

**MINUTES OF ZONING HEARING
COBB COUNTY PLANNING COMMISSION
JUNE 4, 2024
9:00 A.M.**

The Planning Commission Zoning Hearing was held on Tuesday, June 4, 2024, 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:

Michael Hughes, Vice Chairman
David Anderson
Fred Beloin – left at 3:40 p.m.
Christine Lindstrom

Stephen Vault, Chairman – arrived at 11:18 a.m.

CALL TO ORDER – VICE CHAIRMAN HUGHES

Vice Chairman Hughes called the hearing to order at 9:02 a.m.

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 John Pederson, Zoning Division Manager, reviewed the hearing procedures and announced the following cases which were *withdrawn, held, or continued*.

WITHDRAWN, HELD, AND CONTINUED CASES

- Z-17** **RESIBUILT** (Techsoft Consulting, LLC, owner) requesting rezoning from **PVC** to **PVC** for a townhome community in land lots 25, 26, 47, and 48 of the 17th district. Property is located on the east side of Hicks Road, on the south side of the East-West Connector, and on the west side of Barnes Meadow Road (4061 and 4085 Hicks Road). *(Previously continued by the Planning Commission (PC) from the April 2, 2024, PC hearing until the May 7, 2024, PC hearing; continued by Staff from the May 7, 2024, PC hearing until the June 4, 2024, PC hearing). WITHDRAWN WITHOUT PREJUDICE*
- SLUP-5** **SUG REAL ESTATE, LLC** (SUG Real Estate, LLC, owner) requesting a **Special Land Use Permit** for a waste transfer station for special contractor in land lot 733 of the 16th district. Property is located on the east side of Canton Road, north of Dorsey Road (2024 Canton Road). *(Previously continued by Staff from the April 2, 2024, and May 7, 2024, Planning Commission (PC) hearings until the June 4, 2024, PC hearing). WITHDRAWN WITHOUT PREJUDICE*
- Z-2** **FLOURNOY DEVELOPMENT GROUP, LLC** (Cobb County, owner) requesting rezoning from **GC** to **RRC** for a multifamily residential building in land lots 763 and 764 of the 17th district. Property is located on the west side of Atlanta Road and on the east side of I-285, south of the intersection of I-285 and Atlanta Road (4600 Atlanta Road). *(Previously continued by Staff from the February 6, 2024, through the June 4, 2024, Planning Commission (PC) hearings until the July 2, 2024, PC hearing; therefore, was not considered at this hearing).*

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WITHDRAWN, HELD, AND CONTINUED CASES (CONT.)

LUP-12 **REGINALD A. RUTHERFORD** (Reginald Allen Rutherford, owner) requesting a **Temporary Land Use Permit** to allow a business and related vehicle parking in land lots 1244, 1245, 1272, 1273, and 1319 of the 19th district. Property is located on the south side of Hiram Lithia Springs Road, east of Holloman Road (5280 Hiram Lithia Springs Road). *(Previously held by the Planning Commission (PC) from the April 2, 2024, through the June 4, 2024, PC hearings until the July 2, 2024, PC hearing; therefore, was not considered at this hearing).*

Z-27 **RICHARD BOROWIEC, RICHIE BS LLC** (Richie B's, LLC, owner) requesting rezoning from **O&I** to **NRC** for a professional office (contractor) and warehouse in land lot 493 of the 16th district. Property is located on the southwest side of Chance Road and on the north side of Shaw Park Road (Chance Road). *(Continued by Staff from the June 4, 2024, Planning Commission (PC) hearing until the July 2, 2024, PC hearing; therefore, was not considered at this hearing).*

Z-29 **CREATOR'S GROUP INVESTMENTS 1, LLC** (The Henson Family Trust, Connie Petty, Stanley Henson, James Max Henson, Linda Baggett, owners) requesting rezoning from **R-20** to **RSL** for residential senior living, non-supportive residential units in land lot 18 of the 20th district. Property is located on the east side of Wade Green Road, north of Meadow Oaks Drive (4856 Wade Green Road).

Mr. Pederson presented the Applicant's request for a continuance of Z-29; thereafter, the following motion was made:

MOTION: Motion by Lindstrom, second by Beloin, to **continue** Z-29 until the July 2, 2024, Planning Commission Zoning Hearing.

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

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 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 Anderson, second by Lindstrom, to **approve** the Consent Agenda, as presented.

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CONSENT AGENDA (CONT.)

LUP-17 **FOUST PROPERTIES, LLC** (Foust Properties, LLC, owner) requesting a **Temporary Land Use Permit** for an auto broker in land lots 59 and 94 of the 20th district. Property is located on the south side of Shiloh Road and on the west side of I-75, east of Cherokee Street (1275 Shiloh Road, Suites 2410, 2411).

To recommend **approval** of LUP-17 for **24 months**, subject to:

- 1. Auto Broker office use *only***
- 2. No vehicles shown or exchanged onsite**
- 3. Inclusion on the Consent Agenda for the Board of Commissioners' Zoning Hearing on June 18, 2024**

LUP-18 **C. SUSAN VELASQUEZ** (Genesis Ministries, Inc., owner) requesting a **Temporary Land Use Permit** for a personal care home in land lot 210 of the 16th district. Property is located on the south side of Hawkins Store Road, east of Bells Ferry Road (262 Hawkins Store Road).

To recommend **approval** of LUP-18 for **24 months**, subject to:

- 1. Site Plan received by the Zoning Division on April 1, 2024 (on file in the Zoning Division)**
- 2. Fire Department comments and recommendations**
- 3. Water and Sewer Division comments and recommendations**
- 4. Stormwater Management 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 June 18, 2024**

LUP-19 **JAMIE WHITEHEAD** (Kimala Whitehead, owner) requesting a **Temporary Land Use Permit** for dog grooming in land lots 1229 and 1288 of the 19th district. Property is located on the south side of Gherry Drive, west of Ledford Drive (2041 Gherry Drive).

To recommend **approval** of LUP-19 for **24 months**, subject to:

- 1. Hours of operation to be from 8:00 a.m. until 6:00 p.m., Saturday *only***
- 2. Maximum of three customers per week**
- 3. All customers by appointment *only***
- 4. No boarding of dogs**
- 5. Dogs are to be hand walked, with no outdoor runs or enclosures**
- 6. No signs or outside storage**
- 7. All parking to be on the driveway**
- 8. Applicant to be the only employee; no independent contractors**

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CONSENT AGENDA (CONT.)

LUP-19 JAMIE WHITEHEAD (CONT.)

9. Fire Department comments and recommendations
10. Department of Transportation comments and recommendations
11. Staff comments and recommendations, *not otherwise in conflict*
12. Inclusion on the Consent Agenda for the Board of Commissioners' Zoning Hearing on June 18, 2024

CONSENT VOTE: **ADOPTED** 4-0, Vault not present

REGULAR AGENDA

Z-40^{'23} ATLANTA REMEDIATION GROUP, LLC (Vanessa Pichardo, owner) requesting rezoning from **R-20** to **LI** for a specialty contractor and parking of RVs and boats in land lot 204 of the 16th district. Property is located on the south side of Shallowford Road, east of Canton Road (1018 Shallowford Road). *(Previously continued by Staff from the October 3, 2023, through the May 7, 2024, Planning Commission (PC) hearings until the June 4, 2024, PC hearing).*

The public hearing was opened; Adam Rozen, Carol Brown, Brandon Duck, and Janice Duck Love addressed the Planning Commission. Following the presentation and discussion, the following motion was made:

MOTION: Motion by Lindstrom, second by Beloin, to recommend **deletion** of Z-40^{'23} to the **NRC** zoning district *with special exception use for a specialty contractor*, subject to:

1. Letter of agreeable conditions from Adam Rozen dated May 28, 2024 (on file in the Zoning Division), with the following changes:
 - A. Paragraph 3, sentence 2 – strike and replace with, *“The application to read, Delete to NRC for Neighborhood and Office and one operation only.”*
 - B. Paragraph 4, item 2 – strike and replace with, *“The rezoning to NRC shall allow for one professional contractor’s office and their operations only. A limit of five contractor light trucks/vans of that one contractor’s office are allowed to park directly along the east side of the house only on existing gravel and using commercial parking blocks to distinguish the five spaces. No parking is allowed behind the house.”*
 - C. Paragraph 4, item 3 – Total list of prohibited uses include the following:
 1. Billiards or pool halls
 2. Vape and smoke shops
 3. Gun shops

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REGULAR AGENDA (CONT.)

Z-40'²³

ATLANTA REMEDIATION GROUP, LLC (CONT.)

4. Pawn shops
 5. Massage parlors
 6. Recycling collection location
 7. Used car sales, auto/light truck repair
 8. Dog runs
 9. Contractor as a special exception with heavy equipment (12,500 lbs. or greater)
 10. Diesel repairs
 11. Welding or fabrication businesses
 12. Transfer stations
- D. Paragraph 3, item 4 – add to the end: *“Landscaping along the back borders to be maintained as long as a residential area behind the borders exist. The County Arborist and District Commissioner will have final approval of any landscaping done.”***
2. No construction debris is to be on the site
 3. No outdoor work, all work to be performed within an enclosed garage
 4. Any landscaping along the road frontage as recommended by the County Arborist and approved by the District Commissioner
 5. Hours of operation to be Monday through Friday, 7:00 a.m. until 6:00 p.m.; Saturday, 8:00 a.m. until 2:00 p.m.; Sunday is closed
 6. A new, eight-foot, black vinyl-coated chain link fence to replace the current chain link fence separating the residents' properties to those properties backing up directly to the residences
 7. The storage container located on the east side of the property to remain
 8. Signage to be discussed and approved by the District Commissioner
 9. Staff comments and recommendations, *not otherwise in conflict*
 10. Size of garage shall be no greater than 850 square feet

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

Z-52'²³

1054 INVESTMENT GROUP L.L.C. (1054 Investment Group, LLC; James Vincent Manley, owners) requesting rezoning from **R-20** to **LI** for contractor offices and parking of vehicles on land lot 204 of the 16th district. Property is located on the south side of Shallowford Road, east of Old Shallowford Road (1022, 1028, and 1054 Shallowford Road). *(Previously held by the Planning Commission (PC) from the November 7, 2023, PC hearing until the December 5, 2023, PC hearing; continued by Staff from the December 5, 2023, and February 6, 2024, PC hearings until the March 5, 2024, PC hearing; held by the PC from the March 5, 2024, PC hearing until the April 2, 2024, PC hearing; continued by Staff from the April 2, 2024, and May 7, 2024, PC hearings until the June 4, 2024, PC hearing).*

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REGULAR AGENDA (CONT.)

Z-52'²³ 1054 INVESTMENT GROUP L.L.C. (CONT.)

The public hearing was opened; Kevin Moore, Carol Brown, Brandon Duck, and Janice Duck Love addressed the Planning Commission. Following the presentation and discussion, the following motion was made:

MOTION: Motion by Lindstrom, second by Beloin, to recommend **deletion** of Z-52'²³ to the NRC zoning district *for Neighborhood Retail and Professional uses only*, subject to:

1. The list of *prohibited uses* to include the following:
 - A. Billiards or pool halls
 - B. Vape and smoke shops
 - C. Heavy truck repair
 - D. Gun shops
 - E. Pawn and title shops
 - F. Massage parlors
 - G. Convenient stores with fuel sales
 - H. Recycling collection location
 - I. Used car sales
 - J. Contractor with heavy equipment (12,500 lbs. or greater)
 - K. Auto or Diesel repairs
 - L. Welding or fabrication
 - M. Transfer stations
2. No outside storage, including autos, RVs, trucks, boats, containers, roll-offs, machinery, and garden debris
3. No work to be done outside
4. If the house is to remain, parking for customers and employees to be clearly lined and clean on a level impervious surface near the house
5. If a dumpster is required in the future, the dumpster shall be enclosed, on a pad, out of sight, and emptied weekly and follow Cobb County requirements; dumpster size should be no more than six yards
6. No business which emits odors, noxious fumes, or sounds
7. No roll-off containers or bins shall be dropped off and stored on the properties
8. Landscaping along the road frontage shall be consistent with its neighbor, Z-40'²³, as recommended by the County Arborist and approved by the District Commissioner
9. Impervious surface not to exceed 70%
10. Sidewalk shall be installed along all frontage areas connecting property at Z-40'²³ to the existing car wash located past property at Z-52'²³

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REGULAR AGENDA (CONT.)

Z-52²³

1054 INVESTMENT GROUP L.L.C. (CONT.)

11. Hours of operation to be Monday through Friday, 7:00 a.m. until 6:00 p.m.; Saturday, 8:00 a.m. until 2:00 p.m.; Sunday is closed
12. No chain-link or barbed wire fencing anywhere in the front or middle of the property
13. Removal of all existing sheds and metal buildings
14. Stormwater detention pond shall be added to the property
15. The following stipulations shall apply to those three parcels whose rear borders face residences along Judy Ann Lane:
 - A. The neighbors request a new, black, vinyl-coated, eight-foot, chain link fence along residences property lines; all old fencing, wood or chain-link, shall be removed from the property
 - B. Landscaping shall be installed within the buffer along the borderline backing up to the residences and maintained in perpetuity; the landscaping shall be approximately four feet high which can reach the height of six feet within two years; while two rows of Thuja Green Giant Arborvitae are recommended, the County Arborist and District Commissioner shall have final approval of any proposed landscaping
 - C. The front and side setbacks to remain as they currently are (per NRC code, no variances)
 - D. The rear buffer shall be 40 feet from the rear property line
16. All currently parked cars, RVs, boats, heavy machinery, dump trucks, tires, slide off containers to be removed from the site within 60 days; after the 60 days, Code Enforcement to inspect the four parcels every three months for one year
17. Random surface soil testing shall be performed on the property within 60 days of the Board of Commissioners' (BOC) approval; any petroleum or chemical pollutants found to be removed in compliance with Federal and State rules

VOTE: **ADOPTED** 3-1, Anderson opposed and Vault not present

Vice Chairman Hughes called for a brief recess from 10:57 a.m. until 11:08 a.m.

Z-9

THOMAS OROK (Florence Odang Okonta, owner) requesting rezoning from **CRC** and **R-20** to **RM-8** for a townhome community in land lot 1300 of the 19th district. Property is located on the north side of Veterans Memorial Highway and on the west side of Burrus Road (1558 Veterans Memorial Highway). *(Previously continued by Staff from the March 5, 2024, through the May 7, 2024, Planning Commission (PC) hearings until the June 4, 2024, PC hearing).*

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REGULAR AGENDA (CONT.)

Z-9 THOMAS OROK (CONT.)

The public hearing was opened; Parks Huff and Robin Meyer addressed the Planning Commission. Following the presentation and discussion, the following motion was made:

MOTION: Motion by Hughes, second by Beloin, to **hold** Z-9 until the August 6, 2024, Planning Commission Zoning Hearing.

VOTE: **ADOPTED** 4-0, Vault abstained

Clerk's Note: Chairman Vault abstained from voting since he arrived during the public hearing portion of this case. Vice Chairman Hughes held the case to allow the Applicant more time to handle the sight distance matters, develop architectural elevations, consider public/private streets (interior), buffer issues, and density (Staff recommends five units per acre).

Mr. Pederson announced that several cases were moved forward on the agenda and heard next to accommodate the attorney's schedule this afternoon.

Z-26 NGC Holdings, LLC (BK Canton, LLC, owner) requesting rezoning from GC to NRC for a convenience store with fuel sales and retail 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). *(Continued by Staff from the May 7, 2024, Planning Commission (PC) hearing until the June 4, 2024, PC hearing).*

The public hearing was opened; Parks Huff, Lawton Jordan, and Carol Brown addressed the Planning Commission. Following the presentation and discussion, the following motion was made:

MOTION: Motion by Lindstrom, second by Beloin, to recommend approval of Z-26 to the NRC zoning district, subject to:

1. The list of *prohibited uses* to include the following:
 - A. Billiards or pool halls
 - B. Vape and smoke shops
 - C. Auto/truck repair or auto sales
 - D. Gun shops
 - E. Pawn and title shops
 - F. Massage parlors
 - G. Fuel sales
 - H. Recycling collection location
2. Staff comments and recommendations, *not otherwise in conflict*
3. Stormwater Management Division comments and recommendations, *including the "Special Conditions"*

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REGULAR AGENDA (CONT.)

Z-26 NGC Holdings, LLC (CONT.)

4. Any landscaping to be added has to be reviewed by the County Arborist and approved by the District Commissioner
5. Any modification of the Site Plan or amendment of stipulations to come back to the Board of Commissioners (BOC) as an Other Business Item
6. Speed bump to be added at the property line where the drive patterns meet on the shared driveway access

Prior to the vote, discussion ensued where Ms. Lindstrom withdrew her initial motion for Z-26 and decided to make a new motion.

MOTION: Motion by Lindstrom, second by Beloin, to **withdraw** the initial motion for Z-26.

VOTE: **ADOPTED** 5-0

MOTION: Motion by Lindstrom, second by Beloin, to **hold** Z-26 until the July 2, 2024, Planning Commission Zoning Hearing.

VOTE: **ADOPTED** 5-0

Chairman Vault called for a lunch recess at 12:10 p.m. The hearing reconvened at 1:15 p.m.

By general consensus, companion cases, Z-25 and SLUP-6 (LCD Acquisitions, LLC; Townpark Renaissance, LLC), were heard concurrently but voted on separately.

Z-25 LCD ACQUISITIONS, LLC; TOWNPARK RENAISSANCE, LLC (Townpark Renaissance, LLC, owner) requesting rezoning from **OMR** to **RRC** for a purpose-built student housing development in land lots 358 and 363 of the 16th district. Property is located on the east side of Townpark Drive, north of Townpark Lane (112 Townpark Drive). *(Continued by Staff from the May 7, 2024, Planning Commission (PC) hearing until the June 4, 2024, PC hearing).*

SLUP-6 LCD ACQUISITIONS, LLC; TOWNPARK RENAISSANCE, LLC (Townpark Renaissance, LLC, owner) requesting a **Special Land Use Permit** for purpose-built student housing in land lots 358 and 363 of the 16th district. Property is located on the east side of Townpark Drive, north of Townpark Lane (112 Townpark Drive). *(Continued by Staff from the May 7, 2024, Planning Commission (PC) hearing until the June 4, 2024, PC hearing).*

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REGULAR AGENDA (CONT.)

Z-25 & SLUP-6 LCD ACQUISITIONS, LLC; TOWNPARK RENAISSANCE, LLC (CONT.)

The public hearing was opened; Parks Huff, Amir Levin, Tullan Avard, Robin Grajeda, and Aaron Stange addressed the Planning Commission. Following the presentation and discussion, the following motion was made:

MOTION: Motion by Lindstrom, second by Beloin, to recommend denial of Z-25.

VOTE: FAILED 2-3, Vault, Anderson, and Hughes opposed

Following the vote for Z-25, the following motion was made for companion case, SLUP-6:

MOTION: Motion by Lindstrom, second by Beloin, to recommend denial of SLUP-6.

VOTE: FAILED 2-3, Vault, Anderson, and Hughes opposed

Due to the failed motions for Z-25 and SLUP-6, Chairman Vault made the following alternative motions:

MOTION: Motion by Vault, second by Hughes, to **hold** Z-25 until the July 2, 2024, Planning Commission Zoning Hearing.

VOTE: **ADOPTED** 5-0

MOTION: Motion by Vault, second by Hughes, to **hold** SLUP-6 until the July 2, 2024, Planning Commission Zoning Hearing.

VOTE: **ADOPTED** 5-0

***Clerk's Note:** The Planning Commission requested that the Applicant meet with the opposition to discuss issues regarding density.*

Z-15 DILLON INVESTMENTS, LLC (Dillon Investments, LLC, owner) requesting rezoning from **LRO** and **R-80** to **LRO** and **R-80** for a professional office and single-family residence in land lot 428 of the 19th district. Property is located on the north side of Macland Road and on the west side of Villa Rica Road (2080 Villa Rica Road). *(Previously held by the Planning Commission (PC) from the April 2, 2024, PC hearing until the May 7, 2024, PC hearing; continued by Staff from the May 7, 2024, PC hearing until the June 4, 2024, PC hearing).*

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REGULAR AGENDA (CONT.)

Z-15 DILLON INVESTMENTS, LLC (CONT.)

The public hearing was opened; Parks Huff and Patrick Dodson addressed the Planning Commission. Following the presentation and discussion, the following motion was made:

MOTION: Motion by Beloin, second by Hughes, to recommend **approval** of Z-15 to the **LRO** and **R-80** zoning districts, subject to:

- 1. District Commissioner to approve the final Site Plan**
- 2. The LRO portion of the site to be for professional office uses *only***
- 3. Adherence to Macland Road Design Guidelines**
- 4. A 20-foot landscape buffer as required on the LRO portion adjacent to the portion of the property proposed to be zoned residentially**
- 5. Fire Department comments and recommendations**
- 6. Water and Sewer Division comments and recommendations**
- 7. Stormwater Management Division comments and recommendations**
- 8. Department of Transportation comments and recommendations**
- 9. Applicant to provide a new Site Plan showing the property line more perpendicular to the roadway to the east (Villa Rica)**

VOTE: **ADOPTED 5-0**

Chairman Vault called for a brief recess from 2:36 p.m. until 2:46 p.m. Following the recess, Mr. Pederson announced that LUP-14 (Flora Esmeralda Gonzalez) would be heard next.

LUP-14 FLORA ESMERALDA GONZALEZ (Flora Esmeralda Gonzalez, owner) requesting a **Temporary Land Use Permit** to allow more vehicles than the code allows in land lot 55 of the 20th district. Property is located on the south side of Hickory Cove, west of Hickory Chase (1607 Hickory Cove). ***(Continued by the Planning Commission (PC) from the May 7, 2024, PC hearing until the June 4, 2024, PC hearing)***

The public hearing was opened; Laura Notero (translator for the Applicant), and Flora Esmeralda Gonzalez addressed the Planning Commission. Following the presentation and discussion, the following motion was made:

MOTION: Motion by Beloin, second by Lindstrom, to recommend **approval** of LUP-14 for **24 months**, subject to:

- 1. Up to seven vehicles**
- 2. Applicant to saw/cut off a portion of the driveway to reduce the total impervious surface to 40% or less**

VOTE: **ADOPTED 5-0**

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REGULAR AGENDA (CONT.)

Z-10 **PAUL A EDJUA (POPOL LLC)** (POPOL, LLC, owner) requesting rezoning from **GC** and **R-15** to **NRC** for a retail center in land lot 1140 of the 19th district. Property is located on the west side of Austell Road and on the south side of Warren Drive (4878 Austell Road, Warren Drive). *(Previously held by the Planning Commission (PC) from the April 2, 2024, and May 7, 2024, PC hearings until the June 4, 2024, PC hearing).*

The public hearing was opened; Paul Edjua and Robin Meyer addressed the Planning Commission. Following the presentation and discussion, the following motion was made:

MOTION: Motion by Hughes, second by Anderson, to recommend **approval** of Z-10 to the **NRC** zoning district, subject to:

- 1. Final Site Plan dated May 24, 2024 (on file in the Zoning Division)**
- 2. Variance to reduce the major side yard setback from 35-feet to 15-feet**
- 3. Final Landscaping Plan be approved by the District Commissioner**
- 4. Landscaping Plan to include an eight-foot privacy fence and evergreen plantings adjacent to the residentially zoned property to the west**
- 5. No outdoor storage or display of merchandise**
- 6. The exterior of the structure shall consist of glazing, stucco, masonry, stacked rock, or some combination thereof, and the District Commissioner shall approve the final architectural elevation**
- 7. Applicant to provide a Lighting Plan**
- 8. Fire Department comments and recommendations**
- 9. Water and Sewer Division comments and recommendations**
- 10. Stormwater Management Division comments and recommendations**
- 11. Department of Transportation comments and recommendations**
- 12. Adherence to the Austell Road Design Guidelines**
- 13. Inclusion on the Consent Agenda for the Board of Commissioners' Zoning Hearing on June 18, 2024**

VOTE: **ADOPTED 5-0**

Z-11 **SALT SPRINGS LLC** (Salt Springs, LLC, owner) requesting rezoning from **NS** to **LI** for an office and warehouse in land lot 35 of the 17th district. Property is located on the west side of Old Floyd Road and on the north side of Center Street (5420 Old Floyd Road). *(Previously held by the Planning Commission (PC) from the April 2, 2024, and May 7, 2024, PC hearings until the June 4, 2024, PC hearing).*

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REGULAR AGENDA (CONT.)

Z-11 SALT SPRINGS LLC (CONT.)

At the call for Z-11, the Applicant was not present, but there was opposition present. The Planning Commission decided to hear the case; thereafter, the public hearing was opened, and Robin Meyer addressed the Planning Commission. Following the presentation and discussion, the following motion was made:

MOTION: Motion by Hughes, second by Beloin, to recommend **denial** of Z-11.

VOTE: **ADOPTED 5-0**

Z-18 SUG REAL ESTATE, LLC (SUG Real Estate, LLC, owner) requesting rezoning from **GC** to **LI** for a contractor (special) in land lot 733 of the 16th district. Property is located on the east side of Canton Road, north of Dorsey Road (2024 Canton Road). *(Previously continued by Staff from the April 2, 2024, and May 7, 2024, Planning Commission (PC) hearings until the June 4, 2024, PC hearing).*

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

MOTION: Motion by Lindstrom, second by Beloin, to recommend **deletion** of Z-18 to the **NRC** zoning district *with special exception use for a specialty contractor*, subject to:

1. The list of *prohibited uses* to include the following:
 - A. Billiards or pool halls
 - B. Vape and smoke shops
 - C. Gun shops
 - D. Pawn and title shops
 - E. Massage parlors
 - F. Recycling collection location
 - G. Welding or fabrication
 - H. Auto/truck repair service
 - I. Gas pumps
 - J. Used car sales
 - K. Dog runs
 - L. Diesel repairs
 - M. Transfer stations
2. Hours of operation shall be Monday through Saturday, 7:00 a.m. until 6:00 p.m., closed on Sunday
3. Persons may not reside in the existing house

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REGULAR AGENDA (CONT.)

Z-18 SUG REAL ESTATE, LLC (CONT.)

4. No outside storage, including autos, boats, RVs, trailers, machinery, garden debris
5. Paved parking area is to be lined, as required
6. Back area shall remain graveled (unpaved); empty truck shall be allowed to park at night behind a locked and screen fence
7. The screening on the fence to be free from holes and tears
8. The top part of the fence containing barbed wire shall be removed
9. If used, a small dumpster to be enclosed, on a pad, out of sight, and emptied weekly
10. No business which emits odors, noxious fumes, or sounds
11. No outdoor work; all work to be performed within an enclosed building
12. Landscaping along the road frontage, *if needed*, is to be reviewed by the County Arborist and approved by the District Commissioner
13. Impervious surface not to exceed 70%
14. Staff comments and recommendations, *not otherwise in conflict*

VOTE: **ADOPTED** 5-0

Mr. Beloin left the hearing at 3:40 p.m.

Z-28 MARSHELL E. DRINKARD (China Drinkard and Marshall Drinkard, owners) requesting rezoning from **R-20** to **LI** for a automotive repair shop in land lots 504 and 505 of the 18th district. Property is located on the north side of Six Flags Parkway, west of Queensferry Drive (469 Six Flags Parkway).

The public hearing was opened; Marshall Drinkard and Robin Meyer addressed the Planning Commission. Following the presentation and discussion, the following motion was made:

MOTION: Motion by Hughes, second by Anderson, to recommend **denial** of Z-28.

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

APPROVAL OF MINUTES

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

May 7, 2024 – Planning Commission Zoning Hearing

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

**MINUTES OF ZONING HEARING
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APPROVAL OF MINUTES (CONT.)

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

May 28, 2024 – Special Called Meeting/Agenda Review Work Session

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

ADJOURNMENT

The hearing adjourned at 4:03 p.m.



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