



Community Development – Zoning Division

John Pederson – Division Manager

ZONING CASE

Z-80-2022

SITE BACKGROUND

Applicant	Renata Diniz
Phone	404-936-3499
Email	sales@primesurfacegroup.com
Representative Contact	Garvis L. Sams, Jr.
Phone	770-422-7016
Email	gsams@samslarkinhuff.com
Titleholder	Patricia A. Glore, Michael B. Allen
Property Location	Located on the north side of Veterans Memorial Highway, east of Vonda Lane
Address	Veterans Memorial Highway
Access to Property	Veterans Memorial Highway

QUICK FACTS

Commission District	4-Sheffield
Current Zoning	GC, CRC
Current Use of Property	Undeveloped, wooded lot
Proposed Zoning	PVC
Proposed Use	Mixed-Use Development
Future Land Use	MTC, cac
Site Acreage	6.951
District	19
Land Lot	1294, 1297
Parcel #	19129400300, 19129700470
Taxes Paid	Yes

FINAL ZONING STAFF RECOMMENDATIONS

[Click here to enter text.](#)

Summary of Intent for Rezoning

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Part 1. Residential Rezoning Information (attach additional information if needed) Multi-family-1 BR-728 sq ft;

a) **Proposed unit square-footage(s):** 2 BR-919 sq ft & 880 sq ft; 3BR-1,280 sq ft; and, Townhomes-1,616 sq ft

b) **Proposed building architecture:** To be provided under separate cover.

c) **List all requested variances:** Waive the number of required parking spaces for the residential component from the required 83 spaces (59 for Multi-family and 24 spaces for Townhomes) to a total of 71 spaces.

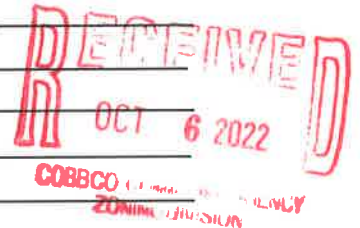
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Part 2. Non-residential Rezoning Information (attach additional information if needed)

a) **Proposed use(s):** One-6,000 square-foot Retail Building

b) **Proposed building architecture:** To be provided under separate cover.

c) **Proposed hours/days of operation:** Typical retail hours.

d) **List all requested variances:** _____



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Part 3. Other Pertinent Information (List or attach additional information if needed)

The Applicant is proposing a Mixed-Use Development with a retail component on the north side of Veterans Memorial Highway, and a mixed residential component of multi-family units and townhomes located behind the proposed retail component.

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Part 4. Is any of the property included on the proposed site plan owned by the Local, State, or Federal Government? (Please list all Right-of-Ways, Government owned lots, County owned parcels and/or remnants, etc., and attach a plat clearly showing where these properties are located). No.

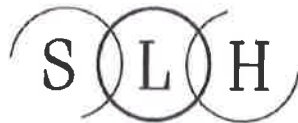
STATEMENT OF INTENT

OF

RENATA DINIZ

Rezoning Application

**for a 6.951 Acre Tract of Land located in
Land Lots 1294 and 1297, 19th District, 2nd Section,
Cobb County, Georgia**



Submitted for the Applicant by:

**Garvis L. Sams, Jr.
Sams, Larkin, & Huff, LLP
Suite 100
376 Powder Springs Street
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This Application for Rezoning seeks specific entitlements in order to allow for the construction and development of a Mixed-Use Community consisting of retail and multi-family residential with amenities. The Subject Property consists of a 6.951-acre tract which is zoned General Commercial (“GC”) and Community Retail Commercial (“CRC”) and which is located along the north side of Veterans Memorial Highway, west of its intersection with Old Bankhead Highway, and east of Vonda Lane.

Cobb County’s Future Land Use Map (“FLUM”) reflects that the Subject Property is located within the confines of a Community Activity Center (“CAC”) which is appropriate for the proposed development of a Mixed-Use Community as proposed and as shown on the site plan and other documentation being submitted herewith.

The Applicant’s proposal is to develop the Subject Property with 46 residential units comprised of 34 multi-family units and 12 townhome units. The proposed Residential component will be comprised of a building with a mixture of one-two story levels consisting of one-, two- and three-bedroom units. The gross square footage of the one-bedroom units will be 728 square feet; the gross area for two-bedroom units will be 919 square feet and 880 square feet; and, the three-bedroom units will have a gross area of 1,280 square feet. The townhomes will be 1,616 square feet. Amenities for the residential component will consist of a leasing office, swimming pool, two tennis courts, and a walking track.

In addition, there will be one building on the front parcel with 6,000 square feet of retail space fronting on Veterans Memorial Highway.

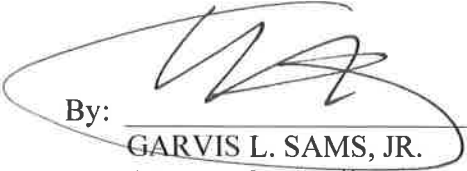
The proposed use will provide an appropriate addition in this area that boasts retail, office, restaurants, residential condominiums, and single-family detached uses.

The proposal for Rezoning to the PVC zoning classification will provide a very livable, new urbanistic environment which will meet the needs and expectations of the individuals who will live there and will constitute a significant enhancement within this area of Veterans Memorial Highway. Approval of this request will provide a transition in the area for redevelopment of existing properties, such as these existing vacant parcels. The proposed mixed-use development will continue the mix of residential and commercial along this portion of Veterans Memorial Highway. The Subject Property is undeveloped, and approval of this request will certainly revitalize an area with residential components and new retail components while complying with the County's Future Land Use Map and by keeping up with emerging development trends in the area. These trends also serve as a catalyst for a positive redevelopment by providing landscaping and amenity areas in the proposed Mixed-Use development. Therefore, based upon the foregoing, the Applicant respectfully requests that its Application for Rezoning be approved while remaining solicitous of any comments from the County's Professional Staff and/or other appointed and elected officials of Cobb County so that such recommendations or input may be incorporated as conditions of the approval of this Rezoning Application.

The Applicant and its representatives welcome the opportunity to meet with Staff of the Cobb County Community Development Agency and area property owners to answer any questions or to address any concerns relating to the matters set forth in this Statement of Intent and/or in the Rezoning Application filed herewith. The Applicant respectfully requests your approval of this Application.

Respectfully submitted, this the 6th day of October, 2022.

SAMS, LARKIN & HUFF, LLP

By: 
GARVIS L. SAMS, JR.
Attorney for Applicant
Georgia Bar No. 623950

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(770) 422-7016

ZONING IMPACT STATEMENT FOR THE
REZONING APPLICATION
OF RENATA DINIZ

COMES NOW, RENATA DINIZ, and, pursuant to §134-121(a)(7) of the Cobb County Zoning Ordinance, files this Zoning Impact Statement, as follows:

- A. The zoning proposal will permit a use of the property which is suitable in the context of development and existing zonings and uses located along this section of the Veterans Memorial Highway Corridor. The Subject Property abuts GC, HI (developed as residential) zoned properties, is separated from R-20 to the north by the railroad. The Subject Property is on the north side of Veterans Memorial Highway, across from GC and RM-8 zoned properties. This proposal will provide retail on the front parcel and multi-family units, including garden townhomes, on the rear parcel.

- B. The zoning proposal will have no adverse effect or impact upon the existing uses or usability of adjacent or nearby properties, the preponderance of which are commercial, industrial-type and residential uses. A preponderance of the properties located along the northern and southern sides of Veterans Memorial Highway are commercially and residentially zoned and utilized.

- C. The Subject Property to be affected by the zoning proposal has no reasonable economic use as currently zoned in that the fair market value of same falls below the range of values of similarly zoned and situated properties with equivalent utility. Additionally, the present owners of the Subject Property are suffering a significant economic detriment by virtue of the continuation of the GC and CRC zoning classifications.



- D. The zoning proposal will have no adverse impact upon the existing County infrastructure including, but not limited to, existing streets, transportation facilities, utilities or schools.

- E. The zoning proposal is consistent with those uses and purposes contemplated under Cobb County's Comprehensive Land Use Plan and Future Land Use Map with the Subject Property lying within a CAC designation and will provide mixed-use of residential and retail uses appropriately situated on Veterans Memorial Highway.

- F. There is no substantial relationship between the existing zoning classifications of GC and CRC which limit the property in terms of its present utilization and the public health, safety and general welfare. Additionally, considered in the context of development along the Veterans Memorial Highway Corridor, there are no established land use planning principles or political considerations which would have an adverse effect upon this proposed rezoning.

Respectfully submitted, this the 6th day of October, 2022.

SAMS, LARKIN & HUFF, LLP

By: 

GARVIS L. SAMS, JR.
Attorney for Applicant
Ga. Bar No. 623950