

**MINUTES OF ZONING HEARING
COBB COUNTY PLANNING COMMISSION
SEPTEMBER 5, 2023
9:00 A.M.**

The Planning Commission Zoning Hearing was held on Tuesday, September 5, 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
Fred Beloin
Deborah Dance
Michael Hughes

CALL TO ORDER – CHAIRMAN VAULT

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

Mr. John Pederson, Zoning Division Manager, reviewed the hearing procedures and announced the following cases which were *continued*.

CONTINUED CASES

- Z-15** **SDP ACQUISITIONS, LLC** (McCamy Investments, L.P.; McCamy Properties, LLC; BK Properties, L.P.; VKEP-B, LLC owners) requesting rezoning from **R-20, RA-4, GC, O&I, NS, and OS** to **PVC and OS** for mixed use; townhomes, multifamily, office, retail, and warehouse in land lots 364, 365, 428, and 429 of the 16th district. Property is located on the south side of Chastain Road, on the west side of Chastain Meadows Parkway (Chastain Road, Chastain Meadows Parkway). *(Previously continued by Staff from the May 2, 2023, through the September 5, 2023, Planning Commission (PC) hearings until the October 3, 2023, PC hearing; therefore, was not considered at this hearing).*
- Z-31** **DWELL COMMUNITIES, LLC** (ROIB2 Parkwood, LLC, owner) requesting rezoning from **O&I** to **RRC** for multifamily residential in land lot 942 of the 17th district. Property is located on the west side of Parkwood Circle, north of Windy Ridge Parkway (1300 Parkwood Circle). *(Continued by Staff from the September 5, 2023, Planning Commission (PC) hearing until the October 3, 2023, PC hearing; therefore, was not considered at this hearing).*
- Z-32** **TOLL SOUTHEAST LP COMPANY, INC** (Cameron Farms, LLC, owner) requesting rezoning from **RR** to **RA-6** for a single-family residential in land lots 736 and 777 of the 16th district. Property is located on the northwest side of Ross Road, north of Sandy Plains Road (1901 Ross Road, 4299 Farmbrook Lane). *(Continued by Staff from the September 5, 2023, Planning Commission (PC) hearing until the October 3, 2023, PC hearing; therefore, was not considered at this hearing).*

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Mr. Pederson made the following announcement and then read in the Consent Agenda.

INFORMATION REGARDING ZONING CASES

All information regarding zoning cases must be turned in to the Zoning Office on the Monday 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 Beloin, second by Hughes, to **approve** the Consent Agenda, *as revised.*

Z-33 **WILLIAM D. BROWN** (William D. Brown, owner) requesting rezoning from **R-20** to **CRC** for commercial and retail in land lots 789 and 790 of the 19th district. Property is located on the west side of Ernest Barrett Parkway, on the south and east side of Laura Brown Way (6652 Ernest Barrett Parkway).

To recommend **approval** of Z-33 to the **CRC** zoning district, subject to:

- 1. All stipulations of case Z-111 of 2000 (on file in the Zoning Division)**
- 2. Inclusion on the Consent Agenda for the Board of Commissioners' Zoning Hearing on September 19, 2023**

Z-34 **GRAYDON ERIC MCCRITE** (G. Eric McCrite Properties 3, LLC, owner) requesting rezoning from **GC** to **NRC** for light automotive and a specialty contractor cabinet design showroom and warehouse in land lot 2 of the 20th district. Property is located on the east side of Cobb Parkway, north of Awtrey Church Road (4946 and 4948 Cobb Parkway).

To recommend **approval** of Z-34 to the **NRC** zoning district, subject to:

- 1. Site Plan received by the Zoning Division on July 7, 2023, with the District Commissioner approving minor modifications (on file in the Zoning Division)**
- 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. Site Plan Review comments and recommendations**
- 7. Special exception for specialty contractor for use as a cabinet design showroom and warehouse at 4946 Cobb Parkway**
- 8. No outdoor storage or outdoor display of merchandise**
- 9. No wrecked or inoperative cars to be kept outside**
- 10. Site Plan to include the *uses* for each building and to include any *prohibited uses***

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CONSENT AGENDA (CONT.)

Z-34 GRAYDON ERIC MCCRITE (CONT.)

11. If the Board of Commissioners (BOC) approves this request, any change to the exterior of the building or to the *uses*, come back to the BOC as an Other Business item
12. Inclusion on the Consent Agenda for the Board of Commissioners' Zoning Hearing on September 19, 2023

LUP-20 WEST COBB OFFICE INVESTORS LLC (West Cobb Office Investors, LLC, owners) requesting a **Temporary Land Use Permit (Renewal)** for a dance studio in land lot 241 of the 20th district. Property is located on the west side of Kennesaw Due West Road, south of the convergence of Kennesaw Due West Road and Stilesboro Road (1483 Kennesaw Due West Road).

To recommend **approval** of LUP-20 for **24 months**, subject to:

1. If the dance studio *use* is discontinued, then the Land Use Permit (LUP) ceases
2. Planning 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 September 19, 2023

CONSENT VOTE: **ADOPTED 5-0**

REGULAR AGENDA

LUP-18 HALEY LOPEZ (Javier Lopez Garcia, owner) requesting a **Temporary Land Use Permit** to allow more vehicles than the code allows in land lot 261 of the 18th district. Property is located on the north side of Creveis Road, at the terminus of Wanda Lane (1740 Creveis Road). *(Previously continued by Staff from the August 1, 2023, Planning Commission (PC) hearing until the September 5, 2023, PC hearing).*

At the call for LUP-18 (Haley Lopez), the Applicant was not present, and there was no opposition present. By general consensus, the Planning Commission decided to recommend denial; thereafter, the following motion was made:

MOTION: Motion by Hughes, second by Anderson, to recommend **denial** of LUP-18.

VOTE: **ADOPTED 5-0**

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REGULAR AGENDA (CONT.)

Z-29 **GRACE OF GEORGIA PROPERTIES LLC** (Rhonda R. Small, owner) requesting rezoning from **R-30** to **RSL** for a residential subdivision (55+ active adult) in land lot 893 of the 19th district. Property is located on the south side of Morris Road, west of Hiram Lithia Springs Road (3920 Hiram Lithia Springs Road).

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

MOTION: Motion by Hughes, second by Beloin, to recommend **deletion** of Z-29 to the **R-20 OSC** zoning district, subject to:

- 1. Staff comments and recommendations**
- 2. Mandatory Homeowners Association (HOA) to be included**

VOTE: **ADOPTED 5-0**

Z-30 **QUIKTRIP CORPORATION** (BK Canton, LLC, owner) requesting rezoning from **GC** to **NRC** for a convenience store with fuel sales in land lot 60 of the 16th district. Property is located on the south side of Jamerson Road, and the west side of Canton Road (4815 Canton Road).

The public hearing was opened; Kevin Moore, Carol Brown, Mike Nowroozabee, and Reza Atlaschi addressed the Planning Commission. Following the presentation and discussion, the following motion was made:

MOTION: Motion by Dance, second by Hughes, to **hold** Z-30 until the October 3, 2023, Planning Commission Zoning Hearing.

VOTE: **ADOPTED 5-0**

LUP-19 **GONZALO CASTILLO** (Gonzalo Castillo and Beatriz Hernandez, owners) requesting a **Temporary Land Use Permit** to allow more vehicles than the code allows in land lot 143 of the 20th district. Property is located on the north side of Memorial Parkway, west of Jim Owens Road (3570 Memorial Parkway).

At the call for LUP-19 (Gonzalo Castillo), the Applicant was not present, and there was opposition present. Due to the number of people present in opposition, the Planning Commission decided to hear the case.

The public hearing was opened; Melody Knighton and Lieutenant Colonel Terry Madden addressed the Planning Commission. Following the presentation and discussion, the following motion was made:

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REGULAR AGENDA (CONT.)

LUP-19 GONZALO CASTILLO (CONT.)

MOTION: Motion by Beloin, second by Hughes, to recommend **denial** of LUP-19, subject to:

- 1. Applicant to come into compliance within 30 days and to not have more than four vehicles on the property at any given time**

VOTE: **ADOPTED 5-0**

LUP-21 LESLI GONZALEZ (Otoniel Gonzalez, owner) requesting a **Temporary Land Use Permit** to allow more vehicles and adults than the code allows in land lot 795 of the 19th district. Property is located on the north side of Hopkins Court, east of Hopkins Road (3450 Hopkins Court).

At the call for LUP-21 (Lesli Gonzalez), the Applicant was not present, and there was no opposition present. By general consensus, the Planning Commission decided to continue the case; thereafter, the following motion was made:

MOTION: Motion by Hughes, second by Beloin, to **continue** LUP-21 until the October 3, 2023, Planning Commission Zoning Hearing.

VOTE: **ADOPTED 5-0**

APPROVAL OF MINUTES

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

August 1, 2023 – Planning Commission Zoning Hearing

VOTE: **ADOPTED 5-0**

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

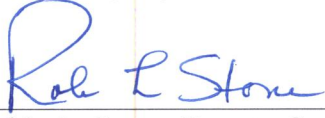
August 28, 2023 – Special Called Meeting/Agenda Review Work Session

VOTE: **ADOPTED 5-0**

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ADJOURNMENT

The hearing adjourned at 10:16 a.m.



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