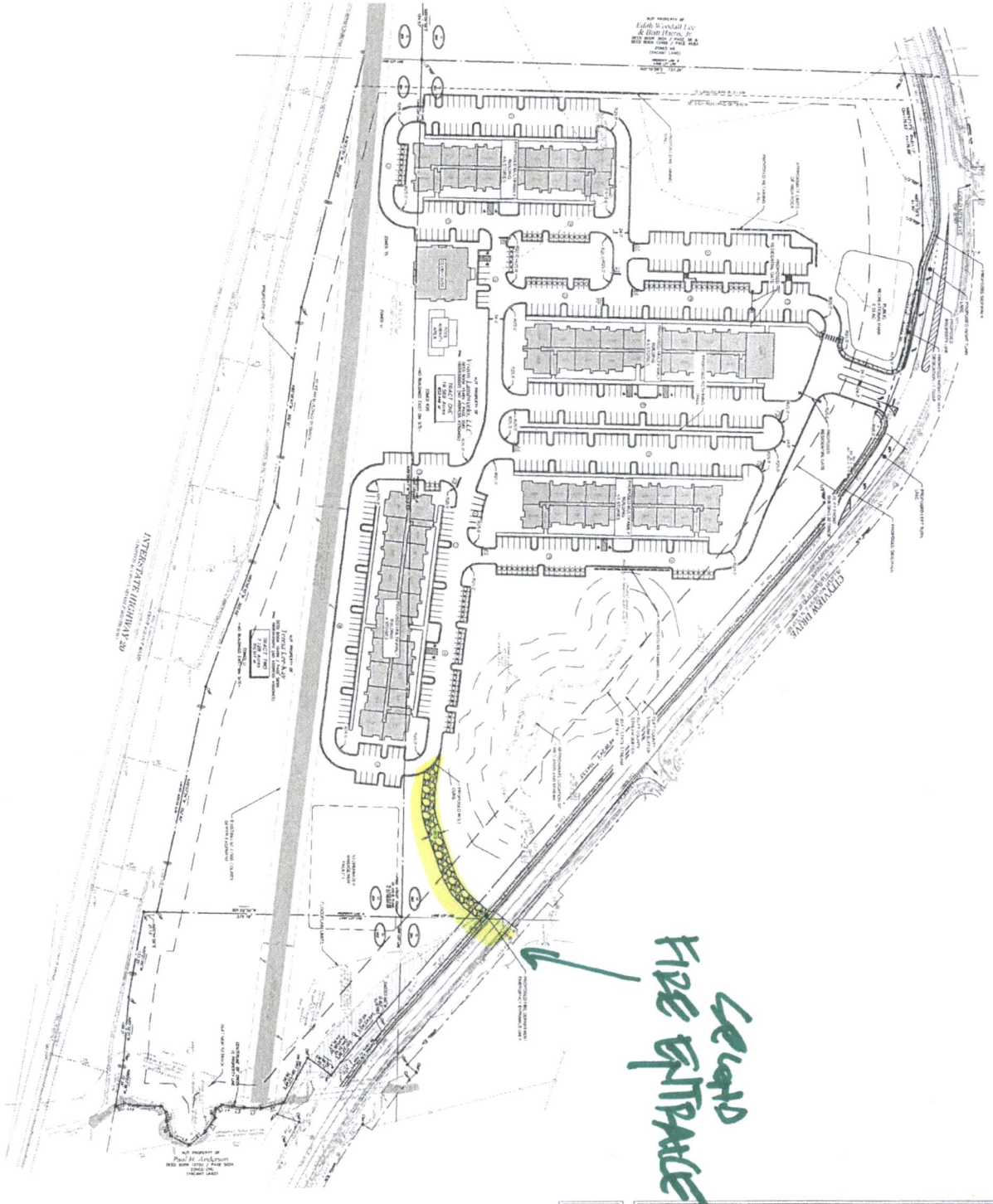
Typical Elevation

CityView Austell Apartments
Austell, Georgia

Exterior Materials

BONAVENTURE

Petition No. Z-30
Meeting Date 8-17-2021
Continued



ATTACHMENT 3

REZONING NOTES:

SITE SUMMARY:

TOTAL SITE AREA:	30.75 AC
34TH DISTRICT - 2ND SECTION	
CURRENT ZONING:	R-30, TS, LI
PROPOSED ZONING:	RM-12, CMC
SITE AREA:	25.97 AC
RIGHT-OF-WAY DEDICATION:	0.00 AC
ADJUSTED SITE AREA:	25.97 AC
STATE WATERS AREA:	0.00 AC
WETLANDS AREA:	0.0 AC
EXISTING BUILDING SETBACK	
FRONT:	15 FT
SIDE:	15 FT
REAR:	20 FT
BUFFER:	50 FT
PROPOSED LAND USES & DENSITIES:	
MULTIFAMILY RESIDENTIAL:	300 UNITS
COMMERCIAL-RETAIL:	3,000 SF
PROPOSED PARKING:	
REQUIRED PARKING:	548 SPACES (TOTAL)
MULTIFAMILY (1.5 SPACES/UNIT):	450 SPACES
COMMERCIAL (1 SPACE/250 SF):	12 SPACES
PROPOSED PARKING:	548 SPACES (TOTAL)
GARAGE:	450 SPACES
SURFACE:	98 SPACES
ON-STREET:	0 SPACES
TOTAL:	548 SPACES

1. THIS SITE IS IN A FLOOD PLAIN BUT DOES NOT IMPACT IT.
2. THIS SITE DOES NOT CONTAIN A CEMETERY.
3. THE PROPOSED BUILDING DIMENSIONS (HEIGHTS, APPROXIMATE AND SUBJECT TO CHANGE AS DESIGN DEVELOPS.
4. ALL PARKING COUNTS ARE APPROXIMATE AND SUBJECT TO CHANGE AS DESIGN DEVELOPS. PARKING COUNTS WILL EXCEED TOTALS SHOWN ABOVE.
5. IT IS UNDERSTOOD THAT THE SITE MUST COMPLY WITH ALL CONNECTIVITY AND WILL BE DESIGNED AND DETAILED AS SUCH.

VARIANCE REQUEST SUMMARY:

- CONSIDERATION OF THE VARIANCE REQUEST TO REDUCE THE REQUIRED HEIGHT TO 10'-0" FT

GEORGIA811.

GRAPHIC SCALE IN FEET

C0-10	REZONING SITE PLAN		CITYVIEW MULTIFAMILY 0 CITYVIEW DRIVE, CORK COUNTY, GA LAND LOT 193, 194, 903, 904 & 905 16TH DISTRICT	BONAVENTURE REALTY 104 HUME AVE, ALEXANDRIA, VA 22301 PHONE: 704-868-2207	Kimley»Horn © 2021 KIMLEY-HORN AND ASSOCIATES, INC. 11720 AMBER PARK DRIVE, SUITE 600 ALPHARETTA, GEORGIA 30009 PHONE (770) 619-4280 WWW.KIMLEY-HORN.COM

Min. Bk. 93 Petition No. Z-30
Doc. Type Building Height Schedule
Meeting Date 8-17-2021

BUILDING HEIGHT SCHEDULE
[Z-30-2021]

Building 1	Height	Mean Height	Avg Mean Height
4 Story	55'- 8 1/4"	54'- 3"	59'- 5 3/8"
5 Story	66'- 4"	64'- 10 3/4"	

Building 2	Height	Mean Height	Avg Mean Height
4 Story	55'- 8 1/4"	54'- 1 3/4"	59'- 4 5/8"
5 Story	66'- 4"	64'- 9 1/2"	

Building 3	Height	Mean Height	Avg Mean Height
4 Story	55'- 8 1/4"	54'- 3"	59'- 5 3/8"
5 Story	66'- 4"	64'- 10 3/4"	

Building 4	Height	Mean Height
4 Story (2 sides)	55'- 8 1/4"	54'- 1 3/4"

All Buildings	Avg Height	Avg Mean Height
All Buildings Avg	59'- 7 3/16"	58'- 1 1/2"

MOORE INGRAM JOHNSON & STEELE

A LIMITED LIABILITY PARTNERSHIP
WWW.MIJS.COM

MARIETTA, GEORGIA
EMERSON OVERLOOK
326 ROSWELL STREET
SUITE 100
MARIETTA, GEORGIA 30060
TELEPHONE (770) 429-1499

KNOXVILLE, TENNESSEE
408 N. CEDAR BLUFF ROAD
SUITE 500
KNOXVILLE, TENNESSEE 37923
TELEPHONE (865) 692-9039

JACKSONVILLE, FLORIDA
10201 CENTURION PARKWAY N.
SUITE 401
JACKSONVILLE, FLORIDA 32256
TELEPHONE (904) 428-1465

BRENTWOOD, TENNESSEE
5300 MARYLAND WAY
SUITE 200
BRENTWOOD, TENNESSEE 37027
TELEPHONE (615) 425-7347

LEXINGTON, KENTUCKY
771 CORPORATE DRIVE
SUITE 430
LEXINGTON, KENTUCKY 40503
TELEPHONE (859) 309-0026

ORLANDO, FLORIDA
7380 WEST SAND LAKE ROAD
SUITE 500
ORLANDO, FLORIDA 32819
TELEPHONE (407) 367-6233

HARRISBURG, PENNSYLVANIA
3909 HARTZDALE DRIVE
SUITE 901
CAMP HILL, PENNSYLVANIA 17011
TELEPHONE (717) 790-2854

August 11, 2021

Min. Bk. 93 Petition No. Z-32
Doc. Type letter
Meeting Date 8-17-2021

Via E-mail Only

Mr. John P. Pederson, AICP
Zoning Division Manager
Zoning Division
Cobb County Community Development Agency
Suite 400
1150 Powder Springs Road
Marietta, Georgia 30064

RE: Application for Rezoning - Application No.: Z-32 (2021)
Applicant: Taylor Morrison of Georgia, LLC
Property Owner: East – West Worship and Conference Center, Inc., successor by amendment to Gospel Harvester Church, Inc.
Property: 16.093 acres, more or less, located on the southwesterly side of Hurt Road, northerly of the terminus of Story Drive, Land Lot 847, 19th District, 2nd Section, Cobb County, Georgia

Dear John:

The undersigned and this firm represent Taylor Morrison of Georgia, LLC, the Applicant (hereinafter referred to as "Applicant"), and East – West Worship and Conference Center, Inc., successor by amendment to Gospel Harvester Church, Inc., the Property Owner (hereinafter referred to as "Owner" or "Property Owner"), in their Application for Rezoning with regard to a total tract of 16.093 acres, more or less, located on the southwesterly side of Hurt Road, norther of the terminus of Story Drive, Land Lot 847, 19th District, 2nd Section, Cobb County, Georgia (hereinafter referred to as the "Property" or the "Subject Property"). After meetings and discussions with Planning and Zoning Staff and County Department representatives, reviewing the Departmental Comments and Staff Recommendations, reviewing the uses of surrounding properties, ongoing discussions and communications with area residents and homeowner representatives, and following the presentation to and hearing before the Cobb County Planning

Commission, we have been authorized by the Applicant to submit this revised letter of agreeable stipulations and conditions, which, if the Application for Rezoning is approved, as submitted, shall become a part of the grant of the requested zoning and shall be binding upon the Subject Property. This letter shall supersede and replace in full all previous letters of agreeable stipulations, and specifically those dated and submitted on May 26, 2021; June 30, 2021; July 14, 2021; and July 19, 2021. The proposed, revised stipulations are as follows:

(1) Rezoning of the Subject Property shall be from the existing zoning classification of R-20 to the proposed zoning classification of RA-5, site plan specific to the revised Zoning Site Plan ("Site Plan") prepared for Applicant by Planners and Engineers Collaborative, dated July 19, 2021, and previously filed with the Cobb Zoning Division. A reduced copy of the revised Site Plan is attached to this stipulation letter as Exhibit "A" and incorporated herein by reference.

(2) The Subject Property consists of 16.093 acres, more or less, and shall be developed for a residential community, in the townhome style, containing a maximum of eighty (80) residences.

(3) The proposed townhomes shall be Traditional in style and architecture and shall have exterior facades consisting of brick, stone, stacked stone, cedar shake shingles, board and batten, cementitious siding, and combinations thereof, with complementary accents, and shall be substantially similar to the elevation attached as Exhibit "B" and incorporated herein by reference, subject to District Commissioner approval of final elevations.

(4) The units shall have two-car garages, with driveways a minimum of twenty-two (22) feet in length. No garage areas within the proposed townhome community shall be converted into heated living space for the units. All garages shall be used primarily for the parking of vehicles with only incidental storage that does not interfere with parking for vehicles. Such restriction shall be included in the Declaration of Covenants, Easements, and Restrictions.

(5) Garage doors shall be carriage style doors with decorative light fixtures above the garage doors.

(6) The proposed townhomes shall have a minimum of 1,800 square feet of heated and cooled area.

(7) All units within the proposed townhome community shall be "for sale" units. There shall be no more than a maximum of ten (10) percent of the units being leased at any one time; and such restriction shall be included in the Declaration of Covenants, Easements, and Restrictions.

(8) Applicant agrees that it will not offer and the community shall not participate in the Federal Section 8 Housing Program.

(9) Applicant agrees to the recording and enforcement of a Declaration of Covenants, Easements, and Restrictions which shall contain covenants, rules, and regulations applicable to the proposed townhome community.

(10) Additionally, and in conjunction with the Declaration of Covenants, Easements, and Restrictions, Applicant agrees to the creation of a mandatory homeowners association which shall be responsible for the upkeep and maintenance of the entrance area, signage, yard areas, all common areas, amenity and open space, stormwater management, detention ponds, general landscaped areas, mail kiosk, fencing, and the like contained within the community.

(11) The Declaration of Covenants, Easements, and Restrictions shall include a provision prohibiting vehicle repair or maintenance within the community.

(12) The entrance signage for the proposed community shall be ground based, monument-style signage, and shall consist of brick, stone, stacked stone, or combinations thereof, with accents consistent with the architecture and style of the residences, and will include up-lighting. The entrance landscaping shall be professionally designed, implemented, and maintained.

(13) The setbacks for the proposed community shall be as shown and reflected on the revised Site Plan.

(14) The maximum impervious area for the proposed community shall be thirty-nine (39) percent.

(15) The amenity area for the proposed community shall consist of, at a minimum, a community gathering area for the residents and their guests; as well as, passive open space areas.

(16) All utilities servicing the residences within the proposed community shall be located underground.

(17) The Property's frontage along Hurt Road shall be landscaped to provide visual screening; and shall include evergreen trees, a minimum of six (6) feet in height at planting. The entrance monument signage and landscaping are exempted from this requirement; but, shall be sufficiently professionally landscaped consistent with entrance areas of upscale residential communities. The future homeowners association shall maintain all such frontage landscaping; including, but not limited to, pick up of trash or debris.

(18) Final landscape and Site Plan shall be subject to District Commissioner approval.

(19) Applicant agrees to cooperate with the Georgia Native Plant Society ("GNPS") to provide an opportunity for GNPS to perform a "Plant Rescue" on those portions of the Subject Property which will be disturbed.

(20) Minor modifications to the within stipulations, the referenced, revised Site Plan, lighting, landscaping, architecture, site features, signage, and the like, may be approved by the District Commissioner, as needed or necessary, except for those that:

(a) Increase the density of a residential project or the overall square footage of a non-residential project;

(b) Reduce the size of an approved buffer adjacent to a property that is zoned the same or in a more restrictive zoning district;

(c) Relocate a structure closer to the property line of an adjacent property that is zoned the same or in a more restrictive zoning district;

(d) Increase the height of a building that is adjacent to a property that is zoned the same or in a more restrictive zoning district;

(e) Change an access location to a different roadway;

(f) Would be in direct contradiction or conflict with any of the stipulations of this rezoning;

(g) Would be in direct contradiction or conflict with Cobb County Code and Ordinances; or

(h) Would be in direct contradiction or conflict with any Staff Recommendations that were adopted into the final zoning decision.

(21) Development and construction hours for the proposed project shall be limited to the following:

(a) 7:00 a.m. to 7:00 p.m. - Monday-Friday;

(b) 8:00 a.m. to 5:00 p.m. - Saturday; and

(c) No work on Sunday.

(22) Applicant agrees to provide a representative of the Peach Commons Subdivision a 24-hour contact person for the duration of development and construction.

(23) Applicant agrees to the installation of fencing and additional tree plantings and landscaping for purposes of visual screening along property adjacent to the Peach Commons community within the designated, minimum twenty-five (25) foot landscape buffer area as shown on the revised Site Plan. Such landscape buffer shall comply with Cobb County Standards and Ordinances to provide one hundred (100) percent visual screening within two years of planting. Further, such landscape buffer shall be planted with evergreen trees, a minimum of six (6) feet in height. The buffer shall include a six (6) foot privacy fence, with landscaping and planted material installed along the outside (exterior) of the privacy fence.

(24) Stormwater Management facilities shall be screened by a black, vinyl-clad chain link fence, a minimum of six (6) feet in height with landscaping to the exterior of the fencing for purposes of visual screening. The landscaping shall be approved by the Cobb County Arborist during the Plan Review Process. All landscaping and fencing surrounding the detention areas shall be maintained by the mandatory homeowners association.

(25) Applicant agrees to comply with all Cobb County Stormwater Management requirements applicable to the Subject Property; including, that stormwater flows will not be directed onto adjoining residential properties, except for established

drainage channels as provided by Cobb County Stormwater Management requirements. Stormwater flows shall be directed in accordance with the flow map attached as Exhibit "C' regarding the area adjacent to the Peach Commons Subdivision.

(26) Applicant further agrees to the following to further mitigation traffic concerns:

(a) Construction of a deceleration lane at the planned entrance on Hurt Road, as shown and reflected on the revised Site Plan;

(b) Construction of a left-turn lane on Hurt Road into the proposed community; and

(c) There shall be a full access/entrance to the proposed community from Story Drive.

We believe the requested zoning, together with the revised Site Plan and the revised stipulations set forth herein, is an appropriate use of the Subject Property while taking into consideration developments and uses of properties in the surrounding area. The proposed residential community shall be a quality development, shall be compatible with surrounding neighborhoods, and shall be an enhancement to the Subject Property and the community as a whole. Thank you for your consideration in this request.

With kindest regards, I remain

Very truly yours,

MOORE, INGRAM, JOHNSON & STEELE, LLP

J. Kevin Moore

JKM:cc
Attachments

c: Cobb County Board of Commissioners:
Lisa N. Cupid, Chairwoman
JoAnn Birrell
Kelli A. Gambrill
Jerica Richardson
Monique Sheffield
(With Copies of Attachments)

Jeannie Peyton
Senior Planner
Zoning Division
Cobb County Community Development Agency
(With Copies of Attachments)

Taylor Morrison of Georgia, LLC
(With Copies of Attachments)

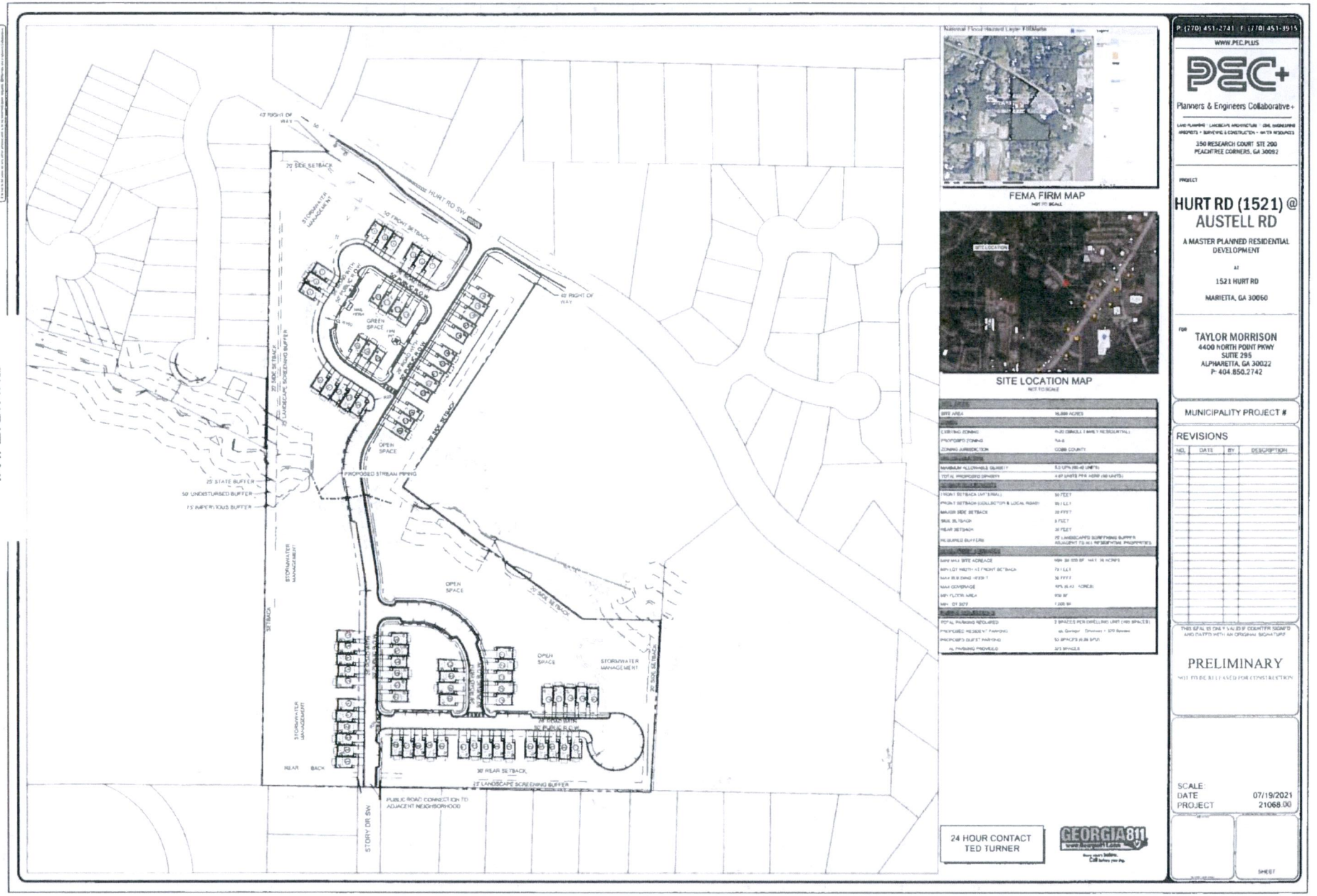
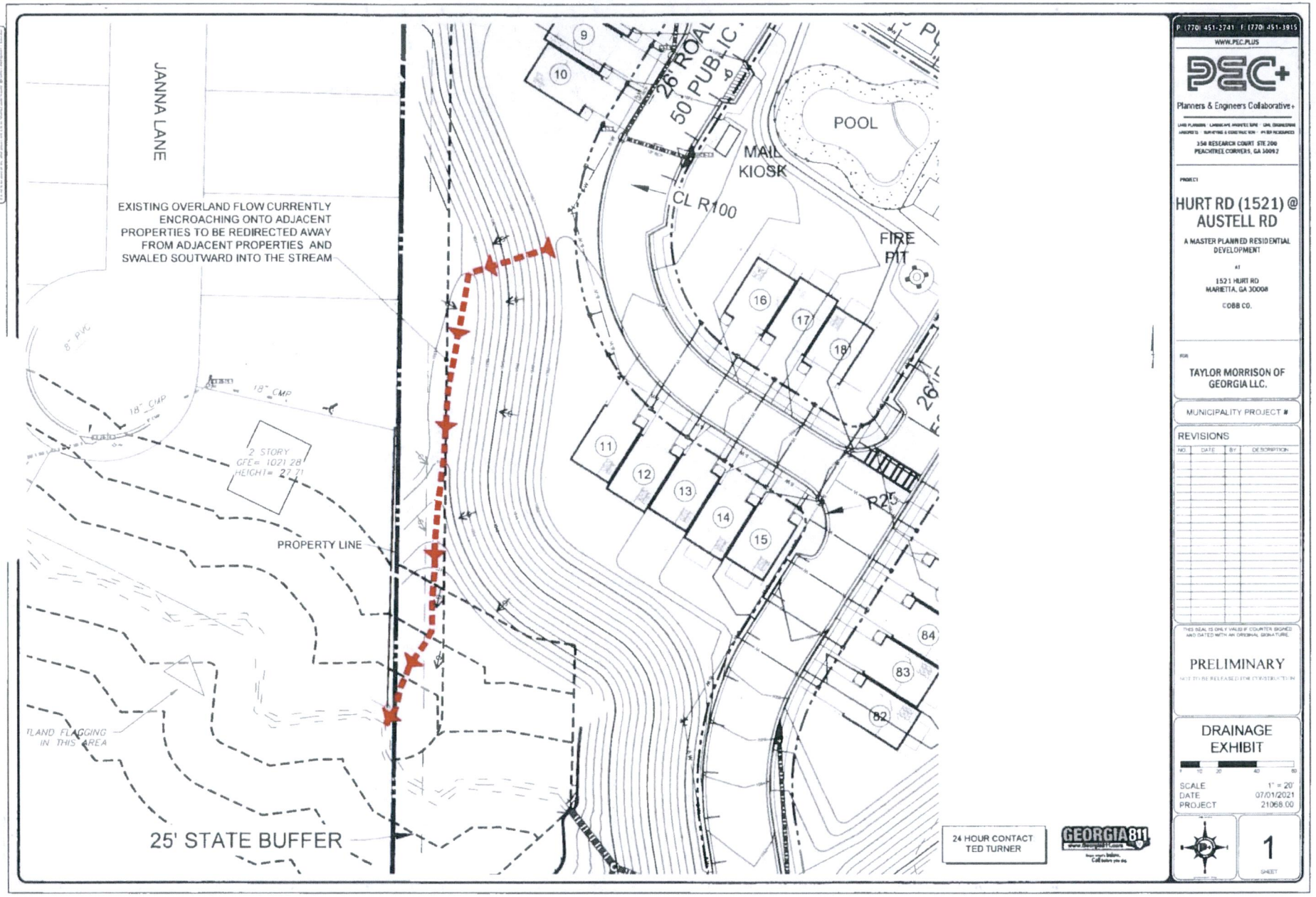


EXHIBIT "A"

Petition No. Z-32
Meeting Date 8-17-2021
Continued

Petition No. Z-32
Meeting Date 8-17-2021
Continued

EXHIBIT "C"



P: (770) 451-2741 F: (770) 451-3915
WWW.PEC.PLUS
Planners & Engineers Collaborative +
350 RESEARCH COURT STE 200
PEACHTREE CORNERS, GA 30092

PROJECT

HURT RD (1521) @ AUSTELL RD

A MASTER PLANNED RESIDENTIAL DEVELOPMENT

AT

1521 HURT RD
MARIETTA, GA 30008

COBB CO.

FOR

TAYLOR MORRISON OF GEORGIA LLC.

MUNICIPALITY PROJECT #

REVISIONS

NO.	DATE	BY	DESCRIPTION

THIS SEAL IS ONLY VALID IF COUNTER SIGNED AND DATED WITH AN ORIGINAL SIGNATURE.

PRELIMINARY

NOT TO BE RELEASED FOR CONSTRUCTION

DRAINAGE EXHIBIT

0 10 20 40 80

SCALE	1" = 20'
DATE	07/01/2021
PROJECT	21068.00

1
SHEET

Petition No. Z-32
Meeting Date 8-17-2021
Continued

Min. Bk. 93 Petition No. Z-37
Doc. Type letter
Meeting Date 8-17-2021

GARVIS L. SAMS, JR.
JOEL L. LARKIN
PARKS F. HUFF

SAMS, LARKIN & HUFF
A LIMITED LIABILITY PARTNERSHIP
SUITE 100
376 POWDER SPRINGS STREET
MARIETTA, GEORGIA 30064-3448

770·422·7016
TELEPHONE
770·426·6583
FACSIMILE

July 2, 2021

VIA EMAIL

Mr. John P. Pederson, AICP, Manager
Cobb County Zoning Division
Community Development Agency
1150 Powder Springs Road, Suite 400
Marietta, GA 30064

Re: Application of North Georgia Timber, LLC to Rezone a 2.995 ± Acre Tract from O&I to HI - Land Lot 1137, 16th District, 2nd Section, Cobb County, Georgia.

Dear John:

North Georgia Timber, LLC (North Georgia or Applicant) acquired the above-described property for the bulk storage and sale of landscaping material. North Georgia purchases wood chips from timber companies and landscape companies, often from urban tree removal. North Georgia then sells the product to end users such as utility companies. The property was used by Wometco and then Comcast for equipment and storage. The property has two warehouse type buildings totaling approximately 10,000 square feet. The land use plan designates the property as Industrial Compatible and the property to the north is zoned HI and to the west is zoned LI. However, to the south is a house on property zoned R-15. After discussing the case with the county zoning staff, it was determined that the use falls under the LI designation and the applicant has amended the application to reflect this category. The applicant is willing for the following stipulations to apply if the proposed rezoning is approved. These stipulations are revised from the previous stipulation letter based upon feedback from the neighboring property owner and revised staff comments.

1) The property will be rezoned to LI. The applicant will use the property for the storage and sale of wood chips and other landscaping material but agrees that no processing of this material will take place on the property. The warehouse buildings will be used for LI uses including the storage of equipment.

2) At the present time, there is no buffer between the gravel parking lot and the R-15 property to the south. The applicant will install a privacy fence adjacent to the gravel lot along this property line and create a 10-foot-wide landscape buffer with evergreen plantings as depicted on the site plan prepared by DGM Land Planning Consultants attached as Exhibit "A."

3) The hours of operation shall be limited to Monday through Saturday 7:00 am to 6:00 p.m.

4) No use shall emit noxious odors or fumes.

5) There is a gate on Fairview that hinders illegal dumping on this dead-end street. The applicant will agree to remove the gate within 45 days of notice from an affected property owner to remove the gate.

6) There are utilities that serve the existing building that cross the property owned by Summerour Property LLLP. Applicant will request that the utilities be raised higher to not conflict with this property.

7) Applicant will contribute $10,000 towards the improvements to Fairview Dr.

8) The District Commissioner shall have the authority to approve minor modifications to these stipulations/conditions, the site plan, the architecture and other issues as the development proposal proceeds through the Plan Review Process and thereafter except for those that:

   a. Increase the density.

   b. Reduce the size of approved buffers adjacent to property which is zoned the same or in a more restrictive zoning district.

   c. Relocate a structure closer to the property line of adjacent property that is zoned in the same or a more restrictive zoning district.

   d. Increase the height of a building which is adjacent to property which is zoned in the same or a more restrictive zoning district.

   e. Change access locations to a different right-of-way.

   f. Require variances in addition to any concurrent variances requested herein.

Petition No. Z-37
Meeting Date 8-17-2021
Continued

There is granted a variance for the existing conditions including, but not limited to reducing the front setback to 20 feet, reducing the side setback to 18 feet and reducing the buffer to the proposed 10-foot planted buffer.

Sincerely,

SAMS, LARKIN & HUFF, LLP

Parks F. Huff
phuff@samslarkinhuff.com

PFH/lkj
Enclosures

cc: Members, Cobb County Board of Commissioners (via email)
Members, Cobb County Planning Commission (via email)
Ms. Jessica Guinn, AICP, Director, Community Development (via email)
Mr. Jason Gaines, AICP, Planning Division Manager (via email)
Mr. Phil Westbrook, Planner III (via email)
Ms. Jeannie Peyton, Senior Planner (via email)
Mr. Terry Martin, Planner III (via email)
Mr. Donald Wells, Planner I (via email)
Ms. Margie Vazquez, Planner I (via email)
Ms. Pamela Mabry, County Clerk (via email)
Ms. Robin Stone, Deputy County Clerk (via email)
Ms. Leila Washington, Deputy County Clerk (via email)
Ms. Alice Summerour (via email)

EXHIBIT "A"

Petition No. Z-37
Meeting Date 8-17-2021
Continued

Rezoning Plat

111 Fairview Avenue

Cobb County, Georgia Land Lot 1137, 16th District, 2nd Section

property owner:

Scot Teverino
North Georgia Timber, LLC
P.O. Box 4333
Marietta, Georgia 30061
(404) 606-2569

0 15 30 60 120
Scale: 1" = 30'

March 31, 2021

DGM
LAND PLANNING CONSULTANTS
975 COBB PLACE BLVD, SUITE 212
KENNESAW GA 30144
770 514-9006
FAX 514-9491

north

Site Data

Total Site Area: 2.99 AC
Present Zoning: O&I
Proposed Zoning: HI
Total Bldg. Area Shown: 10,182 SF
HI Building Setbacks:
front: 50' (*20' requested)
side: 20' (*18' requested)
rear: 40'

Notes
1. Boundary taken from Maser Consulting, P.A., dated 2019-3-6
2. Topographic information from Cobb County GIS.
3. According to Flood Insurance Rate Map (FIRM) #13067C0109H November 2, 2012, no portion of this site contains floodplain.
4. No cemeteries are known to exist on site.
5. No streams and/or wetlands are known to exist on site.
6. No archeological or architectural landmarks are known to exist on site.
7. No utility easements exist on site.
8. Stormwater management and water quality structures are conceptual in size and will be revised based on hydrologic study.

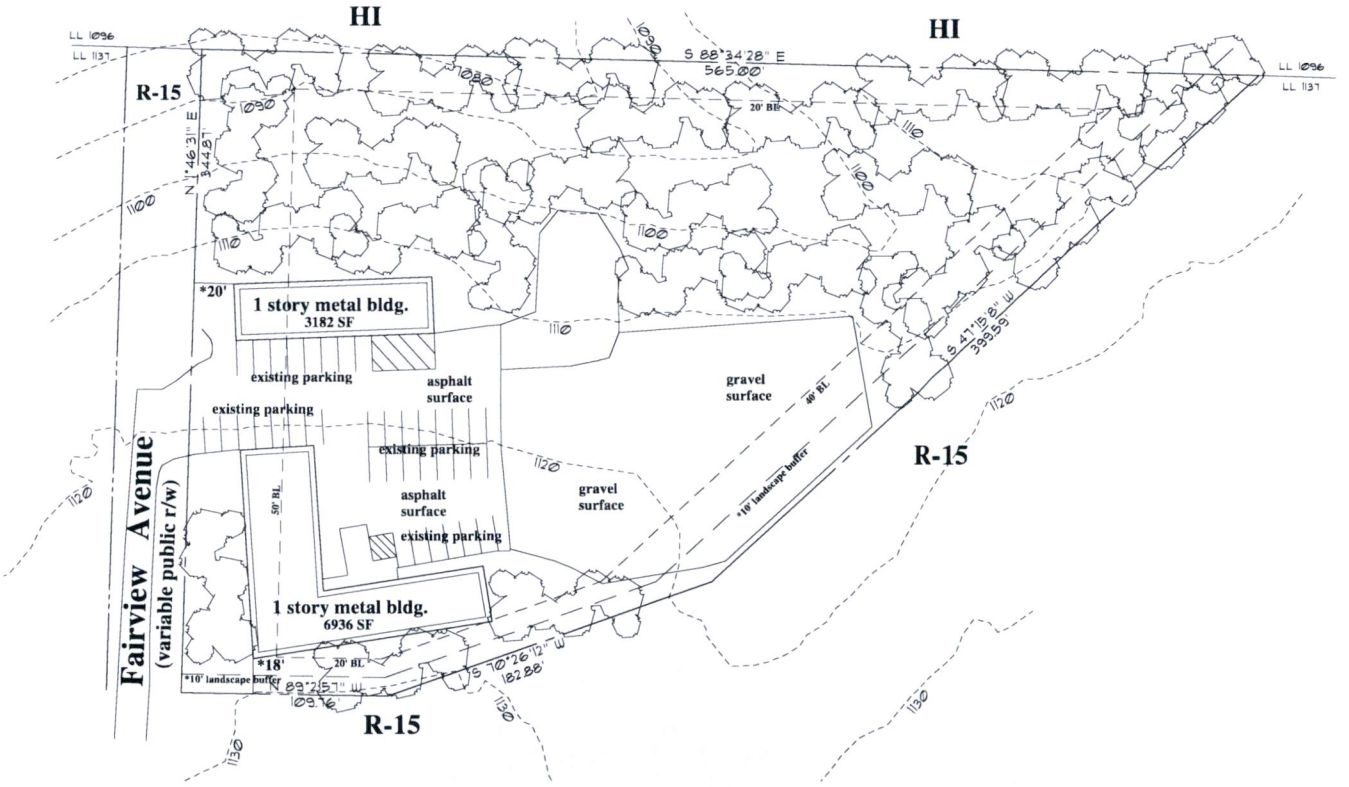
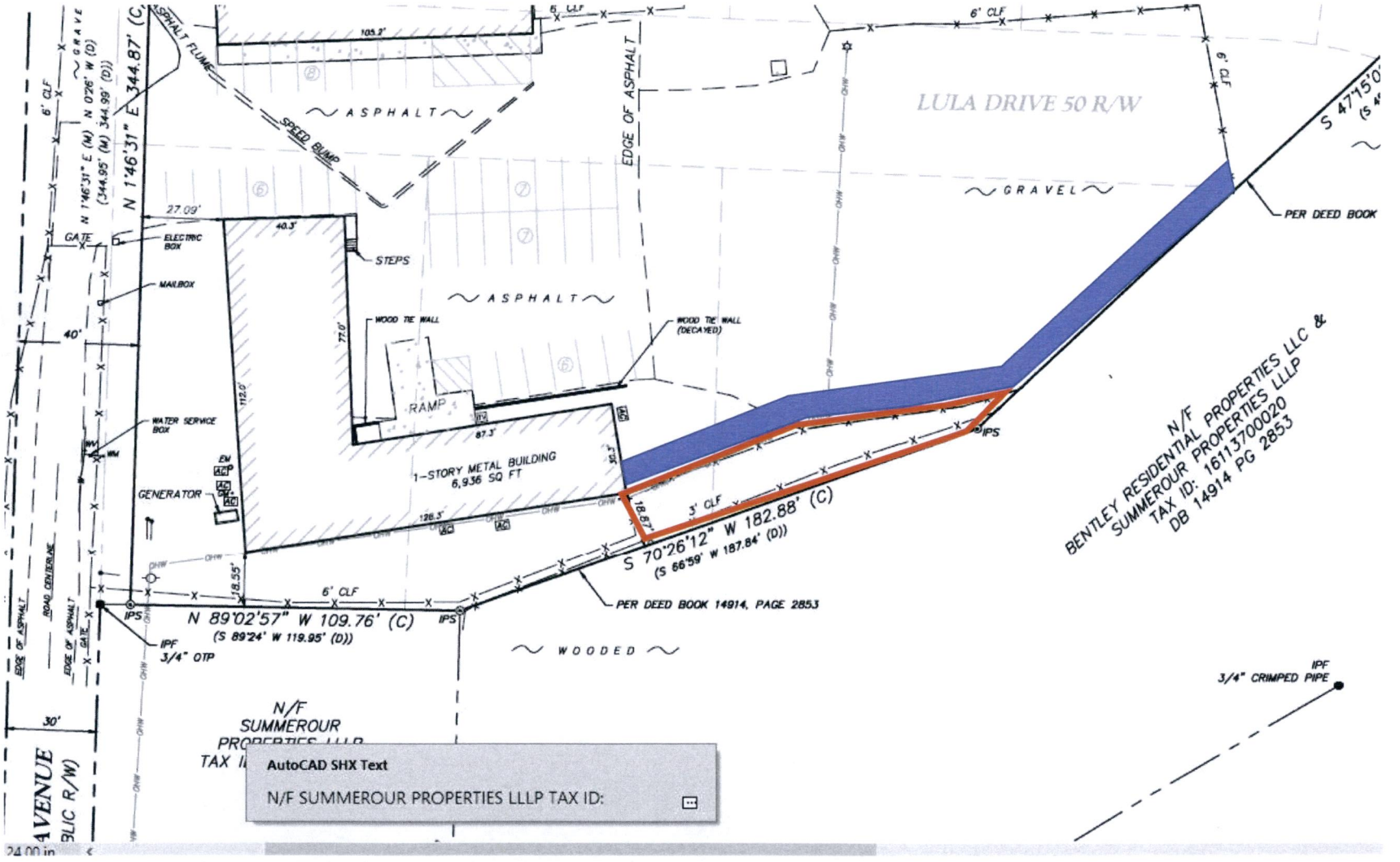


EXHIBIT "B"

Petition No. Z-37
Meeting Date 8-17-2021
Continued

Area in red is currently very thick natural vegetation. I would suggest leaving that area alone and then putting the 10' Leland cypress inside the fence line along the gravel lot.

Blue – additional 10' buffer to be planted.



MOORE INGRAM JOHNSON & STEELE

A LIMITED LIABILITY PARTNERSHIP
WWW.MIJS.COM

MARIETTA, GEORGIA
EMERSON OVERLOOK
326 ROSWELL STREET
SUITE 100
MARIETTA, GEORGIA 30060
TELEPHONE (770) 429-1499

KNOXVILLE, TENNESSEE
408 N. CEDAR BLUFF ROAD
SUITE 500
KNOXVILLE, TENNESSEE 37923
TELEPHONE (865) 692-9039

JACKSONVILLE, FLORIDA
10201 CENTURION PARKWAY N.
SUITE 401
JACKSONVILLE, FLORIDA 32256
TELEPHONE (904) 428-1465

BRENTWOOD, TENNESSEE
5300 MARYLAND WAY
SUITE 200
BRENTWOOD, TENNESSEE 37027
TELEPHONE (615) 425-7347

LEXINGTON, KENTUCKY
771 CORPORATE DRIVE
SUITE 430
LEXINGTON, KENTUCKY 40503
TELEPHONE (859) 309-0026

ORLANDO, FLORIDA
7380 WEST SAND LAKE ROAD
SUITE 500
ORLANDO, FLORIDA 32819
TELEPHONE (407) 367-6233

HARRISBURG, PENNSYLVANIA
3909 HARTZDALE DRIVE
SUITE 901
CAMP HILL, PENNSYLVANIA 17011
TELEPHONE (717) 790-2854

August 11, 2021

Min. Bk. 93 Petition No. Z-42
Doc. Type letter
Meeting Date 8-17-2021

Via E-mail Only

Mr. John P. Pederson, AICP
Zoning Division Manager
Zoning Division
Cobb County Community Development Agency
Suite 400
1150 Powder Springs Road
Marietta, Georgia 30064

RE: Application for Rezoning - Application No.: Z-42 (2021)
Applicant: Scannell Properties #475, LLC
Property Owner: VKEP-T, LLC
Property: 9.1464 acres, more or less, located on the westerly side of Chastain Meadows Parkway, northerly of Big Shanty Road, and southerly of Chastain Road, Land Lot 428, 16th District, 2nd Section, Cobb County, Georgia

Dear John:

The undersigned and this firm represent Scannell Properties #475, LLC, the Applicant (hereinafter referred to as "Applicant"); as well as, VKEP-5, LLC, the Property Owner (hereinafter referred to as "Owner" or "Property Owner"), in their Application for Rezoning with regard to 9.1464 acres, more or less, located on the westerly side of Chastain Meadows Parkway, northerly of Big Shanty Road, and southerly of Chastain Road, Land Lot 428, 16th District, 2nd Section, Cobb County, Georgia (hereinafter the "Property" or "Subject Property"). After meeting with Planning and Zoning Staff and various Cobb County Departmental representatives, reviewing the Departmental Comments and Staff Recommendations and the uses of surrounding properties, communications and meetings with area residents and homeowner representatives, and following the presentation to and hearing before the Cobb County Planning Commission, we have been authorized by the Applicant to submit this revised letter of agreeable stipulations and conditions which, if the Application for Rezoning is approved, as submitted, shall become a part of the grant of the requested zoning and shall be binding upon the Subject Property. This letter

shall supersede and replace in full all prior letters of agreeable stipulations and conditions previously submitted for the pending Application. The proposed, revised stipulations are as follows:

(1) The stipulations and conditions set forth herein shall replace and supersede in full any and all prior stipulations and conditions, in whatsoever form, which are currently in place on the Subject Property; together with any and all prior Departmental Comments and Staff Recommendations submitted by Planning, Fire, Water, Sewer, and Drainage, relating to the Subject Property from any previous zoning actions.

(2) Applicant seeks rezoning of the Subject Property from the existing zoning category of Office/Institutional ("OI") to the proposed zoning category of Office Services ("OS"), site plan specific to the revised Site Plan prepared for Applicant by Kimley-Horn and Associates, Inc., dated and last revised June 28, 2021, and submitted as part of this letter of agreeable stipulations and conditions. A reduced copy of the revised Zoning Site Plan is attached as Exhibit "A" and incorporated herein by reference.

(3) The Subject Property consists of approximately 9.1464 acres, and will be developed for a maximum of three hundred twenty (320) parking spaces for parking of delivery vans, as part of the overall distribution center being developed on the currently zoned OS tract located adjacent and to the south of the Subject Property, along the northerly side of Big Shanty Road and the westerly side of Chastain Meadows Parkway.

(4) Applicant agrees to enhanced landscaping along the frontage of the Subject Property along Chastain Meadows Parkway for purposes of visual screening. Such landscaping shall be substantially similar to that shown and reflected in the Landscape Plan and renderings attached collectively as Exhibit "B."

(5) Applicant agrees to install a landscape buffer along the northern boundary of the Subject Property, substantially similar to the landscape plan attached as Exhibit "C."

(6) Applicant agrees that lighting for the Subject Property shall be designed to prohibit light from extending beyond the Subject Property's boundaries. Further, lighting shall include dimming controls which automatically dim from dusk to dawn outfitted with motion sensors.

(7) Applicant agrees to the Comments and Recommendations by the Cobb County Department of Transportation applicable to the Subject Property.

(8) Applicant agrees to the Comments and Recommendations by Cobb County Stormwater Management applicable to the Subject Property.

(9) All setbacks, landscape, and buffer areas may be penetrated for purposes of access, utilities, and stormwater management, including, but not limited to, drainage facilities and any and all slopes or other required engineering features of the foregoing.

(10) The Subject Property will be legally combined with the adjacent OS tract as part of the permitting and development process.

We believe the requested zoning, pursuant to the revised Zoning Site Plan and the revised stipulations set forth herein, is an appropriate use for the Subject Property. We appreciate very much your assistance and consideration; as well as that of the Cobb County Board of Commissioners, in this request.

With kindest regards, I remain

Very truly yours,

MOORE, INGRAM, JOHNSON & STEELE, LLP

J. Kevin Moore

JKM:cc
Attachments

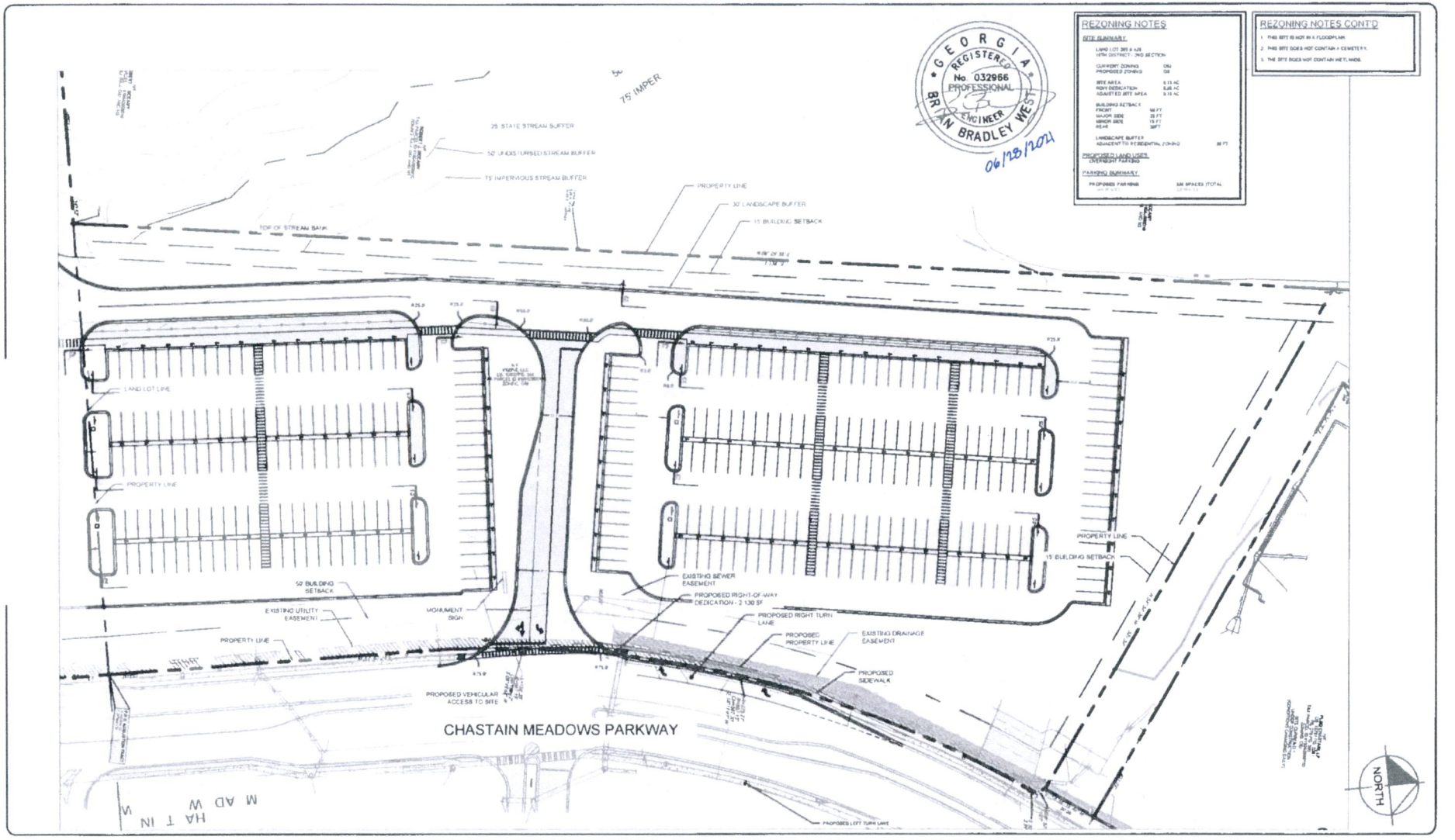
c: Cobb County Board of Commissioners:
Lisa N. Cupid, Chairwoman
JoAnn Birrell
Keli A. Gambrill
Jerica Richardson
Monique Sheffield
(With Copies of Attachments)

Jeannie Peyton
Senior Planner
Zoning Division
Cobb County Community Development Agency
(With Copies of Attachments)

Bells Ferry Civic Association, Inc.
(With Copies of Attachments)

Scannell Properties #475, LLC
(With Copies of Attachments)

EXHIBIT "A"



Kimley»Horn
11720 AMBER PARK DRIVE, SUITE 600 ALPHARETTA, GEORGIA 30009
PHONE: (770) 619-4280 | www.kimley-horn.com

TITLE	REZONING SITE PLAN
PROJECT	BIG SHANTY BTS
CLIENT	SCANNELL PROPERTIES
JOB NUMBER	013761000
SCALE	1" = 80'
DATE	06/28/2021
SHEET	EXHIBIT A

THIS DOCUMENT, THOSE SHEETS WITH THE CONCEPTS AND DESIGNS PRESENTED HEREIN, AS AN INSTRUMENT OF SERVICE, IS INTENDED ONLY FOR THE SPECIFIC PURPOSE AND CLIENT FOR WHICH IT WAS PREPARED. REUSE OF AND IMPROPER RELIANCE ON THIS DOCUMENT WITHOUT WRITTEN AUTHORIZATION AND ADAPTATION BY KIMLEY-HORN AND ASSOCIATES, INC. SHALL BE WITHOUT LIABILITY TO KIMLEY-HORN AND ASSOCIATES, INC. COPYRIGHT KIMLEY-HORN AND ASSOCIATES, INC. 2017

Petition No. Z-42
Meeting Date 8-17-2021
Continued

Petition No. Z-42
Meeting Date 8-17-2021
Continued

EXHIBIT "B"

Petition No. Z-42
Meeting Date 8-17-2021
Continued

Petition No. Z-42
Meeting Date 8-17-2021
Continued

Petition No. Z-42
Meeting Date 8-17-2021
Continued

CONTRACTOR TO FILL IN GAPS IN EXISTING TREES TO REMAIN WITH 7 GALLON LOBLOLLY PINES

PARSON'S JUNIPER
MATURE HEIGHT 2-3
MATURE SPREAD 4-10'

ADAGIO MISCANTHUS
MATURE HEIGHT 4-5'
MATURE SPREAD 3-4

TEA OLIVE
MATURE HEIGHT 10-15'
MATURE SPREAD 10-15'

RECURVE LIGUSTRUM
MATURE HEIGHT 8-10'
MATURE SPREAD 6-8'

DEODAR CEDAR
MATURE HEIGHT 40-50'
MATURE SPREAD 20-30'

GREEN GIANT ARBORVITAE
MATURE HEIGHT 40-60'
MATURE SPREAD 12-20'

BIG SHANTY

SCREENING FOR VAN PARKING

July 14, 2021

Kimley»Horn

EXHIBIT "C"

Min. Bk. 93 Petition No. Z-42
Doc. Type Planning Commission
comments from 7-6-2021 for Z-42
Meeting Date 8-17-2021

MINUTES OF ZONING HEARING
COBB COUNTY PLANNING COMMISSION
JULY 6, 2021
9:00 A.M.

The Planning Commission Zoning Hearing was held on Tuesday, July 6, 2021, in the second-floor public meeting room of Cobb County Building A, 100 Cherokee Street, Marietta, Georgia. Present and comprising a quorum of the Commission were:

Fred Beloin - Chairman
Deborah Dance
Michael Hughes
Stephen Vault
Tony Waybright

CALL TO ORDER – CHAIRMAN BELOIN

REGULAR AGENDA (CONT.)

Z-42 **SCANNELL PROPERTIES #475, LLC** (VKEP-T, LLC, owner) requesting rezoning from **O&I** to **OS** for a parking lot for a distribution facility in land lots 428 and 437 of the 16th district. Property is located on the west side of Chastain Meadows Parkway, south of Chastain Road (Chastain Meadows Parkway).

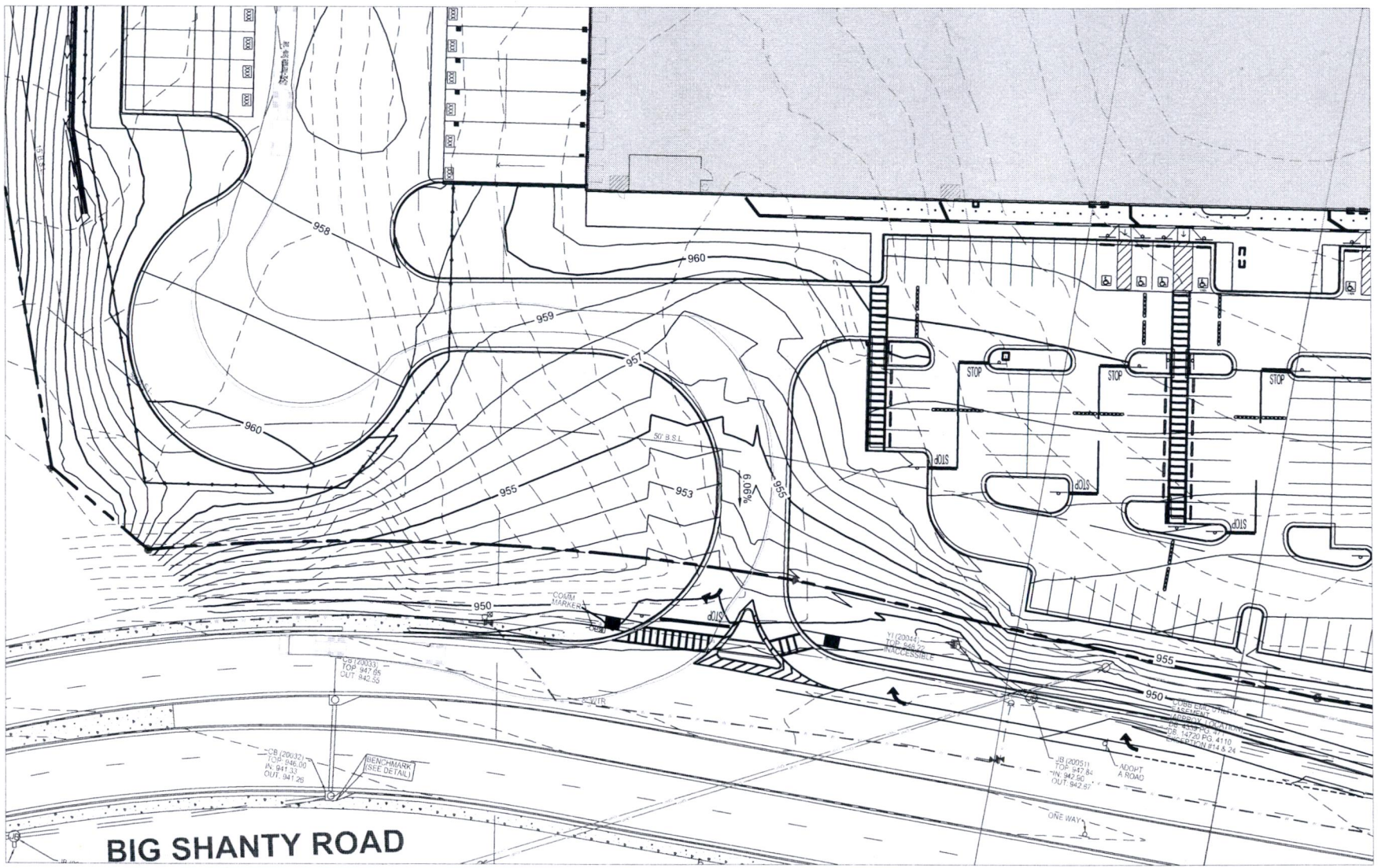
The public hearing was opened; Kevin Moore and Tullen Avard addressed the Planning Commission. Following the presentation and discussion, the following motion was made:

MOTION: Motion by Dance, second by Hughes, to recommend **approval** of Z-42 to the **OS** zoning district, subject to:

1. **Applicant to meet with the Bells Ferry Civic Association (BFCA) and the District Commissioner prior to the next Board of Commissioners' Zoning Hearing to determine whether or not there are agreeable stipulations**
2. **Staff comments and recommendations,** ***not otherwise in conflict***

VOTE: **ADOPTED** 4-1, Beloin opposed

Min. Bk. 93 Petition No. Z-42
Doc. Type Drawing submitted by the Applicant showing access to Big Shanty Road
Meeting Date 8-17-2021



K:\ALP_PR_I\013761000_AMZL Atlanta DS DTG4\CAD\Exhibits\2021-08-09 Truck Access\xl\LAYOUT-013761000.dwg Layout1 Aug 10, 2021 9:04am by: Lauren.Garren

Kimley»Horn
11720 AMBER PARK DRIVE, SUITE 600 ALPHARETTA, GEORGIA 30009
PHONE: (770) 619-4280 I www.kimley-horn.com

TITLE:	BIG SHANTY TRUCK ACCESS
PROJECT:	BIG SHANTY BTS
CLIENT:	SCANNELL PROPERTIES
JOB NUMBER:	013761000
SCALE:	1" = 40'
DATE:	08/10/2021
SHEET:	EXHIBIT A

THIS DOCUMENT, TOGETHER WITH THE CONCEPTS AND DESIGNS PRESENTED HEREIN, AS AN INSTRUMENT OF SERVICE, IS INTENDED ONLY FOR THE SPECIFIC PURPOSE AND CLIENT FOR WHICH IT WAS PREPARED. REUSE OF AND IMPROPER RELIANCE ON THIS DOCUMENT WITHOUT WRITTEN AUTHORIZATION AND ADAPTATION BY KIMLEY-HORN AND ASSOCIATES, INC. SHALL BE WITHOUT LIABILITY TO KIMLEY-HORN AND ASSOCIATES, INC. COPYRIGHT KIMLEY-HORN AND ASSOCIATES, INC., 2017

Min. Bk. 93 Petition No. Z-52
Doc. Type letter

Meeting Date 8-17-2021

Promenade, Suite 3100
1230 Peachtree Street, N.E.
Atlanta, Georgia 30309-3592
Tel: 404 815-3500
www.sgrlaw.com

SMITH, GAMBRELL & RUSSELL, LLP
Attorneys at Law

Dennis (Den) J. Webb, Jr.
Direct Tel: 404-815-3620
Direct Fax: 404-685-6920
dwebb@sgrlaw.com

August 10, 2021

Via E-mail Only

Mr. John P. Pederson, AICP
Zoning Division Manager
Zoning Division
Cobb County Community Development Agency
Suite 400
1150 Powder Springs Road
Marietta, Georgia 30064

Re:	Application for Rezoning -	Application No.: Z-52 (2021)
	Applicant:	Glen Robinson Construction
	Property Owners:	Glen Robinson Construction, LLC, Glen Robinson, Glen P. Robinson
	Property:	1.82 acres, more or less, located on the north side of Carruth Drive and on the east side of South Cobb Drive, Land Lots 221 and 284, 17th District, Cobb County, Georgia

Dear John:

The undersigned and this firm represent Glen Robinson Construction, the Applicant (hereinafter referred to as "Applicant"), as well as Glen Robinson Construction, LLC, Glen Robinson and Glen P. Robinson, the Property Owners (hereinafter referred to as "Owners" or "Property Owners"), in their Application for Rezoning with regard to 1.82 acres, more or less, located on the north side of Carruth Drive and on the east side of South Cobb Drive, Land Lots 221 and 284, 17th District, Cobb County, Georgia (hereinafter the "Property" or "Subject Property"). After meeting with Planning and Zoning Staff, various Cobb County Departmental representatives, neighbors and the Planning Commission, and after reviewing the Departmental Comments and Staff Recommendations and the uses of surrounding properties, we have been authorized by the Applicant to submit this letter of agreeable stipulations and conditions which, if the Application for Rezoning is approved, as submitted, shall become part of the grant of the requested zoning and shall be binding upon the Subject Property. The proposed stipulations are as follows:

Petition No. Z-52
Meeting Date 8-17-2021
Continued

(1) The stipulations and conditions set forth herein shall replace and supersede in full any and all prior stipulations and conditions, in whatsoever form, which are currently in place on the Subject Property, together with any and all prior Departmental Comments and Staff Recommendations submitted by Planning, Fire, Water, Sewer, Transportation and Drainage, relating to the Subject Property from any previous zoning actions.

(2) The Subject Property shall be developed in substantial conformity with that certain zoning site plan prepared by Bilson & Associations, as revised, which was submitted with the Application for Rezoning (the "Site Plan").

(3) The Applicant agrees that lighting for the proposed parking areas shall be environmentally sensitive, shoe-box style and shall be fitted with non-glare lenses and cut off shields to prevent light from extending beyond the property line. All lighting shall comply with Cobb County Code requirements.

(4) The Applicant agrees to complete the plantings in the 40' buffer on the east side of the Subject Property, as reflected in the Site Plan, prior to the issuance of a temporary Certificate of Occupancy.

(5) The Applicant agrees that there shall be no outside storage of products or materials at the Subject Property.

(6) The Applicant agrees that all landscaping reflected on the Site Plan shall be approved by Cobb County as part of the plan review process.

(7) The Applicant agrees that the hours of operation shall be limited to:

a. Monday through Friday: 9:00am to 7:00pm;

b. Saturday: 10:00am to 7:00pm; and

c. Sunday: 10:00am to 6:00pm.

Further, delivery and drop-off of products and materials shall be limited to the above-referenced hours of operation.

(8) The Applicant recognizes that the Subject Property is in proximity to Dobbins Air Reserve Base and that there may be:

a. Low and frequent flights over the area;

Petition No. Z-52
Meeting Date 8-17-2021
Continued

b. Restrictions on light emissions, either direct or indirect (reflective), that could interfere with pilot vision;

c. Restrictions on electrical emissions that could interfere with aircraft and Air Force communications systems; and

d. Restrictions on light manufacturing that produces dust, steam, smoke or other substances that might impair visibility.

The Applicant agrees to seek necessary approvals and permits, if any, which may include compliance with Federal Aviation Regulation ("FAR"), Part 77, Airspace Surfaces.

(9) Applicant agrees to the Comments and Recommendations by the Cobb County Department of Transportation applicable to the Subject Property.

(10) Applicant agrees to the Comments and Recommendations by Cobb County Stormwater Management applicable to the Subject Property.

(11) Applicant agrees to the comments and recommendations by the Cobb County Fire Department.

(12) All setbacks, landscape, and buffer areas may be penetrated for purposes of access, utilities, and stormwater management, including, but not limited to, drainage facilities and any and all slopes or other required engineering features of the foregoing.

(13) The District Commissioner shall have the authority to make modifications to the Site Plan and the stipulations/conditions during the plan review process except for those that:

a. Reduce the size of an approved buffer adjacent to property that is zoned the same or in a more restrictive zoning district.

b. Relocate a structure close to the property line of an adjacent property that is zoned the same or in a more restrictive zoning district.

c. Increase the height of a building that is adjacent to a property that is zoned the same or in a more restrictive zoning district.

d. Which seeks additional waivers from the Cobb County Zoning Ordinances other than those depicted on the Site Plan.

Petition No. Z-52
Meeting Date 8-17-2021
Continued

We believe the requested zoning, pursuant to the revised Site Plan and the stipulations set forth herein, is an appropriate use for the Subject Property. We appreciate very much your assistance and consideration as well as that of the Cobb County Planning Commission and Cobb County Board of Commissioners in this request.

Sincerely,

Dennis (Den) J. Webb, Jr.

DJW/rjc

Cc: Cobb County Board of Commissioners:
Lisa N. Cupid, Chairwoman
JoAnn Birrell
Keli A. Gambrill
Jerica Richardson
Monique Sheffield

Min. Bk. 93 Petition No. Z-52
Doc. Type Planning Commission comments from 8-3-2021 for Z-52
Meeting Date 8-17-2021

MINUTES OF ZONING HEARING
COBB COUNTY PLANNING COMMISSION
AUGUST 3, 2021
9:00 A.M.

The Planning Commission Zoning Hearing was held on Tuesday, August 3, 2021, in the second-floor public meeting room of Cobb County Building A, 100 Cherokee Street, Marietta, Georgia. Present and comprising a quorum of the Commission were:

Fred Beloin - Chairman
Deborah Dance
Michael Hughes
Stephen Vault
Tony Waybright

CALL TO ORDER – CHAIRMAN BELOIN

REGULAR AGENDA (CONT.)

Z-52 **GLEN ROBINSON CONSTRUCTION** (Glen Robinson Construction, LLC, Glen Robinson, Glen P. Robinson, owner) requesting rezoning from **R-20, TS, NS,** and **LI** to **TS** for baseball and softball related retail sales, warehousing and light manufacturing in land lots 221 and 284 of the 17th district. Property is located on the north side of Carruth Drive, on the east side of South Cobb Drive (133, 148, 149, 152 Carruth Drive).

The public hearing was opened; Sterling Pace, Glen Robinson, Paula Parmalee, Garland Turvey, Jerry Wardlaw, and Bryan Juarez addressed the Planning Commission. Following the presentation and discussion, the following motion was made:

MOTION: Motion by Dance, second by Hughes, to recommend **approval** of Z-52 to the **NRC** zoning district, subject to:

1. **Site Plan received July 12, 2021 (on file in the Zoning Division), with the District Commissioner approving minor modifications**
2. **Stormwater Management Division comments and recommendations**
3. **Fire Department comments and recommendations**
4. **Department of Transportation comments and recommendations**
5. **No outdoor storage**
6. **Landscaping to be approved by the County Arborist**
7. **Applicant to consider paving the road across the street (existing building location) when completing the proposed building project**

Prior to the vote, discussion ensued, and then Chairman Beloin made the following motion to amend the motion for Z-52 to include an additional stipulation addressing hours of operation.

Petition No. Z-52
Meeting Date 8-17-2021
Continued

MINUTES OF ZONING HEARING
COBB COUNTY PLANNING COMMISSION
AUGUST 3, 2021
9:00 A.M.

REGULAR AGENDA (CONT.)

Z-52 GLEN ROBINSON CONSTRUCTION (CONT.)

MOTION: Motion by Beloin, second by Hughes, to **amend** the motion for Z-52 to include the following stipulation:

8. **Require that all deliveries and pick-ups are to occur *only* during the stated hours of operation which are the following:**

   Monday through Friday, 9:00 a.m. to 7:00 p.m.
   Saturday, 10:00 a.m. to 7:00 p.m.
   Sunday, 10:00 a.m. to 6:00 p.m.

AMENDED MOTION VOTE: **ADOPTED** 5-0

ORIGINAL MOTION VOTE: **ADOPTED** 4-1, Vault opposed

Min. Bk. 93 Petition No. Z-58
Doc. Type Site Plan
Meeting Date 8-17-2021

Rezoning Plat for

4016 Canton Road

Cobb County, Georgia Land Lot 277, 16th District

prepared for:

Mrs. Linda Powell
4016 Canton Road
Marietta, Georgia 30066
770-378-1991

DGM
LAND PLANNING CONSULTANTS

975 COBB PLACE BLVD, SUITE 212
KENNESAW GA 30144
770 514-9006
FAX 514-9491

GEORGIA LANDSCAPE ARCHITECT 906 DAVID G. MEYER

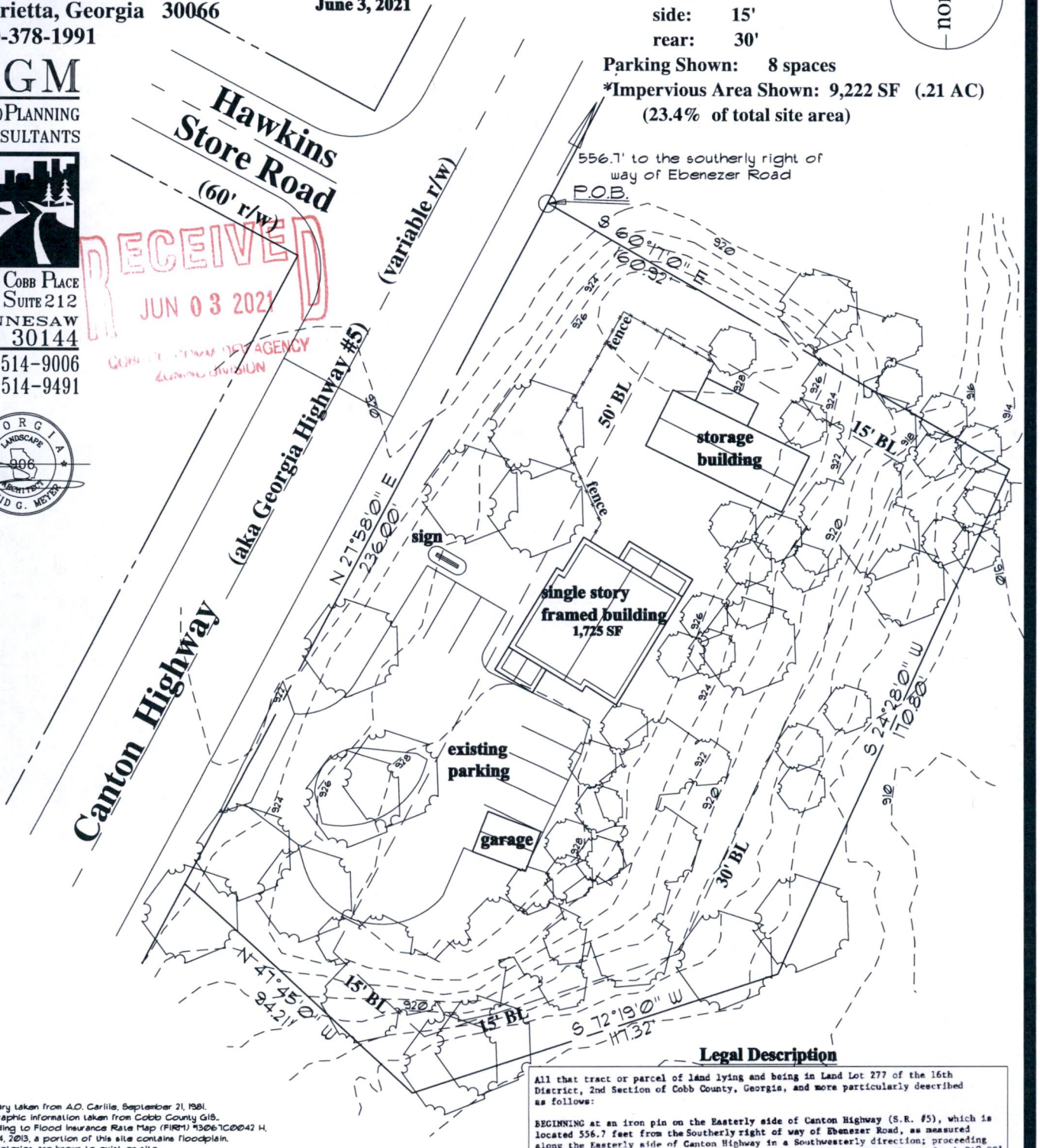
0 10 20 40 80
Scale: 1" = 20'
June 3, 2021

RECEIVED
JUN 03 2021
COBB COUNTY DEVELOPMENT AGENCY
ZONING DIVISION

Site Data

Total Site Area: .898 AC
Existing Zoning: GC
Proposed Zoning: NRC
Total Building Area Shown: 1,725 SF
1 - 1 story buildings
Building Setbacks:
front: 50'
side: 15'
rear: 30'
Parking Shown: 8 spaces
***Impervious Area Shown:** 9,222 SF (.21 AC)
(23.4% of total site area)

north



Legal Description

All that tract or parcel of land lying and being in Land Lot 277 of the 16th District, 2nd Section of Cobb County, Georgia, and more particularly described as follows:

BEGINNING at an iron pin on the Easterly side of Canton Highway (S.R. #5), which is located 556.7 feet from the Southerly right of way of Ebenezer Road, as measured along the Easterly side of Canton Highway in a Southwesterly direction; proceeding thence South 60° 17' East 160.92 feet to an iron pin; proceeding thence South 24° 28' West 170.80 feet to a point; proceeding thence South 72° 19' West 117.32 feet to an iron pin; proceeding thence North 47° 45' West 94.21 feet to a point on the Easterly side of Canton Highway; proceeding thence North 27° 58' East along the Easterly side of Canton Highway 236.0 feet to the point of beginning; according to the survey of September 21, 1981, by A. O. Carlile, Registered Surveyor.

Notes:
1. Boundary taken from A.O. Carlile, September 21, 1981.
2. Topographic information taken from Cobb County GIS.
3. According to Flood Insurance Rate Map (FIRM) #13067C0042 H, March 4, 2013, a portion of this site contains floodplain.
4. No cemeteries are known to exist on site.
5. Streams and/or wetland classifications are to be determined.
6. No archeological or architectural landmarks are known to exist on site.
7. Utility easements are known to exist on site and are shown on site plan.
8. Stormwater management and water quality structures are conceptual in size and will be revised based on hydrologic study.

Min. Bk. 93 Petition No. Z-59
Doc. Type letter
Meeting Date 8-17-2021

GARVIS L. SAMS, JR.
JOEL L. LARKIN
PARKS F. HUFF

SAMS, LARKIN & HUFF
A LIMITED LIABILITY PARTNERSHIP
SUITE 100
376 POWDER SPRINGS STREET
MARIETTA, GEORGIA 30064-3448

770•422•7016
TELEPHONE
770•426•6583
FACSIMILE

July 28, 2021

VIA EMAIL

Mr. John P. Pederson, AICP, Manager
Cobb County Zoning Division
Community Development Agency
1150 Powder Springs Road, Suite 400
Marietta, GA 30064

Re: Application of Pickett's Mill, LLC to Rezone a 1.747± Acre Tract from NRC to LI - Land Lot 299, 17th District, 2nd Section, Cobb County, Georgia (Z-59-2021).

Dear John:

I represent Pickett's Mill, LLC regarding the above-described rezoning application. The property is currently zoned NRC with a condition that limited the user to the previous user which was a general contractor. The applicant proposes to use the property for a specialty contractor's office for a Zerorez carpet cleaning business that will use the property for an administrative office with van parking and dispatch. The business will provide local jobs and carpet and duct cleaning for local residents. The property is developed as a general commercial property and has been used for a general contractor for many years. The proposed use is consistent with the way the property has been used for many years. Although the property is in a land use category of Community Activity Center, the property to the south is zoned LI and the land use category is Industrial Compatible. The property is not developed for community retail uses. Although the applicant believes LI is appropriate, the applicant would agree to CRC with specialty contractor added as an additional use which would accommodate the Zerorez business and similar uses. Below is a list of conditions that my client would agree to becoming a condition on the zoning approval.

1. The property will be zoned CRC with specialty contractor as an additional use.

2. The zoning is subject to the site plan submitted with the application with the right to remove the rear building and convert the area to additional parking. Additional changes can be approved by the district commissioner.

3. The applicant will comply with the requirements and comments from the Stormwater Management Division including, but not limited to, agreeing that any changes to the

existing site plan will comply with the limitations on additional impervious area or grading unless additional stormwater requirements are met.

4. The western property line is adjacent to residentially zoned property and it will have a twenty (20) foot wide buffer with a double row of Green Giants (or similar species) planted in staggered rows.

5. The gravel parking lot behind the western building shall remain and used for parking. Any changes to the gravel parking area shall comply with the requirements of stormwater management division.

6. The following uses shall be excluded: Billiards or pool hall, convenience store with fuel sales, group home, laundry and dry-cleaning establishment and self-service laundry facility.

7. The District Commissioner shall have the authority to approve certain minor modifications to the site plan, the architecture and these stipulations/conditions as the development proposal proceeds through the Plan Review Process and thereafter, except for those that:

   a. Reduce the size of an approved buffer adjacent to property which is zoned in a more restrictive zoning district.

   b. Relocate a structure closer to the property line to an adjacent property which is zoned in a more restrictive zoning district.

   c. Increase the height of a building adjacent to property which is zoned in a more restrictive zoning district.

   d. Change access location to different roadways.

   e. Seeking additional Variances to provisions of the Cobb County Zoning Ordinance.

Petition No. Z-59
Meeting Date 8-17-2021
Continued

VIA EMAIL:
Mr. John P. Pederson, AICP, Manager
Cobb County Zoning Division
July 28, 2021
Page 3

Please do not hesitate to contact me should you or your staff have any questions or require any additional information or documentation.

Sincerely,

SAMS, LARKIN & HUFF, LLP

Parks F. Huff
phuff@samslarkinhuff.com

PFH/jac

cc: Members, Cobb County Board of Commissioners (via email)
Members, Cobb County Planning Commission (via email)
Dr. Jackie McMorris, County Manager (via email)
Board of Commissioners Assistants (via email)
Ms. Jessica Guinn, AICP, Director Cobb County Community Development Agency (via email)
Mr. Jason S. Gaines, AICP, Planning Manager (via email)
Ms. Jeannie Peyton, Senior Planner (via email)
Mr. Terry Martin, Planner III (via email)
Mr. Donald Wells, Planner I (via email)
Ms. Margie Vazquez, Planner I (via email)
Ms. Pam Mabry, County Clerk (via email)
Ms. Robin Stone, Deputy County Clerk (via email)
Ms. Leila Washington, Deputy County Clerk (via email)
Capt. Josh Davis, Cobb County Fire Marshal's Office (via email)
Ms. Amy Diaz, P.E., Cobb DOT (via email)
Ms. Abby Rettig, Cobb DOT (via email)
Mr. Carl Carver, P.E., Stormwater Management Division (via email)
Mr. Tim Davidson, Cobb Water System (via email)

Min. Bk. 93 Petition No. LUP-18
Doc. Type Site Plan
Meeting Date 8-17-2021

RECEIVED
JUN 03 2021

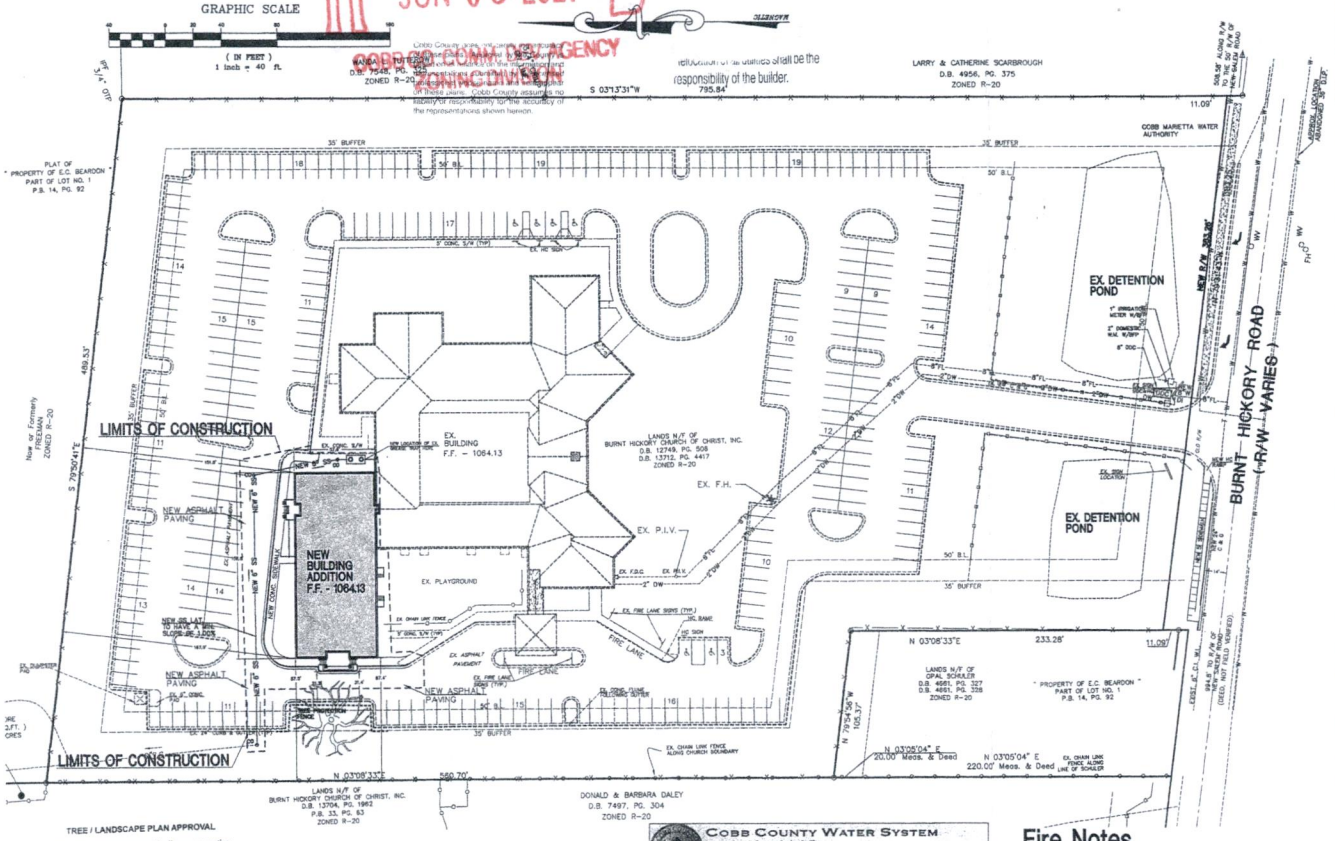
APPROVED COBB COUNTY EMERGENCY ZONING DIVISION

030162
437

Burnt Hickory Church of Christ 6/30/03

24 HOUR CONTACT: DAVID SULLIVAN (404) 294-0599

GRAPHIC SCALE
(IN FEET)
1 inch = 40 ft.

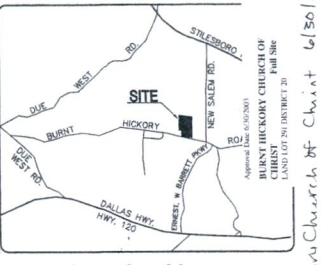


Construction Narrative

THE PROPOSED CONSTRUCTION PLANS CALL FOR THE CONSTRUCTION OF A NEW ADDITION OF APPROXIMATELY 7,600 S.F.

Site Notes:

1. THE SITE CONTAINS: 8.3 ACRES AND IS ZONED : R-20
   TOTAL DISTURBED ACRES : 0.41
2. THE PROPOSED PLANS CALL FOR THE CONSTRUCTION OF:
   A BUILDING ADDITION WITH REMOVAL OF SOME PARKING
3. THE BOUNDARY AND TOPOGRAPHIC INFORMATION SHOWN BASED ON SURVEY PERFORMED BY: Ringo Abernathy & Associates
   FOR Burnt Hickory Church of Christ
4. THE SOURCE OF TOPOGRAPHIC ELEVATION BENCHMARK INFORMATION FOR SITE: Conversion datum to NGVD add 952.5 to elevations shown on these plans. Datum based on USGS Lost Mnt. Quad. Intersection of Torpley & Burnt Hickory Rd 987.0
5. THE SITE IS NOT LOCATED WITHIN A 100 YEAR FLOOD HAZARD AREA PER F.I.R.M., COBB COUNTY , GEORGIA & INCORPORATED AREAS, COMMUNITY PANEL NO. 13067C0050 F. PANEL NO. 50 OF 95. PANEL BEARS AN EFFECTIVE DATE OF AUGUST 18, 1992. THIS SITE LIES WITHIN THE LIMITS OF ZONE "X".
6. THE UTILITIES SHOWN ON THE PLANS ARE SHOWN FOR THE CONTRACTOR'S CONVENIENCE. THE ENGINEER ASSUMES NO RESPONSIBILITY FOR THE LOCATIONS, SIZES, MATERIALS, OR DEPTH FOR THE UTILITIES SHOWN OR THE UTILITIES WHICH MAY EXIST ON THE SITE BUT ARE NOT SHOWN. THE CONTRACTOR SHALL HAVE THE RESPONSIBILITY TO VERIFY THE LOCATION OF ALL UTILITIES SHOWN ON THE PLANS AND REPORT ANY DISCREPANCIES TO THE ENGINEER OF RECORD. THE CONTRACTOR SHALL ALSO HAVE THE RESPONSIBILITY BEFORE STARTING ANY WORK TO MAKE SUCH EXPLORATIONS AND PROBES NECESSARY TO ASCERTAIN ANY SEWER LINES, WATER SUPPLY LINES, GAS LINES, ELECTRICAL LINES, CABLE LINES, TELEPHONE LINES, OR OTHER UTILITY LINE.
7. CONTRACTOR SHALL CONTACT THE UTILITY LOCATOR AS REQUIRED BY GEORGIA LAW AND HAVE ALL UTILITIES MARKED PRIOR TO ANY CONSTRUCTION ACTIVITY. CONTRACTOR WILL HAVE PRIVATE UTILITY LOCATOR LOCATE ALL UTILITIES WITHIN THE CONSTRUCTION LIMITS NOT COVERED BY THE UTILITY PROTECTION CENTER.
8. THE CONTRACTOR SHALL IMMEDIATELY NOTIFY THE ENGINEER OF ANY DISCREPANCIES OR ERRORS THAT HE MAY DISCOVER IN THESE PLANS.
9. CONTRACTOR TO PROVIDE ALL NECESSARY BARRICADES, GUARDS, LIGHTS, AND OTHER INSTALLATIONS REQUIRED TO PROTECT PERSONS AND PROPERTY DURING THE ENTIRE CONSTRUCTION PROCESS.
10. ALL CONSTRUCTION MUST CONFORM TO THE APPROPRIATE CITY, COUNTY, AND STATE STANDARDS.
11. PARKING REQUIREMENTS FOR THE SITE ARE AS FOLLOWS:
    TOTAL EX. PARKING PROVIDED: 313 INCLUDING 8 HANDICAP
    360 SEATS / 3.5 RATIO
12. ALL DIMENSIONS ARE TO THE FACE OF CURB UNLESS OTHERWISE NOTED.
13. BUILDING FOUNDATION & LAYOUT SHALL BE COORDINATED USING ARCHITECTURAL ARCHITECTURAL DRAWINGS.
14. ARCHITECTURAL DRAWINGS TAKE PRECEDENCE OVER CIVIL DRAWINGS CONCERNING FOUNDATIONS AND ALIGNMENT WITH EXISTING STRUCTURES.
15. ALL LANDSCAPE ISLANDS WITH CURB & GUTTER SHALL BE FORMED & CONSTRUCTED PRIOR TO AGGREGATE BASE & ASPHALT BEING PLACED. LANDSCAPE ISLANDS WILL NOT BE FORMED BY CUTTING OUT ASPHALT & AGGREGATE BASE.
16. ON SITE SIGNAGE TO BE PROVIDED BY OWNER.
17. PAVEMENT MARKING PAINT TO MEET GA. DOT SPECIFICATIONS FOR CENTERLINES, TRAFFIC LANES, DIRECTION ARROWS, STOP BARS, PARKING STALLS, ETC.
18. CONTRACTOR TO COORINATE W/ APPROPRIATE ELECTRICAL SERVICE PROVIDER FOR INSTALLATION OF SITE LIGHTING.
19. UNDERGROUND UTILITIES SERVING OR CROSSING THE PREMISES MAY EXIST THAT ARE NOT SHOWN. BREWER ENGINEERING IS UNABLE TO CERTIFY TO THE ACCURACY OR COMPLETENESS OF THE UTILITY INFORMATION SHOWN. ALL UNDERGROUND UTILITY LOCATIONS MUST BE FIELD VERIFIED PRIOR TO ANY CONSTRUCTION ACTIVITY BY THE UTILITY PROTECTION CENTER AT 1-800-282-7411 FOR RIGHT OF WAY AREA AND BY A PRIVATE UTILITY LOCATOR FOR UTILITIES NOT LOCATED WITHIN THE RIGHT OF WAY.
20. THE CONTRACTOR MUST OBTAIN ALL NECESSARY LANE OR ROAD CLOSURE PERMITS BEFORE ANY WORK DONE IN THE RIGHT OF WAY AFFECTING TRAFFIC.



Location Map
N.T.S.

TREE / LANDSCAPE PLAN APPROVAL

This plan is in compliance with all tree preservation and/or landscaping requirements of the Cobb County Code. If any changes must be made due to plant availability, site conditions or other reasons, a new plan must be submitted through Community Development Site Plan Review Section for review and approval before the changes are implemented. Failure to obtain the pre-approval, when required, will result in a delay in the final project approval.

Arborist / Landscape Architect — Date 6-30-03 FLG

COBB COUNTY GEORGIA APPROVED FOR CONSTRUCTION DEVELOPMENT AND INSPECTIONS DEPT. LAND DISTURBANCE PERMIT NO. 030162 BY: FLG

COBB COUNTY FIRE MARSHAL'S OFFICE APPROVED DATE 6-30-03 INIT. GS ANY VARIATION FROM THIS PLAN SHALL REQUIRE REVISED DRAWINGS AND RESUBMITTED FOR APPROVAL

APPROVED BY THE COBB COUNTY PLANNING COMMISSION/ZONING DIVISION Reviewer _____ Date 6-3-03 Note: These drawings were reviewed under the applicable laws and zoning stipulations adopted at this time. Every effort was made to catch code and/or stipulations violations, but this does not relieve the owner of the responsibility to comply with items missed or unknown to the reviewer.

Stormwater Management Division Cobb County Water System — Approval signifies only that said submittal is in the Cobb County Code. Review of components and techniques are only to determine compliance with said code and not for adequacy of design, construction, operation or safety of any proposed facility. Cobb County assumes no responsibility for the accuracy of data submitted by others. Signature _____ Date 6-30-03

Cobb County Community Development Structural Plan Review Reviewed by: _____ Date: 6/30/03

Fire Notes

1. FIRE LANE SIGNS SHALL BE PAINTED TO READ "NO PARKING, FIRE LANE" LETTERS SHALL NOT BE LESS THAN 2 INCHES IN HEIGHT; ONE SIGN SHALL BE POSTED AT THE BEGINNING OF THE FIRE LANE AND ONE AT THE END OF THE FIRE LANE WITH SIGNS NOT MORE THAN 50 FEET APART; SIGNS SHALL NOT BE MORE THAN 4 FEET FROM EDGE OF CURB AND SHALL BE VISIBLE FROM BOTH DIRECTIONS OF DRIVING SURFACE. HEIGHT OF SIGN FACE AS MEASURED FROM BOTTOM OF SIGN DIRECTIONS OF SIGN FACE AS MEASURED FROM BOTTOM OF SIGN TO BE LESS THAN 4 FEET NOR MORE THAN 7 FEET FROM GROUND LEVEL. FOR LANES 20 TO 28 FEET IN MARKINGS AND SIGNS WILL BE REQUIRED BOTH SIDES. CURBING OR LINEAGE DELINEATING FIRE LANE SHALL BE PAINTED RED. THE TOP AND FACE OF THE CURB SHALL BE PAINTED.
2. NO BURNING WILL BE ALLOWED ON SITE.

NOTES

1. PRIVATE HYDRANTS – ANY HYDRANT ON OWNER'S SIDE OF MASTER METER MUST BE INSPECTED BY FIRE MARSHAL'S OFFICE.
2. THE COBB COUNTY CEMETERY PRESERVATION COMMISSION RESERVES THE RIGHT TO EXAMINE THIS PROPERTY FOR ETHNIC, CULTURAL, AND RELIGIOUS EVIDENCE LOCATED THEREIN. IF ANY ETHNIC, CULTURAL, OR RELIGIOUS EVIDENCE IS FOUND DURING DEVELOPMENT, THEN THE COBB COUNTY CEMETERY PRESERVATION COMMISSION MUST BE NOTIFIED AT ONCE AT (770)528-2035. FAILURE TO DO SO MAY RESULT IN A STOP-WORK ORDER.

COBB COUNTY WATER SYSTEM
Customer Service Facility
660 Sawyer Road
Marietta, Georgia 30060-7927
Phone: (770) 419-6200
Robert L. Hosie, Director

Cobb County Fire Department
Fire Prevention Division
1150 Canoy Service Parkway
Marietta, GA 30060

Gentlemen:
A Fire Flow Test has been requested by the Cobb County Water System for the following project:

PROJECT NAME:	BURNT HICKORY CHURCH OF CHRIST
STREET NAME:	BURNT HICKORY RD.
DISTRICT:	20
LAND LOT(S):	291
DEVELOPER:	BURNT HICKORY CHURCH OF CHRIST
CONTACT NAME:	JEFF BREWER PHONE: 770-794-7012
TYPE OF DEV:	COMMERCIAL

The results of the test are:

	TEST DATE: 06/02/2003	
STATIC PRESSURE	98	PSI
RESIDUAL PRESSURE	95	PSI
FIRE HYDRANT FLOW	1468	GPM
AVAILABLE FLOW AT 20 psi	5162	GPM
SIZE OF WATER MAIN (UNCONFIRMED)	6	INCHES

"The data contained herein are furnished only to demonstrate that adequate fire protection flow exists at the time of the test. Fluctuations in pressure and flow will occur due to demands on the system and other conditions beyond the control of the Cobb County Water System therefore, additional efforts must be considered and additional hydrogeological tests run to confirm pressures for use in the design of any water distribution, sprinkler, or fire protection systems."

Reviewed:
COBB COUNTY WATER SYSTEM
BARRY CARNES
Construction Inspector Supervisor
Engineering Records Division
cc: File

For Cobb County Water System Use Only:
STATIC / RESIDUAL HYDRANT NO.: 21020191/192
FLOW HYDRANT NO.: 21020193

Legend	Sheet #
OVERALL SITE PLAN	C-1
DEMOLITION PLAN	C-2
GRADING & DRAINAGE PLAN	C-3
UTILITY PLAN	C-4
EROSION CONTROL PLAN	C-5
EROSION CONTROL DETAILS	C-6
SEWER PROFILES	C-7
DETAILS	C-8
TREE PROTECTION PLAN	C-9

REVISIONS		
NO.	DESCRIPTION	DATE
1	REVISED PER COMMENTS	6-13-03
2	ADD SITE	6-30-03
3		
4		
5		
DATE:	SCALE:	
PROJECT NUMBER:	SHEET: 1/8	

Owner / Developer
BURNT HICKORY CHURCH OF CHRIST
2330 Burnt Hickory Rd.
Marietta, GA 30064
678-354-2814

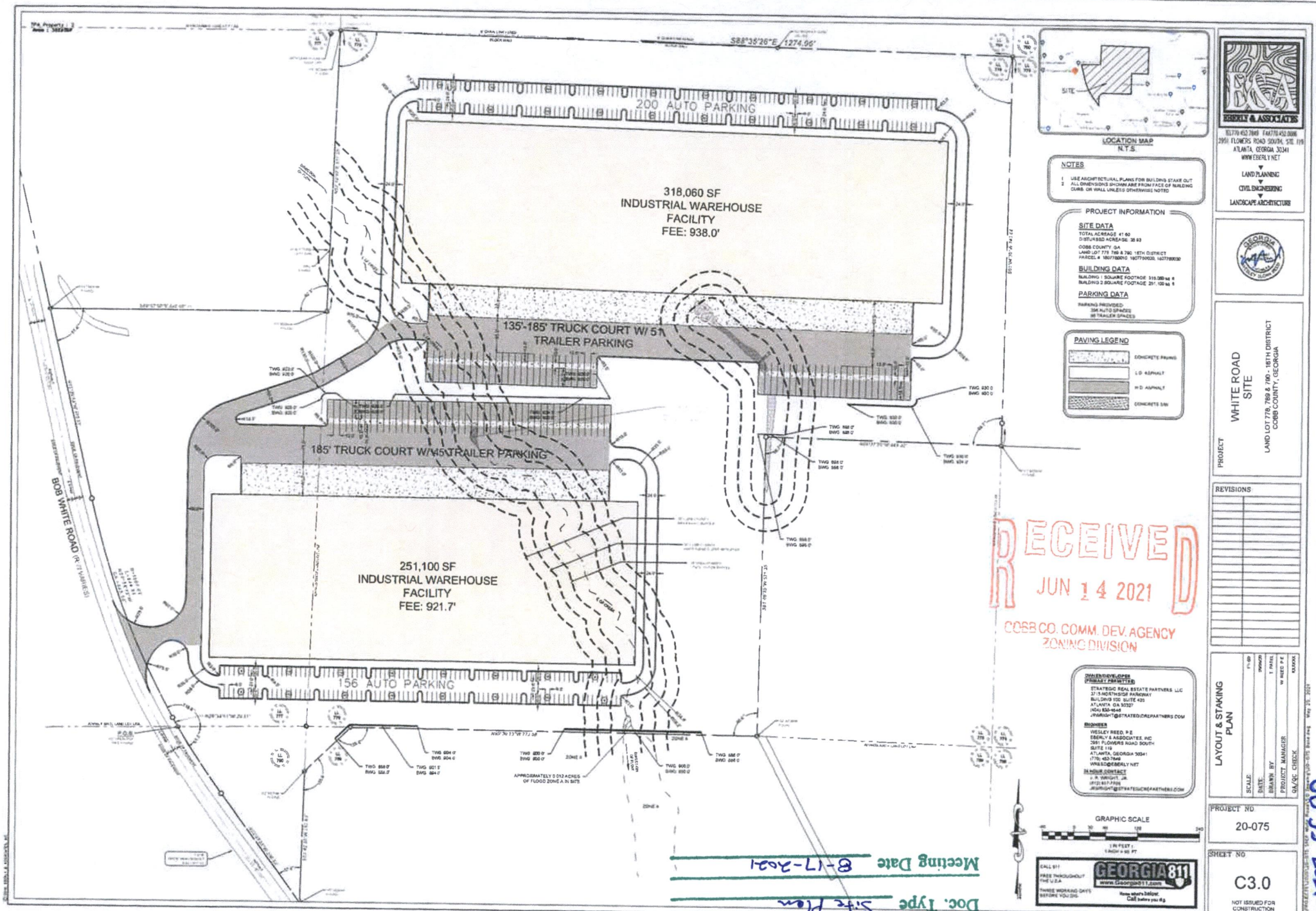
GEORGIA REGISTERED No. 18753 PROFESSIONAL ENGINEER WILLIAM D. BREWER

Civil Engineer
brewer engineering
1275 Stolich Road
Suite 2560
Kennesaw, GA 30144
Contact: Jeff Brewer
770.794.7012
770.794.7013 fax

This drawing, as an instrument of service is and shall remain the property of the Engineer and shall not be reproduced, published or used in any way without permission of the Engineer.

OVERALL SITE PLAN
BURNT HICKORY CHURCH OF CHRIST
LAND LOT 291 ~ 2nd SECTION
2330 Burnt Hickory Rd. ~ 20th DISTRICT ~
Marietta, GA 30064

SHEET NO. C-1


S88°35'26"E 1274.96'
200 AUTO PARKING
318,060 SF
INDUSTRIAL WAREHOUSE
FACILITY
FEE: 938.0'
135'-185' TRUCK COURT W/ 51
TRAILER PARKING
185' TRUCK COURT W/45 TRAILER PARKING
251,100 SF
INDUSTRIAL WAREHOUSE
FACILITY
FEE: 921.7'
156 AUTO PARKING
BOB WHITE ROAD (R-114/MINOR/S)
APPROXIMATELY 0.012 ACRES OF FLOOD ZONE A IN SITE
ZONE A
SITE
LOCATION MAP
N.T.S.
NOTES
1 USE ARCHITECTURAL PLANS FOR BUILDING STAKE OUT
2 ALL DIMENSIONS SHOWN ARE FROM FACE OF BUILDING CURB OR WALL UNLESS OTHERWISE NOTED
PROJECT INFORMATION
SITE DATA
TOTAL ACREAGE 41.60
DISTURBED AREA 0E 38.63
COBB COUNTY, GA
LAND LOT 778, 789 & 790, 16TH DISTRICT
PARCEL #: 18077800012, 18077800020, 18077800030
BUILDING DATA
BUILDING 1 SQUARE FOOTAGE: 318,060 sq. ft
BUILDING 2 SQUARE FOOTAGE: 251,100 sq. ft
PARKING DATA
PARKING PROVIDED:
394 AUTO SPACES
98 TRAILER SPACES
PAVING LEGEND
CONCRETE PAVING
L.D. ASPHALT
H.D. ASPHALT
CONCRETE S/W
RECEIVED
JUN 14 2021
COBB CO. COMM. DEV. AGENCY
ZONING DIVISION
OWNER/DEVELOPER
(PRIMARY PARTNER)
STRATEGIC REAL ESTATE PARTNERS, LLC
3715 NORTHSIDE PARKWAY
BUILDING 100, SUITE 420
ATLANTA, GA 30327
(404) 550-1645
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2951 FLOWERS ROAD SOUTH
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GRAPHIC SCALE
GEORGIA 811
www.Georgia811.com
Know what's below. Call before you dig.
EBERLY & ASSOCIATES
2951 FLOWERS ROAD SOUTH, SUITE 119
ATLANTA, GEORGIA 30341
WWW.EBERLY.NET
LAND PLANNING
CIVIL ENGINEERING
LANDSCAPE ARCHITECTURE
PROJECT
WHITE ROAD
SITE
LAND LOT 778, 789 & 790 - 16TH DISTRICT
COBB COUNTY, GEORGIA
REVISIONS
LAYOUT & STAKING
PLAN
SCALE:
DATE:
DRAWN BY:
PROJECT MANAGER:
QA/QC CHECK:
PROJECT NO.
20-075
SHEET NO.
C3.0
NOT ISSUED FOR
CONSTRUCTION
Meeting Date 8-17-2021
Doc. Type Site Plan
Min. Bk. 93 Petition No. OB-35
OB-35-2021
Proposed

AUGUST 17, 2021 ZONING HEARING
"OTHER BUSINESS"
COMMISSION DISTRICT 4

Min. Bk. 93 Petition No. OB-35
Doc. Type Cobb DOT, Fire Dept, & Stormwater comments and recommendations
Meeting Date 8-17-2021

ITEM OB-35-2020

PURPOSE

To consider a stipulation and site plan amendment for Strategic Development Partners, LLC regarding rezoning application Z-22 of 2008 and Z-99 of 2007 for property located on the east side of White Road, north of Riverside Parkway, in Land Lots 777, 778, 789 and 790 of the 18th District (White Road). ***(Continued by staff from the July 20, 2021 hearing)***

BACKGROUND

The subject property was rezoned with stipulations that allowed 13 pad sites on the property, which could have allowed 13 separate buildings. The applicant would like to amend their site plan and stipulations to allow two larger buildings on property. One building would have 251,100 square feet and the other building would have 318,060 square feet. The proposed buildings and uses would be consistent with other buildings in the area. If approved, all previous zoning stipulations not in conflict should remain in effect.

STAFF COMMENTS

Cobb DOT: See attached.

Fire Department: See attached.

Stormwater Management: In additional to the original stormwater comments for the original zoning cases, the developer will need to provide CORPS of Engineers Individual Permit, State Stream Buffer Variances, and proof of wetland mitigation.

RECOMMENDATION

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

ATTACHMENT

Other Business application.

(Continued on the next page)

Petition No. O.B.-35
Meeting Date 8-17-2021
Continued

Cobb D.O.T. Recommendations

1. Recommend applicant consider entering into a development agreement pursuant to O.C.G.A. 36-71-13 for dedication of the following system improvements to mitigate traffic concerns: a) donation of right-of-way on the east side of White Road, a minimum of 30' from the roadway centerline.

2. Recommend installing curb, gutter, and sidewalk along the White Road frontage or fee in lieu of, if constraints exist and with approval from Cobb County DOT.

3. Recommend driveway uninterrupted access be a minimum of 100' from the edge of the right-of-way line per Development Standard 402.8.

4. As necessitated by this development, recommend White Road access to include a deceleration lane. A deceleration lane is shown on the site plan dated May 26, 2021. Recommend final location and design be determined during plan review, subject to Cobb County DOT approval.

5. A traffic Submittal 1 (dated June 2, 2021) and a Heavy Vehicle Enhanced Focus Memorandum (dated June 29, 2021) were received as part of the Development of Regional Impact (DRI) approval process. Cobb County DOT is currently reviewing the documents to determine if these documents fully satisfy the traffic impact study requirement for this zoning case or if an additional analysis is needed.

6. Recommend applicant verify that minimum intersection sight distance is available for the access on White Road, and if it is not, and if it is not, implement remedial measures, subject to the Department's approval, to achieve the minimum requirement of 390'.

7. Recommend applicant be required to meet all Cobb County Development Standards and Ordinances related to project improvements.

FIRE COMMENTS:

The owner/tenant maintain the sole responsibility for the design and correcting all errors, omissions, problems, and code (if any) exposed during construction AFTER authorization by Cobb County.
FIRE HYDRANTS:
Hydrant location within 500 feet of the most remote portion of the structure.* (Additional hydrant may need to be installed.)

IFC 510- EMERGENCY RESPONDER RADIO COVERAGE:

New buildings are required to provide radio coverage for emergency responders per the International Fire Code. Testing is required by a third party and when deemed necessary amplification systems are required before the building will be issued a certificate of occupancy. This message is to serve as an early notification to owners and developers for budgeting purposes.

********** **********

FIRE ENGINE ACCESS:

The fire department must be able to access the long side of the building.

ACCESS: Fire apparatus access roads shall extend to within 150 feet of all portions of the facility or any portion of the exterior wall of the first floor (State Modifications IFC 503.1 2012 Edition).

All access roads shall meet the American Association of State and Highway Transportation Officials (AASHTO) design manual live load standard HS20 (75,000 lbs.) with an unobstructed width of not less than 20 feet, 25 foot inside radius, 50 foot outside turning radius and unobstructed vertical clearance of not less than 13 feet 6 inches.

Maximum slope of the access road in reference to the apparatus is 10% Front to Back and 5% Side to Side. Maximum grade of roadways leading to Fire Access roads refer to the Cobb County Development Standard Section 400: 14% for Non-Residential. Maximum angle of departure is 8.5%.

Dead-end access roads more than 150 feet shall be provided with a turn-around (IFC Chapter-5, 120-3-3 Rules and Regulations, CCDS Section-401 & 402). Refer to APPENDIX-D for dimensional criteria for turn-arounds in commercial developments.

Aerial apparatus access shall be required for all structures over 30 feet in height measured from the lowest level of fire department access to the ceiling height of the highest occupied floor level. Aerial fire apparatus access roads shall be a minimum width of 24 feet maximum of 40 feet from the structure and be positioned parallel to one entire side of the building. No overhead utility and power lines shall be located within the aerial fire apparatus access. (Cobb County Development Standards 401.08.02.1)

FIRE COMMENTS:

* *

C/O: Plans must be submitted to the Cobb County Fire Marshal's Office to initiate the Certificate of Occupancy process.

* *

Gates:

Gates securing fire apparatus access shall be a minimum 14 feet in clear width for a single lane and 20 feet for a double lane. The gates shall not reduce the operating width of the roadway. Double lane gates shall be a minimum of 20 feet in clear width. Gates shall be of the swinging or sliding type. Electric gates shall be equipped with a means of opening the gate by fire department personnel for emergency access. Emergency opening devices shall be approved by the Cobb County Fire Marshal's Office.

Modifications may be required to incorporate the Cobb County Fire Marshal's Office comments.

International Fire Code (IFC) Appendix D

(Adopted by the State of Georgia at the beginning of 2020. Partially noted below.)

SECTION D103

MINIMUM SPECIFICATIONS

D103.1 Access road width with a hydrant.

Where a fire hydrant is located on a fire apparatus access road, the minimum road width shall be 26 feet, exclusive of shoulders (see Figure D103.1 in Appendix D).

SECTION D104

COMMERCIAL AND INDUSTRIAL DEVELOPMENTS

D104.1 Buildings exceeding three stories or 30 feet in height. Buildings or facilities exceeding 30 feet (9144 mm) or three stories in height shall have not fewer than two means of fire apparatus access for each structure.

D104.2 Buildings exceeding 62,000 square feet in area.

Buildings or facilities having a gross *building area* of more than 62,000 square feet (5760 m2) shall be provided with two separate and *approved* fire apparatus access roads.

Exception: Projects having a gross *building area* of up to 124,000 square feet (11 520 m2) that have a single *approved* fire apparatus access road where all buildings are equipped throughout with *approved automatic sprinkler systems.*

D104.3 Remoteness. Where two fire apparatus access roads are required, they shall be placed a distance apart equal to not less than one half of the length of the maximum overall diagonal dimension of the lot or area to be served, measured in a straight line between accesses.

Josh Davis
(770) 528-8161
josh.davis@cobbcounty.org

AUGUST 17, 2021 ZONING HEARING
"OTHER BUSINESS"
COMMISSION DISTRICT 4

Min. Bk. 93 Petition No. O.B. 36
Doc. Type Staff comments and recommendations
Meeting Date 8-17-2021

ITEM OB-36-2021

PURPOSE

To consider a reduction of minimum public road frontage for April Ingraham from 75-feet to 0-feet for Lots 1 and 2. The property is located off a private easement on the south side of Pebblebrook Road, in Land Lot 466 of the 17th District (980 Pebblebrook Road). ***(Held by the Board of Commissioners from the July 20, 2021 Board of Commissioners hearing until the August 17, 2021 Board of Commissioners hearing)***.

BACKGROUND

The Board of Commissioners considers all reductions to minimum public road frontage pursuant to a code amendment to Sec. 134-271(7)(a) adopted on February 27, 2018. The subject property is required 75-feet of public road frontage per lot. Proposed Lot 1 has 0-feet of road frontage, and proposed lot 2 has 0-feet of road frontage. Both tracts are both over the required lot size for R-20 zoned property. The property currently has one duplex on it that was built in 1934. The applicant will tear down the duplex and build one new house per lot. Access will be from Pebblebrook Road via the existing asphalt driveway. If approved, all other zoning criteria for the tracts would be met (i.e. setbacks, lot size, impervious surface, etc.).

STAFF COMMENTS

Cobb DOT: Recommend driveway on Pebblebrook Road be upgraded per Section 402.07, Residential Driveways, of the Cobb County Development Standards, including a treated hardened surface for a minimum of 25' from the edge of pavement or to the County right-of-way line, whichever is greater in length.

Fire Department: See attached.

RECOMMENDATION

The Board of Commissioners conduct a Public Hearing and consider the proposed reduction of minimum public road frontage.

ATTACHMENT

Other Business application.

(Continued on the next page)

FIRE COMMENTS:

ACCESS:
Driveway must have a minimum 12 foot driving surface width (CCDS 402.07.01) with a minimum 25 foot inside turning radius.

Fully developed landscaping shall be at least 7 feet 0 inches from center of drive (14 foot clear width) and 13 foot 6 inches vertical clearance.

Maximum grade shall not exceed 18%, angle of departure shall not exceed 8.5%.

Driveway must extend within 150 feet of the most remote portion of the structure.

Driveway is limited to 1000 feet maximum from roadway unless an approved turn-around is provided:

a) Residential cul-de-sac without an island shall have a 38 foot outside radius. A cul-de-sac with an island reverts to the commercial standards, refer to www.cobbfire.org for dimensions.
b) Hammerhead turn-around: total of 102 feet needed (45 feet + 12 foot drive + 45 feet) with the turn-around leg to be a minimum of 20 feet wide.

Driveway must support 25 Tons (50,000 lbs.).

Provide emergency access through all gates securing Fire Department access with a minimum 12 foot 0 inch clear width and approved means of operation www.knoxbox.com.

FIRE HYDRANTS:
Hydrant location within 500 feet of the most remote portion of the structure.* (Additional hydrant may need to be installed.)

Fire Flow Test from closest existing hydrant shall be provided meeting the minimum.* (Required Flow: 1,000 gpm @ 20 psi)

* An alternative equivalency for the above requirements, subject to the approval by the Cobb County Fire Marshal's Office is one of the following:

1.) NFPA 13D sprinkler system.
2.) Complete structure (framing and decking materials) treated with a Class A-Fire Retardant spray with a flame spread rating of 25 or less and smoke development of 450 or less.
3.) Non-Combustible construction.

(Indicate on the site plan which option will be utilized.)

The above is not an all-inclusive list, all applicable fire and life safety provisions must be met.

IFC 510- EMERGENCY RESPONDER RADIO COVERAGE. New buildings are required to provide radio coverage for emergency responders per the International Fire Code. Testing is required by a third party and when deemed necessary amplification systems are required before the building will be

issued a certificate of occupancy. This message is to serve as an early notification to owners and developers for budgeting purposes.

Petition No. O.B.36
Meeting Date 8-17-2021
Continued

****

FIRE ENGINE ACCESS: The fire department must be able to access the long side of the building.

ACCESS: Fire apparatus access roads shall extend to within 150 feet of all portions of the facility or any portion of the exterior wall of the first floor (State Modifications IFC 503.1 2012 Edition).

All access roads shall meet the American Association of State and Highway Transportation Officials (AASHTO) design manual live load standard HS20 (75,000 lbs.) with an unobstructed width of not less than 20 feet, 25 foot inside radius, 50 foot outside turning radius and unobstructed vertical clearance of not less than 13 feet 6 inches.

Maximum slope of the access road in reference to the apparatus is 10% Front to Back and 5% Side to Side. Maximum grade of roadways leading to Fire Access roads refer to the Cobb County Development Standard Section 400: 14% for Non-Residential. Maximum angle of departure is 8.5%.

Dead-end access roads more than 150 feet shall be provided with a turn-around (IFC Chapter-5, 120-3-3 Rules and Regulations, CCDS Section-401 & 402). Refer to APPENDIX-D for dimensional criteria for turn-arounds in commercial developments.

Aerial apparatus access shall be required for all structures over 30 feet in height measured from the lowest level of fire department access to the ceiling height of the highest occupied floor level. Aerial fire apparatus access roads shall be a minimum width of 24 feet maximum of 40 feet from the structure and be positioned parallel to one entire side of the building. No overhead utility and power lines shall be located within the aerial fire apparatus access. (Cobb County Development Standards 401.08.02.1)

****

C/O: Plans must be submitted to the Cobb County Fire Marshal's Office to initiate the Certificate of Occupancy process.

****

LODGING: Where 4 or more (>3) unrelated residents share a dwelling a new certificate of occupancy is required to include implementation of both a fire alarm and fire sprinkler system.

****

Gates

Gates securing fire apparatus access shall be a minimum 14 feet in clear width for a single lane and 20 feet for a double lane. The gates shall not reduce the operating width of the roadway. Double lane gates shall be a minimum of 20 feet in clear width. Gates shall be of the swinging or sliding type. Electric gates shall be equipped with a means of opening the gate by fire department personnel for emergency access. Emergency opening devices shall be approved by the Cobb County Fire Marshal's Office.

Guest Parking

Occupant parking shall be installed as required by zoning and additional guest parking shall be required as follows:

- Where driveways to two car garages exceed 50 feet in length, no additional guest parking is required.
- Where driveways to two car garages are at least 22 feet long and 20 feet wide, additional parking shall be required at .5 spaces per dwelling unit.

- Where driveways to two car garages are less than 22 feet long and 20 feet wide, additional parking shall be required at 1 space per dwelling unit.
- Where only single car garages are provided, additional parking shall be required at 2 spaces per dwelling unit.
- Guest parking spaces must be evenly distributed throughout the project.

Modifications may be required to incorporate the Cobb County Fire Marshal's Office comments.

Auto parts buildings may be required to be protected with a fire sprinkler system. Final determination to be made at building plan review. Be prepared to provide water supply.

International Fire Code (IFC) Appendix D
(Adopted by the State of Georgia at the beginning of 2020. Partially noted below.)
SECTION D103
MINIMUM SPECIFICATIONS
D103.1 Access road width with a hydrant.
Where a fire hydrant is located on a fire apparatus access road, the minimum road width shall be 26 feet, exclusive of shoulders (see Figure D103.1 in Appendix D).

SECTION D106
MULTIPLE-FAMILY RESIDENTIAL DEVELOPMENTS
D106.1 Projects having more than 100 dwelling units.
Multiple-family residential projects having more than 100 dwelling units shall be equipped throughout with two separate and approved fire apparatus access roads.

> **Exception:** Projects having up to 200 dwelling units may have a single approved fire apparatus access road when all buildings, including nonresidential occupancis, are equipped throughout with approved automatic sprinkler systems installed in accordance with Section 903.3.1.1 or 903.3.1.2

D106.2 Projects having more than 200 dwelling units.
Multiple-family residential projects having more than 200 dwelling units shall be provided with two separate and approved fire apparatus access roads regardless of whether they are equipped with an approved automatic sprinkler system.

SECTION D107
ONE- OR TWO-FAMILY RESIDENTIAL DEVELOPMENTS
D107.1 One- or two-family dwelling residential developments.
Developments of one- or two-family dwellings where the number of dwelling units exceeds 30 shall be provided with two separate and approved fire apparatus access roads, and shall meet the requirements of Section D104.3.

Exceptions:

1. Where there are more than 30 dwelling units on a single public or private fire apparatus access road and all dwelling units are equipped throughout with an approved automatic sprinkler system in accordance with Section 903.3.1.1, 903.3.1.2 or 903.3.1.3 of the International Fire Code, access from two directions shall not be required.
2. The number of dwelling units on a single fire apparatus access road shall not be increased unless fire apparatus access roads will connect with future development, as determined by the fire code official.

Josh Davis
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josh.davis@cobbcounty.org

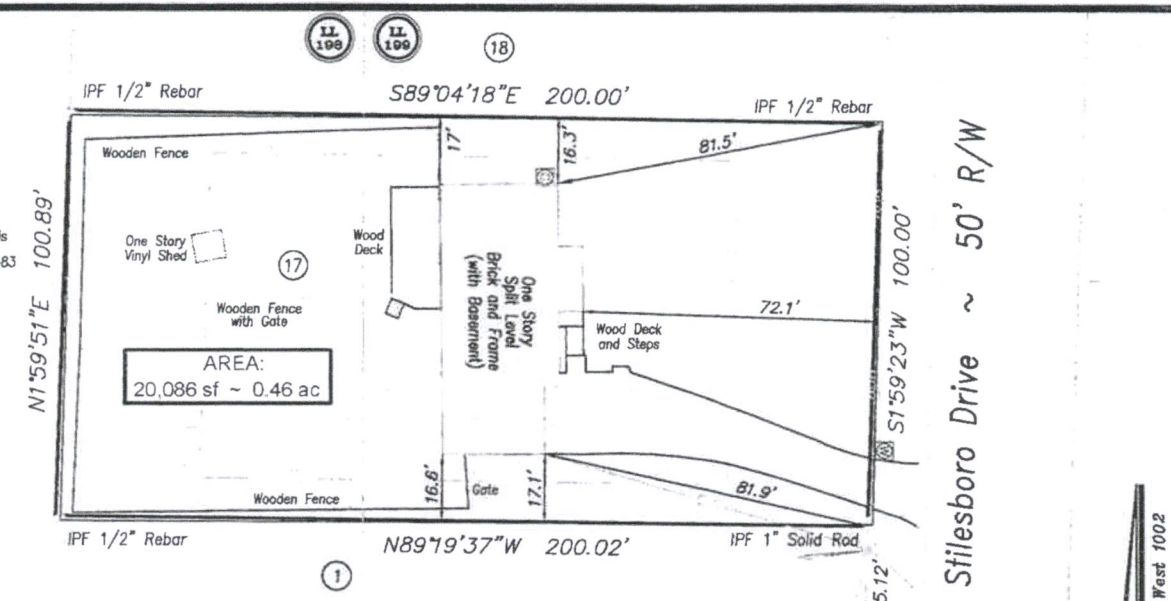
Petition No. 0.B.36
Meeting Date 8-17-2021
Continued

Min. Bk. 93 Petition No. O.B.-40
Doc. Type Site Plan

Meeting Date 8-17-2021

RECEIVED
JUL 07 2021

THIS BLOCK RESERVED FOR THE CLERK OF THE SUPERIOR COURT



LEGEND:

- 1/2" REBAR SET WITH "CCLAND" CAP
- IRON PIN FOUND AS NOTED
- GAS METER
- AC UNIT
- POWER POLE AND GUY WIRE
- WATER METER
- OVERHEAD POWER
- BL BUILDING LINE
- R/W RIGHT OF WAY
- EXISTING BUILDING
- CONCRETE / FLAGSTONE AREAS
- WOOD FENCE
- POB POINT OF BEGINING

Impervious Surface:	
House:	1,961 sf
Porch / Steps:	52 sf
Drive:	1,622 sf
Deck / Steps:	371 sf
Shed:	52 sf
Total:	4,058 sf
Lot Area:	20,086 sf
Percent Impervious:	20.2 %

30' 0 15' 30'
SCALE: 1" = 30'

This plat is a retracement of an existing parcel or parcels of land and does not subdivide or create a new parcel or make any changes to any real property boundaries. The recording information of the documents, maps, plats, or other instruments which created the parcel or parcels are stated heron. RECORDATION OF THIS PLAT DOES NOT IMPLY APPROVAL OF ANY LOCAL JURISDICTION, AVAILABILITY OF PERMITS, COMPLIANCE WITH LOCAL REGULATIONS OR REQUIREMENTS, OR SUITABILITY FOR ANY USE OR PURPOSE OF THE LAND. Furthermore, the undersigned land surveyor certifies that this plat complies with the minimum technical standards for property surveys in Georgia as set forth in the rules and regulations of the Georgia Board of Registration for Professional Engineers and Land Surveyors and as set forth in O.C.G.A. Section 15-6-67.

Cathy B. Costarides Date: 05/12/2021
Georgia Professional Land Surveyor No. 2568
For the Firm CC Land Surveyors, Inc.

GEORGIA PROFESSIONAL No. 2568 LAND SURVEYOR CATHY B. COSTARIDES

For The Firm
CC Land Surveyors, Inc.

ZONING:

Property is Zoned:	R-20
Minimum Lot Size:	20,000 sf
Minimum Lot Width:	75'
Maximum Building Height:	35'
Minimum Floor Area:	1,200 sf
Maximum Coverage:	35%
Front Setback (Arterial):	40'
Front Setback (Other):	40'
Side Setback (Major):	25 or 35'
Side Setback (Minor):	10'
Rear Setback:	35'

SITE INFORMATION:

Owner
Christine Lindley Ramirez
Rudy Lee Ramirez
as Joint Tenants with Rights of Survivorship
2075 Stilesboro Dr NW
Kennesaw, Georgia 30152
Deed Book 15885-4149
Lot 17
Stilesboro Hills Subdivision
Plat Book 139-34
Parcel Number 20019900380

FLOOD:

"F.I.A. OFFICIAL FLOOD HAZARD MAP" NUMBER 13067C0018H, COBB COUNTY UNINCORPORATED AREAS 130052, ZONE 'X', DATED 10/05/2018, SHOWS THIS PROPERTY NOT TO BE IN A BASE FLOOD AREA.

DATE	05/12/2021
SCALE	1" = 30'
	05/10/21 Field RL
	05/12/21 CAD VH
	2021 B
	2075 Stilesboro Dr

CERTIFICATE OF AUTHORIZATION No. 438
CC LAND SURVEY RS
P.O. BOX 801143
Acworth, Georgia 30101
770-975-3933
help@ccland.com

Retracement Survey for:
Christine Lindley Ramirez
Rudy Lee Ramirez
Land Lots 198, 199
20th District ~ 2nd Section
Cobb County, Georgia

This survey was prepared in conformity with The Technical Standards for Property Surveys in Georgia as set forth in Chapter 180-7 of the Rules of the Georgia Board of Registration for Professional Engineers and Land Surveyors and as set forth in the Georgia Plat Act O.C.G.A. 15-6-67.

C:\Users\Victoria Humphries\CC Land Dropbox\Projects\2021\21-2075 Stilesboro Drive Kennesaw Hdwg\21-2075 Stilesboro Dr Kennesaw Hdwg, 11x17, Victoria Humphries, May 12, 21 10:02:36 PM, 11

AUGUST 17, 2021 ZONING HEARING
"OTHER BUSINESS"
COMMISSION DISTRICT 2

Min. Bk. 93 Petition No. O.B.41
Doc. Type Cobb DOT & Fire Dept. comments and recommendations
Meeting Date 8-17-2021

ITEM OB-41-2021

PURPOSE

To consider a stipulation amendment for Jason Fancellas regarding rezoning application Z-41 of 2017 for property located in Land Lot 1029 of the 16th District. Located on the West side of Lecroy Drive, north of Robinson Road (811 Lecroy Drive).

BACKGROUND

The subject property was rezoned with a stipulation that restricted the use of the property for a specialize contractor only. Since the rezoning in 2017 nothing has occurred on this property. The applicant would like to amend the use to a daycare facility. The applicant would also like to amend stipulation #6 so they can install new fencing related to the daycare use. If approved, all previous zoning stipulations not in conflict should remain in effect.

STAFF COMMENTS

Cobb DOT: See attached.

Fire Department: See attached.

RECOMMENDATION

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

ATTACHMENT

Other Business application.

(Continued on the next page)

Petition No. O.B.41
Meeting Date 8-17-2021
Continued

Cobb D.O.T. Recommendations

1. Recommend applicant submit an internal traffic circulation/queuing plan for drop-off/pick-up periods. This circulation plan should reference the maximum allowed number of children for the facility.

2. Recommend applicant be required to meet all Cobb County Development Standards and Ordinances related to project improvements.

3. Recommend retaining all DOT recommendations for Z-41-2017, which include:

    a. Recommend applicant be required to meet all Cobb County Development Standards and Ordinances related to project improvements.
    b. Recommend removing and closing southernmost entrance on Lecroy Drive or widen to accommodate two-way traffic.
    c. Recommend widening northernmost entrance to accommodate two-way traffic. ***(Note: The referenced entrance has been widened to accommodate two-way traffic)***
    d. Recommend sidewalk along the Lecroy Drive frontage.

Petition No. O.B.41
Meeting Date 8-17-2021
Continued

APPLICANT: Jason Fancellas **PETITION NO.:** OB-41

* * * *

Min. Bk. 93 Petition No. O.B. 42
Doc. Type Exhibit "B"

Meeting Date 8-17-2021

EXHIBIT "B" - ATTACHMENT TO APPLICATION FOR "OTHER BUSINESS"
(SITE PLAN AND STIPULATION AMENDMENT)

OB Application No.: **OB-42 (2021)**
Current OB Hearing Date: **August 17, 2021**

RECEIVED
JUL 13 2021
COBB CO COMM DEV AGENCY
ZONING DIVISION

Applicant: **St. Benedict's Episcopal Day School, Inc.**
Titleholders: **St. Benedict's Episcopal Church, LLC and**
St. Benedict's Episcopal Day School, Inc.

BEFORE THE COBB COUNTY BOARD OF COMMISSIONERS

On May 20, 2008, the Cobb County Board of Commissioners granted a request to rezone property located at 2160 Cooper Lake Road from the RM-12 zoning category to the Office and Institutional ("OI") zoning classification to renovate and refurbish the existing church facilities and parking area for use as a church and day school. Subsequently, on April 16, 2013, the Cobb County Board of Commissioners granted a rezoning request for property located at 4295 Weaver Street from the General Commercial ("GC") and Low Rise Office ("LRO") zoning categories to the Office and Institutional ("OI") zoning classification for the purpose of a day school. Subsequently, SLUP-3 (2013) was filed and approved by the Board of Commissioners on May 21, 2013, for the operation of the day school.

Applicant in this "Other Business" Application, St. Benedict's Episcopal Day School, Inc. (hereinafter "Applicant"), seeks to amend the previously approved stipulations and Site Plans for each campus, as follows:

As to 2160 Cooper Lake Road:

Applicant seeks approval to add two modular classrooms to its main campus. The modular classroom located closest to the building will be used as a pre-school classroom. The unit will allow access to the current pre-school playground area. The second modular classroom will provide space for the STEAM program and library. This unit will be located in the upper parking area and hidden from view on Atlanta Road by trees, and from Cooper Lake Road by the recessed location and shrubbery along the Atlanta Road fence line. Concurrently with the approval sought for the requested modular classrooms, Applicant presents for approval the Modular Site Plan dated June 3, 2021, prepared for Applicant by freespace, and attached as Exhibit "1" and incorporated herein by reference.

As to 4295 Weaver Street:

Applicant seeks approval to add a modular classroom to the west side of the existing school building. The modular classroom will provide co-curricular classroom space for art, music, and drama. The unit is located out of sight, with a landscape buffer of mature twenty (20) foot Leland Cypress. Concurrently with the approval sought for the requested modular classroom, Applicant presents for approval the Modular Site Plan dated June 3, 2021, prepared for Applicant by freespace, and attached as Exhibit "2" and incorporated herein by reference.

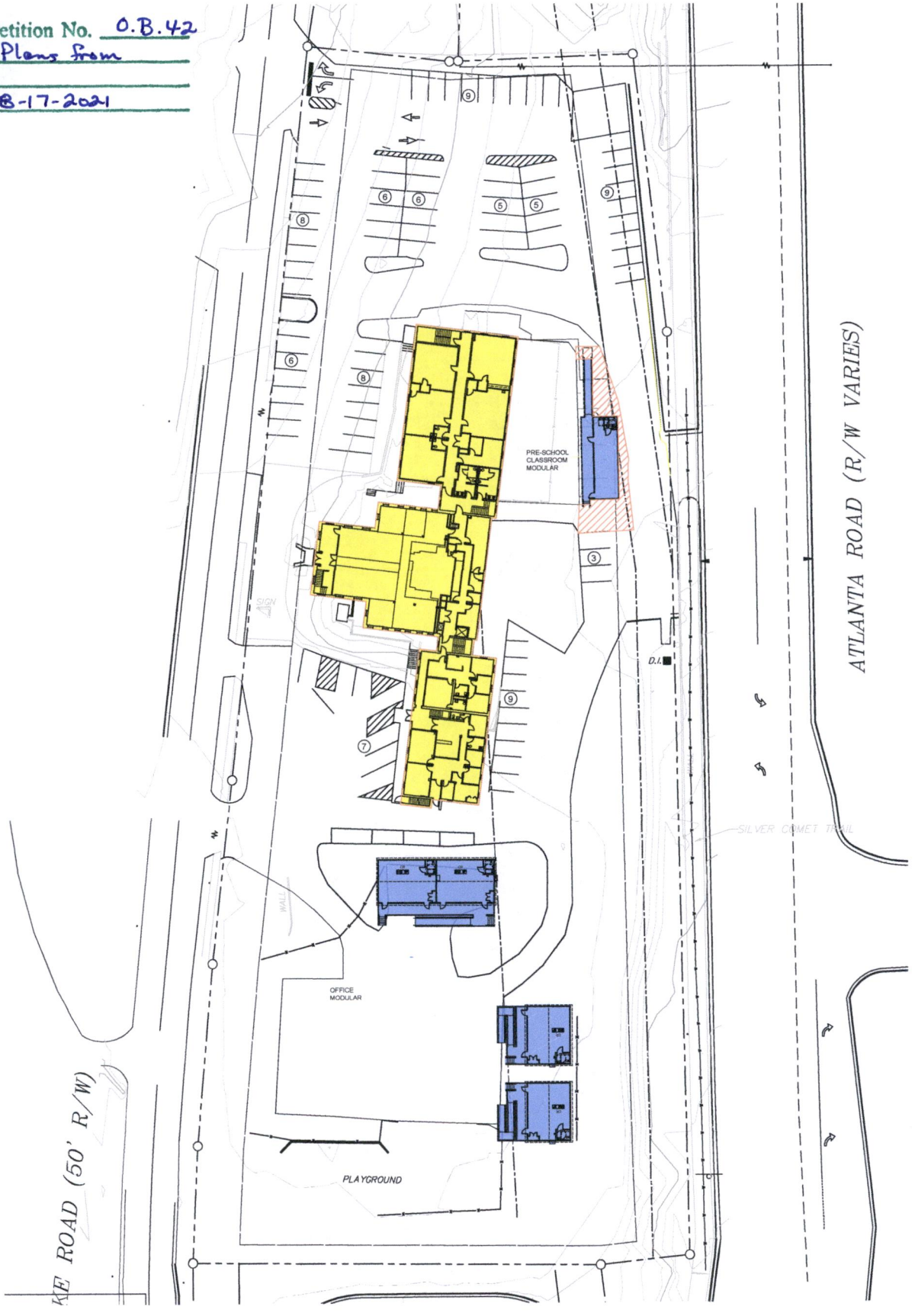
None of the modular classrooms on either campus will in any way affect the carpool lane or regular traffic flow for the day school. The areas around the modular classrooms will be landscaped with mature plant materials, new plantings, and shrubbery to enhance the overall appearance and provide visual screening from public roadways. There will be no increase in the maximum allowable student enrollment.

The proposed use of modular classrooms on both campus locations will allow Applicant to meet the demands for quality educational opportunities for its day school students.

If the Site Plan and Stipulation amendments are approved, as submitted in this Application, they shall become an additional part of the final rezoning approvals for each campus and shall be binding upon the respective Property.

The balance and remainder of the stipulations and conditions specifically enumerated in the final, official minutes, and attachments thereto, of the Board of Commissioners Zoning Hearings for all rezonings, Special Land Use Permit approvals, and "Other Business" approvals applicable to the referenced properties, are unaltered by this request for Site Plan and Stipulation Amendment and shall remain in full force and effect.

Min. Bk. 93 Petition No. O.B.42
Doc. Type Site Plans from Freespace
Meeting Date 8-17-2021



freespace

st benedict's episcopal school

MODULAR SITE PLAN

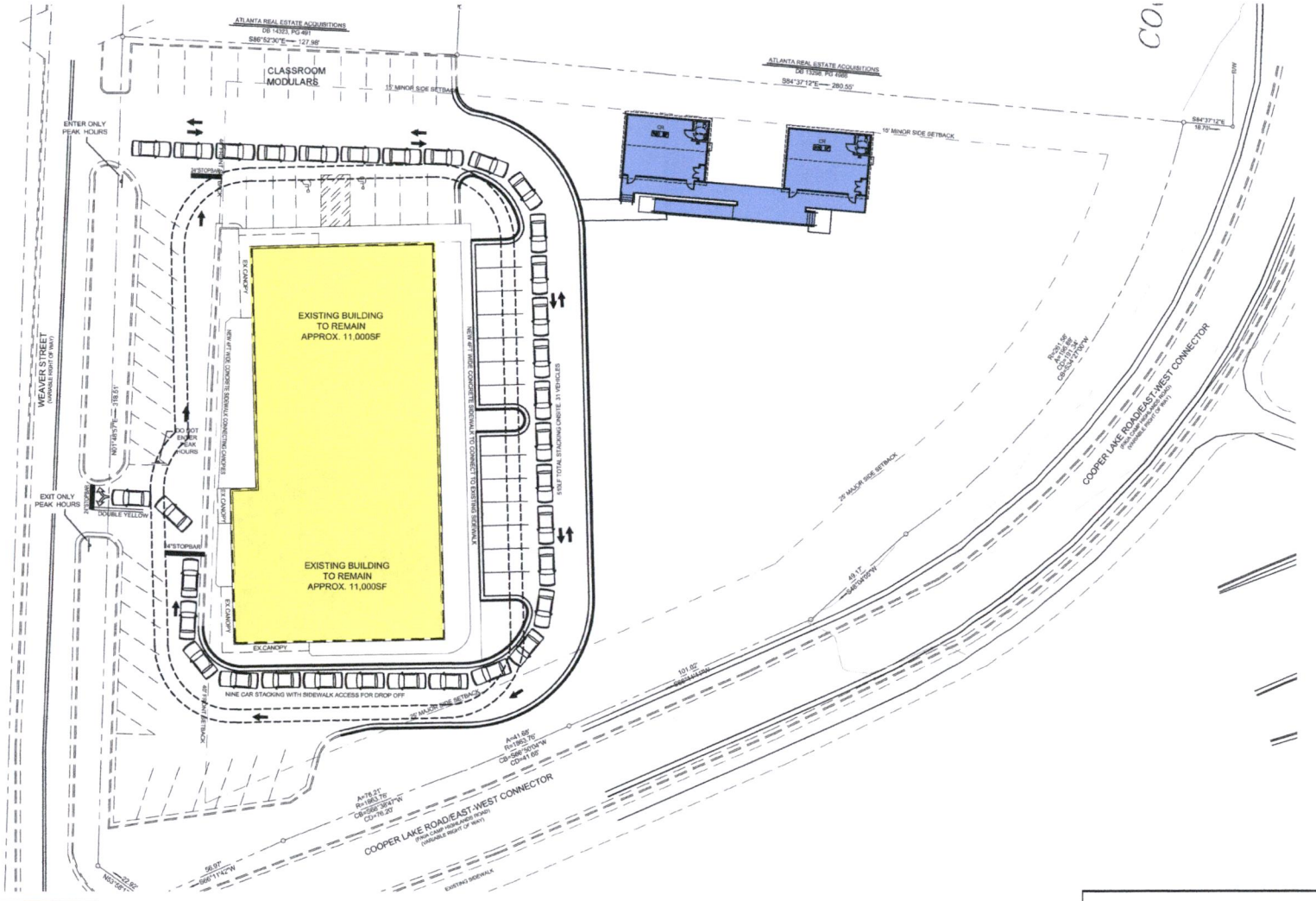
MAIN CAMPUS - 2160 COOPER LAKE RD. SMYRNA, GEORGIA

scale 1" = 50'-0"

8/10/2021

N

Petition No. V.B.42
Meeting Date 8-17-2021
Continued



freespace

st benedict's episcopal school

MODULAR SITE PLAN

SOUTH CAMPUS - 2025 COOPER LAKE RD. SMYRNA, GEORGIA

scale 1" = 40'-0"

8/10/2021

N

AUGUST 17, 2021 ZONING HEARING
"OTHER BUSINESS"
COMMISSION DISTRICT 2

Min. Bk. 93 Petition No. O.B. 42
Doc. Type Cobb DOT & Fire Dept Comments and recommendations
Meeting Date 8-17-2021

ITEM OB-42-2021

PURPOSE

To consider a stipulation and site plan amendment for St. Benedict's Episcopal Day School, Inc regarding applications Z-21 of 2008, Z-29 of 2012, Z-11 of 2013, SLUP-9 of 2008, and SLUP-3 of 2013 for property located on the east side of Atlanta Road, the east side of Cooper Lake Road, and the northeast intersection of Cooper Lake Road and Weaver Street in Land Lots 694 and 695 of the 17th District (2160 Cooper Lake Road and 4295 Weaver Street).

BACKGROUND

The subject property was rezoned and has had Special Land Use Permits for a private school over the years since 2008. The private school is divided into two campuses: the main campus located at 2160 Cooper Lake Road, and the secondary campus located at 4295 Weaver Street. The private school has been very successful and needs to expand in order to keep up with its growth and popularity. The applicant would like to add two modular classroom buildings to the main campus and would like to add one modular building to the secondary campus. The proposed uses for each of the units is clearly expressed in Exhibit B and shown on the proposed site plans. If approved, all previous zoning stipulations not in conflict should remain in effect.

STAFF COMMENTS

Cobb DOT: Recommend no parking within the right-of-way. Recommend applicant be required to meet all Cobb County Development Standards and Ordinances related to project improvements.

Fire Department: See attached.

RECOMMENDATION

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

ATTACHMENT

Other Business application.

Fire Department

The owner/tenant maintain the sole responsibility for the design and correcting all errors, omissions, problems, and code (if any) exposed during construction AFTER authorization by Cobb County

FIRE HYDRANTS:
Hydrant location within 500 feet of the most remote portion of the structure.* (Additional hydrant may need to be installed.)

Fire Flow Test from closest existing hydrant shall be provided meeting the minimum.* (Required Flow: 1,500 gpm @ 20 psi)

IFC 510- EMERGENCY RESPONDER RADIO COVERAGE. New buildings are required to provide radio coverage for emergency responders per the International Fire Code. Testing is required by a third party and when deemed necessary amplification systems are required before the building will be issued a certificate of occupancy. This message is to serve as an early notification to owners and developers for budgeting purposes.

FIRE ENGINE ACCESS: The fire department must be able to access the long side of the building.

ACCESS: Fire apparatus access roads shall extend to within 150 feet of all portions of the facility or any portion of the exterior wall of the first floor (State Modifications IFC 503.1 2012 Edition).

All access roads shall meet the American Association of State and Highway Transportation Officials (AASHTO) design manual live load standard HS20 (75,000 lbs.) with an unobstructed width of not less than 20 feet, 25 foot inside radius, 50 foot outside turning radius and unobstructed vertical clearance of not less than 13 feet 6 inches.

Maximum slope of the access road in reference to the apparatus is 10% Front to Back and 5% Side to Side. Maximum grade of roadways leading to Fire Access roads refer to the Cobb County Development Standard Section 400: 14% for Non-Residential. Maximum angle of departure is 8.5%.

Dead-end access roads more than 150 feet shall be provided with a turn-around (IFC Chapter-5, 120-3-3 Rules and Regulations, CCDS Section-401 & 402). Refer to APPENDIX-D for dimensional criteria for turn-arounds in commercial developments.

Aerial apparatus access shall be required for all structures over 30 feet in height measured from the lowest level of fire department access to the ceiling height of the highest occupied floor level. Aerial fire apparatus access roads shall be a minimum width of 24 feet maximum of 40 feet from the structure and be positioned parallel to one entire side of the building. No overhead utility and power lines shall be located within the aerial fire apparatus access. (Cobb County Development Standards 401.08.02.1)

C/O: Plans must be submitted to the Cobb County Fire Marshal's Office to initiate the Certificate of Occupancy process.

Gates

Gates securing fire apparatus access shall be a minimum 14 feet in clear width for a single lane and 20 feet for a double lane. The gates shall not reduce the operating width of the roadway. Double lane gates shall be a minimum of 20 feet in clear width. Gates shall be of the swinging or sliding type. Electric gates shall be equipped with a means of opening the gate by fire department personnel for emergency access. Emergency opening devices shall be approved by the Cobb County Fire Marshal's Office.

Modifications may be required to incorporate the Cobb County Fire Marshal's Office comments.

Josh Davis
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Petition No. O.B.42
Meeting Date 8-17-2021
Continued

Min. Bk. 93 Petition No. Amend Something Previously Adopted-Item No. 2 (Z-21)
Doc. Type BOC stipulations for Z-21 from 6-15-21 BOC Zoning Hearing Minutes
Meeting Date 8-17-2021

MINUTES OF ZONING HEARING
COBB COUNTY BOARD OF COMMISSIONERS
JUNE 15, 2021
9:00 A.M.

The Board of Commissioners' Zoning Hearing was held on Tuesday, June 15, 2021, in the second-floor public meeting room of Cobb County Building A, 100 Cherokee Street, Marietta, Georgia. Present and comprising a quorum of the Board were:

Lisa Cupid, Chairwoman
Commissioner Monique Sheffield, Vice Chair
Commissioner JoAnn Birrell
Commissioner Keli Gambrill
Commissioner Jerica Richardson

CALL TO ORDER – CHAIRWOMAN CUPID

Chairwoman Cupid called the hearing to order at 9:03 a.m.

REGULAR AGENDA (CONT.)

Z-21 **SWAMINE LLC** (Swamine, LLC, owner) requesting rezoning from **GC** to **NRC** for a package store in land lot 866 of the 19th district. Property is located on the south side of Powder Springs Road, on the east side of Sanders Road (2991 Powder Springs Road). ***(Continued by the Board of Commissioners (BOC) until the June 15, 2021, BOC Zoning hearing.)***

The public hearing was opened, and Maulik Patel addressed the Board. Following the presentation and discussion, the following motion was made:

MOTION: Motion by Sheffield, second by Birrell, to **approve** Z-21 to the **NRC** zoning districts, subject to:

1. **Modify the following stipulations (see the *Clerk's Note* below):**
   A. **Item No. 1, subset B - add to the end: *"Dumpster enclosures to include doors; at no time should the dumpster be located outside of the enclosure"***
   B. **Item No. 11 – add to the end: *"nor chain-link fencing and to be approved by the District Commissioner"***
2. **Prohibited uses include the following: *automotive paint and/or body repair shop; automotive repair shop; tire shop; sale of adult theme books, magazines, or materials; Dollar stores and/or discounted merchandise stores; package store***

VOTE: **ADOPTED** 4-1, Gambrill opposed

Clerk's Note: *Commissioner Sheffield's modifications to the stipulations listed in No. 1 above are from the Planning Commission comments and recommendations from May 4, 2021 (attached and made a part of these minutes).*

Min. Bk. 93 Petition No. Amend Something Previously Adopted - Item No. 3 (Z-46)
Doc. Type BOC Zoning minutes from 7-20-2021 for Z-46
Meeting Date 8-17-2021

MINUTES OF ZONING HEARING
COBB COUNTY BOARD OF COMMISSIONERS
JULY 20, 2021
9:00 A.M.

The Board of Commissioners' Zoning Hearing was held on Tuesday, July 20, 2021, in the second-floor public meeting room of Cobb County Building A, 100 Cherokee Street, Marietta, Georgia. Present and comprising a quorum of the Board were:

Lisa Cupid, Chairwoman
Commissioner Monique Sheffield, Vice Chair
Commissioner JoAnn Birrell
Commissioner Keli Gambrill
Commissioner Jerica Richardson

CALL TO ORDER – CHAIRWOMAN CUPID

Chairwoman Cupid called the hearing to order at 9:02 a.m.

CONSENT AGENDA

MOTION: Motion by Cupid, second by Birrell, to **approve** the following cases on the Consent Agenda, *as revised*:

Z-46 **SOUTHEASTERN NATURAL GAS SERVICES OF ROME, INC.** (Allen Kean, owner) requesting rezoning from **R-20** to **LI** for special contractor in land lot 22 of the 18th district. Property is located on the west side of Joe Jerkins Boulevard, north of Humphries Hill Road (Joe Jerkins Boulevard).

To **approve** Z-46 to the **LI** zoning district, subject to:

1. **Letter of agreeable conditions from Adam Rozen dated June 30, 2021 (attached and made a part of these minutes)**
2. **There shall be no storage of natural gas on the property**
3. **The access driveway to be a fully hardened surface from Joe Jerkins Boulevard to the building**
4. **Staff comments and recommendations**

CONSENT VOTE: **ADOPTED** 5-0

Min. Bk. 93 Petition No. Z-46
Doc. Type Site Plan
Meeting Date 8-17-2021
Amend Something Previously Adopted-Item No. 3 (Z-46)

Rezoning Plat for

Joe Jerkins Boulevard Tract

Cobb County, Georgia Land Lot 22, 18th District, 2nd Section

prepared for:

Allen Keane
Southeastern Natural Gas Services
1845 Old Cedartown Hwy., S.E.,
Lindale, Georgia, 30147

DGM
LAND PLANNING CONSULTANTS
975 COBB PLACE BLVD, SUITE 212
KENNESAW GA 30144
770 514-9006
FAX 514-9491

GEORGIA LANDSCAPE ARCHITECT 906 DAVID G. METZ

north

0 20 40 80 160

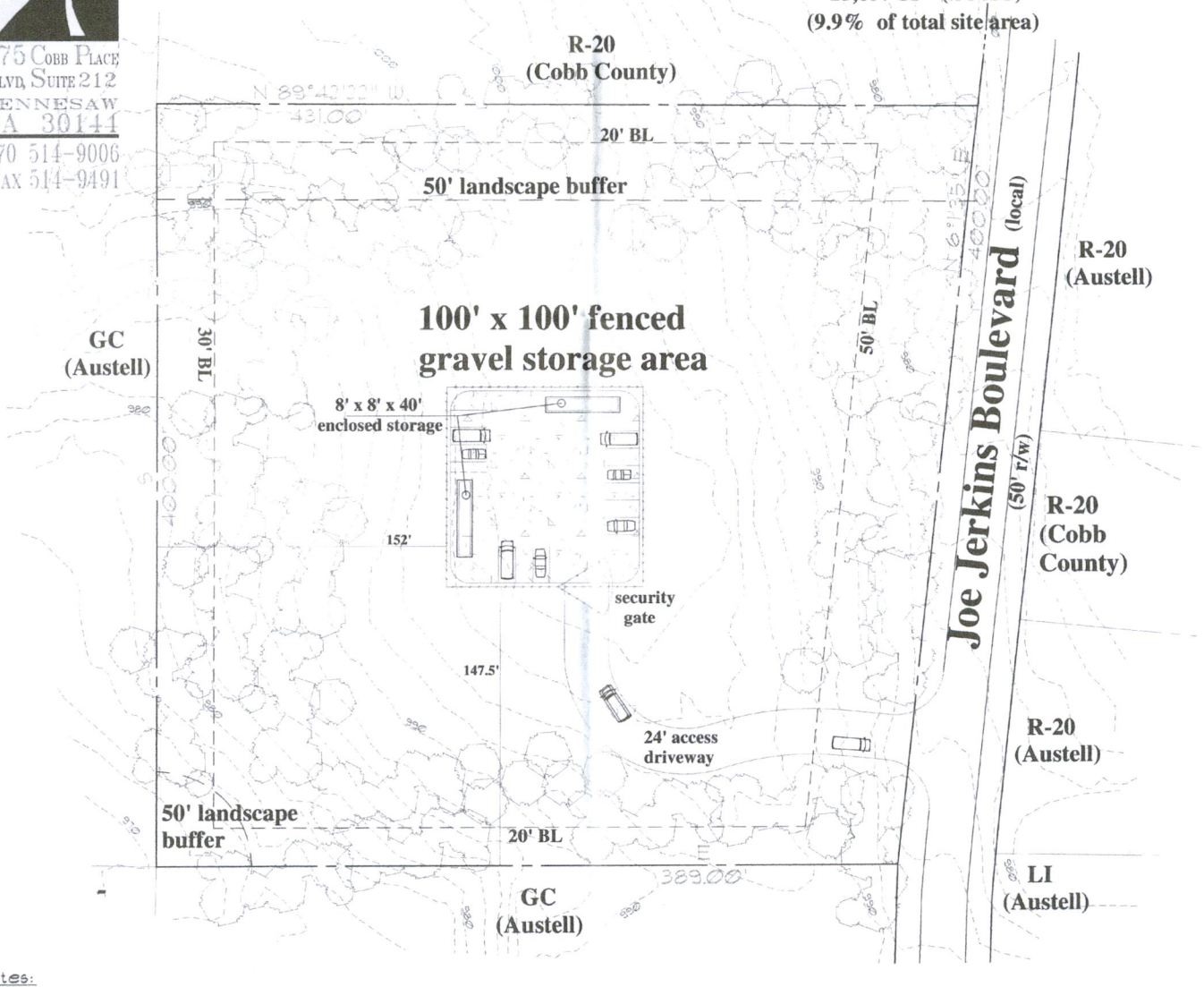
Scale: 1" = 40'
May 6, 2021

Site Data

Total Site Area:	**3.65 AC**
Existing Zoning:	**R-20**
Proposed Zoning:	**LI**
Total Storage Area Shown:	**10,000 SF**
LI Building Setbacks:	
front:	**50'**
side:	**20'**
rear:	**30'**

RECEIVED
MAY 06 2021

***Impervious Area Shown (gravel surface):**
15,657 SF (.36 AC)
(9.9% of total site area)



Notes:
1. Boundary taken from Warranty Deeds and GIS tax plats.
2. Topographic information taken from Cobb County GIS.
3. According to Flood Insurance Rate Map (FIRM) #13067C0184 H, March 4, 2013, no portion of this site contains Floodplain.
4. No cemeteries are known to exist on site.
5. No streams and/or wetlands are known to exist on site.
6. No archeological or architectural landmarks are known to exist on site.
7. No utility easements are known to exist on site.
8. Stormwater management and water quality structures are conceptual in size and will be revised based on hydrologic study.