

**MINUTES OF ZONING HEARING
COBB COUNTY PLANNING COMMISSION
AUGUST 6, 2024
9:00 A.M.**

The Planning Commission Zoning Hearing was held on Tuesday, August 6, 2024, in the second-floor public meeting room of the David Hankerson Building, 100 Cherokee Street, Marietta, Georgia. Present and comprising a quorum of the Commission were:

Michael Hughes, Vice Chairman
David Anderson
Fred Beloin
Christine Lindstrom

Stephen Vault, Chairman – not present

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 *continued*.

CONTINUED CASES

- 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 August 6, 2024, Planning Commission (PC) hearings until the September 3, 2024, PC hearing; therefore, was not considered at this hearing).*
- Z-39** **ASHER HOMES, INC.** (Apple Investments, Inc., owner) requesting rezoning from **R-20** to **R-15** for a single-family residence in land lots 219 and 286 of the 17th district. Property is located on the north side of Hill Street, northwest of Garrison Road (151 Hill Street). *(Continued by Staff from the August 6, 2024, Planning Commission (PC) hearing until the September 3, 2024, PC hearing; therefore, was not considered at this hearing).*
- Z-40** **ELITE ENGINEERING** (Aarish Group of Investment, LLC, owner) requesting rezoning from **GC** and **NS** to **GC** for a convenience store with fuel sales in land lot 296 of the 20th district. Property is located on the southwest side of Due West Road, northwest of Lisas Drive (3807 Due West Road). *(Continued by Staff from the August 6, 2024, Planning Commission (PC) hearing until the September 3, 2024, PC hearing; therefore, was not considered at this hearing).*

**MINUTES OF ZONING HEARING
COBB COUNTY PLANNING COMMISSION
AUGUST 6, 2024
PAGE 2**

CONTINUED CASES (CONT.)

- Z-43** **CAMPUS REALTY ADVISORS, LLC** (Glenn Chastain, LLC, owner) requesting rezoning from **OS** to **RRC** for purpose-built student housing in land lot 430 of the 16th district. Property is located at the terminus of Chastain Center Boulevard, south of Chastain Road (500 Chastain Center Boulevard). *(Continued by Staff from the August 6, 2024, Planning Commission (PC) hearing until the September 3, 2024, PC hearing; therefore, was not considered at this hearing).*
- Z-44** **MANOR RESTORATIONS, LLC** (Zoe Christian Fellowship, Inc.; Dabney Partners, LLC, owners) requesting rezoning from **NRC** and **R-20** to **RM-8** for a townhome community in land lots 165, 166, and 180 of the 18th district. Property is located on the south side of Veterans Memorial Highway, on the west side of Queen Mill Road, and on the northwest and southeast side of Hickory Trail south of Veterans Memorial Highway and on the south side of Blackhawk Trail (922 Veterans Memorial Highway, Queen Mill Road, 6001 Hickory Trail). *(Continued by Staff from the August 6, 2024, Planning Commission (PC) hearing until the September 3, 2024, PC hearing; therefore, was not considered at this hearing).*
- SLUP-9** **CAMPUS REALTY ADVISORS, LLC** (Glenn Chastain, LLC, owner) requesting a **Special Land Use Permit** for purpose-built student housing in land lot 430 of the 16th district. Property is located at the terminus of Chastain Center Boulevard, south of Chastain Road (500 Chastain Center Boulevard). *(Continued by Staff from the August 6, 2024, Planning Commission (PC) hearing until the September 3, 2024, PC hearing; therefore, was not considered at this hearing).*

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 Beloin, second by Lindstrom, to **approve** the Consent Agenda, *as revised.*

**MINUTES OF ZONING HEARING
COBB COUNTY PLANNING COMMISSION
AUGUST 6, 2024
PAGE 3**

CONSENT AGENDA (CONT.)

Z-32 **EMILY G. DUNN** (Larimore Holdings, LLC, owner) requesting rezoning from **GC** to **NRC** for retail and a warehouse in land lot 60 of the 16th district. Property is located on the west side of Canton Road, north of Jamerson Road (4925 Canton Road). *(Continued by Staff from the July 2, 2024, Planning Commission hearing until the August 6, 2024, PC hearing).*

At the call for Z-32, Ms. Lindstrom made the request that the case be continued; thereafter, the following motion was made:

MOTION: Motion by Lindstrom, second by Beloin, to **continue** Z-32 until the September 3, 2024, Planning Commission Zoning Hearing.

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

Z-36 **DRB GROUP GEORGIA, LLC** (Adventus US Realty #10 LP, owner) requesting rezoning from **GC** to **RM-12** for a townhome community in land lot 209 of the 20th district. Property is located on the southeast side of Lodge Road, east of Greers Chapel Road (265 Lodge Road).

To recommend **approval** of Z-36 to the **RM-12** zoning district, subject to:

- 1. Site Plan received by the Zoning Division on June 5, 2024, with the District Commissioner approving minor modifications (on file in the Zoning Division)**
- 2. Final home elevations to be approved by the District Commissioner**
- 3. Variances contained in the Zoning Division comments and recommendations**
- 4. Department of Transportation comments and recommendations**
- 5. Fire Department comments and recommendations**
- 6. Stormwater Management Division comments and recommendations**
- 7. Water and Sewer Division comments and recommendations**
- 8. Inclusion on the Consent Agenda for the Board of Commissioners' Zoning Hearing on August 20, 2024**

At the call for Z-38 (Murray D. Gray, III), opposition was present; therefore, Z-38 was pulled from the Consent Agenda and heard on the Regular Agenda in its numerical order (see page 5 of these minutes).

LUP-24 **DOREAS LABOY** (History Makers Church, Inc., owner) requesting a **Temporary Land Use Permit (Renewal)** for a daycare in land lot 87 of the 17th district. Property is located on the south side of Windy Hill Road, and the west side of Favor Road (76 Windy Hill Road).

**MINUTES OF ZONING HEARING
COBB COUNTY PLANNING COMMISSION
AUGUST 6, 2024
PAGE 4**

CONSENT AGENDA (CONT.)

LUP-24 DOREAS LABOY (CONT.)

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

- 1. Site Plan received by the Zoning Division on May 21, 2024, with District Commissioner approving minor modifications (on file in the Zoning Division)**
- 2. Maximum of 47 children**
- 3. Austell Road Design Guidelines must be met for any future site improvements**
- 4. Fire Department comments and recommendations**
- 5. Stormwater Management Division comments and recommendations**
- 6. Water and Sewer Division comments and recommendations**
- 7. Department of Transportation comments and recommendations**
- 8. Inclusion on the Consent Agenda for the Board of Commissioners' Zoning Hearing on August 20, 2024**

At the call for SLUP-8 (Blake Bondurant), opposition was present; therefore, SLUP-8 was pulled from the Consent Agenda and heard on the Regular Agenda in its numerical order (see page 8 of these minutes).

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

REGULAR AGENDA

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 northwest corner of Veterans Memorial Highway and Burrus Road (1558 Veterans Memorial Highway). *(Previously continued by Staff from the March 5, 2024, through the July 2, 2024, Planning Commission (PC) hearings until the August 6, 2024, PC hearing).*

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 Lindstrom, to **hold** Z-9 until the September 3, 2024, Planning Commission Zoning Hearing.

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

***Clerk's Note:** The Planning Commission requested the Applicant 1) meet with the community to address concerns, 2) provide a revised Site Plan showing 32 units, incorporate stormwater placement and sizing, and reassess the access study information, and 3) provide more detailed elevations.*

**MINUTES OF ZONING HEARING
COBB COUNTY PLANNING COMMISSION
AUGUST 6, 2024
PAGE 5**

REGULAR AGENDA (CONT.)

LUP-23 (Wayne Kaweck) was moved up on the Regular Agenda and heard next.

LUP-23 **WAYNE KAWECK** (Wayne A. Kaweck, owner) requesting a **Temporary Land Use Permit** to allow more vehicles and adults than the code allows in land lots 20 and 57 of the 20th district. Property is located at the terminus of Westfield Row, east of Parkwood Chase (882 Westfield Row).

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

MOTION: Motion by Lindstrom, second by Anderson, to recommend **approval** of LUP-23 for **12 months**.

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

At the call for Z-35 (Chuck Owuzo), the Applicant was not present, and there was no opposition present. The case was put on hold to see if Staff could reach the Applicant. Later in the hearing, the Applicant was present, and the case was heard (see page 7 of these minutes).

Z-37 **BOSCO IKEAKANAM** (Sunrise GA Inc., owner) requesting rezoning from **R-20** to **O&I** for a doctor's office in land lot 1006 of the 19th district. Property is located on the west side of Austell Road, north of Drennon Avenue (4470 Austell Road).

The public hearing was opened; Wes Hughes 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-37 until the September 3, 2024, Planning Commission Zoning Hearing.

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

Z-38 **MURRAY D. GRAY, III** (Murray D. Gray, III and Tammy F. Gray, owners) requesting rezoning from **R-80** to **R-40** for a single-family residence in land lot 1260 of the 16th district. Property is located on the east side of Atlanta Country Club Drive and on the south side of Paper Mill Road (101 Atlanta Country Club Drive).

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

**MINUTES OF ZONING HEARING
COBB COUNTY PLANNING COMMISSION
AUGUST 6, 2024
PAGE 6**

REGULAR AGENDA (CONT.)

Z-38 MURRAY D. GRAY, III (CONT.)

MOTION: Motion by Anderson, second by Beloin, to recommend **approval** of Z-38 to the **R-40** zoning district, subject to:

- 1. Addition of a 10-ft landscape buffer on the eastern property line**
- 2. Since there will be a new lot split line added, a 10-ft privacy buffer (five feet on each side) shall be installed along the lot split line**
- 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. Site Plan Review comments and recommendations**

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

Z-41 EASTWOOD HOMES OF GEORGIA, LLC (Lee F. Jaraysi, owner)
requesting rezoning from **R-20** to **RSL** for residential senior living, non-supportive units in land lots 488 and 489 of the 19th district. Property is located on the west side of Powder Springs Road, south of Heritage Green Drive (1860 Powder Springs 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 Hughes, second by Anderson, to recommend **approval** of Z-41 to the **RSL** zoning district, subject to:

- 1. Letter of agreeable conditions from Kevin Moore dated July 29, 2024 (on file in the Zoning Division)**
- 2. Maximum number of dwelling units to be 22, with the District Commissioner to approve the final Site Plan**
- 3. District Commissioner to approval final building elevations**
- 4. Fire Department comments and recommendations**
- 5. Water and Sewer Division comments and recommendations**
- 6. Department of Transportation comments and recommendations**
- 7. Stormwater Management Division comments and recommendations**
- 8. Inclusion on the Consent Agenda for the Board of Commissioners' Zoning Hearing on August 20, 2024**

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

Vice Chairman Hughes called for a brief recess from 10:43 a.m. until 10:53 a.m.

**MINUTES OF ZONING HEARING
COBB COUNTY PLANNING COMMISSION
AUGUST 6, 2024
PAGE 7**

REGULAR AGENDA (CONT.)

Z-35 **CHUCK OWUZO** (Chukwuma Chuck Owuzo, owner) requesting rezoning from **RA-6** and **NRC** to **RSL** for residential senior living, supportive units 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).

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

MOTION: Motion by Hughes, second by Lindstrom, to **hold** Z-35 until the September 3, 2024, Planning Commission Zoning Hearing.

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

Z-42 **FH&L HOLDINGS, LLC** (T.D. Management Ltd., owner) requesting rezoning from **NS** to **NRC** for an auto spa in land lot 107 of the 16th district. Property is located on the north side of Sandy Plains Road, west of Alabama Road (4701 Sandy Plains 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 Lindstrom, second by Beloin, to recommend **approval** of Z-42 to the **NRC** zoning district, subject to:

1. **Letter of agreeable conditions from Kevin Moore dated July 30, 2024 (on file in the Zoning Division)**
2. **Hours of operation shall be Monday through Saturday from 8:00 a.m. until 7:00 p.m., and Sunday from 9:00 a.m. until 7:00 p.m.**
3. **No backlighting on the car wash building**
4. **Signage shall use stacked stone**
5. **Maximum tower height of 35-feet**
6. **Staff comments and recommendations, *not otherwise in conflict***

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

LUP-22 **JOSE L. RODRIGUEZ NOYOLA** (Jose Luis Rodriguez Noyola, owner) requesting a **Temporary Land Use Permit** to allow commercial vehicles and equipment to be parked on a residential property in land lot 298 of the 17th district. Property is located on the south side of Cranfill Road and on the west side of Clearview Street (406 Cranfill Road).

**MINUTES OF ZONING HEARING
COBB COUNTY PLANNING COMMISSION
AUGUST 6, 2024
PAGE 8**

REGULAR AGENDA (CONT.)

LUP-22 JOSE L. RODRIGUEZ NOYOLA (CONT.)

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

MOTION: Motion by Lindstrom, second by Anderson, to recommend **denial** of LUP-22, subject to:

- 1. Applicant to have all the equipment removed from the property within 60 days**

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

SLUP-8 BLAKE BONDURANT (Thomas Concrete of Georgia, Inc.; Kenneth Eugene Hewatt and Jodielyn Hill Hewatt, owners) requesting a **Special Land Use Permit** for a baseball complex in land lots 86 and 87 of the 16th district. Property is located on the south side of Jamerson Road, on the east side of Lake Drive, and on the west side of Lee Waters Road (4775 Lake Drive and Jamerson Road, and 4785 Lee Waters Road).

The public hearing was opened, and Blake Bondurant 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 SLUP-8, subject to:

- 1. Site Plan received by the Zoning Division dated July 1, 2024, with District Commissioner approving minor modifications (on file in the Zoning Division)**
- 2. District Commissioner to approve final building architecture and elevations**
- 3. Variances contained in the Zoning comments and recommendations**
- 4. Fire Department comments and recommendations**
- 5. Water and Sewer Division comments and recommendations**
- 6. Department of Transportation comments and recommendations**
- 7. Stormwater Management Division comments and recommendations**
- 8. Install protective netting of at least 40-ft in height on the field adjacent to Jamerson Road and Lee Waters Road**
- 9. Inclusion on the Consent Agenda for the Board of Commissioners' Zoning Hearing on August 20, 2024**

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

**MINUTES OF ZONING HEARING
COBB COUNTY PLANNING COMMISSION
AUGUST 6, 2024
PAGE 9**

APPROVAL OF MINUTES

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

July 2, 2024 – Planning Commission Zoning Hearing

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

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

July 29, 2024 – Special Called Meeting/Agenda Review Work Session

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

ADJOURNMENT

The hearing adjourned at 11:55 a.m.



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