

**MINUTES OF ZONING HEARING
COBB COUNTY PLANNING COMMISSION
NOVEMBER 2, 2021
9:00 A.M.**

The Planning Commission Zoning Hearing was held on Tuesday, November 2, 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
David Anderson
Deborah Dance
Michael Hughes
Stephen Vault

CALL TO ORDER – CHAIRMAN BELOIN

Chairman Beloin called the hearing to order at 9:03 a.m.

Mr. John Pederson, Zoning Division Manager, explained the virtual participation format, reviewed the hearing procedures, and announced the following cases which were *withdrawn or continued*.

WITHDRAWN AND CONTINUED CASES

Z-62 **PERIMETER CONSTRUCTION GROUP, LLC** (Mrs. Burma B. Brumbelow, owner) requesting rezoning from **R-30** to **R-20** for a single-family residential subdivision in land lot 586 of the 19th district. Property is located on the north side of Moon Road, west of Florence Road (5500 Moon Road). *(Previously continued by the Planning Commission from the September 7, 2021, Planning Commission (PC) hearing until the October 5, 2021, PC hearing; continued by Staff from the October 5, 2021, PC hearing until the November 2, 2021, PC hearing).* **WITHDRAWN WITHOUT PREJUDICE**

Z-61 **BLUETIGER PROPERTIES, LLC** (Wellstar Health System, Inc., owner) requesting rezoning from **O&I** to **O&I** for a climate controlled self-storage facility in land lot 224 of the 20th district. Property is located on the north side of Stilesboro Road, and on the east side of Dennis Kemp Lane (Stilesboro Road). *(Previously held by the Planning Commission (PC) from the September 7, 2021, and October 5, 2021, PC hearings until the November 2, 2021, PC hearing; continued by Staff until the December 7, 2021, PC hearing; therefore, was not considered at this hearing).*

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WITHDRAWN AND CONTINUED CASES (CONT.)

- Z-68** **TIFFANY GRAY** (TAMG Realty, Inc., owner) requesting rezoning from **R-20** to **FST** for a townhome community in land lot 1145 of the 19th district. Property is located on the east side of Brookwood Drive, north and south of the intersection of Virgil Lane, at the terminus of Bellemeade Circle, and the west side of Glore Road (Brookwood Drive). *(Previously continued by Staff from the October 5, 2021, and November 2, 2021, Planning Commission (PC) hearings until the December 7, 2021 PC hearing; therefore, was not considered at this hearing).*
- Z-69** **CONNELLY LAND GROUP, LLC** (Shares Holding, L.L.C.; SH/Stroud Road, LLC; Bennett Hutchinson, IV, owner) requesting rezoning from **R-15** and **R-20** to **RA-6** for a single-family subdivision in land lots 391 and 392 of the 18th district. Property is located on the north side of Hunnicut Road, on the east side of Rioca Circle, northeast of Mableton Parkway (245, 309, 335 Hunnicut Road). *(Previously continued by Staff from the October 5, 2021, and November 2, 2021, Planning Commission (PC) hearings until the December 7, 2021 PC hearing; therefore, was not considered at this hearing).*
- SLUP-7** **BLUETIGER PROPERTIES, LLC** (Wellstar Health System, Inc., owner) requesting a **Special Land Use Permit** for a climate controlled self-storage facility in land lot 224 of the 20th district. Property is located on the north side of Stilesboro Road, and on the east side of Dennis Kemp Lane (Stilesboro Road). *(Previously held by the Planning Commission (PC) from the September 7, 2021, and October 5, 2021, PC hearings until the November 2, 2021, PC hearing; continued by Staff until the December 7, 2021, PC hearing; therefore, was not considered at this hearing).*
- Z-78** **ST. BENEDICT'S EPISCOPAL SCHOOL** (Cooper Lake-Daniel, LLC, owner) requesting rezoning from **O&I** and **R-20** to **O&I** for a school in land lot 695 of the 17th district. Property is located on the east and north side of Daniel Street, on the west side of Cooper Lake Road (2001 Daniel Street, 2235 Cooper Lake Road).
- SLUP-11** **ST. BENEDICT'S EPISCOPAL SCHOOL** (Cooper Lake-Daniel, LLC, owner) requests a **Special Land Use Permit** for a school in land lot 695 of the 17th district. Property is located on the east and north side of Daniel Street, on the west side of Cooper Lake Road (2001 Daniel Street, 2235 Cooper Lake Road).

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WITHDRAWN AND CONTINUED CASES (CONT.)

**Z-78 & ST. BENEDICT'S EPISCOPAL SCHOOL (CONT.)
SLUP-11**

Mr. Pederson presented the Applicant's request for a continuance of Z-78 and SLUP-11; thereafter, the following motion was made:

MOTION: Motion by Anderson, second by Hughes, to **continue** Z-78 and SLUP-11 until the December 7, 2021, Planning Commission Zoning Hearing.

VOTE: **ADOPTED 5-0**

Mr. Pederson announced that the Applicant for Z-72 and SLUP-9 (Serious Tree Services LLC c/o William Mazariegos) submitted a letter the day before the hearing for a continuance. The Applicant was not present, but there was opposition present. Mr. Hughes made the motion to continue Z-72 and SLUP-9. Discussion ensued, and Mr. Hughes withdrew his motion. By general consensus, the Planning Commission heard Z-72 and SLUP-9 on the Regular Agenda in its numerical order (see page 12 of these minutes for the motion).

Mr. Pederson made the following announcements and then read in 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.

CONSENT AGENDA

MOTION: Motion by Dance, second by Vault, to **approve** the Consent Agenda, *as revised by the removal of Z-76:*

Z-74 **GLENNIS F. WILLIS** (Mrs. Glennis Fricks Willis, owner) requesting rezoning from **R-30** to **R-20** for single-family homes in land lots 184 and 185 of the 16th district. Property is located on the west side of Wesley Chapel Road, south of Chapel Grove Drive (Wesley Chapel Road).

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CONSENT AGENDA (CONT.)

Z-74 GLENNIS F. WILLIS (CONT.)

To recommend **approval** of Z-74 to the **R-20** zoning district, subject to:

- 1. Site Plan received by the Zoning Division on September 2, 2021, with District Commissioner approving minor modifications (on file in the Zoning Division)**
- 2. Letter of agreeable conditions from Garvis L. Sams, Jr. dated October 25, 2021 (on file in the Zoning Division)**
- 3. Fire Department comments and recommendations**
- 4. Water and Sewer Division comments and recommendations**
- 5. Stormwater Management Division comments and recommendations**
- 6. Department of Transportation comments and recommendations**
- 7. Inclusion on the Consent Agenda for the Board of Commissioners' Zoning Hearing on November 16, 2021**

Z-75 7435 FACTORY SHOALS ROAD, LLC (David Wine, 7435 Factory Shoals Road, LLC, owner) requesting rezoning from **LI** to **LI** for truck staging and parking in land lots 610 and 683 of the 18th district. Property is located on the south side of Factory Shoals Road, west of Hartman Road (7485 Factory Shoals Road).

To recommend **approval** of Z-75 to the **LI** zoning district, subject to:

- 1. Site Plan received by the Zoning Division on September 2, 2021, with District Commissioner approving minor modifications (on file in the Zoning Division)**
- 2. Letter of agreeable conditions from Garvis L. Sams, Jr. dated October 26, 2021 (on file in the Zoning Division)**
- 3. Fire Department comments and recommendations**
- 4. Water and Sewer Division comments and recommendations**
- 5. Stormwater Management Division comments and recommendations**
- 6. Department of Transportation comments and recommendations**
- 7. Inclusion on the Consent Agenda for the Board of Commissioners' Zoning Hearing on November 16, 2021**

At the call for Z-76 (Lot One Homes, Inc.), the request was made to hear from the opposition regarding adding an additional stipulation. Upon hearing from the opposition and the Applicant's representative, it was determined that Z-76 needed to be pulled from the Consent Agenda and heard on the Regular Agenda (see page 8 of these minutes for the motion).

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CONSENT AGENDA (CONT.)

Z-79 **FOUNDRY INVESTMENT GROUP, LLC** (WG-75 Partnership, owner) requesting rezoning from **GC** to **GC** for a climate-controlled self-service storage facility in land lot 55 of the 20th district. Property is located on the south side of Hickory Grove Road, west of Wade Green Road (Hickory Grove Road).

To recommend **approval** of Z-79 to the **GC** zoning district, subject to:

- 1. Final Site Plan to be approved by the District Commissioner**
- 2. Property to be used for a climate-controlled self-storage facility *only***
- 3. Fire Department comments and recommendations**
- 4. Stormwater Management Division comments and recommendations**
- 5. Water and Sewer Division comments and recommendations**
- 6. Department of Transportation comments and recommendations**
- 7. Inclusion on the Consent Agenda for the Board of Commissioners' Zoning Hearing on November 16, 2021**

SLUP-10 **FOUNDRY INVESTMENT GROUP, LLC** (WG-75 Partnership, owner) requests a **Special Land Use Permit** for a climate-controlled self-service storage facility in land lot 55 of the 20th district. Property is located on the south side of Hickory Grove Road, west of Wade Green Road (Hickory Grove Road).

To recommend **approval** of SLUP-10, subject to:

- 1. Final Site Plan and building architecture to be approved by the District Commissioner**
- 2. Fire Department comments and recommendations**
- 3. Stormwater Management Division comments and recommendations**
- 4. Water and Sewer Division comments and recommendations**
- 5. Department of Transportation comments and recommendations**
- 6. Inclusion on the Consent Agenda for the Board of Commissioners' Zoning Hearing on November 16, 2021**

CONSENT VOTE: ADOPTED 5-0

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REGULAR AGENDA

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 hearing; continued by the PC from the July 6, 2021, and August 3, 2021, PC hearings until the September 7, 2021, PC hearing; continued by Staff until the October 5, 2021, PC hearing; continued by Staff until the November 2, 2021, PC hearing).*

The public hearing was opened; Adam Rozen and Richard Calhoun addressed the Planning Commission. Following the presentation and discussion, the following motion was made:

MOTION: Motion by Dance, second by Anderson, to recommend **approval** of Z-25 to the **NRC** zoning district, subject to:

- 1. Letter of agreeable conditions from Adam Rozen dated November 2, 2021 (on file in the Zoning Division)**
- 2. All Staff comments and recommendations**

VOTE: ADOPTED 5-0

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, through the October 5, 2021, PC hearings until the November 2, 2021, PC hearing).*

The public hearing was opened; Garvis L. Sams, Henry Massie, Sharon Cobb, Cheryl Keck, and Daryl Cook addressed the Planning Commission. Following the presentation and discussion, the following motion was made:

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REGULAR AGENDA (CONT.)

Z-38 WINDSONG PROPERTIES (CONT.)

MOTION: Motion by Beloin, second by Dance, to recommend **deletion** of Z-38 to the **R-20/OSC** zoning district, subject to:

1. Letter of agreeable conditions from Garvis L. Sams, Jr. dated July 26, 2021 (on file in the Zoning Division), with the following changes:
 - A. Deletion from RSL to R-20/OSC
 - B. The maximum number of units to be 66
 - C. The overall density to be 1.75 units per acre
 - D. Item No. 3 – change to *“maximum of number of homes to be sixty-six (66) homes”*, and change to *“overall maximum density of 1.75 units per acre”*
 - E. Item No. 5 – revised: *“The fronts of all garages must not be less than 23 feet from the nearest edge of any sidewalk or curb so two cars will fit in the driveway without interfering with the use of the sidewalk or road.”*
 - F. Item No. 9, subset c – delete in its entirety
 - G. Item No. 13, subset c – revised: *“Per footnote 3 of the Applicant’s stipulation letter, fee in lieu of is not acceptable; sidewalks will be required to be built.”*
 - H. Item No. 15 – add: *“The Applicant may submit a plan with lot sizes and variances on all lots not located within 100 feet of the perimeter of the property of the overall tract being developed to allow for the construction of up to 66 R-20 units.”*
 - I. Item No. 16 – revised: *“Remove the deviation of hours by the District Commissioner.”*
 - J. Item No. 19 – deleted in its entirety
2. Parcels adjacent to Signal Pointe Subdivision and Anmore must have lot widths of not less than 75 feet; “adjacent to” means any lots any portion of which are within 100 feet of Signal Pointe Subdivision or Anmore Subdivision boundaries
3. All land within 150 feet of the Foster’s and Roberts’ property must remain undisturbed open space
4. Each lot must have a minimum rear setback of 20 feet, and that is exclusive of any buffer zone
5. Along all boundaries, other than the Foster’s and Roberts’ properties, there shall be a 20-foot continuous Homeowners Association (HOA) controlled perimeter buffer; the entrances, exits, and sidewalks may penetrate this buffer

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REGULAR AGENDA (CONT.)

Z-38 WINDSONG PROPERTIES (CONT.)

6. There shall be no mass grading except for roads, buildings, paths, utilities, and with specific exception for removal or spreading of the prior raised driveway as delineated by the Applicant at this hearing today; the raised driveway being where the proposed road is nearest to the Anmore Subdivision
7. All Staff comments and recommendations

VOTE: **ADOPTED** 3-2, Dance and Hughes opposed

Chairman Beloin called for a brief recess from 10:38 a.m. until 10:52 a.m.

Following the recess, Mr. Pederson requested to move Z-76 (Lot One Homes, Inc.) up on the Regular Agenda. The Planning Commission was agreeable to his request, and Z-76 was heard next.

Z-76 LOT ONE HOMES, INC. (Hammett-Lassiter Investors, LLC, owner) requesting rezoning from **LRO** to **RA-5** for single-family homes in land lot 538 of the 16th district. Property is located on the north side of Lassiter Road, west of Johnson Ferry Road (2860 Lassiter Road).

The public hearing was opened; Garvis L. Sams, Jr., Chris Lindstrom, and Dennis O'Riley addressed the Planning Commission. Following the presentation and discussion, the following motion was made:

MOTION: Motion by Anderson, second by Vault, to recommend **approval** of Z-76 to the **RA-5** zoning district, subject to:

1. Site Plan received by the Zoning Division on September 3 2, 2021 (on file in the Zoning Division)
2. Letter of agreeable conditions from Garvis L. Sams, Jr. dated October 20, 2021 (on file in the Zoning Division), with the following change:
 - A. Item No. 4 – change the end of the sentence to read, “... to be reviewed by the Cobb County Arborist with final approval by the District Commissioner.”
3. Applicant to extend the fencing north to the Garden Gate Community entrance in a style and manner consistent with that of the existing exterior fencing along Garden Gate and a minimum distance of 10 feet
4. Homes shall be sodded on all four sides
5. Two homes shall have a minimum of 15 feet between both homes

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REGULAR AGENDA (CONT.)

Z-76 LOT ONE HOMES, INC. (CONT.)

6. All homes shall have two-car garages, which shall remain available for parking and incidental storage; garages cannot be converted into living space or used solely for storage; such restrictions shall be recorded on the deeds
7. The driveway pads in front the houses shall be of sufficient space to hold two full-size automobiles
8. Requirement to repair and/or replace any damages to the Garden Gate Community entrance that may occur during construction, including plantings, curbing, asphalt, and seal coating
9. The construction site will be considered a “clean” work area with loose debris disposed of each evening
10. Prohibition of construction trucks and worker vehicles being parked on the site; construction trucks and/or worker vehicles shall not disturb or block the use of the roads of the existing neighborhoods
11. Prohibition of stacking of vehicles along Lassiter Road or blocking the entrance to the Garden Gate Community
12. Provision of a tire washing station at the exit from the property during the development and construction of the project
13. Provision of a 24-hour contact number to surrounding neighborhoods and posted on-site during the construction period
14. Development and construction hour limitations for the project of 7:00 a.m. to 8:00 p.m. Monday through Friday; 9:00 a.m. to 6:00 p.m. Saturday; and no work on Sunday unless approved by the District Commissioner
15. Fire Department comments and recommendations
16. Water and Sewer Division comments and recommendations
17. Stormwater Management Division comments and recommendations
18. Department of Transportation comments and recommendations
19. All Staff comments and recommendations, *not otherwise in conflict*
20. Inclusion on the Consent Agenda for the Board of Commissioners’ Zoning Hearing on November 16, 2021

VOTE: ADOPTED 5-0

Clerk’s Note: *The stamped date on the Site Plan is September 3, 2021, rather than September 2, 2021, as stipulated.*

By general consensus, companion cases Z-48 and SLUP-3 (Ray Murphy) were heard and voted on concurrently.

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REGULAR AGENDA (CONT.)

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, 1830 Austell Road). *(Previously continued by Staff from the June 1, 2021, Planning Commission (PC) hearing until the July 6, 2021, PC hearing; continued by the PC from the July 6, 2021, PC hearing until the August 3, 2021, PC hearing; held by the PC from the August 3, 2021, PC hearing until the November 2, 2021, PC 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, 1830 Austell Road). *(Previously continued by Staff from the June 1, 2021, Planning Commission (PC) hearing until the July 6, 2021, PC hearing; continued by the PC from the July 6, 2021, PC hearing until the August 3, 2021, PC hearing; held by the PC from the August 3, 2021, PC hearing until the November 2, 2021, PC hearing).*

The public hearing was opened, and Vickie Murphy-Norris addressed the Planning Commission. Following the presentation and discussion, the following motion was made:

MOTION: Motion by Beloin, second by Dance, to **hold** Z-48 and SLUP-3 until the December 7, 2021, Planning Commission Zoning Hearing.

VOTE: **ADOPTED 5-0**

Clerk's Note: Chairman Beloin made the following suggestions:

- 1. Applicant to submit an inventory of all vehicles as they exist today*
- 2. Applicant to submit any and all evidence (photographic or otherwise) she deems appropriate to show any changes to the site conditions since February 23, 2021*

Chairman Beloin called for a lunch recess at 12:00 p.m. The hearing reconvened at 1:03 p.m.

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). *(Previously continued by Staff from the August 3, 2021, and September 7, 2021, Planning Commission (PC) hearings until the October 5, 2021, PC hearing; held by the PC from the October 5, 2021, PC hearing until the November 2, 2021, PC hearing).*

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REGULAR AGENDA (CONT.)

Z-56 TRATON, LLC (CONT.)

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

MOTION: Motion by Hughes, second by Dance, to recommend **deletion** of Z-56 to the **RA-5** zoning district, subject to:

- 1. Letter of agreeable conditions from Kevin Moore dated October 27, 2021 (on file in the Zoning Division), with the following changes:**
 - A. Item No. 20 – revise to read: *“Applicant agrees to comply with Cobb County Department of Transportation Comments and Recommendations.”***
 - B. Item No. 21 – add to the end: *“Since this one residential access point is being eliminated, the Applicant shall have prepared and submitted an updated traffic study.”***
- 2. All Staff comments and recommendations**

VOTE: **ADOPTED 5-0**

Z-70 PG INVESTCO, LLC (Regal GA, LLC, owner) requesting rezoning from GC to RRC for a multifamily residential community in land lots 508, 509, 572, and 573 of the 16th district. Property is located on the north side of Town Center Drive, north of the intersection of Mall 5 Road, on the west side of I-575 (2795 Town Center Drive).

The public hearing was opened; Kevin Moore and Karen Huck 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-70 to the **RRC** zoning district, subject to:

- 1. Letter of agreeable conditions from Kevin Moore dated October 27, 2021 (on file in the Zoning Division)**
- 2. All Staff comments and recommendations**

Clerk’s Note: Chairman Beloin requested before going to the Board of Commissioners, the Applicant confirm that they can maintain the trees on their side of the tree line abutting the highway for sound mitigation purposes.

VOTE: **ADOPTED 5-0**

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REGULAR AGENDA (CONT.)

By general consensus, companion cases Z-72 and SLUP-9 (Serious Tree Services LLC c/o William Mazariegos) were heard and voted on concurrently.

Z-72 **SERIOUS TREE SERVICES LLC C/O WILLIAM MAZARIEGOS**
(Serious Tree Services, LLC, owner) requesting rezoning from **GC** and **R-80** to **HI** for tree processing in land lot 911 of the 19th district. Property is located on the north side of Flint Hill Road, and on the west side of Sanders Road (3969, 3989 Flint Hill Road). *(Previously held by the Planning Commission (PC) until the November 2, 2021, PC hearing).*

SLUP-9 **SERIOUS TREE SERVICES LLC C/O WILLIAM MAZARIEGOS**
(Serious Tree Services, LLC, owner) requesting a **Special Land Use Permit** for tree processing (chipping, grinding, reduction of material) in land lot 911 of the 19th district. Property is located on the north side of Flint Hill Road, and on the west side of Sanders Road (3969, 3989 Flint Hill Road). *(Previously held by the Planning Commission (PC) until the November 2, 2021, PC hearing).*

The public hearing was opened; Jahnee Prince, Alice Carnahan, and Anita Payne (virtual speaker) addressed the Planning Commission. Following the presentation and discussion, the following motion was made:

MOTION: Motion by Hughes, second by Vault, to **hold** Z-72 and SLUP-9 until the December 7, 2021, Planning Commission Zoning Hearing.

VOTE: **ADOPTED 5-0**

Z-73 **INVGRP 3 LLC** (Laurel Properties LLC, owner) requesting rezoning from **R-20** to **RA-4** for a single-family subdivision in land lots 626 and 627 of the 16th district. Property is located on the east side of Marneil Drive, south of Post Oak Tritt Road (2454 Marneil Drive).

At the call for Z-73, the Applicant was not present, and there was no opposition present. Ms. Dance announced that a letter of opposition from Cassandra McGraw dated October 29, 2021 was received at the hearing. Discussion ensued, and Ms. Dance made the following motion:

MOTION: Motion by Dance, second by Hughes, to recommend **denial** of Z-73.

VOTE: **ADOPTED 5-0**

Chairman Beloin called for a brief recess from 2:56 p.m. until 3:03 p.m.

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REGULAR AGENDA (CONT.)

Z-77 **BLUE RIVER DEVELOPMENT LLC** (Linda D. Mayes (Whatley), owner) requesting rezoning from **RSL** to **RA-6** for a townhome community in land lot 208 of the 17th district. Property is located on the south side of Saine Drive, on the west side of Sandtown Road, and on the northwest side of Austell Road (65 Saine Drive, 1564 Sandtown Road, 1582, 1586 Austell Road).

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

MOTION: Motion by Beloin, second by Hughes, to recommend **deletion** of Z-77 to the **RA-5** zoning district, subject to:

1. **Letter of agreeable conditions from Kevin Moore dated October 27, 2021 (on file in the Zoning Division), with the following change:**
 - A. **Add a stipulation to include that not more than 10% of the units be rentals and that the units be deed restricted or otherwise restricted by covenants**
2. **Regarding noise reduction, construction materials to be EarthCraft; EarthCraft and LEED standards be met for acoustical rated construction and addition that more specific noise attenuation be conducted and noise reduction be conducted by use of “green glue” and/or other similar products so as to attempt to best block low frequency sounds that may be emitted by certain aircraft**
3. **Comply with the Austell Road Guidelines**
4. **All Staff comments and recommendations**
5. **Inclusion on the Consent Agenda for the Board of Commissioners’ Zoning Hearing on November 16, 2021**

VOTE: ADOPTED 5-0

LUP-21 **EVANGELOS M. AND JOYCE B. DEMESTIHAS** (Evangelos M. Demestihis and Joyce B. Demestihis, owners) requesting a **Temporary Land Use Permit** for a wedding and special events facility in land lot 379 of the 16th district. Property is located on the east side of Knight Road, north of the termination of Knight Lane (3550 Knight Road).

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

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REGULAR AGENDA (CONT.)

LUP-21 EVANGELOS M. AND JOYCE B. DEMESTIHAS (CONT.)

MOTION: Motion by Dance, second by Anderson, to recommend **approval** of LUP-21, subject to:

- 1. Letter of agreeable conditions from Kevin Moore dated October 27, 2021 (on file in the Zoning Division)**
- 2. All Staff comments and recommendations**

VOTE: **ADOPTED 5-0**

OTHER BUSINESS

- O.B. 2** To adopt the dates and time of the Planning Commission (PC) Zoning Hearings for the 2022 Calendar Year. The PC Zoning Hearings begin at 9:00 a.m. on the dates listed below.

2022 PC Hearing Dates

January (no hearing)	May 3	September 6
February 1	June 7	October 4
March 1	July 5	November 1
April 5	August 2	December 6

MOTION: Motion by Dance, second by Hughes, to **adopt** the Planning Commission Zoning Hearing dates and time for the 2022 Calendar Year, *as submitted*:

VOTE: **ADOPTED 5-0**

APPROVAL OF MINUTES

MOTION: Motion by Hughes, second by Dance, to **approve** the following minutes, *as submitted*:

October 5, 2021 – Planning Commission Zoning Hearing

VOTE: **ADOPTED 5-0**

MOTION: Motion by Hughes, second by Dance, to **approve** the following minutes, *as submitted*:

October 25, 2021 – Special Called Meeting/Agenda Review Work Session

VOTE: **ADOPTED 5-0**

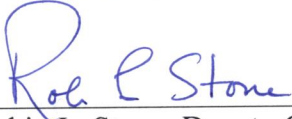
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ADJOURNMENT

MOTION: Motion by Hughes, second by Beloin, to **adjourn** the hearing.

VOTE: **ADOPTED** 5-0

The hearing adjourned at 3:31 p.m.



Robin L. Stone, Deputy County Clerk
Cobb County Planning Commission