

**MINUTES OF ZONING HEARING
COBB COUNTY PLANNING COMMISSION
APRIL 4, 2023
9:00 A.M.**

The Planning Commission Zoning Hearing was held on Tuesday, April 4, 2023, 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:

Stephen Vault, Chairman
David Anderson
Michael Hughes

Fred Beloin – not present
Deborah Dance – not present

CALL TO ORDER – CHAIRMAN VAULT

Chairman Vault called the hearing to order at 9:00 a.m.

Mr. Terry Martin, Zoning Division Planner III, reviewed the hearing procedures and announced the cases which were *continued*.

CONTINUED CASES

Z-60²² **BRANCH ACQUISITION COMPANY, LLC** (Branch Atlanta Road Associates II, L.P.; SJ Georgia Investor, LLC; Michael Howarth and Christine Howarth, owners) requesting rezoning from **HI** to **RRC** for a mixed-use development in land lots 894 and 900 of the 17th district. Property is located on the south side of Atlanta Road, north of Plant Atkinson Road (4874 and 4888 Atlanta Road, 2840 Plant Atkinson Road). *(Previously continued by Staff from the September 6, 2022, through the April 4, 2023, Planning Commission (PC) hearings until the May 2, 2023, PC hearing; therefore, was not considered at this hearing).*

Z-65²² **DRAPAC INVESTMENTS, LLC** (DRAPAC Group 3, LLC, owner) requesting rezoning from **RA-5** to **RA-5** for a single-family attached and detached subdivision in land lots 87 and 88 of the 18th district. Property is located on the west side of Michael Road, south of Vanesa Circle, at the terminus of Linda Drive, and at the terminus of Oak Hill Drive (Maxham Road). *(Previously continued by the Planning Commission (PC) from the October 4, 2022, PC hearing until the November 1, 2022, PC hearing; held by the PC from the November 1, 2022, and December 6, 2022, PC hearings until the February 7, 2023, PC hearing; continued by Staff from the February 7, 2023, through the April 4, 2023, PC hearings until the May 2, 2023, PC hearing; therefore, was not considered at this hearing).*

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CONTINUED CASES (CONT.)

- Z-67²²** **S&B INVESTMENTS, INC.** (S&B Investments, Inc., owner) requesting rezoning from **CF** and **R-80** to **NRC** for a retail coffee shop in land lots 73 and 81 of the 1st district. Property is located on the west side of Johnson Ferry Road, and on the north side of Paper Mill Road (31 Johnson Ferry Road). *(Previously continued by Staff from the October 4, 2022, through the December 6, 2022, Planning Commission (PC) hearings until the February 7, 2023, PC hearing; continued by Staff from the February 7, 2023, PC hearing through the April 4, 2023, PC hearings until the May 2, 2023, PC hearing; therefore, was not considered at this hearing).*
- Z-8** **TOMMY'S EXPRESS BY NORTHGATE** (The Medford Family Limited Partnership, owners) requesting rezoning from **PSC** to **NRC** for a car wash in land lot 583 of the 17th district. Property is located on the northwest corner of the intersection of Bells Ferry Road and Ernest Barrett Parkway (2595 Bells Ferry Road). *(Continued by Staff from the April 4, 2023, Planning Commission (PC) hearing until the May 2, 2023, PC hearing; therefore, was not considered at this hearing).*

Mr. Martin 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 Hughes, second by Anderson, to **approve** the Consent Agenda, *as presented:*

- Z-7** **PATRICIA CUNNINGHAM** (Pat Cunningham, owner) requesting rezoning from **GC** to **R-15** for a single-family residence in land lots 1208 and 1241 of the 16th district. Property is located on the east side of Lott Avenue, at the terminus of Rosewood Circle (17 Lott Avenue).

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CONSENT AGENDA (CONT.)

Z-7 PATRICIA CUNNINGHAM (CONT.)

To recommend **approval** of Z-7 to the **R-15** zoning district, subject to:

- 1. Single-family use *only***
- 2. Stormwater Management Division comments and recommendations**
- 3. Department of Transportation comments and recommendations**
- 4. Inclusion on the Consent Agenda for the Board of Commissioners' Zoning Hearing on April 18, 2023**

CONSENT VOTE: **ADOPTED** 3-0, Beloin and Dance not present

REGULAR AGENDA

Z-55'²² **KENNETH B. CLARY** (Kenneth B. Clary, owner) requesting rezoning from **R-30** to **R-15** for a single-family subdivision in land lots 25, 54, and 55 of the 1st district. Property is located on the north side of Post Oak Tritt Road, west of McPherson Road (4701 Post Oak Tritt Road). *(Previously continued by Staff from the September 6, 2022, through the March 7, 2023, Planning Commission (PC) hearings until the April 4, 2023, PC hearing).*

The public hearing was opened; Joel Larkin, Richard Grome, Leonard Greski, Grady McWhorter, and Geoffrey Seguin addressed the Planning Commission. Following the presentation and discussion, the following motion was made:

MOTION: Motion by Anderson, second by Hughes, to **hold** Z-55'²² to the May 2, 2023, Planning Commission Zoning Hearing, subject to:

- 1. All signs are appropriately labeled to reflect the correct hearing date**

VOTE: **ADOPTED** 3-0, Beloin and Dance not present

Z-2 **SWI INVESTMENTS, LLC** (SWI Investments, LLC, owner) requesting rezoning from **GC** to **PVC** for a mixed-use; retail and multifamily development in land lot 207 of the 17th district. Property is located on the southeast side of Austell Road, northeast of Sandtown Road, and on the north side of Parker Drive (1715 Austell Road, 141 and 143 Parker Drive). *(Previously continued by Staff from the February 7, 2023, and March 7, 2023, Planning Commission (PC) hearings until the April 4, 2023, PC hearing).*

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

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REGULAR AGENDA (CONT.)

Z-2 SWI INVESTMENTS, LLC (CONT.)

MOTION: Motion by Hughes, second by Anderson, to recommend **denial** of Z-2.

VOTE: **ADOPTED** 3-0, Beloin and Dance not present

Z-9 AGUAS VIVAS CENTRO FAMILIAR DE ADORACION INC. (Can Van Nguyen, owner) requesting rezoning from **R-20** to **R-20** for a church in land lots 386 and 412 of the 18th district. Property is located on the north side of South Gordon Road, east of Starling Drive (540 South Gordon Road).

The public hearing was opened; Maya Radovic, Robin Meyer, and Shari Greer addressed the Planning Commission. Following the presentation and discussion, the following motion was made:

MOTION: Motion by Hughes, second by Anderson, to **hold** Z-9 until the May 2, 2023, Planning Commission Zoning Hearing.

VOTE: **ADOPTED** 3-0, Beloin and Dance not present

APPROVAL OF MINUTES

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

March 7, 2023 – Planning Commission Zoning Hearing

VOTE: **ADOPTED** 3-0, Beloin and Dance not present

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

March 27, 2023 – Special Called Meeting/Agenda Review Work Session

VOTE: **ADOPTED** 3-0, Beloin and Dance not present

ADJOURNMENT

The hearing adjourned at 10:22 a.m.



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